UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 90th CONGRESS
FIRST SESSION

VOLUME 113—PART 23

NOVEMBER 1, 1967, TO NOVEMBER 9, 1967
(PAGES 30689 TO 32116)

DEPOSITED BY THE
UNITED STATES OF AMERICA

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1967

J
11
.R
v.113
pt 23

DEPOSITED BY THE
UNITED STATES OF AMERICA

Congressional Record

United States of America

PROCEEDINGS AND DEBATES OF THE 90th CONGRESS, FIRST SESSION

SENATE

WEDNESDAY, NOVEMBER 1, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Bishop W. Earl Ledden, Wesley Theological Seminary, Washington, D.C., offered the following prayer:

Almighty God, who hast made and preserved us a nation, use now this Nation we pray, to help establish Thy way among men. The earth is Thine and all the fullness thereof, the world and they that dwell therein. But we have turned, everyone, to his own way, and made it a world of anarchy and dissension.

Forgive us, O Lord, and renew a right spirit within us. May we not feel righteous merely because we have, with eloquence, cursed the dark, while, with negligence, we have failed to light the candles. May light shine forth from this exalted place this day, Thy word is light.

Thou didst speak to our fathers and give them words of living truth for the liberation of the human spirit. Their inspired words were heard around the world.

Grant, O Lord, that this day there may be spoken in this place, by Thy grace, words that will be heard across all lands for the healing of the nations. May the power of this great Nation be exerted for peace and justice and human compassion, so that the peoples and races of all mankind may have reason to rejoice with us that Thou hast made and preserved us a nation.

In His name. Amen.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on October 31, 1967, the President had approved and signed the following acts and joint resolution:

S. 43. An act for the relief of Mi Soon Oh;

S. 63. An act for the relief of Dr. Enrique Alberto Rojas-Vila;

S. 64. An act for the relief of Dr. Luis Osvaldo Martinez-Farinas;

S. 221. An act for the relief of Dr. Armando Perez Simon;

S. 440. An act for the relief of Dr. Julio Alejandro Solano;

S. 733. An act for the relief of Sabiene Elizabeth DeVore;

S. 741. An act for the relief of Rumiko Samanski;

S. 821. An act for the relief of Dr. Julio Domingo Hernandez;

S. 975. An act for the relief of Mitsuo Blomstrom;

S. 1021. An act for the relief of Antonio Luis Navarro;

S. 1106. An act for the relief of Dr. David Castaneda;

S. 1110. An act for the relief of Dr. Manuel Alpendre Seisdedos;

S. 1197. An act for the relief of Dr. Lucio Arsenio Travieso y Perez;

S. 1269. An act for the relief of Dr. Gonzalo G. Rodriquez;

S. 1279. An act for the relief of Dr. Francisco Montes;

S. 1280. An act for the relief of Dr. Alfredo Pereira;

S. 1458. An act for the relief of Lee Duk Hee;

S. 1471. An act for the relief of Dr. Hugo Gonzalez;

S. 1482. An act for the relief of Dr. Ernesto Nestor Prieto;

S. 1525. An act for the relief of Dr. Mario R. Garcini;

S. 1557. An act for the relief of Dr. Carlos E. Garciga;

S. 1647. An act for the relief of Dr. Maria del Carmen Trabadelo de Arias;

S. 1678. An act for the relief of American Petrofina Co. of Texas, a Delaware corporation, and James W. Harris;

S. 1709. An act for the relief of Dr. Antonio Martin Ruiz del Castillo;

S. 1748. An act for the relief of Dr. Ramiro de la Riva Dominguez;

S. 1933. An act to provide for the disposition of judgment funds now on deposit to the credit of the Cheyenne-Arapaho Tribes of Okahoma;

S. 1938. An act for the relief of Dr. Orlando Hipolito Maytin; and

S. J. Res. 112. Joint resolution extending the time for filing report of Commission on Urban Problems.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

THE JOURNAL

Mr. MANSFIELD. Mr. President I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, October 31, 1967, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Pursuant to the order of the Senate of October 31, 1967,

Mr. HART, from the Committee on the Judiciary, reported favorably, with an amendment, on October 31, 1967, the bill (H.R. 10805) to extend the life of the Civil Rights Commission, and submitted a report (No. 704) thereon, which was printed.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CIVIL RIGHTS COMMISSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 688, H.R. 10805.

The PRESIDING OFFICER (Mr. HART in the chair). The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 10805) to extend the life of the Civil Rights Commission.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary, with an amendment, on page 1, after line 6, insert a new section, as follows:

> SEC. 2. Section 106 of the Civil Rights Act of 1957 (71 Stat. 636; 42 U.S.C. 1975e) is amended to read as follows:
>
> "APPROPRIATIONS
>
> "SEC. 106. For the purposes of carrying out the provisions of this Act, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1968, and for each of the four succeeding fiscal years, the sum of $2,650,000 for each such fiscal year."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 704) explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE AMENDMENT

The purpose of the amendment to H.R. 10805 is to place a ceiling on the open-end appropriation authorization contained in section 106 of the Civil Rights Act of 1957. For each fiscal year until the Commission's expiration on June 30, 1968, the committee authorizes the sum of $2,650,000 to be appropriated for the purposes of carrying out the provisions of this act.

PURPOSE

The purpose of the bill, as amended, is to extend the existence of the U.S. Commission on Civil Rights from January 31, 1968, to January 31, 1973, and to place a monetary limitation thereon. Accordingly, it amends section 104(b) of the Civil Rights Act of 1957, as amended (78 Stat. 251; 42 U.S.C. 1975c(b)).

STATEMENT

House Report 389, 90th Congress, first session, covers the legislative history of and need for H.R. 10805 as follows:

"The U.S. Commission on Civil Rights is an independent, bipartisan agency which was first established by the Congress under the Civil Rights Act of 1957. Its existence was further extended under the terms of the Civil Rights Act of 1964. It is composed of six Commissioners, appointed by the President, with the advice and consent of the Senate. There is also a full-time staff director who is also a Presidential appointee.

"The President, in his message relative to racial discrimination in housing, education, voting, etc., recommended the extension, for an additional 5 years, of the U.S. Commission on Civil Rights.

"The Department of Justice, in a letter to the Speaker, House of Representatives, dated February 17, 1967, stated:

" 'The life of the Civil Rights Commission is now scheduled to expire January 31, 1968. In the past this agency has made valuable contributions to our understanding of racial problems in diverse areas. It is important that it continue to perform this function. Title VI would extend the life of the Commission for an additional 5 years.'

"The reference to title VI is contained in the bill, H.R. 5700, 90th Congress, which is pending legislation.

"Subcommittee No. 5 of the House Committee on the Judiciary, however, in considering the need for the extension of the Civil Rights Commission, concluded that legislation should be introduced to extend the life of the Commission for an additional 5 years. The chairman of the committee, Mr. Celler, at the direction of all the members of that subcommittee, introduced the bill, H.R. 10805, and all of those members cosponsored this legislation.

"At the request of the subcommittee, the U.S. Commission on Civil Rights was requested to present a memorandum on its functions, reports, activities, and the need for this extension. That memorandum is hereby attached and made a part of this report."

The committee, after a review of the foregoing, concurs in the action of the House of Representatives and recommends that the bill, H.R. 10805, as amended, be considered favorably.

Attached hereto and made a part hereof is a memorandum from William L. Taylor, Staff Director of the Civil Rights Commission, to William R. Foley, general counsel, Committee on the Judiciary, House of Representatives.

"Memorandum for: William R. Foley, general counsel, Committee on the Judiciary, House of Representatives.

"From: William L. Taylor.

"This is in response to your request for a memorandum concerning the responsibilities and activities of the U.S. Commission on Civil Rights.

"1. Commission functions

"The Commission, which has been in existence since 1957, performs a unique function among the several agencies in the Federal Government concerned with civil rights. Unlike most other civil rights agencies, the Commission is not charged with authority to enforce particular civil rights laws or to correct individual denials of civil rights. Rather, the Commission's function from the beginning has been to find facts—to identify the areas where inequity persists and equal opportunity is denied—and to report these facts to the President, the Congress, and the Nation.

"Specifically, the Commission is authorized by the Civil Rights Act of 1957, as amended, to—

"1. Investigate complaints alleging that citizens are being deprived of their right to vote by reason of their race, color, religion, or national origin.

"2. Investigate allegations of vote fraud.

"3. Study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution because of race, color, religion, or national origin or in the administration of justice.

"4. Appraise the laws and policies of the Federal Government with respect to denials of equal protection of the laws under the Constitution because of race, color, religion, or national origin or in the administration of justice.

"5. Serve as a national clearinghouse for civil rights information.

"Reports and recommendations

"Commission reports typically have contained recommendations for appropriate measures to correct the inequities and denials of equal opportunity disclosed by our studies and investigations. These reports and recommendations have proven their value from several standpoints: First, many of them have stimulated salutary public debate on important civil rights issues. Second, Commission reports have provided the factual base for much, of the legislative and executive action taken in the area of civil rights in recent years. Third, many Commission recommendations, although considered controversial at the time they were made, ultimately have been adopted in the form of legislation or executive action. For example, in 1959, the Commission recommended the enactment of legislation providing for Federal registrars to assure to Negroes and other minority group citizens the most basic of all rights—the right to vote. This recommendation, considered highly controversial at the time, provided the basis for the Voting Rights Act of 1965. A series of Commission recommendations aimed at assuring nondiscrimination in federally assisted programs was enacted into law as title VI of the Civil Rights Act of 1964. In fact, fully 75 percent of the recommendations made by the Commission already have been adopted. I have enclosed for your information a compilation of Commission recommendations and the action taken on them. I also have enclosed a catalog of Commission publications indicating the scope and range of Commission studies and reports.

"3. Hearings

"In collecting the information necessary for the Commission to carry out its responsibilities, we have made extensive use of public hearings. The Commission has held hearings in some 15 cities throughout the country covering a variety of civil rights problems. We have held voting hearings in Montgomery, Ala., in New Orleans, La., and in Jackson, Miss. We have held housing hearings in New York City, Chicago, Ill., Atlanta, Ga., and Washington, D.C. We have held hearings addressed to education in Rochester, N.Y., and Boston, Mass. And we have held hearings covering a full range of urban area civil rights problems in such cities as Newark, N.J., Indianapolis, Ind., Cleveland, Ohio, Memphis, Tenn., Detroit, Mich., and Phoenix, Ariz. Just a few weeks ago, the Commission held a weeklong hearing in the Bay Area of California, where it heard testimony covering the civil rights problems of Negro Americans, Mexican Americans, and Americans of Chinese ancestry.

"We have found these hearings to be valuable in several ways: First, in gathering basic facts that cannot be obtained entirely through the collection of statistics and other impersonal data; second, in obtaining the firsthand views of interested and concerned citizens as to the nature and extent of civil rights problems in their communities, and their potential solutions; third, in educating the community itself, by bringing to light problems that many in the community did not realize existed, and by stimulating public discussion and affirmative action on the local level. For example, last year, the Commission held a 5-day hearing in Cleveland, Ohio. This hearing, which was covered by live television, stimulated a great deal of public discussion in the local newspapers concerning the problems identified at the hearings, and led also to action on the part of community groups to attempt to meet these problems.

"4. Clearinghouse activity

"In addition to factfinding, the Commission has been engaged, through its clearinghouse activity, in a program of fact dissemination. The clearinghouse responsibility, authorized to the Commission in 1964, is becoming an increasingly important part of our work. One of the areas of greatest need in the field of civils rights is that of information—information not only for the experts and technicians, but also for concerned Americans generally. The Commission, in the relatively brief time during which it has had the clearinghouse responsibility, has attempted to serve this need in several ways. We have established a Technical Information Center within our Research Division with the function of gathering factual data covering matters relating to civil rights and supplying it upon request.

"In addition, the Commission has undertaken a series of clearinghouse publications which attempt briefly and succinctly to provide information on important civil rights matters. We have issued clearinghouse publications on such subjects as title VI of the Civil Rights Act of 1964, equal opportunity in hospitals and health facilities, and equal employment opportunity under Federal law. Most recently, the Commission issued a summary of its report on "Racial Isolation in the Public Schools." These clearinghouse publications have received wide circulation in communities across the country and we believe that they are serving a valuable educational purpose.

"We also have undertaken an affirmative program of cooperation with governmental, civic, and professional groups, not only on the national level, but on the State and local levels as well. We have willingly participated in conferences and discussions on civil rights problems in communities throughout the country and have made available staff and technical resources to community groups that have requested them to assist in their efforts to meet the problems that exist. For example, since publication of the Commission's report on 'Racial Isolation in the Public Schools,' Commission staff members have participated in more than 20 meetings and conferences sponsored by local community groups which have been impressed with the gravity of the school segregation problem they face and which have asked the Commission for assistance in finding ways to resolve it.

"The Commission receives valuable help in its clearinghouse activities from its State advisory committees, consisting of concerned citizens familiar with State and local civil rights problems and who serve the Commission without compensation. State advisory committees have held numerous conferences and meetings in the South to acquaint people with their rights under Federal law and to inform them of the procedures available for securing them. In Cleveland, following the Commission's hearing there, a special committee of the Ohio Advisory Committee conducted further investigations concerning civil rights problems in that city and made recommendations for specific courses of action at the local level to deal with them.

"In short, through its clearinghouse activity, the Commission is seeking to match its traditional fact gathering activity with an equally vigorous program of fact dissemination.

"5. Need for Commission extension

"a. Need for rapid action

"In the past, the Commission's limited authorization—usually for 2 years—has presented it continually with the problem of maintaining effective continuity of its staff and program. This problem has been rendered more acute by the fact that on each occasion when the Commission has been due to expire, congressional action to extend its life has been delayed up to or beyond the time of expiration. In the 7 years between 1957 and 1964, the Commission underwent no less than four separate expirations and extensions. Each time, the Commission, as an agency scheduled to go out of business, was required to phase out its operations and its staff, and then, after extension, went through the time-consuming process of securing a new staff and planning a new program. Under its present authorization, the Commission is scheduled to expire on January 31, 1968. Only if the Commission extension is enacted well before that date can the Commission be assured of retaining its experienced and knowledgeable staff and maintaining the continuity of its program.

"b. Need for 5-year extension

"In 1964, the Congress extended the Commission for a term of some three and a half years, until January 1968. Because of the additional time afforded to the Commission, we have been able to undertake studies on a variety of issues that would not otherwise have been possible. Further, we have been able to plan for longer range projects and to carry out a more comprehensive agency program. For example, in the past, the Commission's program emphasis was on factfinding and reporting denials of civil rights to Negroes in the South. During its current authorization, the Commission has been able to launch an equally vigorous program of factfinding and research into urban civil rights problems, with emphasis on the North. The recent study on 'Racial Isolation in the Public School' is an important part of this new Commission program.

"In addition, the Commission has been able to broaden the scope of its work beyond the 'hard core' civil rights problems—such as denials of the right to vote, housing discrimination, and the persistence of legally compelled school segregation—to include examinations of the more complex problems of civil rights, and their potential solutions.

"Thus studies of voting now extend not only to elections, but to participation in the entire political process. Studies of housing now extend not only to appraising progress in assuring nondiscrimination, but also to analyzing subtler causes of unequal housing opportunity, such as the relationship between minority group income and the availability and location of housing for lower income families. Studies of education now extend not only to legally compelled school segregation, but also to school segregation resulting from factors other than legal compulsion.

"We also have been able to broaden the scope of our work to examine the ways in which denials of civil rights in one area are related to civil rights denials in other areas. For example, in the report the Commission recently issued on 'Racial Isolation in the Public Schools,' we did not confine our inquiry to the problem of unequal educational opportunities alone. To understand its full dimensions, we explored also the relationship of housing patterns to this problem and, in turn, its effect on the lack of employment opportunities for minority group members.

"The question of whether the Commission should be extended rests, of course, in the sound discretion of the Congress. We believe, however, that if the Congress determines that the Commission can continue to serve a useful function in this important area, then it should extend the Commission's life for a period of time sufficient to enable it to carry out its functions on a sound and efficient basis. A 5-year extension, as provided in the bill, would enable the Commission to be of optimum value.

"c. Continuing need for Commission

"The Commission's principal function remains to find facts. The importance of this function has not diminished over the years. There is a continuing need to appraise the changing status of civil rights—to assess the progress that has been made and to point out the areas where discrimination persists.

"There also is a continuing need for an agency independent of those which operate Federal programs, to examine specifically the impact of these programs and other Federal activity on this problem. Prior to 1964, the Commission did several major studies indicating the need for a uniform Federal policy assuring nondiscrimination in federally assisted programs. Since the enactment of title VI of the Civil Rights Act of 1964, the major emphasis of the Commission's work in appraising Federal laws and policies has been to determine whether the policy contained in that law is being effectively implemented at the Federal, State, and local levels. To this end, we maintain continuing liaison with Federal officials having title VI responsibilities. Through meetings and conferences sponsored by Commission State Advisory Committees, we attempt to determine whether federally assisted programs and activities are being administered in a nondiscriminatory manner at the State and local level. For example, our Mississippi Advisory Committee recently held a meeting concerning problems of welfare in that State. Commission staff has been conferring with appropriate HEW officials concerning the title VI problems that were uncovered through that meeting. The Commission hearing in Cleveland last year turned up problems concerning the administration of the urban renewal program in that city, which prompted the Department of Housing and Urban Development to take corrective action.

"Further, while the Commission's work has dealt principally with the civil rights problems of Negro Americans, we recognize that other minority groups, such as Mexican-Americans and American Indians, also are subject to civil rights denials and that much work needs to be done in identifying the nature of these civil rights problems and in assuring to these minority groups as well, the right to equal opportunity. The need here as well is for an independent factfinding body, divorced from agencies with responsibilities for program operation, to determine objectively what the facts are.

"In accordance with your request, I have enclosed current and projected figures relating to the Commission's budget and its personnel. I also have enclosed copies of the following reports recently issued by the Commission:

"Law Enforcement (1965).

"The Voting Rights Act (1965).

"Title VI—One Year After (1965).

"Survey of School Desegregation in the Southern and Border States, 1965–66 (1966).

"Children in Need (1966).

"Racial Isolation in the Public Schools (1967).

"Title VI of the Civil Rights Act of 1964 (1965).

"Equal Opportunity in Hospitals and Health Facilities (1965).

"Equal Employment Opportunity Under Federal Law (1966).

"CURRENT AND PROJECTED BUDGET AND PERSONNEL FOR U.S. COMMISSION ON CIVIL RIGHTS

"Fiscal year	Appropriations	Authorized permanent positions
1966	$1,925,000	129
1967	2,500,000	148
1968 (House allowance)	[1] 2,650,000	[2] 153

"[1] The President's budget called for $2,790,000. Thus the House allowance reduced the request by $140,000. The Commission will not appeal the House allowance.

"[2] The President's budget called for 156 authorized permanent positions. Thus the House allowance reduced the number of positions requested by 3."

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

"CIVIL RIGHTS ACT OF 1957

"(78 Stat. 251; 42 U.S.C. 1975c(b))

"§ 1975c. Duties; reports; termination.

"SEC. 104. * * *

"(b) The Commission shall submit interim reports to the President and to the Congress at such times as the Commission, the Congress or the President shall deem desirable, and shall submit to the President and to the Congress a final report of its activities, findings, and recommendations not later than [January 31, 1968.] *January 31, 1973.*

"(c) Sixty days after the submission of its final report and recommendations the Commission shall cease to exist.

"APPROPRIATIONS

"SEC. 106. [There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this Act.] *For the purpose of carrying out the provisions of this Act, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1968, and for each of the four succeeding fiscal years, the sum of $2,650,000 for each such fiscal year.*"

Mr. ERVIN. Mr. President, I have no objection to the present consideration of the bill; but I ask unanimous consent that four members of the Committee on the Judiciary, which considered the bill—namely, the distinguished senior Senator from Mississippi [Mr. EASTLAND], the distinguished senior Senator from Arkansas [Mr. MCCLELLAN], the distinguished senior Senator from South Carolina [Mr. THURMOND], and I—be recorded as voting against the passage of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. **MANSFIELD**. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. **KUCHEL**. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

THE CALENDAR

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 673 and the succeeding measures in sequence.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

GRANTING MINERALS ON CERTAIN LANDS IN THE CROW INDIAN RESERVATION, MONT., TO CERTAIN INDIANS

The Senate proceeded to consider the bill (S. 1119) to grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Mont., to certain Indians, and for other purposes which had been reported from the Committee on Interior and Insular Affairs, with amendments on line 2, after the word "reserved", insert "in perpetuity"; and in line 7, after the word "prescribe:", strike out:

Provided, That when any land is leased for mining purposes and development thereunder shall indicate the presence of minerals, including oil and gas, in paying quantities, the lessee or lessees shall proceed with all reasonable diligence to complete the development under said lease to extract the mineral, including oil and gas, from the land leased and to bring the product mined or extracted into market as speedily as possible unless the extraction and sale thereof be withheld with the consent of the Crow Tribe of Indians: *Provided further*, That allotments hereunder may be made of lands classified as valuable chiefly for coal or other minerals which may be patented as herein provided with a reservation, set forth in the patent, of the coal, oil, gas, or other mineral deposits for the benefit of the Crow Tribe: *Provided further*, That on June 4, of the year 2020, unless otherwise ordered by Congress, the coal, oil, gas, or other mineral deposits upon or beneath the surface of said allotted lands shall become the property of the individual allottee or his heirs or devisees, or their heirs or devisees, subject to any outstanding leases, regardless of any prior conveyance by such allottee, heirs, or devisees of the lands overlying such minerals and regardless of the form of reference in such conveyance, or lack of reference, to the minerals reserved by this Act and made subject to further order of Congress.

(b) Title to the minerals so granted shall be held by the United States in trust for the Indian owners, except that if on June 4 of the year 2020, the entire Indian interest in the minerals within any allotment or parcel thereof is granted by this Act to a person or persons who at that time hold an unrestricted title to the lands overlying such minerals, then the Secretary of the Interior shall by fee patent transfer to such person or persons the unrestricted fee simple title to such minerals, which title shall vest in such person or persons as of the date of the patent.

And, in lieu thereof, insert:

Provided, That leases entered into pursuant to section 6 of the Act of June 4, 1920 (41 Stat. 751), as amended by the Act of May 26, 1926 (44 Stat. 658), may with the consent of the tribal council and under such rules, regulations, and conditions as the Secretary of the Interior may prescribe, be amended to change the terms thereof to ten years and as long thereafter as minerals are produced in paying quantities.

So as to make the bill read:

S. 1119

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Act of June 4, 1920 (41 Stat. 751), as amended by the Act of May 26, 1926 (44 Stat. 658), as further amended by the Act of September 16, 1959 (73 Stat. 565), is hereby amended to read as follows:

"SEC. 6. (a) Any and all minerals, including oil and gas, on any of the lands to be allotted hereunder are reserved in perpetuity for the benefit of the members of the tribe in common and may, with the consent of the tribal council be leased for mining purposes in accordance with the provisions of the Act of May 11, 1938 (52 Stat. 347; 25 U.S.C. 396a–f), under such rules, regulations, and conditions as the Secretary of the Interior may prescribe:

"*Provided*, That leases entered into pursuant to section 6 of the Act of June 4, 1920 (41 Stat. 751), as amended by the Act of May 26, 1926 (44 Stat. 658), may with the consent of the tribal council and under such rules, regulations, and conditions as the Secretary of the Interior may prescribe, be amended to change the terms thereof to ten years and as long thereafter as minerals are produced in paying quantities."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 690), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

S. 1119, as amended by the committee, would amend existing law to grant full ownership of the minerals underlying the Crow Indian Reservation in Montana to members of the Crow Tribe. The measure also provides that with the approval of the tribal council certain oil and gas leases granted under previous law may be renewed and extended so as to make them uniform and consistent with other oil and gas leases on reservation lands.

Absent legislative action, the tribe's interest in the minerals will terminate in 1970 under existing law enacted in 1920 (41 Stat. 751), which reserves the minerals to the tribe for a 50-year period.

The total income to the tribe from the development of oil and gas since 1920 amounts to $3,665,000. About 40 percent of that income has been received during the past 5 years. The committee concurs with the finding of the Department of the Interior "that the tribe has not enjoyed the full benefit of the mineral reservation that was contemplated in 1920, and that an extension of tribal ownership is justifiable for that reason."

As introduced, S. 1119 would have extended this 50-year period for another 50 years, or until 2020. After the 100-year period, the mineral deposits would have become the property of the individual allottees or their heirs.

As pointed out by the Department of the Interior:

"The extension of tribal ownership to a period of 100 years, and then the transfer of title to the heirs and devisees of the individual Indians who were allotted 100 years earlier, will create a serious heirship problem. It will be difficult and expensive to trace the heirs and devisees, and the property values in some allotments at that time may not warrant the effort. If the purpose of S. 1119 is to permit the tribe to retain title to the minerals until the minerals have been substantially extracted, some consideration might well be given to changing the 50-year reservation to full tribal ownership of the minerals."

Accordingly, the bill was amended to provide that the minerals be reserved for the tribe in perpetuity, rather than for another 50-year period.

THE HEIRSHIP PROBLEM

The committee would like to point out parenthetically that for a number of years it has been endeavoring to resolve the problem highlighted above—that of multiple ownership of Indian allotments. The Indian heirship land problem arises from the fact that the United States holds in trust for Indians about 41,000 tracts of allotted land—approximately 6 million acres—that are in fractionated ownership. This situation arose when, upon the death of the original allottee, his or her estate was probated and the heirs were given undivided interests in the tract of land.

Through the years, successive probates have often taken place affecting the same tract until at the present time there may be anywhere from two to 200 heirs holding fractional interest in the same piece of trust land. This fractionation of ownership has created serious problems for the heirs themselves, the tribes, and the Bureau of Indian Affairs, which has responsibility for managing trust land.

This year the committee once again considered and reported favorably a measure, S. 304, designed to be the basis of a solution for this troublesome, ever-growing problem. This measure passed the Senate on August 21. A series of bills for a similar purpose have been approved by the Senate in previous Congresses but have not been acted upon in the other body.

THE COMMITTEE AMENDMENTS

The first amendment made by the committee—that of granting outright ownership to the tribe rather than providing for another 50-year reservation—has been discussed above. The other amendment is the proviso on page 3 to authorize extension of existing leases. The substance of this amendment was proposed by counsel for a lessee, J. Ray McDermott & Co., Inc., of Houston, Tex., whose lease, issued under a 1953 law, would terminate in 1970.

The tribe has gone on record as not opposing the proposal, and the Department of the Interior has redrafted the language of the amendment as originally submitted to provide for the consent of the tribe to such renewal and extension and for changes in line with existing conditions at the time of the renewal.

CANCELLATION OF CONSTRUCTION COSTS AND IRRIGATION ASSESSMENTS AGAINST THE FORT PECK INDIAN RESERVATION

The Senate proceeded to consider the bill (S. 1391) to cancel certain construction costs and irrigation assessments chargeable against lands of the Fort Peck Indian Reservation, Mont., which had been reported from the Committee on Interior and Insular Affairs, with an amendment, strike out all after the enacting clause and insert:

That, in accordance with provisions of the Act of June 22, 1936 (49 Stat. 1803; 25 U.S.C. 389–389e), the order of the Secretary of the Interior canceling delinquent irrigation operation and maintenance charges in the amount of $461.40 and any accrued interest thereon for certain lands adjacent to but outside the boundary of the Fort Peck Indian irrigation project, Montana, and reimbursable irrigation construction costs in the amount of $206,902.21 against lands within the Fort Peck Indian irrigation project, Montana, as listed and described in schedules referred to in such order, is hereby approved.

SEC. 2. Unassessed construction costs of $118,266.64 allocable against both the Indian- and non-Indian-owned lands in the Frazier-Wolf Point unit of the Fort Peck Indian irrigation project, Montana, are hereby canceled.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

BILL PASSED OVER

The bill (H.R. 5091) to amend Public Law 87–752 (76 Stat. 749) to eliminate the requirement of a reservation of certain mineral rights to the United States was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

SALE OF PUBLIC LANDS

The Senate proceeded to consider the bill (S. 220) to authorize the sale of certain public lands which had been reported from the Committee on Interior and Insular Affairs with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior is authorized, on application of an owner of contiguous lands, to sell at public auction any tract of public domain not exceeding one hundred and sixty acres that contains some lands which have been or can be put to cultivation but which are insufficient because of climatic, topographic, ecologic, soil, or other factors to justify a classification as proper for disposal under the homestead or desert land laws. Except as provided in section 2 hereof, the tract shall be sold to the highest bidder. Except as provided in section 3 hereof, no tract shall be sold for less than its appraised fair market value.

SEC. 2. For a period of thirty days from the day the high bid is received, any owner of contiguous lands shall have a preference right to buy the tract at such highest bid price. If two or more contiguous owners assert the preference right, the Secretary is authorized to make such division of the land among the applicants as he deems equitable.

SEC. 3. If a person who has a preference right under section 2 of this Act is the purchaser of land sold pursuant to this Act, he shall not be required to pay for any values he or his predecessors in interest have added to the land. However, nothing in this Act shall relieve any person from liability to the United States for unauthorized use of the land prior to conveyance of title by the United States.

SEC. 4. No person may acquire from the Secretary more than one hundred and sixty acres of land under the provisions of this Act, except that in any case in which the Secretary finds that the person to whom the land is to be transferred has not intentionally trespassed thereon in the use thereof, the Secretary may transfer not to exceed six hundred and forty acres under the provisions of this Act.

SEC. 5. The authority granted by this Act shall terminate June 30, 1971, but sales for which application has been made in accordance with this Act prior to June 30, 1971, may be consummated and patents may be issued in connection therewith after June 30, 1971.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 693) explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of S. 220 is to give the Secretary of the Interior the legislative authority to sell certain parcels of land upon which an agricultural trespass has recently been discovered.

BACKGROUND

In various parts of the West there exist many small parcels of arable lands adjacent to private farms and ranches which could be put to economic use as part of the private cultivation and which have no public values requiring their retention in public ownership. Such small parcels are found on occasion to be cultivated in trespass, sometimes because of the uncertainty of titles or land boundaries. Where such tracts cannot meet the legal and regulatory requirements for classification for sale under section 2455 R.S., Public Land Sales Act, or Homestead or Desert Land Acts, the Secretary has no means to sell them.

Enactment of S. 220 would provide authority to sell such lands and permit the Secretary to adjust land use and tenure situations which have arisen because of the lack of this authority.

S. 220, introduced by Senators Hansen and Jordan of Idaho, represents a continuation of the effort which was started in the 89th Congress to enact similar legislation when Senator Simpson introduced S. 625. This latter bill was passed by the Senate but was not considered by the House.

AMENDMENTS

In its report to the committee, the Interior Department forwarded a draft bill as a suggested substitute for S. 220. The draft bill, as submitted by the Department, was considered by the Subcommittee on Public Lands at a hearing August 14, 1967, amended and adopted. During the discussion with Assistant Secretary of the Interior Harry R. Anderson, it was agreed that the acreage limitation on section 4 of the bill should be increased to 160 acres of land.

Section 4 was amended to read:

"No person may acquire from the Secretary more than 160 acres of land under the provisions of this Act, except that in any case in which the Secretary finds that the person to whom the land is to be transferred has not intentionally trespassed thereon and the use thereof, the Secretary may transfer not to exceed 640 acres under the provisions of this Act."

The committee sought to draft the bill with sufficient expansiveness to take care of all conceivable situations. It believes this exception, granting the Secretary discretionary authority to transfer not more than 640 acres of land where no intentional trespass is involved will meet that requirement.

Under the draft as proposed by the Department of the Interior, section 5 spelled out that the authority granted by this act shall expire 3 years from the date of the passage of the act. That wording has been changed to specify that the authority granted by the act shall terminate June 30, 1971.

RECOMMENDATION

The Committee on Interior and Insular Affairs recommends passage of S. 220, as amended.

AUTHORIZATION OF APPROPRIATIONS FOR CAPE HATTERAS NATIONAL SEASHORE

The bill (S. 561) to authorize the appropriation of funds for Cape Hatteras National Seashore was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

Mr. KUCHEL. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

NEBRASKA MID-STATE DIVISION MISSOURI RIVER BASIN PROJECT

The bill (H.R. 845) to authorize the Secretary of the Interior to construct, operate, and maintain the Nebraska Mid-State division, Missouri River Basin project, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 695), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

At the request of Senators Curtis and Hruska, cosponsors of S. 774, a bill to authorize the Secretary of the Interior to construct, operate, and maintain the Nebraska Mid-State division, Missouri River Basin project, and for other purposes, the committee considered and ordered reported H.R. 845. H.R. 845 had previously been considered by the House committee and was passed by the House of Representatives on August 14, 1967.

H.R. 845, as ordered reported by the committee, incorporates all of the amendments which were recommended by the Department of the Interior and the Bureau of the Budget in their executive reports to Chairman Jackson on May 10 and 12, 1967. In addition, H.R. 845 contains a new section which provides that no funds can be appropriated and no construction can be started until the Nebraska Mid-State Irrigation District has obtained individual water user contracts covering 140,000 acres of land to be served by the Mid-State division. The purpose of this amendment is to assure repayment of the project's irrigation costs. The prohibition runs against actual construction costs and does restrict the authorization to appropriate funds for advanced planning activities.

PURPOSE

The purpose of H.R. 845 is to authorize the Secretary of the Interior to construct, operate, and maintain the Nebraska Mid-State division of the Missouri River Basin project. The Mid-State division is a proposed multiple-purpose project, located along the north side of the Platte River in central Nebraska, which will provide irrigation and flood control benefits and outdoor recreation opportunities. The Mid-State division, which is estimated to cost $106,135,000 at current price and wage levels, will be integrated physically and financially with the other works being constructed by the Department of the Interior in the Missouri River Basin.

HISTORY AND BACKGROUND

The Mid-State project was conceived in 1943, and has been under active consideration since that time. It was originally believed that the project could be handled by local financing and local construction. The plan was developed by consultants to the Nebraska Mid-State Reclamation District. In 1954, it was proposed that it be built under a partnership arrangement with a loan and grant from the Federal Government. In 1959, after recognizing the difficulty and probable ability of the water users to fully repay the reimbursable costs to the project, the Mid-State board of directors requested that the project be built by the Secretary of the Interior as a part of the Missouri River Basin project. Since that time, the district's plan has been reviewed and approved by the Bureau of Reclamation.

The committee has considered legislation relating to the Nebraska Mid-State division since the 85th Congress. Subcommittee hearings were first held on June 19, 1958. In the 86th Congress subcommittee hearings were held on April 29, 1959, and on May 20, 1960. In the 87th Congress hearings were held on May 25, 1961, and S. 970 was ordered reported to the Senate on August 24, 1961 (S. Rept. 884). S. 970 passed the Senate on September 21, 1961, but no action was taken by the House of Representatives.

In the 88th Congress hearings were held on S. 388 on March 4, 1964. This measure was subsequently ordered reported to the Senate on June 19, 1964 (S. Rept. 1111) and was passed by the Senate on June 29, 1964. Again no action was taken on the measure by the House of Representatives. In the 89th Congress S. 303 was introduced by Senators Curtis and Hruska, but no action was taken on the measure in the Senate.

Hearings on S. 774 and H.R. 845 were held before the Water and Power Resources Subcommittee on September 19, 1967. Representatives from the Department of the Interior, the State of Nebraska, the Nebraska Mid-State Reclamation District and other local organizations testified in favor of the legislation. Following the conclusion of the hearings the subcommittee recommended the measure to the full committee for consideration. As previously noted, the full committee ordered H.R. 845 favorably reported to the Senate.

NEED

The irrigation, flood control, and outdoor recreation benefits which the Mid-State division will provide are all very much needed in the project area. Accelerated and concentrated pumping for irrigation purposes has caused ground-water levels to gradually decline. Continued pumping without an opportunity for the recharge of underground sources of supply will have a serious effect on the economy of the area. Under project conditions, the ground-water supply would be stabilized and, in addition, 44,000 acres of presently dry farmland would be brought under irrigation.

Floods along the Platte River in the Mid-State project area have caused severe damage from time to time. Construction and operation of the Mid-State division would provide a high degree of flood protection to the district lands and property and to other areas in the Platte River Valley. The need for flood control facilities was most recently demonstrated in June of this year when flooding along various tributaries of the Platte River in Nebraska caused millions of dollars of property damage in central and eastern Nebraska. Particularly hard hit was Nebraska's third largest city, Grand Island.

Recreational facilities are now inadequate in central and eastern Nebraska and opportunities for recreational activities are few. The interconnected reservoirs, together with their shore areas, will provide for fishing, boating, hunting, swimming, and other water sports. The development for recreation and fish and wildlife enhancement will serve not only the citizens of the local area but all of eastern Nebraska.

PLAN OF DEVELOPMENT

The proposed Mid-State project works are located in central Nebraska along the north side of the Platte River. Lands to be benefited are in three counties and cover an area which is 10 to 20 miles wide and over 100 miles in length. The proposed works would provide a regulated gravity and well combination water supply for approximately 140,000 acres of which about 96,000 acres are currently being served by private wells and 44,000 acres are not now irrigated. An additional 163,000 acres of presently irrigated land would indirectly benefit as the result of the stabilization of the ground-water supply which will result from reduced pumping by those receiving a surface-water supply. Additional flood protection for the area would be provided by operation of the reservoirs in combination with the canals and floodways. The outdoor recreational opportunities will be provided by recreational development at selected sites on the reservoirs and by the establishment of wildlife refuges and hunting areas. The Mid-State division plan includes the following works:

(*a*) A diversion dam located on the Platte River about 7 miles east of Lexington, Nebr., to divert waters of that stream.

(*b*) A main supply canal and floodway designed to carry 3,000 c.f.s. from the diversion dam to the reservoir system. Initial sections of the canal have greater capacities (7,700–12,700 c.f.s.) to carry the intercepted floodwaters of Buffalo and Strever Creeks to the Platte River.

(*c*) A system of 23 interconnected ravine reservoirs on the north side of the Platte River with an irrigation conservation capacity of 289,300 acre-feet.

(*d*) Lower Mid-State Canal and Floodway, Kearney Floodway, Shelton Floodway, and Chapman Floodway which would serve dual functions of conveying irrigation water to lands and carrying floodflows from the reservoir systems, together with flows intercepted in the project area, to the Platte River.

(*e*) The Prairie Creek powerplant of 16,800 kilowatts which would furnish irrigation pumping power for district-operated pumps, and penstocks at three other dams for the possible addition of three 16,800-kilowatt plants in the future.

(*f*) Substation and transmission system to furnish district power to project pumps, and interconnecting facilities with the statewide power system.

(*g*) An irrigation distribution system consisting of improvements to natural channels to be used for conveyance of irrigation water, and of canals and laterals and numerous lift and well pumps.

(*h*) Surface and subsurface drainage facilities.

(*i*) Fish and wildlife and recreation developments.

As indicated earlier, the project works will serve 140,000 acres of land, and these lands will therefore be subject to the usual provisions of the reclamation laws with respect to so-called excess lands (act of May 25, 1926, sec. 46; 44 Stat. 649, 43 U.S.C. 423e)—that is, land in excess of 160 acres in the ownership of any one person. The remainder of the irrigable land in the district—approximately 163,000 acres—will not be served by means of the project works or receive a project water supply. It will continue to be irrigated from private wells. Though the owners of these wells will presumably benefit from a reduction of the draft on the underground aquifers, this benefit is too indirect, remote, and, in the case of any individual track of land, speculative to bring the land within the excess land laws or to permit any workable amendment to those laws to be devised which could be fairly applied to it.

WATER SUPPLY

The project water supply will, for the most part, come from the Platte River. The Department of the Interior, the State of Nebraska, and the Nebraska Mid-State Reclamation District all testified as to the adequacy of the water supply for the project. The director of the Nebraska Department of Water Resources stated that stream discharge records indicate that an average annual amount of 853,000 acre-feet would be available for use on the Mid-State project. The project operation studies show that there is sufficient water to meet project requirements and return over 400,000 acre-feet annually to the Platte River under present conditions and around 270,000 acre-feet under future conditions.

ECONOMIC AND FINANCIAL ASPECTS

The total construction cost of the Mid-State division at present price levels is estimated at $106,135,000. This includes $1,542,000 for penstocks to provide for three potential small powerplants which may be constructed in the future. The remaining cost is allocated as follows:

Irrigation	$76, 831, 000
Flood control	12, 831, 000
Recreation and fish and wildlife enhancement	14, 931, 000

The cost allocated to irrigation is repayable without interest pursuant to Federal reclamation law. The cost allocated to flood control is nonreimbursable. Of the amount allocated to recreation and fish and wildlife enhancement, $522,000 is to be repaid with interest and the remainder is nonreimbursable pursuant to the provisions of the Federal Water Project Recreation Act.

The economic studies of the Bureau of Reclamation indicate that the water users would be able to repay $44,350,000, or 58 percent of the irrigation allocation, over a period of 50 years following the development period. The balance of the irrigation allocation, $32,481,000, would be returned, within the 50-year period, from power revenues of the Missouri River Basin project. The $1,542,000 allocated to deferred commercial power would also be repaid with interest from power revenues of the Missouri River Basin project. The latest Missouri River Basin repayment study indicates there would be sufficient unobligated power revenues available to pay these amounts within the required period.

The benefit-cost analysis for the Mid-State division shows that the project benefits totaling about $5,660,000 annually would exceed annual costs in a ratio of 1.25 to 1 based on a 100-year period of analysis and an interest rate of 3⅛ percent. If direct benefits only are considered, the benefit-cost ratio is 1.20 to 1.

COMMITTEE RECOMMENDATIONS

Based upon extensive consideration of the Nebraska Mid-State division, both in this and in previous Congresses, the committee concludes that the project is sound and that it meets the requirements of reclamation law and policy. Testimony presented to the committee establishes that the project is needed and merits early authorization.

The Committee on Interior and Insular Affairs accordingly recommends that H.R. 845, as reported by the committee, be enacted.

CONVEYANCE OF INTEREST IN CERTAIN REAL PROPERTY IN THE STATE OF GEORGIA HELD BY THE UNITED STATES

The bill (H.R. 5364) to provide for the conveyance of the interest held by the United States in certain real property situated in the State of Georgia was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 696), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

This bill, H.R. 5364, provides for the sale of a small tract (approximately 10,000 square feet) of land in Walker County, Ga., now held by the National Parks Service, to William M. and Kerry E. Ransom.

BACKGROUND

In 1930 the United States conveyed this tract of land to the State of Georgia for use as part of a right-of-way for an approach road to the Chickamauga and Chattanooga National Military Park. The conveyance was made upon condition that the land would revert to the United States upon ceasing to be used for this purpose.

Because the approach road was recently relocated, the land has reverted to the United States. It is outside the national military park, and the National Park Service has no need for it. It will, on the other hand, be useful to the grantees named in the bill, since they are the owners of the abutting tracts on both sides of the old right-of-way. Disposition of the land to them or to anyone else, however, cannot be effected without the enactment of legislation along the lines of H.R. 5364, inasmuch as the surplus property laws do not apply to land held for national park purposes (40 U.S.C. 472).

RECOMMENDATIONS

For the reasons previously stated, and because the conveyance will be made for fair market value plus the administrative costs involved in the transfer, the Committee on Interior and Insular Affairs recommends enactment.

COST

Enactment of H.R. 5364 will entail no cost to the Government.

RIGHTS AND INTERESTS OF CONFEDERATED TRIBES OF THE COLVILLE RESERVATION AND THE YAKIMA TRIBE OF INDIANS IN AND TO A JUDGMENT FUND ON DEPOSIT IN THE U.S. TREASURY

The Senate proceeded to consider the bill (S. 2336) to determine the respective rights and interests of the Confederated Tribes of the Colville Reservation and the Yakima Tribe of Indians of the Yakima Reservation and their constituent tribal groups in and to a judgment fund on deposit in the Treasury of the United States, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 1, line 5, after the word "Yakima" strike out "Tribe" and insert "Tribes"; in line 8, after the word "groups," strike out "and the Attorney General on behalf of the United States"; on page 2, line 13, after the word "Yakima", strike out "Tribe" and insert "Tribes"; after line 15, strike out:

SEC. 2. The portion of such funds and the interest thereon to which the Yakima Tribe of Indians of the Yakima Reservation and its constituent tribal groups are entitled, as determined by the court, shall be withdrawn from the account or accounts in which such funds are deposited, and shall be redeposited in the account in the Treasury of the United States to the credit of the Yakima Tribe of Indians of the Yakima Reservation and may be advanced or expended for any purpose that is authorized by the tribal governing body of the Yakima Tribe of the Yakima Reservation and approved by the Secretary of the Interior.

On page 2, after line 2, strike out:

SEC. 3. The portion of such funds and the interest thereon to which the Confederated Tribes of the Colville Reservation and its constituent tribal groups are entitled, as determined by the court, shall be withdrawn from the account or accounts in which such funds are deposited, and shall be redeposited in an account in the Treasury of the United States to the credit of the Confederated Tribes of the Colville Reservation and may be advanced or expended for any purpose that is authorized by the tribal governing body of the Confederated Tribes of the Colville Reservation.

And in line 13, change the section number from "4" to "2"; so as to make the bill read:

S. 2336

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Confederated Tribes of the Colville Reservation, acting through the chairman of its business council, and the Yakima Tribes of Indians of the Yakima Reservation, acting through the chairman of its tribal council, for and on behalf of said tribes and each and all their constituent tribal groups, are each hereby authorized to commence or defend in the United States Court of Claims an action against each other making claims to a share in the funds that are on deposit in the Treasury of the United States to pay a judgment of the Indian Claims Commission dated April 5, 1965, in dockets numbered 161, 222, and 224, and the interest on said funds; and jurisdiction is hereby conferred upon said court to hear such claims and to render judgment and decree thereon making such division of such funds and the interest on such funds, as may be just and fair in law and equity, between the Confederated Tribes of the Colville Reservation and its constituent tribal groups on the one hand, and the Yakima Tribes of Indians of the Yakima Reservation and its constituent tribal groups on the other hand.

SEC. 2. Any part of such funds that may be distributed per capita to the members of the tribes shall not be subject to Federal or State income tax.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 697), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The basic purpose of S. 2336, as amended, is to confer jurisdiction on the Court of Claims to determine the respective rights of two Indian tribal bands of the State of Washington in and to a joint judgment fund. The Indian groups are the Confederated Tribes of the Colville Reservation and the Yakima Tribes of the Yakima Reservation.

The fund is that appropriated by the act of April 30, 1965 (79 Stat. 81) to cover an award of $3,446,700 made by the Indian Claims Commission in dockets 161, 222, and 224. Payment from the judgment fund of $332,670 on attorney fees totaling $344,670, also awarded by the Indian Claims Commission, has reduced that fund to $3,114,030. Interest at 4 percent per annum accruing on the award moneys in the amount of $205,597.24 (as of August 14, 1967) has increased the total amount for distribution to $3,319,627.24.

HISTORICAL AND LEGAL BACKGROUND

The award resulted from three claims filed with the Indian Claims Commission, one by the Yakima Tribes and two by the Colville Tribes, each to recover additional compensation for land ceded to the United States by the Yakima Treaty of June 9, 1855. The three claims were tried as one. The Commission found the 14 tribes or bands signatory to the treaty of August 9, 1955 (12 Stat. 951), constituted 11 landholding entities and it determined the acreage ceded by each such entity. The Commission held those entities were merged by the treaty into the Yakima Nation, but that such nation no longer exists. It entered a joint award in favor of the two separate petitioners for the benefit of the Yakima Nation as created by the 1855 treaty. The petitioners in their representative capacities are unable to agree upon a division of the award.

The Colville Tribes assert that five of the 11 treaty entities settled on the Colville Reservation and six settled on the Yakima Reservation. They contend those who settled on the Colville Reservation ceded 4,119,000 acres and those who settled on the Yakima Reservation ceded 4,057,000 acres. They maintain the award should be divided equally between the Colville Tribes and the Yakima Tribes because of the comparable acreages ceded by the five treaty entities which are now a part of the Colville Tribes and by the six treaty entities now a part of the Yakima Tribes.

The Yakima Tribes reject this proposal as inequitable. They maintain individual members of each of the 11 treaty entities settled on the Yakima Reservation and all are a part of the present Yakima Tribes. They propose to divide the award on a ratio of 697 to 4,067 because the Yakima Tribes had a membership of 4,067 during 1954 and during hearings held by the Indian Claims Commission that year the Colville Tribes introduced in evidence a list of 697 member tracing ancestry to the five treaty entities which the Colville Tribes settled on the Colville Reservation. The Yakima Tribes interpret the Commission's acts in accepting this document and later finding there were 697 such persons among the membership of the Colville Tribes as a determination that the award should be divided on a population basis. The Colville Tribes contend this document was tendered and used by the Commission only to determine the Colville Tribes' right to prosecute a representative action.

NEED FOR LEGISLATION

Delay in making the award money available for economic development is costly to both tribes, yet both are equally adamant. The Indian Claims Commission is without authority to determine the method of distribution of its award. Efforts of the Secretary of the Interior, the Solicitor, and Bureau personnel to effect a compromise have been of no avail. Referral of the problem to the Court of Claims, which has authority to render final judgment, seems necessary and logical.

COMMITTEE AMENDMENTS

As introduced, S. 2336 provided that the United States be made a party to the legal action. However, the Federal Government has no interest in the outcome of the authorized litigation, other than fulfillment of its equal responsibilities to the two Indian bands to bring about an equitable division of the fund and to see to it that the parties have the money to which they are entitled as expeditiously as possible for their economic development.

Therefore, the committee has deleted the requirement for active participation in the suit by the Federal Government. The committee's action is in accordance with the recommendations of the Department of the Interior.

For a number of years, the Appropriations Committees of both Houses have insisted that programs for Indian economic and welfare development to be paid for by federally appropriated judgment funds must be approved by act of Congress. Your committee also has adopted and followed a similar policy. Sections 2 and 3 of S. 2336 as introduced would have negated this established policy, providing only for approval by the Secretary of the Interior of programs proposed by the respective tribal groups, thus bypassing the congressional mandate.

Accordingly, the committee has deleted sections 2 and 3, thus leaving the requirement for congressional approval of plans which may be subsequently developed in force and effect.

The title of the bill is amended to conform with the recommendation of the Department of the Interior.

The title was amended so as to read: "To determine the respective rights and interests of the Confederated Tribes of the Colville Reservation and the Yakima Tribes of Indians of the Yakima Reservation and their constituent tribal groups in and to a judgment fund on deposit in the Treasury of the United States, and for other purposes."

TERMINATION OF OIL AND GAS LEASES

The Senate proceeded to consider the bill (S. 1367) to authorize the Secretary of the Interior to prevent terminations of oil and gas leases in cases where there is a nominal deficiency in the rental payment, and to authorize him to reinstate under some conditions oil and gas leases terminated by operation of law for failure to pay rental timely which had been reported from the Committee on Interior and Insular Affairs with an amendment to strike out all after the enacting clause and insert:

That section 31(b) of the Mineral Leasing Act of 1920 (41 Stat. 450), as amended (30 U.S.C. 188(b)), is amended by changing the period at the end thereof to a colon and adding the following: "*Provided*, That if the rental payment due under a lease is paid on or before the anniversary date but either (1) the amount of the payment has been or is hereafter deficient and the deficiency is nominal, as determined by the Secretary by regulation, or (2) the payment was calculated in accordance with the acreage figure stated in the lease or made in accordance with a bill which has been rendered by him and such figure or bill is found to be in error resulting in a deficiency, the Secretary shall notify the lessee of the deficiency and such lease shall not automatically terminate unless the lessee fails to pay the deficiency within the period prescribed in the notice."

SEC. 2. Section 31(c) of the Mineral Leasing Act of 1920 (41 Stat. 450), as amended (30 U.S.C. 188(c)), is amended to read as follows:

"(c) Where any lease has been or is hereafter terminated automatically by operation of law under this section, for failure to pay rental on or before the anniversary date or for failure to pay the full amount due and the deficiency is not nominal and payment was not made in accordance with the acreage figure stated in the lease or in accordance with a bill rendered by the Secretary and it is shown to the satisfaction of the Secretary of the Interior that such failure was the result of error or neglect on the part of the Department of the Interior, the Secretary may reinstate the lease if—

"(1) a petition for reinstatement, together with the required rental, including back rental accruing from the date of termination of the lease, if filed with the Secretary; and

"(2) no valid lease has been issued affecting any of the lands covered by the terminated lease prior to the filing of said petition. The Secretary shall not issue any new lease affecting any of the lands covered by such terminated lease for a reasonable period, as determined in accordance with regulations issued by him. In any case where a reinstatement of a terminated lease is granted under this subsection and the Secretary finds that the reinstatement of such lease will not afford the lessee a reasonable opportunity to continue operations under the lease, the Secretary may, at his discretion, extend the term of such lease for such period as he deems reasonable: *Provided*, That (A) such extension shall not exceed a period equivalent to the time beginning when the lessee knew or should have known of the termination and ending on the date the Secretary grants such petition; (B) such extension shall not exceed a period equal to the unexpired portion of the lease or any extension thereof remaining at the date of termination; and (C) when the reinstatement occurs after the expiration of the term or extension thereof the lease may be extended from the date the Secretary grants the petition."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 698) explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF BILL

The purpose of S. 1367 as amended is to confer administrative discretion on the Secretary of the Interior to prevent termination of Federal oil and gas leases for nominal deficiencies in rental payments. The Secretary also would be authorized to reinstate leases terminated by failure to make timely rental payments in cases where, although the deficiency was not as set forth above, such failure was the result of error or neglect on the part of the Department of the Interior.

The bill would achieve these purposes by amending the appropriate sections of Mineral Leasing Act of 1920, as amended (41 Stat. 450; 30 U.S.C. 188(b) and 188(c)).

NEED FOR THE LEGISLATION

Each year a number of private bills have been considered by Congress to authorize the Secretary to do in a specified, individual case what S. 1367 would authorize him to do generally. In one recent instance, the entire legislative procedure was required because of an error of 14 cents in rental payment resulting from a mistake by the Department itself.

This situation results from a 1954 amendment to the Mineral Leasing Act (Public Law 555, 83d Congress) which provided for automatic termination of an oil and gas lease "upon failure of a lessee to pay rental on or before the anniversary date of the lease * * *." Prior to the 1954 act, nonpayment did not result in termination, and the lessee continued to be liable for payment for the full term of the lease, even though he had completely abandoned the enterprise. Such liability often resulted in substantial hardship.

Although the 1954 amendment remedied the problem then presented, at the same time it created a new one. The Secretary has no discretion whatever; termination is mandatory in all cases. This too has resulted in hardship.

After 1954, the automatic termination provision resulted in the termination of a number of oil and gas leases for failure to pay a timely rental in circumstances which appeared to warrant equitable consideration and relief. As stated, the Secretary was not authorized to grant this relief. To correct this situation, the Department proposed legislation in 1962 which would have given the Secretary discretionary authority to reinstate these leases where the failure of payment was justifiable or not due to a lack of reasonable diligence on the part of the lessees. The Department's recommendation was that the Secretary be given this authority for future cases as well as cases occurring between 1954 and 1962. Congress, however, limited the authority to past cases only.

THE COMMITTEE AMENDMENT

The committee adopted amendments proposed by the Department of the Interior in its supplementary communication of August 10, 1967, which is set forth in full below, to the wording and organization of section 1 of S. 1367 as transmitted and introduced. That is, leases will not terminate automatically if (1) the rental deficiency is nominal, as determined by the Secretary, or (2) if a lessee paid the rental billed to him, or paid in accordance with the acreage figures set forth in the lease instrument itself. In such cases the lessee may retain the lease in good standing if he pays the actual deficiency within a prescribed time after notice.

As introduced, section 2 would have authorized the Secretary to reinstate a lease terminated by failure to make timely rental payment even when the amount was not nominal or payment was not in accord with a bill or the acreage described in the lease provided the Secretary found the error was either justified or not due to lack of reasonable diligence on the part of the lessee. The committee, however, foresaw dangers of abuse of such a provision by a lessee who might let his leases lapse for speculative purposes—in order to see who else might be interested in obtaining his acreage, for example—and then reinstate his lease after the other interests had developed.

It might be difficult if not impossible for the Secretary to exercise equitably and in the best interests of the Federal leasing program the broad discretionary power given him under the original language. Accordingly, the committee adopted an amendment proposed by Senator Anderson of New Mexico limiting the Secretary's authority to reinstate a lease terminated by nonpayment to those instances in which such nonpayment was the result of mistake on the part of the Department of the Interior.

The committee believes that instances in which failure to pay was not the result of mistake by the Department and the lessee's failure was in fact excusable will not be so numerous that they cannot be taken care of by special bills, as at present, without undue burden upon the Congress.

CONSTRUCTION, OPERATION, AND MAINTENANCE OF THE FIRST STAGE, OAHE UNIT, JAMES DIVISION, MISSOURI RIVER BASIN PROJECT, SOUTH DAKOTA

The Senate proceeded to consider the bill (S. 6) to authorize the Secretary of the Interior to construct, operate, and maintain the first stage of the Oahe unit, James division, Missouri River Basin project, South Dakota, and for other purposes which had been reported from the Committee on Interior and Insular Affairs with amendments on page 1, line 7, after the word "the" where it appears the first time strike out "first" and insert "initial"; on page 2, line 3, after the word "floods,", strike out "enhancing the generation of power,"; in line 13, after "Sec. 2." strike out:

The Secretary is authorized, as a part of the project, to construct, operate, and maintain or otherwise provide for public outdoor recreation and fish and wildlife enhancement facilities, to acquire or otherwise make available such adjacent lands or interests therein as are necessary for public outdoor recreation or fish and wildlife use, and to provide for public use and enjoyment of project lands, facilities, and water areas in a manner coordinated with the other project purposes.

And insert:

The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the initial stage of the Oahe unit shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213).

On page 4, line 4, after the word "construction" insert "of the initial stage"; and in line 5, after the word "of" strike out "$200,684,000" and insert "$188,500,000"; so as to make the bill read:

S. 6

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to construct, operate, and maintain in accordance with the Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof or suplementary thereto) the initial stage of the Oahe unit, James division, Missouri River Basin project, South Dakota, for the principal purposes of furnishing a surface irrigation water supply for approximately one hundred and ninety thousand acres of land, furnishing water for municipal and industrial uses, controlling floods, conserving and developing fish and wildlife resources, and enhancing outdoor recreation opportunities, and other purposes. The principal features of the initial stage of the Oahe unit shall consist of the Oahe pumping plant to pump water from the Oahe Reservoir, a system of main canals, regulating reservoirs, and the James diversion dam and the James pumping plant on the James River. The remaining works will include appurtenant pumping plants, canals, and laterals for distributing water to the land, and a drainage system.

Sec. 2. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the initial stage of the Oahe unit shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213).

Sec. 3. The Oahe unit shall be integrated physically and financially with the other Federal works constructed or authorized to be constructed under the comprehensive plan approved by section 9 of the Act of December 22, 1944, as amended and supplemented.

Sec. 4. For a period of ten years from the date of enactment of this Act, no water from the project authorized by this Act shall be delivered to any water user for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

Sec. 5. The interest rate used for purposes of computing interest during construction and interest on the unpaid balance of the capital costs allocated to interest-bearing features of the project shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which construction is initiated, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations, which are neither due nor callable for redemption for fifteen years from date of issue.

Sec. 6. There is hereby authorized to be appropriated for construction of the initial stage of the Oahe unit as authorized in this Act the sum of $188,500,000 (based upon January 1964 prices), plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering costs indexes applicable to the types of construction involved herein. There are also authorized to be appropriated such additional sums as may be required for operation and maintenance of the unit.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 699), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE MEASURE

S. 6, which has bipartisan sponsorship by Senators George McGovern and Karl Mundt of South Dakota, reauthorizes the initial stage of the multipurpose Oahe irrigation unit, Missouri River Basin project. It was originally authorized by the Flood Control Act of 1944 and is being reauthorized in accordance with a subsequent congressional directive in Public Law 442, 88th Congress.

The initial stage of the Oahe unit provides for the irrigation of 190,000 acres of land out of 495,000 now contemplated in the total unit. It will supply municipal and industrial water to 17 towns and cities, make possible full development of the fish and wildlife and recreational potential in an area which is a part of the principal breeding ground for migratory wildfowl in the United States, and afford additional flood control in the Missouri-Mississippi Basin.

The benefit-cost ratio is a favorable 2.5 to 1 on the basis of total benefits and 1.6 to 1 in relation to direct benefits alone.

S. 6 authorizes appropriations up to $188.5 million for new construction. The greater part of this sum will be repaid, as detailed later in this report.

COMMITTEE AMENDMENTS

The term "initial stage" has been substituted for the term "first stage" at three places to make the terminology in the bill conform to planning documents for the unit. These amendments appear in the title and at page 1, line 7 and page 2, line 7.

At page 3, line 25, the designation "initial stage" has been inserted before "of the Oahe unit" for accuracy.

Other amendments are:

Page 2, line 4, delete the clause "enhancing the generation of power." Power installations originally planned have been shown to be infeasible by detailed studies and have been deleted, making the phrase inappropriate.

Page 2, section 2: The entire section has been deleted and the following language substituted:

"The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the initial stage of the Oahe unit shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213)."

Reference to the Federal Water Project Recreation Act will make possible uniform administration, inclusion of fish and wildlife and recreation in the project plan, and cost-sharing provisions paralleling those applicable to other similar projects. The language is acceptable to the State and all agencies involved.

Page 4, line 1, strike the figure "$200,684,000" and substitute the figure "$188,500,000."

As previously stated, certain works to enhance power production has been eliminated. Administrative agencies have also concluded that instead of building pumping plant foundations and main canals of sufficient capacity to serve the ultimate 495,000-acre project, they should be built originally only sufficient to serve the initial stage acreage—190,000 acres. This will reduce expenditures approximately $14 million. Since the original cost estimates were made studies of highway relocation and construction to present day standards reflect requirement of an additional $2 million. The net reduction in cost estimates is reflected in the lower authorization figure.

The economy of limiting right-of-way acquisition or of forgoing construction of the basic facilities, including pumping plant foundations and main canals, to a size adequate to serve the ultimate project is a matter of judgment or conjecture. It assumes that the carrying cost of the capital investment in the excess capacity will, over the years it is unneeded, exceed the savings in construction cost which can be achieved by doing the whole job at once. No one can be certain this will be true. The pressure of droughts or growing world food requirements may make early construction of the balance of the project desirable. Engineering realities encountered in construction, including soil conditions, may make construction of some facilities to full capacity at the outset much more economical than limited construction at first and later enlargement. The committee has adopted this amendment with the understanding that if the Bureau of Reclamation finds soil conditions or any other engineering contingency which makes the construction of a facility or facilities adequate to meet future requirements wise, or acquisition of all needed right-of-way most economical, it may proceed within the limitations of the authorization and that it will report to the committee promptly if additional authorization is needed for the purpose. Further, the committee's adoption of the amendment in no way lessens intent to complete the ultimate project envisioned in the Flood Control Act of 1944.

BACKGROUND

The Flood Control Act of 1944 represented an agreement between the Upper and Lower Missouri River Basin areas on a comprehensive river basin development plan for multipurposes, including navigation, flood control, power generation, irrigation, municipal and industrial water supply, enhancement of fish, wildlife and recreation resources, and other purposes.

The Dakotas accepted the inundation of large blocks of river bottom lands to provide storage for water for the benefit of downstream areas with the understanding that their loss of tax values and annual income would be restored by the irrigation projects included in the plan. South Dakota provided slightly over 500,000 acres for reservoirs. The State's public and private income have been impaired accordingly and her losses will continue until irrigation is provided in accordance with the Flood Control Act of 1944.

The initial stage of the Oahe unit authorized in S. 6 is a partial fulfillment of the national commitment to South Dakota, as the Garrison project is to North Dakota. The ultimate South Dakota project as proposed in 1944 was expected to be between 750,000 and 1,000,000 acres of irrigation. Detailed studies have shown that 495,000 acres would be irrigable by present methods.

The 190,000 acres of land to be provided water under S. 6 lie in the Lake Plain area adjacent to the James River in Brown and Spink Counties in northeastern South Dakota. There has been very little irrigation in the area because of inadequate surface water supplies when needed and limited ground water resources. Rainfall is seldom timely or adequate to realize the agricultural potential of the land. A dependable water supply will remove the high risk of dryland farming, stimulate and stabilize farming and improve the whole economy to the benefit of the area, the State and the Nation. Increased income in the immediate area, which will be reflected to the State and Nation in taxes and in increased demand for goods and services, is estimated at $71 million annually. An increase of State tax revenues of $2.5 million and of Federal tax revenues of $3.5 million from the area will occur.

The present reliance on small grain crops because of dryland farming practices will give away to diverse crops associated with livestock production and cash crops such as vegetables and beets. Acreage of crops which tend to be in surplus will probably decline. Since the project will be 8 to 10 years in construction at minimum, and world food requirements appear likely to increase demands on our productive capacity, proceeding with this initial stage project is timely.

Water supply for the unit will come principally from the Missouri River by diverting water from the Oahe Reservoir near Pierre, S. Dak., at the Oahe pumping plant. The major works will be the Oahe pumping plant, a James pumping plant, three regulating reservoirs formed by the proposed Blunt, Cresbard, and Byron Dams, the existing James diversion dam and channel improvements in the James River, plus a network of main canals. These will be supplemented by laterals, distributing canals and smaller pumping units to deliver water to the land. Pumping power will be provided from the Missouri River Basin power system.

The total water required for the initial stage is 563,000 acre-feet annually. Of this, 408,000 acre-feet will come from the Oahe Reservoir, 105,000 will be return flows, and 50,000 will be obtained from the natural flows of the James River.

The total cost of the initial stage, including assigned costs already expended on main stem reservoirs, and the James diversion dam, will be $234,038,000.

The allocations of total cost and reimbursements of costs, by purpose, follow:

Purpose	Allocation of cost	Reimbursable cost
Irrigation	$205,790,000	$205,790,000
Reimbursement by users and conservancy district		33,440,000
By power revenues		172,350,000
Municipal and industrial water	11,324,000	11,324,000
Fish and wildlife	11,066,000	674,000
Flood control	1,234,000	0
Recreation	2,624,000	326,000
Highway betterment	2,000,000	0
Total	234,038,000	218,114,000

RECREATION, FISH, AND WILDLIFE

The National Park Service prepared the recreation plan for the area authorized by S. 6. It includes areas at Blunt, Cresbard, Byron, and the James River Diversion Dam reservoirs and at North Scatterwood Lake.

The Bureau of Sport Fisheries and Wildlife prepared the plan for 18 fish and wildlife management areas. Eleven of these are for mitigation of damages areas and seven are for enhancement of fish and game resources. Six mitigation areas of 10,355 acres are for Federal management of migratory wildfowl. Five composed of 3,471 acres are for State management for pheasant, deer, and other upland game and to a lesser extent wildfowl. Three of the seven enhancement areas containing 12,005 acres will be for Federal waterfowl management. The other four, containing 14,215 acres, are for State management of fish and to a lesser extent game.

The Oahe Conservancy Subdistrict and the Game, Fish, and Parks Commission of the State of South Dakota have indicated their intent to administer and share the seperable costs of the recreation and fish and game areas in accordance with the Federal Water Project Recreation Act, made applicable by the committee amendment to the bill.

FLOOD CONTROL

The flood control benefits of the project result from channel improvements designed by the Corps of Engineers which improve its capacity to carry spring flood flows when not carrying irrigation return flows. The James pumping plant will also contribute by diverting floodwaters from the river to Byron Reservoir for later irrigation, municipal, and industrial use.

WATER QUALITY

The State of South Dakota has suggested a water quality standard of not more than 1,000 parts per million of dissolved solids in the reach of the James River between the James Diversion Dam and Huron, the only part of the river classified as a domestic water supply.

Records from 1958 to 1965 indicate this standard is exceeded on an average of 100 days each year. Studies indicate irrigation return flows will increase total dissolved solids (TDS) to undesirable levels from July through November. They also indicate that by diverting 36,000 acre-feet of additional water through the Oahe unit system for dilution of the irrigation return flows, the State standards can be met satisfactorily. The incremental cost of this additional diversion will be $14,000 annually for pumping power which will be allocated among all functions of the unit.

The water thus diverted for dilution will return to the main stem through the James River which enters the Missouri River a few miles below Gavins Point Dam and Reservoir.

IRRIGATION REPAYMENTS

The average annual repayment capacity of irrigable lands in the initial stage has been determined to be $11.40 per acre. Allowance of a contingency and incentive margin of $1.40 per acre results in a recommended annual water charge of $10 per acre. The water users and the Oahe Conservancy Subdistrict, which has been voted taxing power by subdistrict residents, will repay $33,440,000 of the irrigation costs over 50 years.

The report on the financial position, Missouri Basin projects, made in accord with accounting standards and criteria approved by Congress in the Garrison Diversion Act of August 5, 1965 (Public Law 99-108) shows adequate revenues will be available to repay remaining irrigation costs within 50 years following completion of construction.

MUNICIPAL AND INDUSTRIAL WATER

Municipal and industrial water users will be responsible for all works required to transport, treat, and store water for this purpose. A charge of $26 per acre-foot, plus $2.70 per acre-foot for operation, maintenance, and replacement (O.M. & R.) will repay all project costs allocated to the purpose.

LOCAL SUPPORT

The committee has been greatly impressed by the local support of the Oahe unit.

Residents of the Oahe Conservancy Subdistrict, including a great deal more area than just the land to be irrigated, have voted the subdistrict taxing power and authority to contract with the Government by an overwhelming 85 percent majority.

Only two out of more than 100 statements presented or filed at the Water and Power Resources Subcommittee hearings at Redfield, S. Dak., on May 22 were in opposition. The Washington hearing brought out no opposition.

South Dakota is an area that has a high rate out migration and where increase in per capita income has lagged behind the national average. Population has been static for many years. As one consequence, the State is a target of economic development programs and especially programs intended to assist rural communities modernize and hold their population out of the stream of migrants to overcrowded urban areas.

The construction of the initial stage of the Oahe unit, unlike many Federal grant and loan programs to improve public facilities, will generate new income, provide opportunities for 14,000 additional citizens to earn a living from the land in the irrigated area, and add to the gross annual product of the area.

Such income generating projects will, of course, be of greater assistance than improvements which, although highly desirable and beneficial, do not generate new and enlarged amounts of income.

CONCLUSIONS AND RECOMMENDATIONS

The committee finds the initial stage of the Oahe unit, Missouri River Basin project as authorized by S. 6 feasible with respect to both economic and engineering criteria. It is self-contained, and its feasibility is not dependent in any way on other or future developments.

Further, it will start to fulfill a commitment and do equity to a region and segment of population to whom equitable treatment is overdue.

The early construction of this initial stage of the Oahe unit is in the national interest and the committee has unanimously recommended the enactment of S. 6 as amended.

The favorable reports of the Bureau of the Budget, speaking for the President and the administration generally, and of the Department of the Interior, follow in full. The amendments recommended in the Interior Department report have been adopted.

The title was amended, so as to read: "To authorize the Secretary of the Interior to construct, operate, and maintain the initial stage of the Oahe unit James division, Missouri River Basin project, South Dakota, and for other purposes."

BILLS PASSED OVER

The bills, S. 1321, to establish the North Cascades National Park and Ross Lake National Recreational Area, to designate the Pasayten Wilderness and to modify the Glacier Peak Wilderness in the State of Washington, and for other purposes; and S. 699, to strengthen intergovernmental cooperation and the administration of grant-in-aid programs, and so forth, were announced in sequence as next in order.

Mr. **MANSFIELD**. Mr. President, I ask that these two bills go over.

The **PRESIDING OFFICER**. The bills will be passed over.

THE 50TH ANNIVERSARY OF FINLAND'S INDEPENDENCE

The concurrent resolution (S. Con. Res. 49) extending congratulations to the Parliament of Finland on the 50th anniversary of Finland's independence was considered and agreed to as follows:

S. CON. RES. 49

Resolved by the Senate (the House of Representatives concurring), That the Congress of the United States extends its congratulations and best wishes to the Parliament of Finland on the occasion of the fiftieth anniversary of the independence of Finland and in affirmation of the affection and friendship of the people of the United States for the people of Finland.

BILL PASSED OVER

The bill (S. 1946) to amend the repayment contract with the Foss Reservoir Master Conservancy District, and for other purposes, was announced as next in order.

Mr. **MANSFIELD**. Over, Mr. President.

The **PRESIDING OFFICER**. The bill will be passed over.

EDUCATION OF INDIAN STUDENTS

The Senate proceeded to consider the bill (S. 876) relating to Federal support of education of Indian students in sectarian institutions of higher education which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 2, line 6, after the word "technical" strike out "training." and insert "training, but no scholarship aid provided for an Indian student shall require him to attend an institution or school that is not of his own free choice, and such aid shall be, to the extent consistent with sound administration, extended to the student individually rather than to the institution or school." so as to make the bill read:

S. 876

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following provision of section 21, Act of March 2, 1917 (39 Stat. 969, 988; 25 U.S.C. 278), is repealed: "And it is hereby declared to be the settled policy of the Government to hereafter make no appropriation whatever out of the Treasury of the United States for education of Indian children in any sectarian school."

SEC. 2. Funds hereafter appropriated to the Secretary of the Interior for the education of Indian children shall not be used for the education of such children in elementary and secondary education programs in sectarian schools. This prohibition shall not apply to the education of Indians in accredited institutions of higher education and in other accredited schools offering vocational and technical training, but no scholarship aid provided for an Indian student shall require him to attend an institution or school that is not of his own free choice, and such aid shall be, to the extent consistent with sound administration, extended to the student individually rather than to the institution or school.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 703), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of S. 876 as amended is to remove an outworn impediment to the pursuit of higher education by Indian students qualifying for certain Federal educational aids. It would accomplish this purpose by amending section 21 of the act of March 2, 1917 (39 Stat. 969, 983; 25 U.S.C. 278) to delete a prohibition against appropriation of Federal funds for "education of Indian children in any sectarian school." The prohibition in existing law against use of Federal funds for Indian educational programs in sectarian elementary and secondary schools is restated and affirmed in section 2 of the bill.

To this section the committee has added provisions that an Indian scholarship aid recipient shall be free to choose the accredited college or institution he wishes to attend, whether public or private, sectarian or nonsectarian, and that the aid shall be extended to the individual directly, as far as is consistent with sound administration, rather than to the institution or school.

BACKGROUND OF LEGISLATION

At the time the 1917 act, with its sweeping prohibition with respect to sectarian schools, there was no Federal higher education program for Indians, and the restriction applied, in fact, only to elementary and secondary school pupils. In 1934 the Congress authorized a program of assistance to Indians seeking higher education and the restriction was extended to this program on the basis that it was in keeping with the intent of the Congress.

Religious organizations have historically played an important role in the education of Indian people. The committee is deeply appreciative of the many contributions they have made in their programs of assistance to Indian students at all levels. Their efforts on behalf of college students have been increased substantially in the past decade. Some of these colleges have given special attention to the adjustment problems which many Indian students face in their beginning years of college, and they have been quite effective in retaining students through the 4-year period. Based on applications submitted to the Department of the Interior it is highly probable that additional Indian youth would enroll in college if the Bureau were in a position to extend financial aid to those who choose to enroll in sectarian institutions.

Moreover, the question of Federal assistance to students attending sectarian colleges and universities is now moot. Individual students in sectarian institutions of higher education are eligible for financial assistance from a number of Federal programs, including those under the National Defense Education Act and the various veterans' readjustment acts. The committee is convinced that the Bureau of Indian Affairs program should be authorized to conform with these and other Federal programs providing financial aid to college students.

At the hearing on S. 876 held on September 20, 1967, the Department of the Interior witness concurred and urged enactment of the bill. In 1966, the Bureau provided scholarship aids for 1,949 Indian students.

Further testimony brought out the fact that the present law often makes it impossible for Indian students to attend college. Many students are geographically isolated. The nearest and perhaps only convenient school may be a sectarian institution. Yet, these students are not allowed to use funds from the Bureau of Indian Affairs to attend that school. The result is that many attend no college at all.

Moreover, sectarian colleges tend to be small colleges. They are able to give more attention to the adjustment problems of beginning Indian students.

THE COMMITTEE AMENDMENTS

The committee accepts the amendments suggested by the National Council of Churches of Christ. The amendments specify that (1) financial grants be made directly to Indian students upon approved application and not to the sectarian institution or school and (2) the Indian student be free to make his choice of any accredited institution or school, public or private. The first amendment would not prevent the Administrator of the program from depositing such funds with the school for convenience and safety, but they would be earmarked for the individual student.

COST

Enactment of this legislation will not require any additional amounts beyond the annual appropriations for higher education aids.

EXECUTIVE COMMUNICATIONS, ETC.

The **PRESIDING OFFICER** laid before the Senate the following communication and letter, which were referred as indicated:

PROPOSED AMENDMENTS TO THE BUDGET, 1968, DISTRICT OF COLUMBIA (S. DOC. NO. 54)

A communication from the President of the United States, transmitting proposed amendments to the budget, for the fiscal year 1968 providing $10 million for additional Federal payment to the District of Columbia, $40,100,000 of additional borrowing from the U.S. Treasury, and a net amount of $6,139,000 from District of Columbia funds (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

REPORTS OF VIOLATION OF SECTION 3679, REVISED STATUTES AND DEPARTMENT OF DEFENSE DIRECTIVE 7200.1

A letter from the Deputy Secretary of Defense, transmitting, pursuant to law, eight reports covering the same number of violations of section 3679, Revised Statutes, and Department of Defense Directive 7200.1, "Administrative Control of Appropriations within the Department of Defense" (with accompanying reports); to the Committee on Appropriations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MOSS, from the Committee on Interior and Insular Affairs, without amendment:

S. 391. A bill to amend the act of March 1, 1933 (47 Stat. 1418), entitled "An act to permanently set aside certain lands in Utah as an addition to the Navajo Indian Reservation, and for other purposes" (Rept. No. 710).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

S. Res. 176. Resolution authorizing the printing of additional copies of part 1 of the hearings entitled "Planning-Programing-Budgeting" (Rept. No. 707);

S. Res. 177. Resolution to provide additional funds to study the origin of research and development programs financed by the departments and agencies of the Federal Government (Rept. No. 706);

S. Res. 178. Resolution to provide additional funds to study and evaluate the effects of laws pertaining to the proposed reorganizations in the executive branch of the Government (Rept. No. 705); and

S. Res. 182. Resolution authorizing the printing of the committee print entitled "State Utility Commissions" as a Senate document (Rept. No. 709).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, with amendments:

S. Res. 181. Resolution authorizing the printing of additional copies of the committee print entitled "Research in the Service of Man: Biomedical Knowledge, Development, and Use" (Rept. No. 708).

By Mr. MANSFIELD (for Mr. RANDOLPH), from the Committee on Public Works, without amendment:

H.R. 11627. An act to amend the act of June 16, 1948, to authorize the State of Maryland, by and through its State roads commission or the successors of said commission, to construct, maintain, and operate certain additional bridges and tunnels in the State of Maryland (Rept. No. 711).

By Mr. HARTKE (for Mr. MAGNUSON), from the Committee on Commerce, with amendments:

S. 2029. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 relating to the application of certain standards to motor vehicles produced in quantities of less than 500 (Rept. No. 712).

By Mr. PELL, from the Committee on Foreign Relations, with amendments:

S. 633. A bill to promote the foreign policy of the United States by strengthening and improving the Foreign Service personnel system of the U.S. Information Agency through establishment of a Foreign Service Information Officer Corps (Rept. No. 715).

AUTHORITY OF NATIONAL BANKS TO UNDERWRITE AND DEAL IN SECURITIES ISSUED BY STATE AND LOCAL GOVERNMENTS—REPORT OF A COMMITTEE—SUPPLEMENTAL VIEWS (S. REPT. NO. 713)

Mr. PROXMIRE. Mr. President, from the Committee on Banking and Currency, I report favorably, with amendments, the bill (S. 1306) to assist cities and States by amending section 5136 of the Revised Statutes, as amended, with respect to the authority of national banks to underwrite and deal in securities issued by State and local governments, and for other purposes. I ask unanimous consent that the report be printed, together with the supplemental views of the senator from Texas [Mr. TOWER] and the Senator from Iowa [Mr. HICKENLOOPER].

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Wisconsin.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FONG:

S. 2608. A bill relating to the investment of certain funds appropriated to the State of Hawaii for the support and maintenance of colleges at which agricultural and mechanical arts are taught; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. FONG when he introduced the above bill, which appear under a separate hearing.)

By Mr. SMATHERS:

S. 2609. A bill for the relief of Dr. Jose Xirau; and

S. 2610. A bill for the relief of Mr. Leonardo Seda; to the Committee on the Judiciary.

By Mr. MOSS:

S. 2611. A bill authorizing construction of a multiple-purpose dam and reservoir at the Little Dell Site, Dell Creek, Salt Lake City streams, Utah; to the Committee on Public Works.

(See the remarks of Mr. MOSS when he introduced the above bill, which appear under a separate heading.)

By Mr. PELL:

S. 2612. A bill to amend title II of the Marine Resources and Engineering Development Act of 1966 so as to extend for 2 additional years the authorization of funds for the national sea-grant colleges and programs, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. METCALF:

S. 2613. A bill to amend the Internal Revenue Code of 1954 to provide that farming losses incurred by persons who are not bona fide farmers may not be used to offset nonfarm income; to the Committee on Finance.

(See the remarks of Mr. METCALF when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY of New York:

S. 2614. A bill to amend chapter 55 of title 10, United States Code, to provide additional dental care for dependents of active duty members of the uniformed services; to the Committee on Armed Services.

(See the remarks of Mr. KENNEDY of New York when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLINGS:

S.J. Res. 119. A joint resolution to dedicate Law Day of May 1, 1968 to the law enforcement officers; to the Committee on the Judiciary.

(See the remarks of Mr. HOLLINGS when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. BROOKE:

S.J. Res. 120. A joint resolution to create a Special Commission on Trade and Tariffs to investigate trading policies; to the Committee on Finance.

(See the remarks of Mr. BROOKE when he introduced the above joint resolution, which appear under a separate heading.)

CONCURRENT RESOLUTION

PROPOSED UNIFORM NATIONWIDE FIRE AND POLICE REPORTING TELEPHONE NUMBERS

Mr. GRUENING submitted a concurrent resolution (S. Con. Res. 50) expressing the sense of Congress that the United States should have one uniform nationwide fire reporting telephone number and one uniform nationwide police reporting telephone number, which was referred to the Committee on Commerce.

(See the above concurrent resolution printed in full when submitted by Mr. GRUENING, which appears under a separate heading.)

INVESTMENT OF MORRILL ACT COLLEGE FUNDS IN CORPORATE SECURITIES

Mr. FONG. Mr. President, I introduce for appropriate reference a bill to permit the State of Hawaii to invest in corporate securities funds received in lieu of a land grant under the Morrill Act.

The purpose of this bill is to protect the value of the $6 million Hawaii received instead of land for its land-grant college, the University of Hawaii, under the Omnibus Act approved by Congress in 1960 after Hawaii became a State.

In granting Hawaii $6 million instead of land acreage, the Congress required under section 14(e) of Public Law 86-624 that—

> Amounts appropriated under this subsection shall be held and considered to be granted to such State subject to those provisions . . . (of the Morrill Act) applicable to the proceeds from the sale of land or land scrip.

The House Interior and Insular Affairs Committee in its report on the Omnibus Act emphasized:

> Under terms of the Morrill Act, the amount granted to the State of Hawaii would have to be safely invested by the State so that the principal will remain forever unimpaired. (H. Rept. 1564, 86th Congress).

The Morrill Act—7 U.S.C. 304—provides that all moneys from the sale of land or land scrip "shall be invested in bonds of the United States or of the States or some other safe bonds."

Or, in the case of States having no State bonds, the moneys shall be invested "in any manner after the legislatures of such States shall have assented thereto and engaged that such funds shall yield a fair and reasonable rate of return, to be fixed by the State legislatures, and the principal thereto shall forever remain unimpaired."

The State of Hawaii, by act approved July 8, 1961, accepted the land-grant college aid and assented to the terms and provisions of the Omnibus Act governing the protection and investment of the $6 million. The State has fulfilled the requirement to provide a fair and reasonable yield and to maintain the principal unimpaired.

Since 1961, however, inflation has been steadily eroding the value of the $6 million capital. It is one thing to maintain the capital unimpaired. It is another matter to maintain the buying power, or value, of the capital unimpaired.

My bill will permit the State of Hawaii, on authorization by the State legislature, to invest Morrill Act funds in corporate equities or mutual funds, provided the investment yields a fair and reasonable return and the principal remains intact.

In other words, the State legislature would have to give assurance by law that, should any impairment of capital occur by investing in corporate equities or mutual funds, the State will restore sufficient capital to make whole the principal.

Taking note of the adverse impact of inflation on the $6 million principal, the Hawaii State Legislature this year approved a concurrent resolution requesting amendment of the Omnibus Act so as to permit the State of Hawaii to invest its grant in other than bonds. This would help provide protection against price increases and would afford an opportunity to add to capital through growth of the economy. I ask unanimous consent that the resolution be printed in the RECORD following my remarks.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 1.)

Mr. **FONG**. Mr. President, in August this year, I had drafted the bill which I am introducing today. I delayed introducing it, however, until I could explore further to see whether there might be a superior way of accomplishing the goal sought by the State. One possibility was to fashion a bill patterned after State regulations governing investment of other funds by the University of Hawaii.

I checked with the university and by letter dated October 10, I was advised of the existing situation regarding the university's investments. For the benefit of the committee to which my bill will be referred, I ask unanimous consent to have the text of the letter and enclosure printed in the RECORD following my remarks.

In addition, I have asked the Department of Health, Education, and Welfare for comments on this matter, but I have not yet received their report.

Inasmuch as the junior Senator from Hawaii [Mr. INOUYE] yesterday introduced an identical bill, I am filing my bill today so that the committee and the Congress will know that Hawaii's two Senators are in accord on this matter.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred.

The bill (S. 2608) relating to the investment of certain funds appropriated to the State of Hawaii for the support and maintenance of colleges at which agricultural and mechanical arts are taught, introduced by Mr. FONG, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

EXHIBIT 1

S. CON. RES. 45

Concurrent resolution relating to requesting that the Hawaii Omnibus Act be amended to enable the State of Hawaii to invest its grant in corporate equities

Whereas, Section 14(e) of the Omnibus Act (Act of July 12, 1960; P.L. 86-624) authorized the appropriation of $6,000,000 to the State of Hawaii, in lieu of a land grant, subject to the provisions of the Morrill Act (7 U.S.C. secs. 301-308) and such funds were subsequently appropriated; and

Whereas, Section 302 of the Morrill Act provides that funds received by the states are to be invested in bonds of the United States or of the states or some other safe bonds, or that the proceeds may be invested by the states having no state bonds in any manner the legislature of such states agree to, provided that the funds yield a fair and reasonable rate of return as designated by such state legislature; and

Whereas, the provisions of the Morrill Act governing investment of funds do not provide a means whereby the capital may be protected from erosion due to inflationary tendencies or to benefit from increases in economic productivity; and

Whereas, most college and university investment portfolios include a combination of both variable and fixed value securities, which provide protection against price increases and an opportunity to benefit from the growth of the economy; now, therefore,

Be it resolved by the Senate of the Fourth Legislature of the State of Hawaii, Regular Session of 1967, the House of Representatives concurring, that the members of the Hawaii delegation to the Congress of the United States be and they are hereby respectfully requested to seek to amend Section 14(e) of the Omnibus Act (Act of July 12, 1960; P.L. 86-624) to enable the State of Hawaii to invest its grant in corporate equities including mutual funds; and

Be it further resolved that certified copies of this Concurrent Resolution be transmitted to Senator Hiram L. Fong, Senator Daniel K. Inouye, Representative Spark M. Matsunaga, Representative Patsy T. Mink, members of Hawaii's congressional delegation; Mr. John W. Gardner, Secretary of the Department of Health, Education and Welfare, Mr. Russell I. Thackrey, Executive Director of the National Association of State Universities and Land-Grant Colleges, and Dr. Thomas H. Hamilton, President of the University of Hawaii.

UNIVERSITY OF HAWAII,
Honolulu, Hawaii, October 10, 1967.

Hon. HIRAM L. FONG,
U.S. Senator,
New Senate Office Building,
Washington, D.C.:

This is in response to your letter of September 22 concerning the proposal that the University of Hawaii be permitted to invest Morrill Act funds in corporate equities.

At present the University has two endowment funds. One consists of private endowment which the Board of Regents is authorized to invest without restrictions. The Regents have pooled these funds together in a Common Trust Account, and have engaged the professional investment services of Bishop Trust Company to invest these funds in stocks, bonds, and other securities.

The other endowment fund is the Morrill Act funds. Under the provisions of Act 158, Session Laws of Hawaii, 1961, the director of Budget and Finance of the State of Hawaii is the custodian of the funds. He is required to invest these funds in accordance with the restrictions of the Morrill Act that the funds be invested in bonds of the United States or of the State or some other safe bonds. A copy of Act 158 is attached.

We are in favor of the amendment which will enable us to invest part of the Morrill Act funds in corporate securities. Otherwise, the value of the original $6 million endowment may decline in value over time because of the long-term inflationary trend.

THOMAS H. HAMILTON,
President.

[Session Laws of Hawaii, 1961]

ACT 158

An act accepting the land-grant college aid and designating its beneficiary and custodian

Be it Enacted by the Legislature of the State of Hawaii:

Section 1. The State of Hawaii hereby accepts and assents to the terms and provisions of paragraph 14(e) of the Act of Congress, approved July 12, 1960, entitled: "To amend certain laws of the United States in light of the admission of the State of Hawaii into the Union, and for other purposes" (Public Law 86-624), and hereby consents to receive the benefits thereof in the manner and form and for the purpose in said act intended and provided.

Section 2. Until otherwise provided by law, the University of Hawaii established by Article IX, Section 4 of the Constitution of the State of Hawaii, shall be the beneficiary of the income from the funds in said act mentioned, and shall use and disburse the income from the funds only for the purposes and in the manner provided in said act. In addition, the income shall be subject to the provisions of Chapter 35, Revised Laws of Hawaii 1955, as amended.

Section 3. The director of the budget is hereby authorized to receive and shall be the custodian of the funds. He shall invest the funds in the manner provided by said act and pay to the University of Hawaii the income earned by the funds.

Section 4. This Act shall take effect upon its approval.

(Approved July 8, 1961.) S.B. 38.

INTRODUCTION OF BILL ON THE LITTLE DELL PROJECT, SALT LAKE CITY STREAMS, JORDAN RIVER BASIN, UTAH

Mr. **MOSS**. Mr. President, the final reports from the U.S. Army Corps of Engineers, and other Federal departments, on the Little Dell project, Salt Lake City streams, Jordan River Basin, Utah, were received by the Senate Public Works Committee yesterday. I have been waiting for this report and I am today introducing a bill to authorize the project. Its total cost has been estimated at $22,664,000, with the cost to the Federal Government established at $12,250,000. All of the costs allocated to water supply features must be paid back to the Federal Government by local interests, and approximately half of the fish and wildlife and recreation costs will also be repaid.

My bill modifies and considerably broadens the original authorization for the Little Dell project which was contained in the Flood Control Act of July 14, 1960—Public Law 86-645. As now proposed, the Little Dell project will not only materially alleviate the flood hazard to Salt Lake City from damaging flows originating on Parley's Creek, but will also protect Salt Lake and areas to the south of it from flows originating also on Emigration and Mill Creeks. It embraces much of the Salt Lake City watershed.

The project would also greatly improve the municipal water supply by providing sufficient reservoir capacity for storage of water during years of high runoff for use in years of low runoff. The earlier plan also provided water for municipal and industrial use, but in more limited quantities.

There is no question that this additional water supply will be needed by the Metropolitan Water District of Salt Lake within the next few years. Studies made by the Berger Associates, Inc., of Salt Lake City, who undertook the investigations and prepared the plans upon which the revised Little Dell project is based, have stated that the water supply from Little Dell would cost less per acre foot than water from similar potential projects on Big and Little Cottonwood Creeks or from the proposed central Utah project now under construction by the Bureau of Reclamation.

I support the construction of both the Little Dell project and the central Utah project because I am convinced that Utah needs the water both will make available. Our rapid expansion of population and industry demands it. We cannot afford to overlook or delay the development of water from any source in our State—we need it all. The sooner we develop and put to beneficial use every drop of water we have, the more secure will be our future.

Little Dell is a multiple-purpose project which proposes to store about 50,000 acre-feet of water behind an earthfill dam on Dell Creek, a tributary of Parley's Creek. Some 1,350 acres of land would have to be acquired for the project, but almost all of it is presently held by the Salt Lake City Corp.

Since it was my Public Works Committee resolution which in May 1963 directed the Department of the Army to study the Berger Associates report on Little Dell, and report on it to Congress, it is a pleasure to introduce, some 4 years later, a bill to authorize the enlarged project. The Senate Public Works Committee intends to resume hearings on the omnibus flood control bill sometime in January or February of next year, and I shall ask that the Little Dell project be included in the measure which the committee reports. I am delighted that it is—at long last—ready for congressional authorization, and now introduce the bill for appropriate reference.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2611) authorizing construction of a multiple-purpose dam and reservoir at the Little Dell Site, Dell Creek, Salt Lake City streams, Utah, introduced by Mr. MOSS, was received, read twice by its title, and referred to the Committee on Public Works.

A BILL TO END THE UNFAIR COMPETITION OF TAX-LOSS FARMING

Mr. METCALF. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code to prohibit persons who are not bona fide farmers from using losses incurred in their farming operations as an offset to income from other sources.

This is a bill to end unfair competition with bona fide farmers by wealthy townsmen who find it advantageous to buy farms, pour capital into fences, building repairs, machinery, and stock, then claim farm losses for several years as a credit against their other income, but wind up finally with capital gains taxable at the advantageous capital gains rate instead of regular income tax rates.

The need for this bill is revealed in a publication by the Internal Revenue Service on sources of income of individuals. The tabulation for 1965 shows that many high-income townsmen are claiming losses from farming operations regularly; and the wealthier they are the more certain they are to file schedule F, farm returns, claiming losses.

Whether they are hobby farmers, or simply avoiding regular income tax rates, they are unfair competitors for those of our citizens who have to make their living from producing the bulk of the food and fiber this Nation requires. This unfair competition not only weakens the economic base of bona fide farmers, it weakens the reliability of our food-producing industry.

The situation is comparable to the unfair practice retail chains sometimes used to drive competition out of one locality after another. The chains charged high prices in areas where they had little or no competition to finance cutthroat pricing in areas of intense competition; when competitors were destroyed, then prices were increased to finance the next aggression against independent stores in another locality.

In the case of agriculture, the nonfarmer competition is not intentionally predatory. Nonfarm individuals and interests are using income from nonagricultural pursuits to move into farming on a loss basis because our tax laws make it profitable for them to incur operating losses which can ultimately be recaptured in the form of capital gains from livestock or the farm itself.

The IRS study for 1965 shows that 119 individuals with annual incomes over $1 million had farm operations and 87 percent of them—104 of these 119 million-dollar-per-year income earners—reported losses on farming operations. They put money subject to 70-percent taxation into maintenance of a farm, increasing its value—a value which would be subject only to a maximum 25-percent capital gains tax when the farm is sold or they invested in livestock, with the same outcome.

There were 202 individuals with income between $500,000 and $1 million who reported farming operations and 85 percent of them claimed losses from farming.

There were 3,914 individuals with incomes between $100,000 and $500,000 who also reported on schedule F, and 61 percent reported net farming losses.

Only when overall incomes dropped down into the $20,000 to $50,000 category did a majority show earnings from their farm investments. There were, of course, thousands in the $20,000-to-$50,000 bracket who, although in the minority, were using farms as a means of tax avoidance. Business Week magazine on August 23 carried an advertisement directed to businessmen suggesting that buying a farm could be a "good long-term investment" with "tax benefits."

The bill I have offered does not prohibit farming operations by nonfarmers. It simply forbids the use of farming as a tax avoidance mechanism. The bill provides 3 years for nonfarmers who acquire land by devise or debt settlement to adjust their holdings. It gives bona fide real estate dealers a year, in addition to the year of acquisition, to turn land or get it on a profitmaking basis, rather than a loss basis in unfair competition with bona fide farmers who have to have earnings or go bankrupt.

It also gives nonfarmers who acquire a farming enterprise by purchase or exchange, and who certify that they intend to become bona fide farmers, an opportunity to become such without losing their excess loss deductions in their early farming years.

The denial of the right to offset nonfarm income with farm losses extends to corporations unless 80 percent or more of their stock of all kinds is held by bona fide farm operators.

Corporations are moving into farming at an increasing rate. Mr. President, I regret this trend. I believe that a strong agricultural citizenry—independent farmers—are infinitely preferable to corporation farming with hired labor. Family-type agriculture results in a better community, with more churches, better schools, more business opportunities and a generally higher social organization than will be found in a hired labor community. But the bill I have presented does not forbid corporations getting into farming. Lawyers tell me that is a job for the States. It will, however, eliminate the possibility of corporations getting Federal tax rewards for engaging in loss operations in the farming field.

This is not the first effort made to plug the agricultural loophole in our tax laws for wealthy nonfarmers. In 1963, President Kennedy's tax message proposed a redefinition of capital gains to treat capital gains from the disposition of property used in the trade or business of farming as ordinary income to the extent that such gains resulted from prior farm deductions.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2613) to amend the Internal Revenue Code of 1954 to provide that farming losses incurred by persons who are not bona fide farmers may not be used to offset nonfarm income, introduced by Mr. METCALF, was received, read twice by its title, and referred to the Committee on Finance.

Mr. METCALF. Mr. President, I ask unanimous consent to place in the RECORD a portion of the President's 1963 tax message explaining the proposal.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

> It is aimed at the practice engaged in by some taxpayers with high-bracket salary or other nonfarm income of securing a tax advantage by investing in farm activities which tend to produce losses in the early years of investment but which subsequently give rise to capital gains income.
>
> One example is the raising of livestock. Under existing law, the sale of livestock held for dairy, breeding, or draft purposes may be accorded capital gains treatment. An investor may purchase such livestock and deduct the expenses attributable to their care and maintenance. In addition, he is entitled to depreciation deductions with respect to the cost of the herd. These deductions offset the taxpayer's high-bracket nonfarm income. Later, the herd may be sold at a capital gain taxed at the capital gain rate. Even though the investor may have enjoyed no profit from the transaction computed before taxes, or indeed may have actually suffered a loss, the difference in the rate of tax on high-bracket ordinary income and capital gains income makes possible a substantial after-tax profit. Similar advantages may be secured by investing in the development of citrus groves, fruit trees or similar income-producing trees, or plants, which do not produce income during the period when the trees or plants are being grown but which, when they mature, produce regular crops of fruits, nuts, grapes, or berries. Or again, the tax advantage may be obtained by purchasing uncleared land for conversion to farmland, and in some cases for ultimate use in real estate development. Losses will be created at first due to expenditures for such items as clearing, irrigating, and enhancing the value of the land. This process may convert the land to valuable farm property or property valuable for real estate development and then be sold at a substantial capital gain.

These practices by those with high-bracket nonfarm income tend to create unfair competition for farmers who may be competitors and who do not pay costs and other expenses out of tax dollars but who must make an economic profit in order to carry on their farming activities.

Under the proposal, in taxable years beginning after December 31, 1963, taxpayers would keep an excess deductions account which would be increased each year by the amount of the excess of farm deductions over ordinary farm income and reduced by any excess of farm income over farm deductions. In the year of a disposition of property used in the trade or business of farming, what would otherwise be a capital gain with respect to such disposition would be treated as ordinary income to the extent of the amount in the account.

MILITARY DENTAL CARE PROGRAM

Mr. KENNEDY of New York. Mr. President, I introduce, for appropriate reference, a bill which would give to the uniformed services the legal authority to provide dental care to dependents of men on active duty, either in service facilities on a space available basis, or by permitting dependents to obtain care from civilian dentists. I am proposing this legislation because I believe it is badly needed, and because I think that justice requires it.

In 1956, Congress—in Public Law 84—569—gave to the uniformed services the authority to pay for care in civilian hospitals for dependents of men on active duty, with care provided by civilian physicians. At the time the Congress took this step forward it also took a step backward, and prohibited service facilities from giving routine dental care to these dependents, which had been provided up to that time. Under the terms of the 1956 legislation, dental care from that time forward could be provided to dependents in service facilities only for emergency conditions; apart from this emergency care, the men in the services were thereafter required to pay for all routine dental care and preventive dental services needed by their dependents. This legislation, then, granted some new benefits and took away some old ones. After reviewing the facts and the record, I find the 1956 decision on dental care should now be reversed. The dependents of servicemen are no different from other people; considered as a group they require all sorts of care—medical, surgical, psychiatric, dental, together with such ancillary services as laboratory tests, physical therapy, nursing, and so on. I see no reason why any one of these categories should be prohibited. What is required is complete care for the whole person.

During the 89th Congress, I introduced a bill (S. 3169) to increase the range of medical benefits available to service dependents, and to add to these medical benefits a special program for the care of retarded and physically handicapped children. Provisions of this bill, together with provisions of a related House bill and provisions added by the Senate Armed Services Committee, emerged in the form of Public Law 89-614. That law was not perfect but it was a major step forward.

The bill I am introducing today will, I hope, be another step toward providing total care for the whole person by providing the authority to pay for dental care.

The idea of dental care as a fringe benefit is not a new one. As I have explained, the 1956 legislation to a considerable extent conferred new and different benefits in exchange for the partial surrender of old ones in the field of dental care. I believe this was a mistake, which should now be corrected, and would be by the legislation I introduce today.

In civilian life dental care as a fringe benefit is rapidly becoming a common feature of collective bargaining and of cooperative and commercial health insurance plans. In a little more than 2 years the dental service corporation—the dental-care equivalent of Blue Shield medical care plans—have increased their coverage from some 200,000 persons to approximately 1,500,000 persons, and this rapid increase is continuing. Blue Shield—and Blue Cross—plans are adding a measure of dental care to their programs and the commercial companies are rapidly entering the field. For example, the Metropolitan Insurance Co. now has in effect a dental plan covering the employees of New York City; on the other side of the country, the Aerojet General Corp. in California has recently developed a dental care plan covering 80,000 employees. And, between these geographic extremes, unions, employers, and insurers are almost daily developing dental care plans covering more and more people. About 4 million people now have full dental care coverage; the number of those with partial coverage is not known but it certainly numbers in the millions. If present trends continue, by the end of this decade we can reasonably expect several tens of millions of Americans will be protected by a dental care plan of some kind.

I believe that the Congress should not temporize with the issue. I see no justification for postponement, for continuing a long slow series of little-by-little concessions that may possibly add up to an approximation of adequate health care at some indefinite future date. We can and should take the step of making dental care available now.

There is evidence that the dental profession would be receptive to a program such as the one I introduce today; there is also evidence that the Department of Defense would be receptive. On July 25 and 26, 1967, a subcommittee of the House Armed Services Committee held hearings to consider the feasibility of adding dental care to the medical benefits available to dependents of men in uniform.

Representatives of the American Dental Association testified as follows:

> It is increasingly commonplace in the United States for employers to provide what are called fringe benefits. Certainly it is only reasonable to assume that, in this regard, Federal employees have the same right as do those in the private sector to seek and receive such employment benefits. Were Congress to enact legislation, soundly devised mechanisms now exist that are more than adequate to administer any program that might be contemplated.

Thomas D. Morris, Assistant Secretary of Defense for Manpower, made the following statement to the House committee:

> By . . . restricting the eligibility of dental care to active duty dependents only, and varying the deductible and co-insurance features, we believe the plans arranging in costs from about $60 to $100 million in the first year would be worthy of consideration.

The legislation I am proposing fits Assistant Secretary Morris' prescription. Its coverage is consistent with his statement, and its costs fall just above the midpoint of the upper and lower limits set by his testimony. Appraised in terms of our military effort the cost is relatively small. The bill will probably cost in the neighborhood of $85 million. However, this would not require an increase of that amount in military budgeting. For all indications are that the costs of the benefits extended to the dependents of several personnel by Public Law 89-614 are running substantially less than anticipated. If this continues, the costs of dental care could to a considerable extent be financed by these savings. I believe this body should consider current circumstances, concede the need as an imperative requirement, and take the necessary action. It is my hope that the Congress will support this proposal in the same fashion that it supported last session's legislation—unanimously, in both Houses.

Mr. President, I ask unanimous consent that the bill and a sectional analysis be placed in the Record at the close of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and sectional analysis will be printed in the Record.

The bill (S. 2614) to amend chapter 55 of title 10, United States Code, to provide additional dental care for dependents of active duty members of the uniformed services, introduced by Mr. Kennedy of New York, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the Record, as follows:

S. 2614

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 55 of title 10, United States Code, is amended as follows:

(1) Section 1077 is amended—

(A) by amending subsection (a) (10) to read as follows:

"(10) Dental care."

(B) by repealing subsection (a) (11) and (12).

(2) Section 1079 is amended—

(A) by inserting the words "and dental" between the words "medical" and "care" in subsection (a);

(B) by amending subsection (a) (1) to read as follows:

"(1) With respect to dental care, only that care specified in subsection (g) may be provided;"

(C) by adding the following new subsection at the end thereof:

"(g) Plans contracted for under subsection (a) shall provide for all necessary dental care as determined under joint regulations prescribed by the Secretary of Defense and the Secretary of Health, Education and Welfare:

"(1) Such plans shall contain provisions for payment by the Government of all expenses incurred in an amount of more than $25, or, if the patient is under 15 years of age, $10, for dental care that is determined to be necessary by a dental examination and that is completed within 120 days after that examination or, if unusual circumstances exist as determined by the appropriate Secretary, within 180 days.

"(2) Such plans shall also contain provisions for payment by the patient of such additional charges, if any, as the Secretary of Defense, after consulting the Secretary of Health, Education and Welfare, may prescribe for specific procedures for which he considers an additional charge to be appropriate. Such charges, however, may not exceed 25 per centum of the total charges for the types of care covered."

(3) Section 1086 is amended by adding the following new subsection at the end thereof:

"(f) For persons covered by this section, the plans contracted for under section 1079 (a) of this title shall, with respect to dental care, provide only that care required as a necessary adjunct to medical or surgical treatment."

SEC. 2. This Act becomes effective July 1, 1968.

The sectional analysis presented by Mr. KENNEDY of New York is as follows:

SECTIONAL ANALYSIS

Section 1 amends sections 1077, 1079 and 1086 of chapter 55 of title 10, United States Code (the Dependents' Medical Care Act).

Clause (1) repeals the present restrictions on dental care for dependents in facilities of the uniformed services and would have the effect of specifically authorizing all types of dental care in the future, subject to the "space-available" concept.

Clause (2) provides that the civilian health plans which the Secretary of Defense contracts for under section 1079 of title 10 for the spouses and children of active duty members of the uniformed services shall include provisions for all necessary dental care for such persons, except care primarily intended for cosmetic purposes.

It further provides, in effect, for the payment by the member of the $25 deductible ($10 if the affected dependent is 14 years old or younger) for care determined to be necessary and completed during a four months period, or during a six months period if extensive surgical intervention is involved.

It also provides that the Secretary of Defense may prescribe additional charges for various special types of dental care (for example, dentures, crowns and bridges) if he wishes, but with the proviso that such additional charges, if any, may not exceed 25% of the total charges.

Clause (3) is a technical amendment which restates present provisions of law limiting dental care from civilian sources for retired members and their dependents, and the dependents of deceased retired and deceased active duty members, to that care required as a necessary adjunct to medical or surgical treatment.

Section 2 provides that the civilian dental care program covered by the bill shall become effective on July 1, 1968.

PROPOSED DEDICATION OF LAW DAY, MAY 1, 1968, TO THE LAW-ENFORCEMENT OFFICERS

Mr. HOLLINGS. Mr. President, I introduce today for appropriate reference a joint resolution for the purpose of dedicating Law Day 1968 to the law-enforcement officers of America.

Congress enacted Public Law 87-20 in 1961 calling for each May 1 to be designated as "Law Day." Since the time of its passage the annual festivities have centered on individual freedom and rights under law but have, in the main, ignored the group charged with guaranteeing these rights and maintaining these freedoms—the law-enforcement officers of America.

Mr. President, the law-enforcement officers of this country are charged with a formidable task. They are entrusted with this country's most valuable possession—a body of laws developed by a free people in order to govern themselves.

This body of laws was enacted for the purpose of guaranteeing the rights of every individual without infringing on the rights of any other individual. However, no legislative language can completely accomplish that end. In actual practice this task requires judgment and dedication as well as an abiding belief that the law always supersedes the wishes of the individual. But more than this it requires an exceptional ability to reason, for, as Sir Edward Coke wrote: "Reason is the life of the law."

And, Mr. President, there is no question but that reason has prevailed. Despite almost unbearable provocation from the criminal, the police officers of this Nation have done their duty and they have done it well. Their hours are long, their pay well below what they deserve. Yet they continue on, doing their best to make our society a fit one in which to live.

For these reasons, I believe it only proper that the meaning of Law Day be expanded to include the policeman on the street—the man with the uniform who day in and day out works to make our cities and our towns a safe place in which to live and work.

I ask unanimous consent that the joint resolution be printed at this point in the RECORD.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 119) to dedicate Law Day of May 1, 1968, to the law-enforcement officers, introduced by Mr. HOLLINGS, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S.J. RES. 119

Whereas, the first day of May of each year was designated as Law Day, U.S.A., and was set aside as a special day of celebration by the American people in appreciation of their liberties and in reaffirmation of their loyalty to the United States of America; and of their rededication to the ideals of equality and justice under law in their relations with each other as well as with other nations; and for the cultivation of that respect for law that is so vital to the democratic way of life: Be it

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled, That in the celebration of Law Day, May 1, 1968, special emphasis be given by a grateful people to the law enforcement officers of the United States of America for their unflinching and devoted service in helping to preserve the domestic tranquillity and guaranteeing to the individual his rights under the law.

TRADE AND TARIFFS

Mr. BROOKE. Mr. President, it was 5 years ago this autumn that the Trade Expansion Act was signed into law.

It was less than 4 months ago that the round of international trade negotiations initiated under that act was culminated at Geneva.

And it was less than 2 weeks ago that the Senate Committee on Finance heard eloquent testimony in defense of quotas on a variety of imports ranging from steel and textiles to strawberries and mink.

At a time when this Nation's economy has reached unprecedented levels of production and employment, when the value of our trade with other nations stands at an alltime high, no less than 90 percent of the Members of the Senate have sponsored legislation placing limits, or quotas, on imports of various products.

Those who were instrumental in securing the agreements of the Kennedy round, and those who support them, contend that not only would the passage of this legislation undo all of their efforts since 1962, it would send us back to the "worldwide protectionist rat race" of the early 1930's. Britain, France, Germany, and the Scandinavian countries have all expressed shock and dismay at protectionist trends in the Congress. The President of Mexico made a dramatic appearance before a joint session of Congress just last week to plead for a continuation of the present, freer, American trading policies. It is argued that passage of the proposed quota legislation would result in a serious loss of faith in America's integrity and intentions. The revenues and the economies of our trading partners could suffer severe damage.

I appreciate the problems of these countries. I sympathize with the need of the developing nations to find a market for their raw materials and to provide the jobs and goods and income for their people which only foreign trade can supply.

But, Mr. President, at the same time I represent a State whose industry is suffering from foreign competition. I have visited New Bedford, Lawrence, Haverhill, and Fall River, where in the last 10 years 100 Massachusetts textile firms have been forced to close down, due mainly to foreign imports.

Last year nine footwear companies went out of business in Massachusetts alone because they could not compete with products made by cheaper foreign labor.

Boston, New Bedford, and Gloucester once ranked among the great fishing capitals of the world. Today, 20-year-old rusty trawlers put out to sea, to return days later with their hulls half-filled, their aging crews exhausted, and barely able to earn enough for their catch to pay for the cost of the trip.

Mr. President, it is the responsibility of a U.S. Senator to be concerned about the needs of the industries and the people of his State. I have seen fit to sponsor a bill to place a quota on electronics imports, and I have cosponsored bills establishing import quotas on shoes, textiles, groundfish, and mink.

I have done this because I am persuaded of the great and pressing needs of these industries today. But I am not satisfied that this is either the best or the only way to deal with a national and an international problem.

I am not satisfied that the only alternatives open to us are tariff reductions, or import restrictions.

I am not satisfied that foreign trade alone has caused all of the problems which these industries face, or that limitations on imports will provide the best solution.

I am not satisfied that there is a full understanding of the ramifications which quota legislation would have upon our own exporting industries, or upon our trading partners.

And it is because of this doubt which I believe is shared by a number of my colleagues that I propose the creation of a Special Commission on Trade and Tariffs, to investigate fully the alternatives open to us and the possible impact of our present considerations.

This Commission should be composed of economists and historians, Government officials and members of the business community. It should investigate the historical implications of various trading policies. It should hear testimony from industry and agriculture, banking and foreign trade. It should hear fully the views of the other nations of the world. And it should report, within a year, its findings and recommendations. The information which it thus provides could then serve as a basis for a rational and comprehensive trading policy, whose implications and effects will be anticipated and provided for.

Mr. President, I introduce, for appropriate reference, a joint resolution calling for the creation of a Special Commission on Trade and Tariffs, and ask that it be printed.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 120) to create a Special Commission on Trade and Tariffs to investigate trading policies, introduced by Mr. BROOKE, was received, read twice by its title, and referred to the Committee on Finance.

Mr. BROOKE. Mr. President, I also ask unanimous consent that a speech which I delivered last Thursday to the Associated Industries of Massachusetts on this subject be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR EDWARD W. BROOKE ON FOREIGN TRADE, DELIVERED TO THE ASSOCIATED INDUSTRIES OF MASSACHUSETTS, OCTOBER 26, 1967

Last week, a committee of the United State Senate held hearings on a matter which is of interest and importance to all of us. It is a matter which could have a profound impact upon every nation in the world. It could affect the course of international relations for decades to come. It could affect the lives of every man, woman and child on this planet.

I do not refer to the war in Vietnam, as serious as that conflict is. Nor do I refer to our decision to deploy an anti-ballistic missile system, though that, too, may have consequences far beyond our present expectations.

I refer to something much closer to each of you, particularly, for you represent the business community of one of our largest and most industrial states. The subject I discuss with you today is the effect of foreign trade upon American industry.

We in this country do not often put our trade policy in the same category with national defense and foreign wars when we begin to enumerate factors influencing the security and well-being of this nation. But when I "search the seventies," as you have suggested, I can see the profound impact that our present economic policies may have on our own people, on our allies, and on the developing nations of the world.

First, what is it we want in our world of the seventies? Well, we want a peaceful world. We want a prosperous world. And we want a world in which there is still room for progress and personal achievement. Nor are we selfish in our aims. We would like to see our Allies share in this peace, progress and prosperity. We would like to see the developing nations begin to move, and to provide a more acceptable standard of living for their impoverished millions. And we would even like to see the Communist nations share in the general well-being, if such participation will modify their ideology and their objectives.

But we are faced with a critical decision: Which of those alternatives presently open to us will best help us to achieve these objectives, and conversely, which will hinder?

Last week the Senate Finance Committee heard testimony to the effect that protection of American industry was imperative if this nation were to maintain a healthy economy.

On the other hand, the Committee also heard evidence that any barriers which we erect to free international trade will meet with retaliation, and the results will be harmful not only to our relations with other nations, but to American industry as well.

I do not hesitate to admit to you that I have always considered myself a free trader. I believe in an international division of labor, and the resulting benefits to the consumer from free competition in the marketplace. But since coming to the United States Senate, I have become increasing more familiar with the particular problems of Massachusetts industry. And I have become more impressed with the persuasive arguments for protecting some of those industries from foreign competition.

Five of the bills presently pending before the Senate Finance Committee, requesting importing quotas on certain goods, bear my name. I introduced on behalf of myself and ten co-sponsors S. 2539, a bill to provide for an equitable sharing of the United States market by electronic articles of domestic and foreign origin.

I co-sponsored S. 1796, a bill to provide a quota on textile imports; S. 1897, to establish a quota on mink imports; S. 2411, to limit the amount of groundfish which may be brought into the country; and S. 2540, to limit our imports of foreign-made shoes.

I chose to support this legislation because I believe that these industries have been seriously injured by foreign competition and that their survival as profitable industries is seriously threatened. To cite a few examples:

Textile imports have risen sharply in the last 10 years. In that time, more than 100 firms have closed down in Massachusetts alone, reducing employment in this field from nearly 52,000 to less than 40,000.

The number of home radios sold in the United States in 1966 was 26.1 million more than the number sold in 1958. But foreign imports provided 23.2 million of these, or 88.8 percent.

Foreign imports now account for 40 percent of the domestic market for mink pelts. As a result 2,700, or 38 percent, of American mink ranches have been forced out of business since 1959.

Nearly one-fourth of the total number of shoes sold in this country is now imported. In Massachusetts alone, nine footwear companies were forced to close down last year.

In less than ten years America has declined from the leading fishing nation in the world to the fifth-ranked nation. American fishermen are now supplying less than 20 percent of the domestic market.

Obviously, these industries are suffering. They need help. Import quotas, which reserve a fixed percentage of the American market for American producers, seem to be one way of meeting the problem. But are quotas the best way? Are they the only way? And most important of all, will they help us to achieve the objectives we seek?

There is no simple answer to these questions. Divisions of opinion occur not only among economists and government officials. but even within the various industries themselves. There is, for instance, a sharp difference of opinion within the fishing industry over the value of import quotas on groundfish. Fish processors argue that American fishermen do not catch enough fish to supply their needs, and a quota on imports would force them to restrict production. This, they point out, would lead to higher prices, and a smaller market for fish for everyone—the American fishermen included.

The electronics industry wants to be protected from a flood of imports of inexpensive component parts. But those companies within the industry which manufacture electrical appliances contend that these foreign imports are essential if they are to continue to supply television sets and stereo equipment to the consumer at a price he can afford. They have even established branch factories abroad in order to take full advantage of the lower costs of labor and raw materials.

Similar examples may be cited for almost any industry in this country. It is impossible to protect a given interest, whether through quotas, or tariffs, or any other means, without affecting innumerable others. This is the basic fact with which we must deal in debating the relative advantages and disadvantages of free trade versus protection.

Today there are few if any knowledgeable individuals who would argue for total free trade or complete protection. But there are certain advantages which can be gained from looking at these arguments in their purest form. By so doing, we can gain a clarity of view and an historical perspective which will be of assistance to us in considering the present issue.

The arguments for free trade are first of all rooted in a theory of society: the social fabric of the civilized world is based on a division of labor. Progessing from the fact that a division of labor worked well on the farm, in the village, even in primitive tribal situations, the "free trader" has deduced that the same will hold true for nations. All nations have the resources for producing some goods, and they should devote their energies to producing those goods which they can produce most efficiently and cheaply. They can then trade their products for the products of other nations, just as in tribes and villages goods were produced and traded for goods of equal value.

A second argument for free trade points out that it is cheaper for nations to produce those goods for which they have the resources, and to import the others. Through trade, they can obtain a greater quantity of goods for a given expenditure of effort than they could produce at home, and because the price is likely to be lower, the purchasing power of the people is thereby increased as well.

A third argument is that trade and production can seek their own level much more easily under a free trade system, with production geared to world demand and exports paying for imports. If the trade system is managed in any way, a disruption of the domestic economy through such natural catastrophes as a drought or a strike will result in a suddenly increased demand for foreign products. These will have to be paid for not in exports but in currency. The result will be harmful to the entire economy.

A classic example of this type of disruption occurred in Britain in 1838–43, when a series of unproductive summers resulted in a sudden fall in the corn crop. Britain was forced to import vast quantities of corn to feed her people, and to pay for this corn in British gold. In less than a year and a half, British gold reserves in the Bank of England fell from 10-million pounds to 2½-million pounds. It is argued that if corn had not been protected, imports would have been a fairly constant factor which would have been compensated for by exports, and a disruption of domestic production would not have had such drastic consequences.

Expansion of the market is another argument for free trade. If goods are freely admitted to a nation, then the cheapest products are available to the people, and their overall purchasing power rises. Thus the demand increases not only for the imported goods, but for all goods. The increase in purchasing power leads to an expansion of production in many fields, which in turn leads to more employment and even larger markets. These effects, in turn, are felt not only at home, but in the expansion of foreign markets as well.

It is also argued that wealth consists of goods and services—real or obtainable. Since trade increases the flow of goods, it increases a nation's total wealth as well.

And finally, proponents of free trade argue that it is good because it works. They point to the example of Holland and Flanders in the late Middle Ages. These two countries were among the smallest in Europe. They had the most limited natural resources. Yet they were also the two richest nations in Europe because they produced a few goods for which they had the human skills and resources—salt fish and textiles and lace—and traded for the rest. They never erected tariff barriers, they never imposed quotas, and they paid for all their imports with the goods which they manufactured and exported.

I suppose it could be said that the late Middle Ages were exceptional times: that industry and commerce were simpler then, that there was no need to protect infant industries or safeguard older ones, and that now industry is so diversified and competition so intense that the conditions of production have changed qualitatively as well as quantitatively.

This argument was used in Britain in the 19th century, too. It was argued that protective tariffs were needed to safeguard England's established industries and to keep her self-sufficient. But from 1801 to 1841, under strict tariffs, British trade increased less than one million tons in forty years. When the protective tariffs were finally repealed in the 1840's, British trade increased at a rate of over one million tons per decade for the rest of the century. British wealth increased commensurately, as did the wages in her domestic industries.

We might also take the example of the United States in the post-war period. As tariffs have been negotiated downward, the value of our foreign trade has tripled since 1950. We are now exporting more than $30-billion worth of goods per year, while importing goods valued at $25.5-billion. If foreign trade has injured some of our domestic industries, it is obvious it has helped others to significantly expand their markets.

But there are danger signs as well. Imports have increased more rapidly than exports in the postwar period. The brunt of this increase in imports has fallen upon a few selected industries. In a nation where certain industries have traditionally been protected by tariffs or import quotas, a relaxation of trade barriers has not come as as an unmixed blessing. It appears that there may be some valid arguments for limited protection as well.

Let us look at the arguments that have been most often advanced by advocates of "protectionism."

The arguments for protection, too, are rooted in a theory of society: that it is the duty of any nation to consider first the interests and needs of its own people. In protectionist theory, the political doctrine of government "of the people, by the people, and for the people" is extended to the realm of economics as well.

Let us seek how this argument works in practice.

Protectionists contend that certain industries are subject to unfair competition. Low wages, government subsidies, low overhead and low costs of transportation all work together to give certain nations an advantage over the more developed economy of a nation like the United States. Tariffs and quotas are therefore necessary to remove the initial disadvantage of the American producer, and to make American goods competitive with foreign imports.

It has been argued in the past that new industries needed to be protected until they could develop the skills and the capital and the basic equipment to make them competitive with foreign producers. This was particularly true in the early days of our nation, and it is evident that the tariffs imposed on British and French imports in the early 1800's gave a great impetus to American manufacture of textiles, glass, and other essential commodities.

But now we are in the position once held by Britain and France: we have the older industries and the higher cost of production, and it is now argued that our industries must be protected to insure that the investments they represent will not be wasted.

The loss of jobs which results when industries are forced to close down due to competition from cheaper foreign imports is also cited. We have seen the validity of this argument demonstrated all too clearly in the New England shoe and textile and electronics industries.

The need to be self-sufficient in time of war is another argument often advanced by those who favor protection of domestic industry. Free trade leads inevitably to dependence upon other nations for certain goods. We must therefore take into account the possible consequences for this nation if we were to become excessively dependent upon foreign suppliers for such items as oil, steel, textiles and electronic components. They argue that if we ever again become involved in a major war, the results could be disastrous.

All these are reasonable arguments for protecting domestic industry. But over the years protectionism has become a highly emotional issue, and many specious arguments have been developed in support of it, which must be considered and dismissed.

It is sometimes argued that protective legislation is needed to maintain existing wage levels; that if American industry is forced to compete with cheaper foreign imports, wages will not rise, and may in fact even be reduced in order to make our prices competitive. But this argument ignores one very important fact: it is not just the cost of labor in the United States which makes our products more expensive, but the costs of raw materials, services and utilities, transportation, and management expenses as well. American labor may often be worth its higher cost, in fact, because a skilled laborer in the United States can often produce many more items per hour than can his lower-paid counterpart in another country. Thus it seems very unlikely that much would be gained by cutting wages—or even holding them steady—as a means of making American products more competitive. Nor has this ever happened. Industry has preferred, instead, to find cheaper raw materials abroad, to develop new and less expensive methods of production, or even to specialize in products not made abroad, rather than to lower the wages of its workers.

Another specious argument for protective legislation is that by producing more goods at home and reducing our foreign imports, we will thereby keep our money in this country and aid our balance of payments. But as a nation we have consistently exported more goods than we have imported. Last year our exports exceeded our imports by $4.8-billion. It is not trade which is having an adverse effect upon our balance of payments, but our military commitments abroad. Foreign trade can actually help us to restore that balance.

The argument for keeping our money at home also includes a misconception of the nature of money. Money is not an absolute value, even in the U.S. treasury. Money is a medium of exchange, and has value only insofar as it can be used to purchase goods. The wealth of a nation consists of its goods and services, and since trade increases those goods, it thus increases the overall wealth of a nation.

Another fallacious argument for protecting domestic industry is that it protects the "home market." But the result of this type of protectionism as a general policy has all too often been to reduce the number of foreign markets to which a nation has access, thereby cutting back on production in many industries which previously were manufacturing goods for export. This leads to a net loss in purchasing power throughout the nation. Consequently, the nation finds itself "protecting" an ever-dwindling domestic market without finding any additional buyers abroad. Protectionism as a general policy does not work to the advantage of the nation which adopts it.

This nation is not considering the adoption of protectionism as a general policy. But at the present time there are bills before the Senate which seek to impose new or more restrictive quotas on close to $6-billion worth, or about one-third of our dutiable imports. If enacted, we can expect retaliation against those American industries which are most competitive abroad. Several of our allies and major trading partners, including Britain, Japan and the Scandinavian countries, have already threatened us with retaliatory quotas and duties if these bills are enacted. This could conceivably lead the United States to impose even more quotas to protect those industries which would be sure to suffer from such a consequent reduction in foreign trade.

It is evident already that the adoption of a protectionist policy by the United States would have certain foreseeable consequences:

1) Certain industries would be guaranteed an established percentage of the domestic market. They could thus continue in operation, their workers would not be laid off, their plants would not be closed down, and the nation would be guaranteed the benefits of these industries should war or similar disaster shut off the supply of foreign goods.

2) There would be an inevitable rise in the price of these protected items, and a rise in the price of goods manufactured by related industries as well. These costs would be borne by the consumer, and by other American industries which utilized the protected goods.

3) A reduction in American imports would lead to retaliation by our trading partners. As the nations of the world increased their trade barriers to American goods, other

American industries would begin to suffer. Those industries which produce for export would have to reduce the scope of their operations. Instead of eliminating the jobs of textile workers, we might find our machine tool industry was having to close down some of its plants instead!

4) As American trade was reduced in volume, our balance of payments deficit could increase, for our military commitments abroad would probably be maintained. The result would most likely be a decline in world confidence in the dollar as a unit of value. Given a crisis of confidence in our currency, it is not too difficult to foresee the possibility of another depression.

5) The erection of trade barriers would go far toward undermining our assistance program to the developing nations of the world. Part of our goal for the nations of Africa, Asia and Latin America is to make them producers and exporters of goods, and to help them to provide the jobs, for facilities, and the goods needed to raise their own people out of the miserable conditions in which they live. Today, America buys 40 percent of the goods exported by the Philippines; we purchase 60 percent of Canada's exports; 20 percent of India's exports; 35 percent of the goods exported by the South and Central American states; and 30 percent of the exports of Japan. There is no guarantee that these nations would find other markets for their goods, or that they would continue to develop their economies, if American markets were reduced or eliminated for them.

6) There are any number of other conditions which might result were the United States to erect protective trade barriers for a number of its industries. Trade between the developing nations of the world and the Communist states would almost certainly increase. Western Europe might also begin to rely more on the Soviet Union and Eastern Europe for markets and for products it could not obtain from the United States. Prices would rise, and the standard of living would necessarily decline, in a number of other nations. The United States would find itself isolated from the other nations of the world economically.

The United States could no doubt survive a protectionist period better than most of the nations of the world. The United States has the capacity to be more economically self-sufficient than any other nation in the world, due to our vast resources, our skilled population, and our favorable climate.

We would find ourselves entering the decade of the seventies with slightly reduced prosperity, but with probably greater economic stability in terms of continuing industries, continuing jobs, and a relatively steady market.

But is this the best way to achieve the goals we outlined for ourselves at the beginning of this discussion? Is this the best way to insure a peaceful world? A prosperous world? A world in which there is still room for progress and personal achievement?

I do not pretend to know the answer to the problems of American industry. I do know that as trade barriers have been reduced, we have entered upon a period of unparalleled industrial ferment and expansion, a period of ever-growing prosperity for the United States and the industrial nations of the world. I do know that much of this prosperity has been attributed to such economic developments as the Common Market, the General Agreement on Tariffs and Trade, and finally, to the Kennedy Round.

It was just five years ago this month that the Trade Expansion Act was signed into law. It was less than four months ago that the round of international trade negotiations initiated under that act was culminated at Geneva.

I cannot believe that agreements so laboriously arrived at should now be undermined by the very nation that initiated them.

An alternative to protectionism must be found for many of the industries which are now suffering from the consequences of expanded trade.

I do not deny that we need to protect some of our industries. Textiles and shoes, fish and electronics, are all vital to our national security and well-being. We should not become dependent upon foreign imports for these important commodities. But protection of American industry is a technique which must be used sparingly if it is not to have the effect of undermining the economy we seek to save.

Have we fully investigated alternatives to quotas and tariffs? Have we considered the possibilities of government subsidies to industries deemed vital to the national interest? Have we considered the possibility of preferred treatment for underdeveloped nations, to supplement our foreign aid program? Have we tried to persuade our allies in Europe and Asia to lower their own tariffs, quotas and non-tariff barriers on imports from developing nations?

Under the Trade Expansion Act of 1962, the Tariff Commission and the Trade Information Committee were authorized to hold hearings on items which might be considered for tariff reduction. The hearings were extensive. All industries which might be affected by the pending tariff negotiations were given an opportunity to present evidence, and they were encouraged to continue to work closely with the Commission throughout the period of negotiations.

But neither the Commission nor the Trade Negotiating Center extended their hearings to consider the impact on American industry if trade barriers were *not* lowered. Neither of these bodies undertook an historical analysis of the economic conditions within nations in times of free trade and in times of protection. Neither of these bodies considered the theoretical arguments of these two schools of thought.

Thus the United States was fully prepared to negotiate the Kennedy Round of tariff reductions on the basis of their effect upon particular industries. But we are not prepared now to deal with the problem of demands for increased restrictions on imports.

In view of the serious dilemma in which the nation finds itself, I intend to introduce legislation in the Senate calling for the creation of a Special Commission on Tariffs and Trade. This Commission would be composed of economists and historians, businessmen, representatives of labor, and experts in international trade and finance. An equal number of its members would be appointed by the Senate, by the House of Representatives, and by the President. It should have the broadest possible authority to study the history of tariff legislation. It should investigate the effects of periods of free trade and of protection upon the wages, employment, productivity and growth rate of the economy upon the countries of the world. The effect of trade barriers upon exporting industries, and upon industries which must make finished goods from imported components should receive the particular attention of this Commission.

Our allies should be consulted. Representatives of all types of industry should be heard. Industries themselves should begin to consult together and to explore their mutual problems and conflicting interests.

This nation must enter the decade of the seventies with a rational and mutually beneficial trade policy. This can be done if we begin now to apply our ingenuity, our imagination, our intelligence, to the problem of protecting and developing the industries and the trade of this nation and of the world.

I believe the solution can be found. And that is why, when I search the seventies, I see it as a decade of prosperity and progress and personal achievement for all of us—and hopefully, as a decade of peace as well.

PROPOSED UNIFORM NATIONWIDE FIRE AND POLICE REPORTING TELEPHONE NUMBERS

Mr. GRUENING. Mr. President, I submit, for appropriate reference, a concurrent resolution (S. Con. Res. 50), the text of which reads:

> *Resolved by the Senate (the House of Representatives concurring)*, That it is the sense of Congress that the United States should have one uniform nationwide fire reporting telephone number and one uniform nationwide police reporting telephone number.

In our highly developed and urbanized society we are plagued by too many horse and buggy problems. We have the technological prowess to send space probes past the planets Mars, Venus, and no doubt beyond Jupiter, Saturn, Uranus, and Pluto, and we are taking steps to land men on the Moon—worthy projects which compliment our scientific ability. Surely then we have the ability to perfect a nationwide system which would make it possible for a citizen to dial one uniform nationwide fire reporting telephone number and one uniform nationwide police reporting telephone number. Looking ahead only a few short years I venture to predict that such numbers could be the basis for an international network of the future.

Today, it is desirable to take the first steps toward national police and fire numbers which will make it possible for a man from Anchorage, Alaska, visiting, let us say, in Mobile, Ala., or Rochester, N.Y., or Laramie, Wyo., to dial the police or fire department in the city in which he is in at the moment to report a fire or an accident or crime or some other emergency. Valuable time can be lost if he has to look up the number or if he dials "operator' and the operator is busy on another call.

About 11 a.m. on November 20 our population in the United States will reach 200 million. Two-thirds of this population, according to the New York Times news story of October 29 by Reporter Joseph A. Loftus, live in metropolitan counties and the proportion is growing.

We may thus assume that the density of population will demand that steps be taken to insure such privacy as is possible. Privacy, however, does not preclude responsibility because crowding can increase the dangers of fire and crime.

The President's Advisory Commission on Civil Disorders notes that the Nation's crime index, subject always to the increase in population, increased 48.4 percent from 1960 to 1966.

And we know from bitter experiences that crowded quarters can breed poverty, despair, sickness, rebellion, crime, and all the other rotten ingredients which combine to create the discontent which unleashes itself in waves of civil unrest.

Uniform nationwide fire reporting and police reporting telephone numbers will not end riots, eradicate criminals, nor prevent fires, but they would provide two sensible tools which could make it possible for a stranger passing through town to save a burning home or apartment house or let local police authorities know that a store front has been broken into or that a crime is about to be committed. Perhaps, more important, such uniform numbers could put into the hands of our highly mobile society two positive ways to improve its safety.

Most certainly such numbers would be of inestimable value to the young and old who might have difficulty finding the local police and fire numbers.

I have discussed the assistance such uniform nationwide fire reporting and police reporting telephone numbers would have in our urban areas. Equally important is its value in the rural areas.

Take the problems involved in reporting rural fires. Think of the value a single nationwide fire reporting number would have for more than one million Americans donating their time today as members of some 22,000 volunteer fire departments.

Mr. Warren Y. Kimball, manager of the National Fire Protection Association, with headquarters in Boston, Mass., advises me that—

> A uniform telephone number for fire emergency calls is highly desirable and a resolution supporting this would be most welcome by members of the fire service.

The National Fire Protection Association has a subcommittee considering what to do about the problem of the sometimes occasional multiplicity of telephone numbers necessary to call fire departments.

The sense-of-the-Congress concurrent resolution I am introducing today has the endorsement and support of first, 23,500 small fire departments who comprise the National Fire Protection Association; second, 6,800 members of the International Association of Fire Chiefs; third, 130,000 members of the International Association of Fire Fighters; and, fourth, 22,500 members of the National Sheriffs Association. The International Association of Chiefs of Police, Inc., advises me that—

> If such a plan can be devised in a feasible and practical manner the police of this country would certainly lend their wholehearted endorsement.

The Federal Communications Commission has no objection to the development of uniform numbers for the reporting of fires and for contacting the police.

In conversations with the American Telephone & Telegraph I have learned that while A.T. & T. prefers that customers dial "O" for operator in an emergency, the company does not close the door to development of nationwide emergency numbers. A.T. & T. is concerned about jurisdictional problems and believes details must be worked out first by chiefs of police and fire chiefs. Surely that can be done with a minimum of complications.

THE VALUE OF TIME

What is the value of time in lives, in money, in comfort, as a barrier between warmth and cold?

At what point does the telephone call made in the shortest time possible save a life, a house, prevent a civil disturbance, keep a window pane or a family intact?

Throughout our history literary figures have discussed "time."

Shakespeare said it was "that old common arbitrator."

Tennyson pointed out that we are "made weak by time."

Benjamin Franklin in his "Advice to Young Tradesman," in 1748 wrote, "Remember, that time is money."

These definitions are true. They point up the desirability of using time wisely and in the case of emergency of using time quickly.

A modern definition of time which came to my attention this week was made by Chief David B. Gratz, of the Silver Spring, Md., Fire Department who also serves as the Washington, D.C., representative of the International Association of Fire Chiefs.

Chief Gratz said:

> Time is life. It is a matter of record that in any fire situation temperatures can quickly climb to 1,000 degrees and life perishes. In a minute the temperature can climb several hundred degrees while simultaneously creating poisonous gasses. In night fires in homes most victims are overcome by the carbon monoxide fumes generated by the fire.

Chief Gratz and his men know the value of having an emergency operating center which houses police and fire communications because Montgomery County has such a center. Montgomery County is adjacent to the District of Columbia. Within the county live half a million residents.

The Montgomery County emergency operating center has one number for fire, 424–3111, and one number for police, 762–1000. The center, known as the EOC, is manned 24 hours a day by three fire dispatchers and several police dispatchers. It is located in Rockville and the expenses for the center are paid by the Montgomery County government. The value of the center is increased by the fact that within the county are more than 50 fire departments so it is important that their precise locations and the boundaries within which they operate are known.

Chief Gratz said the Silver Spring Fire District has a legally established boundary defined by the Montgomery County Council, and he has no jurisdictional problems.

He emphasized that the time saved because Montgomery County has an emergency operating center is sufficient in many cases to save somebody's life.

According to Chief Gratz:

> Once a fire starts to roll, a couple of minutes can make a great deal of difference. The smaller the fire, the easier to contain it.

Dialing a single number is sensible. Londoners, for example, dial 999 when they want police assistance.

The concurrent resolution I submit today is identical to two which have been introduced in the House of Representatives. On May 25, 1967, Representative J. Edward Roush, of Indiana, introduced House concurrent resolution 361 for himself and Representatives Emilio Q. Daddario, of Connecticut; George E. Brown, Jr., of California; John W. Davis, of Georgia; William R. Anderson, of Tennessee, and Henry S. Reuss, of Wisconsin. On October 18 Representative James Fulton, of Pennsylvania, introduced House concurrent resolution 537. Both proposed concurrent resolutions express as the sense of Congress that the United States should have one uniform nationwide fire reporting telephone number and one uniform nationwide police reporting telephone number. I am pleased to have this opportunity to endorse the proposed legislation they have introduced.

In Alaska emergency telephone numbers differ as they do in other States. The chart which follows this paragraph illustrates some of the problems of reporting an emergency situation in five of the cities in my State. Only long distance is consistently one number in the cities cited.

City	Operator or information	Long distance	Repair
Anchorage	0	110	114
Fairbanks	113	110	116
Ketchikan	113	110	114
Juneau	113	110	114
Sitka	0	110	747–3309

I ask unanimous consent that an editorial commending this proposal from the Anchorage News be printed at the conclusion of my remarks.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, without objection, the editorial will be printed in the Record.

The concurrent resolution (S. Con. Res. 50) was referred to the Committee on Commerce.

The editorial presented by Mr. Gruening is as follows:

A Universal Fire and Police Phone Number Is Needed

What strikes us as an admirable proposal was lobbed up in Sitka last Friday at the meeting of the Alaska Municipal League. It was Sen. Ernest Gruening's suggestion that the United States adopt a single universal fire and police telephone number. A number that would apply equally in Nome or Anchorage or New York City or San Francisco.

It's a beguilingly simple idea and like many proposals which qualify for such a description, it will be difficult to fault it in this era of crime and unrest in our cities, unrest which on occasion has so gotten out of hand that the eruptions have unnervingly resembled guerrilla war.

This is hardly to suggest that a universal phone number will resolve the problems of our cities. That incalculably difficult task calls for the coordinated efforts of bright and dedicated men, in and out of government; it calls for the investment of economic muscle on a scale heretofore undreamed of; it calls for a measure of creative leadership and compassionate understanding that, as a people, we have only dimly perceived, much less begun to achieve.

But as we tackle the big job, a single number for fire and police emergencies anywhere in the nation can be regarded as a start in offering all citizens the emotional security of knowing immediately how to get help in any crisis.

The professional fire-fighting and police organizations have lined up behind Senator Gruening's proposal. The Senator will introduce a resolution on the subject in the United States Senate Tuesday. We wish the resolution well and hope it will pass overwhelmingly.

SUBCOMMITTEE SUBSTITUTE FOR H.R. 2516—AMENDMENT

AMENDMENT NO. 429

Mr. ERVIN. Mr. President, on October 25, by successive votes of 8 to 7, the Judiciary Committee rejected a substitute bill proposed by the Constitutional Rights Subcommittee which would have revised the constitutional basis of H.R. 2516, provided protection to the American workingman, and extended the Constitution to the American Indian.

The vote by which the committee accepted one version of H.R. 2516 and rejected another reflects a basic difference in theories of citizenship in a free society. With peculiar inconsistency, the majority reflected their belief that special rights and protections can and should be extended to a limited group of citizens; yet at the same time, they refused to grant rights to a minority group most in need of basic constitutional rights. The substitute bill, on the other hand, reflects a theory of government which would apply the guarantees of law to all citizens, regardless of race, creed, color, or national origin. It also recognizes that no individual should stand, as does the American Indian, beyond the reach of the Constitution.

Mr. President, I introduce the subcommittee substitute in order to give the Members of the Senate an opportunity to protect the rights of all Americans. I expect to offer this amendment in the nature of a substitute as a substitute for H.R. 2516, and ask unanimous consent that it be printed and lie on the table until called up.

I also ask unanimous consent that a copy of the substitute bill be printed at this point in the RECORD.

The **PRESIDING OFFICER**. The amendment will be received, printed, and will lie on the table; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 429) is as follows:

TITLE I—FEDERALLY PROTECTED RIGHTS

SEC. 101. Chapter 13 of title 18 of the United States Code is amended by inserting at the end thereof the following new section:

"§ 245. Deprivation of rights by violence

"(a) Whoever, whether or not acting under color of law, by force or threat of force sufficient to constitute an assault, willfully injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with any other person because he is undertaking or has undertaken to exercise his right—

"(1) to vote or register to vote, or serve or qualify to serve as a candidate for public office, or serve or qualify to serve as a poll watcher, in any Federal election;

"(2) to serve or qualify to serve as a grand or petit juror in any court of the United States;

"(3) to participate in or enjoy any benefit, service, privilege, program, or activity provided by any facility owned, operated, or managed by or on behalf of the United States;

"(4) to participate in or enjoy any benefit of any program or activity receiving Federal assistance, other than by way of a contract of insurance or guaranty;

"(5) to move or travel in interstate commerce; or use any terminal or facility which serves interstate travelers as a part of, or in connection with, the operations of any carrier in interstate commerce;

"(6) to enjoy the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodation, as entitlement thereto is conferred by title II of the Civil Rights Act of 1964;

"(7) to enjoy any equal employment opportunity conferred by title VII of the Civil Rights Act of 1964;

"(8) to make any complaint, or institute any civil action, authorized to be made or instituted under any law of the United States, or inform on any violation of any law of the United States;

"(9) to pursue his employment by any department or agency of the United States or by any private employer engaged in interstate commerce or any activity affecting interstate commerce, or to travel to or from the place of his employment or any other place for such purpose;

"(10) to advocate, encourage, or support the right of any other person or class of persons of the United States to exercise or enjoy any right described in clauses—

"(1) through (9) of this subsection; shall be fined not more than $1,000 or imprisoned for not more than one year, or both, and if personal injury results shall be fined not more than $10,000 or imprisoned for not more than ten years, or both; and if death results shall be imprisoned for any term of years or for life.

"(b) Whoever, whether or not acting under color of law, by force or threat of force sufficient to constitute an assault, willfully injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with any other person while he is in the custody of any United States marshal or other law enforcement officer of the United States shall be fined not more than $1,000 or imprisoned for not more than one year, or both, and if personal injury results shall be fined not more than $10,000 or imprisoned for not more than ten years, or both; and if death results shall be imprisoned for any term of years or for life.

"(c) As used in this section—

"(1) the term 'Federal election' means any general, special, or primary election held solely or in part for the purpose of electing or selecting any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives;

"(2) the term 'interstate commerce' means travel or transportation between any State, Commonwealth, or possession of the United States, or the District of Columbia, and any place outside thereof; or between points within the same State, Commonwealth, or possession of the United States, or the District of Columbia, but through any place outside thereof; or within the District of Columbia or any possession of the United States; and

"(3) the term 'place of public accommodation' shall have the same meaning as prescribed in section 201(b) of the Civil Rights Act of 1964.

"(d) The provisions of this section shall not apply to acts or omissions on the part of law enforcement officers, members of the National Guard, as defined in section 101(9) of title 10, United States Code, members of the organized militia of any State or the District of Columbia, not covered by such section 101(9), or members of the Armed Forces of the United States, who are engaged in suppressing a riot or civil disturbance or restoring law and order during a riot or civil disturbance.

"(e) Nothing in this section shall be construed as indicating an intent on the part of the Congress to prevent any State, any possession or Commonwealth of the United States, or the District of Columbia, from exercising jurisdiction over any offense over which it would have jurisdiction in the absence of the enactment of this section."

SEC. 102. The analysis of chapter 13 of title 18 of the United States Code is amended by adding at the end thereof the following:

"245. Deprivation of rights by violence."

SEC. 103. (a) Section 241 of title 18, United States Code, is amended by striking out the final paragraph thereof and substituting the following:

"They shall be fined not more than $10,000 or imprisoned not more than 10 years, or both; and if death results, they shall be subject to imprisonment for any terms of years or for life."

(b) Section 242 of title 18, United States Code, is amended by striking out the period at the end thereof and adding the following: "; and if death results shall be subject to imprisonment for any term of years or for life."

SEC. 104. Section 8(b)(1)(A) of the National Labor Relations Act (29 U.S.C. 158 (b)(1)(A)) is amended by striking out the semicolon at the end of the proviso and inserting in lieu thereof a colon and the following: "*Provided further*, That it shall be an unfair labor practice under this section for a labor organization to impose or threaten to impose any fine or other economic sanction against any person for exercising any rights under section 7 of this Act or for invoking the processes of the Board;".

TITLE II—RIGHTS OF INDIANS

DEFINITIONS

SEC. 201. For purposes of this title, the term—

(1) "Indian tribe" means any tribe, band, or other group of Indians subject to the jurisdiction of the United States and recognized as possessing powers of self-government;

(2) "powers of self-government" means and includes all governmental powers possessed by an Indian tribe, executive, legislative, and judicial, and all offices, bodies, and tribunals by and through which they are executed, including courts of Indian offenses; and

(3) "Indian court" means any Indian tribal court or court of Indian offense.

INDIAN RIGHTS

SEC. 202. No Indian tribe in exercising powers of self-government shall—

(1) make or enforce any law prohibiting the free exercise of religion, or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble and to petition for a redress of grievances;

(2) violate the right of the people to be secure in their persons, houses, papers, and effects against unreasonable search and seizures, nor issue warrants, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or thing to be seized;

(3) subject any person for the same offense to be twice put in jeopardy;

(4) compel any person in any criminal case to be a witness against himself;

(5) take any private property for a public use without just compensation;

(6) deny to any person in a criminal proceeding the right to a speedy and public trial, to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and at his own expense to have the assistance of counsel for his defense;

(7) require excessive bail, impose excessive fines, inflict cruel and unusual punishments, and in no event impose for conviction of any one offense any penalty or punishment greater than imprisonment for a term of six months or a fine of $500, or both;

(8) deny to any person within its jurisdiction the equal protection of its laws or deprive any person of liberty or property without due process of law;

(9) pass any bill of attainder or ex post facto law; or

(10) deny to any person accused of an offense punishable by imprisonment the right, upon request, to a trial by jury of not less than six persons.

HABEAS CORPUS

SEC. 203. The privilege of the writ of habeas corpus shall be available to any person, in a court of the United States, to test the legality of his detention by order of an Indian tribe.

TITLE III—MODEL CODE GOVERNING COURTS OF INDIAN OFFENSES

SEC. 301. The Secretary of the Interior is authorized and directed to recommend to the Congress, on or before July 1, 1968, a model code to govern the administration of justice by courts of Indian offenses on Indian reservations. Such code shall include provisions which will (1) assure that any individual being tried for an offense by a court of Indian offenses shall have the same rights, privileges, and immunities under the United States Constitution as would be guaranteed any citizen of the United States being tried in a Federal court for any similar offense, (2) assure that any individual being tried for an offense by a court of Indian offenses will be advised and made aware of his rights under the United States Constitution, and under any tribal constitution applicable to such individual, (3) establish proper qualifications for the office of judge of the court of Indian offenses, and (4) provide for the establishing of educational classes for the training of judges of courts of Indian offenses. In carrying out the provisions of this title, the Secretary of the Interior shall consult with the Indians, Indian tribes, and interested agencies of the United States.

SEC. 302. There is hereby authorized to be appropriated such sum as may be necessary to carry out the provisions of this title.

TITLE IV—JURISDICTION OVER CRIMINAL AND CIVIL ACTIONS

ASSUMPTION BY STATE

SEC. 401. (a) The consent of the United States is hereby given to any State not having jurisdiction over criminal offenses committed by or against Indians in the areas of Indian country situated within such State to assume, with the consent of the Indian tribe occupying the particular Indian country or part thereof which would be affected by such assumption, such measure of jurisdiction over any or all of such offenses committed within such Indian country or any part thereof as may be determined by such State to the same extent that such State has jurisdiction over any such offense committed elsewhere within the State, and the criminal laws of such State shall have the same force and effect within such Indian country or part thereof as they have elsewhere within that State.

(b) Nothing in this section shall authorize the alienation, encumbrance, or taxation of any real or personal property, including water rights, belonging to any Indian or any Indian tribe, band, or community that is held in trust by the United States or is subject to a restriction against alienation imposed by the United States; or shall authorize regulation of the use of such property in a manner inconsistent with any Federal treaty, agreement, or statute or with any regulation made pursuant thereto; or shall deprive any Indian or any Indian tribe, band, or community of any right, privilege, or immunity afforded under Federal treaty, agreement, or statute with respect to hunting, trapping, or fishing or the control, licensing, or regulation thereof.

ASSUMPTION BY STATE OF CIVIL JURISDICTION

SEC. 402. (a) The consent of the United States is hereby given to any State not having jurisdiction over civil causes of action between Indians or to which Indians are parties which arise in the areas of Indian country situated within such State to assume, with the consent of the tribe occupying the particular Indian country or part thereof which would be affected by such assumption, such measure of jurisdiction over any or all such civil causes of action arising within such Indian country or any part thereof as may be determined by such State to the same extent that such State has jurisdiction over other civil causes of action, and those civil laws of such State that are of general application to private persons or private property shall have the same force and effect within such Indian country or part thereof as they have elsewhere within that State.

(b) Nothing in this section shall authorize the alienation, encumbrance, or taxation of any real or personal property, including water rights, belonging to any Indian or any Indian tribe, band, or community that is held in trust by the United States or is subject to a restriction against alienation imposed by the United States; or shall authorize regulation of the use of such property in a manner inconsistent with any Federal treaty, agreement, or statute, or with any regulation made pursuant thereto; or shall confer jurisdiction upon the State to adjudicate, in probate proceedings or otherwise, the ownership or right to possession of such property or any interest therein.

(c) Any tribal ordinance or custom heretofore or hereafter adopted by an Indian tribe, band, or community in the exercise of any authority which it may possess shall, if not inconsistent with any applicable civil law of the State, be given full force and effect in the determination of civil causes of action pursuant to this section.

RETROCESSION OF JURISDICTION BY STATE

SEC. 403. (a) The United States is authorized to accept a retrocession by any State of all or any measure of the criminal or civil jurisdiction, or both, acquired by such State pursuant to the provisions of section 1162 of title 18 of the United States Code, section 1360 of title 28 of the United States Code, or section 7 of the Act of August 15, 1953 (67 Stat. 588), as it was in effect prior to its repeal by subsection (b) of this section.

(b) Section 7 of the Act of August 15, 1953 (67 Stat. 588), is hereby repealed, but such repeal shall not affect any cession of jurisdiction made pursuant to such section prior to its repeal.

CONSENT TO AMEND STATE LAWS

SEC. 404. Notwithstanding the provisions of any enabling Act for the admission of a State, the consent of the United States is hereby given to the people of any State to amend, where necessary, their State constitution or existing statutes, as the case may be, to remove any legal impediment to the assumption of civil or criminal jurisdiction in accordance with the provisions of this title. The provisions of this title shall not become effective with respect to such assumption of jurisdiction by any such State until the people thereof have appropriately amended their State constitution or statutes, as the case may be.

ACTIONS NOT TO ABATE

SEC. 405. (a) No action or proceeding pending before any court or agency of the United States immediately prior to any cession of jurisdiction by the United States pursuant to this title shall abate by reason of that cession. For the purposes of any such action or proceeding, such cession shall take effect on the day following the date of final determination of such action or proceeding.

(b) No cession made by the United States under this title shall deprive any court of the United States or jurisdiction to hear, determine, render judgment, or impose sentence in any criminal action instituted against any person for any offense committed before the effective date of such cession, if the offense charged in such action was cognizable under any law of the United States at the time of the commission of such offense. For the purposes of any such criminal action, such cession shall take effect on the day following the date of final determination of such action.

SPECIAL ELECTION

SEC. 406. State jurisdiction acquired pursuant to this title with respect to criminal offenses or civil causes of action, or with respect to both, shall be applicable in Indian country only where the enrolled Indians within the affected area of such Indian country accept such jurisdiction by a majority vote of the adult Indians voting at a special election held for that purpose. The Secretary of the Interior shall call such special election under such rules and regulations as he may prescribe, when requested to do so by the tribal council or other governing body, or by 20 per centum of such enrolled adults.

TITLE V—OFFENSES WITHIN INDIAN COUNTRY

AMENDMENT

SEC. 501. Section 1153 of title 18 of the United States Code is amended by inserting immediately after "weapon,", the following: "assault resulting in serious bodily injury,".

TITLE VI—EMPLOYMENT OF LEGAL COUNSEL

APPROVAL

SEC. 601. Notwithstanding any other provision of law, if any application made by any Indian, Indian tribe, Indian council, or any band or group of Indians under any law requiring the approval of the Secretary of the Interior or the Commissioner of Indian Affairs of contracts or agreements relating to the employment of legal counsel (including the choice of counsel and the fixing of fees) by any such Indians, tribe, council, band, or group is neither granted nor denied within ninety days following the making of such application, such approval shall be deemed to have been granted.

TITLE VII—MATERIALS RELATING TO CONSTITUTIONAL RIGHTS OF INDIANS

SECRETARY OF INTERIOR TO PREPARE

SEC. 701. (a) In order that the constitutional rights of Indians might be fully protected, the Secretary of the Interior is authorized and directed to—

(1) have the document entitled "Indian Affairs, Laws and Treaties" (Senate Document Numbered 319, volumes 1 and 2, Fifty-eighth Congress) revised and extended to include all treaties, laws, Executive orders, and regulations relating to Indian affairs in force on September 1, 1967, and to have such revised document printed at the Government Printing Office;

(2) have revised and republished the treaties entitled "Federal Indian Law"; and

(3) have prepared, to the extent determined by the Secretary of the Interior to be feasible, an accurate compilation of the official opinions, published and unpublished, of the Solicitor of the Department of the Interior relating to Indian affairs rendered by the Solicitor prior to September 1, 1967, and to have such compilation printed as a Government publication at the Government Printing Office.

(b) With respect to the document entitled "Indian Affairs, Laws and Treaties" as revised and extended in accordance with paragraph (1) of subsection (a), and the compilation prepared in accordance with paragraph (3) of such subsection, the Secretary of the Interior shall take such action as may be necessary to keep such document and compilation current on an annual basis.

(c) There is authorized to be appropriated for carrying out the provisions of this title, with respect to the preparation but not including printing, such sum as may be necessary.

Amend the title so as to read: "An Act to prescribe penalties for certain acts of violence or intimidation; to protect the constitutional rights of Indians; and for other purposes."

AMENDMENT NO. 430

Mr. ERVIN also submitted amendments, intended to be proposed by him, to the bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes, which were ordered to lie on the table and to be printed, and to be printed in the RECORD, as follows:

On the first page, between lines 2 and 3, insert the following:

"TITLE I—ACTS OF VIOLENCE"

At the end of the bill, add the following new titles:

"TITLE II—RIGHTS OF INDIANS

"DEFINITIONS

"SEC. 201. For purposes of this title, the term—

"(1) 'Indian tribe' means any tribe, band, or other group of Indians subject to the jurisdiction of the United States and recognized as possessing powers of self-government;

"(2) 'powers of self-government' means and includes all governmental powers possessed by an Indian tribe, executive, legislative, and judicial, and all offices, bodies, and tribunals by and through which they are executed, including courts of Indian offenses; and

"(3) 'Indian court' means any Indian tribal court or court of Indian offense.

"INDIAN RIGHTS

"SEC. 202. No Indian tribe in exercising powers of self-government shall—

"(1) make or enforce any law prohibiting the free exercise of religion, or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble and to petition for a redress of grievances;

"(2) violate the right of the people to be secure in their persons, houses, papers, and effects against unreasonable search and seizures, nor issue warrants, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or thing to be seized;

"(3) subject any person for the same offense to be twice put in jeopardy;

"(4) compel any person in any criminal case to be a witness against himself;

"(5) take any private property for a public use without just compensation;

"(6) deny to any person in a criminal proceeding the right to a speedy and public trial, to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and at his own expense to have the assistance of counsel for his defense;

"(7) require excessive bail, impose excessive fines, inflict cruel and unusual punishments, and in no event impose for conviction of any one offense any penalty or punishment greater than imprisonment for a term of six months or a fine of $500, or both;

"(8) deny to any person within its jurisdiction the equal protection of its laws or deprive any person of liberty or property without due process of law;

"(9) pass any bill of attainder or ex post facto law; or

"(10) deny to any person accused of an offense punishable by imprisonment the right, upon request, to a trial by jury of not less than six persons.

"HABEAS CORPUS

"SEC. 203. The privilege of the writ of habeas corpus shall be available to any person, in a court of the United States, to test the legality of his detention by order of an Indian tribe.

"TITLE III—MODEL CODE GOVERNING COURTS OF INDIAN OFFENSES

"SEC. 301. The Secretary of the Interior is authorized and directed to recommend to the Congress, on or before July 1, 1968, a model code to govern the administration of justice by courts of Indian offenses on Indian reservations. Such code shall include provisions which will (1) assure that any individual being tried for an offense by a court of Indian offenses shall have the same rights, privileges, and immunities under the United States Constitution as would be guaranteed any citizen of the United States being tried in a Federal court for any similar offense, (2) assure that any individual being tried for an offense by a court of Indian offenses will be advised and made aware of his rights under the United States Constitution, and under any tribal constitution applicable to such individual, (3) establish proper qualifications for the office of judge of the court of Indian offenses, and (4) provide for the establishing of educational classes for the training of judges of courts of Indian offenses. In carrying out the provisions of this title, the Secretary of the Interior shall consult with the Indians, Indian tribes, and interested agencies of the United States.

"SEC. 302. There is hereby authorized to be appropriated such sum as may be necessary to carry out the provisions of this title.

"TITLE IV—JURISDICTION OVER CRIMINAL AND CIVIL ACTIONS

"ASSUMPTION BY STATE

"SEC. 401. (a) The consent of the United States is hereby given to any State not having jurisdiction over criminal offenses committed by or against Indians in the areas of Indian country situated within such State to assume, with the consent of the Indian tribe occupying the particular Indian country or part thereof which would be affected by such assumption, such measure of jurisdiction over any or all of such offenses committed within such Indian country or any part thereof as may be determined by such State to the same extent that such State has jurisdiction over any such offense committed elsewhere within the State, and the criminal laws of such State shall have the same force and effect within such Indian country or part thereof as they have elsewhere within that State.

"(b) Nothing in this section shall authorize the alienation, encumbrance, or taxation of any real or personal property, including water rights, belonging to any Indian or any Indian tribe, band, or community that is held in trust by the United States or is subject to a restriction against alienation imposed by the United States; or shall authorize regulation of the use of such property in a manner inconsistent with any Federal treaty, agreement, or statute or with any regulation made pursuant thereto; or shall deprive any Indian or any Indian tribe, band, or community of any right, privilege, or immunity afforded under Federal treaty, agreement, or statute with respect to hunting, trapping, or fishing or the control, licensing, or regulation thereof.

"ASSUMPTION BY STATE OF CIVIL JURISDICTION

"SEC. 402. (a) The consent of the United States is hereby given to any State not having jurisdiction over civil causes of action between Indians or to which Indians are parties which arise in the areas of Indian country situated within such State to assume, with the consent of the tribe occupying the particular Indian country or part thereof which would be affected by such assumption, such measure of jurisdiction over any or all such civil causes of action arising within such Indian country or any part thereof as may be determined by such State to the same extent that such State has jurisdiction over other civil causes of action, and those civil laws of such State that are of general application to private persons or private property shall have the same force and effect within such Indian country or part thereof as they have elsewhere within that State.

"(b) Nothing in this section shall authorize the alienation, encumbrance, or taxation of any real or personal property, including water rights, belonging to any Indian or any Indian tribe, band, or community that is held in trust by the United States or is subject to a restriction against alienation imposed by the United States; or shall authorize regulation of the use of such property in a manner inconsistent with any Federal treaty, agreement, or statute, or with any regulation made pursuant thereto; or shall confer jurisdiction upon the State to adjudicate, in probate proceedings or otherwise, the ownership or right to possession of such property or any interest therein.

"(c) Any tribal ordinance or custom heretofore or hereafter adopted by an Indian tribe, band, or community in the exercise of any authority which it may possess shall, if not inconsistent with any applicable civil law of the State, be given full force and effect in the determination of civil causes of action pursuant to this section.

"RETROCESSION OF JURISDICTION BY STATE

"SEC. 403. (a) The United States is authorized to accept a retrocession by any State of all or any measure of the criminal or civil jurisdiction, or both, acquired by such State pursuant to the provisions of section 1162 of title 18 of the United States Code, section 1360 of title 28 of the United States Code, or section 7 of the Act of August 15, 1953 (67 Stat. 588), as it was in effect prior to its repeal by subsection (b) of this section.

"(b) Section 7 of the Act of August 15, 1953 (67 Stat. 588), is hereby repealed, but such repeal shall not affect any cession of jurisdiction made pursuant to such section prior to its repeal.

"CONSENT TO AMEND STATE LAWS

"SEC. 404. Notwithstanding the provisions of any enabling Act for the admission of a State, the consent of the United States is hereby given to the people of any State to amend, where necessary, their State constitution or existing statutes, as the case may be, to remove any legal impediment to the assumption of civil or criminal jurisdiction in accordance with the provisions of this title. The provisions of this title shall not become effective with respect to such assumption of jurisdiction by any such State until the people thereof have appropriately amended their State constitution or statutes, as the case may be.

"ACTIONS NOT TO ABATE

"SEC. 405. (a) No action or proceeding pending before any court or agency of the United States immediately prior to any cession of jurisdiction by the United States pursuant to this title shall abate by reason of that cession. For the purposes of any such action or proceeding, such cession shall take effect on the day following the date of final determination of such action or proceeding.

"(b) No cession made by the United States under this title shall deprive any court of the United States of jurisdiction to hear, determine, render judgment, or impose sentence in any criminal action instituted against any person for any offense committed before the effective date of such cession, if the offense charged in such action was cognizable under any law of the United States at the time of the commission of such offense. For the purposes of any such criminal action, such cession shall take effect on the day following the date of final determination of such action.

"SPECIAL ELECTION

"SEC. 406. State jurisdiction acquired pursuant to this title with respect to criminal offenses or civil causes of action, or with respect to both, shall be applicable in Indian country only where the enrolled Indians within the affected area of such Indian country accept such jurisdiction by a majority vote of the adult Indians voting at a special election held for that purpose. The Secretary of the Interior shall call such special election under such rules and regulations as he may prescribe, when requested to do so by the tribal council or other governing body, or by 20 per centum of such enrolled adults.

"TITLE V—OFFENSES WITHIN INDIAN COUNTRY

"AMENDMENT

"SEC. 501. Section 1153 of title 18 of the United States Code is amended by inserting immediately after 'weapon,', the following: 'assault resulting in serious bodily injury,'.

"TITLE VI—EMPLOYMENT OF LEGAL COUNSEL

"APPROVAL

"SEC. 601. Notwithstanding any other provision of law, if any application made by any Indian, Indian tribe, Indian council, or any band or group of Indians under any law requiring the approval of the Secretary of the Interior or the Commissioner of Indian Affairs of contracts or agreements relating to the employment of legal counsel (including the choice of counsel and the fixing of fees) by any such Indians, tribe, council, band, or group is neither granted nor denied within ninety days following the making of such application, such approval shall be deemed to have been granted.

"TITLE VII—MATERIALS RELATING TO CONSTITUTIONAL RIGHTS OF INDIANS

"SECRETARY OF INTERIOR TO PREPARE

"SEC. 701. (a) In order that the constitutional rights of Indians might be fully protected, the Secretary of the Interior is authorized and directed to—

"(1) have the document entitled 'Indian Affairs, Laws and Treaties' (Senate Document Numbered 319, volumes 1 and 2, Fifty-eighth Congress) revised and extended to include all treaties, laws, Executive orders, and regulations relating to Indian affairs in force on September 1, 1967, and to have such revised document printed at the Government Printing Office;

"(2) have revised and republished the treatise entitled 'Federal Indian Law'; and

"(3) have prepared, to the extent determined by the Secretary of the Interior to be feasible, an accurate compilation of the official opinions, published and unpublished, of the Solicitor of the Department of the Interior relating to Indian affairs rendered by the Solicitor prior to September 1, 1967, and to have such compilation printed as a Government publication at the Government Printing Office.

"(b) With respect to the document entitled 'Indian Affairs, Laws and Treaties' as revised and extended in accordance with paragraph (1) of subsection (a), and the compilation prepared in accordance with paragraph (3) of such subsection, the Secretary of the Interior shall take such action as may be necessary to keep such document and compilation current on an annual basis.

"(d) There is authorized to be appropriated for carrying out the provisions of this title, with respect to the preparation but not including printing, such sum as may be necessary."

Amend the title so as to read: "An Act to prescribe penalties for certain acts of violence or intimidation; to protect the constitutional rights of Indians; and for other purposes."

POSTAL REVENUE AND FEDERAL SALARY ACT OF 1967—AMENDMENTS

AMENDMENTS NOS. 431 AND 432

Mr. WILLIAMS of Delaware submitted two amendments, intended to be proposed by him, to the bill (H.R. 7977) to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements, and for other purposes, which were referred to the Committee on Post Office and Civil Service and ordered to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. PERCY. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from California [Mr. MURPHY] be added as cosponsor of the bill (S. 2601) to increase employment opportunities for individuals whose lack of skills and education acts as a barrier to their employment at or above the Federal minimum wage, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROOKE. Mr. President, I ask unanimous consent that, at its next printing, the name of the senior Senator from New Hampshire [Mr. COTTON] be added as a cosponsor of the bill (S. 2539) to provide for an equitable sharing of the U.S. market by electronic articles of domestic and of foreign origin.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Connecticut [Mr. RIBICOFF] I ask unanimous consent that, at its next printing, the name of the Senator from Connecticut [Mr. DODD] be added as a cosponsor of the bill (S. 2552) to provide for orderly trade in antifriction ball and roller bearings and parts thereof.

The PRESIDING OFFICER. Without objection, it is so ordered.

VIETNAM: HOW NOT TO UTILIZE AIRPOWER—VI

Mr. SYMINGTON. Mr. President, further with respect to restrictions placed on the utilization of airpower in Vietnam, I ask unanimous consent that additional testimony, under the heading "Impact of Restrictions on Pilots," by Maj. Gen. Gilbert L. Meyers, under questioning by counsel of the Senate Preparedness Investigating Subcommittee last August be inserted at this point in the RECORD.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

IMPACT OF RESTRICTIONS ON PILOTS

(Excerpt from testimony by Maj. Gen. Gilbert L. Meyers before Senate Preparedness Investigating Subcommittee, August 29, 1967)

Mr. KENDALL. What impact, if any, did these restrictions, both as to your armed recce program and your fixed target strikes, have upon pilot morale?

General MEYERS. Well, of course, pilots are human beings like everybody else. They recognized the limited value of these targets, and many times questioned me as to why were we hitting targets of this type—targets that did not seem to have a great deal of military significance. Of course, my answer was that these are the targets that we have been directed to attack, and these were the targets that we are going to attack. The pilots accepted this statement even though their lives were at stake on each mission flown.

You must bear in mind that they are professional people and that they did a very fine job even though the targets were not adequate in their judgment. Actually there was not too much grousing about these targets. However, they could not help but question them at times, but when they were told, "This is your job, you will do it", as professional airmen, they went out and gave it their best effort.

THE GROWING FISCAL AND MONETARY PROBLEMS

Mr. SYMINGTON. Mr. President, an editorial in the Wall Street Journal of November 1 refers to a recent Tax Foundation pamphlet and states:

> In the past seven years 78 new programs have been initiated, and 16 others were proposed in the budget message for fiscal 1968 submitted to the Congress in January 1967.

All of us know that at least some of these new programs are essential to the security, growth, and well-being of the country; but I do believe that when, as this editorial states, the cumulative cost of these new programs total over $84 billion by the end of the current fiscal year, this constitutes but another reason for recognizing the growing danger incident to the cost of the Vietnam war.

I have presented to the Senate before and now do so again, that no economy, not even that of the United States, can continue to defend and finance, often almost by itself, the percentage of the so-called free world that is being defended and financed by the United States.

I ask unanimous consent that the editorial entitled, "Prescription for Paralysis," be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PRESCRIPTION FOR PARALYSIS

Although everyone realizes that the activities of the Federal Government are mushrooming, relatively little attention is paid to the nature and meaning of the growth—partly because it's all so fast and helter-skelter that it inhibits analysis.

Now the Tax Foundation has taken a crack at penetrating the maze. In a useful little pamphlet called "Growth Trends of New Federal Programs: 1955–1968," it comes up with findings that ought to interest and alarm the citizenry.

First, for an idea of the scope of the activity: "In the past seven years 78 new programs have been initiated, and 16 others were proposed in the budget message for fiscal 1968 submitted to the Congress in January 1967. The large majority have been put into operation in the period beginning in fiscal year 1965." That doesn't count the numerous and substantial expansions of earlier programs.

"In the corresponding period of the 1950s," the study continues, "only about one-third as many new Federal activities were initiated."

What are some of these burgeoning undertakings? In addition to the big, fresh forays into health, education and welfare, they pretty much cover the waterfront. Everything from the Asian Development Bank to the Packers and Stockyards Act, from Great Plains conservation to supersonic-transport development, from rural renewal to the Chamizal Memorial Highway. You name it.

Obviously certain ones are vastly more

expensive than others, but none, from the viewpoint of the ordinary taxpayer, is exactly cheap. The Tax Foundation estimates the fiscal 1968 cost of just those new programs enacted in the past seven years at $9 billion. If we take the full 13-year span surveyed in the report, the cumulative cost of 112 new programs will total $84.8 billion by the end of the current 1968 fiscal year.

The enterprises almost unfailingly cost more as time goes by; initial figures are usually no guide at all to future outlays. For example, the Food for Freedom program, started in fiscal 1956 at about $121 million, is budgeted at $1.8 billion in fiscal 1968. And the National Aeronautics and Space Administration spent $89 million in its first year, 1958; it will spend some $5 billion this year.

The Foundation study even discerns a general pattern characterizing the growth of new programs: "Sharp increases in the first two years as the programs get into fuller operation, relatively modest increases in the third and fourth years, followed by a steep jump of the sort depicting major expansion or legislative extension of the program."

Small wonder the Tax Foundation observes that the "expenditure history of the new Federal programs set up in the period of this study supports the familiar thesis that new Federal Government activities, once under way, traditionally increase in scope and cost. Few are ever reduced in cost, and even fewer disappear."

Small wonder, too, that administrative chaos prevails. The projects are casually tossed on top of older ones, with scarcely any effort to examine the relationships among them or the effectiveness of any of them. Duplication, waste, gross inefficiency and mismanagement are inevitable—so much so that a number of liberals, heretofore devout believers in Federal omniscience, are decrying the trend.

Many comments could, indeed, be made about this scandalous condition. It is, for one, a fraud on the public, to which the Administration adds the insult of demanding higher taxes without evidencing any intention of cleaning up the disorder which it perpetuates and intensifies.

But for the moment we will merely remark that the Government is bogging down. The people are not getting good Government; they are getting a Government that threatens to paralyze them in the grip of its own indiscriminate growth.

MILITARY JUSTICE ACT OF 1967

Mr. ERVIN. Mr. President, a few months ago I introduced, for myself and Senators BAYH, BIBLE, FONG, LONG of Missouri, WILLIAMS of New Jersey, and YARBOROUGH, S. 2009, the proposed Military Justice Act of 1967. This omnibus measure would accomplish important and long-needed reforms in the system of justice administered by the Armed Forces. These reforms are the product of many years' study and thought by the Constitutional Rights Subcommittee. They have been analyzed and commented upon by military lawyers, representatives of each of the services, veterans groups, judges, and private organizations. They have the support of most, if not all, of those who have considered them. I am confident that they have the support of the over 3 million men and women in uniform and their families throughout the Nation.

Unfortunately, the general public is largely unaware of the court-martial system and the administrative discharge system which supplements it. Only when relatives or friends become involved with military law do citizens realize the pressing need to insure due process protection for the men who give their lives in defense of our freedom.

The importance of subjecting military law to public scrutiny cannot be overstated. Recent public debate over important developments, judicial and legislative, in the administration of civilian criminal justice has produced controversy and significant changes in the law. But this public concern has not touched the military system. Where once it was truly a model for the civilian law, now it has been left behind in many respects. Much must be done by the Congress and the military itself to restore military justice to the honored place it once held.

The absence of public awareness of these problems has been rectified in great measure by a series of outstanding articles by Jack Landau, of the Washington bureau of the Newhouse National News Service. Mr. Landau spent 2 months talking to military lawyers and judges, to legal officers from the trial and defense counsel, to the judge advocates general, to prisoners, military police, and to many others involved in military justice. His seven-part series is a fair and trenchant critique of the existing system and what is needed to imbue it with the fundamental due process protections we as Americans hold so basic. I commend the reading of these articles to every Member of Congress and to the public.

I ask unanimous consent that these articles be included in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Syracuse (N.Y.) Herald-American, Sept. 10, 1967]

GI JUSTICE: A SECOND-CLASS SYSTEM

(The first of a seven-part series by Jack C. Landau)

WASHINGTON.—Today, a generation after the kangaroo court martial scandals of World War II—the Defense Department is still running a system of second-class justice for America's 3.3 million fighting men.

Despite substantial improvements in the last two decades, including major congressional reform in 1950, the American military justice system continues to offer few of the constitutional "due process" protections considered fundamental to the American concept of civilian justice.

It remains, for the most part, a convenient and arbitrary system of martial discipline—not impartial justice—operated behind closed doors by line commanders and their junior officers.

STRONG ARGUMENT

There is a strong argument that civilian theories of "equal justice under law" have no logical place in a military organization dedicated to arbitrary command power and unquestioning obedience.

But this is not the system which Congress has ordered or which the American public expects for the young Vietnam draftee.

Perhaps military justice might be forgiven for its inadequacies if it were a small system with relatively ineffectual penalties.

But it is large: Last year there were 97,000 cases involving about one out of every 33 men in the service.

It is iron-fisted: 63,000 criminal convictions last year which resulted in prison sentences, fines, or the indelible brands of a "dishonorable" or "bad conduct" discharge; and an additional 30,000 "less than honorable discharges," life-long marks of disgrace in the civilian world.

A 2-MONTH SURVEY

These are the conclusions drawn after an extensive two-month survey of the military justice system as it operates today. Installations observed included the Army's Fort Campbell, Ky., and Fort DeRussy, Hawaii; the Naval Station at Norfolk, Va.; the Marine combat training base at Camp Lejeune, N.C., and the Military District of Washington.

The survey also included attendance at various types of courts martial and interviews with military defendants and prisoners in stockades, with military lawyers, judges, jurors and top legal officers, with former military lawyers who specialize in military cases and with military police and investigators.

The structure of military justice today stems from the Uniform Code of Military Justice passed by Congress in 1950 in response to the publicly reported court martial injustices of World War II.

COVERS FIVE SERVICES

It covers all five services: The Army, the Navy, the Marines, the Air Force and the Coast Guard.

Based on the law, military regulations and tradition, military justice is administered by:

Summary courts martial, in which a jury of one officer tries an enlisted man for petty offenses. Maximum penalty: A federal criminal court conviction, 30 days in prison and a reduction in pay.

Special courts martial in which a jury of three officers tries an enlisted man (rarely an officer) for minor offenses. Maximum penalty: A federal criminal court conviction, six months in prison, reduction in pay and a "bad conduct" discharge—similar in most respects to a "dishonorable" discharge.

General courts martial in which a jury of five officers tries officers and enlisted men for serious offenses. Maximum penalty: A federal criminal court conviction, a "dishonorable" discharge and life in prison or death (there have been no military executions since 1961).

BOARD OF THREE OFFICERS

Less than honorable administrative discharge hearings in which a board of three officers gives an officer or an enlisted man a "general" or "undesirable" discharge.

The U.S. Court of Military Appeals, composed of three judges with 15-year terms who are by law permitted to review only one per cent of all cases.

The public image of military justice—via Hollywood and television—is the stern fairness of the fictional "Caine Mutiny" court martial or the recent trial last June of Army Capt. Howard B. Levy who opposed the war in Vietnam:

An impartial jury, an intelligent judge, a battery of defense and prosecution lawyers, a series of witnesses for both sides, rows of newsmen and spectators and a diligent court reporter taking down every word for a higher court appeal record.

This image is far from reality.

RARELY USED PROTECTIONS

The broad legal protections offered by the "Caine Mutiny" or Capt. Levy proceedings—known as a general court martial—are reserved for serious cases and are rarely used (only 2,092 times last year out of 67,000 courts martial and an additional 30,000 "less than honorable" discharge hearings.)

In 90 per cent of all criminal and discharge cases, the young serviceman has no lawyer, no legally qualified judge, no transcript of his trial and no meaningful court appeal.

In 40 per cent of all criminal cases, he is judged, defended, prosecuted, convicted and sentenced by a single officer appointed by his commander.

In 100 per cent of all discharge cases, he has no right to examine the evidence against him, no right to confront his accusers, to subpoena witnesses on his own behalf or to have a record of his hearing.

SMALL, BUT FEDERAL CASE

Under these circumstances, the young serviceman—frequently away from his home and family for the first time—sees a simple drunken driving or disorderly conduct charge converted into a formal "federal court conviction" or "less than honorable" discharge.

These federal criminal convictions and discharges stigmatize a man for the rest of his life. They bar him from many jobs, corrode his self-respect and—as military appeals Judge Homer Ferguson has said—close "almost every door to his future."

One reason why military justice is able to operate relatively free from public criticism is that less than 3 per cent of its cases are matters of public record. Most of the files stay locked in the Pentagon or in the offices of local commanders.

But the major reason is the character of the accused, who has few resources with which to defend himself.

YOUNG, LONELY AND POOR

The average enlisted man prosecuted by the military justice system is young (from 17, where most states treat him as a juvenile, to 23); unworldly (barely a high school education); inexperienced (no prior criminal record or previous contact with police and courts); isolated (away from his family and friends); and poor (a private's pay is $90 a month).

There is another side to the picture:

Military defendants are entitled to know most of the evidence against them prior to trial. Sentences in general are much lower than in civilian courts. Commanding officers and administrative action can soften harsh sentences.

The military supplied free lawyers to some suspects well before the U.S. Supreme Court ordered free lawyers in civilian courts, and a military defendant faces no delay in obtaining a trial while his civilian counterpart may easily wait six months.

The military justice system is frequently manned by intelligent and dedicated lawyers and officers who try to do their best with a bad system.

SERVICEMAN PAYS DEARLY

But for these few advantages, the serviceman pay dearly compared to the system which the military claims it operates and compares to the protections he would enjoy as a civilian.

As hundreds of reported and unreported cases show, military justice is exemplified by:

Injustice: A Marine is discharged without trial on a homosexuality charge. Later, the two accusers admit they made a false identification.

Air Force investigators lock a suspect's family in their room for 13 hours while searching for a smuggling clue.

An Army officer is falsely convicted of extortion and sentenced to 18 months in prison and a bad conduct discharge, because he complained about the base food to his congressman.

FALSELY CONVICTED

A sailor is falsely convicted of escaping confinement when the evidence shows he was fleeing from the brutality of a guard. He is sentenced to four months in prison and a bad conduct discharge.

Inequity: The army supplies a lawyer in all courts martial discharge cases. The Navy does not. Officers are frequently permitted to resign while enlisted men are prosecuted for the identical crime. All flag officers can appeal their courts martial to the Military Court of Appeals, but not all enlisted men have this right.

Military boards of review reverse only 4 per cent of military convictions. Federal courts reverse 16 per cent of federal civilian convictions. The U.S. Court of Military Appeals reverses 50 per cent of the court martial convictions it hears.

The chief Army judiciary officer keeps no records of scheduled courts martial, which have the power to impose the death penalty, and when asked why not, answered "Why should I care?"

Apathy: Most career military lawyers (as opposed to young non-career lawyers) are satisfied with the system the way it is.

A recent meeting of the Judge Advocates Association (a career military-legal group) spent less than one minute discussing a bill pending in Congress seeking to overhaul the whole military justice system. Members spent 20 minutes asking for higher salaries.

Lack of manpower: most military lawyers reported they have too much work and not enough time to prepare their cases. The military has about 3,000 lawyers for 3.3 million servicemen, an average of one for every 1,000 men. In Vietnam the military provides less than one lawyer for 2,000 men. The Norfolk Navy base has one lawyer for every 4,000 men. The civilian population—including women, children and the elderly—averages one lawyer for 637 persons.

Lack of funds: The military justice system spent an estimated $30 million last year out of a total military appropriation of $68.4 billion. This is less than one-half of one per cent of the total military budget, or an average of $10 per man per year. By contrast, the Vietnam combat expenditure of $25 billion this year for about 500,000 men averages out to $50,000 per year per man.

The overall conclusion is that the Defense Department—which can obtain top-flight brain power and billions of dollars for the best of everything—is content to run a second class system of justice.

And the human question, as one career Marine lawyer asked:

"Is this really the type of justice a man deserves who volunteers to die in the jungles of Vietnam?"

[From the Syracuse (N.Y.) Herald-Journal, Sept. 11, 1967]

YOUTH'S FIRST LAW CONTACT CAN BECOME LEGALLY FATAL

(Second of a series by Jack C. Landau)

WASHINGTON.—In military life as in civilian life, a young man's first contact with the law may come through a police investigation.

And this first contact can be legally fatal.

If military investigators persuade a young serviceman to confess, then—for all practical purposes—his case is ended.

He receives the life-long scar of a federal court conviction or less than honorable discharge in the police interrogation room, without ever having reached a courtroom.

He may really be innocent or there may be strongly mitigating factors on his behalf.

But the best lawyer, the fairest judge and the most intelligent jury can do little to help a young man who has signed a confession of guilt.

The part played by the military investigator is important because in the Army 70 per cent of all courts martial supsects plead guilty, most of them based on confessions.

And even if a bright lawyer could prove a confession illegal, lawyers were only provided for suspects in 10 per cent of the 97,000 court martials and less than honorable discharge cases last year.

How do military investigators obtain confessions?

Take the recent case of Marine Sgt. Thomas C. O'Such Jr., convicted of murdering a Marine sergeant in Koza City, Okinawa, and sentenced to life in prison.

What is of interest in the O'Such case is not the uncontroverted fact that Naval Investigation Service officers obtained a "voluntary confession" by stripping the sergeant of his clothes, locking him in an unlighted "black box" solitary confinement cell for two days, forcing him to stand at attention for 16 hours a day, flashing a spotlight in his eyes every five minutes while he slept, and threatening to arrest his family on phony charges.

Of more importance to the military justice system is that the Navy approved of these investigation methods and fought to affirm O'Such's murder conviction.

A board of review appointed by the Navy Judge Advocate General upheld the conviction.

Last March, the U.S. Court of Military Appeals reversed the case. It said that the treatment accorded to Sgt. O'Such, "an unsentenced and presumably innocent man," amounted to "oppression and punishment."

"We have not seen in recent times," noted Judge Homer Ferguson, "as bold an invasion of the rights of an accused person as is depicted upon this record."

Military lawyers agree that this type of physical oppression is rare today, but psychological coercion appears to be common.

For example, all arrested servicemen are now entitled to free lawyers during a military interrogation if they request one. The Court of Military Appeals set the requirement in April.

Item: "We know how to avoid giving a man a lawyer, although I don't want to be quoted," confided an Army sergeant in Washington.

"We just tell him: 'Look, you can confess now or we'll get you a lawyer if you want one. But that might take three or four days and you'll have to stay here (in prison) until then.' Well, of course, they want to get out of here, so they talk."

Item: "I told him (a suspect) he could have a free military lawyer. But I also told him that he might have to wait a few days because they're shorthanded down there (at the Staff Judge Advocate's office)," a lieutenant at Fort Campbell, Ky., said quite openly.

The Staff Judge Advocate at Fort Campbell, Col. Victor A. Defiori, said: "I have a man on duty all the time to represent men who are being questioned. I don't think I've had five calls all year."

The suspect, by the way, did confess and pleaded guilty to larceny.

Item: During a court martial at Fort Campbell in July, this exchange took place between a Criminal Investigation Division agent and Lt Col. Warren Horton, the judge.

Question (by Col. Horton): "Had the accused made a demand for counsel (during the police questioning)?"

Answer: "Yes sir, he said he wanted counsel."

Question: "Why did you not give him counsel?"

Answer: "We notified his organization."

Question: "Why did you not notify the Staff Judge Advocate?"

Answer: "It was just an oversight."

The official reports of the Court of Military Appeals are replete with just such "oversights." Documents show how military investigators lied to the mother of a suspect and told her he could not have a lawyer. They questioned a suspect for hours in an off-base motel. They locked the family of a suspect in their rooms for 13 hours while they searched his off-base home. They conducted searches without proper authority or without "probable cause."

"I win more cases on the mistakes of the CID than for any other reason," said an Army appelate lawyer. His three associates, who participated in the interview, agreed.

Some of these "mistakes" may be due to honest "oversight," and probably the great majority of military investigations are conducted properly.

But take this case which occurred in Norfolk, Va., last July:

A Navy captain asked the Naval Investigation Service to conduct a thorough investigation of a rumor that two sailors aboard the captain's ship had engaged in homosexual conduct.

The Naval Investigation Service inquiry confirmed the rumor with three eyewitness reports. The two sailors were brought up for undesirable discharge proceedings.

When the three eyewitnesses were cross-examined during the discharge proceedings, they said that one of the suspects was very drunk and that he had inadvertently stumbled into the other suspect's bed as he climbed up to his own bed several tiers off the deck.

That was the whole basis for the rumor, the investigation and the charge. The two sailors were acquitted.

The young naval lawyer who defended them said it was "difficult to believe" that the Naval Investigation Service had "honestly overlooked" the fact that the suspect (and the witnesses) were very drunk.

(This incident was reported by the lawyer. Administrative discharge proceedings are not open to public inspection.)

Military lawyers offer several reasons for the frequent illegal and deceptive practices of military investigators. The first and most obvious is that military investigators believe their primary object is to get their man by whatever means possible.

This attitude is compounded by the type of official support they received in the O'Such case, coupled with the lack of any punitive action for investigative misconduct.

The U.S. Court of Military Appeals reversed a total of 51 cases last year, 40 per cent of them because of illegal investigations. The court's opinions do not show a single case of a military investigator being court martialed for mistreatment of a suspect.

The character of the suspect also helps. The civilian police frequently deal with hardened criminals who know their rights or with local young men who can rely on their families for support and legal advice.

But the average enlisted man is ignorant of his legal rights, isolated from his family and friends and—in general—sincerely believes that the military will "give me a fair shake."

Navy investigators in Norfolk report that 90 per cent of their suspects confess.

Another reason for improper investigation methods may be the heavy caseload schedules which do not permit an investigator to devote enough time to a single case.

In Norfolk, 70 investigators conduct 1,400 investigations a month, an average of one a day per man for a 20-day working month. In Camp LeJeune, investigators check out 1,600 complaints a month, an average of seven a day for each member of the 11-man staff.

Military investigators and top-brass military lawyers argue that the few cases of misconduct which reach the Military Court of Appeals are "exceptions."

They rate the military investigation services on a par with small city police detective bureaus. One naval investigator rated his men as equal to the FBI.

But they do admit that higher quality investigations could be conducted if training facilities could be improved and if pay scales were increased (pay starts at $7,068 for the civilian police investigators in the Navy, $1,000 less than the FBI).

It is important to make a distinction between military investigators, such as the army's Criminal Investigation Division and the navy's Office of Naval Investigations, and the military police and shore patrol.

The shore patrol and military police are generally sympathetic and try to stop a drunken young serviceman on leave from getting into trouble.

Perhaps their philosophy was best expressed by Gen. William C. Westmoreland who, as a former commander at Fort Campbell, reportedly complained:

"I can't train killers six days a week and expect them to act like Sunday school boys on the seventh."

[From the Syracuse (N.Y.) Herald-Journal, Sept. 12, 1967]

GENERAL COURT-MARTIAL GIVES GI COMPLETE "DUE PROCESS OF LAW"

(Third of a Series by Jack C. Landau)

WASHINGTON.—Despite the many anachronisms and inequities in the military justice system, there is one place where the accused serviceman obtains complete "due process of law."

It is the General Court Martial, the institutional super-star of the military justice system.

Here, he enjoys the same basic constitutional protections he would have in civilian life:

A jury of at least five men, a legally trained judge, lawyers as prosecutor and defense counsel, full common law rules of criminal evidence, a verbatim transcript and complete appellate court review.

In fact and in fiction, the General Court Martial is the classic American military tribunal.

It tried the Lincoln assassination conspirators, Gen. Billy Mitchell, the Nazi saboteurs who slipped onto Long Island during World War II and, last June, Capt. Howard B. Levy who opposed the Vietnam war.

Most Americans believe that the General Court Martial is the usual method of dispensing military justice. It is not.

In 1966, the Army, Navy, Marine Corps, Air Force and Coast Guard handed out 63,000 federal court convictions in 67,000 courts martial cases and dispensed an additional 30,000 "less than honorable" discharges.

Only 2,092 of these cases had the broad protections of the General Court Martial.

From interviews with military lawyers, attendance at courts martial and trial transcripts, it is clear that the average General Court Martial is substantially fairer in most respects than the average state or local criminal court trial.

Take the General Court Martial of Pfc. Charles E. Ward at Fort Campbell, Ky., last July 8.

Ward was tried on charges of striking a stockade officer because he was not permitted to wear his sun glasses. The glasses aided his eyes, hurt in a Viet Cong mine blast.

The trial was held in a shabby green room; with white tieback curtains, a rattling air conditioner, and a large wall poster of a gold and white eagle on a black field—the famed insignia of the 101st Airborne Division.

The jurors were seven college-educated officers led by a lieutenant colonel who served as the president or jury foreman. They sat at a long table.

While an accused serviceman may request at least one enlisted man on the jury, this request is rarely made. Enlisted men tend to be tougher on enlisted defendants than do officers.

To the right sat the prosecutor, Capt. William B. Smith of Webster Groves, Mo., whose job was to prove that Pfc. Ward struck the stockade sergeant without provocation.

To the left sat the defense counsel, Capt. Stanley I. Greenberg of St. Louis, Mo., who, like the prosecutor, was a recent law school graduate. Next to him sat the defendant. Capt. Greenberg's task was to try to prove the blow was struck in self defense.

A newspaper reporter and an Army public information officer were the only spectators. The presence of outsiders at courts martial is so rare that the jury was extremely curious about their identity.

At the right front of the courtroom sat the court reporter, taking down verbatim notes for use in any appeal, and near him the "law officer" or judge.

This officer, the key to fairness and high quality of any General Courts Martial, was Lt. Col. Warren Horton, a career military lawyer directly under the Judge Advocate of the Army.

Col. Horton was neither appointed by the base commander nor served under him—as did every other participant in the court martial: the jury, the defense, the prosecution, the court reporter, the marshal, the defendant, the complaining sergeant and all the defense and prosecution witnesses.

Pfc. Ward's case was tried vigorously by both sides.

The prosecution presented three witnesses to the stockade scuffle, including the injured sergeant who said that Ward "hit me in the mouth."

The defense, trying to show that Ward was provoked, offered six witnesses. Some of them testified that the stockade sergeant was seen "under the influence of alcohol" while on duty, that he broke regulations by getting "seven or eight" free haircuts from inmates, that he had a reputation for being "short-tempered" and for "pushing around" prisoners.

The entire trial, despite its drab surroundings, was run by Col. Horton with the same decorum and intelligence as a U.S. district court trial and with considerably more patience.

"The most difficult thing," the colonel explained later, "is not ruling on the law. It is helping these young lawyers to properly present their evidence and not prejudice the trial."

All during the trial, Col. Horton gently aided the two young counselors.

When one witness started to mention facts which should have been excluded, Col. Horton suggested that the examination proceed by "question and answer" rather than by rambling recitation.

When the defense and prosecution failed to present written jury instructions, the colonel mentioned that "I have drawn up some instructions—which are what you may be thinking of."

After all the evidence had been presented, the jury withdrew to make its findings.

The jury stayed out about an hour and, rejecting the self-defense argument convicted Ward. Court Martial juries vote by secret written ballot and must have a two-thirds vote of agreement.

After the conviction, the second act of the court martial began. This was a more informal trial to determine the sentence the jury will impose.

The prosecutor said that Ward had five previous minor court martial convictions for fighting and AWOL. He said the sentence should be "an example" to others.

The defense, in asking for a light sentence, pointed out that the private had won the Purple Heart in Vietnam.

Ward was permitted to offer an unsworn statement in his own behalf, not subject to cross-examination. He explained that "my father died when I was two and I'm helping to support my mother."

The jury brought in a verdict of one year in prison and a bad conduct discharge. This vote was also by a two-thirds majority.

In capital cases, the jury vote must be unanimous. The last military execution was in 1961.

Ward's sentence was slightly tougher than the average Army sentence for aggravated assault, which is 10.5 months.

Ward could seek review of his case by his commanding general, by the Judge Advocate General of the Army, and Army Board of Review and the Military Court of Appeals.

His chances of a reversal are slim, about 5 per cent. But his chances of having his sentence lowered are better than 50 per cent.

Col. Horton's high level of competence and fairness is considered standard. But while competence is important, most military lawyers agree that the crucial factor is independence from the local commander. Riding his three-state circuit hearing cases, Col. Horton cannot be called to task by any local base commander, only by the Army's Judge Advocate General.

Sen. Sam Ervin, chairman of the Senate Subcommittee on Constitutional Rights, wants to improve the courts martial system by strengthening the powers of this quasi-independent judiciary.

His bill would let judges, like Col. Horton, try cases without juries. This currently is prohibited under the Uniform Code of Military Justice.

The Ervin bill, now pending in the Senate, would also establish a "Judge" Corps for the entire military. Now, only the Army and Navy have these programs. The Air Force does not.

Referring to this independent judgeship program, military appeals Judge Homer Ferguson said:

"No other single factor has served to reduce trial errors and improve courts martial than this simple but effective plan."

[From the Syracuse (N.Y.) Herald-Journal, Sept. 13, 1967]

Special Court-Martial Is a Legal Farce: 39,000 Cases Tried Last Year

(Fourth of a series, by Jack C. Landau)

Washington.—Down in the humid green valleys along the Tennessee-Kentucky border, there is a 100,000-acre Army combat training base. Fort Campbell's activity is to make boys into men.

As at every American military base, a small but important part of Fort Campbell's activity is to dispense military justice to its 40,000 Army personnel and their dependents.

A fairly typical case recently involved a tall, sad-faced, 21-year-old basic trainee, Pfc. Robert M. Krazezkiewicz of Beckley, W. Va. Last July, the slender blue-eyed private was brought up on charges of stealing from the locker of his best friend.

Krazezkiewicz's commanding officer chose to have him tried by a Special Court Martial, a forum which normally handles minor offenses.

It can deal out a maximum penalty of six months in prison, a reduction in pay and a bad Conduct Discharge, which is similar in many respects to the Dishonorable discharge.

The Special Court Martial is the most frequently used of the three types of courts martial. Last year, the military conducted 67,000 courts martial, of which 39,000 were special courts.

The key features of the Special Court Martial are a non-lawyer judge, non-lawyer defense officer, a non-lawyer prosecutor and no right of appeal unless there is a discharge.

The only evidence against Krazezkiewicz was his written confession which he gave to the company lieutenant. Based on this confession he was sentenced to six months in prison and fined $30 a month from his $100-a-month salary.

After the trial, Krazezkiewicz said in an interview that he "was not told" of his right to have a lawyer during the confession questioning.

His non-lawyer defense officer said, "I didn't know" that the soldier had to be warned of his right to counsel.

The non-lawyer prosecutor said he was "not aware" of any problems concerning the confession.

The non-lawyer judge of the Special Court Martial accepted the confession without inquiring into the circumstances under which it was given.

Under the circumstances, it is not clear whether the private was properly convicted.

What is clear to any experienced court observer is that the Special Court Martial was a legal charade because no one knew the law.

The requirement of a lawyer during a criminal interrogation was imposed only last April. But none of the court martial participants had even heard of the court decision.

Another example of the Special Court Martial occurred a week later at Camp LeJeune, N.C., at the trial of a husky, 22-year-old Vietnam Marine veteran, Pfc. George Dowell Jr., of St. Louis.

Witnesses said that Dowell had returned to the base drunk and was called, "Hey, Nigger boy," by a group of white Marines.

When the officer-of-the-day arrived on the scene, Dowell shouted, "I don't give a (obscenity) who you are." He was brought up on charges of showing disrespect to an officer.

Here are some aspects of Dowell's Special Court Martial which was conducted in the damp 100-degree heat of a small, neat courtroom at the 2nd Marine Division headquarters:

The three-man jury was headed by a non-lawyer major who was also the judge. This meant that the judge ruled on the admission and exclusion of evidence and then voted on his own rulings when he later acted as the juror.

The defense and prosecution lawyers were young law school graduates. Only 10 per cent of the Marine Special Courts Martial offer defense lawyers. The rest—like the Krazezkiewicz trial—offer non-lawyer officers.

At least one hour of the court martial was taken up with complex arguments over technicalities of the hearsay rule against second-hand evidence.

They included arguments over exceptions for "prior inconsistent statements," for "official documents," for "eyewitnesses," and for "statements not being introduced for their truth or falsity."

After hearing witnesses from both sides, the Special Court Martial convicted Dowell and sentenced him to six months in prison and a Bad Conduct Discharge.

Considering the drunken condition and the racial slur, Dowell may or may not have been guilty of knowingly insulting the officer.

But his trial was a parody: a non-lawyer judge, who was also a juror, struggling to understand the complicated arguments posed by two inexperienced young lawyers who were having their own problems understanding the law.

After the trial, the judge, Maj. George Candea of Collins Point, Queens, conceded: "I do think some of the arguments on the Hearsay Rule went a bit over our heads."

Dowell's reaction was: "I didn't want to testify in my own behalf. It wouldn't have helped me. There's no justice in the military anyway."

As in the case of Pfc. Krazeszkiewicz, the court martial was run properly under the law, and all the court martial participants appeared to be doing their best to conduct a fair proceeding.

But it is unrealistic to expect line officers to know that latest developments in the law or intelligently comprehend theories it takes three years in law school to learn.

Under these circumstances, it is not surprising that the Special Court Martial conviction rate is 95.7 per cent. Only 62 per cent of the Special Court Martial defendants plead guilty. This means that the Army obtains 200 per cent more convictions in "not guilty" plea Special Court Martial cases than the U.S. district courts where 87 per cent of the suspects plead guilty.

The defense officer never called his family in Nashville to substantiate any history of migraine headaches. He never called the family doctor. He called the dispensary, but Ferguson's records were missing. The physician who had treated him there has been released from the Army, and no attempt was made to locate him.

The one thing that Ferguson, Dowell and Krazeszkiewicz have in common today is the life-long brand of a formal federal court conviction on their records. Krazeszkiewicz, a college honors student, had a full tuition scholarship lined up for medical school. But local medical associations are as loathe as bar associations to approve physicians who are convicted federal felons.

Interviews with Navy and Marine personnel incarcerated in stockades on Special Courts Martial convictions showed that none of them realized the seriousness of their cases.

"It is not a federal court conviction," insisted a young Marine from Clifton, N.J., convicted of AWOL. "Military law and civilian law are two different things."

He is wrong. Special courts are established by Acts of Congress under the Uniform Code of Military Justice and are just as much federal court trials as any federal district court trial, where Krazeszkiewicz, Dowell and Ferguson would have been entitled to a jury of 12 men—not appointed by their commander. They also would have had a completely qualified federal judge, a defense lawyer, a lawyer-prosecutor, and a character report made by an experienced probation officer. In addition, they would have had a verbatim transcript of their trials and a right to appeal to a U.S. Court of Appeals and then to the Supreme Court.

If Special Courts Martial are charades, Summary Courts Martial are, as one Army lawyer put it, "an abomination." And they are also federal courts, which issue federal court convictions.

In the summary courts, one officer acts as judge, jury, prosecutor, defense counsel and sentencing authority. This writer was not able to attend any Summary Courts Martial because the Army, Navy, and Marine Corps could not locate any—even though 27,394 were conducted last year and presumably that many are being held this year.

Last year, the Army conducted 14,016 Summary Courts Martial and convicted about 94.2 per cent of the defendants. The Summary Court tries petty offenses, including short AWOLS and disorderly conduct charges. Its maximum sentence is 30 days in confinement.

The Army says it is "very rare" for a Summary Court Martial defendant to be represented by legally trained or non-lawyer counsel. Occasionally, a defendant will hire a private counsel. Review of the Summary Court is limited to the discretion of the commander and Judge Advocate General.

"I would advise my son," said Col. Earl Brown, "take an article 15 (administrative punishment) any time. Never take a Summary Court Martial."

Col. Brown was one of the Army's top lawyer-judges. He left on Aug. 1 to be the assistant dean of the Columbia University law school, having judged the celebrated case of Capt. Howard Brett Levy at Fort Jackson, S.C., last June.

Col. Brown added: "The Summary Court Martial is just indefensible. It's a disgrace to even call it a 'court.' It's a command disciplinary proceeding and should be eliminated."

[From the Syracuse (N.Y.) Herald-Journal, Sept. 14, 1967]

Thirty Thousand GI's "Branded" by Less-Than-Honorable Discharges

(Fifth of a series by Jack C. Landau)

Washington.—The No. 1 scandal in military justice today is the "less than honorable" administrative discharge system.

"Merciless character assassination," says the Catholic War Veterans of the United States.

"Frustrating and shocking," says a former military lawyer now specializing in discharge cases.

"Completely unjust," says Sen. Sam Ervin (D-N.C.) who has a bill pending to reform the system.

Last year, the military handed out 30,000 less than honorable discharges—20,000 "general" and 10,000 "undesirable"—on grounds of unsuitability for military service.

An administrative discharge is the military method of eliminating unsuitable personnel without any semblance of constitutional due process and without having to go through the few fundamental protections offered by courts martial.

(Courts martial may impose "bad conduct" or "dishonorable" discharges as part of their sentence.)

Administrative discharges are generally given by a board of three line officers appointed by the local commander. The procedures are so informal as to constitute little more than an exercise in command discipline.

The result is that a young serviceman may receive the life-long brand of an "undesirable" discharge (there are 500,000 of them today) or a "general" discharge with—

No lawyer, no trained judge, no right to examine the evidence against him, no right to confront his accusers, no transcript of the proceedings, no practical appeal to any court and, in the majority of cases, no hearing at all.

Military officials argue that a serviceman has no more right to be employed by the Army or to contest his discharge than he does to be employed by General Motors or to fight a job layoff or firing.

They add that the armed forces must be able to exercise its discretion as to who is suitable and who is not. They say that the military would be paralyzed if it were bound by the same standards of evidence and "due process" in an administrative discharge as it is in a court martial sentence which orders a Bad Conduct or Dishonorable Discharge.

But, Judge Homer Ferguson of the U.S. Court of Military Appeals answers:

"It is undeniable that, so far as society is concerned, the impact of a 'General' or 'Undesirable' discharge is the same as that of a punitive discharge (Bad Conduct or Dishonorable).

"It frequently marks the accused for the balance of his life, denies him job opportunities . . . and bars almost every door to his future."

Take the case of former Marine Sgt. Rufie Sherman Neal, a case which was introduced at Senate hearings last year.

Neal served 17 years in the service and took part in the Iwo Jima landing in World War II and the Inchon battle in Korea. He holds three Presidential Unit Citations and four Good Conduct Medals.

In 1958, he was accused by the Office of Naval Investigations of committing a homosexual act in a Pentagon men's room. He was told that the Navy had two "eyewitnesses."

He was advised that he could request a court martial and risk conviction and imprisonment on a morals charge. Or he could accept an administrative "undesirable" discharge. Sgt. Neal took the discharge.

For eight years, Neal lived a broken and disgraced man. He begged the Marine Corps to reinstate him "not for myself but for my wife and two young boys."

For eight years, the Marine Corps refused to listen.

And then, on Feb. 22, 1966, the U.S. Court of Claims handed down a decision which is still sending shock waves through the Pentagon.

After conducting a hearing with the two "eyewitnesses"—a hearing that Sgt. Neal never had—the court disclosed that the eyewitnesses had never been able to identify Neal. It was a case of mistaken identity.

Or take this case:

Former Marine Sgt. Harold R. Conn, while stationed in Haiti in 1961, was involved in a fatal auto accident. The Marine Corps flew him back to Virginia two days after the accident. A Marine major went to Haiti conducted an investigation by interviewing Haitian civilians.

As a result, Conn appeared before an administrative discharge board and was given an "undesirable" discharge based only on the investigative report.

He had a lawyer but the lawyer was helpless.

There were no witnesses to cross examine because they were in Haiti. The investigation report was not available until the day before the hearing. The major making the investigation was not available.

Last May 12—six years later—the U.S. Court of Claims voided the discharge.

Or this case:

Last May 8, at 7:30 a.m., a senator received an urgent cable via RCA from Thailand.

"I am a combat pilot stationed in . . . Thailand. I am presently facing a board alleging that I am a homosexual. The charges against me . . . are false.

"I have been denied my demand for a trial by court martial and (my demand) for confrontation of my accusers. Request you immediately stop this traversty of justice."

In response to the senator's inquiry, the Air Force answered:

"In Oct. 1966, three Thai nationals alleged they had engaged in homosexual conduct with (Capt. X) requested trial by court martial. Such action was inappropriate. The Thai nationals who made the accusation could not be located. Confronted with this situation, the board admitted the sworn statements of the three accusers."

Homosexuality is one of the most controversial and most used grounds for administrative discharge (16 per cent in the Navy). Other grounds are a "pattern for shirking," "failure to pay debts," "frequent involvement" with civilian police, and

"Other good and sufficient reasons."

The vagueness of these procedural and substantive standards may be the reason that only 20 per cent of the servicemen brought up for administrative discharge ask for a hearing.

The military often uses the administrative discharge as a substitute for disciplinary action or courts martial.

For example, Maj. Gen. Kenneth Hodson, Judge Advocate of the Army, explains that a medical examination might show a serviceman is a narcotics addict. He adds:

"His conduct in the use of drugs might be such that we might not have a triable offense . . . We don't know exactly when he used them, or where he used them, and might not even be able to identify the particular narcotic he used . . . in that case he could end up with an undesirable discharge by administrative board action."

While the military has much discretion in most discharges cases, it is bound by law to give a discharge if the serviceman has a civilian court conviction.

The general counsel of the Catholic War Veterans explains.

"Very frequently, these young men—with no juvenile or adult police record—will commit a minor civilian offense such as joy-riding, public drinking, fighting or other minor disturbance. If the soldier is . . . convicted, he is awarded an undesirable discharge.

"His offense did not deserve a trial by court martial, yet the mandatory issuing of the undesirable discharge based on the light civilian conviction will send the young man back to civilian life as an outcast . . . and render him undesirable for employment."

There is, for most practical purposes, no appeal to any court. There are several boards in the military which hear discharge cases. In recent years, the boards have gone from reversing one out of every 16 discharges to reversing, in 1965, one out of every four (2,339 heard and 543 changed in some way).

Sen. Sam Ervin has proposed legislation which would guarantee some fundamental "due process" protections to servicemen faced with administrative discharge proceedings.

They would be entiled to legally trained counsel. If under 21, their parents would be notified of the charges. There would be a transcript kept of the discharge hearing. The serviceman would be entitled to subpoena his own witnesses. Undesirable discharges could not be based on minor civilian convictions except for sex perversion and narcotics. The U.S. Court of Military Appeals would be able to grant direct review.

Currently, the only legal review is through the U.S. Court of Claims. This was the route chosen by Sgt. Neal who was willing to wait eight years. He expects to get about $6,000 in back pay from the Marine Corps, of which about $4,000 will go to his lawyer.

[From the Syracuse (N.Y.) Herald-Journal, Sept. 15, 1967]

MILITARY LEADERS FIGHT "DISCIPLINE" CHANGE PLAN

(Sixth of a series, by Jack C. Landau)

WASHINGTON.—"Military justice" is—by definition and tradition—a contradiction in terms for the average American serviceman and his commanding officer.

By necessity, any independent proceeding—whether it be a court martial or an administrative discharge hearing—inplies a decrease in the commanding officer's life-and-death power to impose discipline and to control every activity of the men under him.

This conflict—between the requirements of judicial impartiality and the necessities of military discipline—is known as the "command control" or the "command influence" issue.

It is the single most difficult problem facing the entire military justice system today, and it has haunted military lawyers since the establishment of the Colonial Militia and the Constitutional Convention.

Patrick Henry once charged:

"They (military comanders) may inflict the most cruel and ignominious punishment on the militia and they will tell you that it is necessary for their discipline."

Whether or not a commander actually interferes in a court martial or administrative discharge hearing, his presence is always there.

He signed the charges against the accused. He convened the court martial. He appointed his junior officers as jurors, judge, and defense and prosecution lawyers (who only appear in 10 percent of all courts martial anyway). The witnesses generally are men in his command.

Under these circumstances, it is difficult for any military man to believe that his commander does not want a conviction, and commanders generally get what they want (95 percent of all courts martial end in convictions).

Conditions today are a vast improvement over the kangaroo court stories that came out of World War II. But despite efforts to stop command influence over courts martial, the old traditions of iron discipline still remain in the minds of many commanders who—after all—are trained to exercise complete control over their men.

Last June 30, an Army defense lawyer rose in the red velvet and oak-paneled chamber of the U.S. Court of Military Appeals in Washington and said:

"This case represents a perversion of justice in a manner not seen since the end of World War II."

The officer was Col. Daniel T. Ghent, chief of the Army's defense appellate division, and he was levelling a charge of "command influence" against Maj. Gen. T. H. Lipscomb, the commander for Fort Leonard Wood, Mo.

Ghent claimed that Lipscomb had tried to high-pressure courts martial jurors into handing down convictions and tough sentences in more than 70 cases—thus destroying the impartiality of the jurors who were junior officers of Lipscomb's command.

Based on sworn affidavits, here are some of the actions Lipscomb is supposed to have taken:

Appointed as jurors only senior officers, whose entire futures depended upon Lipscomb's performance ratings. Excluded as jurors all lieutenants who generally leave the Army after three years and whose civilian careers could not be affected by Lipscomb.

Ordered the base legal officer—against his wishes—to lecture courts martial jurors about the importance of military discipline in relation to their courts martial duties.

Threatened to take action against a young defense lawyer who challenged the qualifications of one of Lipscomb's hand-picked court martial presidents.

Ordered the base medical officer—against his advice—to conduct blood test experiments on 10 soldiers. The general was attempting to devise a new way to discover the alcohol content of blood in an effort to prosecute drunken driving cases.

Made certain his court martial officers "got the word" that he wanted tough sentences after complaining about "some of the inappropriate sentences we got in the past."

Encouraged his officers to contest the authority of the courts martial judge who was not under Lipscomb's command but directly under the Judge Advocate of the Army.

Told the base legal officer that "the worst that could happen would be to have the Court of Military Appeals reverse the decision" and give him "hell."

Lipscomb has denied exercising any command influence on courts martial members. The Court of Military Appeals has ordered an investigation.

The Army, which apparently knew of Lipscomb's activities a year ago, a few weeks ago quietly transferred him to Materiel Command in Washington.

Considering the character of military officers, the structure of the military and the comparative ease with which a commanding officer can ruin the career of his junior officers, it is surprising that command influence charges are ever made public.

But there have been other recent cases:

At Fort Devens, Mass., the base legal officer gave a lecture to court martial members about their "duties and responsibilities." The base commander was present during the lecture.

At Fort Polk, La., the commander appointed an officer as the prosecutor in an AWOL case and then appointed him to make an "impartial" review of the conviction.

The Marine Corps ordered a commanding officer to explain why he had suspended the courts martial discharge of a Marine private. The Court of Military Appeals said the order implied that the Marine Corps was displeased with the suspension and had denied the private his right to "impartial" review.

Even without specific pressures, the whole setting of a court martial implies guilt rather than innocence.

Item: At a Special Court Martial at Fort Campbell, Ky., last July, combat training yells of "kill . . . kill" were coming through the open courtroom window as a young man was being tried for larceny.

Item: A Navy lawyer says, "Here's a 17-year-old seaman being tried by order of the captain by men appointed by the captain in the captain's wardroom 1,000 miles from nowhere. What do you expect?"

Furthermore, local commanders have such broad discretion that—except in such obviously serious cases as murder or armed robbery—it is easy to introduce some undisclosed motive for the prosecution.

Item: A private at Fort Campbell was prosecuted for a $65 theft from "my best friend." The money was returned. As the company lieutenant explained later:

"We've been having a lot of thefts lately. This case will be an example."

Item: A Vietnam Purple Heart veteran was prosecuted for scuffling with a guard and was brought up for a General Court Martial (as opposed to the less severe Special or Summary Court Martial).

Later, it is disclosed that he had five previous minor convictions for AWOL and fighting.

Of course, the court martial jurors are not supposed to know that there is any underlying policy for the charges, except what appears on the record. (The five prior convictions and the company thefts were not in the record).

But they do not have to be told there is a command reason.

Sen. Sam Ervin (D-N.C.) has offered several suggestions to combat command influence:

Place all defense lawyers under the Judge Advocate General and not under the local commander; establish single-judge courts run by judges under the Judge Advocate General, and increase the penalty for command influence to automatic dismissal.

The military has opposed the senator's ideas for the most part.

In the last six years, there have been 16 accusations of command influence presented to the Military Court of Appeals. Not one commander has ever been brought to trial.

[From the Syracuse (N.Y.) Herald-Journal, Sept. 16, 1967]

MILITARY JUSTICE SETUP FACING DRASTIC REFORM

(Last of a series, by Jack C. Landau)

WASHINGTON.—The American system of military justice is now living on borrowed time.

The whole structure of courts martial (67,000 cases last year) charges (30,000 cases) is heading for the most drastic reform since the passage of the Uniform Code of Military Justice 17 years ago.

This reform movement seeks to close the gap between the constitutional protections that a serviceman has in civilian life and the absence of fundamental "due process" in the armed forces.

It seems inevitable that—just as happened after World War I and World War II—returning servicemen, their families and the public at large will soon demand a change in a system of "justice" which, in most instances, masks a system of discipline:

A system that handed out 64,000 "federal convictions" last year and 30,000 "less than honorable" discharges to servicemen—90 per cent of them without a lawyer, without a legally-trained judge and without any meaningful right to appeal.

Although the current war in Vietnam shows no immediate prospect of peace, the voices of reform in the military justice system are already being heard throughout the land.

The leading voice is deep southerner, Harvard-educated and comes from a booklined office on Capitol Hill.

It belongs to Sen. Sam Ervin, the unpredictable chairman of the Senate Subcommittee on Constitutional Rights (he led the opposition to the Supreme Court appointment of Thurgood Marshall).

Last June 26, Ervin introduced a 91-page amendment to the Uniform Code of Military Justice. He said:

"Our purpose is to modernize a system of justice untouched for almost two decades . . . more and more private citizens are being called into service in an ugly war.

"We cannot wait, as we did a generation ago, until these men return to civilian life with their stories of injustice . . . We are bound to offer them (now) the best legal system we can devise to protect and judge them while they are in uniform."

In an interview. Ervin added:

"I am convinced that the military would do itself a good turn if it would try to insist on due process. It would promote discipline if every man believed he would get a fair trial."

The second voice of reform is really a chorus—spread from New York to DaNang, from Tokyo to Munich.

It belongs to the hundreds of young military lawyers just out of law school who plan to return to civilian life after serving their time in the service.

Interviews with more than two dozen of these young men revealed unanimous anger at the injustices they believe they see in the courts martial and discharge systems.

Being young, they are idealists and tend to judge the military justice system to be indefensible under the theories they learned from their law professors.

But they work hard, they refuse to be intimidated and, as one young lawyer said: "I fight for my clients . . . What can they do but send me to Vietnam for two years?"

These young lawyers sound very much like their fathers a generation ago who, also as young attorneys, came back from World War II and agitated for reform.

The third voice is new and surprising. It is cautious, erudite and is a member of the career military-legal establishment, never noted for its liberalism or its desire to change the status quo.

It belongs to tall, sparse Maj. Gen. Kenneth Hodson, the new Judge Advocate of the Army.

"Speaking for myself only," the general said in an interview, "I think we could make a lot of changes without seriously undermining Army discipline . . . If Senator Ervin and I could just get together for one afternoon in a smoke-filled room, I'm sure this whole thing could be solved.

"But you must remember," Hodson added, "I am only one man. There are others who have strong views on this subject and some of them like things the way they are."

While Hodson declined to elaborate, the "others" are no secret. They are the line commanders, the admirals and the generals who see constitutional "due process" as an infringement on their ability to impose discipline by getting the results they want from the supposedly "independent" courts martial and administrative discharge proceedings.

They subscribe to the views of Gen. William Tecumseh Sherman, who said in 1879:

"An Army is a collection of men obliged to obey one man. Every change in the rules which impairs the principle weakens the army."

SAYS DICE LOADED

Their public spokesman is Adm. Wilfred Hearn, the Judge Advocate General of the Navy (the most conservative of the five services).

He was, for example, asked if he could suggest any legislation that would help insulate court martial jurors from imagining that their commander wanted a conviction.

With an absolutely straight face Adm. Hearn answered:

"It is sincerely doubted that after 16 years of educating court members and counsel that command influence is evil, that such a situation would ever exist."

The fourth voice of reform is really a trio. It comes from a neo-classic building at the foot of Capitol Hill, the home of the U.S. Court of Military Appeals, the GI's "Supreme Court".

The three voices belong to Chief Judge Robert E. Quinn, a conservative, Judge Paul J. Kilday, a moderate, and Judge Homer Ferguson—the scourge of the military justice system.

Arguing for example, that defense lawyers should not be under the thumb of the very commander who convenes the court martial because the lawyers might hesitate to raise strong defenses. Judge Ferguson said, in his typically acid style:

"The dice are loaded in favor of the sycophant and something should and must be done by Congress."

BILL OF RIGHTS

The Military Court of Appeals position in the military justice reform movement is unique. It is not concentrating on new legislation but rather on broadening protections offered to servicemen through its opinions.

One milestone in this effort came last April when the court ruled—for the first time—that the Bill of Rights, as interpreted by the U.S. Supreme Court, is directly applicable to the armed forces.

What the Military Court of Appeals did was to insist that all servicemen have a right to a lawyer when being questioned about a crime.

While the Navy put forth the traditional argument that the constitution does not cover the military, Judge Ferguson, who wrote the opinion, answered:

"The time is long since past when members of this court will listen to the argument that members of the armed force are . . . deprived of all protections of the Bill of Rights."

BRIGHTEST PROSPECT

This time of constitutional reasoning could quickly lead to such sweeping reforms as requiring a lawyer in all courts martial and removing the defense attorney from the supervision of the officer. This would be one opinion and the job would be done.

Similarly, the underground pressure being increasingly exerted by progressive military career lawyers, such as General Hodson and his young lawyer allies, could produce unexpected reform through the administrative mechanism of Defense Department regulation changes.

Still, the brightest prospect for reform appears to lie with Congress and with the Ervin bill—as it did 17 years ago with the passage of the Uniform Code of Military Justice.

Senator Ervin expects to keep most of the bill intact and to get it through both houses before the end of the current session.

The main aim of the Ervin bill is to establish "fundamental procedural rights" in most parts of the military justice and administrative discharge system.

IMPARTIAL APPEAL

The method used by the senator is to insist that a young serviceman be represented by a lawyer, that his judge be independent of his commanding officer and that all military lawyers being periodically assigned to other duties.

The Ervin bill also would guarantee the serviceman a truly impartial appeal board. Again, the senator's method is to insist that the Board of Review be renamed "Court of Review" and to require a judge to sit for a fixed term—instead of being at the instant recall of the Judge Advocate General when a judge hands down an unsatisfactory opinion.

The eventual goal of the Ervin Bill is, as the senator said, "to finally convert military justice away from a system of discipline" by taking the system out of the hands of commanders as much as possible.

Ervin has a lot of other ideas but he thinks that opposition from the Pentagon and the Senate Armed Forces Committee might kill the whole bill if he went too far. "It's a compromise" he added nostalgically, "you can't always get the ideal."

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

DISTRICT OF COLUMBIA COUNCIL

The legislative clerk read the following nominations:

John Walter Hechinger, to be Chairman of the District of Columbia Council for the term expiring February 1, 1969; and

Walter E. Fauntroy, to be Vice Chairman of the District of Columbia Council for the term expiring February 1, 1969.

TERMS EXPIRING FEBRUARY 1, 1968

Margaret A. Haywood, to be District of Columbia Council member;

J. C. Turner, to be District of Columbia Council member; and

Joseph P. Yeldell, to be District of Columbia Council member.

TERM EXPIRING FEBRUARY 1, 1969

John A. Nevius, to be District of Columbia Council member.

TERMS EXPIRING FEBRUARY 1, 1970

Stanley J. Anderson, to be District of Columbia Council member;

William S. Thompson, to be District of Columbia Council member; and

Polly Shackleton, to be District of Columbia Council member.

Mr. MORSE. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I have a brief statement to make regarding the nominations.

As a long-time crusader for true, representative local government in the District of Columbia, I am deeply honored by my assignment today in presenting to the Senate the unanimous endorsement of the Senate Committee on the District of Columbia of nine outstanding nominees for the District of Columbia Council. I am hopeful that the Senate will advise and consent to the President's nominations with dispatch.

The distinguished Senator from Nevada [Mr. BIBLE], the chairman of the District of Columbia Committee, asked me to express his regrets that official business in his home State precluded his attendance at this session today, which we hope will be the final, legal step in permitting President Johnson's reorganization plan for the District of Columbia government to come into full operation.

Today, unquestionably, is an eventful one for this Capital City because it marks the final, legal step in inaugurating the first change in the local government here in almost 100 years. Congress adopted the commission form of local government for the District of Columbia back in 1874. Now, 93 years later, the President's reorganization plan is providing at least a step toward true, local representative government.

Earlier this year, when the President first proposed his reorganization plan, I highly commended him on the floor of the Senate. I described it as a giant step toward home rule. As we know, President Johnson has supported home rule for many years. When he was the majority leader of the Senate, he gave help when my measure came before the Senate. It passed the Senate several times, only to fail in the other body. I commend my President for the reorganization he is putting into effect because I think, with experience under it, we are going to find it easier in the next few years to adopt a true home rule bill.

Mr. President, the challenge afforded to these nine outstanding nominees for the District of Columbia Council, chosen to guide the reorganized government of the Nation's Capital City, is a unique and demanding one. Probably the challenge is unequaled in the history of American municipal government. Here we have not only a great metropolis of almost 1 million people but we have a central city of the fastest growing metropolitan area in the United States. Third, this city is one from which the entire Nation and the entire world hears about daily.

We should make it an example of good government and free government by way of self-government on the part of its people.

In my mind, this challenge should be of great interest to students of government. The form of the daily governing procedures of this city will be changed substantially. Obviously, the transition must be smooth and we are confident that it will be. In my recollection, I cannot recall in modern history where the government of a city of this size has changed its basic operational characteristics almost overnight. In the Federal City of Washington, we have a local governing system, provided for in our Federal Constitution. No other city in this country has that distinction.

Mr. President, these nine nominees will bring to their service in the city government a rich variety of background and experience which promises wise and imaginative service to the District of Columbia. At the same time, these nominees share a common history of active involvement in the great problems which today confront the District of Columbia. Their dedication to this city as private citizens is the best possible guarantee of a hard-working, devoted, and responsive council.

President Johnson deserves the commendation of all people interested in progress for the District of Columbia. Together with Commissioner Washington and Assistant to the Commissioner Fletcher, these excellent choices should give the Nation's Capital a modern municipal government of which every American can be proud.

The Committee on the District of Columbia warmly endorses as a group the President's nominations for the District City Council. Each and every individual of this distinguished group warranted selection on the basis of merit and devotion to the District of Columbia. Their selection was the end product of a careful review of the names and qualifications of hundreds of District residents who had been suggested for the President's consideration. The committee believes that this group, working as a team under Commissioner Washington's leadership, can make the Nation's Capital a showplace of outstanding, dedicated, and responsive municipal government.

Mr. President, each and every Member of this Congress also has a great responsibility to serve his responsible, legislative role along with the officials chosen to guide this reorganized government. The Congress cannot and must not believe that the reorganized government can do the job by itself. Constitutionally, the Congress has "exclusive, legislative authority" over the District of Columbia. This reorganization plan cannot change that. Therefore, those of us here in the Congress with direct responsibilities to the District of Columbia must keep our shoulders to the wheel.

Mr. President, your committee held hearings on these nine nominations, which have been described as the most thorough hearings of any before the Senate District Committee in memory. Subsequent to the hearings, committee members examined further into the matters at hand, and properly so. Because of other senatorial commitments, I regretted my inability to be present at these hearings, but I have kept in close contact with the proceedings and developments, and I approve of the record made in the hearings and the action of the committee.

Unquestionably, the close scrutiny provided by the committee members to the various problems surrounding these nominees will prove highly beneficial in the future not only to the nominating authority but also to Members of the Senate, as the body charged with confirmation, and to members of the City Council and to potential Council members. All of us must assess our proper responsibilities and carry out those responsibilities in this new, local governmental area. It was the desire of this committee that these nominations be reported unanimously, if at all possible. That goal was achieved because these matters of proper interest were examined into intensively.

I wish to pay personal commendation to the distinguished junior Senator from Colorado [Mr. DOMINICK], who performed a real service in his close examination of the questions dealing with dual compensation, conflicts of interest, the Canons of Ethics of the American Bar Association, and other relevant subjects. He was jointed in this by other members of the committee, and I believe the city council and the community, not only presently but in the future, will also benefit greatly from this examination as other nominations may be considered. It may well be that new laws should be considered, as I understand the Department of Justice is now studying, in the areas of the Hatch Act, dual compensation, conflicts of interest dealing with part-time city councilmen, and other germane subjects.

Mr. President, the District of Columbia Committee fully shares the aim of the President that the Nation's Capital should have an exemplary municipal government. May I personally salute Commissioner Washington, Assistant to the Commissioner Fletcher, City Council Chairman Hechinger, and the Vice Chairman, Reverend Fauntroy, and the other seven Council nominees as they approach the gigantic task of fashioning a reorganized government. Your great challenges are matched only by the great opportunities before you.

Mr. President, I urge the Senate to confirm these nominations.

Mr. THURMOND. Mr. President, I desire to made a few observations in connection with the pending nominations. I do not oppose confirmation of any of the nominees to positions on the so-called city council of Washington, D.C. The Senate District Committee has had access to complete information on the backgrounds and qualifications of these nominees, and the members of the committee are presumably satisfied that they will adequately perform the duties and responsibilities of the posts to which they have been named. There may be in the future a question as to possible conflict of interests with some of the nominees. It may be too much to expect that any successful businessman or attorney in the District of Columbia would not have some transaction in which he is interested pending before an agency or an arm of the District Government. Should any of these questions come before the city council, I would expect the individual member involved to disqualify himself from acting in an official capacity on that particular matter.

There is one particular observation I do want to make. It is apparent to me that the reorganization of the District of Columbia, insofar as it proposes to bring about home rule, is fraudulent. No home rule is involved in this method. All that is accomplished is a transfer of powers which formerly resided in Congress to the executive branch of the Government. Perhaps the residents of the District of Columbia who favor home rule honestly feel that they are getting a measure of it in this reorganization plan. In my own view, they have been deceived and it will become more evident to even them as time goes by.

The Constitution gives to the Congress power to exercise "exclusive legislation" over the affairs of the District of Columbia. Since the District of Columbia is the seat of the Government, I think this provision of the Constitution is a wise one. This is just another example of a shift of powers from the legislative branch to the executive branch and the continuation of a trend which I deplore. Congress is guilty of voluntarily delegating much of its authority to the executive branch of the Government, and the executive branch of the Government continually requests the Congress to divest itself of its power and authority in favor of the President.

I cannot hold these particular nominees responsible for this trend or responsible for the District of Columbia reorganization plan, but I wanted to make these observations at this time.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. LONG of Louisiana, from the Committee on Finance:

Stanley D. Metzger of the District of Columbia, to be a member of the U.S. Tariff Commission.

By Mr. HILL, from the Committee on Labor and Public Welfare:

Bruno W. Augenstein, of Virginia, to be a member of the Board of Regents, National Library of Medicine, Public Health Service.

Mr. HILL. Mr. President, from the Committee on Labor and Public Welfare, I also report favorably sundry nominations in the Public Health Service. Since these names have previously appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Lamar A. Byers, and sundry other persons, for personnel action in the regular corps of the Public Health Service.

By Mr. FULBRIGHT, from the Committee on Foreign Relations; without reservations:

Executive B, 90th Congress, first session, Supplementary Convention between the United States and Canada; and

Executive F, 90th Congress, first session, Income Tax Convention between the United States and Trinidad and Tobago (Ex. Rept. No. 18).

LEGISLATIVE SESSION

On request of Mr. BYRD of West Virginia, and by unanimous consent, the Senate resumed consideration of legislative business.

The PRESIDING OFFICER. Is there further morning business?

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 12144) to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 12144) to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes, was read twice by its title and referred to the Committee on Agriculture and Forestry.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDRESS BY SENATOR AIKEN AT MONTANA DINNER TO COMMEMORATE SENATOR MANSFIELD'S 25 YEARS IN CONGRESS

Mr. METCALF. Mr. President, when I was at home in Montana several weeks ago I was privileged to participate in the Mansfield Endowment Dinner at Helena, October 14. The dinner was the second of two such events, the first held here in Washington August 24, commemorating Majority Leader Mike Mansfield's 25 years in Congress and the beginning of the Maureen and Mike Mansfield lectures in international relations at the University of Montana.

The evening was splendid in every respect. The featured speaker was our distinguished and able colleague, the senior Republican in the U.S. Senate, George D. Aiken. Montanans, Democrats and Republicans, farmers and ranchers, businessmen, miners, educators, and students came from all parts of Montana, and Senator and Mrs. Aiken came from Vermont to pay tribute to Montana's senior Senator, who is Senator Aiken's longtime friend and trusted colleague.

Senator Aiken is recognized as a hardworking, considerate leader in his own party. It was most appropriate that he speak at this event. The dinner recognized the inauguration of a lecture series in international relations, an area close to Senator Aiken because of his many years of service as a member of the Committee on Foreign Relations. Senator Aiken is also a great champion of rural America, a man who has helped solve many problems that plague the agricultural segment of our economy. Vermont and Montana have in common topography, friendly people, and the homes of two great legislators.

Mr. President, I ask unanimous consent that Senator Aiken's speech be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Speech by Senator George D. Aiken, Montana Dinner Commemorating Hon. Mike Mansfield's 25 Years in the Congress of the United States and the Establishment of the "Mansfield Lectures on International Relations," Helena, Mont., October 14, 1967

Mr. Chairman and Friends of Mike Mansfield: When I received the invitation to be here tonight to help the people of Montana and the University of Montana pay tribute to your Senior Senator for his twenty-five years of service in the United States Congress, I was quite elated.

When I was told that I was expected to make a speech my elation took a nose dive.

What can I say about Mike Mansfield that the people of Montana do not already know?

You know his background—you know his civilian and military record.

You know of the years when he worked in the mines and the years he spent at your State University as student and teacher.

You know his record in public life and you know his character.

I have known your senior Senator well only since that morning in January, 1953, when we first had breakfast together.

I could recite to you innumerable incidents and anecdotes which have occurred since that morning and which demonstrate the caliber of the man.

However, I don't propose to spend the next few minutes in simply eulogizing Mike Mansfield.

I might like to do it—you might like to hear it—but he would take me to task for it later.

Not that Mike does not appreciate the respect in which he is universally held or being credited with the things he does so right.

Senator Mansfield is the Leader of the Democratic Majority in the United States Senate.

I have served a long time in the same Body as a Republican.

I can tell you tonight that Mike Mansfield is equally respected on both sides of the Aisle in the Senate Chamber.

There are those who may wonder why the Majority Leader of the United States Senate is so well liked by the Minority Members of that Body.

The reason was well expressed by one of my Republican colleagues the other day when he said, "When Mike gives his word, he keeps it. When he says there will be no vote today—there is no vote. He never pulls a fast one or takes advantage of a Member's absence from the Floor."

This is the reason why Republican Members of the Senate like your Senior Senator.

There comes a time, however in the lives of many men when, regardless of the praise that may be bestowed upon them, they find that their greatest reward lies in the satisfaction of knowing that their works have contributed to the betterment of mankind.

Mike Mansfield is one of these men so in deference to him tonight I want to speak of those things which are close to his heart and to which he gives his working life.

Whether people are happy or not depends largely upon government and those who, by election or otherwise, assume responsibility for government at each level.

I have always maintained that one who ignores, evades or misuses his responsibility to the local community will never be too successful at the State, National or International level.

One's service to others is a yardstick by which the worth of a person is measured but that service need not always be rendered by the holding of office.

In the case of Mike Mansfield, his Community was first the mines of Montana and later the University of Montana.

In 1943, his service to the State began with election to the U.S. House of Representatives—increasing with his election to the Senate in 1952.

Since 1953, however, Mike Mansfield has become more and more a student and benefactor of the world—respected and trusted by the community of nations.

Perhaps it is because I represent a rural state that I have worked so closely with the Senior Senator from Montana.

Vermont is a small state and, until recently, we had more cows than people.

Montana is the fourth largest state in area and even more sparsely populated than Vermont—yet in many ways our problems are similar.

We have to constantly guard against efforts to concentrate the power of government in the National Capital and the economic power of the Nation in the populous financial and industrial centers.

The urge for empire building is strong, and it is so easy for the more wealthy and populous areas to forget that the wealth of which they boast was not created within their urban borders but for the most part was generated and produced on the farms and in the mines and forests of the more sparsely populated states.

The financial situation of our large cities is such that Congress is urgently pressed to remedy their plight at public expense.

It is an undisputed fact that most large cities are in an unenviable position and need help badly.

However, the solution to the problems of cities that have grown too big is not to make them bigger.

The solution lies in making the rural areas of the Nation—including Montana and Vermont—adaptable for the spreading out of industry and population.

This means that not only must electricity and telephones be made available to the country but that transportation—schools—hospitals—water and sewage disposal systems must also come within the means of the rural community.

It means that industry must decentralize—with public assistance—if necessary.

It means that a strong and prosperous agriculture must be sustained.

To this end, your Senator, Mike Mansfield, has been working assiduously and successfully.

This year I have again joined with him in an effort to further expand the program of the Farmers Home Administration to encourage recreation and other sidelines for farmers and rural residents, as well as to enlarge the Rural Water Program.

It is not alone in the economic world that our rural states must be on guard.

It is in the field of government as well.

Dreams of empire are frequently to be found in agencies of the Federal government.

The dreamers or planners, as they are sometimes called, cannot always be condemned as being either avaricious or despotic.

Usually, they actually believe that they could do better work and do more good for more people if power and facilities were more concentrated—under their supervision of course.

This, in their opinion, means the removal of certain important facilities and branch offices from the thinly populated states to a few large urban centers.

A striking example of this occurred a few years ago when a determined effort was made to close many Veterans Hospital Facilities and provide treatment for local veterans at hospitals which in some cases were several hundred miles from their homes.

Mike Mansfield reacted violently to this effort.

He not only saved facilities for the veterans of Montana, but also was instrumental in keeping VA facilities for thousands of other veterans throughout the United States.

The job that Mike Mansfield did for the veterans of Montana is only one example of his service to his people.

The years he has spent in the Senate are replete with evidences of his feeling for his home State.

I sat with him in conference with leaders of the Canadian Parliament when he persuaded them that construction of the Libby Dam would be to the advantage of both countries.

I have firsthand knowledge of his solicitude for the welfare of the Indians of Montana—how he has fought for fair treatment for the farmers, the miners and the business and professional people of this State.

And each victory he has won for the State of Montana has been to the benefit of Vermont and the other forty-eight States of our Union.

The evolution of government is a continuing process.

The days when a community was an entity unto itself passed into history long ago.

The days when a criminal could escape punishment by crossing a state line have also, for the most part, gone for good.

The advance of technology has now so far eroded time and distance that the mysterious distant lands of only a couple generations ago are now as close to us and to each other as the States of our Union were then.

And with these new conditions have come new dangers and new hopes.

The means for doing good or evil have multiplied—but the traits of mankind remain about as they were.

With regional wars breaking out here and there and with the dark clouds of a greater conflict looming ominously on the horizon, we must not make mistakes.

The United States is considered the most powerful Nation in the world today.

It was predicted by our ablest military experts that we could handily bring North Viet Nam to terms in a short time.

And now when we consider how difficult it is to make progress in that small area, it makes one wonder how successful we would be in conflict with a country that could field well armed fighting men by the million.

Surely there are ways of settling international differences other than through the waging of war.

These ways we must find.

Your Senator, Mike Mansfield, is one of the world's great leaders in searching for the formula for Peace.

He has become a leader not only in the United States but around the world because he is universally respected and trusted.

Perhaps we have yet to learn that regardless of race—creed—color or habitat people are people and possess the same traits as ourselves.

Nor, would it do us Americans any harm to learn and practice the art of being humble.

Surely there *are* other people as smart and worthy as we are.

Humility—integrity—courage and vision are as important in nations as they are in the individual—or the community, the source of the progress of mankind.

During the past twenty-five years Mike Mansfield has taken those steps upward from the Community to the State—to the Nation and to the World.

Wherever one goes, however and whatever one does, his heart and mind instinctively turn back to the place of the beginning.

It is from these sources that the great men of history have derived much of their strength and courage.

And so Mike Mansfield tonight returns again to the University of Montana to the source of many early inspirations.

He returns not only to pay homage to this University but to receive the honors which he has so fairly earned.

And to share that honor with him is Maureen Mansfield, who grew up to be a true daughter of this State and who has contributed so much to Mike's success.

Without Maureen his life and work would have been far more difficult.

In establishing "The Mansfield Lectures on International Relations" this University pays honor to a great alumnus in a manner designed to serve the four areas of political progress to which he has dedicated his own life.

I know that your efforts will be crowned with success and bring to the University of Montana a rich reward.

SENATOR HARRY BYRD—BUSY AMERICAN

Mr. MUNDT. Mr. President, I ask unanimous consent to have printed in the RECORD several editorials and news stories detailing the activities of the able and perceptive Senator from Virginia [Mr. BYRD] in support of legislation to make America a stronger and better nation in which to live.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Lynchburg (Va.) News, Oct. 11, 1967]

BYRD AMENDMENT

Senator Harry Byrd Jr. introduced an amendment to H.R. 10345 on Tuesday. It is of especial interest.

"1. It is the sense of the Congress that the United States should not support nor participate in additional action invoked by the United Nations against the country of Rhodesia, particularly military action as called for in the Article 42 of the United Nations Charter, without the formal approval of the Congress.

"2. It is the sense of the Congress that the United States government through its representatives in the United Nations, having advocated economic sanctions against Rhodesia, should initiate and support in the United Nations economic sanctions against North Viet Nam at whose hands the United States has suffered 55,888 casualties during the first nine months of 1967."

Senator Byrd made a speech in support of this amendment and outlined the wrongness of the United States position vis-a-vis Rhodesia and pointed out that U.S. exports to Rhodesia "were reduced from $23 million in 1965 to less than $7 million in 1966." He emphasized the hardships imposed on the people in Rhodesia through the economic sanctions, but their failure seriously to affect the Smith government. He further emphasized that if our policy persisted to the next step provided in Article 42 of the U.N. Charter it would call for any military action required.

Senator Byrd pointed out, naturally, that Rhodesia came into being as an independent republic as did the United States, they being the only two colonial parts of the British Empire ever to do so. And then, he said: "The dispute between Rhodesia and Great Britain is an internal matter to be settled by those two countries."

Further, he emphasized that use of arms against Rhodesia would throw Southern Africa into chaos and "this country must not become involved in an African Viet Nam."

He made it quite clear, and to us impossible to challenge, that we have no business imposing sanctions on Rhodesia or interfering in something in which we have no business, for Rhodesia does not constitute a threat to any country.

On the other hand he advocates economic sanctions against North Viet Nam, and not against Rhodesia—against the enemy, not the friend. Especially he warns against military action against Rhodesia.

He makes out very simply the tragic irony of sanctions against Rhodesia and none against North Viet Nam, where the countries supposed to be our friends aid our enemies with supplies. It is an impossible, an untenable, position, requiring immediate correction. Senator Byrd deserves widespread and vigorous and determined support for his position. It is the only one that makes sense.

[From the Philadelphia (Pa.) Eastern Banker, Sept. 18, 1967]

WHAT BYRD DID

A service of the greatest value to our nation was performed recently by U.S. Sen. Harry F. Byrd, Jr., Virginia Democrat. Over the strenuous opposition of the White House, the State Department and the Senate leadership, Sen. Byrd's important amendment to the Export-Import Bank bill was adopted by a vote of 56 to 26.

"The vote was significant I think, for two reasons," Sen. Byrd wrote in a letter of explanation to constituents. "One, the Senate, in a sharp, clearcut fight, voted to limit the President's authority and, thus, asserted its own constitutional prerogative in the field of foreign affairs; and two, it made unmistakably clear that it wants the Administration to stop using American tax dollars for the benefit of nations supplying equipment to our enemy."

The Byrd action took place after the apparent failure of an earlier resolution presented jointly by Sen. Everett Dirksen, Illinois Republican and the Virginia patriot.

Senator Dirksen, wrote Sen. Byrd, "presented an amendment to the Export-Import legislation denying the use of those funds to guarantee loans to Communist countries. . . . As the debate went on, it became apparent to me that the Dirksen amendment would not be approved. So I went to work to fashion an amendment which would eliminate many of the arguments which were being made against the Dirksen amendment.

"I drew a concise amendment. It said that United States tax dollars cannot be used for the benefit of any nations engaged in armed conflict with the United States (North Vietnam) OR any nation 'the government of which' is furnishing goods or supplies to a nation at war with the United States."

Sen. Byrd properly pointed out that President Johnson had publicly approved using Export-Import Bank funds to finance the sending of $50 million in machine tools to build a Fiat automobile plant in the Soviet Union.

Eastern Banker again pledges itself to work with all possible effort to curb the subversive communist-aiding activities of Eximbank, and to curb the irresponsible exercise of authority by the despot now seated in the White House.

[From the Birmingham (Ala.) News, Oct. 10, 1967]

SENATOR BYRD AND THE CANAL

After an on-the-scene survey of possible routes for a new sea level canal linking the Atlantic and Pacific across one of several Central American countries, Senator Harry F. Byrd Jr., D-Va., says we must not relax our sovereignty in the Panama Canal Zone in the slightest until some future route is determined.

U.S.-Panamanian relations, to say the very least, have been strained for some time. Rioting and other acts of violence against American installations have taken place.

In effect, some elements in Panama—the most demonstrative of which have been student groups—want us to pull up stakes and abandon our position that guards this vital seaway link. We were given this right to occupy the Panama Canal Zone in perpetuity when we built the canal more than 60 years ago.

For this privilege, the U.S. pays the Republic of Panama almost $2 million annually under terms of a renegotiated treaty 12 years ago.

Since the 1964 violence in which Americans and Panamanians lost their lives, negotiations for a new agreement have been going on. The terms reportedly demanded by Panama are considered highly unreasonable in some official and unofficial quarters in this country.

Whatever the outcome of the present negotiations, our own government has an obvious obligation to see that (1) Panama is given fair treatment; (2) U.S. funds are not the subject of undue demands, and, (3) historic U.S. rights to protect the vital linking of the seas in this hemisphere not be placed in jeopardy.

So long as we keep our hands out of Panama's internal affairs and make reasonable and sufficient payments for the privilege of occupying a narrow strip through the isthmus, we should stay right where we are until, when and if, another route is available.

[From the Tulsa (Okla.) Tribune, Oct. 13, 1967]

OUR DOUBLE STANDARD

Senator Harry Byrd, Jr. this week introduced two amendments to the State Department budget that read as follows:

1. "It is the sense of the Congress that the United States should not support nor participate in additional action invoked by the United Nations against the country of Rhodesia, particularly military action as called for in Article 42 of the United Nations Charter, without formal approval of the Congress.

2. "It is the sense of the Congress that the United States government through its representatives in the United Nations, having advocated economic sanctions against Rhodesia, should initiate and support in the United Nations economic sanctions against North Vietnam at whose hands the United States has suffered 55,888 casualties during the first nine months of 1967."

Hear! Hear!

The U.N., in an effort to please its African members, has conducted an economic war against Rhodesia on the ground, which is perfectly true, that Rhodesia is not set up as a perfect democracy. In Rhodesia the Negro majority is allowed to elect only a small minority of the parliament.

The United States government has gone along enthusiastically with the U.N. restrictions. It asked for "voluntary" sanctions against Rhodesia, with the result that our trade with that country dropped from $23 million in '65 to less than $7 million in '66. Last January President Johnson signed an executive order making it a criminal offense for any American to trade with Rhodesia in most goods.

Still, none of the economic sanctions has brought down the Rhodesian government. So there remains Article 42 of the U.N. charter, calling for joint military action against nations that are "a threat to peace." The argument is that since Rhodesia is very unpopular with its neighbors Rhodesia must be conquered to prevent a war.

Senator Byrd asks why we then don't conquer Israel, since it, too, is unpopular with its neighbors, and a war actually flared this summer.

Among countries which have supported U.N. action against Rhodesia are, of course, the Communist countries. In those countries voters are given one slate of candidates. They may vote for no others. Is this more perfect "democracy" than the one in Rhodesia where the majority of voters are under-represented?

Almost 20 years ago the North Koreans cynically, and in violation of solemn treaties, invaded South Korea. The U.N. declared a "police action," but nobody pitched in except the United States and a handful of Turks and Aussies.

The Communists violated the 17th parallel demarcation line between North and South Vietnam almost as soon as it was established. They set about throwing South Vietnam into chaos by systematically assassinating village chiefs. They have used the neutral countries of Cambodia and Laos so brazenly as a marching corridor that this week the Laotian government appealed for American help.

Yet the U.N. has stubbornly refused to see the actions of North Vietnam as a threat to peace. Its general secretary, U Thant, has had bitter criticism for the United States, alone. And last year 240 ships flying the flags of U.N. members delivered goods to North Vietnam.

That the United States government should lend itself to a war against Rhodesia at the urging of an international organization that has found no threat to peace by the actions of the Communists in Southeast Asia would be utterly fantastic.

The Byrd amendments should certainly be passed.

[From the Chicago (Ill.) Tribune, Oct. 12, 1967]

UNREALITY IN U.N.

The amendment tacked by Sen. Harry F. Byrd of Virginia to an appropriation bill has been adopted by the Senate, expressing "the sense of Congress" that the Johnson administration seek mandatory economic sanctions from the United Nations against communist North Viet Nam as a threat to international peace.

It can confidently be predicted that the administration won't comply, even if the House joins in the call. And it can be even more confidently predicted that, if the administration made the attempt, the U.N. would do nothing. The communist bloc would naturally be opposed, and the Afro-Asian bloc has an obvious prejudice to persuade it that sanctions and other slapdowns should be reserved only for "colonialist" regimes which refuse to bow out in favor of colored majorities.

Nevertheless, Mr. Byrd's maneuver serves a good purpose. It turns a searchlight on the kind of U.N. hypocrisy which has decreed sanctions by almost unanimous vote against Rhodesia, which is at war with no one and yet is declared to be a threat to international peace, and at the same time finds no threat to peace and no need for sanctions against North Viet Nam, which has initiated a war of conquest against its neighbors to the south.

As long as the U.N. has one eye with such good vision that it can see things that aren't even so and another eye that is so blind that it can see nothing it does not care to see, it will be a nullity and a nothingness, which is just what it is.

[From the District Fifty News, Sept. 11, 1967]

SENATOR HARRY BYRD—CROWN CORK AND SEAL EMPLOYEES ATTEND CELEBRATION

WINCHESTER, VA.—The annual picnic of Local Union 15464, comprised of the employes of Crown Cork & Seal Company, was held at Senseny Park here last week. In addition to tables loaded with food and drink, pony rides and races for the children, the picnickers were treated to a visit and a short speech by United States Senator Harry F. Byrd, Jr., of Winchester.

The Senator was introduced by International Executive Board Member Robert R. Fohl, who described him as "a friend of the working man and a tireless worker in Washington on behalf of all Americans."

Following a short interval during which the Senator met with various dignitaries at the picnic, he greeted the crowd and made a brief speech. Sen. Byrd told the group of his pleasure in attending their picnic and discussed some of his activities in Washington. He discussed his political philosophy and talked about his impressions of current measures that are now before the Senate.

DISTINGUISHED COMMITTEE SUPPORTS AMERICAN POLICY IN VIETNAM

Mr. SMATHERS. Mr. President, the newly formed Peace With Freedom Committee for Vietnam—which includes such eminent Americans as former Presidents Truman and Eisenhower—will perform a vital function for the United States.

Unlike many administrative critics, this group of distinguished Americans has appealed to reason, not to emotionalism.

The committee believes that America must support the President's sane middle course in Vietnam against the extremes of unilateral withdrawal and mindless escalation—the sensible road between capitulation and indiscriminate use of power.

What is more, it believes that the vocal dissent of a few has given the enemy a misimpression of the American people's determination to see the Vietnamese conflict through to an honorable conclusion.

No longer will the silent majority of Americans who support our commitment to Vietnam go unheard—here or abroad. They have an articulate spokesman in the joint voices of America's most honored citizens—the Citizens Committee for Peace With Freedom in Vietnam.

This committee will make it clear to Hanoi and Peking that any nation which mistakes the depth of our determination in Vietnam will be gravely disillusioned.

I ask unanimous consent that a Washington Post editorial commending the Peace with Freedom Committee on its reasonable and resolute position be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Washington Post, Oct. 27, 1967]

THE MIDDLE WAY

The Citizens Committee for Peace with Freedom in Vietnam has launched its career with a statement of policy that is persuasive and logical. It can perform a useful service by lending support to those who wish, as it does, to pursue in Vietnam a "sensible road between capitulation and indiscriminate use of power."

Those who adhere to this policy—former Senator Douglas, General Omar Bradley, former Presidents Truman and Eisenhower and their distinguished associates on the Committee—have a difficult role. Those who wish a less restrained attack and those who wish a withdrawal edging toward capitulation have arguments with a superficial logic to them. The middle course requires a much more sophisticated approach.

The basic argument over Asian policy has not altered much in recent months. The disputants have only raised their voices a little higher without elevating their arguments

An improvement in the tone of debate may be one service this group can perform. Its sober and dignified announcement encourages that expectation.

The judgment of citizens such as these that the vital interests of this country are at stake in South Vietnam cannot be lightly dismissed. The Committee deserves a considerate and respectful hearing both because of the distinction of its leaders and the temperate character of its argument.

FATHER GABRIEL RICHARD

Mr. HART. Mr. President, October 15 marked the 200th anniversary of the birth of Father Gabriel Richard, a former colleague of ours from the old Michigan Territory. Father Richard was elected a Delegate to the 18th U.S. Congress in 1822 and served one term. He was the first and the only Roman Catholic priest ever to serve in this body.

Aside from this distinction—and some of his conservative parishioners in Detroit considered it a dubious distinction at best—Father Richard gained renown as a crusader in many fields.

Born in France October 15, 1767, he went to Detroit in 1798 and remained there until his death in 1832.

Detroit in 1798 was a crowded, boisterous frontier town whose hearty, robust inhabitants were more interested in the immediate problems of survival on the frontier than book learning.

Guided by what some have called a sense of divine purpose, Father Richard met the challenge the frontier town presented.

In 1802, he established the first schools in the Territory. These schools served the children of settlers and Indians.

In 1809, he brought the first printing press to the Territory and printed Michigan's first newspaper. He also used the press to print text books, a Bible for the Indians and the laws of Michigan.

In 1817, he helped found the University of Michigan which is celebrating its 150th anniversary this year.

During his term in Congress, he suggested and helped enact legislation to build a road between Detroit and Chicago.

Father Richard probably is best remembered in Detroit for untiring leadership in rebuilding the town after the great fire of 1805, a fire which destroyed all but two of the 400 buildings in Detroit. Almost singlehandedly he organized the citizenry into work crews and made provisions to secure food from outlying areas.

Certainly, there is an obvious parallel to be drawn between Father Richard's efforts to build Detroit out of the ashes of 1805 and the efforts to rebuild Detroit out of the ashes of summer 1967.

His indefatigable spirit stands as an example of what is needed today to revitalize the Nation's cities.

In July 1832, when Father Richard was nearly 65, another tragedy struck Detroit. An epidemic of cholera spread through the city.

Father Richard's 34 years of dauntless crusading was beginning to take its toll. Pale and emaciated, he nevertheless worked from early morning until night, encouraging the well and administering spiritual consolation to the sick and dying.

By September 1832, the disease had all but disappeared. It was, however, to take one last victim—Father Richard.

Thus, Father Richard died as he had lived, helping the needy.

Today in Detroit, a monument to Father Richard stands at the entrance to Belle Isle, one of the great city's parks. The monument is a small token of the appreciation of Michigan residents who considered themselves fortunate in having had Father Richard's inspired leadership in those often turbulent, formative years. His spirit and devotion to the effective service of his brother man would be a sound guide for each of us.

BOWING TO AGITATORS

Mr. BYRD of West Virginia. Mr. President, I call attention to an editorial which appeared in the October 31, 1967, edition of the Martinsburg, W. Va., Journal. The editorial titled "Bowing to Agitators," states something which I have said time and again:

> The wave of civil disobedience and demonstrations which swept over this country during the last few years and promoted by persons such as Dr. King laid the foundation for today's violence and riots. Laws were broken, court orders were flaunted, towns were overrun, and police were made helpless. And now all we hear is that these conditions are the result of poverty. As someone has said, if poverty were an excuse for rioting, Abraham Lincoln would have been the Stokely Carmichael of his day and Booker T. Washington would have been the Floyd McKissick of his time.

As a matter of fact, I am the "someone" referred to in the last sentence of the paragraph which I have just extracted from the editorial. In the wake of the Detroit riot, I stated in speeches on the Senate floor that if poverty were an excuse for rioting, Abraham Lincoln would have been the Stokely Carmichael of his day and Booker T. Washington would have been the Floyd McKissick of his time.

The Martinsburg Journal editorial goes on to say that:

> Picketing, demonstrations, rent strikes and sit-ins are not activities which will provide poor people with the education, training, or jobs they need. It may be fun for the activists to engage in this type of program but it does little to help the poor.

Mr. President, I say "amen" to the editorial, and I ask unanimous consent that it be inserted in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Bowing to Agitators

Why must the Congress and other Federal commissions allow themselves to become sounding boards for those agitators who advocate disobedience of the law and massive demonstrations designed to disrupt the orderly processes of government?

That is the question which must bother most Americans when they read where Dr. Martin Luther King was called to Washington to testify before a closed session of the President's Special Advisory Commission on Civil Disorders.

As soon as Dr. King finished his testimony he stepped out and called for a prolonged, city-paralyzing demonstration in Washington to prod Congress into adopting a $20-billion-dollar-a-year anti-poverty program. He wants Congress to appropriate $20 billion a year for the next 20 years to fight poverty conditions.

"The time has come," he said, "to camp here in Washington and stay here by the thousands and thousands until the Federal government and the Congress will do something about the problems."

He said, "We have to make it clear that the city will not function. We're going to have to have an act of civil disobedience to get this."

It is an insult to the intelligence of the American people for the President's Special Advisory Commission on Civil Disobedience to call Dr. King before that body studying the cause of riots in the nation's cities last year. After all, Dr. King long has been the No. 1 advocate of civil disobedience which led this Nation down the road to violence and rioting. Why then hear from him again on this subject? Why give him a platform to preach more mass demonstrations?

The wave of civil disobedience and demonstrations which swept over this country during the last few years and promoted by persons such as Dr. King laid the foundation for today's violence and riots. Laws were broken, court orders were flaunted, towns were overrun, and police were made helpless. And now all we hear is that these conditions are the result of poverty. As someone has said, if poverty were an excuse for rioting, Abraham Lincoln would have been the Stokely Carmichael of his day and Booker T. Washington would have been the Floyd McKissick of his time.

It has been more than three years since the President signed the Economic Opportunity Act of 1964. Several billions of dollars have been spent on a number of programs conceived to help the 33 million poor Americans. Most of these programs have been dismal failures. We have found that it is not enough simply to identify those persons whose incomes fall below a certain dollar figure, and then work out on paper some programs which theoretically will enable them to succeed in overcoming all the elements in their background which have resulted in their poverty status.

One phase of the Federal government's anti-poverty drive has been the community action programs set up throughout the country. In most instances these efforts have been taken over by extremists and activists and Federal funds have been used to support activities not in the least related to constructive anti-poverty efforts. In Syracuse for example, poverty funds have been used by the Syracuse Community Development Association to support demonstrations against the city administration and to provide bail for arrested demonstrators. In Cleveland, a group receiving anti-poverty money piled rats and trash on city hall steps to dramatize the conditions under which slum dwellers are forced to live. In Washington, D.C., anti-poverty workers have organized persons on welfare to picket the Welfare Department, to stage sit-ins there, and have also organized demonstrations at police precinct houses. In New York City an OEO supported group organized rent strikes and school boycotts.

Picketing, demonstrations, rent strikes and sit-ins are not activities which will provide poor people with the education, training, or jobs they need. It may be fun for the activists to engage in this type of program but it does little to help the poor.

Why then should Congress shell out another $20 billion to be poured into such ridiculous programs? If democracy means anything at all, it means that the taxpayers' money shall be spent only in accordance with the laws and policies determined by the people's representatives. And if democracy means anything at all, it means that such laws and policies are formulated and adopted only through a process whereby the people's representatives are persuaded to support them by rational arguments presented in democratic debate. Threatening civil disobedience and mass demonstrations is not the way to persuade Congress to follow a certain course. It is time Congress and the Federal commissions stopped inviting the Dr. Kings to Washington to advocate more of the rampant disorder which has raged in the streets of our cities.

CENTENNIAL ANNIVERSARY OF THE NATIONAL GRANGE

Mr. PROUTY. Mr. President, on December 4, the National Grange will celebrate its 100th anniversary. I am proud to have this opportunity to congratulate the Grange for a century of accomplishment and service to rural America.

The Grange, for 10 decades, has effectively played two roles: one, as a nonpolitical yet socially concerned organization, which has advocated and sponsored legislation of crucial national importance; and another as a rural—family fraternity which has promoted community progress and self-improvement.

Enumerating even the most important of the Grange's national achievements is a large task.

The passage of the Granger laws in 1873, upheld by the historic Supreme Court decision—Munn against Illinois—in 1876, led to the establishment of the Interstate Commerce Commission. Thus, the National Grange had a large part to play in forcing official recognition of the public's interest in the affairs of business.

The National Grange led the fight for providing the Department of Agriculture with Cabinet rank and for establishing rural extension services.

In succeeding years, the National Grange has sponsored legislation to establish the school lunch and milk program, promoted the Parcel Post and rural free delivery services, championed the establishment of the Rural Electrification Administration and the interstate highway system, and has campaigned for the extension of social security benefits to farmers and farmworkers.

Clearly the Grange is to be commended for its public responsibility. Its impact has reached beyond rural America and outside the continental United States. The Grange, for example, was instrumental in the establishing of the Food and Agriculture Organization of the United Nations and has vigorously supported that organization ever since.

In addition, however, individual Grange organizations have had direct impact upon the lives of Grange members. The Grange in rural America has been and remains a unique institution. It provides whole families, often isolated by great distances from one another, with an opportunity to come together, not only for social functions but to discuss mutual economic problems and community affairs. The Grange has traditionally sponsored and encouraged self-improvement programs for rural residents of all ages.

One of the most admirable characteristics of the National Grange is that it has never been content to rest upon its laurels. Rather, it has continued to take the lead in the advocation of progressive new programs and legislation.

Today we are faced with the severe problems of rural and urban poverty. In order to meet the challenges which poverty poses, we must develop innovative new approaches. I am confident that the National Grange with its 620,000 national members, of whom 12,105 are in my own State of Vermont, will take up the challenge eagerly and be in the forefront of antipoverty activity. The result can only be success and a lasting contribution in yet another field of endeavor.

I salute the National Grange.

NATIONAL FEDERATION OF INDEPENDENT BUSINESS, ADVOCATE OF AMERICAN SMALL BUSINESS

Mr. SMATHERS. Mr. President, soon the National Federation of Independent Business will be celebrating its 25th anniversary. Its president and founder, Mr. C. Wilson Harder, is to be commended for the outstanding work in behalf of small business performed by his organization during the past quarter century.

Most of us in the Congress are familiar with the federation through the continuous efforts of its representatives here on Capitol Hill, and I would like to say that, as chairman of the Select Committee on Small Business of the U.S. Senate, I have personally become very aware of the sincere voice with which this organization speaks in behalf of the small businessmen across the Nation.

The cornerstone of the National Federation of Independent Business is its publication the Mandate. This organ spotlights legislation that is, or should be, before the Congress. It carries a tear-off, selfmailer ballot. By having each federation small business member actually vote his own ballot and by having it forwarded directly to his Representative in the House, a close working relationship is built between independent businessmen and their Members of Congress. A national summary is made of the vote and copies of this summary are forwarded to the entire federation membership as well as to every Member of Congress. This national summary enables the federation's Washington office to followthrough in their work with Members of Congress and congressional committees.

The fact that the National Federation of Independent Business now has a membership fast approaching a quarter of a million is an eloquent testimonial to the excellent work done by the federation during the past 25 years.

One of the most recent efforts of the federation has been to bring home to us in the Congress the adverse effect upon small business resulting from the recent increase and extension of Federal minimum wage laws. Not too long ago, I, along with 31 other Senators, cosponsored an amendment introduced by the distinguished minority leader, Mr. DIRKSEN, which would exempt certain small firms from complying with this law.

The attention which this problem, and the corrective amendment, has attracted is due in no small way to the efforts of the National Federation of Independent Business.

So on this occasion, I would like to congratulate Mr. C. Wilson Harder, and the staff and membership of the National Federation of Independent Business for their continuing efforts and good work, which have made them a strong force in the fight for survival of the American small business community.

PRESIDENT JOHNSON URGES SENATE RATIFICATION OF HUMAN RIGHTS CONVENTIONS

Mr. PROXMIRE. Mr. President, on October 11, 1967, President Lyndon B. Johnson issued a proclamation on Human Rights Week and Human Rights Year.

In this proclamation, President Johnson stated clearly and forthrightly his strong support of Senate ratification of the human rights conventions:

> American ratification is long overdue. The principles they embody are part of our own national heritage. The rights and freedoms they proclaim are those which America has defended—and fights to defend—around the world. It is my continuing hope that the United States Senate will ratify these conventions. This would present the world with another testament to our Nation's abiding belief in the inherent dignity and worth of the individual person. It would speak again of the highest ideals of America.

We now have before us the strong endorsement for Senate ratification of the human rights conventions from both President Kennedy and President Johnson. The position of both administrations is unmistakable.

It is their considered judgment that Senate ratification of the Human Rights Conventions on Forced Labor, Freedom of Association, Genocide, Political Rights of Women, and Slavery is in the national interest of the United States.

I agree wholeheartedly.

I ask unanimous consent that President Johnson's proclamation, "Human Rights Week and Human Rights Year," be printed in the RECORD.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

HUMAN RIGHTS WEEK AND HUMAN RIGHTS YEAR

(A proclamation by the President of the United States of America)

The year 1968 will mark the twentieth anniversary of the Universal Declaration of Human Rights by the United Nations—an historic document of freedom that expresses man's beliefs about the rights that every human being is born with, and that no government is entitled to deny.

The United Nations has designated 1968 as International Human Rights Year. It has invited its members to intensify their domestic efforts to realize the aims of the Declaration.

Every American should remember, with pride and gratitude, that much of the leadership in the drafting and adoption of the Declaration came from a great American, Mrs. Eleanor Roosevelt. She was our first representative on the UN Commission on Human Rights.

Today, October 11, would have been her 83rd birthday. With the inspiration of her humanitarian concern still before us, I call the attention of our people to the Declaration she helped to author.

To Americans, the rights embodied in the Declaration are familiar, but to many other people, in other lands, they are rights never enjoyed and only recently even aspired to.

The adoption of the Declaration by the United Nations established a common standard of achievement for all peoples and all nations. These principles were incorporated into Human Rights Conventions, to be ratified by the individual nations.

American ratification of these Conventions is long overdue. The principles they embody are part of our own national heritage. The rights and freedoms they proclaim are those which America has defended—and fights to defend—around the world.

It is my continuing hope that the United States Senate will ratify these conventions. This would present the world with another testament to our Nation's abiding belief in the inherent dignity and worth of the individual person. It would speak again of the highest ideals of America.

Now, therefore, I, Lyndon B. Johnson, President of the United States of America, in honor of the ratification of the American Bill of Rights, December 15, 1791, and in honor of the adoption by the General Assembly of the United Nations of the Universal Declaration of Human Rights, December 10, 1948, do hereby proclaim the week of December 10 through 17, 1967, to be Human Rights Week and the year 1968 to be Human Rights Year. In so doing, I call upon all Americans and upon all Government agencies—federal, state and local—to use this occasion to deepen our commitment to the defense of human rights and to strengthen our efforts for their full and effective realization both among our own people and among all the peoples of the United Nations.

In witness whereof, I have hereunto set my hand this eleventh day of October, in the year of our Lord nineteen hundred sixty-seven, and of the Independence of the United States of America the one hundred and ninety-second.

LYNDON B. JOHNSON.

VISTA VOLUNTEERS DESERVE SUPPORT

Mr. GRUENING. Mr. President, from the very beginning Sargent Shriver and the Office of Economic Opportunity have been tempting targets for criticism.

Mr. Shriver himself would agree that some of it has been justified. It is not easy to implement new ideas, especially for a program necessarily of such magnitude and after such long neglect. There have indeed been mistakes.

But a great deal of the criticism has been without foundation and has betrayed a lack of compassion and a lack of commitment to the imperative need for equality of opportunity in our society.

A series of articles on the work of VISTA volunteers in Alaska which appeared recently in the Anchorage Daily Times provides abundant evidence that the Office of Economic Opportunity is making a profound, constructive, and gratifying difference, for the better, in the lives of Americans.

VISTA volunteers are cheerfully and willingly working in Alaskan villages hundreds of miles removed from the kind of life they knew before entering VISTA. They are offering their best years to improve the lives of others, and they deserve our support, encouragement, and thanks.

Mr. President, I ask unanimous consent that the series of articles from the Anchorage Daily Times be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Anchorage Daily Times, Aug. 7, 1967]

VISTA VOLUNTEERS HELP ORGANIZE NATIVE VILLAGES

(EDITOR'S NOTE.—This is the first in a series of five articles concerning the VISTA program in Alaska—its challenges, its goals and its successes.)

(By Claire Strid)

The deaths and destruction of property caused by recent riots in several cities in the United States will cost Americans millions of dollars and countless hours of personal misery and frustration.

To combat the causes behind riots and unemployment and the poverty and misery they cause, more than 3,500 Americans are currently working as Volunteers In Service To America, the domestic version of the Peace Corps.

In Alaska, approximately 100 VISTA volunteers are serving in native villages with populations between 100 and 500 persons in the western part of the state, in community organization and development programs.

Eric Haeger, field support officer for the VISTA program in Anchorage, said volunteers in Alaska are trying to help members of these villages "think in terms of a group—to give the village council, that has existed in name only, a reason for being."

Haeger is in his second year of volunteer service with the VISTA program and has been working as field support officer since November of last year.

He helps with the training and placement of new volunteers and is administrative officer to the 40 volunteers who are serving in villages around Nome. His job includes going to the individual villages to arrange with their councils for volunteers to do what the villagers want done.

He also serves as a liaison officer between the volunteers and the villages at first, and then between the volunteers and the agencies they want to contact after they get to their assigned stations.

In the community organization and development program, Haeger said volunteers work with the village council as the basic institution of the community, and set up newspapers to help village communication. Volunteers work in nursing, teaching and generally try to organize villagers, he explained.

Base operations for the state are in Fairbanks, and the University of Alaska is one of several colleges and universities in the nation where VISTA volunteers are trained.

Haeger said the primary purpose of all of the VISTA programs is to build up the confidence of the people and to help them to work together. "These people don't know where to go for the help they need, and in most cases, don't even realize that aid is available to them," Haeger said.

VISTA was established by the Economic Opportunity Act of 1964 and the first volunteers took their stations in June, 1965. Volunteers serve where they are needed and requested and are working in all of the 50 states, the District of Columbia, Puerto Rico and the Virgin Islands.

Volunteers are sent to their assigned stations after they have completed a questionnaire and submitted a list of references to the national office in Washington, D.C. They are sent to a training base and to a community similar to the one they will be stationed in for orientation and further training.

They also attend conferences during their tour of duty to learn new methods and techniques that have been developed to do better what they are already working on.

They receive a basic living allowance of approximately $75 a month to pay the necessary living expenses in the areas they are stationed and collect $50 for every month they are in the program, paid at the end of their service.

Volunteers must be at least 18 years old, but there is no maximum age or special education or experience requirement to join the program. The youngest person serving in VISTA is 18, and the oldest is 85.

Persons who are physically disabled or who have a chronic illness not requiring frequent medical care can be volunteers if they can carry out their assignments. There are physically handicapped persons working as volunteers now.

For persons who cannot serve a full year, VISTA started a summer associates program last year for volunteers to serve in Appalachia. Other similar projects are also being considered for persons who cannot serve the usual one year assignment.

VISTA in Alaska is working on an eight-month project that would allow natives to be hired as volunteers for the winter months. They would be recruited by VISTA volunteers already in the villages for potential leadership qualities, and the only requirements would be minimum age of 18 and an ability to speak English.

Native volunteers would receive the same pay and be trained and oriented as all VISTA workers.

The proposed project has been sent to the governor for his approval, and VISTA hopes to begin the eight-month project this fall.

When volunteers leave their tours of duty with VISTA, they can contact the Volunteer Information Service which provides career and educational information to VISTA alumni, but the service does not guarantee placement or future employment.

As of last year, 14,143 volunteers had been requested to serve on 1,165 projects in all 50 states, the District of Columbia and the U.S. territories.

More than half of the nation's poor live in cities and towns. One out of every ten urban families lives in poverty and 884 volunteers have gone to work to help fight it on 109 urban community projects.

One third of rural America has been officially classified as poor, and there are 1,248 VISTA people working in the rural areas with them on 266 projects.

VISTA volunteers also work in migrant worker camps, on Indian reservations, in mental health and with the Job Corps.

In mid-July, Gov. Walter J. Hickel approved a federal grant of $323,750 for the VISTA program in Alaska. The funds will be used for fiscal 1968 projects.

[From the Anchorage Daily Times, Aug. 8, 1967]

VISTA PROGRAM IN ALASKA NEEDS MORE VOLUNTEERS FOR VILLAGES

(EDITOR'S NOTE.—This is the second in a series of five articles concerning the VISTA program in Alaska—its challenges, its goals and its successes.)

(By Claire Strid)

Eric Haeger, the only VISTA administrative officer in the Anchorage area, would like to see more volunteers working with the natives in more villages in Alaska.

"These people don't get represented in the mainstream of living," he said.

Haeger is working with the war on poverty and is interested primarily with applied domestic politics. He is in his second year of service as a Volunteer In Service To America.

He majored in political science at Middleburg College in Vermont and took a bachelor of arts degree in 1965. In November of 1965 he joined the VISTA program and was sent to Juneau and trained in Kake, a village near

Sitka, before he was stationed at the village of Mekoryuk on Univak for one year.

The village has 250 persons and only half of them could speak English.

Haeger and his VISTA partner taught four classes of basic English through the Head Start program and helped set up a halibut fishery cooperative for marketing, processing and shipping.

"The men in the village never really sold their fish before as a commercial establishment. They work in the summer at part-time jobs in Bethel and earn enough money to buy staples for the winter months," Haeger explained.

"The older people go to fishing communities to catch and dry fish for their winter stock. The Bureau of Indian Affairs hires some natives to help with reindeer hunting, and what they earn there goes to buy basic staples for winter," he continued.

"Nobody in the village has a full time job except the Bureau of Indian Affairs maintenance man, the postmaster and the Head Start director there," he said.

"At first, they distrusted me—I was a kind of curiosity. But now the novelty has worn off, and replacements are accepted because the natives understand why they are there."

The people live in very small plywood houses, poorly insulated, with an average family of ten, he said. There is no electricity or plumbing and no medical facilities closer than Bethel—an hour and a half plane ride from Mekoryuk. "The government subsidizes mail runs," Haeger explained.

The Public Health Service hospital at Bethel is the destination for major medical cases, and winter weather usually accounts for a delay of about two weeks, he said.

"Medical aids trained by the Public Health Service are based in the village, and there is radio contact in case of an emergency. These people are trained in basic first aid only, and receive no pay so there is a high turnover," he said.

"The village purchases basic medical supplies through funds collected from the natives who attend village-sponsored movies at $1 a person.

"The Bureau of Indian Affairs maintains an elaborate school system, not unlike schools anywhere else, to the eighth grade."

Haeger and his partner taught beginning classes in English for children and adults, and also had a class for advanced students. "Getting the people oriented to a classroom situation was a basic part of the teaching program, especially for the older people," Haeger noted.

"Where there was no Office of Economic Opportunity funded program, we taught adults—six in one class of women who could speak a little English and understand a little more," he said.

Haeger explained that four high schools are operated in the nation by the Bureau of Indian Affairs for graduates of the village-based schools. The high schools are in Oregon, Oklahoma, Sitka and Wrangell.

"The BIA pays all expenses for high school students sent to these schools, but the natives resent having their children sent to schools outside because of their exposure to a different kind of environment—with many different kinds of temptations that are unknown to them in their villages," he said.

"The pressure and frustrations are too much for the kids, and most of them go back and continue the same kind of subsistence living they had before they left," Haeger explained. "The young people do want to learn, but the old people are still in the old culture.

"A regional high school at Bethel would help the situation immensely. The nomadic villages embrace the education programs as a good thing, but they don't like the exposure to the 'bad things' of the society they are forced to join by attending high schools in such different invironments."

Haeger said education is "a felt need" to these people and estimated the school's enrollment at approximately 50 students. "The village people moved to the school from outlying areas when the school was built, and they are still there."

Haeger took a two-week vacation to his home state of Massachusetts at the end of his first year in the VISTA program and returned to Alaska in November of last year to become a field support officer in Anchorage for volunteers in the Nome area.

He helps train and place new volunteers when they arrive and is their communication link once they get to their assigned villages. Currently there are approximately 35 volunteers in the Nome area.

"We work in villages with populations between 100 and 500 because larger communities already have the basic medical and communications facilities they need," Haeger explained.

He told of two volunteers and the work they are doing in Alaskan villages.

In the village of Teller, one volunteer is working with arts and crafts to catalog and market ivory carving. She is also helping the village to gain the status of a fourth class city and is starting a program in jade carving. She also has set up a newspaper to help with village communications.

Another volunteer in a village near Nome is working with funds from the Rural Development Act to help the village housing problem by building a model home. He is working with carpentry, mostly cabinet making, in technical education.

He also is keeping records of all stages in the building project for future reference and is working with the village council to help the community get the maximum appropriation of federal funds to the area.

[From the Anchorage Daily Times,
Aug. 9, 1967]

VISTA Workers Aid Total Environment of Natives

(Editor's Note.—This is the third in a series of five articles concerning the VISTA program in Alaska—its challenges, its goals and its successes.)

(By Claire Strid)

Teaching native children general water safety—mostly how to swim in cold water—is the task of a VISTA volunteer who left for Bethel July 31.

Bonnie Archbold, a native of St. Paul, Minn., is in her second year of duty as a Volunteer in Service To America in Alaska. Last year she worked in Nunapitchuk and started a water safety instruction program with the children there.

When she signed up for her second year with the program in May, she was assigned to do more of the same type of work with the Campfire Girls stationed in Anchorage.

She and six other staff members from the Anchorage office will be in Bethel and the surrounding area for the next two weeks teaching natives recreational safety programs.

"Although they live around water their entire lives and are dependent on it for their living, the natives are afraid of it and often panic if they are ever in a boating accident," she explained. "The program was so great last year that we decided to expand it this summer."

The water safety program is available to everyone in the 1,800 population village of Bethel. Children and other VISTA volunteers from the village of Kasiglook three miles from Bethel will also attend program sessions.

"When we started the program, we couldn't find any information on swimming in cold water, much less how to teach anyone how to swim in it," Miss Archbold said.

"So we are doing what you might call 'action research,'" said Joan Hurst, executive director of the Campfire Girls in Anchorage. "We teach them to swim with their clothes on in water that's usually between 43 and 54 degrees. The teaching techniques are subject to momentary change—whatever works best is used."

Miss Archbold was the first VISTA volunteer in Nunapitchuk and she worked there to help set up the first library in the village. "The men built the shelves in the back of the community hall, and I started to recruit books," she said.

But once the library was set up, she made no attempt to catalogue the books or set up a checking-out system because then they would call it "my library," she explained. "And I didn't want that. They had already started calling it 'my library' during the organizational stages. My purpose was to set it up and make the books available to them, then to leave it to them. Once I left, there wouldn't be anyone there to take over the book work any way, so it would have been useless to them later."

Miss Archbold has a degree in library science from St. Catherine's College in St. Paul, Minn., and worked in Chicago before she joined the VISTA program.

During her first year of duty in Nunapitchuk, she lived in an old abandoned house that had been used as a school at one time. She had an oil stove and lived on ptarmigan and dried fish just like everyone else in the village. She said she also ate rotten fish heads, a delicacy to the natives, and salmon berries. "It's great!"

When she first arrived at the village, the native children were afraid of her because of the influence the adults had made on them. "They are told that if they aren't good, the gusak (the white man) will get them," she explained. "You feel like an old witch.

"Just being there and letting them know you won't hurt them and letting them hear English is the only way to cover up the bad influence," she explained.

"They've had a rotten deal from the white man. They have been cheated," she said.

Besides setting up the library, she worked with two campfire groups and started a third, helped the natives learn how to fill out government forms, and participated in the adult education program through a Head Start class.

As part of the recreational program, she conducted an afternoon arts and crafts class for the children on the walk of her house. "The games and songs were new but the daily sessions were similar to those of the school, so they enjoyed it," she said.

The classes were held on the boardwalk of her house because the ground area was tundra. Children from three to seventeen came regularly. "The adults came, too, just to watch out of curiosity, and there was an old woman who came to tell the children legends.

"The games that needed little or no equipment were the ones taught, because they could be carried on after I left," she said. "Basketball was one of the games the children enjoyed most, and we improvised by propping a sled against the side of my house and used an inflated canvas boat as the backdrop."

"We used old tin cans and plastic bottles to do some of the projects, and made flowers out of paper," she said.

Miss Archbold said two girls, aged 14 and 15, were taken from the village to the Kenai Campfire Girl Camp last summer. The older one was going to be sent to Oklahoma to go to high school, so the two-week introduction to life outside of the village was to help her get oriented. "She really enjoyed it and adjusted well to life in Oklahoma, so we think it helped."

After this month's trip to the Bethel area, the VISTA volunteer and Campfire Girl personnel will return to Anchorage to work with minority group programs here and begin writing a manual for volunteers who will continue doing water safety work in the villages.

[From the Anchorage Daily Times, Aug. 10, 1967]

For Children: "More Than Just a Cure"

(Editor's Note.—This is the fourth in a series of five articles concerning the VISTA program in Alaska—its challenges, its goals and its successes.)

(By Claire Strid)

Robert Heasley is a VISTA volunteer working in the Alaska Native Medical Center here "to help the children leave the hospital with more than just a cure for their illnesses."

He is working with native children in the hospital classroom and taking them on field trips to various places in Anchorage to help them become familiar with western culture.

"We have toured the National Bank of Alaska, Penney's and Safeway," he explained. "We will continue the field trip projects by touring the museum, and the children want to go to the police and fire departments, see a hotel, visit a trial, see an office building, a farm, a bakery and the library."

"They want to see a telephone booth and want to travel in a car—on modern paved highways—to see the mountains, but mostly just to ride in a car," he said.

"We are trying to give the kids something to do and help them to learn by doing more than just book learning," he explained.

Healsey has been working at the Alaska Native Medical Center for a month. He arrived in Alaska July 8 with a group of 29 new members of Volunteers In Service To America. Heasley has spent two years in college with his major in English and a speech and drama minor.

A native of Pittsburgh, he is using his college work in the hospital by starting a class for the younger children in creative dramatics.

"We are trying out any ideas for what they may be worth—to see if they work. The idea is to help them learn how to act like something other than what they are, starting by relating the people they see on the field trips to their play situations. Acting out what they have seen is also a good refresher for the field trips," he said.

"They set up a store, and act out the jobs of the clerk, the store manager and the other people they saw. It helps them to realize the minor things they saw, especially the actions of the people," he explained.

"The children I worked with before were very responsive to the acting-out situations. They were from homes of faculty members at the College, but I wasn't sure how the native children would like doing this type of thing. It serves as a means of entertainment and they seem to really enjoy it," he said.

"We acted like different kinds of animals from a list we made out. Three-fourths of the animals they listed they had never seen before and didn't know how they sounded or acted. But the children's exposure to television helped—we acted like bears, elephants, monkeys and airplanes, our grandparents, and the fat people in our village."

Heasley is working with two age groups of native patients at the hospital. The patients are mostly Eskimo and Indian children who usually stay in the hospital from one to four months, and some as long as a year, Heasley said.

Children in Heasley's groups include polio victims, amputees, tuberculosis patients, and children with eye and ear defects. He works with an older group of 10 to 15 children between ages 9 and 15 and the younger group has 15 to 20 patients under nine years of age.

"After the tours, the children discuss in their classroom where they've been. They were terribly impressed with the computer at the bank and awed when the man picked up sections of the floor to show the wiring underneath," he said.

"Ninety per cent of the children had never seen an escalator before, but they all got a chance to ride it."

"We teach them basic health and cleanliness habits, and are trying to set up a teenage council so they can do things for themselves, help them to learn organization and leadership," the VISTA worker explained.

The hospital is understaffed, he said, so children have to make their own beds and help clean up their dining room. "It's different when a nurse tells them to do it and when they can feel they are doing it themselves. They resent the nurses because of this and also because the nurses and doctors don't have the time to get to know them individually," he explained.

The teenage council will set up work schedules and plan activities for themselves as the older patients have already done.

"We are trying to establish a buddy system to help new patients get adjusted to the hospital environment and also to help the children keep busy with a person near his own age so they won't think so much about being homesick."

"They can feel that they are being treated enmass and resent it, too. Just being there to talk to the kids and be friends with them helps them get better adjusted and keeps them interested longer," he explained.

The teenage council will enable the children to work on their own initiative, Heasley said. "We will work on a project for weekend activities since all they do now on weekends is watch television. They have a Sunday school class on Sunday afternoons, but that's all."

The transient membership of the council creates a problem, but the adults have helped solve it by electing new officers every three months so that the president will be there for his term of office, he said.

Through the council, the teenagers will help decide where they want to go on the field trip. "When I started there, I made all the arrangements and told them when and where they would be going. But now it's up to them to make the phone calls and get the tours set up. I told them I had already seen all of the places they wanted to see, so if they wanted to go, they had to make the arrangements," he said.

"They are afraid to talk to anyone they consider an important person, and that's anybody from a clerk to the bank president. One boy 11 years old was in charge of making the phone call to the museum and setting up the tour time there. We couldn't find the number in the phone book, so I explained that when he couldn't find a number to call the operator.

"He called the operator and got the number, but he was petrified—the operator was an important person. He had a feeling of accomplishment when he finished, but he is still scared whenever he has to make a call. But I don't think it will be quite so hard the next time."

In the older group, Heasley is encouraging the patients to spend their spare time by painting and drawing. "Three or four of the teenagers are very good, and there is an 11-year-old who has never had a chance to draw before."

The arts and crafts background of the carving and painting in the villages helps, he explained. "They like to copy pictures from comic books and enjoy reading adventure and animal stories."

"They speak better English than Eskimo, and the only time I've heard them speak any Eskimo was during a bingo game. I was giving away candy canes as prizes and only had a limited number. After the first one was won, they started to realize that their chances were getting narrower, and they get very excited and started answering me in Eskimo. This is the first time and it's because they were so relaxed and involved that they forgot themselves."

The native children have more strict home lives in general than most other Americans, and there are no disciplinary problems other than is normal for kids in a hospital, he explained.

Transportation for field trips is a problem since the hospital has only one car for general use. The children need more individual construction projects like models and paint sets. "We have some toys and games but can always use more," he said.

[From the Anchorage Daily Times, Aug. 11, 1967]

VISTA Offers Legal Aid to Natives

(Editor's Note.—This is the last in a series of articles concerning the VISTA program in Alaska—its challenges, its goals and its successes.)

(By Claire Strid)

"You'd like to help if you can—to see if you can do something," Lewis Agi explained. That is why he is a Volunteer In Service To America.

Agi will be working on a program offering legal aid to the natives as a liaison officer between the village-based VISTA volunteers and the district attorney's office in Anchorage.

He has been a volunteer since November of last year and has been based here to work on the legal aid program when it was to be established Aug. 1. He spent last winter working with the community action agency and with the Anchorage Young Adult Club to get a "substantial group of young people together once a week'" mostly for recreation.

Agi received his law degree and passed his bar exam in New York last year but will be working mostly as a referral officer since he has not yet taken the Alaska bar exam.

Another VISTA volunteer based in Anchorage is John Bunn, who has also worked as a volunteer in Jacksonville, Fla.

He is coordinator of the summer recreation program for the city at Abbott Loop School and provides supervision for children in that area for recreational sports such as wrestling, volleyball and basketball. Three rooms in the school are being used for the recreation program and children attend daily.

Bunn has also worked in the village of Chefornak in southwestern Alaska.

Mrs. L. L. Thompson, a resident volunteer on the community action committee, said the committee started working in February to give children in the area a recreation program during the summer.

"The juvenile delinquency rate goes up because of the increase in populaiton," she explained, and said the program Bunn is coordinating "does help."

Agi and Bunn, along with other VISTA personnel, are working for the "War on Poverty" through the Office of Economic Opportunity. The observations cited by volunteers in Alaska are those of Americans from urban communities working in poverty-stricken and trouble areas.

A British magazine writer visited some Alaskan villages recently and saw the problems facing VISTA volunteers and what the VISTA program is trying to do to help.

Michael Teague wrote an article called "The Poorest Americans" for the Geographical Magazine of London and named VISTA "one of the most promising" branches of the anti-poverty program.

Teague explained his first impression of Hooper Bay, "From a distance, the village, with its crooked timber houses and happy friezes of children playing in the snow, looks like a rather whimsical stage set. It is only on closer inspection that one sees the houses are just shanties and that the unnaturally rosy cheeks of the laughing children are in most cases caused by impetigo."

"Nevertheless," the British writer continued, "the telling thing about poverty in this region is not so much the quality of living conditions but the frustrating lack of opportunity to make use of the abundant human and natural resources available."

Teague explained the opportunity lack was caused by geographical and climatic obstacles, most important of these being transportation.

He noted an example of the Hooper Bay fisherman who receives only $3.50 for a 20 to 25-pound King Salmon if air transportation with refrigeration is available. The same fish sells for $6 a pound in New York.

He said, "The result is that most of the villages only fish for subsistence and go on the dole in order to obtain their paltry cash 'incomes.'"

The British writer observed other projects being conducted in the villages. "In a village such as Hooper Bay the three VISTA volunteers not only help to teach in the local school and give courses in adult education and community health programs, but they also work on such practical projects as trying to get a small freezing plant to preserve fish for export, and they have been asked to help raise a reindeer herd for the village.

"If they can furnish some tips on preserving the season's catch of walrus meat, so much the better," he commented.

Teague noted the work being done by two volunteers at Emmonak for establishing a sawmill that will provide timber for building which would otherwise be brought in by air at high cost.

To the north of Emmonak at Anaktuvuk Pass, a 19-year-old college student from California is a volunteer who learned to speak Eskimo and teaches simple mathematics to the village children.

Teague also explained that the volunteer helped arrange for a tractor to be flown to the village for hauling coal from the mountains for winter fuel.

Teague cited these examples of VISTA projects being done among a people, "who are not only the poorest Americans, but also the most isolated."

AN ENCOURAGING NOTE FROM THE CAMPUS

Mr. BYRD of West Virginia. Mr. President, it is reassuring to note that, among all the growing resistance and revolt on the part of students and professors on college campuses, some student voices are still raised in support of their Government and their homeland. Such voices may appear to be in the minority, but I do not believe that that is true. It is my opinion that the vast majority of students and professors now, as always, believe in the United States of America and, when a showdown comes, will support it.

I cite an editorial in the West Virginia University student newspaper, the Daily Athenaeum, for October 26, which expresses distaste for the new left, civil disobedience, and Communist sympathizers, and I ask unanimous consent that it be inserted in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

"This Is My Own, My Native Land"

They sit at a table in front of Moore Hall passing out "resistance" material.

They quote Marxist and Socialist military leaders against United States policy.

They reject established law and order and strive to organize civil disobedience.

Admitted Communists and Communist sympathizers hold a number of leadership positions in their National Mobilization Committee.

The left stands up and advocates that all young men burn their draft cards, defect to Canada, plead homosexuality or become conscientious objectors.

The War Resisters League, the Jewish Peace Fellowship, the Central Committee for Conscientious Objectors, the American Friends Service Committee, Inc., the Catholic Peace Fellowship have material on these subjects available on campus through students for a Democratic Society.

Too many times is the press accused of printing things out of context. Is this not what the "left" is doing?

They use famous quotes most apropos to their own situations, but there are other quotes apropos to the situation, too.

"I have never advocated war, except as a means of peace," Ulysses S. Grant said.

"If peace cannot be maintained with honor, it is no longer peace," Lord Russell said.

"To be prepared for war is one of the most effectual means of preserving peace," George Washington said.

"Swim or sink, live or die, survive or perish with my country was my unalterable determination," John Adams said.

"I only regret that I have but one life to lose for my country," Nathan Hale said.

"Every citizen should be a soldier. This was the case with the Greeks and Romans, and must be that of every free state," spoke Thomas Jefferson.

We can't help but wonder if the "left" recalls the words of Abraham Lincoln in his second inaugural address:

"Let us strive on to finish the work we are in; to bind up the nation's wounds; to care for him who shall have borne the battle, and for his widow and his orphan—to do all which may achieve a just and lasting peace among ourselves and with all nations."

How long are we going to allow leftist infiltration to mock ". . . this is my own, my native land!"?

NEW STRENGTH FOR TRUTH IN NEGOTIATIONS ACT

Mr. PROXMIRE. Mr. President, a memorandum was issued recently by the Deputy Secretary of Defense, Paul Nitze, ordering the inclusion in all noncompetitive firm fixed-price contracts involving certified cost or pricing data, a clause giving the Pentagon a contractual right to have access to the contractor's actual performance records for the purpose of postaward audits.

If the Pentagon utilizes this authority with diligence it could mean a savings to the taxpayer of many millions of dollars a year in overcharges on defense contracts. The General Accounting Office in only minimal spot checking by a limited staff discovered overcharging by defense contractors at the rate of $13 million a year for the past 10 years.

The Cleveland Plain Dealer, whose Washington correspondent, Mr. Sanford Watzman, wrote a superlative series of articles on the Pentagon's lax procurement policies, recently published an excellent editorial on the Nitze memorandum and its significance. I commend it to the attention of other Senators and ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

New Strength for Truth Act

A 21-gun salute to the United States Department of Defense.

It has, at long last, decided to do its duty, to audit the multibillion dollar business it does with defense contractors. It has, in effect, decided to put new meaning and strength behind provisions of the 1962 Truth in Negotiating Act.

This is a victory for the American taxpayer who has paid a bill for all too many millions of dollars in overpriced government purchases.

It is a victory for an agency of Congress, the General Accounting Office, which in only minimal spot-checking by a limited staff discovered overcharging by defense contractors at the rate of $13 million a year for the past 10 years.

Also, it is a victory for The Plain Dealer, whose Washington Bureau reporter Sanford Watzman first focused national attention on this gross mismanagement of defense business.

And it is a victory for such concerned members of Congress as Rep. William E. Minshall, R-Cleveland; Sen. William Proxmire, D-Wis., and Sen. Stephen M. Young, D-Ohio. Young read Watzman's stories into the Congressional Record. Proxmire and Minshall investigated, held hearings and introduced legislation to compel Defense Department auditing of contracts.

The department felt the lash of criticism from all these sources following the start of publication of Watzman's stories in April. The department responded by proposing new rules to be followed by those who seek defense contracts. The contractors, in addition to submitting required "truth" declarations that prices are based on accurate, complete and current information, also would be required to substantiate the statement with data and documentation.

Later the department announced it had set up truth-in-negotiating briefings for its procurement personnel across the country. In cheering the move, this newspaper at that time said the department had still more to do "if the public is to be convinced that the Truth in Negotiating Act is being fully enforced." The Plain Dealer suggested that the Pentagon "begin by finding on its own some of the costly errors which in the past have been found only by the General Accounting Office."

Now the way is open for this to be done. The Defense Department's latest announcement declares that future procurement contracts will contain a provision granting department auditors the right to examine contractor records after work is peformed.

This acknowledgment by the Pentagon of major responsibility for detecting overpricing and taking action to secure refunds is long overdue but nonetheless welcome.

Whether performance lives up to promise in this area of duty will be noted carefully by The Plain Dealer and others in time to come.

THE U.S. ROLE IN ASIA

Mr. McGEE. Mr. President, the issue at stake in Vietnam is not just the future of Vietnam. It is much larger than that. It is the course of Asian history and, in fact, of human history. Already underway, as Joseph Alsop wrote in his column this morning, is a shift of the main focus of the world's wealth and productive power from West to East, from Europe to Asia. Japan, as he writes, gives us the most startling example of this shift.

This projection of the Asian future is intensely relevant to the American role, which today has us in Vietnam. We occupy a unique position as the land bridge between the two world lakes—the Atlantic on one side of us, and the Pacific on the other. Our vital interests require us to play our allotted part in both oceans, in both hemispheres. To do otherwise is to opt out of history, as Mr. Alsop puts it today in his column, which I have taken from the pages of the Washington

Post, and for which I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, Nov. 1, 1967]

UNITED STATES CAN'T OPT OUT OF PACIFIC "WORLD LAKE" AND ASIAN ROLE

(By Joseph Alsop)

In Western history, there have been two world lakes. First, over a period of nearly three millennia, there was the Mediterranean. And then, beginning in a small way with Christoper Columbus, there was the Atlantic.

But before this century ends—in short, in hardly more than 30 years—it is quite certain that there will be still another world lake, the Pacific. And it is not at all sure that of the two chief world lakes of the future, the Pacific will not be more important than the Atlantic before very long.

What impends, in other words, is a shift in the main focus of the world's wealth and productive power as vast and probably as unsettling as the shift produced by the industrialization of Western society. "Impends" is really the wrong word, moreover, for this shift of focus is already rather well-advanced, though few people seem to have noticed it, outside the financial community.

For those who are at all alert, Japan, with almost no natural resources, has already shown what the East Asian societies can do with Western industrial techniques, once they have got to work on the problem in deadly earnest. According to World Bank projections of current trends, Japan will be the third industrial power in the world within four years, and will have a per capita income equal to that of Great Britain within eight years.

In under a decade, therefore, Japan is due to have nearly the weight in the world of England and France combined; for the Japanese, of course, are nearly twice as numerous as either the British or the French; and with a per capita income at the approximate Western European level, Japan will have a national income close to double that of any of the transatlantic Western powers.

The same process is already well begun in every East Asian country and center, except in those under Communist control and, of course, in South Vietnam. If and when peace comes, South Vietnam should take off like a rocket, for it is a naturally rich country, and despite the suffering, it has also been greatly enriched by the war.

In China, finally, a very great change is almost certainly on the way. It may come very soon; or it may be delayed a little, until Mao Tse-tung dies at last. When it comes, it will almost certainly take the form of extreme revision. And a China taking the Japanese road, with all China's huge mass and all her resources so superior to Japan's, will be what the late Arthur Vandenberg used to call a "vivid contemplation."

To the tiny, eccentric band who have bothered to read East Asian history, none of this will be very surprising. After all, throughout most of recorded history, the principal East Asian societies have been the richest and most powerful on earth. There is nothing to stop them moving towards their former position, once again, as soon as they have mastered the techniques of Western industrialism. And this is precisely what the more advanced are already doing.

It is totally irrelevant to this projection, that even Japan is still maintaining her postwar "low posture" in defense and foreign affairs, Obviously, the Japanese are going to wait until they reach a somewhat greater weight in the world, before they begin to throw their weight about. But use their weight they certainly will, in the end.

This projection of the Asian future is intensely relevant, on the other hand, to the American role in Vietnam. In the rather near future, in fact, the United States is due to occupy a unique position in the world, as the land bridge between the two world lakes. Our vital interests will require us to play our allotted part in both the Atlantic and the Pacific.

In a good many respects, moreover, at any rate in the decades just ahead, the emerging Pacific world lake is due to present more serious and more urgent challenges. We can of course ignore those challenges. To quote the words of General Maxwell Taylor once again, we can try to "go back to Hawaii," thereby seeking to opt out of history.

Opting out of history never works indefinitely. The Laos tried it, for instance, yet history has now come among them, treading with iron foot. Even Iceland, so long immune, is not quite immune to history today. And nothing more dangerous can possibly be imagined, than opting out of history by the richest power on earth—so affluent, so soft externally, so tempting to every imaginable competitor.

The choice in Vietnam was, and is, whether or not to opt out of history with respect to the development of the Pacific world lake. Some would have us do this; but these are people who know nothing of Asia, and do not understand that the Pacific is so soon due to become a primary world lake. Meanwhile our men in Vietnam are fighting, with splendid bravery, for the Pacific interests of all Americans in the future.

DUAL DISTRIBUTION

Mr. BARTLETT. Mr. President, as a member of the Select Committee on Small Business, I have been familiar for some time with a problem small businessmen call dual distribution. A few days ago George Burger, vice president of the National Federation of Independent Business, wrote me a letter on this subject and sent me an article written by a small businessman of some considerable experience in the field about which he writes. I ask unanimous consent that the letter I received from George Burger and the article on "Dual Distribution," be printed in the Record.

There being no objection, the letter and article were ordered to be printed in the Record, as follows:

National Federation of Independent Business,
San Mateo, Calif., October 18, 1967.

Hon. E. L. Bartlett,
U.S. Senate,
Washington, D.C.

My Dear Senator: Let it be understood for the record that whenever I have called on you for help in behalf of the small businessmen of the nation, you have always acted immediately on my request.

A far-seeing small businessman, with a half a century background in his particular industry, I believe, has sent me his views on dual distribution and what it could mean to the future of the independent businessmen of this nation. The writer concurs with the views expressed due primarily to his own experience of over half a century in small business. During this time, I have seen the monopolistic trend carried on and increased by many of the major producers, all tending to destroy small business in no uncertain terms.

While serving in my official capacity with the above Federation, I have seen an increasing number of manufacturers open dual operations. As late as September 20, 1967, it is reported in the press that there are increasing inroads in the clothing industry with manufacturers expanding their retail operations while soliciting the business of independent retailers.

There is also an increasing trend of dual distribution within the chain store operations. One report reached me recently that a large chain is selling a loaf of bread for 15 cents and the independents in that industry are having to pay 17 cents for the same loaf.

To the ever-lasting credit of the Senate Small Business Committee in 1942, whose Chairman at that time was the late James G. Murray of Montana, and also to the credit of the late Senator Robert Wagner, Chairman of the Senate Banking Committee, who acted in no uncertain way by taking the legislative move which prohibited dual distribution in the rubber tire industry and placed restrictive regulations on other major outfits in the handling of tires through their own setups. Unfortunately, it reached the Senate calendar late in 1942 at the end of the Congressional session, and was not acted on. Some of the present members of the Congress will verify this statement as they were members of the above mentioned Committees at that time. I am referring to Senator Allen J. Ellender of Louisiana and Senator John L. McClellan of Arkansas. Bear in mind that this legislative action carried the unanimous approval of both Committees.

It is important to note that the late Senator Taft, then a member of both Committees, remarked at least twice that sooner or later Congress would have to act on dual distribution.

I think, Senator, that you will agree that the following statement of the Federation's member is very true: "All that the small independent businessman wants is a chance of equal opportunity to work hard with long hours, be his own boss and a chance to grow and prosper and not have some larger corporation hireling telling him to do this or that or he will be through. He is not looking for a dole."

It strikes the writer that if there is to be a cure and relief for the small businessmen, both Rules Committees of the Congress should take immediate action and approve the Resolutions (S. Res. 30 and H. Res. 60) which would give legislative authority to the Small Business Committees of Congress. To the credit of the members of the Federation, now totaling 240,946, all individual members in the 50 states including 771 in your State of Alaska, they have repeatedly voted unanimously in favor of legislative authority for the Small Business Committees of Congress.

It is my hope and trust that you will find it convenient to insert this letter and the attached statement in the Appendix of the Record as I believe the contents would be of considerable interest to the members of Congress.

If this trend continues as outlined, the future of small business will be very bleak and will end up in greater and greater numbers of unemployed.

Sincerely yours,

George J. Burger,
Vice President.

(Attachment.)

DUAL DISTRIBUTION

Dual Distribution or Verticle Marketing is where a concern manufactures any item and then sells or disposes of it through an owned or controlled outlet. This gives to the manufacturer an almost complete control of the market.

This system is practiced by many concerns but for brevity let us take one industry, the Oil Companies. They produce most of their crude oil, refine it, transport the products, control the wholesale and market the great majority of their products through their own outlets.

The wholesale activities by the Major Oil Companies are conducted through their own sales terminals by salaried employees or by Distributors, Jobbers or Consignees. All prices are controlled by the supplying Company. These prices will vary from one customer to another with the claim that they are only meeting competition. But, who sets the competition? For example, a small contractor has to pay higher prices for his products than does a larger contractor. Yet, the actual cost of delivery is the same to each account. So a small contractor is being penalized for being small. That is more or less the history of why large corporations become larger and the little fellow stays small or is washed out.

Now consider the aspect of the Major Oil Companies controlled retail service stations. The following are just two stations that were recently constructed with cost totals of $240,000 and $300,000. The first station dealer paid an average rental for over one year of $600 per month. The second station was expected to have a dealer pay $850 per month. To date, no dealer has been available. These are by no means isolated cases but rather a common practice that is being done all over the country. Many are constructed for a lower cost and many for a higher cost. However, no loan company, bank or even an individual would consider making a loan of this kind unless a return of 1% per month were to be expected. So, instead of receiving a return of $2400 and $3000 per month, the company receives a much lower figure. In fact, then the company dealer is receiving a rebate on his rent, a rebate that is not given to a dealer who owns his own station and facilities. Some help is given to the independent dealers but it is a very minor amount and comes nowhere near the amount given to the company dealer. How can any independent compete with such unfair competition?

The independent gasoline dealer has all but disappeared and the few left merely handle gasoline as a convenience to another business. There has come into the market independent chains who purchase the bulk of their supplies from Major Oil Companies and rebrand the product. The prices that they are charged by the companies are far less than the prices charged to their own company dealers which enable the independent dealer to sell at a discount. Companies claim that they can do this because no advertising, credit card, etc. expense is tied in.

The same is not true where the Major Oil Companies sell oil to distributors in carload lots who in turn sell the oil to chain stores at prices that they can retail the oil at the same price as the Company Dealer has to pay if he purchases it from the company direct. Of course, the claim is made that the dealers can also buy in carload lots. But, there is not one dealer in a thousand who has the room or money to handle such a purchase and they will not permit one dealer to buy and distribute to other dealers.

And yet, the Major Oil Companies keep on building more and larger outlets so that it has come to the point of seeing which company can construct the greatest number of stations. Of course, no one company could stop building or they would be out of the market.

Who takes care of all the tremendous losses that are made by the erection of thousands of new stations? Are they written off as losses for tax deductions? If so, the Government loses or the price of gas goes up and in either case, the consumer pays the bill.

If Dual Marketing were prohibited, would not the oil companies sell *exactly the same amount of petroleum products*? Why permit the building of more and more outlets thereby increasing the losses that are being presently saddled onto the consumer? And remember, we are thinking of the savings to millions of consumers, not just a comparatively few large corporations.

A similar situation exists with the tire companies who place their stores in all good sized communities, sell at wholesale to other dealers, then go into direct competition with these dealers by selling at retail.

In a communication from Mr. George J. Burger, Vice President of the National Federation of Independent Business, he states that he has been trying to eliminate this unfair competition since the year 1941.

The Major Oil Companies are marketing today as they did 50 years ago. If their outlets were eliminated by abolition of Dual Marketing, then we would have larger outlets handling several brands of products and operated in conjunction with lube bays, tire recap shop, tuneup, washracks, etc. Is not that the modern way? There even could be chains of these outlets but they would be operated by small independents. And again, the Major Oil Companies would still sell the same amount of product.

It is reported that in California there is an average of 2,000 vacant stations and still each company keeps on building more and more of them. Would it not seem rather silly if one of the big grocery concerns would lock up and establish a lot of little stores on every other corner and each store only sell one brand of coffee, one of soft drinks, one of canned goods, etc. But, that is what the oil companies are doing.

It is reported that the dealer turnover in retail outlets runs from 30% to 45% each year. And, a good proportion of these dealers lose their investment and leave broke.

Our Congressmen will vote billions of dollars to give away to a lot of people and countries who only want to have more given them. All that the small independent businessman wants is a chance of an equal opportunity to work hard with long hours, be his own boss and a chance to grow and prosper and not have some larger corporation hireling telling him to do this or that or he will be through. He is not looking for a dole.

At the present time there are two suits pending in California, two in Utah and another brought by a Jobber's Association of Houston, Texas against Major Oil Companies. Note the attached clipping.

We have all seen the consistent erosion of not only the little independent storekeeper but even the gobbling up of the small chains. And, it is taking place in all lines of business, the big ones eating up the smaller ones. And, they say that that is free enterprise.

Take the matter of mergers that have been running rampant this past couple of years where one company will buy up another where there is not the slightest similarity of the manufactured products. Just the case of the big swallowing up the small. As an example, the Montgomery Ward Company purchased a cement pipe manufacturing company 30 days ago.

Why should not the large grocery concern be limited to selling groceries and not just skim the cream off a half dozen other businesses. The same idea could be applied to many other large businesses.

It has been stated many times that it was small business that made our country. So why destroy it now? And, did not all these mammoth concerns that we have today start out as small business? There is enough for everybody if all are given an equal chance.

The Small Business Committees and other government bodies have held hearing after hearing and still nothing concrete has been accomplished that will put small business on an equal footing with large concerns.

We have only touched on a few of the inequalities that are stifling small independent business. There are many more. And so, we beg for help from the Congress and other government bureaus in bringing about a solution. The prohibiting of Dual Marketing, it would seem, would be a good start.

FORMER CEA CHAIRMAN KEYSERLING: HOW TO MAKE PROSPERITY LAST

Mr. PROXMIRE. Mr. President, I invite the attention of the Senate to the second article in the UPI series entitled "How To Make Prosperity Last." Today the current record of economic expansion becomes the longest in the Nation's history, and UPI has chosen this occasion to obtain the views of the present and former Chairman of the Council of Economic Advisers on how to make this longest period of prosperity continue.

Today's article is written by Dr. Leon H. Keyserling, who was the second Chairman of the Council of Economic Advisers, serving from 1949 to 1953. Dr. Keyserling, who is a lawyer as well as an economist, has had a long and distinguished record of public service. Prior to joining the Council of Economic Advisers, he served as General Counsel and Acting Administrator of the U.S. Housing Authority and the Federal Public Housing Authority. Later he became General Counsel of the National Housing Agency. He has also had experience in the legislative branch, serving as legislative assistant to the late Senator Robert F. Wagner. Since 1954, he has held the position of president of the Conference of Economic Progress, in addition to his work as an economic consultant.

The main thrust of Dr. Keyserling's article is that, despite the record stretch of prosperity, the performance of the U.S. economy is still well below its potential. I fully agree with this emphasis on the underutilization of our resources. As he states, capacity utilization is at a low level—actually below the 85 percent figure he uses; unemployment has risen to 4 percent—a level which is particularly unacceptable in view of the much higher rates this means for our disadvantaged groups; and real economic growth is seriously lagging at an annual rate of less than 3 percent.

Dr. Keyserling also stresses the need to set long-range goals for full resource use. I strongly support his call for a better ordering and evaluation of our national priorities.

However, I cannot fully accept his proposals for remedying our present deficiencies. His call for a major reallocation of saving toward public investment could actually slow down our rate of economic growth, if we do not show improvement in our methods of evaluating public projects. Clearly, we need to push forward with investment in poverty programs and other human resource areas which Dr. Keyserling mentions. However, there are many areas of government expenditure which can and should be cut back before we even consider expanding the public sector. We will hardly achieve Dr. Keyserling's objective if we continue to pour money into low return projects, such as many public works projects.

Mr. President, I ask unanimous consent that Dr. Keyserling's stimulating article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

How To Make Prosperity Last, II—Close GNP Gap, Keyserling Says

(Editor's Note.—The current record-breaking expansion has been "inadequate." That's how the second Chairman of the President's Council of Economic Advisors—1949 to 1953—sizes up the nation's prosperity. Leon H. Keyserling is now a consulting economist, attorney and president of the Conference on Economic Progress in Washington. In the following article written for United Press International, the second of five by council chairmen past and present, he outlines his concern.)

(By Leon H. Keyserling, former Chairman, Council of Economic Advisers)

The "new economics" has claimed excessive credit for the long expansion, this expansion has been inadequate, and needed Keynesian corrective measures have not yet been tried.

We have failed since 1953 to restore reasonably full resource use. Four per cent unemployment means unemployment three times as high among vulnerable groups and ten times as high in some urban areas. Coupling this with 85 per cent plant utilization, and the productivity-gain potential and labor-force participation at reasonably full resource use, I estimate A GNP "GAP" now at an annual rate of about 40 billion dollars. This is intolerable, with heavy international burdens and ominous unmet domestic needs.

KEY POLICY

The key policy of the "new economics" was the 1964 massive tax reduction, which can claim no credit for the inadequate upturn from 1961-1964. From late 1964 to early 1966, the shot-in-the-arm "worked." But 1st quarter 1966-3rd quarter 1967 evidenced stagnation; the real annual economic growth rate fell to 2.7 per cent. Forecasters estimate a dangerously low real growth rate of 3-4 per cent through 1968.

Keynes observed excessive saving for private investment relative to ultimate demand. He urged reallocation of saving toward public investment in priority needs, plus other measures to improve income distribution. Developments during the eleven years prior to 1964 called for this remedy.

But the 1964 tax cuts, while stimulative for a short time, increased the imbalance between private investment and ultimate demand and worsened income distribution. The stagnation-reaction was foreseeable, and we are not yet in the clear.

The anti-Keynesian major emphasis upon tax reduction rather than increased public outlays ignored the core purpose of the Federal budget: to allocate to public priorities an appropriate portion of potential output at reasonably full resource use. Only thereafter can tax policy be rational.

UPSIDE-DOWN APPROACH

The upside-down approach crippled our attack upon poverty, inadequate educational and health services, festering ghettos and decaying cities, obsolescent mass transportation, poisoned airs and water, and deficient natural resource development.

If tax reductions instead of increased priority-spending were "acceptable" in 1964 to stimulate the economy, then massive cuts in priority-spending rather than tax increases are "acceptable" in 1967 to restrain it. Today, the "new economics" is hoisted on its own petard.

Erroneous analysis of inflation damages growth and priorities. Trends 1953–1967 indicate a negative correlation between (A) the rate of economic growth and proximity to full employment and (B) the rate of inflation.

The average annual rate of real economic growth and consumer price increases, respectively, have been: 1955–1958, 0.8 per cent and 2.6 per cent; 1960–1966, 5.0 per cent and 1.6 per cent; 1st quarter 1966–3rd quarter, 2.7 per cent and 3.2 per cent. In any event, to seek minor improvement in price stability by sacrificing growth and priorities is a very bad bargain.

The "new economics" resignation to scandalously rising interest rates is deplorable. The argument that tax increases now, even if economically undesirable, are essential to prevent further credit stringency and still higher interest rates would be true only if the Federal Reserve Board failed again to support as it should the Government's economic policy.

We need to set long-range goals for full resource use, optimum growth, and priorities, and adjust policies to them. This mandate of the Employment Act of 1946 has recently been honored in the breach.

CHAD McCLELLAN'S EFFORTS TO MEET UNEMPLOYMENT IN LOS ANGELES

Mr. KUCHEL. Mr. President, I long have contended that the vast resources of private enterprise must be used in meeting the growing problem of unemployment in this Nation. In July of this year, I coauthored a proposal—S. 2088—to provide incentives for the creation by private enterprise of jobs for the residents of urban poverty areas. The fact that this approach can work has been proven over and over again.

In Los Angeles, following the tragic riots of 1965, a distinguished American, Mr. Chad McClellan, a former Assistant Secretary of Commerce in the Eisenhower administration and a longtime Los Angeles business leader, took charge of a community effort to line up jobs for the chronically unemployed Negroes from the riot area. His efforts to open new jobs for Negroes and to make job training and placement programs mesh with the needs of local employers have attracted widespread attention.

In an article published in today's Wall Street Journal, the outstanding efforts of Mr. McClellan in this area are clearly summarized. I believe his work can serve as an example to the rest of the Nation of what can be accomplished when the initiative and enterprise of the American people are put to the task of improving our society.

Mr. President, I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Private Poverty War: A Retired Businessman Prods Firms To Recruit in Los Angeles Ghetto—Chad McClellan, Once Head of NAM, Goes to the Top To Change Hiring Policies—But Some Question Impact

(By Paul E. Steiger)

Los Angeles.—H. C. (Chad) McClellan is probably the only former president of the National Association of Manufacturers to have a framed "thank you" letter from a black nationalist hanging on his study wall.

Mr. McClellan calls the letter one of his "prized posessions." And well he might, for it symbolizes his success in an unlikely retirement endeavor. As befits a former NAM head, Chad McClellan wears conservative pin-striped suits, winces at the word "welfare" and argues forcefully that businessmen should not be asked to sacrifice profits in the name of public service. Yet, at 70, he is making a national name for himself as, of all things, a poverty fighter.

In 1965, while the ashes of buildings that were burned in the Los Angeles Negro riots still smoldered, Mr. McClellan took charge of a community effort to line up jobs for chronically unemployed Negroes from the riot area. He began with an asset few, if any, other poverty fighters can boast: His background as NAM head, Assistant Secretary of Commerce in the Eisenhower Administration and long-time Los Angeles business leader assures him easy entry to the offices of top executives of the city's major employers. McClellan, a millionaire who bought a $10,000 paint company in 1927 and parlayed it into a fortune by 1962, when he sold out, says: "I have a faculty for getting in where the action is and shaking things up a bit."

FRIENDLY PERSUASION

Last spring, for example, he barged in on an old friend, the president of a large Los Angeles manufacturing company, and after a heated argument, persuaded him to hire more than 200 Negroes for jobs on the assembly line. Mr. McClellan says the company's personnel director had refused to recruit Negroes for work on the line because the president, a man of outspoken opinions, had frequently proclaimed them lazy and irresponsible.

Mr. McClellan's efforts to open new jobs for Negroes and to make job training and placement program mesh with the needs of local employers have attracted widespread attention. New York Gov. Nelson Rockefeller has asked Mr. McClellan to make his antipoverty technique available to urban leaders elsewhere. On a recent visit to Los Angeles, Michigan Gov. George Romney talked at length with Mr. McClellan about the Californian's efforts and about a similar program now starting in Detroit.

California's Gov. Ronald Reagan is urging the creation of programs like Mr. McClellan's in other California communities, and Mr. McClellan recently flew to San Francisco to enlist the support of the chairman of one of the largest corporations on the West Coast. "It took me 45 minutes to convince him that it's not a do-gooder program," says Mr. McClellan. Just an hour after their discussion the executive was sitting at a lunch table with Mr. McClellan, helping to persuade several other captains of San Francisco industry to join in supporting the effort.

Mr. McClellan uses the same basic approach whether he's addressing an assembly of a hundred company presidents or lecturing a single, skeptical personnel chief. "I don't want you to hire anyone because he's black, or because he's from Watts, or because you sympathize with him. That's discrimination, and I oppose it," he tells them. "I want you to do it because it's good business."

CREATING A MARKET

He brandishes statistical surveys, unemployment figures and Government reports while arguing that putting the chronically unemployed to work will create tremendous new purchasing power and help solve the social problems that currently "have us spending more than $400 million a year on welfare in Los Angeles County alone."

The organization Mr. McClellan uses to conduct his private war on poverty is called the Management Council for Merit Employment, Training and Research. "It doesn't actually place, train or recruit anyone—we just stay awfully close to those who do," says Murray Lewis, its executive director. The Management Council consists of Mr. McClellan, who is its unpaid president, Mr. Lewis and three other full-time staff members, three secretaries and a board of directors composed of more than 20 business leaders. It operates on a budget of $90,000 a year, provided mainly by grants from several private foundations.

An independent, nonprofit public service corporation, it was set up by the Los Angeles Chamber of Commerce even as the riots raged. Mr. McClellan agreed to head it because of a long-standing interest in unemployment problems and because, being a salesman, he "welcomed the challenge."

The effectiveness of Mr. McClellan's efforts to reduce ghetto unemployment is a matter of some dispute. State officials say Negro unemployment in Los Angeles was high before the Management Council started operating and is still high. A Government study of unemployment in nine metropolitan areas, published in August by the Equal Employment Opportunity Commission, showed a recent unemployment rate of 4.4% for all of Los Angeles County but an unemployment rate of 10.7% in Negro ghettos there.

UNCERTAIN IMPACT

Congressman Augustus Hawkins, a Democrat whose district includes much of the riot area, says Mr. McClellan's efforts have had little impact. Stan Myles Jr., a young Negro leader involved in a Federally funded community action program in Watts, says the Management Council so far has aided mainly the ghetto's most employable residents—men between the ages of 21 and 35 who have previous job experience and relatively clean police records "McClellan isn't reaching the hard core yet," says Mr. Myles.

But personnel men from scores of Los Angeles companies currently recruiting workers in the riot area, along with officials managing numerous state and Federal poverty programs, say the Management Council's efforts are indeed paying off. They insist that the McClellan group has greatly speeded the community's attack on chronic unemployment. Frank Cassell, former director of the U.S. Employment Service and now a steel company executive, says: "The kind of work McClellan is doing you just can't buy."

Truman Jacques, supervisor of the state employment center in Watts, declares that "without McClellan, I don't think we would have made much impact at all." To convince unemployed Negroes they had a real chance of landing a job, says Mr. Jacques, Mr. McClellan persuaded dozens of the city's biggest employers to start sending recruiters to the Watts center within a few weeks after the riots.

By going into the ghetto to hire employes, recruiters get a different picture of job applicants, says Mr. Jacques. For example, he says, "An employer says he's interested in men who are honest and dependable, and along comes a guy with a record of three arrests, two convictions and no previous job references—the recruiter's first reaction is obvious. But if he's told the applicant's arrests were for parking tickets he couldn't afford to pay and for a disturbing-the-peace complaint five years ago, he feels a little better—and he's ready to think about hiring the man."

A recruiter who visits the employment center in Watts is asked to flip through selected files of employment application forms and select several job candidates who appear suitable, then return a few days later to interview them. In the meantime, an employment counselor summons the job candidates and coaches them on what the recruiter will expect in the way of appearance and manners during the interview.

"They're told that if they're not ready to live up to those expectations, that's okay. But they're asked not to show up looking wild and spoil it for everyone else," says Mr. Jacques. If all goes well, the returning recruiters frequently hire several applicants on the spot. Once they see their neighbors being signed on by major companies, Mr. Jacques says, other Negroes "can no longer tell themselves it's impossible for them."

PRODDING A PRESIDENT

The Management Council keeps in close touch with the Watts employment center and keeps prodding employers to recruit in the ghetto. Mr. McClellan takes a personal interest in such recruiting efforts. When one company's representatives failed to keep an appointment at the Watts center recently, Mr. McClellan promptly phoned the firm's president to complain. The president had the company's personnel director on the carpet that afternoon, and the next day the recruiters assigned to Watts showed up at the center.

Mr. McClellan goes to the top when he's dealing with Federal officials, too. Last May he visited Vice President Hubert Humphrey, who has been serving as the Administration's top antipoverty troubleshooter, to ask about a planned Federal program designed to pour $7.5 million into Los Angeles for a crash effort to place unskilled Negroes in jobs. Mr. McClellan said he opposed the plan, and Mr. Humphrey put him in touch with Stanley Ruttenberg, an Assistant Secretary of Labor, who is in charge of all Federal manpower programs.

Mr. Ruttenberg flew to Los Angeles to discuss the matter, and Mr. McClellan explained that local businessmen felt the proposed program would pressure them into hiring unqualified people whom they would soon have to fire. Mr. McClellan said that many of those residents of the riot area who possessed the basic skills needed for "entry level" jobs had already been hired, and he warned that pushing too many untrained people into jobs could frustrate both employe and employer. Mr. Ruttenberg agreed and arranged to transfer $1.5 million of the funds allocated for the project to provide additional support for four job training centers in the Los Angeles area.

UNWANTED UPHOLSTERERS

Last winter staffers of Mr. McClellan's Management Council had difficulty finding employers who would agree to hire students graduating from special Federally financed auto upholstery classes in Los Angeles. Phone calls to nearby auto assembly plants disclosed that the auto makers ship in ready-made seats instead of doing upholstery work in local plants. Another phone call, this time to state officials who were administering the auto upholstery classes, led to a sharp cutback in the training. Many of the upholsterers were placed in assembly line jobs at aircraft plants.

Although he insists, "I've got no zeal for public service," Mr. McClellan spends most of his days and many of his nights fighting poverty. He relaxes by growing orchids in two small greenhouses behind his home in San Marino, but he has few other diversions.

His antipoverty efforts aren't confined to finding jobs. In May, he stepped in to assist a community improvement project in Watts. Negro neighborhood groups had planned to paint 200 houses scattered throughout south central Los Angeles and had asked the city's Paint, Varnish and Lacquer Association, a trade group, to help. The paint makers first offered to contribute a total of $200 to the project, but Mr. McClellan persuaded them to provide about $8,000 worth of supplies—900 gallons of paint and 100 brushes—enough to paint 100 houses. He talked the Negro leaders into concentrating their efforts on 100 houses within a square-mile area for maximum impact and persuaded a civic organization to supply 100 shrubs.

This summer he also helped arrange negotiations between the finance officers of 17 major industrial concerns and a committee of Negro bankers who were seeking deposits that would enable them to make loans to riot-area residents for rebuilding projects. The finance officers immediately agreed to deposit more than $400,000, and more has been promised.

Some of Mr. McClellan's critics would like to see more of his efforts directed at projects within the ghetto, including creation of jobs in Watts itself. Says an employment specialist on the staff of a U.S. Senator: "You'll never be able to rehabilitate the area until you start putting jobs back into it, instead of yanking the best people out and placing them in jobs across town."

But Mr. McClellan shrugs off such criticism. Raising his bushy eyebrows high over his frameless spectacles, he smiles and points to the black nationalist's letter praising a particular Management Council project. It hangs between two letters of commendation he received from President Eisenhower for solving a threatened trade crisis with Japan in 1956 and for organizing the 1958 American National Exhibition in Moscow. The letter from the black nationalist reads: "I am not laying claim to any love for you or for any other white people. I am just trying to thank you for a job you did and did exceptionally well. . . ."

DURABLE ORDER DECLINE AGAIN WEAKENS CASE FOR TAX HIKE

Mr. PROXMIRE. Mr. President, once again a leading indicator points down for our economy not up. For the third month in a row durable good orders are down. This is not an isolated indicator. A preponderance of economic statistics that in the past have foreshadowed the condition of business in the country point down and have pointed in the negative direction for several months.

This morning's Washington Post contains an excellent editorial contending that this development and others sharply contradict the administration arguments for a tax increase designed to slow economic activity, to retard economic growth, to diminish the availability of jobs, and to increase the utilization of plant capacity.

I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Durable Orders Decline

Perhaps the advanced report on new factory orders for durable goods won't shake the faith of the Administration economists who see only an overheated economy in the immediate future. But it should. New orders have declined for the third consecutive month. And this time the onus can't be placed on the Ford strike, that convenient culprit for all the news that doesn't fit the standard forecast.

New orders for durable goods are a reliable leading indicator of business activity. In September the seasonally adjusted total was $22.6 billion, $.8 billion below August and $1.7 billion below June. And what is particularly significant about the September drop is that only half of it can be ascribed to the Ford strike, if indeed that much. The separate estimate for new orders that excludes "transportation equipment"—a broad category that encompasses the automobile industry—indicates a $.4 billion decline in new orders. If the demand for goods and services were about to become excessive, as proponents of higher taxes insist, new orders for durables should now be far in excess of the September 1966 peak of $25.3 billion and orders for machine tools would be rising instead of falling sharply.

When it was announced that the gross national product rose by $15 billion in the third quarter, anonymous Administration economists averred that it would have risen by $17 billion in the absence of the Ford strike. But that estimate of a $2 billion loss is grossly inflated, especially in light of the decline in new orders for durables. Nor should it be assumed, as many press commentators did, that the

Ford strike was the sole cause for the September decline in the industrial production index.

What the behavior of new orders for durables suggests is a bumpy economic recovery, one that will fall far short of adding $20 billion a quarter to the GNP, the figure used by a member of the Council of Economic Advisers in plumping for higher taxes. The expansion will continue, but at a more moderate pace. And if there is a forecast to be made at this juncture, it is that those forecasters who were predicting a boom with confidence will soon begin to retreat from an exposed position.

A DEGREE OF CREDIBILITY

Mr. PERCY. Mr. President, Mr. Andrew Heiskell, chairman of the board of Time, Inc., and cochairman of the Urban Coalition, has made a presentation on the responsibility of the private sector to involve itself in our urban problems which is exceptional for its clear and balanced approach to a subject which is noted for its complexity.

In a speech before the Magazine Publishers Association, Inc., Mr. Heiskell presented some meaningful actions the more affluent members of our society may take, rather than only an uneasy escape to suburbia. This follows the hard logic that unless we find some means to attack the causes of civil unrest our entire society faces erosion. Mr. Heiskell says:

> We obviously can't rebuild the cities in the short haul, but we can, by being serious, establish a degree of credibility that will give us the time to do the other jobs.

Recognizing that one important cause for the civil disturbances which have plagued our Nation is the deeply rooted fear of the poverty stricken that they are forgotten members of a wealthy society, Mr. Heiskell sets forth provocative proposals for business and labor which will demonstrate their willingness to work together to understand and attack the problems of the poor. I hope that each Member of this body will find Mr. Heiskell's thoughts as challenging and thought provoking as did I. I echo Mr. Heiskell's sentiments that we do possess the resources to solve our problems. Let us find the will and the way to do so.

I ask unanimous consent that Mr. Heiskell's address be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

The City at Bay

(An address by Andrew Heiskell, Chairman of the Board of Directors, Time, Inc., to the Magazine Publishers Association, New York City, September 19, 1967)

I was reflecting on what I should say here today and came up with two rather discouraging conclusions. My first thought was that you know a lot about the cities and of their problems and, therefore, why should you have someone get up and tell you that which you already know? However, if it is true that you know it, then I may well have the right to ask you how come the cities are in that bad shape?

My second discouraging conclusion was that you didn't know very much about the cities, and, if that is true, then we've got a severe problem because it's later than you think. We need to know. We don't have much time.

Suddenly all of us have a feeling, an uncomfortable feeling, about the cities that I guess all of us here are living in, except for those of us who live in the suburbs and think that we are escaping the cities—not for long. Suddenly we realize that there is something that must be done, and we don't know what it is and how to do it.

And indeed we are right, because the cities have become unmanageable, and it's going to be up to all of us to figure out how we can get the cities under control once again. You know the reasons they're unmanageable. By and large the very management structure of the cities is obsolete, the communications are poor. Just think of New York City! Unless you've been raped, or your house is burning down, you don't know where to go. The only place you can go is to City Hall. Who in Bedford-Stuyvesant or Harlem is going to go to City Hall? It's farther than San Francisco for them.

The cities are unmanageable because most of us, and the many millions of others, have over the course of the years decided that the managing of the city was none of our responsibility. In the old days, in the small towns, every individual had a concern for his town; had an understanding for his town, and, indeed, most people saw the problem from the same vantage point. But today we live in the age of specialization, and specialization is not just something for scientists, or that you can attribute to artists, or to editors, or to advertising salesmen. Specialization has gone all the way to the top.

Most corporation presidents think of themselves as being quite broad in their views. So do labor leaders. So do mayors. The plain fact is that while they may be generalists in their particular line, they are specialists when it comes to dealing with our urban civilization. They look at it from their vantage point and don't understand the other fellow's vantage point. This, again, is something that cannot continue.

The other and most obvious reason why cities have become unmanageable is, to put it bluntly, that in the last fifteen years five million underprivileged, mostly Negroes, have been driven out of the South and into our cities. I must say it has been a great revenge for the South. But how can the mayor be held responsible for that problem? Is he supposed to be the one and only man who can take care of it? Are the city finances going to be adequate to take care of a problem that far exceeds the size and grasp of the city's management and of its finances? And, by the way, to the five million you should add four million of Spanish descent who have also moved into our big cities, all into the cores.

I've been in this field for quite a few years. Until recently I took the attitude that if we all worked very hard in 25 years we could change the tide. I was expressing this view a month or so ago to our editor-in-chief, Hedley Donovan, as we were talking about what had happened in the cities. Donovan said, "What do you mean, 25 years?"

I looked a little baffled. He said, "Society will not take it for more than three to five years." I reflected on this, and it's true. You cannot have the rioting in city after city every summer without very shortly finding that the entire machine of government starts to erode.

It has started to erode. Small example: when the telephone repairman refuses to go into certain areas without a guard—in effect, another repairman, but he's still a guard. You've seen the firemen in many of the cities this summer having to be protected by the police. This is not something that can go on. It will not be allowed to go on, and you know what the alternatives are. Either we solve the problem, or you will start a wave of repression that all of us here will live to regret.

But, obviously, you can't do the whole job in three to five years. Well, what can we do? I believe most importantly what we can do, if we really try, is to try to achieve a degree of credibility that is now nonexistent. They—the underprivileged—do not believe that we're serious. Until they do believe that we're serious we're going to have trouble. We obviously can't rebuild the cities in the short haul, but we can, by being serious, establish a degree of credibility that will give us the time to do the other jobs.

First in terms of credibility is to achieve a degree of communication. By and large the gap between the underprivileged and those of us here, and the others like us, has broadened just as the gap between the underprivileged nations and the developed nations has broadened. It can be done. We've seen the examples.

The other day I went up to visit the Dirty Dozen—that's what they call themselves. They work three blocks, 110th to 112th Streets in Harlem. Because we were able to collect some free money from corporations this summer for the summer Youth Program in New York, we were able to set up some Youth Councils. This group, the Dirty Dozen—very few of them have graduated from high school, several are dope fiends, most of them have juvenile or jail records—have done a job in those three blocks so that you know there will not be trouble there. They have learned to deal with the police and the police with them. The police in that area no longer haul in juvenile delinquents to the precinct or the courthouse where they'll get a record. They take them to the storefront where our Dirty Dozen work them over a bit, get their parents in, talk to them—talk to them in their terms.

And one of the things we've got to learn is to talk in their terms. Their values are different. They aren't going to adapt to ours overnight. We're going to have to adapt to theirs. We're going to have to learn to talk the right language.

We're going to have to learn to understand, and to rid ourselves of the many prejudices that we don't even know we have within us. Let me quote from Whitney Young, from what he said at the meeting of the Urban Coalition.

"The tasks that you take on will not be easy. The numbers of the oppressors continue to mount, strangely enough, among those who themselves are but one generation removed from welfare, who are the most callous, the most indifferent, the most unsympathetic to the plight of those who have been left behind. What is needed here is leadership. Our big enemy is still silence and indifference and apathy.

"One of my colleagues in the Urban League, Bill Burry, said, Maybe we need a new cliche. Law and order may not be what we're talking about at all and may be a completely unrealistic concept. Hitler managed to bring about the greatest order known to men with his Storm Troopers and his Gestapo. After having accomplished that feat in bringing about order, he proceeded to use it to exterminate six million Jews.

"We are not after order. We are after justice; it is law and justice. Without justice we neither will have, nor do we deserve, order. If we can but bring ourselves to be aroused about the inciting material and climate found in our company as we are with the inciters, then we need not worry about the inciters."

Mr. Young continues: "Rap Brown did not cause unemployment in the country. Rap Brown did not put Negroes in ghettos. Rap Brown did not perpetuate upon Negroes inferior education. This was done by other people in the society, and it is to the other people that we must look rather than seek the excuses of the excesses of a handful of people found among Negroes.

"If white America, with all of its power—Army, Navy, Air Force and all the important offices in the country—have not been able to suppress the crackpots among the white society—the Klan and all the other people—how do you expect us with limited power and no resources to eliminate any crackpots from our midst?"

Says Whitney Young: "I insist that the Negro has as much right to have his extremists as anybody else. If some of you are getting upset looking at Negroes who are acting ugly, I submit to you I have been long upset looking at white people acting ugly. It is criminal to loot, to snipe. It is criminal to riot. But it is equally criminal not to hire a man because of his color, not to let him live in your neighborhood."

Can we do it? We have the means. The only question is whether we have the will. And on that, I'd like to give you one more quote. U Thant in a speech recently said: "The truth, the central, stupendous truth about developed countries today is that they can have, in anything but the shortest run, the kind and scale of resources they decide to have. It is no longer resources that limit decisions. It is the decision that makes the resources. This is a fundamental revolutionary change, perhaps the most revolutionary mankind has ever known."

The will, the decision. That's what we must achieve.

Now let's talk a minute about priorities. We spent a lot of time thinking about it and it's become perfectly clear that the first priority is jobs, jobs for those that most of us would say are not capable of working for our companies. So that's a pretty tough order. But we're going to have to break down the standards that we have, the rules about jobs, break down the jobs so that we can hire those who just have to have jobs.

Secondly, we are to go after education. I mentioned the difference in values. One of the boys in the Dirty Dozen said to me the other day, "Look, this is the picture. They show a 5-year old here and they say, 'All right, point out Daddy,' and the child says, 'There's no Daddy.'" Well, what there is, is a man in nicely creased pants, jacket, tie, hat, carrying a briefcase. To those children this is not Daddy. We have to learn to adapt to the values that exist.

Finally, we have to go after housing, but that's a long, long way ahead. We can do it but we're going to do it over the years.

Let me just address myself for a minute to the practical steps. I would suggest, urgently suggest, that every corporation would consider hiring for every 100 men on its force one man who clearly meets none of the qualifications, none of the usual standards.

I would suggest that having done this for a year—and obviously most companies are going to be hiring more than one—they report on what their problems were, how it can work, what kind of subsidies may be required in order to make it work on a nationwide basis.

I would suggest to the unions that they must open their ranks. Many of them are, many of them are not. I would suggest to the unions that they too should see what they can do on the 1 to 100 ratio in bringing in people who clearly do not fit their standards.

I would suggest to the unions that they have a great possibility in terms of communicating with many of the people whose prejudices are strong. After all, through no fault of the unions, they do have within their membership those who last climbed the ladder out of the depth, and it is unfortunately those who most resist the next group that wants to climb the ladder.

I would suggest to foundations—because money will be needed, not just governmental money; there's need for much free money—that perhaps for the next three years they should set aside one-third of their available money for short-term programs in this field.

Lastly, and most importantly, I would suggest that every city have its own Urban Coalition, because it's only if all the forces work together that these problems can be licked. Working separately they will not be licked.

Working together is going to be very hard for the reason I mentioned earlier—we don't understand each other. But we simply are going to have to learn to understand each other, and work together to solve these problems. And that means many of you.

What can you do here? Well, mostly, what can your editors do? After all, the magazines have spearheaded every major change that has taken place in the country. It is magazines that have dealt with the problems, that have fought them out, that have promoted the causes. So I suggest here that the magazines take this on as they've taken on so many other problems, and see what they can do.

STOP OIL SHALE STEAL

Mr. PROXMIRE. Mr. President, there has been a good deal of public attention given to the issue of oil shale in recent months—I might add, for good reason. Basically what is involved is a tremendous public asset measuring in the trillions of dollars. Although oil shale has not been competitive with oil in the past, the greatly improved prospects for deriving oil from the shale, because of improved technology, and the desirability of adding to reserve, has created a leasing boom. From what I see and hear, the present public policy has given rise to great danger that public assets will be dissipated, and that private speculators will be able to make huge profits at public expense.

An item in today's Wall Street Journal relates that a former Interior Department employee has been quietly acquiring old shale mining claims and is now getting rich from leasing them. He has optioned an outright purchase of 20,000 acres for $40 million. The story goes on to say that about 15 percent of the Nation's shale acreage is privately held, and that possibly as much as 25 percent of the shale is subject to doubt because of clouded mining claims and confusion over leasing. It terms the competition to acquire shale land "fierce."

Mr. President, this highlights the tremendous importance of developing an adequate public policy for the management and development of our oil shale resources. There is absolutely no excuse for the situation that the Wall Street Journal describes. It is up to the Congress to decide how this incredibly valuable asset should be managed.

Tremendous as the problem is, it is but one of many issues involved in the question of our energy resources and our policies respecting them. In the near future, I intend to take up with my associates on the Joint Economic Committee the urgent need for a broad study of our energy resources, their relation to our economy and its growth, and the requirements for a more intelligent and more rational policy for managing these resources. In my opinion, it is one of the crucial public policy questions facing this Nation, and we cannot afford to defer it without substantial loss in terms of our growth and our welfare.

Mr. President, I ask unanimous consent that this article from the Wall Street Journal be placed in the Record at this point, together with a lead article from the same paper reporting on the general oil shale situation.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Wall Street Journal, Nov. 1, 1967]

Who Gets the Shale?—Oil Industry and Foes Square Off in Battle for Vast, Rich Fields—Government, Which Owns Best Land, Should Develop It, Opponents of Firms Say—The Prize: Up to $3.5 Trillion

(By James C. Tanner)

Grand Junction, Colo.—Oil shale, the rock that burns, is generating a red-hot war of words.

The key dispute: Should the energy bonanza locked in the western slope of the Rocky Mountains be tapped by Uncle Sam, possibly through a quasi-public corporation like Comsat, or by private enterprise, chiefly the oil companies?

At stake is the world's largest-known oil deposit worth, according to some estimates, up to $3.5 trillion—more than four times the gross national product of the United States. Technically, oil shale is neither oil nor shale. The "oil" is mined, not pumped, from the "shale," which is actually rock streaked with a coal-like solid hydrocarbon known as kerogen. Through super heat, a liquid with the properties of petroleum can be wrung from kerogen. The synthetic is called shale oil, and it can be refined into gasoline and other fuels.

It has long been known that the craggy cliffs where Colorado, Utah and Wyoming meet hold enormous deposits of kerogen and other minerals. Rocky Mountain Indians and prospectors built fires with the burning rock. It has puzzled and fascinated geologists, speculators—and politicians—for decades.

THE SCRAMBLE IS ON

Oil companies have been generally cool toward shale oil until recently because of the high cost of extracting it. But now, with improved technology promising to lower production costs, the oil companies are scrambling for a share of the shale. The Mideast crisis and other threats to the companies' petroleum production abroad coupled with surging demand and dwindling reserves of conventional oil at home are helping to kindle the firms' interest in the synthetic oil.

The bulk of the 16,000 square miles of shale land, including the richest part, is held by the Federal Government. The oil companies, backed by Western politicians, want to lease this public domain acreage. They also are pressing for tax treatment of shale oil similar to the favored treatment—chiefly the 27.5% depletion allowance granted other oil production.

Without these developments, the oil companies insist, they can't get on with the costly building of a shale oil industry. But they complain bitterly of what they call restrictive Federal policies on shale and procrastination by the Interior Department.

Interior Secretary Stewart Udall is caught in the middle between the oil industry and an equally vociferous group that contends private development of public shale oil could be tantamount of a "giveaway" of a public purse more than rich enough to retire the national debt.

THE OPPOSING FORCES

Key figures in the opposition include economist John Kenneth Galbraith, who, as a member of Mr. Udall's Oil Shale Advisory Board, opposed a leasing policy that would have permitted industry to develop commercial shale oil extraction plants on public lands: Former Democratic Sen. Paul Douglas, the defeated liberal from Illinois who once introduced a bill to reserve all Federal revenue from exploitation of Government shale for a special fund to pay off the national debt; Morris E. Garnsey, economics professor at the University of Colorado and a spokesman for an "oil shale group" made up of several Colorado lawyers and publishers of some smaller newspapers in the state, and several Congressmen.

Some opponents of private development are raising new questions about old but sensitive issues in the oil industry, including its regulatory practices, tax treatment, pricing patterns, profits and political involvement. And charges are being made—though not proved—that oil companies are conspiring with bureaucrats to "steal" the vast untapped shale oil treasure.

A crusading Frederick, Colo., weekly newspaper editor, J. R. Freeman, has drawn wide publicity with claims that his investigations into alleged shale shenanigans set him up as a target for murder. He and others hint darkly of windfall profits and political intrigue rivaling that of the Teapot Dome scandal, which resulted in the conviction of President Harding's Interior Secretary, Albert Fall, of conspiring to grant favorable leases of Western oil reserves to private interests.

Such charges have sparked Congressional hearings, including one by Senator Philip Hart (D., Mich.) and his Antitrust and Monopoly subcommittee. Mr. Udall himself has cited the Teapot Dome scandal as reason enough for U.S. officials to move cautiously in their handling of public shale lands.

Mr. Udall, however, indicates he wants to see development of shale oil begin. In an effort to get things moving, he proposes a tentative lease-research plan that would open up a small part of the public shale lands for private development. This pleases no one.

Fred L. Hartley, president of Union Oil Co. of California, which began investigating shale oil production in 1920, told a Senate Interior Committee hearing last month that Mr. Udall's proposals "are so drafted that no businessman would be likely to risk his time and money in shale oil if he had any reasonable alternative." On the other hand, Economics Professor Garnsey calls Mr. Udall's proposition "much too generous" to the oil companies.

It is, in fact, impossible to please everyone. No matter what happens, for instance, conservationists probably will be unhappy. They fret that either public or private development of the shale would leave vast residues of ash, spoiling much of the majestic grandeur of the high country and polluting its air and streams.

There are still others who suggest all the controversy is for naught. They argue that development of shale oil has been delayed so long that it may already have lost out in the energy race to Canada's Athabasca Tar Sands and other sources that might ultimately supplant conventional petroleum.

Whether all this is only a tempest in a teapot, or another Teapot Dome, the debate is clouding development of shale oil at a time when there's an increasing air of urgency to such a step. Energy experts say that the U.S. may not be able to meet all its liquid hydrocarbon needs from conventional petroleum in coming years and that synthetic oil from shale or coal must fill the gap.

The U.S. Bureau of Mines estimates that the nation's consumption of petroleum will climb to 18 million barrels a day in 1980 from the current 12 million barrels daily. Charles F. Jones, president of Humble Oil & Refining Co., a subsidiary of Standard Oil Co. (New Jersey), says this increase will require the expansion of U.S. liquid hydrocarbon reserves by 72 billion barrels during the next 14 years. As Mr. Jones sees it, this will be no easy task "as evidenced by the fact that during the last 14 years U.S. reserve additions totaled only 48 billion barrels."

Although oil men envision shale oil as only a supplement to conventional petroleum, there are more than ample reserves of Rocky Mountain kerogen to meet the country's entire fuel needs for generations. The exact amount of recoverable reserves, however, is in dispute.

The Bureau of Mines has calculated shale oil reserves as high as two trillion barrels, an estimate used by public-development proponents in their arguments that such a vast national resource should be reserved for public, not private, gain. Shale experts, however, note that much of the reserves aren't rich enough to bother with and that some of the shale oil is at depths too costly to reach. But it's generally agreed that 100 billion to 500 billion or more barrels of oil could be economically processed from the shale. The latter figure exceeds the world's known petroleum reserves.

NEEDED $6.5 BILLION

The oil companies say a flourishing shale oil industry would require huge investments totaling at least as much as has been spent so far in developing U.S. offshore oil and gas production—around $6.5 billion. To be economic, they say, shale plants would have to be big enough to turn out at least 50,000 barrels of oil a day. The probable cost of each: More than $100 million.

Before an installation of that size can be built, the oil companies contend, much additional research and further improvements in technology are necessary to lower production costs. Although costs are coming down, the oil companies add, shale oil still isn't commercially competitive with other fossil fuels, such as petroleum.

Nonetheless, say the oil companies, private enterprise can best supply both the financing and the technological breakthroughs—but only after sharp changes in bureaucratic attitudes toward shale oil, including full-scale leasing of big blocks of public shale to the highest bidders. "What shale oil needs," Union Oil's Mr. Hartley recently told the Rocky Mountain Oil and Gas Association, "is a substantial investment of time, manpower and money, and the creation of an economic climate equivalent to that provided crude oil."

Holdouts for public (or at least quasi-public) development of shale oil hotly dispute this reasoning. They argue:

Exploration costs, which add much to the expense of conventional petroleum, aren't required for shale oil because the kerogen deposits were found and proved out long ago; shale oil has been produced for years in other countries, including Red China and Russia (the city of Leningrad is heated by fuel from shale); production costs are indeed competitive with other fuels, and the substantial shale acreage in private hands is indication enough that the oil companies already could have begun shale production if they really wanted it.

INCREASING RESEARCH

Actually, there has been spasmodic output of shale oil, in minute quantities, since 1860. A few years ago Union Oil processed some 20,000 barrels of shale oil into gasoline and other products, which were marketed through usual fuel channels. But efforts at widespread production generally have been smothered by lush new finds of less-expensive petroleum.

Even so, oil companies now are stepping up their shale research. Humble Oil & Refining Co., for example, has put $15 million into this field. Six oil companies, including Humble, now are phasing out a $7.2 million research project at a former Bureau of Mines shale oil experimental plant near Rifle, Colo., which was reactivated in 1964.

Companies outside the industry are joining the effort, too. Oil Shale Corp., a New York concern formed just to mine shale, expects to be in commercial production by 1970 with a process it has developed. Union Oil has just leased its former experimental site and shale mine in Colorado to Battelle Development Corp., an affiliate of Battelle Memorial Institute, for use in the institute's program of developing a shale-oil extracting process.

Union also is building a $200 million refinery near Chicago that will be capable of processing 70,000 barrels a day of shale oil. If the shale oil isn't available, Union says, the refinery will accommodate tar-sand oil from Canada.

SHALE OIL BOOM HAS BEGUN FOR FORESIGHTED MR. ERTL

BOULDER, COLO.—Tell Ertl is already getting rich from shale oil, even though the boom has not begun.

Mr. Ertl, a former mining engineer with the Bureau of Mines, has long been convinced of the need for a shale oil industry, and years ago he began acquiring old shale mining claims. He put together two sizable blocks for which he is receiving hefty rentals from oil companies, even though the land isn't being used at present except for research.

Only about 15% of the nation's shale acreage is privately held. There's doubt about another 10% to 25% because of clouded mining claims and confusion over leasing. The rest, including the richest portions, is held by the Government. Thus, oil companies are competing fiercely for rights to the land that is currently available.

Purchase prices for the lands were as low as $30 an acre in recent years. Now the price has zoomed. Mr. Ertl, for example, leases 20,000 acres to Shell Oil Co. and has given the company an option to purchase the claim outright. The sale price: $2,000 an acre, or $40 million.

USE OF DULLES INTERATIONAL AIRPORT SHOULD BE INCREASED

Mr. BYRD of Virginia. Mr. President, I wish to echo the sentiments expressed in an editorial published yesterday in the Washington Evening Star:

> There is no earthly reason why Dulles, a magnificently designed facility, should not serve as an entry and exit point for many more international voyagers.

Dulles was built at tremendous cost to the taxpayers, about $110 million. It has been underutilized while other airports such as the John F. Kennedy in New York have become overcrowded.

I agree with the view expressed by the Washington Evening Star that it is highly desirable to substantially increase direct overseas flights from Dulles. Simultaneously, more flights should be shifted from National to Dulles, thus relieving the very congested conditions at National Airport.

Last Friday, for example, the plane on which I was a passenger sat on the runway for an hour and 10 minutes waiting to take off. The inconvenience is not the dominant factor; the main concern, as I see it, is the increasing opportunity for accidents when the conditions become so congested as they have become at National.

The airport was designed for 4 million passengers and is now handling approximately 10 million annually.

Dulles International Airport, on the other hand, handles not many more than 1 million passengers per year.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

Coming of Age

The news that Dulles International Airport will be substantially increasing its direct overseas flights next year, helping travelers avoid the nightmare of stops at John F. Kennedy Airport in New York, is a welcome development.

JFK for too long has enjoyed a near-monopoly as a transit point for airline flights to Europe. The average takeoff and landing delay there is now about 20 minutes, and at peak traffic periods is much longer. Federal Aviation Agency officials say the average delay will double next year.

There is no earthly reason why Dulles, a magnificently designed facility, should not serve as an entry and exit point for many more international voyagers. The airport in fact is frequently used now on an emergency basis by Kennedy-bound planes that must refuel due to bad weather over New York.

According to published reports the number of oversea flights planned for the peak season next year at Dulles will show a 38 percent gain over the 1967 figure. At least one airline is also considering routing its overseas freight direct to Dulles to avoid the mess at Kennedy.

Just this month, airlines increased the total of non-stop and direct flights between Dulles and Europe from 34 to 40, and more will be added next April. It's a trend that ought to be encouraged. Not only will this result in greater comfort for international travelers but it will cut down the risk of air collisions over the saturated Kennedy area.

GUIDELINES FOR A CONSTITUTIONAL CONVENTION

Mr. PROXMIRE. Mr. President, last Monday I appeared before the Subcommittee on Separation of Powers of the Committee on the Judiciary to testify on S. 2307, a bill introduced by the Senator from North Carolina [Mr. Ervin] to provide for orderly procedures in the calling and conduct of a constitutional convention. As I indicated in my testimony, although I am pleased that this issue has been brought out into the open by the Ervin bill, I believe that many changes could be made in the bill to give the people of the 50 States more of a chance to participate in this particular constitutional process.

Today an editorial published in the Washington Post suggests that the Congress should repeal the part of article V of our Constitution which permits the calling of conventions. I agree.

Furthermore, the Post and I, both were explicit in saying, in the words of the editorial, "that each State in such a convention have but one vote determined by a majority of its delegates is a flagrant flouting of democratic principle."

I suggested in my testimony that each State should be represented by a number of delegates equal to its congressional representation and that each of these delegates should receive one vote. Paradoxically, those who have been campaigning for malapportionment under the banner "let the people decide" objected at the hearing to giving the people this kind of power at a convention. The unit vote system simply means that delegates representing 8 percent of the people could determine the type of constitutional amendment or amendments a convention approves.

So that those Senators who are interested in this vital constitutional problem area can have available comments on the Ervin bill, I ask unanimous consent that my testimony and the Post editorial be printed in the Record.

There being no objection, the testimony and editorial were ordered to be printed in the Record, as follows:

Statement of Senator William Proxmire Before the Subcommittee on Separation of Powers of the Senate Judiciary Committee, October 30, 1967

Mr. Chairman, I'm delighted to have an opportunity to present to your subcommittee my comments on S. 2307, your bill to provide procedures for calling federal constitutional conventions to propose amendments to the Constitution. First, I want to commend you for introducing legislation on the subject so that we can begin to come to grips with a very delicate problem—one which has been thrust into the spotlight of public interest by efforts to call a constitutional convention on reapportionment.

It is very, very helpful to have before the Congress legislation that can serve as a welcome basis for a discussion of the problem, although I feel your proposal could be improved, as my testimony will indicate.

In my estimation, one of the prime benefits of an orderly procedure for the calling of a constitutional convention should be the notice such a process will provide that state petitions for a constitutional convention on a particular subject are mounting and that a convention is a definite possibility. Thus we would avoid the type of situation that erupted this spring when The New York Times observed with justification regarding the reapportionment issue that "most of official Washington has been caught by surprise because the state legislative actions have been taken with little fanfare. Most Congressional leaders seemed to be unaware that the effort to convene a constitutional convention was so near its goal."

This attempt to quietly gather petitions for a convention in such a way that the states themselves do not realize the significance of their action was highlighted by a statement in the same Times article that "Senator Dirksen had hoped to keep the progress of the campaign quiet until the end of next week in the hope that two more states would have passed resolutions by then. He then planned to make a dramatic announcement that the requirements for convening a constitutional convention had been met." I believe the fact that not a single state had acted since that March 17 date to petition the Congress on the subject of reapportionment is eloquent testimony to the importance of complete disclosure in this area.

Such disclosure should also prevent the kind of summary treatment petitions for a constitutional convention have received by state legislatures in the past. Certainly the people of Illinois would have urged the Illinois legislature to give more consideration to a reapportionment petition that passed the Illinois House after a suspension of the rules and without hearings had the people known that 26 states already had petitioned the Congress on the same subject. As an editorial in the March 16 Chicago American stated "We only wish (the people) had been given a chance to decide, or even to ask questions, while the legislature was suspending the rules and shutting off debate to hustle this resolution through."

I doubt that the Indiana State Senate would have passed a similar resolution, in the words of the Indianapolis Star, because Senators "did not have enough votes to pass their own 'Kizer plan' on congressional redistricting, and wanted badly to send it to the House to make a record" had those state legislators known of the stakes involved. Finally, I believe it would be much more difficult for state legislators to urge adoption of a convention call resolution on the grounds that "the convention would never be held, but that Congress would get some idea of unrest by the people", as a legislator in my state asserted, if disclosure provisions similar to those contained in the Ervin bill were to become law.

However, I think S. 2307 should be amended to require resolutions calling for a constitutional convention to be transmitted to the United States Congress within 10 days after such a resolution is adopted by a state legislature rather than the 60 days provided by the bill. I also believe such resolutions should be numbered before they are transmitted to the "presiding officer of each House of the legislature of every other State" by the President of the Senate and the Speaker of the House so that states considering similar resolutions can be made aware of the number which have already been passed. I would hope that copies could also be made available to members of both Houses of the United States Congress so that they could be made aware of developments in this area. Finally, I support a clarifying amendment to S. 2307 which would require transmission of copies of these resolutions to the States and the U.S. Congress within 10 days after their receipt.

All of these proposed amendments should work no great hardship on the officials involved. On the other hand, they will insure prompt notice to both State and national legislatures of the progress of efforts to call constitutional conventions.

The bill provides that applications for a constitutional convention shall remain effective for six calendar years. In my estimation, this is too long a period of time in today's quickly changing world. Theodore Sorensen, in a speech made earlier this year, suggested that 34 petitions should be received in the same Congress since Congressional initiation of a Constitutional amendment has to take place in the same Congress. While I feel this requirement is a bit stringent in view of the fact that some state legislatures meet only every other year, a four year requirement makes great sense to me. Each and every one of the amendments to our Constitution have been ratified by the states in less than four years. In my estimation, the states should be given no more time than this for calling a constitutional convention.

Once again, I feel that a reference to the reapportionment experience is in order. Most of the states that petitioned Congress on this subject were malapportioned at the time the petitions were passed. Those states are, by and large, now apportioned fairly. It is quite likely that most of these state legislatures would not now support a reapportionment resolution. Thus the petitions are badly outdated.

I think it is very important to make it clear, as your legislation does, Mr. Chairman, that constitutional conventions will be called upon specific subjects and on the basis of state legislative requests "stating the specific nature of the amendment or amendments to be proposed." I hope that it will be possible for your subcommittee to give careful consideration to the precise meaning of this language and, perhaps, go into the matter in a Committee report should S. 2307 or a similar proposal be reported from the Judiciary Committee. As I read this language, for example, it would rule out three of the 32 reapportionment petitions—those three that would limit the jurisdiction of the courts over reapportionment actions. Clearly there is a substantial difference between a constitutional amendment limiting the jurisdiction of the Federal courts and an amendment reserving to the states the right to apportion one House of their legislatures on a basis other than population.

S. 2307 provides that each state shall have one vote in a constitutional convention, although the number of delegates representing a state at the convention would be equivalent to the number of Representatives the state has in the United States Congress. Each vote shall be cast as the majority of delegates from each state decides. This proposal is in sharp contrast to draft legislation proposed in a House Judiciary Committee staff report back in 1952 which would have given each state a number of votes equal to the number of Senators and Representatives to which the state is entitled in Congress with all votes of a particular state delegation being cast as the majority of the delegation decides.

In my estimation, both of these proposals have serious drawbacks. If each state had one vote in a convention, 26 states representing one-sixth of the population could propose new amendments after 34 states representing 30% of the population had called a convention. This hardly would correspond with the injunction that the proponents of a constitutional convention on reapportionment have used in their campaign that we should "let the people decide." In fact, a very small minority of the people of the United States would be deciding to submit a constitutional amendment to the states. This contrasts sharply with the process that has been followed to date in amending the Constitution—a process in which two-thirds of the House of Representatives, apportioned on a population basis, has to approve any amendment.

On the other hand, the type of bloc-voting approach advocated in the House Staff Report raises all of the many objections that have been discussed in connection with our system for electing Presidents. A state such as New York, which would be entitled to 43 votes at a constitutional convention, could cast all 43 votes for an amendment although 21 members of the delegation opposed the amendment. Of course, a similar objection could also be raised to the approach taken in S. 2307 although only one vote would be at issue.

As an equitable alternative, I propose that each state be permitted a number of delegates at any constitutional convention equivalent to the number of Representatives and Senators the state has in the Congress. However, each delegate, not each state, should have one convention vote. In this way, we would be taking a giant stride toward truly letting the people decide while at the same time recognizing factors other than population by alloting each state a minimum of three votes since each state has at least two Senators and one Representative in the Congress. I also think that it should be made clear that these delegates should be elected by the people of the 50 states, not appointed as S. 2307 would permit. Finally, in my estimation, amendments to the Constitution should be proposed by two-thirds rather than a majority of the votes cast just as two-thirds of both Houses of Congress must approve amendments before they can be submitted to the states.

These, then, are my suggestions for change in S. 2307. They are an attempt to pinpoint some of the problems that go to the heart of the amendatory process. However, they are in no sense meant to be an exhaustive critique of the bill. I'm sure that many additional substantial questions will be raised by the other witnesses testifying on this legislation.

[From the Washington (D.C.) Post, Nov. 1, 1967]

Amendment Controversy

The Senate Judiciary Subcommittee on the Separation of Powers is quite properly focusing attention on the controversy over how the Constitution may be amended. But it ought not to limit its hearing to the highly dubious Ervin bill intended to set up guidelines for a possible constitutional convention to be called by the states. It would be far more useful to talk about the elimination of this Achilles' heel from the charter of 1787.

The Subcommittee's hearings are timely because 32 states have petitioned Congress to call a constitutional convention to undo the Supreme Court's equal-representation rulings. There are many indications that this movement is already dead because the two additional state petitions needed to make a two-thirds majority are not likely to be forthcoming and some of the existing petitions are likely to be rescinded next year. But if the two additional votes should be obtained Congress would be embarrassed by numerous unanswered questions.

The Constitution says that Congress "shall call a convention for proposing amendments" whenever two-thirds of the states request it. Presumably Congress would decide when and where such a convention should be held. But there is nothing to indicate whether Congress could limit the convention to amendments proposed in the petition, whether the petitions would have to be identical, how the convention would vote and so forth. Senator Ervin's bill is an attempt to answer these questions and thus to avoid a period of chaos if two-thirds of the states should ever agree on such a petition, which they have never succeeded in doing in the past. But at least one provision of his bill—that each state in such a convention have but one vote, determined by the majority of its delegates—is a flagrant flouting of democratic principle. Another of his provisions—that Congress could veto amendments proposed by a convention if it should exceed the scope of the mandate given it by Congress—would raise grave questions of constitutionality.

The best thing to do with this alternative method of proposing amendments, which was sandwiched into the Constitution as an afterthought, would be to repeal it. The regular method of having amendments proposed by two-thirds of the Senate and House and ratified by three-fourths of the states has worked well. There is no occasion for deviation from it. Indeed, the idea of changing the Constitution by action of the states alone, with Congress merely arranging details of the meeting, is an absurdity in the present posture of Federal-state relations. If Congress is not ready to wipe out this constitutional defect, the second best course would be to interpret it so strictly that the states would be loath to try to use it.

MOTOR VEHICLE POLLUTION CONTROLS

Mr. MURPHY. Mr. President, an issue of vital importance to the State of California and, indeed, to the entire country will be debated tomorrow in the House. I refer to the effort being made by the members of the California delegation to preserve our State's authority to set our own, more stringent standards for controlling the fumes from automobiles.

When the Senate on July 18 passed the Air Quality Act of 1967, this far-reaching piece of legislation contained an amendment allowing California an exemption from Federal preemption of the field in setting motor vehicle pollution controls. It was my privilege to offer that amendment, and I am grateful that my colleagues on the Committee on Public Works saw fit to grant my request. They did so in recognition of the unique problems and pioneering efforts of California in the air pollution field. They did so in the knowledge that my State desired an exemption not to escape its responsibilities to its citizens but to go forward in the area of air pollution control.

A substitute amendment replaced the Murphy amendment when the Air Quality Act reached the House Commerce Committee, and it is on the question of replacing my amendment that the debate is occurring in the other legislative body today.

Mr. President, as the Los Angeles Times pointed out in an editorial on this subject this week:

> We don't make jokes about our smog anymore. It isn't funny when the president of the County Medical Association reports that 10,000 persons move out of the basin each year because of the air pollution.

Smog is a deadly serious subject in California and particularly in the Los Angeles Basin which has 4 million automobiles spewing out daily 90 percent of the pollution in the air there. I was gratified that my colleagues in the Senate recognized that Californians have been so concerned that our State adopted the first law ever enacted in the United States to control the noxious fumes emanating from cars. As the Los Angeles Times said in its cogent editorial:

> The only reason that manufacturers developed and installed such devices is that California authorities told Detroit that no new cars could be sold in the state unless they met minimum emission standards—no more than 275 parts per million (ppm) of hydrocarbon (unburned gasoline) and no more than 1.5 percent carbon monoxide.

California, Mr. President, has blazed a path for the Nation in the field of air pollution control and all our State desires is the authority to continue its progress. This cannot help but benefit the Nation as a whole, as the Senate wisely recognized. In the report of the Senate Public Works Committee on this subject, the committee said:

> California will continue to be the testing area for such lower standards and should those efforts to achieve lower emission levels be successful it is expected that the Secretary (of Health, Education and Welfare) will, if required to assure protection of the national health and welfare, give serious consideration to strengthening the Federal standards.

I am not a newcomer to the battle against air pollution. When I was a candidate for the U.S. Senate, an integral part of my platform was air pollution control. As a resident of the Los Angeles area for almost 40 years, I have seen this great city grow to its present size and I witnessed the insidious development of smog until we were forced in self-protection to take action.

When I came to the Senate and was named to the Public Works Committee, I had a chance to participate with the distinguished Senator from Maine [Mr. Muskie] in extensive hearings held prior to the writing of the Air Quality Act of 1967. I recall that in 1965 I anticipated the question of Federal preemption and its effect on California's efforts to adopt strong smog-control standards. I pointed out at that time that the subject of Federal preemption should be approached with care since it is obvious that the degree of control needed in one community will vary with the degree of control needed in another.

As the Washington Evening Star pointed out in an editorial Monday:

> In the past 14 years the number of motor vehicles in Los Angeles County alone has increased from two million to nearly four

million. Is anybody seriously arguing that the same problem exists here—and the same minimum controls should be applied—as in, say, North Dakota?

Mr. President, I ask unanimous consent that the Los Angeles Times editorial and a similar editorial published in the Washington Evening Star be printed in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Los Angeles (Calif.) Times, Oct. 30, 1967]

CONGRESS: THE SHOWDOWN ON SMOG

The people of the Los Angeles Basin are sick of the polluted air they must breathe.

And they are sick of the mealy-mouthed members of Congress who think that auto industry profits are more important than public health.

We don't make jokes about our smog any more. It isn't funny when the president of the County Medical Assn. reports that 10,000 persons move out of the basin each year because of the air pollution.

Biggest source by far of these foul fumes is the automobile. Despite the presence of "control" devices on new cars since 1966, auto emissions now cause an estimated 90% of Los Angeles smog.

The only reason that manufacturers developed and installed such devices is that California authorities told Detroit that no new cars could be sold in the state unless they met minimum emission standards—no more than 275 parts per million (ppm) of hydrocarbon (unburned gasoline) and no more than 1.5% carbon monoxide.

Those requirements are not adequate in Southern California as demonstrated last week in the latest smog siege.

They may never become adequate if the House this week does not beat down an outrageous effort to deny California the right to impose more stringent regulations.

The Senate recognized California's special air pollution problems and its pioneering efforts to control auto emissions. By excluding this state from the federal preemption, the Senate helped to assure that auto makers would continue to be goaded into improving control devices.

In the House Commerce Committee, however, that protection was knocked out by an amendment introduced by Rep. John Dingell (D-Detroit) on behalf of the auto industry.

Dingell recently displayed his ignorance of—as well as contempt for—Southern California in a CBS radio debate with Eric Grant, executive officer of the State Motor Vehicle Pollution Control Board. His amendment, said Dingell, would permit Los Angeles to attend to its other air pollution problems, such as "your incinerators . . . your oil wells, your rice field burnings."

The auto industry should have briefed its Congressman better. Backyard incinerators have been outlawed in the county since 1955. And rice field burnings???

However, we do have more than 4 million motor vehicles, and the gases they emit must be controlled if we are to survive.

Seldom have the California congressional delegation and state and local government officials been so united on an issue. Their anger and concern should be shared by House members from every urban state, for no city is now immune from auto-caused pollution.

Leaders of the auto industry should repudiate the infamous Dingell amendment before it is too late.

The health of millions is far more important than inconveniencing Detroit—and every member of the House will be deciding between profits and pollution control when the amendment is put to a vote.

[From the Washington (D.C.) Evening Star, Oct. 30, 1967]

DETROIT'S END RUN

When Detroit auto makers issued a flurry of press releases a few months ago about their development of electric autos, it looked as if the nation had turned a corner in the air pollution war. Here was evidence that the car manufacturers were really serious about helping clear the air.

But a new legislative battle in Congress has stirred misgivings about the sincerity of the industry in this matter. Representative John D. Dingell of Michigan has sponsored an amendment to an air-pollution bill that would seriously undermine the power of California to set its own, more stringent clean-air standards. The Senate previously gave California this right in an amendment by Senator George Murphy.

The Dingell proposal would give the federal government the final say on whether California could have stricter standards for auto exhausts than those for the rest of the country. According to press reports, the Michigan lawmaker's friends in Detroit want to avoid "leap-frogging," that is, a race between the state and the government to see who could tighten standards more.

It's not difficult to see what's behind this amendment. Dingell openly admits the auto industry approached him with the basic idea for the legislation. Evidently Detroit thinks California is overly zealous in battling air pollution, and fears auto makers may have to improve car exhaust devices even more for the nation. California already has enacted a law that will require cleaner fumes from cars in 1970 than federal standards now require.

Well, if ever there was a clear-cut case for states' rights, this is it. California has pioneered in smog control—and with good reason. The health of her citizens is involved. In the past 14 years the number of motor vehicles in Los Angeles County alone has increased from 2 million to nearly 4 million. The state has nearly 10 million cars registered. Is anybody seriously arguing that the same problem exists here—and the same minimum controls should be applied—as in, say, North Dakota?

The Dingell amendment is a piece of special interest legislation. The California delegation is amply justified in opposing it, and the measure should be opposed by every other House member interested in cleaner air.

THE INFLUENCE OF THE MILITARY-INDUSTRIAL COMPLEX ON SOCIETY

Mr. FULBRGHT. Mr. President, an interesting article entitled "Pentagon: World's Mightiest Economic Power," was published in the Arkansas Gazette on October 15. I recommend the article to Senators, and I hope that it might have the effect of stimulating some fresh thinking about the influence of the military-industrial complex on our society. I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

PENTAGON: WORLD'S MIGHTIEST ECONOMIC POWER

Washington.—The mightiest concentration of economic power in the world today is the United States Defense Department.

The extent of its sway almost has doubled since 1961, when President Eisenhower cautioned against "the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex."

Senator Thruston B. Morton (Rep., Ky.), recalling Eisenhower's words, said in a recent speech: "I believe that President Johnson was brainwashed by this power center as early as 1961 when, as vice president, he ventured to Saigon on a factfinding mission."

How great is the Defense Department's influence?

It spends each year more money than the combined annual budgets of several medium-sized nations and more than the net annual income of every corporation in America.

The prosperity, if not survival, of hundreds of industries depends on its business.

It has 470 major installations, and more than 6,000 lesser facilities, in the nation, at least one big one in every state except Vermont and West Virginia.

Its land holdings, 27.6 million acres, are larger in area than the state of Tennessee. The value of real property alone is carried on Pentagon ledgers as $38.4 billion, but some of the figures are unrealistic, reflecting land and building costs of a century or more ago when the property was acquired.

About 5,300 cities and towns have Defense Department projects of one kind or another.

Pentagon decisions can transform whole communities, bringing population explosions to towns such as Marietta, Ga., and dooming others, such as Glasgow, Mont., to obscurity.

Nearly one employed American in 10 owes his job to defense spending.

Politically, the Pentagon's economic power has far-reaching effects. A congressman whose district fails to land fat defense contracts, or loses a major installation, may find himself beaten for re-election. Others with better luck become entrenched in office.

The military-industrial complex cropped up again in Senate debate October 5, when critics of the Vietnam war policies complained that it was dominating United States affairs.

Urging Senate conferees to stand firm on cuts in the United States military aid program, Senator Eugene J. McCarthy (Dem., Minn.), said: "All we in the Senate are trying to do is put some kind of limit on the power of the military-industrial complex to control the foreign policy of this nation."

In an interview off the floor, Senator George D. Aiken (Rep., Vt.), said that some senators from states with big defense industries are being prodded to support the war.

"I don't say they don't believe what they're saying," Aiken said, "but some of our boys are under pressure."

While Aiken didn't elaborate on who was feeling the pressure, or from whence it came, he noted that Kentucky's senators, Morton and John Sherman Cooper, are among the war's opponents, and said: "Kentucky doesn't have much defense industry does it?"

Neither does Aiken's Vermont.

EISENHOWER WARNED OF DANGERS

In his farewell presidential address, Eisenhower noted that "we annually spend on military security alone more than the net income of all United States corporations."

"We must never let the weight of this combination endanger our liberties or democratic processes," he said.

"We should take nothing for granted. Only an alert and knowledgeable citizenry can compel the proper meshing of the huge industrial and military machinery of defense with our peaceful methods and goals, so that security and liberty may prosper together."

That was in January 1951.

In fiscal 1961 defense spending totaled $47.494 billion; corporate profits were $27.245 billion.

The curent defense budget has reached $70 billion a year and is soaring. Corporate profits for 1967 are running at the rate of $46.5 billion.

Defense spending is four times that of General Motors, the world's biggest corporation. GM spent $18.774 billion in 1966. It has

127 plants in 18 states, and last year had 745,000 employes on a payroll of $5.66 billion.

Even if peace comes in Vietnam, most authorities believe huge defense spending, with all its implications, will continue.

In recognition of the growing atomic missile threat from Red China, the Johnson administration has ordered a limited $5 billion antimissile defense system built. Events may force its expansion, at perhaps twice the cost.

The probability of new Communist-inspired rebellions throughout the world probably will force the United States to maintain its ground, naval and air strength well into the future.

The Associated Press exploring the impact of Pentagon economic power, analyzed studies, interviewed federal, congressional and industry experts, and examined typical local situations.

The dimensions of that impact can be glimpsed from bare statistics.

Some 22,000 prime contractors and 100,000 subcontractors enjoy defense business. General Motors lists more than 36,000 firms as suppliers, but estimates that 77 per cent have fewer than 100 employes.

A total of 76 industries, ranging from aircraft to X-ray apparatus, is classed as "defense-oriented." Planemakers and shipbuilders derive more than half their annual income from defense contracts.

Defense-generated employment stands near 4.1 million, up about 1 million in two years. Hundreds of thousands more work in retail businesses that draw nourishment from military bases.

The armed forces have swelled to more than 3,380,000 men, up 700,000 in two years.

Thus, together, the number of Americans in uniform plus those in defense-generated employment account for nearly 10 per cent of the entire labor force of 78 million.

SPENDING EFFECTS WORRY MANY

The size of defense spending and its effects worry many, including Senator William Proxmire (Dem., Wis.) who heads the Senate-House Economic Committee.

"There is no significant check on the ability of a president to secure what defense appropriations he wants," Proxmire said recently.

Congressional reductions each year generally amount to no more than 1 or 2 per cent, he said, and only a few votes can be mustered for significant slashes.

Congressmen who are for economy in general will fight budget cuts that affect a military base or a defense contract that means prosperity for their constituents. These congressmen also are vulnerable to political pressure from administration officials on other legislation.

Aides of several congressmen whose districts have lost bases in Pentagon money-savings drives claimed the administration made no effort to win their votes on legislation as the price of saving those bases.

"If something like that had happened, we would have brought it out in the open immediately," one Republican said.

ALASKA TYPIFIES IMPORTANCE OF BASE

The importance of military bases as an employer was underscored last year by the Pentagon's Economic Impact Studies Division.

In Alaska, with 11 major bases, 8,800 of 90,400 Alaskans in the labor force—nearly 1 in 10—held jobs related to defense activities.

California has 71 major military installations, more than twice as many as any other state, and is an aircraft industry center. Out of 7.5 million California workers, 405,000 were employed in "defense-generated" jobs.

Government economists found that 66 per cent of nearly $37.4 billion in awards in fiscal 1967 were concentrated in 10 states.

California had almost $6.7 billion, or 17.9 per cent. Ranked next were: Texas $3.5 billion, or 9.5 per cent; New York $3.3 billion, or 8.7 per cent; Missouri $2.3 billion, or 6.1 per cent; Connecticut $1.9 billion, or 5.2 per cent.

Pennsylvania $1.65 billion, or 4.4 per cent; Ohio $1.6 billion, or 4.3 per cent; Massachusetts $1.4 billion, or 3.8 per cent; New Jersey $1.2 billion, or 3.3 per cent, and Georgia $1.15 billion, or 3.1 per cent.

DEFENSE IS LIFE OF SOME INDUSTRIES

Defense business is the life-blood of several key industries. For example, the 62 firms in the aerospace field anticipate $26 billion in sales this year. Military business accounts for $15 billion, or 58 per cent. Analysts estimate that 57 per cent of the aerospace industry's 763,000 employes were involved in military contracts in 1965, the last year it was checked.

The electronics and communications industry reaped sales of nearly $20.3 billion last year, or about 41 per cent from defense contracts. In 1965, 22.6 per cent of the industry's 1,087,500 employes were engaged in military production.

The 21 biggest companies in the shipbuilding and ship repair industry had $1.75 billion in Navy vessels and only $543 million in commercial ships under construction at the start of this year, a military margin of better than 3 to 1.

The $625 million in ship repair and conversion last year was split nearly equally between naval and commerical business. Employment stood at 123,300 in 1965, with 54.1 per cent assigned to defense orders.

A CLOSER LOOK AT SPECIFIC AREA

These figures sketch the big picture, but tend to numb comprehension. When the Pentagon's economic influence on a specific area is examined the picture comes into focus.

Take Marietta, for instance.

Lockheed-Georgia Co., a division of Lockheed Aircraft Corporation, and the largest single industrial firm in the Southeast, is in Marietta.

Ninety per cent of Lockheed-Georgia's business is for defense, including a $1.4 billion contract to develop and build the world's biggest plane, the C–5A military transport.

Lockheed-Georgia pays $200 million a year to 26,000 workers who are drawn from 55 of Georgia's 159 counties. A large part of them live in Marietta and surrounding Cobb County.

Leonard A. Gilbert, executive director of the Marietta Chamber of Commerce, said Lockheed "has made an urban county out of Cobb County."

The impact of Lockheed-Georgia on Marietta's economy "is almost immeasurable," said Mayor Howard Atherton. Last year, the company spent $113 million with about 1,720 suppliers, many of them small businesses and many of them in Georgia.

Now consider the agony of Glasgow, Mont., population about 5,000, that is soon to lose a $100 million Strategic Air Command base, finished only seven years ago.

The Pentagon's increasing reliance on missiles, rather than bombers, led to the decision to close Glasgow Air Force Base.

It was announced by Defense Secretary Robert S. McNamara November 19, 1964.

Since then, leaders of the community and the state have been fighting to reverse that decision, but shutdown still is scheduled for next July 1. About 3,500 Air Force men and 4,300 of their dependents will depart.

Governor Tim Babcock told the Senate Armed Services Committee, "The closing of the base will have a devastating economic effect" on Glasgow and its surrounding area.

"This jerks a $10 million payroll out and turns the entire economy of the town back to agriculture," says an associate of Representative James F. Battin (Rep., Mont.).

Base real estate is for sale but Battin's staff specialist said nobody wants to buy it—out in the middle of the wheat plain, 200 miles from the nearest city of at least 50,000. That real estate included 1,427 units of brand new family housing, financed by private mortgages that will have seven years to run after the base is closed.

Recognizing that base shutdowns often wrench a community's stability, McNamara has assigned a special "Office of Economic Adjustment" to help affected areas shift to new industries. He also has offered displaced civil service workers new federal jobs elsewhere.

M'NAMARA STANDS BY HIS DECISIONS

At the same time he has refused to back off from plans to close or reduce operations at hundreds of installations tabbed by his experts as obsolete or unneeded.

Delegation after delegation has visited his Pentagon office to try and change his mind, but McNamara once said his decisions were "absolutely, unequivocally, without qualification irrevocable," and he has made them stick in all but three of 865 cases.

Those setbacks came when the Navy bowed to what it called "congressional concern" and agreed to forego a reduction of naval districts from 11 to eight.

In a cost reduction report to President Johnson last July, McNamara claimed that his base closing program had yielded nearly $1.5 billion of what he calls "recurring annual savings."

Some critics have suggested that certain of these savings are of the bookkeeping variety.

They haven't been able to prove it.

Under the Kennedy and Johnson administrations, the Defense Department's economic muscle helped beat back price increases on important metals.

At the peak of President John F. Kennedy's 1962 quarrel with the steel industry over a $6-a-ton price increase, McNamara called a news conference to voice his "concern with the grave and far-reaching consequences that this action might have on the security of the United States." He announced that the armed services would buy their steel as much as possible from companies that had held the price line.

The major steel producers surrendered. They cancelled their price increases.

More than three years later, in November 1965, the Johnson administration moved to roll back price increases by the aluminum and copper industries.

Administration authorities threatened to release 300,000 tons of aluminum from the defense stockpile, and McNamara let it be known that some of it would be transferred directly to defense producers. That would have cost the aluminum industry a significant part of its market. The aluminum producers rescinded the price advances.

A week later, copper producers had to cut back a price increase after McNamara called a night news conference and disclosed intentions to set in motion "the orderly disposal of at least 200,000 tons of copper from the national stockpile."

NOW IT'S PUSHING FOR OPEN HOUSING

The Defense Department is now flexing its economic muscles in a different cause: Open housing for all servicemen, regardless of race.

The technique is to declare off limits to all servicemen any apartment house or trailer court that refuses to accept Negro servicemen. This could be a disaster to owners of apartment houses and trailer courts near military bases.

The technique was tried and found effective in Maryland. Persuasion is tried first but if it fails, the iron fist comes quickly.

Those who worry about the military-industrial complex are concerned that close association between military men and defense contractors tend to inflate arms spending, and even may work against hopes for peace.

Proxmire said, "The military-industrial combination continues very largely to write its own ticket." Basic decisions are made by the military on such questions as new weapons and even with McNamara's skepticism—the Defense secretary "is subject to military influence," he said.

This will surprise many senior military officers who complain that McNamara and his civilian aides make the important decisions, then consult them.

"I don't think there's anything corrupt or malicious in the industrial-military combination," Proxmire said. "But I feel that there is far too little sharp, tough, effective procurement by the Defense Department."

Many large corporations enlist retired generals and admirals for their boards of directors or for executive posts. Officers of lower rank, too, often go into private industry when they retire.

This has given rise to suspicion that some such officers may use their service contacts to promote the interests of their new employers.

Regulations forbid a retired officer from representing "anyone other than the United States in connection with a matter in which the United States is a party or has an interest and in which he participated personally and substantially for the government * * *."

The regulations also say, "He may not, at any time, sell anything to the Department in whose service he holds a retired status."

Some contend these restrictions leave loopholes for influence peddling.

The Pentagon rejected a request for the names of general and flag officers who have gone into industry since retirement.

It also refused to give the total number of all retired officers from each service who have taken jobs with industry.

"Since the employment status of an individual is a private matter, and a matter of public record only if the individual chooses to make it so, this information with respect to an individual is exempt from disclosure," the Pentagon said.

As to the request for the number of retired officers in industry, the Defense Department said: "To compile these records would require a search of all officer records, an expensive and time-consuming task."

Few retired officers, however, make any secret of their business affiliations.

"YOUNG AMERICANS"—A MOTION PICTURE THAT TELLS WHAT IS RIGHT WITH AMERICA

Mr. MURPHY. Mr. President, the mass media of the United States, in everlasting search of the unique and different, presents a stereotype portrait of the younger generation of Americans. In newspapers, in magazines and on television, the younger generation is presented as a group of unkempt, unsavory, nonconformist rebels overflowing with contempt for their elders and consumed by a hunger for thrills.

Lost in the deluge of articles and pictures about bearded, long-haired beatniks who have "tuned out" the world are the less exciting stories of young men and women who have real contributions to make. I am referring to the young girls who perform volunteer work in hospitals across this land, the young men who willingly enter the service of their country when the call comes, and the millions upon millions of youngsters who quietly and unspectacularly pursue their daily lives with honor for their parents, their teachers, and their country.

It is refreshing when a segment of the mass media turns its attention to the activities of this overwhelming majority of our young people. I am therefore glad to call attention to a most unusual motion picture that I have seen, one that portrays young people as decent, clean living, and attractive.

This feature picture, "Young Americans," was filmed while a group of 36 talented youngsters ranging in age from 17 to 21 toured across the United States a few months ago entertaining audiences of every age group. It is not so much the entertainment presented by this group that so impressed me, although it is an outstanding musical group in California, as it was the demonstration that a typical young American group is the exact opposite of the antisocial antiestablishment characters they are so often made out to be.

I am informed that this film will be shown extensively overseas, and I am happy that Columbia Pictures, the distributors, have arranged it that way. This means that millions of filmgoers in other lands will have an opportunity to receive a more correct impression of the young people of our country for a change. I believe the impression that will be left by this film will be a good one and important to the image of the United States abroad.

Milton Anderson, a high school music teacher in California, organized the "Young Americans" singing group. The motion picture of a cross-country tour by the organization was produced by Robert Cohn and written and directed by Alex Grasshoff. I commend these men for the film and for attempting something constructive and positive to counteract the distorted image of the youth of our Nation. I am pleased that this is one picture that tells what is right with America for a change.

THE PATRIOTIC DEMONSTRATION IN WAKEFIELD, MASS.

Mr. McINTYRE. Mr. President, a young man named Paul P. Christopher, Jr., created quite a commotion in Wakefield, Mass., last Sunday afternoon. On that day, Paul was 19 years old. He had been a high school dropout. He was just getting started in business. He expected to be drafted next June. Under the circumstances, it would not have been surprising if the young man had been a "beatnik." He might have been wearing a beard, carrying a placard and marching in the front ranks of a peace parade. He might have been protesting against the war in Vietnam and the soldiers who are fighting in it.

But Paul Pasquala Christopher, Jr., was clean cut and clean shaven. He had returned to high school and was now a senior. And it was he who organized last Sunday's massive demonstration which supported our men in Vietnam and the cause for which they fight.

Christopher's demonstration was successful. Fifty thousand people showed up. They carried American flags. They sang patriotic songs. They recited the Pledge of Allegiance. There were cheers, not jeers, for public officials.

The demonstration was also successful in a different way. Many Americans had begun to wonder what had gone wrong with many of our young people. We wondered about the rudeness of students who heckled Secretary of State Rusk at the University of Indiana. We wondered about what other students were thinking who abused their own individual freedoms by riding roughshod over the freedom of those students who wanted to be interviewed by Dow Chemical Co. or the CIA. We have wondered about what seems to be a youthful affinity for dirtiness, for obscenities and for flight from responsibilities. We wondered about the forecasts for more peace marches with greater violence, for more sit-ins at draft boards, more burning of draftcards, more campus protests against military recruiters and more refusals to serve in Vietnam. Yes, many Americans had begun to ask questions about our young people. We had begun to have some doubts.

But in Wakefield last Sunday, there were 50,000 answers to our questions, 50,000 reassurances for our doubts. There were 50,000 young people who proved, somehow, that only a minority of our young people are beatniks and peaceniks—who proved that the great majority of them are clean-cut, patriotic, and courageous. Collectively, our young people have a sense of responsibility.

It was Governor Volpe, of Massachusetts, another native of Wakefield, who paid high tribute to Paul Christopher. He said:

> What a debt of gratitude we owe him. He has given us more inspiration than any American in recent years. This is the kind of rally we should have more often.

Yes, Mr. President, the people of Wakefield were noisy and enthusiastic last Sunday. But there were no attacks upon police or soldiers. There were no assaults, and there was no cursing. Oh, according to the police, there were two injuries: two little old ladies fainted.

But as the Governor said, there should be more rallies like the one Paul P. Christopher, Jr., inspired. And there should be more publicity given to young men like him—the clean-cut, clean-shaven, responsible American young people who not only reassure their elders that they have the capacity to sustain this Nation's greatness—but who also reassure the soldier in Vietnam that the people back home are heart and soul behind him.

The people of Wakefield, Mass., can be rightfully proud of Paul P. Christopher, Jr. And I believe I speak for all Senators when I say that we can be rightfully proud of him, too.

THE INCREASE IN NARCOTIC VIOLATIONS

Mr. MURPHY. Mr. President, recently the California Narcotic Officers' Association in a resolution expressed its alarm at the tremendous increase in narcotic violations and seizures of narcotic contraband in the State of California, and the amount of misinformation about the effects of narcotic drugs, including marihuana, which is being disseminated to the public by misinformed individuals in responsible positions.

Because of the importance of this subject, I ask unanimous consent that the resolution which was adopted unanimously at the training conference at South Lake Tahoe, Calif., be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION ON MARIHUANA BY THE CALIFORNIA NARCOTIC LAW ENFORCEMENT OFFICERS ASSOCIATION

Whereas the problem of the traffic and abuse of marihuana remains serious in many areas of the country, particularly in the State of California;

Whereas there has recently developed a tendency by some persons to minimize the harmful aspects of marihuana and to bring about less effective control of the drug;

Whereas the WHO Committee on Dependence-Producing Drugs has determined that marihuana is capable of producing drug dependence and that harm to society is caused by abuse of the drug;

Whereas there are inestimable dangers inherent in any proposal which would weaken the existing control of marihuana;

Whereas the Federal marihuana controls have been under the jurisdiction of the U.S. Bureau of Narcotics for nearly three decades;

Having in mind that one consultant to the Task Force on Narcotics and Drug Abuse, of the President's Commission on Law Enforcement and Administration of Justice, made recommendations which would result in taking from the U.S. Bureau of Narcotics all enforcement responsibility relating to marihuana;

Recognizing that inadequate control of the illicit marihuana traffic breeds drug dependence, creates enforcement problems, and injures the national welfare; therefore be it

Resolved that the Federal and State laws controlling marihuana be retained in a form which will ensure that illicit traffickers will be severely dealt with, and that possession of marihuana be restricted under criminal penalty to legitimate medical, scientific and industrial use; be it further

Resolved that there shall continue to be close cooperation between the United States Bureau of Narcotics and the California Narcotic Law Enforcement Officers Association to oppose efforts to weaken the marihuana controls; be it further

Resolved that the United States Bureau of Narcotics be commended on its difficult work in combating the illicit marihuana traffic; and be it further

Resolved that the U.S. Bureau of Narcotics retain its enforcement jurisdiction in order to permit a continual effort to bring about an improved condition in the incidence of marihuana abuse.

WILLIS PENHOLLOW,
President, Lieutenant, Long Beach Police Department.
JOHN WARNER,
First Vice President, Agent, California Bureau of Narcotic Enforcement.
JOHN F. KERRIGAN,
Immediate Past President, Inspector of Police, San Francisco.

NECESSITY TO PASS CIVIL RIGHTS BILL AT THIS SESSION

Mr. HART. Mr. President, I ask unanimous consent to have printed in the RECORD editorials published in the New York Times and the Washington Post on October 27, urging prompt passage of the Senate Judiciary Committee-approved bill (H.R. 2516) whose purpose is to offer broad protection against violent, racially motivated interference with activities protected by Federal law or the Constitution.

I am convinced the great majority of the Senate supports the principle of H.R. 2516—that it shall be a Federal crime to intimidate or interfere with anyone, because of his race, color, religion, or national origin and because he is seeking to exercise rights accorded him under the Constitution and laws of this country.

Mr. President, we must act. The Senate must vote yes on H.R. 2516 before Congress adjourns. We are entitled to no vacation until the Senate has had ample opportunity to work its will on H.R. 2516.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times, Oct. 27, 1967]

HEADWAY ON CIVIL RIGHTS

With the vote of Senator Scott, Republican of Pennsylvania, who made a dramatic return flight from England, the Senate Judiciary Committee has narrowly approved the bill to make racially motivated violence a Federal crime.

The committee vote restored the provisions of the House bill which a subcommittee, chaired by Senator Ervin, Democrat of North Carolina, had altered. If Mr. Ervin's amendments had been retained, the bill would have dealt with the separate problem of violence in labor disputes. If legislation on that subject is necessary, it should be considered in a separate bill.

The fate of the bill now lies with Senator Dirksen, the minority leader. His opposition last year to the omnibus civil rights bill, largely on account of its open-housing provision, enabled the Southern filibuster to succeed. Senator Dirksen supported the Ervin substitute in committee, but presumably he is not opposed to legislation protecting Negroes and white civil rights workers from murderous intimidation.

The tragic record of unpunished crimes in some Southern states makes the passage of this bill imperative.

[From the Washington Post, Oct. 27, 1967]

ESSENTIAL TO JUSTICE

Only one major issue confronted the Senate Judiciary Committee in its voting on the civil rights bill: should Congress modernize its feeble statute passed nearly a century ago so as to protect the rights of citizens guaranteed by the Constitution but sometimes disregarded by the states. Fortunately, the Committee returned an affirmative answer even though it took an emergency flight of Senator Scott from England to supply the one-vote margin.

Chairman Eastland deceived no one by his desperate attempt to sink the bill in a bog of controversy by adding to it the Administration's open-housing measure. In a more favorable climate the President had sent a civil rights package to Capitol Hill, including the housing provisions. But everyone seems to agree that there is no chance for enactment of the larger package at this session. The Committee had the choice of taking one step at a time or no step at all.

The Committee may not have been wise to eliminate all the amendments the House had added to give the bill an "anti-violence" image. This may make final agreement between the two houses more difficult. There is much to be said, however, for the pleas of the Department of Justice that Federal jurisdiction in law enforcement be restricted to areas where real abuses exist. In any event, these amendments are minor compared to the main thrust of the bill. Its central purpose is to afford Federal protection to citizens in the exercise of their rights to vote, to register, to serve on juries, to hold jobs, to attend schools and to use public accommodations without discrimination on grounds of race, color or religion.

Under this bill hoodlums who murder or maim Negroes or civil rights workers in the process of interfering with their rights could be sent to prison for life. The penalties would be applicable to guilty individuals as well as to state officials acting under color of law, and it would not be necessary to prove a conspiracy. These are straight-forward, essential provisions for enforcement of the law, and the Senate can scarcely fail to approve them if it believes in the concept of even-handed justice.

THAILAND: WHERE WE CAME IN

Mr. HARTKE. Mr. President, there has been little public discussion of our military buildup in Thailand and our policies now operating there. Yet it is reported there are 40,000 of our military personnel in that country, that we are "advising" their 95,000-man army, and that our helicopter pilots have even flown Thai soldiers into action in the northeast against the "insurgents" who reportedly number no more than 1,000 to 1,500.

All of these things, and more, indicate the strong possibility—and an ever-increasing probability—that we are paralleling the earlier stages of the Vietnam venture with what we are doing in Thailand. The consequences of continuing our course there are at the very least fraught with grave danger. We need to be far more aware than we have been of what might be called the spillover of the Vietnam war and our policies there into Thailand as well.

The situation has been analyzed by a group of experts meeting under auspices of the Foreign Policy Roundtable at Washington University in St. Louis, the same group which initiated the study resulting in the now well-known study on "The Politics of Escalation," about which I informed the Senate prior to its publication in a speech of June 30, 1966.

Dr. Robert Buckhout of the university's psychology department has published an article on Thailand, based on the conference last May, which appeared in the October 2 issue of the Nation. The Foreign Policy Roundtable will publish a volume dealing with Thailand late this year or in early spring, focusing on the impact of the U.S. presence in Thailand on the Thai culture, the degree of involvement of the United States in the counterinsurgency program in Thailand and the extent of U.S. commitment to the Thailand Government.

I recommend the careful consideration of Dr. Buckhout's article, reflecting as it does the consensus of experts on Thailand. I therefore ask unanimous consent that it may appear in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From The Nation, Oct. 2, 1967]

THAILAND: WHERE WE CAME IN

(By Robert Buckhout)

(NOTE.—A little noticed column in the St. Louis Post-Dispatch this summer carried the news of an emergency request by the Thailand Government for more helicopters to fight insurgents. The alleged increase in insurgent activity may call for further increase of the already large U.S. commitment of up to 40,000 military men. Sensing in such reports from Thailand a possible parallel to Vietnam of about 1961, the Foreign Policy Roundtable at Washington University in St. Louis had called a conference in May of anthropologists, political scientists and journalists, expert in the area to discuss present conditions in Thailand and the effects of our involvement on Thai culture and on the course of foreign policy in Southeast Asia.

(In 1966, the Foreign Policy Roundtable was instrumental in producing Politics of Escalation in Vietnam (Fawcett Premier Books and Beacon Press), an analysis of the relationships between attempts to negotiate a Vietnamese settlement and military escalation by the United States. The proceedings of the present conference will be part of a similar book, designed to acquaint the American people with the complexities of Thailand in the face of growing U.S. involvement there.

(The following article summarizing the content of the conference is by Robert Buckhout of the Department of Psychology, Washington University, who is serving as editor of the forthcoming volume. However, the views expressed here are the author's and do not necessarily reflect those of individual participants or of the Roundtable.)

Long clouded by semi-official secrecy, the extent of the build-up of United States involvement in Thailand is now becoming visible:

Thailand has become a landlocked aircraft carrier for up to 80 per cent of the missions flown by U.S. (and recently Australian) Air Force bombers against targets in North Vietnam and Laos. B-52 bombers now fly out of Thailand on bombing missions.

U.S. troops numbering 40,000 are stationed in Thailand (2,000 were there in 1961), principally in direct support of the air bases and logistical network involved in the bombing program. Military aid to Thailand is publicly acknowledged to be $60 million per year. Supplies, weapons and bases have been positioned in advance to accommodate one 17,000-man U.S. combat division when necessary.

Military advisers, ex-FBI men, CIA personnel, the Green Berets and an unknown portion of the 40,000 U.S. military troops are involved in training Thai military and police forces to cope with alleged Communist-led insurgent movements in Northeastern and Southern Thailand. This counterinsurgency program was until recently under the command of Maj. Gen. Richard G. Stilwell, who directed similar efforts in Vietnam in 1961.

As in Vietnam, it has been recognized that the 95,000-man Thai army was shaped by years of U.S. military assistance into a cumbersome World War II-like army capable of fighting small conventional battles, but unsuited for anti-guerrilla or pacification operations. Efforts to restyle the Thai military meet resistance from the officer ranks, since the large units and conventional arms are politically useful for gaining privileges, promotions and power.

U.S. helicopter pilots have flown Thai soldiers into action in the Northeast pending the training of Thai helicopter pilots.

The United States Information Service (USIS) and other U.S. agencies, are engaged in intensive propaganda efforts through television, radio and mobile information teams in rural areas, to trumpet the virtues of the present Thai Government. This is the political side of the counterinsurgency (COIN) program. The United States Operations Mission (USOM), deploying an annual $42-million economic aid program, pushes the Accelerated Redevelopment Program (ARD) to raise living standards in the rural areas. It hopes thus to reduce grievances before they can be exploited by the insurgents. ARD has replaced the "resettlement" of tribes in the Northeast, a program that was similar in concept to the "strategic hamlets" of Vietnam. Social scientists are conducting studies all over Thailand, the sponsors including the Advanced Research Projects Agency (ARPA), the Stanford-Research Institute, RAND and hardware manufacturers such as Ford-Philco. The CIA program is headed by Peer De Silva, former CIA chief in Saigon.

Part of the many-sided U.S. program is intended to combat "internal Communist aggression." The impoverished Northeast sector, long neglected by Bangkok governments, is regarded as "security sensitive" because of a long history of estrangement, an immediate threat of insurgency—and the location there recently of Air Force bases used to bomb North Vietnam. At the Foreign Policy Roundtable Conference, participants described the Northeastern insurgents as principally Thais who are alienated from the Bangkok government.

The U.S. State Department, in its latest bulletin on the subject, estimates the number of insurgents in the Northeast to be less than 1,000, but growing. They are said to be organized as the Thai Patriotic Front, and to be engaging in propaganda and selective assassination. These charges are debatable, since banditry and rough politics are common in the Northeast. Other official sources state that the insurgents receive aid, training and leadership cadres from North Vietnam, Laos and China. In addition, a clandestine radio, "The Voice of Thailand," is reported to be operating from Southern China.

Since some 40,000 North Vietnamese refugees (along with other nonassimilated groups) live in Northeast Thailand, a remote area of poor farm land and ill-patrolled borders, it is clear that the Bangkok government has little effective control of the region. The insurgents capitalize on years of government neglect and harsh treatment of the peasants.

Similarly, the permeable borders of Southern Thailand aggravate a situation in which a nonassimilated Malay population, with its own Muslim religion, and the remnants of an old Malayan Communist revolutionary group, contribute another security problem. One conferee reported that the Thai Government control of the South is so ineffective that the insurgents allegedly roam about collecting taxes, demanding food and shelter in return for guarantees of safety. As the speaker noted, when Thai control does extend into remote areas, the local population is subject to the same demands from the Thai police.

Past Thai political efforts to assimilate the Malayans have been ineffective, hampered as they are by a language barrier, a history of Thai indifference and harsh treatment, and the occasional outbreak of violent movements seeking independence or union with Malaysia. Military forces sent against the insurgents, in conjunction with Malaysia, have failed even to find the insurgents, whose numbers are estimated variously from a few hundred to 1,500. The conferees tended to believe that the size of the Southern insurgent movement had not increased significantly since 1950. Recent newspaper and magazine stories, on the other hand speak of greatly increased activity and a possible link-up of the Southern and Northeastern insurgencies.

Most of the conferees felt that the effect to date of these insurgencies was relatively small, but that, considering the basic problems confronting Thailand and the nature of its government, they posed a potentially serious threat to the regime. As one speaker pointed out, an insurgency of sufficient scope to topple the Bangkok government might be far beyond the capacities of the dissident elements, but an effort of much smaller magnitude could render large sections of the country ungovernable for a long period of time. A far more immediate threat is the possibility of mortar attacks or sabotage against U.S. air bases. Some doubt was expressed, however, as to the accuracy of reports on the degree of Communist control over the insurgents, it being a suggestion that certain Thai leaders might be exaggerating the Communist menace in order to stimulate more U.S. military assistance.

Since most of the conferees were social scientists, much attention was devoted to describing the social structure of Thailand, the way American influences interact with it and the social disequilibrium that results from the presence of the U.S. military in considerable numbers.

Into a stable economy has come an influx of money, jobs and opportunity related to the military build-up by the U.S. Bangkok is now the rest and recuperation center for Vietnamese GIs who come in at the rate of 700 per day. The adornment of Thai cities with bars for Americans, the increases in prostitution, the attraction of young educated Thais to lucrative jobs with American firms, are conspicuous examples of the social mailaise which, while it did not begin with the arrival of the GIs, is exacerbated by their presence.

As more Americans become advisers at all levels of the Thai bureaucracy (whose officials are appointed by the junta) they become increasingly frustrated by the Thai's lack of administrative coordination and efficiency. While Thais prefer to receive specific technical training, the Americans prefer to suggest better ways of organization. This conflicts with the Thai reluctance to question administrative superiors. The Americans don't want to let Thailand drift into the chaos of Vietnam but, in the opinion of some of the conferees, the size and the disruptive potential of the U.S. economic and military aid program may threaten the very order that such a program was intended to preserve.

One anthropologist described the social order of Thailand as a bundle of fine gold independent chains. The vertical organization of Thailand's social order leads to patterns in which Thais look upward for help from powerful, superior figures—topped by the king. One speaker pointed out that U.S. military aid has made the Pentagon the benefactor of people in the Thai military chain. These men, faithful to their social precepts, accept gratefully the largess of a benefactor. What the benefactor wishes then becomes a dependent's amiable duty to provide, for to question threatens the integrity of the chains. Thus, when Washington proposes to build airfields, to man them with Americans, and to fly bombers for the Vietnamese War, the Thai military could not say no. Another speaker, however, noted that the Thai military might also be motivated to join with the United States by their traditional hostility to the Vietnamese.

An inevitable result of the U.S. military assistance program has been to strengthen the military chains and to corrode the integrity of other chains. Recently, in a move toward "efficiency," the Minister of the Interior and army commander, Gen. Praphat Charusathien, took over the elementary school system from the Ministry of Education. Thus, a military man now controls the civil service division which has the most direct political effect on all segments of the population. General Praphat is reputedly the strong man in the Thai Government whose ascent may reflect a shift in emphasis from political reforms in rural areas to more vigorous military action against insurgents. It was he who issued the recent urgent call for more helicopters.

The uniqueness of Thailand has historically been its nationalism and the conduct of a foreign policy designed to insure its independence. Stability has depended upon the ability of any Thai regime to mobilize nationalistic sentiment. The folk heroes of the Thai population are low-born heroes who threw off foreign conquerors. One anthropologist emphasized that the U.S. military presence imperils the plausibility of the government's claim to be the sole custodian of Thai national symbols and traditions. The visibility of Americans lends credence to the Peking radio charge that Thailand politicians are lackeys of the United States.

Social change has been occurring in Thailand which will invariably bring about new developments and considerable fluidity in a society whose institutions have been stable and relatively undemanding, at least to the average villager. The anthropologist pointed out that modernization itself produces institutional transformation and social and personal dislocation. In Thailand, for example, it has meant an increase in landlessness among peasants.

However, this same speaker doubted that the social changes taking place, independent of the war in Southeast Asia, would yield directly to plans and predictions derived from U.S. understanding of situations alien to the Thai situation—such as the economic-military redevelopment program in Vietnam. As a Thai spokesman pointed out, the effort in Vietnam involves the virtual building of a nation from scratch. In Thailand, on the contrary, excluding the regional splinter groups, a sense of nationhood has existed for centuries. The particular government in power may now be expected by the people to deliver some of the services it is promising, but, despite the impatience of American advisers, the cohesive, proud, Thai culture does not need, nor is it likely to tolerate, the sort of complete societal remodeling that has been resorted to in Vietnam. Thai nationalism doesn't have to be created—it is there.

The spectacle of a Bangkok government totally committing itself to the foreign policy of the United States may well create conditions which could be exploited by insurgents who remain identified with nationalistic symbols.

The United States is in Thailand at the request of the Thai Government. This familiar phrase is the keystone to a brand of flexible diplomacy which has permitted the United States to escalate its military involvement in Thailand almost without discussion at home. It has also meant a reversal of the 700-year-old Thai "bamboo policy"—that is, bending with the wind.

Both the build-up of U.S. forces, and the details of military and economic assistance programs between the two governments were kept secret for some time. In a little publicized step, Dean Rusk and Foreign Minister Thanat Khoman signed a joint statement on March 6, 1962, reinterpreting and making bilateral the SEATO treaty. This document is now cited as the authority for the U.S. aid program. The agreement came in for considerable discussion at the Foreign Policy Roundtable.

Article 4 of the SEATO treaty declares that the signers (Australia, Great Britain, France, New Zealand, Pakistan, Thailand, the Philippines and the United States) shall by *unanimous agreement* act to meet common danger and immediately report the steps taken to the Security Council of the United Nations. The United States was thus committed under the treaty to the collective defense of member nations, including Thailand.

The Rusk-Khoman agreement effectively amends the SEATO treaty by stipulating that the obligations to "meet the common danger in accordance with its constitutional processes . . . does *not* depend upon the prior agreement of all other parties to the treaty, since this treaty obligation is individual as well as collective." In effect, this means that the United States knows that it could never get the votes of France and Pakistan to intervene in Thailand—especially when the SEATO treaty is interpreted by the Rusk-Khoman agreement as providing "an important basis for U.S. actions to help Thailand meet indirect aggression." The U.S. also pledged itself to preserve the independenec and integrity of Thailand and help it meet Communist subversion.

It need hardly be pointed out that the steps taken to enlarge the U.S. military commitment in Thailand were largely unknown to the Americans (or Thais). Obviously, the U.S. Government has done almost nothing to publicize either the extent or the purpose of the buildup. Just how the independence of Thailand can be preserved by converting the country into a forward base for U.S. strategic policy is unclear. Thai and U.S. Government officials maintain that while the United States is doing the bombing of North Vietnam from Thailand, the Thai military has the main responsibility in the counterinsurgency effort. U.S. forces are acting as *advisers* under standing orders not to engage in combat—so says the official State Department paper.

However, *The New York Times* carried a story on November 26, 1966, that U.S. military advisers were at that time accompanying lower-level Thai units on anti-guerrilla sweeps, as well as flying helicopters.

Thus, as in Vietnam in 1961, U.S. military forces have become exposed as "noncombatants," with an excellent chance of being dragged into a hot war against Thai insurgents if an American were killed or a U.S. helicopter shot down. This potential, coupled with the vague wording of the Rusk-Khoman agreement, suggests that the United States commitment to the Thai military regime is as open-ended as the one woven out of the Eisenhower letter to President Diem in Vietnam.

When a former State Department official, who helped draft the Rusk-Khoman agreement, was asked at the conference to speculate on what the United States would do if the insurgency flared up to where American air bases were being attacked, he asserted that Thai police and armed forces could handle that sort of situation; but he later conceded that we might reach the point, as we did in 1965 in Vietnam, where we would have to make the choice between wading in or pulling out.

But is there still a real choice? The question in the minds of many at the conference was whether we had not already committed ourselves to defend the stability of the Thai military dictatorship against any threat, whether from outside military forces or internal political ones. Had we not, by placing vital military bases in Thailand, defined the *status quo* in terms of the present regime, whether or not it is responsive to the social changes going on in Thailand or to the needs that these changes create for its people? Is there some threshold to be reached, as in Vietnam, where the threat to U.S. interests will cause us to cease trusting the Thais and gradually take over the military and then the political jobs of counterinsurgency? Will we not then be tempted to line up with the strong man who takes a clear anti-Communist stand, regardless of his sensitivities toward the needs of the Thai people?

These are largely unanswerable questions, but as speculations based on the Vietnamese experience they are reasonable. Thailand no longer conducts an independent foreign or even domestic policy. The Thais proudly assert that they could send the Yankees home if they wished. But, would the United States leave, or would it permit anti-U.S. political factions to gain power? Even now, a governmental decree provides penalties and censorship if a paper publishes "any matter defamatory or contemptuous of the nation or Thai people . . . or any matter capable of causing the respect and confidence of foreign countries in regard to Thailand, the Thai Government or Thai people in general to diminish." The United States, despite its desire to support democratic governments, is tied to the defense of yet another dictatorship whose indifference to its rural population has contributed many of the problems that the U.S. is being asked to solve.

But, as one speaker pointed out at the conference (quoting the current ambassador to Thailand, William Martin), U.S. soldiers are being committed to die for the Thailand dictatorship. The depth of this commitment has not yet been discussed openly in the United States.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, has morning business been concluded?

The PRESIDING OFFICER. Is there further morning business? If there is no further morning business, morning business is closed.

REDWOOD NATIONAL PARK

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The clerk will state the bill by title.

The Legislative Clerk. A bill (S. 2515) to authorize the establishment of the Redwood National Park in the State of California, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate resumed the consideration of the bill.

The PRESIDING OFFICER. Pursuant to the order entered yesterday, the Chair recognizes the senior Senator from Louisiana [Mr. Ellender].

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, will the Senator yield to me very briefly, without losing his right to the floor?

Mr. ELLENDER. I yield.

Mr. MANSFIELD. I ask unanimous consent that the vote on the pending amendment take place at 2:30 p.m., instead of the final vote, as was agreed to on yesterday, and that the final vote on the pending business take place immediately afterwards.

The PRESIDING OFFICER. Is there objection?

Mr. MANSFIELD. And I ask unanimous consent that one hour and a half of the time be allocated to the distinguished Senator from Louisiana [Mr. Ellender].

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so orderd.

Mr. MANSFIELD. Mr. President, will the Senator yield further?

Mr. ELLENDER. I yield.

NEGOTIATIONS IN ASIA

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record at the conclusion of my remarks a most interesting article entitled "Negotiate, but What and How?" written by Gerald Griffin and published in the Baltimore Sun for Monday, October 30, 1967.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MANSFIELD. Mr. President, this article has to do with a speech made by the distinguished senior Senator from Tennessee [Mr. GORE] on the floor of the Senate last week.

In that speech, the Senator raised very pertinent questions, which I think call for study and, if possible, an answer. He indicated that in his opinion one of the most important ways to seek to bring about a settlement of the situation in Vietnam is through the neutralization of all Southeast Asia, including the former Indochinese states of Laos, Cambodia, the two Vietnams and, I believe, Thailand as well.

I believe it would be splendid if Southeast Asia could have a guaranteed neutrality. It would bring peace and stability to that part of the world, and would relieve some of the nations now involved there of tremendous burdens in the future. I commend to the attention of the Senate for consideration this excellent article by Gerald Griffin which was prompted by the able statement of the Senator from Tennessee. It is worth while.

EXHIBIT 1

[From the Baltimore Sun, Oct. 30, 1967]

NEGOTIATE, BUT WHAT AND HOW?

(By Gerald Griffin)

Senator Gore, of Tennessee, asked a pertinent question last week in a speech about Vietnam. It could be condensed and paraphrased something like this: What would we negotiate?

"The Administration says it wants to negotiate," said Mr. Gore. "But what is there to negotiate if we are truly protecting our vital national interests in South Vietnam? If in fact, we are in mortal peril in Vietnam, what is there to negotiate?

"We are not going to be able to negotiate an American colony in South Vietnam. Moreover, would it really be in our interest to have an American colony in South Vietnam? If that is what the Administration means by negotiations, we might as well forget that and begin sending over more United States troops. And if we are really fighting China, should we negotiate anything at this point?

"There is something that may be negotiable," he went on, getting to the main theme of his Senate speech, "and that is the neutralization of Southeast Asia. So far as I am concerned, this would be in our true national interest. Thus far the Administration does not seem willing to negotiate on this basis."

Senator Gore, who ranks fifth in seniority among the Democrats on the Foreign Relations Committee, is classified as a Washington dove, in that he is one of the major critics of the Johnson Administration's conduct of the war. But he is a man of intelligence and sincerity, and his speech touched upon subjects which concern hawks no less than doves: the way in which negotiations might be encouraged and the way in which an understanding might be sought on long-range objectives in Southeast Asia.

Senator Gore takes exception to two aspects of the Johnson Administration's position: the suggestion that our present stand on the mainland of Asia is essential to our national security as a means of containing Red Chinese expansion; and the implication that North Vietnam can be forced into peace negotiations by increasing military pressure, including bombing in North Vietnam.

Mr. Gore's discussion of the neutralizing of the countries around the edge of China in Southeast Asia was in rather broad terms, but the idea—which has a good deal of support—offers an alternative to the concept of Secretary Rusk, who seems to be thinking of an active sort of containment policy which would be applied to Communist China after the fashion of the policy which was applied to the Soviet Union in the decade after World War II.

It can be argued, however, that the most natural posture for the small countries in Southeast Asia is one of neutrality toward China as well as the Western nations. North Vietnam, helped in its war by both China and Russia, apparently insists on a certain amount of political independence—and probably would make this point clearer if the war were ended. Prince Sihanouk demonstrates that by adroit maneuvering he can retain a neutrality of sorts for Cambodia. Burma seeks a neutral position. Thailand now is on the American side, but it has found benefits in neutrality in the past.

The big question, of course, is whether Communist China would let these countries remain neutral. On the premise that China would rather have them neutral than pro-United States, the proposal by Senator Gore begins to take shape. He feels, along with a lot of other Americans, that North Vietnam will not be forced by increasing military pressure to negotiate a peace settlement. Such a concession by North Vietnam would be pretty close to a surrender.

True negotiations, Mr. Gore notes, involve concessions on both sides. Thus, if the United States would modify its requirement for a land bastion in Southeast Asia, and if North Vietnam would modify its demand for the unification of Vietnam under Hanoi and for the removal of American influence from Southeast Asia, the two sides might have something to negotiate.

A series of negotiations would be necessary, in Mr. Gore's view, starting with essentially local negotiations between the South Vietnamese Government and the National Liberation Front, moving up to the level of South Vietnam and North Vietnam, and at some point reaching the level of Southeast Asia, the big powers and, finally, the United Nations.

"We have stumbled into a morass in Vietnam," said the Senator. "We must decide to negotiate ourselves out of it. We must decide—decide definitely and irrevocably—to negotiate disengagement from Vietnam, not from Asia but from Vietnam, honorably and honestly, which means, in my opinion, on condition that Vietnam be neutralized."

REDWOOD NATIONAL PARK

The Senate resumed the consideration of the bill (S. 2515) to authorize the establishment of the Redwood National Park in the State of California, and for other purposes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. MANSFIELD. Mr. President, if the Senator will yield briefly, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Louisiana.

Mr. ELLENDER. Mr. President, I regret the delay occasioned by my inability to make this presentation yesterday afternoon. The more I look into the problems involved in this bill, the more I wonder what it is all about.

Mr. STENNIS. Mr. President, may we have order so that Senators can hear the speaker?

The PRESIDING OFFICER. The Senator from Louisiana will suspend until order is restored.

The Senate will be in order.

Mr. ELLENDER. Mr. President, bills similar to this one have been presented to Congress on many occasions. Some of them have included provisions whereby owners of privately held land would be able to trade off some of their land for federally owned national forest lands. Invariably the administrations, past as well as present, have objected to providing for such exchanges, and for good reasons.

As Senators know, the Weeks Act, enacted in 1911, gives to the Department of Agriculture the right to purchase land for additions to our national forests. That law contains a prohibition against the very thing that is sought to be accomplished by this bill.

Mr. President, when the Secretary of the Interior sent to Congress his proposed bill, which was referred in due course to the Committee on Interior and Insular Affairs, to create a Redwood National Park, that bill was in keeping with what Mr. Udall and the administration thought at the time about the exchange of forest lands for private lands in order to create parks, roads, and other facilities.

At no time in the past have any national forest lands been traded for privately owned lands for unrelated purposes. When Mr. Udall sent to Congress his proposed bill, there was no provision in it which would have permitted the exchange of federally owned forest lands for privately owned lands. In a moment I shall read to the Senate a letter from Mr. Udall dated July 13, 1967, which was addressed to the Senator from New Mexico [Mr. ANDERSON].

At this point I remind Senators that I am merely a cosponsor of the pending amendment; Senator ANDERSON had hoped to be here, but he has been unable to do so and it has fallen to me to make the presentation.

Senator ANDERSON inquired of Mr. Udall about this exchange proposal that was sought to be placed in the bill that he sent to the committee early this year. This was Mr. Udall's answer:

> President Johnson asked me to reply to your letter about the Redwood National Park proposal in which you urged that we not trade off National Forest lands in an effort to establish a Redwood National Park.
>
> There have been extensive discussions between State officials and representatives of the Bureau of the Budget and the Departments of the Interior and Agriculture. The subject you raise has been thoroughly aired. The position of the Administration is firm against the transfer of National Forest lands to the State of California or to private lumber interests as part of the Redwood National Park transactions. We feel this general principle must be upheld always.
>
> It has been the long-standing position of the Government, and I know you are in agreement with this, that the National Forests should be maintained intact and that when private timberlands are needed by the Federal Government in the public interest,

payment should be in cash and not in kind. I agree with this principle and you need have no concern on this point insofar as the Administration is concerned.

In this connection, you may be interested in the letter of June 22, 1967 to Senator Jackson from the Deputy Director of the Bureau of the Budget which discusses this question in some detail and makes clear the Administration's position.

Mr. President, notwithstanding the language contained in this letter and notwithstanding the position of the administration, the bill that was presented by Mr. Udall was amended so as to provide for an exchange of national forest lands between the Federal Government and private owners of such lands, in direct opposition to the position of Mr. Udall and the administration.

The Bureau of the Budget took the same position. If Senators will look at pages 9 and 10 of the report, they will note there an extended discussion of that proposal by Mr. Hughes of the Bureau of the Budget. It is stated in no uncertain terms that under no conditions should forest lands be exchanged for privately owned lands in order to create the Redwood National Park.

Mr. President, I invite the attention of all Senators to the letter from Secretary Udall and an excerpt from the Bureau of the Budget letter. I ask unanimous consent to have printed at this point in the RECORD the material to which I have referred.

There being no objection, the letter and excerpt were ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE INTERIOR,
Washington, July 13, 1967.

Hon. CLINTON P. ANDERSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ANDERSON: President Johnson asked me to reply to your letter about the Redwood National Park proposal in which you urged that we not trade off National Forest lands in an effort to establish a Redwood National Park.

There have been extensive discussions between State officials and representatives of the Bureau of the Budget and the Departments of the Interior and Agriculture. The subject you raise has been thoroughly aired. The position of the Administration is firm against the transfer of National Forest lands to the State of California or to private lumber interests as part of the Redwood National Park transactions. We feel this general principle must be upheld always.

It has been the long-standing position of the Government, and I know you are in agreement with this, that the National Forests should be maintained intact and that when private timberlands are needed by the Federal Government in the public interest, payment should be in cash and not in kind. I agree with this principle and you need have no concern on this point insofar as the Administration is concerned.

In this connection, you may be interested in the letter of June 22, 1967 to Senator Jackson from the Deputy Director of the Bureau of the Budget which discusses this question in some detail and makes clear the Administration's position.

Sincerely,

STEWART L. UDALL,
Secretary of the Interior.

EXCERPT FROM BUREAU OF THE BUDGET LETTER

4. *Northern redwood purchase unit.*—This 14,000 acres of redwood-douglas-fir timber just north of the Klamath River is currently being cut under sustained yield management at the rate of about 20 million board feet per year. Timber for this unit has been purchased by a half dozen or more mills, most of which are in Del Norte County. With the additional timber that could be made available from the Six Rivers National Forest, it would be unnecessary to consider any overcutting or transfer of the northern redwood purchase unit in order to maintain local employment in the timber-based industry.

Furthermore, under the Multiple Use-Sustained Yield Act (Public Law 86–517) and the legislative history connected therewith, it is illegal for the Secretary of Agriculture to permit overcutting of the national forest.

The administration will not consider the transfer of fee title of Forest Service land on a barter basis, or as compensation in kind, to the Rellim Redwood Co. This would establish undesirable precedents with respect to compensation in kind to other private timber owners throughout the country if their land is purchased or taken by a Federal agency whether for park or other recreation areas, reservoirs, roads, or whatever purpose.

Such proposals have been made at periodic intervals since 1953. They have been voted down by the House of Representatives. The House Government Operations Committee in 1959 in House Report 293 emphatically rejected the principle stating that it would constitute a "dangerous precedent" and that the fee transfer of national forest timberlands under sustained-yield management to specified timber operators would simply benefit the grantees at the expense of other users.

If the northern redwood purchase unit were transferred in fee or the timber assigned to the Rellim Redwood Co. under a sustained-yield cooperative arrangement, this would deprive the half dozen smaller mills now dependent on the northern redwood purchase unit from their timber supply. Thus, the action would be one of making a single large company whole at the expense of several smaller companies and without adding significantly to local employment.

There has been consistent and strong opposition to the principle involved since it was first proposed 14 years ago by the Congress, the executive agencies, and the Bureau of Budget to proposals for payment in kind to achieve Federal conservation projects.

The administration sees no reason an exception should be made to principle or precedent in the present instance, especially in view of the additional timber that is being made available from the Six Rivers National Forest and the other benefits that would accrue to the county—employment and dollarwise—as outlined in this letter.

The northern redwood purchase unit now returns to Del Norte County $150,000 to $200,000 a year of revenues in lieu of taxes.

In summary, considering both the Six Rivers National Forest and the northern redwood purchase unit, the administration is opposed to trading national forest land and timber to the Rellim Redwood Co. It is apparent, furthermore, that the purchase unit can continue to operate as it has and that additional timber can be made available from the Six Rivers National Forest to more than offset the reduction in the Rellim operations.

Mr. ELLENDER. Mr. President, I cannot understand why the committee has included this language in the pending bill and still contends that Mr. Udall supports that position, particularly in view of the letter which I have just had made part of the RECORD.

Mr. President, the lands to be exchanged under the pending bill in order to create a Redwood National Park are lands that were acquired by the Government under the Weeks Act.

Section 11 of the Weeks Act reads:

> That, subject to the provision of the last preceding section, the lands acquired under this Act shall be permanently reserved, held, and administered as national forest lands under the provisions of section 24 of the Act approved March 3rd, 1891.

The law accents the words "permanently reserved" and "held." Not temporarily, but permanently.

Mr. President, we have here a large tract of land consisting of some 14,500 acres, land that was acquired under the Weeks Act by the Federal Government acres, land that was acquired under the Government.

A provision of the pending bill would permit this exchange to be made even though it is a direct violation of the Weeks Act and is also against the administration views.

We have a national forest in my State. Quite a few acres of land have been bought there by the Federal Government. That land has been reseeded and replanted. And the land provides a good source of revenue for the parishes in which the land is located because the parishes receive part of the proceeds from the trees that are cut and sold. Money derived from that source is paid to the parishes in Louisiana in lieu of taxes.

If the pending bill is enacted into law, all lands that are to be exchanged for privately owned lands will go into the hands of private individuals, and the parishes or counties in which land is located will lose the payments formerly derived therefrom and will not be able to obtain the revenue that they now obtain from the Government as their share of the receipts from the cutting and sale of these trees to privately owned mills.

The bill originally submitted contained a provision that the Federal Government can take funds from the Treasury and compensate the county affected as a result of the acquisition of private lands.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. LAUSCHE. Mr. President, I think the Senator has just answered the question which I intended to ask.

My question was: If the land given in exchange for the other land were to become the property of a private owner, taxes would normally result from such ownership.

Mr. ELLENDER. The Senator is correct.

Mr. LAUSCHE. However, as I understand it, the Senator states there is provision here that instead of the private owner who has acquired such lands as the result of an exchange having to pay the taxes on such land, the U.S. taxpayers will have to pay them through contributions made to the Federal Treasury, which contributions will then be used to pay the taxes.

Mr. ELLENDER. That is the way the original bill was drafted; however, that provision was removed in committee.

Mr. MOSS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MOSS. Mr. President, that is not

my understanding of what would happen if the pending bill were enacted into law.

The lands presently constituting the so-called redwood purchase unit would come under the ownership of the private landowners. That land would immediately go on the tax rolls and be subject to taxation.

The other alternative contained in the pending bill before the committee made this change was that there be a payment by the Federal Government to the parish or county in which the land is located in lieu of taxes, so as to compensate for the loss of tax revenue.

This is one of the difficulties that the committee faced. We have had the proposal in committee again and again that if we establish national parks, monuments, and other national reserves, we become involved in the matter of payments to the local taxing unit in lieu of taxes.

So far, we have always resisted the thinking that this is an area we should not get into; that the Federal Government would become so involved with payments in lieu of taxes that we should stay away from such a practice. Besides, there is always the convenience of saying, "Why should the Federal Government make payments in lieu of taxes? The national parks and monuments tend to stimulate the economy. They bring in business from which the local governmental units tend to benefit."

But returning to the first point, I do not understand that these lands would not go on the tax rolls immediately. They are now in the redwood purchase units. They are now tax-exempt because they are owned by the Federal Government. But once they have been transferred into private ownership, they will immediately go onto the tax rolls of the counties. This was one of the reasons why the committee, in considering the whole problem, which is very complex and difficult, said that one of the ways in which to lessen the impact on the small County of Del Norte, where about 70 percent of the county is owned by the Federal Government, is to put some of these lands on the tax rolls, because some other lands will be withdrawn from the tax rolls. The exchange will almost balance out, if that is done.

Mr. ELLENDER. I read from page 21 of the report:

> PAYMENTS IN LIEU OF TAX
>
> The administration bill provided for economic adjustment payments for a 5-year period to Del Norte County and its local government bodies to offset the immediate impact of land acquisition for the park. These payments have been eliminated by the committee. Only in one instance, Grand Teton National Park Act, 64 Stat. 849, has Congress authorized payments in lieu of tax in connection with land acquisition for park purposes. This committee does not feel that the establishment of such a policy at this time would be in the national interest.

Mr. MOSS. That description applies to the so-called administration bill, and it has been changed by the committee. The clean bill before the Senate does not provide for payments in lieu of taxes.

Mr. ELLENDER. The Senator is correct.

Mr. President, the effect of the amendment is very simple. It would delete the authority of the Secretary of the Interior to trade federally owned lands in the northern redwood purchase unit for private lands within the proposed park. That is all it would do.

The northern redwood purchase unit, with approximately 14,500 acres under the jurisdiction of the Forest Service, was acquired under the Weeks Act over 25 years ago. This national forest area is of extreme importance to the people of northern California. Coming from Louisiana, I know the value of national forests to the people of surrounding communities and to the Nation.

Some 35 years ago, the Kisatchie National Forest was established in my State. Cutover forest land was purchased; and under provisions of the Weeks Act, the same act under which the northern redwood purchase unit was created just a few years later, under a program of wise management by the Forest Service, denuded land was planted, reseeded, and protected from fire, until today the Kisatchie National Forest is a great economic asset to our State and particularly to the parishes in which the land is located. The annual allowable cut this forest supports is now over 60 million board feet—this from land which supported only stumps when brought into the national forest.

This forest was the base of numerous research activities. Direct seeding of cutover forest lands, now so widely used in the west coast, was pioneered in Louisiana. The national forest was the kind of "show me" laboratory that local operators and forest visitors could see and understand. A whole cycle of forestry activities has been run in my State over the past 30 to 50 years on both the national forest and private lands.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. KUCHEL. First I wish to say that in all problems that both California Senators have presented to the senior Senator from Louisiana they have received more than fair consideration. They have had sympathetic consideration and assistance. I respect the Senator from Louisiana, and he knows of my feelings; but I say to him that he does not accurately reflect the views of the people of California, of the people of northern California, or of the people who live in the two counties which would be affected by the park.

Yesterday, I put into the RECORD urgent pleas by the representatives of the governments of the Counties of Del Norte and Humboldt, urging that the Senator's amendment be defeated.

Mr. ELLENDER. I have not tried to misrepresent the feelings and beliefs of the people of California.

Mr. KUCHEL. The Senator from Louisiana would never misrepresent.

Mr. ELLENDER. As I said earlier, if this amendment remains in, of course they will be for the bill. But if it is rejected, they will be against it. Am I correct? I ask the Senator to answer "yes" or "no."

Mr. KUCHEL. I do not know. There is a difference of opinion.

Mr. ELLENDER. The Governor is against it unless that provision is in the bill.

Mr. KUCHEL. I will tell the Senator why.

Mr. ELLENDER. He is now sending telegrams to some Senators to vote for the bill because of this provision.

Mr. KUCHEL. I will tell the Senator why the Governor is against this amendment. I will tell the Senator why the Governor desires to keep the purchase unit exchange in the bill. He does not want to contribute to unemployment in either Del Norte or Humboldt Counties. If the purchase unit is not made a part of the transaction, the tax base in Del Norte County will shrink.

The Governor takes the same position with respect to the purchase unit that the president of the Sierra Club takes. I implore the Senator to listen to the words of the president of the Sierra Club. There is not a better friend of conservation in this country than the president of the Sierra Club. It is a nationwide conservation organization. This is what he has said about this matter, and I read from page 30655 of yesterday's RECORD:

> The key to the financing of the compromise bill of the Committee is use of the Northern Redwood Purchase Unit which the Federal government now owns, on an exchange basis to acquire needed parkland. . . . This unit itself does not lend itself to park management. The Committee felt, and we agree, that it makes good sense to phase out this abortive redwood program to enable the National Park program to succeed. No adverse precedent is intended as these lands are not regular national forest lands and have never served their intended purpose.

I ask unanimous consent that an editorial published in the San Francisco Examiner of October 27, 1967, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

> A SOUND PLAN TO SAVE REDWOODS
>
> The three-year battle to establish a redwoods national park in Northern California appeared near successful conclusion a few days ago with approval of a compromise by the Senate Interior Committee.
>
> Now administration opposition has turned up and Rep. Wayne Aspinall, chairman of the House Interior Committee, refuses to act until his staff inspects the area, probably not until next year.
>
> We regret the delay. The Senate bill represents the most generally accepted plan yet advanced. The possibility of resumed logging in the proposed park and the uncertainties of the times combine to urge prompt congressional approval while there is yet time.
>
> A unique feature of the Senate plan, co-authored by Sen. Thomas Kuchel (R-Calif.), is a trade of federal lands for private lands to round out the park. The rest of the park could be composed of three existing state parks. Kuchel says the trade would cut about $60 million from the estimated $99.8 million cost of acquiring private acreage.
>
> That is a most persuasive argument in behalf of the committee bill, particularly in a time of retrenchment talk about federal spending.
>
> Secretary of Interior Udall, while favoring a redwood park, opposes the land trade. So does Sen. Clinton Anderson (D-N.M.), a committee member.
>
> But we think the average citizen would view this as a rare opportunity to trade relatively undistinguished forest lands for

lands that bear priceless groves of towering, ancient redwoods.

An important advantage of the Kuchel park version is that it spreads the park's economic impact among four lumber companies instead of one.

Rep. Aspinall says the situation gets more mixed up every day. We strongly feel it can be un-mixed by approval of the Senate bill.

Until a plan is settled on, uncertainty will continue to plague lumber interests, local governments and local people. We hope this point will not be lost on Rep. Aspinall, others in Congress and the national administration.

Mr. KUCHEL. Mr. President, if the Senate desires to save redwood trees which are centuries old—some of them 2,000 years old—and wants to authorize $100 million to do so, which is in our bill, the Senate should also realize that there are other considerations.

It has been a long tortuous trail for people to try to put together a bill that can become law. There is no use kidding ourselves. The hour is late. If the Senate refuses to go along with a bill that is feasible and realistic, and which is endorsed by conservation groups concerned with redwood preservation, we might just as well forget about it and let the redwoods be chopped down. I say that most sincerely to the Senator.

Mr. ELLENDER. I understand the Senator's position. I understand the good that would come to California as a result of this measure, and I do not blame the Senator.

Mr. KUCHEL. Will come to the Nation, my friend.

Mr. ELLENDER. I would probably do the same thing if I were in California. In the Senator's State there are lots of State parks owned and controlled by the local government.

Mr. KUCHEL. That is true. We have 20 million and people come into our State from across the country. We are a part of the United States.

Mr. ELLENDER. Yes, I know that.

The Senator read a statement of someone desiring this measure.

Mr. KUCHEL. Yes, sir.

Mr. ELLENDER. On October 27, 1967, the following wire was sent to President Johnson:

We support a redwoods national park and are looking to you to uphold the outstanding conservation record of your administration as well as long established policy that national forest lands of this country not be used as trading stock in support of unrelated Federal programs.

Mr. KUCHEL. It was not a national forest.

Mr. ELLENDER. My dear sir, it was land acquired under the Weeks Act and the Weeks Act prohibits the transfer of this land.

Mr. KUCHEL. I will tell the Senator what it was.

Mr. ELLENDER. I am on limited time, Mr. President.

The PRESIDING OFFICER. The Senator from Louisiana has the floor.

Mr. ELLENDER. Mr. President, I shall continue to read the telegram:

Specifically, we are opposed to provisions in the current Redwood National Park bill which would exchange national forest lands for private timber lands. We can see no purpose in subordinating the broad public interest to the pressures of some California interests—

Including my good friend from California and the Governor.

Of course, they are for this bill with the amendment which eliminates this exchange, and this is signed by:

American Forestry Assn., Ken Pomeroy, Chief Forester.

Boone and Crockett Club, John E. Rhea, Cons. Comm. Chem.

Izaak Walton League of America, Joseph W. Penfold, Cons. Director.

National Rifle Assn. of America, Frank C. Daniel, Secy.

National Wildlife Federation, Thomas L. Kimball, Exec. Dir.

North American Wildlife Foundation, C. R. Gutermuth, Secy.

Sport Fishing Institute, P. A. Douglas, Exec. Secy.

Wildlife Management Institute, Ira N. Gabrielson, Pres.

Mr. President, I wish I had had more time in preparing for this debate but it was thrown in my lap yesterday morning and I did not have a chance to look into the matter until last night for about an hour, and this morning.

Mr. President, it strikes me that the Senate should, by all means, vote for the amendment I propose.

I repeat that when Mr. Udall presented the bill to the Senate the provision I am trying to delete was not in that bill because the administration was against it. All I am asking is that the Udall bill, the one submitted to the committee, be amended so as to strike out what was not in that bill when it was presented to the Congress some time ago.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield for a question.

Mr. LAUSCHE. Has the House of Representatives acted on this measure?

Mr. ELLENDER. Not to my knowledge. I do not think they will. They have turned it down many times already.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. BYRD of West Virginia. What is the position of the U.S. Forest Service on this?

Mr. ELLENDER. They are against it.

Mr. BYRD of West Virginia. Against the Senator's amendment?

Mr. ELLENDER. They are for my amendment, and against the provisions in the bill. They are for my amendment.

Mr. KUCHEL. That is a little empire building.

Mr. ELLENDER. I do not know of anybody outside of California who is for the committee bill.

Mr. KUCHEL. I ask that the Senator look at the Senators in the committee who joined as sponsors. LEE METCALF is as able a conservationist as there is and he is all the way for the bill.

Mr. ELLENDER. I am for the bill if we adopt this amendment.

Mr. KUCHEL. LEE METCALF is against the Senator's amendment.

Mr. ELLENDER. But this amendment was put in after the Interior bill was presented to us.

Mr. KUCHEL. We redrafted this bill——

Mr. ELLENDER. Surely you did.

Mr. KUCHEL. In order to have a viable and feasible park bill reported out of the Senate committee and have a chance for passage by the Senate.

This has been vastly changed. The original bill provided for "in lieu" payments in Del Norte County. Some persons on the committee said that they would not go for it if there were "in lieu" payments, and we took it out.

Mr. ELLENDER. That is all right, but the way you did it was to violate the Weeks Act.

Mr. KUCHEL. No.

Mr. ELLENDER. Yes, you did; because the measure provides that lands purchased under the Weeks Act can be exchanged by the Federal Government for privately owned land, and that provision was put in the bill just lately. I do not know how many Senators know about that.

Mr. KUCHEL. That is not so, if I may respectfully say that.

Mr. ELLENDER. When was that provision put in and who put it in?

Mr. KUCHEL. The Senator from New Mexico [Mr. ANDERSON] asked our committee to put in an amendment to the bill. He knew we were going to approve the bill, and so he asked for an amendment to endeavor to obviate any possible violation of the Weeks Act. Everyone in the committee agreed. That is the reason we put in the bill the language on page 3, line 14 "Notwithstanding any other provision of law." We did it at his request, so the Senator from New Mexico was the author of that amendment. We acceded to his request. The committee does not want this exchange to be a precedent, but there is only one place in all of God's globe where we have these trees which were living at the time when Christ died. There is no other place like it.

Mr. ELLENDER. Mr. President, if this bill is passed with the amendment I am suggesting, we will have the redwoods just the same, because there is authorized $100 million for appropriations in order to purchase this land. I have no doubt but that if the bill is enacted, that pressure will be brought to bear to obtain money immediately in order to buy these redwoods before they are all cut down. I know that.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ELLENDER. As I said, the committee changed the administration bill and put in the language that I am trying to delete from the bill now. I doubt that many Senators whose names are on that bill know about it.

Mr. KUCHEL. Oh, Senator.

Mr. ELLENDER. It was done in committee.

(At this point, Mr. PROXMIRE assumed the chair.)

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from Ohio.

Mr. LAUSCHE. In the event the amendment of the Senator from Louisiana is agreed to, the U.S. Government will be in the position to acquire what are known as the redwood forests involved in this controversy?

Mr. ELLENDER. Without any doubt.

We have an authorization of $100 million.

Mr. LAUSCHE. In addition to that, the 14,000——

Mr. KUCHEL. No, no, no.

Mr. LAUSCHE. And in addition to that, the 14,000 acres which have been authorized to be exchanged will remain in the Forest Service for use by the U.S. Government in accordance with the laws and the best judgment of the Forest Service. Is that correct?

Mr. ELLENDER. The Senator is correct.

Mr. LAUSCHE. They will remain the possession of the United States if not exchanged.

Mr. ELLENDER. Certainly, they will.

Mr. LAUSCHE. So we have the Redwood Park acquired by the $100 million.

Mr. ELLENDER. Yes.

Mr. LAUSCHE. And we will also have this 14,000 acres that were acquired under the act which the Senator from Louisiana has referred to.

Mr. ELLENDER. Mr. President, my good friend from California and also my good friend from Washington were not here a while ago when I read section 11. All of the land that is sought to be exchanged was acquired by the Government under the Weeks Act.

Mr. KUCHEL. It was purchased, was it not?

Mr. ELLENDER. Yes, and it is owned by the Government.

Under the Weeks Act there is this significant provision:

> SEC. 11. That, subject to the provisions of the last preceding section, the lands acquired under this Act shall be permanently reserved, held, and administered as national forest lands under the provisions of section twenty-four of the Act approved March third, eighteen hundred and ninety-one.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. LAUSCHE. Mr. President, if I may, I wish to finish my question, please.

In the event the amendment of the Senator from Louisiana is adopted, with $100 million, the redwood park will be acquired.

Mr. ELLENDER. Yes, sir.

Mr. LAUSCHE. And the U.S. Government will still remain the owner of the 14,000 acres, to be used in pursuance of this authority.

Mr. ELLENDER. Yes.

Mr. LAUSCHE. And that is 14,000 acres of redwood lands but not of the age and timber quality of those they were seeking to acquire.

Mr. JACKSON. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I have very little time left.

Mr. JACKSON. All right, I will give the Senator some of my time—whatever the Senator needs. He has an hour and a half.

Mr. ELLENDER. Yes, I have an hour and a half, at least for myself to——

Mr. JACKSON. Just to clarify two points.

Mr. ELLENDER. All right.

Mr. JACKSON. I think the Senator from Ohio has the idea that the lands remain forever in Federal ownership. I know that the Senator did not have an opportunity to read the whole section of the statute, but in order to make it clear so that we all understand this, he should point out that the Forest Service has authority to exchange Weeks land for private land.

Mr. ELLENDER. To round out the area, yes.

Mr. JACKSON. It has broad authority.

Mr. ELLENDER. But only to enter into exchanges of small tracts, not to exchange as much as 14,500 acres for these purposes. The only purpose is to round out Forest lands.

Mr. JACKSON. Yes, they could.

Mr. ELLENDER. That is far removed from the——

Mr. JACKSON. They have engaged in very large exchanges before.

Mr. ELLENDER. Not to my knowledge.

Mr. JACKSON. Surely.

Mr. ELLENDER. The letter, printed in the report from the Bureau of the Budget, shows that it is their position that this could be done in order to round out the area. In other words, the Forest Service could exchange a tract for privately owned lands to round out its own holdings but not to do what the Senator is now suggesting, my dear sir.

Mr. JACKSON. The Forest Service has the authority to engage in large exchanges if it is part of the overall management scheme.

Mr. ELLENDER. All right.

Mr. JACKSON. This covers a wide area.

Mr. ELLENDER. Yes.

Mr. JACKSON. So that Senators will understand what this controversy is about, let me say that I can stand here and say without contradiction that if the 14,500 acres were now in the hands of the Interior Department for administration, there would not even be debate. I think Senators should understand that this is an ancient fight between the Department of Agriculture and the Department of the Interior which goes back to 1908. The original bill that came up here from the administration provided for wide exchange authority——

Mr. ELLENDER. Of land——

Mr. JACKSON. With no limitation——

Mr. ELLENDER. But not national forest land.

Mr. JACKSON. Wait a minute. It covered everything within the State of California under the management of the Department of the Interior.

Mr. ELLENDER. Exactly.

Mr. JACKSON. I will read it to the Senator.

Mr. ELLENDER. I am familiar with it.

Mr. JACKSON. All right.

Mr. ELLENDER. But the Senator has added this other——

Mr. JACKSON. I want to say to my good friend, so that we fully understand this issue, that if the 14,500 acres were within the jurisdiction of the Department of the Interior, there would not be any dispute at all.

I want to make two points. One, that we have the problem here of appropriations. We are talking about $100 million in acquisition costs. We can argue that figure one way or the other, but that is the best estimate.

Say that the purchase unit has a value of $60 million. We would save $60 million on appropriations. That is an important factor in considering the bill. I think it is essential that Senators fully understand what is involved here in connection with that item.

Second, in the original administration bill, provision was made for "in lieu" assistance to the county that would be affected—Del Norte County—because of the large losses that would accrue by reason of timber taking in that county. Now that provision is out. We felt that the millowners who were going to have their timber taken, in order to provide for the park, should have the option here of being able to acquire land in lieu of cash payments. It is not mandatory. It is permissive. Thus, I think that if we analyze this on those counts, the equities are clearly in favor of this move. I think it is rather tragic that we get trapped here in this bureaucratic snarl between the Department of Interior and the Department of Agriculture.

If anyone has studied this problem through the years—and I know that my good friend from Louisiana has, because he is the very able chairman of the Agriculture and Forestry Committee—I think we will all agree that most of these interdepartmental quarrels are clearly unnecessary. When we have such a quarrel presented to us, as it is being presented here today, I suggest that Congress is the appropriate agency to settle it, and we can do it in this case.

Mr. ELLENDER. Let me read to my good friend from Washington a letter from Secretary of the Interior Udall—the Senator from Washington was not here awhile ago when I read it:

> There have been extensive discussions between State officials and representatives of the Bureau of the Budget and the Departments of the Interior and Agriculture. The subject you raise has been thoroughly aired. The position of the Administration is firm against the transfer of National Forest lands to the State of California or to private lumber interests as part of the Redwood National Park transactions. We feel this general principle must be upheld always.
>
> It has been the long-standing position of the Government, and I know you are in agreement with this, that the National Forests should be maintained intact and that when private timberlands are needed by the Federal Government in the public interest, payment should be in cash and not in kind.

That is Secretary Udall talking.

Mr. JACKSON. Will the Senator from Louisiana yield at that point?

Mr. ELLENDER. Well—I have no more time——

Mr. JACKSON. It is responsive entirely to his letter.

Mr. ELLENDER. I have only 30 or 40 minutes left.

Mr. JACKSON. I have another letter here from the Secretary of the Interior. [Laughter].

Mr. ELLENDER. That is a result of someone pressuring him into giving in—all right—well, if it is to contradict what he said before—well, that is why I say, I do not know who is responsible for this, but when Secretary Udall sent the bill up for the first time, the provision that I am now trying to delete was not in that bill, and he was in strict accord with the views that I now entertain; but, somehow, in between, there has been a change of heart.

Mr. JACKSON. This is a letter which I received from the Secretary of the Interior, dated October 31——

Mr. ELLENDER. Yes.

Mr. JACKSON. That is quite recent—that is yesterday.

Mr. ELLENDER. Yes—that is right—that is right. He changed his mind. [Laughter.]

Mr. BYRD of West Virginia. Mr. President, may we have order in the galleries?

The PRESIDING OFFICER. The galleries will be in order.

Mr. ELLENDER. Mr. President, this letter should be added to the RECORD. I am sorry now that I have a time limitation on this bill because it should be discussed before we pass on it. I should like to know why he changed his mind and who had him change his mind.

Mr. JACKSON. I do not wish to intrude upon the Senator's time any further. I want to read only two paragraphs from the letter and then I shall desist.

Mr. ELLENDER. Read the whole thing.

Mr. JACKSON. I shall put the complete letter in the RECORD later. May I just read two paragraphs now, and make it very clear so that there is no dispute about it? I shall quote now the two paragraphs. The rest of it does not need to be read at this time:

> The Administration has opposed the use of our National Forests as trading stock. However, the Senate Committee argues that this is an "extraordinary situation in which an exception is necessary". Your Committee further points out that the Northern Redwoods Purchase Unit is not in an established National Forest.
>
> If the Congress considers the land exchange provision to be absolutely essential to enactment of the legislation, the Administration is presented with a new policy issue which must be resolved. As yet, for obvious reasons, the Administration has taken no stand one way or the other on this specific question. If the creation of the Redwoods Park hinges on this kind of compromise I can only express my own personal view that such a compromise would be acceptable only if everyone concerned pledged firm adherence in the future to the existing policy of protecting the Federally owned lands in our National Forests against land exchange.

Mr. ELLENDER. That is the personal view of Secretary Udall, and not the view of the Department nor the administration.

Mr. LAUSCHE. Mr. President, I should like to ask a question of the Senator from Washington, if the Senator from Louisiana will yield?

Mr. ELLENDER. I yield.

Mr. LAUSCHE. These 14,500 acres, I understand, were acquired in 1940 at a price of $440,000; am I correct about that?

Mr. JACKSON. I think that is the approximate time when they were acquired. The first move on them was made in 1934. The actual acquisitions, I believe, occurred in 1940.

Mr. LAUSCHE. The point I am trying to make is that the land was acquired in 1940 at a cost of $440,000, and the 14,500 acres are now estimated to have a value of at least $30 million. Is that correct?

Mr. JACKSON. Well, we have an estimate of $60 million.

Mr. LAUSCHE. The lumber people from whom these redwood forests would be acquired will want these 14,000 acres, having a value of $60 million. Why?

Mr. JACKSON. The answer is simple. The answer is that, in the case of two mills, they are directly dependent for their existence on timber within the proposed park boundaries. The Arcata Lumber Co., for example, employs 300 men. It would go out of business unless it could obtain, in substantial part, land to replace the land it would lose.

The original administration bill had a provision for economic adjustment payments to communities in Del Norte County for a period of time to take care of the losses that would occur economically. That is the reason why we provide for this exchange. It relates entirely to the economics of the community.

Mr. LAUSCHE. If it is advisable to protect the redwood forests, why is it not wise to retain the 14,000 acres which they want and which was acquired at a cost of $440,000, which value has increased to at least $30 million in the last 27 years? Why should not we keep both?

Mr. JACKSON. The 14,000 acres are being logged. We are proposing that the same policy be continued.

Mr. ELLENDER. Mr. President, I wish to say that the land owned within the confines of this proposed park is controlled, as I remember, by four companies, and the four companies will get these 14,500 acres of land. The small sawmills in that area which are dependent on this land will be without any logs from the purchase unit.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. ELLENDER. No. The Senator is taking all my time.

Mr. JACKSON. Those small companies are going to be taken care of by the increased cut allowance in the Six Rivers National Forest.

Mr. ELLENDER. It is at the Federal Government's expense. That is how it is being done.

Mr. President, a little while ago, before I was interrupted, I made reference to the Kisatchie National Forest in the State of Louisiana.

Today the people of Louisiana are solidly behind the work being carried on in the Kisatchie National Forest. The 592,000 acres of national forest have become an integral part of the natural resource economy of Louisiana. It belongs to both the citizens of Louisiana and to all the people of our Nation, in the same manner as the 14,000 acres are now owned in northern California, which would be traded if my amendment is not adopted.

Hunters, fishermen, campers, all use it—while at the same time valuable crops of sawlogs, pulpwood, veneer logs, and other forest products are harvested by our timber operators.

If we fail to adopt amendment No. 426, we will endanger the Kisatchie National Forest and all of the national forests throughout the Nation. We will open the floodgates for those who are making demands that these public lands be used to pay for parks, reservoirs, and highway rights-of-way. As Senator ANDERSON indicated when he submitted the amendment, regardless of the efforts to distinguish the creation of a redwood national park from other Federal projects, we will not successfully keep down the pressures to use national forest lands as trading stock for other Federal projects whose sponsors will claim that they are also uniquely significant.

Aside from the precedent this "trade off" will set, there are other important reasons for not using these national forest lands to pay for the redwood park. It will not put any more forest land into production, because the purchase unit land is available for timber harvest by private operators under the procedures now used on all national forests, as I have just indicated. Recreation, hunting, and fishing, and other uses would not be enhanced, because they are all uses now recognized by the Forest Service and geared to make the greatest contribution possible to the local counties and their needs.

No additional or new jobs would be created as a result of this "trade off" of national forest lands. Established timber operators and other people in the area depend on the existing and potential forest resources for their livelihood. Others would be taking these same jobs if a trade were made, which would not in any way enhance the economy of the region.

Further, any savings realized in "trade off" of the purchase unit would be only a small part of the total cost of the park. The estimated value of national forest land in the purchase unit falls far short of the value of old-growth timber on private lands within the proposed park. This is too small a sum to endanger a basic conservation principle.

The four main companies involved will likely not need the small part of the purchase unit that would be made available to them in order to continue operating for a significant number of years.

The effort to make the affected companies partially whole would carry a cost of withdrawing supplies from other operators who now have an opportunity to bid for stumpage that would be transferred to four large, strong companies.

Mr. President, to me, the establishment of Redwood National Park is an important conservation measure. The park is needed, and I compliment the distinguished senior Senators from Washington and California in bringing this matter to the floor. But S. 2515 will not be a wise and prudent act of this body unless we adopt the amendment which is now pending.

Mr. President, I reserve the rest of my time.

Mr. PELL. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. PELL. I think this should be a matter of record. What would be the additional cost to the taxpayer if the Senator's amendment were accepted?

Mr. ELLENDER. I do not quite understand the Senator.

Mr. PELL. What would be the additional cost to the taxpayers?

Mr. ELLENDER. The bill provides, or at least it is supposed to provide, that 14,000 acres shall be placed on the tax-rolls of the counties in which the land is located, and that that will compensate, according to the Senator from California [Mr. KUCHEL] and the Senator from Washington [Mr. JACKSON], for the taxes that would be obtained by the county from the owners of the land taken.

Mr. PELL. It would be a "wash"?

Mr. ELLENDER. That is correct.

Mr. PELL. So there would be no additional cost to the taxpayers?

Mr. ELLENDER. That is correct.

Mr. PELL. That is correct?

Mr. ELLENDER. Yes; but, as I said, in making the transfer, we would violate the Weeks Act, from which I have read, which provides that the land shall be held in perpetuity for the people. That is why I am opposed to the transfer.

As was brought out earlier, the land was bought in 1940, under the Weeks Act, at a cost of about half a million dollars. It is now worth $30 million, according to information given to the sponsors of the bill. Some say the 14,500 acres involved is worth $60 million.

Mr. JACKSON. From $30 to $60 million.

Mr. ELLENDER. That land would be exchanged for the trees in the park. But the Senator from Rhode Island should know that the bill provides an authorization to buy land. I am for that. Where I draw the line is in the taking of 14,500 acres of land that was acquired for the good of the people of the United States, with the people's tax money, and which has been reseeded and developed, and then give it to four companies because of some trees that the companies own within the park. That may be a good trade; I doubt it. But the transaction would be in direct violation, as I have said, of the Weeks Act and against the views of Secretary Udall himself, expressed on July 13, 1967.

Mr. PELL. I thank the Senator from Louisiana.

Mr. STENNIS. Mr. President, will the Senator from Louisiana yield for a question?

Mr. ELLENDER. I yield.

Mr. STENNIS. First, I express my very great appreciation to the Senator from Louisiana for the strong fight he is making in this matter. It involves a policy. It involves a principle well established nationwide.

Also, I should say at this point that I do not know of any Senators with whom I would rather be in agreement than the Senator from Washington [Mr. JACKSON] and the Senator from California [Mr. KUCHEL]. I dislike to be in disagreement with them. But this is an occasion when duty must come first.

The Senator from Louisiana is correct in announcing the nationwide policy as to national forests and in promoting a program to reserve and preserve these forests in perpetuity for generations that are to come.

Nothing has ever benefited my State of Mississippi more than the acquisition of about 1 million acres of cutover, burned-over timberland in the 1930's at a cost to the Federal Government of about $10 an acre. Now all that land is in high production. It has been and is a model or an example from which we have benefited.

We now have an excellent State forestry commission and a liberal tax program with respect to drawing timber. The timber industry is one of our truly great industries, and a part of the revenue derived from it is returned to our forestry program.

Now they come along and seek to start a policy of trading off, or swapping off, or selling off this acreage. I think if we make a substantial exception to the established policy here, we must make exceptions for all citizens and all areas likewise, across the length and breadth of this Nation. Unless justified by economies, I do not believe such a change of policy would be wise.

I am willing to support the bill, but I do not think we have heard a firm figure as to what the proposed redwood forest would cost. I should like to see California and the Nation have the park, but I think it is a bad mistake, as I understand the Senator from Louisiana, just to throw aside, now, or bypass, this firmly established and proven policy.

I thank the Senator again. I ask the Senator from Louisiana whether he has any firm figures as to what the land we propose to exchange or barter away would sell for. How much would it bring, in money, to the Federal Government, if we make the trade?

Mr. ELLENDER. To begin with, the land to be exchanged, the 14,500 acres, was acquired by the Federal Government in 1940 at a cost of about $450,000, in round figures. It is estimated by some that those 14,500 acres are now worth $30 million. During the course of the debate, the distinguished Senator from Washington said that they may be worth up to $60 million.

I point out that there is in the bill an authorization for $100 million to acquire the necessary land to establish the park over and above the value of the proposed exchange. I do not know what the original amount in the bill was, but I believe it was $100 million. But even with the amendment added, which would permit the exchange, the authorization figure of $100 million has not been changed. It is still there.

Mr. MOSS. Mr. President, will the Senator yield? I wish to respond, in part, to the question of the Senator from Mississippi, if I may.

Mr. STENNIS. If the Senator from Louisiana wishes to yield to the Senator from Utah, it is all right with me.

Mr. ELLENDER. Not on my time.

Mr. MOSS. Will the Senator yield 2 minutes to me?

Mr. STENNIS. I do not have any time. The Senator will have to get it from the other side.

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Utah?

Mr. MOSS. Will the Senator from Washington yield time to me to answer the question that has been put by the Senator from Mississippi?

Mr. JACKSON. The Senator asked for time on the bill. There is no limit on the bill, I believe. I yield 2 minutes to the Senator from Utah.

The PRESIDING OFFICER. The vote on the bill will follow immediately the vote on the amendment, at 2:30.

Mr. MOSS. The Senator from Mississippi was asking the question as to how much money the Federal Government might realize on the exchange of the 14,500 acres. The answer, of course, is that the Government would receive no money at all, in cash.

However, I wish to point out that we are not talking about diminishing the acreage owned by the Government at all. What we are talking about is exchanging some land that is now privately owned, into Federal ownership; for some land that is now in Federal ownership, out into private ownership.

In other words, it is a "wash," and the same amount of acreage will remain in public ownership at all times. So we will not deprive the people of California or the people of the United States of any forest lands for the purposes we have been talking about, except for the timber that may be on it. We are not depriving them of land for recreational uses. The Federal Government is not selling off land, or trading it off to get money. They are just trying to work out an exchange.

Mr. ELLENDER. Mr. President, I point out that there is nothing in the act to substantiate what my good friend from Utah is saying. In other words, if the 14,500 acres of land in question, which is not in the park, is exchanged for big tree land in the park, it may be that there will be only 2,000 or 3,000 acres involved. It may be considered that 3,000, 4,000, or 5,000 acres of land in the park is worth as much as the 14,500 acres. So, while the Senator is correct in saying that it would be a "wash-out," it is not an exchange of acre for acre, and there is nothing in the bill, that I can see, that would support that implication.

I am sure that my good friend from Washington agrees with that view, because he took that position, as I understood, in committee: that if the 14,500 acres are worth, for example, $30 million or even $60 million, that value will not necessarily represent that much less cash that Congress will have to appropriate, in order to acquire the big trees.

Mr. JACKSON. The Senator is correct.

Mr. STENNIS. Mr. President, will the Senator yield further?

Mr. ELLENDER. Surely.

Mr. STENNIS. As a matter of fact, when we speak of giving people employment in the proposed new park area, is it not true that this land they are supposed to exchange is producing timber now, forest growth, and that the so-called little people who live around it, who are in the business of operating sawmills, or otherwise engaged in working with forest products, have an opportunity to bid periodically upon the timber grown in those forests?

Mr. ELLENDER. The Senator is correct. When I raised that point awhile ago, the Senator from Washington stated that they would be able to get some timber from some other areas. But they, the large companies that would acquire this land in exchange for their holdings in the park area, would be entitled to that timber in that area from here on out, and would own it in perpetuity, to sell or dispose of as they saw fit. However, should the 14,500 acres remain in the hands of the Government, the timber would be replaced; it would continue to grow, and those little sawmills around it would have access to that timber indefinitely. But if the land is exchanged, it will simply be out of pocket, as far as the small sawmills are concerned.

Mr. STENNIS. This land we propose to give up is now providing timber on a sustained yield basis, for perpetual use?

Mr. ELLENDER. The Senator is correct.

Mr. STENNIS. The little people are able to bid and get the contracts to cut the timber?

Mr. ELLENDER. That is right.

Mr. STENNIS. And if the lands are retained, that prospect will go on, decade after decade?

Mr. ELLENDER. The Senator is correct.

Mr. STENNIS. Mr. President, may we have quiet so that we can hear each other speak?

The PRESIDING OFFICER. The Senate Chamber will be in order.

The Senator from Mississippi may proceed.

Mr. STENNIS. Mr. President, if we give up this land, that will, of course, stop the sustained yield. It will also stop the bids and will stop the participation of the little fellows. We are not indifferent to any of the small producers and their laborers or the large producers and their laborers. However, what is fair for one is fair for the other. If there is a transfer, somebody will have to give up some employment.

Mr. ELLENDER. The Senator is correct. The sustained production of the timberlands inures to the Government from here on out. There is no better investment that has been made by the Government than the purchase of the 14,500 acres, because the Government obtains the money from the sale of the timber each year. That condition will continue from here on.

If the 14,500 acres get in the hands of the large mills, the chances are that they will cut the timber for sales and perhaps later sell the naked land.

We have had similar experiences in Mississippi and in Louisiana where a lot of well-to-do sawmill operators have come into an area, bought land for little or nothing, and cut the timber on that land. When these operators leave, the only thing we have left are the charred stumps. That is what will happen to the 14,500 acres if we transfer it all to the four large companies.

I understand that there are 10 or 12 small mills in the area that more or less depend on the yield that comes from that 14,500 acres.

The Government profits from the ownership of this land. So does the community. The same situation is true in my State.

As I pointed out, the Federal Government invested some money there quite a while ago and bought more than a half a million acres of land. It is a good investment for the Government and for the people.

I would hate to see any changes made. Therefore, I urge that the Senate accept the pending amendment.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. JACKSON. Mr. President, I think the Senator should know, in view of the fact that there has been quite a discussion about small operators buying timber from the purchasers, that since the sales, have taken place, one company has purchased 30 percent of all the timber sold.

I think the Senate should know that the timber is sold through public bidding. It is misleading to the Senate to give the impression that 10 or 12 small companies have been buying all of this timber.

Mr. ELLENDER. The committee report shows that there are 10 or 12 small sawmills.

Mr. JACKSON. That is correct; but the Senator has premised his contention on the point that the small companies are buying it.

I point out that one company bought 30 percent of all the timber that has been sold in that area. It is one of the largest timber companies in the United States.

The timber is sold at public sale. It goes to the highest and best bidder. I do not think the Senate should get the idea that the timber is being sold to a series of small companies. I think this point should be made.

I am sure that the Senator might not have been aware of it.

Mr. STENNIS. Will the Senator yield?

Mr. ELLENDER. I yield.

Mr. STENNIS. Is it not true, I say to the Senator from Washington—even though I am sure that what he says is correct—that the lettings or the small number of units on which the little fellow may have a chance to bid may not be sufficient in number to give the little fellow a chance?

Mr. JACKSON. That is generally true. However, there have been some large sales which work to the advantage of the larger companies. I point out, however, that the Forest Service constantly makes revision in the allowable sustained cut. They can increase the allowable sustained cut based in the Six Rivers National Forest on a recalculation that they have made recently. That will take care of these five or six small companies that will have an opportunity to purchase in the Six Rivers National Forest, managed by the Forest Service, right next door to this purchase unit.

Mr. STENNIS. We are not, of course, against the large bidder. It is merely a matter of fairness and seeing that the little fellow has a chance too. We must try to keep a fair balance between the rights and interests of both the large companies and the small bidders.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. JACKSON. Mr. President, I yield 1 minute to the Senator from Alaska.

The PRESIDING OFFICER. The Senator from Alaska is recognized for 1 minute.

THE BEST CHANCE TO SAVE THE REDWOODS

Mr. GRUENING. Mr. President, the amendment has been offered and debated most eloquently.

During my service in the Senate it has been extremely gratifying to me to have had the opportunity of supporting and working for the creation of the whole galaxy of great national recreation areas, parks, and seashore and lakeshore preserves that have come before the Senate for action. Cape Cod, in Massachusetts; Point Reyes, in California; Padre Island, in Texas; Indiana Dunes, in Illinois; Assateague in Maryland; Canyonlands, in Utah; Fire Island, in New York; the Ozarks National Riverway in Missouri, and all the other beautiful resorts for which we have enacted legislation during the last three sessions of Congress which will remain forever protected to give pleasure, recreation, and inspiration to the people of the world. We still need the Oregon Dunes and Sleeping Bear Dunes on the shores of Lake Michigan, both of which have been considered by the Senate but await another opportunity for final enactment. The 88th, 89th, and the 90th Congresses will surely go down in history as sessions in which more has been done to create marvelous parks and recreation areas than any others. I am proud to have had a part in this creative work which has produced so much of incalculable value.

Now the establishment of an adequate national park for the preservation of the noble redwood trees of California is one of the worthiest objectives ever sought by the National Park Service, by the Congress, by the great conservation societies of the United States, and their friends. Since the beginning of this century, wise and foresighted groups and individuals have recognized these marvelous trees as truly exceptional—indeed, unique—national treasures which should be preserved forever. We owe it to those now living and those to come after us to preserve and care for the matchless resource of natural beauty and inspiration afforded by the giant redwoods.

Since the preservation of the redwoods in a national park became a matter for congressional concern during my service in this body, I have consistently supported measures which would provide the greatest protection of the largest possible acreage of redwood trees.

The bill, S. 2515, before us for action, is not the same as the bill, S. 514, which I cosponsored. That measure, introduced by our distinguished colleague, the junior Senator from Montana, Senator METCALF, represented, I thought, the best proposal advanced for establishment of a redwood park. However, the bill agreed upon by the Senate Interior and Insular Affairs Committee, after much dedicated effort, is the proposal on which it has been possible to obtain agreement by the principal proponents of S. 514 and of the administration bill, S. 1370. Chairman JACKSON, our distinguished colleague, the senior Senator from California, Senator KUCHEL, and Senator METCALF are to be heartly congratulated on having persevered in the common interest in finding a formula for preservation of the redwoods in a national park forever protected from destruction. It has been very difficult to reconcile all the interests involved in this great project, and the development of the solution represented by S. 2515 has required much hard work and careful study of the views of differing interests. I am glad to support the bill now before us.

The important thing is to act now to preserve the redwoods still in existence. We must act now before time allows destruction of these live national treasures. When a great redwood tree is destroyed the loss is irremediable and cannot be compensated. It is our duty to act now to preserve the redwood lest they become merely ephemeral memories of past glories.

Amendments to this bill, S. 2515, have been proposed and passionately urged. They reflect differences on this legislation between the Secretary of the Interior and the Secretary of Agriculture. If we now yield, after this long, long, and dedicated effort to bring a bill to the floor, if we get into a prolonged wrangle over amendments, and its renewal of controversy, we shall lose, perhaps, for all time, the long overdue opportunity to save any appreciable stand of the rapidly vanishing redwoods. As Senator Jackson, the able chairman of the Senate Committee on Interior and Insular Affairs, and the floor manager of this bill, has well said, when executive departments disagree on pending legislation, the Congress is the place and the agency to settle those differences. I shall oppose any amendments, and support the committee bill, which in my view is the best possible measure obtainable. Let us save the redwoods.

Mr. ELLENDER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ELLENDER. Mr. President, do I correctly understand that we are to vote on the pending amendment at 2:30 this afternoon?

The PRESIDING OFFICER. The Senator's understanding is correct.

Mr. ELLENDER. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Louisiana has 17 minutes remaining.

Mr. ELLENDER. The remaining time from now until 2:30 this afternoon is to be controlled by the distinguished Senator from Washington?

The PRESIDING OFFICER. The Senator is correct.

Mr. JACKSON. Mr. President, I yield 5 minutes to the distinguished senior Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 minutes.

Mr. HOLLAND. Mr. President, I have long favored, and favored strongly, the setting up of a national park in the redwood area of California.

I know something about the long and extended negotiations that have been conducted in this field. I know that the present program proposes a national park setup that involves not only the redwood area that is thought to be more primeval than anything else available, but also having in the park various coastal areas which will be highly desirable for recreational and other similar use.

I know that there have been long negotiations between the Federal Government and conservation groups and the State of California. And the State of California has a decided stake in this matter, because this park will be in that State. California also has three State parks that will become a part of this major national park.

I would hate to see anything done here which would disturb the very fine arrangement that has been worked out between the State of California and the national governmental agencies.

I shall make two points.

First, if I were a Californian—and I think they are a little bit like us Floridians—I would not want to greatly and unnecessarily enlarge the Federal domain within the State of California. To the contrary, I am very anxious not to have a larger Federal domain in our State.

The swapping of the Federal lands now within one agency for other lands which will go to another agency, the national parks, keeps down the fear in California that the National Government will continue to enlarge and enlarge its holdings in that State.

If this were taking place in Florida, I would have exactly the same view. I would not want by the establishment of this national park—if I could avoid it—to greatly enlarge the total holdings of the Federal Government in my State. I would hope to treat every State—the State of California and every other State—as I would hope to have Florida treated.

If this situation were to arise in Florida, I would not want the proposed swapping of Federal lands for other lands that will become Federal lands—though they will be in a different agency—to be knocked out of the pending bill, because by the swapping of such lands we would prevent the enlargement of the Federal holdings—generally too large in every Western State—and I can easily see how the State of California would feel about this matter.

The second point I make is that I know that our Nation is in a financial stringency. I meet almost every day with conferees of the Senate, with an equally serious group from the House of Representatives, trying to work out the continuing resolution involving budgetary considerations that cover every part of the budget. We are short of money. We are very short of money. If you knock out this swap, you enlarge the amount of money that it will cost the Federal Government to set up this national park.

Mr. President, there is no way to avoid that conclusion. I have tried my best to find out, in the brief time available, how much more money will be required. I must say that I have not been able to find out. I have learned from a member of the committee that it will certainly be as much as $30 million more. I am told by another member of the committee that it might be $60 million. I am told by somebody else that it might even be higher than that.

I shall not attempt to state what the specific amount would be, because I do not know. But we all know that if you cannot swap Federal land for private land that would become Federal land, though under a different agency, you have to buy the other land and pay for it with money, of which we have mighty little.

Mr. President, I hope that the amendment will be rejected.

Mr. JACKSON. Mr. President, I yield myself 1 minute.

I believe the able Senator from Florida has put his finger on the crux of the matter. As I said earlier, there would be no argument in the Senate today if these lands were within the jurisdiction of the Department of the Interior.

The Senator from Louisiana has mentioned the administration's position. The original bill that was sent to the Senate provided that the Secretary could trade any land within the jurisdiction of the Department of the Interior in the State of California. So if these lands had been under the management, for example, of the Bureau of Land Management, which is in the Department of the Interior, there would be no argument.

When there is a dispute over management between the Department of Agriculture and the Department of the Interior, as there is in this instance, I believe Congress should step in and settle it. I do not believe we should permit the ancient rivalries between the two agencies to control.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JACKSON. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 10 minutes remaining.

Mr. JACKSON. I yield 8 minutes to the distinguished junior Senator from California.

The PRESIDING OFFICER. The Senator from California is recognized for 8 minutes.

Mr. MURPHY. Mr. President, today we are considering a bill to authorize the establishment of a Redwood National Park in my State.

The proposed legislation was approved recently by the Senate Committee on Interior and Insular Affairs; and immediately it received a great deal of comment, some quite favorable and some adverse. Under the circumstances, it might be rather difficult for many persons to keep this matter in its proper perspective without undue emotion; and I hope, therefore, that my remarks today and the communications which I shall offer for the Record will help give the Senate a clearer picture of the issues under consideration.

First, Mr. President, I should like to point out that there has been some question in the minds of many responsible and thoughtful individuals as to whether there is, indeed, a strong and definite need at this particular time for the establishment of such a Federal forest enclave. I emphasize the word "Federal," Mr. President, because the finest stands of the towering, majestic redwoods which we all seek to preserve are already protected by existing State parks. In other words, there is no question as to whether the big trees, the historic giants, are to be granted the sanctuary they deserve. Most of them are already safe, and I think this should be remembered. I mention this solely to keep the record straight and to dispel, if possible, a little of the air of panic and dire emergency which seems to becloud many discussions of the redwoods issue.

As I mentioned, there are those who oppose the establishment of a Federal Redwood Park of this type at this time. Then, too, there are those who support the creation of a Redwood National Park but who feel that the bill before us has serious imperfections. Among those in the latter group is Gov. Ronald Reagan, of California. On October 10, commenting on the bill now before us, Governor Reagan observed that the proposal contains some excellent provisions but fails to satisfy two provisions reasonably set forth by the State: first, that the economy of the affected area be protected and, second, that California be adequately compensated for State lands taken into the Federal park.

The Governor's views were spelled out specifically in a press release issued at the time. I am advised that his position is as strong and clear today as it was when he first commented on S. 2515, 3 weeks ago. Therefore, in behalf of the Governor, I submit his press release of October 10 for the consideration of this body:

> Governor Ronald Reagan said today a Senate subcommittee bill to create a Redwood National Park in Northern California contains some excellent provisions but that it also raises several serious questions.
>
> The Governor pointed out that he has repeatedly supported creation of a Redwood National Park so long as issues vital to California are resolved.
>
> "It has been our position since the first Senate hearings last winter that two key provisions must be contained in any Redwood National Park proposal before it would meet with approval by this Administration, the Legislature and the people of California.
>
> "High in all of our deliberations has been the principle that the economy of the Northern Califorina area in which a park is to be located must not be seriously damaged.
>
> "The bill as written by the Senate Interior Subcommittee goes a long way in resolving this very crucial problem, although I am very concerned that even now there are insufficient provisions for guarding against loss of jobs by residents of the area and damage to its most important industry.
>
> "The Subcommittee is to be commended for concurring in our request that the Northern Redwood Purchase Unit now owned by the U.S. Forest Service be exchanged for privately-owned timberland. This is a key point in any plan for a park that would take thousands of acres of timberland out of production with the resultant harm to the area's basic economy.
>
> "However, the bill as now written would apparently take nearly 13,000 acres of timber out of production despite the transfer of the Northern Redwood Purchase Unit to private operators.
>
> "Because the North Coast's economy is almost solely based on lumbering and because the bill as now written would, it appears, still seriously damage the lumbering industry in the area, I urge the Senate to substantially reduce the private acreage to be taken so as to lessen the economic impact.
>
> "Another point of serious concern is the proposal that California donate its three existing State redwood parks to the Federal Government. As I have said repeatedly since this Administration took office, provisions must be made to compensate California for the loss of these fine parks.
>
> "For many years now, the State and private groups have bought thousands of acres of virgin redwoods to protect them and retain the heritage of those magnificent stands of redwoods.
>
> "It has been our desire to cooperate to the fullest extent possible with the Federal government and in this regard we have agreed to inclusion of one or more State parks into the National Park provided the Federal government also agreed to transfer title to some of its numerous surplus properties for inclusion in the State Park System.
>
> "In discussions that have gone on for more than eight months, representatives of the Federal Administration have agreed to transfer to the State certain seashore and other lands that California can incorporate into its park system for our burgeoning population.
>
> "Before I could give the bill, as now written, my endorsement, I must first be further assured in writing by the Federal agencies involved that they will in fact transfer specific Federally-owned land to the State for recreational purposes.
>
> "Meanwhile, I am confident that all concerned will continue to work together to solve this very complex and emotional issue."

That statement by Governor Reagan, Mr. President, is clear and unequivocal. It is completely just and reasonable. It represents my State's official position concerning S. 2515. As such, it surely deserves careful consideration in our evaluation of the bill before us.

It is obvious from the Governor's statement that he is seriously concerned about the possible loss of jobs by residents of the proposed Redwood Park area and about possible damage to its most important industry, lumbering. This is an important point, and it has been treated in detail in a letter sent to me by Mr. Robert O. Dehlendorf II, president of the Arcata National Corp., which would be forced to surrender more than half of its total acreage if the Redwood National Park proposed by the Interior Committee is approved. Mr. Dehlendorf's arguments constitute a thought-provoking presentation and provide the answer to many questions about some of the effects of S. 2515. Therefore, I ask unanimous consent that Mr. Dehlendorf's communication be included in the Record at this point in my remarks.

There being no objection, the letter was ordered to be printed in the Record, as follows:

> My Dear Senator: The purpose of this letter is to advise you that the reasoning cited in support of the Jackson-Kuchel bill is critically deficient in three key respects:
>
> 1. The Arcata Redwood Company, a division of Arcata National, would be forced to cease operations if the bill were enacted, with a consequent crippling economic loss to the people and community dependent upon the company for wages, local purchases and taxes. This is contrary to the Committee's report which states in pertinent part "that no company . . . will be obliged to cease operations as a result of the enactment of S2515."
>
> 2. The value of the private timberland holdings that are proposed for inclusion within the park far exceeds the amount of the requested appropriation.
>
> 3. The value assigned to the Northern Redwood Purchase Unit is greatly overstated.
>
> Furthermore, the Committee report in support of the bill ignores the fact that there is a viable alternative park plan, submitted to the Committee's Chairman 10 days ago by three of the affected companies. This plan provides for the creation of a national redwood park of considerable size at a more sensible total cost and without causing grave hardships to the people within the proposed park area.
>
> Arcata Redwood Company would be forced out of business because:
>
> 1. The amount of timber left in its ownership would be insufficient to maintain operations.
>
> 2. The concentration of type (species) of timber with which it would be left would run heavily to Douglas fir which the company is not equipped to process and could not equip to process because of insufficient volume.
>
> 3. Arcata's mills would be completely cut off from access to its remaining timberlands because the proposed park lands would completely surround its mill sites.
>
> 4. It can utilize less than 10% of the Purchase Unit, which is completely insufficient to maintain operations of its mills.
>
> The human and financial impact resulting from Arcata's being forced out of business would be severe:
>
> 1. Close to 300 company employees would lose their jobs, with little prospect of obtaining positions offering similar pay and utilizing their skills with other redwood companies or the National Park Service.
>
> 2. Arcata's payroll and local purchases amounting to over $5,000,000 annually would be lost to the local economy.
>
> 3. The curtailment of local operations would add substantially to the already high unemployment rate of 7% in the area.
>
> 4. Arcata Redwood's average annual tax payments of over $1,600,000 would be lost to various governmental bodies.
>
> 5. The ultimate cost of acquiring Arcata's lands and paying resulting damage claims would exceed $140,000,000.
>
> The appropriation of $100,000,000 requested in S2515 is grossly understated for the following reasons:
>
> 1. The bill actually requests authorization of only $40,000,000 after deducting the $60,000,000 value Senator Jackson attached publicly to the Purchase Unit being proposed as a means of exchange.
>
> 2. The ultimate cost alone of forcing Arcata Redwood out of business would exceed $140,000,000.
>
> The value attached by Senator Jackson to the Northern Redwood Purchase Unit ($60,000,000) is greatly overstated as confirmed by Secretary Freeman:
>
> 1. The National Forest Service has built a large road network within the Unit and permitted logging to be conducted for many years on a vast majority of the land.
>
> 2. Because of poor terrain features and the considerable logging already done within the Unit, future logging would be extremely difficult and prohibitively expensive.
>
> 3. Relative to private lands proposed for acquisition, the Purchase Unit contains a higher concentration of Douglas fir and minimal quantities of quality redwood.
>
> 4. In view of the admitted quality, quantity and location problems with respect to timber within the Purchase Unit, it would require an exchange of all 14,000 acres in the Unit plus an estimated $50,000,000 to fairly compensate private owners for the acquisition of approximately 5,000 of their 13,000 old growth acres included in the bill.
>
> 5. In spite of the conditions within the Purchase Unit, Senator Jackson has placed a value of $4,300 per acre on Purchase Unit land not considered park quality and, by deduction, only $1,200 per acre on the more valuable private lands.
>
> An alternative to the Jackson-Kuchel bill S2515 has been proposed to the Senate Interior Committee which would:
>
> 1. Not force any company out of business.
>
> 2. Provide the basis for a meaningful resolution of the redwood national park issue.
>
> 3. Leave the Northern California economy viable.
>
> 4. Reduce the financial impact on local, state and federal taxpayers alike.
>
> 5. Establish a park area which would accommodate both recreation and logging, a sensible long-range approach to multiple management of natural resources.

> Your cooperation is urgently requested to assure that time is allowed for full presentation and discussion of this alternative before the pending bill is allowed to become law.
>
> Very truly yours,
>
> ROBERT O. DEHLENDORF II,
> *President, Arcata National Corp.*

Mr. MURPHY. In this letter, Mr. President, we are presented with information which cannot be overlooked. We see there is evidence that this bill, S. 2515, would have a needlessly troublesome effect on private industry, on the economy of the proposed park area, and on the Federal budget itself. For instance, if just the one company of Arcata National were forced to close, 300 employees would lose their jobs and annual tax payments of $1,600,000 would be lost to various governmental bodies. Also, as indicated in the letter, the payments required to purchase the properties of this one company alone might well exceed the $100 million price tag which has been placed on S. 2515.

I repeat, Mr. President, that I feel that these and the other points in Mr. Dehlendorf's presentation are quite effective, and I respectfully recommend that they be given the most careful consideration.

At this point, Mr. President, since I have offered some rather grim forecasts from private industry concerning the damage which might be done by S. 2515, I believe that I should make the record clear that it was not the intent of the drafters of this legislation, it was not the intent of the subcommittee which approved it, it was not the intent of the committee which reported the bill to the floor, and it shall not be the intent of this body if the legislation is approved to put any private concern out of business. This is made clear in the committee report. In fact, the exact words of that report are:

> The Committee believes that no company which has a genuine interest in staying in the redwood timber business will be obliged to cease operations as a result of the enactment of S. 2515.

I take the committee at its word, Mr. President; and I feel that I know most of the committee members well enough to be certain that they fully intend to have private industry maintain its operations according to sound, everyday business principles which can continue to produce employment, profits, taxes, and all the other normal byproducts associated with production under our free enterprise system. I propose, Mr. President, that this is the sense of the committee and of the Senate, and if I am in error, I respectfully request that I be corrected accordingly.

Before concluding, I wish to offer a few additional figures which should be kept in mind in our deliberations on this bill. At present, 48 percent of the land in the State of California is owned by the Federal Government. Of this amount, the Department of the Interior owns 22 million acres, or over 21 percent of all of the land acreage of the State.

That is the situation insofar as the entire State is concerned, but now let us consider Del Norte and Humboldt Counties, where the proposed Redwood National Park would be established. In Del Norte County, the Government already owns 73.62 percent of the land, and the bill before us today would add another 10,000 acres to that amount. In Humboldt County, 21 percent of the land is now under Government ownership, and the present bill would take approximately 22,000 acres more. To all of my colleagues, and especially to those from States where Federal land ownership is a problem, I recommend a careful consideration of these facts.

At the beginning of my remarks, I submitted Governor Reagan's statement of policy concerning the points he feels are necessary if a Redwood National Park bill is to be acceptable to the State of California. I reemphasize those considerations now.

First, there must be safeguards for the lumbering industry in the area. I have discussed this point at length, but I mention it again because of the Governor's strong insistence on it and because we must not forget that hundreds of people whose livelihoods depend on lumbering have an enormous stake in the action we take today.

Second, as Governor Reagan has stressed, there must be adequate compensation for California for the loss of the State parks which would be included in the Federal Redwood Park. The Governor's office has been working with the Federal Government toward this end, and, and I trust that these efforts will continue so that a fair and equitable solution can be attained.

In conclusion, Mr. President, let me say that I realize, of course, that with so many divergent interests involved, it is not easy to arrive at a position which will accurately reflect the interests of the people of California, as they have been well expressed by Governor Reagan, of the affected counties, of the private industries which are threatened, and of the conservationists. I hope, however, that a satisfactory solution may be attained, and I join with Governor Reagan in the hope that all interested parties will continue to work together to bring about a true solution to this complex issue.

The PRESIDING OFFICER. Who yields time?

Mr. ELLENDER. I yield 10 minutes to the Senator from Mississippi.

Mr. STENNIS. I thank the Senator.

Mr. President, I do not wish to impose upon the Senate, but I desire to reiterate what has been said already with reference to the policy we will be getting into unless it is rectified by the proposed amendment.

I speak now with great deference to the great State of California, and particularly to its fine Senators. It appears to me that when you say, "If you don't let us exchange this land, we won't get the park," or if you say, "The only way to get the park is to exchange the land," ultimatums are being given to Congress on a matter that is purely a national question. We will have to decide here the responsibility of establishing the park and the conditions upon which it is to be established.

I am willing to support the bill, but I am not willing to meet the situation in a way—whether desired by the Governor of California or by any other Governor or by the people of any county—which would butcher a policy that is of great benefit to the remainder of the Nation, as well as to my own State. I believe we must look at the policy question and that that should control. That is my opinion.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. STENNIS. I will yield for a brief question.

Mr. KUCHEL. The Senator will not say, though, that there never has been an instance in which the Federal Government has taken some property of its own and used it in exchange for what it deemed to be a higher public interest.

Mr. STENNIS. I said the opposite of what the Senator suggests I said. I said that we have this national policy; that we are about to junk it, literally butcher it, in order to meet a partly local situation.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. AIKEN. The Federal Government exchanges forest land for other land which becomes part of the national forest and not part of some other establishment.

Mr. STENNIS. The Senator is correct. We exchange land all the time that way and have built up the forest, particularly contiguous acreage, in that way. That is sound policy, also.

I plead for the policy here. I would not plead for the employees of one agency over another. One is entitled to as much protection as the other. The policy must prevail.

There has been no guarantee or suggestion that to secure this park either way it will cost only $100 million. I would not be surprised if it were to cost more. We would authorize only $100 million by this bill. I suspect that there will be requests for additional authorizations.

No firm money value has been supplied with respect to the redwood park for which it is proposed to buy the land; and there has been no firm evaluation as to what we are going to give up, what we will have to pay in order to get it—I mean in land, in reproductive resources, and employment for hundreds of people.

No firm figures are in the bill, and I am disapointed about that. Although I will vote for the bill, I will have to do it with my eyes closed, moneywise. Let us not stumble over figures that are not firm and talk about saving money when we do not know how much the entire bill will cost, and thereby put in jeopardy the nationwide policy of cutting in on the national forests, one of the finest investments the Federal Government has ever made in money value, if nothing more.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. MURPHY. Mr. President, I have the greatest regard for the Senator's position and for the wisdom of his argument. But this is not really cutting in.

This would be substituting other land which is land of higher quality than the Federal land. Actually, therefore, the Federal Government would be gaining by this and not losing, and the forest that would be created in perpetuity would be much more desirable and valuable than the condition which exists at the present time.

Mr. STENNIS. I appreciate the Senator's remarks.

I enjoy the majesty of these trees. However, we are giving up policies, we are giving up principles and we are giving up money-producing property and revenue-producing property. With respect to these national forests, on a dollar investment, there has been no finer investment made by the Federal Government. I am not the owner of a lot of forest land but I am not a stranger to the way this has been worked out by the national forests on reforestation and giving us another chance, in areas like mine, where we are back in real production. I am in sympathy with it. I do not desire any credit for the fact that I have done much work on forestry research.

In my area we have oil and gas but long after those oil wells are dry and the gas is gone those trees we are producing there on a basis of systematic sustained yield will be producing for hundreds of thousands of people, and that is true in other areas of the country.

Let us not intrude on the policy of the national forests. Let us give them what they think necessary for this fine area to make it one of the greatest parks in the world and bring people there from everywhere. But let us cling to this policy in our areas that means so much to us.

I thank the Senator.

Mr. ELLENDER. Mr. President, I yield 5 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, in 1953 Ohio celebrated its 150th anniversary. The principal observance of that anniversary was a program to plant trees in 1953 in Ohio.

My deep concern about the Nation has been the denuding of the land. We build concrete highways, and we build new structures of concrete. Everywhere trees are being sawed down and concrete becomes the replacement for grass, shrubs, flowers, and trees.

This bill involves two propositions: One proposition is, Shall we only acquire the redwood forest with its magnificent trees of ages—I do not know how many; 300 or 400 years—or two, shall we also retain the 14,500 acres bearing less aged trees?

My judgment is that in the United States we have no deeper obligation than to keep the land covered with trees, flowers, and shrubs.

Mr. President, about 2 o'clock this morning I read a book on China. One of the boasts of the Communists is that since they have come into power they have planted 30 billion trees. The book contains the statement that China had 5 percent of its land covered by trees. Sterile, barren land was everywhere. Vegetation was nowhere. They have a right to claim great credit when they say, "We planted 30 billion trees."

In the years 1953 through 1956, while I was Governor of Ohio, we planted 30 million trees a year. Sadly and painfully that program was abandoned in 1957.

Mr. President, I support the Senator from Louisiana [Mr. Ellender] in his argument that we should retain those 14,500 acres that are now in the forestry division. I supported it because we are now, under programs of President Kennedy and President Johnson, spending millions of dollars to replant.

I travel over the beltway and I see the purchasing of pines and cedars for planting. That purchasing would not be necessary if we had not cut down the grasses, the vegetation, the trees, and the shrubbery.

Therefore, Mr. President, I am of the opinion that instead of desecrating the land, butchering it, and raping it by cutting down present vegetation and trees, we keep the land in its pristine state. Mr. President, that would be the effect of the amendment of the Senator from Louisiana: 14,500 acres of redwoods, in their infancy, would remain intact.

The PRESIDING OFFICER (Mr. Hollings in the chair). Who yields time?

Mr. JACKSON. I am prepared to yield back the remainder of my time. I defer to the Senator from Louisiana.

Mr. ELLENDER. Does the Senator from Washington have time remaining?

Mr. JACKSON. Yes, I have 5 minutes remaining, but I have nothing further to add.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ELLENDER. Mr. President, I wish to summarize many of the arguments that I have placed before the Senate, heretofore.

There is nothing in the bill that would force the State of California to give up the three parks that are now encompassed in the so-called Redwood Park. In addition, it is estimated that it will cost about $30 million to build roads, and a few things here and there, in order to make the park accessible to the people. There is an estimate that there will be required just under $1 million to maintain the park year round.

Mr. President, national forests should be maintained intact. It has been stated, "When private timberlands are needed by the Federal Government in the public interest, payment should be made in cash and not in kind." I am in full agreement with that statement. That is a statement made by Mr. Udall in answer to a query from the Senator from New Mexico [Mr. Anderson].

As has been shown, this 14,500 acres of land has been producing in recent years 20 million board feet of timber annually. In that respect, the Government reaps quite a lot of benefits. Those who purchase this timber would be more or less small mills which have been constructed in that area. If this land is transferred to the four large companies—as a matter of fact, I think there is one which will probably own over half the 14,500 acres—it will mean that the small sawmills which have been constructed in anticipation of obtaining this timber for sawing will, in a short time, be out of business.

Another thing. The county in which this land is located will suffer in the long run because the sustained growth of the timber on those 14,500 acres will increase from year to year and, of course, the county revenues will also increase from year to year. But, if this land is transferred to the four large corporations, there is no telling what will be done.

They might do in that area what was done in my State not too long ago.

I can well remember, as a boy, going through the virgin timberlands of central and western Louisiana, and where I live in Terrebonne Parish, where we had the finest growth of cypress trees imaginable on the place where I was born. All that is left now is a heritage of charred stumps where the trees once stood. Some of them measured 14 feet in diameter. Today, they are all gone.

The PRESIDING OFFICER. The time of the Senator from Louisiana has expired.

Mr. MANSFIELD. Mr. President, I yield 2 additional minutes to the Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 2 additional minutes.

Mr. ELLENDER. I thank the Senator from Montana.

There were many acres of virgin longleaf and shortleaf. The land there, up to approximately 10 years ago, was denuded and Louisiana enacted laws to make it advantageous for landowners to plant trees on that denuded land. The way they did it was to impose a severance tax instead of a tax on the land. Also incentives were given the landowners.

Mr. President, I hope that this amendment will be adopted and that we do not change a policy of long standing, and one which was agreed to by Secretary of the Interior Udall, by the Bureau of the Budget, by the President, and everyone else who is interested in preserving our national forests.

Mr. NELSON. Mr. President, in the last session of Congress, I supported the proposal to establish a 90,000-acre Redwood National Park and again in this session I joined the Senator from Montana [Mr. Metcalf] in reintroducing that measure.

The redwood forests represent a most precious part of our national heritage. I feel strongly that we must move to preserve at least some of the old growth redwoods that remain.

This issue has been clouded by controversy and confused by myriad claims and counterclaims. Out of all this chaos, the Interior and Insular Affairs Committee under the capable leadership of my distinguished colleagues Senators Jackson, Bible, and Kuchel has produced a significant compromise bill which combines the best of all the proposals, and which will insure the preservation of the finest remaining redwoods.

The original redwood forests covered 1,950,000 acres although less than 750,000 acres are left today. About 50,000 acres are currently protected in State parks—this is about 2.5 percent of the original acreage. S. 2515 would insure protection for an additional 13,000 acres or about 0.7 percent of the original acreage.

I am pleased with that provision in the bill which gives the Secretary of the Interior a 3,000-acre cushion for land acquisition. Erosion in the redwoods area is a particularly critical problem.

There is the constant threat of downslope areas being bruised by materials washed down from logged-over uplands.

The additional 3,000 acres will give the Secretary the flexibility to protect certain areas threatened by erosion. I am not certain that 3,000 acres will be enough and hope that consideration will be given to the possibility of raising the acreage ceiling on the park to 70,000. I see this as discretionary authority for the Secretary that would enable him, if necessary, and if funds are available, either from the Federal Government or from donations, to protect the magnificent park that this bill will establish.

I am opposed to the trading of Forest Service lands for private lands within the park unless it turns out to be the only way that we can get a Redwood National Park. I am convinced that we must have a Redwood National Park. The redwoods, like so many of our natural resources, are threatened by extinction. We simply cannot afford to let them be destroyed. We must act quickly to preserve them.

Mr. MANSFIELD. Mr. President, I ask unanimous consent, in view of the statement made earlier than the vote would take place at 2:30 o'clock, that there be a quorum call for 2 minutes and then that the vote take place.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Louisiana.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator from California will state it.

Mr. KUCHEL. A "nay" vote would keep the bill intact as it is at the desk; is that correct?

The **PRESIDING OFFICER.** A "nay" vote would be to reject the amendment.

Mr. KUCHEL. I thank the Chair.

The **PRESIDING OFFICER.** All time has now been yielded back. The yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BARTLETT (when his name was called). On this vote I have a live pair with the senior Senator from Washington [Mr. MAGNUSON]. If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." Therefore I withhold my vote.

The rollcall was concluded.

Mr. BENNETT (after having voted in the affirmative). Mr. President, on this vote I have a pair with the Senator from Nebraska [Mr. CURTIS]. If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Nevada [Mr. CANNON], the Senator from Pennsylvania [Mr. CLARK], the Senator from Alabama [Mr. HILL], the Senator from Missouri [Mr. LONG], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Rhode Island [Mr. PASTORE] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Idaho [Mr. CHURCH], the Senator from Connecticut [Mr. DODD], the Senator from Washington [Mr. MAGNUSON], and the Senator from West Virginia [Mr. RANDOLPH] are necessarily absent.

I further announce that, if present and voting, the Senator from Nevada [Mr. BIBLE], the Senator from Nevada [Mr. CANNON], the Senator from West Virginia [Mr. RANDOLPH] would each vote "nay."

I further announce that, if present and voting, the Senator from Rhode Island [Mr. PASTORE] would vote "yea."

On this vote, the Senator from New Mexico [Mr. ANDERSON] is paired with the Senator from Illinois [Mr. DIRKSEN]. If present and voting, the Senator from New Mexico would vote "yea," and the Senator from Illinois would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] is absent on official business.

The Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Illinois [Mr. DIRKSEN], and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

If present and voting, the Senator from Pennsylvania [Mr. SCOTT] would vote "nay."

The pair of the Senator from Nebraska [Mr. CURTIS] has been previously announced.

On this vote, the Senator from Illinois [Mr. DIRKSEN] is paired with the Senator from New Mexico [Mr. ANDERSON]. If present and voting, the Senator from Illinois would vote "nay," and the Senator from New Mexico would vote "yea."

The result was announced—yeas 30, nays 51, as follows:

[No. 304 Leg.]

YEAS—30

Aiken
Boggs
Byrd, Va.
Byrd, W. Va.
Eastland
Ellender
Ervin
Fulbright
Gore
Hart
Hatfield
Hollings
Lausche
Long, La.
McClellan
Monroney
Morse
Nelson
Pell
Prouty
Proxmire
Ribicoff
Russell
Smathers
Smith
Sparkman
Stennis
Symington
Williams, Del.
Yarborough

NAYS—51

Allott
Baker
Bayh
Brewster
Brooke
Burdick
Case
Cooper
Cotton
Dominick
Fannin
Fong
Griffin
Gruening
Hansen
Harris
Hartke
Hayden
Hickenlooper
Holland
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Mansfield
McCarthy
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Morton
Moss
Mundt
Murphy
Muskie
Pearson
Percy
Spong
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Young, N. Dak.
Young, Ohio

NOT VOTING—19

Anderson
Bartlett
Bennett
Bible
Cannon
Carlson
Church
Clark
Curtis
Dirksen
Dodd
Hill
Hruska
Long, Mo.
Magnuson
Montoya
Pastore
Randolph
Scott

So the Anderson-Ellender amendment was rejected.

Mr. JACKSON. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. KUCHEL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The **PRESIDING OFFICER.** The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that immediately following the vote on the bill, the distinguished Senator from Oregon [Mr. MORSE] be recognized for not to exceed 10 minutes, and that, following the Senator from Oregon, the distinguished Senator from Massachusetts [Mr. BROOKE] be recognized for 20 minutes. I do this so that we can proceed without interruption to a vote on the bill.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. JACKSON. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The **PRESIDING OFFICER.** All time having expired, the question is, Shall the bill pass?

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COTTON. Mr. President, may we have order?

Mr. MANSFIELD. Mr. President, I ask that the Chamber be cleared, except for the presence of Senators and others who have business here.

The **PRESIDING OFFICER.** The Senate will be in order. The Chamber will be cleared, except for those persons having business on the floor of the Senate. The Sergeant at Arms will execute the order of the Senate.

The clerk may proceed.

Mr. MANSFIELD. Mr. President, the Chamber is still not cleared of those who do not have business here.

The **PRESIDING OFFICER.** The Chamber will be cleared. All persons without business on the floor of the Senate will retire from the Chamber. Persons having business in the Chamber will be seated. The Sergeant at Arms will see to the execution of the order.

The clerk may proceed with the rollcall.

The rollcall was concluded.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Nevada [Mr. CANNON], the Senator from Pennsylvania [Mr. CLARK], the Senator from Alabama [Mr. HILL], the Senator from Missouri [Mr. LONG], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Rhode Island [Mr. PASTORE] are absent on official business.

I also announce that the Senator from New Mexico [Mr. Anderson], the Senator from Idaho [Mr. Church], the Senator from Connecticut [Mr. Dodd], the Senator from Washington [Mr. Magnuson], and the Senator from West Virginia [Mr. Randolph] are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico [Mr. Anderson], the Senator from Nevada [Mr. Bible], the Senator from Nevada [Mr. Cannon], the Senator from Pennsylvania [Mr. Clark], the Senator from Washington [Mr. Magnuson], the Senator from Rhode Island [Mr. Pastore], and the Senator from West Virginia [Mr. Randolph] would each vote "yea."

Mr. **KUCHEL**. I announce that the Senator from Kansas [Mr. Carlson] is absent on official business.

The Senators from Nebraska [Mr. Curtis and Mr. Hruska], the Senator from Illinois [Mr. Dirksen], and the Senator from Pennsylvania [Mr. Scott] are necessarily absent.

If present and voting, the Senator from Kansas [Mr. Carlson], the Senator from Illinois [Mr. Dirksen], and the Senator from Pennsylvania [Mr. Scott] would each vote "yea."

The result was announced—yeas 77, nays 6, as follows:

[No. 305 Leg.]

YEAS—77

Aiken
Allott
Baker
Bartlett
Bayh
Bennett
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Case
Cooper
Cotton
Dominick
Eastland
Fannin
Fong
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Holland
Hollings
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, La.
Mansfield
McCarthy
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pearson
Pell
Percy
Prouty
Ribicoff
Smathers
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—6

Ellender
Ervin
Fulbright
McClellan
Proxmire
Russell

NOT VOTING—17

Anderson
Bible
Cannon
Carlson
Church
Clark
Curtis
Dirksen
Dodd
Hill
Hruska
Long, Mo.
Magnuson
Montoya
Pastore
Randolph
Scott

So the bill (S. 2515) was passed, as follows:

S. 2515

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the purpose of this Act is to preserve in their natural settings for the inspiration and enjoyment of present and future generations, remaining virgin and old growth stands of the redwoods, the tallest living trees in the world.

Sec. 2. In furtherance of the purposes of this Act, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to establish the Redwood National Park (hereinafter referred to as the "park") in the State of California. The boundaries of the park shall be as generally depicted on the drawing numbered NP–RED–7112, and dated October 1967, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. The Secretary may revise the boundaries of the park from time to time by publication in the Federal Register of a revised drawing or other boundary description, but the total acreage within the park shall not be increased to more than sixty-four thousand acres, exclusive of submerged lands.

Sec. 3. (a) The Secretary may acquire lands or interests therein within the boundaries of the park and not more than ten acres of land outside of the park boundaries in the vicinity of Crescent City, California, and Orick, California, for two administrative sites of not more than five acres each, by donation, purchase with donated or appropriated funds, or exchange. When an individual tract of land is only partly within such boundaries, the Secretary may acquire all or any portion of the land outside of such boundaries in order to minimize the payment of severance costs. Land so acquired outside of the park boundaries may be exchanged by the Secretary for non-Federal lands within the park boundaries. Any land or interests therein owned by the State of California within the boundaries of the park may be acquired only by donation. Notwithstanding any other provision of law, any Federal property located within the boundaries of the park may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for the purposes of the park. The Secretary may enter into contracts requiring the expenditure, when appropriated, of funds authorized by section 6 of this Act, but the liability of the United States under any such contract shall be contingent on the appropriation of funds sufficient to fulfill the obligations thereby incurred.

(b) In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the park, and outside of such boundaries within the limits prescribed in subsection (a) of this section. Notwithstanding any other provision of law, the Secretary may acquire such property from the grantor by exchange for any federally owned property under the jurisdiction of the Bureau of Land Management in California, except property needed for public use and management, which he classifies as suitable for exchange or other disposal, or any federally owned property he may designate within the Northern Redwood Purchase Unit in Del Norte County, California. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the value shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. Through the exercise of his exchange authority, the Secretary shall, to the extent possible, minimize economic dislocation and the disruption of the grantor's commercial operations.

(c) The owner of land acquired with monetary consideration and the Secretary may agree that the purchase price will be paid in periodic installments over a period that does not exceed ten years, with interest on unpaid balances at a rate not in excess of the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities on the installments.

Sec. 4. (a) Any owner or owners (hereinafter in this section referred to as "owner") of improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term not to exceed twenty-five years, or, in lieu thereof, for a term ending at the death of the owner, or the death of his spouse, whichever is the later. The owner shall elect the term to be reserved. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market value on such date of the right retained by the owner.

(b) A right of use and occupancy retained pursuant to this section shall be subject to termination by the Secretary upon his determination that such use and occupancy is being exercised in a manner not consistent with the purposes of this Act, and, upon tender to the holder of the right an amount equal to the fair market value of that portion of the right which remains unexpired, such right of use and occupancy shall terminate by operation of law.

(c) The term "improved property", as used in this section, shall mean a detached, noncommercial residential dwelling, the construction of which was begun before October 9, 1967, together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

Sec. 5. The Secretary shall administer the park in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4), as amended and supplemented.

Sec. 6. There are hereby authorized to be appropriated $100,000,000 for land acquisition to carry out the provisions of this Act.

Mr. **JACKSON**. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. **KUCHEL**. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

EXECUTIVE SESSION

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the Senate go into executive session to consider executive business.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

SUPPLEMENTARY SLAVERY CONVENTION

Mr. **MANSFIELD**. Mr. President, I move that the Senate proceed to the consideration of Executive L, 88th Congress, first session.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the treaty (Ex. L, 88th Cong., first sess.), which was read the second time, as follows:

SUPPLEMENTARY CONVENTION ON THE ABOLITION OF SLAVERY, THE SLAVE TRADE, AND INSTITUTIONS AND PRACTICES SIMILAR TO SLAVERY

PREAMBLE

The States Parties to the present Convention Considering that freedom is the birthright of every human being;

Mindful that the peoples of the United Nations reaffirmed in the Charter their faith in the dignity and worth of the human person;

Considering that the Universal Declaration of Human Rights, proclaimed by the General Assembly of the United Nations as a common standard of achievement for all peoples and all nations, states that no one shall be held in slavery or servitude and that slavery and the slave trade shall be prohibited in all their forms;

Recognizing that, since the conclusion of the Slavery Convention signed at Geneva on 25 September 1926, which was designed to secure the abolition of slavery and of the slave trade, further progress has been made towards this end;

Having regard to the Forced Labour Convention of 1930 and to subsequent action by the International Labour Organisation in regard to forced or compulsory labour;

Being aware, however, that slavery, the slave trade and institutions and practices similar to slavery have not yet been eliminated in all parts of the world;

Having decided, therefore, that the Convention of 1926, which remains operative, should now be augmented by the conclusion of a supplementary convention designed to intensify national as well as international efforts towards the abolition of slavery, the slave trade and institutions and practices similar to slavery;

Have agreed as follows:

SECTION I. INSTITUTIONS AND PRACTICES SIMILAR TO SLAVERY

Article 1

Each of the States Parties to this Convention shall take all practicable and necessary legislative and other measures to bring about progressively and as soon as possible the complete abolition or abandonment of the following institutions and practices, where they still exist and whether or not they are covered by the definition of slavery contained in article 1 of the Slavery Convention signed at Geneva on 25 September 1926:

(*a*) Debt bondage, that is to say, the status or condition arising from a pledge by a debtor of his personal services or of those of a person under his control as security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined;

(*b*) Serfdom, that is to say, the condition or status of a tenant who is by law, custom or agreement bound to live and labour on land belonging to another person and to render some determinate service to such other person, whether for reward or not, and is not free to change his status;

(*c*) Any institution or practice whereby:

(i) A woman, without the right to refuse, is promised or given in marriage on payment of a consideration in money or in kind to her parents, guardian, family or any other person or group; or

(ii) The husband of a woman, his family, or his clan, has the right to transfer her to another person for value received or otherwise; or

(iii) A woman on the death of her husband is liable to be inherited by another person;

(*d*) Any institution or practice whereby a child or young person under the age of 18 years is delivered by either or both of his natural parents or by his guardian to another person, whether for reward or not, with a view to the exploitation of the child or young person or of his labour.

Article 2

With a view to bringing to an end the institutions and practices mentioned in article 1(*c*) of this Convention, the States Parties undertake to prescribe, where appropriate, suitable minimum ages of marriage, to encourage the use of facilities whereby the consent of both parties to a marriage may be freely expressed in the presence of a competent civil or religious authority, and to encourage the registration of marriages.

SECTION II. THE SLAVE TRADE

Article 3

1. The act of conveying or attempting to convey slaves from one country to another by whatever means of transport, or of being accessory thereto, shall be a criminal offense under the laws of the States Parties to this Convention and persons convicted thereof shall be liable to very severe penalties.

2. (*a*) The States Parties shall take all effective measures to prevent ships and aircraft authorized to fly their flags from conveying slaves and to punish persons guilty of such acts or of using national flags for that purpose.

(*b*) The States Parties shall take all effective measures to ensure that their ports, airfields and coasts are not used for the conveyance of slaves.

3. The State Parties to this Convention shall exchange information in order to ensure the practical co-ordination of the measures taken by them in combating the slave trade and shall inform each other of every case of the slave trade, and of every attempt to commit this criminal offence, which comes to their notice.

Article 4

Any slave who takes refuge on board any vessel of a State Party to this Convention shall *ipso facto* be free.

SECTION III. SLAVERY AND INSTITUTIONS AND PRACTICES SIMILAR TO SLAVERY

Article 5

In a country where the abolition or abandonment of slavery, or of the institutions or practices mentioned in article 1 of this Convention, is not yet complete, the act of mutilating, branding or otherwise marking a slave or a person of servile status in order to indicate his status, or as a punishment, or for any other reason, or of being accessory thereto, shall be a criminal offence under the laws of the States Parties to this Convention and persons convicted thereof shall be liable to punishment.

Article 6

1. The act of enslaving another person or of inducing another person to give himself or a person dependent upon him into slavery, or of attempting these acts, or being accessory thereto, or being a party to a conspiracy to accomplish any such acts, shall be a criminal offence under the laws of the States Parties to this Convention and persons convicted thereof shall be liable to punishment.

2. Subject to the provisions of the introductory paragraph of article 1 of this Convention, the provisions of paragraph 1 of the present article shall also apply to the act of inducing another person to place himself or a person dependent upon him into the servile status resulting from any of the institutions or practices mentioned in article 1, to any attempt to perform such acts, to bring accessory thereto, and to being a party to a conspiracy to accomplish any such acts.

SECTION IV. DEFINITIONS

Article 7

For the purposes of the present Convention:

(*a*) "Slavery" means, as defined in the Slavery Convention of 1926, the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised, and "slave" means a person in such condition or status;

(*b*) "A person of servile status" means a person in the condition or status resulting from any of the institutions or practices mentioned in article 1 of this Convention;

(*c*) "Slave trade" means and includes all acts involved in the capture, acquisition or disposal of a person with intent to reduce him to slavery; all acts involved in the acquisition of a slave with a view to selling or exchanging him; all acts of disposal by sale or exchange of a person acquired with a view to being sold or exchanged; and, in general, every act of trade or transport in slaves by whatever means of conveyance.

SECTION V. CO-OPERATION BETWEEN STATES PARTIES AND COMMUNICATION INFORMATION

Article 8

1. The States Parties to this Convention undertake to co-operate with each other and with the United Nations to give effect to the foregoing provisions.

2. The Parties undertake to communicate to the Secretary-General of the United Nations copies of any laws, regulations and administrative measures enacted or put into effect to implement the provisions of this Convention.

3. The Secretary-General shall communicate the information received under paragraph 2 of this article to the other Parties and to the Economic and Social Council as part of the documentation for any discussion which the Council might undertake with a view to making further recommendations for the abolition of slavery, the slave trade or the institutions and practices which are the subject of this Convention.

SECTION VI. FINAL CLAUSES

Article 9

No reservations may be made to this Convention.

Article 10

Any dispute between States Parties to this Convention relating to its interpretation or application, which is not settled by negotiation, shall be referred to the International Court of Justice at the request of any one of the parties to the dispute, unless the parties concerned agree on another mode of settlement.

Article 11

1. This Convention shall be open until 1 July 1957 for signature by any State Member of the United Nations or of a specialized agency. It shall be subject to ratification by the signatory States, and the instruments of ratification shall be deposited with the Secretary-General of the United Nations, who shall inform each signatory and acceding State.

2. After 1 July 1957 this Convention shall be open for accession by any State Member of the United Nations or of a specialized agency, or by any other State to which an invitation to accede has been addressed by the General Assembly of the United Nations. Accession shall be effected by the deposit of a formal instrument with the Secretary-General of the United Nations, who shall inform each signatory and acceding State.

Article 12

1. This Convention shall apply to all non-self-governing, trust, colonial and other non-metropolitan territories for the international relations of which any State Party is responsible; the Party concerned shall, subject to the provisions of paragraph 2 of this article, at the time of signature, ratification or accession declare the non-metropolitan territory or territories to which the Convention shall apply *ipso facto* as a result of such signature, ratification or accession.

2. In any case in which the previous consent of a non-metropolitan territory is required by the constitutional laws or practices of the Party or of the non-metropolitan territory, the Party concerned shall endeavor to secure the needed consent of the non-metropolitan territory within the period of twelve months from the date of signature of the Convention by the metropolitan State, and when such consent has been obtained the Party shall notify the Secretary-General. This Convention shall apply to the terri-

tory or territories named in such notification from the date of its receipt by the Secretary-General.

3. After the expiry of the twelve month period mentioned in the preceding paragraph, the States Parties concerned shall inform the Secretary-General of the results of the consultations with those non-metropolitan territories for whose international relations they are responsible and whose consent to the application of this Convention may have been withheld.

Article 13

1. The Convention shall enter into force on the date on which two States have become Parties thereto.

2. It shall thereafter enter into force with respect to each State and territory on the date of deposit of the instrument of ratification or accession of that State or notification of application to that territory.

Article 14

1. The application of this Convention shall be divided into successive periods of three years, of which the first shall begin on the date of entry into force of the Convention in accordance with paragraph 1 of article 13.

2. Any State Party may denounce this Convention by a notice addressed by that State to the Secretary-General not less than six months before the expiration of the current three-year period. The Secretary-General shall notify all other Parties of each such notice and the date of the receipt thereof.

3. Denunciations shall take effect at the expiration of the current three-year period.

4. In cases where, in accordance with the provisions of article 12, this Convention has become applicable to a non-metropolitan territory of a Party, that Party may at any time thereafter, with the consent of the territory concerned, give notice to the Secretary-General of the United Nations denouncing this Convention separately in respect of that territory. The denunciation shall take effect one year after the date of the receipt of such notice by the Secretary-General, who shall notify all other Parties of such notice and the date of the receipt thereof.

Article 15

This Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations Secretariat. The Secretary-General shall prepare a certified copy thereof for communication to States Parties to this Convention, as well as to all other States Members of the United Nations and of the specialized agencies.

In witness whereof the undersigned, being duly authorized thereto by their respective Governments, have signed this Convention on the date appearing opposite their respective signatures.

Done at the European Office of the United Nations at Geneva, this seventh day of September one thousand nine hundred and fifty six.

For Afghanistan:
For Albania:
For Argentina:
For Australia:
G. Jockel
For Austria:
For the Kingdom of Belgium:
Marc Somerhausen
For Bolivia:
For Brazil:
For Bulgaria:
For the Union of Burma:
For the Byelorussian Soviet Socialist Republic:
K. Abushkevich
For Cambodia:
For Canada:
R. Harry Jay
For Ceylon:
For Chile:
For China:
For Colombia:
For Costa Rica:
For Cuba:
For Czechoslovakia:
Pribyslav Pavlík
For Denmark:
For the Dominican Republic:
For Ecuador:
For Egypt:
For El Salvador:
Albert Amy
For Ethiopia:
For Finland:
For France:
E. Giraud
For the Federal Republic of Germany:
Rudolf Thierfelder
For Greece:
Antoine Poumpoura
For Guatemala:
Dupont-Willemin
For Haiti:
Wesnar Apollon
For Honduras:
For Hungary:
Vitányi Béla
For Iceland:
For India:
K. V. Padmanabhan
For Indonesia:
For Iran:
For Iraq:
K. Daghistani
For Ireland:
For Israel:
Menahem Kahany
For Italy:
Federico Pescatori
For Japan:
For the Hashemite Kingdom of Jordan:
For the Republic of Korea:
For Laos:
For Lebanon:
For Liberia:
A. Dash Wilson
Arthur B. Cassell
For Libya:
For the Grand Duchy of Luxembourg:
Elter
For Mexico:
E. Calderón Puig
For Monaco:
For Morocco:
For Nepal:
For the Kingdom of the Netherlands:
A. F. W. Lunsingh Meijer
For New Zealand:
For Nicaragua:
For the Kingdom of Norway:
Johan Cappelen
For Pakistan:
S. S. Jafri
For Panama:
For Paraguay:
For Peru:
Max de la Fuente Locker
For the Philippine Republic:
For Poland:
Jurkiewicz
For Portugal:
Franco Nogueira
Adriano Moreira
For Romania:
D. Olteanu
For San Marino:
H. Reynaud
For Saudi Arabia:
For Spain:
For the Sudan:
Ahmed Atabani
For Sweden:
For Switzerland:
For Syria:
For Thailand:
For Tunisia:
For Turkey:
For the Ukrainian Soviet Socialist Republic:
Mikhailenko
For the Union of South Africa:
For the Union of Soviet Socialist Republics:
A. Chistyakov
For the United Kingdom of Great Britain and Northern Ireland:
David Scott Fox
For the United States of America:
For Uruguay:
For Vatican City;
For Venezuela:
For Viet-Nam:
Khiem
For Yemen:
For Yugoslavia:
G. Vlahov

I hereby certify that the foregoing text is a true copy of the . . . Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices similar to Slavery, adopted by the United Nations Conference of Plenipotentiaries on a Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices similar to Slavery, held at Geneva from 13 August to 4 September 1956, the original of which is deposited with the Secretary-General of the United Nations.

For the Secretary-General:
/S/ C. A. Stavropoulos,
The Legal Counsel.

United Nations, New York, *31 October 1956.*

Mr. MANSFIELD. Mr. President, this treaty came from the Foreign Relations Committee unanimously.

Mr. FULBRIGHT. Mr. President, I need to say only a few words about the Supplementary Slavery Convention. The Committee on Foreign Relations reported it favorably to the Senate by a vote of 19 to 0.

As its title indicates, the treaty supplements one already in existence—the Slavery Convention of 1926 to which the United States became a party in 1929. That treaty dealt primarily with the prevention and suppression of the slave trade and the abolition of slavery. The Supplementary Convention further deals with the slave trade by making this a criminal offense under the laws of the contracting states and by providing that any slave taking refuge aboard a vessel of a contracting state shall be ipso facto free.

For the most part, however, the Supplementary Convention deals with institutions and practices similar to slavery. Article 1 requires the parties to abolish debt bondage, serfdom, involuntary marriage, or transfer of women for consideration in money or in kind, transfer of widows as inherited property, and exploitation of children. By article 2, nations are required to prescribe, where appropriate, suitable minimum ages of marriage and to encourage facilities for consent to, and the registration of, marriages. Article 3 and 4 deal with the slave trade and have already been referred to. Article 5 makes it a criminal offense to mutilate, brand, or mark a slave or person of servile status. Article 6 similarly deals with the act of enslaving or inducing another person into slavery or attempting these acts, or being an accessory or a party to a conspiracy to do any of these things. The remaining articles of the convention cover definitions, cooperation and exchange of information and final clauses. Of note are article 9, which prohibits any reservations, and article 10, which provides for the reference of disputes to the International Court of Justice under a procedure to which the so-called Connally reservation would not apply.

The Supplementary Slavery Convention was signed on September 7, 1956, but not by the United States at that time. Accession to it was recommended by President Kennedy on July 22, 1963. In the report accompanying the President's message, Secretary of State Rusk wrote:

> The substance of this convention lies within the Federal power and no substantial legal questions are involved inasmuch as slavery through such practices is already forbidden in the United States under Federal and State laws. The Department of Justice and the Department of the Interior have expressed the view that the 13th amendment to the Constitution and existing Federal legislation are sufficient to meet the objectives and requirements of the convention. In addition, laws already existing in the States and territories are regarded as satisfying the requirements of article 2 calling for prescription of minimum age and other marriage standards where appropriate.

Ambassador Goldberg in his testimony specifically cited the Slave Trade Prohibition Act (46 U.S.C. 1355) and the Peonage Laws (18 U.S.C. 1581, 42 U.S.C. 1994) as examples of existing Federal legislation covering the subject matter of the convention. So, while the convention is not self-executing, no implementing legislation will be required since our domestic laws, Federal and State, are already in harmony with the commitment contained in the treaty.

This convention was carefully studied by a subcommittee, chaired by the senior Senator from Connecticut [Mr. DODD], and by the full committee. All the witnesses heard by the subcommittee and the full committee recommended U.S. accession. Moreover, on October 11, the day the committee acted favorably, President Johnson in his International Human Rights Year proclamation lent his support to the human rights conventions, of which this is one.

Thus, the basic question—is this treaty in the national interest—has been answered affirmatively by two successive Presidents, the Secretary of State, our Ambassador at the United Nations, and many other distinguished citizens too numerous to mention.

I ask the Senate to say "yes" to this treaty and give its advice and consent to the accession by the United States to the Supplementary Slavery Convention.

Mr. President, I ask unanimous consent that an excerpt from the report on the Supplementary Slavery Convention be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

MAIN PURPOSE

The Supplementary Slavery Convention would require the abolition of the incidents of slavery such as debt bondage, serfdom, involuntary marriage, the sale of women, the transfer of widows as inherited property, the exploitation of children, the marking and branding of slaves, and the carrying on of the slave trade.

PROVISIONS

The purpose of this convention is to supplement the 1926 Slavery Convention to which the United States is a party, by dealing with conditions akin to slavery.

The convention is divided into 15 articles which are grouped under 6 sections.

In section I, the parties are required to abolish debt bondage; serfdom; institutions relating to the promising, transferring, or inheriting of women; and the exploitation of children (art. 1). By article 2, they are required to prescribe, where appropriate, suitable minimum ages of marriage and to encourage facilities for consent to marriage and registration of marriages.

Section II deals with the slave trade and makes unlawful the act of conveying or attempting to convey slaves from one country to another by whatever means of transport, ships or aircraft (art. 3). Slaves who take refuge on board of any vessel of a contracting party shall be automatically free (art. 4).

Section III, article 5 makes it a criminal offense under the laws of the contracting parties to mutilate, brand, or mark a slave or person of servile status in countries where the abolition or abandonment of slavery or the practices covered by this convention is not yet complete. Article 6 similarly deals with the act of enslaving or inducing another person to slavery or attempting these acts, or of being an accessory or a party to a conspiracy to accomplish any of these acts.

Section IV (art. 7) contains definitions.

Section V (art. 8) contains an undertaking to cooperate with other contracting parties and to communicate to the Secretary General of the United Nations copies of laws, regulations, and administrative measures enacted or put into effect to implement the convention.

Section VI (arts. 9–15) concerns final clauses—signature, accession, application to non-self-governing territories, entry into force, denunciation, etc. Of note here are article 9 which states that "no reservations may be made to this convention," and article 10 which provides for the reference of disputes to the International Court of Justice under a procedure to which the Connally reservation would not apply. This latter provision is further discussed in a subsequent section.

The 13th amendment to the Constitution of the United States provides in section 1:

"Neither slavery nor involuntary servitude, except as punishment for crime whereof the party shall have duly been convicted, shall exist within the United States, or any place subject to their jurisdiction."

The Secretary of State in his report to the President, states:

"The Department of Justice and the Department of the Interior have expressed the view that the 13th amendment to the Constitution and existing Federal legislation are sufficient to meet the objectives and requirements of the convention. In addition, laws already existing in the States and territories are regarded as satisfying the requirements of article 2 calling for prescription of minimum age and other marriage standards where appropriate" (Ex. L, 88th Cong., first sess., p. 4).

Among the laws referred to are the Slave Trade Prohibition Act (46 U.S.C. 1355) and the peonage laws (18 U.S.C. 1581; 42 U.S.C. 1994). It is the conclusion of the executive branch that no implementing or other legislation has to be enacted as a result of U.S. accession to the Supplementary Slavery Convention.

BACKGROUND

The Supplementary Slavery Convention was formulated at a United Nations Conference at which the United States was represented. It was signed at Geneva on September 7, 1956, but not on behalf of the United States.

On July 22, 1963, President Kennedy submitted this convention, together with the Convention on Political Rights of Women and the Convention Concerning the Abolition of Forced Labor, to the Senate for its advice and consent to accession.

In his overall message submitting these treaties, the President said:

"U.S. law is, of course, already in conformity with these conventions, and ratification would not require any change in our domestic legislation. However, the fact that our Constitution already assures us of these rights does not entitle us to stand aloof from documents which project our own heritage on an international scale * * *

"These conventions deal with human rights which may not yet be secure in other countries; they have provided models for the drafters of constitutions and laws in newly independent nations; and they have influenced the policies of governments preparing to accede to them."

On April 14, 1965, on behalf of the new administration, Secretary of State Dean Rusk, referring to the message of President Kennedy, wrote the Foreign Relations Committee:

"These considerations still stand; indeed, we believe it is more important than ever for the United States to reaffirm its international commitment to human rights. U.S. law is in conformity with the provisions of these three conventions, and their ratification would not require any change in our domestic legislation."

COMMITTEE ACTION

On January 18, 1967, the three conventions were referred to an ad hoc subcommittee consisting of Senator Dodd (chairman), and Senators Clark, Pell, Hickenlooper, and Cooper. Public hearings were held on February 23 and March 8, 1967. On February 23, the subcommittee heard Ambassador Arthur J. Goldberg, U.S. representative to the United Nations, assisted by Joseph J. Sisco, Assistant Secretary of State for International Organization Affairs; Richard D. Kearney, Deputy Legal Adviser, Department of State; and Mrs. Esther Peterson, Assistant Secretary for Labor Standards, Department of Labor. On March 8, after receiving testimony from Senator William Proxmire, the following non-Government witnesses were heard:

Benbow, Terence H., chairman, Committee on International Law, the New York State Bar Association.

Biemiller, Andrew J., director of legislation, AFL–CIO, Washington, D.C.

Bitker, Bruno V., attorney at law, Milwaukee, Wis.

Carter, Mrs. Eunice, National Council of Women of the United States, New York, N.Y.

Clayman, Jacob, administrative director, industrial union department, AFL–CIO, Washington, D.C.

Gardner, Richard N., the Ad Hoc Committee on Human Rights and Genocide Treaties.

Martin, Mrs. George, American Baptist Convention, Summit, N.J.

Nies, Miss Judith, Women's International League for Peace and Freedom.

Read, James, president, Wilmington College (Ohio), Friends Committee on National Legislation.

Rice, Andrew E., chairman, International Affairs Commission, American Veterans Committee.

Schick, Marvin, American Civil Liberties Union.

Taylor, Mrs. Betty Kaye, National Community Relations Advisory Council, accompanied by Maurice Weinstein, Richard Maass, Phil Baum, and Harrison Jay Goldin.

The record of the hearing was held open until the close of business on March 22 for submission of additional views. The entire proceedings have been printed for the information of the Senate and the public.

All the witnesses and all the statements submitted during the subcommittee hearings recommended approval of the conventions, including, of course, the Supplementary Slavery Convention.

The subcommittee further considered the conventions in executive session on April 6 and on June 5 ordered them favorably reported to the full committee.

The Committee on Foreign Relations discussed the conventions in executive session on June 8 and 22, and August 22 and decided on a further hearing to take testimony from representatives of the American Bar Association which had in the meantime asked to be heard. This hearing took place on September 13 and is also printed for the information of the Senate and the public. On behalf of the American Bar Association Messrs. Eberhard P. Deutsch and Max Chopnick presented and testified on a resolution adopted by the association which recommended (1) approval of the Supplementary Slavery Convention; (2) no action on the Forced Labor Convention; and (3) rejection of the Political Rights of Women Convention.

On October 11, the committee after further executive discussion unanimously ordered the Supplementary Slavery Convention reported favorably to the Senate for the reasons summarized below.

COMMITTEE COMMENTS AND RECOMMENDATION

Slavery—A matter of international concern

The committee believes that the Supplementary Slavery Convention deals with an international—and not domestic—concern. This subject has been previously treated in international covenants by the United States beginning with Treaty of Ghent with Great Britain which required the parties to abolish the slave trade and most recently in the 1926 Convention for the Abolition of the Slave Trade, which was ratified by the United States in 1929, and which the present treaty supplements.

Besides being a followup convention to one to which the United States is a party, the international character of the obligations undertaken is illustrated by article 3 which deals with the slave trade and article 4 which provides for the automatic freedom of slaves taking refuge aboard convention state vessels.

Reference of disputes to the International Court of Justice

The jurisdiction of the International Court of Justice is set forth in article 36 of its statute and comprises two categories of cases.

The first category is contained in paragraph (1) of the Court statute which reads as follows:

"1. The jurisdiction of the Court comprises all cases which the parties refer to it and all matters specially provided for in the Charter of the United Nations or in treaties and conventions in force."

The Slavery Convention contains a provision for the reference of disputes to the International Court in accordance with paragraph (1) above.

The second category of cases which might come before the Court comes under paragraph (2) of article 36, which is the compulsory jurisdiction clause which the United States accepted in 1946 subject to the Connally reservation which excepted from that jurisdiction "disputes with regard to matters which are essentially within the domestic jurisdiction of the United States *as determined by the United States*." (Connally amendment italicized.)

Inasmuch as the Connally amendment applies to cases referred to the court under article 36(2), it does not apply to cases referred under article 36(1) which would include cases arising out of this convention.

The Senate has approved numerous other treaties with similar provisions over the years. In addition to the treaties listed on pages 51 to 54 of the hearings, the Single Convention on Narcotics was approved as recently as May 8, 1967.

In its report on several of these treaties, the committee noted the inapplicability of the Connally amendment, pointing out at the same time that this inapplicability applied only to a narrow group of possible cases, which will be true again with respect to the Supplementary Slavery Convention.

Meaning and status of the preamble to the convention

As is the case frequently with preambles, the preamble to this convention raised questions, first expressed by Senator Ervin in his correspondence with Mrs. Gladys Tillet, the U.S. representative to the United Nations Commission on the Status of Women. This correspondence is reproduced in the hearings on pages 43 and 44. These questions center on the references in these preambles to various instruments to which the United States is not a party or which the United States does not consider to have the effect of a treaty obligation—specifically the Universal Declaration of Human Rights.

With respect to this latter document, Ambassador Goldberg testified:

"The declaration of human rights is not a treaty. It was a declaration. It is not a treaty obligation of any country."

He added: "It is at best a moral obligation as distinguished from a legal obligation."

With respect to the status of the preambular paragraphs generally, Ambassador Goldberg said:

"I would state first of all that they are not operative paragraphs. They do not relate * * * to our obligations as a treaty power. They are preambular; they reference; they do not incorporate into the substantive part of the conventions we are considering * * *"

Implementing legislation

While the Slavery Convention is not self-executing, no implementing legislation will be needed, since the 13th amendment to the Constitution and various Federal statutes meet U.S. obligations under the Supplementary Slavery Convention.

Seventy nations are a party to the Supplementary Slavery Convention which entered into force in 1957. The Committee on Foreign Relations recommends that the Senate give its advice and consent to accession by the United States to the Supplementary Slavery Convention.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. KUCHEL. Mr. President, while the Senators are still in the Chamber, I would like to inquire of the distinguished majority leader what his plans are for the balance of the day and for tomorrow and for the rest of the week, if it is possible to tell us.

ORDER FOR THE RECOGNITION OF SENATOR PROXMIRE TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the morning business on tomorrow, the distinguished senior Senator from Wisconsin [Mr. PROXMIRE] be recognized for 15 minutes on the treaty.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ORDER FOR VOTE ON SLAVERY CONVENTION

Mr. MANSFIELD. Mr. President, at the conclusion of the remarks of the Senator from Wisconsin on tomorrow, I ask unanimous consent that a vote be taken on the Slavery Convention, which is now the pending business.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 noon tomorrow.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, it is anticipated that following the vote on the treaty the Senate will consider S. 1321, the North Cascades National Park bill, and very likely there will be a rollcall vote on it.

The Senate will then consider S. 561, the Cape Hatteras National Seashore bill.

The Senate will then consider S. 699, the international government operating cooperation bill.

Following that, the Senate will consider bills to be reported from the Committee on Labor and Public Welfare. There will be S. 830, age discrimination, H.R. 3460, mental retardation and H.R. 6418, partnership for health.

The bills will not necessarily be considered in that order.

The Senate should be on notice that these measures will be considered, along with other matters.

Mr. KUCHEL. Mr. President, will there be any votes this afternoon?

Mr. MANSFIELD. No.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8718) to increase the annual Federal payment to the District of Columbia and to provide a method for computing the annual borrowing authority for the general fund of the District of Columbia.

REDWOOD NATIONAL PARK

The **PRESIDING OFFICER.** The Senator from Oregon is recognized.

Mr. MORSE. Mr. President, I would like to have the attention of the senior Senator from Louisiana [Mr. ELLENDER]. I owe the Senator from Louisiana an apology because of my inability to get to the floor of the Senate prior to the vote on his amendment, as I had committed myself to do.

I had been called to a conference at the request of a Presidential aide at the White House in respect to a problem that exists on education legislation. I thought I would be able to return in time, but I arrived on the floor only after the roll on the amendment had been called.

I did set forth my views last night in support of the Ellender-Anderson amendment.

Mr. **BYRD** of West Virginia. Mr. President, may we have order?

The **PRESIDING OFFICER**. There must be order for the Senate to proceed.

The Senator from Oregon will proceed.

Mr. **MORSE**. Mr. President, I covered in the main last night in my speech in support of the Ellender-Anderson amendment the points that I had planned to make in support of Senator ELLENDER in greater detail before the vote today. I am going to make the points now, for in my judgment time will prove that the Senate of the United States has made, I think, a most serious mistake this afternoon.

The Senate will rue the mistake. In my judgment, it has set a precedent. No matter how many semantics were used on the floor of the Senate this afternoon to the effect that no precedent is being established, the Senate has set a precedent that, in my judgment, greatly changes the whole management of forests in this country in respect to land exchanges.

It is a precedent, let me say, that the senior Senator from Oregon will fight as long as he is in the Senate because it will do devastating damage to the greatest lumber-producing State in this country, the State of Oregon, if it is allowed to be applied again.

I am sorry, but I think it explains one of the great disadvantages of unanimous-consent agreements on major legislation. It puts me back again to the position where I will view with great concern any proposal for any unanimous-consent agreement to limit any time on any major piece of legislation here on the floor of the Senate, because I am satisfied that if we had had additional time to talk to the Senators who, when they came through the door, were informed by Senate staff members both parties that "with respect to such-and-such an amendment, the vote is 'No,' " we would have had a majority vote before we got through.

I refuse to believe that Senators who would take the time to study the facts about the amendment would have adopted the precedent this afternoon that does such irreparable damage, in my judgment, to the management of forests in this country that belong to the people, not to the Senate of the United States and not to the politicians, but to the taxpayers.

It is too bad that these politicians did not have the time this afternoon to study the impact of what they have done in regard to the management of forests.

The matter involving the land that the Senate gave away this afternoon, in effect, for a de minimis of what it is worth, to a very small number of big lumber companies in the State of California will rise to plague those Senators who voted for the measure, may I say, as they come to grips in the future with the management of the forests of this country.

The taxpayers of this country were entitled to have this 14,567 acres of land left in sustained yield, not turned over to the gutting of a few profit seeking lumber companies that have no control placed over them now in regard to gutting these forests.

Gifford Pinchot must be revolving in his grave on the basis of what has taken place this afternoon in respect to the rejection of this amendment.

Much has been said in discussion of this issue about the northern redwood purchase unit not being regular national forest land.

This is not in accord with the law that governs the management of these lands or the facts about its administration.

The northern redwood purchase unit was acquired under the authority of the Weeks Act. The funds used to purchase it were appropriated under the Weeks Act. It is the Weeks Act that has been used to incorporate some 20 million acres into our great national forest system, all over the United States.

Listen to this: Section 11 of that act specifically provides that the lands acquired under it "shall be permanently reserved, held, and administered as national forest lands."

You gave it away this afternoon. You yielded to the pressure of a powerful lobby in this country. You failed in an obligation to the taxpayers this afternoon by the amendment that you rejected. Yes, it is strong language, and I mean to use it, because we are going to use it across this country as we fight for sound conservation of the forests in the years ahead.

You turned your back on the overwhelming majority of the conservation agencies of this country. Yes, the Sierra Club, basically a California organization, was for this giveaway. But the overwhelming majority of the conservation groups of this country warned you. They have forgotten more about conservation than the Senate combined knows, may I say most respectfully. But I do not claim that we in this body are infallible. The sad fact is that we walked out on conservation this afternoon—God's gift, great natural resources, to the people of this country. That is what we did. We tore down a citadel, an almighty citadel, a great natural resource, for profit dollars.

Those 14,567 acres of land could have been left in sustained yield, could have supplied lumber to the American people in perpetuity. And now you permit these lumber companies to go in and mow them down if they want to make a quick buck. That is what was done this afternoon in the rejection of the Anderson-Ellender amendment.

Just as all national forest lands, the northern redwood purchase unit has been under sustained-yield management since its acquisition. Timber sales have been made from it under the same procedures, the same regulations, and in all respects, under the same authority as sales from other national forest lands, and it has been protected and developed under the same authorities that apply to other national forest lands. Redwood research by the Forest Service has been conducted on this unit in the same manner and by the same organization that conducts forestry research on national forest lands throughout the country.

Let me point out again—because it is critically important—that over the years the timber on the purchase unit has been used by a fairly large number of timber operators from northern California. Small operators, it is true. But that is another issue involved here. We also, in my judgment, played into the hands of the big lumber operators and robbed the little fellows. And the little lumber mills would cooperate with the taxpayers of this country in a sustained-yield program.

If we transfer the unit under subsection 3(b) of S. 2515, we will be trading this timber, previously available to all operators of the region, to a privileged few companies—without any competitive bidding whatsoever. We will favor four large, strong companies with substantial timber holdings over many smaller operators who rely principally on the availability of timber from Federal timberlands.

And we will be depriving Del Norte County of receipts that have averaged $150,000 to $200,000 per year in recent years. This revenue, returned to the county by law, is much more than these lands will bring to the local government through taxes. It was for this reason that the national forest purchase unit has not been added to the Six Rivers National Forest. If it had been, the 25-percent share of receipts from the land would have been distributed to several counties and the amount allocated to Del Norte would have been decreased.

Mr. President, let me stress that the use of the northern redwood purchase unit as trading stock will bring no new jobs to Del Norte County. What it will bring is a disruption in the operations of the many small operators of the area who look to the purchase unit for a continuous and even flow of timber. The net result—sustained-yield allowable cut from the national forest down 20 million board feet per year. That will be the result of the unfortunate action by the Senate this afternoon.

In all respects the northern redwood purchase unit is national forest. Use of the unit as trading stock will jeopardize the sustained-yield principle which governs our national forests throughout the land.

The **PRESIDING OFFICER**. The time of the Senator has expired.

Mr. **MORSE**. I ask unanimous consent that I may proceed for 10 additional minutes.

The **PRESIDING OFFICER**. Is there objection? The Chair hears none, and it is so ordered.

Mr. **MORSE**. Mr. President, the Forest Service administers some 14,500 acres of national forest lands in the coast redwood forest region near the Klamath River in Del Norte County. These lands were purchased by the United States more than 25 years ago, with the approval of the local government and the State of California, for the practice and demonstration in the redwood type of sustained yield forestry, good logging practices, and other uses characteristic of the national forests, and to help stabilize the local economy. These lands are adjacent to the Six Rivers National Forest, and for timber management purpose are part of the Del Norte working circle. Redwood constitutes 75 percent or more of the timber on approximately 6,000 acres; on an additional 1,800 acres redwood is 50 percent or more of the timber volume. Timber on the remaining acreage is a mixture of redwood and Douglas-fir or of Douglas-fir and associated nonredwood species. Approximately 2,800 acres are being reforested after logging to redwood and Douglas-fir.

Since 1940 approximately 1,000 acres of these lands, together with an approximately equal acreage of adjoining private redwood forest, have been used for research and investigations of the silviculture, reforestation requirements, and desirable harvesting practices and techniques of redwood timberlands. In the mid-1950's the Forest Service started a program of offering commercial sales of timber to meet the needs of dependent industries. Timber is sold under competitive bidding procedures. In this way, any mill in need of timber has an opportunity to bid on the stumpage advertised for sale. This national forest land offers on an open market basis a stable supply of timber to mills that do not own sufficient timber to meet their needs for logs.

That is the plight of the small mill operator in California, in Oregon, and in Washington. We have a responsibility to those small operators, because the little mills in small communities are the economic life of the community. We have no justification for following the giveaway course of action that we followed on the floor of the Senate this afternoon.

There are a number of such industries in the tributary area. Sustained yield allowable cut of timber from the 14,500 acres is about 20 million board feet per year.

Since commercial sales began, over 216 million board-feet of stumpage has been sold from these lands. Thirty-seven timber using businesses in Del Norte and Humboldt Counties have bid on these sales. Ten such companies have bought sale offerings of 1 million board-feet or over; other companies have bought lesser amounts. Receipts from the sale of this timber have amounted to approximately $5,650,000. Twenty-five percent of these receipts has been paid to Del Norte County for support of roads and schools. This contribution to the county from the northern redwood purchase unit has amounted to approximately $1,415,000, an average of over $128,000—nearly $9 per acre—per year.

In harvesting timber from the redwood purchase unit, the Forest Service tries to develop and demonstrate logging practices that protect streams from undue damage, conserve watersheds, promote prompt and adequate restocking with desirable timber species, and keep adverse effects on the scenic values of the landscape to a minimum. Roads, skidways, and cutting blocks are so located as to avoid damage to streams and streamside vegetation, reduce the probability of soil erosion, and, through limitations of size and dispersion in the location of cutting areas, avoid excessive scarring of the landscape.

Desirable techniques and practices developed on these national forest lands can be applied to the other commercial timberlands in the coastal redwood belt. There are about 1.6 million acres of commercial timberland in the redwood forest type. Most of this will continue to be used for timber production. Careful timber harvesting practices, adequate attention to protection of scenic and recreation values, and availability of lands for public recreation, including hunting, will help meet the concern of the public that commercial timber utilization in the scenic redwood forests of California not impair their natural beauty or their streams, watersheds, and wildlife. Development and practice on the ground of acceptable logging practices and feasible programs of multiple-use forestry were important reasons for the purchase of these national forest redwood lands.

Continued national forest management of the northern redwood purchase unit lands will assure sustained yields of merchantable timber amounting to approximately 20 million board feet annually.

That would have been the case if the Senate had not given away the public interest this afternoon. We would accomplish the facts the Senator from Oregon is bringing out in this speech.

This would be available to wood-using industries in the surrounding area through competitive bidding. National forest management will insure annual payments to Del Norte County of 25 percent of the receipts from timber sales and land uses; public use of the land for recreation, hunting and fishing; continued attention to conservation of watershed, scenic and esthetic values; and further development and demonstration of management practices that will help harmonize commercial uses of redwood timber with public concern for protection of the natural beauty and the recreation, watershed, fish and wildlife values of the redwood region.

Mr. President, I ask unanimous consent to have printed in the Record at this point a table setting forth purchasers of national forest timber offered for sale from redwood purchase area lands from 1956 to 1966.

There being no objection, the table was ordered to be printed in the Record, as follows:

Purchasers of national forest timber offered for sale from redwood purchase area lands—1956 to 1966

[Total volume, million board feet]

Purchaser:	
Simpson Redwood Co	48.330
Cal-Pacific Manufacturing Co	30.800
Medford Veneer & Plywood Corp	21.500
Simpson Timber Co	14.600
Independent Building Materials Co	14.500
Northern California Plywood, Inc	14.500
Van DeNor Lumber Co., Inc	14.300
Twin Parks Lumber Co	4.900
Brunello Mill	3.715
South Coast Lumber Co	3.550
Bedford Materials, Inc	1.061
Peterson Brothers	.515
Trio Lumber Co., Inc	.400
Valdon Miller	.345
Don McMillan	.260
Simpson Logging Co	.246
Gus Peterson	.150
J. M. Hale Logging	.119

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the Record a listing of other bidders for national forest timber offered for sale from redwood purchase area lands from 1956 to 1966.

There being no objection, the list was ordered to be printed in the Record, as follows:

Other Bidders for National Forest Timber Offered for Sale From Redwood Purchase Area Lands—1956 to 1966

South Bay Redwood Company.
Tidewater Mills, Inc.
Hulbert & Mailfley Company.
Standard Veneer & Lumber Company.
Twin Harbors Lumber Company.
Four Rivers Manufacturing Company.
Brightwood Lumber Company.
Jewett Lumber Sales.
Diamond Lumber Company.
Arrow Mill Company.
Big Flat Timber Company.
Wolf Creek Logging Company.
R. C. Miller Logging Company.
Cal-Oregon Veneer.
G. R. VanVleet.
Azel Erickson.
Pacific Veneers.
N & N Woodworking.
A. C. Dutton Lumber Company.
Brookings Plywood.
R. L. VanVleet.

Mr. MORSE. Mr. President, this is a long list of bidders that the Senate has cut out from a fair break this afternoon in carrying out what I thought was our system of competitive enterprise in this country. What the Senate has done has been to pick a few big operators and give them a bonanza this afternoon to which they are not entitled, and the Senate has discriminated, in my judgment, against the rights of small business in this area. Mr. President, you will hear from it, not only in that area, but from across the country.

I ask unanimous consent to have printed in the Record another table showing contributions to Del Norte County, Calif., representing 25 percent of receipts to the Treasury from the Northern Redwood National Forest purchase unit from 1956 through 1966.

There being no objection, the table was ordered to be printed in the Record, as follows:

CONTRIBUTIONS TO DEL NORTE COUNTY, CALIF., REPRESENTING 25 PERCENT OF RECEIPTS TO THE TREASURY FROM THE NORTHERN REDWOOD NATIONAL FOREST PURCHASE UNIT, 1956 THROUGH 1966

Year	Receipts	25 percent
1956	$942,148	$235,537
1957	208,970	52,243
1958	255,661	63,915
1959	338,586	84,646
1960	174,948	43,737
1961	294,717	73,679
1962	411,407	102,852
1963	387,303	96,826
1964	1,265,145	316,286
1965	823,722	205,930
1966	558,951	139,738

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the Record a letter dated July 13, 1967, from Secretary of the Interior Udall to the Senator from New Mexico [Mr. Anderson].

There being no objection, the letter was ordered to be printed in the Record, as follows:

The Secretary of the Interior,
Washington, July 13, 1967.

Hon. Clinton P. Anderson,
U.S. Senate,
Washington, D.C.

Dear Senator Anderson: President Johnson asked me to reply to your letter about the Redwood National Park proposal in which you urged that we not trade off National Forest lands in an effort to establish a Redwood National Park.

There have been extensive discussions between State officials and representatives of the Bureau of the Budget and the Departments of the Interior and Agriculture. The subject you raise has been thoroughly aired. The position of the Administration is firm against the transfer of National Forest lands to the State of California or to private lumber interests as part of the Redwood National Park transactions. We feel this general principle must be upheld always.

It has been the long-standing position of the Government, and I know you are in agreement with this, that the National Forests should be maintained intact and that when private timberlands are needed by the Federal Government in the public interest, payment should be in cash and not in kind. I agree with this principle and you need have no concern on this point insofar as the Administration is concerned.

In this connection, you may be interested in the letter of June 22, 1967 to Senator Jackson from the Deputy Director of the Bureau of the Budget which discusses this question in some detail and makes clear the Administration's position.

Sincerely,

STEWART L. UDALL,
Secretary of the Interior.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from the Senator from New Mexico [Mr. ANDERSON] to the President of the United States dated June 26, 1967.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON
AERONAUTICAL AND SPACE SCIENCES,
June 26, 1967.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: Partly due to the Dodd matter, the Senate has been upset on our schedules, and I am very much afraid we are going to be delayed considerably in passing all the appropriations bills and other needed legislation. One of my worries has been that in the final windup before the July 4 holiday we will miss careful action on the proposal for a Redwood National Park.

I have gone over the suggestions on some of these redwood proposals, and I appreciate the fact that you have had excellent advice. I know that Laurance Rockefeller has helped, and he is one of the most dedicated conservationists that I know. However, I am not sure that the Sierra Club members in and around the San Francisco Bay area have been agreeable to the trading suggestions which have been made.

My particular worry is that trading might create some precedents which would be hard to overturn and which I believe are undesirable. Apparently the State of California would be asked to turn over to the Federal Government for the redwood forest some 30,000 acres in two existing state parks. It seems to me that we ought to count the cost and see if the State of California has asked for too much in the final transaction.

I feel that the turning over of 30,000 acres of state land now in existing state parks must be balanced by pay from the Federal Government to the state. This arrangement would give the state an opportunity to drive a hard bargain. Governor Reagan is alert to this possibility and may have requests to exchange forest land which possibly should not be traded.

I know you are familiar with this whole situation and have asked many people to see what is involved. But my attention has been called to the fact that Governor Reagan submitted to Congressman Aspinall on May 3 a letter which sets forth the price demanded by the State of California. The Governor's letter, plus subsequent conversations, make it very clear he considers trading to California the 14,500 acres in the national forest Northern Redwood Purchase Unit as an essential part of the state price.

My fear is that the people who are trying to save the redwoods and want to create a fine national park might agree to trade off these national forest lands as part of the price of getting national park support from the state. I think that such a trade might tend to become a precedent for other forest lands to be used to pay for other national parks. People might want to swap forest lands for highways, for reservoirs, or to pay off Indian claims, and it might cause serious embarrassment if such requests should be made and the trades completed.

If we can say now that we would not trade forest lands for parks of any kind, then I think that we will be safer and the national interest would be protected.

I am not trying to say that this is a new position. A reservoir trade-off proposal was seriously advanced as H.R. 4646 in the 83rd Congress. It was defeated on the floor of the House. But we can find numerous instances where owners have been asked by letter to be repaid in kind for land needed for highway purposes.

I am not sure if this letter covers exactly what I am thinking. My main worry is that if national parks are to be created, they should be financed from private gifts and public money, but not by trade.

This letter has not been written to criticize anybody. I refer to Governor Reagan only because he is the Governor of California and has a responsibility to his citizens. His letter of May 3, 1967 to Congressman Wayne Aspinall says:

"We have developed eight general principles that we in California submit for your consideration with the hope that they will be incorporated into any final plan for a Redwood National Park."

Then Governor Reagan very properly lists his eight general principles; the second which is:

"Exchange in fee title of state park lands to be incorporated into a national park for currently-owned federal lands suitable for park and recreational purposes in our state system."

The third principle is:

"Exchange in fee title of privately-owned timberlands for like kind of property accomplished through negotiation rather than condemnation. Where cash transactions are necessary, the payment period for private property taken should ideally be funded in the minimum number of years required for maximum tax advantage."

I only suggest to you that the new principle of exchange can be harmful, I think, and I would watch it very carefully.

In 1949 I suggested what is now known as the Anderson-Mansfield Act by which I wanted to preserve the forests and protect them in any way I could. I want to continue that protection, but I feel that we could give too great a payment on an exchange basis. If we want to obtain the redwoods by trade we could make bad trades and hence be involved in a worse situation than in establishing these parks.

Let the park people come in with a proposal to acquire, not a proposal to trade. We may have to shrink the boundaries of the park because purchases could be too high. But we will be better off shrinking the boundaries than to start trading forest land from the Federal Government to the State of California. At least that is my feeling, and I hope your excellent advisors and helpers will count carefully the entire cost of the program. It is my desire that trading federal forest lands to states will not be supported.

Sincerely yours,

CLINTON P. ANDERSON.

Mr. MORSE. Mr. President, with respect to the question about this administration being forewarned, the administration was put on notice as to what would happen if the Anderson-Ellender amendment was not agreed to. There is no question about where the Secretary of Agriculture has stood, as I shall show from a letter I shall have printed in the RECORD in a moment. He has stood foursquare in opposition to this giveaway and foursquare in opposition to the exchange of land of little value in comparison to Federal timberland worth huge sums of money which will be a bonanza to the companies that are selected, as special favors, to receive the land.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter from Secretary of Agriculture Orville Freeman to the Senator from Vermont [Mr. AIKEN] dated October 20, 1967, which has become a public letter.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OCTOBER 20, 1967.

Hon. GEORGE D. AIKEN,
U.S. Senate.

DEAR SENATOR AIKEN: You will shortly be considering S. 2515, a new bill to establish a Redwood National Park. The Department of Agriculture actively supports the establishment of such a Park.

However, this Department vigorously and strongly objects to the feature of S. 2515 which would use National Forest land as trading stock to obtain land for the Park. This commandeering of the National Forest land in the Redwood Purchase Unit is not necessary in order for the Nation to have a Redwood Park.

Using National Forest land for trading stock in this important case endangers land administered by the Forest Service all over the country. It threatens the integrity of the National Forests, a principle of long-standing.

It would open the floodgates. Right now, and repeatedly in the past, there have been made demands in other parts of the country that National Forest lands be used to pay for parks, or for reservoirs, or for highway rights-of-way. Any and every instance of such a taking of National Forest land makes the later pressures that much harder to resist.

This is why past actions of Congress have resoundingly rejected use of National Forest land for this kind of trade-off.

There are other reasons for not appropriating these National Forest lands to pay for the Park:

1. Savings derived from trading off the National Forest land would be a small part of the total cost of the proposed Park. On an acre-for-acre basis, the value of the National Forest land in the Purchase Unit, estimated at $25 million, falls far short of the value of the old-growth groves proposed for inclusion in the Park. This is a very small sum to endanger a very basic principle of conservation.

2. The four main companies involved do not need the limited acreage of land that could be made available to them in order to continue operating for a significant number of years. The company that would experience the greatest impact could continue at its present rate of operation for 15 years or longer.

3. A move to make these companies partially whole would be at the cost of with-

drawing supplies now used by smaller operators who buy the stumpage that would be transferred to the four larger, stronger companies. In recent years, 10 operators in the area have used the timber that this action would turn over to only four large companies. Thus, a trade-off of land would not create any new jobs. It would favor four large companies at the expense of 10 smaller ones.

A Redwood National Park is in the national interest. The USDA supports strongly that objective. But a raid on the National Forests and the establishment of a dangerous precedent in violation of long-standing, sound conservation principles is neither necessary nor wise.

Sincerely yours,

ORVILLE L. FREEMAN,
Secretary.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD a letter dated October 23, 1967, from J. W. Penfold, conservation director IWLA, to the Senator from Washington [Mr. JACKSON].

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OCTOBER 23, 1967.

Subject: Redwoods National Park.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The Board of Directors of the Izaak Walton League, which represents the Nation-wide membership, held its regular fall meeting over the past weekend. The Board discussed the Redwoods National Park proposal and your Committee bill S. 2515, one of the key conservation issues of the 90th Congress. Copies of the bill and the Committee Report had previously been distributed.

The Board was highly commendatory of the Committee for working its way through all the complexities of the issue and reaching agreements on a workable plan for a worthwhile National Park.

The Board unanimously agreed on the following points:

1. To support the Committee's recommended two-unit Park;

2. To support full funding for acquisition of lands for the Park;

3. To oppose use of the Northern Redwoods Purchase Unit as trading stick for lands to be acquired.

The League over the years has supported and now supports land exchanges when that serves to block up holdings, to achieve more effective and efficient administration and management or to eliminate undesirable inholdings. The League as consistently has opposed proposals to use national forest lands as payment in kind when Federal acquisition is necessary for other projects of broad and public interest. The League does not believe that the choice lies between a national park on one hand and national forest lands on the other—both are needed. Rather, the League believes that the Country can afford to acquire directly the lands necessary to establish the National Park approved by your Committee.

The League's opposition to one provision of S. 2515 in no way detracts from our evaluation of the Committee's accomplishment in reporting out this important measure.

Sincerely yours,

J. W. PENFOLD,
Conservation Director, IWLA.

Mr. MORSE. Mr. President, there is no question that Secretary Freeman and the Bureau of the Budget have strongly endorsed the Anderson-Ellender amendment against this exchange, holding many of the views that the Senator from Oregon expressed yesterday afternoon and again this afternoon.

This is a vital issue in my State and, as the senior Senator from Oregon, I do not intend to sit here and not protest this great mistake that was made this afternoon in the Senate because it can affect my State. I shall do everything I can to prevent any adoption of that precedent for any exchange of timberland in my State.

In the past there have been some attempts to raid the forests in Oregon by giving them away under the guise of exchanges to selfish lumber interests that would like to mow them down, cut, and get out. May I say to the everlasting credit of the majority of the lumber companies of my State that they have long since joined with those of us who support the sustained yield program, but we have a few "get-rich-quick boys."

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. Mr. President, I ask unanimous consent that I may proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, we have a few "get-rich-quick boys" who would like to take advantage of every opportunity to get in, cut out, and then get out.

Mr. President, that is what the Senate did this afternoon. The Senate made that opportunity available to a few selected companies in California. Oh, I know the argument. You had to pay for the land out of the Treasury of the United States. That is exactly what the taxpayers, if they were sitting in a jury box, would have told you to do because that would have brought back to the taxpayers something much greater than the values the Senate gave away this afternoon.

What we are building here was a great citadel to the Lord in the property of the park. I voted for the park in spite of the wrong that was done this afternoon. The park is important, but, Mr. President, you did not need to give away the public interest in this 14,567 acres for a pittance in order to get this park because the taxpayers, once they understood the mathematics of it, would have been willing to pay for that park, for that is a park that will return many times its cost to future generations of American boys and girls as they visit it and come out of that forest better men and women than they were when they went in.

I say that, Mr. President, because when you go into one of these great natural citadels you come close to the Creator. I know of no more inspiring church than a redwood forest or a great Douglas-fir park. That happens to be a part of the esthetic and spiritual values that were before us. I do not like to see us start a precedent where you are going to encourage selfish lobbying interests to get for far less than the value that was given them this afternoon when the Senate defeated the Anderson-Ellender amendment.

I am sorry that I find it necessary to speak as strongly as I have spoken this afternoon, but not nearly as strongly as the facts warrant. I speak, however, because you can go back to the pages of the CONGRESSIONAL RECORD and you will find in decades gone by that other liberals have stood on the floor of the Senate and fought against exactly the same type principle I am fighting against here this afternoon. This conservation fight is a fight that has been going on in this country, this Congress, and the Senate for many decades. We lost a round today but I am satisfied that once the taxpayers, particularly in the West, come to understand what was lost, then we will be in a strong position the next time to win a victory that we should have won this afternoon in the public interest.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PUBLISHING THE HARD TRUTH

Mr. HART. Mr. President, there are many thoughtful organizations publishing magazines which, year in and year out, speak the hard truth. Our country is the better for all such organizations and publications. Not often, however, do we take the time publicly to thank those who undertake such ventures.

Mr. President, I ask unanimous consent that at the conclusion of my remarks there be printed in the RECORD, for all to read, an article from just such a magazine, written by a very distinguished American, Dore Schary, published in the Antidefamation League Bulletin for October of this year, entitled "Time for Truth."

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HART. Mr. President, the Antidefamation League, for about 55 years now, has carried on, in good days and bad, a constant search for means to permit the men and women on this troubled earth to live together in peace and harmony and mutual respect.

Organized initially to end discrimination against Jews in this country, it then, and since, has aimed at the broader objective of securing justice and fair treatment for all citizens. It has contributed enormously toward the betterment of conditions not alone for Jews but for all of us.

The article which I urge my colleagues in the Senate and the people of this country to read, makes very important suggestions to those of us who are concerned—and, I submit, that is every American—with the proper reaction to the violence in the cities this summer. How do we hear the voices of the extreme black power and hateful white power, and keep in balance?

Dore Schary makes some very helpful suggestions, and I think we would all be the better if we read the article and gave it thought and, to the extent our abilities permit, application:

EXHIBIT 1

TIME FOR TRUTH

(By Dore Schary)

Returning from Detroit after a hard and depressing look at the debris of the riots there in July, and in examining the tragic results of the National Conference on New Politics in Chicago, I had two apprehensive convictions: one that the Negro extremist could be destroying the civil rights front, and two, that the white backlash is accelerating dangerously.

The extremist Negro bloc at the Chicago Conference made thirteen demands. The white radical and liberal delegates granted all thirteen—without changing a comma.

Lyndon Johnson was equated with the late George Rockwell. The "imperialist Zionist war" was condemned. "Total and unquestionable support" was given for "all national liberation wars." The concept of separatism was adopted as a goal.

The four-day meeting, held August 31 through September 4, was the grotesque culmination to a summer of rioting, name-calling, demagoguery, and futility. The four-day meeting, originally called to seek political action for achieving peace and civil rights, ended by providing proof positive that no one race holds a monopoly on spawning bigots and fools.

Black opportunists said "Crawl, Whitey" and these Whiteys, filled with guilt and self-hatred, crawled—murmuring "We're with you, black brothers."

But the black demagogues they chose to be with are racist revolutionaries who hold nothing but contempt for the whole civil rights movement. They offer the same solutions as the Ku Klux Klan—violence and separatism.

As did thousands of other Americans this summer, I watched cities burn, merchants wiped out, shooting and killing in the streets. I heard myself—and people like me who had worked for most of their adult lives toward achieving civil rights—called "Whitey", the enemy. I heard the "I told you so's"—variations of one theme: "They're savages. See what happens when you try to help them?"

In utter dismay I read SNCC's August newsletter with its attack on Israel and Jews. The group which had the cooperation of thousands of Jewish students in voter registration drives, the group whose name—Student Non-Violent Coordinating Committee—once fitted its wide-spread and often fruitful activities, had parroted the vicious anti-Zionist and anti-Jewish diatribes of Arab and Soviet propagandists, and of the racist and blatantly anti-Semitic National States Rights Party.

Shortly after the publication appeared, newsmen crowded the board room of the Anti-Defamation League's national headquarters in New York—television crews from the three major networks, radio newscasters, newspaper reporters, magazine researchers.

They came for two reasons: to compare the SNCC publication's statements with those in the National States Rights Party's organ, *The Thunderbolt*, and with Arab hate materials (all in ADL's research files), and to ask how a Jewish organization, long in the forefront of the civil rights struggle, viewed the development.

SNCC's attack, we said, was a tragedy, but then SNCC itself had become a tragedy, as divorced from reality as it is from the overwhelming majority of those it claims to represent. SNCC had engaged in anti-Semitism, allying itself with the Arab nations because, it said, it believes in black solidarity. But, we pointed out, traffic in African slaves was big business in the Arab world long before Europeans and then Americans entered the trade. And even today, in some Arab lands, there is still slavery—Negro slavery.

"Is anti-Semitism widespread among Negroes?" the reporters asked.

We quoted the findings of the University of California Survey Research Center: "Negroes are less anti-Semitic than whites. To the degree that they distinguish between Jewish and non-Jewish whites, *they prefer Jews.*"

The scientific study of Negro attitudes was conducted by University sociologists under an ADL grant as part of a five-year research program on patterns of American prejudice. The third work in a series of seven, it will be published this fall by Harper & Row under the title *Protest and Prejudice: A Study of Belief in the Black Community.*

The study sharply refutes widespread beliefs about Negro attitudes toward Jews. The national sampling found that Negroes' feeling toward Jews and other whites tended to be in favor of Jews. For example: more Negroes than not said Jewish landlords are better than other white landlords, only 7 percent said they are worse; more Negroes than not said Jewish store owners are better than other white store owners, only 7 percent said they are worse. Thirty-four percent said Jews are better to work for, 19 percent said they are worse, and 70 percent said Jews are better than other whites when it comes to hiring Negroes.

In addition to these findings, on-the-scene observances of ADL regional directors in riot areas across the country refuted the belief held in some quarters that the stores of Jewish merchants were singled out for destruction.

"It just isn't so," read one typical report. "Every store in the area got it, from the A&P to the local beanery."

The demagogues held the center of the stage this summer—the black extremists shouting "Get yourself a gun, baby," and the white extremists, full of self-righteousness and moral superiority, urging armed retaliation. Both represented a minority, but both had an audience and both made an impact.

A minority of Negroes burned down Negro homes and Negro neighborhoods while the majority stood silently by serving as protective hosts for incendiarists and snipers.

Whites pointed fingers and searched for scapegoats and mouthed easy answers while their majority stood silently by shaking their heads in fear, despair and hopelessness.

Perhaps Communists, Rap Brown and young hoodlums contributed to this summer of unrest. But you can't blame Communist agitators, Rap Brown, or young toughs for slavery, slums, ghetto schools, closed unions, closed neighborhoods, broken families, poverty, unemployment, and second class citizenship for an entire people.

It is time for truth. If this summer of disasters embarrassed white liberals, it also embarrassed about 90 percent of the Negro population. If this summer of disasters lent weight to the racists and the doubters, it also lent weight to the dedicated and sincere who know that the nation cannot survive with abject poverty in the midst of overwhelming affluence.

The hope of this nation and its people—all of its people—does not lie in temporary and piecemeal approaches to one of the most serious social dilemmas we have ever faced. It does not lie in separatism—the antithesis of everything America stands for. It does not lie in misguided "liberals" patronizing Negro extremists.

Nor does it lie in rioting as a constructive form of civil rights protests. The message for Negroes is that those who preach riot or passively accept riot are betraying them. Violence drives away industry. It drives away investors who would build housing. It strengthens resistance to integration—in the communities of America and therefore in Congress too, which is notoriously reluctant to face head-on the basic facts of Negro inequity.

We have passed great laws. We have made much progress in the past decade. But we have so much further to go. The great laws must be enforced and implemented and swifter progress must be made. The Negro is still in need of justice and hope in the United States—not in a so-called "model city" here and there (the majority of whose inhabitants try to reconcile the gap between what they read is being done and what they know is everyday reality), but in a pattern for living with equal opportunity and human dignity everywhere in this land. If we do not move toward that kind of society, the militants with their chaotic solutions can indeed take over to polarize the nation into civil war.

"It isn't a question of moderate v. militant," Whitney Young said, "but of responsibility v. irresponsibility, sanity v. insanity, effectiveness v. ineffectiveness."

In 1966, addressing ADL national commissioners, the director of the Urban League spelled out his "domestic Marshall Plan"—which he had first urged four years earlier. And, pulling no punches, Mr. Young suggested that ADL, and all religiously oriented organizations, do some self-examining. Praising the work of the League, he said he hoped that the greatest year of ADL's contributions to democracy "would always be the next one." I agree with that.

In 1967, at this year's ADL national commission meeting, I spoke for one hour on the goals of A. Philip Randolph's "Freedom Budget" and urged its adoption. The national commission agreed with me.

What is the role of this fifty-four year old agency founded to end the discrimination of Jews and, as stated in its charter, "to secure justice and fair treatment for all citizens alike."

I believe that as individuals we ought to do some self-examining. What examples are we giving our children? Are there things we can do and are not going—self-education, perhaps, or community involvement, or providing job opportunities and apprentice training?

I believe that as an agency we must continue and expand our educational and action programs to help resolve constructively the great human relations challenges before us. The work to be done is our kind of work. Over the years we championed equal opportunity laws in countless cities and states. Now we must help in seeing that they are enforced, that minority group job applicants are not turned away out of habit, or worse, are not the victims of subterfuge and ingenious methods of locking them out or limiting them to the ground floor.

There is much to be done—to break the prison of slums where Negroes are locked in more and more and more, like sticks of dynamite tied together and ready to explode; to educate for democracy in schools where Negro children are written off as hopeless before they even begin, where textbooks color history while ignoring the contributions of the colored.

Is it impossible? Is the job too gigantic to tackle? Not if we lend support to the thesis that a nation which organized itself to win World War II, which aided and aids the economic development of nearly half the world, which builds superhighways and superdwellings for its affluent, which has explored space and is getting ready to explore the moon, can with the same kind of exertion overcome the shame of its dual society.

With a national effort of real moral purpose, with commitment of resources equal to the magnitude of the task—a commitment that takes in government *and* the private sector—we can begin to cure the ills of our society. The urgency is to get on with the job, not in fits and spurts or with promises and rhetoric, but with full time and with full commitment.

The question is not how many Negroes hate whites. After all, we can only estimate how many whites hate Negroes. The question is not how do we salvage Negro extremists. We continue to do battle against white bigots and extremists. Not is it how hurt and outraged we may feel at being labeled "Whitey." The word "nigger"—spoken and thought—is still part of the vocabulary.

The truth is that we may never salvage Negro extremists. But we can see to it that they remain outside the mainstream of American life. And in the language of the ghetto we can "get the message" and begin to salvage America itself.

We can get back on the road it took so long to build. We can make of it a new kind of superhighway. And we can move ahead, in spite of—or maybe because of—our desperate summer of running backwards.

AUTHORIZATION FOR DISPOSAL OF GOVERNMENT-OWNED LONG-LINES COMMUNICATION FACILITIES IN ALASKA

Mr. STENNIS. Mr. President, I ask that the Chair lay before the Senate a message from the House on S. 223. I have not given the desk prior notice of this, Mr. President.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 223) to authorize the disposal of the Government-owned long-lines communication facilities in the State of Alaska, and for other purposes which were, on page 5, line 15, strike out all after "disqualified" down through and including "amended" in line 18, and insert "by subsection 310(a) of the Communications Act of 1934, as amended, from holding a radio station license".

On page 6, line 10, strike out all after "(3)" down through and including "requisite" in line 11, and insert "the transfer will not be final unless and until the transferee shall receive any requisite licenses and".

On page 6, line 18, strike out "may be necessary under section 202(4)" and insert "is necessary under section 203 (3) above".

On page 7, line 5, strike out "Except as provided in section 204, this" and insert "This".

Mr. STENNIS. Mr. President, the House amendments to this bill are technical ones that were recommended by the Federal Communications Commission. The Committee on Armed Services recommends Senate concurrence in these amendments, and therefore I move that the Senate agree to the House amendments.

In further explanation, this was a unanimous report of the conference group. It is a bill upon which the Preparedness Subcommittee held hearings. There was a unanimous report on the bill itself, and I think it passed the Senate by unanimous vote. I note that the two Senators from Alaska are in favor of it.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Mississippi that the Senate concur in the amendments of the House.

The motion was agreed to.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CITY OF BUFFALO SHOULD HAVE OPPORTUNITY TO BE HEARD BY AMERICAN LEAGUE OFFICIALS ON NEW BASEBALL FRANCHISES

Mr. JAVITS. Mr. President, it has come to the attention of my colleague, Senator KENNEDY, and myself that the city of Buffalo, N.Y., one of the most enthusiastic sports-loving cities in the country, did not have a chance to be heard by the officials of the American League before new baseball franchises were awarded.

The people of Buffalo are well known as hearty and loyal sports fans, and have given enthusiastic support not only to the American Football League's Buffalo Bills, but to almost every imaginable local sporting activity from hockey and basketball to curling and pingpong.

Senator KENNEDY and myself have joined with western New York area Members in the House in calling upon the American League to withhold final approval of these expanded franchises until all interested parties, including Buffalo, are given a full opportunity to present their cases at open hearings.

Senator KENNEDY and I feel that Buffalo does indeed have a good case to make, not only because of its history of support for sports activities but because the community is planning to build a new stadium to be ready for the 1970 baseball season.

Mr. President, on behalf of my colleague from New York [Mr. KENNEDY] and myself, I ask unanimous consent to insert in the RECORD a copy of the statement we have made, together with the following Members of the other body: Mr. RICHARD D. MCCARTHY, Mr. BARBER B. CONABLE, Mr. THADDEUS J. DULSKI, Mr. CHARLES E. GOODELL, and Mr. HENRY P. SMITH III.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

> Congress has so far permitted the baseball industry to run its own affairs but this privilege carries with it the corresponding duty to act fairly and responsibly in the public interest. Reported action of the American League in awarding expansion franchises without giving Buffalo, Milwaukee and other interested cities an opportunity to be heard appears to be inconsistent with these responsibilities.
>
> I call upon the American League to withhold final approval of these franchises until this is corrected and ask that both major leagues give assurances that all interested parties will be given adequate notice and a full opportunity to present their cases at a fair hearing before any expansion franchises are awarded.
>
> Buffalo's plans to build a new stadium to be ready for the 1970 season are well along with the cost and site study to be completed by the first of December and with both parties behind the effort. I would certainly assume that the Niagara Frontier, with its population rank, its importance as a major television market and its great record of support of the AFL Bills and other sports, would receive primary consideration in any expansion move by either league.

HONEST ELECTIONS ACT OF 1967—REPORT OF A COMMITTEE—MINORITY AND INDIVIDUAL VIEWS (S. REPT. NO. 714)

Mr. LONG of Louisiana. Mr. President, from the Committee on Finance, I report favorably, with amendments, the bill H.R. 4890, to establish a working capital fund for the Department of the Treasury, and I submit a report thereon. I ask unanimous consent that the report be printed together with minority and dissenting views.

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed as requested by the Senator from Louisiana.

Mr. LONG of Louisiana. H.R. 4890 as passed by the House sets up a revolving fund in the Treasury so it can better provide certain administrative services to its constituent bureaus. To that bill, the Senate Finance Committee has added the Honest Elections Act of 1967. The committee's amendments are submitted in compliance with the instructions of the Senate of April 25, 1967, which directed the committee to report back to the Senate provisions with respect to the presidential campaign fund law of 1966.

After receiving its instructions from the Senate, and after more than 5 weeks of debate in the Senate on the subject of campaign financing, the committee conducted 6 days of hearings in which it heard from everyone who evidenced a desire to speak to the issue. Following the open hearings, the committee met in executive sessions to formulate a package of proposals to report to the Senate. That package comprises the four titles of the Honest Elections Act of 1967 reported today.

Title I provides an income tax credit for one-half of up to $50 of political contributions an individual makes to candidates for public office or to political committees.

Title II provides a choice between public and private financing of presidential and vice-presidential and senatorial election campaigns. If candidates for these offices choose to receive Federal payments for their campaign expenses, they will generally not be able to accept private contributions for such expenses.

Title III is the exact text of the Election Reform Act of 1967, S. 1880, which the Senate passed unanimously September 12, 1967, to amend the law relating to the reporting of campaign expenditures and contributions.

Title IV provides criminal penalties for the undesirable campaign practices of soliciting votes near polling places in Federal elections and paying persons to provide transportation for voters in Federal elections.

I recognize that this bill is being reported rather late in this first session of the 90th Congress, when the mood of Congress is to pass only essential measures and to adjourn. The Honest Elections Act is of such a comprehensive nature as to require thorough study and debate by the Senate before being acted upon. Therefore, it may not be possible to schedule it for consideration in this session of Congress.

It is my hope, however, that, if the measure is not considered by the Senate during these remaining days of the first session, it will be considered and passed as early as possible next year so that it can operate in the 1968 political campaigns.

To do that, it may be necessary next year for us to modify certain of the provisions in the bill as reported in order to get on the lawbooks an effective measure as quickly as possible.

I am extremely proud of the bill reported today. The committee worked long and hard to prepare what I feel is the best possible measure for the financing of political campaigns that has ever been presented anywhere in or out of Congress. It is a combination of the best thinking of the members of the committee and of the Members of the Senate. It holds promise of doing more to democratize our democratic government than anything else that has ever been done before. It will make it possible, in an era of burgeoning campaign costs, for men of uncommon ability, but limited means, to participate effectively in shaping this country's destiny without having to rely on large contributions from questionable sources.

I hope this bill will have the attention and the support of my colleagues and of the American people.

Mr. President, the bill before us reflects the best thinking of all those who believe that there must be some better way other than entirely private financing to pay the cost of Federal elections, in order to assure that improper influence as a result of campaign contributions will be kept to an absolute minimum. This bill seeks to meet the problem both by saying how campaign contributions can be made, how they will be regulated in the private area, requiring the reporting of private campaign contributions and striking at corrupt practices, and by striking at the cause of a considerable amount of undue influence in Government—the way in which campaign funds are raised.

The bill before us reflects the best thinking of those who contributed to the heated and sometimes impassioned extended debate which occurred in the Senate during the early weeks of this session, including those who had very sincere doubts, and raised many questions about certain phases of the legislation, although they felt that the objective was in some respects a desirable one.

Much of the thinking of the Senator from Tennessee [Mr. GORE] is reflected in the measure before us—particularly to the extent that it provides that there should not be commingling of public and private funds when the Federal Government helps make it possible to finance a campaign for Federal office.

The bill before the Senate, both with regard to presidential candidates and to senatorial candidates, would require that the candidate decide whether he will spend public funds—and if he should elect to do so, he would account for them just as though he were anyone else spending Federal funds under a necessity of accounting for every single nickel, to show that it was properly spent, and for a proper purpose. The bill does not permit private contributions to be accepted by a candidate for President, for Vice President, or for the U.S. Senate, if he elects to avail himself of the Government funds available.

The bill does not seek to provide public financing for primary elections. They would continue to be financed by private contributions. Broad private financing would be encouraged by the tax credit provision which is also a part of this legislation. A person could put up $50, taking a tax credit of $25, as his contribution toward helping a candidate emerge from the primaries victorious. It would also permit anyone who sought to do so to continue to run with private financing in the general election campaign, and his contributors would have the benefit of the tax provision of a 50-percent credit on a contribution up to $50 if he decided to use private financing.

This bill would seek to free a candidate for President, for Vice President, or for the U.S. Senate from the necessity of going hat in hand to anyone, seeking private money for his campaign.

Mr. President, in my judgment a great deal of what is wrong with government in this country has to do with the manner in which campaigns are financed. In a discussion of ths subject with one of the most honorable men in government I have ever known, who has served in this body, he made a statement which explains, I think, about as well as any I have heard, what the problem is.

He said:

> We like to think and we like to say that these contributions to our campaigns have nothing whatever to do with our judgment, and that it really doesn't make any difference at all in arriving at what we will do about someone's problem, or how we will vote on legislation. Yet we know that it does make some difference.

It makes a difference in your attitude toward some people, even though you would like to think it does not, and it does have something to do with how some of the votes turn out.

This measure would seek to insure that those who run for public office, insofar as we have the power to make it so at this time, may be, like Caesar's wife, completely above suspicion, and to remove any pressure that would cause a public servant to feel that because certain individuals contributed to his campaign in large amount, he has something of an obligation to vote in their favor on matters important to their interests, rather than to vote 100 percent his own convictions on all issues.

Mr. President, it has been my experience through the years that when someone who had been a major campaign contributor, not only in one but in two or three campaigns, would call upon me and urge me to vote for some particular piece of legislation, I would hope I could go along or agree with that person, because he had contributed a large amount to my campaign. It is a practical problem in government, and one we will never be able to regulate simply by saying we will have to report campaign contributions. In the end, we must decide whether we want to free this Government completely from the influence which comes through money contributed to campaigns.

Strangely enough, Mr. President, through all the debate on this item, involving many millions of dollars—it is estimated that there would be about $28 million available to the two candidates for President in 1968 and about $26½ million available to candidates of the U.S. Senate in 1968—I have never yet had a single man who was a big campaign contributor ask me to vote for public financing of any campaign, even though that would, theoretically at least, relieve him of the burden of having a great number of his friends in Congress and people in the White House pressing him to contribute campaign money.

The fact that no one has ever asked me to vote on that basis leads me to believe that such people feel, when they contribute to political campaigns, that it is a good investment, and it is advantageous to have those in government come by to see them periodically, seeking campaign contributions.

But if we believe that theoretically, at least, every man should have as much influence in government as any other, and that any man's vote is worth as much as any one else's vote, then I believe it would be well that every person have equal influence in deciding who will be elected.

There will be some heated debate on the issue; but this is the fundamental issue that separated Alexander Hamilton from Thomas Jefferson, the one feeling that it was the elite, the well educated, the privileged who would be best qualified to decide what would happen and what the course of the Nation should be, therefore contending that only property owners should be permitted to vote at all.

The Jeffersonian theory was that the more hands into which the Goddess of Liberty is entrusted, the safer she will be. That was the course the history of this Nation took.

There is no doubt in my mind that when Senators get used to the idea, they will think more and more that it is better that campaigns for Federal office should have the least possible amount of private financing, particularly in cases in which one must seek large contributions from a relatively small number of people.

A part of the bill—the tax credit of one-half of up to a $50 campaign contribution—was voted without a single dissenting vote in the committee. In fairness, I should say that I do not believe that that provision will make nearly as great a contribution toward relieving the Government from the pressures of undue and improper influence as would be achieved by some of the more controversial sections of the bill. Some of the best things that happen in Government are achieved only after fierce, heated, impassioned controversies which lead to compromises; after people have contributed their best efforts and set forth their ideas, in an effort to reach a solution of the problem. The more controversial sections of the bill will, in the end, be judged by history to be some of the best parts of it.

Mr. President, I note that the senior Senator from Tennessee is present in the Chamber. I thank him for the fine contribution he has made as a member of the committee and for his work on this legislation. I thank him as one who struggled for many hours with him in debating various aspects of this issue on the floor in the early part of this session.

I am happy that I can now join with him in supporting the bill.

Mr. GORE. Mr. President, I thank the distinguished junior Senator from Louisiana, the chairman of the Finance Committee, for his generous reference to the senior Senator from Tennessee.

I express gratitude for the diligent efforts and earnest attention he has given to this problem. It is a pleasure and an honor for me to join with him in this truly joint effort to bring about a basic political reform.

Mr. President, enactment of the bill which the chairman of the Finance Committee has just reported to the Senate would, in fact, be a fundamental political reform, one that has been too long delayed, one that has been long in the making, and one for which there is a pressing and increasing need.

President Theodore Roosevelt suggested this political reform in the year in which the senior Senator from Tennessee was born. So, it is not entirely a new idea. However, in the intervening period of time, the cost of political campaigns has skyrocketed until we are nearing the point—if indeed we have not already arrived at the point—at which only very wealthy men, or those who accept very large contributions from wealthy individuals or from vested interests, can seek successfully high Federal elective office.

I do not wish in this statement to indict any individual. I wish clearly to acknowledge that I have been a participant in this great system of self-government. I am aware of the pitfalls, the temptations, and the dangers, as every Member of the Senate must be.

Mr. President, if there is an important public function, it is the election of high officials of the U.S. Government. It is remarkable that the honesty, the efficacy, the probity, the verity, the effectiveness, the efficiency, and the vitality of the Government of the United States depends upon so few men and women.

A President and a Vice President are the only two officials in the entire executive branch of our Government upon whose qualifications, and in the election of whom, the American people have a direct voice.

Only in the election of a President, a Vice President, 100 Senators, and 435 Members of the House of Representatives do the 200 million people of America have an opportunity to vote, and it is these, plus the Supreme Court, who constitute the great triumvirate of the coordinate branches of Government for the most powerful nation on earth.

When we are dealing with the system for election of the U.S. Congress and the President and Vice President, we are dealing with the vitals of self-government in America. So, the Congress has not considered, nor will it likely consider for a long while to come, a measure more fundamental to self-government than will be the case when early next year, I expect, the chairman of the Finance Committee will rise on the floor of the Senate and call up the bill he just reported from the Finance Committee.

The measure provides for the use of public funds in the conduct of election campaigns for President, Vice President, and U.S. Senator. It does not provide appropriated funds for the campaigns for the House of Representatives. It is my hope that when the bill reaches the House of Representatives, the Members of that body will decide to amend the bill so as to include campaigns for election to the House of Representatives on a basis similar to that provided in the committee bill for senatorial campaigns.

Although the bill does not provide appropriated funds for campaigns for the House, it does provide public funds for these and other campaigns by providing a tax credit for private political contributions.

Mr. President, we have heard a great deal of propaganda against this bill and we have read a great deal of propaganda against it. All of that propaganda has been directed against what I regard as the most important provision in the bill—the provision which gives to candidates for high elective Federal office an opportunity to make a clean break with the campaign financing practices that have come to endanger the quality of the ballot box and endanger, indeed, the very system of self-government.

Actually, the bill provides two methods by which public funds may be provided to finance campaigns of candidates for President, Vice President, and the Senate. For those candidates who elect to finance their campaign in the traditional way—that is, in the only way now available—public funds are provided, in that people who make contributions to the political campaigns of those candidates will receive a tax credit for their contributions. I have heretofore opposed that method of providing public funds for campaigns, but I became convinced that something must be done in this field.

Neither I nor a majority of the committee wish to force candidates for Senator or for President ana Vice President to choose a particular course. So we chose to make public funds available for the conduct of election campaigns in either of two ways:

One, a tax credit for private campaign contributions. That credit is subtracted from the taxes the contributor would otherwise pay to the U.S. Treasury. So make no mistake about it—it is money out of the Treasury.

The other method is to have the Federal Government reimburse from appropriated funds the legitimate, reasonable, and qualified campaign expenses of a candidate who elects to seek public office entirely at public expense. This would be the more economical of the two systems.

The tax credit approach will cost the Treasury more money; and when the debate proceeds, at the time this bill is called up for action, this will be demonstrated in detail.

There is no question about it. We had testimony from the Treasury about the cost of the tax credit proposal.

Mr. President, if a candidate for President, Vice President, or the Senate elects to seek that public office at public expense through appropriated funds, he must make application for reimbursement of his campaign expenses under restrictions carefully spelled out in the bill. In making that application, he must certify that he has not accepted and will not accept private campaign contributions in any amount from any source for the campaign expenditures for which he is to be reimbursed; nor can he spend his own funds for such purposes.

So here is an opportunity for a candidate to make a clean break with the vicious practices that now threaten the equality of the ballot box and the purity of our system of self-government.

The distinguished chairman of the committee referred to the fact that he and I had been in contention on a bill dealing with this matter earlier this year. The most serious objection I had to the measure passed last year was that it permitted the commingling of public and private funds in political campaigns. I believed that would cure nothing, that it might make the situation even worse.

I believe that the bill now reported meets this problem squarely. It would make it impossible for a candidate who elects to seek public office at public expense to profit from a political campaign, or to commingle his or his family's or his friends' private funds with public funds. I believe that candidates will make an election in this regard. I have no way of knowing how many will choose to go public, so to speak. It is my opinion that within a few years all will seek public office on this basis. And, oh, what a great improvement this would be.

I regard this as the most far-reaching election law reform that has been proposed since the amendment of the U.S. Constitution to require that Members of the U.S. Senate be elected by popular franchise. I dare say that it would work as much improvement in the quality of democracy. It would return the election of Federal officials to the basic ideal of American democracy—of one man, one vote.

Why, I ask, Mr. President, should the measure of a citizen's influence upon the election of public officials be the size of his pocketbook? This is an election law reform that goes to the heart of equality of the ballot box and the efficacy of self-government.

I congratulate the distinguished chairman of the committee upon his success in bringing to the floor of the Senate a bill with majority support of the Committee on Finance.

As I said earlier, the late President Theodore Roosevelt, so far as I know, was the first public official in the United States to urge that election to public office be treated as a public function, not left to the vagaries of political money from whatever source. But although it was suggested so long ago, progress has been slow. Enactment of the pending bill, however, will be a giant stride forward.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LONG of Louisiana. Mr. President, I salute the Senator from Tennessee for the magnificent contribution he has made to our efforts to work out this problem in a manner that is most consistent with the public interest, particularly in a manner that is completely in accord with the Senator's deep convictions in this matter, after he has studied it for many years.

In my judgment, the time will come when not only will this be the law, but also, Americans will express amazement at our having permitted the fate of the American Government—in the election of a President and a Congress, when there was a direct confrontation on a division of issues involving the personal lives of people and their fortunes as well as the future of our Nation— to be dictated by the fact that one side had a great deal more money to spend than the other.

Mr. GORE. Or that one candidate was rich and the other was poor.

Mr. LONG of Louisiana. Exactly. The idea that we, at this point in history, would permit our fundamental decisions to be controlled by the power of money in elections, rather than simply by the honest judgment of people, after they had heard both sides fairly and adequately presented, I believe will be almost inconceivable to those who view it from a point in the future.

If we were permitted to look back 30 years from now, my guess is that any American at that time would consider it inconceivable that Americans at this point in our history would have been so little advanced in self-government that we would permit these vital issues—which have to do with whether we go to war or whether we stay out of it, whether we continue a war or whether we decide to withdraw from it, whether we make peace or do not make peace, whether we have a program that provides more for the poor or does not, whether we provide a high-level interest rate or whether we provide a low-level interest rate, whether industry is given certain advantages it seeks or whether we decline to do so—to be decided by the fact that one side has more money to spend than the other.

Mr. GORE. All issues.

Mr. LONG of Louisiana. Yes, virtually all issues that have anything to do with Government, where Government has anything to do with it, and that has a great deal to do with many economic issues, as the Senator knows can be affected or even decided by the way in which campaigns are decided. The level of prices is affected by the power of monopolies, by decisions we make in this body and by decisions made by the President.

It will seem unthinkable to those at some future point in history that we would permit someone to dictate the decision by the power of private money contributions with respect to the outcome of elections, by seeing to it that one side is heard more than the other side, or that one side is more able than the other side to buy more television, more of everything and, therefore, that one side can make it difficult for the other side to be heard at all even though the latter may have great support among the people. In terms of the progress of democracy such a result will be unthinkable 30 years from this date.

Mr. GORE. Who now in the Senate would want to amend the Constitution of the United States to strike out the provision requiring Members of this body to be elected by popular vote?

Mr. LONG of Louisiana. It would be unthinkable.

Mr. GORE. This reform was long sought and was long in coming. Finally, because of practices in elections conducted by some State legislatures, the situation became so scandalous that the U.S. Constitution was amended, but only after bitter opposition.

There is a strange affinity between conservatism and the status quo. It is a little difficult to understand, but those who are satisfied with practices and conditions as they are, are a little fearful of any change, a little suspicious of anything new, and they tend to defend the status quo and resist change. So we are apt to see a repetition of that.

I have heard statements by some Senators about how unthinkable it is, when we have an unbalanced budget, that the Senate would consider the provision of public funds for campaigns for elective office. And yet, those same Senators support enthusiastically the provision to give tax credits for campaign contributions, even to a candidate for sheriff. This is perhaps a more extensive provision of the bill than is justified. I acknowledge that I voted for it.

I think the time has come, and maybe the time is past due, when we must deal with the problem of election to public office and the influence of money in our national politics. I think, however, when we deal with it we must deal with it in the broad manner outlined in the bill which the chairman has brought to the Senate.

Mr. LONG of Louisiana. The Senator said no one would now suggest that women should not be permitted to vote. I know no one in elected office would. It was said that there was no proper concern on the part of women as to how the Government was run, and that they should be more interested in matters concerning the home and children and that they should not vote on the election of public officials. That argument had great support among men of the day. There was a time when people thought if women voted at all, that they should be loyal and vote as their husbands voted, and that if they were not loyal, not vote at all.

Women have done more to insist on honesty in government and insist that improper influences should be removed from government than men have done in those areas. There is no doubt about it. They have probably been less susceptible to that which appeals to the worst in persons rather than the best, than have men. Women's suffrage has tremendously improved our democracy. But there was a time when people sincerely thought that women should not vote.

Mr. GORE. I sometimes suspect that there might have been a few votes against it if we had had a secret ballot.

Mr. LONG of Louisiana. The reform we are seeking here, and it is part of the bill, would not only strike at corruption, improper influence, and undue influence, but also would seek to eliminate the cause of it.

Requiring people to report, regulating the amount they can contribute, or things of that sort would be merely treating the symptom if one did not seek to eliminate the cause of a great deal of improper influence in government.

It is difficult at times to debate this issue adequately because no one dares to admit that any of his decisions were ever in anywise influenced, or that a final decision was ever determined one way or the other because of the manner in which these campaigns are privately financed.

We would like to think that when the average Senator goes out and runs for office, hat in hand, seeking perhaps $250,000 to finance his campaign, that the contributions come in entirely because people appreciate his sterling character and his faultless integrity and not because he has voted for some economic interest or proposes to do so in the future.

One would like to think when the President is elected it did not have anything to do with the fact that large interests contributed great amounts of money to pay $20 million, $30 million, or even $40 million in campaign expenses.

Yet, if one simply acquaints himself with the conduct of his State legislature or what happens in his city council he knows that the power of money to finance these campaigns many times has altogether too much to do with decisions that are made.

It would be far better that these decisions be made completely separate from the power of money to influence political campaigns, and that is the basic reform that this amendment moves toward.

There was a time when I really did not believe we would be able to persuade the Congress to vote for a proposal that would preclude one from accepting private contributions in a campaign. When I first introduced my suggestion along this line, I felt that persons were so accustomed to private financing that you probably could not sell this idea. The majority of the Committee on Finance has been willing to buy the idea that the campaigns could and, if one desired, should be publicly financed.

One who runs at public expense, in all likelihood, will have much less financing available to him than one who runs at private expense. However, while he would have less funds available to conduct his campaign, he would have one thing to his advantage. He could demonstrate to the public that he was not accepting private contributions and that he was indebted to no one but his conscience and the people who voted for him. He would not have heavy obligations toward private contributors resulting from the way in which the campaign was financed.

Mr. President, I have been in politics in one way or another for my entire lifetime. My father was elected to public office about the same time I was born on this earth. I have, therefore, had occasion to see some of the practical problems that good men are confronted with when they are of modest means seeking to obtain high public office with the finest of intentions and motives. I have had an opportunity to see the pressures and the practical problems with which such men are confronted. There is no doubt in my mind that history will judge this to be one of the important reforms—perhaps the most important reform of our time in the election process, if we make it possible for a person aspiring to the highest public office to be financially obligated to no one other than the public, whom he is sworn to serve.

Mr. GORE. I thank the Senator. Mr. President, let it be said that the public pays for the cost of political campaigns, one way or the other. There may be a few men so rich that they can finance their campaigns, but it is rare, indeed, where those who have it will spend their own money in such large amounts for such a purpose.

Thus, someone other than the candidate must provide the bulk of the campaign expenditures.

Now, which is safest for the public interest? Is it not truer to the ideal of democracy and the one-man, one-vote idea to face the issue squarely and say what is assuredly a truth—that election to public office is a public function, and then let the expense be borne by all the people, not by the few who contribute, some with worthy motives and some with selfish motives?

It seems to me that the answer is clear—as clear as a bell.

I predict that when we are able to bring this issue fully before the Senate, the vote will be a clear majority for passage of the bill.

I am happy, let me repeat, to join the distinguished Senator from Louisiana in this effort. I close by congratulating him upon the adroitness with which he has already presented the matter. He has been very busy with the social security bill and with many other important issues which require his attention. He delayed making this report until the opposition had fired its full salvos; and now the handgrenades having been bursted, the false propaganda having been disseminated and dissipated, from here on out the supporters of the bill are on the offensive and I predict that we will bring it to a vote with a clear majority early next year.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the minority views of H.R. 4890 be printed in the RECORD.

Mr. LONG of Louisiana. Mr. President, reserving the right to object—and I shall not object—does not the Senator know that I have already inserted those minority views in the RECORD today?

Mr. WILLIAMS of Delaware. I should like to have them appear at this point in the RECORD.

Mr. LONG of Louisiana. Well, that will put them in twice in the same day.

Mr. WILLIAMS of Delaware. Mr. President, I still ask unanimous consent that the minority views be printed in the RECORD.

There being no objection, the minority views were ordered to be printed in the RECORD, as follows:

MINORITY VIEWS ON CAMPAIGN FINANCING BILL

(NOTE. Following are the minority views on H.R. 4890, sometimes delicately referred to as the Presidential and Senatorial Campaign Financing Act, but more properly described as a "Poverty Program for Politicians.")

The Administration's proposal to finance the next election campaign from the Federal treasury not only is utterly indefensible on its face but in times of soaring budget deficits and demands for higher taxes represents nothing less than a gratuitous slap in the face of every tax-weary American taxpayer. At a time when we have record spending, an indicated all-time peacetime deficit, rampant inflation, and a request for a 10 per cent surcharge on income taxes it seems inconceivable that there should be a request for Federal subsidizing of candidates for President and the Senate with an invitation for Members of the House of Representatives to participate.

There are many reasons for opposing the public financing of political campaigns. One of the more fundamental reasons, which would apply even if the Federal Government were running a surplus right now, is that the whole election process should be voluntary, not compusory. The public financing provisions of this bill are a means of taking money out of the pockets of every taxpayer not only for the use of candidates of their choice but also for the use of candidates whom they oppose. This enforced collection of taxes from taxpayers by the Internal Revenue Service and turning them over to candidates to spend reflects a callous disregard for the preservation of a voluntary system of elections, so essential to the continuation of our system of government. We feel that the very essence of the American political process guarantees each voter the opportunity to work for, contribute to, and vote for the candidate of his choice. The public financing provisions of this bill are a break with that concept. They force everyone to support financially the candidates they oppose, while the candidate of their choice might receive no such funds. That such a paradox should be created is unthinkable. We are appalled that such an evil should even be considered.

This bill is particularly unfair to third party candidates. We feel that a strong two-party system is essential to maintenance of stable government in the United States, yet we recognize that voters should have an opportunity to support third party movements if they so desire. Public financing as contained in this bill, however, would deprive new third party movements of the opportunity to compete fairly with the two major parties; in fact, it would compound the disadvantages they now have.

Discrimination against third parties exists under the pending proposal for several reasons. First, the bill does not make public financing available for new parties until after the election. Thus, a third party expecting to make use of public financing would have to borrow funds. Second, since a new party would not know how many votes it would obtain in the election it would not know how much public financing money it might receive, if in fact it received any at all, and would not be able to make any meaningful estimate as to how much it would have to borrow. Third, new parties historically take more than one election before they obtain an appreciable number of votes. In the first election they may not obtain five per cent of the vote, and under the bill they would get no public financing. It is patently unfair to take tax money from a supporter of a third party movement and assign it to the two major parties. In this case you are forcing a man to give money to two parties he opposes and denying money to the party he supports.

Another important reason for our opposition to this proposal is that it envisions still another Federal spending program at a time when both the Executive and the Legislative branches are supposed to be trying to find ways to reduce Federal spending. It hardly makes sense for a Government which is already going into debt by about $2 billion a month to embark on still another wholly unnecessary subsidy program, one that might in fact wreck our election process.

The Administration now has before the Congress a request for a ten per cent surtax on personal and corporate income taxes because it claims that in the absence of higher taxes the Federal deficit may run as high as $29 billion in the present fiscal year. Surely this is no time to increase Federal spending, however small a percentage of the Federal budget the sum proposed in this bill may represent. If it is necessary to curtail existing programs in the interest of economy certainly it is no time to add to the Federal burden a new and wholly unnecessary campaign subsidy program such as the pending bill envisions.

The bill would provide $28 million for the two Presidential candidates and $26 million more for the Senatorial candidates in the 1968 election. Undoubtedly there will be a very substantial amount added for the Members of the House of Representatives. There is, of course, no way of knowing how much a new formula might add for candidates for the House, but if the formula for the House Members should approximate that of the Senate Members, based upon the votes cast for Senators, we think it is safe to say that this might add $73-million more for a total of some $127 million of public financing. Assuming that $200 million more will be provided by voluntary individual contributions the result would be an incredible $327 million campaign fund for candidates for Federal office in the 1968 Presidential election. There is no justification whatsoever for such an amount.

When we are faced with the prospect of a budgetary deficit which may be as high as $29 million and when the Administration has requested a 10 per cent increase in everyone's taxes it appears particularly inappropriate to suggest taking $125 million out of the public treasury to provide unneeded additional funds for political campaigns. Moreover, the very addition of these funds to those already available is in fact likely to drive up the cost of campaigning, particularly in the case of the cost of television time.

One of the arguments of the proponents of this legislation is that they want cleaner elections and a higher standard for public officials, but public financing will assure neither of these. They also contend that if campaign expenses are paid by the Federal Government candidates will not be beholden to any special interest group which helped to finance their campaigns. Yet the bill they support fails completely to achieve this end. Despite efforts to prevent it, the bill does, in fact, provide for the commingling of private and public funds. It contains no provision, for example, for the public financing of primary elections, and it is often at this stage that elections, other than that of President, are really decided. Presidential and Senatorial candidates under this bill cannot only make full use of privately solicited funds for primary contests but can continue to spend unlimited amounts of private funds for their general campaigns, so long as they stop such spending funds derived from private contributors 60 days before election day. They then become eligible for full Federal financing up to the limits imposed by the bill. Federal financing then becomes, in effect, a substantial windfall, with the taxpayer footing the bills, for those who would use it.

Proponents of this legislation claim there would be no commingling of public and private funds because during the sixty days before an election and thirty days after the election only public funds can be used by a candidate electing to go this route. How inconsistent, to permit candidates to solicit and use private funds and then in addition give them a 90-day romp on taxpayers' funds. However, we all know that campaigns do not begin just 60 days before the election. In many cases the primaries or conventions for Senatorial candidates occur in the spring of the year. In other cases who the candidate will be is a foregone conclusion, no matter when the primary or convention takes place.

In any event, there is nothing in the bill which stops a candidate from running his primary with private funds. We all know that a primary may, in fact, be a primary in name only. It may, in reality, be a way of becoming known and getting views across to the public in order to run in the general election, or to be nominated in a primary, other than for the Presidency, may in fact be tantamount to election, so that it is often in the primary election where private financing plays its most important role. Yet this proposed public financing with taxpayers' funds ignores this most important problem. Moreover, even after the primary or nominating convention a candidate can use private funds for the period up to 60 days before the election. This means that from the primary in April or May, whenever it may be, up until early September a Senatorial candidate can run his general election campaign with private funds and receive the benefit of the tax credit provisions of the bill for this part of his campaign. Then, if he elects to use public funds he can set aside any remaining private funds and use the taxpayers' tax money for the next 90 days. After that time he is free to go back to publicizing his availability for office in the next election by the use of private contributions again. In other words, in the election year a Senatorial candidate can finance his campaign for nine months of the year with private funds and three months of the year with public funds. Then in the other five years during his term if he is planning to run for re-election he can use private funds to campaign throughout his state.

Not only then is the argument that this proposal will force campaigns to be financed either entirely with private funds or entirely with Federal funds wholly transparent, but it would actually aggravate the situation that it is ostensibly designed to eliminate. The bill, in short, would not put campaign financing on an "either/or" basis; rather it would put it on a "both/and" basis—both private and Federal funds could and no doubt would be used.

One problem with public financing of the campaigns for Presidential and Senatorial candidates, and presumably for House Members, has been overlooked. We are not among those who think that the Federal Government should be given a superior status to state or local governments. Yet this would be the effect of the public financing provisions of this bill since large amounts of public funds would be spent for Federal elections but not a bit for state and local elections. The result could be almost a blanketing out of campaigning by state and local candidates, which would further the trend toward Federal Government domination. An alternative would be the extension of this concept to include the financing of other local elections from the treasury of states, counties, or municipalities. The possibilities for expansion are endless once this concept of financing political campaigns from the public treasury has been established. It is worth noting, however, that the tax credit provided by Title I, to which we do not object, does not suffer from these evils since it is available equally to state and local candidates.

We are aware of the public concern with the opportunity for undue influence by large contributors under the present system of political campaign financing. We also are well aware of the difficulties in financing Presidential and Senatorial campaigns. However, we believe that this bill adequately deals with these points without superfluous and expensive public financing title. The 50 per cent tax credit with a ceiling of $25 per year for contributions should encourage wide, voluntary participation in political campaign financing. The fact that the credit is limited to one-half of a $50 contribution gives assurance that the contributions encouraged by this tax incentive will be spread broadly across the electorate. Moreover, the public disclosure rules we approved in the election reform act passed by the Senate on September 12, and also included as Title III of this bill, should go a long way toward removing the influence of large contributors upon candidates.

The tax credit is far preferable to public financing since it insures actual and meaningful participation on the part of the people, requiring a person to take his own money out of his pocket for each contribution he makes. Vastly more important, it permits the taxpayer to choose the candidate he will support, which public financing does not.

Because we favor a voluntary and not a compulsory election financing system, because we do not believe that this is the time to add unnecessary Government expenditures, and because we do not believe in the commingling of public and private election campaign funds we oppose the public financing title of this bill. The problems of undue influence of large contributors and the high cost of campaigning are dealt with in Titles I and III of this bill; Title II only adds unnecessary costs for the taxpayer.

Signed by:

JOHN J. WILLIAMS.
FRANK CARLSON.
WALLACE F. BENNETT.
CARL T. CURTIS.
THRUSTON B. MORTON.
EVERETT MCK. DIRKSEN.

ADJOURNMENT

Mr. LONG of Louisiana. Mr. President, in accordance with the order previously entered, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 25 minutes p.m.) the Senate adjourned until tomorrow, Thursday, November 2, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate November 1, 1967:

ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

Subject to qualifications provided by law, the following for permanent appointment to the grades indicated in the Environmental Science Services Administration:

To be lieutenant (junior grade)

Donald E. Nortrup

To be ensigns

Larry W. Mordock
Dennis L. Valdovinos
Ariel B. Mostue
Philip D. Hitch
Clarence W. Tignor

POSTMASTERS

The following named persons to be postmasters:

ALABAMA

Edward R. Perkins, Guntersville, Ala., in place of C. W. Hyatt, retired.

Marrion Amason, Marbury, Ala., in place of R. M. Fike, deceased.

Ann N. Green, Selma, Ala., in place of W. E. Davis, retired.

Gordon S. Greene, Woodward, Ala., in place of M. D. Hamel, retired.

ALASKA

Edwin S. Lames, Galena, Alaska, in place of N. R. Spees, deceased.

Robert K. Wright, King Salmon, Alaska, in place of M. I. Wright, deceased.

ARKANSAS

William L. Stevens, Judsonia, Ark., in place of D. H. Travis, retired.

CALIFORNIA

Ronald B. Clark, Camp Meeker, Calif., in place of R. A. Rodgers, retired.

FLORIDA

Lois P. Giles, Durant, Fla., in place of A. L. Varn, retired.

IDAHO

Wayne R. Guyer, Weiser, Idaho, in place of Josephine McMurren, retired.

ILLINOIS

Elizabeth M. Klemt, Custer Park, Ill., in place of L. E. Weir, retired.

Edward S. Sauber, Sycamore, Ill., in place of H. W. King, retired.

INDIANA

Lynn E. Riggs, Carlisle, Ind., in place of B. V. Hoover, retired.

Vinita M. McCullough, Lewis, Ind., in place of B. B. Richey, retired.

Helen L. Mitchell, Springville, Ind., in place of Grace Mitchell, retired.

IOWA

Robert S. Schreurs, Keota, Iowa, in place of J. E. Leinen, retired.

Chester A. Ruth, Jr., Percival, Iowa, in place of E. A. Cullin, retired.

Gene L. Crane, Pleasantville, Iowa, in place of I. O. Benge, retired.

Richard E. Avise, Rockwell, Iowa, in place of M. E. Roeder, retired.

M. Marguerite Gallery, Winterset, Iowa, in place of M. C. IlgenFritz, retired.

KENTUCKY

William T. Tillotson, Elizabethtown, Ky., in place of A. H. Jenkins, retired.

Justice D. Wood, Williamstown, Ky., in place of H. D. Lowe, transferred.

MAINE

Kenneth P. Ridlon, Steep Falls, Maine, in place of R. L. Harrington, retired.

MASSACHUSETTS

Charles R. Hill, Winchester, Mass., in place of T. J. Gilgun, retired.

MISSISSIPPI

James L. Harris, Jr., Macon, Miss., in place of T. W. Crigler, Jr., retired.

MISSOURI

Eddie E. Buffington, Centralia, Mo., in place of A. M. Sames, deceased.

Richard D. Roberts, Lancaster, Mo., in place of J. J. Ayer, retired.

MONTANA

Warren H. Davis, Anaconda, Mont., in place of V. S. Davis, retired.

NEBRASKA

Violet V. Smith, Haigler, Nebr., in place of B. L. MacGregor, retired.

Howard F. Baltensperger, Nebraska City, Nebr., in place of N. I. Uerkvitz, retired.

NEW HAMPSHIRE

Albert L. Hankins, Contoocook, N.H., in place of M. C. Emerson, deceased.

NEW JERSEY

Raymond South, Jr., Kendall Park, N.J., office established March 28, 1964.

Gertrude M. Pennington, Ocean Gate, N.J., in place of E. J. Brennan, deceased.

NEW YORK

Donald E. Egan, Sr., Johnson City, N.Y., in place of L. E. Youngs, retired.

Charles F. Ihle, Seaford, N.Y., in place of E. V. McGrath, retired.

Alben Klos, Stony Brook, N.Y., in place of U. C. Everling, deceased.

NORTH CAROLINA

Theodore B. Gray, Buxton, N.C., in place of M. M. White, retired.

Melvin E. Allison, Etowah, N.C., in place of A. O. Morgan, retired.

Elaine C. Osborne, Glade Valley, N.C., in place of R. D. Franklin, transferred.

NORTH DAKOTA

Leon L. Gilbraith, Crary, N. Dak., in place of Duane Converse, deceased.

OHIO

Roger B. MacDonald, Defiance, Ohio, in place of H. H. Goltzene, retired.

Louis R. Fagnano, New Middletown, Ohio, in place of F. N. Cernyar, retired.

OKLAHOMA

Finis E. Copeland, Maud, Okla., in place of C. C. McKown, retired.

Frank S. Cundiff, Perkins, Okla., in place of B. A. Fiolle, resigned.

PENNSYLVANIA

Michael Arden, Bear Lake, Pa., in place of E. L. Crowe, retired.

Robert P. Doherty, Darby, Pa., in place of Harry Tarbotton, Jr., retired.

R. Evelyn Miller, Mont Clare, Pa., in place of E. G. Smith, retired.

Edward R. Kalavik, Phoenixville, Pa., in place of J. D. Kane, Sr., transferred.

John J. McDonald, Jr., Vandergrift, Pa., in place of E. R. Williams, retired.

SOUTH CAROLINA

James W. Miller, Mauldin, S.C., in place of J. T. Massey, retired.

Charles E. Chasteen, Ware Shoals, S.C., in place of W. D. Russell, deceased.

SOUTH DAKOTA

Charles G. Sanftner, Belvidere, S. Dak., in place of S. E. Halva, retired.

Constance A. Gillen, White Lake, S. Dak., in place of E. S. Gillen, deceased.

TENNESSEE

Vetta S. Garrigan, Woodland Mills, Tenn., in place of I. B. Prather, retired.

TEXAS

Marjorie M. Keeling, Avery, Tex., in place of T. G. Kealing, retired.

William A. Keith, Jr., Eddy, Tex., in place of Cecil Miracle, transferred.

Charley C. Davis, Jr., Helotes, Tex., in place of M. H. Barham, retired.

F. Charles Laffoon, Iraan, Tex., in place of S. C. Rhinehart, retired.

Bill R. Stanfield, Keene, Tex., in place of Ruth Hestand, retired.

Eugene C. Hrncir, Moulton, Tex., in place of J. M. Meiners, retired.

Herbert R. Mutschler, Nordheim, Tex., in place of B. H. Morisse, deceased.

Dorothy W. Vance, Orangefield, Tex., in place of P. F. Vance, deceased.

Norman S. White, Riesel, Tex., in place of M. E Jud, deceased.

Kenneth R. McWhorter, Rochester, Tex., in place of Gussidell Buckner, retired.

Don N. Sanderson, Tulia, Tex., in place of F. Z. Pannell, resigned.

UTAH

John A. Schiefer, Springdale, Utah, in place of A. C. Hardy, retired.

VERMONT

Helen T. LeGrow, Sharon, Vt., in place of C. W. Cheney, retired.

VIRGINIA

George V. Utt, Cana, Va., in place of G. B. Utt, retired.

Malcolm L. Garber, Fort Defiance, Va., in place of H. S. Hulvey, retired.

Kenneth E. Legg, Middletown, Va., in place of H. S. Jones, retired.

Hilda S. Earhart, Mount Solon, Va., in place of J. L. Staubus, declined.

WISCONSIN

Leonard S. Ciezki, Greendale, Wis., in place of E. E. Bengs, retired.

WYOMING

Harold H. Vestal, Powell, Wyo., in place of C. D. Elledge, retired.

IN THE MARINE CORPS

The following-named (staff noncommissioned officers) for temporary appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Baker, Sam R., II
Davis, Gene F.
Martin, Gerald E.
Migliorini, Fred L.
Olsen, Spencer F.
Russell, Jimmie L.
Van Winkle, Howard R.

The following-named Marine Corps Reserve chief warrant officer for reappointment as chief warrant officer (W-2) in the Regular Marine Corps, subject to the qualifications therefor provided by law:

Frost, Jack A.

The following-named officers of the U.S. Navy for temporary promotion to the grade of captain in the staff corps, as indicated, subject to qualification therefor as provided by law:

MEDICAL CORPS

Babalis, William J.
Barnwell, Frank M.
Britton, Joseph H.
Burkhart, Vernon A.
Caruso, John, Jr.
Frew, Mable A.
Gordon, John J.
Hamilton, Warren W., Jr.
Hyams, Vincent J.
Jacoby, William J., Jr.
Kretzschmar, Hanns O.
Lucas, William E.
McDonough, Robert C.
McGinley, Joseph M.
Miller, Charles H.
Murray, Dermot A.
Myers, Willis S.
Paslay, Jefferson W.
Wilson, David Q.
Winter, William R.

SUPPLY CORPS

Ahern, James R.
Allshouse, Thomas J.
Bandish, Bernard J.
Borchers, Alyn B.
Canalejo, Armando, Jr.
Chetlin, Norman D.
Dellinger, Charley P.
Evans, Stuart J.
Fowler, George O., Jr.
Gaetz, Edward F., Jr.
Gallagher, Granville W., Jr.
Gallup, Mearl
Grechanik, Walter
Harris, Melvin W.
Hatch, Bobby L.
Hatch, James C.
Heasley, Gail L.
Hereford, James D., Jr.
Holfield, Arthur W., Jr.
Hutchison, Marvin S.
Jankovsky, Norlin A.
Johnson, Richard D.
Johnson, Warren B.
Kash, William B.
Keenan, Joseph I.
Keller, Bruce W.
Kennedy, Patrick F.
Knight, Reed H.
Lake, Donald H.
Longmire, Billy R.
Maurstad, Alfred S.
McCabe, John N.
McKenna, James E.
Nash, William T.
O'Connor, Thomas J.
Olin, William C.
Oliver, James C., Jr.
Oller, William M.
Ortland, Warren H.
Park, Jack M.
Pawlowski, Thomas J., Jr.
Phelps, Gordon W., Jr.
Pluto, Raymond J.
Polk, Donald E.
Polk, Robert B.
Prehn, John L., Jr.
Primm, Jules R.
Riley, George D., Jr.
Robison, John T.
Ryder, John K.
Schultz, Jackson L.
Shepard, John C.
Smith, Carlton B.
Spalding, Joseph E.
Stephens, Samuel S.
Sylvester, Nelson J., Jr.
Thompson, Edwin H.
Thompson, Robert W.
Van Osdol, Robert C.
Vogel, Robert E.

CHAPLAIN CORPS

Agnew, James F.
Anderson, Robert E.
Darkowski, Leon S.
Detrick, Wayne N.
Duncan, Henry C.
Hammerl, Paul C.
Hopkins, Ralph W.
Killeen, James J.
Lineberger, Ernest R.
McDonnell, James T.
Paulson, George I.
Power, Joseph G.
Schutz, Adam J., Jr.
Sullivan, Mark

CIVIL ENGINEER CORPS

Andrews, James D.
Barron, William W.
Butterfield, Ossian R.
Daggett, Robert E.
Dunnells, Robert E.
Heid, Charles C., Jr.
Jasper, Paul R.
Jortberg, Robert F.
Klingenmeier, Russell J., Jr.
Perkins, Anson C.
Pickett, Eugene L.
Rumble, James D.
Russell, William F., Jr.
Sears, Kenneth P.
Shockey, Daniel N.
Simonson, Nelson C.
Stacey, Ernest R.
Timberlake, Lewis G.
Washburn, Jack E.
Williams, Richard C.
Williams, Thomas C.

DENTAL CORPS

Allen, Ethan C.
Bartosh, Andrew J.
Brown, Edward H.
Cohen, Robert
Dennis, Harry J., Jr.
Duggan, Norman E.
Elliott, Robert W., Jr.
Finnegan, Frederick J.
Mann, William H.
O'Malley, John E.
Penick, Edward C.
Rau, Charles F.
Reitz, Phillip V. D.
Wilkens, Carl H., Jr.

MEDICAL SERVICE CORPS

Chapdelaine, Jack A.

NURSE CORPS

Collins, Jeannette
Vitillo, Angelica

The following-named officers of the U.S. Navy for temporary promotion to the grade of commander in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Abe, Henry H.
Adamson, Edwin C., Jr.
Adler, Ronald E.
Adorney, Frank
Agnew, Dwight M., Jr.
Aitcheson, George A., Jr.
Albee, Thomas L., Jr.
Albers, William P.
Albright, Richard K.
Alderson, James M.
Alecxih, Peter C.
Alexander, Charles F.
Alexander, Adelore L.
Alford, William J.
Allen, George W.
Allingham, James R.
Almberg, Francis J.
Alvarado, Ramon C.
Ammerman, Clell N.
Amor, Raymond C.
Amoruso, Alfred P.
Anderson, Curtis O.
Anderson, Daniel W.
Anderson, Eugene G.
Anderson, Forrest P.
Anderson, Joseph F.
Anderson, Stephen P.
Anderson, Thomas F.
Andrassy, Michael F.
Andre, Andrew L.
Ankrum, Glenn E.
Armstrong, Stephen O., Jr.
Arnold, Robert B.
Ash, Leonard C.
Atkinson, Robert J.
Atwood, Henry C., Jr.
Augustine, Grant, III
Austin, James W.
Austin, Robert C.
Avrit, Richard C.
Baldwin, Charles C.
Ballou, Lawrence D.
Barber, William H.
Bardecki, Frank J.
Barke, Arthur R.
Barkley, James F.
Barlow, James D.
Barnes, Harry G., Jr.
Barnes, Harold
Barnes, William M.
Barrett, Thomas D.
Bartlett, Frederick R.
Basford, Michael G.
Bassett, Bradley A.
Bassett, Melvin S.
Battaglino, Joseph M.
Bauchspies, Rollin L., Jr.
Bauer, Bruce A.
Bauman, James R.
Baumgardner, John F.
Bayer, David A.
Bayne, John P.
Beaulieu, Reo A.
Beaver, John T.
Beck, John L.
Beck, Walter R.
Beck, William H.
Becker, Glynn R.
Beckwith, Gilbert H.
Beers, Robert C.
Beeton, Harvey J.
Behrle, Walter F.
Belechak, Stephen C.
Bell, Bill J.
Bell, James F.
Benner, Leslie W., Jr.
Berg, Robert L.
Bergbauer, Harry W., Jr.
Berger, Ronald A.
Berkhimer, Frank R.
Berry, Richard C.
Berthe, Charles J., Jr.
Besio, Louis F.

Best, Eddie F.
Beuris, Charles B.
Biasi, Nestore G.
Biggar, William
Billerbeck, Henry G.
Billeter, John L.
Bilyeu, Roland C.
Bingham, Joseph L.
Bird, Joseph W., Jr.
Bishop, Richard D.
Bittick, Marshall V., Jr
Bjork, Kenneth S.
Blaes, Carl E.
Blaes, Richard W.
Blaine, Thomas E.
Blanchard, Robert C.
Block, Steven
Blouin, Stanley G., Jr.
Blundell, Peveril
Boaz, George L.
Boggs, Steve V.
Boland, Bruce R.
Bolster, Harry E.
Bordone, Richard P.
Bosworth, Thomas C.
Botshon, Morton
Bottenberg, Foster L.
Botts, Ronald H.
Bowen, Thomas J.
Bowling, Charles R.
Bowling, Roy H.
Bowman, Frank S.
Boyer, William E.
Boyett, Stephen G.
Boyle, Henry F., Jr.
Boywid, Edward T.
Bozell, Rex K.
Brabec, Richard C.
Brackin, John D.
Bradbury, John I.
Bradley, Donald C.
Brammeier, Charles L.
Brasted, Kermont C.
Bravence, John, Jr.
Briner, Robert R.
Britton, William L.
Brooks, Edwin H., Jr.
Brown, Christopher H.
Brown, Donald D.
Brown, Frederick P.
Brown, George P.
Brown, Kenneth R.
Brown, Robert H.
Brown, Thomas F., III
Bruley, Kenneth C.
Brummage, Richard L.
Brunell, James I.
Buc, Gerald G.
Buchanan, Edward O.
Bucher, Lloyd M.
Buchholz, Philip P.
Buckley, James R.
Bueck, Robert K.
Bull, Joseph L., III
Bullman, Howard L.
Burgess, James A.
Burkhardt, Lawrence, III
Burnett, William M.
Burnham, Don E.
Burns, Richard F.
Burris, Raymond M.
Burtis, Evenson M.
Busey, James B.
Bush, Carl D.
Bushong, Brent
Butcher, Paul D.
Butler, Harold E.
Byberg, Robert C.
Byington, Melville R., Jr.
Byrd, Mark W.
Byrne, John A.
Caldwell, Charles B.
Cameron, Clifford R.
Cammall, John K.
Campbell, Donald S., Jr.
Campbell, Hugh J., Jr.
Campbell, Jack
Campbell, John F.
Campbell, Robert J.
Campbell, William N.
Cane, Guy
Cane, John W.
Cann, William A.
Cannell, Donald T.
Canter, Howard R.
Carl, William T.
Carlson, Olof M., Jr.
Carmody, Cornelius J.
Carnevale, Angelo M.
Carothers, Philip F., Jr
Carr, Nevin P.
Carr, Roland J.
Carrington, James H., Jr.
Carroll, James F.
Carter, Gerald M., Jr.
Carter, James D.
Carter, Robert D.
Carter, Winfred G.
Casimes, Theodore C.
Cassen, John S., Jr.
Castro, William B.
Cate, Thomas R., Jr.
Cave, David B.
Cavicke, Richard J.
Cavitt, William M.
Chambers, Dudley S.
Charest, Philip G.
Cheney, Donald A.
Chesley, James F.
Chidley, Ralph E.
Chin, Donald
Chisholm, George E., II
Clark, Charles R.
Clark, Philip K.
Clark, Richard G.
Clark, Robert A.
Clarkin, James J.
Clemens, Eugene M.
Clemens, Paul E.
Clew, William M.
Cloud, Benjamin W.
Coakley, Walter J., Jr.
Coe, Raymond P.
Colbus, Louis
Cole, Thomas T., Jr.
Cole, William S., Jr.
Coleman, Richard F.
Coleman, Thomas R.
Colgan, John G.
Collier, Byron H.
Collins, Edward P.
Collins, Ferdinand I., Jr.
Compton, Charles R.
Conaughton, Robert G.
Conboy, Thomas W.
Conklin, Robert B.
Conner, Lawrence O.
Connolly, Paul P.
Connolly, Timothy W.
Conroy, Robert O.
Coogan, Richard D.
Cook, Russell A.
Cooley, Charles H.
Cooper, Andrew N., Jr.
Cooper, Robert G.
Copeland, Edward C.
Coppess, Robert Y.
Corkhill, Thomas M.
Corley, Bennie L.
Corrado, Robert J.
Coughlin, Eugene F.
Courtney, Charles H.
Cowan, Daniel R.
Cox, Gerald W.
Crabb, Eugene V.
Crandall, Alan W.
Crane, Herbert C.
Craven, Robert C. E.
Crawford, Bobby C.
Crawford, Kerrins M.
Crawford, Nace B., Jr.
Crawford, Roderick P.
Crawford, William T.
Crayton, Render
Cricchi, John V.
Crockett, Thomas L.
Croom, William H., Jr.
Cross, Charles H.
Crosson, Harry E.
Cryer, John P.
Culbert, Joseph M., Jr.
Cunningham, Marshall E.
Currier, Richard A.
Curry, Thomas L.
Czaja, Bernard F.
Daigneault, Joseph J., Jr.
Daily, Hubert D., Jr.
Dallamura, Bart M., Jr.
Dally, David F.
Dalton, Richard V.
Daly, Richard G.
Damico, Richard J.
Dancer, Jerry D.
Daniels, James M.
Daubenspeck, Richard E.
Davenport, Philip C.
Davey, John R., Jr.
Davis, John B.
Davis, Ralph G.
Davis, Robert H., Jr.
Davis, Robert C., Jr.
Davis, Russell E.
Deal, Walter C., Jr.
Deam, Norman A.
Dean, Herbert J.
Dehart, William
Dehart, William
Delaney, John R.
Deloach, John W.
Demaris, Darryl A.
Dempsey, Gerald M.
Derda, James R.
Derr, John P.
Desrocher, Marvin P.
Desseyn, Maurice H.
Deuel, Jamieson K.
Devereaux, John R., Jr.
Dey, Gordon J.
Dickman, Jerry A.
Dickson, John A.
Dierdorff, Loren M.
Diesel, Charles N.
Dietz, Richard J.
Diley, Lewis E.
Dillingham, Paul W., Jr.
Dillon, Alfred J.
Dipace, Joseph V.
Divelbiss, Dallas R.
Dodds, Robert M.
Domingue, William A.
Doney, Robert G.
Donnell, Joseph S., III
Donnelly, Robert G.
Donnelly, Richard F.
Donohue, David P.
Donovan, Daniel E.
Donovan, Philip C.
Dorsey, Arthur G., Jr.
Douglass, James G., Jr.
Dowd, Francis X.
Dowe, William J., Jr.
Downs, James R.
Drain, John F.
Drayton, Henry E., Jr.
Drees, Morris C.
Drenkard, Carl C.
Dubino, Andrew D.
Duff, Robert G.
Dugan, Richard F., Jr.
Duhrkopf, Don J.
Duke, Marshal D., Jr.
Dunn, John F.
Dunning, James A.
Durant, Michael
Durant, Thomas W.
Durbin, Peter
Easton, Peter B.
Eckerd, Kenneth C.
Ediin, Robert L.
Eels, William R., Jr.
Ehl, James W.
Elder, Ralph C.
Eldridge, David B., Jr.
Elliott, Donal W.
Elliott, Jack B.
Elliott, Orville G.
Ellison, John C.
Elmore, John E.
Emerson, John R.
Engelbrecht, Richard H.
English, Francis W., Jr
Erickson, William K.
Evans, Boyce D.
Evans, George J.
Evans, Richard B.
Evans, Robert C.
Evrard, William E.
Eyres, Thomas D.
Farris, Don M.
Fellows, Charles D.
Felt, Joseph A.
Felter, John F.
Feltham, John C., Jr.
Ferguson, David E.
Ferrazzano, Fred J.
Fiedler, Peter B., Jr.
Fields, William B.
Fiene, Donald F.
Filkins, William C.
Filteau, George L.
Finneran, William J.
Fisher, John C.
Fitzgerald, Thomas W., Jr.
Fitzgerald, David E.
Flaherty, Robert M.
Flatley, John E.
Fletcher, John G.
Flom, Hewitt O.
Florance, John E., Jr.
Forbes, Donald L.
Forsman, Arvid E.
Forsyth, James P.
Fossum, Paul G.
Foster, Clifton G., Jr.
Fountain, Robert R., Jr.
Fox, Charles W., Jr.
Fox, Richard V.
Frank, Benjamin L.
Frankenfield, Robert T.
Fraser, George K., Jr.
Frederick, John L.
Freed, Maitland G.
French, Henry A.
Freund, Herman C.
Frick, Walter B.
Friddle, Frank R., Jr.
Friedel, Gordon W.
Fryberger, Elbert L., Jr.
Fudge, David A.
Furey, Laurence T.
Gallagher, Hugh L.
Gallotta, Albert A., Jr.
Gallup, Shelley P.
Gandy, John D.
Garcia, William V.
Gardenier, Robert R.
Gaskill, Richard T.
Geary, Jack E.
Gehring, Donald H.
Geronime, Eugene I.
Gherrity, Patrick F.
Gholson, Daniel H. L.
Gibber, Philip F.
Gibson, Robert B., Jr.
Gigliotti, Felix P.
Gillham, Richard D.
Gilmore, Arthur H.
Gilroy, John W., Jr.
Gleason, Joseph P.
Glover, Albert K., Jr.
Glover, Dennis C.
Glovier, Harold A., Jr.
Glunt, David L., Jr.
Goddard, Thomas B.
Goll, Gerald E.
Gomer, August W.
Goodrich, John R.
Goschke, Erwin A.
Gradel, Robert
Graf, Frederic A., Jr.
Graveson, George L., Jr.
Gray, Basil F., Jr.
Greene, George W., Jr.
Greene, William F.
Greer, Marvin S., Jr.
Greer, William E., III
Gregory, Donald G.
Gregory, John J.
Greiwe, William H.
Gress, Donald H.
Griffith, Webster
Griffiths, Rodney D.
Grose, Robert H.
Guess, Malcolm N.
Gullickson, Grant G.
Gunn, Max C., Jr.
Haas, Kenneth R.
Hagberg, Roy V.
Hager, Charles F.
Haggquist, Grant F., Jr.
Hahn, Frederick, Jr.
Hall, John V.
Halladay, Maurice E.
Halladay, Norman E.
Hamel, Louis H., III
Hamelrath, Walter F.
Hamilton, Clyde E.
Hamlin, Andrew L.
Hamm, Clement D., Jr.
Hammond, Russel J., Jr.
Hangartner, Lyle G.
Hanigan, Marvin F.
Hankins, Elton E.
Hargrave, William W., Jr.
Harlow, David L.
Harney, Russell F.
Harper, George T., Jr.
Harper, William W.
Harris, Jack R.
Harris, James W.
Harris, James C.
Hartley, John D.
Hartman, Gerald A.
Hartranft, Richard J.
Hartzell, Robert H.
Harwood, John B.
Hassett, Joseph K.
Hatch, Harold G.
Hatcher, Robert E., Jr
Havens, Stanley L.
Havird, Lloyd B.
Hawk, Arthur L.
Hawkins, Cecil B., Jr.
Hay, James C.
Hayes, Albert M., Jr.
Hayes, Francis X.
Hayes, James C.
Hayes, Jerome B.
Head, William N.
Headland, Carl B.
Hebbard, Leroy B., Jr.
Hecker, Stanley
Heft, James O.
Helgeson, Harry E., Jr
Helm, George N., Jr.
Helms, Raymond E., Jr.
Hendrick, David R.
Hendry, James D.
Henifin, Edward E.
Hennessey, Aloysius G Jr.
Henson, George M.
Henson, James D.
Hernan, Peter J.
Herzer, Oscar A.
Heyward, Irvine K., IV
Hickey, Edward J., Jr.
Hicks, Dilliard D., Jr.
Higginbotham, Allen B.
Higgins, John F.
Higgins, Richard G.
Higgins, Thomas G.
High, James T., Jr.
Highfill, Kenneth L.
Hilder, Leonard O., Jr.
Hill, Frank W.
Hille, Edward W.
Hinden, Stanley
Hinkle, David R.
Hinman, Albert H.
Hodge, Sidney T.
Hogan, Edward J., Jr.
Hogan, Thomas W., Jr
Hogan, Walter V.
Holcomb, Gordon B.
Holder, Luther C.
Hollenbach, William T.
Hollenbach, Richard G
Hollingworth, Roy M.
Holly, Daniel T., Jr.
Holmes, James W., Jr.
Holt, Henry C., IV
Holt, Philip R.
Hooper, Benjamin F.
Hope, Edgar G., Jr.
Hope, Herbert A., Jr.
Hopper, Thomas M.
Horner, John, Jr.
Horowitz, Charles L.
Horowitz, Norman
Horton, Robert L.
Horwath, William J.
Hoskins, Bill J.
Hostettler, Stephen J.
Howard, Donald L.
Howard, Joseph B.
Howell, Roswell L.
Hoye, James M., II
Hoyt, Richard L.
Hryskanich, Paul L.
Hubal, Augustine E., Jr.
Hubbard, Clifford R., Jr.
Hubbell, Walter B.
Huber, John J., Jr.
Hudgins, Thomas B.
Hughes, Ronald E.
Huisman, Roland K.
Hull, Fred A.
Hullryde, Donald
Humphrey, Morris L.
Hunter, Charles B.
Hunter, William J.
Hurd, John B.
Hurt, Jonathan S.
Hussey, William T.
Ike, Robert C.
Ireland, Blair
Jackson, Nelson P.
Jacob, Robert E.
James, Joe M.
Jameson, Henry C., Jr.
Jauregui, Stephen, Jr.
Jefferis, Allen S.
Jefferson, Robert R.
Jellison, Robert K.
Jenkins, Folsom
Jobe, James E.
Johnson, Alfred C., Jr.
Johnson, Eldon D.
Johnson, Emil L.
Johnson, Theodore F.
Johnson, William T.
Johnston, Fox H.
Johnston, James I.
Jolliff, James V.
Jonasz, Fredric
Jones, Henry R.
Jones, James F.
Jones, Jerry D.
Jones, John L.
Jones, Robert H.
Jongewaard, Larry L.
Jorgensen, Charles J., Jr.
Joy, Bernard I.
Joy, James A.
Juergens, John G.
Jurkowski, Joseph A.

Kaiser, Dean E.
Kaiser, Gilbert J.
Kaltenborn, James C.
Karge, Ronald E.
Kastelein, Cornelius
Kauderer, Bernard M.
Kavanagh, Robert G.
Kearns, William A., Jr.
Keely, Leroy B.
Keenan, Richard L.
Keener, John I.
Keith, Harold S.
Keith, William H.
Kelley, Alfred G., Jr.
Kellogg, Edward S., III
Ketzner, Harry T.
Kiddle, Bradley D.
Killian, Donald J.
Kilty, Lawrence R.
King, Edward L.
King, Richard B.
Kingsley, Stephen S.
Kinley, Frederic H. M.
Kinnaird, Martin J.
Kinne, Loren H.
Kish, Steven E.
Klar, Norman
Klee, Robert E.
Kline, Arlington N.
Kneisl, John F.
Knepper, Donald E.
Knerr, Donald O.
Knight, Cecil F.
Knowles, George I.
Koci, Vaclav H.
Kollmorgen, Frederick J.
Kowalskey, Zygmont J., Jr.
Kraus, Walter S.
Krumwiede, Jerold L.
Krusi, Pete H.
Kuffel, Robert W.
Kujawski, Theodore D.
Kurth, Ronald J.
Kuttler, Manford D., Jr.
Labarre, Richard E.
Lahr, John J.
Laib, Ernest E., Jr.
Lamb, David C.
Lamore, James F.
Landers, John D.
Landersman, Stuart D.
Langford, George R.
Langrind, Roy G.
Lanphear, Roy E.
Lappin, Robinson
Lardis, Christopher S.
Larson, Ralph S.
Lauber, Ronald M.
Lauer, William C.
Laurentis, William D., Jr.
Laurienzo, Robert L.
Lawler, Frederick W.
Lawler, James C.
Lawrence, Donald S.
Lawrence, Keith D.
Leach, Donald B.
Leaman, Richard E.
Learned, Charles W., Jr
Leavitt, Horace M., Jr.
Lechner, George B.
Leenerts, Rolland E.
Lent, Willis A., Jr.
Leonard, John D., Jr.
Leonard, Robert W.
Leonhardi, Roger L.
Leslie, Richard
Lewis, Dewey T.
Lewis, Jesse W., Jr.
Lewis, Willis I., Jr.
Lietzan, Ernest W., Jr.
Limroth, David F.
Lina, Robert A.
Lindsay, Gilbert M.
Lindsay, Robert B.
Lindsay, Thomas L.
Livingston, Robert N.
Locke, Barrie B.
Loeffler, William H.
Logan, Joseph B.
Lorden, Lawrence R.
Lott, Carl D.
Lott, William A.
Lowry, George C.
Ludwig, George E.
Lunday, John W., III
Lynch, William C.
Lyons, Philip
MacAulay, Angus
MacClary, David B.
Machak, Peter N.
Mack, Chester M.
Mack, John
MacKinnon, James C., III
Madigan, James A.
Maier, William J., Jr.
Mallinson, William K.
Mares, James A.
Markoskie, John V.
Marks, Stanley J.
Marriott, Jack L.
Marsh, Alvin F.
Marsh, Lee S.
Marsha, Patrick P., Jr.
Marshall, Jack L.
Marshall, John T., Jr.
Martin, Charles W., Jr.
Martin, Edward H.
Martin, James K.
Martinez, Lucian C.
Martini, Richard A.
Mason, Ralph S.
Mason, Ralph A., Jr.
Massey, Roger A., Jr.
Masterson, Kleber S., Jr.
Matais, George R.
Mathews, Donald W.
Mathis, Harry L., II
Matthews, Paul C., Jr.
Matthews, William B., Jr.
Maxwell, John A.
May, Robert E.
McCabe, Billy E.
McCaffree, Burnham C., Jr.
McCall, Walter H.
McCarthy, Gerald D.
McCarthy, Thomas W.
McCartney, Rodney F.
McClellan, Parker W.
McClenahan, Richard M.
McComb, Robert B.
McConnell, Cyrus, Jr.
McCracken, John L.
McCrane, Brian P.
McDaniel, Johnny B.
McDowell, Curtis G.
McDowell, Don H.
McKay, Robert W.
McKee, George R., Jr.
McKenna, Patrick
McKenzie, Jon C.
McKenzie, James A., II
McKinster, James W.
McLaird, Preston, Jr.
McLaughlin, Bernard R.
McLendon, Millard S.
McMahon, Thomas J.
McNulty, James F.
McQuesten, John T., Jr.
McWaters, William A., Jr.
Meighan, John M., Jr.
Melton, Edward C., Jr.
Melville, Noel
Meredith, Stuart T.
Merget, Andrew G.
Merkler, George J.
Merritt, Robert L.
Merwin, Paul L.
Mesler, Robert A.
Meyer, Donald J.
Mhoon, John E.
Millen, Thomas H.
Miller, Bryce N.
Miller, Hal Y., Jr.
Miller, Kenneth F.
Miller, Raleigh B., Jr.
Miller, Robert R.
Miller, Ronald C.
Millman, Larry
Mills, James R.
Minetti, Bernard L.
Mirtsching, Leonard C.
Mitchell, Donald F.
Mitchell, Jerry L.
Mode, Paul J.
Monroe, Harvey N.
Monroe, William D., III
Montross, Robert W.
Mook, Joe
Mooney, John B., Jr.
Moore, Earle G.
Moore, Hugh A.
Moore, Johnnie R.
Moore, John R.
Moore, Milton W., Jr.
Moore, Raphael B.
Moore, Thomas G.
Moranville, Kendall E.
Moredock, William J.
Morgan, John M.
Morrison, Daniel N.
Mortimer, Edward H., III
Morton, Robert R.
Morton, Theodore E.
Mosman, Jack H.
Moye, William B., Jr.
Mozley, James F.
Muka, Joseph A., Jr.
Mulcahy, William J., Jr.
Mullen, Richard D.
Munson, Roger D.
Murphy, Elbridge F., Jr.
Murphy, George A.
Murphy, Richard G.
Musgrave, "R" "F"
Myers, Lowell R.
Mylander, Stig J.
Naschek, Marvin J.
Neel, William M.
Neel, William C.
Neill, Louis D., Jr.
Nelles, Merice T.
Nelson, Charles W., Jr.
Nelson, George E., Jr.
Nelson, Herbert F.
Nelson, Joshua J.
Nelson, Keith
Nelson, Teddy N.
Nesbitt, Harry J.
Newton, John E.
Neyland, James P.
Nichol, Monte B.
Nicholson, John L., Jr.
Nielsen, Donald E.
Nightingale, Billy R.
Nix, Walter C.
Nokes, Neil M.
Nordhill, Claude H.
Noren, Rees E.
Norton, John R., Jr.
Nothwang, David R.
Nott, Edward C., Jr.
Nuss, Charles R.
Nystrom, Frederic L.
Oaksmith, David E., Jr.
Oberg, Chester R.
O'Brien, John T.
O'Connell, William J.
Oder, John T.
O'Donnell, Richard J.
Offrell, David W.
Oldmixon, William J.
Olear, Joseph P.
Oleson, David E.
Olsen, Jerome J.
Olsen, Robert M.
Olson, Conrad B.
Olson, Gerard R.
Omalia, Robert J.
O'Neill, Norbert W.
O'Reilly, Charles W.
O'Rourke, Daniel, Jr.
Orsik, Walter A.
Orsino, Leo A.
O'Shaughnessy, Robert J.
O'Toole, Arthur L., Jr.
Ottey, William H.
Overdorff, William R.
Owens, Robert M.
Painter, George V.
Paolucci, Donald C.
Papio, Emil M.
Parker, John T., Jr.
Pasztalaniec, Matthew F.
Patrick, Julian C.
Patten, Robert S.
Patterson, William V.
Patterson, Lee R.
Paulk, John E.
Paulson, Allan G.
Pawley, Sigmund B., Jr.
Payne, Dean M.
Peacock, Henry F.
Pearlman, Samuel S.
Pearson, George W.
Peckworth, Dana
Peebles, Edward M.
Peery, William K.
Perault, David J.
Perkins, Jack C.
Perkins, Joseph A., Jr.
Personette, Alan J.
Pertel, Joseph A.
Petersen, Walter R.
Peterson, Dale A.
Peterson, Mell A., Jr.
Petit, Pierre A.
Pettigrew, Joseph H.
Pettyjohn, William R.
Pfarrer, Charles P., Jr.
Phillips, Charles A.
Phillips, John T.
Phillips, Lawrence, Jr.
Philpot, Marvin L.
Phoenix, David A.
Pifer, Charles E.
Pikell, Joseph V.
Pippin, William E.
Pitkin, Ronald E.
Pitts, David T.
Pitts, David B.
Pixley, George D.
Place, Allan J.
Poland, James B.
Pollack, Harold I.
Poore, Ralph E.
Pope, John W. R., Jr.
Poreda, Charles P.
Porter, Robert D.
Potosnak, Joseph E.
Potter, Arthur M., Jr.
Prell, Raymond B.
Premo, Melvin C.
Prentiss, Dickinson
Price, Oliver L.
Primeau, Don G.
Prindle, Charles O.
Puopolo, Michael J.
Purtell, Joseph M.
Quamme, Lyle D.
Quillin, Thomas E.
Quin, John M., Jr.
Raffaele, Robert J.
Ralph, Steve, Jr.
Ramos, Steve L.
Ramzy, James R.
Rand, Donald H.
Randall, Howard W.
Randall, Howard F., Jr.
Raper, Albert D.
Raunig, David R.
Rawls, Roy J.
Rayder, Daniel F.
Read, Richard R.
Reasonover, Roger L., Jr.
Reaves, Joseph C.
Reddick, Robert E., Jr.
Reese, Franklin W., III
Reffitt, Raymond E.
Register, Marvin O.
Reid, Richard G.
Reinhardt, Jerry B.
Reisinger, John E.
Rennie, William B., Jr.
Reynolds, James H.
Reynolds, Stuart V.
Rice, Daniel W.
Rice, Gary L.
Richards, Lloyd W.
Richards, Robert J.
Richards, Walter E.
Richardson, Harold M.
Richardson, Phillip D.
Richardson, William C.
Richter, Ronald P.
Ricketson, Francis B.
Rickley ,James M.
Ridge, James J.
Riegel, Robert W.
Riendeau, Arthur O., Jr.
Rigney, William J.
Riley, Kenneth J.
Robertson, Robert R., Jr.
Robey, George R., Jr.
Robey, Robert V.
Robinson, Duane A.
Robinson, Percy E., Jr.
Robinson, Thomas W., Jr.
Robinson, William H., Jr.
Robinson, William A.
Robinson, William N.
Rockefeller, Harry C., Jr.
Roderick, Daniel W.
Rodgers, James B.
Rodriguez, William P.
Roe, Charles W.
Roepke, John R.
Rogers, Charles E., Jr.
Rogers, Gerard F.
Rogers, Robert B.
Rogers, Warren F.
Roland, Gerald K.
Romano, Matthew E.
Roney, James R.
Rork, John K.
Rose, Charles C., Jr.
Rose, Hardy N.
Rose, William A.
Rossman, Robert H.
Roth, Conrad W.
Rowland, Charles M., Jr.
Rubey, William A.
Ruch, Martin, Jr.
Rudolph, Francis A., Jr.
Ruggles, Kenneth W.
Runyon, Richard E.
Russell, Kenneth B.
Russell, William F.
Ryan, Albert
Ryan, William A.
Sabol, Ernest J., Jr.
Salva, Fedor R., Jr.
Sanders, Edward K.
Sapp, Charles S.
Sarkisian, Ara
Saubers, Walter F.
Sawiak, Conrad B.
Saylor ,Thomas P.
Scarborough, Robert L., Jr.
Schaff, Donald J.
Schatzle, Francis J.
Schermerhorn, James R.
Schibel, Robert L.
Schlenzig, Robert E.
Schmidt, Gilbert E.
Schnell, Herbert L., Jr.
Schnetzler, Estill E., Jr.
Schoeckert, Robert D.
Schoeffel, Peter V.
Schultz, Eugene D.
Schuman, Martin S.
Schuster, Dale G.
Schuster, Gustave P.
Schweitzer, Robert J.
Scott, Austin B., Jr.
Scott, Jack E.
Scott, Robert W.
Seigenthaler, Thomas U.
Selby, Paul F.
Sellers, John W.
Sesler, Ralph M.
Sewell, Robert L.
Shafer, Don M.
Shanaghan, John J.
Sharp, Gail J.
Shaw, William M.
Shea, Rolland K.
Shearer, Oliver V., Jr.
Shearer, Thomas D.
Sheeley, Elmer E., Jr.
Sheets, Jean P.
Shelly, Ronald G.
Shemanski, Francis B.
Sherrouse, James B.
Shewchuk, William M.
Shoemyer, James W.
Shrader, Ebert F.
Shropshire, Edwin D., Jr.
Shuman, Edwin A., III
Silverman, Arnold M.
Simmons, Arlis J.
Simon, Douglas M.
Sisson, Thomas U., Jr.
Siverly, Paul L.
Skarlatos, Paul
Skeen, Richard R.
Skelton, Stuart A.
Skerrett, Robert J.
Skillen, Robert L.
Skolnick, Alfred
Skubinna, Myron A.
Slattery, Francis A.
Sliwinski, Daniel J.
Slyfield, Frederick J
Smiley, Charles B.
Smith, Alfred A.
Smith, Chester R.
Smith, David G.
Smith, "H" "O"
Smith, John P.
Smith, Joseph C.
Smith, Leighton D.
Smith, Thomas J.
Smith, William L.
Smith, William L.
Snider, Lloyd H.
Snively, Abram B., III
Snow, George M.
Snuffin, Jerry A.
Snyder, Aaron W. S.
Snyder, Edward C., Jr.
Snyder, Virgil C.
Soderholm, Richard C.
Solan, Thomas V.
Somerville, William J.
Sonniksen, Ronald G.
Sorenson, Curtis A.
Southwick, Charles E.
Spargo, Richard A.
Spaulding, Ralph L.
Speirer, Paul E., Jr.
Spiegler, Felix R.
Springston, William A.
Stamm, Ernest A.
Stanard, John D., Jr.

Starcher, Charles W., Jr.
Steel, Charles E.
Steele, Francis X.
Steinman, Alfred D., Jr.
Steele, Ted C., Jr.
Stefferud, David R.
Steffes, Herbert J. D., Jr.
Stephens, Wayne L.
Stephenson, Donald L.
Stevenson, Donald W.
Stewart, Blair
Stierman, Joseph W., Jr.
Stinner, Robert J.
Stoffel, Michael J.
Stolle, Edward S., Jr.
Stoltz, Kenneth E.
Storck, Bernard F.
Storms, James G., III
Stovall, John C.
Studebaker, Clayton A.
Sturm, Gerard M., Jr.
Sullivan, Joseph E., Jr.
Sullivan, John G.
Sullivan, Russell J.
Sullivan, Thomas J.
Sutherland, Terence B.
Sutherland, William P.
Suzan, Frank M.
Sweeney, John H., III
Sweet, Harry J.
Tabler, Benjamin E.
Talbot, Frank R., Jr.
Tanner, Charles N.
Tappan, Jeremy R.
Tarlton, Joe E.
Tate, Charles E.
Tate, John F.
Taylor, Arthur C.
Taylor, Charles C.
Taylor, Harold A., Jr.
Taylor, James D.
Taylor, Reeves R.
Templeman, William E.
Tenney, Vincent L.
Teuscher, John J.
Thalman, Robert H.
Thomas, Douglas N.
Thompson, Jack C., Jr.
Thompson, Richard L.
Thornton, Ray O.
Thunman, Nils R.
Tibbetts, Herbert E.
Timm, Alvin R.
Tinkler, David R.
Tise, Donald G.
Toland, Hugh J. C., Jr.
Tolg, Robert G., Jr.
Tomlinson, Alva C.
Tortora, Anthony M.
Townley, John L.
Townsend, Marshall N.
Treagy, Paul E., Jr.
Trebbe, Shannon L.
Trenham, Herbert D.
Trevors, George A.
Trowbridge, Vern H.
Tucker, Eli L., Jr.
Tucker, Thomas A.
Turner, Ralph A., Jr.
Tuttle, George S.
Uelman, William C.
Ulmer, Donald M.
Ulrich, Charles H.
Vaden, Donald E.
VanAntwerp, Richard D.
VanDyke, Willard H., Jr.
VanHoof, Eugene R.
Vatidis, Christopher R.
Vaughan, Evan J., Jr.
Vaughan, Robert R.
Velazquez-Suarez, Francisco A.
Vellom, Lee S.
Verich, Demetrio A.
Vernon, Everett L.
Viera, John J.
Vine, Victor J.
Vinti, Joseph P.
Vitali, Burt M.
Vogt, Henry L., Jr.
Vohden, Raymond A.
Vojtek, Thomas M.
Vosseller, John H.
Waddington, Jack B.
Wade, Manley B.
Walker, Charles
Walker, Peter R.
Wallace, James D., Jr.
Walsh, Don
Walsh, Harvey T., Jr.
Walsh, Joseph A., Jr.
Washchysion, John
Watson, John
Watson, Max H.
Watson, Robert M.
Watson, Thomas C., Jr.
Watson, Wyatt P.
Weber, Lawrence K., Jr.
Wehling, Michael S.
Wehrman, Philip W.
Weir, Jack T.
Weitz, Paul J., Jr.
Wells, Peter M.
Wells, Walter H., Jr.
Wensman, Linus B.
Werness, Maurice H.
Wessel, James E.
West, Denton W.
Westmoreland, Ralph M.
Wetzel, Weslie W.
Wheat, Billy V.
Wheeler, Charles G.
Wheeler, James B.
Wheeler, John R.
Wheeler, Robert L.
White, Bernard A.
White, Charles E.
White, Charles L.
White, Donald C.
White, Donald J.
White, James R.
White, William A.
Wiederholt, Jerome B.
Wight, Roy R.
Wildberger, August M.
Wildman, John B.
Wilford, Donald M.
Will, John M., Jr.
Will, Otto W., III
Willhauck, Marion
Williams, Edward O.
Williams, Louis A.
Williams, Randall L.
Williams, Ralph E., Jr.
Williams, Ronel J. D.
Williams, Wallace E.
Williamson, James F.
Willis, Arthur A., Jr.
Wilmer, Robert R.
Wilson, David G.
Wilson, James A., Jr.
Wilson, Richard V., Jr.
Wilson, Robert W., Jr.
Winans, Gilbert L.
Winkler, Thomas Q., Jr.
Winkowski, John R.
Winslett, John C., Jr.
Winton, Fred B., Jr.
Wirt, Robert O.
Wisdom, Robert W.
Wise, James E., Jr.
Witherow, Thomas S.
Withers, Fred J.
Withrow, John E., Jr.
Wohl, Paul
Wolf, James D.
Wolff, William F.
Wolke, Victor B. C.
Wood, Charles S.
Wood, Fred L.
Wood, John P.
Wood, Noel T.
Woodall, Franklin T., Jr.
Woodbury, Kyle H.
Woods, Robert C.
Woodward, John L.
Woolery, Edgar F.
Wootten, Thomas F.
Wright, Charles H., Jr.
Wright, James D.
Wright, James R.
Wright, Kenneth L., Jr
Wright, Marshall O.
Wright, William W.
Wyckoff, Peter B.
Yarger, Luther D.
Yarwood, John O.
Yates, James L., Jr.
Yeager, Donald R.
Yenowine, George H.
Young, David B., Jr.
Young, Glenn L.
Young, Harold L.
Young, James E.
Young, Joseph A.
Youngblood, Newton C.
Zable, Joseph J.
Zapalac, Robert E.
Zelones, Vincent L.
Zick, Richard A.
Zidbeck, William E.
Zilch, Charles H.
Zirps, Christos
Zophy, Merle E.
Zuilkoski, Ronald R.

MEDICAL CORPS

Aaron, Benjamin L.
Adeeb, Allan J.
Austin, Frederick L., Jr.
Bailey, David W.
Baird, Robert M.
Baker, William P.
Barchet, Stephen
Barrett, Warren M.
Bartlett, Eugene F.
Bason, William M.
Baxter, John C.
Beach, Thomas B.
Beasley, Walter E., III
Becker, Matthew K.
Beckman, William R.
Beeby, James L.
Bemiller, Carl R.
Berry, Juanedd
Billingsley, Frank S.
Biron, Pierre E.
Bishop, Robert P.
Blais, Bernard R.
Bloom, Joseph D.
Brackett, John W., Jr.
Broadley, Paul H.
Brooks, Robert T., Jr.
Bucko, Matthew I., Jr.
Cameron, Ronald R.
Carr, John E.
Carson, William E., Jr.
Cassidy, Walter J., Jr.
Cavin, William J., Jr.
Coll, Edmonston F.
Colangelo, Eugene J.
Collier, James C. P., Jr.
Comer, Ralph D.
Conkey, George A.
Connolly, Edward B.
Cowen, Malcolm L.
Cox, Jay S.
Cunningham, John E., Jr.
Deaner, Richard M.
Defries, Hugo O.
Dihl, Jerald J.
Ernst, Donald W.
Evans, Fred S.
Floyd, John S., III
Flynn, Peter A.
Frazier, Wayne E.
Freeman, Edward E.
Furuya, Clinton M.
Gill, Kenneth A., Jr.
Gilson, Benjamin J.
Goller, Vernon L.
Gragg, Donald M.
Harmon, Stanley D.
Hauler, Donald R.
Hauser, Roger G.
Hodge, Warren W.
Hoke, Bob
Holmboe, Arthur H.
Hopwood, Herbert G., Jr.
Hudgens, William R.
Inman, Charles E.
James, Stephen H.
Jones, Clyde W.
Kelley, Donald L.
Kendra, Stephen J.
Kent, Tommy S.
Kerwin, Joseph P.
Knapp, Robert W.
Kostinas, John E.
Lang, Jesse E.
Langevin, Jack A.
Lansinger, Donald T.
Lawlor, Peter P., Jr.
Lawton, George M.
Learey, Kenneth L.
Leffler, Lynn E.
Levy, Jerome
Loew, Albert G., Jr.
Lyster, Norman C., Jr.
MacCarty, Denton E.
MacDonald, Rodney I.
Magi, Martin
Mammen, Robert E.
Martin, George F., Jr.
Mathews, George W., Jr.
McGowan, Edward M., Jr.
McHale, James J., Jr.
McIntyre, James A. A.
McLear, William Z., III
Meehan, William L.
Merchant, Raymond J., Jr.
Meredith, Robert C.
Miewald, John R.
Miner, Walter F.
Moll, Francis K., Jr.
Moquin, Ross B.
Morgan, Jacob R.
Morgan, Robert I.
Moyers, James R.
Mullins, Wallace R.
Mullins, William J., Jr.
Myers, Robert C.
Neel, Samuel N.
Norton, Richard H.
O'Brien, Robert M.
Ochs, Charles W.
O'Halloran, Patrick S.
Oldershaw, John B.
O'Neal, David M.
Palumbo, Ralph R.
Payne, Charles F., Jr.
Pettengill, Howard W., Jr.
Pohle, George A.
Poley, Richard W.
Powers, Samuel A.
Pulicicchio, Louis U.
Rack, Robert V.
Randall, Glenn H.
Reckenthaler, Karl J.
Rish, Berkley L.
Rivera, Julio C.
Robl, Robert J.
Rohren, Donald W.
Rolen, Alvin C., Jr.
Rudolph, Samuel F., Jr.
Russotto, Joseph A.
Sargent, Charles R.
Schmetz, Frank J., Jr.
Scott, Charles M.
Sharpe, Richard G.
Shepard, Barclay M.
Sims, Norman L.
Smith, Joe P., Jr.
Smith, Jose C. S.
Smith, Ronald W.
Snyder, Harry D.
Spence, Kenneth F., Jr.
Steffenson, John L.
Steyn, Rolf W.
Stout, Bill D.
Strange, Robert E.
Swartz, Philip K., Jr.
Takaki, Norman K.
Thompson, Robert E.
Tilock, Fred H.
Tobey, Raymond E.
Tolchin, Sidney
VanPeenen, Peter F. D.
Wagner, Philip I.
Walklett, William D.
Walter, Eugene P.
Weir, Gordon J., Jr.
Weitzman, Gerald
Willcutts, Harrison D.
Williams, David L.
Wilson, Wayne R., Jr.
Wolfe, Franklin M.
Young, George M.
Youngs, Luther A., III

SUPPLY CORPS

Alderman, Charles B.
Almen, Richard E.
Anderson, Richard A.
Anglim, Matthew E., Jr.
Arnold, Harry H.
Ayling, Charles W.
Badger, George R.
Bechtelheimer, Robert R.
Bennett, Richard B.
Bledsoe, William M.
Bodart, Cletus W.
Breit, James A.
Brewin, Robert L.
Briggs, Irving G.
Brooks, John E.
Bruyneel, Louis K.
Byers, Austin L.
Canon, Roscoe H., Jr.
Carpenter, Arthur J.
Casselberry, Lynn W., Jr.
Causey, Bruce M., Jr.
Caverly, Michael K.
Chapman, Charles B., III
Christenson, Richard D.
Clark, Shelby V. T.
Coleman, Ernest B.
Cook, Gerald W.
Cornelius, Jack M.
Cronk, Philip W.
Davis, Raymond P.
Ditto, Chester L.
Dollard, Paul A.
Dusenberry, Frank J.
Eastwood, William O., Jr.
Ebert, Scott W.
Epstein, Edwin S., III
Farrell, James G.
Fekula, Theodore V.
Ferraro, Niel P.
Fiske, Leon S., Jr.
Freese, Ralph F.
Fuka, Otto J., Jr.
Gaddis, Glenn L.
Gallagher, Robert F.
Gapp, John J.
Gilpen, Franklin M.
Goodwin, Earl E.
Gore, Austin F., Jr.
Graessle, Philip G.
Gray, Jack E.
Harkin, James W.
Harrigan, Thomas F., Jr.
Hawkins, Charles A.
Hendrickson, Richard
Hennessy, William J.
Henseler, Richard C.
Hochmuth, Alvin E., Jr.
Hohenstein, Charles R.
Horrigan, John W., Jr.
Jesser, Arthur D.
Johnson, James R.
Johnson, Millard J.
Jones, Ronald A.
Kela, Frederick H.
Kispert, Lane A.
Krukin, Lawrence E.
Lanphere, Robert J.
Larson, Nelson S.
Leblanc, George J., Jr.
Leblanc, Merrill M.
Lemly, William D.
Lemma, Paul A.
Lindsay, William E.
Lovell, Donald E.
Lyons, John J.
Maxwell, Kenneth R.
McDaniel, Roderick D.
McNeill, Neil E.
McSwain, Billy G.
Mercier, Arthur G.
Moore, William J.
Mullen, James V.
Nelson, Alfred B.
Nolan, Frank R.
O'Connor, Robert W.
Olson, Harvey T.
Ostrom, Lester E.
Ott, Matthew J.
Parent, Elias A., Jr.
Pavlisin, Frank
Peek, Luther W.
Perry, Robert P.
Peterson, Kenneth A.
Petrie, Roland A.
Pottinger, Ian G.
Powell, William M.
Prutzman, William L.
Rady, William J., Jr.
Ribble, Marland S.
Richards, Walter T.
Riordan, William H.
Rolfe, James A.
Ross, Howard T., Jr.
Ross, William T., Jr.
Roth, Richard J.
Rothenberger, Donald J.
Ruth, Stephen R.
Salgado, Paul R.
Sansone, Joseph S., Jr.
Savage, William H., Jr.
Shipley, Maynard K.
Smith, Jay R., Jr.
Snyder, Earl L.
Springer, Donald F.
Stevenson, Ray H.
Strange, Geoffrey G.
Strange, Hubert E., Jr.
Stumbaugh, David C.
Taylor, John B.
Temte, Knute P.
Tillery, Prestor. J.
Topping, James F.
Trimble, Philip
VanValkenburg, Max W.
Velotas, Bill M.
Vogel, Ralph H.
Wagner, John E.
Wald, Stanley B.

Walker, Edward K., Jr.
Warneke, Grover C.
Weber, Robert J.
White, Frank L.
White, Jack A.
Williams, Raymond L.
Williams, Rex M.
Williams, Walter L.
Wilson, Donald E.
Wong, Ronald M.
Wood, Lee Jr.
Young, Charles W.
Young, Robert H.
Zeberlein, George V., Jr.

CHAPLAIN CORPS

Chambliss, Carroll R.
Clardy, William J.
Cortney, Kevin J.
Dodge, John K.
Fedje, Earl W.
Fitzgerald, Owen R.
Greenwood, Charles L.
Hilferty, Thomas J.
Howard, Marvin W.
Kemp, Charles D.
Kinlaw, Dennis C.
Laboon, John F., Jr.
Lemieux, Ernest S.
McAlister, Fred R., Jr.
McFarland, Cecil E.
Meschke, David L.
Miller, Stanley D.
Newton, John G.
O'Connor, William B.
O'Gorman, Charles F.
Ota, Peter I.
Phillips, Harold E.
Propst, Roy A., Jr.
Reid, James D.
Seegers, Leonard O.
Shipman, "J" "T"
Slejzer, Ferdinand E.
Snyder, Marvin E., Jr.
Urbano, Francis J.
VanLaningham, Maurice R., Jr.
Vest, William T.
Walsh, Ronald J.
Webb, Charles E.

CIVIL ENGINEER CORPS

Andersen, Charles P.
Anderson, Warren H.
Barber, Horace M.
Berdan, Maurice R.
Billet, Donald F.
Brooks, Kenneth D.
Burger, Henry K.
Burns, William J., Jr.
Carioti, Bruno M.
Clerc, Louis H.
Crockett, Billy G.
Daniel, William F., Jr.
Davis, Walter E., Jr.
Demidio, Joseph A.
Ecklund, Glenn L.
Edson, Theodore M.
Gans, George M., Jr.
Gaulden, Roy D., Jr.
George, Roscoe D., Jr.
Hanlon, Mark Z., Jr.
Hartell, William K.
Haynes, Howard H.
Hines, John C.
Johnson, Durrell A.
Jones, John P., Jr.
Jones, Thomas K.
Lake, George
Lewis, Frank H., Jr.
Mangan, Thomas J., Jr.
Merica, Charles A.
Mitchell, Thomas J.
Moger, Jack B.
Moore, Fred, Jr.
Morton, Donald A.
Mulder, William H.
Nystedt, Russell P.
O'Brien, Thomas J.
O'Leary, John F.
Oscarson, Edward R.
Paulsen, Raymond E.
Petzrick, Paul A.
Plante, George E.
Reeves, Ronald B.
Seites, John H.
Sherrod, Henry C., Jr.
Smith, George L.
Socha, Albert R., Jr.
Sweeney, John C.
Sylva, John P.
Toliver, Jack M.
Tombarge, John W.
Trunz, Joseph P.. Jr.
Uhe, James L.
Urish, Daniel W.
Verdi, Stanley N.
Wile, Dorwin B.
Williams, Jesse R.
Wolf, Robert B.

DENTAL CORPS

Allen, Robert W.
Allman, Daryl M.
Amato, Angelo E.
Applegate, Donald E.
Atkinson, Robert A.
Barlow, Doil E.
Biron, George A.
Bottomley, William K.
Bradford, Paul L. J.
Brecker, Paul L.
Brenyo, Michael, Jr.
Burch, Meredith S.
Burke, Joseph H.
Cagle, John D.
Carrothers, Richard L.
Castronovo, Sam
Charles, James H., Jr.
Christian, James T.
Corio, Russell L.
Cummings, Matthew R.
Davis, Malcolm S.
Diem, Charles R.
Dodds, Ronald N.
Edwards, Richard C.
Fenner, David T., Jr.
Fenster, Robert K.
Firtell, David N.
Gomer, Ronald M.
Gonder, Donald C.
Goska, John R.
Grimsley, William A., Jr.
Grove, David M.
Hanson, Richard K.
Hill, Ronald K.
Hoffmann, Robert M.
Howe, Robert E.
Huestis, Ralph P.
Kitzmiller, John S., Jr.
Koss, Ronald J.
Leonard, Walter P.
Lessig, John F.
Lucker, Ronald W.
Mark, Leonard E.
McCann, Thomas F.
Messer, Eugene J.
Miller, James E.
Moore, Robert E.
Moyes, Edmund R.
Neagley, Ross L., Jr.
Nielsen, Theodore C.
Parsons, Richard L.
Pirie, George D.
Plump, Ellsworth H.
Reed, Wilbur G.
Richter, Henry E., Jr.
Roper, David A.
Semler, Harry E., Jr.
Smith, John M.
Spearman, Glyn M., Jr.
Stallworth, Henry A.
Stanton, George A., Jr.
Stump, Thomas E.
Sugg, William E., Jr.
Sullivan, William C.
Swaim, Bobby L.
Thomas, Robert E.
Trusz, Edward J.
Verunac, James J.
Viles, Darel D.
Walters, Ray A.
Wilkie, Noel D.
Williams, Frederick B.

MEDICAL SERVICE CORPS

Ball, Ernest A. W.
Beckwith, Joan M.
Brandon, Daniel A.
Connery, Horace J.
Cook, Paul E.
Curto, James C.
Dennis, "J" "M"
Dietch, Michael M., Jr.
Feith, Joseph
Gilbert, Richard S.
Heath, Jean L.
Holston, Charles A.
Janson, Harold J.
Johnston, James F.
Long, William L.
Miller, Harry P.
Oleson, Russell H.
Petoletti, Angelo R.
Reed, John R.
Richardson, James W.
Riser, Ellis W.
Roach, Leon M.
Schaffner, Leslie J.
Scrimshaw, Paul W.
Smith, Robert L.
Smout, Jay C.
Steward, Edgar T.
Thompson, Robert E.
Turner, David H.
Wetzel, Orval B.
Woodham, James T.

NURSE CORPS

Alexander, Betty J.
Barnes, Annabelle
Crosby, Nancy J.
Donoghue, Margaret C.
Ferguson, Miriam M.
Fogarty, Anna L.
Haire, Marion B.
Johnson, Imogene L.
Jones, Eva D.
Lanaghan, Harriett M.
Maynard, Mary E.
Obarto, Waldena
Perlow, Marion R.
Peterson, Lee
Pfeffer, Elizabeth M.
Robinson, Libia G.
Shea, Claire M.
Shea, Frances T.
Sheridan, Anne M.
Stewart, Mary G.
Wathen, Mary J.
Wilson, Katherine

The following-named women officers of the U.S. Navy for permanent promotion to the grade of commander in the line, subject to qualification therefor as provided by law:

McKee, Fran
Safford, Charlotte L.

The following-named officers of the U.S. Navy for permanent promotion to the grade of lieutenant (junior grade) in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Baugh, William F., Jr.
Bryant, Leon C.
Burke, Richard L.
Butler, Richard M.
Carpenter, George K.
Davis, Dean D.
Haan, Linda L.
Koepke, William R.
Kozain, William P.
Longshaw, Jeffery S.
Norris, Jerry D.
O'Rourke, John B., Jr.
Prior, Charles A.
Rabine, Virgil E.
Rogers, Clyde W.
Rumbaugh, Richard L.
Shaw, Michael G.
Shefchik, Gerald C.
Smith, Thomas N.
Yankura, Thomas W.

SUPPLY CORPS

Barreth, Donald M.
Block, Edgar D., Jr.
Deruiter, Kenneth
Donato, Robert C.
Downer, Glenn I.
Ford, Richard P.
Freiberg, Leonard S., Jr.
Harrington, Michael G.
Jarrard, Lamar J.
McLean, Forrest T.
McCormack, Robert S.
McNutt, Lee F.
Norton, Ronald W.
Schreiber, Dennis L.
Tarrantino, David A.
Tarella, Raymond F.
Tastad, Michael L.
Toburen, David L.

CIVIL ENGINEER CORPS

Bohning, Lee R.
Parsons, James F.
Scott, Gary H.

MEDICAL SERVICE CORPS

Barr, Kenneth B.
Cunningham, Kenneth M.
Renfro, Gene F.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 1, 1967:

DISTRICT OF COLUMBIA COUNCIL

John Walter Hechinger, of the District of Columbia, to be Chairman of the District of Columbia Council for the term expiring February 1, 1969.

Walter E. Fauntroy, of the District of Columbia, to be Vice Chairman of the District of Columbia Council for the term expiring February 1, 1969.

The following-named persons to be members of the District of Columbia Council for the terms indicated:

TERMS EXPIRING FEBRUARY 1, 1968

Margaret A. Haywood, of the District of Columbia.

J. C. Turner, of the District of Columbia.

Joseph P. Yeldell, of the District of Columbia.

TERM EXPIRING FEBRUARY 1, 1969

John A. Nevius, of the District of Columbia.

TERMS EXPIRING FEBRUARY 1, 1970

Stanley J. Anderson, of the District of Columbia.

William S. Thompson, of the District of Columbia.

Polly Shackleton, of the District of Columbia.

HOUSE OF REPRESENTATIVES

WEDNESDAY, NOVEMBER 1, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

As many as are led by the spirit of God, they are the sons of God.—Romans 8: 14.

O Thou who art the source of all our strength and the refuge of those who put their trust in Thee, steady us with Thy spirit lest the disagreements of this day hide Thy presence from us. Within the shadow of our concern stands Thy love waiting to cross the threshold of our need. As we pray may we open our hearts to Thee, may we receive Thy love and thus led step by step be strengthened for the journey of this day.

We pray for those we love, whose faithfulness warms our hearts and brings joy to our spirits. We commend them to Thy loving care which shepherds their days with a wisdom and love greater than our own.

We pray for our country. Cleanse our hearts of all harsh misunderstandings and hostile ill will which are the seeds of strife. Make us quick to welcome every adventure in cooperation and every effort to strengthen our relationships with each other. Open the door of opportunity and give us courage to walk through it to a greater life together under the banner of free men. In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

THE AIR QUALITY ACT

Mr. REINECKE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. REINECKE. Mr. Speaker, I would like to call attention of the House today to the bill coming on the floor tomorrow, namely, the Air Quality Act. This is a bill that has a very controversial proposed amendment regarding whether or not we will allow California to do for itself what it wants to do for itself at its own expense. In particular, the reason why I take this moment today, Mr. Speaker, is to advise that if anyone has any concern about the feelings of California, they can simply go over to the caucus room in the Cannon Building to see approximately 300,000 pieces of mail which arrived at the Capitol yesterday and the day before. This mail, I believe, represents the reason why in the last week or 10 days we have seen a direct expression of the people. We are here to represent the people, Mr. Speaker, and I hope that my colleagues will take this into account when this amendment is offered on the floor.

TO CREATE AN INDEPENDENT FEDERAL MARITIME ADMINISTRATION

Mr. HUNT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HUNT. Mr. Speaker, recently during the general debate on H.R. 159—to create an independent Federal Maritime Administration—one of the gentlemen from New York on the other side of the aisle charged me with an inconsistency in his reference to the appropriation for the Departments of State, Justice, and Commerce, the Federal judiciary, and 12 related agencies during its consideration earlier in the year.

Mr. Speaker, I ask the permission of the House to set the record straight for the benefit of those Members who heard the implication made as well as for my constituents who are deserving not to be misled by mistaken inferences such as this.

Regardless of the fact that it is contrary to accepted etiquette to question the integrity of another Member's vote, I would point out to the gentleman from New York that the record is clear in my support of responsible efforts that would strengthen the merchant marine industry, of which the creation of an independent Federal Maritime Administration is a long step in the right direction. I am very pleased to see that the gentleman's position coincides with my own on this point.

I would further like to commend the gentleman from New York for reporting the appropriation bill referred to above from his committee with a total recommended appropriation almost 7 percent below that requested by the President, but which included a substantial increase for the Maritime Administration, the largest under the Department of Commerce appropriation. It appears that the gentleman is joined by a majority of the Members who recognize that economies in quantity can be effected without forsaking quality of worthwhile programs.

ELECTION OF THE FIRST REPUBLICAN MAYOR OF THE CITY OF BIRMINGHAM IN THE LAST 100 YEARS

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, yesterday was an historic milestone in the life of the city of Birmingham, Ala., which it is my privilege to represent in the Congress. I say this, Mr. Speaker, because yesterday the Honorable George G. Seibels, Jr., was elected our mayor. For many years Mr. Seibels has been a prominent Republican in the city of Birmingham. He has been an outstanding civic leader and a distinguished member of the city council. He is the first Republican to be elected to our city's highest office for 100 years. It would seem to me congratulations are in order, both to Mayor Seibels and to the city of Birmingham.

SECRETARY OF THE ARMY ANNOUNCES THAT THE ARMY WILL NOT CONTINUE THE NATIONAL MATCHES HELD AT CAMP PERRY, OHIO

Mr. LATTA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LATTA. Mr. Speaker, Members had the following announcement placed upon their desks today:

> THE DEPARTMENT OF THE ARMY,
> OFFICE OF THE SECRETARY,
> *Washington, D.C., November 1, 1967.*
>
> Re information for Members of Congress.
>
> The following announcement will be made later today:
>
> "The Secretary of the Army has announced that the Army will not conduct the national matches held annually at Camp Perry, Ohio, in 1968. This action is a part of the Department of Defense effort to reduce expenditures and limit spending to only the most essential programs."

Mr. Speaker, I want to say that this announcement is a defeat for every law-abiding civilian marksman in America and a victory for those determined to disarm all of our civilian population. The stated explanation for not conducting these matches in 1968 is an excuse, not a reason. If the Department of Defense is really interested in saving money it would reexamine and adjust some of the overpayments being made on Defense contracts as revealed by the Governor of New York, Congressman PIKE, and others. Real and substantial savings could be made in this area without doing harm to a successful program which has been in operation in this country since 1913. Since the "savings" which can be claimed by discontinuance of this program is so infinitesimally small when you consider the fact that the Defense Department has a $70 billion budget, one can only hope that the Department based its decision on economy reasons and did not yield to pressures being applied by a few Members renowned for their sponsorship of anticivilian gun legislation. This program is so essential to the promotion of civilian marksmanship, I hope the Armed Services Committee will inquire into the reasons for suspending these matches and will then report back to the House.

REDUCTIONS IN FEDERAL AID TO HIGHWAYS

Mr. MINSHALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MINSHALL. Mr. Speaker, the Committee on Appropriations is receiving a number of inquiries about reductions in the Federal aid highway program. These inquiries result from the telegrams sent to the Governors of the various States in early October by the Secretary of Transportation.

The telegram requested comments on the impact of three levels of reduction in highway funds. Unfortunately, the first sentence of the telegram began:

> In view of recent congressional discussions on expenditures, it may become necessary to impose ceiling on Federal aid highway program in the immediate future.

There have, as we all know, been discussions in the Congress on Federal spending. The House passed a resolution which would place a ceiling on expenditures in the administrative budget. I repeat—the administrative budget. The highway trust funds would not be reduced by 1 cent by the House-passed resolution.

The reference in the Secretary's telegram to "congressional discussions" is misleading. I have the highest regard for the Secretary and am certain his telegram did not purposely mistake the facts. Nevertheless, the wrong implication is given.

Under legislation enacted or pending, if reductions are made in the highway program, they will be made by the White House. The Congress has not proposed cuts in highway construction funds.

As of today the Executive has not cut highway spending.

I just want to make it very clear that no reduction in the Federal aid highway program has been recommended by the Appropriations Committee or the Congress.

LEGISLATIVE PROGRAM

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I would like to take this time to ask the majority leader if he would give us some information about the program for the balance of this week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, I appreciate the fact that the gentleman from Illinois has made this inquiry, because it is my understanding that the Committee on Rules will consider a rule on the OEO authorization tomorrow. If that rule is granted we expect to take the rule up on Friday, but not general debate.

Mr. ARENDS. It would be the purpose, then, to pass only the rule on Friday?

Mr. ALBERT. That is correct.

Mr. ARENDS. Then does the gentleman anticipate that we might take up that bill for general debate on Monday or Tuesday of next week?

Mr. ALBERT. The gentleman is correct.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. Yes, I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I wonder if the distinguished majority leader could tell us when we might expect the continuing resolution?

Mr. ALBERT. I am not in a position to give the gentleman any light that he does not already have.

NO BETTER TERMS FOR HANOI FROM REPUBLICANS

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, I believe all of us wish to commend the able Governor of Michigan, Governor Romney, an obvious candidate for the Republican nomination for the Presidency, for the statement which he made yesterday giving notice to Hanoi and other perpetrators of aggression in South Vietnam that they need not delay the conclusion of a settlement of that war on a rational basis in the expectation of getting any better terms from a Republican administration, should the country elect one, than they may receive from the Democratic administration which is, of course, speaking for the American people.

This is a statement which I believe is in the highest tradition of American patriotism. And I am, moreover, hoping that all others who are aspirants for the presidential nomination, whose words are heeded with such keen interest by the aggressors in South Vietnam, will make similar statements. If we will do that, and this applies to any Democrats who might be similarly situated, and let the aggressors know that the traditional American policy that politics stops at the water's edge applies to next year's election in respect to the Vietnam war, it will assuredly not only save the lives of many noble Americans whose lives would be taken in the interim if they believe they might get a better peace from another administration should one be elected, but it will also insure that more than 13,000 noble Americans who have already died, and over 100,000 who have given of their bodies will not have made their sacrifice in vain.

VIETNAM

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, as today's press reports, yesterday a number of members met for almost 2 hours with the Secretary of State for an off-the-record discussion of Vietnam. The Secretary requested the meeting in response to our letter of October 12, 1967, signed by 30 Members of Congress from both sides of the aisle and addressed to the President in which we joined in an appeal for a halt in the bombing of North Vietnam. The Secretary's remarks, of course, were confidential, although he later did confirm that there were extensive discussions regarding the bombing of North Vietnam.

For myself, I want to record my own pessimism regarding the administration's present position. The administration is still unwilling to take the sort of initiatives which might conceivably bring the war to the conference table. The administration's professed willingness to negotiate seems to me inconsistent with a refusal to suspend unconditionally the bombings of North Vietnam without reciprocity, inconsistent with a refusal to enter into direct negotiations with the National Liberation Front, inconsistent with a refusal to envisage a future South Vietnamese Government in which the political power of the NLF would receive realistic representation.

Rather than seeking a genuine negotiated settlement, the administration is seeking a military solution through continued escalation of the war in both the north and the south.

Several of us expressed to the Secretary our opinion that a bombing pause would not lead to negotiations unless the administration changes its position regarding direct talks with the NLF.

In his San Antonio speech of September 29, the President spoke of his interest in pursuing "productive discussions." How can such discussions take place as long as the administration refuses to recognize as a party to negotiations the NLF, which controls a significant part of the territory South Vietnam?

Mr. Speaker, as opposition to the war increases in both the country and the Congress, the administration seems oblivious to the notion that the policy of continued escalation is bringing us no closer to settlement, while the lives of more and more brave young Americans are sacrificed and the domestic ills in our society multiply.

NATION HONORS FIREMEN FOR THEIR FIGHT AGAINST MUSCULAR DYSTROPHY

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, it is especially appropriate today to honor the firemen of the United States for their tremendous assistance in the fight against muscular dystrophy, because November has been designated as muscular dystrophy month. Throughout our Nation during this month, firemen will be spearheading a fund drive to support the vital research conducted by the Muscular Dystrophy Associations of America, Inc., into this mysterious muscle disease that so tragically strikes into many homes, crippling hundreds of thousands of victims, over two-thirds of whom are children.

There are, of course, many thousands of volunteers from all walks of life who dedicate themselves to helping this worthy cause, but too often we neglect public service workers like the firemen, who without enough recognition from all of us, put their lives in extreme danger every day to protect our lives and property and during their off duty time throughout the year spend many hours on community projects. The work of our firemen in behalf of MDAA down through the years has been truly outstanding, and all of us can be personally proud of every one of them.

VIETNAM

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, a moment ago the gentleman from New York [Mr. RYAN] pointed out in his remarks an impression that would lead some people to believe that this administration is not willing to negotiate.

Mr. Speaker, I think the record is crystal clear. President Johnson has made every humanly possible effort, and Secretary Rusk has made every effort to get into some form of negotiations with those who are responsible for the aggression in Vietnam.

I would like to yield to my colleague, the gentleman from New York, and ask him if he can tell this House and identify for the Members of the House who is the spokesman for the National Liberation Front—who are the representatives of the Vietcong—and whom does he suggest that we include in any formula for negotiations?

The President has quite properly addressed his remarks to Ho Chi Minh because no one in this world is naive enough to think that the Vietcong and the subversion in South Vietnam is being supplied and carried on by anyone else but Ho Chi Minh in Hanoi. Whom would the gentleman like to identify as the representatives of the National Liberation Front or the Vietcong? I will yield to the gentleman from New York.

Mr. RYAN. The question which I raised is whether or not the administration is prepared to negotiate with the National Liberation Front, which, after all, controls a significant part of the territory of South Vietnam. If the administration is serious about negotiations, then it should express its willingness to meet with their representatives. It does not matter who they are. The point is that they should be represented by representatives of their own choosing. As long as the administration is unprepared to talk directly to a principal party to the conflict, how can we expect "productive discussions" to take place? Does the gentleman from Illinois [Mr. Pucinski] deny the existence of the National Liberation Front?

Mr. PUCINSKI. Obviously, the gentleman is not prepared to identify who those people from the National Liberation Front or from the Vietcong are. He makes a statement that the administration is not trying. I am asking him and giving him an opportunity now to identify those people whom he believes should be included among those he wants to negotiate with.

The SPEAKER. The time of the gentleman has expired.

VIETNAM NEGOTIATIONS

Mr. HALEY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALEY. Mr. Speaker, I agree with the gentleman from Illinois [Mr. Pucinski]. The President of the United States has made every honorable effort that the head of a great state or nation could make. Many people criticize us for not negotiating. With whom are we going to negotiate? Ourselves? The President of the United States has invited, I believe, every person of any responsibility to come to the negotiating table. You certainly cannot negotiate with yourself.

GRADUATION EXERCISES OF THE FBI NATIONAL ACADEMY

Mr. ANDERSON of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Their was no objection.

Mr. ANDERSON of Illinois. Mr. Speaker, a little earlier this morning I had the opportunity of attending the 80th session of the FBI National Academy in the departmental auditorium of the Federal Bureau of Investigation, at which some 99 distinguished graduates were honored.

I took particular pride in attending, because the president of the graduating class, who delivered the commencement address on that occasion, was Mr. Herbert D. Brown, sheriff of Winnebago County, in my home community of Rockford, Ill.

There were also addresses delivered by Mr. Thomas Reddin, chief of police, Los Angeles, Calif., and the Honorable J. Howard Wood, chairman of the board, the Tribune Co., Chicago, Ill.

I think the words of the distinguished Director of the FBI, J. Edgar Hoover, bear repeating on this occasion. In his message to the members of the 80th session he said:

> In these times, when trouble, frustration and tension mar so much of life, it is truly heartening to know there are many who still believe, with the Roman poet, that "The noblest motive is the public good." Your presence at the FBI National Academy in the course of the three months just past is a manifestation of this belief—an indication of your interest in behalf of the people you serve.

I know that I speak for all Members of the House of Representatives in extending congratulations to this 80th session of the FBI National Academy.

FOURTEEN MEMBERS JOIN IN COSPONSORING LEGISLATION TO EXPRESS FORMALLY THE THANKS AND APPRECIATION OF CONGRESS TO AMERICAN TOP LIVING AIR FORCE ACE, COL. FRANCIS S. GABRESKI—HOUSE CONCURRENT RESOLUTION 565

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, yesterday I announced to the House my intention of introducing a House concurrent resolution to express in an official and formal way the thanks and appreciation of the Congress and the American people to one of America's great combat heroes, our No. 1 living combat ace, Air Force Col. Francis S. Gabreski. Yesterday Colonel Gabreski formally retired after 27 years of active service in the Nation's Armed Forces.

I take this minute now to inform the House that 14 Members of the House were kind enough to join with me in cosponsoring this legislation. Twelve of them indicated their willingness to join with me before I made my remarks on the floor: Mr. Pike, Colonel Gabreski's own Congressman, and the 10 Members of the House of Polish extraction, who are naturally and justifiably proud of Colonel Gabreski's outstanding career and great achievements: Messrs. Derwinski, Dingell, Dulski, Helstoski, Kluczynski, Nedzi, O'Konski, Pucinski, Rostenkowski, and Zablocki. Following my remarks Messrs. Don H. Clausen and McMillan expressed their desire to join the rest of us in cosponsoring this legislation, which is now House Concurrent Resolution 565.

I am very grateful for the support of my 13 colleagues, Mr. Speaker, and I regret that their names were not included in the Record yesterday as a part of my original remarks.

PERMISSION FOR SUBCOMMITTEE ON GOVERNMENT PROCUREMENT OF THE SELECT COMMITTEE ON SMALL BUSINESS TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Government Procurement of the Select Committee on Small Business may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISTRICT OF COLUMBIA FEDERAL PAYMENT AND BORROWING AUTHORITY—CONFERENCE REPORT

Mr. McMILLAN. Mr. Speaker, I call up the conference report on the bill (H.R. 8718) to increase the annual Federal payment to the District of Columbia and to provide a method for computing the annual borrowing authority for the general fund of the District of Columbia.

The Clerk read the title of the bill.

The Clerk read the conference report.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 871)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8718) to increase the annual Federal payment to the District of Columbia and to provide a method for computing the annual borrowing authority for the general fund of the District of Columbia, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses that the Senate recede from its amendments.

Don Fuqua,
John L. McMillan,
Thomas G. Abernethy,
Basil L. Whitener,
Ancher Nelsen,
Joel T. Broyhill,
Wm. Harsha,
Managers on the Part of the House.

W. B. Spong,
Wayne Morse,
Thruston B. Morton,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8718) to increase the annual Federal payment to the District of Columbia and to provide a method for computing the annual borrowing authority for the general fund of the District of Columbia, report that the accompanying conference report recommends that the Senate recede from its amendments.

Don Fuqua,
John L. McMillan,
Thomas G. Abernethy,
Basil L. Whitener,
Ancher Nelsen,
Joel T. Broyhill,
Wm. Harsha,
Managers on the Part of the House.

The **SPEAKER**. The gentleman from South Carolina is recognized for 1 hour.

Mr. **GROSS**. Mr. Speaker, will the gentleman yield?

Mr. **McMILLAN**. I yield to the gentleman from Iowa.

Mr. **GROSS**. Mr. Speaker, is this the bill that has been over in the other body for more than 4 months and 4 days?

Mr. **McMILLAN**. Yes, that is correct.

Mr. **GROSS**. The Members of the other body, after 4 months and 4 days, agreed to concur in the House bill?

Mr. **McMILLAN**. That is correct.

Mr. **GROSS**. I am curious and I cannot help but wonder if Members of the other body were looking for a souvenir or something. To keep a bill 4 months and 4 days and then to agree in toto with the House bill to me approaches incredibility.

Mr. **McMILLAN**. Mr. Speaker, the House conferees are of the opinion we had a good bill and thought we had included all the money in this bill the District of Columbia could efficiently spend within 1 year. We refused to yield for any additional amendments that would cost the Federal taxpayer an additional $15 million.

The **SPEAKER**. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. **GROSS**. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

Mr. **ALBERT**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 355]

Aspinall
Berry
Boggs
Broomfield
Button
Celler
Cunningham
Daddario
Denney
Diggs
Eshleman
Everett
Flood
Ford, Gerald R.
Fountain
Grover
Hagan
Hall
Helstoski
Laird
Long, La.
McEwen
Mathias, Md.
O'Hara, Mich.
Passman
Pool
Rarick
Resnick
St. Onge
Shipley
Sikes
Springer
Ullman
Vander Jagt
Williams, Miss.
Willis

The **SPEAKER**. On this rollcall 396 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION FOR COMMITTEE ON RULES TO HAVE UNTIL MIDNIGHT TO FILE CERTAIN PRIVILEGED REPORTS

Mr. **YOUNG**. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The **SPEAKER** pro tempore (Mr. NATCHER). Without objection, it is so ordered.

There was no objection.

NATIONAL FLOOD INSURANCE ACT OF 1967

Mr. **YOUNG**. Mr. Speaker, I call up House Resolution 953 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 953

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1985) to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider without the intervention of any point of order the amendment in the nature of a substitute recommended by the Committee on Banking and Currency now printed in the bill, and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill, and read by titles instead of by sections. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. **YOUNG**. Mr. Speaker, I yield to the distinguished gentleman from Illinois [Mr. ANDERSON] such time as he may consume for the purposes of debate, and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 953 provides for the consideration of S. 1985, to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes. The resolution provides for an open rule with 2 hours of general debate.

This bill, Mr. Speaker, is of the greatest importance, especially in regard to its application to those areas which are subject to catastrophic flood losses beyond the control of humankind. The protection against economic disaster which this bill would provide is urgently needed.

Before considering in detail the background of this bill and the program for which it would provide I want to commend the distinguished chairmen of the committee and the subcommittee for their outstanding contributions to this bill throughout their deliberations on it.

Mr. Speaker, for many years, during which our people have been subjected repeatedly to catastrophic flooding we have sought a feasible flood insurance program. The private insurance industry has found it impossible to provide such coverage at reasonable rates even though it has recognized the urgent public need for this coverage.

We tried in 1956, with the passage of the Federal Flood Insurance Act, to create a means of providing for flood insurance in the absence of its availability from any other source. The program for which this bill would have provided was not put into effect. Yet over the years since then flooding has caused greater and more tragic losses than ever before.

As part of the Southeast Hurricane Disaster Relief Act of 1965 we directed the executive branch to make a thorough study of the flood insurance problem and to report back to us its legislative recommendation for an economically feasible program. On August 12, 1966, this report was transmitted to us by the President and shortly thereafter the Department of Housing and Urban Development, in consultation with other Federal and State departments and agencies and with the private property insurance industry, undertook to draft legislation to carry out the report's recommendations.

This legislation was transmitted to the Congress in June of 1967 by the Department of Housing and Urban Development.

This bill, Mr. Speaker, was introduced in the other body as S. 1985, with more than 30 cosponsors and in the House as H.R. 11197 by the chairman and 11 other members of the Committee on Banking and Currency and as an identical bill, H.R. 11249, by the ranking minority member and four of his colleagues on the committee. There were also additional bills which were substantially similar in form and purpose, including H.R. 11250 which I introduced.

Hearings were held by the Subcommittee on Housing of the Committee on Banking and Currency on August 15 and 18 and again on September 19, 20, and 21.

At these hearings expert and detailed testimony was presented on all aspects of the proposed flood insurance program. Also, very helpful testimony was given by the Under Secretary of the Department of Housing and Urban Development and his actuarial and legal assistants.

Representatives of all branches of the insurance industry, including the organization committee of the proposed Association of Flood Insurers, testified in strong support of this legislation as did a number of persons who, as property owners had firsthand experience with flood devastation. A number of House Members joined with me in supporting this bill before the subcommittee. The bill also has the support of the National Association of Home Builders.

Mr. Speaker, this bill would give to the Secretary of Housing and Urban Development basic authority to carry out a national flood insurance program. Coverage under the program would initially be limited to one- to four-family homes and smaller businesses. Coverage would be conditioned on assurance that local land use and control measures will be adopted by June 30, 1970. Extension of coverage to other types of property would require a report to the Congress by the Secretary and specific congressional action.

In establishing the terms of coverage the Secretary would be directed to consult with an advisory committee, with representatives of the State insurance commissioners, and with representatives of the flood insurance risk-sharing pool which is authorized under the bill.

The dollar limitations vary according to the types of property covered. Below-cost insurance would be limited to $17,500 for a single-family home and $30,000 for a two- to four-family structure and $5,000 per unit for household contents. For smaller businesses the maximum limit for structure and contents would be $30,000, plus $5,000 multiplied by the numbers of business occupants, but in any event coverage on the structure could not exceed $30,000. All of the above limitations on coverage can be doubled, but any coverage in excess of the maximum below cost coverage would be at full actuarial cost.

Mr. Speaker, the bill would recognize the different situation affecting the owner of property which is already occupying a zone of high flood hazard and that which may be located in such a zone after the degree of its risk has been determined. The former would be insured with the owner paying a reasonable rate and with the Government in a sense contributing the amount of the difference between the reasonable rate and the actuarial rate. Any property located in a flood hazard zone after the program goes into effect however would pay the full risk premium. It is expected that by deterring unwise development in areas with a high risk of flooding this approach will serve to reduce exposure to flood losses.

The program will provide for Government reinsurance for the companies for catastrophic losses. The companies will pay part of their earnings to the Government as a premium for their protection.

The Secretary would be authorized to use the Treasury borrowing authority which was created by the 1956 act, to meet the Government's premium equalization and reinsurance obligations under the act.

Mr. Speaker, the program which would be authorized may be carried out on an industry-Government partnership basis by which the insurers would pledge their risk capital to a pool in which a number of insurers would participate in writing this insurance or, if that course cannot be put into effect, then on all Government basis. However, if the Secretary finds it necessary to operate an all Federal program he shall so report to the Congress 30 days before commencing the all Federal program.

The committee has emphasized that the industry-Government partnership approach is the preferred means for putting the proposed program into effect.

The flood damage which would be covered refers specifically to inundation from rising waters or from the overflow of streams, rivers, or other bodies of water or from tidal surges, abnormally high tidal water, tidal waves, tsunamis, hurricanes, or other severe storms or deluge.

Mr. Speaker, it is most important we take prompt action on S. 1985. We must provide insurance protection to help ease the burden on millions of future flood victims.

Mr. Speaker, to the distinguished gentleman from Florida [Mr. PEPPER], who has been most actively interested in forwarding this very constructive piece of legislation, I yield 5 minutes.

Mr. PEPPER. Mr. Speaker, I thank my distinguished colleague and friend for his kind words. He has certainly been a pioneer in this field himself. I am glad to have had the privilege of working with him and others who have strongly supported this measure for a long time.

Mr. Speaker, floods have many causes. They are no respecter of persons or property.

Floods may occur at any time and at any place. It is certain that they will continue to cause damage in the future, may even cause further loss of human life, and will occur again and again, without warning.

They have occurred throughout the ages, upsetting the lives and substance of human beings from prehistoric times.

Man has been forced to flee to the high places. However, he has returned time and time again to the flood plains, there to rebuild his home and reform his life. But always at great cost, and with an ever-present danger of once again being driven out by floods.

In efforts to ameliorate as much as possible the aftereffects of floods the Congress has from time to time appropriated money to be used in rehabilitation of those who suffered at the hands of floods.

These efforts, although well intentioned, have been only partially successful, and have had no lasting effect.

Now at last we have an opportunity to accomplish something in the cause of protection against loss by floods.

There is now before the House a bill, S. 1985, which has passed the Senate and been approved by the Committee on Banking and Currency of the House. This proposed legislation will inaugurate a national flood insurance program which in essence provides that the Federal Government will assist the private insurance industry in establishing a program of flood insurance by providing a degree of subsidization until the proper reserves can be built up and the industry can take over and operate as a fiducially sound enterprise. Thus the homeowner, the small landowner, with a reasonable effort on his part, can protect himself in advance. He will no longer face the possibility of being deprived of his home, or his means of livelihood with no assets, but with residual obligations such as mortgages on destroyed homes and personal debts with no means remaining with which to meet them.

I have long been conscious of the devastating effects of the floods which almost invariably accompany hurricanes. An average of 10 such storms strike each year, usually between June and November. We in Florida have suffered grievously from the effects of these storms. For that reason I have in the past introduced bills to establish a national flood insurance program.

I supported the Southeast Hurricane Disaster Relief Act of 1965 which authorized the study resulting in the report whose recommendations largely form the basis for S. 1985. I myself introduced the administration bill in the House.

I commend the two Committees on Banking and Currency for their prompt and thorough treatment of the flood insurance program as presented in the proposed bills. Both committees, under the direction of their able chairmen extended the utmost courtesy to interested parties, governmental as well as those of the private insurance industry.

The discussion was free, open and thorough, and the result I think is proposed legislation which will enable the Federal Government to extend a helping hand to those who might otherwise suffer complete annihilation at the hands of floodwaters, not only from those resulting from hurricanes but from the many floods that occur throughout this great land due to excessive rainfall, sudden ice and snow melting, extraordinary tides, and wind-driven waters.

Once again this fall Hurricane Beulah brought us face to face with the devastating effects, without recourse, of nature's capacity to destroy. I am sure that the members of the Rules Committee, of which I am honored to be a member, had this in mind when they so quickly provided for early consideration of this legislation. I cannot express myself too strongly in commending them for this prompt and considerate action.

The Senate in approving S. 1985 amended it to prohibit any profits for the private sector of the insurance industry participating in the program for the first 5 years. I hope that the House will see fit to eliminate this provision. It seems hardly fair to expect them to devote so much effort and share of the capital costs of a new and untried program, however much it may represent the best thoughts of the most knowledged authorities.

This legislation represents a firm first step toward helping the American citizen to help himself, to protect his home and family from a potential disastrous stroke of misfortune, against which he has until now had no weapon.

I strongly urge its approval.

Mr. YOUNG. Mr. Speaker, I yield to the distinguished gentleman from Illinois [Mr. ANDERSON].

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think perhaps it will be understandable to the Members of this body why I would like to spend at least several minutes talking about this legislation today, because the Mississippi River does form the western boundary of the congressional district which I am privileged to represent.

Therefore, I have sponsored legislation in this Congress to provide flood insurance for those living in areas that are periodically visited by catastrophic floods.

It was in 1965 that we had the Mississippi River flood. The cresting at that time occurred at about 26 or 25 feet flood-stage in the upper Mississippi Valley, and we suffered some of the worst flooding in our history. As I recall, the property damage at that time was in excess of

$200 million. There were more than 40,000 individuals who were homeless for various periods of time, and there were 16 individuals who died as the result of that tragedy. The devastation to both public and private property, and the untold misery that took place in several of the communities in the 16th Congressional District in Illinois—towns like Savanna and East Dubuque, and some of the outlying areas of the counties of Carroll, Jo Daviess, and Whiteside—certainly impressed us at that time with the need for some legislation of the type we are about to consider today.

Again in 1966 my congressional district, as well as adjoining districts in Illinois, were affected by flooding. Some of these same communities once again experienced the same devastation, the same tragedy of flooding as in 1965.

I can recall very well my own horror at the extent of the devastation that took place in this area of Illinois, as I saw it when I made a personal inspection tour of the high water areas in 1965.

As I have indicated, the mighty Mississippi River, which has a normal flood stage of 16 feet, reached a record height of 25 feet on April 27, 1965.

I have a few figures for just one of the communities affected by that flood, East Dubuque, Ill., to show the extent of Federal assistance given under the Natural Disasters Act. One Federal office, the Office of Emergency Planning, to help that stricken community in its rehabilitation efforts, made a Federal contribution to East Dubuque, Ill., as a result of the flood damage, which came to more than $147,000 on that occasion.

The Public Works Committee is my authority that in all of Illinois the Federal assistance which was given at that time under Public Law 875 totaled more than $2.8 million.

As the committee report would indicate, ever since we adopted a national flood protection policy in 1936, the Federal investment which has been made in this matter of flood protection and flood prevention, through the Corps of Engineers and the Soil Conservation Service, has come to more than $8 billion. So we are talking about something which is one of the real problems confronting us today.

Even though I am perhaps not in accord with every facet of this legislation, I am pleased that the committee has striven to accomplish some very worthwhile objectives. Those Members who have taken the time to read the very thorough and complete report the committee has furnished us on this particular legislation, know that they are trying to bring in the private insurance industry. They are not trying to make this just a Government insurance program. They emphasized, I believe on numerous occasions in the report, that every effort is going to be made to make this a program in which the private insurance industry will participate, and it is only as an alternative of last resort that they would get into a Federal program, where companies would participate only as fiscal agents or as brokers.

Also, I believe an important facet of this legislation is the fact that it places some requirement on the local communities to see that people do not move into flood plains or into areas which are frequently visited by floods and proceed to construct dwellings or local businesses or other enterprises, and then come in to say, "We expect to be protected. We expect the Government to provide us with some help and assistance, when we have deliberately ignored the history of flooding in this particular area."

The legislation makes it quite clear that to qualify under the terms of this bill the local areas, the so-called flood control areas, are going to have to submit evidence that they are taking steps to provide for the proper kind of land use, so that we will not get into the type of situation I have described.

Mr. Speaker, there is one phase of the legislation which has stimulated some supplemental views. The main objection to the bill seems to be on the backdoor financing provisions.

Under section 106 of the bill there is a provision that the Secretary of Housing and Urban Development is authorized to issue to the Secretary of the Treasury from time to time, and to have outstanding at any one time, an amount not exceeding $500 million, or such greater amount as may be approved by the President. This is, of course, a species of what many Members of this body object to as backdoor financing. So I understand an amendment will be offered to this section of the bill providing the $500 million, to make it come under the appropriations process and be subject to the Appropriations Committee of this House and of the other body.

Again I would say in conclusion, Mr. Speaker, I believe the committee should be commended for bringing the National Flood Insurance Act of 1967 before us for our consideration today.

I say that because it is designed to meet some of the human tragedies and some of the real devastation that has affected so many areas of our country over the years.

Mr. ST GERMAIN. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. Yes. I am glad to yield to the gentleman.

Mr. ST GERMAIN. I would like to compliment the gentleman on his statement and his thorough understanding of this legislation. As usual, the gentleman is well informed. I have one matter which I would like to bring up, though. The gentleman mentioned $8 billion having been expended. Was that since 1936, can the gentleman state?

Mr. ANDERSON of Illinois. According to the report. I was quoting from page 7 of the committee report which said in that year, 1936, we inaugurated the national flood protection policy and since that time this fund has been expended. Yes.

Mr. ST GERMAIN. On another matter the gentleman mentioned, I wonder if the gentleman is aware of the fact that under the terms of the legislation the coverage for those homeowners who might build subsequent to the passage of this act would be not at the subsidized rate but at the actual rate. In other words, there would be no subsidy for those individuals building in flood-prone areas subsequent to the passage of the act unless they were to pay the full premium. Let us say, hypothetically, that the premium is $2 per $1,000 and the subsidized rate is 50 cents per $1,000. If the homeowner builds subsequent to the passage of the act, he would have to pay the actual rate of $2 per $1,000 rather than 50 cents per $1,000.

Mr. ANDERSON of Illinois. Yes. I am familiar with that portion of the act and thank the gentleman for calling it to my attention, because, as I think I indicated in my earlier remarks, this is not the kind of legislation designed to benefit people who move into a flood plain area with full knowledge of the fact that it is an area prone to flooding and then come to the Government and say, "You ought to subsidize us in the premium we pay."

Mr. ST GERMAIN. Of course, the last point to evolve as this debate goes on here has to do with sections 106 and 107, as the gentleman mentioned. At the present time, under the 1956 act there is that $500 million available, as I am sure the gentleman knows. It has been brought to his attention also that all of the insurance companies involved who testified before the committee, both on this side and on the Senate side, made it very clear that unless they can be assured of the fact that the moneys will be readily available in the event of a catastrophic loss, they cannot and could not see their way clear to participate in this type of program where we would involve private industry along with the Federal Government in order to provide this protection. I do hope as the day wears on, the Members of the House who are interested in providing this protection and seeing to it that there is a joint effort by private industry and the Federal Government will realize that there are problems on the part of private industry, and this may be one place where, although we may not like it, we may have to, if we wish the program to be inaugurated—we may have to approve of this type of financing.

I thank the gentleman for yielding.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

I may have missed this at the outset of the discussion on the rule, but why are points of order waived on this bill?

Mr. ANDERSON of Illinois. The waiver of points of order on this bill relates entirely to section 107, I believe, of this bill, which provides for a transfer of funds by the Secretary of HUD into a revolving fund in the Treasury. It is because of that provision for a transfer of funds that the committee requested a waiver of points of order.

Mr. GROSS. It was not because of Public Law 801, which requires that there be a statement accompanying any bill which has the purpose of spending more than $1 million and which requires that the man-hours of employment and as to the number of employees and so on and so forth shall be established? It is not because of that provision, is it?

Mr. ANDERSON of Illinois. No; it is my recollection, in response to the question which has been propounded by the distinguished gentleman from Iowa [Mr. GROSS], that the only reason which was given by the members of the Committee on Banking and Currency when they testified before the Committee on Rules, the only reason which they gave for this requirement that we waive points of order was with reference to this section, section 107 to which I have previously referred.

Mr. GROSS. I thank the distinguished gentleman from Illinois.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I am delighted to yield to the distinguished gentleman from Minnesota.

Mr. NELSEN. I have noted that the coverage provided in the bill does not take into account crop damages of any kind in susceptible flooding areas.

The Minnesota River is, perhaps, as obstreperous as is the Mississippi, and all of us recall the floods at Mankato, Henderson, and Chanhassen.

Mr. Speaker, much of the damage is related to cropland. However, it is my understanding that there is no availability of coverage in those areas at the present time, but this bill does provide for the payment of the inventory of a business.

Mr. Speaker, it seems to me that some of the croplands and crops, as well as the inventories of the various farmers involved, perhaps, suffer as much serious damage as does the inventory of a business.

However, as I understand it, these areas of the endeavors of farmers are not covered in this bill.

Mr. ANDERSON of Illinois. I think the gentleman from Minnesota is correct. As I read the bill, it covers one- to four-family residential properties and business properties, including, as the distinguished gentleman said, inventories. However, I find no provision with reference to flooded croplands.

Mr. FLYNT. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I am delighted to yield to the distinguished gentleman from Georgia.

Mr. FLYNT. First, Mr. Speaker, I would like to state that it is my present intention to support this bill. I say this because, in my opinion, it has a great deal of merit. I am presently inclined to support it, and in all probability I will.

But, I would like to ask the distinguished gentleman from Illinois [Mr. ANDERSON] if the gentleman thinks this legislation might represent a step in the direction of the Federal Government undertaking to assume all casualty loss risks?

Mr. ANDERSON of Illinois. Certainly, I would not today be supporting this legislation if I felt that with its passage it would have that effect.

I would call the gentleman's attention to the fact that the report points out that a very important segment of the insurance industry testified in enthusiastic support of this legislation.

Therefore, Mr. Speaker, I doubt very much whether they would have considered it to be in their self-interest to do so, if they felt that it represented a step in the direction of the Government's completely taking over the casualty insurance business. I do not think so.

I think this is a recognition that in these situations of catastrophic floods, up to now at least, the insurance industry has not been able to devise, based upon an actuarial basis, an adequate system of coverage and that, therefore, there is room for this cooperative program between the Federal Government and the private insurance industry.

Mr. FLYNT. Mr. Speaker, if the gentleman will yield further, is the gentleman from Illinois saying that, in his opinion, the purpose and scope of this legislation will be, and properly should be, confined to the type of risk and destruction that would be described as being catastrophic?

Mr. ANDERSON of Illinois. I suppose one might get an argument on that question. There is a definition in the legislation as to what a flood represents. One might get an argument to the effect that it is limited to catastrophic floods. But I think, certainly, anyone who is affected such as many of the people in my area have been affected by the flooding of the Mississippi, they would particularly feel that they were being visited by real catastrophe.

I think in most instances, yes; this could be considered insurance against catastrophic floods.

Mr. FLYNT. I thank the gentleman for his direct and responsive answers to the questions which I have propounded to the gentleman, and I find myself in accord with the statement that the gentleman has made as well as the statement made by the gentleman from Texas [Mr. YOUNG], and others.

I do hope that during the debate which will follow when the House resolves itself into the Committee of the Whole House on the State of the Union for the consideration of this bill, that legislative history will be made that the purpose of the scope of this legislation is intended to cover catastrophic disasters, and even in that connection catactrophic disasters that are caused by acts of God as opposed to man-created disasters. I hope that the legislative history will so establish so that the necessary safeguards can be written into this bill during the general debate thereon.

Mr. ANDERSON of Illinois. I thank the gentleman for his contribution. I believe it has been a valuable contribution. There was discussion of this fact under discussion of the rule. And I have no more desire than the gentleman does to see this or any other bill lead to the federalization of the insurance industry.

Mr. CAHILL. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from New Jersey.

Mr. CAHILL. Mr. Speaker, I do want to compliment the gentleman for his statement, and I generally support and share his views, having cosponsored with several other Members of the House a similar bill.

Coming from an area in New Jersey where we are susceptible to this living problem, we all realize the need for it.

I would just like to comment on the statement made by the gentleman from Georgia. I also have been very much interested, as the gentleman probably knows, in the automobile liability insurance problem in this country, and I would merely point out that I believe the legislation we have before us today is recognition on the part of the insurance companies of this country that where there is a need that must be fulfilled, and that if it is not fulfilled by the private segment of our economy, namely, the insurance carriers, it must be filled by the Government.

Now, I have been unable to understand myself why insurance companies have not been willing to insure against water damage. They have always been willing to insure against windstorms, hurricanes, tornadoes, and all other forces of nature, and I just could never understand why they would not accept the responsibility of insuring against flooding. However, they have not. And as the gentleman has well pointed out, this is a very great need for people who have substantial investments in areas that are susceptible to flooding, and where they cannot, in spite of their willingness to pay high premiums, get the insurance.

This is, at least, in my judgment, a step in the right direction. It is a cooperative effort between the private insurance carriers and the Government, and perhaps this will be an example of this cooperative effort in satisfying what is a great public need.

I share the gentleman's view of the hope that this legislation will pass.

Mr. ANDERSON of Illinois. I thank the gentleman for his contribution.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Massachusetts.

Mr. BOLAND. I thank the gentleman for yielding.

Mr. Speaker, I would ask the gentleman if he is familiar with section 106, the Treasury borrowing authority?

Mr. ANDERSON of Illinois. Yes; I commented on that item a few moments ago under the rule, on my discussion of the rule.

Mr. BOLAND. I regret that I was not here at that time. Would the gentleman agree that this section gives a blank check to the Housing and Urban Development Department under this section for payments out of the flood insurance fund?

Mr. ANDERSON of Illinois. I expressed my concern that it did that, and said that it was my understanding that an amendment would be offered which would make this payment subject to the appropriation process, and I, for one, expect to support that amendment, because I believe it would represent an improvement in the present form of this legislation.

Mr. BOLAND. If the gentleman will yield further, I note that to carry out the provisions of this act there is on page 57 of the bill the paragraph indicating "to pay such administrative expenses of carrying out the flood insurance program as he may deem necessary;".

This, of course, is absolutely a blank check to the Secretary of Housing and Urban Development Department to pay the administrative expenses that are occasioned by this program. We do not do that in many programs. We have done that in the highway trust fund, and there is no reason in the world why in this situation we cannot limit it. That is my own judgment. I do not know what the judgment of the other Members is.

Mr. ANDERSON of Illinois. I had a discussion a moment ago with the gentleman from Rhode Island [Mr. St Germain], and he offered as a justification for this backdoor spending feature that it would be necessary in case of a catastrophic flood to have immediate action.

In other words, the fund might be put in the position of having to make an immediate payout. I assume from what he said that he felt that the appropriation process might be too slow in reacting under those circumstances.

However, I frankly think that is questionable. I do not think this Congress—if we enact national flood insurance legislation—I do not think this Congress would default on that obligation if the time came when it was necessary to pay out of this national insurance fund.

Mr. BOLAND. That would be the same as in other programs in other agencies, and I think the gentleman is absolutely correct.

Mr. BARRETT. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman.

Mr. BARRETT. I have asked the gentleman to yield for purposes of clarification.

I think what the gentleman from Rhode Island is referring to is the $500,000 to execute the program.

In those cases that he is calling attention to, we are not referring to the $500 million which is transferred over from the act of 1956.

The $500,000 will be the cost to the Government to set the program up. This is what the gentleman is really referring to, and it does not have any relation at all to the $500 million.

Mr. ANDERSON of Illinois. Mr. Speaker, I have no further requests for time.

Mr. YOUNG. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. Natcher). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1985) to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, S. 1985, with Mr. Brooks in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Texas [Mr. Patman] will be recognized for 1 hour and the gentleman from New Jersey [Mr. Widnall] will be recognized for 1 hour.

The Chair recognizes the gentleman from Texas [Mr. Patman].

Mr. PATMAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, S. 1985 is the final product of the Secretary of Housing and Urban Development's report to the President on flood insurance, as required under the Southeast Hurricane Disaster Relief Act of 1965, which we enacted after Hurricane Betsy struck the gulf coast in the fall of 1965. The bill reflects the study and effort of experts in and out of Government who have worked on the problem for years.

The Subcommittee on Housing after extensive hearings on H.R. 11197 and an identical measure sponsored by the distinguished ranking minority member of our committee and other colleagues, and on other identical or similar flood insurance bills, reported this legislation to the full committee by a vote of 12 to 0. Our Banking and Currency Committee met subsequently and approved the bill by a vote of 31 to 0. The bill passed the Senate on September 14 by voice vote.

Prior to the introduction of the proposal in June of this year, our esteemed and beloved colleague, the gentleman from Louisiana, Hale Boggs, sponsored flood insurance legislation which was similarly introduced by over 70 Members of the House, representing almost every geographical area of the Nation. Mr. Boggs, who unfortunately cannot be with us today, appeared before both Senate and House subcommittees and supported fully the bill which has been reported to the House.

The measure before us today is in the form of a committee amendment to the Senate-passed bill, and is in most respects identical to that bill. Several important exceptions—and I think these have strengthened the bill—should be mentioned for the benefit of Members here today. First, the amount of available flood insurance coverage for single family dwellings at below-cost rates has been increased from $15,000 to $17,500. Second, insurance of smaller businesses was given the same priority under our bill as that given to residential properties. Third, in contrast to the Senate-approved bill, the bill before us today would require additional legislation before other properties besides residential and smaller businesses could be eligible for insurance coverage. Finally, unlike the Senate-passed bill, the House-reported bill, like the bill in the form it was introduced, does not contain any restrictive provisions which might have the effect of deterring private industry participation in the program.

Mr. Chairman, the increased occupancy of our Nation's flood plains presents the country with an ever-increasing liability for flood damage. In the past, we have met our responsibilities by special relief measures which only went part way toward meeting the problem of property losses suffered by flood victims.

As every Member knows, flood damage is completely unpredictable, and it pays no attention to region. This year alone, for example, we experienced floods in West Virginia, Ohio, Indiana, Kentucky, in the States bordering the Missouri Valley, in nearby Alexandria, in far away Alaska. Last, but certainly not least, was the recent flooding of the Rio Grande in my own great State, which was inundated by the rains accompanying Hurricane Beulah.

It is in the American spirit and tradition that people want to help themselves as much as they can. The bill before us today would provide this option, and we have today an extraordinary opportunity to carry out this objective by the passage of S. 1985.

Mr. Chairman, two important public purposes will be served by this legislation. One would be to help property owners suffering flood losses by simply making flood insurance available, which is not the case now. By sharing in the cost of flood damage through the principle of insurance, owners will be able to restore their homes and businesses in much the same way as insured property suffering fire damage is now restored. As I have indicated, except for Government disaster loan programs and the special measures which the Congress has enacted in recent years after major disasters, there is now no way for property owners to protect themselves financially against flood losses in advance of such damage. Insurance can offer these people a way out.

Because insurance premiums will be costly in locations where the flood peril is great, under the bill, the Federal Government would, in effect, subsidize this cost so that the owner of property already located in a flood-prone area would pay a reasonable amount for his flood insurance policy. However, owners of newly constructed or substantially improved property would have to pay the full cost for a policy. The public policy objective of charging a higher rate on this property is simply to discourage such construction in areas of special flood hazard where damage is certain.

The second public purpose which the National Flood Insurance Act will serve is to minimize the future risk of losses in flood-prone locations, thereby reducing the future cost of Federal disaster relief. This would be accomplished, under the bill, by charging the full-cost premium to deter new construction. In addition, property owners, under the bill, would be encouraged to buy insurance rather than wait for disaster relief, and, except for low-income individuals who might otherwise benefit from disaster relief, property owners will be precluded from Federal disaster relief for flood damage for the amount of insurance they could have purchased. In this way, benefits of Federal assistance would not be duplicated.

Another feature of the legislation which is important is that it would encourage States and local authorities to develop land management programs to prevent the unwise use of flood-prone areas. Under the bill, flood insurance would be made available to those communities with plans for land-use controls, and if such controls were not put into effect by a reasonable time, flood insurance would no longer be available. In the meantime, States and the local communities would have the opportunity to adopt such measures as zoning laws to prevent the uneconomic use of flood-prone lands.

Mr. Chairman, two alternative forms of organization to offer flood insurance are authorized under the bill. Under part A, insurance would be offered by the private insurance industry but risk would be shared between Government and industry. Such a program of risk sharing has its origin in the Secretary's report on flood insurance, and is one of its major recommendations. This alternative is designed to encourage private enterprise, and under it, the industry would be putting up risk capital and would expect, in return, to make a reasonable profit.

In the other alternative, under part B, insurance could be offered by the Federal Government, which would also bear the risk, and the private insurance industry would sell and service the policies for a fee. Authority in S. 1985 for this second alternative is included only against the remote possibility that a Government-industry program fails to develop, or later does not work out. As emphasized in our hearings and in the committee report this alternative is by way of a backstop only.

Mr. Chairman, although private property insurance companies licensed to do business in the separate States would sell and service flood insurance policies to the public, they would, under the bill, operate through an insurance pool. The legislation authorizes agreements between the Department of Housing and Urban Development and the insurance pool, which would set forth the financial arrangements for risk sharing, which means sharing in expenses of the operation and underwriting losses or claims for flood damages and expenses of adjustment.

Under the bill, the basis of sharing will be a percentage, based on the premiums collected from the policyholders in a given period and the full-cost premium which reflects the sum of the actuarial premium plus an allowance for expenses, profit, and contingencies. The difference between premiums paid and premiums required is, in a sense, the Government's contingent subsidy, and will be equal to the Government's share of the risk. The pool's share is the balance.

To pay for its share of the risk, that is, the share based on the percentage of premiums collected to premiums paid, the insurance industry pool would rely on policyholder premium income after expenses, risk capital pledged by risk-bearing member companies participating in the pool, and reinsurance which it had purchased from the Federal Government.

Mr. Chairman, the bill before us would draw on the borrowing authority from the Secretary of the Treasury, which is still existing under the Federal Flood Insurance Act of 1956, and thus no new obligational authority will be necessary to make flood insurance available. Funds will only be borrowed when needed in loss years, and these funds will be placed in a flood insurance fund established, under the bill, by the legislation. As operating losses are encountered, necessitating Federal payments, the Secretary will go to the Congress for appropriations to repay the Secretary of Treasury so that any funds borrowed could be restored.

Mr. Chairman, it must be realized that the flood insurance program must start slowly in a small way, and only for those areas where actuarial rates have been determined. It will expand as the actuarial rates are determined in additional areas—following studies carried on through the cooperation of the Departments of the Army, the Interior, Agriculture, and Commerce and TVA. Under the bill, the program will start with insurance only on one- to four-family homes and smaller businesses, and with a general limit of $17,500 in insurance per residential unit, $30,000 for residential structures of two- to four-family units, and $5,000 for contents. Smaller business could be insured for $30,000 for the structure, and somewhat higher than $5,000 for inventories, depending on the situation. These limits would be applicable to any insurance sold at less than actuarial rates—involving a "contingent" subsidy. Insurance could be sold, however, at full rates between $17,500 and $35,000 for single residential units, and between $30,000 and $60,000 on two- to four-family units. For smaller business properties the "subsidized" and "full cost" limits would, for example, be $30,000 and $60,000, respectively, for the structure.

Mr. Chairman, the administration, the private insurance industry, and our committee have labored long and hard on the bill before you today. The bill has the support of the industry, State and local governments, and various other interested groups, such as the homebuilders. We believe it is a good bill, and one worthy of your support. I call on my colleagues on both sides of the aisle to pass this important legislation and send it to the President as soon as possible.

Mr. Chairman, the Subcommittee on Housing is chaired by the gentleman from Pennsylvania the Honorable BILL BARRETT. He has given this bill considerable attention and study and he had many days of hearings as chairman of the subcommittee.

After the subcommittee finished its work, as chairman of the Committee on Banking and Currency I asked him to preside over the whole committee to the end that the bill would be reported to the House of Representatives, which he did. Since he has had so much to do with this bill and knows more about the problem than any other Member of the House, I would like to ask him to handle the bill and otherwise be the floor manager of the bill until its passage.

Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. BARRETT].

Mr. BARRETT. Mr. Chairman, I yield myself as much time as may be necessary. I rise in strong support of this legislation and, in particular, would like to associate myself with the remarks of the distinguished chairman of our Banking and Currency Committee who has stated the case so well for the proposed flood insurance program.

It is with a great deal of pleasure and pride that I support this proposed program. This measure before us today is certainly one of the most humane and constructive legislative efforts that has been before the Congress in some years. I am hopeful, Mr. Chairman, that the bill will receive the full support of every Member of the House today. I say this not merely because of my close association with the proposed program—in that our Housing Subcommittee had the privilege of conducting hearings and "mark-up" sessions on the bill—but particularly because in my view it has the special promise of dealing most constructively with an important problem that I am sure every Member of the Congress is particularly aware of—the disastrous destruction of homes and other properties which occurs nearly every year from floods.

Mr. Chairman, this new program was developed over a long period in a most remarkable joint Government-industry effort. And this effort was begun only after the completion of an exhaustive study of the problem which, as many Members will recall, the Congress authorized following Hurricane Betsy in September of 1965.

Mr. Chairman, the program contemplated under S. 1985 will be a partnership of Government and industry functions and responsibilities which will result in meaningful aid to help victims of flood disasters help themselves. The flood insurance proposal before us today was sponsored by more than 100 Members of the House on a completely bipartisan basis. The proposal was endorsed by the Subcommittee on Housing as well as the full Banking and Currency Committee without a dissenting vote.

Briefly, Mr. Chairman, as my distinguished colleague has pointed out, the purpose of the bill is to authorize a national program of flood insurance which will make flood insurance available to occupants of floodprone areas and to others who want to purchase insurance, through the cooperative efforts of the Federal Government and the private insurance industry. This program will be administered by the Department of Housing and Urban Development, and other Government agencies with technical resources and know-how will participate in providing the technical data upon which insurance premium rates would be based. Initially, flood insurance coverage will be available for one to four family residential properties, and as a result of amendments adopted by our Banking and Currency Committee, to owners of smaller business properties and smaller business tenants who need flood insurance protection of both structures and contents.

Mr. Chairman, I have heard the question raised as to why there is an urgent need for flood insurance today, or why, at a time when we are concerned with economy, we cannot defer action on this bill. I would like to answer these questions in advance, and the answers seem to me quite simple.

Almost every year we in the Congress authorize vast sums of money for the unfortunate victims of flood disaster. Hardly a year goes by when we do not have costly flooding in the Northeast, hurricanes in the Southeast, or excessive rains in the Midwest or Far West. As years go by, whether we know it or not, more people are exposed to flood risk, and as each new storm or heavy rain makes its impact on the shores or on the inland plains, expenses mount, the suffering grows, and we continue to talk about the need for insurance protection.

We all know, Mr. Chairman, that flood insurance cannot now be sold by private insurance companies, simply because the risk is so high, and floods so unpredictable. What I am suggesting is simply that if we don't move now on beginning a program to help people help themselves, we are only putting off the inevitable, certainly not economizing.

What we have before us today in S. 1985 is a chance to begin the necessary work ahead, so that sometime soon, persons in every area of the country can buy insurance against the peril of flood.

Mr. Chairman, before discussing some of the principal provisions of the bill I would like to point out that a key feature of the bill of interest to all House Members, I am sure, is that in the proposed program, the facilities of all sectors of the private insurance industry would be used to sell and service flood insurance policies. This will mean that large and small stock and mutual companies, insurance agents, brokers, and adjustors, will cooperate together with the Government in carrying out the program. Private insurance companies will commit risk capital to an industry pool which will absorb a share of the losses resulting from insurance claims.

These companies participating will have the opportunity to earn a reasonable profit from their participation, in exchange for their assumption of risk in the form of losses. Other non-risk-bearing insurance companies will be able to participate in the program on a fiscal-agent basis; and participate fully in the program even though they may not have the financial capacity for risk-participation. Mr. Chairman, this is an important feature of the program which will assure that the Government will not exclude any potential industry participants.

Mr. Chairman, an industry pool will be the principal fiscal organization which the Government will deal with.

Under the program, the Federal Government will make premium equalization payments to the pool for losses and expenses, and also will provide reinsurance coverage to the pool for large losses above a certain point, in exchange for a reinsurance premium paid to the Government. This reinsurance feature will enable the industry to take a share of the business consistent with their financial capacity.

By way of background, I would like to point out for the benefit of other Members that almost 10 years ago, and even before that time, flood insurance legislation was discussed at some length in this Chamber. Many Members here today perhaps recall that the Congress in 1956 enacted a program which unfortunately lacked a solid foundation which only intensive study and Government-industry cooperation can provide. In contrast, Mr. Chairman, the bill before us is the product of long and intensive study, has solid industry backing, and is endorsed by the administration.

The result is a bill of which we can be justifiably proud, representing an ingenious blend of Government and industry in treating a problem of great human need.

Mr. Chairman, the insurance program authorized under the bill will include one- to four-family residential units and, in addition, smaller business properties. Our committee included this additional coverage because of the concern that a number of Members expressed about the severe losses that confront owners and occupants of smaller business enterprises such as the small family enterprise, the neighborhood delicatessen, or, for example, the smaller dry cleaning establishment. We believe that this expansion has improved substantially the program orginally proposed, even though we recognized that coverage of these properties may have to begin a little more slowly because of the lack of present actuarial data.

Over 40 areas of the country have already been studied for purposes of making insurance available for one- to four-family residences, and insurance can be made available in these areas just as soon as the administrative arrangements authorized under the bill between the Government and the industry can be concluded. Other areas will be studied immediately, for insurance on one- to four-family residences, and, at the same time, other—or perhaps the same—areas will be studied for smaller business coverage. Thus, in the not too distant future, we hope to have a solidly based program which will make insurance available to all persons in the country who need protection.

Mr. Chairman, because the true actuarial rates for flood insurance, especially in the higher risk zones, will be substantial, this means that the chargeable premium rate must be a reasonable one which will, as a practical matter, encourage policyholders to purchase insurance. The bill takes care of this, in providing authority to establish this lower "reasonable" rate. In the early days of the program this rate might have to be evaluated occasionally to determine whether persons are in fact purchasing insurance. The bill provides sufficient authority to set chargeable rates so as to make the program more flexible, if necessary.

Mr. Chairman, because the program is designed to decrease flood risk and the enormous damage that accompanies flooding, the program will require suitable land use controls to be adopted within a reasonable period in the areas of the country where flood insurance is made available. This is a most important element of the program and will encourage State and local governments to adopt and enforce appropriate land use provisions to restrict the future development of land exposed to flood hazard.

As an accompaniment to this, and because it would be difficult to justify a subsidy for persons who wish to build new homes or business establishments in flood-risk areas, premium rates for flood insurance for both structure and contents in these circumstances must be at the full cost rate. Because the rate would be high in high-risk zones, this will hopefully discourage people from building where they expose themselves to almost certain losses, and the public will also be made aware of the risk because of this.

Mr. Chairman, the program proposed in S. 1985 is, in essence, a private industry program with financial assistance from the Federal Government when it is needed. What this bill does—particularly because of the uncertainty of losses and the need for prompt industry settlement of claims—is to draw on the existing financing authority under the 1956 Federal Flood Insurance Act which, of course, was never implemented. This method of financing the program, which involves both borrowing from the Treasury and appropriated funds, was thoroughly explored by the Congress prior to the passage of the earlier 1956 legislation. This financing proposal was recommended by then President Eisenhower as the only sound way to fund a program where private capital will be used to make claim payments, and where the need for the Government to repay its share of obligations is critical and cannot involve unnecessary delay.

During the development of the legislation before us, the same critical analysis was carried out, not only by the many agencies of the Government involved in examining this program, but by all segments of the property insurance industry, and by our committee. The conclusion was that to carry out the program on a sound basis, assurance was necessary that funds to repay claim payments of private insurers had to be available without delay. That is why this is such a critical feature of the program.

Mr. Chairman, S. 1985 is a legislative proposal which has widespread support—from the administration, from the entire property insurance industry, from agents' representatives, from the homebuilding industry and other interested groups, and from both State and local officials.

Passage of such a humane effort to help the victims of recurring flood disaster is long overdue. The Nation will be forever greateful if we today do our part in helping to begin a sound and successful program which will make insurance available to those who need it. I urge the House to act promptly on this measure and welcome the support of all of my colleagues.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from Iowa.

Mr. KYL. Mr. Chairman, I asked the gentleman to yield for the purpose of establishing some legislative history. I would like to ask: To whom will the agent who sells the insurance be responsible, the insurance company or the Government?

Mr. BARRETT. That is a good point. I ask the gentleman and Members of the House to keep in mind there is a private industry-Government pool. When the pool is inaugurated—this is where the $500,000 the gentleman spoke of will be used, in creation of this pool—the pool and private industry will be supervised by the insurance private investors, and the agents selling the insurance to the homeowner will be paid according to the proper and adequate fee by the insurance companies, discussing this, of course, from the pool interests.

Mr. KYL. If there is litigation which results from the action of the agent selling the insurance, or the payment of a premium, or the collection of an indemnity, will the Federal Government be a party to such suits?

Mr. BARRETT. No. Any such litigation would presumably be an action on the claimant's insurance contract, which would be a matter between him and the insurance company.

The Government will issue regulations and they will consult with the pool and they will decide on the terms of insurance.

Mr. KYL. The gentleman says, "They will decide." Who will make that determination?

Mr. BARRETT. The Government's representatives and representatives of the private industry, from the pool aspect.

Mr. KYL. May I go deeper into that? Under the Government crop insurance program we have seen considerable difficulties arise in many cases where an agent erroneously sells a Federal crop insurance program and the Government then says it is not responsible for its agents. The private company, of course, is responsible for its agents.

Who is actually responsible for the action of the agent who sells this insurance? Is it the private company or the Government?

Mr. BARRETT. It would be the private company—subject to the Government regulations—which would be responsible.

But all of these properties will be covered after they are properly and adequately studied against flood frequency. The people will be informed that this is a flood-frequent area. They will be admonished as to what the conditions are there, before they are told they may purchase any flood insurance.

Mr. KYL. If the gentleman will yield further, I have a question of a different sort. I thank the gentleman for giving me time to ask this.

Suppose there is an area in which flood insurance is sold under the law established by this bill and suppose there is indeed a catastrophic flood. Then suppose some of the people in the area have been insured under this program and some of them have not bought the insurance. Consider just those two categories.

If the Federal Government sets up some kind of an emergency aid program for that general area, will there be any difference in the consideration given to or the treatment provided for one group as against the other?

Mr. BARRETT. Let me make a clarification here. It can only be covered after the local government and the State government have proved to the Secretary that they have land and property use controls against flooding.

If any person comes into that area and he is told that this is a flood-prone area, he, the individual, would pay the full amount of the flood insurance.

Mr. KYL. May I state my question in a little different form.

This insurance will not be sold on a mandatory basis. Everyone who can qualify and who lives in a flood-prone area is not going to have to buy the insurance. He will not be forced to buy the insurance.

Mr. BARRETT. That is correct.

Mr. KYL. Suppose in an area where this insurance is sold under the terms of this act, let us say, half of the people see fit to buy the insurance and the other half of the people, property owners or businessmen, do not buy the insurance.

One of the purposes of this bill, ostensibly, is to cut down the kinds of welfare payments the Federal Government has been making in these flood-prone areas in the periodic disasters.

If there are in this area half of the people who are insured and half who are not, and if the Government moves in through its emergency offices and says, "We will provide this kind of assistance for this area because it is a disaster area and there is an emergency," will those people who have the insurance under this program be treated any differently from those people who do not have the insurance under the other Federal program of an emergency nature?

Mr. BARRETT. If insurance has been available in an area for at least one year, disaster aid will not be available to the extent that insurance would cover a loss whether or not the person had taken advantage of the insurance program.

Mr. KYL. Suppose in this area the Government decides they will make some low-interest loans, as an illustration. Will that be available on the same terms to those who have bought insurance under this Act as well as to those who have not bought insurance under this Act?

Mr. BARRETT. They would be told, if they are living there now, that this insurance would be subsidized on the basis, as pointed out in the bill. Those people who come in after that would have to pay the actuarial cost.

Mr. KYL. Would this replace any other possible Federal assistance that might be available on an emergency basis in a flooded area?

Mr. BARRETT. Yes, to the extent that insurance coverage is available.

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. Yes. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. If I may comment on the question asked of the distinguished chairman of the subcommittee, the same question occurred to me, also, in my talks with the people from the Department of Housing and Urban Development who work on this legislation.

This is only natural. You have two neighbors one having insurance coverage. He took the option which was offered to him and he has the endorsement on his insurance policy. Therefore, he is insured for a flood. However, his neighbor does not have that endorsement and is not insured. Let us say a flood occurs. The man with the insurance under the bill, if it passes as amended, will have $17,500 coverage for his home and $5,000 coverage for the contents. These moneys will be payable to him for his loss from the flood. Now, John Doe, his neighbor, did not elect to buy the insurance and to have the endorsement placed on his policy. He has a total loss. The OEP comes in and says, "we will give you a long-term low-interest loan." Now, he has to have the loan in order to replace his home and the contents. But the man next door who has the coverage as a result of having paid the premium does not need the loan. If he needs it over and beyond the amount of the loss covered by the insurance, he would have it available to him under the same terms as his neighbor without the insurance. But certainly no one is going to go out and borrow money unless they have to. The only reason why they go out and borrow money is to make it possible for them after the loss to be able to remain in their homes.

Mr. KYL. If the gentleman will yield further, I thank the gentleman for his elucidation on this point and ask him one further question. If the man does have insurance up to the limit under the act and there is an emergency aid provided by the Federal Government in the area generally, would that individual who is insured automatically be denied this other Federal assistance?

Mr. ST GERMAIN. Certainly not. However, in order to qualify for the other Federal assistance, the man has to show what his loss is. His loss is only that which he suffers over and beyond the insurance coverage, if any.

Mr. KYL. I thank the gentleman for the explanation.

Mr. ST GERMAIN. If I may state one further fact: It is our hope that subsequent to the passage of this legislation, should this type of tragedy occur in an area where there is no full coverage and coverage has not been taken advantage of by all of the residents in the area, publicity will be given this fact, and certainly this is the best way we know to see to it that as time goes by all people will take advantage of this subsidized rate and subsidized insurance in order to protect themselves against these losses.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the distinguished gentleman from Colorado.

Mr. ROGERS of Colorado. Mr. Chairman, the distinguished gentleman from Iowa [Mr. KYL] raises a very interesting question, particularly as it relates to Federal aid in disaster areas.

However, I might point out that most of the aid that is given the Federal Government in disaster areas is confined to the damage that may be done to the streets, the sewer systems, and to the various bridges in connection with the operation of that particular community, and other things of that nature.

Mr. Chairman, the Federal Government, as such, does not participate with the individual to help replace him in any way or in any manner of circumstance or participation for the damage done. Now, Mr. Chairman, with that fact in mind, the only aid about which I know which can come to the small businessman is that aid which comes through the Small Business Administration and, also, if he qualifies to meet the disaster qualifications. Then, Mr. Chairman, you may apply and receive a long-term loan, low interest rate loan.

Now, with that in mind, and keeping in mind what we are undertaking to do here today, as I understand it, in the instances of those individuals who have homes, but who cannot obtain insurance thereon, and with reference to those small businessmen who cannot obtain insurance against flood protection in a particular area, will have an opportunity here to obtain the insurance.

Now, Mr. Chairman, when they obtain the insurance and when the Government participates—now, I say "the Government participates"—it is amazing as to the number of insurance companies which will not issue a flood damage policy to these people, especially if the property is located close to an area that is likely to be flooded.

Mr. Chairman, the result of what we are undertaking to do here is to try to help those people.

Mr. Chairman, in my opinion, there is nothing contained in this proposal which, if adopted, would disqualify our working against the advantage of anyone who may take the insurance.

Mr. BARRETT. Mr. Chairman, I wish to add this statement to what the distinguished gentleman has just said. What you will find here is that this program, if adopted, will have a twofold approach.

No. 1, the first approach is to help the people in these high-frequency flood-prone areas, people who cannot afford actuarially the cost of insurance to cover their homes and the contents thereof.

However, the other question is one which is directed toward the approach designed to attract private industry into this area and ultimately turn the problem over to the efforts of private industry and to take the Government out of this program.

This is what I believe to be the consensus of this House of Representatives over the years and it is our opinion that we can do this through this approach.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the distinguished gentleman from Illinois [Mr. YATES].

Mr. YATES. What is the relationship between the claimant and the insurance company and the Federal Government? Must the Federal Government approve every claim that has reached the point of settlement as between the claimant and the insurance company?

Mr. BARRETT. Of course, the insurance companies will write the policies, and they will collect the premiums. Therefore, they will pay the claimants, with the cooperation and the interest of the Federal Government being taken into consideration.

Mr. YATES. Mr. Chairman, if the gentleman will yield further, may the Government overrule a settlement which has been made between the claimant and the insurance company?

Mr. BARRETT. This would be—this is a good question and I am glad you brought it up. I do not think, except in instances where the insurance company made an exhorbitant payment or there was fraud that such action would be undertaken. However, when there are these large sums expended, these sums will be revealed in an audit.

Mr. YATES. Mr. Chairman, if the distinguished gentleman will yield further, I do not think the gentleman has quite answered my question.

Assuming that a claimant reaches a settlement with the insurance company on a loss, what role does the Federal Government play, or what may the Federal Government do at that point? Does the Federal Government have the authority to compel a rejection by the insurance company of the proposed settlement?

Mr. BARRETT. Yes. I believe if the proposed settlement was out of proportion to the actual claim, the Federal Government could step in. But, secondly, if the Government was not able to observe it at that time, then it would be picked up in the audit.

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. Yes, I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. It is my understanding that the way this is set up, there are *x* number of insurance companies, large companies, who are going to participate in the risk pool that they themselves will set up. The other companies will be able to participate in the selling or in the sale, as agents, to sell this insurance nationwide in the areas where it is necessary. We must keep in mind that these companies that are going to determine the amount that is going to be paid to a claimant will also pay a percentage of the loss. And it is my understanding that the entire execution of this program as far as these administrative matters are concerned is going to be left with the insurance companies, to private industry. The only time the Federal Government would come in would be under their audit. If they find a loss, let us say, that was paid out to a claimant that should not have been paid under this particular endorsement, in other words, it was not a loss due to flood damage, but rather to some other damage covered under other portions of the policy that existed prior to the advent of flood insurance, there the Federal Government would have the option of taking the insurance company into court if necessary to have adjudicated the question as to whether or not this coverage came under this new endorsement.

But as far as the Federal Government is concerned, being a party as an adjustor, or, say, in the payment of claims, that is not the case. That is what the insurance companies are going to be paid for. And, as I say, we have to remember that at all times a percentage of the loss is coming out of the insurance companies' own pool.

And may I say to the gentleman that under the legislation there is a limit of $17,500 per structure, and a $5,000 limit on the contents.

Mr. YATES. Mr. Chairman, will the gentleman yield for a further question?

Mr. BARRETT. I yield to the gentleman from Illinois.

Mr. YATES. Where does the Federal Government come into the picture, then? Are Federal funds to be used only in the event that the insurance pool is inadequate to pay the claims?

Mr. ST GERMAIN. No, no. But when there is a loss—and usually it is not going to be an individual house——

Mr. YATES. That is right, it will be a whole area.

Mr. ST GERMAIN. It would be a whole area.

Mr. YATES. Yes.

Mr. ST GERMAIN. When a loss occurs in an area, the insurance companies and the Federal Government will then look at the actuarial tables established for that particular zone or area. The actuarial tables will then say that in this particular area the insurace companies necessarily are liable for 22, 28, or 38 percent of the loss, the balance of the loss payments come from the Federal Government as a subsidy.

Mr. YATES. If that be true, then why does not the Federal Government have a voice in the settlement? I gathered from what the gentleman said previously that the adjustments are made between the claimant and the private insurer?

Mr. ST GERMAIN. That is right.

Mr. YATES. If that be true, and the Federal Government is to pay a portion of the loss in a particular area, why should not the Federal Government have a supervisory role to play here in making sure that the settlements are equitable?

Mr. ST GERMAIN. If the gentleman will yield further——

Mr. BARRETT. I yield further.

Mr. ST GERMAIN. If that is the case, why do we get the private insurance companies involved at all? The entire reasoning behind this is to have private industry running this. We know that the private insurance industry, because of the type of loss involved, has not been able to provide this type of insurance. The only way it can be provided is by means of a Federal subsidy, and that is the reason why. And certainly the gentleman realizes that if company X were to pay 20 or 30 or 40 claims that should not have been paid, upon an audit by the Federal Government, if it finds that the company should not have paid those claims, the Federal Government then has a claim against the insurance company because the claims were unwarranted, and those moneys will be repayable to the Federal Government.

But certainly I feel—and I am sure the gentleman agrees—that it is in the best interests of all parties concerned to leave the administration and these other matters in the program entirely with private industry. That is the whole point behind this bill.

I thank the gentleman for yielding.

Mr. KYL. The gentleman from Colorado [Mr. ROGERS] a moment ago indicated that the only time the Federal Government comes in is in cases of a national disaster, through normal public service or by long-term loans. I think he would want the record to show that in such case as the Alaskan disaster, for instance, the Federal Government even went as far as to forgive Federal mortgages on loans to homeowners, and so on.

Mr. ROGERS of Colorado. What I was referring to in my statement was the situation where we had a disastrous flood in my area 2 years. I schemed and tried to get the Federal Government to help the homeowners whose homes were destroyed, and the only thing I could ever get them to come up with with the roads and bridges and sewers. And when we tried to get something for the private homes, we did not get anything. I do not know of anything or anybody other than the Red Cross that was in a position to aid and assist them. If we do have any program, I certainly must have overlooked it and certainly must not have been very diligent in trying to help my constituents because I was trying to help them when we had this disaster.

Do you know of any program that they could have taken advantage of?

Mr. KYL. No, the assistance that I was referring to is special congressional action such as we took in the case of the Alaska disaster at which time we even, under the law, canceled mortgage obligations to the Federal Government.

Mr. ROGERS of Colorado. Now you are talking about something special, some special assistance act which the Congress passed or would pass?

Mr. KYL. Yes.

Mr. ROGERS of Colorado. If you know of any, I would like to be informed.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman.

Mr. CRAMER. Some question was raised that, of course, disaster relief has in the past come before the Committee on Public Works. As a matter of fact, a study was made under the auspices of the Committee on Public Works a few years ago. Is that not correct?

Mr. BARRETT. That is correct.

Mr. CRAMER. As a matter of fact, back in 1956, as I remember, a flood insurance study bill was enacted. But it was never implemented because no plan evolved that was acceptable to private enterprise as well as to the Congress. We considered in our committee for a number of months this study and held hearings on it. Legislation was introduced to provide for similar relief such as this. The fact of the matter is, and is this not correct, that as of today the only manner in which the Congress deals with the problem or has in the past, has been on a piecemeal disaster-by-disaster basis.

Mr. BARRETT. That is right.

Mr. CRAMER. Which does not provide for any certainty in planning or capability on the part of homeowners or business owners to protect themselves in advance; does it?

Mr. BARRETT. That is correct.

Mr. CRAMER. As a matter of fact, there is not available to them water damage insurance particularly in the need areas where damage has occurred in the past and they cannot even get insurance; is that not correct?

Mr. BARRETT. That is correct.

Mr. CRAMER. So, in effect, what we have done in the past on a piecemeal basis has given some slight relief, and as a matter of fact, it has been discriminatory in some areas as compared to others—meaning the Northeast and Southeast. For instance, in the Southeast we had a forgiveness of $1,800 of FHA payments.

Then we had my proposal before our committee of actual Federal grants to subsidize homeownership losses and property losses. It seems to me this is the most logical and reasonable nationwide plan of approach to this so homeowners and businesses can protect themselves in advance in participation with private enterprise.

Mr. BARRETT. That is our common objective.

Mr. CRAMER. I congratulate the gentleman. I think he and his committee have done an excellent job generally on this legislation rather than dealing on a piecemeal basis with these different disaster problems. This covers areas of protection which are not now available and have not been available in the past. Is that correct?

Mr. BARRETT. The gentleman is correct.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Would the gentleman in the well agree with me that one of the basic problems that an individual business or an individual homeowner faces is the need for immediate cash following a disaster, and that the basic objective of this particular legislation is to give that person the rapid ability to recover financially so that they can get back on their feet at the earliest possible time? The fact that this has been worked out successfully, not only in this committee, but follows some of the recommendations that came from our Flood Control Subcommittee, I think the gentleman in the well and the members of the committee are to be commended for what they are doing.

As I understand, we have the insurance organizations, who would be obviously concerned about the Government getting into the insurance business. We have their endorsement of this concept.

Mr. BARRETT. That is true.

Mr. DON H. CLAUSEN. Further alluding to the comments made by my friend from Illinois, certainly this will not change any of the regulations now established for the administration of insurance companies within the confines of any one of the States. Is that correct?

Mr. BARRETT. The gentleman is correct.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from Iowa.

Mr. GROSS. The title of the bill is "To amend the Federal Flood Insurance Act of 1956." How about flooding and indemnification for damage by flooding? Let me see if I understand this matter correctly. The gentleman from Florida speaking a moment ago referred to this point. Would this be water damage caused by a hurricane, or must it be a stream overflowing its banks? What is a flood? Or is it designed to cover all water damage? Where does this begin and where does it end?

Mr. BARRETT. I think the gentleman has raised a very good point. I would like, if I can, to clarify the point.

Mr. GROSS. I would appreciate it if you would.

Mr. BARRETT. You say, "Where does it begin? Where does it stop?" It begins when the local government says, "We now have inaugurated a program for land control use policies." The insurance on an existing home in that area can be subsidized.

Mr. GROSS. Mr. Chairman, will the gentleman yield further?

Mr. BARRETT. I yield to the gentleman from Iowa.

Mr. GROSS. This is not designed, then, as in the case of a hurricane in Florida or anywhere else along the seaboard States, the gulf area, and so forth—this is not designed, then, to indemnify property owners for water damage as a result of flooding by virtue of a hurricane; is that correct?

Mr. BARRETT. Under the definitions in the bill, that would be covered.

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. In further answer to the question of the gentleman, I refer to page 12 of the report. The definition of "flood" states:

> The term may include any inundation from (1) rising waters, (2) the overflow of streams, rivers, and other bodies of water, (3) tidal surges, abnormally high tidal water, tidal waves, and tsunamis, and (4) from hurricanes, and other severe storms or deluges.

The gentleman should keep this in mind in asking that question. As the gentleman who is chairman of the subcommittee has stated, this insurance is going to be available in flood-prone areas, so if one lived on top of a hill in the middle of the city of Providence, R.I., where there is no damage possible from rising waters or flooding waters, there would be no coverage there. There would be no insurance even sold or available, because anybody would be silly even to buy the endorsement, would he not?

Mr. GROSS. I do not know about that. If the gentleman will yield further, we have tornadoes and cyclones in the State of Iowa, which ordinarily are followed by heavy rains.

Mr. ST GERMAIN. And by flooding?

Mr. GROSS. By flooding.

Mr. ST GERMAIN. There is a differentiation between wind-driven rain damage, which is now covered under the homeowners' policy, and flooding. If, as a result of a tornado, a flood occurs, there is a difference.

Mr. GROSS. Wind can be just as effective as a flood. If all windows are blown out and there is a cloudburst, then there can be just as much damage as from a flood.

Mr. ST GERMAIN. That is covered under wind damage.

Mr. GROSS. Under one situation the damage can be covered, but not under the other.

Mr. ST GERMAIN. That is already covered at the present time under the wind damage insurance.

Mr. BARRETT. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to commend the distinguished gentleman from Pennsylvania for the very hard work he has done toward formalizing the bill and bringing it to the House.

This legislation, Mr. Chairman, is an answer—a reasonable and economically feasible answer—to one of our critical nationwide problems.

I have been an early proponent of flood insurance programs, and I am delighted with the reception which this proposed program has had, both in the Senate, which passed on September 14, 1967, and, thus far, in this body. Mr. Chairman, after extensive hearings on this proposal, the Housing Subcommittee approved the measure by a vote of 12 to 0, and this action was followed by the full committee's action which reported the bill favorably by a vote of 31 to 0.

Year after year, residents in nearly all of the States continue to suffer losses caused by catastrophic flooding. The billions of dollars in property losses alone put flooding into the lead in terms of damage inflicted by all natural disasters. Flood-caused damages are, of course, compounded by the tragic suffering and loss of life which accompany these disasters. Each year the risk of increasingly large losses becomes greater.

Mr. Chairman, congressional concern with finding a satisfactory means of coping with flood losses is not of recent origin. There are many Members here today, on both sides of the aisle, who participated in the efforts during 1955 and 1956 to enact the Federal Flood Insurance Act of 1956.

I was one of the cosponsors of that legislation and I shared with many others the disappointment that the program which it would have provided did not become a reality.

Since then floods have repeatedly taken their grievous tolls in all parts of the country and from all segments of our society.

A part of the tragedy of this devastation is that there is at present no means by which a person may obtain a degree of economic recovery from the losses which he might suffer. This is true because the one means by which prudent people ordinarily do this—the purchase of insurance—is not available against the peril of flood.

Yet people do not want to rely solely on charity or on Government assistance when disaster strikes. They want to provide beforehand for their own protection. But at this point in time, Government disaster relief remains the largest source of massive flood disaster assistance.

This is not because the Nation's great property insurance industry has not the will to provide flood coverage. Quite the contrary. We were told repeatedly during the hearings on this bill that the industry is anxious to provide flood insurance coverage but that the companies cannot do so without help—at least in the beginning—from the Federal Government.

The public and insurance industry support for the flood insurance bill, as evidenced in our hearings, is practically unanimous. All segments of the property insurance industry were represented in these hearings, including the companies which expect to participate as risk bearers, those companies which expect to participate as fiscal agents, and the agents who would carry this new flood insurance coverage directly to the public. They all agree that the proposed flood insurance program will enable them to provide the flood peril coverage for which there is such a great public need.

The proposed program, Mr. Chairman, is a result of our request that the executive branch undertake a thorough study of alternative means to provide assistance to flood victims and report recommendations to the Congress.

The proposal before us would permit the private insurance industry, with the assistance of the Federal Government, to serve the public by insuring against the risk of flood losses. Under its provisions all companies wishing to participate in the risk sharing may form a pool to distribute the risk on a subscription basis. Others may wish to participate only as fiscal agents of risk-bearing companies, and in this capacity would handle the policies on behalf of the pool members. The Government would provide excess loss reinsurance for catastrophic loss.

I would observe here that up to the maximum amount of risk for which the private insurance carriers subscribe they will bear the risk of loss of their capital and earnings. The bill would also require that these insurers pay a proportion of the collected premiums to the Government as a reinsurance premium.

The bill provides that the insurers who participate as risk bearers will be entitled to earn a reasonable return for their efforts. Of course, in years of extensive flood losses these companies would not only lose any hope of possible profits but also capital which they commit to this venture. They will, therefore, be true risk takers and will be balancing the gains from good years against the risk of capital losses in bad years.

The bill provides as an alternative to risk sharing by the private insurance industry that, after the Congress is given appropriate notice, the Government may assume all the risk permitted by the act while using the insurance industry only on a fiscal agency basis. I am hopeful that the program which will become operative is the program with full industry participation as risk bearers and, I might add, I am joined in this hope by the administration. With this insurance, I think we can look forward to the day when private insurers can carry this coverage with minimal assistance from the Government.

Mr. Chairman, owners of property located in zones of high flood hazard where the cost of this insurance, as determined by actuarial methods, would be unreasonably high, will be benefiting, if there are losses, from a Federal contribution. This contribution would be equal to the difference between the actuarial rate and a reasonable rate which the purchasers in high-risk zones could afford. In other words, those who really need insurance will be able to buy it.

Flood insurance will initially be available in just those areas for which flood data are already available and, as rapidly as the required data may be collected and studied in additional areas. Coverage will be available for one- to four-family dwellings and as a result of the amendment adopted in the committee, which I introduced for smaller business properties. Additional types of coverage could be available later only after congressional action, and after the Congress had an opportunity to study the act of the recommendations of the Secretary of Housing and Urban Development regarding expanded coverage.

The bill would also provide for the development of land-use measures at the local level to encourage a reduction of exposure in zones of identifiable hazard, to the risk of flood loss. I trust HUD will not try to involve the program in extraneous measures with its published regulations.

In hearings of the Subcommittee on Housing, Mr. Chairman, representatives of the insurance industry, of the State insurance commissions, and of many localities which have experienced flood losses, and a number of House Members, testified as to the economic soundness and reasonableness of this comprehensive approach and the urgent need for its early enactment.

I am especially pleased that the committee, after repeated urging by its minority members, provided for the immediate coverage of smaller business properties and for somewhat higher loss limits for business inventories than had originally been contemplated. These are needed and economically sound additions to this program.

I would also like to point out a problem about which some Members have expressed some concern: how the program will be financed. Your committee, at the continued urging of my colleagues, has been careful to consider all facets of this problem.

The limitations on total insurance in force and on individual policy coverages and the utilization of the Treasury borrowing authority which was created by the 1956 act have been carefully considered by your committee. They would provide an appropriate means of assuring the proper funding of this program in keeping with the needs of the insured, the insuring companies, and with the best interests of the Government.

I would strongly and sincerely urge

that the House enact S. 1985, as reported, Mr. Chairman. It is a responsible bipartisan effort to assure that future flood losses to our citizens are not the ruinous thing they have been in the past.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. First of all, I rise to compliment the gentleman and the full commitee for doing what I think is an excellent job. As the ranking minority member of the Flood Control Subcommittee, having viewed these problems throughout the country, as one of those who participated in the offering of the amendment for the HUD study on flood insurance, I want to say at that particular time we were concerned about losing jurisdiction over this particular piece of legislation. I want to go on record as stating the committee, in my judgment, has done an excellent job, and I rise in support of the legislation.

Mr. Chairman, I rise to express my strong support of legislation to establish a program of flood insurance. It is absolutely essential that this body develop a program to assist in providing economically feasible insurance to those who have homes and businesses in areas of flood risk.

In the past 2 months alone, I have been in Fairbanks, Alaska, and in the Rio Grande Basin in Texas on inspection tours with our Public Works Committee to view the damages suffered as a result of severe flooding. My own congressional district has been hard hit almost every winter with the personal property damages which come from flooding conditions. In addition, a tidal wave in 1964 wiped out the entire downtown business district of my hometown of Crescent City, Calif.

You can see that I have firsthand experience and knowledge on this subject. I have personally witnessed the staggering losses to cattle, crops, and property. I have seen lives lost in floods and related rescue work. And I have participated in the rebuilding effort which must follow every flood.

From my exposure to flooding and flood damages, I have become keenly aware of the need to provide some kind of flood insurance. The Congress has indicated its concern already by passage of the Disaster Relief Act in the last Congress. The Disaster Relief Act was an important step forward but, as I indicated in our committee report on the act, it is important to continue our efforts by completing the flood and disaster insurance program so that we can provide the maximum relief to disaster victims.

The development of a sound program of flood insurance took a great deal of careful thought and effort from the committee and this legislation is the result of long study. I support this bill and the philosophy of subsidizing insurance rates to the extent that actuarially sound rates exceed economically feasible rates.

Anyone who has seen, as I have, homes and property strewn across the landscape or who has seen thousands of head of cattle half buried in mud and silt or who has had to help rebuild entire areas after flood devastation will agree some type of protection must be provided. Protection which will enable homeowners, farmers, ranchers, and businessmen to get back on their feet quickly and with the least possible disruption to the local economy.

I sincerely believe that a national program of disaster insurance is the proper answer. Through it, the people who are actually endangered will be contributing their share to the rebuilding efforts. It will not be a matter of the Federal or State government having to bear all the financial burden.

I firmly believe that a program of national flood insurance must be coupled with an increased effort toward the development of flood control and water conservation works. If we are going to assist in providing flood insurance, I believe we must, at the same time, work to reduce the necessity for it.

In closing, Mr. Chairman, I would like to point out that we should not confine ourselves to working toward assisting those who suffer from high waters. We must also take into consideration those whose homes and property are damaged by other disasters such as earthquakes, forest fires, and other such catastrophic acts of nature. Including such disasters would broaden the insurance base and reduce costs.

I am pleased that the committee reported this legislation so promptly and I hope this legislation will be adopted overwhelmingly today.

Mr. WIDNALL. I thank the gentleman for his contribution.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from New Jersey.

Mr. CAHILL. First of all, I want to compliment the gentleman in the well, knowing as I do the great amount of effort he has expended in this particular program. However, there are a couple of features of this legislation that are not perfectly clear to me. I think an explanation from the gentleman might be helpful from the standpoint of the legislative history to be made on this.

As I understand this bill, before an area can qualify to obtain this flood insurance it must be certified by the Corps of Engineers or other governmental agencies as being a flood area that has had a history and experience of flooding.

Mr. WIDNALL. That is a correct interpretation.

Mr. CAHILL. Now, there are many areas, as the gentleman knows, that the Corps of Engineers has already certified as flood areas largely because many creeks and streams in those areas have been overflowing and have gone up to too high and perhaps damaged a very small amount of properties, and these areas would probably be qualified.

My concern, Mr. Chairman, is this: Supposing in New Jersey, along the Atlantic Ocean, several communities have been certified because of their past history of flooding and the majority of them have not been flooded because they have not had a flood of that stage, but suppose that we had, as we have had, and as the distinguished gentleman knows in the past, severe storms and hurricanes on the coast and supposing they hit in an area which has not been certified, but which as the result of this special hurricane would suffer great flooding in that area, as I understand it, they would not be covered?

Mr. WIDNALL. May I answer the distinguished gentleman from New Jersey in this way. It is certainly impossible to certify the entire United States at this moment for coverage under this bill. We must have some experience based upon our findings after the program is commenced.

Mr. Chairman, there are a number of proven areas at the present time throughout the United States where very severe floods do occur and which are susceptible to flooding incursions and flood damage. There are other areas along the coastline where I am sure there would be a very early certification because of their proximity to the flooding waters.

Mr. CAHILL. Mr. Chairman, if the gentleman will yield further, in other words, is the gentleman saying that it is the intent of the committee that consideration be given to the potential—to the hazard that could be anticipated—even though the past history does not so demonstrate that they have actually had floods? In other words, if the area is geographically susceptible to the dangers of flooding, should that factor not be considered in evaluating this insurance policy?

Mr. WIDNALL. These factors should be considered, and these factors have been taken into consideration in the setting up of the provisions of this bill.

Mr. CAHILL. Mr. Chairman, if the gentleman will yield further, is it the gentleman's intention and the intention of the Committee on Banking and Currency to expand this program as rapidly as feasible, to the end that all citizens who really want flood insurance and who have a need for it can obtain such insurance?

Mr. WIDNALL. Mr. Chairman, I would say to the distinguished gentleman from New Jersey, my colleague, the only way in which we can have a sound program for the future is through making the program available to all citizens of the United States who wish to participate in it and who are potentially exposed to the dangers encompassed herein.

Mr. Chairman, I am sure that this program will lead to much more comprehensive programs later on.

Mr. Chairman, frankly, we are feeling our way and are only getting started. It is my opinion that this represents a very healthy beginning. It is, however, something upon which we must act right now and which we should not defer further for further study.

Mr. CAHILL. Mr. Chairman, will the gentleman yield further?

Mr. WIDNALL. I yield further to my distinguished colleague.

Mr. CAHILL. Mr. Chairman, is my understanding also correct that the Committee on Banking and Currency found, upon investigation, that no such insurance is available in the United States today from many or any of the private insurance companies?

Mr. WIDNALL. I would say this: If

you want to deal with, perhaps, a group like Lloyds of London or, perhaps, some group over here and if you wish to pay exhorbitant premiums therefor, it is possible to obtain some flood damage coverage. However, in my opinion it is not economically feasible for anyone to purchase it today based upon the facts which have been brought to the attention of the committee.

Mr. Chairman, this is the situation in which we find ourselves.

Mr. CAHILL. Mr. Chairman, will the gentleman yield further?

Mr. WIDNALL. I yield further to the distinguished gentleman from New Jersey.

Mr. CAHILL. So, really, what the gentleman is saying is that this program represents only a beginning of what will hopefully in the near future be a cooperative effort between the Federal Government and private insurance companies to provide flood insurance to those people in those areas of the country who need it and to give them the opportunity, to give to the homeowner the opportunity and to give to the business owner the opportunity to purchase this insurance at a reasonable price; is that the understanding of the gentleman from New Jersey?

Mr. WIDNALL. That is correct.

Mr. HAMMERSCHMIDT. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the distinguished gentleman.

Mr. HAMMERSCHMIDT. Mr. Chairman, I wish to compliment the gentleman in the well, as well as others who have participated in this debate and colloquy, upon the efforts of the committee in this connection and upon the tremendous job which they have performed in arriving at a solution to this problem.

Mr. Chairman, I rise in support of this legislation and I especially wish to pay tribute to the ranking Republican member of the committee, the distinguished gentleman from New Jersey [Mr. WIDNALL], for the views which the gentleman has set forth and with reference to the amendment which will be offered to provide coverage for small businesses.

I would also compliment Mr. St Germain for his leadership in the small business amendment being added.

Mr. Chairman, I stand in favor of S. 1985. In 1961, my hometown of Harrison, Ark., experienced the devastating impact of an unprecedented flood. An estimated loss of $10 million was incurred mainly by small businessmen.

Any type loss to a natural disaster is unfortunate. But, the fact that the loss in Harrison in 1961 was principally to the income-generating establishments made the situation even more disastrous. The community's loss in working capital probably equalled one-third of the bank and savings deposits. Had there been a program of flood insurance, such as that being discussed here today, the entire town would have recovered from the disaster much sooner.

The situation in Harrison, Ark., is not isolated. I speak of it because it is a personal experience. I could cite other similar losses, feeling quite confident that it has been experienced by many other Members of this body, as well as untold thousands of the citizens of our country.

There does not seem to be any alternative to a national program of flood insurance. This is the only logical way this problem can be met. For this reason, I give my full support to this legislation.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from North Carolina.

Mr. JONAS. I would like to continue the colloquy between the gentleman in the well and his colleague from New Jersey with respect to certification of eligibility. I understand some 40-odd sections of the United States are already determined to be eligible through certification or agreement, or by what means—is that correct?

Mr. WIDNALL. This has been through experience and through recommendations of the Corps of Engineers.

Mr. JONAS. I have looked through the report, and could not find identification of those communities. Is that information available?

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. It is available.

Mr. JONAS. But they are not in the report, or are they in the hearings?

Mr. BARRETT. They were in the hearings, yes. I will be glad to give the gentleman all the areas that have been studied and approved if the gentleman should desire.

Mr. JONAS. I believe in order to have a meaningful discussion we ought to know where the communities are.

Mr. BARRETT. I have them here, and I will put them in the RECORD.

Mr. GROSS. If the gentleman will yield, how many are there?

Mr. BARRETT. There are 46 already approved, and they are continuing their studies.

Mr. JONAS. Does the gentleman from Pennsylvania have only 1 copy?

Mr. BARRETT. I can give the gentleman a copy.

Mr. JONAS. I would like to have a copy of it.

I thank the gentleman from New Jersey for yielding.

Mr. POLLOCK. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Alaska.

Mr. POLLOCK. Mr. Chairman, is this program entirely voluntary on the part of the people paying the premiums for the insurance, or is it contemplated that there will be a requirement for this kind of insurance in the approved areas whenever FHA, SPA and EDA loans, and so forth, are made?

In other words, is it going to require the individuals making the loans to carry the coverage? Has any consideration been given to this?

Mr. WIDNALL. I would say some consideration has been given to it, but there is no full participation in the program at the present time.

Mr. CAHILL. Along those lines, would it not be practical, however, to believe that once this flood insurance is established in an area, that no financial institution will lend money unless there is flood insurance?

Mr. WIDNALL. That is a very practical answer. I was trying to make a direct answer to the question.

Mr. POLLOCK. I could not find anything in the report which would indicate that this was contemplated, that there would be such coverage. It would seem to me that this would be a necessary requisite to the successful implementation of this program.

Mr. WIDNALL. I am sure it would be.

Mr. McCLURE. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Idaho.

Mr. McCLURE. In reading the report, I notice that the only residences which are now covered are those which are in urban areas, although the Secretary is authorized by subsection (b) of section 102 of the bill to study the extension or possible extension of this protection to agricultural properties. Is that correct?

Mr. WIDNALL. Not as I understand it; this goes beyond urban areas.

Mr. McCLURE. It would be the understanding of the gentleman that the program would be available to residential properties in agricultural areas?

Mr. WIDNALL. Yes; that is my understanding.

Mr. McCLURE. Would it also be available to cover the business of farming, the loss of crops in such agricultural areas?

Mr. WIDNALL. We already have that in the existing law.

Mr. McCLURE. And this bill would not cover that?

Mr. WIDNALL. It could supplement it.

Mr. McCLURE. I notice also that the report with respect to the study section indicates that other natural disasters should be studied, and there is some reference made to fires. I know the report also refers primarily to riot-caused fires, but would it not also cover or possibly cover other fires causing damage to residences in such areas as Southern California where they have had this rash of brush fires?

Mr. WIDNALL. It would have to be an entirely different program than is presently being offered in the House. There have been some Members of the Congress who wanted to try and develop at the present time a comprehensive program to include fires, riot insurance, and the like, but we feel that we have to swallow hard this first gulp to get going on a flood insurance program, where we have some facts and figures and definite testimony in hearings to cover it.

We are only going to completely confuse the issue if we want to put in a comprehensive program at this time.

Mr. McCLURE. Was it your understanding that studies would be directed toward expanding it to other areas?

Mr. WIDNALL. Yes.

Mr. McCLURE. Is that provided for in the bill?

Mr. WIDNALL. It is understood that we will have studies and that recommendations will be made.

Mr. McCLURE. Would those studies also be directed toward possible insurance to cover forest fire losses or the cost of suppressing such fires?

Mr. WIDNALL. That could be but that has not been discussed.

Mr. McCLURE. I thank the gentleman.

Mr. POLLOCK. Mr. Chairman, will the gentleman yield to follow up on that particular question?

Mr. WIDNALL. I yield to the gentleman.

Mr. POLLOCK. It is my understanding that the actuaries will be working for something like 10 years to get the figures together for flood insurance. I got this information when I testified on the Senate side on this bill. If that is true, it does not make good sense to me to wait for that length of time in order to cover all of the major disasters that would be involved all over the country.

Mr. WIDNALL. If you want a flood insurance program at this time, or at least the beginning of it, and if you want a realistic program, we have to start somewhere. If we want to postpone any action by this House until we have gone into the question of what we would do about forest fires and riots and other things, we are just going to get nowhere and get nowhere fast, and the waiting period would be far longer than any of the actuarial figures that have been given to you. I do not think it is going to take 10 years for the entire job to be done. It will be done as quickly as possible.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman.

Mr. BOW. On page 56 of the bill, under section 107, you provide for a national flood insurance fund.

Then on page 57 under subsection (4), there is a provision out of these funds "to pay such administrative expenses (or portion of such expenses) of carrying out the flood insurance program as may be deemed necessary."

Then again on page 85 of the bill under "Administrative Expenses":

> Any administrative expenses which may be sustained by the Federal Government in carrying out the flood insurance program authorized under this Act may be paid out of appropriated funds.

Then it provides for appropriations.

It seems to me, I would point out to the gentleman from New Jersey, there is an inconsistency here where one portion of the bill provides for payment of administrative expenses out of the fund and in another place by appropriating funds. Of course, I favor the appropriation of funds. Would the gentleman feel that perhaps we should strike out the language on page 57 and leave it as it is on page 85, so as to provide appropriated funds for administrative expenses?

Mr. WIDNALL. Are you addressing yourself to the entire financing of the bill or just to the administrative expenses?

Mr. BOW. To the administrative expenses as provided for in the bill in subsection (4) on page 57 where it says: "to pay such administrative expenses" out of the "national flood insurance fund." In other words, that comes out of the fund.

Then again on page 85 you provide for the payment of administrative expenses out of appropriated funds.

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I will yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. With reference to the first instance that the gentleman mentions referring to page 57 of the bill where expenditures of funds will come out of the national flood insurance fund, these are administrative expenses that would be incurred by private insurance companies in the administration of the program. A certain percentage or portion will have to be paid from the fund initially.

Then referring to page 85 where the gentleman mentions the appropriation process, these are for funds that will be expended by the Federal Government and agencies themselves in the administration of the program, and the auditing, and what-have-you.

Mr. BOW. As I read the language on page 57, it is not clear. It says:

> To pay such administrative expenses (or portion of such expenses) of carrying out the flood insurance program as may be deemed necessary.

Now it may be deemed necessary to cover the entire field.

Mr. ST GERMAIN. The reason for the language "may deem necessary" is the Federal Government is paying a portion of the losses and it also will be paying a portion of the administrative expenses to the insurance companies in this program until such time as the private insurance companies themselves begin to realize a profit over and beyond the cost of their administration of the program. In the initial stages it is expected that the greatest expenditures will be in the administration and sale of these insurance policies.

Mr. BOW. Then I take it that this is open-end spending on administrative expenses which the Congress will have no control over? It will actually be backdoor spending for administrative expenditures, over which we have no control. Whereas if we follow the language on page 85, Congress will have some control over administrative expenses. The gentleman well knows that it has been the experience, I think, in Government that one of the real dangerous places in spending is in "administrative expenses." I thank the gentleman for yielding.

Mr. BROTZMAN. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Colorado.

Mr. BROTZMAN. Mr. Chairman, I rise in support of the bill, and compliment the committee in bringing the bill to the floor of the House.

Mrs. DWYER. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentlewoman from New Jersey.

Mrs. DWYER. Mr. Chairman, I rise in support of the insurance bill.

Mr. HUNT. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from New Jersey.

Mr. HUNT. Mr. Chairman, I take this opportunity to congratulate my colleague from New Jersey on this bill. I come from an area, as you well know, in south Jersey where we have been subjected for many years to floods. One locality in the First District is Wood-Lynne, which I see is included in the report as an area that has been affected. This area has been damaged severely by floodwaters from time to time with great loss to that community. We also have all through the southern part of New Jersey this same problem. We are unable to cope with it, due to the fact that the premium to obtain a policy for flood damage is prohibitive.

I certainly wish to associate myself with your remarks. I think this legislation is most timely. I congratulate both you and the committee.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Iowa.

Mr. GROSS. We are all aware that low-lying land is oftentimes less costly. Is it contemplated that if a new housing subdivision is constructed in an area that is subject to periodic flooding—that the Government will come along with this program to provide insurance coverage to those living in the area?

Mr. WIDNALL. At this point realistic premiums would be charged to those who choose to live in that area. That point is covered in the bill. I think it is a satisfactory provision.

Mr. GROSS. They would be charged full-cost premiums?

Mr. WIDNALL. That is correct.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Florida.

Mr. CRAMER. There has been some suggestion that in order for a specific damage area to qualify, it might have to be declared a national disaster area. That is not correct, is it? Once these areas are designated, as a result of past experience, "contemplated flooding" is not connected in any way with a major disaster? It does not have to be a major disaster?

Mr. WIDNALL. The gentleman is correct.

Mr. DOLE. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Kansas.

Mr. DOLE. Mr. Chairman, I support S. 1985, the National Flood Insurance Act of 1967, which would amend the Federal Flood Insurance Act of 1956. On January 23, 1967, I introduced similar legislation and commend the Committee on Banking and Currency for holding hearings on the legislation and for bringing it to the House for consideration. I understand the vote was 31 to 0.

The bill has been thoroughly discussed, the need is clear, and it seems apparent that special relief measures now provided do not offer permament solutions. Victims of flood disaster may now receive certain benefits from various public and private sources, and as helpful as many of these forms of assistance may be, they are usually only enough to enable flood victims to start the process of financial rehabilitation. In many instances, relief is not available unless an area has been declared a disaster area, and what might be disastrous in some small area would not, when considered on a national scale, be eligible for assistance under existing Federal programs.

It is obvious that only a workable program of flood insurance can provide an adequate remedy. We all recognize that flood insurance is not generally available from private insurance companies for the primary reason that private insurances have not been able to write flood insurance policies on an economically feasible basis. It should be noted that the private insurance industry strongly supports this proposal, and it is also worth noting that under this proposal, private insurance companies are encouraged to join together in a pool to sell and service flood insurance coverage.

I do believe the provision permitting so-called "back door" spending should be eliminated and, therefore, I support the amendment offered by the gentleman from Michigan [Mr. Brown]. This amendment would require funding under the regular authorization and appropriation process.

The State of Kansas, during the past 16 years, has suffered losses totaling millions of dollars to both private and public property by floods. Thousands of private homeowners discovered after floodwaters wrecked their property that they were without insurance coverage which would permit them to recoup their losses. Many, many families in my congressional district lost virtually everything in the disastrous floods along the Arkansas River in 1965. At that time, I introduced legislation calling for a review of flood insurance proposals. It has been estimated that in the current year, 1967, flood damages in this country will exceed the highest ever recorded. In June alone, this year, Missouri Valley flooding resulted in damages estimated to exceed $80 million in the States of Nebraska, Iowa, South Dakota, Missouri, and Kansas.

In closing, let me urge support of S. 1985, the National Flood Insurance Act of 1967, a joint insurance industry-Government venture.

Mr. BARRETT. Mr. Chairman, I yield 5 minutes to the majority leader, the gentleman from Oklahoma [Mr. Albert].

Mr. ALBERT. Mr. Chairman, I desire to congratulate the distinguished gentleman from Pennsylvania and the distinguished gentleman from New Jersey and the members of their subcommittee and the members of the full committee on this legislation.

I rise in support of the bill, first, because I favor the legislation. I think it is an excellent approach to a difficult problem.

Second, I desire to take this time to advise the Members of the House, as most Members know, that our colleague, the gentleman from Louisiana, my distinguished coworker, the majority whip, is absent because of illness. The distinguished gentleman from Louisiana has worked as hard and as long on this matter as anyone I know. Since he cannot be here, I would like to recite some of the things which he has done in this regard.

Mr. Chairman, I am sure nothing short of hospitalization could have kept the majority whip from taking the floor today to urge passage of S. 1985, to authorize a national flood insurance program. The gentleman from Louisiana, Hale Boggs, has long recognized and often brought to our attention the overriding importance of providing an insurance program by which people throughout the Nation can protect their homes and businesses from flood disaster. It is because of his tireless efforts that this bill is before us today.

The distinguished gentleman from Louisiana has chronicled the effects of the relentless Hurricane Betsy on his home State in 1965. High tides covered 3,060,000 acres of coastal lands in southeastern Louisiana and more than 160,000 families were directly affected. Hale Boggs knows well the magnitude of the damage that can be caused by flooding.

And he has long recognized, Mr. Chairman, that floods are a national problem. Not one of us here today can predict where the next flood will strike—be it Louisiana or Florida, Texas, New Jersey, or a State not recently troubled by an unexpected national disaster. Nor can we anticipate the amount of damage the next flood will leave in its wake.

The cost of human life, Mr. Chairman, is beyond estimate. However, property losses can be measured with reasonable accuracy and we know that it is not unusual for losses from flooding alone to exceed $100 million in any year. In 1964 and 1965, for example, the estimated losses from floods were $652 million and $788 million respectively.

Nonetheless, the history of our response to flooding, as Hale Boggs has often pointed out, has been piecemeal and costly. In testimony before the Subcommittee on Securities of the Senate Banking and Currency Committee on S. 1985, Representative Boggs called attention to this fact:

> We have had ad hoc legislation, narrow relief programs without any overall means by which people can protect themselves from natural disasters.

He reported his concern before our own Subcommittee on Housing.

This is an essential nature of the majority whip's concern. He has warned that ad hoc disaster relief is not an adequate solution. It gives no future protection. It provides neither security nor dignity. And my esteemed colleague from Louisiana has rightly stated:

> Our people want the opportunity to protect themselves. They do not want to rely on relief agencies, Government largesse, or charity. They want to protect themselves and it is up to us to help them do it.

Last year, during debates on the House floor, the majority whip argued:

> When a private enterprise like the insurance industry, cannot offer insurance at reasonable rates, it is time for the National Government to establish a program to protect potential victims from the devastation of flood waters.

The facts are in. A study was undertaken as directed by the Southeast Hurricane Disaster Act and its findings presented to both the Senate and House committees. It indicates that private insurance companies cannot offer flood insurance without governmental assistance at reasonable rates, simply because of the catastrophic nature of the risk. It is little consolation to the person whose property has been wiped out by floodwaters that there was a high risk that this would happen. It is time for the Congress to recognize that there is no solution to this problem without recourse to a program that involves Federal participation.

In addition, Mr. Chairman, it is time we turned our attention to the vast expenditure of Federal funds that our after-the-fact disaster relief programs have necessitated. In his testimony on the flood insurance proposal this year Representative Boggs reported that $100 million in SBA loans went for flood damage. He estimated that directly, either through forgiveness of SBA loans or through other aid, the Government spent several hundred million dollars as a result of Hurricane Betsy. This was an enormous and unplanned drain on the Federal Treasury.

The National Flood Insurance Act cannot end natural disasters. It can provide reimbursement to those who suffer loss without unpredictable and staggering costs to the Treasury and without requiring persons able and willing to pay reasonable insurance rates to rely—not on insurance—but on the mercy of the Congress and the Red Cross to save them from total financial ruin.

Hale Boggs has graphically described the problem. The Congress has delved into its ramification, been presented by the report for which it asked, the Senate has passed unanimously and our distinguished Banking and Currency Committee has unanimously approved the measure.

Mr. Chairman, we are in a position here today to take one of the final steps in the direction of a reasonable and humane approach toward mitigating the personal hardship that can result from property loss due to flooding. It is unfortunate that Hale Boggs cannot be here to speak out in his clear and persuasive manner for this major piece of legislation. More than any one man, he is responsible for bringing this bill before us today.

Let us gladden his convalescence and lighten the burdens of millions of future flood disaster victims by passing this bill today by an overwhelming majority.

Mr. WIDNALL. Mr. Chairman, I yield six minutes to the gentleman from New York [Mr. Fino].

Mr. FINO. Mr. Chairman, I am happy to support this much-needed legislation which will create a national flood insurance program.

I think we are in complete agreement that private enterprise cannot do the job without financial help. Private enterprise just cannot afford to write the policies at reasonable rates. Therefore, the Federal Government through this legislation is offering to join a pool with the private insurers so that adequate insurance can be made available to our people at reasonable rates.

I concur in this objective wholeheartedly. I might point out that I first introduced legislation to establish a flood insurance program back in January, and I am pleased to cosponsor this measure. I do not say that this bill is without potential shortcomings: for one thing, it does not extend to a sufficient group of commercial properties, and second, it limits eligible insurance on private residences to a coverage of $17,500. I would like to see these provisions liberalized, but I recognize that you have to start with a basic program and see how it works. I think that our committee has come up with a good beginning program and I am pleased to support it.

I also want to emphasize that our definition of "flood" is a very broad one—all kinds of water disturbances would be covered, whether it be flooding rivers or gales along the seacoast. This is not a sectional bill—it is a bill aimed at a serious national problem.

In recent years, there have been a number of severe floods in this country, ranging from south Texas to Louisiana to Delaware and New England. After all of these floods, many people suffered for want of insurance. This is a shortcoming which we are now trying to rectify. Under this new program, insurance against floods will be available on terms which people can afford. Now such insurance is only sometimes available at terms which the average homeowner can rarely afford.

My own district fronts on the shoreline of Long Island Sound. Obviously, Long Island Sound is not a storm center like the Caribbean or Gulf of Mexico. Far from it. Nevertheless, however, parts of my district have been harassed by repeated storms and flooding, more particularly City Island, which is one of New York City's principal marina and shipyard centers. Many homes, marinas and shipyards in City Island have been damaged by the storms which whip up floodwaters as they come down Long Island Sound toward New York City.

I am sure that there are similar cases of such damage from coast to coast. This is an important problem and I am glad to see that Congress is stepping in to meet it. In coming years I expect that we will be modifying and enlarging the scope of the program. But I believe that the program we have before us now is a good workable beginning and I urge the Members of this House to give it their support.

Mr. BARRETT. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. ASHLEY].

Mr. ASHLEY. Mr. Chairman, I rise in support of S. 1985, the National Flood Insurance Act of 1967.

The critical national need for this program has been clear to all of us who represent areas which are exposed to the risk of flooding. The Ninth District of Ohio, which I have the honor of representing, contains large river valley and lakeshore areas which have become thickly settled in recent years. This land is subject, as our history tragically shows, to periodic and often disastrous flooding.

The floods or inundations we have suffered have imperiled the lives and the homes and the businesses of entire communities. They have devastated and destroyed neighborhoods. Often individual and community prosperity have been irreparably lost by catastrophic flooding.

Repeatedly, across the country, when these disasters have occurred, the Federal Government has provided emergency assistance. This assistance has been in the form of direct emergency relief and long-term, low-interest loans. A number of charitable organizations, especially the American Red Cross, have responded magnificently in these disasters to the needs of the people.

Yet, Mr. Chairman, we have long believed that the better way would be to provide a means by which this total reliance on charitable and governmental assistance in such disasters could be supplemented by individual action.

We know that the insurance industry has found that it cannot feasibly write flood insurance coverage without assistance from the Federal Government. Such coverage without Federal assistance—at least initially—would unreasonably endanger the ability of an insurer to its obligations under its other outstanding insurance.

I believe we have before us today a carefully considered and effective means for providing this assistance on a fiscally sound basis.

When this bill is enacted, and I am hopeful that it will be enacted promptly, there will be a means for homeowners and for operators of small businesses to provide for some measure of protection against the great financial losses which flooding causes.

Under the program which this bill would establish a homeowner or an operator of a small business could purchase, perhaps from the same insurance agent who now sells him comprehensive homeowner coverage or fire and inventory policies, insurance, within stated limits, against the peril of flood. If this person's property happens to be located in a zone of high flood risk exposure, he would pay a reasonable premium rate rather than the full actuarial rate ordinarily charged for insurance protection. The difference between the reasonable rate and actuarial rate would be contributed by the Government.

If, however, once this program has gone into effect in an area, a person undertakes to build where there is a high risk of flooding, he will have to pay the full actuarial cost of this insurance. Thus, he would be required to bear the full cost of his decision to locate in an area which he knows is likely to be flooded. This is a necessary inhibition on unsound development of flood-prone areas.

A second, and very important, feature of this bill would provide for reinsurance protection to be extended by the Government to the insurers, for which they would pay a reinsurance premium. Thus, they will be enabled feasibly to write flood insurance without improvidently exposing the insurance reserves which are required to meet their other financial obligations. Of course, we are hopeful that as this coverage is broadly accepted by the insurance-buying public the program can be operated by the industry without the assurance of this help from the Federal Government. At this time, however, this Federal backup is necessary if we are to have flood insurance based upon the participation of our insurance industry in a risk-taking capacity.

Mr. Chairman, it is not often that we have for consideration a bill which attracts the broad base of public support which this one has. When the Housing Subcommittee held hearings on this bill the representatives of the insurance industry were almost unanimous in their support of this bill. Both Federal and State and local public officials support this bill. People who have been victims of flooding strongly urge its enactment.

In summary, Mr. Chairman, I strongly believe that this is a carefully drawn proposal to meet a critical national need. Mr. Chairman, I urge its immediate passage.

Mr. BARRETT. Mr. Chairman, I yield as much time as he may consume to the gentleman from Texas [Mr. CASEY].

Mr. CASEY. Mr. Chairman, in Texas we live with the grim knowledge that the twin disasters of hurricane and flood will annually sweep across our coastal plains.

We have seen through the years terrible loss of life, suffering and anguish, and unbelieveable property damage from vicious storms such as Beulah, Carla, Audrey, or the gigantic 1900 hurricane which killed more than 6,000 persons in Galveston. Surely, the damage cannot be calculated.

Today, we have an opportunity to extend a helping hand to the millions of our fellow citizens who must dwell in the path of destruction.

In January, along with more than a score of my colleagues, I introduced legislation to create a joint Federal-industry program of flood insurance. Today, we have before us the National Flood Insurance Act of 1967, and its provisions will bring welcome relief to the disaster our people must face.

Here, in my judgment, is where the Federal Government can be most constructive. The need for this protection is obvious, and it cannot be met by industry alone. A joint Federal-industry insurance program can and will bring protection to the millions of our people, and it deserves our fullest support.

There is no need for me to stand here today and recount the terrible aftermath of our coastal storms, or the pathetic plight of a homeowner left with nothing but the mortgage, or a businessman wiped out by a hurricane-induced tidal wave. Most of my colleagues can match the horror, the anguish, the suffering and frustration with tales of mighty rivers swollen with rain or snowmelt sweeping all before it on a rampage to the sea. The devastation in California, Alaska, or Hawaii from hugh earthquake-generated tidal waves is just as tragic and damaging as from any tropical hurricane.

The fact that flood insurance is not available from private insurance companies adds a dimension to these natural disasters that to individual families and small businessmen is catastrophic. The number of small businessmen bankrupted—the number of families who have had their hopes and dreams, their financial stability, drowned beneath a rising wall of water can never be known. Neither can a price tag be put on the personal tragedy involved.

We, in Harris County, are no strangers to such disasters. Our flat, level terrain is laced with bayous, draining to the sea. With the help of the Federal Government's flood control program, we have made great strides to providing needed protection. But much remains to be done, particularly in eastern Harris County, where our great NASA Manned Spacecraft Center lies, amid the tremendous residential and business development. We are subject, as is the whole Texas-Louisiana coast, to severe tidal flooding spawned by hurricanes. Carla brought savage damage to the Houston-Galveston area, much of it from rising water. She was not the first, nor will she be the last to visit our area.

We, today, can act to bring needed protection in an area of our economy where it is so vitally needed. We can help end the terrible drain on our economy, from losses that stagger the imagination. We can help end the unbelieveable suffering thrust upon our people by great natural disasters. This is a program that is needed and necessary, and I hope that no undue delay will prevent its implementation.

Mr. Chairman, it is my pleasure to express my support for this legislation, and to urge my colleagues to join in passage of the bill.

Mr. Chairman, I would like to ask one question of the chairman.

As I understand it, this list you propose to put in the RECORD of the areas that have already been certified is not a limitation of the areas that will be certified in the near future, is it?

Mr. BARRETT. No. I am glad too that the gentleman brought that up. All areas in the United States will be studied and certified and sent in for recommendation for insurance coverage.

Mr. CASEY. The list you have are those that have been noted as being prone to flooding.

Mr. BARRETT. That is correct.

Mr. CASEY. What I have in mind is coastal areas not prone to flooding but subject to it when you have such things as the hurricanes we have recently had.

Mr. BARRETT. The gentleman is right.

Mr. CASEY. I thank the gentleman.

Mr. BARRETT. Mr. Chairman, I yield as much time as he may consume to the gentleman from Louisiana [Mr. HÉBERT].

Mr. HÉBERT. Mr. Chairman, having witnessed the ravages of Hurricane Betsy, which practically destroyed two parishes in my own district in Louisiana 2 years ago, and realizing at the moment the necessity that we have to have national flood insurance backed by the Government, I was very pleased to join my many colleagues in the House in introducing the proper legislation. I certainly urge immediate and prompt action be given to the implementation of this proposed legislation.

Mr. Chairman, the legislation we are considering today to provide for a national flood insurance program is long overdue. Millions of people have suffered great personal loss of family and possessions over the years, only to discover in the wake of the tragedy that their insurance policy did not cover the type of destruction which occurred.

I have long advocated such a program as we are considering today. I have seen first hand the great tragedies suffered by my fellow citizens in the First Congressional District of Louisiana.

It was my district in 1965 which was hit hardest by disastrous Hurricane Betsy, which reaped its havoc through 22 parishes in Louisiana, with wind and flood damage exceeding more than $150 million, and affecting about 160,000 families. Most of the damage was from tidal overflow, for which insurance is not available.

Emergency legislation was hurriedly passed to relieve the victims of that disaster, but we cannot rely totally on direct Federal subsidies to the victims of floods.

Floods and hurricanes are not unique to my area of the country. They are national problems for which this legislation provides a solution. This bill will clear up many of the problems which have plagued citizens and insurance companies for years, however it is important to realize that this is only the beginning.

From this beginning we can continue to work to iron out the problems which arise from natural disasters. The people will now have with this legislation an opportunity to protect their family and possessions. What we are doing through this legislation is allowing an individual to feel more secure in the event he is caught in a water-ladened disaster.

No one wants to rely on charities or relief agencies. That is human nature. This is legislation which the citizens of this country need and deserve from us so they will not be put in such a position. For too long, they have not had it.

I am sure many of my colleagues have seen terrible scenes of destruction, but if each of you could have witnessed what I did after Hurricane Betsy, you could not in good conscience vote against this legislation. For miles and miles the eyes could see only debris, destruction, and desolation.

Ten years ago the Congress passed legislation in this area, but it was never implemented. That is why it is important we pass this bill and give the people something tangible as far as flood insurance is concerned. Commercial insurance companies cannot bear this burden alone; we must have the Government in support.

It is gratifying to me to have seen such a cooperative effort on this legislation by many of my distinguished colleagues from all areas of the country. All too often we have been reminded of the need for this legislation when devastation struck someplace in this great land of ours.

Perhaps we may have felt a little guilty because thousands lost everything they had worked so hard to accumulate. We knew that legislation should have been passed a long time ago to ease the burdens suffered by these unfortunate people.

I am no Johnny-come-lately in this. I have gone through it; I have seen it. I know that my colleagues share my interest and enthusiasm in this legislation. And I know that you will give it your overwhelming support.

Mr. BARRETT. Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri [Mr. HUNGATE].

Mr. HUNGATE. Mr. Chairman, I commend the committee for bringing forth this needed legislation for Federal flood insurance and strongly urge its passage.

Mr. WIDNALL. Mr. Chairman, at this time I yield 5 minutes to the gentleman from Michigan [Mr. BROWN].

Mr. BROWN of Michigan. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, who can deny that the Federal Government has a responsibility to the victims of floods and other natural disasters? While we have spent billions on flood prevention and emergency relief, it is not enough. A national program of flood insurance at reasonable rates against losses to private and small business dwellings should be enacted. For that matter, additional hundreds of billions should be spent in our cities. Social security should better reflect the increased cost of living and perhaps dental care should be available under medicare. Billions should be spent for a strong antiballistic missile system, while our small farmers should receive increased prices for the fruits of their labor. The list is endless.

We have other responsibilities also. We have the responsibility to set priorities; to realize that the level of taxation has yet to reach that which would bring us to the threshold of the millennium.

We are in the midst of the great fiscal debate of 1967. Some of us say expenditure reduction must come first. Others promise that reductions will be made after taxes are increased. Those of our citizens who are looking on with interest might ask whether that fine Truman expression has been changed to, "If you can't stand the heat, shove the other guy into the kitchen."

Out of this debate, however, has come a call for action from the chairman of the Committee on Ways and Means that few will challenge:

> What is required is a clear-cut acknowledgment by all of us who participate in Federal policymaking that our objective is establishing firm control over the amount and character of Federal spending in the future. For this purpose, spending cuts this year are not the basic ingredient, welcome as they will be. What is essential, rather, is change in spending programs. We have to focus sharply on what the Government is to do as well as on how much it is to spend.

Nothing in this bill, in the committee report, or the executive communications accompanying the legislation reveals how much the Federal Government will be called upon to spend in connection with the proposed National Flood Insurance Act of 1967. In this regard, passage of S. 1985 would constitute a clear violation of the intent of Public Law 801 of the 84th Congress which states that a statement of the 5-year total cost as well as the man-years of additional Federal civilian employment shall accompany each report, recommendation, or other communication from the executive branch recommending proposed legislation entailing expenditure of appropriations in excess of $1 million.

Indeed, not only are we kept in the dark, with regard to the cost of S. 1985, but by going the "back-door spending" route we have failed to provide present or future congressional control. Section 106 provides that the Secretary of Housing and Urban Development "is authorized to issue to the Secretary of the Treasury from time to time and have outstanding at any one time, in an amount not exceeding $500 million—or such greater amount as may be approved by the President—notes or other obligations." In short, the national flood insurance fund may tap the Treasury for $500 million, or for billions more. We do not know. A short note from Secretary Weaver to Secretary Fowler substitutes for going to the Appropriations Committee in order to justify such additional amounts. At a time when we are criticizing the administration for maintaining three or four sets of budget books, the Congress should not engage in several methods of authorizing and appropriating funds.

While I disagree with the back-door approach, I can well understand the uncertainties as to eventual related costs that dictated such a course. This is not the first attempt by Congress to enact flood insurance legislation. In 1956 the Congress enacted the Federal Flood Insurance Act of 1956—Public Law 1016, 84th Congress. To quote from the testimony of Under Secretary Wood before our committee:

> The program proposed under the 1956 legislation reflected the belief of competent insurance experts, at that time, that actuarial rates for flood insurance could not be determined. When the Federal Flood Indemnification Administration, established by the 1956 legislation, submitted to the Congress a request for program funds to operate the flood insurance program, it presented a rate structure which did not reflect the variations in risk in different locations in a flood plain. In other words, there was no presentation as to what the actuarial rate would have to be in any particular area in which insurance would be made available. Lacking an adequate case as to the actuarial premium required to cover losses, the House Appropriations Committee concluded that there was no adequate basis for the rate schedule proposed by the Federal Flood Indemnification Administration; no way of measuring the Government's contingent liability; and that further study of the feasibility of flood insurance was required. No funds to operate the program were appropriated, and the program became dormant.

Referring to the bill before us as avoiding the weaknesses of the 1956 law, Under Secretary Wood on page 10 of the committee hearings said:

> A major assumption of the proposed national flood insurance program is that actuarial premium rates can and will be established before insurance is offered. This procedure must be followed if the program is to overcome the reservations of the Congress to the program abandoned a decade ago. The actuarial premium required to cover losses must be known before reasonable estimates can be made of the contingent subsidy liability of the Government in connection with less-than-actuarial rate premiums charged to owners of existing homes in high-risk areas.
>
> In order to meet the objectives of actuarial soundness, it is necessary to compile and analyze flood frequency data in individual flood plain areas and establish rates by zones and types of structures. This has to be done on an area-by-area basis, since flood damage risks vary from one area to another.

It should be emphasized that in referring to the bill before us, Under Secretary Wood testified that "a major assumption" of the program is that actuarial rates "can and will be established before insurance is offered." This amounts to a frank admission that such rates have not as yet been established. Moreover, that portion of the flood insurance premiums to be subsidized by the Federal Government pursuant to section 215 of the bill cannot and will not be known until those who sell the insurance gain some experience as to the amount people voluntarily are willing to pay for such protection, or until such determination is made through a much more comprehensive market research study than has been conducted to date.

Furthermore, section 104 of the bill, entitled "Estimates of Premium Rates," authorizes the Secretary of Housing and Urban Development to commence a broad series of studies and investigations in conjunction with other agencies of Government aimed at establishing flood insurance rates and "the extent to which federally assisted or other floor protection measures initiated after the enactment of the bill affect the estimates of these rates." Surely the authority contained in this section alone reveals how little is known as to the eventual cost of the program.

It is this uncertainty regarding the extent of Government liability under the program that makes me so apprehensive. The absence of estimates determined with a reasonable degree of certainty prompts me to suggest one of two alternatives:

First, delay in the enactment of the program until better estimates have been provided, supported by appropriate data, of the immediate and projected cost of the program; or

Second, establishment within the legislation and the program of an effective maximum liability and exposure of the Federal Government. But because neither the Congress nor the Department of Housing and Urban Development have sufficient data or experience with which to settle upon such a statutory ceiling of maximum exposure of government in the bill before us, the regular congressional control over the appropriations to the national flood insurance fund takes on added importance.

If we approve the bill before us without change, other than appropriations for administrative costs, salaries, and repayments to the fund under section 107, there will be no effective congressional review. We are today voting to appropriate $500 million, or such greater sums as may be approved by the President.

Mr. Chairman, it is a blank check to embark upon a program, the cost of which nobody knows.

At the appropriate time, I shall offer an amendment that would at least cure this situation.

It is not a joyous task to point out the weaknesses of legislation aimed at alleviating the suffering and heartbreak that occurs in the wake of floods. I hope a flood insurance program such as the one here proposed will be enacted into law, but I feel Congress must be provided with reasonably comprehensive cost data before it is asked to embark on such an uncharted course. I do not urge opposition to this legislation but suggest the need for its improvement to the end that we reach the goal of national flood insurance protection at a pace consistent with prudent fiscal policy.

Mr. DEL CLAWSON. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Michigan. I am delighted to yield to the distinguished gentleman.

Mr. DEL CLAWSON. Mr. Chairman, I wish to commend the distinguished gentleman from Michigan for calling the attention of the House to this apparent weakness in the proposed bill.

Mr. Chairman, when the gentleman's amendment is proposed, I hope it will be adopted. I am sure that with the help and assistance of the other members of the Committee we shall be able to strengthen this bill. Also, in my opinion such action would strengthen section 116 wherein is stated:

> The face amount of flood insurance coverage outstanding and in force at any one time under this Act shall not exceed the sum of $2.5 billion.

Is that correct?

Mr. BROWN of Michigan. That is correct.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. WIDNALL. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. CAHILL].

Mr. CAHILL. Mr. Chairman, as a cosponsor of amendments to the Federal Flood Insurance Act of 1956, I am pleased to support the legislation presently under consideration. This legislation, as has been indicated, is not a cureall, but is a preliminary first step in the right direction. I have always failed to understand why private insurance companies will insure properties against hurricanes and tornadoes but decline to insure the property against floods. Most certainly, American citizens with substantial capital investment in homes along coastal and other hazardous flood areas should be able to protect their capital investment through the medium of insurance. I fail to understand why the insurance companies cannot develop on a State-to-State basis additional coverage in all homeowner policies providing for this type of coverage.

It would seem to me that every property owner, regardless of where he lives, would be desirous of obtaining indemnification against water damage if the premiums were reasonable. Unfortunately, however, the facts of life are that the private insurance industry has not provided the American citizens with adequate coverage against flood damage at reasonable rates.

Since insurance against water damage is essential, the only alternative appears to be Government participation. The public, however, should understand the limitations of this legislation and should not count on it as a solution to present-day flooding dangers.

Mr. Chairman, this bill will only cover those areas designated by the Secretary and then only after appropriate surveys have been made by the Corps of Engineers and other governmental agencies. As of this date, a very limited number of units of government are included and it is not to be expected that widespread coverage will be available in the near future. Second, it should be remembered that flooding may occur in areas not designated by the Secretary and that these areas therefore will not be eligible for flood insurance. I have been assured in earlier discussions by representatives of the committee that an expansion of coverage is desired and is anticipated. I most certainly hope that all of the shore areas where flooding is always a potential danger will be made eligible at the very earliest opportunity. I hope, too, Mr. Chairman, that the Secretary will first consider those areas which have the greatest potential for extensive property damage; while creeks and streams may flood, the devastation usually occurs when large rivers and both oceans are at floodtide. These areas, therefore, should be given top priority.

I am hopeful, too, Mr. Chairman, that the States and municipalities will recognize the need for planning and that in the future no construction will be permitted in those areas determined to be hazardous by reason of potential water damage. This means, in my judgment, that natural protective barriers such as sand dunes, grassy slopes, adjoining streams, marshlands, and other natural reservoirs for excess water should not be filled in and made unavailable for the purposes designed by nature.

This legislation is needed, is a useful step, but it leaves a great deal still to be desired. I hope that the committee will continue its study of this problem and that the Secretary will qualify by designation as many areas as is feasible at the very earliest opportunity. In spite of its limitations, however, I will of course support the legislation and urge its passage by this House.

Mr. WIDNALL. Mr. Chairman, at this time I yield 5 minutes to the gentleman from Virginia [Mr. BROYHILL].

Mr. BROYHILL of Virginia. Mr. Chairman, I rise in support of S. 1985, and I especially want to express my thanks to the members of the Housing Subcommittee and the full Committee on Banking and Currency before whom I had the honor of testifying, for amending section 102(a) to provide that the Secretary shall afford priority in making flood insurance available not only to residential properties designed for occupancy of from one to four families but also to business properties owned or leased and operated by small business concerns.

Most of the areas subjected to heavy flooding in northern Virginia, my own congressional district, are along Fourmile Run bordering Arlington and Alexandria, and along Cameron Run and Holmes Run bordering Alexandria and Fairfax County. Both watersheds are well developed with residential, commercial, and industrial properties. Many new high-rise apartments are located there and some building is still being done, thus increasing the likelihood of greater property damage and higher prospective loss in the future.

Arlandria, a business community on Four Mile Run, is the area most vulnerable to flooding in northern Virginia, although apartments and residences upstream as far as North Arlington and areas in Fairfax County above Lake Barcroft on the Cameron Run watershed have not escaped damages, in some cases when areas downstream were not flooded.

Mr. Chairman, this bill as it was passed by the Senate would have provided virtually no immediate relief for small businesses such as those located in Arlandria. The bill would have provided that "if the Secretary determines that it would be feasible," insurance might at some time in the future be variously extended to include business properties, agricultural properties, properties owned by nonprofit organizations, and even Government properties. But this determination would have been left to the Secretary, not the Congress.

Mr. Chairman, I believe, and I think a majority of our colleagues agree, that the Congress, not the Secretary, should make this determination. Let him make his studies and then lay his findings before us for consideration. We should not abdicate our responsibilities in advance.

The Housing Subcommittee and the full Committee on Banking and Currency agreed with me, and section 102(b) has been amended to provide that the Secretary shall transmit his findings and recommendations to Congress for consideration.

Mr. Chairman, I also believe that small businessmen such as those in Arlandria in my district, who have been repeatedly hurt by floods, urgently need benefits under this bill now, not at some point in the future. We are considering this legislation today because it is needed now. We have known of the havoc that even minor floods have caused and of the damage and hardship which has resulted. Many Members of Congress here today—I am one—have had their constituents suffer ruinous damage as a result of floods.

Mr. Chairman, I am pleased that the members of the Housing Subcommittee and of the full Committee on Banking and Currency have amended this measure so that it now provides for immediate coverage for small businesses, and that the Congress, not the Secretary, shall decide the feasibility of extending its provisions in the future to other properties.

In my own congressional district we are working hard on trying to solve the flood problems facing us. I know this is also the situation in the home districts of many of our colleagues. We have the Army Corps of Engineers engaged in a survey to determine whether or not the Federal Government can participate in an area-wide flood control project in northern Virginia, and I am reasonably sure they will find that the conditions warrant such Federal help.

Meantime, however, those who live and work along the streambeds of northern Virginia, and along similar streambeds elsewhere in the Nation, where in many cases a bare trickle of water flows 360 days a year, face an ever present threat that a sudden rain may wash away literally everything they have worked a lifetime to build.

They cannot obtain FHA financing to sell, make home repairs or improvements. They cannot obtain insurance because of the frequent floods in the area. They desperately need the help which can be provided under this bill, not only those who are in one- to four-unit homes, but also those whose life savings are tied up in businesses they can neither sell nor maintain without help.

Mr. Chairman, I urge passage of this legislation as amended by the Committee on Banking and Currency.

Mr. WIDNALL. Mr. Chairman, I yield 3 minutes to the gentleman from Alabama [Mr. EDWARDS].

Mr. EDWARDS of Alabama. Mr. Chairman, if I may have the attention of the gentleman from Pennsylvania and the gentleman from New Jersey, sometimes I have to get these things down to basics before I can understand them.

As I understand it, from the landowners' standpoint, the first thing that needs to be done is to have the area designated as a low-lying area; is that correct?

Mr. BARRETT. Yes.

Mr. EDWARDS of Alabama. And, second, the local folks have to agree to develop a land use plan; is that correct?

Mr. BARRETT. That is correct.

Mr. EDWARDS of Alabama. Once an agreement is made to develop a land use plan, then it is in order for the local homeowner to obtain this insurance?

Mr. BARRETT. That is correct.

Mr. EDWARDS of Alabama. Is that land use plan a flood control plan?

Mr. BARRETT. It is a land use plan and, of course, that would be a flood control plan as well.

Mr. EDWARDS of Alabama. Then if a plan is put into use, then no further construction in that area would be insured; is that correct?

Mr. BARRETT. Only the new construction that would pay the actuarial costs.

Mr. EDWARDS of Alabama. What about the fellow who gets insurance under this plan and later a land-use plan is put into effect? Does he then have further access to this preferential insurance?

Mr. BARRETT. He has no preference to a subsidy insurance.

Mr. EDWARDS of Alabama. In other words, the goal of this legislation is to create land-use areas that recognize those areas where floods occur and eventually get out of the insurance business rather than into it; is that correct?

As I understand this bill, the real goal is to designate those land areas where it is low lying and eventually to get out of the insurance business rather than into it.

Mr. BARRETT. You mean the Federal Government to get out of the insurance business?

Mr. EDWARDS of Alabama. Yes.

Mr. BARRETT. Yes; that is correct.

Mr. EDWARDS of Alabama. One

thing that I have not heard discussed here concerns the definition of "flood." It says in section 401 that the term "flood" shall have such meaning as may be prescribed in regulations of the Secretary and may include certain conditions.

What assurance do we have that the Secretary is going to include in his recommendations such things as rising waters or large waves and that sort of thing? How do we know what the Secretary is going to include?

Mr. BARRETT. I think the local governments and the State governments in carrying out the intent and in carrying out this program for land control use and where they might have any type of flood that the person who would be damaged by the flood would be eligible for the insurance and the help being provided for in this bill.

Mr. EDWARDS of Alabama. Is there any reason why the language of section 401, subsection (1) should not read, so as to make it clear, that the conditions mentioned in that subsection will be included in the regulations by the Secretary? In other words, the section says that the Secretary may include inundation from rising waters, and so forth.

Is there any reason why that section should not read, "but in any event shall include these particular types"?

Mr. BARRETT. I think if the gentleman will read the report, he will find that that is all explained in detail in the report.

Mr. EDWARDS of Alabama. I have read the report but I do not see where the bill itself calls on the Secretary to include these particular items.

It seems to me essential, if we are going to have flood insurance, to make sure that overflowing streams, rivers, and other bodies of water, for example, will be included in the regulations of the Secretary.

Mr. BARRETT. If the gentleman decides to offer an amendment, we will certainly give it consideration.

Mr. EDWARDS of Alabama. I intend to.

Mr. WIDNALL. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois [Mr. Railsback].

Mr. RAILSBACK. Mr. Chairman, it is with great interest and deep concern that I rise today to speak in support of the measure before us, the National Flood Insurance Act of 1967. I represent a district in western Illinois that borders on the Mississippi River. In 1965, when we experienced the worst flood in the history of the upper Mississippi River, four of the counties of this district were declared major disaster areas. Hundreds of families were forced to evacuate their homes and move into temporary shelters. Thousands of acres of rich farmland were flooded, and millions of dollars of damage was wreaked upon the homes and properties of the citizens of this area.

The valiant efforts of volunteers working with local, State, and Federal officials to reduce the damage below what it might have been received nationwide publicity. But the total result was severe financial and personal hardship for many persons and communities.

In 1966, this same area was threatened by a dangerous ice jam. And once more, in the spring of this year, a flood, again of unusual proportions, caused much expense on the part of communities, not yet recovered from the 1965 flood to avert further damages.

During the 1965 flood I was elected to serve as the chairman of the Joint House-Senate Legislative Flood Commission in Illinois. Along with other members of the commission I surveyed the damage in Illinois and undertook a thorough study of the types of aid available for flood prevention, control, and rehabilitation.

The efforts of many individuals and the types of aid offered by numerous private and governmental programs helped much. But one conclusion came very strongly to us as we studied the situation, and that is that there is much room for improvement, especially as these programs relate to individuals and small businesses.

As an example, I think of one small community we visited, a community of but 250 people with 17 small businesses and 60 to 70 homes. But we found that every one of these homes and businesses was substantially damaged by floodwaters that reached a depth of 12 to 14 feet. When existing flood protection barriers are topped or break, this type of unforeseen damage can and frequently does result.

And for this reason, the bill before us today seems to me to be a good step in the total flood relief program of our Nation. There are dangers in a flood insurance program such that might encourage unwise use of flood-prone lands at public expense. Such a program, then, must be carefully drawn and prudently administered. But the years of intensive study by both the executive and legislative branches of our Government that have gone into the preparation of the bill before us convinces me that this bill is a step in the right direction.

As the task force on Federal flood control policy pointed out last year, programs of flood control cannot protect against all possible situations or prevent occasional catastrophes. Losses caused by floods exceeding the designs of control measures the cost of which may well be prohibitive. Insurance can help in such situations.

Furthermore, insurance, while not able to reimburse for tragic personal losses, can in a very prompt manner assure rehabilitation of damaged property. Declaration of disaster areas, means tests, or emergency appropriations need not be waited for.

Properly administered, a sound flood insurance program can also provide stronger inducements to wise land use in flood-prone areas.

A Federal program such as we debate today has these advantages, as it supplements existing and yet-to-be-devised flood protection and preventive measures.

By its plan of pooling risks, distributing costs, and providing for backup and reinsurance by the Federal Government, private companies will be able to move into this field of insurance protection in a way that they have been unable to in the past. Citizens will be able to purchase insurance at reasonable rates which has up to now been unavailable.

In conclusion, Mr. Chairman, I would say that to me this bill is an approach to a serious problem that is squarely within the American free enterprise tradition. It combines the talent and resources of individuals, private businesses, and public financial support in an admirable way. It is a creative measure that deals constructively with a recognized national problem.

Mr. WIDNALL. Mr. Chairman, I yield 3 minutes to the gentleman from Alaska [Mr. Pollock].

Mr. POLLOCK. Mr. Chairman, I rise in support of S. 1985, the National Flood Insurance Act of 1967. Last August, Alaska was struck by a disastrous flood that inundated Fairbanks, the second largest city in the State, and Nenana and the native village of Minto. This flood is a perfect example of the need for flood insurance legislation. The disaster was completely unexpected and the victims virtually unprotected. Indeed, there was nothing the citizens of interior Alaska could have done to protect themselves from the August flood. The Corps of Engineers was in the process of completing a restudy of a previously authorized flood control project, but admitted that the project, if it had been built, would not have been sufficient for a flood of this magnitude. The flood crest of 19 feet far exceeded that known in the area in the past.

Since public flood control protection would not have prevented disaster even if constructed, was there another means of averting economic disaster? The answer to this question is in the negative. Losses were covered by $2.5 million in insurance. This included damage to automobiles, mobile homes, contractors' equipment, and airplanes. As the House well knows, however, flood insurance for real and fixed property is not generally available anywhere in the United States. Thus, no protection of any kind was available to the victims of the Fairbanks flood.

The cost to the citizens of interior Alaska was tremendous. Over 15,000 were evacuated from their homes. Forty dwellings were destroyed, while 3,300 suffered major damage. Seven persons died and 75 were injured; 311 small businesses were destroyed or damaged, and an estimated 5,200 families suffered major losses of real or personal property. This is the need that supports the enactment of S. 1985, and I strongly endorse its passage.

If the bill has any fault, it is that it does not go far enough. Floods are not the only kind of disaster for which insurance is virtually unattainable. Three years ago, Alaska suffered massive damage from another of nature's whims—the great Good Friday earthquake. While available to some, earthquake insurance is often so costly as to be effectively out of reach for the ordinary homeowner or small businessman. Such destruction should also be covered in a comprehensive piece of legislation designed to underwrite private insurance for all natural disasters. So should other natural phenomena that cause major disasters. In addition to floods and earthquakes, areas of this Nation continuously suffer major damage and economic disaster because of hurricanes or typhoons, tornadoes, tsunamis or tidal waves, massive fires, and other phenomena.

I do not ask that S. 1985 be held up for this purpose, for I think it should be passed now, and overwhelmingly. I do, however, advocate the early consideration of the expansion of this legislation to include all major disasters

Why should the Federal Government always have to step into the breach with massive financial assistance, when insurance could meet this need in major degree. I intend to introduce a proposal designed to achieve this goal, in the very near future. I hope that Congress will take concerted action on this comprehensive coverage next year. I do not agree that only certain areas of the country should be covered by the provisions of the bill. Further, I do not think insurance limitations on single and multiple residential properties under the bill are realistic for high-cost areas like Alaska; yet I realize that there must be a beginning.

Not only should the legislation cover all major disasters that occur again and again over the country, and also provide universal coverage across the Nation for all who wish the coverage but I also strongly feel that the Government should henceforth require this flood insurance coverage for all FHA, HHFA, EDA, SBA, and other Government loan balances in areas where the insurance is authorized.

So you see S. 1985 does not answer all the problems, but it is, indeed, an important beginning, therefore, I urge the passage of S. 1985. This is the first step.

Mr. WIDNALL. Mr. Chairman, I yield to the gentleman from California [Mr. Don H. Clausen] such time as he may consume.

Mr. DON H. CLAUSEN. Mr. Chairman, I thank the gentleman for yielding. I wonder if the gentleman from New Jersey can answer a question for me. The question has been asked of me as to whether or not a major disaster area would have to be declared by the President before people could qualify for this flood insurance. Would the gentleman comment on that?

Mr. WIDNALL. No. This would not be necessary.

Mr. DON H. CLAUSEN. So that anyone subjected to flood damage who has an insurance policy and coverage will be covered under the provisions of the act?

Mr. WIDNALL. That is correct.

Mr. DON H. CLAUSEN. I thank the gentleman.

Mr. BARRETT. Mr. Chairman, I yield to the gentleman from Mississippi [Mr. Montgomery] such time as he may consume.

Mr. MONTGOMERY. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in support of S. 1985 as reported out by the committee, as amended. I hope this Committee today will not adopt the amendment taking out section 106 of the bill. I feel if we take out section 106 of this bill, we will actually be taking out private industry and actually be killing the bill.

For years our Government and the insurance industry have been endeavoring to develop a workable, long-range flood insurance program to benefit our constituents. S. 1985 is the culmination of this joint effort to provide a method by which property owners will have a planned opportunity to recover flood losses to their property. This should be a palatable program to us all since it contains procedures by which the Federal Government's participation can eventually be phased out and, hopefully, the entire program eventually assumed by the private sector.

The program is based upon an unusual partnership arrangement under which the insurance industry will form a pool of companies representing a major private financial obligation. It is essential that the Federal Government partner have available for immediate use a fund to meet the financial obligation which it, too, will assume for payment of its shares of claims and expenses under contract with this insurance industry pool. Careful analysis has shown that the only way to immediately create this fund is to grant to the Secretary of Housing and Urban Development authority to borrow funds from the Treasury to finance the Government's share of this joint operation.

The proposed joint industry-Government insurance program, as provided in S. 1985, is a result of a long-felt need that, in turn, caused this body to enact legislation setting in motion the objective studies which have resulted in the program now before us.

I hope we do not lose sight of the fact that the financing provision of S. 1985, section 106, is not a new program of backdoor financing. It is, instead, only a continuation of the financing provision which was enacted in the 1956 flood indemnity law. Without the financing section 106 we have been advised that the insurance industry cannot participate in this program, since there will be no clearly defined and established line of Government credit.

The program provides an opportunity for those property owners who will benefit to participate. The program, as provided in H.R. 11197, contains the distinct possibility of a considerable easing of pressures of cost of Federal emergency flood relief. The program also contains significant deterrent to the development of dwelling and commercial properties on flood-prone land since it contains a provision calling for the cooperation of the individual States to develop land-usage regulations and to establish flood zoning.

Most importantly, it is envisaged by Government officials that the joint industry-Government program, which would be established under the provisions of S. 1985, as reported without opposition by the House Banking and Currency Committee, could become self supporting in the years ahead. This obviously means that the need for Government financial backing could be phased out.

One last important point is that the joint approach contains a mechanism under which other costly, natural catastrophies such as earthquakes could be brought in.

I urge the adoption of S. 1985 without amendment so that we can get on with the long-delayed and very necessary, workable flood insurance program that is so necessary to the well-being of our constituents and our country.

Mr. BARRETT. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. Haley].

Mr. HALEY. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, may I ask the gentleman if there is any limitation on the expenditures that could be made under this bill?

Mr. BARRETT. Yes; we have a limitation on the coverage of $2.5 million.

Mr. HALEY. But it is more or less an open end bill, is it not?

Mr. BARRETT. This all depends on who uses the words "open end." It is a fund that we must use to borrow from in order to sustain the program.

Mr. HALEY. I thank the gentleman.

Mr. BARRETT. Mr. Chairman, I yield to the gentleman from Florida [Mr. Bennett] such time as he may consume.

Mr. BENNETT. Mr. Chairman, I rise in support of this legislation. I supported its predecessor bill, the 1956 act, and I regret that the earlier act has never been fully implemented. The approach of the bill before us today may be found a practical one for full and prompt implementation; and I sincerely hope so.

The fact is that as late as 1937 the average American house was not insured even against loss from windstorm. It was not then felt that such insurance could be actuarily sound at reasonable premiums. The program now before us in this legislation makes a feasible approach to coverage, even for flood damage. I endorse this approach as a needed measure and sincerely hope that it will become law.

Mr. BARRETT. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia [Mr. Downing].

Mr. DOWNING. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in wholehearted support of this legislation, because I have had firsthand knowledge of the ravages of storms. The Ash Wednesday storm of 1962 wrecked parts of the eastern coast. This storm swept over houses and property, and there was absolutely no insurance to cover these losses. Since that time I have introduced a bill each year, and I am happy to see this bill come out now. It is a much better bill than the one I originally introduced. I hope it passes by an overwhelming majority.

Mr. BARRETT. Mr. Chairman, I yield 5 minutes to the gentleman from Rhode Island [Mr. St Germain].

Mr. ST GERMAIN. Mr. Chairman, I rise in support of S. 1985, the proposed National Flood Insurance Act of 1967.

This bill would establish a national program of insurance protection for victims of flood disasters. In exchange for premiums which policyholders will pay, this insurance will provide adequate financial resources necessary for owners and tenants to rebuild or restore property damaged by flood waters.

Mr. Chairman, this bill is based on sound actuarial principles, and the program it would authorize provides a practical way of filling a very essential need. Any Member of the House whose district is along the coast or in a river basin can recall from firsthand knowledge one or more flood disasters and how ravaging the damages are to houses and businesses and household goods and inventories from river flooding or from coastal wavewash. As a native of a city that sustained $22 million in losses due to one devastating flood, I am cognizant of the importance of flood insurance coverage when a flood races through an area leaving economic ruin and personal tragedy in its wake. For the most part, our citizens have been defenseless and helpless against the losses they suffered from the peril of flood waters. Why has this been so? The answer is that flood insurance protection was simply not available.

Under S. 1985, it would be made available and from private insurance companies in much the same way as fire insurance is today.

The bill before us has an impressive history and, in my view, has all the ingredients of a good program. The idea for a national program of flood insurance is not new. Indeed, an earlier effort made over a decade ago, foundered because it did not have a sound basis. The present effort is based first on a study of the feasibility of flood insurance and recommendations which that study made for legislation. In the previous session of the Congress, we authorized this study after Hurricane Betsy raked the coastal areas of the gulf and directed the Secretary of Housing and Urban Development to prepare a report for the President to be transmitted to the Congress.

This report, entitled "Insurance and Other Programs of Financial Assistance to Flood Victims," is a significant document—an in-depth analysis of the major facets of flood insurance and, particularly, of ratemaking. Mr. Chairman, this report demonstrates how actuarial rates for flood insurance are calculated and what these rates are for specific properties in specific locations in a number of communities throughout the United States. These are not hypothetical rates; these are actual rates and would form the basis of the charge in an insurance premium. To this charge there would, of course, have to be added the "load" for administrative costs.

The ratemaking work for the flood insurance report was done by several Government agencies which have responsibilities for the installation of flood prevention works or compilation of flood water information. They include the Department of the Army's Corps of Engineers, the Department of the Interior's Geological Survey, the Department of Agriculture's Soil Conservation Service, and the Tennessee Valley Authority.

Mr. Chairman, the flood insurance report preferred among several alternatives for a national flood insurance program, a cooperative effort between the Federal Government and the private property insurance industry. And the bill before us today reflects this preference. Under the bill, private industry would sell and service insurance policies and the Federal Government would be a partner with private industry in sharing the risk and also a reinsurer of the private industry against catastrophic losses.

When hearings on this bill were held before our Subcommittee on Housing, over 30 witnesses with widely differing affiliations testified almost unanimously in support of the bill, not only about the need for flood insurance legislation, but also about the effectiveness of the bill in meeting this need. They included Members of Congress, representatives of the executive branch, municipal government officials, State insurance commissioners, representatives from all sectors of the private property insurance industry, and representatives of the home building industry. From my attendance at these hearings, Mr. Chairman, I would be hard-pressed to recall legislation of this scope that had such widespread support. We heard no opposition.

The bill would authorize a program of flood insurance to be administered by the Department of Housing and Urban Development and the Secretary would arrange with the private industry, through a pool of private insurance companies, to have flood insurance policies offered to the public in much the same way as they now offer fire and other insurance policies. The companies would sell and service policies and adjust flood damage claims. They could be members of the insurance pool and share in the risk with the Federal Government, or if they chose not to be risk-sharing members, they could offer flood insurance policies to the public as fiscal agents of pool member companies. Under this arrangement, the interests of competition are well served.

The Federal Government would share in the risk on policies with the pool members. Sharing in the risk means sharing in expenses and losses, as well as profits. Risk-sharing pool members would pledge risk capital to cover their share of the losses up to a certain stop-loss point and would buy reinsurance for their share of the losses beyond the stop-loss point.

Owners of existing property could have the benefit of the "reasonable rate" which the Secretary would set. In most cases, this rate would be substantially below the full-cost rate based on the actuarial premium. The difference between this reasonable rate and the full-cost rate would represent a form of subsidy by the Federal Government, but payable only in the event of a flood damage claim for a loss. Such a Federal subsidy accruing to the benefit of property owners now occupying the flood plain is defensible only as part of an interim solution to long-range adjustments in land use. For this reason, owners of property constructed after the insurance became available locally would be expected to pay the full-cost premium rate, and thus, there would be no subsidy for new construction.

Mr. Chairman, the reason for this is quite simple. If the Federal Government were to bear the cost of insuring new properties, this would surely be an invitation to prospective occupants and builders to move into these areas, regardless of the cost to the general taxpaying public.

Under the bill as introduced, insurance of various types of properties was to be made available on a priority basis. Owners and tenants of one- to four-family residential properties would be the first to be eligible for coverage. Coverage at the reasonable rate was limited to $15,000 for a one-family dwelling and $30,000 for structures with two- to four-family dwelling units. Household contents could be insured up to $5,000 per dwelling unit. Coverage in excess of these amounts and up to twice these amounts could be provided at the full-cost rate.

I offered two amendments to the bill in committee which would accomplish two objectives which I believe are important. One amendment increases the amount of coverage at the reasonable rate for one-family homes from $15,000 to $17,500. I believe this is a more realistic figure and should serve to broaden the market for this insurance.

The second amendment would give smaller businesses the same priority in eligibility for insurance as residential property. The smaller business establishments I have in mind are the typical family stores, perhaps, with the upstairs occupied as their living quarters. Mr. Chairman, I feel that these smaller businesses are equally in need of flood insurance, as are their residential neighbors.

Mr. Chairman, this bill is of great national importance. It meets a long-neglected need to help people protect their homes and businesses from the cruel losses of flood damage. I urge its overwhelming support by my colleagues.

Mr. BARRETT. Mr. Chairman, I yield such time as he may consume to the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Chairman, I rise in support of this very desirable legislation.

Mr. Chairman, hundreds of flood victims in Oklahoma are still feeling the impact of disastrous floods in our State during the 1940's and the 1950's despite the able assistance of the Red Cross, SBA, and other local and national agencies to alleviate their suffering and reduce the economic injuries which followed the floods.

This bill offers the first practical, reasonable chance for flood insurance which has come along during my service in the Congress, and it should be passed.

It is significant to me that subcommittee members who studied the matter closely are overwhelmingly in favor of this bill, and see it as an ideal combination of private and governmental efforts to meet a longstanding need.

I hope the bill is passed by an overwhelming vote.

Mr. BARRETT. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Chairman, I rise in support of S. 1985, the National Flood Insurance Act of 1967. Flood insurance is a matter with which I have long been concerned. I was one of the sponsors of legislation during the first session of the 84th Congress, in 1956, to establish this type of program. My bill that year was H.R. 9071.

The Congress in 1956 authorized the Housing and Home Finance Agency to investigate the possibility of developing a federally sponsored program of national flood insurance and make recommendations to the Congress.

In accordance with the terms of the Flood Insurance Act of 1956 such a program was developed in detail and presented to the Congress in 1957 with a request for $50 million to activate the program which was designed to provide insurance against flood damages for up to $3 billion.

During consideration of the Supplemental Appropriation Act of 1957, this budget item was eliminated.

In pursuance of my own interest in the matter and my belief in the principal of the program I offered an amendment to the act which would have the effect of providing $14 million for operating the flood insurance program. This amount would have included operating funds for commissions, agents and brokers for producing the business; expenses of the insurance carriers for issuing and servicing policies, underwriting, accounting and statistical work on behalf of the Government; and expenses to be paid the loss adjusters for their services in handling settlement of claims.

With this amount available I believe that the Federal Flood Indemnity Administration, in accordance with the terms of the Flood Insurance Act would have been able to borrow from the Treasury an additional $36 million necessary to cover the Federal portion of the subsidized premium to be paid into a loss reserve fund. With the estimated $54 million to be derived from premiums from policyholders, this would have made it possible for the Federal Government, with the cooperation of the private insurance industry and State and local governments, to provide the American public with a vitally necessary service.

At the time I presented this amendment, I made a statement which I believe is valid today:

> There is considerable public demand nationwide for flood insurance, and a growing anxiety as to when it will become available. By means of this program, a measure of self-protection is available to the American people and, to the extent that it is used, it will tend to reduce the amount of direct Federal and State aid for relief, rehabilitation, and charity.

Unfortunately my efforts and those of other interested parties, which included our distinguished Speaker, were not successful. For lack of funds to make the program operable, the Federal Flood Indemnity Administration which would have been the administering body was disbanded by administrative action.

Since that time there have been dozens of bills introduced in the Congress to activate the flood insurance program. These have been stimulated by the constant recurrence of disastrous floods in all sections of the Nation. The most recent was Hurricane Beulah which caused the loss of numerous lives and a billion dollars worth of damage in Texas and Mexico.

Since we have no flood insurance program the losses have continued to be devastating, resulting in the needless disruption of many lives.

Such assistance as has been made available through special action of the Congress from time to time is not enough. It is too scattered. It is available primarily to public agencies and has no lasting effect for the individual. It is an altogether unsatisfactory method of dealing with the problem.

Following the catastrophic Hurricanes Betsy, Carol and Debbie of 1965, the Congress approved the Southeast Hurricane Disaster Relief Act. Besides providing some measure of relief for the sufferers and the consequent damages of flooding which affected the southeastern States, the act provided for a Federal study of a workable flood insurance program, to be undertaken by the Department of Housing and Urban Development.

This study, upon completion and referral to the Congress, was essentially incorporated into the bill reported by the Committee on Banking and Currency, now before this body.

I believe that this is a good bill. It is the result of the experience of 1956–57, and the combined efforts of Federal, State, and other public agencies as well as the private insurance industry. It provides for a joint program involving the Federal Government and the private industry, with the intent that the private insurance industry will eventually be able to take over full responsibility for the program.

Private industry will sell and service the insurance policies. The Federal Government will provide initial financial assistance and flood data on which to base premium rates.

Under the provisions of the bill, insurance will be made available for one- to four-family residential properties and small business properties. These are the most vulnerable of all who suffer losses from floods. Single dwellings represent a major capital asset of the majority of American citizens. The owner of the neighborhood type of business is the least able to stand the loss of his store or small plant.

Later, as experience accumulates, coverage may be extended to larger business endeavors, to agricultural and other properties. But the most immediate need is for insuring the homeowner and small businessman, who in the past have suffered from a scarcity of available resources with which to rehabilitate themselves.

Loans are available now for small businesses with which to reconstruct and resume operations, but these loans are in addition to those which the businessman may already be carrying. An additional financial burden is of doubtful value to many who are already in debt. It is far better that the small businessman be permitted to set aside a small amount for insurance premiums to protect himself in advance. It will enable him to resume business without an additional burden of debt.

The current proposals meet many of the criticisms of programs which have been suggested in the past. There is ample protection against abuses and provision is made for the the limitation of risks in various flood plain zones.

A continuing program of basic data collection is provided for.

Financial assistance is to be provided for those least able to bear the cost of premiums. In the case of single dwellings this is limited to a liability of $17,500 and for multiple-family dwellings up to four families it is limited to $30,000 for each structure. Small business liability up to $30,000 for a single business operation will be eligible for financial assistance, with provisions for coverage of several businesses operating from the same structure. Contents of business establishments also covered, includes furniture and stock. This is particularly desirable for small businesses such as drugstores, hardware stores, furniture and clothing establishments.

Coverage at full actuarial rates is available for coverage of higher valued properties.

Operation of the program can be underway in short order. The first action would be the organization of a pool of the insurance industry to sell and service coverage under the program.

The Secretary of Housing and Urban Development will enter into an agreement with the pool. This will require an assurance from the industry that continuity of insurance will be provided, that any company which can qualify may participate and that the companies will cooperate with each other, and other agents and brokers wishing to participate.

Subsidy payments will be made to the pool to compensate for losses after they occur, reflecting the difference between the below-cost premium rates and actual cost rates.

The Secretary will be authorized to provide a reinsurance program for the industry pool which the companies will be required to reimburse.

Optimum land use practices will be encouraged to lessen the use of high risk flood areas. This will be accomplished by encouraging State and local legislation limiting their use.

After further study, insurance may be extended to cover losses from other natural disasters.

In conclusion, I urge approval of this legislation because it will provide flood sufferers with funds with which to rehabilitate or restore damaged property or to begin anew elsewhere without having to wait for special assistance legislation or entering additional burdensome debt.

The net cost to the taxpayers will be relatively low. Even if some Federal funds are utilized, the individual will provide the bulk of the funds paid out in claims in advance. Costs will be distributed more equitably since those incurring the greatest risk will pay the highest premiums. Investment in high-risk areas will be discouraged and protective measures will be stimulated when benefits are seen to be in excess of the cost of investment.

Federal assistance in the early stages of the program will assure the accumulation of a reserve pool of funds necessary to actuarial soundness. Federal advances will be reimbursed as the program progresses, thus lessening the burden on the taxpayer while providing the necessary benefits for the policyholder.

It is high time that flood insurance be made available to the American citizen.

Mr. HALPERN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HALPERN. Mr. Chairman, I rise in support of S. 1985, the National Flood Insurance Act of 1967. This measure will help to provide vitally needed protection for residents of flood-prone areas; it contains highly constructive provisions establishing incentives for proper allocation and use of land in flood areas.

Certain sections of our Nation have always been subject to periodic damage from flooding. River floods, tidal inundation, and wave wash, floods resulting from hurricanes, all have represented a constant potential threat in various locations throughout our country.

These natural disasters often result in total inundation of the community, a complete halt of economic activity and the need for large Federal contributions for relief of residents in the area.

Over the past several decades, the annual losses from flood damage have been increasing. This increase largely reflects our rising population, and the expanded use of our flood plains and seacoasts as requirements for space continue to grow.

Flood insurance from private companies is not widely available, for the risks involved make such insurance economically unfeasible.

Thus, in the majority of situations the Government has to be relied upon to provide financial help in efforts to reconstruct damaged areas. A program of flood insurance, with Government participation, is likely to be more effective than the current situation in two ways.

First, the program will provide compensation for the destructive effects of flooding in a more efficient way than massive, emergency relief after the fact. Federal participation in such a program is likely to prove less costly than the financial aid the Government now is constrained to provide.

Moreover, the provisions in this bill are so constructed as to encourage proper allocation of flood lands, discouraging use of these lands when the potential flood losses seem to outweigh the possible economic benefits to be derived in the area.

Federal participation in this insurance program will take two forms. The Government will contribute subsidy—or premium equalization—payments, which are designed to make up the difference between the premium charged to individuals and the premium which the private insurance pool would have to charge based on an actuarial evalution of the true risks involved. Also, the Government would provide an excess loss reinsurance plan whereby, in return for reinsurance premiums paid by the industry, assistance would be available for the industry in years of higher than normal claims.

The bill would make insurance available for residential properties and for some small business properties. Under an amendment adopted by the subcommittee, however, studies could be made of the feasibility of including other types of properties in the program. Expansion of the program itself would require further congressional action.

To insure that new investments and construction do not take place in areas where the likely losses from flood damage outweigh the potential economic benefits, a two-stage requirement has been included in the bill. First, in order for any area to be eligible to receive insurance under the program by June 30, 1970, land use and control measures must be adopted in that region, by that date, which meet criteria for land management prescribed under the legislation. Second, after that date, no new insurance contract will be issued unless such measures have been adopted in that area. The bill thus effectively will prevent new construction, under the umbrella of the federally subsidized insurance program, from taking place in danger areas.

In summary, Mr. Chairman, I feel that this bill, S. 1985, confronts the growing problem of flood damage on its two most vital issues: compensation and proper land management in the future; and I believe that the bill offers the best possible solution on both fronts.

Mr. BIESTER. Mr. Chairman, the district I have the honor to represent has on several occasions in the past experienced massive flood damage. While we work to prevent recurrence of these losses through flood control projects, we must provide financial protection to those whose properties are damaged or destroyed. I introduced similar legislation a few months ago and I support this bill today. It will be a great aid to the people of my district.

Mr. BROTZMAN. Mr. Chairman, I rise in support of S. 1985, the National Flood Insurance Act of 1967. I want to compliment the distinguished Committee on Banking and Currency for reporting this important legislation to the House.

This bill will authorize a national program under which flood insurance will be made available at reasonable rates to persons living in flood-prone areas. I am particularly pleased with the cooperative aspect of this bill by which the Federal Government and private insurance companies will work together to provide this type of insurance.

Certainly, Mr. Chairman, we in Colorado are well aware of the need for this type of legislation. I am sure that many of you will recall the disastrous Denver flood of 1965. On June 15, 1965, a rainfall of 12 to 14 inches occurred in the watershed of Plum Creek and other South Platte River tributaries. The resulting flood, in a matter of hours, took 13 lives and inflicted property damage in the Denver area estimated at $509,325,000 by the Corps of Engineers.

The 1965 flood is only one example of the phenomenon peculiar to the eastern edge of the Rocky Mountains. Storm systems of incredible intensity will, in a matter of a few hours, dump a veritable waterfall onto a relatively broad flood plain.

Although the bill which we are considering today may be too late to aid those unfortunate victims of the 1965 flood, it certainly will go a long way in assisting those who may yet experience a similar disaster in the future.

Mr. GALLAGHER. Mr. Chairman, I first introduced legislation to relieve homeowners and small businessmen from the harsh burden of unavailability of adequate flood insurance in 1963. Since that time, many more Members of Congress and the executive departments have come to realize the need for a solution to the increasing impact that flood damage is having on American homeowners and small businessmen.

At the present time, in the areas subjected to frequent flooding, flood insurance is simply not purchasable. In areas subject to occasional flooding, insurance is available only at high premium cost. In other words, Mr. Chairman, flood insurance protection is not offered or is too expensive to those most in need of it.

I again introduced a national flood insurance bill in the 90th Congress, basing its provisions on a recent, thorough study of the problem by the Department of Housing and Urban Development. This bill would provide a working alliance between the Federal Government and the private insurance industry to bring about an equality in insurance protection in the flood-prone areas now denied such equality.

Under this bill, the private insurance companies would sell and service flood insurance policies. In addition, participating companies would contribute to an industry pool which would absorb many of the losses. The Government would contribute to the pool a form of premium equalization payments, in effect providing a reinsurance advantage for participating private insurance companies.

In areas where flood insurance is unavailable or where premiums are unreasonably high, the prospective insured would pay a reasonable premium and the Federal Government would take up the slack between this reasonable premium and the actuarial cost of writing the policy by the private insurance company.

Mr. Chairman, Elizabeth, N.J., which I represent, is fairly indicative of the hardship situation being created by the current unavailability of flood insurance in many towns and cities throughout the country. During 1966, sections of Elizabeth were seriously flooded on three occasions. The most serious flood during 1966 caused an estimated $2 million in damage. The other two floods caused approximately $500,000 each. So far during 1967, the U.S. Army Corps of Engineers estimates that floods in Elizabeth have caused $605,000 in destruction to property. Mr. Chairman, very little of this damage was covered by insurance for the simple reason that flood insurance is not available to Elizabeth to cover damage to homes and small businesses.

At the present time, the Corps of Engineers has a flood control project planned for the Elizabeth River which, we hope, will alleviate most flood conditions. But, Mr. Chairman, this project will take at least 5 years to complete, and possibly more, depending on the availability of Federal funds for flood control projects. Without the protections offered by this plan, the people of Elizabeth will have to endure the very probable future flood damages without any recourse to insurance or other protection for 5 years or more, Mr. Chairman, this is an inequitable and unfair concentration of risk and loss.

Mr. Chairman, I was privileged to testify before the Housing Subcommittee of the Banking and Currency Committee on this bill. I might add that the subcommittee, under its most distinguished and able chairman, the gentleman from Pennsylvania, Congressman WILLIAM BARRETT, is responsible for bringing this legislation to realization today. In my testimony, I pointed out that the flood insurance situation today is hampering full development of valuable land space, particularly in our great metropolitan areas. I also pointed out, Mr. Chairman, that much flood damage, the small flood damage resulting from small disasters, goes relatively unreported. The damage figure of $788 million for inland flooding last year certainly does not accurately reflect the real damage attributable to flooding in the United States.

The concept of special assistance for isolated damage due to flooding and other natural disasters does not adequately provide for the continuing threat of small-scale flood damage which occurs each year throughout the United States. The only answer to effectively provide some measure of protection is a continuing program upon which people can depend for assistance. The national flood insurance program, proposed by my bill, looks toward such continuing protection.

Additionally, this bill would encourage utilization of certain flood-prone lands in such a way as to minimize any possible damage. Land use is important to lessening flood damage. Of course, those already situated in areas subject to constant and severe flooding are allowed to remain and still obtain flood insurance under the bill.

Mr. Chairman, the toll floods are taking throughout the United States is increasing each year. For the most part the damage caused by this flooding is borne alone by the individual homeowner and small businessman. This legislation provides for spreading the risk and the damage.

I have heard of small store owners who have suffered large amounts of damage due to flooding without adequate insurance coverage. No sooner had they taken out a loan to repair the first damage, than another flood came along and wiped out their business again. We cannot expect businessmen and homeowners to remain in an area where such a risk exists. We cannot afford to give over valuable land where there is only a threat of occasional flooding. We must provide for a solution to this dilemma. Such a solution is offered by the bill we are considering today.

Mr. Chairman, I urge my colleagues to pass without amendment this bill.

Mr. FASCELL. Mr. Chairman, I rise in strong support of the National Flood Insurance Act of 1967, S. 1985 as amended by the House Banking and Currency Committee, and commend the committee for the comprehensive measure it has reported.

We know natural disasters are unpredictable, they are uncontrollable, and leave in their wake death and destruction and widespread disruption to the lives of man.

History is replete with accounts of disasters, whether caused by fire, flood, quake, or wind. Mankind has suffered grievously at the hands of a nonbenevolent nature. Yet with all of this experience through the ages to modern times there is yet to be developed a successful means of coping with the problem of restoring the victims to their accustomed and useful functions.

To be sure, in the early stages of the onslaught of a natural disaster rescue operation witness the mobilization of the efforts of many agencies, public and private, for the purpose of saving lives, and to remove potential victims from points of danger. It is the inevitable aftermath which presents such a dismal picture.

When disasters in this Nation have been of sufficiently major caliber, affect large areas, or a large number of people, the President declares the existence of a disaster area and some assistance from Federal agencies, supplementing that provided from the State governments, becomes available. However, much of this assistance is provided to public agencies or bodies, aimed primarily at enabling public functions to be resumed such as public utilities, schools and communications. But what of the individual?

The Small Business Administration has on its own account, the ability to assist small business through loans, extensions and other financial arrangements. Likewise the Department of Agriculture, also on its own account, is able to assist the rural community to resume production to a limited extent through loans and other means.

But these provisions still leave the vast majority of victims with homes that may be damaged or destroyed, lacking means of transportation, some without jobs, and with little or no resources with which to face the future and rebuild their lives.

These people deserve a better fate.

Natural disasters are no respecters of persons. They strike everyone alike, no matter how ambitious, hardworking or worthy they may be.

The House now has before it a proposal which I believe constitutes a major step toward correcting this unfortunate situation. This proposal would inaugurate a national flood insurance program sponsored by the Federal government, and involving the cooperation of the private insurance industry.

Floods are by far the most common disaster. They have occurred many times in every State of the Union. Over the years they have caused the death of thousands of human beings, and have been responsible for billions of dollars of property damage as well as untold havoc for the well being of millions of individuals. They may be expected to occur at any time despite the expenditure of hundreds of millions of dollars for flood control works such as dams and reservoirs, dikes, levees, and channel rectification throughout the vast system of the Nation's waterways.

It is impossible to prevent all floods no matter how much we try. Floods even have been known to occur where there is no river, creek or stream. The extremely heavy precipitation which accompanies hurricanes has caused heavy flooding in my own State of Florida many times as well as in many other States.

Even more certain than the prospect of more floods in the future is the fact that until the present time there has been available no such thing as flood insurance.

The reasons for this situation are not hard to find. Exeprience of the past has demonstrated the practical impossibility for private insurance companies to accumulate the necessary reserves to meet the inevitable claims for damage from floods from the proceeds represented by premium payments which the public is able and willing to pay. The impact of a flood culminates in almost total loss within the region affected and the resulting claims would bankrupt any company so bold as to have entered into the business of insuring against floods. Some companies tried it at the end of last century and had just that experience.

It is natural that only those so situated as to be particularly vulnerable to flooding would be interested in acquiring flood insurance. This circumstance increases the degree of risk to the insurer of the property. A further complication is the modern trend of construction for encroaching on the natural flood plains of the Nation's watercourse, brought about by the increasing cost of all land, particularly in urban areas, and attracted by the convenience of being accessible to low-cost water transportation and readily available water supply.

The problem remains unsolved to date despite the readily apparent need.

I am sure that people in general are willing to bear a fair share of the burden of the cost of flood insurance if it can be held within the bounds of the average citizen to pay.

Congress has long been conscious of the need for flood insurance. The subject has been discussed at length in the committees and halls of Congress for 30 years or more. But basic data has hitherto been lacking, and agreement on how to achieve this worthy goal has not been possible.

In 1956, the Federal Insurance Act was approved, calling on the Housing and Home Finance Administration to study and develop a proposal for inauguration of national flood insurance coverage.

The report of that agency with recommendation for establishing such a program, received in 1957, was deemed inadequate and no funds were provided to start the program.

However, continuing studies by several Federal agencies, most notably the Department of Housing and Urban Development, and private insurance interests have resulted in the bill S. 1985 now before the House.

The study authorized by the Southeastern Hurricane Relief Act of 1966, of which I was a cosponsor, culminated in recommendations which have been substantially incorporated in numerous bills which are referred to as the administration program.

S. 1985 is designed to implement the recommendations of the Department of Housing and Urban Development. Action on a national flood insurance program is also strongly favored by the National Association of Insurance Commissioners. This proposal, in my judgment, would give our citizens the kind of insurance protection against floods which they deserve.

The strength of this proposal lies in the provision of the necessary capital funds to assure prompt restoration of property to its former status or to permit relocation in comparable circumstances. Both proposals would reduce the need for temporary or partial assistance which is of doubtful value in the long run because of the long-range financial burden for short-term benefits. The program would also provide incentives to discourage investment in high-risk areas such as in the natural flood plains by encouraging long-range land use planning and zoning, and encourage undertaking measures aimed at flood protection and prevention.

S. 1985, as amended, is a comprehensive bill which I fully support. Like the bill I introduced in January, H.R. 3247, this bill would mobilize the great experience and resources of the private industry to overcome the burdens which floods have so often brought to many of our citizens.

Federal subsidy of this program is necessary to get it started but the bill provides that a major role will be played by the insurance industry itself. Ample provision is made for the fullest participation by the private industry at all stages of development. Thus this Federal Government-private industry cooperative program is a valid proposal to fill an aching void in the Nation's economic and social structure.

It is in the finest American tradition, helping the citizen to help himself in anticipation of a potential disaster.

I am particularly pleased that the committee has provided insurance coverage for small businesses as well as multifamily dwellings. This inclusion is essential. People depend on their businesses for their livelihood. If their source of employment is destroyed, their lives will remain in disarray and the important goals of this legislation would not be achieved.

I would also like to take this opportunity to commend the committee for raising the limits on insurance from the $15,000 originally proposed for single family dwelling units, to $17,500. In flood prone areas, it is logical that building codes be necessarily strict—and this in turn raises building costs. Therefore, it is necessary that as great a portion of the total cost of the dwelling be covered as is feasible.

To successfully launch a national flood insurance program will require the cooperation of Federal, State, and local government agencies in developing the degree of risk of flooding, which is the primary basis for determination of premium payments. Land use planning and flood plain zoning are essential elements to development of a sound premium schedule.

I urge passage of this vitally necessary legislation.

Mrs. GREEN of Oregon. Mr. Chairman, it is gratifying to see S. 1985 being debated on the floor of the House today.

The bill, which would make feasible a combined Government-private flood insurance program, is necessary. It would be most welcomed by the residents of my State, in whose minds the disastrous Christmas floods of 1964 remain a stark and unpleasant memory.

It is too late to help those who suffered tremendous financial and emotional hardship during the 1964 Christmas flood. It is not too late, however, to prevent a similar tragedy from turning the most joyous season of the year into hopeless despair for other families at some future date.

In retrospect, had not the floods left the indescribable wreckage and horror behind them as they roared through our land, we would be hard put to imagine the realities of this enormous washout. None would believe us. We would be accused of fantasies of conjuring spectres of the impossible.

But it happened. Though Oregon is not new to flooding during early spring, the heavy runoff during the snow melt usually hits one or two or three watersheds at a time. But not this time.

The entire Pacific Northwest from the Columbia River south into northern California was hit by near-record rainfalls in the period preceding and during Christmas week 1964. Warm temperatures contributed additional waters to increase the flow of streams. It was as though nature had gone berserk. Every stream in the region became a terrifying torrent that fed rushing water into normally docile rivers and then onto the lands, crushing homes, burying roads, orchards, fields.

One community received 24 inches of rain within 5 days. It wiped out homes, businesses, utility and transportation facilities. Preliminary damage estimates ran in the neighborhood of $315 million.

The Small Business Administration estimated that there was $120.5 million damage just to private property in Oregon.

In addition, Small Business Administration estimated that nearly 1,500 homes suffered major or total damage; 11,410 families suffered property losses, and 537 family businesses incurred losses.

The replacement, renovation, and repair tasks confronting the stricken people of Oregon were staggering. And most were unable to rely on insurance to help with the task.

Even so, the replacements were made. Homes were repaired and families were able to enjoy Christmas 1965 for the happy season that it was. However, the expense incurred by private individuals must still haunt many family budgets.

It is for these reasons, Mr. Chairman, that I support passage of S. 1985. Adequate flood insurance must be made available at reasonable cost.

Mr. RODINO. Mr. Chairman, it is a pleasure to speak in support of the bill before us to establish a national flood insurance program. It was my privilege to cosponsor this measure to provide long-needed protection for residents of flood-endangered areas and those who might in the future face financial hardship from unexpected flood damage. The committee deserves great commendation for bringing to the floor, with additional improvements, a bill which constitutes an imaginative but totally realistic and satisfactory solution to this difficult problem.

This legislation has had a long history, for it was in 1951 that President Truman first proposed a Federal flood insurance program. In 1956 a flood insurance law was approved but never implemented since no agreement could be reached on the nature of the program to be established. Following the disastrous storms of 1962, which devastated the Eastern coast, my distinguished colleague from New Jersey, Senator HARRISON WILLIAMS, took the lead in this effort, and in 1965 his bill to authorize a study of the feasibility of flood insurance by the Department of Housing and Urban Development became law. The bill before us incorporates many of the recommendations submitted to Congress in that HUD study.

Insurance against losses from tornadoes and other natural catastrophes is generally available, but up to now there has been no protection for homeowners or businessmen who suffer flood losses. And such losses can shatter the livelihoods and financial security of the victims. All too often, the homeowners involved are already burdened with mortgages which they must continue to pay off while attempting to undertake new financial obligations to provide housing for their families. And the loss of buildings and inventories in floods has forced many small businessmen to shut down permanently, ending their hopes of financial independence.

We are all familiar with the Federal role in flood control protection, through the work of the Corps of Engineers and the Soil Conservation Service. Since 1936, such preventive efforts have amounted to over $8 billion in Federal expenditures. After flood disasters, too, resources of the Federal Government have been mobilized to provide special relief. Low-interest rate disaster loans have been furnished under Small Business Administration and Farmers Home Administration programs, as well as emergency work by agencies such as the Corps of Engineers, the Office of Emergency Planning and the Bureau of Public Roads. Moreover, Congress has, over the years, continually responded with the passage of special assistance measures to help communities and individuals recover from the devastation of major floods.

Despite this considerable aid, the fact is that such assistance is inadequate to cope with the problem. Victims are aided, but only to the extent that they can start to rehabilitate their properties. Many, as I have mentioned, are already so financially obligated that they can never rebuild their homes or businesses. By one evil stroke of nature, the future security of many individuals can be completely destroyed by floods.

It is also disturbing to realize that losses each year from floods have been increasing, and can be expected to continue since there is a steady expansion of our population into coastal and river areas where there is more likelihood of flooding. In 9 months of 1967, there have already been recorded flood damages exceeding the highest ever recorded for a full year in the United States.

Mr. Chairman, the bill before us represents a practical and a creative solution to the problem.

S. 1985 would establish a realistic and workable program, by a system of Federal-private industry cooperation, to cover people who face flood damage or fear the possibility. In addition, it will provide a vital incentive to State and local governments to identify flood-prone areas, and then through land-use planning and zoning regulations to eliminate or better control development in areas of high flood risk.

Initially, the bill will cover residential properties and small businesses. One-family residential properties will be covered, at rates below actuarial cost, up to a $17,500 maximum, and two- to four-family residences at up to a $30,000 maximum. There is also provided a $5,000 liability for contents, per dwelling unit. Small businesses can be insured for up to $30,000, plus $5,000 for each occupant of such properties. Most valuable, in this connection, are the provisions allowing latitude for coverage of contents and inventory of small business concerns.

There are in addition very flexible provisions which will permit homeowners and small businessmen to obtain additional, optional coverage under the program at full actuarial cost to supplement the basic insurance available at lower rates. Authority is also included in the bill to study the feasibility of extending coverage to other types of properties, subject to congressional action.

The legislation authorizes an insurance industry pool, with Federal financial contributions to meet the difference between the low-cost premiums charged policy holders and the actuarial risk premiums. Federal financial participation is also provided through a reinsurance plan, with the pool paying reinsurance payments to the Government during "affluent" years with few or no flood losses. This cooperative approach is certainly the most desirable, but should it prove unfeasible the bill authorizes a Federal program utilizing the services of the insurance industry. However, it is encouraging that an informal understanding has already been reached on broad features of the pool program by Federal officials and representatives of the insurance industry.

Under the arrangement which we anticipate will be developed, there is considerable flexibility in the financial arrangements, recognizing the fact that it is not possible to determine at this time the minimum premium policyholders will pay, and the distribution of premiums written among various flood risk zones, or to predict the vagaries of nature in creating floods.

It should be emphasized that, as the program develops, it is expected that the industry's risk and share of losses will become greater and that more and more of the low-cost premiums will become full-cost premiums. At some time in the future it is possible that these two will be equal, and that the Government will have no liability for the program except for the reinsurance aid that may be needed against catastrophic losses.

Mr. Chairman, I urge approval of this legislation. It will not only assist individual citizens who suffer flood losses, but will also help reduce the increasing amounts of Federal funds which are allocated to flood relief. This is a reasonable, flexible, and economical solution to a national problem and is clearly in the public interest.

Mrs. DWYER. Mr. Chairman, few major pieces of legislation have benefited from such extensive study and experience, both public and private, as has the pending National Flood Insurance Act of 1967. As a result of the expert knowledge and sound judgment that has been put into the shaping of this bill by Government officials, the private insurance industry, and a hard-working committee, I believe this legislation—at long last—provides a workable basis for offering protection to the hundreds of thousands of our people who own homes or small businesses in areas threatened by floods.

Today's legislation is, in a sense, the beneficiary of and has resulted from the unfortunate experience with the Federal Flood Insurance Act of 1956. Despite the authorizing legislation and extensive discussions between officials of Federal, State, and local governments and the private insurance industry, no satisfactory program could be developed and the attempt was abandoned.

Learning from experience and impelled by the devastation of natural disasters during the previous 12-month period, Congress in 1965 authorized a thorough study of the possibilities of flood insurance. In August of last year, the study was completed and a report submitted to the Congress by the Secretary of Housing and Urban Development which showed that flood insurance was both necessary in the public interest and economically feasible on the basis of joint Government-industry participation. Legislation based on this report was introduced this year by a number of members of both parties and throughout our committee's consideration of the bills a spirit of complete bipartisan cooperation prevailed.

As a cosponsor of the legislation, Mr. Chairman, and as a member of the subcommittee and the full committee which reported it, I am confident we have produced a program which will function effectively.

Certainly, Mr. Chairman, the need is apparent. Since 1936, the Federal Government has invested over $8 billion in flood protection and prevention activities. Yet, as our growing population has occupied more exposed land areas, the extent of flood damage has increased throughout this period. Based on constant prices, a bad flood year now is causing damage exceeding $1 billion whereas bad flood years in the earlier part of this century seldom brought damages above $100 million.

Our legislation, I believe, will meet this need in several constructive ways:

It will make it possible for property owners to purchase insurance at reasonable rates for the first time in our experience.

It will make this insurance initially available in amounts up to $17,500 for single-family residences, up to $30,000 for two- to four-family structures, and up to $30,000 for smaller business properties, in addition to smaller coverage for contents, at rates lower than actuarial cost.

It will provide for additional coverage at the full-cost rate.

It will discourage new construction in areas so flood-prone that benefits of construction will be predictably less than the risks of loss.

It will reduce the increasing cost of special Federal relief measures which offer no permanent protection to property owners.

It will assure property owners quicker, more adequate remuneration in the event of flood damage than has heretofore been possible.

It will encourage greater use of flood-proofing and related private protective measures.

Mr. Chairman, during my service in the House, I have represented areas, including Elizabeth, N.J., which have suffered greatly from frequent flooding, and I know at first-hand how valuable flood insurance protection will be to owners of the affected properties. During committee consideration of the bill, I strongly supported efforts to extend the coverage of this program to include small businesses, since in my experience owners of small shops were among the most seriously and adversely affected, and I am pleased that the pending bill includes our amendment.

Under our bill, Mr. Chairman, both Government and private industry will share the risks and cooperate to provide the badly needed protection. I recommend this bill to our colleagues, therefore, as a remarkable example of private-public cooperation in the public interest.

Mrs. MINK. Mr. Chairman, I rise in support of the bill pending before us today, the National Flood Insurance Act of 1967. It appears that this legislation will meet a significant need throughout the country in providing security for property owners who suffer flood damage for which they are unable to obtain insurance coverage.

Within the configuration of the islands of Hawaii, we have flooding problems in my State too, particularly when rain-swollen streams in their descent to the sea extend beyond their channels and cause considerable damage. However, this bill is of interest to us in the 50th State for another salient reason, since the Banking and Currency Committee wisely allowed for the broadest definition of natural disasters to be included under its coverage. Hawaii is unique among the States in its suffering from recurring tsunamis, popularly referred to as tidal waves, which periodically wreak havoc along our coasts and low-lying communities. These tsunamis are most commonly generated by earthquakes in such distant areas as Japan, Alaska, and South America, where disruptions of the earth send shock waves roaring across the seas in a matter of hours to break with great fury over the first landmass encountered.

Hawaii has been hit by 45 tsunamis since recordkeeping began in 1819, and the heaviest damage has been caused by four major disasters in the last 21 years. The wave that hit us on April 1, 1946, was the worst natural disaster in the history of my State, killing 159 persons, injuring 163, and leaving more than 5,000 people homeless. The damage from this tsunami, caused by an earthquake in the Aleutian area, rose to more than $25 million, with waves that reached 55 feet in height making a shambles of the bayfront of the city of Hilo in Hawaii County. Buildings as high as three and four stories were smashed to ruins by this tsunami, and the destruction extended throughout the entire island chain.

A wave on November 4, 1952, caused another $1 million worth of damage, and 5 years later, the March 9, 1957, tsunami destroyed homes, schools, shops, roads, bridges, and crops to the tune of $3 million. In the 1957 disaster, 54 homes were destroyed on the island of Kauai and 27 others were severely damaged, while 200 homes on Oahu and Hawaii were flooded.

Yet another disastrous wave struck on May 23, 1960, killing 61 people in Hawaii County, injuring another 53, and making 300 homeless. The Hilo business district, mostly small stores, was virtually wiped out, with damages rising to $50 million, and another $200,000 worth of property was lost on Oahu. A smaller wave on March 27, 1964, did $15,000 damage to business buildings.

These tsunamis are a problem for which we have no solution at present, Mr. Chairman. An islandwide warning system has cut down on the loss of life, but there is virtually no way to prevent the destructive ravages of these waves on buildings which are of necessity in flat areas and near the oceanfront. The heaviest losses are incurred by those who can least afford them—small shopkeepers, homeowners, proprietors of the smaller hotels, and the like. The regrettable fact is that new land to build on is hard to come by because of existing ownership patterns in Hawaii, and in many cases, it is the same persons and businesses hit over and over again.

I am most anxious in light of this problem that the National Flood Insurance Act is approved with the inclusion of tsunami insurance left intact. Under the provision of S. 1985, the Federal Government will cooperate with the private insurance industry to make disaster insurance available at reasonable premiums for small business properties and one- to four-family residential properties. When loss occurs, the Federal Government's obligation would be determined by the ratio between the insured party's premium and the actuarial cost of insuring the property. The participating insurance companies would pool capital in a joint fund which would be used to absorb much of the losses which might occur. The role of the Federal Government would be to contribute premium equalization payments to the insurance pool and it would also provide reinsurance coverage against major disaster losses. Insurers would have to pay a premium to the Government for such reinsurance coverage, and other insurance companies might participate in the program as fiscal agents of pool members without themselves actually bearing any of the risk.

I think, Mr. Chairman, that this legislation will serve a most useful purpose in extending financial security to property owners in those areas of the country which are susceptible to recurring natural disasters beyond their control. The National Flood Insurance Act of 1967 is a fine example of the concern of the Government for the welfare of all of its citizens, and I sincerely hope that passage of this bill will be followed by early implementation of its provisions through mutual action of our Nation's insurance companies and the Secretary of Housing and Urban Development. I am certain that those individuals who suffer losses from floods and tsunamis and have only the hope of emergency or disaster relief funds being specially allocated to them will be especially grateful to have this assurance that they will not be wiped out overnight and be faced with total bankruptcy. S. 1985 is a good bill and deserves our approval here today.

Mr. SCHWENGEL. Mr. Chairman, I support the National Flood Insurance Act of 1967.

As I know from experience along the Mississippi, communities in a river basin, as well as along the seacoast, become completely immobilized following a major flood. They must depend on the Federal Government and voluntary relief agencies to provide various forms of assistance. Some State and local governments have limited programs to assist a flood area, but disaster relief is inadequate to provide for the necessary restoration of heavily damaged areas.

The estimated annual losses from floods have been increasing. Despite large expenditures for flood protection, this increasing exposure to flood damage occurs as a growing population occupies and uses more of our flood plains and seacoasts.

We have acknowledged the seriousness of the flood damage problem since 1936 when the Nation inaugurated a flood protection policy which has invested more than $8 billion dollars in flood protection and prevention through the Corps of Engineers and the Soil Conservation Service.

Despite these measures, each year the homes and household goods of thousands of families are destroyed and damaged by floods. Flood damages are particularly bad for the homeowner who still owes a mortgage on his home, or a small businessman whose livelihood is tied up in his business.

Various forms of assistance presently available are helpful to flood victims but they are usually only enough to enable the victims to start the process of physical and financial rehabilitation. In many cases relief is not forthcoming until after the area has been declared a disaster area. There are also limitations under Federal assistance programs on the amounts of money available at any one time to meet these emergencies. Moreover, a disaster that is large for a particular locality might not be considered large on a national scale and might not be eligible for assistance under certain Federal programs.

In addition, relief measures for those who suffer flood losses do nothing to encourage wise use of land subject to flooding or to discourage increased exposure of life and property in such locations.

These facts underline the need for a program which will make insurance against flood damage available and encourage persons to become aware of the risk of occupying the flood plains, and reduce the mounting Federal expenditures for disaster relief assistance.

I urge the House to pass the National Flood Insurance Act of 1967.

Mr. CULVER. Mr. Chairman, the legislation which the House of Representatives is considering today, the National Flood Insurance Act, is vitally important for eastern Iowans, and for residents of every area of the Nation who are faced with the recurrent and devastating costs of flood damage.

Flood losses have reached an estimated annual level of $800 million in the Nation, as compared with less than $100 million in the 1930's. Twice since 1950, the national losses have exceeded $1 billion.

I sponsored this legislation because the problem has been particularly acute in our area, where nearly every year the floods on the Mississippi, and the smaller rivers which empty into it, force families from their homes and result in expensive water damage to them.

Because there is no adequate flood insurance which companies can reasonably offer in these high-risk areas, of which residents can afford to purchase, these costs must be borne by property owners themselves, with extensive direct assistance in the way of disaster relief from local, State, and Federal governments.

By establishing a sound national insurance program at reasonable rates, and combining it with effective State and local land management, we can help to reduce these recurrent expenditures.

The legislation before the House today has been carefully written to provide help to those property owners who are least able to sustain the costs of damage, and at the same time to prevent additional people from coming into high-risk areas once insurance is available.

It was purposely limited to one- to four-family residences and small business properties, with the intention that if our initial limited experience warrants it, the program could be extended by Congress to other types of property.

Furthermore, it would be available only in specifically designated high-risk flood areas, where the costs of regular insurance are too high for private companies to provide it.

As reported from the committee, insurance at less than actuarial costs would be limited to $17,500 liability for a single-family home, and to $30,000 for a two- to four-family structure and for small business properties. Contents of the building could be insured up to $5,000 per dwelling unit or individual business.

Additional insurance could be obtained, but only at full actuarial costs.

Individuals who build or substantially improve property in an area where such insurance is available would have to pay the full cost of the insurance, since they would be fully aware of the risks involved before they made such an investment.

In addition, State and local governments would be encouraged to adopt and enforce appropriate land use provisions to restrict the future development of land where the risk of loss exceeds the prospect of gain from use of the site.

The details of the program would be worked out by the Secretary of Housing and Urban Development in consultation with private insurance companies, so that insurance could be made available at the earliest possible time after enactment of this legislation.

Mr. Chairman, a national flood insurance program has received the support of State and local officials as well as representatives of both the insurance and the homebuilding industries.

It is an appropriate example of the type of cooperative effort of the public and private sector which is vitally important to finding solutions to critical national problems, consistent with our fundamental belief in free enterprise and a creative Federal system.

An effort is being made in the Congress to eliminate the provision of the bill which authorizes Treasury financing of the program. This authorization is no new departure, but merely continues the provision of the original Flood Insurance Act of 1956.

This type of financing is necessary because no one can predict with any certainty what the level of flood losses might be in any given year. Understandably, the insurance industry has indicated that it cannot afford to participate in such a program unless there can be reasonable assurance of a commitment of adequate Federal funds, and this cannot be done if we have to depend solely on an annual appropriation from the Congress.

I would emphasize that this would not take control of the program out of the hands of the Congress, because the Secretary would still have to come back to the Appropriations Committee to replenish the fund and to repay any Treasury borrowing. But he would have the necessary flexibility to operate the program in a flood emergency.

Mr. Chairman, if this financing provision is eliminated, then for all practical purposes, there will be no flood insurance program, unless the Federal Government is prepared to do it alone, without the participation of the private insurance companies. I do not think that there is anyone here who would prefer that alternative, which would not only be much more expensive, but would be an unnecessary and unwarranted intrusion of the Government into the private sector.

I urge the House of Representatives to reject such a change, and to enact this most significant legislation to provide help to those homeowners who suffer the repeated burden of flood losses.

The CHAIRMAN. There being no further requests for time, pursuant to the rule, the Clerk will now read the committee substitute amendment printed in the reported bill as an original bill for the purpose of amendment, by titles, and for the purpose of amendment the Chair will consider the first three sections of the committee substitute amendment as a title. Thereafter, the Clerk will read the committee substitute amendment by titles.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Flood Insurance Act of 1967".

FINDINGS AND DECLARATION OF PURPOSE

SEC. 2. (a) The Congress finds that (1) from time to time flood disasters have created personal hardships and economic distress which have required unforeseen-disaster relief measures and have placed an increasing burden on the Nation's resources; (2) despite the installation of preventive and protective works and the adoption of other public programs designed to reduce losses caused by flood damage, these methods have not been sufficient to protect adequately against growing exposure to future flood losses; (3) as a matter of national policy, a reasonable method of sharing the risk of flood losses is through a program of flood insurance which can complement and encourage preventive and protective measures; and (4) if such a program is initiated and carried out gradually, it can be expanded as knowledge is gained and experience is appraised, thus eventually making flood insurance coverage available on reasonable terms and conditions to persons who have need for such protection.

(b) The Congress also finds that (1) many factors have made it uneconomic for the private insurance industry alone to make flood insurance available to those in need of such protection on reasonable terms and conditions; but (2) a program of flood insurance with large-scale participation of the Federal Government and carried out to the maximum extent practicable by the private insurance industry is feasible and can be initiated.

(c) The Congress further finds that (1) a program of flood insurance can promote the public interest by providing appropriate protection against the perils of flood losses and encouraging sound land use by minimizing exposure of property to flood losses; and (2) the objectives of a flood insurance program should be integrally related to a unified national program for flood plain management and, to this end, it is the sense of Congress that within two years following the date of the enactment of this Act the President should transmit to the Congress for its consideration any further proposals necessary for such a unified program, including proposals for the allocation of costs among beneficiaries of flood protection.

(d) It is therefore the purpose of this Act to (1) authorize a flood insurance program by means of which flood insurance, over a period of time, can be made available on a nationwide basis through the cooperative efforts of the Federal Government and the private insurance industry, and (2) provide flexibility in the program so that such flood insurance may be based on workable methods of pooling risks, minimizing costs, and distributing burdens equitably among those who will be protected by flood insurance and the general public.

(e) It is the further purpose of this Act to (1) encourage State and local governments to make appropriate land use adjustments to constrict the development of land which is exposed to flood damage and minimize damage caused by flood losses, (2) guide the development of proposed future construction, where practicable, away from locations which are threatened by flood hazards, (3) encourage lending and credit institutions, as a matter of national policy, to assist in furthering the objectives of the flood insurance program, (4) assure that any Federal assistance provided under the program will be related closely to all flood-related programs and activities of the Federal Government, and (5) authorize continuing studies of flood hazards in order to provide for a constant reappraisal of the flood insurance program and its effect on land use requirements.

AMENDMENTS TO THE FEDERAL FLOOD INSURANCE ACT OF 1956

SEC. 3. (a) The second sentence of section 15(e) of the Federal Flood Insurance Act of 1956 (70 Stat. 1084) is amended—

(1) by striking out "rate" the second time it appears and inserting in lieu thereof "market yield", and

(2) by striking out "as of the last day of" and inserting in lieu thereof "during".

(b) Section 15(e) of such Act is further amended by striking out the last sentence.

(c) Sections 2 through 14, subsections (a) through (d) and subsections (f) and (g) of section 15, and sections 16 through 23 of such Act are repealed.

Mr. BARRETT (during the reading). Mr. Chairman, I ask unanimous consent that sections 1, 2, and 3 be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DEL CLAWSON. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Eighty-four Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 356]

Aspinall
Belcher
Berry
Boggs
Broomfield
Button
Celler
Conyers
Cunningham
Daddario
Daniels
Denney
Diggs
Eshleman
Everett
Ford, Gerald R.
Fountain
Fulton, Tenn.
Hagan
Hall
Helstoski
Long, La.
MacGregor
Mathias, Md.
Passman
Pool
Rarick
Resnick
Rivers
St. Onge
Utt
Vander Jagt
Williams, Miss.
Willis
Wilson, Charles H.

Accordingly the Committee rose; and the Speaker, having resumed the chair, Mr. BROOKS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill, S. 1985, and finding itself without a quorum, he had directed the roll to be called, when 397 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

AMENDMENTS OFFERED BY MR. BROWN OF MICHIGAN

Mr. BROWN of Michigan. Mr. Chairman, I offer amendments and ask unanimous consent that the amendments be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. BROWN of Michigan: On page 46, strike out line 18 and all that follows down through page 47, line 7, and insert the following:

"REPEAL OF FEDERAL FLOOD INSURANCE ACT OF 1956

"SEC. 3. The Federal Flood Insurance Act of 1956 is repealed."

On page 56, strike out lines 13 through 22 and insert the following:

"AUTHORIZATION OF PROGRAM FUNDS

"SEC. 106. There are hereby authorized to be appropriated such sums not exceeding $500,000,000 in the aggregate as may be necessary for the flood insurance program under this Act. Sums appropriated pursuant to this section shall remain available until advanced to the Secretary at his request for deposit in the National Flood Insurance Fund established under section 107."

On page 57, strike out lines 8 through 11 and redesignate the succeeding paragraphs accordingly.

On page 57, strike out lines 18 through 20 and redesignate the succeeding paragraphs accordingly.

On page 58, lines 19 and 20, strike out "as amended by section 3(a) of this Act" and insert in lieu thereof "as in effect immediately prior to the enactment of this Act".

Mr. BROWN of Michigan. Mr. Chairman, I shall not go into unnecessary detail in describing my amendments.

Basically, they would authorize the appropriation of $500 million to the national flood insurance fund without fiscal year limitation. Under the amendment, sums appropriated pursuant to this section shall remain available until advanced to the Secretary at his request for deposit in the national flood insurance fund established under section 107 of the bill.

Mr. Chairman, being a new Member of Congress, I am reluctant to be the one who finds it necessary to remind the House of Representatives that the constitutional prerogative of appropriations control by the Congress—and the House in particular—is worth maintaining.

For the past few weeks, the debate on the continuing appropriations resolutions has dramatically indicated, above all else, how much control has been lost over actual expenditures by Congress in the past few years.

Mr. Chairman, if we voluntarily relinquish our control over appropriations in the first instance, we will not have any power left, save that of our oversight functions.

It is my understanding that some have said my amendment would kill the program. I would not be offering it if I thought there was validity to this argument. The insurance companies allege that my amendment introduces a degree of uncertainty as to the immediate payment of claims resulting from the nonchargeable risk exposure of the Government and private industry, and of payment to the fund of reinsurance, but fail to provide a real rationale for their concern.

And it simply is not so. As a matter of fact, the language of my amendment makes it clear that the Secretary of Housing and Urban Development would have full control of the appropriated amounts advanced to the flood insurance fund—once the Congress had made its initial appropriation establishing the funds. And it should be remembered this program cannot get off the ground until an appropriation for the administration of the program is made even under the administration bill.

As a matter of fact, the budget impact of my amendment would be the same as that contained in the administration bill, in that the $500 million obligational authority carried over on the books from the 1956 act would be cancelled and replaced with the new $500 million obligational authority. The only budgetary impact would be the amounts needed in the first stages of the program for administrative expenses and for maintaining the fund in a sound position emanating from appropriations authorized by section 407. Subsequent to establishment of the fund, replenishment would be the same under the administration bill as under my amendment.

Being a new Member of the House, I am unimpressed with such pet phrases as "back-door spending." To me, spending is spending and can only be justified in context with prudent fiscal policy and in support of sound Federal programs. What does trouble me, however, is the growing lack of control by Congress over existing Federal programs. The oversight function of Congress by the legislative committees becomes virtually meaningless when, at the outset of a new program, access to the Federal Treasury of an unlimited extent is assured.

Mr. Chairman, I support the flood insurance bill and hope that it is enacted. It addresses itself to a recognized national need and Federal responsibility. Victims of floods, just as victims of criminal act and others have for too long been overlooked by the Federal Government because they lack the cohesive pressure that other groups have been able to exert upon their representatives in Congress.

But I sincerely hope that we can cure the pending bill of its major weakness, and provide for effective and continuing congressional control.

If we had even the remotest idea of the eventual cost of this undertaking, I might not be offering my amendment. Unfortunately, however, there is no possible means of determining eventual cost because we simply do not know the levels at which premium rates on the insurance will have to be set, and therefore we do not know the nonchargeable rate leading to the potential future exposure of the Federal Government.

Mr. Chairman, I hope the House will see the merit of my amendment, adopt it, and then go on to overwhelmingly support the bill.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Michigan. I yield to the gentleman.

Mr. JONAS. Is it not true that, unless your amendment is adopted, the Secretary will have borrowing authority with the Treasury amounting to $500 million "or such greater amount as may be approved by the President" from time to time, and is that not unlimited borrowing authority without congressional action?

Mr. BROWN of Michigan. The gentleman is absolutely right.

Mr. BARRETT. Mr. Chairman, I rise in opposition to the amendments.

Mr. Chairman, in plain English, this amendment would cut the heart of the flood insurance program. I am sure that the gentleman does not intend to do this but that is just what it would do.

It appears that there is some misunderstanding on the authority for Treasury financing in this bill. Let me point out that this is not a new provision but merely a continuation of a provision first provided in the 1956 law which was recommended by the previous administration and which passed the House by voice vote.

Second, there are many examples of this kind of provision in existing Government insurance operations because by its nature this kind of authorization is best suited to an insurance function.

Third, this is essentially an emergency backstop made necessary by the impossibility of predicting losses in any single year and the Secretary would still have to come back to the Appropriations Committee to replenish the fund and repay any Treasury borrowing authority used.

Fourth, and most important, the insurance industry says flatly that it cannot and will not participate in the program unless there is an assured reserve line of credit to the Treasury in the case of major disasters.

In other words, those who oppose the method of financing provided in the bill, are opposed to flood insurance. It is as simple as that.

Mr. BOW. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment which has been offered by the gentleman from Michigan [Mr. BROWN]. There is no question that this, again, represents back-door spending, I care not what administration may have supported it. In my opinion it is wrong. It does not follow the precepts of proper fiscal responsibility.

Mr. Chairman, it would seem to me that there could be no objection to the appropriation of these funds under this amendment as it is now written. As it is now, Mr. Chairman, the Secretary of the Department of Housing and Urban Development could write a letter to the Secretary of the Treasury telling him how much money he wanted and he would receive it, and no one has the opportunity to take a look at it. It takes the matter completely away from the surveillance of the Congress of the United States.

Mr. Chairman, we in this Congress have been talking about spending in the last few weeks. It would seem to me that it would be proper, Mr. Chairman, that the Brown amendment be adopted so that the Congress may keep its hands upon the purse strings and so that it may know where the money is being expended.

Mr. Chairman, therefore, I urge the adoption of the Brown amendment.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Chairman, the argument to the effect that this amendment, if adopted, would kill the program, is identical to the argument that was made by the department witnesses when we closed the back door on urban renewal and when we commenced advanced funding for that program. As a result of that action on the part of the Congress the program of urban renewal has not suffered one iota.

Mr. Chairman, if you want to abdicate the responsible course of action of congressional control over future spending for this program, then you should vote against the amendment. However, those who believe that the Congress should retain its responsibility and control over appropriations should vote for this amendment.

Mr. MOORHEAD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, without the financing authority provided in section 106 of S. 1985, a national program of joint Government-industry flood insurance will never get off the ground.

I have a letter from the American Insurance Association, a trade group of 170 large capital-stock property and liability insurance companies which write the majority of all lines of property insurance throughout the Nation.

This letter makes it clear that without the financing mechanism proposed in the bill before us, the private insurance industry will not participate in a flood insurance program. I quote now from the letter:

> We believe it imperative that Sections 106 and 107 remain intact. . . . The availability and flexibility of the financing provided therein is critical to the successful operation of the Program. . . .
>
> The position of the private insurance companies willing to cooperate in a pool arrangement is that the availability of immediate reinsurance reimbursement is crucial, not only to the successful operation of this program but also to the willingness of the insurance companies to pledge their assets in a joint program with the Federal Government.
>
> The American Insurance Association supports Sections 106 and 107 and hopes that no revision of these two sections will occur, because the participation of numerous member companies in our group, as parties to the pool arrangement or as fiscal agents, is conditioned substantially on the continuity and prompt availability of reinsurance funds when necessary. We deem this a vital element in our joint venture with the Federal Government.

When we go back into the House, I will ask leave to have the text of the American Insurance Association letter inserted in the RECORD at this point in my remarks.

The letter referred to follows:

AMERICAN INSURANCE ASSOCIATION,
Washington, D.C., November 1, 1967.

Re: S. 1985—National program of flood insurance.

Hon. WILLIAM S. MOORHEAD,
Rayburn House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE MOORHEAD: The American Insurance Association is a trade group composed of 170 capital stock property and liability insurance companies doing business throughout the country. Our membership is the major factor in the writing of all lines of property insurance throughout the nation. Our policies are sold through independent agents and brokers.

With reference to our views respecting the financing authority provided in S. 1985, we believe it imperative that Sections 106 and 107 remain intact as per the text contained in the measure that will shortly receive consideration on the floor of the House. The availability and flexibility of the financing provided therein is critical to the successful operation of the Program for the following reasons:

1) In making its reinsurance commitments for potential liabilities, the Federal Government must be prepared to promptly implement this commitment to the insurance industry pool.

2) The commitment relates to reimbursement of primary insurers in the event of flood damage when the primary insurers will be called upon to make substantial payments from their individual assets. The need for swift replenishment of funds paid as result of a major disaster is imperative in assuring insurance company solvency and stability.

3) The financing mechanism proposed in this bill is merely a continuation of the authority first created in Section 15(e) of the Federal Flood Insurance Act of 1956.

4) The Treasury financing arrangement does not involve daily operational commitments of insurance companies but is dependent upon the happenings of possible flood damage at some future date.

5) Precedent exists for this approach in other Federal insurance programs involving contingent events. United States Government commitments of this nature exist to back up credit insurance programs operated by the Export-Import Bank, nuclear emergency legal liability, deposit insurance with the FDIC and savings share insurance with the Federal Savings and Loan Insurance Corporation.

6) The position of the private insurance companies willing to cooperate in a pool arrangement is that the availability of immediate reinsurance reimbursment is crucial, not only to the successful operation of this program but also to the willingness of the insurance companies to pledge their assets in a joint program with the Federal Government.

The American Insurance Association supports Sections 106 and 107 and hopes that no revision of these two sections will occur because the participation of numerous member companies in our group, as parties to the pool arrangement or as fiscal agents, is conditioned substantially on the continuity and prompt availability of reinsurance funds when necessary. We deem this a vital element in our joint venture with the Federal Government.

Very truly yours,
MELVIN L. STARK,
Manager.

Mr. MOORHEAD. Mr. Chairman, there are numerous good reasons for the position the insurance industry takes on the issue of Government financial backing for a joint flood insurance program, and ample precedent for the financing authority proposed in S. 1985.

First, because of the unpredictable nature of the flood peril, it is impossible to establish in advance of a fiscal year what the payments for claims under the flood insurance program will be. The exact amount of payments will be unknown until the flood damage occurs, the claims filed, adjusted, and certified. At these times the insurance pool, under agreement with the Government, will have already made payment of these claims. The pool, therefore, must have available without delay the Government's share of liabilities under the program in order to assure its continued operation.

Should the flood insurance fund be unable to meet these calls without delay, as it certainly would be without the financing arrangements provided in this bill, the Government-industry agreement—and the entire flood insurance program with it—would collapse. Indemnification for claims must be immediate to inspire the insurers' confidence that claims will be paid as they arise.

Second, the provision for Treasury borrowing envisioned in this bill will not involve any new obligational authority. The borrowing authority is merely a continuation of the authority first created in section 15(e) of the Federal Flood Insurance Act of 1956. This authority has never been utilized and has continuously been carried on budget records as available authority.

Third, all alternative methods of financing a flood insurance program were thoroughly explored in hearings before this committee and its counterpart in the Senate. The solution embodied in this bill represents both the Government's and the private industry's recommendations. I might remind my colleagues that the only feasible alternative—a wholly Federal program with the private industry acting only as agents and not as partial risk bearers—would require a substantial bureaucracy and much greater expense to the Government than the arrangement embodied in the bill.

Precedent for the borrowing arrangement in the bill is substantial. There are several other Federal insurance programs which involve unknown contingencies and require prompt payment of Government commitments. Borrowing authority backs the export credit insurance program of the Export-Import Bank; the insurance of nuclear reactors against accidents; the FDIC's deposit insurance and the savings share insurance of the FSLIC.

Finally, I would like to point out that the reinsurance payments pledged by the Federal Government will be offset over the years by reinsurance premiums paid by the private companies to their pool in years of low flood losses. Thus, the reinsurance payments made by the Government in years of catastrophic losses will be balanced with premium collections in low-loss years, and appropriations to repay the Treasury borrowing may well be unnecessary.

I urge my colleagues to vote for the financial arrangement provided in this bill, for I feel certain that without it, there can be no effective Government-industry cooperation on a national flood insurance program.

Mr. BROWN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD. I yield to the gentleman from Michigan.

Mr. BROWN of Michigan. Mr. Chairman, I would like to point out that the gentleman from Pennsylvania probably has made the best argument in support of my amendment that has been made today because under my amendment the replenishment of the fund will be exactly the same, and ironically I would ask the gentleman whether or not the representatives of the insurance association that have written to the gentleman had seen my amendment that I am offering, when they wrote this letter? I am sure they did not. There is obligational authority up to $500 million, and it provides for fiscal year limitations without establishing funds through the back door. And I believe this is good government.

Mr. MOORHEAD. I would say in reply to the gentleman from Michigan that the insurance companies are properly in this under the bill as written, and are not as proposed in the amendment offered by the gentleman from Michigan, because they know the money will be there, and the way the Committee on Appropriations will have a check over it is that the fund cannot be replenished until and unless the Committee on Appropriations acts.

Mr. BROWN of Michigan. Mr. Chairman, will the gentleman yield further?

Mr. MOORHEAD. I would yield to the gentleman in just a moment.

That is why there is adequate protection given to the Congress under this bill as written, and that is why the bill was written in this careful manner.

Mr. BROWN of Michigan. Will the gentleman yield further?

Mr. MOORHEAD. I yield to the gentleman.

Mr. BROWN of Michigan. There will not be a policy written until the fund is established, whether or not through the back-door way, or through the appropriation way. Under my amendment the administration would not appropriate anything for the administration of the program. The $500 million through the back door is not adequate, therefore until Congress and the administration obligate the funds, we do not have any, and when they do, at that time a fund will be established.

Mr. MOORHEAD. You say the insurance companies will participate, but the insurance companies say they will not participate. I think it is essential if we are going to have a sound program to have insurance company participation in it and not 100-percent Government participation.

I think this is the reason that this is a sound program and the bill should be enacted without the amendment and the amendment should be defeated.

Mr. DEL CLAWSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the amendment speaks well for itself.

It provides an automatic drawdown to the Secretary on this $500 million.

As I read it, the sums appropriated pursuant to this section shall remain available until advanced to the Secretary at his request for the national flood insurance. So the Secretary has an immediate drawdown on this $500 million as soon as the appropriation is made. Is that not true?

Mr. BROWN of Michigan. Yes. As soon as the Appropriation Committee establishes the fund.

Mr. DEL CLAWSON. As soon as the appropriation is made; is that correct?

Mr. BROWN of Michigan. That is correct.

Mr. DEL CLAWSON. Is there any reason, assuming that the insurance companies would have the pool available to them, with the participation of the Government, why the companies would not accept this program including the Brown amendment?

Mr. BROWN of Michigan. There is no reason why, after the fund is established, that they will not participate because the policies will not have been written as of that point and time, whether it be the backdoor route or the open door or the appropriation route.

Mr. DEL CLAWSON. Do you believe the insurance companies have seen this amendment and have written letters such as we have heard here today denying that they would participate in the program if your amendment were not defeated?

Mr. BROWN of Michigan. No, I have talked with members of the insurance industry. I think they are not that familiar with the appropriation process here advocated to be able to say that this amendment is bad or not bad. I think they have thought that by carrying over the obligational authority of the 1956 act that this was the easy way. I do not think there has been a conclusion reached by the industry to the effect that adoption of my amendment would kill the program.

Mr. DEL CLAWSON. I think it is rather obvious here that we are listening to statements from or by insurance companies without their having the opportunity of knowing the context of this amendment. I do not believe for a moment, as a member of the committee, that this is going to kill the program or in any way impair the program of flood insurance. I am heartily in favor of the amendment offered by the gentleman from Michigan.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. DEL CLAWSON. I yield to the gentleman.

Mr. BARRETT. I just want to point out to the gentleman, I am sure he knows that the first year they accepted the coverage it would bring in on subsidy and actuarial payments of premiums to the pool of $30 million. We use for example the expenditures and the cost here of the recent Beulah storm where $36 million was estimated as the damage cost.

The pool in 2 years would actually take in $30 million. I would indicate to you again that this would put us in a position where possibly it would never get to this $500 million, because this is money—and I would like to make this point—you are now using this naughty word here of "backdoor spending"—and there may never be any reason to have backdoor spending but it will be a reason to keep private investors in this program.

Mr. DEL CLAWSON. This is the very purpose of the amendment. I think you have also presented an argument for it. If we never have to use it, certainly there should not be any objection to incorporating it into the language of the bill. I think this will do everything we want to do in connection with the protection of those whom we want to protect the homeowner and small businessman in the flood prone areas and will provide the necessary insurance pool with participation of the Federal Government and insurance companies as a part of this joint effort.

I can see no reason at all, if the gentleman's statement is true, that we will never have to use this $500 million, why there should be any objection to the adoption of the amendment.

Mr. BARRETT. Let me make this point to the gentleman. This is true. This is beneficial to get the program functioning and despite the words used in the debate here, this is not insurance but it is assurance.

Mr. WAGGONNER. Mr. Chairman, I rise in opposition to the amendment.

I wholeheartedly support the purpose of this bill and I must oppose any changes which would disappoint the hopes of the homeowners and businessmen who urgently need this kind of insurance. In my judgment, that is what this amendment would do—if we make the key financing provision unworkable, we make the whole program unworkable and we are left with nothing but the name of a bill and false hopes for those who need protection from the destruction of floods and hurricanes.

No one objects more than I do to so-called back-door financing when it is proposed as a means of avoiding the orderly procedures of Government. Just the opposite is the case in the financing procedures of the pending flood insurance bill.

While the longrun costs of floods can be estimated with reasonable accuracy by the actuarial experts of the private insurance industry and by Government technicians, no one can predict year-to-year losses. There would be absolutely no way for the Department to come up here each year and tell us what damage will be done in the coming 12 months, what rivers will flood, or where hurricanes or other storms may hit.

This bill, as reported from the committee, recognizes this and provides a responsible answer to it. It is a contingency fund; no more and no less. Practically all Federal programs have contingency funds.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. There are about 110 funds of the same type in all agencies of the Federal Government.

Mr. WAGGONNER. The insurance which this bill would offer to homeowners and small businessmen and to others would be meaningless without the commitment to pay claims and, in particular, the commitment to pay claims promptly when the need is greatest. The loss of one's home or, for a small businessman, his livelihood is a shattering experience. He needs aid immediately to provide for himself and his family. This is the way insurance has to work.

It is obvious that the private insurance industry cannot cooperate in this program without confidence in the Government commitment. For our part, we will expect private companies to live up to their share of the bargain without strings attached and the Government must be prepared to do the same.

It is important to note that the financing provisions which would be employed by the pending flood insurance bill are not new. They have been on the books since 1956 because it has always been recognized that this kind of full-faith commitment is essential to an insurance program.

Mr. Chairman, the financing provisions of this bill are the heart of the flood insurance program. All those who support this necessary aid to our people who live in danger of the ravages of floods and hurricanes should join me in voting against this amendment.

Mr. WIDNALL. Mr. Chairman, I rise in opposition to the amendment. We have had under consideration flood insurance programs since 1955, and the funding has been a very important question in connection with all such programs. I am thoroughly convinced that we are not going to get a program if we have to go through the appropriation process in connection with it.

It has been made clear to us by the insurance witnesses before the committee and by leaders in the industry that they will not be able to participate if the Government funding is handled that way.

I would like to quote partly from a letter from the second vice president, Donald H. Garlock, of the Travelers Indemnity Co., who testified before the Senate and House committees on behalf of a proposed association of flood insurance, then numbering 15 long-established property insurance firms.

He said:

> In all our negotiations with HUD, two criteria have been all-important to participation by the private insurance industry. Unless both criteria are satisfied, I doubt whether there will or can be participation in any private pool. . . . These criteria are:
>
> (1) The program must be based on true actuarial premiums, reflecting the best advance judgment as to rates and constant revision as experience matures. Otherwise, we think, taxpayers and the policyholders and stockholders of private property insurers are deluding themselves. . . .
>
> (2) The second indispensable criterion is that if, as and when the pool needs tax dollars from HUD to pay the government's share of claims, pursuant to a contract negotiated between HUD and the pool, then and at that time there can be no delay, discretion or promise concerning those dollars.
>
> As in the case of Medicare Administration, in which The Travelers and other companies now participate, a letter-of-credit approach may ultimately be the solution, and the bill provides for such advances through Section 403, page 84.
>
> Under a fully matured flood program, however, pool members through issued policies, and the government as a partner and "backstop," will have large liabilities outstanding even though individual contracts will have maximum limits such as $17,500 and even though the government's liability will be limited to $2.5 billion. The pool will be liable for the full amount of the contract at claim time, no matter how much of the claim will ultimately be paid by tax dollars.
>
> There may be "dry years," but when floods come, as they will, government tax dollars payable to individual policyholders through the pool must be instantly available.
>
> The pool and its members cannot rely on Congressional promises to appropriate, though most would like to. This is because Congress might be out of session or change its mind at appropriation time the next year. The insurance business has encountered situations where, despite clear Congressional intent, discretion as to payment was left to an official and proper tax dollars were not paid until after long delays.
>
> By the same token, if there are going to be "dry years," then it seems unnecessary to have money sitting idle after appropriation when neither the time of need nor the amount needed is known until the event occurs.
>
> In summary, therefore:
>
> (1) This matter was discussed thoroughly in 1956 and in the last two years leading up to this bill.
>
> (2) The private pool must have tax dollars instantly available to pay the government's share of claims and expenses.
>
> (3) If there is a better alternative to the so-called "back-door approach" and Treasury borrowing authority, we have not found one nor has one been brought to our attention.

I think if we want to start a flood insurance program, it is absolutely necessary we pass the bill with the funding authority that presently is in it, and I believe it would only lead again to unconscionable delay in starting this program if we accept the amendment.

Mr. BARRETT. Mr. Chairman, I am wondering if we can agree with my colleague on the other side of the aisle as to some agreement on time.

Mr. Chairman, I ask unanimous consent that all debate on these amendments and amendments thereto close at 5 o'clock.

Mr. MAHON. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. BARRETT. Mr. Chairman, I move that all debate on these amendments and all amendments thereto close at 4:45.

The CHAIRMAN. The question is on the motion of the gentleman from Pennsylvania that all time on these amendments and all amendments thereto expire at 4:45.

The question was taken; and on a division (demanded by Mr. MICHEL and Mr. RHODES of Arizona) there were—ayes 72, noes 69.

Mr. PELLY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. BROWN of Michigan and Mr. BARRETT.

The Committee again divided, and the tellers reported that there were—ayes 84, noes, 91.

So the motion was rejected.

Mr. MAHON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, especially in view of the recent battles over economy in government and the serious fiscal crisis facing us, and in view of the fact that spending is so heavily involved in this legislation, I feel compelled to speak on the pending amendment.

There is $500 million of back-door spending involved here. We have been fighting against so-called back-door spending here in the House for years, and we have made remarkable progress in that respect. We still have some back-door spending from earlier acts, but we are trying to keep it down.

The pending amendment to close the back-door pipeline to the Treasury is fair, reasonable, and workable. I regret very much that the insurance industry has registered a vote of no confidence in Congress. They evidently do not think the Congress can be trusted to do whatever is right in the question of providing funds for this legislation. I say to the big insurance companies of America, that if they do not have that much confidence in Congress, then perhaps they ought to handle the insurance themselves. Some have said here on the floor that if this program is required to proceed under the normal appropriation process, it will kill this program.

Is this true that we cannot trust ourselves to do what is proper in regard to floods and disasters? Of course, we can. I propose to vote, and I hope a majority of this House will vote for the amendment which has been offered by the gentleman from Michigan. It is a good amendment.

Some have said that you cannot foresee what the expenses of this program will be. No; you cannot. But there is no reason why the Executive, whoever he is at the time, cannot send up a budget estimate each year estimating what the cost might be. That is what is done to the tune of $750 million a year in urban renewal, for example. That program formerly was financed through the back door.

As to flood control and disaster matters, we passed a conference report only last week providing $20 million for disaster relief. This covered hurricane Beulah in Texas and it covers other disasters. That was dealt with in the usual appropriation manner, not through a back-door pipeline to the Treasury that sidesteps the disciplines of the annual appropriation review process.

Mr. Chairman, there is no reason why we cannot provide whatever funds are determined upon on a year-to-year basis. We would learn by experience approximately how much would be needed as each budget is considered. And we would retain control over the purse strings. That is the vital principle involved here.

Mr. Chairman, let us assert our control. Why should Congress be bypassed?

Mr. Chairman, we have been talking about cutting appropriations. We have been pointing to the fact that we will probably cut fiscal 1968 appropriation requests to the extent of about $6 billion. But some say that we ought to control not only appropriations, but also expenditures; yet right after the aftermath of that big fight here in the House recently, in this bill today we propose to abdicate the power of the Congress of the United States over the purse. It is unthinkable, and in my opinion it is unacceptable to a majority of the Members of this House.

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I am glad to yield to the distinguished gentleman from Tennessee, the chairman of the subcommittee which would handle any request for appropriation that would come before the Committee on Appropriations.

Mr. EVINS of Tennessee. Mr. Chairman, I thank the distinguished gentleman from Texas for yielding, and may I say that in my opinion he has made a strong case in behalf of the pending amendment. We were faced with a similar situation 2 years ago with reference to the urban renewal program of the Department of Housing and Urban Development. They were going to the Treasury of the United States through the back-door approach for funding urban renewal. An indefinite appropriation without fiscal year limitation situation prevailed. We stopped the back-door approach.

Mr. Chairman, we arrived at an agreement to the effect that a certain level of funding would be made for urban renewal and we have acted upon that agreement. We should do the same thing here with respect to flood insurance.

Would my distinguished chairman label this program as a bonanza for the insurance trust—almost a blank-check approach?

Mr. MAHON. I do not know how it will be worked out. But I think Congress needs to have control over it, such as was the case in the disaster in Louisiana, as a result of the various hurricanes, and elsewhere, such as in California and in Alaska.

Mr. Chairman, we have had the funds on hand available at the time with which to meet these disasters. And, Mr. Chairman, if additional funds were needed, they were provided. That fact has been demonstrated time and time again.

Mr. Chairman, I ask that the amendment be voted up so that this program can be considered by the Congress in the customary manner.

Mr. RHODES of Arizona. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the distinguished gentleman from Texas [Mr. MAHON] in my opinion is eminently correct when he says that this amendment should be adopted.

Mr. Chairman, I do not know of any time during which this Congress has failed to live up to a contractual authority, to a contractual liability.

Mr. Chairman, I remember some few years ago when I was on the Foreign Operations Subcommittee of the Committee on Appropriations—and I think my friend from Kentucky will remember this too—when the guaranty aid program first came into being, it was said at that time that unless we were willing to allow the back-door spending approach there would be no taking advantage of the guaranty program under the AID program.

Mr. Chairman, it is my opinion that anyone who is familiar with that program knows full well that as soon as it was enacted, that the Government of these United States would take care of the program and that it would stand up to the liabilities assumed, everyone involved has been standing in line to take advantage of the benefits provided under that program.

Mr. Chairman, the same is true with reference to urban renewal. I, too, was a member of the subcommittee when this situation came about. There has been no lack of the use of urban renewal. I do not know why the Government of the United States should not take this position, the position that it has been quoted as taking. I have not received any letters with reference thereto.

However, in my opinion it would be unthinkable for the Government of the United States not to go into this program, if the sum of $500 million is appropriated by the Congress of the United States, supporting the contract liability, set by the laws of this particular Congress.

Mr. Chairman, there is not any doubt in our minds, or there should not be, if we should have a catastrophe, that the Congress should make up the balance. However, it has been said that the $500 million is the extent of Federal participation under this program and that the sum of $500 million must be made available immediately.

Now, this is one-fifth of everything that we could possibly be liable for.

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield on that point?

Mr. RHODES of Arizona. In just 1 second, I will yield to the gentleman.

The $500 million is to be available when appropriated, and it will be appropriated, there is no doubt about that. The whole country would have to be under water before it would be necessary for us to take the whole liability.

Now, I will yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. Mr. Chairman, I would like to clear one thing up. The $2.5 billion is the total coverage, the total liability, and within that we have to understand that the insurance companies pool will also be providing for a part of this loss. The $500 million is that amount of money that they want available instantaneously for instant payment of the Federal Government's share of the claims.

Mr. RHODES of Arizona. Of course, the Brown amendment, as I understand it, would provide exactly for that. It would provide for $500 million which would be appropriated by the Committee on Appropriations.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. I wonder if the gentleman can tell us if at any other time there has been an instance where a private enterprise is willing to put $50 million and more into a program in order that they function in the interest of the Federal Government and of the people, and the properties that will be covered by this program? That is why the companies are saying if you are not willing to put in this $500 million then we will not put our dollars into this. And they share, that is a stock loss in this, better than $50 million before they even ask the Government to come into this picture. I think the gentleman has to take a different look at this.

Mr. RHODES of Arizona. Will the gentleman agree with me that there has never been a time when this Congress has failed to appropriate money in accordance with contract liabilities to which it has committed itself? There has never been a time in the history of this country when this has happened. The gentleman is saying, or the insurance companies are saying that they do not believe in our word, and I resent that.

Mr. BARRETT. I do not believe it is called upon for the gentleman to come in here and put a stamp against the integrity of this Congress. There has been nothing said in this Congress today or any other time that the Congress is not dependable. What we are asking for here today is to prove that the urban renewal has made no investment in these renewal areas outside of meeting their share of it.

Here is an insurance, private industry, coming in and saying "We are willing to lose better than $50 million a year."

Mr. RHODES of Arizona. The gentleman knows full well that under the urban renewal——

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. PELLY, and by unanimous consent, Mr. RHODES of Arizona was allowed to proceed for 2 additional minutes.)

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Washington.

Mr. PELLY. I wonder if the gentleman from Arizona would not agree with me that organizations representing business such as the Chamber of Commerce of the United States historically have opposed this back-door spending? I do not know about these insurance companies, but they certainly support their chambers of commerce and other organizations that historically, as I say, have been opposed to back-door spending.

Mr. RHODES of Arizona. The gentleman from Washington is absolutely correct. Most of the people who have opposed back-door spending—and the gentleman from Washington has been one of the leaders in this movement—have come from the business community. I daresay many of them have been executives of these various insurance companies who are now trying to get this Congress to go into a program with back-door spending.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Ohio.

Mr. BOW. The gentleman has asked one of the Members from the other side of the aisle whether or not at any time any private enterprise group have come in with a suggestion of this kind. I might say that within the last 30 or 60 days the insurance companies, meeting at the White House, came up with $1 billion for public housing, guaranteed by FHA, and those funds are appropriated to guarantee the FHA. There was no back-door spending there.

In this instance the same insurance companies who are talking about putting up $1 billion for public housing and the FHA insurance, they did not ask for it there, so I do not see why they should ask for it here.

Mr. DEL CLAWSON. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from California.

Mr. DEL CLAWSON. Mr. Chairman, I would like to point out to the gentleman that the total exposure of the Federal Government is not the $500 million. In secion 116 of the bill it provides:

> The face amount of flood insurance coverage outstanding and in force at any one time under this Act shall not exceed the sum of $2,500,000,000.

Let us suppose that we have that amount in insurance now, in policies and we have a catastrophe of a billion-dollar flood. We pay out the billion dollars immediately. Then this bill comes into play and we still have $2,500,000,000 after payment of the billion dollars. So it is not $500 million of Federal exposure.

Mr. ST GERMAIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have a great deal of respect for many of the Members who have spoken in behalf of the amendments. I am sure they are very sincere in what they have said. But I do not feel insulted and I do not feel as though the insurance industry is saying to the Congress, "We cannot trust you, we do not trust you, we do not think you will honor your commitments." That is not it at all. For a long period of time we have heard people yelling, "Let us get private industry involved. Let us take the Federal Government out of all these programs."

Here is an instance where private industry, knowing full well that it cannot do it on its own, has come in and offered and agreed to provide flood insurance in cooperation with the Federal Government. In return, they are asking for our cooperation. Mind you, they themselves are putting up the funds.

These billion-dollar corporations may be billion-dollar corporations but they have obligations to their stockholders. They cannot just give the money away. If they are going to provide insurance coverage, it has to be done on a sound actuarial basis so that they can take care of their insured and not take a loss that would hurt their other operations.

The gentleman who offered the amendments referred during his remarks to the administration bill. But it seems to me in checking the record that this is the same bill that the gentleman from Michigan himself offered. In that bill which he sponsored there was a section 106 with this type of financing.

The gentleman for whom I have a great deal of respect and who is a very, very conscientious member of our committee and of our subcommittee was present on Tuesday, September 19, when the industry spokesmen were before the subcommittee. At that time I asked one of the spokesmen for the industry a question and quoting from his statement I said—and I quoted from this spokesman's statement as follows:

> It is thus imperative that any funds that the government has agreed to provide for Excess of Loss Reinsurance must be instantly available to private insurers.
>
> Correspondingly, it is essential that payments under the Excess of Loss Reinsurance Agreement and for Premium Equalization, be made available as soon as losses are incurred in the same manner as our commercial reinsurance arrangements.

I went on to ask whether or not he felt that because of the emphasis on this they were justified in emphasizing the point. Therefore, I asked this question:

> What will your attitude be toward this legislation if it were amended, as there is always a possibility, to provide that these moneys for reinsurance losses be made available, not by the loan process but by the appropriations process in the Congress?

The answer was:

> I think the key, Mr. St German, is this: All the companies that have expressed an interest in this program have taken a position that certainty and promptness of payment is the most important element in the Government reinsurance. This is indeed what we call for from our commercial reinsurers.

In other words, they stated that they had to pay their claims immediately and they expected the same from the Federal Government participation and that the funds for the Federal Government's share in these losses be made available immediately.

It was interesting in listening to the chairman of the Committee on Appropriations when he drew the comparison with urban renewal. We all know that there is no way to compare these two programs. Urban renewal has nothing to do with catastrophic losses at any one particular time.

I was also interested as he went on to hear him state that when the budget estimates were sent up, serious consideration would be given to the request in the budget for funds for this program—and this flies in the face of the arguments of the proponents of the amendments who stated that by this authorization immediately we put in $500 million in appropriations funds.

I would say that if the chairman of the Committee on Appropriations at this time were prepared to state that upon the adoption of this amendment, the Committee on Appropriations would therefore be ready and willing and immediately be happy to appropriate $500 million, then we could possibly get the insurance companies involved to agree because they then would know they have the funds. But otherwise I say it is implicit. It is absolutely essential that we do not accept this amendment, that we see to it that we take care of our obligations as soon as they are incurred.

PREFERENTIAL MOTION OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

> Preferential motion offered by Mr. GROSS: Mr. GROSS moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

Mr. GROSS. Mr. Chairman, with or without this amendment this is about the biggest blank-check operation that we have been called to pass upon in a good many months. Yes; this is a real blank-check operation.

A moment ago the gentleman from Rhode Island spoke of the participation of private enterprise in this proposed program. I have heard, I think, every word of the debate here this afternoon. And I have not heard one single soul tell the House specifically what the participation of the insurance companies will be. Can any Member of the House get up here now and tell us specifically and firmly what the insurance companies will put in?

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. The actuary tables at the present time would indicate, from the areas that have been surveyed to date, the participation will be approximately 3 to 1. In other words, in the event of a $400 million loss, private industry would pay $100 million and the Federal Government would pay $300 million.

Mr. GROSS. The gentleman says it is "indicated." That is not a firm commitment—and the gentleman knows it—either as to the percentage or the dollar value.

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. No; I cannot yield further. Members of the Committee have had most of the time this afternoon. Let me get in a word or two, if you do not mind. I want to review a little bit of history.

The House Committee on Appropriations reported the third supplemental appropriation bill to the House on May 3, 1957—House Report No. 386—without including any funds for the 1956 Flood Control Insurance Act. The report accompanying that bill had this to say about the request for $50 million for the purpose of implementing that insurance program. Let me read in part from the report:

> The Committee has denied the $50 million budget estimate to institute a new and experimental subsidy program of Federal flood insurance, but recommends that the agency use the $325,000 it now has for further study to develop a more workable program. The proposal for flood indemnity that has been presented to the committee is too indefinite and costly.

Well, if that was too indefinite and too costly, what about $500 million today?

Continuing to read from the report:

> It is clear that the budget estimate for $50 million is merely the initial step committing the taxpayers to a new subsidy program, and the committee does not recommend such a step at this time when—

What?

> when every effort is being made to reduce Federal spending.

That was when? May 3, 1957. That was when we had $270 billion of Federal debt in this country.

What have we today? A $340 billion Federal debt. Yet you want to embark this country on another new and vast program, and you do not know how much, actually, it will cost. I have heard nothing but excuses and alibis this afternoon to questions asking what this is going to eventually cost the taxpayers of this country. If Congress was concerned with spending in 1957, it ought to be 100 times more concerned today.

I say to you that we were not confronted in 1957 with a $29 billion deficit as we are today. And we have gone $70 billion deeper in the red since 1957. How much more do you want to load on the taxpayers of this country projected into the unknown future, and how many other insurance programs? Once you start this program, where do you stop this federally subsidized insurance business?

Next Congress will be called upon to subsidize the payment of premiums on insurance to cover fire losses caused by the hoodlums and demonstrators in Detroit, Newark, and other areas where weak-spined officials in Washington and elsewhere refuse for political reasons to stop this arson, vandalism, and violence when it starts.

I have voted for many disaster relief emergency bills that were made necessary because of floods, earthquakes, and other calamities. I will do so again, but I cannot be a party to embarking this debt-ridden Government on any such program as is here contemplated.

The House wisely stopped the funding of a similar program in 1957, and it should reject this legislation before us today.

I yield back the balance of my time.

Mr. MULTER. Mr. Chairman, I rise in opposition to the motion.

Mr. Chairman, let us get back to what we are discussing here. While I understand that some of our distinguished members of the Appropriations Committee have been cut to the quick by criticisms that have been leveled against them—most of them unjustified—let us consider what we are doing. We are not appropriating any money to pay any claims. We are setting up a fund. The maximum insurance set forth in the bill, despite what we heard to the contrary a minute ago, is $2.5 billion of insurance, and the $500 million that the Secretary is going to be permitted to draw from the Treasury is merely to make a part of this fund, to be used if, as, and when called upon. It is no different than the $3 billion we authorized the Federal Deposit Insurance Corporation to draw against the Treasury any time it needs to make up any of the defaults of the banks of the country that are insured, and it is no different than the three-quarters of a billion dollars that the Federal Savings and Loan Insurance Corporation may draw on the Treasury to make good any of its losses, and it is no different than the $6 billion that the Export-Import Bank has a right to draw on the Treasury to make good any of its guarantees in connection with the programs that we authorized it to conduct.

If we look at page 85 of the bill, we will find provisions for appropriations for administrative expenses that follow the regular procedure. We authorize administrative expenses in this bill which will require us to go to the Appropriations Committee to get appropriations for running the program to the extent the Appropriations Committee will recommend.

If we want an insurance program, the only way we can set it up is in the way provided in this bill. If we do not want an insurance program, strike out the provision for the automatic draw on the Treasury for $500 million to guarantee payment of claims.

Not a dollar guaranteed in any of these programs or in this bill is budgeted—not unless and until it is drawn upon. Money that is appropriated has to be part of the budget, and there is no point in authorizing $500 million for this program and going to the Appropriations Committee and asking them to appropriate it and putting it in as part of the budget and part of our expenses when we may never draw on it. But the right to draw on it is the guarantee that is required of our Government, to be sure that as claims are filed and allowed, we will pay our share of this insurance program.

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Ohio.

Mr. VANIK. Mr. Chairman, the gentleman talked about FDIC and others that regulate financial institutions. Is there any Federal agency that regulates the insurance industry in any form?

Mr. MULTER. There are in the various States, because we in the Congress have relegated that to the States. If, as a result of the pending hearings in the Congress, we decide the Federal Government should regulate the insurance industry, we will do it. But there are ample safeguards set up in this bill, in setting up this Federal program, as we have in other programs, so that the Government will at all times be able to regulate and control this particular program.

Mr. VANIK. Mr. Chairman, will the gentleman yield further?

Mr. MULTER. I yield to the gentleman from Ohio.

Mr. VANIK. Can the gentleman determine what the true state of the insurance industry is without Federal control?

Mr. MULTER. Let us not get into the question of the true state of the insurance industry in your States or nationwide. This is a particular Federal insurance program we are setting up here if that is the will of the Congress, just as we set up the FDIC and the FSLIC and the Export-Import Bank guarantee program.

Mr. DEL CLAWSON. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from California.

Mr. DEL CLAWSON. Mr. Chairman, the gentleman referred to a comment I made in connection with the insurance that can be written at any one time of a maximum of $2,500,000,000. The gentleman is aware that is the amount, as I am aware that is the amount, and that is on page 66, section 116 of the bill.

Mr. MULTER. That is correct.

Mr. DEL CLAWSON. I indicated in my comment that was not the total exposure under this bill, rather that the total was the total amount of the face value of the insurance.

Suppose we paid off a $1 billion loss. Would we then have only $1.5 billion? We could still write $2.5 billion of insurance after a $1 billion loss payment.

Mr. MULTER. The language is:

> The face amount of flood insurance coverage outstanding and in force at any one time under this Act shall not exceed the sum of $2,500,000,000.

Mr. DEL CLAWSON. That is correct, but that refers to total insurance coverage as of any given date.

The CHAIRMAN. The time of the gentleman from New York has expired. The question is on the preferential motion offered by the gentleman from Iowa [Mr. GROSS].

The preferential motion was rejected.

Mr. WHITTEN. Mr. Chairman, I rise in support of these amendments and move to strike the requisite number of words.

Mr. Chairman, I ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. It there objection to the request of the gentleman from Mississippi?

Mr. BARRETT. Mr. Chairman, I have no objection.

There was no objection.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. Mr. Chairman, after the gentleman finishes his remarks, I wonder if we can arrive at a time to terminate debate on these amendments and all amendments thereto.

Mr. Chairman, I ask unanimous consent that all debate on these amendments and all amendments thereto conclude at 5:40 p.m.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WHITTEN. Mr. Chairman, I sincerely hope that we can work out a system of insurance which will help in this area of flood damage which is not now covered.

I believe the committee bill and the committee report show that the committee would get the cart before the horse. What group of insurance companies would not go into a new area, if they had a half-billion dollars in a kitty that was offered in advance, to underwrite any actions they might take to put premiums too low, and so forth?

I do not speak without some experience in this area. The Congress, in its desire to do something for agriculture, in respect to crop losses some years ago, set out about like this bill would do today. The loose program bankrupted the Crop Insurance Corporation and certainly the Treasury, and the people lost plenty because the Congress tried to move in without proceeding in an experimental way or in a sound way. We lost the corporation, and the crop insurance program because we had not done the necessary preparatory work.

If Members will read the report on this bill, they will see what we will be setting up if we pass this bill. Let me quote from the report:

> MAJOR PROVISIONS OF THE BILL
>
> Under the bill, as reported, the Secretary of Housing and Urban Development will carry out a program to facilitate the purchase of flood insurance by individuals to provide against losses resulting from flood, by arranging for financial participation and risk sharing in the program on the part of the private insurance industry (through a "pool" consisting of a number of insurance companies), with provision for other participation by companies, agents or brokers, on a non-risk-sharing basis. The bill permits as an alternative—but only if necessary—a Federal program with participation by companies, agents, or brokers as fiscal agents, fol-

lowing a full report to the Congress detailing the reasons why the Government-industry program could not operate.

When, on August 8, 1966, the Secretary of Housing and Urban Development forwarded his flood insurance report to the President, the Secretary pointed out that:

"The study concludes that flood insurance is both feasible and can promote the public interest. Flood insurance will complement other programs of the Federal Government dealing with floods. Flood insurance is viewed both as a means of helping the individual bear more easily the risks of flood damage to which his location often exposes him, and equally, as a means of discouraging unwise occupancy of flood-prone areas.

"The report envisages a program of flood insurance of an essentially private character, but with continued large-scale participation of the Federal Government. The Government shall have to help in measurement of flood risks in specific locations, in establishing flood insurance premium rates, and in providing financial support to the insurance companies against excessive losses on their part. Moreover, some continuing Federal subsidy will also be necessary to a comparatively small number of present occupants of high flood-risk areas. Otherwise the cost of their flood insurance will be more than they can bear; but such subsidy should not be extended to persons who propose to build new homes in such areas, for this would lead to increased total flood hazard. Subsidies to some present occupants of flood-prone areas should be viewed as part of a program of land-use adjustment, aimed at ultimate reduction in the exposure to flood hazard."

On August 12, 1966, the report was transmitted to the Congress by the President.

AVAILABILITY OF INSURANCE

Insurance can be provided only in areas which have been studied so that actuarial premium rates can be established. At present 42 urban areas and 6 rural areas have been studied. It is estimated that such studies require about 6 months and, depending upon the availability of appropriated funds, 40 to 50 additional areas could be added each year. The rate at which additional areas are added would, of course, accelerate as the program expands.

PREMIUM RATES

Necessary rate studies and investigations will be carried out through utilization of the services of the Army Corps of Engineers, the Geological Survey, the Soil Conservation Service, the Coast and Geodetic Survey, and TVA, to estimate, on an area or other basis, risk premium rates (actuarial rates) for flood insurance. The Secretary will also estimate rates (at less than the risk premium rates) which will be reasonable and will encourage persons to purchase flood insurance. These studies and investigations will be designed to accumulate necessary information in addition to the data now available with respect to flood insurance as a result of the 1965–66 flood insurance study.

Estimates of rates will include applicable operating costs and operating allowances (administrative costs of selling and servicing insurance, and profit and contingencies, respectively). Based on these estimates and determinations of reasonable rates which can be charged to property owners, and after consultation with the advisory committee, representatives of the pool, and representatives of the State insurance commissioners, the Secretary will prescribe chargeable premium rates for eligible properties (at less than the risk premium rates, if necessary), and the terms and conditions applicable to such rates.

In prescribing rates, the respective risks involved would be considered, in terms of location, type of structure, flood proofing or similar measures, and other criteria, such as the methods of flood forecasting employed. Rates will be stated so as to reflect the differences between estimated risk premium rates and the rates charged when they are below these rates.

In the case of property constructed or substantially improved after the area in which the property is located is identified as flood hazard area, the chargeable premium rate could be not less than the risk premium (actuarial) rate estimated for the property in such area. This will be the full cost rate.

Methodology of rate setting

It is contemplated that the hydrologic method of establishing rates will be used in connection with this program. This method is described in the Secretary's flood insurance report as including two basic elements: (1) the flood stage-frequency relationship, and (2) the depth-damage relationship.

Premium equalization payments

Under the bill, subsidy payments would be made to the pool to "compensate" for losses after they occur. These payments would reflect the difference between below-cost premium rates and actual cost premium rates. Under the bill, the industry pool would pay the same proportion of losses and expenses that the below-cost premium represents of the actual cost premium (up to a specific stop-loss point). By way of illustration, assume that premiums charged and actually paid in a given period amount to $1 million, whereas the actuarial risk premium rates estimated under the bill would have amounted to $3 million. Assume further that claims for insured flood losses in this period amounted to $1.5 million. In this case, the pool would pay one-half million dollars in claims and the Federal premium equalization payment to the pool would be $1 million for payment of claims.

Additional coverage at full-cost premiums.—The dollar limitations imposed under sections 103(b) (1) (A) and 103(b) (1) (B) will only be applicable to insurance involving premium rates below acturial cost. The committee bill permits insurance at full acturial cost to be sold for coverage in excess of the applicable dollar limits specified (or allocated), up to twice these limits. Thus, for example, an existing single-family residential unit valued at $38,000 might be eligible for up to $17,500 "subsidized" insurance on the real property and for insurance at the full-cost rate at amounts of coverage between $17,500 and $35,000; and the contents might be insured at amounts of coverage between $5,000 and $10,000 at the full-cost rate.

Similarly, if a smaller business property valued at $90,000 is occupied by two firms, one of which is the owner, and the maximum structure-plus-contents coverage of $40,000 is allocated $30,000 to the owner (for $20,000 real property coverage and for $10,000 contents) and $10,000 to the other firm (for contents only), additional insurance at the full-cost rate might be provided to the owner for coverage between $30,000 and $60,000 (between $20,000 and $40,000 for real property and between $10,000 and $20,000 for contents) and to the other firm for coverage between $10,000 and $20,000 (for contents).

When we move today, let us think about our timing.

The committee bill leaves the precise technical scope of the term "flood" to regulations later to be prescribed.

Insurance can be provided in areas other than those covered in this bill. Do they mean riot damage?

They illustrate that one may do this, and they go further and say that the rate setting shall follow "the methodology of the flood stage-frequency relationship and the depth-damage relationship."

There are four agencies whose reports are depended upon. I have the privilege of serving on Appropriations Subcommittees which work with three of the four, the Corps of Engineers, the TVA and the Soil Conservation Service, and I have the highest regard for each. We review their activities each and every year. Not one of them is qualified at the moment to set up an insurance system, because that is not their primary responsibility.

Let us go a little step further.

Primarily, at the instance of Mr. Cannon, I handled, the hearings on the Kansas-Missouri flood appropriations many years ago.

The natural tendency and temptation is for individuals to buy cheap land even though it is relatively cheap because it is threatened by floods. That exists in respect to most of the flood areas. I am not talking about flood damages from cyclones, tornadoes, or other acts of God. I am talking about areas where all anticipate or where one should expect that floods would occur.

The Appropriations Subcommittee for Agricultural Appropriations of which I am chairman, handles the Federal crop insurance program. The original program failed because only those farmers with extraordinary risk got into it. Those with a reasonable chance of getting a crop would not take insurance. There is nothing in this bill which would require broad coverage at the local level so as to have a sufficient spread to justify insurance. Of course, the private insurance companies would not worry about rates, coverage or anything else as long as the Federal Government had "reinsured" them to the tune of half a billion dollars in advance. We need to have experimental actions first.

I am saying to you, with all due deference to my friends on the Committee on Banking and Currency, that we do a great deal of this work in the Committee on Appropriations. I do not compare committees here, because each committee is important. I wonder if any committee could possibly do as much as we need done. But the one committee which is charged with reviewing the laws and operations of each agency each year is the Committee on Appropriations. Legislative committees may or may not review particular subjects each year. They may or they may not review activities of programs; but it is our task to review the actual operation of each law and each program each and every year.

I say this—and I say it from the heart—as chairman of the Committee on Agricultural Appropriations, I have spent 10 years trying to work up, on an experimental basis, a sound crop insurance program. In those years we have had to advise with the crop insurance agency to eliminate counties where there is not a broad enough coverage to give an insurance base so that the corporation can set up a real actuarial table for premiums. Many counties do not qualify. There are too many farmers in these counties that have crop failures, sickness, drought, flood, short growing seasons, and so forth. They want in, but the farmers with a sound base do not. It has taken 10 years, and only now are we getting to the point where the crop insurance program seems to be sound. Now, premium rates pay to the Government the full amount of the losses for those counties included. We have even gotten to the point where we force an increase in rates so as to include a substantial part of the administrative cost. We have proceeded slowly and reviewed this crop insurance program annually; and that is why we were able to recommend its continuation each year.

Experience also dictates that any other course will not work at all. I am saying to you that if you are sincere—and I know you are—you will look at this proposed program in the light of our experience.

I was on the Mississippi gulf coast Saturday morning. I was there just at the time when the tornado hit Mississippi City, within three-quarters of a mile of the place where I was. I spoke 30 minutes later at the Buena Vista Hotel. I am familiar with the terrible damage done there and with the terrible damage which occurs in other sections of the country. But if you are going to put the Federal Government into the situation of underwriting poorly prepared programs of private companies—and my relations with private companies have been fine, and I am for them—do not set up a half a billion dollar Federal fund to which they can look. You can get a whole lot of participants if you do, but you miss the point of making any program sound.

Under this bill, subsidy payment would be made to the pool to compensate for losses after they occur. I quote from the report:

> By way of illustration, let us assume that the premiums charged and actually paid in in a given period amount to $1 million, whereas the actuarial risk premium rates estimated under the bill would have amounted to $3 million. Assume that the claims for insured losses in this period amount to $1.5 million. In this case the pool would pay half a million dollars and the Federal premium equalization payment to the pool would pay $1 million.

My relations with insurance companies are good. They write me now complaining about the Federal crop insurance program, and I write them back and tell them, "What part will you take over? We will be glad to let you have it." This is a homely illustration, but shortly after I came to the Congress I had a letter from the circuit judge, under whom I served as district attorney. He wrote me that some fellow had come to him and said, "Judge, every time the Farmers Home Administration buys property in my area they give my brother a kickback. I want you to write JAMIE." The judge said, "I will write JAMIE, because he does not believe in such conduct, and he will put a stop to it." And the man replied, "I do not want you to do that, judge. I want you to write JAMIE and get him to cut me in on it."

If you have $500 million or half a billion dollars available to underwrite company losses in advance of setting up this program, you may be putting too much temptation in the hands of some companies; and I know you are letting up on your pressure for the private companies to work out a sound program.

And, the fact that you provide half a billion dollars in advance of knowing what we are doing is an invitation to some companies to cash in on our actions.

Mr. Chairman, those who believe in this program should want to proceed slowly enough to make it work. An annual review thereof is essential if we wish to have a program that will last. However, if you want a $500 million kitty and a guarantee that the Federal Government will pay up to half-a-billion-dollar loss as a result of the operations under this program—and in my opinion destroy this program, then you should proceed as expeditiously as you wish. I know we should adopt the Brown amendment to require a review by the Appropriations Committee.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. I certainly appreciate the statement which has been made by the distinguished gentleman from Mississippi [Mr. WHITTEN]. However, I am trying so hard here to determine wherein and where will the $500 million be granted.

Mr. Chairman, this represents a transfer of $500 million from the 1956 act. This fund will probably be immovable because of this system. It is not like an insurance company or corporation.

Mr. WHITTEN. I may have misunderstood the gentleman, but I understood the gentleman to say that the insurance companies were not interested, unless we provided this $500 million as a guarantee to them against loss, at the start.

Mr. BARRETT. No.

Mr. WHITTEN. In other words, we would have to make this one-half billion dollars available to them as assurance against losses to start their program. The gentleman said, if I understood the gentleman correctly, that they were not interested otherwise.

Mr. BARRETT. Excuse me just a minute.

Mr. WHITTEN. All right; if they are willing for Congress to review and do not want the half-billion-dollar guarantee in advance they will accept the Brown amendment; will they not?

Mr. BARRETT. Mr. Chairman, will the gentleman yield further?

Mr. WHITTEN. I yield further to my friend, the distinguished gentleman from Pennsylvania.

Mr. BARRETT. Mr. Chairman, I only want to point out to the gentleman from Mississippi the fact that none of this $500 million would be given to anyone.

Mr. WHITTEN. No; no. They would get the money only after their losses.

Mr. BARRETT. The $500 million is not put up as an insurance. It is put up as an assurance. The fund will be separate from the pool. The money from the insurance will go into the pool. We anticipate, according to the statistics, that $30 million will be in the fund in the second year. Further, if we had a catastrophe like some of the ones which we have experienced heretofore, then the sum of $30 million estimated to be in the fund would almost take care of it.

Mr. WHITTEN. May I say to the gentleman that once that pool is exhausted, then you turn to the $500 million, if I understand English. The companies do pay first from the pool, where the Federal Government contributes; but second, the Federal Government picks up the check for the company losses. To me, based upon my experience here, this puts no incentive on the private companies to work out a sound program and the bill and report show we do not have a sound program spelled out now.

Of course, there are those here who believe this law, if passed, would lead to Federal Government repayment of damage from riots, and so forth.

At any rate, we need a sound program—and guaranteeing one-half billion dollars in advance, to underwrite losses, in my opinion, invites an unsound program.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. BROWN].

Mr. BROWN of Michigan. Mr. Chairman, I ask unanimous consent to yield my time to the gentleman from Georgia [Mr. BLACKBURN].

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

Mr. TALCOTT. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. BROWN of Michigan. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. BLACKBURN].

Mr. BLACKBURN. Mr. Chairman, I just have one point to make. I am fearful that at this point in the proceedings of this debate we are becoming repetitious.

Mr. Chairman, the amendment which has been offered by the gentleman from Michigan [Mr. BROWN] contains language which is identical to the language contained in many administration measures under which we now operate such as the Asian Development Bank, the Inter-American Development Bank, and the International Monetary Fund. All of our commitments to these organizations involve international commitments on the part of this country. However, we appropriate the money to these programs and by our action establish a specific line of credit upon which the program administrator may draw up to the extent of our appropriation. When the line of credit is exhausted Congress is called upon to replenish these funds by the appropriations process.

Mr. Chairman, as I understand it, all that the amendment which has been offered by the distinguished gentleman from Michigan [Mr. BROWN] would do, if adopted, is to place a limitation upon the amount of money that could be drawn on that line of credit.

These international organizations are operating very effectively under the same type of language. Therefore, I suggest that the Congress of the United States adopt the amendment which has been offered by the gentleman from Michigan

[Mr. BROWN] and apply it as to our domestic commitments.

Mr. BROWN of Michigan. Mr. Chairman, I believe it should also be pointed out, should it not, that in effect under the administration bill, or under the bill as presently before us, and under my amendment, that in each case after the fund is established the replenishment of that fund is exactly the same, the only difference is the extent of the funds. Second, if they want to extend the funds, the officials of the fund, Mr. Weaver and Mr. Fowler, are there still as originally established by Congress.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Chairman, about the only thing I regret is that I have to part company from many of the Members in this room, some of them have spoken against the amendment. For my part, I see no comparison between this program and the program for disaster relief about which some Members have spoken here, urban renewal, the ARA, or any other programs where at one time there may have been Treasury borrowing.

It seems to me, Mr. Chairman, that the Committee on Appropriations cannot do a better job than the job that will be done by the people who administer this program. After all, the only time that the Secretary is going to request any money, any Treasury borrowing, will be when there is a disaster, when claims occur, and after the claims have been adjusted and the payments are made. Then the national flood insurance fund will look to the Secretary for that amount of money necessary to put it back into condition to repair the capital structure of the fund. That is all it is. To me it is a very simple thing.

I do not believe there is a committee of the Congress that would want the job of overseeing the problem of whether or not the payment made to some poor little guy who lives in a flood-prone area, or some little business in a flood-prone area, is correct, or whether the claims are justified claims.

It seems to me we ought to have some faith in the judgment and in the integrity of the people administering the program. The Committee on Appropriations is going to get an opportunity to review the program, there is no question about that, because on page 85 of this bill the administrative expense for this particular program is going to be overseen by the proper Committee on Appropriations, and it happens to be a subcommittee that I sit on. But for my part I do not want the task of looking over all of these claims that have been filed with this particular agency where the damage has occurred, and where the liabilities have been established.

Now, all that the Secretary will do in this instance is to request from the Treasury that amount of money which is necessary to repair the capital structure of the fund.

Let me say this also: I do not believe the Brown amendment will kill the program. I do not believe that at all. But I do not believe it helps the program at all.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I am surprised—if I might have the attention of the gentleman from Massachusetts—by the statement he just made, because in 1957, when the House refused to provide $50 million for a flood insurance program, he offered an amendment for $14 million, and the House turned that down, too.

I am surprised at the——

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I will yield to the gentleman in just a moment.

I am surprised that the gentleman offered an amendment for $14 million at that time. He should have offered an unlimited proposition to the House as he is proposing here today.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Massachusetts.

Mr. BOLAND. I am conversant with the history that the gentleman refers to. It did occur in 1957.

Mr. GROSS. Yes.

Mr. BOLAND. I was a sponsor of one of the previous bills which created flood insurance, and it was voted on the next year, and the Committee on Appropriations came up for $50 million. I offered an amendment to make it $36 million. It did not carry. The Senate put $14 million in. I did not put it in here. I have not changed my mind.

Mr. GROSS. If the gentleman will just let me have 30 seconds more of my 2 minutes——

Mr. BOLAND. The fact of the matter is——

Mr. GROSS. It was after the House rejected the $50 million, and then the gentleman from Massachusetts offered his $14 million amendment, and the bill went into the deep freeze.

Mr. BOLAND. It did indeed.

Mr. GROSS. We have not considered it since. Now, suddenly, with a $340-billion debt, and a $29-billion deficit, this bill becomes tremendously important. I say to the Members that it would be the height of fiscal irresponsibility to approve the bill this afternoon, with or without a limitation. I am for the limitation, but with or without the limitation——

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. BOLAND. The reason it became unfrozen, I presume, is because so many Members on either side of the aisle have experienced natural disasters in the past couple of years and they said that we needed it—we needed it then and we need it now.

Mr. GROSS. Oh, yes, there have been floods in my district too, I will say to the gentleman, and they have caused damage, but I am not about to saddle any such proposition as this one on the debt-ridden taxpayers of this country.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. Mr. Chairman, I rise in opposition to the amendment offered by the distinguished gentleman from Michigan. I think the gentleman's amendment is going to do just the opposite of what he wants it to do and really it is going to run private industry out of participating in this pool with the Federal Government.

The gentleman said in his remarks that he was favoring private industry. Actually, we heard two letters being read today from insurance people who said they would not participate if you adopted this amendment.

I want to say this. I like to speak for the people of this country, the people who buy the insurance policies. Nobody here today has even mentioned them. We have heard talk about the big insurance companies and talk about big Federal Government. Let us talk about the insured person who is going to buy these policies. He is the one that we should be interested in. Let us talk about the little man. The little man is going to get his flood insurance policy and that policy is going to have the name of the private insurance company on it and not the name of the Federal Government. Who is he going to look for to pay his claim? He is going to look to that insurance company.

I do not blame the insurance companies if they want to get some assurance that they will be supported by the Federal Government. That is all they are asking. It is not that private industry does not trust or have confidence in the job putting up the Government share of the loss—but we move very slowly here. I have been here for 10 months like my distinguished colleague and possibly flood funds would be delayed by slow House action. The insurance company will make the policy good. If there is a million dollars worth of claims and they have $300,000 in the pool, then they have to wait on the Federal Government to put up the other $700,000. But how about the little man? He is the one who is going to be hurting. He should not have to wait for his claim to be paid.

It seems to me if the Brown amendment is adopted you are going to put the Federal Government in the flood insurance business with no support from the insurance industry. Again we will have another example of big government taking over another industry.

The Government needs to work with the insurance industry which has the agents and staffs to offer this needy insurance to the public.

I hope this amendment will be defeated to stop further encroachment on private industry.

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Chairman, I rise in support of the Brown amendment.

I have not heard one thing here today in this debate which always used to be mentioned when these backdoor spending proposals came before the House. There used to be a few of us who would say we believe our Founding Fathers meant what they said when they wrote into the Constitution that no money should be drawn from the Treasury save by an appropriation made by law.

I believe that was a wise provision. I think it is absolutely essential to give jurisdiction over all withdrawals from the Treasury to one committee of this House just as we give jurisdiction over taxes to one committee.

That is the only way by which we are going to be able to control expenditures.

It seems to me, Mr. Chairman, it would be wise if we adopted the Brown amendment so that the administrators of this program would come in annually and the one committee would scrutinize their needs as far as withdrawals from the Treasury are concerned.

I think these administrators should report each year to the Committee on Appropriations on the way that they have administered the program. So, I say, Mr. Chairman, I strongly support the Brown amendment.

Mr. BROWN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. PELLY. I yield to the gentleman.

Mr. BROWN of Michigan. The gentleman from Massachusetts earlier said that the Brown amendment indicated some lack of confidence or respect for the judgment of HUD. That is just exactly contrary to what the amendment would indicate. The Brown amendment as it is written provides that drawings will be made by the Secretary of Housing and Urban Development in the same way as they would through the back-door spending approach.

I do not know how many times we have to emphasize this, but basically the difference between the bill as written and the Brown amendment is the method of initial establishment of the fund—in the one case it would be established by Secretary Fowler or Secretary Weaver and in the other case it would be by the Congress and the Committee on Appropriations.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. Keith].

Mr. KEITH. Mr. Chairman, I come from a district which has often been ravaged by what we call abnormally high tides, on many occasions with great loss of life and extensive damages to property. It has been impossible to get insurance at rates that were reasonable to compensate for these losses.

For years the Congress has been looking into this problem, trying to find some solution. At last the Committee on Banking and Currency has come up with an answer which I believe is a very thoughtful one. It seems to me that the National Flood Insurance Act of 1967 has safeguards: It starts slowly and it spreads the risk. It is a good start toward getting the Government out of piecemeal and sometimes political payments for damages that are done by disasters of this sort, whether they be abnormally high tides or other kinds of natural disasters.

Mr. Chairman, these disasters will continue to strike. Somehow the victims of these disasters must be compensated. Presently, disaster victims can only turn to the States and to the Federal Government for emergency disaster relief.

The bill before us today offers an opportunity for those who have a risk to spread that risk with others. Through this joint venture of the Federal Government and the private insurance industry, residents of disaster areas will have recourse to orderly, prompt compensation for their losses.

Mr. Chairman, I hope that the National Flood Insurance Act will prove to be a happy marriage between private industry and the Government, resulting in protection at reasonable cost to individuals falling victim to the furies of natural disasters.

The CHAIRMAN. The gentleman from Pennsylvania is recognized.

Mr. BARRETT. Mr. Chairman, today the members of this committee can take this amendment and kill the bill. They can kill the amendment and take this program. That is exactly how simple this is. If we vote down this amendment, this program will go into action. If we accept the amendment, we will destroy the program.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from New York.

Mr. MULTER. I would like to remind the Members that this money, this $500 million is not an expenditure. It is not being appropriated. Under this bill we are setting up a national insurance fund in the office of the Secretary of the Treasury, and all that will be done by this bill is to authorize the Secretary of the Treasury to transfer to that fund up to $500 million, which will remain with the Secretary of the Treasury for the payment of claims if, as, and when they may be adjudicated.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Michigan [Mr. Brown].

The question was taken.

Mr. BARRETT. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers, Mr. Brown of Michigan and Mr. Barrett.

The Committee divided, and the tellers reported that there were—ayes 143, noes 92.

So the amendments were agreed to.

AMENDMENTS OFFERED BY MR. VANIK

Mr. VANIK. Mr. Chairman, I offer amendments.

The Clerk read as follows:

Amendments offered by Mr. Vanik: On page 43, line 23, strike out "Flood Insurance" and insert "Flood and Civil Disturbance Insurance".

On page 46, after line 17, insert the following:

"(f) (1) The Congress finds that (A) from time to time civil disturbances in the Nation's urban areas have created economic distress and property losses, placing an increasing burden on the Nation's resources and threatening the economic viability of the central cities; (B) the economic life of the Nation's cities is vital to the prosperity and strength of the entire Nation; and (C) as a matter of national policy, a reasonable method of sharing the risk of losses due to civil disturbances is through a program of civil disturbance insurance, intended to make civil disturbance insurance protection available on reasonable terms and conditions to persons who have need for such protection. The Congress also finds that many factors are making it more difficult for the private insurance industry alone to make civil disturbance insurance protection available to those in need of such protection at reasonable terms and conditions; but a program of civil disturbance insurance with participation of the Federal Government and carried out to the maximum extent practicable by the private insurance industry is feasible and can be initiated.

"(2) It is therefore also the purpose of this Act to (A) authorize a civil disturbance insurance program by means of which civil disturbance insurance, over a period of time, can be made available on a nationwide basis through the cooperative efforts of the Federal Government and the private insurance industry, and (B) provide flexibility in the program so that civil disturbance insurance may be based on workable methods of pooling risks, minimizing costs, and distributing burdens equitably among those who will be protected by civil disturbance insurance and the general public."

Mr. ST GERMAIN. Mr. Chairman, I rise to make a point of order against the amendment on the ground that it is not germane to the subject matter of the bill.

Mr. VANIK. Mr. Chairman, will the gentleman reserve his point of order?

Mr. ST GERMAIN. I will be happy to reserve my point of order.

The CHAIRMAN. The gentleman reserves a point of order.

The gentleman from Ohio is recognized in support of his amendments.

Mr. VANIK. Mr. Chairman, the parliamentary situation which precludes consideration of this amendment provides the basis for real opposition to the bill in its present form.

I have submitted this amendment to direct attention to the oversight of the committee, in failing to provide insurance coverage to needy sections in our central city areas which are having insurance canceled out. It would seem to me it would have been a fitting subject for this committee to have gone into, because it goes to the heart of the slum problem in our cities. If people cannot purchase insurance, they cannot maintain their homes.

It seems to me the committee should have endeavored to write legislation to provide coverage for risks which are today uninsurable.

When a person buys a home or establishes himself in an area affected by floods, very frequently he makes that decision by choice. When a citizen finds himself in a part of a city one day affected by civil disturbance, and when he is notified by his insurance company that there is no insurance available to him, this takes away a very substantial right. Without insurance coverage there can be no life in such communities. All hope for rehabilitation and restoration depends on insurance coverage.

I direct the attention of Members of the Committee to the fact that in my own community we are running insurance cancellations at the rate of more than 150 a month. What are these people to do? Where can they get coverage for their homes?

Mrs. GRIFFITHS. Mr. Chairman, will the gentleman yield?

Mr. VANIK. I am happy to yield to the gentlewoman from Michigan.

Mrs. GRIFFITHS. I would like to add my voice in support of the gentleman from Ohio. I have no intention of voting for this bill.

We are not in any danger of floods in Detroit, and there is not going to be a cent of the tax money of Detroit that I have control over spent for protection against floods when we are not being protected on the matter of rights. I would assume that the first thing a tax dollar is supposed to pay for is law and order.

Mr. VANIK. I thank the gentlewoman.

I want to point out, in response, that the president of the Detroit Association of Insurance Agents reports 10 to 15 complaints a month of cancellations of renewals in August, as compared with no problem at all in previous years.

He also noted that the cancellations came from older neighborhoods where because of losses fire insurance companies are trying to eliminate portions of their business in all of the big cities. Last year in Michigan, the Michigan Insurance Department, largely in the city of Detroit, said that their rate of cancellations was running about 6 months ahead of the rate of cancellations in the previous year, and a spokesman felt insurance companies had been blacklisting for underwriting purposes whole areas of our principal cities. It seems to me that something must be done to meet this problem and it seems to me that the committee has overlooked a very essential area of legislation on this point.

Mr. BARRETT. Mr. Chairman, if the gentleman will yield to me, I want to tell the gentleman in the well that there is no urgent need to have a study on the availability of fire insurance and other insurance in urban areas. Long before this flood insurance bill was sent to the committee we were considering this. The committee is studying it. I am quite sure that the gentleman will want full hearings on this type of legislation so that everybody in every city in every area can be adequately protected.

Mr. VANIK. My feeling is that after this bill is passed today the cities will have no chance of getting consideration of a civil disturbance insurance program in the central cities.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. VANIK. I yield to the gentleman from Iowa.

Mr. GROSS. I have in my hand the Journal of American Insurance, the current issue, which states as follows:

> An estimated $70 million in insured property damage losses resulted from the July riots in Detroit. That is $4 million more than insurance companies collected for fire and extended insurance policies through the entire State of Michigan in the year 1966.

I do not wonder and the gentleman should not wonder, either, why insurance companies are pulling out of high risks in Detroit, where they apparently feel that they do not have the backing of the police and the National Guard.

Mr. VANIK. Whatever the reason may be, I may say to the distinguished gentleman from Iowa, that the individual law-abiding person who lives in a home that is canceled out as far as insurance is concerned has no home at all, because without insurance he cannot continue to live there. When the law-abiding citizen moves out, there is little hope for the community. If he remains, the only thing he can do is search for special high-risk insurance which sells at 500 percent above normal premium—if it is available at all.

Mr. ST GERMAIN. Mr. Chairman, I insist on my point of order.

Mr. VANIK. Mr. Chairman, I ask unanimous consent that I may be allowed to withdraw my amendments.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

AMENDMENT OFFERED BY MR. BOW

Mr. BOW. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Bow: On page 57, line 11, add the word "and" after the semicolon;
>
> On page 57, strike out lines 12 through 14; and
>
> On page 57, line 15, strike out "(5)" and insert "(4)".

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. BOW. I will be delighted to yield to the gentleman from Pennsylvania.

Mr. BARRETT. I would say to the gentleman we have no objection to the amendment if it is agreeable to the other side.

Mr. BOW. Does the gentleman from New Jersey have objection to my amendment?

Mr. WIDNALL. We have no objection, either.

Mr. BOW. Mr. Chairman, I ask for a vote on my amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. Bow].

The amendment was agreed to.

Mr. BARRETT. Mr. Chairman, I ask unanimous consent that further reading of the committee substitute amendment be dispensed with, that the remainder be printed in the RECORD, and be open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The remainder of the committee substitute amendment is as follows:

TITLE I—THE NATIONAL FLOOD INSURANCE PROGRAM

BASIC AUTHORITY

SEC. 101. (a) To carry out the purposes of this Act, the Secretary of Housing and Urban Development is authorized to establish and carry out a national flood insurance program which will enable interested persons to purchase insurance against loss resulting from physical damage to or loss of real property or personal property related thereto arising from any flood occurring in the United States.

(b) In carrying out the flood insurance program the Secretary shall, to the maximum extent practicable, encourage and arrange for—

(1) appropriate financial participation and risk-sharing in the program by insurance companies and other insurers, and

(2) other appropriate participation, on other than a risk-sharing basis, by insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations, in accordance with the provisions of title II.

SCOPE OF PROGRAM AND PRIORITIES

SEC. 102. (a) In carrying out the flood insurance program the Secretary shall afford a priority to making flood insurance available to cover residential properties which are designed for the occupancy of from one to four families and business properties which are owned or leased and operated by small business concerns.

(b) If on the basis of—

(1) studies and investigations undertaken and carried out and information received or exchanged under section 104, and

(2) such other information as may be necessary, the Secretary determines that it would be feasible to extend the flood insurance program to cover any types or classes of—

(A) other residential properties,

(B) other business properties,

(C) agricultural properties,

(D) properties occupied by private nonprofit organizations, or

(E) properties owned by State and local governments and agencies thereof,

he shall transmit such determination to the Congress together with his recommendations with respect to any such extension of the program.

(c) The Secretary shall make flood insurance available in only those States or areas (or subdivisions thereof) which he has determined have—

(1) evidenced a positive interest in securing flood insurance coverage under the flood insurance program, and

(2) given satisfactory assurance that by June 30, 1970, permanent land use and control measures will have been adopted for the State or area (or subdivision) which are consistent with the comprehensive criteria for land management and use developed under section 302, and that the application and enforcement of such measures will commence as soon as technical information on floodways and on controlling flood elevations is available.

NATURE AND LIMITATION OF INSURANCE COVERAGE

SEC. 103. (a) The Secretary shall from time to time, after consultation with the advisory committee authorized under section 115, appropriate representatives of the pool formed or otherwise created under section 211, and appropriate representatives of the insurance authorities of the respective States, provide by regulation for general terms and conditions of insurability which shall be applicable to properties eligible for flood insurance coverage under section 102, including—

(1) the types, classes, and locations of any such properties which shall be eligible for flood insurance;

(2) the nature and limits of loss or damage in any areas (or subdivisions thereof) which may be covered by such insurance;

(3) the classification, limitation, and rejection of any risks which may be advisable;

(4) appropriate minimum premiums;

(5) appropriate loss-deductibles; and

(6) any other terms and conditions relating to insurance coverage or exclusion which may be necessary to carry out the purposes of this Act.

(b) In addition to any other terms and conditions under subsection (a), such regulations shall provide that—

(1) any flood insurance coverage based on chargeable premium rates under section 105 which are less than the estimated premium rates under section 104(a)(1) shall not exceed—

(A) in the case of residential properties which are designed for the occupancy of from one to four families—

(i) $17,500 aggregate liability for any dwelling unit, and $30,000 for any single dwelling structure containing more than one dwelling unit, and

(ii) $5,000 aggregate liability per dwelling unit for any contents related to such unit;

(B) in the case of business properties which are owned or leased and operated by small business concerns, an aggregate liability with respect to any single structure, including any contents thereof related to premises of small business occupants (as that term is defined by the Secretary), which shall be equal to (i) $30,000 plus (ii) $5,000 multiplied by the number of such occupants and shall be allocated among such occupants (or among the occupant or occupants and the owner) under regulations prescribed by the Secretary; except that the aggregate liability for the structure itself may in no case exceed $30,000; and

(C) in the case of any other properties which may become eligible for flood insurance coverage under section 102—

(i) $30,000 aggregate liability for any single structure, and

(ii) $5,000 aggregate liability per dwelling unit for any contents related to such unit in the case of residential properties, or per occupant (as that term is defined by the Secretary) for any contents related to the premises occupied in the case of any other properties; and

(2) any flood insurance coverage which may be made available in excess of any of the limits specified in subparagraph (A), (B), or (C) of paragraph (1) (or allocated to any person under subparagraph (B) of such paragraph) shall be based only on chargeable premium rates under section 105 which are not less than the estimated premium rates under section 104(a)(1), and the amount of such excess coverage shall not in any case exceed an amount which is equal to the applicable limit so specified (or allocated).

ESTIMATES OF PREMIUM RATES

SEC. 104. (a) The Secretary is authorized to undertake and carry out such studies and investigations and receive or exchange such information as may be necessary to estimate, and shall from time to time estimate, on an area, subdivision, or other appropriate basis—

(1) the risk premium rates for flood insurance which—

(A) based on consideration of the risk involved and accepted actuarial principles, and

(B) including—

(i) the applicable operating costs and allowances set forth in the schedules prescribed under section 108 and reflected in such rates, and

(ii) any administrative expenses (or portion of such expenses) of carrying out the flood insurance program which, in his discretion, should properly be reflected in such rates,

would be required in order to make such insurance available on an actuarial basis for any types and classes of properties for which insurance coverage is available under section 102(a) (or is recommended to the Congress under section 102(b));

(2) the rates, if less than the rates estimated under paragraph (1), which would be reasonable, would encourage prospective insureds to purchase flood insurance, and would be consistent with the purposes of this Act; and

(3) the extent, if any, to which Federally-assisted or other flood protection measures initiated after the date of the enactment of this Act affect such rates.

(b) In carrying out subsection (a), the Secretary shall, to the maximum extent feasible and on a reimbursement basis, utilize the services of the Department of the Army, the Department of the Interior, the Department of Agriculture, the Department of Commerce, and the Tennessee Valley Authority, and, as appropriate, other Federal departments or agencies, and for such purposes may enter into agreements or other appropriate arrangements with any persons.

(c) The Secretary shall give priority to conducting studies and investigations and making estimates under this section in those States or areas (or subdivisions thereof) which he has determined have evidenced a positive interest in securing flood insurance coverage under the flood insurance program.

ESTABLISHMENT OF CHARGEABLE PREMIUM RATES

SEC. 105. (a) On the basis of estimates made under section 104 and such other information as may be necessary, the Secretary shall from time to time, after consultation with the advisory committee authorized under section 115, appropriate representatives of the pool formed or otherwise created under section 211, and appropriate representatives of the insurance authorities of the respective States, prescribe by regulation—

(1) chargeable premium rates for any types and classes of properties for which insurance coverage shall be available under section 102 (at less than the estimated risk premium rates under section 104(a)(1), where necessary), and

(2) the terms and conditions under which, and the areas (including subdivisions thereof) within which, such rates shall apply.

(b) Such rates shall, insofar as practicable, be—

(1) based on a consideration of the respective risks involved, including differences in risks due to land use measures, floodproofing, flood forecasting, and similar measures,

(2) adequate, on the basis of accepted actuarial principles, to provide reserves for anticipated losses, or, if less than such amount, consistent with the objective of making flood insurance available where necessary at reasonable rates so as to encourage prospective insureds to purchase such insurance and with the purposes of this Act, and

(3) stated so as to reflect the basis for such rates, including the differences (if any) between the estimated risk premium rates under section 104(a)(1) and the estimated rates under section 104(a)(2).

(c) Notwithstanding any other provision of this Act, the chargeable rate with respect to any property, the construction or substantial improvement of which the Secretary determines has been started after the identification of the area in which such property is located has been published under paragraph (1) of section 301, shall not be less than the applicable estimated risk premium rate for such area (or subdivision thereof) under section 104(a)(1).

(d) In the event any chargeable premium rate prescribed under this section—

(1) is a rate which is not less than the applicable estimated risk premium rate under section 104(a)(1), and

(2) includes any amount for administrative expenses of carrying out the flood insurance program which have been estimated under clause (ii) of section 104(a)(1)(B),

a sum equal to such amount shall be paid to the Secretary, and he shall deposit such sum in the National Flood Insurance Fund established under section 107.

TREASURY BORROWING AUTHORITY

SEC. 106. (a) All of the authority under section 15(e) of the Federal Flood Insurance Act of 1956 (pertaining to the issue of notes or other obligations to the Secretary of the Treasury), as amended by section 3 (a) and (b) of this Act, shall be available to the Secretary for the purpose of carrying out this Act.

(b) Any funds borrowed by the Secretary under this authority shall, from time to time, be deposited in the National Flood Insurance Fund established under section 107.

NATIONAL FLOOD INSURANCE FUND

SEC. 107. (a) To carry out the flood insurance program authorized by this Act, the Secretary is authorized to establish in the Treasury of the United States a National Flood Insurance Fund (hereinafter referred to as the "fund") which shall be available, without fiscal year limitation—

(1) for making such payments as may, from time to time, be required under section 214;

(2) to pay reinsurance claims under the excess loss reinsurance coverage provided under section 215:

(3) to repay to the Secretary of the Treasury such sums as may be borrowed from him (together with interest) in accordance with the authority provided in section 106;

(4) to pay such administrative expenses (or portion of such expenses) of carrying out the flood insurance program as he may deem necessary; and

(5) for the purposes specified in subsection (d) under the conditions provided therein.

(b) The fund shall be credited with—

(1) such funds as may be borrowed in accordance with the authority provided in section 106 and deposited in the fund;

(2) premiums, fees, or other charges which may be paid or collected in connection with the excess loss reinsurance coverage provided under section 215;

(3) such amounts as may be advanced to the fund from appropriations in order to maintain the fund in an operative condition adequate to meet its liabilities;

(4) interest which may be earned on investments of the fund pursuant to subsection (c);

(5) such sums as are required to be paid to the Secretary under section 105(d); and

(6) receipts from any other operations under this Act (including premiums under the conditions specified in subsection (d), and salvage proceeds, if any, resulting from reinsurance coverage).

(c) If, after—

(1) all outstanding obligations of the fund have been liquidated, and

(2) any outstanding amounts which may have been advanced to the fund from appropriations authorized under section 407 (a)(2)(B) have been credited to the appropriation from which advanced, with interest accrued at the rate prescribed under section 15(e) of the Federal Flood Insurance Act of 1956, as amended by section 3(a) of this Act,

the Secretary determines that the moneys of the fund are in excess of current needs, he may request the investment of such amounts as he deems advisable by the Secretary of the Treasury in obligations issued or guaranteed by the United States.

(d) In the event the Secretary makes a finding in accordance with the provisions of section 221 that operation of the flood insurance program, in whole or in part, should be carried out through the facilities of the Federal Government, the fund shall be available for all purposes incident thereto, including—

(1) costs incurred in the adjustment and payment of any claims for losses, and

(2) payment of applicable operating costs set forth in the schedules prescribed under section 108,

for so long as the program is so carried out, and in such event any premiums paid shall be deposited by the Secretary to the credit of the fund.

OPERATING COSTS AND ALLOWANCES

SEC. 108. (a) The Secretary shall from time to time negotiate with appropriate representatives of the insurance industry for the purpose of establishing—

(1) a current schedule of operating costs applicable both to risk-sharing insurance companies and other insurers and to insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations participating on other than a risk-sharing basis, and

(2) a current schedule of operating allow-

ances applicable to risk-sharing insurance companies and other insurers,

which may be payable in accordance with the provisions of title II, and such schedules shall from time to time be prescribed in regulations.

(b) For purposes of subsection (a)—

(1) the term "operating costs" shall (without limiting such term) include—

(A) expense reimbursements covering the direct, actual, and necessary expenses incurred in connection with selling and servicing flood insurance coverage;

(B) reasonable compensation payable for selling and servicing flood insurance coverage, or commissions or service fees paid to producers;

(C) loss adjustment expenses; and

(D) other direct, actual, and necessary expenses which the Secretary finds are incurred in connection with selling or servicing flood insurance coverage; and

(2) the term "operating allowances" shall (without limiting such term) include amounts for profit and contingencies which the Secretary finds reasonable and necessary to carry out the purposes of this Act.

PAYMENT OF CLAIMS

SEC. 109. The Secretary is authorized to prescribe regulations establishing the general method or methods by which proved and approved claims for losses may be adjusted and paid for any damage to or loss of property which is covered by flood insurance made available under the provisions of this Act.

DISSEMINATION OF FLOOD INSURANCE INFORMATION

SEC. 110. The Secretary shall from time to time take such action as may be necessary in order to make information and data available to the public, and to any State or local agency or official, with regard to—

(1) the flood insurance program, its coverage and objectives, and

(2) estimated and chargeable flood insurance premium rates, including the basis for and differences between such rates in accordance with the provisions of section 105.

PROHIBITION AGAINST CERTAIN DUPLICATIONS OF BENEFITS

SEC. 111. (a) Notwithstanding the provisions of any other law, no Federal disaster assistance shall be made available to any person—

(1) for the physical loss, destruction, or damage of real or personal property, to the extent that such loss, destruction, or damage is covered by a valid claim which may be adjusted and paid under flood insurance made available under the authority of this Act, or

(2) except in the situation provided for under subsection (b), for the physical loss, destruction, or damage of real or personal property, to the extent that such loss, destruction, or damage could have been covered by a valid claim under flood insurance which had been made available under the authority of this Act, if—

(A) such loss, destruction, or damage occurred subsequent to one year following the date flood insurance was made available in the area (or subdivision thereof) in which such property or the major part thereof was located, and

(B) such property was eligible for flood insurance under this Act at that date;

and in such circumstances the extent that such loss, destruction, or damage could have been covered shall be presumed (for purposes of this subsection) to be an amount not less than the maximum limit of insurable loss or damage applicable to such property in such area (or subdivision thereof), pursuant to regulations under section 103, at the time insurance was made available in such area (or subdivision thereof).

(b) In order to assure that the provisions of subsection (a)(2) will not create undue hardship for low-income persons who might otherwise benefit from the provision of Federal disaster assistance, the Secretary shall provide by regulation for the circumstances in which the provisions of subsection (a)(2) shall not be applicable to any such persons.

(c) For purposes of this section, "Federal disaster assistance" shall include any Federal financial assistance which may be made available to any person as a result of—

(1) a major disaster (within the meaning of that term as determined by the President pursuant to the Act entitled "An Act to authorize Federal assistance to State and local governments in major disasters, and for other purposes", as amended (42 U.S.C. 1855–1855g)),

(2) a natural disaster, as determined by the Secretary of Agriculture pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), or

(3) a disaster with respect to which loans may be made under section 7(b) of the Small Business Act (15 U.S.C. 636(b)).

(d) For purposes of section 10 of the Disaster Relief Act of 1966 (80 Stat. 1320), the term "financial assistance" shall be deemed to include any flood insurance which is made available under this Act.

STATE AND LOCAL LAND USE CONTROLS

SEC. 112. After June 30, 1970, no new flood insurance coverage shall be provided under this Act in any area (or subdivision thereof) unless an appropriate public body shall have adopted permanent land use and control measures (with effective enforcement provisions) which the Secretary finds are consistent with the comprehensive criteria for land management and use under section 302.

PROPERTIES IN VIOLATION OF STATE AND LOCAL LAW

SEC. 113. No new flood insurance coverage shall be provided under this Act for any property which the Secretary finds has been declared by a duly constituted State or local zoning authority, or other authorized public body, to be in violation of State or local laws, regulations, or ordinances which are intended to discourage or otherwise restrict land development or occupancy in flood-prone areas.

COORDINATION WITH OTHER PROGRAMS

SEC. 114. In carrying out this Act, the Secretary shall consult with other departments and agencies of the Federal Government, and with interstate, State, and local agencies having responsibilities for flood control, flood forecasting, or flood damage prevention, in order to assure to the maximum extent practicable that the programs of such agencies and the flood insurance program authorized under this Act are mutually consistent.

ADVISORY COMMITTEE

SEC. 115. (a) The Secretary shall appoint a flood insurance advisory committee, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and such committee shall advise the Secretary in the preparation of any regulations prescribed in accordance with this Act and with respect to policy matters arising in the administration of this Act, and shall perform such other responsibilities as the Secretary may, from time to time, assign to such committee.

(b) Such committee shall consist of not more than fifteen persons and such persons shall be selected from among representatives of—

(1) the insurance industry,

(2) State and local governments,

(3) lending institutions,

(4) the homebuilding industry, and

(5) the general public.

(c) Members of the committee shall, while attending conferences or meetings thereof, be entitled to receive compensation at a rate fixed by the Secretary but not exceeding $100 per day, including traveltime, and while so serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as is authorized under section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

INITIAL PROGRAM LIMITATION

SEC. 116. The face amount of flood insurance coverage outstanding and in force at any one time under this Act shall not exceed the sum of $2,500,000,000.

REPORT TO THE PRESIDENT

SEC. 117. The Secretary shall include a report of operations under this Act in the annual report to the President for submission to the Congress required by section 8 of the Department of Housing and Urban Development Act.

TITLE II—ORGANIZATION AND ADMINISTRATION OF THE FLOOD INSURANCE PROGRAM

ORGANIZATION AND ADMINISTRATION

SEC. 201. Following such consultation with representatives of the insurance industry as may be necessary, the Secretary shall implement the flood insurance program authorized under title I in accordance with the provisions of part A of this title and, if a determination is made by him under section 221, under part B of this title.

PART A—INDUSTRY PROGRAM WITH FEDERAL FINANCIAL ASSISTANCE

INDUSTRY FLOOD INSURANCE POOL

SEC. 211. (a) The Secretary is authorized to encourage and otherwise assist any insurance companies and other insurers which meet the requirements prescribed under subsection (b) to form, associate, or otherwise join together in a pool—

(1) in order to provide the flood insurance coverage authorized under title I; and

(2) for the purpose of assuming, on such terms and conditions as may be agreed upon, such financial responsibility as will enable such companies and other insurers, with the Federal financial and other assistance available under this Act, to assume a reasonable proportion of responsibility for the adjustment and payment of claims for losses under the flood insurance program.

(b) In order to promote the effective administration of the flood insurance program under this part, and to assure that the objectives of this Act are furthered, the Secretary is authorized to prescribe appropriate requirements for insurance companies and other insurers participating in such pool including, but not limited to, minimum requirements for capital or surplus or assets.

AGREEMENTS WITH FLOOD INSURANCE POOL

SEC. 212. (a) The Secretary is authorized to enter into such agreements with the pool formed or otherwise created under this part as he deems necessary to carry out the purposes of this Act.

(b) Such agreements shall specify—

(1) the terms and conditions under which risk capital will be available for the adjustment and payment of claims,

(2) the terms and conditions under which the pool (and the companies and other insurers participating therein) shall participate in premiums received and profits or losses realized or sustained,

(3) the maximum amount of profit, established by the Secretary and set forth in the schedules prescribed under section 108, which may be realized by such pool (and the companies and other insurers participating therein),

(4) the terms and conditions under which operating costs and allowances set forth in the schedules prescribed under section 108 may be paid, and

(5) the terms and conditions under which premium equalization payments under sec-

tion 214 will be made and reinsurance claims under section 215 will be paid.

(c) In addition, such agreements shall contain such provisions as the Secretary finds necessary to assure that—

(1) no insurance company or other insurer which meets the requirements prescribed under section 211(b), and which has indicated an intention to participate in the flood insurance program on a risk-sharing basis, will be excluded from participating in the pool,

(2) the insurance companies and other insurers participating in the pool will take whatever action may be necessary to provide continuity of flood insurance coverage by the pool, and

(3) any insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations will be permitted to cooperate with the pool as fiscal agents or otherwise, on other than a risk-sharing basis, to the maximum extent practicable.

ADJUSTMENT AND PAYMENT OF CLAIMS AND JUDICIAL REVIEW

SEC. 213. The insurance companies and other insurers which form, associate, or otherwise join together in the pool under this part may adjust and pay all claims for proved and approved losses covered by flood insurance in accordance with the provisions of this Act and, upon the disallowance by any such company or other insurer of any such claim, or upon the refusal of the claimant to accept the amount allowed upon any such claim, the claimant, within one year after the date of mailing of notice of disallowance or partial disallowance of the claim, may institute an action on such claim against such company or other insurer in the United States district court for the district in which the insured property or the major part thereof shall have been situated, and jurisdiction is hereby conferred upon such court to hear and determine such action without regard to the amount in controversy.

PREMIUM EQUALIZATION PAYMENTS

SEC. 214. (a) The Secretary, on such terms and conditions as he may from time to time prescribe, shall make periodic payments to the pool formed or otherwise created under section 211, in recognition of such reductions in chargeable premium rates under section 105 below estimated premium rates under section 104(a)(1) as are required in order to make flood insurance available on reasonable terms and conditions.

(b) Such payments shall be based only on the aggregate amount of flood insurance retained by the pool after ceding reinsurance in accordance with the provisions of section 215, and shall not exceed an aggregate amount in any payment period equal to the sum of the following:

(1) an amount for losses which bears the same ratio to the amount of all proved and approved claims for losses under this Act during any designated period as the amount equal to the difference between—

(A) the sum of all premium payments for flood insurance coverage in force under this Act during such designated period which would have been payable during such period if all such coverage were based on estimated risk premium rates under section 104(a)(1) (excluding any administrative expenses which may be reflected in such rates, as specified in clause (ii) of section 104(a)(1)(B)), and

(B) the sum of the premium payments actually paid or payable for such insurance under this Act during such period,

bears to the amount specified in clause (A); and

(2) subject to the terms and conditions specified in the agreements entered into with the pool under section 212, a proportionate amount for appropriate operating costs and allowances (as set forth in the schedules prescribed under section 108) during any designated period which bears the same ratio to the total amount of such operating costs and allowances during such period as the ratio specified in paragraph (1).

(c) Designated periods under this section and the methods for determining the sum of premiums paid or payable during such periods shall be established by the Secretary.

REINSURANCE COVERAGE

SEC. 215. (a) The Secretary is authorized to take such action as may be necessary in order to make available, to the pool formed or otherwise created under section 211, reinsurance for losses (due to claims for proved and approved losses covered by flood insurance) which are in excess of losses assumed by such pool in accordance with the excess loss agreement entered into under subsection (c).

(b) Such reinsurance shall be made available pursuant to contract, agreement, or any other arrangement, in consideration of such payment of a premium, fee, or other charge as the Secretary finds necessary to cover anticipated losses and other costs of providing such reinsurance.

(c) The Secretary is authorized to negotiate an excess loss agreement, from time to time, under which the amount of flood insurance retained by the pool, after ceding reinsurance, shall be adequate to further the purposes of this Act, consistent with the objective of maintaining appropriate financial participation and risk sharing to the maximum extent practicable on the part of participating companies and other insurers.

(d) All reinsurance claims for losses in excess of losses assumed by the pool shall be submitted on a portfolio basis by such pool in accordance with terms and conditions established by the Secretary.

PART B—GOVERNMENT PROGRAM WITH INDUSTRY ASSISTANCE

FEDERAL OPERATION OF THE PROGRAM

SEC. 221. (a) If at any time, after consultation with representatives of the insurance industry, the Secretary determines that operation of the flood insurance program as provided under part A cannot be carried out, or that such operation, in itself, would be assisted materially by the Federal Government's assumption, in whole or in part, of the operational responsibility for flood insurance under this Act (on a temporary or other basis), he shall promptly undertake any necessary arrangements to carry out the program of flood insurance authorized under title I through the facilities of the Federal Government, utilizing, as may be practicable for purposes of providing flood insurance coverage, insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organization, as fiscal agents of the United States.

(b) Upon making the determination referred to in subsection (a), and at least thirty days prior to implementing the program of flood insurance auhorized under title I through the facilities of the Federal Government, the Secretary shall make a report to the Congress and such report shall—

(1) state the reasons for such determination,

(2) be supported by pertinent findings,

(3) indicate the extent to which it is anticipated that the insurance industry will be utilized in providing flood insurance coverage under the program, and

(4) contain such recommendations as the Secretary deems advisable.

ADJUSTMENT AND PAYMENT OF CLAIMS AND JUDICIAL REVIEW

SEC. 222. In the event the program is carried out as provided in section 221, the Secretary shall be authorized to adjust and make payment of any claims for proved and approved losses covered by flood insurance, and upon the disallowance by the Secretary of any such claim, or upon the refusal of the claimant to accept the amount allowed upon any such claim, the claimant, within one year after the date of mailing of notice of disallowance or partial disallowance by the Secretary, may institute an action against the Secretary on such claim in the United States district court for the district in which the insured property or the major part thereof shall have been situated, and jurisdiction is hereby conferred upon such court to hear and determine such action without regard to the amount in controversy.

PART C—PROVISIONS OF GENERAL APPLICABILITY

SERVICES BY INSURANCE INDUSTRY

SEC. 231. (a) In administering the flood insurance program under this title, the Secretary is authorized to enter into any contracts, agreements, or other appropriate arrangements which may, from time to time, be necessary for the purpose of utilizing, on such terms and conditions as may be agreed upon, the facilities and services of any insurance companies or other insurers, insurance agents and brokers, or insurance adjustment organizations; and such contracts, agreements, or arrangements may include provision for payment of applicable operating costs and allowances for such facilities and services as set forth in the schedules prescribed under section 108.

(b) Any such contracts, agreements, or other arrangements may be entered into without regard to the provisions of section 3709 of the Revised Statutes (41 U.S.C. 5) or any other provision of law requiring competitive bidding.

USE OF INSURANCE POOL, COMPANIES, OR OTHER PRIVATE ORGANIZATIONS FOR CERTAIN PAYMENTS

SEC. 232. (a) In order to provide for maximum efficiency in the administration of the flood insurance program and in order to facilitate the expeditious payment of any Federal funds under such program, the Secretary may enter into contracts with the pool formed or otherwise created under section 211, or any insurance company or other private organization, for the purpose of securing performance by such pool, company, or organization of any or all of the following responsibilities:

(1) estimating and later determining any amounts of payments to be made;

(2) receiving from the Secretary, disbursing, and accounting for funds in making such payments;

(3) making such audits of the records of any insurance company or other insurer, insurance agent or broker, or insurance adjustment organization as may be necessary to assure that proper payments are made; and

(4) otherwise assisting in such manner as the contract may provide to further the purposes of this Act.

(b) Any contract with the pool or an insurance company or other private organization under this section may contain such terms and conditions as the Secretary finds necessary or appropriate for carrying out responsibilities under subsection (a), and may provide for payment of any costs which the Secretary determines are incidental to carrying out such responsibilities which are covered by the contract.

(c) Any contract entered into under subsection (a) may be entered into without regard to section 3709 of the Revised Statutes (41 U.S.C. 5) or any other provision of law requiring competitive bidding.

(d) No contract may be entered into under this section unless the Secretary finds that the pool, company, or organization will perform its obligations under the contract efficiently and effectively, and will meet such requirements as to financial responsibility, legal authority, and other matters as he finds pertinent.

(e) (1) Any such contract may require the pool, company, or organization or any of its officers or employees certifying payments or disbursing funds pursuant to the contract, or otherwise participating in carrying out the contract, to give surety bond to the United States in such amount as the Secretary may deem appropriate.

(2) No individual designated pursuant to a contract under this section to certify payments shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment certified by him under this section.

(3) No officer disbursing funds shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this section if it was based upon a voucher signed by an individual designated to certify payments as provided in paragraph (2) of this subsection.

(f) Any contract entered into under this section shall be for a term of one year, and may be made automatically renewable from term to term in the absence of notice by either party of an intention to terminate at the end of the current term; except that the Secretary may terminate any such contract at any time (after reasonable notice to the pool, company, or organization involved) if he finds that the pool, company or organization has failed substantially to carry out the contract, or is carrying out the contract in a manner inconsistent with the efficient and effective administration of the flood insurance program authorized under this Act.

SETTLEMENT AND ARBITRATION

SEC. 233. (a) The Secretary is authorized to make final settlement of any claims or demands which may arise as a result of any financial transactions which he is authorized to carry out under this title, and may, to assist him in making any such settlement, refer any disputes relating to such claims or demands to arbitration, with the consent of the parties concerned.

(b) Such arbitration shall be advisory in nature, and any award, decision, or recommendation which may be made shall become final only upon the approval of the Secretary.

RECORDS AND AUDITS

SEC. 234. (a) The flood insurance pool formed or otherwise created under part A of this title, and any insurance company or other private organization executing any contract, agreement, or other appropriate arrangement with the Secretary under part B of this title or this part, shall keep such records as the Secretary shall prescribe including records which fully disclose the total costs of the program undertaken or the services being rendered, and such other records as will facilitate an effective audit.

(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the pool and any such insurance company or other private organization that are pertinent to the costs of the program undertaken or the services being rendered.

TITLE III—COORDINATION OF FLOOD INSURANCE WITH LAND-MANAGEMENT PROGRAMS IN FLOOD-PRONE AREAS

IDENTIFICATION OF FLOOD-PRONE AREAS

SEC. 301. The Secretary is authorized to consult with, receive information from, and enter into any agreements or other arrangements with the Secretaries of the Army, the Interior, Agriculture, and Commerce, the Tennessee Valley Authority, and the heads of other Federal departments or agencies, on a reimbursement basis, or with the head of any State or local agency, in order that he may—

(1) identify and publish information with respect to all flood plain areas, including coastal areas located in the United States, which have special flood hazards, within five years following the date of the enactment of this Act, and

(2) establish flood-risk zones in all such areas, and make estimates with respect to the rates of probable flood-caused loss for the various flood-risk zones for each of these areas, within fifteen years following such date.

CRITERIA FOR LAND MANAGEMENT AND USE

SEC. 302. (a) The Secretary is authorized to carry out studies and investigations, utilizing to the maximum extent practicable the existing facilities and services of other Federal departments or agencies, and State and local governmental agencies, and any other organizations, with respect to the adequacy of State and local measures in flood-prone areas as to land management and use, flood control, flood zoning, and flood damage prevention, and may enter into any contracts, agreements, or other appropriate arrangements to carry out such authority.

(b) Such studies and investigations shall include, but not be limited to, laws, regulations, or ordinances relating to encroachments and obstructions on stream channels and floodways, the orderly development and use of flood plains of rivers or streams floodway encroachment lines, and flood plain zoning, building codes, building permits, and subdivision or other building restrictions.

(c) On the basis of such studies and investigations, and such other information as he deems necessary, the Secretary shall from time to time develop comprehensive criteria designed to encourage, where necessary, the adoption of permanent State and local measures which, to the maximum extent feasible, will—

(1) constrict the development of land which is exposed to flood damage where appropriate,

(2) guide the development of proposed construction away from locations which are threatened by flood hazards,

(3) assist in reducing damage caused by floods, and

(4) otherwise improve the long-range land management and use of flood-prone areas, and he shall work closely with and provide any necessary technical assistance to State, interstate, and local governmental agencies, to encourage the application of such criteria and the adoption and enforcement of such measures.

PURCHASE OF CERTAIN INSURED PROPERTIES

SEC. 303. The Secretary may, when he determines that the public interest would be served thereby, enter into negotiations with any owner of real property or interests therein which—

(1) was located in any flood-risk area, as determined by the Secretary,

(2) was covered by flood insurance under the flood insurance program authorized under this Act, and

(3) was damaged substantially beyond repair by flood while so covered,

and may purchase such property or interests therein, for subsequent transfer, by sale, lease, donation, or otherwise, to any State or local agency which enters into an agreement with the Secretary that such property shall, for a period not less than forty years following transfer, be used for only such purposes as the Secretary may, by regulation, determine to be consistent with sound land management and use in such area.

TITLE IV—APPROPRIATIONS AND MISCELLANEOUS PROVISIONS

DEFINITIONS

SEC. 401. As used in this Act—

(1) the term "flood" shall have such meaning as may be prescribed in regulations of the Secretary, and may include inundation from rising waters or from the overflow of streams, rivers, or other bodies of water, or from tidal surges, abnormally high tidal water, tidal waves, tsunamis, hurricanes, or other severe storms or deluge;

(2) the terms "United States" (when used in a geographic sense) and "State" include the several States, the District of Columbia, the territories and possessions, and the Commonwealth of Puerto Rico;

(3) the terms "insurance company", "other insurer", and "insurance agent or broker" include any organizations and persons authorized to engage in the insurance business under the laws of any State;

(4) the term "insurance adjustment organization" includes any organizations and persons engaged in the business of adjusting loss claims arising under insurance policies issued by any insurance company or other insurer;

(5) the term "person" includes any individual or group of individuals, corporation, partnership, association, or any other organized group of persons, including State and local governments and agencies thereof; and

(6) the term "Secretary" means the Secretary of Housing and Urban Development.

STUDIES OF OTHER NATURAL DISASTERS

SEC. 402. (a) The Secretary is authorized to undertake such studies as may be necessary for the purpose of determining the extent to which insurance protection against earthquakes or any other natural disaster perils, other than flood, is not available from public or private sources, and the feasibility of such insurance protection being made available.

(b) Studies under this section shall be carried out, to the maximum extent practicable, with the cooperation of other Federal departments and agencies and State and local agencies, and the Secretary is authorized to consult with, receive information from, and enter into any necessary agreements or other arrangements with such other Federal departments and agencies (on a reimbursement basis) and such State and local agencies.

PAYMENTS

SEC. 403. Any payments under this Act may be made (after necessary adjustment on account of previously-made underpayments or overpayments) in advance or by way of reimbursement, and in such installments and on such conditions, as the Secretary may determine.

GOVERNMENT CORPORATION CONTROL ACT

SEC. 404. The provisions of the Government Corporation Control Act shall apply to the program authorized under this Act to the same extent as they apply to wholly owned Government corporations.

FINALITY OF CERTAIN FINANCIAL TRANSACTIONS

SEC. 405. Notwithstanding the provisions of any other law—

(1) any financial transaction authorized to be carried out under this Act, and

(2) any payment authorized to be made or to be received in connection with any such financial transaction,

shall be final and conclusive upon all officers of the Government.

ADMINISTRATIVE EXPENSES

SEC. 406. Any administrative expenses which may be sustained by the Federal Government in carrying out the flood insurance program authorized under this Act may be paid out of appropriated funds.

APPROPRIATIONS

SEC. 407. (a) There are hereby authorized to be appropriated such sums as may from time to time be necessary to carry out this Act, including sums—

(1) to cover administrative expenses authorized under section 406;

(2) to reimburse the National Flood Insurance Fund established under section 107 for—

(A) premium equalization payments under section 214 which have been made from such fund; and

(B) reinsurance claims paid under the excess loss reinsurance coverage provided under section 215; and

(3) to make such other payments as may be necessary to carry out the purposes of this Act.

(b) All such funds shall be available without fiscal year limitation.

AMENDMENT OFFERED BY MR. MATSUNAGA

Mr. MATSUNAGA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MATSUNAGA: On page 83, line 8, strike out the word "and", and before the semicolon insert a comma followed by the following language: "and the Trust Territory of the Pacific Islands."

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. MATSUNAGA. I yield to the distinguished chairman of the subcommittee.

Mr. BARRETT. Mr. Chairman, we have no objection to this amendment, and if it is agreeable to the other side, we shall be glad to accept it.

Mr. WIDNALL. Mr. Chairman, we have no objection to the amendment.

Mr. MATSUNAGA. Mr. Chairman, at the outset I wish to commend the distinguished gentleman from Pennsylvania [Mr. BARRETT], chairman of the subcommittee and members of his committee, for reporting favorably on this bill which will provide needed legislation for the relief of thousands of Americans who are presently without such relief.

I wish to commend the distinguished chairman and his committee too for inclusion of tsunamis in the term "flood." The gentleman from Pennsylvania will recall that we discussed this matter at the time the bill was being marked up and that I pointed out to him that the term "tsunamis" had acquired a scientific definition as distinguished from "tidal wave" and it was necessary to include "tsunamis" specifically in defining the term "flood." As a representative from a State which is peculiarly affected by tsunamis, I thank the committee for its kind consideration.

Mr. Chairman, the amendment I am offering is a very simple one. It merely proposes to add "the Trust Territory of the Pacific Islands" to the definition of the terms "United States" and "States" within the meaning of the bill.

I had initially intended to include Guam, American Samoa and the Virgin Islands in my amendment, but I am limiting my amendment because I am now of the understanding that Guam, American Samoa, and the Virgin Islands, although not specifically named are included within the term "Territories and possessions" as it appears in the bill. The distinguished chairman of the subcommittee will recall too that he has concurred with me in this understanding.

I can see no conceivable objection to my amendment and I urge its adoption.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Hawaii.

The amendment was agreed to.

The CHAIRMAN. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having assumed the chair, Mr. BROOKS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 1985), to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes, pursuant to House Resolution 953, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore (Mr. ALBERT). Under the rule, the previous question is ordered. Is a separate vote demanded on any amendment to the committee amendment? If not, the question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. ARENDS. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman from New Jersey rise?

Mr. WIDNALL. Mr. Speaker, on that I demand the yeas and nays.

Mr. ARENDS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Illinois will state his parliamentary inquiry.

Mr. ARENDS. Is it possible to have a record vote at this stage on the Brown of Michigan amendments, as adopted?

The SPEAKER pro tempore. The Chair will state to the distinguished gentleman from Illinois in response to his parliamentary inquiry that the commitee amendment as amended, has been agreed to.

Mr. BROWN of Michigan. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Michigan will state his parliamentary inquiry.

Mr. BROWN of Michigan. Mr. Speaker, I was on my feet seeking recognition at the time the House, by voice vote, adopted the committee amendment, as amended. I wanted an opportunity to request a separate vote on my amendment.

The SPEAKER pro tempore. The Chair will advise the gentleman from Michigan that the so-called Brown of Michigan amendments were reported back to the House incorporated in an amendment adopted in the Committee of the Whole House on the State of the Union and at the time the Chair put the question no separate vote was demanded. Therefore, the gentleman's request is out of order.

Mr. BARRETT. Mr. Speaker, I demand the yeas and nays on the so-called Brown of Michigan amendments.

The SPEAKER pro tempore. The Chair will state to the gentleman from Pennsylvania that the request of the gentleman is out of order.

The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the House insist upon its amendment to the bill (S. 1985) and request a conference with the Senate thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

The Chair hears none, and, without objection, appoints the following conferees: Messrs. PATMAN, MULTER, BARRETT, Mrs. SULLIVAN, Messrs. REUSS, ST GERMAIN, WIDNALL, FINO, and Mrs. DWYER.

GENERAL LEAVE TO EXTEND

Mr. BARRETT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed (S. 1985).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

THE M-16 RIFLE INVESTIGATION

Mr. HULL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HULL. Mr. Speaker, our able colleague, the Honorable RICHARD ICHORD, and the members of his subcommittee of the House Armed Services Committee have performed an outstanding patriotic service in their investigation of the performance of the M-16 rifle in Vietnam.

Congressman ICHORD and his associates deserve the thanks and commendation of all Americans, particularly our brave soldiers fighting on the frontier of freedom in Southeast Asia.

The great work done by Congressman ICHORD and his subcommittee was described in a radio and television editorial broadcast by WTOP radio and television, Washington, D.C., on October 23, 1967, and under leave to extend my remarks, I include a transcript of that editorial:

M-16 RIFLE

This is a WTOP Editorial.

Congressional subcommittees aren't famous for coming up with vital information, but in the past week a subcommittee of the House Armed Services Committee has released a report which represents a first-rate piece of work—work which may save the lives of American soldiers in the future and which explains why some American soldiers have died—unnecessarily—in the past.

The subcommittee, under the chairmanship of Congressman Richard Ichord, investigated the performance of the M-16 rifle—the basic combat weapon of GI's in Vietnam.

The investigation was triggered by repeated charges that the weapon was malfunctioning in combat. The subcommittee staff started from scratch, with only those charges to go on, and unravelled an amazing and shocking story of negligence and bungling which makes *Catch 22* look tame by comparison.

The subcommittee found that the M–16 rifle itself is a fine weapon. But its performance has been drastically affected by bureaucratic sloppiness. The rifle was issued to troops unfamiliar with its workings—in a combat area. The troops were not given sufficient cleaning equipment for the rifle. The ammunition provided for the rifle was not totally compatible with its functioning—and the result was a frequent jamming of the weapon in combat.

Now the military is claiming that changes have been made in the design of the rifle which make it compatible with the ammunition issued for it. Congressman Ichord's subcommittee is demanding—quite rightly—that this claim be proven beyond any doubt by objectively conducted tests.

The subcommittee has earned the gratitude of the nation for its thorough work. But those responsible for the miserable foul-up deserve censure—or worse.

This was a WTOP Editorial, Brownlow Speer speaking for WTOP.

BILL TO IMPOSE RESTRICTIONS ON MASS DEMONSTRATIONS

Mr. ABBITT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. ABBITT. Mr. Speaker, I have today introduced a bill to require applicants for permits to parade in the District of Columbia or on property of the United States to post a bond to cover certain costs of such parades provided that the officer or employee determines that such parade may cause property damage or disorder which would constitute a breach of the peace. I believe that the incidents connected with the so-called peace march on October 21 clearly demonstrate that some legislation of this type is needed.

The demonstrations at the Lincoln Memorial and the Pentagon on October 21 resulted in a total cost to the Federal Government in excess of $1 million as reported by the Department of Defense. This involved the cleanup operation, the assignment of military and civilian personnel to this area, the erection of a fence and various other incidental expenditures. If we were to count the amount of time lost to other types of military duty and various intangible costs, I am certain that the total expenditure would be far greater than the amount publicly announced a week ago.

Certainly no one wants to abridge the rights of our citizens to free expression under the first amendment guarantees. We do, however, want to make certain that any demonstrations of this type are clearly restricted from engaging in activities which could be destructive of property and threatening loss of life.

The object of my bill is to protect the taxpayer from having to bear the burden of paying for damages to property and the expense of equipment and personnel necessary to maintain peace when the right of peaceful assembly is translated into violent and destructive congregating.

This does not interfere with the rights guaranteed under the first amendment. It takes into consideration that no one is guaranteed the right to assemble a group and goad them into the destruction of property and breaches of the peace.

The nature of protesting groups, the size, even the probability of violence and property damage can be determined in advance. Such a determination was made in the case of the recent peace march. The Justice Department investigated and a fence was erected around the Pentagon as a result of someone's determination of probable disorder. When such a determination is made, those calling for the unpeaceful assembly should provide the guarantee, in the form of a bond, that damages and above-normal expenses of peacekeeping will be borne by those responsible for creating the condition. Each agency is responsible for compliance with the act within the realm of its own jurisdiction.

This does not deny the right of protest. Under this act, no bond would be required if there was no reason to believe that the demonstrators would cause trouble. There would be no charge for protection if an unpopular group of demonstrators were harassed by a mob in disagreement. There would be no charge for property damage if the damage were done by someone other than the demonstrators.

Is this requirement of a bond discriminatory? Quite frankly it is. It discriminates between the peaceful protester and the unpeaceful protester, between the protester who respects property rights and the protester who does not. Something should prohibit an assemblage which can be determined in advance to likely cause disorder and destruction of property.

I believe that public reaction to the recent demonstration and to others which have preceded it clearly shows that our people are opposed to giving a blank check to groups of demonstrators who have a predetermined plan to cause trouble. There has been far too much of this in recent years and in many instances in my opinion Federal agencies and certain Federal officials have tended to encourage such actions. We cannot afford to wait until one of these demonstrations results in mass destruction or in terrific loss of life. Certainly no one wants to deny the right of protest but this Congress has the responsibility to the vast majority of our people to see that demonstrations must not get out of hand. We can do no less and in my opinion the public expects us to do more than sit around and wait for catastrophe to strike.

I believe that the issuance of the permit to demonstrate at the Pentagon on October 21 was an invitation to trouble. The groups sponsoring the demonstration had clearly indicated their purposes and, despite this, high officials of the Defense Department and other related agencies granted a permit which gave them the right to assemble on the Pentagon grounds. This should never have been done and certainly should not be repeated in the future. There is adequate open space in the city of Washington to provide for demonstrations without granting permits for assemblages on property where the national security is involved. Had the group accomplished its purposes of entering the Pentagon building and causing great damage, it would have been no more than they had indicated an intention of doing. The Mall and other vast open spaces in the Nation's Capital should provide adequate room for any such assemblage.

I believe that the American people are getting sick and tired of coddling these dissident groups and pussyfooting on the part of certain officials. It is incredible that boys from homes all over America are being sent to Vietnam to bear the burden of fighting there while groups of this type are permitted under Government sanction to demonstrate on the grounds of the Pentagon. I hope that our defense officials have clearly read the handwriting on the wall and will benefit by this experience.

SOVIET SPACE SPECTACULAR

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, the recent Soviet space accomplishments of soft-landing a craft on Venus and Monday's docking of two unmanned spacecraft have occasioned a great deal of comment—some of it, I regret to say, somewhat hysterical. Some have again raised the specter of the space gap with the Russians, and others have found a new space gap for our daily torment—the possibility that China may enter the field of space exploration in the not-too-distant future. The prophets are suggesting that America must demonstrate her superiority over other nations by allowing the feats of another nation to take the determination of our own policy, our own values, and our own set of national priorities out of American hands and place it firmly in the hands of others. It is time to outgrow this attitude and lack of self-confidence and take firm control of our policy into our own hands without reacting hysterically to the timetables and expenditures of another nation.

I think there may be a serious question that is raised by the Soviet accomplishments, but it is not the question of "competitive spacemanship," as President Johnson put it. The question is whether or not the Soviet Union may have been somewhat more prudent in the allocation of her resources in stressing less costly and more beneficial instrumented capability more than glamorous manned space flight to which the United States has devoted most of its concern and finances. This question should be seriously investigated.

There is much sentiment now to fund—through reprograming action by NASA—the NERVA II nuclear engine project which Congress has already deleted from the current budget. "Things nuclear" are apparently almost as glamorous to Americans as manned space flight, and it is hoped that the NERVA II engine will provide us with a space spectacular with which to bedazzle the Russians and the world. Unfortunately, clear evidence is lacking that the NERVA II engine will live up to its advertised spectacular abilities; and it is not yet proven that it will be necessary for a manned Mars mission, as it is intended, or truly more efficient than other possibilities. In fact, we have not yet made a decision that a manned Mars mission is a desirable national goal. Moreover, it is not clear that the Nation will agree to spend upward of $200 billion to put a man on Mars, particularly at a time when there is great stress on the national budget. There has not been adequate discussion of the comparative value of emphasis on manned flight versus emphasis on unmanned flight. In other words, there has not been adequate consideration of priorities either within the space program or in the allocation of our entire national resources.

The New York Times yesterday had a challenging editorial on this subject, entitled "Soviet Space Spectacular." In reference to the certainty that we will see more Soviet feats in space as time goes on, the Times comments:

> For those who understand the sacrifices imposed on the Soviet people to finance this profligate spending on space the present indulgence in spectacular celestial fireworks will further underline the totalitarian nature of Soviet power a half-century after Lenin's triumph.

I think the Times has described the essential issue at stake in our response to Soviet space achievements, and I believe this brief but thoughtful editorial should be read by all of my colleagues. I include it at this point in the RECORD:

[From the New York Times, Oct. 31, 1967]

SOVIET SPACE SPECTACULAR

The weeks before next Tuesday's celebration of the Bolshevik Revolution's fiftieth anniversary are producing a rash of Soviet space feats. The historic Venus 4 achievement has now been followed by the automatic joining of two satellites in space, a superb demonstration of Soviet technological virtuosity. And remarks made by the Soviet Ambassador to India herald a spectacular manned flight—perhaps one around the moon—in the period immediately ahead.

It is no disparagement of the scientific significance of these exploits to note that their concentrated timing has a propaganda motivation. Once again the world is being subjected to the tired argument that Soviet space accomplishments somehow or other prove the "superiority of Socialism."

Washington sensitivity to this Moscow propaganda barrage is evident in the plans to make the first test flight of the giant Saturn V rocket next Tuesday or as soon thereafter as possible. And, of course, lobbyists for the National Aeronautics and Space Administration and the contractors associated with it are sure to use the Russian feats as arguments to induce Congress to treat NASA more generously than has been in prospect up to now. What should be a cooperative scientific venture will become even more of a race.

We remain convinced that a multi-billion-dollar American space program represents an unsound allocation of resources in this country. The corresponding proposition is even more true for the Soviet Union, whose gross national product is only roughly half that of the United States. The billions of rubles being spent on the Soviet space program could be utilized much more fruitfully on improving living standards.

But apparently the propaganda—and potential military—utility of space looms larger in the minds of those who set Soviet priorities. For those who understand the sacrifices imposed on the Soviet people to finance this profligate spending on space the present indulgence in spectacular celestial fireworks will further underline the totalitarian nature of Soviet power a half-century after Lenin's triumph.

NEW FEDERAL GOVERNMENT PROGRAMS—WE MUST SLOW THE PACE

Mr. MORRIS of New Mexico. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. MORRIS of New Mexico. Mr. Speaker, a perennial and almost proverbial complaint of the Federal Government is that once a program is initiated it tends to go on forever. If one searches long and hard enough, surely a few exceptions can be found. Unfortunately, however, the essence of the statement is valid. Not only do Federal programs tend to continue indefinitely, but they grow larger in total costs as they progress along their privileged paths. Furthermore, Federal programs usually expand the scope of their activities to take in other functions that the managers of such programs consider to be related and necessary.

While much is said about the need to reexamine and reevaluate existing programs and other established patterns, it is often necesary for us to confront the stark facts depicting the magnitude of the problem before we can generate sufficient public interest to obtain such a reevaluation. In this aspect, I think that we owe a debt of gratitude to the Tax Foundation for its recent study entitled "Growth Trends of New Federal Programs: 1955–1968." The Tax Foundation is a private nonprofit organization founded in 1937 to engage in nonpartisan research and public education of the fiscal and management aspects of Federal, State, and local governments.

This study covers the period since the end of the Korean war and spotlights the tremendous growth in Federal spending over this 13-year period. The study covers the fiscal years 1956 through 1968, 1968 being based on the budget estimates for this fiscal year. During this period our total Federal administrative budget spending has more than doubled from $64.4 billion in 1955 to a January budget estimate of $135 billion. And we have recently been hearing comments to the effect that total spending this year may run from $5 to $8 billion higher than the January estimates. Over this 13-year period, fiscal years 1956 through 1968, our administrative budget will have amassed a total deficit of more than $70 billion, assuming that the deficit for this year amounts to about $20 billion—and there are many people who think that it will exceed this amount. Furthermore, our national debt will have increased by about the same amount.

There are many who would lead you to believe that this tremendous increase is the result of the Vietnam conflict and the cost of former wars, such as the interest cost on the national debt and the expenditures for veterans' benefits and services. Certainly, these defense-related expenditures have gone up. But let us take a brief glance not just at these figures. For fiscal year 1955 total expenditures for national defense, interest on the national debt, costs of veterans' benefits and services, and the costs of general Government functions—legislative and judicial functions, fiscal operations, general property and records management, and so forth—amounted to $52.8 billion; for fiscal year 1968 the budget estimate for these same categories of expenditures is $98.6 billion. Thus, for these functions total spending will have increased 87 percent. But what about the other functional areas of the Federal Government, such as health, labor, welfare, natural resources, and so forth? In comparison to the 87-percent increase for defense and related expenditures over the 13-year period the remaining functional categories of expenditures increased 197 percent. This is the area of expenditures that was examined in some detail in the study by the Tax Foundation.

Let me sketch for you very briefly some of the findings of this study:

Over this 13-year span there were 112 new Federal programs started. This is an average of more than eight new programs per year for the entire period.

The 112 new programs broken down into functional categories are:

Twenty-seven new programs for health, labor, and welfare;

Twenty-one new programs for commerce and transportation;

Sixteen new programs for education;

Thirteen new programs for natural resources;

Thirteen new programs for housing and community development;

Twelve new programs for agriculture and agricultural resources;

Nine new programs for international affairs and finance; and,

One new program for space research and technology.

Further, as the report states:

> Of all the programs examined in this study, only one—the accelerated public works program initiated in 1963—has been terminated. However, any "savings" which might have been achieved through termination of that program have been more than offset by the institution of new programs providing increased aids for the same types of public facilities as were financed under the accelerated public works program.

An examination of the report shows that new programs are being started at an accelerating rate. For example, over the most recent 4 years, fiscal year 1965 to the current fiscal year, the total of new programs initiated, including the ones proposed for this year, amount to 62; this is an average of more than 15 new programs per year. For the preceding 4 fiscal years, 1961 to 1964, there were 32 new programs initiated, an average of eight per year. And for the first 4 fiscal years, 1957 to 1960, there were 15 new programs initiated, an average of slightly less than four per year. Thus, we have new programs being started on a progressive basis of 4, 8, 15, for the last three 4-year periods.

Another characteristic generally associated with Federal Government programs is that they tend to start small and grow and grow. The study points out that the combined first year cost for the 112 programs amounted to $3.6 billion; however, the estimated cost for all the programs this year is $16.5 billion, an increase of more than 4½ times over the first year levels. A prime example of the growth of programs is the space function which started out in fiscal year 1958 with first year expenditures of $89 million; the estimated cost this year is $5,300 million, almost a 60-fold increase.

When one examines the first year costs of the programs that have been started during the last few years, one conspicuous fact stands out: many of the recent programs have very high first year costs. Let me point out a few of these. Educational assistance to elementary and secondary schools which was started in fiscal year 1966 with first year costs amounting to $815 million has nearly doubled in 2 years to $1,423 million.

Expenditures for higher education facilities which also started in fiscal year 1966 at an expenditure level of $154 million has increased more than five-fold to a level this year of $807 million. Economic opportunity programs which started in fiscal year 1965 with first year costs of $194 million have now increased to an estimated $1,839 million this year, an increase of about 9½ times within 3 years. The phenomenal increases for these programs within a very short period of time plus increases for many others pose a very serious question for us to ponder: What are likely to be the level of Federal expenditures within a few short years if the growth of Federal programs is not arrested?

The total expenditures for these 112 programs over the 13-year span amount to about $84.8 billion. I would not want to infer here that we should not have any of these programs because most of them were initiated for worthwhile reasons. Also, I am aware that much of the total cost is associated with a limited number of programs. One program, space research and technology, accounts for $31.3 billion or 37 percent of the total cost of the 112 programs. This is certainly a program in which we have a vital national interest. Furthermore, a second program, food for freedom, accounts for $17.3 billion, 20 percent of the total cost of the 112 programs. Thus these two programs alone account for more than 57 percent of the total cost. The food for freedom program has existed for 11 of the years, so naturally they will account for a large portion of the total costs.

All of these programs may have very good and justifiable reasons supporting them, and under certain conditions could individually be justified. But other conditions prevail today. It seems to me that with our current fiscal situation we, the American people, have to face the hard task of determining which of these programs we deem to be imperative at the moment and which ones we can postpone, limit, or even eliminate. I suggest that we cannot afford to continue to pursue this course of initiating new programs on all fronts while existing ones are growing by leaps and bounds.

We must set priorities so that we can gain the most effective utilization for the overall public good from the limited resources available. It is urgent that we examine each one of the programs now in existence and reevaluate the goals and objectives for which the program was authorized, determine if the original goals are still valid, ascertain how much and to what degree have we solved the problem for which the program was initiated, try to determine if there is a better alternative approach to solving the problem, weigh the value and urgency of one program against all others, and thereby establish a valid basis for the allocation of resources.

With the complex nature and interrelated aspects of many of our national problems, it is natural that the multitude of Federal Government programs have overlapping areas. This is one of the main problems President Johnson was attacking when in August 1965 he announced that the executive branch of the Federal Government would start preparing and implementing a planning-programing-budgeting system which would apply cost-effectiveness studies to all programs.

In keeping with the implementation of this planning-programing-budgeting concept the Bureau of the Budget is being reorganized to evaluate Federal programs in six main categories. These are: national security programs, international programs, natural resources programs, human resources programs, science, technology, and economic programs, and general Government management programs.

This is the type of function that deserves constant consideration and evaluation not only by the executive branch of our Federal Government but also by the Congress supported by a wide and deep interest on the part of the general public. This is a job that we can never hope to complete. Rather, the best performance will be obtained if we can keep every program subjected to a constant reexamination and under the continual spotlight of the general public.

WHY WE ARE REALLY IN VIETNAM: A DISCERNING ANSWER BY JOSEPH ALSOP

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, I am sure all of us in this House frequently hear the question asked, just why are we in Vietnam anyway? What business do we have there? How is this undertaking tied in with our basic national interest? In fact, Mr. Speaker, we frequently hear that question asked over in another body in another part of this Capitol Building.

This morning in the Washington Post Mr. Joseph Alsop gave a very discerning answer. We are there, he says, simply because we do not propose to "opt out" of world history. We propose to make our influence felt and help see our ideals and principles realized in what is fast coming to be the major area of world activity and development, the Pacific-Asia area.

This is why President Johnson has insisted so strongly that we stay on in Vietnam until our basic limited objectives are realized. Indeed no American President would be worth his salt who would deliberately act to throw away America's historic role of world influence and leadership, that so many lives and so much of our treasure have already been expended to secure.

Mr. Speaker, the Alsop article, which I include in the Record below, ought to be read by every American who wonders what our mission in Vietnam really is:

[From the Washington Post, Nov. 1, 1967]

UNITED STATES CAN'T OPT OUT OF PACIFIC WORLD LAKE AND ASIAN ROLE

(By Joseph Alsop)

In Western history, there have been two world lakes. First, over a period of nearly three millennia, there was the Mediterranean. And then, beginning in a small way with Christopher Columbus, there was the Atlantic.

But before this century ends—in short, in hardly more than 30 years—it is quite certain that there will be still another world lake, the Pacific. And it is not at all sure that of the two chief world lakes of the future, the Pacific will not be more important than the Atlantic before very long.

What impends, in other words, is a shift in the main focus of the world's wealth and productive power as vast and probably as unsettling as the shift produced by the industrialization of Western society. "Impends" is really the wrong word, moreover, for this shift of focus is already rather well-advanced, though few people seem to have noticed it, outside the financial community.

For those who are at all alert, Japan, with almost no natural resources, has already shown what the East Asian societies can do with Western industrial techniques, once they have got to work on the problem in deadly earnest. According to World Bank projections of current trends, Japan will be the third industrial power in the world within four years, and will have a per capita income equal to that of Great Britain within eight years.

In under a decade, therefore, Japan is due to have nearly the weight in the world of England and France combined, for the Japanese, of course, are nearly twice as numerous as either the British or the French; and with a per capita income at the approximate Western European level, Japan will have a national income close to double that of any of the transatlantic Western powers.

The same process is already well begun in every East Asian country and center, except in those under Communist control and, of course, in South Vietnam. If and when peace comes, South Vietnam should take off like a rocket, for it is a naturally rich country, and despite the suffering, it has also been greatly enriched by the war.

In China, finally, a very great change is almost certainly on the way. It may come very soon; or it may be delayed a little, until Mao Tse-tung dies at last. When it comes, it will almost certainly take the form of extreme revision. And a China taking the Japanese road, with all China's huge mass and all her resources so superior to Japan's, will be what the late Arthur Vandenberg used to call a "vivid contemplation."

To the tiny, eccentric band who have bothered to read East Asian history, none of this will be very surprising. After all, throughout most of recorded history, the principal East Asian societies have been the richest and most powerful on earth. There is nothing to stop them moving towards their former position, once again, as soon as they have mastered the techniques of Western industrialism. And this is precisely what the more advanced are already doing.

It is totally irrelevant to this projection, that even Japan is still maintaining her postwar "low posture" in defense and foreign offairs. Obviously, the Japanese are going to wait until they reach a somewhat greater weight in the world, before they begin to throw their weight about. But use their weight they certainly will, in the end.

This projection of the Asian future is intensely relevant, on the other hand, to the American role in Vietnam. In the rather near future, in fact, the United States is due to occupy a unique position in the world, as the land bridge between the two world lakes. Our vital interests will require us to play our allotted part in both the Atlantic and the Pacific.

In a good many respects, moreover, at any rate in the decades, just ahead, the emerging Pacific world lake is due to present more serious and more urgent challenges. We can of course ignore those challenges. To quote the words of General Maxwell Taylor once again we can try to "go back to Hawaii," thereby seeking to opt out of history.

Opting out of history never works indefinitely. The Laos tried it, for instance, yet history has now come among them, treading with iron foot. Even Iceland, so long immune, is not quite immune to history today. And nothing more dangerous can possibly be imagined, than opting out of history by the richest power on earth—so affluent, so soft externally, so tempting to every imaginable competitor.

The choice in Vietnam was, and is, whether or not to opt out history with respect to the development of the Pacific world lake. Some would have us do this; but these are people who know nothing of Asia, and do not understand that the Pacific is so soon due to become a primary world lake. Meanwhile our men in Vietnam are fighting, with splendid bravery, for the Pacific interests of all Americans in the future.

A RECORD JOHNSON PROSPERITY REINFORCES THE NEED FOR PASSAGE OF THE TAX SURCHARGE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. McCORMACK] may extend his remarks at this point in the RECORD and include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, today marks a milestone for the American people. We are entering the 81st consecutive month of economic expansion—the longest expansion in history, and the end is nowhere in sight.

This is Johnson prosperity—an economic boom guided and managed by the Johnson administration. And it demonstrates more eloquently than any words, the soundness of the administration's economic and fiscal policies.

We know that such economic miracles just do not happen. We know that they are the result of wise decisions and careful study by the President and his advisers. Since he has taken office, Lyndon Johnson has directed his energies to insure that this economy continues to move forward and continues to expand.

We are certain today that this expansion will continue into 1968. But while we have faith in our economy and the men who lead it, we also must show that we have the fortitude and assurance to heed their advice and apply the brakes that will keep us on an even keel.

It is not enough to applaud economic gains and good times. We must also do what is necessary to avoid the threats of inflation and tight money that can badly damage what we have worked so hard to achieve.

President Johnson has asked the Congress to pass his tax surcharge proposal. There is no question about justification for this request nor about the wisdom of the President in seeking it.

We must give the President the tools he needs to keep our prosperity going. We must act responsibly in this matter, for to hesitate or reject this proposal can have grave consequences on what otherwise can be a bright and unlimited future.

To be prosperous, a nation must be flexible. A few years ago, we lowered taxes to pick up the economy. Now we must raise them to slow it down. The tax decrease worked wonderfully well and accomplished just what the President hoped it would do.

And there is every reason to believe that the tax surcharge is the right remedy for the right time in our economic history.

We have every reason to be proud about this expansion. It is solid and real and durable. But it cannot be sustained if it is allowed to go unguided and unchecked.

Let us resort to commonsense and end the bickering and partisanship that can only cause needless suffering and waste for the American people.

As we enjoy our 81st month of economic prosperity, let us remember how it all came about and who is responsible for such unprecedented growth.

The President has earned not only our gratitude for our growth, but our respect as our leader.

Let us give him the tax surcharge he proposes and we need.

SCANDALOUS WAR PROFITS

Mr. BURKE of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BURKE of Massachusetts. Mr. Speaker, may I take this time to call to the attention of the Members of Congress an editorial that appeared in yesterday's Boston Globe on the subject matter of excess profits by our munition makers. I want this House to know that no one on the House Ways and Means Committee was more vehement in supporting stronger language in our present law for renegotiating contracts on excess profits in our Department of Defense than myself. I feel the present law is not adequate that it needs to have much stronger language and in fact I believe the law that was in existence during World War II and the Korean conflict should be reenacted. This law that resulted in billions of dollars being returned to the Treasury of the United States and was weakened in 1956 should be restored. The editorial refers to a bill filed by the gentleman from Texas, Congressman GONZALEZ, now before the House Committee on Ways and Means. I am in agreement with him on his legislation and I take this time to urge the other members of the committee to press for hearings on this important matter before adjournment this year. I feel further that our procurement methods by the Defense Department should be tightened and all abuses ended. I include the editorial of the Boston Globe and recommend that all Members read it. Excess profits at a time when our Nation is facing a $29-billion deficit, when we are being asked to enact a 10-percent surtax, cannot be tolerated. I pledge to this House that I will do everything in my power to block those who would profit from the present Vietnam war from realizing unconscionable and excess profits.

The editorial follows:

SCANDALOUS WAR PROFITS

All that can be said for the Defense Department's breast-beating announcement that it is going to tighten its procurement policies to guard against overcharges on small war items is, "So far, so good."

Its sudden resolution stems from an investigation showing that it has been paying $67.50 to $230 and more for small military items such as spur gears and electric couplings which the manufacturers' own catalogues list at $3.43, $2.75 and less.

A belated purpose of amendment is of course better than none at all. But the department's announced resolve is limited to an area in which the estimated savings will total no more than $10 million to $25 million per year. Wonder inescapably arises as to when Washington will move into those larger areas where sloppy procurement policies (or worse) could be costing the nation not just a few million a year but possibly tens of billions in illegal profits on major war items.

One remedy immediately at hand is Public Law 87–653, better known as the Truth in Contract Negotiating Act. But both the Defense Department and war contractors have been violating this one right along not only in spirit but in letter, according to Rep. Henry B. Gonzalez (D-Tex.).

Another is the War Contracts Renegotiation Act which Rep. Gonzalez vainly has been seeking to strengthen and extend beyond its June, 1968, expiration date. The Act is almost totally ignored although (or possibly because) it was the instrument through which more than $11 billion in excess profits was recovered after World War II.

Mr. Gonzalez' proposal has been bottled up in the House Ways and Means Committee for eight months, during every day of which he has "been struggling in a sea of general indifference" to get action on the floor.

With billions at stake, scandal already breaking (as in the case of the M-16 rifle) and the Defense Department blandly acknowledging that its procurement policies are sometimes irrational, the Ways and Means Committee's determination to let the whole thing slide is itself a continuing scandal in which both Speaker McCormick and Rep. James A. Burke, the Massachusetts member of the committee, ought immediately to interest themselves.

The Defense Department has blamed clerical deficiency for the mistakes to date. That is not an acceptable excuse for the larger items now being uncovered. Nor is it an excuse for the flagrant violations of law which Mr. Gonzalez has cited on the House floor while nobody bothered to listen.

LIVING IN FEAR

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, each month the FBI Law Enforcement Bulletin carries a short message from Director Hoover on various aspects of the Bureau's work. The November message refers to the increasing crime rate, fallacious arguments regarding the crime rate and the need for full and stern justice.

Sad to say, one of the contributing factors to the increase in crime is the general apathy of the private citizen. If John Doe would give to the issue of crime and law enforcement one small fraction of the effort and interest so characteristic of the criminal in the perpetration of crime, I'm sure the upward crime rate would be reversed. Here is an example of the time and effort expended by one prisoner in preparing for an escape. This item which also appeared in the FBI Law Enforcement Bulletin for November illustrates the serious preparation and industry so typical of premeditated crimes:

ONE SWALLOW TOO MANY

In contemplating escape from a U.S. Marshal, a prisoner fashioned a handcuff key from a piece of metal and practiced carrying it undetected in his mouth. This preparation was in anticipation of the day he was to be transported in handcuffs to the U.S. district court.

During the course of his practice, the persistent prisoner accidentally swallowed the key twice, making a new key each time. He improved his technique with the third key by tying a piece of string to it. He then practiced swallowing the key and retrieving it with a gentle pull on the string. After mastering this feat, he looped the end of the string and attached it to a tooth to prevent swallowing the string along with the key.

He continued practicing this skill until one day he was unable to retrieve the key. Apparently he pulled too hard on the string and caused the key to become lodged in his esophagus. Surgery was necessary to remove the key.

Unfortunately for us, Mr. Speaker, many cases do not end with so happy an ending.

The first step for each citizen is, of course, the realization that he has a responsibility in the area of law enforcement, varying in degrees from individual to individual. Everyone must obey the law, but, in addition, he must offer every encouragement to law enforcement forces at every opportunity. Information such as that provided by Mr. Hoover in his November message is valuable as general background material. I include his November message in the Record at this point:

MESSAGE FROM THE DIRECTOR

Today, thousands of Americans live in fear. They fear for their lives, the safety of their families, their homes, and their businesses. The cause of their fear is crime.

Without a doubt, crime is rapidly becoming our Nation's number one internal problem. For years, we have seen apologists, misguided sociologists, and well-meaning but misinformed public officials rationalize the spiraling crime rate and excuse criminal behavior. We have seen an apathetic public ignore the warning signals of surging criminality which is costing taxpayers an estimated $27 billion annually. We have seen a criminal "feedback", caused by judicial leniencies, including pardons, paroles, and probation, which is a disgrace to our system of criminal justice. And we have seen loopholes, technicalities, and delays release hundreds of hardened, unrepentant criminals on the streets to prey again on the public while awaiting trial on easily provable charges.

Nearly 3¼ million crimes were reported in 1966, an 11 percent increase over 1965. Figures for the first 6 months of 1967 show a 17 percent increase above the 1966 totals for the same period. Is it any wonder that more and more people are living in fear of crime?

Let us examine some of the popular arguments by those who attempt to explain away our intolerable crime problem. First, we are told that crime increases because our population continues to grow. This is true, but the volume of crime is up 62 percent since 1960 while our national population has risen only 9 percent during that period. Thus, crime is outstripping population growth by almost 7 to 1.

We are told that revised and improved reporting methods by law enforcement agencies result in more violations being reported. This contention carries no weight. Hundreds of departments which have had approved uniform crime reporting systems for years continue to have increases in all categories year after year with no change whatsoever in their reporting methods. These increases are attributable to only one thing—a rise in the volume of crime. Further, agencies which do update their reporting systems are not included in the national trend totals until they have established two comparable records under their revised setups. This is done to avoid any marked increase or decrease which may result from a change in reporting procedures.

And we are told that much of the rise in crime is caused by the extensive population growth of the crime-prone young age group. Here again we see shallow reasoning. The young-age-group population, 10 to 17 years, rose 19 percent during the 7-year period of 1960 through 1966. Arrests of persons in this group for serious crimes increased 54 percent during the same time.

No right-thinking person could oppose long-range programs to alleviate and eradicate conditions which breed crime. But the man, woman, and child on the street today are more concerned with their immediate safety. And rightly so, since the risk of their becoming victims of serious crime has risen 48 percent since 1960.

The young child who is criminally assaulted, the corner grocer who is repeatedly robbed, the elderly lady at the bus stop who is mugged and brutally beaten, and the thousands of others who are victimized each day by vicious thugs want instant as well as permanent relief. They, too, have rights. But their cries for help are frequently drowned out by the clamor for mercy and leniency for guilty lawbreakers who scoff at law and order and the rights of society.

Justice must extend beyond the courtroom back to the site where the victim's rights are violated. When the individual is no longer reasonably secure in his home and on the streets of his community, then justice is not served. Rather, the criminal is being favored at the expense of the law-abiding citizen.

Crime can no longer be shrouded by appeasement and rationalization. Its magnitude is frightening. Crime must be reduced by eliminating the huge profits and the soft justice which attract criminal-minded individuals. Avalanches of crime and terrorism cannot be tolerated in a society of free men. Either we win the war against crime or the priceless heritage which we cherish will be destroyed.

Full justice is needed—stern justice. We need justice which keeps the balance true and affords the law-abiding public an even break. We need justice which deals swiftly and surely with the criminal, convincing justice which means a quick arrest, prompt prosecution, and substantial punishment of the guilty lawbreaker.

J. EDGAR HOOVER,
Director.

NOVEMBER 1, 1967.

FROM U.S. CONGRESS FLETCHER THOMPSON REPORTS TO YOU

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. Thompson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. THOMPSON of Georgia. Mr. Speaker, I have had hundreds of requests from various people, including other Congressmen, for copies of my regular newsletter.

In order to make this information more readily available, I am inserting into the Record today the text of next issue of my newsletter:

FROM U.S. CONGRESS FLETCHER THOMPSON REPORTS TO YOU

DEAR FRIEND: *Your response*: In our last Newsletter we asked you whether you thought our Newsletters were worthwhile and if you wanted us to continue sending them, or if you preferred receiving only the information printed in the local newspapers. *Your response was overwhelming! Hundreds of people wrote in saying, in effect, "Keep 'em coming." It was gratifying that so many people want more information about what's going on in their federal government. We also received $677.00 in contributions toward the $1,000 it costs for printing and paper each time we send out a Newsletter.* With the help of such wonderful people, we will keep the facts coming to you.

Biggest battle yet: Take 10% more income tax from the pockets of the people, the President has, in effect, told the Congress. This will reduce the expected $29,000,000,000.00 deficit to $23,000.000,000.00 and reduce inflationary pressures. *The House of Representatives has replied: Rather than take more money from the people through higher taxes, cut foreign and domestic spending by the same amount, Mr. President, and this will reduce inflationary pressures.* So the battle lines are drawn. I am insisting that the federal government reduce its foreign and domestic spending.

Poverty & politics: When Congress established the anti-poverty program, its intention was that *all funds* appropriated for that purpose be used to help alleviate poverty among the poor—and not for poverty officials to build a political machine. When I objected to the use by EOA of federal funds to register voters and organize them block-by-block, The Atlanta Journal editorially criticized me. *It is still my conviction that when you pay your tax dollars and they are allocated to fight poverty, you should get 100¢ in services to help the poor, without a cent spent for political organization. That conviction now has been shared by the Senate which voted 83 to 3 against using poverty funds for voter registration.* So I shall continue to fight for this principle in the poverty program, just as I have fought in the past against politics in the Highway Department. I will work for the best interests of the poor even though some poverty officials may attempt to control the vote they are organizing and use it against me. Even with its faults, the poverty program is doing some good. The good I will support. The bad I will try to change.

Fair registration: It is the duty of every qualified citizen to register to vote and participate in elections. *If federal tax dollars are to be used to finance voter registration campaigns, then the campaign should extend into all areas of the county. For your benefit, I have suggested that voter registration be allowed at every school in the District since these are evenly distributed and would not favor any group or area.* If you feel this is a good idea, I'd like to hear from you. Listed below are the places where you currently may register to vote in Fulton County. Please note the locations. Judge for yourself if this is a proper balance.

WHERE TO REGISTER

Fulton County Administration Building, 165 Central Avenue, S.W.

Grady Hospital, 80 Butler Street, S.E.

Palmer House, 430 Techwood Drive, N.W.

City Hall, 3667 Main Street, College Park.

City Hall, 2777 East Point St., East Point.

City Hall, 3460 Fulton Avenue, Hapville.

City Hall, Mountain Park.

City Hall, Roswell.

City Hall, Alpharetta.

City Hall, Union City.

City Hall, Fairburn.

City Hall, Palmetto.

E.O.A. West End Center, 725 Lawton St., S.W.

E.O.A. Nash-Washington Center, 247 Ashby St., N.W.

E.O.A. Price Neighborhood Center, 1127 Capitol Avenue, S.E.

E.O.A. South Fulton Center, 2735 East Point Street, East Point.

E.O.A. Central City Center, 840 Marietta St., N.W.

E.O.A. NW Perry Homes Center, 1927 Hollywood Rd., N.W.

E.O.A. North Fulton Center, Roswell.

E.O.A. Summec Center, 65 Georgia Avenue, S.W.

E.O.A. West Central, 2193 Verbena St., N.W.

E.O.A. East Central Center, 485 Decatur St., S.E.

E.O.A. Nash-Wash. (Vine City Exit), 141 Walnue Street, N.W.

E.O.A. Pittsburgh Area Center, 933½ McDaniel St., S.W.

Laundry & Dry Cleaners International, 157 Forsyth Street, S.W.

United Auto Workers Local #472, 2721 East Point Street, East Point.

Amalgamated Clothing Workers of America, 1151 Regent Street, S.W.

Laborers International Local #438, 1014 Edgewood Avenue, N.E.

AFSCME Local #850, 547 Central Avenue, S.W.

Georgia State AFL–CIO, 15 Peachtree St., N.E., Room 208.

International Brotherhood of Teamsters, 2540 Lakewood Avenue, S.W.

United Auto Workers Local #34, 414 McDonough Boulevard, S.E.

United Auto Workers Local #882, 377 South Central Avenue, Hapeville.

United Steel Workers Local #2401, 365 14th St., N.

Atlanta Labor Council, Room 202, 250 Tenth St.

Retail Clerks Local Union #1063, 3504 Main Street, College Park.

American Bakery and Confectionery Union, Local, 1030 Dill Avenue, S.W.

C.W.A. #3204, Room 807, Henry Grady Building, 26 Cain Street, N.W.

A new questionnaire: the response to our first Congressional opinion survey was so overwhelming that it showed me very positively that *you want to have a say in how your federal government operates and how your Congressman votes, but you had never before been asked your opinion.* The results of the first survey have been very helpful to me: 89% favor reductions in federal spending, only 17% support the President's proposed surtax, 80% favor revenue sharing between the federal and local governments, 66% favor seeking a military victory in Vietnam and 62% support student draft deferment. *I have closely followed these views in my Congressional voting. Now I want your opinion on several new issues.* Please complete the questionnaire, place it in an envelope and mail it to my Washington office: 1641 Longworth Building, Washington, D.C. ZIP 20515. Please feel free to give more detailed answers on a separate sheet.

Do you favor:

1. Paying postal and other federal employees a wage comparable to what they would earn for the same work in private industry? Yes —. No —. Undecided—.

2. Increased trade with the Communist bloc nations as a means of easing tensions? Yes —. No —. Undecided —.

3. Financing voter registration activities with tax funds appropriated to fight poverty? Yes —. No —. Undecided.

4. Regulating the flow of foreign imports to protect American jobs? Yes —. No —. Undecided —.

5. Use of your federal tax money to finance political campaigns? Yes —. No —. Undecided —.

6. Making voter registration easy for all people in all areas by using schools for this purpose? Yes —. No —. Undecided —.

7. Guaranteeing an annual income of $3,000 to each American family with tax money? Yes —. No —. Undecided —.

8. Promoting college education through tax credits to parents and guardians? Yes —. No —. Undecided —.

Name

Address City ZIP

It is a high honor for me to serve you in Washington.

Yours very truly,

FLETCHER THOMPSON,
Member of Congress.

(Printing and paper paid for by myself and through donations sent in for that purpose.)

HAS JUSTICE BEEN SERVED?

Mr. BUSH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BUSH. Mr. Speaker, many of us have been troubled by recent court decisions which seem to make law enforcement more difficult. I have received a letter from two men whose mother was brutally murdered in 1953. Two killers were prosecuted and convicted of this crime. One was sentenced to death and subsequently executed by the Texas prison system. The other was sentenced to imprisonment for 99 years but because of a recent Supreme Court ruling, has had his original trial thrown out and been granted a new trial. However, because of the time elapsed and the fact that the killer's original confession no longer is admissible, it appears a new trial will not be held and the killer will go free. It is hard for me to see that justice has been served in this case and for that reason, I am placing the letter from the two sons of the murdered woman in the RECORD. Further, I am hopeful this Congress can pass constructive legislation to cure the condition which allows a convicted murderer to now go free.

The letter follows:

HOUSTON, TEX.,
October 4, 1967.

Hon. GEORGE BUSH,
House of Representatives,
Washington, D.C.

DEAR SIR: On January 6, 1953, our mother, Mrs. Ruth McCasland was cruelly and cold-bloodedly murdered by Willie Gilbert and Maurice Sampson. These two individuals were apprehended by our excellent local law enforcement officials, confessed, were tried, convicted, and sentenced in an impartial, fair court of their fellow citizens. Sampson was sentenced to death, and was executed in the Texas Prison System at Huntsville, Texas. The jury of Willie Gilbert, which was 12–0 on the verdict of guilty, was 11–1 on the death sentence. Gilbert was accordingly given 99 years.

Recent decisions of our Supreme Court have now changed the outlook on this case. This vicious, confessed, unrepentant, murderer has had the original trial thrown out on the grounds that he was deprived of his rights at the time of arrest. Since his original confession was obtained under circumstances that the Supreme Court considers unfair, the confession was ruled inadmissible as evidence in a new trial. Without his confession, and due to the time lapse, our excellent District Attorney has no case and a new trial will not be held. Gilbert will go free.

Crime and punishment? Our crime rate climbs as rapidly as our punishment declines. As the sons of Mrs. Ruth McCasland we must strongly protest this trend of protecting the rights of the guilty at the expense of the innocent. We earnestly beg you honorable sir, to oppose these unjust rulings and the trend of our courts. As our elected representative, we implore you to protect we the innocent and law abiding, from the criminal element who uses the courts and its rulings to escape from just punishment. Indeed, if the guilty are allowed to go free, the victims of their crimes are the recipients of the only punishment administered.

Protest sir for the rights of your constituents.

TRAVIS MCCASLAND.
JOHN MCCASLAND.

CONGRESS ACTS ON TRADE

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from

Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CURTIS. Mr. Speaker, the New York Journal of Commerce annually publishes a special edition on international commerce in conjunction with the annual meeting of the National Foreign Trade Convention in New York City. This year's special foreign economic issue, published on October 30, is devoted to articles by representatives both of Government and of all sectors of the private economy. I was privileged to have been asked to submit an article expressing a congressional viewpoint of current foreign economic policy objectives. The article follows:

[From the Journal of Commerce, Oct. 30, 1967]

World Harmony Held at Issue—Broad Gaged Policy Probe Envisaged in House Hearings on Basic Trade Bill

(By Representative THOMAS B. CURTIS)

The immediate focus of our foreign trade policy has now fully shifted to the Congress, which has the constitutional power to regulate interstate and foreign commerce.

The shift of focus to Congress has occurred for several reasons. First, the authority given the President to negotiate tariff rates expired on June 30 this year and renewal in some manner seems to be a necessity. Second, the Kennedy Round negotiations resulted in at least one agreement—that on the American Selling Price System—which requires Congressional approval. Third, Congress has an obligation to review the uses of the delegations of tariff negotiating authority it gave in the 1962 Trade Expansion Act, and to set the course of our future international trade efforts by appropriate legislation. Finally, Congress has a continuing obligation to examine the problems of domestic industries that consider themselves unfairly disadvantaged by trends in foreign trade and international competition, to see whether there are grounds for remedial Congressional action.

POLICY AT CROSSROADS

Ways and Means Committee consideration of trade legislation, whenever it may be submitted to the Congress, will come at a crucial time for all the above reasons. But there are other important elements at work that have charged the political atmosphere and have prepared the ground for one of the most intense discussions on trade policy this nation has recently experienced. We are now at a crossroads in American commercial policy, where the principles that have guided our action since the 1930 "Smoot-Hawley" Tariff Act are truly "up for grabs."

Since the 1930 Act, Congress has almost without exception refused to legislate tariffs for individual commodities. The Smoot-Hawley Act was traumatic for the Congress, an orgy of log-rolling which convinced those members of Congress who participated in it that the Congress must step out of this area and delegate primary responsibility for adjustment of individual tariff rates to the Executive. This is the policy that is now being threatened.

DRIVE FOR PROTECTION

Those of us who follow closely U.S. business developments know that vocal elements of certain American industries have strongly voiced their opinions that imports are damaging them severely and that they need special measures to cushion them from certain forces at work in the international marketplace. There have always been industries that have come to Congress to present their foreign trade problems. In the past these industries have been more or less labor intensive, smaller industries. Now we find that at least two giant industries, textiles and steel, are making such cases in apparent unanimity.

Important to point out is that the form of protection now being sought by these groups is not higher tariffs, but instead, quotas. Quotas are accompanied by their very nature with administrative complications. A system of granting licenses to assign shares of the quota amount often accompanies the quota system, though not always. But, by its very nature, the quota is inevitably open to a tremendous amount of administrative discretion that promotes special privilege which ultimately leads to corruption.

The United States, and other countries, have for decades abjured quotas as a means of regulating trade. This policy became during the '30s and postwar period a commonly accepted principle of international commercial policy and therefore was also made a cardinal principle of the General Agreement on Tariffs and Trade. Equally well accepted is that when governments must choose a device to reflect international competitive differentials, they should use tariffs, not quotas.

THE CURRENT "CLIMATE"

The strength of the movement toward quotas can be gauged by the three-day hearings of the Senate Finance Committee that began Oct. 18. These hearings were conducted to examine proposals for import quotas on oil, meat, lead and zinc, textiles, steel and dairy products, among many other commodities.

Unfortunately, no economists were specifically asked to tell the committee, and the public, about the economic effects of the quota mechanism, or its relationship to U.S. trade policy. Instead, the hearings were structured simply to allow those pressures in the society with an immediate interest in the subjects under study to come forward. This itself can be a very valuable exercise if conducted fairly. But it is hardly a proper way to examine an important economic issue, a major departure from established policy.

These forces are at work in the context of an economic climate concerned with the serious threat of inflation and fiscal problems, with an underlying tension resulting from dissatisfaction with a difficult war. All these influences are reflected in Congress. In these circumstances concern with a matter like national trade policy tends to be relegated to the background.

There is instead a feeling that "it is not very important," and this feeling is strengthened by a remarkable absence of Presidential leadership in the foreign economic field, particularly trade and the closely related fields of foreign investment.

Some might argue that the President's concern must primarily be with the Vietnam war, and not with our foreign economic policy. But it must be pointed out that behind the Vietnam War lie foreign economic policy issues that if properly dealt with in the beginning stages of the Vietnamese problem might have prevented that problem from developing into open war. Even in the present context there are economic issues that remain, in my view, fundamental to the solution of the current conflict. Certainly the history of several wars has shown that international economics is as important to war and peace as the force of arms.

FACTORS IN BACKDROP

This is the context of Congressional consideration of an Administration trade bill. Hearings on a bill, if properly organized, would provide a very welcome focus for the responsible study and discussion of all the interests that now seek expression on this subject, but the factors I have outlined above have already affected the Congressional scene.

For the immediate fight has now shifted to the Senate. Though at the time of writing it seems that the Senate Finance Committee will not attach a comprehensive quota measure to the Social Security bill as certain Senators had hoped, there is a real possibility that such a measure may be attached to a minor tariff bill already passed by the House.

If the offensive can be gained by the Administration and those interested in expanded international trade, and the focus of the trade issue can again be shifted to a positive trade bill, then Ways and Means Committee hearings would serve the very important function of constructively focusing the debate and discussion about trade in the proper forum.

ADMINISTRATION TRADE BILL

The Administration has indicated that its trade bill will have three titles, including approval of the so-called "second package" of the Kennedy Round chemical sector negotiations, which includes conversion of the ASP system to normal valuation methods; adjustment assistance "liberalization" measures; and "housekeeping" tariff negotiation authority.

The basic bill will be the basis for public hearings by the Committee. Thus it will serve as the focal point of the Committee's initial studies, a process of self-education about the issues involved. By this process of study the Committee will begin to form judgments about the bill in relation to the needs of the economy, and will be ready to shape it as it sees necessary. In so acting, the Committee will function as the Institution of Congress ideally should—as a study and deliberative body that reaches conclusions through public discussion and debate.

The Committee will no doubt give very great attention to the details of the second package resulting from the chemical negotiations, to determine whether or not we got a good deal in our bargaining with the European Community, Britain and Switzerland. There should certainly be intensive Committee examination of the problems posed by the relationship of the special adjustment assistance measures with the rest of our programs for helping workers to adjust to economic change. My own view is that the adjustment assistance measures providing for dislocation due to foreign trade should not be distinct from the totality of our labor adjustment programs.

HOUSEKEEPING AUTHORITY

Finally, the Committee should look closely into the justification for the Administration's requests for "housekeeping authority," and into the uses to which the Administration might be able to put additional authority to negotiate tariffs or other trade problems in specific cases, areas touched on in the Kennedy Round but not solved.

Though it may be premature to do so, I would suggest some other areas in which the Committee may well amend the Administration trade bill.

For example, there is need for work on non-tariff barriers on two fronts: study to discover what they are, and how they operate, and then international negotiation to correct them. In order to provide authority for the President to undertake such an effort, the Committee will have to have ample testimony to show that non-tariff barriers are an important problem, and such testimony should be concrete and specific, so that language can properly be drafted to comprehend the problems brought to the Committee's attention.

TRADE WITH NEEDY NATIONS

Another area that deserves fullest public discussion, in addition to the attention of the Ways and Means Committee, is the problem of the trade of the developing countries. The reader might ask how much subject matter might be injected into the hearings, but there are several areas where the Committee, because it is the foreign trade committee of Congress, has jurisdiction. The Committee has an interest in primary commodities, which supply much of the developing countries' income from export sales. The Coffee Agreement, and any new commodity agreements, such as an agreement for cocoa, are the legislative concern of the Ways and Means Committee.

Any scheme for tariff preferences, either generalized or undertaken on behalf of a specific country or geographic region, would have to be considered by the Ways and Means Committee. For this reason, it would be appropriate for the Committee to consider at least generally whether it can shape the trade bill to include the trade problems of the developing countries.

EAST-WEST CONSIDERATIONS

Another element that may well find its way into the Committee's studies on trade are proposals to increase "East-West" trade by extending most-favored nation tariff treatment to Communist countries. In this area the Committee has already shown itself to be responsive to the view that the involvement of many Communist states in the Vietnam conflict makes such trade expansion most undesirable. From my own point of view, I feel one should look at East-West trade proposals from the point of view of examining the difficult problems of the interaction—the "commingling"—of a state trading, centrally planned economy with an essentially free market economy such as our own. This to me should be the primary focus of our efforts, and I would personally welcome hearings to explore these problems.

PROCEDURES, ADMINISTRATION

Finally, there is the broad area of procedures and administration. Since my first contacts with the actual conduct of our trade program in 1956, I have tried to shape the successive Reciprocal Trade Acts to include proper administrative procedure. I felt it was important to set the conduct of trade negotiations out on its own base, so that decisions could be made more impartially, and the negotiations be conducted more fairly. This required, I felt, a more extensive and intelligent use of the resources within our own country who daily deal with the workings of international trade—businessmen and trade association representatives particularly.

During the Kennedy Round much progress was made in this area, but more can still be made. The deeper involvement of export interests in trade negotiations should certainly be striven for.

In the area of administration, I think that, overall, the Office of the Special Representative for Trade Negotiations has worked well, though it has suffered from having its small staff carry too large a burden of responsibility. My own view is that the responsibilities and functional abilities of this staff should be increased, as the nucleus for the eventual establishment of a foreign economy policy agency at Cabinet level. In this context it is extremely interesting to note that in the current merger and reorganization the executive commission of the three European communities (EEC, Euratom, Coal and Steel Community) have separated the foreign affairs function from the foreign economic function and have created a department specifically for foreign economies.

In both areas—procedure and administration of the trade program—the Ways and Means Committee may wish to make innovations.

CONTRIBUTION OF CONGRESS

Beyond these possible additions to a new trade bill, there are at least two areas in which the Congress itself can strengthen its fulfillment of the power to regulate foreign commerce.

The first of these "reforms or innovations would be to develop more effective means of coordinating the work of all the Committees of Congress which share the Congressional power to regulate foreign commerce. Of the 20 committees of the House (16 in the Senate) there are about 16 whose jurisdictions in at least some way include foreign economic policy. This may seem amazing to readers who might think of the Ways and Means Committee, and perhaps also the Foreign Affairs Committee, as the Committees which have jurisdiction over foreign economic policy. But the list is much longer.

A partial accounting would include the Banking and Currency Committee for its work in the field of export financing and international monetary problems, the Agriculture Committee for its jurisdiction over P.L. 480, the sugar quota program, and the cotton textiles quota program, the Judiciary Committee for its role in international antitrust, patent and copyright problems, and the Education and Labor Committee for its peripheral authority in the area of fair labor standards, and in the International Labor Organization.

COMMITTEE COORDINATION

The structure of Congress now provides no formal means for bringing together these committees to coordinate their approaches to foreign economic programs. The only unifying force, when it operates well, is the executive branch, which in coordinating its own foreign economic programs would also attempt to bring about coordinated Congressional action and reaction to them.

Coordinated Congressional work in the foreign economic field must finally depend, however, on Congress itself. One of the strengths of Congress is its flexibility. It is completely within the realm of possibility for Congress to create its own task forces ad hoc or continuing, including members of Congress from all the relevant committees, to properly synthesize Congressional work on the broad range of foreign economic issues in which so many of its committees have a part. Certainly Congress should itself take such steps as are necessary to do its own work in this important field.

A wide and constructive national effect would result were Congress to set up the machinery for a thorough annual review of the entire foreign trade field, including problems of export trade and industrial commodities for which we have special programs, like sugar.

An ideal forum for this thoroughgoing annual review is the Joint Economic Committee. I propose that the Employment Act of 1946 should be amended to require the Joint Committee to give the same annual attention to examining foreign economic policy as it does to examining domestic economic policy as presented in the Annual Report of the President's Council of Economic Advisers. Such an annual review of foreign trade and economic policy would do much to improve public understanding and coordinated Congressional action in the foreign economic field.

It is important that the Congress act wisely and well in the trade field in any legislation to come. There is too much war and peace wrapped up in trade to act hastily. Truly this is in an interdependent world—culturally, economically, and politically—and United States policy must continue to reflect awareness of these delicate inter-relationships.

TRUTH IN REPAIRS FOR THE DISTRICT OF COLUMBIA

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MATHIAS of Maryland. Mr. Speaker, countless comedies have been based on the American consumer's frustrating experience with balky automobiles, broken television sets and radios, and the entrepreneurs who minister to the ills of cars and appliances.

But for the individuals involved, an encounter with an incompetent or unscrupulous repairman is no laughing matter. It is especially unfunny when the people gypped can ill afford the loss, and have no real recourse at all.

The service and repairs industries are vast and growing rapidly as consumer markets expand. The current Washington area yellow pages, for example, include about 320 listings in the District of Columbia alone under "Automobile repairing and service," and about 165, again in the District of Columbia alone, under "Television dealers and service." Many of these listings are large dealers, often franchises connected with major manufacturers. But a large number are small businesses—established neighborhood shops, one-man operations, and family stores. And a few are fly-by-night operators seeking a quick profit.

The repairs industry is a classic case of free enterprise—highly competitive, almost completely open to new entrants, and in most areas virtually unconstrained by public regulation or quality control. In the District of Columbia, as in most other areas, it is virtually impossible for an average layman, untrained in the intricacies of vehicles and appliances, to challenge the repairman's technical assertions, or even to choose intelligently among several garages or repair shops bidding for his dollars.

In this freewheeling atmosphere, the abuses practiced by some servicemen have cast shadows over the entire industry. The popular image of repairmen is, to say the least, not good. Consumers generally mistrust them, and often are suspicious of overcharging, poor workmanship, incompetence, and outright fraud. These customer suspicions are often far more general than cases of actual abuse. Yet there are many indications that, in the repair field, the buyer does have reason to beware.

For example, 4 years ago a survey of auto repairmen in the Washington metropolitan area revealed that only about 27 percent of those surveyed correctly diagnosed what was wrong with a specially "doctored" car. For this survey, an auto engineer had purposely pulled one of the sparkplug wires loose and left it dangling in full view. All that was needed was to push the wire back onto the plug—a 1-second operation. Yet many of the repairmen survey diagnosed an incredible list of infirmities and costly repairs.

The New York Times recently reported a survey of garages in that city which indicated than 60 percent of those surveyed turned in false diagnoses along with fantastically inflated repair estimates.

An article in the February 1967 issue of Consumer Reports detailed similar findings in a survey of television repairmen, and sketched some of the sharp practices which were found to be widespread in that industry in New York, Illinois, and elsewhere.

Here in Washington, the Better Business Bureau in the year ending May 31, 1967, reported a total of 46,687 inquiries and complaints about merchandise and servicing. Of this total, 3,468—the second largest for any one item—were about TV and radio sales and service, while 3,187 were about auto repairs and service.

Mr. Speaker, it is time to help the consumer get a better break in his necessary dealings with repairmen. It is time for Government to act, on local and State levels, to protect consumers against incompetent and fraudulent repair practices, and to protect the service industries themselves against further erosions of public confidence.

I am today introducing two bills to guarantee "truth in repairs" in the District of Columbia in the vehicle servicing and radio-television repair fields. These bills are intended to establish procedures which, while not imposing undue restrictions on the industry, will give consumers some recourse in cases of apparent abuse, and provide means of disciplining those repairmen who do misuse their role.

There are three basic provisions to each bill: registration of all repairmen, full disclosure of all work done, and technical monitoring to provide an independent verification of the quality of repairs.

The registration requirement of these bills is not to be confused with licensing. Under the usual concept of licensing, a person must first undergo extensive tests for competency before being permitted to engage in a particular business. Licensing of repairmen in other States has proved to be unwieldly, costly, and ineffective as a means of reducing frauds.

Under the registration requirement of these bills, no prerequisite is necessary to engage in the repair business except the payment of a modest registration fee. Any person who wishes to would be free to attempt to engage in the business of repairing TVs, radios, phonographs, or automobiles. However, he must first register and, once registered to do business, must conform to certain minimal rules of ethical conduct and full disclosure.

Those found to have practiced deceit could, however, be subject to several penalties, including cancellation of their registration or prosecution by the District authorities for fraud.

The disclosure provisions of these bills are designed to let the customer and inspectors know what has been done in each particular case. For example, under the bill dealing with electronic appliances, repairmen would have to, first, furnish a written estimate for any repair work and not exceed the estimate without customer approval; second, tell the customer whether a replacement picture tube in a TV is new or used; third, return to the customer the old parts which have been replaced; and fourth, give the customer a detailed repair invoice which describes what parts were installed, indicates what labor was required, and itemizes costs.

The District of Columbia Government would enforce the provisions of these bills. To put muscle in the District's surveillance arm, the government would be authorized to establish electronic and automotive laboratories, as has been done successfully in several other areas including California, to check on the work of those repairmen against whom repeated complaints have been made. Checks could include reexamination of replaced parts to see whether they were really deficient. They could also include the preparation of "doctored" sets and autos, which could then be run through questionable shops. If a pattern of fraud should be established, action could then be taken against the offender on the basis of the evidence collected. In California, where this method has been used to police the electronic repair industry, it has been conservatively estimated that the incidence of TV repair fraud has been reduced by one-third.

Mr. Speaker, these provisions would require little change in the methods of operation of reputable repairmen. The only effect on the repairman's pricing policy, for example, is that he would be required to disclose it fully and completely, advising the customer of the nature of the repairs, the labor charges involved, the parts replaced, and the itemized charges. No price controls of any sort are involved. The dynamics of the marketplace would operate, in an atmosphere of candor and full factual disclosure, to eliminate the fraudulent, the incompetent, and the elusive repairmen who impose on the gullible and unaware public.

The general public today is constantly at the mercy of repairmen, and mercy is not often forthcoming. A great deal of evidence, coupled with widespread and persistent complaints, underscores the need for consumer protection against repair abuses. As always, those most seriously hurt are the poor who rely in large part for their entertainment on their television set or radio, and whose livelihood may well depend on the availability of an automobile.

Mr. Speaker, I do not believe that these bills offer a panacea. I do believe they are a proper step in the right direction. Further, I am convinced that the Congress, by examining this approach to public protection in certain fields in the District of Columbia, could set a constructive example for protection of consumers in other industries and other jurisdictions.

Accordingly, I hope that this legislation will be studied closely by my colleagues, by representatives of the industries involved, by the leaders of the business community in Washington, and by consumer groups and individual citizens.

I would like to include in the RECORD at this point the article on television repair frauds from Consumer Reports of February 1967, and an article on the experience in California from the New York Times of Sunday, October 29, 1967. I am also including the texts of the two bills:

[From Consumer Reports, February 1967]

THE QUALITY OF TV REPAIR SERVICES

(Fraud is rife, some studies suggest. But you can protect yourself by learning a bit about TV sets and by knowing how to deal with repairmen.)

When the telephones rang in 20 TV repair shops in New York City recently, 20 servicemen heard the same sorry tale: Without warning, the caller's set had suddenly lost picture and sound. In due time each repair shop dispatched a serviceman, and eventually all 20 TV sets were put in working order. But the bills, in most cases, included dishonest, and sometimes exorbitant, overcharges.

CU knows, because our engineers had been called upon by the conductors of this test (the Bureau of Consumer Frauds and Protection of The Office of the Attorney General of the State of New York and WCBS-TV News, New York City) to plant the trouble. In each instance, our engineers burned out the third video IF amplifier tube. Every tube and each major component was marked with ink that was visible only under ultraviolet "black" light. Each set was then placed in a private home. One of our technicians made sure that nothing had happened in transit and that he could restore normal picture and sound on the spot merely by replacing the burned-out tube.

But, the Bureau and WCBS-TV News found, only three servicemen—one from a large department store in Manhattan and two independents—contented themselves with making this simple repair. Including a charge for service (the house call) and labor (time required to fix the set) as well as the price of the tube, the bills of these three repair shops averaged about $8. Reasonable enough, since the replaced tube lists for $2 or so. The most expensive of the three charged $8.93—but he also replaced a second tube that, our engineers confirmed, had gone bad meanwhile.

THE GREEDY MAJORITY

Most of the other servicemen varied chiefly in the degree of their greed. The highest mark for rapacity was earned by a repairman who successfully insisted the set needed shop work. He told his customer that the set must have been dropped, and that the tuner was bad and coils were missing. Sure enough, he returned the set with a bill for a tuner overhaul and alignment. These two "repairs" and one tube replacement brought his price to $37.20. But as far as we could tell, no work had been done on the tuner.

Fake tuner repairs gave two other servicemen an occasion to bloat their charges. One came without tools or bag. He didn't bother to open the set; thus, he could offer neither an opinion about what was wrong nor an estimate of the cost of repairs. Instead, he took the set off to his shop, where he made bogus circuit repairs, "installed an on/off switch," and replaced a good tube as well as the blown one—all for $31.45. The other servicemen "repaired" the automatic gain control (AGC) circuit. Pressed for return of the parts allegedly replaced, he stalled for a week before presenting his customer with six parts, none of which belonged either to the AGC circuit or to any other part of the set he "fixed." A check of the AGC circuit revealed that it hadn't been touched. His bill for $34.23 also included the cost of replacing a good tube.

Unnecessary tube replacement turned up in nine other instances. (Each "customer" had been instructed to ask for return of any replaced parts. When we got back an allegedly bad tube that checked "good" in CU's tube tester, we had solid proof of flimflammery.) In one particularly flagrant example, the serviceman replaced five tubes in addition to the dead one we planted, an exercise that brought his bill up to $26.55. This work was done in his shop. He apparently did something else in his shop, too. Four of the needlessly replaced tubes were returned with open filaments, indicating that they had been burned out after the set entered the shop. (Another "replaced" tube was not from our set—and it tested "good.")

True, a tube can become defective at any time, as happened in the set fixed by one of the honest repairmen. But it would take a coincidence bordering on the miraculous for four tubes in unrelated circuits to burn out simultaneously. Tubes can be burned out in a tube tester—that's how we supplied ourselves with dead tubes for our rigged sets. But a number of dials must be set wrong first. Anyone making his living in TV repair would know better. If the serviceman *didn't* know better and blew four tubes accidentally, he shouldn't have charged for replacing them.

One serviceman added insult to injury: He not only replaced two good tubes, but substituted for one of them a tube that shrank the picture so much that a black margin appeared on the screen. Another replaced CU's doctored tube with one designed for half the voltage, so that the new tube couldn't last long. This might be incompetence; but it was something else that prompted this man to charge for a "replaced" additional tube that he did not replace.

Three other men may have to be called honest by default. The functioning tube each replaced did test out as weak in CU's tube checker. But none of these three had a tube checker with him. Thus none could have known that the extra tube he replaced was other than perfect—the weakness of these tubes made no discernible difference in the TV picture or sound.

Often the servicemen seemed to be more interested in carting the set away than in making it work. One opened the back and bottom of the set, peered at it a while, then declared that it needed a new condenser and that the "control did not work properly." The work, he said, must be done in the shop. But the set "owner" demurred. Then the repairman discovered the set had a hum (audible only to him). Again, no go. Then he opined that the tuner was damaged, probably as a result of the set's having been dropped. Still no go. Finally, he replaced the defective tube. But still not content, he soldered a connection that didn't need soldering and departed $8.50 in pocket—an inexpensive repair made possible only by the owner's reluctance to let go of the set. (The owner, by the way, acted counter to instructions; all had been told not to obstruct any serviceman who alleged a set had to go back to the shop.)

What this test indicated, then, was a depressing prevalence of shoddy business ethics. Three of the 20 shops were checked at the request of the Bureau of Consumer Frauds and Protection (part of the New York Attorney General's office), which had received complaints about them. Disregarding the Attorney General's three, and not counting as dishonest the three men who replaced additional tubes that happened to be weak, about 65% of the servicemen sampled still emerged as cheats. The bills of these cheats averaged $20.95, or an average overcharge of 150%; the greediest overcharged by 350%.

HOW MUCH DO YOU HAVE?

This dispiriting state of affairs is not limited to New York City. Illinois Attorney General William G. Clark turned up a similarly dismal situation last spring. He challenged more than two dozen service shops, most selected at random in the Chicago area, with TV sets having one or two defective tubes. Clark estimated that almost all the sets ought to have been fixed for $5 to $10 (in a very few instances, $15). But his investigators were presented bills ranging from $14.85 to $45.70. As a result of his investigation, Clark charged 18 of the shops with deliberate fraud.

In some of the worst instances, the repairmen intentionally damaged tubes by chipping or breaking off base connection pins. "Our expert said that one set was so butchered it looked like a child had been at it," Clark notes. Other examples of fraud lay in what might be termed creative billing. One repairman charged for a mythical "filament blocking capacitor." Another asked his customer, "How much do you have in the house?" He accepted $37.84, but marked the bill "set fixed for cash on hand—still needs work."

Still another spot check of TV repair ethics was conducted recently by National Educational Television for its "Your Dollar's Worth" series. The broadcasters asked three shops in the New York area to repair a doctored TV set. The set needed a $4.75 tube and a 91¢ fuse. One repairman fixed it for a reasonable $7.75, including a $3 service charge. But instead of replacing the fuse, he saved himself a trip to a supply house by wiring around it. The second shop installed enough unneeded parts to bring the bill to $21, and again the fuse was bypassed. The third man did replace the fuse. But like the second, he took the set to the shop unnecessarily and charged his customer $18.75.

Unfortunately, statistics on the extent of TV fraud are few. But according to California's Office of Consumer Counsel, the television repair industry in that state, testifying in favor of permanent registration of electronic repair shops, indicated that such a law would save the public $11.5 million annually in overcharges. The studies in New York and Chicago, cited previously, while admittedly small in scale, also point to widespread overcharges. Coupled with the periodic warnings against shady repair operators put out by Better Business Bureaus and electronic servicemen's trade associations, these facts hint at something rotten in the TV repair industry.

FOR THE ADROIT, A WAY OUT

What can you do about it? Television experts have estimated that the majority of all TV repairs involve no more than the replacement of a tube or two. In this fact lies a possibility of cutting your chances of being swindled or, at least, saving a repairman's service charge when your set develops trouble. How? By finding and changing a faulty tube yourself.

Let it be emphasized, though, the do-it-yourself tube-changing should only be attempted by handy types who aren't stumped by leaky faucets and broken doorbells. And the attempts should not include work on small-screen sets where the components are crowded together.

If you decide to try, your first step is to arm yourself with a television repair book written in laymen's language, and a tube layout for your set. Look for a book with a list of trouble symptoms or illustrations of TV pictures with typical defects. These symptoms should be keyed to a tube or tubes that may be at fault.

To locate in your set the tubes indicated, consult the tube layout pasted inside the cabinet. Typically, these layouts show a tube's number, its function (e.g., "RF amplifier"), and its location in the chassis. If your set doesn't have such a layout, write to the manufacturer for one. The letter should include your set's serial and model numbers; they're usually found on the back of the set.

Before you go any further, fix firmly in mind these three cardinal rules for television repair laymen:

Never use a "cheatercord." Virtually all sets have a "safety interlock" that disconnects the chassis from the powerline as soon as you take the back cover off. But servicemen need to have the set on for some of the work they do, and so use "cheatercords" to connect the chassis to the power source with the back cover off. This practice can pose severe shock hazards to the tyro, however. Put the back cover on again if you want to check a new tube.

Always discharge residual high voltage before trying to replace any tubes. You can get a shock from an accessible high-voltage tube (it has a metal cap, and often a plastic overcap, with a small wire attached) even when the set is not plugged in. To discharge this voltage, hold a wood- or plastic-handled screwdriver by the handle and place its metal shaft against any metal part of the chassis. At the same time, touch the shaft to the metal cap on the high-voltage tube.

Never remove the picture tube or chassis. Both operations can be dangerous. And neither is necessary for the tube replacements you should limit yourself to.

If, in looking through the vents on your set's back cover, you notice that none of your tubes is lit, don't be alarmed. TV circuits can be wired in either of two ways. When the tube filaments are connected in *parallel,* only a tube that goes dead will black out; the rest will continue to glow. But when the filaments are connected in *series,* all tubes in that circuit will seem to go dead when only one tube burns out. This is the same effect that darkens a series string of Christmas tree lights when one bulb goes. It creates a much more difficult diagnostic problem. When it happens, you have no picture symptoms at all, and no sound. Hence, tips from TV repair guides that key picture or sound symptoms to specific defective tubes may be of little help. However, a tube is more likely to show signs of weakness before it burns out completely.

CHECKING THE TUBES

When you have narrowed down to a particular tube or tubes as the probable cause of your trouble, you can remove these tubes and check them on one of the tube testers to be found in many supermarkets and drug, hardware, and auto supply stores. These rather simple consoles can tell you most of what you need to know—that is, whether the tubes are burned out, shorted internally, or weak. But neither a test-it-yourself console nor the tester a serviceman sometimes carries can give you the full story on your tubes under all possible conditions of use, so this method is not a perfect one.

A more direct way to find a defective tube is to substitute tubes known to be good for the ones in your set (this is the method most technicians use). To have on hand one of each *different* tube in a monochrome set, you would need to buy about a dozen tubes; for a color set, roughly twice that many. The assortment would probably cost about $15 for monochrome and $30 for color if bought at discount from an electronics supply house. Your set's tube-layout diagram will tell you what to order.

DEALING WITH THE REPAIRMAN

If your trouble can't be cured by adjusting the controls and doesn't seem to be caused by a bad tube, you must then call a TV service shop. And here is where your pocketbook might take a beating. Repairs other than tube replacement can run into real money, even in an honest shop.

You can protect yourself to some extent against elaborate and unnecessary repairs with the aid of the list at right. You will find there some typical television symptoms that are extremely unlikely to require replacement of major, costly-to-replace parts. For instance, if the sound is good and the screen is illuminated, but without a picture, the trouble is likely to be in the video output circuitry, a repair job likely to run under $10. The trouble is *not* your picture tube. Some other guidelines:

To avoid a hasty choice, try to pick a repairman in advance. If possible, check his reputation with your neighbors. Ask about his rates for a house call and for labor, and ask how long he guarantees his work.

Beware of the repairman who shows up without at least a small tool kit and a supply of spare tubes. He may make a practice of taking sets back to his shop unnecessarily. Ordinarily, a conscientious repairman will at least remove the back cover, check the tubes, and often make some adjustments of the controls that don't have external knobs.

Don't let your set out of the house unless you know that the serviceman has a fixed place of business. Occasionally, the Cleveland Better Business Bureau has warned, a sharpie advertising only under a company name and telephone number picks up a set and disappears with it.

Try to get a statement of what's wrong and a price estimate *before* your set is taken out. You're also entitled to a receipt for the set. If the repairman can't pinpoint the trouble in your living room, ask him to call you with the estimate *before* doing any repair work. If you are dealing with him for the first time, you might have him put this proviso in writing on your receipt.

Insist on an itemized bill that includes the number of any part replaced and a simple description of it. Make sure that all paper work (the estimate, receipt, and bill) includes the business name, address, and phone number of the repair service, and the technician's name. Any warranty on the repairs should be in writing and in clear terms. And don't forget to ask for any warranty issued by a manufacturer (on a new picture tube, for example). Usually, replaced parts carry a 90-day warranty, and a new picture tube one year, neither including labor.

Ask the repairman to return to you any parts he has charged to replace. Exceptions: the picture tube (because of the dangers in handling it) and parts replaced under a new-set warranty (these ordinarily must go back to the manufacturer).

From time to time you may hear advice other than that included in the above checklist. For example, you are sometimes advised to mistrust a repairman whose service charge seems "inordinately low" ($3 to $5). Spokesmen for the repair industry claim that an honest serviceman must get $7 or so just to cover his overhead. Consequently, they say, lower quotes should be automatically suspect.

But apparently that rule of thumb doesn't always hold true. It should be noted that the three honest repairmen in the WCBS–TV News study in New York charged only about $4 for labor *and* service, while a couple of shady operators charged $6.50 or $7 just for service.

Again, manufacturers often refer you to their "authorized" service stations when you need a repair. We asked officials of General Electric, RCA Victor, and Zenith just how this authorization protects a set-owner against fraud. The three companies told us that they require authorized servicemen to return parts they replace under warranty to their respective distributors for credit—a proviso that obviously would discourage replacement of good parts.

Asked about consumer protection in out-of-warranty repairs, a GE spokesman said that the company's authorized servicemen are investigated—but only on a customer's complaint—and that authorization would be revoked if a customer could prove fraud. "It's after the fact, I agree," he replied when CU pointed out that this arrangement required the consumer to do the company's policing for it. An official of a Zenith-owned distributor in New York said he would refer outraged set-owners to their Attorney General—"if they can prove fraud." At the same time, he said that fraud would mean the end of a serviceman's authorization. An RCA executive dropped the problem into the lap of his company's distributors, who "set their own dealership standards over which RCA can exercise no control." He added that "it gets down to caveat emptor . . . but at the same time, we'll be trying to reflect the best possible image on the company."

This disconcerting vagueness on consumer protection may be a reflection of how the matter stands in practice. Certainly, the New York sampling in which CU participated did not yield any evidence that "authorized" servicemen are more scrupulous than others.

DOES LICENSING HELP?

A number of industry organizations have for years claimed that mandatory licensing of TV repairmen is the answer to customer complaints of dishonesty, shoddy work, and incompetence. State licensing laws are in effect in Connecticut, Louisiana, and Massachusetts. Among cities with licensing ordinances are Buffalo, Detroit, Kansas City, Mo., and Madison, Wis.

All of these regulations require newcomers to the trade to pass competence tests; but technical competence obviously doesn't guarantee ethical business practices. Some regulations have other consumer-protection features—notably requirements that replaced parts be returned to the customer and that bills be itemized in detail.

All the laws we looked at provide that fraud can cost a repairman his license. But an ordinary consumer would be hard put to recognize, let alone prove, any but the most flagrant cases of fraud. It's difficult even for enforcement officials to prove fraud. About the only way is to challenge a suspected cheat to fix TV sets with known defects, and have the results checked by experts. That's too costly and time-consuming for most law-enforcement agencies. Rigging sets well enough to catch subtle frauds is no simple task. When the Illinois Attorney General set up his recent investigation (see story), he felt it necessary to retain a professor of electronics as a consultant. In the New York studies, NET turned to a commercial testing laboratory, and the Attorney General's Office and WCBS–TV News to CU.

We asked officials of each of the seven licensing laws mentioned if they policed the industry with rigged sets. All said they did not. An aggrieved consumer must ordinarily send the licensing board a written complaint. A formal complaint is then mailed to the accused serviceman. If the matter can't otherwise be resolved, the board may call an informal hearing. But at this hearing, a consumer without electronics expertise may well find himself at a disadvantage. The truth is that license revocations for fraud in television repairs are rare indeed under these laws.

Taking a somewhat different tack, California in 1963 enacted a law designed solely to detect and prosecute fraud in the television repair industry. This law established a Bureau of Electronic Repair Dealer Registration, with which all repairmen must register.

The Bureau promptly set up two fully equipped electronics laboratories, one in Los Angeles and one in Sacramento. Each month these laboratories send five to ten expertly rigged sets through repair shops on which complaints have accumulated. Each shop is sampled two to four times to see if a pattern of fraud emerges. If so, the Bureau can put the shop out of business by cancelling its registration, or turn the case over to a district attorney for prosecution that might lead to a fine or jail sentence as well as a suspension of business.

And the Bureau does follow through with both kinds of action. In the two years ending January 1966, the Bureau settled 6261 complaints. It revoked the registrations of eight gyps and helped convict 39 others on various criminal counts. It seems reasonable to assume that the Board's vigorous, if still limited, policing must be a strong deterrent to service shops that might otherwise be tempted to cheat. It also seems reasonable to assume that licensing boards that decry shady business practices without attempting to uncover them provide only the most limited consumer protection.

WHEN A REPAIR IS NEEDED

A malfunctioning TV set can most often be fixed merely by replacing one or two inexpensive vacuum tubes. But occasionally, a major component such as the VHF tuner, power transformer, horizontal output transformer or picture tube may have to be replaced. An important cost then is for labor. If a serviceman says a component must be replaced, ask him for his hourly rate and for an estimate of his labor time.

If you are dealing with a repairman you don't know well, we would recommend some hesitancy in accepting his first verdict that a set needs shop work. Unnecessary trips to the shop are the stock in trade of unethical repairmen (see story). If you are persistent, you may be able to get needed repairs done on the spot. Of course, you are at a disadvantage since you have no way of knowing whether the set really does need "hospitalization." There are, however, some symptoms that only rarely indicate more trouble than the need for a tube or two or, especially with color sets, an adjustment or antenna problem. We suggest a particularly skeptical manner on your part if your set displays any of the following symptoms:

Monochrome and color sets

Screen lit and sound OK, but picture won't stop rolling vertically.

Screen lit and sound OK, but no picture.

Picture of normal width, but not high enough.

Picture of normal height but not wide enough.

Picture too small horizontally and vertically.

Snow in the picture with local (not fringe) reception.

Sound OK, but only a bright, thin, horizontal line across the picture tube.

Sound OK, but picture won't stop rolling vertically and moving horizontally (no sync).

Color sets

Screen shows one color with black-and-white picture.*

Irregular color splotches on black-and-white picture.*

Colored confetti on black-and-white picture.**

Colored outlines on black-and-white picture.*

Set shows only black-and-white picture.

Washed-out colors that can't be intensified.**

Color that is intermittent or fluctuating.**

TUBES FOR LESS

Tubes are now available at discount in many parts of the country. Usually, any store with a "test-it-yourself" tube tester also sells tubes—often at discounts of around 20%. Electronics-supply houses may offer larger discounts—as much as 50% off list.

The companies listed below are among those that sell to the general public at discount and will handle mail orders. A post card to any of them will probably put you on their mailing list and bring you information on ordering procedure, shipping charges, and so on.

Allied Radio, Corp., 100 N. Western Ave., Chicago, Ill. 60680

Burnstein-Applebee Co., 1012 McGee St., Kansas City, Mo. 64116

Electronics Components Distributors, Inc., 4410 Morningside Dr., Houston, Tex. 77006

Hawthorne Electronics, 3580 SE. Hawthorne Blvd., Portland, Ore. 97214

Lafayette Radio, 111 Jericho Tpke., Syosset, N.Y. 11791

Olson Electronics, Inc., 260 S. Forge, Akron, Ohio 44308

Radio Shack Corp., 730 Commonwealth Ave., Boston, Mass. 02215

Sun Parts & Hi-Fi, 514 10th St., N. W., Washington, D.C. 20004

[From the New York Times, Oct. 29, 1967]

CALIFORNIA CUTS TV REPAIR FRAUDS—SAVINGS PUT AT $11-MILLION—NEW YORK STUDYING LAW

SACRAMENTO, CALIF., October 28.—Four years ago, a Californian who took his television set to a repairman had, by the industry's own estimates, more than a one-in-six chance of being cheated.

---

* Probably an adjustment.

** May be due to antenna.

Today, a state agency that sometimes plants "bugs" in TV sets and employs housewives as undercover agents to take the sets for repairs, is trying to improve the picture.

According to William J. Hayes, acting chief of the state Bureau of Electronics Repair Dealer Registration, fraud has been reduced by at least a third since the agency was set up in 1963. He puts the savings at between $11-million and $12-million a year.

The California plan is under study in New York City. The city's license commissioner, Joel J. Tyler, said last week that his agency was preparing proposed legislation for licensing of television repairmen.

A DIFFERENT APPROACH

While the goal of reducing repair abuses is the same, New York's plan would take a somewhat different tack than California's. California does not license repairmen, but registers the owners of repair shops at an annual fee of $35.

The state agency handles some 3,000 complaints a year. The main objective is in promoting compliance with the law rather than prosecuting violations.

The 1963 legislation that set up the bureau provided procedures that repair shops must follow. California's 6,500 electronic repair dealers now must:

Return old parts that have been replaced in a set.

Tell the customer whether a replacement picture tube is new or used.

Furnish a written estimate on request for any repair work, and cannot exceed the estimate without customer approval.

Present a detailed repair invoice. The customer must be told what parts were installed and what labor was required. The technician who did the work must sign the invoice.

No shop employe can be compensated on the basis of the amount of parts replaced in a set that he worked on.

LAW SOUGHT BY INDUSTRY

The law stemmed from industry calls for a crackdown on dishonest repairmen. The California State Electronics Association estimated in 1963 that 15 per cent of the $230-million that the state's residents had paid for television, radio and phonograph repairs represented bill-padding and other forms of fraud.

The Legislature that year passed the law setting up the state registration agency, with laboratories set up here and in Los Angeles. The fees that it collects provides the funds for its $250,000-a-year budget.

If a customer complains, one of the bureau's field representatives examines the paperwork on the repairs and, if something seems out of line, contacts the dealer. In a few cases, Mr. Hayes said, state technicians might examine the repaired set.

Besides checking on individual complaints, the agency conducts some investigations based on a list of dealers that it maintains.

"We don't go out on a random basis to check people," Mr. Hayes said. "But if a series of complaints comes in about a particular shop, the agency runs an undercover test on it."

INVESTIGATIONS VARY

"Sometimes we use people from the state Division of Investigation," Mr. Hayes said. "Or we might use housewives as undercover operators. The field representative will put the bug in the set. Then the agent takes it to the dealer.

Afterwards, state experts take the set to a laboratory to determine if the repair was legitimate.

Mr. Hayes said that the Sacramento office has a list of about 20 dealers who will be investigated, while in the Los Angeles office, the list exceeds 30.

Punishment can take two paths—an administrative hearing for revocation of the repair shop's registration, which would put it out of business, or criminal action by the state Department of Justice.

There have been about 30 revocations and about two dozen criminal prosecutions for fraud.

H.R. 13807

A bill to provide for the registration of automotive repairmen in the District of Columbia, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "District of Columbia Truth in Automotive Repairs Act".

Sec. 2. As used in this Act—

(1) The term "repairing motor vehicles" includes all repairs to vehicles performed by an automotive repair dealer but does not include repairing tires, changing tires, lubricating vehicles, installing light bulbs, batteries, windshield wiper blades, and other minor accessories, cleaning, replacing, and adjusting spark plugs, replacing fan belts and oil and air filters, and other minor services, which the Council, by regulation, determines are customarily performed by gasoline service stations.

(2) The term "automotive repair dealer" means a person in the District of Columbia who, for compensation, engages in the business of repairing motor vehicles.

(3) The term "person" includes a firm, partnership, association, or corporation.

(4) The term "Commissioners" means the Commissioner of the District of Columbia.

(5) The term "Council" means the District of Columbia Council.

Sec. 3. The Council may establish such regulations as may be reasonable for the conduct of automotive repair dealers and for the general enforcement of the various provisions of this Act in the protection of the public. The Commissioner shall enforce such regulations and shall distribute to each registered automotive repair dealer copies of this Act and of the regulations thereunder.

Sec. 4. The Commissioner shall keep a complete record of all registered automotive repair dealers and shall annual prepare a roster showing the names and addresses of all registered automotive repair dealers. A copy of the roster shall be made available to any person requesting it upon the payment of such sum as shall be established by the Council to cover the costs thereof.

Sec. 5. (a) The following persons are exempt from the requirement of registration:

(1) Any employee of an automotive repair dealer if the employee repairs motor vehicles only as an employee; and

(2) Any person who engages solely in the business of repairing motor vehicles of a single commercial, industrial, or governmental establishment.

(b) Each automotive repair dealer shall pay the fee required by this Act for each place of business operated by him in the District of Columbia and shall register with the Commissioner upon forms prescribed by the Commissioner. The forms shall contain sufficient information to identify the automotive repair dealer, including name, address, and other identifying data to be prescribed by the Commissioner. If the business is to be carried on under a fictitious name, such fictitious name shall be stated. If the automotive repair dealer is a partnership, identifying data shall be stated for each partner. If the automotive repair dealer is a corporation, data shall be included for each of the officers and directors of the corporation as well as for the individual in charge of each place of the automotive repair dealer's business.

Sec. 6. Upon receipt of the form properly filled out and receipt of the required fee, the Commissioner shall validate the registration and send a proof of such validation to the automotive repair dealer. The Council shall by regulation prescribe conditions upon which a person whose registration has previously been invalidated or has previously been refused validation, may have his registration validated.

Sec. 7. Every registration shall cease to be valid on June 30 of each year unless the automotive repair dealer has paid the renewal fee required by this Act in accordance with regulations issued by the Council.

Sec. 8. A registration shall cease to be valid when any of the information provided by the form specified in section 5 ceases to be current. The Council shall make regulations prescribing the procedure for keeping such registration information current.

Sec. 9. It shall be unlawful to act as an automotive repair dealer without first having registered in accordance with the provisions of this Act and unless such registration is currently valid.

Sec. 10. The Commissioner may refuse to validate, or may invalidate temporarily or permanently the registration of an automotive repair dealer for any of the following acts or omissions done by himself or any employee, partner, officer, or member of the automotive repair dealer and related to the conduct of his business:

(1) Making or authorizing any statement or advertisement which is untrue or misleading, and which is known, or which by the exercise of reasonable care should be known, to be untrue or misleading.

(2) Making any false promises of a character likely to influence, persuade, or induce a customer to authorize the repair of a motor vehicle.

(3) Any other conduct which constitutes fraud or dishonest dealing.

(4) Conduct constituting gross negligence.

(5) Failure in any material respect to comply with the provisions of this Act or regulations thereunder.

Sec. 11. All work done by an automotive repair dealer shall be recorded on an invoice in such detail as is required by regulations issued by the Council and shall describe all service work done and all parts supplied. If any used parts are supplied, the invoice shall clearly state that fact. One copy shall be given to the customer and one copy shall be retained by the automotive repair dealer.

Sec. 12. If a customer requests an estimate for labor and parts necessary for a specific job, the automotive repair dealer shall make such an estimate in writing and may not charge for work done or parts supplied in excess of the estimate without previous consent of the customer. The automotive repair dealer may charge a reasonable fee for making the estimate.

Sec. 13. The use of the term "guarantee" and terms of like import shall conform to the regulations adopted by the Council.

Sec. 14. Each automotive repair dealer shall maintain such records as are required by the regulations adopted to carry out the provisions of this Act. Such records shall be open for reasonable inspection by the Commissioner.

Sec. 15. No person required to have a valid registration under the provisions of this Act shall have the benefit of any lien for labor or materials unless he has such a valid registration.

Sec. 16. The Commissioner shall establish procedures for accepting complaints from the public against any automotive repair dealer.

Sec. 17. If the complaint does not appear to state any violations of this Act, or of the regulations made pursuant to this Act, the Commissioner shall so advise the complainant and take no further action.

Sec. 18. If such a complaint indicates a possible violation of this Act or of the regulations made pursuant to this Act, the Commissioner shall advise the automotive repair dealer of the contents of the complaint and, after the automotive repair dealer has had reasonable opportunity to reply thereto, the Commissioner shall make a summary investigation of the facts.

Sec. 19. If, upon summary investigation, it appears to the Commissioner probable that a violation of this Act, or the regulations thereunder, has occurred, the Commissioner, in his discretion, may suggest measures that in his judgment would compensate the complainant for the damages he has suffered as a result of the alleged violation. If the automotive repair dealer accepts the Commissioner's suggestions and performs accordingly, the Commissioner shall give such fact due consideration in any subsequent disciplinary proceeding. If the automotive repair dealer declines to abide by the suggestions of the Commissioner, the Commissioner may investigate further and may institute disciplinary proceedings in accordance with provisions of this Act.

Sec. 20. The fees prescribed by this Act shall be set by the Council according to the following schedule:

(1) The automotive repair dealer registration fee is not less than $25 nor more than $50 for each place of business in the District of Columbia.

(2) The annual renewal fee for an automotive repair dealer registration is not less than $25 nor more than $50 for each place of business in the District of Columbia, if renewed prior to its expiration date.

(3) The renewal fee for a registration that is not renewed prior to its expiration date shall be one and one-half times the renewal fee required for a registration renewal prior to its expiration date.

Sec. 21. Any person who violates this Act shall be punished by a fine not exceeding $1,000 or by imprisonment not exceeding six months, or both.

Sec. 22. This Act shall take effect ninety days following the date of its enactment.

H.R. 13808

A bill to provide for the registration of radio and television repairmen in the District of Columbia, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "District of Columbia Truth on Electronic Repairs Act".

Sec. 2. When used in this Act—

(1) The term "person" includes firm, partnership, association, or corporation.

(2) The term "service dealer" means a person in the District of Columbia who, for compensation, engages in the business of repairing, servicing, and maintaining television, radio, or phonograph equipment normally used or sold for use in the home.

(3) The term "complainant" means a customer of a service dealer who has complained to the Commissioner concerning such service dealer.

(4) The term "Commissioner" means the Commissioner of the District of Columbia.

(5) The term "Council" means the District of Columbia Council.

Sec. 3. The Council may establish such regulations as may be reasonable for the conduct of service dealers and for the general enforcement of the various provisions of this Act in the protection of the public. The Commissioner shall enforce such regulations and distribute to each registered service dealer copies of this Act and of the regulations thereunder.

Sec. 4. The Commissioner shall keep a complete record of all registered service dealers and shall annually prepare a roster showing the names and addresses of all registered service dealers. A copy of the roster shall be made available to any person requesting it upon the payment of such sum as shall be established by the Council to cover the costs thereof.

Sec. 5. Each service dealer shall pay the fee required by this Act for each place of business operated by him in the District of Columbia and shall register with the Commissioner upon forms prescribed by the Commissioner. The forms shall contain sufficient information to identify the service dealer, including name, address, and other identifying data to be prescribed by the Commissioner. If the business is to be carried on under a fictitious name, such fictitious name shall be stated. If the service dealer is a partnership, identifying data shall be stated for each partner. If the service dealer is a corporation, data shall be included for each of the officers and directors of the corporation as well as for the individual in charge of each place of the service dealer's business.

Sec. 6. Upon receipt of the form properly filled out and receipt of the required fee, the Commissioner shall validate the registration and send a proof of such validation to the service dealer. The Council shall by regulation prescribe conditions upon which a person whose registration has previously been invalidated or has previously been refused validation, may have his registration validated.

Sec. 7. Every registration shall cease to be valid on June 30 of each year unless the service dealer has paid the renewal fee required by this Act in accordance with regulations issued by the Council.

Sec. 8. A registration shall cease to be valid when any of the information provided by the form specified in section 5 ceases to be current. The Council shall make regulations prescribing the procedure for keeping such registration information current.

Sec. 9. It shall be unlawful to act as service dealer without first having registered in accordance with the provisions of this Act and unless such registration is currently valid.

Sec. 10. The Commissioner may refuse to validate, or may invalidate temporarily or permanently the registration of a service dealer for any of the following acts or omissions done by himself or any employee partner, officer, or member of the service dealer and related to the conduct of his business:

(1) Making or authorizing any statement or advertisement which is untrue or misleading, and which is known, or which by the exercise of reasonable care should be known, to be untrue or misleading.

(2) Making any false promises of a character likely to influence, persuade, or induce a customer to authorize the repair, service, or maintenance of the equipment covered by this Act.

(3) Acting for more than one customer in a transaction without the knowledge or consent of all parties thereto.

(4) Any other conduct which constitutes fraud or dishonest dealing.

(5) Conduct constituting gross negligence.

(6) Failure in any material respect to comply with the provisions of this Act or regulations thereunder.

Sec. 11. All work done by a service dealer shall be recorded on an invoice in such detail as is required by regulations issued by the Council and shall describe all service work done and all parts supplied. If any used parts are supplied, the invoice shall clearly state that fact. One copy shall be given to the customer and one copy shall be retained by the service dealer for a period of at least one year.

Sec. 12. The service dealer shall return replaced parts to the customer excepting such parts as may be exempted from this requirement by regulations of the Council and excepting such parts as the service dealer needs to return to the manufacturer or distributor under a warranty arrangement.

Sec. 13. If a customer requests an estimate for labor and parts necessary for a specific job, the service dealer shall make such an estimate in writing and may not charge for work done or parts supplied in excess of the estimate without previous consent of the customer. The service dealer may charge a reasonable fee for making the estimate.

Sec. 14. A service dealer may not make the compensation of any employee, partner, officer, or member dependent upon the value of parts replaced in any equipment by, or with the consent of, such employee, partner, officer, or member.

Sec. 15. The use of the word "guarantee" and words of like import shall conform to the regulations adopted by the Council.

Sec. 16. Each service dealer shall maintain such records as are required by the regulations adopted to carry out the provisions of this Act. Such records shall be open for reasonable inspection by the Commissioner.

Sec. 17. No person required to have a valid registration under the provisions of this Act shall have the benefit of any lien for labor or materials unless he has such a valid registration.

Sec. 18. The Commissioner shall establish procedures for accepting complaints from the public against any service dealer.

Sec. 19. If the complaint does not appear to state any violations of this Act, or of the regulations made pursuant to this Act, the Commissioner shall so advise the complainant and take no further action.

Sec. 20. If such a complaint indicates a possible violation of this Act or of the regulations made pursuant to this Act, the Commissioner shall advise the service dealer of the contents of the complaint and, after the service dealer has had reasonable opportunity to reply thereto, the Commissioner shall make a summary investigation of the facts.

Sec. 21. If, upon summary investigation, it appears to the Commissioner probable that a violation of this Act, or the regulations thereunder, has occurred, the Commissioner in his discretion, may suggest measures that in his judgment would compensate the complainant for the damages he has suffered as a result of the alleged violation. If the servicedealer accepts the Commissioner's suggestions and performs accordingly, the Commissioner shall give such fact due consideration in any subsequent disciplinary proceeding. If the service dealer declines to abide by the suggestions of the Commissioner, the Commissioner may investigate further and may institute disciplinary proceedings in accordance with provisions of this Act.

Sec. 22. The fees prescribed by this Act shall be set by the Council according to the following schedule:

(1) The service dealer registration fee is not less than $25 nor more than $50 for each place of business in the District of Columbia.

(2) The annual renewal fee for a service dealer registration is not less than $25 nor more than $50 for each place of business in the District of Columbia, if renewed prior to its expiration date.

(3) The renewal fee for a registration that is not renewed prior to its expiration date shall be double the renewal fee required for a registration renewal prior to its expiration date.

Sec. 23. Any person who for the purpose of repairing a television or radio set removes the set from the premises of the owner shall furnish the owner at the time of such removal with a receipt containing all the following information:

(1) The name and business address of the person or business firm which will repair or authorize the repair of the television or radio set.

(2) The name of the person who actually removes the set from the owner's premises if different from the person referred to in paragraph (1).

(3) Each and every address at which the television or radio set will be kept, repaired, or stored, if different from the address referred to in paragraph (1).

(4) A description including the make and model of the television or radio set removed from the premises.

(5) An estimate of the total charges, including parts and labor, to be levied for all services to be rendered.

(6) A statement of the total charges which will be levied if the television or radio set is returned without being repaired.

Sec. 24. In every instance in which charges in excess of $15 are levied for the repair of a television or radio set the person receiving payment shall give the person making payment a receipt at the time of payment containing all the following information:

(1) The name and address of the person making or authorizing the repairs.

(2) A statement of the total charges.

(3) An itemization and description of all parts placed in the set indicating the charges levied for each part.

(4) A statement of the charges levied for labor.

(5) A description of all other charges.

Sec. 25. No liens or other rights to maintain possession of the television or radio set pending payment of charges for repair, shall exist where the total charges levied for the repair of a television or radio set exceeds the higher of (1) the amount estimated in writing under paragraph (5) of section 23, or (2) a written revision of such estimate signed and dated by the owner of the television or radio set.

Sec. 26. Any waiver by the set owner of the provisions of this Act shall be deemed contrary to public policy and shall be void and unenforceable.

Sec. 27. Any person who violates any provision of this Act shall be punished by a fine not exceeding $1,000 or by imprisonment not exceeding six months, or both.

Sec. 28. This Act shall take effect ninety days following the date of its enactment.

AIR QUALITY ACT OF 1967

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentlewoman from Illinois [Mrs. Reid] may extend her remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mrs. REID of Illinois. Mr. Speaker, the Air Quality Act of 1967 deserves our support.

Most of us remember the days not too long ago when people joked about the smog in Los Angeles, the smoke in Pittsburgh, the wind-blown soot in Chicago, and so on; and we are aware that air pollution is by no means a new problem. Indeed, as far back as A.D. 61 the philosopher Seneca complaind about "the heavy air of Rome" with its "pestilent vapors." But over the years everyone seemed to assume that nature would automatically take care of eliminating the tons of contamination pumped into the atmosphere—and perhaps 50 years ago this was true to some extent. Today, however, no one jokes about it anymore. Times have changed. Nature, despite all its wonders, is fighting a losing battle. Pollution has become one of the most urgent public problems facing Americans today. Effective programs to control pollution must receive priority—and air pollution is particularly critical since, unlike water which can be treated for reuse, there is no method of treating the air around us before it is "consumed."

It is my privilege to represent a diversified congressional district, one county of which lies within the northeastern Illinois metropolitan area which includes Chicago; and in a recent report by the U.S. Public Health Service, this metropolitan area was ranked second among 65 in terms of the severity of air pollution. As you know, the Chicago region and the surrounding counties in northeast Illinois comprise one of the largest and most prosperous industrial and urban areas in the world; but like other urban areas across the country, also, we are finding in Illinois that we must pay a considerable price for this industrial and commercial development in the form of air pollution from increasing numbers of automobiles, houses, factories, powerplants, incinerators, and so forth. With an additional 2.5 million more people expected in the area during the next 25 years, the prospects of maintaining future air quality are alarming, to say the least.

In a recent technical survey on the management of air resources in the area by the Northeastern Illinois Planning Commission, more than one-half of the 177 communities reported air pollution problems. In 9 percent of them, including Chicago and 15 suburbs with a combined population of close to 4 million, air pollution was described as a major problem. Automobiles alone in these 6 counties of the metropolitan area account for over 2 million tons of pollutants a year. Local meteorologic data further confirms the potential hazard of pollution to public health and increasing dangers of respiratory tract illnesses. The economic effects of air pollution in the area are likewise known to be extensive, just as on a national basis it is estimated that losses in property deterioration and damage amount to some $11 billion a year.

While I speak of Illinois, we must recognize that air pollution knows no political boundaries and obviously involves intergovernmental considerations. This is why I think this legislation is essential and is a step in the right direction. Sooner or later, the menace of air pollution will extend to all congressional districts as our population and economy grow unless positive action is taken now. In this connection, let me say that I fully understand the concern of our colleagues from California regarding the elimination of the auto emission waiver provision for their State. My daughter, who is a college student in the Los Angeles area, has written me many times about the difficult smog problem there.

While I support the Air Quality Act, let me further say that I do not feel that we can solve this dilemma solely by adding more Federal programs, however visionary. I think we need to do more than that. We need to strive for a more meaningful and realistic partnership between Government and industry if our efforts are to achieve the desired goal. For this reason, I introduced H.R. 6388 on March 1, 1967, to authorize a tax credit to encourage business and industry to move ahead in tackling the air- and water-pollution problem. Since the necessary facilities for control of industrial pollution are essentially nonproductive and must be built specifically for the needs of a particular industry, it seems to me that a tax incentive plan which will allow for greater flexibility is most appropriate. My bill, along with others on the same subject, is pending in the Committee on Ways and Means—and I urge the committee and the House leadership to also give this legislation prompt and favorable consideration.

SHIFT IN U.S. FOREIGN POLICY

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Idaho [Mr. McClure] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. McCLURE. Mr. Speaker, an article in the Washington Star of October 29 seems to have escaped the attention of most Members of Congress despite the fact that it heralds a major shift in U.S. foreign policy. The article says:

> In an effort to lure the Russians into talks about limiting costly anti-ballistic missile systems, the Pentagon has quietly dropped demands for on-site inspection to police any such arms pact.

According to the article, Assistant Secretary of Defense Paul C. Warnke said recently that in negotiations with the Russians for an ABM pact, the administration hopes "to avoid bogging down in the perennially difficult issue of international inspection." The Evening Star adds that this was confirmed by high-ranking officials, who admitted it was a departure from traditional policy.

As if it all were a foregone conclusion, the article states that the President and the Secretary of Defense told Soviet leaders that reductions could be made without either formal agreement or any kind of international inspection system. And finally it says that Mr. McNamara hopes to make it as easy as possible for the Russians by avoiding "unnecessary embarrassments." Perhaps one of those embarrassments might be the constantly recurring rumors of Russian missiles in Cuba.

If this article is meant as a trial balloon, I feel compelled to express my indignation at the proposal lest my silence be construed as acquiescence.

In their late-blooming apprehension over the Chinese threat, administration officials have found it convenient to forgive and forget past Soviet transgressions. Are we to forget then that this is the one nation which has fomented every single international incident since the end of World War II?

Whether this change in attitude is attributable to naievete or by design, I am not prepared to say. Certainly in the minds of most Americans the Soviet threat is as real today as it ever was before.

This is one more example of a foreign policy that does not evolve, but rather deteriorates. The Russians are well aware that time is on their side. If they wait long enough, American officials will give in on all points in dispute. I can well imagine what effect this will have on the

North Vietnamese. There will be no rush to the conference table—the longer they wait, the bigger our concessions will be.

And where does this leave the proposed antiballistic missile system which the Pentagon—with such fanfare you would think they had a patent on the idea—recently announced it would build? The American people have a right to know the answer.

This administration supposedly puts great faith in consensus politics. Our leaders might ponder what the result would be if the citizens of this Nation were asked whether they preferred the building of an ABM system or reliance on the Russian word that they were not utilizing such a system themselves.

The heart of any international agreement—whether formal or informal—regarding strategic and defensive missile systems must necessarily be onsite inspections. To do otherwise may well signal the beginning of the end.

I include the article as a part of my remarks:

PENTAGON VOIDS ON-SITE POLICING FOR ABM PACT

(By George Sherman)

In an effort to lure the Russians into talks about limiting costly anti-ballistic missile systems, the Pentagon has quietly dropped demands for on-site inspection to police any such arms pact.

Policy-making officials says that President Johnson and Defense Secretary Robert S. McNamara have told the Soviet leadership that the first mutual reductions in ABM's could be made without either formal agreement or any kind of international inspection system.

These officials argue that American "detection devices"—space satellites and high-flying reconnaissance planes—are now efficient enough to verify any "informal" agreement. In essence the same "unilateral verification" used in the Nuclear Test Ban Treaty would be applied to the ABM's.

So far the Russians have not responded. They have said they will talk about both offensive and defensive missile systems, but have refused to set a date. The conviction in official quarters is that they are deliberately leaving the door open.

MACHINERY LACK SUSPECTED

Experts believe that the Soviet hierarchy is neither politically nor technically equipped to make a quick decision. The military and Communist party leadership is to tightly fitted into separate compartments to take the broad sophisticated approach of the McNamara "whiz kids" to arms control in the nuclear age.

But the prediction here is that once the 50th anniversary celebrations of the Bolshevik revolution are over in November, the Russians will make their move on the ABM's. And the McNamara strategy is to make it as easy as possible for them by avoiding initial and unnecessary embarrassments about demands for on-site inspection and a sweeping arms control pact with the United States.

"It is an act of political courage these days for the Russians even to sit down and talk with us," said one American official, "given their formal attitude toward the Vietnam war and the charges their rebellious Chinese cousins hurl at them."

The first public tip-off to the new American approach came in a little-noted passage of a speech three weeks ago by Paul C. Warnke, assistant secretary of defense, head of the powerful office of International Security Affairs in the Pentagon.

The bulk of the speech explained how McNamara's decision to build the so-called "thin" ABM system was directed against the Chinese, not the Russians.

But at the end Warnke turned to the hope that "by parallel actions, or by formal agreement" the Soviet Union and the United States can limit their strategic offensive and defensive forces.

"Moreover," he continued, should talks with the Russians occur, "we hope to avoid bogging down in the perennially difficult issue of international inspection.

"In considering any possible agreement with the Soviet Union to level off or reduce strategic offensive and defensive systems, or even the possibility for parallel action on the part of the two countries, we may have to depend on our own unilateral capability for verification."

POLICY SHIFT CONFIRMED

American officials confirm that these passages mark a departure from traditional policy on the need for inspecting arms agreements.

They explain that in the case of the ABMs it is quite possible for the United States—and presumably also the Soviet Union—to tell from aerial reconnaissance when a site has been bulldozed over. According to these sources, it is virtually impossible for either side to fool the other.

These officials hastily add that relaxation of the demand for on-site policing of any ABM agreement does not carry over to other disarmament measures. Warnke himself said that "far-reaching agreements, particularly any involving substantial reductions" of offensive missiles, would require agreed international inspection.

But the overwhelming consensus here is that such agreements lie too far in the future to deserve detailed study. The more important aim is to get talks going on the most limited steps possible.

"GREAT ADVENTURE"—H. H. H.

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. HARVEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HARVEY. Mr. Speaker, I spoke yesterday of the news report on Vice President HUBERT H. HUMPHREY's calling our Nation's costly commitment to South Vietnam, and I quote him, "a great adventure." In today's edition of the Washington Daily News, November 1, 1967, I would like to bring to the attention of all Members an editorial entitled "H. H. H.'s 'Great Adventure.'"

The editorial reaction of this newspaper expresses generally the sentiments I hold for the Vice President's comments.

The editorial follows:

H. H. H.'S "GREAT ADVENTURE"

Without a doubt, Vice President Humphrey is trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean and reverent. The trouble is he talks much too much, and too often he gives the impression his rapidly moving tongue is not connected to his most sensible awareness.

Last year, in the midst of a long, hot summer, the Vice President declared he might "lead a mighty good revolt" if he lived in a slum—an expression of sympathy that also resembled a sanction for violence. He spent a lot of time explaining that one.

Then the voluble VP told us about bringing the Great Society to all Asia—while we have our hands full in Vietnam and must cut back domestic programs as a result. Next, H.H.H. called for a "Marshall Plan" to rebuild American cities—a vision that evaporated instantly under the glare of a President who contemplated no such program, and had no money for it.

Now, our Vice President, at his most extravagant, phrase-making, evangelic worst, has told us what Vietnam is all about, according to reports from Saigon, where he headed the U.S. inaugural delegation:

"This is our great adventure," he told American Embassy staff members, "and a wonderful one it is."

The Vice President is 100 per cent wrong. The war in Vietnam is a bloody, awful duty. It is costing greatly in lives and treasure. There is no glory in it at all.

Doubtless a repair crew went to work on a "clarifying" statement correcting the "misinterpretation" of Mr. Humphrey's remark, following the usual pattern.

DEDICATION OF ASTRONOMY LABORATORY IN CHILE

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FULTON of Pennsylvania. Mr. Speaker, as the ranking Republican on the Science and Astronautics Committee, I am pleased that a member of the committee from this side of the aisle has been able to accept the invitation of the Association of Universities for Research in Astronomy to participate in the dedication program of a scientific complex associated with the University of Chile on November 6–7, 1967.

The Member from this side of the aisle is the Honorable JERRY L. PETTIS, a former university vice president and professor who is uniquely qualified for this assignment of assessing and evaluating cooperative U.S. efforts in this South American country in the field of scientific investigation.

It is my understanding that the chairman of the committee, the Honorable GEORGE P. MILLER, together with the Honorable OLIN E. TEAGUE and Mr. PETTIS will form the congressional inspection team and will leave for South America tomorrow. I am sure that the House wishes them well on this mission which will, additionally, be highly useful as one of good will to the entire Latin American complex. I am pleased to note that other Government and university officials will also accompany the group, including those representing the National Science Foundation which is responsible for the development of this unique observatory.

Mr. Speaker, we sometimes lose sight of the tremendous value that is to be gained from a better and more complete understanding of the world in which we live, its origin, its structure, and its functioning. The astronomy laboratory being dedicated at Cerro Tololo, Chile, should be one of the most productive scientific laboratories of its kind in existence. Standing in a superb location from a standpoint of observation, it will permit us for the first time to acquire a highly accurate picture of the cosmos as it exists and can be observed only from the Southern Hemisphere. In addition, we should never underestimate the value of improving relations throughout the New World. I am sure that this occasion will contribute immeasurably to that end.

Mr. Speaker, we will do well to recognize the many problems that exist in both North and South America and which might come nearer to a solution through a closer association of the academic communities of all countries. It is my strong belief that the mission on which members of the Science Committee will be embarking will contribute to that end.

FLOOD INSURANCE

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Miller] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MILLER of Ohio. Mr. Speaker, I stand to support the proposed flood insurance bill. As a lifelong resident of an area of Ohio that is plagued with seasonal flooding from both big rivers and small streams, I have witnessed the suffering and economic loss to families to whom flood insurance protection was unobtainable.

The proposed bill will make flood insurance available at reasonable cost to those who wish to insure themselves against this natural hazard, and I strongly urge its passage for the benefit of citizens throughout the United States.

OPERATION GRATITUDE

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from New York [Mr. Halpern] is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, as our Nation becomes more divided over the purposes and methods of the war in Vietnam, we must not allow ourselves to forget that the young Americans in Vietnam are there in our behalf, performing a duty for all of us.

Our gratitude to them is outside the realm of hawks and doves. They deserve the thanks of those who would escalate, those who would mark time, and those who would pull out altogether.

That is why I was deeply gratified to learn that the Freedoms Foundation at Valley Forge has nominated the National Committee for Responsible Patriotism for the Thomas Jefferson Award for 1967. To quote the foundations' announcement, the Thomas Jefferson Award covers:

> Projects carried on by non-profit organizations—religious, fraternal, patriotic, veterans or other formally-organized groups—which illustrate effectively the application of one or more facets of the Credo to current problems of our nation, and which have an impact on a large segment of the population other than their own membership.

The National Committee for Responsible Patriotism is the group which had such astounding success in organizing the beginning of Operation Gratitude on the weekend of October 21 and 22.

But, the headlights we saw on automobiles, trucks, and buses and even on police cars that weekend, were part of only one facet of the project. It is a continuing operation, and its purpose is outlined in a flyer distributed early in October by the committee. Its purpose was outlined in this way:

> Operation Gratitude
>
> Thousands of servicemen will return home from Vietnam, some to your area, just before and during the weekend of October 21–22. We are urging that every city organize a reception committee to greet at least one—as a symbolic gesture of gratitude to all of the men and women serving our nation so gallantly. All major organizations should be represented at the homecoming ceremony, along with public figures, etc.
>
> Operation Gratitude will help the morale of the men fighting in Vietnam both when they get the news from the mass communications media and, later, through letters from their comrades who were personally involved. It will make it clear to them—and to the world—that we love and honor the men and women who wear the uniform of the United States.
>
> The National Committee For Responsible Patriotism was formed by those who organized the Support Our Men in Vietnam Parade in New York City, last May—the longest parade in 20 years. Our efforts are non-partisan and non-political. We take no stand on Administration policies, and do not dispute the right to responsible dissent. Peace is not the issue—all sane men are for peace.
>
> Our Committee is only acting in an advisory and coordinating role. We cannot sponsor—we can only help, when asked. Local committees are completely autonomous, led by representatives from well-established, non-controversial organizations—veterans, fraternal, labor, etc.

MISSILE ELECTRONIC WARFARE TECHNICAL MEETING

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from New Mexico [Mr. Haley] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MORRIS of New Mexico. Mr. Speaker, I wish to commend the Honorable Joseph M. Montoya, U.S. Senator from New Mexico, for his fine presentation today to the missile electronic warfare technical meeting at the White Sands Missile Range. In his remarks, Senator Montoya brought forth the importance of missile electronic warfare to the national security and pointed to the vulnerability of our defense system because of the sporadic development of electronic warfare in this country. Electronic warfare has become a sophisticated science that is incorporated in the design and tactical deployment of every weapon system that must penetrate a complex enemy electronic defense environment. The Senator stated, and I quote:

> The technological ability to penetrate successfully, and to deliver undamaged strategic weapons of even limited force is now far more important than a mere head count of available delivery vehicles, warheads, throw-weight or comparisons of megaton yields. The technological ability to totally deter a missile force from weapons delivery during a few crucial hours may no longer be dependent upon the size or potential yield of that force.

This country may have so many hundreds of overkill potential in our missile systems, but unless we can effectively use this potential we are and will remain vulnerable.

I join Senator Montoya in urging you and the Members of the Senate to support a comprehensive, long-range electronic warfare research and development program and to recognize the great value of the work done by the Army's Electronics Command at Fort Monmouth, N.J., and at White Sands Missile Range in New Mexico.

MEDICAL CONSULTATION SERVICE—PROJECT HEADSTART

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Annunzio] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, the Headstart program has demonstrated that good health is a vitally important factor in setting children of the poor off on the road to opportunity. The crucial role which health plays in assuring a "headstart" for these children was recently symbolized by the formation of a "new alliance between the 10,000-member American Academy of Pediatrics and the Office of Economic Opportunity."

This important "new alliance" is described in an article by Betsy Bliss, entitled "Pediatricians Join Effort To Aid Poor," which appeared in the Chicago Daily News on October 25. As Miss Bliss says, this "is the largest cooperative effort ever undertaken by the Federal Government and a voluntary professional organization."

Mr. Speaker, this joint effort will be known as Medical Consultation Service, Project Headstart. It "will enlist private physicians on a part-time basis to improve effectiveness of existing Headstart medical programs and to bring in the physicians' knowledge of additional financial and medical resources."

This seems to me to be exactly the type of innovative and imaginative cooperation in the fight against poverty which makes the Office of Economic Opportunity so indispensable, and certainly serves to emphasize the comprehensive nature of Headstart, which some people unfortunately and inaccurately tend to identify as an educational program only.

Mr. Speaker, I want to take this opportunity to commend Sargent Shriver, Director of the Office of Economic Opportunity, for his very able and dedicated leadership of OEO programs.

Miss Bliss' informative article follows:

> Pediatricians Join Effort To Aid Poor
>
> (By Betsy Bliss)
>
> Washington.—Add 300 outstanding pediatricians to 700,000 Head Start youngsters—at

50 cents per child—and get better health care for the nation's poor children.

That's the goal of Dr. Robert S. Mendelsohn, one of Chicago's best-known pediatricians.

Dr. Mendelsohn Tuesday was named medical director of a new alliance between the 10,000-member American Academy of Pediatrics and the Office of Economic Opportunity. It is the largest co-operative effort ever undertaken by the federal government and a voluntary professional organization.

The partnership and Dr. Mendelsohn's appointment were announced during the annual meeting of the AAP at the Washington Hilton Hotel.

Called medical Consultation Service Project Head Start, the program will enlist private physicians on a part-time basis to improve effectiveness of existing Head Start medical programs and to bring in the physicians' knowledge of additional financial and medical resources.

The project involves a $361,000 contract between the OEO and AAP—or about 50 cents per child. "Considering the consultants' many outside contacts, we expect to be getting a lot for our money," an OEO spokesman said.

The consultants will be paid $100 a day, the standard government consulting fee. But they will work only about 2½ days a year per project. Each will be assigned to assist three or four Head Start programs.

The outside pediatricians will have no authority over present Head Start medical directors. Instead, "we'll be a kind of medical ombudsman, advocating the child's best interests," Dr. Mendelsohn said.

Problems in poverty medicine, he added, include hearing and visual impairment, dental decay, anemia and psychological and mental retardation. "But we want to do more than direct trouble; we want to make sure that each child gets treatment and follow-up care."

Initially the American Academy of Pediatrics will select 300 physician-consultants, on a geographic basis, from its membership and other leaders in the field of child health. Criteria for acceptance include "outstanding professional reputation and leadership in nonmedical, civic activities."

Already 430 pediatricians have accepted invitations for consideration. This "enthusiastic response," according to Dr. Mendelsohn, is evidence of "doctors' basic humanistic impulses and social consciences—which have not been encouraged in any kind of structural way."

Pediatricians have traditionally taken a different approach from the American Medical Assn. toward social problems and private-public co-operation. AAP began as a protest in 1922 against AMA opposition to a federal maternal and infant program.

The AAP-OEO partnership symbolizes, Dr. Mendelsohn believes, a "growing general awareness of the need to provide equal medical services to all. What is happening in many medical fields is that doctors are sitting down with social workers, educators, administrators, and finding ways to work together."

BILINGUAL EDUCATION BILL

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SCHEUER. Mr. Speaker, this morning the House Committee on Education and Labor, by a vote of 20 to 5, reported to the floor of the House, H.R. 13103, the bilingual education bill. The bill has received wide, bipartisan sponsorship both in the House and in the Senate, where it is progressing under the able leadership of Senator RALPH YARBOROUGH, of Texas.

The need for bilingual education programs is widespread, and not limited to one region or to one American subculture. Thus, H.R. 13103 applies to all children of limited English-speaking ability, not just those children from a particular linguistic or ethnic background.

In my own district of the South Bronx the need is greatest among the Puerto Rican population; and this is understandable since more than 625,000 Spanish-speaking Americans live in New York City. The clear record of Puerto Rican children in the New York City school system dramatizes the urgent need for this program:

Of the 28,000 Puerto Rican children enrolled in New York City high schools, only 2,000 are taking the academic curriculum instead of the vocational curriculum;

Ninety percent of the Puerto Rican high school graduates in New York City receive only a general diploma, in effect a mere certificate of attendance for being seat warmers, almost entirely uninvolved in the educational process;

Ninety percent of the Puerto Rican high school graduates do not go on to college;

Although roughly 8 percent of the city school population in the 10th grade is Puerto Rican, over three times that proportion, 26 percent of the 12th-grade dropouts from the same group, are Puerto Rican;

Of persons age 25 or older, Puerto Ricans have the lowest level of formal education of any group in New York: 40 percent of the whites have finished high school, 31.2 percent of the Negroes, but only 13 percent of the Puerto Ricans have completed high school.

These statistics are alarming, and their implications are frightening. In effect, our Puerto Rican children are being discriminated against because of their language. Because of the systematic barriers to their success in school and their limited access to higher education, the Puerto Rican children of New York are being forced into a vicious circle from which they cannot escape: inferior education, inferior jobs, inferior incomes, and therefore, an inferior heritage to pass on in turn to their children who will go through the same cycle of frustration and despair.

The desperation, frustration, and waste of human resources that these statistics dramatize must be put to a halt.

These children suffer in terms of deprivation of equal education opportunity.

They suffer in terms of inability to compete effectively for jobs upon graduation.

We must break down the invisible but heretofore impenetrable thicket of verbs and nouns, idiom and nuance which has cut these children off from effective participation in the mainstream of American life.

There are more than 3 million non-English-speaking children in America today who suffer the hardships and the indignities of the Puerto Rican children in New York. For one child to be so deprived of his birthright of equal opportunity as an American citizen because of inadequate language preparation is a cause for concern; for 3 million children to be thus deprived and permanently handicapped is a national disgrace.

THE CRISIS IN OUR SKIES

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. GALIFIANAKIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GALIFIANAKIS. Mr. Speaker, my own State of North Carolina and the rest of the Nation were shocked this past July when the Secretary-designate of the Navy and 81 other persons died in a collision between a commercial airliner and a private plane near the airport at Asheville, N.C.

I was doubly surprised, therefore, to read in "The Crisis in Our Skies," in the October 29, 1967, issue of This Week magazine that not only did the Asheville airport not have an FAA radar installation when the tragedy occurred, but that nearly 80 percent of our Nation's airports still do not have this bare minimum piece of air safety equipment.

If you consider that there are 100,000 private planes and 2,000 commercial aircraft in operation in this country and tens of thousands predicted for use in the next few years, you have some idea of the crisis which is already facing this Nation.

Since I have already furnished the Members of this Congress with copies of that article from the October 29, 1967, issue of the Washington Star, I will not burden the RECORD with reprinting here. However, I would like to include a resolution from the Southeastern Airport Managers Association urgently petitioning the Congress for funds and programs to keep our Nation's skies from becoming even more crowded than they are today due to the overcrowded air traffic load around our major airport facilities.

I strongly endorse the SAMA resolution and have introduced a sense of Congress resolution today calling on the administration to direct the FAA and the Department of Transportation to work on a stepped-up program of air safety—particularly in the area of midair collision prevention, easing the air traffic backlog and the research development of up-to-date radar and navigational safety equipment.

The SAMA was organized in 1946 and has been the representative of more than 100 city and county-funded airports in 11 Southeastern States, including Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia.

SAMA-represented airports range from large metropolitan air carrier hubs to the small general aviation airport. The officers of the organization are Mr. H. F. Manget, president, De Kalb-Peachtree Airport, Chamblee, Ga.; Mr. C. P. Mangum, vice president, Norfolk Municipal Airport, Norfolk, Va.; and Mr. George J. Faraldo, secretary-treasurer, Key West International Airport, Key West, Fla.

SAMA members are a cross section of airport management and are representative of the thinking of those with practical experience in air traffic management. It is their belief that the FAA performs an outstanding job within the limits of its personnel and equipment. The purpose of their petition therefore stems from their belief that a mandate from Congress would go a long way toward the modernization and improvement of the air navigation facilities which our country needs so desperately.

The resolution is as follows:

H. Con. Res. 567

Concurrent resolution relative to air safety

(Submitted by Mr. Galifianakis)

Whereas the prompt and orderly development of adequate air safety programs, equipment and facilities is a vital and immediate need of this Nation; and

Whereas the Congress of the United States is at present considering the appropriations from the Public Treasury to implement programs for the development of safer air travel: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring). That it is the sense of Congress that—

1. The President of the United States, once the appropriations for the Department of Transportation are made by the Congress, should direct the Department of Transportation and its appropriate offices and agencies to—

(a) Accord preeminence to safety in the operation of the total federal airways and airport undertakings; and

(b) Expend such funds as are appropriated by the Congress for the improvement of safety standards in all areas of the area of air travel, maintaining the standards of safety intended by Congress including personnel, equipment and enforceable mandate.

THE AIR QUALITY ACT OF 1967

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Howard] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HOWARD. Mr. Speaker, the bill we will vote on this week, the Air Quality Act of 1967, represents something new in air pollution legislation, something profoundly significant, something badly needed. It represents a legislative approach that is based solidly on scientific and rational foundations.

The legislation that we have been working under since 1963 in our attempts to control the growing national menace of air pollution has resulted in real accomplishments. Abatement actions have been undertaken in nine interstate areas and one intrastate area. Stimulated by Federal funds, State and local control agencies have increased in number, and their control efforts have expanded. In the new 1968 model automobiles, we have cars so designed that the emission of their carbon monoxide and hydrocarbons is only about half that of previous models. And we have made real progress in our understanding of the problem of air pollution through the research that the Clean Air Act stimulated.

But the fact remains that air pollution has not improved since 1963 when we passed that act; it is worse. More automobiles, more industry, more electric power generation, and more people living in the cities—all produce more pollution. As the President said in his message to the Congress on air pollution last January:

> We are not even controlling today's level of pollution. Ten years from now, when industrial production and waste disposal have increased and the number of automobiles on our streets and highways exceeds 110 million, we shall have lost the battle for clean air—unless we strengthen our regulatory and research efforts now.

H.R. 9509 will do just that. It will replace what has been an essentially pragmatic approach to air pollution control with a comprehensive, rational approach.

Under H.R. 9509, the Federal Government would take the several steps necessary to put control on a scientific basis, and with information developed by the Federal Government in their hands, the States and the local governments will be on far firmer ground in carrying out the responsibility—a responsibility that has always been theirs—of taking step-by-step abatement action.

The Federal Government would define the air quality control regions in which control efforts would be unified. Ideally, these would be regions which comprise all the sources of pollution in an area and all the people affected by the sources.

H.R. 9509 also provides for the missing links in this scientific chain I have briefly described—the gaps in our information about how to control pollution. The bill provides for a greatly expanded research effort, and one which will engage the vast research effort of the private sector of our economy.

In short, this bill will mesh the efforts of the Federal Government with those of States and localities and private industry in a scientific attack on one of the greatest menaces this Nation faces.

ADDRESS OF THE HONORABLE FRED O. "BUD" DICKINSON, JR., COMPTROLLER OF FLORIDA, TO INVESTMENT SEMINAR, FIRST NATIONAL CITY BANK, NEW YORK CITY, N.Y.

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, as you know, I am very proud of the State of Florida and of the contribution the development of our State is making to the progress of this great country. An outstanding summary of the progress Florida has been making was presented recently by our distinguished State comptroller, the Honorable Fred O. Dickinson, Jr., at an investment seminar conducted by the First National City Bank in New York on October 25, 1967. I wish to insert into the Record, at this point, the introduction of our comptroller by Mr. E. Newton Cutler, senior vice president of the First National City Bank, and following his introduction the address of Mr. Dickinson:

Perspective: Florida

(Address of Fred O. "Bud" Dickinson, Jr., Comptroller of Florida, to investment seminar, First National City Bank, N.Y., Oct. 25, 1967)

(Note.—Comptroller of Florida, Fred O. (Bud) Dickinson, Jr., presented the enclosed report on Florida's bright economic outlook to a group of Florida and New York banking and investment leaders. Honoring the Comptroller at a luncheon at which the report was made was the First National City Bank in New York City.)

ABOUT THE HOST

First National City Bank in New York has an impressive set of financial credentials. With total assets of nearly $17 billion, it is the second largest bank in New York and the third largest in the United States. The firm has 168 domestic branches and is represented in 63 foreign countries by 212 overseas branches, more than any other American bank.

First National City Bank, the largest underwriter of municipal bonds in the nation, sponsored the occasion of this report in keeping with its unquestionable reputation of being vitally concerned with state and municipal development throughout America.

INTRODUCTION BY E. NEWTON CUTLER, SENIOR VICE PRESIDENT, FIRST NATIONAL CITY BANK, NEW YORK CITY OF FRED O. (BUD) DICKINSON, JR., COMPTROLLER OF FLORIDA

All of us here at First National City Bank are very happy that Comptroller Dickinson has accepted our invitation to be with us today and to give us the benefit of his insight on the future of Florida.

We are especially happy that so many of our good friends from the Florida banking community could also join us today.

Bud Dickinson is well known to all of you from Florida, but for the benefit of those of us from the New York area it may be well to learn a little more about the man who is already known to us as one who is dedicated to his responsibilities as a citizen and public servant, and as Comptroller of the great state of Florida.

As a member of the elected Cabinet, serving as Comptroller and Banking Commissioner of Florida, his reputation is well kown in financial circles. He organized and was first chairman of the influential Florida Council of 100, and in this capacity led the drive for a $75,000 bond issue several years ago, which has been used for higher education in Florida.

During this same period, Mr. Dickinson was instrumental in setting up the Industrial Development Corporation, a non-profit group geared to make investment loans for existing and new industry coming into Florida.

His work in Florida is well known as a former member of the House of Representatives and the Senate, in authoring legislation particularly related to the fields of banking, finance and education.

He initiated the drive which ultimately resulted in the decision of the Florida Governor and the Florida Development Commission placing the Florida exhibit in the World's Fair. During its last year this exhibit set a record attendance for all state exhibits.

Several years ago, Comptroller Dickinson sponsored a trip through Europe for the promotion of Florida investments.

As a native of Palm Beach, he has known and worked with many outstanding Americans in the field of finance and government, including Presidents Herbert Hoover and John F. Kennedy.

Mr. Dickinson became Comptroller of Florida and the state's chief fiscal officer by appointment in 1965. His management of state financial affairs in his capacity as State Banking Commissioner, State Mortgage Commissioner and chief administrative officer of the state's other financial matters led to his election to a four-year term in May of 1966 in a landslide first primary victory over three opponents. He made voting history in receiving more votes than any other opposed primary election candidate in the history of Florida.

It is easy to understand why Comptroller Dickinson received the largest vote in the history of Florida with 83%, in 1966, for he has distinguished himself in these various fields of endeavor in promoting his state, as well as having attained a distinguished career as a lawyer.

It is my pleasure to present to you the 25th Comptroller of the State of Florida.

ADDRESS BY COMPTROLLER DICKINSON

As all of you know, Florida has a well-earned and widely recognized reputation as the Sunshine State where one may vacation and relax the year 'round.

And this image is true but not complete, for if living in Florida is good, business is better and further opportunities are the best ever. So, today I would like to sketch in for you the full Florida perspective, and invite you to join in the rewards our state offers the forward-looking investor.

The state's history spans centuries. Florida is the home of the oldest permanent European settlement in America. Yet less than 100 miles from the Spanish oak and cast iron tradtition of St. Augustine lies the Kennedy Space Center, symbolizing the boundless vision and progress of the Twentieth Century.

Indeed, the blueprint for progress on which the space center is founded is a motif continually echoed throughout the 58,000 square mile peninsula. And, this is the key to understanding Florida.

Although rock-bedded in the stability of centuries of tradition, we are, ironically enough, a young people completely immersed in life and the richness of its opportunities.

We are reaching for the stars and I see nothing which can keep them from our grasp.

Just as almost one out of every three Americans lives in the South, our country's largest and most potent area. Floridians lead the South in every major index.

Simply put, I can think of no state in the Union more suited or better qualified than Florida for the location of ambitious, energetic business and commercial interests.

This is not my judgment alone. This is an opinion that is increasingly being shared by thousands of first-rate executives and corporations across the Nation. For instance, the late Walt Disney chose Florida, in all America, as the home for his largest and most unique attraction, featuring EPCOT, the by now famous Experimental Prototype Community of Tomorrow.

Walt expressed his faith in Florida's future growth when he said, "I'm confident we can build a living showcase that more people will talk about and come to look at than any other area in the world."

Truly, Florida is America's showcase, free of political scandal but steeped in imaginative yet conservative government. The state is blessed with dynamic transportational, industrial and community growth. It is a leader in a nation of surging states, yet it is totally without a shadow of riotous and wild leadership to threaten our prosperous and healthy present or future.

The original Disneyland brought a windfall of nearly $1 billion to Orange County, California, between 1955 and 1965 through guest sales and expenditures, construction costs, supporting facilities and wholesale trade.

Disneyland East will have a far greater impact on Florida's economy. Slated to open in 1970, the attraction will require about $2.26 billion for payrolls alone for the jobs it will create in its initial decade. During this same period, it is estimated that visitors to the 27,000 acre amusement park will spend approximately $2.7 billion.

Perhaps you are wondering what specific assets the Sunshine State offers to lure test proven winners like Disney, Eastern Air Lines, Martin, Hudson Paper, G. E., Pratt & Whitney, Chemstrand, Du Pont, R.C.A., Celotex, Tupperware, I. T. & T., Aerojet and many others.

In the beginning, as always, there are people. In the decade of 1950–1960, Florida had the fastest rate of population growth, 79 per cent, of any of the United States.

In 1950, our population totaled little more than 2.7 million, but by 1975, it will top 7.5 million. Recently, the U.S. Bureau of the Census estimated that by 1985 the total will be 10.5 million.

Today, Florida boasts 6 million residents with an annual total personal income of $16.9 billion, the highest rate of personal income in the Sixth Federal Reserve District.

Florida has one of the leading labor forces in the South, not only in actual numbers but also in skill and technological know-how. And labor-management relations in the state are excellent.

In addition to our growing permanent population, 18 million persons visited our state and spent nearly $4.5 billion last year alone.

In addition to a readily available labor force, Florida boasts of foreign trade that will total one-half billion dollars this year, thanks to the state's 14 deepwater ports and four international airports. Still, the dollar value of exports currently exceeds that of imports by $160 million.

Florida's history under five flags fits its present record of dynamic and varied foreign trade. Consequently, tonnage totals of Florida's ports compare favorably indeed with ports such as Mobile, Charleston, New Orleans, and Galveston.

To further expand this potential, we have created Interama which is destined to become the trade and cultural center for the southern United States and South America.

As well, the U.S. Army Corps of Engineers has now recommended the construction of the final link in our inland waterway system, and our cross-state barge canal is rapidly nearing completion.

Industry in the state produced nearly $228 million worth of manufactured goods for export last year. This represented a 21 per cent increase in production since 1960. During that same period, national production increased only 13 per cent.

Cash income from Florida agriculture should exceed $1 billion this year. A 212 per cent rate of increase, since 1948, this compares with the national rate of increase of 48 per cent during the same length of time.

The state Agricultural Council has set a $4.2 billion value on Florida farm products this year.

The Sunshine State claims the title of Citrus Capital of the world, and with good reason for this year we will market 146 million boxes of oranges alone.

As of April 1, we became the number one sugar state by producing more than a half million tons of raw sugar and surpassing Louisiana, the previous leader. Actually, Florida was growing cane when Andrew Jackson served as her first territorial governor in 1821.

The state's reforestation program, America's best, annually plants over 100 million seedlings. This year, forestry will boost the state's economy by more than $1.2 billion.

Whatever economic barometer you choose to read, Florida's business climate is certainly healthy.

For instance, let us look at an area in which you gentlemen should be especially interested—banking.

The deposit rate in commercial banks in Florida continues to run about 10 per cent above last year's. Loans are up more than 12 per cent and the loan-to-deposit ratio is holding steady at 53 per cent.

Presently, the resources of all the banks in Florida total approximately $10 billion, as compared with total resources of $3.8 billion of a decade ago. This is a ten year increase in total resources of more than a staggering 130 per cent for banks in Florida, as against only 84 per cent for all banks in the nation.

Similarly, state-chartered credit unions reported total assets of more than $136 million last year, for a record dollar amount and a gain of more than 12 percent above the previous year's total assets. The dollar value of the member's shares increased to nearly $120 million for a 12-month gain of more than $11 million.

Armed with these facts it is easy to see why Florida is the pacesetter of the entire Southeast, which, as you gentlemen know, is a major current in the country's economic mainstream. The Southeast, in general, is surging ahead economically faster than any other geographical area of America, and in the entire South, Florida is by far the best investment.

As an example, more and more national insurance firms are making Florida their operational base for the Southeastern United States. Florida is now the site of 15 regional home offices representing 23 national insurance companies including State Farm, Mutual of Omaha and Prudential of America. The annual payroll for these offices, I might add, totals over $17 million.

We are proud of our growth, but we think we can do better. If there is one single attitude which is common to every facet of the state's business community, it is the desire to achieve this goal—Florida, showplace of America: Florida, first. It is an undercurrent which sweeps throughout the state, uniting native and newly arrived residents as Floridians in a mutual endeavor.

Annually, hundred of corporations and thousands of Americans are realizing that it pays to think Florida, invest Florida—to grow with Florida, to live and work in Florida.

And the state is reaping dividends from this drive to attain full potential. In the past few years of development, Florida has achieved a lower substandard housing percentage than the nation's, a higher percentage of white-collar workers than the rest of the country, and a resident population substantially surpassing the national education median.

To date this very year, the state's overall economy is up more than 8 per cent, above its position in mid-1966, personal income has risen 8 per cent, and employment is up 3 per cent, and unemployment is skidding toward a record low.

As you might expect, we in state government long ago adopted a posture of progressive support in helping Florida to expand its horizons.

Consider that Florida has no state or local income tax—personal or corporate; no chain store tax, such establishments are licensed for a non-graduated amount for each individual store. Even our estate tax is limited to credit against the Federal inheritance tax.

In addition, there is no state ad valorem tax on real or personal property, household goods are totally exempt, and the Constitution provides a $5,000 homestead exemption against county taxes, which is certainly an important factor to management seeking good working conditions for employees.

Yet the state's government will collect and then spend well over $2.3 billion this fiscal year.

In the fiscal year which ended June 30, Florida spent nearly $500 million for education, more than $288 million for highways, more than $170 million for welfare, more than $80 million for public health, and $190 million for other operating expenses to further enhance the Florida environment where people, as well as business, may flourish.

Surprisingly enough in such a forward-looking state, Florida's sound and basically conservative government produced an $83 million surplus at the end of this same year and despite these expenditures.

The state's Constitution and the traditionally sound management approach of its government are largely responsible for the enviable marketability of Florida's limited bond issues. As a result, we have never had a bond issue which failed to sell.

Actually, the healthy fiscal image of the state's government is reflected in Florida's burgeoning economy in general. For instance, one of the best indicators of business growth crossing my desk is the state's three per cent sales tax. This is the largest single revenue producer that Florida has and last year it contributed more than $300 million to the state's treasury. In less than 10 years this income will leap to the one-half billion dollar mark.

All other revenue producers will enjoy similar healthy gains, and Florida's government will continue to work closely and directly, through its elective Cabinet officials, with financial and industrial leaders such as you here today. We can do this and assure you of low risks but good profits.

Our state's government is designed to give you specific help, through in-depth long-range plans and projections that provide an atmosphere of stability and controlled growth in which capital can be assured of high returns from its investments.

Under Florida's unique elective Cabinet system, the executive branch of our government functions as a flexible yet sturdy structure capable of guaranteeing continuity through the natural changes of gubernatorial administrations. This has been true since 1885, and I can promise you that it will continue to be true in the future.

My office, and the offices of my colleagues on the Cabinet, with our broad zones of administrative responsibilities, are ideally geared to answer the state's needs for new and additional governmental services. Yet it is this board-of-directors form of government and its conservative approach to state financing that has kept Florida's ship of state on an even keel through the years.

Total up Florida's assets: our unquestioned governmental stability, our sky-rocketing population, growing consumer market, accessibility and transportational facilities, a mushrooming economy—and don't forget the recreational fringe benefits, our beaches, waterways, climate and sunshine—add up our opportunities, and then come see us, and soon.

Our Governor and Cabinet are fully committed to the role of a partner in progress with you for your professional and personal tomorrow.

Indeed, the fiscal analysts of my office offer exciting proof of an unmatched future for every phase of Florida commerce. These financial forecasters have especially singled out for future growth the area of construction, finance, insurance, real estate and professional services. We know our destiny is assured. My purpose here today is to emphasize that we want you in this room to be an important part of this American phenomenon called Florida.

Our state government will continue to give full priority to enhancing all aspects of the valuable assets that Florida offers to new and existing investors: a growing consumer market, an increasingly skilled labor force, and a wealth of untapped natural resources. Just as we have in the past, we will continue to develop through long range planning without destroying our natural beauty or our tremendous potential.

In short, gentlemen, we think that our future is the brightest star on the horizon of the American economy. To the Eastern businessman, it is by all indexes, the logical vista to penetrate.

That is our story and our potential. It is as old as America is great. Yet we are young enough, ambitious enough and vigorous enough to attain it.

Florida is the new home of 3,000 families each week. It is America's launching-pad for Central and South American commercial endeavors. It boasts of more American tourists than continental Europe.

Conscious of a rich historical past but determined to reach new heights in the future, Florida is steadily surging ahead as the pace-setter of and the brightest star in the ocean of gems called the American nation.

This is my perspective: Florida.

CHICAGO TRIBUNE PAGE AD TELLS GI'S: "WE BACK YOU"

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. DINGELL. Mr. Speaker, pursuant to permission granted, I insert in the CONGRESSIONAL RECORD an ad appearing in the Chicago Tribune of Friday, October 20, 1967, and an article appearing in the same paper setting forth how a group of Americans under the leadership of radio station WGN purchased the full page ad in that newspaper to indicate support of our fine young men serving this Nation in the cause of freedom in South Vietnam.

I think that, in this time of demonstrations by loud, unruly, unwashed crowds, a strong evidence of support by a group of Americans for our young men merits the widest possible attention and circulation.

The article and advertisement follow:

TRIBUNE PAGE AD TELLS GIs: "WE BACK YOU"

(By Clay Gowran)

Today, 24 hours before protest groups in various parts of the nation are expected to stage demonstrations in Washington against American action in Viet Nam, an unusual full-page ad appears in the Tribune.

Placed in the newspaper by Wally Phillips of W-G-N radio and more than 3,500 citizens of Chicago and the midwest who contributed dollars to pay for it, it is an open letter to American service men in Viet Nam from what the advertisement calls "the Silent Millions back home in America."

"What we're doing in this letter is simple," Phillips said yesterday. "We who took the ad are telling our men in Viet Nam, on behalf of untold millions of Americans who have no way of making their sentiments heard, that we do not agree with the protesters, that we are behind our men and their action in Viet Nam 100 per cent."

MAIL IT TO GI'S

Phillips explained it is hoped that readers of the ad by the hundreds of thousands would tear out the page and air mail it to men they know serving in Viet Nam "to show them there is more than one kind of demonstration going on in America."

"This ad, and the mailing of it to our fighting men, is a demonstration on its own—a demonstration of our faith in our country and of our support for the men defending its way of life," Phillips said.

The ad today is, in a way, a result of another full-page ad Phillips and a contributing army of his listeners took last July 14 in the London Times to announce to Britons that they and millions of other Americans support United States action in Viet Nam. That ad was an answer to another, earlier advertisement in the Times, signed by 70 Americans, which had branded our military intervention in Viet Nam "shameful."

THOUSANDS LEFT OVER

So many W-G-N listeners contributed to buy that advertisement that several thousand dollars was left over. The money, with the enthusiastic approval of the fans, went to buy the new ad.

There is another story about today's ad, too. The text for the open letter was written by a veteran Chicago advertising man, Wallace Capel, who was the father of Bruce Capel, who was a top-flight athlete at Glenbard High school in Glen Ellyn and, later, center on the 1964 Illini football team which played in the Rose Bowl.

Lt. Bruce Capel, United States Marine corps, was killed in action in Viet Nam May 12, 1966.

A LONG OVERDUE LETTER TO U.S. SERVICEMEN IN VIETNAM—FROM THE SILENT MILLIONS BACK HOME IN AMERICA

Today must be a sad day in Viet Nam—

Because today, we are ashamed to admit, some of your own countrymen are marching on Washington.

The marchers' sponsoring group has announced:

"We will shut down the Pentagon. We will fill the hallways and block the entrances. Thousands of people will disrupt the center of the American war machine."

It must be a little discomforting for you fellows ducking sniper bullets in the rice paddies to learn that some of your "fellow Americans" are trying to foul things up at your headquarters.

You must wonder what the folks back home really think.

This letter is to let you know that *most* of us are *with* you—100%.

We want you to know that you are *not* the forgotten men.

You are in our thoughts every day.

You may not realize this, because normally we don't spout our feelings. In fact, we are typical of the Silent Millions of *non*-demonstrators—those who back you with quiet concern and prayerful pride. We are painfully aware of the personal sacrifices you are making for the cause of liberty.

For a long time we've been meaning to write to you—but haven't. Finally, this march on Washington did it. We've decided we could no longer remain silently on the sidelines.

Those who are marching in protest, those who desecrate our flag, those who burn draft cards—all make a lot of noise. They also make the headlines. And they present to the world a distorted picture of America. But, thank God, they are *not* typical.

At best, they are a misguided minority whom we'll just have to ask you to defend along with the rest of us. Granted, the motives of some of these people may be pure. But they seem to think they have a unique right to protest in any way they take a notion—with faint respect for fellow citizens or servicemen, for their country's laws, for their elected authorities, or even for others' opinions.

There is room for honest differences and doubts, but when demonstrations stir up sabotage, vandalism, and violence parading under the banner of rightful dissent, they threaten to tear our country apart.

These protesters act as if they're the *only* ones who possess any morality. But we *all* have a conscience. And it might not be too surprising to find that some of us ordinary guys have even a little more conscience than some of the sign bearers.

Let's face it: *nobody* we know *wants* war.

Everybody we know *hates* war.

Everybody we know wishes this war were over.

Everybody we know wants you home as soon as possible.

We can't think of *one* person who enjoys war.

We don't.

Our friends don't.

Obviously, the protesters don't.

You don't that's for sure. Yet—some of these people call you names like "murderers" and "hired killers," implying that you're having a sadistic field day.

Government officials don't enjoy war either. So it's ridiculous for anyone to chant vulgarities like: "Hey, hey, LBJ—how many kids did you kill today?"

But there's one thing that all of us *do* enjoy.

That's the *freedom* of the most fortunate land in the world. It is a historic privilege to be a free citizen of America. This freedom is part of the heritage we cherish and for which we have and always will pay any price, including our lives.

Despite our country's admitted shortcomings, most of us appreciate the opportunity of living here. Most of us wouldn't trade places—or systems—with the people of *any* other country.

Most of us are grateful to the brave men of other generations who have fought and died to preserve this priceless freedom.

Most of us today are humbly indebted to you and to our sons and brothers and husbands and fathers who are fighting—and dying—in Viet Nam for freedom. And for us.

Yes, the majority of Americans love America and the American way.

Even the protesters enjoy their unearned freedom—although they might not admit it. They're too busy shouting about the virtues of "the other side."

But no one knows better than you about "the other side."

You know—and we do, too—that international communism is determined to obliterate us and enslave the world. Communism *must* be contained. This is vital to our world, our lives, our future, and our children.

You know—and we do, too—that Hanoi's blind hunger for the subjugation of the free people of Viet Nam has made peace negotiations impossible to date, even with several bombing pauses.

You know—and we do, too—that "the other side" has *deliberately* assassinated and tortured many, many more innocent civilians in the South than our air raids have accidently killed near military targets in the North.

You know—and we do, too—that if you and your companions were to leave Viet Nam today, the iron hand of communism would clamp down *tomorrow*. And South Viet Nam would become another East Germany—another cowed Cuba.

You know—and we do, too—that your presence in South Viet Nam is a guarantee to freedom-loving people everywhere that they will not be forsaken. And so a remarkable number of you have voluntarily reenlisted to return to Viet Nam.

You know—and we do, too—that a strong stand in Viet Nam by the champions of human rights reduces the chances of a larger war. And it is holding off communist takeovers of other nations in southeast Asia.

You know—and we do, too—that appeasement has never worked and never will.

We hope that all who read this letter over here and feel the way we feel will do three things:

1. We hope they'll tear out this page—and airmail it to you, maybe with a letter of their own—to give you a bit of moral encouragement.
2. We hope they'll write letters—and express their points of view to their Government officials, to their friends and relatives, and to all the news media.
3. We hope they'll speak up—and quit apologizing for how much they love this country. Get off the defensive. On to the offensive.

We believe that when sound-thinking people want to say something, they should *say* it. When they want to do something, they should *do* it.

If more solid citizens would speak out to the protestors, perhaps we could even set *them* straight.

We believe the time is here for the voice of responsible patriotism to be heard.

The sooner this is done and the sooner we present a united front, the sooner you'll be coming home from a peaceful Viet Nam.

In behalf of the Silent Millions,

Wally Phillips of WGN,
(And over 3500 citizens of Chicago and the Midwest who contributed to the cost of this letter).

EARTHQUAKE INSURANCE

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Cohelan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. COHELAN. Mr. Speaker, today we are called upon to vote on the National Flood Insurance Act of 1967, S. 1985.

This bill would institute a national flood insurance program to be carried out through the cooperation of the Federal Government and private casualty insurance companies. The Federal Government will furnish premium subsidies for flood insurance on existing residential units. This bill marks a significant advance in meeting the financial burdens posed by disastrous floods against which, private insurance has been available only at the most exorbitant price. I welcome this Federal assistance in meeting this national problem.

However, the job is not completed with the passage of this bill. In many parts of our country, earthquakes and their aftermath are a risk to life and property even greater than floods. Insurance against losses caused by earthquakes is, for all practical purposes, simply not available. The National Flood Insurance Act authorizes the Secretary of the Department of Housing and Urban Development to study the feasibility of extending coverage similar to the national flood insurance for earthquake losses. This is the second study of this problem. The time for action is near. We must proceed with an earthquake insurance system. If we are to have the benefit of the HUD study, I for one, think that the new HUD study should be done soon. We must get about the important business of meeting the risks of earthquake disaster through a cooperative risk-sharing approach.

PERSONAL EXPLANATION

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Rees] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. REES. Mr. Speaker, during the week of October 13, it was necessary for me to be in my district on official business. So that my constituents and colleagues will know my position on the matters which arose while I was away, I wish to state how I would have voted, had I been present.

On rollcall No. 309, amendments to the Library Services and Construction Act, I would have voted "yea."

On rollcall No. 310, to extend the time for filing the report of the Commission on Urban Problems, I would have voted "yea."

Concerning the appropriation for the Department of Transportation: on rollcall No. 313, the motion to recommit, I would have voted "nay"; on rollcall No. 314, agreement to the conference report, I would have voted "yea"; on rollcall No. 315, insisting on disagreement to Senate amendment No. 13—the airport at Kelley Flats, Mont.—I was paired in favor and would have voted "yea."

Concerning continuing appropriations for fiscal year 1968: on rollcall No. 319, the substitute resolution offered by Mr. Whitten, I would have voted "nay"; on rollcall No. 320, the motion to recommit the substitute resolution, I was paired in favor and would have voted "yea"; on rollcall No. 321, final passage, I was paired against and would have voted "nay."

On rollcall No. 232, to provide for the regulation of the use of, and for the preservation of safety and order within, the U.S. Capitol buildings and the U.S. Capitol Grounds, I was paired against and would have voted "nay."

On rollcall No. 325, to prohibit the obstruction of criminal investigations of the United States, I was paired against and would have voted "nay."

On rollcall No. 327, to transfer jurisdiction over military and national cemeteries. I would have voted "yea."

Concerning public school lands: on rollcall No. 328, the rule under which the legislation was considered, I would have voted "yea"; on rollcall No. 329, the motion to recommit, I would have voted "nay."

QUOTA IMPORT LEGISLATION

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Vigorito] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. VIGORITO. Mr. Speaker, much has been written in recent weeks about legislation affecting our Nation's import quotas. Some of my colleagues may not have had the opportunity to read completely the transcript of hearings before the Senate Committee on Finance.

For this reason I insert in the RECORD at this point the excellent testimony on quota import legislation by our distinguished Secretary of Agriculture, Mr. Freeman.

I find his views regarding the impact of restricted imports on our "foreign trade," both agricultural and industrial, extremely well put and I know my colleagues will appreciate receiving his very cogent point of view.

The testimony follows:

STATEMENT OF THE SECRETARY OF AGRICULTURE

ORVILLE L. FREEMAN

Mr. Chairman, thank you for the opportunity to talk with your Committee on this vital matter of foreign trade. I use the term "foreign trade" deliberately. We cannot talk about further restricting imports without talking about restricting exports. Moreover, we cannot talk about industrial trade and agricultural trade separately. In this context, they are not separable. What happens in one sector too often has a direct impact on the other.

From where I sit, I see this regularly. Just the other day we were reminded by another government that what the United States does on watch imports will have a direct impact on whether we will be able to export poultry parts. It gets that specific. And the United States does some reminding of this kind also, in its fight to keep U.S. exports high.

That's why I have always taken a keen interest in all our trade actions, across the board. That's why I'm alarmed at the quota proposals before us. We seem to be losing sight of the importance of our exports.

For seven years now, I've worked hard to expand our agricultural exports, and I've had the satisfaction of seeing them grow from $4.5 billion in fiscal year 1960—the year before I took office—to a new record of $6.8 billion in the 1967 fiscal year that ended last June. Exports for dollars climbed from $3.2 billion to $5.4 billion in that period.

These agricultural dollar export earnings are important:

To the country as a whole. Only a few months ago, when we were talking about the U.S. balance of payments. Secretary Fowler told me that we would long since have faced a national economic crisis of grave proportions—that the value of the dollar would have been seriously undermined—were it not for the substantial flow of dollars into our accounts from agricultural exports;

To industry and commerce. Without them, farmers would not have maintained industrial farm inputs at their high levels; transport, banking, insurance and port activities would have been at lower levels;

And to farmers most especially. Without these export dollars, farm income would have suffered severely.

The exports facts should by now be well known by all farmers. But let me repeat them.

Production of 1 out of every 4 cropland acres harvested is exported.

Exports provide employment for 1 out of every 8 farm workers; they account for 17 cents out of the farmer's market dollar.

Farm exports have been increasing at a rate substantially higher than domestic consumption of farm products. An increasing percentage of many farm products is being exported. For 5 major farm products, exports exceed 40 percent of the value of farm sales.

And when commercial farm exports for dollars are compared to farm imports, the farmer clearly comes out ahead. Out of our total agricultural exports, well over $5 billion are commercial sales. These are dollars earned. Against this we have around $2.5 billion of agricultural imports that are more or less directly competitive with our agriculture (meat, wool, dairy products, sugar, and so on). We could say these are dollars spent. Thus, for every $2.50 imported, we export $5.00 commercially. We have a good business. And a lot to lose.

A continuing climb in U.S. exports is more important to American farmers than to any other major segment of our economy. If farmers support protectionism, they are making a serious mistake, because they are endangering their own export market.

These facts have been repeated over and over. Perhaps that is the trouble. Perhaps we've said them too often—have talked ourselves into believing that ever-increasing exports will come to us as a matter of course.

Well—they won't.

Exports haven't just grown. We have worked at it—hard. We have invested money and time in market development, in product promotion, and in reducing foreign barriers to trade so that we can sell more. We continue to work hard on all fronts to export more and more. The level of effort on these fronts is—up—up and up.

We mustn't be fooled by the idea that countries buy from us, and will keep buying from us, simply because they need our products. That's bad reasoning. There are very few of our export products that other countries can't produce for themselves, or buy elsewhere, or do without if they really want to. We fight a daily battle against restrictionist forces in these countries all the time. Sometimes progress is slow, but we are making progress—witness the steady climb in agricultural exports.

If other nations conclude that we are acting in an unreasonable and protectionist manner—that we are shutting them out of our markets unfairly and without justification—they are not only perfectly willing and capable of shutting us out from theirs, they are likely to do so.

I've spoken at some length on the problem of exports and the need for expanding trade, because it is absolutely crucial for us in agriculture. We must never overlook the impact on exports when we consider imposing import controls.

Agriculture everywhere has special problems. Generally speaking, all over the world farm incomes are only half those in other sectors of the country's economy. To help meet such problems, virtually every government has stepped in with price and income and other support programs. These in turn can have severe repercussions on trade. To deal with these repercussions, the U.S. sometimes has to control imports.

But we should be certain before we act to put on controls:

—that there is a clear and present need for additional protection;

—that the protective instrument chosen fits the need;

—and that the dollars and cents cost of our action in lost exports will not be way out of proportion to the benefit it confers on some of our producers.

These are sensible, pragmatic tests.

Let me turn specifically to the question of the need for additional protection on dairy products. At the outset, it should be made clear that we have experienced unique circumstances in dairy as a result of the efforts of foreign countries to protect their dairy farmers' income.

The subject of dairy imports is of great concern to me. It is a part of the U.S. dairy income and price picture. No problem I have had as Secretary has been more difficult and more unyielding than that of trying to achieve a stable and healthy dairy economy. The dairy problem is also intimately related to the Department's budget; in the cost of the dairy price support program and the operations of the Commodity Credit Corporation.

Dairy imports rose rapidly and very substantially, beginning in early 1966. We had become a target for countries whose dairy policies had resulted in surpluses. These were flooded into the U.S., circumventing our import control system.

As background to this problem, let me point out that because of systems of high dairy support prices, protected by strict import controls, production of dairy products in some foreign countries had increased to the point that heavy surpluses were a glut on their markets. Under such circumstances in the EEC, for example, an export program operates almost automatically to move these surpluses out of the EEC at distress prices. Because of this surplus world situation, increasing quantities of butter were entering the U.S. as a butterfat/sugar mixture in circumvention of then existing U.S. controls. This butterfat could not have gone to other potential markets such as Japan, or the U.K., or Canada. These all have tight controls on imports. It came to the U.S.

Because our domestic milk production was down, about a year passed before prices dropped and the CCC started to buy heavily.

As soon as it was clear that our inventory acquistions and expenditures were going to continue to be sizeable, we moved to bring dairy imports under full control—specifically, to halt evasions of the import quotas established under Section 22 of the Agricultural Adjustment Act, as amended.

In March, I recommended to the President that he initiate Section 22 action looking toward these objectives. In this move, we had the full support and leadership of President Johnson, who directed the Tariff Commission to carry out the required investigation promptly and expeditiously—which it did.

The result, to be brief, was to stop the flood of imports. Presidential Proclamation 3790, issued June 30, 1967, put import quotas on those items which had accounted for virtually all of the import upsurge. Our purpose was to prevent these imports from interfering with our income programs by bringing total dairy products imports back to the level which had prevailed from the establishment of import controls under Section 22 in 1953 until 1966. During that period, dairy imports, taken altogether, were equal to something less than 1 percent of our domestic dairy production.

Domestic dairy production this year is expected to be about 120 billion pounds, milk equivalent. In establishing the new dairy import quotas, the Administration has aimed at holding the dairy import total (quota items and non-quota items combined) to approximately 1.0 billion pounds, milk equivalent.

While our Section 22 action was being taken, we heard a lot of sharp criticism—both of the law and the manner in which it was being carried out. We were told that Section 22 was too slow, too cumbersome to provide an effective remedy. What has been demonstrated is that this is just not so. We faced a difficult and very complex problem, both domestically and internationally; we acted under the legislation; all concerned had the opportunity for a fair hearing; and we have achieved a solution.

In brief, Section 22 has stood the test. It enables us to deal with special agricultural problems as and when they arise—flexibly, selectively and successfully.

Our critics say that we can't really control imports—that the smart boys will always be able to find loopholes. My point is that the situation can be kept under control, using the legislation which we now have, and that the recent Section 22 action has demonstrated this.

The Congress has before it numerous bills, most of them identical, to require across-the-board import restrictions on all dairy products—including items containing butterfat or nonfat milk solids which are not usually thought of as dairy products. I think we all recognize that a blanket import ban would seriously hurt our foreign trade. Almost surely it would provoke foreign retaliation against our farm exports.

As I judge the situation now, there is no need to pay this price. Imports have been cut back to a tolerable level. We expect to keep them there. Our foreign trading partners did not like the new controls which were applied under Presidential proclamation, but they recognized the fact of evasion, and they have long ago accepted our use of Section 22 to protect our farm programs from serious injury. This is important. It means that our foreign suppliers are much less likely to retaliate against our exports to them when controls go on. As I see the situation today, we have faced the dairy import problem, and we have already overcome it.

Let me now turn to the question of beef imports, where we also had a special problem. In the early 1960's, our only market protection was a modest duty. We have no domestic support system. Other countries' systems, however, were becoming more heavily supported and protective. The EEC was perfecting its variable levies; the U.K. had a domestic support system which made it increasingly less profitable for exporters to sell there than in the U.S. Japan had strict quotas. Thus, quantities of fresh, chilled, and frozen beef and veal were flowing to the U.S. from exporters who found it impossible or much less profitable to sell elsewhere. The heaviest imports of these products occurred in 1963 and led to the enactment of the meat import law of 1964 (Public Law 88–482).

The meat import law does not actually impose quotas. It sets a target which imports cannot exceed in any year without triggering quotas. If quotas are imposed, they will hold imports to a level based on average imports in the 1959–63 period, adjusted to take account of change in U.S. production.

The limit on imports under the law would be approximately 6.7 percent of domestic production. Actually, imports in 1966 were 5.6 percent of production, and we expect them not to exceed 5.8 percent this year. By contrast, imports amounted to 8.6 percent of production in 1963.

What our importers bring in, by and large, is beef for manufacturing. The price effect of this is small and falls largely on domestic cow beef, which is used for the same purposes. It is instructive to note that although imports have risen slightly since 1965, U.S. cow prices have also increased—from $13.40 per hundredweight in 1965 to $16.60 to farmers in 1966 and $16.90 during the first 9 months of 1967. We do not expect imports of this meat, at the levels permitted under the law, to place any appreciable downward pressure on domestic cow prices in the years to come. The demand for manufacturing beef is expanding rapidly. Total cow numbers on farms in the U.S. have changed little since the mid-50's, and dairy cow numbers—the main domestic source of this kind of beef in the past—have dropped one-third over this period.

We don't believe that these imports are having any appreciable impact on fed beef prices. They rise and fall in relation to the supply of fed cattle marketed in this country. I would expect fed beef prices to continue their upturn this winter as marketings continue to drop off.

Currently, there are many bills pending to amend our meat import law. These bills would impose mandatory and more restrictive annual import quotas on such meats. They would base average annual imports on the years 1958 through 1962, rather than the years 1959 through 1963, as now provided. They would divide annual quotas into quarterly quotas, the unfilled portion of which may not be carried over into the following quarter. If the most restrictive features of the legislation presently before Congress were implemented, it is our estimate that the price rise on domestic cutter and canner cows would be less than 2 percent, and on fed cattle, less than 1 percent.

Accordingly, I don't see the need for these changes in legislation. Imports are at moderate levels and are meeting manufacturing beef needs without disturbing prices. The present law will keep them at moderate levels. The equal quarterly distribution of these mandatory quotas would tend to disrupt trade patterns unnecessarily without really helping domestic prices.

The import controls we have now seem fully adequate to their task. They have been accepted by our suppliers—although reluctantly. I emphasize—reluctantly. Other countries don't care to see their exports cut back. But they recognized the special situation facing us.

Mr. Chairman, earlier I said that, before we used controls, we should be sure there is a clear and present need for them and that their dollars and cents costs in loss of exports are not out of proportion to their benefit to some of our producers. In the case of quota legislation for dairy products and meat, I do not see a present need; the situation is under control; and the cost of more restrictive controls on these products, in my judgment, would be far greater than we should pay. Farmers producing for export would be hurt and dairy and beef producers won't really benefit.

Where imports of other agricultural commodities may be concerned, we must apply the same down-to-earth, pragmatic tests—are the restrictions in the best interest of the American farmer and the United States—we should not hesitate to decide against restrictions if the answer is clearly that they are not.

INTERIOR AND DEFENSE DEPARTMENTS MUST FREE MORE OIL TO ASSURE ADEQUATE WINTER SUPPLY FOR NEW ENGLAND

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BOLAND. Mr. Speaker, members of the Massachusetts congressional delegation have joined in a petition to Secretary of the Interior Stewart Udall in expressing our great concern over the current shortage of No. 2 home heating oil in the northeastern United States and constantly increasing prices to the consumer, now up nearly 15 percent.

Some 40 Massachusetts and New England oil dealers met with the Massachusetts congressional delegation on Wednesday, October 18, at a session arranged here in Washington by Senator EDWARD M. KENNEDY. The dealers told us that only 71,000 barrels a day of all finished oil products are allowed into our region under the present quotas and 28,560 barrels of this total goes unused because it is held by the Department of Defense.

I feel that the Defense Department should release some of this quota. This action, together with a liberalization by the Interior Department of oil import quotas from abroad, would make more home heating oil available in New England and force down prices to the consumers who are facing a long, cold, and harsh winter in the Northeast.

The Massachusetts Consumers' Council has also petitioned Secretary Udall for relief, and has been recorded in opposition to S. 2332, which would bar for all practical purposes importation of No. 2 heating oil. Dermot P. Shea, executive secretary of the Massachusetts Consumers' Council, testified against this legislation during hearings before the Senate Finance Committee 2 weeks ago, on October 19.

Mr. Speaker, a statistical survey report received from the Necessaries of Life shows the percentage price rise and percentage increase in No. 2 fuel—heating—oil consumed, and 75 percent of the homes in Massachusetts use this source.

The Massachusetts Consumers' Council in its petition to Secretary Udall charges that domestic oil refiners are deliberately limiting domestic supplies and that the consumers of Massachusetts are overcharged $42,000,000 as a result of being forced to buy domestic heating oil. In asking the Secretary of Interior to decontrol No. 2 home heating oil, as was done in the case of residual fuel oil whose import quota limits I fought against for years until they were finally lifted, the Massachusetts Consumers' Council feels "that it is unconscionable to permit this situation to continue."

The Consumers' Council points out that local oil dealers and wholesalers in Massachusetts and New England are not to blame because "they are dependent on the whims and policies of the domestic refiners and Federal Government."

Mr. Speaker, with permission granted, I include with my remarks at this point in the RECORD a letter I received from Dermot P. Shea, executive secretary of the Massachusetts Consumers' Council; a copy of the council's press release; the petition to Secretary Udall signed by Dr. Edward R. Willett, chairman of the Consumers' Council and Mr. Shea; a copy of Mr. Shea's testimony before the Senate Finance Committee in opposition to the oil import provisions of S. 2332; a copy of the petition to Secretary Udall signed by the entire Massachusetts congressional delegation; and a story from the Holyoke Transcript-Telegram of October 19, 1967, concerning the meeting of Massachusetts oil dealers with the Massachusetts congressional delegation on the problem of price rises and shortages in heating oil in New England:

THE COMMONWEALTH OF MASSACHUSETTS, CONSUMERS' COUNCIL,
Boston, October 19, 1967.

Hon. EDWARD P. BOLAND,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN BOLAND: Attached you will find the Council's petition to Secretary Udall on #2 Fuel (heating) Oil issue. I am also testifying on behalf of the Council in opposition to Senator Long's bill S. 2332 which would bar imports of this oil.

Any assistance you can render in obtaining an increase allocation of imported #2 Fuel (heating) Oil would be most appreciated by your constituents, as it would cut the cost of their heating bill.

Sincerely yours,

DERMOT P. SHEA,
Executive Secretary.

[From the Consumers' Council News, Oct. 18, 1967]

The Chairman of the Consumers' Council, Dr. Edward R. Willett announced today that the Council has petitioned the Secretary of the Interior and the Oil Import Administration for relief of the intolerable supply and price situation of No. 2 Fuel (heating) Oil that has developed as the result of the policies of both the federal government and domestic oil refiners.

Mr. Dermot P. Shea, Executive Secretary of the Council has been designated by Dr. Willett to present this petition and confer with the Secretary of the Interior, The Honorable Stewart L. Udall today in Washington. In a second action, Dr. Willett has also designated Mr. Shea to record the Council's opposition to S. 2332 sponsored by Senator Long of Louisiana. This Senate bill would bar for all practical purposes importation of No. 2 Fuel (heating) Oil. Senator Edward Kennedy notified the Council of the adverse effect this bill would have on Massachusetts consumers and arranged for the Council to be heard in Washington tomorrow, October 19, 1967 before the U.S. Committee on Finance.

Dr. Willett also called upon every consumer of heating oil to write to the Secretary of the Interior to demand that the federal government act to permit No. 2 Fuel (heating) Oil to be imported. Dr. Willett also urged that the public write their Senators and Congressman to act on their behalf on this matter.

The following is the highlights of the petition to Secretary Udall on which Mr. Shea also will base his testimony in opposition to S. 2332 an act to bar further oil imports before the U.S. Committee on Finance:

Page 1: A statistical survey report received from the Necessaries of Life shows that percentage price rise and percentage increase in the No. 2 Fuel (heating) Oil consumed . . . 75% of the Massachusetts homes use this source.

Page 2: Par. 1—Domestic oil refiners deliberately limiting domestic supplies.

Paragraph 2: Consumers of Massachusetts are overcharged $42,000,000 as a result of being forced to buy domestic heating oil.

Paragraph 3: Federal government has given privilege tax status to domestic oil producers which is another tax because the average citizen is not accorded this privilege.

Paragraph 4: Local oil dealers and wholesalers are not responsible . . . they are dependent on the whims and policies of the domestic refiners and federal government.

Paragraph 5: Federal government must and should act to reduce cost . . . only action taken is a tanker and a half of No. 2 Fuel (heating) Oil for all New England.

Page 3: The Council feels that it is unconscionable to permit this situation to continue. The Council requests the Secretary of the Interior to review matters at once and decontrol No. 2 Fuel (heating) Oil as was done in the case of residual fuel oil.

THE COMMONWEALTH OF MASSACHUSETTS, CONSUMERS' COUNCIL,
Boston, October 16, 1967.

Hon. STEWART L. UDALL,
Secretary of the Interior, Department of the Interior, Washington, D.C.

DEAR MR. SECRETARY: In its meeting of October 5, 1967, the Consumers' Council of the Commonwealth of Massachusetts voted to petition the Secretary of Interior and the Oil Import Administration for relief of the intolerable supply and price situation of #2 Fuel (heating) Oil that has developed as the result of the policies of both the federal government and domestic oil refiners. For your information the Consumers' Council is a statutory body of state government charged with the duty of protecting the consumer interest of the citizens of the Commonwealth. It is also required to advise the General Court and the Governor of the Commonwealth on grave matters of consumer concern.

The Council has received a statistical report, made at its request, from the State Division on Necessaries of Life, Department of Labor and Industries on this matter. This report states that the #2 Fuel (heating) Oil prices have risen 15.3% from the period of September 1962 through September 1967. At the same time the consumption of #2 Fuel (heating) Oil has increased 20.9% during the period of May 31, 1963 to May 31, 1967. From the period of June 1, 1966 to May 1, 1967 the number of gallons of #2 Fuel (heating) Oil consumed in Massachusetts came to 2,153,526,000. This is an increase of 250,000,000 gallons over the previous year. The projection for this coming year indicates another substantial increase in the consumption of #2 Fuel (heating) Oil. In fact, an estimated 75% of the households of the citizens of the Commonwealth use heating oil. These figures are from official state sources.

Paradoxically the Council finds that while the demand for #2 Fuel (heating) Oil has been steadily increasing, the domestic oil refiners are deliberately constricting the domestic supply, preferring to use their facilities for more lucrative finished products such as gasoline and jet fuel. This, in turn, forces a domestic wholesale price increase and creates a deliberate shortage of #2 *domestic* Fuel (heating) Oil. This comes at a time when the domestic oil industry is in excellent financial condition. The indications are that the oil industry is interested in forcing up the #2 fuel price close to the level of the price received for gasoline and jet fuel. Incidentally, this same oil industry is also the sole supplier of the natural gas consumed in this state.

From the information that the Council has received, #2 *domestic* Fuel (heating) Oil is delivered to the port of Boston at an average wholesale price of at least 2 cents per gallon more than the same #2 Fuel (heating) Oil if it were imported from the Caribbean area. Thus the policies of the federal government and the domestic oil refiners are levying an overcharge or, in effect, a tax of over $42,000,000 a year on #2 Fuel (heating) Oil to the grave detriment of the consumers of the Commonwealth of Massachusetts. It is remarkable, to say the least, that the oil lobby has been able to so distort the oil protectionist policy of the federal government as to create in effect a tax levy on the citizens of Massachusetts for the benefit of a private industry.

Furthermore, the federal government has also given a privilege tax status to the domestic oil producers (who in most cases are also the oil refiners of the same product) in permitting the 27½% tax depletion allowance under the Internal Revenue Code. This is in effect another tax because the average citizen is not accorded this privilege. Certainly he would welcome this same depletion allowance to help pay the overcharge levied on this necessary of life by the domestic oil refiners as the result of the Federal Oil Import Program.

The Council notes for the record that neither the local wholesalers or oil dealers in Massachusetts are responsible for this situation. These marketing people must depend upon the whims and policies of the domestic oil refiners and the federal government as to the price and availability of supply of #2 Fuel (heating) Oil.

Certainly in view of the surging cost of living the federal government can and must act to reduce the price of a critical commodity which is also classified as a necessity of life in the Commonwealth. The most recent order of the Oil Import Board amounts to an additional allowance of a tanker and a half for all New England for a year. This is a totally unacceptable solution to a critical price and supply problem.

The Consumers' Council feels that it is unconscionable to permit this situation to continue. It goes without saying that it is the duty of government, both state and federal, to respond to the public interest which means quite simply the welfare of the people. Accordingly, the Consumers' Council requests that the Secretary of Interior and the Oil Import Administration review at once the entire order limiting the importation of the #2 Fuel (heating) Oil with the view of decontrolling the #2 Fuel (heating) Oil as was done in the case of residual fuel oil. Such action will break the price increase spiral and assure a plentiful supply of this product. Such action would restore normal competitive marketing conditions without harming our domestic oil industry which has become indifferent to the requirements of the consumers of #2 Fuel (heating) Oil.

Respectfully yours,

CONSUMERS' COUNCIL,
DR. EDWARD R. WILLETT,
Chairman.
DERMOT P. SHEA,
Executive Secretary.

TESTIMONY BY DERMOT P. SHEA, EXECUTIVE SECRETARY OF THE CONSUMERS' COUNCIL OF THE COMMONWEALTH OF MASSACHUSETTS

Mr. Chairman, I wish to thank Senator Edward Kennedy for his courtesy in notifying the Council about this hearing being held on Senate 2332 and arranging for the opportunity to be heard on this matter. For the information of the Committee the Consumers' Council is a statutory body of state government charged with the duty of protecting the consumer interest of the citizens of the Commonwealth of Massachusetts. It is also required to advise the General Court and the Governor of the Commonwealth on grave matters of consumer concern.

The Council had been considering the issue of the spiraling price rise and potential shortage of #2 Fuel (heating) Oil when it was notified by Senator Edward Kennedy of this hearing on Senate 2332. To state our position quite simply, the Consumers' Council is utterly opposed to this bill. On October 18 the Council filed a formal petition with the Secretary of Interior and the Oil Import Administration for relief of the intolerable supply and price situation of #2 Fuel (heating) Oil that has developed as the result of the policies of both the federal government and domestic oil refiners. This is the very same reason why we are opposed to this bill as it would discriminate against the consumers of the Commonwealth of Massachusetts, in particular, as well as the entire New England area. The following excerpt from the Council's petition also outlines why it is opposed to this bill.

Mr. Shea then quoted the petition to Secretary Udall.

Mr. Chairman, this bill would bar the very redress that the citizens of Massachusetts are now seeking from the Secretary of Interior and the Oil Import Administration. We hope that this committee gives S. 2332 an unfavorable report.

U.S. SENATE,
Washington, D.C., October 26, 1967.

DEAR MR. SECRETARY: Over the past several months, we of the Massachusetts Congressional Delegation have become increasingly concerned at the shortage of No. 2 home heating oil on the East Coast. The Middle East crisis, the shortage of oil tankers, and more important, the trend in domestic production away from home heating oil, has produced the most serious shortage of home heating oil in more than fifteen years. With the fall season now upon us, it is apparent that the end to this shortage is not in sight.

At a meeting with you several weeks ago, representatives of your Department expressed the belief that there would soon be an increased availability of home heating oil. However, this development is simply not taking place. The Oil Import Appeals Board, in its consolidated decision of September 27, 1967, noted that "supply is more stringent now than at any previous period since the imposition of import controls." And, according to *The Oil Daily,* as of October 13, distillate fuel oil stocks nationally were down 6.7 million barrels from last year's supply—an increase in the shortage of more than 400,000 barrels in one week, and a decline of 3.7 over 1966 stocks. The *Wall Street Journal* of October 24 said that "heating oil stocks are the lowest, relative to expected demand, in 17 years . . ." Nor does repositioning of stocks appear to be a solution; the fact is the shortage of home heating oil is nationwide in scope. As the enclosed memorandum indicates, this shortage will have drastic effects on the price of No. 2 oil all across the East Coast. Already, according to the market reports in *The Oil Daily* for October 23, one major oil company has announced a heating oil price increase in the Northeast of 30 points—and further price increases are expected to follow.

It seems apparent that a revision of the oil import program with respect to No. 2 home heating oil is the most logical and most efficient mechanism to avert a disastrous price increase in the already record-high price of home heating oil. This oil import program was originally imposed in the interest of national security—to preserve the strength of domestic oil producers, so that they might produce a sufficient supply of oil in the event of any national emergency. Since the inception of this program, however, several factors have changed:

1. Consumption of home heating oil has increased by almost 30% while the import allocation of all finished products, including home heating oil—has remained static at 76,000 barrels a day.

2. With techniques such as hydrocracking, domestic producers are turning away from production of No. 2 heating oil.

3. New techniques in the processing of crude oil stocks—the same techniques that have made it possible for domestic producers to manufacture gasoline and jet fuel instead of home heating oil—have made it far easier for domestic producers to quickly supply a variety of oil products in the event of any sudden emergency.

4. The low-sulphur content of No. 2 fuel and the great number of local and state programs to combat air pollution, have made No. 2 oil a far more desirable and important product than it was ten years ago. Consumption of dissolute fuel oil increased by almost 50 million barrels between 1964 and 1966—and every indication suggests that this trend will continue and accelerate.

It is our belief, therefore, that substantial changes in the importation of No. 2 home heating oil is essential to the health and the economy of the entire East Coast. We, therefore, suggest the following:

The Oil Import Program and Regulations should be liberalized to provide for an increased importation of No. 2 home heating oil into District 1. This liberalization should include an extension of those eligible to import No. 2 fuel oil beyond the category of "historical importers." As it now stands, the very companies most in need of imports to fulfill their contracts are those who are now all but excluded from the program.

By including all those who received No. 2 oil in District I deep water terminals during the preceding calendar year, we could make home heating oil available to those most in need. Further, such expansion would base allocation on a sliding scale to benefit those small importers and to prevent the majors from gaining a lion's share of this liberalization. A scale, for example, which ranged from 15% for the first 10,000 barrels per day of input down to 5% for an input of up to 35,000 barrels per day would accomplish a doubling of the finished product allocation, while structuring a more competitive market for home heating oil.

It is highly unlikely that these provisions will be damaging to the domestic oil industry—particularly in view of lessened interest in home heating oil by domestic oil producers. And should these provisions prove inadequate to meet the needs of East Coast consumers, then greater de-control would be required as was done with residual fuel oil. But we believe that this change in the oil import program provides a reasonable and effective method for protecting East Coast consumers from paying exorbitant and unfair prices for their heating oil.

We thank you for your consideration and urge your speedy decision in this matter.

Sincerely,
John W. McCormack, William H. Bates, Edward P. Boland, James Burke, Silvio O. Conte, Harold D. Donohue, Edward M. Kennedy, Margaret Heckler, Hastings Keith, Torbert H. Macdonald, F. Bradford Morse, Philip J. Philbin, Thomas P. O'Neill, Edward W. Brooke.

[From the Holyoke Transcript-Telegram, Oct. 19, 1967]

TED TO ASK MCNAMARA TO HELP END NORTHEAST HEATING-OIL SHORTAGE

WASHINGTON.—Secretary of Defense Robert S. McNamara was the new target today for New England oil dealers and congressmen hoping to alleviate the critical shortage of home heating oil in the Northeast this winter.

About 40 Massachusetts and New England oil dealers met Wednesday with the region's congressional delegation to consider ways of solving the problem.

They complained current high prices may go even higher with no prospect of the shortage being alleviated.

KENNEDY PLEDGES HELP

Sen. Edward M. Kennedy, D-Mass., promised to ask McNamara to help out by freeing his allotment of oil supplies to the Eastern section of the nation.

One of the dealers' complaints is that only 71,000 barrels a day of all finished oil products are allowed into the region under present quotas and 28,560 barrels of this total goes unused because it is held by the Defense Department.

The dealers also urged the delegation to again press Interior Secretary Stewart L. Udall to lift current restrictions on imports of No. 2 Fuel Oil, which is used to heat 80 per cent of the homes in New England and New York.

The dealers also protested legislation proposed by Sen. Russell B. Long, D-La., which would freeze all oil imports at their present levels and give the President's authority to set quotas to Congress.

PRICES UP AGAIN

The dealers told the delegation fuel oil now costs 11.4 cents a gallon in Massachusetts, up 1.1 cents from a year ago. They said every one-cent hike in the price means $20 million extra in home heating costs a year for Massachusetts consumers.

They also passed on rumors that major oil companies are contemplating further price increases of from three-tenths to one-half cent.

Another complaint was New England dealers now are getting poor quality fuel oil at higher costs. Major oil companies have let it be known they do not want any new customers for No. 2 oil, they said.

One reason for the shortage is that domestic producers have found it financially more attractive to refine No. 2 oil into products like gasoline for which they get higher prices.

Imports from Caribbean countries are about one-third cheaper than domestic fuel oil but are severely limited under present import restrictions.

HOME CITY COUNCIL, KNIGHTS OF COLUMBUS, SPRINGFIELD, MASS., OBSERVES 75TH ANNIVERSARY OF CHARTER

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BOLAND. Mr. Speaker, on Saturday, October 28, 1967, it was my privilege and distinct pleasure to attend and participate in the 75th anniversary of the Knights of Clumbus Home City Council No. 63 in Springfield, Mass. The celebration commemorated the receipt of the council's charter as the second oldest council in Massachusetts.

With permission granted, I include with my remarks at this point in the RECORD a copy of the Home City Council anniversary program, a history of the council, a list of the past Grand Knights and charter members of the council, and the remarks I delivered at the dinner:

PROGRAM

Dinner Chairman: Leo R. Smith, Past District Deputy.

National Anthem: by Targets Drum and Bugle Corps.

Invocation.

Master of Ceremonies: Daniel J. Fitzgerald, Past State Deputy.

Representing the Council: Francis M. Gatti, Grand Knight.

Representing the Past Grand Knights: The Honorable Charles D. Sloan, First Justice of the Springfield District Court.

District Deputy Marcel Dupuis.

State Deputy John M. Cataldo.

State Auditor Francis A. Sheehan.

State Warden Joseph Arena.

Councilman Philip M. Walsh.

State Treasurer Ferard M. O'Meara.

Past State Deputy John J. McCullugh.

Principal Speaker: Congressman Edward P. Boland.

Benediction: Raymond J. LeVay, Council Chairman.

Finale: "Holy God We Praise Thy Name."

HISTORY OF THE COUNCIL

Home City Council #63 was officially the second council to be organized in Massachusetts. It was instituted by Washington Irving Council #50 of Thompsonville, Conn., under the guidance of D.D. Patrick Duane, on May 20, 1892. In the beginning, the annual ball of Home City, held in January, was conceded to be the leading social event in Catholic circles in Western Massachusetts, and was attended by hundreds from all the cities and towns in the area.

The first home of the council was located at 432 Main Street and meetings were held on the first and third Tuesdays of each month.

Through the activity of the members of Home City Council, and in particular the man who organized it, Dr. Andrew J. Flanagan, D.D.S., many councils were organized. Among these were councils in Chicopee, Holyoke, Westfield, Pittsfield, Greenfield, North Adams, Spencer and Indian Orchard.

During World War I, Home City Council contributed its share to the war effort by having a booth at Court Square where servicemen could get free coffee and donuts.

Home City Council has supplied the State Council with many great men to serve it, including a Past State Deputy, Daniel J. Fitzgerald.

Today, among the many activities carried out by the Council members we have the First Friday Supper, the Annual Children's Christmas Party, and the Annual Communion Breakfast. The Council is growing and building, and in the near future expects to erect new quarters on land owned by the Building Corporation in East Forest Park.

HOME CITY COUNCIL, GRAND KNIGHTS—1892–1967

John H. Clune, Hugh J. Donnelly, John M. Harrigan, James E. Dunleavy, P.S.Adv., Matthew Brennan, Henry Brown, William Warren, John M. Sullivan, Jeremiah F. Shea.

Robert E. Flynn, William T. Hughes, Peter H. Mansfield, Daniel C. Sweeney, Hugh J. McDonough, Dr. Andrew J. Flanagan, F.D.D., John J. Burke, Ernest F. Sears, Charles F. O'Connell.

William B. Belli, F.D.D., Leo D. Woedtke, F.D.D., Dr. Thomas N. Lanigan, William F. Boyle, P.S.Aud., Robert F. McCleary, Walter D Hanley, F.D.D., Francis M. Hart, Edward J. Ryan, John G. Flynn, Walter A. Swift.

Charles J. Jefferson, George F. McAnamana, Lawrence W. Kenney, P.S.Aud., Stephen A. Moynahan, John L. Shannon, Daniel J. Fitzgerald, P.S.Dep., John F. Collins, Frank L'Annunziata, F.D.D., Daniel M. Walsh, Jr., F.D.D.

Edward W. Collins, John F. Landers, F.D.D., John T. Quirk, Jr., Charles D. Sloan, Paul E. Collins, Edward L. Donnellan, J. Edward Marshall, Charles H. Hegarty, Francis E. J. McCarthy.

Richard T. Fenton, Dr. Robert N. LeMarche, Henry J. Rooney, Richard T. Cristman, Joseph J. Perry, Frank H. Croteau, Leo R. Smith, F.D.D., Gerard J. Baillargeon, Francis E. Cote, Lawrence J. Kenney, Francis M. Gatti.

NEWMAN COUNCIL, G.K.

Newman Council was merged with Home City Council in 1917.

James B. Carroll, Jeremiah W. Holian, Charles H. Maloney, James H. Maloney, Dr. J. Frank Tracy, James A. Mahoney, Daniel A. Neylon, Harold T. Murphy, Joseph E. Kerigan.

CHARTER MEMBERS, HOME CITY COUNCIL

J. H. Clune, J. W. Glynn, M. P. Sullivan, J. M. Harrigan, H. J. Donnelly, M. J. Manning, J. E. Sullivan, D. F. Sweeney, M. Hughes, A. J. Flanagan, J. M. Daly, D. H. Toomey, W. T. Mahoney.

J. J. Hart, H. J. McDonough, T. H. Tracy, C. J. Shine, J. Ivers, C. W. Phillips, T. Roche, G. Hotine, W. M. Buckley, T. F. Manning, C. J. Leary, W. T. Sheridan, J. D. Quinn.

Mr. Boland's Speech at the Dinner

Grand Knight Francis Gatti, Members of the Home City Council, My Brother Knights, Ladies and Gentlemen, I am grateful for the invitation that brings me to this 75th charter anniversary. When Francis Gatti sent me the invitation I readily accepted, for this climate and this event is a welcomed surcease from the problems of conflict, taxes, budgets, marches and dissent that pervade the Nation's Capitol.

Someone once said that "the more things change, the more they remain the same." And as one rolls back the years to 1892, one is struck by the seeming similarity of our times. The birth of your charter was surrounded by dissent and disunity, disorder and strikes, marches and bloodshed. And then as now, political harangue was the order of the day. It was a great year for the Democrats, for Grover Cleveland and Adlai Stevenson were elected President and Vice President. It wasn't exactly a landslide—they won only 400,000 of the popular vote. 1892 also saw the dawn of Charles A. Duryea's gasoline-driven automobile.

Out of all this turmoil, a sturdy band of men in this locality was granted a charter in an organization that was born just ten years before . . . in 1882 in New Haven, Connecticut, by Father Michael McGivney. That organization and this Council came into being to aid distressed members, to promote their welfare, to conduct educational, charitable, religious, social and patriotic activities.

From those years to this, the Knights of Columbus have been doing just that—oftentimes adjusting its mission to the temper of the times. It came to be the strong right arm of the Church, and poured its manpower and money into beating back discrimination against our church and its schools. It joined to solidify this nation in the wars that were waged. And it seems to be one of the few groups that keeps in proper perspective the mean conflict in which this nation is now engaged.

What the Knights of Columbus and this Council have done in the field of education, scholarships and youth activity is truly immeasurable. You are meeting the serious challenge of the smut peddlers—the long-haired men and short-cropped women—in their pornographic productions in book, magazine and movie. In this broad spectrum of your activities, you are attempting to build a better society for yourselves, your children and your country. The Knights of Columbus has a right to be proud of its character and deeds that have brought this Council to this magnificent milestone—to this diamond studded jubilee.

The "Knights Tower" that dominates the skyline of the northeast in the Nation's Capitol and pierces the heavens above the Shrine of the Immaculate Conception, is a constant reminder of and a tremendous tribute to, the part you have played and will continue to play, in the affairs of this nation.

For your efforts, I congratulate you on this 75th Anniversary, and I express the gratitude of the United States of America.

VIETNAM—A TIME FOR CALM HAS ARRIVED

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Young] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. YOUNG. Mr. Speaker, it seems to me that the subject of Vietnam has no longer become one for rational debate in this country, but the focus for divisive discussion, demonstration and counter-demonstration, charge and counter-charge.

It is my firm belief that the public events of recent months do not reflect well on the United States, and that the period for a moratorium on Vietnam debate may well have arrived in the country and in the Congress.

We have now heard all the arguments for and against our being in Vietnam in the first place. Emotions now cloud the fact that three Presidents have sustained our commitment.

We have heard arguments for and against continued bombing, although it is clear Hanoi is unwilling to offer any quid pro quo in return for a bombing halt.

We have heard arguments that the United States is doing too much or too little in Vietnam.

I think the time has arrived to secure a period of national calm on the Vietnam question.

I think the Congress ought to give the administration a period of calm where all the possible diplomatic efforts can be brought to bear to determine if peace talks can indeed be gotten underway.

More public debate, more congressional criticism, at this point will not contribute to any kind of meaningful international negotiations.

It is clear that the national debate raging in the United States on the Vietnam question has encouraged the men in Hanoi to believe that time is on their side.

It is clear that the men in Hanoi believe the United States is ready to fold its tent and slink away in the night.

I do not have a solution to the Vietnam problem.

But I do know that half a million American fighting men and billions in American resources are invested there, and the longer the divisiveness continues, the greater the tendency will be to lower American morale.

Let us stop the intemperate attacks being made on the President, who is doing his duty as President.

Let us stop slashing at each other in the Congress.

Let us try to restore reason to the American scene. Let us try to calm American emotions which have been aroused. Let us place the Vietnam situation in the broader perspective of American interests and American history, and call for a necessary period of national reflection—one might even say, national prayer.

SEATTLE ANTIPOVERTY PROGRAM

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. Adams] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ADAMS. Mr. Speaker, an excellent example of the way war on poverty funds are being used to provide meaningful jobs for the poor through the cooperative action of public officials, private industry, and private community groups is described in an article by Stan Nast entitled, "Jobs Now: New Future for the State's Jobless," which appeared in the Seattle Post-Intelligencer on October 5. This latest evidence of solid progress in Seattle's war on poverty should be of real interest to all Members of this body who are concerned, as I am, by opposition to the pending Economic Opportunity Amendments of 1967.

Mr. Speaker, with permission, I insert Mr. Nast's article at this point in the Record:

JOBS NOW: NEW FUTURE FOR THE STATE'S JOBLESS

(By Stan Nast)

A long-term program to provide permanent jobs with futures for unskilled Negroes and others now classed as unemployable was announced here yesterday.

The project got praise from the Rev. John Adams, Negro minister of the First African Methodist Episcopal Church, who has been harshly critical of other efforts for getting work for disadvantaged Negroes.

He attended a meeting in the Seattle Center at which the program, called JOBS NOW, was announced to more than 100 businessmen, including the Seattle area's major employers.

So did Gov. Dan Evans, who announced that $250,000 of his emergency fund will be used by the State Office of Economic Opportunity for job-finding and job-training programs, part of it in direct support of Jobs Now.

Others who explained and commented at the meeting were Mayor J. D. Braman; W. Price Sullivan, president of the Seattle Chamber of Commerce; Alan Ferguson, chairman of the chamber's Equal Employment Opportunity Division, which planned and will help administer Jobs Now; and Edwin Pratt, executive director of the Seattle Urban League.

Jobs Now asks employers, regardless of whether they are members of the chamber and regardless of the number of workers wanted, to place their orders with the Seattle Chamber of Commerce. The chamber will route the requests through certain existing agencies, which will send workers to the employer.

The new program differs greatly from any other tried here and even improves on a similar, successful program in Chicago, the only other city where anything comparable has been tried.

Except where absolutely necessary, there will be no restrictions on the job filler; he or she might not be dressed or groomed satisfactorily; he might not have much of an education; he might have a police record.

Cooperating agencies will counsel the worker before he reports to work, will help him get to the job, and, if he needs it, will help him iron out difficulties he encounters on the job.

Employers will see that the new worker reports to an informed, sympathetic person and is not discouraged on his first contact.

The Rev. Mr. Adams said Jobs Now appears to be a direct response to requests from Seattle's Central Area for the no-reject employment of unemployables.

"I'm delighted to see this effort," he said. "I don't know of any other instance in which such a massive program of employment has been developed."

Pratt, who said that Jobs Now is unique in that it requires employers to take a role in training at their own expense, estimated that under another job-finding program, the Skills Bank, there were 150 to 200 job seekers a month who could not qualify for job openings.

"In the next year or so," said the Rev. Mr. Adams, "the Seattle area must provide 3,500 more jobs for presently unemployable Negroes if the level of unemployment in the Negro community is to level out at the 3 per cent for the whites in the community."

He added that thereafter there must be 700 to 1,200 such new jobs a year, because of new families coming in.

He said that in six months this year in a similar program in Chicago 150 firms hired about 600 formerly unemployable people, most of whom succeeded on their jobs. Seattle's Jobs Now, he added, has a broader base than the Chicago program has, because here the effort is coordinated through state and city governments, the chamber, and existing placement agencies.

LET US CELEBRATE OUR RECORD PROSPERITY BY WORKING WITH THE PRESIDENT FOR A BETTER AMERICA

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. ALBERT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ALBERT. Mr. Speaker, today the United States broke through the prosperity barrier.

Today we mark the 81st month of sustained prosperity—the longest continuing economic expansion period in American history.

And, today, we salute a strong and resolute President, Lyndon B. Johnson, whose wise social and economic policies have made our prosperity possible.

It is no accident that since 1961 more than 9 million Americans have found productive and rewarding jobs.

It is no accident that total consumer income after taxes has risen 40 percent.

It is no accident that industry and business are expanding at an unheralded rate.

These are the result of conscious policies to expand and stimulate our economy.

They are the result of President Johnson's compassionate policies to help the poor and the aged and the deprived.

They are the result of using wise fiscal and monetary levers to keep a boom booming, and prime the pump with Federal investment if necessary.

When we have good jobs, when we see Government cut taxes, when there is enough to go around, when we have a prosperity which is shared by the businessman and the workingman, we applaud.

But we must also applaud when our President asks for the power to increase taxes or cut outlays, because that is in our economic interest, too.

Let us celebrate the new record of American prosperity not by merely making fine speeches.

Let us celebrate it by passing all those bills which President Johnson has called essential—the tax measure, social security, the antipoverty bill, the urban rebuilding measures, foreign aid, air pollution control, civil rights.

Let us celebrate our record prosperity by making America stronger and better and brighter for every citizen.

SHOULD PRESIDENT JOHNSON RUN AGAIN?

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. HATHAWAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, the Portland Sunday Telegram of Portland, Maine, recently published an editorial indicating that President Johnson should not run for reelection.

The following is the full text of a reply to that editorial written by the chairman of the Maine Democratic Party, George J. Mitchell. Mr. Mitchell points out the many excellent reasons why President Johnson should be supported for reelection.

THE EDITOR,
Portland Sunday Telegram,
Portland, Maine.

DEAR SIR: Although the purpose of this letter is to express disagreement with your editorial of October 22 entitled "President Johnson Should Not Run Again," I want to first express my appreciation to the Telegram for agreeing to print this reply in the space allotted.

The editorial contained a lengthy statement of things that are wrong in and with this country, implied that most or all of them are President Johnson's fault, and concluded that the best thing he could do would be not to run for the Presidency in 1968. Although I do not for an instant question your right to take any position you desire on this or any other matter, I believe that the editorial falls far short of meeting your own definition of a newspaper's obligation "to inform its readers fully, fairly and accurately." (Portland Sunday Telegram, October 4, 1964.) Last week's editorial may have been full, but it was not fair, and it was not accurate. It gave only one side of the story, without one word about what the President has done or proposed to do to meet the problems described, and it unfairly sought to blame him for just about every problem in America. It did not contain a single positive or constructive suggestion.

On the domestic scene, I believe that the record of the Johnson Administration is already one of remarkable achievement:

For the first time in history a comprehensive aid to education program was enacted, the benefits from which are already being realized throughout the country.

The American Negro has made greater advances toward true equality than under any President since Abraham Lincoln as the first major Civil Rights bill in nearly a century—the Civil Rights Act of 1964—was enacted.

The longest sustained economic expansion in the nation's history has continued, so rapidly in fact that the prime economic threat today is inflation, not recession.

Farm income, which actually dropped 17 percent from 1952 to 1960, has increased steadily from 1961 through 1967, and U. S. agricultural exports will total $6.8 billion in 1967, an all-time record.

The first major, coordinated assault upon the problems of our cities is being developed and implemented. It is on this point that your editorial is particularly lacking in balance. I do not ask that you agree with the concept of the Aid to Education Program, the Poverty Program, the Rent Supplement Program, the Air and Water Pollution Controls Acts, the Economic Development Act, the Model Cities Program, the Rat Control Program—but I do ask that before condemning him for the problems of our cities you at least tell your readers that these are the programs that Johnson has proposed and enacted, this is what he is doing about these problems.

One further comment on the problems of our cities. Almost every dictator in history has been assisted to power by a national police force. There is a deeply ingrained American tradition against a national police force, for we rightly believe that problems of law and order are best handled at the local level. But *responsibility follows authority,* and it is simply untrue to suggest that President Johnson is responsible for crime on the streets of America.

The same charge was made recently by a Republican study committee and the New York Times answered it with these words:

"It is the most transparent kind of seedy politics to assert that these terribly difficult and complex problems, decades and even centuries in the making, have erupted since the present Administration took office. . . . The root causes of discontent are of the immediate and continuing concern to all of us. The Republican leaders nowhere state what those root causes are. There is not a single word about jobs, housing, health care, education or other urban problems." (New York Times, July 26, 1967.)

I also disagree with the editorial's approach to the problem of inflation and taxation. As you know, even if the increase is adopted federal taxes will still be lower than they were when Johnson took office. The fact is that state and local taxes have been increasing steadily in recent years while federal taxes have been reduced. The Administration's position is that the tax increase is necessary to avert further inflation which will result from increased federal spending, primarily those expenditures for the war in Vietnam. Almost every responsible fiscal expert, including the Chairman of the Federal Reserve Board, who testified before Congress on this measure strongly supported the increase.

"The experts—economists, businessmen, financiers, union leaders—agree to a remarkable extent that a tax increase is needed this year to stop inflation and a rapid rise in interest rates that could seriously damage many areas of the economy. The near-unanimity of those who have education and professional qualifications to speak out on economic issues was, beyond question, the most dramatic and startling aspect of the hearings on President Johnson's proposed 10 percent tax surcharge that came to a close last week in the House Ways and Means Committee." (New York Times, September 17, 1967.)

Opposition to the tax increase comes from most Congressional Republicans, but also many Democrats, who argue that non-military federal spending should first be reduced. Yet when the President's Secretary of Transportation indicated that one such area of cuts might be in the highway program, and sought to evaluate the impact of those cuts, your editorial was critical of that. Thus, in three different sections of the same editorial, Johnson is criticized for proposing the tax increase, he is criticized for the inflation which will result if there is no tax increase, and he is criticized for suggesting spending cuts which opponents of the tax increase want!

Unfortunately the President's remarkable domestic record has been obscured by dissent and division over the war in Vietnam. But is this dissent unique? Is this really the most unpopular war in American history?

In the War of Independence, thousands of colonists supported the British. At one point during the war General Washington's army totalled 9,000 men and there was an almost equal number of Americans actually fighting for the British. During and after the war, 100,000 Americans who supported the British fled into exile. This in an America that had only 4 million people.

In the War of 1812, New England vociferously opposed the war and refused to halt its lucrative trade with England, even as British troops captured and burned the city of Washington. A substantial portion of the supplies needed by the British army was bought from Americans and shipped in American vessels.

The Mexican War of 1846 was bitterly opposed by many Americans, including Abraham Lincoln, who was then a Congressman. Lincoln later was to endure criticism and hostility of incredible proportions during the Civil War. Draft riots, dump-Lincoln movements, peace-at-any-price movements were common. Yet the nation weathered the storm and today Lincoln is regarded as one of the greatest presidents of our history.

Opposition to the Spanish-American War in 1898 and to the Korean War was also widespread, the latter being one of the major reasons for President Eisenhower's election in 1952. Only in the first and second World Wars were Americans genuinely united, with little or no dissent from the common cause.

Thus, contrary to what appears to be popular belief, the current situation is not without precedent in our history. This nation has endured greater trials, and has always emerged stronger and better. I am confident that the U.S. will emerge from this latest trial stronger and better, and even more deeply committed to freedom, to individual human dignity, and to the right of self-determination for all peoples.

Like so much of the recent criticism on Vietnam, your editorial of last week lacks in positive suggestions. With respect to your principal criticisms I offer the following comments:

(1) The aggression in Vietnam was instituted by the Communists. It is they who chose the locale, not the U.S., which has sought only to deter aggression. The only ways in which the U.S. could have prevented Vietnam from becoming a major confrontation between freedom and communism were (a) never to have gotten involved in the first place, or (b) to have withdrawn in early 1965 when the Communists were on the verge of a military victory. The first decision was made long before Johnson became President, and in the second he decided against withdrawal. In evaluating that decision, the reader should remember that when Johnson became President the U.S. already had treaty commitments in Vietnam, it already had thousands of troops there, and it was already pledged to support the freedom and independence of South Vietnam. These were decisions made by Presidents Eisenhower and Kennedy. So in early 1965, when the Communists were on the verge of a military victory in South Vietnam, Mr. Johnson was faced with the unpleasant choice between honoring those commitments at great sacrifice, or abandoning them.

Your statement that Johnson changed the war from what it was under Kennedy is true, but it does not tell the full story. Certainly he did, but because the circumstances were different. Can anyone doubt what Kennedy's decision would have been had he lived to face the decision Johnson faced in early 1965? This view is supported by a statement made by President Kennedy in September 1963, just two months before his death. Asked in an interview if he doubted the validity of the so-called domino theory—that all Southeast Asia would tumble if South Vietnam went down—Kennedy replied:

"No. I believe it . . . China is big, looms so high just beyond the frontiers, that if South Vietnam went, it would not only give them an improved position for guerrilla assault on Malaya, but would also give the impression that the wave of the future in Southeast Asia was China and the Communists. So I believe it.

"What I am concerned about is that Americans will get impatient and say because they don't like events in Southeast Asia or they don't like the government in Saigon, that we should withdraw. That only makes it easy for the Communists . . . we should stay." (*Newsweek* Magazine, October 30, 1967)

(2) The question of escalation, of how much force is enough and how much is too much, is a question of military tactics on which even military men disagree. The verbal battle between hawks and doves rages here even as the real battle continues in Vietnam. I do not profess to be any military expert, but it is difficult for me to accept your view that Johnson has "caved in to the hawks." Certainly the hawks don't think so, and the polls indicate that the vast majority of those Americans who are critical of the President's handling of the war believe that we are, as they put it, "fighting with one hand behind our back." They want more bombing, not less, more escalation, not less; they want to "get in and win it, no matter what it takes." The fact is that in Vietnam the greatest military power in the history of the world has been remarkably restrained in the application of its power, to a degree unprecedented in history, in spite of mounting domestic pressure to intensify the war to "get it over with."

The concept of a limited war, with restricted targets and careful control over the use of our military might, is relatively new and difficult for many Americans to accept. The all out national effort which generated such unity in the first and second world wars (and which may now be obsolete because of the existence of vast thermonuclear arsenals) still has a strong hold on the minds of many Americans, particularly those who have, or have lost, loved ones in Vietnam. If the reader will pause and try to recall every conversation he has had about Vietnam, is not the phrase heard most often "If we're there, we ought to do whatever is needed to win it, otherwise we should get out," or words to that effect? This is a rejection of the concept of a limited war. Historians of the next century may well marvel that Johnson has been able to maintain that concept for so long in a dynamic, growing, impatient country such as ours. I think that the President's fortitude in sticking with his policy of limited means and limited objectives, despite violent criticism from both hawks and doves, would have amazed Caesar, amused Napoleon, and been scorned by Hitler and Stalin; Churchill, I think, would have approved.

(3) I would guess that no one is more concerned than President Johnson over the fact that Americans are now bearing the brunt of the fighting in Vietnam. At the same time, is it surprising that years of brutal warfare have taken their toll of the Vietnamese national will? The U.S. did not refuse to help France in World War II after that country's will to resist collapsed before Hitler's war machine. Why then should we be so critical of a people who, without any traditions of nationhood, with little tradition of liberty as we know it, have endured the ravages of some 20 years of war in their homeland, and still continue to fight for their freedom, albeit not as effectively as we would like?

(4) Newspapers call for Johnson to quit, demonstrators call him a murderer, opponents blame him for everything under the sun, but let the Secretary of State say something in his defense and you call it a "diatribe." Freedom of speech is a two-way street, and the Administration has as much right to defend its policy as you have to criticize it.

As distressed as I am about what the war is doing to the U.S. and Vietnam, I am impressed by the fact that in over three years of intensive debate, discussion and argument, no alternative policy has yet been suggested that has attracted a majority of Americans to its support. This could mean that there isn't any better alternative policy, that perhaps Lyndon Johnson's policy is right and responsible after all.

Before closing I would like to comment on the weight which the reader should give to the editorial and to this reply. Anyone reading this letter will know that I am writing it as Democratic State Chairman; the reader will and should take this into account in considering what weight to give my views. What the reader should also know and consider is that the Portland Sunday Telegram has never endorsed a Democratic candidate for President. Thus, when one knows and considers that your newspaper has previously urged the defeat of such Presidents as Woodrow Wilson, Franklin D. Roosevelt, Harry Truman, and John F. Kennedy, it is not surprising that you now urge Mr. Johnson not to run again. In 1964, when you apparently couldn't decide between Goldwater and Johnson, you adopted the policy of not endorsing any candidate. In case your readers may have forgotten, I quote the lead paragraph of your editorial of October 4, 1964, entitled "A Newspaper's Mission":

"The Portland Sunday Telegram, in a major change of policy, will no longer endorse candidates for office, high or low. This position is not taken as a matter of convenience but to avoid any appearance of committing the newspaper to a candidate or a party in conflict with its obligation to inform its readers fully, fairly and accurately."

That policy didn't even last until next year's election, since it has now been violated by your editorial of last week which clearly endorses anyone who might run against Johnson.

It should also be pointed out that your consistent support for Republicans extends to public offices other than the Presidency. Thus, a man of the caliber and stature of Senator Edmund S. Muskie has never been endorsed by the Telegram. In two of the four major elections in which he has been a candidate you urged the people of Maine to vote against Ed Muskie. In the other two you took no stand. Fortunately for Maine, its voters think more of Ed Muskie than the Telegram does.

Let me emphasize that I do not in any way question your right to endorse every Republican candidate for every office for as long as you see fit. I do suggest that this background gives the reader a better perspective in assessing your editorial of last week.

While on the subject of endorsements, one final interesting thing about the editorial is that, while you urge Johnson not to run primarily because of his overly hawkish policy in Vietnam, it is entirely possible, indeed even likely, that the Republican candidate for President next year will be even more of a hawk. Nixon, the current leader in the race for the nomination, favors substantial escalation of our military effort, and Reagan wants even more force than Nixon does. Rockefeller has said only that he supports the Johnson policy. Of the four frontrunners, only Romney, whose position is a little unclear anyway, may be described as less of a hawk than Johnson, and his chances of getting the nomination seem to be decreasing every day. It will be interesting to watch your mental gymnastics on this issue if the race next year is between Johnson and Nixon, as now appears likely.

In conclusion, I believe that, your advice notwithstanding President Johnson will be a candidate next year and will be reelected.

Sincerely,

GEORGE J. MITCHELL,
Chairman, Maine Democratic State Committee.

AIR QUALITY ACT

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. NEDZI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. NEDZI. Mr. Speaker, last January President Johnson recommended that we adopt the Air Quality Act of 1967, legislation which would authorize a 3-year national program to reduce pollution in the air that Americans breathe. This meritorious legislation, which in modified form has been passed by the Senate and reported by the House Interstate and Foreign Commerce Committee, is of vital importance to the well-being of every inhabitant of the land.

More than 60 percent of all Americans live in areas afflicted with impure air. In some cities clean clothes drying on lines are dirty again by nightfall. New buildings are grimy before they are occupied. More than 142 million tons of aerial garbage are released into the air every year.

Only last week I received a petition from aroused constituents calling for a halt to damaging soot emissions from a local foundry. The foundry is operated by one of the major automobile companies upon which many of those who live in my district depend for their livelihood. A single constituent became so concerned about these emissions that he approached his friends and neighbors in an attempt to do something about them. The story of their commendable community action as reported in the Eastsider newspaper follows:

"About 900 fed up residents have signed a petition protesting the damaging fumes coming from smoke stacks at . . . 6235 Huber Avenue" said Richard Chwalek, 9131 Concord, this week. Chwalek hopes to present the petition to the Common Council, U.S. Representative Lucien N. Nedzi, and to Morton Sterling, City Smoke and Abatement Bureau Chief by the end of the week.

"I began circulating the petition September 28 because residents southwest of the City Airport were getting tired of seeing the unbelievable damage the fumes were doing to their homes, cars and to themselves," Chwalek said.

"New cars are being entirely damaged because the residue acts just like sandpaper. The material has completely pitted the aluminum siding of my home. I've also heard complaints by senior citizens who stay home all day. They complain of eye infections caused from the unhealthy fumes in the air."

Chwalek said that the neighborhood affected by the fumes is about 45 years old but it is kept up very well. "We don't have a home owners group to represent us so a few of my neighbors decided we should petition."

Corporation spokesman . . . said his company has "had periodic trouble with the foundry. *It's ironical because industrial writers have called this plant one of the most modern in the world.*" (Emphasis supplied.)

He said his company "is setting up procedures to handle insurance claims that residents may have. When the system is working properly, it fully complies with city regulations. But we've been having trouble with the pollution control devices. We are working very closely with Sterling and his departments."

Mr. Speaker, I believe situations such as the above dramatically establish the necessity for the Air Quality Act of 1967. This legislation provides the tools and a rational framework for mitigating this menace.

We have all been made keenly aware of the costly devastation to health and property caused by air pollution. We all share the impatience and anger of those who wish to see an immediate cessation of the continuing destruction of our natural environment, and particularly, of its most fundamental element, the air we breathe.

Dr. William H. Stewart, Surgeon General of the U.S. Public Health Service, has said:

> The problem of air pollution is a health challenge of the first magnitude confronting the American people.

The rate at which we Americans are destroying our environment is astounding. Air pollution can no longer be considered as a problem to deal with only at the crisis level. We must not legislate on air pollution only when our major cities are choking to death. We must take action to avert disaster. We should create a program which will help us to foresee these hazards and prevent them from occurring.

The Air Pollution Act of 1967 is an important step toward helping to eliminate air pollution and to safeguard future generations of Americans—to conserve our natural heritage not only for ourselves but our children and grandchildren and for all Americans who follow us.

I strongly support adoption of this bill and urge my colleagues to do likewise.

AIR QUALITY ACT

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MURPHY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, it is difficult for me to believe that America—a country with the highest standard of living the world has even known—has air which is harmful to breathe. And yet just last January, when he recommended that the Congress adapt the Air Quality Act of 1967, the President described just how harmful that air can become. The President said:

> Two months ago, a mass of heavily polluted air—filled with poisons from incinerators, industrial furnaces, powerplants, car, bus, and truck engines—settled down upon the 16 million people of Greater New York.
>
> For 4 days, anyone going out on the streets inhaled chemical compounds that threatened his health. Those who remained inside had little protection from the noxious gases that passed freely through cooling and heating systems.
>
> An estimated 80 persons died. Thousands of men and women already suffering from respiratory diseases lived out the 4 days in fear and pain.
>
> Finally, the winds came, freeing the mass of air from the weather-trap that had held it so dangerously. The immediate crisis was ended. New Yorkers began to breathe "ordinary" air again.
>
> Ordinary air in New York, as in most large cities, is filled with tons of pollutants: carbon monoxide from gasoline, diesel, and jet engines, sulfur oxides from factories, apartment houses, and powerplants; nitrogen oxides, hydrocarbons, and a broad variety of other compounds. These poisons are not so dramatically dangerous most days of the year, as they were last Thanksgiving in New York. But steadily, insidiously, they damage virtually everything that exists.

Mr. Speaker, air pollution is casting a long and dark shadow across the path of progress in America. And the shadow is growing. The President has warned us that air pollution has become a critical national problem, an economic burden of billions of dollars annually, and a serious threat to our health and welfare. The President has further warned that the problem is getting worse, and that if we do not increase our research and regulatory activities today, we will tomorrow lose the battle for clean air.

The proposed Air Quality Act of 1967 will enable us to deal with air pollution in a manner heretofore impossible—as a national problem requiring a national approach. It will enable us to increase our assistance to local and State agencies, to help them strengthen their own programs and it will move us toward levels of air quality to protect the public's health from polluted air.

During the period of congressional testimony on this bill expert witnesses have stressed over and over that polluted air is threatening our economic progress and our health. Many have insisted that we must accelerate our efforts now or face dire consequences later. The Air Quality Act of 1967 faces that challenge and enables us to take significant strides in stepping up the control of air pollution. I ask my colleagues to join me in taking these strides by approving this legislation.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Pettis (at the request of Mr. Gerald R. Ford), for November 2 through November 13, on account of official business.

Mr. Pelly, for 1 week, November 6 through November 10, on account of official business, Committee on Merchant Marine and Fisheries.

Mr. Cunningham (at the request of Mr. Gerald R. Ford), for the balance of the week, on account of official business.

Mr. Hagan of Georgia (at the request of Mr. Albert), for today, on account of official business.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. Wolff (at the request of Mr. Haley), for 30 minutes, tomorrow; and to revise and extend his remarks, and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

(The following Members (at the request of Mr. Haley) and to include extraneous matter:)

Mr. Wright.
Mr. Hébert.
Mr. Hanley.
Mr. Eilberg.
Mrs. Sullivan.
Mr. Kee.
Mr. Walker.

ADJOURNMENT

Mr. HALEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 4 minutes p.m.), the House adjourned until tomorrow, Thursday, November 2, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1187. A letter from the Deputy Secretary of Defense, transmitting a report of violations of section 3679, Revised Statutes, and Department of Defense Directive 7200.1, "Administrative Control of Appropriations Within the Department of Defense," pursuant to the provisions of section 3679(i) (2), Revised Statutes; to the Committee on Appropriations.

1188. A letter from the Comptroller General of the United States, transmitting a report of need for more effective guidance to States in establishing rates of payment for nursing home care provided to welfare recipients, Social and Rehabilitation Service, Department of Health, Education, and Welfare; to the Committee on Government Operations.

1189. A letter from the Attorney General, transmitting a report on identical bidding in advertised public procurement, during calendar year 1966, pursuant to the provisions of section 7 of Executive Order 10936 issued April 24, 1961; to the Committee on the Judiciary.

1190. A letter from the Special Assistant to the Secretary (for Enforcement), Treasury Department, transmitting the annual report of the Federal Bureau of Narcotics, for the calendar year ended December 31, 1966, pursuant to the provisions of section I of the act of June 14, 1930; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SISK: Committee on Rules. House Resolution 962. Resolution providing for the consideration of H.R. 12603, a bill to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes (Rept. No. 879). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules. House Resolution 963. Resolution providing for the consideration of H.R. 13094, a bill to amend the Commodity Exchange Act, as amended (Rept. No. 880). Referred to the House Calendar.

Mr. DAWSON: Committee on Government Operations, H.R. 9382. A bill to amend title 5, United States Code, to authorize payment of travel expenses of applicants invited by an agency to visit it in connection with possible employment; with amendment (Rept. No. 881). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. Senate Joint Resolution 33. Joint resolution to establish a National Commission on Product Safety; with amendment (Rept. No. 882). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BETTS:

H.R. 13792. A bill to amend the Internal Revenue Code of 1954 to permit the amortization of reorganization expenditures of railroad corporations, and for other purposes; to the Committee on Ways and Means.

By Mr. BRASCO:

H.R. 13793. A bill to amend the Public Health Service Act to provide special assistance for the improvement of laboratory animal research facilities; to establish standards for the humane care, handling, and treatment of laboratory animals in departments, agencies, and instrumentalities of the United States and by recipients of grants, awards, and contracts from the United States; to encourage the study and improvement of the care, handling, and treatment and the development of methods for minimizing pain and discomfort of laboratory animals used in biomedical activities; and to otherwise assure humane care, handling, and treatment of laboratory animals, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BROWN of Michigan:

H.R. 13794. A bill to amend the Federal Water Pollution Control Act in order to authorize comprehensive pilot programs in lake pollution prevention and control; to the Committee on Public Works.

By Mr. COWGER:

H.R. 13795. A bill relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; to the Committee on Ways and Means.

By Mrs. DWYER:

H.R. 13796. A bill to prohibit federally insured banks from making unsolicited commitments to extend credit, and for other purposes; to the Committee on Banking and Currency.

By Mr. HARRISON:

H.R. 13797. A bill to authorize the sale of certain public lands; to the Committee on Interior and Insular Affairs.

By Mr. HAYS:

H.R. 13798. A bill to improve certain benefits for employees who serve in high-risk situations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ROSTENKOWSKI:

H.R. 13799. A bill to amend the Nurse Training Act of 1964 to provide for increased assistance to hospital diploma schools of nursing; to the Committee on Interstate and Foreign Commerce.

By Mr. ST GERMAIN:

H.R. 13800. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WHALLEY:

H.R. 13801. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. WILLIS:

H.R. 13802. A bill to amend section 81 of title 14, United States Code, to expand the functions and powers of the Coast Guard with respect to certain aids to marine navigation; to the Committee on Merchant Marine and Fisheries.

By Mr. ABBITT:

H.R. 13803. A bill to require applicants for permits to parade in the District of Columbia or on property of the United States to post a bond to cover certain costs of such parade; to the Committee on Public Works.

By Mr. CONTE:

H.R. 13804. A bill to amend the Nurse Training Act of 1964 to provide for increased assistance to hospital diploma schools of nursing; to the Committee on Interstate and Foreign Commerce.

By Mr. CRAMER:

H.R. 13805. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KORNEGAY:

H.R. 13806. A bill to require persons holding demonstrations on Federal property or in the District of Columbia to post a bond to cover certain costs of such demonstrations; to the Committee on Public Works.

By Mr. MATHIAS of Maryland:

H.R. 13807. A bill to provide for the registration of automotive repairmen in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 13808. A bill to provide for the registration of radio and television repairmen in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. PRICE of Illinois:

H.R. 13809. A bill to amend the Internal Revenue Code of 1954 to provide that certain awards in recognition of outstanding achievement in the field of sports shall be excluded from gross income; to the Committee on Ways and Means.

By Mr. O'NEILL of Massachusetts:

H.R. 13810. A bill to amend the Nurse Training Act of 1964 to provide for increased assistance to hospital diploma schools of nursing; to the Committee on Interstate and Foreign Commerce.

By Mr. CHAMBERLAIN:

H.R. 13811. A bill to prohibit electronic surveillance by persons other than duly authorized law enforcement officers engaged in the investigation or prevention of specified categories of offenses, and for other purposes; to the Committee on the Judiciary.

By Mr. CLARK:

H.R. 13812. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. JOHNSON of Pennsylvania:

H.R. 13813. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. MACHEN:

H.R. 13814. A bill to amend chapter 55 of title 10, United States Code, to provide additional dental care for dependents of active duty members of the uniformed services; to the Committee on Armed Services.

By Mr. MATSUNAGA:

H.R. 13815. A bill to amend title 37 of the United States Code in order to provide an allowance for members of the Armed Forces wounded in Vietnam while on convalescent home leave for certain travel to medical facilities of the Armed Forces; to the Committee on Armed Services.

By Mr. MOORHEAD:

H.R. 13816. A bill to amend the Internal Revenue Code of 1954 to extend the head-of-household benefits to unremarried widows and widowers, and individuals who have never been married or who have been separated or divorced for 1 year or more, who maintain their own households; to the Committee on Ways and Means.

By Mr. GALIFIANAKIS:

H. Con. Res. 567. Concurrent resolution relative to air safety; to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAM D. FORD (for himself, Mr. DINGELL, Mr. DIGGS, Mrs. GRIFFITHS, Mr. O'HARA of Michigan, Mr. NEDZI, and Mr. CONYERS):

H. Con. Res. 568. Concurrent resolution expressing the sense of Congress that the United States should have one uniform nationwide fire reporting telephone number and one uniform nationwide police reporting telephone number; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 13817. A bill for the relief of Salvatore Aurora; to the Committee on the Judiciary.

By Mr. AYRES:

H.R. 13818. A bill for the relief of Renato Costanti; to the Committee on the Judiciary.

By Mr. HALEY:

H.R. 13819. A bill for the relief of Dr. Mihalj Matko; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 13820. A bill for the relief of Josefina A. Leano; to the Committee on the Judiciary.

By Mr. O'KONSKI:

H. Con. Res. 569. Concurrent resolution expressing the thanks and appreciation of the Congress and the American people to Col. Francis S. Gabreski, U.S. Air Force, for his courageous services to his country; to the Committee on Armed Services.

EXTENSIONS OF REMARKS

Boys From Syracuse

EXTENSION OF REMARKS

OF

HON. JAMES M. HANLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 1, 1967

Mr. HANLEY. Mr. Speaker, this past weekend, the 174th Tactical Fighter Group, the world famous "Boys from Syracuse," celebrated its 20th anniversary.

The group was founded on October 28, 1947, by Lt. Col. Michael C. Malone as a component of the organized State militia. The first meeting was attended by only a handful of men, 16 officers and 35 airmen. Out of that small number, however, the group's present leader, Col. Curtis Irwin, has molded one of the most capable fighting units ever assembled.

Over the years, the "Boys from Syracuse" have been the recipients of numerous awards and citations. In 1963, they were cited as the outstanding unit of the New York Air National Guard and they received the NYANG commander's trophy. The following year, they received the TAC Achievement Award for flying safety, and in 1965, they were awarded the Pentagon's On-the-Job Unit Achievement Award from the National Guard Bureau for the most outstanding training program. That same year, they received the Gen. Lewis Evans Boutwell Award as the most combat-ready jet fighter group in the entire 102d Tactical Fighter Wing.

During the Berlin crisis of 1965, the "Boys from Syracuse" were called up to fly ground support missions for the U.S. 7th Army serving in France. Their service was most commendable and won widespread acclaim.

Mr. Speaker, I am proud to represent the headquarters area for the 174th Tactical Fighter Group, which is located at Hancock Field in Syracuse. I am prouder still to represent these valiant airmen who have dedicated themselves to the freedom and security of America.

Needed: Interstate Attack Against Air Pollution

EXTENSION OF REMARKS

OF

HON. JIM WRIGHT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 1, 1967

Mr. WRIGHT. Mr. Speaker, air pollution does not respect political boundaries.

As President Johnson, who has provided great leadership in this field, said in January when he sent the administration's suggested air pollution program to the Congress:

> Winds carrying waste gases have no respect for manmade political boundaries. The question we must answer is: Shall we, the victims of pollution, hinder our fight against it by concerning ourselves more with artificial boundaries than with our people's health?
>
> Today, although many of our severest pollution problems involve more than one State jurisdiction, there is not a single effective interstate program in the Nation. Efforts to achieve uniform control activities among neighboring States and communities have failed, despite added Federal financial incentives.

The Air Quality Act of 1967, which will be coming to the floor shortly for debate and vote, contains provisions to assure that there will be an interstate attack on air pollution: the Secretary of Health, Education, and Welfare is required to indicate those regions, interstate in nature, which need to have air pollution treated as a regional problem and for which planning commission funds will be provided by the Federal Government.

This provision is a vitally important one, and it is one of the many new provisions which cause me to say that I will support the bill when it comes to the floor.

The Kee Report: Antimissile Defense

EXTENSION OF REMARKS

OF

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 1, 1967

Mr. KEE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include last week's public service television and radio newscast, "The Kee Report." The subject discussed is antimissile defense. The report follows:

This is Jim Kee, bringing you the Kee Report.

Our Government recently made one of the most important policy decisions in the history of the United States. It was also one of the most reluctant.

Because of the growing menace of the nuclear stockpile now being built by Red China, the Federal Government decided that a nuclear defense system is urgently needed to protect our country against sneak attack.

This defense line will be designed to protect against enemy missiles only, and not against invading ships or airplanes. It will cost about five millions of dollars and it is intended to guard our country at least until 1980. Because, eventually, a far more expensive defense system may be necessary, the newspapers describe the one now proposed as a thin defense.

Today's mass destruction weapons are deadly in execution. They are also complex enough in operation to baffle those of us who are untrained in the specialized field of science. Despite this fact, I shall now try to explain in non-technical terms how this defense system proposes to operate.

The new system will be composed of fifteen or twenty anti-missile batteries located at outposts in Alaska and Hawaii and along our extended coastlines. Please think of these batteries as automatic sentinals able to detect the approach of enemy missiles and geared to send up our own missiles to search and destroy. In other words, the job of the American sentinal is to seek out and explode the enemy missile before it lets loose its destruction upon our towns and cities.

It may require two years or more before this defense system is in operation. In addition to the construction cost of five billions of dollars, it will take 500 millions annually to keep it on operation.

The anual outlay for defense by the United States now exceeds the costliest year of World War II. The cost will climb each year. In other words, we are now engaged in the most terrifying arms race in human history, the pace of which seems to increase as each year goes by.

The American people are unanimous in their desire for peace. The American people are against war. The idea of conquering other people or other territories is contrary to every decent citizen. In the face of this, suppose we examine the national conscience to see if our Government is responsible in any degree for the current nuclear arms race.

The United States and its allies first unlocked the secret of the atom during World War II. As a result, they had a monopoly on the most destructive weapon ever invented. They could have employed this monopoly for selfish purposes. Instead, in the grandest gesture in history, the United States and its allies offered to surrender this monopoly to international control in return for proper safeguards.

This offer came before the United Nations about 20 years ago. Every nation in the world voted to outlaw these mass destructive weapons except Soviet Russia and the satellite nations under the domination of Moscow. In other words, Stalin and Stalin alone plunged the world into the nuclear arms race. Since then, in defiance of world opinion, Red China has stepped up the pace by joining the nuclear club on a massive scale.

Since Stalin made his fateful decision, both the free world and the Communist nations have expended hundreds of billions on costly armaments and the end is not in sight. This is the dreadful burden which Communism has forced upon the whole human race.

Thank you for listening.

Justice Department's "Volunteer Observers"

EXTENSION OF REMARKS

OF

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 1, 1967

Mr. HÉBERT. Mr. Speaker, at this moment the Department of Justice is attempting to intimidate the electorate of Louisiana by the presence of so-called "volunteer observers."

As a result of this effort, I caused to be published in the New Orleans papers the following letter which explains the situation.

The open letter follows, as I think all ought to be aware of what is happening:

AN OPEN LETTER TO ALL ELECTION COMMISSIONERS, FIRST CONGRESSIONAL DISTRICT

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C.

DEAR COMMISSIONERS: The Department of Justice, under provisions of the so-called 1965 Civil Rights Voting Act, has directed several Federal Agencies to provide "volunteer observers" at the polls on election day.

I have challenged this procedure on the basis that such participation by Civil Service employees is a violation of the Hatch Act. The Attorney General of the United States disagrees with me but does admit that if these so-called "volunteer observers" do more than merely look and observe, they are then in violation of the Hatch Act. In other words, the only thing these so-called "volunteers" are supposed to do without violating the Hatch Act is to look and listen. They are not supposed to interfere with any voter, to assist any voter, to register any voter, to violate any State Law: they are only to do what the U.S. Attorney General says they are supposed to do.

In order that there can be no misunderstanding, I am quoting below from a letter dated October 23, 1967, received by me from Mr. John Doar, Assistant Attorney General, Civil Rights Division. The emphasis is mine but the language is Mr. Doar's, in toto, and nothing out of context:

"The Hatch Act forbids each federal officer 'to use his official authority or influence for the purpose of interfering with an election or affecting the result thereeof,' (5 U.S.C. 118i). Federal observers are assigned to those parishes in which the Attorney General finds there is a need to determine firsthand whether persons entitled to vote are being allowed to vote and whether their votes are being properly counted and tabulated. *They are present only as observers and do not interfere with or attempt to influence the voting process*, their function is to report to the Attorney General so that he may exercise his responsibilities for enforcing the Voting Rights Act. Their right so to observe is protected by order of the three-judge federal district court, in United States v. Louisiana, 11 R.R.L.R. 1879 (August 12, 1966). *Of course, if they misused their authority and engaged in partisan political activity, they would then violate the Hatch Act and action would have to be taken against them."*

I have publicly stated and repeat now, that if any violation of the Hatch Act is brought to my attention I will immediately take proceedings against these individuals. Therefore, I am asking you for your full cooperation to preserve the integrity of our rights in this section of the country. If you observe any one of these individuals doing anything other than listening and looking, as far as the conduct of the election is concerned, please notify me immediately and I will take the proper steps to prosecute.

I further direct your attention to the statement of the Attorney General that the observers will merely be there to report any infractions which they observe. Clearly, this means they cannot participate in any manner in the conduct of the election. Their only function, according to the Attorney General, is to report after the fact, for the Attorney General to decide whatever action is considered necessary.

I am accepting the U.S. Attorney General's position but I am demanding that it be carried out to the letter.

I am determined that the law shall be enforced without fear or favor to anyone, regardless of race, color or creed and I shall not tolerate the continued violation and domination of our free elections by federal power and usurpation.

I again ask your full cooperation and again repeat: if any of these "volunteer observers" do anything more than look and listen, please let me know.

Sincerely,

F. EDW. HÉBERT,
Member of Congress, First Congressional District, Louisiana.

Senator Montoya Addresses Missile Electronic Warfare Technical Meeting

EXTENSION OF REMARKS

OF

HON. E. S. JOHNNY WALKER

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 1, 1967

Mr. WALKER. Mr. Speaker, Senator JOSEPH M. MONTOYA, of New Mexico, today delivered a talk before the missile electronic warfare technical meeting at White Sands Missile Range, N. Mex.

New Mexico is an ideal place for such a technical meeting, because my State has been in the forefront as far as scientific endeavors are concerned since the dawning of the atomic age. Scientists at Los Alamos, N. Mex., worked during the early 1940's on the Manhattan project. The project resulted in the first atomic explosion at Trinity site, which is just a short distance from Alamogordo, and is part of White Sands Missile Range. We of New Mexico are not willing to rest on our past achievements. The New Mexico delegation is now working diligently to make our State the center of the Nation's electronic research. It would be very difficult to find a place in the world with more sophisticated electronic hardware. But even more important, the number of technical personnel and the high quality of such personnel now in New Mexico, or willing to locate there, will keep the United States in the lead.

Senator MONTOYA's speech follows:

It is a privilege and a pleasure to return to White Sands and be with you on the occasion of this missile electronic warfare meeting being conducted by the Missile Electronic Warfare Technical Area, U.S. Army Electronics Command and commonly known as MEWTA.

I am very familiar with the activities of White Sands and the important work being done here.

We here—now—are at the heart of the Missile Electronic Warfare capabilities and vulnerabilities of the United States. That heart is in my constituency.

I find electronic warfare a subject that is rapidly coming to the forefront in many of our defense systems. Electronic warfare covers not only the complete spectrum of electro-magnetic frequencies, but also the combat spectrum ranging from underwater, to surface, air, and space as well.

Gentlemen, the world-wide balance of power is shifting. While we are preoccupied with the Vietnam quagmire and worries about Red China, the U.S.S.R. is engaged in a top priority technological arms race—simultaneously, on an unprecedented scale, bending military iron, pouring military concrete, developing an international military base structure, and obviously questing for world-wide military dominance.

Concern with the swift U.S.S.R. parallel build-up in offensive and defensive forces, possibly coupled to a date of Soviet-believed readiness for war, is one of my reasons for appearing before this distinguished group. I hope in this and other addresses to focus the attention of the Nation on the critical balance of terror; on the fact that the Soviets could be convincing themselves, albeit erroneously, that they could win in an all-out war against the U.S. Not a threat of war in a distant future, but a credible threat of an incredible Soviet-initiated war early in our time.

The missile electronic warfare capabilities of the United States could make the difference.

Missile Electronic Warfare gives promise to deny decisive credibility to enemy strategic weapons of mass destruction; to return the Soviets to a road marked "sanity."

Missile Electronic Warfare has started to save the lives of American soldiers, sailors, marines, and airmen, daily in the military theater of Vietnam. In August of this year, Defense Secretary McNamara noted that: "Electronic countermeasures equipment, installed on U.S. aircraft during recent months, has proven highly effective against enemy radar sites. This has permitted aircraft to fly higher, out of range of small arms ground fire." He said, also, that: "New Air Force tactics, made possible largely through the use of ECM, have lowered the risk and made attacks more effective." So we can see how your major field of concentration is affecting America on a daily basis. But now we must look at a still larger picture.

I would like to share with you some of my thoughts and impressions that are pertinent to this meeting and to recent developments in your area of interest that I am acquainted with.

White Sands, with its extensive test and evaluation facilities and its highly skilled personnel, is performing a vital role in the development of combat missile systems for the U.S. Army. The testing, analysis, and refinement of the Army's missile weaponry that is being done at White Sands assures us that these offensive and defensive missile systems will hit their targets under combat operating conditions.

The combination of the extensive range facilities, the specialized instrumentation and the remote location of White Sands makes it an ideal location for testing our most advanced missile systems.

White Sands Missile Range has been active in testing techniques and hardware applicable to the Anti-Ballistic Missile Defense system. Recent increased emphasis on this program by the Department of Defense should find White Sands playing an even larger role in the development of this system in the years ahead.

In addition to its support of the Army missile programs, White Sands Missile Range also serves as a test area for advanced research projects being conducted by the other Services, NASA, and various research organizations.

You have had to struggle against some powerful obstacles. The first seems to be inertia. I am constantly surprised at the lip-service that is paid to Missile EW and its complement . . . system vulnerabilities. Coupled with this is a history of negligible support.

The Missile EW community at this meeting have long recognized the deadly seriousness of missile system vulnerabilities, both U.S. and foreign. For the past one and a half decades this problem has provided your mission in life. Your hopes for recognition will come to pass, if this Senator can make it so.

But I was amazed, therefore, at the lack of timely U.S. Missile Electronic Warfare successes in the recent history of battles. With such fine field assets, I was amazed at the lack of an adequate Missile EW focus, from above. I was amazed at the invariant high level tendency toward an early glossing-over of the inadequacies, the vulnerabilities, of systems with which we initially confronted our enemies; at an inherent high-level complacency of some planners with regard to the EW capabilities of the enemy. This kills American boys. This must not be allowed to persist. I could not cease to be amazed at the lip-service paid to Missile EW and its complement, system vulnerabilities . . . lip-service and a history of negligible solid support. Without intending to pun, Electronic Warfare makes waves; bureaucrats and planners, alike, tend to avoid waves; so do contractors in the definition phases of a contract. But that is the time—the very time—to start thinking about the enemy!

My staff has found that the vulnerability aspects of Electronic Warfare rarely, if ever, adequately influence a go-ahead signal, or a halt, on a missile system contract; in fact these aspects are ignored more often than not. Compared with the power of missile system proponents, the EW assets are so very, very sparse, and held down to such very, very, low and weak levels. The EW message rarely, if ever, reaches a sufficiently-high command level in the developmental and production-decision cycle; if it does, rarely, if ever, is it given necessary and deserved preponderant weight. Worse: Rarely, if ever, has an EW unit not under the thumb of the program manager, been allowed to have full insight into early knowledge of the system to be questioned, in order to table a timely early objection, and to form a basis for timely early system amendments—before the bending of iron, and long before full-scale deployment. No, the motto seems to have been: Spend the available money first, then go back to Congress for more money. Even now, there might not be time to go back to Congress for more money.

The questions you deal with are rapidly becoming life and death matters for our nation. One that continually draws my attention regards our own missile systems. Can these multi-billion dollar systems, those operational and planned for future operations, withstand a determined and knowledgeable primary enemy if he exploits his full EW capabilities? In some cases, yes. In some tragically serious cases, I know enough to doubt it. Again the answer to this lies with you, and you must be given the tools with which to do the job.

We know that in the light of modern offensive and defensive net evaluation, the numbers game of opposing military forces is no longer of predominant significance. Rather, the technological ability to penetrate successfully, and to deliver undamaged strategic weapons of even limited force is now far more important than a mere head count of available delivery vehicles, warheads, throw-weight or comparisons of megaton yields. The technological ability to totally deter a missile force from weapons delivery during a few crucial hours may no longer be dependent upon the size or potential yield of that force. Again, the answer lies with you and your work.

Missile-for-missile deterrency will no longer work in this era of long range, high altitude, widespread nuclear radiation kill effects. These are all well understood and exploited by our own country and the Soviets.

For these are critical times, and electronics pervades all critical weapons areas. The confidence with which existing and currently budgeted electronics systems can be counted upon to operate effectively in a battle environment is inversely proportionate to the effectiveness of opposing EW. The concern of the Soviet Union with radar vulnerabilities to electronic countermeasures can be exemplified by the degree of effort placed on their track-while-scan principle, which became the basis for the so-called SA-2 antiaircraft guided missile system. They started early on their system. We started late with our countermeasures. We still can't use current strategic bombers strategically over North Vietnam solely because of that damned missile system. Did we know about it early enough? Yes. Can we beat it? Of course! Could we have beaten it earlier? Of course! The Soviets have long recognized EW as a unique and extremely important weapon of war. Do we objectively review our vulnerabilities to it, and their vulnerabilities also? We shall, and our surprises will not be so costly in the future.

Countermeasures, counter-countermeasures, hardening of electromagnetic systems against transient radiation effects and other long range radiation effects, objective self-criticism on that score, objective net evaluation of our systems effectiveness against a dynamic enemy, all of these are elements in my value-judgments; all of these factors fall within the designation "Electronic Warfare". All of these factors are crucial to the viability of the United States. All of these must be supported, here, adequately, and timely. This I intend to ensure.

It is, therefore, to you, the experts on Electronic Warfare, that one of the fundamental technical spectra of the strategic balance has been entrusted. Technological surprises or dramatic breakthroughs cannot be overlooked. If not for you, the Soviet Union could alter the existing balance of strategic forces that favor the United States, and at a startling pace.

Now we see the threat. Yet does it not appear to you rather remarkable that more support was not given to EW in general, and to the missile EW complex here at White Sands in particular?

It certainly appears remarkable to me. But upon what must I base my military program approvals? Political party position? In Electronic Warfare there is none. Military committee decisions and recommendations? Yes, if all factors have been considered to my satisfaction; but I can't find factors of Electronic Warfare in their conclusions, so they were apparently not in the imput data to those committees. Conscience? There is a good support! But technical guidance for my conscience? The Executive Branch is both technical proponent and technical advisor.

When I require guidance as to the need or adequacy of a particular system, it must be based upon Intelligence; both C.I.A. and D.I.A. are arms of the Executive Branch. When I need guidance as to supporting the thrust and extent of military research and development—its necessity and adequacy—it must come from the Department of Defense, itself. If I question value judgments—systems credibility in the face of scientific phenomena exploited by the enemy net evaluation—none but the cognizant officers or their chosen representatives are ever deemed technically qualified to respond—Arms of the Executive Branch. If I still question, when I need guidance as to objectivity of the proponent, realistic costs, manner of projected or past expenditures, effectiveness and operational value of the product—I must turn to the Bureau of the Budget, another arm of the Executive Branch.

Please, don't misunderstand, I admire the Executive Branch and respect it for the almost impossible tasks it is called upon to surmount in service to the country. But its rabbits are minding the most costly and most crucial cabbage patches, and it is not unknown for them to get all fouled up. At least, a Senator cannot accept all programs at stated face value. Senators must develop relationships, through their staffs, with carefully chosen, objective, experienced, relatively independent experts, in support of conscience and objective Senatorial actions. One objective arm of the Executive Branch upon which I shall depend is right here, on the factual-judgment level, and well separated from the more subjective policy levels. Of course, I would expect that the commands would bless, monitor, and support the MEWTA asset.

MEWTA is an activity under the command of General Latta, who also heads the Army's Electronics Command at Fort Monmouth, New Jersey. The Electronics Command has the reponsibility for conducting the Army's research and development in the non-communications electronic warfare field.

MEWTA provides a unique capability in the missile electronic warfare segment of that field. It has the responsibility of determining the vulnerability of our missile systems and other missile systems considered to be a threat to our forces, and to recommend development of suitable electronic warfare systems to cope with the situation.

Its charter also includes performing analysis of our ballistic missile systems, analysis of our ballistic missile defense systems, and their deployment to determine their combat operational effectiveness.

This is indeed a formidable task.

This meeting which brings together many of the most highly specialized and talented people in the electronic warfare profession is indicative of the type and calibre of effort required to conduct successful research and development in this field.

Electronic warfare may be considered to be a new dimension in modern warfare. Although it was first introduced in the World War II time period to degrade the effectiveness of enemy radar and navigation systems, it has now progressed to a highly sophisticated science that is included in the design and tactical deployment of every weapon system that must penetrate a complex enemy electronic defense environment.

This exacting science requires that the finest scientific and technical resources be applied to the problems at hand.

This is the job that faces each of you here today. In this room are scientists, engineers, educators, technicians, combat operations and management specialists in the field of electronic warfare. You must all work individually and collectively to come up with the analysis, the hardware, and tactical solutions required.

In this ever changing environment, you are called upon to react quickly to new defense situations. New hardware must be designed and tested and new tactics must be determined. This is a team effort with members ranging from scientists working in areas of basic research to designers putting new ideas into hardware, and operations analysis determining new tactics for the commander in the field to put in his "Bag of tricks".

Electronic warfare can be called a "cat and mouse" game of sorts in which the mouse attempts to outwit the cat and gain the advantage. The electronic warfare version of this game employs the most advanced technology available to the players. Current techniques sometimes make it difficult to determine who is the cat and who is the mouse in any given situation, and furthermore, who has the advantage.

Each of you is frequently called upon to provide a new or revised electronic warfare capability to counter a new enemy electronic system as soon as it is discovered. On many occasions this involves engineering analysis of systems that are often times poorly defined, and a fast response time that must be met to negate any advantage the enemy may enjoy with his new system.

This calls for an extraordinary contribution from every member of the team in personal sacrifice of time and energy, and technical resourcefulness to meet the challenge with the tools at hand.

Electronic warfare is a game of reaction. We must not only know the enemy's equipment and tactics, and the weakness therein. But we must anticipate changes and improvements in his electronics inventory.

This means that we must maintain a broad base of research and development in the field of electronic warfare so that we are able to select techniques and hardware as the need arises. At MEWTA we must ensure that our electronic warfare capability is such that our national security is not jeopardized.

This will enhance our ability to reach to threats facing our nation. In the situation where our newest equipment can become obsolete overnight, we must be prepared to meet the new technical challenge with every resource at our command.

A dynamic and comprehensive electronic warfare research and development program that will provide at MEWTA a readily available reservoir of electronic warfare technology is a resource that must be provided to the Department of Defense.

A characteristic of electronic warfare research and development is that it tends to be neglected between periods of national crisis. It is revitalized as soon as hostilities break out, and crash efforts are made to catch up as quickly as possible. We must maintain continuity in our research and development programs in order to keep abreast with the latest ECM and ECCM techniques and equipment in the field. We cannot afford the luxury of an electronic warfare vacation between national emergencies.

It is essential that a continuous research and development program for electronic warfare be maintained and supported to meet future needs of the military. This in turn must be backed by sufficient resources, both money and personnel, to insure completion of assigned tasks. As the enemy's electronic warfare capability and electronics are continuously being expanded and refined towards sophisticated weapon systems, the U.S. must constantly maintain the proper vigilance to insure that we can meet any enemy threat in electronics. This is what I mean by net evaluation. The electronic warfare program for the Services must never be allowed to be diluted or enter into a state of limbo. Support for these highly sophisticated electronic warfare programs must be backed by all agencies responsible for safeguarding the integrity and defense of this country. Industry must be given the opportunity and responsibility of continuously providing research and development for future land, air, sea and space applications. This will provide the United States with the necessary electronic warfare resources to prevent operating on a crash program basis as we have done in the past.

The extensive facilities of the White Sands Missile Range, the unique capability of MEWTA, and the resources of Sandia Base and Los Alamos must continue to work closely with our partners in industry and other research organizations to insure that we maintain the technical advantage so necessary in the field of missile electronic warfare.

The true effectiveness of electronic warfare systems, the vulnerability of our missile systems, and future electronic warfare systems requirements can only be defined by extensive and realistic operational testing in a suitable environment.

White Sands is well suited to perform more of this type of testing and evaluation.

I will continue to work with the Department of Defense to assure that the resources of White Sands Missile Range, MEWTA and other New Mexico facilities are recognized and that they will be given the opportunity to realize their full potential in the test and evaluation of future missile programs and related electronic warfare systems.

We should examine the possibilities of utilizing this area as a central test area for other electronic warfare testing to include aircraft as well as missile systems.

We should also consider the MEWTA assets at White Sands as an Anti-Ballistic missile system defense laboratory.

New Mexico State University has played an important role in supporting the activities of White Sands Missile Range. I anticipate that it will contribute even more in the future to the work being done by White Sands Missile Range and MEWTA in the technical evaluations and analysis of missile systems.

The significance of electronic warfare is quite apparent in Department of Defense thinking these days. A Department of Defense Electronic Warfare Board has recently been formed to review the electronic warfare programs of the military Services. The President's Science Advisory Committee is also devoting serious attention to the subject of electronic warfare and the role that it plays in modern day military operations.

I personally plan to help further an understanding of electronic warfare among my associates in Washington. It is a subject not widely understood nor its importance recognized. I will need your cooperation and support in keeping me abreast of developments in this field.

Each of you here this morning is contributing to the Army's missile electronic warfare program. It is up to you to help analyze the problems, define the requirements, and deliver the equipment to meet the needs. Every task is of extreme importance to the future survival of our nation.

My technical advisors have remarked about the fine scientific coverage in this symposium. When we convene next year at the same time, in the same place, on the same subject at this national Missile EW Center, I expect that the sharp focus which will have been established in your support, will show up in your vastly enhanced capabilities. I expect that this region shall be ringed with developmental and production facilities of private enterprise, adequately supported by the government. With our form of government this is always the winning combination.

And win we shall. Let all know, the price of war against us has gone up; we complain only about the pace of our past advancements and the cost-effectiveness of our measures.

I am of peaceful mind, but of a mind to say that, confident of our strength, we may more testily lose patience in the face of crises intentionally created by our adversaries. They should right now hesitate and ponder over the advisability of depending upon attacks which would, at best, even now, be highly uncertain of success; that uncertainty will become certainty of failure. So much, you are seeing to. The "Raven" need not act like a "hawk" or a "dove", but the "Old Crows" would make tough chewing. Missile Electronic Warfare has arrived, and this facility at White Sands is its national center.

It has been a pleasure being with you this morning.

I wish you a successful conference and every success in meeting the challenges that you will encounter in the future.

Consumer Affairs Subcommittee Again Splits 6 to 6 on Consumer Credit Bill Despite Unanimous Endorsement by President's Consumer Advisory Council

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 1, 1967

Mrs. SULLIVAN. Mr. Speaker, the Subcommittee on Consumer Affairs of the House Committee on Banking and Currency has completed its work on H.R. 11601, the Consumer Credit Protection Act which I introduced on July 20, as chairman of the subcommittee, in behalf of myself and Representatives GONZALEZ, MINISH, ANNUNZIO, BINGHAM, and HALPERN. An identical bill, H.R. 11806, was introduced by the ranking member of the parent committee, Representative MULTER, with many cosponsors.

The subcommittee, as I said, completed its work on the bill, but split 6 to 6 yesterday on the motion to approve the bill for consideration by the full committee. Previously, we voted, also on a 6-to-6 tie, not to substitute the credit disclosure provisions of Representative HANNA's bill for section 203 of my bill. The basic differences between these two versions of truth-in-lending legislation were spelled out in the material I placed in the CONGRESSIONAL RECORD on October 4.

Basically, the disagreement which split the subcommittee evenly involves the exemptions adopted by the Senate in passing S. 5 on July 11. The Senate bill exempts first mortgages. Furthermore, credit transactions on which the credit charge is less than $10, and open-end "revolving credit" such as used by the computerized department stores and mail-order chains would be exempt from the requirement of expressing finance charges on an annual percentage rate basis.

These exemptions are not included in H.R. 11601. H.R. 11601 treats all types of consumer credit alike. All would be subject to the same disclosure requirements.

ISSUE WILL HAVE TO BE FOUGHT OUT IN FULL COMMITTEE

Mr. Speaker, this issue of discrimination in the treatment of various types of consumer credit under truth-in-lending legislation will now have to be fought out in the full Committee on Banking and Currency. I know the fight there will be a difficult one, just as it has been in the subcommittee.

The retailers using revolving credit have been quite effective in their lobbying work on this bill. Other businesses in the consumer credit field—banks, automobile dealers, small loan companies, and retailers using forms of credit other than revolving credit—have not been nearly as effective in getting across to Members of Congress their side of this issue. Only the furniture dealers appear to have been active in writing in to Members of Congress pointing to the discriminations against them in the Senate-passed bill.

CONSUMER ADVISORY COUNCIL ENDORSES "FULL DISCLOSURE"

The President's Consumer Advisory Council, appointed by President Johnson on August 11, with Attorney General Bronson C. La Follette, of Wisconsin, as chairman, held its initial meeting last week and announced its unanimous support for the truth-in-lending provisions of my bill as presently amended. This position was expressed in the following press release:

CONSUMER ADVISORY COUNCIL BACKS TRUTH-IN-LENDING AND TYDINGS PROPOSALS

The President's Consumer Advisory Council, at its initial meeting took under discussion the urgent problems of consumer credit and service and liability. Credit problems ranging from repossessions to excessive interest rates and finance charges on installment loans are areas for further study by the Council.

They were encouraged that the proposed program of Senator Joseph D. Tydings (D., Md.) to establish a Consumer Protection Agency in the District deals with many of these same credit problems.

Bronson LaFollette, Attorney General of Wisconsin, and Chairman of the Council, in a joint press briefing with Betty Furness, Special Assistant to the President, said "I am heartily in favor of Senator Tydings' proposed legislation for the District and would like to see it extended into every State."

The Council also unanimously backed the Truth in Lending bill as it now stands in Congresswoman Leonor Sullivan's Subcommittee on Consumer Affairs of the House Committee on Banking and Currency.

"We are unanimous in believing that this bill which includes full disclosure on revolving credit must be enacted before the 90th Congress recesses," Betty Furness said.

She added that the subject of service repair, warranties and liabilities also was of "enormous interest" to the Council and has been given long range consideration.

Other consumer problems ranging from auto insurance to the cost of drugs came under Council scrutiny. At the close of its 2-day meeting the Consumer Advisory Council will indicate areas for further study.

MEMBERSHIP OF THE PRESIDENT'S CONSUMER ADVISORY COUNCIL

Mr. Speaker, I am pleased to have the unanimous support of the distinguished members of the President's Consumer Advisory Council for effective truth-in-lending legislation including "full disclosure on revolving credit." I am sure the Members will be impressed by the stature of the individuals named to this Council by President Johnson.

The membership includes 12 outstanding Americans. Their names are included in the following statement made by the President in announcing their appointment:

CONSUMER ADVISORY COUNCIL

(*Statement by the President Upon Announcing Appointment of the Chairman and Members of the Counil. August 11, 1967.*)

President Johnson today announced the appointment of 12 members to the new Consumer Advisory Council for terms of 2 years.

The Council members appointed by the President are:

Bronson C. La Follette, of Madison, Wis.—Chairman, Attorney General of Wisconsin.

Robert J. McEwen, of Boston, Mass., associate professor and chairman of the department of economics, Boston College.

William J. Pierce, of Ann Arbor, Mich., professor of law and director of the legislative research center, University of Michigan.

Corwin D. Edwards, of Eugene, Oreg., professor of economics, University of Oregon.

Richard H. Grant, of Portsmouth, N.H., general manager, Pease Air Force Base Federal Credit Union.

Gerald A. Lamb, of Waterbury, Conn., State treasurer, State of Connecticut.

Louis Stulberg, of New York City, N.Y., president, International Ladies Garment Workers Union.

William L. Lanier, of Metter, Ga., State Executive Director, Agricultural Stabilization and Conservation Service.

Mary L. Bailey (Mrs. Charles W.) of Austin, Tex., housewife.

Maurine B. Neuberger, of Portland, Oreg. (currently residing in Washington, D.C.), chairman, Citizen's Advisory Council on the Status of Women.

Mrs. Otrie Taylor, of Los Angeles, Calif., neighborhood aid participant for neighborhood aid projects in Watts, Los Angeles.

Louise Gentry, of State College, Pa., assistant dean for resident education, Pennsylvania State University.

Miss Betty Furness, the President's Special Assistant for Consumer Affairs, will serve as Executive Secretary of this new Council.

In announcing the appointment of the Consumer Advisory Council, the President stated:

"Every American citizen—rich or poor—is a consumer. And so, in a very special way, the public interest is the consumer interest—the interest of all of us.

"In the past 3 years, we have seen the greatest advances in the Nation's history on behalf of the American consumer. At my recommendation, the 89th Congress enacted the first Traffic Safety Act in history. It passed the Tire Safety Act, and the first Truth-in-Packaging Bill. In addition, it enacted legislation to protect our children against dangerous toys and to protect the modest savings of American wage earners in savings institutions.

"Taken together, these laws touch the life of every American citizen, no matter what his income or his station in life.

"Now, in the first session of the 90th Congress, I have recommended nine major laws to benefit consumers: the Truth-in-Lending Bill; the Wholesome Meat Act; the Fire Safety Act; the Hazardous Products Commission Act; the Pipeline Safety Act; the Electric Power Reliability Act; the Flammable Fabrics Act; the Land Sales Fraud Act; the Mutual Fund Reform Act.

"The Consumer Advisory Council will add new strength and direction to the great purposes which these laws support. The Council will recommend still further ways in which the Government of all the people can protect all the people."

STRONG STATEMENT BY BETTY FURNESS IN BEHALF OF "FULL DISCLOSURE"

Mr. Speaker, I want to include in this report a letter I received last week from the executive secretary of the President's Consumer Advisory Council, the Honorable Betty Furness, Special Assistant to the President for Consumer Affairs, as follows:

THE WHITE HOUSE,
Washington, October 25, 1967.

Hon. LEONOR K. SULLIVAN,
Chairman, Subcommittee on Consumer Affairs, Committee on Banking and Currency, House of Representatives, Washington, D.C.

DEAR LEE: I have been following very closely, as has the President, your efforts to give the American people a strong Truth-in-Lending law. I wish to commend you for your steadfast stand for a bill which is truly meaningful, and not one in name only. The work-ability of a law which includes coverage of revolving charge accounts has already proven itself in Massachusetts.

I am aware of the narrowly-based but strong pressures being exerted for a watered-down version containing serious exemptions, or for no bill at all. Unfortunately, the consumer is not organized to articulate effectively his needs and, as a result, he is no match for those who oppose even such a simple step as the disclosure of actual credit costs to the American public. It seems to me that the withholding of such information negates the revered American practice of free competition and operates to protect those who would for some reason hide the facts. Hide them, not only from those of us who as consumers would like to shop for credit as we shop for the best buy in other items, but hide them from other businessmen so that competition cannot truly be effective.

Although American consumers—and that is nearly 200 million of us—have no highly organized means of bringing our thinking to the attention of the Congress, I believe that action or failure to act on a meaningful Truth-in-Lending bill will be one of the major measures by which the public will judge the 90th Congress. Please let me know if this Administration can do anything to assist in the efforts to bring a strong Truth-in-Lending bill to the House of Representatives shortly.

Sincerely,

BETTY FURNESS,
Special Assistant to the President for Consumer Affairs.

The Air Quality Act of 1967

EXTENSION OF REMARKS
OF

HON. JOSHUA EILBERG

OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 1, 1967

Mr. EILBERG. Mr. Speaker, I am happy to support S. 780 as one of the sponsors of a similar bill in this House. The detailed and thoughtful structure of the bill bears eloquent testimony to the continued desire on the part of Congress to exert every effort, explore every new avenue which may return cleaner, healthier air to us all.

I believe that the principal measures embodied in this proposed legislation to complement what has already been done should go far in attacking the problem vigorously: Realistic air quality standards established and enforced by Federal and State agencies, for both stationary and mobile sources of air pollution; grants for further research and development in both Federal and private laboratories; the regional airshed approach to air pollution control; financial incentives to industry for the construction, operation, and maintenance of abatement facilities; and a set of enforcement procedures that is just, yet effective, and enlists the cooperation of all parties involved.

As a Representative of a highly developed industrial urban area and State, I am particularly concerned with that section of the bill dealing with accelerated research and development of air pollution control methods and equipment, and I urge strongly that favorable consideration be given to all its provisions.

Accelerated research programs to develop low-cost emission control devices for motor vehicles are urgently needed. Automobiles are the chief source of carbon monoxide, and they are the producers of photochemical smog, the effects of which have been felt in congested urban areas throughout our land. I am looking forward to the anticipated improvements resulting from the control devices which are mandatory on all 1968-model cars. However, much remains to be done to abate pollution resulting from fuel combustion effectively and thoroughly. Research programs to control combustion byproducts should include provisions for the practical demonstration of new processes and devices. The removal of pollutants may produce potentially valuable commercial byproducts, the use of which should be explored systematically.

The development and testing of new processes and devices is always costly. It involves the design, planning, construction, and installation of large demonstration plants, time-consuming operation of as yet unproven equipment, experimental and thus expensive use of new methods. There is no guarantee that a private company willing to engage in such a venture will be rewarded with profit. Under the financial provisions of this bill, the Federal Government and private industry and laboratories would be able to engage in joint ventures which will benefit large sectors of private enterprise. They would assure financial support by the Federal Government of new air pollution control projects which are still in the research and developmental stage.

I am pleased to note that the provisions of this section are not confined to research aimed at curbing emission from motor vehicles. Stationary sources of pollution contaminate the atmosphere as much as mobile polluters. About 95 percent of our growing industries are run by energy generated by burning coal and oil—fossil fuels which contain elemental sulfur as an impurity. During the combustion process, the sulfur is changed into sulfur oxides, one of the potentially serious health hazards in contaminated air. Devices now available can substantially control unburned carbon particles, fly ash, and cement plant dusts. However, more imaginative ways must be found to remove sulfur from the coal or to extract sulfur gases from the combustion products.

Coal is one of our most important natural resources and an economical source of heat and energy. Accelerated research and development of improved methods and equipment to control soot, smoke, and sulfur oxides is one way to improve the air we breathe, yet retain the use of one of the most abundant and inexpensive sources of energy at our disposal today.

Advocates of higher smokestacks claim to have found a solution to much of our pollution problems. However, particles distributed high in the atmosphere may significantly change the weather, serve as a core around which condensation might form, and change the reflectivity of the earth. Emissions from high stacks are joined by other sources of air pollution at high altitudes. Rocket exhausts and jet aircraft also introduce contaminants. When our supersonic transports start to operate at 70,000 feet, air pollution will extend to the fringes of the atmosphere. This, then, is another area for which intensified research efforts are indicated.

Mr. Speaker, I feel strongly that the provisions of the Air Quality Act of 1967 are an imaginative and practical sequence to our air pollution control efforts to date. They would provide the means for a joint, concerted undertaking in which the Federal Government, State and local authorities, and private industry could participate effectively. I urge that we give each section our careful and favorable consideration. Thank you.

SENATE

THURSDAY, NOVEMBER 2, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, as in reverence we hallow Thy name, so may we hallow our own, keeping our honor bright, our hearts pure, our ideals untarnished, and our devotion to the Nation's weal high and true.

We are grateful for this sweet time of prayer, that calls us from a world of care, and bids us at our Father's throne make all our wants and wishes known.

At this altar of devotion we would be sure of Thy presence ere pressing duty leads us back to a noisy, crowded way.

May the great causes that in these agitated days concern Thy human family, and especially the crusade to preserve threatened freedoms for all Thy children, the selfless ministries that help to heal the world's wounds and rebuild its waste places, the attitudes that create good will and make possible at last a just and righteous peace, command the utter allegiance of our labor and our love.

We ask it in the name of that One whose truth shall make us and all men free. Amen.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 1985) to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes, with an amendment, in which it requested the concurrence of the Senate; that the House insisted upon its amendment to the bill, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PATMAN, Mr. MULTER, Mr. BARRETT, Mrs. SULLIVAN, Mr. REUSS, Mr. ST GERMAIN, Mr. WIDNALL, Mr. FINO, and Mrs. DWYER were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 223. An act to authorize the disposal of the Government-owned long-lines communication facilities in the State of Alaska, and for other purposes;

H.R. 845. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Nebraska mid-State division, Missouri River Basin project, and for other purposes;

H.R. 5364. An act to provide for the conveyance of the interest held by the United States in certain real property situated in the State of Georgia; and

H.R. 8718. An act to increase the annual Federal payment to the District of Columbia and to provide a method for computing the annual borrowing authority for the general fund of the District of Columbia.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, November 1, 1967, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SETTING STRAIGHT PRESIDENT JOHNSON'S PRESS CONFERENCE STATEMENTS YESTERDAY

Mr. MANSFIELD. Mr. President, I wish to comment on the newspaper reports of President Johnson's news conference yesterday in which he supposedly "lambasted" Congress.

This, I think, is a distortion of what the President did say. He was not critical of Congress; nor did he voice anger or vituperation.

I carefully read the President's remarks. And if one word would characterize his press conference yesterday, that word would be "concerned."

The President is concerned, and rightly so, about vital legislation still in the congressional pipeline. And he is particularly concerned about the 10-percent surcharge proposal.

The President said:

> We very much want it. We think it will cost the American people much less by taking the tax route that we have suggested than by taking the inaction route that is now being followed.

I think those of us in Congress who share President Johnson's commitment to this legislative program also share his concern about the fate of the tax surcharge, the war on poverty, social security amendments, firearms control, crime, truth in lending, elementary education, postal rates, and other key measures that await final congressional action.

The Senate has accumulated an 80-percent batting average—passing 78 bills out of 97 considered. This is a good record. But obviously, it can be improved.

As the President said yesterday:

> While this session is not as good as the last Congress, this session, I think, will stand reasonably well compared to the previous Congresses.

The President did not criticize the Senate. He did not, in any way, rebuke Congress. And I deplore any published intimations that he did.

But, I would also hope that Congress would heed his words about the importance of the legislation still under consideration.

The people's needs and welfare are at stake in many of these measures still in the pipeline. And I hope and expect that the 90th Congress will proceed to promptly enact the majority of them before adjournment.

CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 675.

The PRESIDING OFFICER (Mr. PEARSON in the chair). Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

ELIMINATION OF THE REQUIREMENTS OF A RESERVATION OF CERTAIN MINERAL RIGHTS

The bill (H.R. 5091) to amend Public Law 87–752 (76 Stat. 749) to eliminate the requirement of a reservation of certain mineral rights to the United States was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 692), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of H.R. 5091 is to remove an impediment to the development by the city of Needles, Calif., of certain lands needed for municipal development the sale of which to it was authorized in 1962 by Act of Congress. The subject lands comprise some 340 acres within the city limits of Needles or adjacent thereto.

The proposed legislation would accomplish this purpose by amending the original sales act to delete the requirement that the conveyance to the city contain a reservation to the United States of all minerals subject to the Federal mineral leasing laws.

Conveyance of the reserved mineral interests would be made on payment by the city of the fair market value of such interests.

BACKGROUND OF LEGISLATION

Public Law 87–752, enacted October 5, 1962, authorized the Secretary of the Interior to issue to the city of Needles, Calif., a patent to the 340 acres of public lands, situated within or near the city limits, upon payment by the city of the fair market value of the land plus the cost of the appraisal. The subject lands were needed by the city for municipal development. The law provides that payment for the lands must be made within 5 years from the date the Secretary notifies the city of the purchase price. Such notification was given the city, March 20, 1964, and thus the purchase period will expire March 20, 1969. Any deed or patent issued under Public Law 87–752 must contain a reservation to the United States of all leasable minerals.

This reservation of leasable minerals to the United States, with the ever-present possibility of mineral development that may not be compatible with intensive surface use, has made it difficult for the city to obtain subdivision or industrial development of the land. H.R. 5091 would eliminate the mineral reservation in future patents and would permit removal of the mineral reservation in the few patents already issued upon payment of the fair market value of the mineral interest plus the administrative costs of such a conveyance.

At the public hearing held by the committee on September 25, the Director of the Bureau of Land Management, Department of the Interior, assured the committee that the Interior Department had no objection to the bill and was satisfied from the findings of the U.S. Geological Survey that the dollar value of any minerals underlying the parcel "would be negligible or absent in the present state of knowledge."

The attention of the Senate is directed to the letter of June 20, 1967, to the chairman of the House Interior Committee in clarification of an earlier report on H.R. 5091 as introduced.

FINDINGS AND RECOMMENDATION

Evidence presented the committee shows that the mineral reservation does, de facto, cast a cloud on the title of the city and thus in effect results in a defeat of the purposes of the original authorization for sale for municipal development. Therefore, the committee recommends enactment of H.R. 5091 to remove such impediment.

AUTHORIZATION OF APPROPRIATIONS FOR CAPE HATTERAS NATIONAL SEASHORE

The bill (S. 561) to authorize the appropriation of funds for Cape Hatteras National Seashore was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 561

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, there are hereby authorized to be appropriated such sums as may be necessary to satisfy any final judgments rendered against the

United States in civil actions numbered 263 and 401 in the United States District Court for the Eastern District of North Carolina, Elizabeth City Division, for the acquisition of land and interests in land for the Cape Hatteras National Seashore. The sums herein authorized to be appropriated shall be sufficient to pay the amount of said judgments, together with such interest and other costs as may be specified by the court.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 694), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The bill, S. 561, introduced by Senators Ervin and Jordan of North Carolina, authorizes the appropriation of sufficient funds to satisfy judgments resulting from the filing of declarations of taking of lands within the boundaries of the Cape Hatteras National Seashore.

BACKGROUND

The act of August 17, 1937 (50 Stat. 669), as amended (16 U.S.C. 459 et seq.), which authorized the establishment of Cape Hatteras National Seashore, provided that property could be acquired within the boundaries of the seashore only by donation or purchase with donated funds. Approximately 18,000 acres of land have been acquired by donations of land and funds from the State of North Carolina, the Avalon Foundation, and the Old Dominion Foundation.

By 1956 it became apparent that donated funds would not be sufficient to acquire all private lands within the boundaries of the national seashore. The Congress therefore authorized, in the act of August 6, 1956 (70 Stat. 1066), the appropriation of not more than $250,000 to match funds donated for such acquisition.

Owners of 6,400 acres within the seashore were unwilling to sell, and it became necessary to institute eminent domain proceedings to obtain this land. The United States deposited with the court the amount of the fair market appraisal for the use of those affected by the declaration of taking. The property then vested in the United States.

Following the institution of the actions, a series of unfortunate and unforeseen events have delayed final judgments from being rendered. Such events include the long illness and subsequent death of the former U.S. district judge for the district and the ensuing period before the vacancy was filled, and the death of one of the members of the commission appointed to fix compensation.

S. 561 will authorize the appropriation of such sums as are needed to satisfy the final judgments in both actions, together with such interest and other costs as may be specified by the court. If the court adopts the award recommended in the commission report in civil action 263, the award in both cases will total $1,871,201. The additional amount which the United States will then be required to deposit with the court, plus interest to May 31, 1967, is $2,514,462.34. Until the additional amount is so deposited, interest will continue to accrue at the rate of $92,203.14 per year.

RECOMMENDATION

The Senate Interior and Insular Affairs Committee reports favorably on the bill and recommends its enactment.

BILLS PASSED OVER

The bills, S. 1321, to establish the North Cascades National Park, and so forth; S. 699, to strengthen intergovernmental cooperation and the administration of grant-in-aid programs, and so forth; and S. 1946, to amend the repayment contract with the Foss Reservoir Master Conservancy District, and for other purposes, were announced in sequence as next in order.

Mr. MANSFIELD. Mr. President, I ask that these bills be passed over.

The PRESIDING OFFICER. The bills will be passed over.

STUDY AND EVALUATION OF EFFECTS OF LAWS PERTAINING TO PROPOSED REORGANIZATIONS IN THE EXECUTIVE BRANCH

The resolution (S. Res. 178) to provide additional funds to study and evaluate the effects of laws pertaining to the proposed reorganizations in the executive branch of the Government was considered, and agreed to, as follows:

S. Res. 178

Resolved, That S. Res. 59, Ninetieth Congress, agreed to February 17, 1967 (authorizing a study of the effects of laws pertaining to proposed reorganizations in the executive branch of the Government), is hereby amended on page 2, line 21, by striking out "$110,000" and inserting in lieu thereof "$115,000".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 705), explaining the purposes of the Senate resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Resolution 178 would amend Senate Resolution 59, agreed to February 17, 1967, by increasing by $5,000—from $110,000 to $115,000—the limitation on expenditures by the Committee on Government Operations for a study of the effects of laws pertaining to proposed reorganizations in the executive branch of the Government.

Pursuant to Senate Resolution 59 the Committee on Government Operations, or any duly authorized subcommittee thereof, is authorized to expend not to exceed $110,000, from February 1, 1967, through January 31, 1968, to make a full and complete study for the purpose of evaluating the effects of laws enacted to reorganize the executive branch of the Government, and to consider reorganizations proposed therein.

Senate Resolution 178 would in effect restore $5,000 of the $10,000 which the Committee on Rules and Administration had cut from the original request of $120,000 for the purpose by the Committee on Government Operations at the commencement of this session of Congress.

ORIGIN OF RESEARCH AND DEVELOPMENT PROGRAMS FINANCED BY DEPARTMENTS AND AGENCIES OF THE FEDERAL GOVERNMENT

The resolution (S. Res. 177) to provide additional funds to study the origin of research and development programs financed by the departments and agencies of the Federal Government was considered and agreed to, as follows:

S. Res. 177

Resolved, That S. Res. 58, Ninetieth Congress, agreed to February 20, 1967 (authorizing the Committee on Government Operations to study the origin of research and development programs financed by the departments and agencies of the Federal Government), is hereby amended on page 3, line 16, by striking out "$75,000" and inserting in lieu thereof "$80,000".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 706), explaining the purposes of the Senate resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Resolution 177 would amend Senate Resolution 58, agreed to February 20, 1967, by increasing by $5,000—from $75,000 to $80,000—the limitation on expenditures by the Committee on Government Operations for a study of research and development programs financed by the Federal Government.

Pursuant to Senate Resolution 58 the Committee on Government Operations, or any subcommittee thereof, is authorized to expend not to exceed $75,000 from February 1, 1967, through January 31, 1968, to make studies as to the efficiency and economy of operations of all branches and functions of the Government with particular reference to—

(1) The operations of research and development programs financed by departments and agencies of the Federal Government. including research in such fields as economics and social science, as well as basic science, biomedicine, research, and technology;

(2) Review those programs now being carried out through contracts with higher educational institutions and private organizations, corporations, and individuals to determine the need for the establishment of national research, development, and manpower policies and programs, in order to bring about Government-wide coordination and elimination of overlapping and duplication of scientific and research activities; and

(3) Examine existing research information operations, the impact of Federal research and development programs on the economy and on institutions of higher learning, and to recommend the establishment of programs to insure a more equitable distribution of research and development contracts among such institutions and among the States.

Senate Resolution 177 would in effect restore $5,000 of the $10,000 which the Committee on Rules and Administration had cut from the original request of $85,000 for the purpose by the Committee on Government Operations at the commencement of this session of Congress.

PLANNING-PROGRAMING-BUDGETING

The resolution (S. Res. 176) authorizing the printing of additional copies of part 1 of the hearings entitled "Planning-Programing-Budgeting" was considered and agreed to, as follows:

S. Res. 176

Resolved, That there be printed for the use of the Committee on Government Operations four thousand additional copies of part 1 of the hearings entitled "Planning-Programming-Budgeting" held by its Subcommittee on National Security and International Operations during the first session of the Ninetieth Congress.

"RESEARCH IN THE SERVICE OF MAN: BIOMEDICAL KNOWLEDGE, DEVELOPMENT, AND USE"

The Senate proceeded to consider the resolution (S. Res. 181) authorizing the printing of additional copies of the committee print entitled "Research in the Service of Man: Biomedical Knowledge, Development, and Use" which had been reported from the Committee on Rules and Administration, with an amendment on page 1, line 1, after the word "Resolved", strike out:

That there be printed for the use of the Committee on Government Operations one thousand additional copies of its committee print entitled "Research in the Service of Man: Biomedical Knowledge, Development, and Use."

And insert:

That the committee print of the Committee on Government Operations entitled "Research in the Service of Man: Biomedical Knowledge, Development, and Use", be printed as a Senate document; and that there be printed three thousand additional copies of such document for the use of that committee.

So as to make the resolution read:

S. RES. 181

Resolved, That the committee print of the Committee on Government Operations entitled "Research in the Service of Man: Biomedical Knowledge, Development, and Use", be printed as a Senate document; and that there be printed three thousand additional copies of such document for the use of that committee.

The amendment was agreed to.

The resolution, as amended, was agreed to.

The title was amended, so as to read: "Resolution authorizing the printing of the committee print entitled 'Research in the Service of Man: Biomedical Knowledge, Development, and Use' as a Senate document."

"STATE UTILITY COMMISSIONS"

The resolution (S. Res. 182) authorizing the printing of the committee print entitled "State Utility Commissions" as a Senate document was considered, and agreed to, as follows:

S. RES. 182

Resolved, That there be printed as a Senate document the committee print of the Committee on Government Operations of the Ninetieth Congress entitled "State Utility Commissions" (a study submitted by the Subcommittee on Intergovernmental Relations); and that there be printed two thousand four hundred additional copies for the use of that committee.

AN ADDITION TO THE NAVAJO INDIAN RESERVATION

The bill (S. 391) to amend the act of March 1, 1933 (47 Stat. 1418) entitled "An act to permanently set aside certain lands in Utah as an addition to the Navajo Indian Reservation, and for other purposes," was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 391

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of March 1, 1933 (47 Stat. 1418), is amended by deleting all of that part of the last proviso of said section 1 after the word "Utah" and inserting in lieu thereof: "for health, education, and general welfare of the Navajo Indians residing in San Juan County. Planning for such expenditures shall be done in cooperation with the appropriate departments, bureaus, commissions, divisions, and agencies of the United States, the State of Utah, the county of San Juan in Utah, and the Navajo Tribe, insofar as it is reasonably practicable, to accomplish the objects and purposes of this Act. Contribution may be made to projects and facilities within said area that are not exclusively for the benefits of the beneficiaries hereunder in proportion to the benefits to be received therefrom by said beneficiaries, as may be determined by the State of Utah through its duly authorized officers, commissions, or agencies. An annual report of its accounts, operations, and recommendations concerning the funds received hereunder shall be made by the State of Utah, through its duly authorized officers, commissions, or agencies, to the Secretary of the Interior and to the Area Director of the Bureau of Indian Affairs for the information of said beneficiaries."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 710), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF MEASURE

The purpose of S. 391 is to broaden the provisions of existing law governing the use of revenue from oil and gas leasing on a portion of the Navajo Indian Reservation in Utah.

The act of March 1, 1933 (47 Stat. 1418), withdrew certain public lands in southern Utah "for the benefit of the Navajo and such other Indians as the Secretary of the Interior may see fit to settle thereon" and added the lands to the Navajo Reservation. The statute provided that 37½ percent of the net revenues accruing from tribal oil and gas leases of such lands shall be "expended by the State of Utah in the tuition of Indian children in white schools and/or the building or maintenance of roads across the lands described in section 1 hereof, or for the benefit of the Indians residing therein."

S. 391 would modify the 1933 act by permitting the State to expend such oil and gas revenues for the benefit of the Navajo Indians residing in San Juan County, which is a larger group than the Indians residing on the lands that were withdrawn by the 1933 act. The bill also would authorize the use of the funds for "health, education, and general welfare" of those Indians, instead of limiting such use to tuition in white schools and reservation roads.

BACKGROUND OF MEASURE

S. 391 is identical to S. 2535 of the 89th Congress, also sponsored by Senator Moss, as amended in accordance with the recommendations of the Department of the Interior and approved by the Senate on August 29, 1966. No action was taken on it in the other body.

At public hearings held May 10 this year, the committee was informed that there was a balance of approximately $5½ million in the funds derived from oil and gas leasing under the law. The State of Utah had in 1959 established a State Indian affairs commission to administer the fund to carry out the congressional mandate. The Indian beneficiaries were represented on the commission.

NEED FOR LEGISLATION

Restrictions in the 1933 statute and differing interpretations of those restrictions have prevented the most effective use of the substantial funds held by the State Indian affairs commission. First, differences in interpretation of the word "tuition" in the statute have resulted in litigation which leaves the commission in doubt as to how broad an educational program it may administer, especially in areas not now covered by Federal school-aid legislation. Second, road construction is difficult to plan when the roads under construction may be built only within rather narrowly defined areas. Third, many Navajo families do not live permanently within the lands set aside in 1933, but move back and forth between this area and other locations. The 1933 act requires that they be "residents" in order to qualify for help in the expenditure of the commission's funds, thus disqualifying a number of Indians from the commission's programs, and controverting the Federal Government's established policy of encouraging Indian integration into non-Indian communities and their pursuit of more lucrative jobs off the reservation.

In testimony before the committee, the Commissioner of Indian Affairs expressed the hope that S. 391 could resolve the above difficulties, by coordinating the work of various agencies now dealing with the Indians, and by giving the commission clear authority to expend funds in areas, such as education, health, and transportation, where they are great shortages of facilities and services. By making all Navajos within San Juan County eligible for the commission's programs, the bill would also enable more comprehensive programs and simplify administration of the funds.

ADDITIONAL BRIDGES AND TUNNELS, STATE OF MARYLAND

The bill (H.R. 11627) to amend the act of June 16, 1948, to authorize the State of Maryland, by and through its State roads commission or the successors of said commission, to construct, maintain, and operate certain additional bridges and tunnels in the State of Maryland was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 711), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of the bill and the facts which recommend its enactment are set forth below in the language which is quoted from House Report 714, filed by the Committee on Public Works of the House of Representatives:

"PURPOSE OF THE BILL

"The purpose of the bill is to allow the State of Maryland, by and through its State roads commission or the successors of said commission, to construct, maintain, and operate a bridge parallel to the existing Chesapeake Bay Bridge in the State of Maryland from a point in Anne Arundel County at or near Sandy Point to a point in Queen Annes County at or near Kent Island; a bridge across or a tunnel under the Chesapeake Bay in the State of Maryland from a point in Baltimore County at or near Millers Island to a point in Kent County or a combined bridge and tunnel at such location; a bridge across or a tunnel under the Chesapeake Bay in the State of Maryland from a point in Calvert County to a point in Dorchester County, or a combined bridge and tunnel at such location; and an additional tunnel under or a bridge across the Patapsco River from a point at or near Hawkins Point in the city of Baltimore to a point at or near Sparrows Point in Baltimore County."

GENERAL STATEMENT

The act of April 7, 1938, and the act of June 16, 1948, authorized construction by the State of Maryland of three bridges and a tunnel across the Chesapeake Bay. These authorizations provided financing of these structures by the sale of revenue bonds and included a pooling arrangement which would permit the toll revenues from the bridges and the tunnel to be used to discharge the debts at any of the individual structures. The present bill, H.R. 11627, would permit the addition of four other bridges or tunnels, or combined bridges and tunnels, to this financial structure and would permit them to be included in the pooling arrangement. All construction, maintenance, and operating costs of the new facilities will be borne by the State of Maryland and financed from toll revenues. There is no cost to the Federal Government.

The General Bridge Act of 1946 delegated to the States the power originally held by Congress to permit the construction of bridges over navigable waters. This delegation was subject to the qualification that plans for such structures should have the approval of the Secretary of the Army with respect to any requirements safeguarding the interests of navigation. Therefore, because of the fact that the bridges in this group were partly authorized by an act preceding the General Bridge Act of 1946 and because of the fact that the new structures authorized by this bill will participate in the financial pooling of revenue, an act of Congress is necessary to permit their construction.

Present and future needs require additional crossings to be constructed. Since the opening of the existing Chesapeake Bay Bridge in 1952, annual traffic volume has nearly doubled and it has been necessary to convert the bridge to single-direction operation a number of times each weekend between May and October, which has constituted delays from 30 minutes to 1½ hours. Traffic using the Baltimore Harbor Tunnel has increased to such an extent that it is queued up for long distances on almost every weekend of the year. The delays will continue to increase. With the increasing use of the Eastern Shore resorts, the industrial growth and harbor developments, the increase in the number of automobiles, the increase in population, and the increasing demands of the traveling public, the existing facilities will become even more inadequate. Additional facilities are required now as well as for the future.

Cognizant of this need, the General Assembly of Maryland during its 1967 session enacted into law a bill authorizing construction of the above-mentioned crossings. Enactment of H.R. 11627 will implement the State legislation and permit the State Roads Commission of Maryland to proceed with continued orderly planning, development, and construction of facilities to accommodate present and future needs.

FEDERAL COST

There is no cost to the Federal Government made necessary by H.R. 11627. The total financial obligation will be borne by the State of Maryland.

Mr. **MANSFIELD**. Mr. President, that concludes the call of the calendar.

ORDER OF BUSINESS

Mr. **MANSFIELD**. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER** (Mr. Byrd of West Virginia in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **KUCHEL**. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The **PRESIDING OFFICER** laid before the Senate the following letters, which were referred as indicated:

Report of Federal Bureau of Narcotics

A letter from the Special Assistant to the Secretary of the Treasury (for Enforcement), transmitting, pursuant to law, a report of the Federal Bureau of Narcotics, for the calendar year ended December 31, 1966 (with an accompanying report); to the Committee on Finance.

Report of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on need for more effective guidance to States in establishing rates of payment for nursing home care provided to welfare recipients, Social and Rehabilitation Service, Department of Health, Education, and Welfare, dated October 1967 (with an accompanying report); to the Committee on Government Operations.

Suspension of Deportation of Certain Aliens

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

Admission Into the United States of Certain Defector Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

Temporary Admission Into the United States of Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

Third Preference and Sixth Preference Classifications for Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports granting third preference and sixth preference classifications to certain aliens (with accompanying papers); to the Committee on the Judiciary.

Modification of Laws Relating to Hours of Work and Overtime for Certain Employees in the Postal Field Service

A letter from the Postmaster General, transmitting a draft of proposed legislation to modify the laws relating to hours of work and overtime for certain employees in the Postal Field Service, and for other purposes (with an accompanying paper); to the Committee on Post Office and Civil Service.

PETITION

The **PRESIDING OFFICER** laid before the Senate a resolution adopted by the City Council of the City of Thousand Oaks, Calif., relating to the basic principle of Federal tax sharing with local governments, which was referred to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. **HILL**, from the Committee on Labor and Public Welfare, without amendment:

H.R. 13048. An act to make certain technical amendments to the Library Services and Construction Act (Rept. No. 716).

By Mr. **BARTLETT**, from the Committee on Commerce, with amendments:

S. 2211. A bill to amend title 46, section 1159, to provide for construction aid for certain vessels operating on the inland rivers and waterways (Rept. No. 717); and

H.R. 162. An act to grant the masters of certain U.S. vessels a lien on those vessels for their wages and for certain disbursements (Rept. No. 718).

By Mr. **RANDOLPH**, from the Committee on Public Works, without amendment:

S. 2330. A bill declaring a portion of Bayou Lafourche, La., a nonnavigable waterway of the United States (Rept. No. 719); and

S. 2514. A bill to grant the consent of Congress to the Wheeling Creek Watershed Protection and Flood Prevention District Compact (Rept. No. 720).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. **KUCHEL** (for himself and Mr. Murphy):

S. 2615. A bill to authorize the establishment of the site of the discovery of San Francisco Bay as a national historic site, and for other purposes; and

S. 2616. A bill to authorize the Secretary of the Interior to designate the Skyline National Parkway in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Kuchel when he introduced the above bills, which appear under separate headings.)

By Mr. **McGOVERN** (for himself and Mr. Monroney):

S. 2617. A bill to establish producer owned and controlled emergency reserves of wheat, feed grains, soybeans, rice, cotton, and flaxseed; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. McGovern when he introduced the above bill, which appear under a separate heading.)

By Mr. **RIBICOFF**:

S. 2618. A bill to provide for orderly trade in scissors and shears; to the Committee on Finance.

By Mr. **YARBOROUGH**:

S. 2619. A bill to authorize the Secretary of the Interior to proceed with a loan and grant to the Hidalgo and Willacy Counties Water Control and Improvement District No. 1, Texas; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. **TALMADGE**:

S. 2620. A bill to provide for the duty free entry of certain cellulosic materials imported for use in artificial kidney machines; to the Committee on Finance.

By Mr. **JAVITS**:

S. 2621. A bill for the relief of Aristidis Chrestatos; to the Committee on the Judiciary.

By Mr. **BAYH**:

S. 2622. A bill to authorize the Secretary of the Interier to convey the Argos National Fish Hatchery in Indiana to the Izaak Walton League; to the Committee on Commerce.

By Mr. **BREWSTER**:

S. 2623. A bill to amend the District of Columbia Police and Firemen's Salary Act of 1958 to abolish the rank of detective in the Metropolitan Police force, and to promote persons with such rank to the rank of detective sergeant; to the Committee on the District of Columbia.

By Mr. BAKER:

S. 2624. A bill for the relief of Dr. Rodrigo Victor de Valle; to the Committee on the Judiciary.

SAN FRANCISCO BAY DISCOVERY SITE

Mr. KUCHEL, Mr. President, early in 1769, Spain decided to occupy what is now California for itself, and thereby preempt its possible acquisition by other European colonialists. The form of the occupation was to be a chain of new missions with presidios, or forts, to protect them. Friar Junipero Serra was to found and head the new missions, while Don Gaspar de Portola was selected as the military commander in chief.

After leaving Father Serra in San Diego, which was to be the first Spanish settlement in California, Portola and a party of around 60 men set out by land in July 1769, to reach the Bay of Monterey. The slow-moving party took several months to reach the Monterey area, and, once there, failed to find the Monterey Bay. The party then continued the search to the north and on October 31, 1769, they sited the Farallon Islands and Point Reyes. The group decided to continue to press northward to what is now known as Drakes Bay, a well known land mark at that time. Two days later, on November 2, 1769, a hunting party from the Portola camp reported that an arm of the sea ran inland to the southeast. The next day the famous scout, Jose Francisco Ortega, confirmed this report. On Saturday, November 4, 1769, Father Juan Crespi, a member of the expedition, wrote in his journal:

> About one in the afternoon we set out to continue the journey following the beach to the north. We then entered the mountains, directing our course to the northeast and from the summit of the peak we beheld the great estuary or arm of the sea, which must have a width of four or five leagues, and extends to the southeast and south-southeast. . . . It is a very large and fine harbor such that not only all the navy of our most Catholic Majesty but those of all Europe could take shelter in it.

San Francisco Bay had been discovered.

Up until the historic day that Portola's expedition discovered what is now known as San Francisco Bay, the world's finest harbor was unknown to other than the indigenous Indians of the area. This is remarkable when one considers that for more than 200 years prior to the discovery of the bay, the Spanish were exploring the Pacific Coast. It is more remarkable to think that this, one of the world's great anchorages, was discovered by land and not by sea. Probably, this was occasioned because the Golden Gate is narrow, with islands and mountains visible beyond the low-lying bay when viewed from the ocean. Also, the bay entrance is frequently obscured by fog.

The discovery of San Francisco Bay led to the further exploration and development of the San Francisco region, which, in turn, paved the way for the development and greatness of the California of today.

The location of the San Francisco Bay Discovery Site is on top of the Sweeney Ridge at an elevation of about 1,100 feet. The site is highly picturesque and at present relatively unspoiled, commanding a magnificent view of southern San Francisco Bay, as well as of the Pacific Ocean coast as far north as Point Reyes. The people of the San Francisco Bay area, and, indeed, all Californians, are preparing to commemorate the 200th anniversary of the discovery of San Francisco Bay on November 4, 1769. The discovery of San Francisco Bay, however, has significance for all Americans.

Mr. President, since the discovery of San Francisco Bay is of national significance, I now introduce for appropriate reference a bill on behalf of my colleague from California [Mr. MURPHY] and myself to establish a national historic site at the location where Don Gaspar de Portola and his party discovered San Francisco Bay almost 200 years ago. This area, and approximately 30 acres surrounding it, if appropriately developed, will provide a meaningful addition to our system of national historic sites and landmarks. As a native Californian, I take special pride in introducing this legislation, and urge my colleagues in the Senate to look with favor upon this proposal.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred.

The bill (S. 2615) to authorize the establishment of the site of the discovery of San Francisco Bay as a national historic site, and for other purposes, introduced by Mr. KUCHEL (for himself and Mr. MURPHY), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

SKYLINE NATIONAL PARKWAY

Mr. KUCHEL. Mr. President, I have just introduced a bill to establish a national historic site at the location where the San Francisco Bay was discovered. Passing very near this location is one of the most celebrated scenic routes of the San Francisco Bay area, the Skyline Parkway. One of the finest areas of the Skyline Parkway is predominately in San Mateo County, Calif., extending along the ridge crest of the Santa Cruz Mountains the entire length of the county. The rapid urbanization of this area now threatens this beautiful and valuable resource.

I introduce, for appropriate reference, a bill on behalf of my colleague from California [Mr. MURPHY] and myself to establish the Skyline National Parkway in San Mateo, County, Calif.

The ridge top topography of the Santa Cruz Mountains lends itself to a parkway boundary pattern that is more or less self-defining. The ridge is gently undulating as one passes alternately from thick forested areas to open meadowlands. There are many foliage variations along the ridge route, and excellent plant growth is made possible by heavy rainfall in the winter and the presence of summer fog. The forests contain redwood stands, as well as mixed evergreen species, while the open grasslands, meadows, and stream-bank areas have distinctive tree and plant life of their own.

The summer fogs are quite spectacular within this region. The fog rolls in from the ocean and is pushed up the seaward slopes of the range by the ocean breeze. Low spots along the crest offer avenues of escape from the fog as it spills over onto the other side of the range into the canyons and onto the slopes. In the winter the valley fogs, as seen from the Skyline Parkway, appear to be a great white, undulating inland sea. This, too, is a fascinating sight which can be viewed from many of the scenic overlooks. The annual temperature averages in excess of 69° and the precipitation around 45 inches.

There are a great variety of geological formations along the Skyline Parkway which, taken as a whole, give rise to a distinctive, interesting, and highly scenic land form. Fossil remains can be found in the sandstone and shale. The San Andreas fault is an important feature associated with the Skyline Parkway. This huge fracture in the earth is an awesome, and historic, feature of the California coastline.

From scenic points along the drive a breathtaking panorama including the ocean, rolling hills, lakes, San Francisco Bay, Mount Diablo, Mount Hamilton, and many other features, both natural and man made, can be seen. When one considers that over 5 million people live within the nine-county San Francisco Bay metropolitan region, and that 10 million are expected to be there by the year 2000, the value of preserving this scenic area from the intrusions of urbanization can be appreciated.

The great need for all types of outdoor recreation facilities is continually reemphasized by those of us concerned with providing adequate recreation facilities for our ever-growing population. This need is especialy pronounced in the case of recreation areas close to urban population centers. The therapeutic value of having such a scenic and restful area within the easy reach of vast numbers of people cannot be overstated.

The Skyline National Parkway which I propose is in essence an elongated park embracing features of scenic, recreational, and historic interest. Its development and maintenance as a national parkway would preserve this wonderful area from being despoiled and overrun by indiscriminate urbanization. I strongly recommend that national recognition be given to this significant area on the Pacific coast.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred.

The bill (S. 2616) to authorize the Secretary of the Interior to designate the Skyline National Parkway in the State of California, and for other purposes, introduced by Mr. KUCHEL (for himself and Mr. MURPHY), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

WE NEED AN EMERGENCY FOOD RESERVE

Mr. McGOVERN. Mr. President, I have today introduced a bill to establish an interim, farmer-owned, and farmer-controlled emergency reserve of wheat, feed grains, and soybeans, and to direct the Department of Agriculture to provide the Congress with data next year from which we can make a determination of the proper sized, long-term reserves this Nation should maintain of the commodities covered in my bill plus rice, cotton, and flaxseed.

We have talked about the need for emergency reserves of agricultural commodities for two decades to offset domestic or international emergencies resulting either from droughts or other natural disaster or from a possible military disruption of our food distribution system. But we have done nothing about establishing such reserves.

We have procrastinated about fixing the roof because it was not raining, but we should be about the business of setting forth guidelines for such a reserve without further delay.

I have limited the interim reserve proposal I made today to wheat, feed grains, and soybeans because this is an opportune time to deal with these commodities. Supplies of all of these commodities are so large that market prices are down and producers are suffering a serious economic squeeze. On September 15 wheat was selling for $1.39 per bushel compared to $1.71 on the same date in 1966. Corn prices are 25 cents per bushel below last year and still falling. Soybeans were $2.78 per bushel October 15 last year and $2.44 this fall—off 34 cents per bushel and 6 cents below the support level—in a year.

Production of all these commodities this year will run over a year's requirements. There will be an increase in stocks to be carried over into the next marketing year for each of them. That is why prices are down.

The establishment of an emergency reserve at this time can remove excess supplies from the market, strengthen prices and relieve the farm situation in some measure, and give us—at long last—the sort of real emergency reserve that so many people both in and out of agriculture agree that we should have.

This should be accomplished without any appreciable movement in retail food prices. Retail prices of foods based on the commodities involved have not reflected the considerable drop that has occurred in raw material costs, and they should not rise if the basic materials go back up to previous levels.

The bill I have introduced authorizes the Secretary of Agriculture to make contracts with producers, on a pro rata basis so far as practicable, to put 200 million bushels of wheat, 500 million bushels of corn or other feed grains, and 75 million bushels of soybeans into storage, under producer control, either on their farms or in elevators.

In consideration for storing commodities to meet future emergencies, the Secretary of Agriculture would advance the producers 115 percent of the loan value of the commodity—the loan is only $1.25 per bushel on wheat, $1.05 on corn and $2.50 on soybeans. The Secretary would further agree to carry the interest and pay reasonable storage costs on the commodities in storage. The advances proposed are somewhat above current markets, but they are still less than parity, they are lower than the market should be, and they are lower than the market will be when supply is at the release level proposed in the bill.

When and if carryover of wheat should drop to 15 percent of annual requirements, feed grains to 10 percent, or soybeans to 5 percent, the bill authorizes the Secretary of Agriculture to terminate enough of the emergency reserve contracts to replenish the supply available to the free market by 5 percent in the case of wheat and feed grains and 3 percent in the case of soybeans.

Let me illustrate this in the case of wheat. If annual requirements are 1.4 billion bushels, and free stocks drop below 210 million bushels, then the Secretary could terminate contracts on 70 million bushels of wheat in storage. If the emergency absorbed that and stocks fell again he could terminate more contracts, but not more than 5 percent of a year's supply at a time.

Termination of the contract would mean simply that the producers would have to start paying interest and the storage costs on the reserves they had in storage. They could sell the commodity and repay their advance, or they could continue to hold at their own expense. They would have a year to arrange for other credit to repay the advance, to sell and settle, or deliver the collateral.

The bill provides that the reserve stocks can be rotated to keep them in good condition, and that farmers can withdraw upon 60 days notice prior to the start of a new marketing year. This provision for withdrawal is essential to let farmers who are retiring, moving some distance, or have other reasons to drop out of the reserve arrangements, to do so. This provision is drafted to permit the Secretary of Agriculture an opportunity to arrange for replacement storage in the immediately subsequent harvest, so the emergency reserve stocks can be maintained.

Those who follow agricultural legislation and problems closely will, I am sure, identify two or three obvious advantages of this proposal for a farmer owned and controlled reserve, beyond meeting urgent needs for such a reserve, and the immediate need to bolster farm prices.

The provision for farmer ownership and control eliminates the fear that farmers and some agribusiness quarters have over Government dumping or withholding for price control purposes. Regardless of the validity of the charge that stocks have been dumped or withheld to affect prices in the past, the charge has been made against both of our last two Secretaries of Agriculture. It is a matter of concern in agriculture.

Under the bill I have submitted, the quantity of any of the commodities made available to the market by the termination of reserve contracts would be limited to 5 percent of annual requirements, and the farmer-producers could determine whether or not they wanted to sell or hold. His holdings would be available to the market but the market would have to be attractive enough to cause the farmers to sell.

The fact that release comes only when supplies are limited and prices should be good, reduces the need for searching for some agreeable scale of release levels. In reality, all such scales of release levels I have seen give the farmer-producers the least price protection when they need it most for the resale price is lowest when supplies are highest.

The farm price situation is extremely urgent, Mr. President.

Thousands of farmers are going to go broke this year if we do not take early action to increase their prices. Their distress will be multiplied if cheap feed encourages increased meat production—efforts to turn cheap feed into meat in the hope of getting higher prices—and cattle and hog prices are broken.

Because of the urgency of the farm situation, I have withheld this proposal until the House of Representatives acted on Congressman GRAHAM PURCELL's reserve bill, which might have helped prices some. I understand it was rejected in subcommittee yesterday by an 8-to-6 vote.

It is my hope that the Senate will process reserve legislation speedily, create a bona fide emergency reserve, and thus solve a number of our problems.

The existence of a reserve will provide security for all our citizens from the standpoint of food supplies in any eventuality. The reserve's maintenance in the control of farmers will assure a broad distribution throughout the Nation, on farms and in elevators. Its existence will give the Secretary of Agriculture a margin of safety in setting acreage allotments; he can set them more precisely on an average yield basis when there is a cushion to protect against abnormal weather conditions, and avoid great oversupplies.

It is my very earnest hope, Mr. President, that we can proceed to the early consideration of this bill, and to other constructive suggestions for a reserve. American agriculture needs to be relieved from the low-price penalty it is now suffering as a consequence of answering the Nation's call last year for increased production.

The Nation did ask for more wheat, feed and soybean production. The producers responded, and we have an obligation to see that they are not penalized for their response by bankruptcy prices.

If the Senate will now show the way there is still time for the House to consider a reserve bill.

I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2617) to establish producer owned and controlled emergency reserves of wheat, feed grains, soybeans, rice, cotton and flaxseed, introduced by Mr. MCGOVERN, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

S. 2617

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That it is the policy of the Congress to establish and maintain reserves of storable agricultural commodities adequate to meet any foreseeable food and fiber shortage which might arise in the Nation as a consequence of any natural disaster, adverse food production conditions for one or more years, military actions, or other causes, and to assist other Nations of the world in any food emergency. It is further the policy of Congress to establish such reserves in the control of producers in years of surplus production and to assure their segregation from the commercial market so that existence of the reserves will not affect the level of market prices.

SEC. 200. The Secretary of Agriculture is authorized to enter into agreements during fiscal year 1968 with producers of not more than 200 million bushels of wheat, 500 million bushels of corn and/or its equivalent in other feed grains, and 75 million bushels of soybeans, all from the 1967 crop, to place such commodities in storage under their control until released under the provisions of this Act. To the extent possible, the opportunity to make such agreements shall be extended to producers who are cooperating in the appropriate programs on a pro-rata basis. In consideration of the producers' agreement to store such commodities, the Secretary shall make loans to the producers at 115 percent of the current price support loan rate on the commodities stored out of funds of the Commodity Credit Corporation, without interest, and shall pay reasonable storage charges each year so long as the commodities are not required for consumption; Provided, that when the domestic supply of wheat available to the commercial market at the beginning of a marketing year drops below 15 per centum of the year's requirements, the supply of feed grains drops below 10 per centum of the year's requirements, or the supply of soybeans drops below 5 percentum of the year's requirements, the Secretary of Agriculture may, on 60 days notice, terminate the payment of storage charges and waiver of interest charges on a sufficient amount of the earliest agreements to restore the commercial market supply of wheat and feed grain to a level 5 per centum of one year's requirements above the level at which the release of such emergency reserve commodities occurs, and of soybeans to a level 3 per centum above the release level. The holder of an agreement thus terminated shall have not less than a year following the termination notice to repay any government advances against the commodity involved, or until the time of sale of such commodity if it occurs earlier, together with interest at a rate of not more than 5 per centum per annum from the date of termination of the reserve agreement, or to deliver the commodity to the government, in discharge of any obligation.

SEC. 201. Producers may, under regulations prescribed by the Secretary of Agriculture, rotate commodities to keep the reserve stocks in good condition. A producer may terminate his agreement to carry emergency reserves at the beginning of a marketing year for such commodity by giving the Secretary of Agriculture notice of such termination not less than 60 days before the beginning of such marketing year, and by repaying any loans or advances to the government at the time of sale, or by delivering the commodity to the Secretary of Agriculture.

SEC. 300. The Secretary of Agriculture is hereby directed to have a study made of national and world food reserve requirements. Such study shall cover (1) wheat; (2) feed grains, including corn, barley, sorghum, oats and rye; (3) soybeans; (4) upland cotton; (5) rice; and (6) flaxseed. A report of findings of such study shall be filed with the President of the Senate and the Speaker of the House of Representatives as soon as possible but not later than May 1, 1968, and it shall include, but not be limited to—

(1) The average year-to-year yields of each of such commodities since 1900, adjusted for trend, and the differences in annual production such variations in yield might make from an acreage adequate at average yield to meet estimated national requirements in 1968;

(2) The cumulative deficit in supply which might result from a succession of below-average years comparable to any such succession of below average years which has occurred since 1900.

(3) The differences in year-to-year requirement for each commodity domestically, and in foreign trade and use, to reflect upsurges in demand on our supplies of each commodity resulting from natural disasters here or abroad, below average crops here and abroad, wars, or other causes.

A BILL TO AUTHORIZE THE HIDALGO AND WILLACY COUNTIES WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 TO REBUILD AND EXPAND

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to authorize the Secretary of the Interior to proceed with financial participation in a project to rebuild and expand the Hidalgo and Willacy Counties Water Control and Improvement District No. 1 of Edcouch, Tex., under the provisions of the Small Reclamation Projects Act of 1956.

Passage of this bill is urgently needed due to a unique situation which has occurred. The district had an application pending in the Bureau of Reclamation for financial assistance to rebuild and expand the existing facility which had deteriorated to some extent. Hurricane Beulah struck, and the facilities were damaged even more—levees were weakened, pumps lost, and ditches eroded. When the "major disaster declaration" of the President was forthcoming, funds were available from the Office of Emergency Planning to repair the hurricane damage. It of course would be futile to repair the district back to prehurricane condition since that condition was a state of general erosion.

There is every reason to believe that the district's application would be approved by the Department of the Interior under the Small Reclamation Projects Act if that act were being used. However, this project proposal cannot be processed through the regular provisions of the Small Reclamation Projects Act at the time.

On January 20, 1967, the Department of the Interior transmitted to the Congress draft legislation proposing an amendment to the Small Reclamation Projects Act. He also advised that after the end of the 89th Congress no further small reclamation projects would be transmitted to the Congress until the change he had suggested was adopted. This despite the fact that the law had been used for 10 years. In his letter of transmittal the Secretary of the Interior stated:

> The present provisions of subsection 4(d) are similar to those in a bill vetoed by the President. . . . In his veto message on that bill the President based his objection to such provisions on the ground that they violated the separation-of-powers doctrine. . . .

Section 4(d) states that no appropriation shall be made for financial participation in a project prior to 60 days from the time the Secretary of the Interior submits his findings and approval to the Congress, and then only if neither the House nor Senate Interior and Insular Affairs Committees disapprove the project proposed by committee resolution during the 60-day period. The Senate has passed a bill changing this section, but it has not yet passed the House.

While I do not necessarily agree with the conclusions of the Secretary either on policy or constitutional issues, it remains now that no small reclamation projects applications are being acted on favorably.

I therefore introduce this bill to avoid the objections raised by the executive branch of the Federal Government over the issue of "separation of powers" and to speed this rebuilding project to completion.

The participation authorized by this bill will be limited to a loan of $5,063,900 and a grant of not more than $54,000 for the purpose of rebuilding and expansion of the existing project. The district now has an application and a report submitted to the Bureau of Reclamation.

In all other respects the bill will be governed by the existing provisions of the Small Reclamation Act as amended.

I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2619) to authorize the Secretary of the Interior to proceed with a loan and grant to the Hidalgo and Willacy Counties Water Control and Improvement District No. 1, Texas, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 2619

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to proceed with financial participation in a project proposed by the Hidalgo and Willacy Counties Water Control and Improvement District No. 1 (hereinafter referred to as the "District") of Edcouch, Texas, under the provisions of the Small Reclamation Projects Act of 1956 (70 Stat. 1044 as amended by 71 Stat. 48 and 80 Stat. 376) without regard to the provisions of section 4(d) of said Act.

SEC. 2. The participation authorized by the aforesaid provisions of the first section of this Act shall be limited to a loan of not more than $5,063,900 and a grant of not more than $54,000 for the purpose of assisting in the financing of a rehabilitation project as generally described in the District's application report submitted to the Bureau of Reclamation on July 20, 1967.

Sec. 3. Except as otherwise provided in the first section of this Act, the Secretary of the Interior's participation in the aforesaid project shall be governed by the provisions of the Small Reclamation Projects Act as amended.

ADDITIONAL COSPONSORS OF BILLS

Mr. KUCHEL. Mr. President, on behalf of the Senator from Michigan [Mr. Griffin], I ask unanimous consent that, at its next printing, the name of the Senator from Pennsylvania [Mr. Scott] be added as a cosponsor of S. 2541, a bill to provide for the issuance of a special postage stamp to commemorate the 50th anniversary of the independence of the Baltic States.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. McGOVERN. Mr. President, I ask unanimous consent that at its next printing, my name be added as a cosponsor of the bill (S. 2527) to encourage the movement of butter into domestic commercial markets.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF AMENDMENTS

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from California [Mr. Kuchel] be added as a cosponsor of amendments Nos. 123 through 129 to S. 830, the bill dealing with discrimination in employment of the aged.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, November 2, 1967, he presented to the President of the United States the enrolled bill (S. 223) to authorize the disposal of the Government-owned long-lines communication facilities in the State of Alaska, and for other purposes.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. GORE:

Excerpts from a speech by him, published in the St. Louis Post-Dispatch of recent date.

CONSTRUCTION, OPERATION, AND MAINTENANCE OF THE FIRST STAGE, OAHE UNIT, JAMES DIVISION, MISSOURI RIVER BASIN PROJECT, SOUTH DAKOTA

Mr. McGOVERN. Mr. President, I wish to express my appreciation to the Senate for the unanimous passage yesterday of the Oahe irrigation bill. The measure will have the effect of authorizing the first stage of this very important development project in north-central South Dakota.

I particularly wish to thank the majority leader [Mr. Mansfield] for the prompt handling of the bill in yesterday's action, and to express my appreciation to the chairman of the Committee on Interior and Insular Affairs [Mr. Jackson], the ranking minority member of the committee, the distinguished minority whip, the Senator from California [Mr. Kuchel], and also to the distinguished Senator from New Mexico [Mr. Anderson] who serves as chairman of the Subcommittee on Water and Power Resources.

I think this project will be of enormous benefit to the economic development of our State. I am most grateful for the prompt action of the Senate in passing the legislation. I hope it will be possible early next year for the House of Representatives to act on the authorization that is now pending there.

Successful field hearings have been held recently by a subcommittee of the House in our State, participated in by both Representative Berry and Representative Reifel. It is my understanding that those hearings were very successful and that they should go a long way toward assuring early action by the other body.

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business?

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, so ordered.

MONTANA IS CONCERNED ABOUT ITS SENIOR CITIZENS

Mr. MANSFIELD. Mr. President, the Secretary of Health, Education, and Welfare recently said that to the typical man who ends his work career at age 65, retirement means at least 25,000 hours of "extra time" for the balance of his lifetime expectancy.

He added:

> Male retirees alone now number well over 5 million. The total time freed by this event amounts to over 100 billion hours.

Retirement, as we see it now in our society, leaves older people with a vast amount of time either for constructive use or aimless boredom.

Obviously, both society and the individual lose if retirement years are wasted. Hours are just as precious after age 65 as they were before—but only if they are put to satisfying use.

For many Americans retirement is a time for relaxation or for personal occupation in fields of special personal interest.

For many other Americans, however, retirement can become a time to give service. In helping others, they discover new meaning in their lives. And as we already know from the Peace Corps and VISTA, few experiences are more satisfying than self-discovery while working for something worthwhile.

I am happy to report that in my home State, educators and health administrators have given some thought to the usefulness of the elderly. I ask unanimous consent that several articles reporting on the details be printed in the Record.

The Great Falls Tribune, on August 10, described a pilot program for the training of individuals past age 55 to be teacher aides in public schools. This program could be of great significance not only in Great Falls, but elsewhere in the Nation. Another article, dated September 30, reports that at least half of those trained were employed in the schools in the first phase of the program.

Another project, described in the October 17 issue of the Great Falls Tribune, is enlisting the elderly as assistants in extended care facilities in Helena. Here again is an innovation that may be worthy of emulation elsewhere.

Finally, a Tribune editorial on October 8 urged the "Treasure State" to regard its senior citizens as golden ingots rather than as scrap metal.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Great Falls Tribune, Sept. 30, 1967]

Thirty-two Get Orientation in Teacher Aid Plan—Initial Program Ends

Helena.—The initial training program for senior citizens as teacher aides has been concluded, Dr. Gordon Browder, executive director of the Institute for Social Science Research at the University of Montana, said Friday.

"While it is too early to determine what the final disposition of aides will be," Browder told the Montana Commission on Aging meeting in Helena, "we do know that over one-half of those trained were employed during the first two weeks of the school year."

He said employment of additional persons during the year is assured.

Browder said about 65 persons finally were selected for training out of 200 applications.

He said those aides now employed are working in a variety of jobs—as library assistants, lunch period supervisors, playground supervisors and general classroom assistants.

Great Falls is one of four cities in the United States in which a pilot program is being conducted this summer in the training of senior citizens—persons over 55 years old—to be teacher aides in the schools.

Orientation programs have been completed in Missoula and Billings. The Great Falls course ends next week, while the fourth is under way in Dade County (Miami), Florida.

The idea originated in Montana, according to Dr. Raymond Gold of the department of sociology and the Institute for Social Science Research at the University of Montana.

At a meeting of the Governor's Commission on Aging several months ago when possibilities were being discussed for the employment of older persons in a productive capacity, the suggestion was made that they might be employed as teacher aides.

They could assist the teacher in the classroom, taking roll, checking grades, collecting money and doing other routine tasks which now take some of the teacher's time away from instructional duties.

All four men stressed the tentative nature of the project. They said no attempt is being made in the present stage to indoctrinate individuals wtih specific job skills. This will be done during an in-service job training period later.

The enrollees are being acquainted now with the philosophy of education and the position of education and its institutions in the social structure of the times.

Despite the fact teacher aides are not on the horizon now as far as the Great Falls public school system is concerned, project sponsors feel the program has definite possibilities. As far as the specific use of such older person in the schools in general is concerned, it is felt there would be good continuity of service, since they would not be inclined to move from city to city.

Heupel commented on the possible value of the men in the group in such a program as Headstart, for example. In many instances the children in Headstart have had no experience with a father, he pointed out. Men assigned to the Headstart program could give such children an understanding of the father's role in family life, he declared.

In a broader sense, the project sponsors feel the class can give an insight into the ability of older persons to absorb new skills and to put previous experience to new and different uses.

When the Great Falls project is finished, the results will be compared with those from the other three and a decision made as to whether or not to continue the program for another year.

After the second year, Gold said, the program should be self-generating and if such older persons can be absorbed into the school system, the program then could be handled entirely on a local basis.

Application was made to the U.S. Department of Health, Education and Welfare (HEW) and money was made available for the present series of pilot programs.

Thirty-two persons are enrolled in the Great Falls class meeting three hours daily for three weeks in Room 108 at Paris Gibson Junior High School. Three of the trainees are men.

There were no educational requirements for participation in the class, although applicants were subjected to careful screening to be sure only the most likely candidates were selected.

"They represent a very good cross-section of the community, with some of them coming from quite substantial families," Gold explained.

No assignment has been worked out by the school district for these individuals because of budgetary problems and other reasons. The use of teacher aides was not included in the district's 1967–68 school budget. The program was so late in getting started that there was no opportunity to include it.

Teacher aides are being employed in other school systems throughout the country in a tentative way, however, according to Gold. The larger systems have taken advantage of such assistance because of their greater flexibility in budgeting.

Three instructors, in addition to Gold, are involved in the program in Great Falls. They are Robert Farnsworth, who retired a year ago as superintendent of Great Falls public schools; Dr. William Evans of the University of Montana sociology department, and Willis Heupel, principal of Russell Elementary School.

[From the Great Falls Tribune, Oct. 17, 1967]

HELP CARE FOR ELDERLY: USE OF SENIOR CITIZENS IS EXTENDED BY PANEL

HELENA.—The Montana Commission on Aging has approved a year's extension of a nationally recognized program using senior citizens in assisting with extended care for elderly patients in St. John's Hospital, Helena.

The program, which began Oct. 1, 1966, was extended to October 1968, Lyle Downing, commission director, said Monday. The hospital provides $7,063 of the $17,658 program with federal funds providing the other 60 per cent.

Ten senior citizens are employed in the program cited last June by the National Conference of State Executives on Aging as a unique and outstanding project.

The assistants provide such help as letter writing, serving meals and helping feed the patients, manicures and companionship.

The extension was recommended by the commission's technical committee headed by Dr. William Harper, Helena. Other members, all of Helena, are attorney Thomas H. Mahan, Howard Ellsworth and State Rep. John Delano.

[From the Great Falls Tribune, Oct. 8, 1967]

SCRAP METAL OR GOLDEN INGOTS?

Senior citizens are truly golden ingots, according to Allen M. A. Buckingham of Denver, regional representative on aging for the U.S. Department of Health, Education, and Welfare.

Mining and bringing resources of senior citizens to the surface is not always easy and some of the nuggets seem to become lost in the smelting processes of our modern society, Buckingham contends.

In a talk, "Scrap Metal or Golden Ingots?" which he presented at the recent Montana Conference on Social Welfare at Butte, Buckingham emphasized there is a great potential in the senior citizens.

During the next five years, the following will retire, he said: 35,000 lawyers, 3,000 dieticians, 18,000 college professors, 12,000 social workers, 11,000 librarians, 32,000 physicians, 43,000 registered nurses and many thousands of school teachers.

"While these people retire, all of us in the helping services are crying for more help," Buckingham said: "Manpower is one of the biggest social problems we face."

Buckingham said there surely are ways of using retired talents on a part-time employed or volunteer basis.

Attitudes toward aging are changing in a positive direction, he said.

Aging is relatively new to our society, Buckingham pointed out. In 1900 the average person could expect 2½ years of retirement; today he can expect 15 years of retirement.

Aging is now regarded as a kind of social disease rather than a disease process as it used to be, he explained.

Complimenting Montana for being conscious of its rich resources in the state's senior citizens, Buckingham called for an accelerated program to take advantage of the talents of older persons. He strongly recommended comprehensive planning to relate the needs of our golden ingots to the total community and its needs.

Montana has made a fair start on a program for the aging. The state can brighten its reputation as the "Treasure State" if it regards its senior citizens as golden ingots rather than as scrap metal.

FOREIGN SERVICE DAY

Mr. PELL. Mr. President, today, November 2, is being celebrated as Foreign Service Day. Government officials currently responsible for U.S. foreign policy are joining in a series of high-level meetings and seminars on important foreign affairs matters. The 2-day session reunites retired as well as active officers from the Department of State, Foreign Service, Agency for International Development, and U.S. Information Agency.

As this body knows I have long had a special interest in the Foreign Service, of which I am a former member. I therefore take particular pleasure in noting this occasion and adding my own greetings to those of President Johnson. The President has issued a special message for the occasion which I ask unanimous consent to have inserted in the RECORD.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington.

I am happy to greet members of the Foreign Service of the United States on this day dedicated in their honor.

Foreign affairs today involve a vast range of relationships between peoples: information programs, cultural programs, technical assistance programs, educational exchanges, and international trade, to name only a few.

Although every major department and agency of the national government is now concerned with some phase of foreign policy, our ability to employ our vast resources to best advantage rests—in large measure—on the skill and dedication of those principally responsible for our foreign relations.

Americans in foreign service carry the major burden of representing the American people and their interests abroad. They are subjected to physical hardships and at times to physical danger. As President, I am well aware of the sacrifices we demand of them, and of their families.

The Foreign Service may be proud of the manner in which it discharges its great responsibilities. I believe it fitting that we set aside this day to honor those who serve their country abroad. By so doing, we show our appreciation for their contribution to the security and well-being of our nation, and to the peace of the world.

LYNDON B. JOHNSON.

TWO MONTANA NATURALISTS AND THE "GRIZZLY"

Mr. MANSFIELD. Mr. President, last evening, television viewers had an opportunity to view the first of the National Geographic Society's 1967–68 series of hour-long color specials, "Grizzly." The scene for the special series was the high country in Yellowstone National Park. The stars, in addition to grizzly bears, were Frank and John Craighead, brothers and eminent scientists, a well-known Montana family.

The television viewers watched the Craighead brothers and their students as they worked to learn how long a grizzly lives, how much land he needs, his weight, pulse, blood chemistry. All of these facts and more will provide the basis for a grizzly conservation program—insuring the future of this great wilderness bear. The National Geographic Society and Frank and John Craighead are to be highly commended for their efforts in bringing about a better understanding of the grizzly, especially in view of the unfortunate incidents in the Northwest during the past summer.

The Washington Post television critic, Lawrence Laurent, gave the program a fine review. I ask unanimous consent that his column be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A FINE STUDY OF TWO NATURALISTS

(By Lawrence Laurent)

The unhurried quality of a National Geographic Special (CBS, Channel 9) gives a special appeal to those infrequent programs. The themes and subject matter is always timeless with no effort made to demand or command attention.

The specials do very well in the ratings, however, and this is probably because the viewers have come to expect superior production, sound research and solid scholarship.

Last night's program, "Grizzly!" suffered only from a misleading title. The use of that word and the exclamation point led many to expect a program of violence, combat and gore. Instead, those who went past the title found superb color photography and a well told story of two remarkable men.

Frank Craighead Jr. and his identical twin brother, John, grew up in the Washington suburb of Chevy Chase. Their father was chief of the Division of Forest Insect Studies at the Department of Agriculture. The brothers earned Ph. D. degrees in Ecology, which is the study of the relationship between organisms and their environment.

For the past 20 years, the Craigheads have lived in homes they built in Wyoming's Grand Tetons, near Jackson Hole. They are scientists of the wilderness and what came through most strongly in this documentary is their love of the wilderness and wild animals.

The research they have done on the grizzly bear (Ursus horribilis) may prove helpful to man and to his scientific progress. But a better reason for their work was credited to John's daughter, Karen.

When Karen was 12 years old, someone asked her: "Why bother? What good is a grizzly anyway?" Her answer: "We want to save the grizzly because when he's gone, he's gone forever. And we can't make another one."

Working with the grizzly, it turned out, is only one of the projects pursued by the brothers Craighead. They're also concerned about the disappearing golden eagle, the predatory hawks, the Canada goose, and Yellowstone National Park's overpopulation of elk.

The best scenes, I thought, concerned the two Craighead families. They live happy, busy and independent lives. I also especially liked the scenes of the two muscular and fit brothers as they fished the wild river and fought rapids.

"Rivers," said John Craighead, "are fragile things, easily destroyed by man. A truly wild river is precious. Only a few still exist in America. Hopefully, we can save these few for future generations to enjoy."

The work in Yellowstone and the teaching of college students by each of the brothers would be motivation enough for most men. John had still another reason and it furnished the conclusion of the program:

"All creatures, including man, exhibit some common behavior, traits deeply rooted in animal instinct and animal drive. So as we strive to know ourselves and to understand our own behavior, we find there is much we can learn by studying other animal life; whether it be mice or grizzly bears."

With all the phony, dramatic heroics that abound in television, it was a treat to watch the self-sufficient, purposeful brothers at work. The National Geographic Society deserves credit, too, for showing the joyful activity of the men and their families.

Mr. MANSFIELD. Mr. President, the November 1967 issue of the National Geographic contains an excellent article on "Yellowstone Wildlife in Winter" by William Albert Allard. The article concerns the locale of last night's program. I ask unanimous consent to have the text of the Allard article printed at the conclusion of my remarks in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

YELLOWSTONE WILDLIFE IN WINTER

(By William Albert Allard)

Over the ridge and across the creek the buffalo thundered. Belly-deep in midwinter snow, the lead bull had guided his herd of 80 in wild flight across four miles of rugged terrain. Strung out in single file, the great beasts crashed through icy creek waters and patches of lodgepole pine.

Now the chase was nearing its end and the hunters were closing in. But on this hunt there would be no trophies. Our mission was to trap and check the herd, part of the program of research and population control conducted here by the National Park Service.

The pursuit had begun one crystal-clear January morning on a snow-covered field at Mammoth Hot Springs, Wyoming, headquarters of Yellowstone National Park. Two helicopters poised there for take off. Park Service wildlife scientists rode in helicopter No. 1, and I sat in the other with pilot Robert Schellinger.

"Helicopter two . . . helicopter two . . . this is helicopter one."

"Go ahead, one," replied my pilot, and helicopter one came on again. "We'll try Hayden Valley. Maybe we can get a big herd moving."

The pilots applied power, and both craft lifted off.

Reflecting on the mechanical aids at our command, I thought this a strange way to pursue the magnificent animals that once, in vast herds, darkened the western plains. But perhaps I was still under the spell of a frontiersman named Osborne Russell.

In his *Journal of a Trapper*, covering 1834–43, he wrote: "If Kings Princes Nobles and Gentlemen can derive so much sport and Pleasure as they boast of in chasing a fox or simple hare . . . what pleasure can the Rocky Mountain hunter be expected to derive in running with a well trained horse such a noble and stately animal as the Bison?"

BUFFALO HUNT—20TH-CENTURY STYLE

As we skimmed along at 500 feet, the mountainous Yellowstone panorama spread out before our eyes like a rumpled quilt, with towering pines and deep snow forming a pattern of green and white. This was the winter wilderness that few Yellowstone visitors see.

In Hayden Valley we hoped to find buffalo and drive them toward a trap built along Nez Perce Creek. There blood tests would be given to detect brucellosis, a contagious disease that causes certain animals—especially cattle, swine, and goats—to abort their young. Diseased and surplus animals would be removed from the herd, and a few would be neckbanded to facilitate studies of bison movements.

We were almost to Hayden Valley when I saw four bull elk grazing in a snowy meadow. At the sound of our approach they dashed for the shelter of heavy timber.

"They're getting a little spooky," Bob said as the elk disappeared into the pine. "Each year the animals seem to get a little wiser and flush faster at the sound of a helicopter."

Our attention was drawn from the elk by the sight of the other helicopter veering sharply down. Following its lead, we were soon at treetop level over an open ridge.

"There they are!" Bob shouted. I saw the buffalo at the same time—about 80 shaggy beasts flecking the white ridge with brown.

For a moment they stood fast. Several pawed at the ground and lowered their heads as if threatening to charge the noisy intruders. Suddenly one swung into a gallop, and in an instant the others followed. In single file the herd rolled across the ridge. Pounding hoofs kicked up clouds of powdery snow.

"We have to keep them from splitting up and getting into the timber," Bob explained, as we dived quickly to head off a cow and a calf that seemed determined to leave the trail. By now I had slid back a helicopter window. Bitter-cold blasts whipped my face and hands as I photographed the galloping bison.

The drive was only ten minutes old when I noticed the buffalo were running with their tongues hanging out. Steam billowed from their nostrils. They couldn't go much farther at this pace, I thought. Surely they would drop from exhaustion. Yet they seemed to be running harder. Bob sensed my concern.

"They'll run like that forever," he said. "Their endurance will amaze you."

It did. The four-mile drive had included several creek crossings. When we left the buffalo, still ten miles from the trap, they looked tired but able to hit the trail again. They could rest now; we would drive them on into the trap on another day.

TRIBESMEN BANISHED, BUT GAME SURVIVES

Flying back to Mammoth Hot Springs, we passed over rolling hills and meadows laced with trails of elk, buffalo, bighorn sheep, and deer. Long before the winter of 1807, when trapper John Colter explored this country, the abundance of game had made Yellowstone a natural hunting ground for great Indian nations. First came the Shoshoni and Bannock, and later the Crow, Nez Percé, and Flathead, to fill their bellies and lodges with meat and hides.

In 1877, five years after Yellowstone became our first national park, the Nez Percé hunted the area for the last time, as Chief Joseph led them on an ill-fated retreat from U.S. Cavalry. Troops finally caught up with the Indians in Montana near the Canadian border, well beyond the park confines, and defeated them in battle. Chief Joseph and other survivors were sent to a reservation.

Today, thanks to an enlightened wildlife-management program, Yellowstone shelters a variety of game, much as when Indians and mountain men drifted through the wilderness. A good share of the credit belongs to former Superintendent Lemuel A. (Lon) Garrison and to Robert E. Howe, for ten years Yellowstone's park biologist. Recently Bob became superintendent of Sitka and Glacier Bay National Monuments in Alaska.

I visited with Bob in Yellowstone after returning from the morning's buffalo drive. Over coffee he briefed me on the goals of the management program.

"The National Park Service's objective," he said, "is simply to keep the park as natural as possible. We aim to have a representation of each wildlife species that existed in Yellowstone when the mountain men first arrived."

The wolf, Bob said, is the only original predator no longer found in Yellowstone.

"We realize now that we were too hard on the wolves and mountain lions in the early days," he said. "We hope eventually to reintroduce wolves into the park. But Yellowstone is surrounded by ranching country, and bringing back these predators would be a matter of serious concern to ranchers."

Mountain lions are occasionally reported in the park, and coyotes are abundant.

"Coyotes are no real threat to the big game herds," Bob said. "An elk or buffalo is more than a match for a coyote, and nature protects the calves. Like the young of all wild creatures, an elk or buffalo calf gives off almost no scent. A coyote could pass within ten feet of a newborn elk and not know it was there."

ASPEN THREATENED BY BROWSING ELK

Grazing competition between species has been a major problem in Yellowstone. To maintain the park's natural state, the vegetation must also be protected. In the early years animals could easily move into unpopulated areas outside the park for winter food. Now, as more people come to ranch or farm, the park's animals—especially its herds of elk—find winter forage increasingly scarce.

Elk wreak havoc upon aspen trees, devouring their young shoots. With no regrowth from seedlings, the colorful aspen could vanish from the park.

"We manage some animals indirectly," Bob continued. "Take those in the Mount Everts area, for instance. It's the primary winter range for some of our 300 bighorn sheep—but mule deer, elk, and antelope also graze there. If we think the elk competition is too great for the sheep, we manage the sheep indirectly by removing the elk. If we should find deer and antelope in a range struggle, we would probably remove deer because we have fewer antelope—about 200—and they are restricted to a much smaller area of the park."

Of the elk rounded up and trapped during the 1966–67 winter, 1,105 were shipped to federal and state agencies and private landowners. Others were released wearing bright colored neck bands that would aid in the study of their movements within the park.

BULL ELK GUARDS HERD'S FLANKS AND REAR

I left Bob's office with an invitation to fly on an elk roundup at dawn the next day. It was still dark when we took off, the helicopter rotors shattering the morning calm. I rode again with Bob Schellinger, while William Barmore, assistant park biologist, went with pilot Elwood (Swede) Nelson.

As the sky lightened, the horizon was broken by milky columns of steam rising from the hot springs. In the distance the magnificent Teton Range appeared high above the south approach to the park.

We found the elk herd quickly. Bob and Swede dipped low to round up about 100 head for the drive to the trap. Elk will scatter faster and farther than buffalo, and each move by Bob and Swede became a demonstration of their skill as pilots. Keeping the animals in control, maintaining safe distance between helicopters, and avoiding a deadly brush with the treetops demanded steady concentration and instant reflexes.

Some elk had reached timber. Bob dropped to just above the pines, and as we hovered noisily, the downdraft of rotors and resulting whirlwind of snow frightened the animals out into the open.

It was a short drive of about two or three miles, and soon we were within sight of the trap, hidden in an aspen grove. Seeking an escape, the elk ran directly into the timber enclosed by the trap fence. Most of the herd were cows and calves. A handsome bull with huge jutting antlers trailed behind. As is typical of elk, deer, and buffalo, the dutiful old man posted himself as a rear guard while the ladies led the way.

With the elk in the trap, Swede landed near the grove so that Bill Barmore could run to close the trap gate. Next day most of the animals would be loaded into trucks and shipped to areas far from the park.

If the winter is extremely mild, elk tend to scatter in small groups across the high country, where roundups by helicopter are not possible. Then some must be shot to reduce herds and thus avert starvation.

VISITORS DRAWN BY WINTER BEAUTY

As we headed for home, Bob took a few detours to give me a better over-all view of the Yellowstone wilderness.

On Hellroaring Mountain we watched a bighorn ram run pell-mell along a snow-rimmed crag. Wheeling south, we passed over Old Faithful just as it erupted, then crossed Pitchstone Plateau to the edge of the park and over the icy lid of Jackson Lake, sprawled beneath the Tetons.

Coming back, we spotted elk amid steaming geysers bordering the Firehole River. Along the Lower Geyser Basin we waved at sightseers standing beside the tanklike snowmobiles that had brought them in over the snowbound road from West Yellowstone.

Except for winding roads and scattered visitor and ranger facilities, 90 percent of Yellowstone's 3,472 square miles remains in the wilderness condition in which it was discovered. Until recently the park had seen few winter visitors; rangers and maintenance crews had it pretty much to themselves.

The day is perhaps not far off when large numbers of visitors, bundled up in snowmobiles, will see much more of the park's winter beauty. When that day comes, fleets of steel-treaded half-tracks will rumble across a land that once knew only the snowshoes of Indians and trappers.

CRUSTY SNOW DEFEATS THE BISON

Later that week I drove out to the Nez Perce Creek buffalo trap, where the herd from Hayden Valley finally had been corralled. From the main trap the bison were driven into a long chute. Then, singly, they were urged into "squeeze chutes," narrow stalls with steel bars to prevent the tossing of horned heads or other dangerous movements.

While a researcher attached identification tags to the animal's ears, a veterinarian tested for brucellosis. Bison that reacted positively, as well as surplus animals, would be destroyed. After calves were vaccinated, the herd would be set free once more.

As the taggers and testers did their work, I talked to them about the buffalo. It is a tougher, more adaptable animal than I had thought, comfortably adjusting to almost any condition except deep, crusty snow. When its food supply lies under a white mantle, it burrows with head swaying from side to side, brushing away the snow from the grass.

I had done some background reading on brucellosis, the disease that affects 23 percent of Yellowstone's 400 buffalo. It is caused by the bacteria *Brucella*, named for the British bacteriologist Sir David Bruce, who identified it in 1887.

Bruce's find came after he was sent to investigate the illness, sometimes fatal, of many British soldiers and sailors serving at Malta and elsewhere in the Mediterranean. The victims had drunk the milk of infected goats, and the disease that felled them was known for many years as "Malta fever," or "Mediterranean fever."

Brucellosis is widely known also as Bang's disease, after Dr. Bernhard Bang of Denmark, who isolated a closely related bacterium in cattle ten years after Bruce's discovery.

Malta fever now is called undulant fever, and humans contract it by drinking unpasteurized milk from contaminated cows or goats, or by direct contact with infected animals. Since nobody drinks buffalo milk, the main concern of Yellowstone officials is to cooperate with the Department of Agriculture in keeping brucellosis from spreading from the park bison herd to cattle on adjacent lands.

Treatment for the ailment in man is available, but so far there is no cure for animals. I learned that a partially effective vaccine for cattle is in regular use, and I wondered about the other hoofed animals. I put the question to a wildlife biologist:

"Aren't elk, antelope, deer, bighorn sheep, and moose also subject to brucellosis?"

"Those animals are much less gregarious at calving time than buffalo," he replied. "When the disease is conquered in buffalo, the effect on other wildlife, even now comparatively slight, is expected to die out."

As for undulant fever in man, it too, I learned, has virtually ceased to be a problem in the United States. In the old days, before pasteurization of milk was a routine practice, the Nation counted many thousands of cases annually; the total for as recent a year as 1947 was more than 6,000.

Since then, with state and federal health authorities cooperating, the annual incidence of undulant fever has fallen off dramatically. In 1966 the U.S. Public Health Service recorded fewer than 300 cases. Most were contracted from swine rather than cattle, and the victims were principally packing-house workers, farmers, or veterinarians who had direct contact with infected animals or diseased blood or tissue.

BISON HERD GREW FROM ONLY 20 HEAD

Yellowstone's present buffalo herd owes its existence largely to a conservation campaign initiated around the turn of the century. By that time indiscriminate slaughter by poachers had left the park with about twenty bison, where once there had been thousands.

In 1902, with a $15,000 appropriation from Congress, the park obtained 18 female bison from the Pablo-Allard herd on the Flathead Indian Reservation in Montana, and three bulls from the ranch of Col. Charles Goodnight in the Texas Panhandle. This action has been recorded as the first real effort to preserve and perpetuate the species *Bison bison*.

A century or more ago, an estimated 60 million buffalo roamed North America. In the two decades following the Civil War, most were slaughtered, so that by 1889 the species was facing extinction. Today, there are about 12,000 in the United States, 11,000 in Canada.

COYOTES FEAST ON FALLEN GIANTS

During my winter visit to Yellowstone I found I could keep abreast of gossip about wildlife and other matters by frequenting the restaurant of the Town Motel in Gardiner, Montana, at the parks' north gate. There one evening I encountered Dr. Paul Holcomb, a Department of Agriculture veterinarian working with the Park Service on brucellosis control. He had heard that I was hoping to make night photographs of coyotes feeding.

"You'd better get right out to the Slough Creek trap," he said. "We lost a couple of elk out there today. They were injured and had to be destroyed. You can count on plenty of coyotes tonight."

I hurriedly packed sandwiches and coffee into the car and headed for Slough Creek (map, page 642). A big mule deer's startling leap across the icy road 40 feet in front of me highlighted the 30-mile drive. Soon I turned off the main road, weaving and bumping along a plowed path to the elk trap, a mile back in the hills.

Doc Holcomb had been right when he said there would be plenty of coyotes on the scene. As I drove within sight of the trap, a dozen pairs of eyes blazed yellow in the glare of the headlights, then vanished into the moonless night. The elk carcasses stood out against snow already trampled with coyote tracks.

It was almost midnight when I had set up my electronic-flash units near the carcasses and returned to the car, 15 yards away.

Only a minute or two slipped by before my vigil was interrupted by one of the most spinetingling—yet beautiful—sounds of the wild. Coyotes were calling out of the darkness. Each piercing cry reached out to me. Cold and mournful, the indescribable sound reached its peak, then blended with the night.

For the remainder of the evening I would be an uninvited guest at dinner.

The cries of the coyotes grew closer . . . closer. Then they stopped, and the air was still. Camera in hand, I huddled in the car and waited. I felt I was not alone. They were probably all around me, sitting on their haunches, waiting. The presence of my car would not frighten them; they were familiar with man scent around the elk trap. But I must not move. The slightest movement would send them slinking off into the brush.

NOCTURNAL DINERS FINALLY ARRIVE

Snow was falling gently now as I peered into the darkness. Suddenly, what had appeared to be a still, dark object became a shadow crossing the open snow. Then another . . . and another. I slowly aimed the camera, released the shutter, and a brilliant burst of light revealed a sleek coyote straddling his meal (page 650) while several others watched from a few yards away.

The electronic flash did not seem to disturb them, so I quietly continued making pictures. Perhaps they had become accustomed to the constant beam of a miner's headlamp I wore to assist me in focusing.

Although there was well over a thousand pounds of meat for the taking, only one or two coyotes at a time would come in to feed. The others had to wait their turns. Any attempt to slip in for a quick bite brought a snarling, hair-bristling attack from those already eating.

Ordinarily the waiting coyotes would have been much more daring and bold in their hunger. However, it was an unusually mild winter and small game and field mice, the normal coyote diet, were plentiful. Tonight the scavengers were fat and patient.

Dawn brought my work to a halt. My presence was too obvious now, and the coyotes retreated. Most of the meal was still untouched, but I knew that with my departure the coyotes would return and finish their feast. By evening only skeletons would remain.

Driving away from Slough Creek, I saw a lone coyote trotting across a hilltop toward the elk trap. In the somber morning light I imagined he might be heading for the remnants of a Shoshoni buffalo hunt—were it not for the droning reality of my 20th-century automobile engine.

RANGER FAMILIES HOLD SKI FROLIC

Shortly before leaving Yellowstone, I spent several days with Ranger Gary Brown and his family. I had passed their cabin many times while cruising the Northeast Entrance Road along the Lamar River (page 657).

We met at a Saturday ski outing for park employees and their families on a gentle slope at Undine Falls, east of Mammoth Hot Springs. The children competed in downhill races and the parents had a contest of their own—an obstacle race with each contestant wearing one ski and one snowshoe while climbing over hay bales, under tarpaulins, and through automobile tires.

Winter brings a slower pace for the rangers. If they're not working on a roundup, they help build and repair equipment and patrol the roads for snowbound cars. The road from Mammoth Hot Springs to Cooke City remains open to the public in winter.

Gary also makes two- and three-day ski patrols to count wildlife. During these trips he stays overnight in well-stocked patrol cabins spaced ten to twelve miles apart in the back country.

NATURE'S PLAN SURVIVES IN THE PARK

On a Monday I accompanied Gary on a patrol to Trout Lake, a quarter of a mile off the Northeast Entrance Road. Gary clamped on his skis, but I stuck to snowshoes.

We flushed a big bull buffalo from the timber on our way in. On our return Soda Butte Creek was busy with chattering ducks.

Heading home, we saw the carcass of a young buffalo lying in the snow across the creek. Too weak to keep up with the herd, she had fallen behind and died.

"I'd better check her for our researchers," Gary said, and he crossed some ice to examine the carcass. He returned with two eartags.

It was getting late. Far off on a sage-dotted flat, four coyotes waited for nightfall, when they would feed on the fallen buffalo.

That evening I thought of something park biologist Bob Howe had said weeks earlier: "Many people think of wild animals as being either good or bad. But in nature that isn't true. And it isn't true in our national parks. Here everything lives on something else, everything has its place—and that's the way nature planned it."

In Yellowstone I had witnessed the Park Service's dedicated efforts to preserve the magnificence of a rugged country and its wild inhabitants. Perhaps it was this magnificence that trapper Osborne Russell wanted to record in his journal as he gazed upon the Yellowstone wilderness more than a century ago—"I almost wished I could spend the remainder of my days in a place like this where happiness and contentment seemed to reign in wild romantic splendor. . . ."

It's that kind of country.

CHERI PASKY, WEST VIRGINIA TEENAGE GIRL, BELIEVES YOUTH HAS CITIZENSHIP RESPONSIBILITY—SHE ENDORSES COMMITMENT TO WORTHWHILE CAUSES

Mr. RANDOLPH. Mr. President, on Saturday, October 28, I was privileged to address the sixth annual convention of the West Virginia Labor Federation, AFL–CIO. Miles Stanley is the exceptionally able president of this organization.

The convention members adopted meaningful resolutions calling for the grassroots involvement of the labor movement in constructive social and economic programs for community development. It is my belief that such participation by local labor organization membership is commendable—it is needed.

My comment was addressed to the pressing demand for a "Mobilization of Our National Resources" to meet the challenges of providing new jobs, housing, training, educational opportunities, and health care for our citizens. This is a mobilization which demands the participation of government at all levels, labor, industry, civic and religious organizations and, most important, the individual.

In response to these remarks a teenager has written to me suggesting that "the youth of America could be very influential if brought together in a positive movement" for total involvement of our citizenry, Miss Cheri Pasky, of Parkersburg, W. Va., eloquently expresses a genuine concern for the future of our country and a realization of her obligations. Her thoughts were encouraging as evidence of young people who are energetically striving and thinking constructively for worthy causes.

Cheri is not demonstrating in opposition to a person or a policy. Rather, she is recognizing her responsibility as a citizen of our Nation. She states:

> I write this because I myself am a teenager and I care what happens to my country. We are to be the leaders of America so I think we should start taking an interest in the U.S. now and not when we're twenty-one.

Mr. President, I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

PARKERSBURG, W. VA.,
October 31, 1967.

Senator JENNINGS RANDOLPH,
Senate Office Building,
Washington, D.C.

SENATOR RANDOLPH: At the sixth annual convention of the West Virginia Labor Federation, you called for a "total involvement" of our resources: government, industry, and the people themselves, to meet the needs of today's America.

I am inclined to agree with your suggestion. So many Americans complain about foreign policy, the tax boost, the demonstrations, etc. But I think they fail to realize that nothing is accomplished by complaining. They must take positive action to improve situations. If the United States is to advance at all, it will be through the efforts of its citizens.

The youth of America could be very influential if brought together in a positive movement. I think they have proved this by such organizations as VISTA and the Peace Corps. They are heard, and I think the government should make use of their energies instead of bringing them down. The majority of the demonstrations prove they are interested. If they were channeled in the right direction, I'm sure they could make America sit up and listen. They could very well be the uniting factor in the "total involvement" you call for.

I write this because I myself am a teenager and I care what happens to my country. We are to be the leaders of America so I think we should start taking an interest in the U.S. now and not when we're twenty-one.

Sincerely,

CHERI PASKY.

DEPARTURE OF LIVINGSTON L. BIDDLE FROM FEDERAL SERVICE

Mr. PELL. Mr. President, it is with much sadness that I invite the attention of the Senate to the departure from the Federal Government of Livingston L. Biddle, deputy chairman of the Endowment for the Arts.

A National Foundation on the Arts and Humanities was little more than a long-held project and idea when I invited Livingston Biddle to join my staff. His prime responsibility was to help take this concept and turn it into an actuality through legislative enactment. This was truly a formidable undertaking in that the legislation was considered by many to be radical, and had, in fact, been considered for more than half a century—with nary a result.

Livingston L. Biddle, who was given this difficult task, was not a lawyer, not a political scientist, not a legislative draftsman, but happily was an individual dedicated to the concept that an understanding of the arts and humanities, and Government support thereof, would bring greater fulfillment to the lives of all our citizens. Actually, his background was that of a successful novelist, a career that had grown out of the depth and breadth of his education and values.

During the hearings and meetings devoted to enactment of the bill, Livingston Biddle performed not only a legislative function, but in my mind, educated many of us in the Senate to the value and need of this type of legislation. We do not need to belabor the process; but suffice it to say that on September 29, 1965, President Johnson signed Public Law 89–209, the National Foundation on the Arts and the Humanities Act of 1965.

And the work was helped by the fact that the senior Senator from New York [Mr. JAVITS] had pioneered and labored for this idea for many Congresses. He continued to lead and help in every way in bringing it to legislative enactment. In fact, both of Livingston Biddle's new Senators, Mr. JAVITS and Mr. KENNEDY, supported the work in every way.

Upon the establishment of the Endowment for the Arts, Livingston Biddle was tapped to fill the post of deputy to Chairman Roger Stevens. Since that time, the Endowment has performed admirably, and within its limited budget gained those objectives which the Congress had set for it. No public administrator has been more helpful and displayed a conscientiousness that went beyond the normal commitment to a job than did the deputy chairman. Livingston Biddle helped Mr. Stevens guide the Endowment for the Arts from its fledgling beginning into a Government agency which already has had a great influence on our country. Our recent hearings in the Special Senate Subcommittee on Arts and Humanities not only fully demonstrated the present good health of the Endowment, but also spoke of its future growth. In my mind, much of this past record and promise of greatness for tomorrow is a direct outcome of the work of Livingston Biddle.

It was recently announced that Mr. Biddle has been appointed to be chairman of the newly established Division of Fine Arts at Fordham University. He will be charged with organizing a school which will ultimately have 3,000 students. Again he will be given the responsibility of taking a concept and making it a reality. I can think of no better individual to do the job.

In his future work, I wish Liv Biddle the best of luck. He has attained what few can in life—he has seen dreams and work becoming a force for good for his fellow man. His qualities of character, thoroughness, intelligence, political acuity and the willingness to submerge himself in his work and to an ideal have served well the Endowment for the Arts. He has always sought—and achieved—excellence in his work and life. I am sure he will meet with as great or greater success in his new task.

To Livingston Biddle, I say, "Thank you for a job well done, and best of luck for the future."

LOWER THE VOLUNTARY RETIREMENT AGE TO 60

Mr. BYRD of West Virginia. Mr. President, I would like to take this opportunity to commend the Senate Finance Committee for its favorable action this week on my amendment to lower the social security voluntary retirement age from 62 to 60.

My amendment, which would not impose any additional tax burden on either the worker or his employer, would permit a participant under social security the option to retire voluntarily at age 60 and receive reduced benefits for the rest of his life. Under provisions of my amendment, monthly benefit checks of a retiree at age 60 would total approximately two-thirds of the amount the beneficiary would receive if he waited for full retirement at age 65.

Mr. President, the provisions of my amendment, if upheld in conference, would take effect on July 1 of next year. At that time, the Social Security Administration estimates, 3⅓ million persons would be eligible to apply for reduced benefits. In West Virginia there would be 35,000 eligible.

Obviously, many persons have neither the desire nor the need to retire at age 60. My amendment is designed only to help the persons who do need to retire, and who elect to retire. The Social Security Administration estimates that there would be 10,000 such persons in this category in West Virginia and 750,000 in the rest of the country.

Regarding the cost of the provision, I am told the initial added outlay in the first year would total $542 million if the conferees hold up the benefit formula recommended by the Finance Committee. There would be no additional cost to the social security system in the long run, however, because of the fact that early retirees would be receiving reduced payments.

It is rare indeed, Mr. President, when Congress has the opportunity to assist our older citizens in a way which does not place an added burden on their children. My amendment offers such a way.

The persons who would most benefit under my amendment are the persons who, because of illness or unemployment, cannot wait until age 65 to retire, much as they might wish to do so. Illness and automation more and more are causing older persons to lose their incomes and forcing them into early retirement. My amendment is a modest effort to aid such persons, while keeping social security on an actuarially sound basis.

Mr. President, I wish to thank my distinguished friend from Louisiana for his support of my amendment in his committee and to thank my colleagues on the committee for their perceptiveness and willingness to act favorably on a matter which is of such vital importance to so many millions of American citizens who are at or nearing the retirement age. It is gratifying to have committee support this year for an amendment which was introduced by me on the floor in prior years and lost in conference. I trust my colleagues will lend their full support to the matter when it reaches conference again this year.

MRS. THOMPSON MAKES AN IMPORTANT POINT

Mr. HANSEN. Mr. President, one of this country's most outstanding public officials at the State level is Mrs. Thyra Thompson, secretary of state for Wyoming. She has served in that capacity now for 5 years and, under our statutory provisions, is a hard-working, voting member of literally dozens of boards and commissions which run the State of Wyoming and serves as Acting Governor when Wyoming Gov. Stan Hathaway is out of the State. It was my very real honor to have Mrs. Thompson serve as secretary of state during my term of office as Governor of Wyoming from 1963 to 1967, and I am pleased that she is continuing to serve Wyoming, the West, and the Nation.

Mrs. Thompson made an excellent statement recently on the mineral royalties question when she spoke to students at our Wyoming high school journalism meeting in Casper. She recommends two courses of action: First, the disposal of Federal lands other than national parks, forests, and essential lands; or second, the return of a greater percentage of these mineral royalties to the States. I am convinced that we should try to accomplish some of both.

Because Mrs. Thompson's remarks have such far-reaching importance, I ask unanimous consent that an article commentary on her address and published in the Wyoming State Tribune, Cheyenne, Wyo., be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

UNITED STATES ASSERTED TAKING MOST OF STATE'S MINERAL WEALTH

The federal government takes the lion's share of Wyoming's mineral treasure, Secretary of State Thyra Thomson told 350 high school students in Casper today.

Keynoting the statewide High School Journalism Weekend, Mrs. Thomson said that since 1920 the federal government has taken $581 million from mineral leases in Wyoming, or $206 million more than the appropriations to run all of state government during that time.

Mrs. Thomson pointed out that the federal government holds the mineral rights on a huge 72 per cent of the entire state.

"Can Wyoming emerge as a prosperous state while 72 per cent of her mineral wealth is siphoned into federal coffers?" Mrs. Thomson asked. "If we are looking for new sources of revenue, this is the first place we should look," Mrs. Thomson said.

She said that Texas, Pennsylvania and other states get to keep the wealth from their minerals while the federal government takes the lion's share of ours. Mrs. Thomson pointed out that 38 per cent of all federal revenue from minerals in the United States is extracted from one state—Wyoming.

Of the $581 million collected from Wyoming lands only 37½ per cent was returned to the state, while the federal government credited 62½ per cent to the reclamation fund and to administration, according to Mrs. Thomson.

"While undeniably there was merit to the original concept of reclamation," Mrs. Thomson said, "there is little justification to continue putting the major portion of our mineral wealth into this fund. Less money has been loaned to us than we have paid in. The word "loaned" is most important because we must repay all monies spent on reclamation projects in our state."

"Of the almost $800 million credited to the reclamation fund from the public lands states, a huge 38 per cent was taken from our one state of Wyoming. In other words, Wyoming capital is being used to finance reclamation projects in other states. Moreover, since the fund is a revolving one, it should be self-sustaining by now."

Mrs. Thomson said it is vital that Wyoming express itself now on these matters because we are at the threshold of extensive mineral development in Wyoming. "Successful action must be taken now to have a greater share of these revenues returned to the state or the millions of dollars of our mineral treasure taken by the federal government will multiply many times over during the coming decades," she added.

She said there were two courses of action which could be taken: First, the disposal of federal land, other than national parks, forests and essential lands, or, secondly, the return of a greater percentage of these mineral royalties to the state. She said that both of these courses of action were called for by resolutions passed by the 13 western states.

She pointed out that upon its admission to the union it was agreed that Alaska should have 90 per cent of its federal mineral royalties returned. Only 37½ per cent is returned to Wyoming. She said that coastal states had laid claim to oil even under their tide lands, yet the federal government laid claim to 72 per cent of all the minerals under the State of Wyoming.

Mrs. Thomson prefaced her remarks to the student journalists by saying she would not advise them on how to write since they had much better qualified people than she to do this. Rather, she said, the foremost thing in good journalism is to have something to write about.

REFLECTIONS ON VIETNAM AND KOREA

Mr. McGOVERN. Mr. President, one of the most provocative essays I have read on American foreign policy in recent weeks is a piece written by Mr. Richard H. Rovere and published in the New Yorker magazine of October 28, 1967.

Mr. Rovere treats the Vietnam issue against the background of our earlier involvement in Korea. He detects in the current attitudes of many Americans a growing sentiment "not simply against the war in Vietnam but against war itself."

I ask unanimous consent that this thoughtful article by one of our most perceptive writers be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

REFLECTIONS: HALF OUT OF OUR TREE

"This is not 1948; LBJ is not Harry Truman; and Vietnam is not Korea."—*From an editorial in the New Republic, September 30, 1967."*

So say the liberal doves—or at least some among them who were adult and articulate in 1948 and 1950 and who must somehow square past and present. The younger dissidents need not trouble their minds or their consciences about what went on in the Dark Ages, but those over thirty-five or forty must in one way or another confront certain moral, political, and intellectual problems created for them by the views they held two decades ago. Consistency may be a mean virtue, but many people prize it highly and go to remarkable lengths to show others and themselves that they possess it.

It is always easier to deny than to establish the validity of any given historical analogy. If history really repeated itself, its study would be at once boring and terrifying. But analogy can have a limited validity and can, like metaphor, yield and enrich insights. Moreover, where a denial is so flat and emphatic, it is advisable to take a close, hard look. Why should anyone insist that "this is not 1948"? People are capable of keeping track of the years without assistance. Why bring up 1948 instead of 1964 or 1952—or, for that matter, 1776? Why not say that Lyndon Johnson isn't Calvin Coolidge or the Shah of Iran, and that the war in Vietnam isn't the Mexican War or the Wars of the Roses? Clearly, the two years, the two men, and the two sets of events that are mentioned together have, or appear to have, something in common.

There is, as it happens, one quite striking way in which Presidential politics today very much resembles the Presidential politics of 1948. Then, as now, many liberal Democrats wished very much to be rid of a liberal Democratic President. Though in the end most of them probably voted for Harry Truman against Thomas E. Dewey, a few supported that year's "peace" candidate—Henry A. Wallace, who had recently resigned the editorship of the *New Republic*—and others, early in the year, had made strenuous efforts to get the Democratic Party to dump Truman and name as its candidate the then Chief of Staff of the United States Army, Dwight D. Eisenhower. (Improbable as it sounds, General Eisenhower might be described as the Robert Kennedy of 1948. General Eisenhower declined to become involved, although it is said that when he was approached on this matter by some leaders of Americans for Democratic Action, his response was that he would consider accepting the Democratic nomination if he could get the Republican one as well.)

True, the motives of the 1948 liberals were quite different from those that spur today's liberals into disowning Johnson and contemplating support for a conservative Republican, provided he is less of a hawk than the President. The dump-Truman people did not hate the then President, they merely scorned him and feared that the Democratic Party could not win with him; what the dump-Johnson people fear is precisely the opposite—a Democractic victory that would keep the despised incumbent in office. The dump-Truman people, like everyone else, believed the opinion polls, and they didn't want to be stuck with a loser; the dump-Johnson liberals, also with an eye on the polls, don't want to be stuck with a winner.

"LBJ is not Harry Truman." In many ways, the two men are as different as John F. Kennedy and William Howard Taft. Johnson is a consummate politician; Truman was only a persevering one. Truman was as artless as Johnson is artful. Truman was generally candid, and Johnson seems a compulsive dissembler. One could go on. Truman's foreign policy was widely admired and more often than not was successful, but in domestic policy he never got anywhere; Johnson has done quite well with domestic policy, but his foreign policy may lead us all to disaster. Still, Johnson in late 1967 has more in common with Truman in 1948 than the hostility of some of the same liberals. Both were once Democratic senators and Vice-Presidents. Each took office upon the death of a beloved predecessor. Johnson, like Truman, has never been a child of the Establishment. From the Eastern liberals' point of view, both came from the wrong, or South, side of the tracks. Both had meager, or at least unfashionable, schooling.

Both have rather coarse manners and offend by indelicacy of speech. Liberals, I have no doubt, consider themselves large-minded people, concerned with principles, not personalities. Some are large-minded, others not. If Kennedy had lived, he might at some point have called a halt to the escalation he began. He might even have found a way to get us out of Vietnam altogether. If he had lived and, as seems to me entirely possible, found no better solution than Johnson's, then, of course, he would have faced today much the kind of opposition that Johnson faces. But I cannot help believing that it would have been somewhat less widespread and more restrained against a Commander-in-Chief who was a Harvard man with uncommon wit, intellectual poise, a passion for excellence, and gallantry of manner.

Kennedy just might have managed to run a slightly more tasteful and elegant war. But the relevant thing is that Johnson is, as Truman was, a liberal Democratic President of the United States in serious trouble on almost every front. Though Truman failed where Johnson has more or less succeeded, and vice versa, their policies are very similar, causing them to make the same enemies. Truman astonished everyone—including, I have always believed, himself—by winning in 1948, and the liberals, some of whom now seem to have forgotten that they ever opposed him, were gratified at being spared a Dewey Administration. A year and a half later, we were at war in Korea. There was some opposition to our intervention, but most of it came from isolationists, like Joseph P. Kennedy and Herbert Hoover. Little of it came from the liberals. Wayne Morse, J. William Fulbright, Arthur Schlesinger, Jr., and J. Kenneth Galbraith all had the public ear in those days, but none of these men were critical of our involvement—and neither, it may be well to say, was I, who now share with them a disapproval of our Vietnam policy.

They were in varying degrees enthusiastic in their support of the Korean war, even when General MacArthur, with the full backing of his American superiors and with a special mandate from the United Nations General Assembly, escalated the war by invading North Korea—a step that is held by most historians to have brought the Chinese into the war. (It was believed by some at the time that the real cause of the Chinese belligerence in Korea was our support of Chiang Kai-shek on Formosa. Before our armies went north, there had been quite explicit—though, of course, ignored—announcements of a Chinese intention of intervening.) There was, to be sure, severe criticism, largely led by liberals, of MacArthur's subsequent politicking for further escalation, but that came after, not before, Administration policy had led to a greatly widened war. MacArthur's original move north—surely analogous to an invasion of North Vietnam today—was regarded as an altogether legitimate pursuit of altogether legitimate war aims.

"Vietnam is not Korea." They are two thousand miles apart and considerably different in climate, terrain, and demography. Both, however, are relatively small and underdeveloped Asian countries partitioned into a Communist North and a non-Communist South by international agreements in the making of which they had no voice. Both abut China, both are peninsular, and both have long histories of colonial occupation and oppression. Each has been the site of large-scale warfare, with the United States in each case intervening to assist the anti-Communist government of the Southern region, and with China assisting—on a very large scale in Korea and on what is still a small scale in Vietnam—the Communist regime in the North.

There are other parallels and, of course, many divergencies. Of the latter, all but one—the very different relationships of Korea in 1950 and Vietnam today to Soviet and Chinese power—seem to me to bear only tangentially on the soundness of our present policy and the consistency of liberal thinking. In any consideration of these matters, we must, I think, begin with the incontrovertible fact that the two countries are on the same continent. In both cases, United States policy toward Asia has been at issue.

This has been the key to the thinking of one American liberal, Walter Lippmann, who would have no difficulty in finding in the public record proof positive of his own consistency. Long before we became involved in the Korean war, Lippmann was arguing that this country had no business whatever deploying its troops on the mainland of Asia. At the time of Korea, he said that we should be involved, if at all, only as a sea and air power, and he has been saying the same thing about Vietnam for several years. In this, he is only invoking an established (though perhaps today disestablished) American doctrine, and, as a matter of fact, that doctrine was briefly in force even after President Truman and his advisers had committed us to the defense of South Korea on June 25, 1950.

Though it tends to be forgotten now, those who—in Blair House, on that important date—agreed that we ought to intervene had in mind giving the South Koreans only such support as our Navy and Air Force could supply. And for three days that was all we gave. It was not until President Truman was personally assured that General MacArthur, who had been up to then a leading member of the Lippmann school (he had once said that anyone who advocated the use of our ground forces in Asia "ought to have his head examined"), had changed his mind that he assented to the historic shift in policy.

In Vietnam we have again tested the wisdom of the doctrine abandoned seventeen years ago, and to some its continuing essential soundness has again been demonstrated. But a much larger question is whether we have any business entering any Asian wars with any kind of American power. It is difficult to see how anyone could maintain that it was morally right to enter the one Asian war in 1950 and is morally wrong to be in the other one today. A more valid argument can be offered on the ground that what makes the one intervention defensible and the other indefensible is that in the interval between the two wars what we once called "international Communism" has been shown to be nonexistent. What in 1950 appeared to be "monolithic" is now revealed as "polycentric." This is an enormously important and highly relevant development, but it does not really alter the basic question of what our role in Asia should be. Even if no Communist powers had been involved in either case, or if the ally of one Northern regime had been Communist and the ally of the other had been anti-Communist, it would still be necessary to decide how much responsibility this country should assume for a balance of power in Asia.

Do we, as a people, have any morally or politically legitimate concern with the political order in Asia? If we say no—or say perhaps, but not to the point of using force—then we simply have to ask ourselves what on earth we were doing in Korea seventeen years ago, and even what we were fighting the Japanese about twenty-five years ago. (It will not do to say that they attacked us at Pearl Harbor. That would not have happened if our foreign policy had not seemed a threat to theirs.) For, beyond all the talk about Fascism and imperialism and Communism and democracy and self-determination, the basic reality is that, for bad reasons or good, the United States has increasingly, through most of this century, been throwing its weight around in Asia to create or maintain a political order that several American governments have decided is best for the United States and possibly best for Asia. I happen to think we would all be far better off if this decision had never been taken by anyone, but it was taken—and not by Lyndon Johnson in late 1963 or early 1964.

The balance of power—that is what our three Asian wars have been about, and we might as well state the rest of this proposition, which is that this is what all foreign policy is and almost always has been about. If we ask ourselves why we shouldn't leave the balance of power in Asia to the Asians, we might as well reopen the question of whether we have, or ever had, any business messing about with the balance of power in Europe or anywhere else in the world or the cosmos. I can think of several quite compelling arguments for having different European and Asian policies, but I cannot see how the war in Vietnam can be regarded as some new and lamentable departure from established policy. Rather, it appears to me an application of established policy that has miscarried so dreadfully that we must begin examining not just the case at hand but the whole works. If this is where our foreign policy lands us, then we had better settle among ourselves whether the policy is, or ever was, any good, and even whether we ought to have any foreign policy at all.

For most liberals, the real clincher is that, as they see it now, in Korea we opposed an act of clear and premeditated aggression carried out by an army crossing an international boundary and seeking to annex by force the territory on the other side, whereas in Vietnam we are interfering in what is essentially a civil war, with the forces we oppose consisting of indigenous rebels. There is something in this, but, in my view, very little, and nothing, certainly, to destroy the strength of the analogy. In Korea, it was plainly a matter of troops from the North marching into the South.

The people in the Southern war zones seemed to feel very little sympathy for the invaders, whereas in Vietnam the Vietcong guerrillas and, possibly to a lesser extent, the regulars from the North have a good deal of support. But this hardly demonstrates that one is a civil war and the other was not. Koreans fought Koreans in Korea, as Vietnamese are fighting Vietnamese in Vietnam. In each case, the issue was control of the Southern territory and unification of the country. In each case, the contested area has been part of the homeland of people with a more or less common history. Indeed, one can argue that the partition of Vietnam into Northern and Southern regions has greater historical justification than the similar partition of Korea.

Many historians maintain that the cultural and political differences between North and South in Vietnam are large and ancient ones, difficult to resolve under one government. "By 1920," according to John T. McAlister, Jr., a Princeton authority on Southeast Asia, writing in *World Politics* for January, 1967, "the system had succumbed to regional pressures, and Vietnam had become divided into two warring states, literally separated by a wall built across the width of the country at the eighteenth parallel near the town of Dong Hoi, north of Hué." This seventeenth-century anti-infiltration barrier, McAlister goes on, was "constructed by the leaders of the southern faction, the Nguyen family, [and] rose to a height of eighteen feet. . . . [In] 1672 it proved strong enough to withstand a major military test by the northern faction under the generalship of the Trinh family."

Korea had known partitions since 108 B.C. Nevertheless, Edwin O. Reischauer writes that it "is a more homogeneous national unit than are most of the countries of South Asia." As for the "boundary" at the Thirty-eighth Parallel in Korea, though it had been proposed as a line of demarcation between Russia and Japanese spheres of influence following the war in 1905, the State Department used to describe it as a "fortuitous line resulting from the exigencies of war." Secretary of State James Byrnes had in 1947 called it "a military convenience." In any event, Americans should be the last people to say that a civil war is not a civil war when it is primarily regional in character or can more or less accurately be described as a War Between the States.

In his forthcoming "Memoirs: 1925–1950," George F. Kennan, who was director of the State Department's Policy Planning Staff until late in 1949, writes of Korea, "This was, finally, a civil conflict, not an international one; and the term 'aggression' in the usual international sense was as misplaced here as it was to be later in the case of Vietnam." Kennan nevertheless approved our intervention—indeed, thought it an inescapable duty. Until the end of the war, Korea had been a Japanese colony. We accepted the Japanese surrender in the Southern zone. But in 1950, he says, "There was as yet no peace treaty with Japan to define [Korea's] future status. We had accepted the responsibilities of military occupation in South Korea, and the fact that we had withdrawn our own combat forces did not mean, in the continued absence of a Japanese peace treaty, that these responsibilities were terminated.

"We had a perfect right to intervene, on the basis of our position as occupying power to assure the preservation of order in this territory." Here is a distinction between the two wars that is also an important difference. Kennan—who, incidentally, opposed the bombing of North Korea, as today he opposes the bombing of North Vietnam—felt that we should have gone ahead in Korea without bringing in the United Nations, whose involvement, as he saw it, itself became a cause of heightened tensions. Most of today's older doves, however, maintain that the backing of the U.N. gave the earlier war the legitimacy that the present one lacks.

Few things about the situation in which we now find ourselves should give us more concern than the fact that today we clearly do not enjoy the good opinion of much of mankind. But if the truth is to be told, we didn't enjoy it in the early fifties, either. The U.N. support was largely illusory and came about through dumb luck. The Russians had absentmindedly—and providentially, from our point of view—boycotted the U.N. Security Council, and were thus unable to veto the resolution of support. Had there been a Russian veto, the United States would have gone ahead without U.N. support. We were already in the war. Furthermore, the Security Council resolution was something less than an unequivocal call to arms. It called for a cease-fire and asked U.N. members to "render every assistance" in bringing one to pass. In a book on the war published in 1951 (originally issued as "The General and the President" and reissued in 1965 as "The MacArthur Controversy"), Arthur Schlesinger, Jr., and I wrote, "By putting the broadest possible construction on this, the President was able to say that his decision was in furtherance of United Nations policy.

"This claim gave rise to a wrangle that still goes on in law schools." Though Dean Rusk is no doubt right in saying that "the proportion of non-United States forces in South Vietnam is greater than [that of] non-United States forces in Korea," we did have a good deal more approval in 1950 than we have in 1967. But most of it came in the form of talk. Even those nations, like England, that gave us some military assistance were scared stiff that we might lead them into a world war, and kept beseeching us to get out of Korea on the best terms we could—which, in the end, was what we did. The Communist nations and the radical parties everywhere accused us, as they do today, of conducting an imperialist crusade. If the war in Vietnam is in some sense "imperialist," as so many Americans have come to believe, so was the war in Korea.

In any event, the ultimate soundness of a policy is not to be determined by who supports it and who does not. This is particularly the case when, as in the U.N., the count is of nation states. The fact that a majority of General Assembly members has regularly opposed the admission of mainland China does not lend any moral or political force to the wisdom of mainland China's exclusion. The fact that the Organization of American States voted overwhelming support, *ex post facto,* of the American intervention in the Dominican Republic in 1965 has never been regarded as an acceptable sanction for the dispatch of troops.

In Korea, as in Vietnam, our intervention was undertaken on the President's initiative. War was never declared by Congress. Truman lacked even as questionable a mandate as the one that Congress gave Johnson in the 1964 Gulf of Tonkin Resolution. Dean Rusk can lecture congressmen today about our obligations under the SEATO treaty, but the treaty had not even been thought of in Dean Acheson's day. Yet I pick up an anti-war manifesto signed by many people who to my certain knowledge favored the Korean intervention and find them saying that because "Congress has not declared a war, as required by the Constitution," the war in Vietnam is "un-Constitutional and illegal." For my part, I would be happy if the Supreme Court ruled the war un-Constitutional next Monday morning. But I cannot imagine a theory of the war or of the Constitution that would hold our presence in Vietnam to be in violation of our fundamental law and would not require the same judgment on our earlier presence in Korea. Nor can I see that it would make much difference if Congress did declare the existence of a state of war or if the Supreme Court certified the carnage as Constitutional.

Can any legislature turn an unjust cause into a just one by an observance of due process? Slavery was "Constitutional" until it was smashed in a war of dubious Constitutionality. The signers of this anti-war manifesto were brought together by, they say, a common desire to assist young men in avoiding conscription. A worthy purpose it may well be, but the draft is legal; the Selective Service Act has been in force for twenty-seven years, and the Supreme Court has yet to strike it down. Such sticklers for law might consider turning themselves in for sedition and conspiracy.

I find the names of some of them also attached to an appeal calling upon other citizens to join them and Henry David Thoreau—part of whose "Civil Disobedience" is used as the manifesto for this particular group—in withholding from the Internal Revenue Service that part of their taxes which, by their calculations, "is being used to finance the war." The income-tax laws are at least as legal and Constitutional as Selective Service. Thoreau didn't want to help pay for the Mexican War, which may have been, as he passionately believed it was, immoral, but it was certainly not illegal or un-Constitutional. Anyway, a "legal" war is a legal fiction.

The rhetoric of politics is always opportunistic. But war, which debases all discourse, makes it worse. The opportunism of the doves is no more to be censured than that of anyone else. If I could stop the war by talking, I would not mind talking nonsense or telling a few lies. I have brought up the whole question of the Korea-Vietnam analogy because I think it is important for all of us to see that there have been some profound changes in *us* as well as in the world in the last two decades. To begin with, I think, the mere passage of time has had its effect. In 1950, with a great war only five years behind us, we had, as a people, the zeal and energy of crusaders. There was then little dissent—and, compared with today, little cause for dissent—from the proposition that militarized Communism threatened the peace and stability of the world and that it was up to us, newly emerged as a superpower, to turn back its sorties with whatever force was called for. We did so, and I have no doubt that if the circumstances that had obtained in the late forties or early fifties were to obtain at present in Vietnam, most of today's doves would support our role in Vietnam with at least as much vigor as they supported our role in Korea. But the *New Republic* is in a way profoundly right in insisting that things aren't the same. Much has happened in the Communist world that requires us to rethink our positions, but even if this were not so we could not look upon Vietnam today as we once looked upon Korea. Our crusading zeal has ebbed; affluence, much of it spent on education, has been accompanied by a heightened sophistication about the world and its affairs, a spreading skepticism and disenchantment, and, in the middle class, a new and rather strange hedonism that particularly and peculiarly affects the young.

We are not, I think, a more attractive people than we were—rather, the contrary—but we are in many ways less self-righteous. Both the best and the worst spirits among us are turning inward more than they were before, given more to seeking individual grace and salvation—the consequeneces being, on the one hand, an admirable willingness to work and sacrifice on behalf of the disadvantaged and, on the other hand, a less admirable self-indulgence that increases the demand for everything from drugs to yachts and sports cars, from unrestricted sexual license to the right to behave as obnoxiously and irresponsibly as one's underdeveloped conscience may dictate. The difference between the two periods was well stated by Richard F. Babcock, a Chicago attorney, in a letter written early last year to an influential newspaper columnist. After describing what seemed to him the parallels between Korea and Vietnam, he wrote:

> There is, then, little difference, morally, strategically, or politically, between Korea in 1950 and Vietnam in 1966. Yet the first was and still is regarded as a demonstration of American moral stamina at its best, the latter as a moral and strategic aberration.
>
> The difference, I suspect, is that we are at 1966 and not 1950. There is, for example, a temporal relation between the domestic civil-rights struggle and Vietnam. The student who protests both racial discrimination and Vietnam is not irresponsible in his motivations—he is consistent. We are in an era of incredible affluence and, consequently, of sensitive national conscience in matters not only domestic but foreign. We are a generation away from World War II. Korea had no Watts. Korea was, however, only five years from Nuremberg and at the doorstep of McCarthy.
>
> This historical setting, it seems to me, is the key. And if so, it suggests that responsible critics do a disservice to the country when they fail to point out that Vietnam suffers not from a failure to come up to a moral or strategic imperative but that it takes place at a time when America is in a period of self-appraisal absent in 1950."

It is often said that the prevalence of television has done much to change us, particularly in our ways of responding to such phenomena as war, racial injustice, and violence, and to the personalities of public men. It would be surprising if this were not to some extent so. The war in Vietnam is close to the center of the national consciousness because of the ease with which we can "follow" it—"live," or almost. Because of television, it is impossible to be unaware of, and hence indifferent to, the war, as the people of the European colonial powers in the eighteenth and nineteenth centuries were largely unaware of the prolonged and costly campaigns—many of them much like the war in Vietnam—being carried on by their armies and navies in distant parts of the world.

I also think it likely that, as some people believe, the daily cocktail-time spectacle of death and atrocity (I sat down to dinner a few evenings ago just as C.B.S. was showing some American troops cutting the ears off Vietcong corpses as souvenirs of the combat) has contributed to the spreading revulsion and to anti-war sentiment. To argue this case, however, it would seem necessary to explain how it happens that a people with an enormous appetite for violence on television, in movies, and in highbrow as much as in low- and middlebrow literature may be repelled by a few minutes a day of the real thing, which is very often less sickening than the simulated variety.

This would be no problem for Norman Mailer or H. Rap Brown, each of whom tells us that we are and always have been a violent people and that the televised war in Vietnam satisfies our lust for violence and serves as a graduate school in murder for our young men. I reject this view. Despite our lynchings, gang wars, race riots, and casual military undertakings, I do not think our people are particularly given to violence. They are human beings and have their share of human weaknesses, of which a lust for violence has always been one. If violence is as American as apple pie, it is also as French as *quiche Lorraine*. There have been as many attempts on the life of Charles de Gaulle as on the lives of all the American Presidents put together. It may be that our assassins are better shots or that the French Sûreté is smarter than our Secret Service. In any case, I have been in many parts of the world where violence, organized and unorganized, is far more easily provoked than as a rule it is here, and far more a part of everyday existence.

I do not know why our popular culture is so hung up on violence and sadism. I think it may have less to do with the need for violence than with the third-rateness of the culture and with the kind of talent that turns out all this awful stuff. That is to say, a partial explanation may be that violence, like sentimentality, lends itself to easy exploitation. A stupid or lazy dramatist can save himself a lot of hard work by writing scenes in which the action consists of people maiming one another. An exchange of gunfire can be more easily and convincingly dramatized than a clash of human wills. And, of course, people go for it—but not just Americans.

Ours is a culture largely manufactured for export, and the very worst of it is a smash hit all over the world. But just as the carnality of our popular culture does not prove that we are more libidinous than others, its emphasis on violence does not prove that we are more brutish than others. Furthermore, there is to be observed an almost complete disjuncture between the violence of Vietnam and the violence of our cinematic and electronic fantasies. Although war movies like "The Dirty Dozen" are big at the box office, the most topical of wars, Vietnam, has yet to be the subject of a motion picture. This, we are told, on excellent authority, is not because the producers are reluctant to exploit it.

The subject has been deliberately avoided, it seems, for reasons rather like those behind the avoidance—at least, until recently—of the subjects of sodomy and miscegenation. It would offend the audience, or a good part of it, and in acknowledgment of this fact—presumably established by the usual surveys of the market—the major producers have agreed among themselves to lay off. Even as heady a matching of star and subject as John Wayne and the Army Special Forces has had difficulty attracting the capital needed for a picture to be called "The Green Berets." If, à la Norman Mailer, President Johnson is only John Wayne in the White House, he may be more vulnerable than we know.

As a nation among nations, as a force in the world, we may be behaving more chauvenistically today than we have ever behaved in the past. This almost has to be true, because our power is so immense that any ugly display of it makes an impression commensurate with its magnitude. But among us, as a people, chauvinism and jingoism have been declining steadily since the First World War. Although Hitler's Germany was more detestable than Kaiser Wilhelm's, there was less Hun-hating in the Second World War than in the First. What was "liberty cabbage" in 1918 was sauerkraut in 1945.

There was not much flag-waving in the Second World War, and still less in the Korean war. But now we seem to have made a really radical break with the past. This is the first war of the century of which it is true that opposition to it is not only widespread but fashionable. It is the first in connection with which it seems in downright bad taste to invoke patriotism; while the Korean war was still in progress, theatres were showing such movies about it as "A Yank in Korea," "Korea Patrol," "Glory Brigade," "Battle Circus," and "Mission Over Korea." In the two wars before this one, there was a conspicuous shortage of martial airs; and now, for the first time, popular songs of bitter protest, such as Joan Baez's "Saigon Bride" and Pete Seeger's "Waist Deep in the Big Muddy," are part of the popular culture.

If we could gauge a nation's penchant for violence by its official rhetoric and its popular culture, China would stand first in both categories. In the rhetoric department, we would rank far down the list and in popular culture perhaps second or third, though it is not to be forgotten that many others consume our product exactly as we do. Some Chinese are behaving very strangely these days, but I do not for a moment believe they are an abnormally violent people, and I am not so sure their leaders are more violent than ours. They just talk rougher and beat more people up. The medium is not the message. The message I get from my eyes and ears is that, because of this war and certain attendant miseries, kookiness of every sort is alarmingly on the rise. At the same time, if it's a sign of one's sanity to be against the war, and a sign of relative sanity to prefer a limited war to the world's last great shootout, we are in better shape than many of us know.

Consider the extraordinary extent of the opposition to this war—over forty per cent of the American people now, with the number increasing each month—and, perhaps equally notable, the distaste for it among those who do not oppose it. Nothing like this has been known in this century. Ordinarily, in this and most other modern states, opposition to war evaporates once the decision to wage it has been taken, once the killing has begun. When the bugles sound and the colors are unfurled, almost everyone becomes a patriot of the Stephen Decatur, or my-country-right-or-wrong, persuasion. Such patriots seem very scarce today, and they speak softly, if at all. In the Senate there are a handful of screaming eagles, but mostly there are old-school politicians—like Senator Russell, of Georgia—who explain in patient, weary voices that we have to get on with the war because, regardless of the merits of the enterprise, we are in it and have committed our troops and our honor to it. Here is a terse description of the extraordinary state of affairs in the United States Senate today—a summary, by C.B.S., of a mid-October survey it conducted:

"On Vietnam, the U.S. Senate is advising more and consenting less. In the C.B.S. News survey, nearly half the senators responding said they disapproved the conduct of the war. Open support for the Gulf of Tonkin Resolution dropped dramatically. Eighteen senators wanted the bombing of North Vietnam completely stopped.

"We talked with 95 senators. Eight of them refused to participate, 87 responding to the questions on the conduct of the war. Three years ago, President Johnson took a survey of his own. It was called the Gulf of Tonkin Resolution, supporting his authority to do anything necessary in Southeast Asia. Eighty-eight approved then, two did not. Today, only 34 are prepared to publicly support a Tonkin Resolution without reservation or change. Fifteen refused to comment, and where two voted against it in 1964, 20 would now vote no.

"On Vietnam today, 42 senators disapprove the Administration's conduct of the war. Thirty-two approve. Eleven would not commit themselves, including the Senate's Minority Leader, Everett Dirksen. His "no comment" follows strong defense of the President on the floor. Disapproval takes two directions. Fifteen are dissatisfied because they want more military action to end the war. Twenty-seven want less, in the form of bombing pauses or de-escalations.

"Most senators feel their constituents think as they do, 46 reporting the folks at home disapprove the handling of the war, 22 reporting constituent approval. They notice a recent change in their public's opinion, too. Thirty-three of the senators say their people have shifted, and 28 of them say it is in the direction of wanting less military action.

"On bombing policy, the Senate goes in all directions. Eighteen want bombing of the North completely stopped. Twenty-one say it should be increased, to include more lucrative targets. Twenty-four go along with whatever the President or the military want to do, and 12 suggest less bombing or a pause.

"The sleeper question of the survey turned out to be the last one, asking if the senators favored direct negotiations with the Vietcong. There was more agreement on this than anything else. Forty-six senators said yes. Sixteen said no to direct talks with the guerrilla front. One of them wanted a military victory so complete as to have no Vietcong left to negotiate with.

"Many answers to the C.B.S. News survey were qualified, justifying the opinion of several senators that polls never really satisfy with a full measurement of attitudes, but three things do emerge: a crumbling of the solid front support given three years ago with the Gulf of Tonkin Resolution, an infectious restlessness in the Senate and among its constituents with the progress of the war, and a growing impatience with a long twilight struggle where victories do not decide, and the end cannot be seen."

Whether or not they mean it, the leaders of the Administration miss no opportunity to wring their hands and insist that it is peace, and not victory, they seek, and that they are ready at any time to sit down with anyone anywhere, and so on. ("I would depart today for any mutually convenient spot," Rusk said, "if I could meet a representative of North Vietnam with whom I could discuss peace in Southeast Asia.") *Do* they mean it? Who knows? If they don't mean it, why are they saying it? If they didn't talk so much, the credibility gap might narrow. But they go on. Week after week, the Secretary of Defense, the master of the greatest war machine in history, seems to be trying to signal to us, his countrymen, that the damned thing isn't working, that the bombing is pointless, that it should be stopped. Does he speak for the President? Evidently not, but he still has the job. As for the President, speaking of mankind's behavior in this century, he said earlier this month, in Williamsburg, Virginia, "We can take no pride in the fact that we have fought each other like animals." He added that it "is really an insult to the animals, who live together in more harmony than human beings seem to be able to do." After some generalizations on other failures of statesmanship, he said, "Shame on the world and shame on its leaders." Those who support the war, like those who oppose it, appeal not to the patriotic heart but to the bleeding one. This is without precedent.

Consider, also, the attitudes toward civilian deaths, and casualties, and the general human suffering brought by the war to the Vietnamese, North and South. These, too, are without known precedent. Whether this war is like or unlike any earlier one, it resembles all modern wars in that noncombatants are killed, the innocent suffer greatly, and there is much cruel and needless destruction. In Korea, we bombed and shelled villages, killed countless women and children. No senate committees pestered the generals to learn how many civilians had been killed or what steps were being taken to avoid the slaughter of the innocents. *C'est la guerre.* We killed a great many civilians in the Second World War. If they were Germans or Japanese, it served them right. (Hiroshima produced some immediate revulsion, but it was the newness and hideousness of the weapon employed that affected us, who had been little moved by wider killing with mere TNT.) If they were Italians or Frenchmen, we thought of their deaths as gallant sacrifices they made happily for the liberation of their soil. To be sure, civilized people have always felt that noncombatants should be spared to the greatest extent consistent with military needs, but until now there was no doubt in anyone's mind that the military needs—provided, of course, they were our own—should be the first consideration. Any sense of outrage over atrocities and dead civilians was directed at the enemy. Now, for the first time, the conscience of a large part of the nation has been aroused by agonies for which our own forces are responsible.

All wars are brutalizing, and perhaps in the random violence of the past few years (not merely the riots—not even so much the riots as the murders and assassinations) we are paying part of the price for sanctioned murder in the name of anti-Communism, self-determination, and democracy. But what seems already clear—from the size of the anti-war movements, from the muting of the eagles, from the outrage over atrocities and civilian losses—is that there is building up in this country a powerful sentiment not simply against the war in Vietnam but against war itself, not simply against bombing in Vietnam but against bombing anywhere at any time for any reason, not simply against the slaughter of innocents in an unjust conflict but also against the slaughter of those who may be far from innocent in a just conflict. The youthful protesters would probably acknowledge this without hesitation, only asking themselves why anyone should labor the point so heavily. (Some would no doubt go further, and say that they oppose not only the wars this government runs but everything else it does.) Their elders, thinking of a past they find it necessary to be true to, cannot turn pacifist overnight. They must distinguish between this war and the wars they have supported in the past—up to and including the war in the Middle East a few months ago. But in fact our present war is different mainly in that it seems endless and hopeless.

Is it possible for us to come through this experience, if we come through at all, as a pacifist nation? I suppose not. "Pacifist nation" seems a contradiction in terms. If all of us, or most of us, were pacifists, we would have little reason to be a nation. Defense is the fundamental raison d'être for the modern state. And if a pacifist nation didn't come apart at the seams, some non-pacifist nation would tear it apart. It seems to me, though, that if the war goes on and if opposition to it continues to increase at the present rate, there will in time be a testing of this whole proposition. No government that is not totalitarian can go on indefinitely fighting a hard war that its people hate. Something has to give. Either the government yields to the popular will or it becomes oppressive and stifles the protest by terror. Thus far, there is no sign that our government has faced the question. With very few exceptions, as far as the anti-war movement is concerned, police power has been used sparingly and in the interests of domestic tranquillity.

Few other governments, even when they were not at war, would be as restrained as this one has been in dealing with protest movements, including violent ones. It seems to me that this is in part because we are waging the Vietnam war with an essentially professional military force. Its morale is said to be high and not to be much affected by what is going on here. This state of affairs cannot last indefinitely. Morale will be affected, and then the test will be made. I cannot figure the odds on the outcome. On the one hand, repression is the safest, surest, cheapest course for any government to take. I can imagine the coming to power of an American de Gaulle, or even of someone a lot more authoritarian than de Gaulle.

Much of the troublemaking in the months and years ahead will be the work of Negroes, and I can even imagine the imposition of a kind of American apartheid—at least in the North, where Negroes live in ghettos that are easily sealed off. If there should be the will to do it, it could be done quite "legally" and "Constitutionally." There are enough smart lawyers around to figure out how. On the other hand, there is unprecedented opposition to the war inside the odious "power structure" itself. There is much opposition in Congress and in every department in the federal government.

The governors of large states and the mayors of great cities—among them the Mayor of New York—are opposed to the war. The Supreme Court, which was such a bastion of liberty in the McCarthy years, would make things as hard as possible for all the smart lawyers. The government could, of course, ignore, or even abolish, the Supreme Court. But the Court is not the only American institution that has proved quite resilient in periods of stress. The churches, the press, the universities—all are centers of dissent. It could prove to be crucial that the American middle class—as despicable as the Establishment in the minds of the young and alienated—is also a center of dissent.

The proletariat may not be willing to call off strikes or accept pay cuts because of the war, but it offers little support to the protest movements. If we are now undertaking, or are about to undertake, a radical alteration in values, support for it will come not from the workers but from an unproclaimed, and even unwanted, alliance beween relatively affluent whites, of whom I happen to be one, and what Daniel P. Moynihan calls the "underclass," consisting mainly of unemployed Negroes, many of whom want to kill me.

I want American democracy to survive. It is in many ways a fraud. It is not keeping its promises to the American Negroes. It has abused them and many other people. It has very little aesthetic or intellectual appeal. But under it there is at least a hope of redemption. Things do get done here that don't get done under other systems. But it now seems clear to me that if American democracy does survive it will be something quite different from what we have known. I find it hard at this stage to see how a victory for democracy will not also be a victory for pacifism. Those who will lead the struggle are, whether they acknowledge it or not, renouncing war as an instrument of policy. They may insist that of course they would fight the enemy at the gates, or perhaps take arms against a new Hitler if one should arise. But the wars of the future—at least, those that would have any ideological content—are not going to be like the wars of the past.

India and Pakistan or India and China may fight over bits and pieces of territory, but the Soviet Union and the United States are agreed on the need for common efforts to cool it when such disputes get hot. Most future wars are apt to be like the war in Vietnam—wars that will be called by their instigators "wars of national liberation." The Soviet Union, as Nikita Khrushchev long ago informed us, will support them. From its point of view, they are irresistible. They cost next to nothing and drive us Americans out of our minds. But if we survive as anything like a free society, we will not be entering them. I simply cannot imagine this country, under any President chosen in a free election, taking on another Vietnam. If this is so, it may be good news. But it means that we won't have much in the way of a foreign policy. We will draw back from all difficult situations. We will leave the field to those who have not renounced war.

I hold a kind of Tolstoyan view of history, and believe that it is hardly ever possible to determine the real truth about how and why we got from here to there. Since, I find it extremely difficult to uncover my own motives, I hesitate to deal with those of other people, and I positively despair at the thought of ever being really sure about what has moved whole nations and whole generations of mankind. No explanation of the causes and origins of any war—of any large happening in history—can ever be for me much more than a plausible one, a reasonable hypothesis. But if we cannot answer the "how" and "why" questions with anything like certitude, we can answer a good many of the "what" ones, and this sometimes enables us to eliminate at least some of the suggested "how"s and "why"s. In regard to Vietnam, I feel confident in isolating certain non-causes and non-origins. We did not go into Vietnam spoiling for a war.

It was not the American attitude at the Geneva Conference in 1954 that made what everyone now speaks of as the "Geneva agreements" unworkable. A far more likely thesis is that they proved unworkable because the Russians gave the French (and the South Vietnamese) better terms than they needed to, in the expectation that the French would on this account decide not to enter the proposed European Defense Community. However that may be, those so-called agreements were not a diplomatic settlement of any kind but simply a document setting forth the terms of a cease-fire. To quote John McAlister again:

"There were only three documents signed at Geneva, and only four signatories were involved: France, the royal governments of Laos and Cambodia, and the Vietminh. [The Vietminh was an army, not a government. What we think of as the South Vietnamese, or anti-Communist Vietnamese, were never consulted.] These agreements were not treaties and they were not formally ratified by any government by any process. They were simply agreements between the opposing military commands to stop the fighting in Indo-China and to take measures to prevent the fighting from being resumed. Some confusion has resulted because the 'Final Declaration of the Geneva Conference,' which 'noted' the key provisions of the various cease-fire agreements, seemed to emanate from all nine conference participants. However, this 'Final Declaration' was not signed by any of the participants. It was yet another cold-war device to mask the lack of consensus among the major powers—an 'unsigned treaty.'"

We have sinned greatly and frequently since 1954, but not always in the ways that we think we have. We did not go into Vietnam hoping for a war; after all, we had just passed up a splendid opportunity to join the fighting with our then friends the French at our side. But we were not taken altogether by surprise at discovering that nothing really had been settled by Geneva. Two-fifths of our aid in the early days was military, but something beyond this figure persuades me that we were after something a bit more decent that the opening of a new firing range. The non-Communist state that came into being as a consequence of the Geneva Conference looked to our foreign-aid people as if it might actually work, as if it might turn out to be a nice, prosperous, well-behaved little democracy. In the bright light of hindsight, this seems a ridiculous dream. And what may have been ridiculous about it was not that people like the Emperor Bao Dai and Ngo Dinh Diem would never let it happen but, rather, that Ho Chi Minh would never let it happen. We are always being told what awful people we have supported in Saigon while all along there has existed the alternative of supporting the Vietnamese Thomas Jefferson, Ho Chi Minh, and having him on our side.

Ho sounds a lot more attractive than most of the types we have lately been dealing with, and it might have been very smart of us back before 1950, say, to try to strike up some sort of deal with him. And Ho could not have been much interested in us in the early fifties (and anyway think of what McCarthy would have said), and Diem then did not have, or was concealing, his cloven hoof. Diem never seemed a Thomas Jefferson, or even a Lyndon Johnson, but he looked no worse than our man in Korea, Syngman Rhee. And one can at least advance the hypothesis that our troubles have grown not out of Diem's "failure" and ours to create a good society in South Vietnam but out of a certain amount of early success, or, if not that, out of Ho's fear that we might somehow succeed someday. It could also be that he was not unmindful of the possibilities for looting. The Americans had put a good many desirable things—including a lot of expensive and well-made weaponry—in South Vietnam, and if he could knock over the government without too much difficulty they would all be his.

Senator Fulbright has been saying for years that foreign aid is dangerous, because it can lead to war. I think he is right. We invest money and, more important, hope in a country, and when some thugs threaten to wreck the country and dash its hopes and ours we are tempted to police the place. Some of the most promising governments in Africa are likely to go to pieces because the leaders of less hopeful neighboring states either can't stand the thought that the people across the way are going to make it or feel that neighbors ought to share and share alike. In the late fifties and early sixties, many Americans who had no appetite for war and no thought that there would be one urged that we give Saigon enough military assistance to put down the Vietcong and enable the government at least to stand on its feet and have enough time and energy to make something of itself. They should have known better. But there was no reason then to think of the difficulties with the Vietcong as having much to do with the balance of power in Asia.

Indeed—and here, perhaps, is another important difference between this war and Korea—it seems to have been our intervention on a large scale that gave the war a real balance-of-power meaning. In the early sixties, when Laos was a more troublesome place than Vietnam, the Russians were looking the other way. In that period, too, the "domino theory" was generally discredited.

There may then have been a chance for a President to reappraise—agonizingly, of course—the whole affair and order a phase-out Vietnam was still an obscure place, and with us no longer involved it would have been still more obscure. I speak of a time when Kennedy was alive. He could probably have de-escalated, but instead he escalated. If he had lived, and if he had beaten Goldwater or some other Republican in 1964, he might have altered his strategy at some later point. But he died, and Johnson pursued his policy with a vengeance, thereby, in my view, giving the domino theory a strang validity it had earlier lacked: The dominoes might fall in a certain way because we set them up that way. If we had got out of Vietnam five years ago, the balance of power in Asia might have been affected only insignificantly and imperceptibly. If we got out tomorrow, the consequences might be very serious indeed. We have painted ourselves in.

Until early in 1965, I felt that our role in Vietnam was defensible. The rulers of the country seemed an untrustworthy lot, but that did not appear a good reason for turning the place over to the Vietcong. Knowing that a developing nation cannot possibly manage war and reform at the same time without assistance, I felt that our assistance in putting down an insurgency was helpful. The fact that the insurgents were natives did not bother me; so were their antagonists, and I have never believed that civil wars are somehow more virtuous and rational than wars of any other kind.

From my point of view, the operations of the Vietcong were, and still are, every bit as irrational as I now believe ours are. They don't seem to mind destroying their country any more than we do. I can understand why some Americans should be indifferent to the fate of Vietnam—to a certain degree, and to my own dismay, I am coming to feel that way myself—but I cannot understand why any Vietnamese should be indifferent to it.

I wish Johnson would swallow his pride, whatever the consequences, but it seems to me it is positively idiotic for Ho Chi Minh not to take Johnson and Rusk at their word and, if what they are saying is all a bluff, call it. Why not set a place and a date, and see whether Rusk shows up? Everybody knows that unless American forces stay in Vietnam for the rest of history the Vietcong are going to have their triumphs anyway; if they negotiated us out of there tomorrow on any terms at all, the country would be theirs before long. Tran Van Dinh, a former South Vietnamese diplomat, at odds with the Saigon regime, has speculated that this very knowledge may be a reason for Ho's not negotiating.

Our departure would create a vacuum that would for a time be filled by the Vietcong but would ultimately be vulnerable to Chinese pressure. Tran Van Dinh believes that one of the last things Ho really wants is a complete American pullout. If the Vietcong can remain as strong as they seem to be with all the Americans chasing them around the country, they should have no trouble at all seizing power after they sat down and told us enough lies about the future to make it impossible for us not to agree to get out. The American people love to be lied to at peace conferences, and if that happened in this instance the guerrilla could put away his shooting irons, turn respectable, run for office, and run the country. General Ky could get a job with Pan American World Airways or just loll about on the Riviera, where he would be an authentic part of the scene and would find a lot of his old friends as well as many new ones.

Nothing so agreeable is going to happen. It is up to us to make the first move. Until recently, I felt that the best first move would be a relatively small one—small but visible: not necessarily putting an end to the bombing but announcing a plan for scaling it down. I know Air Force officers who wouldn't object to this. Why, it may be asked, should they, since the targets are mostly gone anyway? But many other Air Force people would not object to something of the sort being done for political reasons even if they had strategic reservations. I did not think such a move would be of the least help in "bringing Hanoi to the conference table," but I thought that almost any deescalation would put an end to our scaring everyone else about our intentions, particularly toward the Chinese, and would help prepare us for the inevitable.

In time, Johnson or some other President may begin a phased withdrawal in that way. But I now fear that it will soon be too late—by which I mean too late to undo the damage to us. And it is we ourselves in this moment of history that we must think of before we think of anyone or anything else. This is a terrible thing to feel compelled to say. Edwin Reischauer, in his "Beyond Vietnam: The United States and Asia," argues that of the three options he thinks we have—escalation and a likely war with China, complete withdrawal as soon as possible, and plodding along on our present bloody and repugnant course—the last is the least disastrous and hence the most acceptable.

Reischauer, who was until recently our Ambassador in Japan, is a fine scholar and humanist who has great respect and affection for the people of Asia, among whom he lived and studied for many years before John F. Kennedy persuaded him to leave scholarship for diplomacy. He is no hawk, no imperialist, no warrior of any kind. He thinks we were crazy ever to get into this and crazy to have let it reach this point. But what he fears most of all is that if we abandon this undertaking now, we will tell ourselves that Asia is impossible, that we should never again have anything to do with it, and will abandon not only Vietnam but all of Asia, with the likely exception of Japan. I share his fear. We might treat Asia as we treated Europe after 1918. We must ask ourselves right now whether that wouldn't be a pretty good idea.

From some points of view, it might be an excellent idea. If our foreign policy in Asia produces such a monstrosity as the Vietnam war, why not get out? But, as Reischauer sees it, and as I would like to see it, our foreign policy in Asia is more than just the war in Vietnam. Most of Asia needs our help desperately, and we can perhaps use a good deal of Asian help in growing up. I want to go on having an American presence in Asia, because I don't want people to starve to death if we can prevent it, and I don't want Asians to despise my children and grandchildren and plot to destroy them.

Anyway, the thing wouldn't work. In recent years, a good many people have urged the dismantling of NATO, on the ground that it is no longer needed and that what is sometimes called "the European system" can work on its own. Whenever such proposals were brought to the attention of George Ball, the former Under-Secretary of State and a dedicated Europeanist, he would ask their sponsors if they remembered what had happened to "the European system" in 1914 and in 1939. Things may have changed in Europe lately, but there has never been anything anyone could call "the Asian system," capable of settling what diplomats call "regional" problems—usually meaning wars. Even if China managed to contain itself, which doesn't seem very likely, there would still be a good deal of unpleasantness between India and Pakistan. Making their own nuclear weapons might seem more important to them than it does now. And there would be unpleasantness elsewhere in Southeast Asia. And who knows whether some of Japan's long-range planners might not start casting a speculative eye on the "power vacuums" we would be creating?

Until very recently, these considerations put me in substantial agreement with Reischauer that perhaps Johnson's way offers fewer dangers than any of the others. But now I think we have reached—or are just about to reach—a point at which the argument no longer holds water. For one thing, if we continue much longer we may pull out of Asia whether we win, lose, or draw in Vietnam. It happens to be the view of our people that they don't want their kids to be killed so that Asians can go on eating. Most of them would see no logic in saying there is a necessary connection between starvation in India and Americans getting shot in Vietnam, but even if the logic were self-evident they would reject it. Beyond all that, however, we seem as incapable as the South Vietnamese of running a war—or, at any rate, *this* war—and doing anything worthwhile at the same time. Congress insists on cutting our decent programs elsewhere in the world—to say nothing of those in this country—almost to the point of absurdity. In a literal sense, it is finding a way to make the wretched of the earth foot the bill for Vietnam. This isn't its intention, and as a nation we are still more generous than most, yet not only are innocent people dying in Vietnam but, because of the dollars-and-cents cost of the war, they are dying in Africa.

The war in Vietnam is heading too many of us for the loony bin. People who could once talk sensibly about politics are becoming inhinged and disoriented by it. Some are really thinking seriously of running Ronald Reagan for President. A young man who used to be a provocative analyst now screwily and oracularly proclaims that "morality, like politics, starts at the barrel of a gun." This is printed in a local highbrow journal, and it takes a professor from California to remind this well-educated ex-humanist, now evidently en route to some kind of New Left Fascism, that politics *ends* at the barrel of a gun.

Not long ago, a highly intelligent and attractive young Negro spokesman for a radical organization said that he couldn't see any reason anyone should write a book about poverty—he was talking of Michael Harrington's "The Other America"—because anyone who was really poor and had lived in a ghetto knew all there was to know about it anyway. He said he himself could tell it like it is, but thought a book about it was a waste of anyone's time. The land is filling up with cranks and zanies—some well intentioned, some vicious. It can be contended that Vietnam is not the only cause of goofing off, of alienation. Of course it isn't. But it provides the occasion, and it heightens the degree. And so it seems to me that if we stay on in Vietnam we will render ourselves incapable of being of much help to Asians or anyone else. We will need all the help we can get ourselves. If Ronald Reagan became President, I'd say by all means let's not have a foreign policy.

I want us to get out, and then try to recover our sanity, so that we may face the consequences. Some of them cause me almost no concern. The spread of Communism bothers me very little. It may be bad in some places and not so bad in others, but we can live with it just about anywhere—even ninety miles from Key West. Once, it was, or seemed to be, a world movement, and it was surely a brutally expansionist one. But its adventures in expansionism blunted its threat as a world movement. By 1948, when Tito broke with Stalin, it should have been clear that ideology was no match for nationalism—at least in Europe. When China broke with Russia, it was obvious that the same thing went for Asia. Perhaps if we had borne in mind the history of earlier religious movements we could have seen all this fifty years ago.

But we didn't see it, and neither, of course, did they. At any rate, we now know that the mere circumstance that a piece of real estate falls under Communist control doesn't constitute a threat to our existence, and doesn't even mean there is no more hope for the people involved. Nor, with things as they are, can my first concern be with the indisputable fact that by pulling out we would be breaking our pledge not only to the Vietnamese but to the Thais and others to whom what would follow might be quite painful. We are going to get out sooner or later anyway, and when we do we will not go back in, so, no matter what happens in the near future, they are going to have to work out their relations with China without much support from us.

But some of the consequences of withdrawal disturb me greatly. By and large, I think that most of American foreign policy for the last thirty years has been admirable. I want us to continue to be part of the world and to use our considerable talents for the benefit of all mankind. I suspect that if we get out of Vietnam we won't have much left in the way of a foreign policy. And, most of all, I fear what will happen right here if we withdraw. Theodore C. Sorensen writes that since Khrushchev could admit a mistake in the missile crisis five years ago, and Kennedy could acknowledge one at the Bay of Pigs a year before that, Lyndon Johnson ought to be able to do the same thing now.

Here are two analogies that do not work at all. The missile crisis was over in a few days, the Bay of Pigs in a few hours. No Russian soldiers died in the missile crisis, no American ones at the Bay of Pigs. It would take greater magnanimity and a greater dedication to the truth than we have any right to expect of any politician on earth for Lyndon Johnson to say that this whole bloody business is a mistake, and was from the start. He just cannot and will not do it. If he did, he would throw this country into worse turmoil than it has known at any time since the Civil War. Could he pull out and either say nothing or tell some lies? Could he possibly use Senator Aiken's ploy and announce that we had achieved our ends in Vietnam and were withdrawing? Perhaps, but there would still be turmoil. There will be turmoil whether we stay or go, and I dread it. But between the two, I have less fear of the consequences of withdrawal than of those of perseverance.

This war is intolerable. What does it mean to say that? Not much—talk is cheap. I haven't a clue as to how we can get out, and I have never much liked the idea of proposing without knowing of a means of disposing. I don't think we can write our way out, and I doubt very much if we can demonstrate our way out. But out is where I want us to be, and I don't know what a man can do except say what he thinks and feels.

—RICHARD H. ROVERE.

THE BATTLE OF THE PENTAGON

Mrs. SMITH. Mr. President, the current issue of the Journal of the Armed Forces of October 28, 1967, contains an editorial entitled "Get Out the Disinfectant," which I feel that every American should read. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

GET OUT THE DISINFECTANT

(By Louis Stockstill, editor)

The biggest and splashiest news out of Washington in recent days—the battle of the Pentagon—has been headlined so vociferously by the daily press, radio and TV (not only before, but during and after), that there appears to be little left to talk about, now the uproar has subsided.

Even so, we can't resist the temptation to take a parting boot at the defeated "warriors." They were the kind of crowd that sparks such inspiration.

If the scruffy-looking crows who fluttered about with their Viet Cong flags and Che Guevara signs are actually nesting in the national dovecot, all we can say is that the doves would be well advised to get out the disinfectant.

Surely no discerning citizen would believe that these were representative Americans, sincerely interested in finding an honorable and peaceful solution to the problems of Vietnam. From surface appearances, it would seem that many of the group cannot find peaceful solutions to their own troubled and infantile personalities.

One of the demonstration speakers was Doctor Benjamin Spock, the learned expert on baby-care. Perhaps that should give us a clue.

Another "big name" in the mass meeting was autor Norman Mailer (who used to spell four-letter words with only three letters before graduating to the undiluted-graffiti school). He managed to get himself arrested early and didn't have to sit out in the cold with the less affluent peaceniks. Obviously, not only a resourceful writer, but a resourceful individual.

Also among the celebrated peace proponents was the gifted poet, Robert Lowell, who, if cornered, might have a difficult time reconciling his impressive tribute to the first Bostonian killed in the Civil War with his current apostasy of our efforts to strengthen the basic U.S. belief in the dignity and freedom of man.

Dissent is as American as the Grand Canyon, but if it is to be worth anything it must be sounded from a proper forum and articulated with care by responsible citizens. The unkempt crew shouting banalities at the walls of the Pentagon were pathetic in their failure to recognize that all they could expect in return would be the faint echo of their childish chants bouncing back to their own, overly-receptive ears.

There will be no material battle streamer for the "Pentagon campaign," but our young men in uniform who bore the physical brunt of the distasteful affray—and who upheld the dignity of their uniforms and the honor of the nation—can know, nevertheless, that such a streamer floats above their flag, invisible and unseen. And for that reason, perhaps all the more real.

Their comrades-in-arms, fighting in Vietnam, will have been cheered by their victory. And will be aware—we hope—that the clash at home may help to strengthen our national resolve rather than diminish it.

LAW PRODUCING OPPOSITE RESULT FROM WHAT SPONSORS INTENDED

Mr. BYRD of West Virginia. Mr. President, it is an ironic fact of life that socioeconomic legislation does not always produce the result its sponsors intend for it to produce. Open housing laws are a case in point. Such laws rather than bringing about racially open housing may produce racially closed housing instead.

It appears that we may be witnessing such an end result in Takoma Park, just across the District of Columbia line in Maryland. Residents there are expressing the fear that because of the open housing law a former all-white neighborhood may become all black.

What Negroes want I feel sure, Mr. President, is good housing. Good, clean, adequate housing is far more important, in my judgment, than any number of statutes providing so-called open housing. The problem here is more stringent building codes, stricter supervision of sanitation and public health, the elimination of buildings that are substandard—all measures that can be undertaken in most communities under existing laws.

In Takoma Park, petitions are now being circulated asking that no more housing be sold to Negroes, lest a new "black belt" be created. Significantly Negroes are reported to be signing the petition because they are concerned about what has been taking place in that area as a result of open housing. The effort to stem the flow of nonwhite families into the area is biracial. The citizens of both white and Negro races are seeking to halt what they call "overintegration."

Mr. President, it is as difficult now as it has always been to legislate human nature. I favor better housing and better opportunities in general for Negroes. But I doubt seriously that many of the ill-conceived laws we have been asked to enact will bring about the Utopia which the sponsors dream of.

In Takoma Park, Negroes themselves who have acquired former white houses are quoted in the press as saying that if more Negroes move in, the section will become another ghetto.

Mr. President, I ask unanimous consent that a news story dealing with this situation published in the Washington Evening Star of October 30 be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[The Washington Star, Oct. 30, 1967]

BIRACIAL TAKOMA PARK LETTER WARNS OF "OVERINTEGRATION"

A biracial effort has begun to prevent "overintegration" in a Takoma Park neighborhood that has changed from all white to about one-fifth Negro in the last five years.

A letter mailed to 108 homes in the neighborhood, reads in part:

"The white families don't want to have a disproportionate number of Negro families in the neighborhood. Neither do the Negro families want their children to end up in an all-Negro school. If something isn't done soon to reverse the trend, we are going to suffer the fate of overintegration."

The neighborhood is bounded by Piney Branch Road, Ray Drive, and Takoma and Boston Avenues.

"The idea wasn't to stop Negroes from moving in," said Everett A. Jackson, of 7512 Dundalk Road, a federal government employe who is one of two Negroes whose names are attached to the letter. "It was to have them not live in one little group."

Kenneth A. Wood, of 414 Boston Ave., another government worker and one of two white residents whose names are attached, said the letter was mailed Oct. 18 and has elicited little outward response from the neighbors. However, a Negro living across the street, Mrs. Emma Morse, a practical nurse, said she liked the idea. "If more Negroes move in," she said, "the neighborhood will become just another ghetto."

Another neighbor was skeptical of the idea. Roy L. Penley, a real estate agent who lives next to Mrs. Moore commented that "it's a good idea, but you can't start an ideal when people have their ideas set."

Penley said he knows of four white families who want to move out of the three square block neighborhood because of the growing number of Negroes moving in.

Because it is in the Montgomery County part of Takoma Park, they have little choice of whom they can sell to. The county has an open occupancy law that has virtually no loopholes.

Penley, who has his own house for sale, said he is moving, not because of Negroes but because he needs more room for his children.

The letter mailed to the neighborhood also urges that one way to maintain racial balance is to "stay put when a Negro family moves in nearby." It continues: "A good thing to remember in all this is that if you move, you will surely lose. Not only will you lose economically, but you will also lose morally."

SGT. ROBERT T. LEDELLAYTNER, BRIDGEPORT, CONN., DECORATED FOR BRAVERY

Mr. RIBICOFF. Mr. President, I ask unanimous consent to have printed in the RECORD an article published in the Slovak Catholic Sokol on October 4. The article describes the recent decoration of Sgt. Robert T. Ledellaytner, of Bridgeport, Conn., for individual acts of bravery in Vietnam. Sergeant Ledellaytner received four decorations at special honor ceremonies at the Valley Forge General Hospital in Phoenix, Pa.

It is well to remind ourselves of the acts of sacrifice and courage made daily by our fighting men in South Vietnam. Sergeant Ledellaytner deserves the respect and appreciation of the entire Nation.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BRIDEPORT, CONN., SOKOL RECEIVED FOUR DECORATIONS FOR BRAVERY IN VIETNAM

A 21-year-old Bridgeport, Conn., Sokol who was twice wounded in the Viet Nam war and twice cited for individual acts of bravery received four decorations Sept. 29 at special honor ceremonies at Valley Forge General Hospital, Phoenixville, Pa.

Sgt. Robert T. Ledellaytner, son of Mr. and Mrs. Vernell Ledellaytner of 383 Birmingham Street, received the Silver Star, the Army's third highest decoration for bravery; the Bronze Star with "V" designation for valor; the Air Medal, and the Purple Heart with oak leaf cluster for wounds received in two separate actions.

IN HOSPITAL SINCE JULY

A patient at Valley Forge hospital since July 1, Sgt. Ledellaytner had previously been awarded the Army Commendation medal with the "V" designation for valor.

The Bridgeport soldier also received the Silver Star for an act of bravery Feb. 5, 1966 when his patrol was ambushed and pinned down by Viet Cong machine gun bunker 50 meters to the front. The Army said Sgt. Ledellaytner advanced under heavy fire and hurled two hand grenades, destroying the bunker and killing two Viet Cong.

He was awarded the Bronze Star with "V" designation for his actions Feb. 2, 1966 when his patrol came under heavy enemy fire while crossing a rice paddy. Three members of the patrol were hit, the Army said, and Sgt. Ledellaytner exposed himself to the enemy fire to give first aid to the wounded men.

WOUNDED TWICE

For wounds received in two separate actions on May 19 and June 16 of this year Sgt. Ledellaytner was presented the Purple Heart with oak leaf cluster. He received the Air Medal for meritorious achievement for taking part in sustained aerial flights during a period from May 6 to May 19 of this year.

A graduate of Notre Dame Catholic high school, Robert entered the Army in June of 1964 and took basic training at Fort Dix, N.J. Following paratrooper training at Fort Benning, Ga., and a stateside assignment with the 101st Airborne division at Fort Campbell, Ky., Sgt. Ledellaytner was assigned to the First Brigade of the 502nd Infantry Division in Vietnam in July of 1965.

He is a member of Assembly 133, Slovak Catholic Sokol. Our Supreme Officer, Henry Luchansky, called this special story to our attention. We felicitate Sgt. Ladellaytner and commend him for his bravery, assuring him that we are proud of his war record. We join the officers and members of Assembly 133 in wishing him good health and God's blessing.

OIL SHALE: PUBLIC HOT POTATO

Mr. HANSEN. Mr. President, in my opinion, an article published recently in the September–October issue of the University of Wyoming Alumnews deserves public attention.

The article, entitled "Oil Shale: Public Hot Potato," is one of the most detailed, comprehensive, and intelligent presentations of the oil shale question, its past, present, and future, that has come to my attention in a long time.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OIL SHALE: PUBLIC HOT POTATO

(NOTE.—A great deal of the factual material in this article is based on information in a series of articles written by Bert Hanna which appeared in the Denver Post from July 16–27, 1967.)

Oil shale has become a public hot potato in the past few months, and one expert who has been studying the subject for years says, "I know of no topic on the public scene—unless it be Vietnam—on which there is more ignorance, confused thinking and dogmatic opinion than on oil shale."

The University of Wyoming has a stake in the current controversy about oil shale, since it has on its campus the only federal installation devoted to experimentation into oil shale and it has volunteered its services to the Department of the Interior for assisting in further research on the many problems facing the country if the vast wealth of oil buried in rock formations in the Green River formation is to be recovered for future use. (See following article.)

What is oil shale and why is it important?

Oil shale is marlstone (limestone with clay) containing a solid organic deposit called kerogen. These deposits are mostly the remains of small plants which have decomposed through millions of years. Oil can be distilled from the kerogen, then further refined to form such products as kerosene, gasoline, diesel, and jet fuel.

The shale itself is a fine-grained sediment ranging from tan or gray-white through brown, blue, to nearly black. Organic deposits appear throughout the stone in horizontal layers or bands. Richer deposits are in the darker layers.

Largest amounts—some 16,500 square miles—of the formation occur in Colorado, Utah, and Wyoming, with the greatest concentration being in the Piceance Creek basin in Rio Blanco and Garfield Counties in Colorado. Deposits in other states do not appear in quantities recoverable by present methods.

A figure of 1.7 trillion barrels was given recently for the shale oil potential of the three-state area by Dr. Russell G. Wayland, acting chief of the Conservation Division of the U.S. Geological Survey. However, this figure proves meaningless when Dr. Wayland continues that "only about 80 billion barrels of shale oil are considered recoverable by demonstrated mining and retorting methods."

The smaller figure has more meaning because only oil occurring at the ratio of 15 gallons per ton in beds at least 15 feet thick can be recovered economically. Many of the beds in the Green River formation contain 25 gallons of oil to a ton of rock in deposits up to 2,000 feet thick. But 80 billion barrels of oil is well worth going after, since this is more than twice the nation's total proved oil reserves.

Although oil shale has stirred up a lot of popular interest in the past few years, it is no new product and was known to Indians in the western region before the coming of white man as the rock that would burn.

In 1913 the U.S. Geological Survey discovered that oil shales with high potential oil yields were present over wide areas of the Green River formation in Colorado, Utah and Wyoming.

As a result of field examinations, the Survey in 1916 classified the major portion of the formation as mineral lands valuable as a source of petroleum and nitrogen. In December 1916, portions of this formation were withdrawn by presidential order for exclusive use and benefit of the U.S. Navy.

The Bureau of Mines, a division of the Department of the Interior, started its first research laboratory in Laramie in July, 1924. At that time a petroleum field office was established on the University of Wyoming campus through a cooperative agreement between the University and the Bureau of Mines. This laboratory concerned itself only with petroleum resources of the Rocky Mountain Region until 1933, when it was closed for a period of two years due to lack of operating funds.

In July, 1935, the office was reopened on the campus and conducted research on petroleum problems until 1944. At that time the Synthetic Liquid Fuels Act was passed by congress and signed into law by the president. It provided for studying the preparation of liquid fuels from oil shale. Research and development work on oil shale began at the Laramie laboratory in June 1944. The University of Wyoming donated approximately two acres from the northwest corner of the campus as a site for a new laboratory and office building to house this expanded research. The building, presently occupied by 125 employees of the Laramie Petroleum Research Center, was completed in the spring of 1947.

Thus for the past 23 years intensive research has gone forward on the Wyoming campus into the problems of oil shale. The Laramie Center now devotes about three-fourths of its efforts to oil shale.

These efforts are directed toward two major areas—the characteristics of oil shale and the methods of converting organic portions of oil shale into shale oil.

Basic to the development of an industry in oil shale is knowledge of the nature of the rock and oil produced from it. This research is aimed at determining the character, composition, and properties of the rocks; what the organic matter is and where it came from; what takes place during heating of the shale to produce oil; the properties of this oil from which finished products must be made; and reactions occurring during refining of the oil.

The first major area of research at the Center breaks down into six parts: oil yields of representative samples of deposits are determined by a standard assay method; investigation of the elemental composition of the shale organic matter, the nature and composition of the shale mineral matter and the physical and chemical properties of the rocks themselves; a study of the organic material in oil shale; the separation and analysis of the complex mixture of shale oil; investigation of the chemistry of the components in shale oil, which includes the effect of heat on the oil's compounds; and the examination of individual molecules, or even parts of molecules, by spectroscopic methods.

Research into methods of converting organic parts of oil shale into shale oil is conducted in three areas: problems of retorting oil shale to produce shale oil, which is one of the most plaguing ones in the whole oil shale situation and will be dealt with at more length later; engineering problems on permeability, heat transfer, combustion control, conversion reactions and product recovery; and the possibility of converting shale oil to a material more nearly resembling petroleum for which refining methods are available.

Some significant knowledge in all these areas has been gleaned during the years of investigation at the Laramie Center. A great deal of this knowledge has been put into use at the Anvil Points Oil Research Center near Rifle, Colorado, which is in the heart of the oil shale region.

This plant. established first by the Bureau of Mines and presently operated by several oil companies, has been producing oil from oil shale in experimental reports for some 15 years, but processes have not reached the place where the product is competitive economically with petroleum.

The Bureau of Mines suspended operation of the facilities near Rifle in 1956 and responsibility for their maintenance was assigned to the Laramie Petroleum Research Center. Since April 1964 the facilities have been leased by the Colorado School of Mines Research Foundation which has been operating them under a research contract with six oil companies. The Laramie Center still has personnel stationed at the facilities to observe research being conducted.

On Parachute Creek, northwest of Rifle, a private company, The Oil Shale Corporation (TOSCO) has been conducting an experimental plant on private land rich in oil shale and now plans to spend $130 million on a large-scale commercial venture. The company's activities are directed toward massive mining operation and subsequent above-ground retorting of crushed rock to obtain a crude shale for refinement.

The company claims to have made a significant break-through in production methods which allows them to process 1,000 tons of shale per day now. This amount will be boosted to 66,000 tons of crushed rock per day with the first 58,000 barrels of oil to flow by 1970.

One difficulty with this production is that TOSCO has refused to permit anyone not closely associated with the project to get near the semi-works plants now in operation. Contrasted with such a position is the complementary aspect of federal and University experimentation which eventually is available to industry for commercial application.

An additional factor in TOSCO's operation is that its land titles may not be uncontested. From this situation emerges the largest problem facing the shale oil industry today—that of land rights.

Although over 80 per cent of the land containing oil shale is publicly owned and thus the property of all the people, various kinds of claims have been filed on much of the land under several different mining laws.

When portions of the land in the Green River formation where withdrawn from public lands in 1916 and set aside for the U.S. Navy, this action triggered the filing of thousands of mining claims covering millions of acres in the area. These claims were filed under the mining law of 1872, which permitted anyone who discovered a valuable mineral deposit on the public domain not closed to such discovery to mine the mineral without any payment to the government.

The exact acreage of claims filed under that old act is not known because all the miner was required to do was file a notice with the county clerk and recorder's office. However, the Interior Department, after some amount of search, estimates some 30,000 claims covering more than four million acres were located prior to 1920.

The Mineral Leasing Act of Feb. 25, 1920, superseded this old law and withdrew certain minerals, including oil, gas and oil shale, from its provisions. Instead, it provided that a miner could lease but not gain outright title to his claim. However, the law did not abrogate valid claims under the old law.

The Interior Department began in 1920 to determine what shale lands were already covered by valid claims. Between 1930 and 1933 the department declared 22,245 claims covering 2,884,019 acres in the three states null and void because no mining work had been done on them since they had been filed, as required by law. But the ruling was challenged, and the Supreme Court declared that the department was wrong in declaring claims to be null and void on the failure-to-work charges.

In April 1930, the federal government withdrew deposits of oil shale and lands containing them from disposition under any public laws. But the Department of the Interior continued to issue many patents on mining claims, some as late as 1960.

On December 21, 1966, Judge William E. Doyle of the U.S. District Court in Denver, handed down a historic decision. He affirmed the validity of patent claims on about 16,000 acres of land involved in four contests brought before his court. TOSCO of the western Colorado operation was one of the litigants in this case. This decision is now being appealed.

All of this points up the many land title problems which must be settled before commercial production of shale oil can proceed. Most authorities agree that clearing away this "legalistic underbrush," as Secretary of the Interior Stewart Udall calls it, will take at least 10 years.

Tied into this problem is the one of private versus public development. Shall the federal government lease public lands to private oil companies for development or let private companies mine only on private lands and retain the riches in public lands for the future? This controversy has caused proponents of the public land theory to dub the shale oil leasing plan a "second Teapot Dome scandal."

This problem must also be solved by the courts and the Department of the Interior, and although Secretary Udall is pushing ahead vigorously, the solution may be some time in coming.

Other knotty problems plague the production of shale oil. Since the oil is buried in impermeable rock, the classic question facing producers has been how to extract it. Experiments and successful production to date have used the above-ground retort method. Millions of tons of rock must be dug out from under a heavy cover, brought to the surface, crushed, and oil extracted by a heat method, which requires temperatures as high as 800 degrees. This process tends to be slow and costly, so that shale oil does not compete on the market today with petroleum.

Another major fault with this method is that it leaves a great deal of residue to be disposed of in some way. The American people will not permit immense heaps of "tailings" to scar the landscape around oil shale mines as they did in the heyday of gold and silver mining.

The multiple-use theory of land usage requires that residue from the mining operation be put back underground so the scenic beauty of the land is not destroyed and the areas may be used for recreation, grazing, and other purposes.

A much-discussed method of recovering oil from shale, which would eliminate some of the evils of the above-ground retort method, is *in situ*—in place—processing. Under this plan a huge amount of rock is blasted loose underground by atomic energy or some other fracturing technique, heat is forced into the broken rock, and oil is pumped out, much as petroleum comes from wells.

This method has the advantage of leaving the discarded rock underground and eliminates the problem of disposal. It would be a much faster means of extraction than moving tons of rock to the surface, and it could prove more efficient in percentage of oil removed. But there is no information to show that it would be less expensive—at least in the initial operation. It also has the advantage of using presently known methods of drilling and pumping.

An atomic blast may be set off underground in some of the richer deposits in Piceance Creek basin some time in the next year or two. After that test, perhaps a little more will be known about the feasibility of the *in situ* method.

On the other hand, the *in situ* method could prove highly wasteful unless two potentially valuable byproducts that exist in the spent oil shale can be recovered from the crushed rock left underground. They are dawsonite, a source of aluminum, and nahcolite, a sodium mineral related to trona. With its recent development in trona mining in the western part of the state, Wyoming is particularly interested in this phase of oil shale development.

Shale oil production, by any method, will require vast quantities of water—a resource the West does not have in excess. Thus the present conflict over allocation of upper Colorado River Basin water enters the shale oil problem too.

Implications from the shale oil industry are far-reaching. Although domestic oil reserves are now sufficient for immediate needs, it is estimated that by 1980 oil supplies will fall short of demand. Even now the United States is importing about 20 percent of its supply. The recent Arab-Israel conflict in the Near East points up the necessity for developing our domestic sources for oil and energy. Many authorities feel that we should keep a strong bargaining position in the world market. "We may find Arabian oil much more expensive when we no longer have productive capacity in excess of normal demand," says Russell J. Cameron, head of the research firm of Cameron and Jones of Denver.

The industry's economic contribution to the development of the West can be enormous. Wise decisions now in the development stage can insure adequate oil supplies for generations to come.

INTENSIVE STUDY SEEKS THE ANSWERS

Many segments of the University have joined together to put forward a proposal on the institution's role in leading the way into the area of oil shale development.

When Interior Secretary Stewart L. Udall announced in February a 10-year, $101 million research program aimed at developing vast western beds of shale, Senator Clifford P. Hansen, BS '34, said that he was "very interested in getting Wyoming as deeply involved as possible" in the research.

During March Senator Hansen made a trip to the campus and held a 2½ hour meeting with a number of University officials, including Acting President H. T. Person; A. J. McGaw, dean of engineering; M. C. Mundell, dean of commerce and industry; E. Gerald Meyer, arts and sciences dean, John C. Bellamy, director of the Natural Resources Research Institute (NRRI); Walter E. Duncan, NRRI associate director; Edward J. Hoffman, NRRI coal research engineer; Dwight M. Blood, business and economic research division director; D. L. Blackstone, geology department head; and Rollin H. Denniston, research development director.

Also present were Roy Peck, executive director of the Wyoming Natural Resources Board; Floyd A. Bishop, Wyoming State engineer; J. David Love, supervising geologist, U.S. Geological Survey; Gerald U. Dinneen, director of the Bureau of Mines Laramie Petroleum Center; and Kenneth E. Stanfield, USBM project coordinator.

Following this meeting Senator Hansen announced: "University of Wyoming personnel can expect to play a substantial role in the research and related activities required for the orderly development of the nation's vast western oil shale deposits."

Immediately the University made plans to assume its "substantial role." President Person appointed an ad hoc committee, with members from Geology, Economic Research, Law, Engineering, and Arts and Sciences, plus the USBS, the Laramie Petroleum Center and Research Development. Dean McGaw of engineering was chairman.

After several weeks of intensive study the committee formulated a proposal as to what the University can do over the next 10 years that will lead to development of the latent oil shale resources as a means of increasing domestic energy and mineral supplies.

Since America's economic growth and security in this age is in large part determined by its ability to meet the petroleum needs of industrial and military machines, an adequate supply of gasoline, jet and diesel fuel and other liquid and gaseous fuel products is necessary.

These products can be supplied within our own borders by wise development of our resources, particularly the vast deposits of oil shale that occur in Colorado, Utah and Wyoming.

Despite experimentation done in the past, both by private industry and the federal government, the technology of recovering shale oil is still in its infancy, and many promising new approaches remain to be explored The *in situ* process, for example, under which oil would be converted and thermally driven from fractured oil shale underground without mining, is an especially promising process for recovering oil from the thicker, deeper parts of the Piceance Creek basin in Colorado. The vast extent and physical characteristics of oil shale offer an excellent opportunity for innovations and radically advanced mining systems that would result in low-cost extraction with maximum conservation of the resource and preservation of land and water quality.

Under the proposed program, primary emphasis is placed upon the development of new or improved technology where the promise of improving the economic feasibility of an industry based upon the exploitation of oil shale seems greatest. In particular, a variety of *in situ* retorting procedures will be developed. Because of the variety of physical conditions under which the resources exist, alternative low-cost extraction processes must be devised. The program will seek to advance technology in this regard, but at the same time it will seek to improve upon known techniques.

The knowledge already learned of the nature and extent of shale deposits is necessary to determine which extraction procedures are practicable and applicable and which local factors may encourage or inhibit commercial development. The program will seek to develop such information, initially to define the sites likely to attract earliest attention, and then to define conditions under which such sites can be exploited to satisfy both public and private interests.

The proposed program places strong emphasis on determining the impact of an oil-shale industry on its environment and recognizes that multiple-resource planning is vital in order to avert adverse effects on other resources. With proper planning, pollution and aesthetical damage can be held to a minimum and satisfactory urban development and roads can be achieved.

Direct participation of several federal agencies, as well as the State of Wyoming, the University and private interests is a part of the plan.

One unique advantage the University of Wyoming has for carrying out the proposed research is the presence of the Laramie Petroleum Research Center on the campus. This center houses the largest facility of the Bureau of Mines devoted to oil shale research.

Plans drawn up several years ago by the Bureau of Mines call for enlarging the present Center. Bureau of Mines Director Walter Hibbard, Jr., outlined some of the expansion needs for the Center in a letter to Senator Hansen.

Hibbard's letter said the present Bureau of Mines research center should be increased to three stories, and for the second fiscal year of an expanded program it would be "necessary to replace the present annex with a four-story, L-shaped building to provide about 40,000 square feet for new work and 15,000 square feet for activities now quartered in the annex."

Total cost of the expansion program would be about $2.5 million, according to Hibbard's letter. Hibbard added, "None of the foregoing has been submitted to the Budget Bureau, nor has it been given complete department review."

A second advantage the University has for carrying out this research is its experience in interdisciplinary activity. The project will require participation of the departments of geology, physics and chemistry in the College of Arts and Sciences; chemical and petroleum engineering; the College of Agriculture; the division of business and economic research from the College of Commerce and Industry; the computer center, and the College of Law. The entire project will be coordinated through the division of research development, headed by Dr. Denniston.

NRRI, under the direction of Dr. Bellamy, has long experience in research on Wyoming resources and has coordinated a number of operation among various University departments. Personnel from NRRI, plus chemists and engineering faculty, have been working with the Laramie Center since 1959. Two specific cooperative studies are now underway. Graduate students are carrying out research under the direction of Dr. Sara Jane Rhoads, professor of chemistry, and a research study in hydrogenation of shale oil is now in progress in the College of Engineering and NRRI.

A further precedent for campus-wide cooperation exists in the formation and operation of the Wyoming Water Resources Research Institute, which developed within NRRI and involves people from the Colleges of Arts and Sciences, Agriculture, Commerce, Engineering, and Law. Of greatest importance is the on-going cooperative work between the University geology department, the USGS, the State Geologist and the Bureau of Mines.

UW's proposal, which includes specifics on number of people required, equipment needed, cost in each division, and other detailed information, consists of three phases. The first phase embodies a number of basic research projects organized on a departmental basis. Phase two would evolve naturally from conversations and informal seminars between researchers in related fields. The third phase is projected as an Oil Shale Cooperative Institute with a more formal organization. Present plans call for activation of only phase one, since it is imperative that work in that phase get underway quickly and efficiently.

Under phase one, geology proposes continued mapping of surface distribution of oil shale bearing rock in the Green River Basin and mapping of occurrences in the Washakie Basin; study of extent and composition of trona and halite in the shales; investigation of composition relative to *in situ* recovery; studies relative to environment of oil shale formation; investigation of volcanic ash and tuff; and examination of existing drilled and core samples relative to other minerals associated with oil shales.

Since Dr. Paul O. McGrew and Dr. Donald L. Blackstone have already carried on stratigraphic and structural studies in the Green River and Washakie Basins, a great deal of this work would be based on findings already made. No new faculty members and not a great deal of equipment would be needed.

Geology's budget totals $132,150, with $73,150 going for expenses for graduate students, and $59,000 for equipment.

Studies in physics will deal with using the electron as a probe to learn the detailed nature of products which come off from heated oil shale. The chemical nature of these products is important to a basic understanding of the shale itself.

Dr. A. B. Denison will use a method of collecting the products on an extremely low-temperature surface immediately after they are emitted from oil shale to learn their elemental nature.

Another project, under the direction of Dr. B. H. Muller, will probe both the amount and the mobility of kerogen in the oil-bearing rock. The reasoning behind this kind of study is that if something is known about the movement of the kerogen, ways can be devised for removing it.

An electromagnet and a microwave spectrometer, recently installed equipment in the physics laboratories, are among tools that will be used in this research. Physics' budget will total $319,813.

Chemistry has proposed four specific projects. Dr. John Howatson will work with the chemical analysis of trona brine, since it is believed that trona may have resulted from reaction with adjacent oil shale deposits. He also wants to investigate the possibility that brine-oil shale interactions may provide a method of *in situ* extraction.

Dr. Victor Ryan has a plan to use the University reactor to analyze shale and other related materials for oxygen, nitrogen and carbon by helium-3 charged particle bombardment in a cyclotron. His second project would deal with lithium isotope ratios in oil shale. The cyclotron at the University of Colorado can be used in these studies.

Dr. Owen Asplund has proposed studying the chemical structure of the organic matter, kerogen, in shale oil. He would attempt to learn the organisms which would break down the kerogen.

As in the case of geological research, much of the equipment is on hand to launch the chemical studies. The total budget in the department would amount to $222,527 for both equipment and personnel.

The division of business and economic research study would consist of a survey and analysis of the economic impact of oil shale development on the region, particularly the parts of the three states most directly concerned. The total budget would run to $38,040.

Much of the work now being done by the Public Land Law Review Commission under public land laws and the Mineral Leasing Act would serve as the basis for applied research into practical problems by the College of Law. The nature of the legal questions has a direct influence on the scientific aspects of the research. The information acquired should be sufficient to insure correct solutions to the questions.

Professor Harold S. Bloomenthal, an authority on mining law and legal problems of mineral development, would head this research project.

Both chemical and petroleum engineering can contribute several specific areas of study to the overall picture.

Dr. Charles R. Smith and R. D. Rinehart, of the petroleum engineering department, have proposals for studying various methods of *in situ* retorting, including well spacing, well patterns, drilling techniques, casing designs and cementing of shafts.

Dr. Donald L. Stinson, head of petroleum engineering, expects to conduct some studies into the corrosive and erosive effects of shale oil on casing and other metal goods, the problems of injecting massive quantities of air, which would be required in *in situ* retorting, and the whole problem of fracturing oil shale.

Dr. Stinson is also heading a study on disposal of solid waste materials by mixing them with water to form a slurry. This semi-liquid substance can then be pumped underground. In above-ground methods of retorting oil shale, this kind of disposal could be of great value.

Petroleum engineering projects are budgeted at $195,000, plus $67,564 for the hydrogenation study already underway. NRRI has some additional proposed studies which would total $187,660.

The plan allows for feed-back between the various departments involved, in order that each individual department would know at all times what progress others are making and no work would be duplicated.

Total cost of the proposed research, for additional equipment necessary, supplies, and sufficient personnel, both professional and graduate students, is $1,162,754 for the first year. Although the Department of the Interior has not approved such an expenditure, it would come within Secretary Udall's estimate of a $101 million expenditure in 10 years.

Financing for many of these projects from private industry is a possibility, since industry will be invited to participate in joint ventures and to cooperate in the program with work being undertaken under the general direction of joint government-industry committees which can be formed in cooperation with industrial and scientific groups * * *.

NOT WANTED: SULFUR AND NITROGEN

Even after oil shale is extracted from the rock, it continues to present problems in refinement, since the viscous material is decidedly different from petroleum that is pumped out of the ground.

Dr. Howard Silver, associate professor of chemical engineering at the University and chemical engineer at NRRI, is directing a project, financed by a $47,250 grant from the Bureau of Mines, into the problems of refining shale oil. This research is the first specific project undertaken by University personnel in the field.

The difference between petroleum and crude shale oil lies in the amount of nitrogen, sulphur and oxygen it contains. For example, crude petroleum contains something like 600 parts of nitrogen per million parts of oil. But shale oil may contain as much as 20,000 parts per million. The sulphur content also runs high.

Since sulphur and nitrogen are the elements in oil which must be removed before it is useful as a pollutant-free fuel oil or can be further converted into kerosene, gasoline and other products, these huge amounts do indeed create a manufacturing problem. Further, the catalysts now used by the petroleum industry are deactivated by such huge quantities of the undesirable elements.

There are two present known methods of removing nitrogen from oils. One is by washing the oil with an acid, which combines with the nitrogen and removes it. The difficulty with this process is that the molecular arrangement of shale oil is such that the acid not only removes the nitrogen, but also as much as half the oil itself.

A second method is by hydrogenation—the addition of hydrogen to the oil. This method requires both high temperatures and intense pressure during the reaction. Generally industrial requirements for petroleum processing are that pressure of no more than 3,000 pounds linked with a reaction time of no more than two hours be observed. For shale oil these restrictions require the use of high operating temperatures which are unfavorable for the removal of sulphur and nitrogen.

Hence, Dr. Silver, and his researchers are experimenting with various amounts of pressure at differing lengths of time.

Dr. Silver says, "We are not restricting ourselves to conditions now being used in the oil industry. We will survey a much wider range of operating conditions than is normally used in de-nitrifying petroleum stocks. We think by expanding the range of conditions we may find a new set of conditions which will be successful."

So far they have experimented with pressures as high as 6,000 pounds and reaction times as long as eight hours.

An interesting sidelight of this research is that sulphur and nitrogen are among the elements that contribute to air pollution when oil or other refinery products are burned for fuel. If Dr. Silver and his assistants are successful in reducing these elements, such a finding could be beneficial to the present oil industry and could result in reduction of air pollution.

Dr. Silver, who holds his bachelor's degree from the Colorado School of Mines and his master's and doctorate from the University of Michigan, had been actively engaged in hydrogenation processing before he joined the University faculty in 1964. His experience was the major factor that made him a logical choice to head the project.

The University of Wyoming was also a logical institution to carry on this type of exploration, since the Natural Resources Research Institute (NRRI)—the research arm of the College of Engineering, has long been working with the hydrogenation of coal and had on hand most of the equipment and basic knowledge for continuing the research into shale oil.

NRRI has been conducting work on hydrogenation since 1954, first with heavy black oils of Wyoming and later with liquid tars and pitches produced by the carbonization of coals. Since 1964 a large research program involving hydrogenation processing of coal has been carried forward under sponsorship of the Wyoming Highway Department and the U.S. Bureau of Public Roads. This program has been directed at the production of a bituminous cement from coal for highway construction.

Assisting with the current research as advisors are W. F. Duncan, associate director of NRRI; E. J. Hoffman, NRRI coal research engineer; and Dr. D. L. Stinson, head of the petroleum engineering department of the University.

A particular Aminco batch reactor, which was utilized in the coal research, is the major piece of equipment used for the shale oil project. Into it the investigators put samples of shale oil, secured from the Laramie Petroleum Center, force hydrogen into the thick-walled container, and operate it under varying conditions. After the gases have been vented off, the remaining product is tested for sulfur and nitrogen content, as well as for the amount of gasoline present.

As yet only pressure, heat and time have been the varying elements in treating the shale oil. A new reactor, valued at $5,600, has been ordered and will probably be installed some time in November. When this reactor arrives, it will have the advantage of allowing catalysts to be used in the study.

Although the grant was allowed in January, Dr. Silver and his assistants were unable to begin work until mid March. Scheduled for completion within a period of 18 months, the project was one-third of the way along on July 1. The first phase dealt with hydrogenation without the use of a catalyst. The investigators feel they have made advances in the study and will soon be ready to experiment with the use of catalysts.

Five graduate students in chemical engineering are on Dr. Silver's staff assisting him with the research. They are William Elmore, BS '67; George E. Lessley, BS '67; Gerald R. Pastor, BS '66; and M. D. Rao, from Hyderabad, India, who took his bachelor's degree from Osmania University in Hyderabad.

Undergraduates assisting are Jay Lyon, chemical engineering; Lyle Lake, aeronautical engineering; Linda Cheatham and Larry Andersen, petroleum engineering, and Joe Pierantoni, statistics.

All of the researchers worked throughout the summer, as well as last school year. A sizable part of the $47,250 federal grant is going to pay them for their research time. The University is providing $12,600 to pay part time salaries of the advisors.

If these researchers can come up with a method of removing hydrogen and sulphur from shale oil, one of the big barriers to commercial production will have been hurdled. Once research has learned the way, the oil industry can take it from there.

MADISON CONGREGATION SUGGESTS VIETNAMESE PEACE CONFERENCE

Mr. NELSON. Mr. President, I have received a copy of a very fine letter which members of the First Congregational Church, of Madison, Wis., recently sent to President Johnson asking him "to take all necessary and prudent steps to reverse the apparent trend of escalation in the military conflict in Vietnam."

Deeply disturbed concerning our present policies in Vietnam, members of this congregation held six discussion meetings and then voted overwhelmingly at a congregational meeting to write the President of their views and suggestions.

To share their thoughtful proposals with other Senators, I ask unanimous consent that the letter and a commentary by Mr. Jurgen Herbst of the congregation be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

FIRST CONGREGATIONAL CHURCH,
Madison, Wis., October 12, 1967.

THE PRESIDENT OF THE UNITED STATES,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Moved by our concerns of conscience as Christians and citizens of the United States of America, inspired by the ideals and commitments of our nation as they are expressed in our country's Declaration of Independence and in our Constitution, committed to uphold these in our minds, hearts, and actions, with a deep sense of Christian and patriotic responsibility toward our countrymen, dead, living, and yet to be born, and regarding highly the decent opinions of mankind, we, as members of a Christian church and loyal citizens of our country, ask you to take all necessary and prudent steps to reverse the apparent trend of escalation in the military conflict in Vietnam.

Specifically, we suggest that you declare the readiness of the United States to prepare the way for political negotiations among the contending Vietnamese parties—the Republic of Vietnam, the National Liberation Front, the Democratic Republic of Vietnam through their representatives at a Vietnam Peace Conference, by offering an immediate cease-fire to be binding on all parties to the military conflict on the land, on the water, and in the air.

Such cease-fire to include the cessation of any troop reinforcements and introduction of military personnel and materiel from the outside into the territory of either the Republic of Vietnam or the Democratic Republic of Vietnam, and to be followed by a regrouping of all military and paramilitary forces involved in the conflict in areas agreed upon by representatives of the forces of the United States of America, the Republic of Vietnam, the National Liberation Front, and the Democratic Republic of Vietnam at a cease-fire conference to be held within two weeks after the cease-fire has gone into effect.

We urge that you ask either the United Nations or the powers staffing the International Commission for Supervision and Control in Vietnam, set up by the Geneva Conference in 1954, to assume the responsibilities of supervising the execution of the cease-fire agreements.

We urge further that you declare the willingness of the United States to respect and abide by the results of the political negotiations among the Vietnamese partners to the present conflict, negotiations which are to be conducted by these parties at a Vietnamese Peace Conference to be held as soon as possible after the cease-fire has gone into effect.

Adopted by the congregational meeting of October 11, 1967, First Congregational Church, Madison, Wisconsin.

Respectfully submitted.

MR. HARRY L. HAMILTON,
Moderator of the Church.

COMMENTARY ON LETTER OF CONGREGATIONAL MEETING OF FIRST CONGREGATIONAL CHURCH OF MADISON, OCTOBER 11, 1967

The letter expresses a consensus that the first priority concerning the Vietnam issue is to bring an end to the military conflict in order to provide conditions under which a political settlement may be achieved.

The letter takes it as basic that any settlement of the Vietnam issue must be worked out and agreed upon by the Vietnamese people through their representatives, and that all non-Vietnamese involved in the present conflict must agree to respect any such settlement and to refrain from interfering with and in it.

The letter holds to the belief that the announced aims of United States Foreign policy—to assure a people's right to self-determination, to resist armed aggression, to aid in the stabilization of areas emerging from colonial rule—are not neglected or controverted in the proposals contained in the letter, provided that the suggested settlement is worked out and agreed upon by the Vietnamese themselves in political negotiations among representatives of the Vietnamese groups or governments named in the letter.

The letter suggests two separate steps: (1) a cease-fire; (2) a peace conference. The first is seen as a means of bringing about the second. The United States would be an active partner to the cease-fire; she would not be a partner to the peace conference other than (a) through her promise to respect and uphold its decisions, or (b) by her willingness to participate if she were so asked by all the partners to the conference.

The mechanism suggested for the cease-fire is modelled on that endorsed by the Geneva Conference of 1954. The recommendation to follow the Geneva model pertains to the cease-fire arrangements only.

During the discussions of the letter the following additional observations were made:

The letter does not call for a cessation of bombing as a precondition for negotiations. A permanent cessation of bombing exposes the United States to unacceptable risks; a temporary cessation exposes North Vietnam to the threat of blackmail by bombing. Either condition is unacceptable to one of the parties involved. The letter therefore suggests a universal cease-fire equally applicable to all combatants as a means of breaking the apparent deadlock over the "stop-the bombing" issue and as most likely and promising to be acceptable to all partners involved.

The letter does not pretend to foresee at which results the suggested Vietnam Peace Conference might arrive. It does not imply a preference for either a united Vietnam or two or three semi-autonomous states grouped in a confederation. The letter affirms, however, that whatever decision is arrived at, be a decision of the Vietnamese themselves.

The letter does not imply a United States withdrawal from Vietnam. It implies that whether or not the United States continue to give economic and other aid to Vietnam depend on the expressed desire of the Vietnam Peace Conference or the government or governments set up by it. The United States is to act in Vietnam upon invitation of the host country. Such invitation is to be renewed by or after the Peace Conference. Only if such invitation is then not forthcoming, is the United States to abide by the wishes of her hosts and to cease its activities in Vietnam. Nothing, however, should prevent the United States from offering her help, if she so desires.

The letter is based on information publicly available to the Congregational Meeting. It is prompted by the concerns of American citizens for the welfare of their country. There is no claim contained in it to superior wisdom. It was discussed, drafted, voted upon, and approved as an act of responsible citizenship. The Congregational Meeting trusts that it will be understood and received as such.

JURGEN HERBST.

NEW ZEALAND'S ASSISTANCE TO SOUTH VIETNAM

Mr. FULBRIGHT. Mr. President, on October 31, I made a statement on the floor of the Senate on the subject of free world assistance to Vietnam. In the course of that statement I said that in the period 1964 through 1966 New Zealand's trade with North Vietnam had been about eight times its assistance to South Vietnam.

It has been brought to my attention by the New Zealand Embassy that my statement regarding New Zealand's trade with North Vietnam and assistance to South Vietnam was incorrect. According to the Embassy, in the period April 1964 through April 1966—New Zealand's financial years begin on April 1—New Zealand's trade with North Vietnam totaled $60,000, exclusively in tallow, while during the same period its economic assistance to South Vietnam, under the Colombo plan, totaled $615,000. While it is difficult to estimate the dollar value of the military assistance given by New Zealand to South Vietnam during this period, according to the New Zealand Embassy it totaled not less than $1,500,000 and has, of course, increased considerably since.

The New Zealand Embassy has also brought to my attention the fact that New Zealand has embargoed trade with North Vietnam since March 1966.

Mr. President, I very much regret the error in my statement on October 31 and apologize to the Government of New Zealand for my mistake.

RETIRED PERSONS URGED TO VOTE

Mr. PROUTY. Mr. President, with the approaching national elections next year and, indeed, with some local elections coming this month, it is appropriate, I think, for us to remind ourselves and the people of the Nation of the necessity of registering and voting if good government is to be assured in our Nation.

The current issue of Modern Maturity, the official organ of the American Association of Retired Persons, contains an article entitled: "Register, Vote, Be Counted."

Messrs. Ernest Giddings and James S. Rubin, the authors of the article, quite effectively point out the desirability of exercising the right to vote.

I recommend the article to all who read the CONGRESSIONAL RECORD and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

REGISTER, VOTE, BE COUNTED

(By Ernest Giddings, legislative representative; James S. Rubin, legislative assistant)

Vote and the choice is yours; don't vote and the choice is theirs! Of course, we are all familiar with that cliche. To us, however, it must have a special meaning. After all, we who have witnessed so much bloodshed, conflict and starvation in this world, and so much advancement in science, health, and education, have an important duty to exercise our vote so that others may get the benefit of our wisdom and experience. We cannot shirk this responsibility; to do so would make us derelict in our duty to ourselves and to our country.

It is the duty of all qualified citizens to be acquainted with the issues and to vote accordingly. Just because we are retired does not mean that we can refrain from exercising our civic responsibilities. We should speak out, and we must be heard. In order to be heard, we must register and vote. But that is not enough. There are some issues which concern us personally, such as Social Security, medicare, inflation, health research, etc. We must become familiar with these issues and with the candidates' stands on them. In addition, there are many other problems facing this country—our foreign commitments, education, and crime, just to name a few. Surely we can be helpful and our expertise useful in some of these areas.

If you are not registered, you should do so. Encourage your friends and acquaintances to register; start a voter registration drive if you have the time. Registering to vote is the first step on the path of having a voice in your government.

As you know, the laws regarding registration are State and local in nature. Most of the time you may register as a member of one of the political parties or as an independent. Generally, if you wish to participate in the primary elections, you must be affiliated with one of the political parties holding primaries. The primary elections are very important and too many of us do not give them the attention they deserve. This is unfortunate. Let us not forget that it is the primary which ultimately determines whom we may vote for in the general election. Good citizenship requires that we vote in the primaries so that we may be assured that the general election is not merely a "choice between the lesser of two evils," but is indeed a choice between the most qualified persons available. Only if we concern ourselves with the primaries as well as the general elections will we have such a choice.

And this concern with elections should not be limited to the National ones. Many of the decisions affecting each and every one of us are made on the State level and the local level. The elections, both primary and general, at these levels should not be ignored.

Thus, with all of the elections to come, each of us has an opportunity to become part of them. There is always a need for good candidates. Among our members are those with leadership qualities that would make for excellent candidates. But not all of us have the ambitions or capabilities to run for office. That is fine, because there must be workers, it is indeed unfortunate that in this country of ours there are not more people working during campaigns. There are envelopes to stuff, people to be called on the phone, phones to answer, transporting of voters to the polls, babysitting so people can vote, watching the voting, etc. The people who do these things, of course, are going to have their voices heard a little more than those who do not. And it is an excellent opportunity for many retired people to participate actively in this important part of the American way, and have fun doing it.

If you are interested, contact your local party headquarters. They will be more than happy to hear from you and can arrange activities at your convenience.

QUALIFICATIONS FOR VOTING

State	Previous residence required		
	State	County	Precinct
Alabama	1 year	6 months	3 months.
Alaska	do		30 days.[1]
Arizona	do.[2]	30 days	Do.
Arkansas	do	6 months	Do.
California	do.[2]	90 days	54 days.
Colorado	do.[2]	do	20 days.
Connecticut	6 months	6 months[3]	
Delaware	1 year	3 months	30 days.
Florida	do	6 months	
Georgia	do	do	
Hawaii	do		3 months.
Idaho	6 months[2]	30 days	30 days.
Illinois	1 year	90 days	Do.
Indiana	6 months	60 days[5]	Do.
Iowa	do	do	10 days.
Kansas	do.[2]	30 days	30 days.
Kentucky	1 year	6 months	60 days.
Louisiana	do	do	3 months.[7]
Maine	6 months		Do.[6]
Maryland	1 year	6 months	
Massachusetts	do		6 months.[6]
Michigan	6 months		30 days.

QUALIFICATIONS FOR VOTING—Continued

State	Previous residence required		
	State	County	Precinct
Minnesota	6 months		30 days.
Mississippi	2 years	1 year	6 months.
Missouri	1 year [2]	60 days	60 days.
Montana	1 year	30 days	30 days.
Nebraska	6 months [2]	40 days	10 days.
Nevada	do	30 days	Do.
New Hampshire	do	6 months	6 months.
New Jersey	do	40 days	
New Mexico	1 year	90 days	30 days.
New York	do [2]	4 months	Do.
North Carolina	do [2]		Do.
North Dakota	do	90 days	Do.
Ohio	do [2]	40 days	40 days.
Oklahoma	6 months	2 months	20 days.
Oregon	do [2]		
Pennsylvania	1 year [4]		2 months.
Rhode Island	do		6 months.[6]
South Carolina	do	6 months	3 months.
South Dakota	do	90 days	30 days.
Tennessee	do	3 months	
Texas	do	6 months	
Utah	do	4 months	60 days.
Vermont	do	90 days	90 days.
Virginia	do	6 months	30 days.
Washington	do	90 days	Do.
West Virginia	do	60 days	Do.
Wisconsin	do [2]		10 days.
Wyoming	do	60 days	Do.

[1] Election district.

[2] Residence requirement reduced for qualified voters from another State when voting for President and Vice President.

[3] Town.

[4] 6 months for qualified voter or native of State who moved away and returned.

[5] Township.

[6] Municipality.

[7] 4 months in municipality for municipal elections.

[8] With certain exceptions.

Source: From the 1967 World Almanac.

INDEPENDENCE OF SMALL BUSINESS ADMINISTRATION MUST BE MAINTAINED

Mr. **SMATHERS.** Mr. President, the manner in which history tends to repeat itself is often curious. In 1965 and 1966, ill-advised plans to merge the independent Small Business Administration into the Department of Commerce were finally, after a bitter struggle, abandoned. I was among the many Members of Congress who opposed that effort and who felt that the threat to the independence of the SBA had been laid to rest.

Apparently I, and others, were mistaken.

Now the possibility has arisen once again that SBA could lose its independence. Such a danger would be real and imminent if section 406 of title IV of the Economic Opportunity Act Amendments of 1967 were to finally pass as it is now written. This section would, in effect, empower the Department of Commerce to conduct duplicative and, indeed, directly competing programs in the important areas of procurement assistance and management aids.

Although S. 2388 has passed the Senate and has been reported by the House Committee on Education and Labor, I am hopeful that friends of small business within the House will see to it that when S. 2388 reaches the floor of that body, this section will be changed to designate the Administrator of SBA rather than the Secretary of Commerce as the authority in whom the powers of that section are vested.

REPUBLICAN GOVERNORS FAILURE TO SUPPORT THE WAR IN VIETNAM

Mr. **McGEE.** Mr. President, the distinguished Senator from New Hampshire [Mr. McIntyre] made an excellent point in the Senate on October 24 when he observed that the recent failure of the Republican Governors to go on record in support of the war Americans are fighting in Vietnam could have serious implications. He noted, for instance, that it gave a certain amount of "respectability—and, perhaps, prestige" to militant critics of U.S. policy. And he suggested that there might be more than coincidence in Hanoi's announcement "that there will be no negotiations whatsoever in regard to Vietnam until after the 1968 presidential election."

The speech the Senator delivered has been properly commended for its cool analysis by Kenneth Crawford, in a column published in Newsweek magazine. Mr. Crawford recommends a reading of the Congressional Record by those who are interested in sorting out such jewels of thought. I ask unanimous consent that Mr. Crawford's column be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Reading the Record

(By Kenneth Crawford)

The Congressional Record deserves a wider and more attentive readership than it has. There is scarcely an issue that fails to reward the persistent browser with facts and fancies, conscious and unconscious humor, cogent and irrelevant arguments and insights into the realities of politics to be found nowhere else in print. It purports to record debate in the House and Senate, but that is a relatively small part of its function. It is primarily a convenient vehicle of campaign propaganda for incumbent members of Congress.

The important business of the legislative branch is conducted in committee, in conference and in cloakroom palaver. Floor debate is more often than not desultory and pro forma. Members use it to explain decisions already made. The explanations frequently obscure rather than clarify the reasons for decision. Discussion is intended not so much to influence Congress as to influence the voters back home. Once set down in the Record, speeches can be reprinted and mailed free to constituents.

Many a jewel gets lost among the Record's myriad treasures. The issue of Tuesday, Oct. 24, for example, contains a short speech by Sen. Thomas J. McIntyre of New Hampshire, perhaps the least talkative of the Senate's members and, although a Democrat, one of the least partisan. He goes his way supporting the Administration when he thinks it right and opposing when he thinks it wrong. His speech seems to have been made for no purpose except to get something off his chest. It probably won't be reprinted for mailing to New Hampshire.

What McIntyre had on his chest was the failure of Republican governors during the recent Governors Conference afloat to support the war Americans are fighting in Vietnam. He ignored the incident that made the news—the purloining of White House aide Marvin Watson's radiogram to former Gov. Price Daniels of Texas suggesting ways of twisting Republican arms to get an endorsement of war policy. McIntyre offered no pious judgment of Gov. Ronald Reagan's ethics in reading somebody else's message and broadcasting it.

The Republican governors' refusal to approve or disapprove, McIntyre said, had the effect of disapproval in the circumstances. And this had the effect, in turn, of providing "respectability—and, perhaps, prestige—to militant individuals and groups who oppose the war. This . . . enables a radical fringe to preach anarchy under the cloak of dissent to advocate disorder in the name of protest . . . As the demonstrations grow in number, intensity and violence, there is reaction in Hanoi and Peking . . .

"I could suggest there is more than coincidence in this week's announcement from Hanoi that there will be no negotiations whatsoever in regard to Vietnam until after the 1968 Presidential election."

Recent Records are packed with speeches about the peace march on the Pentagon, denouncing the display of enemy flags, beards and obscenities, and about the Governors Conference, deploring the raw political maneuvering on both sides. But none of them puts a finger on the serious concern officials feel about the two events as coolly as McIntyre's.

FORMER CEA CHAIRMAN SAULNIER: HOW TO MAKE PROSPERITY LAST

Mr. **PROXMIRE.** Mr. President, today we have the third article in the United Press International series on how to make prosperity last. The article, published in this morning's Post, is written by Dr. Raymond J. Saulnier, who served with President Eisenhower's Council of Economic Advisers from 1953, and was Chairman of the Council from 1956 to 1961.

Dr. Saulnier has had a long and distinguished career on the faculty of Columbia University and Barnard College beginning in 1934. Since 1949 he has held the position of professor of economics. He has also served as director of financial research of the National Bureau of Economic Research, Inc., since 1946. Prior to joining the staff of the Council of Economic Advisers, Dr. Saulnier was special adviser to the Board of Governors of the Federal Reserve System from 1950 to 1952.

Dr. Saulnier presents a gloomy picture of our economic situation, declaring that the longest expansion on record is hardly an occasion for rejoicing. He attributes our continuing prosperity primarily to the war, and believes that the economy is indeed threatened by a "financial shambles."

While I recognize that we have serious economic problems today, I do not believe that such an analysis is fair. A clearer perspective or our present economic problems emerges when we compare the situation today with that of the middle and late 1950's. During these years we were not faced with the tremendous problems imposed by a war, yet our economic performance was far less acceptable than it is today. From 1955 to 1958 prices rose at an annual rate of 2½ percent, capacity utilization averaged a low 84 percent, and unemployment averaged over 5 percent. Inflation was only slowed at the end of the decade by a further rise in unemployment. In mid-1961, the unemployment rate reached 7 percent, and the gap between potential and real gross national product was about $50 billion.

I also cannot agree with Dr. Saulnier about the need for a tax increase. Certainly support of a tax increase is not consistent with the gloomy picture he paints of our lagging private economy.

But to conclude on a more complementary note, I fully support two of Dr. Saulnier's points. As he states, we must do a better job of setting expenditure priorities. We cannot proceed with the necessary programs to help the poor, renew our cities, and upgrade our education and health services, if we do not cut back on low priority areas such as public works and the development of a supersonic transport.

I also agree that we need a more orderly expansion in the money supply; the current 9 percent rate should be reduced to 4 or 5 percent as Dr. Saulnier suggests.

Mr. President, I ask unanimous consent that Dr. Saulnier's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Nov. 2, 1967]

HOW TO MAKE PROSPERITY LAST—III: PUT FINANCIAL AFFAIRS IN ORDER, SAYS SAULNIER

(EDITOR'S NOTE.—The current expansion—the longest in the nation's history, is due "in large part" to the war in Vietnam. That's the gloomy opinion of the man, who served as Chairman of President Eisenhower's Council of Economic Advisers from 1956 to 1961. Raymond J. Saunier is now Professor Economics at Barnard College, Columbia University, in New York. The following is the third of five articles written for United Press International by past and present council chairmen.)

(By Raymond J. Saulnier)

It is the longest expansion on record, to be sure, but the occasion is hardly one for rejoicing.

The longest previous expansion ended in February 1945. It was extended to 80 months by World War II.

The present expansion has reached 81 months in large part due to the war in Vietnam. There is nothing here that warrants being celebrated as a happy anniversary.

Nor is there any basis for rejoicing in the state of the economy. Cost and price inflation are back again. Since January 1967, the cost-of-living has been rising at a rate that will cut the value of the dollar by 37 per cent in a decade.

INFLATION MAY GET WORSE

More hours are being lost in strikes than at any time in eight years. Interest rates are higher than they have been in over 30 years.

And the prospect is that inflation will get worse before it gets better.

Unemployment is low, but no lower than might be expected in a war period. Even so, industrial production was no higher in August 1967 than 12 months ago, and less than 85 percent of industrial capacity is being utilized.

Actually, recession was avoided this year only by a narrow margin, which is something of a miracle considering we are in a war and considering that the money supply is being inflated by 9 percent a year, and budgetary deficits—in total defiance of the "new economics"—get bigger as unemployment rates get lower.

Obviously, the problem is how to correct these conditions and how to avoid the financial crisis that thoughtful people know is a real danger.

BUDGET DEEP IN RED

Two things are essential. First, the budget must be moved back toward balance. But it is so deep in the red now that even with a tax increase, which is clearly needed, spending would have to be held at the fiscal 1968 level for two years to give revenues a chance to close the gap.

Obviously, we must do a better job of setting expenditure priorities or we will have what the Secretary of the Treasury, with uncommon candor, recently described as a "financial shambles."

Second, annual increases in the money supply must be reduced from the current 9 per cent to 4 or 5 per cent. Like balancing the budget, this too will take time—at least it should.

In the meantime, we shall have to put up with inflation, with high interest rates and with a growth rate below what we might have had if costs and prices were stable.

Beyond these essentials there is a long agenda of unfinished business. We must learn better how to train unemployed people for jobs and how to motivate them toward continuing employment and self-support.

We must renew our cities, clean our air and water, improve our transportation, upgrade our education and health services, etc., etc.

But what is essential for progress in all of this is that we first put our financial affairs in order.

FIRSTHAND VIEW OF A RIOT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD a recent column, entitled "Firsthand View of a Riot," written by Mr. Austin V. Wood, publisher of the Wheeling, W. Va., News-Register.

There being no objection, the column was ordered to be printed in the RECORD as follows:

FIRSTHAND VIEW OF A RIOT

(By Austin V. Wood)

I was fortunate to be in Oakland, California, last week and to witness part of the riots which took place there. I found it not only interesting, but also significant, so I pass it on to you.

I arrived in Oakland on Wednesday too late to personally view the first of the riots, but through the Oakland Tribune which staffed the occurrence with twelve reporters I was enabled to get full first-hand information. The objective was to block the Induction Center so that draftees called up could not be inducted. Four thousand demonstrators occupied all approaches to the Center when two hundred policemen went into well planned action. The going admittedly was rough but through the use of night sticks and tear gas the situation was cleared and the demonstration virtually broken up in twenty minutes. More than one hundred arrests were made and more than one hundred demonstrators were sentenced next day to ten days in jail and a $25 fine.

Newspapers that night were unanimous in their claim that the police were unnecessarily rough and that several news and television men had been shoved and assaulted by the officers. In the Oakland Tribune news room, the Publisher ordered the word "bloody" stricken from the first edition. However, the Tribune report turned out to be the mildest in the entire area and television that night confirmed the fact that the confrontation had been bloody indeed. The San Francisco Chronical obtained an injunction against the police department forbidding officers to interfere with the newsmen and photographers.

Thursday was relatively quiet. The police action on Tuesday evidently required a regrouping. I went to the Berkeley campus of the University of California. On the street adjoining there was a car occupied by bearded "activists" with a loud-speaker urging attendance at a gathering called to plan further demonstration on Friday. An injunction had been obtained forbidding any gathering on the campus. Nevertheless, the car went unmolested and four thousand attended a rally on the campus that afternoon. Nothing was done.

On Friday, twenty thousand demonstrators and twelve hundred policemen showed up at Induction Center. The police had been forbidden to use clubs or tear gas. Nevertheless in two hours they were in complete control, the streets were clear and draftees were freely entering the induction center. Although a number of cars were overturned, there were few arrests and no injuries.

Now as to observations: The crowd on Friday appeared to be composed largely of "activists" who are to be distinguished from "Hippies" although the long hair, beard, etc. are the same. There were very few Negroes. It was said that only ten per cent came from the University of California, the rest coming from the numerous surrounding colleges. It seemed to me that the demonstration in itself was comparatively harmless. Basically, it was a bunch of youngsters who are victims of a fad. I cannot believe this fad to be permanent. Surely a sect which demands disreputable clothing and filthy bodies cannot long endure. Much of the blame must fall upon parents and much upon the University of California which utterly failed in discipline when the activist movement started last year.

And there is an even greater responsibility which falls upon a large segment of the American people. Too many of us have allowed ourselves to fall victim of the social and psychological philosophy that the right of dissention has no limitation. We have allowed ourselves to subscribe to too many new conceptions of government, new conceptions of crime, new conceptions of education and numerous other activities which fill our daily lives. Thus we fail actively to protect the substitution of the rule of force for the rule of law. There was no public protest of the virtual disarming of the police in Oakland on Friday. So many sociologists have found their way into our government that their ceaseless flow of propaganda has deprived too many of us of the courage to express ourselves publicly.

THE VISTA VOLUNTEERS

Mr. MONDALE. Mr. President, the Minnesota Journal of Education recently featured a warm and perceptive insight into the work VISTA volunteers are performing in the educational field. VISTA is one of the OEO programs that has met with wide acceptance and popularity, not only among those in poverty whom VISTA volunteers serve, but also among thousands of our dedicated and idealistic young people who have joined the VISTA program.

Some of the reasons for VISTA's appeal reveal themselves in an excellent article published in the October 1967, issue of the Minnesota Journal of Education. I ask unanimous consent that the article, entitled "Teachers Serve as VISTA's," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IN NATION'S POVERTY WAR TEACHERS SERVE AS VISTA'S

(NOTE.—A New Yorker, received her MA in Teaching from Duke University and has taught Spanish and English in high schools in North Carolina and in New York. A former member of NEA and of New York and North Carolina State Teachers Associations, she was elected to Kappa Delta Pi, national education fraternity, in 1962. She received her BA in English from Oberlin College in Ohio, and did graduate study in Italian at the University of Florence, Italy. Traveling in Europe and in Mexico, she studied language-teaching techniques in the primary grades.

She taught English as a foreign language both in Mexico City and in North Carolina where she held evening classes for Cuban refugees. As a community relations staff writer for VISTA in Washington, D.C., she has written a number of articles on former teachers in VISTA.)

(By Peggy Bliss)

Some people never learn. But then, some people never had the chance. What happens when they finally do get the chance can be amazing: A West Virginia mountaineer proudly nailed a long overdue high school diploma on his cabin wall; 15 unemployed Kentucky coal miners learned to read; a group of Lummi Indians learned the language of their forgotten ancestors.

These Americans were once bypassed by education. They got their second chance from people who had left the conventional classroom to go where there were no classrooms. The West Virginian owes his diploma to the encouragement of a retired teacher whose classroom was a tiny church. The coal miners learned to read at night in a sagging schoolhouse with the help of a young California teacher. The Lummi Indians preserved their culture and also learned English in the classes of a Massachusetts business teacher.

VOLUNTEERS TEACH TUTORIAL PROGRAMS

These teachers are all members of VISTA (Volunteers In Service To America), who put their teaching skills to use where the needs were greatest. The Volunteers, many with long experience, others newly certified, seldom teach in organized classes; they use their skills in special tutorial programs.

In the rural community of Moultrie, Georgia, children in the midst of integration need individual help to catch up with their classmates. Edna Rhea, 68, a retired first grade teacher from Lincoln, Nebraska, works individually with 65 such children in the upper elementary grades teaching them basic reading and cursive writing. "Teaching a seventh grader to read is not the same as teaching first grade," she said. "He's gone without for too long."

In Norfolk, Virginia, a retired California couple is working with the Southeastern Tidewater Opportunity Program. Dwight Rugh, 67, served as a trustee representative of Yale University in China and on the staff of the College of Idaho. Now, as a VISTA, he is training local poverty workers. Mrs. Rugh, who taught in China and Taiwan, teaches remedial reading and assists the coordinator of the Head Start program. She conducts orientation classes for new teachers and has developed a mobile child care center.

Throughout the US former teachers are helping minority group youngsters bring themselves up to the level of their peers and helping their parents compete in the job market. Grace Anderson Howes, a retired elementary school principal from Panama, New York, Conducted classes for dropouts and adults on the Pima Maricopa Indian Reservation in Arizona.

ADULTS ARE EAGER, ANXIOUS

And on New York's Lower East Side, 81-year-old Mae Hawes, a former college math teacher with an MA from Columbia Teachers' College, teaches fundamental language skills to Puerto Rican adults who find themselves outstripped by their own children. Miss Hawes, a former government consultant and a pioneer in the field of adult education, says, "Adults are so eager, hungry, and anxious to learn. They devour every word and they make every kind of sacrifice to come to a lesson."

Many of the more than 70 VISTA Volunteers in Job Corps Centers are former teachers. In 22 states they teach the three R's to young men and women who were bypassed by the regular channels of education.

Fletcher Low, a 74-year-old retired Dartmouth professor, who once played baseball for the Boston Braves, acts as teacher and counselor to young men in the Tremont Job Corps Center in Kentucky. In the Great Onyx Job Corps Center in Mammoth Cave, Kentucky, Orpha Stutsman, a retired high school English teacher from Illinois, teaches spelling, pronunciation, and letter writing in addition to acting as librarian and advisor. The maturity and experience of such volunteers makes their role more than purely academic. It is one of confident, tutor, and friend.

SERVICE THROUGH UNIQUE PROGRAMS

Although many teachers work directly with existing classroom programs, other volunteers set up new programs to fit local needs. In Laredo, Texas, where the mixing of Spanish and American cultures sometimes causes educational problems, two VISTAs teach in an isolated school with no plumbing or electricity. Also in Laredo, a VISTA Volunteer from Puerto Rico has started as an aide to teaching the children. A young man, whose first year in VISTA was spent advising Job Corps youths, is spending his second year as a librarian in a modern but understaffed elementary school.

In Alaska, two VISTA Volunteers have taken the class to the students. They started a "floating Head Start program" which follows inhabitants of rural communities on annual fishing expeditions. In the mountains of North Carolina, a VISTA, who is a former art teacher, loads his car with paints and easel and drives hundreds of miles a week to bring new creative experiences to youngsters in isolated communities.

In Appalachia where people live in isolated hollows far from libraries and communications which others take for granted, VISTA Volunteer Molena Tunnell, a retired Texas teacher and librarian works with the Kentucky Library Service. In a program called Home Start, she brings books to pre-school children and on Saturday takes the children to the library's story hour.

She also coordinates a group of Cumberland College students who have volunteered their time to read to the children. In the evenings, she teaches adults to read and write.

VISTA BENEFITS RETARDED CHILDREN

In West Virginia, VISTA Rita King, a 1966 graduate of Cheyney State (Teachers') College in Pennsylvania, set up the first activity center for retarded children in Boone County. Until Miss King came, such children were required to stay home out of sight. The Volunteer pointed up a need which local committees have been working on ever since. Now Boone County has a class in the public school for retarded children.

Miss King's work is part of a major program aimed at the problems of mental illness. The program, under the direction of the West Virginia Department of Mental Health, has placed over 100 VISTA Volunteers in state hospitals and rural communities; several are former teachers.

One of these, Jacqueline Tornatore, 26, left public school teaching because of a serious automobile accident. Now recovered, she is putting her classroom experience to work as an instructor of retarded children in the Colin Anderson Center in St. Marys, West Virginia.

Throughout the nation, from Alaska to Appalachia, from Harlem to Honolulu, VISTA teacher-Volunteers are finding a need for their talents. They are attacking poverty with their most effective weapon—education.

An applicant to VISTA must be at least 18 years old and a resident of the U.S. There are no maximum age limits, no special education or experience qualifications, no entrance examination. Married couples are eligible if they serve together and have no dependents under 18.

During their year of service and six weeks of training, Volunteers receive living expenses for food, travel, housing, medical care, and incidentals. At the end of a year they receive $50 for each month of service.

LYNDON B. JOHNSON OPENS THE WHITE HOUSE TO THE WORLD

Mr. McGEE. Mr. President, never before in recent times has a President of the United States opened the doors of the White House to so many distinguished leaders from abroad.

Never before has a President of the United States welcomed so many of America's friends to Washington.

I invite the attention of the Senate and the American people to the continuous and unheralded effort which President Johnson has made since his first days in office to acquaint foreign chiefs of state and foreign heads of government with the Government, people, and policies of the United States.

In a world often filled with distrust and misunderstanding, it is refreshing and reassuring to see our President often conduct foreign affairs on a face to face, personalized basis.

A perfect example was the highly successful visit of the President of Mexico to Washington last week and the overwhelming reception received by President Johnson when he visited Mexico.

From mid-July to October of this year, President Johnson received almost 20 chiefs of state or heads of government at the White House. These included such personages as the President of Rwanoa, the Shah of Iran, the President of Italy, the Prime Minister of Singapore, the President of Mexico, and many, many others.

From the month he became President in 1963, Lyndon B. Johnson has received more than 225 chiefs of state or heads of government in 4 years—a record, I believe, unequaled in our history.

These are not statistics I am reciting. These are leaders of proud independent nations. Some of them are traditional friends. Some of them are new friends. Some of them are unalined. But all of them are essential in a world where the word, the thought and the deed of the United States must be understood by friend and foe alike.

At the proper moment it would be fitting for the Senate to recognize the diplomatic diligence of President Johnson and congratulate him on a job well done.

Lyndon B. Johnson has indeed opened the White House and our country to the leaders and people of the world.

THE EXPORTATION OF LOGS FROM PACIFIC NORTHWEST TO JAPAN

Mr. HATFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD a series of four newspaper articles published recently in the Oregonian, of Portland, Oreg., relating to the export of logs from the Pacific Northwest to Japan. The articles were written by Gerry Pratt, business editor of the Oregonian. Mr. Pratt has been a well known and distinguished journalist in Oregon for more than 10 years and has followed the log export problem with the utmost care.

His articles call the public's attention to a problem which besets the Pacific Northwest economy—a problem of dwindling jobs in lumber mills. The layoffs have been caused—in part—by the export of logs to Japan. For more than a year I have recommended that the best interests of the Pacific Northwest and Japan will be served by resolution of the problem through an international conference.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Oregonian, Portland, Oreg., Oct. 24, 1967]

MAKING THE DOLLAR: NOW PEOPLE LISTEN TO LOG EXPORT PLEA

(By Gerry Pratt)

The witness before the subcommittee on the "Impact of Imports and Exports on American Employment" is testifying on the export of logs to Japan. John Dent, the congressman from Pennsylvania, is in the chair for the absent Adam Clayton Powell.

"Through their intermediary buyers the Japanese have run log prices up to levels that we can meet only by sustaining substantial losses in our operations," the Western mill operator says.

"There have been a number of mills forced to close; their inability to meet price levels that the Japanese are willing to pay contributed to their closure and subsequent loss of empoyment."

"And if the Japanese program continues, as it appears likely, then we are in truth exporting American jobs to Japan. I cannot believe that it was for this purpose that Theodore Roosevelt and Gifford Pinchot created the national forest system and introduced America to the conservation and prudent use of its renewable wood resources," he says.

That was January 5, 1962. The witness was Robert F. Dwyer who admits today: "Nobody was listening much either."

Dwyer was recalling the opening battles in five years of fighting to stop the export of American logs to Japan, a war without a victory for the American timber operators.

PROBLEM MOST IMPORTANT

Congressman Al Ullman dug up the Dwyer testimony recently in preparing materials to do battle once again for regulations on the export of American logs such as they have in Canada, which is exporting 40 million feet a month of finished lumber to Japan but no logs.

For Dwyer, who was intent on preserving the economic base of his family-held Dwyer Lumber and Plywood Co., at that time, things have changed. The Dwyers sold out their biggest production. And since then Dwyer himself has been named vice chairman of the National Export Expansion Council and charged by the President to develop American sales abroad. He admits:

"We need those Japanese dollars to keep our balance of trade. We have to talk with the thought in mind that they are also our biggest dollar buyer of American wheat, important to the West."

But has he changed his mind on log exports?

"To me," he replies, "the most important economic problem in the Northwest was and still is the Japanese log exports.

"We were exporting less than 100 million feet a year when I was testifying in 1962. Today we are exporting 1.8 billion feet a year, 18 times the volume I was worried about when very few people were listening."

IN POSITION OF INFLUENCE

Ironically, Dwyer today is one of the men who is in position to influence the administration's thinking on the log problem.

Secretary of Agriculture Orville Freeman is a close personal friend and was Dwyer's house guest on his recent survey of this area and the problem. He also has powerful friends such as Larry McQuade, assistant secretary of commerce, in whose office the working of a solution must develop.

When Freeman slipped away from his public appearances on that trip to the West two weeks ago, one appointment he kept was at the secluded Odell Lake Lodge of lumbermen Nils Hult and Stub Stewart. They had asked him there to meet with Lowery Wyatt of Weyerhaeuser, a representative of International Paper Co., with Frank Gilchrist of Gilchrist Lumber, Nat Guistina and Mort Doyle of the American Wood Products Association who had flown from Washington, D.C., for the meeting, and others, all of them anxious to impress on Freeman the urgency of their problem.

Freeman had already heard the lumber and sawmill workers and their union leaders tell of a loss of 1,800 jobs between Eugene and Portland alone this year and of an overall loss of 10,000 industry jobs through the past year and a half.

He told the meeting, "I want you to know Dwyer is one of my advisers on this matter." And after he left, Dwyer says now, it was obvious, "they got across their point of urgency.

"The secretary is now aware that if something isn't done to limit the export of logs to Japan the price they bid will close a tremendous number of plants in the next 12 months. Unless it is done fast, in the next six to 12 months at the maximum, we are going to be hurt badly."

CONFERENCE HIS OBJECTIVE

"Freeman's work as the secretary of agriculture has him working to keep people in the farming communities, to take the pressure off the surge to the cities. He knows we have 80 percent of the population living on six per cent of the land area," Dwyer says.

"We pointed out to him that every time we close a mill in one of these small timber communities the town (people) moves into an urban area. He was receptive to this too."

And while no one gave him a solution, a ready solution, Dwyer says Freeman has as his objective "getting the Japanese government to the conference table on the problem."

How soon?

"Before the first of the year," he replies.

"It is reasonable for Freeman, who has under his authority the largest marketable timber resource in the world, to know what the Japanese projections are. He has the authority to restrict the export of government timber by decree if he chose to do so. So I would expect the Japanese to respond."

The immediate outlook then?

"At the current rate of exports they will take two billion feet of American logs this year. That is at least 25 per cent of the production from the areas affected," Dwyer maintains.

"If it keeps up, by 1975 there will be ten to 15 major companies and the Japanese left in our forests—nobody else—not a single independent. The administration doesn't want this and Freeman doesn't want it any more than we do. This time," he says, "I think someone is listening."

LOG EXPORTS TO JAPAN CAUSE NORTHWEST LAYOFFS

(By Gerry Pratt)

In a speech in Tacoma recently H. R. Josephson, director of the division of forest economics and marketing research for the Forest Service of the United States Department of Agriculture, Washington, D.C., said:

"As yet there appear to be no sizable impacts of log exports on the pulp and paper industry of the region nor on the plywood industry."

And at Longview Tuesday 90 men went home from their jobs at Exeter Lumber Sales Mill, unemployed. Laid off.

And at Creswell, Oregon, this week another 60 in the veneer plant and 15 loggers went home, laid off.

And at the mouth of the Columbia River, Elmer Brown of Astoria Plywood, chairman of the newly organized Survival Committee of the Forest Products Industry, looked out his office window and complained: "There are three ships tied up in the river right now waiting for a birth to load logs for Japan. We are going to need a lot of help."

Stand Rose, president and owner of Exeter Lumber Co., at Longview that employed 350 people in 1965 and now has a payroll of 135, had not heard of the Forest Service's Tacoma speech when he explained the layoffs in his plant this week.

"We are being forced to shutdown our last operation in Cowlitz County to one shift because of the drastic log shortage. The inevitable has arrived. We have known since 1961 the time would come when the sale of logs to Japan would destroy the small operator," he says.

YOU GO CRAZY

"The Raymond and Aberdeen, Wash., mills are already on a one-shift basis. I would not say this is progress."

Rose's dilemma is the same facing most timber operators. "There is about a $40 spread in domestic and export log prices at this time," he says.

"My cold deck out here has already been sorted for export logs once. Still, the Japanese came in here and offered me seventy-five bucks a thousand to take the whole damn deck and not even look at the logs. International Paper will give me $85 a thousand if I sort them and they will pay the loading and hauling to the Port of Longview for export.

"You go crazy," Rose contends. "They are $51 or $52 a thousand logs. The stack is 6.5 million feet."

His problem? To run those logs through his mill, his lumber sale price, finished with all the labor and plant costs wrapped in, is $5 or more less than the Japanese are offering for the naked logs. "Why stay in business?

"You cannot afford to run a sawmill," he says. "In 1975 at this rate there won't be a private sawmill in business. Let Uncle (Sam) wince when he can't find a bidder for his timber sales except the big operators and the Japanese."

At Creswell, Oregon, Jack Brandis admitted he is closing his veneer plant because of the spread in log prices and the finished product.

"Veneer was selling at $10 a thousand on a one-tenth (thickness) basis a month ago. Today it is selling for $8 a thousand," says Brandis. On a log scale basis, that means you are getting $18.75 a thousand less per thousand board foot measure. You would be paying, if the log price was geared to the domestic market, $18.75 a thousand less for logs than a month ago.

"But with the Japanese bidding up the price, we are facing the highest log prices in history." So 75 men go home out of work.

OTHER STORIES COME OUT

And at Astoria, where Elmer Brown is planning his industry-labor move to force someone, the Japanese or the Americans, to take a hand in the suddenly critical log situation, Brown points to the St. Regis plywood plant at Olympia.

"There you see one of the finest mills in the industry going out of business. Milton Wershow is auctioning the plant off on the 8th of Novmber at 10 a.m. And that is a beautiful mill. I was through it about a month ago. If they cannot make it there, how on earth can a little independent operator keep going?" he asks.

Why did they shut down?

"I would assume because they can convert their logs into more profitable sources in Japan," he replies.

"We have checked all over the industry. We have made two big bids in Alaska and lost out to third-party Japanese interests, one sale over 250-million feet, with another 100 million right behind it. They had a man who owns a sawmill in this area bid with Japanese money."

There are other stories suddenly coming out of the semi-secret operations files of mills that up until now were keeping their Japanese log sales quiet.

One near Independence, Oregon has just sold a substantial volume of Douglas fir logs, from eight inches up, for $87 a thousand. "At that level there isn't any mill in the country that can afford to operate a sawmill," an official close to the plant admits.

Ross Willliams, the forest supervisor of the Gifford Pinchot National Forest, sent out a notice Monday to operators in his cutting circle. Williams announced there will be additional sales in the first two quarters of next year at low elevations to help replace depleted log inventories that resulted from the "the long summer forest closure."

The question, says Stan Rose on reading the Forest Service news: "How does he hope to keep the Japanese from buying?"

The solution Rose hopes for, "our only hope and salvation," he calls it, "is that these sales and others be sold on a set-aside for small business."

As for H. R. Josephson's speech, Brown at Astoria spoke for this group and the others: "I think," he said, "we can take exception to that."

JAPAN LOG EXPORTS STRAIN OREGON MILLS

(By Gerry Pratt)

Ellis Bischoff runs the three-mill Tygh Valley Timber Co., Mountain Fir Lumber Co., and the Mt. Hood Lumber Co., on Mt. Hood National Forest Timber. He estimates that in the Mt. Hood National Forest alone, Japanese log exporters are taking 40 per cent of the allowable cut, and more every day.

Bischoff, one of those who must speak carefully in his criticism of timber exports; "we have to be in it ourselves to survive," claims the Japanese are taking 80 per cent of the hemlock off Mt. Hood, 100 per cent of the noble fir and a bigger and bigger slice of the Douglas fir.

That amounts to something in the vicinity of 40 per cent of the 10-million annual allowable cut. "Up until they started taking the Douglis fir we had a chance to survive. Now if we don't do something about it . . ." and he left the words unfinished.

Bischoff is typical of the small operators who must sell to the Japanese to stay in business. One operator, who asked his name not be used, "I don't want the Japanese cutting me off," explained this way:

EXPORT PRICE PAID

"To get a sale in the government timber we have to meet the highest bid. That means we pay the export price for the hemlock and the noble fir, a price at least $10 a thousand more than we can recover out of the wood.

"To get even the Douglas fir in the sale, we have to spin off the other species to the Japanese. Running them through our mill at the prices they push us to means we lose that much, $10 a thousand or more. If they don't buy our hemlock and noble fir, we can't bid and hope to get even the leftover Douglas fir."

A Boise Cascade official speaking to a congressional group in Washington, D.C., put it bluntly recently when he said: "On the West Coast the log market is set by the Japanese."

At least one operator has complained that is true in more ways than one. If he doesn't do business with the Japanese agents in the log buying, they will run him out of the sales he needs to stay in business, he contends.

"If we didn't sell to them, they'd put their own bidder in and we wouldn't get logs," he says. "Two years ago they clobbered me on every sale we bid in the Mt. Hood Forest. Since we started selling them our logs we don't get clobbered so much. It is that simple."

Collusion?

He laughes. "The guys in Roseburg and Southern Oregon don't know what's going to happen to them yet. They just won't believe it."

LONGSHOREMEN BYPASSED

According to Bischoff, the Southern Oregon timber is already coming under the gun of log exports. He points to the proposed log exporting facility for Yaquina Bay at Newport to be built by Columbia Sound Exporters. "They will be able to run the logs to the ship side in bundles and load them with deck crews saving the longshoreman costs," says Bischoff.

"They announced they intend to start up with 45 million feet a year and go to 65 million. They will draw timber from Tillamook to the Umpqua and from the Cascades with direct truck-to-ship hauling, no rafting and re-rafting."

In a timber industry where the operating requirement of domestic mills already is more than the allowable cut, even a slight increase in the buying pressure will upset the market, Bischoff says. "When it gets up to where they take 40 per cent or more of the allowable cut as they are on Mt. Hood, it makes hungry dogs out of us and we go out of business, one at a time."

What the region must have, Bischoff contends, is an export law similar to Canada's which allows the export of surplus logs only.

Bischoff himself recognizes a sale sheet you show him from his own Mt. Fir Lumber Co.,:

"Volume—1 million feet: Length 85 percent 36 to 40 feet; very heavy logs, 40 feet; minimum 26 feet. Diameters minimum 8 inches and up, Number 3 mill and better logs. Price $87 a thousand, f.o.b. Rivergate Log Yard, Portland, Ore., net truck, Scribner, scale."

DOCUMENT RECOGNIZED

Without asking where you got the document, he acknowledges it with a nod of the head as he reads: "Payment—against invoice and Columbia River log scale certificate. Shipment—begins November—completed December—1967."

"That's ours," he says "Out of Mt. Fir Lumber. I cannot put those logs through our mill and make a profit, much less a price like this.

"How can a company that has stockholders or a mill with partners justify cutting off these sales? We get more for the logs than we can manufacturing," he says.

Still, neither Bischoff nor any of the others coming under the log squeeze likes the log export business. "It is a dead end and will put us out of manufacturing all together," Bischoff contends.

Meanwhile, even some of the Japanese log exporters are becoming concerned. Wednesday a gentleman from F. Kannematsu one of the major Japanese companies in Portland, called to complain:

"Why do you write all this about log exports? Of course I know why you have to write it," he added. "I am curious why one side is always against export."

"Why don't you write an article in support of log export? Some day I will do," he said. "But not today. I have to go to Seattle."

RISING LOG EXPORTS EMPLOYMENT THREAT

(By Gerry Pratt)

Labor, once casual about the rising rate of timber exports from Oregon and Washington to Japan, is moving into the fight, alarmed at the threat to some 75,000 jobs in Oregon and Washington.

Big labor's attitude has been that most of their members were working in the plants of the large integrated companies. They reasoned that these large companies had their own timber reserves. Besides, the log exports did employ some members of some unions.

But now two things are happening in Oregon to change that attitude fast. First, even the large integrated plants are finding it difficult to manufacture their timber when they can make more money for their stockholders by shipping the raw logs to Japan.

Second, Oregon faces a sales tax. Labor does not like that. They attribute the state's financial difficulties to the 1961 Legislature which they claim shifted the tax burden from the large timber reserves to of the state to the small home owners.

Labor's plan in the works Friday involves first a proposal to wipe out the freeporting tax shelter that allows exporters to hold their logs in the river without paying an inventory tax.

"That will help raise revenues," suggests one industry operator. "There is Astoria Plywood paying $60,000 a year in log inventory taxes and right across the Columbia River are the log exporters in Washington with their rafts not paying a thing for their inventory."

But the real clout labor will take to legislators such as Ed Whelan, the president of the Oregon State AFL–CIO concerns the tax shelter timber owners now enjoy.

COMBINED ATTACK PLANNED

Lyle Hiller, general executive board member for the Seventh District of six western states in the Pacific Northwest for the United Brotherhood of Carpenters, is one of the key men in labor moving to stop the exports and the sales tax in a combined attack.

Hiller is the chief of a union body that includes the Lumber and Sawmill Workers in Oregon, a membership in Oregon of 30,000 and in Washington State of 45,000. "The very people who are shoving this sales tax down the throats of the wage earner are the people who shifted the tax burden from timber to the home owner," he says.

"That tax shelter was passed to preserve the raw materials and encourage the conservation that would keep industry and jobs perking here in Oregon. The intent of the tax passed by the '61 Legislature was never to sustain the industry in the Japanese community. That's what it is doing now that they are exporting our logs."

Hiller says both the tax shelters of timber and the freeporting will come under fire when labor calls on Whalen next week.

Whalen, whose strength is with those most opposed to a sales tax and who carries a lot of weight in the state Legislature, is expected to be receptive, according to Hiller and those with him.

To make the fight even rougher, the labor leader says even the capital gains allowed on timber should be studied by the Legislature on a state level. In this he is joined by some independent operators who are losing their businesses because of log scarcity and high prices.

The capital gains tax rates of 25 per cent instead of the normal 50 per cent corporation tax was also allowed to encourage conservation and holding of timber, Hiller says. The intent of this law was the same as the intent of the state tax shelters for timber: To sustain the woodworking industry in this country, not to sustain Japan's sawmills.

BOAT BEING ROCKED

It is when he talks capital gains that Hiller begins to really rock the industry boat. Companies such as Georgia-Pacific and Weyerhaeuser Co., turn much of their profits on the sale of their timber. They are allowed to sell or manufacture the timber at current market prices.

If they paid $2 a thousand as some of them did or even more, they can charge the timber to their operations at today's prices the Japanese are paying.

That means whopping big capital gains. The higher the market price the bigger the capital gains, Hiller contends. "It doesn't matter so much if you are making money as an operator when you can get that big capital gains profit on your timber reserves," he says.

"In fact this is encouraging timber owners to stand with exports and is in the long run defeating the purpose it was intended for, keeping our jobs perking in Oregon and Washington."

Hiller's membership in addition to the Lumber and Sawmill Workers, includes the construction carpenters in six western states.

"It's time," he says. "I notice in a Japanese trade journal the Soviets are doing better than we are. They are stopping them. The Russians are holding down their log exports to the volume of the previous year.

"As big as the Soviet Union is, they are giving them 2 million cubic meters less a year than we are giving them right now."

THE ECONOMIC DEVELOPMENT OF TRUST TERRITORY OF PACIFIC ISLANDS

Mr. INOUYE. Mr. President, my good friend, the distinguished Senator from Montana [Mr. Mansfield], the majority leader, has already invited the attention of the Senate to two incisive articles published by Time magazine and the New York Times, dealing with our performance as administrators of the Trust Territory of the Pacific Islands.

Hawaii has very close ties with its neighbors in Micronesia, and my State, within the limits of its resources, is making every effort to offer cultural, technical and economic assistance to its people.

Although I am fully aware of the financial demands of the Vietnam conflict, I am compelled to express the hope that Members of the House and Senate will recognize that plans for the economic development of the Trust Territory cannot be unduly delayed by a lack of adequate funding.

Time has been on our side for many years, but time is running out.

Mr. Byron Baker, political writer for the Honolulu Star-Bulletin, recently dealt with this problem at some length. I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Micronesia and Our Pacific Strategy

(Note.—The Star-Bulletin yesterday in reports from its Washington bureau, The New York Times and United Press International outlined the gap between Micronesian expectations and the performance of the U.S. administration of the Trust Territory of the Pacific Islands. The reports also noted the real reluctance of Micronesians to reach any early decision on their future political status. Today Star-Bulletin political writer Byron W. Baker describes in greater detail the reasons for Micronesian reluctance, the plans that the United States already is laying for surmounting it, and the reasons the move is necessary.)

(By Byron Baker)

The United States will attempt to make the Trust Territory of the Pacific Islands a permanent part of the American political framework within the next several years, mounting evidence indicates.

The move will come not later than 1972. And there are military and political reasons to expect it sooner—perhaps as early as 1969.

The war in Vietnam, the evolution of Asian politics and Red China's new nuclear potential are forcing a reevaluation of U.S. strategic requirements in the western Pacific.

The Trust Territory islands are being seen again as they were during and in the wake of World War II—as the doorway to Hawaii and the American mainland.

But the political considerations include more than a changing balance of power in Asia.

The United Nations has become increasingly insistent that such essentially colonial areas as the Trust Territory should either be independent or have a far greater measure of self-government.

None of this alters the federal establishment's goals for the Trust Territory. For some time it has been a foregone conclusion among federal agencies and congressional committees concerned with the area that the Trust Territory would ultimately be the United States'—or at least not anyone else's.

But changing conditions do lend an added sense of urgency to determining the Trust Territory's fate.

So does the straightforward consideration of winning a plebiscite in the islands.

It will be necessary to determine the sentiments of the Micronesian inhabitants of the Trust Territory. And administration officials believe they can get a more conclusive result if a plebiscite is held soon.

But winning a plebiscite is only one of a tangle of knotty problems which must be unraveled before the Trust Territory is brought into the American fold.

The islands don't belong to the United States.

They are a United Nations trusteeship, one of 11 established under articles of the United Nations Charter after the war. Their disposition is further governed by a trusteeship agreement between the United States and the United Nations.

And the Congress of Micronesia, created by order of the U.S. Secretary of the Interior in 1965, has some say in the disposition of the Trust Territory before a plebiscite is held.

Many Members of the Congress are not in nearly so great a hurry to determine the future status of the islands as is the United Nations.

During the last session of the Congress they adopted resolutions asking technical aid from the member nations of the United Nations.

The measures have been interpreted as being less a genuine request for aid than a reminder that the Micronesian Congress does have the right to communicate directly to the United Nations.

How to get around these difficulties is a matter of current discussion among federal agencies.

The Department of Interior, noting the language of the trusteeship agreement, believes it has the answer.

The agreement requires the United States to "promote the development of the inhabitants of the Trust Territory toward self-government or independence as may be appropriate to the particular circumstances of the Trust Territory and its peoples and the freely expressed wishes of the people concerned . . ."

The "as may be appropriate" wording would allow the Trust Territory to become associated with the United States under almost any formula, Interior Department suggests, provided that it is understood that any such status is transitional.

Ties between the Trust Territory and the United States then would become progressively closer, or the islands would acquire growing amounts of self-government, Interior proposes.

But the Department of State doesn't buy the idea—because it doesn't think the United Nations will.

The United Nations will expect some concrete manifestation of political change, the State Department feels.

The minimum acceptable formulas would be either status as an incorporated territory of the United States, or the right for Micronesians to elect their own governor.

In this context, giving the Trust Territory the status of an incorporated territory would signify that the islands are destined to become a state.

Because the Trust Territory islands span an ocean area larger than the United States, yet have less than 100,000 people; number over 2,000, yet include only about 100 inhabited isles, it can be expected that Congress will take a dim view of promises of Statehood.

And if the history of U.S. territorial development in the Pacific is any indicator, Congress will look equal askance at the idea of election of a Micronesian governor.

It was never allowed in Hawaii. It has not been allowed in Guam, an American possession since 1898, although the proposal now has been before Congress for several years. The subject is not even under serious discussion for American Samoa, also American for almost 70 years.

Members of the Senate and House Interior and Insular Affairs Committees feel that the United States should acquire the Trust Territory under terms suitable to the U.S. and ignore the objections.

But the State Department is unwilling to antagonize the United Nations through use of a formula unacceptable to the international body.

The debate over methods within the federal establishment cannot continue for long, however. Already pressure is mounting sharply for a disposition of the Trust Territory.

Last year the United Nations General Assembly adopted a resolution affirming the right of all dependent peoples—including Pacific islanders—to political self-determination.

The Assembly also resolved that there should be early plebiscites to determine the status of a number of dependent areas, including two of the only three U.N. trusteeships which have not achieved self-government—Nauru and New Guinea.

Nauru, a phosphate-rich, mid-ocean island, is scheduled to become independent next year.

There has been considerable discussion of a plebiscite in New Guinea by 1970.

There is a greater problem here for the United States than simply the embarrassment of espousing self-determination while retaining a colonial area.

The end of United Nations supervision of Nauru will upset the apportionment provisions of the U.N. Trusteeship Council, which oversees the administration of trusteeships.

Rather than reapportion for the sake of a reduced number of trusteeships, it is thought that the United Nations will appoint a successor agency to the Trusteeship Council.

The most prominent contender: the United Nations Committee of 24 on the Elimination of Colonialism.

In operation for some years, the Committee has been an aggressive advocate of nationhood for numerous dependent areas.

Not surprisingly, the United States is unenthusiastic about the prospect of having the committee looking over its shoulder, especially in view of the strategic nature of the Trust Territory.

This characteristic of the Micronesian islands was recognized by the United Nations, which agreed with the United States in singling out the Trust Territory as the only strategic trusteeship among the 11 such postwar dependencies.

Under this classification the United States has trained Nationalist Chinese guerrillas in the Marianas Islands, established defense communications facilities in the Caroline

Islands and built a Nike-X anti-missile base in the Marshall Islands.

And the designation is more appropriate today than at any time since the immediate post-war years.

Red China's expected acquisition of an offensive nuclear weapons capability has generated a new interest in Western Pacific real estate among American military planners.

Recently Adm. U. S. Grant Sharp made a brief inspection of Saipan in the Marianas chain.

Military officials, some of them traveling secretly, have re-evaluated the availability of land in the territory of Guam, where a long-range military buildup appears to be under way.

And Guam-based military authorities have reviewed Trust Territory security precautions with members of the Trust Territory administration.

Furthermore, the United States has invested $1 billion or more in military facilities in the area, particularly in the Marianas and the Marshalls.

With so much at stake, the Federal Government can be expected to take a tough view of the methods used to secure the Trust Territory.

One prospect is an early plebiscite which would offer a limited number of choices and rather vague wording.

Independence is not a reasonable prospect for the Trust Territory, both because of U.S. interests and the diversity and remoteness of the Micronesian islands and peoples.

It is not likely to be an alternative in a plebiscite. Not even Micronesian leaders view it as realistic.

But an undefined proposal for association with the United States could well be included. Given a Micronesian endorsement, the United States then could work out details with the Congress of Micronesia.

Such a device would effectively silence any protests the Congress of Micronesia might later wish to direct to the United Nations.

Popular endorsement of association with the United States, unclear though its nature might be, nonetheless would determine the framework within which Micronesian congressmen would have to work.

This course would hardly be popular with members of the Congress of Micronesia, even though a number of them regard permanent ties with the United States as inevitable.

Several of them have said they are reluctant to be responsible for determining the course of the peoples' political development.

Ironically, the United States probably could have avoided generating the doubts which today plague Micronesian leaders when they speculate on American motives.

Part of their uncertainty stems from the United States' own astonishingly inept administration of the Trust Territory.

It has been less than five years since the United States decided to make of the Trust Territory something more than a poorly maintained anthropological zoo.

It was 1962—fully 15 years after the United States acquired responsibility for the islands—before such workaday goals as the teaching of English, the widespread offering of secondary education and the provision of adequate facilities and personnel for good public health were even set—much less put into effect.

A world war swept across these islands two decades ago, obliterating the very considerable economic base Japan had built there. Micronesians did not launch that war. They were as much the pawns of international politics then as they are now.

Yet during more than half the time since, the United States had not even moved to restore the Trust Territory to the level of development it enjoyed under a Japanese administration.

As a consequence a whole generation of Micronesians retains almost wistful memories of the days when Japan ruled sternly, but productively, in the central Pacific.

Apologists for American rule of the Trust Territory note the very real domestic and international difficulties with which the United States was beset in the post-war years.

But the cash outlay which would have brought to Micronesia a steady progression of benefits and developments would have been a small investment had the return been the certain security of an essential strategic area.

And gradually increasing appropriations would have prepared both Micronesians and the Trust Territory administration for the sharply increased spending which now is expected to arrive in the islands with a cataclysmic impact.

Instead, real appropriations for the Trust Territory actually declined over much of the time the United States has administered the islands, even though Micronesia's population and its needs have grown rapidly.

Federal expenditures in the area are high by per capita standards, some say.

Compared to the needs of the islanders, they are but a pittance.

Only in the last five years has the American investment in Micronesia grown. It still is but a fraction of what it must be if the islands are to have any real measure of self-sufficiency.

It has been estimated that a capital investment of about $175 million will be required to give the Trust Territory the tools for economic development.

These things are well known in the committees of the U.S. Congress concerned with Pacific territories.

They are far better known in the Congress of Micronesia.

Micronesian Congressmen fear that unless federal spending speeds up before the Trust Territory becomes an American possession, development of their islands will continue to lag.

Past American performance lends justification to their skepticism. So do current events.

Within the last year the U.S. Congress boosted the authorization for federal spending in the Trust Territory, which since the early 1950s has operated under a congressionally-imposed budget ceiling.

The new spending limits allow a budget of $25 million, rising to $35 million for several years.

But Congress, ensnarled in national politics and dueling with the national Administration over federal spending, shows no signs of getting a big budget for the Trust Territory out this year.

Trust Territory administration officials are confident of eventually getting the money.

But they despair of predicting when.

So it is not surprising that Micronesians would like to see a greater American commitment in the Trust Territory before there is any Micronesian commitment.

Their wishes probably will not be fully respected. The United States can be expected to push for an early plebiscite in the Trust Territory, on the theory that a solid endorsement of the United States can be won for the next several years.

It is a good theory. Given the greater education and prosperity the years should bring, Micronesians might express their desires more forcefully. The passage of time could strengthen the positions of such organizations as the United Nations Committee of 24, as well as rendering the United States' position progressively less satisfactory.

Deferring a plebiscite could well mean gaining an inconclusive result.

But as the United States moves to safeguard the national interest, it must recognize that there are strings attached.

The cost of securing the central Pacific is the fulfillment of the ideals and ambitions of the peoples of Micronesia.

THE RIGHT OF PRIVACY

Mr. LONG of Missouri. Mr. President, there recently came to my attention an excellent article on privacy, published in the summer 1967 issue of Judaism. The article, "The Fourth Amendment and Its Equivalent in the Halachah," was written by Rabbi Norman Lamm.

Rabbi Lamm traces the right of privacy back to Biblical thought and law. The article is most interesting and informative.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE FOURTH AMENDMENT AND ITS EQUIVALENT IN THE HALACHAH

(By Norman Lamm)

The question of privacy in contemporary American society is a subtle and enormously complex legal problem, and one which also entails fundamental moral and ethical dimensions. The social and political implications of the new surveillance technology and the enormity of the threat it poses to the dignity and liberty of the American citizen have been aptly described in *The Intruders*, by Senator Edward V. Long, who heads the Senate Sub-Committee which has been investigating its abuses. The book's exposé of the sophisticated, cheap, and easily accessible gadgets designed to destroy personal and corporate privacy should leave no doubts in our minds as to the magnitude of the problem. It is as a result of this gradual erosion of privacy, to a large extent by law-enforcement agencies, that the entire question of the legal and philosophical dimensions of privacy has entered the public forum.

As a contribution to this discussion, we shall here analyze the view of classical Judaism on privacy and show that many of the problems we are now wrestling with were treated explicitly and analytically during the last three and a half thousand years in the Jewish tradition. Our major reference shall be to Judaism's highly developed legal code, the Halachah, which was first systematized and redacted in the Mishnah (second century of the Common Era) and the Gemara (fifth century), both together comprising the Talmud.

In our country, the right of privacy first became a public issue in 1761, when James Otis, representing Boston merchants, appeared in the Superior Court of Massachusetts Bay to protest the application of the Collector of Customs to enter and search any premises with no safeguard against abuses. Although Otis lost his case, it was "the first blow for freedom from England."[1]

It is the Fourth Amendment, ratified in 1791, that is usually considered the constitutional source for the protection of privacy. The amendment reads:

> "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

The Fourth Amendment thus touches on the rights to privacy of the citizen, although the first case clearly recognizing privacy as a right in and of itself dates from the early twentieth century,[2] and its thorough consideration by the legal profession begins with a famous law-review article by Warren and Brandeis.[3]

---

[1] Senator Edward V. Long, *The Intruders: The Invasion of Privacy by Government and Industry* (New York: Praeger, 1967), p. 26.

This right has been traced to Roman law. There are references to it in the sixth-century Justinian Code and, earlier, in the writings of Cicero. But actually its origins are more ancient, and go back to Biblical thought and law.

IN THE BIBLE

At the very beginning of the Biblical account of man, we are informed of the association of the feeling of shame, the reaction to the violation of privacy, with man's moral nature. Adam and Eve ate of the fruit of the tree of knowledge of good and evil, after which "the eyes of them both were opened, and they knew that they were naked; and they sewed fig leaves together, and made themselves girdles."[4] The need to decide between good and evil gave man self-consciousness and a sense of privacy which was affronted by his exposure. The respect for physical privacy is again alluded to in the story of Noah and Ham.[5] The abhorrence of exposure of what should remain concealed is evidenced in the Biblical idiom for illicit sexual relations: *giluy arayot*, literally, "the uncovering of nakedness." Rabbinic tradition discovers the virtue of privacy in the blessing uttered over Israel by the Gentile prophet Balaam, "And Balaam lifted up his eyes and he saw Israel dwelling tribe by tribe."[6] What is it that he saw that so inspired him? The tradition answers: he saw that the entrances to their tents were not directly opposite each other, so that one family did not visually intrude upon the privacy of the other.[7]

Even more to the point is a specific commandment in the Bible which declares a man's home a sanctuary which may not be violated by his creditors: "When thou dost lend thy neighbor any manner of loan, thou shalt not go into his house to fetch his pledge. Thou shalt stand without, and the man to whom thou didst lend shall bring forth the pledge without to thee."[8] "Thou shalt stand without" is the Biblical way of saying, "do not violate the privacy of his home."[9]

IN THE HALACHAH

The Halachah differentiates between two forms of invasion of privacy: intrusion and disclosure.[10]

The first case of intrusion concerns the Biblical law just mentioned, that of the creditor desiring to seize collateral from the home of the debtor. The Talmud records two opinions as to whether this prohibition applies only to ordinary citizens acting on their own or also to the representative of the court; it decides that even the court officer may not invade the premises of the borrower to seize collateral.[11] The courts are thus not permitted any invasion of privacy denied to private citizens; the only difference between them is that only by court order may the borrower's possessions be seized forcibly outside his home.[12]

The most important contribution of the Halachah to privacy law, however, is not the problem of physical trespass but that of a more subtle form of intrusion: visual penetration of a neighbor's domain. This is termed *hezek re'iyah,* damage incurred by viewing or prying.

"VISUAL DAMAGE"

That such non-physical invasion of privacy is proscribed we learn from the Mishnah which prohibits installing windows facing the courtyard of a neighbor.[13] The question, however, is whether this prohibition is more than a moral exhortation and is legally actionable. Two contradictory opinions are recorded in the Talmud. One maintains that *hezek re'iyah* is not considered a substantial damage. The other opinion is that visual surveillance is considered a substantial damage. It is this second opinion, that holds visual penetration of privacy as tortious as actual trespass, that is accepted by the Halachah as authoritative.[14] Basically, this means that even in advance of actual privacy invasion, action may be brought to prevent such invasion from occurring. Thus, if two partners jointly acquired or inherited a tract of land, and decide to divide it and thus dissolve their partnership, each has the right to demand that the other share the expense of erecting a fence at least four cubits high, i.e., high enough to prevent each from spying on the other and thus violating his privacy.

Interestingly, the Halachah does not simply permit one of the erstwhile partners to build a fence for his own protection, and then require his neighbor to share the expense because he, too, is a beneficiary, but demands the construction of the wall so that each prevents *himself* from spying on his neighbor. Thus, R. Nachman said in the name of Samuel that if a man's roof adjoins his neighbor's courtyard—i.e., the two properties are on an incline, so that the roof of one is approximately on level with the yard of the other—the owner of the roof must construct a parapet four cubits high.[15] In those days, most activity took place in the courtyard, whereas the roof was seldom used. Hence, without the obstruction between them, the owner of the roof could see all that occurs in his neighbor's courtyard and thus deprive him of his privacy. This viewing is regarded as substantial damage as if he had physically invaded his premises. Therefore, it is incumbent upon the owner of the roof to construct the wall and bear all the expenses, and so avoid damaging his neighbor by denying him his privacy. It is thus not the potentially aggrieved party, who would benefit from the wall, who has to pay for it, but the one who threatens to perform the instrusion.

Thus, the Halachah insists upon the responsibility of each individual not to put himself into a position where he can pry into his neighbor's personal domain, and this responsibility can be enforced by the courts.[16]

It should be added that while the discussion in the Talmud concerns visual access to a neighbor's domain, the principle may be expanded to cover eavesdropping as well. Thus, one prominent medieval commentator, R. Menahem Meiri,[17] decides that while we must guard against *hezek re'iyah,* visual surveillance, we need not worry about *hezek shemiyah,* aural surveillance. Hence, the wall the partners can demand of each other must be solid enough to prevent over*looking* each other's affairs, but need not be so strong that it prevents over*hearing* each other's conversations. But the reason Meiri gives is not that eavesdropping is any less heinous than spying is an invasion of privacy, but that people normally speak softly when they think they will be overhead. Where this reason does not apply, such as in wiretapping or electronic "bugging," then obviously *hezek shemiyah* is as serious a violation and a damage as *hezek re'iyah*. All forms of surveillance—natural, mechanical, and electronic, visual or aural—are included in the Halachah's strictures on *hezek re'iyah*.

The gravity of non-physical intrusion is only partially evident from the fact that the Halachah regards it as tortious, in that prevention of such intrusion is legally enforceable. More important is the fact that such surveillance is considered not only as a violation of civil law, but, what is more serious in the context of Judaism, it is considered as *issur,* a religious transgression. Visual or aural invasion of privacy is thus primarily a moral offense, and the civil law and its requirement of monetary compensation is derivative from it.[18]

It is instructive, therefore, that the controversy recorded in the Talmud on *hezek re'iyah* prefigured by many centuries—indeed, almost two millenia—the two conflicting interpretations of the Fourth Amendment to the U.S. Constitution. The theory that visual penetration cannot be considered the equivalent of physical trespass finds its spokesman in Mr. Justice Black who, in his strict interpretation of the Constitution in his dissent in *Griswold* v. *Connecticut*,[19] fails to uncover anything in the Fourth Amendment forbidding the passage of any law abridging the privacy of individuals. The opposite point of view, which considers *hezek re'iyah* as substantial damage, was expressed by Justice Brandeis [20] and, in our days, by Mr. Justice Douglas [21] and others. The decision of the Halachah resolving the dispute in the Talmud in favor of holding non-physical violation of privacy to be an actionable damage, i.e., equivalent to actual trespass, has not yet been fully adopted by the Supreme Court, which has to a large extent let the majority decision in *Olmstead* remain as the interpretation of the Fourth Amendment, while considering most questions of privacy, such as wiretapping, under Section 605 of the Federal Communications Act of 1934.[22] The Court does seem to be tending more and more to the conclusion that no physical trespass is necessary to be in violation of the Fourth Amendment,[23] but as of now the *Olmstead* decision is controlling. American law has not yet developed and accepted a right of privacy as clearly and unequivocally as has ancient Jewish law.

---

[2] Pavesich v. New England Life Ins. Co., 122 Ga. 190, 50 S.E. 68 (1905).

[3] Warren & Brandeis, *The Right to Privacy,* 4 Harv. L. Rev. 193 (1890).

[4] *Gen.* 3:7.

[5] *Gen.* 9:20–27. See Milton R. Konvitz, *Privacy and The Law: A Philosophical Prelude,* 31 Law & Contemp. Problems 272 (1966).

[6] *Numbers* 24:2.

[7] Talmud, *Baba Batra* 60a. Thus, the end of the verse, "and the spirit of God came upon *him*" (*Nu.* 24:2) refers to Israel, not Balaam.

[8] *Deut.* 24:10, 11. However, this holds true only for civil cases. In criminal cases there is no sanctuary; thus *Ex.* 21:14.

[9] "For by entering (by force) and viewing the interior of his home, he will feel humbled and ashamed"—R. Joseph Bekhor Shor, commentary to this verse.

[10] These are two of the four categories within the concept of privacy as analyzed by Dean Prosser, *Privacy,* 48 Calif. L. R. 383 (1960).

[11] Talmud, *B. Mezia* 113 a, b. Maimonides, "Laws of Creditor and Debtor," 3:4. This prohibition applies to the case of a lender who failed to secure collateral at the time of the loan but seeks it as security now before the time of the loan has expired. When, however, the money is owed not because of a loan, but as wages or rental, entry is permitted; Baraita in *B.M.* 115a, as against *Sifre,* Maimonides, *ibid.,* 3:7. The latter category includes the return of stolen articles; commentaries to *Shulhan Aruch, Hosh. M.* 97:14. The difference is this: a loan was meant to be spent by the borrower, and hence forced entry to secure collateral is an illegitimate invasion of the privacy of his home. But articles that are stolen or wages that are withheld do not belong even temporarily to the one now in possession. and entry and seizure in such a case, therefore, outweigh the concern for and respect of privacy.

[12] Maimonides, *ibid.,* 3:4.

[13] Talmud, *B. Batra* 3:7. The Mishnah speaks only of the courtyard of partners, but its intention is to prohibit opening windows *even* into a partner's courtyard, certainly that of a stranger; so in the Gemara, *B.B.,* 59b.

[14] Talmud, *B.B.* 2d, 3a, *et passim.* Maimonides, "Laws of Neighbors," 2:14.

[15] Talmud, *B.B.* 6b.

[16] On the moral background of this law as an outgrowth of the rabbinic concept of the sanctity of the individual, see Samuel Belkin, *In His Image* (London, N.Y., Toronto: Abelard-Schuman), pp. 126–128.

[17] *Bet Ha-behira* to *B.B.,* ed. Sofer, p. 6.

[18] *Nimukei Yosef* to *B.B.,* ch. III (60a). At least one commentator has attempted to distinguish legally between the moral and monetary aspects of the offense. Thus one author (quoted in *Likkutim* to Mishnah *B.B.* 3:7, interpreting RaSHBaM) differentiates between *hezek re'iyah* as a tort and *tzeniut,* modesty, as a moral principle. In the case of the former, if the plaintiff had not complained for a period of three years during which there obtained a condition of the violation of his privacy, we assume that he has waived his rights, and his claim is dismissed; thus the law of viewing a neighbor's courtyard, where he may carry on his business. In the latter case, since we are dealing with a moral rather than a civil or proprietary right, no presumption of waiving is ever established, no matter how much time has elapsed since the protest could have been made but was not; thus the law of installing a window with direct access to the window of a neighbor.

DISCLOSURE

The Halachah considers intrusion and disclosure as two separate instances of the violation of privacy. Interestingly, the Biblical commandment concerning forced entry by the creditor into the debtor's home to secure a pledge—a case of intrusion—is immediately preceded by the commandment to remember the plague that afflicted Miriam who was thus punished for speaking ill of Moses to their mutual brother, Aaron—a case of disclosure.[24]

The law against disclosure is usually divided into three separate parts: slander (i.e., false and defamatory information), talebearing, and gossip. The last term refers to the circulation of reports which are true; the "evil tongue" is nevertheless forbidden because it is socially disruptive, since it puts the victim in an unfavorable light. However, in its broadest and deepest sense disclosure is not so much an act of instigating social disharmony as the invasion of personal privacy. Thus, the Mishnah teaches that, after a trial presided over by more than one judge, each of them is forbidden to reveal which of the judges voted for acquittal and which for conviction.[25] The Talmud relates that the famed teacher R. Ami expelled a scholar from the academy because he revealed a report he had heard confidentially twenty-two years earlier.[26] Information received confidentially may not be disclosed even if it is not damaging or derogatory as long as the original source has not expressly released it.[27] Even if the original source subsequently revealed this information publicly, the first listener is still bound by the confidence until released [28]—a remarkable example of the ethics of information. Unauthorized disclosure, whether the original information was received by complete consent or by illegal intrusion, whether ethically or unethically, remains prohibited by the Halachah.

PROTECTION OF THE MAIL

We have discussed so far two kinds of intrusion, visual and aural. But the Peeping Tom and the eavesdropper are not the only kind of practitioners of this "dirty business," as Justice Oliver Wendell Holmes called it, with which the Halachah is concerned. Another form of invasion of privacy is reading another's mail. Letters sent through the mail are protected by the Fourth Amendment, according to a Supreme Court ruling in 1877—although a special bill had to be passed by Congress in 1965 specifically exempting the mail from the levy power of the Internal Revenue Service. In Halachah, a law protecting the privacy of mail was enacted a thousand years earlier, by R. Gershom, "The Light of the Exile"; the decree might well be older than that.[29]

POLYGRAPHS

The polygraph, or lie-detector, is not accepted by most courts in either criminal or civil proceedings; yet about 200,000 to 300,000 tests are conducted annually by government and business.[30] Although one would not normally expect so modern an invention to be treated by the Halachah, an eminent contemporary scholar, my sainted grandfather, Rabbi O. Baumol (d. 1948), has written a comprehensive responsum on the problem.[31] He points to an ancient Jewish legend which speaks of a kind of lie-detector device that was used in King Solomon's court.[32] He concludes that the polygraph may not be used to determine the credibility of witnesses in criminal cases, and may be utilized on witnesses in civil cases only where the court has good reason to suspect them of lying. (The defendant himself can never be subject to the polygraph in criminal cases, since the Halachah does not accept even voluntary confessions.)[33] However, in certain special civil cases the machine may have limited validity, but only where it is requested by the defendant.

The question turns on the concept of *hosmin*—unwarranted belligerence by the judges towards the witnesses, which results in intimidating them, and the use of the polygraph representing such intimidation.[34] The Halachah thus offers support for the hesitation of most American judges in using this device, and there is good reason not to encourage or even permit its use in government or industry, except where the employee is brought up on specific charges and where he requests its use. Under all conditions, provisions ought to be made to avoid any inference of guilt of employees who refuse to take the lie-detector test, for this is then a form of coerced self-incrimination.[35] But even under the best of conditions and with all safeguards now available, one can sympathize with Senator Long's reference to the polygraph as a "psychological blackjack" and a "dubious instrument of Inquisition." [36] This is more than an invasion of one's home or speech; it is an intrusion into the very heart and mind.

NATIONAL DATA CENTER

Certain government officials have proposed a computerized data bank which will contain all the vital data on all citizens of this country. One cannot, I believe, find any technical legal objection to this proposed National Data Center; but the whole sense of Jewish law and universal morality must reject such a plan as abhorrent. What we are confronted with is an automated "evil tongue," institutionalized gossip computerized for instant character assassination. Perhaps in the beginning, as some of its well-intentioned advocates have suggested, no confidential information will be fed into this data bank. But if the mechanism exists, then we may be sure that, by some as yet undiscovered law that issues from the depths of human and social perversity, all kinds of information will be forthcoming in an attempt to satisfy its insatiable appetite for more and more facts, regardless of their relevance, need, or accuracy. Certainly the desire for bureaucratic efficiency and technological novelty ought not to force us to create a monster that can be put to the most sinister use and that may constitute a threat to every citizen of this country.

PRIVACY AS A DUTY

The Halachah's civil law thus protects privacy even against visual and aural surveillance and other forms of non-physical trespass, and implies the legal obligation of the citizen, at his own expense, to curb his curiosity from violating his neighbor's domain of privacy.

But the Halachah comprises more than civil law; it includes a sublime moral code. And its legal limit on voyeurism is matched by its ethical curb on the citizen's potential exhibitionism. It regards privacy not only as a *legal right* but also as a *moral duty*. We are bidden to protect our own privacy from the eyes and ears of our neighbors. The Talmud [37] quotes Rav as pointing out a contradiction between two verses. David says, "Happy is he whose transgression is concealed, whose sin is covered," [38] whereas Solomon states, "He that covereth his transgressions shall not prosper." [39] One of the two solutions offered by the Talmud is that David discourages the revealing of sins not publicly known; here the atonement should be pursued privately only between man and God. Solomon, however, encourages the public acknowledgement of sins that are already widely known. What is not known to others I may not reveal about myself. A man has the moral duty to protect his own privacy, to safeguard his own intimacies from the inquisitiveness of his neighbors.[40] The Talmud records an opinion that once a man has confessed his sins to God on the Day of Atonement, he should not confess them again on the following Yom Kippur—and applies to one who does so the verse, "as a dog that returneth to his vomit." [41] These are strong words, and they reveal to us the contempt of the Rabbis of the Talmud for the indignity inherent in the loss of privacy—even one's own privacy, and even before his Maker only.

---

[19] 381 U.S. 479, 507 (1965).

[20] In his law review article, *supra*, n. 3, and his dissent in Olmstead v. United States, 277 U.S. 438, 471 (1928). "What was truly creative was their (Warren-Brandeis) insistence that privacy—the right to be let alone—was an interest that man should be able to assert directly and not derivatively from his efforts to protect other interests" (William M. Beaney, *The Right to Privacy and American Law*, 31 Law & Contemporary Problems, 257). In the case of visual and aural violation of privacy, as we have seen, the Halachah had already established this right as non-derivative; on other forms of intrusion, see later.

[21] Groswold v. Connecticut, 381 U.S., 483–85, *et passim*.

[22] Yet according to the interpretation of Attorney General Jackson, in a letter to Congress in 1941, Sec. 605 does not forbid wiretapping as such but only the divulging of the contents of such eavesdropping. This doctrine is still held by the Justice Department to this day.

[23] Alan F. Westin, *Science, Privacy & Freedom: Issues & Proposals for the 1970's*, 66 Colum. L. R. 1239–1247 (1966).

[24] *Deut*. 24:8–9, referring to *Nu*. 12:1–15. Rabbinic tradition thus associates the ailment of *tzaraat* (mistranslated as leprosy) with slander and gossip.

[25] Talmud, *Sanhedrin* 3:7.

[26] Talmud, *Sanhedrin* 31a. Cf. *Mahatzit ha-Shekkel* to *Sh. A., Orah Hayyim* 156.

[27] Talmud, *Yoma*, 4b.

[28] *Magen Abraham* to *Sh. A., Or. H.* 156:2; *Hafetz Hayyim*, 10:6.

[29] Louis Finkelstein, *Jewish Self-Government in the Middle Ages*, pp. 171 ff., 178, 189.

[30] Long *op. cit.* p. 159.

[31] *Emek Halakhah* (New York: 1948), II, No. 14.

[32] *Yalkut Shimoni to Esther*, 1:1046.

[33] See my "Fifth Amendment and Its Equivalent in the Halachah," JUDAISM (Winter, 1956), reprinted in *The Decalogue Journal* (1967).

[34] Talmud, *Sanhedrin* 32a, b.

[35] Cf. Garrity v. New Jersey, 17 L. Ed. 2nd 562 (1967).

[36] Long, *op. cit.* p. 220.

[37] Talmud, *Yoma*, 86b.

[38] *Psalms* 32:1, according to Rabbinic interpretation.

[39] *Proverbs* 28:13.

[40] Talmud, *Yoma*, 86b.

That it should be necessary to exhort people to protect their own privacy may seem astounding, yet never was it more relevant than today. For as contemporary society becomes more complex, as people become more intertwined with each other, and with increasing urbanization, privacy becomes more and more precarious.[42] Electronic intrusionism has now been developed to a high art and constitutes a grave menace to society. Technologically, man now has the ability to destroy privacy completely and forever. Yet despite this danger, which the Sub-committee on Administrative Practice and Procedure of the Senate Judiciary Committee has done so much to expose, the public does not seem to be overly exercised. There does not seem to be enough indignation over the fact that even the President and Senators and other leaders of the nation feel that their offices are being bugged, and that surveillance technology now threatens to strip every potential victim of his very selfhood without even a psychological fig leaf to cover his moral nakedness. We seem to have become conditioned by the psychiatrist's couch to accept the baring of our souls to anyone who is interested in us. We are, as someone once put it, the Generation of the Picture Window, who desire as much that others look into us as that we look out at them. It is thus imperative that the concept of privacy as an urgent moral duty be brought home to our people.

THEOLOGICAL BACKGROUND

The Halachah's legal and moral doctrines of privacy can be shown to be based upon certain fundamental theological considerations. The Bible teaches that man was created in the image of God,[43] by which is meant that the creature in some measure resembles the Creator, and which implies the need by man to imitate God: "as He is compassionate and gracious, so must you be compassionate and gracious." [44] Now both the Jewish philosophic and mystical traditions speak of two aspects of the Divinity: one is the relatedness of God to man, His knowability; and second, His Essence and absoluteness in which He infinitely transcends and remains forever unknown to man. These two areas of "light" and "darkness," the two zones of disclosure and concealment, of revelation and mystery, coexist within God without contradiction.[45] The unknowable Essence or Absoluteness is the inner boundary of God's privacy. In His resistance to and limitation of man's theological curiosity and metaphysical incursions,[46] God asserts His exclusive divine privacy. Even Moses may not gaze upon the Source of the voice that addresses him.[47] The Mishnah declares that one who is disrespectful of the divine dignity by seeking to penetrate into divine mysteries beyond his ken, it were better had he not been born.[48] "Dignity" (*kavod*) is thus a correlative of privacy.

But if this is true of the Creator, it is true of His human creature as well. As God reveals and conceals, so man discloses and withholds. As concealment is an aspect of divine privacy, so is it the expression of human privacy: the desire to remain unknown, puzzling, enigmatic, a mystery. Judaism does not absolutize privacy; taken to an extreme, it results in the total isolation of man and transforms him into a closed monad. Without any communication or self-revelation, he must suffer veritable social, psychological, and spiritual death. But the other extreme, unlimited communication and the end of privacy, leave man totally depleted of self—again death. [49] For both God and man, therefore, in that they share the character of personality, there must be a tension and balance between privacy and communication, between concealment and disclosure, between self-revelation and self-restraint.

This sense of privacy may be referred to the ethical quality of *tzeniut*, which usually is translated as "modesty." But *tzeniut* means more than modesty in the moral or sexual sense. By extension, the term comprehends respect for the inviolability of the personal privacy of an individual, whether oneself or another, which is another way of saying, respect for the integrity of the self. Man is fundamentally inscrutable in that, according to Judaism, he is more than just *natura* but also *persona*: he is possessed of a mysterious, vital center of personality which transcends the sum of his natural physiological and psychological properties. But not only *is* he mysterious, he also *should* be, and the extension of this free and undetermined center of personality constitutes the boundaries of his selfhood and hence his privacy. It is this privacy which we are called upon to acknowledge as an act of *tzeniut*.

"It hath been told thee, O man," says the prophet Micah,[50] "what is good and what the Lord doth require of thee: only to do justly, and to love mercy, and to walk *humbly* with thy God." The Hebrew for "walk humbly" is *hatzneia lekhet*, the first word deriving from the same root as *tzeniut*. Man must tread the path of reverent privacy "with thy God"—for it is from Him that we learn this form of conduct and Whom we imitate in practicing it.

So sacred is this center of privacy in man that even God does not permit Himself to tamper with it; that is the meaning of the freedom of the will, the moral autonomy of man. And that is why God's "hardening of Pharaoh's heart" [51] became an ethical and philosophic problem for Rabbinic exegesis of the Bible. Certainly, then, it is criminal for man to attempt such thought-control, even if benevolent.

CONCLUSION

Indeed, it is personality itself which is at stake. *Persona* meant, originally, a mask. We change masks as we react to different stimuli and encounters, and the sum of these poses and postures is our personality. The *persona* or mask is the mode of our self-disclosure, the highly meaningful medium of our communication to the outside world. Without it we are both naked and dumb. In the absence of privacy we are stripped of such masks, and this process leads, ultimately, to the extinction of personality. Unfortunately, therefore, the current affronts to privacy harmonize with the trend towards the depersonalization of life in contemporary society.

In sum, we have seen that Judaism asserts that man, in imitation of God, possesses an inviolate core of personality, and that privacy constitutes the protection of this personality core from the inroads of society and the state. The earliest legislation on privacy goes back to the Bible. In the Halachah, which underwent its most creative development between 2000 and 1500 years ago, the right of privacy was legally secured in a manner more advanced than that which prevails in contemporary Constitutional law: non-physical intrusion was considered the equivalent of actual trespass. The Halachah's concept of privacy covers both intrusion and disclosure, visual and aural surveillance, tampering with the mails, and, to the largest extent, the use of the polygraph. The spirit of Jewish law rejects the idea of a national data bank. It is understood that in all these instances, the right to privacy is not absolute; [52] for instance, such rights would automatically be suspended where there exists a grave threat to national security.[53] But privacy is more than a legal right; there is also a moral duty for man to protect his own privacy.

The legislation proposed by the Sub-committee on Administrative Practice and Procedure promises significantly to advance the law safeguarding privacy from the threat of constant attrition and encroachment. Just as important, the hearings themselves have contributed to strengthening Americans in their moral responsibility to defend the integrity of their privacy. Congress, of course, cannot legislate moral duties. But in the prominence it gives to the various immoral affronts to human dignity it performs a vital educative function. Perhaps the scientific community can be encouraged to use technology itself to protect us from the consequences of technology. Part of the same brainpower that has gone into the creation of anti-missile missiles might help us achieve an anti-gadget gadget that will provide us with an electronic cure for an electronic ailment.

In a famous passage, the teachers of the Mishnah counseled man on how to avoid sin. They said, "Know what is above you: a seeing eye, a hearing ear, and a book in which all your deeds are recorded." [54] For moderns, who have become the easy victims of both the sinister designs of the professionals of intrusion and the frivolous self-indulgence of the amateurs, that sage advice should be paraphrased to counsel us on how to avoid the breakdown of our privacy: "Know at all times what is above you and below you, in front of you and in back of you: a seeing eye and a hearing ear—not of God, but of man's electronic gadgets—and a magnetic tape on when all your words are recorded." That awareness and that sensitivity are the moral and psychological background for successful legislation and for future interpretations of the Fourth Amendment by the Supreme Court.

When such legislation and constitutional interpretation will be forthcoming, it will have been largely anticipated by Jewish law.

---

[41] *Proverbs* 26:11.

[42] Perceptive observers have seen in the characteristic impersonality and anonymity of apartment house dwellers in our great urban centers a vital defense mechanism against the encroachments on their privacy. See, for instance, the discussion in Harvey Cox, *The Secular City*, pp. 29–46.

[43] *Gen*. 1:26, 27.

[44] *Mekhilta* to *Beshalah*, 3; *Sab*. 133b. Most of Jewish ethics is predicated on this idea of *imitatio Dei*.

[45] Thus Talmud, *Hag*. 12b. 13a, reconciling *Ps*. 18:12 and *Dan*. 2:22.

[46] "In what is wondrous for thee thou shalt not inquire, and in what is hidden from thee thou shalt not seek"—Ben Sira.

[47] *Ex*. 3:6.

[48] *Hag*. 2:1, according to Jerusalem Talmud (*Hag*. 2:1–8b) which considers the two items in the Mishnah, theosophic overreaching and offense against the dignity of God, as one.

[49] The same holds true, *mutatis mutandis*, of our conception of God. Denial of either of these poles results in a denial of personality to God. Belief in an uncommunicative, deistic God is, as Schopenhauer put it, a polite atheism. And the assertion of a God who has dispossessed Himself of His transcendence, who has exhausted and dissipated His privacy, is a rather impolite atheism—the atheology of those who proclaim that His life has come to an end.

[50] *Micah* 6:8.

[51] *Ex*. 4:21, 7:3, *et passim*.

[52] On the rights of privacy versus the claims of history, see my "The Private Lives of Public Figures," *Jewish Life* (Jan.–Feb., 1967), pp. 7–10, 15, 16.

[53] See, for instance, Maimonides, "Laws of Sanhedrin," 18:6, "Laws of Kings," 3:8, 10; 4:1, *et passim*.

[54] *Avot* 2:1.

"Observe therefore and do them; for this is your wisdom and understanding in the sight of the peoples, that when they hear all these statutes shall say, 'Surely this great nation is a wise and understanding people'" (*Deut.* 4:6).*

AMERICAN-FLAG SHIPS SHUN SEAWAY: TIME FOR CONGRESSIONAL ACTION

Mr. PROXMIRE. Mr. President, the optimum use of the Great Lakes-St. Lawrence Seaway maritime route—the fourth seacoast—will bring enormous benefits not only to the seaway ports, such as Buffalo and Milwaukee, but to the Nation as a whole.

The St. Lawrence Seaway has shown impressive gains in overseas traffic since its initial year of operations—1959. At that time the estimated traffic of 25 million short tons exceeded actual shipments through the seaway by 4.4 million tons. In 1966, for the first time, seaway traffic exceeded the estimate of 48 million tons by 1.2 million tons.

This year, labor-management problems on the Canadian side of the seaway may well result in a falloff in seaway progress. Nevertheless, the seaway is making great strides toward maximum usage. There are danger signs in this bright picture, however, which we must acknowledge and attempt to deal with soon if the United States is to use the seaway to its fullest.

The sad fact is that while seaway overseas traffic from American Great Lakes ports continues to increase, the U.S.-flag share of this traffic has declined drastically. Furthermore, the amount of U.S. cargo moving through the seaway is a small fraction of export goods produced in the Midwest. These two problems are intertwined. If and when additional U.S.-flag shipping into and out of the lakes increase, the shipment by water of midwestern export commodities will increase.

But let us look at the situation as it exists today. In 1966, 18 U.S.-flag overseas vessel trips were made into and out of the lakes. Thus far in 1967, 19 such trips have been made through the seaway, and one of the vessels involved was simply coming into a lake port for repairs—not for cargo.

This compares with 45 trips in 1962 and 1963 and 28 trips as long ago as 1961. Incidentally, it is interesting to note that in January of 1962 a Department of Defense report on surface movement of export cargo stated:

> The movement of cargo recognized as rate-favorable through the Great Lakes has been restricted by the lack of American flag shipping.

Yet flag shipping has actually declined since the report was made. I intend to refer to this report again later in my remarks.

The shocking fact is that from April 15 to September 30 of this year Soviet-flag ships made as many trips through the St. Lawrence Seaway as the entire U.S.-flag fleet. To be specific, during that time Russian-flag ships made 19 deepwater transits of the seaway, calling at Canadian ports, while U.S.-flag vessels made 15 commercial trips and 4 military cargo transits.

This is simply the latest in a series of indicators that show conclusively that U.S.-flag shipping is not interested in serving the heartland of the United States—in fact, is virtually abandoning the Great Lakes-St. Lawrence Seaway to foreign-flag vessels.

Is this trade route also taboo to foreign flags? Far from it. Of 952 deepwater transits of the St. Lawrence Seaway from April 15 to September 30, 933 were made by foreign flags.

But the seaway cannot contribute fully to the economy of the Midwest unless U.S.-flag shipping is increased. One of the prime purposes behind the creation of the seaway was the impetus it was expected to give to trade between Midwest industries and foreign nations. The cheaper overwater route should make the area's industrial production much more competitive in the world market. However, a lack of U.S.-flag shipping simply means a diversion of traffic overland to seacoast ports. This adds to export expenses and costs the Midwest dearly in her attempts to penetrate foreign markets.

In 1966, U.S.-flag ships carried 3.8 percent of the tonnage passing through the Montreal-Lake Ontario section of the seaway for export. Canadian-flag carriage transported 66.8 percent of this traffic and foreign-flag ships carried the remaining 29.4 percent.

There is no doubt that a lack of scheduled U.S.-flag shipping, together with cargo preference laws that discourage the use of foreign-flag ships, sharply reduces the amount of Midwest exports shipped via the seaway. In comparing Department of Commerce estimates of the Midwest's manufactured exports with the amount of general cargo shipped via the seaway, a recent study determined that only 7.7 percent of the exports produced in the Great Lakes area were shipped through the seaway. In fact, seaway general cargo tonnage declined by almost 100,000 tons in 1966 despite a general increase in seaway traffic.

A recent publication, "The Port of Milwaukee: An Economic Review," indicated that almost 69 percent by value of Wisconsin exports went by way of Atlantic coast ports while over 17 percent went through Gulf coast ports.

I do not mean to indicate that lack of U.S.-flag shipping alone accounts for the failure to ship exports through the seaway. Other factors, such as the seaway shipping season, play their part. But we must insure a more significant role for our merchant marine in the lakes if we are going to benefit both the lake ports handling exports of American goods and at the same time build a merchant marine that can serve the entire nation, including the fourth seacoast opened up by the construction of the St. Lawrence Seaway.

If steps are not taken in the very near future to alleviate the conditions that have resulted in this dreary picture, there is no doubt in my mind that Great Lakes commercial and port interests will write off the American-flag merchant fleet as a significant force in the lakes.

The Great Lakes task force, composed of representatives from such diverse groups as the International Association of Great Lakes Ports, the Great Lakes Terminals Association, and the Great Lakes Commission has already indicated in a report to our Great Lakes conference of Senators, that they would support the exemption of lakes shipping from U.S. cargo preference laws unless the situation improves.

A recent attack by American Export-Isbrandsten Lines on the capabilities of the seaway to support American-flag shipping has added to the gravity of the situation. In a letter to the Maritime Administration requesting rescission of a subsidy agreement for operation into the lakes, American Export lashed out at alleged deficiencies in the lakes with more heat than light.

What are the answers? The Great Lakes conference of Senators has proposed a three-point program which I feel should be part of any administration maritime package submitted to the Congress. The three points are:

First. An earmarking of ship construction subsidies so that at least 25 percent of the subsidy funds provided are used to build ships that can transit the seaway.

The Canadian lake fleet, boosted by Canadian Government shipbuilding subsidies, has added 25 ships, each capable of carrying 28,000 tons on a single voyage, since the St. Lawrence Seaway was opened. In stark contrast, no new U.S.-flag vessel has been constructed for Great Lakes service since 1961. Furthermore, U.S. ship construction subsidies over the past few years have uniformly been used to build vessels that are only simply too large to transit the seaway.

Midwest taxpayers contribute substantially to this subsidy program. It is wrong to ask them to support a program which refused to provide the modern types of vessel—such as containerized ships—that are essential if U.S.-flag traffic through the seaway is to be an effective force in midwestern commerce.

Second. A requirement that at least $8 million or so of the $200 million provided yearly for operation differential subsidies be set aside for U.S.-flag trips into the lakes. If the funds are not used to subsidize lake trips they would revert to the Treasury.

Under present law, operating subsidies are not set aside exclusively for shipping lines that operate into the lakes. In other words, if a company decides not to apply for a lake route subsidy, the funds do not revert to the Treasury, but are simply used for a seacoast subsidy. By earmarking for the Great Lakes $8 million or so of the $200 million provided for operating subsidies by the Congress each year, we could bring U.S.-flag shipping into the lakes that otherwise would wait at the seacoast to pick up the subsidy.

---

*After this article was completed, the press (July 7, 1967) carried reports of a memorandum by Attorney General Ramsey Clark on new regulations limiting electronic surveillance by Federal officials. Of special relevance to my thesis is the Attorney General's statement that "although the question has not been squarely decided, there is support for the view that any electronic eavesdropping on conversations in constitutionally protected areas is a violation of the Fourth Amendment even if such surveillance is accomplished without physical trespass or entry." This interpretation accords with the view of the Halachah on the laws of privacy.—N. L.

Third. A set-aside of $7,500,000 of the amount provided for military cargo shipments overall to be used exclusively for military cargo shipments out of the lakes, where a great deal of this cargo originates.

The lakes find themselves with the "chicken and the egg" proposition. Without military cargo they cannot attract American-flag vessel service, and without American-flag vessel service they cannot obtain military cargo.

The 1962 report by the Department of Defense referred to earlier stated:

> Considerable savings to the U.S. government can be realized by using Great Lakes ports when additional American flag shipping becomes available.

Congress should act to make this shipping and these savings a reality by setting aside a nominal sum for military cargo shipments through the seaway.

These recommendations would cost no more than our present maritime program. They would begin to bring U.S.-flag shipping into the Great Lakes. The alternatives are: First, a takeover by foreign flags of the only shipping route that goes into the heartland of our Nation and a consequent reduction in the strength of our already inadequate merchant marine; second, the continuing shipment of Government cargoes overland to seacoast ports at added expense because of the absence of U.S.-flag vessels which, under cargo preference laws, must carry 50 percent of all Government cargoes; and third, a continuing drag on the economic health of the seaway which has only begun to operate in the black.

There are a number of other problems unique to the Great Lakes and the St. Lawrence Seaway that have an impact on the volume of maritime traffic using the seaway. I want to mention these factors briefly because, although they do not directly affect the strength of our merchant marine, they have an indirect affect by cutting back on the use of the seaway and stimulating the utilization of rail transport as a viable alternative.

Perhaps the most important of these factors is the seaway season. Ice conditions presently reduce the seaway season by 4 months. As a result, shippers of year-around cargo are faced with three alternatives: First, ship by seaway for 8 months of the year and stockpile goods at additional storage expense during the winter months; second, maintain a second relationships with seaboard shipping service for winter requirements; or, third, ship overland by rail to east or gulf coast ports on a year around basis. All too often shippers choose the last alternative.

This is especially true of general cargo. A recent Stanford Research Institute study concluded that "one-third of the general cargo service area tonnage from possible seaway routing" is eliminated by the winter closing. When we add to this estimate the further fact that each ton of general cargo passing through a port is worth $17 to $25 to the community while bulk cargo is worth $5 a ton, it is easy to see what a favorable impact extension of the seaway season would have on the economy of lake ports.

Last year Congress appropriated $30,000 for a study of the feasibility on a benefit-cost basis of keeping the seaway open through deicing techniques for a few weeks longer each year. Unfortunately, the Bureau of the Budget has not released this modest amount for expenditure. The Bureau feels that the study, which in the Bureau's words would include "broad estimates of costs and benefits," should be postponed until "better understanding of ice and snow phenomena in the Great Lakes Basin is developed." Yet a recent letter I received from the Coast Guard indicated that a study group consisting of military and civilian personnel "is considering the economic advantages and disadvantages of extending the shipping season of some east coast ports, the Great Lakes, the western rivers, and Alaska." Frankly I am at a loss to reconcile these two contradictory statements.

Virtually all of the members of the Great Lakes conference of Senators as well as a substantial group of House Members have written the Bureau of the Budget asking that the $30,000 study be undertaken soon. Some progress has been made. A recent letter from the Bureau stated:

> We will make every effort to fund the deicing study in the 1969 budget if not before.

However, I hope that your subcommittee will find the time to look into this matter in some detail in the months ahead. Significant progress in the deicing field could have a substantial impact on the Nation's maritime posture.

Legislation introduced by the Senator from Minnesota [Mr. MONDALE] is now pending before the Committee on Public Works to recapitalize the St. Lawrence Seaway. This proposal could have a very favorable impact on seaway traffic by stabilizing or lowering tolls and thus offsetting to some degree a Welland Canal lockage fee which will total $1,600 per vessel for a roundtrip by 1971.

Finally, section 22 of the Interstate Commerce Act permits railroads to charge below cost rates on the carriage of Government cargo. This has permitted the diversion of traffic that would normally travel via the seaway, to east coast ports. In my estimation, this is destructive pricing with a vengeance.The Subcommittee on Surface Transportation of the Committee on Commerce has already held hearings on proposed legislation to limit or repeal section 22. I am very hopeful that a bill will be reported by the subcommittee in the near future.

This is a brief summation of the problems and potential of the St. Lawrence Seaway together with the Great Lakes. I have offered some suggested solutions that I feel would benefit the maritime commerce of the Nation as a whole. I would be willing and eager to work at any time in a joint effort to reach equitable solutions to the many difficulties I have outlined this evening.

INSANITARY CONDITIONS IN UNREGULATED OR STATE REGULATED MEAT PLANTS

Mr. MONDALE. Mr. President, the legitimate and responsible element of the meatpacking and processing industry has suffered a black eye in recent months with disclosures of shockingly insanitary conditions in unregulated or State regulated meatplants, and the fact that certain portions of the American meatpacking industry still try to profit through the sale of diseased or unclean meat to American consumers.

Yesterday the responsible meatpacking industry suffered another black eye with disclosures by Nick Kotz in the Des Moines Register and the Minneapolis Tribune of the initiation of a political slush fund by certain meat industry officials. Those revelations can only intensify the public's impression that the meat industry is callous and corrupt.

The meat industry's sudden interest in the political careers of "friendly" Congressmen, coming at a time when Federal legislation regulating the slaughter and processing of meat sold to consumers is under consideration, can only lead to the conclusion in the public eye that this was a crass attempt to influence the Congress.

I would hope these revelations will spur responsible meatpackers to overcome the economic pressures they have been subjected to and come out in support of legislation which will once and for all put an end to this sordid situation by requiring the inspection of all meat and meat products. Continued silence or opposition at this point would raise a serious question in the minds of the American people as to why responsible inspected packers oppose inspection of their uninspected competitors.

I would also hope that those in the meatpacking industry who have for years favored across-the-board inspection will now speak out. I personally know of packing industry leaders who support the concept of requiring inspection of all meat, but who for some reason have remained silent throughout this debate. I would hope these revelations will cause them to speak up in the public interest.

I therefore strongly urge that the leaders of the American meatpacking industry come forward in support of legislation which will plug the gaping loopholes in the present meat inspection system.

I ask unanimous consent that the Kotz article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Des Moines Register, Nov. 2, 1967]

REVEAL POLITICAL FUND DRIVE BY MEAT OFFICIAL—SOUGHT GIFTS AS CONGRESS STUDIED BILL—TIMING IS SHOCKING TO LAWMAKER

(By Nick Kotz)

WASHINGTON, D.C.—The president of a major meat packing association opposed to a stong meat inspection law asked meat packing firms to contribute campaign funds to "friendly" congressmen at the same time Congress is considering the meat inspection bill.

The campaign fund-raising drive was called off at the demand of conservative congressmen who share the meat industry's position on the legislation, but feared exposure of the fund drive would embarrass them and the meat industry, and lead to defeat of the industry supported bill.

HOUSE ACTION

The House Tuesday adopted a meat inspection bill designed to eliminate bad conditions by offering federal aid to states willing to improve their inspection systems. The House defeated, 140–98, the Smith-Foley bill, which would have expanded federal inspection to 6,000 plants now exempt because they do not sell across state lines.

The meat industry and congressmen who halted the fund campaign support the bill approved by the House and strongly opposed the tougher bill proposed by Representatives Neal Smith (Dem., Ia.) and Thomas Foley (Dem., Wash.).

The fund solicitation letter was sent Sept. 28 to an undetermined number of firms by L. Blaine Liljenquist, president and general manager of the Western States Meat Packers Association, Inc., which represents about 600 meat packing firms in Western States.

Liljenquist, writing on personal stationery, asked for contributions "ranging from $25 up to a maximum of $99." He said the funds should be sent on personal checks made out to the order of "L. B. Liljenquist, trustee, congressional campaign fund."

Liljenquist stated the funds would be distributed in amounts ranging from $50 to $300 to the campaign funds of congressmen and senators.

ELECTION FUND

He said the funds would be used to help elect or re-elect congressmen of both political parties "who are conscientiously working to accomplish the following goals."

The goals he listed were: "To preserve our free enterprise system . . . to maintain a balanced budget and to reduce the burden of federal taxes as rapidly as possible, and to encourage a political climate wherein business enterprises will continue to grow and prosper."

When W. R. (Bob) Poage (Dem., Tex.), chairman of the House Agriculture Committee, learned of the letter he fired off angry letters not only to Liljenquist, but also to leaders of the other two major trade associations—the American Meat Institute (A.M.I.) and National Independent Meat Packers Association (N.I.M.P.A.).

Poage left no doubt that he believed the fund raising letter would be construed as being connected with the controversial meat inspection legislation.

Poage, in a letter to Liljenquist, to A.M.I. President Herrell Degraff, and to others, on Oct. 6, said:

"To say that I was shocked by the contents of this letter at this time is indeed an understatement. Without raising any question of the propriety of any association to engage in legitimate political activities, I must point out that wide circulation of such a letter, no matter how well-meant, obviously endangers the standing of the whole meat industry.

DEEPLY EMBARRASSING

"Furthermore, I am sure you can see that no matter how innocent this solicitation may have been intended, it is absolutely impossible to disassociate it from the pending meat inspection legislation. It could prove to be deeply embarrassing to all members of Congress who are trying to deal honestly and objectively with the problems of the meat industry before Congress."

Poage wrote that he had conferred about the letter with three other members of Congress. Each was a key supporter of the bill passed by the House and supported by the meat industry, and opposed the Smith-Foley plan.

Those with whom Poage said he conferred are Representatives Graham Purcell (Dem., Tex.), chairman of the subcommittee which considered the meat inspection bill; Page Belcher (Rep., Okla.), ranking Republican on the Agriculture Committee; and Catherine May (Rep., Wash.), ranking Republican on the subcommittee.

Poage wrote that the three congressmen agreed with him "that this project (fund raising) should be abandoned immediately."

Poage said he had demanded that Liljenquist rescind his letter and refund any contributions, and added that he would insist no action be taken on the bill until Liljenquist replied.

OTHER ASSOCIATIONS

"I can only hope that this project has not gone so far as to bring possible discussion of the subject to your embarrassment and to the embarrassment of members of Congress."

He also asked the other two associations to send him a letter categorically repudiating the fund-raising campaign.

In another letter to Liljenquist, Poage strongly indicated that one of his principal concerns was that the fund-raising letter would be used to defeat the meat-industry bill, and to aid the Smith-Foley bill.

Wrote Poage: "I think that when you have considered it, you will recognize how this action could be misinterpreted in the hands of any self-appointed critic."

Poage wrote that he didn't want to tell any group how to run its business or politics but added that when matters concern the Agriculture Committee:

"We feel that we would like to be like Caesar's wife and we know of no way in which needed and desirable legislation can be passed as long as its passage would give those who wanted to discredit the committee the opportunity to allege that funds were being collected to buy votes of the committee at the very time a highly controversial bill is before us. The bill, of course, affects your interest and the interest of every meat packer in the United States."

OPPOSED ANY BILL

Originally, the three major meat packing associations were opposed to adoption of any meat inspection bill. However, the meat industry changed its attitude after The Register, followed by other newspapers and Ralph Nader, published Agriculture Department reports showing unsanitary conditions in hundreds of non-federally inspected plants. Then, Purcell and others convinced the industry to support the Agriculture Committee bill or face enactment of the Smith-Foley bill.

Liljenquist replied to Poage on Oct. 11. He agreed to stop the solicitation and return any funds so far collected in order to avoid "any misinterpretation of our objectives."

Liljenquist wrote that he was acting as an individual, that the funds were to be used in the 1968 campaign, and added:

"There was not any thought of relating the funds in any way to the meat inspection legislation, and no effort has ever been made, or would ever be made, to influence a vote on any measure before the Congress. We were raising funds at this time only because our 1964 fund was depleted."

FIVE HUNDRED DOLLARS RAISED

He said less than $500 had been raised this year, and about $1,800 was collected in 1964 "from individuals contributing small amounts."

Liljenquist stated that the congressional campaign fund, of which he is trustee, came into existence in 1964.

Added Liljenquist: "The funds have been used to help elect a few members of the House and Senate who are striving to balance the budget, stop inflation, and serve the best interests of our nation."

Liljenquist wrote that labor unions "have been the most active in this activity (fund raising)" and said "it is just as important that businessmen become equally concerned about the way our country is governed."

In his original letter soliciting contributions, Liljenquist wrote that he would report annually to a three-man committee. The committee members, all executives of meat packing firms, were listed as:

Douglas N. Allan, James Allan & Sons, San Francisco, Calif.; Paul Blackman, Acme Meat Co., Inc., Los Angeles, Calif.; and Wade Parker, Pacific Meat Co., Inc., Portland, Oreg.

TOLD HOW

Also in the original letter, Liljenquist gave detailed instructions how various types of firms should legally make their contributions.

For example, he wrote: "If your company is incorporated, you can make personal contributions to a political campaign fund even though the company in which you are an officer and stockholder has contracts with one or more agencies of the federal government.

"If your company is unincorporated, you should contribute to the fund only if your firm is neither negotiating nor performing a contract with any agency of the federal government at the time of your contribution."

Three officials of the American Meat Institute responded to Poage that their association was in no way involved with the fund-raising campaign. They agreed with Poage that the fund-raising letter was highly improper.

The A.M.I. officials, who share Poage's view in support of the committee bill and in opposition to the Smith-Foley plan, strongly expressed concern that the letter could endanger the bill they favor.

"STUPID ACTIVITY"

A.M.I. Vice-President Alec Davies, the organization's Washington lobbyist, wrote to Poage and described the fund-raising letter as a "most unfortunate, ill-timed and utterly stupid activity initiated by an official of a regional trade association in the meat packing industry."

Davies said further: "In the 33 years I have been in and around Washington, including my 27 years with the A.M.I., I have seldom been more amazed and shocked as I have by this matter.

"I can only hope with you that it will in the short run not endanger the passage of needed and meaningful amendments to the meat inspection act that you and your committee have recommended to the Congress.

"Those changes included in the Purcell (committee) bill are endorsed by both the American Meat Institute and other livestock and meat organizations."

A.M.I. President Degraff indicated in his Oct. 9 letter to Poage that Poage was holding up action on the bill because of the fund-raising letter.

ACTION DELAYED

It was at about this time that the House Rules Committee declined to act on the bill when most congressmen thought it would. It has been reported that Poage, for unexplained reasons, had asked the Rules Committee to delay action on the bill.

Wrote Degraff: "We in A.M.I. are distressed that the good work done thus far by the committee on agriculture should be placed in jeopardy by the thoughtless action of one person.

"Nevertheless, we feel that your decision temporarily to postpone action is a wise one inasmuch as revision of the federal meat inspection act is much too important to be decided in an atmosphere of suspicion and recrimination.

"As you know, the American Meat Institute has endorsed H.R. 12144, the Purcell bill, which has been favorably reported out of the committee. We believe it is a good bill and one that will contribute to the ability of the meat industry to serve the public more effectively.

"We trust that developments described in your letter will not unduly hamper its consideration, but we would certainly defer to your judgment and would not wish to press for congressional action at a time when there might be an opportunity to misjudge the attitude of the meat industry generally."

GRAVE MISTAKE

Degraff said the fund campaign "was a grave mistake," even though it might have been done with no improper motive.

"Under the circumstances," said Degraff, "and considering the position of the individual [Liljenquist], one could scarcely avoid the inference that at least some segment of the meat industry was involved and that influence on pending legislation might be one of the prime objectives."

B. F. Gray, chairman of the board of A.M.I., sent a telegram to Poage repudiating the funds letter and assuring him that A.M.I. was not and would not be involved in such an endeavor since it is completely non-political and non-partisan in its activities.

A Senate Agriculture subcommittee is scheduled to hold hearings soon on the meat inspection issue.

According to informed sources, some persons in the administration and the meat industry briefly considered taking the House-passed bill directly to the Senate floor Wednesday in hopes of getting the bill approved quickly.

Such a maneuver would have headed off an opportunity for supporters of a stronger bill to build their case for full hearings.

Senator Walter Mondale (Dem., Minn.) will spearhead a drive in the Senate for approval of a stronger bill. Mondale has proposed legislation that would bring all meat packers under federal inspection, but permit individual states to continue inspection of intrastate plants if the states come up to federal standards.

Mondale said Wednesday of the House-passed bill: "It simply does not do the job of providing the American people adequate protection against the sale of diseased or contaminated meat or meat products.

"The consumer has a right to be protected against bad meat and the House-passed bill does not provide such protection."

RETIREMENT OF WARD AND DORIS ANN BOWDEN AS PUBLISHERS OF MONROE MONITOR AND SULTAN VALLEY NEWS, SNOHOMISH COUNTY, WASH.

Mr. JACKSON. Mr. President, recently Ward and Doris Ann Bowden retired as publishers of the Monroe Monitor and the Sultan Valley News, both weekly newspapers in my home Snohomish County, in Washington.

His longtime editor, Howard Voland, and Mrs. Voland have purchased the properties from the Bowdens. Besides operating his newspapers, Ward Bowden has served for many years as Secretary of the Washington State Senate.

In a recent edition of the Monitor, Howard Voland wrote an excellent editorial on the many contributions made by Ward Bowden to his communities. The editorial, Mr. President, tells much of the life of the smalltown editor and what he does to make a better life for all the citizens of his area. Highway development, a new hospital, and expansion of the big Evergreen State Fair at Monroe are just typical of the kinds of projects that Ward Bowden put his typewriter and energies to work on. The Monroe and Sultan communities are much better for the 25 years that the Bowdens gave them.

Mr. President, I am particularly pleased to present the editorial for the RECORD, as Ward Bowden is a friend of many years. He and I attended public schools together in Everett, Wash., graduating from Everett High School.

I ask unanimous consent that the editorial entitled "Your Former Publisher" be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Monroe (Wash.) Monitor, Oct. 5, 1967]

YOUR FORMER PUBLISHER

With your indulgence we're going to talk about the Ward Bowden you lost as your publisher last week.

When we first met him more years ago than we like to remember he was garbed in striped union overalls, as unpretentious as our Uncle Sam slopping the hogs on his Illinois farm. Today, he is unchanged, still in his striped union overalls at times, yet in the intervening years he has risen to remarkable heights as a publisher and stands as a man of considerable stature in Washington State government.

Thinking back over the years we remember him taking eggs or honey in lieu of subscription money. We remember him chatting with the president of the United States, United States senators and many other notable men at the national and state level.

His accomplishments as an editor and publisher, along with his devoted wife, Doris Ann, have been many and varied.

We can remember his newspapers doing much to bring about completion of the Monroe-Bothell cutoff, making the Evergreen Fair what it is today and bringing to Sultan the modern district offices of the State Department of Natural Resources.

Probably his greatest single undertaking of merit was his work toward the formation of Snohomish County Hospital District No. 1.

It was Ward Bowden's idea and it was Ward Bowden's newspapers that spawned, nurtured and promoted the successful change over for Valley General Hospital. This, as well as his other endeavors of community service, stand to his lasting credit.

Ironically, not once to our knowledge in his near quarter-century as an editor and publisher has he received a single award, yet time and again lesser accomplishments have been extolled and honored. This was for one reason: his modesty never allowed him to subscribe to the philosophy that he had to (in effect) request a plaque or a certificate for the accomplishments of his newspapers.

The Ward Bowden many of you knew is a hard-nosed businessman but there was another side we saw many times. Never once, if he had knowledge, did a subscriber lose his subscription because of financial difficulties—he picked up the tab and has done it through the years.

He was an aggressive editor and publisher.

That aggressiveness cost him not once, but several times. Once he published a story that offended an advertiser. It cost him in excess of a thousand dollars. His deep-seated belief in democratic government and a free press made that decision, as well as others.

In losing him as your publisher, the valley has lost the services of the most knowledgeable man in government in the Skykomish Valley, if not Snohomish County.

All said and done, Ward Bowden is going to be missed, most especially by the guy who has inherited his publications.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

EXECUTIVE SESSION

Mr. PROXMIRE. Mr. President, I move that the Senate go into executive session.

The motion was agreed to, and the Senate proceeded to consider executive business.

SUPPLEMENTARY SLAVERY CONVENTION

Mr. PROXMIRE. Mr. President, what is the pending business before the Senate?

The PRESIDING OFFICER. The clerk will state the business before the Senate.

The LEGISLATIVE CLERK. Executive L, 88th Congress, first session, the Supplementary Convention on the Abolition of Slavery.

The Senate resumed the consideration of the Supplementary Convention.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

DAY OF SHAME FOR U.S. SENATE

Mr. PROXMIRE. Mr. President, it seems to me, as one who has spoken on the Senate floor urging U.S. ratification of the human rights conventions more than 165 times during the first session of the 90th Congress, that is, this year, I regard the Senate's voting today on only the Supplementary Slavery Convention with distress—and I might say with deep distress—in fact, with a sense of shame for this great body.

Mr. President, this is a sad day for human rights. It is a black day for the Senate. But it is the beginning, not the end, of the fight.

Every Senator in this body is going to have a chance to go on record on these human rights conventions. At a later date, when we have had the chance to inform Members of the Senate more fully and directly what is at stake, I intend to offer as an amendment to other treaties, both the Convention on the Political Rights of Women and the Convention on Forced Labor.

Every Senator will have a chance to vote yes or no, up or down, in public on these conventions.

The Senate Foreign Relations Committee has had more than ample opportunity to make a record on these conventions. Indeed, both these conventions—Political Rights of Women and Forced Labor—have been before the committee for over 51 months.

A special subcommittee was appointed to hold hearings on these three human rights conventions. The subcommittee did hold hearings and reported favorably all three conventions to the full committee. As I have done before, I commend the subcommittee, under the able leadership of Senator DODD, for its prompt and responsible action.

But now this is a fight which can only be made in this body, because, as is well known, the Foreign Relations Committee did not report two of the three conventions. The President has publicly expressed his support of these conventions. He has discharged his responsibility. Our distinguished Ambassador to the United Nations, Arthur Goldberg, has fervently pleaded for these conventions. Only the U.S. Senate—only this body—stands in the way. The fight must be made here. The fight will be made here, and for as long as it takes.

I am pleased that the Senate by its vote today will at least endorse the principle of U.S. participation in an international treaty to establish human rights by approving the Supplementary Convention on Slavery. This is something. But considering the profound human rights record of this Nation, the heavy responsibility of this Nation to the United Nations, and the plea for so much more from President Kennedy when he submitted these conventions to the Senate more than 4 years ago, what the Senate will not do today—by not giving its advice and consent to the Conventions on Forced Labor and Political Rights of Women—is a disgrace, a disgrace to the Nation and to the U.S. Senate.

I think we should also keep in mind how tardy the action of the Senate is. We should recall the fact that we are one of a small group of nations, one of the very few nations in the entire world, who up until this moment has not ratified a single human rights convention.

Consider: The Human Rights Conventions on Forced Labor and Political Rights of Women were rejected by the Foreign Relations Committee. Officially, the further consideration of these two conventions was merely tabled by the full committee. But let us state the case openly: the committee's vote to table, after a favorable report from the Dodd subcommittee, effectively kills for the foreseeable future the possibility of affirmative committee action. This is why I intend to bring it to the floor. The Supplementary Slavery Convention is undeniably the least controversial of all the human rights conventions. In fact, this convention is called supplementary, because it is merely a postscript to the Slavery Convention signed by the United States during the administration of President Coolidge and ratified during the administration of President Hoover.

So we are not being as liberal or going quite as far as President Coolidge or President Hoover went. This is how far the Foreign Relations Committee has decided to go.

I frankly question whether the Senate's granting its advice and consent to a Convention on Slavery today, 102 years after the adoption of the 13th amendment, qualifies as either a bold departure or a historic act.

The failure of the Senate to approve the Conventions on Forced Labor and Political Rights of Women clearly constitutes a callous repudiation of President John F. Kennedy. President Kennedy sought the advice and consent of the Senate to the human rights conventions July 22, 1963, in an eloquent message to this body. He said of these conventions at that time:

> They will stand as a sharp reminder of world opinion to all who may seek to violate the human rights they define. They also serve as a continuous commitment to respect these rights. There is no society so advanced that it no longer needs periodic commitment to human rights. The United States cannot afford to renounce responsibility for support of the very fundamentals which distinguish our concept of government from all forms of tyranny.

President John Kennedy believed devoutly that human rights and peace are intimately related and historically interdependent. He stated this relationship so very well in his magnificent American University speech when he asked, "And is not peace, in the last analysis, basically a matter of human rights?"

Mr. President, the rights which are the subject matter of these human rights conventions are constitutionally guaranteed to every citizen of this Nation. Why do we need to ratify these treaties—on forced labor and political rights of women—which affirm far less than what every American has as his birthright?

Twice in the lifetime of many of us the United States has been forced into world wars. Twice we watched helplessly while unchecked domestic oppression grew into unprovoked foreign aggression. Aggression in recent history has been almost the exclusive practice of those regimes which first deprived their own citizens of basic human freedoms.

The conclusion is inescapable. Where human rights are secure, peace is attendant. When the human rights of any people are threatened, peace itself is threatened.

The United Nations was founded to promote the cause of universal human rights and world peace. The United Nations was born at San Francisco in the United States in 1945 and has had its home in the United States at New York since 1950.

For 22 years, the people of the United States have given generously of their energies and their resources to sustain the United Nations. A great majority of the American people believe in the United Nations. A great majority of the American people, and I among them, believe that the United Nations serves the interest of the United States and all mankind, because the United Nations serves the cause of world peace.

Let us look at the Charter of the United Nations which was approved 22 years ago in this very chamber by the overwhelming vote of 89 to 2.

Article 55 of the U.N. Charter states clearly it is the duty of the United Nations to promote "universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion." In article 56, all members of the United Nations "pledge themselves to take joint and separate action in cooperation with the organization for the achievement of the purposes set forth in article 55." I say right now that the U.S. Senate is guilty of reneging on the solemn promise this Nation made 22 years ago when we helped to found the United Nations.

Have we forgotten in the short space of 22 years the bitter lesson of World War II? Have we really failed to learn that human rights are not simply a matter of state law or royal edict that human rights are inherent and cannot be alternately granted or grabbed at some despot's whim?

Was Hegel right when he cynically wrote:

> Peoples and governments have never learned anything from history, or acted on principles deduced from it?

The Senate today appears bound and determined to vindicate his judgment.

Mr. President, 54 nations are already parties to the Convention on Political Rights of Women. Among them are Afghanistan, Albania, Argentina, Brazil, Bulgaria, Canada, Central African Republic, China, Congo, Cuba, Czechoslovakia, Finland, Haiti, India, Indonesia, Japan, Lebanon, Philippines, United Kingdom, and Union of Soviet Socialist Republics.

Are these all nations which care more deeply about the political equality of women than the United States? Are these all nations which have a greater human rights record than the United States?

I say no. But the action, or more accurately the inaction, of the Senate must force any objective observer to the opposite conclusion.

These nations, every one of the 54 nations which are a party to the Political Rights of Women Convention and every one of the 78 nations which are a party to the Forced Labor Convention, are on record as being more faithful to the Charter of the United Nations than the United States of America.

Just consider what an unpardonable insult and grievous disservice the Senate's failure to approve these two conventions is to both the United Nations and to the United States.

President Kennedy asked the Senate to act. President Johnson, as recently as October 11, 1967—less than a month ago—asked the Senate to act.

In open hearings our distinguished Ambassador to the United Nations, Arthur J. Goldberg, entreated the Senate to act favorably on these conventions. The following organizations through their spokesmen and national officers have asked the Senate to act favorably on the human rights conventions: The Department of State; the Department of Labor; Senator FRANK E. MOSS; Congressman RICHARD D. MCCARTHY; AFL–CIO; American Civil Liberties Union; Americans for Democratic Action; American Baptist Convention; American Federation of State, County and Municipal Employees, AFL–CIO; American Jewish Committee; American Jewish Congress; American Veterans Committee; B'nai B'rith; the Episcopal Church; American Roumanian National Committee; Friends Committee on National Legislation; General Board of Christian Social Concerns, the Methodist Church; Industrial Union Department, AFL–CIO; International Ladies' Garment Workers Union, AFL–CIO; National Association for the Advancement of Colored People; National Board YWCA; National Community Relations Advisory Council; National Conference of Christians and Jews; United

Automobile Workers of America, AFL-CIO; National Council of Women of the United States; United World Federalists; Catholic Association for International Peace; American Association of University of Women; National Federation of Business and Professional Women; and the Bar Associations of the District of Columbia; city of New York; the State of New York; and, the State of New Jersey.

The only, I repeat the only, opposition to these human rights conventions in contrast to the truly overwhelming support for them came from the American Bar Association.

The American Bar Association said nothing about the human rights conventions for 4 years after President Kennedy submitted them to the Senate. But at its Honolulu convention, the ABA, by a vote of 115 to 92—a very close vote—out of the more than 300,000 lawyers in the United States, went on record against the Political Rights of Women Convention and made no recommendation on the Forced Labor Convention.

The central thrust of the ABA argument was that the subject matter of these conventions were matters of domestic political concern.

Mr. President, I submit that the whole purpose of the United Nations is to convince the world that human rights are not simply a matter of domestic concern. Human rights transcend national boundaries. Human rights must be truly universal if we are ever to have a truly peaceful world.

I did not believe that any rational observer seriously proposes U.S. abdication from the international stage. The question we face is not whether the United States accepts an international role, but whether we have the courage to decide on a role commensurate with our unique opportunities and grave obligations.

In the continuing battle for universal human rights, the United States cannot indefinitely ignore our opportunities nor permanently postpone our obligations.

We cannot continue indifferent to the worldwide struggle for human rights. If we fail to lead, mankind will be the victim and history will be our final judge. Recalling the words of Dante:

> The hottest places in Hell are reserved for those who in a time of moral crisis remained neutral.

Mr. President, I ask unanimous consent that the statement by United Nations Ambassador Goldberg to the Committee on Foreign Relations on February 23, 1967, be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF ARTHUR J. GOLDBERG, PERMANENT REPRESENTATIVE OF THE UNITED STATES TO THE UNITED NATIONS, BEFORE A SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS, FEBRUARY 23, 1967

Mr. Chairman and Members of the Committee, it is a great pleasure to be here today. I very much appreciate the chance to take part in the opening hearings on three important international conventions on human rights—those concerning slavery, forced labor, and the political rights of women. The United States participated in the drafting of all three conventions and has lent them its support at various stages of their preparation. It was only after a careful review by the Executive Branch that they were submitted to the Senate, in July of 1963.

As you know, the Administration strongly supports ratification of these conventions. It believes them to be important agreements, to which the United States should adhere. For they not only are consistent with the traditional values and ideals of this country; they express the same profound concern for human rights that has come to be recognized everywhere as the hallmark of the United States. I believe we should welcome the opportunity to participate in agreements reflecting our high standards on an international scale.

Indeed, adherence to these conventions would underscore the fact that the United States is concerned with the realization of human rights, not only within its shores, but throughout the world. In recent years, we in this country have been engaged domestically in a tremendous effort to advance the rights of our citizens through the processes of law. And that effort, which quite rightly has held the attention of men everywhere, has reaped tremendous gains for the people of the United States. I do not believe, however, that we can now rest upon these domestic victories. and disclaim interest in the same evils abroad that we have abrogated at home. It is only fitting that a country which has taken such great strides should play a leading role in the attempt to see human rights respected in all sections of the globe.

I would point out, too, that ratification of these conventions would accord with our commitment to the Charter of the United Nations and to the principles for which it stands. Indeed, one of the main purposes of the United Nations is to achieve international cooperation in solving the kinds of problems with which these conventions are concerned. Countless times the United States has spoken publicly in support of the Charter and, specifically, in support of its human rights provisions. Why should we hesitate to ratify conventions that give such provisions a real meaning and force?

I must emphasize that I am not speaking of purely altruistic reasons for ratification, but in terms of our immediate national interest. Concern for the welfare of all peoples is a principal feature of our foreign policy. But if the United States is not interested enough in human rights to participate in even modest and broadly supported international conventions, what will be the attitude of those many countries who look to us for guidance and advice? Our views and our declarations will not be taken seriously.

And there is a practical consideration of perhaps even greater importance. Experience has taught us to seek the roots of most political frictions and disputes in social abuses—discrimination, arbitrariness, inhumanity. We have learned that, until these abuses are eradicated, until a high minimum standard for the observance of human rights prevails throughout the world, we shall not see the dawn of a truly peaceful day. It was President Kennedy who so eloquently put this thought in the form of a question: "Is not peace in the last analysis basically a matter of human rights—the right to live out our lives without fear of devastation—the right to breathe air as nature provided it—the right of future generations to a healthy existence?"

I do not say that these present conventions are a panacea, or even that they will guarantee complete solutions for the problems to which they are addressed. But I do say that they constitute steps in the proper direction, and that the United States has a strong interest in taking such steps.

It is sometimes forgotten that the United States has already taken such steps in the past, that it is a party to two significant international human rights agreements. These are the convention on slavery, which we ratified during the Administration of President Herbert Hoover; and the agreement on the nationality of women, ratified during the Administration of President Franklin Roosevelt. I submit that the United States, the greatest power in the world, should build upon these precedents in joining worthwhile international efforts in the human rights field.

It is the part of totalitarian states, not that of a great democratic nation, to shy away from human rights conventions. They have reason for difficulty with such conventions. But I do not conceive that, in light of our Constitution we have any reason that is substantial.

Before I comment specifically upon each of these agreements, two points are worth emphasis: first, that the provisions of these conventions coincide with fundamental rights already guaranteed by our Federal Constitution. To find the domestic sources of these rights, one need look no further than the First, Fifth, Thirteenth, Fourteenth, and Nineteenth Amendments. There is thus no question of conflict between the provisions of the conventions and State law, and no possibility of these conventions altering the existing balance between the jurisdiction of the Federal Government and the jurisdiction of the States. There is nothing in these conventions that is not already within the ambit of Federal Constitutional protections. There is nothing in these conventions that in any way contravenes any provision of our Constitution. And there is nothing in these conventions that in any way runs counter to the valid enactment of any State.

Second, it is important to note that each of the Constitutional rights in question either requires no implementing legislation or has already been translated into such legislation. Ratification of these conventions by the United States would require no domestic laws other than those we already have.

These two general points will reappear in my discussion of the contents of each convention.

I shall first deal with the Supplementary Convention on the Abolition of Slavery, the Slave Trade, the Institutions and Practices Similar to Slavery, which was opened for signature at Geneva on September 7, 1956. On January 1, 1967, 68 states were parties to this convention.

As its name indicates, the agreement is supplementary to the earlier convention on slavery that was concluded in 1926 and ratified by the United States in 1929. Under Article One of the present convention, states parties are to take all practicable and necessary legislative and other measures to bring about the abolition or abandonment of certain institutions and practices akin to slavery, where they still exist. These institutions and practices are: debt bondage, serfdom, delivery of children by parents or guardians to others for purposes of exploitation, involuntary marriage or transfer of women for consideration, and transfer of widows as inherited property. In states parties where these last practices—relating to the status of women—still exist, those states undertake in Article Two to prescribe suitable minimum ages of marriage, to encourage the use of facilities whereby the consent of both parties to a marriage may be freely expressed, and to promote the practice of enregistering marriages. Of course, Article Two has no application in the United States, since we have long ago banished the practices against which the article is aimed.

Other articles of the convention provide that the slave trade should be prohibited, that the act of enslaving another person should be a criminal offense. and that any slave taking refuge on board a vessel of a state party to this convention shall be free.

To the ears of Americans, all of these provisions have a familiar ring. The 13th Amendment to our Constitution, ratified in 1865, abolished slavery as an institution and gave Congress the power to enforce its terms by appropriate legislation. Under this authority Congress has enacted a number of laws, such as the Slave Trade Prohibition Act (46 U.S.C. 1355) and the Peonage Laws (18 U.S.C. 1581, 42 U.S.C. 1994), which proscribe the practices forbidden by the convention.

The *second* agreement that I shall briefly describe, the Convention on the Abolition of Forced Labor, was adopted by the International Labor Organization in Geneva on June 25, 1957. As of January 1, 1967, 75 states were parties.

This convention requires ratifying states to suppress and not to make use of any form or forced or compulsory labor for certain specific purposes: namely, as a means of political coercion or education or as a punishment for holding or expressing particular social, economic, or political views; as a means of mobilizing labor for purposes of economic development; as a means of labor discipline; as punishment for having participated in strikes; or as a means of racial, social, national, or religious discrimination. Ratifying states are required to take effective measures to secure immediate and complete abolition of these proscribed uses of forced or compulsory labor.

These undertakings are wholly within the Federal competence, and, indeed, are already contained in our laws. No new legislation is necessary as a result of ratifying the convention. The use or tolerance of forced labor by the Government, except as a punishment for crime, would run squarely into the terms of our Thirteenth Amendment. The use of forced labor as a punishment for crime would not be Constitutionally permissible in the cases enumerated in the convention, because the particular areas in question have the protection of Constitutional guarantees. Thus, a statute providing for forced labor for violating an arbitrary rule of racial, social, or religious discrimination would contravene the Fifth or Fourteenth amendment. Forced labor imposed as a means of punishing the mere expression of political views would not be possible, because any criminal statute providing for this would run afoul of the First Amendment. Of course, the convention like the First Amendment, applies only to the holding or expressing of views. There is no immunity for those who advocate or attempt the violent overthrow of the Government.

A word of explanation in regard to the provisions of the convention relating to labor strikes and labor discipline may be in order. It is apparent from the drafting history that the agreement was not intended to preclude the application of penal sanctions for certain kinds of labor activities. Thus, the convention would have no application to criminal sanctions for violations of court orders—such as those commonly issued under the National Labor Relations Act. Nor would it cast any doubt on punishments for illegal activities, for example, assaults, in connection with a strike. Nor, finally, would the convention apply to sanctions imposed for having participated in an illegal strike or for other illegal labor activities. The convention merely establishes that forced labor shall not be used as a punishment for those labor activities that are the inherent right of men everywhere and that are protected by our own Constitution and laws.

It is axiomatic that forced labor cannot be imposed in this country as a result of labor strikes or activities that are legal. Forced labor can in no event be tolerated in the United States except as punishment for an act that has validly been classified as criminal.

Parenthetically, you may be interested to know that the Soviet Union, which has ratified the other two conventions under consideration, has not ratified this one. The concern of the ILO with charges of forced labor in the Soviet Union is a matter of record.

The third convention, adopted by the United Nations General Assembly in late 1952 and opened for signature in 1953, deals with the political rights of women. As of January 1, 1967, there were 51 states parties to this convention.

Here again, there is no doubt that Constitutional guarantees and legislation now in force already reflect the aims and purport of the convention. We need no additional laws to ensure that women shall, on equal terms with men, be entitled to vote in all elections, be eligible for election to all publicly elected bodies established by national law, and be entitled to hold public office and exercise all public functions established by national law.

The first of these rights, the right of women to vote on equal terms with men, is the precise mandate of the Nineteenth Amendment to our Constitution. The Supreme Court, in Breedlove v. Suttles (303 U.S. 277, 283 (1937)), has ruled that the Amendment "by its own force supersedes inconsistent measures whether federal or state." Thus there can be no question of any divergence in this country from the standard set out in the convention.

The other rights provided for in the agreement relate to publicly elected bodies, public office and public functions *"established by national law."* In the United States, the term "National Law", as it appears in this convention can only be taken to mean Federal law. The history of and official United Nations commentary on the convention fully support this interpretation of the term.

That the Constitution bars arbitrary discrimination against women in their eligibility for Federal elected bodies and in their right to hold Federal office or to exercise functions in the Federal Government cannot be doubted. On the other hand, categorizations dependent upon the natural differences between women and men are permitted under our Constitution, and I understand such categorizations to be permissible under the present convention. Thus, for example, the history of the convention establishes that the terms "public office" and "public functions" were not intended to apply to military service. In voting for the convention, the United States delegate, Mrs. Eleanor Roosevelt, stated the understanding of the United States in this regard, adding that we understood the term "public office" to be coterminous with "public function".

If the Senate were to decide to give its advice and consent to United States accession to the convention, it might wish to indicate its understanding on these two points. Although I personally believe that this is not necessary, in light of Mrs. Roosevelt's statement, I would note that President Kennedy recommended such an understanding when he submitted the convention to the Senate in 1963.

As you can see, then, each of these conventions coincides very closely with the expressed principles and values of the United States. Each is a simple, forthright document, aimed at the achievement of a common international standard on matters of interest to the international community. And each is concerned with the eradication of social abuses that could and that have, at times, become sources of bitter differences among nations. In my view there is no doubt that these agreements are valid and proper subjects of the treaty power.

Before concluding, however, I wish to lay before you several further considerations that seem to me to indicate the advisability of United States ratification of these agreements.

The first is that there is a widely shared view in this country that we should take immediate steps to live up to our public professions of interest in the human rights field. Judging by the expressions of opinion that have come to the attention of the Administration, ratification would appear to fulfill the wishes of the American people.

The second point I want to make is that now is a particularly appropriate time for favorable consideration of these conventions. The General Assembly of the United Nations has proclaimed 1968 as the International Year for Human Rights, a year for new achievements and progress in this most important of areas of international concern. In my view we would usher in the International Year for Human Rights most felicitously by adherence to these conventions. For in so doing, we would demonstrate that this nation will not stand aloof from a major world effort to elevate human rights standards everywhere.

Thirdly, and perhaps most significantly, there are the tremendous consequences of our decision whether to ratify these conventions. I do not mean solely the consequences for the United States, which I have previously mentioned. I am referring, also, to the consequences for the conventions themselves, for their effectiveness and for the respect their provisions can command. Without the support of the United States, these agreements may appear insignificant to many other countries. If we do not consider it important to sign the conventions, why should they? And more importantly, why should they implement the conventions?

With United States ratification, on the other hand, these conventions would have a new life. In expressing our acceptance and in faithfully implementing the provisions of these agreements, we would encourage states that have thus far withheld adherence to reconsider their position. When there are departures from the standards that the conventions lay down, the United States would be able, as a state party, to exert its influence to bring about renewed observance of those standards.

A tremendous impetus would thus be provided for the worldwide battle for human rights. And the solemn human rights provisions of the United Nations Charter would receive some real content. I believe that the United States, with its profound commitment to the rule of law, can only contemplate such a prospect with approval.

We are, after all, a nation that stands for something in world history. "Certain unalienable rights" were proclaimed in 1776 as the heritage of "all men"— not just Americans. Abraham Lincoln said there was "something in that Declaration giving liberty not alone to the people of this country, but hope for the world, for all future time."

It is deep in our American character to believe in this. And the influence of those brave words of 1776, in country after country, generation after generation down to our own day, is solid proof that these ideas are universal and that they can move men to action on a very large scale. When such ideas come to the surface anywhere in the world, our national conscience does not allow us to be indifferent to them.

I would urge your Committee to recommend to the Senate that it advise and consent to all three of the conventions before you.

Mr. PROXMIRE. I ask unanimous consent that the letter of July 22, 1963 to the Senate from President John F. Kennedy, requesting our support for these human rights conventions be printed in the Record at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

[Office of the White House Press Secretary, July 22, 1963]

The White House made public today the following letter from the President of the Senate:

JULY 22, 1963.

HON. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: I have today transmitted to the Senate three conventions with a view to receiving advice and consent to ratification. These are:

1. The Supplementary Convention to the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery prepared under the direction of the United Nations in 1956, to which 49 nations are now parties.

2. The Convention on the Abolition of Forced Labor, adopted by the International Labor Organization in 1957, to which 60 nations are now parties.

3. The Convention on the Political Rights of Women, opened for signature by the United Nations in 1953, to which 39 nations are now parties.

United States law is, of course, already in conformity with these conventions, and ratification would not require any change in our domestic legislation. However, the fact that our Constitution already assures us of these rights does not entitle us to stand aloof from documents which project our own heritage on an international scale. The day-to-day unfolding of events makes it ever clearer that our own welfare is interrelated with the rights and freedoms assured the peoples of other nations.

These conventions deal with human rights which may not yet be secure in other countries; they have provided models for the drafters of constitutions and laws in newly independent nations; and they have influenced the policies of governments preparing to accede to them. Thus, they involve current problems in many countries.

They will stand as a sharp reminder of world opinion to all who may seek to violate the human rights they define. They also serve as a continuous commitment to respect these rights. There is no society so advanced that it no longer needs periodic recommitment to human rights.

The United States cannot afford to renounce responsibility for support of the very fundamentals which distinguish our concept of government from all forms of tyranny. Accordingly, I desire, with the constitutional consent of the Senate to ratify these Conventions for the United States of America.

Sincerely,

JOHN F. KENNEDY.

Mr. PROXMIRE. Mr. President, as I mentioned earlier, the subcommittee which reported these three human rights conventions to the full Foreign Relations Committee was very ably chaired by the senior Senator from Connecticut [Mr. DODD].

Senator DODD's great dedication to, and tireless labor in behalf of, human rights conventions go back to his service as a prosecuting attorney at Nuremberg. As a private attorney in 1950, Senator DODD testified persuasively in favor of U.S. ratification of the Genocide Convention before the Foreign Relations Committee. His commitment to the U.N. and the human rights conventions has been conclusively demonstrated time and again.

Because Senator DODD is ill today and unable to be here on the floor, I ask unanimous consent that a splendid speech which he had planned to deliver today be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

HUMAN RIGHTS CONVENTIONS

(Statement by Senator DODD)

I support the unanimous recommendation of the Committee on Foreign Relations that the Supplementary Slavery Convention be approved by the Senate. However, I want to disassociate myself from the Committee action in tabling the Forced Labor Convention and the Convention on the Political Rights of Women.

As Chairman of the Subcommittee on the Human Rights Conventions which reported favorably to the full Committee all three conventions referred to it, I wish to express my deep disappointment at the Committee's action in approving only one of the conventions, the Supplementary Slavery Convention.

I completely fail to understand the reasoning which persuaded the Committee to approve that Convention and table the other two.

I hope the Senate will reverse the Committee and approve the Conventions on Forced Labor and Political Rights of Women, as well as the Supplementary Slavery treaty.

POSITION OF THE BAR ASSOCIATION

Since the Committee's action exactly follows the recommendations of the American Bar Association rather than the majority of its Subcommittee, I want to make a few comments about the association and its stand on these treaties.

I have the highest regard for the American Bar Association, and in fact, I have been a member of this organization for over 30 years, serving on several committees on numerous occasions. My disagreement with the ABA is limited merely to what I consider to be the erroneous position that it has taken concerning these Human Rights Conventions.

In addition, I want to express my high regard for Mr. Eberhard P. Deutsch, Chairman of the Standing Committee on Peace and Law through the United Nations, of the ABA who presented the ABA position to the committee. I know him to be an outstanding lawyer and gentleman. My disagreement with him is limited also only to the position that he has taken concerning these treaties.

Only after the subcommittee commenced its hearings in February, did it receive a letter from the American Bar Association asking for a delay in consideration until that association could make up its mind concerning these treaties. The ABA asked for this delay in spite of the fact that the treaties had been pending in the Senate since 1963 and had been negotiated in the mid-fifties.

The subcommittee continued its hearings, taking testimony from all who asked to be heard and keeping the record open for additional statements for another two weeks after the last hearing on March 8, 1967. It is highly significant that all statements made to the subcommittee—oral, and in writing, including the statement of Ambassador Goldberg representing the Administration—strongly supported the approval of all three conventions.

Even though the Subcommittee was ready to make its recommendation in March, it was decided to wait until May to allow the Bar association further time to make a recommendation. When it developed that the Board of Governors and the interested committees were unable to agree on a recommendation, the subcommittee proceeded to report all three conventions favorably to the Committee.

In August, the House of Delegates of the American Bar Association met in Honolulu and passed a resolution recommending approval of the Slavery Convention, no action on the Forced Labor Convention, and disapproval of the Political Rights for Women Convention. These recommendations were laid before the full Committee at another public hearing held in September.

SUPPORT FOR POSITION WITHIN THE LEGAL PROFESSION

Now what about these recommendations? How much support do they have within the association itself? How contradictory and inconsistent are they?

The testimony of Max Chopnick, one of the ABA witnesses, is very illuminating on the first point. It appears on pages 45–47 of part 2 of the hearings, and describes the monumental travail of the ABA in arriving at any kind of a position. The position finally adopted was by a vote of 115 for to 92 against.

So 115 lawyers in the United States out of 313,462 (1967 census) voted in favor of the split recommendations—described as a compromise—presented to the Foreign Relations Committee. Forty-four percent of the lawyers present at the meeting voted against even this compromise. When this close vote is compared to the favorable testimony of the many other lawyers who appeared before the subcommittee and the favorable recommendations of the following bar associations: Alaska, Colorado, District of Columbia, Los Angeles, New Jersey, New York City, New York State, and Philadelphia, one wonders exactly how much weight should be given to the ABA recommendation.

The record is clear that there are far more lawyers who support ratification than there are who oppose it.

VALIDITY OF ABA'S ARGUMENT

The opponents within the ABA made the same argument against all three of these Human Rights Conventions—namely that they constitute interference in matters which traditionally have been considered to be within the domestic jurisdiction of sovereign states. This argument, levelled at all three treaties, was accepted only in the case of one—the Convention on the Political Rights of Women. If it had any validity, it would have been deemed valid by the ABA against all three treaties.

In its testimony before the Foreign Relations Committee in support of its recommendation, the ABA representatives strained to find something good to say about the Slavery Convention that could not be said about the other two treaties. They found one article, one sentence and a previous treaty to justify the difference in their recommendations and the Committee repeated that line of argument in its report.

If qualifying women as voters—as required by the Political Rights of Women Convention—is considered to be a domestic matter, so certainly would be the exploitation of children and the prescription of minimum ages of marriage. Yet these are among the matters covered by the supplementary slavery convention.

The parallel recommendations of the Bar Association and the Committee on Foreign Relations are lacking in consistency and logic and fail to address themselves to the merits of the conventions. Both have succeeded merely in straddling the issue in a pragmatic effort to dispose of the question.

THE DOMESTIC JURISDICTION ARGUMENT

As I previously stated the ABA's main argument is that all these treaties invade fields which have been considered to be domestic in nature—fields said to be improper subjects for international covenants because they concern the relationship of the state to its citizens. This, essentially is the traditional Dulles-Bricker view of the treaty making power, expressed in the early 1950's.

Even while he expressed this view, the late Secretary of State added: "By traditional I do not mean to imply that the boundary between domestic and international concerns is rigid and fixed for all time."

This view of the treaty power was even then disputed and surely is now outmoded. As President Kennedy stated in his overall message submitting these treaties to the Senate in 1963:

"The day-to-day unfolding of events makes it ever clearer that our own welfare is interrelated with the rights and freedoms assured the peoples of other nations."

More and more matters that were once considered to be of purely domestic concern have become international in character. One of the ABA representatives even endorsed a United Nations Convention (not yet submitted) on the nationality of married women, at the same time that he opposed political rights for women.

I concur with the many witnesses before the subcommittee who concluded that all three treaties encompass matters which are entirely appropriate subjects for international treaty-making. While Human Rights conventions are largely a post-World War II development, there are precedents for taking action.

The original slavery convention has already been cited in the majority report:

A convention on the Nationality of Women was ratified during the administration of Franklin D. Roosevelt.

The several International Labor Organization conventions approved by the Senate over the years deal essentially with human rights.

And, the Single Convention on Narcotics recently approved by the Senate with its limitations on the production, manufacture, sale and distribution of narcotics within the contracting states deals with a matter of domestic jurisdiction.

I call attention to the testimony of one of the witnesses on the Narcotics Convention, a former U.S. Commissioner of the Bureau of Narcotics, Mr. H. J. Anslinger. Referring to the marijuana problem, he stated:

"Several groups in the United States are loudly agitating to liberalize controls and, in fact, to legalize its use.

"In the convention it is very specific that we must prevent its misuse. If the United States becomes a party to the 1961 convention we will be able to use our treaty obligations to resist legalized use of marijuana."

Here we have a former high government official arguing for a treaty on the very grounds that it will affect domestic jurisdiction over the problem of narcotics. Such a fundamental question is not even involved in the Forced Labor and Political Rights of Women Conventions which the Committee voted to table while earlier approving the narcotics treaty:

All witnesses pro and con agree that none of the presently pending Human Rights treaties require the U.S. to change or enact any domestic laws to bring U.S. practice in conformity with the treaty obligations. It is therefore all the more incomprehensible to me how they can be construed as affecting domestic jurisdiction.

It has been alleged that, since treaties become the law of the land, these treaties will serve to increase the jurisdiction of the Federal Government vis-a-vis the States by bringing within the Federal jurisdiction matters now within state jurisdiction, such as qualification of voters. Ambassador Goldberg answered this argument very well when he said at the Subcommittee hearings in February:

"There were concerns in that area about federalism and State relations. Now, Congress has acted, asserting congressional power in the civil rights area, for example, and therefore, I can say to you that nothing in these conventions transcends or requires any legislation on our part. The legislation has been enacted and the Supreme Court of the United States has sustained the congressional legislation in this area. So doubts on that score have now been settled by supervening events."

OTHER HUMAN RIGHTS TREATIES

Some of the opposition to these treaties appears to be based in large part on other treaties adopted by the U.N. which have not yet been submitted to the Senate, the implication being that if the U.S. Senate approves the pending treaties, the State Department will send up the others for similar approval. This argument has been answered by the ABA itself, when it agreed that each treaty should be judged on its own merits and proceeded to do so in the case of the present three—coming up with three different recommendations. Because the U.N. may have drafted a number of other treaties which, on the surface, appear to be far-fetched, this is not a reason to reject any or all presently pending Human Rights treaties.

The distinguished Senator from Kentucky, Senator Cooper, I know, was disturbed by some of the language in the Forced Labor Convention that he felt could be used to construe the prohibitions against strikes by Federal and State employees and the 90 day injunction period of the Taft-Hartley Act as Forced Labor. While I realize that reservations are not permissible on International Labor Organization Treaties, understandings are acceptable. The following understandings, I believe, if made part of the ratifying resolution of the Forced Labor Convention would have clarified any misunderstandings in the meaning of this Convention as it applied to the United States:

"*Resolved (two-thirds of the Senators present concurring therein)*, That the Senate advise and consent to ratification by the United States of America of the Convention concerning the Abolition of Forced Labor (Convention No. 105) Executive K, Eighty-eighth Congress, First Session), with the following understandings:

"1. The Convention is not applicable to prison labor imposed after due conviction under Federal or State law for illegal strike activities or imposed for violation of a court order validly issued under Federal or State law enjoining a strike.

"2. The Convention is not applicable to prison labor imposed after due conviction under Federal or State laws which prohibit persons who participate in a strike or assert the right to strike against the Federal Government or the Government of any State, or any agency thereof, from accepting or holding office or employment in the Federal Government or in such State Government, or in such agency."

Unfortunately, the Committee did not find this language acceptable, and therefore, voted to table the Convention along with the Convention on the Political Rights of Women.

OTHER COUNTRIES ACTIONS

It has been alleged that there is no useful purpose served in adhering to these treaties because countries to which they would have the greatest applicability—for example the Soviet Union with regard to Forced labor, and African and Near Eastern nations with regard to slavery—have not become parties.

The question that immediately comes to mind is: does the U.S. want to become associated with those nations of the world which cannot subscribe to these treaties because they practice what the treaties proscribe?

Doubts have also been cast on the meaningfulness of action taken by countries which *have* become contracting parties. The word "hypocrisy" has been used to describe their action because, it is alleged, these rights have no true and real meaning within the context of many primitive societies. This attitude denies to the newly emerging nations any credit for having ideals that may be greater than their present capacities for fulfilling them. If any nation, including our own, should ever cease to have visions of a life better than the present one, the future of the world would indeed be dark.

Finally, I would like to quote from a U.S. official on the firing line at the United Nations, where the U.S.'s dismal record on Human Rights treaties is thrown back at us at every opportunity. I quote from the testimony of Ambassador Morris Abrams, our U.S. Representative to the U.N. Commission on Human Rights:

"Mr. Chairman, this brings me to a problem of which I have had a frontline experience as our representative to the Human Rights Commission—the serious embarrassment to the conduct of our policy at the United Nations stemming from our failure to ratify these conventions. I would like to take as my text the following remarks directed to me by the Soviet Delegate in the course of the Commission's Spring 1966 Session. With your permission I shall read an excerpt from the Summary Record of that session:

" 'Mr. MOROZOV (Union of Soviet Socialist Republics) said that, having listened carefully to the statement by the United States representative on 25 March and having heard him warmly support the Costa Rican proposal for the creation of a post of United Nations High Commissioner for Human Rights, he was obliged to point out that once again the Commission was witnessing an attempt by the United States to divert it from its basic task, which was to promote respect for human rights and fundamental freedoms. Once again, instead of being encouraged to follow its proper course, which was to draw up conventions and instruments in the sphere of human rights with supervisory machinery to ensure their implementation, the Commission had before it a proposal so nebulous that even those who supported it were unable to speak clearly on the subject.

" 'An objective analysis of the political orientation of the proposal so ardently supported by the United States and its allies soon revealed that the proposal was designed to give world public opinion the impression of active participation in the cause of human rights by States which in practice obstinately refused to fulfill their obligations under the multilateral international conventions in the field of human rights drawn up under the auspices of the United Nations and its specialized agencies.

" 'The United States representative had admitted that the United States had lagged behind in that sphere. That was an understatement; he would mention some of the conventions which the United States had not yet ratified.

" 'Firstly, there was the Convention on the Prevention and Punishment of the Crime of Genocide, which had come into force on 12 January 1951. Not only had the United States failed to ratify that Convention, which was designed to prevent the recurrence of nazi and fascist crimes, but during the drafting of that instrument it had endeavored to deform the text by a series of proposals and amendments.

" 'Similarly, during the preparation of the Convention on the Political Rights of Women, the United States had endeavoured to diminish its scope and, despite the concessions that had been made in the hope that it would ratify the Convention, the United States had still not done so, twelve years after it had come into force.

" 'The United States was still not a party to the Slavery Convention of 7 June 1955 or the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 30 April 1957. It might also be wondered when the United States would decide to ratify the International Convention on the Elimination of All Forms of Racial Discrimination, which had recently been adopted by the General Assembly.

" 'With regard to the conventions drawn up under the auspices of the specialized agencies, he pointed out that the United States had so far failed to sign certain very important conventions, such as the Convention on Discrimination in Respect of Employment and Occupation and the Convention against Discrimination in Education, which included measures designed to ensure the implementation without discrimination of certain fundamental human rights at the national and international level.

" 'As for the draft Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, the United States delegation had long since made it clear that its country would not sign them.

" 'Instead of criticizing the various conventions adopted in the sphere of human rights for their narrow scope, the United States would do well to accede to those instruments and try to increase their effectiveness.

" 'It was clear from the facts he had just mentioned that the United States, wishing to escape from the untenable position into which it had been forced by its refusal to ratify the conventions in question, had thought that it could confuse the issue by strongly supporting the creation of the post of United Nations High Commissioner for Human Rights." E/CN.4/SR. 879, pp. 9–10.' "

My question to the Senate is: To whom shall we listen? The lawyers working back in their hometown offices, who came up with a recommendation that was born out of confusion and is full of contradiction? Or the lawyers on the front line of our international representation at the United Nations?

I am pleased to note that the Committee report to which I subscribe as far as it goes, makes mention that 1968 has been designated International Human Rights Year.

It does not note, however, that the General Assembly of the United Nations called upon its member states to ratify nine Human Rights treaties, of which the Committee recommended only one.

This action by the Committee is worse than doing nothing at all because it strongly suggests that the United States will refuse to ratify any of the other Human Rights Conventions.

I hope that the Senate will reverse this decision and give its approval to all three treaties in the so-called Kennedy package—The Supplementary Slavery Convention, the Forced Labor Convention and the Political Rights of Women Convention.

In addition, it is my hope that the Genocide Convention, which was sent to the Senate in 1949 by President Truman and for all intents and purposes has been shelved ever since, will be sent to the Subcommittee for its consideration. I testified as a private citizen before the Foreign Relations Committee as early as 1950 in favor of Senate ratification of the Genocide Convention. I think it is a travesty that the United States has not to date ratified it.

In conclusion, I would like to pay tribute to the members of the Ad Hoc Subcommittee on Human Rights Conventions and to thank them for the time and diligence they gave to the consideration of these treaties. I am only sorry that the Subcommittee majority recommendation was not accepted by the full committee.

Mr. JAVITS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. JAVITS. I ask for 2 minutes.

Mr. MANSFIELD. Mr. President, notwithstanding the agreement entered into, I ask unanimous consent that the time of the Senator from Wisconsin be extended 10 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. JAVITS. Mr. President, I wish to associate myself generally with the views expressed by the Senator from Wisconsin. I believe that he renders us all a fine service in having taken up the cudgels as he has for these two conventions, which have literally been slumbering in the Foreign Relations Committee.

I have spoken before of the Genocide Convention, which is a matter of the very deepest interest to me, for obvious reasons, considering the holocaust which was perpetrated upon the Jews of Europe during the Hitler terror, repetition of which that convention was designed to avoid in the future, as well as to put at rest legal questions which agitated some of the most broadminded and humanitarian Members, even, of this body, with respect to the Nuremberg trials.

Mr. President, I know that this is a cynical and difficult world, a fact which the Senator from Wisconsin recognizes as well as I do. Somehow or other, it takes the character of the greatest nation in that world to stamp each proposal such as this, in the corridor of history, as an advance or a regression. That is the unique opportunity which our country has. We all know, that if we do not do it, it will not be done. Others must join with us, but the impetus must come from us.

No one knows that better for example, than our distinguished majority leader, who has been waging such a magnificent struggle with the administration of his own party to bring the Vietnam question before the United Nations. If it is to be done we have to do it; and for that reason, I certainly join with the Senator from Wisconsin and all others who understand that this kind of leadership is necessary for ratifying these conventions—and it is a disgrace that we have not done so heretofore. The fears which have delayed their ratification—fears of interference with our sovereignty of our ability to punish criminals, or any such thing as that—are completely unjustified. I believe the findings of the committee are conclusive on that score.

History will mark us either as achieving a new plateau of human decency, or standing still, or regressing. Therefore, I take the greatest pride in joining with the Senator from Wisconsin and other Senators in this struggle.

Even the lonely voice is never completely unheard. I urge the Senator from Wisconsin, though it may seem difficult, to keep it up. I too shall speak, and many others will. I have deep faith that the objective will be accomplished, because it reflects the essential temper of our people. That does not mean our people will do it. Often the temper of a people is not brought to fruition, through their own failures of leadership or perseverance, or persuasion, or even the lack of ability to put the case clearly enough.

But it can be done, and I am honored to join the Senator in trying to do it.

Mr. PROXMIRE. I say to the distinguished senior Senator from New York that I deeply appreciate those eloquent and persuasive words. I also welcome the support of the Senator from New York on this issue, for many reasons. He is not only a nationally recognized humanitarian, not only a man who has the deepest sensitivity and feeling in these areas of human rights and human liberties, but he is also a very competent lawyer.

I do not know of any Senator who is a more competent lawyer or who understands our Constitution or international law better.

After all, the only group that opposed one of these treaties was the American Bar Association, and they did it by a closely divided vote. They only opposed the treaty relating to the political rights of women. They did not oppose the treaty relating to forced labor. The outcome of these matters is discouraging in the Foreign Relations Committee. But the fight is just beginning. I think that the words of enthusiastic and fervent support from the Senator from New York is most significant and welcome. I think the position the Senator from New York has taken should weigh very heavily with Members of the Senate.

Mr. JAVITS. Mr. President, I would not even give up on the American Bar Association. Close votes have turned the other way on previous occasions in this and in other bodies, including the American Bar Association.

I still hope that the lawyers of the country will recognize the justice of this case. And I hope that interested lawyers will take heart and support the position taken by the Senator from Wisconsin and renew the fight in the American Bar Association.

Mr. PROXMIRE. Mr. President, I thank the distinguished Senator from New York.

I ask unanimous consent to have printed in the RECORD a statement by the Senator from Massachusetts [Mr. BROOKE], who is necessarily absent today.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT BY SENATOR BROOKE

On September 23rd, 1862, the President of the United States issued an order that, as of January 1st of the following year, all slaves in any state then in rebellion against the United States "shall be, then, thenceforward, and forever free." With that proclamation slavery was formally abolished in the United States.

Sixty-four years later, almost to the day, the Slavery Convention of the League of Nations was signed at Geneva. This document indicated the desire of the signatories that slavery and the slave trade should be abolished in that part of the world under their control.

In 1956, ninety-four years after the Emancipation Proclamation was issued by President Lincoln, thirty-two of the nations of the world signed a Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery. Since then, the total number of signatories has risen to sixty-seven. All of the continents of the world are represented. Our allies, such as Britain and Germany and Australia, have signed. Our neighbors, Canada and Mexico, have added their names to the list. The new nations of Africa and Asia are well represented. The Soviet Union and its allies were numbered among the original signatories.

This Convention is not a controversial document. It takes no sovereignty away from this government. It has no direct impact upon our peoples or upon our laws. The principles it espouses were a part of the heritage which this country took the leadership in giving to the world over one hundred years ago.

This Convention represents a recognition on the part of the majority of the nations of the world that the principles for which this nation has always stood—principles of liberty and justice and equality—are right. It is simple, direct and compelling evidence that the values which this nation has held since its inception are not isolated values, peculiar to our own environment and intellectual heritage. Rather they are universal values, whose worth we should proudly uphold.

This nation should be in the forefront of the commitment to human rights. We should have been the first to sign this Convention, not the 70th. We should have been the first to sign the Conventions on the Rights of Women, on Discrimination in Employment, on Genocide and on Forced Labor. Instead, we have stood by while fifty, sixty, and in one case seventy-eight of the nations of the world have indicated their support for principles and ideals which we may well have been the first nation in history to adopt in practice.

We must not assume that our principles are self-evident. We must not give the nations of the world reason to question our commitment to the values which they are striving to implement and to understand.

I applaud the decision of the Foreign Relations Committee to submit the Supplementary Convention on the Abolition of Slavery to the Senate for ratification today. I hope that the press of other business will not now intervene and prevent the consideration of other, equally important human rights conventions. Our ratification of this and other conventions will lend considerable support to the validity and force of the ideals which they contain as guiding principles in our modern world.

The **PRESIDING OFFICER**. Without objection, the convention will be considered as having been passed through its various parliamentary stages up to and including the presentation of the resolution of ratification.

The clerk will read the resolution of ratification.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to accession by the United States of America to the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (Ex. L, 88th Cong., first sess.).

Mr. **MANSFIELD**. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. **MANSFIELD**. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the resolution of ratification on Executive L, 88th Congress, first session, the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, signed at Geneva on September 7, 1956.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. **BYRD** of West Virginia. I announce that the Senators from Nevada [Mr. BIBLE and Mr. CANNON], the Senator from Missouri [Mr. LONG], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Ohio [Mr. YOUNG] are absent on offical business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Idaho [Mr. CHURCH], the Senator from Connecticut [Mr. DODD], the Senator from Michigan [Mr. HART], the Senator from Washington [Mr. MAGNUSON], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico [Mr. ANDERSON], the Senators from Nevada [Mr. BIBLE and Mr. CANNON], the Senator from Idaho [Mr. CHURCH], the Senator from Connecticut [Mr. DODD], the Senator from Michigan [Mr. HART], the Senator from Missouri [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from New Mexico [Mr. MONTOYA], the Senator from Rhode Island [Mr. PASTORE], the Senator from Florida [Mr. SMATHERS], and the Senator from Ohio [Mr. YOUNG] would each vote "yea."

Mr. **KUCHEL**. I announce that the Senator from Kansas [Mr. CARLSON] and the Senator from Iowa [Mr. HICKENLOOPER] are absent on official business.

The Senator from Tennessee [Mr. BAKER], the Senator from Massachusetts [Mr. BROOKE], the Senator from Kentucky [Mr. COOPER], the Senator from Illinois [Mr. DIRKSEN], the Senator from Nebraska [Mr. HRUSKA], the Senator from California [Mr. MURPHY], and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

The Senator from New Jersey [Mr. CASE] and the Senator from Kentucky [Mr. MORTON] are detained on official business.

If present and voting, the Senator from Tennessee [Mr. BAKER], the Senator from Massachusetts [Mr. BROOKE], the Senator from Kansas [Mr. CARLSON], the Senator from New Jersey [Mr. CASE], the Senators from Kentucky [Mr. COOPER and Mr. MORTON], the Senator from Illinois [Mr. DIRKSEN], the Senator from Nebraska [Mr. HRUSKA], the Senator from California [Mr. MURPHY], and the Senator from Pennsylvania [Mr. SCOTT] would each vote "yea."

The yeas and nays resulted—yeas 77, nays 0, as follows:

[No. 306 Ex.]

YEAS—77

Aiken
Allott
Bartlett
Bayh
Bennett
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Clark
Cotton
Curtis
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hartke
Hatfield
Hayden
Hill
Holland
Hollings
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, La.
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Morse
Moss
Mundt
Muskie
Nelson
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

NAYS—0

NOT VOTING—23

Anderson
Baker
Bible
Brooke
Cannon
Carlson
Case
Church
Cooper
Dirksen
Dodd
Hart
Hickenlooper
Hruska
Long, Mo.
Magnuson
Montoya
Morton
Murphy
Pastore
Scott
Smathers
Young, Ohio

The **PRESIDING OFFICER** (Mr. LAUSCHE in the chair). Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

TAX CONVENTIONS WITH CANADA, AND WITH TRINIDAD AND TOBAGO

Mr. **MANSFIELD**. Mr. President, I move that the Senate proceed to the consideration of Executive B, 90th Congress, first session, and Executive F, 90th Congress, first session.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider Executive B (90th Cong., first sess.), an income tax convention with Canada, and Executive F (90th Cong., first sess.), an income tax convention with Trinidad and Tobago, which were read the second time, as follows:

SUPPLEMENTARY CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND CANADA FURTHER MODIFYING AND SUPPLEMENTING THE CONVENTION AND ACCOMPANYING PROTOCOL OF MARCH 4, 1942, FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION IN THE CASE OF INCOME TAXES AS MODIFIED BY THE SUPPLEMENTARY CONVENTION OF JUNE 12, 1950, AND THE SUPPLEMENTARY CONVENTION OF AUGUST 8, 1956

The Government of the United States of America and the Government of Canada, desiring to further modify and supplement in certain respects the Convention and accompanying Protocol for the avoidance of double taxation and the prevention of fiscal evasion in the case of income taxes signed at Washington on March 4, 1942, as modified by the Supplementary Convention of June 12, 1950, and the Supplementary Convention of August 8, 1956, have decided to conclude a Supplementary Convention for that purpose and have agreed as follows:

ARTICLE I

The provisions of the Convention and Protocol between the United States of America and Canada, signed at Washington on March 4, 1942, as modified by the Supplementary Convention of June 12, 1950, and the Supplementary Convention of August 8, 1956, are hereby further modified by adding to Article XI thereof the following new paragraph:

"6. Paragraph 1 of this Article shall not apply in respect of income derived from sources in one of the Contracting States and paid to a corporation organized under the laws of the other Contracting State if such corporation is not subject to tax by the last-mentioned Contracting State on that income because it is not a resident of the last-mentioned Contracting State for purposes of its income tax."

ARTICLE II

1. This Supplementary Convention is done in the English and French languages, each version being equally authentic. It shall be ratified and the instruments of ratification shall be exchanged at Ottawa as soon as possible.

2. This Supplementary Convention shall come into force on the date on which instruments of ratification are exchanged and shall thereupon have effect with respect to income paid on or after (a) January 1, 1967, or (b) the date on which the instruments of ratification are exchanged, whichever is the later. It shall continue in force indefinitely as thought it were an integral part of the Convention of March 4, 1942, as modified by the Supplementary Convention of June 12, 1950, and the Supplementary Convention of August 8, 1956.

IN WITNESS WHEREOF the undersigned, duly authorized thereto, have signed this Supplementary Convention.

DONE in duplicate, in the English and French languages, at Washington this 25th day of October, 1966.

For the Government of the United States of America:

NICHOLAS DEB. KATZENBACH

For the Government of Canada:

A. E. RITCHIE

CONVENTION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF TRINIDAD AND TOBAGO FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME AND THE ENCOURAGEMENT OF INTERNATIONAL TRADE AND INVESTMENT

The Government of the United States of America and the Government of Trinidad and Tobago,

Desiring to conclude a convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, and the encouragement of international trade and investment,

Have agreed as follows:

ARTICLE 1

Taxes covered

(1) The taxes which are the subject of the present Convention are:

(a) In the case of the United States, the Federal income tax, including surtax, imposed by the Internal Revenue Code.

(b) In the case of Trinidad and Tobago, the corporation tax and the income tax.

(2) The present Convention shall also apply to taxes substantially similar to those covered by paragraph (1) of this Article which are subsequently imposed in addition to, or in place of, existing taxes.

ARTICLE 2

Definitions

(1) In the present Convention, unless the context otherwise requires:

(a) The term "United States" means the United States of America and, when used in a geographical sense, means the States thereof and the District of Columbia.

(b) The term "Trinidad and Tobago" means the country of Trinidad and Tobago and, when used in a geographical sense, means the Island of Trinidad, the Island of Tobago and their dependencies.

(c) The terms "one of the Contracting States" and "the other Contracting State" mean the United States or Trinidad and Tobago, as the context requires.

(d) The term "person" comprises an individual, a corporation and any other body of individuals or persons.

(e) The term "United States corporation" or "corporation of the United States" means a corporation, or an entity treated as a corporation for United States tax purposes, which is created or organized under the laws of the United States or any State thereof or the District of Columbia.

(f) The term "Trinidad and Tobago corporation" or "corporation of Trinidad and Tobago" means any corporation or any entity treated as a corporation for Trinidad and Tobago tax purposes, the business of which is managed and controlled in Trinidad and Tobago.

(g) The term "resident of one of the Contracting States" means an individual who is a resident of that Contracting State for purposes of the tax of that Contracting State and includes an individual acting as a partner or fiduciary to the extent that the income derived by such individual in that capacity is taxed as the income of a resident.

(h) The terms "resident or corporation of one of the Contracting States" and "resident or corporation of the other Contracting State" mean a resident or corporation of the United States or a resident or corporation of Trinidad and Tobago, as the context requires.

(2) As regards the application of the present Convention by a Contracting State, any term not expressly defined shall, unless the context otherwise requires, have the meaning which it has under the laws of that Contracting State relating to the taxes which are the subject of the present Convention.

ARTICLE 3

Dividends

(1) The tax imposed by one of the Contracting States on dividends derived from sources within that Contracting State by a resident or corporation of the other Contracing State shall not exceed—

(a) 25 per cent of the gross amount distributed; or

(b) when the recipient is a corporation 5 per cent of the gross amount distributed if—

(i) during the part of the paying corporation's taxable year which precedes the date of payment of the dividend and during the whole of its prior taxable year (if any), at least 10 per cent of the outstanding shares of the voting stock of the paying corporation was owned by the recipient corporation, and

(ii) not more than 25 per cent of the gross income of the paying corporation for such prior taxable year (if any) consisted of interest and dividends (other than interest derived in the conduct of a banking, insurance or financing business, and dividends or interest received from subsidiary corporations having 50 per cent or more of the outstanding shares of the voting stock owned by the paying corporation at the time such dividends or interest were received).

(2) The provisions of paragraph (1) shall not apply if the recipient of the dividends is a resident or corporation of one of the Contracting States and has a permanent establishment in the other Contracting State.

(3) (a) The term "dividend" in the case of Trinidad and Tobago includes any item which under the law of Trinidad and Tobago is treated as a distribution.

(b) The term "dividend" in the case of the United States includes any item which under the law of the United States is treated as a distribution of earnings and profits.

(4) Dividends paid by a corporation of one of the Contracting States to a person other than a resident or corporation of the other Contracting State (and in the case of a dividend paid by a Trinidad and Tobago corporation, to a person other than a citizen of the United States) shall be exempt from tax by the other Contracting State.

(5) Notwithstanding the provisions of paragraphs (2) and (4) above, where a corporation of one of the Contracting States has a permanent establishment in the other Contracting State and derives profits or income from that permanent establishment, any remittances of such profits or income by that permanent establishment may be taxed in accordance with the law of such other Contracting State except that the provisions of subparagraph (1) (b) of this Article shall apply.

ARTICLE 4

Credit

(1) The United States, in determining United States tax in the case of its citizens, residents or corporations may, regardless of any other provision of this Convention, include in the basis upon which such tax is imposed all items of income taxable under the revenue laws of the United States, as if this Convention had not come into effect. Subject to the provisions of the law of the United States regarding the allowance as a credit against United States tax of tax payable in a territory outside the United States (which shall not affect the general principle hereof), the United States shall allow to a citizen, resident or corporation, as a credit against its taxes, the appropriate amount of Trinidad and Tobago income tax paid and, in the case of the United States corporation owning at least 10 percent of the voting power of a corporation resident in Trinidad and Tobago, shall allow credit for the appropriate amount of Trinidad and Tobago tax paid by the corporation paying such dividend with respect to the profits out of which such dividend is paid, if the recipient of such dividend includes in its gross income for the purpose of United States tax the amount of such Trinidad and Tobago tax. For this purpose, the recipient of any dividend paid by a corporation which is resident in Trinidad and Tobago shall be considered to have paid to Trinidad and Tobago income tax legally deducted from such dividend payment by the person by or through whom payment thereof is made (to the extent that it is a tax chargeable in accordance with the present Convention), if such recipient elects to include in his gross income for purposes of United States tax the amount of such Trinidad and Tobago tax. The appropriate amount of Trindad and Tobago tax which shall be allowed as a credit under this paragraph shall be based upon the amount of Trinidad and Tobago tax paid but shall not exceed that portion of United States tax which net income from sources within Trinidad and Tobago bears to the entire net income.

(2) Subject to the provisions of the law of Trinidad and Tobago regarding the allowance as a credit against Trinidad and Tobago tax of tax payable in a territory outside Trinidad and Tobago (which shall not affect the general principle hereof)—

(a) the United States tax payable under the law of the United States and in accordance with the present Convention, whether directly or by deduction (excluding, in the case of a dividend, tax payable in respect of profits out of which the dividend is paid), shall be allowed as a credit against any Trinidad and Tobago tax;

(b) in the case of a dividend paid by a United States corporation to a Trinidad and Tobago corporation which controls directly or indirectly, at least 10 percent of the voting power in the United States corporation, the credit shall take into account (in addition to any United States tax creditable under (a)) the United States tax payable by the United States corporation in respect of the profits out of which such dividend is paid;

the amount of United States tax which shall be allowed as a credit under this paragraph shall be based upon the amount of United States tax paid but shall not exceed that portion of Trinidad and Tobago tax which net income from sources within the United States bears to the entire net income.

ARTICLE 5

Effective date

(1) The present Convention shall be ratified and the instruments of ratification exchanged at Port of Spain as soon as possible.

(2) The present Convention shall enter into force upon the exchange of instruments of ratification. The Contracting States agree, however, following the signing of this Convention, to take all such steps as are necessary to give effect to the provisions of this Convention so that such provisions shall commence with effect from January 1, 1966.

(3) The present Convention shall terminate on December 31, 1967. However, if both of the Contracting States agree on or before December 31 of any taxable year by notes exchanged through diplomatic channels to continue this Convention in effect for the following year, the present Convention shall continue to be effective during such following year.

IN WITNESS WHEREOF the undersigned, duly authorized by their respective Governments, have signed the present Convention.

Done in duplicate at Port of Spain this 22nd day of December, 1966.

For the Government of the United States of America:

[SEAL] ROBERT G. MINER
Ambassador Extraordinary and Plenipotentiary

For the Government of Trinidad and Tobago:

[SEAL] ARTHUR N. R. ROBINSON
Minister of Finance

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on each of these conventions, with the vote on the convention with Canada beginning at 2 p.m.

The **PRESIDING OFFICER.** Will the Senator state whether he wishes the vote on these two measures to be en bloc or separately?

Mr. MANSFIELD. Separately, with the vote on the first convention with Canada beginning at 2 p.m., followed by a second vote on the convention with Trinidad and Tobago upon the completion of the first vote.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. FULBRIGHT. Mr. President, the supplementary convention with Canada contains one substantive article, the purpose of which is to add a new paragraph to article XI of the 1942 convention dealing with taxes imposed by one country on income derived from sources within the other country.

The effect of this new paragraph is to eliminate preferential treatment accorded to persons living outside both countries who receive investment income from the United States at substantially reduced tax rates. This preferential treatment results from the combined effect of article XI, which reduces from 30 to 15 percent the U.S. withholding tax rate on investment income flowing to Canadian corporations, and the domestic law of Canada, which exempts a Canadian company from tax on income from outside that country if the company is managed and controlled abroad. The result has been to allow third-country residents to use Canadian companies as a device to avoid American taxes.

The tax convention with Trinidad and Tobago consists of five articles, only two of which contain substantive provisions. According to the executive branch, it is designed primarily as an interim measure to permit corporations of one of the countries to receive dividends from their subsidiary corporations operating in the other country at a reduced rate of withholding tax. The existing internal law of the United States and Trinidad and Tobago provides that dividends paid by a corporation of one country to a resident of the other country are subject to a 30-percent withholding tax. Under certain conditions—see paragraph (1) of article 3—the convention will have the effect of reducing this withholding rate to 5 percent with respect to such dividends.

Trinidad and Tobago imposes a corporation tax at a rate of 44 percent. In addition, under its Finance Act of 1966, it imposes a tax of 30 percent on profits derived in that country by a permanent establishment of a U.S. corporation, unless such profits are invested within Trinidad and Tobago. This convention—see paragraph (5) of article 3—will have the effect of reducing from 30 to 5 percent the Trinidad and Tobago tax on profits—after payment of the 44-percent corporation tax—derived in that country by a permanent establishment of an American corporation.

Article 4 of the convention governs the credit which will be allowed by each of the countries for taxes paid to the other country. Pursuant to its provisions, the amount of tax allowed as a credit will be based upon the amount of Trinidad and Tobago tax paid, but "shall not exceed that portion of U.S. tax which net income from sources within Trinidad and Tobago bears to the entire net income."

Mr. President, the Committee on Foreign Relations held a public hearing on these two conventions, as well as the convention with Brazil, on October 5, 1967. Nobody appeared in opposition to the two pending conventions and so far as I am aware there is no objection to either of them.

I wish to emphasize that neither of these conventions contain any provisions which would in any way alter constitutional relationships between the Federal Government and the States. In this connection, I ask unanimous consent that an exchange of letters dealing with this question be printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
THE LEGAL ADVISER,
Washington, October 27, 1967.

Hon. CARL MARCY,
Chief of Staff, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

DEAR CARL: Your letter dated October 25, 1967, inquired whether the income tax conventions with Brazil and Trinidad and Tobago, and the supplementary income tax convention with Canada now pending before the Foreign Relations Committee in any way alter the existing constitutional relationships between the Federal Government and the States of the Union.

The conventions are designed to benefit taxpayers by protecting them from double and discriminatory taxation by either contracting party. They are not intended to, and we conclude that they do not, enlarge in any way the powers of the United States or limit the powers of the several States reserved to them by the Constitution.

Sincerely yours,

LEONARD C. MEEKER.

OCTOBER 25, 1967.

Mr. LEONARD MEEKER,
Legal Adviser, Department of State, Washington, D.C.

DEAR LEN: I refer to the tax conventions with Brazil and Trinidad and Tobago, and the supplementary tax convention with Canada.

Several days ago when these conventions were discussed by the committee, the question arose as to whether they contain any provisions which would in any way alter the constitutional relationships between the Federal Government and the States. I was directed to ask you, therefore, whether any of the provisions of these treaties can be considered in any way as enlarging the powers of the Federal Government of the United States or limiting the powers of the several States of the Federal Union with respect to any matters recognized under the Constitution as being within the reserved powers of the several States?

It would be appreciated if your office would analyze the enclosed treaties and furnish me with your comments on this inquiry at an early date.

Sincerely yours,

CARL MARCY.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (Ex. Rept. No. 18), explaining the conventions.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

I. SUPPLEMENTARY TAX CONVENTION WITH CANADA

A. Background

The supplementary convention with Canada was signed on October 25, 1966, and submitted to the Senate on January 25, 1967. It will supplement the existing 1942 convention between the United States and Canada, as modified by the supplementary conventions of 1950 and 1956.

B. Purpose

This supplementary convention contains one substantive article, the purpose of which is to add a new paragraph to article XI of the 1942 convention dealing with taxes imposed by one country on income derived from sources within the other country. Paragraph 1 of article XI reads as follows:

"The rate of income tax imposed by one of the contracting States, in respect of income (other than earned income) derived from sources therein, upon individuals residing in, or corporations organized under the laws of, the other contracting State, and not having a permanent establishment in the former State, shall not exceed 15 percent for each taxable year."

The pending supplementary convention would modify article XI by adding the following new paragraph:

"Paragraph 1 of this Article shall not apply in respect of income derived from sources in one of the Contracting States and paid to a corporation organized under the laws of the other Contracting State if such corporation is not subject to tax by the last-mentioned Contracting State on that income because it is not a resident of the last-mentioned Contracting State for purposes of its income tax."

The effect of this new paragraph is to eliminate preferential treatment accorded to persons living outside both countries who receive investment income from the United States at substantially reduced tax rates. This preferential treatment results from the interaction of article XI, which reduces from 30 to 15 percent the U.S. withholding-tax rate on investment income flowing to Canadian corporations, and the domestic law of

Canada, which exempts a Canadian company from tax on income from outside that country if the company is managed and controlled abroad. The result has been to allow third country residents to use Canadian companies as a device to avoid American taxes.

C. Date of entry into force

Pursuant to the provisions of article II, the supplementary convention with Canada will enter into force on the date the instruments of ratification are exchanged. It will have effect with respect to income paid on or after January 1, 1967, or the date the instruments of ratification are exchanged, whichever is the later.

II. TAX CONVENTION WITH TRINIDAD AND TOBAGO

A. Background

The 1945 income tax convention between the United States and the United Kingdom, as modified by various supplementary protocols, was extended in its application to Trinidad and Tobago as of January 1, 1959. Trinidad and Tobago became independent in 1962, and, in 1965, notified the U.S. Government of its intention to terminate the application of the 1945 convention, as modified.

Discussions on the pending convention were begun in October 1965. It was signed on December 22, 1966, and submitted to the Senate on February 23, 1967. It is limited in scope and will eventually be replaced by a more comprehensive income tax convention between the United States and Trinidad and Tobago.

B. Provisions of convention

This convention consists of five articles, only two of which contain substantive provisions. According to the executive branch, it is designed primarily as an interim measure to permit corporations of one of the countries to receive dividends from their subsidiary corporations operating in the other country at a reduced rate of withholding tax. The existing internal law of the United States and Trinidad and Tobago provides that dividends paid by a corporation of one country to a resident of the other country are subject to a 30-percent withholding tax. Under certain conditions, the convention will have the effect of reducing this withholding rate to 5 percent with respect to such dividends.

Trinidad and Tobago imposes a corporation tax at a rate of 44 percent. In addition, under its Finance Act of 1966, it imposes a tax of 30 percent on profits derived in that country by a permanent establishment of a U.S. corporation, unless such profits are invested within Trinidad and Tobago. This convention will have the effect of reducing from 30 to 5 percent the Trinidad and Tobago tax on profits (after payment of the 44-percent corporation tax) derived in that country by a permanent establishment of an American corporation.

Article 4 of the convention governs the credit which will be allowed by each of the countries for taxes paid to the other country. Pursuant to its provisions, the amount of tax allowed as a credit will be based upon the amount of Trinidad and Tobago tax paid, but "shall not exceed that portion of U.S. tax which net income from sources within Trinidad and Tobago bears to the entire net income."

C. Date of entry into force

In accordance with the provisions of article 5, this convention will enter into force on the date that instruments of ratification are exchanged. It is agreed, however, that all necessary steps will be taken to make the provisions effective from January 1, 1966. Article 5 also states that the convention shall terminate on December 31, 1967, unless the two countries agree by an exchange of notes to continue it in force during the following year.

COMMITTEE ACTION

The Committee on Foreign Relations held a public hearing on three tax conventions, one with Brazil, another with Canada, and one with Trinidad and Tobago, on October 5, 1967. This hearing has been printed for the information of the Senate and the general public.

Testimony in support of the supplementary convention with Canada and the convention with Trinidad and Tobago was received from Mr. Stanley S. Surrey, Assistant Secretary of the Treasury. Mr. Lawrence N. Woodworth, chief of staff, Joint Committee on Internal Revenue Taxation, also testified and submitted a memorandum on each of the conventions. The memorandums on the Canada and Trinidad and Tobago conventions are reproduced in the appendix to this report along with the formal statement presented by Assistant Secretary Surrey.

The pending conventions were considered by the committee in executive session on October 23 and October 31. On the latter date, the conventions with Canada and with Trinidad and Tobago were ordered reported with the recommendation that the Senate give its advice and consent to their ratification.

The **PRESIDING OFFICER**. Without objection, the two conventions will be considered as having passed through their various parliamentary stages up to the point of consideration of the resolutions of ratification, which will be read for the information of the Senate.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Convention between the United States of America and Trinidad and Tobago for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, and the encouragement of international trade and investment, signed at Port of Spain on December 22, 1966 (Executive F, 90th Congress, 1st Session).

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the Supplementary Convention between the United States of America and Canada, signed at Washington on October 25, 1966, further modifying and supplementing the convention and accompanying protocol of March 4, 1942, for the avoidance of double taxation and the prevention of fiscal evasion in the case of income taxes, as modified by the supplementary conventions of June 12, 1950, and August 8, 1956 (Executive B, 90th Congress, 1st Session).

NOMINATIONS

Mr. **MANSFIELD**. Mr. President, while the Senate is in executive session I ask that the Senate proceed to the consideration of nominations on the Executive Calendar, beginning with the National Library of Medicine.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

NATIONAL LIBRARY OF MEDICINE

The legislative clerk read the nomination of Bruno W. Augenstein, of Virginia, to be a member of the Board of Regents, National Library of Medicine, Public Health Service, for a term expiring August 3, 1971.

The **PRESIDING OFFICER**. Without objection, the nomination is confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—IN THE PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read sundry nominations in the Public Health Service, which had been placed on the Secretary's desk.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The **PRESIDING OFFICER**. Without objection, the nominations are considered and confirmed en bloc.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the President be notified immediately of the confirmation of these nominations.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the Senate return to the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

POVERTY PROGRAM JEOPARDIZED BY LACK OF FUNDS

Mr. **JAVITS**. Mr. President, the Permanent Investigations Subcommittee, of which I am a member, has just begun its extensive investigation into the causes of recent riots in American cities. While many factors have interacted to cause this urban upheaval, primary among them is the grinding and often hopeless poverty which characterizes the life of many of our citizens.

Three years ago, we took bold and imaginative steps to root out that poverty and we have invested billions of dollars in programs which are only now beginning to bear fruit. Because these efforts are so vital to the life and growth of the Nation, and because they have only begun to expand opportunities and raise the level of human dignity of the poor, it is particularly distressing to read in this morning's New York Times that the very existence of some programs is threatened because of the legislative logjam in the Congress.

We face a very trying situation on the question of legislation in the poverty field because the authorizing legislation is tied up in the House of Representatives. The interim resolution permitting spending at last year's rate is deadlocked in a Senate-House conference. There is the gravest danger that programs so painfully put together in the poverty field will be dismantled.

I call attention to the fact, as stated in the news article to which I have referred, that 35 local poverty programs serving 500,000 poor people will have to shut down in the next 3 weeks unless Congress agrees to fund them. The authority for that statement is the OEO itself.

Each body of Congress is always respectful of the other body. I speak most respectfully. I express only the deep hope that those who favor—and they are in the majority in both Houses—the continuation of the war on poverty should not allow disaster to strike because of sheer inaction and inability to find a way out of the current deadlock; first, in the other body through authorizing legislation and, second, in the matter of a continuing resolution in both bodies.

Yesterday, the Office of Economic Opportunity warned that 38,600 boys and girls in the Job Corps will shortly be without money for food. Community action programs, including one in Jersey City which serves 10,000 families will be forced to discontinue operations, and the 2,800 workers at agency headquarters in Washington face a payless payday on November 14.

Mr. President, we could experience a major disaster that would negate and erode from under our feet everything that we have tried to do, programs for which we have appropriated hundreds of millions of dollars which has been spent with excellent results.

It is like building a bridge with one footing missing. If the programs are dismantled and eroded, it will cost much more money to restore them, if they can be restored at all.

The enormous disappointment and frustration of the poor people who feel that they are now on a solid road is a matter which ought to be on the conscience of everybody.

I urge my colleagues in the Senate—and especially those in the House of Representatives—to come to an agreement on the authorizing legislation so that we may not, by sheer inaction, destroy the very thing which it has taken so much creativity and sacrifice to build.

I urge the Members of the other body to keep in mind the potentially disastrous upheaval which would be caused by the failure of Congress to timely appropriate the necessary funds, and I ask unanimous consent that an article from the New York Times describing the situation be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FUND LACK PERILS 35 POVERTY PLANS—CLOSING IN 3 WEEKS LIKELY UNLESS CONGRESS ACTS

(By Nan Robertson)

WASHINGTON, November 1.—Thirty-five local poverty programs serving 500,000 poor people will have to shut down within the next three weeks unless Congress agrees to fund them, the antipoverty agency said today.

The Office of Economic Opportunity also warned that 38,600 boys and girls training in Job Corps camps would be living on "off the shelf" supplies such as food until Congress came through with money.

The community action programs in immediate danger, which may have to close this week, include one in Jersey City that serves 10,000 families and spends $2.3-million a year.

Meantime, the 2,800 workers at agency headquarters here and at seven regional offices face a payless payday Nov. 14; the staff members have been working as volunteers since Oct. 23, when a Congressional "continuing resolution" expired and money was cut off.

Asked what the reaction of local poverty boards would be to the mounting uncertainty and confusion in Congress about the future of poverty programs, one high official replied:

"I frankly say that some of them are going to say 'the hell with it' and throw in the towel."

SHAKY MORALE FOUND

Don I. Wortman, associate director for operations for community action programs, spoke of increasingly shaky morale in Washington and in the field, with some employes looking for work elsewhere. Since the poverty agency's authority to spend has ended, at least temporarily, Mr. Wortman said, local programs will have to be "bailed out" by Mayors, community chests or sympathetic banks.

Such loans could not legally be guaranteed by the Federal Government at this time.

Normally, about 75 local community action agencies out of 1,056 across the nation would come up for refunding during November, but about 40 have some money left to keep going for a while, Mr. Wortman said. The 35 that have almost run out of cash would have received a total of $28-millon this month from the Government.

ALREADY $2.75 MILLION OWED

Those that would have to close by Friday of this week include the Jersey City project; the Shasta County Community Action program in Redding, Calif.; projects in Fremont County, Mesa County and San Luis, Colo.; Big Sandy, Ky.; Baldwin, Mich.; and Manistee, Mason, Lake and Newago Counties, also in Michigan.

William P. Kelly, director of the Job Corps, said his agency already owed $2.75 million to the contractors who run the Job Corps centers. That agency does not advance money to its contractors; they bill the Job Corps for goods and services and are then reimbursed.

"How long they will be willing to give us the credit I am not prepared to say," Mr. Kelly said. "But you have to remember, if they have to borrow to meet their bills, we cannot reimburse them for the interest they must pay. This cuts down on their already small profit, and they are businessmen."

In the Neighborhood Youth Corps, 134 projects in which 39,000 young people are engaged are due for renewal by the end of this month. Twenty-six should have been refunded today.

On Capitol Hill, about 35 Southern Democrats, most of them hard-core conservatives, caucused this afternoon on the $2.6-billion House poverty authorization bill. They were briefed on its particulars by Sam M. Gibbons of Florida, a key member of the House Education and Labor Committee, which reported out the bill Oct. 20. It is scheduled to go to the House floor for debate early next week.

Mr. Gibbons reported after today's meeting that there was little chance that the group would accept the bill under any circumstances. And Thomas G. Abernethy of Mississippi said as he entered the conference room:

"You can say that even after 15 calls from Head Start officials of the preschool poverty program, I'm still unalterably opposed to the bill."

The legislation will undoubtedly run into a bitter battle on the House floor. One member of today's Southern caucus, Walter B. Jones of North Carolina, predicted that the antipoverty bill would be "torn apart" next week in debate.

Any bill passed by the House would then face an even stiffer fight in joint House-Senate conference committee sessions. The Senate passed a strong antipoverty bill, authorizing $2.25 billion in funds for the agency, early last month.

ESTABLISHMENT OF THE NORTH CASCADES NATIONAL PARK AND ROSS LAKE NATIONAL RECREATION AREA—DESIGNATION OF THE PASAYTEN WILDERNESS—AND MODIFICATION OF THE GLACIER PEAK WILDERNESS, STATE OF WASHINGTON

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 683, Senate 1321.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1321) to establish the North Cascades National Park and Ross Lake National Recreation Area, to designate the Pasayten Wilderness and to modify the Glacier Peak Wilderness, in the State of Washington, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 2, line 7, after the word "numbered" strike out "NP CAS 7000," and insert "NP–CAS–7002,"; in line 8, after the word "dated" strike out "February" and insert "October"; in the heading in line 13 after the word "LAKE", insert "AND LAKE CHELAN"; in the heading in line 14, after the word "RECREATION" strike out "AREA" and insert "AREAS"; on page 3, at the beginning of line 1, strike out " 'national recreation area' ", and insert " 'Ross Lake National Recreation Area' "; after line 2, insert a new section, as follows:

> SEC. 202. In order to provide for the public outdoor recreation use and enjoyment of portions of the Stehekin River and Lake Chelan, together with the surrounding lands, and for the conservation of the scenic, scientific, historic, and other values contributing to public enjoyment of such lands and waters, there is hereby established, subject to valid existing rights, the Lake Chelan National Recreation Area (hereinafter referred to in this Act as the "recreation area"). The waters within the area designated "Lake Chelan National Recreation Area" on the map referred to in section 101 of this Act.

In line 17, after the word "recreation', strike out "area", and insert "areas,"; in line 20, after the word "or" where it appears the second time, strike out "exchange.", and insert "exchange, except that he may not acquire any such interests within the recreation areas without the consent of the owner, so long as the lands are devoted to uses compatible with the purposes of this Act."; on page 4, line 4, after the word "recreation" strike out "area" and insert "areas"; in line 6, after the word "recreation" strike out "area" and insert "areas"; in line 12, after the word "recreation" strike out the word "area" and insert "areas"; in line 24, after the word "recreation" strike out "area," and insert "areas,"; on page 5, line 20, after the word "recreation" strike out the word "area" and insert "areas"; on page 6, line 5, after the word "recreation" strike out the word "area," and insert "areas,"; in line 12, after the word "recreation" strike out the word "area," and insert "areas,"; in line 15, after the word "such" insert "reasonable"; in line 18, after the word "recreation", strike out "area" and insert "areas"; at the beginning of line 22, strike out the word "area" and insert "areas"; on page 7, line 2, after the word "recreation" strike out the word "area." and insert "areas."; in line 9, after the word "recreation" strike out "area" and insert "areas"; in line 13, after the word "the" strike out "boundary" and insert "boundaries"; in line 14, after the word "recreation" strike out "area" and insert "areas"; after line 23 insert:

(e) The Secretary shall not permit the construction or use of any road within the park which would provide vehicular access from the North Cross State Highway to the Stehekin Road. Neither shall he permit the construction or use of any permanent road which would provide vehicular access between May Creek and Hozomeen along the east side of Ross Lake.

On page 8, line 9, after the word "recreation", strike out "area" and insert "areas" in line 15, after the word "recreation", strike out "area" and insert "areas"; after line 23, insert a new section, as follows:

SEC. 503. Nothing in this Act shall be construed to affect adversely or to authorize any Federal agency to take any action that would affect adversely any rights or privileges of the State of Washington in property within the Ross Lake National Recreation Area which is being utilized for the North Cross State Highway.

On page 9, at the beginning of line 5, change the section number from "503" to "504"; in line 8, after the word "recreation" strike out "area" and insert "areas"; in line 9, after the word "recreation", strike out "area" and insert "areas"; in line 10, after the word "for", insert "public use facilities and for"; in line 14, after the word "two" strike out "Secretaries." and insert "Secretaries, and such public use facilities, including interpretive centers, visitor contact stations, lodges, campsites, and ski lifts, shall be constructed according to a plan agreed upon by the two Secretaries."; at the beginning of line 18, change the section number from "504" to "505"; in line 22, after the word "recreation" strike out "area" and insert "areas."; and at the beginning of line 23, change the section number from "505" to "506"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—NORTH CASCADES NATIONAL PARK

SEC. 101. On order to preserve for the benefit, use, and inspiration of present and future generations certain majestic mountain scenery, snow fields, glaciers, alpine meadows, and other unique natural features in the North Cascade Mountains of the State of Washington, there is hereby established, subject to valid existing rights, the North Cascades National Park (hereinafter referred to in this Act as the "park"). The park shall consist of the lands, waters, and interests therein within the area designated "national park" on the map entitled "Proposed Management Units, North Cascades, Washington," numbered NP–CAS–7002, and dated October 1967. The map shall be on file and available for public inspection in the office of the Director, National Park Service, Department of the Interior, and in the office of the Chief, Forest Service, Department of Agriculture.

TITLE II—ROSS LAKE AND LAKE CHELAN NATIONAL RECREATION AREAS

SEC. 201. In order to provide for the public outdoor recreation use and enjoyment of portions of the Skagit River and Ross, Diablo, and Gorge Lakes, together with the surrounding lands, and for the conservation of the scenic, scientific, historic, and other values contributing to public enjoyment of such lands and waters, there is hereby established, subject to valid existing rights, the Ross Lake National Recreation Area (hereinafter referred to in this Act as the "recreation area"). The recreation area shall consist of the lands and waters within the area designated "Ross Lake National Recreation Area" on the map referred to in section 101 of this Act.

SEC. 202. In order to provide for the public outdoor recreation use and enjoyment of portions of the Stehekin River and Lake Chelan, together with the surrounding lands, and for the conservation of the scenic, scientific, historic, and other values contributing to public enjoyment of such lands and waters, there is hereby established, subject to valid existing rights, the Lake Chelan National Recreation Area (hereinafter referred to in this Act as the "recreation area"). The recreation area shall consist of the lands and waters within the area designated "Lake Chelan National Recreation Area" on the map referred to in section 101 of this Act.

TITLE III—LAND ACQUISITION

SEC. 301. Within the boundaries of the park and recreation areas, the Secretary of the Interior (hereinafter referred to in this Act as the "Secretary") may acquire lands, waters, and interests therein by donation, purchase with donated or appropriated funds, or exchange, except that he may not acquire any such interests within the recreation areas without the consent of the owner, so long as the lands are devoted to uses compatible with the purposes of this Act. Lands owned by the State of Washington or any political subdivision thereof may be acquired only by donation. Federal property within the boundaries of the park and recreation areas is hereby transferred to the administrative jurisdiction of the Secretary for administration by him as part of the park and recreation areas. The national forest land within such boundaries is hereby eliminated from the national forests within which it was heretofore located.

SEC. 302. In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the park and recreation areas and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction in the State of Washington which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

SEC. 303. Any owner of property acquired by the Secretary which on the date of acquisition is used for agricultural or single-family residential purposes, or for commercial purposes which he finds are compatible with the use and development of the park or the recreation areas, may, as a condition of such acquisition, retain the right of use and occupancy of the property for the same purposes for which it was used on such date, for a period ending at the death of the owner or the death of his spouse, whichever occurs later, or for a fixed term of not to exceed twenty-five years, whichever the owner may elect. Any right so retained may during its existence be transferred or assigned. Any right so retained may be terminated by the Secretary at any time after the date upon which any use of the property occurs which he finds is a use other than one which existed on the date of acquisition. In the event the Secretary terminates a right of use and occupancy under this section, he shall pay to the owner of the right the fair market value of the portion of said right which remains unexpired on the date of termination.

TITLE IV—ADMINISTRATIVE PROVISIONS

SEC. 401. The Secretary shall administer the park in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4), as amended and supplemented.

SEC. 402. (a) The Secretary shall administer the recreation areas in a manner which in his judgment will best provide for (1) public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment; and (3) such management, utilization, and disposal of renewable natural resources and the continuation of such existing uses and developments as will promote or are compatible with, or do not significantly impair, public recreation and conservation of the scenic, scientific, historic, or other values contributing to public enjoyment. In administering the recreation areas, the Secretary may utilize such statutory authorities pertaining to the administration of the national park system, and such statutory authorities otherwise available to him for the conservation and management of natural resources as he deems appropriate for recreation and preservation purposes and for resource development compatible therewith.

(b) The lands within the recreation areas, subject to valid existing rights, are hereby withdrawn from location, entry, and patent under the United States mining laws. The Secretary, under such reasonable regulations as he deems appropriate, may permit the removal of the nonleasable minerals from lands or interest in lands within the recreation areas in the manner prescribed by section 10 of the Act of August 4, 1939, as amended (53 Stat. 1196; 43 U.S.C. 387), and he may permit the removal of leasable minerals from lands or interests in lands within the recreation areas in accordance with the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181 et seq.), or the Acquired Lands Mineral Leasing Act of August 7, 1947 (30 U.S.C. 351 et seq.), if he finds that such disposition would not have significant adverse effects on the administration of the recreation areas.

(c) All receipts derived from permits and leases issued on lands or interests in lands within the recreation areas under the Mineral Leasing Act of February 25, 1920, as amended, or the Acquired Lands Mineral Leasing Act of August 7, 1947, shall be disposed of as provided in the applicable Act; and receipts from the disposition of non-leasable minerals within the recreation areas shall be disposed of in the same manner as moneys received from the sale of public lands.

(d) The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the boundaries of the recreation areas in accordance with applicable laws of the United States and of the State of Washington, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish and wildlife management, or public use and enjoyment. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the Department of Game of the State of Washington.

(e) The Secretary shall not permit the construction or use of any road within the park which would provide vehicular access from the North Cross State Highway to the Stehekin Road. Neither shall he permit the construction or use of any permanent road which would provide vehicular access between May Creek and Hozomeen along the east side of Ross Lake.

TITLE V—SPECIAL PROVISIONS

SEC. 501. The distributive shares of the respective counties of receipts from the national forests from which the national park and recreation areas are created, as paid under the provisions of the Act of May 23, 1908 (35 Stat. 260), as amended (16 U.S.C. 500), shall not be affected by the elimination of lands from such national forests by the enactment of this Act.

SEC. 502. Where any Federal lands included in the park or recreation areas are legally occupied or utilized on the effective date of this Act for any purpose, pursuant to a contract, lease, permit, or license issued or authorized by any department, establishment, or agency of the United States, the Secretary shall permit the persons holding such privileges to continue in the exercise thereof, subject to the terms and conditions thereof, for the remainder of the term of the contract, lease, permit, or license or for such longer period of time as the Secretary deems appropriate.

SEC. 503. Nothing in this Act shall be construed to affect adversely or to authorize any Federal agency to take any action that would affect adversely any rights or privileges of the State of Washington in property within the Ross Lake National Recreation Area which is being utilized for the North Cross State Highway.

SEC. 504. Within two years from the date of enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture shall agree on the designation of areas within the park or recreation areas or within national forests adjacent to the park and recreation areas needed for public use facilities and for administrative purposes by the Secretary of Agriculture or the Secretary of the Interior, respectively. The areas so designated shall be administered in a manner that is mutually agreeable to the two Secretaries, and such public use facilities, including interpretive centers, visitor contact stations, lodges, campsites, and ski lifts, shall be constructed according to a plan agreed upon by the two Secretaries.

SEC. 505. Nothing in this Act shall be construed to supersede, repeal, modify, or impair the jurisdiction of the Federal Power Commission under the Federal Power Act (41 Stat. 1063), as amended (16 U.S.C. 791a et seq.), in the recreation areas.

SEC. 506. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of titles I through V of this Act.

TITLE VI—WILDERNESS

SEC. 601. (a) In order to further the purposes of the Wilderness Act, there is hereby designated, subject to valid existing rights, the Pasayten Wilderness within and as a part of the Okanogan National Forest and the Mount Baker National Forest, comprising an area of about five hundred thousands acres lying east of Ross Lake, as generally depicted in the area designated as "Pasayten Wilderness" on the map referred to in section 101 of this Act.

(b) The previous classification of the North Cascades Primitive Area is hereby abolished.

SEC. 602. The boundaries of the Glacier Peak Wilderness, an area classified as such more than thirty days before the effective date of the Wilderness Act and being within and a part of the Wenatchee National Forest and the Mount Baker National Forest, subject to valid existing rights, are hereby extended to include portions of the Suiattle River corridor and the White Chuck River corridor on the western side thereof, comprising areas totaling about ten thousand acres, as depicted in the area designated as "Additions to Glacer Peak Wilderness" on the map referred to in section 101 of this Act.

SEC. 603. (a) As soon as practicable after this Act takes effect, the Secretary of Agriculture shall file a map and legal description of the Pasayten Wilderness and of the Glacier Peak Wilderness, as hereby modified, with the Interior and Insular Affairs Committees of the United States Senate and House of Representatives, and such descriptions shall have the same force and effect as if included in this Act: *Provided, however*, That correction of clerical or typographical errors in such legal descriptions and maps may be made.

(b) Upon the filing of the legal descriptions and maps as provided for in subsection (a) of this section the Pasayten Wilderness and the additions to the Glacier Peak Wilderness shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act and thereafter shall be subject to the provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.

SEC. 604. Within two years from the date of enactment of this Act, the Secretary of the Interior shall review the area within the North Cascades National Park, including the Picket Range area and the Eldorado Peaks area, and shall report to the President, in accordance with subsections 3(c) and 3(d) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132 (c) and (d)), his recommendation as to the suitability or nonsuitability of any area within the park for preservation as wilderness and any designation of any such area as a wilderness area shall be accomplished in accordance with said subsections of the Wilderness Act.

Mr. JACKSON. Mr. President, it is with great personal pleasure that I bring before the Senate the bill S. 1321, authorizing establishment of the North Cascades National Park, the Lake Ross and Lake Chelan National Recreation Areas, the Pasayten Wilderness, and making additions to the Glacier Peak Wilderness in the State of Washington.

The North Cascades is an area I hiked and explored as a boy. Each time I return I gain a new appreciation of its natural beauty and its power to impress the spirit.

The State of Washington is blessed with a marvelous variety of resources, geography, and climate—from the rain forests of the Olympic Peninsula on the west to semi-arid rangelands on the east. Puget Sound is the great natural harbor around which has grown the metropolitan complex inhabited by the majority of our people. The mighty Columbia River is the aorta of our State's commerce, agriculture, and industry. But perhaps the most distinctive and unforgettable feature of all is the Cascade Mountain Range itself—the watershed of the Pacific Northwest.

Eons ago a massive crustal uplift literally turned this area on edge, exposing granite peaks and ridges so durable they remain today largely as they were following retreat of the great glacier. In more recent times, volcanic activity raised the bulky cones of Baker, Rainier, Adams, and St. Helens—so familiar to all Washingtonians.

Because the high Cascades are in close proximity to flows of moist air from the Pacific, seasonal precipitation has always been heavy on the western slopes. The combination of climate and geography formed great glaciers which have gouged U-shaped valleys as they grind inexorably toward the lowlands.

The result is an imposing display of more than 100 jagged mountain peaks which rise over 6,000 feet from the floors of surrounding valleys. Pressing the sides of these peaks are more than 150 active glaciers. Cradled in the high mountain country are hundreds of icy glacier-fed crystal-clear lakes. Alpine meadows, cascading streams, and evergreen-clad valleys decorate the scene. The National Park Service has described the whole as "an array of alpine scenery unmatched in the United States."

The first white men to penetrate the North Cascades were undoubtedly trappers and hunters—the "mountain men" who captured the imagination of the land-hungry East in the mid-1800's. They found the rugged peaks, mellow valleys, glaciers, cascading streams, and forested foothills much as they exist today. About 1850, prospectors found gold and other metallic ores in the mountains, and there followed a surge of miners and fortune seekers. Small mining operations sprung into existence over much of the area, and a few large commercial mining operations extracted gold, iron, lead, copper, chromium, and other minerals, making significant contributions to the economies of several communities.

The value of the heavily forested foothills and valleys was recognized then, but it was decades before large-scale commercial logging, which characterizes the industry today, was begun.

The abundant supply of cold, rushing water, largely from melting snowfields and glaciers, has become an important source of hydroelectric power. The first hydroelectric project in the North Cascades was the Gorge Dam powerhouse, built in 1924 by Seattle City Light, the municipal utility of Washington's largest city. Since that time, some 20 additional projects have been constructed in the area, including works at Lake Chelan and the dams which created Ross Lake and Diablo Lake.

The lands in the North Cascades became part of the public domain when the United States established title to the Oregon Territory in 1846. In the 1890's most of these lands were placed in forest preserves, and from these preserves the Mount Rainier National Park was created in 1899. In 1905 the preserves were transferred from the General Land Office in the Department of the Interior to the newly created Forest Service in the Department of Agriculture, and were made part of the national forest system. One year later, the first proposal for a national park in the North Cascades was set forth by the Mazamas Club for the Lake Chelan region. In the 61 years since, there have been many proposals, some introduced in Congress as park bills. In 1937 the National Park Service made a comprehensive study of the area and reported that—

> Such a Cascade park would outrank in its scenic, recreational, and wildlife values any existing national park and any other possibility for such a park within the United States.

The study report of the North Cascades study team, appointed by the Secretary of the Interior and the Secretary of Agriculture in 1963, stated:

> Here occurs the most breathtakingly beautiful and spectacular mountain scenery in the 48 continguous States.

I want to point out to my colleagues that the bill before us is not an ordinary or even an extraordinary national park bill. It is truly a regional bill. The committee, in its hearings and investigations, verified the findings of the study team that the greatest potential for this relatively untouched region was outdoor recreation. To be sure many persons differed in specifics as to how this potential should best be managed, but there was widespread agreement that protective administration was needed.

I believe the administration and the committee have pieced together a complex of management units which will keep this area forever a scenic masterpiece. The rugged Picket Range—Mount Shuksan area and the Eldorado Peaks area—the mountain wilderness heartland—will comprise the North Cascades National Park. The park will encompass 504,500 acres, which will be studied in accordance with provisions of the Wilderness Act for specific recommendations to the Congress for wilderness classification within the park.

The Ross Lake National Recreation Area will include the awe-inspiring Skagit River Valley, with its beautiful reservoirs reflecting the snowcapped surrounding mountains. Traversing this 105,000-acre national recreation area will be the North Cross State highway, now under construction. The only transmountain highway in the area affected by the bill, it will bring millions of visitors from West and East. Specific language in S. 1321 makes it clear that this highway will remain under the unhampered jurisdiction and control of the State of Washington.

The lower Stehekin River Valley and the northernmost banks of Lake Chelan will be in the Lake Chelan National Recreation Area of some 62,000 acres. Access to this pristine and lightly inhabited valley is by foot, horseback, air or on the waters of the fjord-like Lake Chelan. No road from the outside penetrates the area, and specific language in the bill is designed to maintain the character of the Stehekin Valley by prohibiting road access. Lake Chelan, some 1,500 feet deep and 55 miles long, lies in a glacial gorge 8,500 feet deep from ridge crest to lake bottom.

To the east of the Ross Lake National Recreation Area is the remainder of what has been until now the North Cascades Primitive Area. The bill would designate this 520,000 acres of the Pasayten Wilderness under the continued management of the U.S. Forest Service. This roadless area has enjoyed protective designation since 1935, when it was designated a primitive area by the Secretary of Agriculture. The geology of this wilderness is somewhat mellower than that within the park and recreation areas, and the climate is drier. The Pasayten has long been a favorite area for backpackers, packtrain trips, and wilderness big-game hunting.

To the south of the North Cascades National Park and the Lake Chelan National Recreation Area is the Glacier Peak Wilderness designated by the Secretary of Agriculture and confirmed with the passage of the Wilderness Act of 1964. The bill would add some 10,000 acres to this wilderness to include additional portions of two river corridors—the Suiattle and White Chuck.

Language in the committee report expresses the committee's concern that the approaches to the Glacier Peak Wilderness just west of the additions in the bill should be managed by the Forest Service under their landscape management policy to assure a scenic buffer for entrance to the wilderness.

The committee adopted a number of amendments which dealt with matters brought to our attention in the extensive public hearings conducted on this legislation. The North Cascades study team itself conducted on-the-scene hearings in Wenatchee, Mount Vernon, and Seattle in October 1963. Following submission of the study team report, I presided at a 2-day Interior Committee hearing in Seattle at which several hundred witnesses appeared or submitted statements. The transcript of this hearing was made available to the administration for consideration in drafting legislation.

After introduction of the bill by my senior colleague, Senator MAGNUSON, and me, the Parks and Recreation Subcommittee under the able chairmanship of the Senior Senator from Nevada [Mr. BIBLE] conducted hearings in Washington, D.C., in April of this year and at Seattle, Mount Vernon, and Wenatchee in May. A field inspection of the area was undertaken at the time of the May hearings so members of the committee could view in person the magnificence and uniqueness of the area affected by the legislation.

Mr. President, the major amendments adopted by the committee included changing the proposed status of the lower Stehekin Valley area to national recreation area rather than including it within the park. The most important result of this change will be continuation of the historic use of this area for hunting. In addition, recreation area status will be more compatible with the existing private landownership in the area and with the development of improved fishing opportunities by the Washington State Department of Game.

Language in the bill gives statutory authority to the policy of the National Park Service that it will not acquire lands within the Lake Chelan and Ross Lake Recretation Areas without the consent of the owner so long as existing uses of these private lands are not altered in a manner inconsistent with the recreation area purpose.

The bill authorizes the Secretary of the Interior to enter into a cooperative agreement with the Washington State Department of Game for the management of the fish and game resources of the recreation areas. The committee report further states the committee's expectation that such an agreement will be made. A State hunting license will be required within the recreation areas, and a State fishing license in both the recreation areas and the North Cascades National Park.

Subsequent to the introduction of S. 1321, Seattle City Light filed an application with the Federal Power Commission to construct a storage reservoir on Thunder Creek within the boundaries of the proposed national park. The committee has readjusted the boundaries to include this site within the Ross Lake National Recreation Area only for the purpose of not prejudging the issues which will be before the FPC. While this application is pending and in the event the FPC determines that a license will not be granted, the committee expects this area to be administered by the National Park Service as if it were within the park boundaries. The Congress may wish to reconsider this matter in the future in the light of future circumstances.

The committee adopted an amendment adding to the new Pasayten Wilderness Area some 22,000 acres to the east in the Windy Peak-Horseshoe Basin area which were not included in the original bill. Recent information from the Forest Service indicated that previous estimates of timber volume in that area were inaccurate. On the basis of the new information, the committee concluded that the highest and best use of that area would be under wilderness management.

The committee also extended the boundaries of the Ross Lake National Recreation Area to the west down the Skagit River to include approximately 4,200 acres encompassing the site of the proposed Chopper Creek Dam and Reservoir of Seattle City Light. This is in accordance with a request from the municipal utility that the entire dam and reservoir site, rather than just a portion, be within the recreation area.

The committee added language in the bill requiring joint studies by the Agriculture Department and Interior Department of opportunities for development of public use facilities. Particular reference is made to ski lifts, and the committee report points out the desirable sites for ski development may be found on the periphery of the national park, within the recreation areas, or in adjacent areas of the national forest. These areas should be studied and developed on a cooperative basis. As far as I am aware, this is the first time that a national park authorization bill has included specific authorization for the construction of permanent ski lifts. This is not inconsistent with park policy. Permanent ski lifts are operating already in Rocky Mountain, Yosemite, and Lassen National Parks.

A number of individuals and organizations in testimony before the committee advocated adding more of the Cascade River Valley to the park. The committee did not adopt this proposal. However, it is the committee's understanding that Forest Service plans call for management of the scenic approach to the park through this scenic valley under their landscape management policy. Similarly, the committee has recognized the plans and policy of the Forest Service to manage the Mount Baker recreation area and the Granite Creek area in like manner.

Mr. President, the committee report deals at length with the concerns expressed as to the impact of S. 1321 on commercial and industrial activity. This is a valid concern in my State, where the forest products industry is so important to us and where mining may have great potential.

The U.S. Forest Service, which has managed and guarded this area so ably for many years, has provided information, set forth in the committee report, which indicates their view that passage of this legislation will not result in a net decrease in commercial timber available to the industry. There are no operating mines within the area affected by this bill.

Mr. President, S. 1321 represents the results of exhaustive study and wide airing of the conservation issues involved. I urge my colleagues to approve the bill as recommended by the Committee on Interior and Insular Affairs.

Before I conclude my remarks, I wish to state that the main staff responsibility for the pending measure has been carried by my able administrative assistant, Mr. Sterling Munro. It was his skill and expertise that made possible the unanimous vote of approval by the Committee on Interior and Insular Affairs. In all of this activity, he was ably assisted by the committee staff director, Mr. Jerry T. Verkler, and our professional staff expert on forestry matters, Mr. Richard K. Griswold.

My distinguished senior colleague [Mr. Magnuson] is in the State of Washington today on official business and regrets his not being able to be present on the floor of the Senate in connection with the pending measure. I ask unanimous consent that a statement by Senator Magnuson be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT BY SENATOR MAGNUSON

The United States is at that stage of its development where affirmative action must be taken to preserve for posterity a part of the nation's natural resources. It is imperative that this action be taken now before industrial expansion, together with population growth, make such preservation an impossibility.

It was for these basic reasons that I was very happy to join with Senator Jackson in co-sponsoring the North Cascades Park bill this year.

Senator Jackson and the Committee on Interior have been deluged with suggestions from hunters, conservationists, fishermen, loggers, homeowners, farmers, skiers, mining companies, highway builders, and disinterested, but concerned, citizens. Each group naturally had its own ideas on how this area of the country should be utilized. The task of the Interior Committee was extremely difficult and it was probably impossible for anyone to develop legislation which would accommodate all those who have an interest in the North Cascades. Despite the monumental obstacles, the Committee under the leadership of its very distinguished Chairman, has produced a very fine bill. It is difficult for me to conceive of any legislation covering this part of the country which would better serve the public interest.

Let me briefly run through some of the positive contributions which this legislation will make.

The establishment of the Lake Chelan National Recreational Area will preserve for the hunters of the country an area which has been traditionally open to hunting. The designation of this area as a recreational area will also assist in preserving the rights of those homeowners who now live there. In addition, of course, the remainder of the public will have the opportunity to enjoy the benefits which accrue from visiting the area.

The bill, while protecting a beautiful part of the State from any man-made violation, will not include within its boundaries any traditional grazing areas which farmers in the State of Washington have customarily used.

The development of new ski areas will be enhanced by this legislation.

For those who are interested in preserving some of the most untamed and unmolested parts of the region, the bill will add considerable acreage to the Pasayten Wilderness area.

The addition of the Ross Lake and Lake Chelan Recreation Areas will provide logging companies with a new source of timber which may be harvested under certain controlled conditions.

With these very brief comments, I would like to say again that I, for one, certainly appreciate the arduous task which was undertaken by Senator Jackson and the Interior Committee and I commend them for discharging their obligation to the Nation and to the Senate in such an outstanding manner.

Mr. KUCHEL. Mr. President, will the Senator from Washington yield?

Mr. JACKSON. I am happy to yield to the able senior Senator from California.

Mr. KUCHEL. Mr. President, the report of the Committee on Interior and Insular Affairs on the pending bill reads, in part:

> The proposed North Cascades National Park and the Ross Lake and Lake Chelan National Recreation Areas encompass an array of alpine scenery unmatched in the United States. Deep glaciated canyons, more than 150 active glaciers, hundreds of jagged peaks, mountain lakes, and plant communities characterize this section of the Cascade Range.

It was 30 years ago that a comprehensive study was first undertaken by agents of the Government of the United States with respect to the possibility of creating a park in California's sister State of Washington. The able Senator from Washington, the chairman of the Committee on Interior and Insular Affairs [Mr. Jackson] indicated earlier in his comments to the Senate that the proposal encompassed in S. 1321 is a regional one rather than one for the benefit of a single State alone. I agree.

I want to say for the people of the country and those who follow that this is a week in the U.S. Senate when history surely will have been made. The two Senators from Washington have introduced legislation which not only obtained unanimous approval by the members of the Committee on Interior and Insular Affairs, but was received with enthusiasm by all of us who listened in committee to the testimony of those who came forward to speak in behalf of the bill.

Yesterday the Senate approved the creation of a majestic redwood park for all the people of the country. Today the Senate is about to approve a park of similar majesty for the benefit of the American people now and hereafter. I merely wish to spread on the Record, as one who sits on the minority side, that this is the kind of action that surpasses any partisan or political concern. I am honored to stand beside my colleague, the chairman of the committee, for this brief moment to urge speedy approval of the bill which he and his colleague from Washington have introduced.

Mr. JACKSON. Mr. President, once again I wish to express my deep appreciation for the leadership and support that have been provided by the able senior Senator from California in the work of the Committee on Interior and Insular Affairs, with special reference to the preservation of our great natural resources. I must say that the bill passed yesterday and the bill we are considering today, and a long list—and I think it is an impressive list—of national park, wilderness area, and recreation area bills, have been made possible by the special efforts of the ranking minority member of our committee.

We have been able to report these bills on a purely bipartisan basis, and the bills have been thoroughly reviewed and carefully examined. The result has been that our votes in committee, with scarcely an exception, have been unanimous.

The able chairman of the Subcommittee on Parks and Recreation, the distinguished senior Senator from Nevada [Mr. Bible] has done yeoman work. He has had to carry the brunt of long and tedious hearings.

Mr. President, it has been the policy of our committee in connection with the establishment of such outdoor areas as national parks, recreation areas, and seashores, to hold hearings in the affected areas. This is not an easy task. As I say, the senior Senator from Nevada has carried the brunt of that requirement that has been laid down by the committee. We have in each instance had the benefit of the testimony of witnesses from the involved areas. I think this has made for better legislation.

Among the results of field hearings has been, in many cases, special provision to take care of people who have cottages or homes in the areas to be included within a national forest or recreation area. This has come to be known as the Cape Cod formula. The very equitable result has been that people who have lived in these areas for a long time are able to continue their habitat as long as there is no change in the use of the property which is contrary to the purposes of the established area.

This policy has been worked out as the result of a special effort made by the able senior Senator from Nevada.

Mr. President, I have very much enjoyed working with my able counterpart on the committee, the distinguished senior Senator from California [Mr. Kuchel]. I think this Congress and previous Congresses can take great pride in the long list of constructive bills that have been passed that will affect millions of Americans for generations to come by virtue of Congress having adequately preserved and set aside areas that should be set aside for national parks, recreation and wilderness areas.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments are considered and agreed to en bloc.

The bill is open to further amendment. If there be no further amendment, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time and passed.

The title was amended, so as to read: "A bill to establish the North Cascades National Park and Ross Lake and Lake Chelan National Recreation Areas, to designate the Pasayten Wilderness and to modify the Glacier Peak Wilderness, in the State of Washington, and for other purposes."

Mr. JACKSON. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MANSFIELD. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, the Senate has significantly enhanced the cause of conservation during the past 2 days by adopting two measures establishing national parks; the redwoods yesterday, North Cascades today. Both of these achievements represent outstanding additions to the already exemplary record of the Senator from Washington [Mr. Jackson]. As the chairman of the Committee on Interior and Insular Affairs his consistent support for programs that would preserve this Nation's unspoiled beauty has been characterized with strong advocacy and tireless devotion. The Senate is deeply grateful for his efforts.

Of course, the Senator from California [Mr. Kuchel], the ranking minority member of the committee, deserves similarly high praise. Particularly with regard to the passage yesterday of the redwoods bill, but no less so when North Cascades was before the Senate today, Senator Kuchel demonstrated his effective skill and keen ability. He deserves the Senate's highest commendation.

Others joined to assure the Senate's successful endorsement of these national park proposals. Noteworthy were the efforts of the Senator from Utah [Mr. Moss], my colleague from Montana [Mr. Metcalf], and the junior Senator from California [Mr. Murphy].

The Senate is grateful also to the Senator from Louisiana [Mr. Ellender] who, yesterday—with the Senator from New Mexico [Mr. Anderson], the Senator from Mississippi [Mr. Stennis], and others—did not agree entirely with the committee's version of the "redwoods" bill but nonetheless allowed the Senate to vote its will freely and expeditiously.

Again, to Senator Jackson, Senator Kuchel, and to all of the committee members goes the sincere appreciation of the Senate for again exhibiting their unstinting dedication to the preservation of those areas of our Nation whose beauty we cherish—a beauty that can be cherished by future generations because of their efforts.

ABM DEFENSE SYSTEM

Mr. THURMOND. Mr. President, the October 28, 1967, issue of the State newspaper in Columbia, S.C., publishes a commendable article entitled "Don't Be Half Safe." In this editorial Mr. W. D. Workman, Jr., discusses the debate on the antiballistic missile and points out the shortcomings of the "thin" ABM defense system designed primarily to protect the United States against Red China.

This editorial points out Secretary McNamara's fundamental error in believing that the Soviets will never strike the United States first. The Secretary believes that our assured destruction capability will prevent such an attack. Mr. Workman carefully reminds us that the Communists do not always behave rationally, and that there is an urgent need for America to stand on guard against irrational behavior of all Communists, no matter where they are.

In this regard the State newspaper warns that we should produce not only a limited ABM system, but that we should also proceed to the construction of a missile defense that will deter all of our enemies, not just the Red Chinese.

Mr. President, I ask unanimous consent to have the editorial printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Don't Be Half Safe

Now that we've all had a chance to consider Defense Secretary McNamara's proposal for a $5 billion anti-ballistic-missile (ABM) system, it's time to look dispassionately at what has actually been decided.

We're to have a "thin" ABM defense system designed primarily to protect us against Red China. Such a system will, at length, prove better than nothing—but not much, as we observed last month.

More to the point, now that a good deal of the flak has dispersed, is that we're *not* to have a defense system designed to protect us against Soviet Russia.

Anthony Harrigan, of the Charleston *News and Courier*, points out in the current *Washington Report* of the American Security Council:

"Development of a thin ABM line seems highly dangerous. When a free nation has the strongest possible defenses—defenses that inspire respect—there is little danger of attack by an aggressor. But a light line of defense always has aroused the ambitions of an aggressor. This was the case in the 1920's and 1930's, when advocates of arms limitation insisted that cutting down the size and number of American naval cruiser guns would create conditions of parity with Japan and cause that country to desist from its aggression. The effort had precisely the opposite effect."

The Joint Congressional Atomic Energy Committee has estimated that Red China *may* have an operational ICBM sometime before 1972. But the Soviets have operational ICBM's right now.

Moreover, the Soviets have multistage, solid-fuel, anti-ballistic-missile defenses already installed around Moscow.

Secretary McNamara's fundamental error is this: He believes the Soviets will never strike us first. He believes that "the assured destructive capability of both countries deters any nuclear exchange."

But Communists don't always behave rationally. Their thought processes aren't akin to ours. Often, they take risks that no normal Western man would take.

America needs to stand on guard against the irrational behavior of *all* Communists, whether they be Chinese, Russian, or Cuban.

A limited ABM system ought to be deployed, yes; but Congress ought to pressure the Defense Department into making it more of a deterrent to all our enemies—not simply the Red Chinese.

AIR WAR IN VIETNAM

Mr. THURMOND. Mr. President, recently, the Washington Post newspaper published an editorial criticizing our military leaders for their testimony before the Senate Preparedness Investigating Subcommittee hearings on the air war in Vietnam. In particular, this editorial criticized retired Maj. Gen. Gilbert L. Meyers, USAF, for his outspoken criticism of the administration in its conduct of the war.

It is refreshing to note in the October 30, 1967, issue of Aviation Week & Space Technology magazine an editorial in support of General Meyers. Editor Robert Hotz commended General Meyers for speaking out and highlighting the dangers of gradualism, targeting restrictions, sanctuary, and technical restrictions. General Meyers took direct issue with earlier testimony by Defense Secretary McNamara on the military value of targets recommended by the JCS but not approved by the White House. He pointed out the fallacy of comparing the output of Vietnam industry with U.S. industrial standards. It is significant to note that an attack on Phuc Yen, the main Mig 21 base in North Vietnam, was authorized by the administration only a few days before the public release of General Meyers' testimony.

I commend this editorial to my colleagues and further recommend a careful study of the entire report of the Preparedness Investigating Subcommittee on this vital subject.

Mr. President, I ask unanimous consent to have the editorial printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

An Airman Speaks Out

For the past year there has been a rising tide of criticism over the ineffectual way that U.S. airpower has been applied in North Vietnam. Initial complaints came from Air Force and Navy pilots who were flying what they termed politically-dictated missions against targets they regarded as militarily useless. During the past year, we added our voice to this criticism in two editorials—"Protecting the MiGs" (AW&ST Apr. 10, p. 21) and "An Ineffectual Strategy" (AW&ST May 15, p. 17). In the waning months of last summer, a succession of top-ranking military leaders testifying to Congress confirmed most of the facts recited in both editorials.

Now, the most devastating expose of this incredible politically-dictated military strategy for the air war over North Vietnam has been provided by the man who was deputy commander of the 7th Air Force in Vietnam for 16 months—Maj. Gen. Gilbert L. Meyers. Gen. Meyers' testimony was given to the Preparedness Investigating Subcommittee of the Senate Armed Services Committee last August. But it has just been released publicly after passing through a Defense Dept. censorship mill. Gen. Meyers revealed a wealth of new specific details on the policies and procedures that have hamstrung the effective employment of air power over North Vietnam. His testimony goes far beyond anything on the public record to date. He confirms the earlier claims of many combat pilots that their comrades were being killed unnecessarily because of these restrictions and that these White House-directed policies have increased the cost of the war in blood and money and stretched its duration.

Gen. Meyers was able to present such a frank and devastating indictment of these policies primarily because he has retired from the Air Force and is no longer subject to the type of reprisal that has been inflicted on other dissenters still in uniform. We believe that Gen. Meyers' testimony is one of the most important views to be given the Congress and the American people on what has really been transpiring in the air war over North Vietnam. For that reason, we intend to publish it in full in the next issue of this magazine. In the meantime, here are the main points that Gen. Meyers stressed in his Senate testimony:

Gradualism: He detailed the slowly graduated pressure with which U.S. air power was applied during the past two years, beginning with strikes against only two targets a week in the southern panhandle of North Vietnam. Only in the past few weeks have the key targets that the Joint Chiefs of Staff recommended in 1966 been attacked. Gen. Meyers sai dthis politically-dictated policy of gradualism had blunted much of the effect of U.S. air power by allowing the enemy sufficient time to build a vast air defense system, develop alternate supply methods and convert sanctuary areas into major operational bases.

Targeting: He detailed how targets were released to field commanders from Washington in two-week batches, with very little regard for local factors such as weather, surprise or military effectiveness. He confirmed that Washington limited the sorties for each specific period, regardless of local conditions. Whenever a major target category, such as powerplants or rail lines, was authorized for strike, it was released in piecemeal targeting spread over periods too long for the attacking aircraft to inflict significant damage.

Sanctuaries: He noted that throughout his tenure, U.S. pilots were forbidden to attack well-defined zones surrounding Hanoi and Haiphong, a buffer south of the Chinese border and MiG airfields. He said the enemy used these "zones" as sanctuaries to protect vital military equipment and operations.

Tactical restrictions: Gen. Meyers confirmed that U.S. pilots were long prevented from attacking MiG fighters on the ground. They were only allowed to engage them defensively in the air, where the enemy had all the advantages of altitude and surprise. He also said that U.S. airmen were not allowed to attack SAM sites unless they could provide photo proof that actual missiles were at the sites. Since this photo-recon release process took an average of 12 hr. and the North Vietnamese could move the SAM missiles in 4 hr., it became impossible to keep the SAM threat under control. He also testified that the political restrictions imposed on airmen included direction and angle of attack and a stereotyped repetition of attack patterns that enabled the enemy to concentrate his defense in key areas and inflict higher casualties on U.S. aircraft.

Value of targets: Gen. Meyers took direct issue with previous testimony by Defense Secretary Robert S. McNamara on the military value of targets that had been recommended by the Joint Chiefs of Staff for attack but not approved by the White House. He noted that applying U.S. industrial standards to Vietnam conditions is a great mistake. He cited tire factories with a very low output by U.S. standards that are vital to keep the North Vietnamese fleet of supply trucks moving and a battery plant that built equipment to power the Viet Cong field command radio network as military targets that should have been attacked. He also said that permission to attack the MiG airfields was denied until a few months ago despite repeated pleas by Air Force and Navy commanders. Approval to hit the main MiG–21 base at Phuc Yen was given only a few days before the public release of his testimony on its high military target value.

We recommend to our readers a thorough perusal of the full text of Gen. Meyers' testimony. We believe he has done a great service to the American public in shedding new light on what is really going on in the air combat over North Vietnam and in detailing the kind of war into which the American people are being asked to pour their blood and treasure.

ROBERT HOTZ.

WOULD IT BE GOOD FOR THE COUNTRY TO BREAK UP GENERAL MOTORS?

Mr. MORSE. Mr. President, would it be good for the country to break up General Motors?

That is not a new question, but it has gained new prominence this week. The leading article in the Wall Street Journal of October 31 revealed that the staff of the Antitrust Division of the Justice Department has prepared a complaint that would seek fragmentation of the world's largest industrial corporation; namely, General Motors.

Apparently this complaint is now no more than a suggested draft and a gleam in some staff-level eyes; but a great deal of work has gone into it. The Justice Department admits that a draft complaint exists but denies that it has ever been submitted to the White House for its consideration or advice. The Department says that there is no early likelihood the complaint will be filed in a Federal court.

Mr. President, the size and power of General Motors makes it inevitable that there will be recurrent discussion of the role of this gigantic industrial entity in American society. There will also be, inevitably, recurrent discussion of the attitude and relationship of Government to General Motors.

Some discussion of this type, at a very high intellectual level, occurred last June 29 at a hearing over which the Senator from Louisiana [Mr. LONG] and I jointly presided. The title of the hearing was, "Are Planning and Regulation Replacing Competition in the New Industrial State?" It was a hearing of two subcommittees of the Senate Small Business Committee. Some of the testimony received at that hearing was mentioned—but I think misconstrued—in Tuesday's Wall Street Journal article.

The Journal article, written by Mr. Louis M. Kohlmeier, contains this paragraph:

> Mr. Galbraith, in recent Congressional testimony, ticked off a list of his candidates for "all-out attack." He called for "dissolution proceedings" against General Motors, Ford, the oil majors, United States Steel, General Electric, Western Electric, DuPont and all of comparable size and scope.

This substantially distorts and in fact reverses what Prof. John Kenneth Galbraith said at the hearings over which Senator LONG and I presided. Let me now read the entire paragraph, from page 10 of the printed record, from which the Wall Street Journal excerpt was apparently derived.

Quoting, now, from the testimony of Mr. Galbraith:

> It is possible that my distinguished colleagues here this morning will call for an all-out attack on achieved market power along the lines which Attorney General Turner has adumbrated in his book, which Prof. Walter Adams has long favored, and which I have just said would be necessary if they disagree with my conclusions on the inevitability of market power.

Mr. President, please note Professor Galbraith's reference to "the inevitability of market power." Continuing, now, with the quotation:

> This means action, including enabling legislation leading to all-out dissolution proceedings against General Motors, Ford, the oil majors, United States Steel, General Electric, IBM, Western Electric, Du Pont, Swift, Bethlehem, International Harvester, North American Aviation, Goodyear, Boeing, National Dairy Products, Procter & Gamble, Eastman Kodak, and all of comparable size and scope. For there can be no doubt: All are giants. All have market power. All enjoy an immunity not accorded to those who merely aspire to their power. Such an onslaught, tantamount, given the role of the big firms in the economy as I described it, to declaring the heartland of the modern economy illegal, would go far to make legitimate the objections to my position. It would mean that achieved market powet was subject to the same legal attack as that which is only a matter of aspiration.
>
> But I will be a trifle surprised if my distinguished colleagues from the Government are willing to proclaim such a crusade. I am frank to say I would not favor it myself . . .

And here I end my quotation from the testimony of John Kenneth Galbraith. Please note Mr. Galbraith's observation, "I am frank to say I would not favor it myself," referring to an all-out dissolution attack on "the heartland of the modern economy."

I make this correction of the record on behalf of a good friend and a great American; but I hasten to add that my own position on the crucial issue, which I think Galbraith correctly stated, is not as fixed as his appears to be. I agree with him that suing to break up General Motors and the other industrial giants he named would be an attack on the heartland of the economy and that the implications of any such attack are so profound as to stagger the imagination and also, as a practical matter, to be most unlikely to occur.

Nevertheless, the answer to the question, "Would it be good for the country to break up General Motors?" is not, in my judgment, an open-and-shut, resounding Galbraithean "No." Neither is it, in my judgment, a doctrinaire and certain "Yes." I honestly do not know the answer; but I should like to give more study to facts and principles upon which a wise answer depends.

It is time and past time that the dialog on this question become a popular dialog, as Vietnam, civil rights, and the war on poverty have become. For years there has been a great national dialog going on about the question, "Would breaking up General Motors be good for the country?" But the dialog has been largely confined to antitrust lawyers, economics professors, and a small percentage of the business community. It is time to bring this discussion to the people at large, for every one of us is affected by it—every American.

I believe that the Senate Small Business Subcommittees on Monopoly and on Retailing, Distribution, and Marketing Practices made a contribution to the popularization of this dialog last June 29, with the hearings to which I have referred and from which I have quoted. It is my hope that in the near future my own subcommittee may be able to make a similar and further contribution. Several interesting possibilities are under active exploration.

The question, "Would breaking up General Motors be good for the country?" is too important and too fascinating a question, Mr. President, to be left to the antitrust lawyers and the economists. All of us have a stake in finding the correct answer, and every social discipline should become involved in the dialog. More importantly, the general public should become involved. I shall do what I can toward that end.

Mr. President, I ask unanimous consent that Mr. Kohlmeier's article and some other news articles pertaining to the question be inserted in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Oct. 31, 1967]

ANTITRUST BOMBSHELL: A PROPOSED SUIT AIMED AT BREAKING UP GM POSES PERILS FOR LBJ—JUSTICE DEPARTMENT IS READY TO ACT—JOHNSON GO-AHEAD COULD ALIENATE BUSINESS—WHAT THE COMPLAINT CHARGES

(By Louis M. Kohlmeier)

WASHINGTON.—For months a live bomb has been ticking in dark files of the Justice Department. It may well be LBJ's greatest secret embarrassment.

This is a paper bomb, but it is more explosive than TNT. It consists of 104 neatly typed pages all in formal shape for presentation to a Federal court that have been put together by skilled technicians for one specific purpose: To break up "the largest industrial corporation in the world."

Namely, General Motors.

If this antitrust bomb explodes and succeeds in fragmenting the initial target—some antitrusters even want to split off GM's Chevrolet division—it could be the precedent for cracking apart venerable corporate giants in such other industries as steel, copper and rubber.

However, the President can be sure the bomb packs an additional explosive power. Though it contains not one word of the possibility, this trust-busting document could also blow up what's left of the Johnsonian political consensus.

LBJ's dilemma: If he permits the Justice Department to try to fragment GM—whose 1.4 million stockholders shared $1.3 billion in dividends last year—he risks outraging business-minded folk who have supported him. If he suppresses this crucial antitrust case, he risks enraging not only his own trustbusters but vocal intellectuals and labor unionists who have voted for him; already word of the proposed suit has leaked out to some who are ready to attack a failure to take it to court.

ATTACKING OLD MERGERS

The Government experts who built the bomb are not at all sure which way the decision will go. The longer the Administration delays its choice, the closer comes Election Day.

The proposed suit is revolutionary indeed: It would apply antitrust law for the first time against corporate mergers that took place many years ago. The charge is that while these mergers were not attacked at the time, they have since enabled giant corporations to dominate various industries illegally.

Thus, the complaint contends, General Motors' "present size and market strength are, in significant respect, a result of acquisitions" made largely prior to 1921. Because of those acquisitions, the document alleges, GM now "monopolizes the manufacture, sale and distribution of automobiles" in violation of the Sherman and Clayton antitrust acts.

This reasoning might, at first glance, seem too farfetched for any court to entertain, but the U.S. Supreme Court has already given its support to similar contentions. In its famous 1957 decision forcing Du Pont Co. to divest the GM stock interest Du Pont had acquired between 1917 and 1919, the court held that antitrust law can be applied against old acquisitions. It said that while all prior anti-merger cases had been brought "at or near the time of acquisition," the test is whether a merger restrains trade or has monopolistic effects at the time the suit is filed.

Since 1957 the Supreme Court has further expanded antitrust-law frontiers, and many antitrust lawyers express confidence that the court would uphold the proposed attack on GM.

A FEATHER IN HIS CAP

Inside the Justice Department, majority sentiment seems to favor filing the suit. Assistant Attorney General Donald Turner, head of the antitrust division since 1965, has said nothing in public about the possibility, but he recently repeated his long-standing support of the idea of a law to break up big corporations such as GM. Mr. Turner is expected to resign next summer to return to the Harvard law school faculty; one antitrust lawyer suggests that "Don Turner would like to file the GM suit just to have this feather in his cap before he leaves."

As for Attorney General Ramsey Clark, appointed just this year, he has merely expressed a general interest in more effective antitrust enforcement. Although it's not known just where Attorney General Clark stands on the GM suit, it appears that Mr. Johnson's reluctance to go ahead is the chief factor holding back the suit.

What's even clearer is that the proposed case is not the fruit of any Johnson Administration initiative. Its origins date all the way back to the closing days of the Eisenhower regime, when a special auto-industry investigation unit was set up in the antitrust division: William P. Rogers was then Attorney General and Robert A. Bicks headed the division.

Intensive spadework began a few months after President Kennedy took office, when Robert Kennedy was Attorney General and Lee Loevinger headed the antitrust division. The investigation continued after William H. Orrick succeeded Mr. Loevinger in 1963, after Nicholas Katzenbach became Attorney General in 1964 and after Mr. Turner arrived as antitrust chief in 1965.

ATTACKING 40 MERGERS

According to the complaint that finally emerged from all this probing, more than 100 mergers and acquisitions went into the formation of GM; the proposed suit specifically attacks the legality of more than 40 of them. It asks that, "in the resolution of the violations of the antitrust laws, General Motors be required to divest itself of said acquired companies and to reconstitute itself into a sufficiently large number of companies to accomplish a restoration of competitive conditions."

The 40-odd acquisitions, which include the largest, are now so thoroughly integrated into GM's total auto-making operations that, despite the wording of the complaint, there is no intention of trying to split off precisely that number. No one has decided exactly how GM would be reconstituted, but those who know say the general idea is to split off the Chevrolet division, plus perhaps one or two more auto-assembly divisions, plus enough parts-manufacturing and other facilities to make the split-off auto companies effective competitors. (The Chevrolet division alone accounts for more than 40% of GM's auto production.)

As precedents, the proposed GM suit cites the Government's antimonopoly cases that began in the trustbusting days of Teddy Roosevelt and culminated in the 1911 Supreme Court rulings breaking up the Standard Oil trust and the old American Tobacco Co.

The antitrusters have never attempted comparable split-ups of General Motors, U.S. Steel Corp. and a number of other companies that were being formed in Teddy Roosevelt's time and are giants today. What the prosecutors have done in GM's case is to attack its more recent acquisitions of certain sidelines, notably its road mahinery and bus manufacturing divisions; they have shunned any frontal assault on the corporation's main line of making autos.

At the same time, of course, the Justice Department has been attacking a variety of mergers undertaken by companies smaller than GM. As a result of Congressional amendment and Supreme Court interpretations of antitrust law, the department almost automatically brings suit against proposed "horizontal" mergers that join direct competitors: Even mergers of two relatively small companies that would have less than 10% of a market have been held illegal. The law also has been extended to stop "vertical" mergers between supplier and customer. More recently it has reached "market extension" acquisitions, in which a large company enters a new market by buying a smaller concern.

The pattern of enforcement has drawn increasing fire from antitrust "hawks," including some economists, Government antitrusters and even Supreme Court justices. They have charged that medium-sized and smaller corporations get penalized today for doing what GM and other giants got by with years ago. Harvard economist John Kenneth Galbraith has labeled antitrust enforcement a "charade" because, he holds, the old giants have been "substantially immune."

GALBRAITH'S TARGETS

Mr. Galbraith, in recent Congressional testimony, ticked off a list of his candidates for "all-out attack." He called for "dissolution proceedings" against "General Motors, Ford, the oil majors, United States Steel, General Electric, Western Electric, Du Pont and all of comparable size and scope."

No one in the Justice Department's antitrust division is as ambitious as Mr. Galbraith. But the Federal antitrusters have armed themselves with ammunition for a wide-swinging, hard-hitting assault on GM alone. Their long investigation of the auto industry included months of searching in musty corporate and tax files. The proposed suit traces the whole history of the auto industry, beginning with names like Haynes, Duryea and Stanley that disappeared long ago. "Of more than 1,500 manufacturers who have produced one or more types of automobiles in the United States," the complaint says, "only four are still so engaged."

What's more important, the suit traces the operating and financial history of the auto companies that became part of General Motors after GM was incorporated in 1908 as a holding company. William C. Durant organized GM to acquire Buick Motor Co. and Olds Motor Works. In 1908, GM also began to acquire stock in Oakland Motor Car Co., which became the Pontiac division, and in 1909 it acquired Cadillac Automobile Co. Soon thereafter, the suit relates, GM brought two truck manufacturers, Rapid Motor Vehicle Co. and Reliance Motor Truck Co., and it began to acquire a spark plug and other parts companies.

CHEVROLET IS BORN

When Mr. Durant was temporarily out of power between 1910 and 1915, and a bankers group controlled GM, he organized Chevrolet Motor Co. But in 1916 Mr. Durant and the bankers settled their differences, and he again became president of GM, which subsequently acquired Chevrolet.

"The many acquisitions by General Motors of competing auto manufacturers were substantial factors leading to General Motors' dominance of automobiles," the complaint charges.

Between 1918 and 1922, the document continues, GM undertook an expansion program that "quintupled production capacity, not only as to cars and trucks but in parts lines that related directly to the construction of the car or truck."

And the proposed suit traces GM's growth in auto sales from 1920, when it had 13% of the industry's factory sales in the U.S., to 1965, when it had 53.1%. (In 1967's first half, GM's share was 54.5%.)

The complaint also dwells on GM's acquisitions of suppliers. In 1919, GM acquired Fisher Body Corp., and in 1920 Fisher bought out "a number of its suppliers," the complaint recounts. About the same time, GM bought into New Departure Manufacturing Co., a bearings maker. (This purchase was completed later.) It also acquired United Motors Corp, which had bought Dayton Engineering Laboratories Co., the company that Charles F. Kettering had founded in 1909. Later, GM acquired a headlight maker, a battery company and some other suppliers, but, according to the complaint, "After 1920, General Motors' pattern of corporate acquisitions had been reduced to consolidations and special situations."

DEALER POLICY

GM's acquisition of suppliers, according to the complaint, not only enabled the corporation to control its costs but also, in effect, forced GM's competitors "to buy from—and thus contribute to the profits of" General Motors, or else "to purchase inferior products."

ALLEGED VIOLATIONS SPECIFIED

GM's acquisitions and alleged anticompetitive practices, the complaint contends, add up to violations of sections 1 and 2 of the Sherman Act, which outlaws monopolies, and to violations of section 7 of the Clayton Act, which bars acquisitions that tend to restrain trade or may tend toward monopoly.

Whether and when all these charges will land in court are the unanswered and, for now, unanswerable questions. It's not unusual for Justice Department lawyers to toil over a major antitrust suit for a year or longer before taking it into court. Some insiders want to go ahead and file the case just as now proposed; a more likely course would be to delete the charges concerning dealerships, bank deposits and planned obsolescence, which would be hard to prove in court.

There also has been debate over the more basic issue: Should the department and the courts try to extend antitrust law to reach old giants like GM, or should any fundamental restructuring of major industries be left to Congress?

This is the question that LBJ himself must ultimately decide—and in the context of the 1968 election.

In view of LBJ's known leanings, one antitrust lawyer predicts "the GM suit will be brought only if Johnson feels his closeness to business has become a political liability in an election year."

Mr. Galbraith, who heads the liberal Americans for Democratic Action, seems to feel even surer of the outcome. At a recent Capitol Hill seminar, Mr. Galbraith repeatedly taunted antitrust chief Turner with the mention of GM and wound up by saying: "I really doubt (the Government) is going to break up General Motors."

The complaint alleges a number of other anticompetitive practices. It charges, for instance, that "after General Motors achieved a dominant position about 1919, it adopted the policy of requiring its dealers to drop competitive lines and sell only General Motors cars."

Starting about 1925, the complaint charges, "General Motors commenced the practice of distributing surplus cash as broadly as possible through commercial banks in different parts of the country. It was felt this distribution would have a salutary effect upon the banks' relationship with General Motors and its dealers. The effect of General Motors' enormous cash deposits among the principal banks is very real and very substantial, albeit impossible to measure precisely."

The complaint even charges GM with imposing "planned obsolescence" on the auto industry. It says that GM in the late 1920s "introduced the practice of redesigning its automobiles annually. The practice superimposed on the normal effects of depreciation the added influence of a more rapid obsolescence. The effect upon competitors is obvious and dramatic." Tools and dies for new models are high-cost items that GM's smaller competitors can less easily afford, the proposed suit declares.

[From the Wall Street Journal, Nov. 1, 1967]

JUSTICE AGENCY SAYS SUIT TO BREAK UP GM WON'T BE FILED SOON—DEPARTMENT CONFIRMS PROPOSED LITIGATION HAS BEEN PREPARED; WHITE HOUSE DISCLAIMS ROLE

WASHINGTON.—The filing of an antitrust suit to break up General Motors Corp. isn't imminent, the Justice Department said in response to a Wall Street Journal story yesterday that disclosed such a suit has been prepared.

The department said that its antitrust division has been investigating the auto industry for "years" and that the proposed suit was prepared 16 months ago. But it said a decision on filing it hasn't been made because the division still is studying it.

The department didn't explain the reasons for the delay, except to say "difficult and complex legal issues" are involved. The department didn't say what they were.

It isn't unusual for major antitrust cases to be debated and reworked for as long as a year within the division before a formal complaint is filed in a Federal district court. The department, in commenting on the GM suit, noted that some cases are never filed.

The proposed GM suit, however, appears to have been delayed unusually long without a decision to file or not to file. The department said the study of the legal issues still remains "unresovled at the staff level of the antitrust division." It added that Donald Turner, head of the division, has made "no recommendation concernnig possible legal action because the study hasn't reached such a stage."

The filing of any antitrust suit by the assistant attorney general in charge of the antitrust division requires the written approval of the attorney general. The department said the possible suit hasn't been discussed with Attorney General Ramsey Clark.

The department's public information officer made the comments in a statement issued following The Wall Street Journal's disclosure that a formal, 104-page civil complaint against GM had been prepared inside the antitrust division. The proposed suit alleges that GM's acquisitions of more than 40 auto and parts manufacturers violated the Sherman and Clayton antitrust acts.

In Detroit yesterday, GM had no comment on the case. General Motors' stock fell $3 to $82.50 on the New York Stock Exchange.

The agency's suit would be revolutionary because it would allege that GM dominates the auto business by reason of acquisitions accomplished prior to about 1920. Antitrust law always has been applied at or near the time acquisitions are made, although there aren't any statutes of limitations applicable to antitrust statues. Legal precedent for the suit would be the Supreme Court's 1957 ruling that forced DuPont Co. to divest the GM stock interest DuPont acquired between 1917 and 1919.

The proposed suit doesn't say just how GM would be reconstituted, but thinking inside the antitrust division has been that the agency would ask at least for divestiture of the Chevrolet division, which accounts for more than 40% of GM's auto production.

The department's statement said the proposed civil suit was a draft, prepared 16 month ago, that "was only a starting point for considering legal theories and approaches." It said that "neither evaluation nor processing of the study has been completed by the antitrust division." Further, it said, Mr. Turner and Mr. Clark have reached no decisions and "it has never been mentioned to anyone at the White House, much less brought to the attention of the President."

At the White House, Presidential Press Secretary George Christian told reporters President Johnson had "never heard of" the proposed GM suit. "No matter of this kind has ever been brought to the President's attention. I don't think this would require the President's approval," Mr. Christian added.

The Journal article didn't say that the GM suit had been approved or rejected by Mr. Turner, Mr. Clark or Mr. Johnson. It reported that Mr. Turner, without specific reference to GM, recently had publicly repeated his long-standing support of the idea of a law to break up big corporations such as GM. The article said Mr. Clark's views on the suit were unknown.

Further, the article predicted that the filing of any such suit against GM, which has 1.4 million stockholders and is the world's largest industrial corporation, would diminish President Johnson's political support within the nation's business community.

[From the New York Times, Nov. 1, 1967]

JUSTICE LEADERS REJECTED A PLAN TO FILE TRUST SUIT AGAINST GM

(By Eileen Shanahan)

WASHINGTON, October 31.—A proposal by some staff lawyers that the Justice Department file an antitrust suit seeking the breakup of General Motors into several competing companies was rejected some months ago by top antitrust officials as inadequately prepared, it was learned today.

Work on such a case is still continuing at the staff level, but the suit, like many others that the antitrust staff prepares, may never be filed, officials said.

The proposed suit was returned to the

staff by Donald F. Turner, Assistant Attorney General who is head of the department's antitrust division, it was learned.

A department spokesman said that the case has not been brought to the attention of Attorney General Ramsey Clark, who would have to sign any legal complaint before it was taken to court.

The department's spokesman also said that the possibility of such a suit "had never been mentioned to anyone at the White House, much less brought to the attention of the President."

The existence of a draft complaint against General Motors, charging it with violation of the antitrust laws because of a series of mergers dating back as much as 40 years, was disclosed today by The Wall Street Journal.

The Journal's article implied that a decision on whether to file the suit would depend upon political considerations, and that President Johnson was already weighing these.

The article did not explicitly say, however, that the issue had already been brought to President Johnson's attention.

George Christian, White House press secretary, said that no one at the White House had heard about the possibility of a suit to break up General Motors and that "the President's involvement in this is pure imagination."

The draft complaint against General Motors, it was learned, was largely the work of a former antitrust division lawyer, Eugene Metzger, who completed it shortly before he left the Justice Department in May, 1966.

Mr. Metzger has worked since then in the office of the Controller of the Currency and has opposed the Justice Department in court in several controversial bank merger cases.

It was Mr. Metzger's draft complaint, quoted in today's Wall Street Journal, that Mr. Metzger worked as part of a team of antitrust lawyers, created in 1960 by William P. Rogers, President Eisenhower's last Attorney General, to study the entire automobile industry. The focus of its work shifted to General Motors alone in 1961, after the Kennedy Administration came into office.

The team produced three suits against General Motors. One, which accused the company of illegally monopolizing the diesel locomotive business, was dropped "for lack of evidence," according to the Justice Department's announcement at the time.

A second, which sought to force General Motors to divest itself of its bus manufacturing operations, was settled without trial and without requiring such divestiture, although the company's patents in the bus field were opened to all comers.

The third, which sought to force General Motors to give up its Euclid division, the leading manufacturer of bulldozers and other earth-moving equipment, has reportedly been settled on terms that will not require divestiture.

The decisions to compromise or abandon the Justice Department's original positions in all three of these cases were made by Mr. Turner.

In its comment on the General Motors situation today, the Justice Department said that "it is common for draft complaints to be prepared" when antitrust cases are under study. The draft, in this instance, it said, was "only a starting point for considering legal theories and approaches."

In 1957 the Supreme Court upheld the validity of attacks against ancient mergers in its decision ordering E. I. du Pont de Nemours & Co., Inc., to sever its ties with General Motors, which were then 40 years old.

But that case had not been brought on the ground on which the Court decided it, which was that a merger that has not been found illegal at the time it occurred could subsequently have anticompetitive consequences that would render it illegal.

Any suit seeking now to break up General Motors would presumably be based, in part at least, on the doctrine laid down by the Court in the du Pont-G.M. case.

[From the Washington Post, Nov. 1, 1967]

ADMITS EXISTENCE OF "DRAFT COMPLAINT"—JUSTICE DENIES GM SUIT REPORT

(By Richard Harwood)

The government admitted yesterday that a proposal to break up General Motors Corporation under the anti-trust laws has been gathering dust in the Justice Department for 16 months.

But the Department said the proposal was merely a "draft complaint" (presumably written by a junior lawyer), that no decision to sue the giant automobile company has been made, and that none is likely in the immediate future.

The Department also rejected suggestions that "higher authorities" have been suppressing the document and specifically denied that President Johnson was in any way involved.

"The study has not been discussed with the Attorney General," a Department spokesman said. "It has never been mentioned to anyone at the White House, much less brought to the attention of the President."

This outpouring of government statements was in response to an article yesterday in The Wall Street Journal which said that a proposal to break up General Motors was in shape for presentation to a Federal Court.

By mid-afternoon yesterday, the Justice Department had confirmed that such a document existed but whether it had any significance was a matter of dispute.

One government legal authority said the Department's files are full of lengthy and learned documents that argue both sides of the GM issue.

"The notion of breaking up GM," he said, "is not new."

Lee Loevinger of the Federal Communications Commission headed the anti-trust division of Justice from 1961 until mid-1963. He said yesterday that he had set up a so-called "General Motors Task Force" early in his term to bring together five or six separate anti-trust suits (none of them of major significance) which were then under study by the Department.

But at the time he left the Department, Loevinger said, no one was prepared to go into court to try to break up the company.

Another alumnus of the anti-trust division, who is in private practice here now, said that by 1964 "serious" thought was being given in the department to a "break-up GM" suit. But no decision was ever reached, he said.

That, the Department said yesterday, is the present status of the matter.

"It's bogged down," one official said, "the way it has been for years—at the staff level. Some people feel one way, some another."

From all indications, the "bogging down" process within the bureaucracy of Justice has been going on at least since the Eisenhower Administration, where the idea of a major anti-trust action against GM was first broached.

The theory in Washington legal and government circles yesterday was that some Justice Department lawyer, frustrated by the bureaucratic way of life, leaked the document to force a decision.

But it seemed unlikely, in view of the Department's statement, that any quick decision would be made. But General Motors had no comment.

CONTINUING SURGE OF UNLAWFUL DEMONSTRATIONS ACROSS OUR COUNTRY

Mr. THURMOND. Mr. President, it is high time that the President of the United States told the rioters, peaceniks, and Communists, who refuse to conduct orderly demonstrations, that the majority of peace-loving Americans have had enough. It is time for the President to take steps to "insure domestic tranquillity" for those who decline to be parties to disobedience and lawlessness. In the Washington Post for Friday, October 27, it was reported that more than 100 rabble-rousers, in the name of exercising their freedom of dissent, held a Navy recruiter captive in his car for more than 4 hours, thereby denying him all freedoms for this extended period.

All Americans should abhor conduct like this, and those who knowingly refuse to denounce such unlawful demonstrations are condoning lawlessness and helping to sow the seeds of anarchy and rebellion. Liberty and freedom are products of law and order. Without law and order no one is assured of freedom, liberty, or personal safety.

The Supreme Court has said that the freedoms of speech and assembly are not licenses to create public disorder and violence. In *Cox* v. *Louisiana*, 379 U.S. 559 (1965), the Court said:

> We emphatically reject the notion that the First and Fourteenth Amendments afford the same kind of freedom to those who communicate ideas by conduct such as patrolling, marching, and picketing on streets and highways, as these amendments afford to those who communicate ideas by pure speech."

In *Walker* v. *City of Birmingham*, 388 U.S. 307 (1967), quoting from an earlier case, the Court said:

> Civil liberties, as guaranteed by the Constitution imply the existence of an organized society maintaining public order without which liberty itself would be lost in the excesses of unrestrained abuses.

Society has the right to demand that all demonstrations be orderly and lawful. Where the law has been flounted, the guilty parties should be arrested and prosecuted. We need the leadership of the President in this crisis; the President should denounce all unlawful demonstrations and take appropriate action to terminate them. Where there are violations of Federal laws, the Federal authorities should arrest the violators. Where the violations are State offenses, the appropriate State authorities should be encouraged to deal firmly and evenhandedly with the lawless.

Mr. President, we are all well aware of the tragic events of lawlessness which occurred in the name of dissent and grievance this past summer. In the October issue of the FBI Law Enforcement Bulletin the Director, Mr. Hoover, said:

> It should be abundantly clear that the doctrine of civil disobedience is a doctrine of self-destruction.

Mr. Hoover went on to say:

> Many proposals have been advanced to help eliminate the causes of riots. Just as there is no single cause, there is no single remedy. I do know, however, that the answer will not be found in sociological remedies alone. If our system of law is to survive, then the law must be enforced. Those who break the law, acting alone or in concert, must be detected and arrested, promptly prosecuted, and given proper, substantial punishment. In halting riots and removing

crime from our nation's streets this should be the first order of business.

The President has been willing to say "We shall overcome," but as of yet he has been unwilling to say that "we have had enough." I say we have had enough of unlawful demonstrations, and I think it is indeed time that the President told the lawless minority that he will indeed take the necessary steps to "insure domestic tranquillity" for all citizens of the United States.

Mr. President, I think it is evident that these demonstrations in various parts of the Nation are not taking place without some common direction and coordination. An article from the October 19, 1967, edition of the Berkeley Daily Gazette, Berkeley, Calif., points out that there is an interlocking directorate at work with some organizers instigating disruptions in various parts of the country. Berkeley has suffered more than its share from the machinations of these people, and it is evident that the Gazette is keeping track of their activities.

An editorial in the October 24, 1967, edition of the Columbia Record of Columbia, S.C., points out the anarchy perpetrated by the mass antiwar demonstration at the Pentagon. This editorial draws attention to two things which should be done: First, those demonstrators who are truly nonviolent must separate themselves unequivocally from the revolutionists; second, immediate steps must be taken to protect the overwhelming majority of Americans who abide by the law and should be protected by the law.

I also want to draw attention to an excellent new publication by the Virginia Commission on Constitutional Government entitled "Every Man His Own Law." The Virginia Commission on Constitutional Government has enjoyed a reputation of high scholarship and clearly defined legal argument, and it is known as the promoter of a sound philosophy of law. I think it is significant that the publication comes out at the very time when the consequences of anarchy are so clearly evident here in the Nation's Capital.

I wish to call to the attention of my colleagues one more article on the subject of demonstrations. The lawless nature of the antiwar movement has been denounced by the Washington Post. In an editorial in the Post yesterday, the editor, speaking of demonstrators who "use physical force to achieve the ends they seek," said:

> There is no place in a democratic society for conduct of this kind.

As I said before, whether the violations of the law be State or Federal, there must be enforcement. The Justice Department appears entirely too timid. There have been violations of Federal laws and very little enforcement. It is past time that this grave matter receive the prompt and specific attention of the Justice Department.

Mr. President, I ask unanimous consent that the article by Mr. J. Edgar Hoover from the Law Enforcement Bulletin, the article from the Berkeley, Calif., Daily Gazette of October 19, 1967, the editorial from the Columbia Record of October 24, 1967, the text of the pamphlet "Every Man His Own Law," and the editorial entitled "Students and Recruiters" from the Washington Post of November 1 be printed in the Record at the conclusion of my remarks.

There being no objection, the material was ordered to be printed in the Record, as follows:

Message From the Director

In a riot there are no victors. The losers include everybody—the rioters, the victims, law enforcement, the community, the State, and the Nation.

Causes of riots can be counted by the score. A study of the overall problem indicates, however, that the widespread violence in our country to some degree is a direct outgrowth of the civil disobedience movement. In recent years, some leaders of dubious stature have made a grandiose gesture of willfully violating laws they deem to be unjust. For the most part, these individuals, although admittedly guilty of breaking the law, have gone unpunished. Young thugs and misguided teenagers, seeing others defy authority and the courts with impunity, have been led to believe that any crime under a banner of complaints is justified. Consequently, they ignore the law and roam through their communities creating violence and terror. Certainly, those who espouse the theory of civil disobedience and authorities who free guilty violators must share a portion of the blame and responsibility for the turmoil in our streets. It should be abundantly clear that the doctrine of civil disobedience is a doctrine of self-destruction.

Stern, decisive action is needed when a street disturbance begins. Justice is not served when a growing horde of vandals and looters is appeased and their pillage overlooked lest "a show of force might provoke them to greater violence." Quiescence does not satisfy rioters. Procrastination or uncertainty on the part of authorities denotes weakness or concession to a mob. Thus, the offenders are encouraged, and their violence gains momentum.

A judicial self-appraisal by the news media of their riot coverage might also be in order. Some media have already taken action in this regard. There can be no quarrel with the all-important role of keeping the public informed as quickly and as completely as possible. No one rightfully expects riots to be played down or salient facts withheld.

On the other hand, militant agitators, hate-mongers, and publicity-seeking rabble rousers who incite riots have no fear of overexposure. They know that television, radio, and front-page news stories are the best and quickest means of getting their views before the public. Thus, they seek attention from the news media. In riot reporting, objectivity and balance, always key factors of responsible journalism, help expose distortion and reduce the special treatment of those who advocate violence. Strict adherence to high journalistic principles is a valuable public service in matters affecting public safety.

Many proposals have been advanced to help eliminate the causes of riots. Just as there is no single cause, there is no single remedy. I do know, however, that the answer will not be found in sociological remedies alone. If our system of law is to survive, then the law must be enforced. Those who break the law, acting alone or in concert, must be detected and arrested, promptly prosecuted, and given proper, substantial punishment. In halting riots and removing crime from our Nation's streets, this should be the first order of business.

John Edgar Hoover,
Director.

[From the Berkeley Daily Gazette, Oct. 19, 1967]

Interlocking Directorate at Work—And Reflections of Oakland

(By Mike Culbert)

The big-big show for Washington looms tomorrow and over the weekend following its successful Bay Area warmup and minor skirmishes across the nation.

But lest we forget it, the interlocking directorate of those running Stop the Draft Week are behind the big anti-draft push only as a facade for the other axes they have to grind.

We were treated to a localized version of this during the Tuesday morning "confrontation" in Oakland.

There, the vehicle was growing sentiment against the war in Vietnam. Leadership of much of the protest movement came from those who have spearheaded other attempts at anarchy in these parts under other labels.

No, not all groups have been taken over, and certainly most of the anti-war, anti-draft persons are sincerely just that. It's only the leadership which remains, as always, suspect.

Back in Washington, we find that one of the chief propagandists for the drive to "shut down the Pentagon," timed to allow the militants maximum press and television exposure, is none other than Arnold Johnson, national public relations director of the (why, yes) Communist Party—U.S.A.

One of the organizers and leaders is, of course, David Dellinger, the Pro-Castroite. And of course the actual anti-Pentagon operation is vested in the talented hands of former Berkeley Mayoral Candidate Jerry Clyde Rubin, self-styled "American revolutionary," cofounder of the Berkeley Vietnam Day Committee, pro-Castroite and supporter of the fascist "Black Power" concept.

Also providing leadership for the Washington march and rally are James Bevel and Ralph Abernathy, of Martin Luther King's Southern Christian Leadership Conference (SCLC), some of whose members have been linked with a cited Communist front of a similar name.

Also on tap will be Lincoln Lynch, of the ever-more-radical, extremist and mis-nomered Congress of Racial Equality (CORE).

It makes no difference what the beef is—whether it has to do with civil rights, Vietnam, Cuba, Black Power, or whatever—the same old faces and leaders, adept at whipping up the masses, appear.

Just like the Oakland doings. The faces in the crowd included many of the old Free Speech Movement-Free Student Union, Vietnam Day Committee crowd here, aided and abetted by a spate of old-line American Communists and various farout Marxist anachronists like the Trotskyists and the Mao-lining Progressive Labor militants.

We were in on the Monday and Tuesday Oakland happenings, and most of them have been covered in detail by the Gazette. Some have not, but Lari Blumenfeld, a seasoned veteran of the Bay Area trouble-in-the-streets scene, remembers these "reflections from Oakland":

"The front-line agitators couldn't get out of the way fast enough when the action started and in many instances it was they who trampled those behind and along the sides in their mad dash to escape the police juggernaut . . .

"I watched . . . professional agitators deliberately whooping up the crowd and drowning out the police public address system warning to the assembled crowd—those who might have gotten out of the way had they known what was coming.

"I saw at least a dozen CDer ('civil-disobedience' types), white arm-band persons who were allegedly willing to 'lay their lives on the line,' sitting in a row on the fence of a nearby parking lot while the 'innocents' were getting their heads cracked.

"I did not see, but police reports refer to the fact that among this same group was a makeup kit. They were painting 'scars' over their brows and blood trickles down the corners of their lips!

"The real revolutionaries took over the intersection of 17th St. and San Pablo Ave. They stopped all traffic and diverted it. And if an irate citizen tried to drive through, they jumped on his car. I saw them rock cars, taunt drivers, and in one instance they even picked up a car and turned it around.

"At one time two Loomis armored cars were trapped in the middle of the intersection and finally had to back out. Also trapped was a police car, which was literally inundated with demonstrators who scratched and kicked it and attempted to let air out of the tires.

"I saw this same group roll city garbage cans to the middle of the intersection and the demonstrators start to set the contents ablaze when three Oakland motorcycle officers came roaring down the street, scattering the crowd.

"I saw actually terrified shopkeepers—cafe people—slam and lock their doors when demonstrators tried to come in.

"I marched with a group about six blocks to their encampment at Lafayette Square where they held an illegal rally. Again, intersections were taken over by the revolutionaries, who just plopped down in the street from exhaustion. They also directed traffic and told the drivers of automobiles, 'This is liberated territory. You can't come through here.'

"I saw demonstrators throw two stink bombs into a cluster of policemen who were trying to subdue a demonstrator. I also understand some of them carried flares and threw these.

"After the clearing action, I saw some of their (protestors') weapons, including crude thick shields with Che Guevara portraits, and heavy hardwood sign sticks to be used as clubs."

Neither Lari nor this columnist suggests that all participants in the Tuesday mess were "baddies." Far from it. The frustration of American foreign policy has been the unwitting (?) instrument which has allowed American revolutionaries another great opportunity to create havoc and have increased support.

Most concerned youth are no more anxious to be clubbed by an Oakland policeman than they are to burn their draft cards.

Or to die in Vietnam.

[From the Columbia (S.C.) Record, Oct. 24, 1967]

ANARCHISTS ATTACK THE PENTAGON

The violent demonstration in Washington over the weekend and the attempt to storm the Pentagon should be an object lesson to the Johnson administration and subsequent Presidents of our country. It is quite clear now that there are elements in our society who would destroy American democracy under the guise of "peaceful assembly," an honored American right.

These groups have now declared that they are civil insurrectionists, that they will ignore all the laws of our land to achieve their stated objectives, and will blatantly defy civil authority.

Now, right now, is the time for the Johnson administration to defend the majority of the American citizens and use all available laws to arrest and imprison those who place our fundamental rights in peril. We, the majority, are guaranteed "domestic tranquillity" by the preamble to our Constitution.

Now, right now, is the time for the law-abiding majority to demand our own protection and domestic peace through prompt and vigorous prosecution of the revolutionaries in our midst.

Make no mistake about their intent. And let us not beguile ourselves about the character of the people and the organizations who either control or foment the rebellion.

From the very beginning, as the record shows without disputation, Communists and Communist-front organizations helped plan the Washington demonstration. Communist and pro-Marxist groups participated in the initial planning session in May. While Communists differed on whether there should be a mass demonstration in the capital or several throughout the country, the viewpoint of Arnold Johnson, public relations director for the Communist Party USA, prevailed, and the Washington rally was agreed upon.

In that same month, the organization sponsoring the rally changed its name from the "Spring Mobilization Committee to End the War in Vietnam" to the "National Mobilization Committee."

David Dellinger was chairman of the rally. He has served two prison terms for draft evasion. He made it clear in advance of the Washington demonstration that there was little likelihood that the rally would remain "non-violent." Indeed, the announced aim was "to shut down the Pentagon."

Despite strong advice to the contrary, President Johnson issued orders that permission for the rally be given. There never was any intent for the gathering to be "peaceable" or "non-violent."

After the tragic event, leaders of Dellinger's Committee met and agreed that hereinafter they would use massive "resistance" to block or impede the military. Dellinger says that he and his group will end "parades" and begin "confronting" the government with sit-ins and other acts of civil disobedience.

Two things should now be done. First, those truly non-violent individuals and organizations who are opposed to the war must separate themselves unequivocably from the revolutionaries. Men like Yale University chaplain William Sloane Coffin Jr. must divorce themselves from the insurgents. To do less will be a gross caricature of the Christian gospel. The ministers who accompanied Coffin spoke of a "fair and dignified" protest; there is no such thing as a "fair and dignified" protest under the revolutionary banner.

Coffin and his ilk can no longer lock arms with the militants who are ugly, vulgar, obscene; who spit in the faces of remarkably restrained soldiers and who goad them with the most vicious of unprintable, personal slander. We do not believe that the Jesus Christ whose teachings Coffin espouses would condone such behavior even as "righteous indignation."

If intellectuals of the academic community, ministers and others choose to become comrades-in-arms with the bestial semi-literates who carry signs saying, "LBJ The Butcher" and "Johnson's War in Vietnam Makes Americans Puke," they must suffer the consequences of their associations.

Second, immediate steps must be taken to protect the overwhelming majority of Americans who—whether they agree or disagree with the war and its strategy—abide by the law and should be protected by the law.

In Cox v. Louisiana, the transgressions of the Washington rebels was outlined by the U.S. Supreme Court:

"The rights of free speech and assembly, while fundamental in our democratic society, still do not mean that everyone with opinions or beliefs to express may address a group at any public place and at any time.

"The Constitutional guarantee of liberty implies the existence of an organized society maintaining public order, without which liberty itself would be lost in the excesses of anarchy. The control of travel on the streets is a clear example of governmental responsibility to insure this necessary order . . .

"One would not be justified in ignoring the familiar red (traffic) light because this was thought to be a means of social protest. Nor could one, contrary to traffic regulations, insist on street meeting in the middle of Times Square at the rush hour as a form of freedom of speech or assembly."

Obstruction of public order and disruption of public peace are now threatened by the rebels under the guise of right of dissent. Sufficient laws are available to prosecute those who incite to riot and rebellion and to jail anarchists who threaten the civil liberties of the mass of Americans.

Our elected officials, whether in the Executive or Congressional branches of the national government, are sworn to insure domestic tranquillity to our nation. Let them fulfill their oaths, promptly.

EVERY MAN HIS OWN LAW

A commentary by the Virginia Commission on Constitutional Government concerning the unparalleled lawlessness in the streets of the Nation today. The Appendix contains excerpts from the Constitution of the United States; the Virginia Bill of Rights; and excerpts from the Code of Virginia. Specifically covered are several sections of the Code of Virginia dealing with suppression of and punishment for riotous acts.

In those days there was no king in Israel: every man did that which was right in his own eyes. (Judges 21: 25.)

FOREWORD

The publication program of this Commission has been devoted in large part to the reproduction of basic documents relating to the Constitution of the United States; its recent major volume was *The Reconstruction Amendments' Debates,* which includes all the debates in the Congress concerning the adoption of the 13th, 14th, and 15th Amendments. It seems necessary and appropriate, however, to devote one pamphlet to a protest against the current unparalleled lawlessness that has plagued many of our cities, and which, if continued, would destroy those very liberties which the rioters profess to cherish but seek to gain through lawless acts.

From time to time various publications of the Commission have been republished by others and given wide circulation in various parts of the country. May this meet with like favor. (The Virginia Commission on Constitutional Government.)

EVERY MAN HIS OWN LAW

Order is the first object of any government. Without it no other goal can be attained. History illustrates this emphatically. After the time of Joshua, for instance, the children of Israel were without law except as each tribe or faction conceived. Anarchy reigned. This should serve as a warning to all people for it is only in a time of tranquillity that one can plan and build great institutions and assure to all the basic rights which are guaranteed by constitutions and bills of rights. If a man is free to disobey any law that he does not think is "good," to that extent he infringes upon the political rights of all men, and the principles upon which our government was founded are no longer assured.

Against tyranny man rebels

No man living in human society can be his own law. If making his own law can be asserted by one man, it can be asserted by all. If the philosopher can make his own law, so can the fool. If the virtuous man can make his own law, so can those who spring from the gutter. Good laws must come from the genius of a whole people, based upon their traditions, their experience, and their current needs; and they must be capable of practical application. The wise lawmakers of the Athenians admitted that they did not give their citizens the best laws they were capable of giving, but the best laws that the citizens were capable of receiving.

Virtue does not of itself lead to wisdom, and no man may by the assertion of his own superior virtues or wisdom put himself above the laws commonly imposed upon and accepted by his fellow-citizens. To permit it, is to bring chaos. This must apply to all—preachers and philosophers, rich men and poor, the powerful and the weak. All must be alike before the law of the land. Even Jesus proclaimed that he came not to destroy, but to fulfill the law, and this by teaching an exemplary religion, a new set of ethical principles. Meanwhile, he would render unto Caesar the things that were Caesar's.

No one has the right to obey only the "good" laws; all laws are good until they are amended or repealed, and must be enforced. That is not to say that they may not be criticized. Indeed, it is the duty of a citizen to seek change if he believes the law to be unwise or unfair, and he need not be respectful to the lawmakers in the process. But, until the change is made, he must conform, and not set himself up as an island of virtue, one above the law.

When the tyrant is at one's throat and there are no peaceable means of redress, rebellion is necessary and becomes a virtue. The lengendary William Tell could reach Gessler only by an arrow; in the tyranny that was the France of Louis XVI, Mirabeau could attempt to save his country only by abandoning his class and joining the revolutionists; Iturbide and Madero had to take up arms if Mexico was to be liberated; Bolivar and San Martin had only that recourse against Spain; in Haiti a Toussaint L'Ouverture had no remedy against France but through force; Lenin and Stalin found revolution the only escape from czardom, even though they were to impose a worse tyranny of their own; Washington had to take up arms when no political solution was available. These men became heroes by rebelling—sometimes heroes even to their enemies; today Washington's statue stands in Trafalgar Square. These men, and many more who could be named in other times and other countries, had no peaceful means of achieving liberty. But in an open society, where all men are free to express themselves and select their governors and legislators, such rebellions are criminal.

But an open society demands peaceful methods

And America *is* an open society, where everyone's views may be freely expressed and fully asserted at the ballot box. The more extreme a man's views, the more certain he is of attention from press, radio, and television: the reporter follows him everywhere; the announcer shoves the microphone to his open mouth; the photographer puts his face on the front page of newspaper and magazine. He has a full hearing, even when advocating subversion of the Constitution, the killing of people with whom he disagrees, and the burning and looting of their property. The reporters give his meetings full coverage except when excluded, which is usual when subversives gang together. London's Hyde Park is set aside for free expression by cranks and splinter groups; in America, Hyde Parks are everywhere.

The ballot box is secret and is made accessible to those who have no property qualifications whatsoever and pay no taxes of any kind; and to those who cannot even read the comics. The most ignorant now has the same voice as the philosopher—often much greater because of the weight of minorities in key states in presidential elections.

In all history there has never been a country comprising over 3,600,000 square miles and 200,000,000 people that was as fully responsive to the popular will as expressed in the voting booth, whose verdict, even after the bitterest of election campaigns, America accepts. Polk, Garfield, and Kennedy received barely more than 50% of the vote, Kennedy winning by the skin of his teeth. Cleveland won by less than 51% in his first election and lost in the second in the electoral college after winning the popular vote; Hayes lost the popular vote but won in the electoral college by the margin of one; Wilson was elected first by a plurality only, and was reelected by capturing California by a margin of only four thousand. In all these cases, after bitter campaigning, the voters acquiesced: they had had their say and lost and did not turn to sniping, looting, and arson.

In a free society laws can be changed when the majority is convinced that they should be. When the people are aroused, no one can stand in their way: public officials are but ships on a great heaving ocean when the electorate is aroused. Daily, presidents, governors, mayors, Congressmen, avidly search the newspapers seeking the public's expression in the form of opinion polls. City ordinances, State statutes, acts of the Congress are quickly changed when the public demands. Before Pearl Harbor some Congressmen literally stood on their chairs to denounce the fortification of Guam and the creation of a two-ocean navy; after the sneak attack, when people demanded action, those same Congressmen immediately voted billions in gold and were impatient when it could not be turned at once into iron by a sort of inverted alchemy. And today we are in the habit, like a flabby people, of voting money as the cure-all for our ills, when the remedy is to be found in a baser metal and the application of force, upon which all government must in the end depend if it is to endure. Indeed, the will of the people can change the Constitution, too, and that quickly, when they are aroused: when fed up with the curse of the open saloon, the people put Prohibition into the Constitution in twelve short months; when they learned that bootlegging had brought disrespect for all law, they kicked Prohibition out of the Constitution in only nine months. In an open society the people rule; they cannot be denied. Through peaceful political process, not violence, their will is made law.

Mobbery is violence—Not peace

Every right that a man enjoys carries with it a correlative duty to observe the rights of others. We hear on every hand men proclaiming blatantly their rights, without seeming to realize that duties go hand in hand with them. The cries are loudest from those trouble-makers who are dedicated to the destruction of our Constitution and all that it stands for, yet, when caught red-handed, loudly assert the immunities and privileges which it assures.

The American people are long-suffering and will tolerate repeated abuses; but a time comes when they rise in wrath to stamp them out. When they do, no minority group can resist them, no matter what means it employs. There are many who already believe that our institutions, which grew out of a long Anglo-Saxon tradition and experience, are too generous to wrong-doers and that there are too many in our midst who have no regard for constitutions and should not be given their protection. But should that view prevail, should we reach a point where constitutional guarantees are suspended, we would be heading down the road to dictatorship under which all men would lose their freedoms. It has happened repeatedly in the history of mankind. We are not immune. Surely, we must find our remedy against lawlessness within our present constitutional system, and this can be done if those in political office will invoke in all cases, and promptly, the laws when mobs would tread upon them.

The mob pattern that has developed in cities across the country is substantially this: (1) a policeman (white or colored) attempts to arrest a person charged with some criminal offense; (2) a mob forms to rescue the prisoner from police "brutality," in the process beating up the police officer, or chasing him away, and overturning his car, setting it on fire; (3) the mob bashes in the storefronts and seizes all the whisky and transistor radios in sight; or, if the police are held at bay or are ordered away, then it helps itself to heavier booty such as television sets, in color, some of it being hauled away by laughing looters in Cadillacs; (4) finally comes the burning and the sniping. These acts are not the assertions of rights; they are not freedom of speech, but license in action. They are the inflictions of gross wrongs upon innocent people. They are insurrections against government. And it is no longer a matter of race, because some white hoodlums join in the loot, and the property taken and destroyed belongs to Negroes as well as to whites. It is the attack of the lowest of our citizens against any who may have achieved some measure of economic success.

What we must do

The politician who seeks the mob's vote responds by calling for huge appropriations to wipe out slums and abolish poverty. But poverty is a relative term; there will always be people who are poorer than others. Compared with China, India, Egypt, and many other countries we do not know what poverty is. And it will take years to wipe out all slums, even if that is possible, and no matter how many billions we spend. Meantime, the mobs march and make shambles of our cities and mockery of our laws. They must be stopped, no matter what force may be required. Criminals are not to be bribed into good behavior.

Our own Commonwealth of Virginia adopted a riot act in early times, and in 1928 an "anti-lynching" bill was passed at the request of Governor Harry F. Byrd. Since that time, there has been no lynching in Virginia. But both acts, copies of which are appended, are directed against all mobs, and can be invoked no matter who constitutes them or against whomsoever their wrath is directed, white or colored. Such statutes, when enforced by fearless men who remember their pledges of office, assure peaceful citizens order and tranquillity, and the enjoyment of those basic rights for which our fathers died.

It is to our shame that police officers have been ordered to shoot only in self-defense while mobs run wild, committing every excess. Police departments were not organized for the purpose of protecting their own members. They were created to protect the public, to go in after the criminal and bring him to justice. If they are inadequate to quell insurrection, and if National Guard units may be to thin to put down several mobs at the same time, then we must organize, arm, and train home guard units in all our cities, composed of law-abiding citizens of both races.

Mobbery has no place in free America. It must be destroyed.

APPENDIX

AMENDMENTS TO THE CONSTITUTION OF THE UNITED STATES

[AMENDMENT I]

[Freedom of Religion, of Speech, and of the Press]

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

[AMENDMENT II]

[Right to Keep and Bear Arms]

A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

[AMENDMENT III]

[Quartering of Soldiers]

No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

[AMENDMENT IV]

[Security from Unwarranted Search and Seizure]

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

[AMENDMENT V]

[Rights of Accused in Criminal Proceedings]

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb, nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

[AMENDMENT VI]

[Right to Speedy Trial, Witnesses, etc.]

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

[AMENDMENT VII]

[Trial by Jury in Civil Cases]

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.

[AMENDMENT VIII]

[Bails, Fines, Punishments]

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

[AMENDMENT IX]

[Reservation of Rights of the People]

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

[AMENDMENT X]

[Powers Reserved to States or People]

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

* * * * *

[AMENDMENT XIII]

Section 1.

[Abolition of Slavery]

Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2

[Power to Enforce this Article]

Congress shall have power to enforce this article by appropriate legislation.

[AMENDMENT XIV]

Section 1.

[Citizenship Rights Not To Be Abridged by States]

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

* * * * *

[AMENDMENT XV]

Section 1.

[Negro Suffrage]

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude.

Section 2.

[Power to Enforce This Article]

The Congress shall have power to enforce this article by appropriate legislation.

* * * *

[AMENDMENT XIX]

[Woman Suffrage]

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex.

Congress shall have power to enforce this article by appropriate legislation.

CONSTITUTION OF VIRGINIA

A DECLARATION OF RIGHTS *made by the good people of Virginia in the exercise of their sovereign powers, which rights do pertain to them and their posterity, as the basis and foundation of government.*

§ 1. Equality and rights of men.—That all men are by nature equally free and independent and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity, namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.

§ 2. People the source of power.—That all power is vested in, and consequently derived from, the people, that magistrates are their trustees and servants, and at all times amenable to them.

§ 3. Government instituted for common benefit.—That government is, or ought to be, instituted for the common benefit, protection and security of the people, nation or community; of all the various modes and forms of government, that is best which is capable of producing the greatest degree of happiness and safety and is most effectually against the danger of maladministration; and whenever any government shall be found inadequate or contrary to these purposes, a majority of the community hath an indubitable, inalienable, and indefeasible right to reform, alter or abolish it, in such manner as shall be judged most conducive to the public weal.

§ 4. No man entitled to exclusive emoluments or privileges; offices not to be hereditary.—That no man, or set of men, is entitled to exclusive or separate emoluments or privileges from the community, but in consideration of public services; which not being descendible, neither ought the offices of magistrate, legislator or judge to be hereditary.

§ 5. Legislative, executive and judicial departments of State should be separate; elections should be periodical.—That the legislative, executive and judicial departments of the State should be separate and distinct; and that the members thereof may be restrained from oppression, by feeling and participating the burthens of the people, they should, at fixed periods, be reduced to a private station, return into that body from which they were originally taken, and the vacancies be supplied by regular elections, in which all or part of the former shall be again eligible, or ineligible, as the laws may direct.

§ 6. Suffrage; taxation; private property for public uses; consent of governed.—That all elections ought to be free; and that all men, having sufficient evidence of permanent common interest with, and attachment to, the community, have the right of suffrage, and cannot be taxed, or deprived of, or damaged in, their property for public uses, without their own consent, or that of their representatives duly elected, or bound by any law to which they have not, in like manner, assented for the public good.

§ 7. Laws should not be suspended.—That all power of suspending laws, or the execution of laws, by any authority, without consent of the representatives of the people, is injurious to their rights, and ought not to be exercised.

§ 8. Concerning criminal prosecutions generally.—That in criminal prosecutions a man hath a right to demand the cause and nature of his accusation, to be confronted with the accusers and witnesses, to call for evidence in his favor, and to a speedy trial by an impartial jury of his vicinage, without whose unanimous consent he cannot be found guilty. He shall not be deprived of life or liberty, except by the law of the land or the judgment of his peers; nor be compelled in any criminal proceeding to give evidence against himself, nor be put twice in jeopardy for the same offense.

Laws may be enacted providing for the trial of offenses not felonious by a justice of the peace or other inferior tribunal without a jury, preserving the right of the accused to an appeal to and a trial by jury in some court of record having original criminal jurisdiction. Laws may also provide for juries consisting of less than twelve, but not less than five, for the trial of offenses not felonious, and may classify such cases, and prescribe the number of jurors for each class.

In criminal cases, the accused may plead guilty; and, if the accused plead not guilty, with his consent and the concurrence of the Commonwealth's attorney and of the court entered of record, he may be tried by a smaller number of jurors, or waive a jury. In case of such waiver, or plea of guilty, the court shall try the case.

§ 9. Excessive bail or fines and cruel and unusual punishments prohibited.—That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

§ 10. General warrants of search of seizure prohibited.—That general warrants, whereby an officer or messenger may be commanded to search suspected places without evidence of a fact committed, or to seize any person or persons not named, or whose offense is not particularly described and supported by evidence, are grievous and oppressive, and ought not to be granted.

§ 11. No person to be deprived of property without due process of law; trial by jury to be held sacred.—That no person shall be deprived of his property without due process of law; and in controversies respecting property, and in suits between man and man, trial by jury is preferable to any other, and ought to be held sacred. The General Assembly may limit the number of jurors for civil cases in courts of record to not less than five in cases cognizable by justices of the peace, or to not less than seven in cases not so cognizable.

§ 12. Freedom of the press and of speech.—That the freedom of the press is one of the great bulwarks of liberty, and can never be restrained but by despotic governments; and any citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right.

§ 13. Militia the proper defense of a free State; standing armies should be avoided; military should be subordinate to civil power.—That a well regulated militia, composed of the body of the people, trained to arms, is the proper, natural and safe defense of a free State, that standing armies, in time of peace, should be avoided as dangerous to liberty; and that in all cases the military should be under strict subordination to, and governed by, the civil power.

§ 14. Government should be uniform.—That the people have a right to uniform government and, therefore, that no government separate from, or independent of, the government of Virginia, ought to be erected or established within the limits thereof.

§ 15. Qualities necessary to preservation of free government.—That no free government, or the blessings of liberty can be preserved to any people, but by a firm adherence to justice, moderation, temperance, frugality and virtue, and by frequent recurrence to fundamental principles.

§ 16. Religious freedom.—That religion or the duty which we owe to our creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence and, therefore, all men are equally entitled to the free exercise of religion, according to the dictates of conscience and that it is the mutual duty of all to practice Christian forbearance, love and charity towards each other.

§ 17. Construction of the bill of rights.—The rights enumerated in this bill of rights shall not be construed to limit other rights of the people not therein expressed.

The Bill of Rights drafted in the Virginia Convention of 1776 is a landmark in the history of constitutional government and has served as the model for other states and democratic countries.

FROM THE CODE OF VIRGINIA

RIOTS, ETC.; DISORDERLY CONDUCT

§ 18.1–247. Suppression of riots.—All judges and justices of the peace may suppress riots, routs, and unlawful assemblies within their jurisdiction. And it shall be the duty of each of them to go among, or as near as may be with safety to, persons riotously, tumultously, or unlawfully assembled, and in the name of the law command them to disperse; and if they shall not thereupon immediately and peacefully disperse, such judge or justice of the peace giving the command, and any other present, shall command the assistance of all persons present, and of the sheriff or sergeant of the county or corporation, with his posse, if need be, in arresting and securing those so assembled. If any person present, on being required to give his assistance depart or fail to obey, he shall be deemed a rioter.

§ 18.1–248. Persons arrested therefor to be committed on failure to give bail.—If a person be arrested for a riot, rout, or unlawful assembly, the judge or justice of the peace ordering the arrest, or any other justice, shall commit him to jail, unless he shall enter into recognizance, with sufficient surety, to appear before the court having jurisdiction of the offense, at its next term, to answer therefor, and in the meantime to be of good behavior and keep the peace.

§ 18.1–249. Judge or justice failing in his duty; how punished.—If any judge or justice of the peace have notice of a riotous, tumultuous, or unlawful assembly, in the county or corporation in which he resides, and fail to proceed immediately to the place of such assembly, or as near as he may safely, or fail to exercise his authority for suppressing it and arresting the offenders, he may be fined not exceeding one hundred dollars.

§ 18.1–250. If persons disobey order of judge or justice to disperse, he may require assistance.—If any person, engaged in such assembly, being commanded as aforesaid to disperse, fail to do so without delay, and such judge or justice of the peace may require the aid of a sufficient number of persons, in arms or otherwise, and proceed, in such manner as he may deem expedient, to disperse and suppress such assembly, and arrest and secure those engaged in it.

§ 18.1–251. Death of person during riot.—If, by any means taken under authority of this chapter to disperse any such assembly, or arrest and secure those engaged in it, any person present, as spectator or otherwise, be killed or wounded, any judge or justice of the peace exercising such authority, and every one acting under his order, shall be held guiltless; and if the judge or justice, or any person acting under the order of either of them, be killed or wounded in taking such means, or by the rioters, all persons engaged in such assembly shall be deemed guilty of such killing or wounding.

§ 18.1–252. Punishment of rioters.—If any rioter, or person unlawfully or tumultuously assembled, pull down or destroy, in whole or in part, any dwelling house, or assist therein, or shall in the nighttime stone the same in a manner calculated to terrorize the inmates, or assist therein, he shall be confined in the penitentiary not less than two nor more than five years; and though no such house be so injured or stoned, every rioter, and every person unlawfully or tumultously assembled, shall be deemed guilty of a misdemeanor.

§ 18.1–253. Riotous or disorderly conduct on public conveyance a misdemeanor.—If any person, whether a passenger or not, shall, while in or on any public conveyance behave in a riotous or disorderly manner, he shall be guilty of a misdemeanor. The agent or employees in charge of such public conveyance may require such person to discontinue his riotous or disorderly conduct, and if he refuses to do so may eject him, with the aid, if necessary, of any other persons who may be called upon for the purpose.

§ 18.1–254. Riotous or disorderly conduct in other public places; disturbance in public conveyance; local ordinances.—If any person behaves in a riotous or disorderly manner in any street, highway, public building, or any other public place, other than those mentioned in the preceding section, or causes any unnecessary disturbance in or on any public conveyance, by running through it, climbing through windows or upon the seats, failing to move to another seat when lawfully requested to so move by the operator, or otherwise annoying passengers or employees therein, he shall be guilty of a misdemeanor.

Cities, towns and counties are hereby authorized and empowered to adopt ordinances or resolutions prohibiting and punishing the above acts, or any of them, when committed in such cities, towns, or counties, and such ordinances or resolutions shall provide the same punishment for a violation thereof as is provided by this section, anything in the charters of such cities or towns to the contrary notwithstanding. All fines imposed for the violation of such ordinances or resolutions shall be paid to and retained by such cities, towns and counties, and the Commonwealth shall not be chargeable with any costs in connection with any prosecution for the violation of any such ordinances or resolutions.

ANTI-LYNCHING ACT

§ 18.1–27. Mob defined.—Any collection of people, assembled for the purpose and with the intention of committing an assault or a battery upon any person and without authority of law, shall be deemed a "mob."

§ 18.1–28. Lynching defined.—Any act of violence by a mob upon the body of any person, which shall result in the death of such person, shall constitute a "lynching."

§ 18.1–29. Lynching deemed murder.—Every lynching shall be deemed murder. Any and every person composing a mob and any and every accessory thereto, by which any person is lynched, shall be guilty of murder, and upon conviction, shall be punished as provided in article 1 (§ 18.1–21 et seq.) of this chapter.

§ 18.1–30. Shooting, stabbing, etc., with intent to maim, kill, etc., by mob.—Any and every person composing a mob which shall maliciously or unlawfully shoot, stab, cut or wound any person, or by any means cause him bodily injury with intent to maim, disable, disfigure or kill him, shall be confined in the penitentiary for not less than one nor more than twenty years.

§ 18.1–31. Assault or battery by mob.—Any and every person composing a mob which shall commit a simple assault or battery shall be guilty of a misdemeanor.

§ 18.1–32. Apprehension and prosecution of participants in a lynching.—The attorney for the Commonwealth of any county or city in which a lynching may occur shall promptly and diligently endeavor to ascertain the identity of the persons who in any way participated therein, or who composed the mob which perpetrated the same, and have them apprehended, and shall promptly proceed with the prosecution of any and all persons so found; and to the end that such offenders may not escape proper punishment, such attorney for the Commonwealth may be assisted in all such endeavors and prosecutions by the Attorney General, or other prosecutors designated by the Governor for the purpose; and the Governor may have full authority to spend such sums as he may deem necessary for the purpose of seeking out the identity, and apprehending the members of such mob.

§ 18.1–33. Civil liability for lynching.—No provision of this article shall be construed to relieve any member of a mob from civil liability to the personal representative of the victim of a lynching.

§ 18.1–34. Persons suffering death from mob attempting to lynch another person.—Every person suffering death from a mob attempting to lynch another person shall come within the provisions of this article, and his personal representative shall be entitled to relief in the same manner and to the same extent as if he were the originally intended victim of such mob.

§ 18.1–35. Jurisdiction.—Jurisdiction of all actions and prosecutions under any of the provisions of this article shall be in the circuit court of the county, or corporation court of the city, wherein a lynching may occur, or of the county or city from which the person lynched may have been taken, as aforesaid.

MEMBERS OF THE VIRGINIA COMMISSION ON CONSTITUTIONAL GOVERNMENT

David J. Mays, Chairman, Richmond, Virginia. Attorney; Pulitzer Prize winner for historical biography.

W. Roy Smith, Vice Chairman, Petersburg, Virginia. Business executive; member Virginia House of Delegates.

Mills E. Godwin, Jr., Richmond, Virginia. Ex-Officio member of Commission; Governor, Commonwealth of Virginia.

E. Almer Ames, Jr., Onancock, Virginia. Attorney; member Virginia Senate; Vice-President and Director, First National Bank, Onancock, Virginia.

Leslie D. Campbell, Jr., Ashland, Virginia. Attorney; member Virginia Senate.

Hale Collins, Covington, Virginia. Attorney; member Virginia Senate.

W. C. Daniel, Danville, Virginia. Business executive; member Virginia House of Delegates; past National Commander, American Legion.

John Dos Passos, Westmoreland, Virginia. Author.

J. Segar Gravatt, Blackstone, Virginia. Attorney; Trial Justice for Nottoway County, Virginia.

Frederick T. Gray, Richmond, Virginia. Attorney; former Attorney General of Virginia; member Virginia House of Delegates.

Lyman C. Harrell, Jr., Emporia, Virginia. Attorney; member Virginia House of Delegates.

James J. Kilpatrick, Washington, D.C. The Washington Star Syndicate; author.

William T. Muse, Richmond, Virginia. Dean, T. C. Williams School of Law, University of Richmond; author.

W. Carrington Thompson, Chatham, Virginia. Attorney; member Virginia House of Delegates.

Hugh V. White, Jr., Richmond, Virginia. Attorney; former Executive Director of Commission on Constitutional Government.

Executive Director of the Virginia Commission on Constitutional Government: David W. Mullen, Richmond, Virginia. Attorney.

[From the Washington Post, Nov. 1, 1967]

Students and Recruiters

The idea that one group of students has a right to bar fellow students from talking to certain prospective employers seems to be sweeping the country. On Tuesday, about 25 students at the University of Maryland blocked the door to the room in which a CIA representative was to conduct interviews. Last week, students at Oberlin College held a Navy recruiter in his car for four hours and tactics identical to those used at Maryland were used at Williams College against another CIA representative. There have been similar demonstrations at many other colleges and universities.

In each of these instances, the demonstrators abused their right to protest and deprived their fellow students of their right of free speech. The demonstrators seem to believe that since they are opposed to the war in Vietnam, they have a right (or, as some of them put it, a duty) to enforce their views on everyone else. Since they feel the activities of the CIA and of the Dow Chemical Company are evil, they see their role as harassing anyone who disagrees with them. Certainly these students have a right to hold the views they do, to publicize them in a lawful manner, and to attempt to propagandize others. But they do not have a right to use physical force to achieve the ends they seek.

There is no place in a democratic society for conduct of this kind. The students who practice it are demonstrating only that they have no respect for the rights of others and that they do not understand even the elementary principles of democracy. If the Government were to apply the same standards in judging their conduct that they apply in deciding on the tactics they use, they would be arrested and sent away to long prison terms. For the standards they apply are those of a totalitarian regime that condones no dissent.

A university has a responsibility to all its students, not just those who dislike the Government's policy in Vietnam. It has an obligation to see that any student is free to talk openly with every prospective employer as long as it permits job interviews of any kind. The University of Maryland must uphold this responsibility even though some of its students object violently.

AUTHORITY FOR COMMITTEES TO FILE REPORTS AND INDIVIDUAL, SUPPLEMENTAL, OR MINORITY VIEWS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all committees of the Senate be permitted to file their reports during any adjournments of the Senate following today's session until midnight Sunday, together with any individual, supplemental, or minority views, if desired.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session for the consideration of certain treaties on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUPPLEMENTARY INCOME TAX CONVENTION WITH CANADA

The PRESIDING OFFICER. Pursuant to the unanimous-consent agreement, the Senate will now proceed to vote on Executive B, 90th Congress, first session.

The question is, Will the Senate advise and consent to the resolution of ratification? The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senators from Nevada [Mr. Bible and Mr. Cannon], the Senator from Missouri [Mr. Long], the Senator from New Mexico [Mr. Montoya], and the Senator from Ohio [Mr. Young] are absent on official business.

I also announce that the Senator from New Mexico [Mr. Anderson], the Senator from Idaho [Mr. Church], the Senator from Connecticut [Mr. Dodd], the Senator from Michigan [Mr. Hart], the Senator from Washington [Mr. Magnuson], the Senator from Rhode Island [Mr. Pastore], and the Senator from Florida [Mr. Smathers] are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico [Mr. Anderson], the Senators from Nevada [Mr. Bible and Mr. Cannon], the Senator from Idaho [Mr. Church], the Senator from Connecticut [Mr. Dodd], the Senator from Michigan [Mr. Hart], the Senator from Missouri [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from New Mexico [Mr. Montoya], the Senator from Rhode Island [Mr. Pastore], the Senator from Florida [Mr. Smathers], and the Senator from Ohio [Mr. Young] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Carlson] and the Senator from Iowa [Mr. Hickenlooper] are absent on official business.

The Senator from Tennessee [Mr. Baker], the Senator from Massachusetts [Mr. Brooke], the Senator from Kentucky [Mr. Cooper], the Senator from Illinois [Mr. Dirksen], the Senator from Nebraska [Mr. Hruska], the Senator from California [Mr. Murphy], and the Senator from Pennsylvania [Mr. Scott] are necessarily absent.

The Senator from Michigan [Mr. Griffin] and the Senator from Kentucky [Mr. Morton] are detained on official business.

If present and voting, the Senator from Tennessee [Mr. Baker], the Senator from Massachusetts [Mr. Brooke], the Senator from Kansas [Mr. Carlson], the Senator from Kentucky [Mr. Cooper], the Senator from Illinois [Mr. Dirksen], the Senator from Michigan [Mr. Griffin], the Senator from Nebraska [Mr. Hruska], the Senator from Kentucky [Mr. Morton], the Senator from California [Mr. Murphy], and the Senator from Pennsylvania [Mr. Scott] would each vote "yea."

The yeas and nays resulted—yeas 77, nays 0, as follows:

[No. 307 Ex.]

YEAS—77

Aiken
Allott
Bartlett
Bayh
Bennett
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Case
Clark
Cotton
Curtis
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Gruening
Hansen
Harris
Hartke
Hatfield
Hayden
Hill
Holland
Hollings
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, La.
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Morse
Moss
Mundt
Muskie
Nelson
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

NAYS—0

NOT VOTING—23

Anderson
Baker
Bible
Brooke
Cannon
Carlson
Church
Cooper
Dirksen
Dodd
Griffin
Hart
Hickenlooper
Hruska
Long, Mo.
Magnuson
Montoya
Morton
Murphy
Pastore
Scott
Smathers
Young, Ohio

The PRESIDING OFFICER (Mr. Hollings in the chair). Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

INCOME TAX CONVENTION WITH TRINIDAD AND TOBAGO

The PRESIDING OFFICER. The question now is, Will the Senate advise and consent to the resolution of ratification of Executive F (90 Cong., first sess.), the income tax convention with Trinidad and Tobago? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senators from Nevada [Mr. Bible and Mr. Cannon], the Senator from Missouri [Mr. Long], the Senator from New Mexico [Mr. Montoya], and the Senator from Ohio [Mr. Young] are absent on official business.

I also announce that the Senator from New Mexico [Mr. Anderson], the Senator from Idaho [Mr. Church], the Senator from Connecticut [Mr. Dodd], the Senator from Michigan [Mr. Hart], the Senator from Washington [Mr. Magnuson], the Senator from Rhode Island [Mr. Pastore], and the Senator from Florida [Mr. Smathers] are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico [Mr. Anderson], the Senators from

Nevada [Mr. BIBLE and Mr. CANNON], the Senator from Idaho [Mr. CHURCH], the Senator from Connecticut [Mr. DODD], the Senator from Michigan [Mr. HART], the Senator from Missouri [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from New Mexico [Mr. MONTOYA], the Senator from Rhode Island [Mr. PASTORE], the Senator from Florida [Mr. SMATHERS], and the Senator from Ohio [Mr. YOUNG] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] and the Senator from Iowa [Mr. HICKENLOOPER] are absent on official business.

The Senator from Tennessee [Mr. BAKER], the Senator from Massachusetts [Mr. BROOKE], the Senator from Kentucky [Mr. COOPER], the Senator from Illinois [Mr. DIRKSEN], the Senator from Nebraska [Mr. HRUSKA], the Senator from California [Mr. MURPHY], and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

The Senator from Michigan [Mr. GRIFFIN], and the Senator from Kentucky [Mr. MORTON] are detained on official business.

If present and voting, the Senator from Tennessee [Mr. BAKER], the Senator from Massachusetts [Mr. BROOKE], the Senator from Kansas [Mr. CARLSON], the Senator from Kentucky [Mr. COOPER], the Senator from Illinois [Mr. DIRKSEN], the Senator from Michigan [Mr. GRIFFIN], the Senator from Nebraska [Mr. HRUSKA], the Senator from Kentucky [Mr. MORTON], the Senator from California [Mr. MURPHY], and the Senator from Pennsylvania [Mr. SCOTT] would each vote "yea."

The yeas and nays resulted—yeas 77, nays 0, as follows:

[No. 308 Ex.]

YEAS—77

Aiken
Allott
Bartlett
Bayh
Bennett
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Case
Clark
Cotton
Curtis
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Gruening
Hansen
Harris
Hartke
Hatfield
Hayden
Hill
Holland
Hollings
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, La.
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Morse
Moss
Mundt
Muskie
Nelson
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

NAYS—0

NOT VOTING—23

Anderson
Baker
Bible
Brooke
Cannon
Carlson
Church
Cooper
Dirksen
Dodd
Griffin
Hart
Hickenlooper
Hruska
Long, Mo.
Magnuson
Montoya
Morton
Murphy
Pastore
Scott
Smathers
Young, Ohio

The PRESIDING OFFICER. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL FLOOD INSURANCE ACT OF 1967

Mr. SPARKMAN. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on Senate bill 1985.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1985) to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes, which was, to strike out all after the enacting clause and insert:

That this Act may be cited as the "National Flood Insurance Act of 1967".

FINDINGS AND DECLARATION OF PURPOSE

SEC. 2. (a) The Congress finds that (1) from time to time flood disasters have created personal hardships and economic distress which have required unforeseen-disaster relief measures and have placed an increasing burden on the Nation's resources; (2) despite the installation of preventive and protective works and the adoption of other public programs designed to reduce losses caused by flood damage, these methods have not been sufficient to protect adequately against growing exposure to future flood losses; (3) as a matter of national policy, a reasonable method of sharing the risk of flood losses is through a program of flood insurance which can complement and encourage preventive and protective measures; and (4) if such a program is initiated and carried out gradually, it can be expanded as knowledge is gained and experience is appraised, thus eventually making flood insurance coverage available on reasonable terms and conditions to persons who have need for such protection.

(b) The Congress also finds that (1) many factors have made it uneconomic for the private insurance industry alone to make flood insurance available to those in need of such protection on reasonable terms and conditions; but (2) a program of flood insurance with large-scale participation of the Federal Government and carried out to the maximum extent practicable by the private insurance industry is feasible and can be initiated.

(c) The Congress further finds that (1) a program of flood insurance can promote the public interest by providing appropriate protection against the perils of flood losses and encouraging sound land use by minimizing exposure of property to flood losses; and (2) the objectives of a flood insurance program should be integrally related to a unified national program for flood plain management and, to this end, it is the sense of Congress that within two years following the date of the enactment of this Act the President should transmit to the Congress for its consideration any further proposals necessary for such a unified program, including proposals for the allocation of costs among beneficiaries of flood protection.

(d) It is therefore the purpose of this Act to (1) authorize a flood insurance program by means of which flood insurance, over a period of time, can be made available on a nationwide basis through the cooperative efforts of the Federal Government and the private insurance industry, and (2) provide flexibility in the program so that such flood insurance may be based on workable methods of pooling risks, minimizing costs, and distributing burdens equitably among those who will be protected by flood insurance and the general public.

(e) It is the further purpose of this Act to (1) encourage State and local governments to make appropriate land use adjustments to constrict the development of land which is exposed to flood damage and minimize damage caused by flood losses, (2) guide the development of proposed future construction, where practicable, away from locations which are threatened by flood hazards, (3) encourage lending and credit institutions, as a matter of national policy to assist in furthering the objectives of the flood insurance program, (4) assure that any Federal assistance provided under the program will be related closely to all flood-related programs and activities of the Federal Government, and (5) authorize continuing studies of flood hazards in order to provide for a constant reappraisal of the flood insurance program and its effect on land use requirements.

REPEAL OF FEDERAL FLOOD INSURANCE ACT OF 1956

SEC. 3. The Federal Flood Insurance Act of 1956 is repealed.

TITLE I—THE NATIONAL FLOOD INSURANCE PROGRAM

BASIC AUTHORITY

SEC. 101. (a) To carry out the purposes of this Act, the Secretary of Housing and Urban Development is authorized to establish and carry out a national flood insurance program which will enable interested persons to purchase insurance against loss resulting from physical damage to or loss of real property or personal property related thereto arising from any flood occurring in the United States.

(b) In carrying out the flood insurance program the Secretary shall, to the maximum extent practicable, encourage and arrange for—

(1) appropriate financial participation and risk sharing in the program by insurance companies and other insurers, and

(2) other appropriate participation, on other than a risk-sharing basis, by insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations,

in accordance with the provisions of title II.

SCOPE OF PROGRAM AND PRIORITIES

SEC. 102. (a) In carrying out the flood insurance program the Secretary shall afford a priority to making flood insurance available to cover residential properties which are designed for the occupancy of from one to four families and business properties which are owned or leased and operated by small business concerns.

(b) If on the basis of—

(1) studies and investigations undertaken and carried out and information received or exchanged under section 104, and

(2) such other information as may be necessary, the Secretary determines that it would be feasible to extend the flood insurance program to cover any types or classes of—

(A) other residential properties,

(B) other business properties,

(C) agricultural properties,

(D) properties occupied by private nonprofit organizations, or

(E) properties owned by State and local governments and agencies thereof.

he shall transmit such determination to the Congress together with his recommendations with respect to any such extension of the program.

(c) The Secretary shall make flood insurance available in only those States or areas (or subdivisions thereof) which he had determined have—

(1) evidenced a positive interest in securing flood insurance coverage under the flood insurance program, and

(2) given satisfactory assurance that by June 30, 1970, permanent land use and control measures will have been adopted for the State or area (or subdivision) which are consistent with the comprehensive criteria for land management and use developed under section 302, and that the application and enforcement of such measures will commence as soon as technical information on floodways and on controlling flood elevations is available.

NATURE AND LIMITATION OF INSURANCE COVERAGE

SEC. 103. (a) The Secretary shall from time to time, after consultation with the advisory committee authorized under section 115, appropriate representatives of the pool formed or otherwise created under section 211, and appropriate representatives of the insurance authorities of the respective States, provide by regulation for general terms and conditions of insurability which shall be applicable to properties eligible for flood insurance coverage under section 102, including—

(1) the types, classes, and locations of any such properties which shall be eligible for flood insurance;

(2) the nature and limits of loss or damage in any areas (or subdivisions thereof) which may be covered by such insurance;

(3) the classification, limitation, and rejection of any risks which may be advisable;

(4) appropriate minimum premiums;

(5) appropriate loss-deductibles; and

(6) any other terms and conditions relating to insurance coverage or exclusion which may be necessary to carry out the purposes of this Act.

(b) In addition to any other terms and conditions under subsection (a), such regulations shall provide that—

(1) any flood insurance coverage based on chargeable premium rates under section 105 which are less than the estimated premium rates under section 104(a)(1) shall not exceed—

(A) in the case of residential properties which are designed for the occupancy of from one to four families—

(i) $17,500 aggregate liability for any dwelling unit, and $30,000 for any single dwelling structure containing more than one dwelling unit, and

(ii) $5,000 aggregate liability per dwelling unit for any contents related to such unit;

(B) in the case of business properties which are owned or leased and operated by small business concerns, an aggregate liability with respect to any single structure, including any contents thereof related to premises of small business occupants (as that term is defined by the Secretary), which shall be equal to (i) $30,000 plus (ii) $5,000 multiplied by the number of such occupants and shall be allocated among such occupants (or among the occupant or occupants and the owner) under regulations prescribed by the Secretary; except that the aggregate liability for the structure itself may in no case exceed $30,000; and

(C) in the case of any other properties which may become eligible for flood insurance coverage under section 102—

(i) $30,000 aggregate liability for any single structure, and

(ii) $5,000 aggregate liability per dwelling unit for any contents related to such unit in the case of residential properties, or per occupant (as that term is defined by the Secretary) for any contents related to the premises occupied in the case of any other properties; and

(2) any flood insurance coverage which may be made available in excess of any of the limits specified in subparagraph (A), (B), or (C) of paragraph (1) (or allocated to any person under subparagraph (B) of such paragraph) shall be based only on chargeable premium rates under section 105 which are not less than the estimated premium rates under section 104(a)(1), and the amount of such excess coverage shall not in any case exceed an amount which is equal to the applicable limit so specified (or allocated).

ESTIMATES OF PREMIUM RATES

SEC. 104. (a) The Secretary is authorized to undertake and carry out such studies and investigations and receive or exchange such information as may be necessary to estimate, and shall from time to time estimate, on an area, subdivision, or other appropriate basis—

(1) the risk premium rates for flood insurance which—

(A) based on consideration of the risk involved and accepted actuarial principles, and

(B) including—

(i) the applicable operating costs and allowances set forth in the schedules prescribed under section 108 and reflected in such rates, and

(ii) any administrative expenses (or portion of such expenses) of carrying out the flood insurance program which, in his discretion, should properly be reflected in such rates,

would be required in order to make such insurance available on an actuarial basis for any types and classes of properties for which insurance coverage is available under section 102(a) (or is recommended to the Congress under section 102(b));

(2) the rates, if less than the rates estimated under paragraph (1), which would be reasonable, would encourage prospective insureds to purchase flood insurance, and would be consistent with the purposes of this Act; and

(3) the extent, if any, to which Federally-assisted or other flood protection measures initiated after the date of the enactment of this Act affect such rates.

(b) In carrying out subsection (a), the Secretary shall, to the maximum extent feasible and on a reimbursement basis, utilize the services of the Department of the Army, the Department of the Interior, the Department of Agriculture, the Department of Commerce, and the Tennessee Valley Authority, and, as appropriate, other Federal departments or agencies, and for such purposes may enter into agreements or other appropriate arrangements with any persons.

(c) The Secretary shall give priority to conducting studies and investigations and making estimates under this section in those States or areas (or subdivisions thereof) which he has determined have evidenced a positive interest in securing flood insurance coverage under the flood insurance program.

ESTABLISHMENT OF CHARGEABLE PREMIUM RATES

SEC. 105. (a) On the basis of estimates made under section 104 and such other information as may be necessary, the Secretary shall from time to time, after consultation with the advisory committee authorized under section 115, appropriate representatives of the pool formed or otherwise created under section 211, and appropriate representatives of the insurance authorities of the respective States, prescribe by regulation—

(1) chargeable premium rates for any types and classes of properties for which insurance coverage shall be available under section 102 (at less than the estimated risk premium rates under section 104(a)(1), where necessary), and

(2) the terms and conditions under which, and the areas (including subdivisions thereof) within which, such rates shall apply.

(b) Such rates shall, insofar as practicable, be—

(1) based on a consideration of the respective risks involved, including differences in risks due to land use measures, floodproofing, flood forecasting, and similar measures,

(2) adequate, on the basis of accepted actuarial principles, to provide reserves for anticipated losses, or, if less than such amount, consistent with the objective of making flood insurance available where necessary at reasonable rates so as to encourage prospective insureds to purchase such insurance and with the purposes of this Act, and

(3) stated so as to reflect the basis for such rates, including the differences (if any) between the estimated risk premium rates under section 104(a)(1) and the estimated rates under section 104(a)(2).

(c) Notwithstanding any other provision of this Act, the chargeable rate with respect to any property, the construction or substantial improvement of which the Secretary determines has been started after the identification of the area in which such property is located has been published under paragraph (1) of section 301, shall not be less than the applicable estimated risk premium rate for such area (or subdivision thereof) under section 104(a)(1).

(d) In the event any chargeable premium rate prescribed under this section—

(1) is a rate which is not less than the applicable estimated risk premium rate under section 104(a)(1), and

(2) includes any amount for administrative expenses of carrying out the flood insurance program which have been estimated under clause (ii) of section 104(a)(1)(B),

a sum equal to such amount shall be paid to the Secretary, and he shall deposit such sum in the National Flood Insurance Fund established under section 107.

AUTHORIZATION OF PROGRAM FUNDS

SEC. 106. There are hereby authorized to be appropriated such sums not exceeding $500,000,000 in the aggregate as may be necessary for the flood insurance program under this Act. Sums appropriated pursuant to this section shall remain available until advanced to the Secretary at his request for deposit in the National Flood Insurance Fund established under section 107.

NATIONAL FLOOD INSURANCE FUND

SEC. 107. (a) To carry out the flood insurance program authorized by this Act, the Secretary is authorized to establish in the Treasury of the United States a National Flood Insurance Fund (hereinafter referred to as the "fund") which shall be available, without fiscal year limitation—

(1) for making such payments as may, from time to time, be required under section 214;

(2) to pay reinsurance claims under the excess loss reinsurance coverage provided under section 215; and

(3) for the purposes specified in subsection (d) under the conditions provided therein.

(b) The fund shall be credited with—

(1) premiums, fees, or other charges which may be paid or collected in connection with the excess loss reinsurance coverage provided under section 215;

(2) such amounts as may be advanced to the fund from appropriations in order to maintain the fund in an operative condition adequate to meet its liabilities;

(3) interest which may be earned on investments of the fund pursuant to subsection (c);

(4) such sums as are required to be paid to the Secretary under section 105(d); and

(5) receipts from any other operations under this Act (including premiums under the conditions specified in subsection (d), and salvage proceeds, if any, resulting from reinsurance coverage).

(c) If, after—

(1) all outstanding obligations of the fund have been liquidated, and

(2) any outstanding amounts which may have been advanced to the fund from appropriations authorized under section 407(a)

(2) (B) have been credited to the appropriation from which advanced, with interest accrued at the rate prescribed under section 15(e) of the Federal Flood Insurance Act of 1956, as in effect immediately prior to the enactment of this Act,

the Secretary determines that the moneys of the fund are in excess of current needs, he may request the investment of such amounts as he deems advisable by the Secretary of the Treasury in obligations issued or guaranteed by the United States.

(d) In the event the Secretary makes a finding in accordance with the provisions of section 221 that operation of the flood insurance program, in whole or in part, should be carried out through the facilities of the Federal Government, the fund shall be available for all purposes incident thereto, including—

(1) costs incurred in the adjustment and payment of any claims for losses, and

(2) payment of applicable operating costs set forth in the schedules prescribed under section 108,

for so long as the program is so carried out, and in such event any premiums paid shall be deposited by the Secretary to the credit of the fund.

OPERATING COSTS AND ALLOWANCES

SEC. 108. (a) The Secretary shall from time to time negotiate with appropriate representatives of the insurance industry for the purpose of establishing—

(1) a current schedule of operating costs applicable both to risk-sharing insurance companies and other insurers and to insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations participating on other than a risk-sharing basis, and

(2) a current schedule of operating allowances applicable to risk-sharing insurance companies and other insurers,

which may be payable in accordance with the provisions of title II, and such schedules shall from time to time be prescribed in regulations.

(b) For purposes of subsection (a)—

(1) the term "operating costs" shall (without limiting such term) include—

(A) expense reimbursements covering the direct, actual, and necessary expenses incurred in connection with selling and servicing flood insurance coverage;

(B) reasonable compensation payable for selling and servicing flood insurance coverage, or commissions or service fees paid to producers;

(C) loss adjustment expenses; and

(D) other direct, actual, and necessary expenses which the Secretary finds are incurred in connection with selling or servicing flood insurance coverage; and

(2) the term "operating allowances" shall (without limiting such term) include amounts for profit and contingencies which the Secretary finds reasonable and necessary to carry out the purposes of this Act.

PAYMENT OF CLAIMS

SEC. 109. The Secretary is authorized to prescribe regulations establishing the general method or methods by which proved and approved claims for losses may be adjusted and paid for any damage to or loss of property which is covered by flood insurance made available under the provisions of this Act.

DISSEMINATION OF FLOOD INSURANCE INFORMATION

SEC. 110. The Secretary shall from time to time take such action as may be necessary in order to make information and data available to the public, and to any State or local agency or official, with regard to—

(1) the flood insurance program, its coverage and objectives, and

(2) estimated and chargeable flood insurance premium rates, including the basis for and differences between such rates in accordance with the provisions of section 105.

PROHIBITION AGAINST CERTAIN DUPLICATIONS OF BENEFITS

SEC. 111. (a) Notwithstanding the provisions of any other law, no Federal disaster assistance shall be made available to any person—

(1) for the physical loss, destruction, or damage of real or personal property, to the extent that such loss, destruction, or damage is covered by a valid claim which may be adjusted and paid under flood insurance made available under the authority of this Act, or

(2) except in the situation provided for under subsection (b), for the physical loss, destruction, or damage of real or personal property, to the extent that such loss, destruction, or damage could have been covered by a valid claim under flood insurance which had been made available under the authority of this Act, if—

(A) such loss, destruction, or damage occurred subsequent to one year following the date flood insurance was made available in the area (or subdivision thereof) in which such property or the major part thereof was located, and

(B) such property was eligible for flood insurance under this Act at that date;

and in such circumstances the extent that such loss, destruction, or damage could have been covered shall be presumed (for purposes of this subsection) to be an amount not less than the maximum limit of insurable loss or damage applicable to such property in such area (or subdivision thereof), pursuant to regulations under section 103, at the time insurance was made available in such area (or subdivision thereof).

(b) In order to assure that the provisions of subsection (a) (2) will not create undue hardship for low-income persons who might otherwise benefit from the provision of Federal disaster assistance, the Secretary shall provide by regulation for the circumstances in which the provisions of subsection (a) (2) shall not be applicable to any such persons.

(c) For purposes of this section, "Federal disaster assistance" shall include any Federal financial assistance which may be made available to any person as a result of—

(1) a major disaster (within the meaning of that term as determined by the President pursuant to the Act entitled "An Act to authorize Federal assistance to State and local governments in major disasters, and for other purposes", as amended (42 U.S.C. 1855–1855g)),

(2) a natural disaster, as determined by the Secretary of Agriculture pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), or

(3) a disaster with respect to which loans may be made under section 7(b) of the Small Business Act (15 U.S.C. 636(b)).

(d) For purposes of section 10 of the Disaster Relief Act of 1966 (80 Stat. 1320), the term "financial assistance" shall be deemed to include any flood insurance which is made available under this Act.

STATE AND LOCAL LAND USE CONTROLS

SEC. 112. After June 30, 1970, no new flood insurance coverage shall be provided under this Act in any area (or subdivision thereof) unless an appropriate public body shall have adopted permanent land use and control measures (with effective enforcement provisions) which the Secretary finds are consistent with the comprehensive criteria for land management and use under section 302.

PROPERTIES IN VIOLATION OF STATE AND LOCAL LAW

SEC. 113. No new flood insurance coverage shall be provided under this Act for any property which the Secretary finds has been declared by a duly constituted State or local zoning authority, or other authorized public body, to be in violation of State or local laws, regulations, or ordinances which are intended to discourage or otherwise restrict land development or occupancy in flood-prone areas.

COORDINATION WITH OTHER PROGRAMS

SEC. 114. In carrying out this Act, the Secretary shall consult with other departments and agencies of the Federal Government, and with interstate, State, and local agencies having responsibilities for flood control, flood forecasting, or flood damage prevention, in order to assure to the maximum extent practicable that the programs of such agencies and the flood insurance program authorized under this Act are mutually consistent.

ADVISORY COMMITTEE

SEC. 115. (a) The Secretary shall appoint a flood insurance advisory committee, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and such committee shall advise the Secretary in the preparation of any regulations prescribed in accordance with this Act and with respect to policy matters arising in the administration of this Act, and shall perform such other responsibilities as the Secretary may, from time to time, assign to such committee.

(b) Such committee shall consist of not more than fifteen persons and such persons shall be selected from among representatives of—

(1) the insurance industry,

(2) State and local governments,

(3) lending institutions,

(4) the homebuilding industry, and

(5) the general public.

(c) Members of the committee shall, while attending conferences or meetings thereof, be entitled to receive compensation at a rate fixed by the Secretary but not exceeding $100 per day, including traveltime, and while so serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as is authorized under section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

INITIAL PROGRAM LIMITATION

SEC. 116. The face amount of flood insurance coverage outstanding and in force at any one time under this Act shall not exceed the sum of $2,500,000,000.

REPORT TO THE PRESIDENT

SEC. 117. The Secretary shall include a report of operations under this Act in the annual report to the President for submission to the Congress required by section 8 of the Department of Housing and Urban Development Act.

TITLE II—ORGANIZATION AND ADMINISTRATION OF THE FLOOD INSURANCE PROGRAM

ORGANIZATION AND ADMINISTRATION

SEC. 201. Following such consultation with representatives of the insurance industry as may be necessary, the Secretary shall implement the flood insurance program authorized under title I in accordance with the provisions of part A of this title and, if a determination is made by him under section 221, under part B of this title.

PART A—INDUSTRY PROGRAM WITH FEDERAL FINANCIAL ASSISTANCE

INDUSTRY FLOOD INSURANCE POOL

SEC. 211. (a) The Secretary is authorized to encourage and otherwise assist any insurance companies and other insurers which meet the requirements prescribed under subsection (b) to form, associate, or otherwise join together in a pool—

(1) in order to provide the flood insurance coverage authorized under title I; and

(2) for the purpose of assuming, on such terms and conditions as may be agreed upon, such financial responsibility as will enable such companies and other insurers, with the

Federal financial and other assistance available under this Act, to assume a reasonable proportion of responsibility for the adjustment and payment of claims for losses under the flood insurance program.

(b) In order to promote the effective administration of the flood insurance program under this part, and to assure that the objectives of this Act are furthered, the Secretary is authorized to prescribe appropriate requirements for insurance companies and other insurers participating in such pool including, but not limited to, minimum requirements for capital or surplus or assets.

AGREEMENTS WITH FLOOD INSURANCE POOL

SEC. 212. (a) The Secretary is authorized to enter into such agreements with the pool formed or otherwise created under this part as he deems necessary to carry out the purposes of this Act.

(b) Such agreements shall specify—

(1) the terms and conditions under which risk capital will be available for the adjustment and payment of claims,

(2) the terms and conditions under which the pool (and the companies and other insurers participating therein) shall participate in premiums received and profits or losses realized or sustained,

(3) the maximum amount of profit, established by the Secretary and set forth in the schedules prescribed under section 108, which may be realized by such pool (and the companies and other insurers participating therein),

(4) the terms and conditions under which operating costs and allowances set forth in the schedules prescribed under section 108 may be paid, and

(5) the terms and conditions under which premium equalization payments under section 214 will be made and reinsurance claims under section 215 will be paid.

(c) In addition, such agreements shall contain such provisions as the Secretary finds necessary to assure that—

(1) no insurance company or other insurer which meets the requirements prescribed under section 211(b), and which has indicated an intention to participate in the flood insurance program on a risk-sharing basis, will be excluded from participating in the pool,

(2) the insurance companies and other insurers participating in the pool will take whatever action may be necessary to provide continuity of flood insurance coverage by the pool, and

(3) any insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations will be permitted to cooperate with the pool as fiscal agents or otherwise, on other than a risk-sharing basis, to the maximum extent practicable.

ADJUSTMENT AND PAYMENT OF CLAIMS AND JUDICIAL REVIEW

SEC. 213. The insurance companies and other insurers which form, associate, or otherwise join together in the pool under this part may adjust and pay all claims for proved and approved losses covered by flood insurance in accordance with the provisions of this Act and, upon the disallowance by any such company or other insurer of any such claim, or upon the refusal of the claimant to accept the amount allowed upon any such claim, the claimant, within one year after the date of mailing of notice of disallowance or partial disallowance of the claim, may institute an action on such claim against such company or other insurer in the United States district court for the district in which the insured property or the major part thereof shall have been situated, and jurisdiction is hereby conferred upon such court to hear and determine such action without regard to the amount in controversy.

PREMIUM EQUALIZATION PAYMENTS

SEC. 214. (a) The Secretary, on such terms and conditions as he may from time to time prescribe, shall make periodic payments to the pool formed or otherwise created under section 211, in recognition of such reductions in chargeable premium rates under section 105 below estimated premium rates under section 104(a)(1) as are required in order to make flood insurance available on reasonable terms and conditions.

(b) Such payments shall be based only on the aggregate amount of flood insurance retained by the pool after ceding reinsurance in accordance with the provisions of section 215, and shall not exceed an aggregate amount in any payment period equal to the sum of the following:

(1) an amount for losses which bears the same ratio to the amount of all proved and approved claims for losses under this Act during any designated period as the amount equal to the difference between—

(A) the sum of all premium payments for flood insurance coverage in force under this Act during such designated period which would have been payable during such period if all such coverage were based on estimated risk premium rates under section 104(a)(1) (excluding any administrative expenses which may be reflected in such rates, as specified in clause (ii) of section 104(a)(1)(B)), and

(B) the sum of the premium payments actually paid or payable for such insurance under this Act during such period,

bears to the amount specified in clause (A); and

(2) subject to the terms and conditions specified in the agreements entered into with the pool under section 212, a proportionate amount for appropriate operating costs and allowances (as set forth in the schedules prescribed under section 108) during any designated period which bears the same ratio to the total amount of such operating costs and allowances during such period as the ratio specified in paragraph (1).

(c) Designated periods under this section and the methods for determining the sum of premiums paid or payable during such periods shall be established by the Secretary.

REINSURANCE COVERAGE

SEC. 215. (a) The Secretary is authorized to take such action as may be necessary in order to make available, to the pool formed or otherwise created under section 211, reinsurance for losses (due to claims for proved and approved losses covered by flood insurance) which are in excess of losses assumed by such pool in accordance with the excess loss agreement entered into under subsection (c).

(b) Such reinsurance shall be made available pursuant to contract, agreement, or any other arrangement, in consideration of such payment of a premium, fee, or other charge as the Secretary finds necessary to cover anticipated losses and other costs of providing such reinsurance.

(c) The Secretary is authorized to negotiate an excess loss agreement, from time to time, under which the amount of flood insurance retained by the pool, after ceding reinsurance, shall be adequate to further the purposes of this Act, consistent with the objective of maintaining appropriate financial participation and risk sharing to the maximum extent practicable on the part of participating insurance companies and other insurers.

(d) All reinsurance claims for losses in excess of losses assumed by the pool shall be submitted on a portfolio basis by such pool in accordance with terms and conditions established by the Secretary.

PART B—GOVERNMENT PROGRAM WITH INDUSTRY ASSISTANCE

FEDERAL OPERATION OF THE PROGRAM

SEC. 221. (a) If at any time, after consultation with representatives of the insurance industry, the Secretary determines that operation of the flood insurance program as provided under part A cannot be carried out, or that such operation, in itself, would be assisted materially by the Federal Government's assumption, in whole or in part, of the operational responsibility for flood insurance under this Act (on a temporary or other basis), he shall promptly undertake any necessary arrangements to carry out the program of flood insurance authorized under title I through the facilities of the Federal Government, utilizing, as may be practicable for purposes of providing flood insurance coverage, insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations, as fiscal agents of the United States.

(b) Upon making the determination referred to in subsection (a), and at least thirty days prior to implementing the program of flood insurance authorized under title I through the facilities of the Federal Government, the Secretary shall make a report to the Congress and such report shall—

(1) state the reasons for such determination,

(2) be supported by pertinent findings,

(3) indicate the extent to which it is anticipated that the insurance industry will be utilized in providing flood insurance coverage under the program, and

(4) contain such recommendations as the Secretary deems advisable.

ADJUSTMENT AND PAYMENT OF CLAIMS AND JUDICIAL REVIEW

SEC. 222. In the event the program is carried out as provided in section 221, the Secretary shall be authorized to adjust and make payment of any claims for proved and approved losses covered by flood insurance and upon the disallowance by the Secretary of any such claim, or upon the refusal of the claimant to accept the amount allowed upon any such claim, the claimant, within one year after the date of mailing of notice of disallowance or partial disallowance by the Secretary, may institute an action against the Secretary on such claim in the United States district court for the district in which the insured property or the major part thereof shall have been situated, and jurisdiction is hereby conferred upon such court to hear and determine such action without regard to the amount in controversy.

PART C—PROVISIONS OF GENERAL APPLICABILITY SERVICES BY INSURANCE INDUSTRY

SEC. 231. (a) In administering the flood insurance program under this title, the Secretary is authorized to enter into any contracts, agreements, or other appropriate arrangements which may, from time to time, be necessary for the purpose of utilizing, on such terms and conditions as may be agreed upon, the facilities and services of any insurance companies or other insurers, insurance agents and brokers, or insurance adjustment organizations; and such contracts, agreements, or arrangements may include provision for payment of applicable operating costs and allowances for such facilities and services as set forth in the schedules prescribed under section 108.

(b) Any such contracts, agreements, or other arrangements may be entered into without regard to the provisions of section 3709 of the Revised Statutes (41 U.S.C. 5) or any other provision of law requiring competitive bidding.

USE OF INSURANCE POOL, COMPANIES, OR OTHER PRIVATE ORGANIZATIONS FOR CERTAIN PAYMENTS

SEC. 232. (a) In order to provide for maximum efficiency in the administration of the flood insurance program and in order to facilitate the expeditious payment of any Federal funds under such program, the Secretary may enter into contracts with the pool formed or otherwise created under section 211, or any insurance company or other private organization, for the purpose of securing performance by such pool, company, or organization of any or all of the following responsibilities:

(1) estimating and later determining any amounts of payments to be made;

(2) receiving from the Secretary, disbursing, and accounting for funds in making such payments;

(3) making such audits of the records of any insurance company or other insurer, insurance agent or broker, or insurance adjustment organization as may be necessary to assure that proper payments are made; and

(4) otherwise assisting in such manner as the contract may provide to further the purposes of this Act.

(b) Any contract with the pool or an insurance company or other private organization under this section may contain such terms and conditions as the Secretary finds necessary or appropriate for carrying out responsibilities under subsection (a), and may provide for payment of any costs which the Secretary determines are incidental to carrying out such responsibilities which are covered by the contract.

(c) Any contract entered into under subsection (a) may be entered into without regard to section 3709 of the Revised Statutes (41 U.S.C. 5) or any other provision of law requiring competitive bidding.

(d) No contract may be entered into under this section unless the Secretary finds that the pool, company, or organization will perform its obligations under the contract efficiently and effectively, and will meet such requirements as to financial responsibility, legal authority, and other matters as he finds pertinent.

(e) (1) Any such contract may require the pool, company, or organization or any of its officers or employees certifying payments or disbursing funds pursuant to the contract, or otherwise participating in carrying out the contract, to give surety bond to the United States in such amount as the Secretary may deem appropriate.

(2) No individual designated pursuant to a contract under this section to certify payments shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment certified by him under this section.

(3) No officer disbursing funds shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this section if it was based upon a voucher signed by an individual designated to certify payments as provided in paragraph (2) of this subsection.

(f) Any contract entered into under this section shall be for a term of one year, and may be made automatically renewable from term to term in the absence of notice by either party of an intention to terminate at the end of the current term; except that the Secretary may terminate any such contract at any time (after reasonable notice to the pool, company, or organization involved) if he finds that the pool, company, or organization has failed substantially to carry out the contract, or is carrying out the contract in a manner inconsistent with the efficient and effective administration of the flood insurance program authorized under this Act.

SETTLEMENT AND ARBITRATION

SEC. 233. (a) The Secretary is authorized to make final settlement of any claims or demands which may arise as a result of any financial transactions which he is authorized to carry out under this title, and may, to assist him in making any such settlement, refer any disputes relating to such claims or demands to arbitration, with the consent of the parties concerned.

(b) Such arbitration shall be advisory in nature, and any award, decision, or recommendation which may be made shall become final only upon the approval of the Secretary.

RECORDS AND AUDITS

SEC. 234. (a) The flood insurance pool formed or otherwise created under part A of this title, and any insurance company or other private organization executing any contract, agreement, or other appropriate arrangement with the Secretary under part B of this title or this part, shall keep such records as the Secretary shall prescribe, including records which fully disclose the total costs of the program undertaken or the services being rendered, and such other records as will facilitate an effective audit.

(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the pool and any such insurance company or other private organization that are pertinent to the costs of the program undertaken or the services being rendered.

TITLE III—COORDINATION OF FLOOD INSURANCE WITH LAND-MANAGEMENT PROGRAMS IN FLOOD-PRONE AREAS

IDENTIFICATION OF FLOOD-PRONE AREAS

SEC. 301. The Secretary is authorized to consult with, receive information from, and enter into any agreements or other arrangements with the Secretaries of the Army, the Interior, Agriculture, and Commerce, the Tennessee Valley Authority, and the heads of other Federal departments or agencies, on a reimbursement basis, or with the head of any State or local agency, in order that he may—

(1) identify and publish information with respect to all flood plain areas, including coastal areas located in the United States, which have special flood hazards, within five years following the date of the enactment of this Act, and

(2) establish flood-risk zones in all such areas, and make estimates with respect to the rates of probable flood-caused loss for the various flood-risk zones for each of these areas, within fifteen years following such date.

CRITERIA FOR LAND MANAGEMENT AND USE

SEC. 302. (a) The Secretary is authorized to carry out studies and investigations, utilizing to the maximum extent practicable the existing facilities and services of other Federal departments or agencies, and State and local governmental agencies, and any other organizations, with respect to the adequacy of State and local measures in flood-prone areas as to land management and use, flood control, flood zoning, and flood damage prevention, and may enter into any contracts, agreements, or other appropriate arrangements to carry out such authority.

(b) Such studies and investigations shall include, but not be limited to, laws, regulations, or ordinances relating to encroachments and obstructions on stream channels and floodways, the orderly development and use of flood plains of rivers or streams, floodway encroachment lines, and flood plain zoning, building codes, building permits, and subdivision or other building restrictions.

(c) On the basis of such studies and investigations, and such other information as he deems necessary, the Secretary shall from time to time develop comprehensive criteria designed to encourage, where necessary, the adoption of permanent State and local measures which, to the maximum extent feasible, will—

(1) constrict the development of land which is exposed to flood damage where appropriate,

(2) guide the development of proposed construction away from locations which are threatened by flood hazards,

(3) assist in reducing damage caused by floods, and

(4) otherwise improve the long-range land management and use of flood-prone areas, and he shall work closely with and provide any necessary technical assistance to State, interstate, and local governmental agencies, to encourage the application of such criteria and the adoption and enforcement of such measures.

PURCHASE OF CERTAIN INSURED PROPERTIES

SEC. 303. The Secretary may, when he determines that the public interest would be served thereby, enter into negotiations with any owner of real property or interests therein which—

(1) was located in any flood-risk area, as determined by the Secretary,

(2) was covered by flood insurance under the flood insurance program authorized under this Act, and

(3) was damaged substantially beyond repair by flood while so covered,

and may purchase such property or interests therein, for subsequent transfer, by sale, lease, donation, or otherwise, to any State or local agency which enters into an agreement with the Secretary that such property shall, for a period not less than forty years following transfer, be used for only such purposes as the Secretary may, by regulation, determine to be consistent with sound land management and use in such area.

TITLE IV—APPROPRIATIONS AND MISCELLANEOUS PROVISIONS

DEFINITIONS

SEC. 401. As used in this Act—

(1) the term "flood" shall have such meaning as may be prescribed in regulations of the Secretary, and may include inundation from rising waters or from the overflow of streams, rivers, or other bodies of water, or from tidal surges, abnormally high tidal water, tidal waves, tsunamis, hurricanes, or other severe storms or deluge;

(2) the terms "United States" (when used in a geographic sense) and "State" include the several States, the District of Columbia, the territories and possessions, the Commonwealth of Puerto Rico, and the Trust Territory of the Pacific Islands;

(3) the terms "insurance company", "other insurer", and "insurance agent or broker" include any organizations and persons authorized to engage in the insurance business under the laws of any State;

(4) the term "insurance adjustment organization" includes any organizations and persons engaged in the business of adjusting loss claims arising under insurance policies issued by any insurance company or other insurer;

(5) the term "person" includes any individual or group of individuals, corporation, partnership, association, or any other organized group of persons, including State and local governments and agencies thereof; and

(6) the term "Secretary" means the Secretary of Housing and Urban Development.

STUDIES OF OTHER NATURAL DISASTERS

SEC. 402. (a) The Secretary is authorized to undertake such studies as may be necessary for the purpose of determining the extent to which insurance protection against earthquakes or any other natural disaster perils, other than flood, is not available from public or private sources, and the feasibility of such insurance protection being made available.

(b) Studies under this section shall be carried out, to the maximum extent practicable, with the cooperation of other Federal departments and agencies and State and local agencies, and the Secretary is authorized to consult with, receive information from, and enter into any necessary agreements or other arrangements with such other Federal departments and agencies (on a reimbursement basis) and such State and local agencies.

PAYMENTS

SEC. 403. Any payments under this Act may be made (after necessary adjustment on account of previously-made underpayments or overpayments) in advance or by way of reimbursement, and in such installments and on such conditions, as the Secretary may determine.

GOVERNMENT CORPORATION CONTROL ACT

SEC. 404. The provisions of the Government Corporation Control Act shall apply to the program authorized under this Act to the same extent as they apply to wholly owned Government corporations.

FINALITY OF CERTAIN FINANCIAL TRANSACTIONS

SEC. 405. Notwithstanding the provisions of any other law—

(1) any financial transaction authorized to be carried out under this Act, and

(2) any payment authorized to be made or to be received in connection with any such financial transaction, shall be final and conclusive upon all officers of the Government.

ADMINISTRATIVE EXPENSES

SEC. 406. Any administrative expenses which may be sustained by the Federal Government in carrying out the flood insurance program authorized under this Act may be paid out of appropriated funds.

APPROPRIATIONS

SEC. 407. (a) There are hereby authorized to be appropriated such sums as may from time to time be necessary to carry out this Act, including sums—

(1) to cover administrative expenses authorized under section 406;

(2) to reimburse the National Flood Insurance Fund established under section 107 for—

(A) premium equalization payments under section 214 which have been made from such fund; and

(B) reinsurance claims paid under the excess loss reinsurance coverage provided under section 215; and

(3) to make such other payments as may be necessary to carry out the purposes of this Act.

(b) All such funds shall be available without fiscal year limitation.

Mr. SPARKMAN. Mr. President, I move that the Senate disagree to the amendment of the House to the bill, agree to the conference requested by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. SPARKMAN, Mr. WILLIAMS of New Jersey, Mr. PROXMIRE, Mr. BENNETT, and Mr. HICKENLOOPER conferees on the part of the Senate.

THE 45TH ANNIVERSARY OF THE BETTER BUSINESS BUREAU

Mr. JAVITS. Mr. President, on October 19, the Better Business Bureau of New York celebrated its 45th anniversary, marking nearly a half century of invaluable service to the public.

Formed and supported by the business community itself, the Bureau has, since its inception, served many different kinds consumers from the newly arrived immigrant to the suburban housewife of the 1960's.

By setting up standards of ethical business practice and by serving as a clearing house of information, the Better Business Bureau is an example of the kind of business self-regulation which should be encouraged in a free society.

Mr. President, I ask unanimous consent to have an article published in the New York Times on October 10, concerning this anniversary, printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Oct. 10, 1967]

BETTER BUSINESS BUREAU ALTERS APPROACH ON AIDING CONSUMER—HELP FOR CONSUMERS BEFORE THEY BUY TO BE STRESSED

(By Isadore Barmash)

The Better Business Bureau of Metropolitan New York, which for the last 45 years has tried to help business by helping the consumer, likes to describe a consumer-business rub as an "abrasive situation."

In the next five years, however, the 70-man local Better Business Bureau hopes to remove any potential abrasiveness by a new program of prevention, as opposed to the traditional curative approach.

At noon today, some 1,200 businessmen will attend a luncheon at the Waldorf-Astoria Hotel to celebrate the 45th anniversary of the bureau here. Mayor Lindsay has already provided the proper city-wide framework for the event proclaiming this week "Better Business Week" in New York City.

The New York B.B.B.'s role of handling about 260,000 inquiries and requests for service a year projects it into a tender role at a time when "consumerism" has become a hot issue in Washington and almost every city and town in America.

But Woodrow Wirsig, the 51-year-old full-time president of the Bureau, is convinced that business has a clear direction in its difficult battle to expand its growth and profits while at the same time giving the consumer as much consideration as he needs.

That direction, he declared yesterday, is vigorous self regulation.

In these days when consumer groups are urging Federal help, when the Administration has its own consumer affairs representative and when Congress frequently either proposes new legislation or investigates business practices, the businessmen must steer a course of voluntary, or self, regulation, he said.

"The best thing for the consumer is for business to prosper and to create jobs," Mr. Wirsig observed.

The Better Business Bureau here hopes to expand its efforts to emphasize the "virtues of self regulation," but these will be carried on simultaneously with a consumer educational program to be aimed at "helping all people to funnel their buying to reputable business," he said.

In recent weeks, this effort has involved the publication of a furniture-buying guide in Spanish for Spanish-speaking people. Soon it will also include an instructional booklet in Spanish for bereaved families who will need guidance in finding reputable funeral directors.

"We hope soon to open branch offices in low-income sections of the metropolitan New York area to provide guidance and information," Mr. Wirsig said.

"A good many of the people in the most poverty-stricken sections do not read English and so do not frequent supermarkets," he said. "Hence, they are prey for unscrupulous sellers."

Within the last decade, the New York Bureau has found that it is putting less time on instances of outright fraud than on the new "gray" area of misleading or confusing advertising or cases of store service complaints, according to Arthur Startz, executive vice president, operations.

The Bureau also observes these trends:

The growth rate of complaints is being exceeded by that of inquiries, indicating a healthier trend of consumers to ask first and buy afterward.

More business people are calling the Better Business Bureau before running advertising to assure adherence to Bureau and industry standards.

Requests for service this year through Aug. 30 increased 4.5 per cent, to 182,697 from the year-earlier 174,297, in all three of the local Bureau's offices.

These are at 220 Church Street, Manhattan, the largest central office; the Long Island bureau, at 131 Jericho Turnpike, Jericho, L.I., and the bureau serving Bergen, Passaic and Rockland Counties at 2 Forst Avenue, Paramus, N. J.

A Westchester County branch is expected to be opened soon.

According to a recent analysis of 2,928 letters to the Bureau, most complaints refer to nondelivery or partial delivery, loss of merchandise and unsatisfactory workmanship, installation or service.

Stressing a bold, new program of prevention through education and guidance, the Better Business Bureau hopes in the next five years to increase its 5,200 business members to 12,000 to 15,000, Mr. Wirsig said. The New York B.B.B. is the largest of about 130 in the nation and its budget of $830,000 is by far the biggest.

The Bureau has a staff of shoppers who visit stores and other businesses to check advertising. It is increasing its special bulletins and "alerts" on specific subjects to businessmen.

Mr. Wirsig, who joined the Better Business Bureau last year, is a former editor of Printer's Ink, former editor of Woman's Home Companion, former executive editor of Look magazine and a writer on business subjects. Mr. Startz is a former professor of economics. Andrew Goodman, president of Bergdorf Goodman, is this year's chairman of the board of the New York Bureau.

NEGATIVE INCOME TAX

Mr. WILLIAMS of Delaware. Mr. President, last night, in the Washington Evening Star, there was published an article entitled "United States Will Finance Test of Guaranteed Income," written by Robert Walters.

In this article, attention is called to the fact that the Government will conduct a trial program on a negative income tax plan.

I ask unanimous consent to have the article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star, Nov. 1, 1967]

UNITED STATES WILL FINANCE TEST OF GUARANTEED INCOME

(By Robert Walters)

The federal government has agreed to fund a "guaranteed income" program designed to determine whether a "negative income tax" can be substituted for the wide variety of welfare programs now used to aid the poor.

The experimental program, approved earlier this year by the Office of Economic Opportunity, has been described by the economists who will conduct the project as "a revolutionary step in economic research."

But as a precedent-setting move, it may draw political fire.

Under the negative tax plan, those families whose income fell below the line established by the government as the poverty level would receive direct, unconditional payments from the Treasury rather than pay taxes.

Under the more sophisticated "work incentive" version being tested with OEO funds, the payments would decrease as the family's earned income increased, but the total of the two sources would steadily rise until the poverty line was passed.

For example, a family with a weekly income of $50 might receive a $40 supplemental payment from the government. If the outside income rose to $60, the federal payment would drop to $35.

Thus, although the government contribution would decrease by $5, the family would have an incentive to earn additional money through regular employment because the total receipts in the example would rise from $90 to $95 per week.

Numerous theoretical studies have been conducted by economists in recent years into the feasibility of a negative income tax and a few small-scale pilot projects have been initiated by some local governments.

However, approval of the new program marks the first time the federal government has participated in a field test of the theory by actually providing "graduated work incentive payments" to low-income families.

WISCONSIN UNIT SELECTED

The University of Wisconsin Institute for Research on Poverty, which will conduct the pilot project under an OEO grant, has described the program as "pioneering research" and "a landmark in the rational planning of economic legislation."

Although the project was approved by OEO four months ago, no public announcement was made by the antipoverty agency until Sept. 1 because of the sensitive nature of the work. That announcement was so cautiously worded that it attracted virtually no public attention at the time of its release.

The experiment is regarded as highly significant because many economists, both in and out of government, believe that such "income maintenance" or "income support" programs eventually will provide the most workable long-range solution to the problem of providing financial aid to low-income families.

OEO has prepared a confidential five-year program for elimination of poverty which calls for such payments to replace many of the traditional welfare programs. "Welfare payments as we now know them are incentives not to work," explained one of the men associated with the new pilot project.

In his economic message to Congress Jan. 26, President Johnson announced that he planned to establish a special commission to make a two-year study of proposed income guarantee programs.

"These plans may or may not be practicable at any time. And they are almost surely beyond our means at this time. But we must examine any plan, however unconventional, which could promise a major advance," the President said.

Johnson said that advocates of such programs "include some of the sturdiest defenders of free enterprise." Among the most outspoken supporters of the negative income tax is Milton Friedman, a University of Chicago economist who served as an adviser to Republican presidential nominee Barry Goldwater in 1964.

The negative income tax is only one of several proposed methods of providing a guaranteed income and at least partially replacing such conventional welfare benefits as Aid to Families of Dependent Children, Social Security and other programs.

According to the Wisconsin economists, the negative tax would "leave case workers free to provide social services to families in difficulty rather than acting as fiscal agents and policemen (and) also create an atmosphere in which social service and manpower training programs can operate more successfully."

The initial OEO grant, approved by the agency last June 30, will provide $620,000 in federal funds over and 18-month period. The agency expects to provide an additional $3.4 million to finance the experiment through the end of 1971.

Of the total of $4.08 million, approximately $2.9 million will go to the low-income families in the form of negative tax payments. The remaining funds are earmarked for travel, research, salaries, evaluation and similar expenses.

The University of Wisconsin is negotiating to subcontract the program to Mathematica, Inc., an independent research firm in Princeton N.J. with informal ties to Princeton University.

POVERTY AREAS

Mathematica will select poverty areas in two or three of these six New Jersey cities—Camden, Elizabeth, Jersey City, Newark, Paterson and Trenton. A total of approximately 1,000 low-income families in the designated cities will participate in the project.

About 800 of those families will receive an average annual tax payment of $1,200 apiece, while the remaining 200 families will act as a "control group" and receive $5 quarterly in return for their participation in a survey interview.

The payments are scheduled to begin next February and continue for three years. The initial seven months of the project are being used to plan and organize the project, while the last seven months will be used to analyze the results.

Mr. WILLIAMS of Delaware. Mr. President, I raised a question with the staff of the Joint Committee on Internal Revenue and Taxation as to their authority for such a program and Mr. Laurence N. Woodworth, chief of that staff, replied that, to the best of his knowledge, neither the Internal Revenue Code of 1954, nor any other tax law contains any authorization for a negative income tax plan such as the newspaper article refers to.

I most respectfully suggest that the head of this agency, before he proceeds further with this plan, come down to Congress and find out whether or not he can get legislative authority for such a socialistic idea.

Mr. President, I ask unanimous consent to have the letter I have referred to printed in the RECORD in full.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CONGRESS OF THE UNITED STATES,
JOINT COMMITTEE ON INTERNAL
REVENUE TAXATION,
Washington, November 2, 1967.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: I am writing in reply to your inquiry as to whether the tax laws contain any provision authorizing a "negative income tax."

Neither the Internal Revenue Code of 1954 nor any other tax law, to the best of my knowledge, contains any authorization or provision for a "negative income tax." To the extent any Government agency is carrying out an experiment with a "negative income tax," it must, in reality, be an expenditure program not authorized or provided for by the Federal tax laws.

Sincerely yours,
LAURENCE N. WOODWORTH.

FOREIGN SERVICE INFORMATION OFFICER CORPS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 699, S. 633.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 633) to promote the foreign policy of the United States by strengthening and improving the Foreign Service personnel system of the U.S. Information Agency through establishment of a Foreign Service Information Officer Corps.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with amendments, on page 2, line 5, after the word "effectively", strike out "the foreign affairs" and insert "such functions and"; in line 14, after the word "vital" strike out "foreign affairs"; in line 21 after the word "recruited,", strike out "be"; on page 3, after line 12, strike out:

AUTHORITY OF THE PRESIDENT

SEC. 5. The President shall from time to time prescribe broad policies and regulations with respect to the general administration of the Foreign Service officer system and the Foreign Service information officer personnel system and shall assure that the two systems are compatible with and, to the extent practicable, similar to each other.

APPOINTMENT AND ASSIGNMENT

SEC. 6. Subject to section 4, Foreign Service information officers shall be appointed and assigned at classes and salaries, and in accordance with requirements and procedures, which correspond to those classes, salaries, requirements, and procedures prescribed by sections 412, 413, 421, 422, 431, 432, 441, 500 through 502, 511, 512, 514 through 520, 571 through 575, and 578 of the Foreign Service Act of 1946, as amended.

And, in lieu thereof, insert:

POLICIES AND REGULATIONS

SEC. 5. The Foreign Service information officer personnel system shall be compatible with the Foreign Service officer personnel system. Toward this end, the Director with respect to the Foreign Service information officer personnel system and the Secretary of State with respect to the Foreign Service officer personnel system, after consultation with such officials as the President may determine, shall promulgate policies and regulations governing such systems. Both systems shall be administered, to the extent practicable, in conformity with general policies and regulations of the Federal Government issued in accordance with law.

APPOINTMENT AND ASSIGNMENT

SEC. 6. (a) Subject to section 4, Foreign Service information officers shall be appointed and assigned at classes and salaries, and in accordance with requirements and procedures, which correspond to those classes, salaries, requirements, and procedures, except with regard to career amabassadors, prescribed by sections 412, 413, 421, 422, 431(c), 432, 441, 500, 501(b), 502(b), 511, 514 through 520, 571 through 575, and 578 of the Foreign Service Act of 1946, as amended.

(b) The President shall, by and with the advice and consent of the Senate, appoint Career Ministers for Information.

(c) The Secretary of State may, upon request of the Director, furnish the President with the names of Foreign Service information officers qualified for appointment to the class of Career Minister for Information, together with pertinent information about such officers, but no person shall be appointed into the class of Career Minister for Information who has not been appointed to serve in an Embassy as a Minister for Public Affairs or appointed or assigned to serve in a position which, in the opinion of the Director, is of comparable importance. A list of such positions shall from time to time be published by the Director.

(d) The per annum salary of a Career Minister for Information shall be the same as that provided by section 412 of the Foreign Service Act of 1946, as amended, for the class of Career Minister.

On page 6, line 10, after "Sec. 9." insert "(a)"; in line 14, after the word "officers.", strike out "And" and insert "Any"; after line 18, insert:

(b) In accordance with such regulations as the President may prescribe, any Foreign Service Staff officer or employee appointed by the Agency who has completed at least ten years of continuous service, exclusive of military service, in the Foreign Service of the Agency shall become a participant in the Foreign Service retirement and disability system and shall make a special contribution to the Foreign Service retirement and disability fund in accordance with the provisions of section 852 of the Foreign Service Act of 1946, as amended.

(c) Any such officer or employee who, under the provisions of paragraph (b) of this section, becomes a participant in the Foreign Service retirement and disability system, shall be mandatorily retired for age during the third year after the effective date of that paragraph if he attains age sixty-four or if he is over age sixty-four; during the fourth year at age sixty-three; during the fifth year at age sixty-two; during the sixth year at age sixty-one, and thereafter at age sixty.

(d) Any officer or employee who becomes a participant in the Foreign Service retirement and disability system under the provisions of paragraph (b) of this section who is age fifty-seven or over on the effective date of that paragraph, may retire voluntarily at any time before mandatory retirement under paragraph (c) of this section and receive retirement benefits under section 821 of the Foreign Service Act of 1946, as amended.

(e) The provisions of paragraph (b) of this section becomes effective on the first day of the first month which begins more than one year after the date of enactment of this Act, except that any Foreign Service Staff officer or employee, who at the time this Act becomes effective meets the requirements for participation in the Foreign Service retirement and disability system, may elect to become a participant in the system before the mandatory provisions become effective. Such Foreign Service Staff officers and employees shall become participants effective on the first day of the second month following the date of their application for earlier participation.

At the top of page 9, strike out:

BOARD OF THE FOREIGN SERVICE AND THE BOARD OF EXAMINERS FOR THE FOREIGN SERVICE

SEC. 12. The functions of the Board of the Foreign Service and the Board of Examiners for the Foreign Service, established by the President pursuant to Reorganization Plan Numbered 4 of 1965, exercised with respect to Foreign Service officers shall be exercised with respect to Foreign Service information officers.

In line 10, change the section number from "13" to "12"; after line 18, insert a new section, as follows:

TRANSFER OF AGENCY FOREIGN SERVICE OFFICERS TO FOREIGN SERVICE INFORMATION OFFICER STATUS

SEC. 13. Agency Foreign Service officers on active service on the effective date of this Act shall, by virtue of this Act, be transferred from the classes in which they are serving on such date to the comparable salaries and classes of Foreign Service information officers established by this Act. Service in the former class shall be considered as constituting service in the new class for the purposes of determining (1) eligibility for promotion, in accordance with the provisions of section 622, (2) liability for separation, in accordance with the provisions of section 633, (3) continuation of probationary status pursuant to section 635, and (4) credit for time served toward in-class promotion in accordance with section 625.

And on page 10, after line 8, strike out:

SEC. 14. Notwithstanding any other provision of this Act and the last sentence of section 3320 of title 5 of the United States Code, section 3320 (except the last sentence thereof) of such title, relating to veterans' preference, shall be applicable to applicants for appointment and persons appointed as, Foreign Service information officers pursuant to this Act in like manner as such sections are applicable to applicants for, and persons appointed in, the competitive service.

And, in lieu thereof, insert:

SEC. 14. Notwithstanding the provisions of section 3320 of title 5 of the United States Code, the fact that any applicant is a veteran or disabled veteran, as defined in section 2108 (1) or (2) of such title, shall be taken into consideration as an affirmative factor in the selection of applicants for initial appointment as Foreign Service officers or Foreign Service information officers.

So as to make the bill read:

S. 633

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a category of officers of the United States Information Agency (hereinafter referred to as "the Agency") to be known as Foreign Service information officers.

STATEMENT OF POLICY

SEC. 2. It is the sense of the Congress that the establishment of a permanent career service for officers of the Agency who serve our country throughout the world in a vital function of the foreign relations of the United States is essential to enable the Director of the United States Information Agency (hereinafter referred to as "the Director") to carry out effectively such functions and responsibilities assigned to the Agency.

STATEMENT OF PURPOSES

SEC. 3. The Congress of the United States hereby declares that the purposes of this Act are—

(a) to provide a statutory basis necessary for a worldwide career officer personnel system designed to meet the continuing needs of both the Agency and those qualified citizens who shall serve as Foreign Service information officers in this vital activity;

(b) to give the Director the full range of personnel authority necessary to establish and administer the Foreign Service Information Officer Corps;

(c) to regularize the personnel system of the Agency by establishing a career service in which qualified Foreign Service information officers may be recruited, trained, and serve;

(d) to assure maximum efficiency and flexibility in the utilization of the talents of Foreign Service information officers; and

(e) to accord Foreign Service information officers the same rights and perquisites and to subject them to the same stringent judgment of performance as Foreign Service officers employed under the provisions of the Foreign Service Act of 1946, as amended.

AUTHORITY OF THE DIRECTOR

SEC. 4. Foreign Service information officers shall be under the direction and authority of the Director of the Agency. Authority available to the Secretary of State with respect to Foreign Service officers shall be available on the same basis to the Director of the Agency with respect to Foreign Service information officers, except as provided in section 11 of this Act.

POLICIES AND REGULATIONS

SEC. 5. The Foreign Service information officer personnel system shall be compatible with the Foreign Service officer personnel system. Toward this end, the Director with respect to the Foreign Service information officer personnel system and the Secretary of State with respect to the Foreign Service officer personnel system, after consultation with such officials as the President may determine, shall promulgate policies and regulations governing such systems. Both systems shall be administered, to the extent practicable, in conformity with general policies and regulations of the Federal Government issued in accordance with law.

APPOINTMENT AND ASSIGNMENT

SEC. 6. (a) Subject to section 4, Foreign Service information officers shall be appointed and assigned at classes and salaries, and in accordance with requirements and procedures, which correspond to those classes, salaries, requirements, and procedures, except with regard to career ambassadors, prescribed by sections 412, 413, 421, 422, 431(c), 432, 441, 500, 501(b), 502(b), 511, 514 through 520, 571 through 575, and 578 of the Foreign Service Act of 1946, as amended.

(b) The President shall, by and with the advice and consent of the Senate, appoint Career Ministers for Information.

(c) The Secretary of State may, upon request of the Director, furnish the President with the names of Foreign Service information officers qualified for appointment to the class of Career Minister for Information, together with pertinent information about such officers, but no person shall be appointed into the class of Career Minister for Information who has not been appointed to serve in an Embassy as a Minister for Public Affairs or appointed or assigned to serve in a position which, in the opinion of the Director, is of comparable importance. A list of such positions shall from time to time be published by the Director.

(d) The per annum salary of a Career Minister for Information shall be the same as that provided by section 412 of the Foreign Service Act of 1946, as amended, for the class of Career Minister.

PROMOTION

SEC. 7. Foreign Service information officers shall be promoted in accordance with the provisions of sections 621 through 623, and 626 of the Foreign Service Act of 1946, as amended, and shall receive within-class salary increases in accordance with section 625 of such Act.

SEPARATION AND RETIREMENT

SEC. 8. Foreign Service information officers shall be separated and retired in accordance with sections 631 through 637 of the Foreign Service Act of 1946, as amended.

PARTICIPATION IN THE FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM

SEC. 9. (a) Foreign Service information officers shall be participants in and entitled to the benefits of the Foreign Service retirement and disability system under title VIII of the Foreign Service Act of 1946, as amended, on the same basis as Foreign Service officers. Any such Foreign Service information officer who becomes a participant in such system shall make contributions to the Foreign Service retirement and disability fund on the same basis as Foreign Service officers.

(b) In accordance with such regulations as the President may prescribe, any Foreign Service Staff officer or employe appointed by the Agency who has completed at least ten years of continuous service, exclusive of military service, in the Foreign Service of the Agency shall become a participant in the Foreign Service retirement and disability system and shall make a special contribution to the Foreign Service retirement and disability fund in accordance with the provisions of section 852 of the Foreign Service Act of 1946, as amended.

(c) Any such officer or employee who, under the provisions of paragraph (b) of this section, becomes a participant in the Foreign Service retirement and disability system, shall be mandatorily retired for age during the third year after the effective date of that paragraph if he attains age sixty-four or if he is over age sixty-four; during the fourth year at age sixty-three; during the fifth year at age sixty-two; during the sixth year at age sixty-one, and thereafter at age sixty.

(d) Any officer or employee who becomes a participant in the Foreign Service retirement and disability system under the provisions of paragraph (b) of this section who is age fifty-seven or over on the effective date of that paragraph, may retire voluntarily at any time before mandatory retirement under paragraph (c) of this section and receive retirement benefits under section 821 of the Foreign Service Act of 1946, as amended.

(e) The provisions of paragraph (b) of this section becomes effective on the first day of the first month which begins more than one year after the date of enactment of this Act, except that any Foreign Service Staff officer or employee, who at the time this Act becomes effective meets the requirements for participation in the Foreign Service retirement and disability system, may elect to become a participant in the system before the mandatory provisions become effective. Such Foreign Service Staff officers and employees shall become participants effective on the first day of the second month following the date of their application for earlier participation.

OTHER APPLICABLE PROVISIONS OF LAW

SEC. 10. All other provisions of the Foreign Service Act of 1946, as amended, or of any other law, which apply to Foreign Service officers and are not referred to above, shall be applicable to Foreign Service information officers.

COMMISSIONING AND ASSIGNMENT AS DIPLOMATIC AND CONSULAR OFFICERS

SEC. 11. (a) The Secretary of State may, upon request of the Director, recommend to the President that Foreign Service information officers be commissioned as diplomatic or consular officers, or both, in accordance with section 512 of the Foreign Service Act of 1946, as amended.

(b) The Secretary of State may, upon request of the Director, assign Foreign Service information officers, commissioned as diplomatic or consular officers, to serve under such commissioners in accordance with sections 512 and 514 of the Foreign Service Act of 1946, as amended.

INTERPRETATION AND CONSTRUCTION

SEC. 12. For the purposes of this Act the term "Foreign Service officer" when used in the Foreign Service Act of 1946, as amended, or in any other provision of law shall be construed to mean "Foreign Service information officer" and the term "Secretary of State" when used with respect to authorities applicable to Foreign Service officers shall be construed to mean the Director of the United States Information Agency with respect to Foreign Service information officers.

TRANSFER OF AGENCY FOREIGN SERVICE OFFICERS TO FOREIGN SERVICE INFORMATION OFFICER STATUS

SEC. 13. Agency Foreign Service officers on active service on the effective date of this Act shall, by virtue of this Act, be transferred from the classes in which they are serving on such date to the comparable salaries and classes of Foreign Service information officers established by this Act. Service in the former class shall be considered as constituting service in the new class for the purposes of determining (1) eligibility for promotion, in accordance with the provisions of section 622, (2) liability for separation, in accordance with the provisions of section 633, (3) continuation of probationary status pursuant to section 635, and (4) credit for time served toward in-class promotion in accordance with section 625.

VETERANS' PREFERENCE

SEC. 14. Notwithstanding the provisions of section 3320 of title 5 of the United States Code, the fact that any applicant is a veteran or disabled veteran, as defined in section 2108 (1) or (2) of such title, shall be taken into consideration as an affirmative factor in the selection of applicants for initial appointment as Foreign Service officers or Foreign Service information officers.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the amendments be agreed to en bloc.

The PRESIDING OFFICER. Without objection, the amendments are considered and are agreed to en bloc.

Mr. MANSFIELD. Mr. President, this bill was reported from the Committee on Foreign Relations, as I recall, unanimously.

Mr. ELLENDER. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. ELLENDER. Will the Senator from Montana tell me what the bill would do?

Mr. MANSFIELD. The bill was reported unanimously by the committee. The purpose of the bill is to authorize a career personnel system for professional Foreign Service officers.

Mr. ELLENDER. That means we would put them in the same category as Foreign Service employees in the State Department?

Mr. MANSFIELD. To an extent, because they are under civil service now.

Mr. ELLENDER. I know.

Mr. MANSFIELD. The cost will be nominal. It will save money all around.

Mr. ELLENDER. Then we would be making of this agency a permanent organization now? They have advocated that ever since it was created.

Mr. MANSFIELD. In my opinion, it very likely will be a permanent organization.

Mr. ELLENDER. I do not think it should be.

Mr. President, I object to taking up the bill now.

The PRESIDING OFFICER. Objection is heard.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the action taken by the Senate in regard to Calendar No. 699 (S. 633) be vacated, and that the bill go back to its original position.

The PRESIDING OFFICER. Without objection, it is so ordered; and the bill is returned to the calendar.

LEGISLATIVE PROGRAM—ORDER FOR ADJOURNMENT TO MONDAY

Mr. KUCHEL. Mr. President, would my able friend, the majority leader, inform the Senate what further business he contemplates undertaking this afternoon and what his plans may be for the rest of the week?

Mr. MANSFIELD. Mr. President, there will be no further action on any legislation this afternoon.

I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I make that request because the calendar is pretty well cleared up at this time.

For the benefit of the Senate, it is anticipated that three bills will be reported today by the Committee on Labor and Public Welfare for consideration on Monday: Mental retardation, age discrimination, partnership for health.

It is our hope to dispose of these bills Monday and to consider on Tuesday Calendar No. 684 (S. 699), a bill to strengthen intergovernmental cooperation; also ready for consideration then will be the elementary and secondary education bill reported today from the Committee on Labor and Public Welfare.

On Wednesday the redistricting conference report will be brought to the floor for consideration.

Some time next week it is anticipated that the conference report on the public works appropriation bill will be before the Senate; also the conference report on the foreign aid authorization bill.

It is hoped that toward the end of next week the social security legislation will be ready for consideration on the floor.

In addition, the District of Columbia appropriation bill should be reported next week, probably for consideration on Wednesday or Thursday.

That is about the best I can tell the acting minority leader at this time. It appears that our schedule next week will be full and the week's work productive.

Mr. KUCHEL. I thank my able friend.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY

Mr. MANSFIELD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate adjourn until 12 noon Monday next.

The motion was agreed to; and (at 2 o'clock and 40 minutes p.m.) the Senate adjourned until Monday, November 6, 1967, at 12 meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 2, 1967:

NATIONAL LIBRARY OF MEDICINE

Bruno W. Augenstein, of Virginia, to be a member of the Board of Regents, National

Library of Medicine, Public Health Service, for a term expiring August 3, 1971, vice Russell Alexander Dixon.

IN THE PUBLIC HEALTH SERVICE

The nominations beginning Lamar A. Byers, to be senior surgeon, and ending Phillip H. Buchen, to be senior assistant health services officer, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on September 13, 1967.

HOUSE OF REPRESENTATIVES

THURSDAY, NOVEMBER 2, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

By this shall all men know that you are my disciples, if you have love for one another.—John 13: 35.

O God, our Father, who hast revealed Thyself in the history of mankind, who dost reveal Thyself to the open mind and heart of man today, make us responsive to Thee and grant us faith and fidelity as we live through the maddening maze of modern movements.

We rejoice when we realize that Thou art never far from anyone of us, and our hearts take courage when we think again that we can never drift beyond Thy love and care.

Grant that the spirit of love and concern may permeate our hearts and the good seed we sow this day bear fruit in an abundant harvest of justice and liberty for all. In the spirit of the Master we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 845. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Nebraska mid-State division, Missouri River Basin project, and for other purposes; and

H.R. 5364. An act to provide for the conveyance of the interest held by the United States in certain real property situated in the State of Georgia.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 10805. An act to extend the life of the Civil Rights Commission.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 223. An act to authorize the disposal of the Government-owned long-lines communication facilities in the State of Alaska, and for other purposes.

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 6. An act to authorize the Secretary of the Interior to construct, operate, and maintain the initial stage of the Oahe unit, James division, Missouri River Basin project, South Dakota, and for other purposes;

S. 220. An act to authorize the sale of certain public lands;

S. 876. An act relating to Federal support of education of Indian students in sectarian institutions of higher education;

S. 1119. An act to grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Mont., to certain Indians, and for other purposes;

S. 1367. An act to authorize the Secretary of the Interior to prevent terminations of oil and gas leases in cases where there is a nominal deficiency in the rental payment, and to authorize him to reinstate under some conditions oil and gas leases terminated by operation of law for failure to pay rental timely;

S. 1391. An act to cancel certain construction costs and irrigation assessments chargeable against lands of the Fort Peck Indian Reservation, Mont.;

S. 2336. An act to determine the respective rights and interests of the Confederated Tribes of the Colville Reservation, and the Yakima Tribes of Indians of the Yakima Reservation and their constituent tribal groups in and to a judgment fund on deposit in the Treasury of the United States, and for other purposes;

S. 2515. An act to authorize the establishment of the Redwood National Park in the State of California, and for other purposes; and

S. Con. Res. 49. A concurrent resolution extending congratulations to the Parliament of Finland on the 50th anniversary of Finland's independence.

The message also announced that the vice president, pursuant to Public Law 84–689, appointed Mr. SPARKMAN, Mr. JACKSON, Mr. BAYH, Mr. MCINTYRE, Mr. MONDALE, Mr. JAVITS, Mr. COOPER, Mr. MUNDT, Mr. HANSEN, Mr. WILLIAMS of New Jersey, alternate, and Mr. MONTOYA, alternate, as delegates on the part of the Senate to the North Atlantic Assembly to be held at Brussels, Belgium, on November 20 to 25, 1967.

THE CONGRESSIONAL LOGJAM

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROOKS. Mr. Speaker, in his press conference yesterday, President Johnson laid great stress on the unfinished business still before the Congress.

He talked about the uncertainty in the Nation about the tax bill and the level of appropriations for essential domestic and foreign programs.

He lamented the fact that basic urban rebuilding programs like model cities and rent supplements were cut far below their effective level.

He urged the passage of an antipoverty bill. And we all know that hundreds of thousands of Americans are depending on this House to do its duty and pass that measure.

Nowhere in his remarks did President Johnson demean or insult the Congress. The tone of his press conference was, in fact, conciliatory.

President Johnson wants the Congress to perform its constitutional duties—pass the fiscal year 1968 budget, vote on a critical tax measure, pass needed laws for cities, for consumers, to protect rights, to help older people, to keep streets and homes safe.

President Johnson is not asking too much of this Congress. He is asking us to break the logjam of inaction and move ahead. He is speaking for the people.

I think Congress is presently moving on all these measures, but the pace must be greatly increased if we are to make the necessary progress.

I, for one, feel he has been diplomatic and tactful in his relations with the legislative branch. And I, for one, believe that the programs he is seeking are necessary and right.

PRESIDENT JOHNSON IS RIGHT IN ASKING CONGRESS TO PROMPTLY ENACT VITAL LEGISLATION BEFORE ADJOURNMENT

Mr. EILBERG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. EILBERG. Mr. Speaker, I agree with my distinguished colleague. I think the newspaper accounts of President Johnson's news conference yesterday went much too far in characterizing it as an attack upon Congress.

In fact, Mr. Speaker, after reading the President's remarks carefully I wish to commend him for the fair and reasonable position he has taken in regard to pending legislation.

I think few of us would disagree with the President's analysis that while this session of Congress has not been as productive as others, it will stand reasonably well compared to previous Congresses.

And I think we would also agree that the House still has important work to be done before adjournment.

The war on poverty program is in serious difficulty, with many of its programs rapidly running out of funds. We must act quickly and positively on this appropriation.

The stock market is gyrating dangerously as investors wonder what Congress is going to do about checking inflation.

We also have the crime bill to consider, truth in lending, air pollution, firearms control, postal rates, and other key measures vital to the national welfare.

I join with the President in hoping that my colleagues will enact this legislation this session. And I join with those who have rightly noted that President Johnson did not insult the Congress yesterday, but rightly urged our prompt attention to vital legislation.

THE DISTINCTION BETWEEN AN ECONOMY BASED ON WAR AND ONE BASED ON PEACE

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, on page 30831 of the Record for yesterday November 1, 1967, are two significant speeches. One, by the Speaker, starts out "A record Johnson prosperity" and adjoining this appears the remarks of the gentleman from Massachusetts [Mr. Burke], headlined "Scandalous War Profits."

In last night's Washington Star—and I daresay in other newspapers—were the remarks of the Chairman of the President's Council of Economic Advisers, Mr. Gardner Ackley, acclaiming the 80th month of boom.

Before I have said on the floor of the House, and I will again, any time Democrat leaders start boasting about our prosperity, I am going to remind them that there is blood on the dollar. Apparently this administration cannot distinguish between an economy based on war and one based on peace. Not being able to distinguish, I do not believe the people would be wise in entrusting the future of our Government in their hands.

ARROGANCE OF THE OFFICE OF ECONOMIC OPPORTUNITY

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MICHEL. Mr. Speaker, the unmatched arrogance of the Office of Economic Opportunity is aptly illustrated by two stories appearing on the United Press International wire today.

In the first, OEO confirms that it has granted $620,000 to the University of Wisconsin for a pilot study involving a guaranteed annual income, or a reverse income tax play for 800 families. The story points out that the families getting the money would be encouraged to find work, but if they did so, their payments would be reduced. OEO calls this "graduated work incentive plan."

Congress has not approved a guaranteed annual income plan, but OEO, which has become its own arbitrary fiefdom, has launched this program as the entering wedge. In fact, OEO admits it plans a $3.4 million expanded reverse income tax program after this so-called pilot study.

The utter hypocrisy of OEO is apparent from the second story, which states that OEO has announced that 35 programs serving 500,000 poor people in one form or another—this could mean having OEO bureaucrats studying them to see if they are really poor or not—will have to close down during the next 3 weeks unless Congress authorizes money to keep them going. This is the kind of operation that makes us here in the Congress boil.

Since OEO is willing to cut back on whatever programs it has started, in order to finance a controversial, way-out, experimental program of reverse income tax, it obviously has the budgetary power to shift the money into existing programs to keep them going until Congress has acted upon the poverty bill. This would seem to be the commonsense approach—a process that OEO shuns with a passion.

The idea is to propagandize the public—to shift the blame from OEO's allocations of its vast appropriations to the Congress. I think it is time Congress took a close look, and perhaps discarded the idea of a guaranteed annual income for the OEO itself.

H. H. H.'S GREAT ADVENTURE

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, along with many others in this country, I read with utter disbelief the words of Vice President Hubert Horatio Humphrey in Saigon earlier this week when he referred to the tragic and costly war as America's "great adventure—and a wonderful one it is."

This is a statement I would never have believed would be made by any responsible public official of this Nation.

Perhaps Hubert Humphrey imagines that the 14,000 young men who have lost their lives in this all-too-prolonged, undeclared war thought they were on a great and wonderful adventure, but I am in complete agreement with editors of the Scripps-Howard newspapers when they say the Vice President is 100 percent wrong.

I include at this point, an excerpt from an editorial on this subject that appeared in yesterday's Washington Daily News:

H. H. H.'s "Great Adventure"

Last year, in the midst of a long, hot summer, the Vice President declared he might "lead a mighty good revolt" if he lived in a slum—an expression of sympathy that also resembled a sanction for violence. He spent a lot of time explaining that one.

Then the voluble VP told us about bringing the Great Society to all Asia—while we have our hands full in Vietnam and must cut back domestic programs as a result. Next, HHH called for a "Marshall Plan" to rebuild American cities—a vision that evaporated instantly under the glare of a President who contemplated no such program, and had no money for it.

Now, our Vice President, at his most extravagant, phrase-making, evangelic worst, has told us what Vietnam is all about, according to reports from Saigon, where he headed the U.S. inaugural delegation:

"This is our great adventure," he told American Embassy staff members, "and a wonderful one it is."

The Vice President is 100 per cent wrong. The war in Vietnam is a bloody, awful duty. It is costing greatly in lives and treasure. There is no glory in it at all.

Doubtless a repair crew went to work on a "clarifying" statement correcting the "misintrepretation" of Mr. Humphey's remarks, following the usual pattern.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. SISK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 357]

Abbitt
Adams
Andrews, Ala.
Ashley
Aspinall
Barrett
Berry
Boggs
Broomfield
Button
Celler
Corman
Cunningham
Dawson
Denney
Diggs
Eshleman
Evans, Colo.
Everett
Fountain
Fuqua
Gallagher
Green, Oreg.
Helstoski
Long, La.
Long, Md.
McCulloch
Mathias, Md.
Miller, Calif.
Morris, N. Mex.
Passman
Patman
Pettis
Pike
Pool
Pryor
Rarick
Resnick
St. Onge
Sikes
Teague, Calif.
Teague, Tex.
Utt
Watts
Williams, Miss.
Willis

The SPEAKER. On this rollcall 387 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION FOR THE COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

Mr. SISK. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

AIR QUALITY ACT OF 1967

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 955 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 955

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 780) to amend the Clean Air Act to authorize planning grants to air pollution control agencies; expand research provisions relating to fuels and vehicles; provide for interstate air pollution control agencies or commissions; authorize the establishment of air quality standards, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interstate and Foreign Commerce now printed in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill, and section 2 of such substitute shall be read by titles. At the conclusion of such consideration the committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The gentleman from California is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield to my colleague, the gentleman from California [Mr. SMITH] 30 minutes and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 955 provides an open rule with 2 hours of debate for the consideration of the bill S. 780 to amend the Clean Air Act. The resolution further provides that it shall be in order to consider the substitute as an original bill for the purpose of amendment, and that section 2 of the substitute shall be read by titles.

S. 780 is intended primarily to pave the way for control of air pollution problems on a regional basis in accordance with air quality standards and enforcement plans developed by the State. State standards and enforcement plans would have to be consistent with air quality criteria and control technology data published by the Secretary of Health, Education, and Welfare. The Secretary would be empowered to initiate action to insure setting of enforcement of standrads if a State failed to take reasonable action to achieve compliance.

Mr. Speaker, this has been a subject which many Members of the House have long been interested in, and many people across our Nation. Certainly clean air is just as important as clean water, clean food, and in many other areas of interest in order to maintain human life in this country.

Unfortunately, as we have contaminated many of our streams, and contaminated other areas, we have unfortunately contaminated certainly in many places the air which human beings have to breathe.

In the consideration of this particular legislation I wish to commend the Committee on Interstate and Foreign Commerce for the time that they have spent, the studies that they have made, and the deliberations that have gone on. Particularly, I wish to commend the distinguished chairman of that committee, the gentleman from West Virginia [Mr. STAGGERS] for the work that he has done along with that of the other members of his committee.

Mr. Speaker, we come here today with a bill which I believe basically meets the majority of the needs and the requirements as a first step in attempting to clean up this air which is so important for all of us as human beings. However, I do have certain concerns, as many of my colleagues do, particularly from the State of California, with reference to some of the language in the House bill which is different from that passed by the Senate.

For years many of the States have had a rather passive or indifferent attitude toward air pollution, basically those States that were not confronted with the pollutants in the air that we unfortunately have had in some areas of California. But all the while the State of California, and in many instances with the vigorous opposition, I might say, of the automobile industry, has struggled to find a solution to what is a life-and-death problem to millions of Californians.

Instead of turning its vast research and financial resources loose on ways to make automobile exhausts safe for society, unfortunately the automobile industry in too many instances devoted its attention to ways to turn the family car into a prestige palace on wheels complete with six-way seats, and eight-track stereo.

The automobile industry we feel in all too many instances has shown a callous disregard for the health and safety of American citizens, and has been a balky and reluctant partner in the conscientious efforts of our people to find a way to reconcile its needs for transportation with its even greater need for safe, clean air.

All the State of California seeks, or wants, is the right to maintain the momentum it has gained in working out means for its own salvation.

We feel that many valuable years have been lost by our Nation for not attacking this problem vigorously in the past. But we also feel that now is not the time to shackle the determined efforts of a frustrated, red-eyed people that have had about enough.

We, in California, have had little leadership or help from the automobile industry in the past and, frankly, this is our concern with the bill and the present language before us that we are not content to let our fate rest with the industry and its Washington lobby in the years to come.

Mr. Speaker, many of my colleagues from California and particularly from the Los Angeles area where this problem has been such a serious menace are much more expert on some of the things that have been done and some of the actions that have been taken and some of the needs, and they will expound their ideas further. But certainly I do feel it is vital and important that California be permitted in view of the tens of millions of dollars it has spent in the past in developing programs and the State legislature has spent many weeks and months in developing regulations to protect the health of our people, that the State be permitted to go ahead and maintain those high standards which we feel are essential to the well-being of our State and not to permit the Federal Government to preempt—and that, basically, I think, is what the issue is here—the issue of preemption of States' rights in this area.

We seek no preferential treatment. We simply ask that so long as our standards that have already been promulgated are equal to or above those promulgated by the Federal Government that we be permitted to continue with those standards and enforce those standards. I think frankly, as we examine many areas in which the Federal Government has gone into the regulatory field, it has permitted States that have had regulations to continue so long as those regulations were equal to or above those standards set by the Federal Government.

As I say, that is the only thing we will be seeking in the amendment which later will be offered by my distinguished colleague, the gentleman from California [Mr. MOSS].

Mr. Speaker, I urge the adoption of the resolution, House Resolution 955, in order that the bill, S. 780, may be considered.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore (Mr. PRICE of Illinois). The gentleman from California has consumed 8 minutes.

Mr. SMITH of California. Mr. Speaker, I yield myself 15 minutes.

Mr. Speaker, House Resolution 955 provides for an open rule with 2 hours of debate for the consideration of S. 780—the Air Quality Act of 1967. I believe the rule also provides for the House language to be substituted for the Senate language.

The purpose of the bill is to provide for methods to control and abate our national problem of air pollution by creating a series of regional control areas, primarily administered by the States involved, under standards of control and enforcement based upon criteria and data made available to the States by Health, Education, and Welfare.

That the problem is a serious one for our public health is too clear to be questioned. Illnesses from heart problems to lung diseases have been linked with the existence of polluted air in some of our cities. Every major metropolitan area has the problem to some degree, some continuously.

According to the report and testimony, the bill will continue all current programs for air pollution control and research now existing in HEW. In addition it will provide for a systematic control of air pollutant activities on a regional basis. These regions will be established by the Secretary of Health, Education, and Welfare within the next 18 months. They may include parts of several States or areas within one State. Each is to contain within it an area which, because of such factors as urbanization and industrialization, topography and meteorological patterns, is affected by common air pollution problems requiring uniformity of control action.

The provisions relating to the adoption of air quality standards are the key to the bill. Standards will not be national in scope, but will be tailored to each region, and based upon criteria and data collected and published by HEW. After such publication each State will have 90 days to inform HEW of its intention to set air quality standards on pollutants for each regional area with which it is involved. After such notice, a State has 180 days to set the required air quality standards, and another 180 days to develop plans for implementation and enforcement of standards. All such plans will be submitted to HEW for evaluation and approval as consistent with HEW's published criteria and data.

If a State fails in any way to meet the requirements outlined above, the Secretary of Health, Education, and Welfare is authorized by the bill to perform the State's function of setting standards. A hearing board may be called at a State's request, but its recommendations too would be binding upon the State. Whether by State or Federal initiative, once the standards and enforcement provisions are activated, enforcement will be primarily in the hands of the State involved. Enforcement at the Federal level will occur only when a State or States fail to do so, and then only after notice by HEW of an intention to act if no appropriate enforcement action is taken within 180 days.

In emergency situations, where immediate action is necessary, the Secretary of Health, Education, and Welfare will have authority to go into court for abatement of any pollution that creates substantial and imminent public health endangerment.

The bill adds to the authorizations already existing for fiscal 1968, and makes authorizations for an additional 2 years; $33,000,000 is added for fiscal 1968, making the total $99,000,000; for 1969 the total authorized is $145,000,000; for 1970 the authorization is $184,300,000.

All appropriate agencies support the legislation.

The bill also provides for the creation of an Air Quality Advisory Board of 15 members to advise and consult with the Secretary of Health, Education, and Welfare and make recommendations to the President. All will be appointed by the President; they are $100 per day men.

A study of national pollution and emission standards is to be undertaken by HEW. A report is to be made to the Congress within 2 years of the need for and effect of such standards. Further studies of the economic cost of implementing this legislation are also required by the bill. This seems a little late to me.

There are separate views, filed by Messrs. Moss and VAN DEERLIN. They oppose the action of the committee in removing the waiver provision for California which was in the Senate-passed version of the bill. It provided that California could have more stringent antipollutant requirements than the rest of the country. These Members feel that California's problems are so serious in this field, and that her efforts so far have been a model for the Nation; under these circumstances they believe that a waiver provision is necessary if California is to adequately protect the public health of her cities.

And now, Mr. Speaker, I would like to direct my remarks to the bill and to the problem, as it affects the State of California. This is the third time that I have presented a "rule" on this subject. The previous measures, I believe, were referred to as the Clean Air Act. On each previous occasion I joined in supporting the measures. California welcomed the Federal Government into the field in an effort to try to solve this serious problem. But, I cautioned on each previous occasion, that I hoped that the Federal Government would not do anything that would hinder the efforts of California, because the problem there is by far the worst in the country. That we had spent, and were spending, millions and millions in an effort to solve it. Such statements were made in July 1963, in connection with H.R. 6518. Today, I find that if this bill, S. 780, is passed as approved by the Interstate and Foreign Commerce Committee, it will do what I feared might sometime occur if the Federal Government entered the field. It will preempt California's States rights and may seriously set us back for years to come in our efforts to rid California of its terrible smog problem.

BACKGROUND AND TECHNICAL MATERIAL

Since the time that smog became a major nuisance in the Los Angeles Basin, important steps have been taken to control objectionable emissions. In 1947 an air pollution control district was formed in Los Angeles County charged with the task of returning clean air to this area. The District was created by State law and it designates the county supervisors as members of the governing board of the district. As such, they are directly responsible to the voters. In the 18 years of its existence, dust, smoke, and fumes from steel factories, mineral industries, foundries, and the petroleum industry have been controlled to a very high degree. At present these industries have set an example for the rest of the country in cleanliness of their operations. As a matter of fact, the real estate development in the southwestern part of the basin would have been unthinkable without this control. One of the most difficult accomplishments and one of the most exasperating, too, has been the control of open burning in dumps and in home incinerators. The result of these control efforts is clearly seen in monitoring records which show that dust and oxides of sulfur have reached better than prewar levels.

After the cause of the eye-irritating part of the smog was identified, control of hydrocarbons at the petroleum industry was started. This phase of the control effort was practically finished around 1957.

In the meantime, the automobile emissions have more than doubled and gains made in hydrocarbon control at the refineries have been more than neutralized by this increase. While in the early part of the 1950's the district conducted exploratory investigations on automobile emissions, this was discontinued when in 1960 a State law was passed which created a special motor vehicle pollution board charged with the responsibility of controlling emissions of cars. The auto testing laboratory of the county was transferred to the State. During the 6 years of its existence important steps toward hydrocarbon control have been taken. The 1966 cars have both crankcase and tailpipe emission brought to the State of California health standards. These standards require a tighter control in 1970 when the present exhaust standards of 275 will be reduced to 180 parts per million.

It is thus abundantly clear, Mr. Speaker, that southern California became aware of the dangers of smog long before other major metropolitan areas even admitted that they suffered from the same malady. However, the victory is far from won, in fact just holding our own has been a problem. But California is far ahead of any other part of the Nation in fighting smog—through enforcement of much stricter regulations than the rest of the Nation. We agree that Federal smog legislation is badly needed, but not legislation that will impede California's progress. That brings me to the pending measure, S. 780, from the possibility of its impeding California's progress.

As originally drafted in the other body, S. 780 set Federal standards to comply with those now in effect in California—toughest in the country. But if the measure were to pass in that form, it would mean that the Federal law would have preempted California's. In other words, if California wanted to raise its standards for controlling auto smog, it would have to come to Washington to get a new law passed. So Senator MURPHY, of California, offered an amendment which would permit California to have stricter standards if it deemed them to be necessary. The amendment was accepted unanimously. This is section 208(b) of the bill. Let me make it crystal clear that California is not asking to be released from the standards in the bill. We intend to comply with them. After all, they are ours in effect as of now. We simply want to be able to have any stricter standards that may be necessary to solve the problem. They will not be the whim of any one person. They will have to be placed into effect by appropriate legislation passed by the California State Legislature.

When the bill reached the House Interstate and Foreign Commerce Committee, the auto industry brought in its heavy weapons, and the result was that the Murphy language was amended out, and in its place was inserted the so-called Dingell amendment. This turns the situation completely around. It states that the Secretary of Health, Education, and Welfare may, after notice and opportunity for public hearing, upon application of any State which has adopted standards, prescribe standards limited to such State, which are more stringent. This means that California could not by legislative action have more stringent standards without first coming to the Secretary of Health, Education and Welfare and getting permission. This could be a long, involved, time-consuming process. In fact, it places the entire State of California at the mercy of the decision of one appointed head of a Federal department. This just does not make sense.

The automobile industry argues that they cannot be faced with the possibility of being required to have different equipment for different States. If such a possibility existed, I could understand their concern. But California has the greatest problem, and if it is to be solved, it will have to be solved through the combined efforts of all concerned. And if we solve it, then other States that may later be faced with the problem will be years ahead in being able to base their decisions on the efforts and results which take place in California. California has been entirely cooperative with the auto industry and it seems to me that the industry should be doing everything it can to cooperate with California. After all, California has almost one-tenth of the total population of the 50 States, and more than 10 percent of all automobiles sold are purchased in California. And the cost of any required equipment will be added to the price of the car. Californians purchasing cars will pay for it—not the automobile manufacturer. Does this not seem fair so far as the industry is concerned?

Let me emphasize that California is not asking for any money. Our exemption will not affect tourists. It is only to cars sold in California. We are not asking for a public works project or the like. We just want our States rights. We want to have the right to try to solve our very serious problem.

As an example of the seriousness, and of the interest in California, let me mention the following. On October 5 and 6, 1967, this year, the California Legislature Assembly Committee on Transportation and Commerce held hearings. Dr. Joseph F. Boyle, president of the Los Angeles County Medical Association, testified as follows on October 5:

> The Environmental Health Committee of the Los Angeles County Medical Association, representing approximately 10,000 physicians, has reviewed air monitoring measurements and other data compiled by the Los Angeles County Air Pollution Control District. This committee concludes that air pollution is becoming increasingly worse and may lead to great lethality in this community.
>
> The evidence is conclusive that the increase in the significant components of this air pollution is due primarily to emissions from motor vehicles. These emissions constitute a serious threat to the health of residents of the Los Angeles Basin. Although this is especially true for those who are ill, the very young and the aged, it also applies to those who are presently in good health.
>
> The Los Angeles County Medical Association wishes to emphasize to the Legislature of the State of California and the Congress of the United States that a critical and worsening health crisis exists in Los Angeles County despite all efforts for its control. The pending crisis is imminent and demands that every appropriate action, however drastic, be taken immediately. No further delay can be tolerated with safety.

In this morning's mail I received, by air mail, a package which was delivered to me about an hour ago. It contained a set of X-rays. I am not familiar with X-rays. I cannot read them. I am not a doctor. I have not shown them to any doctor. I want to show the Members I have the X-rays here, and if any Member wishes to see them he can.

Accompanying the X-rays was a letter, dated Oct. 30, 1967, from a constituent, I do not know him personally. He is Mr. Paul A. Kyrlach.

The SPEAKER pro tempore (Mr. Price of Illinois). The gentleman has consumed 15 minutes.

Mr. SMITH of California. Mr. Speaker, I yield myself 5 additional minutes.

This letter was in the pouch with the X-rays. It reads in part:

> H. Allen Smith,
> *Congressman,*
> *Washington, D.C.*
>
> Dear Congressman Smith: The x-ray that accompanies this letter was taken of the chest of my three year old daughter, Debbie, on October 23, 1967.
>
> You will note that my Deborah's lungs show an infection. Our doctor called it: "smogitus." A low grade bronchial infection he directly attributed to the polluted air of the recent Los Angeles smog attack. His prescription: Pray for some clear days—and effective controls.
>
> It is my wish that you show this tragic effect of air pollution to Congressman Dingell and solicit his suggestions for me. Should I uproot my family and move from the Los Angeles area?
>
> The x-rays are on loan from: Glendale Clinical Laboratories, 1371 E. Colorado, Glendale, California.
>
> Please return either to me or them as I am presently signed out with them. Thank you:
>
> Paul A. Kyrlach.

His pessimism was echoed by the local and State county's air pollution control officer, Louis J. Fuller and by Eric Grant, executive officer of the State motor vehicle pollution control board. Both officials warned that California's present auto emission standards are inadequate and must be strengthened to cope with the continuing increase of motor vehicles.

As a result of these hearings, the committee unanimously agreed that California must retain the right to set and enforce its own standards for controlling motor vehicle emissions.

On October 5, 1967, the Los Angeles City Council passed a resolution calling upon Congress to amend the Air Quality Act of 1967 to permit California to set and maintain more stringent standards for controlling air pollution and also allow California to administer such standards at the State level. The Los Angeles County Board of Supervisors took similar action. The County Supervisors Association of the State of California took similar action. Newspapers, television, and radio are daily requesting the same action. Thousands of petitions have been sent to us here in Washington representing California.

An amendment will be offered to delete the so-called Dingell amendment and to reinstate the so-called Murphy amendment. We in California respectfully ask your support. Certainly 20 million people are more entitled to the support of the Congress of the United States than is the automobile industry. I urge you to help us.

Mr. Speaker, I know of no objection to the rule, and urge its adoption.

Mr. SISK. Mr. Speaker, I yield 10 minutes to the gentleman from California [Mr. Holifield].

Mr. HOLIFIELD. Mr. Speaker, I appreciate this time during the consideration of the rule, because I know that the time will be very tight during general debate and it probably will be very difficult for a nonmember of the committee to get any time.

I want to say at the beginning I think that the bill S. 780, that has been reported by the committee, is in general a good bill. I want to compliment the committee chairman, the gentleman from West Virginia [Mr. Staggers], and the subcommittee chairman, the gentleman from Michigan [Mr. Dingell], and the members of that committee on both sides of the aisle, because I think they have done a pretty good job.

I want it to be very plain and clear that the California delegation is not opposing this bill. Neither do we have any antagonism to any member of the committee. I served with John Dingell, Sr., in this House for 12 years. He was one of my very good friends and one of my best friends. I served with John Dingell, Jr., his son, for 12 years also, it so happens. I believe that we have had a good friendship. We have differed on a few questions and a few problems, but I think we have a good friendship.

I want to make it very clear that I am not among those in the press or otherwise who questions any Member's motives.

I do not go along with scurrilous attacks on the motives of Members. I do not care whether they are on my side of the aisle or on the other side of the aisle, because I just do not believe in doing business that way.

While this legislation in my opinion is good legislation, I believe it can be made better. I believe there is no reason why in the judgment of the House amendments cannot be offered to bills, and all of us know that they are offered to bills, almost every bill that comes before this House. The House has a right to work its judgment after the committee has done its job.

Now, we in California have a unique problem, and that problem is caused by what we call an atmospheric inversion. It is also caused, to some extent, by the peculiar topography of the metropolitan area of Los Angeles County, and the adjoining counties, because there is a spillover of this smog into adjoining counties.

We are talking about a place where more than 7 million people live in Los Angeles County alone, and another million in Orange County, where the gentlemen from California [Mr. Hanna and Mr. Utt] represent the people. We are talking about more people than in many of the States of the Union in population, and we are talking about more than 10 million automotive devices of different kinds, buses, trucks and automobiles. Twice as many automotive devices as any State in the Union, twice as many as New York, twice as many as Ohio, and we are crowded into small coastal areas and plains in between two great mountain chains. The mountain chain behind the metropolitan area of Los Angeles is 8,500 feet high. All you have to do is look at the photographs that are out in the lobby here, and you can see the density of this smog coming into that Los Angeles basin and lying there. You can see it at 8:30 in the morning when men are going to work in the factories with their lights on. The pictures are out there.

And let me tell you that these are genuine pictures, there are genuine pictures of smog conditions. They have nothing to do with the forest fires in California. I have a letter from the Los Angeles County Flood Control, so let us not have that assertion made during this debate, to the effect that these were taken on days when the forest fires were burning, and when the winds were blowing toward Los Angeles, and over the basin.

I have heard that there is going to be that assertion made, and I want to lay that to rest right now. These pictures were taken last week or the week of October 23, many of them.

Now, I see my good friend, Mr. H. R.

Gross, coming down the aisle with a gleam in his eye. He said to me yesterday, "You know, it is a real pleasure to me to see Chet Holifield advocating States rights."

I want to say to my friend, H. R. Gross that I am not embarrassed a bit. I have voted for many States rights provisions in bills in this House many, many times, and I have also voted for Federal principles in national legislation. And I will say that every Member in this House who votes for Senate bill S. 780 is voting for a Federal principle that carries across the Nation. And I hope that I can vote for Senate bill S. 780 also.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to my friend from Iowa.

Mr. GROSS. Mr. Speaker, all I want to say to the gentleman is welcome to the ranks, you are real welcome to the ranks.

Mr. HOLIFIELD. I thank my good friend. He said to me one day, if he thought I would resign—he said, "I get more pleasure out of you than any other Member of Congress"—and, of course, that is true.

Unfortunately, the flow of air knows no State boundaries. It knows no city boundaries. It knows no county boundaries. That is why regional areas are recognizing this bill that the committee has proposed.

We ask that California, a State larger in population, larger in square miles, and larger in its automobile inventory than many regions of the United States that have a number of States in it—be allowed not only to conform to the bill, S. 780, but to go beyond S. 780, to strip the requirements which are required by the Los Angeles County area because of that atmosphere and congestion of cold air coming in from the ocean to hold these auto emissions down at that level where people have to breathe.

I believe that the bill is a step forward nationally in that it requires of the automobile companies the same kinds of devices that we have required in California now for a number of years. When the automobile companies express concern just remember this—that since 1961 they have been putting these devices on these automobiles; and listen to this—the people of California have been paying for that.

We have some of the devices right here. Here is an air pump.

Here is a cutaway section of a valve chamber. All the motor does is to pump oxygen into the valve chamber and the oxygen causes the hot air in the valve chamber to burn in place of going out in the form of raw gasoline from the tailpipe of an automobile.

These devices run at different prices but this combination runs about $50. But the manufacturer does not pay for it. The citizen in California pays for it. Nobody complains because it is a lot better to pay for something to clean the air that you are breathing than it is to have your eyes smarting and to go around coughing and having people die from pneumonia, and children have died. Smog does raise the death rate in those areas during that period of time.

So the people of California are willing to work out their own problems—and I will say this—we have been working on it since 1947 and we have spent over $50 million in Los Angeles County alone of taxpayers' money. We have bought over $150 million worth of these devices in California.

There are 7.8 million cars in California that have these devices now in one form or another and not all of them are identical to this—but the devices as we have developed them from a technological standpoint have improved and are surely better devices. We want to keep on improving these devices because our present devices are not doing the job we want done in California. We are just keeping even and the reason we are only keeping even, although these devices improve the output of emissions by a factor in some instances from 50 percent to 65 percent—the reason we are not getting any better is because this year there will be 600,000 new automobiles coming into California.

So as we improve the air from the automobiles that are there, 600,000 a year more are coming in and spewing more pollutants into the air.

This situation does not obtain in any State in the United States. It does not apply to those States in the Midwest that have a free flow of air coming across the plains or to the States where they have a strong wind from the ocean, the Atlantic Coast and places like that. We are in a peculiar situation. We are not asking to be exempted from the Federal standards because we want lower standards. We know that we will conform to the Federal standards but we want to go beyond that. What is wrong with that? We are willing to pay for it—what is wrong with that? That is the amendment that the gentleman from California [Mr. Moss] will offer and that is the amendment which was accepted by a vote of 88 to 0 in the other body.

All we are asking is to be given a chance to work out our own salvation at our own cost. All right—if you want States rights—is that States rights or is it not?

Do we in California, who have several hundred experts working on this problem, and who have been working on it for a period of 20 years, know more about the situation than some bureaucrat here in Washington? I say that we do. I say the very standards that we have adopted, many of them at our own expense—80 or 90 percent at our own expense—are now being considered and adopted by the Federal agencies that are involved.

So when the Moss amendment comes to the floor of the House, which is a reinstitution of the Murphy amendment that was accepted in the Senate, I hope the Members of the House will give it the consideration that we deem is necessary for the health of our people in the State of California. We do not want to break Federal laws by setting lower standards at Federal levels. We want to be allowed to spend our own money to protect the health of our own people. That is what we are asking for.

Mr. SISK. Mr. Speaker, I yield 3 minutes to the distinguished chairman of the Committee on Rules, the gentleman from Mississippi [Mr. Colmer].

Mr. COLMER. Mr. Speaker, first, I want to extend my sympathy to the members of the California delegation on both sides of the aisle and welcome them into the States rights fold.

What is the problem here? They want to spend their own money to regulate the air in California. They do not want the Federal Government giving them a minimum or a maximum provision in taking care of this very serious problem.

Why can they not do that? Why cannot the sovereign State of California do the very thing that they want to do?

The question is answered very simply. This great judicial body across the plaza in their marble palace has invoked the doctrine of preemption. They take the position, as they took in the Cloverleaf Butter case and in a half dozen or more other cases, including one involving subversive activities in Pennsylvania, that once the Congress has entered a field of legislation, State statutes are null and void.

Is it not that simple? Does anyone disagree with that? Very well, we do not.

My great predecessor, the former chairman of the Rules Committee, here recognized that problem a long time ago. For several years he introduced in the Congress, as did I, a bill known as H.R. 3, which would restore the right to the States to do the very thing you are trying to do here today. But some people who, like the Court, term themselves "great liberals," will not go along with that needed reform.

I say that I have sympathy for these people. I am going to support their amendment for whatever that is worth. I do not imagine it will be worth very much, but whatever I can contribute, I will do so.

I have pending in the great Judiciary Committee of the House, not H.R. 3, but H.R. 395, introduced on the first day of this session, a bill which is similar to H.R. 3 that I have just been talking about.

I repeat, I am going to support the amendment of the gentleman from California, but my purpose in rising is to urge not only the California delegation, but all other delegations to get behind that legislation. Let us pass it and restore to the States the rights that they once enjoyed as sovereign States.

It is California's trouble today, and it will be Missouri's problem tomorrow. It has been Mississippi's problem a long time.

Let us get back to the fundamental principles of the Constitution, which under the Bill of Rights simply says that all of those powers not delegated specifically to the Federal Government shall remain in the States or the people.

Mr. SMITH of California. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. Talcott].

Mr. TALCOTT. Mr. Speaker, I live in a county—Monterey County, of California—on the beautiful central coast, on scenic and historic Monterey Bay, one of the major tourist attractions of the United States, and one of the most productive agricultural areas in the world. In addition to the many important arguments already made by my distinguished colleagues who represent urban areas, I want to remind those Members representing rural areas that you do not have to live in the big cities or be entwined with freeways and overrun by motor vehicles to be concerned about smog and poisoned air.

Rural agricultural areas should be just as apprehensive and concerned as the big cities or megalopoli.

Our county literally turned down an application by Humble Oil Co. to build a $38 million modern refinery at Moss Landing on Monterey Bay. No other county in the Nation would turn down such a facility; but we are concerned about air pollutants. All rural and agricultural areas should be joining with the big cities in the fight to keep our air clean. If you live in, or represent a rural area and are not yet worried about the dangers of air pollution, please do not vote to prevent us from protecting our people, our agricultural industry, our towns, and our rural areas from the "four D's of pollution"—death, disability, discomfort, or damage.

The continual pollution of our environment by men and machines must be restrained. Most Members of the Congress have finally come around to this terrible realization. We are many years late.

To combat pollution great individual and collective consideration and effort are required. The citizens should have a right to join forces to deter the defilement of their communities. No person has the right to pollute another's environment. No person should be required to tolerate another's inconsiderate or malicious pollution of another's private property, or water, or air, or public place.

Strict laws are as necessary to protect our environment—air, land, and water—as to protect our personal safety and national interests.

Many States and communities have long since taken positive steps to safeguard their environment for themselves and their posterity.

Monterey County in California was the first county in America to employ a full-time litter control officer to help keep our roadsides clean and attractive. We believe we have a right to prevent our own citizens and visitors from despoiling our roadside scenery and cluttering our highways with debris.

Long ago, our county banned billboards from scenic roadways to preserve the natural beauty of our area. We set high standards and guard them zealously. We were disappointed and frustrated when the Highway Beautification Act of 1966 degraded our standards. We were not satisfied with the mediocrity forced upon us by the Federal legislation.

Long ago, the State of California attacked the problem of air pollution and smog. We have made great progress. We have probably been the foremost contributor to the "war on air pollution." We in California have set standards for the rest of the Nation to emulate. Air pollution is a deadly enemy. We cannot relax our effort or permit our attack to flag.

Almost always Federal legislation is a consensus, a compromise, a half measure. Federal legislation is seldom superior; it is almost always mediocre. This bill is a classic example of this particular shortcoming and failure of Federal legislation. Here, one State, California, has superior legislation designed to protect its citizens from a deadly condition. California would be derelict in its public responsibility if it did not develop and maintain adequate safeguards for its citizens against air pollution.

This is a State responsibility regardless of what the national interest or Federal attitude may be. It is ironic that the committee report on page nine states:

> The approach taken in this bill would hinge mainly on State action to deal with air pollution problems . . . In brief, the States would be responsible for setting air quality standards . . . it will be up to the State governments to determine, first, the maximum concentrations of pollutants that will be permitted in the air.

Yet, when it comes to one of the major sources of air pollution, the State which has on its own initiative taken the most effective action to control pollution from automobile exhaust would be precluded from setting standards more stringent than those for other States.

Failure to accept the so-called Murphy amendment is tantamount to active and direct intervention by the Federal Government to prevent the State of California from protecting its citizens from death, disability, discomfort, or damage.

Here is a State acting on the basis of unrefuted evidence and in the best interests of its citizens and the Nation which will be frustrated and even prevented from taking the necessary steps to ameliorate air pollution unless this amendment is adopted.

The Moss-Reinecke amendment should be passed unanimously. Can there possibly be a Member of this House who would intentionally vote for a bill which would prevent a State official from acting in the best interests of the citizens of the State? I cannot believe that such is true.

If any Member votes against this amendment, he will be committing two serious errors. First, he may contribute to the death, disability, discomfort, or damage to millions of California residents and visitors. Second, he will be dramatizing the mediocrity of general Federal laws which preforce must apply evenly to every citizen in every State.

There can now be little wonder why many of us prefer to permit the individual States to solve their own local problems. Federal laws too often impose mediocrity upon all citizens. In this instance, we cannot tolerate the mediocrity. In this case, the mediocrity can cause death, disability, discomfort, or damage.

We must pass the Murphy amendment; we must let the State of California establish higher standards; we must permit the State of California to set new examples and lead the way for cleaner air. We can do all this without any harm to any other citizen in any other State. We can do more to fight air pollution by passing this amendment than by defeating it.

I urge every Member to let California and other like-minded States protect their citizens and visitors from the disabling, discomforting and lethal effects of air pollution. I urge the passage of this amendment.

Mr. SISK. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. PICKLE].

Mr. PICKLE. Mr. Speaker, I rise in support of the rule and in support of the bill.

Mr. Speaker, air pollution is one of the most major health challenges confronting Americans today. The prospects of a spoiled atmosphere are awesome, therefore I rise in support of the wise and timely provisions of the Air Quality Act of 1967.

As a member of the Interstate and Foreign Commerce Committee, I have an intrinsic knowledge of the problems faced in determining the final form of this bill—and I commend it to you now as the best possible solution to this ultracritical problem.

Since 1963, when the Clean Air Act was first passed, the Federal Government has recognized the need for controlling the level of pollution in our air. Later measures were passed in 1965 and 1966 to strengthen and improve the legislation under which these programs were initiated, and under all of these laws, the initiative is vested in the State and local governments. The Federal Government is presently spending over $25 million a year on matching grants and research, and this has gone to create 80 new local air pollution programs and to improve some 40 others. Also, the current laws have provided the basis for national standards controlling the emissions from automobiles, and these go into effect on the 1968 models.

There is virtually no region of this country that is totally exempt from the danger of air pollution. The growth, amount and complexity of air pollution that has been brought about by urbanization, industrial development and the increasing use of automobiles has resulted in mounting immediate dangers to the public health and welfare.

The Surgeon General has cited evidence to support his conclusion that—

> Air pollution is clearly unquestionably a factor in the development of not one, but many diseases affecting literally millions of our people.

I feel that the start made on the problem of air pollution is indeed a good one. It is characterized by responsible, sound judgment and I think the groundwork has been laid.

The legislation we consider reflects a realization of what is really at stake in the fight against air pollution and provides unprecedented opportunities for effective control action at all levels of Government. Control actions, that I might add, can and will save lives.

We cannot afford to wait until each community and hamlet in this Nation is faced with killer fogs or smogs similar to those which killed hundreds of British in the 1950's.

Still, there are unsatisfied problems in the program, and it is to these that the act of 1967 is addressed. Perhaps one of the greatest loopholes in the current law is that for those areas which do not choose to initiate their own control system there is very little left in the way of relief. Even though the pollution of one city may carry across State lines to do harm and discomfort in another State, there is no central authority to which an appeal for relief can be made.

The Air Quality Control Act of 1967 handles this problem. Under the terms of the act the Secretary of Health, Education, and Welfare is required to delineate the broad atmospheric areas of the Nation, mainly on the basis of those meteorological and topographical factors that influence the diffusion and transport of pollutants in the air. Then, after consultation with State and local agencies, the Department would be empowered to designate "air quality control regions." Such regions could include parts of two or more States or could lie entirely within a single State. In either case, each one would include a group of communities affected by a common air-pollution problem.

After a region has been established, a regional planning agency, containing representatives from the States involved, would meet to review the causes of the particular problems they face. The Secretary would assist them by providing information—criteria—as to what particular pollutants are prevalent in the area, and by giving advice as to what steps are available to control that pollution. The regional agency then would establish what levels of pollution would be allowed in their region, and what individuals must do to comply with that decision—this function is known as setting standards.

Finally, the States who are members of a region are individually responsible to enforce the standards they have agreed to. Thus, the States must be an active participant, and can, and should, take the leading role in establishing standards.

Only if there is a breakdown of the process which I have just described will the Federal Government become actively involved. Hence, if a regional planning agency fails to set standards, the Secretary may perform this function. If the enforcement a State affords is inadequate, then the Secretary may initiate suit to enforce the standards.

Through this system, local initiative and control is preserved, but when local governments fail to act, there is still a means to protect the public.

Mr. Speaker, the bill before us today has received broad, bipartisan support. Only last week, the House Republican policy committee endorsed the bill, and I am glad to see that there is such good understanding of the problem.

As President Johnson said in his clean air message of January 30, 1967:

> Ten years from now, when industrial production and waste disposal have increased and the number of automobiles on our streets and highways exceeds 110 million, we shall have lost the battle for clean air—unless we strengthen our regulatory and research efforts now.

Mr. SISK. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. HANNA].

Mr. HANNA. Mr. Speaker, at the outset I should like to correct an impression that was left with the letter that my good friend, the gentleman from Michigan [Mr. DINGELL], sent to all Members relative to an article that appeared in the Fullerton News Tribune, which happens to be in my district. I have a telegram from Mr. Elfstren, publisher of the newspaper, this morning in which he says:

> I am afraid Congressman Dingell has misunderstood the editorial position taken on October 3, by the Fullerton News Tribune. The Tribune fully supports the California Delegation's attempt to gain a waiver allowing California's high standards for air pollution control devices to remain in effect.

I should like further, in the presence of the gentleman from Michigan [Mr. DINGELL], to make reference to that letter in which he says that the bill provides the Secretary shall promulgate for California such standards which are more stringent or apply to emissions or substances not covered by the nationally applicable Federal standards. As has been pointed out by my friend from California in his presentation, the bill actually, on page 97, dealing with the State standards, provides that—

> The Secretary may, after notice and opportunity for public hearing, upon application of any State which has adopted standards . . . if he finds that such State requires such more stringent or other standards . . .

I think it should be clarified, that it is the "may" language, and not the "shall" language.

Mr. DINGELL. Mr. Speaker, will the gentleman yield? The gentleman mentioned my name.

Mr. HANNA. I will yield to the gentleman immediately after I clarify this point.

If the Members will look at what very simply is proposed in the Dingell amendment as opposed to what is in the Senate bill and what will be proposed by Mr. Moss' amendment here, this is the situation where we are asking for consideration.

The Senate bill says in effect to California, "You may go beyond the Federal statutes unless we find that there is no justification for your progress." Mr. DINGELL's amendment says, "You shall stay where you are unless we find there is some justification for your going further."

So it is a question of whether the law shall read, "Do not move until we tell you," or whether the law shall read, "Continue your progress until we find some reason to stop you."

I believe the position of the Secretary has to be understood in determining which way he should utilize his powers.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. HANNA. I yield to the gentleman from Michigan.

Mr. DINGELL. I want to read the language of the editorial. I do not know when the letter referred to was sent out, but I do have a copy of the editorial. It is from the Fullerton, Calif., News-Tribune. It reads in part:

> We do not agree that the Smog Control Program approved by the House Commerce Committee is necessarily bad because it modified California's option of imposing more stringent measures than would be obligatory in the rest of the country.

It goes on and says as follows:

> California should have no difficulty in proving its case to the Secretary. There are more automobiles in this state than there are people in all but three of the 50 states of the Union.

It goes on and points out why California should be able to come forward very clearly and establish an adequate basis of need for getting the special treatment it seeks.

If the gentleman will yield further, I will put the editorial in the RECORD. I assume that the gentleman is fully capable of reading it. It certainly is capable of speaking fully for itself.

Mr. HANNA. Let me say that the editorial will be in the RECORD, and every Member can make his own interpretation of what it says. The language is the best evidence.

I should like to sum up by saying it is not a question of what this newspaper says or does not say. The question very clearly is on what should be the utilization of the Secretary's powers. Shall he use his powers to stop us from making progress, or shall he allow us to make progress unless his power needs to come into play to say it is not required that we make progress?

As to the situation in California, with everything we have been doing we have been losing ground to smog. That does not mean to say California has not been doing a good job, because this is a tremendous engineering problem. It is not a political problem we face. We have a hard time just staying even with the problem.

Believe, my friends, we are out in front of anyone in any other place in the country on this problem.

Further, the people of the Los Angeles basin have seen a bright sun only a few hours in the last 2 weeks. A heavy blanket of smog, made up of nearly 14,000 tons of noxious solid wastes are released daily into the southern California sky returning ordinarily bright days into muddy brown. The following is a recent article which appeared on the front page of the Los Angeles Times of October 13, 1963:

> ANOTHER EYE-SMARTING SMOG TO BLANKET LOS ANGELES BASIN TODAY
>
> Eye-smarting smog blanketed most of the Los Angeles Basin for the fourth consecutive day Thursday and the Air Pollution Control District warned of a possibly heavier siege today.
>
> Although the ozone count was down slightly, Thursday's smog was particularly irritating because contaminants combined with droplets of moisture from heavy fog over the basin, the APCD said.
>
> This gave the ozone a vehicle by which it raised the intensity of irritation.
>
> "It wasn't the smog, but the eye irritation that was bad," an APCD spokesman said.
>
> High ozone counts for the day were .37 parts per million in the San Fernando Valley and .32 in the San Gabriel Valley.
>
> Moderate to heavy smog was forecast for today and the APCD said there was a chance that the count might reach the .50 first alert stage.

Mr. Speaker, 90 percent of these pollutants are directly attributable to automobiles.

This condition would be unacceptable under any circumstance. It kills plant life. It destroys valuable property. And worst of all, it infringes upon what I called, in a speech delivered before this House some months ago, "The Right To Breathe."

How fundamental is this right to breathe? I would assert it is as basic as the oft quoted phrase of the Declaration of Independence that "every man is entitled to life, liberty, and the pursuit of happiness." Science has shown that clean air is essential to normal life. We have recognized in our foreign assistance programs that an unhealthy person has no liberty. At least the same standard should apply here. Experience, such as the one the people of southern California are enduring at this time, indicates that pollution of the magnitude we are seeing is a antithesis of "happiness." Our constituents are aroused to a fever pitch of unhappiness over this condition.

A STRANGE STATE OF AFFAIRS

Given the "crisis level" problem of air pollution we observe in California, one would expect that this Congress—responding to the needs of this area, as it has to earthquakes in Alaska, floods in Louisiana, and riots in our cities—would be turning its efforts to more effective programs to deal with this equally serious problem.

Instead, I and my colleagues from California find ourselves confronted with legislation which could if enacted, reduce the effectiveness of our already inadequate efforts—local, State, and Federal—to combat this clear and present danger to our fundamental right to breathe. Last spring, shortly after the administration announced the specifics of its Air Quality Act, I placed in the Record a statement in which I attempted to point out the shortcomings of the proposal. In that statement—"The Right to Breathe"—I said the most glaring shortcoming of the President's clean air program was the limited way with which it dealt with the deadly emissions from the auto exhaust. I made clear the standards for auto exhaust emissions in the President's proposal were below those required by the State of California. I went on to say that even with California's high standards, and the vigorous battle waged by the Los Angeles Air Pollution Control District, air pollution, primarily from auto exhaust emissions was becoming an increasingly alarming threat in the Los Angeles Basin.

My hope at the time I made the statement last spring was that by calling to the attention of the House at an early date the serious defect in the President's proposal ample time would be available to develop a strengthened piece of legislation.

Unfortunately this has not been the case. Not only has the bill not been strengthened, but it now carries a provision recommended by the House Interstate Commerce Committee which could all too easily have the effect of reducing California's high standards for auto emissions.

The illogic of reducing California to the inadequate minimum standards the bill requires for the rest of the Nation is obvious to even the most casual observer of congressional politics. Certainly it is difficult, in view of the national magnitude of the problem, to comprehend why this Congress does not demand that the standards for auto exhaust emissions be equal to the standards of California. To penalize California for being ahead of the rest of the country in combating the menace of air pollution is totally incomprehensible.

Section 208(b) of the air quality bill which is before us represents a deliberate attempt on the part of special interest groups to strip our State of the ability to protect our people's right to breathe. It will penalize our State for making a significant attempt to control air pollution. I am completely opposed to the section of the bill which reduces California's standards and will support my able colleague, Representative Moss, in his efforts to amend this bill to allow California's more rigorous standards to remain in effect.

The irony of this situation is inescapable. History will surely judge harshly a Congress which, in the face of a massive attack by noxious air pollution, crippled our State's already inadequate ability to defend itself.

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. Bell].

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. BELL. I yield to the gentleman from California.

Mr. HOSMER. I thank the gentleman.

I just want to point out, in connection with the so-called controversial editorial, it comes from a relatively small newspaper in a relatively smog free area, and undoubtedly was written by a man who had absolutely no experience in trying to convince a Washington bureaucrat that some kind of standard he requires higher than those for somebody else should be imposed.

Mr. MOSS. Mr. Speaker, will the gentleman yield?

Mr. BELL. I yield to my distinguished friend from California.

Mr. MOSS. I should like to point out that my good friend from Michigan had to search long and hard to find even this single remote editorial which ambiguously states a case which could be interpreted either in support of or in opposition to his amendment. I do not believe he will produce other editorials from my State even giving this very fragile support to his position.

Mr. BELL. I thank the gentleman.

Mr. Speaker, if anyone in the United States has earned the right to demand full Federal cooperation in controlling air pollution, it is the 7 million people of Los Angeles County.

For 20 years, they have operated the leading control program for stationary sources of pollution at a cost that has been estimated at three-quarters of a billion dollars.

Today, as the result of this tremendous effort, pollution from such sources is minor.

Ninety percent of pollutants in the atmosphere of Los Angeles County result from motor vehicles.

Exhaust control systems have been installed on cars sold in California since 1965.

But much more effective controls are urgently needed.

Present State law requires more effective devices beginning with 1970 models.

If the Federal Government completely preempts the field, this advance by my State will be nullified.

When the Senate Subcommittee on Air and Water Pollution visited Los Angeles, it was recommended that they do one of two things: First, either set the national standards for motor vehicle emissions at the level required for Los Angeles or, second, allow the State of California to establish standards more stringent than those for the rest of the Nation.

The other body wisely chose the second alternative.

But as reported to this House, Mr. Speaker, the bill would destroy California's initiative—and the progress it has made—in cleaning its own air.

The people of California want, and have earned, the right to set their own standards for control of motor vehicle emission.

Mr. Speaker, I urge my colleagues to recognize that right.

I urge the membership to support the amendment that will be offered by the gentleman from California [Mr. Moss].

Mr. Speaker, I think it is very reasonable, also, to say that, in the past as in the present, whenever the Federal Government has given aid to States, they have always allowed the States to update or upgrade their programs. In other words the States always have retained the right to upgrade their own methods of problem solving. This has applied to education, poverty, and health programs and many others. It is very important that this principle be maintained and that the States reserve the right to upgrade their programs to meet the complex problems within their own borders.

Mr. REID of New York. Mr. Speaker, will the gentleman yield?

Mr. BELL. I yield to the gentleman.

Mr. REID of New York. Mr. Speaker, I commend the gentleman for the statement he is making with regard to California. I think it has equal applicability to New York. As the gentleman knows, at Thanksgiving of last year there was a serious thermal inversion affecting the New York City area. The statistics on that are relatively shocking, because there was a striking and severe increase experienced in death rates from arteriosclerotic heart disease. I would hope that no State would be prohibited from setting the highest possible standards and taking every appropriate action to save lives and to prevent any deterioration in the health of our population that might result from these conditions. I hope both California and New York are free to do what is clearly indicated.

In a word, the legislation should be amended to permit States to effect more stringent standards where needed, and I understand that such an amendment is to be offered today.

In this connection, I am also disturbed that under the provisions of this bill as it has been brought to the floor, not more than 10 percent of the total funds appropriated or allocated for grants for support of air pollution planning and control programs under section 104(a) may be granted for programs in any one State. I would hope that it would be possible for the Secretary of Health, Education, and Welfare to approve grants in excess of that percentage when he determines that one or more air pollution control agencies is in critical need of such aid in light of the extent of its actual or potential air pollution problem.

The simple fact, Mr. Speaker, is that if we are to make meaningful headway in combating the awful menace of air pollution we must be willing to concentrate our efforts in those cities and regions where the need is critical. When factors of population, geography, industrial production, wind patterns, and other related elements combine to produce air pollution problems of the highest order of magnitude, we must be willing to meet these problems with assistance in excess of any predetermined limit.

Mr. BELL. I thank the gentleman for his comments.

Mr. SISK. Mr. Speaker, I urge the adoption of the resolution so that the committee may be permitted to discuss the bill before us.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 780) to amend the Clean Air Act to authorize planning grants to air pollution control agencies; expand research provisions relating to fuels and vehicles; provide for interstate air pollution control agencies or commissions; authorize the establishment of air quality standards, and for other purposes.

The motion was agreed to.

IN COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 780, with Mr. GALLAGHER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from West Virginia [Mr. STAGGERS] will be recognized for 1 hour and the gentleman from Illinois [Mr. SPRINGER] will be recognized for 1 hour. The Chair now recognizes the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, we have heard a great deal of discussion here about this bill, and particularly about one aspect of this bill. This is a very important bill to all America, and I am sure every Member of the Congress recognizes its importance.

As the gentleman from New York stated in regard to the incident that occurred in New York City to which some 40 to 80 deaths have been attributed, certainly New York is involved, and every other State in the Union is involved in this problem.

The bill we have before us today is designed to deal with a health problem which is serious today and which, unfortunately, is going to become more serious as time goes on.

Air pollution is a problem which has only come to nationwide attention in relatively recent years, although it has been a problem in isolated areas throughout history. It has been reported that the citizens of ancient Rome were troubled by the smoky air of that city. In England during the Middle Ages, the people of London were troubled by smoke, and it has been reported that during the 16th century, a man was executed in England for violating English law against the burning of soft coal.

Every civilization requires large amounts of energy, obtained primarily by burning fuels. Industrial processes give off byproducts, some of which are annoying, some obnoxious, and some hazardous to health.

Although many cities in the United States have had smoke-control ordinances for relatively long periods of time, there have been few, if any, controls on other forms of air pollution. We have now reached the point, however, where the disposal of the byproducts from the combustion of fuels and other industrial processes is beginning to adversely affect all of us.

It is unfortunate, but true, that a high level of prosperity and increasing amounts of air pollution have gone together. As we produce more and consume more, we have to dispose of byproducts, and the only places they can go are our rivers, our soil, and our air. As our prosperity has increased in recent years, the contaminants that have entered our atmosphere have increased, both in gross quantities and also in increased types.

There is a correlation between levels of air pollution and adverse effects on health and welfare. Testimony before our committee showed that there is a direct correspondence between increased death rates and increased rates of disability and disease and increased levels of pollutants in the atmosphere.

Occasionally weather conditions in the United States lead to greatly increased concentration of pollutants in specific areas. When a layer of warm air occurs above a layer of relatively cool air, this thermal inversion prevents pollutants placed in the air at lower levels from being dispersed and their concentrations increase. Thermal inversions occur over most of the United States. They occur with the greatest frequency in the Los Angeles area because of the geography of that area, and the pattern of prevailing winds. These inversions also occur on the east coast of the United States, and although they occur with less frequency than is the case in the Los Angeles area, the east coast inversions usually cover a much greater area, sometimes extending from as far south as Georgia to as far north as Massachusetts.

During times of thermal inversion, as pollutant levels increase in the atmosphere, death rates go up. Occasionally, extremely severe inversions occur, and so-called air pollution disasters then take place. Such a disaster killed over 4,000 people in London in 1952. It has been estimated that as many as 250 excess deaths occurred in the New York City area during the thermal inversion in the winter of 1962. New York City and the surrounding area faced a potentially serious situation last Thanksgiving as the result of a thermal inversion, which led the mayor of that city to shut down the municipal incinerators for several days and to request that citizens voluntarily limit the amount of driving they did in the area.

We have reached a point now where our capacity to contaminate our environment is approaching our ability to control that contamination.

The Congress has been, since 1954, dealing with the problem of air pollution through legislation providing initially for research, then through subsequent amendments, for accelerated research and training programs, grants to the States and localities to aid in the establishment and maintenance of air pollution control programs, and in recent years through authority granted the Secretary of Health, Education, and Welfare to take action in specific cases to deal with individual air pollution problems.

The bill we have before us today is designed to provide a greatly strengthened, accelerated, and expanded program for the control of air pollution nationwide.

The testimony before our committee indicated clearly that a nationwide approach is necessary. All witnesses before the committee, whether they represented the Federal Government, State or local governments, industry, or private organizations were in unanimous agreement that further action is called for today. This bill is designed to provide that additional program aimed at cleaning up our Nation's air.

We held 2 weeks of hearings, and over 2 weeks of executive sessions considering this bill. We also had the benefit of the hearings held before the Senate committee this year, and after our committee's consideration, we reported to the House a bill which with the exception of one section, is unanimously supported by the committee. That one section has to do with the preemption of California's laws relating to motor vehicle emissions. In all other respects, as I said, our committee was unanimous in supporting this bill.

The bill establishes a program for the control of air pollution modeled in many respects upon the water pollution control legislation.

We had 8 days of hearings, and we heard witnesses from all over the land, from industry and from every segment of our society. We had 7 days of executive sessions in marking the bill up. I believe that the committee in its collective wisdom brought forth a good bill. It has been cut down on in appropriation authorizations by some $275 million below the Senate bill that was brought over to the House. It provides the exact funds asked in the budget by the administration.

For the fiscal year 1968, $99 million is authorized to be appropriated. For the year 1969, $145 million, and for the year 1970, $184 million.

The bill follows in general the Senate

bill. We made several amendments to it. And as I say, I believe that we have brought a good bill to the floor.

Briefly stated, the bill provides that the Secretary of Health, Education, and Welfare shall establish air quality control regions throughout the United States. These regions are to be established so as to embrace areas sharing a common air pollution problem. The Secretary of Health, Education, and Welfare is required to issue air quality criteria which will be statements of scientific fact setting forth the effects on health and welfare which will occur as a result of various concentrations of pollutants in the air.

When these criteria are set, the Secretary will also recommend control measures which may be used to eliminate or minimize, to the extent feasible, pollutants of the type covered by the criteria.

When this information is furnished to the States, this will serve as the signal for the States to begin action. The States included within each control region established by the Secretary are given 90 days to file a letter of intent to establish a program to control pollutants which are the subject of the criteria and recommend control techniques; 180 days are then given for the State to determine the level of air quality which they will seek to obtain within the region in their State. Once this level of desired ambient air quality has been determined by the State, 6 months are given for the State to establish and set into operation a plan for achieving this level of ambient air quality. As a practical matter, this will mean control over individual sources of pollutants. Enforcement of these standards, both ambient air quality and individual emission, will be up to the States, acting under State law. In other words, to this point, this is a State program operating under State standards in accordance with State law and State procedures.

Where a State does not file a letter of intent, or does not establish ambient air standards which are adequate to protect public health, or does not adequately enforce standards established, the Secretary is given authority under the bill to perform these functions for the State; however, as a practical matter the authority of the Secretary is limited to control of interstate air pollution.

Where interstate pollution is involved, the Secretary may on his own motion request the Attorney General to go into Federal court and obtain necessary court orders for enforcement of standards. Where the pollution involved is solely intrastate, and this will very seldom happen because of the nature of air pollution problems, the Secretary may take action only upon the request of the Governor of the State affected.

We provided in the bill for the continuation of all the authority the Secretary presently has to deal with air pollution. Although some of the authorities are somewhat changed, nothing in the bill is intended to affect existing abatement proceedings, and the Secretary is authorized to continue them as well as the other programs he is conducting, such as research, aid to State and local programs, and the like.

The bill also provides emergency authority for the Secretary to deal with actual or threatened air pollution disasters, where the Secretary determines that there is an imminent danger to public health such as occurred in the Donora, Pa., area in 1948, where the death rate rose to 50 times normal during an air pollution disaster, the Secretary may obtain injunctions against polluters.

The Secretary explained during our hearings that this extraordinary power would be exercised very cautiously; that he expected State and local officials to establish systems of alerts and information to serve as a basis for action under this section if it ever proved necessary.

The committee made several changes in the bill. We deleted a section contained in the bill as passed by the Senate providing for the earmarking of funds for research into combustion byproducts of fuels. It was our feeling that existing authority in this area is adequate and that it was, therefore, not necessary to specifically earmark funds for this purpose. We also revised a provision of the bill dealing with preemption of State laws relating to motor vehicle exhaust controls. The bill specifically preempts State laws on this subject, but as passed by the Senate would have permitted a complete waiver of this preemption for the State of California. The majority of the committee felt that the overall national interests required uniform administration of controls on motor vehicle emissions, with special recognition given by the Secretary to the unique problems facing California as the result of numerous thermal inversions that occur within that State because of its geography and prevailing winds pattern. Because of the complexity involved in the manufacture of motor vehicles, uniform administration of the law in this regard, we felt, would lead to overall economies in the manufacture of automobiles. We, therefore, modified the Senate bill in this regard. I expect that this area of the bill will be more fully discussed later in the debate by other Members.

In summary, Mr. Chairman, we have a bill before the House today to deal with a serious national health and welfare problem. Unfortunately, our technology is not today at a level adequate to clean up our Nation's air. Even if we had completely unlimited amounts of money to do the job with, we do not have the technology available to accomplish the job, but it will be accomplished. This bill is designed to establish a program to deal with air pollution on a nationwide basis, to provide for cleaning up the air the best we can today, and to do an even better job in the future, through increased research and through increased controls today.

Our committee has thoroughly considered the problem and with the exception of the preemption question, we unanimously recommend favorable action by the Committee.

Now we, as I said, considered the bill very carefully and heard all of the witnesses. I think we have come out with a good bill and a bill that is essential to the country.

There has been talk of undue pressures that have been placed. I do not know where any pressures have come from. No pressure has been put on me and I do not know any member of the committee that has had any pressure put on.

The committee acted in their wisdom and each member has done what he thinks is best for the Nation.

I want to go back to some other problems just briefly.

We have said that there should be two studies made—one with reference to aircraft emissions in this country—and to report back to the Congress as to what should be done. This affects every State in the Nation. I know every State wants to be included in that.

We have also asked that a study be made on national emission standards and that a report be made back to the Congress so that they may be put into operation if needed. The study will determine which standards should prevail over the entire country according to each pollutant that is in the air and how much of each pollutant should be allowed regardless of any regional setup that we have.

These two studies are to be made and are to be brought back as I say so that we can determine our further course of action along these lines. This bill is not the last word on air pollution and it could not possibly be. This is a new field. The Federal Government and the State governments are groping for what is needed and they are trying to do their best.

As to the preemption question involving California, I heard several Members say that we are trying to take something away from them. We are not trying to do that. We recognize that California has a special problem and we have dealt with that and said, "You have a special problem and we want to take care of it if it is necessary." And the bill provides an avenue to take care of that problem.

But the fact is, remember, California is only one of the 50 States of the Union—and they do participate in air pollution control in different ways and they will participate in all the programs under this bill.

They will get Federal moneys for their air pollution programs. We feel, however, that auto emissions are also a national problem that should be dealt with under one head and under one jurisdiction. We did make special provision that if they needed more stringent motor vehicle standards, they would be allowed to have them.

I say again, that is the intent of this committee. If the Secretary of Health, Education, and Welfare can hear me now and if he cannot hear me, he can read my words—I say it is the intention of this committee to do just that.

Mr. POFF. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Virginia.

Mr. POFF. Mr. Chairman, I hate to divert the debate into a less glamorous channel, but I think it is necessary, if I am to avoid offering an amendment to the bill, to write a little legislative history. If I may direct these questions to the distinguished gentleman from West Virginia and the distinguished gentleman from Illinois, I think it may be possible to obviate an amendment.

As the gentleman knows, the present law, which was first enacted in 1963, in section 102, subsection (c), states that Congress grants—what was really not necessary to grant—its consent to the States to enter into compacts. In the same paragraph the Congress reserved something not necessary for it to reserve: the right to pass upon compacts before they become binding upon the States.

In the Senate bill, there appears the same language that is present in the law as it now stands. The House Committee on Interstate and Foreign Commerce, in striking all after the enacting clause, automatically struck that language. When it added new language, it omitted the language of the present law.

I feel that since the Constitution in article I, section 10, provides clearly that the Congress must pass upon compacts between the States before they become obligatory, there is no reason that a court might interpret the committee bill otherwise. But out of an abundance of caution, I believe that inasmuch as this provision was once originally in the law and now by the action of the committee has been extirpated from the law, it would be advisable to make clear the legislative intent not in any way to impair the right of Congress, under article I, to pass upon the air-pollution compacts between States already entered into nor in any way impair the right to modify or, if necessary, to repeal consent granted to compacts already entered into.

Speaking for the majority, is it the intent of the gentleman from West Virginia that these powers of the Congress be preserved?

Mr. STAGGERS. It certainly is. The provision to which the gentleman has referred is in the Constitution, and this language in the law is repetitious. I do not see that the bill would affect any compact that has been in effect or that will come up in the future, because this is a matter that is provided for in the Constitution.

Mr. POFF. I understand the gentleman to say that it shall not be inferred that we are granting in future ratification of, or blanket consent to, any compacts that may hereafter be made.

Mr. STAGGERS. That is correct. The consent of Congress is still necessary.

Mr. POFF. By eliminating the present unnecessary provision from the law, I understand the situation to revert to the status quo ante; is that correct?

Mr. STAGGERS. Yes, it is. The slate is wiped clean, and the constitutional requirement of congressional consent still obtains.

Mr. POFF. I understand the gentleman further to say that the Congress shall not be considered to have relinquished its right either to grant or refuse consent to air-pollution compacts hereinafter entered into or, where consent has been given, to modify or, if necessary, repeal the consent.

Mr. STAGGERS. Certainly not. We feel that this is provided for in the Constitution.

Mr. POFF. I thank the gentleman. Will the gentleman yield to the gentleman from Illinois, of whom I would like to ask the same questions?

Mr. STAGGERS. I yield to the gentleman from Illinois.

Mr. SPRINGER. I think the gentleman from West Virginia has stated sound constitutional law. At no place in this legislation have we attempted either to contravene or modify the constitutional law which he has so well stated here on the floor now. Nor at any time have we sought to give blanket consent to compacts—past, present, or future. The right of Congress to pass on each compact individually is retained.

Mr. POFF. If the gentleman will yield further, I might say the responses satisfy my purposes, and I shall not offer the amendment. I thank the gentlemen.

Mr. STAGGERS. Mr. Chairman, I reserve the balance of my time.

Mr. SPRINGER. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, preliminary to discussing the Air Quality Act now before the House it might be of interest to the Members to review briefly the history of air pollution legislation. It occurred to me that we have had legislation before us practically every year of late. This led me to look into our activities in this area over the period of the last 12 years.

The first air pollution bill which recognized the problem for what it is passed this House in 1955 at the request of the administration and was presented to us by a special message from President Eisenhower. It provided for research and technical assistance to States and localities. Since that day a great deal of research has taken place, and there is a great deal yet to do. The hearings on the present legislation suggest that much research is still necessary before practical abatement programs will bear fruit.

During the next 3 years after the legislation I have just referred to, the Committee on Interstate and Foreign Commerce studied the problem and held several hearings and in 1959 extended the program then in existence. During this same period the problem of automobile exhausts and the air pollution caused thereby had come to the attention of the committee, but here again too little was known about causes and effects to take action.

In 1960 the House authorized a research program on automobile exhausts and the pollution problems connected therewith. In 1962 a report was rendered to the Congress and the research on automobiles was extended.

Nineteen hundred and sixty-three marked the beginning of air pollution legislation as we know it today. It was the first attempt at writing general provisions for control and abatement of air pollution through State and local control agencies assisted by the Federal Government. It was also the first time that we recognized as a congressional concern the air pollution problems caused by Federal installations. Research into all phases of air pollution was encouraged and funds were provided to assist State and local governments in organizing air pollution control agencies. Funds also were provided to assist in the cost of establishing local agencies and also intercommunity or regional agencies. The bill before us today, S. 780, is basically an extension of the format and the principles set forth in the 1963 legislation.

In 1965, however, the Congress did grant to the Department of Health, Education, and Welfare the authority to prescribe emission standards for automobiles.

Last year, 1966, the Congress consolidated the various authorizations for research and abatement and added grants to help operate control agencies as well as establish them.

The role of the Federal Government in enforcement has changed considerably in the various pieces of legislation passed beginning in 1963. At first there was no provision for Federal enforcement in any event. Later we provided for enforcement through actions of the Attorney General at the request of a Governor. The funds provided by these various pieces of legislation I will discuss later.

In the Air Quality Act of 1967 which is now before us for consideration, we have, for the first time, sorted out the appropriate roles for the Federal agencies and State and local agencies. I will try to describe in as simple terms as possible what I think we are doing in this regard. I will probably oversimplify because the terms and the provisions of this legislation are necessarily complex. The committee, having the advantage of hearing witnesses and conferring with all the experts, found it rather difficult to keep all of the concepts clearly separated.

First I will try to describe my understanding of the role to be played by the Federal Government in air pollution control and abatement under the terms of S. 780. The Department of Health, Education, and Welfare had been instructed some years ago to gather scientific data relating to various pollutants and publish them for the benefit of all concerned. So far the Department has completed the work and published a treatise on one of the major pollutants—the sulfur oxides. There are eight or 10 other such efforts yet to come forth. As each of these studies is published, all of those which preceded it will necessarily be reviewed because of the fact that air pollutants interact among themselves.

These scientific findings are known as air pollution criteria. They describe the scientific and health effects of the pollutants on man and on plants when found in the air in various concentrations. They are not rules to be enforced but merely information to be used as the basis for determining and enforcing air standards.

It will also be the duty of the Federal Government to study and recommend devices and procedures which might be used to abate successfully the pollution caused by various systems.

One other thing will be done by the Federal Government in normal situations. It will designate air quality regions based upon the developing knowledge of the airsheds in our country. Those designations will be based upon meteorological and geographical data to set out and delineate areas having common air pollution problems and possible common solutions.

Once all of these things have been done

by the Federal Government, it will devolve upon the States, using this information, to set air quality standards. Here we are talking about something that is often called ambient air standards. This means a determination of how much of what pollutants can be and should be allowed in the air over a large area. It is then the yardstick for measuring the efforts to abate air pollution.

In order to maintain ambient air standards it will obviously be necessary for the State and in many cases local governments to specify what must be done by individual industries and individual localities to maintain this standard. Here we encounter the term "emission standards." In any event, it becomes the duty of the Governor to carry forth such a program. There are many steps involved and many instances calling for consultation with industry and various governmental units, but the ultimate aim is to minimize pollution and maintain the air standards found to be desirable.

Again oversimplifying, there are fairly complicated procedures to be used in the event a Governor will not carry out a program within his own State. There being no other answer to such a problem, the Federal Government will step in and do what must be done to set and enforce air quality standards for the protection of the people within that State and particularly for the protection of people in surrounding areas. There are safeguards in the way of administrative procedure, advice and consultations and court review.

At this point I would like to refer back to the 1963 and 1966 laws. Many States and many local governments have created individual or joint agencies for the control and abatement of air pollution. There is some concern among them about whether the machinery in S. 780 will make it necessary to eliminate these and start over again. As a matter of fact, the legislation is designed to make use of those agencies already operating, and it is anticipated that they will remain in business.

Separate and apart from the problem of ambient air standards as they apply to stationary sources of emissions, we have the troublesome concept of standards for motor vehicles. You will recall that 2 years ago the Federal Government was given authority to determine standards for automobile emissions. It was well understood at that time that the technology available did not permit ideal standards but that standards could be set within the realities of present knowledge. It is certainly to be hoped that new and better devices to control automobile emissions will be forthcoming rapidly and that internal combustion engines and jet engines will be perfected to the point where dangerous pollutants will somehow be consumed and not cast into the air.

The 1967 act did not make at all clear whether the standards set by the Federal Government would be the only standards although the law could very well be interpreted in that manner. The purpose of including a provision on motor vehicle standards in S. 780 is to clarify that particular point. It is not possible from an economic point of view to build automobiles to 50 different standards. Even if this were so, it is very unrealistic since automobiles necessarily travel from State to State. It is only sensible to have one national standard.

One possible exception to that principle is the State of California. The State has pioneered in that area because its problem is and has been so much more acute than in any other part of the country. California anticipates that it may wish to make its standards even more stringent in the years ahead. Because of that the other body in reporting out S. 780 made an exception in the case of California which would allow that State to administer its own vehicle emission program.

Our committee felt that although California does have a special problem and may very likely need separate standards for this purpose, overall national administration of vehicle emission standards is desirable. It was on this basis that an amendment was offered and adopted to provide for special standards for California only if that State makes a showing of necessity for such standards. Once these different standards are created, the Department of Health, Education, and Welfare will administer them as in all other cases. It is interesting to note that as of this particular time the standards issued by the Federal Government are the same as those in existence in California. It is possible, and I think not unlikely, that the Federal standards may advance as rapidly as those felt necessary by Californians, in which case there would be no need whatsoever for completely separate systems of administration.

The bill which reached our committee had some very elaborate and expensive provisions for research. The law as it now stands provides broad authority for research into all phases of air pollution and the ways to combat air pollution. The bill before the House this afternoon provides plenty of money, not earmarked, to carry this out.

I have not found the administration to be stingy in its requests for research or other funds, and I am well satisfied that the amounts remaining for research are at least adequate and may in fact be very generous.

The funds authorized by S. 780 are an additional $33 million for the present fiscal year—which is well underway—for a total of $99 million to be spent overall during fiscal year 1968. The 1966 law had authorized the sum of $66 million for fiscal year 1968, and we are raising that now to $99 million. Also in the previous legislation we authorized a sum of $74 million for fiscal year 1969. This present legislation raises that sum to $145 million. S. 780 authorizes for fiscal year 1970, $184.3 million. These are the exact amounts requested by the administration for air pollution research, control and abatement.

These are large sums of money. I am given to wonder why the estimates of only a year ago were so inadequate. If the money is well spent, it is worth the price. It will be interesting to see, however, how accurate these new estimates will turn out to be.

Because this legislation is the first comprehensive bill to tackle the air pollution problems and the continuing relationships between Federal and other governmental entities, it is a most important bill. The machinery set up is in some ways a compromise but then that is true of most legislation which comes before this House and it is usually for the best that this is so. I feel that the various interests are well represented in the procedures that we have provided. The Federal Government cannot completely dominate the field and it should not. States cannot go it alone regardless of the effects in other areas. Industry can and will be heard on the very practical problems connected with abatement. All in all this would seem to be a workable scheme.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to my distinguished colleague from California.

Mr. HOLIFIELD. I thank the gentleman for yielding.

I was at the point, I believe, where I asked him to yield when he mentioned the fact that this bill would adopt the California standards.

Mr. SPRINGER. I do not believe I said it that way. What I said was that at this point in history the national standards and the California standards are identical. If that means the same thing, then it is the same.

Mr. HOLIFIELD. I think that means the same thing to me. I would be the first to admit, and I would call to the gentleman's attention, if I may, that we have spent hundreds of millions of dollars in developing the standards to the point and developing the devices to the point where we have developed them, but they are not satisfactory in California. They will be more than satisfactory in many of the States of the Nation, particularly in the Great Plains States where you have a free flow of air, but in California we found out they are inadequate, because the devices are around 40 or 50 percent effective in certain areas and because of a 600,000 accretion of new automobiles registered in California this year and the pollution that they emit from their tailpipes, the overall quantity of pollution does not go down. Therefore, we seek more efficient devices. What we want to do is go forward and have these devices perfected. I know that there is an administrative provision in the bill, but you change certain vital words in the House bill, which disturbs us in California. The words that are changed in the Murphy amendment are that "the Secretary shall approve more stringent standards" under certain situations.

The wording in the so-called Dingell amendment says "he may, if he finds," certain things.

Now, very frankly—I want to be frank on this—we feel that in California we have hundreds of experts who have developed a great deal of expertise in this field because of the urgent problem we have had, not because they are any smarter, but because we have spent our own money to do it. We know that the present national standards that will be adopted in this bill are not adequate to take care of our problem, because of the buildup of the automobile inventory.

The CHAIRMAN pro tempore (Mr. PUCINSKI). The time of the gentleman has expired.

Mr. SPRINGER. Mr. Chairman, I yield myself 1 additional minute.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield further to the gentleman.

Mr. HOLIFIELD. All we are asking to do is to let California conform to the Federal standards, and go beyond them because of our peculiar situation. We will pay for the devices, we will pay for the difference, and we are paying for it now; 7.8 million cars have those devices in them, by the law of California, and our people are paying up to $55 each for them on the assembly; they are priced with the car along with air conditioning and extra grade tires. All we are asking is to let us solve our problem at our expense. It will not hurt anyone in the other 49 States, it will help them, in fact, because if we develop new standards and better standards, and we have been improving in our standards all along, then someday some other State or States that develop the same sort of affliction we have may also want to so improve their standards to the point where we have improved on ours. The automobile industry has agreed that they will install devices on buses and trucks in 1969 and on passenger cars in 1970, devices that are far more efficient than these that are set up in the standards of the Dingell bill.

The CHAIRMAN pro tempore. The time of the gentleman has again expired.

Mr. SPRINGER. Mr. Chairman, I yield 1 additional minute to myself.

Mr. Chairman, I may reply to the gentleman by saying that I believe there is a difference of opinion between what the committee brought forth and what the gentleman from California is saying, and that is it was the feeling of the committee that if California went before the Administrator and proved its need and justified a difference that he would grant it.

Now, what California is saying is: "We want something different from any other State. We want a right that nobody else will have, to do something which can be also done in an orderly procedure by filing a petition with the Administrator of the program." I am sure they recognize that.

There will be a letter introduced a little later on from HEW in which it recognizes that California has a special problem, and they will work with California. That is the position of the committee.

Mr. HOLIFIELD. Mr. Chairman, if the gentleman will yield further——

Mr. SPRINGER. I do not have any more time. I believe the gentleman has had a chance to pretty well explain his position.

The CHAIRMAN pro tempore. The time of the gentleman has again expired.

Mr. ROGERS of Florida. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. HERLONG].

Mr. HERLONG. Mr. Chairman, I support the committee fully on this bill.

Mr. Chairman, a lot will be said and has been said about the amendment to section 208(b) adopted by the House Interstate and Foreign Commerce Committee, an amendment which relates to the treatment to be accorded the photochemical smog problem in California. The House committee version provides that the Secretary of Health, Education, and Welfare may, upon an appropriate showing by the State of California, prescribe automotive emission standards which are more strict than those otherwise applicable throughout the United States. By contrast, a Senate provision would require the Secretary of Health, Education, and Welfare to waive the Federal preemption clause in order that California may set its own standards and administer its own program unless the Secretary is able to establish that California does not satisfy certain conditions. These are conditions specially tailored for California which California clearly meets. Thus, the practical impact of the Senate amendment would be to mandate the Secretary of Health, Education, and Welfare to exempt the State of California from the national automotive emissions control program so it can operate its own program independently of the national program. In effect, the Senate version would maintain two often competing bureaucracies, one for California and one for the other 49 States.

The House provision, on the other hand, consistent with the decision of the Congress in the Clean Air Act Amendments of 1965 to establish a nationwide automotive emissions standards program, centralizes the authority for setting and administering both the national and California standards in the Secretary of Health, Education, and Welfare. Under this provision, the State of California would be required only to prove to the satisfaction of the Secretary the very conditions which the Senate provision would require the Secretary to establish. If California can establish those conditions, and there is no doubt in my mind that California can, then the Secretary will proceed to set more stringent standards for California than are applicable nationally and California's photochemical smog needs will be met.

In my judgment, the House committee version is superior to the Senate language. California's particular problem is that of photochemical smog, the constituent components of which are hydrocarbons and nitrogen oxide. However, the total program for control of automotive emissions is expected to include the control of many other pollutants including carbon monoxide, lead, and particulate matters. If the Senate provision is adopted, and the Secretary required to exempt the State of California from the national program, several serious questions arise. First of all, Is the exemption for California a blanket exemption which would enable the State of California to set standards for pollutants other than the constituent elements of photochemical smog? Moreover, if the Federal standards for hydrocarbons are at the same level as the California standards—as they are today—would the Secretary be able to withdraw the exemption once it has been granted? In short, once the exemption has been granted, does it exist in perpetuity or until the statute is changed by the Congress? Also, does Congress possess the authority to preempt 49 States from setting and administering automotive emission standards and, at the same time, preserve the right of the 50th State to proceed independently of Federal supervision and direction?

Mr. Chairman, it is abundantly clear to me that the State of California, in supporting the Senate approach, is basically seeking an amendment which would give that State the right to establish a separate program without regard to the national program. This is not a matter of States rights—it is a request for unwarranted preferential treatment. I see no necessity for the Congress to go this far in meeting the California problem. Moreover, I can see that an independently administered State program would wreak havoc with the production of automobiles if, as is likely, inconsistencies develop in the administration of the California and national programs. Moreover, such inconsistencies inevitably translate into additional costs which would in all likelihood be passed on to consumers throughout the United States.

In my judgment, the sensible way to proceed would be to do as the House committee bill does—that is, vest the authority in the Secretary of Health, Education, and Welfare to set and administer separate standards for the State of California. Such centralized administration would avoid costly inconsistencies in testing procedures, evaluation of test data, certification procedures, and other enforcement requirements which all experience teaches are likely to result where responsibility is divided. Moreover, if the conditions which now require separate standards are corrected, or the technology advances so that the industry can meet California's needs on a national basis, there will be no problem of having to ask the Congress to reclaim Federal jurisdiction from the State of California.

Mr. Chairman, I support the House committee bill.

Mr. ROGERS of Florida. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. ROYBAL].

Mr. ROYBAL. Mr. Chairman, I thank the gentleman for yielding.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. ROYBAL. I yield to the gentleman from California.

Mr. HOLIFIELD. Mr. Chairman, I thank the gentleman for yielding.

The point that I wish to make in connection with the remarks of the gentleman from Illinois [Mr. SPRINGER] is in connection with the administrative procedure. In California we believe that we have more expertise in this field than they have down at the Department of Health, Education, and Welfare, and we feel that there are certain dangers in the Administrative Procedures Act. In appealing from a decision of the Secretary of Health, Education, and Welfare, we would have to appeal under the Administrative Procedure Act.

I hope the gentleman from Illinois will give me his attention, because I am replying to his statement.

We would have to be bound by an administrative decision. The administrative decision under the Administrative Procedure Act rests upon the latitude of judgment of the Administrator, not on the merits of the case. If he has made a decision within the latitude of administrative judgment, whether it is right or wrong we are bound with it.

Now, I have gone through this, and the gentleman from California [Mr. Moss] has gone through it with 4 years of committee hearings on administrative action by the Home Loan Bank Board, when the Home Loan Bank Board seized without justification the Long Beach Savings & Loan, and the Long Beach Savings & Loan people tried to get into the courts to have a decision on the merits of the case.

They were not permitted to go into the courts because they had not exhausted the procedures under the Administrative Procedures Act. If they had exhausted them, all they had to do then was to go back to the very Administrator that made the decision to seize their institution and he would confirm his original act and deny the appeal. They never would get a chance to have a decision based on the merits of their case. This was in litigation for 16 years. Three committees of the House—the committee of which our former colleague, the gentleman from Virginia, Howard Smith, was chairman, a committee in 1951 and 1952 under my chairmanship, and a committee later on under the chairmanship of our colleague, the gentleman from California [Mr. Moss]—for 6 years we held hearings and tried to correct an administrative decision, and we could not do it because we were up against this principle as enunciated.

This is why, knowing the facts as they are in California, we seek an exemption from this Federal standard limitation—not to violate or to go below Federal standards or to have inferior standards but to take care of our particular problem and to go above those Federal standards. We would like to have it written into the law. Of course, if we cannot get this decision by law, then we will have to go to the Administrative Procedures Act and we will have to take our chances under the situation as I have described.

This is why we are making this fight. I am not pointing my finger at the present Secretary of Health, Education, and Welfare or at any other Secretary of Health, Education, and Welfare whoever it might happen to be, but I am pointing out the fact of the dangers of an administrative decision which we might face and which is vital to the health of every individual in California.

We can have purity if we can evolve better devices and better standards than are necessary nationally—even though they cost a little bit more and even though they cost not $40 or $50 but $100. Our people are willing to pay the cost. We are not asking the Federal Government to pay the cost. The people of our State are glad to pay if we decide it is necessary for the health of the people of our State. Why do you not give us this additional power to do what we know will be necessary. We already have an agreement with the automobile manufacturers on trucks and buses for the year 1969. We have an agreement with them on automobiles as to the year 1970. These agreements have been arrived at by negotiation—and that will go out the window under this bill as now written. The auto manufacturers can just say goodby, so far as we are concerned in the State, and our police powers to get them to put on better devices will be gone unless we can convince someone in Washington.

I do not know what person might be in office whether it is the present individual or somebody else, but I would like to see the amendment that was put in in the Senate by a vote of 88 to 0, put in this bill so that we would be guaranteed this right that we think we should have.

Mr. ROYBAL. Mr. Chairman, I would like to say that this is the longest speech I have made on the floor of this House.

The CHAIRMAN. The time of the gentleman from California [Mr. ROYBAL] has expired.

Mr. SPRINGER. Mr. Chairman, I ask unanimous consent that the gentleman from Nebraska [Mr. CUNNINGHAM] may insert his remarks in the RECORD immediately following the remarks of the gentleman from Michigan [Mr. HARVEY].

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. HARVEY].

Mr. HARVEY. Mr. Chairman, I want to speak for just a minute on these auto emission standards that we have heard so much about and attempt to straighten out, if I can, what I consider to be three very basic misunderstandings with regard to these standards.

First of all, I have heard it said in the last week here that the automobile industry which hails from Michigan—and it does not all come from Michigan—but the automobile industry was trying to force a single standard upon all the people in America when the people of California wanted even more stringent standards.

Believe me, nothing could be further from the truth.

If you will look at the hearings on page 484, I would refer you to the testimony there of Mr. Mann, who represented the Automobile Manufacturers Association. I will confess that I was trying, perhaps, to put words into his mouth when I asked him this question at the time. I said:

> From listening to your statement, do I gather correctly that if the automobile industry had its choice, forgetting what the other body might do over there, but if the automobile industry had its choice, they would prefer uniform national standards in this regard applicable to all States?
>
> Mr. MANN. From our point of view, Mr. Congressman, it would make life much simpler but from the point of view of the national interests I must say to you in all candor that I believe we all might regret it if we did not provide in some way for the special problem in California.

This is what we have tried to do. This is what the auto industry has tried to do. Anyone who would have you believe otherwise, that the bill as it came out of the House committee does not provide that is just misrepresenting the situation.

There is another very serious misunderstanding with regard to the bill as it comes out of the House. This is the statement that I have heard over and over again that the House version of the bill, as opposed to the Senate bill, would prevent the application of these special and more stringent standards in California. That simply is not true. Either the Senate bill, as it was originally passed, or the bill as it comes out of the House right now, recognizes California as a special example, as a single State only that can take advantage of these more stringent requirements and that can seek and apply them.

Section 208(b) of the House bill clearly authorizes the Secretary of Health, Education, and Welfare to set any standard required by public interest in California. Surely California can show "compelling and extraordinary conditions" that are required there. Surely, regardless of where the Secretary of Health, Education, and Welfare comes from, Californians should have faith that he will recognize these compelling and extraordinary conditions that even the auto industry has set forth in their testimony.

No one has come in and said that these conditions do not exist.

I would point out to you that whether you look at the version of the bill that came over from the Senate with the Murphy amendment, or whether you look at the version of the bill that the House reported out, both of them require a hearing by the Secretary of Health, Education, and Welfare. He cannot act without a hearing. Both of them would permit the State of California to have more stringent requirements. There is no difference whatsoever.

Let me tell you that there is a real difference in the decision as to whether this House wants right here and now to have two administrations or two bureaucracies administering these standards rather than just one. I say to you that certainly you can do what you can under this Senate bill; you can do it under the House bill. I have the utmost faith and confidence that the Secretary of Health, Education, and Welfare would call a hearing as required and do it.

There is another misrepresentation—I will not say a "misrepresentation," but there is a misunderstanding about this particular bill. I have heard it said now, all of a sudden, we should not come in here and preempt State standards. Let me tell you that anyone who thinks we are for the first time moving to preempt State standards just was not here in 1965, because that is when this House moved to preempt the State standards. If you do not believe that, I refer you back to the report that was put out in 1965 or, better yet, I refer you to the paragraph here on page 20 of the Report of this Air Quality Act of this year where we repeat what we said then:

> The committee is convinced that motor vehicle exhaust control standards on a national scale are necessary and would be of benefit to the entire country. * * * While the committee is cognizant of the basic

> rights and responsibilities of the States for control of air pollution, it is apparent that the establishment of Federal standards applicable to motor vehicle emissions is preferable to regulation by individual States.

We recognized then that there were more than 100 different bills introduced in various State legislatures setting up different standards. You just cannot possibly have, what I heard said earlier here, States rights and mass production in this particular regard.

Finally, I would point out to the House the answer to the question as to why a single administration of the standards is important.

I would say again, look at the testimony of Mr. Thomas Mann, representing the auto industry and this again was not contradicted. No witnesses came in to say otherwise.

Why is a single administration so important? Let me quote from my own argument, and this is on page 482 of the hearings:

> The process of fixing and administering emission standards for new cars is at best a complex one. Judgments must be made, often on the basis of incomplete scientific evidence, on the question of which pollutants endanger health and welfare and at what levels it is technologically and economically feasible to fix emission rates.
>
> In a program of this kind many questions arise. What are the requirements for testing new vehicles as they are produced each year? Precisely how are the tests to be performed and under what conditions? What are the rules for interpreting the scientific data developed in the testing process?

All we are asking is that if we are going to have different standards—which everybody recognizes, because both the Senate and the House bills contain different standards—all we are asking is that we have the same umpire enforce the rules, that we have one fellow or one administration that is going to interpret the regulations, one administration that will say what laws are applicable and how they will be administered.

It is bad enough to have two standards, because we do have 50 States that are united, but we do recognize this problem of California. But this is not only doubling but compounding the problem when we go beyond that and say we will have not only two standards but two different administrations to interpret and administer those standards.

This is creating bureaucracy at its worst. I want no part of it whatsoever. I hope the House will support the House Interstate Commerce Committee version of the bill.

Mr. TAFT. Mr. Chairman, will the gentleman yield?

Mr. HARVEY. I yield to the gentleman.

Mr. TAFT. Mr. Chairman, I wish to subscribe to the views on S. 780 expressed by the ranking member of the committee, the gentleman from Illinois [Mr. SPRINGER].

This measure represents a very great and needed improvement over the present Clean Air Act, enacted in 1965. The principal areas of improvement lie in the additional attention to research and in putting initial responsibility on the States to move before Federal enforcement procedures come into play. It should be noted that the bill as reported by the committee incorporates the suggestions of the recent report of the Republican coordinating committee and the recommendations set out therein. That report was recently printed in the CONGRESSIONAL RECORD on October 24, at page 29755 at the request of the Senator from New York [Mr. JAVITS].

The report advocated five principles, most of which are included in the committee bill as reported on the floor of the House. These principles call for eliminating gaps of our knowledge in technical capability through additional research, for emphasizing regional agreements among State and local governments in the control of air pollution, for needed economic analysis of the results of air pollution control and of the pollution itself, for tax benefits for controlling pollution, and for cleaning up air pollution from Federal installations.

While the tax approach has not been taken in this legislation, it is hoped that some time in the near future, we may be able to consider that approach as well.

It should be noted that the present Clean Air Act includes certain provisions as to evidence under section 105(g), which would still come under section 107(h) under the bill. The provisions involve the use of reports that possible offenders have been required to file in earlier proceedings.

Whether this transcends proper constitutional limits involving the right against self-incrimination, is something that should be studied carefully as the procedures on the present law and amendments by this bill develop.

Mr. CUNNINGHAM. Mr. Chairman, I have been a strong proponent of clean air and I strongly support S. 780, the Air Quality Act of 1967. I have long been interested in this problem. During the time that I was mayor of the city of Omaha we enacted the first effective legislation to clean our air of pollutants. As mayor I assembled a very capable staff to carry out the legislation which I sponsored and there was a tremendous difference in the cleanliness of our air in Omaha as a result of this very effective program.

Our program, however, at that time was aimed primarily at belching smokestacks and other industrial emissions. I might add that there is absolutely no excuse for a smokestack to belch smoke. If it does, it means that the incinerator and/or the burning unit, whether it be in a plant or in a home, is not operated correctly or efficiently. By operating a heating unit and/or an incinerator in an industrial plant efficiently, the smokestacks will not produce black, sooty smoke.

However, this act is much broader, as it should be, and takes into consideration many other problems that confront us today, and I am hopeful that the day will sometime come when we can walk our streets without breathing toxic and polluted air. Automobile exhausts are a major pollutant, and with the fine cooperation of the automobile industry and the operators of vehicles larger than the ordinary passenger car, I am hopeful that we can sometime soon feel free to breathe good, fresh air, which we all know is so valuable to our health and the length of our lives. I would also be hopeful that truck and bus owners and operators might recognize the problem and give their serious attention and assistance to its solution. It would seem to me that they would want to do this, not only as a public relations gesture, but because they, too, are interested in the health of our people.

It is for these and many other reasons that I strongly endorse this legislation and I am pleased to have been a member of the Committee on Interstate and Foreign Commerce that brought this bill to the floor.

Mr. STAGGERS. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. MOSS].

Mr. MOSS. Mr. Chairman, I take this time to make it very clear that I do not now question, nor have I questioned, the motives of a single Member of this House or of the Interstate and Foreign Commerce Committee. I have been privileged to serve for a full decade as a member of the Committee on Interstate and Foreign Commerce, and I have served on that committee with great pride. That pride is as strong today as at any time during my service.

It is a committee which deals with difficult and complex problems, and I think every member of it approaches those problems with a full understanding of the responsibility he bears as a part of that committee.

Inevitably, we are going to have areas of disagreement. I think they should be objectively reviewed and dealt with on their merits. That is what I ask each member of this Committee to do today.

There are substantive differences in the committee as to the approach which should be used in granting an exemption to my State of California—which incidentally is the second largest assembler of automobiles in this Nation and the largest consumer of automobiles in this Nation. Those are not inconsequential differences.

The gentleman from Michigan [Mr. HARVEY] said that under either the language of the distinguished junior Senator from California or the language of the gentleman from Michigan, my State would have an avenue for exemption. But under the language of the gentleman from Michigan, the entire burden is on my State, and the Secretary is vested with the power to veto the requests of the State.

The distinguished ranking minority member said that air pollution was not new on this floor—and I quote him: "Air pollution goes back to 1955." He then mentioned the request made by then President Eisenhower. I might say to members of this Committee that in my State of California the air pollution consideration goes back at least a decade earlier. I recall 19 years ago, as a member of the Assembly of the State of California, voting appropriations for research into the causes of pollution which were then plaguing—and plaguing very drastically—the southern portion of

California. It is because of that action that my State has been the leader and has developed the basic technology in devising means of dealing with this problem. I feel it should be permitted to continue to assert its initiative and its leadership.

This is not at a cost to the Federal Government. The overwhelming portion of the cost has been borne by the taxpayers and by the consumers of California, and willingly borne, I might add.

Under the restoration of the language, which I will propose under the 5-minute rule, there is offered to this Nation the ideal laboratory, where the demonstrated initiative exists and where the resources exist to solve this problem and contribute significantly to the entire Nation. I believe we should take advantage of this unique opportunity.

It is not going to impose a burden.

Let me point out one fact. If the automobile industry could find a market outside the United States that even provided half the volume of the California market they would willingly make any modification required in order to enter that market.

Our request is not unreasonable. It is not unprecedented. It is a just request. I ask it be considered on its merits.

Mr. SPRINGER. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Chairman, a public opinion survey published in the Washington Post in April of this year revealed an attitude on the part of the American people that is apropos our discussion on the Air Quality Act today.

Titled "Public Mandate of Domestic Programs," the poll has been quoted often by our colleagues because it offers a vivid insight into public sentiment regarding Federal domestic programs.

The probe of what the poll called a "carefully drawn cross section of the adult population" asked the participants to categorize certain programs under three headings: "Expand," "Keep as is," or "Want cutback." Leading the list of programs which those polled said should be expanded were those to curb air pollution and water pollution. In these two areas, 50 percent of the respondents wanted the programs expanded.

In an information report, another famous poll claims:

> In some urban areas, recent surveys show that public concern about pollution is pushing toward the crisis stage.

Mr. Chairman, there is little doubt that the American people recognize and regret the sad degradation of our most vital resource, the air around us.

Today we have before us legislation which, when enacted into law and implemented by Federal, State, and local governments, will serve as a Federal response to the public mandate.

The esteemed chairman of the Interstate and Foreign Commerce Committee, the gentleman from West Virginia, HARLEY O. STAGGERS, has aptly described the dangers inherent in uncontrolled air pollution. There is substantial evidence that the dirty air hanging over many of our urban areas may be causing unnecessary death, illness, and property damage. Our country has experienced air pollution disasters, as the gentleman from West Virginia has mentioned, in which it is believed large numbers of deaths have occurred.

As a nation and worldwide we seem to be contaminating our air faster than we can clean it up with present facilities and technology—at least, short of banning cars, trucks, and buses from our streets and forcing the great industry which gives us our high standard of living to close up shop.

Unfortunately, we still do not have a firm knowledge of what the total results of air pollution are, or how best to control air pollution in our present industrial society. And we have yet to reach scientific agreement on where the acceptable criteria and standards of air pollution should be set. But the criteria must be developed and realistic control standards must be recommended before we can successfully throw the weight of our resources into the battle.

Up to this point, the Federal Government has taken some steps forward in attempting to find answers to the challenge of air pollution.

The Federal interest goes back to the Eisenhower administration when the Republican Congress in 1954 first approved legislation for Federal research.

Since then, major responsibility has been given the Secretary of the Department of Health, Education, and Welfare to establish the command center in the battle against pollution. Federal standards for air-fouling emissions from cars and light trucks have been researched. Federal grants to municipalities have been adjusted to allow greater Government contributions toward the cost of community facilities construction. But, in point of fact, the Federal Government is still behind the needs of the situation. In spite of all its laboratory and personnel resources, the Federal Government has yet to determine the full effect that a wide range of pollutants have on our health and well-being.

A report by the Research Management Advisory Panel confirms that the basic issue in the field of environmental pollution relates to a clear definition of goals. The development of criteria is the area in which the Federal Government has the best capabilities and the most qualified expertise.

Until these criteria are adequately researched and fully established, efforts to establish and enforce standards will continue to lag. Only after a clear definition of criteria have been determined and set, can the problems of abatement technology be attacked effectively.

Many think there is political advantage in pointing an accusing finger at industry. But it is noteworthy that when the Congress temporarily suspended the 7-percent investment tax credit last year, this tax credit was not suspended on investments in pollution-control facilities. It should be mentioned that many industries had been working on the problem through research and resulting nonproductive investments in plant improvements long before the Federal Government or the Congress began to react to public pressure on the problem of pollution or feel any Federal governmental responsibility to act in the situation. Some private work in this area goes back to before the turn of this century. And a number of States are well ahead of Washington in governmental concern and action.

There continue to be notable examples of efforts by the private and local government sector to combat air pollution. One of the critical issues in this legislation focuses on the efforts of one State to set tighter than Federal controls.

Because I feel the Federal Government should encourage industry in the development of economical methods of resolving this problem and should share in the costs, I have introduced legislation in two successive Congresses to provide incentive tax credits to those industries which wish to spend their own dollar resources to research or invest in plant technology to control pollution.

My bill, H.R. 4287, has received broad bipartisan support, with some 110 of my colleagues on both sides of the aisle in the House introducing the same legislation. I take this support as an indication that Congress feels that both the public and private sector have responsibilities for the present state of air pollution in our country. My legislation would foster a partnership of responsibility for research, action, and financing between the Federal Government and our Nation's industries, recognizing the continuing contributions which can best be made by all parties at interest.

Industry, after all, faces costly problems if it is to meet the public demand for a cleaner, more healthy environment. But because of its specialization, industry already has, in many instances, the facilities to do more than just clean its own house. I believe we should encourage industry to help lead the way in solving the total pollution problem facing the Nation today.

An incentive tax credit is perhaps the most effective step the Federal Government could take to promote such a partnership. I recognize that my proposal has been deferred in committee because our Government is in dire straits financially, and is not in a position at this time to relinquish or reduce its tax dollar resources.

But the principle is sound, and its potential implementation should be considered in our long range antipollution battle plan.

The Federal interest must include an awareness of economics in another sense. We cannot overlook the fact that there is bound to be an economic impact on business and industry when standards for pollution emissions are established. Standards covering the burning of soft coal may very well have a deleterious effect on the coal producing economy in several of our States. If we seriously consider substituting electric cars for gasoline engines, such a reversal in trends will certainly have an impact, not only on the automobile industry, but on the petroleum industry as well—and quite likely on the electricity producing industry which has had its pollution problems.

Suffice it to say that, as criteria and standards are developed and prescribed, weight must be given to the impact they will have on all elements of our economy.

These things, the Air Quality Act is designed to try to do, at the same time recognizing the ability and desire of State and local governments to carry their share of the load.

Mr. Chairman, I endorse this bill, and recommend it as a sincere response to the public declaration that air pollution must be controlled.

Mr. STAGGERS. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. ROYBAL].

Mr. ROYBAL. Mr. Chairman, there is no doubt that the State of California, particularly Los Angeles County, has a tremendous problem. A great deal has been said about smog and its origin, and the problems which we have in the State of California. It seems to me, though, that one must go back into time just a little bit and as we do we find that history tells us that when the Spaniards landed in what is now Los Angeles they saw an inversion of smoke and they called Los Angeles the Valley of Smoke.

This is actually the problem in Los Angeles today. There was and is today a certain atmospheric inversion that does not permit the smoke to go over the mountains or disappear in the gentle winds of the area. The truth of the matter is that today smoke has not only increased because of the density of the population; it has also increased in its pollutants, its eye irritants, and its chemical contents that are today polluting the air. Because of that we find that the people of the city of Los Angeles are perhaps at this very moment standing with tears in their eyes, not because they are sad but because of the eye irritants that make it almost impossible to do otherwise in that city.

Mr. Chairman, a great deal has been said about the experts here in Washington versus the experts in the State of California. I think we can stipulate to the fact that there are experts in both places, but we must also acknowledge the fact that the experts in California have far more experience with smog than the experts in the Department of Health, Education, and Welfare who spend all their time here in the Nation's Capital.

There is one thing that they no doubt have in common, and that is that medical experts here in Washington and those in California all agree that the studies made in Los Angeles on the effects of smog are genuine and actually show that people with heart and lung diseases such as emphysema, bronchitis, and asthma are made substantially worse during periods of increased concentration of smog. I think they also agree on the fact that the problem of smog and deaths as a result of smog are not just a problem in the Los Angeles basin but they are a problem for other cities in this Nation. For example, in 1948 smog in Donora, Pa., caused acute illness to 5,000 of the 14,000 population, with 18 deaths. In New York City in 1966 a heavy concentration of smog was responsible for 168 deaths. In London a major disaster was responsible for several hundred deaths.

I think we can also point to the fact that in the air pollution basin which is Los Angeles there are approximately 11 million residents and approximately 1,600,000 of these citizens have today some kind of significant chest pathology who are in danger of dying prematurely if we continue to have an excessive number of smog alerts in the city of Los Angeles.

Some of my colleagues have said that this legislation makes it possible for California to continue with its progress. What this legislation actually does is make it necessary for California to come with hat in hand to Washington and on its knees plead acceptance of a program already proven and very much desired by the people living in California, a program which is based on knowledge of the danger based on scientific research, and a willingness of the people of the State of California to foot the bill.

Knowing bureaucracy in Washington, I can tell you that under the present version of the bill many dangerous smog alerts can well occur in the city of Los Angeles while California experts are pleading their case here in Washington, trying to convince the bureaucrats of the merits of their request.

So I say that this legislation must definitely be improved. It is good legislation now, and I compliment the members of the committee for it, but it can be made a lot better by adopting the amendment the gentleman from California [Mr. MOSS] will present to this body.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. ROYBAL. Yes; I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, I certainly want to associate myself with the remarks made by the gentleman from California, but I would also like to read from the testimony of Mr. Mann, President of the National Automobile Association that has been alluded to previously a few times, indicating that he is aware of his problem, and this relates to the question of double standards, and how they recognize it as being necessary.

He said:

> V. The one possible exception to national standards I referred to earlier has its roots in scientific considerations.
>
> The smog problem in southern California is unique in its intensity and in the number of days it is present. Unlike other areas, it has a hot sun most of the year and a topography which impedes the free flow of air currents with a consequent propensity for air to remain motionless.
>
> Because of these unique conditions, paragraph (b) of section 208 of S. 780 in effect authorizes, after notice and opportunity for hearing and subject to certain safeguards, standards more stringent than national standards. While the automobile industry would, for the reasons already stated, prefer a single national standard, it recognizes that the Los Angeles smog problem is unique.
>
> Indeed, one of the problems we all face in the future is to keep the cost of the automobile within reach of the great majority of those who need them.
>
> Under these circumstances, and given these possible future contingencies, the automobile manufacturers while preferring uniform national standards, do not oppose the objectives of paragraph (b) of section 208.
>
> With difficulty automobile manufacturers could "live" with two different sets of standards.

I repeat, he makes the point that with difficulty automobile manufacturers could live with two different sets of standards. But what we are asking, Mr. Chairman, is we want to have a guarantee and not a promise.

Mr. SPRINGER. Mr. Chairman, I yield 3 minutes to the gentleman from Tennessee [Mr. KUYKENDALL].

Mr. KUYKENDALL. Mr. Chairman, I rise in support of the Air Quality Act of 1967 and urge its favorable consideration by the House.

The gentleman from West Virginia [Mr. STAGGERS], chairman of the Interstate and Foreign Commerce Committee, and his very capable colleague, the gentleman from Illinois [Mr. SPRINGER], the ranking minority member, should be complimented for their energetic and dedicated efforts in studying and analyzing this proposal and reporting to the House the very best bill possible. I congratulate them for their fine leadership and for a job well done.

As a member of this committee who has spent many of his working hours on this bill I have become aware of the gravity of the growing problems of air pollution and it is time the Federal Government quit dragging its feet on this subject and took positive steps toward bringing about effective controls. With the exception of section 208(b) entitled "State Standards," I think the bill reported from the House committee is an excellent piece of legislation and I recommend its adoption. In reference to this particular section, I personally prefer the version passed by the Senate.

The most important objective of this legislation is to insure that air pollution problems will, in the future, be controlled in a systematic way. To this end, the bill contains provisions intended to insure that control action will be taken in accordance with the regional nature of the air pollution problem and that sources of air pollution will be controlled to the extent consistent with available knowledge of the adverse effects of pollutants on health and welfare and with available control technology. The bill gives the Secretary of Health, Education, and Welfare the responsibility for defining these standards. States would not be required to take any action until air quality control regions have been designated and until there has been an initial publication of air quality criteria and information on control technology.

The bill does a wise job of separating static emission sources and moving emission sources by separating automotive exhaust problems from the remainder of the pollution problems. It also meticulously adheres to the principle of local responsibility by State authority when the pollution problem is totally within one State and regional authority when the problem is within more than one State, and national authority in dealing with problems of moving emissions.

There are a great many unanswered problems in the area of air pollution. This bill is very attentive to the problem of research and development and insures full access to the technical information needed to evaluate the possible health hazards of pollutants in the air.

I am proud to have had a part in the

committee's consideration of this legislation and I strongly urge its immediate passage.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from California, Mr. REINECKE.

Mr. REINECKE. Mr. Chairman, I would like to associate myself with the authors of this bill. I believe it is a fine bill as far as it goes. I certainly believe it is timely that the House of Representatives did something about air pollution.

However, I would like to get right to the meat of the problem regarding the California situation, and particularly with respect to the questions that the auto industry has raised on this particular legislation.

A picture was painted a few moments ago of the automobile industry that had offered generously to have two standards. They admit they could live with two standards, it is quite true, and yet who else has been lobbying for this particular bill without the double standard, Mr. Chairman, I ask you? None other than the automobile manufacturers.

I would also have you read page 479 of the hearings, and you will find Mr. Mann himself, before the controversy ever came up, testified that preemption is necessary.

On page 497 our colleague, the gentleman from Michigan [Mr. DINGELL], asked Mr. Mann if he could draft the language of an amendment—and this he did.

So I do not think the manufacturers can disassociate themselves from this particular situation. I think it is very clear that the beneficiaries of the language as written is clearly that of the manufacturers association.

Please refer also to the hearings before the California Assembly of October 5 where a representative of the manufacturers admitted that the Dingell amendment was that of the auto industry.

The basic difference between this bill and the proposed amendment to the bill is one word "may" or "shall"—that the Secretary may require a State to hold to the national standards or whether he shall after due hearings allow the State to enforce stricter standards.

I lack confidence in any Secretary, Mr. Chairman. I personally do not have that confidence in an appointed official. I am saying this on the part of California here and I am perfectly willing to say it with regard to any other State at any other time in the future.

I do not think any appointed official should have the veto power over the health of the citizens of any State for reason of political expediency.

Another argument was made regarding mass production—that chaos would come if we destroy the concept of mass production. This is not quite the case because the automobile manufacturers have been complying with separate standards for California alone for the last 2 years. The model 1966 and 1967 cars have been different in California. Why suddenly is this going to cause chaos within the industry?

So far as foreign imports are concerned, they only sell a tiny percentage of their cars in California and yet they are not objecting at all to the California standards.

General Motors admitted they were perfectly willing to provide emission exhaust controls for cars delivered to Ontario, Canada.

I think it is obvious if we were talking of the days when a person could buy a Ford in any color he wanted as long as it was black that maybe that is a good argument. There are so many options and parts of cars that can be put on cars today that adding one more device with over 800,000 new cars being built every year is not going to destroy or cause chaos within the industry.

The Secretary himself admitted he did not have the experience and needed a great deal more information before standards could be set.

In his testimony on page 234, Dr. Stewart admitted there were no standards on carbon monoxide and there were no standards on hydrocarbons.

So how in the world is the Secretary going to be well advised, to take California standards, or to go further, when they have not even provided for the first standards of their own?

I should qualify that because they have provided for the first standards—they have copied California. Now they are asking the omnipotent and omniscient Secretary to know what is good for California by developing new standards in industry.

California has been in this field doing research for years. We have spent several hundreds of millions of dollars on automobile exhaust research and implementation. We are oldtimers in the field.

Yet the Secretary is supposed to know what is good for us.

I have one final comment to make regarding double and bureaucratic standards referred to by my friend from Michigan. I wonder also if he intends to do away with the State government in matters that duplicate the Federal Government.

So I could go on, Mr. Chairman. I would like to make also a few comments as to just what is happening in California. If the bill remains as it is presently written, California, whose standards go substantially beyond the present standards—while not being enforced today, will be forced to cancel the plans to improve on hydrocarbon content of 275 to 180 in 1970 to 100 in 1975. We will be forced to cancel plans to reduce carbon monoxide to 1 percent in 1970 and one-half of 1 percent in 1975. We will cancel the order that all trucks in 1969 be equipped properly. And on until the entire 20-year effort of California is ground to a halt.

Regarding mass production. Today's auto is built of mass produced parts and custom assembly by means of computerized material control systems. There are millions of combinations of any given model when we consider engines, transmissions, power steering, power brakes, colors, interiors, air conditioning, and so forth, not even bothering with the accessory options. Yet the manufacturers will make one of any one of these with no question. Why then should the exhaust reduction equipment turn the industry into chaos?

All California wants is the right to go beyond the national standards—at no cost to anyone outside of California. We ask no exemption—only an opportunity.

Mr. SPRINGER. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. LIPSCOMB].

Mr. LIPSCOMB. Mr. Chairman, I know that this seems like "California Day," and I realize that Californians are occupying a great deal of the time in this debate. Perhaps we may be repeating on a point which is very vital to our State and, we feel, to our Nation. We are attempting to tell the House that we are not only here to protect California, but we are here trying to protect our Nation from the threat of smog and polluted air.

I believe that under the leadership of the gentleman from West Virginia [Mr. STAGGERS], and the gentleman from Illinois [Mr. SPRINGER], the committee has done a fine job in reporting out S. 780. It is a good bill, and I certainly believe that the Nation will benefit by their action.

There is no question but that air pollution has become a problem of critical proportions and a threat to the health and welfare of our Nation and its citizens.

The air we breathe is being polluted at a rapidly increasing rate. It is vital that the various levels of government, Federal, State, local, and private industry and the people generally join in a concerted effort to work toward eliminating this menace.

Representing as I do the 24th District of California which is located in the Los Angeles basin and having lived in the area most all of my life I can certainly vouch for the seriousness of air pollution to us.

Just over recent weeks air pollution in the basin has been at a very dangerous level. Literally hundreds of residents of my district have written to me to express their views on the urgency of the smog problem and the need to move ahead to strengthen the air pollution control program.

The proposed Air Quality Act of 1967, S. 780, before the House today basically represents a significant step forward toward formulating needed policies and procedures to deal with air pollution.

But it is a matter of deep concern to the State of California and the congressional district I represent that section 208(b) of the bill, as passed by the Senate, designed to permit California to move ahead without undue restraint in setting higher emission standards than the Federal auto emission standards, has been so revised that it would take away part of the tools we so sorely need to move ahead aggressively in providing adequately for the protection of California, which it is recognized has a special problem.

The State of California pioneered air pollution control work, in establishing and enforcing standards of air purity. Our legislature in 1959 enacted the first motor vehicle emission standards. Under this and subsequent legislation, today 7.8 million California vehicles are already equipped with smog-control systems. These systems every day are keeping 2,300 tons of toxic carbon monoxide and

550,000 gallons of unburned gasoline from seeping into the air which residents of California breathe.

We have already set the standards for the 1970 model cars and industry representatives have stated they are prepared to meet those standards.

It is very unfortunate that section 208 (b) was modified by the House Interstate and Foreign Commerce Committee in a way which could potentially seriously affect California efforts.

As pointed out in a letter sent to the entire membership of the House earlier this week, signed by Representative Cecil King, chairman of the California congressional delegation, and myself, this action could have serious effects on the California smog program.

Our current inspection requirements for certification of new cars for sale in the State would be wiped out.

The State's requirements that 1969-model gasoline powered trucks and buses be equipped with emission control systems would be nullified unless the Federal Government OK'd them.

Evaporation loss controls, established by California in 1965 for adoption in 1970 models, could not take effect without the consent of HEW.

Also, State standards already set to require more effective controls of hydrocarbon and carbon monoxide emissions by 1970 would be threatened—since there are no comparable Federal requirements.

California has been fighting air pollution for a long time. We have been leading the Nation in taking steps to solve the problem. Our health authorities see the need for air standards in California far in excess of those that may be acceptable on a national basis. Why place the damper of national conformity on our local and State air pollution work when it is so vital to the health and safety of our California citizens?

It cannot be overemphasized that California seeks the waiver from national standards not to do less toward dealing with air pollution, but because we want to do more. Unfortunately it appears this work could be seriously hampered by needless delays and roadblocks under the legislation as written preempting the field of establishing emission standards for the Federal Government.

I think it is of interest to note that the various Government departments and agencies, in their comments as printed in House Report No. 728 on S. 780, do not interpose objection to the bill as passed by the Senate containing the waiver to California of the general Federal emissions standards in order that California might set higher standards. Some agencies in fact state that they have no objection to the bill as passed by the Senate.

The one reservation interposed by an agency as printed in House Report No. 728 is by the Department of State which sees the California waiver, of all things, as resulting ultimately in discrimination against imported automobiles and says it would cause "grave trade complications." The Department goes on to state that in the event a waiver provision is retained in the bill it should be modified as suggested by Thomas C. Mann, president of the Automobile Manufacturers Association, whose suggested approach for a provision is now embodied in the bill. The Department of State indicates that while it had not been asked to comment on S. 780, it had heard from foreign embassies and representatives of American importers about the matter.

In my opinion it is highly disturbing for the State Department to place the interests of foreign car manufacturers above the health and welfare of the citizens of California, which is after all the reason for the proposal to allow California to set its own higher standards.

An amendment will be proposed at the appropriate time by the distinguished gentleman from California [Mr. Moss] to allow California to set auto emission standards higher than the general Federal standards in line with the provision contained in S. 780 as passed unanimously by the other body. I respectfully ask that the amendment receive the support of the House.

California has devoted untold effort and has spent many millions of dollars to help control air pollution and protect our citizens. Help us to see that unnecessary restraints are not imposed which could impede this vital work. California's accomplishments have and certainly will continue to be of benefit throughout the Nation toward protecting all our people from air pollution.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman from California.

Mr. HOLIFIELD. Is it not true that the foreign automobiles that come into California, such as the Volkswagen, Fiat, Volvo, and others, are complying with the California law and are installing these devices in order to get into the California market?

Mr. LIPSCOMB. Because of the effective administration of our California laws, foreign automobile manufacturers are cooperating with our State, and arrangements have been made for the placement of smog devices on automobiles coming into the State.

Mr. HOLIFIELD. And they are anxious to cooperate with the State?

Mr. LIPSCOMB. Yes, for California is a large market.

Mr. HOLIFIELD. The gentleman is correct.

Mr. SPRINGER. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. Hosmer].

Mr. HOSMER. Mr. Chairman, I suppose this debate thus far, if it were in a courtroom, might be entitled, "The People of the State of California versus Ford, General Motors, and American Motors," because actually this issue is between the 20 million people of the State of California and these three giant corporations. To give an idea of what 20 million people amounts to, most of the countries of the world have a smaller population. Our gigantic neighbor to the north, Canada, has 20 million people, just like the State of California has 20 million people. Both are large and important societies.

What is this issue between these 20 million Californians and the three corporations? It is simply whether, as the gentleman from Michigan [Mr. Harvey] so well pointed out, these corporations go before one regulatory body or two in connection with the control of emissions from automobiles.

Put another way, the issue is whether California can act responsibly, as it has in the past, to protect its people and their lives and their health, or whether California is going to have to go, as somebody said, hat in hand, alongside these three corporations, up to a department in Washington and beg and plead for the opportunity to try to protect its citizens.

Believe me, this smog problem is an avalanche of trouble. Imagine any one of the States with a gigantic river raging all the way up to its banks. The people of the State want to keep this flood inside the banks from destroying them. They want to put sandbags on top of the bank, but there is a law that says, "No, you cannot do that. You have to go to Washington and get permission to stop this flood." This avalanche of smog is exactly that kind of situation.

We cannot see this stuff, but it can see and feel us, and it can burn our eyes, and can put disease in our lungs and can shorten our lives. We do not want to have to go pleading to Washington in the midst of a crisis to stanch this avalanche.

Believe me, I think any one of our States certainly ought to be able to protect its people in that kind of situation. I do not think any one of these three gigantic corporations has any right, natural or otherwise, to peddle a product in any part of this country, in any single State, that can cause consequences that these automobiles are causing under the very unique meteorological and geographical conditions in California that trap these poisons close to the ground in the air that people must breathe. We have to give the people in California the right to protect themselves. This is the only way to do it.

Why does the gentleman from Michigan [Mr. Harvey] say these three gigantic corporations should not have to go before two regulatory bodies? He says they should just go to one. He says this is because the subject involved is one of scientific complexity and difficulty of interpretation. He says that is why.

Let nobody kid us. Scientific interpretations are as easy to make in California as in Washington, and in this situation they should be made in both places.

These three corporations are the same ones who are constantly down here in Washington arguing with the Government about safety standards in their automobiles. It is almost certain, if we give them the opportunity and the privilege to come only to Washington on this smog issue they will gum it up, they will get into hassles about smog devices, they will fog it up and slow it down, and the people in California will not be protected.

Give us the chance to protect our people. Support the amendment that will be offered permitting California to establish the higher standards applicable to automobile emissions that it needs.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Mr. Chairman, I thank the gentleman for yielding. I want to commend the gentleman, the chairman of the committee, for his leadership in this field, and the ranking minority member of the committee as well as all the members of the committee. I think all of the Members have tried to approach this subject in a realistic way, to find a solution which is the best way not just for one State but for all the States. I think we have lost sight of the fact that the present Federal standards are as high as the standards for the State of California. They are exactly the same.

I do not want the people in Florida to have automobiles coming into my State with lesser standards than cars going into California. I have no reason to believe that they will, if this bill is enacted as approved by the committee.

I do not believe that New York State should have cars going into New York with any less stringent requirements than for those going into California. Under this law that would not happen.

I believe that California has done a magnificent job. I do not deny that. They have had some leadership, because they had a more acute problem at the time.

Now we have taken action. The Federal law has been enacted only since 1963, and only since 1965 have we had Federal emission standards for automobiles.

What we are doing is moving this whole Nation toward higher and safer standards. California can give advice. That will be most helpful. I am sure the Secretary will use that advice.

I want high standards set for every car in the country.

What about the cars that go into California? California is a great tourist State. Millions of Americans go there. Do we not want those cars to have just as high standards as the cars there? They are going to be there perhaps a month at a time.

I remember when we all descended on Los Angeles, thousands of people, during a convention there not too long ago. Every one of those cars ought not to be allowed to emit air pollution any worse than those in California.

This legislation is designed to get at that problem.

We want California to participate and to help, and to help set standards. This is the way we designed the legislation. We want every State to have the same protection as California. This is what we plan. That is what the legislation is designed for.

Mr. MOSS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I yield to my good friend, the gentleman from California [Mr. Moss].

Mr. MOSS. I want to say to my most eloquent friend from Florida that his concern for us in California is deeply appreciated, and reciprocated.

Mr. ROGERS of Florida. We Floridians must have concern for Californians.

Mr. MOSS. Would the gentleman inform the members of the Committee where the initiative for the present standards originated? Is it not true that the present standards, which the gentleman has characterized as being high national standards, without the pioneering of California and the technology of California would not be so high nor so uniform?

Mr. ROGERS of Florida. If the gentleman will permit me to answer, I would agree with the gentleman. This is certainly true. As a result of that, as the gentleman knows, our committee passed legislation in 1965.

We are now moving to solve this problem of air pollution. The Secretary has used the experience California has had. We would expect him to. We would expect him still to do so in the future.

We have the high standards which, as the gentleman says, may have been developed in part by California.

Surely the gentleman knows we have now taken action on the national scene because of the interstate complexion of the auto industry. We have gotten beyond just one State. Surely the gentleman would want to protect all the States just as much as he would want to protect California.

Mr. MOSS. Mr. Chairman, will the gentleman yield further?

Mr. ROGERS of Florida. I yield.

Mr. MOSS. Let me say to the gentleman, I certainly want to insure the progress which has been characterized because of the leadership of California, by preserving its role of leadership and not tying its hands through a Federal bureaucracy.

Mr. ROGERS of Florida. I thank the gentleman. Certainly the role in experimentation, if that is desired, can continue. There is nothing to stop that. We would welcome it.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I yield to the gentleman from California.

Mr. HOSMER. I want to say to the gentleman first, insofar as the tourist cars are concerned, those come out to about 5 percent of the vehicles on the road. If we can clean up 95 percent of the cars, we will get rid of the smog problem.

Mr. ROGERS of Florida. I hope, if the gentleman will permit me——

Mr. HOSMER. I am trying to tell the gentleman——

Mr. ROGERS of Florida. I hope the gentleman will not be provincial and just say that you want to clean up 95 percent of the cars which you have in your State. I hope you will have consideration for the other Members of Congress and the American public so as to let us have just as high standards as California has. That is what this committee wants.

Mr. HOSMER. Will the gentleman yield?

Mr. ROGERS of Florida. And that is what we want to insist upon. Yes; I yield to the gentleman.

Mr. HOSMER. That is exactly what I am trying to tell the gentleman, but you do not seem to understand how smog occurs. What comes out of the automobile and its consequences depends upon the meteorology and the geography of location. It is one thing in Florida as a consequence but quite a different thing in California. Certainly we do not want you to have any less delightful air than we have in California.

Mr. ROGERS of Florida. I thank the gentleman.

Mr. HOSMER. But in order to accomplish that end, there must be very much stricter control of the emissions from vehicles in California than in Florida. The gentleman will certainly grant that.

Mr. ROGERS of Florida. I will not agree to that. It may be more of a problem there because of your air inversion. I agree with that. But I do not believe emission should be allowed to be any higher in Florida than in California.

Mr. HOSMER. You do not have the same problem and do not require the same answer.

Mr. ROGERS of Florida. We may have the problem here in Washington, also. In the summertime, as you go along Rock Creek Park and on 14th Street, there is a problem. I have felt the smog at times. I can understand the position of the gentleman from California, but all we are trying to do is set higher standards for all of our Nation. The Congress should do no less.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. Yes. I will be glad to yield to the gentleman from Ohio.

Mr. HAYS. As I understand it, the automobile manufacturers say that they can make a car which will produce less emission for California and make one for the rest of the country which produces 80 parts per million. Is that not right?

Mr. ROGERS of Florida. That is the basis.

Mr. HAYS. Why not do this by having them make the car that is good for California for the whole country?

Mr. ROGERS of Florida. I thank the gentleman, and that is exactly what the committee is trying to do.

Mr. HAYS. No, it is not.

Mr. ROGERS of Florida. The gentleman does not understand, then.

Mr. HAYS. Yes. I understand only too well.

Mr. ROGERS of Florida. Let me tell the gentleman he does not understand the intent of the committee, because what we have said is we want the high standards set for all of the Nation so that the cars in Ohio will have no greater emission of air pollution in your State or my State of Florida than they have in California.

Mr. HAYS. Will the gentleman yield now?

Mr. ROGERS of Florida. And the present standards are now the same. I yield to the gentleman.

Mr. HAYS. But they can make one with lower emission than 275 parts per million.

Mr. ROGERS of Florida. That is right. And it will be required by the Department. I have already discussed it with them. They say these standards will be changed.

Mr. HAYS. Why do you say they will require that? It is the same silly outfit that tested those seat belts where you break your neck and they put it on your car. I tell my dealer, if it is on my car, "Take it back. I do not want it."

Mr. ROGERS of Florida. This is a different department entirely. This is the department which is set up for it. What we are trying to do simply is set national standards where every American car will not pollute the air any more than any other American's car. That is what we are trying to accomplish.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I yield to the gentleman.

Mr. HOSMER. I want to say in some parts of the country you do not need the extra emission control. One of them is Florida. You do not want your Florida people to have to buy devices that are necessary in California, unnecessary in Florida, and pay extra for them. They are not needed in Florida.

Mr. ROGERS of Florida. Let me answer the gentleman by saying the gentleman is somewhat presumptuous in saying that we do not want to have our cars emit as little pollution as any other State. I think Americans all over the country are so conscious now of air pollution that they are ready to attack the problem.

We have already passed the law in 1963 and in 1965, and this is simply an extension, and it is to be nationwide, and not just to apply for the purpose of one State.

Mr. Chairman, I yield back the balance of my time.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. TUNNEY].

Mr. TUNNEY. Mr. Chairman, I am very much in favor of the Air Quality Act, so long as it contains an amendment giving California the right to set its own auto emission standards.

Mr. Chairman, the Air Quality Act which we are considering today amends the Clean Air Act to provide for planning grants to air pollution control agencies, to expand research provisions relating to fuels and vehicles, to provide for interstate air pollution control agencies or commissions, and to authorize the establishment of air quality standards.

The Congress, State, and local governments, and industries, have only recently begun to show their concern and awareness of the problem of air pollution in the face of the ever-increasing outcry of public dissatisfaction. We have acted slowly and the bill before us today is at least an important first step in the fight against air pollution.

However, the Air Quality Act, as reported out of the House Interstate and Foreign Commerce Committee, contains a major flaw which I hope we will act to correct today.

The Senate-passed bill exempts California from the proposed auto emission provision. The House bill, however, would prohibit California from adopting auto emission standards more stringent than the proposed Federal standards despite the fact that we have an air pollution problem of different magnitude than other States.

Mr. Chairman, the past few years have witnessed a rise in concern over State and local responsibility. California has made some progress in an attempt to solve the serious problems of air pollution and environmental quality control. It is significant to note that the Federal standards proposed under the Air Quality Act are modeled after those in effect in California in 1966 and were not then satisfactory to our needs. It would be ironic to tell the people of California and those of other States that they cannot wage a better and more effective battle against air pollution than the Federal Government. This is especially true since the results of California's research and past experience have contributed so much to the formulation of the Air Quality Act which we are now considering. California should not be penalized for its accomplishments.

California has already outgrown the proposed Federal regulations and should be allowed to progress according to its needs. We are facing a serious and spreading smog problem, primarily caused by motor vehicle emissions. In 1965, for example, California had 11.1 million registered vehicles and 18.4 million people, two cars for every three people. There are 2,000 additional new motor vehicles per day registered in California. My district, consisting of Riverside and Imperial Counties, was relatively smog free until just a few years ago. Now a good portion of my district is covered by an ever-increasing smog haze. How can I tell my constituents that the State cannot move rapidly to correct this problem because the Federal Government must first catch up? To a people threatened by the health and other dangers of air pollution, this is too much to ask.

It is alleged that the preemption of California, allowing the State to set more stringent air pollution standards, would work a hardship on the auto industry. However, the opposite choice is to ask the people of California to bear the hardship of air pollution and mark time until the Federal Government is ready to move ahead. The choice that the Congress makes will have a long-range effect on encouraging future State and local responsibility. California did not rely on the Federal Government in fighting air pollution. I would have hoped that the Air Quality Act would have stronger controls than those proposed in the bill we are considering. However, the least we can do now is to allow a State to move ahead with more stringent and effective standards. I am sure that other regions and States will be faced with a similar problem soon and I urge the House to amend the bill now to allow California to move ahead with its fight against air pollution and protect the health and welfare of its people.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. MINISH].

Mr. MINISH. Mr. Chairman, I rise to urge the passage of the Air Quality Act of 1967. In my judgment, this is a matter of the greatest importance and urgency. This measure will pave the way for a concerted and systematic attack on air pollution throughout the United States.

The district which I am privileged to represent is located in one of our Nation's major metropolitan areas and I am, therefore keenly aware of the extent of the pollution menace. However, let me hasten to point out that there is no single urban area in the United States today free from the growing threat of air pollution.

I have been continually concerned with this serious situation during my service in the Congress. The enactment of the initial Clean Air Act in 1963 during my first year in the House of Representatives was most gratifying to me, as were the strengthening amendments approved in 1965 and 1966. Today, I am pleased to vote for the Air Quality Act of 1967, which augments and implements the original legislation.

Mr. Speaker, we now have definitive evidence linking air pollution to the aggravation of disorders of the respiratory system such as asthma, bronchitis, and emphysema. In addition, many otherwise healthy persons are troubled by coughs, throat irritations, and headaches as a result of air pollution. These dangers, not to mention the effect on man's natural environment, are well documented. On the other hand, knowledge of how to combat air pollution is far from adequate.

The Air Quality Act of 1967 provides for extensive new research efforts to develop methods and techniques for eliminating pollutants from our atmosphere. It authorizes the Secretary of the Department of Health, Education, and Welfare to continue current air pollution research and adds authority for the Secretary to establish various technical advisory committees to assist him in administering and planning his future research program.

More specifically, the legislation directs the Secretary to conduct studies into the problem of controlling emissions from aircraft, to make grants to State air pollution control agencies for the development of inspection and testing facilities to combat pollution caused by motor vehicles, and to determine the feasibility of establishing national emission standards for stationary sources of air pollution.

Mr. Chairman, I hope that Congress will acknowledge the seriousness of the air pollution problem by passing the Air Quality Control Act of 1967. The need is evident. The issue is clear. The health of our people and our environment is at stake. Without this bill, the future is bleak indeed. In the next 10 years alone, we will have one-third more motor vehicles on our highways, our industrial production will double, and the population in our urban centers will increase by 30 percent. If we wait, in the words of President Johnson, "We will have lost the battle for clean air." The time to act is now.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. EILBERG].

Mr. EILBERG. Mr. Chairman, I rise in support of this bill.

Mr. Chairman, now we have heard the harmful effects of air pollution discussed many times. A repetition of the facts, however, does not dilute their significance. Nor does a repetition of the facts add to our knowledge about the causes of air pollution. We must continue and expand our research efforts to establish effective remedies.

President Johnson had this problem well in mind when he said:

> Many sources of air pollution cannot be economically or effectively controlled by our present technology. The sheer number of motor vehicles may, within a decade or two, defy the best pollution control methods we can develop. If this proves true, surely we cannot continue to use the type of internal combustion engine now in service. New types of internal combustion engines—or indeed new propulsion systems—may be required. Aircraft engine exhausts are also becoming significant pollution problems. Sulfur compounds—created wherever coal or oil is burned—threaten the environment of almost every city and town in America.

The President has said, and I repeat, "threaten the environment of almost every city and town in America." This is not a problem of one area or even several. This is not even an urban problem as opposed to suburban, exurban or rural. This is a universal problem in our Nation, solutions to which must cross city, county, and State lines as the pollutants themselves do.

The health or economic implications of a solution to this problem are of tremendous importance. We cannot afford to jeopardize the vast resources that have been invested by industry thus far. But neither can we afford to ignore the health of millions of Americans. The Committee on Interstate and Foreign Commerce is to be commended for thoughtful consideration of the complex problems involved in drafting this legislation, and in carrying out the President's recommendations. I strongly urge the passage of the Air Quality Act of 1967.

Mr. STAGGERS. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. Murphy] may extend his remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. MURPHY of New York. Mr. Chairman, I rise today in support of S. 780, the Air Quality Act of 1967.

The Air Quality Act is a vital part of the comprehensive national effort to control and abate air pollution which began with the Clean Air Act of 1963. The Clean Air Act was amended once in 1965, and is being amended today through the new Air Quality Act.

The need for Federal legislation in the air pollution field is well documented. There can be no doubt that air pollution is a threat to the health of the American people. For example, there is a direct association between air pollution and excess mortality during periods of unusually severe air pollution, and there is a direct relationship between the incidence of many diseases and air pollution experienced by large population groups over a period of time. In addition, there is a large amount of laboratory evidence gathered from experiments on animals which demonstrates the harm caused by air pollution. But while public health is our primary concern, air pollution also has a serious economic impact; it is estimated that the effects of air pollution result in a loss of over $11 billion a year.

The need for this bill, therefore, is obvious. There is no reason why we should continue to breathe polluted air. A nation which can send a rocket to the moon is certainly capable of cleaning the air it breathes on earth.

This bill would be an important step forward in the battle to clean our air here on earth. It would direct the States to deal with air pollution problems within air quality control regions designated by the Secretary of Health, Education, and Welfare, and thus would focus control efforts on specific problem areas. In addition, the Secretary would be directed to establish air quality criteria and to provide information on the available air pollution control techniques.

Once these regions were delineated, the criteria established, and information on the control techniques made available, it would be up to the States to establish air quality standards and adopt a plan for their enforcement and implementation. The Federal Government would be empowered to initiate action to insure setting and enforcement of standards only if a State failed to take reasonable action to achieve compliance.

A major section of this bill requires the Secretary to initiate a program of research and training. This is necessary because no single State has facilities or resources to carry out a comprehensive research effort. It is important, however, that the benefits of this research program be made available to State and local agencies; this is provided for in the bill.

The bill also provides for a strong regional approach to fighting air pollution, an approach which recognizes the fact that air pollution does not respect State or local boundaries. Interstate air quality agencies or commissions are encouraged under the act, and the Federal Government will pay up to 100 percent of the cost of their programs for up to 2 years, and up to three-fourths of the cost thereafter.

This is of particular importance to my own State of New York, because of the five-State air pollution control compact proposed by Governor Rockefeller.

There is no area which needs interstate action more than the New York-New Jersey metropolitan area, which includes my own district. According to the Public Health Service, this area has the worst air pollution problem in the Nation. An interstate agreement between New Jersey and New York for this specific area, which comprises about 17 counties, would be a logical response to the problem. Instead, Governor Rockefeller proposed a five-State compact which does not relate to any problem area, and which would be so cumbersome as to virtually eliminate any chance of effective air pollution control.

For this reason, I offered an amendment in committee, which was adopted as section 102(a) of the bill, which would discourage interstate agreements or compacts unless each signatory State is entirely or partially included in a common air quality control region. This is in keeping with the basic purpose of the bill, which is to deal with specific problem areas—the air quality control regions designated by the Secretary.

These are just a few of the important provisions in the bill—there are many others. In general, it provides for a coordinated effort between local, State, and Federal governments directed at controlling and abating air pollution. It provides the tools necessary to eventually overcome the pollution problem which today smothers our cities in filth. I am confident that with this bill we can make significant progress in our fight against air pollution, and I urge my colleagues to support it today.

Mr. STAGGERS. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. Machen].

Mr. MACHEN. Mr. Chairman, I rise to give my firm support to the legislation we are considering today to amend the Clean Air Act of 1963, the Air Quality Act of 1967. The prompt enactment of this legislation is of great concern to me and to all those who live in this great country of ours.

There can be no doubt that air pollution is a threat to the health and well-being of the American people. Air pollution is responsible to a degree for some deaths and for a great deal of unnecessary disability and discomfort. Moreover, this problem, which we all recognize as being very serious, is growing worse in direct relation to the Nation's continued economic growth and technological advancement.

The Clean Air Act of 1963 marked the beginning of a new and more hopeful era in air pollution control. Under this act, for the first time, authority was provided for Federal regulatory action to abate interstate pollution problems and for the awarding of Federal funds to encourage the development of regulatory programs at the State and local level.

In spite of the efforts undertaken as a result of this legislation, and the additional measures which the 1965 and 1966 amendments to the Clean Air Act provided, we are not even controlling today's level of pollution. It is estimated that by 1980 the Nation's urban population will be one-third greater; the number of motor vehicles in use will have increased by 40 percent; and the demands for energy will be 50 percent greater. Unless we expand our efforts in the area of air pollution control now, this problem will reach highly critical proportions in the next decade.

This legislation we are considering today does not take anything away from our past efforts in the field of air pollution control, but adds a new and I believe a much needed dimension to them. The approach taken in this measure hinges to a great extent on the necessity for the States to take action to deal with this problem within air quality control regions designated by the Secretary of the Department of Health, Education, and Welfare. In brief, the States would be responsible for setting air quality standards for such regions and for implementing plans to meet those standards. This means that it will be up to the State governments to determine, first, the maximum concentrations of pollutants that will be permitted in the air in such regions during a given time period before the danger point is reached, and second, the extent that such pollution sources in the region must be controlled to meet the regional air quality standards.

The Department of Health, Education, and Welfare would assist the States in their efforts by publishing air quality criteria and information on recommended control technology. Moreover, the Department would be given the responsibility and duty to determine whether State standards are adequate and consistent with the purposes of this bill. In addition, the Department would be empowered to initiate action against the States if it were discovered that action at that level was not consistent with the mandate to develop and implement air quality standards.

Efforts to combat air pollution in the past have been limited by a reluctance on the part of governmental units to cross jurisdictional lines in seeking solutions to the problem. I believe that, in seeking any solution to this problem, it is of the utmost importance that the attack on pollution sources be broad enough so that action can be taken on the whole problem. This still recognizes this weakness in past efforts and provides, among other things, for the establishment of interstate air pollution control agencies and commissions.

In summation, I believe the bill we are considering today deserves our support because it recognizes that we must now enter a new era in the nationwide struggle against air pollution. The hit-or-miss, largely uncertain control efforts on the part of all levels of government thus far, have not achieved the success which is needed. These former efforts have to be augmented and in some instances supplanted by a more rational scientific effort which attacks the problem at its root causes. I believe this legislation provides the tools which, if used effectively, can assure us of achieving a real breakthrough in winning the battle for clean air.

Mr. STAGGERS. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. VAN DEERLIN].

Mr. VAN DEERLIN. Mr. Chairman, I thank the gentleman for yielding.

Mr. MOSS. Mr. Chairman, will the gentleman yield?

Mr. VAN DEERLIN. I yield to the gentleman from California.

Mr. MOSS. Mr. Chairman, I have asked for this time in order to clear up the point made by the distinguished gentleman from Florida, who was talking about the desirability of the same standards of emission clear across this Nation.

There is a question here of whether that would be economically wise. In order to maintain the same standards across this Nation it would be necessary to have different standards of emission. For that reason the bill provides for varying ambient air standards, regional standards. And it is for that reason and now recognition of the fact that we in California seek the opportunity to have the most stringent requirement on emission standards. But the two should be kept clearly in mind.

Mr. Chairman, I thank the gentleman for yielding.

Mr. VAN DEERLIN. Mr. Chairman, it should not be necessary to reiterate this, but for my own part I would like to emphasize that with none of us is there the slightest feeling of animosity toward any Member of this House who, for whatever the reason that has impelled him, takes a position in opposition to the aspirations of California on this legislation.

I could even be more specific by saying that in the 5 years that I have served in this House, no Member on my committee of the House has shown me courtesy or kindness exceeding that of the gentleman from Michigan, JOHN DINGELL. I would add that my friend, the gentleman from Michigan, JIM HARVEY, is one of the most articulate and courageous Members in this House.

I hope that we Californians will be forgiven for what may have appeared to some of you, as we badgered you in committee or as we buttonholed you in the hallways, as parochialism on this subject. It must be quite apparent that we do feel deeply on the subject of air pollution.

It happens that a majority of our California delegation are native sons of California—we were born there. We do not say very much about this around election time, because the percentage of native sons is not sufficient in California to constitute much of a voting bloc. But it does mean that a good many of us on the California delegation remember back a long way.

We remember what our State was like before the savage intrusion of air pollution. I was a student at the University of southern California back in the midthirties. We did not see such a good football team in those days as they do today—but on almost any day in the year, we could see as far as the mountains surrounding Los Angeles. It is interesting to note that it was only on certain kind of days that you could not see all the way to the mountains. Those were on the crisp, cold days in winter when the orange growers were using their smudge pots to keep the fruit on the trees from freezing. Now the orchardists use more sophisticated methods to keep the air in circulation, and to protect the fruit. So it happens that these are the only days now—the cold, crisp days of winter—when it seems that sometimes you can see the mountains.

Now we Californians are not to be entirely absolved of blame. It is true that our natural air is still the same as it was in the thirties. We have put an awful lot of pollutants into the air. We have got rid of backyard incinerators and sources of industrial pollution, some 15 years ago. We find now that auto emissions are the last really remaining villain, and we have undertaken to do something about them.

You can understand that problem when you understand that since World War II the number of automobiles nationally has tripled from some 30 million to nearly 90 million. In California we have gone up about four times. It is a very staggering statistic. Every day in the year 1,800 new automobiles are registered in the State of California.

Would you believe this? That it is literally possible for the entire State of California, the entire population, to ride on the streets and highways in cars that are licensed in California today—and to do that occupying only the front seats?

Quite clearly, this became a very intense political problem, some 15 years ago. Many a member of the California delegation, when he served in the State legislature or in the city councils of California, has been a part of the local or State governments that responded to this challenge. They have responded to the extent that if California had not taken the pioneer steps that she has taken on her own, and at her own expense, and discovered through scientific inquiry what was going to be required to meet this, it is estimated that the smog today in southern California would be 25 percent worse than it is in these pictures that you see out here in the Speaker's lobby. Yet it is still worse than it was in 1960.

We want the right to continue this program as we have started it. We do not want you to tell us we must now stop it. We want you to think of the 19 million people that we represent, and who are watching the actions that will take place in this body during the next 2 hours. They look upon our decision this afternoon as a real crisis for California.

So, to paraphrase a great 20th century leader of the free world, I will close by saying, "Let us keep the tools, and we will finish the job."

Mr. SPRINGER. Mr. Chairman, I yield 3 minutes to the gentleman from Kentucky [Mr. CARTER].

Mr. CARTER. Mr. Chairman, I rise in support of the bill now before us to provide a more effective means to control air pollution.

To me, it seems that we are losing ground in the fight against air pollution, although the Clean Air Act of 1963 initiated the national effort to control air pollution. Some progress has been made since that time, but the fact remains that air pollution is increasing much faster than are our efforts to control it.

In short, we are losing ground in our struggle to control the air we breathe. This fact was forcefully documented last December by Secretary of Health, Education, and Welfare John Gardner, in an address before the Third National Conference on Air Pollution.

At this point, Mr. Chairman, I would like to include in my remarks a portion of the Secretary's address:

EXCERPTS FROM SECRETARY GARDNER'S ADDRESS

While this response is encouraging, it is little more than a beginning. Most State programs lack adequate authority and resources. Only a half-dozen have more than a minimal abatement program. Few are able to serve communities which are too small to operate their own programs.

Our most recent estimate indicates that only 58 percent of the urban population of the United States is now served by local air pollution programs. And where programs do exist, their resources are meager. On a per capita basis, annual spending for local air pollution control amounts to about 15 cents. Yet at least 40 cents per capita is considered necessary for an adequate local effort.

Regional programs are virtually nonexistent. Only 5 of the 24 largest metropolitan areas are now served by regional activity of any sort. Sixty-nine million people—about one-half of the Nation's urban population—live in these 24 areas.

The truth is that we are actually losing

> ground in the fight against pollution. The smog continues to grow more dense even as we continue to talk about it.
>
> Neither government nor industry has yet moved forward with the vigor and determination which were so well described.
>
> State and local governments have been slow in seizing the opportunities for action. In particular, they have failed to establish the regional approaches demanded by a problem that ignores traditional state boundaries.

As the Secretary pointed out, regional air pollution programs are absolutely necessary but are "virtually nonexistent."

But, Mr. Chairman, we now have an opportunity to remedy this shocking situation. The Air Quality Act of 1967, as reported out by the Committee on Interstate and Foreign Commerce, will provide the basis for systematic air pollution control activities on a regional scale.

Therefore, I strongly support this bill and urge its speedy enactment.

Mr. BROTZMAN. Mr. Chairman, will the gentleman yield?

Mr. CARTER. I yield to the gentleman from Colorado.

Mr. BROTZMAN. Mr. Chairman, I thank the gentleman for yielding. I congratulate him on his excellent remarks and his diligent and hard work as a member of the committee.

Mr. Chairman, I rise in support of S. 780, the Air Quality Act of 1967. This bill is the product cf long and extensive hearings by the House Interstate and Foreign Commerce Committee, on which I serve. I wish to commend our distinguished chairman, the gentleman from West Virginia [Mr. STAGGERS], and the gentleman from Illinois [Mr. SPRINGER], the ranking member, for the manner in which they conducted those hearings.

Certainly, Mr Chairman, there can be no doubt that the need to face the menacing problem of air pollution must be met. Today, approximately 130 million tons of pollutants are discharged annually into the atmosphere. Not one major metropolitan area in the United States is without an air pollution problem today. By 1980, the Nation's urban population will increase by a third, the number of motor vehicles by 40 percent and the demand for industrial power and energy by 50 percent, all adding to the dangers of a growing air pollution problem.

Steps must be taken now to improve our capacity to meet this problem. I am pleased that this type of legislation enjoys bipartisan support. In 1955, President Eisenhower urged the enactment of air pollution legislation. Subsequently, the first legislation in this area was enacted by the 84th Congress with strong Republican support. During the 88th Congress, I was pleased to assist in the drafting of legislation which culminated in the enactment of the Clean Air Act. The bill which we are considering today is part of President Johnson's program to assure a healthy environment to every American. The Republican policy committee has urged enactment of the bill.

Basically, S. 780 will provide $362.3 million over a 3-year period for air control research, studies, planning, and grants to States and air pollution agencies. The bill also encourages the solution of air pollution problems on a regional basis.

I would like to take a moment to discuss this bill's relationship to Colorado.

Perhaps, Mr. Chairman, we in Colorado have been more fortunate than many of our more industrialized sister States. We have not had the same experiences as California, New York, or New Jersey. But, Mr. Chairman, pollution is coming to Colorado and other States, and it is coming fast.

I am pleased to report, Mr. Chairman, that Colorado has taken steps to control and regulate air pollution. In testimony before our committee, Mr. John Fleming Kelly, legal counsel for the Colorado Association of Commerce and Industry, stated that S. 780, if improperly interpreted by the Federal Government could seriously endanger the Colorado air pollution program.

As he said, under the bill—

> It is possible that an air control region within a particular state would be larger or not coincide with a basin as defined in our Colorado act and as regulated by our Colorado law.

I expressed my very grave concern to the committee, and worked to assure that Colorado's interests would be protected. I am pleased to say that language in the bill report states:

> The Committee learned that in at least one State (Colorado) air pollution regions have already been set under State law, and there is some concern that those regions designated by the Secretary will not be coterminous with them, thus raising problems of the administration of standards where the regions differ. The committee expects the Department of Health, Education, and Welfare to consult with proper officials of the States to assure that maximum consideration is given to the regions established or that may be established in such States, and to the State law under which they were established.

I feel that this language protects not only Colorado, but the rights of other States in a similar situation.

Mr. STUCKEY. Mr. Chairman, there has been a good deal of discussion this afternoon about the committee version of the bill under discussion, particularly with respect to the flexibility it affords California in its search for stringent, meaningful air pollution control standards.

The bill, as reported by our committee, places the responsibility for prescribing standards for California in the hands of the Secretary of Health, Education, and Welfare. In my judgment, this is a sound procedure. While it will facilitate unified direction and enforcement of the Federal control program, it will, nevertheless, permit those participating in the program to deal with a single agency.

HEW will be charged with establishing a national program in the area of automobile exhaust emissions. At the same time, it can permit a specific variation from the national controls as required by California. Most importantly, the single administrative responsibility in HEW would tend to reduce the possibility of conflict in administrative interpretation between varying and possibly competing regulatory agencies

I can understand the concern of California with increasing air pollution problems, and I can understand the need for California to give itself the maximum amount of flexibility possible. No one disagrees with California's need to work toward increasingly stringent standards. We hope it will. But the ultimate coordination and thrust of a national program belongs at the national level.

Research, testing, evaluation, and setting of standards is complex enough without legislating parallel or duplicative efforts. If experience is any guide, two administrators of this program would dilute the national objective, diffuse testing and evaluation of new control systems, and eventually result in an increase in costs of the devices themselves—costs borne by every consumer in every State. All these complications are made worse by the problem of patchwork laws affecting American motorists driving interstate.

Since HEW is an agency of the U.S. Government and has the authority under a 1965 act of Congress to set these standards, I urge the House to enact S. 780 as reported by the House Commerce Committee. Why should the California Legislature carry out the role which Congress itself assumed when it passed the Clean Air Act in 1963 and the 1965 amendments thereto governing auto pollution.

I have confidence in the committee-passed bill, and I feel that the national interest—and that means every State's interest—will be best served by our support of the legislation before us.

Mr. LLOYD. Mr. Chairman, the issue as to whether or not the original air pollution legislation of 1963 was most effectively drafted to retain and insure the desired initiative and participation by State and local government was resolved with the enactment of that original legislation in 1963.

The mechanics of participation by the Federal Government as presented at that time were enacted into law and the mechanics of basic national policy are, therefore, no longer before us. Our challenge now is to move ahead in a realistic manner which will improve healthy habitation in the United States.

We cannot afford to gamble with polluted air. We must take those measures which will insure the acceptance of maximum responsibility at all levels of government. Need for the legislation which is before us today is, therefore, both self-evident and urgent.

There are countless examples of enlightened and effective work by State and local government in the fight for clean air. I am proud, for example, of excellent progress being made in Utah and in my district where the Salt Lake City Air Pollution Committee has a record of which we are very proud. As stated by Mr. Calvin A. Behle, cochairman of the Air Pollution Committee of the Salt Lake Area Chamber of Commerce:

> For years an Air Pollution Committee of the Salt Lake Area Chamber of Commerce has met regularly to note the extent of control, to suggest steps that should be taken to control undue pollution, and to keep informed generally and act on behalf of the public interest to prevent our own cities from ever waking up with smog comparable

to that of Los Angeles. Official recognition was given that Committee, and its continuance was recommended as the central representative and informational group for our State of Utah, by an official report: *Air Resources in Utah*, prepared at the request of the 1961 State Legislature and published and approved by the Utah Legislative Council in June of 1962. The 1963 Legislature pursuant to this report then extended authority to our twenty-nine counties to pass and enforce ordinances dealing with air pollution in a manner comparable with the authority previously granted to cities. Air pollution was defined as a public nuisance as well as a crime, with the City and County municipal authorities authorized to bring appropriate abatement, injunctive and criminal proceedings.

It was also determined that for Utah, the State Department of Health should be the appropriate agency to be charged with responsibility closely to follow the air pollution situation in our State; and by means of sampling programs and close cooperation with local governments, State Universities, industries and other agencies, to keep abreast of the problem. A special Advisory Committee to the Director of the State Department of Health was appointed by the Governor; and it has functioned, primarily in the beryllium testing field.

In addition, special studies have been made by the League of Women Voters, resulting in their own constructive report, *What's in the Air?* released in February, 1966. A study of air pollution in Salt Lake County has recently been completed for ultimate publication by the Community Services Council, as a part of its overall evaluation of the environmental health conditions in this County.

The State Board of Health with the cooperation of the U.S. Public Health Service has assembled a radiological laboratory at a cost of some $150,000.00. Our Board's measurements originating in July, 1962 with the emissions from Frenchman's Flat, and accompanying studies, have resulted in Utah being the leading State of our country in its measurement and knowledge of effects of radioactive fall-out.

In addition, Salt Lake County and Salt Lake City have now made a beginning by setting up a new joint committee for the study of air pollution.

This bill provides for control of air pollution on a regional basis, with States having the primary responsibility for establishing air quality standards and enforcement plans consistent with criteria and technological data furnished by the Federal Government. It would also allow Federal intervention in setting and enforcing standards if a State fails to take reasonable action. And finally, it continues the major activities provided for in the original Clean Air Act.

I support this legislation.

Mr. **BOLAND**. Mr. Chairman, the Congress has taken a leadership position in the abatement of air pollution since 1963. The legislation which we are considering today is one more important step of authorizing and funding the activities of Government which must assure collective stewardship of the air we breathe individually.

This 1967 act is necessary, not because previous legislation is deficient, but because we know so much more about air pollution. The act will enable us to fully utilize new information on cause and effect relationships between contaminants and damage to human health, crops, property, and esthetic values. We have additional knowledge of terrain conditions which cause unusually severe pollution in local areas; and of weather patterns which bring on the short-term but threatening episodes such as the east coast and New York City smog just a year ago. We have new abatement technologies to deploy in industry, space heating, electric power, and municipal incineration. New and strengthened institutional concepts have arisen to deal with air regions which cross political boundaries.

The 1967 act takes these facts into consideration with the existing law and integrates both in a strong Federal program.

Air pollution is not just one problem. It is a complex of waste management, economic feasibilities, personal liberties, and technology—all of which affect the atmosphere. Each different pollutant has its own chemical and biological consequences. Each combination of pollutants is a unique problem for air quality. This Nation is so large and diversified that even closely neighboring regions may find widely varying requirements to keep their air clean.

Therefore, this bill rejects any hasty and unsupported move toward uniform nationwide standards for emissions from stationary sources. It calls for a definition of air regions and an enforcement procedure which avoids arbitrary State and local jurisdictional lines. It exhorts the Department of Health, Education, and Welfare to produce scientifically sound criteria by which to judge air quality. Both industry and Government are joined in defining these numerical relationships so that equitable enforcement can be obtained. Abatement technology which is effective in relation to its cost will be developed under the research program of this act.

Only by considering the complexity of individual air pollution problems, can we eventually achieve the goal of nationwide quality where each American enjoys the vital breath of life. That consideration is afforded by the Air Quality Act of 1967.

Mr. **BOB WILSON**. Mr. Chairman, I rise today in support of the Murphy amendment, unanimously supported by the entire California delegation, which would permit the State of California to establish more stringent auto pollution standards than those contained in the proposed Air Quality Act of 1967.

California years ago took the lead in efforts to combat one of the greatest health hazards plaguing our cities today—smog. We are not proud of the fact that Los Angeles' smog is world famous, and we have been making a concerted effort to control the major source of this pollution, auto exhaust emissions. In some areas of our State, autos account for 90 percent of the air pollution.

The Air Quality Act is a commendable, and much-needed piece of legislation. Many of the provisions of the bill are modeled after California's standards and we in California are most pleased that the Federal Government is about to embark on this crucial enterprise. The Air Quality Act would set the standard for emission control at 275 parts per million of hydrocarbons. California plans to drop this to 180 parts per million in 1970 and 100 parts per million in 1975, realizing the severe health threat posed by any further air pollution. According to Dr. Joseph F. Boyle, president of the Los Angeles County Medical Association:

> A critical and worsening health crisis exists in Los Angeles County despite all efforts for its control. The pending crisis is imminent and demands that every appropriate action, however drastic be taken immediately. No further delay can be tolerated with safety.

On behalf of the millions of residents of California, I ask my colleagues in the House not to force us to take a step backwards in our fight against smog. We ask that California be exempted from the Air Quality Act. If we sought this exemption because we could not meet the minimum standards, the House should give no consideration whatsoever to our request. However, the Murphy amendment we ask for would merely allow California to adopt much higher standards, which hopefully the Federal Government will want to adopt in the near future. Our needs are too urgent now: I ask my colleagues in the House not to penalize excellence.

Mr. **HALPERN**. Mr. Chairman, I rise in support of this bill and wish to commend both the majority and minority on the committee for its painstaking and thorough work in coming up with an effective, meaningful bill.

I do regret, however, that the State limitation in the bill has been reduced from 12½ to 10 percent, and I hope that the legislation can be amended to restore the limit to the original percentage, or at least to give the Secretary some flexibility in reallocating a portion of the unused funds when exceptional local circumstances warrant it. I also have strong reservations about provisions in section 102, subsection (c) and in section 208, which I will discuss later in my remarks. In balance; though, this is a good bill and I trust we can further improve it on the floor today. As one long concerned with the grave problem of air pollution in my own city of New York, and in other areas of our country, I have sponsored several bills dealing with atmospheric pollution, including H.R. 12098, similar to the original S. 780, an amended version of which is now before us.

The quality of the air we breathe has deteriorated in small increments over a long period of time. We have been slow to recognize just how badly the atmosphere has been contaminated. The gradual increase in industrial activity, automobile population, municipal incineration, and electric power production has enabled us casually to forget what a sweet, clean breath is like. The crowding into cities has brought many more persons in under the clouds of smog and the discomfort has been accepted as the price of progress.

But now the public has begun to weigh the social costs which accompany the use of air as a waste disposal medium. We are beginning to value the benefits of a dirt and odor-free atmosphere. The health effects from specific pollutants are beginning to be pinned down.

Some dramatic episodes such as the New York City smog on last Thanksgiving Day have taught a lesson which no amount of public service advertising or clean air week speeches could do.

As an example, the recent change of traffic in Sweden gives a useful insight. The cars and trucks were to switch from driving on the left side to the right side of the road. As a means of introducing the new system, the first day only taxis and buses were allowed to operate. The reduction in air pollution was quite noticeable to every citizen in the major cities. It was as if civilization had been rolled back 25 years—at least in terms of the vital air which they were breathing.

Another impact is being felt as the economic costs of pollution abatement become apparent. This year, the buyer of a new car will pay about $50 extra for exhaust control modifications to the engine. In Montana a phosphate plant has been shut down until suitable equipment to contain fluoride emissions can be installed. Additional trash trucks are on order for New York City because apartment house incinerators cannot operate without polluting the air.

We are on the move to restore and maintain air quality. And legislation must also move to accommodate to new technical information and new political requirements. That is what this bill is all about.

I am particularly enthusiastic about the provisions in the 1967 act which establish the sequence of action for clean air. We are not jumping to arbitrary emission control standards to satisfy an emotional response. Rather the bill sets up a stepwise procedure much like that followed in bringing water pollution under control.

First air quality criteria are established. These scientific quantitative relationships are needed to tell us what damage—to health, property, or esthetic values—is caused by a given concentration of pollutant which is present for a given time.

Next, society is asked to weigh the costs of abatement against the costs of dirty air and choose an ambient air quality standard. This number states the maximum amount of a contaminant which will be allowed in the atmosphere for a certain locality—in order to hold the damage down to the level selected from the criteria. Variations in weather, regional economics and geography can all be taken into account to assure that the ambient air quality standard is suitable for the area.

Finally, the emission sources are identified and controlled so that they do not release an aggregate amount of contaminant which would exceed the ambient air quality standard.

I am also pleased that the act strongly supports more research. We are not waiting for refinements of scientific data before acting. Indeed, there is much more well justified work to do than we have money for right now. However, we will need more knowledge of cause and effect relationships in human health—in order to establish criteria which will lead to legally enforceable standards. We will need new abatement techniques and devices to make pollution control cheaper and to deal with some contaminants which are not now controllable at all.

In addition to research, the act calls for wide dissemination of recommended control techniques. The fact that a feasible abatement method exists can become a powerful tool in the hands of local control officials. The industry which is reluctant to meet standards can be shown how other similar plants are handling the problem elsewhere. A dissemination program should also eliminate duplication of expensive and time-consuming technical development work.

The act provides for a study of the pollution from aircraft engines. Although this source may not account for a large percentage of the total material spewed into an air mass, those of us who live under a flight path are well aware of the increased soiling which aviation can cause. We need to get the facts on this narrow but important aspect of air pollution.

Mr. Chairman, as I have stated, I am very much in favor of the bill in general. However, when the bill is opened for amendments after this general debate I intend to offer an amendment to allow for a more realistic allocation of funds.

Also, another phase of the bill that gives me strong reservations is section 102, subsection (c), which proports to encourage, and provide for, the formation of new regional and interstate agreements. These types of agreements are very vital to the solving of air pollution problems among the various States. For example, my own State, New York, is affected by the air pollution problems of its neighbor, New Jersey, and it is only logical that these two States ought to be able to work together under a formal agreement.

As I see it, subsection (c) of section 102, could hinder, rather than promote, regional agreements. It states:

> (c) It is the intent of Congress that no agreement or compact entered into between States after the date of enactment of the Air Quality Act of 1967, which relates to the control and abatement of air pollution in an air quality control region, shall provide for participation by a State which is not included in such air quality control region.

While this provision does not appear terribly restrictive when read in the context of the ordinary concept of a "regional" association of States, under this bill, read as a whole, the measure becomes a definite restriction upon the ability of the States to associate themselves for cooperative efforts to control pollution. The air quality control regions under this act are to be established by the Secretary of Health, Education, and Welfare, on considerations of jurisdictional boundaries, urban-industrial concentrations, and "other factors including atmospheric areas."

Thus, States deemed by the Secretary to be in different regions, perhaps because of different patterns of wind currents, could be precluded from joining together in compacts or other associations for prevention and control of pollution. This may occur in spite of the expressed emphasis in the balance of section 102 on cooperative action among the States and on the primary responsibility to States and local governments for combating pollution.

Mr. Chairman, if my conclusions are correct, I consider this subsection an infringement on the rights of each State, or group of States, to determine what is best for it in the area of air pollution. I feel subsection (c) is unnecessary and undesirable.

And finally, I also have apprehensions about section 208 which may provide that Federal regulations preempt State control of motor vehicle emissions. Mr. Chairman, it is evident to me that each State ought to retain the right to control motor vehicle emissions at the State level and to have authority, if found necessary, to set emission regulations more stringent than those currently proposed at the Federal level. For that reason, I intend to strongly support the proposed amendments which will allow State control in this area.

Apart from these reservations, I urge the passage of this bill—a needed additional congressional contribution to the fight for clean air.

Mr. DANIELS. Mr. Chairman, I rise in support of the amendment offered by the gentleman from California [Mr. Moss] and I should like to congratulate him and all Members of the delegation from the Golden State for their concern over the problem of air pollution.

Because I have the honor to represent a constituency across the Hudson River from New York City, I am sure that I can tell all Members of this House a few things about air pollution.

I think that a very excellent letter which appeared in the Jersey Journal, a leading newspaper in northern New Jersey, on October 31, 1967, is very eloquent testimony as to the voice of the people in northern New Jersey.

Mrs. Lilliam Allan is one of the most respected figures in Jersey City and has been a tireless battler for a great many good causes. This week she wrote to the Jersey Journal, in part, as follows:

> This morning I woke up gasping for breath. I closed the window as the air was full of pollution. At breakfast my husband remarked that coming home from work he could see the yellow haze of air pollution on the meadows and hanging low in the air.
>
> We have to make up our minds. What is more important, industry or the good health of the people?

Mr. Chairman, Mrs. Allan's question is very much to the point in terms of today's debate. What, indeed, is more important, the people's health or industry?

The State of California, where the problem of air pollution very literally threatens the survival of large sections of the State, has shown the way in fighting air pollution caused by automobile engines. We in the rest of the Nation have much to learn from this State.

Mr. Chairman, I would like to see more States, including my own, follow the lead California has taken. Feeling this way, I shall not be a party to defeat the forward-looking efforts of one State to solve its most pressing problem. Therefore, I am going to vote for the California amendment. It may be a long way from Hoboken at the gateway to New York Harbor to the Golden Gate, but the gentlemen from California have my support and the support of every right-thinking person in the State of New Jersey.

Mr. DEL CLAWSON. Mr. Chairman, today's debate has focused attention upon the emissions of the automobile exhaust as a prime contributor to air pollution. During the past several years the automobile has also been the target for many critics because of the tragic holocaust of accident and death on the highway. Government, the automobile industry, and the people who drive are keenly aware of the immediate need for quality standards of safety if we are to remedy the hazards of living in the age of a motorized society. Our efforts have been directed to many safety features in the past few months. The safety glass of windshields and car doors, steering gear, tires, seat belts, cushioned dash boards, adequate brakes, and so forth, are subject to high standards for highway safety in driving. Perhaps the most critical of all automobile safety devices necessary for the health and stafety of our people, particularly in those smog-prone localities, is the control device for automobile exhaust. The illness rate, deaths, general sickness, and discomfort that result from smog and air pollutants among the people who reside in these areas are sufficient evidence to warrant the installation of such devices as standard equipment where the problems exist. In my opinion a smog-control device should be immediately classified and labeled as a safety device, a safety feature required for the health and well-being of our people.

The peculiarity of the smog problem and its serious attack in only certain areas of our country justifies special and specific remedial methods. For California to attempt to impose the added cost of smog devices on all automobiles sold in the country is certainly unjustified and unnecessary. However, California should be free to establish standards for this death-dealing health hazard, especially since the people of California will pay the cost and administer their own program with no cost to the Federal Government or the citizens of any other State. The automobile industry itself will be paid for the increased expense for all installations of smog devices. Mr. Chairman, I heartily endorse the so-called Murphy amendment to the legislation before us today and urge its adoption when offered by the gentleman from California [Mr. Moss].

Mr. DONOHUE. Mr. Chairman, for the past several years the Congress has been rightfully and seriously concerned with the problem of air pollution, which has now become a major national danger.

This measure now before us, S. 780, represents a further important legislative step forward in more adequately meeting this danger and protecting the lives and safety of many millions of American citizens.

This current legislative proposal combines the proven values in existing programs with the additional information that has become currently available through technical probings and analyses of the factors involved in the pollution problem for the projection of a more effective corrective and containment program.

Air pollution, which is already serious in its adverse effects upon human health, certain crops and some types of property, is worsening in direct proportion to the Nation's economic and urban population growth and its continuing technological progress.

Of paramount importance, of course, are the great dangers to public health and the most authoritative evidence and testimony that has been presented and reviewed here this afternoon clearly shows that we are today faced with a most disturbing and frightening picture of a major health menace which threatens to continuously increase unless more vigorous measures are taken to contain it.

All of us here are, of course, especially in this challenging period, vitally concerned, as we should be, about prudent spending of the taxpayers' money. I submit that expenditures of our citizens' own money to protect their own lives and the lives of their family members obviously merits being placed at the very top of any priority expenditures listing. The actual appropriations recommended in this measure are entirely reasonable by any standards, the purposes of the bill are unquestionably in the great public interest and the need is increasingly urgent. Therefore, I hope that this bill will be approved without extended delay.

Mr. FASCELL. Mr. Chairman, all America is aware of the great danger to health and safety that air pollution presents. Further, as the Nation's economic and urban population, as well as its advancing technological know-how, increases, the pollution of the air heightens. Without proper legislation, this problem will continue to grow. It is for these reasons that I direct my full support to the passage of S. 780, the Air Quality Act of 1967.

Although Florida in general, and the Miami area in particular, have a low, national air pollution rate, I know that we are the exception rather than the rule. From Buffalo to Los Angeles, the need is great for Federal research and assistance in curbing the germ-filled dangers of industrial and automobile exhaust fumes which fill the air.

Each State is plagued with different problems and should be allowed the opportunity to correct them. If they are remiss, however, the Federal Government should be authorized to take over the solution of the problem. S. 780 provides for this give-and-take between National and State agencies.

The solutions of international crises found by the United States become minimized when such a basic domestic problem as clean air is not alleviated or at least diminished.

I urge my colleagues to join with me in the support of S. 780, the Air Quality Act of 1967.

Mr. GALLAGHER. Mr. Chairman, over 2,000 years ago, Seneca referred to "the heavy air of Rome and the stench of its smokey chimneys." On January 30, 1967, President Johnson warned the Congress that " 'ordinary' air in New York, as in most large cities, is filled with tons of pollutants."

While Seneca was exercising primarily an esthetic judgment, President Johnson was talking about a condition which, over the Thanksgiving weekend of 1966, killed 80 people and caused untold suffering to many more in the New York metropolitan area.

Mr. Chairman, I rise to support the Air Quality Act of 1967. More than any previous act passed by Congress, this legislation recognizes that manmade pollution does not respect manmade political boundaries. Natural air currents blow this unnatural debris from city to city, from county to county, from State to State, and in some case, from nation to nation.

So it must be admitted that air pollution is a truly national problem. The Federal Government has long been concerned with air pollution and I feel that much of the nationwide outcry to clean up the air is a result of the education and pioneering efforts in Washington. We have recognized our responsibility to do something about the Nation's air and the Air Quality Act of 1967 is another attempt, by the Federal Government, to take action in behalf of all the citizens. Pollution need not be the price of prosperity. If this Nation were not industrialized and urbanized, there would be little reason to be concerned about sanitizing the air. The automobile has become a symbol of affluence, but its uncontrolled use has contaminated the countryside a well as the air we breathe. A smoking chimney was, at one time, regarded as a sign of a healthy economy; it is now regarded as the sign of a soon-to-be sick society. Indeed, we have identified certain diseases—lung cancer and chronic chest conditions are the most widely known—that owe their existence in such epidemic proportion, to the poisons that we ourselves have allowed to become a part of everyday life.

I do not believe that it is possible to dispute any further the clear relationship between cigarettes and cancer. Yet all we have been able to do about this is to have a warning on cigarette packs. But by allowing industries and autos to continue to pollute our atmosphere we are doing to our society the same thing we would do to ourselves when we light a cigarette. I hope that the Air Quality Act of 1967 will be more effective than the warning on cigarette packs. Until I read the statistics which showed an increase in smoking since the Surgeon General's report, I had considered offering an amendment which would have paid for skywriters to fly over our major urban areas and spell out: "Caution: Breathing This Air May Be Hazardous to Your Health."

This act is a result of the failure of States to unite to take action against air pollution. The Clean Air Act of 1963 provided three Federal dollars for every one local dollar which was spent to establish regional airsheds. President Johnson has pointed out that this generosity did not result in the establishment of a single effective and meaningful compact which was put into operation. Unfortunately, the attempts to mount regional action and concern between States often resulted in one local official waving his sooty fingers in front of the sooty face of an official from another locality. In spite of its widely heralded advance billing, the New York/New Jersey Pollution

Control Conference produced very few positive results. Officials of both States clamped down the visor on their own armour and rushed pellmell into battle to defend their own fiefdom from attack, and the Hudson River was treated by both parties as some sort of a moat.

I do not single out the New York/New Jersey conference for any special blame. Almost the same thing has happened everywhere the formula of voluntary cooperation has been tried. The Air Quality Act of 1967 is a recognition that State lawmakers have too much interest in their own "territorial imperative" to do the imperative job of cleaning the air.

After the Secretary of Health, Education, and Welfare has established atmospheric areas and air quality control regions, he will then develop and issue air quality criteria and recommend control techniques to achieve levels of air quality sufficient to safeguard the health of the citizens within the regions. This is the essence of the Air Quality Act of 1967 and it will meet, in my judgment, the clearly established failure of the States to cooperate. He will also have the power to see that his standards are complied with by initiating enforcement action at the Federal level.

By creating enforceable standards at a Federal level, I feel that a great step forward has been taken. Let us consider these two aspects of the legislation under discussion a little more closely, because there is sure to be the traditional cry to which Congress has been overresponding recently, that all actions must be controlled within a State.

First, there is the matter of standards. These emission control levels for identified pollution sources are long overdue. The Department of Health, Education, and Welfare has done a fine job of educating the public and it has an opportunity to again be the major focal point of the campaign against dirty air by establishing intelligent and workable standards for these specific pollutants within specific regions. Many large industries have already been identified as a major source of pollution and one is tempted to say that they will not spend any money just to improve their public image. But this is obviously not true. Private concerns spend millions of dollars each year in public relations and advertising: a seemingly endless flow of gaudy brochures and press releases hailing significant breakthroughs. These national efforts of companies must be brought into the local picture, for the people who live around industrial plants get a much more lasting and constant image. Their paint peels from their houses, their flowers wither and die, the common cold becomes consistent, and uncommon congestion and death frequently results.

Air pollution control must be made just as much of a standard operating expense as is the advertising budget. Industry can be made to act and in its own interest it must be made to act. There will naturally be cries of prohibitive cost, but skimming a little history might be informative. When the child labor laws were forced upon unwilling industries, there were dire predictions of ruinous expense. Doors had to be remade so adults could pass through, for example. Yet an aroused public demanded action and this inhumane practice was stopped. I am sure that industry will be able to meet intelligently drawn standards and yet still meet its payrolls.

By allowing the Federal Government to initiate enforcement procedure, another very significant step has been taken. Once again, a little history may make the problem easier to understand. When the Supreme Court outlawed segregated schools in 1954, there were firm statements from many local officials that integration would never take place in their areas. Now we see how people who once vowed implacable opposition have actually allowed Negroes and whites to go to school together. While integration has not proceeded as fast as many of us had hoped, it is a fact that massive resistance has been replaced by a resigned sigh.

If pollution standards are realistically drawn and effectively enforced on the Federal level, the local men will be freed from a crushing dilemma. He can say that he really does not want to fine or close down the plant—or integrate the school in our historical example—but the law is the law and it must be obeyed. It is all too easy for a powerful local industry to refuse to comply with regulations established within its own community, and by enforcing standards set by the Federal Government, this arrogant stand can be controlled.

Once industry can be made to realize that pollution abatement is a necessary cost of doing business, it is so inventive and so creative that it can do the job. For example, Detroit said for years that there was no smog control device for automotive exhausts. Yet, when California passed its laws, it was only a short time before an inexpensive device was ready. Further, the strict Los Angeles law enforcement caused 64 previously unknown pollution control inventions to be made in a short time. The byproducts frequently paid for the cost of their installation. When faced with a firm requirement to consider social costs as well as production and distribution costs, American industry is amazingly capable of solving problems.

Mr. Chairman, unless we wish to view the future through gas masks, the House must today pass the Air Quality Act of 1967.

Mr. RODINO. Mr. Chairman, I rise in support of S. 780, the Air Quality Act of 1967. Since 1963 we have made important strides toward trying to reverse the upward trend of air pollution in our Nation. We have supported local air pollution programs, as well as State and interstate programs. But in spite of this the problem is getting worse, not better.

There is no question now that we must have a real cooperative movement on the part of all concerned.

This is a very important piece of legislation, and while it does not contain everything we would like, it is a good bill and a strong bill. It will, however, require the greatest effort on the part of the States to make sure that standards of air quality to protect the health of our people are rapidly established and enforced.

Our poisoned air must be made clean. As the President's message on air pollution pointed out:

> The poisons of air pollution aggravate respiratory problems in man—asthma, bronchitis, lung cancer and emphysema. Emphysema, a lung disease, is one of the fastest growing causes of death in the United States today. And it forces more than a thousand workers into early retirement every month.
>
> Polluted air corrodes machinery. It defaces buildings. It may shorten the life of whatever it touches—and it touches everything.
>
> This is not a problem of our largest cities alone. Weirton, W. Va., and Gary, Ind., are two among many communities that suffer days when the sun seems a pale orange ball hidden in a noxious cloud. Small towns, farmlands, forests—men, animals, and plants—are all affected by the waste we release into the air.
>
> The economic loss from pollution amounts to several billions each year. But the cost in human suffering and pain is incalculable.
>
> This situation does not exist because it was inevitable, nor because it cannot be controlled. Air pollution is the inevitable consequence of neglect. It can be controlled when that neglect is no longer tolerated.
>
> It will be controlled when the people of America, through their elected representatives, demand the right to air that they and their children can breathe without fear.

Earlier this year the States of New York and New Jersey, in conjunction with the Federal Government, agreed to form the Mid-Atlantic States Air Pollution Control Commission compact. This compact was conceived at a time when the original administration bill was pending. The House Committee on Interstate and Foreign Commerce reported the Air Quality Act of 1967 several weeks ago, and its criteria and standard setting provisions are somewhat different from those of the original administration bill. In general, however, the Mid-Atlantic States compact's provisions would still mesh reasonably well with the Air Quality Act, if it is agreed to by the Congress and the President. The Federal Government may find that several reservations might be required because of the changes in the Air Quality Act in order to make the act and the compact compatible. It seems reasonable to hope that just as soon as congressional action on the bill is completed, we can expect rapid action on the part of the administration as to agency reports on the compact. We need both entities, and I am hopeful that the passage of this bill will speed enactment of the compact, for one is the logical extension of the other.

There is no question as to the commitment of the Congress to the abatement of air pollution. There is also no question of the desire of New Jersey and New York to move positively and rapidly to obtain relief for the citizens of these States. I am sure that with the cooperation of these States and the Federal Government, we can do the job that is so urgently needed.

Mr. CORMAN. Mr. Chairman, I support the amendment proposed by my colleague from California, JOHN MOSS, to permit California to keep on running its own program for auto-caused air pollution, and I urge the support of the other Members of the House for this amendment.

The purpose of this amendment is not to create an unnecessary burden or expense for residents of States which do not have a strong air pollution problem, but rather to permit the people of California, who face a smog problem of the greatest magnitude, to exercise their police power over their own automobile owners in an effort to control pollutants caused by their automobiles.

The uniqueness and the seriousness of California's problem is evident—more than 90 percent of the smog in our urban areas is caused by automobiles, and in the next 15 years the number of automobiles in the State will almost double. This is not the case in most other States. That is why other States have not set or enforced such stringent standards for automobile emissions as we have.

Californians were the first in the country to recognize the automobile smog problem. We recognized long ago that we must have more stringent standards than the 1966 national standards, for example, or else face, by 1975, automobile-caused smog which would render our State uninhabitable.

Californians are willing to bear the extra expense required for air pollution control devices on our automobiles. We have been gratefully doing so for some time now, for we are indeed desperate to rid ourselves of this health menace. We only want the opportunity to continue to do so.

Mr. BLATNIK. Mr. Chairman, air, like water pollution, is not going to disappear unless we have an all-out, concentrated effort to abate this menace. The air pollution threat to the health of our fellow citizens is a very real thing. A parade of witnesses has documented this case over and over again. It is time we accept the facts and move on with an abatement program that is in keeping with the task at hand. The health menace of air pollution alone should drive us to immediate action on every front.

Our expanding population, the proliferation of sophisticated chemicals and the constant new means of manufacturing all combine to make protection of our air supply an even more vital concern. We have long acknowledged the problem. It is time we take concrete corrective action on air pollution abatement and I am proud, Mr. Chairman, to rise in support of this legislation.

Mrs. DWYER. Mr. Chairman, the pending Air Quality Act of 1967, I believe, represents the broadest and potentially most effective attack the Congress has yet launched against one of our most dangerous natural enemies—the pollution of the air we breathe. I urge our colleagues to join in giving this legislation the overwhelming support it deserves.

I shall not take the time of the House to describe the hazards of dirty air. They are already depressingly well known to all of us, especially those who represent areas subject to pollution and to the air inversions which capture and intensify the harmful effects of pollutants. The Record has been full of the evidence which has contributed to the present sense of national urgency about arresting the growing threat, and I would refer at this point to only one of several statements I have previously made on the subject—an article I wrote for the New Jersey Education Review which was printed in the Record of February 3, 1966.

As one who represents a district within the Metropolitan New York-New Jersey region, I have been all too familiar with the problems of air pollution for many years, and during my service in the New Jersey State Assembly I was instrumental in enlarging the jurisdiction of the interstate sanitation commission to deal with the problem. I am, therefore, deeply gratified that the Congress is moving forward and taking effective steps to protect our people from premature death and disability.

Under the Clean Air Act of 1963 and its amendments of 1965 and 1966, Mr. Chairman, we have made important progress in combating air pollution. State and local activities have been increased. Federal abatement action in interstate areas has been undertaken, national standards for the control of motor vehicle pollution have been promulgated, and research in methods of pollution control has been stimulated. Nevertheless, these activities have been too limited, too local, and too slow. The sources and effects of air pollution have exceeded our efforts to control them.

The present legislation offers a real possibility that we may yet reverse the imbalance—and in time to prevent future disasters. Under this bill, all the resources presently available to the Government would be continued. In addition, however, new weapons would be added to improve air quality standards, to encourage regional planning and control activities, to increase financial support for such activities, to stimulate non-Federal agencies to exceed Federal standards and achieve higher levels of air quality, to undertake new studies leading to more effective control, better trained manpower, and more reliable information about every aspect of air pollution.

The principal significance of this bill, Mr. Chairman, as I see it, is that it recognizes the regional, as opposed to local, character of air pollution, that it equips the States and the Federal Government with greater resources to combat pollution, and that it provides for enforcement on the national level if reasonable action to comply with necessary standards should not be taken at other levels.

The health and welfare of our people are at stake, Mr. Chairman. We can no longer afford half measures in the face of galloping pollution. Either we control pollution with reasonable measures and effective cooperation or we invite severe disasters and stringent public action in the future. There is not, according to the committee report, a single major metropolitan area in the country which does not have an air pollution problem. There are few, if any, areas where control is adequate under existing conditions. And there is no place in the country where greater problems—from more automobiles, more people, more power—do not lie ahead. We all know these basic facts. We can never again plead ignorance.

Mr. HORTON. Mr. Chairman, I am pleased to rise in support of the Air Quality Act of 1967. This bill, like H.R. 698, the air pollution control measure I introduced on the first day of the 90th Congress, recognizes that air pollution is a problem which disregards the jurisdictional bounds of States and local government units. To effectively mount an attack on air pollution we must develop administrative units the dimensions of which are determined by geographic factors, prevailing wind currents, and certain other atmospheric conditions.

I am pleased that we are acting at this early date to adopt such a regional approach to combat air pollution. Had we acted earlier to adopt a regional approach in the fight against water pollution we might not now be confronted with a water quality crisis.

Under this bill the Secretary of Health, Education, and Welfare will promulgate air quality criteria for the various regional air sheds and the States will establish and enforce air quality standards. This partnership of State and Federal Governments is similar to the partnership which has been formed to combat water pollution. I am confident that it will prove equally effective.

Part of the reason I am confident we will be successful in our fight against air pollution is the fact that an ever-increasing number of industries are committing vast sums of money to the fight. In the congressional district which I represent the Rochester Products Division of General Motors and the Eastman Kodak Co. have this year made multimillion-dollar investments in air pollution control equipment. Many other industries in the district have also recognized their social responsibility and made investments in pollution abatement equipment that, although smaller in dollar amount, are proportionately as significant.

I take this opportunity to call to the attention of my colleagues H.R. 11452, a bill which I introduced earlier this year to encourage the construction of water and air pollution abatement facilities by allowing a double investment tax credit for investments made in such facilities. Enactment of this legislation would do much to encourage the further cooperation of business and industry and ease the financial burden on those firms which join in the pollution fight.

The bill before us today, farsighted and responsible action by business and industry, and additional legislation such as the bill I have just mentioned can be combined to purify the air upon which we all depend. I urge my colleagues to join me in supporting this much needed legislation.

Mr. GILBERT. Mr. Chairman, I rise in support of the Air Quality Act to provide systematic pollution control on a regional basis. I was one of the original sponsors of this proposal.

The intentions of the bill are good: To primarily pave the way for the control of all pollution problems on a regional basis in accordance with air quality standards and enforcement plans developed by the States.

This is an important step toward combating one of our country's most serious problems. The Federal Government is given the role of guidance and providing criterial and scientific information on how to cope with this health hazard. Yet, the States have the responsibility of setting standards and enforcing measures to meet their specific regional standards. The Department of Health, Education, and Welfare will continue current programs for air pollution control and research, but will provide systematic control of air pollution activities on a regional basis, the regions based on such factors as urbanization, industrialization, and topography. Standards of air quality will be tailored to each region, based on criteria presented by the HEW, on which the States will set their own required air quality standards. In emergency situations, where immediate action is required, HEW will have the power to take action. An Air Quality Advisory Board of 15 members to advise and consult with the Secretary of HEW and make recommendations, will be appointed by the President.

Mr. Chairman, I urge my colleagues in the House to join me in voting for passage of the Air Quality Act.

Mr. FARBSTEIN. Mr. Chairman, I rise in support of S. 780, the Air Quality Act of 1967. I support this legislation basically because I believe air pollution is a nationwide problem requiring a nationwide Federal program.

The harmful effects of air pollution on the health of our citizens has been well documented. I have only to cite the singularly tragic incident of Thanksgiving 1966 which resulted in the death of 40 to 80 people in New York City. A stagnant air mass played havoc with the residents of our largest city for 4 days as we stood helplessly by. My own 19th Congressional District is in the very heart of New York. The people there can well attest to the effects of air pollution.

Air pollution affects more than just the public health. It can be put in more basic economic terms, in dollars and cents terms. It has been estimated that air pollution will result in an economic loss of over $11 billion annually. Air pollution means less healthy people, which results in more time away from the job.

But the effects of air pollution are not only local in nature. Polluted air masses hold no city, county, or State boundaries sacred. Pollution in New York, for instance, will directly affect the surrounding areas of New Jersey and Connecticut, and vice versa.

In my opinion, the Air Quality Act offers a positive program for combating air pollution. It authorizes the Secretary of HEW to set up interstate air quality control regions with the Federal Government paying up to 100 percent of the cost for up to 2 years. It further directs the Secretary to establish air quality criteria and to provide the latest information on air pollution control techniques to the States.

The States are expected to carry the fight against pollution. As participants in the air pollution regions, they could set air quality standards and adopt a plan for their enforcement and implementation.

There is a great need for a comprehensive research effort on air pollution. The bill authorizes the Secretary of HEW to initiate a program of research and training. It further directs the Secretary to make the results of this research available to State and local agencies. Such a program prevents duplication of efforts among State and local agencies, yet provides for a responsible and responsive research program on the national level.

Some Members of the House have proposed an amendment to the section establishing Federal motor vehicle emissions standards. This amendment would exempt the State of California from these Federal standards. I oppose this amendment. I oppose giving any one State a special exemption. If any exemption should be made, it should be one exempting all States to establish more stringent standards to take care of special local problems. Essentially, though, I believe establishing motor vehicle standards remains a Federal Government job.

Mr. Chairman, the Air Quality Act provides for a coordinated effort between local, State, and Federal governments to combat air pollution. It authorizes a total of $362 million for a 3-year period to meet that end. I support this bill and urge passage of this important social legislation. We cannot allow air pollution to go unchecked.

Mr. ASHLEY. Mr. Chairman, 4 years ago we launched a national attack on air pollution with the Clean Air Act of 1963. Under this act and its 1965 and 1966 amendments we made great strides in air pollution control. We initiated several interstate abatement actions which will ultimately benefit millions of people; we published standards which are bringing all new automobiles under control beginning with the 1968 model year; we have begun to increase our research efforts and have begun to make progress toward the control of sulfur oxides and other important gaseous pollutants which were once clearly beyond our reach. Through the matching-grants provision of the Clean Air Act, State, and local control programs have been able to increase their budgets from less than $13 million before its passage, to approximately $26 million during the current year.

But as the administration was the first to point out, we have only begun. Last January, in recommending that the Congress adopt the Air Quality Act of 1967, the President said:

> The pollution problem is getting worse. We are not even controlling today's level of pollution. Ten years from now, when industrial production and waste disposal have increased and the number of automobiles on our streets and highways exceeds 110 million, we shall have lost the battle for clean air—unless we strengthen our regulatory and research efforts now.

In the years ahead, air pollution will worsen in direct proportion to the Nation's economic growth, increases in urban population, demands for heat and energy, use of motor vehicles, disposal of refuse, and production and consumption of manufactured goods. Given the fact that all these factors are rapidly increasing, it is reasonable to assume that it will not be long before air pollution reaches truly critical proportions in many parts of the country. To avoid the impending dangers to the Nation's health and welfare, both our research efforts and our regulatory activities must be strengthened. Strong regulatory programs are needed to insure full application of economically feasible methods of controlling pollution at its sources.

The proposed Air Quality Act would strengthen regulatory measures to prevent and abate pollution of the air, and would provide for expanded research on the causes and control of pollution of the air. The bill would also empower the Secretary of Health, Education, and Welfare to make certain that State governments meet their responsibilities.

The Air Quality Act of 1967 would provide the tools and the impetus, the fuel and the thrust to move ahead in a desperate race against catastrophe. The approach is sound. The need is urgent. I strongly support enactment of this bill and urge my colleagues to join in passing it.

Mr. SPRINGER. Mr. Chairman, I have no further requests for time.

Mr. STAGGERS. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for purposes of amendment; and section 2 of such substitute committee amendment shall be read by titles.

The Clerk read as follows:

S. 780

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Air Quality Act of 1967".

SEC. 2. The Clean Air Act, as amended (42 U.S.C. 1857–18571), is hereby amended to read as follows:

"TITLE I—AIR POLLUTION PREVENTION AND CONTROL

"FINDINGS AND PURPOSES

"SEC. 101. (a) The Congress finds—

"(1) that the predominant part of the Nation's population is located in its rapidly expanding metropolitan and other urban areas, which generally cross the boundary lines of local jurisdictions and often extend into two or more States;

"(2) that the growth in the amount and complexity of air pollution brought about by urbanization, industrial development, and the increasing use of motor vehicles, has resulted in mounting dangers to the public health and welfare, including injury to agricultural crops and livestock, damage to and the deterioration of property, and hazards to air and ground transportation;

"(3) that the prevention and control of air pollution at its source is the primary responsibility of States and local governments; and

"(4) that Federal financial assistance and leadership is essential for the development of cooperative Federal, State, regional, and local programs to prevent and control air pollution.

"(b) The purposes of this title are—

"(1) to protect and enhance the quality of the Nation's air resources so as to promote the public health and welfare and the productive capacity of its population;

"(2) to initiate and accelerate a national research and development program to achieve the prevention and control of air pollution;

"(3) to provide technical and financial assistance to State and local governments in connection with the development and execution of their air pollution prevention and control programs; and

"(4) to encourage and assist the development and operation of regional air pollution control programs.

"COOPERATIVE ACTIVITIES AND UNIFORM LAWS

"SEC. 102. (a) The Secretary shall encourage cooperative activities by the States and local governments for the prevention and control of air pollution; encourage the enactment of improved and, so far as practicable in the light of varying conditions and needs, uniform State and local laws relating to the prevention and control of air pollution; and encourage the making of agreements and compacts between States for the prevention and control of air pollution.

"(b) The Secretary shall cooperate with and encourage cooperative activities by all Federal departments and agencies having functions relating to the prevention and control of air pollution, so as to assure the utilization in the Federal air pollution control program of all appropriate and available facilities and resources within the Federal Government.

"(c) It is the intent of Congress that no agreement or compact entered into between States after the date of enactment of the Air Quality Act of 1967, which relates to the control and abatement of air pollution in an air quality control region, shall provide for participation by a State which is not included (in whole or in part) in such air quality control region.

"RESEARCH INVESTIGATIONS, TRAINING, AND OTHER ACTIVITIES

"SEC. 103. (a) The Secretary shall establish a national research and development program for the prevention and control of air pollution and as part of such program shall—

"(1) conduct, and promote the coordination and acceleration of, research, investigations, experiments, training, demonstrations, surveys, and studies relating to the causes, effects, extent, prevention, and control of air pollution;

"(2) encourage, cooperate with, and render technical services and provide financial assistance to air pollution control agencies and other appropriate public or private agencies, institutions, and organizations, and individuals in the conduct of such activities;

"(3) conduct investigations and research and make surveys concerning any specific problem of air pollution in cooperation with any air pollution control agency with a view to recommending a solution of such problem, if he is requested to do so by such agency or if, in his judgment, such problem may affect any community or communities in a State other than that in which the source of the matter causing or contributing to the pollution is located;

"(4) conduct and accelerate research programs directed toward development of improved low-cost techniques for control of combustion byproducts of fuels, for removal of potential pollutants from fuels, and for control of emissions from evaporation of fuels;

"(5) establish technical advisory committees composed of recognized experts in various aspects of air pollution to assist in the examination and evaluation of research progress and proposals and to avoid duplication of research.

"(b) In carrying out the provisions of the preceding subsection the Secretary is authorized to—

"(1) collect and make available, through publications and other appropriate means, the results of and other information, including appropriate recommendations by him in connection therewith, pertaining to such research and other activities;

"(2) cooperate with other Federal departments and agencies, with air pollution control agencies, with other public and private agencies, institutions, and organizations, and with any industries involved, in the preparation and conduct of such research and other activities;

"(3) make grants to air pollution control agencies, to other public or nonpublic private agencies, institutions, and organizations, and to individuals, for purposes stated in subsection (a)(1) of this section;

"(4) contract with public or private agencies, institutions, and organizations, and with individuals, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5);

"(5) provide training for, and make training grants to, personnel of air pollution control agencies and other persons with suitable qualifications;

"(6) establish and maintain research fellowships, in the Department of Health, Education, and Welfare and at public or nonpublic private educational institutions or research organizations;

"(7) collect and disseminate, in cooperation with other Federal departments and agencies, and with other public or private agencies, institutions, and organizations having related responsibilities, basic data on chemical, physical, and biological effects of varying air quality and other information pertaining to air pollution and the prevention and control thereof; and

"(8) develop effective and practical processes, methods, and prototype devices for the prevention or control of air pollution.

"(c) In carrying out the provisions of subsection (a) of this section the Secretary shall conduct research on, and survey the results of other scientific studies on, the harmful effects on the health or welfare of persons by the various known air pollution agents (or combinations of agents).

"(d) The Secretary is authorized to construct such facilities and staff and equip them as he determines to be necessary to carry out his functions under this Act.

"(e) If, in the judgment of the Secretary, an air pollution problem of substantial significance may result from discharge or discharges into the atmosphere, he may call a conference concerning this potential air pollution problem to be held in or near one or more of the places where such discharge or discharges are occurring or will occur. All interested persons shall be given an opportunity to be heard at such conference, either orally or in writing, and shall be permitted to appear in person or by representative in accordance with procedures prescribed by the Secretary. If the Secretary finds, on the basis of the evidence presented at such conference, that the discharge or discharges if permitted to take place or continue are likely to cause or contribute to air pollution subject to abatement under section 107(a), he shall send such findings, together with recommendations concerning the measures which he finds reasonably and suitable to prevent such pollution, to the person or persons whose actions will result in the discharge or discharges involved; to air pollution agencies of the State or States and of the municipality or municipalities where such discharge or discharges will originate; and to the interstate air pollution control agency, if any, in the jurisdictional area of which any such municipality is located. Such findings and recommendations shall be advisory only, but shall be admitted together with the record of the conference, as part of the proceedings under subsections (d), (e), and (f) of section 107.

"GRANTS FOR SUPPORT OF AIR POLLUTION PLANNING AND CONTROL PROGRAMS

"SEC. 104. (a)(1) The Secretary is authorized to make grants to air pollution control agencies in an amount up to two-thirds of the cost of planning, developing, establishing, or improving, and grants to such agencies in an amount up to one-half of the cost of maintaining, programs for the prevention and control of air pollution and programs for the implementation of air quality standards authorized by this Act: *Provided,* That the Secretary is authorized to make grants to air pollution control agencies within the meaning of sections 302(b)(2) and 302(b)(4) in an amount up to three-fourths of the cost of planning, developing, establishing, or improving and up to three-fifths of the cost of maintaining, regional air quality control programs. As used in this subsection the term 'regional air quality control program' means a program for the prevention and control of air pollution or the implementation of air quality standards programs as authorized by this Act, in an area that includes the areas of two or more municipalities whether in the same or different States.

"(2) Before approving any grant under this subsection to any air pollution control agency within the meaning of sections 302(b)(2) and 302(b)(4), the Secretary shall receive assurances that such agency provides for adequate representation of appropriate State, interstate, local, and (when appropriate) international, interests in the air quality control region.

"(3) Before approving any planning grant under this subsection to any air pollution control agency within the meaning of sections 302(b)(2) and 302(b)(4), the Secretary shall receive assurances that such agency has the capability of developing a comprehensive air quality plan for the air quality control region, which plan shall include (when appropriate) a recommended system of alerts to avert and reduce the risk of situations in which there may be imminent and serious danger to the public health or welfare from air pollutants and the various aspects relevant to the establishment of air quality standards for such air quality control region, including the concentration of industries, other commercial establishments, population and naturally occurring factors which shall affect such standards.

"(b) From the sums available for the purposes of subsection (a) of this section for any fiscal year, the Secretary shall from time to time make grants to air pollution control agencies upon such terms and conditions as the Secretary may find necessary to carry out the purpose of this section. In establishing regulations for the granting of such funds the Secretary shall, so far as practicable, give due consideration to (1) the population, (2) the extent of the actual or potential air pollution problem, and (3) the financial need of the respective agencies. No agency shall receive any grant under this section during any fiscal year when its expenditures of non-Federal funds for other than nonrecurrent expenditures for air pollution control programs will be less than its expenditures were for such programs during the preceding fiscal year; and no agency shall receive any grant under this section with respect to the maintenance of a program for the prevention and control of air pollution unless the Secretary is satisfied that such grant will be so used as to supplement and, to the extent practicable, increase the level of State, local, or other non-Federal funds that would in the absence of such grant be made available for the maintenance of such program, and will in no event supplant such State, local, or other non-Federal funds. No grant shall be made under this section until the Secretary has consulted with the appropriate official as designated by the Governor or Governors of the State or States affected.

"(c) Not more than 10 per centum of the total of funds appropriated or allocated for the purposes of subsection (a) of this section shall be granted for air pollution control programs in any one State. In the case of a grant for a program in an area crossing State boundaries, the Secretary shall determine the portion of such grant that is chargeable to the percentage limitation under this subsection for each State into which such area extends.

"INTERSTATE AIR QUALITY AGENCIES OR COMMISSIONS

"SEC. 105. (a) For the purpose of expediting the establishment of air quality standards in an interstate air quality control region designated pursuant to section 106(a)(2), the Secretary is authorized to pay, for two years, up to 100 per centum of the air quality planning program costs of any agency designated by the Governors of the affected States, which agency shall be capable of recommending to the Governors standards of air quality and plans for implementation thereof and shall include representation from the States and appropriate political subdivisions within the air quality control region. After the initial two-year period the Secretary is authorized to make grants to such agency in an amount up to three-fourths of the air quality planning program costs of such agency.

"(b)(1) Whenever the Secretary deems it necessary to expedite the establishment of standards for an interstate air quality control region designated pursuant to section 106(a)(2) he may, after consultation with the Governors of the affected States, designate or establish an air quality planning commission for the purpose of developing recommended regulations setting forth standards of air quality to be applicable to such air quality control region.

"(2) Such Commission shall consist of the Secretary or his designee who shall serve as Chairman, and adequate representation of appropriate State, interstate, local and (when appropriate), international, interests in the designated air quality control region.

"(3) The Secretary shall, within available funds, provide such staff for such Commission as may be necessary to enable it to carry out its functions effectively, and shall pay the other expenses of the Commission; and may also accept for the use by such Commission, funds, property, or services contributed by the State involved or political subdivisions thereof.

"(4) Each appointee from a State, other than an official or employee thereof, or of any political subdivision thereof, shall, while engaged in the work of the Commission, receive compensation at a rate fixed by the Secretary, but not in excess of $100 per diem, including traveltime, and while away from his home or regular place of business, he may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 3109) for persons in the Government service employed intermittently.

"AIR QUALITY CONTROL REGIONS, CRITERIA, AND CONTROL TECHNIQUES

"SEC. 106. (a)(1) The Secretary shall, as soon as practicable, but not later than one year after the date of enactment of the Air Quality Act of 1967, define for the purposes of this Act, atmospheric areas of the Nation on the basis of those conditions, including, but not limited to, climate, meteorology, and topography, which affect the interchange and diffusion of pollutants in the atmosphere.

"(2) For the purpose of establishing ambient air quality standards pursuant to section 107, and for administrative and other purposes, the Secretary, after consultation with appropriate State and local authorities, shall, within eighteen months after the date of enactment of the Air Quality Act of 1967, designate air quality control regions based on jurisdictional boundaries, urban-industrial concentrations, and other factors including atmospheric areas necessary to provide adequate implementation of air quality standards. The Secretary shall immediately notify the Governor or Governors of the affected State or States of such designation.

"(b)(1) The Secretary shall, after consultation with appropriate advisory committees and Federal departments and agencies, from time to time, but as soon as practicable, develop and issue to the States such criteria of air quality as in his judgment may be requisite for the protection of the public health and welfare: *Provided*, That any criteria issued prior to enactment of this section shall be reevaluated in accordance with the consultation procedure and other provisions of this section and, if necessary, modified and reissued. Such issuance shall be announced in the Federal Register and copies shall be made available to the general public.

"(2) Such criteria shall accurately reflect the latest scientific knowledge useful in indicating the kind and extent of all identifiable effects on health and welfare which may be expected from the presence of an air pollution agent, or combination of agents in the ambient air, in varying quantities.

"(3) Such criteria shall include those variable factors which of themselves or in combination with other factors may alter the effects on public health and welfare of any subject agent or combination of agents, including, but not limited to, atmospheric conditions, and the types of air pollution agent or agents which, when present in the atmosphere, may interact with such subject agent or agents, to produce an adverse effect on public health and welfare.

"(c) The Secretary shall, after consultation with appropriate advisory committees and Federal departments and agencies, issue to the States and appropriate air pollution control agencies information on those recommended pollution control techniques the application of which is necessary to achieve levels of air quality set forth in criteria issued pursuant to subsection (b), including those criteria subject to the proviso in subsection (b)(1), which information shall include technical data relating to the technology and costs of emission control. Such recommendations shall include such data as are available on the latest available technology and economic feasibility of alternative methods of prevention and control of air contamination including cost-effectiveness analyses. Such issuance shall be announced in the Federal Register and copies shall be made available to the general public.

"(d) The Secretary shall, from time to time, revise and reissue material issued pursuant to subsections (b) and (c) in accordance with procedures established in such subsections.

"AIR QUALITY STANDARDS AND ABATEMENT OF AIR POLLUTION

"SEC. 107. (a) The pollution of the air in any State or States which endangers the health or welfare of any persons, shall be subject to abatement as provided in this section.

"(b) Consistent with the policy declaration of this title, municipal, State, and interstate action to abate air pollution shall be encouraged and shall not be displaced by Federal enforcement action except as otherwise provided by or pursuant to a court order under subsection (c), (h), or (k).

"(c)(1) If, after receiving any air quality criteria and recommended control techniques issued pursuant to section 106, the Governor of a State, within ninety days of such receipt, files a letter of intent that such State will within one hundred and eighty days, and from time to time thereafter, adopt, after public hearings, ambient air quality standards applicable to any designated air quality control region or portions thereof within such State and within one hundred and eighty days thereafter, and from time to time as may be necessary, adopts a plan for the implementation, maintenance, and enforcement of such standards of air quality adopted, and if such standards and plan are established in accordance with the letter of intent and if the Secretary determines that such State standards are consistent with the air quality criteria and recommended control techniques issued pursuant to section 106; that the plan is consistent with the purposes of the Act insofar as it assures achieving such standards of air quality within a reasonable time; and that a means of enforcement by State action, including authority comparable to that in subsection (k) of this section, is provided, such State standards and plan shall be the air quality standards applicable to such State. If the Secretary determines that any revised State standards and plan are consistent with the purposes of this Act and this subsection, such standards and plan shall be the air quality standards applicable to such State.

"(2) If a State does not (a) file a letter of intent or (b) establish air quality standards in accordance with paragraph (1) of this subsection with respect to any air quality control region or portion thereof and if the Secretary finds it necessary to achieve the purpose of this Act, or the Governor of any State affected by air quality standards established pursuant to this subsection petitions for a revision in such standards, the Secretary may after reasonable notice and a conference of representatives of appropriate Federal departments and agencies, interstate agencies, States, municipalities, and industries involved, prepare regulations setting forth standards of air quality consistent with the air quality criteria and recommended control techniques issued pursuant to section 106 to be applicable to such air quality control region or portions thereof. If, within six months from the date the Secretary publishes such regulations, the State has not adopted air quality standards found by the Secretary to be consistent with the purposes of this Act, or a petition for public hearing has not been filed under paragraph (3) of this subsection, the Secretary shall promulgate such standards.

"(3) If at any time prior to thirty days after standards have been promulgated under paragraph (2) of this subsection, the Governor of any State affected by such standards petitions the Secretary for a hearing, the Secretary shall call a public hearing for the purpose of receiving testimony from State and local pollution control agencies and other interested parties affected by the proposed standards, to be held in or near one or more of the places where the air quality standards will take effect, before a hearing board of five or more persons appointed by the Secretary. Each State which would be affected by such standards shall be given an opportunity to select a member of the hearing board. Each Federal department, agency, or instrumentality having a substantial interest in the subject matter as determined by the Secretary shall be given an opportunity to select one member of the hearing board and not less than a majority of the hearing board shall be persons other than officers or employees of the Department of Health, Education, and Welfare. The members of the board who are not officers or employees of the United States, while participating in the hearing conducted by such hearing board or otherwise engaged in the work of such hearing board, shall be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including traveltime, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703, title 5, of the United States Code for persons in the Government service employed intermittently. At least thirty days prior to the date of such hearing notice of such hearing shall be published in the Federal Register and given to parties notified of the conference required in paragraph (2) of this subsection. On the basis of the evidence presented at such hearing, the hearing board shall within ninety days unless the Secretary determines a longer period is necessary, make findings as to whether the standards published or promulgated by the Secretary should be approved or modified and transmit its findings to the Secretary. If the hearing board approves the standards as published or promulgated by the Secretary, the standards shall take effect on receipt by the Secretary of the hearing board's recommendations. If the hearing board recommends modifications in the standards as published or promulgated by the Secretary, the Secretary shall promulgate revised regulations setting forth standards of air quality in accordance with the hearing board's recommendations which will become effective immediately upon promulgation.

"(4) Whenever, on the basis of surveys, studies, and reports, the Secretary finds that the ambient air quality of any air quality control region or portion thereof is below the air quality standards established under this subsection, and he finds that such lowered air quality results from the failure of a State to take reasonable action to enforce such standards, the Secretary shall notify the affected State or States, persons contributing to the alleged violation, and other interested parties of the violation of such standards. If such failure does not cease within one hundred and eighty days from the date of the Secretary's notification, the Secretary—

"(i) in the case of pollution of air which is endangering the health or welfare of persons in a State other than that in which the discharge or discharges (causing or contributing to such pollution) originate, may request the Attorney General to bring a suit on behalf of the United States in the appropriate United States district court to secure abatement of the pollution.

"(ii) in the case of pollution of air which is endangering the health or welfare of persons only in the State in which the discharge or discharges (causing or contributing to such pollution) originate, at the request of the Governor of such State, shall provide such technical and other assistance as in his judgment is necessary to assist the State in judicial proceedings to secure abatement of the pollution under State or local law, or, at the request of the Governor of such State, shall request the Attorney General to bring suit on behalf of the United States in the appropriate United States district court to secure abatement of the pollution.

"In any suit brought under the provisions of this subsection the court shall receive in evidence a transcript of the proceedings of the hearing provided for in this subsection, together with the recommendations of the hearing board and the recommendations and standards promulgated by the Secretary, and such additional evidence, including that relating to the alleged violation of the standards, as it deems necessary to complete review of the standards and to determination of all other issues relating to the alleged violation. The court, giving due consideration to the practicability and to the technological and economic feasibility of complying with such standards, shall have jurisdiction to enter such judgment and orders enforcing such judgment as the public interest and the equities of the case may require.

"(5) In connection with any hearings under this section no witness or any other person shall be required to divulge trade secrets or secret processes.

"(d)(1)(A) Whenever requested by the Governor of any State, a State air pollution control agency, or (with the concurrence of the Governor and the State air pollution control agency for the State in which the municipality is situated) the governing body of any municipality, the Secretary shall, if such request refers to air pollution which is alleged to endanger the health or welfare of persons in a State other than that in which the discharge or discharges (causing or contributing to such pollution) originate, give formal notification thereof to the air pollution control agency of the municipality where such discharge or discharges originate, to the air pollution control agency of the State in which such municipality is located, and to the interstate air pollution control agency, if any, in whose jurisdictional area such municipality is located, and shall call promptly a conference of such agency or agencies and of the air pollution control agencies of the municipalities which may be adversely affected by such pollution, and the air pollution control agency, if any, of each State, or for each area, in which any such municipality is located.

"(B) Whenever requested by the Governor of any State, a State air pollution control agency, or (with the concurrence of the Governor and the State air pollution control agency for the State in which the municipality is situated) the governing body of any municipality, the Secretary shall, if such request refers to alleged air pollution which is endangering the health or welfare of persons only in the State in which the discharge or discharges (causing or contributing to such pollution) originate and if a municipality affected by such air pollution, or the municipality in which such pollution originates, has either made or concurred in such request, give formal notification thereof to the State air pollution control agency, to the air pollution control agencies of the municipality where such discharge or discharges originate, and of the municipality or municipalities alleged to be adversely affected thereby, and to any interstate air pollution control agency, whose jurisdictional area includes any such municipality and shall promptly call a conference of such agency or agencies, unless in the judgment of the Secretary, the effect of such pollution is not of such significance as to warrant exercise of Federal jurisdiction under this section.

"(C) The Secretary may, after consultation with State officials of all affected States, also call such a conference whenever, on the basis of reports, surveys, or studies, he has reason to believe that any pollution referred to in subsection (a) is occurring and is endangering the health and welfare of persons in a State other than that in which the discharge or discharges originate. The Secretary shall invite the cooperation of any municipal, State, or interstate air pollution control agencies having jurisdiction in the affected area on any surveys or studies forming the basis of conference action.

"(D) Whenever the Secretary, upon receipt of reports, surveys, or studies from any duly constituted international agency, has reason to believe that any pollution referred to in subsection (a) which endangers the health or welfare of persons in a foreign country is occurring, or whenever the Secretary of State requests him to do so with respect to such pollution which the Secretary of State alleges is of such a nature, the Secretary of Health, Education, and Welfare shall give formal notification thereof to the air pollution control agency of the municipality where such discharge or discharges originate, to the air pollution control agency of the State in which such municipality is located, and to the interstate air pollution control agency, if any, in the jurisdictional areas of which such municipality is located, and shall call promptly a conference of such agency or agencies. The Secretary shall invite the foreign country which may be adversely affected by the pollution to attend and participate in the conference, and the representative of such country shall, for the purpose of the conference and any further proceeding resulting from such conference, have all the rights of a State air pollution control agency. This subparagraph shall apply only to a foreign country which the Secretary determines has given the United States essentially the same rights with respect to the prevention or control of air pollution occurring in that country as is given that country by this subparagraph.

"(2) The agencies called to attend such conference may bring such persons as they desire to the conference. The Secretary shall deliver to such agencies and make available to other interested parties, at least thirty days prior to any such conference, a Federal report with respect to the matters before the conference, including data and conclusions or findings (if any); and shall give at least thirty days' prior notice of the conference date to any such agency, and to the public by publication on at least three different days in a newspaper or newspapers of general circulation in the area. The chairman of the conference shall give interested parties an opportunity to present their views to the conference with respect to such Federal report, conclusions or findings (if any), and other pertinent information. The Secretary shall provide that a transcript be maintained of the proceedings of the conference and that a copy of such transcript be made available on request of any participant in the conference at the expense of such participant.

"(3) Following this conference, the Secretary shall prepare and forward to all air pollution control agencies attending the conference a summary of conference discussions including (A) occurrence of air pollution subject to abatement under this Act; (B) adequacy of measures taken toward abatement of the pollution; and (C) nature of delays, if any, being encountered in abating the pollution.

"(e) If the Secretary believes, upon the conclusion of the conference or thereafter, that effective progress toward abatement of such pollution is not being made and that the health or welfare of any persons is being endangered, he shall recommend to the appropriate State, interstate, or municipal air pollution control agency (or to all such agencies) that the necessary remedial action be taken. The Secretary shall allow at least six months from the date he makes such recommendations for the taking of such recommended action.

"(f)(1) If, at the conclusion of the period so allowed, such remedial action or other action which in the judgment of the Secretary is reasonably calculated to secure abatement of such pollution has not been taken, the Secretary shall call a public hearing, to be held in or near one or more of the places where the discharge or discharges causing or contributing to such pollution originated, before a hearing board of five or more persons appointed by the Secretary. Each State in which any discharge causing or contributing to such pollution originates and each State claiming to be adversely affected by such pollution shall be given an opportunity to select one member of such hearing board and each Federal department, agency, or instrumentality having a substantial interest in the subject matter as determined by the Secretary shall be given an opportunity to select one member of such hearing board, and one member shall be a representative of the appropriate interstate air pollution agency if one exists, and not less than a majority of such hearing board shall be persons other than officers or employees of the Department of Health, Education, and Welfare. At least three weeks' prior notice of such hearing shall be given to the State, interstate, and municipal air pollution control agencies called to attend such hearing and to the alleged polluter or polluters. All interested parties shall be given a reasonable opportunity to present evidence to such hearing board.

"(2) On the basis of evidence presented at such hearing, the hearing board shall make findings as to whether pollution referred to in subsection (a) is occurring and whether effective progress toward abatement thereof is being made. If the hearing board finds such pollution is occurring and effective progress toward abatement thereof is not being made it shall make recommendations to the Secretary concerning the measures, if any, which it finds to be reasonable and suitable to secure abatement of such pollution.

"(3) The Secretary shall send such findings and recommendations to the person or persons discharging any matter causing or contributing to such pollution; to air pollution control agencies of the State or States and of the municipality or municipalities where such discharge or discharges originate; and to any interstate air pollution control agency whose jurisdictional area includes any such municipality, together with a notice specifying a reasonable time (not less than six months) to secure abatement of such pollution.

"(g) If action reasonably calculated to secure abatement of the pollution within the time specified in the notice following the public hearing is not taken, the Secretary—

"(1) in the case of pollution of air which is endangering the health or welfare of persons (A) in a State other than that in which the discharge or discharges (causing or contributing to such pollution) originate, or (B) in a foreign country which has participated in a conference called under subparagraph (D) of subsection (d) of this section and in all proceedings under this section resulting from such conference, may request the Attorney General to bring a suit on behalf of the United States in the appropriate United States district court to secure abatement of the pollution.

"(2) in the case of pollution of air which is endangering the health or welfare of persons only in the State in which the discharge or discharges (causing or contributing to such pollution) originate, at the request of the Governor of such State, shall provide such technical and other assistance as in his judgment is necessary to assist the State in judicial proceedings to secure abatement of the pollution under State or local law or, at the request of the Governor of such State, shall request the Attorney General to bring suit on behalf of the United States in the appropriate United States district court to secure abatement of the pollution.

"(h) The court shall receive in evidence in any suit brought in a United States court under subsection (g) of this section a transcript of the proceedings before the board and a copy of the board's recommendations and shall receive such further evidence as the court in its discretion deems proper. The court, giving due consideration to the practicability of complying with such standards as may be applicable and to the physical and economic feasibility of securing abatement of any pollution proved, shall have jurisdiction to enter such judgment, and orders enforcing such judgment, as the public interest and the equities of the case may require.

"(i) Members of any hearing board appointed pursuant to subsection (f) who are not regular full-time officers or employees of the United States shall, while participating in the hearing conducted by such board or otherwise engaged on the work of such board, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including traveltime, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employment intermittently.

"(j) (1) In connection with any conference called under this section, the Secretary is authorized to require any person whose activities result in the emission of air pollutants causing or contributing to air pollution to file with him, in such form as he may prescribe, a report, based on existing data, furnishing to the Secretary such information as may reasonably be required as to the character, kind, and quantity of pollutants discharged and the use of devices or other means to prevent or reduce the emission of pollutants by the person filing such a report. After a conference has been held with respect to any such pollution the Secretary shall require such reports from the person whose activities result in such pollution only to the extent recommended by such conference. Such report shall be made under oath or otherwise, as the Secretary may prescribe, and shall be filed with the Secretary within such reasonable period as the Secretary may prescribe, unless additional time be granted by the Secretary. No person shall be required in such report to divulge trade secrets or secret processes and all information reported shall be considered confidential for the purposes of section 1905 of title 18 of the United States Code.

"(2) If any person required to file any report under this subsection shall fail to do so within the time fixed by the Secretary for filing the same, and such failure shall continue for thirty days after notice of such default, such person shall forfeit to the United States the sum of $100 for each and every day of the continuance of such failure, which forfeiture shall be payable into the Treasury of the United States, and shall be recoverable in a civil suit in the name of the United States brought in the district where such person has his principal office or in any district in which he does business: *Provided*, That the Secretary may upon application therefor remit or mitigate any forfeiture provided for under this subsection and he shall have authority to determine the facts upon all such applications.

"(3) It shall be the duty of the various United States attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of such forfeitures.

"(k) Notwithstanding any other provision of this section, the Secretary, upon receipt of evidence that a particular pollution source or combination of sources (including moving sources) is presenting an imminent and substantial endangerment to the health of persons, and finding that appropriate State or local authorities have not acted to abate such sources, may request the Attorney General to bring suit on behalf of the United States in the appropriate United States district court to immediately enjoin any contributor to the alleged pollution to stop the emission of contaminants causing such pollution or to take such other action as may be necessary.

"STANDARDS TO ACHIEVE HIGHER LEVEL OF AIR QUALITY

"SEC. 108. Nothing in this title shall prevent a State, political subdivision, intermunicipal or interstate agency from adopting standards and plans to implement an air quality program which will achieve a higher level of ambient air quality than approved by the Secretary.

"PRESIDENT'S AIR QUALITY ADVISORY BOARD AND ADVISORY COMMITTEES

"SEC. 109. (a) (1) There is hereby established in the Department of Health, Education, and Welfare an Air Quality Advisory Board, composed of the Secretary or his designee, who shall be Chairman, and fifteen members appointed by the President, none of whom shall be Federal officers or employees. The appointed members, having due regard for the purposes of this Act, shall be selected from among representatives of various State, interstate, and local governmental agencies, of public or private interests contributing to, affected by, or concerned with air pollution, and of other public and private agencies, organizations, or groups demonstrating an active interest in the field of air pollution prevention and control, as well as other individuals who are expert in this field.

"(2) Each member appointed by the President shall hold office for a term of three years, except that (A) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (B) the terms of office of the members first taking office pursuant to this subsection shall expire as follows: five at the end of one year after the date of appointment, five at the end of two years after such date, and five at the end of three years after such date, as designated by the President at the time of appointment, and (C) the term of any member under the preceding provisions shall be extended until the date on which his successor's appointment is effective. None of the members shall be eligible for reappointment within one year after the end of his preceding term, unless such term was for less than three years.

"(b) The Board shall advise and consult with the Secretary on matters of policy relating to the activities and functions of the Secretary under this Act and make such recommendations as it deems necessary to the President.

"(c) Such clerical and technical assistance as may be necessary to discharge the duties of the Board and such other advisory committees as hereinafter authorized shall be provided from the personnel of the Department of Health, Education, and Welfare.

"(d) In order to obtain assistance in the development and implementation of the purposes of this Act including air quality criteria, recommended control techniques, standards, research and development, and to encourage the continued efforts on the part of industry to improve air quality and to develop economically feasible methods for the control and abatement of air pollution, the Secretary shall from time to time establish advisory committees. Committee members shall include, but not be limited to, persons who are knowledgeable concerning air quality from the standpoint of health, welfare, economics, or technology.

"(e) The members of the Board and other advisory committees appointed pursuant to this Act who are not officers or employees of the United States, while attending conferences or meetings of the Board or while otherwise serving at the request of the Secretary, shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not exceeding $100 per diem, including traveltime, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

"COOPERATION BY FEDERAL AGENCIES TO CONTROL AIR POLLUTION FROM FEDERAL FACILITIES

"SEC. 110. (a) It is hereby declared to be the intent of Congress that any Federal department or agency having jurisdiction over any building, installation, or other property shall, to the extent practicable and consistent with the interests of the United States and within any available appropriations, cooperate with the Department of Health, Education, and Welfare and with any air pollution control agency in preventing and controlling the pollution of the air in any area insofar as the discharge of any matter from or by such building, installation, or other property may cause or contribute to pollution of the air in such area.

"(b) In order to control air pollution which may endanger the health or welfare of any persons, the Secretary may establish classes of potential pollution sources for which any Federal department or agency having jurisdiction over any building, installation, or other property shall, before discharging any matter into the air of the United States, obtain a permit from the Secretary for such discharge, such permits to be issued for a specified period of time to be determined by the Secretary and subject to revocation if the Secretary finds pollution is endangering the health and welfare of any persons. In connection with the issuance of such permits, there shall be submitted to the Secretary such plans, specifications, and other information as he deems relevant thereto and under such conditions as he may prescribe. The Secretary shall report each January to the Congress the status of such permits and compliance therewith.

"TITLE II—NATIONAL EMISSION STANDARDS ACT

"SHORT TITLE

"SEC. 201. This title may be cited as the 'National Emission Standards Act'.

"ESTABLISHMENT OF STANDARDS

"SEC. 202. (a) The Secretary shall by regulation, giving appropriate consideration to technological feasibility and economic costs, prescribe as soon as practicable standards, applicable to the emission of any kind of substance, from any class or classes of new motor vehicles or new motor vehicle engines, which in his judgment cause or contribute to, or are likely to cause or to contribute to, air pollution which endangers the health or welfare of any persons, and such standards shall apply to such vehicles or engines whether they are designed as complete systems or incorporate other devices to prevent or control such pollution.

"(b) Any regulations initially prescribed under this section, and amendments thereto, with respect to any class of new motor vehicles or new motor vehicle engines shall become effective on the effective date specified in the order promulgating such regulations which date shall be determined by the Secretary after consideration of the period reasonably necessary for industry compliance.

"PROHIBITED ACTS

"SEC. 203. (a) The following acts and the causing thereof are prohibited—

"(1) in the case of a manufacturer of new motor vehicles or new motor vehicle engines for distribution in commerce, the manufacture for sale, the sale, or the offering for sale, or the introduction or delivery for introduction into commerce, or the importation into the United States for sale or resale, of any new motor vehicle or new motor vehicle engine, manufactured after the effective date of regulations under this title which are applicable to such vehicle or engine unless it is in conformity with regulations prescribed under this title (except as provided in subsection (b));

"(2) for any person to fail or refuse to permit access to or copying of records or to fail to make reports or provide information, required under section 207; or

"(3) for any person to remove or render inoperative any device or element of design installed on or in a motor vehicle or motor vehicle engine in compliance with regulations under this title prior to its sale and delivery to the ultimate purchaser.

"(b)(1) The Secretary may exempt any new motor vehicle or new motor vehicle engine, or class thereof, from subsection (a), upon such terms and conditions as he may find necessary to protect the public health or welfare, for the purpose of research, investigations, studies, demonstrations, or training, or for reasons of national security.

"(2) A new motor vehicle or new motor vehicle engine offered for importation by a manufacturer in violation of subsection (a) shall be refused admission into the United States, but the Secretary of the Treasury and the Secretary of Health, Education, and Welfare may, by joint regulation, provide for deferring final determination as to admission and authorizing the delivery of such a motor vehicle or engine offered for import to the owner or consignee thereof upon such terms and conditions (including the furnishing of a bond) as may appear to them appropriate to insure that any such motor vehicle or engine will be brought into conformity with the standards, requirements, and limitations applicable to it under this title. The Secretary of the Treasury shall, if a motor vehicle or engine is finally refused admission under this paragraph, cause disposition thereof in accordance with the customs laws unless it is exported, under regulations prescribed by such Secretary, within ninety days of the date of notice of such refusal or such additional time as may be permitted pursuant to such regulations, except that disposition in accordance with the customs laws may not be made in such manner as may result, directly or indirectly, in the sale, to the ultimate consumer, of a new motor vehicle or new motor vehicle engine that fails to comply with applicable standards of the Secretary of Health, Education, and Welfare under this title.

"(3) A new motor vehicle or new motor vehicle engine intended solely for export, and so labeled or tagged on the outside of the container and on the vehicle or engine itself, shall not be subject to the provisions of subsection (a).

"INJUNCTION PROCEEDINGS

"SEC. 204. (a) The district courts of the United States shall have jurisdiction to restrain violations of paragraph (1), (2), or (3) of section 203(a).

"(b) Actions to restrain such violations shall be brought by and in the name of the United States. In any such action, subpenas for witnesses who are required to attend a district court in any district may run into any other district.

"PENALTIES

"SEC. 205. Any person who violates paragraph (1), (2), or (3) of section 203(a) shall be subject to a fine of not more than $1,000. Such violation with respect to sections 203(a)(1) and 203(a)(3) shall constitute a separate offense with respect to each new motor vehicle or new motor vehicle engine.

"CERTIFICATION

"SEC. 206. (a) Upon application of the manufacturer, the Secretary shall test, or require to be tested, in such manner as he deems appropriate, any new motor vehicle or new motor vehicle engine submitted by such manufacturer to determine whether such vehicle or engine conforms with the regulations prescribed under section 202 or 208(b) of this title. If such vehicle or engine conforms to such regulations the Secretary shall issue a certificate of conformity, upon such terms, and for such period not less than one year, as he may prescribe.

"(b) Any new motor vehicle or any motor vehicle engine sold by such manufacturer which is in all material respects substantially the same construction as the test vehicle or engine for which a certificate has been issued under subsection (a), shall for the purposes of this Act be deemed to be in conformity with the regulations issued under section 202 of this title.

"RECORDS AND REPORTS

"SEC. 207. (a) Every manufacturer shall establish and maintain such records, make such reports, and provide such information as the Secretary may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this title and regulations thereunder and shall, upon request of an officer or employee duly designated by the Secretary, permit such officer or employee at reasonable times to have access to and copy such records.

"(b) All information reported or otherwise obtained by the Secretary or his representative pursuant to subsection (a), which information contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code, shall be considered confidential for the purpose of such section 1905, except that such information may be disclosed to other officers or employees concerned with carrying out this Act or when relevant in any proceeding under this Act. Nothing in this section shall authorize the withholding of information by the Secretary or any officer or employee under his control, from the duly authorized committees of the Congress.

"STATE STANDARDS

"SEC. 208. (a) No State or any political subdivision thereof shall adopt or attempt to enforce any standard relating to the control of emissions from new motor vehicles or new motor vehicle engines subject to this title. No State shall require certification, inspection, or any other approval relating to the control of emissions from any new motor vehicle or new motor vehicle engine as condition precedent to the initial retail sale, titling (if any), or registration of such motor vehicle, motor vehicle engine, or equipment.

"(b) The Secretary may, after notice and opportunity for public hearing, upon application of any State which has adopted standards (other than crankcase emission standards) for the control of emissions from new motor vehicles or new motor vehicle engines prior to March 30, 1966, prescribe standards limited to such State, which are more stringent than, or apply to emissions or substances not covered by the nationally applicable Federal standards prescribed pursuant to section 202, if he finds that such State requires such more stringent or other standards to meet compelling and extraordinary conditions and that such more stringent or other standards prescribed hereunder are consistent with this title; and such more stringent or other standards prescribed hereunder shall be regarded as if prescribed pursuant to section 202, with respect to new motor vehicles or new motor vehicle engines manufactured for sale, sold or offered for such sale in, or introduced or delivered for introduction into, such State.

"(c) Nothing in this title shall preclude or deny to any State or political subdivision thereof the right otherwise to control, regulate, or restrict the use, operation, or movement of registered or licensed motor vehicles.

"FEDERAL ASSISTANCE IN DEVELOPING VEHICLE INSPECTION PROGRAMS

"SEC. 209. The Secretary is authorized to make grants to appropriate State air pollution control agencies in an amount up to two-thirds of the cost of developing meaningful uniform motor vehicle emission device inspection and emission testing programs except that (1) no grant shall be made for any part of any State vehicle inspection program which does not directly relate to the cost of the air pollution control aspects of such a program; and (2) no such grant shall be made unless the Secretary of Transportation has certified to the Secretary that such program is consistent with any highway safety program developed pursuant to section 402 of title 23 of the United States Code.

"REGISTRATION OF FUEL ADDITIVES

"SEC. 210. (a) The Secretary may by regulation designate any fuel or fuels, or any classes or uses thereof, and, after such date or dates as may be prescribed by him, no manufacturer or processor of any such fuel may deliver it for introduction into interstate commerce or to another person who, it can reasonably be expected, will deliver such fuel for such introduction unless any additive contained in such fuel has been registered with the Secretary in accordance with this section.

"(b) Upon filing of an application containing or accompanied by such information as to the characteristics and composition of any additive for any fuel as the Secretary finds necessary, and including assurances that such additional information as the Secretary may reasonably require will upon request be provided, the Secretary shall register such additive.

"(c) The Secretary shall make such provision, with respect to any additive, or any class or use thereof, or any information furnished in connection therewith as in his judgment is necessary to protect any trade secret or is necessary in the interest of national security. Nothing in this section shall authorize the withholding of information by the Secretary or any officer or employee under his control, from the duly authorized committees of the Congress.

"(d) Any person who violates subsection (a) shall forfeit and pay to the United States a civil penalty of $1,000 for each and every day of the continuance of such violation, which shall accrue to the United States and be recovered in a civil suit in the name of the United States, brought in the district where such person has his principal office or in any district in which he does business. The Secretary may, upon application therefor, remit or mitigate any forfeiture provided for in this subsection, and he shall have authority to determine the facts upon all such applications.

"(e) It shall be the duty of the various United States attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of such forfeitures.

"NATIONAL EMISSIONS STANDARDS STUDY

"SEC. 211. (a) The Secretary shall submit to the Congress, no later than two years after the effective date of this section, a comprehensive report on the need for and effect of national emission standards for stationary sources. Such report shall include: (A) information regarding identifiable health and welfare effects from single emission sources; (B) examples of specific plants, their location, and the contaminant or contaminants which, due to the amount or nature of emissions from such facilities, constitute a danger to public health or welfare; (C) an up-to-date list of those industries and the contaminant or contaminants which, in his opinion, should be subject to such national standards; (D) the relationship of such national emission standards to ambient air quality, including a comparison of situations wherein several plants emit the same contaminants in an air region with those in which only one such plant exists; (E) an analysis of the cost of applying such standards; and (F) such other information as may be appropriate.

"(b) The Secretary shall conduct a full and complete investigation and study of the feasibility and practicability of controlling emissions from jet and piston aircraft engines and of establishing national emission standards with respect thereto, and report to Congress the results of such study and investigation within one year from the date of enactment of the Air Quality Act of 1967, together with his recommendations.

"DEFINITIONS FOR TITLE II

"SEC. 212. As used in this title—

"(1) The term 'manufacturer' as used in sections 203, 206, 207, and 208 means any person engaged in the manufacturing or assembling of new motor vehicles or new motor vehicle engines, or importing such vehicles or engines for resale, or who acts for and is under the control of any such person in connection with the distribution of new motor vehicles or new motor vehicle engines, but shall not include any dealer with respect to new motor vehicles or new motor vehicle engines received by him in commerce.

"(2) The term 'motor vehicle' means any self-propelled vehicle designed for transporting persons or property on a street or highway.

"(3) The term 'new motor vehicle' means a motor vehicle the equitable or legal title to which has never been transferred to an ultimate purchaser; and the term 'new motor vehicle engine' means an engine in a new motor vehicle or a motor vehicle engine the equitable or legal title to which has never been transferred to the ultimate purchaser.

"(4) The term 'dealer' means any person who is engaged in the sale or the distribution of new motor vehicles or new motor vehicle engines to the ultimate purchaser.

"(5) The term 'ultimate purchaser' means, with respect to any new motor vehicle or new motor vehicle engine, the first person who in good faith purchases such new motor vehicle or new engine for purposes other than resale.

"(6) The term 'commerce' means (A) commerce between any place in any State and any place outside thereof; and (B) commerce wholly within the District of Columbia.

"TITLE III—GENERAL

"ADMINISTRATION

"SEC. 301. (a) The Secretary is authorized to prescribe such regulations as are necessary to carry out his functions under this Act. The Secretary may delegate to any officer or employee of the Department of Health, Education, and Welfare such of his powers and duties under this Act, except the making of regulations, as he may deem necessary or expedient.

"(b) Upon the request of an air pollution control agency, personnel of the Public Health Service may be detailed to such agency for the purpose of carrying out the provisions of this Act. The provisions of section 214(d) of the Public Health Service Act shall be applicable with respect to any personnel so detailed to the same extent as if such personnel had been detailed under section 214(b) of that Act.

"(c) Payments under grants made under this Act may be made in installments, and in advance or by way of reimbursement, as may be determined by the Secretary.

"DEFINITIONS

"SEC. 302. When used in this Act—

"(a) The term 'Secretary' means the Secretary of Health, Education, and Welfare.

"(b) The term 'air pollution control agency' means any of the following:

"(1) A single State agency designated by the Governor of that State as the official State air pollution control agency for purposes of this Act;

"(2) An agency established by two or more States and having substantial powers or duties pertaining to the prevention and control of air pollution;

"(3) A city, county, or other local government health authority, or, in the case of any city, county, or other local government in which there is an agency other than the health authority charged with responsibility for enforcing ordinances or laws relating to the prevention and control of air pollution, such other agency; or

"(4) An agency of two or more municipalities located in the same State or in different States and having substantial powers or duties pertaining to the prevention and control of air pollution.

"(c) The term 'interstate air pollution control agency' means—

"(1) an air pollution control agency established by two or more States, or

"(2) an air pollution control agency of two or more municipalities located in different States.

"(d) The term 'State' means a State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

"(e) The term 'person' includes an individual, corporation, partnership, association, State, municipality, and political subdivision of a State.

"(f) The term 'municipality' means a city, town, borough, county, parish, district, or other public body created by or pusuant to State law.

"(g) All language referring to adverse effects on welfare shall include but not be limited to injury to agricultural crops and livestock, damage to and the deterioration of property, and hazards to transportation.

"OTHER AUTHORITY NOT AFFECTED

"SEC. 303. (a) Except as provided in subsection (b) of this section, this Act shall not be construed as superseding or limiting the authorities and responsibilities, under any other provision of law, of the Secretary or any other Federal officer, department, or agency.

"(b) No appropriation shall be authorized or made under section 301, 311, or 314 of the Public Health Service Act for any fiscal year after the fiscal year ending June 30, 1964, for any purpose for which appropriations may be made under authority of this Act.

"RECORDS AND AUDIT

"SEC. 304. (a) Each recipient of assistance under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(b) The Secretary of Health, Education, and Welfare and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examinations to any books, documents, papers and records of the recipients that are pertinent to the grants received under this Act.

"COMPREHENSIVE ECONOMIC COST STUDIES

"SEC. 305. (a) In order to provide the basis for evaluating programs authorized by this Act and the development of new programs and to furnish the Congress with the information necessary for authorization of appropriations by fiscal years beginning after June 30, 1969, the Secretary, in cooperation with State, interstate, and local air pollution control agencies, shall make a detailed estimate of the cost of carrying out the provisions of this Act; a comprehensive study of the cost of program implementation by affected units of government; and a comprehensive study of the economic impact of air quality standards on the Nation's industries, communities, and other contributing sources of pollution, including an analysis of the national requirements for and the cost of controlling emissions to attain such standards of air quality as may be established pursuant to this Act or applicable State law. The Secretary shall submit such detailed estimate and the results of such comprehensive study of cost for the five-year period beginning July 1, 1969, and the results of such other studies, to the Congress not later than January 10, 1969, and shall submit a reevaluation of such estimate and studies annually thereafter.

"(b) The Secretary shall also make a complete investigation and study to determine (1) the need for additional trained State and local personnel to carry out programs assisted pursuant to this Act and other programs for the same purpose as this Act; (2) means of using existing Federal training programs to train such personnel; and (3) the need for additional trained personnel to develop, operate and maintain those pollution control facilities designed and installed to implement air quality standards. He shall report the results of such investigation and study to the President and the Congress not later than July 1, 1969.

"ADDITIONAL REPORTS TO CONGRESS

"SEC. 306. Not later than six months after the effective date of this section and not later than January 10 of each calendar year beginning after such date, the Secretary shall report to the Congress on measures taken toward implementing the purpose and intent of this Act including, but not limited to, (1) the progress and problems associated with control of automotive exhaust emissions and the research efforts related thereto; (2) the development of air quality criteria and recommended emission control requirements; (3) the status of enforcement actions taken pursuant to this Act; (4) the status of State ambient air standards setting, including such plans for implementation and enforcement as have been developed; (5) the extent of development and expansion of air pollution monitoring systems; (6) progress and problems related to development of new and improved control techniques; (7) the development of quantitative and qualitative instrumentation to monitor emissions and air quality; (8) standards set or under consideration pursuant to title II of this Act; (9) the status of State, interstate, and local pollution control programs established pursuant to and assisted by this Act; and (10) the reports and recommendations made by the President's Air Quality Advisory Board.

"LABOR STANDARDS

"SEC. 307. The Secretary shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors on projects assisted under this Act shall be paid wages at rates not less than those prevailing for the same type of work on similar construction in the locality as determined by the Secretary of Labor, in accordance with the Act of March 3, 1931, as amended, known as the Davis-Bacon Act (46 Stat. 1494; 40 U.S.C. 276a–276a–5). The Secretary of Labor shall have, with respect to the labor standards specified in this subsection, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267) and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276c).

"SEPARABILITY

"SEC. 308. If any provision of this Act, or the application of any provision of this Act to any person or circumstance, is held invalid, the application of such provision to other persons or circumstances, and the remainder of this Act, shall not be affected thereby.

"APPROPRIATIONS

"SEC. 309. There are hereby authorized to be appropriated to carry out this Act, other than section 103(d), $99,000,000 for the fiscal year ending June 30, 1968, $145,000,000 for the fiscal year ending June 30, 1969, and $184,300,000 for the fiscal year ending June 30, 1970.

"SHORT TITLE

"SEC. 310. This Act may be cited as the 'Clean Air Act'."

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. DEL CLAWSON. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Evidently a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 358]

Abbitt
Anderson, Tenn.
Andrews, Ala.
Ashley
Aspinall
Ayres
Barrett
Berry
Boggs
Broomfield
Button
Celler
Culver
Cunningham
Dawson
Denney
Diggs
Eshleman
Everett
Evins, Tenn.
Fountain
Fulton, Tenn.
Fuqua
Gibbons
Helstoski
Howard
Lloyd
Long, La.
Long, Md.
Mathias, Md.
Miller, Calif.
Morris, N. Mex.
O'Hara, Mich.
Passman
Pettis
Poage
Rarick
Reid, N.Y.
Resnick
St. Onge
Sikes
Teague, Tex.
Utt
Watts
Williams, Miss.
Willis

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. GALLAGHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill S. 780, and finding itself without a quorum, he had directed the roll to be called, when 387 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

AMENDMENT OFFERED BY MR. MOSS

Mr. MOSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Moss: On page 97, strike out lines 3 through 20, inclusive, and insert in lieu thereof the following:

"(b) The Secretary shall, after notice and opportunity for public hearing, waive application of this section to any State which has adopted standards (other than crankcase emission standards) for the control of emissions from new motor vehicles or new motor vehicle engines prior to March 30, 1966, unless he finds that such State does not require standards more stringent than applicable Federal standards to meet compelling and extraordinary conditions or that such State standards and accompanying enforcement procedures are not consistent with section 202(a) of this title."

Mr. MOSS. Mr. Chairman, the amendment before this Committee bears my name, but it is offered on behalf of 37 members of the California congressional delegation, representing the entirety of its strength in this House, from both political parties. It reflects the measure of our concern over a problem unique to our State.

The amendment is the same language, word for word, as was adopted unanimously by the other body. It provides that California may establish more stringent standards applicable to emission covered by Federal standards and may also establish and enforce standards with respect to emissions, such as nitrogen oxides, not covered by Federal statutes.

California is not, however, given a blank check by this amendment. First, the Secretary must give notice and an opportunity for a hearing, and then he must waive the preemption of California laws unless he finds, first, that compelling and extraordinary conditions do not exist, and, second, that California standards are not consistent with the test of economic practicability and technological feasibility required by section 202(a) of the act, and, third, that the accompanying enforcement procedures are in conflict with the intent of section 202(a).

The amendment permits California to continue a role of leadership which it has occupied among the States of this Union for at least the last two decades. As I said in general debate, it offers a unique laboratory, with all of the resources necessary, to develop effective control devices which can become a part of the resources of this Nation and contribute significantly to the lessening of the growing problems of air pollution throughout the Nation.

Let me make it very clear that while the meteorological problems in California are unique, it is not the only State in the Union with a concern over air pollution, but it is the one where the problem is greatest at the moment. It affects not only the automobile driver, but it has reached proportions in southern California where it affects air traffic.

When we go back into the House, I will ask permission to include in the RECORD at this point a letter from the Administrator of the Federal Aviation Administration, pointing out the adverse impact of the present smog conditions in southern California on air traffic.

DEPARTMENT OF TRANSPORTATION,
FEDERAL AVIATION ADMINISTRATION,
Washington, D.C., November 2, 1967.

Hon. JOHN E. MOSS,
House of Representatives,
Washington, D.C.

DEAR MR. MOSS: This is in reply to your telephone request regarding the effects smog has on aviation in the Burbank-Los Angeles area.

Smog definitely has an adverse effect on aviation in the Los Angeles basin area, primarily in the obstruction of visibility, and in the creation of special problems for aircraft landing, taking off, or on low level, enroute flights. Major airports where smog conditions deter operations are: Los Angeles International, Long Beach, Burbank, Van Nuys, and Santa Monica; it also affects operations at numerous general aviation airports in the area.

General adverse effects of smog are to: (1) slow down the rate of utilization of airports; (2) reduce pilot capability "to see and be seen" so as to avoid collision with other aircraft; (3) increase the workload in the air traffic system in providing for safe operations; (4) require more aircraft to operate under special air traffic procedures.

I hope this will provide you with the information you need on some of the problems associated with smog.

Sincerely,

WILLIAM F. MCKEE,
Administrator.

These can only be solved by standards more stringent than those presently contemplated under Federal regulation.

We have proposed in California by State law a system of standards going through 1970. They will be significantly more drastic than the standards which will be required in the rest of the Nation. They will not constitute a burden on the automobile industry.

My State consumes between 11 and 12 percent of the total new cars sold in this Nation every year. This is a very rich market, greater than any offshore market enjoyed by any manufacturer of automobiles in the United States.

I might also point out that it is not unusual in the automotive industry for there to be variations in assembly. All Members know there is virtually a limitless possibility of combinations of power packs and accessory packages one can order on an automobile.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. CHARLES H. WILSON. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, I will yield to my colleague from California if he wishes to continue his remarks.

Mr. MOSS. Mr. Chairman, I just want to make a few very brief additional observations.

It is not unusual for California to take leadership in the field of auto safety. As long as I can remember the Legislature of California has concerned itself with making automobiles safer, from the days when it required safety glass and was one of the pioneers in that field, to the days of requiring reflectorized taillights, improved headlight standards and windshield wipers.

California has led because the automobile has been the mode of transportation in a State which grew up without the mass transit systems available in the metropolitan areas of many other States of the Nation. But the very fact that it has depended on the automobile has created the problem.

The State, as I indicated earlier, for at least 20 years has invested its resources, developed its technology, and given leadership to the Nation. This amendment would permit that type of leadership to continue.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. CHARLES H. WILSON. I am glad to yield to the gentleman from New Jersey.

Mr. JOELSON. The gentleman mentioned California several times. Would the amendment also include any other State which might feel it had an unusual problem and wanted more stringent regulations?

Mr. MOSS. No. This deals with a State which has enacted prior to March 30, 1966, standards which are more stringent than those which would be proposed by the Secretary.

Mr. JOELSON. Could the gentleman tell me whether this does, in effect, apply to any other State?

Mr. MOSS. To my knowledge, it does not apply to any other State.

Mr. JOELSON. I thank the gentleman.

Mr. MOSS. I thank the gentleman for yielding.

Mr. CHARLES H. WILSON. Mr. Chairman, I rise today to focus an immediate problem facing not only my State of California, but the Nation as a whole. I am speaking of the worsening air pollution crisis. I say worsening because in my city of Los Angeles, the smog-warning days classified by the Los Angeles Air Pollution Control District, have increased drastically over the last few years. In 1964 there were 80 such days. In 1965 there were 82 and in 1966 it jumped to 98. As of yet, there is no estimate for this year, but if the present trend continues the number of smog-warning days will pass 100. Even while California has been the leader in the fight against air pollution, we still have a serious smog problem, proving that stronger not weaker controls must be adopted. Under the proposed Clean Air Act of 1967, the Secretary of Health, Education, and Welfare would be authorized to enforce legislation standards regarding automobile exhaust emissions. These standards would be no better than those California already has. Yet, under the bill to be considered today, the Federal laws would preempt or take precedence of any State laws. As we all know, it can be quite difficult to get changes made in Washington. California would have to convince Federal officials of the need for such changes. Large automobile and oil company interests might find the needs to be very costly and could use delaying tactics that would hold up the implementation of the higher standards of California. Senator GEORGE MURPHY recognized this fact when the Senate passed this same bill. He then amended the legislation so that California was excluded from the appropriate provisions which would allow the State to establish tougher regulations.

I, therefore, call on my colleagues on both sides of the aisle to remove barriers to a more effective protection against air pollution.

Mr. Chairman, we must take every appropriate action, however drastic, and we must do it immediately. The health of our people demands that no further delay be tolerated.

It is extremely important, therefore, that the amendment to the Air Quality Act of 1967 sponsored by the distinguished gentleman from California [Mr. MOSS] be enacted by the House in order that this legislation can be implemented in its proper form.

Mr. DINGELL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, there has been a great deal of smog today. Not all of it is in California. A good deal of it relates to the language of the bill that we have before us and to the language of the amendment that we have before us.

First of all, when the various air pollution bills came to the Congress, they provided a total preemption over all automotive emissions. This concept of preemption was first embodied in the law that was passed by this Congress in 1965. The legislation offered by the chairman of the committee, and the legislation sent by the administration and introduced originally by Senator MUSKIE and introduced by me on the 10th of January of this year provided for preemption and for Federal emission controls on pollutants from automobiles and from other sources.

Now we are told today that this amendment was adopted 88 to zero in the other body. The answer is that it was not adopted 88 to zero, but it was put in in the Senate committee and was accepted on the floor. There was no controversy about it in the Senate committee.

There is a great deal of misrepresentation as to what the language of the committee will do. The committee bill says the Secretary of HEW will fix high standards, such standards as are necessary to protect the health and welfare of the persons everywhere in this country over automotive emissions. Then it goes further—to protect the concerns and the interests and the health of the people of the State of California. It says that upon the request of the State of California, that the State may secure such additional stronger, more vigorous standards as the circumstances require. To say that the Secretary of HEW is not going to take into consideration the pleas of the State of California for additional or for stronger standards is to fly into the face of reason, in the face of the language of the legislation, and in the face of political reality and political necessity, because no Secretary of HEW, regardless of where he comes from, would fail to provide for the health of a large segment of the American people.

I would be among the most critical members of this body if the Secretary were to fail to fix standards that were adequate to meet the needs of the State of California.

We hear the statement that this is States rights. I want to lay this red herring to rest for good and all, because there is nothing more clear than that the amendment offered by my good friend from California—and he is my dear friend, because I have sat next to him on the committee for 10 years—is nothing more or less than special preference. This amendment is nothing more or less than an attempt by a few politicians in California—and I am not referring to my friends and colleagues here in the House of Representatives but by a few politicians in the State of California——

Mr. MOSS. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I will be glad to yield but in just a minute. I respectfully have to decline to yield, Mr. Chairman, and I ask for regular order, in spite of my affection for the gentleman from California.

This is nothing more or less than an attempt of a few people in the State of California to get for the air pollution control administrator of California a preference which by law we are denying the air pollution control administrators of every other single State in the Union. It is nothing more or less than the attempt to get something which the people of every other State are being denied. There is no States rights here. This is only special preference.

Let us look at this in the cold light of reason.

If the Federal Government would fix standards so low as to jeopardize the health of the people of California under the language of this amendment, it is very clear that they would be jeopardizing the health of the people in each and every other State in the Union, and would be flying in the face of legislative history, in face of the language of the report and the language of the legislation.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

(By unanimous consent, Mr. DINGELL

was allowed to proceed for 5 additional minutes.)

Mr. MOSS. Mr. Chairman, would the gentleman yield?

Mr. DINGELL. I will be glad to yield to my friend from California.

Mr. MOSS. I just want to say that I hope that the gentleman is not intending to exclude me from the ranks of politicians, because I with great pride accept the label of politician. And I want my friend to know that I have not been under the pressure of any politicians other than that of my conscience and the people I represent here in this House.

Mr. DINGELL. I am certain, I say to my good friend from California, I will be happy to extend to my beloved friend from California the privilege to number himself among the ranks of politicians if he so chooses.

Mr. KUPFERMAN. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from New York.

Mr. KUPFERMAN. Mr. Chairman, not being a Californian, I would like to speak from the point of view of a New Yorker for the benefit of the whole country, and my question to the gentleman is this:

Would the gentleman accept an amendment which I am prepared to offer at the next round which would allow each individual State to have the same privilege that is now being asked for California?

Mr. DINGELL. I will state to the gentleman that I have not seen his amendment, and I must confess to the gentleman that I do not believe it would be in the public interest. I believe what we want are high nationwide standards which will be adequate to protect the health of everyone everywhere.

I do not believe we want to have 50 different standards in 50 different States, and production of 50 different auto types for 50 different States. I do not believe such to be in the public interest, or in the interest of the consumer, or the people that the gentleman represents.

I would like to yield further, but I do have some other things I wish to say, and so I have to respectfully decline to yield to my colleagues. There have been a great many things said by some of my good friends from California which tend to create an entirely misleading and entirely erroneous legislative history with regard to the language of the committee bill.

I do not want, as one Member of this body, to see this Congress permit a piece of legislation to go forward without a clear repudiation of the misleading impression that persons in the State of California have sought to foist upon the public of this country, that this legislation is not adequate.

It is the intent of the Congress, through this legislation, to fully and adequately protect the health and welfare of people everywhere, not just in California, but everywhere in the United States.

Now, I would point out to my colleagues that automobiles are highly ambulatory. They move across State lines. At any given time any single State has large numbers of automobiles which enter its borders from other States. Automobiles are used and sold across State lines, and it is for this reason, in order to be sure that the public are protected by a high set of standards, that it is highly important that we have one source originating the standards dealing with automobiles and automobile emissions.

The committee bill provides that desirable uniformity of regulation, and that desirable uniformity of administration which is so important to good legislation, and provides adequate safeguards from the standpoint of pollution.

Now, I want to read something which I believe will set forth very clearly the legislative history of this legislation, and that is a letter received by me yesterday from the Secretary of the Department of Health, Education, and Welfare, a portion reads as follows:

> We believe that the interests of California can be adequately protected if the bill under consideration in the House is agreed to. There is no reason to believe that future relationships between the national program and the California program will be impaired by the passage of this bill. The Department would, of course, do everything that it can to activate and enforce whatever standards are promulgated for California by the Secretary after public hearings, as outlined in Section 208. This Department, through the National Center for Air Pollution Control, will make every effort to cooperate with the California program in every way to meet their clean air objectives.

Under this amendment, either as a matter of law or as a matter of politics, the Secretary would be compelled to present high standards to protect the interest not just of the people of the Nation but of the people of the State of California.

Mr. MOSS. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I am glad to yield to my colleague.

Mr. MOSS. I would like to call your attention to a speech made in Louisville, Ky., on May 25 of this year by John T. Middleton, director of the National Center for Air Pollution Control, Bureau of Disease Prevention and Environmental Control of the Public Health Service in Washington in which he states:

> Our basic aim is to provide uniformity and stability in pollution control levels *in cooperation* with industry and local governments. This aim is underlined in recommendations that:
>
> All industrywide emission levels be developed in consultation with the industry concerned;
>
> Each State be provided the opportunity to adopt equivalent levels—or stricter ones, and that,
>
> The Federal levels would be applied and enforced only in those States which do not adopt their own.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DINGELL. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

Mr. ASHBROOK. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

PREFERENTIAL MOTION OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

> Mr. DINGELL moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. The gentleman from Michigan [Mr. DINGELL] is recognized.

Mr. DINGELL. Mr. Chairman, I want to say I appreciate what my good friend, the gentleman from California, has said. But what he has said has nothing to do with the language of the legislation now before this Committee.

I want to challenge any Member of this body to point out one word or one paragraph or one section in the legislation which offers less than the adequate standards to meet the needs of the health and welfare of the people of the United States or of the people of the State of California.

Mr. ROYBAL. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman.

Mr. ROYBAL. I would refer the gentleman to the very section that we are discussing at the present time. What it actually does is to make it necessary for the State of California to have to come to the bureaucracy here and to prove something that the State has known for many years.

Mr. DINGELL. Now the gentleman heard my challenge and the gentleman well heard what I said to him. I said I defy him or any other Member of this body to point to one word, to one sentence, to one paragraph, to one section in that amendment which authorizes or requires the Secretary of Health, Education, and Welfare to fix any lower standards for the protection of the health of the people of this country or of an individual State. I say to the gentleman from California, that he has not so indicated.

Mr. MOSS. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I am delighted to yield to my colleague.

Mr. MOSS. I would defy my very good friend to point out one word or paragraph which imposes upon the Secretary a requirement to the contrary.

Mr. DINGELL. I have read to my good friend from California my interpretation of the amendment. As the gentleman well knows, the people of California recognize me as the author of this amendment, as does the gentleman, and indeed, as do the whole California delegation. I have tried today as I have on other occasions to clear up the smog of misunderstanding, ignorance and misrepresentation which has surrounded this amendment through the efforts of certain persons in the State of California.

In addition to that, I read to my beloved friend from California the language of how the Secretary intends to interpret the committee bill. That is why I say there is effort by some persons in the State of California to deceive and mislead as to what the whole intention of the author of the amendment, as to what the effect of it is.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman.

Mr. ROGERS of Colorado. In the

beginning of your statement, you made some reference to preemption. Did you mean by preemption that the Federal Government by the passage of this legislation took complete control of the smog or clean air problem or solution?

Mr. DINGELL. I would refer the gentleman to the language of the bill, but I would say what he has said is correct insofar as the requirement of emission control devices on new automobiles. That is the point at which preemption takes place. I have tried to answer the gentleman's remarks. I have only a limited amount of time, and I wish to continue to remark about some other points which I think are of extreme importance.

My good friend from California mentioned Mr. John Middleton. I think the House of Representatives should have this thought very clearly before it at this time, because it has been charged that California will have to go before a Federal bureaucracy that is not sympathetic. The answer is that the bureaucrat who will be administering the Federal agency is Mr. John T. Middleton, who is director of the National Center for Air Pollution Control. He is a former professor and former director of the University of California Statewide Air Pollution Research Center, and who served as chairman of the California Motor Vehicle Pollution Control Board.

Let me just point out some other facts. We are faced with Californians who are a little like the position of the farmer who had an overgrown weed patch. He was approached by the county agent who said, "Let me show you how to farm better."

The farmer said, "Don't bother. I'm not farming as well as I know how right now."

The answer to the argument of some of our friends is that Californians right now are not enforcing emission-control devices on either exhausts or on crankcase hydrocarbons or on hydrocarbons coming from carburetors or from gas tanks on the 80 percent of the cars that are operating on California roads which are in excess of 2 years old. I say that if California wants to do a good job on controlling air pollution, they can commence right there, by cleaning up the pollution from existing automobiles on its highways.

Mr. MOSS. Mr. Chairman, I rise in opposition to the preferential motion.

The CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. MOSS. Mr. Chairman, I shall not use 5 minutes. I am certain that my very good friend from Michigan does not really want the enacting clause stricken from this bill. I urge, therefore, that we vote against the preferential motion and proceed to perfect this bill in a logical and reasonable manner.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Michigan.

The preferential motion was rejected.

AMENDMENT OFFERED BY MR. JOELSON TO THE AMENDMENT OFFERED BY MR. MOSS

Mr. JOELSON. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from California, Mr. Moss.

The Clerk read as follows:

Amendment offered by Mr. JOELSON to the amendment offered by Mr. MOSS: After "(b)" insert "(1)" and at the end of the matter proposed to be inserted add the following:

"(2) This section shall not apply to any State which adopts standards for the control of emissions from new motor vehicles or new motor vehicle engines identical to those of any State with respect to which there has been a waiver under paragraph (1) of this subsection so long as such waiver and such identical standards both remain in effect."

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. JOELSON. Mr. Chairman, I intend to support the amendment offered by the gentleman from California, but I think that other States in the Union are going to have similar problems if they do not already have them.

California has been a pioneer, but I think that other States should be allowed to benefit by the pioneering work done in California. Therefore, my amendment very simply would allow other States which have identical plans as California to have the same treatment that California has, and if their regulations are identical with California's, they should be entitled to have the same type of waiver.

The air pollution problem is growing constantly more serious. As a resident of the eastern seaboard and a sufferer from sinus and hayfever I can personally attest that this is not a problem unique to California.

Mr. MOSS. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from California.

Mr. MOSS. Mr. Chairman, as I understand the amendment of the gentleman from New Jersey to the amendment which I proposed, it would exempt any State adopting standards which were at least as high as those granted under the exemption as offered?

Mr. JOELSON. The gentleman is correct.

Mr. MOSS. That would, therefore, not lead to a proliferation of standards in the Nation, but at the most there would be two standards, a Federal or the higher standard developed by the State?

Mr. JOELSON. The gentleman is correct.

Mr. MOSS. Those would be uniform in their application?

Mr. JOELSON. The gentleman is again correct.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from Florida.

Mr. CRAMER. I ask as a point of information, I understand the amendment would say that the standards should be identical, meaning identical to California? Is that what the amendment says—identical?

Mr. JOELSON. Yes. That is what I have stated.

Mr. CRAMER. So that if there is any deviation whatsoever through the legislative process between the legislation passed in another State and that now in existence, or in existence as of March 30 in California, they could not qualify?

Mr. JOELSON. That is correct.

Mr. CRAMER. Does the gentleman mean "identical"?

Mr. JOELSON. Yes; I mean "identical." I know what "identical" means. I am trying to avoid a proliferation of standards throughout the United States, because I think that would be unworkable.

Mr. WYDLER. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from New York.

Mr. WYDLER. Mr. Chairman, I thank the gentleman for yielding, and I rise to support his amendment, because I think it is eminently fair and reasonable.

I would like to ask the gentleman about something that seems to amuse me about this argument we are having before the House today. Why does not the Secretary, when he adopts national standards, adopt the standards California has set and which other States may wish to adopt, and then we would have one standard for the whole country? However, the assumption underlying this whole discussion here today is that the Secretary is going to adopt lower standards. I wonder why that assumption is made?

Mr. JOELSON. Mr. Chairman, I am not authorized to speak for the Secretary, but I would assume that these strict requirements are not necessary in the less populous areas, where there are less causes of pollution. I would assume that is the reason.

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from Michigan.

Mr. CEDERBERG. Mr. Chairman, that is obviously the reason. There is no reason to expect everyone in the United States to go to tremendous expense to solve a problem that is unique in California.

Another problem that the gentleman's amendment would cause would be this: The gentleman says it is designed not to proliferate, but if anyone knows anything about the problem of mass production in the automobile industry, he would recognize that if the State of New Jersey, the State of the gentleman, would adopt the particular standard that is in existence in California, but New York and others did not adopt it, the assembly plants would have to gear up to handle one particular State in one area, and it would raise the cost to a great degree. Everybody recognizes California's problem, but we had better be careful what we are going to do if we try to proliferate this thing, because it would be unmanageable.

Mr. JOELSON. I am satisfied the know-how and efficiency and engineering ability of the automobile industry in this country could rise to solve this problem.

Mr. CEDERBERG. That is an impossibility.

Mr. MOSS. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from California.

Mr. MOSS. Mr. Chairman, as I mentioned in my remarks, it is a fact that we can go to any dealership in this area and order virtually a limitless variation of automobiles as to color, as to power packs, as to accessories, and the whole production program is computerized, so the right car feeds in at the right time and comes out at the right end.

Mr. HARVEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the basic problem we have before the House this afternoon in this amendment by the gentleman from New Jersey to the amendment offered by the gentleman from California and in the Moss amendment is the problem of preemption, that is preemption of States' activities in this particular field. Let me repeat what I said during general debate and what the gentleman from Michigan [Mr. DINGELL] also said earlier: This House decided that question in 1965. We decided it in no uncertain language, which is found on page 20 of this report before the House today, for the benefit of the House at this particular time. The reasons are well given for that particular language, but this House decided at that time that there had to be Federal preemption of State standards in this particular field if we were going to make sense in America in the administration of this air pollution law and in the mass production of automobiles.

Mr. Chairman, last year there were more than 100 million licensed drivers in America. They drove more than 78 million cars. They drove those cars more than 740 billion miles all across America in all of our 50 States.

Pending in the legislatures of our 50 States are more than 100 bills. The number is up to almost 125 bills right now to make more stringent auto emission standards.

I submit that what the committee decided in 1965 makes eminent good sense today. It is just not practical to revert to State standards in a field such as this. We must have Federal standards.

I want to go on and answer one other question which was brought up.

No one denies that the State of California has done a good job. No one denies that the State of California has asserted real leadership in this particular field. But the State of California can do everything, with one exception, as I see it, under the House version of this bill that it can do under the Senate version. That one exception is this: I do not believe the State could certify its own cars, if I understand this correctly, but it could have just as tough a requirement under the House version as it could have under the Senate version of the bill.

They still would have to come before the Secretary of Health and Education. They still would have to request a hearing. They still would have the burden of proof. They still would have to show compelling and extraordinary circumstances.

But in the one case the Secretary would be authorized to waive the Federal preemption, and in the other case he would prescribe standards. It is that simple.

Am I to believe that those on the Democrat side of the aisle have so little confidence in their Secretary of Health, Education, and Welfare, that he will not recognize compelling and extraordinary reasons requiring standards in California? I cannot believe this, and I am on the other side of the aisle. I cannot believe any Secretary of Health, Education, and Welfare would take such a callous attitude, after the facts are clearly shown in a hearing provided for, and after the burden of proof has been met. I cannot believe that. Just the opposite would be true.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

Mr. HARVEY. I yield to the gentleman from Florida.

Mr. ROGERS of Florida. Is it not true that the Congress passed an emissions standard law, for interstate Federal standards, in 1965 and that the Federal standard is the same as the California standard is presently?

Mr. HARVEY. The gentleman is entirely correct.

Mr. ROGERS of Florida. Of course.

Mr. HARVEY. I wanted to correct the dialog that took place on the floor just a few minutes earlier, because the standard we are talking about in this bill is the California standard. What we say is that we recognize California may in the future have special problems. The auto industry recognized this as Mr. Mann testified, that California, because of some peculiar geography and topographical problems, does have some need and undoubtedly in the future will have some need. We are trying to provide a means to give them more stringent standards in the future. This is all we are trying to do.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. HARVEY. I yield to my friend from California.

Mr. HOSMER. At the present time there is a regulatory body in Washington, on automobile safety standards, and the automobile industry, the three big corporations, are constantly in a hassle with these people, constantly trying to slow down the application of standards.

Mr. HARVEY. I do not yield further to the gentleman. The gentleman is trying to put black hats on these people. This whole thing has been a Hollywood production here. He is trying to put black hats on the auto industry, and to have the California delegation wear white hats.

Look at the record to see who has been asking for these things. Look at the record to see what progress has been made already by the auto industry as to reducing hydrocarbons and carbon monoxide. Hydrocarbons have been reduced 63 percent in the past 2 years. Carbon monoxide has been reduced 60 percent.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. WAGGONNER. Mr. Chairman, I rise in opposition to the amendment and move to strike the requisite number of words.

Mr. Chairman, I believe we can all understand why there is at least accord as to the need for this legislation.

We are all, I believe, in a frame of mind to enjoy something amusing at this point. I have in my hand an item from the Sacramento Bee, a California newspaper which I believe is about the third largest in the State.

This is dated Monday, October 23, 1967. It is a reprint of a UPI wire item from Maplewood, N.J. The headline says: "Air Pollution May Curb Sex Power." It goes on to say:

> An allergy expert says air pollution may pose a threat to human sex life.
>
> Dr. Frank Rosen said California tests show animals exposed to auto fumes have diminishing sex powers.
>
> "As far as I know," he said, "research has not been carried over to human beings—but the possibility of the adverse effect is certainly there."
>
> Rosen, long a critic of public apathy on air pollution dangers, said linking sex and smog "might open some eyes."

So perhaps this might have a little something to do with the fact that the gentleman from California has offered an amendment and the gentleman from New Jersey has offered an amendment thereto.

Very frankly and seriously now, Mr. Chairman, I find the position of our California colleagues hard to understand.

Here we have a bill which provides one measure of regulation for the 49 States other than California and another measure of regulation for California. I cannot think of a precedent for this kind of double standard in Federal regulatory legislation.

As I understand it, California wants to be exempted from the pollution control program entirely so that it could be free to go its way.

In an editorial in the Los Angeles Times last October 8, Eric Grant, executive officer of the California Motor Vehicle Pollution Control Board, is quoted as saying:

> Unless the special section is restored (i.e., the Senate version of 208(b)) it will be an outright violation of the concept of states' rights . . .

I think I can recognize a legitimate States rights argument when I see one. But I do not see one here. I do see preferential legislation proposed. Automobile travel is across State lines and any matter affecting two or more States is clearly under the jurisdiction of the Federal Government.

No State has a right to build a wall around itself. No State has a right to cut itself off from the other 49 in the administration of an important nationwide program. This amendment is a preferential proposal.

The States rights question was settled when Congress passed the 1965 amendments to the Clean Air Act. At that time we placed responsibility for protecting the Nation from the hazards of automotive pollution in the hands of the Department of Health, Education, and Welfare. We had good reasons for doing that.

Controlling automotive pollution is not like dealing with industrial and other stationary pollution—where State and local governments have a logical role. Factories do not move across State lines but automobiles do. By its nature, this form of pollution required a cordinated nationwide effort. That is what we provided in the committee in this proposal.

Section 208(b) as reported by the Commerce Committee retains the concept of one unified national program—while still providing a mechanism for doing what needs to be done to meet California's special problem, as the gentleman from Michigan said just a moment ago—and they do, we all know, have a special problem and an urgent problem. Therefore, I urge the House to support the committee in this instance and I urge opposition to the amendment of the gentleman from California and the amendment thereto.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I will be happy to yield to my friend.

Mr. JOELSON. Let me say that when I offered my amendment I did not have the benefit of the argument that the gentleman just offered. I thought air pollution was a threat to the respiratory system only, but having heard the hazards mentioned by the gentleman from Louisiana, I am all the more determined to press my amendment.

Mr. WAGGONNER. I would like to say, insofar as the gentleman from New Jersey and States rights are concerned, I am glad he is a late learner.

Mr. STAGGERS. Mr. Chairman, I wonder if we can fix the time for the conclusion of debate on the Moss amendment and all amendments thereto. I ask unanimous consent that it be completed at 10 minutes after 5.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

Mr. KUPFERMAN. Mr. Chairman, I object.

Mr. STAGGERS. Mr. Chairman, I make the same request for 15 minutes after 5.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. Cramer] for 1 minute.

Mr. CRAMER. Mr. Chairman, I rise in support of the Moss amendment. This debate today has been very interesting and a little bit incongruous. I have heard people who support State rights but apparently not recognize it in this obvious instance. I believe State rights are involved. Incongruous as to those who ordinarily are supporting a nonpreemption and who say there is no preemption in this bill. They suggest it should not apply, nonpreemption that is, but I believe it should. They say, incongruously, that you can have a situation in air pollution control where the States are not permitted to have higher than national standards unless the Secretary says so. We would not permit it in the air pollution control, but we just got through doing it and permitting higher standards in the water pollution control program, and we just got through doing it with regard to the safety legislation, we permit the States to have higher standards without the right of the Secretary to veto such higher standards.

I support the amendment offered by the gentleman from California, and I am being consistent.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. Don H. Clausen]

Mr. DON H. CLAUSEN. Mr. Chairman, I rise in support of the amendment offered by the gentleman from California [Mr. Moss]. This amendment, which was included in the Senate version of this bill, will allow California to establish more stringent standards for the control of motor vehicle emissions than the standards promulgated by the Secretary of Health, Education, and Welfare for the rest of the Nation.

California has pioneered the control of automobile pollution. The nationwide standards which have just gone into effect for automobile exhaust control are the same standards which were established by my State more than 2 years ago. Now, if the pending amendment is not adopted, we are to be penalized for our leadership and, more importantly, it is extremely uncertain at best that California will be able to continue its efforts to reduce the pollution from automobiles.

It seems obvious to me that adoption of this amendment will be a great step forward in the fight against air pollution. California's original regulations on this subject forced the automobile industry to meet our requirements or lose access to their largest State market. These regulations were then adopted on a nationwide basis and now all States are benefiting from the action we took. I would certainly expect that the same process would be followed when California makes its standards even more stringent. The other States might again have a time lag between our implementation of higher standards and their own but I am certain they would follow our lead with the resultant reduction in physically harmful pollution.

I have long supported improved air and water pollution control programs. In the past several years, the Congress has made an outstanding record in this field, but we all recognize that much remains to be done. Recent technological advances in the field have made it essential that we upgrade and strengthen our efforts. I know that the polluting industries, for the most part, have been making significant progress in controlling their pollution. It is my opinion that the role of the Congress should be to make clear to these industries that we will give them the opportunity to solve the problem on their own, which I feel they could do, but that we feel also that definite progress must be made and shown or more severe restrictions may have to be adopted if the problem is not solved.

I support this bill wholeheartedly and feel it is a great step forward in combating the menace of air pollution. With the amendment for the benefit of California, this legislation will provide an important tool to reduce the dangers to health which come from air pollution.

The CHAIRMAN. The Chair recognizes the gentleman from Colorado [Mr. Rogers].

Mr. ROGERS of Colorado. Mr. Chairman, I rise to try to clarify and see if we can get an answer to the question of this preemption that has been brought up here from time to time, as it was when I asked the gentleman to yield to me.

If a Federal law were enacted—and ordinarily when the Federal Government steps into an area it preempts and takes over the field. Is that what we do in this legislation, Mr. Chairman?

Mr. STAGGERS. If the gentleman will yield?

Mr. ROGERS of Colorado. I yield to the gentleman that this is only on the emission of air pollution from new cars. Then we do preempt the field?

Mr. STAGGERS. That is right.

Mr. ROGERS of Colorado. As it relates to new cars?

Mr. STAGGERS. That is right.

Mr. ROGERS of Colorado. So, by preempting the field, however, if the amendment proposed by the gentleman from California is adopted, would his amendment take preference over the Federal, the action that is taken by California take precedence over what we would enact here?

Mr. STAGGERS. Yes, it would; in the opinion of the chairman.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. Reinecke].

Mr. REINECKE. Mr. Chairman, I would like to clear up several points that have been made here today.

First, that the California standards are equal to the Federal standards. This is true for the moment but California has already put the automobile manufacturers on notice that they are going further in 1969 and again in 1970 and again in 1975. We cannot get a commitment out of the Secretary in this regard.

Second, I wrote the Secretary asking him if California would in his opinion certify California for more stringent standards without further technical hearings.

I was not able to get a response. So I called him on Tuesday. I called him on Wednesday and I called him a second time on Wednesday. I was still unable to get any satisfactory results. Yet, we were told here today that one member of the committee in favor of the Dingell amendment has in his possession a letter which tells the Congressman that the Secretary will allow California to go beyond that particular position.

If that is the kind of underhanded deal that California is going to get, then this is all the more reason that the Moss amendment should be passed.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana [Mr. Jacobs].

Mr. JACOBS. Mr. Chairman, at the request of those Members who wish to vote, I yield back my time.

SUBSTITUTE AMENDMENT OFFERED BY MR. KUPFERMAN

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Kupferman].

Mr. KUPFERMAN. Mr. Chairman, I offer a substitute amendment for the amendment offered by the gentleman from California [Mr. Moss].

The Clerk read as follows:

Amendment offered by Mr. Kupferman as a substitute for the amendment offered by Mr. Moss: on page 97, strike out lines 3 through 20 and insert in lieu thereof the following:

"(b) The Secretary shall, after notice and opportunity for public hearing, waive application of this section to any State which adopts standards (other than crankcase emission standards) for the control of emissions from new motor vehicles or new motor vehicle engines, unless he finds that such State does not require standards more stringent than applicable Federal standards to meet compelling and extraordinary conditions or that such State standards and accompanying enforcement procedures are not consistent with section 202(a) of this title."

Mr. KUPFERMAN. Mr. Chairman, I rise to offer an amendment to S. 780, the Air Quality Act of 1967. My amendment would give States like my own, New York, a freer hand in establishing more stringent air pollution control standards for automobiles when the Federal requirements do not provide adequate safeguards for a State's special air pollution problem.

The act, in its present form, leaves little room for States to improve upon the Federal standards and allows these standards to preempt any regulations established by the States. My amendment would allow the Federal criteria to take precedence only when State standards are less stringent. It will give the States greater opportunity to expand air pollution controls to accommodate their special needs—particularly in urban areas where pollution has become an ever-increasing health hazard.

Urban areas obviously have different problems which cannot be accommodated by the same air-pollution standards for automobiles which might be appropriate for the wide-open spaces of Wyoming. Specific problems may require ad hoc and immediate solutions.

The tragic consequences of the 4-day thermal inversion in New York during Thanksgiving, 1966,[1] serves as a dramatic reminder for the need to tailor air pollution regulations to fit the special needs of a geographic area. No State should be encouraged to be inactive in protecting its citizens. Rather, States and localities should be permitted and encouraged to take preventative action that may be more forceful in its measures than those prescribed by the Federal standards. Although the development of automobile emission controls may be costly, human life and health is a far more valuable commodity.

My own 17th Congressional District in the heart of New York City is a critical example of air pollution aggravated by automobile exhaust fumes. My constituents, as well as all urban residents, can attest to the "garbage in air" in the vacuum which this amendment should fill.

Presently, the Federal Government places the burden upon the automobile industry pursuant to the Federal standards to develop the devices to limit the air pollution generated by automobiles. Inasmuch as the automobile industry builds the air-pollution device into the car at the site of manufacture, all cars sold in the country will have the same exhaust emission standard. Thus, we have the situation where a buyer of a car in Wyoming has the same automobile exhaust control device which a buyer of a car in California has, but the air pollution problem facing these two individuals is clearly distinguishable.

To build an air-pollution device to fit either the average need of the Nation or that of the least common denominator is to deprive the large urban area of relief from its increasingly critical air pollution problem.

According to the Department of Health, Education, and Welfare, the Federal Government does not investigate the success of devices which private corporations or manufacturers produce. These private manufacturers are told to approach the automobile industry with their ideas. The automobile industry, having prepared their own devices, turns these people away. Consequently, we do not have any actual data on types of devices that could be placed on an automobile at the place of sale.

It may be that if this matter was investigated further, we would find devices that could be placed on the car at the point of sale which would adhere to the specific emission standard required by the particular State.

Presently, the Federal standards are identical to California's, which has the most stringent regulations of any State. However, California authorities admit that their present controls are clearly inadequate to meet their needs. Under the Air Quality Act in its present form, any future changes could only be made by the Secretary of Health, Education, and Welfare. My amendment provides new direction for the Nation's air pollution program by allowing States to establish their own economically feasible standards.

The Secretary of Health, Education, and Welfare would be forced to investigate the devices, which can be placed on the cars at the point of sale, inasmuch as the States could present these devices to prove the economic feasibility of their requirements.

I urge my colleagues to give this suggestion their careful consideration. Under my proposal, the States would have more power to tackle their air-pollution problems as they develop, as opposed to having the Federal Government place pressure on the automobile industry to make changes in their exhaust systems after the State's problem becomes so critical as to warrant changes in the standards applicable to the Nation.

The seriousness of the situation and the need are pointed up by the attached letter of October 30, 1967, from the Commissioner of Health of the State of New York, Dr. Hollis S. Ingraham:

STATE OF NEW YORK,
DEPARTMENT OF HEALTH,
Albany, October 30, 1967.

Hon. THEODORE R. KUPFERMAN,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN KUPFERMAN: The recent amendment to the Clean Air Act passed in the Senate, and identified as Senate 780, contained a provision for Federal preemption of state laws relating to the setting of standards for, as well as the control of, motor vehicle emissions. It gave the Secretary of HEW the power to exempt any State which had adopted standards prior to March 30, 1966.

In the House, the House Commerce Committee removed all preemption exclusions, notably California. Representative John Dingell added a revision to allow California to be excluded from the preemption. While we are not certain which change is currently being considered, New York State wishes to enter this discussion by objecting to any proposal which preempts the authority of New York State to set standards to control motor vehicle emissions.

We wish to oppose the preemption principle regarding control of motor vehicle emissions, and the setting of standards to apply thereto, and ask your support in opposing the passage of the House bill with any preemption provision included. We need to retain the right to control motor vehicle emissions at the state level and to have authority, if found necessary, to set emission regulations more stringent than those currently proposed at the Federal level.

Your assistance in this matter will be most appreciated.

Sincerely yours,
HOLLIS S. INGRAHAM, M.D.,
Commissioner of Health.

In New York City, it is contemplated that automobiles may be banned from areas of high air pollution because of dangerous carbon monoxide levels. The New York Times article of Monday October 30, 1967, details this situation:

CITY MAY BAN CARS IN POLLUTED SPOTS—HELLER SAYS MOVE MAY BE NECESSARY IN MANHATTAN DURING DANGER PERIODS

(By David Bird)

The city's Air Pollution Control Commissioner said yesterday that autos and trucks might have to be banned at times from such places as Times Square, Herald Square and Canal Street because carbon-monoxide levels were approaching the danger point.

The Commissioner, Austin N. Heller, said the idea of banning vehicles selectively followed a "breakthrough" in understanding the problem after a series of on-site measurements.

The measurements showed, Mr. Heller said, that carbon-monoxide pollution is not pervasive in the city but is a problem only at certain times and places.

Last November, Commissioner Heller suggested that traffic might have to be rerouted in midtown Manhattan because of preliminary calculations based on estimates of gasoline burned by vehicles in the area.

Since then five measuring stations have been taking readings of carbon-monoxide levels to pinpoint the danger spots.

The stations have measured air pollution at Times Square and Herald Square, at 110 East 45th Street and at the corner of Canal and Church Streets, and the corner of Park Avenue and 21st Street.

Commissioner Heller said in November that his surveys had shown that about 50 per cent of the vehicles passing the areas under study were taxicabs. It might be possible to control pollution in some cases by requiring special control devices on taxis, he indicated. In other cases, he added, it might be necessary to ban all but emergency vehicles.

A preliminary report of station measurements, issued by Mr. Heller's office last August, showed that the over-all pollution level did not exceed the maximum set by the state. That level is 15 parts of carbon monoxide for every million parts of air for an eight-hour period.

Now, Mr. Heller says, a closer look at the peak levels at certain spots has indicated potential danger.

The problem is "not of the number of cars that go by but . . . of traffic congestion," the Commissioner said.

BARNES READY TO ACT

He said the worst place was Herald Square, where his department has measured peaks of 30 to 40 parts of carbon monoxide.

Mr. Heller spoke on the WNBC-TV program "Direct Line" and in an interview later.

Asked about the idea of banning vehicles, Traffic Commissioner Henry A. Barnes said yesterday from his home in Bayside, Queens, that he had discussed it with Mr. Heller but that there was "no plan, as such, at the moment."

---

[1] See addendum material.

He said that the problem of carbon monoxide was a serious one and that "if we have to ban traffic at certain spots, we will."

But, he added, the banned traffic "has to go some place," and any restrictions should be the result of careful study, so that the problem is not just shifted from one place to another.

Mr. Barnes suggested that the ban could also be applied selectively just to certain vehicles.

In still other cases, he said, it might be necessary to turn the roadways into "walking malls" to control the carbon monoxide.

As to how long traffic might be temporarily banned, Mr. Heller said the period might be as long as eight hours or as short as four.

Peak carbon-monoxide readings between 10 A.M. and 2 P.M. at Herald Square have suggested that a four-hour ban might solve the problem there.

Although Mr. Heller said that carbon monoxide was approaching danger levels, he added that he could not set a precise point at which it became dangerous.

Researchers have set various levels at which they believe the gas becomes dangerous. Dr. Stephen M. Ayres, director of the cardio-pulmonary laboratory of St. Vincent's Hospital, who has been studying the effects of carbon monoxide, says concentrations of 50 parts a million for two hours or longer can be dangerous.

But he noted that even smaller amounts could cause fatigue, headache and a decrease in mental acuity.

A United States Public Health Service report last January said there was evidence of a slowing of mental processes from eight-hour exposures of 5 to 10 parts of carbon monoxide for every million parts of air.

The lead editorial in the New York Post of Tuesday, October 31, entitled "Poisoned Air" makes the need doubly clear:

The Poisoned Air

Plans to drain some of the worst pools of air pollution in this city—areas thickly congested with traffic—are under active consideration, according to Air Pollution Control Commissioner Heller. The basic plan would be to ban cars and trucks from those areas at least part of the time.

Herald Square, Times Square and Canal St. near the Holland Tunnel are a few of the sections where shoals of vehicles, spewing visible fumes and invisible carbon monoxide, create an especially poisonous atmosphere. No doubt new traffic patterns, as part of a broad-scale approach which should include exhaust control equipment on cars and trucks, could help clean up appreciably.

Excuses, evasions and obstinate resistance to such an approach can be easily foreseen. That is why it is essential for the city administration, working with the City Council, to formulate a comprehensive plan, enact it and strictly enforce it. The hazards of disunity and dissension have already been demonstrated in the continuing battle over control of apartment house incinerators, marked by squabbling between city departments and regressive shifts in official policy.

Pollution control through traffic control is a positive plan and it is heartening to hear that the Traffic Dept. and Heller's agency are cooperating on research. That cooperation must be sustained and strengthened for the new fight that lies ahead. A letup could be fatal—literally; only last week, an analysis by Dr. Leonard Greenburg of Albert Einstein College of Medicine indicated that 168 persons died as a result of the three-day smog situation last Thanksgiving. This grim toll will increase unless control measures are expanded and rigidly enforced between the periodic "alerts" and "smog watches." New York should be on a perpetual "alert" against air pollution.

Dr. Leonard Greenburg in his article on "Air Pollution, Influenza, and Mortality in New York City" back in January 1963, together with several colleagues analyzed the medical effect of air pollution.

The article follows:

[Reprinted from the Archives of Environmental Health, October 1967, vol. 15, copyright 1967, American Medical Association]

Air Pollution, Influenza, and Mortality in New York City—January-February 1963

(By Leonard Greenburg, MD; Franklyn Field, OD; Carl L. Erhardt, DSc; Marvin Glasser, ScD; and Joseph I. Reed, MS, Bronx, N.Y.)

Several air pollution studies (Meuse Valley,[1] Donora, Pa,[2] London,[3] New York City [4]) have demonstrated that increases in morbidity and mortality of the exposed population are related to excessively high levels of air contamination.

The role of other, simultaneously acting, environmental stresses, such as cold weather and epidemic disease, has been difficult to assess. In order to evaluate the impact of air pollution on health, it is necessary to study the simultaneous stresses, such as cold and epidemic disease, which often seem to accompany the air pollution episodes. To delineate the various stress effects and, in particular, the impact of air pollution, it is necessary in epidemiologic studies such as we are conducting to employ control years in which some, but not all, of the stresses are present.

It is interesting to note with reference to the London air pollution disaster of December 1952, during which 4,000 deaths were attributed to the air pollution episode, that the investigators cited the presence of "the first signs of virus A influenza in the outskirts of Greater London," [3] and that laboratory evidence indicated that "shortly afterwards infection with virus A influenza was confirmed in an outbreak of respiratory disease among the residents of a nurses' home in North Surrey." It was also noted that "the influenza A epidemic spread northwards from the south east and south" beginning in mid-December of the same year.[5]

Subsequent to the December 1952 rise in mortality in London, mortality reached a second peak in January and February of 1953, and here it was noted that "the number of extra deaths during this period was of the order of 8,000 or about twice as many as in the December peak." [6] Logan and others have suggested that this secondary peak may have been influenced by factors other than the smog.[6]

Low temperatures in London may have constituted a stressful agent, in addition to the presence of influenza virus during the 1952–1953 winter months. "Owing to the prevalence of cold weather," the emergency bed service reported that requests for admission, in greater London, rose steadily through November 1952.[7] On December 1, there were 243 general acute bed applications instead of the normal 130. This rise continued until Dec 6 when the fog settled in on London and the number of applications soared to a peak of 492 on Dec 9, 1952.

In the subsequent London air pollution-mortality studies of December 1957 [8] and the winter of 1958–1959,[9] the stress of viral infection on the population was again noted. Martin, referring to the episode of 1959, stated "the incident of February 18 through 20 is of particular interest as it coincided with the peak of the influenza epidemic; February 19, the day of maximum pollution, was also the day of highest mortality." [9]

Analyses of retrospective New York city data have revealed several instances during which above normal levels of air pollution have occurred in conjunction with the presence of epidemic disease. The most notable of such periods occurred in the fall of 1957 when Asian influenza virus spread throughout the New York city population. The mortality during this period was studied, but it was not possible for us, in this case, to ascertain the specific quantitative effects of air pollution.

In New York city, during portions of a two-month period, January and February 1963, unusually high levels of air pollution accompanied a marked increase in mortality. This episode afforded an opportunity to study the effects of air pollution, viral A_2 infection, and cold weather, for all three of these stresses were present during this time.

METHODS

The mortality during this 1963 incident was examined and then compared with the mortality in the prior and following years. Mortality was also studied in the weeks preceding and following the episode. As a final phase of the study, a period was found (1958) during which similar stresses were present in New York city, namely cold and epidemic disease, but with normal air pollution levels. This period in 1958 was the control used in weighing the impact of air pollution upon mortality in New York city.

AIR POLLUTION

Urban air pollution is composed of a varying mixture of particulate matter and many gases and vapors, the quantitative and qualitative composition of which varies from place to place and time to time. Much data is available on the concentration of these pollutants in city air both in this country and in foreign countries; despite this, little is known concerning the levels of pollutants hazardous to the health of city dwellers.

The air pollutant which is common to most urban areas is sulfur dioxide. This gas results from the combustion of sulfur-containing fuels and other sulfur-containing substances. The early London experience led Scott [10] to postulate that a critical level for health may be reached in London when daily concentrations of smoke reach 200 mg of black suspended matter per 100 cu m of air, and 0.40 ppm of sulfur dioxide. More recently, the New York State Air Pollution Control Board set 0.40 ppm as the maximum permissible one-hour level of sulfur dioxide.[11] While there is little proof that the presence of sulfur dioxide at this level is harmful to humans, this level nevertheless does represent an unusually high concentration for urban atmospheres. For example, since the inception of our studies in 1960, we have found that the daily average hourly readings of sulfur dioxide reach 0.40 ppm during the months of January and February only 10% to 15% of the time.

---

[1] Firket, M.: Sur les causes des accidents survenus dans la vallée de la Meuse lors des brouillards de Decembre, 1930, *Bull Acad Roy Méd Belg* 11:683, 1931

[2] *Air Pollution in Donora, Pa.: Epidemiology of the Unusual Smog Episode of October 1948*, Public Health Bulletin 306, 1949.

[3] *Morbidity and Mortality During the London Fog of December 1952*. Reports of Public Health Medical Service, no. 95, London: Her Majesty's Stationery Office, 1954.

[4] Greenburg, L., et al: Report of an Air Pollution Incident in New York City, November 1953, *Public Health Reports* 77:1 (Jan) 1962.

[5] Public Health Laboratory Service: Laboratory Evidence of Influenza in England and Wales During the Winter of 1952–53, *Brit Med J.* 2:1178–1180 (Nov 28) 1953.

[6] Wilkens, E. T.: Air Pollution and the London Fog of December 1952, *J Roy San Inst* 74:1 (Jan) 1954.

[7] Abercrombie, G. F.: December Fog in London and the Emergency Bed Service, *Lancet* 1:234, (Jan 31) 1953.

[8] Bradley, W. H.; Logan, W. P. D.; and Martin, A. E.: The London Fog of December 2–5, 1957, *Month Bull Minist Health* (London) 17:156–166, June 1858.

[9] Martin, A. E., and Bradley, W. H.: Mortality, Fog and Atmospheric Pollution, *Month Bull Minist Health Lab Serv* 19:56, May 1960.

[10] Scott, J. A.: The London Fog of December 1957, *Med Officer* 99:367–368 (June 20) 1959.

[11] Ambient Air Quality Objectives: Clarifications System, Air Pollution Control Board, State of New York, 1965.

We have employed as measures of the levels of air pollution in New York City the concentration of sulfur dioxide and of smoke shade (suspended particulate matter). Daily average hourly readings of 0.40 ppm of sulfur dioxide and higher are considered to be barometers, indicating days of unusual air pollution.

During January and the first two weeks of February 1963, the concentration of sulfur dioxide in New York City persisted at an unusually high level. The average hourly reading for the entire month of January 1963 was 0.34 ppm and for the period Jan 29 to Feb 12 it was 0.46 ppm. An average hourly reading of 1.50 ppm was reached on Feb 6 and was sustained at this high level for a period of four hours.

For purposes of comparison, an analysis was made of the daily average sulfur dioxide concentrations for the months of January and February for the five years 1961 through 1965. Of the 273 days for which data were available, daily average readings of 0.40 ppm or higher prevailed only on 55 days. One third of these 55 days occurred in the period of January through February 1963. During Jan 29 through Feb 12, on 11 of 15 days, 73% of the daily sulfur dioxide measurements were 0.40 ppm or higher. This 15-day period (Jan 29 through Feb 12) was therefore selected as the critical period for study. The daily hourly average sulfur dioxide readings for January and February 1963 are shown in Fig 1 [charts and graphs do not appear in RECORD], along with the average sulfur dioxide readings for the selected control years 1961–1962 and 1964–1965. As shown in this Figure, the levels of sulfur dioxide during the period of 1963 are obviously higher with but two days during the critical period falling below the averages of any of the control years.

Similarly, daily smoke shade readings were studied for January and February, 1961 through 1965. Of the 292 days for which data were available, there were 73 days with readings of 4 Coh or higher. A Coh (coefficient of haze) unit is defined as that quantity of light-scattering solids producing an optical density equivalent of 0.01 when measured by light transmission.[12] Twenty-three percent of these 73 days occurred in January and February of 1963. The critical period (Jan 29 through Feb 12) had 7 out of the 15 days, or 47% of the days with 4 Coh units or higher. The daily Coh determinations for 1963 and the average Coh determinations for the control periods 1961–1962 and 1964–1965 are presented in Fig. 2. [Charts and graphs do not appear in RECORD.]

METEOROLOGY

The effects of cold weather and air pollution on mortality and in particular deaths due to respiratory disease, have been studied in only a few instances. A contribution of much interest is that of the British investigator Boyd[13] who studied weekly mortality during seven winters (1947 through 1954) in the city of London. Among the climatic indices examined, temperature and absolute humidity were found to be the most closely associated with weekly mortality. Average correlations between mortality and air pollution indices were less than those found for the climatic factors. Boyd suggested "that the more serious effects of metropolitan fog, as measured by excessive increases in mortality, occurred only when fog was accompanied by very low temperatures."

In New York City, the months of January and February of the year 1963 were among the coldest in decades. In fact, the temperature departure from normal was the outstanding weather feature that winter.

For purposes of comparison, the degree day concept employed by heating engineers for the computation of heating requirements in different climates has been utilized by us as an estimate of the cold stress during the winter months.

The number of degree days per day is the difference between the base of 65 F and the daily mean temperature when the latter is below 65 F. For example, a high of 60 F and a low of 50 F give a mean for that day of 55 F and yield ten degree days. The total number of degree days for any period is then the sum of the daily degree-days during that period.

In addition to cold stress, the number of degree days serves as an excellent means of estimating fuel consumption. Obviously, in a winter with a larger number of degree days, more fuel will of necessity be consumed in keeping indoor temperatures at the required level. Under such conditions of greater heat demand, higher levels of air pollution may be expected due to larger amounts of fuel consumption.

The "normal" number of degree days for January and February in New York city is 1,870. The degree day departure from this normal indicates whether the winter under study was colder or warmer than that normally to be expected. The total number of degree days for the months of January and February for the year 1955 to 1965 are presented in Fig. 3. [Graphs do not appear in RECORD.] This figure reveals that the months of January and February of 1963 were by far the coldest experienced in New York city in the 10-year period. It is evident that because of the greater departure from normal in degree days in January–February of the winter of 1963, there was of necessity increased need for the combustion of fuel in this period.

The major air pollution episodes which have occurred in the past have been related to the huge, slow moving weather systems which sometimes persist over a region for several days. These weather systems, called "anticyclones" by meteorologists, are accompanied by light winds and persistent temperature inversions. An analysis of the U.S. Weather Bureau charts during January and February 1963 reveals that the meteorological phenomena of stagnating anticyclones were not present. In fact, the air pollution potential alert office of the U.S. Weather Bureau, Public Health Service, of the Robert A. Taft Sanitary Engineering Center in Cincinnati issued no alert warnings for the New York area during these two months.

The ability of the atmosphere to act as a diffusing or cleansing agent is a result of various meteorological factors including horizontal and vertical wind flow as well as atmospheric stability. These variables along with other meteorological data were studied.

The twice daly soundings (vertical temperature profiles) at Kennedy Airport offer an estimate of the vertical air movement over the metropolitan area. Such temperature profiles differ greatly between urban and nonurban areas due to the city's "heat island" effect. An analysis of the twice daily soundings (6 am to 6 pm) was carried out to determine the persistence of ground or low level inversions during January and February 1963 which may have occurred despite the absence of the usual anticyclones.

Of the 118 soundings (59 days), 24 revealed surface-based temperature inversions and 28 showed inversions of temperature at an altitude of less than 2,000 feet. There were no periods, however, during which these low level temperature inversions persisted for more than one or two days.

In addition to the analysis of the soundings, the daily maximum temperature for New York city (Central Park) was utilized to determine the approximate height of the vertical mixing depth (above ground) for each day in order to estimate the maximum vertical ventilation for the afternoon periods during the two months.

The results of the meteorological analysis indicated that throughout most of January and February 1963, the presence of intense air pollution levels which occurred could be attributed mainly to the extremely cold weather which required the use of excessive fuel consumption which resulted in a higher emission of pollutants, to the periods of light winds which were associated with "cool" areas and "warm frontal zones," and to the frequent periods of inversions and air mass stability which minimized vertical air diffusion. There was no evidence of the stagnating anticyclone which has been associated with the major air pollution episodes in previous studies.

INFLUENZA

In attempting to evaluate the health effects of air pollution it is essential, as pointed out earlier, to give due consideration to the other important stress agents which may be present in the community. Influenza is one of the stresses which requires consideration. During the widespread dissemination of the A_2 influenza virus in 1957, the New York City Department of Health established a continuing serologic surveillance program. Data developed in the latter program have been studied in order to verify the presence of influenza A in the New York City population during January and February 1963. The results of these tests (by age groups) taken from Widelock[14] are shown in Fig 4. [Graphs do not appear in RECORD].

An initial rise in antibodies took place in all age groups at the first appearance of the A virus in 1957. The older age groups did not, as shown on the chart, maintain their high antibody levels continuously. The variations in the antibody curve in older age groups have been related by Widelock to the return of A_2 virus activity in the city in successive years. As shown in Fig 4, an increase in the antibody level in the older age group in the fall of 1962 indicated a return of virus activity in New York City. In addition, virus isolations and the increase of influenza-pneumonia deaths confirmed the presence of the Asian influenza in the population during the period of January and February 1963.

MORTALITY ANALYSIS

The total number of deaths, for all causes, in New York City during the period Jan 29 through Feb 12, for each of the years 1961 through 1965, is presented in Table 1. During the critical period (Jan 29 through Feb 12) in 1963, there was a total of 4,596 deaths (306 per day) as compared with the (overall) average of 3,787 deaths (252 per day) during the same period in the years 1961, 1962, 1964 and 1965. An excess of 809 deaths took place during the period of Jan 29 through Feb 12, 1963, as estimated by this method.

TABLE 1.—MORTALITY, ALL CAUSES, NEW YORK CITY, JAN. 29 THROUGH FEB. 12

Year	Total number of deaths	Average number of deaths per day
1961	3, 895	260
1962	3, 772	251
1963	4, 596	306
1964	3, 659	244
1965	3, 823	255
Total	19, 745	1, 316
Average: 1961, 1962, 1964, 1965	3, 787	252

---

[12] Hemeon, W. C. L.; Haines, G. F., Jr.; and Ide, H. M.: Determination of Haze and Smoke Concentrations by Filter Paper Samplers, *J Air Pollut Control Assoc* 3:22, 1953.

[13] Boyd, J. I.: Climate, Air Pollution and Mortality, *Brit J. Prev Soc Med* 14:123, 1960.

[14] Wildelock, D.; Schaeffer, M.; and Millian, S. J.: Surveillance of Infectious Disease by Serologic Methods: I. Asian Influenza 1957–1964. *Amer J. Pub Health* 55–578–586, 1965.

On the assumption that the deaths are distributed as a Poisson distribution, the difference between the average for 1963 and that of any of the other years is statistically significant at the 0.01 level or better. No year other than 1963 differs significantly from the overall average of 1961, 1962, 1964 and 1965 of 252 deaths per day.

This significant increase in total mortality during the critical period (Jan. 29 through Feb. 12) in 1963 is attributable to several causes of death (Table 2). Chi-square tests disclosed that, in comparison to similar periods in the control years (1961, 1962, 1964, 1965), there were statistically significant increases ($P < 0.01$) in the year 1963 in the numbers of deaths attributed to each of the following causes: Influenza-pneumonia, vascular lesions affecting central nervous system, diseases of the heart, and the "all others" category of Table 2. Accidents, homicides, suicides, and deaths of early infancy (less than 28 days of age) show no statistically significant difference.

The increased mortality noted above occurred only in the older age groups. A Chi-square test disclosed a significant increase in the critical period in 1963 in the age group 45 to 64 ($P < 0.01$) and in the age group 65 and over ($P < 0.01$). The morality by age groups in presented in Table 3.

TABLE 2.—DISTRIBUTION OF DEATHS BY CAUSE NEW YORK CITY, JAN. 29–FEB. 12, 1961–65

Cause of death (IDC classification)	1961	1962	1963	1964	1965
Influenza-pneumonia (480–493)	172	1,964	[1] 305	142	217
Accidents (E–800–962)	94	127	107	125	92
Suicide (E–963, E–970–979)	36	24	28	33	31
Homicide (E–964, E–65, E–980–999)	18	25	19	30	17
Diseases of early infancy (760–762, 764–776)	112	91	99	97	98
Vascular lesions affecting central nervous system (330–334)	276	274	[2] 326	249	290
Diseases of the heart (400–443)	1,805	1,752	[2] 2,232	1,714	1,755
All other	1,382	1,315	[2] 1,480	1,269	1,323
Total	3,895	3,372	[2] 4,596	3,659	3,823

[1] $P<0.05$.
[2] $P<0.01$.

TABLE 3.—DISTRIBUTION OF DEATHS, ALL CAUSES, BY AGE GROUPS, NEW YORK CITY, JAN. 29–FEB. 12, 1958, AND 1961–65

Age groups (years)	1958	1961	1962	1963	1964	1965
Under 1	183	204	194	185	185	189
1 to 24	83	83	86	98	76	92
25 to 44	274	236	239	250	263	231
45 to 64	[1] 1,323	1,185	1,109	[1] 1,300	1,035	1,096
65 and over	2,325	2,187	2,144	[1] 2,763	2,100	2,215
Total	4,188	3,895	3,772	[1] 4,596	3,659	3.823

[1] $P <0.01$.

The increase in mortality experienced in New York city during the period Jan 29 to Feb 12, 1963, was the result of unusual stresses, air pollution, influenza, and cold weather, acting on the population simultaneously. In order to assess the role of the air pollution factor during this period, it was necessary to study other periods in New York city when influenza and cold weather were present but when air pollution was not present. The days prior to the critical period (Jan. 21 through 28, 1963) and the subsequent days (Feb. 13 through 19, 1963) during which lower levels of air pollution were present, were such periods. These days show an average of 283 deaths per day. The peaking in mortality during the critical period (Jan 29 through Feb 12) was found to be significantly greater ($P<0.01$) than in the control periods (Jan 21 through 28, plus Feb 12 through 19), disclosing an excess of 345 deaths during the critical period, the 15 days of intense air pollution in 1963.

It would appear, therefore, that these 345 excess deaths are related to the added stress of air pollution since during the Jan 21 through 28 and Feb 13 through 19 periods cold weather and influenza were present throughout. The 809 excess deaths quoted above would be due to the combined effect of all three "insults"—air pollution, influenza, and cold weather.

In order to test this hypothesis further, we decided to employ as additional control the same period, Jan 29 through Feb 12, in which cold and influenza were present, but air pollution was at a low level. The months of January and February in the year 1958 were found to be the only recent periods with comparable low temperature and infection factors but with low air pollution levels. Comparing the two periods (January and February) 1958 and 1963, we find that influenza A_2 was active in the population during both years. In addition, both winters were comparable with respect to cold stress as measured in terms of degree days (Fig. 3). [Charts and graphs do not appear in the RECORD.] In the critical period (Jan 29 through Feb 12) in 1963, there were 545 degree days or an average of 36 degree days per day. During the same 15-day period in 1958, there were 523 degree days for an average of 35 degree days per day. Although the critical period in 1963 was slightly colder, there was not, in this respect, an appreciable difference between the two years.

The major difference between 1958 and 1963 was the low level of air pollution in 1958 as compared with the high levels of 1963. During the 15-day period in 1958, the daily hourly average concentration of sulfur dioxide was 0.19 ppm. whereas in 1963 the daily hourly average of sulfur dioxide was 0.46 ppm. The daily average sulfur dioxide readings for January and February 1958 and 1963 are presented in Fig. 1. It will be observed that in the period January 29 through February 12, 1958, little pollution was present, whereas the levels of sulfur dioxide in the same period in 1963 were extremely high.

While a breakdown of distribution of deaths by cause is not available for 1958, it is interesting to note that for the month of February 1958, the total number of influenza-pneumonia deaths was 515 as compared with 557 influenza-pneumonia deaths for February 1963.

The critical period in 1963 (Jan. 29 through Feb. 12) was then compared with the same period in 1958 when, as noted earlier, influenza and cold stress, but little air pollution was present in New York city. During the period, Jan. 29 through Feb. 12, 1958, the mortality averaged 279 deaths per day as compared with 306 deaths per day in 1963. The average number of deaths per day during the critical period of intense air pollution in 1963 was found to be significantly greater ($P < 0.01$) than for the same period (Jan. 29 through Feb. 12) in 1958 when there was no air pollution, resulting in an excess of 405 deaths in the former 15-day period.

The average number of deaths per day during the control periods (days prior, Jan. 21 through 28, and subsequent, Feb. 13 through 19) in 1963 were then compared to the similar periods in 1958. The daily average of 283 deaths during the days prior and subsequent to the critical period in 1963 was found to be not significantly different from the number of 293 deaths per day in similar periods in 1958.

Finally, when the 1958 control periods (Jan. 21 through 28 and Feb. 13 through 19) are compared to the critical period of 1963 (averages of 293 vs. 306 deaths), we arrive at still another estimate of the excess deaths due to air pollution, 195 deaths.

The results of this analysis indicate that daily mortality was significantly increased during the critical period Jan. 29 through Feb. 12, 1963, when intense air pollution, added to the already existing stresses of influenza and cold, were present in New York city.

In an attempt to isolate the effect which may be attributable to air pollution, three control periods yielded estimates of 195, 345, and 405 excess deaths.

SUMMARY

In this study, a period of intense air pollution from Jan. 29 to Feb. 12, 1963, in the city of New York has been investigated. During this critical period, 809 deaths were noted in excess of the overall average number of deaths for the same 15-day periods in the years 1961, 1962, 1964, and 1965.

In order to evaluate the role played by air pollution during the critical period, Jan 29 through Feb 12, 1963, when influenza and cold weather and air pollution were present, the three following control periods were used: (1) the days prior to and subsequent to the episode, (2) a similar period of 15 days during 1958, and (3) the days prior to and subsequent to the period of 1958. During these control periods, influenza and cold weather were present but air pollution was not. Estimates of the effect of air pollution ranged from approximately 200 to 400 excess deaths.

The increase in mortality during the critical period, Jan 29 through Feb 12, 1963, took place among the older age groups (45 to 64 and 65 and over) and for the causes, influenza-pneumonia, vascular lesions, cardiac, and "all others." No significant increase in accidental deaths, homicides, suicides, and deaths of early infancy (less than 28 days of age) was found during the critical period in 1963 when compared with the same period in the control years 1961 through 1965.

(NOTE.—This study was supported by grant AP00118 from the Division of Air Pollution, Bureau of State Services, Public Health Service, U.S. Department of Health, Education, and Welfare, Washington, D.C.)

Dr. Greenburg together with his associates Marvin Glasser, Sc. D. and Franklyn Field O. D. followed up with a report on August 7, 1967, on the thermal inversion period of Thanksgiving, 1966 entitled "Mortality and Morbidity During a Period of High Levels of Air Pollution, New York City, November 23 to November 25, 1966." It is this report that is referred to in the New York Post editorial.

The report follows:

MORTALITY AND MORBIDITY DURING A PERIOD OF HIGH LEVELS OF AIR POLLUTION, NEW YORK CITY, NOVEMBER 23 TO NOVEMBER 25, 1966

(By Marvin Glasser, Sc. D., assistant professor (biostatistics); Leonard Greenburg, M.D., professor, preventive medicine; Franklyn Field, O.D., instructor (meteorology); from the Albert Einstein College of Medicine of Yeshiva University, New York, N.Y.)

(NOTE.—This study was supported by U.S. Department of Health, Education, and Welfare—contract PH 86-66-122, Aug. 7, 1967.)

There are several documented episodes of increased air pollution in New York City which have been shown to be related to increases in mortality and morbidity.[1][2]

The purpose of the present paper is to examine the patterns of mortality and morbidity during a recent episode of high air pollution in New York City which occurred during the Thanksgiving Day weekend, November 23–25, 1966.

WEATHER

On November 19, 1966, a large mass of cold air was centered over the midwestern portion of the United States. This anticyclone slowly moved eastward and covered the Eastern third of the United States, extending from Maine to Northern Florida. For two days the high pressure system remained practically stationary, shifting only slightly, so that on the 23rd of November the ridge line extended from Maine to Georgia and Alabama.

Wind velocity in the New York metropolitan area on November 22nd and 23rd had fallen to 4.9 and 4.3 miles per hour, and temperature inversions formed during the morning and evening hours. These stagnating weather conditions persisted on November 24th and 25th during which days light winds and temperature inversions continued to be present. The average daily atmospheric mixing depths (vertical diffusion based on soundings and maximum temperature) on November 23rd through 25th were 1,583 feet, 1,214 feet, and 1,813 feet. Temperature during this period rose to unseasonable levels. The mean temperature on the 25th was 13 degrees above normal. The temperature continued to be above normal through November 28th.

Table 1 presents minimum and maximum daily temperatures, departure of average temperature from normal for the day, mixing depth, and average wind speed for November 23 through November 29, 1966.

Because of the low atmospheric ventilation a high air pollution potential advisory was issued by the U.S. Weather Bureau for the New York-New Jersey area effective 12:20 P.M. on November 23rd. This high air pollution potential advisory was continued in force until midnight, Friday, November 25, 1966.

It was not until a cold front moved into the metropolitan area on November 26, 1966, and fresh polar air replaced the stagnant air over the city that the high air pollution advisory was terminated.

Figure 1 presents a photograph of Manhattan Island taken from the Empire State Building looking South on November 24th, between the hours of 8:30 and 9:00 A.M. and graphically shows the degree of reduced visibility over the city.

AIR POLLUTION

Sulphur dioxide concentrations in p.p.m. and smoke shade determinations in CoH units have been used as measures of the intensity of air pollution. All readings were taken at the Central Laboratory of the New York City Department of Air Pollution Control located on East 121st Street, Manhattan.

Table 2 presents the daily mean, minimum and maximum of hourly sulphur dioxide observations and of bi-hourly smoke shade observations for the period November 23 to November 29, inclusive. On November 23rd and 24th maximum hourly values of SO_2 were .69 and .97 respectively. The highest level of SO_2 was observed on November 25th, the third day of the episode, between the hours of 6 and 7 A.M. For November 23rd and 24th the maximum smoke shade readings were 6.6 and 8.0 respectively. The maximum recorded smoke shade for the episode was 8.2 between the hours of 6:00 and 8:00 A.M. on November 25th.

Such high readings are unusual for New York City. For example, from November 6 to December 10 in the six year period 1961–1966 only three percent of the maximum daily SO_2 observations exceeded 1.02 p.p.m. Similarly maximum smoke shade values of 8.2 CoH units are observed or exceeded on only 2 percent of the days during the six year period cited above.

Figures 2 and 3 present the daily mean, maximum, and minimum SO_2 and smoke shade readings for November 6th through December 10th, 1966, plotted against a three-day moving average for the years 1961–1965. It is apparent from these curves that the mean, maximum and minimum values of SO_2 and smoke shade attained unusually high levels during the period under study.

The reader's attention is directed to the fact that on December 5 another period of high air pollution took place, although of shorter duration and of lesser magnitude. Certain facts concerning this latter period are presented later in this paper.

ANALYSIS OF MORTALITY DATA

We computed the average number of daily deaths for the three days of the episode (Nov. 23–25), for the three days following the episode (Nov. 26–28), and for the entire week, November 23rd to November 29th. The daily figures were carefully examined so that a single day with high mortality would not be overlooked. This might happen if only averages were studied.

In attempting to assess the influence of air pollution on health in a study such as the one at hand, it is essential to compare levels of mortality during the period of high air pollution with periods characterized by levels of usual air pollution during the same calendar dates of the control year or years.

As control periods we have computed average deaths per day for:

a) the 2½ week period preceding the episode, November 6–22, 1966.

b) the 5-day period following the episode, November 30-December 4, 1966. It should be recalled that a one-day episode took place on December 5, 1966, which made it advisable to cut off the post-episode control period before that date.

c) the previous five years corresponding to the period preceding the episode, November 6–22, 1961–1965.

d) the previous five years corresponding to the week of the episode, November 23–29, 1961–1965.

The data presented in tables 3 and 4 showing the mean number of daily deaths for each of the control periods and all * * * by age and cause of death providing a basis for evaluating the validity of the control periods employed in this investigation.

An examination of these data discloses that the differences in number of deaths among the control periods are small and without a consistent pattern. From this we may conclude that the time period used for control purposes was so brief that any trend in the number of deaths may be ignored. The calendar week which corresponds to the present episode (i.e. November 23–29) has, in the five-year period 1961–1965, averaged about the same number of deaths as during the other control periods. The average number of deaths on days in the year 1966, prior to and subsequent to, the week of the episode was not greater than in the other control periods.

In order to assess the significance of the number of daily deaths in a cause or age group for a particular day, we compared the number of deaths for that day with the number of deaths in the same age or cause group occurring during the period November 6 to November 30, 1961–1966 (excluding the period of the present episode, November 23–29, 1966).

DAILY MORTALITY

Table 3 presents the average number of daily deaths for all causes, and for the three age groups under 45, 45–64, and 65 and over, for the week of the episode and for control periods.

In the control periods the average number of daily deaths ranged from 233.9 to 238.3 and yielded an overall average of 237.3. Similar data for the week of the air pollution episode ranged from 257.3 to 266.0 and yielded an overall average of 261.3. The difference in the two overall averages, i.e., the period of the episode and the control periods, namely the difference between 261.3 and 237.3, discloses an excess of 24 deaths per day during the week of the air pollution episode.

It is of interest to examine the daily mortality more closely (Fig. 4). On the first day of the episode (November 23rd), deaths rose to 268 from 237 on the preceding day. On the next day (November 24th) 269 deaths occurred. This was the maximum observed during the week and was exceeded on only 4.9 percent of the days in the last six years. On no day, during the week of the 23rd were fewer than 254 deaths observed. This was the only seven day period, from November 1 through December 10, in the last six years during which this was true.

On November 30th deaths dropped to a more usual level of 242, from 266 on the preceding day, November 29th.

It was noted earlier that there was a one-day period of high air pollution on December 5, 1966. It is noteworthy that a sharp rise in the number of deaths occurred on this day and also on December 7th.

MORTALITY BY AGE

During the week of November 23rd an unusually large number of deaths took place in each of the age groups, although the peak number of deaths in the different age groups did not occur on the same day.

Table 5 presents, by age group and cause, the date on which the maximum number of deaths occurred, the number of deaths on this date, and the percent of days equalling or exceeding this number of deaths.

A peak of 49 deaths was observed on November 24 among persons under age 45. For persons in the 45–64 age group a peak of 87 was attained on November 29 while for persons aged 65 and over the peak value, 167 deaths, was observed to occur on November 26th. When these figures are compared to the numbers of deaths occurring during the last 6 years, it may be seen that they have been exceeded in but very few instances. The maximum for the youngest age group was equalled or exceeded on 1.4 percent of the days, for the 46–64 age group on about 3.5 percent of the days, and for the oldest age group on less than 1 percent of the days.

Although the *maxima* in the three age groups occurred on different dates, it should not be overlooked (Figs. 5, 6 and 7) that a higher than average number of deaths occurred on the first or second day of the episode in each age group.

Referring once again to Table 3 we see that for the week of the episode the average number of deaths among persons under age 45 was 3.9 more than for all control periods combined, 36.3 as compared to 32.4. For age groups 45–64 and 65 and over the excess was 5.0 and 15.2 respectively. Thus, the excess number of deaths increased with age. The percentage increase over control levels was 12.0, 7.3 and 11.2 for the three age groups respectively.

MORTALITY BY CAUSE

Reference to table 5 discloses that on November 23rd 16 deaths were recorded as being due to malignant neoplasms of the respiratory system. The number of deaths from this cause was equalled only on one day of the base period.

It may be of interest to note that the only other day in the period 1961–1966 (November 25, 1964) when as many as 16 deaths due to malignant neoplasms of the respiratory system were recorded, the SO_2 and smoke shade values were usually high. The mean SO_2 and smoke shade values were .37 p.p.m. and 4 Coli units respectively.

---

[1] Greenburg, L., et al.: Report of an Air Pollution Incident in New York City, November 1953, Public Health Reports 77:7-16 (Jan.) 1962.

[2] Greenburg, L., et al.: Air Pollution, Influenza, and Mortality in New York City during January-February 1963, in press.

Reference to figure 8 discloses that on no other day was the number of deaths from this cause significantly elevated.

Table 5 shows that 27 deaths due to vascular lesions of the central nervous system occurred on November 29th. This number of deaths was equalled or exceeded on 3.5 percent of the base period days. Note that there was another peak of 26 deaths occurring on November 24th (Fig. 9). During the week of the episode there was an average of 21.3 deaths per day due to vascular lesions of the central nervous system as compared to 17.1 deaths for all of the control periods combined (Table 4).

On November 23 and 25 the number of deaths due to arteriosclerotic heart disease was 102 and 107 respectively. This latter figure was exceeded only once, 0.7 percent of the days, and the former figure was exceeded on 3.5 percent of the base period days. Figure 10 discloses that for the remainder of the week of the episode the number of deaths was at normal levels. Table 4 shows that the average number of daily deaths due to arteriosclerotic heart disease during the week of the episode was 91.7, considerably above the average of 83.2 for all control periods combined. Most of this increase took place in the first three days when the average was 98.7.

The timing of the excess daily mortality due to other diseases of the circulatory system (Figure 11) differed from that of arteriosclerotic heart disease. Rather than an immediate rise in mortality associated with the air pollution, there was a three-day delay during which mortality remained at normal levels. Then, on November 26–28, there were three consecutive days with extremely high mortality—24, 28 and 26 deaths respectively. These were the only days during November 6–December 10, 1961–1966, that there occurred three consecutive days with 24 or more deaths due to this cause. The peak of 28 deaths was exceeded only once during this period. As can be seen in Table 4, the average number of deaths during November 26–28 was 26.0 per day as compared with the average for all control periods of 17.1.

The major peak, in the number of deaths for the category "all other causes" occurred on November 24 when 120 deaths were observed—a figure equalled or exceeded on only 1.4 percent of the days. Relatively high numbers of deaths also occurred on November 27th and November 29th (Fig. 12).

As shown in Table 4, the average for the week was 103.2, considerably higher than the 94.2 observed during the control periods.

Consideration of Figures 13 and 14 and Tables 4 and 5 reveals that the daily mortality for Influenza and Pneumonia combined and for Hypertensive Heart Disease shows no unusual pattern during the week of the air pollution episode.

EFFECT OF TEMPERATURE

It was noted earlier that the air temperature on the first day of the air pollution episode (Nov. 23rd) was at average levels. During the following five days, the mean temperature was considerably above normal, reaching a maximum of 18 degress above normal on December 25th. The question naturally arises as to whether the observed pattern of mortality is equally consistent with the hypothesis that the increased temperature was the sole contributing factor.

The first observation bearing on this question is that there was a substantial rise in deaths from all causes, deaths of persons aged 45–64, and deaths due to lung cancer on the first day of high levels of air pollution, when the air temperature was normal.

Prior to the onset of the air pollution episode, namely November 8 to 11, 1966, there occurred a period with higher than normal temperatures, the departure from normal temperature levels being 5°, 11°, 15°, and 10° respectively, but in this instance excessive air pollution was not present. The increased temperature levels in this case are comparable in magnitude to those occurring during the week of November 23rd (Table 1). An examination of the death patterns of the week of November 8th (Table 6 and Figures 4–14) disclosed high peaks in the numbers of deaths due to the causes Influenza-Pneumonia, vascular lesions of the Central Nervous System, and other diseases of the circulatory system. The age group of persons under 45 years also displayed high peaks during this week of warm weather. It is noteworthy that the number of daily deaths for each of the above groups was lower than that observed during the week of the air pollution episode, except for the cause group Influenza and Pneumonia. The latter group, it will be recalled, showed no unusual rise in deaths during the air pollution week. It is interesting to note that the maximum number of daily deaths due to vascular lesions of the Central Nervous System was only one less than the maximum number occurring during the week of the air pollution episode. The influence of high environmental temperature on vascular lesions of the central nervous system may be a subject worthy of investigation in depth.

With the exception of deaths due to vascular lesions of the central nervous system, we are led to the conclusion that the increased temperatures present during the air pollution episode cannot account for the increased deaths which occurred during this time.

MORBIDITY

In an effort to learn the effect of the air pollution episode on asthma and bronchitis, the daily number of emergency clinic visits due to these causes during the period November 5 to December 13, 1966, was examined. These clinic data were obtained from seven large New York City hospitals: Bellevue, Coney Island, Cumberland, Elmhurst, Harlem, Kings County and Metropolitan Hospital.

The data were analyzed in two age groups, persons under 45 years of age, and persons aged 45 and over. No evidence disclosing an increase in visits for bronchitis and asthma in the younger age group was found. The data for persons aged 45 and over are presented in table 7. On the third day of the episode, November 25th, emergency clinic visits for bronchitis and asthma reached a peak during the five and a half weeks in three of the seven hospitals, Elmhurst, Metropolitan and Harlem.

The interpretation of these data is complicated by the fact that the air pollution incident took place during the Thanksgiving Day holiday. On that day out-patient clinics were closed. However, they were open on the following day, November 25th, when the rise in the number of emergency clinic visits was observed.

Unfortunately, comparable data for previous years are not available at this time and hence we cannot evaluate the effect of the Thanksgiving Day holiday on the number of emergency clinic visits.

SUMMARY

With the onset of high levels of air pollution, daily deaths due to all causes immediately rose to higher than expected levels, and remained at higher than expected levels for seven consecutive days. There were 24 more deaths per day than during the control periods. Thus, in all there was a total of 163 excess deaths.

The excess number of deaths per day was observed in each of the three age groups studied. This excess increased with increasing age.

Significant increases in the number of deaths were observed on one or more days for arteriosclerotic heart disease, vascular lesions of the central nervous system, malignant neoplasms of the respiratory system, the category "other diseases of the circulatory system" and the miscellaneous group "all other causes." The timing and duration of the observed increases varied by cause of death.

Because the weather was unseasonably warm during the air pollution episode, daily death patterns of another warm spell characterized by normal levels of pollution were examined. It was concluded that the rise in temperature at the time of the episode could not account for the observed increase in mortality, although it might have been a contributing factor.

The number of emergency clinic visits for bronchitis and asthma, at seven large New York City hospitals was examined. There was a rise in the number of such visits on the third day of the episode, among patients age 45 and over, at three of the seven hospitals investigated.

Unfortunately, the Thanksgiving Day holiday greatly complicated this portion of the study. The data available do not make it possible to evaluate the contribution, if any, of the Thanksgiving Day holiday to the observed rise in emergency clinic visits.

TABLE 1.—DAILY MINIMUM AND MAXIMUM TEMPERATURE, DEPARTURE OF MEAN TEMPERATURE FROM NORMAL, MIXING DEPTH, AND DAILY AVERAGE WIND SPEED, NOV. 23–29, 1966

Date	Temperature (degrees Fahrenheit)		Departure from normal (degrees Fahrenheit)	Mixing depth (feet)	Average wind-speed (miles per hour)
	Minimum	Maximum			
Nov. 23	34	55	0	1,583	4.3
Nov. 24	40	65	+9	1,214	2.7
Nov. 25	49	64	+13	1,813	5.6
Nov. 26	46	57	+18	1,009	7.0
Nov. 27	44	55	+7	2,264	4.9
Nov. 28	48	57	+10	1,887	12.7
Nov. 29	37	49	+1	3,707	9.9

TABLE 2.—DAILY MEAN, MINIMUM, AND MAXIMUM OF HOURLY SO_2 OBSERVATIONS AND OF BIHOURLY SMOKE SHADE OBSERVATIONS, NOV. 23–29, 1966

Date	SO_2 (parts per million)			Smoke shade (Cohs/1,000 ft.)		
	Mean	Minimum	Maximum	Mean	Minimum	Maximum
Nov. 23	0.51	0.30	0.69	5.6	3.9	6.6
Nov. 24	.47	.18	.97	6.1	4.0	8.0
Nov. 25	.41	.17	1.02	5.0	2.7	8.2
Nov. 26	.16	.06	.40	2.9	1.8	4.0
Nov. 27	.18	.04	.38	2.9	1.4	4.3
Nov. 28	.10	.02	.28	1.3	.5	2.3
Nov. 29	.17	.06	.39	1.9	.8	3.2

TABLE 3.—AVERAGE NUMBER OF DAILY DEATHS IN AGE GROUPS DURING THE WEEK OF THE AIR POLLUTION EPISODE AND DURING THE CONTROL PERIODS

	All ages	Under 45	45 to 64	65 and over
WEEK OF AIR POLLUTION EPISODE				
Total week	261.3	36.3	73.1	151.9
Nov. 23–25	263.7	41.3	68.0	184.3
Nov. 26–28	257.3	30.7	73.7	153.0
Nov. 29	266.0	38.0	87.0	141.0
CONTROL PERIODS				
All control periods	237.3	32.4	68.1	136.7
Nov. 6–22, 1966	233.9	34.2	65.2	134.5
Nov. 30–Dec. 4, 1966	235.6	28.8	69.0	137.8
Nov. 6–22, 1961–65	237.6	32.7	68.0	136.8
Nov. 23–29, 1961–65	238.3	31.4	69.5	137.4

TABLE 4.—AVERAGE NUMBER OF DAILY DEATHS BY CAUSE DURING THE WEEK OF THE AIR POLLUTION EPISODE AND DURING THE CONTROL PERIODS

Dates	Total	Malignant neoplasm of respiratory system (code 160–165)	Influenza and pneumonia (code 480–493)	Vascular lesions of CNS (code 330–334)	Arteriosclerotic heart disease (code 420)	Hypertensive heart disease (code 440–443)	Other diseases of the circulatory system (code [1])	All other causes
Week of air pollution episode:								
Total week	261.3	9.9	7.9	21.3	91.7	6.6	26.7	103.2
Nov. 23–25	263.7	10.3	6.7	19.3	98.7	6.3	16.3	98.0
Nov. 26–28	257.3	8.6	9.0	21.3	86.0	7.3	26.0	110.0
Nov. 29	266.0	9.0	8.0	27.0	88.0	5.0	18.0	110.0
Control periods:								
All control periods	237.3	8.8	8.6	17.1	83.2	8.3	17.1	94.2
Nov. 6–22, 1966	233.9	9.0	8.3	16.8	80.0	6.6	18.4	94.8
Nov. 30–Dec. 4, 1966	235.6	9.6	7.4	14.8	87.8	9.6	14.4	92.0
Nov. 6–22, 1961–65	237.6	8.4	8.7	16.8	83.2	8.7	17.1	94.6
Nov. 23–29, 1961–65	238.3	8.8	8.7	18.3	84.3	8.0	18.9	93.3

[1] 400–416, 421–434, 484–488, 592–594.

TABLE 5.—MAXIMUM NUMBER OF DAILY DEATHS AND PERCENTILE [1] OF MAXIMUM, BY AGE AND BY CAUSE, NOV. 23–29, 1966

Age and cause classification	Date of maximum number of deaths	Maximum	Percentile [1]
Total	Nov. 24	269	6.3
Age:			
Under 45	Nov. 24	49	1.4
45 to 64	Nov. 29	87	3.5
65 and over	Nov. 26	167	.7
Cause:			
Malignant neoplasms of respiratory system	Nov. 23	16	0.7
Influenza and pneumonia	Nov. 24, 26, 27, 28	9	52.4
Vascular lesions of CNS	Nov. 29	27	3.5
Arteriosclerotic heart disease	Nov. 25	107	.7
Hypertensive heart disease	Nov. 23, 28	8	56.5
Other diseases of circulatory system	Nov. 27	28	.7
All other causes	Nov. 24	120	1.4

[1] Percent of days during Nov. 6–30, 1961–66 (exclusive of Nov. 23–29, 1966) on which there were at least as many deaths in the corresponding age or cause group as the maximum number observed during the week of Nov. 23, 1966.

TABLE 6.—MAXIMUM NUMBER OF DAILY DEATHS AND PERCENTILE [1] OF MAXIMUM, BY AGE AND BY CAUSE, NOV. 8–14, 1966

Age and cause classification	Maximum during week of Nov. 8–14, 1966	Percentile [1]
Total	264	9
Age:		
Under 45	43	4
45 to 64	76	18
65 and over	152	15
Cause:		
Malignant neoplasms of respiratory system	11	23
Cause—Continued		
Influenza and pneumonia	16	1
Vascular lesions of CNS	26	4
Arteriosclerotic heart disease	89	25
Hypertensive heart disease	12	13
Other diseases of circulatory system	24	7
All other causes	105	17

[1] Percent of days during Nov. 6–30, 1961–66 (exclusive of Nov. 23–29, 1966) on which there were at least as many deaths in the corresponding age or cause as the maximum number observed during the week of Nov. 8, 1966.

TABLE 7.—DAILY EMERGENCY CLINIC VISITS FOR ASTHMA AND BRONCHITIS AT 7 NEW YORK CITY HOSPITALS, PERSONS AGED 45 YEARS OF AGE AND OLDER, NOV. 5–DEC. 13, 1966

Date	Total [1]	Bellevue	Cumberland	Coney Island	Elmhurst	Kings County	Harlem	Metropolitan
Nov. 5	(2)	7	(2)	2	1	3	(2)	(2)
Nov. 6	21	3	(2)	0	0	5	6	7
Nov. 7	41	1	(2)	6	1	7	17	9
Nov. 8	34	2	(2)	5	1	5	17	4
Nov. 9	30	3	(2)	3	2	8	11	3
Nov. 10	22	3	(2)	1	2	4	8	4
Nov. 11	24	4	(2)	0	2	6	9	3
Nov. 12	26	3	(2)	5	0	2	13	3
Nov. 13	29	4	(2)	1	2	8	9	5
Nov. 14	34	3	3	3	2	3	19	4
Nov. 15	31	1	4	3	2	6	14	5
Nov. 16	25	2	2	1	3	4	12	3
Nov. 17	31	4	3	1	3	4	14	5
Nov. 18	27	4	0	1	1	2	9	10
Nov. 19	29	4	1	1	1	4	16	3
Nov. 20	27	4	2	4	4	7	10	8
Nov. 21	39	4	2	1	3	9	15	7
Nov. 22	29	2	7	0	3	5	15	4
Nov. 23	25	1	3	2	2	3	15	2
Nov. 24	26	2	0	1	5	1	15	2
Nov. 25	55	4	5	1	7	6	24	13
Nov. 26	36	4	6	3	3	3	18	5
Nov. 27	27	7	7	1	0	3	9	7
Nov. 28	25	1	1	1	1	3	13	6
Nov. 29	29	3	5	3	1	7	13	2
Nov. 30	26	0	3	4	1	4	11	6
Dec. 1	18	0	3	2	2	3	8	3
Dec. 2	22	2	2	1	1	3	8	7
Dec. 3	20	1	5	1	1	3	9	5
Dec. 4	32	4	3	0	0	4	14	10
Dec. 5	32	2	5	2	5	6	12	5
Dec. 6	33	4	(2)	0	2	8	15	4
Dec. 7	19	6	(2)	2	0	3	4	4
Dec. 8	29	2	(2)	1	1	10	12	3
Dec. 9	23	3	(2)	1	1	3	10	5
Dec. 10	29	5	(2)	2	2	6	11	3
Dec. 11	25	3	(2)	2	0	5	9	6
Dec. 12	30	0	(2)	2	1	8	13	6
Dec. 13	32	3	(2)	3	0	6	20	(2)

[1] Exclusive of Cumberland.
[2] Data not available.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. CEDERBERG].

Mr. CEDERBERG. Mr. Chairman, I rise in opposition to the amendment and yield to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, I ask that my time be combined with the gentleman's time.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. SPRINGER. Mr. Chairman, may I say that I know there is a lot of confusion in the Chamber as to what has taken place. It seems to me that somewhere there ought to be at least some confidence in what the committee did.

At the time we had the California amendment before us—and I believe we also had something similar to the Kupferman amendment—but I do not remember that we had anything similar to what the gentleman from New Jersey introduced—but all of the aspects of these exemptions from Federal standards were considered. By my count there were 29 out of the 34 Members who were there when the vote was taken and I believe my recollection is correct when I say that there were only two people in the committee who supported the California amendment. One of them was the gentleman from California [Mr. VAN DEERLIN] and the other was the gentleman from California [Mr. MOSS].

I believe the gentleman from California [Mr. VAN DEERLIN] was the one who presented the amendment. If there was anyone else, I do not know who it was.

So I say to you, Mr. Chairman, this has been considered. It has been given the most thoughtful consideration by the committee. Surely when no more than that are in favor of an amendment, there must be some real solid reasons as to why the committee disregarded it and voted it down.

I realize there are going to be all kinds of appeals made on the floor with reference to this amendment. But we had hearings on this. We considered it. It was debated. It took almost all of one morning to consider the proposition outlined as it was by the gentlemen from California [Mr. VAN DEERLIN and Mr. MOSS].

This has been given the most careful consideration by the committee. If there had been good and valid reasons as to why California should be exempt from these Federal standards, with the right to set up their own standards, I am sure the committee would have gone along with it.

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia [Mr. HECHLER].

Mr. HECHLER of West Virginia. Mr. Chairman, I rise in opposition to the Kupferman subsitute and in support of the Joelson amendment, and also in support of the Moss amendment. I feel it would be unfortunate if we had 50 different State standards as would be authorized by the adoption of the Kupferman substitute. However, I do feel that there should be opportunity for States that wished to adopt more stringent standards, under the authority of the Joelson amendment and the Moss amendment, to do so. I therefore support the Joelson amendment and also the Moss amendment, and urge the Committee to adopt both of these amendments.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. HOSMER].

Mr. HOSMER. Mr. Chairman, the issue is not whether we are going to have higher standards in California or not. That is to be the consequence of either the committee bill or the Moss amendment. The issue is, Who will impose the higher California standards? Is California going to be able to impose the standards necessary to meet its own circumstances and conditions, or will California have to go hat in hand to Washington along with the four automobile manufacturers—General Motors, Ford, Chrysler, and American Motors—and argue about it down at HEW? That is the only issue.

When standards do come, some Members have asked whether cars touring in California would have to buy the extra equipment, and so forth, that California car buyers have to pay for. The answer is "No." Touring automobiles are exempted. They amount to about 5 percent of the traffic. If we can get the 95 percent of our own automobiles cleaned up, we can lick the smog problem. We are asking you to let us do just that.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. ROGERS].

(By unanimous consent, Mr. DINGELL yielded his time to Mr. ROGERS of Florida.)

Mr. ROGERS of Florida. Mr. Chairman, I hope the House will support the committee and vote against the amendments that have been offered, for a number of reasons.

First, it has only been since 1965 that the Federal Government has gotten into the program to set standards for car emissions all over the Nation. That is why we are having California's Members talk a great deal. They have been concerned. California has been in the problem longer.

But now the Federal Government is in it. The Federal standards are just as high as California's. I have been assured, and other Members as well, that in November, this month, you may expect to see proposed standards that will be stricter being published.

Let me point out this: In all of the amendments that have been offered, if you read them carefully, you will find that the decisions of standards to be set still goes back to the Secretary. It all rests on the Secretary because in both amendments the statement appears that "unless he," the Secretary—and I hope you will listen to this—"unless he," the Secretary," finds that such State does not require standards more stringent than applicable Federal standards to meet compelling and extraordinary conditions, or that such a State's standards and accompanying enforcement procedures are not consistent with section 202(a) of this title." In other words, the determination even in the Moss amendment goes back to the Secretary of Health, Education, and Welfare. So this discussion becomes academic.

The committee has thought this out. And let me tell you, in the rating of cities with air pollution, Los Angeles is not the first. It is the fourth. Cities on the serious air pollution list comes from all parts of the Nation. So it is a nationwide problem that the committee is trying to meet.

I hope you will vote down the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. VAN DEERLIN].

Mr. VAN DEERLIN. Mr. Chairman, I yield to the gentleman from New York [Mr. ROSENTHAL] for a unanimous-consent request.

Mr. ROSENTHAL. Mr. Chairman, I rise in support of the amendment offered by the gentleman from California [Mr. MOSS].

Mr. Chairman, Americans have learned to be too passive about living with hostile environments we ourselves create. We have learned all too well to tolerate all kinds of atmospheric poisons, but we must decide now to turn from a complacent make-do approach in our air pollution control programs to a genuine commitment. All across this Nation, and particularly in our urban centers, air pollution continues to kill and to corrode. The Air Quality Act of 1967 which I cosponsor represents the kind of vigorous program that is desperately needed to combat the pollution of our air.

This bill contains within it most of the pollution control devices needed to institute an effective program. For this reason, I strongly endorse the bill's general regional approach to the air pollution problem, as well as most of its specific proposals. A provision of this bill which troubles me would weaken State and local pollution controls in those States, notably in New York and California, which seek more vigorous standards than those of the Federal Government.

Such exemplary local programs, under the current wording of the Air Quality Act's section 208(b), would meet serious delays in implementation. These delays would subvert an otherwise commendable clean air program. I must therefore qualify my support of the Air Quality Act as it now reads. To improve this bill I urge my colleagues to support the amendment introduced today by the gentleman from California [Mr. MOSS]. This amendment would free States and localities to set clean air standards higher than those we are considering today and thus preserve and promote local initiative and competition for excellence.

Mr. Chairman, I ask permission to insert at this point in the RECORD a telegram which I just received from the Queens Tuberculosis and Health Association on the serious nature of the proposed limit on State action. It read:

> Efforts by Congressman Dingell to amend S. 780 would seriously damage air pollution control efforts in the U.S. and especially in New York State where the problem of automotive pollution is most serious. It is clear that in order to reduce this pollution even more stringent regulations will have to be promulgated in the years ahead. We urge defeat of Congressman Dingell's amendment which would prevent the States from enacting regulations more stringent than those of the federal government. Passage would be a definite step backward in the fight for cleaner air.

I take no pride in the fact that I represent part of the most polluted city in the Nation. Within New York City's gray-brown borders, my own district must be ranked as one of the most polluted sections of that city. In northern Queens, we must contend not only with chemical wastes and combustion residue from home heating and automobile exhaust; we must also inhale the jet-age wastes of those thousands of airplanes that crowd our skies daily. My constituents live in conditions of constant peril, and this peril is compounded by the fact that much of our airborne filth derives not from New York, but from neighboring States. I am especially pleased to endorse the present bill's emphasis on regional and interstate pollution standards and controls. The air pollution that confronts us is a social obscenity for the United States, since most of our pollution problems are soluble. Much can be done for the intolerable condition of New York City air but neither New York nor any other city can succeed without the cooperation of neighboring areas.

The bill before us today deserves our fervent support, but we should not think that it alone will solve all of our air pollution problems. Our national ability to poison our environment may yet overcome our intention to cleanse that environment, and the measure before us should be seen as only part of a comprehensive national antipollution system that would reinforce and build upon specialized State and local programs.

Mr. VAN DEERLIN. Mr. Chairman, it should surprise no one that I, too, rise in support of the amendment offered by the gentleman from California [Mr. Moss]. But I would rather vote than talk. Therefore, I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. CORMAN].

Mr. CORMAN. Mr. Chairman, I rise in support of the Joelson amendment and Moss amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. MCCARTHY].

Mr. McCARTHY. Mr. Chairman, we have heard a lot today about the concept of minimum nationwide standards, and about provisions of more stringent standards for special situations or for the automobile industry. When we dispose of the Moss amendment and the amendment to it, I will have an amendment to restore the language of the original Staggers bill, that provides for the setting now of national emissions standards, for all other industries in addition to the automotive, such as jet aircraft, steel, paper, oil, and any industry that contributes substantially to air pollution.

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia [Mr. STAGGERS].

Mr. STAGGERS. Mr. Chairman, I yield to the gentleman from South Carolina [Mr. WATSON].

Mr. WATSON. Mr. Chairman, I thank the distinguished chairman of the committee for yielding. I rise in support of the committee's position. As has been pointed out, we thoroughly considered these amendments in the Commerce Committee and overwhelmingly rejected them.

Frankly, I think Shakespeare wrote a book about what we have been doing here, entitled "Much Ado About Nothing." The committee's version will take care of the problem of California, and I think it is the orderly way of handling this pollution problem on a national basis.

Then, too, we should consider the effects passage of these amendments will have on the costs of automobiles, for the consumer will ultimately foot the bill for these added control features. Very well, the automotive industry will build its cars in accordance with the highest emission standards of California, and as a consequence the people in areas unaffected by the pollution problem must pay a higher price for their cars.

Let us move positively but in an orderly manner.

Mr. STAGGERS. Mr. Chairman, I thank the gentleman.

I might say I oppose the Moss amendment and the amendment thereto and the substitute therefor, because the Committee on Interstate and Foreign Commerce—33 Members of this House—considered this legislation very carefully. We recommend to the House that we adopt the bill as it is now written.

When these propositions were considered, most of the members of the committee were present. The propositions were turned down. We tried to arrive at a fair bill for all the 50 States. I recommend the bill be passed in the form we reported it, and I am opposed to all the amendments.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from New Jersey [Mr. JOELSON] to the amendment offered by the gentleman from California [Mr. Moss].

The question was taken; and on a division (demanded by Mr. JOELSON) there were—ayes 66, noes 57.

Mr. STAGGERS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers, the gentleman from New Jersey [Mr. JOELSON] and the gentleman from West Virginia [Mr. STAGGERS].

The Committee again divided, and the tellers reported that there were—ayes 83, noes 87.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from New York [Mr. KUPFERMAN] for the amendment offered by the gentleman from California [Mr. Moss].

The substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. Moss].

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. DINGELL. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers the gentleman from California [Mr. Moss] and the gentleman from West Virginia [Mr. STAGGERS].

The Committee divided; and the tellers reported that there were—ayes 152, noes 58.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. OTTINGER

Mr. OTTINGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. OTTINGER: On page 60, line 10, strike out the period and insert in lieu thereof a semicolon.
>
> On page 60, after line 10, insert the following:
>
> "(6) conduct research and development programs to develop and demonstrate feasible electric-powered vehicles or other nonpolluting alternatives to the internal combustion engine for motor vehicles."

Mr. OTTINGER. Mr. Chairman, I am offering a simple but important amendment to the Air Quality Act of 1967 to spur the development of electric vehicles or any other feasible alternative to the internal combustion engine.

The internal combustion engine is clearly the major source of air pollution in the Nation today. Each year, according to the Department of Health, Education, and Welfare, cars, trucks and buses spew some 86 million tons of dangerous waste into the air we breathe and that is more than 60 percent of the total pollution from all sources.

Considering the nature of the threat that this represents, it is vital that we mobilize the best efforts of Government and industry immediately.

It is not enough just to extend the effort to reduce the emissions from gas-powered engines. Unless there is a major and unexpected breakthrough, no projected reduction through abatement and control devices will be enough. Just the anticipated increase in automobiles will more than cancel out the reductions in pollution achieved by inefficient control devices now in use.

We must start now on an accelerated effort to develop feasible alternatives—wholly different types of engines whether they be battery-powered motors, external combustion engines, a steam engine or some more exotic system.

The need for this is underscored by the report by a panel of experts last month by the Department of Commerce. In this report, entitled The Automobile and Air Pollution, the panel stressed that:

> The magnitude of expected future need for urban-suburban personal transportation requires the early development of virtually non-polluting transportation systems.

The panel recommended a 5-year Federal program to "support, innovative developments" to achieve this goal. They stressed the need for federally supported research into new energy sources for vehicles, new vehicular propulsion systems, special purpose urban cars and general purpose vehicles.

Yet, in spite of this, there is no such provision in the Air Quality Act.

My amendment was the subject of detailed hearings in the Senate. It was considered by the House committee in connection with this act and opposed on the plea that the matter should be left to the auto industry.

Arguing against this Federal effort, the auto industry would have us believe that such research and development can be left exclusively to private enterprise. On the one hand they say that they can be trusted to carry the program forward and on the other hand they say that their studies indicate that there is no reasonable alternative on the horizon now.

Let us take a look at the record on electric cars. The auto industry appeared at the Senate hearings and testified that a practical electric vehicle was 15 years away.

Yet today, scarcely 5 months later, I have received a prospectus from a firm in Michigan which is manufacturing—not planning—but actually making an electric car called the Mars II which can travel at 60 miles an hour, has a range of up to 120 miles on one charge, and accelerates from zero to 40 miles per hour in 12 seconds.

Furthermore, the car will perform at an operating cost of only 1 cent per mile.

I hold no brief for this specific car. Tokyo Shibaurar Electric Co. of Japan and an English firm also apparently have similar vehicles ready. I do, however, want to enter the specifications for Mars II in the RECORD just to counter the gloomy predictions of the auto companies.

SPECIFICATIONS FOR 1968 MARS II ELECTRIC CAR

Body and chassis: 4-Door, 5-Passenger Sedan, Unitized Body Construction.

Battery: Power Unit—30 Kilowatt-hour "Tri-Polar" lead-cobalt battery produced under U.S. Patent Number 2,511,943. Accessory Unit—12-volt "Tri-Polar" battery operates magnetic control panel, lights, radio, heater and horn. Batteries installed in trunk and under hood.

Motor: 15-Horsepower, traction type, direct current, variable speed to 4,000 RPM.

Alternator: High capacity alternator with built-in rectifier for recharging power unit while coasting or braking with foot removed from accelerator pedal. Dynamic braking and automatic recharging thus provided with charging currents from 160 amps at 60 miles per hour to 30 amps at 20 miles per hour.

Charger: Built-in charger for overnight recharging of both power and accessory batteries on a 208/240-volt single phase household circuit. An additional charger used outside the car (for installation in one's garage, for example) is available, at extra cost, for recharging of batteries in approximately two hours. "Tri-Polar" batteries cannot be damaged when charged properly at high rates.

Transmission: Manual, 4-speeds forward, fully synchronized floor shift, no clutch; cannot be shifted while in motion. No shifting of gears necessary in normal operation of car. Shifting into first or second gears on steep hills or grades is recommended to conserve battery power. Shifting into fourth gear for expressway driving is recommended for greater speed. Third gear recommended for normal city driving. Gear ratios—1st, 3.61; 2nd, 2.25; 3rd, 1.48; 4th, 1.03. Final drive ratio: 4.125 to 1.

Brakes: Dual hydraulic braking system with disc brakes on all four wheels. Full-floating caliper, pads. Automatic compensation for wear. Spring-loaded hydraulic circuit value regulates rear brake pressure. Cable operated rear wheel handbrake. Electric braking on deceleration through alternator.

Steering: Deep dish, impact absorbing steering wheel. Rack and pinion with self-centering return spring. Turning circle: 30.4 feet (between curbs). 3.6 turns lock to lock. Steering ratio: 20 to 1.

Suspension: 4-wheel independent suspension with 4 heavy coil springs and 4 telescopic shock absorbers. Rear swing axles with limiting straps.

Tires: 165 SR 15 Radial Ply, Tubeless, Black (white-wall optional). Safety tire rims.

Dimensions: Wheelbase—89 inches. Over length—167½ inches. Height—55½ inches. Width—60 inches. Ground clearance—5 inches. Curb weight—4040 pounds.

Heating and cooling: Aircraft type gasoline heater and defroster. Passenger compartment cooled in summer through adjustable outlets at each end of dashboard.

Range, acceleration and speed: 70 to 120-mile range on a charge under normal city driving conditions (averaging up to 3 stops per mile). Acceleration from 0 to 40 MPH in 12 seconds. Maximum speed—60 miles per hour.

SAFETY AND SPECIAL FEATURES:

1. Dual hydraulic disc brakes.
2. Brake effectiveness warning light on instrument panel.
3. Additional electric braking on deceleration.
4. Deep dish, impact absorbing steering wheel.
5. Non-glare steering wheel.
6. Padded steering wheel spokes and embellisher.
7. Extra heavy duty radial ply tires with safety tire rims.
8. Non-glare, wood grain dash panel with ample padding.
9. Recessed instruments.
10. Dual padded sun visors.
11. Arm rests, front and rear seats.
12. Rear seat ash trays.
13. Full reclining seats.
14. Three-point seat belts, front and rear seats (combination seat-belt and shoulder harness).
15. Breakaway rear view mirror.
16. Two-speed electric windshield wipers, wide arc sweep.
17. Windshield washers.
18. Sliding rear windows.
19. Provision for cigarette lighter.
20. Child-guard locks on rear doors.
21. Front door locks on inside of doors.
22. Backup lights.
23. Four-way flasher.
24. Three-way courtesy light.
25. Side reflex reflectors, front and rear.
26. Safety glass all around—almost 360° visibility.
27. Body rustproofed and undercoated.
28. Rubber bumper guards (front and rear).

Optional features at extra cost

Ampere Hour Meter, $125.

Charging Receptacles for 1000-amp fast charger, $195.

White side-wall tires, $35.

Radio, $58.

Cigarette lighter, $8.

Body colors available

Pearl White, Silver Blue, Black, Red, Light Blue, Dark Blue, Dark Green.

Specifications subject to change without notice.

Electric Fuel Propulsion, Inc., 366 West 8 Mile Road, Ferndale, Mich.

Obviously, a feasible electric car can be developed, but a great deal of research and development is still needed. It may eventually show that there is some other even more feasible alternative. We would not know until we make the effort.

Some have urged that we wait to undertake this study until we have exhausted all avenues for reducing the emissions from the gasoline engine.

That could well be the road to disaster.

In the first place, experience proves that, in spite of the optimistic promises of industry and some Government officials, the abatement devices we have now simply are not proving effective.

The Commerce Panel concluded that—

> Current automotive devices are vulnerable to progressive degradation . . .

In simple English, they do not hold up.

Even if effective devices can be developed it may not be enough. There is serious question whether the so-called safe levels of emission from the internal combustion engine are actually safe. Take, for example, the magic number for hydrocarbon emissions: 275 parts per million. Aided and abetted by the experts of the Department of Health, Education, and Welfare, the automakers, and the petroleum industry have apparently come to accept this as a sort of mystic standard of safety, at least after it became clear that they had to accept some standard. Surely this must be an important figure, supported by exhaustive research and documentation, since we are prepared to rest the health and safety of the Nation upon it.

Well, Dr. Irving S. Benglesdorf, the highly respected science editor of the Los Angeles Times revealed how the figure was actually arrived at.

It seems that about ten years after the smog problem in Los Angeles developed into a major health program, the California Department of Public Health was prodded by the State legislature to come up with an answer. They knew that the photochemical reaction between exhaust gases and the sun produced smog, but they had not any idea how much exhaust gas produced how much smog.

Here is how they worked it out, according to Dr. Benglesdorf. Smog was first observed in Los Angeles in the early 1940's so they decided the year 1940 must have been smog-free. Now if we knew just how much hydrocarbon cars were emitting in 1940, we could divide the total figure by the number of cars on the road today and the result should give you the safe limit for each car. But, of course, nobody was monitoring hydrocarbon in 1940, so they skinned the cat another way. They found out that 2 million gallons of gas was sold in Los Angeles in 1940 and they worked up sales projections indicating that about 10 million gallons would be sold in Los Angeles in 1970. That is five times as much gas, so, they reasoned, that all you have to do is to divide the hydrocarbon emitted by each car by five and set that as the "safe" limit.

In case you did not notice, Alice just passed through the looking glass.

Of course, the California Department could not get information on 1940 cars, but they found a study that showed that 1956 cars emitted 1,377 parts per million of unburned hydrocarbon, so they divided that by five—and that is the magic number: 275 parts per million. Actually it should be 275.4 but in that kind of free-swinging logic you can spare four-tenths of a part per million either way.

It is bad enough that this computation has only a tenuous relationship with either smog or public health—what is worse, according to Dr. Benglesdorf, it turned out to be wrong. Somebody later discovered that the 1956 car produced only 900 parts per million, and if you divide that by five you get 180 parts per million, California's new standard and a figure which Dr. Benglesdorf still brands as "unrealistically too high."

Finally, even if we assume that control devices may be developed that will meet the standards—and that is a rash assumption indeed—it is highly likely that the increase in the number of vehicles on the road will more than offset any gains in pollution abatement.

We must not let a well-intentioned, but misguided desire to protect the auto industry prevent us from finding an effective answer to the deathly pollution from the automobile as we know it today.

The fact of the matter is that the U.S. auto industry has not come up with feasible alternatives and, because of its huge vested interest in the status quo, is unlikely to do so.

This is true, even though the industry is confronted with a real threat that foreign competition will provide the answer. Just yesterday, the papers carried an account of a new electric car from Japan. The industry is displaying the same kind of inertia and blindness that almost ruined it when foreign producers introduced the compact car only a few years ago.

Elimination of pollution is too vital a subject to be left entirely to the mercies of an industry that has clearly conflicting interests to protect. By adopting this amendment, we will be protecting the American automakers from themselves as well as protecting the public.

Mr. Chairman, each and every one of us needs some 400 cubic feet of fresh clean air each day. Without it, there will be no market for anything.

I urge my colleagues to support this amendment to the Air Quality Act to spur efforts to find the feasible alternative to the internal combustion engine. This amendment adds no money to the authorization. It just directs the Secretary to use a part of the funds already authorized for research and development of methods to replace the country's largest and most dangerous polluter, the internal combustion engine.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. OTTINGER. I will be glad to yield to the distinguished chairman of my committee.

Mr. STAGGERS. I might say in reply to a question, Secretary Gardner when asked if this research money could be used for electrical automobiles, made this reply:

> Yes; this is well within the range of concerns. I believe that the Department of Commerce has had a task force on the electric car and other forms of propulsion. This report will be out very shortly and this will have a lot to say about the electric car and its possibilities.

So they have been working on it and a preliminary report is ready to come out on the electric car and I am sure the full report will be out shortly.

Mr. OTTINGER. Is it the understanding of the chairman that the department is authorized to do this type of research under this bill and that it is the intent of this legislation that such research should be done?

Mr. STAGGERS. I am sure of it and, as I have said, there already has been some research on it.

Mr. OTTINGER. I thank you very much, Mr. Chairman. In that event, I shall not press for a favorable vote on the amendment and will be content for the record to speak on this subject.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. OTTINGER].

The amendment was rejected.

AMENDMENT OFFERED BY MR. HALPERN

Mr. HALPERN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. HALPERN: On page 66, line 3 strike out "10 per centum" and insert in lieu thereof "12½ per centum".

Mr. HALPERN. Mr. Chairman, despite my general enthusiasm for the Air Quality Act of 1967, I have a certain strong reservation.

In particular I refer to section 104, subsection (c). I find this completely unsatisfactory.

This objectionable change in the Clean Air Act of 1963 reduces the financial support to any one State from 12½ to 10 percent of the total funds appropriated. The committee report states:

> The figure is intended to provide additional assurance that all areas experiencing pollution have adequate access to financial support by the Federal Government.

I submit that the new 10-percent limit might have the exact opposite effect and that badly polluted large cities might not have "adequate access" to funds. New York City is rated the most polluted in the United States by the Public Health Service in its listing of 65 ranked metropolitan areas released on August 4, 1967. But also in this list are Buffalo, Syracuse, Rochester, Albany, Schenectady, Troy, Utica and Rome. Must these latter cities fight for a share of New York State's 10 percent limit with the city of New York? In the same listing Ohio has seven cities. Other States are also well represented.

I believe that the limit should be left at the existing 12½ percent. As a matter of fact I would prefer that the Secretary should not be bound by percentage limits and have some flexibility to apply funds beyond the limits when local situations justify it. But I am realistic and I realize the difficulties of gaining this objective. However I see no convincing reason why we cannot keep the higher percentage that is in the existing act.

With the 12½ percent restored, the Secretary of the Department of Health, Education, and Welfare would have more latitude to apportion funds where the problem becomes most critical. Furthermore, the need for Federal support in a particular city may vary from year to year as some local control programs become established and others organize to fight new and different problems. The downward revision of the limitation will hurt highly industrialized, heavily populated states where air pollution is the worst. I do not believe the higher limit would inhibit funding in the less populated states which are blessed with comparatively pure air.

Mr. ROSENTHAL. Mr. Chairman, will the gentleman yield?

Mr. HALPERN. I am pleased to yield to my distinguished colleague from New York.

Mr. ROSENTHAL. I commend the gentleman for offering this amendment. It is very timely and, as far as I am concerned, a very necessary amendment. I support the amendment and urge all my colleagues to support the Halpern amendment.

Mr. HALPERN. I thank the gentleman.

Mr. SPRINGER. Mr. Chairman, I rise in opposition to the amendment. This question was gone over in great detail. There was a large amount of sentiment in the committee to cut it back to 8 percent in order that as many States as possible could participate. With this legislation air regional standards will be set up for those regions created under the bill. Everyone will be in the program. As it was before, there were certain centers that did not participate in it. But now it would be mandatory for many areas.

When standards are set up in air sheds, then the Secretary must allot money to control agencies.

We finally arrived at a figure of 10 percent in committee, about half the difference between 12½ percent and 8 percent—10 percent. May I say to all of you who are in States where you are going to be up against this problem that your chances of getting money are better under our version than they would be under the amendment offered by the gentleman from New York. We are doing the best we can with the amount of money available to be sure that it is spread around as evenly as possible among the States. What the gentleman from New York seeks to do is to get as much money as he can for his own area. May I say in that he is probably representing New York as it ought to be represented. But I am saying to you that if we adopt this amendment, it will mean less money to go around to the other 49 States.

Mr. RYAN. Mr. Chairman, I rise in support of the amendment. This amendment is a very important one. The arbitrary 12½-percent limitation has been in the law a long time. I have opposed it in the Clean Air Act and in other programs. The Senate in its wisdom left the 12½ percent.

All the gentleman from New York is suggesting is that the 12½-percent limitation be retained, which is the present law. It would be a serious mistake to reduce this level because the major air pollution problems are in the large industrial States.

The Senate bill included some $275 million more in authorization than the House bill. If we are really concerned about having more money for more States, then let us restore the authorization which the Senate included in its bill and put back the $275 million. Then we will be able to have more funds in all the States. I feel very strongly that we should support this amendment.

Mr. STAGGERS. Mr. Chairman, I rise in opposition to the amendment. One of the reasons the amendment was put into the bill—and it was not the chairman's amendment at all—was the fact that compacts or regions will involve at least two States, two or more. This means that, without this amendment, one regional compact could conceivably have 25 percent of the money, and in some instances where four States might be together they might have 50 percent of the money.

The compact under consideration involving the New York area probably might involve at least four States and they could possibly get 50 percent of the money. The committee thought we ought to reduce it to 10 percent, to be sure the funds are more widely available across the United States. The 10 percent limitation designed to get funds into the areas that are most in need, but to see that we get into all of them as much as possible.

Mr. KUPFERMAN. Mr. Chairman, I rise to speak briefly in support of the amendment.

Mr. HALPERN. Mr. Chairman, will the gentleman yield?

Mr. KUPFERMAN. I yield to the gentleman from New York.

Mr. HALPERN. Mr. Chairman, mention was made on this floor a few minutes ago that this is a New York amendment, that this amendment is purely for the benefit of the State of New York.

I would like to stress that this amendment applies to all 50 States, and all it does is provide a higher percentage of the funds to apply to any of the 50 States. We merely restore the percentage to that contained in the existing act, and it would conform with the figure provided in the Senate provision. I repeat this would help any of the 50 States in this country where the problems and the programs would justify more funds than the restrictions in the committee bill would allow. Again I urge the amendment's adoption and I thank the gentleman for yielding.

Mr. KUPFERMAN. Mr. Chairman, if the previous debate on State standards has any relevance at all, it is to the effect that certain areas of the United States have this problem in greater abundance than others. Therefore, we ought not to limit any areas that try to meet these problems.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. HALPERN].

The amendment was rejected.

AMENDMENTS OFFERED BY MR. M'CARTHY

Mr. McCARTHY. Mr. Chairman, I offer amendments.

The Clerk read as follows:

Amendments offered by Mr. McCARTHY: On page 66, strike out line 11 and all that follows down through and including line 15 on page 70 and insert in lieu thereof the following:

"EMISSION STANDARDS FOR CERTAIN INDUSTRIES

"SEC. 105. (a) The Secretary shall from time to time by regulation, giving appropriate consideration to technological and economic feasibility, establish emission standards for all or designated emissions which (1) are from designated industries which, because of their nature, are sources of substantial amounts of pollutants and (2) can, with reasonable efforts and expenditures, be prevented or substantially reduced. Such standards may be established only after reasonable notice and opportunity for interested parties to present their views. Any regulations hereunder, and amendments thereof, shall become effective on a date specified therein, which date shall be determined by the Secretary after consideration of the period reasonably necessary for industry compliance. The Secretary may exempt any industry or establishment, or any class thereof, from this section upon such terms and conditions as he may find necessary to protect the public health or welfare, for the purpose of research, investigations, studies, demonstrations, or training, or for reasons of national security.

"(b) (1) If the Governor of a State or a State air pollution control agency files, prior to the effective date of standards under subsection (a), a certification that it has adopted, or a letter of intent that such State will before the close of the sixth calendar month which begins after such effective date adopt, (A) emission standards applicable in the State to the emissions and industries specified by the Secretary, which standards he determines are substantially equivalent to or more stringent than the standards prescribed by the Secretary pursuant to subsection (a), and (B) a plan for the enforcement of the standards so adopted, and if such standards and plan are established in accordance with the letter of intent, the standards prescribed pursuant to subsection (a) shall thereafter not be applicable to such emissions and industries in such State.

"(2) If, at any time after standards prescribed under subsection (a) become applicable in a State, a State adopts standards and a plan for enforcement which meet the requirements of paragraph (1) of this subsection, such standards shall become applicable, instead of standards prescribed under subsection (a), in such State until the Secretary again makes the determination referred to in paragraph (3) with respect to such State.

"(3) (A) If a State does not file a letter of intent as provided in paragraph (1) or does not, within six months after the effective date of the standards with respect to which it was filed, establish standards in accordance with such letter which meet the requirements of clause (A) of pargaraph (1) or if, on the basis of evidence furnished to him or secured by him, the Secretary determines either that the standards so established have been changed so that they no longer meet the requirements of such clause (A) or that there is a substantial failure to enforce them adequately, the standards prescribed pursuant to subsection (a) shall apply within such State to any factory, warehouse, office, or other business or service establishment in such industry which introduces or delivers for introduction into or receives in interstate commerce any materials.

"(B) If the Secretary, after reasonable notice and opportunity for a hearing, determines that any such establishment is violating such standards, he shall issue an order requiring the establishment to cease and desist from continued violation of such standards within such time as may be specified in the order, but in no event less than sixty days from the date of receipt of such notice.

"(4) (A) Any person required by an order of the Secretary to cease and desist from violation of any such standards may obtain judicial review of such order by filing a petition for review, within sixty days after service of such order, in the United States court of appeals either for the circuit in which such person resides or has his principal place of business or for any circuit in which the violation is found to have occurred, or in the United States Court of Appeals for the District of Columbia Circuit. A copy of the petition shall forthwith be transmitted by the clerk of the court to the Secretary or to any officer designated by him for that purpose and to the Attorney General, and thereupon the Secretary shall certify and file in the court through the Attorney General the record of the proceedings upon which the order is based, as provided in section 2112 of title 28, United States Code.

"(B) Upon the filing of such petition, such court shall have jurisdiction of the proceeding (which jurisdiction shall upon the filing of the record be exclusive) and shall have power to affirm the order of the Secretary, or to set it aside in whole or in part, temporarily or permanently, and to enforce such order to the extent that it is affirmed, and to issue such orders pendente lite as in its judgment are necessary to prevent injury to the public. The commencement of proceedings under this paragraph shall not, unless specifically ordered by the court, operate as a stay of the Secretary's order.

"(C) No objection to the order of the Secretary shall be considered by the court unless such objection was urged before the Secretary or unless there were reasonable grounds for failure so to do. The findings of the Secretary as to the facts, if supported by substantial evidence on the record considered as a whole, shall be conclusive, but the court, for good cause shown, may remand the case to the Secretary for the taking of additional evidence in such manner and upon such terms and conditions as the court may deem proper, in which event the Secretary may make new or modified findings and shall file such findings (which, if supported by substantial evidence on the record considered as a whole, shall be conclusive) and his recommendation, if any, for the modification or setting aside of his original order, with the return of such additional evidence.

"(D) The judgment of the court affirming or setting aside, in whole or in part, any order under this subsection shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

"(E) (i) Any person who fails to file with the Secretary, in conformity with regulations issued under this subsection, and report, or who violates a cease-and-desist order of the Secretary after it has become final and while such order is in effect, shall forfeit and pay to the United States a civil penalty of $1,000 for each violation, which shall accrue to the United States and may be recovered in a civil suit in the name of the United States brought in the district where such person has his principal office or in any district in which he does business. Each separate violation of such an order or failure to file such a report shall be a separate offense except that in the case of a violation through continuing failure to obey a final order of the Secretary each day of continuance of such failure shall be deemed a separate offense. The Secretary may, upon application therefor, remit or mitigate any forfeiture provided for in this subparagraph, and he shall have authority to determine the facts upon all such applications.

"(ii) It shall be the duty of the various United States attorneys, under the direction of the Attorney General of the United States to prosecute for the recovery of such forfeitures.

"(F) (i) For the purposes of this subsection, the Secretary shall have the power to require by subpena the attendance and testimony of witnesses, and the production of all books, papers, and documents relating to any matter which is the subject of a hearing authorized by this section. Witnesses summoned by the Secretary shall be paid the same fees and mileage that are paid witnesses in courts of the United States.

"(ii) The attendance of witnesses, and the production of books, papers, and documents, may be required from any place in the United States at any designated place of hearing. In case of disobedience to a subpena, the Secretary or any party to a proceeding before the Secretary may invoke the aid of any court of the United States in requiring attendance and testimony of witnesses and the production of such books, papers, and documents under the provisions of this section.

"(iii) Any court of the United States within the jurisdiction of which an inquiry under this subsection is carried on may, in case of contumacy or refusal to obey a subpena issued to any person, issue an order requiring such person to appear before the Secretary (and produce books, papers, or documents if so ordered) and give evidence touching the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

"(G) For purposes of enforcement of this section, officers or employees duly designated by the Secretary, upon presenting appropriate credentials and a written notice to the owner, operator, or agent in charge, are authorized (i) to enter, at reasonable times, any factory, warehouse, office, or other business or service establishment with respect to which there is reasonable ground to believe that it is causing, permitting, or otherwise responsible for discharges into air within the purview of this subsection, or that it is engaging in any act or practice which threatens a discharge in violation of any regulation under this section, and (ii) to inspect, at reasonable times and within reasonable limits and in a reasonable manner, such factory, warehouse, office, or other establishment, and all pertinent equipment, finished and unfinished materials, containers, and labeling therein, and all other things therein (including records, files, papers, and processes, controls, and facilities) bearing on such discharges or on such act or practice. A separate notice shall be given for each such inspection, but a notice shall not be required for each entry made during the period covered by the inspection. Each such inspection shall be commenced and completed with reasonable promptness.

"(H) The Secretary may upon request review and approve (subject to such conditions as the Secretary deems appropriate) facilities or devices, or designs therefor, for prevention discharges into the air in violation of this subsection.

"REGIONAL AIR QUALITY COMMISSIONS

"SEC. —. (a) (1) Whenever so requested by the Governors of two or more contiguous States who allege that existing or threatened pollution of the air in any State or States is endangering, or is likely to endanger, the health or welfare of persons in one or more other States, the Secretary may, if he determines (A) that there does not exist an adequate air pollution control program or programs to control, abate, and prevent such pollution, and (B) that action under this section is necessary to protect the health or welfare of persons in the area, establish, after consultation with the States affected an air quality region which shall encompass the area or areas involved in each of such States and any other areas which in his judgment have such characteristics as to warrant treatment as a unit for air pollution control purposes.

"(2) The Secretary may, after consultation with State officials of all affected States, also establish such an area whenever on the basis of reports, surveys, or studies he has reason to believe that such action is necessary to protect the health or welfare of persons therein.

"(b) Upon establishment of such an area the Secretary shall appoint a Regional Air Quality Commission consisting of an officer or employee of the Department of Health, Education, and Welfare, who shall serve as Chairman, and, if the Secretary determines it to be appropriate, of another officer or employee of the Department or, with the consent of the head thereof, of any other Federal department or agency, and of two residents of each of the States any part of which is included in the air quality region. The appointments from each State shall be made only after consultation with the Governor of the State. A vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made. A majority of the members of a Commission shall constitute a quorum for the transaction of business. Appointees from any State shall serve, and the Commission shall exist, for such time as may be determined by the Secretary to be necessary or appropriate for purposes of this Act.

"(c) (1) The Secretary shall, within available funds, provide such staff for such Commission as may be necessary to enable it to carry out its functions effectively, and shall pay the other expenses of the Commission.

"(2) The Secretary may also accept for use by such Commission funds, property, or services contributed by the States involved or political subdivisions thereof.

"(d) Each appointee from a State, other than an official or employee thereof or of any political subdivision thereof, shall, while engaged in work of the Commission, receive compensation at a rate fixed by the Secretary, but not in excess of $100 per diem, including travel time, and while away from his home or regular place of business, he may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 3109) for persons in the Government service employed intermittently.

"(e) A Commission appointed under this section shall, as soon as practicable, after reasonable notice and opportunity for interested parties to present their views, establish air quality standards for its air quality region, taking into consideration the various relevant aspects thereof, such as the concentration of industry, other commercial establishments, and population and the technological and economic feasibility of achieving such quality, as well as standards for pollutant emissions in order to achieve or preserve such air quality. Such air quality standards and emission standards shall be no less stringent than such standards prescribed or recommended by the Secretary under other sections of this Act and such standards of the Commission shall apply in its air quality region in lieu of State or Federal standards insofar as they are inconsistent with such standards of the Commission. The Secretary may, after reasonable notice and opportunity for interested parties to present their views, modify the standards of a Commission, and may exempt any industry or establishment, or any class thereof, from standards of a Commission upon such terms and conditions as he may determine, to the extent he finds such action necessary to protect the public health or welfare, for the purpose of research, investigations, studies, demonstrations, or training, or for reasons of national security.

"(f) Any such Commission shall prepare a system of alerts to avert situations in which there may be imminent and serious danger to the public health or welfare from air pollutants. The Commission shall notify the Governors of the States involved of any such situation or potential situation and of recommended actions by the States, political subdivisions thereof, and businesses and residents therein.

"(g) (1) If the Secretary, after reasonable notice and opportunity for a hearing, determines that any person in an air quality region is violating standards of the Regional Air Quality Commission for such region, he shall, subject to such limitations as the Secretary may prescribe, issue an order requiring such person to cease and desist from continued violation of such standards within such time as may be specified in the order, but in no event less than sixty days from the date of receipt of such notice.

(h) (A) Any person required by such an order of the Secretary to cease and desist from violation of any such standards may obtain judicial review of such order by filing a petition for review, within sixty days after service of such order, in the United States court of appeals either for the circuit in which such person resides or has his principal place of business or for any circuit in which the violation is found to have occurred, or in the United States Court of Appeals for the District of Columbia Circuit. A copy of the petition shall forthwith be transmitted by the clerk of the court to the Secretary or to any officer designated by him for that purpose and to the Attorney General, and thereupon the Secretary shall certify and file in the court through the Attorney General the record of the proceedings upon which the order is based, as provided in section 2112 of title 28, United States Code.

"(B) Upon the filing of such petition, such court shall have jurisdiction of the proceeding (which jurisdiction shall upon the filing of the record be exclusive) and shall have power to affirm the order of the Secretary, or to set it aside in whole or in part, temporarily or permanently, and to enforce such order to the extent that it is affirmed, and to issue such orders pendente lite as in its judgment are necessary to prevent injury to the public. The commencement of proceedings under this paragraph shall not, unless specifically ordered by the court, operate as a stay of the Secretary's order.

"(C) No objection to the order of the Secretary shall be considered by the court unless such objection was urged before the Secretary or unless there were reasonable grounds for failure so to do. The findings of the Secretary as to the facts, if supported by substantial evidence on the record considered as a whole, shall be conclusive, but the court, for good cause shown, may remand the case to the Secretary for the taking of additional evidence in such manner and upon such terms and conditions as the court may deem proper, in which event the Secretary may make new or modified findings and shall file such findings (which, if supported by substantial evidence on the record considered as a whole, shall be conclusive) and his recommendation, if any, for the modification or setting aside of his original order, with the return of such additional evidence.

"(D) The judgment of the court affirming or setting aside, in whole or in part, any order under this subsection shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

"(E) (i) Any person who violates a cease-and-desist order after it has become final and while such order is in effect shall forfeit and pay to the United States a civil penalty of $1,000 for each violation, which shall accrue to the United States and may be recovered in a civil suit in the name of the United States brought in the district where such person has his principal office or in any district in which he does business. Each separate violation of such an order shall be a separate offense, except that in the case of a violation through continuing failure to obey a final order of the Secretary each day of continuance of such failure shall be deemed a separate offense. The Secretary may, upon application therefor, remit or mitigate any forfeiture provided for in this subparagraph, and he shall have authority to determine the facts upon all such applications.

"(ii) It shall be the duty of the various United States attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of such forfeitures.

"(F) (i) For the purposes of this subsection, the Secretary shall have the power to require by subpena the attendance and testimony of witnesses, and the production of all books, papers, and documents relating to any matter which is the subject of a hearing authorized by this section. Witnesses summoned by the Secretary shall be paid the same fees and mileage that are paid witnesses in courts of the United States.

"(ii) The attendance of witnesses, and the production of books, papers, and documents, may be required from any place in the United States at any designated place of hearing. In case of disobedience to a subpena, the Secretary or any party to a proceeding before the Secretary may invoke the aid of any court of the United States in requiring attendance and testimony of witnesses and the production of such books, papers, and documents under the provisions of this section.

"(iii) Any court of the United States within the jurisdiction of which an inquiry under this subsection is carried on may, in case of contumacy refusal to obey a subpena issued to any person, issue an order requiring such person to appear before the Secretary (and produce books, papers or documents if so ordered) and give evidence touching the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

"(G) For purposes of enforcement of this section, officers or employees duly designated by the Secretary, upon presenting appropriate credentials and a written notice to the owner, operator, or agent in charge, are authorized (i) to enter, at reasonable times, any factory, warehouse, office, or other business or service establishment with respect to which there is reasonable ground to believe that it is causing, permitting, or otherwise responsible for discharges into air within the purview of this subsection, or that it is engaging in any act or practice which threatens a discharge in violation of any regulation under this section, and (ii) to inspect, at reasonable times and within reasonable limits and in a reasonable manner, such factory, warehouse, office, or other establishment, and all pertinent equipment, finished and unfinished materials, containers, and labeling therein, and all other things therein (including records, files, papers, and processes, controls, and facilities) bearing on such discharges or on such act or practice. A separate notice shall be given for each such inspection, but a notice shall not be required for each entry made during the period covered by the inspection. Each such inspection shall be commenced and completed with reasonable promptness.

"(h) Nothing in this section shall be construed as superseding or limiting the authority and responsibility of the Secretary under any other provisions of this or any other law."

On page 70, line 25, strike out "(c), (h), or (k)." and insert in lieu thereof "(g)."

On page 71, strike out line 1 and all that follows down through and including line 15 on page 76 and reletter the succeeding subsections (d) through (k) as (c) through (j), respectively, including any references thereto.

Mr. McCARTHY (interrupting the reading). Mr. Chairman, I ask unanimous consent that further reading of the amendments be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from New York.

There was no objection.

Mr. McCARTHY. Mr. Chairman, as I explained earlier, what these amendments would do, would be to strike section 211 of the bill before us, which provides for a 2-year study of national industrial emissions standards, and restore the original language of the original Staggers bill, which would permit us to start this process now. I do not think we can wait 2 years, and under this bill, we do not have any guarantee that we will have national industrial emissions standards even when the study is completed.

Under these amendments, the Secretary would be authorized to set national emission standards for all industries that contribute substantially to air pollution: jet aircraft, steel, chemicals, paper, and any industry that contributes substantially to air pollution.

These amendments also would restore the original provisions for air quality regions with strict inspection provisions, and enforcement provisions, with the power to set more stringent standards in one region than the nationwide standards.

We have established this concept for the automobile industry, and I ask why not for other industries? Automobiles are the No. 1 source of air pollution in some areas, but in our Buffalo area industrial pollution is so severe that it is a much more major cause of pollution than automobiles. They contribute only about one-third of the pollution we have. This is also true of many other major industrial areas.

Another reason for this is that we run the risk of industries migrating from a strict standard area to less strict standard areas. When I was in private industry, I saw a case in the Philadelphia area where we established a plant, where there could not be seen an ounce of pollution coming out of the smokestacks, but I could take Members to the same plant, an identical twin plant in southern Indiana, that was billowing huge clouds of pollution. Why?

It was because in the Philadelphia area they had strict air pollution standards, and in southern Indiana they did not.

I believe we should accept the idea we have for autos, of a minimum nationwide standard, with provisions for more stringent standards in special cases. That is what the amendment would do. It would set national emission standards. Without it I believe we have a national omission standard.

Mr. STAGGERS. Mr. Chairman, I rise in opposition to the amendment.

This was considered by the committee, and it was rejected.

The reason the study was put in the bill, rather than standards was that we do not have the necessary information today. We would have to take the standards out of thin air.

In the bill we would leave air pollution regulation up to the States, after criteria have been furnished to them. The States then will say, "These are the standards we are going to have in this region." That will come to the Secretary. The Secretary will say, if the standards are strong enough, "I approve them."

We are allowing the States at the present time to come up with standards. We provide for a study in this bill, so that the Secretary can come up with national emission standards after 2 years, and recommend them to the Congress. If we see fit at that time they can be put into operation.

I urge that the amendment be defeated.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have two quick questions.

The first question is: What will this bill cost?

Mr. STAGGERS. Over a 3-year period, $362 million.

Mr. GROSS. Not $428 million?

Mr. STAGGERS. No, because a part of the money, of the $99 million, is authorized already. $66 million is already authorized.

Mr. GROSS. What was the figure again?

Mr. STAGGERS. It is $362 million. The bill originally carried an authorization for $700 million.

Mr. GROSS. From where is it proposed to get the money?

Mr. STAGGERS. From the Federal Treasury. That is about the only place they could get it.

Mr. GROSS. It is proposed to borrow the money, is that it?

Mr. STAGGERS. If they can get an appropriation through the House it would have to be that, I guess. They would have to get an appropriation first.

Mr. PUCINSKI. Mr. Chairman, I move to strike the requisite number of words.

I wonder if I may have the attention of the chairman of the committee.

Mr. FRIEDEL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. FRIEDEL. Was a vote taken on the last amendment?

The CHAIRMAN. No.

Mr. FRIEDEL. Is this an amendment to the amendment?

Mr. PUCINSKI. No. This is a discussion of the amendment.

The CHAIRMAN. The gentleman from Illinois [Mr. PUCINSKI] is recognized.

Mr. PUCINSKI. Mr. Chairman, I wonder if I may have the attention of the chairman of the committee.

I believe that this legislation is a giant step forward for dealing with one of the most serious problems of our country, the problem of air pollution.

I wonder what effect this will have on those of us who represent Congressional districts where there are large commercial airfields, in which we have a heavy jet commercial traffic? In my district there is a very serious problem. In my district there are some 2,400 jet operations to and from O'Hare Field every day. The fumes emitted by these jets either on landing or takeoff become so dense and so serious a problem that housewives complain they cannot hang clothes out on the clotheslines. Many of the people who have fruit trees in their backyards and grow fruit tell us that the fruit is totally contaminated by the fumes from these jet airliners.

I wonder if the chairman would be good enough to advise the committee what kind of immediate or hoped for relief we can get from this proposed legislation for this new problem of the jet age? It is a very serious problem.

I do not believe I want to wait 2 years for a study. The industry has known of this problem. The industry has been totally oblivious to this problem. I believe the legislation will go a long way in that direction and that is why I am happy to cosponsor the bill. But I have taken this time to get a commitment from the chairman on steps that must be taken to deal with the problem.

I am wondering what this legislation does to deal with this problem.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the chairman.

Mr. STAGGERS. We cut this study down to 1 year here, and then they have to report to the Congress at the end of that time. We do not have the standards now, so we asked them to come up with standards after a full investigation of feasibility and practicability and after a decision as to whether they can set standards in 1 year's time.

Mr. PUCINSKI. We can look forward to some meaningful legislation, then, dealing with this problem as soon as standards are established?

Mr. STAGGERS. That is the aim of this part of the bill.

Mr. PUCINSKI. I thank the chairman and congratulate the committee for recognizing these new problems of the jet age. People in areas around huge airports will appreciate the fact that this committee has decided to take action on this important problem.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from New York.

Mr. OTTINGER. There is an amendment adopted in the committee which I offered which provides this. I am very conscious of the grave problem of pollution from jets. This amendment appears in the bill on page 100, section 211(b):

> (b) The Secretary shall conduct a full and complete investigation and study of the feasibility and practicability of controlling emissions from jet and piston aircraft engines and of establishing national emission standards with respect thereto, and report to Congress the results of such study and investigation within one year from the date of enactment of the Air Quality Act of 1967, together with his recommendations.

Mr. PUCINSKI. I thank the gentleman very much for those remarks. I congratulate him for his initiative in suggesting this amendment in committee.

Now I yield to the gentleman from New York [Mr. McCARTHY].

Mr. McCARTHY. I thank the gentleman for his support on the concept that we have long advocated. We have poured millions of dollars into research on various subjects and perhaps billions of dollars. I think we are ready now for the action phase on this problem rather than waiting for 2 years or even 1 year for a study on jet emissions. Under my amendment, the Secretary is authorized, after due consultation with various industries and after consideration of the economic feasibility, to set standards and to proceed with the process now. I do not think we should wait for 2 years to have a study made of all of the industries. We have no guarantee that they will be set then or will be set for jet aircraft after 1 year. This is just a study. We have studied this thing to death and have researched it for years in the Buffalo area. The people want action now, and we should move into that action phase now.

Mr. PUCINSKI. I agree with the gentleman. It is a very serious problem and I am hopeful the Transportation will complete its study and establish standards sooner than a year. My people know what the problem is now and it is my intention to keep pressing the Department to prohibit this horrible pollution of our air around airports as soon as possible. I thank the gentleman for his effort in this cause.

Mr. RYAN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I rise in support of the amendment because I think the amendment goes to the crux of the issue. There is no question that we are in imminent danger in this country of a very serious air pollution disaster. New York City itself has narrowly averted disaster four times during the past summer. Very likely before the winter is out New York City will experience another and probably worse type of air inversion than it did last Thanksgiving Day. This is a national problem, composed of many regional problems. Pollution from one State drifts to another. State and local governments have failed to deal adequately with air pollution. It is time to look at this from a national point of view and establish national emission standards and Regional Air Commissions with regional air quality standards and regional source emission standards which would be in many cases more stringent than national standards and with adequate enforcement. That was the concept of the original administration bill introduced by the distinguished chairman of this committee.

The other body and this bill have adopted a State-oriented approach, and by adopting a State-oriented approach there will be a multiplicity of jurisdictions each with different criteria and different standards. The time for action is now.

Mr. Chairman, the United States is in imminent danger of an air pollution disaster. Since the House last considered legislation in this area, New York City experienced the Thanksgiving Day 1966 inversion. According to a recent study by Dr. Leonard Greenburg, Dr. Marvin Glasser and Dr. Franklyn Field of the Albert Einstein College of Medicine of Yeshiva University, during that period of extreme pollution there were 168 excess deaths. The health of untold thousands of other New Yorkers was seriously impaired.

In the midst of that emergency I called upon the Secretary of Health, Education, and Welfare to schedule an abatement conference for the New York-New Jersey metropolitan region.

When the New York-New Jersey Air Pollution Abatement Conference convened on January 3, 1967, I said, "In New York City, our citizens suffer what may be the most polluted air in America."

On August 4, Dr. John Middleton, Director of the Public Health Services' National Center for Air Pollution Control, released a study confirming my charge and showing that New York indeed has the most polluted air.

In a comparison of the air pollution problems in the 65 largest metropolitan areas in the country, the New York metropolitan area ranked first, followed by Chicago, Philadelphia, Los Angeles, and Cleveland.

The report warned that "In all large urban areas covered in our report, the public health and welfare are threatened by air pollution."

Since that report was released, there have been four air pollution watches in New York: August 16–18; September 8–9; September 18–19; and October 3–4. These are undertaken when the Federal Pollution Control Center warns of dangerously high air pollution levels. The most recent episode occured on October 3–4, only a month ago. These four danger periods did not reach crisis proportions only because of fortuitous changes in the weather.

Mr. Chairman, there is general agreement on the need for increased action to combat the menace of air pollution.

All of the major legislative proposals this year involve some type of national, regional, or State standards—source emission standards, air quality standards, or a combination of both—in recognition of the fact that polluters will not regulate themselves. In dealing with air pollution, the key questions are what type of standards—who sets them and how they are enforced.

I believe that the nature of the problem dictates that the approach provided for in the original administration bill and in my bill (H.R. 8467) is the only adequate one: a basic nationwide system of emission limits for industries which do the most polluting; regional standards of air quality and stricter emission controls where necessary; and strong enforcement provisions at both regional and national levels through the use of court-enforceable cease-and-desist orders.

National emission standards are necessary so that major industries are treated consistently and are aware of their responsibilities. Regional standards of ambient air quality are necessary because air pollution does not respect State lines. Much of New York City's air pollution comes from New Jersey; western New York is an entirely different air shed, along with parts of Ohio and Pennsylvania.

Regional air commissions based on natural atmospheric areas—not individual State programs and not interstate compacts—are clearly required.

The Clean Air Act of 1963 and the strengthening amendments of 1965 and 1966 have been proven inadequate to meet the problem. I had hoped that this year we would recognize the need for a bold approach. The administration's original proposal seemed to be in the right direction; and I proposed certain improvements. Unfortunately, the Senate changed the approach, eliminating the central concept of national emissions standards, regional air quality commissions, and national enforcement that was embodied in both the administration bill and in the stronger version of it which I introduced, H.R. 8467. Moreover, the House committee has weakened the Senate bill.

There are a few problems more interstate in scope than air pollution. It is a national problem made up of many regional problems that calls for national standards with regional variations and national enforcement. In no way does polluted air respect State boundaries. Experience with the existing Clean Air Act demonstrates that State action has been ineffective. Only 14 States have acted on their own to adopt any standards.

S. 780 leaves to the States what is not a State problem. Although it provides for the Secretary to issue air quality criteria and to have the power to veto State plans, it leaves actual air quality standards and methods of enforcement to the States.

Individual States which pollute each other's air face different pressures which may result in their adoption of different standards to deal with a common problem.

Given ordinary economic considerations such as the fear of losing business to neighboring States, the tendency will be for States to adopt the least stringent standards consistent with the Secretary's criteria. If neighboring States adopt differing standards—as permitted in S. 780—the result will be mass confusion.

S. 780 has a built-in delay of about 5 years, assuming a State Governor does act. If he fails to act, the Secretary has residual power to take action; however, the House Committee Report notes, "The committee expects that this residual power in the Secretary of HEW will seldom, if ever, be used, since the States are expected to take the necessary steps."

Thus, the result will be a patchwork of different State standards and methods of enforcement.

Furthermore, as far as national emission standards for stationary sources are concerned, S. 780 only authorizes a 2-year feasibility study.

The bill which I proposed would provide not only for national determination and enforcement of emission standards, but for a gradual strengthening of these standards as new technology makes stricter standards feasible.

Under S. 780 States are to submit ambient air quality standards and plans for their enforcement to the Secretary for approval. However, the language of the bill does not mention source emission standards. It should be obvious that air quality is contingent upon the content of emissions which are polluting the air. Any projection of ambient air quality must logically depend on those emissions into the atmosphere which directly affect the quality of the air. This is not an either-or proposition. If emission standards are inadequate, air quality will suffer correspondingly.

I intend to offer an amendment addressed to this point later on under the 5-minute rule.

There is also the critical matter of enforcement. Under my bill and the administration's original proposal enforcement is an efficient and consistent procedure.

Standards of air quality and source emission are enforced by the Secretary and by Regional Air Commissions through court-enforceable cease and desist orders.

Under S. 780, the Secretary cannot act until he determines that a State has failed to enforce its plan. If the plan itself—rather than its enforcement—is inadequate, the Secretary is not empowered to act. Even in those instances where he can act, he must delay for 6 months and then ask the Attorney General to seek an injunction.

The emergency provisions are also inadequate. Under section 108K of S. 780, if pollutants are causing imminent danger to the health of persons, the Secretary may request the Attorney General to seek injunctive relief.

During a short term crisis not falling during the working day, such as the Thanksgiving 1966 disaster, this cumbersome three-step process would be unworkable.

Certainly the Secretary should be empowered to issue cease and desist orders to deal with emergencies.

S. 780 also eliminates the heart of the regional air quality commission concept. Under the Ryan and administration bills a Regional Air Quality Commission could be instituted on the initiative of the Secretary or two Governors. The commission would be empowered to set its own emission levels and air quality standards if they were at least as stringent as the national standards, and would have enforcement powers. Where determination of standards and enforcement needs to be carried out on lower than national levels, regions designed to correspond to atmospheric areas are far preferable to States, which do not correspond to natural air sheds. Under S. 780 "interstate commissions" exist only to recommend standards to States or to the Secretary. They have no enforcement powers. Regional Air Quality Commissions with power to set and enforce standards are a much more sensible approach to what is a regional problem.

S. 780 contains no provision for creation of regional control agencies, although it does place some emphasis on dealing with air pollution on a regional basis. The Secretary would be authorized to provide funds for—and thus encourage—the creation of regional planning agencies in interstate areas, but there is no provision under which the recommendations of such agencies would be binding on individual States. Nor would such agencies have any responsibility for control action.

The Secretary would also designate air quality control regions, which could be either interstate or intrastate. But air quality standards for such regions would be the responsibility of the States. The bill does not provide uniformity of standards of enforcement throughout all the parts of a region lying in two or more States.

I am also concerned about the built-in delays under S. 780. In the first place, the Secretary has 1 year to define the Nation's "atmospheric areas." On the basis of this determination, after consulting with State and local authorities, he has a total of 18 months from the enactment of this bill to designate air quality control regions. It will probably take another 2 years to issue air quality criteria for these regions because he must consult with advisory committees which are to have industry representatives who can be expected to prolong the procedure. And after this is done, State Governors have 15 months to submit State plans for implementation.

Thus, it will be almost 5 years before this plan becomes operative. This delay is not warranted by the state of the technology. It constitutes a gratuitous concession to the affected industries at the expense of the public health and safety.

Secretary Gardner, of the Department of Health, Education, and Welfare, in his testimony before the House Committee on Interstate and Foreign Commerce on August 16, 1967, said:

> I must caution this Committee that while the Senate bill will permit the opportunity for a systematic, nationwide effort, it would not lead to the direct abatement of sources of pollution in the immediate future. It will require, not months, but years to move from the designation of air quality regions by the Department of Health, Education, and Welfare through the adoption of air quality standards by states to the adoption and implementation of actual enforcement plans.

Section 106(b) of S. 780 contains a sleeper clause—it would require the sulfur oxide criteria which were published on March 23, 1967, to be recalled.

The 1963 Clean Air Act required the Secretary to issue criteria for pollutants. So far this has only been done for sulfur oxides after consultation with the coal and oil industries and other groups.

This provision is intended to make the Secretary modify and reissue sulfur oxides criteria. This would take at least 1 year. There is no logical reason for this major concession to deadly pollution, except to appease certain industries which seek less stringent criteria.

Mr. Chairman, in summary the bill as it came from the Senate is inadequate in five critical regards. It fails to provide for national industrial emission standards; there are no effective regional commissions; it promotes a patchwork of State air quality standards; the powers of enforcement are indirect and cumbersome; and there are unnecessary delays.

It is regrettable that the bill before us today is in many respects even weaker than the Senate bill.

Section 104 of S. 780, as it passed the Senate, provided for a program of research relating to fuels and vehicles, with an independent 3-year $375 million authorization. The House bill has omitted all reference to vehicles, cut the independent authorization, and generally emasculated the research provision. The program of Federal grants to public or private agencies for research, the demonstration plants program, the study of marketing commercially valuable byproducts of pollution removal, the technical advisory committees, the on-site inspections, have all been taken out. The research funds are now lumped into the general authorization, which has been reduced $275 million below the Senate's level.

Second, the House bill reduces the limitation on funds which may be spent in one State. The present law's 12½ percent limitation is harmful enough. I have introduced legislation (H.R. 42) to repeal it because air pollution is a problem which most seriously affects our populous, industrialized States. The further reduction to 10 percent is entirely unwarranted.

Third, a serious concession was made to the industry in the registration of fuel additives. Section 210 of S. 780 as passed by the Senate provided for the registration of fuel additives by manufacturers. This registration included detailed information about the additive, including the chemical composition, the range of concentration, commercial name, and intended uses. The House bill has softened this to read "such information as to the characteristics and composition of any additive as the Secretary finds necessary." Supposedly, the industry was concerned about protecting its trade secrets. I am concerned lest certain pollutants be kept secret from the public interest in clean air.

Mr. Chairman, we are at a crossroads in the field of air pollution. Few efforts have yet been undertaken to provide effective measures to contain pollution at its source. I am afraid that this bill will institutionalize a patchwork system of 50 different State standards and schemes of enforcement.

Last December in a helicopter tour I observed air pollutants freely crossing State boundaries without the slightest concern that New York's standards might be different from New Jersey's. It is necessary to have national limitations on industrial emissions and coherent regional approaches to ambient air quality.

Under S. 780 although the Secretary sets criteria, he has no authority to compel identical standards in contiguous States or parts of States which form a common air quality region.

Of all of the programs which this House would turn over to the States, I can think of none where this approach is less justified by the nature of the problem than air pollution.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. McCarthy].

The amendment was rejected.

AMENDMENT OFFERED BY MR. ECKHARDT

Mr. ECKHARDT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Eckhardt: Strike out lines 24 and 25 on page 75 and lines 1 through 12 on page 76 of the bill, and insert in lieu thereof:

"In any suit brought under the provisions of this subsection the court shall receive in evidence a transcript of the proceedings of the hearing provided for in this subsection, together with the recommendations of the hearing board and the recommendations and standards promulgated by the Secretary, and such additional evidence, including that relating to the alleged violation of the standards, as it deems necessary to complete review of the standards and to determination of all other issues relating to the alleged violation, and the same shall be considered to be the record before the court. After hearing and argument, the court shall determine whether or not substantial evidence on the record as a whole supports the recommendations of the hearing board and the recommendations and standards promulgated by the Secretary. In so determining, the court shall give due consideration to whether or not the recommendations and standards applicable were reasonable and whether or not the hearing board and the Secretary acted reasonably in determining the feasibility of securing abatement in the manner recommended. After so determining, if the court finds that substantial evidence on the record as a whole supports the standards and recommendations, the court shall enter appropriate judgment and orders enforcing same. If the court finds that substantial evidence on the record as a whole supports a recommendation of some abatement order, but not in the manner recommended by the hearing board, the court shall order such abatement or shall remand the matter for further administrative proceedings, as the equities of the case require."

Mr. ECKHARDT (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with and that it be printed in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ECKHARDT. Mr. Chairman, the language that has been read by the Clerk is substantially the same as the first sentence of the section here involved, which is a part of section 107. The change and the crux of this amendment comes in the next language.

In the original bill the court is permitted to look into the question of the practicability and the technological and economic feasibility of complying with such standards. Now, those are the standards that ultimately are established after the long road of State failure to act and the Federal Government has ultimately acted.

Now, the only guide that the court has in looking into these questions is the public interest and the equities of the case. The change that my amendment would make is to provide that, instead of opening this entire inquiry into the question of the technical feasibility, the court's review would be confined as follows:

After hearing and argument, the court shall determine whether or not substantial evidence on the record as a whole supports the recommendations of the hearing board and the recommendations and standards promulgated by the Secretary.

In so determining the court shall give due consideration to whether or not the recommendations and standards applicable were reasonable and whether or not the hearing board and the Secretary acted reasonably in determining the feasibility of securing abatement in the manner recommended.

And then, of course, providing for appropriate orders.

The reason for this amendment is that under the original language of the bill, in my humble opinion, the hearing before the court would open every matter concerning economic or technical feasibility that had been before this Congress or before the committee.

I do not know how you would permit a court to consider such broad questions without permitting courts to write a different rule for every industry and every region in which the act is ultimately enforced.

The purpose of this amendment is simply to remove consideration by the court, in a broad, general legislative sense, of technological and economic feasibility and substituting therefor the consideration of whether the decision of the administrative body was supported by substantial evidence, after additional evidence has been permitted before the court.

It is essentially a substantial evidence rule amendment, but it is somewhat broader than the ordinary substantial evidence rule in that the court may consider reasonableness of the original regulation.

Mr. STAGGERS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I think the gentleman's amendment may be somewhat unnecessary since it specifies the degree of evidence that would be before the court in any enforcement proceedings.

The bill that we have before us is modeled after the Water Pollution Control Act and has the judicial review provision in that act. Changing the bill in the way that has been suggested might create problems under that act also at this time.

So, Mr. Chairman, I think the amendment should be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. Eckhardt].

The amendment was rejected.

AMENDMENT OFFERED BY MR. RYAN

Mr RYAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Ryan: On page 71, line 6, immediately after "standards" insert the following: "and source emission standards".

On page 71, line 11, strike out "standards of air quality" and insert in lieu thereof: "air quality and source emission standards".

On page 71, line 18, strike out "of air quality".

On page 71, line 21, after "quality" insert "and source emission".

On page 72, line 1, after "quality" insert "and source emission".

On page 72, line 4, strike out "air quality".

On page 72, line 8, strike out "air quality".

On page 72, line 4, immediately after "of air quality" insert "and source emission".

On page 72, line 19, strike out "air quality".

On page 73, line 6, after "air quality" insert "and source emission".

On page 74, line 16, after "air quality" insert "and source emission".

On page 74, lines 24 and 25, strike out "such standards," and insert in lieu thereof the following: "its air quality and source emission standards,".

Mr. RYAN. Mr. Chairman, the bill before us provides that ambient air quality standards and plans for their enforcement be submitted by the States to the Secretary for approval.

However, the bill does not mention source emission standards.

I think it is clear that air quality is contingent upon the content of emissions which pollute the air. In effect, the committee in its report has recognized this on page 18. However, I believe the bill itself should clearly spell out the requirement that the States submit to the Secretary not only air quality standards and enforcement plans, but source emission standards.

I ask the Chairman if that is really not the intent of the bill, and whether or not the amendment is necessary, because the report does state on page 18:

> Since air quality standards can be met only by preventing or controlling pollution at its sources, plans for implementing air quality standards for a given class of pollutants should include emission standards applicable to the sources of those pollutants . . ."

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from West Virginia.

Mr. STAGGERS. That point is fully covered in the bill. The amendment is not necessary.

Mr. RYAN. In view of the statement of the chairman that this is required by the bill and is the intent of the committee, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to

the request of the gentleman from New York?

There was no objection.

AMENDMENT OFFERED BY MR. RYAN

Mr. RYAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RYAN: On page 86, line 18, after "(k)" insert "(1)".

On page 86, line 24, strike out "may request" and all that follows down through and including line 4 on page 87 and insert in lieu thereof the following: "may issue an order requiring any contributor to the alleged pollution to cease and desist from the emission of contaminants causing such pollution or to cease and desist such other action as may be necessary to prevent such pollution.

"(2) (A) Any person required by an order of the Secretary to cease and desist from emitting contaminants may obtain judicial review of such order by filing a petition for review, within sixty days after service of such order, in the United States court of appeals either for the circuit in which such person resides or has his principal place of business or for any circuit in which the violation is found to have occurred, or in the United States Court of Appeals for the District of Columbia Circuit. A copy of the petition shall forthwith be transmitted by the clerk of the court to the Secretary or to any officer designated by him for that purpose and to the Attorney General.

"(B) Upon the filing of such petition, such court shall have jurisdiction of the proceeding (which jurisdiction shall upon the filing of the record be exclusive) and shall have power to affirm the order of the Secretary, or to set it aside in whole or in part, temporarily or permanently, and to enforce such order to the extent that it is affirmed, and to issue such orders pendente life as in its judgment are necessary to prevent injury to the public. The commencement of proceedings under this paragraph shall not, unless specifically ordered by the court, operate as a stay of the Secretary's order.

"(C) No objection to the order of the Secretary shall be considered by the court unless such objection was urged before the Secretary or unless there were reasonable grounds for failure so to do. The findings of the Secretary as to the facts, if supported by substantial evidence on the record considered as a whole, shall be conclusive, but the court, for good cause shown, may remand the case to the Secretary for the taking of additional evidence in such manner and upon such terms and conditions as the court may deem proper, in which event the Secretary may make new or modified findings and shall file such findings (which, if supported by substantial evidence on the record considered as a whole, shall be conclusive) and his recommendation, if any, for the modification or setting aside of his original order, with the return of such additional evidence.

"(D) The judgment of the court affirming or setting aside, in whole or in part, any order under this subsection shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

"(E) (i) Any person who violates a cease-and-desist order of the Secretary while such order is in effect, shall forfeit any pay to the United States a civil penalty of $1,000 for each violation, which shall accrue to the United States and may be recovered in a civil suit in the name of the United States brought in the district where such person has his principal office or in any district in which he does business. Each separate violation of such an order shall be a separate offense, except that in the case of a violation through continuing failure to obey an order of the Secretary each day of continuance of such failure shall be deemed a separate offense. The Secretary may, upon application therefor, remit or mitigate any forfeiture provided for in this subparagraph, and he shall have authority to determine the facts upon all such applications.

"(ii) It shall be the duty of the various United States attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of such forfeitures.

"(F) (i) For the purposes of this subsection, the Secretary shall have the power to require by subpena the attendance and testimony of witnesses, and the production of all books, papers, and documents relating to any matter which is the subject of a cease and desist order issued under this subsection. Witnesses summoned by the Secretary shall be paid the same fees and mileage that are paid witnesses in courts of the United States.

"(ii) The attendance of witnesses, and the production of books, papers, and documents, may be required from any place in the United States at any designated place of hearing. In case of disobedience to a subpena, the Secretary or any party to a proceeding before the Secretary may invoke the aid of any court of the United States in requiring attendance and testimony of witnesses and the production of such books, papers, and documents under the provisions of this section.

"(iii) Any court of the United States within the jurisdiction of which an inquiry under this subsection is carried on may, in case of contumacy or refusal to obey a subpena issued to any person, issue an order requiring such person to appear before the Secretary (and produce books, papers, or documents if so ordered) and give evidence touching the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

"(G) For purposes of enforcement of this subsection, officers or employees duly designated by the Secretary, upon presenting appropriate credentials and a written notice to the owner, operator, or agent in charge, are authorized (i) to enter, at reasonable times, any factory, warehouse, office, or other business or service establishment with respect to which there is reasonable ground to believe that it is causing, permitting, or otherwise responsible for discharges into air within the purview of this subsection, and (ii) to inspect, at reasonable times and within reason-purview of this subsection, and (ii) to inable limits and in a reasonable manner, such factory, warehouse, office, or other establishment, and all pertinent equipment, finished and unfinished materials, containers, and labeling therein, and all other things therein (including records, files, papers, and processes, controls, and facilities) bearing on such discharges. A separate notice shall be given for each such inspection, but a notice shall not be required for each entry made during the period covered by the inspection. Each such inspection shall be commenced and completed with reasonable promptness."

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RYAN. Mr. Chairman, this amendment is addressed to the emergency procedures provision of the bill before us. Under the bill before us, in order to act in an emergency, the Secretary must go to court and seek an injunction. Under my amendment it is provided that the Secretary may issue an order requiring any contributor to the pollution to cease and desist from the pollution which he has created. At least in emergency situations the Secretary should have the power to issue cease-and-desist orders.

The administration bill originally provided for Federal enforcement through cease-and-desist orders. In place of this S. 780 provides for State enforcement. The Secretary may take no action unless the State has failed to act. In that case, he may ask the Attorney General to seek an injunction.

This process is also the one used under section 107(k), in situations "of imminent and substantial endangerment to health." Under such emergency conditions, this three-step process is far too slow. In crisis such as the Thanksgiving Day inversion of 1966 in New York where 168 people died, the Secretary needs to be empowered to act instantly.

My amendment would permit the Secretary to issue cease-and-desist orders in emergency situations. Ideally, cease-and-desist orders should be the general mechanism of enforcement for air quality standards, as the administration bill originally proposed. But in emergencies, which occur on short notice and which cause acute dangers to health and welfare, it is especially critical that action be taken fast.

I urge my colleagues to provide an adequate tool to deal with crisis situations.

Mr. STAGGERS. Mr. Chairman, we discussed this question fully in the committee. The amendments were voted down there; so I oppose them now.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. RYAN].

The amendment was rejected.

The CHAIRMAN. For what purpose does the gentleman from New York rise?

Mr. RYAN. Mr. Chairman, I have no further amendments to offer.

The CHAIRMAN. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. PRICE of Illinois) having resumed the chair, Mr. Gallagher, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 780) to amend the Clean Air Act to authorize planning grants to air pollution control agencies; expand research provisions relating to fuels and vehicles; provide for interstate air pollution control agencies or commission; authorize the establishment of air quality standards, and for other purposes, pursuant to House Resolution 955, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment adopted in the Committee of the Whole? If not, the question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ASHBROOK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. Two hundred and sixty-seven Members are present, a quorum.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

Mr. HAYS. A point of order, Mr. Speaker.

The SPEAKER pro tempore (Mr. PRICE of Illinois). The gentleman will state it.

Mr. HAYS. Mr. Speaker, I would like to point out that the Chair had announced the vote, and then the gentleman from Ohio objected to the vote on the ground that a quorum was not present and made the point of order that a quorum was not present. The Chair counted a quorum. I would have thought the demand of the gentleman from Michigan came too late.

Mr. GERALD R. FORD. Mr. Speaker, I was on my feet when the gentleman objected.

The SPEAKER pro tempore. The gentleman from Michigan was on his feet as the Chair was counting, and the demand for the yeas and nays was in order, and the yeas and nays were ordered.

The question was taken; and there were—yeas 362, not voting 70, as follows:

[Roll No. 359]

YEAS—362

Abernethy
Adair
Adams
Addabbo
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Ashmore
Baring
Bates
Battin
Belcher
Bell
Bennett
Betts
Bevill
Biester
Bingham
Blanton
Blatnik
Boland
Bolling
Bolton
Bow
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Brotzman
Brown, Calif.
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carter
Casey
Cederberg
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Conyers
Corbett
Corman
Cramer
Curtis
Daddario
Daniels
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Dent
Derwinski
Devine
Dickinson
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Galifianakis
Gallagher
Gardner
Garmatz
Gathings
Gettys
Giaimo
Gilbert
Gonzalez
Goodell
Goodling
Green, Oreg.
Green, Pa.
Griffiths
Gross
Grover
Gubser
Gude
Gurney
Hagan
Hall
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Henderson
Herlong
Hicks
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kornegay
Kupferman
Kuykendall
Kyl
Kyros
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Lukens
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Matsunaga
May
Mayne
Meeds
Meskill
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moorhead
Morgan
Morse, Mass.
Morton
Moss
Murphy, Ill.
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Ill.
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Pike
Pirnie
Poff
Pollock
Pool
Price, Ill.
Price, Tex.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rees
Reid, Ill.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roth
Roush
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, Okla.
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Tenzer
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tuck
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Wampler
Watkins
Watson
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Wilson, Bob
Wilson, Charles H.
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—0

NOT VOTING—70

Abbitt
Albert
Andrews, Ala.
Aspinall
Ayres
Barrett
Berry
Blackburn
Boggs
Broomfield
Brown, Ohio
Burke, Fla.
Button
Carey
Celler
Cowger
Culver
Cunningham
Dawson
Denney
Diggs
Eshleman
Everett
Fino
Fisher
Fountain
Fulton, Tenn.
Fuqua
Gibbons
Gray
Haley
Helstoski
Holland
Ichord
Jones, Mo.
Lloyd
Long, La.
Long, Md.
Mathias, Md.
Michel
Miller, Calif.
Moore
Morris, N. Mex.
Mosher
Multer
Murphy, N.Y.
Myers
O'Hara, Mich.
Passman
Pettis
Philbin
Pickle
Poage
Pryor
Rarick
Reid, N.Y.
Rostenkowski
Roudebush
St. Onge
Sikes
Smith, N.Y.
Snyder
Teague, Tex.
Tunney
Utt
Walker
Watts
Williams, Miss.
Willis
Winn

So the bill was passed.

The Clerk announced the following pairs:

Mr. Celler with Mr. Mathias of Maryland.
Mr. Boggs with Mr. Moore.
Mr. Albert with Mr. Ayres.
Mr. Fulton of Tennessee with Mr. Berry.
Mr. Passman with Mr. Blackburn.
Mr. Fountain with Mr. Reid of New York.
Mr. Gray with Mr. Snyder.
Mr. Aspinall with Mr. Smith of New York.
Mr. Haley with Mr. Lloyd.
Mr. Walker with Mr. Broomfield.
Mr. Tunney with Mr. Fino.
Mr. Long of Louisiana with Mr. Utt.
Mr. Abbitt with Mr. Cunningham.
Mr. Gibbons with Mr. Button.
Mr. Williams of Mississippi with Mr. Brown of Ohio.
Mr. Culver with Mr. Mosher.
Mr. Teague of Texas with Mr. Roudebush.
Mr. Andrews of Alabama with Mr. Burke of Florida.
Mr. Pickle with Mr. Pettis.
Mr. Barrett with Mr. Myers.
Mr. Fisher with Mr. Michel.
Mr. Sikes with Mr. Cowger.
Mr. O'Hara of Michigan with Mr. Denney.
Mr. Rostenkowski with Mr. Eshleman.
Mr. Dawson with Mr. Multer.
Mr. Helstoski with Mr. Diggs.
Mr. Ichord with Mr. Carey.
Mr. Fuqua with Mr. Holland.
Mr. Everett with Mr. Miller of California.
Mr. Watts with Mr. Philbin.
Mr. Long of Maryland with Mr. Pryor.
Mr. St. Onge with Mr. Morris of New Mexico.
Mr. Poage with Mr. Willis.
Mr. Murphy of New York with Mr. Winn.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

A GOVERNMENT-GUARANTEED INCOME FOR ALL

Mr. FISHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FISHER. Mr. Speaker, the announcement of the initiation of a Government-guaranteed minimum income for all, whether recipients work or not, was not unexpected because the scheme has been in the works for 2 or 3 years.

This marks a dangerous and revolutionary plunge into the expanded field of state welfare.

The plan, projected by the Office of Economic Opportunity, is to begin with a set-aside of $620,000 to be spent over an 18-month period, with an additional $3.4 million planned for use through the end of 1971. Then later, when fully effective nationwide, the annual cost would be on the order of $12 billion, perhaps more.

According to the press, beginning next February payments are to be made to 800 selected families, in the form of negative tax payments, with each family to get an average payment of $1,200 apiece. In the past, Sargent Shriver, head of OEO, has spoken of $3,150 as the amount he thinks one should make each year to avoid being in poverty.

As an example of how the plan would work, a family with a weekly income of $50 might get $40 more from the Government. The theory is that this handout would continue and graduate until the favored families would receive over $3,000, with Uncle Sam paying the difference between what one makes and the $3,000 figure.

This grandiose welfare bonanza is to begin without any specific authority from the Congress. It is to be done under blankcheck authority which the Congress saw fit to give to Sargent Shriver. The Appropriations Committee would do well to block this brainstorm before it gets off the ground.

The plan sets no qualifications for recipients except their lack of income. It does not relate to job training or job holding. As the Washington Evening Star put it a year or so ago:

> It is a handout pure and simple, and a rather expensive one at that.

Mr. Speaker, this scheme will undermine incentive and make more and more of our people dependent upon the dole. What is to happen to our old American concept of achieving success through ambition, hard work, education, pride, and self-reliance? Are we to embark on a grand design to encourage more and more of our people to become wards of the Government as a way of life?

DESTROYING THE COTTON FARMER AND THE TEXTILE INDUSTRY

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ABERNETHY. Mr. Speaker, the trade policy of our Government sometimes tremendously amazes me and also amazes the American people.

Mr. Speaker, it is reported that a Norwegian vessel is scheduled to dock tomorrow, sometime soon, at some Louisiana port—probably Gretna—for the purpose of delivering a cargo of Russian-produced cottonseed oil. The irony of it all is that the delivery is being made right in the heart of the cotton-producing South and in a port area noted for handling American produced cotton and cotton byproducts. And, of course, everyone is familiar with the economic ills that have plagued the American cotton farmer.

This shipment of cottonseed oil is part of 40 million pounds purchased from the U.S.S.R. by a domestic food concern—the Hunt-Wesson Foods Co., Inc., Fullerton, Calif.

This, indeed, is a very substantial quantity of oil, an amount adequate to depress prices of cotton farmers' seed and oil markets.

Authorities associated with Hunt-Wesson, candidly acknowledging doing business with the Soviets, are reported to have said that there is no price advantage to Hunt-Wesson in the use of foreign cottonseed oil over that produced domestically. If there is no such then why would Hunt-Wesson be doing business with the Soviets? American stocks of cottonseed and other vegetable oils were then, and are now, available. Why trade with the Russians?

Mr. Speaker, it should be emphasized and called to the attention of all port and dock workers in the gulf area, that this oil was produced in Russia. I do not think it would be necessary to remind these workers of the design of Russia to communize and "bury" the United States of America. The oil was loaded at a Russian port. American dollars paid for the oil will be highly beneficial to the Russian Government. They will be converted into the treasury of the U.S.S.R.; and from this treasury expenditures will be made to produce weapons of war for distribution to the avowed enemies of the United States, including Vietnam. In turn the weapons will be used to kill American sons and to promote Communist aggression.

I hope the port and dock workers will firmly and emphatically tell the skipper of the oil-bearing ship to turn his vessel around, take the oil back from whence it came and that it and no other Russian produced commodity is either wanted or needed in these United States.

Mr. Speaker, I would like to call attention to the fact that I and several of my colleagues brought this transaction to the attention of the Department of Agriculture at the highest level. We were seeking help in stopping this and other purchases of cottonseed oil from Soviet Russia. In my judgment, Mr. Speaker, it is reprehensible that we should be trading with Russia in any manner or form. Every transaction made by an American with the U.S.S.R. is bound to be beneficial to the Russians, otherwise they would under no circumstances consummate the transaction.

Several weeks after we brought this to the attention of the Department of Agriculture and sought relief, we received a letter from the Acting Secretary, in which he said the following:

> As you know from your conversation with the Secretary, we have also been concerned about the recent imports of Soviet cottonseed oil and have given a great deal of study to the problem.
>
> The suggestion that you offer as to the possibility of taking action under Section 22 of the Agricultural Adjustment Act, as amended, has been thoroughly explored. Unfortunately, we have been forced to conclude that the case for such action is not strong enough in this instance.
>
> The law requires that before recommending that the President act against imports under Section 22 the Secretary of Agriculture must determine that such imports will render or tend to render ineffective, or materially interfere with, programs or operations of the Department of Agriculture.
>
> The Department's support program for cottonseed—which is quite independent of the support program for cotton—is implemented by offers to purchase cottonseed oil, should this become necessary, from cottonseed mills which have obligated themselves to pay support prices or higher for cottonseed. We have had no tenders from cottonseed mills to date for 1967 crop cottonseed oil under the cottonseed support program, and we do not at this time anticipate any. We also expect that all of the 1967 crop domestic production of cottonseed and cottonseed oil will be able to move to market through the regular processing channels at prices above support.
>
> The effects of imports of these small quantities of cottonseed oil could not reasonably be said to be rendering ineffective or materially interfering with the U.S. soybean support program. The most important factor determining this year's crush and export of soybeans—in other words the demand for soybeans—is the domestic and foreign demand for meal, which represents about two-thirds of the joint product value of meal and oil. Furthermore, the current unusually wide differential between cottonseed and soybean oil suggests that small variations in the supply of cottonseed oil will have little effect on the price of soybean oil. We cannot say that these imports are having any significant effect on soybean prices.
>
> Another suggestion that has been offered, by Congressman Findley among others, was that the drawback privilege, which permits the reimbursement of 99% of the duty for imported products that are re-exported within five years, be limited to 30 days in the case of these particular oil imports. The Treasury Department, the agency responsible for administering the drawback regulations, has advised Congressman Findley that they know of no administrative authority under which such a limitation could be made.
>
> Treasury has also been requested to look into the possibility that action against these imports might be taken under the provisions of U.S. anti-dumping legislation. Here again that Department has advised that no legal basis has been found to exist that would support such action.
>
> However, we have not yet exhausted all of the possibilities for administrative action. We are now trying to get some cost and price information on Soviet cottonseed and cottonseed oil to check out the possibility that the USSR may be subsidizing oil exports, which, if true, would make them subject to countervailing-duty action. We are finding it very difficult to obtain and to evaluate such information from a state-run economy, but we have not yet abandoned the effort to obtain some hard facts upon which a case may possibly be based.

It is particularly noted that three methods of stopping the purchases of Russian cottonseed oil were considered. It is notable that Department officials concluded that they could not utilize either of these in slamming the door. It is also notable, Mr. Speaker, that the Treasury Department, which is quoted in the above, could find no means of keeping this Communist-produced oil out of the United States.

Department of Agriculture authorities did suggest in the last paragraph of the above letter that they had "not exhausted all the possibilities for administrative action." This is good news. We hope they will come through with something. And if they do not, I hope they will recommend legislation to the Congress, which the administration will support, that will put a stop to such unconscionable transactions as the Hunt-Wesson cottonseed oil deal with Russia. Obviously, without administration support it would be impossible to enact legislation. So, I do hope they will give us their views and assistance in bringing this kind of trade to a halt.

While we are on the subject of a cotton byproduct, Mr. Speaker, I might as well make brief mention of the shoddy treatment this Government is visiting upon the textile, garment, and cotton fiber industry with its trade policy.

Everyone knows of the vast amount of textile and garment imports, all produced with the cheapest labor in the world. Everyone knows that these imports grow and grow and grow and grow. Everyone knows that these American industries have begged and begged for relief from every administration in the last 20 years—from the administrations of Presidents Truman, Eisenhower, Kennedy, and the current Johnson administration. Everyone knows they have been turned down again and again. It seems to be accepted in high-level Government circles, Mr. Speaker, that the textile, garment, and cotton industries are expendable.

Everyone knows that the final version of the tariff schedules signed in Geneva during the recent so-called Kennedy round produced another crushing blow to these industries.

In this connection, I quote from a release of the American Textile Manufacturers Institute issued on June 30, 1967, regarding the Kennedy round tariff reductions announced that day, as follows:

> The tariff agreements, signed in Geneva today reducing substantially textile duties, make it all the more important for the Government to move quickly and effectively to place realistic controls on textile imports.
>
> Under previous tariff schedules, textile imports have reached a level of 2.8 billion square yards annually, while our exports have continued to decline. The result is a U.S. textile trade deficit of $800 million.
>
> The steady rise of imports during the past five years, and particularly during the past two years, shows clearly that there was no need for us to lower our textile tariffs to make our market more accessible to imports. Since 1961, the year before passage of the Trade Expansion Act, imports of cotton textiles have more than doubled. Imports of man-made fiber products have increased by 726 percent. Wool imports have reached the point where one out of every five yards used in this country is imported.
>
> The Kennedy Round did little to encourage exports from this country because the many non-tariff barriers erected by other countries were not removed.
>
> The European Economic Community nations have stated their intention to restore current tariffs three years from now unless the Long Term Arrangement on Cotton Textiles is renewed. Our government must make it clear that if the EEC countries do this, we will do precisely the same thing.
>
> There is a serious and immediate need for our government to open negotiations now to implement the government's long-range textile program, which calls for effective quantitative controls on textile products of all fibers. This must be done to reverse the alarming trend of textile imports.

Also, Mr. Speaker, may I call attention to the fact that 10 years ago the maximum amount of cheap labor cotton merchandise from abroad coming through our ports amounted to only about 200,000 bales equivalent of cotton. In 1966 it was well over a million bales and 1967 stands to be even more. In the last 2 years alone the increase was approximately 300,000 bales equivalent.

When and where will this assault on America's cotton, cottonseed oil, cotton goods, and textiles end? Will it continue until these American industries are destroyed? Indeed, our trade policies are gradually destroying the American cotton farmer and the textile and garment industries.

Mr. Speaker, I oppose trading with Russia and her satellites in any form. I believe in and support a liberal trade policy with friendly foreign nations. But I oppose a policy which means the destruction of American industry and that is what this Government's policy is doing to the cotton, textile, and garment industries of this great Nation.

It is time to call a halt and I strongly seek the aid of the Congress and the administration.

PROVIDING FOR ORDERLY TRADE IN IRON AND STEEL MILL PRODUCTS

Mr. HERLONG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HERLONG. Mr. Speaker, along with a number of other Members of the House who have done so previously, I have today introduced a bill which, if enacted, I believe will go a long way toward providing for orderly trade in iron and steel mill products.

A number of other bills have been introduced in this session of Congress dealing with other industries which have similar problems. I am hopeful that before too long our Committee on Ways and Means will be able to have hearings on this bill, as well as on related bills in other industries, some of which have been introduced by the distinguished chairman of our committee, the gentleman from Arkansas [Mr. Mills].

In order to more properly explain the need for and what is expected to be accomplished by this legislation, I think it appropriate that the statement made before the Senate Committee on Finance on October 20, 1967, by my good friend, John P. Roche, president of the American Iron & Steel Institute, be printed at length in the Record at this point:

Statement of John P. Roche

My name is John P. Roche. I am President of the American Iron and Steel Institute, a non-profit trade association. The Institute's members include 70 companies, both large and small, having operations in 37 states. Together they produce 95 percent of all the steel made in the United States and, in all their operations employ about 750,000 people. I appear today in support of S. 2537, introduced by Senators Hartke, Dirksen, and others, on October 16, 1967, which sets import quotas on pig iron and steel mill products.

I recognize that this Committee and its staff are generally aware of the rapid growth of steel mill product imports into the United States over the last decade. Consequently, I do not plan to deal at length with these facts or their consequences. It may be useful, however, to preface my comments with a brief recital of the salient considerations which underlie the need for the bill now before this Committee.

During the last decade, foreign steel producers have taken over an increasingly large share of the United States market, having reached 10.8 million tons in 1966. Up until the end of 1958, the United States was a major net exporter of steel; now it has become the world's largest net importer. Steel imports during 1966 made up about 11% of the steel consumed domestically and so far this year they have taken an even larger share of the domestic market. Steel imports last year were nearly 3½ times as great as they were in 1961, and nearly 10 times as great as in 1957—ten years ago.

This change in the pattern of imports and exports over the last decade has adversely affected the shipments of American producers by more than 13 million tons. If steel imports were allowed to increase at the annual average rate of growth of 27.7 percent experienced over the past five years (1962–1966), they would amount to over 36 million tons by 1971.

While the import penetration of the United States market varies by product or region, there is no important product line or market area which is immune to imports. The installation of large-scale and ultra-modern equipment by European and Japanese producers (at times with U.S. help) has enabled them to compete with similar equipment in this country and to ship large quantities of virtually every type of steel into the United States market. Cheap water transportation permits them to invade not only coastal markets but also the industrial heartland of the United States. Although the highest market penetration by imports is in the West and Southwest, in recent years, the greatest increase has occurred in the Midwest, the largest of our markets for steel. Among products, the largest growth has been in such highly sophisticated items as sheets. Small steel producers with limited product lines are particularly vulnerable to imports of sophisticated types of steel.

The basic forces which have brought these developments about are (1) the availability of substantial unused steel producing capacity elsewhere in the world and the policies of certain foreign countries with respect to this capacity, (2) labor costs in other countries which are far less than those in the United States, (3) the resulting prices of some steel products in world markets at levels below the domestic prices of many foreign producers, and (4) the measures taken by other governments to protect and strengthen their own steel industries and to encourage exports. It has been estimated that steelmaking capacity abroad now exceeds demand by more than 55 million tons. Countries which formerly relied on imports for their steel requirements have tended more and more to develop their own steel industries and to protect them against imported steel. Home markets of some long-established steel producers have grown less rapidly than expected. These producers have, therefore, taken increasingly to invading the markets of other producers—especially that of the United States.

Foreign producers are assisted in these activities by the fact that their hourly employment costs are far below those of the United States. In spite of the higher percentage increases in hourly employment costs of steel industries abroad, hourly cost differences are so great that the gaps have been growing. As an example, Japanese hourly employment costs, which in 1952 were $1.97 below those in the United States, by 1957 were $2.68 below ours, and by 1966 $3.53 below ours. In the modern Japanese and European steel plants, labor productivity is close to that of the United States. As a result, differences in unit labor costs are now on the order of $25 per ton to the advantage of Western Europe and $40 per ton to the advantage of Japan. The policies of their governments also assist foreign producers in their efforts to increase exports. These policies endeavor to protect home markets against imports and to encourage exports by a variety of devices, both financial and otherwise.

The adverse effects of these conditions appear in a number of ways. Steel imports now are a deficit factor in our balance of trade to the extent of close to $1 billion. They have reduced employment opportunities in the American steel industry by about 80,000 jobs. And they have contributed to the unfavorable financial condition of the industry, which ranks near the bottom, in terms of returns on investment, among manufacturing industries in the United States. A continuation of recent trends will mean that these conditions will get substantially worse. The expansion plans of foreign producers indicate that they expect to increase their penetration of the United States market. The Japanese, in fact, are projecting a capacity of 110 million tons of raw steel by 1975, of which they have earmarked only 70 to 80 million tons for domestic use. Economic factors both here and abroad suggest that the cost advantages now enjoyed by foreign producers will not diminish significantly. Nor is there any indication that other governments will relax their efforts to assist their steel industries at home and to promote exports.

These developments were entirely unforeseen in the early post World War II period, when the United States was forging its present international trade policy. In fact, the most comprehensive post-war study of free world resources made by this government—the Report of the President's Materials Policy Commission, published in June 1952, entitled "Resources for Freedom" predicted that, by 1975, the balance of the free world, far from being a major exporter of steel to the United States would require ten million tons of U.S. exports to meet their own needs. Among other things, the possibility that Japan would soon become a major producer and exporter of low cost steel to the entire world was utterly unforeseen.

Serious as the effects of a continuing rise in imports would be to the American industry and its employees, the most dangerous consequences would be to the national security. The development of new steels and steelmaking processes and the construction of new steelmaking facilities are expensive and time consuming. Direct defense purchases of steel in the type of war in which we are engaged in Southeast Asia are too large in variety and too small in quantity to support these activities. Revitalizing a steel industry weakened by adverse economic factors is a long, tough job, as the British and Western Europeans are discovering. Under more generalized wartime conditions, it would be nearly impossible to accomplish. A first-class power with gobal responsibilities cannot afford to rely for any important part of its needs on overseas sources of steel thousands of miles away, lying in the shadow of Communist China and the Soviet Union. There is the constant danger that those sources may be cut off at a critical moment. But perhaps of even greater importance is the certainty that growing dependence on imported steel will deprive the domestic industry of the resources it must have to expand continually its technical knowledge and implement that knowledge with the productive capabilities essential to our national strength. If our technology does not continue to advance in the future, years of inadequate development which would result under these circumstances could not be overcome by crash programs, no matter how much money would be devoted to them.

The importance of steel to national security cannot be measured by the tons used directly in military equipment and construction. Steel shipments for these uses are a minor fraction of the steel produced in this or any other advanced economy. The kind of military establishment required by our national interest can be supported only by a healthy and growing national economy with a very broad industrial base. Such a base is dependent on steel. The resources devoted by the Russians to the development of major steel industry are clear evidence that our most powerful rival understands this dependence. There are no practical substitutes available for the steel components of military hardware, and that hardware is produced with equipment made largely of steel and transported by means of facilities dependent on steel.

As the Report of the President's Materials Policy Commission stated:

"The Nation must maintain a strong and expanding economy with a large and diversified materials base that can be tapped for war production, with special attention to providing prime essentials such as steel, electricity, petroleum, and aluminum whose expansion takes considerable time and whose production sets the pace not only for economic growth, but also for production in wartime."

Let me turn now to possible remedies for this difficult situation. It has been suggested by some that the problems would be solved if the American steel industry were to increase its technological advantage over the industries of other countries. This is unrealistic. Steel technology is international and improvements in processes and equipment, wherever they arise, become available to all important producers throughout the world in a very short time. Furthermore, the cost of building and installing new facilities abroad is far below the cost in the United States, due largely to differences in wages. Consequently, at least in the short run, research and development activities and heavy capital expenditures in the United States will not alone guarantee substantial improvement in the competitive position of the domestic steel industry. Essential as improvements in products and processes are to the future of this nation's steel industry and regardless of the speed with which they are made, they will not solve the import problem quickly. In fact, to overcome the advantage in unit labor costs now enjoyed by the Japanese without reducing hourly employment costs, the domestic industry would have to cut its labor requirements from the present 13 manhours per ton of shipments to an incredible 4 manhours per ton. This would require an immediate increase in output per manhour of 225%. The technology now available or in process of development could not possibly effect such an improvement even if the fantastic sums of money required to apply it throughout the domestic industry were suddenly available.

Because of this large labor cost advantage per ton of output, even after adjustment for differences in productivity, and because of the support and protection given by many foreign governments to their steel industries, the import problem cannot practically be met in the short run by producers in the United States, either by aligning their prices on those of imports in the U.S. market or by exporting steel at prices equal to or below prevailing world prices.

These courses of action would lead to a rapid deterioration of the price level in the United States across the entire range of products and in all regional markets, since imports now include all the products used here in substantial quantities and penetrate all the major steel consuming regions. Import prices are now so low that alignment on them by the domestic industry on a broad scale would lead to serious financial distress. The average difference between domestic and imported steel prices is more than twice the per ton income before taxes of the United States producers.

Present Federal Government statutes intended to prevent imports from reaching intolerable proportions through unfair trade practices are ineffectual under existing conditions of world steel trade. Many of the laws apply only to situations which can be shown to have arisen because of tariff concessions, but the rise of steel imports does not result primarily from tariff differences. The international anti-dumping code agreed on in conjunction with the Kennedy Round would further weaken the already inadequate anti-dumping statute. There is, therefore, no likelihood of sufficient help from existing laws.

A new approach is clearly needed. And it is needed promptly. We simply must provide conditions of trade in the United States which will enable the domestic industry to continue its expenditures for research, development and plant improvement. This requires prompt action to arrest the growing penetration of the U.S. market by foreign steel imports.

Those charged with the responsibility for investment of capital on behalf of steel company investors must conclude whether future investment in steelmaking facilities in this country is an avenue in which the necessary or available capital can successfully earn its keep, or whether such capital must seek its reward in other ways or in other places. This sense of direction depends in large measure on national policy determination as to whether this country's economy and its national security can be successfully safeguarded by further reliance upon an expanding quantity of steel from foreign sources.

If there were some basis for believing that under these circumstances the steel imports would not move up to 20 or 35% of the market, or even higher—if there were some basis for believing that under these circumstances the steel industry could possibly hope to continue its current effort to achieve technological advantage (which is costing it about $2¼ billion per year)—if there were basis for believing that even with the best of new technologies it would be possible to overcome in the reasonably near future the tremendous disparity in levels of employment costs which the United States steel industry suffers in comparison with the Europeans and particularly with the Japanese—if there were sound basis for believing that current laws could be applied or enforced so as to be of material help in this situation, then I can assure you that the leaders of the steel industry of America would not be before you today. They have been supporters of free trade in the past. They have modified the view only to the limited extent they believe necessary to assure a strong and technologically up to date steel industry as the indispensable base for the nation's economic and military strength.

Senator Hartke's bill is a moderate and realistic approach to the problem of relief from steadily increasing imports. It limits imports in any year to a fixed percentage of recent consumption. That percentage is the ratio of imports to domestic consumption during the base period 1964–1966, and this comes out to 9.6 percent. Recent consumption is the average consumption of steel in the United States during the three years preceding each quota year. Thus recent consumption will move up or down with the United States market, giving foreign producers a chance to compete for a share in our growth. Within the overall quota are further limitations by product and by country of origin to percentage shares of total imports achieved during the base period. Category limitations are of particular importance to companies with a limited product line.

These limitations will be established by agreements negotiated by the President with supplying nations. Imports from any nation which does not enter such an agreement will be restricted to a percentage of recent consumption equal to the percentage of consumption supplied by that nation during the longer base period 1959–1966.

The quota program will be administered by the Secretary of Commerce, who will be empowered to remedy any local injury caused by a shift in geographic import patterns. The Secretary is also directed to review the program after quotas have been in effect for five years, and recommend to Congress the continuation, modification or termination of quota relief.

To those who suggest that there is no reason to fear because the foreign supply is about as large as it is going to get, we say that there is no reason why they should be concerned about a quota based upon recent history of import levels.

To those who would say that a quota would destroy the incentive of the steel industry to modernize itself, may we point out that not only does inter-industry and intra-industry competition already provide a strong incentive, but there will also be a strong incentive for domestic steelmakers to continue improving themselves so that they may have a better chance of recapturing some of the substantial market which foreign steelmakers could still enjoy under the quota bill which we are supporting. But in addition a quota approach can provide a foundation market which can help to justify the heavy investment which is required.

To those who would say we haven't been hurt badly enough yet, may we say that the time for the patient to have medical attention is not after the point of no return has been reached. We should not wait until the steel industry has been severely injured, for when this occurs it will then be late indeed to consider a rebuilding. Vast rebuilding would be slow and costly, and meanwhile not only would much have been lost from the standpoint of the steel industry and its employees, but much risk would have arisen both to the national economy and national security.

To those who would say that notwithstanding all of this, we must try to retain free trade concepts inviolate, we say show us any significant steel nation in the world which either opens its own market freely to competitors of other nations or does not materially infringe free trade concepts by the assistance which it gives its own steelmakers in order to help them sell abroad.

Gentlemen, enlightened national interest demands that this nation limit steel imports now. We believe the best method is the quota approach embodied in Senate Bill No. 2537 introduced by Senator Hartke.

THE AMERICAN ECONOMY

Mr. HICKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HICKS. Mr. Speaker, members of the minority party seem these days to be vying with each other to find the most words to describe how badly off America's enocomy is, how they would remedy this awful situation.

I would like to take a look at the economy in the years since the 1960 election which returned a Democrat to the White House. I want to see, Mr. Speaker, just how badly off the country is. I want to know what the Republicans would change if they came into power. I want to know where we would go from, and where we would go to, in that unlikely event.

Just yesterday, as the Christian Science Monitor documented clearly, this country passed a milestone in economics. On November 1, 1967, the United States passed its 80th month of sustained economic growth, the longest such period in history, unequaled even in the unnatural boom of the World War II years. Can anyone possibly believe that it was mere coincidence that this tremendous economic feat began 2 months after President Kennedy took office? And can anyone find simple coincidence in the predictions by responsible economists that this growth will last through 1968, the year the Republicans would like to take over?

Ridiculous. It has been done on purpose—by Democrats.

Let us look at the trend which the Republicans find unhealthy, and which they would reverse.

In these almost 7 years of Democratic policies, the gross national product—the sum of goods produced—has grown from $488 billion to $783 billion and is expected to reach $835 billion next year. Hourly earnings in manufacturing have risen from $2.26 to $2.85, a substantially greater rate than the price increase. Corporate profits have climbed from $50 to $78 billion. The stock market averages have gone up by 50 percent.

There have been a couple of slowdowns but not a single recession in all these years. But we all remember, Mr. Speaker, the recessions of the last Republican administration. There have been problems, particularly in the recent period of tight money, but these have not caused recessions; indeed, the expansion has gone on steadily.

What caused this remarkable performance? The Christian Science Monitor article credits it clearly to the Kennedy-Johnson policies to foster a steady rate of growth through expansionary fiscal and monetary policies. Signs of downturn in the economy have been counteracted with infusions of Federal spending or loosening of the money supply. The 1964 tax cut, as a prime example, was enacted in the face of a budget deficit; this bold step was completely beyond the comprehension of people who subscribe to the stodgy Republican brand of economics—but there is no doubt that the tax cut helped keep the economy expanding.

There can be too much of anything, of course. The expansion may be gathering too much momentum and need slowing down, in the opinion of many economic experts. Some of them expect price indexes to increase 6 percent by about this time next year, if we do not have a tax increase to hold things down. In this context, a tax increase makes a great deal of sense, particularly if accompanied by tax reform to close loopholes.

The record of these Democratic years, Mr. Speaker, has been nothing short of glorious. To the average citizen, concerned not with economic theories but his own personal situation, it must be almost incredible. Last week's Labor Department report illustrates the point dramatically: A typical "modest but adequate" budget for a family of four has moved from $6,100 to 1959 to $9,191 in 1967. This is a 39-percent increase; 15 percent of it is price inflation, but a whopping 24 percent is a real rise in the standard of living.

Is that unhealthy? Is that evil? Well, that is what the Republicans would change, Mr. Speaker. That is the trend they would reverse.

We have never had it so good, Mr. Speaker. But we could have it bad again, as we have had it under previous Republican administrations. We could have it very bad.

I am proud to have been a small part of this Democratic advance. And I am sure the great majority of Americans will understand, come next November, that what this country does not need is another depression which would certainly follow if Democrats are not retained in office to continue the policies that have been so phenomenally successful.

POLITICAL FUND DRIVE BY MEAT OFFICIAL

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a newspaper article.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, I take this time to praise some Members of this Congress for their handling of a touchy situation involving a campaign kitty being raised by a private industry group. There have been news articles in some of the newspapers concerning a fund that some representatives of the uninspected meatpackers were raising to make contributions to certain congressional campaigns. I have also received several inquiries concerning the facts and I think it is better that the full story be known than not and also I want it known that the chairman of the Agriculture Committee, the gentleman from Texas [Mr. POAGE], moved very quickly to show his disapproval of such a practice.

Traditionally, the meat industry has spent large sums of money contributing to State secretaries of agriculture or those who head State inspection systems. Apparently they had figured it would not do much good to try to influence the Federal system but money spent in the States might help them keep State meat inspection laws and enforcement weaker and get them some other favors, but I believe they have spent a relatively small sum on congressional campaigns. It is unfortunate that Congress is subjected to the kind of pressures that involve financial contributions and I want to give full credit to Chairman POAGE, Mr. PURCELL, Mr. BELCHER, and Mrs. MAY for moving quickly to show disapproval to the representatives of the uninspected meatpacker trying to use a slush fund to either directly or indirectly sway votes on legislation that was on the floor last Tuesday.

I knew about the campaign to raise money but did not mention it in any way until today and after it was in the newspapers because I thought Chairman POAGE had completely on his own initiative done everything possible to correct the situation. At this time, I think it is better that the whole story be known than just part of the story and just by the inquiries I have had this morning, I think it would be better that a newspaper article carrying the complete story be inserted in the RECORD for it shows that the responsible Members of Congress should be commended rather than criticized for the way they handled the situation.

The newspaper article follows:

[From the Des Moines (Iowa) Register, Nov. 2, 1967]

REVEAL POLITICAL FUND DRIVE BY MEAT OFFICIAL—SOUGHT GIFTS AS CONGRESS STUDIED BILL—TIMING IS SHOCKING TO LAWMAKER

(By Nick Kotz)

WASHINGTON, D.C.—The president of a major meat packing association opposed to a strong meat inspection law asked meat packing firms to contribute campaign funds to "friendly" congressmen at the same time Congress is considering the meat inspection bill.

The campaign fund-raising drive was called off at the demand of conservative congressmen who share the meat industry's position on the legislation, but feared exposure of the fund drive would embarrass them and the meat industry, and lead to defeat of the industry supported bill.

HOUSE ACTION

The House Tuesday adopted a meat inspection bill designed to eliminate bad conditions by offering federal aid to states willing to improve their inspection systems. The House defeated, 140–98, the Smith-Foley bill, which would have expanded federal inspection to 6,000 plants now exempt because they do not sell across state lines.

The meat industry and congressmen who halted the fund campaign support the bill approved by the House and strongly opposed the tougher bill proposed by Representatives Neal Smith (Dem., Ia.) and Thomas Foley (Dem., Wash.).

The fund solicitation letter was sent Sept. 28 to an undetermined number of firms by L. Blaine Lillijenquist, president and general manager of the Western States Meat Packers Association, Inc., which represents about 600 meat packing firms in Western states.

Lillijenquist, writing on personal stationery, asked for contributions "ranging from $25 up to a maximum of $99." He said the funds should be sent on personal checks made out to the order of "L. B. Lillijenquist, trustee, congressional campaign fund."

Lillijenquist stated the funds would be distributed in amounts ranging from $50 to $300 to the campaign funds of congressmen and senators.

ELECTION FUND

He said the funds would be used to help elect or re-elect congressmen of both political parties "who are conscientiously working to accomplish the following goals."

The goals he listed were: "To preserve our free enterprise system . . . to maintain a balanced budget and to reduce the burden of federal taxes as rapidly as possible, and to encourage a political climate wherein business enterprises will continue to grow and prosper."

When W. R. (Bob) Poage (Dem., Tex.), chairman of the House Agriculture Committee, learned of the letter he fired off angry letters not only to Lillijenquist, but also to leaders of the other two major trade associations—the American Meat Institute (A.M.I.) and National Independent Meat Packers Association (N.I.M.P.A.).

Poage left no doubt that he believed the fund raising letter would be construed as being connected with the controversial meat inspection legislation.

Poage, in a letter to Lillijenquist, to A.M.I. President Herrell Degraff, and to others, on Oct. 6, said:

"To say that I was shocked by the contents of this letter at this time is indeed an understatement. Without raising any question of the propriety of any association to engage in legitimate political activities, I must point out that wide circulation of such a letter, no matter how well-meant, obviously endangers the standing of the whole meat industry.

DEEPLY EMBARRASSING

"Furthermore, I am sure you can see that no matter how innocent this solicitation may have been intended, it is absolutely impossible to disassociate it from the pending meat inspection legislation. It could prove to be deeply embarrassing to all members of Congress who are trying to deal honestly and objectively with the problems of the meat industry before Congress."

Poage wrote that he had conferred about the letter with three other members of Congress. Each was a key supporter of the bill passed by the House and supported by the meat industry, and opposed the Smith-Foley plan.

Those with whom Poage said he conferred are Representatives Graham Purcell (Dem., Tex.), chairman of the subcommittee which considered the meat inspection bill; Page Belcher, (Rep., Okla.), ranking Republican on the Agriculture Committee; and Catherine May (Rep., Wash.), ranking Republican on the subcommittee.

Poage wrote that the three congressmen agreed with him "that this project (fund raising) should be abandoned immediately."

Poage said he had demanded that Lillijenquist rescind his letter and refund any contributions, and added that he would insist no action be taken on the bill until Lillijenquist replied.

OTHER ASSOCIATIONS

"I can only hope that this project has not gone so far as to bring possible discussion of the subject to your embarrassment and to the embarrassment of members of Congress."

He also asked the other two associations to send him a letter categorically repudiating the fund-raising campaign.

In another letter to Lillijenquist, Poage strongly indicated that one of his principal concerns was that the fund-raising letter would be used to defeat the meat-industry bill, and to aid the Smith-Foley bill.

Wrote Poage: "I think that when you have considered it, you will recognize how this action could be misinterpreted in the hands of any self-appointed critic."

Poage wrote that he didn't want to tell any group how to run its business or politics but added that when matters concern the Agriculture Committee:

"We feel that we would like to be like Caesar's wife and we know of no way in which needed and desirable legislation can be passed as long as its passage would give those who wanted to discredit the committee the opportunity to allege that funds were being collected to buy votes of the committee at the very time a highly controversial bill is before us. The bill, of course, affects your interest and the interest of every meat packer in the United States."

OPPOSED ANY BILL

Originally, the three major meat packing associations were opposed to adoption of any meat inspection bill. However, the meat industry changed its attitude after The Register, followed by other newspapers and Ralph Nader, published Agriculture Department reports showing unsanitary conditions in hundreds of non-federally inspected plants. Then, Purcell and others convinced the industry to support the Agriculture Committee bill or face enactment of the Smith-Foley bill.

Lillijenquist replied to Poage on Oct. 11. He agreed to stop the solicitation and return any funds so far collected in order to avoid "any misinterpretation of our objectives."

Lillijenquist wrote that he was acting as an individual, that the funds were to be used in the 1968 campaign, and added:

"There was not any thought of relating the funds in any way to the meat inspection legislation, and no effort has ever been made, or would ever be made, to influence a vote on any measure before the Congress. We were raising funds at this time only because our 1964 fund was depleted."

RAISED $500

He said less than $500 had been raised this year, and about $1,800 was collected in 1964 "from individuals contributing small amounts."

Lillijenquist stated that the congressional campaign fund, of which he is trustee, came into existence in 1964.

Added Lillijenquist: "The funds have been used to help elect a few members of the House and Senate who are striving to balance the budget, stop inflation, and serve the best interests of our nation."

Lillijenquist wrote that labor unions "have been the most active in this activity (fund raising)" and said "it is just as important that businessmen become equally concerned about the way our country is governed."

In his original letter soliciting contributions, Lillijenquist wrote that he would report annually to a three-man committee. The committee members, all executives of meat packing firms, were listed as:

Douglas N. Allan, James Allan & Sons, San Francisco, Calif.; Paul Blackman, Acme Meat Co., Inc., Los Angeles, Calif.; and Wade Parker, Pacific Meat Co., Inc., Portland, Ore.

TOLD HOW

Also in the original letter, Lillijenquist gave detailed instructions how various types of firms should legally make their contributions.

For example, he wrote: "If your company is incorporated, you can make personal contributions to a political campaign fund even though the company in which you are an officer and stockholder has contracts with one or more agencies of the federal government.

"If your company is unincorporated, you should contribute to the fund only if your firm is neither negotiating nor performing a contract with any agency of the federal government at the time of your contribution."

Three officials of the American Meat Institute responded to Poage that their association was in no way involved with the fund-raising campaign. They agreed with Poage that the fund-raising letter was highly improper.

The A.M.I. officials, who share Poage's view in support of the committee bill and in opposition to the Smith-Foley plan, strongly expressed concern that the letter could endanger the bill they favor.

"STUPID ACTIVITY"

A.M.I. Vice-President Aleo Davies, the organization's Washington lobbyist, wrote to Poage and described the fund-raising letter as a "most unfortunate, ill-timed and utterly stupid activity initiated by an official of a regional trade association in the meat packing industry."

Davies said further: "In the 33 years I have been in and around Washington, including my 27 years with the A.M.I., I have seldom been more amazed and shocked as I have by this matter.

"I can only hope with you that it will in the short run not endanger the passage of needed and meaningful amendments to the meat inspection act that you and your committee have recommended to the Congress.

"Those changes included in the Purcell (committee) bill are endorsed by both the American Meat Institute and other livestock and meat organizations."

A.M.I President Degraff indicated in his Oct. 9 letter to Poage that Poage was holding up action on the bill because of the fund-raising letter.

ACTION DELAYED

It was at about this time that the House Rules Committee declined to act on the bill when most congressmen thought it would. It has been reported that Poage, for unexplained reasons, had asked the Rules Committee to delay action on the bill.

Wrote Degraff: "We in A.M.I. are distressed that the good work done thus far by the committee on agriculture should be placed in jeopardy by the thoughtless action of one person.

"Nevertheless, we feel that your decision temporarily to postpone action is a wise one inasmuch as revision of the federal meat inspection act is much too important to be decided in an atmosphere of suspicion and recrimination.

"As you know, the American Meat Institute has endorsed H.R. 12144, the Purcell bill, which has been favorably reported out of the committee. We believe it is a good bill and one that will contribute to the ability of the meat industry to serve the public more effectively.

"We trust that developments described in your letter will not unduly hamper its consideration, but we would certainly defer to your judgment and would not wish to press for congressional action at a time when there might be an opportunity to misjudge the attitude of the meat industry generally."

GRAVE MISTAKE

Degraff said the fund campaign "was a grave mistake," even though it might have been done with no improper motive.

"Under the circumstances," said Degraff, "and considering the position of the individual [Lilijenquist], one could scarcely avoid the inference that at least some segment of the meat industry was involved and that influence on pending legislation might be one of the prime objectives."

B. F. Gray, chairman of the board of A.M.I., sent a telegram to Poage repudiating the funds letter and assuring him that A.M.I. was not and would not be involved in such an endeavor since it is completely non-political and non-partisan in its activities.

A Senate Agriculture subcommittee is scheduled to hold hearings soon on the meat inspection issue.

According to informed sources, some persons in the administration and the meat industry briefly considered taking the House-passed bill directly to the Senate floor Wednesday in hopes of getting the bill approved quickly.

Such a measure would have headed off an opportunity for supporters of a stronger bill to build their case for full hearings.

Senator Walter Mondale (Dem., Minn.) will spearhead a drive in the Senate for approval of a stronger bill. Mondale has proposed legislation that would bring all meat packers under federal inspection, but permit individual states to continue inspection of intrastate plants if the states come up to federal standards.

Mondale said Wednesday of the House-passed bill: "It simply does not do the job of providing the American people adequate protection against the sale of diseased or contaminated meat or meat products.

"The consumer has a right to be protected against bad meat and the House-passed bill does not provide such protection."

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Iowa.

Mr. GROSS. Does the gentleman have a list of Members of Congress supposed to be beneficiaries of the slush fund?

Mr. SMITH of Iowa. I do not know that there is any list. The slush fund was being created to be used as they pleased, apparently.

Mr. GROSS. The gentleman is not saying that Members of Congress actually received anything from this slush fund?

Mr. SMITH of Iowa. No. I am saying that Members of Congress responsible moved very quickly to make sure such a fund was not used to in any way affect the legislation. I do not want any innuendo left that anything else was the case. That is why I took this time.

Mr. GROSS. I am glad to have the gentleman explain it that way, because if there is such a list I certainly would like to see it.

POVERTY PROGRAM

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HUNGATE. Mr. Speaker, I should like to continue my discussion on the poverty program as reported in our Nation's press over the past 2½ years.

In Denver, some members of the local board overseeing the antipoverty program there, appear to be organizing a campaign against the incumbent mayor. OEO officials have informed the board that some modifications will have to be made if it is to continue receiving Federal money, the March 14, 1966, Kansas City Star reported.

In August 1966, the New York Times reported that the head of the Small Business Development Center, a private antipoverty program that helps small businessmen in poor communities to get loans, has said his organization will decline to join the city's new human resources administration.

The statement was made by Sidney Shiff, who complained that the amalgamation of New York programs to aid the poor, under Mitchell Sviridoff, is too social-work-oriented. Mr. Shiff said his organization must remain independent to carry out a series of highly creative programs aimed at building business potential in slum areas.

> Governmental structures are too strait laced—

Mr. Shiff said—

> The niche the city would put us in is too small and too limited and the emphasis still is on social welfare. We would be letting down too many people looking to us for help.

Figures show New Jersey to be ninth in receipt of poverty funds and 23d in the number of poor in the State. According to an article in the Christian Science Monitor the Federal Government threatened to cut off aid to Newark's controversial antipoverty agency unless it overhauled its operations within 30 days.

The Federal Office of Economic Opportunity—OEO—ordered the United Community Corp.—UCC—to reorganize its financial records, improve its administration, and establish closer ties to the city administration.

A letter cited "ineffective performance of the administrative staff" and charged there are "very serious deficiencies" in the agency's keeping of financial records.

PERFORMANCE CRITICIZED

> It is apparent from every investigation and from evaluation of the UCC that the central problem has been the ineffective performance of the administrative staff—

Mr. Berry wrote—

> What is critically needed is the appointment of an executive director willing and able to undertake a major reorganization of the staff—including hiring and firing when necessary.

Since it was established 3 years ago, the UCC had brought in more than $11 million to the city in antipoverty funds.

The Washington Post reports that the Johnson administration moved to take some of the freewheeling political independence out of local antipoverty agencies.

In effect, Mr. Johnson told the local antipoverty warriors: Stick to the self-help and community improvement jobs assigned you and leave politics to the politicians. He said:

> To be effective it is essential that they (local agencies) be nonpartisan and totally disengaged from any partisan political activity.

Mr. Johnson conceded that in the antipoverty program's early days "some confusion and mistakes" were inevitable.

A 1966 New York Times report states it began with a speech that excited the interest of two young members of Senator ROBERT F. KENNEDY's staff. It ended 6 hectic months later with a parade that cost some $40,000 to stage.

In between, some $3.5 million was spent. A series of investigations is underway to determine just how.

This was Project Uplift, the hastily conceived program to keep Harlem "cool" during the summer of 1965. It was superimposed on an antipoverty agency whose affairs were already badly tangled.

This added pressure of the summer program helped produce massive fiscal disarray and assorted allegations of misconduct about the antipoverty agency, Haryou-Act

As the agency, Haryou-Act, begins its second summer, this time under the careful scrutiny of city officials, the story of that chaotic summer of 1965 has begun to emerge through a series of investigations within Haryou-Act itself and through interviews with antipoverty officials.

Even officers of the agency have not yet been able to piece together the whole story of the administrative collapse.

A SPURIOUS MINISTER

But, among other things that happened, it appears that—

A spurious minister collected Haryou-Act money at an Amsterdam Avenue shop listed as his "church."

The controversial Black Arts Theater

of playwright LeRoi Jones spent thousands of Project Uplift dollars under the guise of operating day camps.

Mauruding youths, seeking delayed paychecks, crashed at one point into an office in Haryou-Act headquarters in the Theresa Hotel and threatened an official with a gun.

Amid the turmoil, the agency's fiscal records fell behind and finally became hopelessly jumbled. City officials say the agency failed to pay some $290,000 in Federal taxes—withheld from employees' pay. They think the total shortage in the agency's books might reach $1 million.

District Attorney Frank S. Hogan's office is investigating Haryou-Act. The accounting firm of Palmer & Walsh, 6 East 45th Street, is sorting through the jumbled records to reconstruct for city and Federal officials just what did happen. Its report is expected in mid-June.

STRICT CONTROLS DUE

And Haryou-Act, with some of its personnel reshuffled, its regular funds doled out by the city on a month-by-month basis, the scope of its activities limited, will be put under strict city controls that officials hope will avoid the chaos of last summer. This summer's program is budgeted at a bit less than $1 million.

Since the agency's activation in the autumn of 1964, Haryou-Act, under its mercurial, pipe-smoking director, Livingston L. Wingate, has never been considered to be anything approaching a model of administrative tidiness.

The Pierce committee said that a consultant on an Urban League tree-planting program that was part of Uplift also got a $175-a-week Haryou-Act salary and also rented automobiles to the summer program.

It said that the Black Arts Theater somehow—apparently no one is sure just how—became part of the program without Federal or Haryou-Act authorization and "was made to appear to be operating as day camps." The committee said Black Arts spent some $115,000. Mr. Wingate, in a series of memos reconstructing Uplift expenditures, put the Black Arts outlay at $95,150 or so.

No two persons—

Said the Pierce report—

related the same story or sequence of events surrounding the operation and involvement of Black Arts in the summer progam.

There were, too—

The committee said—

a few instances where . . . certain people posed as "ministers" with "churches" or "day care centers" and received funds from Haryou-Act. One "church" turned out to be a printing shop . . . and we found a "day care center" which was no more than an empty lot.

MYSTERIOUS RENTALS

City officials said that Haryou-Act rented several pieces of property which it was unable to use then or since. No one seems to know why.

Youngsters in the separately administered crash program were collecting salaries of $80 or more a week, the Pierce report said, compared with $30 paid those in regular Haryou-Act projects. Some of the summer employees, the report said, would torment their former associates by bragging of their high salaries."

Mr. Young feels that Project Uplift "not only made a significant contribution to order in Harlem, but it proved that Negro youth would rather work than burn."

It cost $3-million or so—

He said.

And what was the damage out in Los Angeles? Something like $40-million? That's a pretty good contrast.

A city antipoverty official disagreed.

They gave money to a bunch of kids—

He said—

and so the kids didn't make any trouble. Well, that ain't what antipoverty is all about.

The Reverend Eugene Callender, the board chairman of Haryou-Act, said that he would ask for reinstatement of L. L. Wingate, a top officer of Haryou-Act, according to the New York Times report.

This is a very fine report—

Mr. Callender said.

The Board of Directors has commended him for this report . . .

The audit will show there has been no misappropriation of funds, Mr. Callender declared.

I am confident that there was no embezzlement—

He said.

We already know that the reconstruction has shown that there is no such thing as $400,000 of missing money.

I think that there were certain mistakes—serious failures—on the part of our administrative functioning, particularly in the area of bookkeeping and accounting. But those mistakes have been corrected. We have made certain changes in staff to improve our administrative work and our fiscal controls.

DISSATISFACTION NOTED

Asked if Sargent Shriver, head of the Office of Economic Opportunity, still held the position he adopted last December that Haryou-Act would not get another cent of Federal money if Mr. Wingate remained as executive director, Mr. Callender said:

I don't think that that's Mr. Shriver's decision to make.

Mr. Callender said he was dissatisfied with the work of both the city and the Federal officials because he believed the poor people in the poverty areas "should plan for themselves."

[From the New York Times, July 31, 1966]

LeRoi Jones Freed on Bail in Assault—Ginsberg Puts it Up

Last summer his Black Arts Theater in Harlem was expelled from the antipoverty program after putting on what Sargent Shriver director of the Office of Economic Opportunity, described as "vile racist plays."

WASHINGTON, July 20 (AP).—The head of the Federal antipoverty program said today he had suspended more than $500,000 in grants to aid seasonal farm workers and migrants in Lowndes and Wilcox Counties in Alabama pending an investigation of charges by Gov. George C. Wallace.

Mr. Wallace charged at a news conference that the grant in Lowndes, made to the Lowndes County Christian Movement for Human Rights, Inc., amounted to Federal financing of the Black Panther political movement.

Yesterday, the Governor told newsmen that Robert Strickland, the director of the antipoverty program in Lowndes County had been convicted of first degree murder in Birmingham 25 years ago. Mr. Strickland was paroled five years later, the Governor said, and was pardoned in 1957.

The Washington Post of August 21, 1966 reported that at a heated conference Alexandria's UPO head branded the city's poverty attack "a phantasy."

Louis M. Teitelbaum, head of the Alexandria Bar Association's Legal Aid Society Committee, admitted under questioning that the society, organized last February, is floundering in attempts to aid the poor.

Barbara K. Watkins, director of the city's department of welfare, said she does not know what UPO, area coordinating agency for antipoverty efforts, has accomplished in Alexandria.

[From the New York Times, Aug. 4, 1966]

Poor Are the Losers—Many Voice Frustration

(By McCandlish Phillips)

In Brooklyn, Lency Signal was wondering if the antipoverty program was a scheme to reduce him from a bare subsistence to abject poverty.

He has been poor all his life, but Mr. Signal is a rare person in the ghetto—a Negro who has managed to start a small business of his own.

A year ago he left his job at the Queens Floor Waxing Company. He had saved enough money to buy a new truck and some cleaning machinery and to take on three helpers, hired job by job, for Signal's Cleaning Company. He lives in a crowded tenement a few blocks from the Brownsville-East New York Community Progress Center at 505 Sutter Avenue.

The center had hoped to hire the unemployed to wax its floors, but it could not get money to buy floor-waxing machines. One of the aims of the antipoverty effort is to help the poor to help themselves, so when the center heard about Mr. Signal it signed him to a $100-a-month contract to wax all its floors and wash all the windows in its four-story building.

He has done this now since the center opened and has not been paid a dime.

"He gives us a bill," said Lloyd A. Johnson, the director of the center. "I approve it and pass it over to my fiscal officer. He sends it downtown to the head office, where it disappears into an unresponsive, monolithic bureaucracy."

At his home the other evening, Mr. Signal, wearing a crisp olive uniform, gazed out through the chicken wire that covered his first floor window, while a reporter stood in front of four open barrels overflowing with garbage.

"I can't do this any more for nothing," Mr. Signal said. "All my bills is behind because of that. Everything going out, nothing coming in."

"He just keep goin' and goin' and goin'—May, June and July," Mrs. Signal said. "Here come August, he still don't get paid."

According to a survey by the Community Progress Center, "deteriorating marginal businesses with a phenomenally high rate of failure are the standard" in Brownsville and East New York, and one of the center's aims is to offer counsel and assistance to arrest this trend.

Mr. Signal would just like a check for the $300 the city owes him.

[From the New York Times, Aug. 21, 1966]

Meredith Leads Voter Drive Here—Joins Motorcade in Streets in Bedford-Stuyvestant

(By Will Lissner)

Mr. Meredith was recruited by the local antipoverty program, Bedford-Stuyvesant

Youth-in-Action . . . executive director of the program, Mrs. Dorothy Orr.

In Negro and Puerto Rican areas the demonstration was met with apathy, even though indefatigable speakers blared the appeal to register in English in the former and in Spanish in the latter. * * *

One group of young men walked with him to the registration table. Then they stopped, and one asked, "You do have to be 21 to register and vote, don't you?"

Mr. Meredith said that was right.

"Then I guess we can't," the youth said. * * *

The apathy encountered by the motorcade, staff members agreed, was characteristic of virtually all New York neighborhoods at this stage of a gubernatorial campaign. * * *

Mrs. Orr said she was heartened by the people who showed interest in registration.

"They're a living demonstration that the poor are not apathetic or lazy but rather eager and motivated to break the circle of poverty," she declared. * * *

[From the Post-Dispatch]

Poor Organize To Seek Boost in Aid Benefits

(By Thomas W. Ottenard)

Philadelphia, August 2.—A potentially powerful movement is being organized to obtain a larger share of America's wealth for the poor, it was learned today.

The group, made up of public welfare recipients, will hold its first national meeting in Chicago Saturday and Sunday, with representatives from 30 cities expected. * * *

Cloward (Prof. Richard A. Cloward of the School of Social Work at Columbia University), who is helping to establish the organization, said plans would be laid at Chicago to seek a mass membership among the 8,000,000 persons now on welfare rolls. Efforts will be made to expand beyond the 18 cities in which the movement now exists and to create a national structure to coordinate local undertakings, he said.

Three immediate objectives were listed by Cloward:

(1) Full provision of all welfare benefits now authorized by law but not provided because of budgetary or other restrictions.

(2) Higher welfare payments.

(3) An end to investigative tactics and other harassing administrative practices by welfare agencies.

The Chicago meeting will be sponsored by the Poverty Rights Action Center. The center was established recently in Washington and is headed by George Wiley, former associate national director of the Congress of Racial Equality. * * *

"Work is not the only source of virtue," he (Cloward) told his audience here yesterday. "Men have virtue by reason for their own existence."

Cloward said that if the poor exerted sufficient pressure, they could create "a major fiscal crisis that could bankrupt our cities."

The financial burden would become unbearable if communities were forced to pay full benefits and to put on their rolls eligible persons not now receiving aid. He predicted the rolls would be doubled if all eligible persons were included. * * *

Job Corps Aide Faces a Hearing—Missouri Town Complains About Girls' Behavior

(Special to the New York Times)

(By Donald Janson)

Kansas City, Mo., July 23.—The latest headache for Sargent Shriver and his Office of Economic Opportunity came this week from Excelsior Springs, just outside Kansas City.

Mrs. Grace Phillips, director of the women's Job Corps center in the pleasant little town of 6,000, was served Tuesday with a warrant charging her with maintaining a public nuisance.

The warrant is based on a complaint signed by 20 residents of the area where the center, housed in what once was a veterans' hospital, is situated.

The neighbors complained that the girls at the center were loud, profane, sometimes drunk and often on the town's once-quiet streets after curfew. They said the girls also were promiscuous, sometimes in the yards of residents.

The case will be heard by Judge Arthur F. Wagoner, who has expressed "sympathy with everyone who signed that complaint." He lives near the center, which is training about 300 teen-age high school dropouts from every state in the nation for such vocations as nurses, secretaries and cooks.

Police Chief Frank Patterson said he had arrested four girls on charges of drunkenness. He said he had received many complaints of immorality. Frequently, he said, youths pick the girls up on the streets in their cars.

Judge Wagoner said some residents had moved out but that "some of us are going to stay here." * * *

Also, he (C. M. Horned) said, people in Excelsior Springs are unused to seeing interracial dating and are "very concerned" about it. About 60 per cent of the girls at the center are Negro.

Mr. Horned (Director of Community relations and public affairs for the center) said he thought the Office of Economic Opportunity would avoid residential locations for future projects.

This one is operated by the Training Corporation of America, a private company, under contract with the antipoverty agency.

"The girls run, scream, yell and have all the characteristics of a teen-age population," Mr. Horned said, "along with all the profanity they learn at home."

He said they attracted men from Kansas City and nearby Air Force bases, mostly Negro, who came in "old clunkers" of cars and motorcycles.

The couples park on the streets, he said, because Excelsior Springs has no public places of entertainment where Negroes are welcomed. * * *

One month the center suffered through an eight-day strike by its 17 teachers. They formed a union called the Job Corps Federation of Teachers and joined the American Federation of Teachers, an affiliate of the American Federation of Labor and Congress of Industrial Organization. They demanded more pay, more teachers, more classrooms, less red tape, less janitorial work and a contract. * * *

Mr. Horned said the center had been trying reinforced patrols and other suggestions of the Excelsior Springs Community Relations Council but had drawn the line at a proposal that the grounds be ringed by an eight-foot barbed wire fence.

Capitol Punishment: Divorce for the Poor

(By Art Buchwald)

The War on Poverty has been experimenting with a new legal aid program called judicare. It was thought that most poor people would take advantage of judicare to get legal advice on unfair housing, welfare, credit and consumer rackets. But it turns out in the pilot program in 26 northern counties in Wisconsin that 84 per cent of the people who took advantage of judicare wanted advice on how to get a divorce.

[From the New York Times, Aug. 21, 1966]

New Antipoverty "Palace" Is a Bright Spot for Brownsville Slum Dwellers

(By McCandlish Phillips)

Lloyd A. Johnson, who earns $15,000 a year as director of the center, recalls having learned, while participating in civil rights demonstrations in Florida several years ago, that "a Negro doesn't sit with his back to a window in a lighted room at night" to silhouette himself as a possible target for night riders.

* * * He is proud of having helped desegregate the Capitol Theatre in Washington in 1949, and of his arrest on June 24 for disorderly conduct and resisting arrest while trying to see Governor Rockefeller at his office in Manhattan.

He does not think the center should originate civil and social protests, but he expects it to lend vocal and consultative support to such efforts as boycotts, demonstrations, sitins, voter registration drives, and attempts to curb slum profiteering, or to demand better code enforcement by city inspectors.

* * * Mr. Johnson will administer a total budget of more than $1-million a year. That includes $391,588 for all regular costs (including staff payroll, rent, cleaning, equipment, supplies, transportation), and $673,948 to pay 200 nonprofessional employes.

All 200 are to be hired by the center, but by January 1967 120 were expected to be assigned to work in the Head Start program in local schools, and they will pass from the center's direct supervision.

* * * The center has hired 30 office workers at $1.50 an hour—typists, receptionists, clerical aides, secretaries, escorts, night watchmen. Most are from the neighborhood and could not be hired in the same jobs elsewhere, because they are untrained.

* * * "The old power structure—the downtown politicians and the local Assembly *fiefs*—had nothing but pious platitudes and empty promises for the poor," he said. "Now a new power structure has been established—the organized poor—and they are saying, 'Baby, you better give us a piece of this pie, too.' "

COULD THE ATOM BECOME A FRANKENSTEIN?

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, in recent weeks Americans have come to express mounting fear that the peaceful atom may suddenly emerge as a destructive monster unless brakes are applied to the Nation's reactor program at least long enough to make a careful check of its lethal potential.

Obviously insufficient publicity was given to a 1957 Atomic Energy Commission report which estimated that a minireactor of that period could—should an accident take place—take 3,400 lives and injure 43,000 human beings. Nor has the general public been alerted to other signs of danger that have been raised from time to time during the intervening period.

At long last the perils that persist in an innocent-appearing nuclear plant are coming to the surface. A distinguished Member of the U.S. Senate last month told his colleagues that the health and welfare of the American people as well as the economy of the country must be considered in the AEC program. To build the civilian reactor plants as the AEC envisions is "playing nuclear roulette with the future of this country," he said.

Strong words, but the warning should have been repeated over and over from the time that another Member of the Senate, himself a member of the Joint Committee on Atomic Energy, made this statement in 1957:

> Yes, I have found it necessary to urge labor unions to intervene against the action of the Atomic Energy Commission in granting a permit for the construction of the Lagoona Beach reactor next to the City of Detroit . . . I telephoned not only the Governor of the State of Michigan, but I called labor unions and said to them that here was a reactor being built next to a metropolitan area where workers in other factories would be subjected to the harmful radiation effects if there should be a breakdown in the Lagoona reactor. I felt that we should not permit the reactor to be constructed until we knew it to be safe.

These remarks are recalled in the June-July 1967 issue of Scientist and Citizen, which also describes later events which justified the Senator's fears about the dangers of nuclear installations:

> The $120 million Enrico Fermi Atomic Power Plant, built in spite of eleven years of bitter opposition and litigation which went all the way to the Supreme Court, and plagued by a series of technical failures, has suffered an accident that might have just missed being a disaster to nearby Detroit. Designed to produce electric power and plutonium for nuclear weapons, the plant has never produced usable amounts of either; as a prototype of the next generation of atomic power plants, its failure may have serious implications for the future of civilian nuclear power, now entering a period of unexpected boom.
>
> More seriously, the accident which occurred at the Fermi Plant on October 5, 1966, raises questions about the safety of the reactor program, and the way that safety is being assured by the Atomic Energy Commission. We will not know until this fall, when the operators of the reactor at Lagoona Beach, Michigan, expect to be able to retrieve the damaged portion of Fermi's uranium core, exactly what happened, or how close the accident came to releasing radioactivity to nearby Detroit.

The Scientist and Citizen article contains so much vital information with respect to the safety—or lack thereof—of atom plants that I have requested permission to have the entire text printed in the Record at the conclusion of my remarks. In justice to the uranium miners needlessly exposed to fatal radiation exposure in order to meet AEC's timetable for its reactor program, I am also including "Safety Standards for Uranium Miners," appearing in the same issue, in the Record.

The publication also presents this quotation from Dr. Edward Teller, often referred to as the father of the hydrogen bomb:

> For the fast breeder to work in its steady-state breeding condition you probably need something like half a ton of plutonium. In order that it should work economically in a sufficiently big power-producing unit, it probably needs quite a bit more than one ton of plutonium. I do not like the hazard involved. I suggested that nuclear reactors are a blessing because they are clean. They ARE clean as long as they function as planned, but if they malfunction in a massive manner, which can happen in principle, they can release enough fission products to kill a tremendous number of people.
>
> . . . if you put together two tons of plutonium in a breeder, one-tenth of one percent of this material could become critical . . . Although I believe it is possible to analyze the immediate consequences of an accident, I do not believe it is possible to analyze and foresee the secondary consequences. In an accident involving a plutonium reactor, a couple of tons of plutonium can melt. I don't think anybody can foresee where 1 or 2 or 5 percent of this plutonium will find itself and how it will get mixed with some other material. A small fraction of the original charge can become a great hazard.

Mr. Speaker, for the information of my colleagues, Scientist and Citizen is published by the Committee for Environmental Information in St. Louis. I must only assume that the material appearing in the magazine is factual, and I would hope that the AEC will challenge any portion it considers to be in error.

The established and respected Pittsburgh Press, whose new editor, John Troan, was considered one of the world's outstanding science writers when he served in Washington prior to his return to Pittsburgh, on October 6 of this year, reported that Dr. Teller told a science-writing symposium at the University of West Virginia that atomic powerhouses should be put underground. Atomic plants are very safe now, Dr. Teller was said to have explained, but they "should be made even safer" and the way to make them safer is to put them "under 1,000 feet of ground."

Here are two paragraphs from the Press report:

> He said atomic power stations are needed to meet growing demand for electrical energy and so far they have compiled an exceptional safety record.
>
> But, he added, some place, somehow, some time, dangerous radioactivity is bound to escape from some such nuclear plant and endanger the public.

Evidently there are segments of the public who do not want to be near the reactor that somehow, sometime releases dangerous radioactivity. Coal Age for October has this observation:

> Public Service Electric & Gas Co. says it will not push its application to build a twin reactor nuclear power plant at Burlington, N. J., on the Delaware River in the Philadelphia area. The population density in the immediate area created many problems, particularly in view of the Atomic Energy Commission's policy requiring 2 or 3 years operating experience with large plants before issuing construction permits for urban sites.
>
> The Burlington site is the third in metropolitan areas to be turned down. Earlier, Consolidated Edison was turned down in a bid to build a nuclear plant in Queens and Boston Edison was refused permission to build in the heavily populated greater Boston area.
>
> Meanwhile, Atlantic City Electric Co. said it has cancelled an order with General Electric to build a nuclear plant at its Bayside, N. J., site. It said it would not need the power as soon as previously anticipated because other arrangements to purchase power had been made.

On October 26 the Washington Post reported that the possibility of a second nuclear-powered generating plant in Virginia "is being viewed with some concern by the Virginia Commission of Fisheries." The story further stated:

> The first such plant is now under construction on Hog Island on the James River in Surry County at a cost of between $90 and $95 million. Fears have been expressed that the Hog Island facility will be a source of radioactive contamination in the James River.

For the record, the New Jersey facility in Burlington County was to have been in a county whose 1960 census of 195,725 is expected to grow—according to the Philadelphia Inquirer of October 22—to 405,603 by 1985. But what counties in America are not expected to grow by 1985? Maybe there are a few which cannot look to expansion, but should the AEC or anyone else be able to decide which areas and their inhabitants are to be subjected to the risks of the atom plants? Do any of my colleagues feel that it would be morally proper to place a facility considered too dangerous for a metropolis in a small community where the toll of human lives in case of an accident might be only several thousand or several hundred?

My colleague from California [Mr. Hosmer], who is a member of the Joint Committee, was good enough to place in the September 14, 1967, Congressional Record an evaluation of the Joint Committee and AEC by the British publication, Nature. Here are its concluding sentences:

> The trouble is that the time has probably come for a detailed re-examination of the function of the AEC. The best proof the committee could give of its resolution would be to begin an investigation of its own bat.

I have asked for an investigation of the AEC, and I am encouraged by the numerous indications that the desirability of such a study is becoming generally recognized. Some time ago the Denver Post commented editorially on my proposal, and I should like the statement, "Probe of Nuclear Costs Could Be Helpful," to appear in the Record.

Cost, subsidies, national danger in the reactor program, the plight of the uranium miners—all facets of the AEC programs not a part of the defense program should be thoroughly investigated. Meanwhile, Congress should insist upon a course recommended by the Federation of American Scientists, which early this year asked for a moratorium of at least 12 months on nuclear plant construction on the west coast. During the moratorium, the organization recommended, studies should be made of potential environmental contamination from nuclear plants, including an evaluation of the impact on marine life.

The moratorium should not be confined to the west coast. The East and Middle West in particular should be spared the risk of additional reactors until the real hazards are generally understood and eliminated. If, as Dr. Teller believes, the plants should be buried 1,000 feet underground, then this procedure should be insisted upon regardless of cost. Actually, Dr. Teller said, it might be cheaper, but in any event "we should make sure that, if such a plant ever did blow up, it would cost only money and not lives."

There is an obligation upon Congress to adopt House Joint Resolution 599 so that an investigation of the AEC can get underway without delay. We had better find out where we are going before it is too late to apply the brakes.

The material referred to follows:

[From the Denver Post]

Probe of Nuclear Costs Could Be Helpful

Rep. John Saylor, R-Pa., has introduced a resolution which has some of the earmarks of being a coal industry stalking horse aimed at embarrassing a competitor, civilian nuclear power production.

Still, the Saylor resolution has won support from some members of the Joint Committee on Atomic Energy and—handled properly—it could be of value.

Purpose of the Saylor resolution is to create an independent, "outside" study of federally-subsidized nuclear power and its place in the economy.

While it's obvious that Saylor, who represents the coal-rich Johnstown area of Pennsylvania, may have the welfare of his constituents chiefly in mind in proposing the study, there are questions which could be answered by an independent group.

There has been a great deal of confusion about the actual competitive position of nuclear electrical generation. Tennessee Valley Authority (TVA) a year ago chose a nuclear plant as being more economic than coal generation. But other experts, about the same time, testified differently in the Colorado River case. They said nuclear power was not attractive as a source of pay-off energy in financing the proposed Central Arizona Project.

Both statements could, of course, be true. But there was a general reaction to the Colorado River hearings which suggested that nobody was quite sure how competitive nuclear power really was, anywhere in the nation.

With the vast petroleum reserves of the Middle East in doubt for much of the Free World, the question of this nation's energy supply in the years ahead deserves intensive examination.

Just how effective nuclear power is—and is likely to be in the next decade—could easily be a determining factor in persuading the federal government that it should (or should not) authorize a strong program of oil shale development in the Western states.

As Congressman Saylor points out, the study he is seeking would be no more effective than the impartiality with which it approaches its task. If it achieves such impartiality it will add valuable confirmation to the claims already made on behalf of nuclear power, assuming these claims are correct.

But we do believe along with Saylor that the U.S. Atomic Energy Commission (AEC) and the Joint Committee on Atomic Energy in Congress have approached their work with an attitude of commendable salesmanship which may have obscured some of the realities of nuclear power.

In short, we see nothing wrong with appointment of a committee review of the nuclear power program, provided it is nonpartisan.

[From Scientist and Citizen, June-July 1967]

"Breeding" Nuclear Power: The Dream of Cheap Electricity; the Doubts Raised by the Fermi Accident

(By Sheldon Novick)

The $120 million Enrico Fermi Atomic Power Plant, built in spite of eleven years of bitter opposition and litigation which went all the way to the Supreme Court, and plagued by a series of technical failures, has suffered an accident that might have just missed being a disaster to nearby Detroit. Designed to produce electric power and plutonium for nuclear weapons, the plant has never produced usable amounts of either; as a prototype of the next generation of atomic power plants, its failure may have serious implications for the future of civilian nuclear power, now entering a period of unexpected boom.

More seriously, the accident which occurred at the Fermi Plant on October 5, 1966 raises questions about the safety of the reactor program, and the way that safety is being assured by the Atomic Energy Commission. We will not know until this fall, when the operators of the reactor at Lagoona Beach, Michigan, expect to be able to retrieve the damaged portion of Fermi's uranium core, exactly what happened, or how close the accident came to releasing radioactivity to nearby Detroit.

In 1956, when the Power Reactor Development Corporation first proposed building the Fermi Reactor at Lagoona Beach, atomic electric power was still a new idea. The first such plant to produce commercial electric power—at Shippingport, Pennsylvania—was a year away from its opening in a dramatic ceremony by President Eisenhower. Although there are still only a dozen operating reactors producing electric power, and their total production is a barely measurable fraction of total U.S. production, nuclear plants have gained wide acceptance; last year more than half of all new generating capacity ordered by utilities was atomic, thirty-six new plants were committed or under construction on January 1, 1967, and by 1980 the AEC expects over two-fifths of all electricity to be produced in nuclear reactors.

But despite this wide acceptance of atomic energy, the Fermi reactor continues to be a controversial facility, and a source of grave concern. The debate has a history as old as the reactor itself; in 1957, Senator Clinton Anderson of New Mexico made the following remarks toward the end of an address to the second annual convention of the New Mexico AFL–CIO:

"Yes, I have found it necessary to urge labor unions to intervene against the action of the Atomic Energy Commission in granting a permit for the construction of the Lagoona Beach reactor next to the City of Detroit . . . I telephoned not only the Governor of the Sate of Michigan, but I called labor unions and said to them that here was a reactor being built next to a metropolitan area where workers in other factories would be subjected to the harmful radiation effects if there should be a breakdown in the Lagoona reactor. I felt that we should not permit the reactor to be constructed until we knew it to be safe." [1]

Senator Anderson apparently was concerned because the Atomic Energy Commission, in going ahead with the Fermi reactor, had overruled its own Advisory Committee on Reactor Safeguards, a group of eminent scientists who had advised against construction. Several unions responded to Anderson's plea, and extended litigation began. A federal court voided the license which the AEC had granted for construction of the reactor, but the Supreme Court, in a divided decision, reversed the lower court's action—and construction resumed. Justice Douglas, with Justice Black concurring, worded a very strong dissent, calling the AEC's action "a lighthearted approach to the most awesome, the most deadly, the most dangerous process that man has ever conceived." [2]

Why so much controversy over this particular reactor? Fermi was to be the prototype of what industry still feels is going to be the coming thing in reactors, the "sodium-cooled fast breeder" in the jargon of the trade. And in spite of Fermi's near disastrous failure, both General Electric and Westinghouse plan to begin construction on new fast breeder prototypes in the next two or three years. By 1980, both firms hope to have full-scale commercial power plants under construction; eventually, it is believed, this and other advanced reactor types will completely replace the current form of reactor.

This optimism is based chiefly on the hope of lowered fuel costs in the fast breeder. Fuel costs in the present commercial atomic plants may be as much or more than the cost of the reactor itself, but the fast breeder may eventually burn plutonium it has itself produced instead of the very expensive uranium 235 used in other commercial reactors.

The dream of cheap power from the atom is older than the atom bomb. Speculation about the wonderful possibilities of atomic energy began appearing in popular fiction in the 1930's, but these were largely discounted by physicists until the discovery in Germany in 1939 of the process of nuclear fission, and the almost immediately following prediction that a "nuclear chain reaction" was possible.

The first power reactors have not yet cut power costs, but the possibility of developing fast breeder reactors has seemed to offer new hope of cheap power.

When fast breeders were first designed it was thought that uranium was a scarce element, and this was an added factor in making them attractive. Subsequent explorations have uncovered vast reserves of uranium in this country, in Canada, and elsewhere. With these vast new reserves, it was possible to give emphasis to the presently popular water-moderated reactors which burn much more fuel than they produce; but fuel is not unlimited, and conservation of uranium reserves is still an important impetus in the design of reactors like Fermi.

Revenue from the sale of plutonium for weapons had originally been expected to make operation of the otherwise enormously expensive power plant economically feasible. But the government's demand for plutonium has slackened considerably and can be met at government plants in Richland, Washington, and Savannah River, Georgia.

Despite the apparent abundance of uranium to fuel water cooled reactors* and the absence of the expected demand for plutonium, and in the face of the dramatic failure of the Fermi reactor and others like it, fast reactors are again being proposed. At a meeting of the American Nuclear Society in San Francisco, April 10–12, several firms in this country, Great Britain, France, Italy and Germany proposed plans for various types of fast reactors; the British have the lead in this field, and their prototype is expected to be operating in two years. The U.S.S.R. is also active in the field, and Russian scientists were expected at the meeting but did not appear.

The reason for this resurgent interest is economic; fast breeders may burn the plutonium they themselves produce, obviating the need for uranium 235 fuel which contributes so much to the cost of present commercial reactors. Uranium 235 is separated from the more common form of uranium by the vastly complex and expensive gas-diffusion process. At present it seems that the reprocessing and fabrication of plutonium into fuel will be cheaper than making fuel from uranium. An additional factor is that only the U.S., U.S.S.R., China, Britain and France have the capability to separate the uranium isotopes; other countries wishing to develop nuclear power are therefore dependent on foreign supplies of fuel unless they can develop plutonium-producing and burning reactors. This is probably an important factor in the German and Italian programs.

---

[1] Senator Clinton P. Anderson. Untitled address before the Second Annual Convention, New Mexico State AFL–CIO, October 26, 1957 (mimeographed p. 9).

[2] Power Reactor Development Company v. International Union of Electrical, Radio and Machine Workers, AFL–CIO, et. al. 367 U.S. 396.

*A recent Atomic Industrial Forum study concludes: "Sufficient uranium is available in known deposits to permit electric power companies to proceed with plans for additional (water-moderated) power reactors for a number of years ahead. The results of current exploration efforts should become apparent well before 1971 . . ." "U.S. Uranium Reserves—A Report by the Committee on Mining and Milling," Atomic Indus. Forum Inc., August, 1966, p. 7.

Yet despite their probable economic advantage over the presently used water reactors, fast reactors raise doubts which are embodied by the Enrico Fermi Atomic Power Plant.

In October of last year,[3] preparations were being made to start up the Fermi plant, which had been shut down because of the latest in a long series of difficulties with the molten sodium coolant system. The difficulties this time had been in the steam generator, where the heat carried by the sodium from the reactor is used to make steam. On the evening of October 4, 1966, the technicians in the control room in a separate building adjusted their controls and control rods withdrew slightly from the faraway reactor core, hidden by tons of steel and concrete shielding.

By 11 p.m. the reactor was operating at a very low power level; it was maintained at this level while the tons of sodium flowing through the core slowly heated to a temperature of more than 550° F. Instruments in the control room indicated that the reactor was operating normally. At eight o'clock the following morning, October 5, the operators of the reactor began the long and complex procedures which must precede operating the reactor at a higher power. The plan was to increase the heat being generated by the reactor in order to test the newly-repaired steam-generator and steam system.

A minor malfunction was found in a valve in the steam generator, and the program was delayed. At 1:45 p.m. the slow withdrawal of control rods began; within fifteen minutes, another small malfunction had appeared in a pump, and the reactor was damped again. A replacement pump was switched on, the slow increase in power began again. By 3 p.m., the reactor was producing 20,000 kilowatts of heat energy, still only a small fraction of its maximum capacity of 200,000 kilowatts.

At this point, the reactor operator noticed an abnormality in one of his instruments measuring the change in neutron production in the reactor core; the signal from the instrument became erratic. Reactors have their own personalities—the operator had observed this particular fluctuation in his instruments many times before, and often at the same time of day—3 p.m. He ended automatic control of the reactor and switched to manual control for a while. The erratic signal disappeared, and automatic increase of reactor power began again.

Five minutes later, when the power level had reached 34,000 kilowatts, the erratic signal appeared again. A staff member present noticed that the control rods seemed to have been drawn farther out than was normal. Stepping to the back of the control panel, he examined the recorders which registered temperature at different points in the distant reactor core. At two points the temperature seemed higher than normal.

At almost the same moment, high-radiation alarms sounded from the reactor building and from detectors elsewhere in the plant. Automatic devices immediately sealed off the buildings in which the alarms had sounded; no personnel were present at the time.

By this time the power increase had halted; at 3:20 p.m., almost half an hour after the first abnormalities had been noticed, the reactor was scrammed—six safety rods were inserted their full distance, completely halting the chain reaction because of their absorption of neutrons.

The only visible signs of the accident were the abnormal meter readings in the control room and the automatic radiation alarms. High radiation levels were occurring in the plant buildings, but their cause was not known. Later investigation showed that small quantities of radioactive gases had been released to the air outside the buildings.

A meeting was held at the plant immediately. In order to try to determine what had happened, automatic samples of the liquid sodium coolant and of the argon gas in the sodium system were made (sodium reacts violently with air, and therefore the sodium system is filled with the inert gas argon). Large amounts of radioactive fission products in these samples made it clear that a portion of the reactor fuel had melted. Once this had been established, there was great concern, for the possibility of further, and far more serious accidents existed. Walter J. McCarthy, Jr., Assistant General Manager of the Power Reactor Development Corporation, who was present at this meeting, later stated that the possibility of such a secondary accident was "a terrifying thought."

The long thin fuel rods of the Fermi core contained about half a ton of uranium 235—enough to make forty Hiroshima-sized atom bombs. These pins are arranged in subassemblies somewhat like those of the Quad-Cities reactor; there are more than a hundred of these subassemblies, each composed of 140 pins, all in the space of a few feet. The sodium coolant must be pumped through the narrow gaps between fuel pins.

The following seems to be a likely description of the still unknown cause of the accident. Sometime during the afternoon of October 5, solid material in the sodium may have begun collecting at the inlet of one of the subassemblies, or perhaps in the narrow spaces between fuel pins. The flow of cooling sodium was therefore cut off to part of the fuel, which then began heating very rapidly. Probably within minutes all of the fuel in one subassembly melted and the assembly itself buckled severely. Its fuel and the accumulated fission-products, the highly radioactive waste products of the chain reaction, were released to the coolant. The warping of the subassembly forced nearby elements out of line, which further interfered with the flow and caused more heating. Other subassemblies may have failed before the damage was noticed; a large fraction of the subassemblies may have been distorted.

Because the core of the reactor is not directly accessible, and the accident has damaged automatic equipment, it will not be until August that the damaged portions can be removed for study. The cause of the accident may not be identified until the Fall. Blockage of the coolant flow may have been caused simply by dirt or extraneous matter in the coolant, by corrosion process in the fuel elements themselves (hydriding) or some other mechanical defect.

The possibility that Walter McCarthy called a "terrifying thought" and which preoccupied the meeting after the accident was that a large quantity of fuel had melted and then recongealed when the reactor was shut down. It is well known that when a critical mass of uranium 235 is collected in one place, it undergoes a spontaneous chain reaction. Those at the meeting feared that enough uranium had recongealed so that a disturbance of the core—by an attempt to remove the damaged fuel, for example—would jar it into a critical mass too great to be controlled by the control rods, which were already at their maximum.

The result could be an explosion—nowhere near as great as that of a nuclear weapon, but perhaps great enough to rupture the steel and concrete containment structure of the reactor. A large portion of the radioactive gases held within the core would then be released to the atmosphere, and would drift uncontrolled with the wind. The huge quantities of radioactivity involved, and the proximity of Detroit, made such a prospect terrifying indeed.

No attempt was made to investigate the reactor core for a month for fear of a second and more terrible accident. "It's one of those accidents and consequences [of which] are so terrible the probability has to be very, very small," Walter McCarthy later said, describing the intensive study and calculation which went on during that month. When the operators of the reactor and the AEC felt assured that no further damage would occur, attempts to retrieve the damaged fuel were begun. To everyone's enormous relief, nothing did happen.

Some idea of the size of that relief can be gained by reading a report dated March, 1957 prepared for the Atomic Energy Commission principally at Brookhaven National Laboratory.[4] The report is titled "Theoretical Possibilities and Consequences of Major Accidents in Large Nuclear Power Plants." The study considers possible effects of several types of accidents, the worst case considered being essentially the same as the one which may have been feared at Fermi after October 5—breaching of a reactor containment and the release of radioactivity to the surrounding air.

As the report was prepared when construction of the Fermi Reactor was being considered, it is not surprising that the hypothetical reactor used for the study is quite similar to Fermi in size and location. The report considers a reactor of 500,000 kilowatts—Fermi was designed for 430,000. "The reactor is assumed to be located near a large body of water, most likely a river, about thirty miles from a major city." The Fermi reactor is on Lake Michigan, thirty miles from Detroit and twenty-five miles from Toledo, Ohio. The conclusions of the report are therefore of some interest in considering what might have happened at Fermi.

Three types of public accidents which could cause serious public damages were assumed. Pessimistic (higher hazard) values were chosen for numerical estimates of many of the uncertain factors influencing the final magnitude of the estimated damages. It is believed that these theoretical estimates are greater than the damage which would actually occur even in the unlikely event of such accidents.

For the three types of assumed accidents, the theoretical estimates indicated that personal damage might range from a lower unit of none injured or killed to an upper limit, in the worst case, of 3,400 killed and about 43,000 injured.

Theoretical property damages ranged from a lower limit of about one half million dollars to an upper limit in the worst case of about seven billion dollars. This latter figure is largely due to assumed contamination of land with fission products.

Under adverse combinations of the conditions considered, it was estimated that people could be killed at distances up to fifteen miles, and injured at distances of about forty-five miles. Land contamination could extend for greater distances.

In the large majority of theoretical accidents considered, the total assumed losses would not exceed a few hundred million dollars.[5]

---

[3] The account given of the October 5 accident is based on AEC Docket No. 50–16 "Preliminary Report on Fuel Damage in Fermi Reactor," October 11, 1966; "Investigation of the Fuel Melting Accident at the Enrico Fermi Atomic Power Plant," J. G. Duffy, W. H. Jens, J. G. Feldes, K. P. Johnson and W. J. McCarthy, Jr., National Topical Meeting American Nuclear Society, San Francisco, April 1967; and on additional remarks made by W. J. McCarthy, Jr. while delivering the latter paper.

[4] WASH–740, "Theoretical Possibilities and Consequences of Major Accidents in Large Nuclear Power Plants," United States Atomic Energy Commission, March 1957.

This study is now ten years old, but its conclusions for a reactor of the size and location of the Fermi are still roughly valid. In 1965, the AEC updated the study, basing it on the much larger reactors which were then being built, but apparently there were no major changes ("apparently," because the restudy has never been made public). A letter from the Chairman of the AEC to the Joint Committee on Atomic Energy, dated June 18, 1965, refers to the updated study: ". . . the theoretically calculated damages would not be less and under some circumstances would be substantially more than the consequences reported in the earlier study."[6]

It is constantly, and rightly, emphasized that the probability of such a disastrous accident is low. This does not mean that such an accident will not happen, and the accident at Fermi may have come uncomfortably close to realizing the worst fears of the authors of the study just quoted.

One factor that may have mitigated the accident was the fact that the reactor was being operated at only a fraction of its full power. The plant had originally been designed for a capacity of 430,000 kilowatts; the operating license issued by the AEC restricted it to 200,000 kilowatts, but at the time of the accident the reactor had reached only 34,000 kilowatts. The accident might have been either more or less serious if the blockage of coolant had appeared when the reactor was operating at full power; it would have been worse if the staff member present in the control room had not noticed when he did what the reactor operator had missed—that the control rods were out too far. The only thing that can be said with certainty is that the accident was unforeseen and might have been more serious than it was.

This is particularly disturbing when we examine the portion of the application to construct the Fermi reactor called the "Hazards Summary Report," prepared by the Power Reactor Development Company (PRDC), the consortium of public utilities and equipment manufacturers which built and operates the Fermi reactor.[7]

As is required by the AEC, the Hazards Summary Report contains a section describing the "maximum credible accident." This is an attempt to specify an accident which is not expected to occur, but which is the worst the designers feel could occur. Page 603.15 of the Hazards Summary states:

"The maximum credible accident in the Fermi reactor is the melting of some or all of the fuel in one core subassembly, due to either complete or partial plugging of the nozzle of that subassembly, or to a flow restriction within the subassembly. . . ."

As a result of the October 5 accident, fuel in at least one subassembly, and possibly in two or more, melted. Two subassemblies are frozen together, and it is likely that there is some melting in both of them.

"The reactor would probably be shut down automatically as a result of the reactivity loss due to the melting of the fuel. . . ."

This did not occur on October 5; the reactor was shut down manually.

". . . fission products . . . would have been released to the primary coolant system, and . . . the inert gas system. Since these systems are normally radioactive and sealed, there would be *no additional outward effect* caused by the addition of fission products from melted fuel (emphasis added)."

In fact there were outward effects, including high radiation levels in the reactor containment and fission product detection buildings, and the release of some radioactivity to the atmosphere.

In short, the accident which happened was a bit worse than the "maximum credible accident." More than one subassembly was damaged, the reactor did not shut down, and there was some release of radioactivity. It should be emphasized that the "maximum credible accident" was assumed to occur at a power level fifteen times that at which the actual accident occurred. In other words, the actual accident was not only "incredible," it might have been far worse.

Whether a disastrous accident like that described in the 1957 AEC report could have happened remains a matter for speculation. Despite the confidence of its designers, the Fermi reactor is surrounded with a steel and concrete containment which is designed to withstand the force of an explosion of 600 pounds of TNT. The question of whether a core meltdown could produce an explosion greater than this, and whether the containment would in fact completely contain such an explosion, is the subject of a great deal of detailed calculation and educated guesswork. Since an experimental test of these calculations would require the destruction of at least one extremely expensive reactor, they are likely to remain unconfirmed unless and until a still more "incredible" accident happens.

Fermi, in any case, is out of commission for some time, and perhaps for good. But at the same American Nuclear Society meeting in April of this year[9] at which the Fermi accident was described in some detail, four major American firms announced plans to build new prototype fast breeder reactors. General Electric, Westinghouse, Atomics International and General Dynamics Corporation all presented different designs; GE and Westinghouse are farther down the road than the other firms, and both intend to build sodium-cooled fast breeders, of the same general type as the Fermi reactor. They both plan construction of prototypes of roughly the size of Fermi's original design in two or three years, and aim toward commercial plants in the 1980's. These would be 1,000,000 kilowatt plants.

Plans for operating plants nearly ten times Fermi's size only fifteen years from now may seem a little precipitous, and in fact the AEC has let it be known that they feel industry's schedule may be a little short, and a recent report stated: "It does not appear that a prudent commitment to build the first U.S. demonstration plant can be made before 1969 . . ."[8] But the Joint Congressional Committee on Atomic Energy seems to take the contrary view, and its position is apparently prompted by the same fear that spurs industry—the threat of foreign competition in the growing nuclear reactor market. In a guest editorial in *Nucleonics*, a trade journal, Craig Hosmer, ranking Republican House member of the Joint Committee on Atomic Energy, asks:

"In the 1980's will U.S. utilities order fast breeder reactors from the U.K.?" He goes on to criticize severely the AEC's program in this field, and concludes, "Our fast breeder commercialization schedule must be telescoped to 1980 or earlier if the AEC is to serve the nation's nuclear needs on time and preserve our lead in nuclear technology."

There is enormous pressure on the AEC from both industry and Congress to accelerate the fast breeder program. Both GE and Westinghouse have already formed joint agreements with groups of private utilities (Detroit Edison, principal architect of the Fermi project, is prominent among these) to finance design and construction of prototypes, presumably with Federal assistance. In the next year or so applications will be made to the AEC for construction permits and for funds. Whether the AEC accedes to the pressure may in part by determined by just how bad the Fermi accident turns out to have been—if analysis shows that it was caused by characteristics of the reactor fuel elements or core construction, rather than by the introduction of some extraneous material into the sodium coolant, the program may be set back considerably.

The thought of a catastrophic accident in a fast reactor many times the size of Fermi is quite disturbing. The fact that the severity of the October 5 accident somewhat exceeded expectations diminishes confidence in the assurances of the safety of fast breeders given by reactor engineers and by the AEC. In any case, the possibility of such enormous damage, tens of thousands killed and injured or billions of dollars in property damage, no matter how small that possibility, raises questions as to whether the program should be pursued at all. These dangers must be balanced, by the public and by the Congress, against the possible economic benefits to be gained by the introduction of fast reactors.

In a recent address Wilfred E. Johnson, a member of the AEC, commented on the economic benefits of fast reactors in terms of lowered electric bills. A saving of a tenth of a cent per kilowatt hour, Johnson said, "which seems entirely feasible, will by the year 2000, mean a saving to the public each year of four billion dollars." He estimated the cost of developing the program at two billion dollars, to be borne largely by the Federal Government.[9]

There is a large question mark in the economic equation, however, which perhaps accounts more than anything else for the AEC's present go-slow policy on fast breeders. This is the question of reliability.

Commercial power plants are being built ever larger; the first commercial fast breeders will have a capacity of a million kilowatts of electricity or more, enough to supply a good-sized city. The construction of such large central plants is made possible by the increasing connectedness of power systems, which means that when power from a large plant is not needed locally (as for instance late at night) it can be shipped to far distant points. By the 1980's all of this country and perhaps most of the North American continent will be interconnected in a single huge power grid.

The failure of a very large generating plant and its removal from service for an extended period of time, however, could cause a severe and extended power shortage.

There is therefore an increasing emphasis on power plant reliability, and so far, the sodium cooled reactor has shown itself to be singularly unreliable. This stems largely from the difficulty of handling molten sodium at high temperatures—typically at about 1,000° F. This material reacts explosively with air and water, and yet in a power plant, the heat from the sodium must somehow be transferred to water, to produce the steam needed to run turbines which in turn drive the electric generators. The difficulty in achieving this feat has plagued Fermi and other plants like it. The reactor at Hallam, Nebraska, constructed to improve sodium-cooling technology, has finally been abandoned, after years of difficulties. Hallam and Fermi were the only two sodium-cooled reactors to be placed in commercial power grids in this country, and both were out of operation during most of their life times because of difficulties with the sodium systems.

---

[5] Ibid., p. viii.

[6] Appendix 20, "AEC Letter . . . June 18, 1965, "in Hearing before the Subcommittee on Legislation of the Joint Committee on Atomic Energy, Proposed Extension of AEC Indemnity Legislation," June 22, 23, and 24, 1965.

[7] AEC Docket No. 50–16, Revised License Application, Enrico Fermi Atomic Power Plant, Technical Information and Hazards Summary Report, Volume 7, Section VI, September 13, 1961. AEC Public Document Room.

[8] "The 1967 Supplement to the 1962 Report to the President on Civilian Nuclear Power," United States Atomic Energy Commission, February 1967, p. 49.

[9] Wilfred E. Johnson, Commissioner, USAEC, "Some Implications of the Fast Reactor Program in the United States," American Nuclear Society National Topical Meeting, San Francisco, April 10, 1967, AEC Release No. S–12–67.

Only time and expensive experimentation will tell whether these difficulties can be overcome. The Experimental Breeder Reactor II at Arco, Idaho, is the only remaining sodium cooled fast reactor in this country; other test facilities are under construction or being planned. Whether on industry's short schedule, or on the AEC's somewhat longer one, this country seems firmly committed to a $2 billion fast breeder development program. In its 1967 report to the President, the AEC stated:

"Emphasis is being placed on the high gain breeders as recommended in the 1962 report. In particular, the program for development of the liquid metal-cooled (sodium) fast breeder has been substantially augmented . . .[10]

". . . The sodium cooled fast breeder choice is based on potential economics, industrial and worldwide interest, technological experience, and its capability to conserve uranium resources.[11]

". . . Plans are being developed for the introduction of a number of sodium cooled fast breeder demonstration plants to be built during the 1970's." [12]

The AEC's fiscal 1968 budget includes $71,350,000, for development of fast breeder reactors.

In the face of very large questions of safety and reliability, and the estimated $2 billion cost of development, there has been surprisingly little public or Congressional debate (outside the Joint Committee) over the growing commitment to this program. Yet a very difficult balancing of hazards against benefits must be made in any decision regarding the fast reactor program.

The benefits of the program, aside from the fact that breeders conserve possibly limited uranium resources, a factor which someday may be important, are economic. That is, fast breeders may make possible a reduction in the cost of electricity. Clearly there are many other ways to achieve this goal; improvements in coal mining and transportation technology can lower costs in fossil-fueled power plants, improvements in uranium isotope separation methods—such as the gas centrifuge—can lower costs in the water-cooled reactors. Improvements in state utility regulatory agencies may also result in lower costs to the consumer.

The present availability of uranium, and the multitude of alternate paths to the goal of lowered costs, both seem to deny any need for haste in developing the fast reactor. In the longer run, the public and Congress will have to decide whether resource and economic benefits will ever balance the hazards of failure and disastrous accident in this program.

[From Scientist and Citizen, June-July 1967]

TESTIMONY BEFORE THE JOINT COMMITTEE ON ATOMIC ENERGY: SAFETY STANDARDS FOR URANIUM MINERS

(By the Scientific Division* Committee for Environmental Information)

The history of uranium mining in this country is one more example of the fact that we have not yet learned how to live in the nuclear age. As Secretary Gardner's Task Force on Environmental Health and Related Problems said recently: ". . . the use of nuclear energy in this century has proceeded without adequate knowledge of its effect on human beings . . ." [1]

In the case of uranium mining, however, we were not totally ignorant of the biological hazard. By 1949 it was known that the strikingly high death rate from lung cancer in the Schneeberg area of Europe was probably due to radioactive materials, chiefly radon and its daughter products, and it was known that American uranium miners were being exposed to these same radioactive materials.

Ten years later, when the Federal Radiation Council (FRC) was charged with formulating radiation policy, it was clear that a problem existed in the uranium mines which was not being met by any existing agency. In its first report, in 1960, the FRC noted that standards recommended by the American Standards Association (now the USA Standards Institute) and by the National Council on Radiation Protection (NCRP) were being exceeded in the mines. The ASA had recently adopted the 1.0 Working Level standard recommended by the Public Health Service; the NCRP standard is not expressed in terms of working levels, but is interpreted by Dr. Robley Evans as being equal to 0.3 Working Levels (WL).[2]

In this first report, the FRC stated the basis for setting radiation safety guides. It can be summarized as follows: Because of our still incomplete knowledge of the effects of radiation at low doses, the only way to guarantee zero risk is to ensure zero exposure. Unless benefit is anticipated, there should be no exposure. If benefit is anticipated, the risk and the benefit must be balanced, and the feasibility of reducing the exposure by control measures should also be considered.

In previous appearances before this Committee, we have pointed out that the determination of risk is a scientific matter; the availability and cost of controls is a technical matter, but the balancing of these factors with the expected benefit represents a social judgment. For this reason we have repeatedly urged that each step of the standard setting process should be made explicit and should be made public. What is the estimated risk? What is the expected benefit? What are the available controls? How much do they cost?

When the FRC turned to the question of the uranium miners in the 1960 report, it made no estimate of risk, no statement of benefit, and neither endorsed one of the existing standards nor set a new one.

"It does appear prudent to assume [the report stated] that significant numbers of individuals are being exposed to radiation in the mines that are in excess of the recommendations of either group [ASA and NCRP] . . . Reduction of the contamination to the recommended levels would be difficult and even unfeasible in some cases." [3]

While it recommended that exposures be kept "as low as practical" this is so general a statement as to be meaningless.

There Federal Radiation Council policy for the protection of the uranium miners stood for eight years, until last Thursday, when the Council recommended to the President the 1.0 Working Level standard first proposed by the Public Health Service twelve years ago.

In the meantime there were miners dying of lung cancer, and the U.S. Public Health Service (USPHS) was studying the incidence of lung cancer deaths. Some of the implications of the PHS study were presented before the American Public Health Association in 1962 and at the International Atomic Energy Agency Symposium on Radiological Health and Safety in Nuclear Materials, Mining and Milling in 1963; they appeared in USPHS publications in 1963 and 1964. Measurements of radon and radon daughter products in mines and estimated daily exposures of uranium miners were also available in the early 1960's. The follow-up studies relating exposure levels to the risk of lung cancer, which are used in the present discussion, were published in the open literature in 1965. When the FRC finally took up the question of the uranium miners again, there was clear evidence of the first element in the balance: the risk.

THE RISK SIDE OF THE BALANCE

The Public Health Service epidemiologic study shows that underground uranium miners are dying of lung cancer at a rate considerably higher than that of adult males in the general population.[4] [5] It shows that thirty-four men died of lung cancer in the decade 1955–1965; their occupational exposure to radiation is clearly implicated. In a comparable group in the general population, only five lung cancer deaths would be expected.

The study shows that there is a long latent period of approximately ten to twenty years from the beginning of the exposure to the diagnosis of the disease. It also shows that there is a dose-dependent relationship between accumulated radiation exposure and the incidence of lung cancer. That is, the greater the accumulated dose of radon and its daughter products to which an individual miner has been exposed, the greater his risk of contracting the disease.

The evidence strongly suggests that at an accumulated exposure in the range of 100–400 Working Level Months, the risk that a miner will get lung cancer becomes double the risk to a man of the same age in the general population.

In his May 9 testimony, Dr. Paul C. Tompkins, Executive Director of the Federal Radiation Council, pointed out that a standard based on allowing exposure to such a doubling dose contains "no obvious safety factor" and that a lower standard "is much more realistic from the standpoint of health alone."

The number of working years it would take for a miner to accumulate exposure to a doubling dose under various past and present condtions and under proposed standards is shown in the table below.

Working level:		*Years to reach doubling dose**
10	At least one mine had a level higher than 10 in the third quarter of 1966; 4% of 231 mines inspected at that time were between 5 and 10 WL	1–4
4.7	Average level, 1955–66	2–7
2.1	Average level, 1966	5–16
1.0	Standard recommended by PHS in 1955 and proposed by FRC, July 20, 1967	8–33
.3	Standard promulgated by Department of Labor, June 9, 1967	28–111

* Based on 170 working hours per month.

Clearly, a single standard could result in very different exposures, depending upon the length of time a man worked in the mines. If the average time in the industry is 3.4 years (as Dr. Evans stated in his testimony to this Committee) the *average* miner is not exposed to the doubling dose in the *average* mine today, but the miner who remains in the industry for five to sixteen years or who works in a mine where the level is higher than the average may be exposed to the doubling dose or more.

---

[10] "The 1967 Supplement to the 1962 Report to the President on Civilian Nuclear Power, p. v.

[11] Ibid. p. xvi.

[12] Ibid. p. xvii.

*Prepared by Committee on Biological Effects of Radiation: Walter Bauer, Herman T. Blumenthal, Barry Commoner, Michael Friedlander, Peter Gaspar, Joseph Klarmann, Robert Kohn, Malcolm Peterson, Joel Snow.

[1] Linton, Ron M. et al. "A Strategy for a Living Environment," Report to the Secretary of Health, Education and Welfare by The Task Force on Environmental Health and Related Problems, Washington, D.C., June, 1967.

[2] Evans, Robley. Testimony, p. 10.

[3] Background Material for the Development of Radiation Protection Standards, Staff Report of the Federal Radiation Council, No. 1, Washington, D.C., May 13, 1960.

[4] Wagoner, Joseph. et al. "Cancer Mortality Patterns Among U.S. Uranium Miners and Millers, 1950–1962," *J. National Cancer Inst.* 32:787, April, 1964.

[5] Wagoner, Joseph K., et al. "Radiation as the Cause of Lung Cancer Among Uranium Miners," *New England J. Med.* 273:181, July 22, 1965.

Figures for the miner's expected working life cannot be based on past experience alone in an industry like uranium mining. It is still in the process of becoming a well-established, stable industry, as shown by the fluctuations from year to year in the number of mines and of miners employed.[6] It could not be expected to have developed a stable work force as yet. In the future this may change.

If the projections of the Atomic Energy Commission are accurate, the demand for uranium ore will increase sharply—and will continue to increase for some years. This will be true whether the present water moderated and cooled reactors continue to be the dominant type, or whether low-gain breeder reactors come into commercial use. Only high-gain breeders—not yet over "real scientific and technological hurdles"[7]—would need relatively little uranium ore.

According to these projections, then, the uranium mining industry will probably expand, and unless new technology replaces workers with machines, the work force can also be expected to expand. As the industry becomes better established and less chaotic, it would seem reasonable to expect the work force to become more stable and the average work-life longer.

As the more accessible deposits of ore close to the surface are exhausted, more of the miners will be underground where they are exposed to radiation.

There are a number of reasons for taking a cautious view of 100–400 Working Level Months as the range for the doubling dose, in spite of the fact that it is the best estimate that can be derived from the data accumulated by the Public Health Service. These reasons are as follows:

The majority of the miners in the Public Health Service study were first examined in 1955 and therefore are presently in their twelfth follow-up year. The ultimate cancer risk in this group cannot be known for at least a decade because of the latent period referred to previously. Final figures may show an even higher incidence of lung cancer than that calculated on the basis of the present data.

Miners who had lung cancer which was verified but was not certified as the cause of death should be included in the data for determining the risk of radiation-induced cancer. Since they were not included[8] the epidemiologic study is to some extent too conservative to serve as a basis for estimating lung cancer risk. A further conservative bias was introduced by the assumption that all miners whose actual status was unknown were still living and free from lung cancer.[9]

More information is needed on the observed lung cancer incidence in the lower dose ranges. Miners who began to work in 1961 or later, when the average level has been 3.0 WL or less, comprise the largest group of exposed miners, but have not been followed for a sufficient time period to give any meaningful information in view of the long latent period for lung cancer.

It should be noted that the risk of cancer in uranium miners is defined only in terms of lung cancer. The PHS data suggest the possibility that excessive cancer mortality in this group may not be limited to lung cancer.[10] There have as yet been no detailed studies implicating radiation hazard as the cause of the other cancers. However, the situation is similar in some respects to that which obtains in another group of exposed individuals, namely, the atomic bomb survivors of Japan. Excessive mortality from all malignant diseases has been observed in this group.[11] There are marked differences in exposure patterns between the miners and the atomic bomb survivors, but is enough known about the total radiation exposure of miners from all sources to be sure that cancers other than lung cancers are not also radiation induced?

The historical perspective on radiation hazards indicates that as more experience and more detailed information has been obtained on the dangers, standards have had to be changed, usually in the direction of more stringent limitations on radiation exposures. For example, the annual maximum permissible dose (MPD) to the gonads and blood forming organs for workers exposed to ionizing radiation was reduced from sixty rems to half that in 1936, was again halved in 1948, and the 1948 MPD was cut to a third in 1959, bringing it down to five rems.[12]

For these reasons, any standard based on the estimate that the doubling dose is in the range 100–400 Working Level Months should be periodically reevaluated in the light of additional information.

To assure that the necessary information for such reevaluation is obtained, we urge that broad support be given to a detailed, long-range study of *all* exposed miners. The value of such a study for future consideration of risks of lung cancer and other cancer in uranium miners is inestimable. It can provide the basic information necessary to establish dose-effect relationships at low dose levels. The benefits will accrue not only to these miners, but also to all workers, present and future, who are exposed to radiation in their daily work.

THE CONTINUING CONTROVERSY—IRS

Mr. SMITH of Oklahoma. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SMITH of Oklahoma. Mr. Speaker, on August 30 of this year I came before this body to discuss the serious charges leveled against the Internal Revenue Service, and its treatment of the citizens of our country, by the August Reader's Digest article entitled "Tyranny in the Internal Revenue Service." On that day, I pointed out that the House Treasury-Post Office Appropriations Subcommittee had convened earlier to probe these charges, but unfortunately only received evidence from one side, the Internal Revenue Service.

I find it hard to understand how a committee of this Congress could be swerved from its primary constitutional duty of hearing both sides of any controversy before arriving at a decision. There are none of us, I am sure, who wish to see the day when our responsibilities as Members of this body are shadowed by providing a forum for the propagation of the bureaucracy.

Some 60 days have elapsed since I first brought this matter to the attention of this distinguished body. Sixty more days have been lost insofar as the confidence of the general public is concerned, in the integrity and responsibility of a Federal department, in which we have placed the responsibility of collecting taxes from our people. I say let the other side be heard. If the charges of Reader's Digest are true, then this body has the means to set things in order with the Internal Revenue Service. If the charges are false, then the Congress has the duty to restore public confidence in an important Federal agency.

In the November 1967 issue of the Digest, the editors reaffirm the published article, even after the questionable statements of Internal Revenue Commissioner Sheldon S. Cohen before the closed hearings of the committee.

I call again, Mr. Speaker, for you to reconvene this committee in order that all sides of this issue may be given a fair hearing. If this becomes impossible for one reason or another, then I think our responsibility is clear—the House should resolve that this matter be fully investigated by another committee. Open hearings with discussion and debate is an accepted method of committee procedure and it should prove itself in a thorough hearing on this important consideration.

I include the reaffirmation of the Reader's Digest at this point in the Record:

Tyranny in the Internal Revenue Service—True or False

In its August '67 issue, The Reader's Digest published an article, "Tyranny in the Internal Revenue Service." Written by Associate Editor John Barron, it reported how, in collecting taxes, the IRS has at times, "bullied, degraded and crushed innocent citizens." Since publication of the article, taxpayers by the hundreds have written to the Digest, to their Congressmen and to Senate investigators, citing similar examples of IRS practices. Busy lawyers and accountants have taken time to compose thoughtful and critical reports on how the IRS operates, based on their own firsthand dealings with the agency. IRS employes themselves have come forward to express concern and to furnish evidence of numerous cases where they consider the agency's methods to be open to criticism.

The reaction from the leadership of the Internal Revenue Service has been vehement. IRS Commissioner Sheldon S. Cohen appeared before a House subcommittee to denounce the Digest for alleged "half-truths, distortions and unsubstantiated conclusions," and also held a press conference to condemn the article. The IRS issued a lengthy, detailed statement of criticism. In response, the editors of the Digest made a careful analysis of the IRS charges, and a renewed study of Barron's documentation, and remain convinced of the accuracy of the Barron article.

---

[6] "Guidance for the Control of Radiation Hazards in Uranium Mining," Staff Report of the Federal Radiation Council, No. 8, Washington, D.C., May, 1967.

[7] Seaborg, Glenn T. "Nuclear Power—Two Years After Geneva," 1966 Annual Lecture to the British Nuclear Energy Society, October 24, 1966.

[8] FRC Report No. 8, p. 20.

[9] Wagoner, et al. "Radiation as the Cause of Lung Cancer Among Uranium Miners," p. 182.

[10] Ibid. p. 184.

[11] Harada, Tomin and Morihiro Ishida. "Neoplasms Among A-Bomb Survivors in in Hiroshima: First Report of the Research Committee on Tumor Statistics, Hiroshima City Medical Association, Hiroshima, Japan," *J. National Cancer Inst.* 25:1253, December, 1960.

[12] Report on ICRP and NCRP Standards, *Nuclear Information*, April, 1959.

The IRS insists that it discharges its duties in a way that guarantees fair treatment to all taxpayers. "There are occasions when errors are made," says Commissioner Cohen. "But I think there are enough checks and balances in the system so that no one judgment goes off on a tangent very far before it is brought back. This is the majesty of the system."

The editors of the Digest respectfully disagree on the matter of the majesty of the system. The impressive body of facts provided by our investigations and by the spontaneous reactions of our readers supports the belief that there are too many occasions when the system functions in ways that citizens can scarcely approve. Says Sen. Everett Dirksen, "I believe that this one article will have more to do with correcting the problem than almost anything else that has been written."

THE 1967 PARIS AIRSHOW

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CHARLES H. WILSON. Mr. Speaker, it has come to my attention that several agencies within the U.S. Government have joined with industry to initiate planning for U.S. participation in the 1969 Paris Airshow. I would like to applaud this effort and supplement my remarks concerning the 1967 Paris Airshow and cite again the very favorable impression made on the world's aviation leaders and visitors to the show by participating U.S. Government agencies and the U.S. aerospace industry. In particular, I would like to commend General Electric Co. for its excellent exhibition of jet engines and other equipments for aviation. Included in the display was a full-scale mockup of the GE-4 turbojet which will power the U.S. supersonic transport. This mighty powerplant was the successful winner of the design competition for the U.S. SST. The GE-4 is 25 feet long, 6 feet in diameter, and weighs approximately 11,000 pounds. Each of the four engines that will power the Boeing SST will generate over 60,000 pounds of thrust.

The SST program was highlighted in the Federal Aviation Administration's exhibit in the U.S. pavilion. The General Electric portion of this exhibit showed the fantastic growth of the powerplants from the aircraft of Lindbergh to the current large jet airliners to the SST. General Electric also introduced two new highly advanced engines at the 27th Paris Airshow. One new engine, called the GE1/J1A1, is a supersonic turbojet with afterburner, that is being proposed as the powerplant for new supersonic fighter and interceptor aircraft.

The second engine, designated the G1/10, is proposed as a powerplant for the USA/Federal Republic of Germany advanced V/STOL fighter. The GE10 is a turbofan with afterburner augmentation. Both of these jet engines use a core engine based on the GE1 turbojet unveiled at the Paris Air Show in 1965. Highly flexible in its design, the GE1 with systems components added can be used for a broad range of propulsion requirements and can be readily made into a turbojet, turboshaft, turbofan, or turboprop engine.

At the first showing outside the United States, General Electric also displayed its TF39 turbofan powerplant for the U.S. Air Force/Lockheed C–5A heavy logistics transport—the Galaxy—the world's largest aircraft.

General Electric also exhibited its powerful J79–10 supersonic engine that has earned renown throughout the world. This 17,000 pound thrust jet engine provides the power for the Lockheed 104 Starfighter which is produced in California and is in service in the Air Forces of the United States, the Federal Republic of Germany, Greece, Italy, the Netherlands, Norway, Spain, Turkey, Japan, Pakistan, Taiwan, and Canada. There are 1,800 Starfighters in the NATO inventory.

Another aircraft produced in California is the Northrop F–5 Freedom Fighter which utilizes two General Electric J85 turbojets. This jet engine was also part of the exhibit in Paris. The Freedom Fighter is used by the Air Forces of the United States, Greece, the Netherlands, Norway, Spain, Turkey, Iran, Korea, the Philippines, Taiwan, Ethiopia, and Morocco.

GE Flight Propulsion Division's emerging prominence in commercial aircraft propulsion was illustrated by exhibition of the CJ610 and CF700 engines for business aircraft and the CT58 and CT64 engines for helicopters and medium transports. The CJ610 and CF700 have compiled an enviable record for endurance, economy and reliability. These engines power more than 50 percent of the business jets in service including the Lear Jet, Jet Commander, Hansa Jet which uses the CJ160, and the Fan Jet Falcon which uses the CJ700.

The CT64 turboshaft/turboprop engine powers the Fiat C–222 STOL transport, the U.S. Army's AH–56A Cheyenne, the Kawasaki P–2J patrol plane, the U.S. Marine Corps and U.S. Air Force CH–53 A and B helicopters, the DeHaviland CC–115 STOL transport, the LTV XC–142 STOL transport, and the USAF C–8A STOL transport.

GE T58 engines power 13 commercial and military helicopter and VTOL aircraft and have accumulated more than one and a half million hours of operation since entering production in 1959.

The workhorse of VTOL lift fan technology, the 36-inch diameter PF1 pitch fan was also on display. The PF1 provides pitch control in the XV–5A V/STOL aircraft which uses fans in its wings and nose.

In addition to jet propulsion systems at Paris GE exhibited aircraft flight controls, aircraft electrical systems, and instrumentation systems for aircraft. General Electric Instrument Department displayed a 747 engine display that offers greater reliability, an oil quantity indicator system which permits direct measurement of oil volume without need for temperature and density correction; the SR3 miniature flight reference system which gives a high reliability indication of aircraft heading and altitude by means of a unique platform configuration; a fuel quantity and center of gravity measurement system featuring a new magnetic reed transmitter and a mass fuel flow system which permits a direct means of getting maximum engine operating efficiency in addition to indicating total fuel consumption.

In a joint display, the GE Specialty Control Department and the DC Motor and Generator Department showed a new 40-kilovolt-ampere variable-speed constant-frequency aircraft electrical system, a starter generator and direct current regulator, aerospace motor, transformer rectifier, static inverter, and control alternator.

General Electric, a pioneer in jet engines, played a significant role in adding to the prestige of the United States and U.S. leadership in aviation.

It is noteworthy to add that in California, GE operates eight plants in six cities. These facilities employ approximately 10,000 persons who receive pay and benefits of $103,000,000 annually. The company purchases in California approximately $150,000,000 worth of materials and supplies annually.

ELECTRONIC SURVEILLANCE

Mr. POFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. POFF. Mr. Speaker, I have in hand a resolution recently adopted by the International Association of Chiefs of Police, Inc., which I would like to read into the Record:

Resolution

Whereas, organized crime constitutes a condition of social and economic subversion in the United States; and

Whereas, the President's Commission on Law Enforcement and the Administration of Justice conducted an in-depth study of the problem; and

Whereas, specific recommendations were made by that Commission as reported in the "Task Force Report: Organized Crime"; and

Whereas, corruption at all levels of government, coupled with ignorance and apathy, are essential to the continued growth of organized crime; and

Whereas, the growth of organized crime in the United States should be regarded by every citizen as an internal threat to national security equal to that of any force from without;

Now therefore be it resolved, that the International Association of Chiefs of Police assembled at its 74th Annual Conference in Kansas City, Missouri, on this 14th day of September, 1967, does hereby recommend the broadening of the following recommendation contained in the aforementioned report: Congress shoud enact legislation dealing specifically with wiretapping and bugging; and

Be it further resolved, that such legislation be enacted to permit the use of wiretapping and eavesdropping techniques by law enforcement under adequate safeguards.

This action by this internationally famous organization of dedicated people practically completes the rollcall of law enforcement organizations which have formally endorsed the concept and purpose of the legislation introduced by the distinguished gentleman from Ohio [Mr. McCulloch], and cosponsored by 46 of his Republican colleagues in the House. It also almost entirely closes the ring of isolation around the Attorney General who yet persists in his lonely posture.

This legislation is essentially and primarily prohibitive in its thrust and only secondarily permissive. It prohibits electronic surveillance by private citizens. It permits electronic surveillance by law enforcement officers only with respect to specified crimes, only after evidence has been adduced showing probable cause that one of these crimes has been or is being committed, and only under the continuing strict supervision of a court of competent jurisdiction. Moreover, the Republican legislation imposes not only heavy criminal penalties but severe court sanctions if the officer fails to obtain a permissive court order or violates the terms and limitations of that order.

In summary, the Republican legislation strikes a careful balance between the individual's right to privacy on the one hand and society's right to safety on the other.

A LETTER TO THE SECRETARY OF THE INTERIOR

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, before our Nation was founded, many of the people who lived in the Colonies were interested in the preservation of our natural resources. From the earliest days of our Nation, one of the principal interests of the Congress of the United States has been the protection and conservation of our Nation's great natural resources.

The growing awareness of people of the United States in the causes of conservation has caused the Congress to enact many laws in recent years on this important subject. These laws are so far reaching that today conservation legislation either directly or indirectly affects almost every citizen of the United States.

One of the fields in conservation is our National Park Service in the U.S. Department of the Interior. It is interesting to note that the very purpose of creating a National Park Service has not changed since August 25, 1916, when the Service was established.

That act provided:

> The Service such thus established to promote and regulate the use of the Federal areas known as national parks, monuments, and reservations hereinafter specified, . . . by such means and measures as conform to the fundamental purpose of said parks, monuments, reservations, which purpose is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.

The Honorable Stewart L. Udall, Secretary of the Interior, and Mr. George B. Hartzog, Jr., Director of the National Park Service, and the dedicated Park Service employees, have been doing an outstanding job in maintaining our national parks, monuments, and reservations in the manner and standards which Congress originally intended. From time to time, however, the local pressures brought upon the Secretary of the Interior and Director of the Park Service have caused them, in some areas, to deviate the standards laid down by Congress. The October issue of American Forests contains a letter from Mike Frome addressed to the Honorable Stewart L. Udall, Secretary of the Interior, challenging him to maintain the high standards which Congress had demanded of every Secretary of the Interior and Director of the National Park Service from 1916 to date.

Mr. Frome's letter is so forthright that I commend it to all personnel in the Park Service to help strengthen their parks, monuments, and reservations so as to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations. Mr. Frome's letter is as follows:

Hon. Stewart L. Udall,
Secretary of the Interior,
Washington, D.C.

Dear Mr. Secretary: The word is now known that you will likely retire from your post in the Cabinet following the next election, regardless of the outcome. You have certainly been an energetic, creative Secretary of the Interior, a man who has won his share of admirers and critics—and sometimes admiring critics like myself.

It is too early to record your contributions to the conservation movement, or to evaluate your strengths and weaknesses. There is still much work undone before you complete your ledger, so this is not the purpose of my writing at this time. However, I have lately been studying your interesting new book, "The National Parks of America," which raises important issues concerning management and use of the parks worthy of comment.

As a critic, for instance, I cannot accept the following statement of yours: "The continuing search for innovations that will make park visits more enjoyable has resulted in experimentation with such things as 'one-way loop roads' that give the visitor a sense of being the first person on the scene." You know very well that a motorist cannot possibly feel like the first person on any scene. These "loop roads" and "motor nature trails" are appropriate at some locations, but they seem destined for proliferation in our National Park System as sheer substitutes for the real McCoy of foot power in the wilderness.

One must wonder whether we are entering an era of synthetics in our national parks, in which people are led down loop roads and deluded into a false sense of discovery. This fear is not mine alone, but of many friends of the parks, and it refers to the entire trend of things, of which motor nature trails are only symptomatic.

Mr. Secretary, as an admirer of yours, I hope that you will be remembered by some of the words in your book. These words are so valuable and vital that I urge you to make them required reading *now* of every person in the National Park Service, starting with the Director, and from him down through the Assistant Directors, Regional Directors, Park Superintendents, planners, protectors, engineers, architects, interpreters and publicists. I would highlight these particular points:

"Tourism is wonderful, but the spirit of tourism should not, in my opinion, be the guiding spirit of national park management."

"The very character and purpose of some parks limit their development and increased visitor use in some areas would destroy the very values for which the area is noted."

"Even though we are talking about public areas, I am convinced that it is not the responsibility of the administration of such areas to comply with every use for which there is some public demand."

CLAMOR FOR ROADS

"Because some segments of the public clamor for extensive road systems in parks and wilderness areas is not sufficient justification for uninhibited developments. Because some people cannot walk or climb, or will not do so, does not justify building a road to every scenic overlook. Because some people like to see wilderness from the veranda of a modern hotel is not sufficient justification for building hotels within national parks when their location outside a park would provide necessary accommodations without encroaching on the natural scene."

"A wilderness trampled by thousands of refugees from the city is no longer a wilderness, and the only way it can be maintained in its natural state as the population increases is to keep people out—to limit access. You would make reservations and wait your turn—it would be as simple as that. Park and wilderness rationing in this country is not merely a prospect for the remote future, but could conceivably become necessary in the years ahead."

From my experience, I suspect that these precepts are not understood—or not accepted—throughout your Department and the National Park System. If they were, why would a new hotel be projected for the rim of Crater Lake to replace an old one—when encroachment on the natural scene could be eliminated by moving it elsewhere? Why would a new hotel and campground be projected for the Wonder Lake district of Mount McKinley—without presenting alternative locations at the edge of the park for public review?

Why should the public now be forced to witness, and rather helplessly so, the systematic destruction of wilderness values in the Great Smoky Mountains? You recall receiving six thousand letters, an out-pouring of feeling in opposition to the proposed trans-mountain road and a plea for safeguarding the mountain wilderness sanctuary. Although *that* road has been held in abeyance, others are under construction or expansion—the park superintendent went so far as to announce plans for a "motor nature trail" within striking distance of the Appalachian Trail, making a mockery of wilderness. Though the Director of the Park Service told me he had not approved the master plan for the Great Smokies, campgrounds are being doubled in size, claiming more priceless national real estate for concrete and bedroom space, despite facilities on the nearby Indian reservation, national forests and private resorts.

"The public is coming. We must accommodate them. We have the room." So stated one of your principal park planners when I sought an explanation for the chaotic misadventure in the Great Smokies.

Mr. Secretary, you have associated yourself with the parks and the National Park Service as intimately as with any activity of the Department. You and Director George B. Hartzog, Jr., and the men of the Service, most of whom are my friends, produce a history of conservation every day of your lives.

But you cannot evaluate or interpret your own roles. This is for others to do: the historians, writers, and critics. I don't think it can be well understood that judgments will be made on the quality of the resource, its wise management and appropriate use, rather than mileage of highway completed, the number of new hotel rooms and campsites, or the increased volume of people through the visitor centers.

FRIENDLY ADVICE

Likewise, the proposals for new park areas must be equated with the management of existing areas. Thus, that "friendly adviser" of yours, Justice William O. Douglas, is quite correct to weigh the North Cascades of Washington State in balance with the Great Smokies of Appalachia. "It gives me the heebie-jeebies," he wrote recently, "to imagine that the Park Service in a few years will be proposing to do to the Cascades what it is now proposing to do to the Smokies, i.e., 'develop' half of it and leave half of it wild. With the tremendous population which we are going to have, all of our 'development' should be on the perimeter of these areas, leaving them for generations unborn to explore."

The point Justice Douglas makes is that if the choice were between Forest Service multiple-use and a park, he would prefer a park. But, since passage of the Wilderness Law in 1964, he sees a better chance to protect the Cascades from the benefactions of roads and unrestricted tourism by keeping the area under the Forest Service. I would put it this way: It is not a question of which agency has the jurisdiction, but what the agency does with it; and in the case of the Park Service let the Great Smokies be the testing ground for the North Cascades.

It is perfectly true that your Department initiated protection of Federal wildlands with Yellowstone in 1872, and that it has safeguarded the wilderness in its trust down through the years. I am reminded continually of these facts of past history by your associates (as I am by others of how the Forest Service began wilderness classification as early as 1924). I am told that the Park Service welcomes the Wilderness Law of 1964 as a means of strengthening its role in maintaining and restoring the wildlands as wild.

One hears such worthy words almost too often. If the Park Service is truly the leader in wilderness management, why does it lag far behind the schedule prescribed by Congress for wilderness hearings and proposals—and far behind the pace of both the Forest Service and the Bureau of Sport Fisheries and Wildlife? Why is it that you, who stood at the President's side when he signed the Wilderness Act into Law, have not yet submitted one single park wilderness proposal to him as that Law requires? Of course, we both know that the Park Service has not yet presented one proposal for your study and transmittal, but this is the same question.

WILDERNESS—A STEPSISTER

I fear the wilderness issue is not being met four-square by your associates. We hear much about "thresholds" to wilderness, zoning of parkland, master planning, skimpy reasons to exclude this area or that one rather than bold reasons to include them, so much so that it sounds like wilderness has become a tarnished step-sister in the household.

Planning is an important and proper function of the Park Service. I respect the principle of park planning and the integrity of people I know in this field of work. However, I cannot refrain from quoting a letter that has come to me from conscientious, competent friends in Alaska concerning affairs at Mount McKinley:

"It is an unfortunate reflection upon the planning procedure of the National Park Service that none of the proposals for major developments has been put forward for public debate or discussion. The Park Service seemed actually to avoid having direct and first-hand knowledge of the area and the problems involved in the developments. Those who were not consulted included the present concessioner and his appointed manager, as well as private property owners and businesses operating in the area."

One final comment, Mr. Secretary. I admire and applaud your stand in denying access across Sequoia-Kings Canyon National Park to the proposed Disney development at Mineral King in Sequoia National Forest until further studies are made. The Chief Forester has said he is "fully sensitive to the superlative qualities of this alpine gem of the Central Sierras . . . with a unique relationship to the surrounding National Park." For that very reason, all concerned should welcome more public discussion, analysis, and the study of the alternatives in transportation that you have suggested.

I don't object to a ski development at Mineral King, or to selection of Disney as the operator, but we must recognize the difference in the concession at Squaw Valley, Sun Valley and Aspen, where heavy development is on private land, and this particular area, where it would all be on public land. I would like to hear an open forum on the carrying capacity of this beautiful valley and on the propriety of non-forest type recreation in the special environment of Forest Service land. In short, a public hearing would be much in order before we reach final commitment.

I respect a man with courage to do what is right. At Mineral King, as you conceded to your press conference in June, you are holding firm on a pretty thin thread of authority, considering California's recognized right-of-way. I hope that you will cling to it until the sound decision, whatever it may be, wins out. In the case of our national parks, you have a more clear-cut responsibility. Now you have your chance, and challenge, to exercise it.

Respectfully,

MIKE.

CONGRESSIONAL REFORM

Mr. RIEGLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RIEGLE. Mr. Speaker, this morning's Washington Post carried as its lead editorial a stinging commentary on the 90th Congress.

The editorial singled out for special criticism the House's inability to take up the congressional reform measure.

As the Post pointed out:

> The proposed changes in procedure and organization are admittedly minor reforms.

Yet, Mr. Speaker, we have had the Senate-passed reform bill since March and the House has taken no action.

I was especially struck by the concluding sentence of the editorial, which reads:

> The record of the 90th to date is a good place to take off on a national campaign for a better Congress.

Mr. Speaker, many Members of this body have been campaigning for a better Congress for many months.

The Joint Committee on the Organization of the Congress was established March 11, 1965, by unanimous vote of both Houses. Shortly after the creation of the Joint Committee, Congressman CHARLES GOODELL appointed an eight-member House Republican task force on congressional reform and minority staffing.

Recently I was appointed to this task force. Being a new Member, I was not privileged to participate in the excellent work performed by the task force in the last Congress. However, I am greatly impressed by the efforts of this group to date.

The task force monitored the daily testimony of all witnesses before the joint committee. The task force encouraged Republican Members to present their views and suggestions to the joint committee, and proportionately more Republican Congressmen appeared before or submitted statements to the joint committee than any other group.

In September 1966, independent study and writing by the Republican task force culminated in the publication of the book, "We Propose: A Modern Congress."

In October 1966, the House Republican policy committee urged immediate consideration of the bill.

The House received the Senate bill in March 1967, and the Republican policy committee waited patiently for results. Weeks passed, nothing happened, and on May 10, 1967 the Republican policy committee again called for action on the reform bill.

In August, Congressman JAMES CLEVELAND reactivated the House Republican task force with its first order of business that of building up of some interest in getting the reform bill out of the Rules Committee.

Just 3 weeks ago, the House Republican Conference took action, and by unanimous vote called upon the House to consider the Legislative Reorganization Act of 1967 under an open rule.

Mr. Speaker, this record of unrelenting effort and initiative demonstrates that there are some Members who are campaigning for a better Congress and we are pleased to have the Washington Post join this unanimous Republican effort for congressional reform.

The House Republican conference resolution follows:

RESOLUTION

(NOTE.—Resolution Presented by Hon. JAMES C. CLEVELAND, New Hampshire, and Adopted by the House Republican Conference on October 11, 1967.)

Whereas, the Joint Committee on the Organization of the Congress, having been established by a unanimous vote of both Houses of the Congress and being composed equally of Members from both Houses and from both political parties, is evidence of a bipartisan concern with the efficiency and effectiveness of today's Congress;

Whereas, the hearings and deliberations of said Joint Committee, consuming more than two thousand pages and two years, were extensive and careful;

Whereas, the recommendations contained in the Final Report of said Joint Committee were filed with the Congress more than a year ago by a unanimous vote of the Committee;

Whereas, the Legislative Reorganization Act of 1967, providing for the recommendations made by the Joint Committee, passed the Senate on March 7, 1967, by an overwhelming vote of 75 to 9;

Whereas, the House Republican Policy Committee urged immediate consideration of this bill on October 10, 1966, and again reiterated this call for action on May 10, 1967;

Now therefore, be it resolved, that the House Republican Conference calls upon the Democrat leadership of the House of Representatives to bring the Legislative Reorganization Act of 1967, as passed by the Senate, to the Floor of the House under an open rule of debate.

THE VIOLENCE OF PROTESTERS THREATENS NATION'S FOUNDATIONS

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. JONES of Alabama. Mr. Speaker, the violence of the so-called anti-Vietnam war demonstrations is, in my opinion, a direct threat to our Nation's most sacred foundations.

Their violence, obscenity and abuse of constituted government is so repulsive and disgusting that the tolerance of most of the people is sorely and justifiably strained.

Most of the people of this Nation treasure and exercise their rights of protest in a thoughtful and lawful manner. Ample channels exist for redress of grievances in an open society such as ours.

The nonpeaceable peaceniks ignore these means and choose instead violence, vulgar obscenity and criminal acts to focus attention on themselves. And they have received attention out of all proportion to their actual numbers.

Their common characteristic is an acute intolerance of the opinions of others. Their dissent turns to violence when any dissent from their warped views. This points out the relative weakness of their views.

They are so filled with hate for duly elected officials and legally instituted policies that they surrender to their passions. This produces a guaranteed spectacle but adds nothing to the legitimate discussions which are important in our form of self-government.

Our system of government has proved responsive to changing conditions and opinions and has weathered various protest actions. On the basis of the evidence from the current wave of protesters, I am confident the Nation could abide even them if they were the only consideration.

But such is not the case. The current protests, as demonstrated by the march on the Pentagon and the more recent violence against Government officials on several college campuses, rely on a rule of force to intimidate, provoke, or repell those of opinions differing from the mob.

Regardless of the words of the protesters, this resort to hate, violence, passion, and greed cannot be tolerated. Freedom of speech does not extend to those who disregard the rule of law and substitute a rule of force.

The course of lawlessness on which the protesters have launched themselves and their movement leads, if permitted to continue, to one of two destinations—revolution or violent repressive measures.

For this reason, it is essential that firm and immediate control be exercised by the responsible officials when the protesters violate the basic obligations for peaceful assembly or disregard other laws.

To do less breaks the Government's sacred covenant with the overwhelming majority of citizens who rely on rule of law to insure the domestic tranquillity.

To do less is also a disservice to the protesters because it reinforces for them the false belief that violence and the rule of force can be the route to their goals.

ASSIGNMENT OF FUNCTIONS TO THE DEPARTMENT OF COMMERCE INSTEAD OF THE SMALL BUSINESS ADMINISTRATION

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GURNEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GURNEY. Mr. Speaker, section 406 of title IV of the poverty bill is an attempt to give to the Department of Commerce functions which should be carried out by the Small Business Administration.

Mr. Speaker, I am opposed to this attempted assignment. The Small Business Administration has served the small businessman well for the past 14 years. Yet, now we are asked to diffuse the voice of the little man in Government. We are asked to hand programs to large agencies whose province is not the Nation's 5 million small businessmen.

Since December 1963, the Small Business Administration has approved more than 42,000 regular business loans, more than 41,000 low-interest disaster loans, more than 1,000 displaced-business loans, and nearly 1,000 loans to State and local development companies.

Some 5,200 economic opportunity loans have disbursed $52 million to low-income and disadvantaged persons.

Its procurement and management assistance programs have backed up the financial assistance with individual concern.

The special service of the independent Small Business Administration is needed as much now as it was in the past. In fact, it is critical—for the problems of small business are unique in the commerce field. They call for trained and concerned study that the Department of Commerce, with its myriad programs, is unable to perform adequately.

And why should it make the attempt? The Small Business Administration, with its comprehensive management and financial assistance programs, was created for that very purpose.

Mr. Speaker, I would like to urge support for the removal from the poverty bill of the assignment of Small Business Administration functions to the Department of Commerce. I would urge retaining all small business programs where the small businessman can find them, within the portals of the Small Business Administration.

I would also like to submit a press release put out by the National Federation of Independent Business which states the problem briefly and succinctly.

The press release follows:

PRESS RELEASE OF THE NATIONAL FEDERATION OF INDEPENDENT BUSINESS, SAN MATEO, CALIF., OCTOBER 20, 1967

For the third time in the present Administration an attempt is being made to turn over to the Department of Commerce the wholly independent Small Business Administration. The only difference is that this time the drive is concealed in an amendment to a poverty war measure. This is the conclusion of C. Wilson Harder, President of the National Federation of Independent Business, of Section 406 of Title IV, Economic Opportunity Amendments 1967 as passed by the Senate and now being considered by the House Education and Labor Committee. Ever since SBA was set up at the request of the Nation's small businessmen on the basis that the Department of Commerce was only concerned with big business, Commerce has tried to either bring about the abolishment of SBA or emasculate it by taking over its functions. Section 406 vests in the Secretary of Commerce absolutely all Procurement Management Assistance functions and more so. In fact, it vests in the Secretary of Commerce more powers, and provides him with more authority than SBA's PMA ever had. If Section 406 becomes law, SBA would be placed in an impossible position regarding planning and operation of its PA programs. Both SBA and the Department of Commerce would work at cross-purposes, often in overlapping activities, and in different directions. Commerce would also lose time in motions to get set up and to achieve a semblance of organization capable of doing the very same things SBA is presently doing. Why is it necessary to vest authority in a second agency, to do what SBA can and is successfully doing? Section 406 adds nothing to enable the Government to carry out the Congressional intent, except confusion, wasted motions, and wasted Government funds.

AIR QUALITY ACT OF 1967

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GURNEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GURNEY. Mr. Speaker, the Air Quality Act of 1967 is a beginning measure to combat one of the Nation's most serious problems. It gives responsibility to the levels of government best equipped to take it. It places upon the Federal Government the guiding role of providiing criteria of air quality which describe the effect of contaminants on health and welfare and scientific information as to how to battle the problems. It places upon the States the responsibility of setting standards which will meet the danger of contamination and deciding and enforcing the measures to meet the standards.

The bill further gives the Secretary of Health, Education, and Welfare the power to obtain court injunctions to abate pollution when there is an "imminent and substantial endangerment to the health of persons anywhere in the country." The regulations for carrying out the Air Quality Act are complex, and they will require a certain amount of time for implementation. The power of injunction will provide a needed stopgap measure in cases of emergency, such as that which occurred in New York last Thanksgiving Day.

Each year, over 140 million tons of pollutants are dumped into the Nation's air—nearly 1,400 pounds of pollutants for each American. This bill removes the possibility that there will be a haven for the air polluter.

I do believe, however, that action must be taken beyond passage of the Air Quality Act. I mentioned earlier that this bill was a beginning measure—and a very excellent one—in the fight to free America's air. Yet, we must continue the battle by giving careful and serious consideration to providing tax incentives to those taxpayers who undertake construction programs for air pollution—and for water pollution, as the latter is just as serious a problem. Within 20 years the U.S. water use will be doubled, but the available water will increase only slightly. Water, as a resource, is vanishing. The Public Health Service reminds us that "polluted water is nearly as bad as no water at all—sometimes it is worse."

A near-crisis stage has been reached because of such varied factors as the growth of urban areas, the use of pesticides and detergents, and the increased disposal of untreated industrial wastes.

I am opposed to providing direct Government subsidy to the construction of private pollution-control facilities. Yet, the construction is very costly and is an investment in public benefits. There are compelling practical reasons why many companies have been unable to combat pollution as fast and effectively as they would wish. Often the cost of constructing abatement facilities may not be passed on to the customer—because of little, if anything, left of the profit margin when the taxpayer must pay high State, local, and Federal taxes. I would urge increasing partisan support for providing some relief for these taxpayers—through a tax credit.

The Congress must not end the battle that it has just begun. Pollution problems in America have reached a near-critical stage.

SMALL BUSINESS ADMINISTRATION

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. WIDNALL. Mr. Speaker, Small Business Administration was established in 1953 with one purpose: to work for the interests of small business, both for those who already are small businessmen and those who hoped to become small businessmen.

For 14 years now, Congress has resisted all efforts to change this independent status of SBA lest there be a diversion of its energies and a dilution of its programs.

Before one Senate or House committee after another SBA has justified this independent status with a solid record of performance, imaginative programs to meet changing economic conditions, and solidly grounded procedures to extend maximum help with minimum delay and redtape.

The actions of Congress each year in supporting SBA's budget and recommendations for changes and amendments to the Small Business Act are ample evidence that SBA has been going down the road marked out by Congress and has been doing it in highly commendable fashion.

Now there is a very real danger that this smooth-working team may have thrust upon it, new plays and players which they neither seek nor need.

I am referring, here, to a "sleeper" provision tucked away in section 406 of title IV of the Economic Opportunity Amendments of 1967. This bill has already passed the Senate, has already been reported by our own Committee on Education and Labor, and will be coming up for floor action within the next 2 weeks. Now, Mr. Speaker, if section 406 remains in the bill unchanged, it will create, within the big-business-oriented Department of Commerce, a miniature Small Business Administration. This is what I mean when I talk about new plays and players coming into the game.

Merely calling the new plays an additional force in the effort to help poor people does not make it a new force. In fact, SBA is already doing the very job in its own economic opportunity loan program.

The new appendage brings with it more paperwork, and people who have had little or no training in dealing with small business.

It adds nothing to the overall effort and can have only the effect of fragmenting SBA's unified approach to help qualified low-income persons enter the mainstream of American business. I urge that the idea be rejected.

THE POWELL CASE: "THE POWER OF THE HOUSE OF REPRESENTATIVES TO JUDGE THE QUALIFICATIONS OF ITS MEMBERS"—AN OBSERVATION BY THOMAS B. CURTIS IN THE TEXAS LAW REVIEW OF JULY 1967, VOLUME 45, NO. 6

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. GUDE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. CURTIS. Mr. Speaker, one of the historic constitutional problems confronting the 90th Congress was the question of seating the Representative-elect of the 18th District of New York, ADAM CLAYTON POWELL.

POWELL and others sued the Speaker and other officers of the House of Representatives seeking a reversal of the resolution adopted by the House March 1, 1967 (H. Res. 278) excluding POWELL from membership in the House.

This suit is now pending in the U.S. Court of Appeals for the District of Columbia, No. 20,897, and, so far as I know, no judgment has been rendered by the court of appeals.

On October 17, 1967, I inserted certain material in the CONGRESSIONAL RECORD commencing on page 29093, including discussion of constitutional principles involved in a judicial reversal of the decision of the House relating to the qualifications of a Member-elect.

Early this year, I was requested by the Texas Law Review to set forth my views on the power of the House to judge the qualifications of its Members. I presume this request stemmed, in part, from the fact that I offered the substitute which eventually became the text of House Resolution 278 on March 1, 1967, and, also, because of my colloquy with the gentleman from Texas [Mr. ECKHARDT] during his discussion of the Powell exclusion under a special order on February 28, 1967, commencing at page 4829 of the CONGRESSIONAL RECORD.

Our colloquy appears on page 4831 CONGRESSIONAL RECORD. Mr. ECKHARDT'S observation in the same issue of the Texas Law Review appears on page 1205, entitled, "The Adam Clayton Powell Case."

Mr. Speaker, because I wish to contribute to the dialog on the constitutional issues involved in the exclusion of ADAM CLAYTON POWELL, I include at this point in my remarks the text of my "Observation" in the Texas Law Review.

So that the opposite point of view may be available, I also include the text of Representative ECKHARDT'S "Observation" following my own.

[From the Texas Law Review, July 1967, vol. 45, No. 6]

OBSERVATIONS: THE POWER OF THE HOUSE OF REPRESENTATIVES TO JUDGE THE QUALIFICATIONS OF ITS MEMBERS

(By THOMAS B. CURTIS*)

Article I, Section 5 of the Constitution provides, "each House shall be the Judge of the Elections, Returns, and Qualifications of its own Members. . . ." This observation will discuss the nature and extent of this power.[1]

---

* Congressman from Missouri; member of Missouri bar; B. A., 1932, Dartmouth College, LL.B, 1934 Washington University.

[1] This observation does not discuss whether a decision by the House of Representatives on the qualifications of one of its members is subject to judicial review, or whether such a decision was prudent or unwise; nor does this observation discuss the distinction between a judicial decision holding an act of Congress unconstitutional and one undertaking by mandamus to direct elected Representatives in the exercise of legislative discretion. Although references will be made to the exclusion of Adam Clayton Powell from the 90th Congress, this observation is not intended to be a discussion of that case or a defense of the House of Representatives in adopting House Resolution 278, H.R. Res. 278,

First, it should be pointed out that Article I, Section 5, is a grant of power and, in the terms of the grant, is wholly unlimited. In other words, the power of the House to judge the qualifications of its members is plenary. The thesis of this observation, therefore, is that the House of Representatives, in judging the qualifications of its members, has the authority to interpret the word "qualifications" and to apply that definition to circumstances of each case that may arise before it, subject only to the limitations that may be found in the Constitution, in statutes passed by the Congress, in rules adopted by the House of Representatives, or in the precedents of the House.

Consequently, this observation will differ with those who contend,[2] as do the attorneys for Adam Clayton Powell, that the criteria of age, citizenship, and inhabitancy plus a certificate of election mandatorily require the admission of the member-elect to the House of Representatives.[3] The patent error of this contention is an inversion of terms. The criteria of age, inhabitancy, and citizenship are *disqualifications*, not *qualifications*. In other words, the lack of these attributes are limitations upon the general plenary power of the House to judge the qualifications of its members, a power that is subject to other limitations.[4]

Accordingly, it would seem that the clear meaning of Article I, Section 5, is that each House may judge those attributes of a person that qualify him to be a member of its body, but that in exercising that power they may not judge as "qualified" any person who is subject to any one of a number of disqualifications and may not require a religious test as a qualification.

I. CONSTITUTIONAL HISTORY

The history of Article I, Section 5,[5] and of Article I, Section 2[6] in the Constitutional Convention clearly supports the interpretation that age, citizenship, and inhabitance are not qualifications, but that the lack of them are disqualifications.

In the Committee of Detail[7] these attributes were stated in the affirmative; namely, that each member of the House shall be at least twenty-five, shall have been a citizen of the United States for at least three years before his election, and shall be at the time of his election a resident of the state in which he shall be chosen. In the final version of the Constitution, however, these criteria were stated in the negative.

At one point in the consideration of qualifications of members of the national legislature, George Mason of Virginia proposed that members be required to have "certain qualifications of landed property [and] citizenship of the [United] States . . . and disqualifying persons having unsettled [accounts] with or being indebted to the [United States] . . . ."[8]

"Mr. King observed that there might be great danger in requiring landed property as a qualification since it would exclude the monied interest, whose aids may be essential in particular emergencies to the public safety."[9]

"Mr. Dickenson was [against] any recital of qualifications in the Constitution. It was impossible to make a [complete] one, and a partial one would by implication tie up the hands of the Legislature from supplying the omissions. . . ."[10]

Mr. Wilson was for striking out words disqualifying debtors. He said:

"We should consider that we are providing a Constitution for future generations, and not merely for the peculiar circumstances of the moment. The time has been, and will again be when the public safety may depend on the voluntary aids of individuals which will necessarily open [accounts] with the public, and when such [accounts] will be a characteristic of patriotism. Besides, a partial enumeration of cases will disable the Legislature from disqualifying *odious [and] dangerous characters*."[11] (emphasis added).

Again, with respect to property qualifications "Mr. Wilson thought it would be best on the whole to let the Section go out. A uniform rule would probably never be fixed by the Legislature and this particular power would constructively exclude every other power of regulating qualifications."[12]

This subject is discussed at length in the report of the select committee in the House of Representatives in the case of Brigham H. Roberts.[13]

"When our Constitution was framed there was practically no limit to the right and power, in these respects, of the English Parliament. *Such power is necessary to the preservation of the body itself and to the dignity of its character*. (emphasis added). In England it was at one time admissible to permit the admission into the House of Commons of minors, of aliens, and of persons not inhabitants of the political subdivision in which they were elected. To this day it is well known that an inhabitant of London may be elected by a Scotch constituency, and a member has been elected by more than one constituency to the same Parliament.

"The framers of the Constitution, familiar with these facts, proposed to prevent their happening in this country. They knew also that a similar latitude of choice had been exercised in the original colonies and in the States of the Federation, and it was proposed to put a stop to it so far as Congress was concerned. A very luminous argument was made on this subject by John Randolph in the House of Representatives in 1807.

"We quote as follows from his remarks:

"If the Constitution had meant (as was contended) to have settled the qualifications of Members, its words would have naturally run thus: 'Every person who has attained the age of twenty-five years and been seven years a citizen of the United States, and who shall, when elected, be an inhabitant of the State from which he shall be chosen, shall be eligible to a seat in the House of Representatives.' But so far from fixing the qualifications of Members of that House, the Constitution merely enumerated a few disqualifications within which the States were left to act.

"It is said to the States, 'You have been in the habit of electing young men barely of age. You shall send us none but such as are five and twenty. Some of you have elected persons just naturalized. You shall not elect any to this House who have not been some seven years citizens of the United States. Sometimes mere sojourners and transient persons have been clothed with legislative authority. You shall elect none whom your laws do not consider as inhabitants.' "

II. NATURE OF THE LEGISLATIVE BODY AND THE NECESSITY OF ITS AUTONOMY

Interpretation of the language of the Constitution and its history in the Convention make clear that the power of the House of Representatives to judge qualifications of its members is plenary and is limited only by express language in the Constitution, in statutes prescribing disqualifications for public office as a penalty, and in parliamentary rules and precedents.

Beyond these limitations the nature of the House of Representatives and its powers, patterned after the House of Commons, which won its autonomy after a long, historic struggle with Kings and courts in England, require that the House possess the exclusive power as a court of last resort to determine its membership. It would be unthinkable that some external organization, other than the sovereign people, to whom alone the Congress is subject, could influence the character and composition of the House of Representatives. The privileges of freedom from arrest and immunity of debate that the framers wrote into the Constitution were consciously designed to establish the independence of the Congress and to protect it from efforts of external forces to influence its decisions. The unique tripartite division of delegated governmental powers was intentionally devised to prevent the consolidation of governmental powers in one body, which was regarded as tyranny.

Therefore, each body of the legislative branch was made the exclusive judge of the qualifications of its members. To have permitted the executive or the judiciary to judge the qualifications of the members of either body of the legislative branch would have given those branches superiority over the legislative branch. To have permitted the Senate to participate in determining House membership would have vested superior power in the Senate over the House. Similarly, House participation in determining membership in the Senate would have invaded the autonomy of the Senate. The integrity and autonomy of neither body of the Congress can be maintained if any external body, except the whole electorate, has power to determine its composition or membership or to affect its procedures and decisions.

I feel so strongly about the power of the House of Representatives to govern its internal affairs without external interference that I resent the courts even discussing the Adam Clayton Powell case. I would feel the same if either the Senate or the President undertook to determine whether he was qualified to be a member.

The numerous instances of the Senate or the House judging the elections, qualifications, and returns of its members and the expulsion cases indicate that both Houses of

---

90th Cong., 1st Sess., 133 Cong. Rec. 1918 (1967). References will be made to both of these matters only to advance the point of view that the decision of the House, whether right or wrong, was clearly within its exclusive power under Article I, Section 5 of the Constitution.

House Resolution 278, in summary, provided that the oath of office be administered to Adam Clayton Powell, that he be publicly censored by the Speaker in the name of the House, that he pay to the Clerk of the House $40,000 at $1,000 per month, that Powell's seniority be stripped, and that if the oath is not taken by March 13, 1967, the seat be deemed vacant. *Id.* An amendment to this resolution providing that Powell be excluded from the 90th Congress was offered by Representative Curtis and adopted. *Id.* at 1956.

[2] *See* Eckhardt, *The Adam Clayton Powell Case,* 45 Texas L. Rev. 1205 (1967).

[3] This theory is not new in the Powell case. It has repeatedly been advanced by individual Representatives, or in committee views, but it has never been accepted by either the Senate or the House of Representatives.

[4] For example, no religious test can be required as a qualification. U.S. Const. art. VI; no person holding office under the United States is qualified to serve in the Congress, *id.* at art. I, § 6; a person convicted on impeachment may be disqualified, *id.* at art. I, § 3; and persons convicted of various statutory crimes may be disqualified. *See generally,* 18 U.S.C. §§ 203–04, 213 (1964).

[5] U.S. Const. art. I, § 5.

[6] *Id.* at § 2.

[7] *See generally* 2 The Records of the Federal Convention of 1787 (M. Farrand ed. 1966).

[8] 2 The Record of the Federal Convention of 1787, at 121 (M. Farrand ed. 1966).

[9] *Id.* at 123.

[10] *Id.*

[11] *Id.* at 125.

[12] *Id.* at 251.

[13] 1 Hinds' Precedents of the House of Representatives of the United States §§ 474–80, at 529 (79 House Documents, 1907).

the Congress have consistently regarded themselves as having plenary and exclusive jurisdiction in matters relating to membership within their respective bodies. They have not considered themselves limited to the simple determination of factual attributes of age, citizenship, and inhabitancy.

The limited legislative discretion claimed by Powell and those who support him would have rendered meaningless the extensive investigations conducted over the course of our history by committees of both Houses of Congress in examining charges of lack of qualifications that had nothing to do with age, inhabitancy, and citizenship. Whether those investigations resulted in seating or ouster is immaterial. The fact is, the legislative body considered that it had the power to judge and that its judgment was final.

In our entire history, no case has been found where the judgment of either House has been overruled in a judicial proceeding. Indeed, until the Powell lawsuit was commenced, there apparently was such a universal and deep-seated understanding of the exclusiveness and finality of the power of the House to judge qualifications of its members that no one had sought the intervention of the courts.[14]

III. CONCLUSION

Under our system of separation of powers each House of the Congress must have exclusive power over its internal management—its procedures and its composition, including qualifications of its members—if its independence is to be maintained. The provisions of the United States Constitution, their origin in the Convention, and the parliamentary precedents support this view. To limit or impair this power is to undermine the vitality of our representative form of government. Congress and the American electorate, to whom alone the Congress is subservient, should be alert to protect and preserve the integrity and autonomy of the first branch of government.

---

[14] *See generally* HINDS' PRECEDENTS, *supra* note 13.

[From the Texas Law Review, July 1967, vol. 45, No. 6]

THE ADAM CLAYTON POWELL CASE

(By ROBERT C. ECKHARDT*)

The case of the exclusion of Representative Adam Clayton Powell from the Ninetieth Congress raises these fundamental constitutional questions: (1) Must a member-elect, whose election to the United States House of Representatives is not in contest, be seated if he meets the constitutionally enumerated qualifications? (2) Would consideration of this issue and the granting of relief by a court violate the doctrine of separation of powers?

I. HOW THE CASE AROSE

The report of the Special Committee established pursuant to House Resolution 1[1] found that Adam Clayton Powell had the constitutionally enumerated qualifications of age, citizenship, and inhabitancy for being seated in the United States House of Representatives. Though the Special Committee had proceeded to consider matters other than these constitutionally enumerated qualifications, it tacitly recognized that such matters could not be brought to bear upon Mr. Powell's right to be seated. The Committee, however, thought that these matters could be used as the basis for stripping Mr. Powell of his seniority and for fining him, which they did.

The awkwardnes of this position was that House Resolution 1, introduced on the first day of the session, arose as a challenge to the unqualified seating of Mr. Powell. Originally, it called for seating him, and then investigating his activities in connection with alleged misuse of funds and other alleged improprieties, to be followed by such action as then appeared appropriate.

The Resolution was altered by the Ford Amendment,[2] which withheld Powell's seat pending such investigation. Since the question of Mr. Powell's seating had to rest on constitutionally enumerated qualifications, the Special Committee could and should have determined only whether Mr. Powell was at least twenty-five years old, seven years a citizen of the United States, and an inhabitant of the State of New York.

Cramped within the narrow strictures placed upon them by reasonable constitutional interpretation and the wording of the Ford Amendment, the Committee sought to stretch its confines. It reasoned that the floor debate castigating the Congressman-elect for many peccadillos meant that the Committee should look into them. Therefore, the Committee's scope was enlarged by implication. The Committee failed, however, to note that the action of the House in passing the Ford Amendment envisaged exclusion, not a fine, and that the temper of the House was not to punish but to exclude Powell, if it reasonably appeared that he had done what most of the Congressmen's constituents had already concluded that he had done.

The Special Committee, therefore, not only violated the letter of the resolution but acted illogically and imperceptively in concluding that the House's implied sanctioning of an examination of improprieties *further implied* punishment by appropriate fines or penalties without exclusion.

The Committee was fenced in by the wording of its amendment and the constitutional limitations on exclusion. It could get one leg over the fence by its first implied authority to investigate the accusations of impropriety; but in this awkward posture it could not move further because the Constitution forbids exclusion on such grounds. Nevertheless, the Committee threw the other leg over the fence by assuming, without any basis in the Resolution or in fact, that it could punish and fine Powell without excluding him.

The House, insensitive to the constitutional niceties in the face of moral indignation registered by the press, reaffirmed the original intent of the Amendment: to determine whether Mr. Powell should be *seated or not*. The House determined that he should not be seated.

II. WHAT ARE QUALIFICATIONS?

The action of the House is not without precedent. Most of the precedents came about as the result of public clamor, as in the case of Kentucky members in the Fortieth Congress[3] where those excluded had been accused of treason; the case of Brigham Roberts,[4] involving polygamy; and the case of Victor Berger, who had been convicted of espionage.[5] However, most cases in which the point has been raised or discussed[6] hold that the qualifications of members have been unalterably determined by the Federal Constitution, and that the houses of Congress cannot exclude one with the constitutionally enumerated credentials and with any uncontested certificate of election.

Though there are no court cases directly in point, a footnote in *Bond v. Floyd*[7] throws light on the subject because of its discussion of the Constitutional Convention of 1787. The Convention writings and the Federalist Papers are the best authority on the subject. The Court said:

"Madison and Hamilton anticipated the oppressive effect on freedom of expression which would result if the legislature could utilize its power of judging qualifications to pass judgment on a legislator's political views. At the Constitutional Convention of 1787, Madison opposed a proposal to give to Congress power to establish qualifications in general."[8]

Madison thought the "qualifications of electors and elected were fundamental articles in a Republican [Government] and ought to be fixed by the Constitution . . . ."[9]

Charles Pinkney of South Carolina held the same view, and thus he and Madison were foremost opponents of the provision in the Report of the Committee of Detail that each house be authorized to establish "uniform qualifications of the members of each House, with regard to property."[10] Pinkney objected that:

"[t]he Legislature would have the fate of the Nation put into their hands. . . . Should it be left on this footing, the first Legislature will meet without any particular qualifications of property; and if it should happen to consist of rich men they might fix such qualifications as may be too favorable to the rich; if of poor men, an opposite extreme might be run into."[11]

After considerable debate, the Convention struck out the authorization to allow Congress to establish property qualifications and spelled out in the Constitution all qualifications for being seated in Congress. The qualifications are set out in Article I, Section 2 of the Constitution as follows: "No person shall be a Representative who shall not have attained to the Age of twenty-five years, and been seven years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen."[12] These had been discussed throughout the debate as "qualifications," and there can be no question of their literal meaning after reference to Article I, Section 5 of the Constitution: "Each House shall be the Judge of the Elections, Returns, and Qualifications of its own Members . . . ."[13]

Recognizing that "qualifications" referred to in Section 5 are those spelled out in Section 2 of Article I of the Constitution, the Supreme Court in the *Bond* case quoted Hamilton: "The qualifications of the persons who may choose or be chosen . . . . are defined and fixed by the constitution; and are unalterable by the legislature."[14]

III. EXCLUSION AND EXPULSION

The question of determining qualifications for seating a member must not be confused with questions involved under the second paragraph of Section 5 of Article I, relating to the power of Congress to expel a member.[15] It should be noted that the first paragraph of Section 5 deals with qualifications of members quite separately and apart from the question of expulsion, and that the first paragraph uses the term "qualifications" in the same sense that the members of the Federal Convention used the term as relating to age, citizenship, and inhabitancy. The report of the Committee on Detail[16] dealt with the determination of "qualifications" as follows: "Each House shall be the judge of the elections, returns and qualifications of its own members."[17] The original draft did not even refer to expulsion in this section but provided for it in a separate section 6 of the same article: "Each House may determine the rules of its proceedings; may punish its members for disorderly behavior; and may expel a member."[18] Of course, if expulsion could be accomplished through the guise of withholding a seat on the pretense of determining "qualifications" used in a very broad sense—then the two-thirds requirement[19] for expelling a member now written into the Constitution would be circumvented. The Federal Convention was very concerned about placing the two-thirds limitation on so drastic an action. Though Gouverneur Morris thought that "[t]his power may be safely trusted to a majority,"[20] Madison stated strong disagreement, observing "that the right of expulsion . . . was too important to be exercised by a bare majority of a quorum: and in emergencies of faction might be dangerously abused."[21] Thus, he moved that the words "with the concurrence of ⅔" be inserted between "may" and "expel," and this was adopted.[22]

---

*Congressman from Texas; member of Texas bar; B.A., 1935, LL.B., 1939, University of Texas.

[1] H.R. Res. 1, 90th Cong., 1st Sess., 113 CONGRESSIONAL RECORD, Jan. 10, 1967, pp. 14–27.

[2] *Id.* at 14.

[3] 1 HINDS PRECEDENTS OF THE HOUSE OF REPRESENTATIVES §§ 448–52 (1908) [hereinafter cited as HINDS'].

[4] *Id.* at § 474.

[5] 58 CONG. REC. 1919 (1919).

[6] *See, e.g.*, HINDS' §§ 414–15, 418.

[7] 385 U.S. 116, n. 13 (1966).

[8] *Id.*

[9] 2 THE RECORDS OF THE FEDERAL CONVENTION OF 1784, at 249–50 (M. Farrand ed. 1966). [hereinafter cited as FARRAND].

[10] *Id.* at 248, n.6.

[11] *Id.* at 248.

[12] U.S. CONST. art. I, § 2.

[13] *Id.* at § 5.

[14] Bond v. Floyd, 385 U.S. 116, n.13 (1966).

[15] U.S. CONST. art. I, § 5. "Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two thirds, expel a Member." *Id.*

[16] FARRAND 180.

Since the action in the Powell case was not an action to expel because expulsion could come only after he had been seated, it is not determinative of the issue that the crucial vote in his case would not have expelled him. It illustrates, however, that a proper distinction between exclusion and expulsion may be decision as to the outcome. The House voted 202 votes for the previous question leading toward the adoption of the Committee report. It voted 222 votes against the previous question, opening the floor for the Curtis Amendment which ultimately excluded Powell.[23]

Upon adoption of the Curtis Amendment, the vote again fell short of two-thirds, being 248 yeas to 176 nays.[24] Only on the final vote, adopting the Resolution as amended, was more than a two-thirds vote obtained, the vote being 307 yeas to 116 nays.[25] On this last vote, as a practical matter, members who would not have denied Powell a seat if they were given the choice to punish him had to cast an aye vote or else record themselves as opposed to the only punishment that was likely to come before the House. Had the matter come up through the processes of expulsion, it appears that the two-thirds vote would have failed, and then members would have been able to apply a lesser penalty.

IV. MAY CONGRESS FINALLY DECIDE ON QUALIFICATIONS?

The "door to this part of the federal government," as Hamilton put it, is opened or closed solely by "these reasonable limitations."[26] The limitations he spelled out were the age, citizenship, and inhabitancy provisions of Article I, Section 2. He concluded that the constitutional qualifications and the judgment of the electorate "may all be insufficient to control the caprice and wickedness of men. But are they not all the government will admit, and that human prudence can devise?"[27] But, what if the House of Representatives acts imprudently to devise other safeguards? May it do so with impunity since "each House shall be the judge of the . . . Qualifications of its own Members"?[28]

The Constitution has vested authority in the citizenry to control the fidelity and character of their representatives. It has, as we have seen, defined the bounds of qualification to a seat in Congress. To enlarge these fixed bounds is to expand the legislative power at the expense of the people's right to choose their representatives. It is as unconstitutional an entrenchment on the right of the electorate as is improper congressional districting, and even more direct. If, as Justice Black said in *Westberry v. Sanders*,[29] "the right to vote is too important in our free society to be stripped of judicial protection. . . ."[30] so is the right of the people of the Eighteenth District of New York to have their vote count. In *Westberry*, the Court did not confine itself to one of the narrow grounds enunciated in *Baker v. Carr*[31] in support of jurisdiction. There it said: "In the political question cases, it is the relationship between the judiciary and the coordinate branches of the Federal Government, and not the federal judiciary's relationship to the States, which gives rise to the political question."[32] Such an argument was not at all applicable in *Westberry*. Therefore, Judge Hart, the District Judge who dismissed Powell's case,[33] ignored the broadening effect of *Westberry* when he harked back to *Baker v. Carr* to quote this passage in order to distinguish *Bond v. Floyd* where the Supreme Court enforced the right *to be seated* in a state legislature against unconstitutional impediments.

The judiciary is not called upon here to exert "an overruling influence in the administration of [the] respective powers"[34] of any coordinate branch of government. The question here involves a definition of the respective powers of the Court and of the Congress. That definition has been established since *Marbury* v. *Madison*:[35] "It is emphatically the province and duty of the judicial department, to say what the law is. Those who apply the rule to particular cases, must of necessity expound and interpret that rule."[36] The House of Representatives may not, by *making the rule* within the same process that it *adjudicates the breach*, take a question of constitutional interpretation out of the judiciary's reviewable sphere.

As Justice Marshall said in *Marbury* v. *Madison*,

"It is a proposition too plain to be contested, that the Constitution controls any legislative act repugnant to it. . . .

"The Constitution is either a superior paramount law, unchangeable by ordinary means, or it is on a level with ordinary legislative acts, and like other acts, is alterable when the legislature shall please to alter it."[37]

No distinction is made between enactment of an unconstitutional statute and exercising other power unconstitutionally.

Therefore, it is concluded that the United States House of Representatives acted unconstitutionally in refusing to seat Adam Clayton Powell after finding he had the constitutionally enumerated qualifications for seating, and that the matter presents an issue reviewable by the courts. Therefore, the Supreme Court should direct the appropriate officials to take the necessary steps to seat Powell. If such presents an impasse between two coordinate branches of the federal family, it is an impasse that must be risked every time the least powerful but most deliberative branch decides that the executive or legislative branch has acted unconstitutionally.

In a government in which the importance of the validating function of the Court is so deeply ingrained, the danger of an impasse is small. Certainly, it is not grave enough to cause us to throw away judicial consideration of the constitutional issue and to substitute for it a system by which erratic, legislative cross currents, churned by popular prejudice, may sweep away a man's right to be seated and his constituency's right to select him.

IMPROVED STATISTICS AS THE BASIS FOR BETTER ECONOMIC POLICYMAKING

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. CURTIS. Mr. Speaker, on October 19 I had the priviledge of addressing the 11th annual meeting of the Federal Statistics Users' Conference. This organization has done much to focus awareness on the need for improved statistics and data in all areas of Federal Government policy and concern. The Federal Statistics Users' Conference also deserves great credit for their role in developing clear and economical procedures and guidelines for the collection of increasingly important information.

I am taking the opportunity of inserting my remarks in the Record at this point because of my assurance of the interest of most Members in means of obtaining the best data available for their policy judgments.

Improved Statistics as the Basis for Better Economic Policymaking

(Remarks of the Honorable Thomas B. Curtis, Republican, of Missouri, before the Federal Statistical Users Conference, October 19, 1967)

There are a number of important reasons why the demand for improved economic statistics is greater today than ever before—and likely to become even greater in the future.

First, the so-called "new economists" are attempting to "finely tune" fiscal and monetary policy in order to keep the economy at high employment without inflation at all times. One of the most critical obstacles to the successful use of push-button economic policy is the weakness in current statistical data on which policy decisions and forecasts of economic activity must rely. The mixed character of the leading economic indicators today is a relevant example in the light of the President's request for the 10 percent tax surcharge.

Second, a host of the new social and welfare programs have been enacted in recent years which depend for their success on statistical information which is now unavailable or available only in rudimentary form.

Third, changing conditions in an economy marked by a rapid increase in new technology, by a shift from manufacturing to services and distribution, and by a continuous exodus of workers from the farms create new policy concerns and new uses for statistical information.

---

[17] *Id.*

[18] *Id.*

[19] U.S. Const. art. I, § 5.

[20] Farrand 254.

[21] *Id.*

[22] *Id.*

[23] H.R. Res. 278, 90th Cong., 1st Sess., 113 Congressional Record, Mar. 1, 1967, p. 5020.

[24] *Id* at 1955.

[25] *Id.* at 1956.

[26] The Federalist No. 62, at 135 (H. Lodge ed. 1888) (Hamilton).

[27] *Id.*

[28] U.S. Const. art. I, § 5.

[29] 376 U.S. 1 (1964).

[30] *Id.* at 7.

[31] 369 U.S. 186 (1962).

[32] *Id.* at 210.

[33] Powell v. McCormack, 266 F. Supp. 354 (D.D.C. 1967).

[34] O'Donoghue v. United States, 289 U.S. 516, 531 (1933); *see* 1 Story on the Constitution § 530 (3d ed. 1858).

[35] 5 U.S. (1 Cranch) 137 (1803).

[36] *Id.* at 111.

[37] *Id.*

There was considerable discussion at the Joint Economic Committee's annual hearing earlier this year on the President's Economic Report on the ability of the "new economists" "to finely tune" their economic policies to the needs of the economy. The Committee was repeatedly told by private witnesses that during the postwar period and particularly in the recent past year and a half, monetary and fiscal policies have tended to destabilize rather than stabilize the economy.

The policy problem is particularly difficult at high employment. Weaknesses in economic forecasts and analysis and in policy execution sharply limit the government's ability to shape appropriate policies, particularly when the government itself errs in its own budget estimates, as it did last year when defense spending was $10 billion greater than anticipated. At high employment it is not enough to know whether a particular economic series is going up or down. We must know by how much the series is moving up or down. This is a more difficult problem and, for the most part, our present statistics do not provide the answers soon enough or with enough precision.

With nearly full utilization of resources, there is very little margin for policy error. Frequent changes in the degree of fiscal and monetary stimulus or restraint—as we have had in recent years—become especially dangerous in such a period.

There is another area where the government's attempts to influence the private economy run into difficulty because of gaps in our statistical knowledge. Until this year, the wage-price guideposts specified a single trend productivity figure, which the administration said was the proper guide by which to evaluate individual wage and price decisions. Our statistics on prices and productivity measures have been improved in the past several years, but their accuracy and reliability still leaves much to be desired.

Aside from many objections that can be made to the desirability or equity of the guideposts policy, it should be kept in mind that the measuring sticks now in use in the wage-price field provide a shaky and unreliable basis for a sound guideposts policy.

In the minority views in the Joint Economic Committee's 1967 Annual Report we suggested that there be quarterly revisions in the original gross national product forecasts for the year made by the Council of Economic Advisers. Along with the majority of the Committee, we also called for an improvement in the federal budget information system, including quarterly estimates on budgetary receipts and expenditures and the presentation of the budget each year in the context of a long-run set of budgetary projections.

I am pleased to report that as a result of this recommendation the Administration is now updating its January budget estimates mid-way through the Congressional session as well as when all the appropriations bills have passed. In addition, as a result of another Committee recommendation, the Defense Department is now reporting regularly on Selected Defense Indicators.

We also believe that a statistical series should be developed which measures wealth in the economy as a supplement to the gross national product series. Gross national product measures economic activity. This may or may not increase wealth. Certainly no one would say that the increase in gross national product that occurs during a war represents an increase in wealth or gives an accurate picture of true and meaningful economic growth.

The importance of understanding the limitations of economic data will apply as well to wealth statistics as to gross national product. The development of these statistics, which is now going forward in the Department of Commerce, emphasizes physical or material wealth. However, we must keep firmly in mind that wealth includes much more. Among the meanings cited in the dictionary, we find, "those energies, faculties, and habits directly contributing to make people industrially efficient."

I continually pose a hypothetical question to businessmen. I ask, "What if you were confronted with the choice of losing all of your physical assets or losing the skilled personnel that you have built up over a period of years? Which would you choose?" The answer comes quickly. In effect, they say, "We'll take our personnel and go to work in a barn." I am sure that many industrial leaders of Germany, for whom the destruction of their physical plant was a fact after World War II, understand perfectly what our own businessmen mean.

As an economy matures, the emphasis on human wealth, as opposed to physical wealth, increases sharply. Human skills gain in relative importance to physical assets. Mass production in our society is completely dependent upon mass distribution and mass services. A mature society emphasizes those areas where the need for human knowledge and skills is greatest but which often requires relatively less tangible or physical wealth than manufacturing.

By concentrating our attention on physical wealth, we measure only one part of our real wealth and tend to shove into the background the areas that I feel we must emphasize more and more. The enactment of the Investment Tax Credit illustrates the type of problems we can face in this area unless we understand the meaning and limitations of the wealth statistics that are being developed. The investment tax credit applies to investment in physical capital. Certainly this is important. Investment in plant and equipment stimulates real economic growth. But is that enough? I think not. Investment in human resources is equally, and perhaps more, important.

Our tax laws currently discriminate against training and education. Yet such expenses are clearly a capital investment that creates a tremendous return to the individual and to society.

It is true, of course, that measuring our human wealth poses difficult conceptual and technical problems. But difficult or not, we cannot neglect the fact that wealth really consists of a combination of physical goods, the tools, along with the know-how of human beings.

Having raised those cautionary signals, let me emphasize again how anxious I am that we move forward with the collection of wealth data. Not all of the problems have yet been solved, now will the wealth estimates that eventually emerge be perfect. But had we waited for perfection, we probably would not have our national income and product accounts today. Even these are undergoing constant improvement.

The value of wealth statistics is that they will provide some of the answers to many of the most difficult questions facing economists, particularly those relating to economic stability, growth, and resource allocation. In addition, there are some little emphasized but vital uses of wealth statistics which will serve important objectives of public policy. Let me mention four of these.

First, our present depreciation schedules are completely unrealistic in a time of such rapid technological change. These schedules are still based on the concept of useful life. I have thought for some time that with technology improving as rapidly as if it is in the United States today, depreciation should be based on obsolescence. For example, we need more realistic depreciation schedules for buildings. I have noticed in my own community of St. Louis and elsewhere that buildings are being torn down that appear to be perfectly usable. When I have inquired why, I have often found that it is because they are not air conditioned and that it may actually be more costly to install central air conditioning or even window air conditioning than to build a new and modern structure from the ground up. I think we are seeing more and more of this kind of obsolescence and it has a great bearing on our attempts to measure wealth. I hope that one useful fall-out of the wealth inventory is additional and more realistic data on lengths of life that could be used by the Treasury Department to revise the depreciation guidelines in accordance with these realities of obsolescence.

Second, the poverty program necessarily required some attempt to define poverty. Initially, a family was said to be poor if its annual income was below $3,000 a year. This has since been revised to take account of such factors as number of members in a family, but our poverty guidelines still remain seriously deficient.

One of the largest groups said to be poor are our aged. Obviously the current income of many aged persons is considerably below what it was during their earning years. But very often, these same people may have assets in the form of cash savings, stock, Government bonds, household furnishings, and a dwelling that is fully paid for. I would expect that our wealth inventory would give us a better idea of the assets of this and other groups in our society and thus help us to understand the poverty program better and to shape our programs with more realism and precision.

Third, I have felt for years that one of our best taxes is the property tax. Essentially, the property tax is a tax on wealth based upon a continuing process of assessment. It has responded nobly since the end of World War II, financing the vast increase in state and local expenditures, particularly for education.

There is still a need for modernizing our property tax laws and in keeping them up-to-date—which means, among other things, modernizing our zoning laws. Few communities can support schools or community facilities with a property tax based heavily on home assessments. A combination of up-to-date zoning and assessment can, however, produce a balance between industry, commerce, utilities, and private homes that is capable of producing fine community facilities, ample revenue, and little debt.

In developing wealth statistics, we should look to the inadequacies of the assessment process of local Government in computing wealth. I was highly pleased that the Subcommittee on Economic Statistics noted in its report that a national wealth inventory would prove highly useful in studying the mitigation of present wide variances in property tax laws and assessments.

Finally, the collection of wealth statistics should be coupled with the Development of a capital budget for the Federal Government. Those economists and policy-makers who have emphasized the aggregate impact of Federal spending on economic activity have tended to erode the fiscal discipline upon which a sound expenditure policy must rest. The aggregate economists have said, in effect, that we must have spending for spending's sake, in order to stir up economic activity when aggregate demand is insufficient. This philosophy undermines a sound and wealth-creating expenditure policy.

If the purpose of Federal spending is to equate demand to the economy's capacity, then what does it matter what you spend the money for, so long as it is spent? In my view, expenditure policy must relate to what the money is spent for. If Federal outlays are for investment purposes, they must increase wealth and earnings. If they are for current expenditures, they should not exceed present revenues except in periods of identifiable emergencies, and the length of those periods must be related to the basic wealth already in being.

Another reason why we need an improved system of economic intelligence relates to the requirement for statistical information written into important legislation over the past several years. To its great credit, the Federal Statistical Users Conference has repeatedly pointed out that the requirements for information embodied in this legislation poses both opportunities and problems.

Much of the legislation requires the development of data on a wide variety of subjects, including population, employment by industry, per-capita income, and income consumption patterns in urban areas. If the data are collected effectively, we may develop an improved body of basic information relating to small geographic areas. At the same time, there is a danger of duplication of effort, waste of scarce resources, and an oppressive growth in the paperwork burden on respondents.

The requirements for the collection of more local, regional, and state statistics clearly call for a coordinated approach by the agencies involved.

As your organization has noted, it is especially important that the date be developed in such a way that one area may be compared to another. Without comparable data, there will be no common measure to evaluate the success or failure of specific programs or to determine whether particular programs should be expended or curtailed.

Another important area for a coordinated approach to statistics gathering is in the manpower training and retraining field. Training carried out under the Manpower Development and Training Act, the Economic Opportunity Act, in the military services and in the vocational education and apprenticeship programs has mushroomed in recent years. Yet we will lack an adequate tool for anticipating future needs for trained workers of different kinds in different areas of the country.

There is also a desperate need for more information on the training carried on by private employers. I was pleased to see that this has now been recognized by the Department of Labor. In the 1968 budget, $500,000 has been requested for surveys and research to be used as a basis for developing a sound policy for assessing the role which the Federal Government should play in training and retraining manpower. An important part of this study will be the gathering of information on the amount and kind of vocational training now provided by private employers.

In my view, the greatest gap in our manpower policy is a statistical series on job vacancies. I was very pleased to note that this meeting is giving specific consideration to job vacancy data. You could render an important public service by encouraging the Labor Department to move ahead with this program.

More information is also required on new skills that are developing in our rapidly changing economy. One of the most important economic questions today is whether automation creates more jobs than it destroys. I think it does. But these jobs are frequently geographically apart from where the jobs destroyed existed. And they are frequently in different skills.

The hard realities of training the unemployables are that they will not be capable of learning the higher skills demanded in the jobs newly created by automation. Those with jobs must be trained and willing to do so. They must take the new jobs, thus leaving their old jobs available to those below them in the ladder of skills, if they too will train. The unskilled and semi-skilled with training will fit into the jobs left vacant by those upgrading their skills.

A job destroyed is easier to identify than the new jobs which are created. A job destroyed has nomenclature; it has a human being attached to it. The newly-created job frequently does not have nomenclature and does not have an individual human being attached to it.

There are those who argue that automation destroys more jobs than it creates. I think our disagreement lies in the fact that they use a narrower definition and possibly a more correct one than mine. I use the term in its broadest sense. But whatever the definitional differences, we have got to do a great deal more in developing an early warning system on the new jobs that are being created, apply nomenclature to them, find out where they are located, and train men and women to fill them.

A related problem is the relationship of our military establishment to the civilian sector. I have seen articles over a period of years in Labor Department publications which point out that about 80 percent of the skills needed by the military have their counterparts in the civilian sector.

I have been distressed to find that in the military itself there seems to have been very little development of nomenclature for these skills or coordination between the military and agencies which are in the training field. Yet we are spending over a billion dollars a year, at least, in the military sector training people in skills which exist in the civilian sector.

Another reason for the need for better economic statistics is the many changes occurring within the economy, such as one shift to services and the decline in agricultural employment. As Commissioner Ross has pointed out, in the early years of the Bureau of Labor Statistics, emphasis was on such matters as industrial injuries, labor turnover, labor management disputes, and mass unemployment. Many of today's critical issues in economic policy involve manpower and human resource development, equal employment opportunity, elimination of poverty, regional economic development, and the problem of hard core unemployment.

Let me elaborate on one example. Changes in the labor force in recent years have had a significant bearing on the significance of our employment statistics. The rapid growth of welfare programs, including unemployment insurance, helps maintain a flow of income during periods of unemployment. Today even a man of modest means can practice some discrimination in job selection as a result of these programs. He can better afford to shop around for a job suited to his needs and interests. Our statistical measures, however, do not take into account this voluntary aspect of unemployment nor the fact that it is probably increasing in our society today.

Our labor force data are also affected by the rapid increase of working women and teenagers. Many of these workers are part time or intermittent workers, a fact which creates unavoidable intervals of unemployment. The existence of more working women and teenagers also reduces labor force mobility. Neither group is as able or willing as male employees to terminate their employment and to take a job in another city or often in another area of the same city.

Other important changes have been taking place in our economy. Today we are beginning to look at a person's full life—his tender years, his years of education, his productive years, and his years of retirement. We have been developing the mechanisms and the programs for spreading a person's lifetime income from his productive and earning years to the non-productive years.

At the same time, we are developing the mechanisms whereby people can pool their common risks against an untimely imminution of earning capacity from (a) death, (b) disability through accident or sickness, (c) interrupted earnings resulting from, e.g., military service and economic downturn, (d) and now, obsolescence of skills.

We have also developed new forms of consumer credit to encourage home ownership, purchase of consumer durables, and, most recently, to provide the capital investment for education. A great deal of today's consumer credit constitutes real savings inasmuch as the expenditures relate to increased wealth and increased earning capacity, not to mention increased standard of living of the debtor. It is indicative of this understanding of lifetime income that income averaging techniques, crude as they are, were introduced into the federal personal income tax laws in 1964.

The emphasis needed for further development lies in phasing individuals into the labor market and phasing them out again on retirement. One does not abruptly—or should not abruptly—enter the labor market or retire from it. The better retirement systems we are developing permit a phasing out, utilizing in different ways the talent perfected by experience of the older citizens. The better educational systems use a variety of phasing-out mechanisms.

All of this brings me back to my opening point—the need for new and improved statistics to meet changing conditions in the economy.

These numerous suggestions for new statistical information will probably discourage even our most enthusiastic and dedicated statisticians. As usual, they are being called upon to perform Herculean tasks and then given inadequate budgets and staff to do the job.

The budget treatment of our statistical agencies is one of the best examples I know of being penny wise and pound foolish. In the fiscal 1968 budget, less than nine one hundredths of one percent of total new obligational authority is earmarked for statistical programs.

In light of the budget crisis now facing the nation, the likelihood of substantially increasing appropriations for statistical programs is remote. There is, however, a way that more funds could be made available for existing programs and new programs—such as job vacancy statistics—which rate a high priority.

My suggestion is that your organization take the initiative in studying existing programs and identifying those which changes in the nature of our economy have made obsolete or of only marginal value. As users of statistics you are perhaps in the best position to recommend to the Administration and appropriate Congressional committees which programs might be eliminated or reduced so that funds could be released for higher priority needs.

This kind of critical examination of Federal programs needs to be done in every agency of government, including those charged with the gathering of statistical information. I earnestly hope that you take the lead in an effort to get more for our statistical dollar.

I often wonder how much we could save in federal expenditures if we had available improved statistics to provide better guidance to policy-makers in developing new programs or operating old ones. I would guess that billions could be saved compared to the relatively small outlays that would be necessary for additional programs on our statistical programs.

Barring any such breakthrough, we shall have to satisfy ourselves with what we have available. Our progress will be slow, but I hope it will be steady. The interest of groups such as your own is certain to have an impact, and I wish you well in your efforts to speed up progress in this important work.

THE DEFICIT COMES HOME TO ROOST

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. CURTIS. Mr. Speaker, during the early years of the decade, we heard a lot about the "new economics" and how it signaled a new era in economic policy. Today, however, the new economists are strangely silent. It seems that the policies that promoted the expansion in its initial stages have contributed in large part to the development of our present economic crisis. Even if the administration gets the tax increase it purports to want, it is widely accepted that we will be faced with a larger deficit, higher interest rates, and more inflation than we have had for a long time.

It is interesting to speculate how we got where we are now and what went wrong with the new economics. An article in the September 1, 1967, issue of Fortune, entitled "The Deficit Comes Home To Roost," does just this. It notes that the most important fault of the new economics was its tendency to assume that the business cycle is no longer important, to think chiefly in terms of growth, and to neglect the fact that an unbalanced growth can generate a downturn. Not only did the theories of the new economists contain defects, but they were applied clumsily and dogmatically, according to the article. Fortune notes that the tax cut of 1964 should have been started earlier and spread out over a longer period.

Large increases in Federal spending outside of the defense sector have also contributed to the imbalances. Finally, it is just now being recognized that the process of financing big deficits can retard the economy they are supposed to stimulate. The softness present in the current capital spending picture, combined with big deficits pushing interest rates higher, could result in a kind of high-level, deficit-dominated stagnation.

I commend this article to your attention, in hopes it can teach us all a little more about maintaining balanced economic growth, and ask unanimous consent that the article be inserted in the RECORD at this point:

THE DEFICIT COMES HOME TO ROOST

(By Gilbert Burck)

Almost without noticing it, we are passing through an important turn in those tides of economic thought that powerfully affect the decisions of men. The U.S., and increasingly the world, have been basing decisions on what has come to be called the New Economics. But faith in the U.S. Government's use of the New Economics, so apparently successful only a couple of years ago, has begun to ebb. A main reason for the ebbing is that we are running disturbingly massive deficits. Budgetary deficits, it is true, have become almost a way of life for the U.S. Government, which has gone into the red in thirty-one of the past thirty-eight years. And hardly anybody believes any more that an unbalanced federal budget is a portent of economic ruin or a symptom of moral decay. But deficits, though they once stimulated the economy, are now dragging heavily on it. They are even shaking some of the theoretical underpinnings of the New Economics. They constitute a climactic chapter, a kind of *fait non-accompli*, in the disappointing story of the New Economics in action.

By using deficits creatively to bring the economy to its full potential, government practitioners of the New Economics proposed to balance the budget at full employment, to close the gap between actual and potential demand for all practical purposes, and at the same time to keep inflation within proper bounds. Their objectives were exhilarating, but they have stumbled on all three. Events have rudely splintered the Administration's guideposts for wages and prices, and we are now in a wage-price spiral. Industrial production peaked out late last year as companies reduced excessive inventories and cut down on excessive investment in plant and equipment. During the first half of this year industrial production declined steadily, profits dropped, and gross national product, in real terms, actually fell in the first quarter and advanced hardly at all in the second. The slowdown is not quite a recession, as "recession" is technically defined, but it comes close.

More important, the deficit has not behaved at all the way government economists hoped it would. For fiscal 1967 (ended June 30) the administrative deficit came to just under $10 billion, the second-largest shortfall since the peak spending years of World War II. And that deficit piled up while the economy was operating at practically full employment, when, according to theory, the deficit was supposed to dwindle to the disappearing point. Not since 1919—except for years when the nation was fully mobilized for war, with price and wage controls—had the federal government run an actual deficit at full employment. What's more, the economy is still soft despite the deficit. And a deficit nearly three times as big as last year's is in prospect for the current fiscal year if Congress does not go along with the President's request for higher taxes—and twice as big if it does go along.

Partly because the economy may not fully recover until capital spending turns up unmistakably, the deficits may well continue. Conceivably they may get bigger still. In any event, they threaten to present the nation with a bag of formidable monetary and fiscal problems. When the government preempts the money market to finance big deficits, the increased demand for money drives interest rates higher than they otherwise would go; and high interest rates retard business activity, particularly housing construction. And so the deficits that helped bring the nation to full employment are producing imbalances, at close to full employment, that could retard growth and bring on still more swollen deficits. These in turn could prevent complete recovery. So could tax increases big enough to bring the deficit down to moderate size.

A HALLOWED NOTION REJECTED

The government's brand of New Economics was never supposed to generate problems like this, and only two years ago most of its partisans were emphatically not anticipating any such. The New Economics, which is not so new any more, embodies the noble idea that beings intelligent enough to subdue and harness the fiercer forces of nature do not have to take the slings and arrows of outrageous fortune lying down. Specifically, the New Economics reasserted Lord Keynes's proposition that the attainment of full production and employment should not be left to the vagaries of an imperfectly competitive market, but should be a prime aim of government policy. The new theories rejected the hallowed notion that a good government should spend prudently and live within its means and retire its debt as soon as it could. Instead, government should use a combination of monetary and fiscal measures, including as much deficit as necessary, to close the gap between actual and potential demand.

Under Walter Heller, who left the University of Minnesota to become chairman of President Kennedy's Council of Economic Advisers in 1961, the New Economics became an instrument of positive government policy in a way it never had been before. Heller argued that the federal government should run deficits so long as the nation's resources weren't being used at an optimum level. When they were being so used, the national income accounts budget should merely be balanced; the government should not run a surplus unless the economy was overheating. The national debt might tend to rise over time, of course, but the new deficitry would keep G.N.P. growing briskly, and the debt would actually become smaller in relation to G.N.P.

To ascertain just how much stimulation a lagging economy would need to restore it to full employment, Heller pressed into service a theory that had been discussed by economists since the mid-1940's. This was the concept of the full-employment surplus, or the surplus the government would be running *if* the economy *were* operating at full employment. There is nothing mysterious about this concept—it follows from the structure of the federal tax system. When the economy is expanding, federal tax revenues increase faster than national output. For as output rises, profits tend to rise even more, swelling the yield from corporate taxes. And owing to the "progressive" nature of the personal income tax, tax collections accelerate automatically as incomes rise. But government outlays do not rise automatically as the economy expands. Accordingly, as the economy approaches full employment—so the reasoning ran—federal income tends to catch up with and pass federal outgo. At full employment, with the tax rates in effect in the early Sixties, there would be a surplus.

But the automatic growth in potential revenues arising from growth in G.N.P., Heller argued, becomes a drag on an expanding economy, and he appropriately christened this concept "fiscal drag." The drag, Heller said, was what ailed the country; unemployment remained high because in any upturn government revenues tend to rise faster than government spending. The only way to eliminate the drag, Heller went on, was to raise spending or reduce taxes or both—or as he put it, to pay the country a "fiscal dividend." And for a while after the famous tax cut of 1964, it looked as if the council's fiscal-dividend idea was working. When Gardner Ackley took over as chairman of the council in November, 1964, he remarked jovially if presciently that Walter Heller had enough sense to get out while he was ahead, but Ackley was plainly in an optimistic mood. The council's version of the New Economics was riding high. The great tax cut, after being debated for more than two years, was raising disposable incomes and beefing up consumption. During 1965 and even into 1966, the council issued its glowing reports on the country's economic progress, and Keynesians the world over thought their ideas had been proved beyond question.

DECISION LAG AND POLITICAL BLOCK

But the glow hid some unpredicted realities. In the revised 1967 edition of his book *Public Finance* (published by Prentice-Hall), Otto Eckstein of Harvard, a talented partisan of the New Economics and a member of the council in 1965, gets pretty specific about some of the pitfalls in making the new ideas work. He even borrows an idea or two from neoclassicists like Milton Friedman of the University of Chicago, who ridicules the notion that an increase in government spending relative to tax receipts is necessarily expansionary, or that a decrease is necessarily contractive. All government outlays, Eckstein notes, do not have the same effect on demand; some, such as outlays for public-power facilities, may merely replace private investment; likewise, government purchases of home mortgages may or may not stimulate housing. Nor do various kinds of tax changes have the same effect on people's spending; a temporary tax cut is probably not as effective as a permanent one, and the effects of some tax changes are hard to assess at all.

To use the fiscal-divided concept properly, Eckstein goes on, the government would have to develop a high degree of proficiency in forecasting. But he frankly allows that few have succeeded in predicting turning points in the cycle. "The best that we have been able to do so far," he says, "is to diagnose them promptly after they have happened." Among the excruciating difficulties of both forecasting and applying a diagnosis, Eckstein identifies the *recognition lag*, or the time consumed in agreeing on just what is happening; the *decision lag*, or the months during which the executive branch makes up its mind about what to do; and the *expenditure lag*, or the time that elapses before the remedy decided on takes full effect.

To these difficulties he might well have added another entitled *political block*. For federal economic policy is not necessarily the New Economics as promulgated by the council. The council is a major source of the government's economic intelligence, but it is at best only partly responsible for making policy, a function it shares with the Treasury, the Federal Reserve, the Bureau of the Budget, and above all with the President himself. The final decision can be influenced heavily by presidential and congressional reluctance to tinker with taxes in the election season, by pressures for social spending when war calls for austerity, by special interests, etc. The council itself, moreover, is becoming more and more politically conscious, more aware that it can influence the economy as well as analyze it. So even if the council were composed of economic geniuses, there would be no guarantee that the government would do the right thing at the right time.

Actually, the government's application of the New Economics to the problems of the day was a series of compromises and boosts and brakes, some badly timed. From almost the day he took office in 1961, Heller wanted to stimulate the economy massively, with both a tax cut and increased spending. Yet to sell Congress on a tax cut under deficit conditions the Administration was obliged to restrain outlays for three years. The great tax cut of 1964 was widely regarded as a triumph of practical economics, and for a long time it was plausibly hailed as a thumping success. Certainly the concept and the intention were admirable. But in retrospect the tax cut probably should have been started earlier and spread out over a longer period; by the end of 1964 the economy was already warming up noticeably.

THEY STOCKPILED PROBLEMS

Although government policy vacillated thereafter, its net effect was to overheat the economy in 1965. The Administration was determined to bring the unemployment rate down to 4 percent. Even as the second installment of the tax cut became effective, the Administration called for excise-tax reductions. The war in Vietnam was building up in the spring of 1965, but the Administration grossly underestimated its costs, and, as many have since complained, handicapped government economists in prescribing sound policy. Owing to Great Society programs, nondefense spending began to rise steeply. Yet the Federal Reserve continued to make money relatively plentiful by supplying the member banks with abundant reserves, and in the second half of 1965 both the money supply and private debt began to soar. In a talk before the American Enterprise Institute last April, Arthur Burns, chairman of the council under President Eisenhower, took the economic establishment to task for its mistakes. Government policy makers, he said, were "still governed by the theory that stimulation of economic activity was reasonably safe as long as a gap existed between actual and potential output, no matter how small the gap was becoming or how rapidly it was being closed."

The most important development in the U.S. economy in 1965, and indeed the chief reason for the slump of 1967, was overstimulation of inventory accumulation and capital investment. When any sector of the economy expands too long at an unsustainable rate, it is an almost mathematical proposition that an adjustment must follow. If a company's business is growing at 6 percent a year and it increases inventories at a 10 percent rate, the time comes when it obviously must reduce inventory buying for a while. Similarly, if it adds to its productive capacity at the rate of 10 percent a year, the time comes when it must slow down its fixed capital investment, at least until it sees its utilization rate rising. Once the excesses have occurred, and the cycles have started to run their courses, it is too late to stop them, and hard to take any action to mitigate their effects without creating new problems. The only time something can be done about them is before they occur, and the way to do something about them (to the extent that anything can be done) is to keep the economy from being overheated. Perhaps the most important fault of the New Economics, both in theory and in practice, was its tendency to assume that the business cycle is no longer important, to think chiefly in terms of growth, and to neglect the fact that an unbalanced growth can generate a downturn. By 1966, observed Raymond Saulnier, who succeeded Burns as chairman of the council, "the government policy makers were not solving problems, they were stockpiling them."

Economists are already arguing whether these problems resulted from a defect in theory or a defect in execution. But there is no doubt about the major problem that confronts the New Economics and the nation itself today: the process of financing big deficits can retard the economy they were supposed to stimulate. Over a period of time, indeed, the drag may completely offset the stimulus. For the major effect of financing a big deficit is that the government competes with private borrowers in the money market, and invariably pushes up interest rates higher than they would otherwise rise. Despite the Federal Reserve's switch to an extremely easy money policy last summer, long-term interest rates rose to the highest levels since the 1920's. Owing in part to the inventory and capital-spending boom, corporations had become increasingly short of cash. Some needed it for accelerated tax payments. Others had financed too many of their needs with short-term capital, and were now funding it. Many foresaw a steady rise in interest rates. Remembering vividly last year's tight-money "crunch" resulting from the Fed's tight-money policy for checking inflation, and realizing that the government would be borrowing too, businessmen lost no time in getting long-term money while it was still available.

This scramble for money provides an excellent example of the role businessmen's expectations play in the course of economic events. When the government takes steps to relax monetary policy or otherwise stimulate the economy, businessmen anticipate higher interest rates later. Even though the economy is soft, they are inclined to borrow ahead, pushing up rates and so, without intending to do so, frustrating government policy. A company that is building a $50-million plant, for example, won't stop in the middle of the project, but will borrow to complete it, at a high interest rate if necessary, simply because on balance it has less to lose than by postponing completion.

THE GREAT LEAP UPWARD

Now it begins to appear that the deficits are chronic and structural, and that big deficits will beget even bigger ones. As noted, the 1967 shortfall will be followed by yet another and much bigger deficit at close to full employment. Even with the proposed 10 percent tax surcharge, the administrative deficit for 1968 would come to more than $20 billion—unless the government reduced spending.

One obvious reason for the size of the prospective deficit is that government spending is rising steeply for the third year in a row. The Vietnam war accounts for considerably less than half of the great leap upward in federal expenditures in recent years. On an administrative-budget basis, defense spending has risen from $47.5 billion in 1961 to an estimated $79.5 billion in the current fiscal year; over the same years, nondefense spending has increased from $34 billion to an estimated $64 billion. This fiscal year, as things now stand, nondefense spending will go up by $9 billion, equal to the total increase over the past two years and three times the average increase of the four years before that. Even so, the deficit that looms ahead would not be anywhere near so big if it were not for this year's economic sag. Since the economy is still soft, it is generating little increase in tax revenues. If it were flourishing, it would be producing quite a few additional billions a year for the Treasury.

What's more, the economy will probably remain soft for some time. Its basic weakness today is that capital spending is still declining and is not likely to begin to turn upward for at least a year. A more promising outlook for profits, of course, would encourage capital investment. But costs are rising rapidly, and so the outlook for profits this year and into 1968 is far from bright. Worse, there is too much productive capacity in place. Average manufacturing plant utilization has declined from 91 percent in 1966 to 85 percent recently.

Manufacturing capacity, moreover, is still increasing at more than 6 percent a year, and this is sufficient to keep the utilization rate down for some time, if not push it down further. In practice, this means that capital outlays will actually decline for a while unless the utilization rate stabilizes and then rises considerably. To bring about an *increase* in investment in plant and equipment over the next twelve months would require, on Fortune's reckoning, an increase of 12 percent in industrial production during that span. The corporate rush for money so far this year did not imply, as some thought, that business was getting ready to resume the capital-goods boom. For cash flows have declined with profits, and consequently corporations that had been financing investment internally have been forced to borrow.

All this largely explains why the economy's total output at the end of 1968 is likely to remain considerably below full potential even if taxes are not raised. At some time, probably, the rate of corporate borrowing will decline, and interest rates will also tend to decline. But ever since World War II they have been rising to higher levels, and inflation tends to push them up more. And the combination of softness in capital spending, the tendency of big deficits to push interest rates higher, and the consequent softness in housing could result in a kind of high-level, deficit-dominated stagnation.

"WE WISH WE HAD A BALANCED BUDGET"

On the strength of the Council of Economic Advisers' prediction that the economy will be so buoyant by year's end that only a tax rise can prevent it from overheating, however, the Administration began in early summer to plug hard for a tax increase. The council's prediction seems much too optimistic. Most economists do not think the economy will recover that fast; and there are signs that the council itself, down deep in its files, does not either. As a matter of fact, by late summer, Administration officials were offering other cogent reasons for a tax rise. Finally, President Johnson himself assumed the role of an avuncular schoolmaster and expounded some of them. "Without a tax increase," said Johnson, "I am informed by Chairman Martin [of the Federal Reserve] that nothing the Federal Reserve System could responsibly do could avoid the spiraling of interest rates. As interest rates rose, a starvation of mortgage funds would throw housing into a new depression before it had even recovered from the last one. Every other borrower—but most of all the small businessman and farmer—would bear the cost of our fiscal irresponsibility." Then the President went on to discuss the administrative deficit, pushing the official estimate to a scary new high of $29 billion without a tax rise and cuts in spending. "What do you do with that kind of deficit?" asked Johnson. "We could tax it all [but] we don't think the economy would take that. There is no one in government who recommends borrowing it all. . . . We have taken another alternative. . . . We will borrow part of it, tax part of it, and save part of it" (i.e., reduce spending). In the course of the talk, he remarked, "We wish we had a balanced budget. We wish we didn't have any problems."

Problems the Administration has indeed, and the President has not stated half of them. If the economy turns up sharply, everything will be great, for taxes can be raised now and maybe again later, both to narrow the deficit and to confine the inflation that otherwise will threaten. If, however, the economy does not turn up vigorously right away, the nation faces a dilemma. For if taxes then are not raised and if the Federal Reserve were prevailed upon to keep money plentiful and relatively cheap, the country might end up with a roaring inflation later on. After years of large deficits, with the Treasury selling, say, $15 billion worth of government bonds a year to banks, the banks would be sitting on a monetary time bomb. If the economy then started to boom, the banks could sell the bonds and use the money to expand their loans at a rate that neither credit controls nor heavy taxation could hold in check.

If the Fed wanted to avoid this danger, however, and if it were to put the brakes on the money supply and let interest rates fluctuate with the demand for money, the government's huge deficit financing would tend to drive interest rates higher than they otherwise would go. So industry would be inhibited and housing hamstrung. Thus a deficit might tend to keep the economy soft for a long time. Yet a tax increase to close the deficit could also work to keep the economy soft. This, unless the council's prediction of a highly prosperous economy comes true, is the nation's dilemma, and a tough one it is.

BACK TO EISENHOWER

With such possibilities in the offing, the government practitioners of the New Economics, by raising taxes dramatically, are risking an increase in unemployment to put the economy in better balance. And ironically enough, they find themselves repeating, to some degree, the strategy of the Eisenhower Administration, which they have held up as a prize exhibit of how not to run an economy. The Eisenhower Administration, in order to balance the economy, deliberately planned to balance the budget as soon as possible after the 1957–58 recession. This plan slowed down business. Raymond Saulnier, who argues it need not have, points out plausibly that there is an important difference between government strategy then and now. "We looked ahead," he says. "Today they can think only of what is under or behind them."

Within the mainstream of New Economics thinking there appear to be some changes in views on fiscal policy. In his book *Public Finance*, Otto Eckstein gives considerable attention to a plan sponsored by the Committee for Economic Development back in 1947. This plan approved the policy of letting the budget run counter to business cycles, with a surplus in boom and a deficit in recession. But the plan rejected deliberate manipulation of fiscal policy of the kind that Heller later made famous, and relied chiefly on the automatic flexibility of the budget. "C.E.D. policy," says Eckstein, "would have worked tolerably well in the past twenty years, probably better than actual policy a good part of the time. And that is not a small recommendation."

Classic New Economics doctrine, it is true, holds that a deficit is categorically good for a soft economy: run a deficit and couple it with an expansive monetary policy, and the economy will firm up and the automatic increase in the tax take will then bring the deficit to manageable proportions. Most New Economists even think there's really nothing to worry about in a full-employment deficit per se. You can't have it both ways, their reasoning goes; if the economy is sluggish, businessmen won't be wanting so much more money, and there should be enough money around to finance the deficit; if the economy is strong, there won't be much of a deficit to worry about.

Yet even Paul Samuelson, the dean of the New Economics, finds himself obliged to draw the line somewhere. "Chronic deficits," he says, "are frightening if they are so big that the national debt grows faster than G.N.P." Ever since World War II the federal debt, two-thirds of it acquired during the war, has been declining as a percentage of G.N.P. The question of what would happen if the trend were reversed has been considered so farfetched that few have given it even much academic thought. But the fact is that the 1968 administrative budget deficit, even with a tax rise, will increase the debt by roughly three times the average annual rise since 1960. The debt, in other words, is now growing about as fast as the long-run growth rate of the G.N.P. The deficit may not yet be at the "frightening" point, at least by Samuelson's yardstick, but it is at the point where it is beginning to stimulate the New Economists to think about the problems it raises.

What seems bound to complicate the deficit problem is that government spending will continue to rise, not only for defense but for nondefense objectives. Since 1960, federal outlays (in the national income accounts) have risen from $91 billion to an estimated $173 billion in fiscal 1968, and their share of G.N.P. has risen from 18 to 22 percent. And in the same time, total government expenditures (including those of state and local governments) have mounted from 27 percent to some 32 percent of G.N.P., the highest since the depths of World War II. Since 1950, while the nonagricultural labor force was increasing 46 percent, the number of people employed by government, state and local as well as federal, has nearly doubled from 6,026,000 to 11,586,000, or from 13.3 to 17.5 percent of the labor force. To many people, of course, such increases provide a powerful reason, almost a mandate, for reducing government spending. As Arthur F. Burns pointed out, tax rates have been mounting again to the point where they are a burden on the system.

Riots and insurrections have made the outlook for more federal spending stronger than ever. And the end of the war in Vietnam, when it comes, would change things, but it couldn't solve the deficit problem altogether. Vietnam costs would decline gradually, not suddenly drop to zero. And lower costs in Vietnam might well be offset to some extent by other defense commitments, including an expensive anti-missile system. But unless the economy is somehow restored to balance and is running close to capacity in the bargain, more spending is almost sure to mean more deficits.

THE HORIZON IS HERE

A lot of great expectations, taking everything together, have gone down the drain. In the January, 1966, issue of the *Atlantic*, Professor Neil W. Chamberlain of Yale published a glowing article on the New Economics entitled "The Art of Unbalancing the Budget." The burden of his argument was that the new thinking about the creative use of deficits represented a vast improvement over previous economic thinking. But he hedged his bet a little. "There is, of course, no basis for believing that economic 'truth' about budget balancing has now, finally, been divulged," he wrote. "We can be sure that [another] stage in our thinking lies somewhere over the horizon."

"Somewhere over the horizon" is right now. Whatever the validity of the New Economists' theories—and they are now under fire—the government applied them clumsily and dogmatically. For the next few years there can be no talk of the full-employment surplus and the fiscal dividend simply because there will be no full-employment surplus and no fiscal dividend to pay. That is to say, the government's options will be limited. It will be unable to resort to large-scale tax cutting to stimulate the economy. The big question will be how to handle the deficits without mishandling the economy, and that is a question that the New Economics has hardly begun to consider, much less to answer.

COMMUNIST ANNIVERSARY

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentlewoman from Ohio [Mrs. BOLTON] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mrs. BOLTON. Mr. Speaker, this Saturday, November 4, the Assembly of Captive European Nations will hold a plenary meeting to protest continued Communist rule in eastern and central Europe.

As the Soviets observe the 50th anniversary of the Bolshevik revolution, using the occasion for a vast propaganda festival, it behooves us all to realize anew the heavy cost of this 1917 revolution. Wherever communism has taken over a government, countless lives have been taken or wasted in prisons. In every case the economy of those countries had deteriorated terribly. Even though these regimes have withheld the awful statistics of the damage done, the truth has leaked out. People live in fear and parrot the "party line" in order to be permitted to earn even an inadequate living.

In spite of efforts to leave a better impression, the Soviet authorities have not prevented writers from expressing themselves freely on the evils of the Communist system and smuggling their manuscripts to other countries where publication is possible. They have not killed the desire of the people to worship, in spite of controls designed to stifle religious expression. They have not squelched the capitalist desire for more and better products of their labor. Still, in this Year of Jubilee, East Europeans struggle against almost insurmountable odds to escape from this utopia to West Europe, where freedom and opportunity and fresh motivation await them.

Life in this Utopia is full of redtape, poor organization, rude manners, and waste. Lack of personal incentive is much in evidence, and often there is silent rebellion—slipshod production, refusal to purchase inferior goods, and greatly reduced birth rate. People do not hesitate to steal from state-owned property and to submit false statistics to the government in reports.

But more than all this, the Communist goal—to dominate the entire world—has not changed one iota. This fact must never be forgotten.

As long as the Communists seek to export this system to other countries by force, secrecy, and stealth, those of us in free countries must be vigilant and resist. We had better look to our own situation. Are we so sure that our apathy and even our negligence have not made it possible for the Communist ideas to be infiltrated bit by bit into many of our institutions?

People who have escaped the Communist camp testify to the fact that there is no freedom possible under the Communist system. For the sake of those still in captivity, we must strive to live up to our highest ideals and continue to advertise the opportunities of freedom—through Voice of America, literature, and every other possible avenue. Only as long as we work to preserve our freedom shall we deserve to enjoy its blessings.

DR. GODDARD AND MARIHUANA

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mrs. DWYER. Mr. Speaker, for the information of our colleagues, whose concern about the growing use of dangerous drugs and narcotics, including marihuana, is as great as ours, I am extending my remarks in the RECORD to include the text of a recent press release which describes a proposed congressional investigation of this area by the Intergovernmental Relations Subcommittee of the Committee on Government Operations, on both of which I am privileged to serve as ranking minority member.

My distinguished subcommittee colleagues, the gentleman from Kansas [Mr. DOLE] and the gentleman from Ohio [Mr. BROWN], joined me in making the request for a study to the chairman of the subcommittee, the distinguished gentleman from North Carolina [Mr. FOUNTAIN]. I have also discussed the matter with the chairman and I am hopeful we can begin such a study, at least in a preliminary way, in the immediate future.

Following the press release, Mr. Speaker, I include the texts of three representative communications which I have received since the Commissioner of the Food and Drug Administration made his unfortunate remarks minimizing the dangers of marihuana—one from a narcotics enforcement officer, one from a medical society president, and one from a priest with an outstanding record in education, pastoral counseling, and narcotic control work.

These communications speak for themselves and suggest strongly why Congress must inquire into the adequacy of our drug and narcotic control activities.

[A release from the office of Representative FLORENCE P. DWYER, Oct. 30, 1967]

WASHINGTON.—Rep. Florence P. Dwyer (R-12th Dist.-N.J.) and her minority colleagues have formally requested the chairman of their House investigating subcommittee to explore "the adequacy of Federal drug and narcotic control laws" in light of Food and Drug Commissioner Goddard's recent minimizing of the dangers of marijuana.

Congresswoman Dwyer, ranking Republican on the Intergovernmental Relations Subcommittee and its parent full Committee on Government Operations, was joined by subcommittee members Rep. Robert Dole (R. Kan.) and Rep. Clarence J. Brown, Jr. (R. Ohio) in urging Rep. L. H. Fountain (D. N.C.), subcommittee chairman, to schedule a probe "at the earliest opportunity."

Under the Dwyer-Dole-Brown proposal, the subcommittee would weigh the charges and counter-charges set off by Goddard's remarks but would broaden the study to consider FDA's administration of the Drug Abuse Control Act of 1965, the problems of coordinating Federal activity in the control of narcotics and dangerous drugs, and the state of Federal policy in the area.

The New Jersey Congresswoman played a leading role in the House during 1964–5 in passing the Drug Abuse Control Act.

Noting that Goddard was reported "to have stated that marijuana is no more dangerous than alcohol and that legal penalties for possession and use of the drug should be removed," the three Republicans stressed that Goddard himself "acknowledged that little is known of the long-term effects of marijuana, especially among chronic users."

The FDA Commissioner's remarks, they said, "could have the effect of encouraging increased use of the drug in violation of existing law."

They added, "The social climate today is in sufficient turmoil and the propensity of youthful experimentation and rebellion is sufficiently great that we question whether such remarks can be justified."

Mrs. Dwyer and her colleagues told Fountain that medical authorities in their districts, including the Union County (New Jersey) Medical Society, "contend that the Commissioner's views are unsound and threaten the enforcement of drug and narcotic control laws."

Suggesting that the subcommittee, by virtue of its jurisdiction over FDA and "extensive experience" with FDA operations, was an appropriate one to conduct such a study, Mrs. Dwyer, Dole and Brown outlined the following reasons for the investigation in their letter to Fountain:

"(1) the traffic in and consumption of dangerous drugs appears to have increased markedly;

"(2) the operation of FDA's Bureau of Drug Abuse Control has not been thoroughly reviewed by Congress since it was established in 1965;

"(3) we lack knowledge whether adequate scientific research has been done by appropriate Federal agencies to justify any changes in drug or narcotic laws at this time;

"(4) a number of unresolved issues in the area of drug control should be explored, including:

"The relationships between the Bureau of Drug Abuse Control and the Bureau of Narcotics in the Department of the Treasury.

"The extent to which this divided authority strengthens or impairs Federal regulation of drugs and narcotics.

"The matter of priorities in employing the limited investigatory and policing resources available to the two agencies,

"The significance, in terms of their threat to the public safety, of individual drugs and narcotics, including marijuana, and

"The need for a clear and consistent Federal policy relating to drug control as evidenced by the unfortunate repercussions of Dr. Goddard's remarks—all of which involve the economy and efficiency of Government operations."

UNION, N.J.,
November 1, 1967.

Hon. FLORENCE P. DWYER,
House of Congress Building,
Washington, D.C.

DEAR MRS. DWYER: I would like to support the request made by the Union County, N.J., medical society for an investigation into the irresponsible statements made by Dr. James Goddard, Commissioner of Food and Drug Administration, concerning the narcotic drug marijuana at the University of Minnesota on October 17, 1967. I consider his statements most detrimental to the enforcement of drug laws and the ever growing drug menace in our nation. I offer you the full support of the New Jersey Narcotic Enforcement Officers Association, an affiliate of the International Narcotic Enforcement Officers Association.

Capt. DONALD J. EBERT,
Police Department, Union, N.J., State President, Narcotic Enforcement Officers Association.

UNION COUNTY MEDICAL SOCIETY OF NEW JERSEY,
Elizabeth, N.J., October 20, 1967.

Congresswoman FLORENCE P. DWYER,
House of Representatives,
Washington, D.C.

DEAR MRS. DWYER: We are writing to you concerning what we feel, in Union County, is irresponsible reporting from Dr. James L. Goddard, Commissioner of the Food and Drug Administration. We feel that there has been much harm done by a man who is supposed to be head of the FDA.

We have been advised by well informed sources on narcotics from this State that the use of marijuana is a most dangerous and serious problem. We feel that this problem should be known to Dr. Goddard and the FDA.

Very truly yours,
ROY T. FORSBERG, M.D.,
President.

OUR LADY OF MOUNT CARMEL RECTORY,
Ridgewood, N.J., October 25, 1967.

Dr. JAMES L. GODDARD,
U.S. Food and Drug Administration,
Washington, D.C.

DEAR DR. GODDARD: After forty years in the confessional as a Catholic priest; after fourteen years as a university president; as pastor for the past seventeen years of one of the largest Catholic parishes in the East; as current President of the Association of Bergen County Priests; as Vice-President of the Bergen County Narcotics Addiction and Drug Abuse Advisory Council and as one who lives day in and day out with addicts, ex-addicts and potential addicts and with the parents and loved ones of these, I feel qualified to join those who are dismayed by the stupidity of your remarks recently made in Minneapolis in reply to the questions of newsmen. I am fully aware of the hazards to all of us in this type of interview but this is little excuse for a man betraying the high office you hold by statements that are at the moment indefensible but give tremendous impetus to the misuse of a possibly dangerous drug or narcotic, marijuana.

I have already had your quotation thrown in my face by three different youngsters whom I had quite convinced of the great potential dangers in the use of marijuana.

In charity and justice to all I feel that unless you can somehow effectively offset the disastrous consequences of your improper and indiscreet remarks that you should remove yourself or be removed from your high position.

Sincerely,
Rt. Rev. Msgr. JAMES F. KELLEY.

CREDIT A NECESSITY

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. DOLE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. DOLE. Mr. Speaker, today I am introducing legislation essential to the continued effective operations of the Federal land banks and the banks for cooperatives. I do not need to remind the Congress of the great service to our Nation performed by these institutions of the Farm Credit Administration.

The Federal land banks and the banks for cooperatives had outstanding $10.4 billion in loans to farmers and their cooperatives at the end of fiscal 1967. Thus, the very scope of the operations of these banks is indicative of their effectiveness and service to the agribusiness community.

Enactment of this legislation at the earliest possible date is indeed necessary for the continued effective operation of these institutions. It will allow them to continue to operate in the black, as has always been the intention of Congress.

My bill would remove the present 6 percent interest rate limitations on loans made by the Federal land banks and the banks for cooperatives, and permit interest rates on such loans and on loans made by the production credit associations to be determined as provided in such acts of Congress to cover the cost of loan funds and other expenses and reserves so that the lending may continue on a self-sustaining basis.

I deplore the increase in interest rates on the securities market generally, and the increase in interest rates reflected in loans made to farmers and cooperatives during this tight money period.

I recognize, however, that money at higher interest rates is better than none at all. The possibility exists, unless this legislation is enacted, of an inability on the part of the banks to provide credit to their members.

I need not remind you of the nonprofit aspect of the banks. If more interest is collected than necessary to keep the operations of a bank or an association on a sound basis, such excess is returnable to the borrowers as dividends on the capital stock they are required to own, or as patronage refunds.

Therefore, the purpose of this legislation is to insure the continued service to the farmers, the Federal land banks, and the banks for cooperatives. They will continue to operate on a nonprofit basis, controlled by elected members and subject to the closest scrutiny.

I urge speedy consideration and adoption of this legislation during this session of the Congress. Let me add the bill I am introducing is identical to the one introduced earlier this year by the chairman of our committee, Congressman POAGE, of Texas.

A BROAD-BASED ECONOMIC DEVELOPMENT PLAN IS NEEDED FOR OUR GHETTO AREAS

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. STEIGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. STEIGER of Wisconsin. Mr. Speaker, the Economic Opportunity Act has launched numerous programs designed to improve the social and educational environment of our poverty areas. However, a serious omission in the current approach threatens to nullify the possible gains of such redevelopment efforts. I refer to the absence of a coherent program to promote economic development. The value of short-term manpower training and job placement programs should not be underestimated, but in the long run such projects are not enough. The emergence of a viable and healthy community will depend on programs designed to encourage and to stimulate the growth of locally owned, locally operated businesses. The new title IV provisions of the Economic Opportunity Act are intended to stimulate this growth.

Title IV proposes that a series of new and greatly expanded services and resources be made available to urban and rural areas with a large proportion of unemployed or low-income individuals. In addition, a more comprehensive and far-reaching approach to economic development should be launched through the granting of additional obligational authority. The specific proposals included here are more than simply a laundry list of provisions to be indiscriminately applied at the pleasure of an agency. They are presented as a new approach to urban economic growth—an approach which recognizes that uncoordinated economic assistance programs will fail to cope with areawide economic decay and that only concerted economic development can counter a problem of such scope.

Historically, the overall economic growth of the country has proved the most necessary and successful tool for the elimination of poverty. The percentage of American families with incomes below the purchasing power equivalent of $3,000 a year in 1965—that is, purchasing power measured in constant 1965 dollars—has declined significantly as we have prospered. In 1896, 67 percent of the families were below this $3,000 purchasing power level; that figure dropped to 17 percent in 1965 and is expected to be 10 to 12 percent by 1976.

But it is unrealistic to expect that private market forces and the continued growth in prosperity for the country as a whole will solve the problem of pockets of poverty. For, as a recent Department of Labor survey of slum employment condition in 10 cities concluded:

> No conceivable increase in the gross national product would stir these backwaters.

Both urban and rural poverty areas are seriously in need of a large-scale infusion of economic resources which only the Federal Government in cooperation with private industry can stimulate. Better ways are needed to encourage private industrial and business location decisions so as to better match up the available jobs with the available people.

No Federal program is effectively doing that now. In fact, the entire war on poverty, encompassing several Departments and some $26 billion in fiscal year 1968, is hardly concerned with urban economic development at all and is not beginning to meet the economic needs of rural poverty areas either. The Economic Development Administration of the Department of Commerce is prevented, by a restricted statutory definition of the "redevelopment areas" it can serve from entering most urban communities.

The Department of Labor has devoted far more of its energy to providing trained employees than to creating additional job opportunities. The Office of Economic Opportunity has only a tangential involvement in this area, through the funding—which it is about to terminate—of small business development centers designed to provide management counseling and assistance to ghetto entrepreneurs in gaining loans from the Small Business Administration. In short, the Government has emphasized individual services and rehabilitation.

This focus upon individual services has not appreciably improved the economic situation in the slums. A recent study published by the Drexel Institute of Technology revealed that Negro-owned enterprises constitute less than 10 percent of all businesses in Philadelphia, although one-quarter of the city's population is Negro. Most of these Negro businesses are marginal—median revenues for 35 percent of all Negro firms are under $5,000 a year. Paul Good in a New York Times article published October 29 indicated that only 18 percent of the retail businesses in the 18th Congressional District of New York are Negro owned.

Residential segregation patterns and the declining purchasing power of the Negro have critically molded both the nature and direction of Negro-owned business. Eugene Foley, former Administrator of the Small Business Administration, finds in analyzing Philadelphia's residential segregation patterns that they have virtually transformed the city into all-black and all-white sections. Furthermore, in 1946, the incomes of Philadelphia Negro families almost matched the national urban average; by 1959, they were 25 percent below the median income of whites. Foley states that, while the closing of the ghetto caused an increase in the number of Negro businesses, the types and character of Negro enterprises has not changed greatly since Du Bois wrote "The Philadelphia Negro" in 1899. The lack of financing, he concludes, is due more to the characteristics of Negro businesses than to the fact that they are Negro owned.

The dark ghetto—

Writes Prof. Kenneth Clark—

> is not a viable community. Its businesses are geared toward the satisfaction of personal needs and are marginal to the economy of the city as a whole. Most of the businesses are small, with what that implies in terms of degree of stability. Of 1,617 Harlem businesses listed in the yellow pages of Manhattan's telephone directory, 27 percent are barber shops, beauty shops or cleaning establishments—all devoted to tidying up a constantly renewable service. Thirty-five percent are involved in the consumption of food and drink. In general, a ghetto does not produce goods of lasting worth. Its products are used up and replaced like the unproductive lives of so many of its people.

To meet the challenge of economic development in these urban and rural poverty areas, I would emphasize the need to implement the following four points. First, the goals of the title IV program must be clarified and expanded. Second, we need to concentrate our resources sufficiently to achieve a visible impact. Third, permanent organizations must be maintained within the poverty areas themselves. Finally, and most importantly, much more emphasis must be devoted to providing a broader range of technical and management services to the small businessman.

The goals of the title IV program must be clarified and expanded: The success of the title IV program should no longer be measured in terms of the number of long-term unemployed who are hired. A struggling small business in a poverty area can least afford to employ, at least in its initial stage, the hard-core unemployed. Larger businesses with a greater margin of stability must be brought in to accomplish that purpose; furthermore, to achieve that end, we need not a small business loan program but a broad-based economic development plan. We must concentrate in the small business portion of title IV upon stimulating locally owned, locally managed enterprises.

There are insufficient economic resources within the slum areas to support their growth, and, unlike the suburbs, where residents possess high income and good credit, the slum areas have inadequate resources to attract outside economic capital and business interests. The question of how to meet this need sometimes appears to be a dilemma. On the one hand, to pour additional money into the poverty areas is to perpetuate an artificial social and economic subculture; on the other hand, to leave it untouched is to permit its continued deterioration. But, while logical, I doubt if this either-or situation will hold true, if systematic economic development is supplied to these areas. The more effective occupational opportunities are provided, the more poor people will develop the skills needed to move out of the ghettos. And, since it is extremely doubtful if we could ever disperse an entire area, we shall at the same time be developing the minimal standard of living to which those who remain are entitled. One way to move out of an urban or rural poverty area is to develop what I would call an "exit population." Entrepreneurial jobs, which do not in all cases require great education, represent "exit occupations" with considerable potential for social mobility.

Important doubts have been raised about the wisdom of schemes to bring big- or even medium-sized business into the cities. The flight of industries to the suburbs is based upon important economic factors, such as a general shift from production techniques which could be housed in multistory production lines. Moreover, the growth of the interstate highway system has resulted in important economies in transportation. At the same time the decision on where to locate for many businesses is now a marginal one which can be influenced with various inducements. Fewer manufacturers now need to be concerned with such considerations as proximity to a waterway or to a raw material.

Economic development is a wiser investment both from the standpoint of the community and the Government. Poverty areas inevitably are seriously lacking in capital. Absentee ownership means that much of the money spent in the ghetto is immediately drawn out with the result that there is no multiplier effect at all. Locally owned, locally managed small businesses would increase the likelihood of retained earnings. The increased circulation of money would stimulate the entire community. Where such capital flow does not occur, it must be made up by the rest of the society directly through welfare payments and indirectly through added police, education and other costs. Such economic development would also increase a tax base which in many poverty areas is already critically small and threatens to shrink still further.

The marginal propensity to invest in these communities must be raised if self-sufficiency is ever to be achieved. When Kenneth Marshall, of the Metropolitan Action Research Center, appeared before the Committee on Education and Labor this year, he testified that approximately $350 million in income enters Harlem every year. Due to the shortage of retail outlets, most of that money goes out of the community almost immediately. Many of the individual services now receiving direct poverty grants, he felt, would develop without financial assistance as the byproduct of large-scale community development.

We need to concentrate our resources sufficiently to achieve a visible impact. While the loan program should be broadly available on a national basis, some substantial part of its resources should be channeled into limited numbers of urban and rural poverty areas in order to produce a visible impact and a noticeable psychological effect.

The importance of concentration of resources to achieve a visible psychological impact upon the poverty area is pointed out in a report prepared by Kirschner Associates, a private management consultant firm. In their analysis of the SBDC—Small Business Development Center—operation in New York City, they pointed out that—

> Minority groups of businessmen are given the feeling that there is a program for them and that they can work out of poverty in a traditional way.

At the time they concluded that the program had had little visible impact, since the establishments receiving assistance were widely dispersed.

The lack of business success symbols, as Eugene Foley stresses, should not be underestimated in a society which has strongly emphasized achievement in business as the primary symbol of success. Economic development is a means of keeping the American dream alive or, indeed, of making it live. Such an entrepreneurial class might also represent an important social model in a number of poverty areas, where Daniel Moynihan and other sociologists have shown that the absence of social models is a serious problem. The stability, pride in community, and sense of personal worth which come with a secure economic base are intangible, but no less significant outputs, resulting from economic development.

Permanent organizations must be maintained within the poverty areas themselves. The Small Business Development Center program should be retained in principle, though somewhat altered in emphasis. We must maintain continuing organizations within each of our target areas. Their function would be to act as the advocate of the small businessman rather than simply his downtown banker. As an earlier Kirschner report pointed out, the location of such a center largely determines who is and who is not served. Ready access is particularly important to achieve fuller community participation through such voluntary organizations as trade associations and citizens' advisory councils. Unless such groups are attracted and stimulated through the program, economic development cannot achieve its full impact.

Our pride in the system of private enterprise and capitalism is based largely on the assumption that everyone shares in its responsibilities and benefits. Because everyone has a stake in the community, everyone will support and guard it. In our country economic assistance has frequently been applied by government to insure that all groups do in fact participate and have a stake in the preservation of the economic system. We have recognized that the conservation of economic, as well as natural, resources rests upon the conviction of the individual that he has something important to conserve. We must now provide assistance to counter the lack of involvement of the slum resident in the ownership and management of the business community which serves him, and that assistance must be through groups with which the small businessman in the poverty area can interact while pursuing the vital function of achieving economic viability for himself and for the community in which he lives. That participation will be not only maximum but also meaningful.

Much more emphasis must be devoted to providing a broader range of technical and management services to the small businessman.

Intensive forms of business education and training must be designed to meet the needs of applicants who have had the benefit of little formal education. Perhaps new forms of on-the-job training for entrepreneurs can be developed through the cooperation of existing private, or even public, organizations on contract from the Government or in return for certain other incentives. Community support of local industry, schools, universities, and voluntary organizations is essential to maximize program effectiveness. Simply placing small businessmen in poverty areas in traditional classroom situations will not be sufficient. These candidates in the final analysis will have to meet the competitive standards of their businesses, but the program to prepare them will have to meet the special needs of these students.

The assistance provided for these small businessmen however should not be limited to management training, but must encompass the whole gamut of additional sophisticated technical aids including market research, feasibility studies, and the organization of trade associations and cooperatives. In the words of Kenneth Marshall there must be a "systematic application of profit and nonprofit corporate concepts to the development of social and community services and the expansion of economic opportunities in our impoverished communities." Provision of such intensive technical and management assistance is absolutely crucial; it makes no sense to put a slum dweller or other low-income person into business without taking the necessary steps to enable him to compete equally. Indeed, the raised and subsequently lowered expectations involved in such failure would be both morally unacceptable and socially disruptive.

The extent of the challenge posed in developing such an entrepreneurial class in slum areas is indicated by Andrew Brimmer. In his article on "The Negro in the National Economy" in the American Negro Reference Book, Brimmer stresses that—

> In the future the Negro businessman will have to compete in a wholly different type of market. The desegregation of places of public accommodation, such as restaurants, theaters, hotels and similar establishments, will have a serious impact on many of the sheltered businesses which most Negro businessmen have operated behind the barriers induced by segregation. With greater access to facilities provided for the public in general, Negro customers will increasingly demand that Negro businesses compete in terms of quality of services provided at competitive prices.

An economic development program will thus have to do more than simply set a man up in business; it must also develop his capacity to detect and adjust to changing business trends. Indeed, after gaining experience, it is to be hoped that some of the better proprietors developed in the program at a later stage might be assisted in moving to a corporate form of enterprise which is the key to financing large-scale business expansion. Either intermittent or longer training programs may be needed to meet the needs of businessmen in the poverty areas.

A systematic economic development program would also include technical studies dealing with a wide variety of economic problems and potential solutions. This type of assistance could take many forms, including administrative procedures, marketing guidance, and labor force data. Special research analysis might be done identifying business opportunities which are going unexploited in particular poverty areas or evaluations might be undertaken of slumping businesses to determine possible remedies.

Federal economic development must also include coordination with other Federal departments and agencies with regard to Federal procurement, contracting, subcontracting, and bank deposits so that these resources may be utilized to whatever extent is feasible to promote economic growth, and the economic developer of a poverty area must have the flexibility to develop new private capital resources by the use of Government guarantees and the organization of pooling arrangements among private lending institutions. A whole series of such mechanisms must be available to allow the flexibility in dealing with both public and private agencies without which concerted economic development is not possible.

The full scope of economic development may be seen in Brimmer's summary of the conditions which must be met if the Negro businessman is to be successful. He says:

> In the first instance, a business must perceive a market for a product or service. Next, steps must be taken to translate this idea into a practical production process. Third, technical and managerial know-how must be sufficient to establish and conduct an enterprise. Financial resources, especially capital, must be available or acquired. A skilled labor force must exist or must be trained. Finally, the businessman must possess enough marketing know-how to find and maintain customers in the face of competition from other products and services.

Encouraging entrepreneurship is, of course, merely one way of dealing with concentrated poverty. Only a comparatively small segment of a poverty population will have the talent and drive to take advantage of such opportunities. But economic development is a vital link in the chain of community growth and development. If effectively used, it could provide part of the foundation for balanced economic growth and community advancement on a wide front. It has the power and the potential to remove from our urban and rural poverty areas the tragic and unnecessary existence of stagnant land and stagnant people.

WILL DARTMOUTH CELEBRATE DACHAU?

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, a guest editorial in the Manchester Union Leader by Mel Thompson appears to have done a fine job of stirring up the wrath of the purveyors of the double standard who will join in Communist celebrations of the 50th anniversary, but fail to rejoice in the celebrations of such parallel institutions as Dachau.

It is, of course, perfectly fair to ask, Will Dartmouth celebrate Dachau? I do not mean release of Jews from Dachau, but the idea behind it; the killing, the second most horrible example of man against man ever to take place on this earth.

I say second most because the pogroms of the Communists are first. Their figures range from 50 to 80 million. Their programs of extermination range from the Ukraine to Cuba to Vietnam. But for some reason Katyn Forest and Birobidzhan have not come to signify the same things as Dachau and Buchenwald, although they are in the end.

I inserted the Meldrim Thompson guest editorial in the RECORD on October 24 and today I would like to follow up with the Union Leader editorial which appeared October 30 indicating reaction.

There can be no middle ground. Those who celebrate the 50th anniversary of communism, including officials of this Government who will attend receptions and parties and the like staged by the Communists, must realize that they are celebrating the Dachaus and the Buchenwalds of an ideology which has not yet been defeated.

Will these celebrants also celebrate Dachau? Or will they forget to mourn, blithely disregarding the responsibility for consistency?

The editorial follows:

WILL DARTMOUTH CELEBRATE DACHAU?

Several letters to the editors of this newspaper and others in the western part of the state have been critical of Mr. Meldrim Thompson's provocative and perceptive guest editorial in the Union Leader of October 19. (See, "A Party For the Enemy").

The Orford man wrote as a private citizen and not in his capacity as president of the Public Schools Association.

We are pleased to report that Thompson's editorial has produced salutary repercussions far beyond the borders of New Hampshire.

Congressman John Ashbrook of Ohio, who inserted Thompson's timely editorial in the Congressional Record of Oct. 24, offered these observations for the consideration of his congressional colleagues:

"Mr. Speaker, last weekend Dartmouth College held a symposium on the theme, "The Soviet Union and the West—Evolving Contrasts and Convergencies.' The purpose of the undertaking was to consider the achievements of the Soviet Union from 1917 to date.

"It is to be hoped that during the weekend a period of mourning was observed for the literally millions of human beings who perished through Communist aggression in the last 50 years.

"It is to be hoped that the responsibilities of intellectual honesty served to temper academic freedom in recognizing the tremendous loss to mankind inflicted by the Communist movement on familiar and religious life, labor and—oh, yes—academic freedom.

"It is to be hoped that discussion of Soviet technological advances included Soviet missile sites and MIG planes and their possible use against Dartmouth alumni in Vietnam.

"No one in his right mind would celebrate the anniversaries of Dachau and Buchenwald with film festivals and concerts. Rather, these are times for mourning.

"The Manchester Union Leader of Oct. 19, 1967, carried a guest editorial by my good friend, Mel Thompson, of Orford, on the Dartmouth symposium.

"Like many other patriotic Americans, Mel simply cannot forget the American lives lost in Korea or Vietnam through Soviet aid. Nor can he dismiss the Soviet's avowed purpose of domination of the free world."

INDEPENDENT SMALL BUSINESS ADMINISTRATION

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Morton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MORTON. Mr. Speaker, the true test of the value of any government is its ability to be responsive to the desires and needs of the people. The supremacy of the American democratic form of government over all others in the world derives from this basic fact.

The Congress of the United States back in 1953 proved its responsiveness to the American small businessman by providing him with an independent spokesman who would have direct access to the Chief Executive. The Small Business Administration was created, and its continued independence was assured by the Congress when they wrote into the Small Business Act, section 4A, which states in part that SBA "shall not be affiliated with or be within any other agency or department of the Federal Government."

Mr. Speaker, since 1953 there have been various attempts to dilute the independence of SBA. Attempts have been made to transfer that agency to other Federal departments where primary orientation has never been toward the small businessman. On each occasion, Mr. Speaker, these efforts have been defeated and the intent of Congress, that SBA remain independent, has prevailed.

Now it would seem that we are once more faced with this problem. What certain people have been unable to accomplish openly, they are now attempting to do by devious means. Section 406 of title IV of the poverty bill, already passed by the Senate and reported by our own Committee on Education and Labor, would transfer vital SBA procurement, management and financial assistance functions to the big business oriented Department of Commerce.

Mr. Speaker, as soon as we realized what was involved in this section, a letter signed by every member of the Select Committee on Small Business, on which I have the pleasure of serving, was forwarded to the chairman of the Committee on Education and Labor, alerting him to the fact that the Small Business Committee opposes the provisions of section 406 as they now stand.

Influential Members of the Senate, which passed the bill without realizing these provisions were involved, have now taken the floor in protest. Last Friday, Senator John Sparkman, the distinguished chairman of the Senate Committee on Banking and Currency, and former chairman of the Senate Select Committee on Small Business, made some very strong comments in protest of section 406. In his closing remarks he urged that when these proposed amendments are put to a final House vote, the Members of the House will amend them so as to put the tools he mentions in his speech where they belong, which is in the hands of SBA.

Mr. Speaker, I too urge this be done by amending section 406 of title IV of the Economic Opportunity Amendments of 1967 by substituting the words "Small Business Administrator" for "Secretary of Commerce" wherever they appear in that section.

MISSOURI NEWSPAPER PRAISES VIETNAM PROPOSAL

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, the Hannibal, Mo., Courier-Post this week complimented our colleagues, Representative Paul Findley, of Illinois, and Representative William Hungate, of Missouri, for their initiative on basic Vietnam policy. I was doubly pleased, of course, because I joined these gentlemen in cosponsoring the resolution referred to, one calling upon Congress to resolve the Vietnam dilemma. Here is the Courier-Post editorial:

The Findley-Hungate Viet Plan

Two national politicians from this area today joined with 55 other U.S. House members in urging Congressional debate on the Vietnam question.

The two men are Rep. Paul Findley, R-Ill., from Pittsfield, right across the river from Hannibal; and our own Rep. William Hungate, who represents this district in Congress.

Findley is one of those rare men with a talent for neat turns of phrases that effectively translate his ideas for popular consumption and here is how he put it today:

"Our men in Vietnam cannot adjourn the war and I do not think the Congress should adjourn until it has dealt squarely with the question of war policy."

Findley claims to have found 26 alternatives to Vietnam policy presently in operation. He also says that these alternatives are entirely different from anything tried so far by the Johnson Administration.

Findley has been in the forefront of a group of men in the U.S. House who insist upon their right to comment on international policy and his stature has zoomed since he entered the hallowed halls. There is no question but that Findley knows what he's talking about and that he can produce the 26 alternatives.

But, how much good he and his fellows can accomplish by forcing the 1967 session of the national legislature into dialogue over Vietnam is questionable.

Congress has never been able to establish itself as an effective voice in foreign affairs and this no doubt has something to do with Findley and Hungate requesting House debate.

If this group brings about the dialogue and if that dialogue produces successful ideas for use in Vietnam policy, then they will have given the people of this country a new weapon for influencing our government.

Findley and Hungate would like nothing better than to truly represent their districts and we would be curious to know precisely what their districts think about the war. The impression left by most people we have talked to in this area is that they are as confused about solutions for the war as Congress.

The administration does not give the impression of being confused, however, and present policies have survived attack after attack by the extremist hawks and doves.

It seems unlikely that the Findley-Hungate approach to the question will alter this situation in the slightest.

Findley and Hungate no doubt have their own solutions for Vietnam, but at this point they are simply suggesting that the House consider all the possibilities.

The proposal is a good one and the citizenry should be happy over the intent of these two Representatives.

Voter confidence in our democratic process has been shaken over the past few years, because of the inability of Congress and the Senate to order the future.

We have come to think of the legislative branch of our government to be just an extension of the executive branch, instead of its board of directors as it should be.

If this proposal by Findley, Hungate and the rest brings relief we shall have made great progress in returning to representative rule.

GOP AGRICULTURE TASK FORCE SHOCKED AT INCREASING FARM DEBT

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. LANGEN. Mr. Speaker, we who constitute the membership of the House Republican Task Force on Agriculture have grave concern over the rapidly deteriorating farm picture in the United States. In this year of rising labor costs, agriculture will be the only sector of our economy to absorb a $1½ billion pay cut. The recently announced 1968 feed grains program offers little hope for future income improvement for the farmer. It is evident that present agricultural programs and policies are leading the American farmer even further down the path of financial ruin. We are very concerned over the rapidly rising farm debt which is a foreboding cause for alarm.

As chairman of the task force, it is my duty to report that since 1960 total farm debt has increased 83 percent and at the end of this year the farm debt will exceed the $50 billion mark, a figure greater than the entire Federal budget of 1951. In 1960 U.S. farmers were indebted $2.07 for every dollar of realized net income.

Analysis of this year's 9-month average net income of $14.6 billion and this year's 9-month debt load of $49.1 billion shows a debt per dollar of net income of $3.36. That is an increase of $1.29, or 62 percent of indebtedness over income since 1960. This enormous burden of debt is crushing the American farmer. The past 7 years have witnessed a drop of over 6 percentage points in the parity ratio, a 20-percent increase in interest rates on real estate indebtedness and a 31-percent increase in the cost of production. This combination constitutes an economic threat to the future of U.S. agriculture and its productive capacity. USDA tactics of attempting to paint a rosy picture of rising farm incomes just does not hold water. With a projected $50 billion debt load and falling farm prices, we will reach the point of absolute ruin for many more of our farmers who are struggling for existence.

It is the lack of prompt attention by USDA to respond to falling farm prices and increasing debt that has placed the American farmer in a position of imminent financial catastrophe. The combination of debt and poor prices reflects the decline of rural communities which has reached disastrous proportions. This year's preliminary figures show a loss of 82,000 farms, creating further hardships for rural areas. The ramifications of this decline of 1 year include losses of taxes, jobs, and incomes for our rural areas.

The agri-business sector of our economy is beginning to feel the problems caused by the heavy debt load carried by our farm population. The October 24 issue of the Wall Street Journal reported farm equipment sales off 7 percent from their anticipated sales of this year.

Mr. Speaker, the whole problem of farm debt leaves a big black cloud hanging over the future of this most important sector of our economy, a sector that supplies this country and other nations of the world with the all-important food and fiber. Increased inflation and rising interest rates in the next few years will cause many more families to move from the farm unless prompt action is taken to meet the challenge of falling farm prices and rising debt loads.

SOVIET VEGETABLE OIL TO U.S. FORCES IN VIETNAM?

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. FINDLEY. Mr. Speaker, today I asked the Department of Defense to suspend Government contracts with Hunt-Wesson Foods, Fullerton, Calif., under which vegetable oils are being shipped to U.S. and allied forces in Vietnam, pending an investigation of the origin of the raw materials.

The California firm has already unloaded two large shipments of Soviet oil and soon will unload an additional 20 million pounds.

The Soviet imports—the first made by any U.S. firm in at least 25 years—raise grave legal and moral questions.

Text of my telegram to Secretary of Defense McNamara:

> The U.S. Department of Defense, through its Defense Supply Agency in Chicago, may be inadvertently procuring Soviet vegetable oil for our forces in Vietnam as the result of a number of contracts outstanding with Hunt-Wesson Foods, Fullerton, California, manufacturers of Wesson Oil.
>
> Accordingly, I respectfully request that you suspend all such contracts pending thorough investigation.
>
> The California firm has already received two massive shipments of Soviet vegetable oil totalling 13,516,000 pounds since March 31, and will receive a third shipment amounting to 20 million pounds this weekend in New Orleans.
>
> Under the circumstances, these imports raise grave legal as well as moral questions. Because of the likelihood that the Soviet oil is commingled with U.S. oil in the company's processing, is the Hunt-Wesson firm violating "buy American" provisions of the contracts for Vietnam supplies?
>
> "Are American taxpayers, in effect, buying Soviet vegetable oil for U.S. military forces in Vietnam? If so, the episode is a gargantuan irony when one considers that the Soviet Union provides our enemy with about 80 percent of its critical articles of war.
>
> "To illustrate, under Defense Supply Agency contract DSA 130–8–C–039A4 of August 10, 1967, the Hunt-Wesson Company declared in its bid proposal that the vegetable oil would be of American origin. In their letter to your office of August 7, 1967, the Hunt-Wesson Company certified that Contract DSA 130–8–C–039A4 for vegetable oil would contain 'no supplies of foreign origin.'
>
> "Has Hunt-Wesson provided your office with unquestionable proof that Russian vegetable oil is not commingled? How was commingling prevented?
>
> "It is highly unlikely that the Hunt-Wesson Company can actually avoid commingling the Soviet oil with domestic supplies at their refinery. This fact is borne out by experts in the American vegetable oil industry, who are all agreed that it is almost impossible for any U.S. vegetable oil processor to avoid the commingling of different bulk oil shipments, particularly when the shipments are substantial and enter supply channels at different ports, as is the case with Hunt-Wesson.
>
> "Other U.S. firms contracting with your agency have not had this problem, because Hunt-Wesson is the only U.S. firm to import sizeable quantities of vegetable oil in more than 25 years.
>
> "Because of the extraordinary nature of the Hunt-Wesson transaction with the Soviet Union, it is essential that all aspects of the commingling question be verified directly. Simple assurances by company officials hardly suffice."

ARMY WILL CANCEL NEXT YEAR'S NATIONAL RIFLE AND PISTOL MATCHES AT CAMP PERRY, OHIO

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from Alaska [Mr. POLLOCK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. POLLOCK. Mr. Speaker, I am extremely concerned by yesterday's announcement that the Army will cancel next year's national rifle and pistol matches at Camp Perry, Ohio. These matches have been held each year since 1903 with only 10 exceptions during wartime and in the depression. This year over 6,000 contestants attended the matches, which are designed to enhance the safe and accurate use of firearms by the American public. The value of these matches to the military is obvious. By promoting firearms practice the Army is assisting itself. Trained civilian marksmen are a reservoir which can be drawn upon in time of national emergency. Those who have participated in this program have become the top marksmen in the Armed Forces. Indeed, nearly 1,700 of this year's contestants were members of the armed services.

The excuse for this decision is that the Government will save $2.8 million and scarce manpower; 3,000 Army personnel and reservists were required to run the 5-week event this year. This is false economy. The matches promote a skill desperately needed by the Army. These funds and manpower are an investment, not a waste.

The real reason for this cancellation is plain. It is not an economy move. It is designed to punish the National Rifle Association for its views against the enactment of strict gun control legislation. This is unjust and dangerous. It means that the administration is intent on beating down any opposition to its proposals by the withdrawal of longstanding support of programs vital to groups involved. These rifle matches antedate the gun control controversy by decades. They have no relation to the merits of the controversy, yet they are being used as a tool to punish the NRA for its opposition to this legislation. Those who dislike the NRA should not cheer too soon. Their organizations may be next on the list of administration wrath.

I hope all Members of Congress will join in deploring this move, even those who favor gun control legislation. No person or group should be subject to such penalties because they dare to present their views.

REMARKS ON OEO LEGAL SERVICE PROGRAMS: SPECIAL ATTENTION TO ANTICIPATED ATTACKS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. ECKHARDT] is recognized for 60 minutes.

Mr. ECKHARDT. Mr. Speaker, the residents of Harris County are extremely fortunate in having what Federal officials have described as the Southwest's outstanding OEO-financed legal services program. Well over 3,000 impoverished persons have received legal assistance from the local program, which is administered by the Houston Legal Foundation.

Recent developments in the Congress indicate that the continued existence of this and hundreds of other similar programs is in jeopardy. On October 4 of this year an amendment was introduced in the Senate that would have prevented legal service programs from taking any case against either a Federal, State, or local governmental entity. The amendment was defeated, 55–36, but it seems likely that the same amendment will be raised again in the House.

In addition to this disabling amendment, it is anticipated that the House will consider two other proposals concerning legal services for the poor; one that would encourage the adoption of judicare programs, a plan whereby private attorneys receive fees from Federal funds for representing indigent persons; and another that would, in effect, give local bar associations an absolute veto power over the creation of new programs or the continuation of existing programs.

It is clear that the adoption of any one of these proposals would be a mortal blow to one of the most effective programs providing assistance to the poor. Before briefly analyzing these propoals, let us be clear about the nature of the OEO legal service programs.

The OEO early recognized that poor people thought of the law as an enemy, as a landlord serving an eviction notice, as a loan shark enforcing exorbitant service charges, as an official denying welfare benefits, as a policeman making an arrest. To the poor, the law and lawyers were for people on the other side. How lawyers could help, how the law could provide equal justice, was, and for too many of the poor remains, a mystery.

With the strong support of the American Bar Association, indeed every national organization of lawyers of which I am aware, the OEO committed itself to assist the poor in seeking equal justice.

A brief description of the salient characteristics of the Harris County program will serve as a typical example of how OEO cooperates with local communities in providing legal services and also point up the inherent dangers in the proposals described earlier.

The Harris County program initially was conceived by outstanding lawyers and judges from the community—not Washington. The plan was studied and discussed by all segments of the bar, representatives of the poor, and many other individuals. As ultimately adopted, the program utilized local attorneys employed by the program on a full-time basis. Persons who show themselves eligible for free legal services are given the same unqualifiedly high level of service that any lawyer is obliged to provide a client. That is, a meritorious case is vigorously pursued regardless of who the other party may be—an agency of the Government, a department store, a landlord, or a Congressman.

And how could it be otherwise if we are to remain true to the highest traditions of Anglo-American law, to represent the client and to seek restitution from anyone who trespassed upon his legal rights? What kind of a lawyer is it who investigates the case and finds that the finger of guilt points to city hall, and then hands back the fee? Yet that is the kind of timid legal aid envisaged by the amendment that would block lawsuits against the Government.

Even without regard to its specific impact on the poor, this amendment is a blatant attempt to alter the very nature of the practice of law. For example, in Houston an applicant was denied old age assistance because he had once been a patient at the Austin State Hospital. He had been discharged from the hospital but not legally restored to competency. A Houston Legal Foundation attorney represented this individual and obtained the necessary restoration and ultimately the benefits to which he was entitled.

The amendment would have prohibited this service.

In other cases around the country, legal service attorneys have assisted persons who have been refused medical care by a city administrator—a mother of five children, all of whom were taken off welfare because it was suspected that a man was living in the house, a youngster who arbitrarily was expelled from a public school—and on and on. Can we seriously question the legitimacy, indeed necessity, of challenging Government when it is wrong or when its procedures are unconscionable? Would any one of us hesitate to sue the Government if, for example, it took some of our land and refused to offer compensation?

Now let us consider the Judicare amendment. At first blush it may seem desirable to some to subsidize private lawyers for doing what frequently has been done as a public service by many members of the bar. The rationale is that private lawyers should continue to bear this load, but now should be paid for it.

The experience in Houston, and elsewhere, has been that the poor have a number of rather unique legal problems, unique not so much with respect to the law dealt with, but with respect to the client involved. The client typically is desperately enmeshed in a legal morass which may present to the private lawyer, dealing with the poor on an occasional basis, a problem as complex as that of the bankruptcy of a large corporation. For instance, in a matter simply involving a small personal loan there may be a series of renewals, waivers, the possibility of fraud, and the necessity of using extensive discovery procedures. Complicating all of this is the frequent inability of the poverty client adequately to present the facts, to produce necessary documentation, in short, to relate to the attorney.

Furthermore, the poor are not knowledgeable about how or when to use lawyers, or even how to locate them or to judge their competency in certain fields of law. Indeed, nationally, most people who utilize legal service programs have never before had the professional services of an attorney.

The legal aid program in Harris County has put the lawyers into impoverished areas where they are visible and thus accessible to the poor. Today more people in these areas know where the legal aid office is than know where any other public facility is located in the neighborhood.

The lawyers staffing the legal aid program in Harris County have developed an expertise in the affairs of the poor, and, perhaps what is more important, a sensitivity to the human aspects of dealing with the poor. The poor, in turn, through the vehicle of neighborood counsels and a district counsel, play an important part in the program. Lawyers regularly attend the meetings and in this way become a part of the community they serve.

Perhaps it is really too much to expect of the practicing lawyer that he allocate the necessary time to a very complicated case involving little possibility of recovery, when he has individual clients who can pay him a much more remunerative rate for solving problems much less thorny, unless he is permitted to step up his charges for judicare. An experimental judicare program in Fremont, Calif., ended up costing an average of $152.62 per case, as compared with the national average of $48 per case for the usual OEO-funded programs, and the attorneys now suggest that they must raise their fees.

Now let us turn to the proposal that the local bar associations be given veto power over legal service for the poor in a given community. This proposal goes to the very heart of the practice of law and represents an effort to destroy the cherished independence of the attorney. Consideration of a few analogies should immediately cause us to reject this approach.

Why not then give teacher associations a veto over headstart programs?—or labor unions a veto over job training programs?—or social workers a veto over a family counseling program? Of course, teachers, unions and social workers should be called in to consult concerning fields in which they are knowledgeable, but this is not to say that they should be given the authority to dictate the program or destroy it.

Indeed, the Economic Opportunity Act requires such consultation, and the legal community always is consulted and typically, as in Harris County, uses its expertise to draft and administer the program. But the anticipated amendment would give some ultrabackward associations the power to prevent an important service for a whole segment of the people in the community, regardless of the policy of the Nation, the State, or the desire of the local community. Ironically, the poor probably would not be represented by lawyers, even in questioning the validity of such a delegation of authority to whatever group called itself a bar association in the community.

The program, as it is, is working well in Harris County. The imagined bases for the amendments here discussed do not exist in fact.

I shall not only resist these disabling efforts, but will propose such changes as may be devised to strengthen and improve these programs. I am considering proposals to encourage intercommunity programs, innovative programs that focus on problems that may be common to large numbers of the poor, strengthening existing techniques whereby various legal service programs cooperate with each other, and strengthening the involvement of the law schools in the various programs.

The Harris County program is not only considered the finest program in the Southwest, but it should be noted that it was the first program in that five-State area. Therefore, the experience in the program is longer, and we are in one of the best positions to formulate proposals and suggestions to perfect the legal service aspect of the poverty program.

It took some courage and a good deal of farsightedness to create and implement this program, and other communities in this region have taken heart from the Harris County program. Indeed, there are now 27 OEO-financed legal service programs in the Southwest, with eight of them in Texas—Houston, Dallas, Austin, Waco, San Antonio, Laredo, Brownsville, and Corpus Christi.

Nationally, in fiscal year 1967, OEO-funded projects accepted 290,934 cases. Today there are over 1,700 lawyers employed full time in such programs. These cold data represent thousands of people saved from helplessness with perhaps a new regard for the orderly processes of law and they represent the finest in professional commitment by hundreds of dedicated lawyers. It is crucial that these programs go forward and not be cut down in their adolescence.

Mr. Speaker, I ask unanimous consent to extend my remarks by including a letter in the nature of a report on the Harris County program signed by Sam D. Johnson, who is now associate justice of the court of civil appeals, 14th supreme judicial district, in Houston.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The letter follows:

COURT OF CIVIL APPEALS, 14TH SUPREME JUDICIAL DISTRICT,
Houston, Tex., October 18, 1967.

Hon. BOB ECKHARDT,
Longworth Building,
Washington, D.C.

DEAR CONGRESSMAN ECKHARDT: I am most pleased to supply you with the following information concerning the Houston Legal Foundation and its effort to supply quality legal services to the poor. This work is considered to be the finest effort of the legal profession in accepting its historic challenge in a government of laws: equal justice under law to all men, whether rich or poor.

Here, the Civil Division of the Houston Legal Foundation provides legal services in a wide variety of civil matters to persons who are unable to employ a private attorney. These legal services are rendered by over twenty full-time staff lawyers working in nine neighborhood offices and one downtown central office. The neighborhood offices are located in the various poverty areas in Houston and Harris County, and provide identical service to that supplied in the central downtown facility.

The Civil Division was separately funded on May 20, 1966, and operates as a delegate agency of the Harris County Community Action Association, financed in part by the United Fund but principally by funds provided under the Economic Opportunity Act. The first attorney joined the staff in July of 1966 and applicants for legal services were first accepted August 12, 1966. To date, the Civil Division of the Houston Legal Foundation has had over 6,000 applicants for legal services and of these approximately 56% (3,385) have been accepted for representation. Our client profiles reflect that of those accepted, 47% were Negroes, 12% were Latin-American and 41% were white. Of this number of accepted applicants, 52% were unemployed, 67% were in families of three or more and the average daily per capita income in these families was about one dollar per day.

Applicants present problems for legal services falling into many categories ranging from landlord-tenant and housing on the one hand, to consumer-vendor relations, juvenile problems, domestic relations, welfare and public assistance on the other. Consumer and loan shark problems represent an expanding area of responsibility and service for the Foundation.

The Houston Legal Foundation is a private non-profit organization originally formed in 1948 and administered by a Board of Trustees, the members of which are lawyers. The Board counts among its members the leadership of the legal profession: the President of the State Bar of Texas (Mr. Thomas M. Phillips), the President of the Houston Bar Association (Mr. Harry W. Patterson), a judge from the United States Court of Appeals for the Fifth Circuit (the Honorable John R. Brown), a Federal District Judge for the Southern District of Texas (the Honorable Ben C. Connally), a member of the Houston Court of Civil Appeals (the Honorable Spurgeon E. Bell), a District Court Trial Judge (the Honorable Edmund B. Duggan), Deans of the Houston and Texas Southern law schools (Dean John B. Neibel and Dean Kenneth S. Tollett), a member of the Texas Senate (the Honorable Criss Cole), and other outstanding members of the legal profession in Harris County. Far from being merely an honorary position, the Board meets regularly, makes all policy determinations and maintains close contact with the day-to-day operations of the Houston Legal Foundation.

There is a District Board for Legal Services comprised of non-employee representatives of the neighborhoods in which neighborhood offices are located as well as the chief lawyers from the neighborhood offices. These area representatives are elected annually by the people in the neighborhood. The duties of the District Board, among others, are to be alert to all suggestions or complaints, to transmit them to the Trustees and to submit recommendations with regard to policy and procedures. In order to assure awareness of and responsiveness to the needs of the community, local Neighborhood Citizens Committees meetings are held on the first Monday evening of each month in the neighborhood areas in order to bring to the attention of the neighborhood lawyers the types of grievances which require redress through legal means. Every resident citizen in the neighborhood is invited and encouraged to attend and participate in these meetings.

There is also a Program Evaluator, a true representative of the poor, whose responsibility is much more significant than the title would indicate. Each rejected applicant, for instance, has an automatic appeal to the Program Evaluator, whose determination is strongly persuasive of the outcome.

In addition to providing legal services through traditional attorney-client relationships, the Houston Legal Foundation is charged with the responsibility for and is presently engaged in a study for the possible development of a public legal responsibility and education program to be of service to all in the community and designed to promote justice and respect for the law through knowledge and understanding.

An established policy of the Foundation is that service is not to be given to an applicant who is able by reason of income or property accumulation to pay an attorney. One of the most difficult problems has been the establishment and application of an income guideline which will distinguish the indigent from the financially-able. The indigency guidelines originally adopted by the Trustees provided as follows:

"Income of whatever nature and from whatever source is considered sufficient to pay for the necessities of life for a single person at the level of $1,800 per year and for a married couple living together at $3,000 per year plus $450 per year for each resident member of the family excluding collateral relatives. The amount of income in excess of these established figures will be compared with the estimated fee for the required services: if the excess amounts to more than the estimated fee, no service will be furnished. All income over $4,000 per year will be considered excess under this standard regardless of family size."

Services are not provided in fee generating cases, or in cases which would, if successfully prosecuted, yield a sum from which a fee could be paid, such as Workman's Compensation suits, plaintiff's personal injury cases or other contingent fee type cases. To insure that the Foundation attorneys give undivided attention to the indigent clients, all Civil Division lawyers are barred from any outside private legal practice or income, and from referring cases to private lawyers (except through the established Lawyer Referral Service established by the Houston Bar Association); in order to prevent the use of public or charitable funds to influence the outcome of elections, employees are not permitted to participate in political activities in connection with the election of any candidate, party or proposition nor may the facilities or personnel of the Houston Legal Foundation be used for or against any such candidate or proposition.

The program of the Civil Division of the Houston Legal Foundation is dedicated to providing legal services for persons otherwise unable to afford them and thereby to protect the rights of all individuals whether rich or poor to justice and to equal protection of the law.

Thank you sincerely for your interest in this program.

Yours very truly,
SAM D. JOHNSON,
Associate Justice.

Mr. ECKHARDT. Mr. Speaker, I ask unanimous consent further to include in the RECORD editorials from the Houston Chronicle and the Houston Post and the Santa Barbara News and the St. Louis Post Dispatch.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The editorials follow:

[From the Houston Chronicle, Aug. 26, 1965]

AND JUSTICE FOR ALL

Both the State Bar of Texas and the American Bar Assn. spent much of their conventions this year debating the nation's most pressing constitutional question: Criminal law.

With the legal profession showing such concern for the constitutional safeguards of accused persons it is heartening to see historic steps being taken by Harris County's legal profession, in cooperation with the Ford Foundation and local foundations.

Ford today announced a $375,000 grant to the Houston Legal Foundation to create the most extensive legal defender project in the nation.

Using panels composed of all Harris County lawyers between 26 and 45, the Legal Foundation will provide attorneys to all stages of the criminal trial process.

Investigators, so sorely lacking in the past, will be hired.

The foundation, together with the Harris County Grand Jury Assn., will start a release on recognizance program to avoid the injustices of the bail bond system.

The plan even provides attorneys for sanity hearings and juvenile cases, two areas which court decisions have not reached.

State officials including Gov. John Connally, House Speaker Ben Barnes, and Attorney General Waggoner Carr have reviewed the program and promised support if state financing becomes necessary.

If the program succeeds, Harris County and Texas will have set a national example.

[From the Houston Chronicle, Oct. 11, 1965]

LEGAL AID PROJECT IN CAPABLE HANDS

The Houston Legal Foundation has picked a highly capable man to help break new legal ground in Harris County.

District Judge Sam D. Johnson, 44, of Hillsboro, will move here to direct the

Foundation's newly organized legal aid and defender project.

His description of the job and the purpose of the Foundation is important:

"It's a challenge. It's never been done before, and I will have nobody else's mistakes to profit by.

"I can think of many examples where the poorer defendant has gotten the worst shake in court. Because he can't afford the counsel some other people can, he agrees to, say, three years on a plea of guilty.

"What happens is, he's stipulated into the penitentiary.

"You can't blame him if he views the law as his worst enemy, as a whip held over him."

Judge Johnson will be dealing with two critical areas of law:

1) Seeing that indigent criminal defendants are accorded their rights, including access to an attorney.

2) Setting up proposed neighborhood legal clinics—if funds are provided from the Office of Economic Opportunity—to help untangle the jungle of civil law problems the poor face.

The second problem may be more difficult. The organized bar is caught on the dilemma of facing possible federal action to provide group legal services or changing present legal ethics which limit how far an attorney can go in promoting litigation.

Group legal service now seems to be a necessary social and economic development. The local bar properly is seeking to retain control of the program at the local level.

Judge Johnson, and the Houston Legal Foundation, deserve the cooperation and support of all Houstonians in keeping the present legal revolution in local hands.

Only a sincere program will permit them to retain that control.

[From the Houston Post, Oct. 4, 1965]

ALL MEN EQUAL BEFORE THE LAW

All men, rich and poor, under our system of government stand equal before the law.

Unfortunately, it has not always worked as well in practice as in principle. Many times, the poor, unable to provide adequately for their defense, or even make bail, have suffered by their poverty.

Within the next 60 days, a long step toward correcting this situation will be taken in Houston.

It will come through the opening of the Houston Legal Foundation, which will furnish attorney services for those too poor to pay for them.

The foundation's director will be Sam Johnson, who is leaving his post as judge of the 66th District Court in Hillsboro to assume this new duties. He expects foundation activities to begin in about 60 days.

A staff will be selected for the foundation, and will work in three phases. One portion of the staff will try to help indigents by attempting to win release on recognizance, rather than being forced to stay in jail when bond cannot be met. Another portion of the staff will provide investigatory services. A third will be composed of five lawyers.

Johnson explained that "the function of our office will be to give investigatory services, and to give technical and legal assistance to the private attorneys (chosen by the foundation for specific cases) in defense of their clients."

The program is being financed with a $375,000 Ford Foundation grant and matching local funds.

It is the first of its kind in the country.

Its cause, the search for equal justice, is shared by all citizens—both in and out of the legal profession.

[From the Houston Post, Aug. 15, 1966]

BAR HONORED FOR AID TO POOR

The Houston Bar Association has received national recognition for its comprehensive program to provide legal representation for indigent persons in all types of proceedings. At the meeting of the American Bar Association in Montreal, it was given the association's Award of Merit for Excellence and also the Harrison Tweed award of the National Legal Aid and Defenders Association, which is a section of the ABA.

Members of the local association have every reason to be proud of these awards, and the community has reason to be proud of having a progressive bar association that has blazed the way by making justice available to all regardless of financial circumstances.

The Houston association was the first to provide legal counsel for all indigent defendants by means of a co-ordinated assigned-counsel system involving all local members of the legal profession.

Since February, counsel has been provided for all indigent defendants from the time of arrest to the final disposition of their cases. A representative of the Houston Legal Foundation at the jail identifies those prisoners who do not have the money to hire an attorney and arranges for their release pending trial if possible.

Counsel is assigned by use of a computer from among the county's 3,600 attorneys, one in each misdemeanor case and two in each felony case.

The foundation provides trained investigators and researchers to assist in briefing the law. Some 1,000 attorneys have received assignments since February, and the indigent defendants have access to the community's best legal talent.

Help also is provided the poor in the area of civil law through downtown and neighborhood offices. The program was begun with money from the Ford Foundation and local foundations, and federal anti-poverty funds also have been made available.

The recognition and honors given the local association for its efforts are most gratifying because they are well deserved. There is even greater satisfaction, however, in the fact that justice no longer need wear a price-tag in Harris County.

[From the St. Louis Post-Dispatch, Oct. 17, 1967]

THE LAW AND THE POOR

Like the House-passed amendments to reduce Aid to Dependent Children costs, the attempt by Senator George Murphy to deny poverty funds to federally-supported legal services programs whose lawyers bring suits against public agencies is regressive and spiteful. Fortunately the Senate rejected Mr. Murphy's amendment by a 36-to-52 vote, but James C. Millstone of the *Post-Dispatch* Washington bureau reports that the proviso will be revived in the House, where there is considerable antagonism toward the poverty war. Its chances, therefore, are considered good.

What the California Republican and others of like mind object to is the paradox of biting the hand that feeds. To them it is incongruous, if not downright disloyal, that a lawyer whose salary is paid with tax money should sue a public agency operated with tax money. And what really sets the milk of human kindness to curdling is that federally-paid lawyers for the poor have scored some stunning victories.

In Senator Murphy's state for example, legal services lawyers prevented Gov. Reagan from implementing cuts in the state's health care program for the poor; forced the Labor Department to insist on near-decent wages for braceros imported by California tomato growers, and compelled a county welfare department to provide assistance to applicants it had denied help. There have been similar successes in other states, most notably a Connecticut case in which the residence requirement for welfare eligibility was invalidated.

In their indignation at these reforms, advocates of the restrictive amendment to the legal services program are expressing a traditional conviction that help for the poor is a gratuity bestowed out of nobless oblige. Accordingly, to raise questions is to be ungrateful, like a child who complains about his Christmas toys. It is because of this attitude, the notion that the poor are undeserving unless they are docile, that we treat symptoms of poverty instead of causes.

Because we confuse symptoms with causes the George Murphys of Congress can denounce tax-supported lawsuits against public agencies without ever asking themselves whether the laws and regulations the poverty lawyers successfully challenged might have been unjust.

If, under the equal protection of the law principle, public defenders for indigents in criminal cases are recognized as essential, the Office of Economic Opportunity was only guilty of consistency in extending the principle to indigent petitioners in civil causes. Yet the proposed ban on suits against public agencies would repudiate that extension and would assert that the principle of equal justice applies only to those who can afford to make use of it.

Perhaps the saddest feature of the amendment is that it belies the contention that the best avenue to a better life is through society's mainstream, that is, through the established judicial, social, economic and political mechanisms, and not through violence and force. If a man is denied recourse to the law because he cannot hire a lawyer when he thinks some agency of government has treated him unfairly, why should he respect the law?

[From the Santa Barbara News-Press, Oct. 3, 1967]

EQUALITY OF JUSTICE FOR THE POOR

Governor Reagan's attack upon the California Rural Legal Assistance association, a non-profit group that receives federal funds from the Office of Economic Opportunity (anti-poverty agency), is stirring up an issue that has more than regional or partisan implications.

The legal assistance group (CRLA) was formed and funded by OEO primarily to provide counsel for poor people with less than $200 a month income so they could have their rights protected in wage claims or other civil cases. It has worked closely with farm labor, union officials and lawyers in many cases, but techinically represents only individuals who are unable to hire their own lawyers.

Its legal staff aroused the ire of the Governor in three specific actions, and he has indicated he will "veto" the allocation of any further funds to the association—though his power to do so is in question. The fight, however, has been taken to Washington, and the legal aid program in other states may be affected by the outcome in California.

One controversial case was the suit for the injunction which resulted in a Superior Court order to halt the governor's cut-back of the Medi-Cal program. This issue is now in the State Supreme Court, which will hear the case next month; meanwhile the cut-back is officially forbidden, but actually is largely in effect because counties, hospitals and doctors are hesitant to provide services for which they may not be paid if the high court upholds the Governor's economizing edict.

A second case was the suit to enjoin the U.S. Department of Labor from permitting the importation of 8,100 Mexican nationals to harvest California tomatoes. This case was settled out of court, with the importation allowed, but with the Department of Labor issuing a written order requiring more adequate enforcement of minimum standards of wages and working conditions—a result that the CRLA views as a moral victory, and an indication that its complaint "had considerable merit."

The third case was one that the Governor described as "harassment of a county welfare director" to the point that the supervisors had to hire a special counsel at $35 an hour to protect the official. The board of supervisors, of Sutter County, asked OEO headquarters in Washington to stop all funds to the legal assistance group.

The CRLA was asked to help four farm workers who charged they had been called ineligible and refused aid by the County Welfare Department. The workers have won in all ten cases that have come to decision in this situation; the state welfare director has reprimanded the county officials for "refusing to allow the poor to apply for welfare" and for not following practices "in accordance with the law."

It appears clear that the legal assistance agency in these instances was challenging the right of administrative officers—on federal, state and county levels—to make decisions that seemed unjust to its impoverished clients; and was using the courts to test whether such decisions were legal and just.

No one would question the right of a corporation to bring suit against any government agency if it appeared that it had been treated unjustly or contrary to law—and the fact that the corporation may have received some aid in government contracts, subsidies or tax adjustments would not reduce its rights to sue for justice.

So Gov. Reagan's complaint of lawyers "paid by the taxpayers" bringing suit against government agencies also "supported by the taxpayers" has no relevance to the situation.

The actions of the CRLA are strongly supported by its special advisory committee, which includes the past and present presidents, and the president-elect, of the American Bar Association.

The principle of equal justice for rich and poor is one that must be defended, and brought into practice as far as possible in an imperfect world.

Mr. ECKHARDT. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan, Mr. JAMES G. O'HARA, may extend his remarks and include additional matter at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, the gentleman from Texas has spoken eloquently on the importance of the legal services program nationally and has cited the Houston program as one example of how much legal assistance has meant to the poor. I am happy to have an opportunity to add a word of agreement to what the gentleman from Texas has just said.

On October 16, the Washington Post carried an editorial opposing legislation which would prohibit government-paid lawyers from representing the poor in law suits against Federal, State, and local agencies. I inserted that editorial into the CONGRESSIONAL RECORD on October 24. Since that time, a column by Dana Bullen has appeared in the October 27 edition of the Washington Star on the same subject. I think this column is also well worth the time it takes to read, and I commend it to the attention of my colleagues.

Both of these articles have the same message—accessibility to legal advice should not depend on the size of a man's bank account.

Mr. Speaker, few can deny the growing importance of government at all levels of life—to the businessman, to the private citizen. Certainly no businessman would enter a ratemaking hearing at the FPC or a license-granting proceeding at the ICC without the assistance of a competent attorney. If "equal justice under the law" is to be the guiding principle of our legal system, then I cannot see how the poor can be denied legal counsel in cases where they have dealing with the government. It is no answer, Mr. Speaker to say that the poor can hire their own counsel if they desire. They have no money. If the government does not provide them with a lawyer, they will necessarily have to do without.

I know that governmental agencies administering programs to benefit the poor have every intention of being fair. But, Mr. Speaker, good intentions alone are often not enough. There needs to be an external check on operations to insure fairness. I can think of no better external check than a legal advocate.

Of course, it costs more to give the poor legal protection against arbitrary governmental action. But it does not cost that much more. According to Dana Bullen's column, less than 10 percent of the cases brought by lawyers in the OEO-financed legal services program have been against governmental agencies. Whatever the added cost has been, this country can well afford it in the interests of justice.

Mr. Speaker, the House will soon be considering the poverty program again. When it does, I urge my colleagues to join with the gentleman from Texas in defeating any efforts to deny the poor the full range of legal protection. It is not a cliché, nor is it an overstatement, to point out that if the poor cannot obtain a fair hearing in the halls of justice, they will surely carry their cases to the streets.

The column follows:

LOW BLOW AT LAWYERS FOR POOR?

(By Dana Bullen)

One attack on this year's poverty bill is a claim that there is something wrong about providing government-paid lawyers to represent poor people in lawsuits against federal, state and local agencies.

It is upsetting to important local interests, it appears, and the unhappiness seems to be reaching all the way to Capitol Hill.

In California, for example, poverty lawyers recently made successful attacks upon shortcuts in tomato growers' importation of cheaper Mexican bracero labor and upon claimed unfairness in welfare programs in Sutter County.

Before long, Sen. George Murphy, R-Calif., was citing the cases on the Senate floor, maintaining that poverty lawyers "have begun to challenge our laws all too often."

Thirty-five other senators joined Murphy several weeks ago in support of a proposed amendment to the poverty bill that would have stripped the OEO Legal Services Program of authority to go to court to challenge any government agency's way of handling things. Although Murphy's proposal failed in the Senate, it is likely to be introduced again when the controversy-ridden poverty bill reaches the House floor.

The strength of the support given the unsuccessful Senate amendment, however, has made it clear that much more light is needed on just what it is that the poverty lawyers are about.

On the other hand, they are using the law to curb unfair business practices that milk the poor of what funds they do have. The targets here are the unscrupulous merchants, lenders and landlords who jack up prices or interest charges unfairly.

Such cases, along with domestic relations and other private legal matters, in fact, accounted for over 90 percent of the OEO lawyers' business last year. In all, a total of 320,000 cases were handled by government lawyers for poor people.

No less important, however, are so-called "test" cases brought by OEO lawyers against government agencies.

In Hartford, for example, the Legal Services Program has won a pace-setting ruling by a special three-judge federal court that Connecticut's one-year residency requirement for welfare payments is unconstitutional.

Some 40 states have similar laws. If the lower federal court ruling survives an expected state appeal to the Supreme Court, the shape of welfare laws across the country could be changed.

Over 25 years ago, the late Justice Robert H. Jackson said restricting poverty-bound people to the very places where they have been unsuccessful was exactly the wrong way to carry out this country's promise—yet this is just what welfare residency requirements mean to a poor person who, in effect, is being paid to stay poor where he is.

In other cases, OEO lawyers are challenging public housing practices, school procedures—such as expelling a girl shortly before graduation for pregnancy—that no one else is contesting and a host of similar things that, if unattended, provide fuel for urban and rural unrest.

An estimated seven million people depend on public assistance checks to protect them from hunger, eviction and other deprivations. In filing lawsuits against public bodies, poverty lawyers are only asking courts to decide whether such programs are being operated properly.

Just this term the Supreme Court agreed to hear a small mountain of cases involving a controversy between gas companies and the Federal Power Commission without a ripple of concern that the firms were suing the government.

Poverty lawyers, such as OEO Legal Services Director Earl Johnson Jr., argue that poor people rate representation too in their dealings with government agencies.

"It would make a mockery of attempts to provide equal justice." says Johnson, if poverty lawyers are limited to legal action only against private parties.

"As a practical matter," says Johnson, "since most poor people have access to the courts only through legal services lawyers, a ban on their representation in certain classes of cases is equivalent to denying the poor a legal remedy in these disputes.

"That is no better than seeking to disenfranchise your opponents in an election because they beat you at the polls. And it is no less a threat to American democracy and the preservation of law and order."

Against this, an argument that government lawyers representing poor people "have begun to challenge our laws all too often" seems to need some shoring up if it is to be seriously advanced.

Mr. ECKHARDT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. O'NEILL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. O'NEILL of Massachusetts. Mr. Speaker, one of the foundations of our

democratic system is that any man, accused of any violation of the law, is entitled to a fair trial; it is his right. Our judicial system is a source of pride to all Americans and is one of our Nation's greatest strengths.

In the last 4 years we have come to realize that a fair trial means more than nondiscriminatory laws and an established legal process. We realize that an accused person who does not have counsel is at an extreme disadvantage—even within a fair system of laws. Because specialized knowledge, training, and position are necessary in very stage of legal procedure only a lawyer can best represent the interests of any defendant.

The Supreme Court, in several landmark decisions—Gideon against Wainright, Miranda against Arizona, and Escobedo against Illinois—defined the obligation of our legal system to provide counsel for indigent persons.

Two years before the 1963 Gideon decision, the Commonwealth of Massachusetts had already established the Massachusetts Defenders Committee, designed to provide counsel to those defendants in criminal cases who were unable to afford representation.

Following the Supreme Court decisions, it became clear that without Federal funds, the Commonwealth could not provide counsel for those cases covered by the Court's decision. It was at this time that the Office of Economic Opportunity made funds available to the committee for legal aid programs.

With the aid of these funds, and because hundreds of Massachusetts lawyers and businessmen have volunteered their time, the legal aid program has been able to help thousands of people who otherwise would have been without counsel.

Mr. Speaker, we are discussing the appropriations for OEO, and we all know there will be cuts made. But I state that this program is too important to our very system of justice to be cut back or eliminated. The work done in legal aid is vital to our legal system.

At this point in the RECORD I would like to insert three brief statements. They describe three similar legal aid programs functioning in Massachusetts with the aid of OEO funds. I think they provide ample evidence that this program is too important to fall by the wayside:

SUMMARY OF THE BOSTON LEGAL ASSISTANCE PROJECT

(By Robert L. Spangenberg, project director)

The Boston Legal Aid Society, a non-profit voluntary agency, which has been in existence for sixty-seven years, provides legal aid services to the inhabitants of sixty-four cities and towns in the metropolitan Boston area, an area containing approximately two and one half million people.

The annual budget of the Boston Legal Aid Society is approximately $140,000, of which about 40 percent comes from the local Red Feather Agency. This budget provides for a staff of eleven attorneys, and services approximately 7,000 cases per year from the metropolitan area.

Since March, 1965, the Society has been operating four neighborhood law offices in the City of Boston. These offices were designed as a demonstration project made possible by the Ford Foundation in a grant to Action for Boston Community Development, the local Community Action Agency. The staff of these offices consist of six attorneys and one investigator. This staff serviced 1,500 clients in 1965, and is now servicing clients at an annual rate of approximately 4,200 persons per year, without any appreciable drop in the case load of the central office of the Society.

As a result of this demonstration, which was a forerunner of the national Legal Service Program sponsored by the federal government under the Economic Opportunity Act, there is now an OEO legal services program in the City of Boston. In this program, the legal aid society and the community action agency have combined to create a program of total legal services to the poor which is integrated into the poverty program. That program has only recently been funded by OEO, and its administrators are in the process of implementation.

The demands for this service are coming from the Area Planning Action Councils throughout the eleven districts of the City of Boston. The Area Planning Action Councils are local community action groups which coordinate the various anti-poverty programs in their respective neighborhoods. These local Councils have recognized the value of the legal advocate in their attempts to overcome the causes and effects of poverty. They have helped to plan the program, and they are working closely with the sponsors of the program in its implementation. They regard legal services as a high priority program in the anti-poverty war.

The program is helping to open lines of communication between the poor and the community resources, lines of communication which have long been ignored. Only through such communication can any attack on poverty hope for success.

The evidence which has been developed, to date, in Boston indicates that the most important contributing factor in the type of legal service program which has been devised for that city is that the service has been made accessible to those in need of legal counseling and representation.

Any substantial cutback in the allocation of funds for the Boston Legal Assistance Project will make it impossible to fulfill the commitments of these community agencies to provide this service to the poor of the City of Boston.

SUMMARY OF NORTHERN WORCESTER COUNTY LEGAL AID SOCIETY PROGRAM

(By P. Vaughn Gearan, chief counsel)

The Northern Worcester County Legal Aid Society, Inc. is a private, charitable corporation organized primarily to implement a legal services project under the Economic Opportunity Act of 1964, and established with the unanimous approval of the Northern Worcester County Bar Association.

This first multi-community legal services project of the War on Poverty in Massachusetts opened the doors of a full time law office at Fitchburg on July 18, 1966, with Chief Counsel and one legal secretary to service the twin city industrial complex of Fitchburg and Leominster, with a population of over 73,000 until January, 1967. At that time one Associate Counsel and one additional secretary were added to the staff and the area to be served was expanded to include Gardner and Athol and other rural towns of northern Worcester County. Chief Counsel and his associate, two secretaries, one Commonwealth Service Corps volunteer, and one Neighborhood Youth Corps enrollee currently offer services to an area of over nine hundred square miles with a population of approximately one hundred thirty-eight thousand. Approximately fifteen hundred legal problems have been presented for service within the first year and one half.

The Northern Worcester County Bar Association, with one-third official representation on the Board of Directors, is providing increasing support to the legal services project. In the original proposal, local attorneys volunteered two hundred hours of free direct legal services. In the proposal for refunding the Bar Association volunteered a total of six hundred hours, three hundred of which were expected to be used in the cooperative development of a community education program in those legal matters which affect the daily lives of those who would be eligible for legal aid.

The project has explored new avenues for the careful and comprehensive treatment of its recipients, and to this end has included a social services project in its application for refunding whereby local social service agencies will provide priority intake appointments and prompt written diagnostic assessments and recommendations for legal aid recipients. For their part the social agencies have agreed to match with donated hours of service the number of hours purchased by the project.

Businessmen have been among the first to seek direct information about the concepts and conduct of the legal services project, have responded favorably to what they have learned, and have supported and participated in the program.

The Northern Worcester County Legal Aid Society has gained front page news coverage from the beginning, has merited editorial support, has been favored with in depth feature coverage, and has received singular recognition on state-wide television.

The Northern Worcester County Legal Aid Society is a delegate agency of the Montachusett Opportunity Council. There has been close cooperation and mutual respect between the legal services project and a community action agency which has held firm to a policy of autonomy for the legal aid society within the scope of its contract. The Montachusett Opportunity Council has also affirmed that institutional reform is properly within the scope of that contract.

The annual report of Chief Counsel to the Board of Directors includes a list of forty suggested goals for consideration in the coming months, including recommendations for institutional reform in the areas of welfare and family law.

It has been the experience of the Northern Worcester County Legal Aid Society that this legal services project was and is truly needed, has gained and maintained increasingly widespread support in the community, and within the limitations of its budget, must press for institutional reforms, all to the end that every citizen shall fully realize the meaning of equal justice under law.

SUMMARY OF VOLUNTARY DEFENDERS, INC., PROGRAM

(By William P. Homans, Jr.)

Prior to June 30, 1966, Massachusetts had recognized the need for representation of those defendants in criminal cases unable to afford counsel by establishing the Massachusetts Defenders Committee in 1961. In 1963, the United States Supreme Court in *Gideon* v. *Wainwright* held that the Constitution required each state to provide representation of those charged with "serious offenses" when such persons were unable to obtain counsel because of lack of funds.

Nevertheless, on June 30, 1966, Massachusetts, with available legislative appropriations, was not able to give the complete representation required by the *Gideon* case.

In the sixteen months since OEO funds were made available to the Voluntary Defenders Committee, Massachusetts Defenders Committee to which a large portion of the funds so made available was paid, has tripled its case load. At present, Massachusetts Defenders Committee, operating through seven regional offices, is taking new cases at the rate of 1200 defendants per month, the large majority being upon appointment by the courts of the Commonwealth. In addition, the Massachusetts Legislature, in 1967, stimulated by the OEO grant, almost doubled the appropriations for Massachusetts Defenders

Committee and bids fair to bring the level of support up to the point presently supported jointly by Massachusetts and the OEO. When that happens, no later than June 30, 1968 there will be no further need for OEO funds in this area so far as criminal cases are concerned.

The President's Commission on Law Enforcement and Administration of Justice has recommended that public defender organizations should work closely with those whom they represent and their families in order, where possible, to get at the causes of confrontations between individuals and the law for purposes of preventing them in the future. Therefore, particularly with first offenders and juveniles, Voluntary Defenders Committee has used social workers and other such resources to provide constructive plans for clients in an effort to keep these persons from coming back before the courts repeatedly. This is crime prevention at its best since the pattern of the individual who is involved with the law initially in connection with a minor offense and who thereafter proceeds down the law-breaking path progressing to more and more serious offenses and more and more anti-social conduct is all too familiar. In doing this, Voluntary Defenders Committee and the Massachusetts Defenders Committee lawyers have at all times maintained a professional relationship with the courts through the lawyers concerned who in turn are assisted but not controlled by the social workers on the Voluntary Defenders Committee staff. Thus far, the results from this activity have been good and the courts which have been exposed to it have been uniform in their enthusiasm for these procedures which remove a large part of the burden from over-burdened probation officers.

The activities of Voluntary Defenders Committee and Massachusetts Defenders Commitee assisted by the Office of Economic Opportunity funds have had occasional spectacular results in terms of success in court. For example, a Massachusetts Defenders Committee case handled by the legal staff of Voluntary Defenders Committee, *Commonwealth* v. *McHoul,* changed the one hundred thirty-six-year-old Massachusetts rule on criminal responsibility where insanity is asserted as a defense to modern and scientifically valid American Law Institute rule. Another example of what can be accomplished with the kind of assistance that has been provided by Office of Economic Opportunity is *Marsden* v. *Commonwealth* in which the Massachusetts Supreme Judicial Court decided, following the lead of the United States Supreme Court in *Gault* v. *Arizona,* that juveniles were entitled not only to have counsel but to be advised of their right to counsel and advised that counsel would be provided for them if they had no funds to pay for counsel and consequently reversed a juvenile commitment because of the failure of Massachusetts procedures applied to a particular juvenile to conform with this Constitutional requirement. The *Marsden* case was a case brought by the Massachusetts Defenders Committee prior to the decision in the *Gault* case and was decided less than two weeks thereafter. Thus, Massachusetts Defenders Committee and Voluntary Defenders Committee lawyers have been aggressive and imaginative in representing their clients with the assistance given by the Office of Economic Opportunity.

To summarize, equally before the law, a hope in Massachusetts criminal procedure prior to June 30, 1966, has become a reality with the assistance given by the Office of Economic Opportunity legal services program. Furthermore, the assistance given has not meant that the Federal Government has been telling Massachusetts how it should handle criminal cases. On the contrary, the program has been administered locally, utilizing state procedures and state resources with the enthusiastic approval of state courts and officials. The nightmare of the Federal "big brother" which so many fear has been notable by its absence here.

Mr. ECKHARDT. Mr. Speaker, also at this point in the RECORD I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PEPPER. Mr. Speaker, I would like to join with my colleague from Texas in support of this worthwhile and important service to the poor.

The legal services program in Dade County was authorized in March 1966 as one of the first in the Nation and is currently operating on a $394,774 grant from the Office of Economic Opportunity. Funds for the program since its initiation have totaled $654,502.

This program has helped thousands of poor to receive the benefit of legal advice and counsel who otherwise might not have received this American right.

The Economic Opportunity Legal Services Program, Inc., which, in cooperation with Dade County Bar Association and the Community Action Agency in Miami, operates the legal services program, has reported that during the last 12 months they have serviced more than 5,100 cases. These cases include a variety of legal problems, including assistance in fighting high-interest loan sharks, in halting unjust eviction cases, in settlement of domestic matters, and in the representation of juveniles and others charged with criminal actions, but with no means of hiring or of obtaining competent legal assistance.

The program is decentralized in order to bring the services to the poor and operates out of eight neighborhood multiservice centers in addition to the main office. The staff includes 15 lawyers, 13 law clerks, three investigators, and seven secretaries and clerks.

Mr. Tobias Simon, a distinguished Miami lawyer, serves as president of the Economic Opportunity Legal Services Program, Inc., board of directors. Other members include John Smith, Esq., vice president; Rev. Thedford Johnson, vice president; Antonio Martinez, secretary; Maurice Rosen, Esq., assistant secretary; Joseph Reisman, Esq., treasurer.

The program has worked closely with the Dade County Bar Association and particularly in the presentation of legal education clinics at the multiservice centers and at schools and churches in target areas.

Mr. Speaker, our Constitution provides equal justice for all our citizens, including the poor. Yet when a poor family needs legal advice, often he cannot get it because he cannot pay for it. I am pleased that in Miami, in Dade County, and in the district I have the honor to represent in the Congress, commendable progress has been made for providing this vital service.

TRIP TO VIETNAM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. WOLFF] is recognized for 30 minutes.

Mr. WOLFF. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLFF. Mr. Speaker, this week a new government assumed power in South Vietnam. This is an elected government; a constitutional government that may be the vehicle through which an end to the war in Vietnam can be realized.

Vital to the realization of constitutional government in South Vietnam were the presidential and senatorial elections of September 3. Because of the importance of these elections to the situation in Vietnam, because of the importance of the situation in Vietnam to every matter considered in the Congress, and because ultimate resolution of the problem in Vietnam involves all of Southeast Asia, my distinguished colleague from Buffalo, the gentleman from New York [Mr. McCARTHY], and I embarked on August 29 on a trip to Vietnam and other crucial areas of Southeast Asia.

The purpose of the trip, which was not undertaken at Government expense, was to see firsthand the last days of the Vietnamese campaign, and the voting, as well as to visit other areas vital to the realization and maintenance of freedom in the Far East.

We have reported personally to President Johnson about our trip and now, concurrent with the inauguration of President Thieu, I respectfully offer the following report to my colleagues:

My colleague and I were skeptical about the possibility of holding truly free elections in South Vietnam. Our skepticism was bred by Vietcong terror and threats that the military regime in Saigon might subvert the electoral process.

Because of my concern that the people of South Vietnam have an opportunity to exercise the very self-determination that we have undertaken to help them secure, last June I introduced a resolution calling upon the Congress to send a team of observers to the September elections. When the then-Premier Ky invited Members of Congress to travel to Vietnam to observe the elections, I immediately cabled my acceptance.

Soon thereafter, I was gratified by President Johnson's announcement that he was dispatching a team of distinguished Americans to observe the elections. Twenty-four other nations, in accord with Mr. Ky's invitation, also sent observer teams.

Now, Mr. Speaker, elections in Asia are typically marked by allegations of fraud and varying degrees of violence. In fact, certain of my colleagues and I can bear witness to the fact that elections, here in the United States, are sometimes discredited by unfair campaign practices.

Thus the press reports of fraud and violence early in the South Vietnamese presidential campaign were not surprising. Nor were we surprised by the increased tempo and strength of Communist terror.

Yet despite the circumstances lessening the opportunity for free elections, the South Vietnamese people had placed a great deal of hope in the voting. After all there had not been national elections despite the promise of the 1954 Geneva accord. Furthermore, President Johnson has made it the stated policy of the United States that our aim in South Vietnam is to bring about self-determination for the people of that embattled country. Finally, and most importantly, the people of South Vietnam want self-government; they want to choose their own leadership and decide for themselves what shape their society should take.

Because of the importance of the September elections in Vietnam, I felt it consistent with my responsibility to my constituents to be in Vietnam at election time. I did not believe nor pretend that I could police the polls. Nor could I hope to visit enough places and talk with enough people to make a sweeping observation on the conduct of the campaign and elections.

Yet, I had a very real twofold objective: First, I hoped to help bring the spotlight of world attention on the voting. The possibility of corruption would undoubtedly be reduced in the glare of that spotlight. Second, I hoped to gain an impression of the conduct of the campaign and voting by randomly visiting certain areas and talking with the people during the closing days of the campaign and on election day.

The spotlight of world attention did, in fact, focus on the South Vietnamese elections. That is a matter of history.

Moreover, I am pleased to be able to report that as far as I could determine, and I conducted extensive interviews and made widespread visits, there was no substantial evidence of widespread wrongdoing or corruption connected with either the campaign or the actual voting.

The specific possibilities of corruption that underwent our scrutiny were:

Disqualification of certain tickets from the ballot.

Campaign advantages held by the ruling military government.

Intimidation of the voting by military personnel, tribal leaders, and village officials.

A lack of knowledge among the electorate.

Multiple voting by certain factions including the military.

Control of the electoral process by the military government.

Censorship of the candidates and the media.

The omnipresent Vietcong threats.

Because we wanted to see firsthand how the campaign and voting were organized we felt it imperative to travel with a minimum of security. While we accepted and undertook certain risks we were able to maintain free and extensive access to the people, the campaign rallies and the polling places. Only through the absence of military personnel and the phalanx of guards that often accompany Americans in South Vietnam were we able to conduct our interviews and see closeup the political life of this emerging country.

While traveling with a minimum of security we also traveled without an itinerary. This for two reasons: First, were any individuals or groups planning to jeopardize the safety of two U.S. Congressmen, an itinerary would make their job a great deal easier. Second, the lack of an itinerary provided us with freedom of movement and made possible random and spontaneous talks and interviews in all the places we visited. Since we were never sure what villages we would visit or what polling places we would stop at, it was impossible for anybody to take us on a "guided tour" of selected areas.

Another relevant point is that our intrepreters throughout our stay in Vietnam were trustworthy and we had complete confidence that our conversations were translated fully and honestly.

It also should be considered that while in South Vietnam we visited every area of the country and spoke with leaders from every significant political faction.

We spent a minimum amount of time in Saigon watching the electoral process in a large city. But we did have front row seats for a campaign rally in the center of Saigon. We traveled to unsecured areas of the Mekong Delta for the purpose of determining if elections could be held in areas of significant Vietcong control. On election day we went to the central highlands and the northern Provinces to view the balloting in those beleaguered areas.

We talked with all the major presidential candidates and many senatorial candidates. We spoke with student leaders, Buddhists, who agreed to see us only under the most clandestine circumstances, and military personnel. We interviewed the "doves" and "hawks" in South Vietnam; we interviewed the young and the old; we interviewed the tribesmen, the villagers, and the city dwellers.

Mr. Speaker, with the foregoing background on the nature of our visit in South Vietnam, I would now like to turn, point by point, to the alleged abuses in the electoral process and my observations regarding those alleged abuses.

DISQUALIFICATION OF CERTAIN TICKETS FROM THE BALLOT

Determinations of candidates' eligibility were made by the constituent assembly. This body was not under either the direct or indirect control of any individual or group. This is evidenced by the narrow margin by which the assembly certified President Thieu's election. Such a close vote would not have been likely had the military government had a firm hand on the Assembly. Thus the disqualification of certain candidates, while perhaps regrettable, was the work of a duly elected independent body charged with the responsibility for implementing the constitution.

Certainly the most well known candidate to be disqualified was former Gen. Duong Van Minh. We had the unique privilege of interviewing General Minh in Bangkok where he is in exile. His disqualification was based on the fact that his running mate had held technical French citizenship.

Although the General disputed the findings of the assembly he rather significantly said he looks forward to returning to South Vietnam and participating in the rebuilding of his homeland. This indicates his acceptance of the elected government in South Vietnam, a vital point because he remains one of the most popular men in South Vietnam.

The only other disqualified candidate was the former Economics Minister Tanh. I never received a satisfactory explanation of his disqualification. Yet, as it turned out, I find it difficult to believe that his presence on the ballot would have significantly affected the ultimate outcome of the election.

This would be an appropriate place to note that the civilian candidates, had they united behind a single individual, could have defeated Mr. Thieu. Each of the civilian candidates had his own stronghold with the ultimate effect of fragmenting the vote making Mr. Thieu's minority victory possible.

CAMPAIGN ADVANTAGES HELD BY THE RULING MILITARY GOVERNMENT

There is no doubt that in any election the incumbent enjoys certain advantages. Such is certainly the case in our Government. Thus, President Thieu told us without embarrassment or apology that he and Mr. Ky would undoubtedly have certain advantages in the balloting because of their incumbency.

Yet, disallowing these advantages inherent to the nature of politics, Messrs. Thieu and Ky did not appear to have undue advantages over the 10 civilian candidates.

This conclusion is based upon conversations with all the leading candidates including the Messrs. Huong, Dzu, and Suu, among others. These men freely admitted that they had been issued equal amounts of media time, campaign paraphernalia and money with which to conduct their campaigns.

These reports were consistent with our own observations. From the moment we arrived in Saigon and during our travels we were impressed by the number, and variety, of the campaign posters and newspaper ads. All of the candidates were represented and the incumbent government certainly had no overt advantage in the number, size, or location of campaign materials.

INTIMIDATION OF THE VOTING BY MILITARY PERSONNEL, TRIBAL LEADERS AND VILLAGE OFFICIALS

In order to make a general observation here the voting process should be briefly explained. Each voter was given an envelope and 11 ballots, one each for the presidential candidates. The ballots, to aid illiterate voters, had a picture of the candidate and the candidate's campaign symbol. To avoid giving an advantage to the candidate whose ballot was on top of the pile, the piles were rotated so each candidate appeared first once in every 11 ballots.

Upon receiving the ballots the voter would step into an enclosed booth where he would select the ballot of the candidate of his choice, place that ballot in the envelope, drop the envelope in a sealed and guarded ballot box and then discard the 10 unused ballots.

A military officer, tribal leader or village official could have, in theory, determined the vote of his charges by requiring the charge to bring back the 10 unused ballots. Yet in election day visits to Danang, Hue, and Pleiku we did not see, among the hundreds of voters we watched, anybody save the unused ballots. In fact the voting booths were so designed that we were able to stand outside and watch the unused ballots fall to the floor. Thus the privacy of the vote was safeguarded and intimidation thwarted.

A LACK OF KNOWLEDGE AMONG THE ELECTORATE

We were seriously concerned about the possibility of adequately acquainting the voters with the issues and the campaigns in a country lacking modern communications, especially in areas largely controlled by the Vietcong.

Election information in the cities we visited and those villages and hamlets that were Vietcong infiltrated was readily available.

Then, on the day before the actual voting, we decided to travel to the Mekong Delta visiting the city of Canh Tho and surrounding hamlets. Let me describe our experience in the village of Phung Hiep as a representative example of what we found wherever we traveled.

Phung Hiep is not secured and has been under repeated Vietcong attack. The village has only one road and bridge to tie it to Canh Tho and both are often out of commission, forcing the villagers to rely on water transportation.

We walked freely through Phung Hiep asking the villagers: Do you know about the election? Do you know the candidates? What they stand for? Do you know where to vote? Do you know how to vote?

The profusion of affirmative answers with supporting evidence frankly surprised us. One particular story that highlights this question of adequate knowledge may be relevant.

While in Phung Hiep the local military commander, Major Tri, took us to the river's edge to show us the bridge that is the village's only road link with the outside. We traveled by helicopter. I noticed a man in a primitive canoe poling on the river.

Rather taken aback and somewhat skeptical by the knowledge of the elections displayed by the people of Phung Hiep, I asked our interpreter to call the man in the canoe to the shore. The man obliged and he stole my thunder by explaining, before a question was asked, that he lived in the countryside and was coming to the village to be there the next day to vote. We asked him if he knew who the presidential candidates were and what they stood for. He immediately named eight of the 11 candidates, forgetting only three relatively obscure civilians, and evidenced knowledge of their platforms. He then volunteered to name the senatorial candidates even though there were 10 slates with 10 candidates each. All this by a man who lived with his family away from even the most remote village.

This is obviously an extreme example. But it tells the story accurately. As far as we could determine the people of South Vietnam were remarkably well versed on the election, the candidates and the issues. This was probably because of the importance of the elections to the people. But whatever the reason it was extraordinary and it lessened the possibility that the elections could be controlled by dealing with an uninformed electorate.

MULTIPLE VOTING BY CERTAIN FACTIONS INCLUDING THE MILITARY

Once again I would respectfully call your attention to certain of the voting procedures.

In order to vote a citizen had to present his all-purpose identification card and his green voter registration card. One corner of the prized registration card was torn off when the holder voted. Finally, all voters were assigned to specific polling areas.

The opportunity for significant double voting was all but eliminated by the two card system. Moreover there were special precautions to prevent double voting by those in the armed services.

All military leaves were canceled for the weekend of the elections. This was done so military personnel could provide greatly needed security at the polling places. The lack of leave made it impossible for military personnel to vote with their assigned units and again in distant home communities. They simply could not travel the necessary distance to get to the second polling place. Moreover, the military was aware of the existence of double registration cards in certain instances and impounded a number of duplicate cards.

Elaborate precautions were taken to prevent multiple voting. While this abuse was almost certainly not completely eliminated, there appeared to be scant opportunity to use multiple voting as an effective means of controlling the election.

CONTROL OF THE ELECTORAL PROCESS BY THE MILITARY GOVERNMENT

The evidence here is simple: At each of the polling places the presidential candidates all had the responsibility of assigning their own poll watcher. At each of the scores of polling places we visited—without prior notice—there were four, five or more poll watchers representing the various candidates. At no polling place did we see a poll watcher in a military uniform. This is significant because the mere physical presence of a military uniform may have subtletly intimidated the electorate.

In addition the formal electoral process, from the distribution of ballots to the couting of the votes, was handled by civilians. This was the case even in those polling places set aside specifically for military personnel stationed away from their homes.

The electoral process was in civilian hands; civilian hands not tied to a single candidate.

CENSORSHIP OF THE CANDIDATES AND THE MEDIA

Once again I have reference to my uncontrolled, extended interviews with the presidential candidates. They freely admitted in conversation that they were not censored. However, they did complain about the brevity of the campaign. Yet I would note that many countries, including Great Britain, severely limit the duration of campaigns.

I attended a large campaign rally in the center of Saigon at which the candidates were given equal time. Certain of the candidates made, without fear or inhibition, vehement, vicious charges about the existing government and the other candidates. Moreover I saw and have saved for the record copies of newspaper advertisements in which Mr. Dzu, as an example, made serious allegations without any censorship. Finally, it should be noted that Messrs. Thieu and Ky were subject to personal verbal attacks.

Unfortunately press censorship, which up until 2 days before the election had apparently been nonexistent, did cloud the picture. We were in Saigon when two daily newspapers were forced to suspend publication in the heat of the last 48 hours of the campaign.

I asked President Thieu about this and question his explanation, that the newspapers were pro-Communist and against the people. I report this explanation to you without supporting evidence, which is how I received it.

THE OMNIPRESENT VIETCONG THREATS

We must not, for an instant, lose sight of the fact that this election was being conducted amidst a widespread war; a war in which local terrorism is often the enemies' most potent weapon. Thus, whether or not the election was subverted from within, there was always the possibility that it would be undermined and rendered meaningless by the Vietcong and North Vietnamese.

The answer is a dramatic, indeed a striking, fact that 83 percent of the eligible voters turned out. This is obviously a most impressive turnout in any circumstance. In the case of South Vietnam, it was a brave and significant defiance of Vietcong terrorism. Let me cite two examples.

I mentioned above the situation in Phung Hiep. Despite heavy Vietcong attacks for 48 hours up to the time of the election, the voter turnout in Phung Hiep was consistent with the national average. In a situation of minimum security and constant Vietcong attacks every voter knew he might be inviting death by casting his ballot. Yet the ballots were cast and they were cast proudly.

On the night before the election 270 persons were kidnaped from a single village near Danang. Even this massive assault on the population did not deter those who remained from casting their ballots.

The importance of the election and the bravery of the South Vietnamese people are both attested to by the high voter turnout. Moreover, many voters dressed in Sunday finery walked to and from the polls with their green voter registration cards visibly clasped in their hands in open defiance of the Vietcong. The Vietcong and North Vietnamese obviously failed in their attempt to undermine the electoral process.

Ironically, many Vietcong and members of the National Liberation Front undoubtedly voted in the election. Voters were disqualified only if they declared themselves to be Communists, Vietcong or members of the NLF.

In discussing the alleged abuses that accompanied the voting I have painted a generally positive picture. This is the case because with all my probing during our visits to all parts of South Vietnam I turned up no substantial evidence of wrongdoing. Yet, I feel reasonably certain there were some abuses. Certainly there must have been some localized intimidation of the electorate. Without doubt, some people cast more than one vote. But there is no evidence, and this is substantiated by the observation team appointed by President Johnson and the other international observers, of sufficient corruption to have influenced the ultimate outcome of the election.

This is further evidenced by the fact that the victor, Mr. Thieu, received only 35 percent of the vote. As one observer remarked: "If this election was rigged, it was rigged very poorly."

Thus I am drawn to the conclusion that insofar as it is possible in a country racked by war; insofar as it is possible in a country of primitive communications and difficult travel; insofar as it is possible in a country that has not known freedom; insofar as anyone could have dared to hope; the people of South Vietnam have worked their will—the elusive self-determination is a reality.

I would not suggest this if I did not believe it. I do not say this lightly nor without many hours of consideration.

Because, if the election was fundamentally honest, as I believe it was, then the United States has achieved its major objective in South Vietnam. We have fulfilled our principal responsibility; our responsibility to the people of South Vietnam to help them achieve self-determination. President Johnson has said:

> We are in South Vietnam today because we want to allow a little nation self-determination.

For truly, Mr. Speaker, whether we win a war, or deter aggression, or even deal Communist China a defeat—whether we do any of these things in Vietnam cannot overshadow our responsibility to the people of South Vietnam. After all, that is why we are there.

Because I believe sincerely that we have achieved our major objective in South Vietnam and because we must now cement this significant accomplishment, I respectfully offer the following proposals:

First. Support for the duly elected administration of President Thieu.

Second. Emphasize civic action and the maintenance of law and order as a prelude to peace.

Third. An expanded program of land reform must be instituted.

Fourth. Establishment of economic programs leading to self-sufficiency.

Fifth. A massive infusion of personnel from other Asian countries to establish "civic action" programs and replace South Vietnamese troops whose prime role today is in pacification. These troops would then free for assuming their rightful role those now occupied by U.S. forces.

Sixth. A bold new attack on the corruption and waste that is costing American taxpayers tens of millions of dollars and impeding the social and economic maturity that are essential to a viable South Vietnam.

Seventh. Renewed recognition of the fact that the solution to the problem in Vietnam is dependent upon a total solution in Southeast Asia.

Although these facts are clearly interrelated, I would like to discuss them separately as much as possible. This will facilitate my presentation and, I hope, enable me to explain the program with greater clarity.

A. The need for our support for the duly elected government headed by President Thieu is largely self-evident. Fortunately I am pleased to report, on the basis of my interview with Mr. Thieu and if he implements his program, there appears to be ample room for a productive partnership between the United States and a South Vietnamese Government with Mr. Thieu at the helm.

President Thieu told me he intends to sever all connections with the military. While this will strip him of his base of power, it will enable him to be a civilian president, something quite necessary to the realization of ultimate objectives in South Vietnam. It is also of great urgency that Mr. Thieu fulfill his campaign promise. We must watch him closely to see what steps are taken to implement the promised programs.

He has evidenced responsibility and temperance in his public acts and statements. President Thieu has worked to smooth relations with the Buddhists, another point essential to building support in the Saigon government. He assured me he would appoint civilians to all positions in the new government that did not require military decisions.

In his discussion with me, President Thieu said that all belligerents in South Vietnam should take part in peace negotiations. Furthermore, he said he would offer amnesty to all that accepted the elected government as the legitimate Government of South Vietnam.

Because Mr. Thieu is the duly elected President of South Vietnam he merits U.S. support. Because he is a responsible and sincere statesman he earns that support.

Yet there is a shadow in the background. The shadow is cast by Vice President Ky. This man has too often evidenced irresponsibility and proved his intemperance. He should not establish, as I fear he will, a separate power base enabling him to assume control of the Government. This would be subversion tantamount to the subversion of the Vietcong. In the face of any threats from Mr. Ky our allegiance must remain with Mr. Thieu—the properly elected head of government.

B. Although we have achieved our major objective in South Vietnam, there is, and will remain for some time, a need for a continued American presence in South Vietnam. This is the feeling of all we spoke with in Vietnam and elsewhere and it is substantiated by my observations during five trips to Vietnam.

However, we should properly, and for maximum effectiveness, emphasize our political, social, and economic presence rather than the military.

This will be explained more specifically in item E. We can do this because the reality of free elections is firm evidence that, despite the extent of the war that rages even today, the Vietcong and North Vietnamese threat is controllable.

I believe we must concentrate our activity now, in this new phase of the struggle, on what is commonly called the pacification program. Mr. Speaker, strength and support in all parts of South Vietnam and from all factions in South Vietnam is most vital to building a viable country. As long as the Vietcong have a sanctuary in the Mekong Delta or in the highlands or any place else the struggle cannot be won. Only when poverty, disease, illiteracy, and the other human problems that plague South Vietnam are removed will the job be finished. This, then, is where the emphasis must be. When this is done internal subversion will be fruitless and aggression from the north will be missing the essential ally in the south.

C. Land reform is a fundamental requirement of civic action. I shall not belabor this point because it is so basic and obvious so as to be a truism. Let me simply say that in the absence of land reform all other efforts to bring peace and freedom to South Vietnam will be futile.

D. Related directly to the above point is the need for productive, constructive civic action programs such as those we saw in northeast Thailand and in Laos. It is only through such civic action that Thailand has not already become another Vietnam. The hearts and minds of the people, those intangibles we yearn to understand, are truly the end products of the struggle in all the less-developed nations.

But in Thailand we saw, under dramatic circumstances, the means to the end. Those means—roadbuilding and other public works, health and agricultural programs, helping people to help themselves—must be put into effect in Vietnam. I can report, Mr. Speaker, with pride and confidence on our civic action program in Thailand. Great strides are being made in the most hostile of circumstances. I wish I could offer a similar report from Vietnam. For it is only with true self-sufficiency that freedom will become a living thing to be nurtured and encouraged to grow.

The ultimate weapon in this struggle will not be guns and bombs, but butter and heart. It has always been the policy of the United States not to destroy but to build.

It is for these reasons that I urge a redirection of our efforts into civic action programs. If we fail at this task we fail at everything.

E. To help achieve the absolutely essential objectives as noted in points B and C we must enlist massive assistance from India, Pakistan, Japan, Indonesia, the Philippines, Korea and other countries in Southeast Asia. These nations can provide the technicians, medical personnel, teachers and other specialists needed to implement the civic action programs. Certain of the reasons why they can fairly be called upon to do this will be outlined in item G.

At present the South Vietnamese troops are responsible for an inadequate, unsuccessful pacification program. Yet pacification cannot be accomplished by Americans because of the psychological barrier created by the racial association between Americans and Frenchmen and the obvious physical difference between Americans and Vietnamese. Thus, we must call upon other Asian countries to fulfill their responsibility.

As personnel from other Asian countries become involved in the pacification program it would then be possible for South Vietnamese troops to replace American forces in the field. This would, in turn, make it possible for the United States to direct its attention to the most important role of an advisory and supply force.

F. Mr. Speaker, I saw disgraceful, scandalous, inexcusable waste and corruption in South Vietnam. I shall detail this more fully in testimony to the appropriate House committee. However, I mention it here because it is undermining all our efforts in South Vietnam and providing a serious impediment to the realization of our goals in that country. This is unnecessary, unfortunate to the highest degree, unfair to American taxpayers, unfair to our gallant fighting men and without satisfactory excuse or apology.

G. Mr. Speaker, I have saved this point for the conclusion because of its overriding importance and because it helps place the situation in Vietnam in perspective.

My colleague and I visited Thailand and Laos after spending most of a week in Vietnam. My colleague then had to return to the United States. I traveled on to Hong Kong, the Philippines and Taiwan. We extended our trip for a fundamental and most important reason: Ultimate resolution of the situation in Vietnam and the prevention of similar situations in the future requires the recognition that the peace and security of all of Southeast Asia is at stake. Thus all of the nations of the area must be involved in resolution of the problem in Vietnam and the problem must be resolved in a manner that takes into account the implications for the other countries in the area.

This is not meant as acceptance of the so-called domino theory. Nor is it intended to suggest a specter of "yellow peril." Let me explain, then, what this does mean.

The problems of Vietnam—external aggression, internal strife and subversion, primitive conditions, great inequality in wealth, the colonial legacy, and disease are problems that exist in varying degrees in most countries of Southeast Asia. Those countries that have grown beyond these problems are affected, if only because of proximity, by the problems of their neighbors.

Thus the answer given to these problems in Vietnam may hold the key for other countries. If we fail to earn the support of the people of South Vietnam through civic action there is distressingly little chance of other countries affording us similar opportunities.

Mr. Speaker, I am given to understand there are 53,000 North Vietnamese troops in Laos today. Many of them are guarding the Ho Chi Minh trail. This is yet another reminder that a solution to the problem of Vietnam must be a wider solution. A Laotian official told me that his country would not permit construction of the so-called McNamara barrier in Laos. This means that whatever barrier, electronic or otherwise, we construct in Vietnam, it will be easy for the North Vietnamese to continue infiltrating to the south, unless the Ho Chi Minh trail and the sanctuary it provides are eliminated.

The realization that there are almost as many North Vietnamese troops in Laos as in all of South Vietnam is shocking. Yet it should remind us that we must, insofar as we are wanted and our resources permit, help other countries to achieve and maintain precious freedoms including self-determination.

The lesson that emerges from past experience and the myriad of facts and observations before us is that success will come in Vietnam and all of Asia through a maximum of constructive action and a minimum of destructive action. This has been the means in the past—it is the reason the other nations of the world have looked to us.

Briefly let me note that I recognize the need for certain military actions. But I believe the success of the September elections proves that the need for military action may be decidedly less now than before the election and may be safely reduced. Defenses must be maintained and security guaranteed—but that alone falls far short of victory.

Mr. Speaker, this week a new government, a freely elected government, takes office in South Vietnam. Let us do what we must to help that government and its people grow and prosper.

But let us never lose sight of the means through which we will achieve that end in Vietnam, or in Laos, or in Thailand, or in Indonesia, or in any other developing country. Those means are freedom, education, industrialization, political stability, equality of opportunity, and utilization of resources. This is how we have grown in America and this is how growth can come to Southeast Asia.

As an additional source of information on the election, the following excerpts from "Vietnam Report VII" issued by the GVN will provide some interesting sidelights:

EXCERPTS FROM VIETNAM REPORT—VII

FOREWORD

Perhaps few elections have attracted as much worldwide attention and were subjected to as much prejudgment as the Presidential Election in the Republic of Vietnam on September 3, 1967.

Much has been said about this election and the central issue revolved around the question of fairness. Now that the election is over, all evidence points to the fact that it has been fairly and honestly conducted, as testified by the reports of many newsmen and foreign observers on the spot.

The purpose of this paper is to give the interested reader some facts and figures about this election.

EMBASSY OF VIETNAM, *Washington, D.C., September 1967.*

THE PRESIDENTIAL ELECTION

Campaigning

The date of September 3, 1967 was set for the Presidential election by Law No. 001/67 promulgated on June 15, 1967.

The election campaign started on August 3 and ended at noon, September 2, 1967, the day preceding the election. This is in accordance with Article 23 of Law No. 001/67. The first three days of the campaign which took place in the capital, Saigon, where the candidates shared equal television and radio time to express their views, went on rather smoothly. The hitch, and the only hitch of the campaign, did not happen until the fourth day with the "Dong Ha Incident"[1] of August 6, when the candidates were supposed to speak to a crowd in Quang Tri, the first stop of their provincial tour. After a period of delay during which they pressed charges against the government and threatened to pull out to discredit the elections, the civilian candidates agreed to resume the campaign and appeared in the following cities and provinces: Bien Hoa, Qui Nhon, Nha Trang, Man Me Thuot, Tay Ninh, Can Tho, Rach Gia, My Tho, Da Nang, and Hue. The campaign started and wound up in Saigon.

The issues

The issues became clearer as the campaign progressed. Attention focused on the main issues with the platforms of the various slates more sharply defined in response to the charges and accusations of other slates.

1. Peace: Peace is one of the overriding issues in the campaign. Of eleven presidential slates, nine, with varying degrees of emphasis, held similar views on the conduct of the war. They all rejected negotiations with the Viet Cong. They, however, favored attempts to persuade North Vietnam to bring the war to the conference table. If North Vietnam fails to respond positively to their peace overtures, they would be prepared to continue the war. Slate #6 advocated peace through military victory and liberation of the North, either by ground invasion or by bombing. Slate #4 advocated an unconditional end to the bombing both in the North and in the South, and direct negotiations with the Viet Cong. The following table is a graphic representation of the identifiable positions of the various slates regarding the technicalities of the question as to how to bring about peace:

Slate No. and candidates' names	For "peace" in general	For "war for war's sake"	The NLFSV as an independent party to the conference table	Negotiate with North Vietnam only	Seek negotiations, but failing any response, prepared to continue war	For peace through military victory only
1. Suu/Dan	Yes	No	No	Yes	Yes	
2. Ky/Dinh	Yes	No	No	Yes	Yes	
3. Binh/Khinh	Yes	No	No	Yes	Yes	
4. Dzu/Chieu	Yes	No	Yes			
5. Huong/Truyen	Yes	No	No	Yes	Yes	
6. Co/Sinh	Yes	No	No			Yes.
7. Ly/Duong	Yes	No	No	Yes	Yes	
8. Hiep/Truyen	Yes	No	No	Yes	Yes	
9. Thieu/Ky	Yes	No	No	Yes	Yes	
10. Khanh/Dong	Yes	No	No	Yes	Yes	
11. Quat/Chan	Yes	No	No	Yes	Yes	

2. Corruption: All civilian slates had at one time or another leveled general charges of corruption against the Government, but none of them cared to substantiate their charges. As a consequence, they could only suggest general measures that lacked concreteness. The only slate with a definite program of corruption eradication was the mili-

---

[1] See *Vietnam Report VI: In Saigon: The Issue is Fairness,* Embassy of Vietnam, Washington, D.C., August 1967, pp. 25–28.

tary ticket which on August 25 promised that fifty officers accused of corruption would be put on trial and eventually submitted to disciplinary measures or punished according to the findings of the tribunals.

3. Enlargement of Freedom: Many freedoms have never been questioned in the Republic of Vietnam, such as the freedom of worship, the freedom of enterprise, etc. The only freedom that was from time to time curtailed owing to wartime conditions was the freedom of the press. The Government realized that an election campaign would be meaningless if there were no complete airing of opinions. This prompted the Government to lift the censorship laws on July 22, fully two weeks before the actual campaign and during the whole campaign. Even now when the campaign is long over, the bars of censorship have not been reimposed on the press.

During the campaign, the civilian candidates all expressed their fears that the voting process would be rigged. The results of the election speak for themselves and should satisfy any lingering doubt that rigging of any scale was involved.

4. Other issues: Other issues included the relative merits and demerits of a civilian versus a military government (this is one of the main points of the Suu/Dan platform), land reform (both Suu/Dan and Thieu/Ky slates pledged acceleration of programs), the improvement of the standard of living (this is a general principle given adherence by practically every slate), the stabilization of the economic situation, the efficiency of government, the creation of a more solid political life, the improvement of the educational system, and the development of health and social services, etc.

Voting

At 7 o'clock Sunday morning, September 3, 1967, the polls all over Viet-Nam opened for the voting for a President, a Vice-President, and 60 members of the Upper House of the National Assembly.[2] There were 8,824 polling stations in the 50 provinces and municipalities of Viet-Nam. Out of the 5,853,251 registered voters, 4,735,404 or 83.3% went to the polls. Only 132,862 or less than three per cent of the votes were invalid. The highest percentages of voter participation were recorded in the provinces of Ninh Thuan (93.9%), Quang Tin (93.1%) and Go Cong (92.2%). The polls closed at 4 p.m.

Each of the polling stations was staffed with electoral officials and was overseen by representatives of the various candidates. The procedures for voting and specific electoral safeguards are described in detail in the electoral laws passed by the Provisional Legislative Assembly (see Abstract of the Law in the appendix).

The final list of Presidential slates—as approved by the Provisional Legislative Assembly which controls and validates the elections—numbered eleven, and arranged according to time of filing.

Observers

The voting took place orderly and freely under the interested and scrutinizing eyes of hundreds of journalists and observers from 24 countries. Many came as independent observers, some being from non-aligned countries. They covered not only Saigon and the major cities, but also the remote hamlets to see for themselves the actual machanics of this greatly publicized election.

The nearly unanimous impression of these observers was that the election was carried out orderly, fairly, and efficiently. Dr. Richard M. Scammon, Director of the Elections Research Center in Washington and a former Chairman of the U. S. Commission on Registration and Voting Participation, said of it: "This was an honest election, carried out under difficult conditions—under the shadow of gunmen—and a large majority of those who could, did vote." A respected political writer much acquainted with Viet-Nam, Denis Warner, wrote: "What was truly impressive, and certainly far beyond the competence of any government to fix or rig, was the sophistication of the voting trends as soon as the count began. In center after center I observed trends that were to become city-wide and then nation-wide after no more than a couple of hundred votes had been counted in each place" (*The Reporter*, September 21, 1967, p. 20).

The New York Times reporter R. W. Apple, Jr. summed it up this way: "A pool of 12 reporters for American newspapers who had studied the voting throughout the country, concluded that the election has been conducted honestly" (September 5, 1967).

Meaning of the election

What was amazing was the fact that the population showed greater interest and sophistication than many would have granted it, and as a whole they seemed to have voted on the basis of issues confronting the nation rather than on personal, religious, or regional loyalty.

The outcome produced some surprises as well as uncertainties. But a few points were made clear:

That the government carried out the election with efficiency and fairness;

That the people of Viet-Nam were free to exercise their choice of national leaders;

That the voting took place in a country at war and being subjected to a concerted campaign of sabotage and terrorism by the communists;

That the election process was open to scrutiny by all. Observers and journalists went wherever they pleased without any governmental restrictions;

That this is the fourth national election to take place in Viet-Nam within less than a year (the others being the Constituent Assembly election, the Village and Hamlet elections, and the Senatorial election);

That the range of choice among candidates (eleven candidates for the Presidency and 480 candidates for the 60 Senate seats) stands in marked contrast with the party-selected, single candidacy in North Vietnamese elections;

And finally, that the election plainly showed that the Viet Cong lack the support of the majority of the South Vietnamese and that nearly 80 per cent of the votes went to candidates who advocated no compromise with the Viet Cong.

The returns of the Presidential elections have long been completed, but they need to be validated by a plenary session of the Provisional Legislative Assembly after it has reviewed complaints of voting irregularities.

With the new Senate, elected on the same day, and the new House of Representatives to be elected on October 2, 1967, our people will have completed a long step forward in the process of building a democratic and viable nation.

---

[2] The Senatorial election will be the subject of a forthcoming report.

PRESIDENTIAL ELECTION RETURNS (SUBJECT TO VALIDATION BY THE PROVISIONAL LEGISLATIVE ASSEMBLY)

Slate No.	Presidential candidate	Vice-presidental candidate	Total votes received	Percent
9	Nguyen Van Thieu	Nguyen Cao Ky	1,649,561	34.8
4	Truong Dinh Dzu	Tran Van Chieu	817,120	17.2
1	Phan Khac Suu	Phan Quang Dan	513,374	10.8
5	Tran Van Huong	Mai Tho Truyen	474,100	10.0
2	Ha Thuc Ky	Nguyen Van Dinh	349,473	7.3
11	Nguyen Dinh Quat	Tran Cuu Chan	291,718	6.2
8	Nguyen Van Hiep	Nguyen The Truyen	160,790	3.5
10	Vu Hong Khanh	Duong Trung Dong	149,276	3.2
3	Hoang Co Binh	Lieu Quang Khinh	131,071	2.9
6	Pham Huy Co	Ly Quoc Sinh	106,317	2.2
7	Tran Van Ly	Huynh Cong Duong	92,604	1.9

PRESIDENTIAL ELECTION RETURNS BY TACTICAL ZONES

	Slate											Total	Number of registered voters
	(1) Suu/Dan	(2) Ky/Dinh	(3) Binh/Khinh	(4) Dzu/Chieu	(5) Huong/Truyen	(6) Co/Sinh	(7) Ly/Duong	(8) Hiep/Truyen	(9) Thieu/Ky	(10) Khanh/Dong	(11) Quat/Chan		
Zone I	172,667	92,591	17,687	85,071	33,823	13,320	11,043	21,743	189,405	38,774	82,827	758,951	911,861
Zone II	114,510	54,272	21,728	114,569	56,303	20,870	19,391	42,283	437,433	23,836	69,495	974,690	1,132,268
Zone III	135,681	92,482	41,427	312,831	264,487	36,412	30,922	48,787	523,692	44,509	69,756	1,601,346	2,114,178
Zone IV	90,516	109,768	50,229	304,649	119,487	35,715	31,248	47,977	499,031	42,157	69,640	1,400,417	1,694,944
Total	513,374	349,473	131,071	817,120	474,100	106,317	92,604	160,790	1,649,561	149,276	291,718	4,735,404	5,853,251

THE VIETCONG AND THE ELECTIONS

As of 7:00 p.m. Sunday, September 3, 1967, the Viet Cong had launched at least a total of 238 terroristic acts throughout Viet Nam in their attempt to sabotage the Presidential and Senatorial elections.

Viet Cong directives for sabotaging the elections were given to local cadres within weeks after the promulgation of the electoral laws in June 1967. A document captured in the Nhon Trach district of Bien Hoa province, and signed by Nguyen Van Thong, a high Viet Cong official, stated:

"We must continuously attack the enemy in all fields so as to crush their plot of launching a two-pronged attack and defeat the so-called 'Presidential election' . . . The September struggle phase is aimed at demolishing the deceitful 'Presidential' election comedy. . . . From now to the enemy 'Presidential election day', guerilla forces are to search out and destroy early any group that propagandizes and advertises the enemy's tricky so-called election comedy.

"On election day, guerrilla forces are to stick to and attack at any price all enemy groups that force people to go to the polls and disperse people that are gathered by the enemy; the secret self-defense members are to be ready to attack right at the polling stations or operate in coordination with the guerillas to destroy ballot boxes and punish the tyrants. . . . In cities, we must pay attention to gaining control of all legal and semi-legal organizations with a view to gathering the people, educating them and leading them in their struggle."

Captured minutes of a Viet Cong meeting in Binh Thuan province ordered its agents to kill, kidnap or threaten government employees, especially those involved in the elections, specifically "to prevent people from registering to vote—preferably by persuasion but by force if necessary—and to confiscate voter registration cards. On election days, cadres are to set up ambushes along lines of communication to prevent people from going to polling places, and to attack polling stations and remove ballot boxes."

Another document captured near Da Nang was to the point: "Actively prepare for sabotage plans. When the situation permits, kill some enemies."

(N. B. For a detailed report on the Viet Cong drive to sabotage the elections, see appendix.)

INTERNATIONAL OPINIONS ON THE ELECTION

[Excerpts]

I. American press comments

Chicago Daily News (Sept. 6, 1967): "The Viet Cong enemy provided the best evidence that the election was not a sham. Its efforts to prevent the election and harass the voters expanded into the bloodiest sort of terror tactics as the day approached. For 83 per cent of the eligible voters to turn out in defiance of this threat required a high degree of courage."

The Christian Science Monitor (Sept. 6, 1967): "Just as in the elections for the Constituent Assembly a year ago, the Viet Cong did their best by propaganda and terror to prevent the South Vietnamese from voting. In one sense, then, simply casting a ballot was synonymous with a vote against the Viet Cong."

The Cleveland Plain Dealer (Sept. 4, 1967): "The Vietnamese voters contributed a spectacular display of courage. More than 80 per cent of those registered cast ballots and, despite relentless terriorism, voting was blocked in only three of the 8,824 voting places . . . There is no question about the determination of the Vietnamese people to establish a stable constitutional government."

The Evening Star (Washington): "Truly a remarkable event . . . The ballots were cast and the consensus of observers from 24 countries, invited by the Saigon Government, was that the election was more fair than unfair."

The New York Times (Sept. 5, 1967): "One of the prerequisites for successful negotiations has been a Government in the South that has both constitutional legitimacy and demonstrable popular support. A long step in that direction has now been taken."

The Philadelphia Inquirer (Sept. 5, 1967): "The horrible measures taken by the Communists to obstruct the election are indicative of how they feel about democratic processes."

Time Magazine (Sept. 15, 1967): "Among the Vietnamese, the overwhelming feeling about their own election last week was that it was as honest as they have ever known, more honest than anyone expected."

Washington Post (Sept. 5, 1967): "The fact that about 83 per cent of the registered voters went to the polls (compared to 62 per cent in our presidential election of 1964) is indicative of widespread interest . . . In order to vote at all they had to defy the orders of the Vietcong and risk death in a shocking campaign of terrorism."

II. Other foreign press

Australia

Sydney Morning Herald: ". . . as fair and free as could be reasonably expected in the extraordinary conditions."

Austria

Der Kurier (Vienna): "Pacifists throughout the world chimed in with the communist cries of protest—these are no democratic elections! In their anger, real or feigned, they forgot that despite all shortcomings which undoubtedly existed, the South Vietnamese elections did offer real alternatives to the voters, in clear contrast to 'elections' in a Communist country where the customary 99.9 per cent for the regime does not surprise anybody."

Volksblatt (Vienna): The high voter turnout "has strikingly refuted the theory that the people of Vietnam are tired of politics and that they endure the war as well as the elections indifferently."

Burma

The Rangoon Daily: "Observers from a number of countries watched the elections, and the consensus was that they were fair and just."

China

The China Daily News: "The big turnout of voters in the presidential election represents a telling blow to the Viet Cong and the Ho Chi Minh regime. It is a demonstration of Vietnamese determination to defend their free and democratic system of government in total disregard to the terrorist campaign of the Viet Cong."

Chung Yang Jih Pao: "The success of the Vietnam election is a great victory in the political warfare against the Viet Cong."

Cheng Hsin Hsin Wen Pao: "From now on, nobody can attack Vietnam and interfere with the Vietnam war over the issue of democracy. The new democratic government of the Republic of Vietnam will be able to take initiatives both in the political warfare of 'peace talks' and in military operations."

Denmark

Berlingske Tidende (Copenhagen): "The election demonstrated that a prolonged war had not deprived the population of the will to decide its own destiny."

Germany

Der Tagesspiegel (Berlin): "It would be an injustice to minimize or mock this declaration of popular will in South Vietnam."

Die Welt (Hamburg): "The good showing of several civilian candidates demonstrated that the voting was mostly free."

India

The Hindustan (New Delhi): ". . . a bold effort to establish democracy in time of war."

The Janmabhumi (Bombay): ". . . a rare experience and a glorious event in the history of democracy. Neither friends nor foes of that country can ignore the implications of such vast popular enthusiasm to set up a democratic government."

The Nav Bharat Times (New Delhi): "The large voter turnout indicated that the Vietcong is on the wane."

The Wishwamitra (Calcutta): "If 80 per cent of the people participated in the election, as reported, it will be considered as a considerable waning of Viet Cong popularity."

Italy

Resto Del Carlino (Bologna): "Despite the possibility of falling victim to bombs or guns, the people voted, and that was their answer to the Communists and their allies who prefer gunfire to balloting."

Japan

Japan Times: "Although the inculcation of ideas of political responsibility can only be achieved slowly, we feel that the election with its comparatively large turnout of voters indicates that ideas of democracy are catching on."

Yomiuri: "The most desirable factor is for the new government to become a stable regime enjoying the support of the people."

Malaysia

Malay Mail (Kuala Lumpur): "The size of the vote for . . . Thieu and Ky . . . cannot possibly be explained away simply in terms of the electoral advantages they enjoyed as incumbent powerholders. Indeed had they manipulated the vote they would surely have collected a much bigger share—and their methods would surely have been apparent to some at least of the dozens of overseas observers invited to South Vietnam. The results must be judged fair."

The Straits Times (Kuala Lumpur). "Charges that the election would be fraudulent and a farce have been refuted. . . . To have held the election at all was an achievement."

New Zealand

The Dominion (Wellington): "The South Vietnamese had done what the Communists have long promised but consistently failed to do—launch a real social revolution. . . . It appears likely that the institution of a stable, legal government in Saigon . . . with greater stature than any of its predecessors possessed, will at last convince North Vietnam that it cannot win the war."

The Press (Christchurch): "Although this election has not produced a decisive popular vote for one leader, it has shown the readiness of the people to have their own government and not one thrust upon them."

Norway

Arbeiderbladet (Oslo): "A new democracy" had been born in South Vietnam and "the spread of the votes cast . . . fully proves the honesty of the elections."

Morgenbladet (Oslo): "If there had been any organized election fraud, the military would surely have made certain they got better results. . . . On the whole, the elections were an impressive performance and proof that democratic processes are under way in South Vietnam."

Peru

Correo (Lima): "The elections were a resounding success, considering the fact that the Viet Cong made every possible effort to frustrate them. They were a harsh blow to the Communists and a palpable demonstration that their popularity is more apparent than real."

Philippines

Manila Chronicle: "It is moving to read the accounts of how despite terrorism and actual violence . . . a big percentage of South Vietnamese of voting age braved the terrors to cast their vote."

Philippine Herald: "The world that watches the brave attempt of this war torn country to brace itself up would surely look with sympathy on the understandable imperfections of the democratic machinery only now installed and already so overwhelmingly challenged to survive."

Sweden

Svenska Dagbladet (Stockholm): "The fact that South Vietnam will now get a government of somewhat democratic form . . . should present a new point of departure for peace negotiations. In any case it should be more difficult for the national liberation front and its leaders in Hanoi to shrug off the Saigon government as insignificant."

United Kingdom

The Economist (London): "Despite the scorn poured on it, the election has achieved several things. In the first place, it puts South Vietnam among the small collection of countries whose governments risk holding elections with any significant degree of choice at all. . . . In the second place, the election means that the Saigon government will now be obliged to submit itself, to some extent, to the give-and-take of political pressure."

The Guardian (London): "In spite of the skepticism and doubts for months beforehand, the South Vietnamese presidential election actually took place and was less of a charade than had been commonly expected. Although the Vietcong made a vigorous attempt to disrupt it, nearly five million people went to the polls."

The Daily Telegraph (London): "South Vietnam took a giant stride towards democracy in Sunday's election . . . on balance, South Vietnam's war effort and her position for getting peace negotiations started will be greatly strengthened. What can North Vietnam or the Viet Cong offer in comparison?"

III. Opinions from American observers

Mayor Joseph M. Barr of Pittsburgh: "There's less harassment of the voters than there is at the polls in the United States, and they have better identification with their voting cards than we do."

The Reverend Dr. Edward L. R. Elson of the National Presbyterian Church in Washington: "One point should be made strongly. If not precisely fair, it is still a mighty move forward—an election in Asia in a country at war."

Warner Gullander, President of the National Association of Manufacturers: "I think that this was an election with a great deal of integrity."

Governor William H. Guy of North Dakota: "Too much attention had been focused on the possibility of election irregularities, and not enough on the really significant thing . . . that these people, with great courage, gave as moving and as profound an example of their desire for self-determination as you could find. . . . (The election) has been carried out with greater detail and checks and balances than many of our own."

Senator Bourke B. Hickenlooper of Iowa: "I don't know of anyone who claimed he saw evidence of rigging. Certainly I didn't."

Governor Richard J. Hughes of New Jersey: "I have talked to people from top, including (Presidential candidate) Tran Van Huong, to bottom, including voters, and I have found nothing whatever to indicate that the elections have been tampered with. I was most impressed by efforts to shield from fraud the vote in that country, and the people's real sense of nationhood and pride."

E. Eldon James, former National Commander of the American Legion: "South Vietnam has achieved the basic foundations for the establishment of a strong democracy and its people are resolved to bring it about."

John S. Knight, Publisher of the Knight Newspapers: "It was the unanimous opinion of the American observer mission which covered representative sections of the country that the election was, so far as we could determine, reasonably fair and honest.

This view was generally shared by observers from 23 other countries.

"True significance of the voting is that a national election could be held under war conditions and strong threats from the Viet Cong."

Governor Thomas L. McCall of Oregon: "I thought it (the election) was quite an inspiration. Even the doves and those against the war were satisfied. It was very heartening."

Theodore R. McKeldin, Mayor of Baltimore: "Splendid, intelligent people."

Senator George Murphy of California: "I have no reservations about calling this a free and fair election. I'll have little patience with anyone who starts telling us it was rigged."

Senator Edward S. Muskie: "We pretty much blanketed the country from north to south. The preparations were very thorough, with the greatest safeguards to protect the integrity of the ballot. . . . My impression was that there was a good turnout and the people seemed pretty relaxed, thoughtful and quite orderly. There was nothing about the activity around the polls to suggest pressure or harassment."

Eugene Patterson, editor of the *Atlanta Constitution*: "The election machinery is much more elaborate than I expected, and more elaborate than in many places in the United States. The election was mighty clean compared to what we have had in Georgia and much of the South. . . . The recent elections in Saigon may have hit Hanoi a harder blow than B52s could deliver."

Rabbi Jacob P. Rudin, President of the Synagogue Council of America: "A wonderful experience. . . . The Vietnamese fulfill what was obviously a serious obligation on their part. It was very moving, they were not taking it (the right to vote) for granted as we sometimes do here."

Professor Richard F. Scammon of the Government Affairs Institute of Washington: "Reasonably efficient, reasonably free and reasonably honest. . . . I would use exactly the same words to describe elections in the United States."

David Sullivan, Vice-President of the AFL-CIO: "I am impressed by the spirit and the will of the Vietnamese people to build a free and democratic nation. I am impressed by how many persons voted in the election, in defiance of the Viet Cong's threats and violence. I am particularly impressed with the positive role that the Vietnamese Confederation of Labor and its members throughout the country have taken in assuring full, intelligent participation of all the people in these critical elections."

Whitney Young, Executive Director of the National Urban League: "I returned completely satisfied that it was as free an election as possible under the circumstances—so many candidates, so much brutal terrorism as they have . . . So I left with the feeling that they had demonstrated a self-determination on forming their own government."

Congressman Lester L. Wolff of New York, an independent observer: "From what I can see, charges of fraud in the balloting are groundless."

IV. Opinions from other observers

Representative Ali Dimaporo of the Philippines: "The elections had taken place in perfect tranquillity and order. I have found no evidence of political pressure on the voters."

Mr. Aree Iddhikasem of Thailand: "Vietnamese officials have done their best to keep the elections honest. The elections were carried out in order on the whole, and the citizens have done their duty eagerly."

Mr. Kim Seong Jin, Korea's Orient Press Agency: "The elections were carried out in order and honesty. I admired the Vietnamese voters for their resolutions in building democracy under the most difficult circumstances.

Erich Mettler, in *Die Neue Zuricher Zeitung:* "The voting was astonishingly free and well-ordered, especially since it was carried out in the midst of a war and despite the fanatical brutality of the Viet Cong."

Mr. Amal Mukherjee, Chief of the Asian Bureau of the International Confederation of Free Trade Unions (Brussels): "I saw the orderly and peaceful balloting in progress. Despite mounting threats of sabotage, the elections went on—a remarkable feat—and I congratulate the people and the authorities and wish them every success in their democratic experiment."

K. Narendra, Editor of the *Vir Arjun* and the *Pratrap* (New Delhi): "It is clear that the Communists do not like such a process (election) because they believe in dictatorship. What was observed by visiting foreign correspondents was more than enough to convince them that the Vietnamese people have faith in democracy. The preparations that preceded the polling clearly showed that the people were anxious and greatly interested in exercising their right to vote as they liked."

Mr. Vincente Albano Pacis of *The Manila Chronicle:* "Considering that a war is going on inside South Vietnam and that the Viet Cong increased their terrorist activities to frighten people away from the precincts before and during the election, killing 2,500 civilians in the process, it seems fair conclusion to make that the big turnout of voters—more than 80 per cent of registered electors, a percentage higher than the usual voters' turnout in the Philippines—is an auspicious beginning for the new government."

Mr. K. S. Wai, Hongkong Publisher (*Tin Tin Yat Po*): "The elections were absolutely open and absolutely free. Everywhere I went, the voters were all behaving in an orderly manner . . . Viet Cong terrorism did not upset the voters. When a polling center was bombed, they washed the place clean of blood and queued up again to cast their votes . . . I found the passionate patriotism with which they are seeking to rebuild their country at a trying time most touching."

APPENDIX

THE PRESIDENCY AND VICE PRESIDENCY ACCORDING TO THE 1967 CONSTITUTION

Authority

Executive authority is vested by the people in the President. The President and the Vice-President, running together on one list, are elected at large through universal suffrage by direct and secret ballot. Their term of office is four years and they can be reelected only once.

The President is the Chief of State and Commander in Chief of the Armed Forces. He determines national policy, appoints the Prime Minister and, upon the latter's proposal, members of the Cabinet, and presides over the Council of Ministers. He promulgates laws and treaties, receives diplomatic credentials, grants amnesty and pardon. He appoints, with the approval of the Senate, chiefs of diplomatic missions and rectors of state universities. He may decree a state of national emergency which must be ratified, amended or rejected by the National Assembly. In a state of war and when elections cannot be held, the President may, with the approval of two-thirds of the total membership of the National Assembly, extend the terms of office of certain elected bodies and appoint province chiefs. During the first Presidential term under this Constitution, the President may appoint province chiefs.

The Vice-President is Chairman of the Culture and Education Council, the Economic and Social Council, and the Ethnic Minority Council. He cannot cumulate any other position in the government. He may replace the President for the remainder of the term if it is less than one year, in case the President dies, resigns, or has a serious and prolonged illness. In case the President is impeached or the remainder of the term is more than one year, the Vice-President temporarily assumes the Presidency for a maximum of three months in order to organize elections for a new President and Vice-President.

Candidacy

Citizens who fulfill the following conditions may run for President and Vice-President: they must have Vietnamese citizenship since birth, have lived continuously on Vietnamese territory for at least ten years as of election day (time spent abroad on official missions or in political exile is considered as residence in Vietnam). In addition, the candidates must be 35 years old as of election day, enjoy all rights of citizenship, have legal draft status, and meet all other conditions set forth in the Presidential election law.

PROVISIONS FOR THE ELECTION OF THE PRESIDENT AND VICE PRESIDENT

The first law passed by the Provisional Legislative Assembly (formerly the Constituent Assembly) is Law No. 001/67 governing the election of the President and Vice President. It was promulgated on June 15, 1967, and the election date was set for September 3, 1967.

Voter eligibility

Eligible to vote are those persons of Vietnamese nationality of either sex, having reached the age of 18 as of December 31, 1966, having been registered and in possession of a valid voting registration card. Each citizen can register on one voter list only.

Civil servants and military men on missions, transfers, or unable to return to places of residence where their names are registered on the voters' list, may cast their votes at their actual location on election day. In addition to their voting registration cards, they must show their "Mission Order" duly certified by the proper authorities. In such cases, the Chairman of the committee in charge of the polling station must prepare a supplementary list to be sent to the local Electoral Council.

Citizens who fulfill all conditions of eligibility to vote but whose names do not appear or appear incorrectly on the list of voters have the right to file a complaint with the proper authorities by July 25, 1967, at the latest.

Candidacy

1. (See conditions for eligibility according to the Constitution on pp. 26–27).

2. Ineligible to be candidates are those sentenced for criminal offenses and misdemeanors (such as theft, swindling, breach of trust, forgery, violation of good morals, bribery, influence peddling, and embezzlement), those sentenced to three or more months imprisonment for minor crimes, those convicted of hit-and-run traffic accidents, deprived of citizenship and electoral rights by a court under existing laws, those under legal guardianship or being mentally ill, those having gone bankrupt and not yet rehabilitated; those having not complied with draft orders; civil servants, military men, and government officials having been suspended, dismissed, removed, or having resigned for disciplinary reasons; those having directly or indirectly worked for communism or procommunist neutralism.

Filing of applications for candidacy

Applications for candidacy must be filed with the Secretariat of the Provisional National Assembly by midnight June 30, 1967, and must be accompanied by the following document: a birth certificate, a judicial record not older than three months, a certificate of continuous residence for ten years on Vietnamese territory, a certificate of draft status, a certificate of leave of absence (in case of military personnel and civil servants), receipt of deposit for electoral campaign expenses, a list of candidate representatives to be assigned to the Central Electoral Campaign, a sample of symbols to be used, and five 4x4cm. photographs of each candidate.

Review of candidacy

The Provisional National Assembly reviews the application for candidacy and supporting documents submitted by prospective candidates. First posting of the list of candidates will be made at the site of the Assembly within twenty four hours after the deadline for the filing of applications for candidacy.

Voters and candidates may file complaints with the Secretariat of the Provisional National Assembly about the eligibility of candidates by July 6, 1967. These complaints and supporting documents will be transmitted to the Central Electoral Commission for review. This Commission will report its findings to the Secretariat of the Assembly by July 15, 1967.

The Central Electoral Commission is made up of the following members:

The Presiding Judge of the Court of Appeals—Chairman.

The Chairman of the State Council, or Administrative Judge, his representative—Member.

The Dean of the Saigon Bar Association or his representative—Member.

An Assembly Deputy representing the electorate—Member.

The Special Commissioner for Administration, or his representative—Secretary (with voting privilege).

Before the Assembly meets in plenary session to decide on the second posting of the list of candidates, those candidates against whom complaints have been filed, may be invited to appear and answer the charges before the Special Committee of the Assembly.

The second posting of the list of candidates will be made no later than July 19, 1967. From the date of the second posting, no candidate may withdraw from the race or alter his list.

Election campaigning

At the national level, there will be a Central Election Campaign Committee composed of one principal and one alternate representative from each ticket.

The Chairman of the Committee will be elected from among the candidates' representatives. He will preside over the committee deliberations, and in case of a tie, he will cast the deciding vote.

At the local level, a Committee of similar composition will be established in each municipality and province. Representatives on these local campaign committees are designated by members of the Central Election Campaign Committee.

Election Campaign Committees will:

(1) determine the number, size, and color of handbills and posters;

(2) determine procedures for printing, transporting, and distributing handbills and posters;

(3) fix the date and places for putting up posters and distributing handbills which may also be passed out at voters' homes;

(4) organize talks by candidates or their representatives with the electorate;

(5) determine procedures governing press activities and press conferences by candidates or their representatives;

(6) determine procedures for using sound trucks, radio, and television wherever available. Equal time must be apportioned among all tickets.

All expenses related to the organization of the elections, including compensations for the observers representing the various tickets, will be borne by the national budget. However, each ticket must deposit at the National Treasury a sum of two hundred thousand piastres (VN $200,000). In case a ticket withdraws after the second posting of candidacies, or fails to poll ten percent of the total number of valid votes, it must reimburse the national budget for expenses incurred on its behalf in the printing of handbills and posters.

The campaign begins August 3, 1967 and ends at noon, September 2, 1967, and must be conducted in Vietnamese.

Voting procedures

At each polling station, there will be a committee composed of a chairman and a deputy chairman, appointed by the mayors and province chiefs, and an even number of members—at least two—chosen by the chairman from among the voters present when the voting begins. Each ticket has the right to designate an observer at each polling station.

The committee Chairman supervises the voting and is responsible for keeping order at the polling station. He must immediately make a written report in the event of irregularities or if there is a complaint lodged by the candidates' representative.

Voting begins at 7:00 a.m. and concludes at 4:00 p.m. on September 3, 1967.

A voter must cast ballots in person. He cannot vote by mail or by proxy.

He may not carry arms when entering the polling station. He must show his registration card along with his regular identification card before he is given ballots, one for each ticket, and one envelope.

The voter must enter the curtained voting booth alone, select the ballot of his choice and put it into the envelope. Unused ballots must be torn apart and discarded by the voter himself into a receptacle for this purpose.

Upon leaving the booth, he displays the envelope containing the ballot to show there is only one envelope in his possession, then places it in the ballot box. If a voter is physically unable to cast the ballot he may request the committee chairman to select another voter to help him.

After the voter has cast his ballot, his voting card will be stamped and a corner of his card cut off by a member of the committee in charge of the polling station. These card corners must be kept as a tally of persons who have voted.

The ballot box has a slot for ballots. When voting begins, the committee chairman opens the ballot box and shows it for the public to see that it is empty. It is then locked with two different types of locks. The chairman holds one key and the oldest committee member holds the other. When the voting is over, if the keys are missing, the ballot box must be opened by any means and the incident noted down in the report.

Vote counting

When the voting is over, ballot counting will proceed as follows:

The committee in charge of the polling station will designate a number of ballot counters from among the voters present who can read and write. These ballot counters, sitting in groups of four at separate tables, work under the direct supervision of the candidates' observers.

The committee chairman opens the ballot box and orders the count of envelopes. If the number of envelopes exceeds or is less than the number of voters who actually cast the ballots, it must be so recorded in the report. The number of actual voters is the number of corners cut from the voting cards.

The committee chairman gives each table a number of ballots for counting. At each table, the first ballot counter opens the envelope and hands the ballot over to the second ballot counter who reads aloud the names printed on the ballot. This ballot is then handed over to two other ballot counters who check it separately and note it on the tally sheet. When counting ballots, the first and second ballot counters are not allowed to hold anything in their hands which might make the ballots invalid.

Ballots will be invalid if: an evelope contains more than one ballot—is different from the one distributed to voters—the envelope is empty or contains something other than the ballot—the ballot bears additional writing or symbol—the ballot is not inside the envelope—the names of the candidates on the ballot are altered or tampered with in any way. These irregularities must be so recorded in the committee report.

Reports prepared by the provinces and municipalities along with invalid ballots and envelopes must be sent to the Secretariat of the Assembly no later than September 10, 1967. At an Assembly session, the Chairman of the Assembly will hand the reports to two Deputies chosen by the Assembly. The Deputies will read the reports aloud while two members of the Secretariat of the Assembly keep a tally of the temporary results. This provisional tally shall be made into four copies, one to be forwarded to the Central Electoral Commission, one to the Special Commissariat for Administration, one to the Secretariat of the National Assembly, and one to the Directorate of the National Archives and Libraries.

Violations, penalties and litigations

Various penalties ranging from fines or jail terms to hard labor and loss of citizenship rights are provided for violators of election procedures, namely for:

Persons convicted of multiple voting and voting without proper credentials;

Candidates or campaign workers exceeding the prescribed limits of money, time, and facilities;

Persons convicted of bribery, intimidation, violence, threat of or actual economic reprisals aimed at preventing another person from voting or becoming a candidate, or forcing him to vote or not to vote for a particular candidate;

Persons carrying weapons into polling stations (except in cases of security emergencies);

Persons violating or conspiring to violate the secrecy and honesty of the voting;

Persons disrupting or sabotaging voting procedures and installations;

Election workers and officials manipulating, altering, rendering invalid ballots in order to change the outcome of the election;

The destruction of ballot boxes and uncounted ballots.

Complaints about election violations must be filed: a/ By September 4 at local courts, with the right of appeal to the highest court where a ruling must be made by September 28, 1967. b/ By September 9, 1967, at the Secretariat of the Provisional Legislative Assembly which will transmit them to the Central Electoral Commission. The Commission must report its findings to the Assembly which shall meet no later than October 2, 1967, to ratify and proclaim the official results of the election.

Provisions are made for a new election should the voting be declared invalid.

PRESIDENTIAL ELECTION RETURNS BY TACTICAL ZONES, CITIES (C), AND PROVINCES

Cities and provinces	Slate											Total	Registered voters
	1	2	3	4	5	6	7	8	9	10	11		
	Suu/ Dan	Ky/ Dinh	Binh/ Khinh	Dzu/ Chieu	Huong/ Truyen	Co/ Sinh	Ly/ Duong	Hiep/ Truyen	Thieu/ Ky	Khanh/ Dong	Quat/ Chan		
Tactical zone I:													
Hue (C)	20,394	5,054	368	1,503	1,937	301	389	499	8,162	501	4,227	43,335	54,827
Danang (C)	34,061	5,045	1,258	5,160	4,770	1,284	1,039	2,072	22,496	3,215	9,494	89,894	116,053
Quang Nam	20,716	15,764	3,776	12,779	5,289	3,018	2,381	4,790	28,378	17,187	16,584	130,662	153,393
Quang Ngai	31,468	8,806	4,582	44,323	7,073	2,830	2,491	4,288	41,609	2,911	17,244	167,625	202,664
Quang Tin	10,538	6,538	3,098	7,147	7,827	2,257	1,950	4,503	34,045	3,234	5,971	87,102	94,483
Quang Tri	14,287	16,008	2,197	8,991	2,580	2,020	1,482	2,630	20,911	8,016	9,335	88,457	107,281
Thua Thien	41,203	35,382	2,408	5,168	4,347	1,610	1,311	2,961	33,804	3,710	19,972	151,876	183,160
Total	172,667	92,591	17,687	85,071	33,823	13,320	11,043	21,743	189,405	38,774	82,827	758,951	911,861
Tactical zone II:													
Cam Ranh (C)	4,717	1,287	450	921	978	538	559	1,203	7,324	524	2,642	21,143	24,353
Dalat (C)	2,314	1,672	508	2,846	5,561	497	539	773	9,723	768	1,310	26,511	34,765
Binh Dinh	27,151	17,601	5,522	46,076	10,293	5,809	4,940	13,021	118,232	5,922	15,790	270,357	302,260
Binh Thuan	6,169	4,867	2,006	19,588	7,766	1,992	1,995	3,531	37,924	2,811	5,226	93,835	106,375
Darlac	3,209	2,691	1,550	3,552	6,014	1,344	1,410	2,788	38,554	1,770	2,911	65,793	78,099
Kontum	1,431	1,443	583	5,700	1,427	368	359	1,169	25,707	607	976	39,770	47,998
Khanh Hoa	30,043	7,199	2,732	9,270	7,619	2,929	2,919	4,897	56,192	2,946	14,313	141,059	166,240
Lam Dong	2,312	1,505	540	1,039	979	475	410	880	12,043	825	1,332	22,340	26,839
Ninh Thuan	5,749	3,348	1,309	4,696	5,020	1,569	1,525	2,410	30,502	1,730	4,123	61,981	67,409
Phu Bon	1,197	992	716	1,116	1,248	416	309	2,377	11,717	548	2,376	22,956	27,052
Phu Yen	23,261	5,931	2,827	9,176	3,279	2,320	1,855	3,960	30,067	2,327	13,311	98,314	116,107
Pleiku	3,885	3,528	1,934	7,164	3,507	1,505	1,577	3,592	29,466	1,569	3,030	60,757	77,572
Quang Duc	948	706	333	697	505	424	444	540	8,519	440	733	14,289	15,503
Tuyen Duc	2,124	1,502	718	2,728	2,107	684	590	1,192	21,463	1,049	1,428	35,585	41,696
Total	114,510	54,272	21,728	114,569	56,303	20,870	19,391	42,283	437,433	23,836	69,495	974,690	1,132,268
Tactical zone III:													
Saigon (C)	59,371	34,007	13,995	87,670	137,962	13,159	10,010	14,910	135,527	15,300	23,700	545,611	765,340
Vung Tau (C)	2,227	1,767	646	3,657	4,015	553	469	977	13,456	889	1,083	29,739	35,787
Bien Hoa	7,878	7,102	3,140	31,494	13,546	2,965	2,531	4,343	55,488	3,570	5,991	138,048	179,450
Binh Duong	7,106	6,196	3,062	23,499	8,576	2,529	2,290	3,698	19,275	2,904	5,719	84,854	113,065
Binh Long	1,945	1,396	880	3,936	1,616	1,007	982	1,272	7,732	980	1,454	23,200	28,218
Binh Tuy	761	1,496	499	5,143	639	427	488	1,101	11,237	566	845	23,202	27,068
Con Son	49	21	16	30	85	4	16	25	658	17	19	940	1,019
Gia Dinh	36,472	21,580	9,078	63,934	69,949	7,968	6,774	11,694	171,123	10,422	15,904	424,898	562,190
Hau Nghia	3,044	3,082	1,555	19,430	3,837	1,256	1,175	1,608	10,425	1,483	2,761	49,656	63,439
Long An	4,544	4,235	2,071	15,535	9,220	1,812	1,831	1,879	15,608	2,407	3,485	62,427	75,303
Long Khanh	2,580	3,975	1,159	5,746	3,270	898	823	1,961	25,624	1,403	1,977	49,416	61,155
Phuoc Long	832	802	599	1,008	961	617	556	895	11,004	514	654	18,442	20,981
Phuoc Tuy	2,176	2,170	1,120	12,002	4,268	933	820	1,291	15,705	1,229	1,826	43,534	50,768
Tay Ninh	6,696	5,013	3,607	39,947	6,543	2,284	2,157	3,133	30,830	2,825	4,344	107,379	130,395
Total	135,681	92,482	41,427	312,831	264,487	36,412	30,922	48,787	523,692	44,509	69,756	1,601,346	2,114,178
Tactical zone IV:													
An Giang	11,502	22,456	6,567	43,483	12,215	3,546	3,291	4,737	62,035	4,968	7,752	182,552	224,274
An Xuyen	1,523	1,476	832	6,444	2,491	760	652	3,593	14,326	789	1,131	34,017	42,245
Ba Xuyen	4,601	6,378	2,896	20,574	8,823	3,553	2,662	3,665	21,738	3,878	5,428	84,196	103,280
Bac Lieu	4,241	5,290	1,923	9,729	6,191	1,902	1,555	2,582	15,717	1,954	3,539	54,623	68,780
Chau Doc	9,372	11,023	5,341	40,019	8,043	3,692	3,084	4,336	65,374	4,117	7,136	161,537	184,301
Chuong Thien	2,472	2,423	1,405	7,909	2,018	724	724	824	22,488	997	1,846	43,830	53,298
Dinh Tuong	6,352	6,844	2,977	14,240	15,492	2,479	2,288	3,955	29,732	3,265	4,285	91,909	112,934
Go Cong	1,657	1,726	892	2,879	4,581	798	583	1,543	17,594	1,238	1,294	34,785	38,588
Kein Giang	6,602	6,729	2,975	28,364	8,258	2,567	2,002	3,072	39,130	2,647	5,771	108,117	132,967
Kien Hoa	6,920	6,942	3,509	14,069	9,056	2,815	2,775	4,035	40,845	3,621	6,758	101,345	118,793
Kien Phong	4,850	6,351	3,332	34,160	3,812	1,891	1,750	2,524	28,448	2,301	3,933	93,352	111,110
Kien Tuong	648	557	396	4,283	732	321	283	434	6,126	414	595	14,788	17,200
Phong Dinh	10,772	9,007	5,393	24,103	11,846	2,825	2,697	3,403	28,072	3,336	6,209	107,663	145,332
Sadec	5,200	6,703	3,254	13,246	5,068	1,702	1,765	1,861	43,760	1,934	3,224	87,667	97,662
Vinh Binh	3,572	7,340	2,839	13,745	5,550	2,488	2,066	3,224	32,246	2,726	3,388	79,184	95,791
Vinh Long	10,232	8,523	5,698	27,402	15,311	3,652	3,121	4,189	31,401	3,972	7,351	120,852	148,389
Total	90,516	109,768	50,229	304,649	119,487	35,715	31,248	47,977	499,031	42,157	69,640	1,400,417	1,694,944

Mr. McCARTHY. Mr. Speaker, will the gentleman yield?

Mr. WOLFF. I am delighted to yield to the gentleman from New York.

Mr. McCARTHY. Mr. Speaker, I have read the statement of the distinguished gentleman from New York, and since he alluded to me as his partner on our trip to Southeast Asia, I would like to say at this point in the RECORD that this statement, to my way of thinking, is the definitive statement that I have read on the work of the presidential and senatorial elections in South Vietnam.

I believe it is obvious the gentleman has spent a great deal of time and a great deal of effort in preparing this statement, and anyone who wants to know whether or not those elections were honest and free or whether they were fraudulent, I would believe the answers to these questions are provided in the very scholarly and definitive statement prepared by the gentleman.

Mr. Speaker, I want to compliment him and associate myself with his comments about the presidential elections in Vietnam.

Mr. WOLFF. Mr. Speaker, I thank the gentleman, since he was witness to the same events that I was, and this confirms the statement that I am making.

TAX ON NET ADVERTISING INCOME CERTAIN NONPROFIT ORGANIZATIONS DERIVE FROM PUBLICATIONS

The SPEAKER pro tempore (Mr. McCARTHY). Under previous order of the House, the gentleman from Florida [Mr. HERLONG] is recognized for 15 minutes.

Mr. HERLONG. Mr. Speaker, on Tuesday, May 2, the distinguished gentleman from Missouri [Mr. HALL], took the floor to call to the attention of the Congress "some new regulations that were issued by the Commissioner of Internal Revenue on Friday, April 14, 1967." He stated that the Internal Revenue Service had "decided" to impose a 48 percent tax on the net advertising income certain nonprofit organizations derived from their publications.

On the previous day the gentleman from Missouri advised many of us by letter that he was going to do so and mentioned in particular the magazine Boys' Life, which is the official organ of the Boy Scouts of America, as being one which would be affected by this ruling. I have sent him a copy of the remarks I am making today. I should like respectfully to call the attention of the House to the fact that while it is probably semantics, what the gentleman from Missouri referred to as a regulation was not in fact a regulation. It was a proposed regulation and has not even at this late date become effective.

In going over the remarks of the gentleman from Missouri in the RECORD, I note that he begins by referring to a letter from Louise A. Wood, the national executive director of the Girl Scouts of America, in which she attempts to assess the effect of the ruling on this most worthwhile organization. This letter states in part:

> Subscriptions do not cover the cost of the American Girl Magazine. Advertising appropriate to girl activity and magazine content is also sought. The sale of advertising helps to meet the cost and, at present, additional subsidy is also required from Girl Scout operations.

May I say that if this statement is correct—and I have no reason to doubt it—and that the subscription revenue plus the advertising revenue is not sufficient to defray the costs of the publication and that in fact a subsidy from the Girl Scout organization is required in order that the publication meet its expenses, then there is no net revenue from advertising to the Girl Scouts of America and they will not be affected one whit by the proposed regulation, if it does in fact become operative.

The gentleman from Missouri also referred to a communication from the Boy Scouts of America which stated in part:

> The acceptance of advertising by *Boys' Life* serves two purposes: (1) it provides a major source of revenue *to help meet publishing costs.* (Emphasis supplied.)

If the advertising revenue only helps meet the publishing costs, as stated in this communication, then there is no net revenue and they would not be affected by the proposed regulation.

I may state, however, that in the annual report of the Boy Scouts of America for 1963 they stated that the organization derived almost $2 million of gross income from advertising carried in Boys' Life that year. Furthermore, they show that they realized a net profit after all of the expenses of publication had been paid of nearly $600,000 from advertising carried in Boys' Life magazine.

The argument is made that because this money is channeled into most worthwhile projects, such as are fostered by the Boy Scouts of America, that this net profit from the sale of advertising in the magazine should be exempt from any taxation. This matter was thrashed out by the Congress in 1950 when the original unrelated income tax bill was passed.

The legislative history of the bill as well as the bill itself show that this bill was passed because of, among other things, the unrelated income derived by New York University from the operation of a macaroni factory, which income was not taxed. In adopting the unrelated business income tax Congress decided specifically and explicitly that the tax should apply without regard to the use which an exempt organization makes of the profits stemming from the operation. No contention was made that the profits from the macaroni business were being utilized other than for the exempt education purposes of the university.

Nonetheless, the Congress decided that because of the inherent unfairness of permitting competition between tax-free businesses and businesses which are required to apply part of their proceeds to the payment of taxes, the business should be taxed. The statute specifies that the tax applies without regard to "the needs of such organization for income or funds or the use it makes of the profits derived."

The imposition of the unrelated income tax upon the advertising profits derived from Boys' Life then can be explained very simply. The actively competitive advertising which is carried on by Boys' Life represents exactly the type of situation with which Congress intended the unrelated business income tax to deal. Both the language of the statute and the relevant legislative history make it entirely clear that the application of the business profits to an exempt purpose has no bearing on their taxability.

Believe me, as one who has been in Scouting since he was 12 years old, there is no one trying to deter such a fine organization from carrying on its purpose of communicating with its members and no one has even thought of taxing the advertising revenue, except to the extent that it exceeds the cost of publication of the magazine. But where they go out and advertise in other publications that you can reach more people by an advertisement in Boys' Life than you can in the Saturday Evening Post, Look, Sports Illustrated, and as many as are reached in Life and that the cost of such advertising in Boys' Life is from one-half to one-sixth of the cost of advertising in these publications, and the fact that they are making a substantial net profit from this advertising, then I say, regardless of the worthwhileness of the projects on which the money is spent, it is net taxable revenue in accordance with the intent of the Congress and the Internal Revenue Service, in my judgment, is correct in proposing such a regulation.

After all, there are many others involved in this matter, as well as the exempt organizations. The taxpaying businessman with whom such low cost and nontaxpaying advertising is competing has some rights. I believe that exempt organizations have gone too far in their competitive advertising activities, and I earnestly hope that the Treasury Department will issue the regulations in final form as promptly as possible. Certainly no compelling argument against the adoption of the proposed regulation has been made, even though ample opportunity has been given to present arguments in opposition to the proposed regulation during the past 6 months.

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, I appreciate the gentleman from Florida notifying me of this order, and of course I respect his views. This type of colloquy is important, and perhaps such is why proposed regulations did not gel.

I will not at this point try to make a point-by-point rebuttal while reserving that right for the future, because I think it is the principle at stake—in which both the gentleman from Florida and I are interested—on this issue.

I would, however, like to pose this question to the gentleman. The regulation which the Treasury wishes—or proposes—to promulgate would have a severe impact on more than 600 organizations which constitute the cultural background of our Nation. If it is not worth preserving organizations like the Boy Scouts and the Girl Scouts, the fraternal organizations, the medical and bar associations, and the good work they do for the good of the Nation—if all of these self-training and self-policing organizations cannot be accorded at least that accommodation and traditional status and income to better serve their members and the general public; if they cannot have at least this much cooperation from their Government, then what exactly in this country is worth preserving and saving and stimulating to do good works?

Why does the Treasury Department wish to exempt churches, for example, or fraternal burying organizations, but not the vast bulk of the organizations which make up the cultural and educational strength of our country? What kind of a money-grabbing Government do we have which would hinder and impair those organizations whose funds contribute to medical education, as does the American Medical Educational and Research Foundation; or improvements in our court system and attorney relationships as does the American Bar Association; or providing the tools for training the leadership of our youth, as does the Boy Scout and the Girl Scout organization; or the educational efforts of the country's labor organizations? If the ability to do these good works are not worth preserving, then I ask, just what is worth preserving in this Nation? I am concerned about the arrogation of power of centralized government by tax upon tax addition. What a paradox to introduce legislation for block grants to return tax moneys to the State for any and all purposes and education in particular, yet keep adding taxes.

One further question: Are the gentleman's remarks to be construed as laying the groundwork for the Treasury to implement these regulations after Congress adjourns so that they may go into effect next January, and before Congress has an opportunity to react, under the false doctrine of the reverse veto?

RED CHINA: A REAL DRAGON

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Alabama [Mr. BUCHANAN] is recognized for 60 minutes.

Mr. BUCHANAN. Mr. Speaker, one of the most pressing concerns of the 20th century is the possibility of war between the United States and Red China. This grim threat hangs over Asia like a dark cloud. It has been the major limiting factor in establishing administration policy in Vietnam. Yet, the sad fact is that one could well maintain we already are at war with Red China and have been for some time.

We were at war with Red China in Korea. It was not a cold war. It was a hot war. It was a hot war fought between Red Chinese troops and U.S. troops—not a war of ideas or arguments, but a real, shooting, bloody war.

And fighting still rages along the supposed truce lines of that war with Red China.

We are at war with Red China in the jungles and delta of Vietnam. And this is not a cold war either. It is a very hot and very bloody war.

It is essential that Americans do not now make the sort of tragic misjudgments about Red China which have for decades diffused and defeated our efforts to deal with the aggressions of the Soviet Union.

Nothing I am going to say is based upon any assumption that Red China is some sort of superpower. Quite the contrary. As Yuan-li Wu reminded the China Conference of Associated Students of the University of Hawaii last February, in most ways, certainly in terms of broad-based industrial strength and a healthy agriculture, Red China is less than a paper dragon. In fact, it is a papier mache alley cat.

Red China is weak industrially, weak politically, and weak even in the basic matter of food to feed its people. In terms, for instance, of her ability to wage a modern, large-scale war, she also is hopelessly crippled by an internal strife that amounts to little less than a civil war.

Yet, having said all of this, it is necessary to shake ourselves out of any attractive complacency and to take into account the grim facts which persist beyond anything else.

The Soviet Union was, at the outset, as shaky as Red China is today. It too was starving, it too was industrially backward, it too was torn by internal strife that saw entire regions ablaze with open warfare against the Red rulers.

Yet, weak or no, the Soviet Union launched and sustained a war of political and subversive aggression which swept across the world and eventually captured much of it.

That aggressive drive was fueled both by the fortitude of communism and the foolishness of the West; the foolishness of the West in refusing to take seriously the underground, fifth-column drive of Soviet imperialism.

Lin Yutang, in his work, "The Secret Name," warns that today, so long as the Communist Party retains any significant power on the mainland of China, so long as it controls significant portions of that vast land's resources, so long as it controls its worldwide network of agents, so long as those Communist conditions persist on the mainland, there is a real and raging peril to the entire free world.

It is the peril that inevitably must be associated with men driven by an ideological fury, driven by a lust for power over other men, and aware that reason will not give them what violence may.

It is in this dedication to violence that Red China, physically weak or not, becomes not a paper dragon but a real dragon, clawing at the walls of the civilized world.

We need look no further than Vietnam to see this in sharp focus.

If the outcome of the war in Vietnam involved nothing more or less than a fully localized dispute between political factions in that nation, and absolutely nothing else, it is beyond belief that any American President would permit such a massive involvement. On my own part, I would never support such an involvement.

The truth is that the war in Vietnam explicitly does not involve a local squabble, but explicitly does involve a crucial factor in communism's reliance upon force and violence as a tool of her aggressive policies.

The truth, further, is that the war in Vietnam explicitly does involve the Communist doctrine of so-called wars of national liberation and in fact has been called "an inspiring example of the national liberation movement for the peoples of three continents."[1]

The truth, finally, is that the most vocal exponents of brute force and violence in the Communist world today are the masters of the Red Chinese Communist Party.

Please note that I said "most vocal." Soviet Communist leaders have not abandoned violence or wars of national liberation; far from it. For example, the U.S.S.R. had been arming the Arab nations for years before the outbreak of the Arab-Israel war this summer. It has been authoritatively reported that, as of June 1, 1967, Egypt possessed 1,200 to 1,400 Soviet-made medium and heavy tanks; some 100 or more Soviet bombers; some 400 Mig's—including 130 up-to-date Mig-21's equipped with air-to-air missiles—and 10 batteries of SAM missiles. Syria was given more than 100 Mig's, 50 bombers, and 600 tanks.[2]

And now the Soviets are busily rearming the Arabs following their humiliating defeat. Although shipments now appear to be slowing down, Egypt alone has received about 200 new Mig's and Sukhov–7 fighter-bombers, as well as more than 200 tanks. This hardware, plus other equipment, was delivered in more than 300 planeloads and about 12 shiploads from the U.S.S.R., Hungary, and other East European Communist sources.[3]

The same pattern prevails in Vietnam, where the Soviet Union is increasing its shipping into North Vietnam ports. As of June 1967, the rate was 18 ships per month. Additional proof of this escalation comes from Radio Moscow, which broadcast on July 28 that Soviet ships "leave Odessa practically every day with cargoes for Vietnam." And in the June 3, 1967, edition of Red Star, the official Soviet Armed Forces newspaper, Gen. Dobri Dzhurov, Bulgarian Minister of Defense, said:

> The Soviet Union has always been and will continue to be the main political and material base of the world revolutionary process.

Perhaps the greatest difficulty in properly placing Red China in perspective today is to envision the shape and meaning of war as defined in the Communist conflict dictionary.

It is definitely not a war as the world usually has defined it, with banners flying, lines established, and nations face to face. It is, instead, the war of covert but complete conflict. As Karl Hess, the editor of "The War We Are In," has pointed out, it has these five basic rules:

First. Attack your enemies one by one, whether it be the straggler in a group of patroling soldiers or the straggler in a group of nations.

Second. Keep the enemy off balance, whether in jungle warfare or at an international conference.

Third. Eat away at the enemy's will to resist, using everything from propaganda to cultural exchanges, and always exploiting domestic dissent in the enemy nation.

Fourth. Avoid face-to-face, frontal assaults unless it can succeed without retaliation.

Fifth. Always maintain a sanctuary—usually by diplomatic maneuvering—in which conflict is confined to the non-Communist area with the Communist zones largely off limits for fear of escalating the fighting.

---

[1] Papers of the First Conference of the Solidarity of the Peoples of Asia, Africa, and Latin America; Havana, Cuba, 3–15 January, 1966.

[2] Stefan T. Possony, American Security Council *Washington Report*, June 26, 1967.

[3] Frank Johnson, *Ibid.*, August 28, 1967.

All of these points pertain to the wars that have plagued us since the defeat of the Axis Powers and since the beginning of the so-called cold war. All of those points are vitally necessary to the Chinese Communist plans for warfare against the West.

Red China is a nation of sharp contrast between a primitive economy generally and a bustling emphasis on certain advanced technological specialties such as those of nuclear warfare. It also is a nation whose leadership is gripped, almost psychotically, by the most fundamental Communist conflict theories. It has, in addition, such conflict fodder as that of Asian racism to feed its fires against the West.

Its natural interests lie with other nations with extensive undeveloped areas, with large rural and particularly non-white populations, small industrial capacity. Moreover, to China's rulers there is no more important task facing them than the waging of war. Except, perhaps, the effective control of the disorders which have erupted throughout mainland China for well over 1 year.

While it is clear that Mao deliberately encouraged the excesses of the Red Guards to strengthen his dictatorship and to divert the attention of the population from its own needs and wants, the frequently violent reaction of many Chinese to the Red Guards suggests two things: First, a real division between Communists, a falling out among thieves, if you will; and, second, popular unrest with communism, or at least Mao's brand of communism.

In the face of such unrest and uncertainty, this is not the moment for this country to help Mao retain his tyrannical grip by agreeing to diplomatic recognition or admission of Communist China into the community of nations. Such an offer would be interpreted by China's Communist rulers as a sign of weakness, encouraging them to redouble their revolutionary efforts around the world.

Recently, in China itself, a report concerning the purpose of militarism in Red China summed it all up far better than any interpretive article by an outsider. The report, an official document published by the New China News Agency, reflected in absolute accuracy the thinking both of Mao Tse-tung and of his heir apparent, Defense Minister Lin Piao.

Here are its key phrases:

> The Chinese people . . . are duty bound to support the revolutionary struggle of the oppressed peoples and oppressed nations. Support of the revolution in Asia, Africa, and Latin America is not only a matter concerning the protection of one's family and country, but a matter concerning the world revolution.
>
> We must, as we did in the past when we regarded the liberated areas as a base area to liberate the people of the whole country, regard China as a base area for the world revolution and valiantly shoulder the heavy task of the world revolution.

The report continues:

> Many leading cadres . . . thoroughly examined their non-proletarian thinking and made up their minds to take the task of liberating the people of the whole world as their bounden duty—also carrying through the struggle against U.S. imperialism to the end.[4]

Even if the Soviets and Red China should break diplomatic relations, skirmish along their common border, and denounce one another's leaders every hour on the hour from here to eternity, we in the free world would be caught between the millstones of a grinding, two-sided Communist assault.

Let us concentrate here on the nature of the Red Chinese sword which will hang over our heads for some time to come.

It has two distinct edges. One, as mentioned earlier, is the slow cutting edge of local warfare, subversion, social unrest, and all the other weaponry of global sniping. The other, according to the Institute for Strategic Studies, in London, is the edge of nuclear power that slowly is being honed in Red China.

It is unimaginable to virtually all Americans today that Red China nuclear weapons ever could pose a threat to us, the mightest nuclear nation. It should not be unimaginable. It should be cause for sober concern.

The Pentagon, following the first detonation of a Red Chinese H-bomb this year, assured us that it would take 8 years or more for the men of Peking to build an arsenal of missiles with which to carry their new nuclear warheads.

Red Chinese nuclear weapons, however, with or without missiles to carry them, are a newly significant factor in the international conflict situation.

Let me cite some of the factors. First there is a technical fact of life in this nuclear age. A nuclear warhead can be carried, for instance, on a tramp steamer to be detonated in a harbor. It can be carried in transport aircraft or, in a more conventional manner, it could be carried in one of the many Soviet-supplied bombers that Red China already operates.

Far more significant than the outright military significance of Red Chinese nuclear weapons, however, is their significance as psychological weapons.

Today, in Vietnam, our policy, according to our own leaders, operates under a shadow of the fear of open Red Chinese intervention in the fighting. In brass-tack fact, such intervention would be far harder on the Chinese than on us. Commonsense should tell us that. Massive Chinese intervention would bring all of Red China's power, all of their industries, all of their overtaxed farms, all of their nuclear installations, directly under the gun of U.S. power. There are even those who venture the guess that the Soviet Union itself would like to see us destroy those nuclear facilities.

Be that as it may, Red China, racked by internal strife, weakened by famine, is balanced on its own razor's edge when it comes to risking a frontal war with the United States. Also, such a confrontation would disobey one of the most prime rules of their plans for the long, slow war of a protracted conflict.

Despite that, however, there is no question that our policy is significantly inhibited by the Red Chinese presence across the North Vietnam border.

How much more would policy be inhibited if instead of the threat only of Chinese ground forces—such as those we faced in Korea—we faced also the threat of a Red Chinese nuclear attack.

Suicidal on the part of the Red Chinese? Of course, it would be. But the very possibility, you can be sure, would be used widely as a support for every argument toward our disengagement from the war. The very possibility would add fuel to current dissent to such a degree that today's disputes over whether to escalate or not would seem tea parties—and the Red Chinese could exploit every loud word of it.

Reinforcing the horror value of the Red Chinese weapons, of course, is the moral horror of their doctrine regarding casualties in a nuclear exchange. Mao Tse-tung's word on the subject, which has been steadily reaffirmed by his highest deputies, right up to this year, is that it would be worth it from communism's point of view if half the world's population died in a nuclear exchange—if the non-Communist world were destroyed in the process. He has said time and time again that the loss of 400 million Chinese in the process would be quite acceptable. Or, as his foreign minister put it:

> We have decided to make the sacrifice of 400 million people.[5]

Yet this is the nation and this is the doctrine that some in our own country now propose to support and even sanction both by recognition and by increased trade.

The annual debate will soon begin in the United Nations on the question of the admission of Red China. All the reasons this must not happen are still valid and are strengthened by such developments as the violent internal conflict in this nation whose government is not by any means the product of the self-determination of the Chinese people. A firm "no" is indicated also by her promise of more Vietnams, and by her continuing commitment to violence and international lawlessness.

The so-called isolation of Red China on the basis of the fact that it is not recognized by us, or that it is not a member of the United Nations, cannot by any stretch of the imagination be regarded as the reason for its absolutely irrational and aggressive approach to politics. It is recognized by many other nations of the free world. All of the nations of the free world, including ours, have held meeting after meeting after meeting with the Red Chinese on various neutral grounds.

There has never in any of these contacts been a hint or a hope of civilizing the Red Chinese lust for the blood of the non-Communist world and particularly the United States of America.

Add to this the obvious fact that every single item of commerce traded to the Chinese Communists would support directly and emphatically the efforts of the Chinese Reds to kill more and more

---

[4] New China News Agency, 3 September, 1966.

[5] London *Evening Standard*, 11 May, 1966.

Americans in Vietnam and to export more and more violence to the rest of the non-Communist world.

Suffice it to sum up this part of our Red China perspective to say that Red China's programs in support of violence, even nuclear violence, have virtually stripped her other capacities to the bone. This has been one sure cause of unrest and would be in the future. This is the Achille's heel of the Red Chinese. This is the weakness that offers the best hope of damping the flames of Red China's aggressive spirit. And this is the very weakness that Western folly would strengthen should there be any substantial increase of trade with Red China.

Such an increase would not serve peace. It would only make wider forms of war possible to the men of Peking.

At the moment, of course, the form they have chosen is the proxy war in Vietnam plus political and guerrilla wars elsewhere, as first admitted by Ernesto Guevara in his message to the Executive Secretariat of the Afro-Asian-Latin American Peoples Solidarity Conference, on April 16, 1967, and reported by Prensa Latina in Havana, April 17, 1967. As the trained Communist agents of Fidel Castro are agitating throughout Latin America, so Peking-trained guerrillas are sowing the seeds of insurrection and violence in Southeast Asia.

Chinese-style outbreaks of guerrilla warfare already are plaguing Cambodia. Thailand's border has been set ablaze by guerrillas schooled in the Chinese way. Laos, of course, has been under Chinese pressure ever since the ill-advised division and supposed neutralization of that split and embattled land. India lives under the constant threat that the Red Chinese aggression that once pierced her border will be repeated.

Moving on, the Washington Post on April 17, 1967, quotes Philippine leaders at the most recent meeting of the Southeast Asia Treaty Organization showing concern over an increase of guerrilla activity in their homeland—guerrilla activity that fits exactly the patterns of Red Chinese aggression.

Just a few months ago, in another frank statement of what they are up to, the Red Chinese foreign minister told an interviewer that the world needs "not just one Vietnam, but three or four." He went on to promise:

> We will get them in Africa, Asia, and Latin America.[6]

And, indeed, Red Chinese advisers are reported hard at work fomenting those Vietnams in each of those areas.

In Africa, whenever there is chaos there are reports of Red Chinese advisers. There are those even in this country who boast in their protest meetings that guerrilla warfare training camps, operated by the Red Chinese, are flourishing in friendly nations in Africa—and that Americans are welcome to train there, just as they are welcome to train in similar camps in neighboring Mexico.

In Asia, of course, the Red Chinese fuse runs sputtering through the entire area.

The Washington Star reported on July 20, 1967, that in Latin America the Red Chinese are actively engaged in striking sparks to light violence there, although let me emphasize again that the Soviet Union still dominates the picture. In January 1966, when the Communist front, the Latin American Solidarity Organization, was formally established in Havana, the U.S.S.R. had the second largest delegation present—second only to Cuba. Soviet-built weaponry and military equipment are still being placed in Cuba. Soviet technicians are still working in Cuba. Evidence strongly suggests that a large quantity of hand weapons, suitable for use in so-called wars of national liberation, is coming from the Soviet Union and Eastern Europe.

Today, clearly and threateningly, the Red Chinese pledge to create three or four Vietnams is being redeemed in the unrest of Africa, in the brush fires now flashing beside the holocaust of Vietnam, and in the unabated terrorism that plagues many nations of Latin America.

It is no longer safe or sane to even keep from our minds the possibilities that Red China's hand will someday be felt or seen in the rioting which in America often approaches the state of urban guerrilla warfare. Such a role, in the opinion of Phillip Abbott Luce in his book "Road to Revolution," would be fully compatible with the teachings of Red Chinese political warfare.

No matter how bitter the sound of the words, no matter how bitter the sight of the truth, the ugly reality is that there is war in and around the world—the war of Communist aggression and agitation. Nor is there any way to avoid the equally bitter and ugly fact that the newly honed cutting edge of that aggression is the leadership of the most populous nation on earth, Red China.

More than 2,000 years ago, the great Chinese military theorist Sun Tzu summed precisely the sort of peril that we now face from his descendants.

He wrote:

> To fight and conquer all in your open battles is not supreme excellence; supreme excellence consists in breaking the enemy's resistance without fighting major battles.[7]

For this formula, nothing could be more perfect than the techniques of guerrilla warfare and political warfare so completely spelled out and put into action by today's leaders of Red China.

But the most haunting of ancient Chinese rules of war is another which Mao is fond of quoting. It says this:

> Make a noise in the east, but strike in the west.

The question on which our lives well may depend is whether we heed the message of the noises we now hear in the east.

NEWARK STAR LEDGER EDITORIALS

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. RODINO. Mr. Speaker, those of us who have been calling for a thorough investigation of automobile liability insurance practices have long realized, that the heart of the problem lies in the ability of the various States to adequately regulate a national and international industry. Last summer's riots have now brought to the surface similar problems in other areas of insurance, and I commend to my colleagues two perceptive editorials from the Newark Star Ledger:

PLAYING IT SAFE

The brave new effort of the private sector to involve itself in the nation's social and economic problems spawned by the despair of urban ghettos is gravely offset by a rash of insurance cancellations and non-renewals on business establishments in the riot-afflicted areas of Newark and Plainfield.

The effect of these actions, in defiance of a moratorium ordered by the State Department of Banking and Insurance, would have a critical impact on the future of merchants in slum areas. It would be highly impractical for them to continue to operate without coverage, for which they have paid high risk premium rates in the past and are willing to assume in the future.

The raft of cancellations clearly indicates that the high risk carriers want out, no matter what the consequences. The problem is dumped in the lap of Commissioner Howell who says he will ask the Legislature, if necessary, for broader statutory powers to deal with companies that defy his directive to continue coverage in ghetto areas.

The only sanctions now available to the Department of Banking and Insurance are confined to the lifting of licenses of non-cooperating firms when they come up for renewal, but by that time the damage will have been done. Any protracted interruption of retail operations would have a critical effect on merchants who in many instances operate on a marginal basis.

The problem would have been resolved by the moratorium, which would provide an adequate interval for dealing with ghetto business coverage on an industry-wide basis, the pooling of resources that would have spread the risk of insuring business in disadvantaged areas.

A similar policy has been invoked by the state to provide auto liability insurance for high risk drivers who are normally shunned by underwriters. Under this plan, these motorists are covered by an assigned risk formula in which a number of insurance companies are required to participate.

This seems to be the most desirable of the several plans that are being studied by the Department of Banking and Insurance. A remote possibility being reviewed by the special Presidential panel on insurance in riot-affected areas, headed by Gov. Hughes, calls for federal subsidies.

It is expected that the committee's recommendations, which will be completed by mid-December, may provide a basis for an agreement between the Department of Insurance and companies selling insurance in New Jersey.

But even beyond this possible accord on an intra-state basis is the urgent need for a uniform code of federal controls that would provide a blanket statutory umbrella for all riot-afflicted cities. This would be the most equitable arrangement for the insured and insuror alike, assuring coverage for ghetto merchants and spreading the high risk factor on an industry-wide basis.

---

[6] Associated Press, 19 May, 1967.

[7] Karl Hess, Editor, *The War We Are In*, Champion Papers, Winter, 1960.

Why Wait?

A preliminary report by the House Judiciary Committee provides abundant evidence of deep-rooted evils and widespread abuses that have been permitted to grow and flourish in the automobile insurance industry.

As usual, the victim is the consumer. The auto insurers, of course, are responsible for the victimizing. But the blame for this, as the report makes clear, rests with inadequate and unsatisfactory state regulations of industry practices that fail to protect the public and thereby fail to serve the best interests of the state.

Since the release of the House report early last week, several important developments have occurred which virtually assure a full-scale investigation aimed at corrective action at the federal level. New Jersey Representatives Rodino and Cahill, who triggered the preliminary study, want the House Judiciary Committee to finish the job. Senator Hart of Michigan wants his Senate Anti-trust and Monopoly subcommittee to undertake the investigation and said that it will do so early next year. Others feel the probe can best be handled by the Federal Trade Commission, an arm of the executive branch of government. Some believe the problem is so complex and multi-faceted that individual studies of separate phases will be necessary.

In any event, because of the complications arising out of the fact that a federal investigation must consider the experiences and practices in all 50 states, quick remedial action cannot be expected. Relief for the public is at least two years away.

This, however, should not deter New Jersey's Banking and Insurance Commissioner from administering remedies at the state level.

Many of the evils and abuses can be halted and corrected almost instantly by means of orders and directives of the commissioner. All that is needed is the desire to use the powers delegated to the office by the Legislature.

The lethargy of the commissioner is the only reason that New Jersey consumers are subjected to such practices as arbitrary cancellations on policies, geographic blackouts, arbitrary classification of types of insured motorists and the unwarranted higher premiums that go with such classification.

In effect, these practices preempt the responsibility of the State Motor Vehicle Division by imposing restrictions and conditions on driving licenses. Through cancellations, rate zones and classifications, the insurance companies are actually conducting a licensing program of their own, with the blessings of the Banking and Insurance Commissioner. They are, in the final analysis, saying that they don't care whether a motorist holds a bonafide driver's license; if they don't want to insure him, they won't; and if they want to charge him more because of the kind of work he does or the area in which he lives, they will.

In addition to correcting these abuses, the commissioner ought to address himself to the problem of ever-increasing rates. He has before him at present an application for a 20.6 per cent average boost. It behooves him to make a thorough, independent search of the industry figures on which the application is predicated. In particular, he must decide whether the industry is justified in precluding highly profitable investment income from its profit-and-loss profile, a bookkeeping device that is under increasing attack in many quarters.

There is, in short, much that can be done to improve auto insurance practices in the state, here and now. All that's necessary is for the commissioner to decide to use his regulatory powers to serve the public interest rather than the interests of the auto insurers.

FISCAL RESPONSIBILITY VERSUS HUMAN IRRESPONSIBILITY

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Resnick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. RESNICK. Mr. Speaker, yesterday's newspapers reported that with the end of October the U.S. economy has "equaled the longest previous recession-free period of expansion in history"—80 months of continuous economic growth.

How tragic and ironic it is that the same newspaper carried reports about cutbacks and suspensions in community action programs, Headstart, and a variety of other antipoverty activities. What an unbelievable sad and irrational contrast—the world's richest nation shutting down vital aid to its poor and helpless while enjoying the greatest prosperity in the history of the human race. And who is responsible? We are, Mr. Speaker. This Congress.

This Congress, led largely by the Republicans, has acted as if America was breathing its last. We are acting as if this was a third-rate nation that can barely afford to meet its responsibilities to the people.

I for one am sick and tired of hearing Republicans promote so-called fiscal responsibility while practicing human irresponsibility.

I regret, Mr. Speaker, that this irrationality is not limited to the Republican side of the aisle. Some of my Democratic colleagues seem also to be caught up in this fiscal hysteria to slash and destroy vital administration programs.

Apparently, Mr. Speaker, Republican obstruction and indifference to America's needs is catching. For this Congress seems to be in the mood to abdicate its responsibilities on just about everything that affects the vital interests of the American people.

The Times reported yesterday:

> Records on the progress of the economy go back 110 years to the term of President James Buchanan. The present expansion has far surpassed in duration all but the war-related boom of 1939–45.

Yet, Mr. Speaker, the Republicans tell us we cannot afford programs to educate our children, to alleviate poverty, to rebuild our cities and provide badly needed housing for the ghetto dwellers.

The Times reported that this economic expansion "will continue at least into 1968."

Yet, there has been solid Republican opposition against rat control, model cities, rent supplements, the war on poverty, and many more—all with the excuse that the United States cannot afford to invest in its most precious natural resources—its people.

Last January, President Johnson set before the Congress his legislative agenda for this year. He told us then that we could afford to meet our commitments overseas and our responsibilities here at home. And he offered us a sound and responsible program to do both.

Mr. Speaker, we can afford to carry forward President Johnson's legislative program. We are the richest country on earth; our gross national product is up more than 5 percent; and 9 million more people have found productive and rewarding jobs since 1961.

President Johnson has led us through this era of unprecedented legislation to alleviate social and economic ills.

We must not turn back. We must not halt. We have only begun to tackle head on problems that have never been tackled before.

If we fail to do our duty to the American people then we will have it on our conscience for the rest of our life. Shall it be said of the 90th Congress that while America was enjoying a record of prosperity, we refused to provide meaningful help to those Americans eager to share our wealth?

Shall it be said of the 90th Congress that the education of our children, the rehabilitation of the jobless, the health and security of our people, the rebuilding of their homes and cities all were sacrificed on the altar of a meaningless Republican slogan called fiscal responsibility?

Shall we turn our backs on our responsibilities to our less fortunate fellow citizens?

Shall we be the irresponsibles who ducked out on our commitments to the American people at the very moment when we reached the peak of opportunity to create new hope and progress?

This is not the road I choose. And it is not the road the Democratic Party has ever traveled.

Let us stand with President Johnson—under whose great leadership the Nation has arrived at this enviable point of unprecedented prosperity and progress.

And let us reject those who are indifferent to the fate of others and who blindly ignore the people's hopes and needs.

RESTRICTIVE TRADE LEGISLATION

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Boggs] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, during my recovery at home from a complicated appendectomy operation, I have been concerned by the apparent increase in sentiment in Congress to enact restrictive trade legislation.

Although I know that various individual industries in our country feel justified in seeking protection against certain imports, I am not at all convinced that such restrictions on the free flow of trade would benefit those industries, or the economy, in the long run. If unilateral restrictive trade policies were ever beneficial, and that I think certainly is a debatable point, they most assuredly are not so now. I am convinced that only through freer trade and commerce with the nations of the free world, developed and underdeveloped alike, can our own country continue its unprecedented growth and prosperity.

I am at a loss to understand the merits of those arguments for imposing sharp restrictions on imports, because I believe that our industries, through ingenuity, imagination, and innovation in manufacturing and production processes, can meet the challenges of foreign imports. I am particularly confident that our industries can do so with the assistance of the National Government in its adjustment assistance program.

The truth of the matter is that the biggest number of Americans would suffer from heavy quotas on imports—that is, all of us as American consumers would pay higher prices after the impact of these restrictions sets in.

Not only do we face stiff retaliation by the nations of the European Common Market, as well as Great Britain, Japan, Australia, and many others if we pursue a protectionist course, but we will nullify the agreements we made with some 53 other nations at the Kennedy round negotiations in Geneva.

We just cannot afford to take such a course for economic, diplomatic, and political reasons.

At the present time, our exports are providing the Uinted States with a favorable balance of trade. There are strong indications that heavy quota restrictions would reduce our exports by a much greater margin than the gain for certain industries from restricted imports.

We have only to look at recent history—to the period of the Smoot-Hawley tariff of the early 1930's—to know the adverse impact of protectionism on our own country. Such restrictive policies did not benefit our economy then, and most assuredly, they would not now. Ever since 1934, our Nation has looked outward, and we have seen the beneficial fruits of this policy. Let us not turn inward, lest we alienate our allies and friends; harm our own economy and our own labor force, and reduce the tremendous prosperity we now enjoy.

A look at the record shows how far we have come under our reciprocal trade policy, adopted in 1934. Since the low ebb of $3 billion a year in trade—under the Smoot-Hawley Tariff Act—our trade volume has climbed to a value of more than $56 billion a year. Add to this fact the tremendous economic boom our country is now enjoying—a record growth period now in its 81st month. Today our gross national product is fast approaching $800 billion annually, and our personal and corporate profits are at new record highs.

Recently, Mr. Speaker, the Export Managers Club of New Orleans celebrated their 25th anniversary with a luncheon meeting in my home city. The members of this fine organization know full well the benefits of an open, reciprocal trade policy. They support the philosophy of reciprocity which has been the cornerstone of our trade since 1934. It was my pleasure to send to the club an address on the proper future course of U.S. foreign trade policy, which was read in my absence by my friend, the Honorable James E. Fitzmorris, Jr. I insert my address in the RECORD at this time. The speech follows:

REMARKS PREPARED FOR DELIVERY ON THE 25TH ANNIVERSARY OF THE FOUNDING OF THE EXPORT MANAGERS' CLUB OF NEW ORLEANS, OCTOBER 18, 1967

It is a great pleasure to speak with you today on the occasion of your 25th anniversary. Your organization is devoted to the promotion of foreign trade, and you have done your work well through the years. I am happy to commend you today.

Ever since the disappearance of the frontier of the west, the American people have diverted their energies and minds to other frontiers of endeavor.

Space—the newest of our frontiers—the depths of the ocean—the recesses of man's mind—the physical intricacies of man's body—the diseases that afflict us, such as cancer, heart disease and stroke—every facet of science and technology—all these frontiers are being investigated today by our scientists and technologists.

The one frontier as old as man himself—an endless vista for the benefit of man—is trade.

For thirty-three years now, since 1934, the key element of our Nation's trade policy has been reciprocity. In that year, the Congress, under the proding of Secretary of State Cordell Hull, first enacted a reciprocal trade agreements act.

This legislation swept away the walls of the Smoot-Hawley Tariff Act. Since that time, our trade policy basically has been an open, liberal policy. Such a policy has redounded to our benefit. We have reaped the rewards of reciprocity in our commerce with other nations.

By Webster's definition, "reciprocity" in international trade is a mutual exchange for mutual benefit. On eleven occasions, the Congress has reaffirmed its support of reciprocity as the key element of our trade policy.

Today, the successful completion of the Kennedy round negotiations at Geneva offers the greatest opportunity for the United States and free world nations to expand trade to new heights. Tariff rates on more than 3,000 commodities will be cut in stages over the next four years. These cuts will average about 34 per cent. More than $40 billion in trade is involved in these cuts. If we pursue the intent of the Kennedy round, then there's no limit to the benefits our country can realize. With the opportunities provided by the Trade Expansion Act of 1962, we must move forward to enlarge freedom in trade for our country and the free world.

As you know, the United States is the world's first and foremost "common market—no State can erect tariff walls or quota restrictions against any other State. As a result, our Nation has prospered in an unprecedented manner.

Despite this internal free trade policy, our country used to operate a different policy for other nations. To protect our industries at home from competition, we erected high tariff walls against imports. This policy reached its peak with the Smoot-Hawley Tariff of 1930. The result was a full retaliation by other nations with their own high tariffs and quota restrictions.

World trade slumped. A worldwide depression set in. American imports dropped from $4 billion a year to $1.4 billion; and our exports sagged from $4.6 billion per year to $1.6 billion. Thus, our trade fell to an annual total of $3 billion under our self-imposed barriers.

With a new administration, Secretary Hull ordered a new look at our restrictive policies. Congress responded in 1934 with the first reciprocal trade agreements act. It has been renewed eleven times. Part and parcel of this legislation were sweeping reductions in our tariffs. Later, in 1947, our country joined in forming a multi-nation organization, the General Agreement on Tariffs and Trade, so that we could negotiate on trade on a multilateral basis. Today some 70 nations subscribe to GATT. Six extensive negotiations rounds have been held, including the most recent Kennedy Round, by far the largest and most significant.

A look at the record shows how far we have come under our reciprocal trade policy.

Since the low ebb of $3 billion a year in trade, our trade volume has climbed to a value of almost $56 billion last year. Add to this fact the tremendous economic boom our country is now enjoying—a growth period now in its 80th month, which equals the record set during World War II. Today our gross national product is fast approaching $800 billion, and our personal income and corporate profits are at new record heights.

And closer to home, our own port is the nation's second port in total tonnage for the sixth consecutive year. For the third consecutive year, our port's trade value has exceeded $2 billion—$2.33 billion in 1966, to be more specific. This year trade through the port is expected to surpass $2.5 billion, and it may reach $3 billion by 1970. Since 1947, total tonnage has risen from 24.2 million short tons to more than 90 million tons last year. The port of New Orleans continues to be the world's leading exporter of grain—last year more than 250,000 bushels were handled at our grain elevators—a 12 per cent rise over 1965. Two years ago, our port realized $545 million in rate benefits from our cargoes. Over the past 20 years, more than $100 million has been spent on construction of new facilities and renovation and improvement of existing ones. In the next decade, George Dinwiddie reports, close to $200 million more will be spent on port facilities.

This prosperity for our port and our area did not come as a result of restrictive trade policies. That I can assure you. Rather the reverse is true. I am convinced that only through open, more liberal trade policies can our Nation continue its unprecedented growth and prosperity. Only through this enlightened policy can we hope to attain world peace. The fact is that last year world trade was about $204 billion in value. Of this sum, by far the lion's share—about $180.5 billion worth—was contributed by the economies of the free nations, while the balance of about $23.5 billion came from the controlled, or centrally planned, economies. This is further testimony for the pursuit of more liberal trade policies.

But hardly is the ink dry on the Kennedy round agreements, than we are faced with clouds on an otherwise bright horizon. Again we hear requests for special protection for certain domestic industries against import competition. In past years, the vast majority of our industries have been able to meet the challenges of import competition. A temporary revival of protectionism will not be helpful to our industries in the long run. I am convinced that quota restrictions are not in the national interest. Nor are they in the interest of the vast majority of our industries. For those who might suffer from some competition, our government plans to provide more beneficial adjustment assistance than is now provided under the 1962 Trade Act. Ambassador William M. Roth, our special representative for trade negotiations who led our U.S. team to the Kennedy round at Geneva, has told me that such a proposal for more liberal assistance will be presented to the Congress soon. I am confident that our industries can meet new challenges, as they have in the past, and continue to prosper.

In my view, to impose quotas on a host of commodities would be to turn the clock back. It would be a mistake to do so. Such action could undo all we have accomplished at Geneva. The volume of our own trade would be reduced by restrictions on imports.

What would be some of the adverse effects of such a restrictive course?

In the first place, the European Common Market—our Nation's largest bloc trading customer—would retaliate hard with barriers against our imports. The six nations of the EEC already have warned they would take such action if Congress passes some of these quota restriction bills. And our neighbors in Latin America, and Australia and Japan, also have raised their objections to such a course.

In an interview with me for telecast by WWL-TV, Mr. Roth said retaliation from the common market particularly would come against many of our agricultural products, such as tobacco, cotton, rice, grains, citrus, as well as business and farm machinery. It could cost our country more than $3.5 billion in trade, according to an estimate by Ambassador Roth. Greater losses would be felt as time passed.

Further, a curb on imports would add steam to inflation. Prices would rise higher. The ultimate victim would be the consumer, regardless of his station in life, or his occupation.

The New York Times, in an editorial of last Saturday, expressed these adverse effects quite forcefully when it wrote in part:

"Our Nation and the world paid a heavy price in the 1930's when vested interests succeeded in barring competition from abroad, a step towards the repeal of capitalism in the name of an effort to save it. A return to trade restrictions would injure the United States more than other countries since it exports more than it imports. The deficit in the Nation's balance of payments abroad would be increased, weakening the dollar still further. A vital brake on inflation would be removed if imports were hampered. Far more workers, farmers, consumers, and businessmen would lose through declining export markets and rising prices at home than would gain through added protection of a few domestic sectors of our economy. The blow that would be struck at the unity of the West and the value of the American word abroad would be incalculable."

These words express quite well the foolhardy of returning to a protectionist trade policy. Such a restrictive course just doesn't make sense any more. It wouldn't provide a healthy potential for our own industries. And our country would suffer more than it would gain.

Your club—the Export Managers' Club of New Orleans—is dedicated to the to the promotion of foreign trade. You have been in this vanguard for 25 years now. Your members have worked tirelessly with the Mississippi Valley World Trade Council for expansion of trade through our port and the entire Missisippi Valley. You have done a magnificent job in this work. You are most deserving of the gratitude of our city and State. I regret very much that I am unable to be with you on the occasion of your silver anniversary. I am proud to salute you for your good works.

As exporters, all of you know the value of expanding trade. You know what it means to your business. You understand fully its impact on our port and the Mississippi Valley. You know the consequences of restricting our trade. Our port would suffer from such action, as would ports around our Nation.

Trade is the ever expanding frontier—the frontier of continued potential for our country. It is the frontier not only for our prosperity, but also for understanding between nations. For trade involves not just interchange of ships and cargoes, but also an interchange of people as well.

One of our founding fathers, Alexander Hamilton, said:

"The spirit of commerce has a tendency to soften the manners of men and to extinguish those inflammable humors which so often have kindled into wars. . . . They will be governed by mutual self-interest, and will cultivate a spirit of mutual amity and concord."

I believe this message is more relevant today than ever before. Thank you.

LAS VEGAS CHRISTMAS SHOW FOR ISOLATED U.S. BASES

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from Nevada [Mr. BARING] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BARING. Mr. Speaker, the city of Las Vegas, Nev., has been the victim of some rather shoddy newspaper reporting. I refer to a recent Sunday supplement of the Los Angeles Times and an article that appeared in the October 24 issue of the Washington Post.

These articles tend to picture Las Vegas as being nothing more than a hot-bed of gambling, sin, crime, and corruption and tends to portray the residents as not being interested in world and national affairs. This could not be further from the truth.

Therefore, I am extremely proud and happy to inform my colleagues that radio announcer Don Adams of station KENO has launched another first for Las Vegas. Mr. Adams is taking a "Las Vegas Christmas Show" to isolated Air Force Bases in the United States, December 15 through 17.

As Mr. Adams so truthfully points out, our servicemen in isolated areas in the United States are often forgotten. They are doing essential work for national defense and in some areas it is impossible for them to go home at Christmas.

Through the cooperation of the 12th Air Force Headquarters in Waco, Tex., Mr. Adams will take approximately 35 Las Vegas entertainers and tour some 3,000 miles in 2 days to give shows thus providing a "Christmas bonus" to the men.

Bases scheduled for the show thus far are Ellsworth Air Force Base, S. Dak.; Minot Air Force Base, N. Dak.; Malmstrom Air Force Base, Mont.; and Mountain Home Air Force Base, Idaho. Mr. Adams informs me that response from these isolated bases confirm the need for a "booster" such as the Las Vegas Christmas show.

I would like to express my appreciation to the 12th Air Force Headquarters in Waco, Tex., for their cooperation. It is not only providing the air transportation, but will also furnish lodging and meals for the show troup.

And as it was the same Mr. Adams who successfully projected the "Christmas loot from Las Vegas" for our servicemen in Vietnam 2 years ago, I know that his current undertaking will be as equally successful and will be a credit to the city of Las Vegas, Nev.

GUARANTEED INCOME

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from Nevada [Mr. BARING] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BARING. Mr. Speaker, last night's Washington Star newspaper carried an article that the Federal Government had approved funds to test a "guaranteed income" program. I have wondered for some time how long it would be before we took the first step toward a "socialistic style of government." I do not have to wonder any more.

This program, approved by the OEO, is to determine whether a "negative income tax" can be substituted for the welfare programs now in effect. The OEO calls this experiment a more sophisticated "work incentive" program.

The article by Robert Walters has many eyebrow lifting comments. For instance:

OEO has prepared a confidential 5-year program for elimination of poverty which calls for such payments to replace many of the traditional welfare programs. "Welfare payments as we now know them are incentives not to work," explained one of the men associated with the new pilot project.

I am glad to see someone admit that welfare payments are not an incentive to work. Why should the recipients work when they can stay home and make, in some cases, more than if they were working. As one disabled miner from Kentucky stated last March:

> A lot of people, if they know they're going to get a certain amount of money, they are not going to work.

The initial OEO grant to the University of Wisconsin Institute for Research on Poverty will provide $620,000 in funds over an 18-month period. The agency, the article states, expects to provide an additional $3.4 million to finance the experiment through the end of 1971.

Mr. Speaker, I do not have the figures up to date, but I do know that as of June 30, 1966, the OEO had spent $7,785,365 on scores of studies, analyses, assessments, and various surveys. Yet we still have the poverty problem with us.

The article goes on to say, Mr. Speaker, and I quote:

> Of the total $4.08 million, approximately $2.9 million will go to the low-income families in the form of negative tax payments. The remaining funds—

And I ask my colleagues to digest this carefully—

> The remaining funds are earmarked for travel, research, salaries, evaluation and similar expenses.

Now I ask you, is the OEO actually trying to fight the war on poverty or pad somebody's pocketbook. When only $2.9 million out of $4.08 is going to the low-income families it makes one wonder. I have always been under the impression that OEO was set up to fight poverty; not enrich the coffers of do-gooders.

Frankly, Mr. Speaker, the already overburdened U.S. taxpayer is not going to swallow this program, or any other "guaranteed income" program. The middle-income taxpayer—and he is the one carrying the load these days—who is having a hard enough time making ends meet is not going to sit still and watch his hard earned tax money be handed out to people for not working or given "incentive money" to work.

One of the more outspoken supporters of the negative income tax is Milton Friedman, a University of Chicago economist. Friedman has a plan that every family filing a tax return showing less income than $3,000 would get an automatic "nontax" refund in the amount of half the difference between its income and $3,000.

I believe that the Washington Star editorial of March 19 of this year had the answer to Friedman and it applies to this latest OEO boondoggle announcement of yesterday:

> Friedman's vision of a simple, clean, one-shot substitute for the present maze of welfare programs is superficially appealing—and purely visionary. Does anyone believe that our vast programs of public housing or our vast bureaucracies of social work, for example, would just disappear? What about needy children, toward whom so much of our welfare aid is directed? Does anyone believe that their needs would be met by a dole, unsupervised and unpoliced, spent by the "head of the family" for what purposes no one knows? Nor are Friedman's "incomes" sufficient to meet the needs. The more one thinks about it, the more likely it appears that the guaranteed income would merely wind up as one more new program piled atop all those which already exist.

Mr. Speaker, I suggest that the OEO instead of spending another $4.08 million on an experiment—of which "only" $2.9 million is earmarked for low-income families—it take the money and use it for its original intention: training the unemployed and help provide jobs for them.

THE TRANSPORTATION CHALLENGE

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. OTTINGER. Mr. Speaker, I would like to bring to the attention of my colleagues an address delivered by Mr. Harold E. Gray, president of Pan American World Airways, before the Passenger Traffic Association of New York.

In his address Mr. Gray expresses concern over the growing problems connected with metropolitan transportation, with special emphasis on New York City, and concludes with several concrete proposals which, if implemented, could go far toward the alleviation of many of these problems.

His address is both informative and thought provoking and I believe it is worthy of consideration by the Members of this House. The address follows:

THE TRANSPORTATION BOG—A CHALLENGE FOR NEW YORKERS

It is a privilege to speak before experts. I refer not just to the distinguished guests on the dias, but to the distinguished audience on the floor. Almost all of you possess expert knowledge about transportation, and I am proud to be here.

Our hosts, the members of the Passenger Traffic Association of New York, must be ranked high, indeed, among those who best know the transportation needs of the present and the future, for they handle the arrangements of the most discriminating and experienced of all travelers—the executives of the leading business firms in this area. I understand you of the association are engaged in the formation of a national organization of traffic managers with chapters in major cities—I wish you success, for you perform a valuable service.

As all of you may know, my activities have been primarily associated with international air transport for the last 38 years. A lot has happened in international air transport in the past. A lot is happening today. Even more is going to happen in the future. It's an exciting business, and it would be the easiest thing in the world to talk about it today. However, I've decided to reverse my field and talk about transportation involving tens of miles rather than thousands—transportation at an altitude ranging from below sea level to approximately 2,000 feet, rather than 35,000 feet.

I am going to speak to you today as a New Yorker speaking to New Yorkers.

Our city is floundering in a transportation bog. New York's transporation woes forecast what is beginning to happen elsewhere in the United States. What we do to save ourselves here in New York will also profoundly affect the rest of the country.

And so today I am going to describe our New York problem briefly—with emphasis, understandably, on air transportation. I am going to hold forth one man's vision of what the future can be like. I am going to suggest, for your consideration, some practical steps to start the ball rolling.

We are at a time when everything should be coming up roses for the jet age. Scheduled air transportation is becoming ever safer, faster, and more reliable—and the second revolution in air travel is on the way.

The continued development of New York City is producing, and is contingent on meeting, an urgent demand for parallel growth in air traffic.

But, here in New York the air traveler and shipper finds himself trading time won in the air for time lost around the airport and on the ground.

I am not suggesting to you that we in air transportation have solved all of our own problems of transporting people and goods from airport to airport. We still have enough to keep many of us busy twelve hours a day. But an increasing proportion of our problem deals with traffic congestion in the vicinity of airports and with metropolitan surface congestion.

Now, if this problem affected only the airlines I would expect little more than your commiseration. But, as you all know, transportation is everybody's business. Anything that benefits transportation benefits us all. Slow the movement of people and goods, and the shock wave pervades the whole community—affecting not only the traveler and the shipper—but the businessman, the shopkeeper, the hotel worker, and the wage earner in every section of the economy.

Air transportation's economic influence is also felt in an even more direct fashion. The airlines are currently plowing back more than 90% of their cash flow into equipment and serviecs to improve and maintain their day-to-day operations. This ever-growing contribution to both the national and local economies totaled nearly one billion dollars last year. Foreign sales of U.S.-built aircraft have contributed 2½ billion dollars to our balance of payments since 1958.

In the New York area alone, the airlines, the airports and their supporting services represent a local payroll of more than half a billion dollars a year spread among an army of some 60,000 employees, and I am delighted to be one of them.

Today's brutal fact is that the major airports in the New York Metropolitan Area—Kennedy, Newark, and LaGuardia—are reaching the saturation point. Their capacity to receive and dispatch aircraft cannot be increased overnight. Yet, unless airport capacity is somehow expanded, the normal air traffic increases required to accompany and assist economic development in the area will not—because they cannot—occur.

The Port of New York Authority and the major airlines serving the New York area are taking steps to increase the area's airport capacity. As part of the Pan Am effort, as many of you know, we are proposing to develop and operate Teterboro Airport in New Jersey and Republic Airport on Long Island for general aviation.

Why? Approximately two-thirds of the aircraft movements at the major airports are airline transports. It is not possible to transfer those large aircraft as a group to smaller airports.

About one-third of the movements are private airplanes, mostly on business missions. It is possible to transfer those smaller airplanes to the smaller airports—provided those smaller airports are made attractive to the private flyer.

To be attractive, the smaller airports must provide facilities and services as good as or better than those available at the airline airports, at costs associated with requirements for small aircraft rather than costs associated with giant jets. Equally important, there must be good transportation between these smaller airports and Manhattan. General Aviation airports can be and should be included in a new type of New York metropolitan air service. You can see the prototype of that service operating today between the Pan Am Building and Kennedy, and between Wall Street and the metropolitan airports.

However, the provision of adequate airports for general aviation is only a beginning—though an important and significant beginning. But what else should we be planning?

Our goal must be to expedite the movement of people both within the metropolitan area and to and from the city and the rest of the world. This involves both exterior and interior transportation lines and the exchange between these various modes of travel.

Let us first take a look into the future and picture the transportation network which, in the late 1970's, will link New York with the rest of the United States and cities throughout the world.

By that time, probably well over 90% of the travelers on trips of more than 200 miles from New York will be traveling by air.

New York will have four major trunk line airports, all within 25 miles of the city. The four main airports will serve, roughly, the cardinal points of the compass, so that there will be little cross-city trunk line air traffic.

Rapidly growing numbers of general aviation aircraft will use the system of general aviation airports developed and operated for private planes.

Airport terminal facilities will be even more functional than today's. Through the use of new technology, both passengers and their baggage will be handled conveniently and more rapidly. Surface approaches to the terminals—car, bus, and sometimes subways—both above and below grade, will accommodate three times today's volume of traffic. Helicopter pads will be immediately adjacent to the terminals. STOL—that's aviation short-hand for Short Take Off and Landing—STOL aircraft runways will be available without hindering conventional big jet aircraft movements.

In spite of all these improvements, the four major trunk line airports will be incapable of handling today's traffic expanded into the late 70's. But they will not be required to. In the late 70's, and certainly by 1980, no one will go from Manhattan to the four big airports in order to obtain transport to points as close as 300 or 400 miles from New York City.

Instead, the passenger will go to the nearest STOL port, conveniently located on the periphery of Manhattan, and board a shuttle service which will take him to an equally convenient STOL port at his city of destination. His travel time from city center to city center will be one to two hours less than it would otherwise be and the total cost in today's dollars will also be less.

Helicopters will range from taxi-types to 100-passenger helibuses which will transport passengers at less than half the cost of today's conventional rotor craft. Such advanced-technology helicopters will form a network knitting together the city center, the airport, the suburbs, and exurbia out to a range of perhaps 50 miles.

The STOL craft will be a conventional turbine-powered jet with more range and speed than the helicopter and extremely short takeoff and landing characteristics. Together with high speed rail lines and turbine-powered buses, STOL aircraft will constitute an important part of the public, short haul transportation framework of the megalopolis in 1977.

A 100-passenger STOL metroplane will carry you from a Manhattan STOL port to the edge of downtown Washington in 30 minutes at a cost approximating that of today's air shuttle fares and you'll obviously pay less in taxi fares. An additional candidate for this city center to city-center service will be the compound helicopter, in which the rotor blades become a delta wing at cruise altitudes, enabling the vehicle to act as both a vertical lift aircraft and a conventional jet with cruise speeds of up to 500 miles per hour.

This is already more than a day dream. Just a few days ago the Civil Aeronautics Board formally announced that it was beginning an investigation to determine the need for and feasibility of service by V/STOL and related aircraft between major cities, including New York, in the Northeast corridor.

In ordering this investigation, the CAB said, in part: "Air transportation has, in our view, played a significant role in meeting the transportation demand in the Northeast corridor . . . However, the steady increase of air traffic at the airports . . . has created problems which if unchecked could result in a decline in the quality of air service at these cities."

In our transportation system of the future, both helicopters and STOL aircraft will operate in reserved air space outside and below that required for conventional transport aircraft. The old concept that public air transport can operate without well defined rights-of-way in the air space will be abandoned in favor of the concept which now permits a train to operate without finding its tracks blocked by other use.

The city's interior lines of transportation in 1977 will depend on taxis and buses, both electrically driven, and on a vastly improved underground railway system, possibly based on ground effects technology. Private passenger car transportation will be minimized by improved public transportation. Truck movements will be partly time regulated, and certain areas will be served by automatic freight delivery systems. Commuter travel along the high density routes will be in highly automated trains approaching airline comfort. Those trains probably will ride on rubber along their own rights-of-way.

By 1977 the transport system of New York City will be an even more vital organ of the City's existence than it is today, one which holds the key to life and death of the city in its hands. The citizenry and the city will not be able to survive a system that permits the vital flow of transport to be turned on and off to accommodate the special interests of a small management or labor minority and it is, therefore, reasonable to presume that even before 1977, common horse sense in our society will prevail in finding more intelligent ways of settling these private disputes, and that we will be able to rely on uninterrupted transport service.

Though this brief sketch of our transportation picture a decade from now may seem utopian, it is not unduly imaginative. For I have based my look into the future solely on the technology already available. Actual transportation progress made in a ten-year period has always exceeded my expectations. I fully expect that any predictions I might make today would be equally conservative.

The development of an integrated transportation system for New York and the other large population centers calls for technology, investment, planning and execution. How do we begin?

1. New York needs to start developing a short-haul metropolitan air transportation network immediately. The size of the metropolitan area, its population density and its many water barriers make it mandatory that we provide frequent and reliable air access to and from and between the hub airports. Short-haul transportation, particularly by air, has the prospect of becoming a completely new industry during the next decade. With the help of advanced technological equipment, we can confidently expect that it will become a self-supporting industry within ten years.

It is the responsibility of industry to take the initiative in building the short-haul network, and we are beginning to do so. But the cooperation of the municipal governments and other agencies will be necessary to provide the ports and heliports for both winged and rotor aircraft at waterfront sites on both sides of Manhattan and elsewhere in the area.

2. The three-state area that has New York City as its hub needs a fourth jetport. We should press for selection of the site this year. Remember, it will take at least five years from the beginning of construction to make the fourth jetport a reality. While the fourth airport is being constructed, the runway capacity of Kennedy should be increased to absorb some of the current congestion and future expansion needs. The Port of New York Authority is seeking an immediate decision on the fourth airport. It deserves our full support.

3. We should support and encourage the Metropolitan Commuter Transportation Authority in its burgeoning effort to develop a better surface transportation system for the New York State portion of the Metropolitan Area. As for research into advanced forms of transportation, I believe we should encourage the MSTA to look for solutions from that great pool of technical talent, the National Aeronautic and Space Administration. They have just about found out how to get us to the moon . . . now I think they ought to show us how to get in and out of town.

4. New York, New Jersey and Connecticut have cooperated through the Tri State Transportation Commission, a planning agency. Plans have resulted for development of surface transportation in the tri-state metropolitan area.

Individually, New York and New Jersey are beginning to take steps consistent with these plans. What is needed is a major concerted effort by the three states to put a master plan into effect on an accelerated basis.

But most of all, it is necessary for community leaders—such as you in the room today—to lead. In particular, it is necessary to lead not just in telling the public about the problem—though that must be done, too—but to let the public know that solutions exist or can be found.

We want future transportation plans for this area, and we want a coherent master plan. But meanwhile, as Secretary of Transportation Alan Boyd has suggested, let us not permit lack of tomorrow's plan to paralyze action today. We do not need to wait for years while our transportation quagmire deepens and a master plan is formulated. We must start doing things now. The creation of better facilities for general aviation and the development of a metropolitan air transportation system are areas in which airlines should be directly involved.

And, when a lot more of us begin focusing on eliminating our transportation quagmire, believe me, ladies and gentlemen, we'll think of a lot more things to do. And they will be done.

NEW TROOPS FOR THE WAR ON POVERTY

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. OTTINGER. Mr. Speaker, I am pleased to join the distinguished senior Senator from New York [Mr. JAVITS] in sponsoring legislation to introduce a new element—the troops of private enterprise—into the war on poverty.

I have long felt that, despite the many fine programs established under the Economic Opportunity Act, the absence of meaningful participation by the private sector of our economy created a substantial gap. Private enterprise is the backbone of our society. Its resources can and should be mobilized in our national efforts to break poverty's vicious cycle.

Last summer's riots demonstrated the complete alienation that many slum dwellers, particularly Negroes, feel from the community in which they live because so few of them participate fully in the economic power structure. With no sense of ownership or belonging, there is little incentive for them to protect or defend their communities. Thus, for the slum dweller, any business establishment is the property of the enemy and ripe for destruction. Add to this factor the high percentage of unemployment in slum areas—Labor Department statistics show that poverty pockets have an unemployment rate three times the national average—and you have a formula for trouble.

The unrest in the city slums, of course, also acts to discourage business investment. Given a choice, business will go elsewhere, to locations where returns are greater and risks are lower. There is a pressing need to create a mechanism that will encourage business investment in urban slums so that new employment opportunities are created and slum residents are given a tangible stake in their society.

The present lack of financing for construction or purchase of businesses remains a major inhibition to the establishment of job creating, taxpaying businesses in both urban and rural slums. There simply is no adequate source of long-term, low-interest loans in either public or private sources for most types of commercial or industrial projects in depressed areas. The adage that "those who have, get," is no truer here than in most credit offices. Only the businessman with the highest rating can hope to find financing and there is little incentive for him to locate in a poverty area. At the same time, most of those indigenous to ghetto areas and desiring to establish businesses are not able to obtain loans at all. Also, the tight-money situation has made it a lender's market and this has aggravated the problem.

An answer to this dilemma may lie in a new approach to supplement the war on poverty. The legislation I am introducing today would provide a means for private enterprise to enlist in the national effort against urban and rural blight with a minimum of hand-holding by the Federal Government.

I am pleased to join with Senator Javits in proposing the creation of a Domestic Development Bank to serve as a source of needed low-cost financing for businesses in high-risk ghetto areas. The bank would be a profitmaking corporation authorized to finance business and commercial ventures where reasonable capital is not otherwise available. It would be similar in concept, structure and operation to the successful World Bank.

The World Bank has demonstrated that the provision of attractive credit is a powerful development tool in underdeveloped areas. The concept of the Bank is economically sound. In fiscal 1967, for instance, it showed net profits of $169 million.

The Domestic Development Bank could make loans, guarantee, or participate in loans for plant, equipment, and working capital, and would also be authorized to undertake insurance arrangements in connection with such commercial development.

Business ventures of all sizes would be eligible, but the primary condition for all loans would be that the project be located in urban or rural poverty areas designated by the Secretary of Labor as having a high proportion or concentration of unemployed or low-income persons.

Businesses not located in poverty areas could also qualify as projects which generate new jobs of which at least 25 in number and not less than 50 percent are to be held by persons who were previously unemployed or are low-income residents of an eligible poverty area.

The Bank would be organized through the establishment of a Commission which would, in turn, appoint incorporators. The Commission would be composed of the Vice President, the Secretary of the Treasury, the Secretary of Commerce, the Secretary of Labor, the Director of the Office of Economic Opportunity, and the majority and minority leaders of the Senate and House of Representatives. The Commission would appoint incorporators who would serve as the initial Board of Directors in a ratio of two-thirds representing the private sector and one-third Government officials or employees. Thereafter the President would appoint the 18 Directors, with the advice and consent of the Senate, for staggered 4-year terms. The two-thirds from the private sector would break down to six from business and finance, two from organized labor, two from private social welfare organizations or foundations dealing with the problems of poverty and two representing the general public.

The Bank would issue $2 billion in capital stock. It would sell bonds at market interest rates in order to raise the bulk of its loan funds, with expected interest rates of the bonds approximately 6 percent.

As was true of the World Bank, 20 percent of the subscription would be paid in initially—$400 million—with the Bank having a call on the remaining 80 percent as a reserve to meet liabilities on its own borrowings on the private bond market. The initial $400 million would be raised by the Secretary of the Treasury through sale of U.S. obligations on the market, so that tax revenues would not be going to finance the Bank. This is the manner in which most of the U.S. Government contributions for the international development banks have been raised. All the funds for the Bank's activities would come ultimately from private investors without burden on the taxpayer.

This is a new approach to the vital job of rehabilitating depressed areas, but using proven tools. It has the great merit of involving private enterprise in resolving the most serious problems of our society—and doing so through an established type of financial machinery rather than through Government bureaucracy. I think it offers great promise and is highly worthy of consideration by the Congress.

LIBRARIES UNLIMITED

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Johnson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, I would like to bring to the attention of my colleagues the fact that Mr. Foster E. Mohrhardt, Director, National Agricultural Library, U.S. Department of Agriculture, recently became president of the American Library Association.

Mr. Mohrhardt assumed the duties of this important position at a recent meeting of the American Library Association in San Francisco, and I would like to include in the Record at this point his address at that occasion:

Libraries Unlimited: Meeting the Challenge of a Dynamic Society, by Foster E. Mohrhardt, Director, National Agricultural Library, Washington, D. C.

INTRODUCTION

You don't have to live across the country in Washington, D.C., across the bay in Berkeley, or even across town in San Francisco to feel the strong winds of controversy shaking our political, educational and social fields. Some of these cross-currents are being felt directly by our libraries. Up to now their effect upon our work has been marginal. More immediate to us are the forces directed toward librarianship itself.

Auguries of disruption and change for libraries can be seen in the new patterns now developing in many fields that closely impinge upon librarianship. Social and technological forces, strong and varied, are even now forming new disciplines and methods in the field of communications, in academe, and in our cultural life. Just at this time when we need the consolidation of every element of librarianship in the planning and shaping of our future, we face proliferation and fragmentation of our professional resources. We are like boxers on the defensive, continuously reacting to diverse criticisms, or suggestions for change in our activities. Instead we should be asserting initiative, analyzing our objectives and defining our own new patterns of library development.

If we aren't fragmented, then what stimulated the planning, conducting and participation in over 900 different sessions at this 1967 Conference in San Francisco? The quantity and variety of topics show the highly technical, skilled and diverse interests of librarians. Let's recognize, however, that they also represent an attenuation and diffusion of our work. Such splintering must be balanced by strong efforts that will direct us back to considering the basic objectives of librarianship, our responsibilities as a national service, and the urgent need to begin planning for future development. Significant discussions at this Conference of computer use in technical work, emphasis upon providing equal opportunity for everyone in access to libraries, and efforts to acquire books concerning the dramatic changes in our cultural activities are indications of lively reactions to new forces in American life.

Librarians must not share the endemicity of social and political groups which causes them to delay action on crucial problems until a crisis is reached. Even after years of warnings by experts, society on a global basis has delayed taking even minimal steps on water deficiencies, food shortages, air pollution, pesticides problems, population control, and auto safety until physical hazards have forced action.

We, in librarianship, also face problems that are immediate, complex and grave. The wide scale, A.L.A. directed efforts at improvement must be started now. The first step is to re-examine and re-determine the basic objectives of librarianship. In doing this we need to see librarianship as a whole, a calculus of integrated parts. We must also study the relationship of libraries to communications and to our social and cultural life.

LIBRARIANSHIP

I would like to initiate such a re-examination by frankly recognizing that our profession has historically been centered on and oriented to the humanities, and that most of us have backgrounds of specialization in the humanities. Such a background supports our traditionalist feelings, our love for the book as a representation of culture, and our reluctance to accept readily the challenges of scientific and technological developments. We must soon decide whether or not our commitment to the book as such is so complete and final that it will continue to shape our thinking and planning of libraries for the future. How many of our reactions are emotional and personal? How many are based on rational analysis? As a traditionalist, I find it stimulating and revealing to listen to three notable American librarians; Melvil Dewey, a founder of ALA, William W. Bishop, a major force in shaping our scholarly libraries, and Archibald MacLeish, who brought a new and exciting dimension to librarianship. Melvil Dewey, attending a fiftieth anniversary meeting of ALA in 1926, spoke of his hopes for the next 50 years:

"This world will never be made better by mere police and soldiers and legislation. It can be done only by making people wish the better things, and that process is education. We must make the public understand that the things that center around the library are just as much a part of complete education as are the schools . . . Most librarians are inclined to make a book something sacred. But we ought to recognize and employ it as a tool to be used not a fetish to be worshiped . . . Perhaps the library of 50 years from now will have outgrown the present book and relegated it to the museum . . . Our great function is to inform or to inspire, or to please; to give to the public in the quickest and cheapest way, information, inspiration, and recreation on the highest plane. If a better way than the book is found we should use it."

This, you may say, is the viewpoint of a practical man, a pragmatist and an innovater. Let's listen next to a scholarly university librarian, Dr. Bishop. As early as 1931, before the commercial production of television, he visualized the use of "television or some further wonder" to show the pages of a book instantly in libraries thousands of miles away. He also foresaw the possibility that the "progress of invention" might render "books in their traditional form completely obsolete."

These were men not dedicated to the form, but to the substance of librarianship. How do we divide between form and substance? Archibald MacLeish, while Librarian of Congress, charted the two divergent roads of librarianship:

"There are two meanings of the word 'book' and two relations, therefore, between a book and the man entrusted with its keeping. There is one meaning which signifies a physical object made of certain physical materials and of physical shape. There is another meaning which signifies an intellectual object made of all materials or of no materials and standing in as many shapes as there are forms and balances and structures in men's minds. The two meanings overlap and are confused . . . If it is the physical book of which a librarian is keeper, then the character of his profession is obvious enough. He is a custodian as all keepers of physical objectives are custodians . . . He is a sort of check boy in the parcel room of culture . . . But if it is not the physical book but the intellectual book of which the librarian is keeper, then his profession is a profession of a very different kind . . . If it is the intellectual book rather than the physical book of which the librarian is keeper, then the profession of the librarian is not and cannot be the neutral, passive, negative profession of the guardian and fiduciary, but must become instead the affirmative and advocating profession of the attorney for a cause."

If then we are to follow the latter exciting road with imagination, involvement and participation in all phases of life, we must counter-balance our fragmentation and focusing on the minute with broad encompassing vision.

As a first step we could define in today's terms those objectives of librarianship that provide a background general enough to embrace each of our 900 or more meeting interests. We can then relate these objectives to other disciplines as we develop guides for long range plans.

EXTERNAL FORCES

Whatever studies we make, whatever guidelines we establish, whatever future we plan must be related to the people we serve, the social and intellectual environment in which we work, and the totality of all communication media of today—and tomorrow.

Yet we will need a running start to relate ourselves to them since changes are occurring in a rapid and complex manner. Each field is generating forces that may appear as external to librarianship, yet they are gradually shaping an environment that directly affects our work.

Some of these dynamic forces or trends that must be carefully studied with relation to their impact upon library development are: (a) the continuing population growth which, combined with increasing longevity, is already showing up in expanded service needs for both the young and the old; (b) an unprecedented expansion of education and educational opportunities; (c) a social revolution demanding equal opportunity and rights of access for every citizen; (d) expansions of the development of science and technology that directly affect both the use of the library and the quantity of publications; (e) a global explosive growth of publications in practically every subject field; (f) changing patterns in book production as well as the storage and retrieval of information; (g) dramatic and at times startling changes in cultural patterns and life; (h) increased emphasis upon international interests and developments; (i) continually increasing amounts of leisure time; (j) significant governmental support at the national and state level for library programs and development; (k) the beginnings of national planning for library programs and information services.

Libraries at last have been nationally recognized as basic, fundamental, social institutions. As such they must interact dynamically with changes in each of these areas mentioned. Whenever requests have been made to individual librarians or to the profession for participation in any of these programs, the response has been effective. But the opportunities for cooperation and the challenges for action in all of these fields are unlimited, and it is timely for the library profession to initiate on its own, new approaches, new committees, indeed, new challenges that evidence the universality of our interest and the goal of libraries unlimited—libraries that reach to every individual in America, to every group and to every interest.

Only a few librarians have had opportunities to work with major planning groups in some of the related fields. Beyond this we need an A.L.A. awareness of these tangential areas and we need study groups to report to us on their long range implications for library growth.

Looking at a few of the external forces mentioned should illustrate our opportunities for mounting association-wide programs.

SOCIAL RESPONSIBILITIES

The social upheaval today directly touches on librarianship, and we realize after many frustrating efforts that fulfillment of library responsibilities is highly complex and challenging. Although some of our initial reactions have been unimaginative and academic, we are motivated in our desire to reach all social and all economic levels. We need more of the dynamic, creative approach shown in Brooklyn, where Hardy Franklin has found new and unconventional means for bringing the library to those who may be disinterested or unmotivated. A New York newspaper characterized him as "a roving ambassador for reading." Such a role transcends many of our specialized interests and hits at the heart of our responsibilities—reading. He has combined social and communications expertise in his role of ambassador for libraries. We look forward to equally challenging and useful developments from our Freedom of Access Committee and the Economic Opportunity Programs Committee.

ACADEMIC AND RESEARCH LIBRARIES

Robert Vosper in his talk on this occasion two years ago alerted us to the need for a study of academic libraries. Such a study is now underway. Again, however, the study has been generated outside our profession. We are indebted to the American Council of Learned Societies for carrying out this major study of academic libraries. Last year we were alerted to the Council's interest in libraries by Thomas Brockway's penetrating analysis and challenge:

"Since World War II our great research libraries have been faced with mounting problems which threaten the quality of their services to the nation . . . it should be clear that librarians are aware of the crisis they face, whoever else is, and that corrective action is being taken on various levels. However it is not at all certain that enough is being done, that what is being done piecemeal will eventually contribute to an effectively functioning whole, or that the librarians' potential allies are aware of the gravity of the problems they live with."

His remarks about piecemeal efforts and potential allies are fundamental to my thesis and apply to all types of libraries and to all related groups.

COMMUNICATIONS

We have always recognized the close relationship between libraries and the social and educational fields. However, with few exceptions we've neglected to search out and identify new developments in the field of knowledge that may directly affect us. A recent example is the newly forming field of "communications" or "communication sciences." Engineers, sociologists, educators, publishers, psychologists, mathematicians, and other specialists are working cooperatively in the development of this new discipline. As far as I can see, library involvement is minimal, yet our responsibilities for sharing in the shaping of this field are great. In its broadest definition, communications includes libraries, and within the framework we would look on ourselves as the experts in printed information. We face, however, questions concerning our primacy as information experts and also doubts concerning the continuing importance of printed information.

Our professional schools, journals and meetings should alert us to the fact that new studies and developments in communications have a direct impact upon changes in books and other printed materials. Studies are being conducted, decisions are being reached and plans are under development for communication systems that may result in attempts to freeze library services in antiquated, inadequate and unrealistic patterns.

THE KNOWLEDGE INDUSTRY

Any new pattern in communication relationships will have immediate and long range effects upon librarianship. The merging into a single corporate body of publishing houses, radio and television companies, phonograph record making, facsimile copying corporations, computer teaching devices, and even sports activities is shaping what may be a "knowledge industry." The next addition may be a commercial library service similar to the highly successful commercial service "S.V.P." now providing telephone reference service in Paris. We should be more concerned however, with how this mix of interests influences the future of printed materials.

There is a general recognition, even with computer enthusiasts, that printed publications have a basic importance in all intellectual activities. Yet there is a growing feeling that publications have failed as a means for rapid dissemination of the newest ideas and innovative developments.

ORAL AND INFORMAL COMMUNICATIONS

Particularly within scientific fields there has been a search for faster communication of new information. Emphasis is now being given to what is roughly classed as informal communication such as: (a) oral communication techniques and methods; (b) "Invisible Colleges" or "Information Exchange Groups."

Experts have re-discovered the value of oral communication as a primary method in alerting research workers to printed literature. At the present time, for example, both the Committee on Scientific and Technical Information and the Council on Biological Sciences Information are conducting studies of this oral communication field.

Closely related are the "invisible colleges" or "informal exchange groups," the private, informal associations for the exchange of papers, reports, articles, and data among specialists in particular fields. As a profession we are oblivious to these new patterns. They should shock us since in part they originated as a result of inadequacies in traditional information systems, including libraries. The invisible or informal groups feel that they expand or supplement libraries by providing information faster, alerting users to new knowledge, enabling rapid correction of errors, giving information not otherwise available, stimulating ideas, and providing a method for exchanging reactions. Shouldn't we be studying these efforts to see what relationship they might have to our work, and how they might contribute to the reshaping or improvement of our services?

These examples only serve as general indicators of the range and intensity of the external forces which are pounding, prodding and stimulating the entire library field including its users and its media.

INTERNAL FORCES

Better recognized are the internal forces that are buffeting us into changes and realignments. Individually many librarians have identified the impacts that will radically change our pattern of librarianship between now and the year 2000. Active efforts are going on to modify or expand library practice in many areas including: (a) attempts to utilize intelligently and effectively new technological and electronic developments; (b) the initiation of regional and national planning for library services, including networks; (c) expanded activities in the sharing of acquisitions and cataloging work; (d) establishment of working relationships between traditional library, documentation, and science information services; (e) attempts to find new and effective means for meeting specialized manpower needs and personnel shortages; (f) the spread of international interests and cooperation.

We are far more successful in our programs that concern the library centered developments than we are in those that interrelate with other social and cultural fields. We have reached a high point of excellence in storage, filing, preservation, cataloging, cooperation and resource development. Even in this library-oriented area, however, there are still elements of the piecemeal approach that must be brought together into wide ranging overall library plans. We urgently need planning conducted by librarians and for librarians, if we are to find solutions and procedures that are acceptable to our profession.

We are indebted to all of the non-library individuals and groups who have included libraries in their long range and national plans. These plans are useful in bringing to our attention directly and comprehensively the most important and impelling needs and interests of our users.

ALA RELATIONSHIPS

Any attempts that we would make at national or long range planning must be centered about the American Library Association. Yet I sometimes feel that the interests of librarians are so diverse that they often lead to a feeling of separatism in Association affairs.

The divisions of the Association that were designed to provide homes for common interests, too often become the nuclei for segmentation. Many of us who were unenthusiastic about the development of the new Information Science and Automation Division felt that computerization and mechanization were so generic to all library functions that this work should be incorporated in all divisional interests of ALA. We were concerned that a new division might focus interest on the mechanics rather than the interplay of computers in all phases of library work. I hope the Division will try to bring together all automation interests of all elements of ALA.

There has been such emphasis on computers as aids to clerical processes that attention might be diverted from a field such as children's library services. Dr. Robert Hayes, in a recent publication of the Children's and Young Adult Services Divisions, highlights the growing use of computer aided instruction. He alerts us to the fact that the younger children may identify themselves with computer developments much more rapidly than adults, and that now is the time for libraries to explore these implications in our library work. He stresses the greater needs we will face in countering the sterility of machines with the creativity of literature. We "must recognize the pressures toward conformity which it (automation) imposes on the individual, must discover the content of creativity which can exist within the context of these pressures." Those planning the use of these tools need advice and guidance from educators and librarians who are best acquainted with the education and reading habits of children. But there is a tendency by librarians to resist potential cooperation with machine methods, rather than to help in shaping their use in areas where they will support and promote our humanistic tradition. We are temporizing by looking only at the immediate utility of automation in technical processes and in scientific and technical libraries. Equal attention must be given to the interplay between computers, educational programs, reference work, children's library service and librarianship generally.

Unfortunately, communication specialists, information scientists, and computer technologists are too ready and willing to redirect our work. They have taken the leadership in arranging programs, conducting studies, and proposing systems that will shape our future. These new procedures can be successful only when they have the cooperation of all the competence of librarians. To meet our responsibilities as specialists in knowledge, information and cultural life, we must show initiative in working out modern, library-centered or library-related communication services.

1967–68 PROGRAM

For the ALA 1967–68 Year I suggest that we initiate wide-scale, far-reaching efforts that will cut vertically and horizontally through all elements of librarianship and every type of library. Breaking down this meeting in San Francisco to 900 different sessions provides a new high in fragmentation. It would be healthy now to spend a year on cooperative projects and programs of such major significance that they would embrace all of these 900 activities.

I propose, therefore, for our ALA Year 1967–68, four major projects as part of a library-generated, library-organized and library-conducted program for the future development of American librarianship. It should direct our efforts away from the focusing on details to the broad substantive needs of the future.

We are fortunate this year in having the opportunity to build upon and around the work of the National Advisory Commission on Libraries.

President Johnson forcefully recognized the importance of librarianship in our national and social structure by appointing a National Advisory Commission on Libraries. Now we have for the first time at the highest national level stimulation, initiative and recognition and a focus on library development. Our responsibility is to grasp this initiative and to move ahead with more extensive analysis, evaluation, and planning than has ever been done before.

As our major effort this year, let's build upon the work of the National Commission. Even at this early stage we can identify the importance of this Commission to all of us. The appointment of this Commission by the President of the United States has recognized our national stature. The chairing of the Commission by an academician of the breadth and brilliance of Dr. Douglas Knight assures the quality of the Commission's deliberations. The representation on the Commission of outstanding experts from all segments of national interests presage the scope and depth of the study. The Commission's hearings have challenged the representatives from every library interest and the widest range of users to bring forth new and bold ideas. It has stimulated the librarians appearing before the Commission to review their interests and programs with care and logic. The reporting by the Commission will focus national attention upon libraries and librarianship. Inevitably there will be useful reactions from political, social and educational, as well as cultural interests.

Yet there is a danger that after this careful planning, keen intellectual input and objectively determined recommendations, the benefits will be dissipated and lost unless we in the library profession are motivated, organized and prepared to move during the coming year into the broadest, most intensive and wisest program of library planning and organizing in our history.

I have discussed with Dr. Knight, the possibility of presenting at our Midwinter meeting in Miami Beach, January, 1968, a preview of the findings and recommendations of the Commission. We have further discussed the planning of our 1968 Kansas City ALA Conference around the results of the Commission's study.

LIBRARIES 2000 COMMITTEE

My first proposal to the American Library Association is that we establish now within the Association a library-organized, library-manned "Libraries 2000 Committee." The Committee, composed of representatives of the divisions of the American Library Association, would be charged with considering the Report of the National Commission as a basis for mobilizing librarians in shaping the future of American librarianship. If the Executive Board of the American Library Association approves of such a procedure, I would hope that immediate steps can be taken to establish the Committee, define its scope, establish guidelines, set up a structural pattern, select appointees, and start the task of focusing our myriad interests and abilities on projecting American library development.

The Committee would consider all of the external and internal forces mentioned earlier in this paper. In addition it would try to determine the unique province of librarianship.

LIBRARY ASSOCIATION COOPERATION

As we move ahead with library generated planning we also need a better method for consolidating *all* library interests.

For the past decade there have been recurrent suggestions for a federation or organization of library associations that could speak with a single, authoritative voice for all the variety of library specializations and interests. Although the American Library Association represents by far the greatest variety of library interests and the largest number of librarians, it doesn't speak for every library association in the country. When governmental bodies, professional agencies and individuals have developed national plans for information and library services, they have found no common source for reaction, no influential group that speaks for all libraries.

Suggestions have been made for a congress, a conference, a new council or a federation of library associations, bringing together U.S. associations that include libraries in their titles, (and solely directed toward library interests) and also documentation, information and communication organizations marginally concerned with librarianship. It is no disparagement of the American Library Association to admit that it does not formally represent all of these groups. I wish, therefore, to support earlier suggestions for the calling of a national congress of library associations. It would consider the basic and related common areas of communication responsibility and also would lead to the development of a more effective, coordinating organization. It would marshal the totality of U.S. library abilities to assist in developing their services.

MANPOWER

As a third proposal, I suggest that we make certain that the manpower programs initiated this year are continued and developed.

President Gaver is to be commended on her efforts to direct attention to the widest range of library manpower problems. She has indeed recognized the impetus that was given in the inventory of library needs initiated by Edwin Castagna, and I hope that we can continue this trend of building on prior programs.

I am certain that the officers of the Association will feel the responsibility to continue work on manpower problems and to build upon the initiative so evident here in San Francisco.

Major responsibilities for carrying through the program probably rest with the Library Administration Division. However, all segments of ALA should be prepared to provide aid.

INTERNATIONAL ACTIVITIES

My fourth proposal recognizes the growing impact of international activities on every section of ALA. From its initiation, our Association has been concerned with libraries throughout the world and has cooperated in every important international library venture. Much of the basic planning for the International Federation of Library Associations was carried out at meetings of the American Library Association. It is only since World War II, however, that international programs have assumed a major role in the work of the Association and its members. The organization and development of the International Relations Office is indicative of our continuing need to correlate our activities with library work in other countries.

Many of the problems that libraries encountered early in this century were solved through individual efforts of libraries or by joint action in their state and national library groups. As libraries became more prominent in all phases of American life, and as their work became more complex, national support was necessary to aid them in meeting the needs of citizens. Now we have reached a further step where the newer problems are those that call for international solutions and close working relationships on a day-to-day basis.

Our participation in the work of the International Federation of Library Associations, in the activities of the International Federation for Documentation, in UNESCO and in other international groups is expanding each year.

Dr. Herman Liebaers, our colleague in Brussels, pointed out recently:

"In all fields of human activity, whether in private enterprise or public administration, the problems arising and hence their solutions, are becoming internationalized. Libraries are not exempt from this general rule and librarians should not be the last to realize its full importance . . ."

The increasing need for library services and information throughout the world has sparked the development of plans for international centers and services in the library and information fields. Scientists, for example, are so concerned with the need for faster and better access to all publications that the International Council of Scientific Unions is cooperating with UNESCO in a basic study of the possibility of setting up a world center for scientific information.

This again places libraries in a situation where they must react to guidelines and projects initiated by others. We must begin to view our international responsibilities and efforts in the broadest manner possible. I would hope, therefore, that steps can be taken during the coming year to initiate an International Library/Reading Year which will provide stimulation of interest in reading and libraries in all countries throughout the world. Such a project has been discussed informally with the International Federation of Library Associations, with some members of the UNESCO staff and with other interested groups. There is enough support and enthusiasm for us to proceed with this long hoped for activity, which was also suggested by Emerson Greenaway in his ALA presidential paper.

Much can be done in every country to make available the advantages of education, social advancement and culture through books and libraries. In order to have a solid base for interest and support of libraries, it is imperative that library planning be a part of governmental, educational, and scientific structures. An International Library/Reading Year can be an important medium for injecting libraries into the national bloodstream. At least one or two years would be needed in planning for such an international activity. It could be carried on cooperatively by international groups of librarians, publishers and authors. Such a year should have substantive programs in each country including (for its library objectives):

1. Gathering of fundamental data on libraries and library development in each country.

2. Establishing library development plans for local, regional and national units.

Travel exhibits of books and library activities.

4. International exchanges of librarians.

5. Sessions with government administrators, educators, industry representatives, and others concerned with library services.

6. Technical symposia and seminars on books and libraries.

7. Training and information programs.

8. Meetings between authors, publishers, editors and book sellers.

The planning and carrying out of all these programs will need the continuing cooperation of publishers, authors, and booksellers.

CONCLUSION

When one begins to think of proposals for ALA he becomes impressed with the vigor and variety of library interests. I hope that we can direct public attention to many of our new developments. Newspapers and popular writers enjoy comparing the clichéd "hair in a bun librarian" of yesterday with the "playmate chick" at a library computer console in the imagined library of tomorrow. Writers enjoy describing stack attendants on roller skates, but generally ignore the progressive measures of that same library in meeting social problems.

Similar slanted representations are made by promoters of computerization who take an all or none approach to libraries. For as far as any of us familiar with libraries can see, books will continue to be an important part of our responsibilities and resources. But we shouldn't deny that computers, too, will augment, expand, and advance our services to users. It is only by familiarizing ourselves with the potentialities and limitations of these new devices that we will be in a position to stress and support the human and social activities of our own and our users' lives.

Far more important than automation problems are the challenges to our professional development and to our development of our profession. Effective librarians have always provided services beyond those of the middleman who brings books and readers together. Good librarians have always served as transducers—adding intellectual analysis, comprehension and interpretation to media and users. Our problem is more and more complex as a result of changes in knowledge as pointed out by George Steiner:

"Everywhere, knowledge is splintering into intense specialization, guarded by technical languages fewer and fewer of which can be mastered by any individual mind."

These individual limits are well known to us. But we also know that such intense specializations in knowledge place greater and greater burdens on librarians who must be, in most cases, generalists.

Paul Weiss gives us a feeling for the particular balance we need in exploring and using all the devices we can find for our intellectual work:

"The effective pursuit of knowledge is intimately linked to the old virtue of disciplined research morale which will not countenance the substitution of bigness for greatness, gadgets for intellect, projects for ideas, and man-hours for thought; although it must rely to the fullest on technical relief by gadgets and man-hours in those auxiliary services which do not require the intervention of a constructive mind."

Librarians have a special role in this "effective pursuit of knowledge," both sharing in the pursuit themselves and aiding others in their search. Our challenges become greater as knowledge becomes more complex and as the multidisciplinary needs of users increase. William O. Baker as a research scientist and administrator predicts that:

"Unlike material consumption—of food, clothing, housing, even, perhaps, of automobiles—there is probably no limit to human needs for knowledge."

Librarians traditionally have labored to meet the quests of its readers for knowledge. Now a new generation of librarians, aided by unprecedented national recognition, better support, and challenging resources, will meet the insatiable intellectual needs of society by "Librarians Unlimited."

THE 1967 WORLD HORSESHOE CHAMPION

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Vigorito] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. VIGORITO. Mr. Speaker, every Member of the House and Senate is extremely proud of the achievements of his own congressional district and the people who live in it. Erie, Pa., has many claims to fame—historical, industrial, and recreational.

But I would like to praise today something Erie has never had up to now. This fair city has never had a world champion in its midst.

However, I am proud to announce today that Danny Kuchcinski, of Erie, is the 1967 world horseshoe champion, and was recently honored in Erie for winning the world tournament. Along with Danny's great victory, I am happy to note that the Erie Horseshoe Club, of which he is a director, has been chosen to host the 1969 World Horseshoe Championship Tournament.

Horseshoes are as much a part of American folklore as apple pie and George Washington. It is a sport for young and old, a sport in the fine tradition of this Nation. I am proud that the best horseshoe thrower in the world is from Erie, Pa.

THE GAINS OF 80 MONTHS OF EXPANSION IN WORLD PERSPECTIVE

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HANLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HANLEY. Mr. Speaker, we are celebrating the spectacular economic gains of 80 months of uninterrupted prosperity. But unless we have something to compare them with, it is impossible to realize how gigantic they truly are.

So let us see how the increase of our own national product in this unprecedented period of prosperity compares with the increase in the rest of the world. Since statistics of national product are, in most countries, available only on an annual basis, the comparisons will be between the calendar years 1960 and 1966.

The national product of the United States increased between 1960 and 1966 by $240 billion. Even if we eliminate the modest rise in prices over the period, we are left with a rise of about $185 billion in 1966 prices. This is equivalent to an increase of about $700—in 1966 prices—for every man, woman, and child in the United States.

We can compare these gains with what happened during the same period in the rest of the world, both in a few individual foreign countries and in all foreign countries taken together.

Starting with the rest of the world as a whole, we find that the 6-year increase of $185 billion in the U.S. national product is equal to approximately one-seventh of the total national product of the rest of the world in 1966. The U.S. increase equals about one-half of the increase in the rest of the world's total national product between 1960 and 1966, even though our population is less than 7 percent of theirs. On a per head basis, our increase of $700 is several times—probably about eight times—larger than the increase of output per head that has taken place in the rest of the world in the last 6 years.

How immense this increase is may be better understood if it is realized that the $185 billion increase in the U.S. national product from 1960 to 1966—coming on top of the already large national product of 1960—is equal to about three-fourths of the entire national product of the Soviet Union in 1966, valuing the Soviet product at the official rate of exchange. The $185 billion added to our national product in the 6 years from 1960 to 1966 is about 80 percent larger than the total national product of either the United Kingdom or France in 1966—using again official exchange rates which overstate the ratio a little; is about 55 percent above that of German Federal Republic; is nearly twice the total national product of Japan, even after its tremendous increase in the last 15 years. And our 6-year increase is nearly five times as high as the total product of India in 1966.

Since countries vary greatly in size, a comparison on a per head basis may be more appropriate for some purposes. The results are equally impressive. The increase in the U.S. output per head of about $700 between 1960 and 1966—1966 prices—is equal to about 30 to 35 percent of the 1966 total national product per head in countries like Great Britain, France, and Germany. In other words, the goods and services available to every American have been increased in the last 6 years by an amount equal to about one-third of the total available in 1966 to the average inhabitant of these prosperous European countries; or by about two-thirds as much as the total income of the average Japanese or Soviet citizen.

In this perspective our recent economic gains are truly gigantic. The measure they give of our economic power is reassuring—and sobering in the responsibility it implies.

ACCOMPLISHMENTS OF WAR ON POVERTY

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, those who would say that nothing has been accomplished by the war on poverty have not bothered to look at the facts.

In my home district of San Antonio the advent of the economic opportunity program has given hope to thousands of persons in that city alone.

I would like to share with you and my colleagues two "capsules" from the list of the accomplishments of the foster grandparent program which are only token examples of the great strides this aspect of the war on poverty has made.

Following the capsules I would like to share with you an editorial from the Herald and News of Livermore, Pleasanton and Dublin, Calif., dated October 19, 1967, and entitled "Contemporary Contrasts":

LOVE CURES DEATHLY SICK CHILD

One year old Linda, according to the doctors, was snatched from death through love—administered by her foster grandparent.

When she was brought into the Bexar County Hospital in San Antonio, Texas, she weighed 7 pounds, and was near death. Her twin brother expired upon arrival; his death was attributed to starvation. Linda appeared to be severely undernourished and neglected. The physicians described her rigid bed position, listlessness and waneness as "Mirasmas"—a condition thought to be caused by lack of attention and love, and one which often leads to death. In addition to complete medical attention, the doctors prescribed human affection. Because her mother was beset with emotional problems, the hospital assigned a foster parent to provide this required factor for her recovery. Linda's response to the love and attention given her by her foster grandparent was immediate, and the change from listlessness to alertness was surprising to all, including the doctor who prescribed this phase of care. She has gained several pounds, and her physical development continued to be good. With Linda on the road to recovery, the case worker began to probe into her mother's problem, and has slowly involved her in the child's care.

The Foster Grandparents program is supported by the Office of Economic Opportunity. Out of the 148 participating institutions for the FGP, 24 are hospitals. The majority of the children (60 percent) are five years or younger; about one-third are Negroes. All are from deprived families. In fiscal 1967, OEO has funded 49 projects, amounting to over $5½ million.

A NEW LEASE ON LIFE FOR THE ELDERLY

The trend of relegating our senior citizens to the rocking chair is being reversed by the Foster Grandparent program, an OEO-supported activity.

Some 5,000 men and women, 65 years and over, with a median income of less than $1,300, are, today, earning nearly twice the amount serving as foster grandparents. The service they render by providing tender love and care to physically and emotionally sick children cannot be measured in economic terms. According to some medical authorities, they seem to save the lives of countless sick children.

A case in point occurred at the Bexar County Hospital of San Antonio, Texas. Richard, a 2-month old baby at the hospital has been kept alive by being intravenously fed since birth. The child's progress was noted to be patterned by brief improvements, marked by rapid regressions. The attending physician prescribed concentrated loving care. This was provided by one of the foster grandparents attached to the hospital's staff. Slowly, Richard began to thrive and gain weight, and was dismissed from the hospital. The medical staff felt that the child's recovery was largely due to the attention provided by the foster grandparent. To make sure the child's progress continues to improve through the years, the social worker is providing the necessary services required by the family for its total well being.

The additional income which foster grandparents receive for their services not only provides the necessities of life which they have previously been unable to afford, but their return to usefulness has improved their lives physically and emotionally.

In fiscal 1967, OEO has funded 49 Foster Grandparent projects, amounting to over $5½ million.

[From the Herald & News, Livermore, Pleasanton and Dublin, Calif., Oct. 19, 1967]

CONTEMPORARY CONTRASTS

Two current developments in Alameda County provide an interesting study in contrasts and inspire comment on a variety of topics, such as "rights," "patriotism" and "moral right."

One development is the beseiging of the Northern California Induction Center at Oakland as part of a nationwide "antidraft" movement. These protesters are exercising their "right to assemble," and their "right of free speech."

The other development is that of about 40 Parks Job Corpsmen enlisting in the first Job Corps paratroop platoon. They are part of a goodly number of corpsmen enlisting at Parks in all branches of military service.

One of the contrasts began with a comment by a corpsman when he was asked how he felt about the protests at the induction centers: "I don't think most of them even know what they're protesting about."

This was from a young Los Angeles white man. He sat with two other paratroop enlistees, a Negro from Philadelphia and a Georgia-born Negro from Cleveland. All were from the ghettos, all from areas where protests have occurred and violence has flared, all high school dropouts, all considered by many Americans as "hoodlums."

It's an old commentary that patriotism, which some claim has all but passed from the American scene, should be sounded so strongly from the throats of the minority which has made "organized protests" and "civil disobedience" watchwords of the 1960s. This is quite a contrast. Certainly it proves that all members of the vociferous minorities are not at the induction centers protesting.

But the corpsman's comment and the youths' actions in enlisting to fight in a war so many detest also provides a starting point for a commentary on the more basic issues of "rights" and "right."

The commentary is simply this: Does the "right" to protest against the Vietnam war include the "right" to prevent another man from exercising his right to be patriotic and serve his nation? Isn't the right to protest merely the legal privilege to give voice to one's conscience? And isn't that right distributed equally among all men—especially in a democracy?

The contrast between "underprivileged hoodlum" boys exercising simple, old-fashioned and strangely welcome patriotism and the literate, articulate citizens joining a mass protest is one we can perhaps take heart from. But then, simple things often bring the most hope.

"DOCTOR" CAREY AND "DOCTOR" HALPERN HONORED BY ST. JOHN'S UNIVERSITY

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. McCORMACK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. McCORMACK. Mr. Speaker, two distinguished Members of our House were selected for special honor at this year's commencement by one of the great institutions of higher learning in New York City, St. John's University.

They are the Honorable HUGH L. CAREY, of Kings County, and the Honorable SEYMOUR HALPERN, of Queens County, both members of the delegation from the city of New York.

St. John's University bestowed upon each of them, honoris causa, the degree of doctor of laws.

Mr. CAREY's ability and leadership as an outstanding Member of this House have brought him the admiration and respect of all his colleagues and the people he represents. His work in behalf of better education, among his many other legislative interests, has won him many plaudits. After he served as a major framer of the Elementary and Secondary Education Act of 1965, and was one of the floor managers in its passage, President Johnson paid him a special tribute, declaring that he "deserved the gratitude of all Americans for his great commitment to equal educational opportunity."

Mr. HALPERN, whose devotion to public service was well known before he came among us here, has continued that highly commended service as a Member of Congress. He is one of the ablest of our colleagues, and has played a leading role for progressive and needed legislation.

The honors awarded to these outstanding Representatives by St. John's University reflect with credit upon this entire body, and that is why I find it meaningful to bring to the attention of this House the text of the citations by the university:

THE HONORABLE HUGH L. CAREY

It is one of the objectives of St. John's University "to bring to the fullest expansion in its students the total range of their natural and supernatural qualities." It is of great satisfaction to us that Congressman Hugh L. Carey, alumnus of our liberal arts college and our law school, has made this objective of his alma mater the lodestar of his life. A whole man in a pluralistic society, he is not only a lover of his country, with active military service as a lieutenant colonel and decorations including the Bronze Star, Croix de Guerre with Silver Star, and Combat Infantry Award; not only a servant of his country, with an enviable record of devotion and involvement; but a lover and servant of all its citizens, especially children—a predilection not surprising, for Mr. Carey has thirteen of his own. A former director and officer of several industrial firms, he has expanded his administrative talents to embrace the spiritually, physically, and educationally deprived. His major interest in Congress is the advancement of education at all levels and for all children, a commitment for which President Johnson has stated that he deserved "the gratitude of all Americans." The success of Congressman Carey's humanitarianism is due principally to the supernatural charity which compels it. St. John's University proudly recognizes Congressman Hugh L. Carey as the embodiment of its whole purpose as a Catholic University by bestowing upon this model alumnus *honoris causa* the degree of Doctor of Laws.

THE HONORABLE SEYMOUR HALPERN

An old Chinese proverb states that, if a son does not surpass his father, then both have done a poor job. That the laudable objective of cumulative father-son success has been achieved in the Halpern household is a matter of public record. Son of former State Assemblyman Ralph Halpern, Congressman Seymour Halpern is now rounding his twenty-second year as a lawmaker: fourteen years in the New York Senate and the past eight years in Congress. As a State Legislator, he saw 279 of his bills enacted into law and was particularly active in the fields of government reform, interstate cooperation, better schools, better housing, civil rights, social welfare, and enlightened legislation dealing with narcotics and juvenile delinquency. Many of his laws have become models for other states, especially those dealing with sex offenders, highway safety and mental health. He was elected to Congress from the present 6th Congressional District, Queens, in 1958 and has been re-elected ever since. During his tenure in the House he has been actively involved in the passage of key domestic programs beginning with the last two years of the Eisenhower Administration. He is a member of several responsible Congressional committees, notably the Banking and Currency Committee and the Veterans' Affairs Committee. Both as a State Senator and Congressman, he has clearly demonstrated admirable qualities of resourcefulness, competence, leadership, and dedication. As an amateur painter, he has exhibited at many galleries and museums, and has frequently donated oil or pastel paintings for religious and charitable fund-raising causes. In addition, his collection of historic documents, manuscripts, and letters has won international attention. Inevitably, his achievements were recognized, so that to date he has received at least sixteen awards. In further recognition of his outstanding accomplishments as an exemplary and devoted public servant, St. John's University proudly bestows *honoris causa* the degree of Doctor of Laws upon a distinguished humanist-legislator: Congressman Seymour Halpern.

OPPORTUNITY FOR POVERTY STRICKEN

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, a great myth exists and is being actively spread across the Nation. It is this: that the poverty stricken, the slum dwellers, do not want to work; they are lazy, shiftless, and only wish to live off public welfare.

The inference is that they are poor because of their own choice not to work, and those who do have jobs have no responsibility to improve the lot of those who will not help themselves.

In Detroit, an imaginative venture of the Ford Motor Co. should, if they are willing to listen, mute those who shrilly promote this myth.

Last week the Ford Motor Co. announced that it had more than 5,000 jobs available immediately for poverty-stricken residents of the inner city.

The company said that since they were production-line jobs, they would not conduct the usual lengthy written and oral examinations that tend to disqualify the poor because many of them lack even minimal educations.

Sunday, the appointed hiring day, Ford officials were stunned to find thousands of persons lined up outside the hiring places.

The Detroit Free Press reported:

> Two interviewers from Ford showed up at old Providence Hospital, 6560 Fourteenth, prepared to hire 60 to 75 persons on the first day of the company's program to hire 6,500 persons—no questions asked—from Detroit's inner city.
>
> They were not prepared for the sight that greeted them—hundreds of job seekers, some who had been waiting since long before dawn, jamming hallways, talking anxiously, nervously smoking.

The Detroit News said:

> More than 1,000 in lines five abreast nearly circled the west side center in old Providence Hospital.
>
> Some job-seekers had slept on the steps of the hospital all night.

One couple, on welfare, were in line at 4 a.m. Another man was quoted by the newspapers as saying he sought "any job. I will take anything."

Ford Motor Co. reported that in three days it had taken applications from more than 2,000 persons.

Mr. Speaker, I think this proves that those without employment, those on welfare, desperately want to work and to be self-reliant, independent citizens. In many instances, this desire has reached a point of desperation.

Ford Motor Co. deserves accolades for initiating this program. Despite some problems at the beginning I am certain it will be immensely successful. This job program demonstrates a constructive attitude on the part of private enterprise, and a determination to do something about the unemployment problems of the city.

But the problem of jobs may be too big for the private sector alone. For one thing, many of the industrial jobs require specific skills. The competitive position of private companies demands that the majority of the employees have the skill to perform complex industrial jobs.

Unfortunately, many of those in America's army of 3.5 million unemployed, do not have the basic skills to qualify for the bulk of the jobs available in private industry.

This is where the public sector must take action. It must provide jobs for all people able and willing to work.

Recently, I introduced a bill titled "The Guaranteed Employment Act," H.R. 12280, aimed at creating 1 million jobs, primarily in the public sector.

My bill would provide $4 million in grants to Federal, State, and local government agencies and nonprofit organizations to help them bear the cost of creating jobs in public service occupations.

Mr. Speaker, the Ford Motor Co. is demonstrating what private enterprise can do. I think that it is time that Government demonstrates what it can do to provide jobs for those who want them.

The Ford Co. experience proves, beyond doubt, that these people—poor, ill-educated, many doomed to lives on welfare if no action is taken—desperately want work. The opportunity to work must be provided them.

I include these three news stories and an editorial from the Detroit News and the Detroit Free Press at this point in the RECORD:

[From the Detroit News, Oct. 30, 1967]

FORD LINEUPS LIKE 1915 SCUTTLE HIRING OF 5,000

(By Max E. Simon)

Detroit's inner city jobless got lost in the crowd today as thousands of applicants for 5,000 Ford Motor Co. jobs converged on two community action centers.

What antipoverty officials described as "mobs"—reminiscent of the reaction to Ford's $5-a-day offer in 1915—flocked to the two centers from all sections of the city.

Only applicants living in the inner city and registered with the antipoverty centers were eligible for interviews.

Today's crowds not only had their hopes dashed but monkey-wrenched what officials had hoped would be an orderly process.

A Ford Motor Co. spokesman said that no more than 100 persons a day could be processed at the two centers because each eligible applicant must be given a physical examination.

"There are immediate job openings for this number, and if qualified they will be hired on the spot," the spokesman added.

Swamped antipoverty officials said "nothing was accomplished" this morning, but that some progress was being made this afternoon.

More than 1,000—in a line five abreast—nearly encircled the west side center in old Providence Hospital, on West Grand Boulevard at 14th.

Another huge crowd gathered at the Eastern Community Action Center, 2940 W. Mt. Elliott.

Mrs. Luvena Smith, a supervisor of the Special Training and Employment Placement Service (STEPS), a state poverty program, said that there were no jobs available for most of the applicants.

"This mass confusion could ruin our program," she declared.

"The people that these jobs were meant for—the people in the inner city—can't even get into the building.

"They all have appointments—the jobs are for them. They have more strikes against them than many of the others who are coming down."

The poor who came to Old Providence Hospital looking for work were from all areas of the city.

More than half of the people in line were women.

Some job-seekers had slept on the steps of the hospital all night.

When the doors opened this morning, they went in, gave their name, address and phone number—and were told they would be notified by the company.

Many had expected to be hired on the spot.

Clarence Cochran and his wife, Norma, both 22 and on welfare, were among the disappointed.

The couple, unemployed and living with Mrs. Cochran's mother in the Livernois-McNichols area, were in line at 4 a.m.

"It's not fair, after leading us to believe people were going to get jobs," Mrs. Cochran said.

Mrs. Hattie Lewis, 51, who lives alone at 2023 Tuxedo said the program was "wonderful, if it's true." She, too, is unemployed.

Then word spread along the line that "they're not hiring women today—to come back in three or four days."

Many left in disgust.

Like many others, Albert Lewis, 19, of 1706 Calvert, already had a job—as a porter in a suburban restaurant. He was in line at 11:30 o'clock last night "after hearing I could get a job at Ford's."

He, too, merely left his phone number.

"These people should go to the company's employment office if they want work at Ford's," Mrs. Smith said. "These jobs are for people registered with us—the hard core unemployed in the city."

She blamed the crowds on the "unsolicited publicity"—through the communications media, from the pulpit and even in classrooms where children were told to notify their parents of the job opportunities.

When it was announced last week, city antipoverty officials called the unique program a "major breakthrough in hiring the poor."

A key point in the program was that prospective employes would not be required to take written or oral examinations, a target of criticism from social workers who contended that such tests handicap the poor because of their lack of education.

Nearly 1,000 persons had jumped the gun over the weekend by applying at the action centers to get their names on lists of prospective employes.

[From the Detroit Free Press, Oct. 30, 1967]

MANY GHETTO JOB SEEKERS LOSE OUT ON FORD OFFER

(By Ladd Neuman)

More than 1,500 Inner City job seekers went home Monday, spirits dampened, without getting the instant jobs they thought they'd get from Ford Motor Co.

The found that—just as with any employment agency—there still were forms to fill out and they had to go home and wait for their phones to ring.

They also found that 7,000 persons are already on a waiting list for the 6,500 jobs Ford is offering. The 7,000 are people who registered with one of the city's anti-poverty programs, the Special Training and Employment Placement Service (STEPS).

Herman G. Snead, administrator of the Eastern Development Center, 2940 W. Mt. Elliott, one of two poverty program centers being used by Ford recruiters, said the 7,000 pre-registered applicants will have first chance at the jobs.

Two interviewers from Ford showed up at old Providence Hospital, 6560 Fourteenth, prepared to hire 60 to 75 persons on the first day of the company's program to hire 6,500 persons, no questions asked, from Detroit's Inner City.

They were not prepared for the sight that greeted them—hundreds of job seekers, some who had been waiting since long before dawn, jamming hallways, talking anxiously, nervously smoking.

Laurence J. Washington of Ford industrial relations said he was prepared to continue hiring at the rate of 50 persons a day indefinitely. At the Eastern Developments Center, two other Ford interviewers planned to hire the same number. More than 600 job seekers showed up at Eastern.

Between 25 and 50 percent of those standing in line at Providence were women. Mel Mutcher of Ford public relations department confirmed reports that women aren't being hired this week.

He said the jobs Ford is filling this week are production line jobs which require heavy lifting.

Washington said the initial hiring will be only one step in Ford's effort to bring more jobs to the Inner City. "The biggest thing will be not to forget them once we hire them," he said. "We need to continue with a good orientation program and follow through on those we hire."

The company is also hiring at the individual plant employment offices, and according to Mutcher, has filled 1,100 jobs that way as of Friday. By Monday night, less than 100 had been hired at the Inner City centers.

Mrs. Enon Coats of 9137 Cardoni was one of hundreds of women who wants to be considered by the company. "The word is out among my friends," she said. "I hope this isn't like the other places we apply. It's always, 'We'll call you,' then they never do."

Mrs. Coats dropped out midway through high school. She had high hopes because

Ford has promised not to make applicants take tests, answer personal questions about their past, or require them to have a degree.

"Every place else they want a degree or experience," she said.

"How do you get experience if you can't get a job?"

"Any job," Claude Harper chimed in. Harper, of 13470 Mitchell, said, "I will take anything."

He had worked for other automobile companies years ago on assembly of Packards and Hudsons. He said he was glad Ford made its offer, that he'd be glad to help build one.

The 1,500 who didn't get jobs Monday were asked to fill out information cards and were told they would be interviewed as their cards came to the top of the pile (stacked in the order taken). They were told to go home and wait for the phone to ring. Maybe.

[From the Detroit News, Oct. 31, 1967]

JOB TURNOUT IN INNER CITY JAMS UP FORD

A Ford Motor Co. spokesman today blamed a "lack of communications" for the mixup that brought "mobs" of applicants for 5,000 Ford jobs.

"It was word-of-mouth advertising that Ford was hiring," the spokesman said, "and everybody turned out."

Thousands of persons hoping for jobs jammed two community action centers yesterday, unaware that the job interviews were restricted to 100 applicants who already had appointments.

Although the job applicants were to be restricted to residents of the inner city, people came from throughout the Detroit area, including some who already have jobs, the spokesman said.

"Physically, we were not able to handle such a large group, but the problem was straightened out by late morning and we do not anticipate the same thing happening the remainder of the week," he added.

More than 1,000 persons turned out at the west side antipoverty center in old Providence Hospital, on West Grand Boulevard at 14th.

There was another huge crowd at the Eastern Community Action Center, 2940 Mt. Elliott.

By late yesterday 2,577 persons had registered for interviews and examinations at the west side center, while 1,089 had registered at the east side center.

No figures were available on how many persons were hired.

The west side applications included 550 on Friday; 227 Saturday, and 1,800 up to 2 p.m. yesterday. At the eastern center, 385 registered Friday, 99 Saturday and 605 up to 2 p.m. yesterday.

Laurence J. Washington, industrial relations manager of Ford's Dearborn Iron Foundry and chief recruiter for Ford, called the turnout "far beyond our expectations."

The company emphasized that job interviews will be limited to people who first register. The centers can handle only about 100 a day.

After registering, they will be interviewed and given physical examinations.

If they pass the tests, they will be given bus tickets for a visit to the Rouge office the following day to complete necessary paperwork before reporting to their new jobs.

In addition, the Ford spokesmen said, in cases where a new worker lacks transportation, the company will provide bus tickets for his first two weeks on the job.

The huge turnout yesterday reminded some observers of the reaction to Ford's $5-a-day offer in January, 1914.

The crowd was so large that some of the eligible applicants from the inner city could not get into the buildings.

The unique Ford program, described as a major break-through in hiring the poor, was announced last week. Prospective employes under the program are not required to take written or oral examinations.

[From the Detroit News, Oct. 31, 1967]

PROOF THAT JOBLESS WANT WORK

The crowds who flocked to Detroit community action centers to apply for jobs offered there by Ford Motor Co. demonstrate one of the program's sideline dividends.

The knowledge that decent jobs are both available and accessible brought out people who want to fill them. Indeed, nearly a thousand jumped the gun over the weekend to get their names on the list for interviews scheduled to start Monday morning.

Undoubtedly the world includes some people who do not work because they don't care to. But the cruel generalization which brands everyone without steady jobs as shiftless is belied by the readiness with which unemployed or underemployed people respond to job opportunities they are convinced are real.

There may be many a slip 'twixt the hope and the trip to the paymaster's window for some of the applicants. Some will not pass physical requirements or work ability tests, even as revised to abolish cultural hurdles. The number who qualify may exceed the immediate supply of job openings. Some who are hired may drop by the wayside, for the name of the game is still productivity.

But if the jobs are there, people are willing to try. Self-respect is not dead, mythology notwithstanding, nor is it alive but hiding out in Argentina. It's alive and living right here in the city.

MARINE CORPS PRIDE

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. CORMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. CORMAN. Mr. Speaker, my friend and colleague from Indiana, ANDREW JACOBS, JR., has spoken with eloquence and good humor of the responsibilities and the pride of the Marine Corps recruit. I believe the following speech, which he delivered Monday to the Hoosier Marine recruit platoon, will bring a smile to the lips of every ex-marine among us, and a resurgence of our pride in the American marine.

MARINE CORPS PRIDE

(Speech delivered by ANDREW JACOBS, JR., Monday, October 30, 1967, Monument Circle, Indianapolis, Ind., to the Hoosier marine recruit platoon on its departure for boot camp)

The story is told of a Marine Corps lieutenant who, when returning salutes to enlisted men, repeatedly said, "The same to you."

When the lieutenant was asked why, he explained that he was once an enlisted man himself and he knew exactly what they were saying under their breaths as they saluted him.

Seventeen years ago, the year in which some of you recruits were born, I stood as an 18-year-old Marine recruit where you are standing now, listening to speeches from political big shots. So, I suppose it might be appropriate for me to begin by saying, "The same to you."

This is, at once, a time of anticipation, of sadness, of apprehension and, above all, of pride.

What can one say to young men who have freely chosen not only to wear the uniform of their Country, but the uniform of which their Country is most proud?

You are about to begin a voyage as old as a leather collar before the birth of your Nation, and as new as a helicopter landing.

I know that together with your eagerness you feel some uncertainty and apprehension. If anyone has told you Marine training is tough, he has told you the truth. The price of quality is always high.

When you begin boot camp, you will learn two things in rapid order: First, that you have a temper; and, second, that you can control it. If the leaders of every country in the world could go to boot camp and learn this one lesson—if all of us could achieve the aspiration of "America the Beautiful" to "Bless our soul with self control," then all the sooner would we achieve the ancient vision of peace on earth.

In a sense, you will be learning in boot camp the Marine's role in carrying out the words uttered by every President as he begins his service in the White House: "To preserve, protect and defend the Constitution of the United States" and what it stands for: Equal Justice Under Law.

What a Marine learns and what he becomes, enables him better to serve his Country in peace as well as in war. You will hear it called many things in the months to come. You will learn of fire discipline. You will learn of water discipline. But it all comes down to self control. There is dignity in discipline. When I think of Marines, I think of pride without arrogance, strength without brutality.

We, all of us, take pride in the Marines among us. Men like Major Jay Doub and Colonel Asa Smith, who have met their responsibilities, not only military, but civilian as well.

And that is my message to those of you who will be waiting for the safe return of those who go forth today. When these young men return as Marines they will be better for it. The temporary sacrifice you make in parting with them for a time will be rewarded many times over. A Nation's call to take up arms could breed a cynic's eyes; or mold a boy into a man—a blessing in disguise.

Homer wrote: "In a just world there would be no need for valor." But there is need of valor. And the Marine Corps has never lacked it.

Courage. Courage on the part of those who go forth. Courage on the part of those who await the return. "Courage," my Mother used to say, "Is fear that has said its prayers."

Vaya con dios. God keep you. God bless our Country.

WISE WORDS FROM THE PRESIDENT ON THE CONDITIONS OF THE NEGRO IN AMERICA

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GILBERT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. GILBERT. Mr. Speaker, President Johnson today released an important and significant report on the social and economic conditions of Negroes in America.

This report, in the President's words, shows that—

> The gap between Negro and white levels of living in America is still large despite prog-

> ress. What is most troubling is that in many of the worst slum areas of America, life is not getting better for Negroes—it is getting worse.

And while a substantial number of Negroes are moving into the middle class, millions of others remain untouched by progress and Government programs designed to help.

As the President notes:

> Successful Negroes are moving out of the worst slum areas, leaving behind communities that are inhabited largely by the deprived, the unskilled, the handicapped and new immigrants from the rural South.

The President continued:

> This makes all the more urgent that the Federal programs for reclaiming these slums be adequately funded. We must put our country first by giving top priority to the problems of our cities. This must be without regard to party or politics.

I believe we can be encouraged by the fact that such important administration programs as the war on poverty, aid to education, medicare, manpower development, and the like are having a real and substantial impact in the Negro community.

But I also believe we must guard against a false complacency, a sense that we "have done enough" in creating the means to new progress and achievement among those who need our help the most.

For the facts of this report issued by the President belie anything but a fierce determination to continue the substantial investment we are making in our most precious natural resource—our human resource.

As the President declared:

> The data in this report show that people do make progress, great progress, when they have the opportunity to do so. Our job in the coming days and the coming years is to continue and to intensify our efforts to offer people a chance. Let us get on with the job.

I insert into the Record the text of the President's statement on the conditions of the Negro in America:

Statement by the President on the Report on Social and Economic Conditions of Negroes in the United States

This summer, I asked two highly respected government statistical agencies to draw together the latest and most relevant data concerning the social and economic conditions of Negroes in America—the bad with the good; the disappointing with the encouraging—in a simple format that could be easily understood.

That report, prepared by the Bureau of Labor Statistics and the Census Bureau, is now ready and I commend it to all Americans for serious study. As the report indicates, no set of statistics can present a complete picture of all aspects of life. We have not yet learned to measure on a yardstick all the elements that contribute to a sense of equality among people. Yet much can be learned from the evidence at hand.

This report, as I view it, backs up neither of the extreme positions that emerged in the wake of the summer disturbances. It does not confirm the diagnosis of bleakness and despair: that there has been no recent progress for Negroes in America and that violence is therefore a logical remedy. It does not confirm the opposite view: that "Negroes have been given too much."

We know those views to be fruitless. This report shows them to be false as well.

Far from showing "no progress", the picture revealed is one of substantial progress. As the nation rode a great tide of social and economic prosperity over the past seven years, Negroes in America not only kept up with the general advance, but in important ways moved ahead of it. In education, in occupations, in income, in housing, most Negroes have made gains over the past few years. Today, for the first time, a substantial number of Negroes in America are moving into the middle class.

But that is only one of the meanings in this data, and taken alone it is of only limited value. The second meaning is grim.

The gap between Negro and white levels of living in America is still large despite progress. What is most troubling is that in many of the worst slum areas of America, life is not getting better for Negroes—it is getting worse.

Any set of data is subject to a wide variety of interpretations, and I am sure that this report will not be an exception. I have formed my own judgment about its deeper meaning.

The Negro progress made over the past six years was earned by millions of Negro Americans going to school, getting better jobs, making higher wages—motivated by the same drives for a better tomorrow that motivated white Americans during this period of economic expansion. Government helped by opening doors of opportunity. Our civil rights laws have opened doors to jobs, schools, housing, public accommodations and voter participation that were once closed to Negroes. Manpower training programs have opened doors for skill improvement. Aid to education is providing better schools with better teachers and better facilities. Medicare and Medicaid and other programs are opening the way to better health.

The American system places a premium on individual enterprise and initiative. The data in this report show again that when people have a chance to better themselves—they will better themselves.

The data show that our job is not ended. Millions of Americans—white as well as Negroes, children as well as adults, in every region of the nation—remain unreached by the opportunities of the day.

In the urban areas—large cities particularly—as I have pointed out time and time again, the nation faces a major problem. Successful Negroes are moving out of the worst slum areas, leaving behind communities that are inhabited largely by the deprived, the unskilled, the handicapped and new immigrants from the rural South. It makes all the more urgent that the federal programs for reclaiming these slums be adequately funded. We must put our country first by giving top priority to the problems of our cities. This must be without regard to party or politics.

The data in this report show that people do make progress, great progress, when they have the opportunity to do so. Our job in the coming days and the coming years is to continue and to intensify our efforts to offer people a chance.

Let us get on with the job.

AIRPORT CONGESTION

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Bingham] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BINGHAM. Mr. Speaker, it has long been apparent that the air traffic situation in the New York-New Jersey area becomes more dangerous and overcrowded, and creates more inconvenience and delay for the passengers being served with each passing month.

During the last session of Congress, I made the suggestion that all private aircraft be banned during peak hours from airports such as the National Airport here in Washington.

I was pleased to see that the November 1967 issue of Travel magazine contained an editorial which, among other suggestions, made a similar proposal, and I insert it in the Record for the information of my colleagues:

National Travel Club Executive Letter

(Travel proposes four steps to help alleviate perilous—and rising—airport congestion)

Topped by the Presidency, government agencies, private industry and both House and Senate committees are currently engaged in a vast reappraisal of America's enormously expanding air traffic. Today's and tomorrow's lack of facilities present crushing problems that demand urgent solutions. For example, of the 575 airports with scheduled air carrier stops in the U.S., only 111 of them have radar service.

Congestion at airports is another mounting problem, as any air traveler can testify. Part of this problem is created by a surprising source: private planes. At New York's Kennedy International Airport, 31 per cent of the peak-hour traffic is made up by these private craft. Their clearances, for take-offs and landings, are as precise and time-consuming as for a passenger-laden jetliner. Equivalently, it is like letting the *Queen Elizabeth II* idle in the Hudson River while two people pull their private yacht into the shared pier. So planes, despite good weather, stack up at their alloted levels, and perhaps well back from their destinations. Obviously, the dangers are inherent, the ground crews overworked, the time lost incalculable. But by 1970, the 2,300 commercial planes across America will number closer to 3,500, and private craft are expected to increase in use from the current 100,000 to double that number. At the 22 key U.S. air cities, the congestion will inevitably be fantastic—unless action is taken now.

Travel firmly believes that certain immediate steps should be taken to benefit the traveling public *now*.

1. Prohibit landings and take-offs of private planes at the 22 key cities during peak periods of commercial traffic, similar to restrictions placed on over-sized vehicles over some major highways. This will considerably cut down on dangerous stack-ups and departure delays.

2. Establish some form of compulsory arbitration above politics to settle federal-state disputes regarding expansions and new sites. Vacillation for the past four years has prevented even selection of the locale for New York's urgently needed fourth jet airport.

3. Computerize more precisely, and study more closely, arrival and departure schedules, on an all-industry basis, to eliminate conflicts. At present, flight schedules can inherently cause jam-ups on the ground as well as in the air.

4. Make more extensive use of take-off delays at departure points when the weather is bad at the destination. It is far safer to wait in a terminal for weather clearance than to spend the same amount of time circling in a fog.

None of these recommended procedures call for vast outlays of money or special appropriations, and each can be put into practice quickly.

H. W. Shane,
President.

EDITORIAL LABELS HOUSE VOTE "DISCRIMINATION"

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. OLSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. OLSEN. Mr. Speaker, in a forthright editorial entitled "Discrimination," the Montana Standard, of Butte-Anaconda, Mont., has pointed out the "discriminatory and vindictive" action of the House in denying a pay increase to employees of the Office of Economic Opportunity while granting the increase to all other Federal employees.

Everyone favors economy in Government. Everyone agrees that the taxpayer should not be burdened with unduly large salaries of Federal employees. But the opponents of the war on poverty have twisted these objectives. They have, for the first time in congressional memory, singled out one group of Federal civil servants for arbitrary financial punishment. And they did this, in the very words of the sponsor of that move, simply because it would be "popular" with the voters back home.

Mr. Speaker, I am proud to say that the editorial voice of the Montana Standard has not found this kind of irresponsibility to be popular at all. In fact, the Standard has laid bare the true motives of the proponents of this unprecedented measure:

> It was approved by House Members who oppose either what the antipoverty agency is trying to do or the way it is administered, but who chose to take their revenge in the meanest kind of way—by striking at the employees and not at the programs.

The employees of the Office of Economic Opportunity are no different from their fellow civil servants in other agencies. They are men and women dedicated to serving their country with energy and efficiency. I agree with the Montana Standard editorial, which follows, that the Senate should remove these gross discriminations from the recent pay bill.

DISCRIMINATION

The action by the House of Representatives in denying a pay increase to employes of the Office of Economic Opportunity while granting one to all other Federal employes is discriminatory and vindictive. It was approved by House members who oppose either what the antipoverty agency is trying to do or the way it is administered but who chose to take their revenge in the meanest kind of way—by striking at the employes and not at the programs. In addition, it was a vote pushed through under the cloak of anonymity; there was laughter when a roll call was requested.

The arguments advanced in the House that OEO employes are, on the average, paid more highly than other Federal employes and that the agency is top-heavy with highly paid personnel are just not true. The average salary paid by OEO is topped in at least ten other agencies. The National Labor Relations Board, for example, has exactly the same percentage of super-grade positions as OEO and more than twice as many employes in the top four classifications.

The same air of cynicism that surrounds the House vote on this issue has pervaded its handling of the entire Federal pay bill. The bill grants a 4.5 per cent increase to classified employes but discriminates in favor of postal workers by giving them a 6 per cent raise. The bill itself is tied to a postal rate increase. The main reason for the former provision is that the postal workers have a more effective lobby than the classified workers and that Congressmen fear them more at the polls. The only reason for the tie-in with rate increase is that President Johnson threatened to veto a pay bill going beyond 4.5 per cent and the House, in an effort to avoid this, has tied it to a bill the Administration vigorously supports.

It is essential that the Senate remove these gross discriminations from the pay bill and then persuade the House of the unjust nature of its actions. If not, the President should make good on his threat to veto, even at the cost of losing the postal rate increase as well as the pay bill.

SMALL TV BROADCASTERS NEED PROTECTION

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. OLSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. OLSEN. Mr. Speaker, I feel the subject about which one of my constituents has contacted me is so important that I would like to enter into the RECORD a letter that I have sent to Mr. Rosel H. Hyde, Chairman of the Federal Communications Commission, for the edification of my colleagues. I believe this will affect many areas of the country. I hope that my colleagues will take time to read the following:

DEAR COMMISSIONER HYDE: The Commission's adoption of the Second Report and Order of March 8, 1966 was a forward step not only because it clearly established Commission jurisdiction over CATV systems but, equally important, because it provided some broadcasters with protection from inequitable competition posed by the CATV operations.

It is readily apparent from examination of the Second Report and Order and the experience of small market broadcasters since adoption of the Report, however, that the Commission's arbitrary cut-off of protective conditions at the Top 100 market level does grave injustice to the small market broadcaster. While the Report does not exclude the smaller markets from relief, both in the matter of importation of distant signals and in the area of non-duplication of programming, it certainly presents procedural difficulties which, I am convinced, impose unreasonable burdens on the very stations least able to bear them. The Report clearly places the burden of proof upon the small market broadcaster to demonstrate that projected CATV operations will not damage or destroy local broadcast service, yet incongruously shifts that burden to the CATV operator in the top 100 markets.

This anomaly has created definite hardship and resulted in quite evident penalties upon the television broadcasters in my State of Montana. None of the eight television stations in Montana qualifies for the somewhat curious Top 100 market rule. As a direct consequence, CATV operators in Montana by the simple expedient of submitting petitions for waiver to the non-duplication provisions of the Report, have successfully been able to controvert what I must assume to be the intent of the Report and of the Commission.

I am advised that Commission staff members find themselves confronted by a prodigious backlog of such petitions from CATV systems and that, while Top 100 market broadcasters are enjoying the protection they deserve from importation of signals and from non-duplication of programming, the small market broadcasters are denied such protection. Nor have they any assurance under the evidentiary hearing rules imposed upon them alone that they will be granted protection.

It seems incongruous to me that the top 100 television markets should be protected from importation of outside signals, a situation which, in essence, protects the top 100 market stations from duplication while, at the same time, the small market stations continue to have outside signals imported and new station signals imported into their markets without being afforded non-duplication protection until due process of the FCC occurs.

If the Commission is going to protect the top 100 television markets, then that same protection must be afforded the broadcasters of Montana, and further, nonduplication protection should be afforded Montana broadcasters and other small market broadcasters, pending review by the Commission of waivers which may be filed by CATV operators in unique circumstances.

It is of paramount importance that the public's interests be properly and effectively served. Those interests include the right of local merchants to avail themselves of the circulation, impact and penetration their local network-affiliated station affords them in promotion of local sales events without undue incursion of out-of-state signals into the market with the insertion of competitive advertising promotions. They include the right of local civic, governmental, religious, educational, fraternal and veterans groups to secure from their local television stations program and announcement time to promote worthwhile local events with the assurance that such programming will not suffer from fractionalized viewership. They include the right of state and federal candidates for public office to receive full exposure on local newscasts, interviews and on paid political broadcasts without excessive dilution by imported programming.

In an age when the public relies so heavily upon television as a primary source of news and information, local stations perform culminative service in their production of local news, documentaries and in-depth interviews. Small market operators in my state do a remarkably proficient job of covering vast distances. Special affairs programing on Montana stations are frequently programed in prime time with regularly scheduled network programs preempted to accommodate them. Yet these special local news productions, deserving of maximum exposure and viewership, receive fractionalized viewer attention due to importation into these markets of out-of-state signals. Unprotected by the Commission's Top 100 market rule, the small market operator, in essence, is self-defeated in his conscientious efforts to abide by regulations and, at the same time, offer his viewers events of timely local interest.

It seems abundantly clear that the Report makes a distinction between broadcast operators whose market areas differ in size and excludes small market operators from the very protection which the Report was designed to afford.

I would hope and strongly urge that the Commission take a careful look at the inequities posed to small market television broadcasters by the Second Report and Order, both as to importation of distant signals as well as to nonduplication of programing by cable systems, and that cable systems serving

Montana cities as well as those in other one and two station markets, be compelled to comply with conditions required of CATV programs in the top 100 markets.

I would welcome your comments in the premises.

With kindest personal regards, I am,

Very truly yours,

ARNOLD OLSEN.

ANALYSIS OF LAW ENFORCEMENT PROBLEMS

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. TAYLOR] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. TAYLOR. Mr. Speaker, yesterday I attended the graduation exercises of the 80th session of the Federal Bureau of Investigation National Academy here in Washington. It was my privilege to hear a challenging address by Mr. Thomas Reddin, chief of police, Los Angeles, Calif. The title of the address was, "Forecast: Constant Change Followed by General Improvement." This address is the best analysis that I have seen of today's law enforcement problems and I recommend it to my colleagues in Congress and to the American people.

FORECAST: CONSTANT CHANGE FOLLOWED BY GENERAL IMPROVEMENT

(Remarks of Thomas Reddin at the graduation exercises of the 80th session of the Federal Bureau of Investigation National Academy, Washington, D.C., November 1, 1967)

It was with a great amount of pleasure that I received Director Hoover's invitation to speak at this graduation exercise of the 80th Session of the FBI National Academy. I am flattered and proud that a man whom I have greatly respected and admired over the years would honor me with such an invitation. I also feel like a graduate returning to his alma mater as I was privileged to be a member of the 43rd Session of this National Academy. Upon reflection over the years since that graduation, I cannot help but feel that there is a direct relationship between my attendance at the National Academy and the good fortune that has come to me through my law enforcement career including my present position. I know that success for graduates is not unique and that each of you over the years will greatly benefit in your chosen profession from such invaluable training. Before law enforcement can lay claim to professionalism, it is essential that all Americans must trust the man with the badge—not merely because he wears it, but because he wears it with honor.

No other person has brought the dream of professionalism closer to reality than John Edgar Hoover. The road to trust and respect by the American people is the road of police professionalism. And it is only through professionalism that the badge can be worn with honor.

The true birth of professional law enforcement took place on May 10, 1924. It was on that date Mr. Hoover was appointed Director of the FBI. On that date the Federal Bureau of Investigation emerged as a symbol of professionalism which the police of this Nation could follow. On that date law enforcement in America began to emerge from the dark ages primarily through the efforts of one man and by the example set by the organization he built. The establishment of the FBI National Academy as the "West Point" of law enforcement is another manifestation of the imagination, foresight, and creative genius of Mr. Hoover. That he established it when he did, over 32 years ago, as a place of learning for law enforcement officers, undoubtedly labeled him as a visionary at that time.

One might ask what change can be wrought by visionaries? From this man's thought and vision, we have seen the development of the professional law enforcement officer of America.

The ancient Greek philosophers all agree that the only constant thing in the universe is constant change. Today, change is one of the greatest problems on the law enforcement scene. We are living in an age of discontent and discord. We see rapid—almost daily—changes in social and economic values. Sociologically speaking, change is due to the desire of society to find a course of conduct that is most acceptable to the group. I think it is safe to observe that as a Nation we are having a bit of a problem deciding what group and which philosophy are going to prevail for the 200 million people in this country.

As it stands today, almost every legal and social and governmental philosophy has recently changed, is in the process of change, or is being attacked and questioned by some group.

Orderly change is constructive and a natural state of affairs. However, the turmoil surrounding rapid social change has become a problem of great dimension for the police.

One example is in the disturbing growth of mass group action under various guises. It is not too significant to society if individuals have a variance in their ethical or philosophical beliefs regarding "freedom of conduct." In fact, it makes for unendingly interesting cocktail party conversation. We also have a sort of American tradition surrounding polite controversy. "Diversity of opinion" makes for good horse races, and that sort of thing. But the spectacles we are currently witnessing, such as a recent incident in Los Angeles which necessitated the use of 1,200 officers to protect the President of the United States, are not police controversy. Many "love-ins," "be-ins," "sit-ins," and demonstrations have gradually degenerated into riots and exhibitions of rampant anarchy masquerading under the guise of peaceful protest.

While thousands of people are indulging themselves in a frenzy of freedom, many more thousands of our citizens are losing some of their freedom due to the inconveniences caused by the protesters.

It does not take any great clairvoyance to see that militant speakers, exhorting their audiences to kill the President and burn and pillage our cities, are not advocating peaceful social change, but revolution and anarchy.

It is no longer sufficient for a complacent society to diffidently pass off to the police the responsibility for ameliorating problems arising from political and social change. The police can enforce the law, but the leaders of our country must set a course on what the limits of protest are going to be. For, as in no other level of society, all the sliding scales of ethics, behavior, and views come into a "real world" focus at the scene of a police incident.

The drawing room flavor of polite intellectual exercise is suddenly lost at the point where a 21-year-old policeman faces a 21-year-old "protester" or "activist" or "delinquent," or whatever euphemism you choose, at some legal crossroad. At this juncture it is too late to adjust philosophical postures. It is a confrontation at which the law must prevail.

It is not possible to administer law enforcement agencies and enforce the law according to the beliefs and leanings of individual officers. The police, as citizen-soldiers, enforce the laws dictated by the will of the people. But the rules and guidelines within which we operate are becoming more vague and shadowy.

To be effective, we must know what the people and the courts want from us. If we are to believe some of our critics, we must become hidebound traditionalists who are 50 years behind the times and have failed to change with the times—an anachronism—or sort of a "blue-uniformed appendix" whose usefulness disappeared in the evolution of change.

There are moments, I confess, when I do feel as though I have lost track of things. Twenty years ago, if a person stepped before a public forum and seriously advocated disobedience to any law with which he was in philosophical disagreement, we would have been hard put to save him from the mob.

Today, the same pronouncement will attract a large and loyal following. I think the essence of the law enforcement position today is that we are caught in the middle of what you might term a "behavior gap."

The police enforce statutory laws. Statutory laws have no true meaning unto themselves. They are rules that are put into writing as ideas for behavior and form our society's direction and goals. With man's imperfect development to date, it is generally recognized that the moral code of many does not recognize a "common good" or the "golden rule." Accordingly, freedom of conduct, based upon their own personal concept of behavior, is an acceptable mode of conduct to a great many. It thus becomes necessary to have laws or rules to promote compatible living. They constitute "moral traffic signals" designed to prevent social traffic jams.

Change came about in a more leisurely and orderly manner in years past; but, with the faster pace of life today, too many social gears are changing at different speeds. So the "behavior gap" of which I speak is the product of society, individuals, the courts, legislatures and subcultures and ethnic groups making demands for change too rapidly for society at large to readily assimilate. Social value systems should form slowly and change only after mature and searching inquiry.

By "behavior gap" I also mean there is an increasingly sharp differential in what individuals, groups, and the body of law consider to be acceptable behavior.

There has been a great rush, particularly in the field of criminal law, to summarily change laws, values, and precedents built up through several centuries.

There is a large gap between what many segments of society say the rules are, what they think the rules are, and what actual behavior results in a given situation. And into this gap the police must step and attempt to regulate behavior on behalf of society. King Solomon might even feel a bit queasy in making decisions in such times.

Never in the history of law enforcement have the pressures, duties, and demands been greater on those charged with the responsibility for enforcing the law. Staggering increases in crime, civil disorders, and other police problems have inexorably stretched police resources to the breaking point. Law enforcement is attempting to cope with problems far beyond what was ever conceived to be its area of responsibility.

In the beginning, the mandate to the police was relatively simple: "Prevent crime and apprehend criminals." But the law of continual change has broadened this concept.

Meeting these demands has wrought great changes in police training. Sociological training and human relations training occupy a large part of any police academy program. The abilities, training, and understanding required of today's police are beyond anything conceived twenty-five years ago.

The police do not operate in a vacuum, neither are they raised in an alien environment on a distant planet and shipped here for the explicit purpose of policing. They are ordinary citizen-soldiers who are hired by society to perform those functions which society finds distasteful or which society does not have time to do for itself on an individual basis.

Today, defiance of the law receives encouragement from many sources. Further, some who do not openly encourage, at least condone unlawful behavior through inaction or lack of open disapproval. Thus in some areas disrespect for law and order has taken on an aura of respectability.

Too many segments and groups of society are imbued with the concept that it is perfectly fitting and proper to disobey any law with which they disagree. The police cannot subscribe to that belief. Neither should society so subscribe. The result of such action can only be disorder, anarchy, insurrection, and riot.

Although many of the problems are not susceptible to solution by law enforcement, many other problems can and are being attacked with vigor.

Too much crime has been condoned in this country on the flimsy excuse that a poor childhood and "society's failure" cause crime and somehow constitute a license to rob and riot.

I do not believe that society causes crime. People cause crime. And if having a poor childhood were an automatic road to ruin, then many in the audience would be in jail rather than here.

We believe that a hard line must be taken with the lawless. We do not believe that society has failed them, but that they have failed society. We believe that they should be castigated and punished and that society can survive only by rejecting them as anything other than self-willed criminals.

I believe that this is a pivotal time for the Nation's municipal police. This is the year that will determine whether we will be classified as an anachronism that no longer serves society's needs, or whether we will be regarded as the "anchor" holding local government steady against the extreme tides of civil unrest and crime.

The vast change that has visited the law enforcement scene is also beginning to show signs of helpful change for the police. I believe that the winds of change are at last blowing in law enforcement's favor.

Change is bringing many items of interest. For the first time in history, crime and law enforcement are of national interest. It is stylish to talk about them; it's stylish to do something about them; and this presents an age of opportunity for us. The President's Crime Commission deliberated eighteen months and produced some ten documents. We do not necessarily agree with everything in those documents, but they contain an indicated course of action for law enforcement in the years ahead.

Before Congress at the moment we have the Safe Streets and Crime Control Act. In this Act, millions of dollars are proposed to be expended in the current fiscal year toward the solution of law enforcement problems through federal grants to local agencies. We will have the opportunity to create, innovate, and experiment in police procedures, police administration, and training. We will be able to further our educations and determine ways to apply science and technology to the solution of police problems. We will, in short, have the greatest opportunity of our lives to improve the effectiveness of law enforcement. I recently attended a meeting in Washington where the speaker stated that in the early 1970's the Federal government would be spending $1 billion per year for the benefit of local law enforcement.

Change has brought us to new technological thresholds. At the present time, through the progressive thinking and farsightedness of J. Edgar Hoover and the FBI, the complex electronics information system known as the National Crime Information Center came into existence in January of this year after much study and planning. The goal is to place at law enforcement's almost instant disposal a computerized information center, national in scope, to complement the development of similar systems at local and state levels. This will ultimately enable the law enforcement officer to have at his ready command pertinent data concerning criminals and criminal information that has been submitted by various law enforcement agencies throughout the Nation.

Ten years from now the officer in his radio car will have a query device on his dashboard with which he can question a computer hundreds of miles away and get an immediate answer in voice, printed form, or on a cathode-ray tube device such as a television tube. He will be equipped with devices to allow him to see better at night, to make it possible for him to search suspects without touching them, to stop fleeing cars without having to engage in high-speed chases or resort to gunfire, to search large, open areas and locate concealed suspects. He will have a wrist watch radio weighing no more than ten ounces, including batteries. He will have all these, because they are presently within the capabilities of the scientists in our country.

Colleges and universities throughout the United States are displaying great interest in the formation of degree programs in law enforcement.

Obviously, the need for well-trained, well-educated officers has never been greater. In our daily decisions we deal with human liberty. The decisions are often instantaneous. Down a darkened alley in the early morning hours, confronting an armed suspect, we do not have time to sit en banc like the Supreme court and decide, five to four, what our course of action should be.

Unconsciously in past years we have been nurturing a self-pity syndrome. We have been saying that nobody likes policemen, being a policeman is a lousy job, the Supreme court is against you, the legislature is against you, and civilization is going to crumble and fall because of the weakness of its inhabitants. It's almost as if we have been accepting defeat as inevitable. We really don't believe all this, or we would not be in police work. It's time we took the initiative and engaged in positive programs to provide cures. One thing we must do is take an aggressive, positive approach to the problem.

As we examine law enforcement in our changing society, we find that:

Never has there been such interest in authority;

Never has there been such resistance to authority;

Never have those who would damage effective law enforcement been more active; and,

Never have there been more and varied challenges facing law enforcement.

But at the same time:

Never has there been such interest in, and overwhelming support for, law enforcement; and

Never have science and technology held out such promise of help in the battle against crime; and

Never has there been such a challenge to law enforcement to take the initiative and engage in creative, innovative programs; and

Never has there been such a need for positive, aggressive police leadership.

You can provide that leadership if you will apply the knowledge you have gained here at the "West Point" of law enforcement.

The National Academy has given you the finest law enforcement training available any place in the Nation. Do not waste a single iota of that training. Return to your departments and put into practice this additional knowledge and skills that you have received here. By diligent application of your newly acquired expertise, you will upgrade law enforcement in general and your departments in particular. Each of you should enjoy even greater success in your chosen profession. You should take particular pride in the fact that you have been hand-picked by Mr. Hoover and his associates for attendance at this Academy. As President of the National Academy Associates, I welcome each of you and congratulate you upon your attaining membership in this most select and esteemed Association.

CAPTIVE NATIONS WEEK

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DULSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. DULSKI. Mr. Speaker, during the ninth observance of Captive Nations Week last July, our city of Buffalo, N.Y., commemorated the subjugation of the countries of Eastern Europe and elsewhere in the world with solemn and fitting ceremonies.

The expansion and increased fervor of these observances is encouraging, but we must also be concerned that the plight of the captive nations of the world is always before us and that we must look for solutions to their problems. They should know that we are not just concerned during Captive Nations Week, but that we are continually dedicated to assisting them in regaining their freedom.

Early in this Congress I again sponsored a resolution calling for the establishment of a Special Committee on Captive Nations. Such a committee is necessary as a constructive first step in bringing freedom to these unfortunate people.

The successful Captive Nations Week observance held in Buffalo and elsewhere point further to the need for a special committee in alerting Americans to the conditions which exist in these countries, and the exploitation of the captive peoples under Soviet control.

With permission, I wish to append the following items on the Captive Nations Week observance in Buffalo last July: First, program of events; second, address by Dr. Nestor Procyk, chairman, Citizens Committee To Observe Captive Nations Week; third, remarks by the Honorable Frank A. Sedita, mayor of the city of Buffalo; fourth, Buffalo Courier-Express article, July 17, 1967, "Captive Nations Week Observed"; fifth, Buffalo Evening News article, July 17, 1967, "Sedita Urges Official Status for Captive Nations Group"; sixth, Buffalo Evening News article, July 21, 1967, "Coexistence With Reds Impossible, Rotarians Told"; seventh, Buffalo Courier-Express editorial, July 20, 1967, "Captive Nations Week a Grim Reminder"; and eighth, Buffalo Evening News article, July 24, 1967, "Gorski Predicts Freedom for Iron Curtain Nations."

The City of Buffalo Officially Salutes Captive Nations Week, July 16 Through 23, 1967—Program of Events

The Captive Nations Week observances in Buffalo this year, as in previous years, are in accordance with Public Law 86–90 passed by the Congress of the United States and signed by the U.S. President in 1959. It is each and every citizen's responsibility, therefore, to abide by this law of the Nation.

Citizens Committee To Observe Captive Nations Week

MAYOR'S MESSAGE

For some years our attention has been focussed on the struggle for human freedom in Viet Nam. More recently our attention has also been directed to the struggle for freedom in the Middle East. International crisis upon crisis are entering our lives, directly or indirectly affecting our existence. Upheavals, riots, turmoil in every corner of the earth fill the pages of our daily papers. Hardly a day passes without some major activity of a war-like nature somewhere in the world. Even the casual observer must surmise that the steady chain of events is not a perchance occurrence but a well designed strategy to keep the pot of international disorder boiling. Recent dramatic events in the Middle East must have convinced even the most optimistic who the architects of turmoil and aggression really are. The apologists and the naive have somewhat lost their ever-ready answer for or on behalf of the true aggressor. The aggression by proxy engineered by Moscow in the Middle East leaves no room for wishful thinking. With these fresh memories in mind we are embarking on this year's Captive Nations Week Observances.

Events in the Middle East have focussed attention of the free world upon the deceitful and hypocritical manner the Russians plan and execute their political activities. Once more the world has been reminded that these acts of aggression by proxy can bring the world to a holocaust. The kaleidoscopic view the world was able to observe in the fateful days of early June when a small, free nation was struggling for survival, will go down in history as a milestone of man's quest for freedom and liberty. The world should never be permitted to forget that Communist Russia was the instigator and indirect aggressor in this affair. Although not committing their own troops but applying aggression by proxy, Russia brought the world to the edge of war.

We are reminded aggression by proxy was applied in various forms in the past against the now Captive Nations. One after another the once free and independent peoples of Eastern Europe fell prey to Communist Russian aggression. Foment, paid agents, misguided idealists all were tools in the skilled hands of Russians empire builders. Cunning application of various elements, the ability to glean success from lack of alertness, subversion and cold murder are the handmaidens of Russian Communism. Communism had its first success in Russia, it was not voted into power but was established by a handful of despots bent on spreading this cancer on the rest of the world. The international drive to impose Communism is working at full speed today, contrary to wishful thinking, contrary to well-meant attempts to build so-called bridges of understanding with the Kremlin. Ho Chi Minh was trained by Russian and Chinese Communists and over two-thirds of the arms used against our boys in Viet Nam are supplied by Russia. In the Middle East, Russia organized their action fronts and supplied the arms for aggression against Israel.

When communism gained control of Eastern Europe during and after the second world war it was by conquest and not the ballot box. In every conquered country, the communist regime was imposed by the bayonet and Russian troops. Yet that same country has the audacity and sheer malicious intent to call the United States an aggressor and imperialist. The Russians have used the United Nations as their sounding board much too often. They have perverted that forum as their propaganda podium to harangue, to intimidate, to embarrass and to blackmail the free world. They have used every subterfuge to hamper, delay, disrupt and veto every meaningful attempt of that body to function properly. We should have no illusions about the overall policy of imperial Russia and their counterparts in Peking. Both try to promote and ensure communist victory and the American defeat be it in Viet Nam, the Middle East or elsewhere in the world. On this vital issue there are no differences between the Reds in Hanoi, Peking or Moscow.

How appropriate it is, therefore, to reflect on these matters during the Captive Nations Week Observances. The time is ripe to reevaluate our stand, update our thinking and take inventory of our stewardship of freedoms cause. It is high time to build bridges not with the oppressors but with the oppressed. It is time to strengthen our moral and political support to the modern slaves instead of appeasing the slaveholder. Let us not mistake oppression for peace. No peace was ever won from fate by subterfuge, no peace can be hoped for but that which we shall win over the sin of tyranny, for as Emerson once said: "Nothing can bring peace but the triumph of principles."

HIGHLIGHTS OF EVENTS

Sunday, July 16th: A.M.

Religious observances and prayers in Catholic and Protestant Churches of the City of Buffalo.

2:00 P.M.

Official Civic Opening of Captive Nations Program, Common Council Chambers, City Hall, Floor 13, Dr. Edward M. O'Connor presiding.

Presentation of Colors—Erie County Council, VFW Color Guard.

Presentation of Captive Nations' Flags.

National Anthem—Walter W. Shaffer, Music Teacher, Buffalo School System.

Invocation by Very Rev. Msgr. Chester A. Meloch, Officialis Tribunal, Diocese of Buffalo, New York.

Opening remarks by Dr. Nestor Procyk, Citizens' Committee to Observe Captive Nations Week.

Proclamation by Hon. Frank A. Sedita, Mayor of Buffalo, New York.

Address by Hon. William G. Heffron, Associate Judge of City Court, Buffalo, New York.

Benediction by Rev. Canon Hugh G. Carmichael, Rector, St. Thomas Church, Buffalo, New York.

Wednesday, July 19th: 12:00 Noon

Civic Luncheon co-sponsored by the Kiwanis Club of Buffalo, Buffalo Athletic Club.

Guest Speaker: Hon. William B. Lawless, Supreme Court Justice, Buffalo-Albany, Delegate to Constitutional Convention.

Luncheon tickets: $2.80 (For reservations call TL 2–3399).

Thursday, July 20th: 12:00 Noon

Civic Luncheon co-sponsored by the Rotary Club of Buffalo, Hotel Statler Hilton, Golden Ballroom.

Guest Speaker: Hon. John P. Lomenzo, New York State Secretary of State.

Luncheon tickets: $3.50 (For reservations call 854–3397).

Sunday, July 23rd: 7:30 P.M.

Captive Nations Week Festival, Delaware Park, rear of Albright-Knox Art Gallery.

Community Concert Band of Buffalo, William J. Crump conducting. Music, Songs, and Dances of Captive Nations.

Guest Speaker: Hon. Chester C. Gorski, President Common Council, City of Buffalo, New York.

All events are open to the public. No admission charge will be made except for the Civic Luncheons on Wednesday, July 19th and Thursday, July 20th, 1967.

CITIZENS' COMMITTEE TO OBSERVE CAPTIVE NATIONS WEEK

Honorary chairman

Hon. Frank A. Sedita, Mayor of Buffalo.

Honorary committee

The Most Reverend James A. McNulty, D.D., Bishop, Catholic Diocese of Buffalo.

Right Reverend Bishop Lauriston L. Scaife, Episcopal Diocese of Buffalo.

Andrew J. Berecz, Member of the FBI, 1942–62.

Mrs. Edward Butler, President, Buffalo Evening News.

William J. Conners III, President, Courier-Express.

Mrs. Edward H. Cottrell, President, E. H. Cottrell Ford, Gardenville, N.Y.

Hon. Thaddeus J. Dulski, U.S. Congressman, 41st District, New York.

Hon. Frank M. Felicetta, Police Commissioner, City of Buffalo.

Hon. Chester C. Gorski, President, Common Council, City of Buffalo.

Hon. Robert B. Howard, Commissioner of Fire, City of Buffalo.

Hon. William B. Lawless, Jr., Supreme Court Justice; Delegate to Constitutional Convention.

Hon. John P. Lomenzo, New York State Secretary of State.

Hon. Anthony Manguso, Corporation Counsel, City of Buffalo.

Hon. Frederick M. Marshall, Erie County Judge.

Dr. Edward M. O'Connor, former U.S. Displaced Persons Commissioner.

Hon. H. Buswell Roberts, Senior Deputy Corporation Council; Delegate to Constitutional Convention.

Hon. Henry P. Smith, III, U.S. Congressman, 40th District, New York.

Hon. Stanley F. Stachowski, Commissioner of Parks, City of Buffalo.

Hon. B. John Tutuska, Sheriff, Erie County.

Arthur J. Vater, Past Commander, State of New York, VFW.

Committee

Chairman: Nestor Procyk, M.D., Asst. Director, West Seneca State School.

Executive Assistant: John Naples, Secretary to the Mayor.

Special Assistants: F. Danahy Georger, Director of Purchase.

George E. Wyatt, Confidential Aide to the Mayor.

Secretary: Dr. Stephen Gredel, Buffalo & Erie County Historical Society, Croatian Groups.

Lunchen Programs: Gordon Sachs, Rotary Club of Buffalo.

A. O'Neill Kline, Kiwanis Club of Buffalo.

Daniel H. Kurdziel, Past County Cmdr., Catholic War Veterans.

Richard Eckert: Comdr., Erie County Council, VFW.

Miro G. Gergoff: Bulgarian National Front.

Norman R. Hamann: Past Cmdr., Erie County Council, VFW.

Juri Kapusts: Latvian Club of Buffalo.

Arthur F. Kilichowski: Area Cmdr., Army-Navy Union.

Francis M. Kindel: Past Cmdr., Erie County Council, VFW.

Robert Kirss: Estonian Society of Buffalo.

Michael Lysak: Ukrainian Division, American Friends of A.B.N., Inc.

Romas Masulionis: Lithuanian Club of Buffalo.

Donald McNatty: Sr. Vice-Cmdr., Erie County Council, VFW.

Walter L. Mikulski: Past Cmdr., District, VFW.

Zef Priska: Albanian Organization.

Michael Salkewicz, M.D.: Ukrainian Congress Committee, Buffalo.

Karol Tomaszewski: Cmdr. Polish Veterans in Exile Assn.

Daniel Vizsolyi: Hungarian Groups.

CAPTIVE NATIONS WEEK—CIVIC OPENING

(By Dr. Nester Procyk, chairman, Citizens Committee to Observe Captive Nations Week, July 16, 1967 Buffalo, N.Y.)

Most Reverend and Reverend Members of the Clergy, Ladies and Gentlemen: I am fortunate and greatly honored indeed to serve—in my capacity as Chairman of Buffalo's Citizens' Committee to Observe Captive Nations Week—as an instrument of this official opening of our ninth annual week-long observances.

Today, I am especially delighted and happy as we have among us such distinguished citizens of our country and City. For I like to bring to your attention that—to mention by name but two—in our Mayor, the Honorable Frank A. Sedita we cherish a man who distinguished himself by being the *first* to establish a Captive Nations Week Committee in the very first year of existence of Public Law 86–90. Today—I understand—he is going to distinguish himself by becoming again *first* by which act he is going to earn the undying respect not only with us, our City and Country, but with the most noble Cause of Human Freedom and the cause of world peace with justice. What act of his I am referring to you shall hear from the Mayor himself.

The other man had the distinction to be adviser to Congress for the original drafting of the Captive Nations Week resolution, which was passed by both Houses and signed into law by the United States President in 1959 and which we know since as Public Law 86–90. He is Dr. Edward M. O'Connor presiding over our gathering today.

As I see, of course, many other very distinguished women and men in this chamber and as I am extending all of you our Committee's most heartfelt welcome, my heart is filled with joy. Yet, this 9th annual Captive Nations Week ceremony shall, by necessity, serve us as a somber reminder of a critical situation the world over. For we see our tasks not completed, our objectives not attained, our resolutions not fulfilled; for we see that the foe of genuine peace and justice is being allowed to continue his inhuman, cruel, devastating actions over millions of innocent, defenseless peoples; we still see an enemy of God and freedom to continue and even to extend his rule over billions of humans in the shackles of captivity and in fear.

For past 50 years of their ignoble communist revolution, the Russian colonial imperialists have provoked one international crisis after another, by devious and cunning means of aggression by proxy, with one purpose in mind: to continuously enlarge their sphere of domination in order to enslave the rest of the free world. Their aggression by proxy in Viet Nam, as their aggressive intrigues in Cuba, Dominican Republic, South American countries and most recently their aggressive intrigue by proxy in the Middle East are but crying examples even for the sightless. All these fifty years the non-Russian peoples in captivity have been struggling desperately for their individual freedom and national sovereignty, giving tens of millions of victims as their sacrifices on the altar of freedom and justice. Yet all this without any assistance from the free world!

Instead of helping these captive nations in their liberation struggle to shake off their chains of Russian imperial colonialism, the Western Governments and people, including the Government of our own nation, extend their hand to the captors. Instead of understanding the plight of the oppressed our government appears to make unceasing efforts to build "bridges of understanding" with the oppressors!

In return for the extended hand, in return for good hearted gullibility in attempts to build bridges of understanding, the Russian imperialists answer us with taunting mockery. They send, by proxy, of course, their rockets against our boys, they destroy our planes (42 in one attack!), they stir up unrest and innocent bloodshed in this very country, by proxy again.

We may ask ourselves today—how long shall we continue in this attitude of Russian inspired policy of "peaceful coexistence"? Is it until we shall be disturbed in sleep one day by Russian rockets on our cities and wake up in deadly convulsions?

No—Ladies and Gentlemen—what we need now is a complete review and revision of our policy toward the so-called Soviet Union and Russian made conspiracy of international communism. Such is our imperative task—task of the people and of the Government, task of the American nation.

We all—as a nation, and each and everyone of us as an individual shall have to bring ourselves into a state of acute alertness—now before it is too late! We will have to work day in day out, all year around instead of drowning our energies and our conscience in our material abundance and instead of forgetting the great spiritual values in human life.

"To love one's country more than oneself" may seem to be a big order, but it is truly an order of a truly national life. That is an only order with the best outlook for success, for true collective and individual happiness. It is an order by fulfillment of which we may and shall attain our noble objectives: freedom for all nations and men under God, peace with justice for the tired world!

Thank you!

MAYOR SEDITA'S REMARKS AT OPENING CEREMONY OF CAPTIVE NATIONS WEEK, COMMON COUNCIL CHAMBER, JULY 16, 1967

Our purpose today is to render a formal affirmation of our belief in and commitment to freedom. Under Federal law we make this gesture annually to serve notice throughout the world—to the oppressed and the oppressors alike—that the United States of America will not rest until liberty prevails for every human being. By taking a week from each year to renew our concern for the Captive Nations, we help to keep the spark of hope burning behind the Iron Curtain.

It is my conviction that in re-affirming our commitment to the Captive Nations we are, of necessity, making more positive our commitment to freedom and dignity for every citizen of the United States and the City of Buffalo. I am particularly proud, therefore, to announce at this time, that with the cooperation of Common Council President Chester Gorski, I have taken steps to give formal and legal status to our concern for the Captive Nations. I have prepared a measure which will be sponsored in the Common Council on Tuesday by Mr. Gorski, creating a Citizens' Committee on the Captive Nations. The committee will become a permanent agency of our City government. It will be made up of fifteen citizens selected from throughout the City on the basis of their demonstrated devotion to the cause of freedom for all people. And, it will amplify our message to the peoples of the Captive Nations that the citizens of Buffalo truly care for them. I am informed that by the creation of this committee, we will become the first city in the nation to give such official status to the cause of the Captive Nations.

Before I read the proclamation officially designating Captive Nations Week in Buffalo, however, I want to make one additional statement. I was most pleased to be able to support Congressman Thaddeus Dulski in his opposition to the proposed Consular Treaty with Russia which would have provided for the establishment of Soviet consulates in cities such as Buffalo. I think that the existence of a Soviet consulate here would constitute the cruelest kind of mockery of those among us whose friends and family enjoy no such recognition and dignity behind the Iron Curtain today.

[From the Buffalo Courier-Express, July 17, 1967]

IN COUNCIL CHAMBERS: CAPTIVE NATIONS WEEK OBSERVED

The ninth annual observance of Captive Nations Week here opened Sunday in Common Council Chambers with speaker after speaker denouncing the Soviet Union for "aggression by proxy."

The wars in Korea, Vietnam and the Middle East were cited as prime examples of Moscow-supported intrigues that have brought the world to the brink of global war.

Mayor Frank A. Sedita proclaimed the week of July 16–23 as Captive Nations Week in Buffalo before an audience of 70 persons who attended the ceremony in City Hall.

He announced that he is sponsoring legislation that would create a Citizens Committee on the Captive Nations "to amplify our message to the captive peoples that the citizens of Buffalo truly care for them".

The Mayor said the committee would have 15 citizens selected on the basis of their demonstrated devotion to the cause of freedom for all people.

"I am informed," he said, "that by the creation of this committee, we will become the first city in the nation to give such official status to the cause of the Captive Nations," the nations of Eastern Europe that were acquired by Russia after World War II.

INTRODUCED TUESDAY

Mayor Sedita said legislation creating the committee will be put before Common Council Tuesday by Council President Chester C. Gorski.

City Judge William G. Heffron, principal speaker, noted that Congress passed the Captive Nations Week Law and President Eisenhower signed it in 1959, branding Russia as an aggressor and committing the U.S. to support the right of self-determination by all peoples.

The law, he said, "gives a ray of hope and moral support to the inmates of the prison camps, to the imprisoned intellectuals . . . ."

The judge accused Russia of "shameless subversion, aggression and conquest unequaled in history."

He said a "false aura of co-existence blinded the world to the imperialistic take-overs by Russia following World War II, but the free world finally realized that a stand must be taken against Communism. The first defense was in Korea . . . then Vietnam and the Middle East."

Dr. Nestor Procyk, chairman of the Captive Nations Week observance here, was more pessimistic. He called for a "complete review and revision of U.S. policy toward the Russian-made communism.

TAUNTING MOCKERY

"In return for the extended hand, in return for good hearted gullibility in attempts to build bridges of understanding, the Russian imperialists answer us with taunting mockery. They send, by proxy, of course, their rockets against our boys, they destroy our planes, they stir up unrest and bloodshed in this very country, by proxy again.

"We may ask ourselves today, How long shall we continue in this attitude of Russian-inspired 'peaceful co-existence'? Is it until we shall be disturbed in sleep one day by Russian rockets on our cities? . . ."

Mayor Sedita told the audience that he supported Rep. Thaddeus Dulski's stand against a proposed consular treaty with Russia "which would have provided for the establishment of Soviet consulates in cities such as Buffalo.

"I think that the existence of a Soviet consulate here would constitute the cruelest kind of mockery of those among us whose friends and family enjoy no such recognition and dignity behind the Iron Curtain today," the Mayor said.

The ceremony in City Hall opened with presentation of U.S. colors by Erie County Council, Veterans of Foreign Wars, and presentation of the Captive Nations' flags, including those of Poland, Bulgaria, Latvia, Lithuania, Estonia, Albania, Hungary and Croatia. Dr. Edward M. O'Connor, who advised Congress on the drafting of the Captive Nations Law, presided at the ceremony.

Other Captive Nations observances scheduled this week include a luncheon Wednesday in the Buffalo Athletic Club with State Supreme Court Justice William B. Lawless as the speaker; a luncheon Thursday in the Hotel Statler Hilton with John P. Lomenzo, New York's secretary of state, as the speaker, and a festival 7:30 Sunday night in Delaware Park behind the Albright-Knox Art Gallery.

[From the Buffalo Evening News, July 17, 1967]

SEDITA URGES OFFICIAL STATUS FOR CAPTIVE NATIONS GROUP

Captive Nations Week in Buffalo moved into its second day today, bolstered by a pledge from Mayor Sedita to bring the annual observance under a permanent agency of the city government.

In formal kickoff ceremonies Sunday in the Common Council Chambers, Mayor Sedita said he had prepared a measure to establish a Citizens Committee on the Captive Nations.

The measure will be presented before tomorrow's Council meeting by Council President Chester A. Gorski, the mayor said.

WOULD BE FIRST IN UNITED STATES

"We will become the first city in the nation to give such official status to the cause of the Captive Nations," he added.

His remarks were greeted by intermittent applause and a standing ovation from committee members and the audience of approximately 75 persons.

Flags of seven Communist-controlled countries formed a half-circle in front of the speaker's podium as he spoke.

Nine nations were represented at the ceremonies, the ninth since Congress passed a law in 1959 urging formal tribute to oppressed nations behind the Iron Curtain.

ASKS FEARLESS STAND

City Judge William G. Heffron urged citizens to seek from policy makers "an open, forward-looking, free-from-fear stand" against Russian aggression.

"Soviet Russia has carved out for herself a path of conquest unequaled in the history of mankind," he said.

Dr. Nestor Procyk, chairman of Buffalo's Captive Nations Week Committee, paid tribute to Mayor Sedita and Dr. Edward M. O'Connor for efforts connected with Captive Nations Week in Buffalo.

DR. O'CONNER PRESIDES

Dr. O'Connor, former United States Displaced Persons Commissioner, president at the ceremonies.

Dr. Procyk also had a comment of his own on Russia.

"In return for the extended hand, for good-hearted gullibility in attempts to build bridges of understanding, the Russian imperialists answer us with taunting mockery.

"They send, by proxy of course, their rockets against our boys. They destroy our planes, they stir up unrest and bloodshed in this very country, by proxy again.

SEDITA OPPOSES CONSULATE

"How long shall we continue in this attitude of 'peaceful' coexistence? Is it until we shall be disturbed in sleep one day by Russian rockets on our cities?"

Mayor Sedita said he agreed with Rep. Dulski's opposition to the consular treaty with Russia, saying he wouldn't want a Soviet consulate in Buffalo.

The week-long program includes civic luncheons Wednesday and Thursday and a Captive Nations Week Festival Sunday evening.

[From the Buffalo Evening News, July 21, 1967]

COEXISTENCE WITH REDS IMPOSSIBLE, ROTARIANS TOLD

New York Secretary of State John P. Lomenzo said Thursday that "to harbor any optimism that we can peacefully co-exist with the present double-edged sword that is communism is absolutely fallacious thinking."

Speaking to the Rotary Club at the Statler Hilton in observance of Captive Nations Week, Mr. Lomenzo said it was wrong for people to sit back and act as if they were isolated in the world.

Mr. Lomenzo was introduced to the 200 persons present by Dr. Nestor Procyk, chairman of Buffalo's Captive Nations Week Committee.

"Captive Nations Week doesn't just involve some foreigners," he said. "What happens in Pakistan affects the people who live on Genesee St. in Buffalo."

Discussing the recent summit meeting at Glassboro, N.J., Mr. Lomenzo noted that Premier Alexei N. Kosygin of the Soviet Union "smiled while his bags were already packed for a trip to Havana."

He said: "We cannot be deluded when we assess the situation in Vietnam, the Middle East, Hong Kong, the Congo, Rhodesia, and Nigeria, or in Laos, Berlin, and Greece.

"Half the world is on fire today. There is again a house divided against itself, but this time, instead of a nation, it is the whole world."

He said that all that came of the Glassboro conference was "two antique chairs that they'll put into a museum."

He said the U.S. would be able to help the people of the world "if someday we can pledge allegiance to the flag as a fact rather than a hope."

Mr. Lomenzo noted that the U.S. has weeks for almost everything "because we have to be reminded how fortunate we are."

He spoke about a 19-year-old boy he knew who was recently killed in Vietnam. "He had to be where he was and he had to do what he did. It has always been that way," he said.

"Is it asking too much of us to defend freedom? While we enjoy life, some 420 million people do not. They exist rather than live."

[From the Courier Express, July 20, 1967]

CAPTIVE NATIONS WEEK A GRIM REMINDER

Captive Nations week, which currently is being observed in the United States, could strike one as being just another week set aside for some observance which has little impact on the average American. However, for those who have relatives in any of the countries that have come under communist control in the past three decades it has a real and grim meaning.

It is these citizens who highly prize the meaning of "American" and the freedom and opportunity it guarantees. They are aware that their relatives in these captive countries are servants of the state most of whom work where they are told to work and live where they are told to live. Freedom of expression is muffled or even muted under the threat of prison sentences and outspoken criticism of the government is treated as treason.

Captive Nations Week should serve to remind us all how fortunate we are to live in this great democracy which boasts of a freedom unrivaled in all history. Further, the observance should spur us all to make a determined effort to play a greater role in securing our freedom by voting in our free elections and participating in community affairs. Apathy is the real enemy of freedom and opens the door to subversion by those who would scuttle democracy if we give them the chance.

[From the Buffalo Evening News, July 24, 1967]

GORSKI PREDICTS FREEDOM FOR IRON CURTAIN NATIONS

The sun of freedom will shine again on the peoples of the captive nations, Common Council President Chester C. Gorski predicted Sunday before nearly 500 persons at the Captive Nations Festival in Delaware Park.

"That these mother countries of so many of you are held in bondage behind the Iron Curtain of communism is a sad fact; but that their spirits are unbroken is a glorious fact," he told the festival, ending Buffalo's annual "Captive Nations Week."

"I have no doubt that the sun will rise again on free people, when they will once more be able to practice the national traditions for which they have sacrificed . . . . for no atheistic force is strong enough to control human destiny," Mr. Gorski told an applauding audience.

His speech was serious meat sandwiched in a program of folk dancing, singing and tamburitza playing.

A shirtsleeved audience lined the arena-like steps of Albright-Knox Art Gallery and folding chairs dotted the lawn as members of Croatian, Polish, Ukrainian and Bulgarian organizations performed on a flag-lined stage.

Renata B. Wolynec, a pretty outgoing Ukrainian-American 19-year-old, was crowned Miss Captive Nations by Mr. Gorski. Miss Wolynec, who was born in Austria, wore a native Ukrainian costume.

A junior in archaelogy at State University of Buffalo, she is treasurer of the Ukrainian Student Club, and a former national secretary of the Ukrainian Student Association.

Performers included members of Cardinal Stepinac Tamburitzans and the Girls Dancing Group of the Polish National Alliance of St. Michael's Church, North Tonawanda Bulgarian National Front, and the Ukrainian Youth Association.

Miss Zdenka Gredel, daughter of Program Director Dr. Stephen Grebel, was master of ceremonies. Dr. Nestor Procyk was chairman of the week's observance.

The Community Concert Band performed a short concert in honor of the festival under the direction of conductor William J. Crump.

LOW BLOW AT LAWYERS FOR POOR?

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr THOMPSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, the OEO legal services program is one of the most successful of all war-on-poverty programs. When this program was begun, I think very few of us realized the extent to which the poor in this country were denied access to equal justice. We were somewhat aware that abuses by slumlords and unscrupulous businessmen did exist.

But who could have forecast that in 1 year 1,200 legal services attorneys would handle more than 300,000 individual cases?

Mr. Speaker, it is a fact of life that Federal, State, and local agencies can operate sufficiently arbitrarily and illegally to be subject to lawsuit. Among the cases handled by legal services lawyers have been those on behalf of poor clients who have been wronged by such public agencies. Without legal assistance in such cases the poor would be effectively denied their right to equal justice. Yet, there has been the suggestion that the poor should be denied representation when the alleged wrongdoer is a Federal, State or local agency.

There is nothing sacrosanct, Mr. Speaker, about public bodies. When they err by negligently or deliberately failing to observe the law, they should not be immune from suit simply because the victim of their error happens to be poor. I think the following article from the Washington Star discusses very clearly the issues involved in this notion that the poor should be denied legal assistance in suits against government units.

Low Blow at Lawyers for Poor?

(By Dana Bullen)

One attack on this year's poverty bill is a claim that there is something wrong about providing government-paid lawyers to represent poor people in lawsuits against federal, state and local agencies.

It is upsetting to important local interests, it appears, and the unhappiness seems to be reaching all the way to Capitol Hill.

In California, for example, poverty lawyers recently made successful attacks upon shortcuts in tomato growers' importation of cheaper Mexican bracero labor and upon claimed unfairness in welfare programs in Sutter County.

Before long, Sen. George Murphy, R-Calif., was citing the cases on the Senate floor, maintaining that poverty lawyers "have begun to challenge our laws all too often."

Thirty-five other senators joined Murphy several weeks ago in support of a proposed amendment to the poverty bill that would have stripped the OEO Legal Services Program of authority to go to court to challenge any government agency's way of handling things. Although Murphy's proposal failed in the Senate, it is likely to be introduced again when the controversy-ridden poverty bill reaches the House floor.

The strength of the support given the unsuccessful Senate amendment, however, has made it clear that much more light is needed on just what it is that the poverty lawyers are about.

On the other hand, they are using the law to curb unfair business practices that milk the poor of what funds they do have. The targets here are the unscrupulous merchants, lenders and landlords who jack up prices or interest charges unfairly.

Such cases, along with domestic relations and other private legal matters, in fact, accounted for over 90 percent of the OEO lawyers' business last year. In all, a total of 320,000 cases were handled by government lawyers for poor people.

No less important, however, are so-called "test" cases brought by OEO lawyers against government agencies.

In Hartford, for example, the Legal Services Program has won a pace-setting ruling by a special three-judge federal court that Connecticut's one-year residency requirement for welfare payments is unconstitutional.

Some 40 states have similar laws. If the lower federal court ruling suvives an expected state appeal to the Supreme Court, the shape of welfare laws across the country could be changed.

Over 25 years ago, the late Justice Robert H. Jackson said restricting poverty-bound people to the very places where they have been unsuccessful was exactly the wrong way to carry out this country's promise—yet this is just what welfare residency requirements mean to a poor person who, in effect, is being paid to stay poor where he is.

In other cases, OEO lawyers are challenging public housing practices, school procedures—such as expelling a girl shortly before graduation for pregnancy—that no one else is contesting and a host of similar things that, if unattended, provide fuel for urban and rural unrest.

An estimated seven million people depend on public assistance checks to protect them from hunger, eviction and other deprivations. In filing lawsuits against public bodies, poverty lawyers are only asking courts to decide whether such programs are being operated properly.

Just this term the Supreme Court agreed to hear a small mountain of cases involving a controversy between gas companies and the Federal Power Commission without a ripple of concern that the firms were suing the government.

Poverty lawyers, such as OEO Legal Services Director Earl Johnson Jr., argue that poor people rate representation too in their dealings with government agencies.

"It would make a mockery of attempts to provide equal justice," says Johnson, if poverty lawyers are limited to legal action only against private parties.

"As a practical matter," says Johnson, "since most poor people have access to the courts only through legal services lawyers, a ban on their representation in certain classes of cases is equivalent to denying the poor a legal remedy in these disputes.

"That is no better than seeking to disenfranchise your opponents in an election because they beat you at the polls. And it is no less a threat to American democracy and the preservation of law and order."

Against this, an argument that government lawyers representing poor people "have begun to challenge our laws all too often" seems to need some shoring up if it is to be seriously advanced.

CONGRESSMAN CHARLES E. BENNETT SIGNALLY HONORED BY THE REPUBLIC OF THE PHILIPPINES WITH THE AWARD OF BOTH THE PHILIPPINE LEGION OF HONOR IN THE DEGREE OF COMMANDER AND THE GOLD CROSS MEDAL IN RECOGNITION OF HIS OUTSTANDING SERVICES TO THE PHILIPPINES DURING AND SINCE WORLD WAR II

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. STRATTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. STRATTON. Mr. Speaker, one of our ablest and most beloved colleagues, the gentleman from Florida [Mr. BENNETT], was signally honored the other day by the Government and the people of the Republic of the Philippines in a ceremony held at the Philippine Embassy here in Washington on October 20, 1967. Congressman BENNETT, who served with valor and distinction in the Philippines during World War II had conferred upon him the Philippine Legion of Honor in the Degree of Commander, an award which I am advised is one of the highest decorations within the power of the people of the Philippines to confer. At the same time our colleague was further honored by having conferred upon him the Gold Cross Medal for gallantry in action in the Philippines during the battle for Luzon in World War II.

Both awards were conferred on Mr. BENNETT by the Secretary of Foreign Affairs of the Philippines, Honorable Narciso Ramos, who was in Washington for the ceremony.

Mr. Speaker, I know we all rejoice in the signal honors that have come to our distinguished colleague and extend to him our warm congratulations and appreciation for the gallant and outstanding achievements upon which these awards were made.

It is a personal privilege for me to have been able to serve with Congressman BENNETT during all my 9 years of service in this House on the Armed Services Committee, and as a member of several subcommittees of that committee which he has chaired with great distinction.

Mr. Speaker, under leave to extend my remarks I include the citations for the two awards presented to Mr. BENNETT for the information of all the Members of the House:

[General Orders No. 134]

Award of the Philippine Legion of Honor (Commander)

By direction of the President, pursuant to Para. 3e, Sec I, AFPR G 131–052 dated 24 April 1967, the Philippine Legion of Honor in the degree of Commander is hereby awarded to The Honorable Charles E. Bennett, Representative, U.S. Congress, for his substantial contribution, both in war and in peace, to the security of the Philippines and the continued well-being of its peoples. As a member of the United States Liberation Forces, Mr. Bennett took on an active combat role in the bloody campaign to retake Northwestern Luzon from the fiercely resisting enemy forces in 1945. He lived and fought with a Filipino guerrilla unit harassing and destroying enemy troops in the mountains of Luzon. In one of his engagements with the enemy, his heroic exploits earned for him his country's Silver Star medal for gallantry in action. His commitment to the Philippine cause springs therefore from his warm ties of friendship with his Filipino comrades-in-arms, ties that were forged in the crucible of war. He carried this commitment to the halls of the United States Congress where he has been ably representing the state of Florida for the last nineteen years. As a member of the Armed Services Committee of the House of Representatives, he has consistently espoused the Philippine cause and has constantly supported legislative measures intended to do a measure of justice to the Filipino veterans of World War II. Cognizant of the troubled conditions of the country he helped liberate as a young man, he has eloquently demonstrated as a veteran member of Congress his concern for the Philippines by actively supporting United States military assistance programs designed not only to strengthen the military defenses of the country but also to promote the general well-being of the Filipino people. Congressman Bennett will remain dear to his Filipino friends. He has helped to strengthen further the ties that bind the peoples of the Philippines and the United States.

By Order of the Secretary of National Defense:

SEGUNDO P. VELASCO,
General, AFP, Chief of Staff.

[General Orders No. 135]

AWARD OF THE GOLD CROSS MEDAL

By direction of the President, pursuant to Para 3d, Section I, AFPR G 131-052 dtd 24 April 1967 as amended, the Gold Cross Medal is hereby awarded to First Lieutenant Charles E. Bennett O1300916, Inf., USA, for gallantry in action against the enemy near Mt. Calugong, Mountain Province, on 18 April 1945. A patrol which Lieutenant Bennett was leading received intense enemy rifle and knee mortar fire. With complete disregard for his own life, and under intense enemy rifle and mortar fire, Lieutenant Bennett rushed forward and drew the enemy fire upon himself to enable his patrol to withdraw. Still in his exposed position and under fire, he directed the fire of his patrol, routing the enemy and killing three enemies. He continued on his assigned mission, route reconnaissance and security of the division pack train. Later discovering an enemy position strong enough to completely deny the use of the trail he quickly withdrew his patrol, diverted the pack train from ambush and provided flank security while ammunition, water and rations were carried to an infantry battalion. This prompt action on the part of Lieutenant Bennett prevented great loss of life among the personnel of the pack train and saved valuable pack animals and equipment from destruction. The gallantry, aggressiveness and leadership displayed by Lieutenant Bennett reflect great credit upon himself and the military service and has helped in no small way in hastening the liberation of the Philipines from enemy occupation.

By Order of the Secretary of National Defense:

SEGUNDO P. VELASCO,
General, AFP, Chief of Staff.

NEW YORK POLL FAVORS L. B. J. IN 1968

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. STRATTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. STRATTON. Mr. Speaker, we have been hearing a good deal in recent days about political polls, mostly how they seem to indicate the inability of President Johnson to win reelection next year. For that reason I was more than interested the other day in reading about a recent poll taken in my own State of New York which indicates that President Johnson will be reelected and by a sizable margin.

A careful voter analysis by Political Surveys & Analyses Co. of Princeton, reports that President Johnson would beat any of the major Republican presidential contenders—Messrs. Nixon, PERCY, Reagan, and Romney—by margins ranging from 22 to 27 percent.

Perhaps this poll will give some cause to those who are today so readily writing off the President in 1968, especially when he shows up so well in the Nation's greatest and most significant State.

Under unanimous consent I insert at this point in the RECORD an article by a respected columnist, Bob Considine, reporting the results of this New York voter analysis. The article follows:

NEW YORK POLL FLIES L. B. J. FLAG

(By Bob Considine)

It has become standard fare to read polls showing the decline in popularity and acceptance of President Johnson. But here's one, taken last month by the Political Surveys and Analyses Company of Princeton, which could be a straw to be launched in the winds that are expected to blow next year.

It was confined to New York State and, in effect, pitted LBJ separately against Richard Nixon, Charles Percy, Ronald Reagan and George Rommey. The emphatic manner in which Gov. Nelson Rockefeller has ruled out his being drafted for the GOP nomination apparently precluded his being considered in the poll.

The question asked of 741 adults went like this:

"Suppose the Presidential election was being held today. If Richard Nixon (Percy, Reagan, Rommey) was the Republican candidate and Lyndon Johnson the Democratic candidate which would you like to see win?"

Can't get much more basic than that.

In the Johnson-Nixon returns, the President took 53 percent, Nixon 31 and the rest was undecided. The incumbent beat Percy 51 to 28, with the rest confused. He then beat Reagan 56 to 29, and the rest were strays, and overcame Romney 52 to 30, plus the bewildered.

Fragmented, the Johnson-Nixon poll went like this: The President won easily in New York City—60 to 23—but only Nixon picked up strength in upstate and lost by 47 to 38. Voters with incomes of more than \$7,000 a year liked LBJ 49 to 35, those wth incomes under \$7,000 were in favor of Johnson by 57 to 27.

There were only microscopic variations in the age groups, Johnson polled about 54 percent. Independents like Johnson over Nixon, 42 to 34 percent, Republicans preferred Nixon by 61 to 25, and Democrats put LBJ out in front with a whopping 76 to 12 margin.

Men like the President 48 to 33, women 60 to 26. Protestants preferred him by 52 to 34, Catholics 47 to 36 and Jews 81 to seven. Whites voted him 51 percent to 33, nonwhites 71 to 14.

VIETNAM AND THE COLD WAR

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BROWN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BROWN of California. Mr. Speaker, we continue to witness the escalation of the military action in Asia, matched of course by the other side. Similarly we see an escalation of debate over the war here in the United States, with more and more indication that efforts are being made to use this period as one of constructive dialog over the fundamental structure of American foreign policy. There is even some sign that the American two-party system may rise to the challenge and present to the electorate a reasoned choice of policies in next year's election, rather than an elaborate but meaningless discourse over platitudes. I point with some satisfaction to the 2 hours of debate on Tuesday of this week under the leadership of the gentleman from Illinois [Mr. FINDLEY], the gentleman from New York [Mr. Dow], and the other gentleman from Illinois [Mr. PUCINSKI] as an example of the type of debate and dialog needed in those times. Yet all of us who participated in that debate recognized that it barely scratched the surface of the subjects requiring our most intensive scrutiny in these times of crises. I trust that many more such efforts will be made.

I am moved today to offer a few additional comments which reflect my own views on the current situation. There are widely current rumors that the President, having treated the hawks to a lengthy period of escalation which enlarged target lists in North Vietnam and increased troop levels in South Vietnam, may be about to treat the doves to a period of intensified diplomatic activity coupled with a bombing pause, thus maintaining his posture as a moderate pursuing the course of concensus.

As one dove in good standing, I wish to say to the President, spare yourself the trouble. Do not do it.

The citizens of this country, and the world at large, have been treated to this type of activity before. It will no longer have the effect the President desires on them. It may have the reverse effect, and decrease his credibility and popular standing in the polls even more rapidly, particularly if it is followed by renewed escalation, as it has been previously.

The North Vietnamese and the National Liberation Front have made clear that they will not respond to a bombing pause. They would prefer we continue the bombing. It is hurting us more than it is them.

I would like to say frankly to the President and to Mr. Rusk, gentlemen, I am tired of your "gimmicks." Until you are ready to face reality and take the steps you know and I know are necessary to get a political settlement in Vietnam, spare me the pious incantations about "unconditional negotiations" and "self-determination" for Vietnam.

You know and I know that your present course is aimed at perpetuating the present government in Saigon, with no concessions to the National Liberation Front in terms of free participation in the processes of government. You know that this amounts to calling for their unconditional surrender, since participation in the Government is what they are fighting for. Therefore you are doomed to continue this war until you achieve "unconditional surrender," or are yourself defeated.

I believe that this country would be better served if you would explain frankly that this is your goal, and why.

Most people in this country no longer believe that anything we could do in an Asian peasant country of 15 million is worth a downpayment approaching \$100 billion and 100 thousand U.S. casualties, and a long-term contract that may cost several times that. For that amount of money we could help India, which represents 90 percent of the people living under a democratic system on the Asian mainland—and nearly half of those living under democratic systems in the entire world—make herself into a model for Asian democracy, and change the course of history. We get nothing for our investment in South Vietnam except an indefinite future of trouble. In terms of serving the future of democratic governments in Asia, no worse misapplication of resources could be imagined.

So what are your reasons for seeking "unconditional surrender" in South Vietnam? Let the Congress and the American people know, so that we may debate and decide them on their merit, rather than engaging in a futile and frustrating exercise over ambiguous or meaningless phrases.

Obviously, much of the reason for your insistence on "victory" and "unconditional surrender" must come from a feeling that Vietnam is a part of the "cold war" against communism, a war this country has been waging without halt since 1945. This "cold war" syndrome led us to install Syngman Rhee as the head of an unpopular Korean Government, and refuse participation in that Government to any "left-wing" forces. This decision in 1946 precipitated the Korean war in 1950, has left a divided Korea as a festering sore on the Asian mainland, has cost us well over $100 billion and several hundred thousand casualties in Korea. Nearly 18 years later we are still paying exorbitant amounts of U.S. taxpayers' dollars each year and keeping 50,000 U.S. troops there to prove that we won something.

The tragic aspect of all this is that we were reacting to Russian Communism in Korea, and spent all of our resources to prevent its having a major influence on a united Korea, and today we are eagerly seeking ways to extend the hand of friendship to Russia. And Russia is finding that her own overly zealous efforts to maintain by military force Communist governments on her own borders was perhaps a fruitless expenditure of resources, as more and more of these governments seek to go their own nationalist ways.

We continued the cold war by deciding to support Chiang Kai-shek on Formosa, after first deciding not to intervene in an obviously hopeless Chinese situation. Today a new generation of Americans has almost forgotten that Formosa is a part of China, and many even feel that we are defending another gallant free nation there instead of interfering in an unfinished civil war, as we are.

The basic policy and decisions we are defending today in South Vietnam are of course the policy and decisions made by Dulles in 1954 to sabotage the Geneva agreements and to create another point of confrontation with revolutionary communism on the Asian mainland.

The basic question, Mr. President, is not South Vietnam, but the policy underlying South Vietnam. Are we today going to maintain the course of the cold war, perhaps attempting to shift its focus from Russia to China, or are we going to seek a more fruitful course toward achieving peace and a modicum of freedom in the world?

Is there a more fruitful course? One danger always confronting a person who urges that we face honestly the facts of the cold war, and weigh and examine its value in achieving peace, economic progress and political freedom is that he will be accused of favoring communism. I am convinced in my heart that our almost blind and automatic dedication to the cold war and its continued military, diplomatic and other confrontations with not only communism but all types of revolutionary movements around the world, is furthering, rather than inhibiting communism. Likewise, it is driving us inexorably into another world war, this time with China. And it is depriving two-thirds of the human race of any real chance to solve the economic problems which confront them. This is tragedy on a scale unknown to mankind throughout history. It is tragedy which can be averted but only if we act now. There will be no next generation to correct our failures.

The cold war is at its center an ideological struggle. On our side we see it as a confrontation between our system of political and economic freedom and the Communist system of political and economic tyranny. The Communist side sees the struggle through a different set of glasses, in which they are seeking political and economic power for the masses through the overthrow of a system dominated by an all-powerful capitalist class. The views of neither side can survive close scrutiny by objective observers. Yet the struggle has developed into one having many of the aspects of a holy war, using all the symbols which generate emotional commitment without rational analysis.

Why is the cold war not inhibiting communism? Communism is the response of a desperate people to intolerable economic, social, and political conditions. It promises the destruction of the rich and rapid progress for the poor. When the world is predominantly poor and making little progress, its promises are a seductive call to the masses.

The cold war consumes $200 billion per year in resources. By rough calculation, the total income of the poorest two-thirds of mankind is also about $200 billion per year. The money spent on the cold war prevents any solution to their problems. The present rate of economic development of the poor countries would, under the most optimistic conditions, double their per capita incomes every 30 years or so, or about every two generations, in these short-lived countries. In five generations, they might aspire to per capita incomes of $200 or $300 per year instead of their present $50 or $100 per year. That prospect is so hopeless that any call for revolutionary violence is met with enthusiasm by the masses. I believe that most Americans would react with the same revolutionary violence if confronted by the same problems. The violence in the ghettos is to some degree motivated by this same feeling of hopelessness for future progress.

Any victories we win in the poor countries of the world under these circumstances are meaningless. For a fleeting moment and at untold cost we hold back the flood. But the pressure will continue to increase until it is overwhelming. We are not responding to the problem. We are compounding it. What will prevent revolutionary violence? One thing only. Hope based on progress.

The poor countries of the world require, for a sufficient hope to inspire them, a rate of economic development that shows meaningful progress in each generation. Probably this means a rate of increase in GNP per capita of 8 to 10 percent per year instead of 2 to 3 percent. If this were translated into money, it would mean probably an infusion of an additional $10 billion per year into their economic life, or 5 percent of what the cold war costs the people of the world. Of course, more than money is required. The other things include an end to wars and the threat of war, and dedication by the poor nations themselves to solving their own longstanding social and political problems. The greatest problem, that of population control, must be solved by their own efforts. Only then can they begin to solve the next most important problem of an adequate food supply.

The amount of money required to provide hope of progress to the poor nations is ridiculously small when measured against the demands of the cold war. Yet the pressures for even more cold war expenditures by the rich nations, fueled by the emotional fervor of ideological commitment, and backed by fantastically powerful industrial-military institutions, is immeasurably greater than the pressures seeking a solution to the real problems of humanity. Yet the pressures of revolutionary communism cannot be otherwise met.

This condition must be changed.

It can only be changed if the dialog of Vietnam can be translated into the dialog of human progress.

So I say to the President and Secretary Rusk, let us be done with trivialities and subterfuges. Let us make it clear that what is at stake is an effort to stem a vast revolutionary tide among the poor nations of the earth. Let us debate whether that tide can be stemmed by $100 billion in Korea, $100 billion in South Vietnam, and further hundreds of billions protecting other dictatorships in "free" countries around the world. Or would it be cheaper in human life and dollars to spend $5 or $10 billion per year in a real effort to achieve some economic progress.

Instead of the CIA haunting the undergrounds of the third world, perhaps the efforts of a similar number of dedicated scholars, teachers, and technicians honestly seeking to help their people would accomplish our goals better, including our goal of getting honest information about the conditions of that world.

Only if we meet this problem squarely can the United States play a significant role in the world today. Only by meeting it head on can we cure our schizophrenia of national purpose. The debate on Vietnam can help achieve this. But it must have a leadership it is not now receiving from the administration, the Congress, or the political hopefuls of both parties.

LIVINGSTON L. BIDDLE, JR.

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. BLATNIK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BLATNIK. Mr. Speaker, it is with a deep sense of regret that I call the attention of my colleagues in the House to the resignation of Livingston L. Biddle, Jr., as Deputy Chairman of the National Endowment for the Arts.

Few men have played a more decisive, although often "backstage," part in the successful creation of the national program to provide assistance to the arts.

Liv Biddle came to Washington as an assistant to Senator CLAIBORNE PELL, of Rhode Island. Senator PELL gave him the challenging assignment of shaping the legislation which eventually passed both the House and the Senate and became Public Law 89–209—the National Foundation on the Arts and the Humanities Act of 1965.

When President Johnson signed the act into law on September 29, 1965, it was a triumph for many people who had worked long and vigorously for an intelligent program to encourage the arts in America. It is a good measure of Livingston Biddle's contribution to that effort that, after the President chose Roger L. Stevens to serve as chairman of the National Endowment for the Arts, Mr. Stevens immediately named Liv Biddle to serve as his deputy.

I can think of no better testimony to Liv's effectiveness as an administrator, working with Roger Stevens, than the thoroughly admirable performance turned in by the Endowment and its staff during its first 2 years of existence. As a new agency of the Federal Government, the National Endowment for the Arts has worked closely and in harmony with private foundations, with the State arts agencies, and with local arts councils to create a significant and successful record of progress in the arts.

Livingston Biddle's extraordinary grasp of the realities confronting this first major venture in Federal aid to the arts, his understanding of the various arts disciplines, his intelligence and practical commonsense approach to solving the problems of arts organizations have played a pivotal role in the impressive record established, thus far, by the National Endowment for the Arts.

He is leaving his post with the Endowment to become chairman of the new Fine Arts Division of Fordham University in New York City. The administration of that great institution of higher learning has placed in Liv Biddle's hands the responsibility of establishing the new division, recruiting its faculty, and administering a school which will have an enrollment of 3,000 students or more.

I know that he will bring to his new work the same dedication of mind and spirit which have left their imprint so indelibly on his Federal service. The Members of the House of Representatives and the people of this Nation owe Liv Biddle a debt of gratitude.

Coming from a family which has always devoted itself to public service, Livingston Biddle, Jr., has more than met the challenge of his heritage. He has added a chapter to that history of which his descendants may be justly proud.

I wish him well in his new duties at Fordham University.

FACTS OR POWER LOBBY?

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. HATHAWAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, I would like to call to the attention of my colleagues an editorial which appeared in the Waterville, Maine, Morning Sentinel on Monday, October 30.

Because the editorial states so clearly the opinion of Maine people with respect to the recent vote on the Dickey-Lincoln School hydroelectric power project, I place it in the RECORD of these proceedings:

FACTS OR POWER LOBBY?

There are some who will blandly say that the House of Representatives knocked funds for the Dickey-Lincoln School power project out of the appropriations bill last week for economy reasons.

This will bring wry smiles from the knowledgeable since the money for Dickey-Lincoln was but a drop in the bucket in the bill.

In fact, there are 131 other projects left in the bill which will bring the taxpayers less for their money than would Dickey-Lincoln.

Maine utilities took no open part in the Dickey-Lincoln fight this time, but U.S. Sen. Edmund S. Muskie has said that several congressmen have told him that "lobbying by private power companies—nationwide—against Dickey-Lincoln is the most vicious they have ever been subjected to.

Thus, the hard work of Sens. Smith and Muskie and Reps. Kyros and Hathaway didn't turn the tide and Dickey-Lincoln was knocked out of the bill while other, less worthy projects were left in.

Had there been a genuine effort to really economize by knocking less worthy projects than Dickey out of the bill, one might accept economy as the reason.

But since this didn't happen, and since New England is the only region in the country without competitive public power, one has reason to suspect that Sen. Muskie may be right when he says the deletion of Dickey-Lincoln resulted from "the pressures and misrepresentations of the New England private utilities and their allies."

There is good reason to do some investigating to find out the extent of the power lobby, and its effect upon the ethics of the House.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MORRIS of New Mexico, for November 2, 1967, and November 3, 1967, on account of official business.

Mr. HELSTOSKI (at the request of Mr. MOSS), for November 1, 2, and 3, on account of official business.

Mr. MATHIAS of Maryland (at the request of Mr. GERALD R. FORD), through November 11, on account of injury.

Mr. MCCULLOCH (at the request of Mr. GERALD R. FORD), for today, on account of official business—National Advisory Committee on Civil Disorders.

Mr. NELSEN (at the request of Mr. GERALD R. FORD), for November 3, 1967, on account of illness in the family.

Mr. PRYOR, for November 2 and November 3, on account of official business.

Mr. BURKE of Florida (at the request of Mr. GERALD R. FORD), for November 3, 1967, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HERLONG, for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. GUDE) and to revise and extend their remarks and include extraneous matter:)

Mr. BUCHANAN, for 60 minutes, today.

Mr. BRAY, for 30 minutes, on November 7.

Mr. BRAY, for 30 minutes, on November 8.

Mr. ASHLEY (at the request of Mr. EDWARDS of Louisiana), for 1 hour, on Friday, November 3; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. KUPFERMAN (at the request of Mr. GUDE) and to include extraneous matter and tables during general debate on S. 780.

Mr. MOSS (at the request of Mr. BLANTON) to revise and extend his remarks in the Committee and to include a letter.

(The following Member (at the request of Mr. GUDE) and to include extraneous matter:)

Mr. ERLENBORN.

(The following Members (at the request of Mr. EDWARDS of Louisiana) and to include extraneous matter:)

Mr. MCCARTHY.

Mrs. SULLIVAN.

Mr. BROOKS.

SENATE BILLS AND A CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 6. An act to authorize the Secretary of the Interior to construct, operate, and maintain the initial stage of the Oahe unit, James division, Missouri River Basin project, South Dakota, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 220. An act to authorize the sale of certain public lands; to the Committee on Interior and Insular Affairs.

S. 876. An act relating to Federal support of education of Indian students in sectarian institutions of higher education; to the Committee on Interior and Insular Affairs.

S. 1119. An act to grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Mont., to certain Indians, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 1367. An act to authorize the Secretary of the Interior to prevent terminations of oil and gas leases in cases where there is a nominal deficiency in the rental payment, and to authorize him to reinstate under some conditions oil and gas leases terminated by operation of law for failure to pay rental timely; to the Committee on Interior and Insular Affairs.

S. 2336. An act to determine the respective rights and interests of the Confederated Tribes of the Colville Reservation, and the Yakima Tribes of Indians of the Yakima Reservation and their constituent tribal groups in and to a judgment fund on deposit in the Treasury of the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 2515. An act to authorize the establishment of the Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

S. Con. Res. 49. A concurrent resolution extending congratulations to the Parliament of Finland on the 50th anniversary of Finland's independence; to the Committee on Foreign Affairs.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 845. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Nebraska Mid-State division, Missouri River Basin project, and for other purposes;

H.R. 5364. An act to provide for the conveyance of the interest held by the United States in certain real property situated in the State of Georgia; and

H.R. 8718. An act to increase the annual Federal payment to the District of Columbia and to provide a method for computing the annual borrowing authority for the general fund of the District of Columbia.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 223. An act to authorize the disposal of the Government-owned long-lines communication facilities in the State of Alaska, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House on the following titles:

H.R. 845. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Nebraska Mid-State division, Missouri River Basin project, and for other purposes;

H.R. 5364. An act to provide for the conveyance of the interest held by the United States in certain real property situated in the State of Georgia; and

H.R. 8718. An act to increase the annual Federal payment to the District of Columbia and to provide a method for computing the annual borrowing authority for the general fund of the District of Columbia.

ADJOURNMENT

Mr. EDWARDS of Louisiana. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 5 minutes p.m.), the House adjourned until tomorrow, Friday, November 3, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1191. A letter from the Comptroller General of the United States, transmitting a report of review of the validity of and control over the large volume of unfilled orders for Air Force materiel Department of the Air Force; to the Committee on Government Operations.

1192. A letter from the Comptroller General of the United States, transmitting a report of substantial savings available by eliminating low-cost, low-demand spare parts from defense supply system, Department of the Navy and the Defense Supply Agency; to the Committee on Government Operations.

1193. A letter from the Comptroller General of the United States, transmitting a report of actions to improve the financial management system of the U.S. Army Tank-Automotive Command, Warren, Mich., Department of the Army; to the Committee on Government Operations.

1194. A letter from the Comptroller General of the United States, transmitting a report of savings available through more frequent payments on college housing loans, Housing Assistance Administration, Department of Housing and Urban Development; to the Committee on Government Operations.

1195. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the provisions of section 244(a)(1) of the Immigration and Nationality Act of 1952, as amended; to the Committee on Judiciary.

1196. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in certain cases of aliens found admissible to the United States, pursuant to the provisions of section 212(a)(28)(ii) of the Immigration and Nationality Act; to the Committee on Judiciary.

1197. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in certain cases, pursuant to the provisions of section 212(a)(6) of the Immigration and Nationality Act; to the Committee on Judiciary.

1198. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the provisions of section 244(a)(2) of the Immigration and Nationality Act of 1952, as amended; to the Committee on Judiciary.

1199. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved, according certain beneficiaries third preference and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1200. A letter from the Postmaster General, transmitting a draft of proposed legislation to modify the laws relating to hours of work and overtime for certain employees in the postal field service; to the Committee on Post Office and Civil Service.

1201. A letter from the Acting General Counsel, Department of Defense, transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PEPPER: Committee on Rules. House Resolution 965. Resolution providing for the consideration of House Joint Resolution 859, joint resolution extending for 1 year the emergency provisions of the urban mass transportation program (Rept. No 883). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 966. Resolution providing for the consideration of S. 2388, an act to provide an improved Economic Opportunity Act, to authorize funds for the continued operation of economic opportunity programs, to authorize an Emergency Employment Act, and for other purposes (Rept. No. 884). Referred to the House Calendar.

Mr. DULSKI: Committee on Post Office and Civil Service. Report on Government Employees' Incentive Awards Act (Rept. No. 885). Referred to the Committee of the Whole House on the State of the Union.

Mr. DULSKI: Committee on Post Office and Civil Service. Report on manpower management in the Federal Government (Rept. No. 886). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DOLE:

H.R. 13821. A bill to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. EVINS of Tennessee:

H.R. 13822. A bill to direct the Secretary of the Air Force to convey certain lands in Tennessee to the Industrial Board of Coffee County, Tenn., Inc.; to the Committee on Armed Services.

By Mr. HANLEY:

H.R. 13823. A bill to amend the Internal Revenue Code of 1954 to provide that certain awards in recognition of outstanding achievement in the field of sports shall be excluded from gross income; to the Committee on Ways and Means.

By Mr. HANSEN of Idaho:

H.R. 13824. A bill to amend the Public Health Service Act to provide special assistance for the improvement of laboratory animal research facilities, to establish standards for the humane care, handling, and treatment of laboratory animals in departments, agencies, and instrumentalities of the United States and by recipients of grants, awards, and contracts from the United States, to encourage the study and improvement of the care, handling, and treatment and the development of methods for minimizing pain and discomfort of laboratory animals used in biomedical activities, and to otherwise assure humane care, handling, and treatment of laboratory animals, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HUNT:

H.R. 13825. A bill to amend the Internal Revenue Code of 1954 to provide that certain awards in recognition of outstanding achievement in the field of sports shall be excluded from gross income; to the Committee on Ways and Means.

By Mr. ICHORD:

H.R. 13826. A bill to amend title 10 of the United States Code to require that a cadet or midshipman at a service academy who does not complete his instruction or serve as an officer be ordered to active duty; to the Committee on Armed Services.

By Mr. JOELSON:

H.R. 13827. A bill to prohibit the transportation or shipment in interstate commerce of master keys to persons prohibited by State law from receiving or possessing them; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of California:

H.R. 13828. A bill to insure a reasonable opportunity for all electrical utilities to participate in the benefits of nuclear power; to the Joint Committee on Atomic Energy.

By Mr. KARTH:

H.R. 13829. A bill to restrict the mailing of unsolicited credit cards; to the Committee on the Judiciary.

By Mr. MILLS:

H.R. 13830. A bill to continue for a temporary period the existing suspension of duty with respect to certain gifts from members of the Armed Forces serving in combat zones; to the Committee on Ways and Means.

By Mr. NICHOLS:

H.R. 13831. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. POOL:

H.R. 13832. A bill to amend the Natural Gas Act to provide that, in fixing rates for the transportation of natural gas in interstate commerce or for the sale in interstate commerce of natural gas for resale, the Federal Power Commission shall reflect changes in the purchasing power of the dollar after December 31, 1966, in determining the utility plant and related reserve for depreciation components of rate base for natural-gas pipeline companies; to the Committee on Interstate and Foreign Commerce.

By Mr. FALLON (for himself, Mr. Blatnik, Mr. Jones of Alabama, Mr. Kluczynski, Mr. Gray, Mr. Wright, Mr. Edmondson, and Mr. Gilbert):

H.R. 13833. A bill to provide that the post office and Federal office building to be constructed in the Bronx, N.Y., shall be named the Charles A. Buckley Post Office and Federal Office Building in memory of the late Charles A. Buckley, a Member of the U.S. House of Representatives from the State of New York from 1935 through 1964; to the Committee on Public Works.

By Mr. FLOOD:

H.R. 13834. A bill to provide for the increase of capacity and the improvement of operations of the Panama Canal, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. GARMATZ:

H.R. 13835. A bill to amend title II of the Marine Resources and Engineering Development Act of 1966, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. WHITE:

H.R. 13836. A bill giving the consent of Congress to the addition of land to the State of Texas and ceding jurisdiction to the State of Texas over a certain parcel or tract of land heretofore acquired by the United States of America from the United Mexican States; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 13837. A bill to amend the River and Harbor Act of 1965 to prohibit certain fees from being charged in connection with projects administered by the Secretary of the Army; to the Committee on Public Works.

By Mr. BATTIN:

H.R. 13838. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. BUCHANAN:

H.R. 13839. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. DULSKI:

H.R. 13840. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. HERLONG:

H.R.13841. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. MORRIS:

H.R. 13842. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. WALKER:

H.R. 13843. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. DULSKI:

H.R. 13844. A bill to amend title 5, United States Code, to provide time off from duty without loss of pay or reduction in leave for employees of executive agencies to attend and make necessary arrangements in connection with the funerals of their sons or daughters in the U.S. Armed Forces overseas who died in or as a result of armed conflict with a hostile foreign force or forces, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. EDMONDSON (for himself, Mr. Ashbrook, Mr. Betts, Mr. Dent, Mr. Edwards of Louisiana, Mr. Fulton of Pennsylvania, Mr. Hechler of West Virginia, Mr. Ichord, Mr. Kee, Mr. Kornegay, Mr. Moore, Mr. Quillen, Mr. Saylor, Mr. Sisk, Mr. Slack, Mr. Staggers, and Mr. Whitener):

H.R. 13845. A bill to provide for the orderly marketing of flat glass imported into the United States by affording foreign supplying nations a fair share of the growth or change in the U.S. flat glass market; to the Committee on Ways and Means.

By Mr. FRASER:

H.R. 13846. A bill to provide for a comprehensive program for the control of noise; to the Committee on Interstate and Foreign Commerce.

H.R. 13847. A bill to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulations, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GALLAGHER:

H.R. 13848. A bill making continuing appropriations for community action programs for the fiscal year 1968, and for other purposes; to the Committee on Appropriations.

By Mr. KING of New York:

H.R. 13849. A bill to increase employment opportunities for individuals whose lack of skills and education acts as a barrier to their employment at or above the Federal minimum wage, and for other purposes; to the Committee on Education and Labor.

By Mr. MADDEN:

H.R. 13850. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 13851. A bill to establish a Domestic Development Bank to assist in the development of employment and business opportunities in certain urban and rural areas; to the Committee on Banking and Currency.

By Mr. PUCINSKI:

H.R. 13852. A bill to amend section 4 of the act of March 3, 1905, to prohibit the dumping of certain spoil into the Great Lakes; to the Committee on Public Works.

By Mr. RIEGLE:

H.R. 13853. A bill to amend the Federal Water Pollution Control Act, as amended, to authorize a program of research and demonstration for the control of pollution in lakes: to the Committee on Public Works.

B Mr. WATSON:

H.R. 13854. A bill to provide that daylight saving time shall end on the first Sunday following the first Monday of September of each year; to the Committee on Interstate and Foreign Commerce.

By Mr. WYMAN:

H.R. 13855. A bill to amend title 38 of the United States Code to entitle certain veterans of peacetime service to hospitalization for non-service-connected disabilities on the same basis as veterans of period of war; to the Committee on Veterans' Affairs.

By Mr. SAYLOR:

H.R. 13856. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

My Mr. WIDNALL:

H. Con. Res. 570. Concurrent resolution providing that it is the sense of Congress that the President should accord preeminence to safety in the operation of all Federal airway and air travel undertakings along with the maintenance of the standards of safety intended by Congress in all Federal programs relating to all phases of air travel; to the Committee on Interstate and Foreign Commerce.

By Mr. WHALLEY:

H. Res. 964. Resolution to urge the President to release the highway trust funds; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 13857. A bill for the relief of Helga Christiansen; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 13858. A bill for the relief of Francesco Ragusa; to the Committee on the Judiciary.

By Mr. BROCK:

H.R. 13859. A bill for the relief of Maj. Clyde Nichols (retired); to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 13860. A bill for the relief of Tsin Yee Chen; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 13861. A bill for the relief of Giovanni Casillo; to the Committee on the Judiciary.

H.R. 13862. A bill for the relief of Benedetto Marasa and son Giuseppe Marasa; to the Committee on the Judiciary.

By Mr. GATHINGS:

H.R. 13863. A bill for the relief of Choi Sung Joo; to the Committee on the Judiciary.

By Mr. HOWARD:

H.R. 13864. A bill for the relief of Ernesto Bautista and his wife, Melinda Q. Bautista; to the Committee on the Judiciary.

By Mr. RIEGLE:

H.R. 13865. A bill for the relief of Mrs. Ezra L. Cross; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 13866. A bill for the relief of Miss Margherita Badolamenti; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 13867. A bill for the relief of Daniela Skaradzinska; to the Committee on the Judiciary.

By Mr. UDALL:

H.R. 13868. A bill to authorize the Secretary of the Interior to convey certain lands situated in Arizona to Mrs. Hallie Griffin; to the Committee on Interior and Insular Affairs.

EXTENSIONS OF REMARKS

A Negotiable Goal in Vietnam

EXTENSION OF REMARKS

OF

HON. ALBERT GORE

OF TENNESSEE

IN THE SENATE OF THE UNITED STATES

Thursday, November 2, 1967

Mr. GORE. Mr. President, the St. Louis Post-Dispatch recently published excerpts from a speech on the Vietnam war that I recently made in the Senate. With the thought that this shortened or edited version might prove worthwhile for some to read and contemplate, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

A NEGOTIABLE GOAL IN VIETNAM

(From a Senate speech by ALBERT GORE, Democrat of Tennessee)

Is U.S. security truly involved in the war in Vietnam? For what lesser cause would we send men to fight and die? That has always been the central issue, as I have seen this problem. It is precisely on this level and upon this point that our policies, particularly our future policies, should be examined.

I don't think that President Johnson has shown—or that anyone has shown—that our national interest in Vietnam is "real."

The truth, as I see it, is that the war in Vietnam is a quagmire into which we have stumbled, and from which we must extricate ourselves as honorably, as cleanly, and as gracefully as possible. Other nations have found the political courage, the will, and a manner with honor to extricate themselves from untenable and dangerous positions—Russia from missile bases in Cuba, France from Algiers.

The invocation of the threat of China—perhaps obsession would be a better word—is as true today as it has ever been. But does this establish a mortal danger for the United States in happenings in Vietnam?

I think that most experts on Vietnam would concur that North Vietnam is far from being an actual—let alone willing—Chinese puppet or satellite. Two thousand years of Vietnamese-Chinese relations have left the Vietnamese with feelings toward the Chinese which one eminent authority has described as "like those of the Irish for the English of Oliver Cromwell's day."

And as the war continues—although the pronouncements of the Administration repeat, and repeat, and repeat the view that it is Peking that stands behind Hanoi—the Soviet Union has become North Vietnam's chief military and economic provider.

Even taking the Administration's case at face value—which I do not, except for purposes of argument—if the war in Vietnam is a confrontation between "Asian Communism" and the free world, a confrontation that will determine not only the future of Asia but also the future of the United States—the battle is being fought in the worst possible place and at a place and under conditions of the enemy's choosing.

I believe our leaders are mesmerized by mirages in Vietnam and that as a result they see national interests there where none exist. But this is only part of the tragedy of this quagmire war. The other part of the tragedy is that, mesmerized by mirages, we are unable to see where our real national interests lie.

It seems clear to me—it has for some time—that our real national interests lie in our present and future relations with the two other great powers in the world, the Soviet Union and China. Unquestionably, the war in Vietnam is worsening our relations with both the Soviet Union and Communist China, and, I might add, with most of the rest of the world.

We are not "maintaining the balance of power," but upsetting it.

The Administration says it wants to negotiate. But what is there to negotiate if we are truly protecting our vital national interests in South Vietnam? If in fact we are in mortal peril in Vietnam, what is there to negotiate?

There is something that may be negotiable, and that is the neutralization of Southeast Asia. So far as I am concerned, this would be in our true national interest. Thus far, the Administration does not seem willing to negotiate on this basis.

While we have stated our willingness to negotiate without conditions, we have not made clear, at least publicly, the kind of Vietnam we envision when negotiations have been completed, other than in such phrases as "independent," "free," "self-determination," and the like.

Something less than our real objective in Vietnam would be the neutralization of Southeast Asia. It would also be something less than the apparent objective of the communists supporting the Vietcong. It just may well be that an indication of our willingness to settle for neutralization would produce the negotiations we have sought for many months. There remains the question of whether such a settlement would serve our vital national interests. In my opinion, it would.

No lasting settlement or accommodation can be achieved if negotiations are conducted only among major powers with the thought that the terms upon which the major powers agree can be imposed upon Southeast Asia without regard to the wishes of the people there. In my view, if negotiations are to produce lasting benefit, they must involve discussions at multiple levels, including negotiations between the Saigon regime and the National Liberation Front.

Having lost our innocence in Vietnam, can we retain our honor? I believe that we can because of the common interests—if we and they can but see them through the smoke and fire or war—that exists even between the North Vietnamese and the people of the United States.

The first common interest we share is a desire and need to end the war. American lives are being lost and American treasure spent, but the North Vietnamese are losing far more. By ending the war, we could save our lives and our precious material resources. But they could save their country.

The second, and more subtle, common interest is that it seems logical to me to assume that neither the North Vietnamese nor, for that matter, the Soviets would want necessarily to see the United States humiliated and bereft of power in Asia, for the result would surely be a surge of Chinese influence through the Asian Continent. A peace with honor is therefore not only essential for us; it should be essential for North Vietnam as well, if she still clings, as she has clung for a thousand years, to her own nationalism.

From a review of the record, it seems clear to me that we have no legal commitment that requires us to expend the effort we have undertaken in Vietnam.

What actual commitment we have there, we have managed to create for ourselves. It is as if, by saying over and over publicly that we are committed to restore order and tranquility in South Vietnam, we have somehow convinced ourselves that we are legally bound and honor bound to do so, whatever the cost.

In addition to whatever formal legal commitment we may or may not have in Vietnam, there is what is called our moral commitment to assist a people in quest of freedom. Lest we be carried away by this emotional, idealistic appeal, let us remember that there are many other Communist regimes, in China, in Russia—yes, and there is one in Cuba. Our moral commitment to liberate our neighboring people in Cuba should be at least equally strong. Even so, it does not necessarily follow that we should launch a major military effort to overthrow Castro. These indefinite "moral commitments" have their limitations. They must be measured by our own "vital national interest."

In the final analysis, we should be guided by these vital national interests. It has long been my view and, as I have said, it is now my conviction that our national interests are not served by a major military operation in Southeast Asia.

The President's Historic Achievement: Unprecedented Economic Growth and Vitality

EXTENSION OF REMARKS

OF

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 1967

Mr. BROOKS. Mr. Speaker, amid all the Republican cries of "fiscal disaster" on the part of the Johnson administration, the United States has now entered the 81st month of economic prosperity.

This is the longest expansion of its kind in American history. And this is Johnson prosperity.

The record shows that we have not had any of the recessions that were so prevalent when the Republican fiscal experts ruled the economic roost.

No, Mr. Speaker, it has taken Democrats to keep the Nation on a sound and even keel.

Under President Johnson and President Kennedy before him, more than 9 million more Americans have found jobs; consumer income after taxes has risen 40 percent; and the gross national product has risen at an average rate of 5.2 percent a year.

This kind of economic growth did not happen by chance. It happened by reason and firm leadership of the administration and the support of Democratic Congresses.

It is interesting to note, Mr. Speaker, that between 1854 and 1961, the average duration of economic expansions in the United States was 30 months. This expansion is remarkable not only for its longevity, but for its undiminished vigor. And it is a tribute to the soundness and wisdom of the fiscal and economic policies of the Johnson administration.

Mr. Speaker, President Johnson and

the Democratic Party can go to the American people next year with their promises kept. We have promised to keep the Nation moving ahead; and we have done so.

On this great and historic occasion, it is well that we not only count our blessings, but also continue to support the President and the Democratic leadership who have made possible this marvelous growth unprecedented in mankind's history.

"Do Not Go Gentle Into That Good Night"

EXTENSION OF REMARKS

OF

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 1967

Mr. McCARTHY. Mr. Speaker, on Tuesday night, October 17, CBS–TV presented one of the finest dramatic broadcasts I have ever seen: "Do Not Go Gentle Into That Good Night."

Mere words do inadequate justice to the acting quality as well as the sharp impact of the play.

Great credit should be given to Sylvania color TV and the parent corporation, General Telephone & Electronics, whose enlightened attitude sponsored the entire drama free of interruption by commercials.

Mr. Speaker, on October 20, I wrote Dr. Frank Stanton, president of CBS, commending CBS and General Telephone & Electronics on the program, I, therefore, include the letter and Dr. Stanton's reply in today's RECORD:

OCTOBER 20, 1967.

Dr. FRANK STANTON,
Columbia Broadcasting System,
New York, N.Y.

DEAR DR. STANTON: Bravo! May I congratulate CBS–TV for your superlative venture into television drama with the performance of "Do Not Go Gentle Into That Good Night."

If the quality of the acting and the impact of the play wasn't so high, I'd be tempted to say that the best part of Tuesday's show was the absence of the everpresent commercial for which General Telephone and Telegraph Company deserve the highest accolades.

You have truly added to the quality of TV entertainment with the inauguration of the series and I would offer you every encouragement to continue to uplift and educate your millions of viewers with programs of equal stature.

Yours sincerely,
RICHARD D. McCARTHY,
Member of Congress.

COLUMBIA BROADCASTING SYSTEM, INC.,
New York, N.Y., October 27, 1967.

Hon. RICHARD D. McCARTHY,
Cannon House Office Building,
Washington, D.C.

DEAR MR. McCARTHY: I am delighted to know of your enthusiasm for "Do Not Go Gentle Into That Good Night," and for the enlightened patronage of General Telephone & Electronics. Your encouragement will reinforce our determination to bring such quality drama to our audiences, and will reach those responsible for that mission.

With all good wishes.

Sincerely,
FRANK STANTON.

Help for the Handicapped

EXTENSION OF REMARKS

OF

HON. JOHN N. ERLENBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 1967

Mr. ERLENBORN. Mr. Speaker, if one mentions the initials, ADA, here in Washington, people tend to associate the remarks with a body of theorists with some rather fuzzy ideas about American economy and politics. Elsewhere throughout the country, however, people recognize that the Americans for Democratic Action are interlopers in using these initials. People recognize that the rightful owners are the members of the American Dental Association.

This latter body met here in Washington recently, and I was privileged to talk to a number of the visiting dentists. I was particularly pleased to spend a few minutes with an old friend, Dr. Max L. Bramer, and to hear from him of an innovation in the care of people whose dental needs are often forgotten.

Doctor Bramer is a longtime resident of the 14th District, which I represent, but his practice is in Chicago, and he is chief of the section on the handicapped at Michael Reese Hospital in Chicago.

Throughout a long practice, he has devoted much time and talent to the treatment of persons whose physical or mental handicaps create real problems. He has devised many devices and has developed special equipment to enable him and his colleagues to bring merciful relief to people who need relief more than most of us.

As a result of Dr. Bramer's initiative, the Du Page County Health Department has become the headquarters of a new not-for-profit corporation known as Home Care Dental Service of Du Page County. This is a community approach to the health needs of handicapped patients, and it has been approved by the Community Nursing Service, the Community Welfare for Mentally Retarded Children, the Public Health Council of Du Page County, and the county's organized dentists.

This corporation has been provided with portable dental equipment, so that any person who needs dental care but who cannot go to the dentist's office will not need to accept a low level of dental treatment.

The Home Dental Care Service has established a sliding scale of fees for those able to pay, and has a reserve fund to care for those unable to pay.

Mr. Speaker, as far as is known, Du Page is the first county in the United States to provide such a service for people who cannot leave home. The people owe much to Dr. Charles Lange, who, as the county director of public health, is custodian of this equipment, and to Dr. Bramer, whose humanitarian instincts are given expression in this new service.

Revolving Credit Is the Crux—Remarks by Congresswoman Sullivan at Consumer Assembly 1967 on the Consumer Credit Bill

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 2, 1967

Mrs. SULLIVAN. Mr. Speaker, it was a great thrill for me this afternoon to stand in the Regency Ballroom of the Shoreham Hotel and see that vast room filled with men and women organized to battle for consumer causes. Consumer Assembly 1967, meeting in Washington today and tomorrow, has brought together an impressive array of Americans, from all parts of this country, who have learned that the consumer cause—which is everyone's cause—cannot prevail unless consumers band together and fight for that cause.

I sincerely hope the newspapers and television will carry full reports on the proceedings of this important meeting. The presence there today of President Johnson, who made an outstanding address, and of such other speakers as the Honorable WRIGHT PATMAN, chairman, of the House Committee on Banking and Currency, Senator GAYLORD NELSON of Wisconsin, and the Honorable Betty Furness, special assistant to the President for consumer affairs, underlined the importance of this event.

It was my privilege, Mr. Speaker, to appear at the parade of consumer stars rally along with the speakers named above, and to have the opportunity to discuss truth in lending and other aspects of the consumer credit legislation now pending in the House Committee on Banking and Currency.

The chairman of the rally, one of the finest men to serve in the House, was former Representative Jerry Voorhis.

Mr. Speaker, under unanimous consent, I submit for inclusion in the RECORD the remarks I made this afternoon at the Consumer Assembly 1967 rally, as follows:

REMARKS BY CONGRESSWOMAN LEONOR K. SULLIVAN, CHAIRMAN, SUBCOMMITTEE ON CONSUMER AFFAIRS, HOUSE COMMITTEE ON BANKING AND CURRENCY, AT CONSUMER ASSEMBLY 1967 RALLY, SHOREHAM HOTEL, WASHINGTON, D.C., 1 P.M., THURSDAY, NOVEMBER, 2, 1967

I deeply appreciate the recognition accorded me this afternoon by the Consumer Assembly in designating me as one of the "stars" of the consumer movement in the United States. Long before the Consumer Assembly was ever thought of, I suppose I was subconsciously aiming to be one of those designated here today. For, ever since coming to Congress in 1953, I have tried to make it my purpose to serve the consumer interest in national legislation.

In 1953, there were no Congressional Subcommittees on Consumer Affairs; there was no office in the White House or anyone in the White House devoted to this area; there was no Consumer Assembly; and there were very few Members of Congress interested in the subject. The Food, Drug and Cosmetic Act was full of serious holes—some of which, I am sorry to say, still exist, although many others have been repaired. Pesticides were such an unknown (and generally unfeared) problem that Federal regulation was virtually nil. Poultry of the filthiest kind moved in interstate commerce without Federal inspection. Chemicals of doubtful safety were being used in foods in such proliferation—despite the findings of the Delaney Committee in 1949–50—that no one knew what harm they were doing. There was no necessity to have these additives tested and cleared before they could be used.

We still have such a long road to travel before even the health aspects of consumer protection are adequately taken care of—the votes in the House Tuesday on meat inspection gave a good illustration of that fact—that no one in the consumer movement can dare to relax and consider the big victories all won. They are far from won.

So many consumer victories *were* won in recent years, however—not this year, but in the 88th and 89th Congresses, and particularly last year—that there is no longer a sufficient sense of urgency among the general public over consumer problems which still continue unsolved. Thus, the work of a Consumer Assembly is even more important *now* than it is when the public is actively aroused over consumer causes. For you must now help to develop an interest where it does not yet manifest itself.

As a Member of Congress deeply involved in many of the issues in which you are also concerned, I see much evidence of *your* interest—in *your* letters as officials of organizations or consumer groups. But I don't see much evidence of your *effectiveness* right now. You are not reaching *your own people* and enlisting *their* active help and support.

Despite an excellent public relations campaign in behalf of the Smith-Foley bill on compulsory Federal inspection of most of the meat in intrastate commerce, much of it unfit to eat, we failed rather miserably on this issue on the House Floor Tuesday. There were many reasons, of course. But the main one, I feel, was that so few *housewives* wrote in on this subject that only a handful of Members of the House were concerned enough to stay on the House Floor for the hard fighting in Committee of the Whole, where the real damage can most easily be done.

On the consumer credit bill, we have been hearing from some of the *business* interests which have a stake in the battle over revolving credit, but not from many customers, who have a much larger stake in it. *You* good consumer leaders write us; your people don't.

Don't they know about the fight? Or don't they care?

Even when we do hear from the individual consumers on this bill; the chances are that the issue which is at the *very heart* of this controversy—revolving credit—is not even mentioned. I received a letter just yesterday from a consumer group in Minnesota who seemed to feel the Senate-passed bill on truth-in-lending was a good bill which needed a push to get through. We need *no push* to get through a bill which contains all of the special interest exemptions of the Senate measure. All 12 members of my Subcommittee are committed *at least* to that kind of measure and a majority of us favors from a *little* to a *lot more* than the Senate-passed bill.

The Senate bill completely exempts first mortgages, no matter how unconscionable the terms or how fantastic the extra charges. It exempts from the annual rate disclosure requirement the great bulk of consumer credit transactions—those up to about $110.00. It does not include credit life insurance in the annual percentage rate. It does nothing about garnishment, the worst weapon used by predatory credit outfits in victimizing the poor. It sets up a special "sweetheart" exemption for revolving credit. And it completely ignores the many abuses in the advertising of credit.

But revolving credit is the crux. On that, we divided 6 to 6 in the Subcommittee. And the big retailers, who use computerized credit systems and delight in the exemptions they have won from the Senate for their type of credit, see a clear victory ahead for the special privileges contained for them in the Senate bill.

Believe it or not, our greatest hope right now in getting through a strong bill which would treat *all* forms of consumer credit alike seems to rest in the efforts being put forward by a group which would really prefer no legislation at all—the small town and big city furniture dealers, who sell on the installment basis, and who have warned their Congressmen that they may be put out of business if they have to tell their customers they are charging *at the rate* of 18% a year, say, for credit arrangements similar or identical to those which the department stores, or Sears or the others on revolving credit, can offer at the expressed rate of 1½% a month. To the customer, the one statement of credit cost sounds very high, the other very low. Yet in this example the rates are the *same*. Why not then require use of comparable terms? How else can the consumer *compare* credit costs?

What the chain retailers want—and got from the Senate—is a device to *hide* from the average consumer the *comparable* cost of their credit in relation to other forms of consumer credit. Could this be *truth* in lending?

As I said, the big retailers have won this argument in the Senate and with *half* of the Members of my Subcommittee; they are making great inroads with other Members of Congress, too. In the full Banking Committee, the issue as between a weak or strong bill is *so close* that a single uncommitted Member might represent the deciding vote. On the House Floor, we will lose—our efforts for a strong bill will be killed—unless the public *is* aroused, and that means that you people must get busy, really busy, in reaching the rank and file. I need no resolutions from your *organizations;* I need support from individual voters in every Congressional district. Can you help me?

Chairman Wright Patman of the full Committee, who has been fighting for the cause of the moderate and low-income citizens during all of his long and distinguished career in politics, has given me all of the help and support it is possible for any Committee Chairman to give a Subcommittee Chairman. Without his backing, I could never have held the illuminating and far-reaching hearings our Subcommittee conducted. But he has *only one vote* in Committee and on the Floor.

If we lose in this battle, you can all look for an explosion into all credit fields of open-end or revolving credit such as the department stores have devised and developed, and soon, more than half of all consumer credit would be outside the fully effective coverage of truth-in-lending regulation. Without realizing it the public would be paying 18 or 24% interest on a majority of its credit transactions.

The 90th Congress is not the 89th. It does not have the liberal majority we had last year. Its *punch* was *lost* even before we convened—it was lost just exactly one year ago, when so many of the promising freshman Democrats of the 89th Congress were defeated for re-election by Republicans who stand pat with their party elders and form the deciding margin in obstructing good legislation.

This is not a political rally today, I know. Many of the organizations you represent do not participate directly in political activity, and, in fact, are not permitted to do so.

But aside from Federal employes, there is no reason why all of you here who deeply *care* about consumer causes can not use some of your *individual prestige* to get out and work for the election of the kind of Congressmen who will be responsive to consumer needs. That includes Congress*women*, too.

On the other hand, no matter how hard you work in that direction, it will be at least a year before the House can be re-oriented again toward the consumer. What about the period between now and then?

My advice is this: Let those who now have the responsibility for casting votes in the House on consumer legislation know that you are *gunning for their hides* if they continue to evade their legislative obligations to consumers.

Make it clear to them that by voting for bills which are all title and no substance—bills stripped of their consumer provisions—they are not winning consumer confidence.

I have seen you people work when you are really fired up on a bill which *means* something to you and to your members. I have seen the galleries filled with *head counters*—keeping track of who is on the Floor, who is going down the line on the decisive teller votes. You call Members in their offices to find out why they are not on the Floor for the unrecorded votes where the real damage is done. I haven't *seen* any of that *effective* work lately. What's wrong? Is everyone tired?

Or aren't the issues that important any more?

I have come here today to accept your gracious expressions of appreciation for my efforts on consumer causes, but, like a Dutch aunt—and my maiden name was Kretzer, I might add—I have scolded you for not doing enough. Perhaps I should apologize for that.

Well, I will apologize—but only when your absolutely essential efforts succeed in helping us to get through a good, strong, effective consumer credit bill. It can't be done without far more work than has been put into it so far, and you people, and the people you represent, are the only ones who can really do this job.

HOUSE OF REPRESENTATIVES

Friday, November 3, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Blessed are they that hear the word of God and keep it.—Luke 11: 28.

Eternal God, our Father, we thank Thee for the coming of another day and for the opportunity it provides to work with Thee in the service of our country. May the hours glow with the glory of Thy presence and in everything we do may we be mindful of Thy good spirit.

We come to Thee with real regrets and high hopes, each one of us with a prayer of our own. If we are weary, strengthen us; if we are worried, grant us a peace that calms anxiety; if we are wayward in thought and deed, steady us; if we are wavering in our allegiance to high ideals, be Thou our rock and our fortress; if we are forever seeking our own way, help us to see that there may be other ways and above all to see Thy way.

Enable us to meet the tasks of this day with unwavering strength and unwearying endurance. May we continue our work with an integrity of spirit and a steadfastness of purpose, to Thy glory and for the good of our Nation. In the name of Christ, we pray. Amen.

THE JOURNAL

The SPEAKER. The Clerk will read the Journal of the proceedings of Thursday, November 2, 1967.

The Clerk began the reading of the Journal.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 360]

Abbitt
Adair
Andrews, Ala.
Ashley
Aspinall
Barrett
Berry
Bingham
Boggs
Bray
Broomfield
Brown, Ohio
Buchanan
Burke, Fla.
Burleson
Button
Casey
Celler
Chamberlain
Clark
Conable
Corman
Cowger
Culver
Cunningham
Curtis
Daddario
Dawson
Denney
Derwinski
Diggs
Dow
Dulski
Eckhardt
Esch
Eshleman
Everett
Evins, Tenn.
Farbstein
Fino
Fisher
Ford, William D.
Fountain
Fraser
Fulton, Tenn.
Fuqua
Gardner
Gathings
Giaimo
Gubser
Gurney
Haley
Halleck
Halpern
Hammerschmidt
Hardy
Harsha
Harvey
Hathaway
Heckler, Mass.
Helstoski
Herlong
Horton
Hull
Ichord
Jarman
Jones, Mo.
Jones, N.C.
Karth
King, N.Y.
Kluczynski
Kuykendall
Leggett
Lloyd
Long, La.
McEwen
McMillan
Mathias, Calif.
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Morgan
Morris, N. Mex.
Mosher
Multer
Murphy, N.Y.
Myers
Nelsen
Nix
Ottinger
Passman
Pettis
Philbin
Pickle
Poage
Pool
Pryor
Rarick
Resnick
Rostenkowski
Ruppe
St Germain
St. Onge
Sandman
Selden
Sikes
Smith, Iowa
Smith, N.Y.
Snyder
Springer
Steed
Taft
Teague, Tex.
Thompson, N.J.
Tiernan
Tunney
Utt
Waggonner
Waldie
Walker
Watkins
Watson
Watts
Wiggins
Williams, Miss.
Williams, Pa.
Willis
Wilson, Bob
Wilson, Charles H.
Winn
Wydler

The SPEAKER. On this rollcall 298 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE JOURNAL

The Clerk proceeded to read the Journal of the proceedings of yesterday.

The SPEAKER. Is there objection to dispensing with further reading of the Journal?

Mr. GROSS. Mr. Speaker, I object to dispensing with further reading of the Journal.

Mr. ALBERT. Mr. Speaker, I move that further reading of the Journal be dispensed with.

The SPEAKER. Is there objection to the motion of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, I object.

The SPEAKER. Objection is heard. The question is on the motion offered by the gentleman from Oklahoma.

The question was taken.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will state that the rollcall just disclosed the presence of a quorum.

The motion was agreed to.

The Journal of the proceedings of yesterday was approved.

PROVIDING FOR CONSIDERATION OF S. 2388, ECONOMIC OPPORTUNITY AMENDMENTS OF 1967

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 966 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 966

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2388) to provide an improved Economic Opportunity Act, to authorize funds for the continued operation of economic opportunity programs, to authorize an Emergency Employment Act, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed six hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider without the intervention of any point of order the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill, and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The gentleman from Indiana is recognized for 1 hour.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from Michigan.

LEGISLATIVE PROGRAM FOR TODAY

Mr. GERALD R. FORD. Mr. Speaker, I take this time to ask the distinguished majority leader the program for this afternoon, the measures which it is anticipated will be brought up.

Mr. ALBERT. Mr. Speaker, if the gentleman will yield, in response to the inquiry of the distinguished minority leader, the only legislative business this afternoon is the pending resolution which the gentleman from Indiana has called up.

Mr. GERALD R. FORD. Mr. Speaker, I thank the distinguished majority leader.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ANDERSON], pending which I yield myself such time as I may consume.

Mr. Speaker, this resolution (H. Res. 966) calls up for debate and amendment S. 2388, properly known as the poverty relief legislation, or officially the Economic Opportunity Act. Chairman PERKINS and members of the Health, Education, and Labor Committee are to be commended for the 26 days of public hearings and the many days in executive session in the task of assembling this legislation and the accompanying report.

On Monday, and Tuesday—city elections—general debate is scheduled, and on Wednesday the House will consider amendments and a rollcall vote on this legislation.

I do hope that these days of debate will be on a high level, eliminating false charges and exaggerated criticism of this much-needed and necessary legislation.

A nationwide, complex organization to conduct the many offices and personnel required to successfully administer this vast national program cannot be streamlined to perfection in the short time that it has been in operation. No doubt there have been mistakes made by various officials, supervisors, and OEO personnel, but I am satisfied that the top officials are doing everything possible to correct and eliminate some of these mistakes and errors of organization.

JOB TRAINING

In the hearings yesterday by the Rules Committee, one of our colleagues in criticizing some of the various branches of the so-called poverty administration, stated that amendments would be offered to this bill for the purpose of giving private enterprise the responsibility to create and expand jobs for the unemployed and training for the uneducated or inexperienced American youth who have not had the opportunities to learn a trade requiring skill or some of the construction "craft" jobs. At the committee hearings yesterday I called attention to the impossibility of this succeeding, owing to the fact that industry, business, and private enterprise are not equipped to carry out the many functions that the EOA program is gradually and successfully solving in order to improve and expand our future economy.

As an example, I called the committee's attention to the situation existing in the great industries of the Calumet region of Indiana, which I represent. The three major steel mills, a half dozen oil refineries, and several hundred other factories and free enterprise institutions have, during the last 15 or 20 years, installed modern, laborsaving machinery which enables an industry to put out twice the production with but 25 percent of labor required 15 or 20 years ago. For instance a retired employee of United States Steel in Gary said that in one department where he worked in 1945 approximately 700 people were employed. Today, by reason of the installation of modern, scientific, electrical, pushbutton machinery, almost twice the amount of steel is being produced with only approximately 100 employees. The same situation applies to thousands of factories and mills throughout America. The problem that this Congress and our Government must try to solve is to provide employment and income for millions of part-time or unemployed families. They must have food, clothing, and education.

Two weeks ago the newspapers over the Nation carried a report that the population in the United States reached 200 million persons. Older folks remember 1915 when great publicity was given to the fact that our country reached the 100 million mark in population. This same article predicts that the next 100 million will arrive not 50 years from now, but approximately 22 years from now. Surveys have been made revealing that 71 percent of our population is now living in urban centers. If the prophecy of this newspaper article is correct, 22 years from now the cities and urban centers will have 71 million more people added to the present population of approximately 210 million people confined to our metropolitan areas. Unless the Government supervises and enacts legislation along the lines of the so-called Equal Opportunity Act, which we are considering today, this Nation will be faced with unemployment, uprisings, riots, discontent, and the danger of the very foundations of our present system of government being destroyed and overthrown.

HEADSTART

I do not maintain that the enactment of this program, the so-called poverty program, is the solution, but I do say that during its rather brief existence it has helped millions of our unemployed and poverty-stricken families and millions of our young folks to be given an opportunity to learn a trade or skill that will enable them to provide for themselves. In addition, millions of younger children have been given invaluable information in the so-called Headstart programs in order to instill in their young minds the necessity to continue their education to lay a foundation to become productive future citizens of America.

In my congressional district there are 28 centers established to meet the comprehensive education, health, and welfare needs of economically deprived children who are about to enter school. Approximately 2,000 youngsters were enrolled in this program during the summer of 1967. These youngsters received a complete medical and dental checkup and followup work when necessary. In addition, parents are encouraged to take an active part in the program.

NEIGHBORHOOD OPPORTUNITY CENTERS

The neighborhood opportunity centers are also established in my district to help poverty-stricken and backward people learn methods to aid and help their families. Different church societies and organizations, health groups, visiting nurses, human relations groups, and so forth, are all taking interest in the poverty program in the Calumet region of Indiana. The Trade Winds Rehabilitation Center in Gary, financed with free labor by the AFL Building Trades Union, has been working in cooperation with the poverty program in conducting a speech and hearing class for economically deprived children in aiding them to speak plainly and build confidence so they can enter school with their young neighbors. The OEO organization has also established a home management and consumer education project, aiding low-income women to learn techniques which would improve homelife and teach them to become effectively involved in their communities. The Visiting Nurses Association of East Chicago are working in cooperation with the OEO in establishing a public health and education program for low-income families. In my area the OEO established numerous summer programs for grade and high school children to be given the opportunity for exercise and practical education outside the schoolroom, and these programs have greatly reduced juvenile delinquency in our district. They have provided summer day camps, swimming programs, and other recreation for the youth.

VISTA

Many volunteers have joined the VISTA program in order to visit homes and aid in every way to improve and uplift the lives of poor and impoverished American families. This work has brought about great results in aiding parents with delinquent boys and girls in elevating their home life and extending cooperation to place their youth in temporary jobs or pursuits that will take them off the streets and away from youthful clubs and gangs. The poverty program has also established a free and voluntary nursing project. Many doctors have volunteered to aid in expanding these programs.

I fully realize that it is difficult for some Members of Congress, representing rural districts and smaller towns throughout the country, to visualize the hazards and the shocking conditions which exist in the slum areas of most metropolitan cities.

Statistics reveal that in the average metropolitan industrial communities that 13.8 percent of the families have an income of less than $3,000 per year.

Approximately 3 percent of the families have an income of less than $1,000 annually.

Nine percent of the families are in houses which are substandard.

About 6 percent received aid from dependent children's funds.

Of the total population over the age of 65 approximately 11 percent receive old-age assistance.

As I previously outlined in my remarks, there will be approximately 70 million more people living in these urban areas 20 years from now. The situation is critical now, and as the years pass it will not only expand and become more critical, but if the Congress and the Government reject their responsibilities to solve these problems it might mean that in another generation the very citadels and pillars of our free enterprise system as we know it will be destroyed. The next generation will condemn our present-day leaders for not erecting and providing solutions and barriers against the continuance and expansion of these conditions.

Some Members are deploring the cost of this OEO program. We should not forget that millions of our youth and unemployed will be placed on an income-producing basis in a few years, by reason of this training and cooperative assistance. They will become taxpayers instead of dependents on future tax relief rolls. After World War II our gross national product was approximately $202 billion—today it is approximately $770 billion, so the Nation can easily afford this solid investment in our future.

I hope the Congress enacts this legislation and provides for future expansion so we can bring about a curtailment of poverty, unemployment, and discontent throughout the land.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think it is rather interesting to observe some of the language that is contained in this resolution, the resolution that would make in order the consideration of the so-called antipoverty bill, because it says on line 4 of this resolution that it is to "provide for an improved Economic Opportunity Act." That, certainly, is a result devoutly to be hoped for in view of all the criticism that has emerged and the strife that has swirled around this program since its inception.

Mr. Speaker, upon occasion it is very interesting, and usually very instructive, to go back and read the debates which have taken place in this body, debates as they relate to legislation—and I did that last night.

Mr. Speaker, I thought of our late and distinguished colleague, our beloved friend from Ohio, the late Clarence Brown, who spoke almost in prophetic terms about this program as we opened the debate back in 1964, at a time, incidentally, when it carried a price tag of only $962 million, and not the $2 billion-plus we have today. In referring to this legislation he said:

> In my 46 years during which I have served in public life I have never seen a piece of legislation so loosely drawn, so poorly prepared, so poorly written, and so badly drawn.

Mr. Speaker, he said that in 1964.

We heard, of course, when we had the so-called Economic Opportunity Amendments of 1966 pending before us some of the same apologies, some of the same excuses that were offered previously, that after all, we were plowing new ground, and that this was an experimental area and, therefore, we had to expect many mistakes.

Of course, Mr. Speaker, the Members of Congress are getting letters currently from their constituent-taxpayers back home, constituents who object to the taxload and who are a little bit hard pressed. When they are told they must overlook these mistakes for just another year they get upset.

One constituent writes to the effect that he realizes that we are harassed because he says he wonders what Moses would have done with the Ten Commandments if he had to get them through the legislative process? What does it take to accomplish these objectives, even after the Committee on Education and labor had held 26 days of hearings, and after all of these witnesses had come to testify before that committee in behalf of the bill which I still think represents much less than what we hope for and stands in very obvious need of improvement.

Mr. Speaker, it was back in March 1964 that the President declared a national war on poverty. The announced objective at that time, of course, was "total victory."

As of June 1967—and I do not have later figures than these—but as of June 1967 the total national expenditure under this program had been $7.2 billion and now we are asked to authorize an additional $2,060 million.

Certainly, Mr. Speaker, the results that have been achieved to date do very little to bear out the hope of "total victory," or the very optimistic prediction that was made by the Director a little while ago—or, maybe, it was a year ago now—that by 1976 when we celebrate the bicentennial anniversary of our national independence, we would also have been able to eliminate the scourge of poverty and would be able to celebrate the elimination of poverty. That scarcely seems likely, in view of the matters that were brought out at the hearings held on this particular bill.

For instance, Mr. Speaker, the question was asked in the Committee on Rules yesterday—while Members of Congress are certainly united in their belief that we ought to attack poverty and that we are trying to do something to eliminate the substandard conditions that do afflict many of the people in this country—why do we have to have all this controversy about this legislation?

I believe all the reasons will be brought out during the general debate we will have next week. But I believe, frankly, part of the difficulty lies in simply the very poor administration of the legislation.

Back in February of this year, 1967, I had a letter from the community action director of my own community, in which he had something to say about the regional office in the State of Illinois which is charged with the overall supervision of the program. Here are some of the complaints that he made:

Lack of communication and direction within the policy group of the regional office; unreasonable control held by the staff of the regional office over the local communities; shifting of staff within the regional office until it has become a musical chair game, and makes it impossible for the local community to function. We spend most of our time having to redocument, reiterate, retrain personnel about the peculiarities and basic background of our community and program.

I took the trouble at that time to call the Director of the Poverty Office, Mr. Shriver, to ask for a conference to try to meet these problems of administration in my own State and my own area. Mr. Shriver did not come, but he sent a representative, and we had a long talk about the failings of the northeast regional office, and one might have been hopeful that as a result of this some improvement would be forthcoming, I believe it is obvious that that has not taken place. Just a little more than a month ago I received a copy of a letter from the clerk from our county in Illinois, which he was writing to the director of the regional office in which he said:

> I have been instructed by a unanimous vote of the executive committee of the Springfield and Sangamon County Community Action, Inc., taken on September 12, 1967, to write this letter to you in re the approved budget for the fiscal year ending July 31, 1968.

Then he went on to say:

> The committee as a whole is unable to comprehend how people located 200 miles from Springfield can better determine our needs than a hard-working volunteer group and professional staff on the spot. This is especially true when the staff of the district office in Chicago has not made a survey of our community.

Or even considered what their needs were.

That problem of administration certainly continues to exist, at least, within the regional office that is responsible for the programs in my own State of Illinois. I believe, furthermore, that some of the trouble that the OEO office has can be laid at their own door because of the overly optimistic predictions they have made, and some of the propaganda they have indulged in to describe the vast successes they claim under this program.

I note that last year Mr. Shriver in the hearings on the program said that more than 3 million poor people had been reached and more than 5,000 who were residents of the areas were serving on these community action boards.

I believe maybe the ultimate in this propaganda campaign was reached the other day when COPE sent me a pronouncement in which they very ecstatically proclaimed "Breakthrough on 50-State Front, 7 Million People Aided."

Of course, that is not very precise language.

What do they mean about aiding people? What do they mean when they say they have reached 3 million people, that they have involved 5,000 members on these boards?

The difficulty that I find with this report, and with the hearings, is that when we get right down to it there is not the data, there is not the information or criteria by which we can back up some of the highly optimistic things that have been said by the OEO about itself.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman spoke of the hearings; does the gentleman have, or has he been able to obtain, all of the committee hearings in connection with this bill?

Mr. ANDERSON of Illinois. I have received in my office three volumes of hearings.

Mr. GROSS. Yes.

Mr. ANDERSON of Illinois. I note that the report speaks of four volumes.

Mr. GROSS. There are actually five volumes.

I am surprised that this bill is even up today for consideration, even of the rule, without the hearings being available—all the hearings being available to the Members of the House. There are two volumes that cannot be obtained as of noon today.

Also, there is information that was supplied to the committee, and the Members of the House who were not on the committee are advised to go to the still unattainable volumes of the hearings in order to get the information that was supplied in answer to questions.

I say again, I am surprised that this bill would come to the floor of the House without the hearings being printed.

Mr. ANDERSON of Illinois. Mr. Speaker, I think the gentleman makes a very pertinent point. I might add that one witness in testifying before the Committee on Rules voiced the objection that all too often in trying to ascertain the facts about this program from the OEO there is a great tendency to conceal, until at least a very late date, some of the pertinent information that ought to be made available, particularly to members of the Committee on Education and Labor which has direct oversight of this program.

Mr. MIZE. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman.

Mr. MIZE. Does the gentleman know whether or not anybody from the Salvation Army was asked in to appear as a witness?

Mr. ANDERSON of Illinois. I cannot answer the gentleman's question. A great many witnesses were called, but whether there was anyone from that particular group, I am not sure.

Basically, it gets down to this, that as the minority views in the report state, what this program needs is a fundamental redirection, and that is not obtained in the kind of cosmetic job that has been done on the OEO in this bill.

They have tried to change the idea of perhaps turning community action programs to local government units, and said that they shall be a community action agency unless they do not wish to do it themselves.

The committee made some changes as to the Job Corps, providing for nonresidential centers as well as residential centers and lowering the direct operating costs of the enrollee to $6,500.

They have done a few other things in an effort, I think, to dress up this legislation, but certainly as I read the report, and as I listened to the chairman of the committee yesterday when he testified before the Committee on Rules, I could not get away from the feeling that along with the increased money being called for, we were not getting the kind of redirection and fundamental change in the program that most people believe is needed.

You know, we hear over and over again that all that is being asked for in many of these administration grants and programs called for here is a little seed money. That is the favorite expression. It reminds me of the old story the late Fred Allen used to tell about some Christians being people who go out and sow their wild oats 6 days a week and then go to church on Sunday and pray for a crop failure. It seems to me we are almost in the position of praying for a crop failure in some of these demonstration programs where a complete jungle has grown up of administrative overgrowth, and very little in the way of tangible accomplishment can be seen through the jungle.

I would hope as we proceed through the general debate and read the bill under the 5-minute rule, that we could do some of the things here on the floor that, unfortunately, were not accomplished during the time that this bill was considered in committee.

Mr. STEIGER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman.

Mr. STEIGER of Wisconsin. The gentleman indicated that the committee bill did propose what he called redirection in the community action programs.

May I inquire whether you do not agree that—to require community action agencies to be dominated by city hall, and further to require that 10 percent of the amount which will be required for local community action efforts to be made in cash rather than in kind—will that not, in many cases, do very serious damage to the concept of independent community action agencies?

Mr. ANDERSON of Illinois. Certainly, in answer to the gentleman's question, the effect of the amendment that he described could be to place a community action program under the domination of city hall; I would agree. This would not be the kind of fundamental redirection that we need to really involve the poor and to have the kind of program needed to solve the problem of poverty.

Mr. STEIGER of Wisconsin. I concur completely. I think this is a significant point which the House will have to consider as it begins general debate next week and considers various amendments. That is the question of how we can meaningfully involve both those who are to be served and those units of our Federal, local, and State governments, which must have a role to play in the war against poverty.

My fear is, as I would understand from what the gentleman has said, unless we can move in such a direction we will have lost the initiative and we will foreclose really creative participation of the poor themselves by the amendments which were adopted by the committee and which I hope will be overturned on the floor of the House.

Mr. ANDERSON of Illinois. I thank the gentleman. I will be pleased to yield to those who are on their feet, but before my time is up, I have one question that I must ask, if I may have the attention of the chairman of the committee, the gentleman from Kentucky. This question was raised, you will recall, Mr. PERKINS, in the Rules Committee yesterday. Great concern has been expressed about section 406 of title IV, which would seem to read the Small Business Administration out of the picture as far as its Office of Procurement Assistance is concerned. It is an office now, as I understand, that administers a number of programs that are designed to funnel contracts into distressed areas.

The fear has been expressed by small business that the SBA is going to find itself in competition with the EDA, the Commerce Department, and the ADO, to the point where it can no longer function effectively in procurement assistance. I understood the gentleman to say that he would accept an amendment to section 406 of title IV which would make clear that the SBA would continue to play its role in these programs.

I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Speaker, I would be delighted to answer the gentleman from Illinois. First, let me state that the gentleman from Wisconsin [Mr. STEIGER] offered the amendment which provided the terminology using "Secretary of Commerce" instead of "SBA." I stated yesterday, and I certainly intend to adhere to that statement, that I will accept an amendment insofar as I am concerned, but I am in the process now of trying to work the amendment out with the gentleman from Wisconsin [Mr. STEIGER]. I told him yesterday that he and I would get together, and we intend to get together this afternoon. I do not see any reason why the language should not be changed. We need the Small Business Administration involved, and that, I believe, will be the intent of the committee. At least that would be my intent.

Mr. ANDERSON of Illinois. I thank the gentleman for that assurance.

I yield to the gentleman from Florida.

Mr. GIBBONS. Mr. Speaker, I appreciate the gentleman yielding. I have always admired the gentleman from Illinois. I can remember the very studious way that he has discussed this bill before. My little discussion with you now is an attempt to help point out the inconsistency in what you just said. First, you said the program was too loose. There were too many things going on. Then Mr. STEIGER rose and said, "Don't you think the Green amendment went too far?"

Mr. ANDERSON of Illinois. Will the gentleman suffer an interruption at that point?

Mr. GIBBONS. What you are trying to do, Mr. ANDERSON, is unclear. There are many of us who think that the program needs tightening. I am the author of the 10-percent cash requirement amendment. That provision is in there for the purpose of making sure that we do not have programs unless someone in the local community is responsible enough to put up some money, some cash, to help those programs along. If a program is so wishy-washy that the local people cannot raise any cash, then I do not think there should be a program in that locality.

Mr. ANDERSON of Illinois. Will the gentleman suspend for a moment? In answering the gentleman from Wisconsin [Mr. STEIGER], I addressed myself to answering only that part of his question which related to the amendment making the local political subdivision the local community action agent. I did not comment on the 10-percent cash payment amendment. You may have a perfectly good case for the added cash contribution. But let me say this: I also qualified my answer and said that if the real purport of the other amendment—and I do not know whether you offered it or someone else did; I think it was Mrs. GREEN, perhaps, who offered the amendment—I said that if the real effect or purport of that amendment was to put these programs under the thumb of city hall, then certainly I would be opposed to it.

If, on the other hand, you can establish, as I hope you may be able to do during debate on this bill, that the effect will be to tighten up the program and to make it a better program, you do not have to be afraid about my support.

Mr. GIBBONS. Mr. Speaker, will the gentleman yield at that point?

Mr. ANDERSON of Illinois. I yield to the gentleman from Florida.

Mr. GIBBONS. We attempted to tighten up the program as many people on your side have asked us to do. The amendment was adopted in open committee hearings and on a bipartisan vote. I am talking about the Green amendment and my amendment.

I thank the Members on the other side of the aisle who joined some of us on the Democratic side, who helped to adopt the Green amendment, because I think it was a real major bipartisan step forward.

I do not think this puts the program under the domination of city hall. The Green amendment sets up a series of options allowing the State to act, allowing the counties and cities to act, and if they fail to act or if they fail to comply with the criteria that all other community action programs have to carry out, then there is a possibility for these private nonprofit so-called community action agencies to come in, and it provides an orderly transition.

I believe when we get to that part of the debate, that all responsible Members on the floor, regardless of their party affiliation, will agree this is a step forward in helping to bring this program more into the mainstream of responsible America. I thank the gentlewoman from Oregon, and all other members of the committee who voted to adopt this, for having taken a sound constructive step forward.

Mr. ANDERSON of Illinois. Mr. Speaker, before I yield further, may I have some assurance from the gentleman from Indiana that he will yield me some time, because I have some requests for time on my side, and before I yield further, I would like to know I will have some time to keep my promise to yield to these people.

Mr. MADDEN. Yes; I will yield the gentleman some time.

Mr. CAREY. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from New York

Mr. CAREY. Mr. Speaker, I say to the gentleman in the well I am pleased that in the amendment as it is reported here, it is not contemplated it will simply place programs under the domination of local officials for their own gain. Of course, we would all be opposed to that. But I think, as expressed by the gentleman from Wisconsin, we are now delivering, in effect, the program to the local politicians.

In the report the gentleman will notice I am quoted by the minority, in the person of Mr. ASHBROOK and Mr. GARDNER, because I stated that in deference to my concern for the poor and their benefits under this program, I would not take the lid off things I knew would redound to the disfavor of the entire program, and they said they respectfully disagreed with me and considered it was my obligation to make these things known, because they would reflect on the politicians.

I am going to be convinced by them, and I am in the debate next week going to take the lid off things that have been generated in the city of New York where public officials in New York have not been involved. And, in fact, the only politician involved has been the young mayor, a young politician of great virtue, but he has run the program according to his own ideas. I will take the lid off, line by line, item by item, as to the kind of operations being conducted without participation of local public officials and maximum participation of the local poor.

Mr. ANDERSON of Illinois. I thank the gentleman for his contribution.

I do want to say, of course, it ought not to go unnoticed in passing that I think a very fundamental reason why some in the minority have felt that it is a mistake to make the local political subdivision the community action agency is the very real danger that, for obvious purposes of political patronage, the local agency may become the refuge for a lot of political hacks and people who are owed political favors and who simply are looking for a job, rather than being in a position to contribute creatively to the solution of a difficult problem. So there is some argument on the other side that we ought at least to throw out.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I thank the gentleman from Illinois for yielding.

I would like to return to House Resolution 966, specifically to two things, on page 1, line 8, and page 3, line 2. The Committee on Rules in its wisdom has apparently seen fit to offer the House a rule waiving points of order, in the first instance against the bill, and in the second instance against the committee amendment as a substitute.

This will get us into the same legislative situation we have been in quite often recently, if the Committee in its wisdom sitting on this—that is, the Committee of the Whole House on the State of the Union—accepts this amendment and separate amendments when we go back into the full House. Why is it necessary, in view of the content of the bill and the report submitted, to waive any points of order?

Mr. ANDERSON of Illinois. There is a provision under title I that certain funds that are made available under part B—and title I, of course, deals with the Job Corps, the Neighborhood Youth Corps, work-training programs, and manpower programs in general—that there can be a reprograming authority given to the Director of the poverty program with respect to funds that are allocated under part B of title I.

He can reprogram them and use them under another part of that title. This was the reason that was given to the committee for waiving points of order on the bill.

Mr. HALL. Is there any reason why the legislative body should not work its will on reprograming by line item, as we do, for example, in the Committee on Armed Services when reprograming questions come up? There is a real objection on the part of some of the individually elected legislators to a committee of the House superimposed over it taking away the right to waive points of order.

I would ask again the usual question, if the gentleman will yield further: Was this done at the behest of the committee, as submitted by the Parliamentarian, or in the wisdom of the Rules Committee?

Mr. ANDERSON of Illinois. It was done at the request of the chairman of the Committee on Education and Labor. The language requiring the waiver, he said, was language appearing on pages 146 and 147 of the bill. That deals with funds available for certain programs under part B of title I of the act.

Mr. HUNGATE. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Missouri.

Mr. HUNGATE. I am disturbed by the conversation about city hall, as though this is an unfortunate way to administer programs. What better way do we have to appoint the people who administer these programs than through our regularly elected officers, in the duly elective process we customarily use? Is there a better system to get people to administer the program?

Mr. ANDERSON of Illinois. There are those who feel that the maximum participation of the poor is not always achieved under situations where city hall dominates the program. The proposition probably is arguable.

Mr. HUNGATE. Would this be an argument that the elected Representatives are not representative of the people?

Mr. ANDERSON of Illinois. Ultimately one would have to come to that conclusion.

Mr. HUNGATE. I understand, under the present state of the bill, if there is a wish for the program to be continued they will have to put up $1 to get $9?

Mr. ANDERSON of Illinois. I believe that is the formula which is used.

Mr. FINDLEY. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Illinois.

Mr. FINDLEY. I hear the argument advanced that this is a fairly new program and should be given an opportunity to test its merit.

The gentleman was on the Rules Committee in 1964 when this program was first presented to the House. It was then known as the Landrum-Powell bill or the Powell-Landrum bill.

I hear counterarguments that this program is indeed far different from the bill which first came to the House in 1964.

Is this really a new bill? I wonder if the gentleman could shed some light on that.

Mr. ANDERSON of Illinois. In my opinion, as I said, I do not feel it is. I believe, basically, it is the Economic Opportunity Act of 1964 with a little cosmetic treatment here and there to dress it up. There is a fundamental change, perhaps, with respect to community action programs, and some fairly minor changes with regard to the Job Corps. Basically, I believe it represents the same approach we adopted initially in 1964.

Mr. Speaker, I now yield 1 minute to the gentleman from New York [Mr. REID].

Mr. REID of New York. Mr. Speaker, I rise in support of House Resolution 966 and I urge its prompt adoption.

The subject before us today is poverty. Not alone the poverty that afflicts 30 million Americans in our apparently affluent Nation but as well the poverty that afflicts this House. For in recent weeks I have heard Members of this body speak words that reflect the poverty of our commitment, the emptiness of our promise to the ghetto dwellers, to the rural poor, principally to the young people of this Nation.

Some have protested the cost. Others have proclaimed its ineffectiveness. But the question is not whether the poverty program has failed us, but rather whether we have failed it.

None would say the bill is perfect. None would argue that there should not be amendments—certainly not I.

But this House, I believe, will gravely misread the country if we fail to raise our sights to meet the expectations of the American people.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield the gentleman from New York 1 additional minute.

Mr. MADDEN. I yield the gentleman 3 minutes.

Mr. REID of New York. I thank both gentlemen.

The SPEAKER. The gentleman from New York is recognized for 4 additional minutes.

Mr. REID of New York. Mr. Speaker, to repeat, I believe that this House will gravely misread the country if we fail to raise our sights to meet the expectations of the American people. Just as the American people abhor crime and violence so do they reject facile and simplistic answers to problems that clearly cry out for difficult and complex solutions which indeed may not easily be obtained.

Let us recognize the $2.06 billion authorizatoin in this bill for what it is. Less than what we spend in Vietnam in 1 month and not nearly enough, even under present economic conditions, to do what is essential for those Americans still living in poverty—not out of fear of violence and riots but because it is right—and long overdue. It is clear that many Americans have not had the opportunities that our democracy and our national purpose, and the commitment they imply, in fact guarantee.

If in the days ahead we emasculate this program, if we renege on our pledge, if we cut the heart of creativity out of this endeavor in the name of efficiency or political pragmatism, then we will have borne witness not to our courage, conviction, and principles but, rather, to the poverty of this body. Our national purpose is not to enshrine the status quo but to forge a new life for all Americans—and in this generation.

Certainly I, for one, believe that we need to strengthen the job orientation of this program. There is no question, in my judgment, but what this House must stand back of the model cities and education and other programs that are as basic to our cities as is the legislation we are about to consider. I would remind this House that the city of New York, as an example, needs at the very minimum $50 billion in the next 10 years to address itself to the basic needs of its population.

So I deeply hope that the sights of this body will be raised and that we will not dash the hopes of those who have little to live on but faith. I think it is within our power to write a bill that will improve this program and thereby their lives, that will meet the problems of education and housing and job training and, I hope, that will make real the promise of America and the commitment of our Nation to all.

Mr. STEIGER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. REID of New York. I will be happy to yield to the gentleman.

The SPEAKER. All the time of the gentleman from Illinois [Mr. ANDERSON] has expired. The gentleman from Indiana [Mr. MADDEN] has 17 minutes remaining.

Mr. MADDEN. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. HUNGATE].

Mr. HUNGATE. Mr. Speaker, I agree with our colleague the gentleman from New York [Mr. REID], who has just spoken. As I believe the poet John Ciardi once put it, a fool is a man with short answers to long questions. I oppose the rule and I oppose the bill not because we cannot afford to do something about poverty. I think we can afford better education, and I have so voted. I think we can afford better housing, and I have so voted. I think we can afford better wages, and I have so voted. I think we can afford better farm prices, and I have so voted. I think that the problem that we face here is not that we are not working to solve poverty, but this is not the way we are going to solve the problem. It reminds me, you know, of the story they tell about Casey Stengel in his playing days when he was beginning the game. He was on the bench and the outfielder in left field dropped the ball when they hit one to him. They hit another one out there, and he let it go between his legs. The manager then called for Casey and put him in left field. The first batter up hit one out there and Casey stood out there in the sun and lost the ball and it hit him on the shoulder. When the inning was over he ran back to the dugout and he said, "You know, that son-of-a-gun has left field so screwed up nobody can play it."

Mr. Speaker, I think his program is in that condition. I think we need to look thoroughly into this problem, but look at it in another manner.

Mr. Speaker, I am told that people used to wear asafetida bags to ward off illness. Also, there used to be the practice of bleeding a patient in the treatment of the disease with which he was afflicted. However, we learned that these processes did not do the job.

Mr. Speaker, it is my opinion that this is one of the problems we have here. I am hoping that those on the other side of the aisle, who support economy in Government will see this opportunity for what it is. I hope those on either side who say they believe in efficiency and the need for economy in our governmental programs, will see this as an opportunity to move in that direction. I say there are certain programs under which we can move to bring about economies. I hope they will recognize this program as an opportunity to accomplish the job.

Mr. Speaker, I think we can move on with the same money and build Dickey-Lincoln, and with the same money we can bring our farmers their fair share of our national prosperity while at the same time reducing poverty. We can build certain other public works with the same money we find in this program and accomplish desired results, creating real wealth and real jobs.

Therefore, Mr. Speaker, I hope we can take action in this direction. It is for this reason that I oppose the bill and the rule on the bill.

Mr. Speaker, I say to those who are calling for economy but who upon occasion vote the other way, those who call for efficiency and sound business management in Government that the time for this type of vote is now. In other words, those who are for economy and those on the other side of the aisle who unanimously voted along that line on the continuing resolution the other day, I hope you will not miss this opportunity to vote for economy.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. HUNGATE. I yield to the gentleman from Ohio for just a moment.

Mr. HAYS. I noticed this economy vote to which the gentleman referred. I just heard a speaker over there speak about the sum of $50 billion which is needed for New York in the next 10 years alone. I hate to embarrass the gentleman because he is a great Congressman and a great advocate of the needs of the State of New York, but I do not think the temper of the Congress is to the effect they could expect to get $50 billion or $1.5 billion for the great State of New York at this time, or in the next 10 years.

I just wonder how the gentleman from Missouri feels about that.

Mr. HUNGATE. I think New York could use a good bit of funds, but I am not sure this Congress is the place to come for them.

Now we are going to hear a great debate and some eloquent oratory and the proponents of the bill will undoubtedly have the best of the argument. But when the debate is over and you go back home, you will still find the program is inefficient, unpopular, and obsolete.

Mr. Speaker, the story is told about Abraham Lincoln when he posed the question—"How many legs does a dog have?" A fellow standing by said, "Four." And, Lincoln says, "What if you call the tail a leg?" The guy said, "Five." Lincoln says, "You are wrong. Calling the tail a leg does not make it a leg. He still has four legs."

Calling this an antipoverty bill does not make it an effective one and therefore I urge opposition to it.

Mr. MADDEN. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Illinois [Mr. PUCINSKI].

Mr. PUCINSKI. Mr. Speaker, I rise in support of the resolution. The committee has adopted certain significant amendments, which in my opinion strengthen the bill and remove some of the sources which have brought the greatest criticism of the program. It is my further opinion that after they are thoroughly understood by the Members of this body the House will support them.

Mr. Speaker, what we have undertaken to do is to close up certain loopholes in areas where there has been the greatest degree of criticism of this program.

There are some who say that this is an amendment for the big cities. I really do not believe the big cities are concerned as to whether this amendment is adopted or not. When I say this I am referring to the big cities like New York, Los Angeles, San Francisco, Chicago, and Detroit. All of these cities are moving along. They have their own programs and the elected officials are thoroughly involved in their operation. But, I am concerned about the small communities of America where elected officials have been completely ostracized from the antipoverty programs in their community.

Mr. Speaker, my good and distinguished colleague, the gentleman from Illinois [Mr. ANDERSON], talked about this matter of involving elected officials in the program. This summer we had a riot in Aurora, Ill. I called the mayor out there and discussed this with him.

He said that he thought some of the people in the poverty program had created some of the atmosphere for this problem.

I said to him "Why don't you recommend to the community action board to get rid of these and get a good program going?"

He said "I am not even on the community action board."

I said, "You are not even on the community action board? You are the mayor of this city, and you are not on the board?"

He said "No, because the nominating committee closed the nominations and refused to nominate me and put me on the board."

We had testimony before our committee on a community action board in New Jersey where a rump group bodily took over the community action board and excluded everybody from the community from the board. The Office of Economic Opportunity could not withhold any money from this self-appointed community board simply because they had a contract which OEO said it had to fulfill.

We are talking here about millions upon millions of taxpayers' money. What we have done in this bill is provide that all money must be funneled through the responsible elected officials of the community who periodically have to account for their stewardship to the voters.

It would seem to me that for someone to quarrel with the safeguards is really running against the whole philosophy of government in this country.

We provide that a community action agency, which must be either a State, county or municipal body, will have to appoint a community action board.

And here we provide that one-third of the board must be people from the area to be served, the poor people, and one-third must be the elected officials so they have a responsibility, and one-third shall be other interested parties.

So I say to you that we have strengthened this bill. We put in another amendment, and I hope you will fully consider this companion amendment which prohibits the Office of Economic Opportunity here in Washington to fund directly and bypass the Community Action Board, and fund directly to fly-by-night organizations with all sorts of programs that have been subjected to so much criticism since this program started.

I say to the Members this is a good amendment, and I hope the Members over the weekend will study the amendment, because this has been an area in which we have had the greatest criticism. We have not had criticism of this program in those communities of America where they have been run in cooperation with the local public officials. There they have a good program going. The criticism has come of those programs funded by some bureaucrat here in Washington deciding to ignore the community action board and ignoring the recommendations of the poor people, and everything else, and just went ahead and funded some program out of Washington in the community. This is where the criticism has come from, and where the programs are in trouble. That is why they are in trouble, and we have closed that gap in the committee bill. So I say to you we have strengthened the bill.

The gentleman from Illinois [Mr. ANDERSON] was correct when he quoted from Mr. BROWN's statement in 1964 where Mr. BROWN said that this was a loosely written bill. I agree with him. I believe what we have done in the committee is tighten this up. I hope the House will support us in our efforts to make this a workable program.

Mr. MADDEN. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. HAYS].

Mr. HAYS. Mr. Speaker, there is one of the amendments the committee has written in that gives me concern to a degree, and that is the 10-percent contribution by local subdivisions.

I propose to offer an amendment to this when the bill comes on the floor to exempt Headstart from this particular requirement. I believe it is a good requirement generally, with a lot of the programs. I agree that if the community itself does not want to put up 10 percent, then they might not want the program. But I have communities in my district that cannot afford kindergartens. I know from personal knowledge that if you start a child in school who does not have the background, the vocabulary and the ability that the other children in first grade do, that that child will be handicapped not only through school in the grades, but right on into and through high school.

I know in my community Headstarts have been most successful programs. We have had a great many contributions in kind not in cash, and by that I mean interested people who are willing to volunteer their services as teachers' aids and so on in these Headstart programs.

I think it would be a shame to take it away from the already deprived communities, Headstart, that they would only have because they can get it on a basis of personal contributions and not cash.

I sincerely hope that this amendment will be considered.

I have no objection to the amendment involving the local political subdivision. As a matter of fact, I fought against the amendment on the legislation a year ago which said that a majority of the people on those boards should be from a poverty area, and I pointed out then and I think now that the House will agree with me, that it would be just as logical to say that you have to have 51 percent of the directors of a bank being people who are failures and had been bankrupt in business.

You have to have some people obviously who are in the area of the poor being served, but you also have to have some people who know how to run a program. I think we will see to it that this is done in that way.

Mr. MADDEN. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. ERLENBORN].

Mr. ERLENBORN. Mr. Speaker, as we begin the debate on the future role of the Office of Economic Opportunity, I believe that my colleagues from both sides of the aisle will be interested in the authenticity of the material contained in a 50-volume report the Office of Economic Opportunity released in January 1967.

Sargent Shriver, Director of the Office of Economic Opportunity, announced the forthcoming "Summary of Federal Social and Economic Programs" on November 22, 1966, at a press conference. He was most enthusiastic. He hailed the summary as a great aid to local government.

As I mentioned the summary was divided into 50 parts with a volume of statistics for each of the 50 States. The individual State reports were further divided by counties.

When Director Shriver sent each Congressman a copy of the summary for the Congressman's State, the Director noted that:

> You will probably be able to find a few gaps. You might even find a mistake or two.

Recognizing that this was a new program, like many of the Office of Economic Opportunity directed experiments, I accepted the Director's explanation that a few mistakes might be detected in the material I had received.

In January I released the OEO report of a "Summary of Social and Economic Programs" to the newspapers in the Illinois 14th Congressional District. I distributed copies of the OEO county reports for both Du Page and Will Counties, Ill., and I forwarded the OEO summaries to nearly 200 local governments in my district. I accepted Director Shriver's statement that this material would aid local government.

The news media published the material on January 24, 1967. By January 26, 1967, I received notice of the first error in the tabulation for Du Page County, Ill.

Du Page County had been credited with a $44,674 TB project. My staff spent February and most of March tracing down this error.

We discovered that the $44,674 had not been funded to a Du Page TB project, but instead to a school district research program in adjoining Cook County, Ill.

The confusion did not end there. When other local governing agencies questioned other aspects of the OEO summary, I assigned a member of my staff with the task of contacting the Congressional Relations Office of the Office of Economic Opportunity in Washington to recheck the validity of the report.

Several telephone inquiries failed to bring any response from the Office of Economic Opportunity. On April 4, 1967, a member of my staff made an appointment with a staff member at the OEO Washington office. My staff member requested a copy of the original November 1966 press release and the Federal aid listing for Illinois counties that apparently was released that day.

We requested this initial information because newspaper stories published in December 1966, we discovered, reported a different total amount of Federal aid for Du Page County than had been included in the summary I received in January 1967. The original newsstories indicated the summary would include a tabulation of war on poverty aid, Federal grants and loans to individuals and communities, and fundings listed as available in Federal aid guide published by OEO the previous year.

I was, of course, surprised to learn that the fourth wealthiest county in the Nation received more than $30 million in 1 year for this kind of aid.

Later I discovered the total reported for Du Page included more than $28 million in social security payments.

The Office of Economic Opportunity supplied my staff member with a two-page report describing the "Federal information system," three pages of notes Director Shriver reportedly distributed to the news media on November 22, 1966, excluding any State or county summary, and a news release dated December 22, 1966, announcing that John Johnson had been named Director of the OEO Information Center.

Since I was not receiving the information I had requested from the Office of Economic Opportunity, I decided to direct my inquiries to the seven departments or agencies whose purported fundings for fiscal year 1966 had been included in the OEO summary for Du Page County, Ill.

On April 4, 1967, I sent letters requesting verification of the OEO summary to the Department of Agriculture, the Department of Housing and Urban Development, the Department of Interior, the General Services Administration, the Office of Economic Opportunity, and the Small Business Administration.

Director Shriver's few possible mistakes mushroomed into at least one error in every section of the Du Page County summary. Not one department or agency, including, as it turned out, OEO itself, was able to completely verify the information contained in the Du Page County summary.

The errors uncovered ran into the millions of dollars and included not only errors for Du Page County, Ill., but at least one common error found in every one of the 50 volumes of the report for every State and every county in the Nation.

Yes, in the case of Du Page County, Ill., OEO was wrong seven times in seven department and agency funding summaries.

The direct reports I received, and I should add promptly received from the departments and agencies involved, uncovered more than $6.8 million in OEO errors. Program fundings were credited to Du Page County in error. Other program fundings were omitted.

Let me briefly recount the extent of these errors with a by-the-Department report:

First. OEO reported fundings totaling $3,290 for the Department of Agriculture. Omitted from the tabulation were a $880 rural loan, $326,826.05 county stabilization and conservation service aid, $239,226.90 for milk to schools, and $74,078.58 for school lunch programs, for a one-department error of $641,011.53.

Second. OEO reported that the General Services Administration donated surplus property valued at $6,619 to Du Page institutions. GSA did not start to participate in the OEO information service program until the 1967 fiscal year.

GSA told me:

> We are unable to identify the source of the information reported by OEO for donations of surplus property to Du Page County, Illinois, as of June 30, 1966, since our first statistical report was made to OEO for the month of July 1966.

All summaries for GSA in all 50 volumes are in error. OEO later admitted this nationwide reporting mistake of more than $4.7 million.

Third. OEO reported a Department of Health, Education, and Welfare funding total of $29,328,734. The correct total is $31,098,267. In addition to omitting $1.8 million in construction grants and loans to colleges, OEO reported incorrect figures for two other HEW programs and by error a Cook County school funding was listed as a Du Page County TB project.

Fourth. OEO's total for Department of Housing and Urban Development fundings was $540,000. The correct figure is $388,560.

Fifth. OEO reported Department of Interior expenditures of $5,266 in Du Page. To be consistent with methodology used in other parts of the report this should have been credited to the State of Illinois because the water study grant was made to the State, not the county.

Sixth. OEO reported OEO expenditures of $11,550 and included a loan acquired from the Department of Agriculture. Again, to be consistent with methodology the loan should not have been included in OEO fundings. The correct OEO total is $10,670.

Seventh. OEO incorrectly reported Small Business Administration fundings totaling $397,300. SBA reported that the correct total is $228,000.

The total error I uncovered for just one county was $2,111,039.32. OEO reported a Du Page County total of $30,312,759. The separate departments and agencies informed me the correct total for these Federal fundings is $32,423,798.32.

This is an example of the efficiency and accuracy of the Office of Economic Opportunity. It staggers my imagination to think of the total dollar error that would be uncovered if all Congressmen sought verification of the OEO summary of so-called statistics for each county in their congressional districts.

The Office of Economic Opportunity is a bureaucrats' haven for make-work experiments. OEO is inefficient and expensive. OEO must win the award for the world's worst bookkeeper.

OEO later regretted that the computerized listing confused me. Confused—I was dazed. The OEO Information Center was telling me that more than $31.8 million in war on poverty moneys had been spent in one of the wealthiest congressional districts in the Nation during the first 10 months of the 1967 fiscal year.

The Information Center at OEO is responsible for the publication of tons of sheer mishmash. Its computer's products remind me of that well-known saying among computer experts "Garbage in; garbage out."

Although OEO continues to grind out all sorts of wondrous alleged statistics, anyone utilizing them without checking and double checking runs the risk of being labeled both a "fool" and a "purveyor of untruths." I have learned that you cannot believe reports issued by the Office of Economic Opportunity.

The Office of Economic Opportunity has not lived up to the expectations of its sponsors. It serves little useful purpose. It has caused a gross waste of the taxpayers' moneys. It administrates little more than constant confusion, and most of the programs it administers should be transferred to old-line departments and agencies.

Mr. MADDEN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

Mr. BRINKLEY. Mr. Speaker, on that I demand the yeas and nays.

The yea and nays were ordered.

The question was taken; and there were—yeas 262, nays 39, answered "present" 1, not voting 130, as follows:

[Roll No. 361]

YEAS—262

Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Arends
Ayres
Bates
Battin
Belcher
Bell
Bennett
Betts
Biester
Blanton
Blatnik
Boland
Bolling
Bolton
Bow
Brademas
Brasco
Brock
Brooks
Brotzman
Brown, Calif.
Brown, Mich.
Broyhill, N.C.
Buchanan
Burke, Mass.
Burton, Calif.
Burton, Utah
Bush
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Cederberg
Chamberlain
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Conte
Corbett
Daddario
Daniels
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Dent
Devine
Dingell
Dole
Donohue
Dorn
Dow
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Evans, Colo.
Evins, Tenn.
Fallon
Fascell
Feighan
Findley
Flood
Foley
Ford, Gerald R.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Galifianakis
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gude
Hamilton
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harrison
Harsha
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Hicks
Holifield
Holland
Hosmer
Howard
Hunt
Hutchinson
Irwin
Jacobs
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Karsten
Kastenmeier
Kazen
Kee
Keith
Kelly
King, Calif.
Kirwan
Kleppe
Kupferman
Kyl
Kyros
Laird
Landrum
Leggett
Lipscomb
Long, Md.
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McFall
Macdonald, Mass.
Machen
Madden
Mahon
Mailliard
Marsh
Matsunaga
May
Mayne
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Moore
Moorhead
Morton
Moss
Murphy, Ill.
Natcher
Nedzi
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neill, Mass.
Patman
Patten
Pelly
Perkins
Pike
Pirnie
Poff
Pollock
Price, Ill.
Price, Tex.
Pucinski
Purcell
Quie
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rosenthal
Roth
Roush
Roybal
Rumsfeld
Ryan
Saylor
Schadeberg
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Shipley
Shriver
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Okla.
Stafford
Staggers
Stanton
Steiger, Ariz.
Steiger, Wis.
Stratton
Stubblefield
Sullivan
Talcott
Teague, Calif.
Tenzer
Thompson, Ga.
Thomson, Wis.
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Wampler
Whalen
Whalley
White
Widnall
Wolff
Wright
Wyatt
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—39

Abernethy
Ashbrook
Ashmore
Baring
Bevill
Brinkley
Clancy
Colmer
Cramer
Dickinson
Dowdy
Edwards, Ala.
Flynt
Gathings
Gettys
Gross
Hagan
Hall
Hébert
Henderson
Hungate
Jarman
Jones, N.C.
Kornegay
Langen
Latta
Lennon
Martin
Montgomery
Nichols
O'Neal, Ga.
Quillen
Rivers

Satterfield
Scott
Stuckey
Tuck
Whitener
Whitten

ANSWERED "PRESENT"—1

Collier

NOT VOTING—130

Abbitt
Adair
Adams
Andrews, Ala.
Ashley
Aspinall
Barrett
Berry
Bingham
Blackburn
Boggs
Bray
Broomfield
Brown, Ohio
Broyhill, Va.
Burke, Fla.
Burleson
Button
Casey
Celler
Clark
Conable
Conyers
Corman
Cowger
Culver
Cunningham
Curtis
Dawson
Denney
Derwinski
Diggs
Downing
Dulski
Esch
Eshleman
Everett
Farbstein
Fino
Fisher
Ford, William D.
Fountain
Fulton, Tenn.
Fuqua
Gardner
Gubser
Gurney
Haley
Halleck
Halpern
Hammerschmidt
Hardy
Harvey
Helstoski
Herlong
Horton
Hull
Ichord
Jones, Mo.
Karth
King, N.Y.
Kluczynski
Kuykendall
Lloyd
Long, La.
Lukens
McEwen
McMillan
MacGregor
Mathias, Calif.
Mathias, Md.
Meeds
Meskill
Michel
Miller, Calif.
Morgan
Morris, N. Mex.
Morse, Mass.
Mosher
Multer
Murphy, N.Y.
Myers
Nelsen
Nix
Ottinger
Passman
Pepper
Pettis
Philbin
Pickle
Poage
Pool
Pryor
Rarick
Resnick
Rooney, Pa.
Rostenkowski
Roudebush
Ruppe
St Germain
St. Onge
Sandman
Selden
Sikes
Smith, Iowa
Smith, N.Y.
Snyder
Springer
Steed
Stephens
Taft
Taylor
Teague, Tex.
Thompson, N.J.
Tiernan
Utt
Waggonner
Waldie
Walker
Watkins
Watson
Watts
Wiggins
Williams, Miss.
Williams, Pa.
Willis
Wilson, Bob
Wilson, Charles H.
Winn
Wydler

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Rostenkowski for, with Mr. Collier against.

Mr. Cowger for, with Mr. Fisher against.

Mr. Morse of Massachusetts for, with Mr. Selden against.

Mr. Boggs for, with Mr. Teague of Texas against.

Mr. Horton for, with Mr. Taylor against.

Mr. Button for, with Mr. Fountain against.

Mr. St. Onge for, with Mr. Williams of Mississippi against.

Mr. Miller of California for, with Mr. Fino against.

Mr. Ashley for, with Mr. Snyder against.

Mr. Karth for, with Mr. Pettis against.

Mr. Kluczynski for, with Mr. Watson against.

Mr. Steed for, with Mr. Passman against.

Mr. Celler for, with Mr. Haley against.

Mr. Philbin for, with Mr. Waggonner against.

Until further notice:

Mr. Farbstein with Mr. Hammerschmidt.

Mr. Aspinall with Mr. Broomfield.

Mr. Morgan with Mr. Bray.

Mr. Fulton of Tennessee with Mr. Meskill.

Mr. Hardy with Mr. King of New York.

Mr. Charles H. Wilson with Mr. Williams of Pennsylvania.

Mr. Andrews with Mr. Halleck.

Mr. Corman with Mr. Bob Wilson.

Mr. Tiernan with Mr. Roudebush.

Mr. Downing with Mr. Sandman.

Mr. Everett with Mr. Halpern.

Mr. Hull with Mr. Mosher.

Mr. Thompson of New Jersey with Mr. Eshleman.

Mr. Walker with Mr. Adair.

Mr. Bingham with Mr. Esch.

Mr. McMillan with Mr. Mathias of Maryland.

Mr. Willis with Mr. Berry.

Mr. Pepper with Mr. Conable.

Mr. Herlong with Mr. Ruppe.

Mr. Meeds with Mr. Mathias of California.

Mr. Waldie with Mr. Harvey.

Mr. Ichord with Mr. Brown of Ohio.

Mr. Abbitt with Mr. McEwen.

Mr. Casey with Mr. Cunningham.

Mr. Fuqua with Mr. Blackburn.

Mr. Clark with Mr. Taft.

Mr. Long of Louisiana with Mr. Utt.

Mr. Burleson with Mr. Broyhill of Virginia.

Mr. Rooney of Pennsylvania with Mr. Watkins.

Mr. Adams with Mr. Burke of Florida.

Mr. Pryor with Mr. Michel.

Mr. Culver with Mr. Wydler.

Mr. Stephens with Mr. Curtis.

Mr. Murphy of New York with Mr. MacGregor.

Mr. Sikes with Mr. Gurney.

Mr. Multer with Mr. Gubser.

Mr. Poage with Mr. Winn.

Mr. Morris of New Mexico with Mr. Springer.

Mr. Dawson with Mr. Wiggins.

Mr. Barrett with Mr. Nelsen.

Mr. Dulski with Mr. Kuykendall.

Mr. Nix with Mr. Smith of New York.

Mr. St Germain with Mr. Myers.

Mr. Pickle with Mr. Lloyd.

Mr. Smith of Iowa with Mr. Derwinski.

Mr. Pool with Mr. Lukens.

Mr. Rarick with Mr. Gardner.

Mr. William D. Ford with Mr. Denney.

Mr. Conyers with Mr. Helstoski.

Mr. Resnick with Mr. Diggs.

Mr. ASHMORE changed his vote from "yea" to "nay."

Mr. COLLIER. Mr. Speaker, I have a live pair with the gentleman from Illinois [Mr. ROSTENKOWSKI]. If he had been present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROGRAM FOR THE BALANCE OF THIS WEEK AND FOR NEXT WEEK

Mr. RHODES of Arizona. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, I have requested this time for the purpose of asking the distinguished majority leader as to the program for the balance of this week and for next week.

Mr. ALBERT. Mr. Speaker, will the distinguished gentleman from Arizona yield?

Mr. RHODES of Arizona. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished gentleman from Arizona, we have finished the legislative business for this week.

For Monday and the balance of the week the program is as follows:

Monday is Consent Calendar day. Also, there are 12 suspensions to be considered which are as follows:

H.R. 11565, to provide for transfer of peanut acreage allotments;

Senate Joint Resolution 33, to establish a National Commission on Product Safety;

H.R. 3639, Animal Drug Amendments of 1967;

H.R. 3982, to provide for transportation of house trailers of members of the uniformed services;

H.R. 1341, to authorize additional accumulation of leave in certain foreign areas;

H.R. 8547, to simplify laws relating to members of the Army, Navy, Air Force, and Marine Corps;

Senate Joint Resolution 114, to extend the duration of copyright protection in certain cases;

H.R. 13669, to amend title 10, United States Code, relating to military claims;

H.R. 13165, to provide Secret Service protection for a widow and minor children of a former President;

H.R. 2138, to permit naturalization of certain employees of U.S. nonprofit organizations;

S. 1552, to amend the Highway Safety Act of 1966; and

S. 423, to authorize certain construction at Manele Bay, Lanai, Hawaii.

Also scheduled for the consideration of the House on Monday is S. 2388, the Economic Opportunity Amendments of 1967. It will be considered under an open rule, with 6 hours of debate, waiving points of order, and making in order the committee substitute now in the bill as an original bill for purposes of amendment. I might say we hope to consider the bill under general debate on Monday and on Tuesday, but we do not plan to go any further than general debate on Tuesday.

Tuesday is Private Calendar Day, and of course we will continue on Tuesday with the Economic Opportunity Amendments, and continue through the balance of the week on that bill, or until the bill is concluded.

Mr. RHODES of Arizona. Mr. Speaker, Saturday, November 11, is Veterans Day, and I am sure that some Members of the House have plans for observing that day. Will it be the purpose of the majority leader to have a session on Friday if it is necessary to finish the bill?

Mr. ALBERT. We feel because of the urgency of disposing of this legislation, for many, many reasons, that if we have not disposed of the bill by that time we will have to consider it on Friday.

May I add further that this announcement is made subject to the usual reservations that conference reports may be brought up at any time, and that any further program may be announced later.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

I would like to ask the distinguished majority leader when it is contemplated the fund-giveaway conference report may be brought up?

Mr. ALBERT. In reply to the gentleman's inquiry, I will say that we are not in a position as yet to make that announcement. My understanding is that it is not ready as yet. We certainly would not bring it up on Monday or Tuesday.

Mr. GROSS. It will be brought up Monday or Tuesday of next week?

Mr. ALBERT. No. I said we would not bring it up on Monday or Tuesday.

Mr. GROSS. It will not be brought up on Monday or Tuesday?

Mr. ALBERT. That is correct. The reason we would not bring it up on Monday or Tuesday is that Tuesday is a general election day. I believe some 37 States are having elections on Tuesday. While we would not put votes over on primary elections, we would not put any votes over that come on Monday, I would certainly be disposed—and I believe the House would be—to take up any matter requiring a record vote and certainly any matter as important as a conference report on Wednesday or later in the week.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. RHODES of Arizona. I yield further.

Mr. GROSS. Mr. Speaker, I assume Members of the House will be safe now in buying a Christmas tree to be used in Washington, D.C., rather than in their home district?

Mr. ALBERT. I believe they would be safe in buying one in Washington, D.C., if they wish.

Mr. GROSS. They would not have to cart it out to their respective districts, would they?

Mr. ALBERT. That would depend on where they want to spend Christmas, either here or there.

Mr. GROSS. Does the gentleman believe that this Congress can be adjourned by December 20?

Mr. ALBERT. The gentleman is calling on me for speculation. I do not like to indulge in answers to hypothetical questions. My judgment is that we will be adjourned by then.

Mr. RHODES of Arizona. Mr. Speaker, I yield back the balance of my time.

ADJOURNMENT TO MONDAY, NOVEMBER 6, 1967

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore (Mr. Holifield). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALENDAR WEDNESDAY BUSINESS DISPENSED WITH ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that any business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

JACKY BAYNE DAY

Mr. GETTYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. GETTYS. Mr. Speaker, tomorrow, November 4, has been proclaimed Jacky Bayne Day in Fort Mill, S.C., by Mayor Cleve Lytle.

I am sure that many of my colleagues learned yesterday through the news media of the tragedy that befell this brave South Carolinian as he served his Nation in Vietnam. Specialist Bayne was critically wounded by a Vietcong landmine and had been given up for dead by everyone except Jacky Bayne, and when life was detected, the long road to recovery began.

Jacky Bayne is now at Walter Reed General Hospital where his mother and father, Mr. and Mrs. Eb L. Bayne, have stood bravely by his side since he arrived there on August 4.

They are proud of Jacky and rightfully so. He is a youth who never burned a draft card, never stormed the steps of the Pentagon to decry the policies of his Government, never participated in a protest march, never joined in an act of civil disobedience. He did his duty gladly. His sacrifice should put to shame those who strive to undermine our efforts to protect freedom and liberty.

And so, Mr. Speaker, I think it is commendable that tomorrow has been proclaimed "Jacky Bayne Day" in his hometown. I know every Member of this House joins with me in saluting courageous Jacky Bayne and his splendid family. He serves his country and he serves it well.

It is my fervent hope that a kind providence will in time bless Jacky Bayne with full restoration to good health.

COMMISSIONING OF THE "GREENLING," NUCLEAR SUBMARINE

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the Record and include an address by Hon. George W. Andrews of Alabama.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, today is the commissioning of our 29th nuclear attack submarine, the *Greenling*, at Groton, Conn.

The gentleman from Alabama, the Honorable George W. Andrews, is delivering the commissioning speech. He, too, is calling for the rapid development of the nuclear side of our surface Navy. His remarks are cogent and important. I insert them in the Record at this point:

Remarks by Congressman George W. Andrews, at the Commissioning of U.S.S. "Greenling," November 3, 1967

For the past thirty years, I have had great interest in and, I might say, love for the United States Navy. In 1944 while serving as a Naval Lieutenant at Pearl Harbor, I was elected in absentia to the 78th Congress. Immediately, I was assigned to the Naval Subcommittee of the Appropriations Committee. I have seen our Navy grow both in size and in quality.

In my opinion, the United States Navy today is in the best hands in her history with the Honorable Paul Ignatius serving as Secretary and Admiral Tom Moorer serving as Chief of Naval Operations. I was most pleased to learn recently that the tour of duty of Admiral Rickover has been extended for another two years. The Admiral has made the greatest contributions to the U.S. Navy of any man in history and is recognized as the father of our great Polaris system.

So, it is a real great personal pleasure for me to be here today and take part in the commissioning of our Country's newest nuclear attack submarine—the *Greenling*.

The submarine we are commissioning today is the second United States submarine to bear the name *Greenling*. The first *Greenling* was commissioned on 21 January 1942. She made 12 patrols during World War II, sinking 15 Japanese ships for a total of 59,000 tons. She won 10 battle stars as well as the Presidential Unit Citation. After the war, she was used to train naval reservists until stricken from the Naval Register in 1960.

The new *Greenling* joins the growing United States nuclear fleet which now numbers 74 submarines, an aircraft carrier, a cruiser, and two frigates in operation. These ships have steamed a total of about ten million miles. In addition we have under construction or authorized another aircraft carrier, three guided missile frigates, 32 attack type submarines, and a small submarine capable of exploring the ocean bottom. Congress has appropriated funds for the procurement of long leadtime items for yet another nuclear aircraft carrier; the Secretary of Defense has stated he will request the funds to complete this ship in next year's shipbuilding program.

The development of nuclear propulsion for our naval warships stands out as one of the most important technological achievements of this century. In my position as a member of the Defense Subcommittee of the Appropriations Committee of the House of Representatives, I am thoroughly aware of the importance of naval nuclear propulsion to our Nation's security through its application to our Polaris submarines, our attack submarines, and our surface warships. Further, the naval nuclear propulsion program has supplied the basic nuclear technology on which our growing civilian nuclear power program is based. There is a strong conviction among the members of the House Appropriations Committee that we must continue to strengthen and advance our nuclear submarine fleet and that we must provide nuclear propulsion for our new major surface warships. I am proud of the role the House Appropriations Committee and the Congress have played in this effort so vital to our Country's defense.

Today our fleet of 41 nuclear powered Polaris submarines is complete. These ships with their awesome weapons stand their watchful guard hidden under the oceans of the world. There is no doubt that the Polaris submarine represents our most formidable deterrent to an all-out war.

The nuclear powered submarines, including the *Greenling*, likewise have an important job in our Country's defense. Our ability to control the seas in future conflicts will be greatly dependent on our capability to overcome the enemy's submarine threat. Clearly our nuclear powered attack submarines provide our Navy with indispensable anti-submarine warfare capability.

Today our pre-eminence in nuclear submarines is being challenged from abroad. The great skills and capabilities which have produced our nuclear submarine fleet will be quickly dissipated if we slacken our efforts in advancing naval nuclear propulsion. I do not expect Congress to yield to pressures and arguments to stop building nuclear submarines. In the months and years ahead, I am confident that Congress will continue to provide the impetus and guidance to ensure that our nuclear submarine fleet stays second to none.

Concerning our submarine program, the objective is clear—we must introduce improved nuclear submarine designs into the fleet as rapidly as feasible. But this is only one aspect of the continuing fight for American naval supremacy—we must have new major surface warships to replace our aging fleet that is rapidly approaching obsolescence, warships with the important military advantages of nuclear propulsion.

The nuclear powered aircraft carrier *Enterprise* has set record after record since she joined the fleet six years ago. This summer she returned with her escort, the nuclear powered frigate *Bainbridge*, from their second deployment in action off Vietnam. The *Enterprise* has proven so effective in battle in Vietnam that the Secretary of Defense requested a new nuclear powered attack carrier in last year's defense bill and has assured Congress that he will ask for one more next year and another in a future year. I am encouraged to see that the Department of Defense has finally recognized the importance of nuclear power for aircraft carriers after long urging by the Congress.

The United States is now committed to a nuclear powered aircraft carrier building program with a total of at least four nuclear carriers planned to be in the fleet of the mid-1970's. The aircraft carrier continues to be one of our prime naval weapons. It provides a movable platform from which to launch airplanes wherever they may be needed. It is a floating airbase complete with maintenance and repair facilities, ready for immediate use. It has proved to be a vital asset in support of our military activities in Vietnam.

The importance to the future strength of the Nation of providing nuclear propulsion in our major surface warships has been studied and debated at length for over six years. Even before our first nuclear powered surface warships, the cruiser USS *Long Beach* went to sea in July 1961. Congress took action to change the frigate USS *Truxtun* from conventional propulsion to nuclear propulsion. This summer the *Long Beach* returned from her first combat tour during which she performed a vital mission in the Gulf of Tonkin. Also this summer the recently completed *Truxtun* reported for duty with the Pacific Fleet.

At least four major fleet escort ships—destroyers or frigates—are assigned to each aircraft carrier to make up a carrier task group. These escorts are designed to operate against enemy targets on independent missions or as a part of a coordinated protective screen to destroy enemy aircraft, missiles, submarines, and surface ships that attack the carrier task group.

To exploit the full potential of the carrier task group, everything possible must be done to minimize the logistic support required to sustain the ships in a combat environment. Elimination of the requirement for a continuous supply of ship propulsion fuel makes nuclear powered warships far superior to their conventional counterparts. The outstanding performance demonstrated by the *Enterprise, Long Beach, Bainbridge,* and *Truxton* during one million miles of steaming throughout the world, unfettered by the umbilical cord of a propulsion fuel distribution system required by conventional ships, has made the requirement for nuclear propulsion in our new warships obvious. The recent Middle East crisis has once again demonstrated that the need for fuel oil is the Achilles Heel of conventional warships.

The issue put before the Congress last year and this year is whether the new major fleet escorts the United States builds for our future naval striking forces—warships that will be operating into the 21st century—will have nuclear propulsion. The Department of Defense recommended *conventional* major fleet escorts both last year and this year. But Congress disagreed and decided to provide these ships with *nuclear* propulsion.

Congress has decided the time has come for the United States to make the inevitable decision to modernize our Navy by taking the next step from sail to coal, to oil, to nuclear power for propulsion of naval surface warships. This decision is in accordance with the Constitutional responsibility of Congress to provide and maintain a Navy . . . I assure you, Congress will continue its role of leadership in bringing about the development and application of nuclear propulsion to the U.S. Navy—as we have in the past—first for submarines, then for aircraft carriers, and now for major fleet escorts.

You who comprise the crew of this new *Greenling* we commission today still do not see a world at peace. Once again the world is beset by war. World War II saw us fighting to maintain our freedom; now we are fighting to protect the freedom of the peace lovers everywhere. Once again the courage and perseverance exhibited by the earlier *Greenling* are required by all of our Armed Forces.

May the courage and strength of character which the crew of the first *Greenling* demonstrated, and which forms but a small part of the great tradition of American submarines, serve as an inspiration to you of the new *Greenling*. Our entire nation is supremely proud of the valor and the gallantry that have made the American fighting forces the finest in the world. I know that your skill, devotion to duty and spirit of self-sacrifice will help make the *Greenling* the proud ship she deserves to be.

Officers and crew of the *Greenling*, you face unparalleled challenges and opportunities. I am confident that you will carry out your responsibilities in a manner which befits the tradition of the Navy's submarine service. May I wish you Godspeed and smooth sailing.

U.S. ECONOMY CONTINUES TO EXPAND

Mr. DORN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, a few days ago this country entered the 81st consecutive month of economic expansion—the longest period of steady economic growth in our history.

To insure a continuation of this expansion—to keep our economy on an even keel—the President has asked the Congress to pass his tax surcharge proposal. In 1962, 1964, and 1965 we lowered taxes to stimulate the economy. Now we must raise them to slow the economy to a more moderate and maintainable pace.

In this regard, I commend to you a well-reasoned analysis of the issues involved in the current tax debate by Herbert Stein, a noted economist of the Brookings Institution. Mr. Stein's analysis appeared in a recent issue of the Reporter magazine, and is a comprehensive and excellent discussion of the issues involved.

Mr. Speaker, under unanimous consent I place Mr. Stein's entire article in the RECORD, as follows:

THE CASE FOR THE TAX SURCHARGE

(By Herbert Stein)

The new economics and the old Puritan ethic have converged this fall to recommend a tax increase. The New Economics says that when inflation is forecast, taxes should be raised, and inflation is now commonly forecast. The Puritan ethic holds that when the Federal budget is going to be in deficit, taxes should be raised to balance it, and this year the Federal budget is going to be in substantial deficit. Even so, the President's proposal to levy a ten per cent surcharge on individual and corporate income taxes is in trouble. The odds are that there will be a tax increase, but that it will come later than the President wished, be smaller than he asked and require him to pay more in expenditure cuts than he would like.

The difficulties that the President's tax proposal have encountered should have been no surprise. Increases of the Federal income tax are very rare. Except for the special case of 1932, there have been general increases only during the two World Wars and the Korean War. Relative to the Federal budget and the national income, even the Korean War was much larger than the current conflict. And in all three of those wars the Presidents had to settle for smaller increases than they wanted. The plain fact was and is that people do not like to have their taxes raised.

The modern standard view of fiscal history does not prepare us for the difficulties in the way of the tax increase. This view teaches that before 1963 the country was dominated by the idea that the budget should be balanced—if not always, at least almost always. But in 1963 we were converted by the New Economists to the view that taxes should be reduced when expert analysis and prognosis indicate a deficiency of total demand and should be raised in the contrary circumstances. This conversion led to the tax reduction of 1964. If the conversion had lasted, there would be no problem about raising taxes now when the economists warn of inflation. And even if the country or Congress has retrogressed to the budget-balancing idea, that should be an equally powerful force for raising taxes in 1967.

But this view of the history greatly exaggerates both the force of budget balancing as a guide to policy before 1963 and the extent of the conversion to the notion that the economics profession could tell us reliably how to manipulate taxes to produce high employment, price stability, and steady growth.

The 1963-1964 tax fight was not a contest between budget balancing and the flexible use of taxation as a stabilizer. The fight was over expenditures. Before the House of Representatives voted on the tax cut, President Kennedy sent up a letter promising a tight budget for the next fiscal year. Then Wilbur D. Mills, chairman of the House Ways and Means Committee, delivered a powerful speech to persuade the House that in voting for tax reduction it would be voting for restraints on expenditures that would make possible more tax cuts later. The Senate would not act on the tax cut until it saw the budget for the following year. When President Johnson sent up a surprisingly small budget in January, 1964, he promptly got the tax cut.

This is the background against which the tax increase is being considered. It is a background of little confidence in expert advice, only marginal devotion to the principle of the balanced budget, a general reluctance to raise taxes, and a feeling of disappointment and resentment that Congress is faced with this choice after the expectations created during the discussion of the 1964 tax cut. Presidents can sometimes override these difficulties, but Mr. Johnson's leadership is less powerful than it once was. A war would ordinarily be sufficient to assure some increase in taxes, but the Vietnam War is special, and its influence works against as well as for the proposal. Therefore, Congress is in a mood and position to bargain hard before granting the President a tax increase.

ADMINISTRATION ARGUMENTS

The case for raising taxes, as presented by the administration, rests on three points:

Inflation. During the latter part of 1965 and most of 1966, the U.S. economy was under strong inflationary pressure. Rising expenditures for the Vietnam War, added to the vigorous upswing already in progress, caused the total demand for output to rise faster than could be matched by the supply, even though production rose substantially. The average rate of price increase, which had been running around one to 1.5 per cent a year, rose to three or 3.5 per cent.

In the first half of 1967 the economy entered a period of lull. This was mainly due to a drastic decline in the rate at which businesses were building up inventories. The slow-down was also due to tight monetary conditions, caused in part by the Federal Reserve's efforts to curb the inflation. Probably to a smaller degree, the government's action in suspending the tax credit for business investment also contributed to the pause in the economy.

The pause is expected to be temporary, and indeed may already have ended. The decline in the rate of inventory investment, which was the main element in the pause, can hardly go much further and will probably turn into a rise. The relaxation of credit conditions has produced the beginnings of an increase in residential construction. Meanwhile government spending, defense and nondefense, state and local as well as Federal, continues to grow. By 1968, recovery of the economy will give a boost to investment spending by business. And the increased income resulting from increases in all these lines of activity will accelerate consumer spending. So by the end of 1967 the growth of total demand will again exceed the growth of production and prices will rise more rapidly.

People complain about being asked to pay higher taxes on top of high and rising prices. But the taxes will not be in addition to higher prices; they will be a substitute for higher prices. Failure to raise taxes would leave more money in our pockets, but the larger amount of money would not buy more. Real consumption and investment, the administration insists, must and will be held down to real production in some way, and if that is not done by higher taxes it will be done by higher prices. The tax route is fairer, or can be made so, because we can decide who pays the taxes. The inflation route imposes the sacrifices mainly on the weak.

Tight Money. Advocates of a tax increase recognize that the predicted inflation could be checked by a tight-money policy, but they argue that this would simply make for higher interest rates, which in turn chiefly penalize small business, state and local governments, and, most severely, purchasers of houses, builders, and construction workers. Such an allocation of the sacrifice would be unfair and economically disruptive.

To this argument some add another which is, or sounds, even more ominous, namely, a recurrence of the financial "crunch" of 1966. The rise of interest rates in money markets, including rates on Federal securities, led many individuals holding savings and loan association shares, and corporations holding time deposits at banks, to take their money out and invest it directly. There was a danger that the financial institutions would be unable to meet the drain of funds if it continued, or at least be unable to meet the drain without liquidating assets at a loss. Financial markets in 1966 were, it is said, as near panic as at any time since the Second World War. However, the Federal Reserve and other financial agencies of the government came to the rescue and relieved the situation. Some advocates of a tax increase fear that without it the "crunch" would be repeated, but this time if the Federal Reserve is fighting a strong inflation it would be unable to relieve the financial markets as well.

THE BUDGET DEFICIT

Economists who argue for the tax increase are likely first to swear that they haven't the slightest concern about the budget deficit "as such," and that the deficit is relevant only as, together with a lot of other conditions, it throws light on the problem of inflation and interest rates. However, President Johnson is not bucking for appointment to the Harvard Economics Department. He has not hesitated to appeal to what is left of the Puritan ethic in this country and invoke the size of the prospective deficit as an independent reason for raising taxes. In fact, he and his aides have presented the deficit picture in the most dramatic possible light.

There are several ways of defining and measuring the Federal budget, and these different ways show different surpluses or deficits. In his January Budget Message the President made a point of emphasizing what is called the National Income Accounts Budget, which is generally recognized to have much greater economic significance than the traditional Administrative Budget and usually has a smaller deficit. But in the argument for the tax increase this summer and fall, the President and his officials have talked almost exclusively in terms of the Administrative Budget. This has enabled them to talk about a deficit of $25 to $29 billion, rather than the $15 to $18 billion apparently in prospect in the National Income Accounts Budget if there is no tax increase.

GROUNDS FOR DOUBT

The Congressmen who express reluctance to raise taxes don't deny what the supporters say; they only complain that the administration has not made its case. In particular, they express reservations about the administration's forecasts and about forecasting in general.

The economic case the supporters have to make is indeed a hard one. They must show not only that the economy will be rising but also that the rise will exceed some critical rate that causes serious inflation. If the forecast is wrong by an significant amount, so is their recommendation. There is little margin for error.

The forecasting basis of the 1963–1964 tax-cut proposal was quite different. Then the economy was running about $30 to $40 billion below its potential annual output, and had been doing so most of the time for five years. The tax cut was justified not by the forecast of a change but by the forecast of no change in the economy. Furthermore, it was expected to close only part of the gap between desired and actual output, so that there was some margin for error before the tax cut would overshoot the mark and cause inflation. And it was to take effect gradually, over a period of a year and a half as originally proposed, so that there would be opportunity to correct for errors in the forecast if they became apparent.

Plenty of reasons can be found for skepticism about the ability of economists to make such a precise forecast reliably. As Congressman Mills has reminded expert witnesses before his committee, the experts told Congress in the summer of 1957 that it was not a good time for a tax reduction. This was about one month before the 1957–1958 recession began, and in retrospect it looks as if a tax cut would have been most opportune. Economists made a similar error in 1960. To come much closer to the present, we may recall that after mid-1965 inadequate information on the pace of the Vietnam buildup led to a serious underestimate of its inflationary impact. Also, the administration's request for suspension of the investment credit in September, 1966, followed by a request for restoration of the credit within a few months, did not suggest that policy was guided by a very clear view of the future.

The administration's current recommendation that taxes should be raised to prevent inflation rests not only on the proposition that there would be inflation if taxes were not raised. It also rests on the proposition that the tax increase would stop—or substantially reduce—the inflation. On this proposition also there is skepticism in Congress, with eminent, although not widespread, support in the economics profession. What is at issue is whether a tax increase that is expected to be temporary will cause the taxpayers to reduce their spending or to reduce their saving. In the latter event there would be no anti-inflationary effect. The increase would simply reduce the government deficit and equally reduce the private saving that would have been invested in the government debt; everything else would remain unchanged. As for the effect on spending, some economists, notably Professor Milton Friedman of the University of Chicago, interpret the available evidence as showing that people adjust their spending to what they expect their income will be on the average in the long run, and that they respond to variations of income which they expect to be temporary by changing the amount they save. If this is true, it casts a great deal of doubt on the anti-inflation argument for a tax increase.

The tight-money argument for raising taxes depends upon the inflationary aspect of the case. If the forces in the economy do not add up to inflation in the absence of a tax increase, there will be no need for monetary tightness or higher interest rates. And if a tax increase will not restrain inflation, because it reduces private saving rather than spending, then a tax increase will not prevent tight money either. But there are other reasons for doubt about the tight-money argument. During the spring and summer of 1967, interest rates rose substantially in anticipation of government and private borrowing expected to come later. Present interest rates many be already adjusted to the conditions that would exist if there were no tax increase, so that there would be no further rise if the tax proposal were rejected. If so, a repetition of the "crunch" is unlikely. Anyway, a "crunch" is not the inevitable consequence of high or rising interest rates; it results from lack of preparation by private financial institutions and by governmental financial policy. To ask the American people to pay $8 or $9 billion in taxes to avoid this seems extreme to some economists.

As for the effect of tight money in restraining private investment, notably residential construction, this diversion of resources may be the best way to meet the expense of the Vietnam War, opponents of the tax increase say. It may be more sensible to defer part of the addition to our stock of capital, which can be made up later and which has little effect on current living standards, than to curtail consumption at once.

To complete the list of doubts, the size of the prospective deficit carries little weight as an independent reason for raising taxes. Even when we were much more devoted to balancing the budget than we are today, we did not expect to balance it during a war. And while the figures for the deficit are impressively large, so are all other dollar figures in the American economy. So goes the argument against the administration's proposal.

THE EXPENDITURE ARGUMENT

Still, the probabilities are on the side of the administration's short-run argument. The evidence that we would face serious inflation if taxes were not raised may not be overwhelming, but it is stronger than the evidence that we would have a recession if we did raise taxes. Moreover, after the inflationary episode of 1965–1966 it is probably time for us to lean in the direction of stopping inflation, even at some risk of slowing down the rise of production and employment. And one does not have to share the common fear of or bias against high interest rates to believe that it would be better to restrain the rise in the affluent level of American private consumption by raising taxes than to repress private investment by tight money. Moreover, if the argument is correct that a temporary tax increase does little to hold down private spending, it also means that the temporary tax increase can do little harm.

The point is not the absence of a case for raising taxes on grounds of short-run economic effects. It is rather that the arguments are not strong enough to compel the decision to be made in terms of short-run economic effects alone. Hence other consequences must also be considered and may dominate the decision.

The most important of these have to do with Federal expenditures and the future of Federal taxes, and are believed to flow from two laws—one political and one economic. The political law is that the higher taxes are, the higher expenditures will be. The economic law is that even though higher expenditures do not necessarily require higher taxes in the short run and may not require higher taxes in 1967–1968, in the long run and on the average, the higher expenditures are, the higher taxes have to be. Therefore, the decision about taxes now is also a decision about expenditures and future taxes, and should be influenced by preferences about them.

Basically, the Congressmen are saying that they want expenditures to be lower, not only this year but also over the longer term. Representative Mills wants to fulfill the promise and prophecy of a downward trend of taxes that he made in advocating the tax cut in 1963. Congress fears that if it gives the President the tax increase he asks now, spending will be higher than otherwise, not only now but also later. Indeed, Congressmen are highly skeptical of the idea that the proposed tax increase would in fact be temporary. They remember that many of the taxes that were supposed to expire automatically after the end of the Korean War were extended step by step for a decade, under the seemingly inexorable pressure of rising expenditures. They can foresee something like that happening again after the Vietnam War. They feel that the only sure way to make a tax increase temporary is not to enact it.

Congress is not terribly impressed with the risk of inflation if it doesn't raise taxes, and is impressed with the risk that expenditures and taxes will be permanently higher if it does. Because it evaluates the risks in this way, it is able to make a credible threat of refusing to raise taxes unless the President cuts expenditures. And because the threat is credible, and because the President wants some tax increase very much, he will make a strenuous effort to meet their demands. This would be a close parallel to events of 1963–1964 when Congress forced the President to cut expenditure by threatening not to enact the tax reduction.

The ranks of the perennial Congressional "economizers" will probably be joined today by some who are usually "spenders" but who now object violently to one particular expenditure—that for the war in Vietnam. They will oppose the tax increase to show their intense opposition to the war and also to make prosecution of the war more unpopular by preventing it from being financed in the best way. In either terms, the tactics seem unlikely to be very effective. Those who oppose the tax increase because they are against the war will hardly be visible in the crowd of people who oppose it for other reasons.

Whether refusal to raise taxes would increase the real cost of the war, by causing inflation or other adverse economic consequences, is a question we have already discussed and answered: "Probably yes, although probably not much." For the anti-war people the more significant question is whether the public and the President will *think* the cost of the war is higher if taxes are not raised than if they are. For the public the answer is probably "No." For the President the answer is affirmative, but not so strongly as to influence his policy toward the war.

Then there are those who support the tax increase because they are all for the other war—the war on poverty, including even some who normally favor lower government spending. They may not regard the tax increase as the best of all possible alternatives. Some would prefer to hold down certain expenditures (agriculture, highways, the space program, and the supersonic transport are the common list), to manage the welfare programs more efficiently, and to rely on monetary restraint as necessary to prevent inflation. But this is a world in which we seldom get the best of all possible alternatives. Politics, prejudice, ignorance, and inertia in the budgetary process make niggardliness in the urban-poverty programs the more probable consequence of a failure to raise taxes.

This case for a tax increase is not an argument for throwing money around. It does not imply that spending money will cure all our social ills, or even avoid the necessity for making hard decisions. It does say that time cannot be stopped in America because a war is going on in Vietnam. At this point in time, it would be both unwise and dangerous to force extremely difficult decisions to be made within the confines of an unnecessarily stringent budget, through refusing to raise taxes or threatening to do so. In my opinion, this is the compelling reason for a tax increase.

VIETNAM

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, yesterday, appearing before the Senate Foreign Relations Committee, Ambassador Goldberg indicated what I take to be an important change in the administration's negotiating position on Vietnam. The United States is now on record as being prepared to vote for participation by the National Liberation Front in any Security Council talks. And, more important, the United States is now willing to accept its full participation in a reconvened Geneva Conference.

For several years many of us in Congress have argued that such a policy was a necessary precondition for any serious discussions for a settlement in Vietnam. As recently as last Tuesday, October 31, a number of us met privately with the Secretary of State to reaffirm that position.

The administration's decision to make clear its willingness to talk directly to the NLF, therefore, represents an important step forward in the search for peace in Vietnam.

That decision, of course, does not in itself guarantee that talks will occur. The administration must be prepared not merely to talk to the National Liberation Front, but to talk realistically. Realistic talks would acknowledge its considerable power in South Vietnam. And realistic talks would acknowledge that the NLF would be able to have representation in any future government of South Vietnam.

From our conversations last Tuesday with Secretary of State Rusk, I doubt that the administration is yet prepared to accept the logical consequence of a decision to talk directly with the NLF. Nevertheless, I welcome Ambassador Goldberg's statement as an important first step in defining a diplomatic position which has some possibility of bringing about a negotiated settlement.

OBSTRUCTION OF AND AID TO ENEMY PENALTIES FOR ARMED FORCES, VIETNAM

Mr. COLMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. COLMER. Mr. Speaker, I was out of the Chamber when the program was announced. I had intended to ask the majority leader about a particular bill, H.R. 8, sometimes referred to as the Pool bill, and which has to do with the obstruction of our Armed Forces and aid to the enemy.

This bill was reported out of the Committee on Un-American Activities on May 31. A rule was sought thereon and on June 13 the resolution was reported out of the Committee on Rules. But the bill has not been programed, and I want to ask the distinguished majority leader when he proposes to program it because if it is not, of course, I would feel obligated to exercise the privilege of calling it up, as a privileged matter under the rules of the House.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to the gentleman.

Mr. ALBERT. In response to the inquiry of the distinguished chairman of the Committee on Rules, as he has indicated the rule was granted some time ago. Of course, more than 7 legislative days have passed, and under the rules any member of the Committee on Rules may call the bill up as a matter of privilege.

Of course, the leadership respects that and will respect the request of the gentleman that the matter be programed at an appropriate time if, and when, the gentleman will advise us as to his desires.

Mr. COLMER. Mr. Speaker, I am advising the majority leader now that I would like to have this bill programed at a very early date because it has been some time since the resolution was reported out.

Mr. ALBERT. I will be very glad to consult with the gentleman. The matter is privileged and we will honor the request of the gentleman.

Mr. COLMER. I thank the distinguished majority leader.

RESOLUTION TO HAVE U.N. TAKE UP MATTER OF VIETNAM

Mr. COLLIER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. COLLIER. Mr. Speaker, during the past week or 10 days 24 Members of this House and 55 Members of the other body have introduced "sense of Congress" resolutions, one urging the President to request and the other urging the President to consider—and I repeat "consider"—taking the Vietnam issue to the U.N. Security Council.

I was under the impression that every Member of this body and the Senate knew that as long ago as February 2, 1966, such a request was made by Ambassador Goldberg, and that request has been and is still pending before the United Nations.

I cannot understand, therefore, why some of my colleagues would now, at this late date, introduce a resolution asking the President to do something that has already been done. What is the sense of such an obviously useless action at this time?

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. COLLIER. I am delighted to yield to the distinguished Speaker.

Mr. McCORMACK. Mr. Speaker, the gentleman is absolutely correct. Not only once, but at least on two occasions—and within the past 24 hours—the President has instructed our representative to the United Nations to try to bring the matter to the attention of the United Nations. We all know the difficulties in connection with that. The gentleman's statement is absolutely correct.

Mr. COLLIER. I thank the Speaker. I feel very deeply that this type of resolution, which I was asked to introduce on an issue in which we are all deeply interested, would be misleading to the American people, because such a resolution at this stage could leave the misimpression that the President has not already taken this vital action.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. COLLIER. I yield to my colleague, the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, my colleague from Illinois makes an excellent point. Of course, we all want the day when the United Nations will take up this very difficult problem.

Would my colleague agree with me that these people, as well as those who demonstrated against the Pentagon the other day, ought to take those complaints and those petitions to the Soviet Embassy? Is that not where the bottleneck is? Is it not the Soviet Union which has said repeatedly it is going to use its veto on any effort to bring this whole question of Vietnam into the United Nations?

It astounds me when all these many well-meaning friends and colleagues in America can blame their own Government but never say a word against the Soviet Union, when the real problem is with the Soviet Union.

Mr. COLLIER. I think that is a very valid point. I merely took this time because I feel a very erroneous conclusion could develop from this type of resolution, and it should be straightened out for the Record.

The SPEAKER pro tempore. The time of the gentleman has expired.

LOS ANGELES POLICE CHIEF REDDIN ADDRESSES FBI NATIONAL ACADEMY GRADUATION

Mr. DEVINE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DEVINE. Mr. Speaker, one of the great law-enforcement officers of this Nation, Thomas Reddin, chief of the Los Angeles Police Department, addressed the graduating class of the Federal Bureau of Investigation National Academy on November 1, 1967. Lt. Frank Peterfy, a highly respected officer from the Columbus, Ohio, Police Department was among the graduates.

Chief Reddin's remarks are so outstanding, all Members of Congress should read them carefully, and keep them in mind while considering future legislation in the field of law enforcement, crime and justice.

In addressing the 99 graduates of the 80th session of the National Academy, Chief Reddin emphasized that society has not failed the lawless, but to the contrary, they have failed society. And further that law officers must by necessity make instantaneous decisions; that down a darkened alley in the early morning hours, confronting an armed suspect, policemen do not have the time to sit, en banc, like the Supreme Court, and decide, 5 to 4, what their course of action should be.

It is high time the "good guys" be given some consideration—policemen—who do not have the benefit of instant replay like TV football, on critical decisions under extremely hazardous situations.

Chief Reddin, a National Academy graduate of 17 years ago, should be commended for his exceptionally fine address:

> It was with a great amount of pleasure that I received Director Hoover's invitation to speak at this graduation exercise of the 80th Session of the FBI National Academy. I am flattered and proud that a man whom I have greatly respected and admired over the years would honor me with such an invitation. I also feel like a graduate returning to his alma mater as I was privileged to be a member of the 43rd Session of this National Academy. Upon reflection over the years since that graduation, I cannot help but feel that there is a direct relationship between my attendance at the National Academy and the good fortune that has come to me through my law enforcement career including my present position. I know that success for graduates is not unique and that each of you over the years will greatly benefit in your chosen profession from such invaluable training. Before law enforcement can lay claim to professionalism, it is essential that all Americans must trust the man with the badge—not merely because he wears it, but because he wears it with honor.
>
> No other person has brought the dream of professionalism closer to reality than John Edgar Hoover. The road to trust and respect by the American people is the road of police professionalism. And it is only through professionalism that the badge can be worn with honor.
>
> The true birth of professional law enforcement took place on May 10, 1924. It was on that date Mr. Hoover was appointed Director of the FBI. On that date the Federal Bureau of Investigation emerged as a symbol of professionalism which the police of this Nation could follow. On that date law enforcement in America began to emerge from the dark ages primarily through the efforts of one man and by the example set by the organization he built. The establishment of the FBI National Academy as the "West Point" of law enforcement is another manifestation of the imagination, foresight, and creative genius of Mr. Hoover. That he established it when he did, over 32 years ago, as a place of learning for law enforcement officers, undoubtedly labeled him as a visionary at that time.
>
> One might ask what change can be wrought by visionaries? From this man's thought and vision, we have seen the development of the professional law enforcement officer of America.
>
> The ancient Greek philosophers all agree that the only constant thing in the universe is constant change. Today, change is one of the greatest problems on the law enforcement scene. We are living in an age of discontent and discord. We see rapid—almost daily—changes in social and economic values. Sociologically speaking, change is due to the desire of society to find a course of conduct that is most acceptable to the group. I think it is safe to observe that as a Nation we are having a bit of a problem deciding what group and which philosophy are going to prevail for the 200 million people in this country.
>
> As it stands today, almost every legal and social and governmental philosophy has recently changed, is in the process of change, or is being attacked and questioned by some group.
>
> Orderly change is constructive and a natural state of affairs. However, the turmoil surrounding rapid social change has become a problem of great dimension for the police.
>
> One example is in the disturbing growth of mass group action under various guises. It is not too significant to society if individuals have a variance in their ethical or philosophical beliefs regarding "freedom of conduct." In fact, it makes for unendingly interesting cocktail party conversation. We also have a sort of American tradition surrounding polite controversy. "Diversity of opinion" makes for good horse races, and that sort of thing. But the spectacles we are currently witnessing, such as a recent incident in Los Angeles which necessitated the use of 1,200 officers to protect the President of the United States, are not police controversy. Many "love-ins," "be-ins," "sit-ins," and demonstrations have gradually degenerated into riots and exhibitions of rampant anarchy masquerading under the guise of peaceful protest.
>
> While thousands of people are indulging themselves in a frenzy of freedom, many more thousands of our citizens are losing some of their freedom due to the inconveniences caused by the protesters.
>
> It does not take any great clairvoyance to see that militant speakers, exhorting their audiences to kill the President and burn and pillage our cities, are not advocating peaceful social change, but revolution and anarchy.
>
> It is no longer sufficient for a complacent society to diffidently pass off to the police the repsonsibility for ameliorating problems arising from political and social change. The police can enforce the law, but the leaders of our country must set a course on what the limits of protest are going to be. For, as in no other level of society, all the sliding scales of ethics, behavior, and views come into a "real world" focus at the scene of a police incident.
>
> The drawing room flavor of polite intel-

lectual exercise is suddenly lost at the point where a 21-year-old policeman faces a 21-year-old "protester" or "activist" or "delinquent," or whatever euphemism you choose, at some legal crossroad. At this juncture it is too late to adjust philosophical postures. It is a confrontaton at which the law must prevail.

It is not possible to administer law enforcement agencies and enforce the law according to the beliefs and leanings of individual officers. The police, as citizen-soldiers, enforce the laws dictated by the will of the people. But the rules and guidelines within which we operate are becoming more vague and shadowy.

To be effective, we must know what the people and the courts want from us. If we are to believe some of our critics, we must become hidebound traditionalists who are 50 years behind the times and have failed to change with the times—an anachronism—or sort of a "blue-uniformed appendix" whose usefulness disappeared in the evolution of change.

There are moments, I confess, when I do feel as though I have lost track of things. Twenty years ago, if a person stepped before a public forum and seriously advocated disobedience to any law with which he was in philosophical disagreement, we would have been hard put to save him from the mob.

Today, the same pronouncement will attract a large and loyal following. I think the essence of the law enforcement position today is that we are caught in the middle of what you might term a "behavior gap."

The police enforce statutory laws. Statutory laws have no true meaning unto themselves. They are rules that are put into writing as ideas for behavior and form our society's direction and goals. With man's imperfect development to date, it is generally recognized that the moral code of many does not recognize a "common good" or the "golden rule." Accordingly, freedom of conduct, based upon their own personal concept of behavior, is an acceptable mode of conduct to a great many. It thus becomes necessary to have laws or rules to promote compatible living. They constitute "moral traffic signals" designed to prevent social traffic jams.

Change came about in a more leisurely and orderly manner in years past; but, with the faster pace of life today, too many social gears are changing at different speeds. So the "behavior gap" of which I speak is the product of society, individuals, the courts legislatures and subcultures and ethnic groups making demands for change too rapidly for society at large to readily assimilate. Social value systems should form slowly and change only after mature and searching inquiry.

By "behavior gap" I also mean there is an increasingly sharp differential in what individuals, groups, and the body of law consider to be acceptable behavior.

There has been a great rush, particularly in the field of criminal law, to summarily change laws, values, and precedents built up through several centuries.

There is a large gap between what many segments of society say the rules are, what they think the rules are, and what actual behavior results in a given situation. And into this gap the police must step and attempt to regulate behavior on behalf of society. King Solomon might even feel a bit queasy in making decisions in such times.

Never in the history of law enforcement have the pressures, duties, and demands been greater on those charged with the responsibility for enforcing the law. Staggering increases in crime, civil disorders, and other police problems have inexorably stretched police resources to the breaking point. Law enforcement is attempting to cope with problems far beyond what was ever conceived to be its area of responsibility.

In the beginning, the mandate to the police was relatively simple: "Prevent crime and apprehend criminals." But the law of continual change has broadened this concept.

Meeting these demands has wrought great changes in police training. Sociological training and human relations training occupy a large part of any police academy program. The abilities, training, and understanding required of today's police are beyond anything conceived twenty-five years ago.

The police do not operate in a vacuum, neither are they raised in a alien environment on a distant planet and shipped here for the explicit purpose of policing. They are ordinary citizen-soldiers who are hired by society to perform those functions which society finds distasteful or which society does not have time to do for itself on an individual basis.

Today, defiance of the law receives encouragement from many sources. Further, some who do not openly encourage, at least condone unlawful behavior through inaction or lack of open disapproval. Thus in some areas disrespect for law and order has taken on an aura of respectability.

Too many segments and groups of society are imbued with the concept that is it perfectly fitting and proper to disobey any law with which they disagree. The police cannot subscribe to that belief. Neither should society so subscribe. The result of such action can only be disorder, anarchy, insurrection, and riot.

Although many of the problems are not susceptible to solution by law enforcement, many other problems can and are being attacked with vigor.

Too much crime has been condoned in this country on the flimsy excuse that a poor childhood and "society's failure" cause crime and somehow constitute a license to rob and riot.

I do not believe that society causes crime. People cause crime. And if having a poor childhood were an automatic road to ruin, then many in the audience would be in jail rather than here.

We believe that a hard line must be taken with the lawless. We do not believe that society has failed them, but that they have failed society. We believe that they should be castigated and punished and that society can survive only by rejecting them as anything other than self-willed criminals.

I believe that this is a pivotal time for the Nation's municipal police. This is the year that will determine whether we will be classified as an anachronism that no longer serves society's needs, or whether we will be regarded as the "anchor" holding local government steady against the extreme tides of civil unrest and crime.

The vast change that has visited the law enforcement scene is also beginning to show signs of helpful change for the police. I believe that the winds of change are at last blowing in law enforcement's favor.

Change is bringing many items of interest. For the first time in history, crime and law enforcement are of national interest. It is stylish to talk about them; it's stylish to do something about them; and this presents an age of opportunity for us. The President's Crime Commission deliberated eighteen months and produced some ten documents. We do not necessarily agree with everything in those documents, but they contain an indicated course of action for law enforcement in the years ahead.

Before Congress at the moment we have the Safe Streets and Crime Control Act. In this Act, millions of dollars are proposed to be expended in the current fiscal year toward the solution of law enforcement problems through federal grants to local agencies. We will have the opportunity to create, innovate, and experiment in police procedures, police administration, and training. We will be able to further our educations and determine ways to apply science and technology to the solution of police problems. We will, in short, have the greatest opportunity of our lives to improve the effectiveness of law enforcement.

I recently attended a meeting in Washington where the speaker stated that in the early 1970's the Federal government would be spending $1 billion per year for the benefit of local law enforcement.

Change has brought us to new technological thresholds. At the present time, through the progressive thinking and farsightedness of J. Edgar Hoover and the FBI, the complex electronics information system known as the National Crime Information Center came into existence in January of this year after much study and planning. The goal is to place at law enforcement's almost instant disposal a computerized information center, national in scope, to complement the development of similar systems at local and state levels. This will ultimately enable the law enforcement officer to have at his ready command pertinent data concerning criminals and criminal information that has been submitted by various law enforcement agencies throughout the Nation.

Ten years from now the officer in his radio car will have a query device on his dashboard with which he can question a computer hundreds of miles away and get an immediate answer in voice, printed form, or on a cathode-ray tube device such as a television tube. He will be equipped with devices to allow him to see better at night, to make it possible for him to search suspects without touching them, to stop fleeing cars without having to engage in high-speed chases or resort to gunfire, to search large, open areas and locate concealed suspects. He will have a wristwatch radio weighing no more than ten ounces, including batteries. He will have all these, because they are presently within the capabilities of the scientists in our country.

Colleges and universities throughout the United States are displaying great interest in the formation of degree programs in law enforcement.

Obviously, the need for well-trained, well-educated officers has never been greater. In our daily decisions we deal with human liberty. The decisions are often instantaneous. Down a darkened alley in the early morning hours, confronting an armed suspect, we do not have time to sit en banc like the Supreme Court and decide, five to four, what our course of action should be.

Unconsciously in past years we have been nurturing a self-pity syndrome. We have been saying that nobody likes policemen, being a policeman is a lousy job, the Supreme Court is against you, the legislature is against you, and civilization is going to crumble and fall because of the weakness of its inhabitants. It's almost as if we have been accepting defeat as inevitable. We really don't believe all this, or we would not be in police work. It's time we took the initiative and engaged in positive programs to provide cures. One thing we must do is take an aggressive, positive approach to the problem.

As we examine law enforcement in our changing society, we find that:

Never has there been such interest in authority.

Never has there been such resistance to authority.

Never have those who would damage effective law enforcement been more active, and

Never have there been more and varied challenges facing law enforcement.

But at the same time:

Never has there been such interest in, and overwhelming support for, law enforcement; and

Never have science and technology held out such promise of help in the battle against crime and

Never has there been such a challenge to law enforcement to take the initiative and engage in creative, innovative programs; and

Never has there been such a need for positive, aggressive police leadership.

You can provide that leadership if you will apply the knowledge you have gained here at the "West Point" of law enforcement.

The National Academy has given you the finest law enforcement training available any place in the Nation. Do not waste a single iota of that training. Return to your departments and put into practice this additional knowledge and skills that you have received here. By diligent application of your newly acquired expertise, you will upgrade law enforcement in general and your departments in particular. Each of you should enjoy even greater success in your chosen profession. You should take particular pride in the fact that you have been hand-picked by Mr. Hoover and his associates for attendance at his Academy. As President of the National Academy Associates, I welcome each of you and congratulate you upon your attaining membership in this most select and esteemed Association.

LET DEMONSTRATORS PAY THEIR WAY

Mr. DEVINE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DEVINE. Mr. Speaker, in God's name should the taxpayers be required to pay for outrageous acts of anarchy, and self-indulgence by a comparative handful of advocates of hate, violence, and lawlessness?

This question was repeated many times after the October 21 mass protest rally at the Pentagon, ostensibly against U.S. Vietnam policy. The American people began demanding positive answers when it was revealed the cost was over $1 million, and the cleanup restoration over $12,000 alone.

Although many participants were sincerely seeking solutions for peace, and others merely curious onlookers, this abortive invasion was led by those revealed on pages 29869 and 29870 of the October 24, 1967, Congressional Record as follows:

> Mr. Cramer. Mr. Speaker, over the weekend, this Nation witnessed, and the world watched, an attack on the Pentagon itself, the spitting in the faces of our soldiers, the throwing of bottles and debris at Federal uniformed officials.
>
> The Communist countries headlined this massive effort at disruption of the operation of Government in the United States.
>
> The undisputed organizers included the W. E. B DuBois Clubs of America, a Communist-front organization; the Progressive Labor Party, who support Communist China; the Student Non-violent Coordinating Committee, followers of Stokely Carmichael who preaches rebellion and anarchy from Communist countries; and joined by the New Left, an activist ultraliberal group preaching violent civil disturbance and mouthing support for the Vietcong and the National Liberation Front against which American men are fighting in the swamps and jungles of South Vietnam.
>
> * * * * *
>
> The march on the Pentagon last weekend gave the Communist enemies in South Vietnam and around the world more aid and comfort by making it falsely appear that many in America are not really behind our fighting men in Vietnam—than any major victory on the battlefield could provide.
>
> My bill would put not only Stokely Carmichael and Rap Brown out of business, but would end the Communist-oriented activities of those who organized the march on the Pentagon, such as Dave Dellinger, a supporter of Red China who visited North Vietnam and Communist China late last year, with Ho Chi Minh early this year and who went to Cuba in 1964; such as Jerry Rubin, a leader of the free speech movement at Berkeley, who disrupted the HUAC meeting in August 1966, and was an observer at the 1966 convention of the Communist Party USA and visited Cuba illegally in 1964; such as Ivanhoe Donaldson, director of SNCC in New York and an observer at the 1966 Communist Party USA convention; and such as Mrs. Dagmar Wilson who traveled to North Vietnam.

We are all mindful of the vocal and self-appointed guardians of the first amendment of the Constitution and their continuous bleats for free speech and assembly, but we are also equally aware of the Supreme Court decision in 1965 wherein then Justice Goldberg said:

> The rights of free speech and assembly, while fundamental in our democratic society, still do not mean that everyone with opinions or beliefs may address a group at any public place and at anytime. The Constitutional guarantee of liberty implies that existence of an organized society maintaining public order, without which liberty itself would be lost in the excesses of anarchy.

The public is entitled to be indemnified against irresponsible conduct and being required to finance these orgies, against their will and without their sanction. I have therefore introduced a bill today, Mr. Speaker, that would require the preposting of a bond by any applicant for a permit to hold a demonstration, parade, march, or vigil on property of the United States or in the District of Columbia.

The bill provides no permit shall be issued unless the applicant posts bond not less than 10 days prior to the proposed "protest," plus criminal penalties for failure to pay for any excesses within 30 days following the spectacle.

It is time to blow the whistle and let those that want to dance, to also pay the fiddler.

IMPOSSIBLE PERSONNEL POLICIES IN THE STATE DEPARTMENT

Mr. GROSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous material.

The **SPEAKER.** Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I call the attention of the House to three recent newspaper stories dealing with the impossible personnel policies in the State Department.

Astonishing as it is, there is no formal appeals system in our Foreign Service corps which could, if one existed, serve to break up the all too prevalent "buddy system" and "old school tie-ism" that has reportedly resulted in the promotion of many unqualified individuals simply because they happened to be well-connected, and brought about the dismissal or demotion of others who dared to criticize abuses in the State Department.

This buddy system in the ranks of the Foggy Bottom establishment has allegedly resulted now in the promotion of an admitted homosexual to a $24,000 a year post in Western Europe.

Mr. Speaker, it is past time for a full and complete investigation of the State Department to correct a system that allows such things as this to happen.

[From the Des Moines Register]

FOREIGN JOB, PROMOTION TO HOMOSEXUAL—A STATE DEPARTMENT SECURITY QUESTION

(By Clark Mollenhoff)

Washington, D.C.—An admitted homosexual has been promoted in the U.S. Foreign Service to a $24,000-a-year post in Western Europe.

The man involved is a 42-year-old former Kentucky resident. His promotion came in May.

TWO INCIDENTS

A State Department promotion list of several hundred names was sent to the Senate earlier this year containing the recommendation for promotion to Foreign Service officer, class one, of the man who had admitted engaging in two homosexual incidents since he became a State Department employe in 1946.

The admissions of the homosexual acts were made to security officers.

The man also was examined by a State Department medical team. With no knowledge of the admissions, the doctors concluded that he was at least a "latent homosexual" who should not be placed in any position where sensitive security matters are handled.

Despite the admissions and the medical judgment, the man was cleared by higher level Foreign Service officers.

The promotion was approved by the Senate Foreign Relations Committee. There was no notification to the committee that the case presented any special problem.

COMPLAINT LODGED

After the promotion was approved by the committee, a complaint was lodged.

Carl Marcy, staff director for the Foreign Relations Committee, asked the State Department to report on allegations that one man on the list was a homosexual.

William Macomber, assistant secretary of state in charge of congressional relations, replied that one man on the list had been in "some trouble."

The letter stated that the list had been referred to the State Department security office, and that the man had "a valid clearance, and is not currently under investigation."

There was no further investigation by the Foreign Relations Committee * * *.

The subcommittee said it did not hold Rusk personally responsible for many practices that probably had not come to his attention.

The subcommittee and Otepka had registered concern over what they called a broad range of carelessness, favoritism and laxity.

Laxity in the British security system has been revealed recently in connection with the operations of Harold (Kim) Philby, the high-ranking British intelligence officer who was a spy for the Soviet Union.

Philby was a part of a three-man Soviet ring that included two British diplomats, Guy Burgess and Donald Maclean, both homosexuals.

INCREASING CONCERN

Members of the subcommittee reportedly have become increasingly concerned recently as a result of continued efforts to fire Otepka, and because of what they believe is continued laxity.

The State Department seeks to fire Otepka for alleged insubordination because he told the subcommittee about what he considered to be security laxity.

He contends that it was necessary to give documents to the subcommittee to prove he was telling the truth about what he called the condoning of homosexual activity and other laxity.

The State Department contends there was no laxity that warranted Otepka's failing to clear documents with his superiors before delivering them to the subcommittee.

The documents showed that Otepka's superiors had given false and inaccurate testimony about some security cases.

In a recent hearing on State Department efforts to fire Otepka, he set out at least 18 cases in which there was alleged laxity. The State Department contends the cases are not important and there is no reason for concern.

In light of recent furor in England there is increasing pressure in the Senate for further investigations by the Internal Security subcommittee.

The case of the admitted homosexual seems certain to be discussed in connection with alleged laxity.

[From the Philadelphia (Pa.) Sunday Bulletin, Oct. 8, 1967]

FOREIGN SERVICE PROMOTIONS—POLICY OF SELECTION OUT IS CRITICIZED

(By Edith Kermit Roosevelt)

WASHINGTON.—The effectiveness with which the United States is able to respond to crises in foreign affairs is directly related to its Foreign Service personnel system. Information gathered by the lower echelons must be accurately sifted and passed to the top, even when it indicates that policy is incorrect. Here is where the system most often breaks down.

The lack of a formal appeals system within the U.S. Foreign Service is directly connected to this. John F. Griner, president of the American Federation of Government Employes (AFL–CIO), testified recently before a Senate Foreign Relations subcommittee:

"Several studies of the Foreign Service Corps (including those by veteran diplomat W. Averell Harriman and Yale Professor Chris Argyris) have indicated that in all probability the fear of disapproval and 'selection out' is one of the most serious factors threatening professional standards. This 'climate of fear' results in facile agreement with superiors in the hope of good assignments and good efficiency reports. Many officers appear to believe that independence of thought and professional integrity may lead to bad efficiency reports and to the threat of being fired through 'selection out.'"

PELL HEARINGS

Griner's testimony was given before an ad hoc subcommittee chaired by Senator Claiborne Pell (D-R.I.) which is considering bills to establish a permanent career service for U.S. Information Agency officers. This would be done by incorporating them into the U.S. Foreign Service.

In addition to the union group, State Department personnel policies have been sharply attacked by the Veterans of Foreign Wars and the American Civil Liberties Union. These very different and powerful organizations all told Pell's subcommittee that while they did not oppose the bills concerning the U.S. Information Agency, they objected to the State Department's lack of appeals procedures. If USIA officials were brought into a single Foreign Service personnel system, they would be subject to the same lack of due process and checks and balances which exist in our Foreign Service.

ELECTION OF TURKS

Meanwhile, concern over the professional integrity of the Foreign Service was reflected in the recent unexpected election of a group of "Young Turk" foreign service career officers to the board of the American Foreign Service Association.

Lannon Walker, the association's new board chairman, told reporters on Sept. 28, "Our decision to run for offices was to give ourselves a more powerful position from which to take independent positions so that foreign affairs professionals would, for the first time, have a say in what their careers should be and how the foreign affairs community should be organized."

APPRAISAL REPORTS

A serious factor threatening professional standards for Foreign Service officers is the so-called "development appraisal report." Following stories about this secretive personnel procedure by this writer, the State Department modified the practice on June 5 of this year. The agency now makes these development appraisal reports available to Foreign Service officers on written request when they are in Washington, D.C.

Thus, under present conditions, officers serving in Washington are able to review these reports shortly after they are written. However, because the reviews are in the personnel office, no confrontation with the writer of the reports is possible.

Officers in the field may not be able to see such reports for years after they are written. By that time, the authors may be thousands of miles away, or even retired or dead. For this reason, the American Federation of Government employes has urged that legislation be passed forbidding any material to be entered into the file of a Foreign Service officer that he has not previously read.

The union has conducted an exhaustive study of the composition and the methods used by State Department selection boards which give efficiency ratings to officers for "selection out" as well as promotion. Its findings reveal why actual performance on the job by a Foreign Service officer is no automatic guarantee for a good rating.

HOW IT WORKS

1. The boards are primarily composed of Foreign Service officers whose own future assignments and promotions may well depend on their performance on these selection panels.

2. The rating officers are often the direct competitors of the men they rate, being often in the same "class."

3. Foreign Service regulations deny officers the right of any formal appeal against the findings of these selection boards or the inclusion of improper material in their efficiency records. As a result, Foreign Service officers sometimes resort to informal and devious methods to correct their efficiency records and reverse their "selection out." This opens the door to the obsession with "political protection" that has begun to demoralize the Foreign Service corps.

OUR "OLD SCHOOL TIE"

(By Edith Kermit Roosevelt)

WASHINGTON, D.C.—The "old school tie" that enabled Harold (Kim) Philby to operate against the United States since 1933 as a Moscow agent in the British Foreign Service has its counterpart in this Country. This is the "institution loyalty" which Otto F. Otepka resisted. Otepka's difficulties with the State Department emerge from this and is one of the main reasons he is being penalized.

The English have an appropriate term for the tribal confidence and mutual back-scratching that is said to exist among the graduates of exclusive private boarding schools and universities that traditionally supply a large percentage of British public-service officials. It is called the "old-boy network." In writing about the role "the old-boy network" played in protecting Philby's treasonable activities, the *London Sunday Times* commented just recently: "The whole system of trust was based on the supposedly foolproof set of loyalties developed on the playing field and out of the camaraderie of class."

A factor that was overlooked was that warm friendships developed not only on the playing fields and in the clubs but in the excited, crusading spirit that developed between those who were attracted in the 1930s by the seemingly new fashionable Marxism. The situation is identical whether we are discussing such British universities as Oxford and Cambridge or our own East Coast Ivy League universities such as Harvard or Princeton. Here lasting friendships were formed not only in the fraternities but in the classrooms where Red and Fabian Socialist professors manipulated the open, unsuspecting minds of our youthful intelligentsia.

According to the *London Sunday Times*, for many years Philby's record did not catch up with him because he was able to play on "the contempt for McCarthyism" that characterizes "the British Establishment" which runs their Foreign Service. Otto F. Otepka, a devoted and conscientious security officer, encountered this same attitude in the United States. Otepka had collected a list of cases giving names and details that demonstrated a pattern of laxity concerning security matters in the State Department. On June 27th, 1963, his files were impounded while he was working on cases of State Department employees suspected of being possible Soviet agents.

In a brief filed in an effort to save his career Civil Service job, Otepka reveals how "the old school tie" network operates to protect certain officials and to penalize others who violate the principle of "institution loyalty." Some Foreign Service officers are especially pliable when it comes to conforming to their service's loyalty code since they are subject to "selection out"—a euphemism for being fired—or being transferred to "hardship posts." Astounding as it seems, there is simply no regularly constituted appeals system in our Foreign Service. As a result, Foreign Service officers tend to follow orders which can include signing their own names to security clearances even in those instances where previously they had advised or recommended against granting them.

Otepka's two-thousand-page transcript reveals a long list of infractions of regulations and other misconduct approved or condoned by the State Department. Among the more than eighteen cases of laxity described is the case of John Stewart Service. A Foreign Service officer, he admitted furnishing eighteen documents, some of them classified "secret," to Philip Jaffe, the publisher of *Amerasia* magazine, a person on whom there was a considerable record of Communist activities and affiliations. Service was permitted to take an honorable retirement and pension. In fact, according to the hearings entitled "State Department Security" by the Senate Internal Security subcommittee (parts six and sixteen), the State Department's Bureau of Intelligence and Research recently played a role in Service's appointment as "librarian" for the Center for Chinese Studies at the University of California at Berkeley. In the same way, "Kim" Philby's old friends in the British Foreign Service stood by him after his discharge from an open Government job. They discreetly recommended him as a correspondent to the British newspaper, *The Observer*, where he continued to have Government links.

The Otepka brief reveals that Harlan Cleveland, then Assistant Secretary of State for International Organization Affairs and now Ambassador to the North Atlantic Treaty Organization, wanted our security programs relaxed. Otepka's review of Cleveland's file disclosed that in his senior-class year book at Princeton, Cleveland recorded his political association as "socialist." The file also revealed that Cleveland had been active in recommending changes in Government security programs which would make it easier for persons dismissed as security risks to get back into government without adequate background investigations. According to the brief, Cleveland recommended a professor to a position in the State Department although he had been dismissed as a security risk by the Mutual Security Agency. The professor got the job.

Important leads developed by Otepka reveal that the American public is still uninformed regarding the great depth of infiltration of the U.S. Embassy in Warsaw of which the notorious Scarbeck case was simply a detail and a decoy. In this connection, it is important to note that Stephen A. Koczak, a veteran Foreign Service officer in Berlin, was "selected out" after referring to these scandals in Warsaw as well as warning about Communist intentions to build the Berlin Wall. Koczak made his reports in Berlin to Howard Trivers, now Consul General in Zurich, and to Career Minister E. Allen Lightner Jr., now Deputy Commandant at the National War College. Lightner and Trivers were classmates at Princeton and graduated together in 1930. Another Princeton graduate of the year before, class of '29, was the Ambassador in Poland during the time of the Warsaw sex and spy scandals and the building of the Berlin Wall. He was Jacob E. Beam, now Ambassador to Czechoslovakia.

A trained security officer is well aware that cliques develop in government agencies and that these are singled out as targets by enemy networks. That is why the British Government is investigating all those who came from the generation penetrated by the Communists in the 1930s who are of an age to hold top civil-service jobs.

The American Establishment, too, must face up to the fact that its representatives in the State Department, like the British "old-boy network," have been unable to cope with modern penetration techniques developed by the Communists. Only a vigorous reform of State Department personnel practices and the creation of a strong independent security program can cope with foreign espionage.

SBA SHOULD RETAIN ITS POVERTY JURISDICTION

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Conte] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CONTE. Mr. Speaker, since 1953 the Small Business Administration has been developing an expertise in business lending and business counseling that can be a great asset to us in dealing with poverty problems in urban centers.

From handling tens of thousands of cases, SBA has developed a highly efficient system and trained personnel. It has continuously refined its techniques to provide the maximum possible help with a minimum of redtape and delay in serving the small business community.

With this ever self-critical approach SBA has also been able to develop programs covering every stratum of our society involved in the economic life of the Nation. SBA now has loan programs which range from nominal amounts up to $350,000. SBA has established excellent criteria to judge whether a person on a subsistence level is worthy of risk capital or whether a veteran businessman needs only additional instruction in the new technology affecting his business, or a large loan.

The agency's success in these endeavors is unchallenged. Congress has recognized it again and again by its almost uninterrupted acceptance of both SBA's budget requests and its legislative recommendations.

Praise has been showered on SBA not only by both Houses of the Congress, but from both sides of the aisle.

Now, unexpectedly, the Senate has seen fit to dilute the authority of SBA and transfer some of its functions to the large business oriented Department of Commerce. Mr. Speaker, in view of the fact that both Houses of Congress, with strong support from both sides of the aisle, have repeatedly defeated attempts to transfer SBA to the Commerce Department, I fail to see any sense in section 406 of title IV of the poverty bill which effects this changeover from SBA to Commerce.

As a matter of fact, it seems strange to me that such a move would even be seriously contemplated, especially when we consider the costs such a move would entail.

I venture to say that I am not alone in my opinion of this matter, for during the past week, several of my colleagues from both parties have spoken out in protest.

So far as fighting poverty, Mr. Speaker, I see small business as one of our best weapons in this war.

To make the most of it, I think we have to use the people that have the greatest experience in helping small business. This means channeling programs for small business through SBA. To do otherwise is to risk confusion and waste, as well as possible injury to the vital small business cause.

Therefore, I urge that the Members of the House amend section 406 so as to keep the necessary authority and functions where they can best be utilized, and that is right within the Small Business Administration.

THE "50TH'S" AND A SPECIAL COMMITTEE ON THE CAPTIVE NATIONS

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, since the 1967 Captive Nations Week observance last July, in all sections of our country the basic distinction between our American Revolution and the Russian Bolshevik revolution has been pointed out to our people. The 50th anniversary of the Russian Bolshevik revolution is a birthday celebrating the advances of Soviet Russian imperiocolonialism, empire-building, internal totalitarianism, tyranny, and continual aggression against the still free peoples of the world. Beyond November 7, the day of mourning and tragedy for mankind, are the "50th's" of the captive non-Russian nations in the U.S.S.R.

THE PATRIOTIC "50TH'S" AND THE AMERICAN REVOLUTION

The 50th anniversaries of the independence of Ukraine, Lithuania, Byelorussia, Armenia, and many others stand as a sharp antithesis to the Russian Bolshevik "50th." Partaking of the same essence as our American Revolution, these "50th's" will be celebrations of national independence, freedom constitutional democratic government, and a peaceful community of nations. On this significant occasion we have a golden opportunity to encourage, in behalf of our own national interest and world freedom, the freedom aspirations of all the captive nations in the U.S.S.R.—this by establishing a Special Committee on the Captive Nations. Such a Committee would explore an area that has never really been explored in any thorough sense by the Congress.

The drive for this achievement was again expressed by the highly successful Captive Nations Week last July. For further exemplifications of the success of the 1967 week, I include the following items at this point in the Record; First a resolution by the Illinois House of Representatives; second, a China Post report of September 29 and resolutions of the First Conference of the World Anti-Communist League in the October 26 America; third, reports on the week's observance in Boston and Cleveland, and fourth, a McKees Rocks Gazette editorial "Captive Nations Week" and news items in the Pittsburgh Post-Gazette, Narodna Volya, and the Pittsburgh Press on the Pittsburgh observance:

State of Illinois, 75th General Assembly,
House of Representatives

HOUSE JOINT RESOLUTION NO. 58

The House proceeding on the order of general resolutions, Messrs. J. J. Wolf, P. W. Collins, Course, Stolle, Savickas, Geisler, McDermott, McDevitt, Houde, Barr, Washburn, Granata, Capuzi, Janczak, Burditt, Wiktorski, Tipsword, Thompson, Merlo, Juckett, R. E. Anderson, J. B. Hill, C. L. Klein, Philip, Morgan, Elward, Klosak, Seveik, Fary, Sandquist, Telcser, Copeland, Svalina, DeMichaels, Matijevich, Schlickman, Murphy, and W. J. Cunningham offered the following resolution and, having asked and obtained unanimous consent to suspend the rules for its immediate consideration, moved its adoption.

Whereas, The greatness of the United States is in large part attributable to its having been able, through the democratic process, to achieve a harmonious national unity of its people, even though they stem from the most diverse of racial, religious, and ethnic backgrounds; and

Whereas, This harmonious unification of the diverse elements of our free society has led the people of the United States to possess a warm understanding and sympathy for the aspirations of peoples everywhere and to recognize the natural interdependency of the peoples and nations of the world; and

Whereas, The enslavement of a substantial part of the world's population by Communist imperialism makes a mockery of the idea of peaceful coexistence between nations and constitutes a detriment to the natural bonds of understanding between the people of the United States and other peoples; and

Whereas, Since 1918 the imperialistic and aggressive policies of Russian Communism and recently Chinese Communism have resulted in the creation of a vast empire which poses a dire threat to the security of the United States and of all the free peoples of the world; and

Whereas, The imperialistic policies of communist Russia and communist China have led, through direct and indirect aggression, to the subjugation of the national independence of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Viet-Nam, Serbia, Slovenia, Slovakia, Croatia and others; and

Whereas, It is vital to the national security of the United States that the desire for liberty and independence on the part of the peoples of these conquered nations should be steadfastly kept alive; and

Whereas, Since 1959 and every year thereafter, the President of the United States has been authorized by Congress to designate the third week in July as "Captive Nations Week" to be observed with appropriate ceremonies and activities; therefore, be it

Resolved, By the House of Representatives of the Seventy-fifth General Assembly of the State of Illinois, the Senate concurring herein, that the Governor is memoralized to initiate and place into execution such exercises, and ceremonies he may deem appropriate in observance of the third week of July, 1967, and each year thereafter as "Captive Nations Week"; and be it further

Resolved, That a suitable copy of this Resolution be delivered to the office of the Governor of the State of Illinois.

Adopted by the House, April 12, 1967.

Concurred in by the Senate, April 18, 1967.

[From the China Post, Sept. 29, 1967]

UNITED STATES BEGINS TO FAVOR ROC'S COUNTERATTACK

Dr. Lev E. Dobrianski and Walter H. Judd, two outstanding American civic body leaders, said here yesterday that public opinion in the United States is becoming more and more favorable to the Republic of China's long-heralded counterattack against the mainland.

Judd told the China Post that he has seen a marked change in the American people's feeling about the question.

"Many of those who said 'we must not let the free Chinese attack the mainland' years ago are now urging the (U.S.) government to support such an attack," Judd said.

The former U.S. Congressman pointed out that many Americans in influential posts were against a Taiwan-launched counterattack years ago for fear that the attack might "drag" the United States into a war.

But they have changed their mind by now simply because the United States is already in the war, he said. They also have realized that there is no reason to stop "others" from hitting the Chinese Communists at a time when the Chinese Communists are killing the Americans through supporting North Vietnam's aggression against the South, Judd said.

ALL-OUT SUPPORT

Judd voiced his conviction that the time will come when the United States extends to this country its all-out support for a decisive blow on the Peiping regime.

And it will come rather soon, he added.

Judd urged the Chinese government and people to adopt what he called a "watchful waiting" policy with regard to the counterattack and prepare the best they can militarily and politcally for the hour of action.

Dr. Dobrianski also shared Judd's views.

The disintegration of the Chinese Communists' ruling hierachy has already signalled the beginning of a new era in the Republic of China's anti-Communist struggle, Dobrianski said.

He said the opportune moment for a counterattack will be the time when the Communist military leaders split among themselves to become "warlords" of the 1930's and fight each other.

MAINLINE TURMOIL

And the political turmoils on the mainland resulting from the "cultural revolution," the "Red Guard" movement and the power struggle are just pointing at that direction, Dr. Dobrianski said.

He strongly believed that the United States will give this country logistic support it needs in the counterattack when the time is ripe.

Both Judd and Dobrianski are participating in the first conference of the World Anti-Communist League (WACL) now being held in Taipei.

Dr. Dobrianski, who is an active promoter of the "Captive Nations Week" which has been observed in the free world for the past nine years, also called upon the WACL participants to pay due attention to the danger of the Soviet Union as they do to that of the Peiping regime.

WACL MEETING

Noting that the current WACL meeting has said little about the Russian Communists, Dr. Dobrianski said the free world must not forget that the SAMs and the heavy weapons being used in North Vietnam to kill the allied forces are supplied by the Russians.

The situation was exactly the same in North Korea during the Korean War, he said.

The Chinese Communists would not have been able to make so much trouble for the world had it not been for the support they had received from the Russians before, he added.

Dobrianski also regretted that the world has almost neglected that while the Russians are accusing the West of "imperialism and colonialism," they have achieved perfection in doing these evil things.

RUSSIAN DOMINATION

Nominally, he said, such countries as Armenia, Azerbaijan, Byelorussia, Cossackia, Georgia, Idel-Ural, North Caucasia, Ukraine, and Far Eastern Republic are still members of the "U.S.S.R." But in fact the Russian domination of these countries has been so strong that they have lost their national identities ever since they were conquered by the Russians in the late 1920's, he said.

This has become Moscow's "tender spot" when the Peiping regime started to attack it for practicing "imperialism and colonialism" during Khrushchev's time.

Dobrianski said he does not see the reason why the free world should not attack Moscow today for the practice.

He warned that, no less than Peiping, Moscow is still the root of danger to the freedom of all mankind.

[From the America, Philadelphia, Pa., Oct. 26, 1967]

RESOLUTIONS OF THE FIRST CONFERENCE OF THE WORLD ANTI-COMMUNIST LEAGUE

(Submitted by Dr. Lev. E. Dobriansky)

ON CAPTIVE NATIONS WEEK

The World Anti-Communist League:

Recalling that, since 1959, when the United States Congress passed the Captive Nations Week Resolution and President Dwight D. Eisenhower signed it into Public Law 86–90, all communist capitals have bitterly denounced this document as being inimical to their fundamental interests; and

Considering that, to the increasing consternation of Moscow, Peiping, Pyonyang, Havana and others, the Captive Nations Week movement has steadily grown in the United States, and every President in this decade has issued a proclamation in behalf of the independence and freedom of every captive nation in Central Europe, the Soviet Union, Asia, and Cuba; and

Believing that the movement to support the aspiration to free and liberate all the captive nations has taken hold in many countries of the Free World, as witness Captive Nations Week observances in the Republics of China and Korea, in Argentina and Australia, in Germany and Great Britain, and a number of other countries; and

Believing that for the security of the Free World and for Cold War victory over the deadly forces of Communism and Sino-Soviet Russian imperio-colonialism, it is indispensable for all free men regularly to make known their determination never to acquiesce to the permanent captivity of the twenty-seven nations in the Red Empire;

Resolves at its First Conference that:

The League and its members and associated groups exert every effort to make the Tenth Observance of Captive Nations Week in July 15–21, 1968, the most successful yet by

(1) Urging each Head of State to issue a Captive Nations Week Proclamation patterned after that of the President of the United States:

(2) Conducting observances of the Week in member countries and utilizing all media so that our combined message will be conveyed to the captive nations; and

(3) Dispatching the published results of this event to the National Captive Nations Committee in Washington, D.C. for their appropriate transmission to the United States Congress and the President of the United States.

ON OPPRESSED NATIONS

The World Anti-Communist League:

Considering that the Soviet-Russian empire has been maintained by force through the oppression of other peoples who previously enjoyed their own independence, and by forcing on them the Communist system, which they did not want to have;

Considering also that all Communist dictators even outside the Russian sphere of power owe their rise and continuance only to Soviet Russia, which never ceases to pursue its plans of world conquest;

Resolves at its First Conference that:

(1) The League support the reestablishment of the national independence and freedom of all nations subjugated by Russian imperialism and Communism, and declare its solidarity with the national liberation movements in their own countries;

(2) The League urge that every assistance be given these subjugated peoples who are fighting both inside and outside their ethnographic boundaries to cast off Russian colonial rule and to break up other artificially created states;

(3) The League declare its support for the reunification in freedom of all countries divided by force and the establishment of a universal world order, based on freedom, national sovereignty, human dignity and social justice, and for peaceful and harmonious cooperation between all nations on the basis of equality and mutual respect.

ON SUPPRESSION OF FREE THOUGHT

Resolution on liberation of enslaved peoples, sponsored by Ceylon, India and China. Approved by Committee I and adopted by the Thirteenth Conference of the Asian People's Anti-Communist League.

The 13th APACL Conference:

Recalling resolutions adopted at previous conferences supporting the struggle for liberation by peoples enslaved by Russian imperialism and Communism;

Resolves that:

The League reaffirms its stand in support of national liberation struggles of all peoples subjugated by Russian imperialism and Communism, and in their aspirations for national independence and basic human liberties.

ON THE 50TH ANNIVERSARY OF THE BOLSHEVIK REVOLUTION

The World Anti-Communist League:

Recalling that the Russian Bolshevik Revolution was the source and incubator of

Soviet Russian imperio-colonialism, enslaving over a dozen non-Russian nations in 1918–22 and thus laying the groundwork for further conquests in the 40's and constituting a formidable threat to the rest of the world in the 50's and 60's;

Recalling that the tragic revolution produced another fraud in Lenin's promise of "land, bread, and peace," which in the course of 50 years has not been realized according to civilized standards either for the 115 million Russians or the 120 million non-Russians held captive in the Soviet Union;

Considering that the fraudulent revolution also conjured up Lenin's "peaceful co-existence" policy with immediate reference to the neighboring and newly independent non-Russian states, such as Armenia, Georgia, Ukraine, Byelorussia and others, a deceptive policy of indirect aggression that led to the captivity of these countries and is now being applied by imperio-colonialist Moscow to the West; and

Considering that the sinister forces of that revolution have over these past fifty years led to the creation of an unprecedented Red Empire, extending from the Danube to the Pacific and into Cuba, and created ultimately by the imperio-colonialist power of the USSR and Red China; therefore,

Resolves at its First Conference that:

1. Each of the League member organizations and observer groups devote its energies in the weeks ahead, up to and even beyond November 7, to exposing the myths and frauds of the Russian Bolshevik revolution and to directing world attention to the ravages and threats of Soviet Russian imperio-colonialism, within the Soviet Union itself and elsewhere; and 2. On the occasion of the Communist commemoration, the League should issue a manifesto directed to the youth and workers of the whole world as follows:

"We want to set the record straight regarding the past 50 years of Communism.

"1. Since 1917, 85 million innocent noncombatants lost their lives at the hands of Communism's minions, often after atrocious tortures in Nazi-type concentration camps. This is 25 times higher than the death toll of both World Wars I and II combined.

"2. While the most extreme excesses of the Stalinist era have been eliminated—although they still survive in Red China—the freedom and dignity of the individual remain crushed by a totalitarian dictatorship working through an almighty secret police. The absolute and exclusive supremacy of a single party, monolithically directed from a self-perpetuating top, does not give us even the semblance of a hint that democracy in public life exists in Communist countries. Culture and justice remain choked and degraded by strict subservience to party orthodoxy. All religious faiths are severely persecuted.

"3. All the peoples that have been ensnared by Communism are cut off from the outer world by an iron curtain, never seen before in human history and a tight censorship and persistent radio jamming.

"4. Heavy and armament industries have been greatly developed, but light industry and agriculture continue to trail in chronic crises, plunging the people in a state of permanent scarcity of food and consumer goods. Whatever industrial progress has been achieved was at the sacrifice of unprecedented stress, want and submission imposed on the masses.

"5. The factors of production have not been given to the workers but appropriated collectively by a new ruling and privileged class of bureaucrats and demagogues who have dominated workers' unions, forbidden strikes under the death penalty and reduced peasants to the condition of proletarians in open-sky factories.

"6. Since its inception, Communism has plagued the globe with trouble and violence, in search of a global hegemony which it cannot renounce because if it does not destroy freedom outside, freedom will destroy it inside.

"7. Apart from the yoke it imposes on its own peoples inside the USSR and Red China, Communism has subjugated and maintains in bondage against the sacred right of self-determination, 27 formerly independent countries covering 3 million square miles and populated by 250 million inhabitants.

"8. The international Communist movement, which had promised to advance only through the enhancement of political consciousness, was turned into a sheer but colossal apparatus to conduct fraudulent political warfare, run by 500,000 overt or covert professional activists, spending 5 billion dollars per year.

"To sum up, the political movement which had claimed the boldest aims ever set to human progress, has generated the darkest mixture ever seen of oppression, inefficiency and deceit. Its failure is therefore total and entirely gloomy.

"We invite all free men to hold November 7th as a day of mourning for the victims of Communism and the fiftieth anniversary of the Communist revolution and to unite, above all, divisions of races, nations, parties, and creeds to prevent the evil already done from spreading further."

CAPTIVE NATIONS WEEK IN BOSTON

BOSTON, MASS.—This year's Captive Nations Week was observed here by informing the public, through newspapers and radio, about the captive nations. Governor John A. Volpe and Mayor John F. Collins of Boston issued proclamations designating the week of July 16–22 as "Captive Nations Week" in Massachusetts and Boston respectively.

The official signing of proclamations was witnessed by delegations representing the New England Committee for Captive Nations and include representatives of American Armenian, Ukrainian, Latvian, Lithuanian and Hungarian organizations.

The Boston Herald of July 6, 1967, carried an interesting article written by Ted Lewis. The nationally syndicated columnist, citing an interview with Prof. Lev E. Dobriansky, chairman of the National Captive Nations Committee, chided the administration for paying only a "lip service to the cause of freedom" in captive countries. The article was entitled, "Captive Nations Get Lip Service."

The New England Committee for Captive Nations sponsored this year's observance, in cooperation with several other civic organizations. The Committee is headed by Dr. James H. Tashjian as Chairman and Orest Szczudluk as executive secretary.

FOUR THOUSAND CLEVELANDERS MARCH TO MARK CAPTIVE NATIONS WEEK

CLEVELAND, OHIO.—Four thousand Clevelanders marched in a Captive Nations parade in Public Square here on Monday, July 17. The parade and ceremonies drew 30,000 persons who watched the orderly demonstration for the freedom and self determination of the Captive Nations.

The marchers, representing 19 nationality groups, gathered in the Public Square to hear speeches by civic and religious leaders. Addressing the marchers were: Cleveland Mayor Ralph S. Locher; Thomas R. Guthrie, assistant to the publisher of the Cleveland Plain Dealer; County Auditor Ralph J. Perk, chairman of the Nationalities Movement of Cuyahoga County; Dr. Michael S. Pap, director of the Institute for Soviet and Eastern European Studies at John Carroll University; Bishop Clarence C. Isenmann of the Cleveland Catholic Diocese, and mayors of several Cleveland suburbs.

Dr. Pap read a resolution of the Captive Nations Committee, which urges President Johnson to take up the cause of the Captive Nations "until all these nations are free and independent again." The resolution was adopted at the rally.

Taking part in the parade were 800 Ukrainians, who were led by large groups from the Ukrainian youth organizations Plast and SUMA.

Members of the Ukrainian Committee for Captive Nations Week, which is headed by Dr. M. Pap, are Michael Bihun, Dr. Zenon Wynnytsky, Taras Shmagala and Bohdan Futey.

[From the McKees Rocks (Pa.) Gazette, July 20, 1967]

CAPTIVE NATIONS WEEK

It isn't very often that the Congress of the United States is unanimous on an issue. We haven't stopped to make a precise count, but we're certain that the unanimous votes in Congress in the past decade can be counted on the fingers of one hand.

Eight years ago, in 1959, there was a unanimous vote. Congress resolved that the third week in July should be observed as Captive Nations week. And it proceeded to name 21 "captive nations," whose freedom fighters deserved US support. The language of the resolve was bitingly clear. It opposed any "peaceful coexistence" with Moscow unless and until the Captive Nations recovered "their freedom and independence."

It must make members of the Congress a little ill to observe the contempt with which the Kremlin and the residents at the White House have treated this mighty resolve. Three consecutive Presidents have given the annual observation flip lip service. And the Kremlin can scarcely conceal its amusement at the spectacle of the resolute Congress, less than a decade later, tolerating the shipment of even armament accessories to the jailers of the Captive Nations.

Twenty-one nations were named in the original 1959 resolution; namely Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, East Germany, Bulgaria, Red China, Armenia, Azerbaijan, Soviet Georgia, Albania, Edel-Ural, Tibet, Cossakia, Turkestan, North Korea and North Vietnam.

Not one has been freed. One nation has been added. It was a favorite vacation spot for many members of the 1959 Congress: Cuba, Moscow added this 22nd nation 90 miles from our shores, and in 1967 the President of the United States could make a State of the Union address to the Congress without even mentioning Cuba.

One of the originally named 21 Captive Nations was North Vietnam. How long has it been since you read or heard any reference to the tragic plight of the 17 million North Vietnamese held "captive" by their Communist oppressors? Hanoi already has won more in the war than it dared dream. It has a commitment from the President of the United States that our war aims are to curb aggression in the South. There is not even a mention of the 17 million captive of Communism in the North.

And do not for a minute think that this fact is lost on the heads of State in Asia. Or Hanoi, or Peking. Both poke fun at Uncle Sam's resolve. Eight years isn't a very long time in history.

[From the Pittsburgh (Pa.) Post-Gazette, July 13, 1967]

EX-HUNGARIAN MINISTER TO TALK

Dr. Nicholas Nyaradi, former Hungarian minister of finance, will be the principal speaker at the Captive Nations Week luncheon in the Pick-Roosevelt Hotel on Monday.

Currently director of international studies at Bradley University, Dr. Nyaradi will discuss "Were We Sold Down the River?" Also attending the luncheon will be Gen. Arthur Trudeau, former chief of Army Intelligence.

Captive Nations Week is designed to call attention to the plight of countries taken over by the Soviet Union. Luncheon reservations may be made by phoning Michael Komichak, secretary of the Pittsburgh committee, at 281–1900.

[From the Norodna Volya, Scranton, Pa., Aug. 3, 1967]

Captive Nations Week Proclamation

Joseph M. Barr, mayor of the city of Pittsburgh, signs Captive Nations Week proclamation in presence of a delegation from the Captive Nations Committee of Pittsburgh. Standing, left to right, are Paul Kazimir (Slovak), Sandor Karpathy (Hungarian), and Wence Dolegowski (Polish). Seated beside Mayor Barr is Michael Komichak, director of the Ukrainian Radio Program and secretary of the Captive Nations Committee in Pittsburgh. [Photo not printed in RECORD.]

Pittsburghers observed Captive Nations Week at a luncheon held at the Roosevelt Hotel on July 17. The principal speaker was Dr. Nicholas Nyaradi, former Hungarian minister of finance. Others who spoke were Col. W. F. Rockwell, Justice Michael A. Mussmanno of the Penna. State Supreme Court, and former state senator Leonard C. Staisey.

The observance was well attended by civic, fraternal, labor, and political leaders, as well as by Ukrainian, Hungarian, Polish, Slovak, Lithuanian, Latvian and Czech groups. The event was covered by press, radio and television.

The invocation was given by Father Russell Danyichuck, dean of the Ukrainian Catholic parishes in Western Pennsylvania. The colors were presented by a color guard of the U.S. Marine Corps. Michael Komichak (UWA Br. 228 McKees Rocks) was master of ceremonies.

[From the Pittsburgh Press, July 12, 1967]

Captive Nations Week Set Here

Dr. Nicholas Nyaradi, former Hungarian minister of finance now with Bradley University, will speak at a Captive Nations Week program Monday at 12:15 p.m. at the Pick-Roosevelt Hotel.

The Pittsburgh Captive Nations Week Committee will discuss topics ranging from Vietnam to the Middle East.

Dr. Nyaradi is currently director of the school of international studies at Bradley University in Peoria, Ill.

Luncheon reservations can be made by contacting Michael Komichak, secretary of the Pittsburgh Captive Nations Committee, at the hotel.

[From the Pittsburgh Press, July 18, 1967]

United States Credited With Helping Stalin Win—Gave Russia $21 Billion, Hungarian Claims

The United States has been feeding "the Russian Bear" for 50 years and the "Bear has been biting our hand," the former finance minister of Hungary charged here.

Speaking at the 9th Annual Captive Nations Luncheon yesterday, Dr. Nicholas Nyaradi cataloged the aid which the U.S. has been giving Soviet Russia over the years.

This aid has helped Russia to expand, said Dr. Nyaradi, and has "taken Russia off the hook" whenever she was in danger of losing one of her "captive nations."

Dr. Nyaradi, who fled from Hungary in 1949, is now dean of International Studies at Bradley University in Peoria, Ill.

Citing as an example of U.S. aid to Russia, Dr. Nyaradi noted the massive military and economic aid, totaling 21 billion dollars given the Soviets during World War II.

SUCCESS TO STALIN

This enabled the Russians to increase their steel production by 20 per cent and—coupled with the technical know-how of American engineers—brought success to Stalin's "five-year plans" said Dr. Nyaradi.

He also declared the U.S. should have intervened in Eastern European revolutions in the 1950s, noting that "one spark (from the U.S.) could have set off at least eight revolutions in the various 'captive nations'."

He especially objected to America's handling of the 1956 revolution, citing a telegram sent by the Federation Government to Marshall Tito of Yugoslavia.

SINO-SOVIET SPLIT

The telegram said the U.S. did not look with favor on the establishment of an anti-Communist government on the borders of Russia, Dr. Nyaradi said.

Dr. Nyaradi spoke of the Sino-Soviet split and noted "the only way the Russians and Chinese differ is on how to slice our throats."

He predicted the split will be resolved with the death of Red Chinese leader Mao-Tse-tung.

[From the Pittsburgh Press, July 16, 1967]

Hungary Ex-Aide Sets Sellout Talk—Speech Highlights Captive Lands Week

Dr. Nicholas Nyaradi, former finance minister of Hungary, will speak on "Were We Sold Down the River?" at 12:15 p.m. tomorrow at the Pick-Roosevelt Hotel as part of the Captive Nations Week ceremony.

Dr. Nyaradi, who is now director of the school of international studies at Bradley University, spent seven months in Moscow negotiating a Russian reparation claim against Hungary.

Captive Nations Week, held annually at this time, is commemorated all over the country.

The purpose of the week is to emphasize the plight of the nations under communism.

[From the Pittsburgh Press, July 18, 1967]

Reds Biting U.S. Hand, Visitor Says

The United States has been feeding "the Russian Bear" for 50 years and the "Bear has been biting our hand," the former finance minister of Hungary charged here.

Speaking at the 9th Annual Captive Nations Luncheon yesterday, Dr. Nicholas Nyaradi cataloged the aid the U.S. has been giving Soviet Russia over the years.

This aid has helped Russia to expand, said Dr. Nyaradi, and has "taken Russia off the hook" whenever she was in danger of losing one of her "captive nations."

Dr. Nyaradi, who fled from Hungary in 1949, is now dean of International Studies at Bradley University, Peoria, Ill.

Citing as an example of U.S. aid to Russia, Dr. Nyaradi noted the massive military and economic aid, totaling 21 billion dollars, given the Soviets during World War II.

This enabled the Russians to increase their steel production by 20 per cent and—coupled with the technical know-how of American engineers—brought success to Stalin's "five-year plans" said Dr. Nyaradi.

[From the Pittsburgh Post-Gazette, July 18, 1967]

Kosygin Ranks Low, Ex-Diplomat Claims—Soviet Leader Placed Fifth to 10th

Premier Alexei Kosygin ranks only fifth to tenth in the Soviet Union's hierarchy, a former Hungarian diplomat claimed here yesterday.

"If he is the top political power in Russia, then I'm the Grand Mufti of Jerusalem or the Greek Orthodox patriarch," Dr. Nicholas Nyaradi told a Captive Nations Week luncheon in the Pick-Roosevelt Hotel.

Dr. Nyaradi, minister of finance in post-war Hungary's coalition government, said he knew Kosygin when the latter held a similar position in the Soviet Union. Dr. Nyaradi, a representative of the anti-Communist Small Landholder's Party in the coalition government, fled Hungary with his wife in 1948 as a result of Communist pressure.

He warned that the Soviet Union has steadily expanded its control over non-Russians while other colonial powers have been shedding their holdings.

"Few people in the free world realize that only a little more than half the residents of the Soviet Union live in so-called Greater Russia," Dr. Nyaradi said, "The rest are formerly free people swallowed up by Russian imperialism."

Dr. Nyaradi was a member of the anti-Nazi underground during World War II. Hungarians were dismayed when they learned they were to be "liberalized" by Russians, he said. "The barbarians from the East came, looting, burning, murdering and raping," he told his audience.

Dr. Nyaradi told his listeners, most of Eastern European ancestry, that they cannot ask their fellow Americans to go to war to free captive nations such as Poland, Lithuania, Estonia and Czechoslovakia.

"It is our duty to warn and remind them that it must never happen here," he said.

[From the Pittsburgh Post-Gazette, July 21, 1967]

8:00 p.m. (WPIT AM—730; FM—101.5) Captive Nations Week. Congressman Derwinski discusses trade with the Communist countries of Eastern Europe.

[From the Pittsburgh Post-Gazette, July 20, 1967]

8:00 p.m. (WPIT AM—730; FM—101.5) Captive Nations Week. Commentator Melvin Munn gives a roll call on the Captive Nations and discusses the fate that has befallen them.

[From the Pittsburgh Press, July 20, 1967]

8 p.m.—Captive Nations Week, 1967. Melvin Munn discusses the fate of the Captive Nations, WPIT, AM–FM.

[From the Pittsburgh Press, July 18, 1967]

8 p.m.—"Captive Nations Week, 1967." Rumanian Princess Caradja talks of freedom and captive Rumania. WPIT, AM–FM.

[From the Pittsburgh Post-Gazette, July 18, 1967]

8:00 p.m. (WPIT AM—730; FM—101.5) Captive Nations Week. Rumanian Princess Caradja talks of freedom and captive Rumania.

[From the Pittsburgh Post-Gazette, July 19, 1967]

8:00 p.m. (WPIT AM—730; FM—101.5) Captive Nations Week. Commentator Melvin Munn discusses Captive Poland.

EDUCATION AND THE FEDERAL BUDGET

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. GUDE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GUDE. Mr. Speaker, I want to urge that in light of the present deficit and the need to establish priorities in Federal spending, the House Committee on Appropriations give full consideration in future supplemental appropriations to the educational needs of our Nation. Education should always receive top priority in our Federal budget. It is essential for the social and economic progress of our Nation that our young people receive the finest preparation possible for their role in the future of our democracy.

For this reason I have given full support for education programs and have been concerned about reductions in this area—an example being the $33.8 million for jurisdictions with federally connected schoolchildren which was removed from Public Law 874. It is my hope that full consideration will be given to the restoration of these funds in a future supplemental appropriation bill.

NOISE POLLUTION

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KUPFERMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, the problem of noise pollution continues to attract the attention of scholars, concerned citizens, and the general public.

Ever since the introduction of my bill—H.R. 14602 on April 21, 1966, in the 89th Congress, in this session H.R. 2819—to establish an Office of Noise Control in the Office of the Surgeon General of the United States, at which time I called for action to attack this problem before it got out of hand, I have found more and more interest and study of the problem, and I have been pleased to bring various items on the subject to the attention of my colleagues.

Frederick W. Parkhurst, Jr., associate professor of economics at Guilford College at Greensboro, N.C., has done a fine study on noise, jets, and the sonic boom, and his letter and thesis follow:

GUILFORD COLLEGE,
Greensboro, N.C., Oct. 19, 1967.

Hon. THEODORE R. KUPFERMAN,
Member of Congress,
U.S. House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE KUPFERMAN: During the summer, while I was at N.Y.U. Graduate School of Law, you were kind enough to supply me with much-appreciated information from the Congressional Record on the subject of noise. The materials you furnished were extremely helpful and contributed greatly toward completion of my research.

I am enclosing the results for your files and call your attention to references to your work in Congress at pages 13 and 49 of the enclosed study. If you decide to have this report on "Noise, Jets, and the Sonic Boom" included in the Congressional Record, I would be most grateful to receive a copy/reprint.

Thank you again for your generous assistance and your efforts concerning the problem of noise.

Sincerely,
FREDERICK W. PARKHURST, Jr.,
Associate Professor of Economics.

NOISE, JETS, AND THE SONIC BOOM

(By Frederick W. Parkhurst Jr., Guilford College, Greensboro, N.C., August 11, 1967)

"To furnish the citizens with full and correct information is a matter of the highest importance. If we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them but to inform their discretion by education."

—THOMAS JEFFERSON.

INTRODUCTION

Aims of this paper

This paper seeks to examine scientific information as to the effects of noise upon man and his environment, to review the legal remedies which have been available in the past, and to explore some of the new problems presented by recent technological changes. Simply stated, noise is unwanted sound. As a form of energy, sound is capable of inflicting physical injury: It can result in pain, suffering, discomfort, inconvenience, and financial loss. Sound can cause accidents, a decline in productive efficiency, the death of animals, structural damage to buildings, and adverse psychological consequences, including general detriment to persons, to the quality of life, and to property values.[1]

Value judgments

In discussing this problem, particularly as to contemporary developments in science and technology, the writer wishes to warn the reader with regard to value judgment assumptions. The writer believes that the requirements of academic freedom, civil liberties, and our democratic society all demand the protection of scientific inquiry from restriction, censorship, or penalty. But the writer also believes that any technological applications of scientific inquiry must always be subject to social control. To paraphrase the words of Jesus about the Sabbath, technology is made for man and not man for technology. In the enjoyment of our heritage of the natural environment, man's moral obligation toward God and his fellow men means there cannot be any legal right to pollute the earth.

Past remedies

Pollution has many dimensions, including pollution of the air. Atmospheric pollution involves injury to humans and the natural environment, to plant and animal life, as well as economic costs, from smoke, dirt, dust, toxic gases, malodorous fumes, various effluent chemical wastes, and radiation poisoning.[2] Noise, jets, and the sonic boom also represent three distinct aspects of atmospheric pollution.[3] As part of the natural background of our human environment, noise varies from one part of our planet to another, as does individual susceptibility to its harmful effects.[4] While a minimum amount of noise is considered normal and even desirable as a warning device against dangers, beyond this minimum any increase in the level or frequency of noise pollutes the atmosphere by making the human environment that much less livable.[5] At least to some extent, the more technologically advanced man becomes the more noise he tends to generate. In the past, most of this noise has been caused by private persons and private enterprise, and private legal actions have been reasonably effective in reaching remedies.[6] Thus, the torts of trespass, assault, and nuisance have offered either injunctions or compensation for excessive amounts of noise.[7] Also, there has been some legislation, including zoning, to meet the problem of noise.[8]

Present problems

However, these private, local, and state remedies (including eminent domain by inverse condemnation) often prove inadequate once the federal government pre-empts the regulation of aviation and then, in fact, engages in deliberate subsidization of the jet industry.[9] Now the market place is no longer the decision-maker. Instead, the growth of jet aviation is being artificially stimulated by the national administration.[10] Unfortunately, Congress has failed to legislate standards, safeguards, or effective criteria.[11] It has abdicated its rule-making functions to so-called "regulatory" agencies which seem much more interested in promoting the jet industry than in protecting the public.[12] Thus we find a governmentally-sponsored amplification of the problem of noise by a legalized nuisance, the jet.[13] Worse, billions of the taxpayer's dollars are being spent to build a new and greater noise-maker, the supersonic jet.[14] Unlike *sub*sonic jets, *super*sonic jets are characterized by the sonic boom.[15] As we shall discover, the sonic boom is a 760-mile-per-hour mass of compressed energy which can cause destruction in its path equivalent to the force of an atomic explosion at ground zero.[16] It is obviously, then, a serious menace to persons and property.

---

[1] *Griggs* v. *Allegheny County,* 369 U.S. 84 (1962); *United States* v. *Causby,* 328 U.S. 256 (1946); *A. J. Hodges Industries, Inc.* v. *United States,* 355 F.2d 592 (1966); *Ackerman* v. *Port of Seattle,* 55 Wash.2d 400, 348 P.2d 664, 77 A.L.R.2d 1344 (1960); *City of Jacksonville* v. *Schumann,* 167 So.2d 95 (Florida, 1964); *Firemen's Ins. Co.* v. *Alexander,* 328 S.W.2d 350, Anno. 74 A.L.R.2d 755 (Texas, 1959); *Jackson Municipal Airport Authority* v. *Evans,* 191 So.2d 126 (Mississippi, 1966); *Loma Portal Civic Club* v. *American Airlines, Inc.,* 61 Cal.2d 582, 39 Cal.Reptr. 708, 394 P.2d 548 (1964); *Martin* v. *Port of Seattle,* 64 Wash.2d 309, 391 P.2d 540 (1964); *Thornburg* v. *Port of Portland,* 223 Ore. 178, 376 P.2d 100 (1962); and see also: *Thornburg* v. *Port of Portland,* —— Ore. ——, 415 P.2d 750 (1966).

[2] Ronald G. Ridker, *Economic Costs of Air Pollution: Studies in Measurement,* New York: Frederick A. Praeger, 1966; "Air Pollution Around John F. Kennedy Airport," a 77-page community survey by Melvin Nolan, Technical Assistance Branch, Division of Air Pollution, Public Health Service, United States Department of Health, Education, and Welfare, June, 1966; and the AFL–CIO *American Federationist,* June 1967, pp. 17–22, George Taylor, The Fight for Clear Air.

[3] *Time,* August 19, 1966, "When Noise Annoys;" *Harper's Bazaar,* August 1966, Natalie Gittelson, "Noise Pollution—A Growing Scandal;" and *Saturday Review,* May 27, 1967, pp. 17–19, Millicent Brower, "Noise Pollution: A Growing Menace."

[4] *Scientific American,* December 1966, Leo L. Beranek; "Noise."

[5] *New England Journal of Medicine,* Vol. 275, October 6, 1966, pp. 759–765, Dr. John D. Dougherty, M.D., and Dr. Oliver L. Welsh, Ph.D., "Environmental Noise and Hearing Loss."

[6] *Matteson* v. *Eustis,* 140 Fla. 591, 190 So. 558 (1939); *New Orleans* v. *Fargot,* 116 La. 369, 40 So. 735 (1906); *Ritz* v. *The Women's Club of Charleston,* 114 W.Va. 675, 173 S.E. 564, 182 S.E. 92 (1934); *Snyder* v. *Cabell,* 29 W.Va. 48, 1 S.E. 241 (1886); and *State* v. *Cantieny,* 34 Minn. 1, 24 N.W. 458 (1885).

[7] Jacob H. Beuscher, "Judicial Zoning Through Recent Nuisance Cases," 1955 *Wisconsin Law Review* 440; G. A. Spater, "Noise and the Law," 63 *Michigan Law Review* 1373 (1965); and F. I. Michelman, "Property, Utility, and Fairness: Comments on the Ethical Foundations of Just Compensation Law," 80 *Harvard Law Review* 1165 (1967).

[8] Strunck, "Airport Zoning and Its Future," 50 *American Bar Association Journal* 216 (March, 1958); *Waring* v. *Peterson,* 137 So. 2d 268 (Florida, 1962); and *Baggett* v. *City of Montgomery,* 160 So. 2d 6 (Alabama, 1963).

[9] *Northwest Airlines* v. *Minnesota,* 322 U.S. 292 (1944); *City of Newark* v. *Eastern Airlines,* 159 F.Supp. 750 (D.C. N.J. 1958); *Allegheny Airlines Inc.* v. *Village of Cedarhurst,* 132 F.Supp 871 (E.D. N.Y. 1955), *aff'd* 238 F.2d 812 (2d Cir. 1956); *Batten* v. *United States,* 306 F.2d 580 (10th Cir. 1962); and *Soldinger* v. *United States,* 247 F.Supp 559 (D.C. Va. 1965).

[10] *Newsweek,* June 26, 1967, pp. 66–67, "Superplane or Megafolly?"

[11] *4th International Congress for Noise Abatement,* Baden-Baden, Germany, May 1966, Bo Lundberg, Director General of the Aeronautical Research Institution of Sweden, "The Menace of the Sonic Boom to Society and Civil Aviation."

[12] *American Economic Review,* Vol. LVII, Number 2, May 1967, Papers and Proceedings, Cost-Benefit Analysis for Government Decisions, pp. 71–108, Stephen Enke, "Government-Industry Development of a Commercial Supersonic Transport."

[13] *Batten* v. *United States,* 306 F. 2d 580 (10th Cir. 1962).

The failure of Congress

The failure of Congress to represent the public interest should be considered a national scandal.[17] The democratic process is subverted when great portions of the population are to be exposed to sonic shocks injuring the human system and causing property damage, without legal safeguards.[18] When government finances the jet industry and at the same time fails to set standards, the customary time-span in technological development is shortened, the normal market place mechanisms including product liability do not operate, and the human environment is polluted without consideration for consequences.[19] In a "public-be-damned" attitude, the administrative agency involved (the Federal Aviation Agency) has established regulations favorable to the jet industry.[20] As we shall see, these officials have not hesitated to deliberately falsify scientific information, to release these dishonest materials for publication, and to conceal facts from and deceive both Congress and the public.[21] Thus, the Air Force, the Federal Aviation Agency (F.A.A.), and spokesmen for the jet industry, all have denied the dangers of the sonic boom [22] which was euphemistically referred to by then-Senator Barry Goldwater (himself a jet pilot, air force officer, and jet industry propagandist) as the "sound of progress." [23]

Loss of legal rights

There was little or no mention that the sonic boom may smash windows, knock-down plaster, crack walls, waken people, frighten children, kill animals, and even capsize buildings.[24] It adds to the normal background noise an additional physical and psychological health hazard,[25] increasing nervous tension,[26] plus depreciation of property values,[27] but common law principles of injunction or compensation for these injuries no longer apply where federal statutes give the F.A.A. the authority to establish flight regulations.[28] The issue of safety standards is taken away from the courts and the individual citizen has lost his legal rights.[29] This transfer of legal authority to the F.A.A. is an even greater loss to the individual when we observe the F.A.A.'s apparent indifference and lack of concern as to the disastrous effects of sonic boom on the population and property.[30] What tests and information we do have clearly indicates that the sonic boom is not tolerable.[31] Yet very little attention has been given to a weighing of all the interests involved, of a careful consideration of the total social costs versus the potential benefits to be derived, and whether there are alternatives.[32]

Tax-supported pollution

Furthermore, why should the American taxpayer finance the jet industry? Is the promotion of civilian jets a function of government? What is the hurry? To the contrary, shouldn't government be more interested in protecting the public from harm by regulating (perhaps prohibiting) supersonic transport? In addition, why do we need to travel faster than the speed of sound—760 miles per hour? Even if there were no sonic boom, such speeds may be exceedingly dangerous.[33] It will also be argued that economically the time "saved" by supersonic speeds could be lost in post-flight transit delays (airports being even further out from cities), and that the subsonic jet is a more profitable enterprise.[34] Another alternative which might prove to be a much better investment is the development of underground vacuum-reduced pressure tubes for rail travel at speeds of at least 150–300 miles per hour.[35] Thus, this writer intends to demonstrate that the harmful effects of sonic boom to persons and property, and to the natural environment generally, are so overwhelming compared to any potential gains, there ought to be strict liability for damages caused by military supersonic flights and an outright ban upon any civilian supersonic jets.[36]

Lack of consent

The American public has not consented to being subjected to the sonic booms. If a government-financed injury can be imposed upon the electorate, if this can happen in the United States, without prior consideration, active public participation, and representative decision-making, then both legal due process and the legislative process of a democratic society becomes a mockery. Certainly, at this time there is no necessity for any rush to voluntarily inflict upon ourselves the sonic boom. Hopefully, human reason shall never be so corrupted as to find it possible to willingly so pollute our environment by government action. Instead, government action ought to be providing the public with the opportunity to be heard, to protest, and to prevent private profit-seekers from exploiting the public airways at the expense of the rest of us.

Allocating social costs

This writer recommends that the social costs of private enterprise be paid by those polluting industries, individual firms, and business enterprisers causing these social costs.[37] It is further urged that both the legal process and the legislative process operate so as to provide not only full compensation for any harm inflicted but also, insofar as can be achieved, the initial prevention of injury to persons, property, and the environment. Finally, it is suggested that this principle of allocating costs, compensating victims, and preventing harm, employ such social controls as legal liability for any injuries, including treble damages as under anti-trust legislation, anti-noise injunctions, vigorous enforcement of taxation penalties against atmospheric pollution, withdrawal of government financing, energetic employment of police power regulations, and a conscientious dedication to a public policy favoring the quality of the human environment.

---

[14] The Washington *Star*, June 5, 1967, editorial: "Flying Brontosaurus"; The New York *Times*, Sunday, June 18, 1967, "League Against Sonic Boom Works to Stop Building of High Speed Jets;" and the New York *Post*, Monday, July 17, 1967, page 28, editorial: "The Big Boom Business."

[15] "Sonic Boom," 12 *American Jurisprudence Proof of Facts* 593 (1962), and current supplements with annotations.

[16] *Ibid.*, p. 598.

[17] *Harper's Bazaar*, August 1966, Natalie Gittelson, "Noise Pollution—A Growing Scandal."

[18] It is understood that three pending 1967 suits have all been decided in favor of the government-sponsored jet industry: *American Airlines et al, Port of New York Authority et al* v. *Hempstead* (D.C.E.D. N.Y. 63 Civ. 1280); *Port of New York Authority* v. *Hempstead* (D.C.E.D. N.Y. 64 Civ. 45); and *Sylvane* v. *Port of New York Authority* (D.C.E.D. N.Y. 64 Civ 950), decided during June-July, 1967.

[19] Professor Harold P. Green, Science and the Legal Process Seminar, Special Summer Program for Law Teachers, Graduate School of Law, New York University, July 1967.

[20] The New York *Times*, Friday, June 16, 1967, page 28, one-half page advertisement sponsored by the Citizens League Against the Sonic Boom, "The Threat of the SST and its Shattering Sonic Boom." See also, Newsletters and other scholarly materials published by Dr. William A. Shurcliff, physicist, Harvard University, Director of the Citizens League Against the Sonic Boom, 19 Appleton Street, Cambridge, Massachusetts 02138. This writer was so impressed that he lost his academic objectivity and joined the League.

[21] Stratton Hammon, "More on Sonic Booms: Litigation is Showing Their Propensities," 47 *American Bar Association Journal* 1096 (November, 1961).

[22] Louis D. Apothaker, "The Air Force, the Navy and Sonic Boom," 46 *American Bar Association Journal* 987 (September, 1960). This article was attacked by Stratton Hammon (footnote 21) as basically dishonest. Dr. William A. Shurcliff (footnote 20) has fascinating collection of quotations which falsely deny the dangers of sonic boom.

[23] Allen J. Roth, "Sonic Boom: A New Legal Problem," 44 *American Bar Association Journal* 216 (March, 1958). Roth discloses that then-Senator Barry H. Goldwater was the author of an undated pamphlet titled *planes* published by the Aircraft Industries Association of America, in which he refers to the sonic boom as the "sound of air power progress." There is no discussion of conflict of interest.

[24] "Sonic Boom," 12 *American Jurisprudence Proof of Facts* 593 (1962), and current supplements with annotations.

[25] *Scientific American*, January 1962, p. 36, H. Wilson, "Sonic Boom;" *Scientific American*, December 1966, Leo L. Beranek, "Noise;" and World Health Organization, United Nations, Geneva, *Public Health Papers* No. 30, 1966, Alan Bell, "Noise—An Occupational Hazard and Public Nuisance."

[26] "Health Hazards of Noise," Dr. Samuel Rosen, M.D., published by Citizens For A Quieter City, Inc., 27 West 53rd Street, New York City, New York 10019.

[27] *Avery* v. *United States*, 165 Ct. Cl. 357, 330 F. 2d 640 (1964).

[28] *Chesko* v. *Port of Seattle*, 55 Wash. 2d 416, 348 P. 2d 673 (1960).

[29] *Allegheny Airlines, Inc.* v. *Village of* Cedarhurst, 132 F.Supp. 871 (E.D. N.Y. 1955), *aff'd* 238 F. 2d 812 (2d Cir. 1956).

[30] The New York *Times*, Sunday, July 16, 1967, page 35, Evert Clark, "Low-Boom Plane Is Studied by U.S.—Domestic Flights May Call for Smaller Superjets."

[31] C. W. Nixon and H. H. Hubbard, "Results of USAF-NASA-FAA Flight Program to Study Community Responses to Sonic Booms in the Greater St. Louis Area," NASA TN-D-1705, May 1965; D. A. Hilton, V. Huckel, and D. J. Maglieri, "Sonic-Boom Measurements During Bomber Training Operations in the Chicago Area," NASA TN-D-3655, October 1966; "Final Program Summary—Oklahoma City Sonic Boom Study," FAA Report, SST-65-3, March 17, 1965; The New York *Times*, Friday, June 23, 1967, Richard D. Lyons, "Excessive Noise Termed Unsuspected Health Peril;" and The New York *Times*, March 13, 1966, Edward Hudson, "Jet Noises Linked to Psychotic Ills—Interrupt Dreams Vital to Health, Experts Say."

[32] *American Economic Review, op. cit.*, footnote 12.

[33] *Punch*, May 3, 1967, pp. 640–641, Mary Goldring, 'Ho's For Concorde?"

[34] *The Rotarian*, November 1966, Bo Lundberg and A. E. Russell, debate, "Supersonic Boom;" *American Economic Review op. cit.*, footnote 12; and 4th *International Congress for Noise Abatement, op. cit.*, footnote 11.

[35] It is understood that experimental surface monorails in Japan, the United States, and other countries, now reach 150 miles per hour. Underground vacuum-reduced pressure tubes would permit much greater, and safer, speeds. And, of course, there would be no problem of any sonic boom.

[36] The Oklahoma *Journal*, Thursday, June 1, 1967, "Jet Boom Claim Paid." (Federal jury awarded $10,000.)

[37] This is a principle of social welfare economics. John A. Hobson, *Work and Wealth—A Human Valuation*, London: Macmillan, 1914; Arthur C. Pigou, *The Economics of Welfare, fourth edition*, London: Macmillan, 1932; John R. Commons, *Institutional Economics*, New York: Macmillan, 1934; K. William Kapp, *The Social Costs of Private Enterprise*, Cambridge, Massachusetts: Harvard University Press, 1950; Raymond T. Bye, *Social Economy and the Price Systems An Essay in Welfare Economics*, New York: Macmillan, 1950; Raymond T. Bye and William W. Hewett, *The Economic Process: Its Principles and Problems*, second edition, New York: Appleton-Century-Crofts, 1963; and Harold

Legislative responsibility

These decisions must include the assumption of legislative responsibility to establish clear statutory standards for the guidance of administrative agencies, to guarantee the appointment of committed personnel, to provide appropriations sufficient to fulfill public purposes, to exercise a continuing oversight of governmental functions, and to assure the public a real voice in the decision-making process. Above all, it requires a serious determination to meet the menace of noise, jets, and the sonic boom—that man is more important than the machine, and that private profit is always secondary to the public interest.

NOISE

The noiseless Mabaans

Of all the places on earth inhabited by man, scientists recently discovered what appears to be the most peacefully quiet region of this planet. It is the White Nile jungle of the primitive Mabaan Tribe in the southeast Sudan. Undisturbed by modern civilization until 1956, the Mabaans live in a stage of cultural development characterized as late Stone Age.[38] Except for the wind in the palms, a clap of thunder, the bleat of a goat, the cry of a child, or the sounds of human conversation, the Mabaan natives enjoy a remarkably noise-free environment. Both peak and background noise are at an extremely low sound level. They do not use drums, nor do they shout or sing except at festivals held only a few times during the year. Until the Mabaans were first systematically studied in 1960 and 1961, medical experts had assumed that hearing loss was primarily a function of aging. However, the Mabaans maintain a consistently high degree of hearing sensitivity throughout their entire lifespan, so that even seventy-year old natives often have a much keener sense of sound than young men and women in the United States. In fact, the Mabaans have superior hearing to any other group of humans ever tested anywhere. Interestingly, when natives occasionally leave the tribe to live in a noisy city such as Khartoum, they become subject to hypertension, coronary heart disease, and hypercholesteremia.

Noise-free health

The outstanding medical discovery in examining the Mabaans was the apparent connection between health and noise. There is an inter-relationship of physical, psychological, and community well-being with the amount of noise to which man is subjected. Thus, unlike "civilized" inhabitants of complex mechanized urban societies, the Mabaans in their tensionless noise-free natural environment enjoy a *total lack* of the following health problems: (1) obesity, (2) hypertension, (3) coronary thrombosis, (4) ulcerative colitis, (5) acute appendicitis, (6) duodenal ulcer, (7) high blood-pressure, (8) hearing loss, (9) cardiovascular illness, and (10) arteriosclerotic heart disease. Whereas blood-pressure in Americans "normally" increases progressively with age, Mabaans whether ten-years-old or ninety-years-old have exactly the same constant blood-pressure. Also, while American men usually have higher blood-pressure than women, Mabaan men have lower blood-pressure. In addition, there is very little incidence of caries, minimal venereal disease, low cholesterol levels, no varicose veins and no bronchial asthma. On the other hand, the Mabaans do suffer from the usual childhood diseases and also get malaria, dysentery, pneumonia, pulmonary tuberculosis, and yellow fever. None of these sicknesses, however, are related to the physical impact of and the nervous tension associated with noise.[39]

Measuring sound intensity

The Mabaan environment measures from 34 to 40 decibels. Named after Alexander Graham Bell, a decibel represents the logarithmic value of the physical level of sound recorded by a sound-pressure meter. The base was initially established at 1 unit for the minimum audibility of the human ear, or the threshold sound discernible by the average young adult with good hearing. Because the decibel is a logarithmic measure of sound-pressure, this means that a sound-pressure intensity of 150 decibels is analyzed by the ear 10^{15} times as great as the threshold level. This is illustrated by the following table: [40]

Relation of the sound decibel to sound intensity in logarithmic units

Decibels:	*Units*
150	1, 000, 000, 000, 000, 000
100	10, 000, 000, 000
50	100, 000
40	10, 000
30	1, 000
20	100
10	10
0	1

Thus, a change in decibels from 10 to 20 is not merely a doubling of sound. The actual pressure has gone up from 10 units to 100 units. Rather than an adding of sound-pressure, there is a multiplication. This is even more dramatic when we observe a movement from 20 decibels to 40 decibels. This decibel-doubling actually represents a 1000-fold increase in sound-pressure from 100 to 10,000. Likewise, when the decibel measurement doubles from 50 to 100, this means sound-pressure has gone up fantastically from 100,000 to 10,000,000,000.

Sound sources in decibels

Because of this multiplication process, it should be kept in mind that ten 70-decibel sources of sound would add up to "only" 80 decibels. At 150 decibels (db), sound-pressures are 1,000,000,000,000,000 times the threshold level. Exposures at such high intensities are never voluntarily accepted, for these sound-pressures are physically painful. But even much lower db levels, although accepted, are definitely injurious to the ear.[41] The following table offers some common examples of noise expressed in decibels: [42]

Source of sound:	*Decibels*
Jet rocket launching	175
Jet plane at takeoff	150
Pneumatic rocket drill, or machine gun	130
Diesel engine room	125
Threshold of pain	120
Jet airplane passenger ramp	117
Loud motor cycle	111
Boiler factory	107
Riveter	105
Loud outboard engine	102
Electric power station	95
Pneumatic jackhammer	94
Electric food blender	93
Noisy factory	90
Rush-hour traffic, Grand Central Station	81
Industrial exposure with known noise-induced hearing loss	80
Printing press	80
Stenographic room	75
Quiet typewriter	65
Conversational speech	60
Average private business office	50
Quiet office, or average residence	40
Broadcasting studio (speech)	30
Whisper	20
Breathing	10

The significance of decibels

It will now be enlightening to compare our two charts to note the relative sound levels of a jet plane at takeoff as compared with exposure to sound in the average residence:

[Sound intensity in logarithmic units]

Source of sound, sound decibels:	
Jet plane at takeoff, 150	1, 000, 000, 000, 000, 000
Average residence, 50	100, 000

The three-fold increase in decibels really represents an increase in sound-pressure of tremendous dimensions, so that unless one fully appreciates the meaning of decibels, the difference expressed in decibels may prove to be very misleading. This has been explained as follows: [43]

"For example, one jet engine test stand creating a local noise level of 80 db might also be accompanied in the community by 3 cement plants, each having a 70-db level at the same reference point. In such a situation, the total of the one 80-db source and 3 70-db sources would be only about 81 db, whereas the average citizen might hold all noise sources equally responsible. Certainly, few people would realize that elimination of the 3 70-db sources would drop the level only from 81 to 80, whereas elimination of the 80-db source would lower the level to less than 75."

A study in the Boston area showed a 78 db for the city school playground because of traffic noise, whereas a suburban school showed 58 db. The difference in these two readings means that the city school children

---

M. Groves, *Financing Government*, sixth edition, New York: Holt-Rinehart-Winston, 1964.

[38] The sources for the comparative information about the Mabaans in this paragraph and following are the *Congressional Record*—House, volume 112, part 7, pages 8745 through 8768 and volume 112, part 14, pages 18233 to 18257; John D. Dougherty, M.D., and Oliver L. Welsh, Ed.D., "Environmental Hazards: Community Noise and Hearing Loss," special article reprinted from the *New England Journal of Medicine*, Vol. 275, pp. 759–765, October 6, 1966; and Millicent Brower, "Noise Pollution: A Growing Menace, *Saturday Review*, pp. 17–19, May 27, 1967.

[39] In July, 1963, the Committee on the Problem of Noise reported to the English Parliament that "Since health is defined as 'a state of complete physical, mental, and social well-being and not merely absence of disease and infirmity' there is no doubt that noise affects health." Quoted in the *Congressional Record*—House, volume 112, part 7, pages 8745 through 8768.

[40] John D. Dougherty, M.D., and Oliver L. Welsh, Ed.D., "Environmental Hazards: Community Noise and Hearing Loss," special article reprinted from the *New England Journal of Medicine*, Vol. 275, pp. 759–765, October 6, 1966, at p. 760.

[41] "Fortunately, for the understanding of noise-induced injury, there is a clear relation between the anatomy, physiology and pathology of the ear in response to severe noise trauma." *Ibid.*, page 761.

[42] *Ibid.:* Millicent Brower, *op. cit.*, page 18; and *Congressional Record*—House, volume 112, part 7, pages 8745 through 8768, and volume 112, part 14, pages 18233 to 18257.

[43] John D. Dougherty, M.D., *op. cit.*, page 760.

were exposed to about 100 times the sound intensity of the suburban school children.[44] This needs to be kept in mind when we reach our analysis of jet plane noise and the sonic boom, as standards stated in differences of only a few decibels become crucially significant.

Somatic effects of noise

In their environment (only 34–40 decibels) the Mabaans have no noise problem. But when these natives are exposed to the same levels of noise to which we in modern societies are subjected, they begin to suffer much the same symptoms. Loud noises in the 95 to 110 decibel range during a five-minute period caused definite constriction of the tiny blood vessel arterioles. This vasoconstriction lasted for twenty-five minutes after the noise ceased, diminishing cardiac output and causing bradycardia in which the heart slows down to gain momentum for a big push of blood through the system. The over-all effect of continuous noise is to alter the supply of blood throughout the nervous system, causing both hearing loss and elevation of the blood pressure. This helps explain why the United States has the highest incidence of arteriosclerotic heart disease in the world.[45] An experiment conducted by the French Army submitted soldiers to a loud noise for fifteen minutes. Tests showed they were color blind for over one hour.[46] Another experiment in Germany found that excessive, continuous noise resulted in stomach inflammation and abdominal hemorrhaging.[47] Research has shown that noise inhibits the normal development of infants, has adverse effects upon individual health (the susceptibility varies, some persons being more sensitive to noise than others, but all are affected), contributes to accidents and loss of output, is a serious detriment to morale, and interferes with economic efficiency.[48]

Health and dreams

In addition to disturbing every bodily function, noise also aggravates personal stress, can significantly affect mental well-being, and has important anti-euphoric psychic consequences.[49] Sleep studies have discovered that whether or not a person can remember his dreams, every human being must have at least five separate dreams each night. This normal dream cycle, one dream approximately every 1½ hours, is easily demonstrated by the electrical impulses or brain waves characteristic of mental activity, and if an individual is awakened at the beginning of one of these brain patterns he will be able to report his dream. Trained personnel under expert supervision at university medical schools, hospitals, and clinics have conducted experiments on volunteers fitted with the necessary apparatus attached to recording equipment.[50] Tested under laboratory conditions with all the standard scientific controls, and subject to qualified interpretation, these studies have established certain definite findings of fact as verified conclusions. When dreams are consistently interrupted, so that the individual is prevented from dreaming, at first he will begin to suffer only mild and then progressively severe psychotic symptoms, paranoidal delusions, hallucinations, nightmarish memories, psychoses, suicidal tendencies, and even homicidal impulses.

Psychic effects of noise

Considering the biological limits of the human ear and the human nervous system, our modern mechanized civilization exposes us to excessive noise. To offer just a few examples, everyday experience with noises involves all the many machines within the home (such as the vacuum cleaner), our occupational activities and other noises from manufacturing, jet aircraft and the varieties of motor vehicle traffic noises, the "banshee siren" often used by police, transistor radios played in public places, demolition of buildings, housing construction work and street repairs employing the pneumatic rock drill and jackhammer. Because tolerance to noise *decreases* rather than increases with time, chronic exposure to these noises during the day may build up enough emotional response and frustration to make a person feel tense, nervous, ill-at-ease, irritable, and anxious. This interference with solitude, peace, quiet, comfort, and relaxation may prevent proper rest at night. Sleep which is insufficient, erratic, and deprived of dreaming may have the results already indicated, including headaches and head noises, nausea, vertigo, outbursts of rage, somatic manifestations (e.g., stomach problems), ulcers, and the triggering of allergies such as hives. At worst, the noise-subjected individual can be driven over the brink into insanity. At best, subjection to noise deprives the individual of repose and the fullest potential qualities of a tranquil life.[51]

Legal remedies

Of course, it does not require psychiatric evidence to witness to the health hazards of excessive noise. The common law, based upon accumulated human experience, has long been aware of such problems and has recognized the need for legal remedies. Thus, the appropriate rules of tort law and equity may be invoked against assault, battery, intentionally causing mental disturbance or emotional distress (in some states), negligence, nuisance, trespass, and invasion of privacy.[52] Noise is any unreasonable sound that disturbs the community,[53] and is subject to summary abatement,[54] injunction,[55] judicial regulation,[56] compensatory damages,[57] and punitive damages.[58] It is even possible to sue for an injunction to stop nuisances originating outside the territorial boundaries of the affected municipality.[59] Further, states possess the powers of eminent domain, taxation, and the police powers. Under the police powers a community may adopt regulations "that will promote the health, safety, convenience, morals, or welfare of the inhabitants of the town," including zoning to protect the advantages of quiet and beauty, to avoid congestion, secure safety, light, air and sunshine, freedom from noise, and a better opportunity for rest and relaxation.[60] Generally, with the exception of new problems created by federal preemption of state authority as to regulation of aircraft noise, the police powers are able to prevent disturbing noises.[61] The primary exception is the unconstitutionality of any noise-abatement attempt which unreasonably interferes with freedom of religion, freedom of speech, or freedom of assembly.[62]

---

[44] *Ibid.*

[45] Millicent Brower, *ibid.*

[46] *Congressional Record*—House, volume 112, part 20, pages 27803 to 27824.

[47] *Congressional Record*—House, volume 112, part 7, pages 8745 through 8768.

[48] *Congressional Record*—House, volume 112, part 20, pages 27803 to 27824.

[49] The psychiatric information in this and the next paragraph is based on evidence given by Dr. Zhivko D. Angeluscheff, Dr. Howard H. Bogard, Dr. Julius Buchwald, Dr. Lee E. Farr, and Dr. Samuel Rosen, as reported in the *Congressional Record*—House, volume 112, part 7, pages 8745 through 8768; volume 112, part 14, pages 18233 to 18257; Millicent Brower, *ibid;* The New York *Times,* Friday, June 23, 1967, Richard D. Lyons, "Excessive Noise Termed Unsuspected Health Perils;" and in personal correspondence with Dr. Samuel Rosen, his undated letter postmarked June 26, 1967.

[50] Some of this material the writer remembers from a special television news program specifically on the subject.

[51] For sources of the information in this paragraph see footnote 49. Another illustration of the problem of noise is the complaint of twenty-four home owners who are awakened each morning at 4:30 by about 10,000 birds who congregate nightly in the forty maple trees on the block. The New York *Times,* Friday, July 21, 1967, page L–29, "Idyllic Chirp-Chirp Enrages Residents on Queens Street."

[52] Invasion of privacy is a relatively new tort. Despite the vigorous dissent of Justice Douglas in *Public Utilities Commission* v. *Pollak,* 343 U.S. 451 (1952), the majority held that the D.C. Transit could broadcast news, music, and commercials in buses and trolleys. However, in *Griswold* v. *Connecticut,* 381 U.S. 479 (1965), the Supreme Court did recognize the right of privacy. In a more recent case, decided June 12, 1967, Justice Stewart concurring, the U.S. Supreme Court unanimously voided state anti-miscegenation laws prohibiting inter-racial marriage. *Loving* v. *Virginia,* 387 U.S. ——, 87 S. Ct. 1817 (1967), seems to combine elements of equal protection, due process, and the right of privacy.

[53] *State* v. *Cantieny,* 34 Minn. 1, 24 N.W. 458 (1885).

[54] While the means by which the abatement is enforced is open to judicial scrutiny for reasonableness, the U.S. Supreme Court has upheld summary abatement of nuisances by destruction of the offending property. *Lawton* v. *Steele,* 152 U.S. 133 (1894). Thus, smoke, fumes, and dust are public nuisances subject not only to an injunction but also to summary abatement. *Northwestern Laundry* v. *City of Des Moines,* 239 U.S. 486 (1916).

[55] Because the music, activities, and other noise was an interference with homes, a skating rink was enjoined as a noise nuisance. *Snyder* v. *Cabell,* 29 W.Va. 48, 1 S.E. 241 (1886).

[56] In *Ritz* v. *The Woman's Club of Charlestown,* 114 W.Va. 675, 173 S.E. 564, 182 S.E. 92 (1934), the court ordered that dances at a club must end at 9 P.M. See also, Jacob H. Beuscher, "Judicial Zoning Through Recent Nuisance Cases," 1955 *Wisconsin Law Review* 440.

[57] Air pollution can be both a trespass and a nuisance for which compensation is payable for injury to crops, livestock, and other economic losses. *Guttinger* v. *Calaveras Cement Co.,* 105 Cal. App. 2d 914 (1951); *Kornoff* v. *Kingsbury Cotton Oil Co.,* 45 Cal. App. 2d 265, 288 P. 2d 507 (1955), and *Reynolds Metals Co.* v. *Lampert,* 324 F. 2d 465 (9th Cir. 1963).

[58] Like nuisance, trespass imparts strict liability without proof of negligence, plus punitive damages for willful pollution. *Reynolds Metals Co.* v. *Lampert,* 324 F. 2d 465 (9th Cir. 1963).

[59] *Borough of Crafton* v. *City of Pittsburgh,* 113 P.L.J. 293 (Pa. C.P. 1965); *City of Rochester* v. *Charlotte Docks Co.,* 114 N.Y.S. 2d 37 (1952); and *Georgia* v. *Tennessee Copper Co.,* 206 U.S. 230 (1907).

[60] *Simon* v. *Needham,* 311 Mass., 560, 42 N.E. 2d 515 (1943). It can be seen that the power of government to protect and promote the public (1) health, (2) safety, (3) convenience, (4) morals, or (5) welfare, is exceedingly broad. However, states may differ in their interpretation of the scope of the police powers. Zoning to regulate aircraft was not legitimate if not related to safety in *Banks* v. *Fayette County Board of Airport Zoning Appeals,* 313 S.W. 2d 416 (Ct. App. Ky. 1958), but was held to be illegitimate in *Baggett* v. *City of Montgomery,* 160 So. 2d 6 (Sup. Ct. Ala. 1963). See also, Bolt, Beranek, and Newman, Inc., *Land Use Planning Relating to Airport Noise,* Research Organization Manual, Cambridge, Massachusetts, 1964.

[61] *Matteson* v. *Eustis,* 140 Fla. 591, 190 So. 558 (1939), upheld a conviction for disturbing the peace resulting from the operation of a backyard rip-saw. Also, noise in selling merchandise on the streets may be prohibited as a traffic regulation: *Goodrich* v. *Busse,* 247 Ill. 366, 93 N.E. 292 (1910); a city may condition the use of its streets to prevent private business advertising: *Maupin* v. *Louisville,* 284 Ky. 195, 144 S.W. 2d 237 (1940); and noise in connection with street

Legislation

States are now beginning to adopt more comprehensive anti-airpollution statutes which establish air quality standards,[63] offer tax incentives for air pollution control,[64] and promote both intra-state control districts[65] and inter-state compacts.[66] But legislation concerning noise pollution is of both older and more recent origin. Thus, in the past state legislation dealt with occupational loss of hearing by the Workmen's Compensation statutes. Only South Dakota offers no recovery for traumatic or accidental deafness, but twenty states deny compensation for the gradual noise-induced loss of hearing.[67] Workers most injured by noise are employed in the aircraft industry (mostly maintenance men), boilermaking, forging, weaving, punch-press operating, tunnelling, foundry work, blasting, shipbuilding, timber-milling, papermaking, combine-harvester driving, well-drilling, shooting (military personnel are particularly affected), and in the use of certain automated office equipment.[68] Only a few states—California, Oregon, and Washington—have moved beyond compensation to actively prevent noise-induced injuries.[69] European countries have been very much interested. Britain, Germany, the Netherlands, Sweden, and the U.S.S.R., have well-developed acoustical building codes.[70] In the United States Congress, New York Representative Theodore R. Kupferman has been especially concerned with the problem of noise (including jet aircraft) and has introduced proposed legislation to establish an Office of Noise Control.[71]

JETS

Who owns the air?

At one time it was believed by lawyers schooled in the preflight era that the land owner had possession of his property from the surface area down to the center of the earth, and that his legal rights extended into the air to the periphery of the universe: *Cujus est solum ejus est usque ad ceolum* (whose is the soil, his it is up to the sky).[72] "But that doctrine has no place in the modern world."[73] Beginning as early as 1926 with the Air Commerce Act and continuing today under the provisions of the 1958 Federal Aviation Act, Congress has declared airspace as part of the public domain when used for the navigation of aircraft, including take-off and landing.[74] The Supreme Court early upheld this taking of the airspace.[75] While some jurists and scholars feel it unfair that no compensation was provided by Congress for the property owners,[76] in two famous decisions the U.S. Supreme Court did grant compensation where the flights were so low, loud, and frequent as to substantially prevent the landowner from enjoying or making use of his property.

Inverse condemnation

The first of these cases, *United States* v. ***Causby***, 328 U.S. 256 (1946), ruled that "The landowner owns at least as much space above the ground as he can occupy or use in connection with the land." Where government-authorized aircraft flights result in "an intrusion so immediate and direct as to subtract from the owner's full enjoyment of the property" then he is entitled to compensation for this taking.[77] *Griggs* v. *Allegheny County*, 369 U.S. 84 (1962), held that the aircraft noise and vibration, causing plaster to fall and preventing sleep, had amounted to the taking of a navigation easement.[78] The *Causby* case involved the Greensboro-High Point Municipal Airport Authority used during the Second World War to train military pilots. Where these flights cause such noise, smoke, dust, fumes, and fright that the landowner cannot sleep, talk, or conduct his business, then his property is being used as a public highway and there is what has come to be called "inverse condemnation."[79]

Pre-jet piston-powered noise

It should be remembered that *Causby* arose at the time of piston-powered airplanes, before the present jet age. "Jet aircraft were first used in regularly scheduled passenger service in this country in October of 1958."[80] While piston-powered airplanes generated a great amount of annoyance, jet aircraft noise is far more annoying and it is only with the jet age that such noise becomes a major

---

sales is prohibitable to preserve peace and suppress nuisances: *New Orleans* v. *Fargot*, 116 La. 369, 40 S. 735 (1906).

[62] Thus, a city ordinance which restricts the use of a religious sound truck by delegating the exercise of discretion to the Chief of Police with no prescribed standards for his guidance was held to be invalid in a case involving the Jehovah's Witnesses. *Saia* v. *People of the State of New York*, 334 U.S. 558, 68 Sup. Ct. 1148, 92 L. ed. 1574 (1948). Also, ordinances may not require the approval of the City Manager for the distribution of literature: *Lovell* v. *Griffin*, 303 U.S. 666 (1938); freedom of speech is not subject to prior conditions: *Cantwell* v. *Connecticut*, 310 U.S. 900 (1940); and the use of the streets may not be unreasonably restricted: *Hague* v. *C.I.O.*, 307 U.S. 954 (1939). See also, *Congressional Record*—House, April 21, 1966, vol. 112, pt. 7, pp. 8745 through 8768.

[63] The *New York Air Pollution Control Act*, New York Public Health Law, secs. 1294–1295 (McKinney Supp. 1967), enumerates air quality standards, source emission standards, and provides for telltale devices to pin-point polluters. In the absence of federal preemption standards which conflict, these state statutes are enforceable. Regulations prohibiting dense smoke, or smoke darker than number 2 on the Ringleman Scale, have been sustained as a reasonable exercise of the police powers. See *Board of Health* v. *New York Central RR.*, 10 N.J. 294, 90 A. 2d 729 (1952); *City of Rochester* v. *McCauley-Fien Milling Co.*, 199 N.Y. 207, 92 N.E. 641 (1910); and *People* v. *International Steel Corp.*, 102 Cal. App. 2d Supp. 266 P. 2d 587 (L.A. Super. Ct., App. Dep't 1951).

[64] The *New York Real Property Tax Law*, sec. 481 McKinney 1966), and the *New York Tax Law*, secs. 208, 616, 683, 708, 1083 (McKinney Supp. 1967), make available exemptions and deductions from property and income taxes for the cost of air pollution control facilities and devices.

[65] The California Health and Safety Code, secs. 24346.2–24370.2 (West Supp. 1967), combines several counties into a *Bay Area Air Pollution Control District* for an integrated program to enforce state legislative authority at the local level under combined state standards and local control. Polluters challenging the California anti-air pollution laws, which are perhaps the strongest of all the states, have had no success. See *Lees* v. *Bay Area Air Pollution Control District*, 48 Cal.Rptr. 295 (Cal.App. 1965).

[66] New York and New Jersey (also inviting Delaware, Connecticut, and Pennsylvania to join) have formed a *Middle States Air Pollution Control Compact* which provides for the coordinated establishment and enforcement of air quality standards to regulate the emission of air pollutants. See New York Public Health Law, sec. 1299m, added by cc. 475–476, Laws of 1967, legislature of the State of New York.

[67] The twenty states refusing to recognize gradual noise-induced hearing loss compensability are Alabama, Arizona, Colorado, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Montana, Nebraska, New Hampshire, New Jersey, North Carolina, Oklahoma, South Carolina, South Dakota, Texas, Vermont, and Wyoming. For a complete chart listing the fifty states and Canada, compensable injuries, compensation schedules in weeks, maximum medical and weekly benefits with totals payable, and whether the employee must leave work to file a claim, see the *Congressional Record*—House, August 4, 1966, vol. 112, pt. 14, pp. 18233 to 18257.

[68] *Congressional Record*—House, August 4, 1966, vol. 112, pt. 14, pp. 18233 to 18257.

[69] *Congressional Record*—House, October 19, 1966, vol. 112, pt. 20, pp. 27803 to 27824.

[70] *Congressional Record*—House, January 18, 1967, pp. 788 to 810. See also, *Congressional Record*—House, August 4, 1966, vol. 112, pt. 14, pp. 18233 to 18257 for additional examples, including illustrative legislation in Australia, Austria, Brazil, Czechoslovakia, Denmark, Finland, France, Italy, Japan, and New Zealand.

[71] Mr. Theodore R. Kupferman (Rep., N.Y.), "A BILL To provide for a comprehensive program for the control of noise," 90th Cong., 1st Sess., H.R. 2819, January 18, 1967. See the *Congressional Record*—House, January 18, 1967, pp. 788 to 810.

[72] James D. Hill, "Liability For Aircraft Noise—The Aftermath of *Causby* and *Griggs*," 19 University of *Miami Law Review* 1–32 (Fall, 1964).

[73] *United States* v. *Causby*, 328 U.S. 256, 90 L.ed. 1206, 66 S.Ct. 1062 (1946).

[74] *Federal Aviation Act of 1958*, 49 U.S.C. secs. 1301 (24), 1304.

[75] *Northwest Airlines* v. *Minnesota*, 322 U.S. 292, 88 L.ed. 1283, 64 S.Ct. 950 (1944).

[76] This view was expressed by the dissent in *Griggs* v. *Allegheny County*, 402 Pa. 411, 168 A.2d 123 (1961), 369 U.S. 84, 7 L.ed.2d 585, 82 S.Ct. 531 (1962), and is suggested by F. I. Michelman, "Property, Utility, and Fairness: Comments on the Ethical Foundations of Just Compensation Laws, " 80 *Harvard Law Review* 1165 (1967). See also, "Airplane Noise, Property Rights, and the Constitution," 65 *Columbia Law Review* 1428 (1965), at pp. 1444 and 1447.

[77] *United States* v. *Causby*, 238 U.S. 256, at 264, 90 L.ed. 1206, 66 S.Ct. 1062 (1946).

[78] The Pennsylvania Supreme Court in *Griggs* v. *Allegheny County*, 402 Pa. 411, 168 A.2d 123 (1961), had found only the air carrier liable, but the U.S. Supreme Court held that the county as owner of the airport had taken the air easement. *Griggs* v. *Allegheny County*, 369 U.S. 84, 7 L.ed.2d 585, 82 S.Ct. 531 (1962).

[79] See James D. Hill, *ibid.*, footnote 72. Inverse condemnation is the government acting as if it had exercised the power of eminent domain, for which the landowner can collect. However, the *Causby* court said "Flights over private land are not a taking, unless they are so low and so frequent as to be a direct and immediate interference with the enjoyment and use of the land." The difficulty with many "inverse condemnation" decisions is that overflight is often necessary to establish a "taking" and this rule is unsatisfactory to stop, or to compensate for, objectionable noise. "Airplane Noise, Property Rights, and the Constitution," 65 *Columbia Law Review* 1428 (1965) at pages 1444 and 1447.

[80] Statement of John Stephen, General Counsel of the Air Transport Association of America, pp. 1145–1147, at page 1146, "Clean Air," Hearings before a Special Subcommittee on Air and Water Pollution of the ~~Committee~~ on Public Works, United States Senate, 88th Cong., 2d Sess., Part 2, pp. 1139–1157 (June 24, 25, 30; July 1, 2, 1964).

problem.[81] Rather than the smoke emissions, particularly during jet take-offs, persistent ground-level odors, soiling of homes, automobiles, and laundry by oil droplets, carbon particles that settle or impinge on private property beneath flight paths, today "Noise is the chief complaint." [82] Spokesmen for the airlines industry concede that the majority of complaints are focused on noise disturbance.[83] But the industry finds an ally in the F.A.A. which dismisses the noise problem and public concern as "this is something that they are going to have to live with . . ." [84] What else can we expect from the F.A.A. when its director of the supersonic transport project (to be discussed by this writer in connection with the sonic boom), Brig. Gen. Jewell C. Maxwell, believes that transportation progress requires exposing the population to explosive noise, personal injuries, and property losses? [85]

The Batten rule

A significant difficulty with inverse condemnation as a remedy is that on the basis of *Batten* v. *United States*, 306 F. 2d 580 (10th Cir. 1962), often courts have refused to compensate where there has been no direct overflight.[86] Although there was a strong dissent in *Batten*, there can be no recovery unless adjacent operations render the property uninhabitable. What "uninhabitable" may require can be seen from the evidence that decibel levels were between 90–117 and air base personnel were required to wear earplugs. In addition to noise, there was vibration, smoke, and stench. Yet because there was no direct overflight, the court held there was no actual physical invasion of the landowner's airspace and damages were denied.

Jet noise

The Batten rule was followed in *Avery* v. *United States*, 33 F.2d 640 (1964). The *Avery* case involved two claims. One group of landowners had been previously compensated for avigation interference, but now were being subjected to an increased easement. These landowners did recover additional damages, but those whose property lay outside the flight path were refused recovery. Yet the *Avery* facts are much more frightening than in *Batten*. The invasion of sound and shock waves caused houses to shake, fruit to fall off trees, disrupted television reception, the inhabitants were unable to sleep, and could not carry on a conversation. Noxious fumes and objectionable odors flowed into the homes, and the jets stirred up dust so thick that there was very poor to no visibility. All of this would appear to be physical enough to justify calling it a "taking" whether or not there is a direct overflight, but the *Batten* rule seems to be firmly entrenched in the federal courts.[87]

Thus, where there is an overflight which amounts to a taking the landowner may recover compensation,[88] but the overflight must interfere substantially [89] with the use and enjoyment of land.[90] Noise alone, even causing fright and aggravation to a coronary condition, is not enough to show a "taking" in the absence of evidence as to loss of property value.[91] However, where such evidence is introduced, the plaintiff may recover his losses. As early as 1958 it was held that jet aircraft are much worse than piston-powered airplanes, so that now such flights can constitute a "taking." [92] An airport from which piston-powered airplanes have flown for many years may incur a new liability on the date that jet aircraft commence to operate.[93] Decided in 1966, the *Hodges* case is a good illustration.[94] Because of the injury caused by piston-powered airplanes, the landowner had been previously paid $81,891.25 for an avigation easement. Now the introduction of B–52 jets caused the cattle to stampede, pecans to fall off the trees, and forced workmen to stop their labor to hold their ears as protection against the noise. The court held there was a new taking and awarded additional damages of $61,100.

Legalized nuisance

Although in the *Hodges* case the landowner did prove a taking, in addition to the direct overflight requirement an additional unfortunate aspect of attempting to rely upon inverse condemnation is that the doctrine does not compensate for injuries less than a complete taking. Where the disturbance is authorized by government but is less than a complete taking, even though such disturbance would otherwise be actionable as a nuisance against private persons, such a government-authorized disturbance now becomes what is called by the courts a "legalized nuisance" for which a plaintiff can no longer collect compensation.[95] This view assumed prominence beginning in the days of government-sponsored development of the railroads, when even though the noise, smoke, and fumes would have otherwise imposed legal liability, both state [96] and federal [97] courts granted the railroads immunity from nuisance suits. While *Richards* v. *Washington Terminal Co.*, 233 U.S. 546 (1914), is often cited for the "legalized nuisance" principle, the court in that case actually held that the facts went beyond a government-authorized nuisance and the railroad had to pay on the inverse condemnation theory.

Preemptive federal control

At least the Air Commerce Act of 1926, which was held to give the federal government pre-emptive authority over any state or local jurisdiction,[98] this judicially-approved legalized nuisance principle has been applied to the aviation industry.[99] Thus, it is now not possible to recover in nuisance against a *public* airport.[100] It is still possible, of course, to recover in a nuisance action against a *private* corporation whose aircraft causing the noise are not operating under federal regulations.[101] Also, the legalized nuisance principle does not excuse liability for a physical trespass, which even though a public activity can be enjoined.[102] But where airspace has been declared public domain when used for navigation by aircraft flights, including take-off and landing, [103] and by statute the Federal Aviation Agency is instructed to formulate air traffic rules and regulations for the protection of persons and property on the ground,[104] then localities no longer have any air regulation powers.[105] This is true even if the F.A.A. fails to formulate rules and regulations for the protection of persons and property on the ground!

Thus, in 1955 a local ordinance requiring an overflight minimum of 1000-feet was invalidated even though well over 100-decibel levels were recorded,[106] in 1958 injunctions seeking a change in flight patterns were denied despite safety problems and oppressive noise levels,[107] and in 1967 a series of cases were decided against municipal regulations which sought to control the decibel-levels of aircraft noise, establishing a maximum of 92 decibels.[108] It will be recalled in discussing noise that exposure to 80 decibels is known to result in hearing loss, that 81 decibels is the rush-hour traffic noise at Grand Central Station, and that 94 decibels is the noise from a pneumatic jackhammer. It can be seen, then, that even where the F.A.A. prefers the aircraft industry over the population, any local attempt to regulate aircraft noise from government-authorized flights invades the exclusive, pre-emptive federal control of aircraft movements.[109] The reasonableness of the local regulations is irrelevant. Land use planning, zoning, and control is recognized as a police power of the states not yet federally preempted, so that localities are frequently urged to exercise their authority to zone airports far enough out to keep the noise away from people.[110] However, airport zoning has met mixed judicial scrutiny, and has been as much involved with zoning to protect the aircraft from obstructions as to protect people from the aircraft.[111]

---

[81] James D. Hill, *op. cit.*, footnote 72, at page 25, quoting Chairman Oren Harris, F.A.A. Hearings.

[82] Statement by Vernon G. MacKenzie, Chief Division of Air Pollution, Public Health Service, Department of Health, Education, and Welfare, pp. 1141–1145, at page 1141, "Clean Air," Hearings, *op. cit.*, footnote 80.

[83] Statement of John Stephen, *ibid.*, footnote 80.

[84] Mr. George S. Moore, Director, Flight Standards Service, Federal Aviation Agency, at page 1157, "Clean Air," Hearings, *op cit.*, footnote 80.

[85] "People in time will come to accept the sonic boom as they have the rather unpleasant side effects which have accompanied other advances in transportation." *Congressional Record*, vol. 112, pt. 14, pp. 18233 to 18257.

[86] *Levell* v. *United States*, 234 F. Supp. 734 (E.D.S.C. 1964); *Bellamy* v. *United States*, 235 F. Supp. 139 (E.D.S.C 1964); and *Nichols* v. *United States*, 236 F. Supp. 241 (S.D. Cal. 1964).

[87] "Airplane Noise, Property Rights, and the Constitution," 65 *Columbia Law Review* 1428 (1965); "Eminent Domain—The Taking of Property Without Just Compensation by the Operation and Maintenance of an Airfield," 8 *St. Louis University Law Journal* 137; and F. I. Michelman, "Property, Utility, and Fairness: Comments on the Ethical Foundations of Just Compensation Law," 80 *Harvard Law Review* 1165 (1967).

[88] *Aaron* v. *United States*, 311 F. 2d 798 (1963).

[89] *Jensen* v. *United States*, 305 F. 2d 444 (1962).

[90] *Mid-States Fats & Oils Corp.* v. *United States*, (F) 159 Ct. Cl. 301 (1962).

[91] *Soldinger* v. *United States*, (D.C. Va.) 247 F. Supp. 559 (1965).

[92] *Highland Park* v. *United States*, 142 Ct. Cl. 269, 161 F. Supp. 597 (1958).

[93] *Davis* v. *United States*, 164 Ct. Cl. 612, 295 F. 2d 931 (1961). See also, *Bacon* v. *United States*, 295 F. 2d 936 (1961), and *A. J. Hodges Industries, Inc.*, v. *United States*, 355 F. 2d 592 (1966).

[94] *A. J. Hodges Industries, Inc.* v. *United States*, 355 F. 2d 592 (1966).

[95] *Ball* v. *New York Central R.R. Co.*, 229 N.Y. 33 (1920).

[96] *Beseman* v. *Pennsylvania R.R. Co.*, 50 N.J.L. 235 (Sup. Ct. 1888), *aff'd* on the opinion below, 52 N.J.L. 221 (E. & A. 1889).

[97] *Roman Catholic Church* v. *Pennsylvania R.R. Co.*, 207 Fed. 897 (3 Cir. 1913), app. dism., 237 U..S 575 (1915).

[98] *Northwest Airlines* v. *Minnesota*, 322 U.S. 292, 88 L.ed. 1283, 64 S. Ct. 950 (1944).

[99] *Federal Aviation Act of 1958*, 49 U.S.C. secs 1301 (24), 1304.

[100] *Chesko* v *Port. of Seattle*, 55 Wash. 2d 416, 348 P. 2d 673 (1060).

[101] *Anderson* v. *Lockheed Aircraft Corp.*, 155 U.S. & Can. Av. 182 (Cal. Super, Ct, L.A. County 1955).

[102] *Shearing* v. *City of Rochester*, 273 N.Y. 2d. 464 (Sup. Ct. 1966).

[103] *Federal Aviation Act of 1958*, *ibid.* footnote 99.

[104] *Ibid.*, sec. 1348 (c).

[105] "Opinion of the Los Angeles County Counsel," 26 *Journal of Air Law and Commerce* 353 (1959).

[106] *Allegheny Airlines, Inc.* v. *Village of Cedarhurst*, 132 G. Supp. 871 (E.D.N.Y. 1955), *aff'd* 238 F. 2d 812 (2d Cir. 1956).

[107] *City of Newark* v. *Eastern Airlines*, 159 F. Supp. 750 (D.C. N.J. 1958).

[108] This writer has been informed that the following cases pending in 1967 have all been determined on the basis that any local ordinance attempting to regulate aircraft noise from government-authorized flights invades the exclusive, pre-emptive federal control of aircraft movements *American Airlines et al, Port of New York Authority, et al* v. *Hempstead*, (D.C.E.D. N.Y. 63 Civ. 1280, 64 Civ 45—1967); *Port of New York Authority* v. *Hempstead*, (D.C.E.D. N.Y. 64 Civ. 45—1967); and *Sylvane* v. *Port of New York Authority* (D.C.E.D. N.Y. 64 Civ. 950—1967).

Lateral noise impact

In the opinion of this writer, the zoning approach offers very little hope as to jet noise, and no hope when we start discussing the supersonic transport. As a practical matter, it is simply not feasible to schedule flight paths or to zone airports far enough away from people and still expect to operate with economic efficiency.[112] More hope can be seen in the sympathetic attitude of state courts which in local inverse condemnation cases are not following the restrictive *Batten* rule, but instead are awarding compensation—whether or not there is direct overflight—for any substantial interference with the landowner's use and enjoyment of his property.[113] This is seen in *Martin* v. *Port of Seattle*, 64 Wash. 2d 309, 391, P.2d 540 (1964), *cert. den.* 379 U.S. 989 (1965), where the *Batten* rule was rejected. The facts in the *Martin* case were described as follows:[114]

"The plaintiffs claim that, when jet aircraft pass over or in close proximity, conversation is halted, radio and television reception is halted, and the sound obliterated. The jets cause vibrations in the houses and of their contents, rendering it necessary to hammer the nails back into the siding of the homes at about six-month intervals, and to tighten light fixtures periodically. Sleep is disrupted, outdoor entertainment almost impossible, and the noise painful to many. The noise also causes fear, particularly in small children. It is asserted that the respondents cannot sell their homes, and that the property values are substantially reduced."

As there was no overflight of the property, which was located about one mile from the jet runway, the *Martin* rule favoring recovery for lateral noise impact is especially strong in its protection of the plaintiff.

Similarly, even though there was no overflight, lateral noise impact was sufficient to establish a "taking" in *City of Jacksonville* v. *Schumann*, 167 So.2d 95 (Florida, 1964), where the homeowners relied upon an official F.A.A. guide recommending non-residential zoning in the airport area.[115] Another lateral taking was found in *Loma Portal Civic Club* v. *American Airlines, Inc.*, 61 Cal.2d 582, 39 Cal.Rptr. 708, 394 P.2d 548 (1964), when jets[116] "cause deafening, disturbing and frightening noises and vibrations, disrupt and interrupt sleep and repose and the use of telephone, television, and radio; disrupt, interrupt, and prevent normal conversation and communication; create fear, nervousness and apprehension for personal safety; injuriously affect the health, habits and material comforts of plaintiffs, and prevent the normal use and reasonable enjoyment of their homes."

Again, this time in a 4–3 decision, *State ex rel Royal* v. *City of Columbus*, 3 Ohio St.2d 154, 32 Ohio Ops 2d 149, 209 N.E.2d 405, *cert. den.* 383 U.S. 925, 15 L.ed.2d 845, 86 S.Ct. 928 (1965), held that, without any overflight, lateral noise impact is enough for a "taking" in a constitutional sense of private property for public use where the evidence showed airflights so low and so frequent as to be a direct and immediate interference with enjoyment and use of the land. Here, the jets disturbed sleep, loosened plaster on the walls, jarred dishes and other objects from shelves, damaged windows and window frames, as well as causing damage to a fireplace.

The Thornburg principle

Our final look at subsonic jet flight (where there is no sonic boom) will be *Thornburg* v. *Port of Portland*, 233 Ore. 178, 376 P.2d 100 (1962), which has been criticized for applying nuisance law to establish a taking.[117] It is true that *Thornburg* represents a remarkable break-through in that the majority no longer felt at all inhibited in recognizing the harm caused by noise and in requiring compensation for injuries. Not only was there no overflight, but it is no longer necessary to show a complete taking in an eminent domain sense. The *Thornburg* court permits the plaintiff to keep his property and still collect damages, by permitting partial inverse condemnation under nuisance rules. Even more remarkable is the ruling in *Thornburg* v. *Port of Portland* —— Ore. ——, 415 P.2d 750 (1966), where the court permits the plaintiff, but not the defendant, to use nuisance rules. On the basis of the first *Thornburg* decision, the trial court had allowed the jury to hear evidence as to the social utility of the airport. Under regular nuisance rules, this is part of the balancing of interests involved, and the trial judge offered eight instructions which repeatedly called the jury's attention to this tort principle.

Legal implications

However, the Oregon Supreme Court in its second *Thornburg* decision, on appeal from an adverse verdict, held that such evidence was prejudicial and the instructions were erroneous, and a new trial was ordered because there should be no balancing of interests.[118]

"If the jury finds an interference with the plaintiff's use and enjoyment of his land, substantial enough to result in a loss of market value, there is a taking. If the jury determines that there has been a taking, its only concern thereafter is to fix the monetary compensation therefore."

Thus, according to *Thornburg* rules, in an eminent domain-type proceeding where "inverse condemnation" is claimed for partial loss of property value—even if the rules of nuisance law have been applied to discover an injury and even if damages are sought under tort law principles—there is no tort law balancing of the interests involved. The only test is a determination as to the reduction in the fair market value of the property, the plaintiff collects his damages, and if he so desires he may keep his property. The legal implications of the *Thornburg* principle are truly revolutionary in view of its possible current application only as to subsonic jets. The harm caused by subsonic jets is insignificant compared to the potential injuries if we are ever subjected to the supersonic jet with its sonic boom.

THE SONIC BOOM

What is a sonic boom?

Sonic boom is a natural physical phenomenon associated with speeds faster than sound.[119] At sea level, the speed of sound is approximately 760 miles per hour.[120] It was only with the development of air flight technology that such man-made speeds become significant. Since mechanized speeds of this magnitude are relatively recent in human experience, the sonic boom—compressed shock waves causing explosive sound pressure ten times that of thunder and throughout its path continuously releasing energy culminating in an impact which can shatter glass, break plaster ceilings, crack walls, destroy wooden buildings, and even twist and knock brick and steel buildings off their cement foundations—is still unknown to most of us. It was not until the 1940's that aircraft approached the speed of sound. Prior to that time, all flight was subsonic (all civilian jets are still subsonic, only military jets flying at supersonic speeds) and there was no problem of sonic boom. Certainly, the noise from the subsonic jets with which we are familiar today cannot compare with the wide-spread damage which will be caused by supersonic jets. Simply stated, this is so because air is sufficiently elastic to be easily pushed aside by flights at subsonic speeds. But sonic boom occurs at flights exceeding the speed of sound because at such supersonic speeds the air is no longer sufficiently elastic to permit the aircraft to push the air aside. Instead, as the speed of sound is approached, there are pressure changes gradually building up toward an explosive force.

---

[109] *Ibid.*, footnote 108. Also see, "Opinion of the Los Angeles County Counsel," *op. cit.*, footnote 105; and L. M. Tondel, "Noise Litigation at Public Airports," 32 *Journal of Air Law and Commerce* 387 (1966).

[110] James E. Strunck, "Airport Zoning and Its Future," 50 *American Bar Association Journal* 345 (April, 1964).

[111] Zoning not related to safety was held illegitimate in *Banks* v. *Fayette County Board of Airport Zoning Appeals*, 313 S.W. 2d 416 (Ct. App. Ky. 1958). But safety alone may not be enough. The City of Newark restricted landowners from building high structures near the airport so as to protect the planes, but *Yara Engineering Corp.* v. *City of Newark*, 132 N.J.L. 370. 40 A. 2d 559 (Sup. Ct. N.J. 1945), held that unless there exists a specific Airport Zoning Enabling Act, local airport ordinances are illegal. Even with enabling legislation, *Jankovich* v. *Indiana Toll Road Commission*, 193 N.E. 2d 237 (1963), held that the benefit to the public is too small to justify height limitations on buildings, so that the zoning may be stricken as an eminent domain taking of private property in the guise of a police power regulation. Also, where a municipal ordinance zoned non-economic scrub land as a flight glide path and the municipality sought to enforce the zoning by an injunction to require the owner of this land to remove or cut trees so that they would not protrude into the airspace, *Jackson Municipal Airport Authority* v. *Evans*, 191 So. 2d 126 (Mississippi, 1966), held that the local government's action was a taking of the land (not just the trees) for which compensation must be paid. Likewise, in *Roark* v. *City of Caldwell*, 87 Idaho 557, 394 P. 2d 641 (1964), a zoning height restriction for land adjacent to an airport that confined such property to agricultural uses or for single dwellings, so as to protect the aircraft, is a "taking" requiring compensation. On the other hand, the opposite view was expressed in *Waring* v. *Peterson*, 137 So. 2d 268 (Florida, 1962), which held such zoining to be a reasonable exercise of the police power, and again in *Baggett* v. *City of Montgomery*, 160 So. 2d 6 (Sup. Ct. Ala. 1963), where the court said that the entire community benefits from air safety and zoning for such a public purpose is therefore a legitimate police power function.

[112] References cited in footnote 34; "Superplane or Megafolly?," pp. 66–67, *Newsweek*, June 26, 1967; and Mary Goldring, "Who's For Concorde?," p. 640–641, *Punch*, May 3, 1967. Mary Goldring is Air Correspondent and Business Editor of "The Economist."

[113] *George Ackerman* v. *Port of Seattle*, 55 Wash. 2d 400, 348, P. 2d 664, 77 A.L.R. 2d 1344 (1960), held that the noise and intense vibration from jet aircraft was a "taking" where the landowner's property is used as an approach to the landing field. The remaining cases to be discussed in this chapter do not require overflight for recovery.

[114] *Martin* v. *Port of Seattle*, 391 P. 2d 540 (1964), at 543.

[115] According to S. T. Brewer, at page 28 in his paper (see Bibliography, Scholarly Publications, first item), "The F.A.A. now keeps tight rein on these guides" so as to minimize suits. Apparently, these F.A.A. guides are copies of the Research Organization Manual, *Land Use Planning Relating to Airport Noise*, a technical publication of Bolt, Beranek, and Newman, Inc., Cambridge, Massachusetts, to be employed by airports in planning for noise problems.

[116] *Loma Portal Civic Club* v. *American Airlines, Inc.*, 394 P. 2d 548 (1964), at pp. 550–551.

[117] G. A. Spater, "Noise and the Law," 63 *Michigan Law Review* 1373 (1965), at page 1405.

[118] *Thornburg* v. *Port of Portland*, 415, P. 2d 750 (1966), at 752–753.

[119] The scientific information as to sonic boom in this paragraph is from the following sources: Allen J. Roth, "Sonic Boom: A New Legal Problem," March 1958, 44 *American Bar Association Journal*, pp. 216–220; *Alexander* v. *Firemen's Insurance Company*, 317 S.W. 2d 752 (Texas, 1958), which was reaffirmed on appeal, *Firemen's Insurance Company* v. *Alexander*, 328 S.W. 2d 350, Anno. 74 A.L.R. 2d 755 (Texas, 1959), where J. E. Alexander was able to collect his "loss by aircraft" insurance because of sonic boom injuries to his property; Stratton Hammon, "More on Sonic Booms: Litigation is Showing Their Propensities," November 1961, 47 *American Bar Association Journal*, pp. 1096–1099; H. Wilson, "Sonic Boom," January 1962, *Scientific American*, at page 36; "Sonic Boom," 12 *American Jurisprudence Proof of*

The reason that an airplane or a jet moving at subsonic speed does not produce a sonic boom is that the pressure disturbances created are moving faster than the aircraft itself, whereas in supersonic flight the aircraft "collides" with the air, compressing it, and throwing it off in the form of shock waves of intense energy and sound pressure vibrations (noise) that spread out from the aircraft in a cone-shaped configuration.[121] The speed of sound is referred to as "Mach 1" and beyond this speed an aircraft produces two sonic booms, often heard only as a single boom, one from the nose and the other from the tail of the aircraft. These sonic booms are continuous, not just a single explosion, with the flight of the aircraft at supersonic speeds (it is convenient to think of the sonic boom as a flowing mass of energy hurled out by the aircraft), and will be experienced on the ground between twenty to thirty miles on each side of the flight path. Thus the exposed area will be from forty to sixty miles wide, and the intensity of the shock wave exposure will depend upon the height, size, and speed of the aircraft. The greater the speed, the proportionately greater will be the pressure, so that the sonic boom at "Mach 2" contains double the pressure of an aircraft traveling slightly beyond Mach 1. Likewise, the sonic boom at Mach 3 contains three times the pressure of Mach 1. However, even if the aircraft is traveling at Mach 3, the sonic boom itself travels at Mach 1, the speed of sound, and may reach the ground only long after the aircraft itself has completely disappeared from sight.

Military sonic booms

It is possible that the first sonic boom was generated in the 1940's by Second World War fighter planes during deep dives, by divebombing missions, or by German V–2 rockets fired on London. If so, these were but isolated instances involving subsonic airplanes (or remote-control jets), supersonic speeds could not be achieved under standard operating conditions, and such speed was regarded as unusually dangerous. It was not until the 1950's that military jet aircraft could be, and began to be, flown at supersonic speeds.[123] In 1953, test pilot dives at Palmdale, California, created enough pressures to break windows and crack doorframe beams on the administration building of the Palmdale Airport.[124] At the Oklahoma City National Air Show, in September, 1956, a "sound wave shock resulting from aircraft passing through the sonic barrier" [125] did $500,000 damage at the Will Rogers Airfield over which the sonic boom occurred,[126] the terminal building lost almost all of its plate glass windows,[127] and over 300 property owners filed claims [128] seeking damages from $3,973 to less than $25.[129] On another occasion, a sonic boom shattered windows in virtually every building and damaged door frames and floors at the Air Force base over which the jet was flying.[130] A "secret" flight in 1958 was no longer a secret, having left a trail of broken windows and cracked 4'' x 4'' frames all the way from Seattle to Chicago.[131]

"Loss by aircraft"

In Montgomery, Alabama, on May 18, 1958, a contractor was building a control tower at Dannelly Field when a United States military jet exceeded the speed of sound and the almost-completed tower was totally destroyed. "This was not a temporary structure but a well constructed building of reinforced concrete, steel, and massive aluminum vertical ribs." [132] Also, a metal building on the field burst apart and collapsed. Not only was window glass blown out by the sonic boom, but heavy metal girders were twisted out of shape and the aluminum spandrels were ripped off, bolts and all. Again in 1958, this time in Texas, a well-constructed warehouse only two years old, built of metal and frame and containing three caseloads of lumber, was subjected to the sonic boom caused by a jet flying at supersonic speed and "the force and pressure of such air disturbance, created by the aircraft, unseated the girders beneath the building and capsized it." [133] This relatively new building suffered total destruction and the owner sued on an insurance policy covering "loss by aircraft." The Texas Supreme Court interpreted the policy to favor the plaintiff, so that according to *Firemen's Insurance Company* v. *Alexander*, 328 S.W. 2d 350 (1959), such a clause in an insurance contract includes the collapse of a well-built structure from sonic boom.

Characteristics and consequences

On April 7, 1959, thousands of San Francisco residents were frightened by earthquake-type damage caused by sonic boom, shaking tall buildings, shattering windows, knocking down plaster, cracking walls, and blowing up sprinkler systems, in a 75-mile strip.[134] Early in 1962, a B–52 flew at supersonic speeds from Los Angeles to New York at altitudes of from 30,000 to 50,000 feet for most of the flight, during which it created a 40-mile wide transcontinental sonic boom cracking windows from coast to coast.[135] While some writers believe there may be difficulty in prosecuting sonic boom cases,[136]

Roth's definition of "Sonic Boom" makes it an explosion, whereas Hammon considers it as mechanical pressure waves, while Apothaker disagrees with Roth and Hammon, arguing that there is no real physical damage to property or personal injury from sonic boom. Apothaker assumes the role of military spokesman and perhaps his views can be dismissed somewhat *at hominem*. Any attempt to argue lack of harm flies in the face of the facts.

In comparing these three articles, it may be noted that Roth devotes particular attention to the problems of proof. At page 220 he mentions (1) the probable lack of eyewitnesses because the jet moves out of sight before the boom hits, including (2) that highly technical physical sciences are involved, such as aerodynamics, meteorology and navigation, principles of radar electronics and jet propulsion, and the theory of engineering structure and building stress, together with (3) a shortage of available expert witnesses since many of these will be employed by the jet industry, by the military, or by the government, (4) evidence may be classified information, public officials may have an interest against the plaintiff's, and flight records are usually under the defendant's control, (5) foreign law will often be an issue in these cases, (6) the costs of case preparation may be very high if it becomes

---

Facts (1962), pp. 593–610; and the *Congressional Record*—House, April 21, 1966, vol. 112, pt. 7, pp. 8745 through 8768; daily RECORD, May 16, 1966, pp. A 2629–2930; vol. 112, pt. 14, pp. 18233 to 18257; vol. 112, pt. 20, pp. 27803 to 27824; and pp. 788 to 810. Also see, "Jet Boom Claim Paid," The Oklahoma *Journal*, Thursday, June 1, 1967.

[120] The speed of sound varies with altitude, temperature, and barometric pressure. Thus, while it is about 760 miles per hour at sea level, it is approximately 660 miles per hour at 40,000 feet. This means the higher the altitude, the easier it will be for a jet to reach the speed of sound. Supersonic jets flying at 1,800 miles per hour will be traveling at speeds three times the speed of sound, and will generate sonic boom times 3.

[121] Footnote 119, *ibid.*

[122] *Ibid.*, Allen J. Roth, page 217.

[123] *Ibid.*, page 218.

[124] *Ibid.*

[125] *Lloyds' London* v. *Blair*, 262 F. 2d 211 (10th Cir. 1958). It should be noted that the court's description of the sonic boom as the aircraft "passing through" the sonic barrier is not strictly accurate. The sonic boom does not occur just and only at the very moment that the aircraft exceeds the speed of sound. Rather, the sonic boom is a continuous force flung out by the aircraft at all times it is traveling faster than the speed of sound. Beyond 760 miles per hour at sea level, or 660 miles per hour at altitudes of 40,000 feet, the sonic boom becomes a physical phenomenon, and flows along much the same as the ever-spreading ripples in a pond.

[126] "Sonic Boom," 12 *American Jurisprudence Proof of Facts* 593–610 (1962), at page 598.

[127] Stratton Hammon, "More on Sonic Booms: Litigation Is Showing Their Propensities," 47 *American Bar Association Journal* 1096 (November 1961), at page 1097.

[128] *Ibid.*

[129] *Lloyds' London* v. *Blair*, 262 F. 2d 211 (10th Cir. 1958). This case was decided on a procedural points of improper joinder of tort and contract actions. The federal Tort Claims Act requires the plaintiff to offer proof of negligence against the defendant (here, the military activities of the United States), but this is not in issue as against the insurer (Lloyds' London).

[130] "Sonic Boom," *ibid.*, footnote 126.

[131] Stratton Hammon, *op. cit.*, footnote 127, at page 1099.

[132] This quotation and the information in this paragraph as to the Dannelly Field incident is from Stratton Hammon, *ibid.*, at page 1098.

[133] *Ibid.*; *Alexander* v. *Fireman's Insurance Company*, 317 S.W. 2d 752 (Texas, 1958); and *Firemen's Insurance Company* v. *Alexander*, 328 S.W. 2d 350, Anno. 74 A.L.R. 2d 750 (Texas, 1959). Also see "Sonic Boom," *ibid.*, footnote 126, and James D. Hill, *ibid.*, footnote 72.

[134] Stratton Hammon, *op. cit.*, footnote 127, at page 1099.

[135] "Sonic Boom," *op. cit.*, footnote 126, at pp. 597–598.

[136] Allen J. Roth, "Sonic Boom: A New Legal Problem," 44 *American Bar Association Journal* 216 (March, 1958); Stratton Hammon, "An Old and a New Legal Problem: Defining 'Explosion' and 'Sonic Boom'," 45 *American Bar Association Journal* 696 (July, 1959); and Louis D. Apothaker, "The Air Force, the Navy and Sonic Boom," 46 *American Bar Association Journal* 987 (September, 1960).

there seem to be peculiar characteristics attached to sonic boom damage which enable experts to distinguish it from other causes of injuries.[137] Scientific research indicates that, flying just a few feet above the ground only slightly above the speed of sound, a jet could create pressure along its flight path which would approach that at ground zero during an atomic explosion." [137] At 25,000 feet a sonic boom can seriously damage buildings.[138] Window glass will suffer first, followed by cracks in the plaster, and a collapse in the surface, then by damage to door frames, partitions, and walls, and finally by damage to other more substantial parts of the structure.[139]

Starting with an examination of the window damage, it is possible to tell in what direction the aircraft was traveling.[140] Also, there are distinguishing features of the initial glass breakage which occurs from sonic boom that make this damage different from other types of glass breakage. Thus, the sonic boom sets up shearing forces causing cracks to spread out in a series of conchoidal (shell-shaped) fractures which leave characteristic striations along the edges of the broken glass.[141] Likewise, plaster damage from sonic boom has certain characteristics.[142] However, moving up from 25,000 feet to 45,000 feet, the damage from sonic boom will be primarily fright and the consequences of fright, psychological and physiological injury to personal health, ear damage and noise-induced hearing loss.[143] As we have seen, as with the Mabaan environment, the sounds of nature may be regarded as normal background noise and this ordinarily offers no problem. It can even be shown that some background noise is positively desirable, so that the low hum of an air conditioner or the pleasant sounds of subdued music can introduce a soothing effect, to muffle or mask objectionable sounds, and screen out other noises, acting much like perfume does as to undesirable odors.[144] However, any sudden loud sound, especially the psychic shock produced by the sonic boom, easily triggers the natural "fear reaction" response to noise which remains with man as a warning signal indicating danger.[145]

The difference between sonic boom and other loud noises is that it comes without notice, there is no gradual build-up of sound as is true with an approaching train, or even subsonic aircraft, so that the sonic boom produces greater anxiety, agitation, and damage to health.[146] Just as sudden temperature changes have an adverse effect upon the body, so also sudden noise-pressure changes upon the person have injurious physiological and psychological consequences. Thus,[147] "When a sonic boom goes off—ten times louder than a peal of thunder—some people become angry, others become frightened, and most of them startled. Frightened people sometimes do dangerous things, and of course, if they are ill, physical damage can result from severe fright."

Aside from the dubious ethics of treating the unconsenting public as human guinea pigs, this judgment as to injurious consequences is confirmed by at least eleven different studies and field trials conducted by the United States government subjecting portions of the population to sonic boom tests.[148] Almost all of these tests of public reaction to sonic boom confirm that explosive noise, fear reaction, and property loss will infringe upon personal rights to peace and quiet, private undisturbed meditation, and protection of individual financial security from sonic boom damage.[149]

Sonic boom tests

So far, the three major series of sonic boom tests that have been conducted in the United States have occurred over the greater St. Louis area [150] from July 1961 through May 1962, over Oklahoma City [151] from February through July of 1964, and over the Chicago area [152] from February through March of 1965. Citizens of the St. Louis area exposed to 150 supersonic flights filed 1,624 claims to recover for property damage and made about 5,000 formal complaints against the terrifying sonic boom blasts.[153] Annoyance is higher in the summer than in the winter, rising to a peak in June, July, and August when windows are open due to the summer heat, and the tests further indicate that sonic boom heard indoors are more disturbing than when heard outdoors.[154] The 6-month Oklahoma City exposure to 1,253 supersonic overflights under F.A.A. sponsorship resulted in more than 4,000 property damage claims,[155] including one submitted to recover financial loss when a single family house was split in two. This claim has recently been determined in favor of the plaintiff. A June 1, 1967 news item reports that a federal court jury awarded $10,000 to Mr. and Mrs. Bailey Smith.[156] Not only were there over 4,000 property damage claims, but 15,000 persons complained to authorities concerning disturbance of sleep, rest, and relaxation.[157] A public opinion poll showed that more than 40 percent of the people interviewed in Oklahoma City believed their homes had been damaged by sonic booms, most of the people living within eight miles of the center line of a boom path were disturbed by the sonic booms, and 25 percent of all the people interviewed said they could never learn to tolerate sonic booms.[158]

The Oklahoma City sonic booms were not only unacceptable to human beings, but also could not be tolerated by plant or animal life. On the basis of these tests, Dr. Zhivko D. Angeluscheff reports scientific evidence that supersonic sound can not only cause damage to the auditory nervous system but also can destroy the submolecular life of living cells. Exposed to supersonic sound, ocean plankton undergoes profound changes in only five to ten seconds, and in five minutes chloroplasts lose color and die.[159] In Oklahoma City, rats became sterile and ten thousand chickens exposed to the sonic boom twice a day for six months sustained some or all of these effects: disorientation neurosis, the rupture of reproductive organs, the

---

necessary to take depositions all over the country, and to obtain and study many exhibits and documents, and (7) it is likely that the trial will be lengthy, time-consuming, and expensive thus discouraging potential plaintiffs from pursuing their legal rights.

[137] "Sonic Boom," *op. cit.*, footnote 126.

[138] *Ibid.*

[139] *Ibid.*, pp. 598–599.

[140] "Those windows that are facing the direction toward which the aircraft is traveling are more likely to be damaged than those that face the oncoming aircraft." *Ibid.*, page 598.

[141] *Ibid.* "These striations along the edges of a piece of broken glass indicate the direction of the break, the path of the break always being across and toward the convex side of the striations. From examination, it can be determined on which side of the glass rupture first occurred, and the direction of the break from point to point along the glass. This will in turn indicate the direction of the force that caused the break, since the glass will always break first on the side opposite that from the force. Thus, it can be determined whether glass was broken from a force applied from outside or inside a window." *Ibid.*, pp. 598–599.

[142] "The next structural element that may suffer damage from a sonic boom is plaster. The cracks in plaster damaged in this manner will form an X, with the arms pointing to the corners of the surface in which the cracks appear, unless, of course, the boom is of sufficient force to collapse the surface entirely." *Ibid.*, page 599.

[143] However, at 60,000 feet such damage will be minimized and should not occur. *Ibid.*, page 598.

[144] Leo L. Beranek, "Noise," in the December, 1966, *Scientific American,* and in the *Congressional Record*—House, January 18, 1967, pp. 788 to 810. Sound engineers refer to this accoustical perfume as "white noise" and use it to blanket distracting sounds, to maintain a feeling of euphoria, or to protect privacy. For example, to preserve the secrets of confessionals, "white noise" was engineered for a too-silent Roman Catholic Church in Massachusetts. *Congressional Record*—House, October 19, 1966, vol. 112, pt. 20, pp. 27803 to 27824.

[145] *Congressional Record*—House, April 21, 1966, vol. 112, pt. 7, pp. 8745 through 8768; October 19, 1966, vol. 112, pt. 20, pp. 27803 to 27824.

[146] "As between clicks and whirrs, drips and hums, bangs and roars, the intermittent sounds seem psychologically the worst." *Congressional Record*—House, October 19, 1966, vol. 112, pt. 20, pp. 27803 to 27824. "A sudden noise causes a number of reactions in the human body. In addition to the psychic shock, one winces, turns the head, holds the breath, closes the eyes for a short time. The breathing is accelerated, and other characteristic manners of behavior are induced by the noise." *Congressional Record*—House, April 21, 1966, vol. 112, pt. 7, pp. 8745 through 8768. This is explained by Dr. John Anthony Parr, in the *Congressional Record*—House, April 21, 1966, vol. 112, pt. 7, pp. 8745 through 8768.

"Why should noise upset our health? Well, its all due to an inborn alarm system that we have. A sudden loud noise spells danger and we react. In fact we automatically get ready either to defend ourselves or for flight. Our muscles tense and we jerk, our abdominal blood vessels contract to drive extra blood to our muscles and this produces that feeling of the stomach turning over, and in an instant the liver releases stores of glucose to provide fuel for the muscles which may have to fight or run. This internal upheaval if repeated again and again is exhausting physically and mentally, and ultimately can cause a nervous breakdown, and then it is but a step to contracting one of the stress diseases."

[147] Allen J. Roth, *op. cit.*, footnote 119, at page 219, quoting from an official Air Force journal of 1957.

[148] Congressional Record, vol. 112, pt. 14, 18241.

[149] *Ibid.*

[150] C. W. Nixon and H. H. Hubbard, "Results of USAF–NASA–FAA Flight Program to Study Community Responses to Sonic Booms in the Greater St. Louis Area," NASA TN–D–2705, May 1965.

[151] "Final Program Summary—Oklahoma City Sonic Boom Study," FAA Report, SST–65–3, March 17, 1965.

[152] D. A. Hilton, V. Huckel, and D. J. Maglieri, "Sonic-Boom Measurements During Bomber Training Operations in the Chicago Area," NASA TN–D–3655, October 1966.

[153] See footnote 150.

[154] Congressional Record, vol. 112, pt. 7, pp. 8761, 8766, 8767.

[155] See footnote 151.

[156] "Jet Boom Claim Paid," The Oklahoma *Journal*, Thursday, June 1, 1967.

[157] See footnote 151. Also see Congressional Record, vol. 112, pt. 20, p. 27813.

[158] Leo J. Beranek, "Noise," in the December, 1966, *Scientific American,* and in the *Congressional Record*—House, January 18, 1967, page 799. These findings are consistent with noise studies generally. See *Alleviation of Jet Aircraft Noise Near Airports,* K. D. Kryter, "Evaluation of Psychological Reactions of People to Aircraft Noise," Report of the Jet Aircraft Noise Panel, Office of Science and Technology, Executive Office of the President, March 1966.

[159] Congressional Record, vol. 112, pt. 14, p. 18243.

stoppage of egg-laying, loss of feathers, internal bleeding, hernia, and death.[160] Only 4,000 of the original 10,000 chickens remained alive at the end of the six-months two-booms-a-day test period.[161] The sonic boom tests over the Chicago area subjected the population to a total of only 49 supersonic flights, resulting in 7,116 formal complaints and 2,964 property damage claims of which 1,442 have received $114,763 compensation.[162] In January of 1967, the National Park Service reported to Secretary of the Interior Udall that sonic booms from military aircraft have caused damage to what are regarded as "outstanding examples" of prehistoric cliff dwellings at Mesa Verde in Colorado, and also damage to geological formations in Bryce Canyon, Utah, considered to be "masterpieces of nature."[163] On August 3, 1967, a New York *Times* item indicated that a sonic boom over the village of Mauron in France caused the collapse of a farm house and three persons inside were killed.[164]

The FAA attitude

In the face of such overwhelming evidence demonstrating beyond reasonable doubt the adverse consequences to persons and property of noise, and specifically the sonic boom, what has been the attitude of the jet industry, the scientific experts, and of public officials? While the disregard of the public interest displayed by government-promoted so-called "private enterprisers" and their expert employees is understandable,[165] as is the familiar contempt of military men toward the rights of civilians,[166] it seems incredible that those agencies charged with regulatory responsibility for public protection should adopt an attitude similar to the military, the jet industry, and their paid hands.[167] Instead of regulating restraint, there has been F.A.A. promotion of the jet industry.[168] This, of course, is the by-now familiar story of combining into one agency a built-in conflict of interest, to both regulate and to develop an inherently dangerous industry.[169] As a practical matter, this duality of purpose tends to be a corrupting influence and has been so in the example of the supersonic transport project.[170] Thus, in its eagerness to promote the supersonic transport, the F.A.A. has not hesitated to falsify the facts about sonic boom.[171] As we have seen, the

---

[160] *Ibid.* Natalie Gittelson, "Noise Pollution—A Growing Scandal," *Harper's Bazaar*, August 1966, comments: "The dangers to *humans* is striking home. When the human chicken begins to lose his hair and his wife experiences unwanted abortions and sterility, we will see headlines on supersonics."

Also see the CONGRESSIONAL RECORD, vol. 112, pt. 20, p. 27807: "In the long run, nature may provide an ecological solution to the problems of noise; a current study by Professor Bernhard Zondek of Jerusalem's Hadassah Medical School finds that rats exposed to loud noise exhibit a marked decline in the pregnancy rate, although they copulate as zestfully as ever."

[161] See footnote 159.

[162] See footnote 152.

[163] *Congressional Record*—House, January 18, 1967, page 800. Secretary Udall expressed concern but said that air space is considered to be the province of the F.A.A.

[164] John L. Hess, "French Investigate Deaths of 3 Linked to Superjet's Boom," page 24–L, New York *Times*, Thursday, August 3, 1967. The report notes that since 1963 at least eight other deaths have been attributed to sonic booms. Four of these resulted from heart attacks, two from runaway horses, and two from the collapse of a well. In 1965 alone there were 1,763 complaints of damages from sonic booms and 907 of these were paid $255,000 compensation.

[165] Dr. Leo L. Beranek, whose general acoustical firm (Bolt, Beranek, and Newman, Inc.) does work both for the jet industry and the F.A.A., talks in terms of "tolerable levels" of noise "acceptability" and "permissible limits of noise exposure," so defined that there will not be "substantial" damage from sonic booms. All this is on the assumption that "The coming of supersonic travel is inevitable . . . It is important, therefore, that the Federal Government prepare for the arrival of supersonic travel by establishing tolerable limits for sonic booms . . ." Thus, for example, "homes will not be seriously damaged within specified limits of exposure . . ." *Congressional Record*—House, January 18, 1967, pp. 796–798.

[166] Construction of the supersonic air transport, "the greatest noise-making device in the history of mankind," will "create a bigger disturbance than any force short of a hurricane or tornado," yet when interviewed Brig. Gen. Jewell C. Maxwell said: "People in time will come to accept the sonic boom as they have the rather unpleasant side effects which have accompanied other advances in transportation," CONGRESSIONAL RECORD, vol. 112, pt. 14, p. 18241.

[167] A spokesman for the F.A.A. is quoted in the CONGRESSIONAL RECORD, vol. 112, pt. 14, p. 18242, with regard to problems of jet noise: "This is something which is going to get worse, not better. The public will have to learn to live with it . . ." That the public may not learn to live with it is observed by a medical expert who wrote: "It is not an exaggeration to say that quite a few cases of insanity are caused by nervous systems that cannot adjust to the constant bombardment of noise." *Ibid.*, page 17438.

[168] Most doctors agree that any noise above 60 decibels is harmful to human beings. CONGRESSIONAL RECORD, vol. 112, pt. 14, p. 18244. (The World Health Organization puts the figure even lower. See, Alan Bell, "Noise—An Occupational Hazard and Public Nuisance," *Public Health Papers* No. 30, World Health Organization, United Nations, Geneva, 1966.) In any event, we know that exposure in industry at 80 decibels results in noise-induced hearing loss. (See footnotes 40, 41, and 42.)

But the F.A.A. recommends 105 decibels three miles from jet takeoff, a decibel level "which would interfere with normal activities such as conversation and phoning." See, Millicent Brower, "Noise Pollution: A Growing Menace," *Saturday Review*, May 27, 1967, at page 19. At Kennedy International Airport, which is "regulated" by the F.A.A., "Jet noise is so aggravating that residents have more than once blocked the runways in protest, and one woman threatened to blow up the Kennedy control tower to free herself and her family from the plague of intolerable noise." CONGRESSIONAL RECORD, vol. 112, pt. 114, p. 18244.

[169] Harold P. Green, "Nuclear Technology and the Fabric of Government," 33 *George Washington Law Review* 121 (1964), at page 150, notes that the Atomic Energy Commission's dual role is the original example. The A.E.C.'s "responsibility for development of nuclear power, especially by private enterprise, was squarely in conflict with its responsibilities as a licensing and regulatory body."

[170] According to Science Editor John Lear, "What Has Science to say to Man?," *Saturday Review*, July 1, 1967, at page 38: "The proposed supersonic passenger plane (SST) is an ideal example of how to do an experiment backwards and waste millions in the process. Instead of beginning by asking social scientists to determine whether people could tolerate sonic boom, and then deciding for or against building the SST, the Washington politicians ordered the SST despite widespread protest and are now finding that social scientists resent attempts to employ their professional skills to manipulate seeming acceptance of an intolerable noise and nervous shock."

This evaluation of the supersonic transport problem is confirmed by experience with government development of nuclear power through private industry involving inherent risks to the health and safety of the public (there is always the temptation to relax on safety to make atomic power economically competitive), as compared with other alternatives such as private development assuming the risks and under public regulation, or monopolistic governmental development of nuclear power as a public utility.

Thus, with atomic power development, "We have reached the present point, however, without any real consideration of the implications of either policy, and without any conscious and deliberate policy decisions within the framework of American democratic processes." Harold P. Green, *ibid.*, page 152. This comment is applicable to the supersonic transport project, as is the observation, *ibid.*, page 161: "Expediency, rather than principle, has been the watchword of the nation's program for development of nuclear technology."

[171] On July 7, 1967, Dr. William A. Shurcliff, Director, Citizens League Against the Sonic Boom, 19 Appleton Street, Cambridge, Massachusetts 02138, released a number of statements containing misleading information which were issued by the F.A.A. and its spokesmen concerning the proposed supersonic transport and its sonic boom, together with an analysis factually and scientifically refuting these false statements.

For example, Mr. A. H. Skaggs, Chief of the F.A.A.'s SST Economics Section, declared in a speech delivered on March 15, 1967, and this speech was released for publication by the F.A.A., that "It takes a boom of well over 5 pounds per square foot to do property damage, such as cracking plaster." In fact, however, the Oklahoma sonic booms were about 1.2 pounds per square foot.

Also, the F.A.A. wrote in a letter to Massachusetts Senator Edward W. Brooke, April 18, 1967, that the SST will have design features to "minimize its sonic boom" whereas in fact "even when the plane is at 65,000 feet" (over 12 miles high) the SST will inflict a sonic boom with "almost twice the intensity of the Oklahoma booms" which resulted in widespread damage.

Again, on June 22, the Director of the F.A.A. Project wrote to Congressman William H. Bates of Massachusetts that "sonic boom is not an uncontrollable phenomenon." However, the sonic boom is a fact of nature, like gravity, and there is no way to eliminate it even remotely known to aerodynamics experts who have spent years of research on the sonic boom.

Further, Congressman Bates was told by the F.A.A. that the SST "has excellent sonic boom characteristics for an aircraft of its size and weight." But because the severity of sonic boom is partly a function of the weight of the aircraft, and because the SST is to be the heaviest supersonic transport in existence, the SST will produce a sonic boom more intense than any other jet flying at similar altitude and speed.

Finally, the F.A.A. told Congressman Bates that "the SST is not expected to produce sonic boom which would adversely affect people and property on the ground." On the contrary, even at 65,000 feet, it will be twice as intense as the Oklahoma booms. "In particular, the boom from the Boeing SST will be more severe than that produced by existing military planes and more severe than that produced by the Anglo-French Concorde."

Dr. Shurcliff is a physicist and professor at Harvard. The Deputy Director of the League is a biochemist. Other disciplines represented on the National Committee include history, architecture, bacteriology, mechanical engineering, law, surgery, psychiatry, record of the F.A.A. with regard to noise regulation of subsonic jets must be marked a failure, and no confidence can be expressed that its record will be any better as to the supersonic jet. In fact, the F.A.A. has undertaken the positive assignment to subsidize its development and the federal government is contemplating the expenditure of two billion dollars ($2,000,000,000) for this purpose.[172] The goal is a supersonic transport by the mid-1970's which will travel 1,800 miles per hour (at high altitudes, nearly three times the speed of sound), and capable of carrying 300 passengers.[173]

Why the SST?

Why? There are five possible explanations, all beginning with "p": (1) progress, (2) power, (3) prestige, (4) pyramid-building, and (5) profit. An official government publication notes that in 1945 there was no passenger jet industry in the United States, and boasts that spending taxpayer's money for "developing a supersonic transport that will circumnavigate the globe in less than a day" represents the employment of science and technology for mankind's "progress." [174] This writer does not believe that the general public will accept the sonic boom as the sound of "progress." [175] There is nothing "progressive" about injury to health, property damage, and the misallocation of resources. [176] Military power does not require the development of civilian supersonics, so that this "reason" may be eliminated. [177] Apparently, the "prestige" explanation means keeping up with the British and the French who are building a supersonic transport of their own. [178] The Concorde could be in commercial operation by about 1972–1973, earlier than the SST, but will fly at "only" 1,400 miles per hour (compared to the SST's 1,800 or more), will carry 150 passengers (compared to the SST's 300), and will have a shorter nonstop distance than the SST. [179] However, there is no guarantee that the governments concerned will permit the Concorde to go into over-land operation, [180] and whereas "prestige" involves "psychic income" the sonic boom involves "social dis-utility." [181] The hostile reactions likely to be created by the sonic boom all over the world should not be expected to enhance the "prestige" of the United States. [182]

Superiority of the "Jumbo Jet"

As for pyramid-building, surely no detrimental activity can be justified on the policy that it contributes to the gross national product when there are more urgent priorities which will contribute to solving human problems.[183] Likewise, the "profit" explanation does not survive close examination. Development of the SST is being financed more than 90% by the federal government and less than 10% by the jet industry.[184] This is a clear "free market" indication that private entrepreneurs do not regard the SST as a worthwhile investment, the economic risks outweigh the profit potentialities, and whether the SST will ever "pay off" is very questionable.[185] Even if the supersonic transport is permitted some over-land flights, the prospective profit of the subsonic (no sonic boom) "Jumbo Jet" is so superior to the SST that the jet industry itself is paying for the development costs with no "billion-dollar reach into the taxpayer's pocket." [186] Compared with the SST, the "Jumbo Jet" (1) will hold 400 to 1,000 passengers (up to three times the SST); (2) can fly 6,000 miles non-stop (50% farther than the SST); (3) will offer fares well below the SST charges (between 26%–50% less than the SST); (4) is free to fly anywhere because of no sonic boom; and (5) it is anticipated that the "Jumbo Jet" will be in routine operation by 1971, about four years before the SST.[187] The only theoretical advantage of the SST is flight speed, and this difference may not be significant.[188]

Noise and the public interest

Any balancing of the interests of the few who are so fascinated by supersonic speeds compared to the millions of people and property owners who will be exposed to sonic booms will require legislation to protect the public from supersonic noise pollution.[189] No more than a very small handful can possibly benefit from the supersonic transport,[190] while most of the population is being threatened.[191] Health, safety, and welfare have been traditional functions of democratic government, but Congress has failed to provide standards and the F.A.A.'s "regulations" mark it as an arm of the jet industry.[192] Rather than discussing whether the public is to be exposed to "big-boom" or "low-boom" the policy ought to be "no-boom" and this includes the rights of people on ships, so that there will be no supersonic flight over either land or the oceans.[193] Any supersonic authorization is an attack on the population by the government itself.[194] There are some

---

conservation, chemistry, Christian ethics, aerospace medicine research, and teaching. In addition to these professions, there are writers, artists, and housewives.

[172] To date, the federal government has already spent $300,000,000. Richard Hellman, "The Supersonic Transport—Not All Smooth Flying," *Challenge*, July/August, 1967, pp. 34–37, at page 36. Hellman was economist to the SST Study Group during 1964–1965.

[173] *Ibid*. The current Super Sabers have a rated speed of 822 miles per hour, and apparently there are military jets that reach 2,000 miles per hour (three times the speed of sound) CONGRESSIONAL RECORD, vol. 112, pt. 20, p. 27813. The TFX, now designated the F–111 operates at 1,650 miles per hour. "Superplane or Megafolly," *Newsweek*, June 26, 1967, pp. 66–67.

[174] "Science and Technology for Mankind's Progress," a 46-page booklet prepared by the U.S. Department of Commerce, 1966, at page 11, 14, and 19. This official (and, to this reader, somewhat frightening) publication also boasts, at page 6, that the government is going to modify the environment to induce rainfall and control hurricanes.

[175] Bo Lundberg, Director General of the Aeronautical Research Institution of Sweden, concludes there is "overwhelming evidence that the general public will not willingly accept the sonic boom," which will be especially intolerable to light sleepers, the sick, nervous persons, aged people, and small children. *Congressional Record*—House, January 18, 1967, page 800.

[176] Evidence of injury to health and property damage need not be repeated here, but as to misallocation of resources Bo Lundberg warns prospective investors of the probable uneconomic operation of the SST in competition with future "Jumbo Jets" and the risk of losing all or most of their investments when over-land supersonic flight prohibitions are imposed by governments interested in protecting their populations from sonic boom. Another aspect of resource misallocation appears in spending billions of taxpayer's dollars to develop the SST for test purposes when existing knowledge is sufficient to support a judgment that the sonic boom is intolerable. Also, there is a serious danger that any policy of investing billions to develop the SST for "test" purposes "would have the effect of a trap" because then "it would be even more difficult than today to prevent the SSTs from being introduced into civil aviation regardless of how severe the booms will be." *Ibid*, pp. 799–800.

[177] See footnote 10.

[178] "Boom or Bust?," *Newsweek*, July 17, 1967, page 61.

[179] Richard Hellman, *ibid.*, footnote 172.

[180] See footnote 178.

[181] See footnote 175.

[182] *Ibid.*

[183] The writer is suggesting here that rather than spending billions of dollars on a gigantic supersonic "boomdoggle," a more enlightened allocation of resources would devote public attention toward eliminating poverty and its causes, establishing human dignity and equality of opportunity, providing high quality education and recreation, promoting health and recognizing the need for population control, helping cities solve problems of urban development, conservation programs and the prevention of all forms of pollution, and the utilization of technology for man's benefit while maintaining his civil rights as an individual.

[184] Richard Hellman, *ibid.*, footnote 172.

[185] Economist Hellman is against the government subsidy because he thinks the SST will eventually pay off and the jet aircraft industry ought to get together to pool the financing of the test project. *Ibid*. Economist Stephen Enke is against the government subsidy because he thinks the SST will never pay off and the test project ought to be abandoned. See footnote 12.

[186] "The Threat of the SST and its Shattering Sonic Boom," one-half page advertisement sponsored by the Citizens League Against the Sonic Boom, The New York *Times*, Friday, June 16, 1967, page 28.

[187] *Ibid.*

[188] There is a tendency for the economic principle known as the law of diminishing returns to begin to remove any gains from faster and faster speeds. Bo Lundberg observes that "there is no great need for the further time gain by the SSTs because the time spent onboard near-sonic jets is already usually conveniently short and often efficiently usable for a meal or resting (this implies that the flight time is no longer a 'loss' to the passenger, a misconception that seems to be a cornerstone in the motivation for SSTs)." *Congressional Record*—House, January 18, 1967, page 799.

[189] The New York *Post*, Monday, July 17, 1967, page 28, editorial, "The Big Boom Business;" The Washington *Star*, June 5, 1967, editorial, "Flying Brontosaurus;" and The New York *Times*, Thursday, August 3, 1967, page 32–L, editorial, "Supersonic Noise Pollution."

[190] "About 85 percent of U.S. residents have never flown, those who do fly do not always take long-haul flights, and perhaps less than 5 percent of all Americans will ever fly SST's at their higher fares." *American Economic Review, op. cit.*, pp. 78–79. See footnote 12.

[191] ". . . the growth of technology frequently poses problems of social, political, or economic order, and, in some instances, real threats to the health, safety, and security of the public." Thus, "For the first time, perhaps, there may be a necessity for imposing stringent federal control and regulation over technology at the moment a new development comes into being, if not even earlier." Harold P. Green, *op. cit.*, at pp. 121 and 123. See footnote 169.

[192] The 1966 report on *Alleviation of Jet Aircraft Noise Near Airports, op. cit.*, at page 165 (see footnote 158), notes that F.A.A. specifications for supersonic transports will require no more than 109 decibels at ground level one mile from touchdown and no more than 105 decibels at ground level three miles from the start of take-off. Noise of such magnitudes has already produced bitter community resentment. See *Allegheny Airlines, Inc.* v. *Village of Cedarhurst*, 132 F. Supp. 871 (E.D. N.Y. 1955), *aff'd* 238 F. Supp. 812 (2d Cir. 1956).

[193] This is the editorial attitude of the newspapers cited in footnote 189.

[194] See "Investigation and Study of Aircraft Noise Problems," Special Subcommittee on Regulatory Agencies of the House Committee on Interstate and Foreign Commerce, *H.R. Rep. No. 36*, 88th Cong., 1st Sess. 25 (1963), pge. 3: "It is natural to view aircraft noise as just another form of environmental deterioration falling into the same general category as problems relating to air and water pollution problems which are now

personal and public defenses against the lesser problems of general community noise. Thus, individual measures for protection against noise[195] include injunctive relief and/or damages for assault, battery, trespass, negligence, nuisance, and invasion of privacy.[196] Public action can exercise the police powers to regulate noise sources,[197] to tax the social costs of noise pollution[198] or to zone out offenders.[199]

Jet policy: subsonic and supersonic

However, as we have discovered, jet noises are much more difficult to deal with. Because of federal pre-emption of aviation, it is illegal for communities to attempt to minimize jet harassment.[200] Even so, where police power purposes include land use planning and control, airport zoning and building codes may offer local authorities some hope for noise-abatement.[201] Most important, jet aircraft operations are inherently dangerous. Following the well-recognized rule of law imposing absolute legal liability for personal injuries resulting from ultra-hazardous activities,[202] this means an extra-risk rule of strict liability for jet aircraft which, under the *Thornburg* principles,[203] would be applied in combination with nuisance standards and eminent domain "inverse condemnation" so as to guarantee maximum compensation for personal injuries, property damage, and consequential losses. In addition, as it has in anti-trust legislation to penalize monopolistic practices, Congress could discourage misconduct by authorizing treble-damages. Thus, this writer recommends a policy which will permit the continued operation of *sub*sonic jet aircraft under carefully drawn rules, regulations, restrictions, limitations, and liabilities designed to protect the public interest.

But considerations of moral, legal, and legislative legitimacy lead this writer to conclude that the *super*sonic transport with its sonic boom can and should be stopped now by a positive decision to withdraw all federal financing and to prohibit its appearance in the public airways. The American people have never been consulted or asked to consent to the sonic boom, the issue of the supersonic transport has not been debated in the public forums of a free society, there has been no problem-solving process or democratic decision-making to establish policy, any reasonable analysis of the facts indicates that the sonic boom is intolerable, and social sanity requires constructive choices in the allocation of resources and billions of tax dollars. A decision against the sonic boom, together with a similar investment in seeking imaginative alternatives, such as underground vacuum-reduced pressure tubes for boomless and safe rapid rail travel, would really represent progress in the employment of science and technology for human benefit, would promise the continued enjoyment of the natural environment, and would contribute toward an improvement in the quality of life for all mankind.

BIBLIOGRAPHY

Legislative references

Bay Area Air Pollution Control District, California Health and Safety Code, secs. 24346.2–24370.2 (West Supp. 1967).

"Clean Air," Hearings before a Special Subcommittee on Air and Water Pollution of the Committee on Public Works, United States Senate, 88th Cong., 2d Sess., Part 2, pp. 1139–1157 (June 24, 25, 30; July 1, 2, 1964.)

Congressional Record—House of Representatives:

April 21, 1966, pp. 8745–8768; May 2, 1966, pp. 9470–9477; May 3, 1966, p. 9679; May 16, 1966, pp. A2629–2630; June 2, 1966, pp. 12191–12205; August 1, 1966, pp. A4048–4049; August 4, 1966, pp. 18233–18257; August 24, 1966, pp. 20385–20386; October 19, 1966, pp. 27803–27824; October 21, 1966, p. A5494; October 24, 1966, pp. A5494–5495.

January 18, 1967, pp. 796–800.

"Establish a Select Senate Committee on Technology and the Human Environment," Hearings before the Subcommittee on Intergovernmental Relations of the Committee on Government Operations, United States Senate, 90th Cong., 1st Sess., on *S. Res. 68* To Establish A Select Senate Committee on Technology and the Human Environment, March 15, 16, 20; and April 5, 6, and 11, 1967.

Federal Aviation Act of 1958, 49 U.S.C. secs. 1301 (24), 1304, and 1348(c).

Hearing to consider bills dealing specifically with jet aircraft noise control, including H.R. 17252, before the Subcommittee on Transportation and Aeronautics of the House Interstate and Foreign Commerce Committee, October 12, 1966.

"Investigation and Study of Aircraft Noise Problems," Special Subcommittee on Regulatory Agencies of the House Committee on Interstate and Foreign Commerce, *H.R. Rep. No. 36*, 88th Cong., 1st Sess. 25 (1963).

Mr. Theodore R. Kupferman (Rep., N.Y.), "A BILL To provide for a comprehensive program for the control of noise," 90th Cong., 1st Sess., H.R. 2819, January 18, 1967.

Middle States Air Pollution Control Compact, New York Public Health Law, sec. 1299m, added by cc. 475, Laws of 1967.

New York Air Pollution Control Act, New York Public Health Law, sec. 1294–1295 (McKinney Supp. 1967); *New York Real Property Tax Law*, sec. 481 (McKinney 1966); and *New York Tax Law*, sec. 207, 616, 683, 706, 1083 (McKinney Supp. 1967).

Federal decisions

Aaron v. *United States*, 311 F. 2d 798 (1963).

A. J. Hodges Industries, Inc. v. *United States*, 355 F. 2d 592 (1966).

Allegheny Airlines, Inc. v. *Village of Cedarhurst*, 132 F. Supp. 871 (E.D. N.Y. 1955), *aff'd* 238 F. 2d 812 (2d Cir. 1956).

American Airlines et al, Port of New York Authority, et al v. *Hempstead* (D.C.E.D. N.Y. 63 Civ. 1280, pending 1967).

Avery v. *United States*, 165 Ct. Cl. 357, 330 F. 2d 640 (1964).

Bacon v. *United States*, 295 F. 2d 936 (1961).

Batten v. *United States*, 306 F. 2d 580 (10th Cir. 1962).

Bellamy v. *United States*, 235 F. Supp. 139 (E.D.S.C. 1964).

Cantwell v. *Connecticut*, 310 U.S. 900 (1940).

City of Newark v. *Eastern Airlines*, 159 F. Supp. 750 (D.C. N.J. 1958).

Davis v. *United States*, 164 Ct. Cl. 612, 295 F. 2d 931 (1961).

Georgia v. *Tennessee Copper Co.*, 206 U.S. 230 (1907).

Griggs v. *Allegheny County*, 402 Pa. 411, 168 A. 2d 123 (1961), 369 U.S. 84, 7 L. ed. 2d 585, 82 S. Ct. 531 (1962).

Griswold v. *Connecticut*, 381 U.S. 479 (1965).

Hague v. *C.I.O.*, 307 U.S. 954 (1939).

Highland Park v. *United States*, 142 Ct Cl. 269, 161 F. Supp. 597 (1958).

Jensen v. *United States*, 305 F. 2d 444 (1962).

Lawton v. *Steele*, 152 U.S. 133 (1894).

Lloyds' London v. *Blair*, 262 F. 2d 211 (10th Cir. 1958).

Lovell v. *Griffin*, 303 U.S. 666 (1938).

Loving v. *Virginia*, 387 U.S. ——, 87 S. Ct. 1817 (1967).

Mid-States Fats and Oils Corp. v. *United States*, 159 Ct. Cl. 301 (F. 1962).

Nichols v. *United States*, 236 F. Supp. 241 (S.D. Cal. 1964).

Northwest Airlines v. *Minnesota*, 322 U.S. 292, 88 L.ed. 1283, 64 S. Ct. 850 (1944).

Northwestern Laundry v. *City of Des Moines*, 239 U.S. 486 (1916).

Port of New York Authority v. *Hempstead* (D.C.E.D. N.Y. 64 Civ. 45, pending, 1967).

Public Utilities Commission v. *Pollak*, 343 U.S. 451 (1952).

Reynolds Metals Co. v. *Lampert*, 324 F. 2d 465 (9th Cir. 1963).

Richards v. *Washington Terminal*, 233 U.S. 546 (1914).

---

rapidly becoming matters of national concern. However, the Federal Government may be more directly accountable for aircraft noise than for other types of environmental deterioration inasmuch as it has assumed responsibility for the regulation of most aspects of air carrier operations including the certification of aircraft and establishment of, and control over, air traffic rules, regulations, and flight patterns."

[195] Personal defenses may range all the way from the occupational use of ear plugs in industry, or for noiseless sleeping at night, to purchasing a home in a peaceful residential area, to the installation of sound-absorbing materials. Machinery may be designed, located, and operated so as to dampen the impact of noise. For examples, see the various methods of noise control noted in the CONGRESSIONAL RECORD, vol. 112, pt. 14, pp. 18238–18240, and pp. 18250–18255.

[196] See footnotes 52 through 58.

[197] See footnotes 54, 58, 59, 61, 63, 65, 70, and 71. For some, timid recommendations for research into "the effect of sonic booms," to establish levels of tolerance for noise, hints that noise will be a problem "tomorrow" unless something is done today, a tentative feeling that noise deserves more study, and that the Department should develop "suggested" standards for noise control codes, see "A Strategy For A Livable Environment," A Report to the Secretary of Health, Education, and Welfare by the Task Force on Environmental Health and Related Problems, Washington, D.C.: Department of Health, Education, and Welfare (June 1967), at pp. xi, xvi, 10, 18, and 19.

[198] See footnotes 37, 64, and 67. Of course, public ignorance of social costs will result in too low a level of noise pollution control. See, Ronald G. Ridker, *Economic Costs of Air Pollution: Studies in Measurement*, New York: Frederick A. Praeger, Publishers (1966), at page 159. Also, the following quotation from Ridker applies to noise pollution: "Economists have long recognized the need for public regulation of economic activities that result in unwanted side effects. These effects—called 'external diseconomies' in the language of economics—may arise whenever market forces alone are insufficient to make an individual bear all the costs resulting from his actions. Air pollution, which results from using air as a waste disposal medium, is an excellent example of an external diseconomy, since there are clearly no market forces that compel the user to consider the costs he imposes on others. Without regulation, therefore, the air is used as if no such costs were present and air pollution rises to a level that is socially undesirable." *Ibid.*, page 1.

[199] See footnotes 8, 60, and 111.

[200] See footnotes 74, 75, 86, 87, 91, 100, 105, 106, 107, and 108.

[201] See footnotes 60, 110, 111. Anti-noise building codes could require insulation materials, isolation of machinery, and other sound-reduction features. New York is the only city in the United States to adopt standards for the construction of new apartments limiting the perceivable decibel levels inside the building from outside noise sources. *Congressional Record, op. cit.*, see footnote 195.

[202] *Luthringer* v. *Moore*, 31 Cal.2d 489, 190 P.2d 1 (1938).

[203] *Thornburg* v. *Port of Portland*, 233 Ore. 178, 376 P.2d 100 (1962), and *Thornburg* v. *Port of Portland*, —— Ore. ——, 415 P.2d 750 (1966). These two *Thornburg* decisions are good illustrations of judicial law-making in the face of new legal problems not yet met by the legislature.

Roman Catholic Church v. *Pennsylvania R.R. Co.*, 207 Fed. 897 (3 Cir. 1913), *app. dism.* 327 U.S. 575 (1915).

Saia v. *People of the State of New York*, 334 U.S. 558, 92 L.ed. 1574, 68 S. Ct. 1148 (1948).

Soldinger v. *United States*, 247 F. Supp. 559 (D.C. Va. 1965).

Sylvane v. *Port of New York Authority*, (D.C.E.D. N.Y. 64 Civ. 950, pending 1967).

United States v. *Causby*, 328 U.S. 256, 90 L. ed. 1206, 66 S. Ct. 1062 (1946).

State cases

Ackerman v. *Port of Seattle*, 55 Wash. 2d 400, 348 P. 2d 664, 77 A.L.R. 2d 1344 (1960).

Anderson v. *Lockheed Aircraft Corp.*, 155 U.S. & Can. Av. 182 (Cal. Super. Ct., L.A. County, 1955).

Baggett v. *City of Montgomery*, 160 So. 2d 6 (Alabama, 1963).

Ball v. *New York Central RR. Co.*, 229 N.Y. 33 (1920).

Banks v. *Fayette County Board of Airport Zoning Appeals*, 313 S.W. 2d 416 (Kentucky, 1958).

Baseman v. *Pennsylvania R.R. Co.*, 50 N.J.L. 235 (Sup. Ct. 1888) *aff'd* 52 N.J.L. 221 (E. & A. 1889).

Board of Health v. *New York Central RR.*, 10 N.J. 294, 90 A. 2d 729 (1952).

Borough of Crafton v. *City of Pittsburgh*, 113 P.L.J. 293 (Pa. C.P. 1965).

Chesko v. *Port of Seattle*, 55 Wash. 2d 416, 348 P. 2d 673 (1960).

City of Jacksonville v. *Schumann*, 167 So. 2d 95 (Florida, 1964).

City of Rochester v. *Charlotte Docks Co.*, 114 N.Y.S. 2d 37 (1952).

City of Rochester v. *McCauley-Fein Milling Co.*, 199 N.Y. 207, 92 N.E. 641 (1910).

Firemen's Ins. Co. v. *Alexander*, 328 S.W. 2d 350, Anno. 74 A.L.R. 2d 755 (Texas, 1959).

Goodrich v. *Busse*, 247 Ill. 366, 93 N.E. 292 (1910).

Guttinger v. *Calaveras Cement Co.*, 105 Cal. App. 2d 383, 233 P. 2d 914 (1951).

Jackson Municipal Airport Authority v. *Evans*, 191 So. 2d 126 (Mississippi, 1966).

Jankovitch v. *Indiana Toll Road Commission*, 193 N.E. 2d 237 (Indiana, 1963).

Kornoff v. *Kingsburg Cotton Oil Co.*, 45 Cal. App. 2d 265, 288, P. 2d 507 (1955).

Lees v. *Bay Area Air Pollution Control Dist.*, 48 Cal. Rptr. 295 (Cal. App. 1965).

Loma Portal Civic Club v. *American Airlines, Inc.*, 61 Cal. 2d 582, 39 Cal. Rptr. 708, 394 P. 2d 548 (1964).

Luthringer v. *Moore*, 31 Cal. 2d 489, 190 P. 2d 1 (1938).

Martin v. *Port of Seattle*, 64 Wash. 2d 309, 391 P. 2d 540 (1964), *cert. den.* 379 U.S. 989 (1965).

Matteson v. *Eustis*, 140 Fla. 591, 190 S. 558 (1939).

Maupin v. *Louisville*, 284 Ky. 195, 144 S.W. 2d 237 (1940).

New Orleans v. *Fargot*, 116 La. 369, 40 So. 735 (1906).

People v. *International Steel Corp.*, 102 Cal. App. 2d Supp., 266 P. 2d 587 (L. A. Super. Ct., App. Dep't 1951).

Ritz v. *The Women's Club of Charlestown*, 114 W. Va. 675, 173 S.E. 564, 182 S.E. 92 (1934).

Roark v. *City of Caldwell*, 87 Idaho 557, 394 P. 2d 641 (1964).

Shearing v. *City of Rochester*, 273 N.Y.S. 2d 464 (Sup. Ct. 1966).

Simon v. *Needham*, 311 Mass. 560, 42 N.E. 2d 515 (1943).

Snyder v. *Cabell*, 29 W. Va. 48, 1 S.E. 241 (1886).

State v. *Cantieny*, 34 Minn. 1, 24 N.W. 458 (1885).

State ex rel. Royal v. *City of Columbus*, 3 Ohio St. 2d 154, 209 N.E. 2d 405 (1965).

Thornburg v. *Port of Portland*, 223 Ore. 178, 376 P. 2d 100 (1962).

Thornburg v. *Port of Portland*, — Ore. —, 415 P. 2d 750 (1966).

Waring v. *Peterson*, 137 So. 2d 268 (Florida, 1962).

Yara Engineering Corp. v. *City of Newark*, 132 N.J.L. 370, 40 A. 2d 559 (1945).

Scholarly publications

"Aircraft Noise and Human Environments: An Unresolved Dilemma," May 30, 1967, 40-page paper submitted by S. T. Brewer to Professor Cavers in the Seminar on Legal Protection of Environmental Quality in Satisfaction of the Requirements of that Seminar and of Third Year Written Work, Harvard Law School. (Obtained in correspondence with a Harvard Law School student, Mr. John P. Mathis, Apartment 2, 63 Carey Avenue, Watertown, Massachusetts 02172.)

American Economic Review, Vol. LVII, Number 2, May 1967, Papers and Proceedings, Cost-Benefit Analysis for Government Decisions, pp. 71–108, Stephen Enke, "Government-Industry Development of a Commercial Supersonic Transport" (pp. 71–79), George W. Hilton, "Discussion" (pp. 101–102), Arnold Moore, "Discussion" (pp. 102–105), and Martin Anderson "Discussion" (pp. 105–107).

4th International Congress for Noise Abatement, Baden-Baden, Germany, May 1966, Bo Lundberg, Director General of the Aeronautical Research Institution of Sweden, "The Menace of the Sonic Boom to Society and Civil Aviation." Also see, daily *Congressional Record*, May 16, 1966, pp. A2629–2930; House, January 18, 1967, pp. 799–800.

"Health Hazards of Noise," by Samuel Rosen, M.D., published by Citizens For A Quieter City, Inc., Jerome Nathanson, President, 27 West 53rd Street, New York City, New York 10019.

Journal, American Acoustical Society, volume 39, part 2, May 1966, "Sonic Boom Symposium."

New England Journal of Medicine, Vol. 275, October 6, 1966, pp. 759–765, John D. Dougherty and Oliver L. Welsh, "Environmental Noise and Hearing Loss." Dr. John D. Dougherty, M.D. is associated with the Guggenheim Center For Aerospace Health and Safety, Harvard School of Public Health, 665 Huntington Avenue, Boston, Massachusetts 02115.

Newsletters and other scholarly materials published by Dr. William A. Shurcliff, physicist, Harvard University, Director, Citizens League Against the Sonic Boom, 19 Appleton Street, Cambridge, Massachusetts 02138.

Scientific American, January 1962, p. 36, H. Wilson, "Sonic Boom."

Scientific American, December 1966, Leo L. Beranek, Chairman of the Acoustical Standards Board of Bolt, Beranek, and Newman, "Noise."

World Health Organization, United Nations, Geneva, *Public Health Papers* No. 30, 1966, Alan Bell, "Noise—An Occupational Hazard and Public Nuisance."

Administrative materials

"Air Pollution Around John F. Kennedy International Airport," 77 pages, a community survey by Melvin Nolan, Technical Assistance Branch, Division of Air Pollution, Public Health Service, United States Department of Health, Education, and Welfare, June, 1966.

Alleviation of Jet Aircraft Noise Near Airports, K. D. Kryter, "Evaluation of Psychological Reactions of People to Aircraft Noise," Report of the Jet Aircraft Noise Panel, Office of Science and Technology, Executive Office of the President, March 1966.

"A Strategy For A Livable Environment," A Report to the Secretary of Health, Education, and Welfare by the Task Force on Environmental Health and Related Problems, United States Department of Health, Education, and Welfare, Washington, D.C. 20201, June 1967.

"Final Program Summary—Oklahoma City Sonic Boom Study," FAA Report, SST–65–3, March 17, 1965.

D. A. Hilton, V. Huckel, and D. J. Maglieri, "Sonic-Boom Measurements During Bomber Training Operations in the Chicago Area," NASA TN–D–3655, October 1966.

C. W. Nixon and H. H. Hubbard, "Results of USAF-NASA-FAA Flight Program to Study Community Responses to Sonic Boom in the Greater St. Louis Area," NASA TN–D–2705, May 1965.

United States Department of Commerce, "Science and Technology For Mankind's Progress," 46 pages, 1966.

Law reviews

"Airplane Noise, Property Rights, and the Constitution," 65 *Columbia Law Review* 1428 (1965).

Louis D. Apothaker, "The Air Force, the Navy and Sonic Boom," 46 *American Bar Association Journal* 987 (September, 1960).

Jacob H. Beuscher, "Judicial Zoning Through Recent Nuisance Cases," 1955 *Wisconsin Law Review* 440.

"Eminent Domain—The Taking of Property Without Just Compensation by the Operation and Maintenance of an Airfield," 8 *St. Louis Law Journal* 137.

Harold P. Green, "Nuclear Technology and The Fabric of Government," 33 *George Washington Law Review* 121 (1964).

Stratton Hammon, "An Old and a New Legal Problem: Defining 'Explosion' and 'Sonic Boom'," 45 *American Bar Association Journal* 696 (July, 1959).

Stratton Hammon, "More on Sonic Booms: Litigation is Showing Their Propensities," 47 *American Bar Association Journal* 1096 (November, 1961).

James D. Hill, "Liability For Aircraft Noise—The Aftermath of *Causby* and *Griggs*," 19 *University of Miami* Law Review 1–32.

F. I. Michelman, "Property, Utility, and Fairness: Comments on the Ethical Foundations of Just Compensation Law," 80 *Harvard Law Review* 1165 (1967).

"Opinion of the Los Angeles County Counsel," 26 *Journal of Air Law and Commerce* 353 (1959).

Allen J. Roth, "Sonic Boom: A New Legal Problem," 44 *American Bar Association Journal* 216 (March, 1958).

"Sonic Boom," 12 *American Jurisprudence Proof of Facts* 593 (1962), and current supplements with annotations.

G. A. Spater, "Noise and the Law," 63 *Michigan Law Review* 1373 (1965).

James E. Strunck, "Airport Zoning and Its Future," 50 *American Bar Association Journal* 345 (April, 1964).

L. M. Tondel, "Noise Litigation at Public Airports," 32 *Journal of Air Law and Commerce* 387 (1966).

Books and Manuals

Bolt, Beranek, and Newman, Inc., *Land Use Planning Relating to Airport Noise*, Research Organization Manual, October 1964.

Raymond T. Bye, *Social Economy and the Price System: An Essay in Welfare Economics*, New York: Macmillan, 1950.

Raymond T. Bye and William W. Hewett, *The Economic Process: Its Principles and Problems*, second edition, New York: Appleton-Century-Crofts, 1963.

John R. Commons, *Institutional Economics*, New York: Macmillan, 1934.

Harold N. Groves, *Financing Government*, sixth edition, New York: Holt-Rinehart-Winston, 1964.

John A. Hobson, *Work and Wealth—A Human Valuation*, London: Macmillan, 1914.

K. William Kapp, *The Social Costs of Private Enterprise*, Cambridge, Massachusetts: Harvard University Press, 1950.

Arthur C. Pigou, *The Economics of Welfare*, fourth edition, London: Macmillan, 1932.

Ronald G. Ridker, *Economic Costs of Air Pollution: Studies in Measurement*, New York: Frederick A. Praeger, 1966.

Donald Stevenson Watson, *Economic Policy: Business and Government*, Boston: Houghton-Mifflin Company, 1960.

Magazines

American Federationist (AFL–CIO), June 1967, pp. 17–22, George Taylor, "The Fight for Clean Air."

Challenge, July/August, 1967, pp. 34–37, Richard Hellman, "The Supersonic Transport—Not All Smooth Flying."

Harper's Bazaar, August 1966, Natalie Gittelson, "Noise Pollution—A Growing Scandal."

Newsweek, June 26, 1967, pp. 66–67, "Superplane or Megafolly?"

Newsweek, July 17, 1967, page 61, "Boom or Bust?"

Punch, May 3, 1967, pp. 640–641, Mary Goldring, "Who's For Concorde?"

The Rotarian, November 1966, Bo Lundberg and A. E. Russell, debate, "Supersonic Boom."

Saturday Review, May 27, 1967, pp. 17–19, Millicent Brower, "Noise Pollution: A Growing Menace."

Saturday Review, July 1, 1967, SR/Research Science & Humanity, pp. 37–39, John Lear, "Beyond Vietnam: What Has Science to Say to Man?"

Time, August 19, 1966, "When Noise Annoys."

Newspapers

The Oklahoma *Journal*, Thursday, June 1, 1967, "Jet Boom Claim Paid."

The New York *Post*, Monday, June 12, 1967, page 6, "Top Court Vetoes Ban on Mixed Marriage."

The New York *Post*, Tuesday, June 13, 1967, page 59, "A Couple's Victory Over Mixed-Marriage Ban."

The New York *Post*, Monday, July 17, 1967, page 28, editorial: "The Big Boom Business."

The New York *Post*, Monday, July 24, 1967, page 9, "House Group Will Probe Midair Crash."

The New York *Post*, Monday, July 24, 1967, page 16, Louis Harris, "Harris: Public Worries About Pollution of Air."

The New York *Post*, Thursday, August 10, 1967, page 31, Rowland Evans and Robert Novak, "Inside Report: Sky-High Giveaway?"

The New York *Post*, Thursday, August 10, 1967, page 37, George Getze, "Supersonic Planes Called World Menace."

The Washington *Star*, June 5, 1967, editorial: "Flying Brontosaurus."

The New York *Times*, March 13, 1966, Edward Hudson, "Jet Noises Linked to Psychotic Ills—Interrupt Dreams Vital to Health, Experts Say."

The New York *Times*, March 19, 1966, Evert Clark, "Jet Noise Study Called 'Urgent' by Johnson's Science Adviser—Horning Urges the United States to Set Up Panel to Analyze Problems at Three Major Airports."

The New York *Times*, Friday, June 16, 1967, page 28, one-half page advertisement sponsored by the Citizens League Against the Sonic Boom, "The Threat of the SST and its Shattering Sonic Boom."

The New York *Times*, Sunday, June 18, 1967, "League Against Sonic Boom Works to Stop Building of High-Speed Jets."

The New York *Times*, Sunday, June 18, 1967, "Experts Discern Minor Gains in Air Pollution Fight."

The New York *Times*, Sunday, June 18, 1967, page 10–E, Harold M. Schmeck Jr., "Medicine: We May Be Leaving a Deadly Legacy of Pollution."

The New York *Times*, Tuesday, June 20, 1967, "Kennedy Warns of Air Pollution 'Disaster'."

The New York *Times*, Friday, June 23, 1967, Richard D. Lyons, "Excessive Noise Termed Unsuspected Health Peril."

The New York *Times*, Sunday, June 25, 1967, page 8–E, Russell Baker, "Observer: The Ear-Plug Defenses of New York."

The New York *Times*, Friday, June 30, 1967, page 22–L, Edward Hudson, "Canarsie Housing Opposed by F.A.A.—Agency Warns Plane Noise Would Disturb Residents."

The New York *Times*, Sunday, July 16, 1967, page 35, Evert Clark, "Low-Boom Plane Is Studied By U.S.—Domestic Flights May Call for Smaller Superjets."

The New York *Times*, Friday, July 21, 1967, page L–29, "Idyllic Chirp-Chirp Enrages Residents on Queens Street."

The New York *Times*, Thursday, August 3, 1967, page 24–L, John L. Hess, "French Investigate Deaths of 3 Linked to Superjet's Boom."

The New York *Times*, Thursday, August 3, 1967, page 32–L, editorial, "Supersonic Noise Pollution."

The New York *Times*, Sunday, August 6, 1967, page 12–E, Walter Sullivan, "Science: SST and the Sonic Boom."

The New York *Times*, Friday, August 11, 1967, page L–15, advertisement, "Threat of the SST and its Shattering Sonic Boom: Questions and answers concerning a worldwide threat to civilized living."

Correspondence

Mr. Harrison D. Bergin, June 27, 1967. Mr. Bergin is the Director, Town-Village Aircraft Safety and Noise Abatement Committee, 606 Rockaway Turnpike, Lawrence, New York 11559.

Dr. Howard N. Bogard, Ph.D., June 21, 1967. Dr. Bogard is Chief Psychologist, Department of Psychiatry, Hillside Hospital, Queens Hospital Center Affiliation, 82–68 164th Street, Jamaica, New York 11432.

Dr. Lee H. Farr, M.D., June 29, 1967. Dr. Farr is Professor of Nuclear and Environmental Medicine, Texas Medical Center, The University of Texas, Houston, Texas 77025.

Dr. William A. Shurcliff, physicist, Harvard University, Cambridge, Massachusetts, June 21, July 1, 1967. Dr. Shurcliff is Director, Citizens League Against the Sonic Boom, 19 Appleton Street, Cambridge, Massachusetts 02138.

New York State Assemblyman Leonard E. Yoswein, 11 Park Place, New York City, New York 10007, July 5, 1967. Assemblyman Yoswein is Chairman, Committee on Mental Hygiene, The Assembly, State of New York, Albany, New York.

UNITED STATES SHOULD RAISE TARIFF ON SOVIET VEGETABLE OIL

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FINDLEY. Mr. Speaker, today I have asked Secretary Freeman to reconsider his October 30 decision on Soviet imports of vegetable oil. In a wire today I stated that an official of Hunt-Wesson Co., which is expected to unload 20 million pounds of Soviet oil this weekend at New Orleans, frankly admitted last August that the purpose of the purchase was to drive down vegetable oil prices in the United States. These prices, in my opinion, were then so low as to cause trouble for commodity programs for soybeans and cotton.

Yesterday I asked Secretary of Defense McNamara to suspend contracts under which Hunt-Wesson is supplying vegetable oil to U.S. forces in Vietnam until the origin of the raw materials can be carefully identified. I said it would be a gargantuan irony if American taxpayers, in effect, supply Soviet food oils to U.S. soldiers wounded in Vietnam by Soviet weapons.

Text of my wire to Secretary Freeman:

I respectfully request that you reconsider your decision of October 30, 1967, in which you decided against recommending that the President use Section XXII Authority to raise tariffs on imports of Soviet vegetable oil by the Hunt-Wesson Foods Company, Fullerton, California—manufacturers of Wesson oil. The firm is expected to unload 20 million pounds of Soviet oil this weekend in New Orleans.

In reply to my initial request for action on September 5 and September 22, 1967, Under Secretary Schnittker said that "there is not a strong enough case" for using Section XXII Authority to restrict imports which tend to interfere with or render materially ineffective the program or operations of the Department of Agriculture.

His contention was that these imports of Soviet vegetable oil are not "having any significant effect on soybean prices." How can your Department justify such a statement in the face of vegetable oil export donation programs which unquestionably demonstrate the existence of vegetable oils surplus in the United States? Also pertinent is that since a year ago domestic vegetable oil prices have fallen drastically—cottonseed oil down 2⅛ cents; soybean oil down 2⅓ cents; corn oil down 2 cents. Cash grain prices have also declined markedly—corn down 19¼ cents; soybeans down 37⅞ cents. Also, this year we will see the largest soybean surplus in the history of American agriculture.

How low must prices sink before you take action to prevent imports from damaging domestic farm commodity programs?

I also request that you investigate immediately the attempt by the Hunt-Wesson Company to manipulate the U.S. vegetable oil market through the import of Soviet oil. The commodities manager of the Hunt-Wesson Company, Mr. John Stollsteimer, is reported reliably to have informed a group of those attending the August 7–8, 1967 meeting of the National Soybean Processors Association that the purpose of the Hunt-Wesson purchase of Soviet vegetable oil was a deliberate effort to cause a reduction in the U.S. prices of vegetable oil. This statement, made at the Boyne Falls, Michigan meeting, came at a time when the prices of cottonseed and soybean oils were down substantially from a year earlier. This deliberate attempt to drive down prices is certainly pertinent to Section XXII Authority because of adverse impact on our cotton and soybean programs.

MORE EVIDENCE OF MOVE TO WRECK HEADSTART

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. STEIGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. STEIGER of Wisconsin. Mr. Speaker, evidence continues to point out that the antipoverty legislation—S. 2388, as amended—reported by the Committee on Education and Labor will wreck the most successful program in the war on poverty—Headstart.

The problem is, of course, in the committee amendment which calls for the contribution by local communities of 10 percent in cash rather than "in kind" services. In order to save this important program it is essential that we remove that requirement and allow more flexibility at the local level.

I include for the information of my colleagues copies of nine letters I have received pointing up this problem:

WHITEWATER, WIS.,
October 28, 1967.

DEAR MR. STEIGER: Please do what you can to see that Headstart will continue. The reports back from schools who have last year's "starters" enrolled are encouraging. Right now I'm applying through CESA 18 for a Walworth County grant. It will be possible to get the nonfederal 20% in contributions of space and time. If we had to get that contribution in cash as some amendment suggests it would seem an impossible task.

Last year I worked with Headstart in Dane County and I feel that not only does the program help these children get more out of school but it helps the family enrich its life through the parents' weekly meetings, it upgrades the whole district, and it gives the community volunteers a picture of the variety of life patterns in our culture. Oh yes, and as these families become more aware they are more likely to vote!

Sincerely,

EMILY SAUNDERS.

MADISON, WIS.,
October 30, 1967.

DEAR SIR: I have three children in Project Head Start. To say it has helped my children would indeed be an understatement. Head Start is very important to my children as well as my husband and myself. We have learned a great deal in the proper way of handling our children.

I have been informed that Congress is likely to amend our CAP program—which would affect Head Start. The amendment before the House would require in part, for our staff to spend a great deal of their valuable time in fund-raising for 10% of our expenses. In all probability we would fail to obtain the required amount and therefore be forced to end our Head Start Schools. This would indeed be a great tragedy.

Please help us to keep things as they are.

Sincerely,

MRS. GERARD J. DOIRON.

BLUE MOUNDS, WIS.,
October 30, 1967.

CONGRESSMAN STEIGER: We have recently been informed that there is a bill before the House regarding CAP programs, etc. We understand that 10% of costs of the programs *in cash* may be required of the local community.

It is almost positive that such a requirement would seriously damage the existing programs and possibly destroy them.

To be sure there will be a time when the entire costs should be taken over by the local area. However there are now very few if any communities which are now ready to "shoulder" the financial responsibility.

The programs are much too important to society in general to have them damaged or done away with.

Thank you.

MR. and MRS. CLIFFORD RAMSBY.

MADISON, WIS.,
October 30, 1967.

Hon. WILLIAM A. STEIGER,
Washington, D.C.

DEAR CONGRESSMAN: I am prompted to write on two related issues. First, on the new Poverty Bill adopted by the Education and Labor Committee on which I understand you serve; second on the President's proposed tax increase.

On the Poverty Bill, I would be pleased if you could use your influence in the Congress to work for a more generous Bill. In particular the 10% local cash contribution seems harsh. The feeling of several people here in Madison who are associated with the Headstart program feel that a 20% in-kind contribution would be manageable but the cash outlay would be an onerous burden.

Sincerely yours,

PETER KARPOFF.
MRS. PETER KARPOFF.

MADISON, WIS.,
October 30, 1967.

Congressman WILLIAM STEIGER,
Washington, D.C.

DEAR SIR: Head Start is in serious jeopardy. The bill you drew up which comes to a vote Tuesday, Nov. 7th, will destroy the very heart, purpose and meaning of Head Start if the proviso of *10 per cent in cash required by the local community* is kept in. How could abject poverty people ever come up with this kind of money? It makes good sense for 10 or 20 or so per cent *in kind* (service, etc.), but *not* cash. This is exactly what the poor in the South could never raise either among themselves or from the greater community. Even middle-class communities will be handicapped with this *10 per cent in cash*, because the local Head Start administration will have to spend their time as fund raisers rather than fulfilling their present job analysis. At present the administrators are overextended and border on crossing that line of diminishing returns. This *10 per cent* "Smells of a revenge strategy of racists and bigots," and no one wants that kind of a label in the current difficulties.

If this *10 per cent in cash* goes through, Head Start will be cut off from poverty, become an upper-middle class charity, and give another justification for the poor to either riot or organize for a revolution, because they will have been betrayed by the Republican-Democratic political establishment. Why give them that alternative? Why encourage this sort of behavior by playing into their hands and into the hands of insensitive reactionaries?

The survival of humane values in the present keeps alive and viable humane alternatives for posterity. How will we be remembered?

Seriously concerned,

DAVID K. RUNYON.

EXECUTIVE COUNCIL
OF THE EPISCOPAL CHURCH,
New York, N.Y., November 1, 1967.

Hon. WILLIAM STEIGER,
House of Representatives,
Washington, D.C.

DEAR MR. STEIGER: The 62nd General Convention of the Episcopal Church recently held in Seattle took action related to the Economic Opportunity Act which will shortly be on the floor. We are specifically concerned that Community Action Programs be strengthened, and that they have freedom to develop their goals and programs in cooperation with but not dominated by governmental officials. The Convention further requests that funds be made available for community action programs without the reductions imposed by additional required National Emphasis Programs.

It has come to our attention that the Committee Bill requires 20% local financial involvement. Our experience indicates that this high level of involvement, and the 10% cash requirement would preclude local community groups for participating in Community Action Programs. Therefore, we would hope that this provision not be adopted and the present requirement allowing 10% in kind be retained.

We feel that the crisis in our cities demands first attention and commitment of the Church and of the Nation. Accordingly, we voted $2,000,000, or 14% of our church budget, to this end. We trust that you will accept as high priority efforts designed to help the poor, and work for creative policy that will help them to break the cycle of poverty.

Sincerely yours,

Rev. EVERETT W. FRANCIS,
Public Affairs Officer, Department of Christian Social Relations.

MADISON, WIS.,
October 31, 1967.

Hon. WILLIAM STEIGER,
House Office Building,
Washington, D.C.

DEAR MR. STEIGER: It has come to my attention that an amendment is being introduced before the House that would require communities to provide at least 10% matching funds in programs such as Headstart. I do not believe that this is a wise policy to introduce into the program since many communities cannot afford the cash, although they can manage the 20% in kind matching. Such an amendment would defeat the program, and it should not be allowed to be passed.

Sincerely yours,

JAMES C. STALKER

NATIONAL CONGRESS OF PARENTS
AND TEACHERS,
Chicago, Ill., November 1, 1967

Members of the House of Representatives,
U.S. Congress:

The National PTA earnestly asks your help in respect to certain provisions of Title II of the *Economic Opportunity Amendments of 1967* which will be offered for your consideration in a few days' time. A large proportion of the millions of children affected by the programs contemplated under this Act are children of our own eleven million members, but we ask your help on behalf of all disadvantaged children: their future is important to all of us.

May we say, first of all, that we are pleased and grateful for the proposed continuation of Head Start and Follow Through, and with the provisions for parent participation, for health and social as well as educational programs.

We approve the four new programs offered under this Title, and particularly the proposal of comprehensive Day Care Services, which will fill a very critical need for young low-income families if they are to become self-supporting.

We are greatly disturbed, however, by the proposal that local contributions to the OEO programs shall be doubled, retroactive to June 30, 1967, and that they may no longer be met by more than one-half "in kind" participation. We believe it will be most difficult, in many cases probably impossible, for school systems or other operating agencies in low-income areas to find the necessary funds for the 10 percent cash contribution for Head Start programs already months under way. It can only result in the elimination of Head Start programs in those communities where it is most needed. We hope very much that this provision, stated in the last line of Sec. 223(c), may be stricken from the bill.

Respectfully yours,

MRS. EDWARD F. RYAN,
National Chairman for Legislation.

MADISON, WIS.
November 1, 1967.

DEAR CONGRESSMAN STEIGER: I feel that the bill coming before the House of Representatives November 7, 1967, would be detrimental to the Headstart program, indeed, it would probably cause the closing of our Headstart program here in Dane County. This bill demands 20% of the costs of the program to be raised by the community—one half of which must be in *cash*—this is more than could be raised in order to keep the program in operation.

Sincerely,

MARY SILBERNAGEL.

GET MAD AND STAY MAD

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. WYMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WYMAN. Mr. Speaker, until and unless Americans get mad and stay mad at those who represent them here yet by continued overspending are cheating them left and right, I see nothing but trouble ahead for America.

It is not responsible Government to overspend year after year, yet this is what the Johnson administration and its membership in this body have been doing ever since the Great Society took over. Republican attempts to limit the reckless rate of Federal expenditures are consistently opposed by a great majority of Democrat Members of Congress.

We simply must devise some additional means of raising Federal revenue. Until this is done to protect our people we must cut back drastically on Federal spending to a point where expenditures come close to matching revenue. I say "come close" because with the tremendous cost of the unfortunate war in Vietnam running some $2 billion a month it is unlikely that a balanced budget will be possible until this tragic war is ended.

Cutting back on spending will hurt but not anywhere near as much as the pain of devaluation of the American dollar. It is one or the other—for sure—and American voters should demand prudent fiscal policies now, and in the election next year.

In this connection, I commend the reading of the following editorial by the noted publisher and columnist of U.S. News & World Report, Mr. David Lawrence, in the issue of November 6, 1967:

ECONOMIC CRISIS, PLEASE GO AWAY!

(By David Lawrence)

We are facing a serious economic crisis in America. It could lead to a depression.

Warning signs have been apparent for some time.

Remedial measures are long overdue.

Both the Administration and Congress, however, have been reluctant to take positive measures and have wishfully hoped that the crisis would cure itself and just go away. But—

Will the Government year after year keep on spending more than it takes in?

Will the Government continue to stand aloof while labor unions demand higher and higher wages and threaten big strikes?

Will the Government remain indifferent to the fact that, when wages are raised, prices must go up correspondingly unless output per manhour is increased?

Will the Government—having watched the cost of living rise nearly 19 per cent in ten years—still refuse to take steps to curb the growing inflation?

The American people have been misled by the argument that the high expense of the Vietnam war is primarily responsible for our current fiscal situation. Actually, the federal deficits were sizable and chronic even before the Vietnam war was expanded. Government funds are being provided at present for a spending spree unparalleled in American history. Granted that many of the objectives are meritorious and that sociological improvement is a necessity, can it be persuasively argued that all this has to be done immediately even at the risk of a breakdown of the economy?

For if the economy is disrupted, unemployment will be widespread, and the hardships on the low-income groups will be intolerable.

Month after month the official statistics have been telling a significant story. Within the last few days, the Bureau of Labor Statistics has revealed that a family consisting of a mother and father and two children can maintain only a moderate standard of living on approximately $9,000 a year. Due to price rises alone, 40 per cent more income is needed for family consumption than in 1951, and 16 per cent more than was required only eight years ago.

While the expenses of an average family vary from city to city, even in the lowest-cost area a family of four needs at least $8,000 per year.

Food costs keep going up, and so do taxes and the costs of housing, transportation, clothing and personal care, medical care, and other goods and services.

Interest rates are high. Persons who want to buy homes with the aid of mortgages find it more expensive to borrow than it was only a few years ago. The U.S. Treasury is having to pay the highest long-term interest rates in 46 years. Without a tax increase or substantial reductions in expenditures, the Government will have to borrow between $20 and $22 billion from the public during the fiscal year which ends June 30, 1968.

All this is impairing the market value of bonds and securities previously issued at lower interest rates.

If the Government would reduce its spending, this would lessen the pressure on interest rates, and there would be a supply of money to meet the growing need for capital to modernize plants and cut production costs.

During every major war crisis in the past we have enacted wage and price controls. Nobody likes such restraints, but the Government is face to face with a condition and not a theory. Something drastic has to be done to stop the inflation and prevent it from causing a collapse of the national economy.

The truth is the Government should have acted at least two years ago, and the country now is suffering from the ill effects of the delay.

Recently there has been talk of a "surcharge" tax of 10 per cent. Such a measure, while desirable, will not by itself, however, be of much help in stopping inflation. As a substitute plan, members of Congress have demanded that the federal budget be cut substantially, but the debate is largely on the question of whether the deficit shall be $29 billion or $20 billion. Since when is $20 billion an innocuous deficit?

For a long time, the politicians have been behaving as if they thought that, by some magic device, inflation could be readily overcome and the economic crisis would just fade away of its own accord. But the handwriting on the wall is plain. The economic crisis will not go away unless something is done by the Federal Government to curb spending.

Congress as well as the President will have to join in a drastic cut in expenditures or the people will be faced with the necessity of electing in November 1968 a new majority in the Senate and House and a new President. This would mean a hiatus in Government—possible stagnation for two and a half months. During a war, it could be hazardous. We need action now—courage in both parties to face up to the economic facts of 1967.

PRESCRIPTION FOR PARALYSIS

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the Tax Foundation has issued a study, entitled "Growth Trends of New Federal Programs: 1955–68," which should be of interest to all taxpayers, especially around April 15. The foundation has tolled up the cost of new Federal projects in a 13-year period and estimates that the cumulative cost of the 112 new programs will total $84.8 billion by the end of the current 1968 fiscal year. In addition, the study again confirms a long-established charge that—

> New Federal Government activities, once underway, traditionally increase in scope and cost. Few are ever reduced in cost, and even fewer disappear.

The Wall Street Journal of November 1 referred to the Tax Foundation's findings in its editorial, "Prescription for Paralysis," which I offer for insertion in the RECORD at this point:

PRESCRIPTION FOR PARALYSIS

Although everyone realizes that the activities of the Federal Government are mushrooming, relatively little attention is paid to the nature and meaning of the growth—partly because it's all so fast and helter-skelter that it inhibits analysis.

Now the Tax Foundation has taken a crack at penetrating the maze. In a useful little pamphlet called "Growth Trends of New Federal Programs: 1955-1968," it comes up with findings that ought to interest and alarm the citizenry.

First, for an idea of the scope of the activity: "In the past seven years 78 new programs have been initiated, and 16 others were proposed in the budget message for fiscal 1968 submitted to the Congress in January 1967. The large majority have been put into operation in the period beginning in fiscal year 1965." That doesn't count the numerous and substantial expansions of earlier programs.

"In the corresponding period of the 1950s," the study continues, "only about one-third as many new Federal activities were initiated."

What are some of these burgeoning undertakings? In addition to the big, fresh forays into health, education and welfare, they pretty much cover the waterfront. Everything from the Asian Development Bank to the Packers and Stockyards Act, from Great Plains conservation to supersonic-transport development, from rural renewal to the Chamizal Memorial Highway. You name it.

Obviously certain ones are vastly more expensive than others, but none, from the viewpoint of the ordinary taxpayer, is exactly cheap. The Tax Foundation estimates the fiscal 1968 cost of just those new programs enacted in the past seven years at $9 billion. If we take the full 13-year span surveyed in the report, the cumulative cost of 112 new programs will total $84.8 billion by the end of the current 1968 fiscal year.

The enterprises almost unfailingly cost more as time goes by; initial figures are usually no guide at all to future outlays. For example, the Food for Freedom program, started in fiscal 1956 at about $121 million, is budgeted at $1.8 billion in fiscal 1968. And the National Aeronautics and Space Administration spent $89 million in its first year, 1958; it will spend some $5 billion this year.

The Foundation study even discerns a general pattern characterizing the growth of new programs: "Sharp increases in the first two years as the programs get into fuller operation, relatively modest increases in the third and fourth years, followed by a steep jump of the sort depicting major expansion or legislative extension of the program."

Small wonder the Tax Foundation observes that the "expenditure history of the new Federal programs set up in the period of this study supports the familiar thesis that new Federal Government activities, once under way, traditionally increase in scope and cost. Few are ever reduced in cost, and even fewer disappear."

Small wonder, too, that administrative chaos prevails. The projects are casually tossed on top of older ones, with scarcely any effort to examine the relationships among them or the effectiveness of any of them. Duplication, waste, gross inefficiency and mismanagement are inevitable—so much so that a number of liberals, heretofore devout believers in Federal omniscience, are decrying the trend.

Many comments could, indeed, be made about this scandalous condition. It is, for one, a fraud on the public, to which the Administration adds the insult of demanding higher taxes without evidencing any intention of cleaning up the disorder which it perpetuates and intensifies.

But for the moment we will merely remark that the Government is bogging down. The people are not getting good Government; they are getting a Government that threatens to paralyze them in the grip of its own indiscriminate growth.

U.N. MEMBERSHIP FOR MAO?

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, again the United Nations General Assembly will consider seating Communist China in the U.N. And again a plethora of questions and accusations will be raised against those of us who will work to counter this seating. It is important that the American people continue, as they have in past years, opposing admission of Mao's regime. And it is important that the reasons be known.

I submit for those who receive and read the CONGRESSIONAL RECORD a compilation of issues and answers on this question which were prepared by the permanent mission of the Republic of China to the United Nations. They are timely and well presented and significant examples of why the final answer to the question of admission of Red China should be a resounding "No."

The material follows:

U.N. MEMBERSHIP FOR MAO? ISSUES AND ANSWERS

At the request of Albania, Algeria, Cambodia, Congo (Brazzaville), Cuba, Guinea, Mali, Romania and Syria, the General Assembly of the United Nations at its 21st session will again consider the question of the representation of China.

In making the request, the nine aforementioned States submitted an Explanatory Memorandum, which was circulated on 30 August 1966 as General Assembly document A/6391. The Memorandum summarizes the arguments which have been advanced in favor of the admission to the United Nations of the Chinese Communist regime in Peiping to replace the legitimate Government of China.

Most of the issues raised in the Memorandum are effectively and illuminately answered by none other than the Chinese Communist regime itself in its recent statements.

Answers to some of the issues are also supplied by friends or erstwhile friends of the Chinese Communist regime, including the Prime Minister of Cuba which is one of the States making the request for the consideration of the question of the representation of China.

Other issues in the Memorandum find their answers in the provisions of the Charter of the United Nations and in the statements made by representatives of States Members in the General Assembly who spoke from the experience of their own Government and peoples.

For the convenience of the representatives of the States Members attending the General Assembly and others interested in this question, the issues and answers are printed here in a compact form:

ISSUE

"The People's Republic of China . . . the authentic and worthy representative of a great people which is heir to a remarkable civilization and which has, resolutely, courageously and in an irreversible manner, chosen the path of progress." (*Paragraphs 1 and 2*)

Answers

"In the great proletarian cultural revolution, which was personally started and is being personally led by Chairman Mao, the Red Guards have resolutely carried out courageous and stubborn struggles against those in power. In accordance with Chairman Mao's teachings, they have won brilliant results in the struggle to eradicate the old thinking, culture, customs, and habits. . . . It is indeed a great honor for the Red Guards to be attacked wildly by the class enemies at home and abroad.

" 'Young fanatics!' Invariably the enemies of revolution are extremely hostile to the revolutionary enthusiasm of the masses, and they execrate it as 'fanatical.' And we love precisely what the enemy hates . . .

" 'Violating human dignity!' So they shout: 'This violates human dignity.' Frankly speaking, we should not only violate their 'dignity' but knock them down so that they can never rise up again.

" 'Destroying social traditions!' You are right." (*"The revolutionary initiative of the Red Guards has shaken the whole world," People's Daily*, 19 September 1966.*)

ISSUE

"One of the essential principles of our Organization, namely, that of universality." (*Paragraph 2*).

Answers

"Article 4: Membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.

"Article 5: A Member of the United Nations against which preventive or enforcement action has been taken by the Security Council may be suspended from the exercise of the rights and privileges of membership by the General Assembly upon the recommendation of the Security Council.

"Article 6: A Member of the United Nations which has persistently violated the Principles contained in the present Charter may be expelled from the Organization by the General Assembly upon the recommendation of the Security Council." (*Charter of the United Nations.*)

(NOTE.—Article 4 of the Charter provides conditions for membership; Article 5 cites conditions and procedures for suspension from the organization; Article 6 provides for expulsion from membership. The existence of these articles indicates that the United Nations, from its inception, was organized on a principle of selectivity rather than universality.)

ISSUE

"A founding member of the United Nations and a permanent member of the Security Council." (*Paragraph 3.*)

Answer

"Article 23: 1. The Security Council shall consist of eleven Members of the United Nations. *The Republic of China,* France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America shall be permanent members of the Security Council." (*Charter of the United Nations.*)

ISSUE

"China, . . . has since 1949, . . . been refused the right to occupy the seat which legally has always belonged to it, and hence the right to play fully in international life the role which it is recognized as possessing and to which it is entitled, and to make what would unquestionably be a valuable contribution." (*Paragraph 3.*)

Answers

"The United Nations must rectify its mistakes and undergo a thorough reorganization and reform. It must admit and correct all its past mistakes. Among other things, it should cancel its resolution condemning China and the Democratic People's Republic of Korea as aggressors and adopt a resolution condemning the United States as the aggressor; the U.N. Charter must be reviewed and revised jointly by all countries, big and small; all independent states should be included in the United Nations; and all imperialist puppets should be expelled." (*Statement by Peiping's Foreign Minister Chen Yi, 29 September 1965.*)

"The United Nations has always been a United States tool for aggression. Today it has become also a stock exchange for political dealings between the United States and the Soviet Union.

"China may as well stay out of a United Nations like this." (*People's Daily, 19 November 1965.*)

"From their own experience, the revolutionary peoples of the world have come to understand that the United Nations, under the manipulation of U.S. imperialism, has committed every kind of evil deed and that no one should entertain any illusions about it. There is only one way out for the United Nations, and that is to thoroughly smash the U.S. control and completely reorganize the United Nations. . . .

"The Vietnam problem will be a main facet of U.S.-Soviet collaboration in the current U.N. session. In order to make use of the U.N. to push through its 'peace' plot, the U.S. has also called out all its lackeys, including U.N. Secretary-General U Thant." (*New China News Agency, 21 September 1966.*)

ISSUE

"In the field of international relations, it should be recalled that the Government of the People's Republic of China has always followed a policy aimed at settling by peaceful means disputes which may exist or arise between independent States." (*Paragraph 4.*)

Answers

"Political power comes out of a barrel of a gun." (*Mao Tse-tung.*)

"The seizure of power by armed forces, the settlement of the issue by war, is the central task and the highest form of revolution. This

---

* In mainland China, all newspapers, journals and news agencies are owned and operated by the Chinese Communist Party and serve as its mouthpiece. The New China News Agency, the *People's Daily* and the *Red Flag* are directly under the CCP Central Committee. All passages quoted from the New China News Agency, the *People's Daily* and the *Red Flag* are in original English.

Marxist-Leninist principle of revolution holds good universally for China and for all other countries." (*Mao Tse-tung.*)

"We are the Red Guards of Chairman Mao. We hold high the great red banner of Mao Tse-tung's thought.

"We are critics of and rebels against the old world. Imperialism, modern revisionism, and all reactionaries, without exception, are targets of our rebellion. We Red Guards are not only staging an all-out rebellion on the domestic scene, but are ready to step into the international arena to fight to the end and engage in thorough-going rebellions together with the oppressed peoples and nations of the whole world.

"U.S. imperialism and the Soviet revisionist leading group have committed monstrous, unpardonable crimes and should be punished and executed by the revolutionary people of the whole world.

"Since we are fighters, we are ready to fight a war at any time." (*"Smash the Old World and Establish the New," People's Daily, 1 September 1966.*)

"In the present excellent international situation, the Chinese people, holding high the great red banner of Mao Tse-tung's thoughts, are the mainstay of the revolution of the world's people. They are regarded by the world's revolutionary people as their most powerful supporters and most reliable friends. New China has become the center which all revolutionary people look up to. It is popularly accepted among the revolutionary people of various countries that, of all the assistance that China has given them, valuable is the invincible Mao Tse-tung's thought.

"The brilliance of the great thought of Mao Tse-tung is shining over the whole world, illuminating the road of liberation for the peoples. With each passing day, Mao Tse-tung's thought is becoming the most powerful and sharpest ideological weapon of the world's revolutionary people to combat imperialism, reaction, and modern revisionism. It greatly inspires the revolutionary struggles of the people throughout the world.

"As Mao Tse-tung's thought is being disseminated ever more widely and being grasped by the revolutionary people, the revolutionary ranks of Marxism-Leninism in the whole world continue to swell and the revolutionary movement of the peoples, and particularly that of the Asian, African, and Latin American peoples, is developing vigorously. The revolutionary people of more than 20 countries or regions in this vast area have already taken up or are taking up arms to wage a life-and-death struggle." (*"Current Status of World Revolution," New China News Agency, 29 September 1966.*)

"U.S. imperialism and the Soviet revisionist leading group have become more unashamedly outspoken in their collusion to market their 'peace talks' conspiracy on the Vietnam question, with the current U.N. General Assembly session as the center of their intrigues.

"Comrade Mao Tse-tung pointed out the impossibility of persuading the imperialists to show kindness of heart and turn from their evil ways. The only course is to organize forces and struggle against them." (*New China News Agency, 10 October 1966.*)

ISSUE

"It may be pointed out that China, as a signatory, has always scrupulously respected the Geneva Agreements of 1954 on Indo-China and those of 1962 on Laos." (*Paragraph 4.*)

Answer

"Since you have torn the 1954 Geneva agreements to shreds, the Chinese government and people have naturally ceased to be bound by the Geneva agreements in supporting the Vietnamese people's struggle against U.S. aggression and for national salvation." (*Speech by Liu Shao-chi, Peiping's "Chief of State," at a Peiping rally. New China News Agency, 22 July 1966.*)

ISSUE

"The facts prove beyond doubt that China earnestly desires peace and peaceful coexistence with all countries, standing aloof from all threats and on a basis of equality and mutual respect . . . Our Governments . . . maintain friendly relations with China. . . . In this connexion, it should be noted that the People's Republic of China has always displayed full respect for the independence and dignity of other countries." (*Paragraphs 5 and 6.*)

Answers

"The C.C.P. leadership completely ignores the extreme diversity of the conditions in the countries of Asia, Africa and Latin America. It addresses all nations of these countries with the appeal for armed revolt." (*Letter of the Soviet Communist Party to other Communist parties, 23 March 1966.*)

"The Chinese Government increased massive distribution of materials of propaganda to our country, directly from China as well as through the Chinese representatives in Cuba.

"On innumerable occasions, the Chinese representatives tried to get into direct contact with the Cuban officers and in some cases tried to approach Cuban officers in apparently personal endeavors in order to achieve purposes of proselytism as well as to gather information.

"A type of massive distribution of propaganda, similar to that reported by our Minister of Armed Forces, has also been directed to many civil officials of our country, though somewhat less intensively. . . .

"Such extraordinary practice is indeed an action which no sovereign state, nor government that is respected to be one, can possibly tolerate. It is a flagrant violation of the norms of the most basic respect that must exist between countries, be they socialist or non-socialist. Our revolutionary State cannot permit such pretension to infiltrate our military and administrative organs through such acts that constitute a betrayal of our confidence, our friendship and the brotherhood with which our country receives the representatives of any socialist state. . . . We consider such action of the representatives of the Chinese Government an open violation of the sovereignty of our country and injures the prerogatives that exclusively belong to our Government within our borders. Our Government could not tolerate such activities.

"After extensive exposure of these points in energetic arguments, we expressed our protest against the mischievous campaign that, against the Cuban revolution, was also carried out in other parts of the world closely linked with the Chinese Government." (*English translation of a statement of Fidel Castro published by Granma, official organ of the Communist Party of Cuba, 6 February 1966.*)

"The plenary session points out that proletarian internationalism is the supreme principle guiding China's foreign policy. The session warmly supports the just struggle of the Asian, African and Latin American peoples. . . .

"The eleventh plenary session of the Eighth Central Committee holds that the present situation as regards the struggle of Marxist-Leninists and revolutionary people throughout the world against imperialism, reaction and modern revisionism is excellent. We are now in a new era of world revolution. All political forces are undergoing a process of great upheaval, and great reorganization, the revolutionary movement of the people in all countries, and particularly in Asia, Africa and Latin America, is surging vigorously forward." (*Communiqué adopted by the 11th plenary session of the 8th Central Committee of the Chinese Communist Party on 12 August 1966, as released by New China News Agency at Peiping the next day.*)

"The extremely violent, extremely acute, and extremely complicated class struggle at home and in the international field in the past four years has further proved that Mao Tse-tung's thought is the great truth of our era and that Comrade Mao Tse-tung is the greatest proletarian revolutionist of our era. Each and every victory in our cause means a great victory for Mao Tse-tung's thought." (*Red Flag, 11th issue of 1966 Editorial: "March Triumphantly on the Path of Mao Tse-tung's Thought."*)

"Revolutionary new generations in Asia, Africa, and Latin America and revolutionary new generations throughout the world, rise in rebellion! Overthrow all the imperialists, colonialists, modern revisionists, and reactionaries who have subjected you to oppression and enslavement. We are not afraid of the guns and butchers' knives of the imperialists and reactionaries, nor shall we listen to any sugar-coated words from the enemy. We want to make rebellion! Rebellion! Rebellion!" (*The People's Daily, Peiping, 1 September 1966.*)

"The blazing fires of anti-imperialist armed struggle are raging over wide areas of Africa. The brilliant thesis of Chairman Mao that 'political power grows out of the barrel of a gun' and that imperialism can be defeated through people's war is blazing the path of the oppressed African people toward victory. This year, Africa has witnessed new fires of armed struggle sparked off by the peoples. . . .

"The Latin American people have drawn experiences and lessons from their struggle against U.S. imperialism and against the counter-revolutionary conspiracies carried out by U.S. imperialism working hand in glove with Soviet modern revisionism. They have come to understand more clearly than ever before that armed struggle is the only way for real independence and liberation. The people in some Latin American countries are persisting in the armed struggles which they have started during recent years, while others are reorganizing their struggles so as to conduct them better and on a new basis. The patriotic guerrillas in Venezuela, Colombia, Peru, and Guatemala have all registered new advances since the beginning of this year."

"Through their practice in armed struggle, the Latin American revolutionaries have gradually realized that armed struggle must be carried out under the firm leadership of a Marxist-Leninist party, and that people's war must be waged with guerrilla bases set up in the rural areas, including rural areas encircling the cities. The political resolution of the Chilean Revolutionary Communist Party founded last May points out that the people's war there will be under the firm direction of the party of the proletariat and that the people's war to seize power will be a protracted one. It will be fundamentally decided in the countryside, although it has at the same time the powerful support of struggles in the urban areas. . . .

"Chairman Mao has given the call, 'People all over the world, be courageous, dare to fight, defy difficulties, and advance wave upon wave. Then the whole world will belong to the people. Monsters of all kinds shall be destroyed." By following Chairman Mao's teachings, grasping and applying Mao Tse-tung's thought, and remaining united in struggle, the revolutionary people the world over will certainly gain the entire world.—(*New China News Agency, 29 September 1966.*)

ISSUE

"No important international problem can be solved without the participation of China. This fact has been confirmed—if any further confirmation is needed—by the accession of China to the rank of a nuclear Power." (—*Paragraph* 7.)

Answers

"All sorts of Chinese [Communist] delegations sent abroad are actively used for disruptive purposes." (*Letter of the Soviet Communist Party to other Communist parties, 23 March 1966.*)

"And what should one think, for example, of the statement of Chen Yi: 'With the help of the atom bomb one may destroy one or two generations of people. But the third generation will rise to offer resistance. And peace will be restored.' Such a disparaging approach to the life of millions of people, to the fate of the entire nations."—(*Letter of the Soviet Communist Party to other Communist parties, 23 March 1966*)

"China will determinedly continue to develop nuclear weapons and will definitely not attend any world disarmament conference at the United Nations or outside." (*People's Daily, 20 June 1966.*)

"Just what is this tripartite nuclear test ban treaty? It is a criminal concoction of the two nuclear overlords—the United States and the Soviet Union—of combined exertion to consolidate their nuclear monopoly, to bind the peace-loving countries hand and foot, and to hoodwink the people of the world . . . The Chinese Government was the first to oppose the treaty and opposes it most firmly. At no time and in no circumstances shall we subscribe to it." (*People's Daily, 20 June 1966.*)

"The United States and the Soviet Union are frenziedly trying to strike a big bargain over nuclear non-proliferation by means of which they hope to perpetuate their nuclear monopoly. The Chinese test is a fatal blow to this scheme.

"We want to answer you with the earth-shaking noise of a nuclear explosion." (*People's Daily, 3 November 1966.*)

ISSUE

"The reality of the existence of the People's Republic of China." (*Paragraph 8.*)

Answers

"Decision of the CCP Central Committee on the great proletarian cultural revolution, adopted 8 August 1966:

" 'At the 10th plenary session of the Eighth CCP Central Committee, Chairman Mao said: To overthrow a state power, it is always necessary, first of all, to create public opinion and to do ideological work. The revolutionary class does it; so does the counterrevolutionary class. Practice has borne out that this proposition of Chairman Mao's is absolutely correct.

" 'The bourgeoisie has been toppled, but it attempts to make use of the old ideology, old culture, old customs, and old habits of the exploiting classes to corrupt the masses and to win their hearts so as to achieve its restoration. The proletariat does just the contrary. It must take up and deal heavy blows against all the challenges of the bourgeoisie in the realm of ideology and make use of its own new ideology, new culture, new customs, and new habits to change the moral outlook of the whole society. At present our aim is to topple those who are in power . . . .

" 'Since the cultural revolution is a form of revolution, it will inevitably meet with resistance. This resistance mainly comes from those who wormed their way into the party and rose to power, but followed the capitalist road. It also comes from the habitual influences of the old society. At present this resistance remains strong and stubborn.

" 'Because this resistance is comparatively large, ups and downs in the struggle are expected. These may even occur many times . . .

" 'At present there are four kinds of leadership of the cultural revolution by the party organizations at various levels:

" 'A—Leading members of many units can stand at the forefront of the movement and dare to organize the masses with a free hand. They stress the spirit of "daring." They are undaunted Communist fighters and good students of Chairman Mao. They advocate the use of big-character posters and great debates and encourage the masses to lay bare all monsters and demons while encouraging the masses to criticize their own shortcomings and mistakes. This correct leadership is due to the fact that they put proletarian politics first and let Mao Tse-tung's thought take command.

" 'B—Leading members of a number of units have put themselves in a weak position because they do not understand well the leadership of the great struggle. They are not conscientious and reliable. They are afraid. They adhere to old ways. They are unwilling to break with established measures. They lack initiative. They cannot adjust to the mass revolutionary new order quickly, so that their leadership lags behind the situation and the masses.

" 'C—Some leading members who have committed mistakes of various kinds are more afraid. They fear they will be exposed by the masses.

" 'D—Some units are controlled by people in power who take the bourgeois road and who have wormed their way into the party. These people are extremely afraid of being exposed by the masses. Therefore, they have sought all kinds of pretexts to suppress mass movements. . . .

" 'This movement stresses purging the ruling elements within the party.

" 'Taking advantage of certain shortcomings and mistakes of the mass movement, certain people with seriously erroneous ideas, as well as certain anti-party, anti-socialist right elements, spread rumors, instigate and deliberately induce the masses into becoming "counterrevolutionaries."

" 'The proletarian struggle against the old ideology, old culture, old customs, and old habits established by all the exploiting classes for the past thousands of years will take a very long time. Therefore, cultural revolution teams, cultural revolution committees, and cultural revolution congresses should not be temporary organizations, but should be long-term, permanent mass organizations.' " (*New China News Agency, 9 August 1966.*)

"The Red Guards are the shock force of the great proletarian cultural revolution. Their revolutionary actions have roused revolutionary fervor among the masses, bringing about a vigorous mass movement on a still greater scale. Such a sweeping revolutionary mass movement has engulfed the handful of people in power who have wormed their way into the party and have taken the capitalist road in the vast sea of the revolutionary masses. Without such a large-scale mass movement, it would be impossible to destroy the social basis on which the handful of burgeois rightists rests and carry through the great proletarian cultural revolution thoroughly and in depth . . .

"In accordance with the directions of Chairman Mao and the party Central Committee, the young Red Guard fighters are concentrating all forces to strike at the handful of bourgeois rightists, and their main target is those in power within the party." (*People's Daily, 19 September 1966.*)

ISSUE

"Our governments are convinced that the restoration to the People's Republic of China of its lawful rights in the United Nations and in all its subsidiary bodies, and the recognition of the representatives of the Government of the People's Republic of China as the sole legitimate representatives of China in the United Nations, is absolutely necessary in order to strengthen the authority and prestige of the Organization. This implies the immediate explusion of the representatives of Chiang Kai-shek's clique from the seat which they illegally occupy in the United Nations and in all the bodies affiliated to it." (*Paragraphs 9 and 10.*)

Answers

"The following passages are culled from the General Debate speeches of representatives to the XXI Session of the General Assembly:

" 'Australia regards the Charter of the United Nations as a treaty to which all Members have become parties. Peking has made it plain that it does not accept the terms of that treaty. If it enters the Organization at all, it will, it says, do so on its own terms. It has denounced the United Nations in its present form.' " (*The Rt. Hon. Paul Hasluck, Minister of External Affairs of Australia, 27 September 1966, pp. 48–50, A/PV.1418.*)

"The Powers of the East and West are making a praiseworthy effort in order to overcome it and institute a more positive policy of peaceful coexistence, the coexistence of the two regimes. Only the People's Republic of China refuses to adhere to this coexistence; it wages against all, communist, capitalist, non-aligned, an underhanded war, which is very often noisy, installing everywhere, in Africa and elsewhere, subversion on behalf of some kind of international revolution.

"That is also why our position on the question of the People's Republic of China has not changed. We hope that it will understand that its stubbornness has caused much disorder in the world and has done serious harm to the small African countries which need an atmosphere of peace and fraternity in order to catch up on their lag in development." (*H. E. M. Assouan Arsène Usher, Minister of Foreign Affairs of Ivory Coast, 27 September 1966, pp. 7 and 8–10, A/PV.1418.*)

"The well-drilled chorus of martial singers seem to be bent upon pursuing to the end their war path and have repeatedly spurned various suggestions to divert from the escalating trend of war into a more peaceful approach. In appearance at least, they seem to be fortifying themselves with the belief that by rejecting every peaceful suggestion they are more likely to attain their war objectives. That is why, even though the call for peace and reason may have come from fellow Asians, they contemptuously brushed aside the genuine yearnings for peace of Asian nations and have retorted with their arrogant intransigence, which is in no way tempered by the accompanying abuse of the lowest sort. Such a display of uncultured and un-Asian behaviour conceals not an inherent strength but rather fundamental weakness which has come to the surface and, covered with a misnomer, is euphemistically called the 'Great Proletarian Cultural Revolution'." (*H. E. Thanat Khoman, Minister of Foreign Affairs of Thailand, 27 September 1966, pp. 18 and 22, A/PV. 1418.*)

"We cannot today think of any possibility of the admission of a State that not only has shown that it is not peace-loving—a condition required by Article 4 of the Charter—but that has denied, and that publicly denies, the very purposes and principles of the Organization. So long as continental China shows no desire to fulfil, loyally and in good faith, the international duties required of it by the Charter, its admission is ruled out, whatever the juridical formula under which the problems may appear in our agenda.

"To clarify the situation, it is, moreover, relevant to point out that the Government of Peking has submitted to the United Nations for its consideration no expression of any desire for admission, and that in keeping with the applicable juridical principles it is questionable whether the United Nations has the competence, on its own initiative, to decide the situation with regard to the legitimate representation of China in the Organization." (*H. E. Dr. Vidal Zaglio, Minister for Foreign Affairs at Uruguay, 28 September 1966, p. 26, A/PV, 1421.*)

"In the case of the problem of China, the Government of Rwanda supports the principle of a single nation, of a single people, and of a single China. Some wonder which is the Government competent to represent the great Chinese people. I shall recall first of all that the question of the representation of China in the United Nations has been raised and considered in all its aspects during the last few years by this Assembly, which has always taken a decision that the question is an important question, and that if it is to be examined it is necessary to adhere to the principle of the majority of two thirds of the Members present and voting, in accordance with the terms of Article 18 of the Charter. The Government of Rwanda will support that position and my delegation will categorically oppose any manoeuvre seeking to change it.

"Also, my Government maintains friendly relations with the Government of the Republic of China, which for a long time has provided its population with harmonious development and stability. In spite of all kinds of difficulties, that country nevertheless manages to take part in development of projects in a certain number of developing countries. The Government of Rwanda regrets however, for its part too, that a part of the great Chinese people is unable to contribute to peace and to international security, which are the principal goals of our Organization.

"We have stressed on numerous occasions from this high rostrum that the *leitmotiv* of our foreign policy is international peace and co-operation. Since our independence, our Government and people have opted in favour of a policy of peaceful co-existence with all countries, even if they do not share our political opinions. That is why we would wish it to be noted that the fact that People's China represent one quarter of the population of the world does not give it the right to preach any alleged revolution in developing countries, or to support subversion in our countries by military training and arming of rebels." (*H.E.M. Thaddée Bagaragaza, Minister of International Cooperation and Plan of Rwanda, 4 October 9166, pp. 12 and 13, A/PV. 1428.*)

"During his triumphant foreign tour in July of last year, Colonel Bokassa, President of the Central African Republic, addressing himself to the Press, stated:

" 'On 1 January 1966 we had at the head of the country a corrupt and dispirited administration and a régime which was no longer more than a caricature of democracy. The State was represented only by a disillusioned President. Moreover, the establishment of an embassy of the People's Republic of China was a factor of subversion which made possible the setting up of certain leaders and the formation of a people's army. It was in these circumstances that the army took power. . . .'

"We in the Central African Republic agree with the idea of preserving the universal character of the United Nations. But, in our humble opinion, a country should not enter the Organization until it has furnished proof of its will to respect the sacred principle of peaceful coexistence and, above all, of non-intervention in the internal affairs of other States. The People's Republic of China does not seem to fulfill these fundamental conditions. That is why the Central African Republic opposes its admission to the United Nations. My country bases its opposition on its own experience and on facts which only serve to discredit this giant China, which is so ambitious for hegemony and world subversion." (*H.E.M. Antoine Guimali, Minister for Foreign Affairs of the Central African Republic, 13 October 1966, pp. 62–65 and 81, A/PV. 1441.*)

"During 1964 and 1965, a rebellion—with which all the world is familiar—had particularly tragic repercussions on our country; it cost thousands of Congolese lives and reduced to rubble a part of our infrastructure. These events have established an unequivocal and direct intervention on the part of the People's Republic of China. Now, one of the sacred principles of international relations is that of non-intervention in the interal affairs of other States. The Democratic Republic of the Congo has the legitimate right to live in tranquillity, free from foreign intervention. Hence, if the People's Republic of China does not respect this right, it is not possible—however much we may dislike this—to respond favourably this year to the right, if there is a right, of this country to be admitted to membership of the United Nations. (*H.E.M. Justin Bomboko, Minister for Foreign Affairs of the Democratic Republic of Congo, 17 October 1966, p. 46, A/PV. 1445.*)

TRIBUTE TO FORMER REPRESENTATIVE JOSEPH W. MARTIN, JR., OF MASSACHUSETTS

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GERALD R. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, today we mark the 83d birthday of one of the finest men ever to serve in the U.S. House of Representatives—the Honorable Joseph W. Martin, Jr., of Massachusetts.

The title of "honorable" fits well in front of Joe Martin's name because it really belongs there. As all House Members who ever served with Joe Martin know, he is a man of the highest integrity, a man ever deserving of confidence and trust.

I feel especially close to Joe Martin, not only because I served with him in this House from 1949 through 1966 but because I now occupy the office of Republican leader which he held in the 76th through 85th Congresses, except for the 80th and 83d when he served as Speaker.

Today I was reminded how the suite of rooms I and my staff occupy in the Capitol came to be those of the minority leader.

The suite which now is that of the minority leader formerly was the Speaker's office, by tradition. When the Republican Party won control of the House in the congressional elections of 1946, the late Sam Rayburn had to move out of the Speaker's office and turn it over to Joe Martin. After the next election, Joe Martin moved out and Sam Rayburn moved back in. When the Republicans recaptured control of the House in the 1952 elections, Rayburn again had to give up his office to Joe Martin. With a resumption of Democratic control after the 1954 elections, Rayburn threw up his hands at the thought of all the shuffling around and said, "Joe, you can have that suite of offices. I'm not going to move again."

I would only add that if fortune and the voters smile on the Republican Party in 1968, I will be very happy to move out of the minority leaders' suite, comfortable as it is, and to wish the Democratic leader a long stay there.

Joe Martin once said that the position of minority leader of the House of Representatives is "the most thankless job in Washington." On that I have no comment, except that I am hoping to turn that job over to a Democratic successor after the next election.

Joe Martin served in the House for 42 years. He served his country and his party with honor and distinction. In 1938 he was elected chairman of the National Republican Congressional Committee and in 1939 he was named Republican leader of the House.

In 1940 Joe Martin was viewed as a dark horse candidate for the Republican presidential nomination. He was so highly regarded that the great Kansas editor, William Allen White, said of him:

> He will make . . . if the dice roll right. . . . a liberty-loving President.

Wendell Willkie won the 1940 Republican presidential nomination and immediately asked Joe Martin to serve as chairman of the Republican National Committee. Exhibiting the devotion to party which marked his entire life in politics, Joe Martin agreed.

By the time he was elected Speaker in 1947, Joe Martin had become a symbol of the Republican Party, and the famous cowlick that hung down on his forehead had become his trademark.

The story goes that his personal secretary helped Joe spruce up for an appearance as Speaker at a joint session of the Congress. She straightened his tie, brushed his suit coat and insisted that he comb back his hair. As soon as he left the office, Joe was seen to pause in the corridor and flick his cowlick back down. To a friend, he said, grinning, "Nobody would know me otherwise."

This was the warm, human Joe Martin that I came to know when I first took my seat in the House. He was a kind, gentle man and a master of diplomacy in his role as a legislative leader. It was perhaps Joe Martin's greatest strength as a leader in the House that he could bring party factions together and weld them into a unified force.

It seems a bit fantastic to us young fellows but Joe Martin got his start in politics when he marched in a torchlight parade for William McKinley in 1896. At the time, a family friend told Joe's father, "Don't let your son go into politics. He's too good a boy!"

Joe never took that advice, despite being blessed with a lot of commonsense. First he won election to the Massachusetts House of Representatives at the tender age of 27, then to the Massachusetts State Senate—and in 1924, to the Congress of the United States.

Today, Joe holds a record unsurpassed in either major political party. He was five times the permanent chairman of a presidential nominating convention.

But Joe Martin is more than a great Republican. He served this country with great skill and was instrumental in implementing some of the great decisions of our times.

For instance, during World War II General Marshall came to Joe and asked him to get approval for a congressional appropriation of $1.6 billion to build this Nation's first atomic bomb. Joe had to get these funds from Congress largely on faith—because the greatest secrecy had to be maintained. Thus it was that Joe Martin helped initiate the program which shortened World War II and saved thousands of American lives.

Joe Martin has received many honors

during his lifetime, among them six honorary degrees. Today he enjoys still another honor that of knowing that he has the love and respect of all Americans as we join in wishing him a happy birthday and expressing the gratitude we all feel toward a great public servant.

TELEGRAM ON PROPOSED TAX INCREASE

Mr. BUSH. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WIDNALL. Mr. Speaker, today I received a telegram, which, in a nutshell, sums up the views of constituents living in my district as to the proposed tax increase. I am sure all in the House will be interested. The telegram follows:

> Our leader says that we should let you know—
> We want your vote to guarantee our income tax will grow—
> Well, I must say such tactics bring from me a worried frown.
> The only way I want to see my taxes go is down.
>
> EVELYN HALLER.

ACCEPTED ETIQUETTE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. ROONEY] is recognized for 5 minutes.

Mr. ROONEY of New York. Mr. Speaker, in the CONGRESSIONAL RECORD of Wednesday, November 1, 1967, there appears on page 30779 certain remarks by one of the distinguished gentlemen from the State of New Jersey. In these remarks, reference was made to "accepted etiquette."

One of the fundamental principles of accepted etiquette insofar as the House of Representatives is concerned, as most Members of this body who have been here for over 30 days are fully aware, is that if you plan to take exception with a fellow Member on the floor, you afford that Member the courtesy of placing him on notice by advising him of the time such remarks are to be made in the House.

The gentleman who referred to accepted etiquette did not even follow this basic elementary courtesy. I assure you that I have done so.

I would also like to assure the gentleman from New Jersey that if his purpose is to hunt for an "out" or an alibi or an excuse as to certain of his votes, I do not propose to be of much aid. Neither innuendo nor flattery will influence me to join any so-called hunt club or expedition.

The distinguished gentleman from New Jersey [Mr. HUNT] referred to his support of responsible efforts that would strengthen the merchant marine industry.

If giving lipservice to an appropriation for the merchant marine on the one hand and then voting to deny them the right to expend part of that on the other hand is responsible, then the gentleman qualifies.

As another New Yorker used to say, "Let us look at the record."

When the Departments of State, Justice, Commerce, the judiciary, and related agencies appropriation bill was before the House on May 31 last, the gentleman from New Jersey on rollcall No. 111 voted for the motion to recommit that bill with instructions to drastically cut expenditures.

What does the Department of Commerce and the Maritime Administration have to say as to the effect on the Maritime Administration if such a limitation were to be enacted into law?

Here is their statement as submitted to the other body as it appears on page 798 of the other body's printed hearings on the State, Justice, Commerce, and judiciary appropriations bill:

> A 5% reduction in the budget expenditures for Maritime Administration would be $15.3 million. Additional reductions would be necessary to offset continued operation of the Savannah. Also, the most recent estimate of expenditures in fiscal year 1968 for ship construction subsidies indicate an increase of $37.0 million over the estimates shown in the budget. On the basis of these three factors, Section 704 would restrict Maritime Administration expenditures by approximately $54.3 million. Such a restriction would force a slow down in the ship construction program and would require holding up payments to ship operators for operating-differential subsidies committed under prior contract authority. There is a high probability that this would result in forcing us to adopt uneconomic contracting procedures for ship construction, as well as delaying the modernization of the merchant marine.

Does that sound like responsible support of the maritime and shipbuilding industries? I, for one, do not think so.

Mr. Speaker, unless the distinguished gentleman from New Jersey would like me to yield to him, I yield back the remainder of my time.

Mr. HUNT. Mr. Speaker, will the gentleman yield?

Mr. ROONEY of New York. I gladly yield.

Mr. HUNT. I take this opportunity to compliment the gentleman for embellishing my record.

Mr. ROONEY of New York. What was that word, sir, I may ask?

Mr. HUNT. The word, sir, was "embellishing."

Mr. ROONEY of New York. "Embellishing"?

Mr. HUNT. That is right.

Mr. ROONEY of New York. I do not believe that would be a correct word in this situation.

Mr. HUNT. I believe you yielded. If you do not mind, only one should speak at a time.

Mr. ROONEY of New York. I yielded for a question, not a speech. The gentleman can get all the time he wants when I sit down.

Mr. HUNT. I merely want to compliment you, as I did.

I believe you and I met back in World War II when you were a Member of this House, when you visited me when I was serving with the Armed Forces in Italy. Then today you attack me on the floor after I had voted on a bill. You did not at any time tell me you were going to do it.

Mr. ROONEY of New York. I did not attack the gentleman at all. I merely pointed out the inconsistency of his voting.

Mr. HUNT. I merely ask you——

Mr. ROONEY of New York. Just a minute, please. I merely pointed out how inconsistent he was; on the one hand voting to drastically cut appropriations for the merchant marine, and on the other hand announcing that his heart bled for the merchant marine. But the gentleman was only one of a number of Republicans, including the minority leader, the gentleman from Michigan [Mr. GERALD D. FORD], whom I included in the same list.

Mr. HUNT. That is a matter of opinion, and my opinion is as good as yours any time.

PROPOSED SOLICITATION OF ELECTION FUND

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington [Mr. FOLEY] is recognized for 10 minutes.

Mr. FOLEY. Mr. Speaker, yesterday morning the Des Moines Register, the Washington Post, the New York Times, and other newspapers carried a story that previous to the consideration of the Meat Inspection Act, amendments, debated and passed by the House on Tuesday, a producer organization, the Western Independent Meat Packers Association, was involved through its president, Mr. Liljenquist, in the solicitation of funds under the most questionable circumstances for "the election and reelection of Members of the House of Representatives and the Senate of the United States."

As a result of these public disclosures there has also come to public notice the praiseworthy action taken by the distinguished and able chairman of the Committee on Agriculture, the gentleman from Texas [Mr. POAGE], and the distinguished and able chairman of the Subcommittee on Livestock and Grains, the gentleman from Texas [Mr. PURCELL], in ending abruptly this improper and obvious attempt to influence the course of national legislation.

I think the House should note the promptness and clarity and diligence with which the chairman of the Committee on Agriculture, the gentleman from Texas [Mr. POAGE], and the chairman of the Subcommittee on Livestock and Grains, the gentleman from Texas [Mr. PURCELL], took action to see that this shoddy effort ended immediately. The gentlemen from Texas [Mr. POAGE and Mr. PURCELL], on one hand, and the gentleman from Iowa [Mr. SMITH], and I on the other, differ on the bill, but we do not differ in our reaction against any attempt to either induce or intimidate Members of Congress. I would like to say, the episode, however, establishes again publicly and conclusively the reputation for responsibility and integrity which those two distinguished members of the Texas delegation and the Committee on Agriculture so justly bear.

Mr. **PURCELL**. Mr. Speaker, will the gentleman yield?

Mr. **FOLEY**. I yield to the gentleman from Texas.

Mr. **PURCELL**. Mr. Speaker, I want to take this opportunity to express my personal appreciation to the gentleman for the comments he has made and verify the facts that he has related. I would like to add the fact that not only did our distinguished chairman of the committee, the gentleman from Texas [Mr. POAGE], take what we all, I think, considered to be very appropriate action when he was made aware of an unfortunate occurrence as far as the activities of Mr. Liljenquist were concerned; but I want to point out that at the same time the gentleman from Texas, [Mr. POAGE] took this action he was cooperating, and in coordination with the ranking minority member on the Committee on Agriculture, Mr. PAGE BELCHER, of Oklahoma, and the ranking minority member of the Livestock and Grains Subcommittee, the distinguished gentlewoman from Washington [Mrs. MAY], who both exercised the highest standards of conduct in this matter.

In my judgment, as well as that of the gentleman from Washington [Mr. FOLEY], the chairman took absolutely appropriate and decisive action which prevented any possibility of embarrassment or misunderstanding on the part of any Member of Congress. I would like to add my appreciation for the cooperativeness and gentlemanly behavior by the gentleman from Iowa [Mr. SMITH] and the gentleman from Washington [Mr. FOLEY]. Both of these gentlemen opposed my stand on H.R. 12144, but certainly conducted themselves in the highest order of congressional behavior; their actions in this matter can only serve to further the reputation of this House.

I feel it is important for the American public, as well as all of those who have been mentioned in the press reports, that the complete record of this whole situation be made public. This should prevent any misconceptions or misunderstandings about what took place between September 28, when this began, and October 11, when it was finally concluded.

First, Mr. Speaker, I would like to place in the RECORD a statement from our distinguished colleague, the Honorable W. R. POAGE, chairman of the House Committee on Agriculture, describing in chronological order the events connected with this matter:

NOVEMBER 2, 1967.

The solicitation of funds by Mr. L. Blaine Liljenquist first came to my attention late in the afternoon of October 5, 1967, when I was furnished with copy of a letter dated September 28, 1967, signed by Mr. Liljenquist as Treasurer, Congressional Campaign Fund. A copy of that letter is attached hereto and is marked #1.

I immediately conferred with Honorable Graham Purcell, Chairman of the Livestock and Grain Subcommtitee, and with Representative Catherine May, ranking Minority member of that Subcommittee. We agreed that I should write not only to Mr. Liljenquist but to the heads of each of the three meat packing associations, advising them that until the proposed solicitation campaign had been rescinded and all monies which had been collected thereunder had been returned, that we would not proceed with further consideration of the meat bill. Copies of my letter to Mr. Liljenquist, marked #2, and my letter to Mr. Abe Guss, Chairman of the Western States Meat Packers Association, marked #3, are attached hereto.

A letter identical to the one sent to Mr. Guss was sent to Mr. Gray, Chairman of the Board of the American Meat Institute, and to Mr. James A. Beaver, Jr., President of the National Independent Meat Packers Association. Copies of these letters are not attached but they are identical to the letter sent to Mr. Guss.

Identical letters were also sent to Mr. Herrell Degraff, President of the American Meat Institute; Aled P. Davies, Vice President of the American Meat Institute; to Wade Parker, Douglas N. Allan and Paul Blackman, all three of whom are Directors of the Western States Meat Packers Association.

The same letter was sent to Mr. John Killick, Executive Secretary of the National Independent Meat Packers Association.

All of these letters were mailed on October 6, 1967. On the same day I visited with Hon. W. M. Colmer, Chairman of the House Committee on Rules, and discussed the situation with him, and advised that even though we had requested a rule on the meat inspection bill, H.R. 12144, that I would appreciate it if he would withhold any action until we knew Mr. Liljenquist had withdrawn his solicitation. I confirmed that conversation by letter dated the same day. Copy of that letter is enclosed, marked #4.

On October 9th I received wires from Mr. James A. Beaver, Jr. and Mr. R. F. Gray, both repudiating the position taken by Mr. Liljenquist and disclaiming any connection therewith.

The next day I received letters from Mr. Herrell DeGraff, Mr. Aled P. Davies and Mr. James A. Beaver, Jr., likewise disassociating themselves from any connection with the solicitation.

On October 14th I received a letter from Mr. Abe Guss, stating that "steps are being taken by Mr. Liljenquist to terminate the solicitation . . . Also in accordance with your suggestions Mr. Liljenquist has advised me that any funds currently collected will be immediately returned to the donors."

On October 17th I received a similar letter from Mr. Paul Blackman.

On October 12th I received a letter from Mr. L. Blaine Liljenquist, signed as President and General Manager of the Western States Meat Packers Association, copy of which letter is marked #5 and is attached hereto.

Only after receiving Mr. Liljenquist's categorical commitment to abandon his fund-raising campaign and to return the monies secured this year did I request Mr. Colmer to proceed with the granting of a rule. This was done and I heard nothing further of this solicitation campaign until I was called out of bed last night by a newspaper reporter advising that he was writing an article on this matter.

L. BLAINE LILJENQUIST,
Washington, D.C., September 28, 1967.

This letter is to invite you to mail me one of your personal checks in an amount ranging from $25 up to a maximum of $99, made out to the order of L. B. Liljenquist, Trustee, Congressional Campaign Fund.

You will have an opportunity to make a similar contribution each year. The funds collected will be used to help elect or reelect members of the House of Representatives and the Senate, of both political parties, who are conscientiously working to accomplish the following goals:

1) To preserve our free enterprise system, which has enabled the United States, with 6% of the world's people and 7% of the world's land, to produce 50% of the world's wealth;

2) To maintain a balanced budget and to produce the burden of federal taxes as rapidly as possible;

3) To encourage a political climate wherein business enterprises will continue to grow and prosper.

As Trustee for the "Congressional Campaign Fund," I will distribute the amounts collected to the campaign funds of U. S. Senators and Representatives who support the objectives listed above. The disbursements will range from $50 to $300 each. I will report annually to a three-man committee consisting of:

Douglas N. Allan, James Allan & Sons, 1599 Evans Avenue, San Francisco 24, California.

Paul Blackman, Acme Meat Company, Inc., 4366 So. Alcoa Avenue, Los Angeles, 58, California.

Wade Parker, Pacific Meat Company, Inc., Box 5636 Kenton Station, Portland 17, Oregon.

Will you participate in this worthy program? Remember, your contribution must be personal, and it is not deductible for federal income tax purposes.

If your company is incorporated, you can make personal contributions to a political campaign fund even though the company in which you are an officer and stockholder has contracts with one or more agencies of the Federal Government. If your company is unincorporated, you should contribute to the fund only if your firm is neither negotiating nor performing a contract with any agency of the federal government at the time of your contribution.

Yours for better government.
Best regards,
L. BLAINE LILJENQUIST,
Trustee, Congressional Campaign Fund.

Mr. L. BLAINE LILJENQUIST,
Washington, D.C.

DEAR BLAINE: Attached is my check made payable to L. B. Liljenquist, Trustee, Congressional Campaign Fund. I have checked the following applicable paragraph:

My company is incorporated. I am making this contribution personally, with the undering that it is not deductible for federal income tax purposes. ☐

My company is a partnership or sole proprietorship, but it is not negotiating for or performing any contracts with any agency of the Federal Government at this time. I am making this contribution personally, with the understanding that it is not deductible for federal income tax purposes. ☐

Sincerely yours,

- -
(Name)

- -
(Date)

My mailing address is:

- -

- -

- -

- -

OCTOBER 6, 1967.

Mr. L. BLAINE LILJENQUIST,
President and General Manager, Western States Meat Packers Association, Inc., Washington, D.C.

DEAR MR. LILJENQUIST: Enclosed is a copy of a letter that I have just written to Mr. Guss, Chairman of the Board of the Western State Meat Packers Association. This is not done with any intention of embarrassing you but for the purpose of protecting a great number of innocent by-standers who, it seems to me, are in serious danger of being irreparably injured by the solicitations which you have intiated. The letter is self-explanatory.

I think that when you have considered it you will recognize how this action could be misinterpreted in the hands of any self-appointed critic. It is not my purpose to try to suggest how you should run your association or what political connections you should make but when it comes to the operations of the Agriculture Committee, we feel that we would like to be like Caesar's wife and we know of no way in which needed and desirable legislation can be passed as long as its passage would give those who wanted to discredit the Committee the opportunity to allege that funds were being collected to buy votes of the Committee at the very time a highly controversial bill is before us. This bill, of course, affects your interest and the interest of every meat packer in the United States.

You will, of course, note that I have suggested to the officials of each of the major packer associations that this solicitation necessarily involves the reputation of all packers. Since you are the only one who can correct the erroneous impression, I would hope that you would do so without any delay and it would be most helpful in expediting the passage of legislation if you would furnish us with a copy of your correspondence with your members.

With all good wishes, I am,

Sincerely yours,

W. R. POAGE,
Chairman.

COMMITTEE ON AGRICULTURE,
Washington, D.C., October 6, 1967.

Mr. ABE GUSS,
Chairman of the Board, Western State Meat Packers Association, Granite Meat Co., Murray, Utah.

DEAR MR. GUSS: Enclosed herewith is a copy of a letter signed by Mr. L. Blaine Liljenquist. The letter is self-explanatory.

To say that I was shocked by the contents of this letter at this time is indeed an understatement. Without raising any question of the propriety of any association to engage in legitimate political activities, I must point out that the wide circulation of such a letter, no matter how well meant, obviously endangers the standing of the whole meat packing industry. Furthermore, I am sure you can see that no matter how innocent this solicitation may have been intended, it is absolutely impossible to disassociate it from the pending meat inspection legislation. It could prove to be deeply embarrassing to all Member of Congress who are trying to deal honestly and objectively with the problems of the meat industry in the United States.

Following the receipt of this letter I conferred privately with the Chairman of the Livestock and Feed Grain Subcommittee, Honorable Graham Purcell, and the Ranking Minority Member, Honorable Catherine C. May. It is our opinion that this project should be abandoned immediately. I am today asking Mr. Liljenquist if he will not cooperate by writing to all who received his letter rescinding his proposal and refunding any monies heretofore received. I can only hope that this project has not gone so for as to bring possible discussion of the subject to your embarrassment and to the embarrassment of Members of Congress. Frankly, I am going to insist that our Committee take no action on legislation affecting the packing industry so long as this solicitation remains outstanding.

A similar letter is going to the officials of each of the three meat packers associations as I think that all of you are directly involved. I would, of course, have been happy had the circumstances permitted a general meeting of the representatives of the industry but since that is impractical I am communicating directly with Mr. L. Blaine Liljenquist of the Western State Meat Packers Association, Mr. Aled Davies of the American Meat Institute, and Mr. John A. Killick of the National Independent Meat Packers Association, all of whom are in Washington, in the hope that we can remove all of the possible points of criticism of either the Congress or the industry. I feel, however, that I should have a letter direct from you, as a responsible official of your organization, categorically repudiating any fund raising campaign such as is envisioned in Mr. Liljenquist's letter.

May I hear from you at your earliest convenience. Thanking, you, I am,

Sincerely yours,

W. R. POAGE,
Chairman.

P.S.—I have just communicated by telephone with the ranking Minority Member of the Committee, the Honorable Page Belcher, and he authorizes me to advise you that he has read this letter and concurs in its contents.

W. R. P.

OCTOBER 6, 1967.

Hon. WILLIAM M. COLMER,
Chairman, House Committee on Rules, Washington, D.C.

DEAR BILL: For the reasons discussed in our conversation this morning, I would appreciate it if you would hold H.R. 12144, the Meat Inspection Act, without action in the Rules Committee until we have had an opportunity to know that the threat of public misunderstanding, occasioned by the solicitations we discussed, has been removed.

Thanking you, I am

Sincerely yours,

W. R. POAGE,
Chairman.

WESTERN STATES
MEAT PACKERS ASSOCIATION, INC.,
October 11, 1967.

Hon. W. R. POAGE,
U.S. House of Representatives, Washington, D.C.

DEAR MR. POAGE: As you know, labor unions and businessmen have solicited funds for expressing their interest in the election of members of Congress.

While the labor unions have been the most active in this activity, it is just as important that businessmen become equally concerned about the way our country is governed.

You will note from the attached copy of the letter I have been using in soliciting funds that we are dedicated to the election of House and Senate members who conscientiously work to accomplish the following goals:

1. To preserve our free enterprise system.
2. To maintain a balanced budget and to reduce the burden of federal taxes as rapidly as possible.
3. To encourage a political climate wherein business enterprise will continue to grow and prosper.

These objectives are sound and important to all Americans. We feel it is important that every segment of our society become and remain active in the Government of our country.

The Congressional Campaign Fund, of which I serve as Trustee, came into existence in 1964. The funds have been used to help elect a few members of the House and Senate who are striving to balance the budegt, stop inflation and serve the bests interests of our nation.

I have received and studied your letter of October 6 addressed to me and your letter of the same date addressed to the Chairman of the Board of the Western States Meat Packers Association, Mr. Abe Guss.

Because of my respect for you and other members of the House Agriculture Committee, and after discussing the questions raised by you with others in the meat industry who might be adversely affected by any misinterpretation of our objectives, we have decided to stop the solicitation of funds for this project. In addition, because of the pending legislation on meat inspection, the funds collected thus far this year will be returned to the donors.

By this action, we are showing that although our purpose in collecting the fund is proper, due to the circumstances now existing we are going the extra mile to remove any possibility of any misinterpretation of our intentions by any persons who might attempt to discredit either the meat industry or the House Agriculture Committee by making erroneous charges.

In June of this year after conferring with members of the Campaign Fund Committee, it was decided to renew our solicitation in preparation for the 1968 elections. There was not any thought of relating the fund in any way to the meat inspection legislation, and no effort has ever been made, or would ever be made, to influence a vote on any measure before the Congress. We were raising funds at this time only because our 1964 fund was depleted.

The Congressional Campaign Fund is not an Association program. As Trustee, I administer the project and all expenses must be paid by the fund.

At no time has any sizeable amount of funds been collected or distributed under this plan. In 1964 about $1800 was collected from individuals contributing small amounts. This year the sum collected to date totals less than $500.

Because your letter calls attention to possible misinterpretation of our purpose, we are terminating the project in accordance with your suggestion.

Sincerely yours,

L. BLAINE LILJENQUIST,
President and General Manager.

Mr. Speaker, I regret that this unfortunate incident took place. I was made aware of it as Chairman POAGE indicated in his memorandum on the evening of October 5. I wholeheartedly concurred with the suggestion by our distinguished chairman that he should express our concern and request that this fundraising effort be terminated.

I must commend the course of action which was taken in this matter by my colleagues to insure the complete integrity of the committee's consideration and action on this important legislation. It is also my purpose to make sure that the complete record on this matter is available to any who wish to see it.

MARKET-MINDED PRIEST

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROSENTHAL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, many of us who advocate the formation of a Department of Consumer Affairs do so out of the very pragmatic belief that only such a formal organization can truly protect American consumers. The issue of consumer protection has moral overtones, however, and these tend to get overlooked as we concentrate our efforts on specific pieces of consumer legislation. I am most grateful that the moral case for consumer protection continues to be made, and I am particularly pleased to note the articulate and persuasive stance taken by the Reverend Robert Joseph McEwen, S.J.

Father McEwen currently serves on the President's Consumer Advisory Council, and lectures on business social responsibility among other topics as head at the economics department at Boston College. His notable effort to consolidate our scattered consumer protection agencies is highlighted in this morning's New York Times.

I include this provocative article in the RECORD:

MARKET-MINDED PRIEST: ROBERT JOSEPH MCEWEN

WASHINGTON, November 2.—St. Thomas Aquinas posed an ethical question to a 13th-century audience on whether it was morally right knowingly to sell someone a horse with a hidden defect.

Seven centuries later, the Rev. Robert Joseph McEwen cites St. Thomas's moral interest in economics as a historical precedent for his deep involvement in the secular business of consumer protection.

"There's a long historical line of writing centering on what is a just price," Father McEwen explains.

"I am writing in the context of moral right and wrong for buyers and sellers. My work has been in dealing with the context of what's fair for buyers and sellers to do to each other."

Father McEwen, whose many appearances before Congressional investigating committees have made him a familiar figure in Washington, was here to attend Consumer Assembly '67, a two-day gathering of national, state and local consumer organizations. He put forward proposals for consolidating numerous consumer protection agencies under the leadership of a Central Consumer Federation of America.

ACTIVE IN CONSUMER AFFAIRS

The soft-spoken Jesuit describes his activity in consumer affairs as a "concrete example of the church's attempt to make its doctrine relevant to the problems of the world today."

One colleague, who welcomes Father McEwen's participation in traditionally secular politics as "action, not just words from the pulpit," aptly rejects any suggestion that a priest in politician's clothing might cause some professional resentment.

"General Motors makes cars; Father McEwen and I have people as our product," said Evelyn Dubrow, legislative representative of the International Ladies Garment Workers Union.

Father McEwen notes that it has taken some time to gain this acceptance.

"About 10 or 12 years ago," he said, "there was a great deal of opposition to the clergy's involvement in secular affairs coming from Catholics, non-Catholics, clergy and the general public.

"I used to run constantly into politicians who would say: 'The priest has no business telling us anything about this field.' "

RECALLS DEPRESSION

Father McEwen, whose eyeglasses, sparse black hair and perpetual shadow of a beard suit his scholarly demeanor, traces his interest in both the priesthood and economics back to the depression.

He was born in Dorchester, Mass., in 1916. He recalls reading of the Wall Street crash while in high school.

"The depression made an indelible impression on me. All through high school I questioned my father on the gold standard and other economic matters. I wondered why he couldn't answer me.

"When I had decided to enter the priesthood, during my sophomore year at Boston College, I felt I should take my teaching concentration [at the Jesuit Theological College located in Weston, Mass.] in economics."

Father McEwen has since received a master's degree in economics from Fordham University and a Ph. D. in economics from Boston College, where he is now head of the economics department.

His interest in consumer problems began in 1957, when he became involved with researching fair trade laws in conjunction with his doctoral thesis.

He now includes several courses on business social responsibility in his teaching curriculum at Boston College and serves on the President's Consumer Advisory Council.

NATIONAL UNICEF DAY

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RODINO. Mr. Speaker, for some years October 31 has been a special holiday to many of us, for on our traditional Halloween night we have also honored the United Nations Children's Fund. On this evening, children throughout the country have made this more than an occasion for merriment and reward for "tricks" foregone. They have converted it into a constructive effort to seek contributions to UNICEF, and thus they dedicate an evening from their busy, affluent American lives to the less fortunate children of the world who suffer from poverty, hunger, and disease. As a sponsor of legislation to designate October 31 as National UNICEF Day, I was most gratified that President Johnson issued a proclamation to this effect for this year and for each subsequent October 31. Mr. Speaker, one of the outstanding organizations which support UNICEF is the Nutley Jaycees, of Nutley, N.J., and I insert a fine letter written by this organization's president, Mr. Walter A. Smith, to be printed in the RECORD. It was addressed to the editor of the Nutley Sun and appeared in the November 2, 1967, issue:

CHILDREN SHOULD BE ENCOURAGED TO SUPPORT UNICEF ACTIVITIES

To the EDITOR,
The Nutley Sun:

How old must one be to share in the honors of the Nobel Peace Prize? Just old enough and tall enough, it would seem, to be able to reach for a doorbell and ring it on Halloween.

Provided, of course, it is under the auspices of the United Nations Children's Fund, which was granted the lofty award just two years ago for saving children's lives ever since its foundation, on December 11, 1946.

Millions of American boys and girls, here in Nutley and in over 13,000 other communities from coast to coast, are getting ready to celebrate UNICEF's twenty first anniversary by showing greater enthusiasm than ever before in collecting Halloween "treats" of pennies, nickels and dimes. In months to come, these will be transformed into vital supplies, equipment, medicines and vaccines for more than 100 underdeveloped countries around the world.

Locally sponsored by the Nutley Committee for United Nations Week, the Trick or Treat for UNICEF program has features to please people of all minds.

In the words of President Johnson, "In keeping with our traditional spirit of goodwill and generosity, each American can help UNICEF to continue its vital work by participating in the Trick or Treat program at Halloween."

For the youngsters themselves it is a fine opportunity to combine their traditional fun with a constructive, rewarding activity all their own—the world's greatest effort by children to help children."

Educators appreciate the program's period most of all, when their students are stimulated into showing greatest interest for, and better understanding of, other children's living conditions overseas.

Policemen, firemen and other civic authorities appreciate the fact that wherever a well organized UNICEF program prevails, they can worry less about vandalism and senseless pranks.

Last but not least, for ministers, priests and rabbis, the motto "Share rather than Scare" takes Halloween away from some of its least desirable connotations. When young people devote their energy and leisure time to helping others, it can well be said that they are taking part in a constructive beneficient endeavor.

Some idea of what our boys and girls will accomplish, with our community's generous cooperation, may be found in the fact that every day UNICEF'S jeeps, trucks and other vehicles travel roughly the distance of 30 times around the world, or four times the distance from the earth to the moon. Placed end on end, the midwife kits shipped by UNICEF would form a pile four times as high as Mount Everest. If they held hands at the Equator, the children and mothers helped by UNICEF each year would circle the world. The dried milk shipped by UNICEF would fill the U.N. Building more than 25 times.

The Nutley Committee for United Nations Week, the organizers of the local Trick or Treat for UNICEF program, most certainly deserve their selfless and efficient efforts should meet with unqualified success.

WALTER A. SMITH,
President, Nutley Jaycees.

THE FAA IS RUNNING OUT OF TIME

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. OTTINGER. Mr. Speaker, I have repeatedly pointed out to my colleagues, to the Department of Transportation and the Federal Aviation Administration, and to the aviation industry the urgent need for a positive policy on aircraft arresting equipment at U.S. airports. I have warned on several occasions that unless the FAA moves soon to certificate such equipment and require its installation at major airports, it will be held accountable for the horrendous toll in lives lost and equipment destroyed that will inevitably result.

This week, in the space of about 36 hours, aircraft overran runways at two of the largest and busiest airports in the Nation—Logan Airport in Boston and Kennedy Airport in New York. Fortunately, no lives were lost; but in the Boston incident, the plane stopped just 50 feet from Boston Harbor. And at Kennedy Airport, the crash put a runway instrument landing system out of commission for hours and incoming flights had to be diverted to airfields as far away as Montreal, Canada.

October 19 I wrote to the Secretary of Transportation urging him to reverse the FAA's negative stand on aircraft arresting gear. I have again written to Secretary Boyd, warning him that as far as this aspect of aviation safety is concerned, time is fast running out. I present for inclusion in the RECORD a copy of my letter to Secretary Boyd and the New York Times account of the crash at Kennedy Airport:

NOVEMBER 3, 1967.

Hon. ALAN S. BOYD,
Secretary of Transportation,
Department of Transportation,
Washington, D.C.

DEAR ALAN: Incidents at Logan Airport in Boston and Kennedy Airport in New York in the last two days demonstrate that if the United States does not take positive action soon on the question of aircraft arresting equipment, we will be faced with a series of tragedies.

I'm sure you are aware that at Logan Airport Wednesday night an airliner came within fifty feet of Boston Harbor after over-running the runway. In my view, fifty feet is simply not the kind of margin this nation's aviation safety program should be relying upon. And at Kennedy Airport yesterday, a cargo jet skidded off the end of a runway and crashed into the monitoring unit for the electronic landing assistance system. According to news accounts, the pilot encountered fog on the runway after touching down and could not see the runway's end.

Both incidents could have been prevented by aircraft arresting gear of the type now being tested by the Government of France. Yet, the FAA, which is responsible for air safety in our country, persists with a totally negative attitude toward such equipment.

Are we going to do something about air safety only in the wake of tragedy? How many lives have to be needlessly lost before we throw off the short-sightedness and bureaucratic rigidity which has characterized air safety in the United States over the years?

Since you have not yet replied to my letter of October 19th on this issue, I assume you have the matter under active consideration. I strongly urge you to do all you possibly can to reverse FAA's negative attitude toward aircraft arresting gear.

Sincerely,

RICHARD L. OTTINGER,
Member of Congress.

EIGHTY-TWO FLIGHTS TO KENNEDY DIVERTED AFTER CRASH

(By William E. Burrows)

Thousands of passengers bound for Kennedy International Airport, one of whom was King Hussein of Jordan, had to land at other airports yesterday after a jet cargo plane had struck a vital navigational instrument.

No one was injured, and damage to the plane was described as slight.

However, other planes approaching the airport had to be diverted to Philadelphia, Albany, Boston, Newark and other cities, according to Louis Cardinali, assistant deputy director for the Eastern region of the Federal Aviation Administration.

Some flights were diverted to Montreal, a control tower operator at Kennedy said.

The crash occurred at 10:02 A.M. and landings were resumed shortly before 2 P.M.

Airline officials said that there were no large numbers of people waiting for the incoming flights because the four-hour period during which no planes were landing occurred between the peak morning and afternoon rush hours.

Every delay announcement in the Kennedy terminal was received in silence as passengers and persons waiting for arriving flights listened for word on the delays. No one seemed angry, ticket sales people said later, but instead waited patiently.

SKIDDED OFF RUNWAY

In the accident a four-engined Seaboard World Airlines cargo jet, which had made a normal landing on the airport's southbound instrument runway, skidded off the end of it and struck a monitoring unit that automatically detects trouble in the runway's electronic landing aid system.

The landing aid, called a localizer, sends signals to pilots flying in poor weather so they may accurately line their planes up with the runway's center line. The localizer sends its signals with an antenna, and, in addition to wrecking the system's monitoring box, the plane also came to rest so close to the antenna that its signals were interrupted.

As a result of the crash, and also because of poor visibility around Kennedy, 82 flights were diverted to other cities, and a number of flights scheduled to take off from Kennedy were canceled.

Trans World Airlines reported that 10 flights, seven of them originating at Kennedy, were canceled because of the crash, and eight incoming flights were diverted to Newark, Philadelphia and Hartford. The diverted flights were delayed an average of an hour and a half, a TWA spokesman said, after which their passengers were put on buses for Kennedy.

KING'S PLANE DIVERTED

An American Airlines spokesman said that eight canceled flights had occurred because of the accident and that there were six diversions to Albany, Newark, Boston, and Washington.

Pan American World Airways reported that one of its planes, carrying King Hussein to New York for meetings at the United Nations, was sent to Dulles Airport, which is 27 miles out of Washington.

Many of the flights were canceled because of the weather, Mr. Cardinali said, which was sporadically poor throughout the day. A second instrument runway, laid out at a right angle to the one involved in the crash, could not be used until shortly before 2 P.M. because the wind was blowing the wrong way, he said.

Planes landed regularly throughout the rest of the day on the second instrument runway and, according to the F.A.A., experienced delays averaging about an hour.

An F.A.A. spokesman said the cargo jet would be towed out of the sand within a few hours and the localizer monitoring box quickly repaired.

A Seaboard spokesman, Raymond Chanaud, said the accident happened because the plane's pilot, Richard O. King, had not seen the end of the 8,400-foot-long runway after he set his plane down on it.

"He continued landing, when the end of the runway appeared out of the fog," Mr. Chanaud said, "he didn't realize he'd proceeded that far."

Mr. King has flown for Seaboard for 18 years, Mr. Chanaud said, and has made numerous landings at Kennedy without an accident. There were three other members of the cargo jet's crew; a co-pilot, navigator, and a flight engineer. They, like Mr. King, were not hurt in the crash.

Mr. Chanaud said Mr. King would be grounded for three days so that he might be available to answer questions by the F.A.A., Port Authority, and National Transportation Safety Board investigators, all of whom immediately began investigations.

The plane, a DC-8, carried 46,000 pounds of cargo, including machinery and textiles, and had taken off from Shannon, Ireland, after several stops in continental Europe, Mr. Chanaud said.

NATIONAL VISITORS CENTER

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PICKLE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKLE. Mr. Speaker, I am delighted to see before us a plan by which the visitors in our Nation's Capital will no longer be subjected to the kind of confusion and anxiety that has prevailed in the past.

The National Visitors Center Facilities Act of 1967, H.R. 12603, at last proposes a system to take care of our visitors and, at the same time, to cut drastically the disruption caused on the surrounding Government offices and businesses.

With more than 15 million American and foreign visitors coming to Washington this year, and with that total to increase to 30 million by 1980, I believe we can ignore the problem no longer. As a member of the National Visitors Center Study Commission, I met with my colleagues many times in the past year to review the problems. The plan set out in the National Visitors Center Facilities Act is good both for the Government and for the tourist, and I am glad to have sponsored a companion bill, H.R. 12693.

The proposal calls for the present Union Station, which is located only a few blocks north of the Capitol, to be converted to a reception center where tourists can park, receive briefings, and see movies on the nearby tourist attractions, and on area hotels, restaurants, and other accommodations. The new train station will adjoin the Visitors Center and scheduled helicopter service will be available from the roof of the parking garage which is to be constructed. Five-minute local bus service is to be available to all points on the Mall, and for those who wish to see the major points of interest, the Visitors Center would provide a one-stop means of doing just that.

On the question of the location of the central visitors center for the entire city, I personally prefer a location between 14th Street and the Washington Monument. This was recommended by some of the prominent architectural firms, and it was a point I raised in my testimony on H.R. 12603 before the House Subcommittee on Public Buildings and Grounds. Still, I must be realistic, and in light of our current financial problems, I know that we cannot undertake to build an entirely new facility involving large sums of money. I still maintain, however, that a major facility is needed in the location I mentioned, since that area is in fact and in truth the hub of tourists' Washington. It is within easy walking distance not only of all major points along the Mall, but also of the White House.

The Union Station proposal is the best possible alternative at this time. It will satisfy a need that has been growing steadily over the past year. Many times I have visitors from my own district complain that the parking, traffic, and congestion is so bad around the Capitol and Mall that they were unable to see nearly all that is offered. I think this denial to our citizens is a disgrace, and I say we must act quickly. It is for this reason that I endorse the bill before us.

As I have said, the Union Station proposal will be an aid to the tourist. But it is also good from the Government's point of view. The present owners of Union Station have agreed to make all improvements necessary to convert it to the proposed center, and the rents to be paid by the Government will almost entirely be recouped from parking fees, and sales and services provided in the center.

Many people have worked hard on this project. But I believe a special word of commendation is due to some who have been particularly imaginative. Representative KEN GRAY, the leader of the House delegation to the Study Commission, and the chairman of the House Subcommittee on Public Buildings and Grounds, has been especially effective in securing the consensus needed to secure the endorsement of the Commission. Also, Representative FRED D. SCHWENGEL served on the Commission, and on the subcommittee, and was another moving force behind the bill.

Secretary of the Interior Stewart Udall, and the Administrator of the General Services Administration, Mr. Lawson B. Knott, Jr., are to be commended for their success in obtaining agreement to the proposed lease on the renovated Union Station, on terms which are fair and workable both for the Government and for the station owners.

Mr. Speaker, I believe my voice was one of the first raised on the Hill for better tourist facilities. When I first came to Congress, I was amazed and shocked at the inadequate facilities offered in the Capitol Building itself, and I made several speeches to my colleagues and other groups on the deplorable situation. I would like to see some kind of visitors center in the Capitol Building itself, since it is the single largest attraction, and since it now offers virtually nothing in the way of restrooms, water fountains, and restaurants.

Even if the bill before us is passed, I believe the problems in the Capitol are the most urgent we face. With the Visitors Center well on its way, I would hope that this will be the next item for consideration. And when a visitors center at the Capitol is undertaken, surely the Congress will do something to correct the disgraceful condition of the west front.

PRESIDENT JOHNSON, PRIVATE INVESTMENT, AND THE FUTURE OF URBAN AMERICA

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mrs. MINK. Mr. Speaker, President Johnson's effort to stimulate private investment in America's slums has paid another rewarding dividend to the Nation's cities.

Four of the Nation's most prestigious insurance companies have decided to invest between $15 and $20 million in 1,000 units of low-cost, privately built housing units in Harlem.

This investment fulfills part of the $1 billion pledge made by the Nation's insurance firms to President Johnson and the Nation.

The Johnson administration has launched the greatest innovations in low-cost housing since the New Deal. The rent supplement program, extension of the turnkey approach to public housing, and freeing of surplus Government funds for housing development will also increase the number of low-cost housing units available.

But the Government alone cannot meet the crushing demand for housing. Lack of adequate low-cost housing festers at the fabric of our Nation. Its removal will require the combined energies of both the public and private sectors.

President Johnson has committed his administration to harness the genius of private industry and the experience of Government into a joint enterprise for urban excellence.

The investment which these four insurance companies will make in one of our Nation's worst slums is, to be sure, only a first step in this enterprise.

But it is an important step which will light the way for enlightened capitalism to help rebuild our cities into the gems of America.

SUCCESS OF HAWAII JOB CORPS

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mrs. MINK. Mr. Speaker, I was most gratified to read in the October 1967 edition of Hawaii Business & Industry an article detailing the fine work being done in rehabilitating young men at the Kokee Job Corps Center on the island of Kauai.

One of three centers in my State, the Kokee project is fulfilling admirably the purposes for which it was created, and I am proud of the community acceptance and cooperation that all the Job Corps centers have received in Hawaii. As we move closer to consideration of this year's economic opportunity amendments, I would like to share this account with my colleagues as one more justification for continuing the Job Corps in full operation so that we do not withdraw the promise held out to so many young men like these at Kokee who are being given a second chance to lead productive lives.

Under unanimous consent I insert the article at this point in the RECORD:

JOB CORPS DOES GOOD JOB ON KAUAI

Along the road up to the Kokee State Park on Kauai, there is a scenic lookout under construction. A sign tells you that this is a project of the Job Corps, but the energetic crew manning the dump trucks, cutting down trees, grading the land, and building the buildings, tells the story much better. When the job is finished, a plaque will be erected with the names of the boys who worked on the project, and as one young Job Corps worker puts it, "One day I want to be able to bring my kids up here and show them what I did."

By the time he is married and has children old enough to understand, the lookout will probably have a lot less meaning to him. But today, for he and the others working on the job, it is a pretty significant thing. In most cases, it is probably the first time in these youngsters' lives that they have ever had any responsibility and succeeded in doing something really meaningful.

For the Job Corps is made up of high school dropouts, kids for whom the last nine or ten years in school was meaningless. The schools are for average kids, and these boys are hardly average. Wherever it was they dropped out of school, they have an average reading ability of a fifth grader. Many could not pass the Army entrance exams. Plunged into the working world, they have no skills and little chance for a job.

The assignment of the Job Corps is to bring them back into the world by providing them with schooling, some basic skills, and a incentive to continue learning. How well the program is doing has been questioned and will continue to be examined, but for the boys working up at Kokee, there seems little doubt of its success.

ONE OF THREE CENTERS

Kokee is one of three Job Corps locations in Hawaii; the others are at Koko Head on Oahu and Kilauea on the Big Island. The Kokee Corps is housed in an old Civilian Conservation Corps barracks adjoining the Park headquarters, and there ten staffers run a combination school and work program that has met with good results both for the Corpsmen and the community.

A little over a year old, the Kokee operation combines remedial schooling with a program of projects designed to give the boys a start in learning a trade. Unlike the old CCC camps, whose facility they are using, the Job Corps projects are not make-work programs, but rather State projects turned over to the Job Corps to do.

From a list of possible projects, the camp director selects those that offer the best training values within the skills they want to teach. At Kokee this takes in heavy equipment, welding, automotive, carpentry, masonry, and culinary work. The culinary end is covered within the camp, where Corpsmen work in the kitchen with the staff and learn cooking on the job. For heavy equipment training, the Corps has a number of its own vehicles, including two dump trucks, a backhoe, and a grader. These plus the buses and other vehicles owned by the Corps provides a base also for automotive training. The various projects are chosen with the other needs in mind, and generally a Corpsman can choose the type of work he wants and largely specialize in that field.

Construction of the lookout at Puu Hinahina is a good example of how the jobs are selected, and how they serve the needs of the Job Corpsmen. The lookout involves the use of heavy equipment to clear and grade the site, the construction of two lookouts and a public restroom, and landscaping the area. In terms of skills, it offers an introduction to heavy equipment, carpentry, masonry, and landscaping. Whatever area the youngster feels he wants to try, he is actually doing the work himself under a skilled craftsman.

While the jobs don't go as fast as they might otherwise, the results are satisfactory, and the Job Corps is more interested in exposure than speed. With the many jobs available, the kids can switch around and find the area they are best in or that they like the best.

TEN-MAN STAFF

While the ten man staff generally encompasses knowledgeable people in each of the trades, where special skills are needed the Job Corps calls on people within the department for whom they are doing the work. On the Puu Hinahina project, for instance, the Parks Department has assigned certain men to the job to work with the boys. While the Corpsmen do not actually learn a trade, when they get out they are ready to start at the apprentice level. Generally the graduates go into the service, back to school, or into such an apprentice program for on-the-job training.

At Kokee the boys split their time between classwork and the various projects they have been assigned. The 60 boys are divided into two groups, one of which spends its week working on the job, the other in classes, or working at the various chores around the camp. The camp is self sufficient to the extent that the boys run their barracks under a chosen dorm leader, police the area, work in the kitchen, and inevitably—get stuck with KP duty.

Classwork follows a regular pattern, but is geared to each boy's own level. They get reading and math, two hours each daily, and lessons in what is called the World of Work—essentially a class on basic living. This includes how to manage money, write a check, driver education, how to apply for a job, and the other basics of getting along by themselves in the world.

SELF-TAUGHT CLASSES

The reading and math classes are essentially self-taught. The Corpsmen are given books based on the level at which they test out and then progress upwards at their own pace. An instructor is available for individual help, and to administer the tests when the boys feel they are ready for it. Most progress from a fifth to an eighth grade reading level in nine to twelve months, according to camp director Art Harrington, who is enthusiastic about the project.

Everything is based on an incentive plan designed to induce them onwards through the program, which can last for two years but averages about nine months. They get a basic pay of $30 a month, which is increased upwards as they earn it. Figured on a point system, the pay is increased $5 when they reach 30 points, another $5 when they hit 44 points. The point system is based on passing certain levels in school, social development, and their work. The Kokee camp has seven Corpsmen leaders, boys who have done particularly well and can be given leadership positions within the program, and the pay goes up another notch when they attain that level. The boys are eventually switched through all the camps for some exposure in each area, and later can go to the Mainland to work in Job Corps programs there.

The Job Corps is financed by the Federal Government but operated by the State, which has a contract to put 250 men through the program. In addition to the 60 at Kokee, there are 40 at Kilauea and 150 at Koko Head. On Kauai, $91,000 in Federal funds have been appropriated for projects, most of which, because of the camp's location, are for the State Parks Department.

In additon to the basic pay, the Government sets aside $50 a month for each boy, so that when he gets out he will have some savings with which to get a car and live until he gets situated in a job. If he wants, he can send $25 of this home to his family, and if he does, the Government will match it. Work clothes are furnished, and after 30 days in the program he gets a $75 clothing allowance.

Recreation is a big part of the program, and in addition to daily calisthenics, they play volleyball in the community league, and have various other activities available to them. Weekends they go as a group to various places for surfing or to the movies, although individuals can have a pass if someone in the community has invited them out.

COMMUNITY COUNCIL HELPS

One of the biggest needs is to bring the community into the Job Corps program, and on Kauai they have succeeded in large measure through a community council which has worked with the Corps. Boys are invited into the community for church activities or other programs—and in return have taken on community projects which they do in their spare time. On the dining room bulletin board, for instance, is a handwritten note from the classroom kids in the Head Start program, for whom they built some swings one weekend. Such efforts are not missed by the community, which at first was wary of the Job Corps, but now has apparently warmed up to the project considerably.

The Job Corps has had its critics, on Kauai as elsewhere, and often the criticism is deserved. It is an expensive answer to the problems these boys are faced with, but for most of them it is the only answer offered. In the final analysis, the program's success depends on community participation and the quality and dedication of the staff people. Looking at the program as it has developed on Kauai in little over a year, it would seem that at least on the Garden Island, the Job Corps has found a home.

LYNDON B. JOHNSON AND THE PROTECTION OF THE AMERICAN CONSUMER

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HOWARD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HOWARD. Mr. Speaker, if there was ever an administration which could be called a friend of the American consumer, it is the administration of President Johnson.

I have had the personal privilege of being associated with landmark consumer protection measures such as Truth in Packaging and Truth in Lending, as well as the Highway and Traffic Safety Acts which are already law.

These measures which protect the American public from fraud, from being deceived in making purchases, and from death and injury on the highway are a mark of the deep concern which President Johnson has shown for the consumer throughout his entire governmental career.

As President he has placed the voice of the consumers close to him in the highest councils of government in the person of his Special Assistant on Consumer Affairs.

He has pushed for stringent legislation such as truth in lending—which is even now before this body—control of flammable fabrics and the wholesome meat act which passed the House just a few days ago.

Yesterday the President went before the consumer assembly here in Washington and made another strong appeal for the passage of many consumer bills still pending. There are a dozen major consumer protection measures still before the Congress, and the President made it clear that we should pass them because we owe it to the American public.

Under unanimous consent, I insert in the RECORD the President's consumer-protection remarks, and I take this opportunity to urge my colleagues, again, to support all these worthwhile measures:

TEXT OF REMARKS BY THE PRESIDENT AT THE CONSUMER ASSEMBLY

The idea that the consumer deserves protection is relatively new in America.

In the early days of our history, the only consumer law was "let the buyer beware." And a great many consumers were victimized by the fast-buck artists of the day. Our country was almost 100 years old before the first consumer protection law was passed. It prohibited the fraudulent use of the mails.

Some of the abuses that brought about that early legislation would insult our intelligence today. They were "American ingenuity"—at its worst.

There was the man who advertised that he would send you a steel engraving of George Washington if you sent him a dollar. When he got your dollar, he sent you a one-cent stamp.

Another fellow asked for a dollar in return for a sure-fire method of exterminating potato bugs. For your dollar, you received a slip of paper saying, "Catch the bug, put him between two boards, and mash him."

On the American frontier, the practice of medicine was haphazard at best. People bought cure-alls like "Kick-a-poo Indian Sagwa"—that promised you everything but the headache they produced.

At the turn of the century, there was no guarantee that the meat Americans ate was not diseased—or even that it came from the advertised animal. One newspaper wrapped up the problem in a short poem:

Mary had a little lamb,
  And when she saw it sicken,
She shipped it off to Packing-town,
  And now it's labelled chicken.

Foods were filled with strange chemicals, whose effect nobody knew. It was 1909 before President Theodore Roosevelt could say that America had finally awakened to the fact that "no man may poison the people for his private profit."

We take it for granted, now, that such outrageous practices are forbidden by law.

But without the indignation and action of an aroused public—without the Federal Government's strong sense of responsibility to the consumer—the counters in our stores might still be filled with Kick-a-poo Indian Sagwa. Without the great milestones of consumer legislation, we would still be playing Russian roulette every time we dealt in the market place.

Our savings would be stolen by unscrupulous speculators.

Our bodies would carry burn scars from clothing which ignited without warning.

Our food would be tainted, our drugs unsafe.

Our children would be maimed by the toys we bought them.

Consumer legislation is a continuing process of serving changing needs. Technology daily makes our existing laws obsolete. Progress is not an unmixed blessing. It can bring countless unforeseen hazards.

Fortunately, these problems are usually resolved in our competitive market, by the energies of private enterprise.

But dangers must be predicted whenever possible. Standards must be set. Consumers must be safeguarded from unreasonable risk.

In the modern marketplace, there are still plenty of traps for the unwary—more subtle than those our grandfathers knew, but no less dangerous. The difference is that the confidence men who brew them up now have college degrees.

Every year, Americans pay millions of dollars for parched and worthless land.

Every year, our citizens are lured, unsuspecting, into credit traps which drive them to desperation.

Every year Americans eat, on the average, 27 pounds of uninspected red meat—meat that may be mislabelled, tainted, or dangerously diseased.

Every year American families furnish their homes with fabrics that are dangerously flammable.

This is a consumer's Administration. I have sent three major messages to the Congress in the past four years—asking for strong laws to protect our people from those who would cheat them or expose them to unreasonable hazards in pursuit of an easy dollar.

The 89th Congress passed several major pieces of legislation which materially helped the consumer to a better life.

The Truth-In-Packaging Act, to tell the buyer just what he is buying, how much it weighs, and who made it. The days of the "jumbo quart" and the "giant economy quart" are over.

The Child Protection Act, to guard our children against hazardous toys. Now there is a law that protects a child from poisoning if he puts one of his toys in his mouth—that protects him from being burned by firecrackers that look like candy.

The Traffic and Highway Safety Acts, to protect our drivers from dangerous vehicles, and to train them to protect themselves from each other.

Still we have just begun our program for the consumer. There are currently twelve major actions before Congress. At a time when economy is the by-word of our nation, these should be among the first bills passed. The cost to the taxpayer is virtually nothing. The savings to the consumer are in untold grief and millions of dollars.

The Truth-In-Lending Bill would require the money leaders of our society to inform the citizen—to tell the parents who need to borrow for their children's education, or to pay medical bills, or to buy a car or a television set—just how much it will cost to borrow that money.

The lender knows to the penny how much interest he is charging. We don't think it is too much to ask that he tell the borrower.

We have proposed amendments to the Flammable Fabrics Act of 1953. As new materials are invented, new hazards occur. We don't want a repeat of the incident when young girls were incinerated by their sweaters.

We want to see minimum safety standards set for the movement of natural gas by pipeline. These pipes may run under your city streets. We don't want them to erupt and kill your townspeople.

As representatives of our 200 million consumers, these bills concern you directly. It has been said that the consumer lobby is the most widespread in our land, yet the least powerful. I disagree.

But you can only wield the power you have if you make yourselves heard. You have the interest, you have the organization, you have the numbers.

And we have made sure that you have access to the highest councils of government. The President's Committee on Consumer Interest, the Consumer Advisory Council, and my Special Assistant for Consumer Affairs, Betty Furness, are all available to you. They hear your ideas and complaints, and they pass them along to me.

Your Congressmen should hear from you, too—loud and often.

At this moment, there are two specific issues which demand your attention. They threaten our consumers and our country.

The first is inflation. By keeping a close watch on our economy, we have managed for the past six years to keep our consumer price rise lower than that of any other nation in the industrial West. We have kept the housewife's dollar secure. We have even been able to lower taxes.

But now there are pressures on the economy which demand that we ask for a portion of that tax cut back—in the form of a surcharge. We estimate that it would take one penny out of the average American's dollar.

I realize that it is hard for you to ask the people you represent to surrender more money in taxes. But let me give you two quick examples of what will happen if we don't get that surcharge.

A family of four with an income of $5,000 would pay nothing under the surcharge plan. But the chances are very great that it would pay $147 a year under the tax of inflation.

A family with an income of $10,000 will pay $285—or $174 more than some economists estimate it would pay if the surcharge is passed.

The second issue you should know about is the threat of protectionism, which is rearing its head in the form of certain quota bills now before Congress.

Those proposed quotas would invite massive retaliation from our trading partners abroad. Prices would rise. Our world market would shrink. So would the range of goods from which American consumers choose what they buy.

These bills must not become law.

Again I urge you to make yourselves heard, to exercise your rights and fulfill your duties as citizens and consumers.

We have much to preserve, but far to progress. We have reaped the harvest of a vigorous prosperity—a record prosperity that has now lasted for 81 months. Our consumers now enjoy the highest standard of living ever known on this earth. Yet one in every seven of our citizens exists below the poverty line. And every citizen faces unreasonable risks in the modern marketplace.

When all Americans enjoy the bounties of this rich land, when all Americans can live in dignity and security—then we can say we have done the consumer justice. I hope you will not settle for less. I promise you that I will not settle for less.

THE PRESIDENT ASKS CONGRESS TO DO ITS DUTY

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. MOSS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MOSS. Mr. Speaker, the House faces many critical domestic and foreign measures in the waning days of the first session of the 90th Congress.

There is much that we ought to approve of President Johnson's comprehensive legislative program—social security is not pinned down; the tax increase is still being considered; civil rights; gun control; foreign aid; consumer protection bills—all await final approval.

There are also proposals which many of us as individuals have introduced.

Therefore, when the President at his news conference implies that time is running out and action must be taken, he is only stressing the obvious.

The record of the 89th Congress was unparalleled in American history.

More useful and intelligent legislation to help the people and the country was adopted than at any previous time in our history.

Are we going to follow that record of accomplishment with a record of inaction in the 90th Congress?

Are we going to allow important measures for the economic and social improvement of our country to go by the wayside or be suspended in midair?

Are we going to permit uncertainty to be the mark of this Congress and thus project uncertainty into the country?

President Johnson was not insulting the Congress by asking it to do its constitutional duty.

He is not insulting us by asking us to vote up or down, cut or pare, pass or reject his fiscal measure, his fiscal year 1968 budget, or the rest of his important legislative recommendations.

We have little time left to act. Let us move programs forward. Let us release the economic opportunity program, for example. Let us show those who depend on us that we know what our duty is, and we intend to do it.

MEET T. E. EVANS

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. NICHOLS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. NICHOLS. Mr. Speaker, we hear and read a lot these days about Americans all over the country who demand more and more support from their Government, yet they are not willing to help themselves. It is unusual to find someone who wants to help himself and his family. The Wetumpka, Ala., Herald recently ran an article about such a person. Mr. T. E. Evans of Deatsville, Ala., lost his eyesight a few years ago. Mr. Evans could, if he wanted to, sit back and let the Government provide the only support for his family. But he is not willing to do this, so he is attending classes at the Alabama Institute for the Deaf and Blind at Talladega.

Mr. Speaker, under unanimous consent I place this article from the Wetumpka Herald in the RECORD:

MEET T. E. EVANS

He believes in God, in good people; and, though in lesser degree in himself.

Mr. T. E. Evans has been a resident of Elmore County for more than 40 years. He lives with his wife on Deatsville, Rt. 2. He has three children, all married, living in the Wetumpka-Prattville area. Before becoming totally blind, Mr. Evans was a farmer and worked as a guard for the State Prison System. He was forced to retire from his job as a guard in October, 1963. On being asked what he misses most because of blindness, Mr. Evans said, "I miss being able to make money". Now he is doing something about that.

With help from the State Vocational Rehabilitation Service, Mr. Evans entered the Adult Dept. for Blind and Deaf, in Talladega, early this month. This department is a division of the Alabama Institute for Deaf and

Blind. Mrs. Marguerite McKinnon is Mr. Evans' Rehabilitation counselor.

At the training center, in Talladega, Mr. Evans happily follows a vigorous training schedule. He is majoring in "small business operation" and is scheduled in other essential subjects, such as braille, typing, script writing and cane travel techniques.

"When I satisfactorily complete my training," says Mr. Evans "I want to return home and operate a vending stand in Wetumpka under the Business Enterprises Program for the Blind."

DEFEAT OF PROPOSED STRATEGIC GRAIN RESERVE

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. FOLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FOLEY. Mr. Speaker, it is highly regrettable that a majority of the members of the Livestock and Feed Grains Subcommittee of the House Committee on Agriculture chose to defeat H.R. 12067, to establish a strategic grain reserve.

The bill, sponsored by Subcommittee Chairman GRAHAM PURCELL, of Texas, had the commendable objective of permitting the Commodity Credit Corporation to purchase grain during periods of bumper crops, such as the current year, thereby stabilizing prices to the farmer. The strategic reserve which would have been established would have protected consumers against possible short grain supply and at the same time would have permitted programs of acreage allotments and diversion.

The result would have been immediate increased prices for grain and soybean farmers.

It is lamentable, however, that the Republican membership of the subcommittee placed party politics above the best interests of the farmer in voting unanimously against the Purcell bill.

I predict that the complete disdain for the farmers' interests which was demonstrated by the Republicans on this vote will come back to haunt the Republican Party when grain prices continue to decline.

As an example, the wheat market suffered a sharp reverse immediately after the news was reported from Washington that the Purcell bill had been defeated in subcommittee by an 8-to-6 vote.

Because of the importance of this action, I am including at this point in the RECORD certain material relating to this issue. Following are the statement issued by Under Secretary of Agriculture John A. Schnittker following defeat of the legislation, stories which appeared in the New York Times and the Wall Street Journal of November 2, 1967, various wire service stories and a copy of Schnittker's testimony before the subcommittee on August 18:

[From the U.S. Department of Agriculture, Nov. 1, 1967]

I have a brief statement first, and then I'll answer any questions you have.

This morning's vote by the Agriculture Subcommittee on the Purcell Grain Reserve Bill clearly marks another attack by the Republicans on the farm program.

The votes of six Republicans—all of them from feed grain and/or wheat-producing areas—against the Purcell Grain Reserve Bill will cost grain and soybean producers many millions of dollars in lost income during 1967 and next year.

The Purcell Bill was a practical and prudent means of setting up a strategic reserve that would have insured consumers against shortages, facilitated the establishment of acreage allotments and diversion programs, resulted in higher prices for farmers *right now*.

During bumper crop years such as 1967, the CCC would have been able to buy grain, thereby firming up prices. Under present law. we will acquire it anyway, after farmers have taken prices that are too low. In years when the weather was poor and production dropped below estimates, the government—under carefully controlled procedures—would have been able to sell.

The constant, assured grain reserve authorized in the Purcell Bill, would benefit both farmer and consumer. The danger of too much or too little, with consequent effects on prices, would have been moderated.

Unquestionably, the Purcell Bill would have produced higher farm incomes this year.

The unanimous opposition must mean that the minority on the Subcommittee decided to sacrifice the interests of their constituents in order to attack the present farm policy.

As you know, Secretary Freeman strongly supported the grain security reserves bill.

I'm sure all of you saw the story on this bill in yesterday's *Journal of Commerce*. Its headline read, "Skepticism on Reserves Bill Spurs Wheat Drop." The skepticism of traders was fully justified, and wheat, feed grain and soybean producers are the losers.

[From the New York Times, Nov. 2, 1967]

Wheat Declines During Session—Grains Register Downturn—Soybeans Also Weak—Sugar Is Steady

(By Elizabeth M. Fowler)

Grain traders, who had edged up prices of grains on Tuesday jumped back yesterday as prices fell sharply. Early in the week, there had been hope that a bill providing a strategic grain reserve might get a nod from the Congress. Early yesterday, the news was that a House of Representatives agriculture subcommittee had voted against it, 8 to 6.

The reasoning advanced by proponents of the bill was that a grain reserve would withdraw some large supplies this year at a time when there have been record crops of wheat, corn and soybeans.

Wheat futures lost up to 2¾ cents a bushel by the end of the day.

Soybeans were also caught up in the downtrend and closed with losses as high as 1¼ cents a bushel.

In the case of corn, the story was a little different. Corn prices opened a little higher than the preceding day on news of rain in some of the harvest areas. These higher prices mitigated the impact of news about the legislation, with the result that at the end of the session corn ran only fractions of a cent lower than the day before.

The Chicago Board of Trade announced yesterday lower margin requirements for wheat and oats, a move that probably reflects slower trading and the low prices for these two grains.

[From the Wall Street Journal, Nov. 2, 1967]

Johnson's Program To Bolster Grain Prices Through New Stockpile Dies in House Panel

WASHINGTON.—A House Agriculture subcommittee put the quietus on plans of the Johnson Administration and farm state Democrats in Congress for propping up grain prices through creation of a new Government grain stockpile.

By an 8-to-6 vote, the House unit rejected a bill that would have authorized Government purchases of more than $1 billion in wheat, feed grains, soybeans and rice for placement in a permanent "food reserve," ostensibly against the threat of war or famine. The subcommittee's six Republican members were joined by two conservative Southern Democrats, Reps. Rarick of Louisiana and Montgomery of Mississippi, in voting down the measure.

Its defeat unloosed a crossfire of partisan assignments of blame for this year's drop in farm prices which has pushed the Government's farm parity ratio down to 74, the lowest level since the 1930s. Under Secretary of Agriculture John Schnittker called a news conference to blast Republicans for thwarting "all our efforts to improve farm income." He spurned, as impractical, a GOP call for several administrative moves by the Agriculture Department that the Republicans contended would do more to help the farmer than the stockpiling bill.

The measure's high price tag in a time of budgetary squeeze contributed to its demise. But the prime factor was fears, voiced by grower groups and grain traders alike, that stocks accumulated in the process of bidding-up market prices now would be used to drive them down at some future point through dumping. Fortified by these arguments, grain state Republicnas on the House unit felt safe in opposing what they saw as a move aimed primarily at building the Administration's political stock in farm areas rather than bolstering food stocks.

The bill's sponsor, Rep. Purcell (D., Texas), wangled tenaciously in an effort to blunt both the cost of dumping arguments against the bill. He argued, with Agriculture Department backing, that no more than $100 million of the $1 billion in buying authority would be spent in the fiscal year ending next June 30 to boost farm prices to the maximum purchase points set by the bill—$1.44 a bushel for wheat, $1.22 for corn. This outlay, he contended, might well be far exceeded by purchases under the Government's existing price-support programs if prices are allowed to languish near the support levels of $1.25 a bushel for wheat and $1.05 for corn. As a safeguard against dumping, Mr. Purcell's final draft also provided for a boost in the minimum price at which the Government could dispose of its holdings (at stockpile levels contemplated at least through next year) to 125% of the price-support level from 115% under present law.

This would have meant a minimum disposition price of $1.56 a bushel for wheat and $1.31 for corn. But Republican members of the Agriculture unit, who have urged just such an increase in prior years, raised the ante and insisted on barring Government selling at less than 100% of parity, or $2.61 for wheat and $1.76 for corn.

Wheat-state Democrats in the Senate, who had been poised to run with the Purcell bill if it cleared the House, may push for Senate action anyway in hopes it will spur a revival movement in the House. Sen. McGovern (D., S.D.) plans to introduce a bill providing comparable Government purchasing authority. Instead of placing control over the reserve stocks in the Agriculture Department, however, he would give growers the option of reclaiming—at the sale price—any grain they had sold for storage in the Government reserve. This option could be exercised whenever the department served notice of intent to put reserve stocks on the market. The aim is to dispel fears of Government dumping.

Representative Dole on Reserve Bill

KANSAS CITY, November 1.—Congressman BOB DOLE, Rep. Kans., following the defeat of the grain reserve bill by vote of 8–6 in the House Agricultural Subcommittee this morning told Commodity News Service the chances of any type of alternative measure to bolster grain prices being passed during this session were very slim.

A motion by Rep. Dole to instruct the USDA to take other action to boost grain prices was also defeated 8–6.

The wheat State Representative said the purpose of this bill had been a political effort by the administration to regain some farm votes before the election next November. The mechanics of the bill would have been too costly and the results too negative to permit any chance of the bill being passed by floor vote in the House. "This bill would have represented a cruel hoax on farmers if the subcommittee had approved it," he said.

Rep. Dole added that if the administration really wants to help farmers they should increase grain exports under the food-for-peace programs as they had promised. Also, they should try to enact some type of workable plan to help get the farm prices back to where they should be before the administration drove them down to the low present level.

Rep. Purcell said he was not familiar with legislation contemplated by Sen. George McGovern, Dem., N.D., which will be the center of an effort beginning in the Senate tomorrow to make a start on another, and substantially different, reserves bill this year.

McGovern aides said today that the Senator will introduce a "farmer control" reserves bill tomorrow, in hopes of getting Senate approval of it before adjournment this month or next.

There seems no chance that the McGovern bill would get through both the Senate and House this year and even Senate passage would be difficult because of the short period of time left in the session.

"There is no question that we are operating under a severe time handicap," a McGovern aide said, explaining that the bill had been held back and not pushed at USDA while the fate of the Purcell measure was still uncertain.

"Now that the Purcell bill is down in the House, we are going to make a try on the Senate side," he explained.

WASHINGTON.—Two Southern Democrats joined a solid bloc of Republicans today to defeat a hotly controversial grain reserves bill in a House livestock and grains subcommittee.

The bill, backed by the Johnson administration which said it would boost farm income while protecting consumers against future shortages, was beaten by an 8–6 vote.

Opponents said it could have led to Government "dumping" of grain stocks in later years and each side accused the other of playing politics with the interests of farmers who have seen prices drop this year because of bumper grain crops.

Reps. G. V. Montgomery, D., Miss., and John R. Rarick, D., La., joined all six subcommittee Republicans in voting down the bill. Backing the measure were its sponsors, Subcommittee Chairman Graham Purcell, D., Tex., and five other Democrats.

Following the vote, the committee rejected on a straight 8–6 party line vote a resolution by Rep. Robert Dole, R., Kans., which would have urged the Agriculture Department to attempt to boost grain prices by a series of administrative moves including increases in price support loan rates and acreage diversion payments to farmers.

Each side in the dispute over Purcell's bill charged the other with playing politics over the measure which would have established Government-owned reserves of wheat, feed grains, soybeans and rice.

The bill would have authorized the Government to purchase stocks for the reserve from the open market. Critics had said its main defect was that provisions restricting future resale of the Government stocks were not strong enough to protect farmers against potential price-depressing effects of the later sales.

Purcell told newsmen he was "sorry to say that for the first time in recent years party politics were given higher priority than a genuine effort to do the only available thing to strengthen farm prices and protect the public by establishing a reserve."

Purcell added he was willing to consider any other possible proposals to create a reserve, but saw little chance for action on any other similar measures.

Dole countered in a statement that the administration's bill was beaten because it "was not in fact a reserve bill, but simply a device to further stabilize and manipulate the price farmers receive for their commodities."

[From the U.S. Department of Agriculture]

STATEMENT OF JOHN A. SCHNITTKER, UNDER SECRETARY OF AGRICULTURE

Mr. Chairman and members of the committee. I am glad to testify in support of a measure of great importance to the public and to farmers.

The goal of the Agriculture Act of 1965 was to strengthen the farm economy and to reduce agricultural surpluses. We have made some progress toward those goals, and we are still working toward them. Now HR 12067 and other bills propose measures to provide for adequate reserve carryovers, and would also help assure further progress in the farm economy.

The bill under consideration would authorize the Commodity Credit Corporation to establish and to acquire a national security reserve of agricultural commodities. This would fill an important gap in existing legislation. We have talked for a long time about a commodity reserve, just as we have the weather, but we have done very little about it. The need for such a policy has long been overshadowed by concern with excessive supplies of agricultural products.

Last year we reached the point where further reductions in the inventories of key food and feed commodities presented real risks to the nation. We must have enough to meet our domestic needs, and our cash export and Food for Freedom commitments, and still have a buffer against unforeseeable increases in demand from unforeseen emergencies, or reductions in supply resulting from unusually bad weather.

Production of wheat, feed grains and soybeans was increased this year to provide for current needs and to augment the total carryover of these commodities.

But it is not enough, however, to have an adequate carryover of key commodities. It is also important that a part of that carryover be held as a public reserve against national emergencies such as severe drought or armed conflict. The Commodity Credit Corporation need not carry all the reserve stocks, since stocks held by farmers, merchants, and processors are also available to be used in an emergency. But CCC needs to hold a sizable share of the reserve to assure its ready availability in the national interest as well as to stabilize prices.

Under present law the Commodity Credit Corporation can acquire commodities to add to the reserve only when producers forfeit a commodity which has been offered as collateral for a price-support loan. This is neither an efficient nor a desirable method of acquiring a security reserve. It means that prices for an entire crop must fall to the loan level for all or most of a marketing season before reserve stocks can be augmented.

Also, under present law, CCC is under a mandate to dispose of its stocks as rapidly as possible consistent with the price support program and orderly marketing. This is not compatible with the clear need in today's world to have a reserve of key commodities.

Such a reserve is not a new idea. The basic principle of the ever normal granary idea in 1933 was that when supplies exceed needs, we should set aside a reserve for periods of unusual demand or a short crop. Fifteen years ago, a Congressional report was issued entitled "Reserve Levels for Storable Farm Products." A major reserve bill was sent to the Congress in 1966 but was not acted upon. National farm leaders, including advisory boards, have favored the principle of a commodity reserve. Most recently the President's Food and Fiber Commission recommended the creation of such a reserve.

Pending bills would establish for the first time a definite national reserve of agricultural commodities. They would provide authority to purchase limited quantities of grain and soybeans specifically for the reserve at prices up to specified percentages of support levels, and would prescribe conditions under which reserve stocks could be used. Reserve stocks would be isolated from the market. HR 12067 provides that reserve stocks would not be sold at less than 135 percent of the current price support loan rate, or used except under specified emergency conditions. The bill also requires that CCC stocks be sold at not more than 100 percent of parity prices with an adjustment in the case of wheat for the value of the certificate.

The proposed level of reserve stocks in HR 12067 appears reasonable, although this is largely an uncharted area. The minimum resale price when carryover stocks are fairly adequate is not changed from present CCC policy, which is to offer our stocks of grain for domestic use or export at not less than 115 percent of loan rates plus carrying charges, or the market price if higher, except in very special circumstances when CCC grain may be needed in world markets, or to meet urgent food needs.

The more stringent conditions in the bill governing use of CCC stocks when total carryovers are less adequate will insulate the reserve from the market and will help insure supplies in times of emergency.

The provisions of the pending bills would improve materially on present law in regard to acquisitions by CCC, and would give us clear guidance on the question of CCC disposition. The Department of Agriculture supports the principle embodied in the pending bills. We welcome the opportunity provided by these hearings to record the views of interested groups on the question of reserve stocks. We have some amendments to suggest after the record is complete, and will be pleased to cooperate with the Subcommittee in further action on the bill.

LET US MOVE THE 1967 ECONOMIC OPPORTUNITY ACT TO PASSAGE

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. THOMPSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, as we address ourselves to the antipoverty bill today, we owe it to the Nation to put aside partisan considerations and begin thinking in terms of human values—of the men, women and children whose futures are at stake.

The hour is very late. The antipoverty program is in grave danger in New Jersey and in my home city of Trenton. Yesterday I received word that funds are running out for our Green Thumb program. This means 20 elderly men must be told that their Government no longer cares or will support their part-time employment. It means that 250 youngsters from the Neighborhood Youth Corps inschool program must be told that their Government will no longer support their part-time jobs that help them stay in school. Mr. Speaker, it means that on the 27th of this month our city's on-the-job training program will end. I consider this a disgrace.

There are those who claim that they will improve the economic opportunity program. We hear voices saying economic opportunity will be enhanced if we "spin off" Headstart, if we eliminate the Job Corps, if we move the Neighborhood Youth Corps to another agency, if we do away with community action.

I want to know how a crucial social and economic program can be "improved" if it is cut to shreds. I want to know who these people represent when they talk about a phony "opportunity crusade." They do not represent the poor. They do not speak for the Governors who support the economic opportunity program. They do not speak for the mayors of this country—not even for Republican Mayors who have antipoverty programs operating successfully in their cities.

Listen to what a group of 21 Republican mayors wrote about the antipoverty program just a few weeks ago as they appealed to their own party members to support the economic opportunity bill of 1967:

> It is our considered opinion that the programs are a positive force in lessening social tensions in our cities. All of us are confident they will continue to improve and are so meaningful as to give our less fortunate citizens a new hope in life.

This is what Republican mayors of major cities across the country think of the antipoverty program. They want it to continue and they want it strengthened. A mayor of a city knows the worth of the antipoverty program. And so should we. Let us not tear down what so many have labored so hard to build up. Let us move the 1967 Economic Opportunity Act to passage.

OPEN LETTER TO SERVICEMEN

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. SHIPLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SHIPLEY. Mr. Speaker, an open letter to our servicemen, written by Warren J. Petersen, commander, Morrisonville Leslie Reddick Post No. 721, American Legion, Morrisonville, Ill., which was carried in the Morrisonville Times of October 26, 1967, was today brought to my attention.

I thought this letter very appropriate and to the point. We need many more people like Commander Petersen and I commend him for his attitude and courage. The article follows:

> AN OPEN LETTER TO OUR SERVICEMEN
>
> This letter is to let you know that most of us are with you 100%.
>
> It is a little discomforting to you fellows who are ducking bullets to hear that some of your "Fellow Americans" are trying to foul up things back home. These people make up a small minority.
>
> The rest of us have not forgotten you. You are in our thoughts every day. We are those silent millions of non-demonstrators who are backing you with concern and prayerful pride.
>
> Some of our misguided minority are presenting a rather distorted view of our America. Some are hiding under the banner of rightful dissent to spread violence, vandalism, and sabotage.
>
> Many of us will admit that our country has shortcomings, but we appreciate the opportunity of living in a great country. We are grateful to men like you who carry out your responsibility to our country. You are builders for a united people, not destroyers. You have an unpleasant job to do, and you are doing it.
>
> You know, as we know, that appeasement has not worked and I doubt that it ever will. The price is great for freedom, but as long as men like you are ready to give that last full measure of devotion, our country will endure.
>
> Thank God—you are asking what you can do for your country rather than what your country can do for you.
>
> WARREN J. PETERSEN,
> *Commander, Morrisonville Leslie Reddick Post No. 721, American Legion.*

NEGOTIATION IN VIETNAM

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BINGHAM. Mr. Speaker, I rise to express strong approval for the statements made by Ambassador Arthur Goldberg before the Senate Foreign Relations Committee, as reported this morning in the New York Times. Justice Goldberg, and of course President Johnson and the Secretary of State, are to be commended for making clear what has heretofore only been implied, that the U.S. Government would have no objection to the representatives of the National Liberation Front appearing and participating in discussions at the United Nations or at a reconvened Geneva Conference. Hopefully the same policy would be followed if direct negotiations were to take place between the Government in Saigon and the United States, on the one hand, and the Government in Hanoi and the National Liberation Front on the other.

Taken together with the President's statement at San Antonio about his willingness to stop the bombing in North Vietnam if prompt and productive discussions were to follow, this latest step by the United States deserves some equivalent response from the other side. As one who favors an unconditional and indefinite cessation of our bombing of North Vietnam, I want to make clear that such a cessation would surely be facilitated and hastened if Hanoi and the NLF would make some move or statement in response to, and in recognition of, these recent U.S. moves in the direction of moderation and realism.

FOREIGN EXCESS FOR THE HOME FOLKS

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MONAGAN. Mr. Speaker, the Committee on Government Operations recently issued House Report No. 865, entitled "Control and Use of Excess Property and Related Foreign Assistance Problems Following U.S. Military Exclusion From France, 1966–67." It is the result of a study by the Special Subcommittee on Donable Property, on which I serve as chairman. One of the findings in our report is that much U.S. personal property overseas declared excess to any Federal need is the kind that would be useful to groups in the United States eligible to receive domestic surplus property under the Federal donable property program. These are organizations having educational, public health, or civil defense purposes.

At present, this excess property overseas is for the most part sold competitively, often at extremely low prices. Yet, title IV of the Federal Property Act provides that foreign excess property may be donated if found to be without commercial value or if care and handling costs of the property would exceed estimated proceeds from its sale. The committee, therefore, recommended a study of the practical possibilities and opportunities for making at least some of our foreign excess property available to U.S. donees. The Departments of Defense and Health, Education, and Welfare, as well as the General Services Administration, would make the study jointly in consultation with appropriate non-Federal organizations like the National Association of State Agencies for Surplus Property. The committee requested the results of this study be reported to it before March 31, 1968.

Mr. Speaker, I recently received some interesting data on prices of donable-type property sold by the United States in France. The information comes via the General Accounting Office and shows selective disposals made between April 1966 and August 1967 by the Foreign Excess Sales Office, now part of our Military Liquidation Section in Paris. The original acquisition cost of the property sold was $3.2 million and the total sales proceeds were $139,000. This is a percentage realization of 4.4. However, these figures include two lots of laundry and drycleaning equipment costing $504,000, which yielded $44,600, or a percentage realization of 8.2. So, if we exclude that equipment, the average percentage realization for the remaining sales drops to 3.6.

Many items on the list furnished by

the GAO indicate a virtually insignificant rate of return. For example, a lot containing medical and dental equipment in used but fair condition costing $15,000 brought $110. A lot comprising miscellaneous laboratory, medical, and dental equipment in good, unused condition costing $20,000 yielded $149. Five 115-volt generators in good, unused condition costing $21,000 brought $102. A lot described as miscellaneous electric generators in good, unused condition costing $20,500 gleaned $57.

Other lots brought somewhat more. Surgical, dental, and hospital equipment in used, fair condition costing $15,000 yielded $510. Hand and shop tools in good, unused condition which cost $20,000 brought $616. Miscellaneous tools and equipment in good, unused condition costing $64,000 accounted for $2,200. This by no means exhausts the lists, which consists of 46 line items.

I believe, Mr. Speaker, that the data from GAO accentuate the seriousness of the question raised in our committee's report that public sale is being used to dispose of types of foreign excess property which would actually be eligible for donation because of the low expected return. I believe they add urgency to the committee's recommendation for the interagency study, which could lead to feasible procedures and mechanisms for making significant amounts of foreign excess property available to entities in the United States, which are now furthering the national interest by putting domestic surplus property to use under the Federal donable property program.

The data furnished by the GAO are as follows:

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., October 31, 1967.

Hon. JOHN S. MONAGAN,
Chairman, Special Subcommittee on Donable Property, Committee on Government Operations, House of Representatives.

DEAR MR. CHAIRMAN: During a recent visit by you and members of your Subcommittee to Europe, Mr. Miles Q. Romney orally requested that our office accumulate certain data concerning excess property of the Department of Defense. In particular, he expressed interest in donable-type property being disposed of and the percentage of return being obtained.

In July and August 1967, we visited the Foreign Excess Sales Office, Paris, France, which is responsible for the sale of all Department of Defense excess property disposed of in France, and reviewed all Sales Office catalogs for donable-type property sold during the period April 1, 1966, through August 10, 1967. During this period, certain items having acquisition costs totaling $3,164,189 were sold for $139,344, or about 4.4 percent of the total acquisition cost. All such property was sold under competitive-bid procedures. Enclosed for your information is a schedule showing the bid number, condition of the property, description of the property sold, total acquisition cost, total sales proceeds, and the percent of acquisition cost realized.

In general, our examination showed that excess property was reviewed in the European theater against firm retention criteria and then screened by the various military inventory control points in the United States against known requirements, including those of the military assistance programs. Items not required by the inventory control points were screened by the Defense Logistics Services Center, Battle Creek, Michigan, for requirements of the Department of Defense. It is our understanding that, prior to the disposal of the items by the Foreign Excess Sales Office, the Agency for International Development had the opportunity to screen the items for its requirements. We have been advised by the Defense Logistics Services Center that information regarding excess property located overseas is not made available to State or local governments or to organizations eligible to receive property under the donable property program.

We have not obtained the comments of the various military departments on the matters discussed in this letter. We plan to make no further distribution of this letter unless copies are specifically requested, and then we will make such distribution only after your approval has been obtained or public announcement has been made by you concerning the contents of the letter.

Please advise us if we can be of further assistance.

Sincerely yours,

FRANK H. WEITZEL,
Assistant Comptroller General of the United States.

SELECTIVE DISPOSALS BY FOREIGN EXCESS SALES OFFICE, PARIS, FRANCE APR. 1, 1966, THROUGH AUG. 10, 1967

Bid No.	Condition	Description of property sold	Total acquisition cost	Total sales proceeds	Percentage realization
		PROPERTY LOTS COSTING $15,000 OR MORE			
68-3	Good, unused	Miscellaneous engineer hardware	$308,950	$16,744	
67-33	do	Miscellaneous repair parts for general-purpose vehicles	112,248	3,076	
67-13	do	Miscellaneous electrical and signal equipment	108,421	3,000	
67-85	do	Signal parts	102,039	3,400	
67-6	do	Miscellaneous parts for engineer equipment	88,561	3,349	
67-106	Good, used	Signal parts	82,091	604	
67-132	Good, unused	25,680 metal pins	64,200	801	
67-13	do	Miscellaneous tools and equipment	63,533	2,167	
67-62	do	Miscellaneous repair parts for general-purpose vehicles	61,708	1,619	
67-22	do	Signal parts	58,782	1,250	
67-46	do	Miscellaneous hardware and tools	58,678	218	
67-74	do	Miscellaneous engineer parts	56,401	3,490	
67-106	do	Miscellaneous parts for signal equipment	53,199	391	
67-68	do	Miscellaneous parts for general-purpose vehicles	49,717	1,759	
67-37	do	Standard hardware	45,980	982	
66-105	do	Miscellaneous hardward	41,482	544	
67-106	Good, used	Miscellaneous parts for general-purpose vehicles	38,280	282	
67-22	Good, unused	Miscellaneous standard hardware	37,964	540	
67-43	do	Miscellaneous parts for signal equipment	33,709	449	
67-106	Poor, used	Medical and dental equipment	31,109	229	
67-62	Good, unused	Miscellaneous hardware and tools	29,805	420	
67-43	do	Signal parts	29,637	23	
67-72	do	Miscellaneous hardware and parts	25,533	1,020	
67-13	do	Miscellaneous automotive spare parts	25,493	612	
67-106	do	49,702 protective flaps	25,348	187	
67-13	do	Miscellaneous automotive spare parts	24,906	624	
67-68	do	Miscellaneous parts for general-purpose vehicles	23,666	475	
67-26	do	Bearings, rollers, and cones and pipes, tubes, and hoses	23,443	1,000	
67-22	do	Signal parts	21,690	1,000	
67-62	do	5 generators, 115 volt	21,155	102	
67-5	do	Rubber seals, various sizes	21,016	151	
67-5	do	Miscellaneous electric generators	20,515	57	
67-13	do	Miscellaneous hand and shop tools	20,310	616	
67-106	do	Miscellaneous laboratory, medical, and dental equipment	20,220	149	
67-66	Fair, used	Dental and medical equipment	18,447	215	
67-22	Good, unused	Miscellaneous ordnance repair parts	18,191	1,000	
67-7	do	Miscellaneous plumbing fixtures and parts	16,455	316	
66-105	Good, used	Electric wire and power-distribution equipment	15,860	424	
67-78	do	Miscellaneous repair parts for general-purpose vehicles	15,489	497	
67-75	Fair, used	Medical and dental equipment	15,434	110	
67-5	do	Miscellaneous surgical, dental, and hospital equipment	15,116	510	
67-35	do	Cloud height set	15,100	212	
67-72	Good, unused	Miscellaneous electrical equipment	15,058	137	
		PROPERTY LOTS COSTING LESS THAN $15,000 INVOLVING 146 LOTS			
Various	Poor to good	Various	$647,011	$39,984	
		Subtotal	2,621,950	94,735	
		Percent of sales proceeds to acquisition cost			3.6
		LAUNDRY AND DRYCLEANING EQUIPMENT			
67-77	Fair to good	Various types	$376,577	$20,935	
68-7	do	do	165,662	23,674	
		Total laundry and drycleaning equipment	542,239	44,609	
		Percent of sales proceeds to acquisition cost for laundry and drycleaning equipment			8.2
		Total	3,164,189	139,344	
		Percent of sales proceeds to acquisition costs for all lots and laundry and drycleaning equipment			4.4

PRESIDENT NGUYEN VAN THIEU OF THE REPUBLIC OF VIETNAM MAKES SIMPLE BUT ELOQUENT POINTS THAT BEAR REPEATING

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. ALBERT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ALBERT. Mr. Speaker, in his inaugural address October 31, President Nguyen Van Thieu of the Republic of Vietnam made some simple but eloquent points that bear repeating. As our involvement in Vietnam continues and we discuss the merits and fine points of this or that particular course of action we may lose sight of some of the primary issues. For example, all that the people of South Vietnam seek in this struggle is peace with freedom and the right to be left alone free from outside aggression. President Thieu said:

> Many times we have made it clear that we want nothing more than the withdrawal of the North Vietnam aggressor troops and an end to their subversion and terrorism in South Vietnam. Peace will then be restored immediately.

Mr. Thieu pledged himself ready to sit down at the conference table in order that the governments of the south and north can directly seek together ways and means to end the war; but he also noted that thus far the enemy has always insisted on surrender before any negotiations can start.

Mr. Speaker, the Communists preach to the world that the new Government of Vietnam is a corrupt, cowardly, militarist dictatorship. I suggest we take a moment to listen to the Chief Executive of that Government pledge an increasing quest for peace with honor and to his call on all his countrymen for even more sacrifices to that noble end.

The speech follows:

ADDRESS TO THE NATION BY THE PRESIDENT OF THE REPUBLIC OF VIETNAM AT THE PRESIDENTIAL INAUGURATION CEREMONY, OCTOBER 31, 1967

My fellow countrymen, three months ago, in order to continue to serve the ideals of freedom and democracy, and restore peace and prosperity to all of you, we stood for election, with a program consisting of three main objectives: to set up democratic institutions, to find a solution to the war and to improve social conditions.

On September 3rd, you placed your confidence in us through a free, democratic, fair, and honest election and gave us the great and heavy responsibilities of leading the country at this extremely critical time.

Today in taking office, amidst this sacred atmosphere, in communion with our ancestors, and our heroes, before the entire nation I solemnly pledge to: Safeguard the fatherland, respect the constitution, serve the interests of the nation and the people, and do my utmost to fulfill the responsibilities of President of the Republic of Vietnam. These pledges I consider as tenets to strictly guide all of my thoughts and actions, and those of the entire executive machine which you have entrusted to me.

Today, we are entering the 5th year since the 1963 revolution. During this time, the country has experienced many difficulties and changes, which have consumed a great deal of energy; nevertheless, these four long years full of challenges in fighting and building have been useful to us in choosing a path to progress on which we definitely must move forward, and begin a new phase filled with greatness and promise. By greatness and promise, I mean the glories and the difficulties which await us. I think that today is not only the first day of an ordinary executive term, moreover this does not mark a victory by an individual or a group of individuals in order to consolidate their political ambitions. To achieve this day, our armed forces and people have made many sacrifices; and our allies have contributed a great deal of efforts.

Thus, today must be a day commemorating the ideology of freedom; today marks the fruits of the efforts towards democracy, it also symbolizes the solid alliance among allied countries working for common security and progress for the entire world.

My fellow countrymen, amidst these great and hallowed ideas I have just mentioned, on the basis of the mandate which you have given to me, may I voice the firm resolve of our entire nation to realize a national policy which includes the three following guidelines: Democracy building. Peace restoration. Social improvement.

With such a policy, we are determined to defeat these three enemies: Totalitarianism, war, injustice, and backwardness; in order to make our country democratic, peaceful, and progressive.

In the present heroic struggle for self-defense, our Republic of Viet-Nam has always shown itself to be a freedom and peace loving nation. Our policy is to be ready to have friendly relations on the basis of equality with every country which respects Vietnam's sovereignty and territorial integrity.

We are grateful to all nations which give us material and moral support in our difficult struggle for self-defense and in our efforts to rebuild the country.

Our policy toward our neighboring countries is to have a good relationship, to respect their sovereignty and territorial integrity and to solve every problem through understanding, and reciprocal assistance and mutual respect.

We are ready to cooperate with all friendly nations so that the peace and security of every nation can be guaranteed. On the other hand we are ready to contribute, according to our capabilities to the well-being and prosperity to the world.

After more than 20 years of sufferings, mournings, and destruction caused by war, our people, more than anyone else, long for an early restoration of peace.

To realize this legitimate aspiration, our Government has always sincerely welcomed and favorably responded to all peace proposals regardless of their sources. Moreover, we ourselves have put forth many proposals aimed at solving the Vietnamese problem in a peaceful manner.

Today, entrusted by the entire people with the important responsibility of leading the Nation, once again, I confirm that I will make a direct proposal to the North Vietnamese Government to sit down at the conference table in order that the government of the south and the north can directly seek together ways and means to end the war. I will widely open the door of peace and leave it wide open to the North Vietnamese authorities in order to seek a peaceful solution to end the war which has caused sufferings to the entire Vietnamese people. This will be only achieved when the North Vietnamese Government realizes that their aggressive war no longer pays off.

Many times, we have made it clear that we want nothing more than the withdrawal of the North Vietnamese aggressive troops and an end to their subversion and terrorism in South Vietnam. Then peace will be restored immediately.

Concerning the "National Liberation Front," its recognition should not be a preliminary condition to peace talks, as in the 1954 regroupment following the Geneva Conference, elements of the "front" now can make a choice: those who believe in Marxism can freely return to the north, and those who share our ideals of freedom and democracy can remain in the south and cooperate with us.

Up to now, we have welcomed more than seventy thousand returnees who have recognized that the present war is not a struggle for independence as alleged by the Communists and who have decided to return to the national community so as to serve the people and rebuild the homeland. They have been treated as equals, and have been given positions suitable to their abilities. They enjoy the same rights as any other citizens in the framework of the "national reconciliation policy" which we are carrying out, and which will certainly succeed.

However, as you know, thus far peace has been only a frail and remote hope, because the North Vietnamese regime has obstinately refused every peace settlement. In their aggressive ambition, they conceive that peace can only be realized by our surrender. For this reason I want to make clear to the North Vietnamese government and its tools in the south, that we are firmly determined to safeguard freedom and democracy. I want them to understand that they cannot use military strength to destroy these ideals, and that they will not win this war. I sincerely hope that I might meet them at a conference table in order to seek a common solution to end this war, to terminate the sufferings and mournings of the peoples of both North and South Vietnam, which are due to the ambitions of these few North Vietnamese Communist leaders who obey a foreign ideology by implementing ruthless dictatorial measures.

We are not alone in our just struggle for self-defense, nearly 40 friendly countries are actively helping us. At the same time as the American Government and people provide us their powerful assistance, the governments and peoples of the Republic of Korea, Australia, New Zealand, Thailand and the Philippines also contribute their resources. The sacrifices of their servicemen who are fighting side by side with the Vietnamese servicemen on the battlefields bring many important military successes, improve more and more the situation, and dissipate the Communists' aggressive ambitions.

Our Government and people will always remain grateful to the friendly countries which have helped us to resist aggression, to safeguard our freedom and to reconstruct our country.

As for our Armed Forces, cadres, and civil servants, of every branch and level, they are also fighting the enemy on the battlefield or in other areas of endeavor valiantly and efficiently.

During the past 2 years, our Armed Forces killed over 149,000 enemy by body count, captured more than 23,000 prisoners, and seized over 54,000 weapons of various types. In 2 years, 5,000 Viet-Cong rallied to our Government.

You have certainly heard of the glorious victories of the combined operations in the First Corps area, at Plei-Me in the Second Corps area, at Phuoc-Qua in the Third Corps area, and operation "Cuu-Long Dan Chi" in the Fourth Corps area. At the same time as these efforts to destroy the enemy, noteworthy efforts were made in revolutionary development and rural reconstruction. During the past 2 years 1,978 hamlets were built and consolidated gathering 3,498,000 people, 4,777 classrooms, 46 maternities, 1,200 km of roads, 169 bridges, 127 water-wells, 401 kms of canals, and 101 dikes were built in rural areas. Electric systems were installed in 20 localities and 42,000 peasants were trained in farming and animal husbandry to increase production.

You have seen that our military administrative and civic cadres have made great efforts and sacrifices. Those undeniable sacrifices and efforts have made and are making history and have given us this day the promise of a better future.

Dear fellow countrymen, the assistance of friendly countries is necessary and valuable, but we should not forget that the present struggle is above all our own struggle. Therefore, we must mobilize our entire people for the common struggle of the nation to safeguard freedom and the national sovereignty. In the present phase of the war, both the Army and people must be conscious of the necessity of contributing their blood and sweat in the common struggle. All of us must further increase our efforts in order to take initiative in the task of deciding the nation's future. We cannot entirely depend on outside assistance.

The increase of our entire people's efforts in this struggle will undoubtedly shorten the way to peace, a genuine, lasting peace, that can ensure the territorial integrity and sovereignty of Viet-Nam in independence, freedom and democracy. You would certainly agree with me that if the enemy is still strong it is because we are not yet stronger than him, and peace cannot yet be attained for the same reason. A peace that the weaker party is forced to accept is a surrender.

I am determined not to accept a surrender. Therefore to find a solution to the war, the first condition is to be strong in every respect. The goals of our war of self-defense and that of the Communists' aggression cannot be reconciled unless we prove to the aggressors that they cannot realize their ambition.

Our all-out defense efforts do not mean that we like war and intend to destroy the population on the other side of the demarcation line. On the contrary, these efforts are made not only to restore peace in Viet-Nam but also to check the danger of Communist aggression, maintain stability in southeast Asia and build a durable peace for Asia and the world.

If I require from you greater efforts for defense, it is not because I advocate a military solution as the only way to defeat the Communists, and overlook political, economic, cultural and social weapons. However, military strength is the preliminary condition for us to safeguard and strengthen all efforts in the above mentioned fields that we are realizing and will achieve successfully.

Only by understanding the situation in this way shall we be able to have an idea of what we have to do in the future and the part that everyone has to contribute towards victory. As you know, what I want to do is to settle the war which is the cause of sufferings and which has been ravaging our beloved country. At the same time, I shall try to improve the democratic regime through the participation of the entire population in national affairs. I will also try to carry out social reforms aiming at liberating the human being and bringing the nation on the road to progress.

As I have said to you on an earlier occasion we will have to push forward to the utmost every effort in the field of military and political activities. Thus the entire population will have to accept more sacrifices and make additional efforts. Since this is a struggle for the existence of the nation, we cannot entirely rely on the assistance from our friendly nations. First we must do our best in the spirit of national union.

First, the armed forces must constantly be improved and reinforced.

This improvement must be realized in the morale of the troops and in their material lives, in the troops behavior, organization leadership and technical skills, in order to increase potential for defense, pacification, and revolutionary development activities.

This task has been intensively pushed forward since early this year and has scored much encouraging progress.

In regard to the reinforcement of the armed forces, the recent partial mobilization is only one of the measures intended to increase the armed forces strength, hold the initiative on the battlefield, insure security, intensify revolutionary development activities and destroy enemy substructures more efficiently.

However, a strong and valiant army on the battlefield and in rural areas needs the people's moral support and a strong people's organization in the rear and in the cities. I mean that, in the rear, we must not only understand but also share the great sacrifices of the combatants and the conditions of rural people so that they will not be aggrieved and feel that wartime hardships only prevail on the front and in rural areas.

I appeal to all those who are living in well-being and prosperity not to forget our war-torn country, to restrict their luxurious lives and contribute to the relief of suffering peoples.

A strong rear force must be organized to protect cities, relieve the heavy duties of the combatants and, at the same time, to adequately cope with the wartime situation.

In brief, to meet the war situation's requirements, to associate the rear and front lines in the efforts of a people engaged in a total war, to avoid the repetition of shocking contrast between the rural and urban areas, we cannot require of the rural areas more hardships, greater sacrifices. The rural people are sharing the heaviest war burden with regard to resources and manpower.

This is the reason why people in the capital and other cities should make greater effort and sacrifices.

The firmer the situation in the rural area and the frontline—the more stable the situation will be in the cities and the rear.

Thus, although under different circumstances, the efforts and sacrifices of all the people throughout the nation will be made on an even and national basis.

In return for the efforts and the sacrifices which I ask from you, my fellow countrymen, I am determined to achieve what the government has the duty to do for the people, so that we can go forward from initial confidence and enthusiasm to a close cooperation between the people and the government, a voluntary acceptance of efforts and sacrifices, and complete participation in the national struggle.

I believe that this is the indispensable condition to defeat the enemy, and we must honestly recognize that this has not been done sufficiently.

It is my determination to build democracy and reform society and I have had expressed to you my views on this question on a previous occasion.

In the task of building democracy, although we have made great progress and established democratic institutions from the highest national level to the villages and hamlets, we have to make even greater efforts to complete the formation of the constitutional institutions in the shortest time possible.

As for reforming society, the establishment of a new order based on social justice, in order to raise the standard of living as well as the educational level of the population, is the preliminary condition to the realization of a progressive society and to bring the country out of its present underdeveloped condition.

The national policy of rural development which is being carried out with vigor, and a plan for industrial development, are the backbone of this vast undertaking.

The two tasks require a short term and a long term plan, whose details will be presented to you when I introduce to you the new Cabinet.

However, right now, I think that a number of urgent measures to start the execution of national policy need to be taken immediately.

I am referring to a number of tasks whose necessity all of us have recognized, and which a large number of our citizens of good will have mentioned, but which have not yet been accomplished:

(1) On the diplomatic front, we shall intensify our efforts to make clear to the world our positions, and obtain the support of international public opinion for our cause.

(2) In the social field, we must protect more efficiently the morals of our people. All forms of depravation must be ended. Security and public utilities for the city dwellers, and especially for the population of the capital must be guaranteed and improved.

(3) In the economic field, we shall strive to protect the standard of living of the population, control inflation and regulate supplies. These tasks will not be easy because of Communist subversion and sabotage, and maneuvers of profiteers, but the Government, with the cooperation of the population, will make all efforts to obtain tangible results.

(4) Nationwide, order and discipline should be strengthened. The law should be strictly obeyed. At schools, discipline should be enforced.

Every citizen must understand the necessity of law and order and must do his best to cooperate with the Government to that end.

(5) Alongside a preparatory military training program, the Government will create favorable conditions for the students and civil servants to participate efficiently in social works and devote all their capabilities to the service of the country.

(6) An austerity program will be promoted to reduce the glaring differences between the dangers and privations on the front line as well as in the countryside and the blatant luxury in the cities.

(7) Finally, as I have mentioned to you on an earlier occasion, in our broad aims to reform society, the major preoccupation of the Government having high priority in the first months is the eradication of corruption in the governmental machinery, and in the Armed Forces. This has to be carried out with justice, impartiality, and in broad daylight.

We have also to improve the workings of the governmental machinery, its organization, its procedures and its spirit of service to the people.

The urgent measures which I have just mentioned to you must have your cooperation. Although they are only the first steps and relatively minor tasks in comparison with our overall program, they are the beginning of a journey into a promising future.

Fellow countrymen, from the moment I take the oath of office, I belong to you.

My preoccupations are your preoccupations. My determination to carry out my tasks should have also your determined support.

In leading the nation, I shall ask for advice from the men of talent, and the revolutionaries who have struggled for the country. I shall learn the good things from abroad, without forgetting the essence of national wisdom.

At the helm of the executive, I shall accept the control of the people through the intermediary of the legislature. I shall welcome all contributions of ideas wherever they may come from. I shall be also ready to accept all responsible and constructive criticisms.

I shall not use demagoguery to lead the people into error, and I shall be close to the people to know the people's real aspirations.

I shall rely on your eyes to see more clearly, and on your concerns to gain better knowledge.

In brief, I need the help of all of the people, and I consider national affairs to be the affairs of common concern to all the population. Successes will be also those of the whole nation.

Fellow countrymen, at the dawn of a new era today, a new page of history has just been opened. I earnestly hope and I have confidence that the forthcoming pages of history will inscribe the glorious achievements of our country.

History never belongs to one man, or to a group of men; it belongs to the whole nation. Accordingly, the historical achievements cannot be accomplished by one man or a group of men, but by all the nation.

Therefore, I invite you all to stand up, to contribute your share to the national struggle and reconstruction, in a spirit of full cooperation between the government and the people.

Our future is decided by ourselves. Each of us has to show himself worthy of being a citizen of heroic and immortal Viet-Nam. Differences always exist among men in society, but if we know how to harmonize ourselves, all the differences could be satisfactorily resolved.

If we know how to unite, to accept responsibilities and sacrifices, we will succeed in all our undertakings.

I fervently ask all the citizens to harmonize and unite. Let all of us pray for peace and prosperity to come soon to our beloved Viet-Nam.

KENNETH A. ROBERTS

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. VAN DEERLIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, with the passage of the Air Quality Act, it is timely, I think, to recall the great contributions of our former colleague, Ken Roberts, in the fight against smog.

As chairman of the Public Health subcommittee of the Committee on Interstate and Foreign Commerce, Ken helped write the first clean air legislation. We can literally breathe easier today because of his pioneering work.

In his 14 years of service in this body, Ken laid the groundwork for meaningful Federal action in the field of air pollution control. The culmination of the work he began was the unanimous approval given by the House yesterday to a $428 million authorization for air pollution programs.

PROJECT HEADSTART

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. BLATNIK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BLATNIK. Mr. Speaker, the Headstart program is one of the most successful programs of the Office of Economic Opportunity. In fact, Headstart, in my opinion, is one of the most remarkably successful programs ever undertaken by a Federal agency.

Federal, State, and local governments have made a number of investments in education. Land-grant colleges, the GI bill, the National Defense Education Act—these and other investments are examples in the faith we have that one of the wisest decisions a country can make is to stimulate and encourage the quest for knowledge.

Who would have forecast, Mr. Speaker, that the war on poverty would produce for us not only a number of programs whose immediate impact has been to reduce poverty and increase self-sufficiency among the poor, but that it would give life to an educational program which has in many ways revolutionized education?

For some time now we have been told by experts that attitudes and values undergo the most pronounced shaping process in the preschool and early school years. Thus creative officials of the Office of Economic Opportunity reasoned that it would be tremendously important to reach preschool youngsters from low-income families. Their objective was to instill in these children an appreciation for achievement and opportunities for accomplishment that would otherwise have been denied them. They fashioned Headstart to be more than an educational program. The other, collateral disadvantages of poor children were likewise attacked. Medical and dental care, a variety of different cultural experiences, the encouragement of self-expression, education to proper nutrition—these became part of the curriculum of Headstart classes.

Mr. Speaker, the giant strides made by Headstart have been recognized by educators and pediatricians the country over. Preschool education has been given a new and exciting dimension.

Another feature of Headstart is that it is not limited in its impact to the preschoolers it serves directly. The OEO has found that parental interest in child welfare is greatly stimulated by the Headstart program, and the OEO has developed a number of ways to involve the parents as participants in the overall program. Thus, not only do parents gain an insight into schooling but an appreciation of it as well. And, frequently, parental exposure to this facet of the war on poverty encourages them to become informed and involved with other aspects of the antipoverty effort. For example, an older child may learn of opportunities for Job Corps training or upward bound. A sick and destitute relative may learn about health services, or a beleaguered friend about legal services. Here, as in so many areas, children serve to bring their parents into contact with new events and information.

I am happy to say that my State of Minnesota has been an active participant in this marvelous program. In fact, since the inception of the program more than 16,000 Minnesota children from low-income families have participated in summer Headstart programs alone. During the summer of 1967 there were more than 500 separate Headstart centers operating in Minnesota. The benefits to my State, both short and long term, will be very great indeed.

Mr. Speaker, I extend every good wish to the OEO for continued success of this program. I, for one, pledge to do all in my power to prevent this unique and proven program from the fate planned for it by opponents of the war on poverty. Headstart should not be cut back or turned over to the Department of Health, Education, and Welfare. It belongs, fully funded, with the agency which gave it life—the OEO—where it remains a vital part of the overall effort to help the poor toward self-sufficiency.

PRESIDENTS' ACTION PROGRAM

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. DE LA GARZA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DE LA GARZA. Mr. Speaker, agreement on goals of far-reaching importance to the people of the 15th Congressional District of Texas was reached between President Lyndon Johnson and President Diaz Ordaz of Mexico when the two heads of state met recently in Washington.

I have been informed by the White House about details regarding the Presidents' action program as agreed upon by the Chief Executives of the United States and Mexico. It is a program of vital concern to south Texas.

President Johnson and President Diaz Ordaz instructed the International Boundary and Water Commission to complete as soon as practicable its studies of the recent record flood on the lower Rio Grande. The Commission was told to recommend to the two Governments such modifications of the international flood control project in the area as may be necessary to control and contain floodwaters of this unexpected magnitude.

The Presidents also reviewed the work of the United States-Mexico Commission for Border Development and Friendship, created in April 1966 to study cooperatively the improvement in the standard of living of communities along the border. Plans are being made for beautification projects and increased tourism, joint city planning between adjoining cities, increased job opportunities on both sides of the border, cultural centers open to nationals of both countries, health and vocational educational facilities, and other programs designed to permit the neighboring communities to work together to accelerate their progress. The Presidents instructed the Commission that it should give priority attention to a program of social and economic rehabilitation of the lower Rio Grande Valley.

The two Presidents expressed common interest in considering the establishment of parallel parks on the international border. The first location to be considered is the reservoir to be formed by the international Amistad Dam.

United States-Mexico cooperation in the development of water resources was reviewed at the meeting. Attention was given to the continuing efforts to control salinity in the two great international rivers shared by the country. The Presidents reaffirmed the agreement reached by them in April 1966 concerning the need for prior consultation before either Government undertakes any projects that might adversely affect the other. They also reiterated their intention of continuing to keep pace with modern science and techniques in the collaboration between the two countries for the development of their respective water resources.

The Presidents agreed in principle that the present barrier in northern Mexico to control and eventually eliminate the screw-worm fly should be extended to the narrow Isthmus of Tehauntepec. An agreement to this effect would materially benefit large areas of Mexico not now protected against this pest and would reduce the danger of its reappearance in the United States.

Agreement was reached that a new cultural interchange program should be created. Next year Mexico will host the 19th Olympiad, and a world exposition, HemisFair, will be held in San Antonio, Tex. Presidents Johnson and Diaz Ordaz view these events as important incentives to continued high levels of tourism, furthering personal and friendly relations between the peoples of their two countries.

They agreed that the International Coffee Agreement should be extended to provide conditions of stability in the coffee trade at price levels both remunerative to producers and fair to consumers. The extension should be accompanied by such amendments as may be necessary to improve enforcement procedures, to bring production into line with consumer requirements, and to insure equitable trading conditions.

The Presidents agreed to explore possible methods of controlling the unauthorized movement of articles of archeological significance and historical value between the United States and Mexico.

They also noted with satisfaction the continued cooperative efforts between enforcement agencies of both countries in the field of controlling international traffic in narcotics and other dangerous drugs. They pledged that this cooperation will be continued.

A prior decision to encourage expansion of legitimate border trade was reaffirmed. The Presidents gave instructions that studies in this area should be concluded as soon as possible so that further trade-boosting action may be initiated.

This action program agreed upon by the Chief Executives of the neighboring Republics will be viewed with deep satisfaction by south Texans. The relationship between the United States and Mexico has never been at a higher peak—a cause for deep gratification to us who live along the border that joins rather than separates the two countries.

THE BALFOUR DECLARATION

Mr. PURCELL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CELLER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CELLER. Mr. Speaker, November 2, 1967, marked the 50th anniversary of the Balfour Declaration, a document which, in spirit at least, proved to be the great enabling act for the creation of the State of Israel. At this particular season when Soviet communism celebrates the 50th anniversary of its inglorious birth, at this time when the commissars of Moscow continue in their ruthless persecution of Russian Jewry and in their lethal designs against Israel's very nationhood, it is especially appropriate that we in the United States, as citizens of the free world, rededicate ourselves to the liberal and humane principles, if not to the prophetic vision underlying the Balfour Declaration.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. ROSTENKOWSKI, for 1 day, on account of death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ROONEY of New York, for 5 minutes, and to revise and extend his remarks.

Mr. FOLEY, for 10 minutes, today; and to revise and extend his remarks.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. ROYBAL.

(The following Members (at the request of Mr. PURCELL) and to include extraneous matter:)

Mr. LONG of Maryland.

Mr. MURPHY of New York.

Mr. MONTGOMERY.

ADJOURNMENT

Mr. PURCELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 35 minutes p.m.), under its previous order, the House adjourned until Monday, November 6, 1967, at 12 o'clock noon.

REPORTS OF COMMITTEE ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. KELLY: Committee on Foreign Affairs. H.R. 9063. A bill to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals, and for other purposes; with amendment (Rept. No. 888). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DOWDY: Committee on the Judiciary. H.R. 8476. A bill to confer U.S. citizenship posthumously upon Pfc. Alfred Sevenski. (Rept. No. 887). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

Mr. DEVINE:

H.R. 13869. A bill to require an applicant for a permit to hold a demonstration, parade, march or vigil on Federal property or in the District of Columbia to post a bond to cover certain costs of such demonstration, parade, march or vigil; to the Committee on Public Works.

Mr. FEIGHAN:

H.R. 13870. A bill to promote and foster the development of a modern merchant marine by encouraging the orderly replacement and modernization of merchant vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. FOLEY:

H.R. 13871. A bill to amend title 10, United States Code, with respect to crediting certain service of females sworn in as members of telephone operating units, Signal Corps; to the Committee on Armed Services.

H.R. 13872. A bill to amend the Immigration and Nationality Act, as amended, to permit the free entry of citizens of the Trust Territory of the Pacific Islands into the United States; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.R. 13873. A bill to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes; to the Committee on Agriculture.

By Mr. GALLAGHER:

H.R. 13874. A bill to guarantee productive employment opportunities for those who are unemployed or underemployed; to the Committee on Education and Labor.

H.R. 13875. A bill to amend the Internal Revenue Code of 1954 to provide that certain awards in recognition of outstanding achievement in the field of sports shall be excluded from gross income; to the Committee on Ways and Means.

By Mr. McDADE:

H.R. 13876. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. STUCKEY:

H.R. 13877. A bill to amend the Internal Revenue Code of 1954 to authorize a tax credit for certain educational expenses; to the Committee on Ways and Means.

By Mr. WHALLEY:

H.R. 13878. A bill to amend title 18 of the United States Code to make it unlawful to assault or kill any member of the armed services engaged in the performance of his official duties while on duty under orders of the President under chapter 15 of title 10 of the United States Code or paragraphs (2) and (3) of section 3500 of title 10 of the United States Code; to the Committee on the Judiciary.

By Mr. NICHOLS:

H.J. Res. 919. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. TENZER (for himself, Mr. BRASCO, Mr. DIGGS, Mr. DINGELL, Mr. DOW, Mr. GIBBONS, Mr. KARTH, and Mr. OTTINGER):

H. Con. Res. 571. Concurrent resolution providing that it is the sense of the Congress that the President should submit a resolution to the United Nations for final and binding improvement of peace in Southeast Asia in accordance with the appropriate article of the United Nations Charter; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DADDARIO:

H.R. 13879. A bill for the relief of Rocco and Lucia Pocetti; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Speech by the Honorable John J. Rooney of New York

EXTENSION OF REMARKS
OF
HON. JOHN M. MURPHY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, November 3, 1967

Mr. MURPHY of New York. Mr. Speaker, under leave to extend my remarks in the RECORD, I am including the text of a recent address by the Honorable JOHN J. ROONEY, of New York, before the Smolenski and White Eagle Democratic Clubs. As chairman of the Subcommittee on Appropriations for the Department of State, Department of Justice, and Department of Commerce, JOHN ROONEY has proved to be a trustworthy guardian of the public trust; he is one of the most respected Representatives in Congress, and his example is an inspiration to all of the Members. It is a pleasure to put the text of his speech in the RECORD for the benefit of all of the Members:

> It is a real pleasure for me to join with you tonight and with members and friends of the Smolenski and White Eagle Democratic clubs to share in paying tribute to those great American heroes of Polish birth who did so much for our country.
>
> I have taken genuine satisfaction over the many years in calling the attention of my colleagues in Congress as well as the American public to the immortal General Casimir Pulaski and the magnificent service he rendered to our forebears—a service ending with his making the supreme sacrifice of giving his life to the cause of our freedom.
>
> I have long considered it not only a real pleasure but a duty to call the attention of my fellow Americans to the splendid contribution of another heroic Pole, General Tadeusz Kosciuszko, who although not dying for us, lived every moment of his fateful sojourn in this country in completely dedicated service to us and to our founding fathers.
>
> Like Pulaski, Kosciuszko was a brilliant and well-trained officer.
>
> Also like Pulaski, he was dedicated to the principle that fullest freedom is the God given heritage of every man.
>
> Kosciuszko became so intrigued with the American fight for independence, he sailed to Philadelphia to volunteer for military service. Americans can never forget the way he plunged into our war effort. We can never forget his brilliant plans for fortification of the Delaware River and his personal supervision of the stupendous task of making West Point an impregnable fortress. Nor can we forget the courage and valor which he demonstrated on the front lines of the battle of Charleston, South Carolina.
>
> Youthful Tadeusz Kosciuszko was rapidly promoted from colonel of engineers to brigadier general. With this country making fullest use of his engineering and leadership talents, he planned to dedicate his life to this, his adopted country. But the ties of blood and the love of fatherland caused Kosciuszko to respond to the call of help from his own people in their struggle for freedom. Wounded on the field of battle at Maciejowice, he was taken prisoner and imprisoned in Russia. Subsequently, he was exiled to Switzerland.
>
> It is truly fitting that the sesquicentennial of his death on October 22, 1817, be observed in this country for which he did so much. It is equally fitting that the 192-year-old house in Philadelphia which he occupied the last months of his stay in America he dedicated as a shrine. It is gratifying that historical societies recognized this building as a landmark of great historical importance. His death truly was a tragic loss not only to Poland and the U.S. but to freedom-loving people all over the world.
>
> No American-born hero made a greater contribution to this struggling nation than that brilliant strategist, planner, fighter and Polish patriot.
>
> No American-born patriot ever made a more significant contribution to the cause of civil liberties in this country than Kosciuszko when he executed his last will and testament authorizing his good friend Thomas Jefferson to dispose of all his property and use the funds to purchase slaves owned by Jefferson and others and give them freedom and essential training to become independent citizens.
>
> No man among the Host of legendary heroes guiding our war of independence is more deserving of our homage than General Tadeusz Kosciuszko.
>
> I commend you and all the fine Polish-American societies for taking the leadership in organizing the ceremonies which give Americans everywhere the opportunity to reflect upon the gallantry and heroism of these great Polish American statesmen and soldiers.
>
> But I am even more pleased that you assume responsibility for reminding not only your fellow Americans, but the peoples of the world of the greatness of others who contribute to the life and welfare of mankind.
>
> It is important for all America to join you in the honor which you are paying to Madame Marie Sklodowska-Curie in observing her 100th birthday this year. Her discovery of radium, her magnificent research in the field of X-ray opened a whole new era of scientific development. Her gift to the world has been a boom to the hundreds and hundreds of thousands of cancer sufferers who have been cured or relieved by the magic of X-ray treatments.
>
> Your honoring of these great sons and daughters of Poland is a constant reminder of how close the bonds are between the people of Poland and the people of this country. Your activities help us to maintain a fuller realization of the debt which Americans owe to those of your heritage for their bountiful gifts of music, art, and other forms of culture, for the gifts of science, medicine and the healing arts.
>
> It is also gratifying that you honor another great Pole, Marshall Jozef Pilsudski, with appropriate centennial memorial ceremonies. The world can never forget his valiant fight for country, for fellowmen, and for liberty during the bloody Bolshevik invasion of Poland.
>
> Your celebration this past year of the Polish millennium made the world more aware of the steadfastness and integrity which has been manifested by generation after generation of Polish citizens and their descendents who are now the citizens of many other countries.
>
> I am proud to have shared in those celebrations and I rejoice that because of them we are more determined than ever to see that fullest freedom and self determination for the liberty-loving people of Poland will be achieved at the earliest possible date. In the wake of the millennium celebrations, you have a commendable program for stressing the Kosciuszko sesquicentennial and the centennial memorials for Marie Selodowski-Curie and Jozef Pilsudski. Your efforts in behalf of these three significant occasions will be of great importance to all American citizens.
>
> Grateful as all of us are for your superb job of reminding America of the contributions of Polish patriots and heroes, we appreciate even more the day by day contributions which Polonia is making throughout America. Your community service programs and your cultural enterprises are most beneficial to Americans of all ethnic backgrounds and of all races, color and creeds.
>
> My friends, I have only touched briefly on a few of the reasons which make me so happy to be with you and so proud to be invited by you.

Mississippi Freedom Democratic Party

EXTENSION OF REMARKS
OF
Hon. G. V. (SONNY) MONTGOMERY
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Friday, November 3, 1967

Mr. MONTGOMERY. Mr. Speaker, I would like to bring a matter of grave concern to me and the people of Mississippi to the attention of my colleagues, and in particular to my Democratic colleagues.

For some time in the State of Mississippi a group of people known as the Freedom Democratic Party has attempted to represent itself as the official arm of the Democratic Party. A few of their more spectacular activities have included the contesting of the seating of the Mississippi delegation at the last National Democratic Convention and the protesting of the seating of the Mississippi congressional delegation to the Congress in 1964.

Because this group has attempted to influence action with the courts and the Democratic Party on their behalf, I believe the information which I will present will be helpful in exposing the Freedom Democratic Party for what it actually is.

To this end, I would like to bring to your attention excerpts from the Mississippi Newsletter, No. 31, published at Tougaloo, Miss., on September 22, 1967. In this newsletter a full-page replica of instructions on how to make a molotov cocktail appeared. The original picture and instructions were published in the Hinds County Freedom Democratic Party News. The molotov cocktail is captioned "New Politics."

In addition to the above, this same pamphlet included under the caption "Black Power Is Fire Power" the following statement:

> GUNS THE ONLY WAY
>
> We must learn what the White Man learned in 1776. There can be no peace or freedom for any oppressed people until that people is ready to pick up guns.

Adjacent to that statement were the words "Burn, baby, burn!"

I do not believe the responsible people of Mississippi, colored or white, support

the policies of the Freedom Democratic Party; and, I do not believe the Members of this House approve of the type of politics advocated by this militant organization which is trying to take control of the State of Mississippi.

This group has given notice that they will again challenge the Mississippi delegation at the 1968 Democratic National Convention. To give the group the slightest recognition in the councils of the Democratic Party would serve to condone the politics of molotov cocktails and "Burn, baby, burn!"

In my opinion, a political organization that publicly instructs its members in the construction and use of molotov cocktails and that calls on its supporters to be ready to pick up guns cannot be accorded recognition by any responsible group in this country. In fact, the Freedom Democratic Party should be recognized and branded by responsible conservatives and liberals alike as a vicious advocate of race hatred and revolution.

Representative Charles H. Wilson Makes Some Observations on the Middle East

EXTENSION OF REMARKS
OF
HON. EDWARD R. ROYBAL
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, November 3, 1967

Mr. ROYBAL. Mr. Speaker, on Thursday, November 2, 1967, my good friend and colleague from the congressional district adjacent to my own, the gentleman from California [Mr. Charles H. Wilson], spoke before the Biological, Chemical, and Nuclear Division of the American Ordnance Association, at a conference held at Andrews Air Force Base, Md.

The speech was well received as a thought-provoking statement of Mr. Wilson's views on this vital subject.

I include the text of Mr. Wilson's remarks in the Record at this point:

Some Observations on the Middle East

(Speech of Hon. Charles H. Wilson before the American Ordnance Association, Andrews Air Force Base, November 2, 1967)

I'm very pleased and honored for the opportunity to speak to you this evening. If I may I'd like to discuss my recent trip to the Middle East and perhaps raise some larger foreign policy questions.

As members of the American Ordnance Association—an organization dedicated to military preparedness—you probably share my interest in United States foreign policy. Military preparedness must continue to be one of the main pillars of our foreign policy, and to deny that the two are intimately related is just about as ridiculous as denying that the armament industry is today an integral part of our Nation's economy.

I suppose you've heard the joke that claims the only reason the Israelis didn't capture Cairo and Damascus is because they were renting their tanks by the day and by the mile. Actually Israel's victory was right out of a military science textbook. Her classic pincer movements into Sinai and her superb application of air power have drastically altered the balance of power in this region so vital to our national security.

With the advantage of hindsight, President Nasser's blockade of the Gulf of Aqaba was a daring attempt to reassert his leadership over the badly fractured Arab world. When Nasser sealed off the gulf, one prominent commentator, Joseph C. Harsh of the *Christian Science Monitor*, remarked that "seldom in the history of diplomacy has one man chosen his moment for revenge so skillfully." In one respect Mr. Harsh was correct: the United States was in no position to intervene militarily. But what Mr. Harsh did not and could not know was that at that very same moment the Israeli general staff, alarmed more by the massing of Egyptian troops in Sinai than by the naval blockade, was planning a massive, preemptive strike against the U.A.R. Nasser's rhetoric was soon replaced by the thunder of Israel's fighter-bombers. In retrospect, then, Gamal Abdel Nasser overplayed his hand. He sought a modest political victory, but wound up suffering a total military defeat.

As a member of the House Armed Services Committee, I was one of the first Members of Congress to visit Israel after the war. Arriving in Tel Aviv during the first week of September, I conferred with Israeli and American officials and toured the battle areas, including the Golon Heights the Syrian outpost of Kuneitra, the Gaza Strip, and Israeli-occupied Jordan. If I were asked to recall one central, lasting impression of my trip, I would say that it is the remarkable spirit of the Israeli people. It is hard for Americans, protected as we are by the vast oceans and flanked only by friendly and cooperative neighbors, to imagine a situation in which one's homeland is faced with the prospect of extinction. Yet this was precisely what the Jews were confronted with: A choice between survival and death.

I'd like to make some personal observations on what I saw in Israel and in those areas she now occupies.

At an Army salvage base near Tel Aviv, I inspected captured trucks, tanks, and other materiel. Surprisingly, the instruction booklets for these weapons were in Russian, Czech, or Polish rather than in Arabic, as you would expect. Perhaps this is one of the reasons why the Arabs could not really operate the sophisticated weaponry supplied by the Soviet Union and other Communist countries. In this connection, Alfred Friendly of the *Washington Post* reported that during the battle for the Golon Heights in Syria, he overheard the artillery fire-control officer giving orders in Russian.

The Israeli salvage base commander showed me a Czech-made Arab truck called the "Tazra" which he described as a valuable heavy-duty transport vehicle. The truck was made in Czechoslovakia, but I was shocked to learn that the air filters over each of the front wheels were manufactured by an American company. It would serve no useful purpose to identify the firm, but I have privately expressed my concern about this matter to the State Department.

The Israelis told me that this was only one of many such salvage camps. If the one I saw was fairly typical, they must have captured an enormous quantity of Russian-made weapons. This particular camp had acres and acres of vehicles and guns. One Israeli colonel told me that the Arabs apparently abandoned much of their modern equipment because of a lack of proper maintenance. Many of the vehicles, including the tanks, were captured with only about 500 miles on them, which indicated that as soon as the first minor maintenance was required, they were abandoned. The Israelis put most of the equipment into running condition and covered the necessary parts with cosmoline to preserve them.

The roads throughout Israel, including those in what was formerly Syrian and Jordanian territory, were in remarkably good condition. It appeared that Israel's first task after the war was the resumption of normal transportation and communication. In addition to repairing blown bridges and the like, the Israelis were quickly resurfacing and laying new hard-surface roads throughout Israel and into Jordan and Syria.

The attitude of the Israelis throughout the country, and particularly in the *kibbutzim*, their collective farms, was one of determination to rebuild and, at the same time, one of vigilance.

I suppose that Israeli sacrifices during and after the recent war are relatively minor when viewed against the tragic mural of Jewish suffering in Europe. For these Jews, many of whom are survivors of Nazi death camps, Israel means everything. Yet despite the constant Arab threat, the Israelis remain cheerful and confident of their ability to endure and flourish.

But the most disturbing aspect of the Arab-Israeli war is that American weapons were used against Israel, our only true friend in the Middle East. It can be argued, I think, that our State Department's policy of supplying vast quantities of military aid to the Arabs—while restricting arms sales to Israel—contributed to the outbreak of hostilities.

In my view, we have been suckered into providing massive military aid to Jordan. According to the *New York Times*, American dollars have permitted King Hussein—who just three weeks ago was in Moscow soliciting Soviet aid—to increase his army from 4,000 men in 1948 to some 55,000 today. Thanks to American largesse, Hussein now has a $56 million defense budget and before the war had eleven infantry brigades five fighter squadrons and approximately 300 modern tanks (250 of which were American-made Patton T–48's).

Our policy of giving military aid to Jordan was based on the naive belief that we could woo Hussein away from the Arab orbit and away from the Soviet Union. This line of reasoning so dearly held in foggy bottom, collapsed during the war. When the chips were down, Jordan declared war on Israel and severed diplomatic relations with us. Americans had to watch the spectacle of Jordan, armed to the teeth with American weapons, waging war against our only ally in the Middle East. Jordan's Patton tanks went up in flames, and so did U.S. foreign policy.

Our Middle East policy turned out to be little more than a State Department pipedream. But what worries me is not our Middle East policy per se, but rather the assumptions, the philosophy, and the strategy upon which that abortive policy was based. I am beginning to wonder whether our policy toward the Arab States isn't just a symptom of a more general and more dangerous illness which, if left unchecked, may sap our Nation's vitality at home and diminish our influence abroad.

The British historian, Sir Denis Brogan, has called this illness "the illusion of American omnipotence." By this he means that we Americans believe that if we put our minds to it, we can do almost anything we want internationally. Our agonizing experience in Vietnam has already put that notion to rest. The inescapable fact is that the United States, the most powerful nation on this planet, wields very little political influence in Southeast Asia despite our unlimited military capability. Our political leverage in Saigon, let alone in Hanoi, is very, very limited.

Perhaps a better word for this illness I am trying to diagnose is *"globalism."* By this I mean the doctrine, best enunciated by the late Secretary of State, John Foster Dulles, and the present Secretary of State, Dean Rusk, that says the United States must intervene every time the virtue of any non-Communist country is threatened by revolution or aggression. According to the "Rusk doctrine," as one columnist has called it, the

United States must unilaterally stop aggression and revolution wherever they occur.

I do not pretend to be a foreign policy expert, but it seems to me that Mr. Rusk's globalism of the 1960's is as dangerous as the isolationism of the 1930's, and that indiscriminate internationalism is as foolish as indiscriminate withdrawal into a "fortress America."

There are, I think, some obvious similarities between globalism and isolationism. Both deny the existence of priorities in foreign policy which are derived from a hierarchy of interests and the availability of resources to support them. For both extremes, it is either all or nothing, either total involvement or total abstention. Isolationists used to say, "America will be corrupted by foreign affairs;" globalists are now saying, "American must intervene whenever there is revolution or aggression anywhere." Whereas the isolationists used to say, "we don't need to have anything to do with the world." The globalists are saying, "we shall take on the whole world." You might say, as one historian has, that "isolationism is a kind of introverted globalism, and globalism is a kind of isolationism turned inside out." In other words, Dean Rusk is as far off base as were Colonel Charles Lindbergh and the American firsters.

Both of these world views are blind to reality and contrary to America's best interests. Both are based on moral crusades; the isolationists wanted to protect America's virginity, while the globalists are obsessed with communism.

I would hope that we Americans are not so unsophisticated that we would build our whole foreign policy on anti-communism. Yet this is exactly what we have done and seem bent on continuing. At one time this approach made good sense. During the Truman administration communism was monolithic in nature and was, in Dean Acheson's phrase, "The spearhead of Russian imperialism."

But today there are as many different brands of communism as there are people in this room. Communism today is riddled with internal arguments and even open conflicts. The titanic struggle between Communist China and the Soviet Union proves, I think, that national interest is more important than ideology in foreign relations. To paraphrase an old song title, today's Communist might say that "nationalism is breaking up that old gang of mine." Although national communism is far from dead, international communism probably is dead.

Knee-jerk anti-communism yields few returns and is often counter-productive. John Foster Dulles' brainchildren, the Bagdad Pact and the Southeast Asia Treaty Organization, have proved to be utterly worthless pieces of paper. And blind anti-communism can also be somewhat embarrassing to a nation that claims to stand for such things as freedom, self-determination, and social justice. How do we square these lofty pronouncements with our support for the Diems, the Francos, and the Batistas? Or do the Greek fascists now in power in Athens deserve our support simply because they are anti-Communist?

During the Kennedy Administration there was a recognition that we should be more selective in our foreign relations. John Foster Dulles' crusade was replaced by a more discerning and more flexible assessment of our vital interests.

Yet today Secretary Rusk and other administration spokesmen are riding and spreading the alarm about something they call "Asian Communism," as if there were a single, all-consuming dragon which threatens to engulf Asia as nazism engulfed Europe. However I, for one, am not quite sure whether Mr. Rusk is referring to Vietnamese communism, Japanese communism, Indian communism, Chinese communism, Indonesian communism, North Korean communism, or the other varieties of communism in that part of the world. Is Mr. Rusk saying that it is America's responsibility to save Asia from a fate Asian nations themselves are not alarmed about?

I have generally supported our policy in Vietnam and will continue to do so. But Secretary Rusk would be well advised, I think, not to raise the spectre of Asian communism or to commit this Nation to a larger war. In this regard I fully agree with Senator Hartke of Indiana, who last week warned that we should not embark on such a crusade unless there is more of a consensus on our policy toward Asia.

A foreign policy which is based primarily on anti-communism confuses the moral crusade with national interest. And more often than not, such a policy is self-defeating. A foreign policy which would oppose revolution throughout the world violates the traditional criteria of national interest and available power. It also violates three basic axioms of foreign policy.

First, the human and material resources of even the most powerful nation are limited. Perhaps we could intervene in two or three small countries simultaneously. But military estimates that we may have to send as many as one million American boys to Vietnam vividly illustrates my point. No nation can afford globalism and unlimited commitments.

Second, trying to suppress revolution in this poverty-ridden world of ours is like trying to suppress waves in the ocean. You crush communism in Vietnam and it raises its head, say, in Thailand; you stop it in the Dominican Republic and its raises its head in Bolivia; and so on. *Putting down a revolution in one part of the world does not prevent revolutions from occurring in other parts of the world.* Assuming that the conditions for revolution are there. No one would deny that the Chinese and the Russians try to seize control of revolutionary movements, but the United States cannot afford to oppose revolutions simply because there are Communists in them. Lest we forget, America was born of revolution. And ours was a violent revolution.

Third, suppressing a revolution in one part of the world is bound to affect one's relations with the rest of the world. Our policy in Southeast Asia has not only damaged our relations with our adversaries, but with neutralist countries and our allies as well. In many ways our intervention in Vietnam—and this is not to say that we should not have intervened there—has isolated the United States internationally. I sincerely hope that when historians look back upon the Vietnam war they will conclude that the gains far outweighed the sacrifices in treasure and blood.

I am neither a hawk nor a dove. I am neither a militarist nor a pacifist. My concern is that our foreign policy be grounded not on the shifting sands of emotion, but rather on the hard bedrock of national interest, and that our foreign policy *strengthen* America, not weaken us at home and disgrace us abroad.

I think that there is, however, a middle course between globalism and isolationism. I think we must be much more selective in pledging our support to other countries. Let me return to the Middle East problem to illustrate what I mean.

Even though the Arab-Israeli war demonstrated the utter bankruptcy of our Middle East policy, the State Department has quietly resumed arms shipments to the Arabs. It's amusing that Secretary Rusk, whose favorite word these days is "aggression," hasn't said anything about Arab aggression against Israel. His department still seems to think that if we pour enough money into the Arab countries we can lure them away from Moscow.

I would suggest that if we don't wake up to the simple fact that Israel is our only friend in the Middle East, we soon won't have any friends there at all. Our "one-foot-in-each-boat" policy can only end in disaster for the United States.

In addition to being more selective in committing our power and prestige, I think we must revise our attitude toward revolution.

I believe that rather than opposing revolutions we should *compete* with the Russians and the Chinese for the control of these revolutions. As I have already explained, revolution is a fact of life. Suppressing revolutions by force creates more problems than it solves. By sending American troops to Lower Slobovia to put down a revolution we smother the flames of revolution but we do not extinguish the causes of the fire. And then when the fire breaks out again with even greater ingenuity, our policy leaves us with only one alternative: sending more troops.

Military intervention, although it is sometimes absolutely necessary, is a poor substitute for foreign policy. What is worse, it leaves us wide open to Communist charges that we are counter-revolutionary and that we support the status quo. Now the status quo might sound pretty good to you and me, but maybe we should ask the Bolivian peasant or the Nigerian farmer or the Indian factory worker what the status quo means to them, and how they feel about those countries that support the status quo. After all, these people and hundreds of millions like them are going to have a lot to say about the future of the underdeveloped world.

What I have tried to do here this evening is give you my views on the Middle East and discuss some general questions which have been on my mind. Like most of us here in Washington, I have too many questions and too few answers. However, the questions I've raised here tonight are fundamental. They will *have* to be resolved if we are to have real national unity. And the best way to achieve that unity is the American way: free and open debate and let the chips fall where they may.

Before I sit down I'd like to put in a plug for some legislation I've introduced which might interest you. My bill, H.R. 13693, would set up an international aeronautical exposition here in the United States in 1970 and every two years thereafter. Patterned after the Paris air show, which I recently had the privilege of attending, this exposition would seek to encourage worldwide interest in American aviation.

Thank you very much.

Capt. Alden R. Sanborn, Jr.

EXTENSION OF REMARKS

OF

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, November 3, 1967

Mr. LONG of Maryland. Mr. Speaker, an Air Force officer from Maryland has been awarded one of the highest honors given by the Republic of Vietnam. Capt. Alden R. Sanborn, Jr., son of Mr. and Mrs. Alden R. Sanborn, of Annapolis, was awarded the Vietnamese Medal of Honor at a ceremony at Bien Hoa Air Base. Captain Sanborn was cited for his outstanding work with the Vietnamese Armed Forces in combating the Communists in the war. I commend Captain Sanborn on his courage and service to his country.

SENATE

MONDAY, NOVEMBER 6, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Rev. James P. Wesberry, pastor, Morningside Baptist Church, Atlanta, Ga., offered the following prayer:

All about us, our Father, there is that which disturbs—violence, riots, lawlessness, and hatred.

We come to Thee, O God, for Thou art our help in ages past, our hope for years to come, and our shelter from the stormy blast.

We humbly ask that Thou wilt renew our faith in those deep and enduring foundations which our fathers laid, lest we build upon sinking sand and not upon the rock.

Give, we beseech Thee, wisdom and courage to the President of the United States and to each of the most highly honored Members of the U.S. Senate to match the crisis of this day.

Grant Thy favor upon the United Nations, and all agencies and individuals who are captured with the vision of world peace, and speed, we pray, the glad and happy day when all of the enslaved people of the earth shall be set free and a just and honorable peace shall be the order of the day.

Through Him who giveth us the victory, Jesus Christ our Lord. Amen.

THE JOURNAL

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, November 2, 1967, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF CALL OF THE CALENDAR

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SESSION OF THE SENATE

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that all committees may be authorized to meet while the Senate is in session today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE CALENDAR

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of certain bills on the calendar to which there is no objection. They are Calendars Nos. 696, 700, 702, 703, and 706.

The PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT OF THE NATIONAL TRAFFIC AND MOTOR VEHICLE SAFETY ACT OF 1966

The Senate proceeded to consider the bill (S. 2029) to amend the National Traffic and Motor Vehicle Safety Act of 1966 relating to the application of certain standards to motor vehicles produced in quantities of less than 500 which had been reported from the Committee on Commerce with amendments on page 2, after the word "may" insert "temporarily"; in line 3, after the word "exempt" insert "a"; in the same line after the word "motor" strike out "vehicles" and insert "vehicle"; in line 4, after the word "from" strike out "such" and insert "any"; in the same line after the word "safety" strike out "standards" and insert "standard"; in line 5, after the word "title" strike out "as he determines are not accident prevention standards.

"'(b) The Secretary may delay the effective date for any such standard as applied to limited production motor vehicles for a period not to exceed three years upon a showing';" in line 9, after the word "showing" insert "if he finds"; in line 10, after the word "cause" strike out "a" and insert "such"; in the same line after the word "manufacturer" strike out "of such vehicle"; in line 11, after the word "hardship" insert "and that such temporary exemption would not result in undue hazard to the public."; at the beginning of line 14, insert "(b); after the amendment just stated, strike out the word "Such"; in the same line after the word "manufacturer" insert "granted a temporary exemption"; in line 15, after the word "shall,", strike out "during any such delay"; in line 16, after the word "vehicle" insert "for"; in the same line, after the word "which", strike out "does not comply with an applicable otherwise effective standard" and insert "temporary exemption has been granted"; in line 21, after the word "label." insert:

The provisions of section 114 of this title shall otherwise apply as to those standards for which no temporary exemption has been granted;

On page 3, line 1, after the word "the" where it appears the second time, insert "dealer and of the"; in line 4, after the word "with" strike out "such" and insert "the"; at the beginning of line 5, strike out "and that the vehicle is hereby exempted"; after line 6, insert:

(d) In order to avoid undue economic hardship, where technically feasible and consistent with the public interest and the objectives of this Act, the Secretary shall have the authority to prescribe alternative procedures for demonstrating compliance with the standards applying to limited production motor vehicles.

At the beginning of line 13, strike out "(d)" and insert "(e)"; at the beginning of line 14, strike out "'(1)"; in the same line, after the word "a" strike out "distinctive type of model of"; in line 15, after the word "vehicle," strike out "as determined by the Secretary of which not more than" and insert "produced by a manufacturer whose total motor vehicle production, as determined by the Secretary, does not exceed"; in line 18 after "500" strike out "are produced"; in the same line, after the word "annually.", strike out "by a manufacturer of motor vehicles, and

"'(2) "accident prevention standard" means any motor vehicle safety standard established to reduce the probability of mechanical, electrical, or visual failure which may result in the loss of control of a motor vehicle by the operator thereof, or any motor vehicle safety standard established to reduce the probability or extent of injuries to pedestrians.'"; and at the top of page 4, insert:

(f) The authority of the Secretary under this section shall terminate two years after the date of enactment of this Act, and no exemption granted under this section shall remain in effect after two years after such date.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title I of the National Traffic and Motor Vehicle Safety Act of 1966 is amended by adding at the end thereof the following new section:

"SEC. 123. (a) Upon application made by a manufacturer at such time, in such manner, and containing such information as the Secretary shall prescribe, he may temporarily exempt a limited production vehicle from any motor vehicle safety standard established under this title if he finds that compliance would cause such manufacturer substantial economic hardship and that such temporary exemption would not result in undue hazard to the public.

"(b) A manufacturer granted a temporary exemption shall, affix to the window of any motor vehicle for which temporary exemption has been granted a label containing a statement that the motor vehicle does not comply with the appropriate standard, and the manner in which such vehicle does not comply. The Secretary shall prescribe the form and content of such label. The provisions of section 114 of this title shall otherwise apply as to those standards for which no temporary exemption has been granted.

"(c) The Secretary shall require in such manner as he deems appropriate, the notification of the dealer and of the first purchaser of a limited production motor vehicle (not including the dealer of such manufacturer) that such vehicle has not been tested for compliance with the standards from which it has been exempted.

"(d) In order to avoid undue economic hardship, where technically feasible and consistent with the public interest and the objectives of this Act, the Secretary shall have the authority to prescribe alternative procedures for demonstrating compliance with the standards applying to limited production motor vehicles.

"(e) For the purposes of this section 'limited production motor vehicle' means a motor vehicle, produced by a manufacturer whose total motor vehicle production, as determined by the Secretary, does not exceed 500 annually.

"(f) The authority of the Secretary under this section shall terminate two years after the date of enactment of this Act, and no exemption granted under this section shall remain in effect after two years after such date."

THE RELIEF OF SMALL MANUFACTURERS OF MOTOR VEHICLES

Mr. BAYH. Mr. President, the Senate has before it a bill of critical importance to the small manufacturers of motor vehicles. The purpose of this bill, S. 2029, is to amend Public Law 89–563, the National Traffic and Motor Vehicle Safety Act of 1966, by vesting the Secretary of Transportation with discretionary authority to grant a temporary exemption which would enable small manufacturers to meet certain safety standards. I am most pleased to note that on November 1 the Senate Commerce Committee favorably reported the bill, as amended, and that it is now on the Senate Calendar.

As I pointed out in my remarks when introducing the bill on June 27, these small businesses will cease to exist when the initial motor vehicle safety standards take effect on January 1, 1968, unless remedial action is taken before then. It is not wholly a question of being able to equip their products with all of the required safety devices; also involved are such factors as meeting the economic cost of the specified standards, problems of lead time, and the difficulties inherent in all small companies competing in an industry of giants.

This problem first came to my attention when, in response to my query, two of these small businesses indicated that they had not commented on the proposed standards which had been issued by the National Traffic Safety Agency. Following this disclosure an effort was begun by my office late in January of this year to explore all aspects of the problem, the circumstances of the companies, and all possible solutions.

Consequently, this amendment resulted from a very thorough study of all matters pertaining to this issue and to the problems of these companies. The views not only of the parties connected with these companies, but also the opinions of Government officials and others who have been concerned with improving highway safety, were taken into account. Only after this very careful and complete investigation was the amendment drafted.

Let me briefly summarize the plight in which these companies have been placed by the 1966 act and the new regulations.

There are presently 10 small companies in the United States that produce less than 500 automobiles annually. All of them share the characteristic of being a small business, intent on producing a quality product. Hard work and meticulous care are exerted in manufacturing their product. In an effort to make their own automobiles the best possible ones for their respective markets, each employee operates in several concurrent capacities. Their resources of manpower and working capital are adequate to meet only the demands of their present individual operations. It is impossible for them, because of financial limits, to operate in the realm of chance; to the contrary they must depend upon the relatively certain sale of a specified number of vehicles in a highly selective market.

I fully supported Public Law 89–563 and strongly endorse the need for a national effort to make our highways safe. There can be no doubt that Dr. William Haddon, Administrator of the National Traffic Safety Agency and his staff have taken a significant step in fulfilling their responsibility under this law. However, it is an unfortunate reality that the equal application of these standards to the small producer has created an unbearable burden upon him—a burden that each has stated without qualification will drive him out of business.

During the Senate Commerce Committee hearing on these problems on August 16, Dr. Haddon made the following significant statement:

> The Department believes that the Secretary should have the discretion on a showing of good cause by a manufacturer of limited production motor vehicles to grant a temporary exemption from the requirement of any standard or standards.

My amendment could do no more than grant this authority. Mr. Nathan Altman, president of the Avanti Motor Corp., and Mr. Brooks Stevens, of SS Automobiles, Inc., also testified at the same hearing. Both stated that the law would have to be amended if they are to remain in business.

The major provision of S. 2029, as amended, would authorize the Secretary of Transportation to grant a temporary exemption from a particular safety standard to a company which produces no more than 500 vehicles annually. Before invoking this provision, the Secretary would have to determine that the exemption would be necessary and that it would be in the public interest. Furthermore, the purchaser of the automobile would have to be notified of the exemption.

Mr. President, this bill is a reasonable solution to a most urgent and perplexing problem. It in no way would compromise the overall safety program, because it merely gives the companies an additional period of time to meet some of the most difficult standards.

Small business has long been, and I trust will long continue to be, the backbone of the free marketplace. It has a right to compete in our largest industry. It should be allowed to operate in and continue to contribute to our system of free competition. Perhaps it should be pointed out that these companies, while small, are leaders in providing specialized, sometimes unique, experimental and pioneer models. To legislate them out of existence would deprive the industry of the kind of spur or initiative which has always contributed so much to the great attainments of American industry.

Mr. President, highway safety would not be endangered by passage of this bill. Certainly the National Highway Safety Agency would not approve exemptions which might have that effect. At the same time it would prevent a number of small businesses from being driven into bankruptcy.

Without some modification of the law it is clear that these companies cannot continue to operate. I believe that adoption of S. 2029 would be the best way to remedy this injustice.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 712), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE AND NEED

The National Traffic and Motor Vehicle Safety Act of 1966 provides that all manufacturers must comply with the initial motor vehicle safety standards by their effective date, which in most cases is January 1, 1968. The committee hearings on S. 2029 clearly demonstrated that several low-volume manufacturers may be unable, because of their economic position in the marketplace and their limited resources, to meet some of the individual safety standards which the Secretary is required by law to issue.

Testimony before the committee revealed that several domestic and foreign motor vehicle manufacturers face extreme hardships because of their inability to comply with all safety standards by the required dates. These companies are small businesses. Each company employs skilled craftsmen to produce a few hundred cars per year. Their administrative staffs are kept at a minimum, with each administrator having a variety of responsibilities. Besides having a limited number of employees, these companies operate on a low-cash reserve, as do most small businesses. Thus, their working capital resources are extremely limited. A particularly acute problem confronting these companies is the high costs of testing their vehicles, to determine compliance with the standards.

SCOPE OF THE BILL

The provisions of S. 2029 apply solely to "limited production motor vehicles." A "limited production motor vehicle" is defined as "a motor vehicle produced by a manufacturer whose total motor vehicle production, as determined by the Secretary, does not exceed 500 annually."

PROVISIONS OF THE BILL

Subsection (a) of the bill authorizes the Secretary of Transportation to "temporarily exempt a limited production motor vehicle from any motor vehicle safety standard established under this title if he finds that compliance would cause such manufacturer substantial economic hardship and that such temporary exemption would not result in undue hazard to the public."

The committee wishes to emphasize that the Secretary shall not grant temporary exemptions solely on economic grounds. Rather, the committee intends that the Secretary, in evaluating the merits of a request for an exemption, give due consideration to the effect such exemption would have on the public safety.

Subsection (b) of the bill requires a manufacturer to affix to the window of any motor vehicle for which a temporary exemption has been granted a label containing a statement that the vehicle does not comply with the safety standards and the manner in which it does not comply.

Subsection (c) requires notification to the dealer and to the first purchaser of a limited production motor vehicle that such vehicle has not been tested for compliance with the standards from which it has been exempted.

Subsection (d) authorizes the Secretary to prescribe alternative test procedures for demonstrating compliance with the standards applying to limited production motor vehicles if such action is technically feasible and consistent with the public interest and the objectives of this act.

EXPIRATION

The bill provides that the authority granted the Secretary under S. 2029 shall terminate 2 years after the date of its enactment and that no exemption granted under this section shall remain in effect after 2 years after such date. The committee recognizes, however, that limited production manufacturers may experience difficulty in complying with all the requirements of the National Traffic and Motor Vehicle Safety Act of 1966 after this 2-year period. The committee will, therefore, closely review the progress of limited production manufacturers during the next 2 years. In addition, the committee intends that the Secretary of Transportation carefully study the status and capabilities of these companies and, if appropriate, forward additional recommendations to Congress.

LIENS ON CERTAIN U.S. VESSELS

The Senate proceeded to consider the bill (H.R. 162) to grant the masters of certain U.S. vessels a lien on those vessels for their wages and for certain disbursements, which had been reported from the Committee on Commerce with amendment, on page 2, after line 11, strike out:

(e) A master shall have the same lien and the same priority for disbursements or liabilities properly made or incurred by him for or on account of the vessel as he has, under the provisions of this section, for his wages.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. BARTLETT. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 718), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

THE AMENDMENT

On the basis of hearings and departmental reports, the committee concluded that although a master should have the same wage lien rights as other seamen, a masters' disbursement lien was not as strongly justified. Accordingly, the bill was ordered reported with an amendment to delete that portion of the bill to create a masters' lien for disbursements.

The amendment is as follows:

On page 2, beginning with line 12, delete all of subsection (e).

PURPOSE AND EXPLANATION OF THE BILL

The basic purpose of this bill is to grant to the master of a vessel documented, registered, enrolled, or licensed under the laws of the United States the same lien for his wages against such vessel, and the same priority therefor, as any other seaman serving on such vessel.

In addition to conforming provisions, the master of such vessel would be placed in the same position as any other seaman with regard to protection against forfeiture of his lien rights, deprivation of any remedy for recovery of wages, or attachments or arrestment of wages (except for support and maintenance of wife and minor children).

By the general maritime law of the United States, the courts have ruled for more than a century that seamen are entitled to liens for their wages against the vessel, having priority over all other maritime liens.

In a leading case in the Supreme Court, the seaman's lien for wages was described as being "so sacred and indelible that it adheres to the last plank of the ship." The holding in this case has been quoted and followed by American courts since 1831. The seaman's lien for wages and its high priority are based upon the responsibility borne by the seaman in maintaining the voyage, thus assuring his loyalty to the ship.

The high-priority wage lien right inures to every member of the crew, licensed and unlicensed, except the master.

Historically, the master has been denied a lien right for wages comparable to other members of the crew because of the tradition that the master was a part owner of the vessel, had too close a relationship with the owner, or could pay himself out of freight earnings.

Today, however, the role of the master as a participant in the financial aspects of a voyage is, in the vast majority of instances, no different from that of any other member of the crew.

An example of the type of situation which brings the inequity of existing law to light is when a shipping company goes bankrupt. In those circumstances, every member of the crew, both licensed and unlicensed, except the master, have first priority on the proceeds of the vessel. Despite his position of great responsibility to the ship, her cargo, and her crew, the master's claim for wages falls along with all other general creditors.

Even though the reasons which influenced the courts in concluding that a master has no lien for his wages have ceased to exist, court decisions, including those by the Supreme Court of the United States, continues to follow the precedents. Thus, in order to remove this inequity to ship masters, this legislation is necessary.

Section 1(a) of the bill specifically grants the master of a vessel documented, registered, enrolled, or licensed under the laws of the United States "the same lien for his wages against such vessel and the same priority as any other seaman serving on such vessel." Thus, it is clear that the seaman's lien rights and priority are recognized and the master is placed on a parity with all other members of the crew.

Section 1(b) of the bill provides that sections 4546 and 4547 of the Revised Statutes of the United States (46 U.S.C. 603 and 604) shall not apply in any proceeding by a master for the enforcement of the lien granted by this section. These sections of the Revised Statutes relate to the enforcement of a seaman's wage lien through the process of summoning the master for nonpayment of wages and the issuing of process against the vessel. Obviously, these provisions of law would not be applicable in the case where the master is himself seeking enforcement of his own lien. Thus, this section of the bill is merely a conforming provision.

Section 1 (c) and (d) would correct other inequities in existing law by placing the master in the same position as any other seaman with regard to protection against forfeiture of lien rights, deprivation of any remedy for recovery of wages, or attachments or arrestment of wages.

Section 1(e) of the bill, which would grant to masters a lien for disbursements made or incurred for or on account of the vessel, has been deleted by committee amendment. Although a master is not required to make such disbursements, in fact such expenditures are made or incurred by a master at times even though not required by the terms of his employment. It is surely a better practice for the owners of a vessel to assume and exercise responsibility for all ship-related expenditures and a masters' disbursement lien could well tend to discourage or alter that practice. If a master does make a proper disbursement he is presently subrogated to the lien rights of the person he has paid. Therefore, if a master pays seamen's wages with his own funds, he has the seamen's wage lien to his benefit. If a supplier is paid by a master, the latter is subrogated to the supplier's lien. As such, the committee is not convinced of the wisdom or necessity for a masters' disbursement lien.

While it is generally true that masters of vessels are not participants in the ownership arrangements for vessels, masters often are part owners of the fishing vessels upon which they serve. There may be isolated instances of large ship operations where a master may be a part owner, either directly or indirectly, of a vessel. Accordingly, section 2 of the proposed legislation would clarify the meaning of the term "masters" and exclude from that definition any "person who has a financial interest valued at 5 percent or more either of the corporation, partnership, or association which owns the vessel against which the lien is claimed, or of the market value of the vessel against which the lien is claimed."

COST OF THE LEGISLATION

Enactment of the bill would involve no cost to the Government.

The title was amended, so as to read: "An act to grant the masters of certain United States vessels a lien on those vessels for their wages."

AMENDMENT OF THE LIBRARY SERVICES AND CONSTRUCTION ACT

The bill (H.R. 13048) to make certain technical amendments to the Library Services and Construction Act was considered, ordered to a third reading, read the third time, and passed.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 716), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE LEGISLATION

H.R. 13048 proposes certain amendments to the Library Services and Construction Act. Several of these changes are purely technical in nature and are designed to provide consistency in the various parts of the act. Two of the amendments are intended to carry out congressional intent that titles III and IV of the act (interlibrary cooperation and specialized State library services) be 100 percent federally funded during the first year of their operation, and to give essential flexibility to the administration by States and localities of the public library construction program (title II) by permitting the acquisition of existing buildings to be used as public libraries.

BACKGROUND

Although adequate public library services and facilities are essential for the educational, economic, scientific, and cultural growth of our people, glaring deficiencies were found to exist in this important resource, and are still existing.

As a step toward closing this serious gap, the 84th Congress passed in 1956 the Library Services Act (Public Law 84–597). It authorized the appropriation of $7½ million for each of 5 years as grants to States and territories to improve their public library services to persons in areas under 10,000 population. The States drew up their own plans for the improvement of such services and had control over their own personnel and books. The results proved highly satisfying to the users of public library services. So successful were the library programs that the Congress in 1960 extended the act for an additional 5 years.

In 1964, the scope of the act was expanded to include the urban areas with deficient library services, as well as rural areas (Public Law 88–269). In addition, the amended law provided for Federal grants to the States for the construction of public library buildings, many of which were obsolete or otherwise woefully deficient. The amount appropriated was $25 million for services for each of fiscal years 1965 and 1966; and $30 million for construction in each year 1965 and 1966.

The Congress changed the public library law in 1966. By amendment, it extended the measure for 4 years and added some important provisions (Public Law 89–511). Three new programs which were highly urgent and essential were included. For example, under a new title III assistance was authorized for the establishment and maintenance of local, regional, State, or interstate cooperative networks of libraries for the systematic and effective coordination of the resources of school, public, academic, and special libraries; and special information centers. Part A of a new title IV authorized funds for the establishment and improvement of State institutional library services. In part B of the new title, funds were authorized to establish and improve library services for physically handicapped persons. A total of $76 million was appropriated for all titles of the act in fiscal year 1967. For fiscal 1967, funds appropriated for the new programs contained in titles III and IV were only available for payments to cover expenses incurred in the development of State plans for the new service programs. Therefore, no program operations could be undertaken with Federal assistance during the first fiscal year, the only period in which 100-percent Federal financing was authorized.

ACCOMPLISHMENTS

The library services program, which began at such a modest level, has succeeded far beyond expectation. Its impact has been far in excess of the amount of Federal funds involved.

In the first decade—fiscal years 1957–66:

All 50 States, and the District of Columbia, plus American Samoa, Guam, Puerto Rico, and the Virgin Islands, operated library programs under approved State plans. (In 1967 the Trust Territory of the Pacific Islands became eligible and participated.)

Areas containing more than 75 million people received library services for the first time or had their local libraries improved under this act.

More than 550 bookmobiles were added to existing library resources, primarily to reach rural readers.

An estimated 27 million books and related materials purchased with Federal, State, and local funds were added to library collections in the States.

Nearly $100 million in Federal funds for public library services were used by the States and matched with over $300 million State and local funds.

During fiscal 1965, 1966, and 1967, nearly a thousand library construction projects have been approved.

SUPPORT FOR H.R. 13048

H.R. 13048 was reported from the committee unanimously.

Most of the amendments to the Library Services and Construction Act contained in H.R. 13048 were proposed by the Department of Health, Education, and Welfare. Statements in support of H.R. 13048 were received from the American Library Association; Mr. William F. Summers, State librarian of Florida; Mrs. Mary Elizabeth Flynn, New England Library Association; and Miss Louise A. Nixon, Mountain Plains Library Association.

BAYOU LAFOURCHE, LA., A NONNAVIGABLE WATERWAY

The bill (S. 2330) declaring a portion of Bayou Lafourche, La., a nonnavigable waterway of the United States, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2330

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Bayou Lafourche, in the State of Louisiana, between Canal Boulevard, city of Thibodaux, Parish of Lafourche, State of Louisiana, and the head of the bayou at its junction with the Mississippi River levee at the city of Donaldsonville, Parish of Ascension, State of Louisiana, is hereby declared to be a nonnavigable waterway of the United States within the meaning of the laws of the United States.

The existing project for Bayou Lafourche, Louisiana, authorized by the Acts of August 30, 1935 (49 Stat. 1028) and July 14, 1960 (74 Stat. 480) is hereby deauthorized in the reach of Bayou Lafourche herein declared nonnavigable.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 719), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF BILL

Declares Bayou Lafourche, in the State of Louisiana, between Canal Boulevard, city of Thibodaux, Parish of Lafourche, and the head of the bayou at its junction with the Mississippi River levee at the city of Donaldsonville, Parish of Ascension, La., a nonnavigable waterway of the United States within the meaning of the laws of the United States.

In addition, the bill deauthorizes that portion of the existing Federal navigation project, "Bayou Lafourche, La.," extending from river mile 73.1 at Thibodaux, La., to approximately river mile 90.0 at Napoleonville, La., a distance of about 17 miles.

GENERAL STATEMENT

Bayou Lafourche was, prior to closure at its head by local interests in 1903–04, a distributary of the Mississippi River, leaving the parent stream at Donaldsonville, 176 miles above the Head of Passes of the Mississippi River. Bayou Lafourche follows a generally southerly direction for a distance of 107 miles to enter the Gulf of Mexico through the jettied channel of Belle Pass, which lies about 65 miles west of Southwest Pass of the Mississippi River.

Bayou Lafourche serves as the water link between the producing oilfields along its course and the refineries and supply centers, as well as for the seafood companies along its banks and the fishing areas.

The existing Federal project for Bayou Lafourche, authorized by the River and Harbor Acts of 1935 and 1960, provides for a channel 6 feet deep and 60 feet wide from Napoleonville, to Lockport; a channel 6 feet by 60 feet from Larose to the Gulf of Mexico, together with certain other improvements and appurtenant works. That portion of the project between Lockport and Napoleonville, La., has not been undertaken.

Local interests desire the reach of Bayou Lafourche in question declared nonnavigable in order to permit the Bayou Lafourche Fresh Water District to construct a dam to provide municipal and industrial water supply. The project in addition to water supply would have recreational value.

It is understood that the bayou in this area has very limited boat traffic, consisting only of small pleasure craft. In addition, access to the area is restricted due to a fixed low-level bridge below the point where the portion to be declared non-navigable commences.

COMMITTEE VIEWS

The committee notes that local interests desire to construct a dam across Bayou Lafourche, near the town of Thibodaux, La. The project would be for the purposes of municipal and industrial water supply but would also have recreational value.

However, inasmuch as Bayou Lafourche is a navigable stream within the meaning of the laws of the United States and since a portion of a Federal navigation project encompasses part of the desired area, it is necessary for Congress to declare a portion of the stream nonnavigable and to deauthorize a portion of the Federal navigation project.

It is further noted that the area of the bayou where the dam is to be constructed has very limited boat traffic and that access to the area is restricted by a fixed low-level bridge. In this connection the committee requested the Secretary of the Army to furnish information as to the Federal interest in the matter. The Secretary indicated that the Department of the Army would have no objection to the purposes of S. 2330.

In view of the fact that local interests desire the declaration of nonnavigability, and since no known opposition exists to the construction of the proposed dam by either local interests or the Federal Government, the committee recommends enactment of this legislation.

ESTIMATED COST TO THE UNITED STATES IF LEGISLATION IS ENACTED

Enactment of this legislation will not result in any cost to the Federal Government.

VIEWS OF THE DEPARTMENT OF THE ARMY

The Department of the Army has no objection to enactment of this legislation.

AMENDMENT OF THE MERCHANT MARINE ACT, 1936

The Senate proceeded to consider the bill (S. 2419) to amend the Merchant Marine Act, 1936, with respect to the development of cargo container vessels, and for other purposes, which had been reported from the Committee on Commerce with an amendment to strike out all after the enacting clause and insert:

That section 212 of the Merchant Marine Act, 1936 (46 U.S.C. 1122) is amended by (1) striking out "and" at the end of clause (d), (2) striking out the period at the end of clause (e) and inserting in lieu thereof a semicolon and "and", (3) redesignating clause (f) as clause (g), and (4) inserting before such clause a new clause as follows:

"(f) To study means and methods of encouraging the development and implementation of new concepts for the carriage of cargo in the domestic and foreign commerce of the United States, and to study the economic and technological aspects of the use of cargo containers as a method of carrying out the declaration of policy set forth in title I of this Act, and in carrying out the provisions of this clause and such policy the United States shall not give preference as between carriers upon the basis of length, height, or width of cargo containers or length, height, or width of cargo container cells and this requirement shall be applicable to all existing container vessels and any container vessel to be constructed or rebuilt."

SEC. 2. The last paragraph under the heading "Executive" in the first section of the Act of March 4, 1913 (22 U.S.C. 262), is amended by adding a new sentence as follows: "No private organization, whether wholly private in character or partially composed of representatives of the Executive, shall act on behalf of the United States Government in any Congress, conference, or like event for the purpose of establishing standards."

Sec. 3. Section 303(a) of the Act of June 30, 1949 (41 U.S.C. 253(a)), as amended, is amended by adding a new sentence as follows: "No advertisement or invitation to bid for the carriage of Government property in other than Government-owned cargo containers shall specify carriage of such property in cargo containers of any stated length, height, or width."

Sec. 4. Section 2305(a) of title 10 of the United States Code is amended by adding a new sentence as follows: "No advertisement or invitation to bid for the carriage of Government property in other than Government-owned cargo containers shall specify carriage of such property in cargo containers of any stated length, height, or width."

Sec. 5. Section 302 of the Act of June 30, 1949 (41 U.S.C. 252), is amended by adding thereto the following subsection:

"(f) No contract for the carriage of Government property in other than Government-owned cargo containers shall require carriage of such property in cargo containers of any stated length, height, or width whether or not such contract was made by formal advertising."

Sec. 6. Section 2304 of title 10 of the United States Code is amended by adding thereto the following subsection:

"(h) No contract for the carriage of Government property in other than Government-owned cargo containers shall require carriage of such property in cargo containers of any stated length, height, or width whether or not such contract was made by formal advertising."

Mr. BARTLETT. Mr. President, I ask unanimous consent to have printed in the Record an article from the New York Times of September 17, 1967, an article from Fortune magazine by Harold B. Meyers, and an article from Container News, entitled "Battle Over Standards."

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Times, Sept. 17, 1967]

Rail Aide Scores Sea Containers—Ohl Says 20-Foot Size Not Efficient for Land Use

(By Edward A. Morrow)

The 20-foot containers which more than a score of shiplines have adopted as standard for their increasing containerization operations are posing a "growing problem" to the operators, according to a leading railroad executive. They are not efficiently adaptable for land transportation operations.

"The railroads and motor carriers are not willing to pick up the tab for a poorly designed land transportation system," Philip D. Ohl, manager of international freight services for the New York Central System, said last week.

Mr. Ohl was one of several speakers who appraised the "Future of Containerization," at a technical conference sponsored by the United States National Committee of the International Cargo Handling Coordination Association. The meeting was held at the Sheraton Motor Inn, 42d Street and 12th Avenue.

MAJOR TREND IN SHIPPING

Containerization, the carriage of goods in containers that can be interchangeably transported by trucks, railroads or ships, is the major trend in ocean shipping today. It is estimated that more than $100-million is currently being invested by ship companies for the construction of specially designed vessels to carry containers.

The carriers offer shippers a "door-to-door movement" under which cargo can be packed into a container at a manufacturer's plant and unpacked by the consignee without any intermediate handling.

Mr. Ohl noted that the concept paper for the meeting stated that the unique feature of the new transportation mode, the container, is that it is physically capable of moving on land, sea or in the air, and therefore, requires a new approach to trade and commerce regulations and must be relieved of the limitations that now apply to other modes separately.

UNDERLYING PROBLEM

"This position avoids one basic issue," Mr. Ohl said. "Simply because a container can move physically between modes does not mean that it will move economically via several modes. Shifting control to the 'transmodalist' will not solve this underlying problem," he said.

He noted that Sea-Land Service, a pioneer company in providing container service, has had success because it has a "total container system designed with both the in-land operation and steamship operation in mind. The 35-foot container used is a relatively efficient unit for both the in-land haul in the United States and overseas and for the ocean voyage."

The New York Central, he pointed out, has had nine years' experience with its Flexi-Van service.

One of the crucial elements in the system is the efficiency of movement from rail terminal to the customer, he said. Therefore, he continued, this calls for a system design that will provide efficient highway operations as well as compatibility with line haul efficiency.

MODIFIED FOR TRAINS

"We built the container starting with an efficient highway vehicle and modified it for economical rail haul," Mr. Ohl said. "We did not attempt to design the optimum container for rail use and then modify it for highway carriage.

"The essential problem the steamship companies face is that they have designed, especially in their 20-foot equipment, a highly efficient port to port container, without due consideration of how the box would move efficiently from port to customers."

Railroads, he said, experience high empty mileage because they cannot load the boxes westbound, since not many import commodities move inland. Too, the railroads must purchase special equipment, such as 100-ton container cars, or handle the boxes inefficiently on existing flatcars. For the present the railroads have chosen the latter course, since the volume of traffic does not justify a separate system and "probably never will."

Mr. Ohl suggested that shipping lines in the future keep close watch on developments in motor carrier hardware, as the railroads are, for the critical element in any containerization system is inland transportation.

"TRANSMODALIST" SCORED

Another speaker, F. N. Melius Jr., president of United States Freight Company, attacked the "transmodalist" concept that has lately become popular in shipping circles. The coined word is vaguely defined as a carrier who would provide a shipper with door-to-door service on one through bill of lading even though the movement of the goods was effected by truck, rail and sea.

Mr. Melius, whose company is the nation's largest freight forwarding concern, said forwarders already performed all the functions of the transmodalist.

Freight forwarders are licensed and regulated by law. The new concept would open this function to every entrepreneur and dismantle an industry that has been performing the same job for many years, Mr. Melius said.

[From Fortune magazine, November 1967]

The Maritime Industry's Expensive New Box

(By Harold B. Meyers)

It is called a cargo container; it's really just a box. Yet until it came along, methods of handling maritime cargo had changed remarkably little in all the years since sail gave way to steam. From the clippers to the nuclear-powered U.S.S. *Savannah,* most of the goods carried in the cavernous holds of ships have been packed and unpacked item by item, with ship's boom and longshoreman's back. Now the container is introducing a new technology to the waterfront, upsetting all the old rules about handling ocean-borne cargo, and forcing changes on the maritime industry that are both radical and irreversible.

Although the cargo container began to assert its importance in international transport less than two years ago, the enormous impact it will have on the maritime industry and, in fact, on transportation as a whole is already discernible. International trade will be affected in several different ways. For one, the role of such maritime fixtures as the Suez and Panama canals and the St. Lawrence Seaway will be altered. The U.S. merchant marine may also be affected, perhaps very favorably: it has gained at least a fighting chance to recapture the leadership it has been losing steadily since World War II. Most significant of all, the cargo container is laying the groundwork for a worldwide land-sea-air transportation system.

The convulsive changes that are being set in motion by container technology have alarmed some seafaring men who had hoped for a more evolutionary development. "From a business point of view, I'd be happy without containerization," says H. Boyce Luckett, executive vice president of American President Lines. A major cause of this unease is that everything about containerization is expensive. The boxes themselves cost at least $2,000 apiece; and "reefers," for refrigerated products, can run as high as $12,000. Specially fitted ships under construction in U.S. yards may cost as much as $23,500,000 apiece with a full complement of containers (versus perhaps $10 million for the noncontainerized ships they will supersede). And each berthing space at a modern container terminal may require an investment of $4,500,000.

A TIME OF CONSORTIA

Despite the cost, most major shipping companies are rapidly revamping their operations. As a result, the maritime industry is embarked on an unprecedented spending spree. The largest of the container pioneers, McLean Industries' Sea-Land Services, Inc., has invested $350 million in its operation and will add another $70 million by June. Matson Navigation Co., another pioneer, will soon double its $80-million investment in containerization. Five other U.S. lines have already spent or committed a total of $160 million on container operations. Within two years fifteen U.S. lines will have some such operations, and will have invested more than $1 billion in them.

Abroad, shipowners are combining in cartels to equip themselves for the container age. Six foreign lines representing four European nations are investing $206 million in Atlantic Container Line, which began operations in the North Atlantic this fall. Nine major British lines have put $162 million into consortia, Overseas Containers Ltd. and Associated Container Transportation Ltd., which have themselves combined in a superconsortium for the Australian trade. In Japan, shipowners are also forming into groups, and the Ministry of Transport has forecast that $300 million will be spent on ships and containers by 1970.

At the same time, managers of the world's ports are frantically investing in new facilities. Thirty-six container berths are now in use on the U.S. Atlantic and Gulf coasts—and forty more are under construction or planned. The Port of New York Authority has spent $72 million (and has plans to spend an additional $103 million) on container facilities at its Elizabeth, New Jersey, terminal, plus $8 million more at adjacent Port Newark. On the West Coast—where Oakland, for example, has a $35-million project under way—the fourteen existing berths will be expanded to forty-seven within two or three years. In Japan, plans have been made to spend $145 million on container terminals at Tokyo, Kobe, Osaka, and Yokahama. In the United Kingdom, the Port of London alone is spending more than $40 million at Tilbury for containerization. And Rotterdam, the leading European container port, is putting $60 million into its facilities.

The box that is causing all this excitement attacks the underpinnings of conventional maritime economics in a number of ways. A cargo container is essentially a sturdy, demountable truck-trailer van. It can move by sea, rail, highway, and air—or by a combination of these on a single voyage. It protects its cargo from damage and from the widespread pilferage that is a large element in the cost of ocean shipping. (One labor leader describes pilferage as "an undeclared fringe benefit" of longshoremen) And, most important, the container allows ship operators to handle general cargo with almost tanker-like efficiency. While a conventional ship may spend five days in port to discharge and receive cargo, turnaround time for a container ship can be cut to one day. A West Coast-Okinawa service operated for the Defense Department by Sea-Land since 1966 has demonstrated that 40,000 measurement tons of containerized cargo can be "off-loaded and loaded" in 750 man-hours—a job that would have taken 24,000 man-hours with bread-bulk cargo in old-style ships.

In the face of such huge potential savings, shipowners and port directors feel forced to pursue containerization or risk being left out of the maritime future. But many of them are moving toward the inevitable with a sense of foreboding. Luckett of American President sums up an almost industry-wide attitude when he says, "There's going to be a lot of turmoil and not everybody can last." Specifically, the industry fears that the hectic pace of investment will lead within a year or two to extreme overcapacity in both ships and ports, which will idle some of the new docks and encourage devastating price cuts on major trade routes.

The first serious attempt at containerization of ocean cargo began in 1956 with four old tankers, a couple of hundred boxes, and an unsentimental trucker's idea. The trucker was Malcolm McLean, then president of McLean Trucking Co. He foresaw the economic advantage that could be obtained by combining the flexibility of trucks, which can gather freight in relatively small lots anywhere, with the efficiencies of ships, which can carry huge tonnages for long distances at a very low cost per ton-mile.

Unlike most shipowners, to whom a ship is a *she* and a very special thing, McLean viewed it functionally, as a floating bridge between land masses or as a moving warehouse. His idea was to develop a closed system of transportation in which trucks would pick up individual containers packed by shippers and deliver the boxes to a vessel for carriage to the port of destination. There the containers would again be placed on truck-trailer chassis and hauled to the consignees' doors. In practice, it has not proved to be all that tidy. Shippers often do not have enough cargo to fill a container, and smaller lots must be consolidated at inland points or at the ports.

McLean put his container experiment into operation through a subsidiary called Pan-Atlantic Steamship Co. Just a year later, in 1957, he was forced by an antitrust action to choose between trucks and ships. Taking what then seemed to be a huge gamble, he chose to give up his well-established trucking company (fiscal 1955 operating revenues: $21 million) to stick with containers. Pan-Atlantic, which became Sea-Land in 1961, rapidly expanded its container operation to serve domestic ports, including Puerto Rico, from New York to Anchorage. This was a protected trade: like many other nations, the U.S. has cabotage laws that bar foreign-flag vessels from carrying cargo from one domestic port to another. As a protected carrier, Sea-Land did not receive direct government subsidies, but it did very well without them. McLean now has the largest all-container business in the world, with some 20,000 boxes and twenty-six container ships. Sea-Land's parent company, McLean Industries, will probably report 1967 revenues in the neighborhood of $170 million and may net $18 million. (The trucking company's revenues in its 1966–67 fiscal year were $92 million.)

At first, rapid expansion kept Sea-Land strapped for cash, but for the last few years McLean has been bankrolled by Litton Industries and Daniel K. Ludwig's American-Hawaiian Steamship Co. Litton owns 10 percent and Ludwig 12 percent of the outstanding stock of McLean Industries, and each is represented on the McLean board. In a $28,500,000 deal in 1965, Litton bought most of the Sea-Land fleet, leased it back to the company, and agreed to supply as much as $190 million in long-term financing for additional fleet expansion. Last June, Litton and Ludwig joined in putting up $36 million to convert seven more vessels into container ships for Sea-Land.

"We view our investment in McLean as one of our most successful ventures," says Litton President Roy Ash. Litton has had a good return on the ship-leasing contracts, and its Ingalls shipyard has converted eight vessels for Sea-Land at "a full measure of profit." Furthermore, there is a handsome potential capital gain on Litton's original block of 800,000 shares of McLean stock (it now has 1,050,000 shares.) Litton got it at $8.50 a share; recently it was selling at $33.

A FALL FOR GRACE

While Sea-Land was demonstrating the container's value in domestic maritime service, one early experiment with boxes on an international route came to an unhappy end. In 1959, Grace Line put $7 million into an all-container service to Venezuela, only to find that Venezuela longshoremen refused to handle the boxes. Grace laid up its container ships, the *Santa Eliana* and *Santa Leonor*, after two unsuccessful voyages, and in 1965 sold the ships to Sea-Land. Says Arthur Novacek, senior vice president of Grace Line: "The concept was valid, but the timing was wrong."

Even after Grace's experience, many shipowners operating on international routes were attracted by the container's laborsaving potential. But they hoped for a gradual transition to full containerization, and for several years their rate-fixing shipping conferences in both the Atlantic and Pacific put extra charges on container shipments. American Export Isbrandtsen Lines, which was moving aggressively to develop a container operation, resigned in 1966 from one of the North Atlantic conferences in protest against these restrictions.

Hopes for an evolutionary development—already fragile—faded entirely a year ago last April, when Sea-Land started a weekly all-container service between New York and Europe. To get business, Sea-Land set up an aggressive sales organization throughout Europe and signed up 325 European truckers to do its hauling. Its salesmen heavily promoted the container's advantages—less expensive packaging, less damage, and less pilferage—and within a short time the company was filling its containers with the high-value manufactured goods that pay the highest ocean-freight tariffs. These are the goods that are most vulnerable to pilferage and damage, and therefore most suitable for shipping in containers. One especially notable coup occurred when Sea-Land stole a large part of the lucrative Scotch whisky business away from U.S. Lines and Cunard. (Roughly 10 percent of the Scotch that passed through the Port of New York as regular cargo used to disappear.)

As containerization burst upon the North Atlantic, other lines fought back. American Export Isbrandtsen rushed the conversion of two large ore carriers into the *Container Despatcher* and the *Container Forwarder*. Pulling its conventional freighters off the U.S. east coast-northern Europe run, A. E. I. L. formed a new division, Container Marine Lines, which began offering a fortnightly all-container service on the route last January. For immediate needs, Moore-McCormack and U.S. Lines hastily refitted some holds in existing cargo liners to handle containers. In addition, both A. E. I. L. and U.S. Lines felt it necessary to rewrite the specifications for new ships that they had under construction or on order to increase their container-carrying capacity. In the midst of all this furor, one European operator, the Norwegian-flag Cosmopolitan Line, just gave up, sold one of the six ships it had on the North Atlantic, and put the rest out for charter to other operators.

As the North Atlantic came to a boil, Pacific ship operators watched with sympathy for their struggling brethren—and with relief that it wasn't happening to them. But their relief was short-lived. Last September, Matson Navigation invaded the Far East with a container service to Japan. Matson had carried goods by container ship between the U.S. mainland and Hawaii since 1958. But when it decided to expand to transpacific trade, it sought a Japanese partner with whom to share terminal operations. Getting that partner proved to be time-consuming. Japanese shipowners had invested heavily in big conventional cargo liners, many of them very new. They were not eager to help make their investment obsolete. However, this year the Japanese finally concluded that containerization was unstoppable. The Ministry of Transport stepped up its leisurely timetable for development of container facilities, and Matson signed agreements with Showa Kaiun and with Nippon Yusen Kaisha (the second-largest steamship line in the world, after the British Peninsular & Oriental group). The three lines will share port facilities both in Japan and in the U.S. And the six Japanese lines with regular transpacific schedules (N.Y.K., Mitsui O.S.K., Kawasaki Kisen, Japan Line, Yamashita-Shinnihon, and Showa Kaiun) have formed additional operating alliences and ordered six container ships at a cost of $48 million, for delivery in 1968. Soon after that, the Japanese will probably move into Australian and European trade routes with additional container ships.

A WAGER ON BALANCE

On both the Atlantic and the Pacific other operators are falling into line, but with considerable misgivings. Containerization presents a great many problems, some of which look small but are nonetheless hard to deal with, e.g., fixing responsibility for damage to the contents of a container that has been handled by more than one carrier. But the toughest immediate problem is determining what kind of ship to build for containers and what to do with existing ships.

The choices open to the ship operators vary with the characteristics of the trade to be served. For full efficiency a container ship should sail back and forth between major ports without delays. But to keep the ship moving profitably, a "balanced trade" is necessary. That is, containerizable cargo must be available for hauling in both directions to minimize the movement of empty boxes. A number of routes—for example, those serving Africa, Latin America, and the Far East—do not provide this balance of cargo in many ports. Nor is all general cargo suited for containers. Some of it is either too bulky or too heavily, or is simply going to places without facilities for handling containers; in any case, it will continue to be hauled in conventional vessels, or in ships designed to handle cargo in several forms.

No two ship operators agree entirely on just what kind of vessel will best meet the requirements of any given trade route. Some companies—such as Sea-Land, Matson, and (on its North Atlantic route) American Export Isbrandtsen—are using ships that carry only containers. They are betting that they will be able to get enough containerized business to be able to ignore other kinds of shipments. In contrast, Atlantic Container Line, the European consortium, has hedged its bet. A.C.L.'s ten new roll-on, roll-off ships—which will replace thirty-five conventional vessels operated by the consortium's members—will be able to carry automobiles, truck trailers on wheels, and most kinds of general cargo in addition to containers.

For Pacific operators, the problem of ship design is particularly acute. Except between the U.S. and Japan, there is not as much trade in high-value consumer goods on the Pacific as there is on the Atlantic. As a result, U.S. ship operators expect that it will take longer to develop a well-balanced container traffic to and from the Far East. Large quantities of commercial cargo are found in only a few Oriental ports; most do not have the vast cargo-producing hinterlands of a San Francisco or Rotterdam. And many major cities are linked only by the sea. "That means a lot of ports of call," says American President Lines' Luckett. "You can serve Italy from Rotterdam by land, but you can't serve Yokohama from Hong Kong except by ship."

IN A BOX

A.P.L. hopes to keep abreast of containerization—and still remain flexible enough to haul anything it finds at its ports of call. The company will convert two ships, the *President Lincoln* and the *President Tyler,* into all-container ships. But the line finds itself in a betwixt-and-between position with five other new ships that it ordered three years ago before the container's ascendancy. These ships, which will go into service during the next few months, will carry both containers and break-bulk cargo. This mixed approach sacrifices some of the time and money saved by containerization; the ships' turn-around time in port will depend on the speed at which cargo can be loaded out of and into the break-bulk hatches. As a result, A.P.L. has designed a new generation of ships that will have both container capacity and facilities for "unitized" cargo—i.e., goods will be packed on pallets or flat racks, which can be handled far more rapidly than break-bulk freight.

The goal of all lines is to work containers into their operations with as little disruption as possible. For Grace Line, like A.P.L., this meant a "trade-off" of benefits—the efficiency of containers versus the special demands of a particular trade. After some patient missionary work with labor, Grace has developed a container service to the west coast of South America using combination ships. It claims that these ships provide perhaps 70 percent of the efficiency of an all-container operation such as the one it had to drop a few years back.

The most unusual approach involves expensive ships of entirely new designs. These will be "mother ships" that will cruise the oceans at high speed and pause only briefly in port to drop off and pick up barges or lighters. These smaller craft will be able to range far from the mother ship's port of call to seek out cargo of all kinds, including bulk products and containers. Last summer, Avondale Shipyards of New Orleans submitted a low bid of $240 million to build eleven LASH ("lighter-aboard-ship") vessels—five for Prudential Lines and six for Pacific Far East Lines. Meanwhile, Lykes Bros. Steamship Co. has asked shipyards to bid on three "Seabee" barge carriers that will be even larger and more expensive than the LASH vessels. The Seabee ships, including a fleet of 266 barges, may cost as much as $107 million. Each mother ship will be able to carry up to thirty-eight barges or 1,500 containers.

THE STANDARDS THAT FALTERED

Still another perplexing problem in the industry is what size box ought to be used since the containers' promise of a true transportation *system* will be realized only when all carriers use interchangeable boxes. In 1965 the International Standards Organization agreed on a standard container eight feet high and eight feet wide and a length of ten, twenty, thirty, or forty feet. Although the I.S.O. is an unofficial body with no powers of enforcement, most ship lines are following its standards. The most popular sizes are twenty and forty feet long. But the sizes used by Sea-Land and Matson—which own more than half of all the existing marine containers—deviate from the I.S.O. standards. Sea-Land's containers are thirty-five feet long, Matson's twenty-four, and both are 8.5 feet high.

Both Sea-Land and Matson operate closed systems—they do not interchange with other ship lines—but they fought bitterly to have their sizes included in the standards. The two companies had good reason for alarm: the U.S. Maritime Administration announced that it would require adherence to I.S.O. standards in all its programs. Neither Sea-Land nor Matson is now subsidized, but neither wants to be forever barred from subsidy. (Just last month Matson applied for assistance in building ships for its new Far East service.) Even worse, the Maritime Administration's stand opened up the possibility that Sea-Land and Matson might be excluded in the future from hauling government cargoes. This would be a serious blow; in the last eighteen months Sea-Land has been awarded Defense Department contracts worth at least $115 million for hauling containers to Okinawa, the Philippines, and Vietnam. Last summer Sea-Land and Matson took their problem to the U.S. Senate. After three days of acrimonious hearings, several Senators introduced a bill forbidding discrimination against a ship operator by the government because of the size of his boxes.

In the end, standard container sizes will be established, not by edict, but by economics. And the economic circumstances that will govern the sizes are likely to be those that affect the inland movement of containers. Trucks are essential to every door-to-door container movement from shipper to consignee, and hence marine boxes must be adaptable for efficient highway use. Naturally, truckers want to use the largest box that they can carry over the highway, and in the past containers have grown in size as motor-vehicle laws were changed to permit the use of longer truck trailers. When Sea-Land adopted a thirty-five-foot length, that was the maximum size of truck trailer allowed on the highways of the states it served. Matson chose the twenty-four-foot length because highway laws in its western region permitted "double bottom" rigs of two twenty-four-foot trailers hooked in tandem. Even the I.S.O. maximum was set at forty feet—at the urging of the U.S.A. Standards Institute—because that was the length permitted in most states at that time for a single truck trailer.

The dimensions of truck trailers are still growing, and containers will probably also continue to grow. Matson's executive vice president, Norman Scott, recently declared: "In the economics of transportation, there is no magic in mathematical symmetry—and there is probably no permanent attraction even in the twenty-four-foot or thirty-five-foot sizes." Forty-five-foot trailers are now permitted in many states, and several states have fifty-five-foot limits.

THE TWO FACES OF LABOR

Labor hostility to containers is still another major item on the maritime industry's current list of uncertainties. The container's efficiency is achieved, after all, through the substitution of capital for manpower—which means displacing longshoremen. On the West Coast, where Harry Bridges' International Longshoremen's and Warehousemen's Union holds sway, the issue was solved long ago by a "mechanization and modernization" agreement between the I.L.W.U. and management. The M. & M. contract has been in effect since 1961, and was renewed last year for another five years. Under it, the Pacific Maritime Association, representing management, pays a lump sum ($34,500,000 under the current contract) into a special M. & M. fund for the privilege of mechanizing dock activity and eliminating restrictive work rules. The money is used primarily to encourage older longshoremen to retire early by offering them generous terms. "Out here, Harry Bridges is a hero," says a port official.

East and Gulf Coast ports are under the jurisdiction of the International Longshoremen's Association, and its tough president, Thomas Gleason, shows no signs of liking either mechanization or modernization. Up to now, under a contract signed four years ago, I.L.A. members have handled containers in return for a per-ton payment to the union. But the current contract expires next September, and the I.L.A. is expected to take a stiffer attitude toward containers in the next round of negotiations. Gleason seems certain to seek a featherbedding provision that will allow his men to unpack and repack on the dock any container loaded at inland terminals by employees of what he calls "stump jumpers" and "shoestringers"—freight forwarders, truckers or shippers—who are outside the I.L.A. jurisdiction.

Shipping executives hope that Gleason will settle in the end for an M. & M. kind of arrangement, even if it has to be sweetened to the eastern taste. But Gleason says he is totally opposed to the idea of reducing the number of longshoremen on the docks. His reasoning: "What in hell would happen to the union? You can attrition out a union too, you know." Gleason accuses Bridges of having "sold jobs" in return for his M. & M. fund. To which Bridges responds: "He's right. But I sold jobs we weren't going to have in a few years anyway. And I got a damned good price for them."

TOO MUCH, TOO SOON?

Even with containerization still in its infancy, shipowners are bracing themselves against the effects of excess capacity. On some trade routes, that threat may be just around the corner. John L. Eyre, president of Montreal's Saguenay Shipping, estimates the container ships in existence or on order for the North Atlantic will be able to haul "something like" 130 percent of all the containerizable cargo available. (There are now twenty-eight ships with significant container capacity in transatlantic service; within three years, the Maritime Administration believes, there will be at least forty-one.)

"Somewhere in late '68 or early '69," Eyre warns, "a conventional ship will have no chance of surviving in the North Atlantic trade—and there won't be enough business even for all the container ships." Within a slightly longer time span, the same forecast may hold good for the Pacific as well. The Maritime Administration predicts that twenty-seven container-carrying ships will be in service on transpacific routes before 1972.

One solution for overcapacity on principal trade routes would be to transfer surplus ships to lesser routes. Such transfers will surely occur, and may give shipowners a little more time in which to work out the problems presented by the container. But foreign ship lines, with their many consortium arrangements, have already anticipated the need for consolidation to avoid bitter rate wars. The U.S. lines are actively looking for ways to achieve about the same result by sharing port facilities, pooling containers, and coordinating sailing schedules to avoid having too many competing ships in port at one time. Not everyone cheers such foresightedness. In a recent report, the British Shippers' Council pointed worridely to the dangers of "growth of monopoly control and decline of competition."

For ports, the dangers of excess capacity are double-barreled. Port authorities throughout the world are building more capacity to handle containers than current trade levels justify. At the same time, as more and more tonnage goes through container shipping berths, the volume of cargo moving across conventional wharves will decline—which means that investments in existing facilities will be threatened.

Some ports are likely to decline, regardless of how much new space they build for containers. In a fully efficient container system, trucks and railroads will funnel the freight to a few major ports; other harbors will probably become mere feeder ports or be bypassed altogether. There are already signs that even the U.S. east coast could be most efficiently served by only two large container ports.

Fortunately for U.S. port operators, there are two ameliorating circumstances. The first is the government's desire to have a number of up-to-date ports for defense purposes; government cargoes will probably continue to be directed through several harbors. The second is that the problem may turn out to be remote: at least in the short term, competition among operators scrambling to fill the container cells of their ships will force them to have their ships pick up cargo wherever it might be—even if they are required to call at more than the optimum number of ports.

JUST LAKES AGAIN

Before long, the waves of change that are threatening to swamp some segments of the maritime industry are going to wash on shore and move inland. "We must start thinking in terms of transportation companies, rather than steamship companies," says James Gulick, acting Federal Maritime Administrator. Even now, the so-called "intermodal" versatility of the marine container—that is, the fact that the same box can be hauled by truck, train, ship, and, in some cases airplane—is forcing a re-examination of the way goods are distributed in world trade. For example, one study predicts that European goods destined for the U.S. West Coast will one day move through east coast ports and across the U.S. by rail, rather than through the Panama Canal.

Even before the Arab-Israeli war closed the Suez Canal, United Cargo Corp., operator of a worldwide container service, developed plans to use the U.S. as a "land bridge" for movement of goods between Japan and Europe. The service is now in operation, and United Cargo is moving from fifteen and twenty containers a month—loaded with electronic parts, film and other high-value products—by ship to Seattle, by train to New York, and by ship again to European ports. The door-to-door "land bridge" trip takes about twenty-eight days, compared to the forty-four-day ocean voyage through the Suez Canal.

At the same time, it is becoming more advantageous to move export containers between U.S. east-coast ports and the Midwest by rail than it is by ship through the St. Lawrence Seaway. "With containerization, the seaway will be just lake again as far as general cargo is concerned," says Theodore de Smedt, president of American Export Isbrandtsen Lines. (That still leaves a big role for the seaway—most of its business comes from bulk cargo such as petroleum and grain.) A.E.I.L. has applied to the Federal Maritime Commission for permission to drop the service it now offers between Great Lakes ports and Western Europe.

For many U.S. railroads, hauling containers on flatcars is a natural extension of piggybacking—the transporting of truck trailers, wheels and all, on railroad cars. The Southern Pacific recently sent some of its executives to Japan to seek container traffic for the thirty-five ports it serves from Portland to New Orleans. The Burlington and the Santa Fe have developed a new flatcar to carry refrigerated containers. And the Santa Fe has announced a through-train schedule between Chicago and Los Angeles for containers as well as regular piggyback service. The new Santa Fe service will cut nineteen hours off a run that now takes fifty-nine hours. The pioneer in railroad containers, the New York Central, has already proved how profitable such operations can be. Its "Flexi-Van" container cars represent just one-half of 1 percent of its total rail equipment, but last year they produced nearly 9 percent of the road's freight revenues.

THIS IS IT, CHARLIE

For the world's merchant marines, the container remains mostly a box of puzzles at this point. But U.S. Maritime Administrator Gulick sees a great opportunity for U.S. cargo carriers if they are hardy enough, and courageous enough, to stick it out. "Containerization holds not only the prospect of higher productivity for transportation as a whole," Gulick told an I.L.A. convention last summer, "but even more important . . . it holds the possibility of massive increases in the carriage of dry cargo in U.S. bottoms." The innovators of containerization have been U.S. operators, who at this point have had more experience with boxes than their foreign-flag competitors. Further, since the container replaces men with machines, the change should favor the U.S., where capital is easier to find than low-cost labor. As shippers become increasingly aware of the advantages of cargo containers, Gulick reasons, U.S.-flag cargo liners will be in a good position to increase the small share (only about 22 percent in 1966) of U.S. foreign commerce that they have carried in recent years.

Not all seafaring men, not even those in the U.S., share Gulick's optimism, and most of them understandably dislike heading into uncharted seas at such high speed. But the container's economic possibilities are so great that very few shipowners believe it is possible to step aside and refuse to follow the box even though its potential effect on the maritime industry is completely unpredictable. Says Otto I. M. Porton, general manager of Atlantic Container's North American operations: "I'm afraid some operators looked at the cup of tea, read the leaves, and said, 'This is it, Charlie, we'd better go to containers'." In the absence of clairvoyance, who can beat tea leaves?

[From the Container News, September 1967]

BATTLE OVER STANDARDS

The attempt to accept 24- and 35-foot containers as standard sizes has now reached the Congress of the United States. The Senate Merchant Marine Subcommittee has heard heated arguments for, and equally heated arguments against.

While the issue in itself is of the utmost importance to two American steamship lines only, it involves directly practically everybody in the transport industry engaged in national and international trade, not only in the U.S., but in the whole world—any steamship line, any inland carrier (truckers and railroads), shippers and forwarders.

Both 24-footers and 35-footers were developed by Maston Navigation Company and Sea-Land Service, Inc., respectively, in domestic trade routes. The two companies, however, did not only develop the container sizes; they pioneered containerization. It was their enterprising spirit, without Federal subsidies but entirely privately conceived and financed, that started "the container revolution."

They built containerships and invested heavily in containerization at a time when everybody else in the industry and in government spoke of containers as a "passing fancy" and predicted the financial collapse of what was frequently termed "an irresponsible adventure".

Today, carriers throughout the entire world benefit from the know-how and the experience of Matson and Sea-Land. The two pioneers, however, did not stop developing. They own, as individual carriers, the largest number of containers and containerships and it is therefore understandable, that they wish to expand into international trade.

In the discussions before the Senate Merchant Marine Subcommittee, three incidents stood out and should be recorded:

The fact that the matter is of equal international and national concern, was proven by the appearance before the Committee of a high British steamship executive, G. E. Prior-Palmer, managing director of Overseas Containers Ltd., London, who pleaded against acceptance of the Matson and Sea-Land sizes.

The declaration of Acting U.S. Maritime Administrator James W. Gulick who stated that government subsidies would be given only to those carriers adhering to accepted standards.

(The testimony of Donald T. Cameron, president of Arcan Shipping Company, Inc., who appeared as president of the New York Freight Forwarders and Brokers Association and who said: "the tendency to grow to ever increasing cube is shown in going from 24 to 35 to the 40-foot container. The 45, 50 and even 60-foot container is possible in the future. Standards are fine, but not standards that will inhibit American activity in international transportation. . . . You simply cannot legislate technology. If the government of the United States is going to lock itself into any standard size container it is eventually going to lock itself out of competition.")

Appearing before the Senate Subcommittee in defense of the internationally accepted standards, A. T. Desmedt, president, American Export Isbrandtsen Lines and spokesman before the committee for 14 other U.S. flag lines, stated:

"The majority of U.S. flag lines have already gone ahead with container plans on the basis of the standard sizes. The different sized 24-footers and 35-footers can't be handled by them without extra effort which would reduce or negate any savings from containerizing."

The European opinion was expressed by General Prior-Palmer, managing director of Overseas Container Ltd., a consortium of five British companies established to operate on all-containership service. General Prior-Palmer, who flew to Washington from London for the sole purpose of taking part in the discussions of the Senate Subcommittee, testified:

"The key to automation is the existence of a standardized product. In this connection, standardized containers represent the homogenous unit which is a prerequisite to the full automation of the transport of general cargo. Once this standardized unit is available, mass production techniques can be applied to the total cargo transportation system which may cover more than one country

However, to be effective in trade between nations, the standards must be international."

Prior-Palmer emphasized that his appearance before the Subcommittee was to stress the value and importance of international agreement, and to do what is possible to ensure that an international agreement so recently achieved should not be subjected to further disagreement.

The star witness before the Subcommittee was acting U.S. Maritime Administrator James W. Gulick. He said in part:

"Sea-Land and Matson were pioneers in developing the concept of domestic intermodal containerization. Sea-Land's container inventory expanded from 3,210 units in 1957 to over 18,000 units by the end of last year. During this same period of time, the company developed the world's largest fleet of full containerships consisting of 23 vessels serving military and commercial trade lanes.

"The Matson Navigation Company also has a large container fleet and it was recently pointed out to the MH-5 Sectional Committee that Matson and Sea-Land had invested approximately $300,000,000 of their own capital in their container systems.

"From this record it is easy to realize why both companies believe that their approach to containerization is a correct one and one that meets shippers needs. We agree that both Matson and Sea-Land have through company container standard sizes been able to use production line techniques of handling cargo to the benefit of their users. A realistic and responsible evaluation of the 24 and 35 foot lengths must not be made on the number of these units in a single company's fleet but on the merits of these sizes as to their efficiency, economy, flexibility, and universal interchangeability in the overall American system of transportation."

The highway mode has the most influence on the size of containers to be used. State legal requirements fix the maximum container dimensions and maximum weights that can be transported, Gulick continued. The 40-foot standard length container and modules thereof can be hauled throughout the United States by highway. The 35-foot length also meets this objective of the standards. The 24-foot length is only considered economical for volume operations when run in territory permitting doubles operations. Twenty-two of the states do not permit operations of this nature using 24-foot length trailers. These restrictions greatly reduce the flexibility and efficiency of the 24-foot unit as a national standard.

Comparing 35-footers to 40-footers, Gulick stated:

"The standard 40-foot length provides approximately 10 per cent more cubic capacity than a 35-foot unit of comparable height when used in highway operations. An 8x8x40 foot unit with a capacity of 2,250 cubic feet could transport 45,000 pounds of freight at 20 pounds per cubic feet. Using an 8x8x35 foot unit with a capacity of 1,970 cubic feet, 39,400 pounds of freight of 20 pounds per cubic foot can be carried. The limiting factor being cubic capacity, not weight."

As to movements by rail, the most commonly used flatcars for piggy-back service are those in the 85 to 89 foot range, Gulick continued. These cars can handle two 40-footers or four 20-footers. But two 35-footers offer approximately 14 per cent less cargo capacity, and three 24-foot units mean a loss of some 10 per cent.

In summing up, Gulick concluded:

"Nearly everyone admits that each trade area has unique characteristics and this could call for a different size container if one attempted to develop a van length to the average cargo density and other variable characteristics on a single trade route. Obviously, such developments, if carried to an extreme, would create chaos for those interested in developing an efficient integrated transportation system. The standards that have been developed and that have international acceptance are the standards which—we believe—most effectively promote the American merchant marine."

THIRTY-FIVE-FOOT UNIT

Container News submitted several questions to Sea-Land Service, Inc. and received these replies:

Container News. Why did Sea-Land originally decide on a 35-foot unit?

Sea-Land Service. After much study, the 35-foot unit was chosen as the most economical for our needs.

Container News. How are 35-foot units compatible with over-the-road and railroad equipment, and are there any interchange problems between these modes; In the United States? In Europe? Elsewhere?

Sea-Land Service. There are no problems whatsoever in the United States. In Europe, there are no over-the-road restrictions and the only railroad restriction exists in the Alps; it is a restriction on height which, however, has no effect on Sea-Land's general operations. As to elsewhere in the world, Sea-Land does not encounter, nor expects to encounter in the future any problems in Okinawa, the Philippines, Viet-Nam, Panama, Santo Domingo, the Virgin Islands, etc.

Container News. Are there any highway restrictions—and if so, where—for 35-foot units which would not apply to 20-foot or 40-foot units?

Sea-Land Service. There are none.

Container News. How does a 35-foot unit compare to two 20-foot units married into one 40-foot unit—weight-wise, cube-wise, and in intermodal movements?

Sea-Land Service. Two 20-foot units cost twice as much to handle in stevedore operations. When they are hooked together for overland transportation, they offer only 104 cubic feet of inside space more than one 35-foot unit, but weigh 40 per cent more than the 35-ft. van, and therefore have a substantially decreased payload potential. In addition, the number one unit of two coupled twenty-footers cannot be opened without separating, a fact which frequently results in great inconveniences for the carrier as well as for the customer; sometimes, such a separation at customer's premises is outright impossible.

Container News. Do Sea-Land's 35-foot units have ASA standard corner fittings? If not, will Sea-Land convert to ASA standard corner fittings in the future, and under what conditions?

Sea-Land Service. No. The corner fittings are similar to those prescribed by the American Standard Association, but they are not standard. At the recent meeting of the International Standard Organization in Moscow in June of this year, new corner fittings were recommended that are different from all those presently used. In the future, Sea-Land will have therefore much company in the non-standard area. There are no plans at present to convert any of Sea-Land's equipment, and there are equally no plans to change the types on future purchases.

Container News. Does Sea-Land plan to utilize any other container or trailer sizes in the future, particularly 20-foot or 40-foot units?

Sea-Land Service. Sea-Land is open to any economical size. But there are no plans whatsoever for 20-footers.

TWENTY-FOUR-FOOT UNIT

L.A. Harlander, Vice President, Engineering and Maintenance, Matson Navigation Company, states his company's case:

"Since the primary reason for containerization is to reduce cargo transportation and handling costs, it logically follows that the fundamental yardstick which should be used for establishing a container size standard is that of economics on a door-to-door basis. To demonstrate the economic potential of the 24-footer in intermodal service, the relative effect of factors influencing highway, rail and sea transport systems must be considered.

"Compared to existing standard sizes, the 24-foot unit is:

"Best for trucking operations in the western states of the U. S. A.

"Most efficient in city delivery operations.

"Equally effective in rail transport.

"Most economical for transporting cargo by ship in many trade routes.

"Already well established in terms of experience and quantity.

"Capable of reducing overall intermodal transportation costs.

"HIGHWAY USE

"The primary need of motor carrier operations is space. In the eastern United States, the need for space is best met by use of 40-foot semi-trailers. In the West, the need for cubic capacity is met by the use of highly efficient doubles—a tractor towing two trailers—within overall length limits of 60 or 65 feet, depending on the state.

"When compared to existing standards, the 24-footer is the best for doubles. Two 24-footers can be moved together yielding 20 per cent more cargo carrying ability than 20-footers.

"A good example of the relative economics of 24-ft. doubles as compared to 40-foot trailers is provided in a recent A. T. Kearny report. It shows that if a western motor carrier had been forced to use 40-foot trailers throughout his system, his increase in direct line haul operating costs would result in a decrease of yearly profit from $1,173,000 to $406,589.

"The doubles rig provides flexibility in two ways, both of which further serve to reduce transportation costs:

"Individual trailers are comparatively short and may be used in congested city traffic for pick-up and delivery service. This eliminates the need for unloading city vehicles and reloading into line haul transport vehicles.

"Less time is lost in transit. A combination may start on a trip, drop one trailer at an intermediate point, pick up another, and continue with no loss of time other than that required for hooking and unhooking the trailer. This process may be repeated a number of times before the final destination is reached.

"The 24-foot container is better than the 20-footer as a refrigerated unit when considering payload and initial cost. Since the space required for the reefer machinery and the thickness of insulation on the walls are approximately the same, the 24-ft. van obviously has higher payload per gross volume than the 20-footer. More important is the relatively small cost paid to achieve the greater payload. Although a 24-ft. refrigerated container costs 6 per cent more than a 20-footer, it has 22.9 per cent more cubic capacity—clearly an economic advantage.

"The 24-footer, used with a long tandem axle semi-trailer provides a unit which is extremely practical for the movement of medium-to-high density cargo. In California, which has highway limitations typical of other western states, the gross weight of a 24-footer can be approximately 51,000 pounds. This results in a weight-cube relationship which accommodates a great portion of high density ocean freight, including all canned goods. The 24-footer can carry approximately the same amount of weight-limiting payload as a 40-foot unit in over-the-road, semi-trailer operation.

"RAILROAD TRANSPORT

"In rail traffic, at the present time, five railroads are using 24-foot containers from the U.S. West Coast to the midwest and eastern cities. These containers are carried three to a railcar. These same railroads have invested over a million dollars of their own money in 24-foot units. Their service is growing rapidly and many containers are currently being put on order to keep pace with the demand.

"A proposed rail car which has recently met with widespread enthusiasm is the high cubic 'compatible container car.' This car can accommodate two 40-ft. piggyback trailers, six 20-ft. containers, five 24-ft. containers, or a corresponding number of containers of other sizes. The design would make it possible for rail carriers to have one railcar which can accommodate both 20-ft. and 24-ft. containers at the same high efficiency. Double tiering between the rail-car trucks is used to achieve this high capacity.

"If existing clearances restrict railcars to single container tiers, it is possible to employ a 96-foot car which will take four 24-ft. units. Thus the 24-footer will be as efficient in rail movement as any existing ASA standard length.

"SHIP ECONOMICS

"Depending on the trade route, its cargo density distribution and how selective the marine carrier is in his freight, container size can have strong economic impact on ship transport and terminal handling costs.

"The most important factor in the cost of moving a given amount of cargo is that of ship utilization, i.e., the amount of cargo that is actually carried by a ship having a given size, speed, and operating cost. The utilization factor, in turn, is predominantly dependent upon how well the space is used inside the containers. Based on numerous trade route studies by Matson, it has been established that there is not much difference in space used between the 20-ft. and 24-ft. container. However, a container 30-ft. or longer may result in much higher container—and therefore ship—space loss. This is due to weight limitations imposed by highway restrictions when handling higher density freight.

"The costs per ton of cargo handled will decrease with the larger container. Assuming the same number of cranes, the larger container will lower the ship's port time. Under this cost category, the 24-ft. unit has a decided advantage over the 20-footer, while 30-ft. vans have advantages over the 24-footer. However, these advantages of the 30-ft. and 40-ft. units are overshadowed by their poor ship utilization.

"Since there is little difference between the 20-ft. and 24-ft. container in terms of space utilization, the number of containers required in a system to move a given amount of cargo is roughly inversely proportional to the container length. The 20-ft. system is penalized since 20 per cent more containers are required in a given operation. Yet the cost of each 20-ft. container is only about 8 per cent less than that of a 24-footer."

Mr. BARTLETT. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 722), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

BACKGROUND AND NEED FOR LEGISLATION

In the late spring of this year it came to the attention of the committee that the Maritime Administration was requiring that cargo container vessels utilize 10-foot-length modular containers of 8-foot-height and width as advocated by the United States of America Standards Institute in order to obtain favorable consideration under various shipping aid programs administered by that agency. In early July, hearings were held before the Subcommittee on Merchant Marine and Fisheries.

The hearings confirmed the information previously obtained. The Acting Maritime Administrator testified that under present policies construction differential subsidy would not be given for any container vessel not complying with the 10-foot modular system advocated by the Standards Institute. Further testimony of that witness established beyond doubt that adherence to the 10-foot modular system was required by the Maritime Administration as a prerequisite to favorable consideration under the various programs of the agency designed to promote the ocean-going trade.

The committee learned through other testimony that 70 percent of all the marine cargo containers now in operation are owned and operated by two U.S. steamship companies whose cargo containers are not within the 10-foot modular system recommended by the United States of America Standards Institute and now imposed by the Maritime Administration. From the extensive testimony presented to the committee it was established that the present policy of the Maritime Administration of compelling adherence to a 10-foot modular series for cargo containers could seriously impair if not destroy the two steamship companies (Sea-Land Service, Inc., and Matson Navigation Co.) that have pioneered the marine cargo container concept and have together invested some ½ billion dollars of their own capital in their container systems. The testimony further established that the Sea-Land Service, Inc. and Matson Navigation Co. containers (35 by 8 by 8½ feet and 24 by 8 by 8½ feet, respectively) are the only proven economical marine container systems now in operation. Both companies have devised and successfully implemented their container operations without a dollar of Government subsidy.

Quite aside from the considerable merit the proposed legislation would have on the basis of protecting the wise and successful investments of the pioneers of marine cargo container service, there are even stronger and more compelling facts necessitating the legislation proposed.

The 10-, 20-, 30-, 40-foot length series of cargo containers recommended by the United States of America Standards Institute and imposed by the Maritime Administration not only excludes the U.S. companies presently owning and successfully operating the majority of marine cargo containers but also seems to lack any sound technical justification. The principal argument advanced in support of the 10-foot modular system is that it allows a building block assembly of containers, i.e., a 30-foot container and a 10-foot container, or two 20-foot containers can be coupled to form a 40-foot container. While on the surface this may appear sound, the facts show otherwise. First, the 10-foot and 30-foot containers have been found so unsatisfactory that the committee was unable to learn of a single operator intending to purchase and use those sizes. Thus, the 10-foot modular series is as a practical matter limited now to two containers: the 20-foot and 40-foot lengths. Testimony before the committee established that for many types of cargo that could be containerized the 40-foot length was not sound in that the weight limitations would be maximized before all cube was utilized. Similarly, for other trades the 20-foot box would be unacceptable or less profitable than other sizes because of utilization of all cube available before reaching weight limits. In short, the most productive and economical container is one that most closely maximizes cube and weight, and that attribute is dependent upon the type of cargo carried in the container. It is obvious that a 20-foot container would, in comparison with a 24-foot container, require that additional boxes be utilized to load identical cargo areas, thus increasing the amount of cargo space filled with box rather than cargo. Similarly, 20 percent more boxes would have to be loaded and unloaded to carry the same amount of cargo in a 20-foot container as would be carried by 24-foot cargo containers. This well illustrates that the difference in container sizes can have a profound effect upon the productivity of a system and its profit potential.

The Maritime Administration witness testified that that agency's policy of adherence to the 10-foot modular container series was based upon a determination by the United States of America Standards Institute which purportedly had recommended the 10-foot modular system for all modes of transportation through a "consensus" of those in the relevant industries. However, the record is clear that 70 percent of all the marine cargo containers now in operation are 24-foot or 35-foot boxes and the committee is unaware of any railroad, truck, airline, or freight forwarding operator or association that advocates compelled adherence to the 10-foot modular series.

No Federal agency, except the Maritime Administration, is seeking to compel any mode of transportation to comply with any stated size of cargo containers. Truckers are free to use any container lawfully permitted on the highways, and as highway limitations have evolved in recent years the trucking industry has responded by utilizing containers not within the 10-foot modular system. In fact, the committee learned that in a great number of States which allow the carriage of double bottom rigs in tandem the currently most popular container size is 27 feet in length.

The railroads have demonstrated no preference for the 10-foot modular container series and recently one railroad official's statement that has come to the attention of the committee expressly termed the 20-foot containers inefficient for land transportation. Similarly, the airline industry has shown no interest in adhering to the 10-foot modular system advocated by the U.S. Standards Institute. It is clear that the importance of containerization is the ability to carry goods in the same container upon various modes of transportation. It would be of little value and a costly mistake to lock our ocean-going vessels into a system incompatible with a freely developing land and air cargo container market.

Testimony before the committee established that interchangeability of containers between various modes of transportation and between ships were not dependent upon container dimensions. By means of adjustable handling equipment now in use, various sizes of containers may be accommodated and transfer readily accomplished. Adapter frames are now available for handling dif-

The Department of Transportation and the Interstate Commerce Commission have both advised the committee that it is advantageous to the development of a sound intermodal transportation system not to impose container size standards at this time. This proposed legislation would accordingly assure free market development of container sizes and thus assure that the eventual "standard" size containers will be those proven in the market to be most productive and economical.

Until standards for cargo container dimensions are justified through the market any container system that is economical and productive should be available for utilization without discouragement or impediments imposed by the Government. A most compelling example of the desirability and advantage of unencumbered utilization of cargo containers not within the 10-foot modular series is the use of the Sea-Land-Service, Inc., 35-foot container for carriage of cargo to Vietnam. Sea-Land now provides the only container service to Vietnam and the committee is aware that this service has been highly successful and has greatly enhanced our transportation effort to that vital area. It is essential that the Department of Defense and all other agencies be free to choose cargo container service on the basis of what works best and is cost effective. This bill would allow the various Government agencies to buy containers of whatever size they desired, but would require that any advertisement or invitation to bid or contract for the carriage of Government cargo in other than Government-owned cargo containers be open to any dimension of cargo container that can fulfill transportation requirements of the contract in an economical manner.

The committee appreciates and understands the importance of standardization in promoting the use of efficient and safe equipment. Standardization of corner fittings, gross container weight, container strength minimums, and markings and identification methods may well be warranted at this time. But the committee is convinced that this is not the time to standardize cargo container dimensions. It is too early in the development of this revolution in cargo handling. We recognize that eventually a standard for cargo container sizes may well evolve through the demands of the marketplace, but when that day arrives, adherence need not be compelled by a Government administrator.

This committee has heard extensive testimony on the particular subject matter of this proposed legislation and has this year as well conducted an indepth probe of the present state and future of the U.S. merchant marine. Throughout the course of the committee's study two factors emerge unmistakably clear. First, it is essential to the economic well-being and national security of this Nation to have an efficient and competitive merchant marine. Second, a U.S. merchant marine must bear the burden of a capital acquisition cost more than twice as high as some competitors and an operating cost in some instances three times greater than some competitors.

The one factor that can enable a U.S. merchant fleet to compete on a favorable basis, without total reliance upon the Government to artificially equalize costs through extensive direct and indirect subsidy programs, is the ability to devise and implement methods for transporting merchandise in a more efficient and productive manner. The growth of containerization in the marine field is an example of that ability and an example of what free enterprise can do to enhance the competitive posture of our merchant fleet. To stifle that ability and with it the creation of new and advanced cargo handling systems could well spell the end of a competitive U.S. merchant fleet.

Under the maritime laws of the United States, the granting of construction differential subsidy is the only way a marine operator may equalize his capital acquisition cost with that of his foreign competitors. And, of course, any nonsubsidized American operator competing on a trade route served by other American vessels that have received construction subsidy is at a distinct economic disadvantage. The discriminatory policies of the Maritime Administration, which this proposed legislation seeks to correct, have the practical effect of foreclosing operators such as Sea-Land, Inc., and Matson Navigation Co. from any opportunity to equalize capital acquisition costs with their ocean-going competitors, both foreign flag and of the U.S. flag, simply because the Maritime Administrator does not believe their cargo containers are of a proper length, height, or width, despite their proven economical operation.

This legislation is proposed as an essential safeguard of the freedom to devise and implement the most productive cargo handling systems U.S. industry can create. The committee believes the speedy enactment into law of this bill is essential to the future of our merchant fleet.

COST OF LEGISLATION

Enactment would involve no additional cost to the Government.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Pursuant to the order of the Senate of November 2, 1967, the following reports of committees were submitted:

On November 2, 1967:

By Mr. KENNEDY of Massachusetts (for Mr. HART), from the Committee on the Judiciary, with an amendment:

H.R. 2516. An act to prescribe penalties for certain acts of violence or intimidation, and for other purposes (Rept. No. 721).

On November 3, 1967:

By Mr. BARTLETT, from the Committee on Commerce, with an amendment:

S. 2419. A bill to amend the Merchant Marine Act, 1936, with respect to the development of cargo container vessels, and for other purposes (Rept. No. 722).

On November 4, 1967:

By Mr. HILL, from the Committee on Labor and Public Welfare, with amendments:

H.R. 6418. An act to amend the Public Health Service Act to extend and expand the authorizations for grants for comprehensive health planning and services, to broaden and improve the authorization for research and demonstrations relating to the delivery of health services, to improve the performance of clinical laboratories, and to authorize cooperative activities between the Public Health Service hospitals and community facilities, and for other purposes (Rept. No. 724); and

H.R. 6430. An act to amend the public health laws relating to mental retardation to extend, expand, and improve them, and for other purposes (Rept. No. 725).

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare, with an amendment:

S. 830. A bill to prohibit age discrimination in employment (Rept. No. 723).

REPORT ON FOOD AID PROGRAMS—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 179)

The PRESIDING OFFICER (Mr. KENNEDY of Massachusetts in the chair) laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry:

To the Congress of the United States:

I am pleased to transmit to the Congress a report of our food aid programs during calendar year 1966.

This report marks a year in which the productivity of American agriculture and the generosity of the American people have done much to help others to help themselves.

Food and fiber valued at $1.5 billion were provided to needy people in more than 100 countries. Since 1954 the United States has provided almost $16 billion in farm products to 116 countries which together contain almost half of the world's population.

To millions of human beings, this sharing has meant survival in the face of drought or other natural disaster. To countless children it has meant freedom from the weakness, disease, and mental retardation which are the tragic consequences of malnutrition.

In 1966, however, U.S. food aid programs entered a new and more critical stage. The world's food problem was growing—not diminishing. Despite our efforts, serious food shortages threatened many countries. The problem of feeding rapidly growing populations was compounded by serious drought in India and Pakistan—the worst drought on the south Asian subcontinent in this century.

The world faced two related problems:

To stimulate agricultural production in the food-deficit countries so that they will eventually be able to grow their own food, or to buy it through the normal channels of world commerce; and

To provide direct food shipments sufficient to ward off starvation and severe malnutrition during the interim period until the deficit countries achieve self-sufficiency.

After a long and careful study, the United States undertook to carry its share of the burden in a worldwide war on hunger. I sent to the Congress a special message proposing that the United States lead an all-out effort to reverse the dire trend in the race between world population and world food supply. The response of the Congress gave us the tools to wage that war.

There are six main elements of the new strategy.

Emphasis on self-help: The war on hunger must be fought and won within the countries where hunger exists. Our food aid and other forms of assistance must go primarily to those who do the most to help themselves. The key to victory over hunger is self-help.

Policy for a nonsurplus era: In the past, our food aid programs have been based on the existence of food surpluses in the United States. These surpluses are gone. Until the less-developed countries are able to provide for themselves, our domestic farm programs must be geared to insure that we produce enough to meet pressing foreign needs as well as the demand here at home.

Population programs: Rapid population growth can make the dream of plenty a nightmare of famine. This is an enormous problem. It is clearly a matter for the conscience of each family and each nation. We will never dictate an answer, nor intrude on the decision others must make for themselves. But many countries have voluntarily decided that the time has come to confront the population challenge. We stand ready to respond to the requests for help from these nations in formulating and carrying out effective programs.

Integration of all U.S. assistance programs: Relief from immediate suffering is only part of the war on hunger. It gives precious time and strength for a larger task. The developing countries must use this time to gather the resources and skills to improve their agricultural production so that they can ultimately stand on their own feet. This is the goal of our technical and economic assistance. Clearly, our food aid must be closely related to these other forms of help in a single, carefully integrated approach to the entire food problem.

Increased private investment: There is no easy or simple answer to the scourge of poverty and hunger. No single program, no single plan, and no single government holds the key. We must marshal the sum of our experience. We must bring to bear more and more the capital and know-how of private enterprise—both in the United States and in the developing nations themselves.

A multinational effort: The food deficit is a world problem. Developed nations must join in an international undertaking to combat hunger and modernize agriculture. The United States cannot shoulder this responsibility alone. In meeting the world's food needs, the common interest lies in common effort. In sum, we propose to enlist the very best talent—private and public, of all nations, rich and poor.

As I have stressed, our own food aid is only a part of a wider attack on the causes of hunger. We made effective use of this new approach in the sales agreements signed in 1966. In the program with India, for example, our food assistance complements India's own strenuous measures to increase agricultural production. We also made a special effort to encourage help to India from other developed nations.

We seek new agreements with other countries in the same spirit. Our goal is to achieve both self-help in the developing countries and close integration of our own aid with the assistance of other wealthy countries.

The developing nations are helping themselves. Given a critical margin of capital, technical skill, and interim food shipments from the advanced countries, the threat of mass hunger will eventually diminish. Over the past 12 years, Public Law 480 has meant the difference between life and death for millions all around the world. That challenge and that momentous obligation are still with us.

I know that Americans have the dedication, the patience, the skills, and the wisdom to see the job through. Working together with rich nations and poor, all equally determined that mankind will conquer its oldest enemy, we will win the war on hunger.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *November 6, 1967.*

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that the President had approved and signed the following acts:

On November 2, 1967:

S. 445. An act for the relief of Rosemarie Gauch Neth; and

S. 1108. An act for the relief of Dr. Felix C. Caballol.

On November 3, 1967:

S. 676. An act to amend chapter 73, title 18, United States Code, to prohibit the obstruction of criminal investigations of the United States.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawing the nomination of William C. Gardner, of the District of Columbia, to be associate judge of the District of Columbia court of general sessions, which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

Report on Department of Defense Procurement From Small and Other Business Firms

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on Department of Defense Procurement from small and other business firms, for July-August 1967 (with an accompanying report); to the Committee on Banking and Currency.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of the validity of and controls over the large volume of unfilled orders for Air Force materiel, Department of the Air Force, dated October 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on substantial savings available by eliminating low-cost, low-demand spare parts from defense supply system, Department of the Navy and the Defense Supply Agency, dated October 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on savings available through more frequent payments on college housing loans, Housing Assistance Administration, Department of Housing and Urban Development, dated October 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on actions to improve the financial management system of the U.S. Army Tank-Automotive Command, Warren, Mich., Department of the Army, dated October 1967 (wtih an accompanying report); to the Committee on Government Operations.

Amendment of Atomic Energy Act of 1954

A letter from the Acting General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended, and for other purposes (with accompanying papers); to the Joint Committee on Atomic Energy.

PETITION

The PRESIDING OFFICER laid before the Senate a resolution adopted by the City Council of the City of Stockton, Calif., relating to the principle of tax-sharing by the Federal Government, which was referred to the Committee on Finance.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, without amendment:

S. 448. A bill to authorize the Secretary of the Interior to use appropriated funds for the payment of medical care of temporary and seasonal employees and employees located in isolated areas who become disabled because of injury or illness not attributable to official work, and for other purposes (Rept. No. 728).

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1967—REPORT OF A COMMITTEE—SUPPLEMENTAL AND INDIVIDUAL VIEWS (S. REPT. NO. 726)

Mr. MORSE. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, with amendments, the bill (H.R. 7819) to strengthen and improve programs of assistance for elementary and secondary education by extending authority for allocation of funds to be used for education of Indian children and children in overseas dependents schools of the Department of Defense, by extending and amending the National Teacher Corps program, by providing assistance for comprehensive educational planning, and by improving programs of education for the handicapped; to improve authority for assistance to schools in federally impacted areas and areas suffering a major disaster; and for other purposes. I ask unanimous consent that the report may be printed, together with supplemental and individual views.

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Oregon.

PROHIBITION ON USE OF FINANCIAL INSTITUTIONS AS LOTTERY AGENCIES—REPORT OF A COMMITTEE—MINORITY AND INDIVIDUAL VIEWS (S. REPT. NO. 727)

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Wisconsin [Mr. PROXMIRE], from the Committee on Banking and Currency, I report favorably, with amendments, the bill (H.R. 10595) to prohibit certain banks and savings and loan associations from fostering or participating in gambling activities. I ask unanimous consent that the report be printed, together with the minority views of Senators BENNETT, TOWER, HICKENLOOPER, BROOKE, and PERCY, and the individual views of the Senator from New Hampshire [Mr. MCINTYRE].

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from West Virginia.

THE INTERGOVERNMENTAL PERSONNEL ACT (S. 699)—INDIVIDUAL VIEWS—PART 2 OF SENATE REPORT NO. 701

Mr. HANSEN. Mr. President, last Tuesday the Committee on Government Operations reported S. 699, the Intergovernmental Personnel Act. It is my understanding that the bill is scheduled for consideration within the next day or two. In the absence of the Senator from South Dakota [Mr. MUNDT], I ask unanimous consent that the individual views of members of the Committee on Government Operations be printed for distribution as part 2 of Senate Report No. 701.

Copies of these views have been distributed to each Member of the Senate along with copies of amendments which are being proposed for consideration when S. 699 comes before the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare:

John Harold Fanning, of Rhode Island, to be a member of the National Labor Relations Board.

By Mr. MONRONEY, from the Committee on Post Office and Civil Service:

One hundred and thirty-six postmaster nominations.

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Robert G. Miner, of New York, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to Sierra Leone; and

Walter N. Tobriner, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary to Jamaica.

By Mr. BAYH, from the Committee on the Judiciary:

Asher E. Schroeder, of Iowa, to be U.S. attorney for the northern district of Iowa; and

K. Edwin Applegate, of Indiana, to be U.S. attorney for the southern district of Indiana.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MONTOYA:

S. 2625. A bill to amend the U.S. Housing Act of 1937 to extend coverage to all classes of low-income families in Indian areas; to the Committee on Banking and Currency.

(See the remarks of Mr. MONTOYA when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON:

S. 2626. A bill to amend the Internal Revenue Code of 1954 to permit net operating losses of small independent technologically based enterprises to be carried forward for 10 taxable years; to the Committee on Finance.

(See the remarks of Mr. NELSON when he introduced the above bill, which appear under a separate heading.)

INDIAN HOUSING

Mr. MONTOYA. Mr. President, since enactment of the Housing Act of 1949, the public housing program has not been authorized to provide rural farm housing. The reason for the 1949 change was that title V of the 1949 act provided a farm housing program under the Department of Agriculture on the basis that farm housing was an integral part of total farm operation. However, the farm housing program did not provide a subsidy that could meet the needs of low-income Indian families to which the public housing program was made available in 1962.

For example, under the present situation an otherwise qualified low-income Indian family would not be allowed to participate in a mutual help housing project if the site they would contribute is located on or adjacent to land on which the family engages in raising crops or livestock. In the same locality, low-income Indian families who did not engage in raising crops or livestock or who could obtain a site that is not part of or adjacent to their "farms," could qualify as mutual help participants because their housing would be "rural nonfarm." The proposed bill would eliminate this unintentional and unjustified statutory discrimination against certain needy Indian families who happen to be engaged in farm activities.

Mr. President, I ask unanimous consent that the bill be printed in full at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2625) to amend the U.S. Housing Act of 1937 to extend coverage to all classes of low-income families in Indian areas, introduced by Mr. MONTOYA, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 2625

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That—

(a) Section 1 of the United States Housing Act of 1937 is amended by striking out "urban and rural nonfarm" in the first sentence and inserting in lieu thereof "urban, rural nonfarm, and Indian".

(b) Section 10 (a) of such Act is amended by inserting "or Indian" after "nonfarm" in the fourth proviso.

TAX INCENTIVES FOR SMALL BUSINESS

Mr. NELSON. Mr. President, it is apparent to everyone that the United States cannot depend upon the inventiveness of small business alone. We all realize that the large corporation is essential to technological and economic progress.

However, it should be pointed out that in spite of the domination of the field by large firms, some of the more important developments have been made by independent businessmen, independent inventors, and small organizations.

To cite a few: xereography, the vacuum tube, insulin, penicillin, streptomycin, the cyclotron, the cottonpicker, the common zipper, rockets, dacron polyester fiber, automatic transmissions, the jet engine, FM radio, the helicopter, power steering, Kodachrome, air conditioning, the Polaroid camera, the ballpoint pen, cellophane, Bakelite, and the process of oxygen steelmaking.

The world is a better place because men like Lee DeForest, Selman Waksman, Igor Sikorsky, Willis Carrier, Leo Baekeland, and Chester Carlson used their independent ingenuity.

They were not the organization men who had available to them unlimited funds, extended periods of time, and a cadre of support personnel to do their research for them. The public library and the technical journals were their research libraries—basements and garages their pilot laboratories.

Genius like theirs should be encouraged. The cost of special incentives to the small organizations can be very low. The benefits are likely to be high.

Under our present tax structure, a large corporation engaged in research, development, and innovation can make many false starts and engage in many ventures which never pay off. Yet these losses can be written off against profits in other divisions of the company. As the result, many losses occurring in these areas of innovation are borne by the Government to the extent of 48 percent of the cost because of our present tax structure.

Conversely, a small company which has no profits from which it can write off innovative or research and development costs carries the entire burden itself.

It is true that those losses can be carried forward against profits for the succeeding 5 years. However, this works to the advantage of large corporations and places the small organization in a relatively unfair position. In the first place, the Government does not have to contribute its 48 percent until after 5 years has passed. In the second place, if the company does not become profitable until some time after the end of the 5-year period, the tax writeoff is lost.

In the case of an independent operation where a sole proprietor or partnership is affected, the time limitation for carryover losses wipes out the deductions for personal exemptions and nonbusiness income.

Indications are that it is common for technicologically based companies to lose money for at least 5 years. Even the successful ones usually have that number of rough financial years to hurdle.

In our country where over 55 percent of the manufacturing assets are owned by one-fortieth of 1 percent of the corporations, we should be intensely interested in watching out for the welfare of the little person. We lull ourselves into a false sense of security by telling ourselves that anyone with enough get-up-and-go can become successful. The truth is that all the cards are stacked in favor of the giants of industry. Some day we will find that rugged individualism is forever a thing of the past—a fatality of our overlooking the needs of the small operator.

In this day of giant corporations, combines, and mergers, the small businessman needs a lot of help, if he is to survive and to continue to serve as a bulkwark for free enterprise and healthy competition.

Furthermore, it is a national tragedy that over 50 percent of new businesses fail within the first 5 years after opening their doors.

It seems to me that the simplest and most expedient way in which to help the small, emerging business engaged in the important field of research and innovation would be to grant an extension of the period of loss carry forward for an additional 5 years, to a total of 10.

But to allow this benefit for all companies would not be within the scope of the problem. I have attempted to set down criteria within which I feel small, innovative companies fall. Although they could be judged to be somewhat arbitrary, they follow some of the guidelines of the Small Business Administration and the Department of Commerce.

The alternatives to a single tax windfall would be to establish certification procedures. Allowing the extension to all companies rather than just those which fit certain criteria would be to eventually reward incompetence rather than risky innovation.

The bill I am introducing makes provisions for a loss carry-forward period of 10 years. Only those organizations which fall within certain guidelines could qualify for the tax benefit. This means a business enterprise—

First. Which is engaged in producing a product or services which can be sold, leased or licensed;

Second. Twenty-five percent or more of the employees of which perform technological or skilled technical functions;

Third. Twenty-five percent or more of the gross annual sales of which comes from these technical sales or products;

Fourth. Either has less than 500 employees, or less than gross annual income sales of $1,000,000 or net worth less than $2,500,000 or total assets of less than $5,000,000;

Fifth. Which is a totally independently owned company.

As recently as 1960, only about 300 companies in the United States accounted for 90 percent of the research and development expenditures. To most of these companies, R. & D. is their way of life.

Thus, an across-the-board tax credit on all R. & D. expenditures would not automatically lead to large increases in innovation. On the contrary, since the Government is now supporting these companies' programs to the extent of 48 percent, any increase in tax credits would merely enhance the profit picture for the stockholders. It is a fallacious belief that innovation has a direct relationship to the amount of money spent on research and development.

A tax credit, rather than a small business oriented tax loss carryforward would benefit mainly the already large, technologically based R. & D. corporation.

Therefore, if we agree that innovation is essential, and it is obvious that it is, we should seek to increase the country's total innovation by providing incentives where they are most needed; where the potential is the greatest, where the maximum benefit per dollar spent is realized.

It is almost axiomatic that small, independent, innovative companies exert the most leverage per dollar spent an hour consumed in the whole process of innovation.

I have already introduced a bill to help disseminate the information resting in our patent archives in Washington by establishing other patent search centers throughout the country. All interested parties—basement putterers and streamlined corporations alike—can benefit from the passage of that measure. Availability of prior art and knowledge in more accessible areas, resulting in a simpler, cheaper search of the existing patents, attuned to the special needs of the small innovator is essential.

The bill I am introducing today, providing a tax benefit where it is needed most, will also aid the public and business alike. I urge serious study and adoption of it by the Congress.

I ask unanimous consent that the text of the bill be printed in the RECORD at this point.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2626) to amend the Internal Revenue Code of 1954 to permit net operating losses of small independent technologically based enterprises to be carried forward for 10 taxable years, introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

S. 2626

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 172 (b) of the Internal Revenue Code of 1954 (relating to net operating loss carrybacks and carryovers) is amended—

(1) by striking out "subparagraphs (C) and (D)" in paragraph (1) (B) and inserting in lieu thereof "subparagraphs (C), (D), and (E)";

(2) by adding at the end of paragraph (1) the following new subparagraph:

"(E) In the case of a taxpayer engaged in operating a small independent technologically-based enterprise (as defined in subsection (l)) during the taxable year, the portion of the net operating loss for such year attributable to such enterprise shall be a net operating loss carryover to each of the 10 taxable years following the taxable year of such loss."; and

(3) by adding at the end of paragraph (2) the following new sentence: "For purposes of this paragraph, if a portion of the net operating loss for the loss year is attributable to a small independent technologically-based enterprise, such portion shall be considered to be a separate net operating loss for such year to be applied after the other portion of such net operating loss."

SEC. 2. Section 172 of such Code is amended by redesignating subsection (l) as (m), and by inserting after subsection (k) the following new subsection:

"(l) Small Independent Technologically-Based Enterprises.—For purposes of subsection (b), the term 'small independent technologically-based enterprise' means a business enterprise—

"(1) which is engaged in producing articles developed by it, or providing services developed by it, for sale, lease, or license;

"(2) 25 percent or more of the employees of which perform technological or skilled technical functions;

"(3) 25 percent or more of the gross income of which is derived from the sale, lease, or license of articles or services described in paragraph (1);

"(4) either (A) has fewer than 500 employees, (B) has gross income of less than $1,000,000, (C) has a net worth of less than $2,500,000, or (D) has total assets of less than $5,000,000; and

"(5) (A) in the case of a corporation, is not owned or controlled, directly or indirectly, by any other corporation, or by any person or group of persons who, directly or indirectly, own or control any other business enterprise, or (B) in the case of a business enterprise other than a corporation, is not owned or controlled by any person or group of persons who, directly or indirectly, own or control any other business enterprise."

SEC. 3. The amendments made by this Act shall apply with respect to net operating losses for taxable years ending after the date of the enactment of this Act.

ADDITIONAL COSPONSORS OF BILLS

Mr. **HANSEN.** Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from New York [Mr. KENNEDY] and the Senator from Texas [Mr. YARBOROUGH] be added as cosponsors of the bill (S. 1684) to provide for the establishment of an Office of Natural Science Research in the National Park Service; to establish a system of fellowships for support of research in the natural sciences; and for other purposes.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. **BYRD** of West Virginia. Mr. President, on behalf of the senior Senator from West Virginia [Mr. RANDOLPH] I ask unanimous consent that, at its next printing, the name of the Senator from Oklahoma [Mr. HARRIS] be added as a cosponsor of the bill (S. 2554) to provide for the orderly marketing of flat glass imported into the United States by affording foreign supplying nations a fair share of the growth or change in the U.S. flat glass market.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. **BYRD** of West Virginia. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from North Carolina [Mr. JORDAN] be added as a cosponsor of the resolution (S. Res. 180) seeking U.S. initiative to assure United Nations Security Council consideration of Vietnam conflict.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. **LONG** of Louisiana. Mr. President, on behalf of the Senator from South Carolina [Mr. HOLLINGS] I ask unanimous consent that, at its next printing, the name of the Senator from Colorado [Mr. ALLOTT] be added as a cosponsor of the joint resolution (S.J. Res. 119) to dedicate Law Day of May 1, 1968, to the law enforcement officers.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

NOTICE OF RECEIPT OF NOMINATION BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. **FULBRIGHT.** Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the following nomination:

Paul G. Clark, of Massachusetts, to be an Assistant Administrator of the Agency for International Development.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

ADDRESS BY SENATOR JENNINGS RANDOLPH BEFORE WESTERN PENNSYLVANIA EDUCATION CONFERENCE AT PITTSBURGH

Mr. MORSE. Mr. President, on Thursday, October 5, 1967, the distinguished Senator from West Virginia [Mr. RANDOLPH] addressed the Western Pennsylvania Education Conference at Pittsburgh. I wish to comment upon it and shall later ask unanimous consent that it be printed in the RECORD at the conclusion of my statement because of my belief that Senators, prior to the debate on the Elementary and Secondary Education Amendments of 1967, would wish to review the record of progress that has been made, as set forth so well by the Senator.

He spoke before a distinguished and dedicated audience. I have had the pleasure myself in other years of talking to the group, which is composed of teachers and school administrators of western Pennsylvania, and I know firsthand of their ability and their determination to improve the educational services which are being provided in the area.

But that audience was also privileged because it had before it one of the greatest friends of education in the Senate. He has worked shoulder to shoulder, on the Subcommittee on Education, on every major bill in the field of education in the Kennedy and Johnson administrations.

The handiwork of the Senator from West Virginia on every education measure from our committee is to be found in the phraseology of the statute or in the committee report which governs the application of the statute.

I would add also that although in this address the Senator from West Virginia was focusing upon the elementary and secondary area and upon the special needs of handicapped children, his breadth of view encompasses the problems of higher education and in particular we rely upon him for sound counsel in resolving the problems faced by small independent liberal arts colleges.

Senator RANDOLPH's speech was entitled "Education for Individuality." It contains cogent comment upon the significant progress which has been made in the field of education. He emphasizes the recent efforts "to expand the Federal responsibility in and commitment to the field of public education."

The senior Senator from West Virginia clearly relates the increased commitment of the Federal Government in cooperating with State and local governments and educational agencies in improving our educational system and opportunities in this Nation. More important, however, Senator RANDOLPH recognized and stressed that the advances in education—significant as they have been—are not sufficient, if we are to enable "all American youth to reach their full potential."

His remarks on the challenges in education were particularly informative and meaningful with regard to the long neglected groups and individuals, such as children suffering from emotional disturbances and behavioral disorders. He noted:

> The problem of disturbed children has reached grave and dramatic proportions. It is estimated that there may be in this country as many as half a million youngsters with psychoses and borderline psychotic conditions and another million who are suffering from various other severe mental disorders. Studies made in several States indicate that about one child in 2,000 may need intensive, full-time treatment.

Mr. President, the distinguished Senator from West Virginia presented dramatic challenges to those attending the conference. But this task of education is not directed solely to the educator—it is a task which our Government and our entire society must undertake.

Mr. President, I ask unanimous consent that Senator RANDOLPH's address, entitled "Education for Individuality," be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

EDUCATION FOR INDIVIDUALITY

(Address by Senator JENNINGS RANDOLPH, Democrat, of West Virginia, at the Western Pennsylvania Education Conference, Pittsburgh, Pa., October 5, 1967, Civic Arena)

In commenting on the fall of Athenian democracy some 2300 years ago, the philosopher, Epictetus declared, "The State says that only freemen shall be educated; God says only educated men will be free."

This observation is as valid today as it was during that philosopher's time, though the relationship between the educative process and the achievement of individual and collective freedom is a more complex one for our day than it was for that of ancient Greece.

We observe, for example, the unremitting efforts of the new African states—with the assistance of the United States and others—to educate their people in the rudiments of literacy and train technical and professional people for leadership. They are devoting fifteen or twenty per cent of their national product to the task. Through education these new states can become responsible governments and escape falling back into the tyranny of tribalism.

To cite another example, just ten years ago the Soviet Union launched Sputnik I, thereby giving stimulus in the United States to a massive effort to improve American education at every level. Though many teachers and other leaders had long recognized the need to devote a greater proportion of our national resources to the task of education, it was the explicit threat of Soviet scientific and technological supremacy, and the implied threat to our freedom, that mobilized the national will to make this effort.

During this decade the United States has made phenomenal progress in most sectors on the education front—in greatly augmenting public and private contributions to scientific research—in meeting the challenge of a constantly and rapidly increasing school population at every level of education—in modernizing our public school curricula—and in providing greater opportunities for capable but financially needy students to be in colleges and universities. Nationwide, our educational enterprise has now reached a total annual investment of $52 billion in Federal, State, local and private funds.

During nine of the past ten years I have been closely identified, as a Member of the Senate Committee on Labor and Public Welfare and its Subcommittee on Education, with the effort to expand the Federal responsibility in and commitment to the field of public education. Since the enactment of the first major Federal legislation in this field, the National Defense Education Act of 1958, which provided scholarship funds for teachers in several fields, the Congress has passed a broad range of legislation extending the scope of assistance throughout the entire range of our educational system.

The Federal effort encompasses four program groupings: construction, instruction and administration, teacher training and student assistance, and research. We have authorized and funded ten different construction programs; we have authorized and funded 56 programs relating to instruction and administration; 35 programs relating to teacher training and student assistance, and eleven programs dealing with research. All of these efforts come within the scope of the activities of the U.S. Office of Education. There are other programs relating to education under the jurisdiction of the Department of Labor and the Office of Economic Opportunity. This massive effort clearly demonstrates the level of commitment of the Federal government for improving the environment of our educational processes and system.

The advances of the past ten years have been real and significant—but they have not been sufficient. And they have barely dented the surface of certain areas of long term deficiencies. If education for individuality is to be more than an ideal, we must make it possible for all American youth to reach their full potential of growth—intellectually, morally, spiritually and physically. This opportunity is not yet provided for a substantial proportion of our young people—those whom I term the "invisible minority."

The American philosopher and psychologist, William James, wrote: "No more fiendish punishment could be devised, even were such a thing physically possible, than that one should be turned loose in society and remain absolutely unnoticed by all the members thereof."

Though American society has not consciously doomed any individual to such total rejection, there are two aspects of our contemporary American scene which I wish to appraise in relation to the educational challenge and the comment of William James.

Fifteen years ago the very perceptive Negro writer, Ralph Ellison, published a novel entitled "The Invisible Man." The title of this work was based on the author's premise that the white American majority does not really see the Negro as a person. The Negroes, according to Mr. Ellison, are viewed as statistics, perhaps, or as a group, but not as persons, and for this reason the Negro individual is invisible to the white majority.

I suggest that this is true, not only in relation to the Negro minority, but also in our relations with the American Indians of the west whom we have shunted off to reservations, and with much of our Spanish speaking minority. Unfortunately, a substantial segment of our young people also are characterized not by racial or ethnic differences but by emotional disturbances and behavioral disorders.

The problem of disturbed children has reached grave and dramatic proportions. It is estimated that there may be in this country as many as half a million youngsters with psychoses and borderline psychotic conditions and another million who are suffering from various other severe mental disorders. Studies made in several States indicate that about one child in 2,000 may need intensive, full-time treatment. Among school age youngsters, it is estimated that between ten and twelve per cent have moderate to severe emotional problems needing the attention of some kind of mental health services. An authoritative estimate is that less than one per cent of the disturbed children in the United States receive any kind of treatment. And of these who are treated, only a small percentage receive professional help that is of the kind, quality, and duration to be effective and to really assist such children in their development and functioning.

Well over 500,000 youngsters are brought before the courts each year for the kinds of antisocial acts defined as symptoms of juvenile delinquency. Many of these youngsters have severe emotional problems which are reflected in their behavior and represent the crucial obstacle to their rehabilitation. Last year, while the number of American children in the 10–16 age group increased by 3 percent, the number of delinquency cases in this age group rose by 10 per cent.

The incidence of suicide among young people is also a matter of serious concern. The toll of suicide cannot be communicated by statistics. Bare figures indicate that suicide, for all ages, is the tenth leading cause of death in this country. Tragically, in the 15–19 year old group, it is the third ranking cause of death—exceeded only by accident and cancer. Adolescents of college age present the highest potential suicide risk group within the population. If this age group, suicide is the second ranking cause of death with the rate for boys twice as high as the rate for girls.

In the U.S. today, 14.8 million youngsters—or one out of 5 children under the age of 18—are growing up in a family under the poverty line. Of these, 5.7 million are in the pre-school category—under the age of six. The social, economic and psychological deprivations associated with poverty, community disorganization and inadequate schooling play a major role in the development or exacerbation of mental and emotional handicaps. These unfavorable circumstances of life have been found to have a distorting influence not only on mental growth, but also on personality development, the individual's self-sufficiency, and his ability to acquire an adequate adult role. Those who have contact with children in poverty estimate that one out of three youngsters receiving assistance under the Aid to Families with Dependent Children Program, or about a million children, have severe emotional problems that need psychiatric attention.

We have ignored these groups and individuals at severe cost—not only to themselves but to society as a whole. The price is reflected in the increasing costs of crime, delinquency, welfare, school dropouts and general anti-social behavior so prevalent today. The "invisible minority" is, in fact, becoming highly visible in often dangerous and inacceptable ways.

This is not a view of a "bleeding heart" or soft-headed liberal. I am talking common sense and dollars and cents. The problem in terms of hard cash is monumental. The cost of what we are not doing has reached staggering proportions. The "invisible man," like the invisible child, will be heard. No one can be ignored forever. He will attract the attention which he demands; if he cannot attract it favorably, he will attract it unfavorably. Our city riots in 1967 resulted in property damage of \$½ billion. There has been no estimate of the income loss. How much education could we have bought for \$½ billion?

In addition to service as a Member of the Committee on Labor and Public Welfare, I am Chairman of the Senate Committee on Public Works. This Committee is concerned with the long-term brick and mortar investments which we must make if we are to provide our nation with the infra-structure our complex economy needs to keep it on an operating level. Flood control projects typify the multipurpose objectives of such public works activities. We seek to control the adverse impact of floods on our physical environment and, at the same time, increase the productivity of the area in terms of agriculture, water power, recreation and the like. These projects are approved on the basis of a cost-benefit formula designed to justify the project in terms of its savings and its benefits in paying for itself over the life of the facility. My point in connection with education is the same. The long-term benefits of education will more than pay for themselves in terms of economic progress, stability and well-being over the life span of the individuals who compose our society.

The Committee on Public Works is also concerned with economic development in a more restricted or parochial approach. It is pursuant to legislation under our jurisdiction that efforts are being carried forward to revitalize the sagging economies of communities, counties, and states, as well as multi-State regions. We have learned some important lessons from these efforts. We have ascertained that the cost of these pockets of rural poverty has been great in terms of revenues never realized, incomes never earned. One of the major efforts being made to change the economic patterns of these areas involves emphasis on upgrading and expanding educational opportunity.

The leaders in these communities and areas have come to the conclusion that education must not be of the classical variety alone but, rather, that there must be provision for a meaningful technical education which will further the abilities for the people of the communities to become self-sufficient.

Looking at the problem of cost of inaction in another way, Dr. Karl Menninger, in his book, "A Psychiatrist's World," estimates that it costs \$50,000 to train a psychiatrist, but that a good psychiatrist will save the community millions of dollars in returning to society many of those persons who would otherwise be non-productive. But the cost of treatment delayed will be outrageously expensive. As he stated, "Of the five hundred patients waiting to be admitted to Winter Hospital alone, as you sit here this very moment, perhaps a hundred will be able to get along some way even without treatment, and another hundred will become chronic custodial cases regardless of our efforts. But the fate of the other three hundred is equivocal. It depends on what happens. Adequately treated and restored, they may cost the government an average of \$3,000 each—that is about a million dollars; too long deferred, left untreated, or unsuccessfully treated, many of them will become chronic, permanently disabled custodial cases—assuming an average life span of seventy years, they will cost the government \$25,000,000."

I am talking to a convention of teachers and not the Fraternal Order of Police. I therefore talk of the role of the teacher and not that of the policeman. As teachers, your function is to teach the intellectual discipline of your particular subject matter or area of specialization. It is also, to a large degree, your responsibility—and partially because of the default of some of our other social institutions—to foster and stimulate in your pupils a sense of self-discipline, individual responsibility, and a regard for those basic cultural values which have given direction to American life.

Our reactions to our problems, it seems to me, have been indicative of the unique character of the American culture. After the sting of the Russian success with the first Sputnik, we re-oriented our technical and with a totality of effort which has resulted in substantial improvement in this aspect of our education system. We are reacting now to our knowledge of the impact of the deprived and invisible men on our society. "Headstart" has made some notable contributions in this area. In Washington, D.C., the Montgomery Elementary School, located in the heart of the worst of that district's ghettos, has presented a remarkably effective program for getting through to children who are the ones we traditionally call disadvantaged or retarded.

Lessons have been devised for stimulating these children mentally and educationally. And emphasis is placed on in-service training for teachers so that their traditional educational foundations for teaching is augmented in such a way that they will be able to successfully instruct children living in the ghettos and attending ghetto situated schools.

A unique aspect of the present challenge for the teachers is that, for the first time, many of our young people, consciously or unconsciously—and usually passively, but sometimes violently—have rejected the values and social attitudes which clothe "the American dream."

A sizeable proportion of our racial minorities became "alienated" from, or have rejected the basic values of the American majority. And many of our young people—of diverse racial and ethnic origins—also have rejected these values.

It is the task of the teacher to reach across this barrier of isolation and establish contact. And this contact must be so effectuated and structured as to substitute for the appeals to violence by an H. Rap Brown or a Stokely Carmichael and the "doctrine of nothingness" of the "hippies". Furthermore, this teacher liaison mission to reach across the barrier of isolation and establish contact includes the specific objective to inculcate an awareness of the meaning of self-discipline and individual responsibility and the acknowledgment that true individuality is an achievement, not a gift of this world.

SENATOR METCALF ON FARM FREIGHT RATES

Mr. McGOVERN. Mr. President, the junior Senator from Montana [Mr. METCALF] submitted a statement, dated October 12, to the Interstate Commerce Commission opposing freight rate increases petitioned for by the railroads.

The statement notes that the Department of Agriculture took the lead in offering evidence to the ICC that shows serious deficiencies in the railroads' data relating to cost increases, data on which they base their petition, and that agricultural products will bear a disproportionate share of increased charges.

The Senator suggests that since the ICC has been deaf to the USDA case on behalf of the farmers, perhaps the Congress can provide a forum for the evidence, which he so cogently summarizes in his statement.

I ask unanimous consent that Senator METCALF's statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR LEE METCALF, INTERSTATE COMMERCE COMMISSION HEARINGS ON INCREASED FREIGHT RATES, 1967—EX PARTE 256—OCTOBER 12, 1967

Because of the importance of the investigation into this matter, I request that my remarks be included in the Commisison's record. Senator Mike Mansfield and Representative Arnold Olsen have reviewed this statement, concur in it, and ask that you be advised of their full support of the statements herein.

The petitioning railroads have asserted that they have incurred increased expenses totaling about \$441 million yearly, caused primarily by increases in wages to their employees and higher prices of materials, and that their need for increased revenues to offset these increased expenses is urgent. (Ex Parte 256, page 4). Before discussing the merits of these projected cost figures, I think it would be well to keep in mind the admonition contained in ICC Docket 34,013 in which the Hearing Examiner states at page 73:

"*Costing vs. ratemaking.*—A definite distinction should be made between the determination of costs and pricing or ratemaking. Cost analysis is essentially a fact finding process. True, this process and its results may differ, depending upon judgment factors and the intended objective. But, whether for the purpose of management or regulatory action, the principal task of the professional cost analyst or cost accountant remains the same—the development and presentation of the relevant factual cost data needed by the particular user thereof.

"Admittedly, costs are fundamental in price determination or ratemaking. None of the parties contends, however, that costs alone should be considered as the sole criteria for determining the lawfulness of rates. Nor does anyone advocate here that rate levels must invariably be based strictly upon costs."

Yet when I study Ex Parte 256, I find that the petitioning railroads have advocated just that position and to this date have been upheld by the Commission despite the fact that the Department of Agriculture and at least five Western State Commissions among others have answered the railroads on the merits with detailed arguments supported by ample statistics. I also take pleasure in noting that the Montana State Commission is among the five Western states which chose to raise its voice in protest. However, I feel compelled to note with displeasure the offhand manner in which the Commission chose to ignore this evidence: "The proposed increases sought by petitioners appear just and reasonable." (Appendix D, Sheet 5).

Farming has become more costly and less profitable despite our best efforts to achieve parity for the family farmer. According to President Leonard Kenfield of the Montana Farmers Union, we have lost more than 8,000 farm operators in Montana since 1950. The most recent census reported that there were 27,000 commercial farm operators in Montana. However, the University of Montana estimates that today that number is down another 4,000 to 23,000. These people are moving away from the farms and into the cities.

If this is not the proper forum for this evidence to be considered and weighed, perhaps the Congress of the United States can provide such a forum to those who have diligently sought to point out the obvious fallacies in the arguments set forth by the railroads. I shall take this opportunity to point out some of the evidence offered previously by the opponents of these increases, simply because to this date their reasons for their opposition have gone unanswered.

Evidence has been offered by the Department of Agriculture that demonstrates serious deficiencies in the railroads' data relating to cost increases. For example, projected 1967 payroll costs have been estimated by the railroads at an increase of $320 million. Historically, wage rate and fringe benefit increases have been numerous. However, the carriers' total payroll costs have remained relatively constant because of the continuing decline in total number of employees. This decline has continued through May of 1967. This fact was called to the Commission's attention by the Department of Agriculture as early as 3 July (Verified Statement of Edward F. Heitz), yet no consideration was given to this important fact in Ex Parte 256.

Moreover, the national economic outlook for 1967 indicates forward motion, or growth. This outlook refers to the Gross National Product which historically has proven to parallel industrial production. The Carriers' revenue has, in turn, proven to be strikingly complementary to the rise in industrial production. Yet the primary indicators for industry have been discarded in Ex Parte 256 for Gross National Product is not discussed.

With respect to the nature of the proposed increases, the Department of Agriculture has calculated that increased charges on agricultural products will approximate 42% of the total additional amount the carriers will receive in additional line-haul revenue. This will amount to $130 million annually. This is a disproportionate figure. Agricultural products, food, and farm supplies represented 23.7% of the total tons of all the commodities which originated in carloads by United States railroads in 1965. Moreover, this is a very substantial increase when compared to the treatment accorded these commodities in *Increased Freight Rates, 1958*. The amount authorized by the Commission at that time amounted to $25.8 million annually on products of agriculture, or 16.9% of the total line-haul increase (304 ICC 289 at 303). The carriers have not shown what circumstances justify this radically disproportionate treatment of agricultural products. They have not furnished the Commission with the "actual cost and revenue data * * * specifically related to the traffic * * * " as required by the Commission in *Increased Class and Commodity Rates, Transcontinental* (329 ICC at 420, 423).

The standard enunciated by the Commission in this recent motor carrier case must of necessity be applied to the rail carriers. At page 427 of *Increased Class and Commodity Rates*, supra, the Commission stated:

"The quantum of proof necessary to support an increase in motor carrier rates is different and heavier than in the years prior to 1963 * * *"

At page 422 the report states:

"Prior to 1962, the Commission approved several general increases, often without detailed investigation. The general increases of the respondent motor carriers generally followed, and in certain ways supported the increases required by the railroads to maintain their service. * * * The straitened condition of the Nation's railroads generally improved by the 1960's. While approving a general increase of the respondent motor carriers in 1963, we admonished that we were not satisfied with the quantum of evidence produced and stated:

" 'There is criticism that the respondent's evidence does not reveal in sufficient detail the extent to which their revenues and expenses are related to the transcontinental traffic on which the increases apply, and that some of the carriers providing data do not appear to move a substantial volume of such traffic. * * * In the future, studies should be made which reflect the revenues and expenses and their relationship to the specific traffic on which the increases are to apply.' "

The average income of farm people is only about ⅔ as high as that of nonfarm people. Prospects for this year point to a downturn in farmers' net income with costs rising and prices received by farmers lower than in 1966.

Farm prices in 1967 on the average, are running below 1966. The probability that farm production expenses will rise again this year to a record high level over $34 billion indicates a decline in realized net farm income of possibly 5 percent or more. Prices paid by farmers for production items, interest, taxes and wage rates are running 3.5 percent above a year earlier, and the persistent uptrend of past years is expected to continue.

Increased transportation costs for farm products would result either in lower prices to farmers for these products or higher consumer prices for food or some combination of both. Lower prices received by farmers directly affect farm income. Higher costs of farm production inputs also affect farm income directly. Higher consumer food prices affect farm income through adverse affects on the demand for farm products.

There is a large disparity between the average disposable personal income of farm people and of nonfarm people. For example, in 1966 the per capita disposable personal income of the farm population from all sources, farm and nonfarm, was $1,731 compared with $2,618 for nonfarm people. The situation this year points to a widening of the gap even without any increase in freight rates.

An alternative way of looking at the position of agriculture is to compare the gross national product originating in agriculture to the total gross national product. This farm GNP equals the value added in agriculture or the total value of output less the cost of intermedite product consumed. In other words, farm GNP represents Agriculture's contribution to the Nation's economic activity. Farm gross product has risen from $20.5 billion in 1960 to $24.8 billion in 1966. But, farm gross product as a percentage of total GNP has declined from 4.1 percent in 1960 to 3.4 percent in 1966. Contributing to this decline generally over the period 1960–66 is the fact that the nation's farmers have been faced with decreasing farm prices and rising production costs, which really means that agriculture has not fared as well as the rest of the economy since 1960. The proposed increase in freight rates which would apply disproportionately on agriculture will cause farm gross produce as a percentage of total GNP to show a further decline this year.

The Northern Pacific Railroad has announced plans for possible discontinuance of one of its principal passenger trains (the Mainstreeter), because of anticipated loss of revenue due to a decrease in railway postal service. The proposed freight rate increase would bring the railroads much more in revenue than it forecasts would be lost due to the change in postal service. Surely if a substantial freight rate increase is granted to railroads, their already dubious proposal for reduction in passenger service will be further weakened. I think the Comimssion should determine whether or not the present proceeding provides sufficient revenue for the railroads to continue and improve passenger service.

Important evidence has been presented in opposition to these increases that has not been answered by this Commission thus far. I trust that before a final decision is rendered by the Commission a full discussion of the evidence presented by both sides will be dealt with and made known to all concerned. Ex Parte 256 falls far short in this regard.

In closing I would point out that the Department of Agriculture has contributed significantly to this proceeding through its presentation against the freight rate increase. The Department has been subjected to some criticisms for actions in behalf of consumers of agricultural products; in this case the Department certainly acted in behalf of agricultural producers. I regret that the Department of Transportation was not in a position to represent more effectively the persons who will be adversely affected by this proposed, inflationary rate increase. I hope that in the future the Department of Transportation can take a more active role before the Commission.

A RIGHT TO BREAK THE LAW

Mr. LONG of Missouri. Mr. President, Mr. John C. Neely, Chief of Investigations Branch, Division of Audits and Investigations, of the Social Security Administration, has written a very interesting article which was published in the August–September issue of Trial magazine.

I invite to the attention of Senators

Mr. Neely's comment that if the President's proposed Right of Privacy Act—S. 928—is passed, "it will not handicap truly professional investigators." Mr. Neely speaks not only as Chief of the Investigations Branch of the Social Security Administration, but from 22 years of experience in the field of criminal investigation. He testified earlier this year before Subcommittee on Administrative Practice and Procedure, of which I am chairman, and impressed us with his sincerity.

I ask unanimous consent that the article entiled "Wiretapping: A Right To Break the Law?" be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WIRETAPPING: A RIGHT TO BREAK THE LAW?

(By John C. Neely, Chief, Investigations Branch, Social Security Administration)

(NOTE.—Mr. Neely prepared this article in his private capacity. No endorsement or support by the Departure of Health, Education, and Welfare or the Social Security Administration is intended.)

Much debate has ensued at the Senate Subcommittee on Administrative Practice and Procedure hearings of the alleged difficulties in investigating hoodlums and racketeers if the federal government (through the President's proposed Right to Privacy Act) halts, restricts, or controls the manufacture, sale, and use of electronic listening devices and other mechanical and electrical gadgets, increasingly employed by enforcement people in recent years. While certain illegal activities (obscene phone calls, for example) cannot be investigated without the use of listening devices, the President's bill leaves the door open for the use of such equipment in this type of case and in cases involving national security.

But the use of wiretaps and "bugs" has not been restricted to solving such crimes; the growing use of wiretaps in investigating not only racketeers, but nearly every other class of lawbreaker, has come about because:

The persons assigned to investigate them lack education and training in other investigative techniques;

"Spy-type" gadgets have been miniaturized and have become more readily available in the last few years;

Many enforcement people find it easier to listen to telephone calls in the basement of an apartment house than to use other techniques to aid in solving a crime.[1]

Many experienced investigators do not share the feelings of a number of law enforcement officials that pending legislation and recent decisions of the Supreme Court relating to custodial interrogation and other aspects of criminal law will cripple investigators or that these are nit-picking technicalities affording more protection to the hoodlum and the criminal than to the average law-abiding citizen. These dissenting investigators believe, rather, that such opinions have come about as a result of:

A lack of true professionalism among enforcement people;

Increasing invasions of privacy, use of gadgets, and disregard for the rights of suspects on the part of enforcement personnel;

Public resentment resulting from disclosures relating to improper investigative methods.

Much evidence shows that the use of eavesdropping devices in recent years has grown all out of proportion to the increase in the type of crimes which, allegedly, cannot be solved without them. Many major crimes of this century were solved before such devices were developed. Unfortunately, too many law enforcement people have resorted to the wholesale use of such equipment as a shortcut or as a method of overcoming personal deficiencies in general education or broad training in their field.[2] Investigators with ready access to electronic listening or eavesdropping devices have become addicted to their use and lean on them as a crutch even in cases solved more readily with other techniques.

As the caliber of enforcement personnel improves, the process of gathering acceptable evidence to support criminal prosecutions will be accomplished more and more through the use of brain power and less and less through the use of electronic and mechanical gadgets.[3] This is what constitutes the great challenge to people interested in an enforcement career. Enforcement personnel must be better educated and better trained than the criminal.

Each member of the investigative staff at Social Security Headquarters in Baltimore holds a college degree and a law degree. In addition, two of the investigators are expert accountants. All have had intensive investigative experience and training. All have had social security program experience or training, as well.

Since April 1959 the staff has investigated several hundred cases, dealing with all kinds of people—from the college educated to the illiterate; the corporate executive to the skid-row wino; the couple celebrating their golden anniversary to the hardened criminal. No kind of electronic listening devices, wire taps, or other electrical or mechanical gadgets were used. Nor were tape recorders or two-way mirrors used. But their investigations were not hampered because such devices were not employed.

Probably no experienced investigator would be unalterably opposed to every use of electronic and mechanical investigative aid; testimony before the Subcommittee may demonstrate that their use by some enforcement groups is essential to solve certain types of crimes. But, all should decry what appears to be a cancerous rationale in law enforcement circles that, when an investigator breaks the law (by trespass, for example) to enforce the law, the investigator's defense should be nothing more than a raised eyebrow.

Investigative authority must frame its own policy and set its own high standards so no court revision or restrictive legislation is needed. More education and training are required as the field develops. There is no such thing as a truly professional investigator who has not been schooled and equipped to secure and evaluate evidence without violating anyone's legal or constitutional rights to obtain it.

If the President's bill is passed, it will not handicap truly professional investigators. Refinements in the law must be accompanied by alert investigators with a thorough, practical knowledge of criminal law and pertinent rules of evidence. In enforcement work, there is no place for the semi-professional.

---

[1] "It may be easier to catch . . . (certain criminals) . . . by wiretapping than by other methods. But law enforcement also would be easier if we could use torture, general search warrants, mass arrests and indefinite police detention . . . The difficulty is that we destroy exactly what we are seeking to preserve when we try to protect democracy with totalitarian tools." Norman J. Small, Legislative Attorney, American Law Division, The Library of Congress Legislative Reference Service, in "An Appraisal of the Legal Issues Arising from Use of Wiretapping and Eavesdropping," January 27, 1967.

[2] In a dissenting opinion (343 U.S. 761-62), Mr. Justice Frankfurter said: ". . . sanctioning such a 'dirty business' (electronic eavesdropping) makes for lazy and not alert law enforcement. It puts a premium on force and fraud, not on imagination, enterprise and professional training. These shortcuts are self-defeating and immoral."

[3] Many years ago wiretapping was described by FBI Director J. Edgar Hoover as "archaic and inefficient and a handicap or barrier in the development of a sound, ethical investigative techniques." See 53 Harvard Law Review, 863-70, 1940.

THE LATE SENATOR ALEXANDER WILEY

Mr. FONG. Mr. President, I wish to pay tribute to the memory of a distinguished former colleague, Senator Alexander Wiley, who passed away last week when he was 84 years young.

I say "young" because, despite his years, he had a youthful optimism and a youthful zest that defied the calendar.

When I first came to the Senate in 1959, Alexander Wiley had long been a patriarch in the Senate and in his party. The only Senator from his State of Wisconsin to be elected to four full terms, Alexander Wiley had attained an imposing rank of leadership.

High on the ladder of important committees, he served as chairman of the Committee on the Judiciary in 1947 and 1948 and as chairman of the Committee on Foreign Relations in 1953 and 1954.

Yet despite his high rank, he remained a jovial man of homespun qualities that endeared him to the people of Wisconsin and to his colleagues as well. He was a man of great good will and kindness and will be remembered with affection and admiration.

Alexander Wiley served his Nation during times of crisis, and he served well. He shook off traditional Midwestern isolationism and conservatism to espouse international foreign policy in full recognition of the need for America to assume a position of world leadership.

A stanch advocate of bipartisan foreign policy, he gave both President Truman and President Eisenhower valiant and valuable backing on the Marshall plan, the North Atlantic Treaty, the United Nations, foreign aid, and world peace efforts.

And he played a great role in making a longtime dream come true: the St. Lawrence Seaway, which opened the heartland of America to ocean transportation. One of the canals in this vast system bears his name, and a fitting memorial it is.

My wife Ellyn joins me in saying a fond aloha to Alexander Wiley and in extending our deepest sympathy to Mrs. Wiley and the family.

THE 1967 MENORAH AWARD TO SENATOR TYDINGS

Mr. BREWSTER. Mr. President, last week I enjoyed the privilege of participating at a dinner in Baltimore in honor both of the B'nai B'rith organization and my good friend and colleague the junior Senator from Maryland [Mr. TYDINGS].

At that dinner, one of the most distinguished jurists in Maryland and the country, Judge Simon E. Sobeloff, of the U.S. Fourth Circuit Court of Appeals, delivered some remarks on subjects of interest to us all.

I ask unanimous consent that Judge Sobeloff's comments be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by Simon E. Sobeloff, U.S. Circuit Judge, Giving the 1967 Menorah Award to Senator Joseph D. Tydings, November 1, 1967

We are assembled to celebrate an occasion and to pay tribute to a man. The occasion is the One Hundredth Anniversary of the Fifth District Grand Lodge of B'nai B'rith. The man is Senator Tydings.

We feel that there is a genuine relationship warranting our linking the two purposes. Although the Senator is not a member of the B'nai B'rith—that is to say he is not a Son of the Covenant in the technical sense, he is an exemplar of the spirit of B'nai B'rith, and we want to do him justice. When we have finished, I know he will not respond immodestly as one man did after hearing himself extolled. He said: "My friends you but do me simple justice!" The Senator of course will not say it, but we do. I shall return to him presently, but as the toastmaster has also charged me with the responsibility of speaking about the B'nai B'rith, I turn to it first.

B'nai B'rith is almost unique in at least one respect: most international organizations orginated abroad and are an import to these shores. B'nai B'rith, on the other hand, is a native American product which has spread to forty countries throughout the world. It is interesting to look in on its organization meeting, which took place in New York City 124 years ago.

In October 1843, twelve Jewish immigrants from Germany, none of whom had been in this land more than 10 or 20 years, met in a little jewelry shop in the Eastside of New York and formally banded themselves together. Most of them were small merchants—they were not rich men—though there were others in the community who were poorer. A few among them were recognized as intellectuals. All had a good measure of Jewish loyalty and public spirit. One of their aims was mutual aid, but they also wished to do something about their small community's economic, educational and cultural problems. The leader apparently was a man named Jonas, anglicized to Jones. From the first they envisaged the growth of their organization. In fact the minutes of their initial meeting record that they planned to establish branches in other cities. To finance their endeavor, each advanced $5 and the minutes soberly add the words "which would be refunded."

At the second meeting, less than 10 days later, Henry Jones and William Renau submitted a draft constitution. They adopted the B'nai B'rith name and its symbol—the menorah, the symbol of light—after the menorah which stood in the Temple in Jerusalem. This is a manifestation of the loyalty that has endured twenty centuries and which was so dramatically demonstrated since the Six Day War of last June in the great rejoicing at the Wall of the ancient Temple in re-united Jerusalem.

The founders of B'nai B'rith also adopted the motto "Benevolence, Brotherly Love and Harmony"—which is still in vogue. And they declared their fundamental mission (a very lofty and ambitious one) of "uniting Israelites in the work of promoting their highest interests and those of humanity; of developing and elevating the the mental and moral character of the people of our faith; of inculcating the purest principles of philanthropy, honor and patriotism; of supporting science and art; alleviating the wants of the victims of persecution; providing for, protecting and assisting the widow and orphan on the broadest principles of humanity." This was a remarkable undertaking for them and the ensuing years testify to the measure of their and their successors' achievement.

From some of the quaint early records we learn how they concerned themselves with details of ritual and regalia—now wholly discarded—and with organization plans. They put much more store in regular attendance at meetings than we do, for we read that members were fined 25¢ for non-attendance. A primitive form of aid to the poor was adopted. A system of insurance benefits was installed but after some years it was abandoned. Today we take for granted the friendly mingling in the B'nai B'rith of Orthodox, Conservative and Reform Jews, but in that period there was considerable tension between the groups. And since they were human, it may as well be confessed that there was a degree of condescension toward each wave of new immigrants on the part of those who had arrived only a few years earlier. Nevertheless there was a genuine concern for the newcomers to assist them in getting settled, learning a trade or setting up a business, and in promoting their Americanization.

Protesting persecution of other lands is an activity that may be traced back to B'nai B'rith's earliest years. When, for example, the Swiss government in the 1850's discriminated against Jews denying them recognition even when they held American passports, we find B'nai B'rith interceding with Senator Henry Clay and Secretary of State Daniel Webster who promised to take this into account before approving a pending treaty between Switzerland and the United States. Later, during the administration of President Taft, Congress actually passed a Resolution calling for the termination of treaty relations with Czarist Russia because it would not honor American passports issued to Jewish citizens. There have been other such instances of discrimination, and the pattern is still in vogue, as our guest of honor can testify, for he has personally interceded in an effort to obtain an amelioration of Russia's treatment of its Jews. Indeed, he has been helpful in at least one instance in arranging for the Russian Government to permit the departure of a few individuals in order to join their kinfolk in the United States. How sad it is that mighty governments, in this age, follow such illiberal policies and that an extraordinary effort is required to obtain a measure of relief in an isolated case here and there!

B'nai B'rith program was expanded over the years and resulted in the establishment of hospitals, orphanages and a whole network of services in war and in peace, for the benefit of Jews and non-Jews. Whenever and wherever disaster struck, this organization has done what it could to relieve the victims. In recent years B'nai B'rith has been engaged in USO work for soldiers and it has given powerful support to the sale of Israeli bonds. In respect to the establishment of the Jewish homeland, I have seen in my own lifetime, as a member of B'nai B'rith, a complete reversal of attitude. In the early days, Zionism was opposed by many members who misunderstood the movement. Some thought it impractical, others considered it unnecessary. To avoid disharmony, it was then deemed expedient not to mention the subject at Lodge meetings. History, however, has clarified the situation and provided its own irrefutable answer which B'nai B'rith now fully accepts. We are avowedly, unashamedly, even enthusically, committed to the idea and the program of assisting the State of Israel in its valiant struggle for survival, recognizing both its humanitarian claims and its role as spiritual center for our people.

As the organization attained maturity, it gradually shed the elaborate trappings of ritual and the so-called secrets common among fraternal orders. Today it emphasizes a wide variety of services in the Jewish and the general community. The struggle against oppression of Jews in other lands and the manifestations of bigotry surviving even in our own land are a special concern of the Anti-Defamation League, founded by and still affiliated with B'nai B'rith.

The little band of 12 who met in the jewelry store on the Eastside has grown to its present strength of over 200,000 male members, 130,000 members of the Women's Auxiliary and 50,000 of Youth organization. The Hillel Foundation and the A.Z.A. serve more than 350,000 students.

A great historic service was performed by B'nai B'rith in connection with the prompt recognition of Israel by the United States. Quite fortuitously, President Truman had served in an artillery unit in the First World War with an obscure young Jew, Eddie Jacobson. When they were discharged from the army they set up a little haberdashery business in Kansas City, Missouri. Their friendship flourished, even though their business enterprise did not. When Israel declared its independence in 1948, and Jewish organizations insistently sought favorable action by the United States, it was found that certain elements in the State Departmen were unsympathetic, and even Mr. Truman was annoyed by the pressure. He refused for a time to receive any more visitors who sought to address him on the subject. Yet the matter was urgent and the anxiety of Israel's friends is understandable.

Frank Goldman, President of the order, happened to learn that Eddie Jacobson, the lifelong friend of the President, was a member of B'nai B'rith Lodge. Jacobson was asked to intercede with the President to allow Dr. Chaim Weizmann, later the first President of Israel, to visit the President in the White House. Jacobson was at first reluctant, for he did not wish to presume on his friendship, pleading that he knew little of such affairs; but finally he was persuaded and did avail himself of the open door—open to him—at the White House. The meeting between President Truman and Dr. Weizmann was arranged; Truman's reservations were quickly overcome by the logic and justice of Dr. Wiezmann's presentation of the question. When the President understood the issue, he personally announced U.S. recognition of the new-born Israel, without waiting on the dilatory State Department. Thus, in a single hour did Mr. Truman achieve true immortality in Jewish history.

He has since repeatedly expressed deep satisfaction with the role he played then. It was a crucial act, coming when it did. Russia and other nations promptly followed suit. Unhappily, Russia's later attitude has been less benign.

There is not time to relate the whole story of B'nai B'rith activity through the dozen decades of its existence. In summary, it has been a glorious record of achievement. In days of tranquillity and more often in days of turmoil, in prosperity and depression, in good times and bad, it has fought ignorance and bigotry, aided the causes of the oppressed, both Jewish and other. It has not been narrow in the pursuit of justice but has grappled with many problems in many places, striving according to its lights to advance the mission the 12 founding fathers took upon themselves, to promote the highest interests of the Jewish people and those of humanity.

So much for the sponsoring body; I must return to the subject of our tribute. You will readily perceive how natural it is for B'nai B'rith to select Senator Tydings for special honor, for he has evidenced a commitment to the same broad humanitarian principles which have inspired and guided it.

Woodrow Wilson said that in the first year of a man's government service in Washington, he either grows or swells. And Wilson added, with a touch of malice, that it would be a good thing if those who swell would burst. Joe Tydings did not swell; he has grown magnificently. Indeed he was no novice when he entered the Senate for he was nurtured in the atmosphere of that branch of the Government. From his father, Millard Tydings, who was a Senator from Maryland for 24 years (longer I believe than other Marylanders), he learned not only the workings of the government apparatus, but he absorbed the gallant spirit which animated his father. In less than three years he has carved for himself a remarkable zone of activity and usefulness. He has shown the high quality of his mind and a degree of imaginativeness, industry and perserverance that excites admiration. In so short a period he has achieved a stature and influence that few men have attained in much longer service.

His modest biography in the Congressional Directory does not begin to tell the story. From it we merely learn that he is a lawyer, that he served as U.S. Attorney for the District of Maryland, is a senior warden of his church and is married and has three children. It is almost as laconic as the biography of another Maryland statesman—George Konig. He wrote of himself, "George Konig, Congressman from the Third District of Maryland, married and lives with his wife." Joe can claim that too, and more.

As soon as he entered the Senate he made it his special area of responsibility to work for improvements in the federal judicial machinery. It is a field that had not been too assiduously cultivated. He became chairman of a sub-committee of the Senate Judiciary Committee dealing with these matters. He endowed the sub-committee with life and vigor, conducting comprehensive studies, surveys and examinations of many aspects of the federal judicial system, and he has sponsored several important pieces of remedial legislation. This is not a meeting of the Bar Association, so I shall not stop to list details. It is enough to say that he has looked into such matters as jury selection to insure fair trials; has given attention to the knotty question of retirement or disciplining of federal judges whose behavior, or physical or mental condition warrants it; he has striven for significant reforms in the administration of federal courts, concerning himself with the problem of assuring fair trials consistent with freedom of the press; the appelate review of sentences; the proper disposition of cases involving defendants who are insane, etc., etc., etc.

Our honored guest cherishes the notion that the Constitution and the Bill of Rights are not merely ceremonial proclamations to be glorified on the Fourth of July and forgotten every other day. He believes deeply and passionately that the spirit of those documents must infuse the daily work of courts and judges.

But the Senator has looked toward wide horizons in still other directions. Last year he visited Russia and other countries in Asia and Africa to observe their legal institutions and to learn about matters of special interest to us because of Russia's treatment of its Jewish population. And most recently he has expressed himself forthrightly on the Arab-Israeli war. He discountenances any trumped-up arrangement which is less than a real peace settlement or which tolerates overhanging shadows of continued threats, infiltration, sabotage and violence by Israel's Arab neighbors even as they demand a restoration of what they lost by initiating the war.

In a word, Senator Tydings is a man of the broadest interests, blessed with a vigor of mind, warmth of heart, and grace of manner that have set him on a course altogether compatible with B'nai Brith's ideals.

For these good reasons Menorah Lodge is delighted to honor Senator Tydings, to express its regard and good will and to give him its 1967 Menorah Award.

THE PUNCHCARD SNOOPERS

Mr. LONG of Missouri. Mr. President, the October 16, 1967, issue of The Nation magazine contains a highly perceptive article on the potential invasion of privacy which the "data bank" might create.

Phil Hirsch, Washington correspondent for Datamation magazine, wrote the excellent article entitled "The Punchcard Snoopers." I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DATA BANKS: THE PUNCHCARD SNOOPERS

(By Phil Hirsch)

(NOTE.—Mr. Hirsch is Washington correspondent for Datamation Magazine, a leading computer industry trade publication. He has written extensively about the social and technical aspects of automation.)

WASHINGTON.— "The information that you are required to furnish is held confidential by law. Your census report cannot be used for purposes of taxation, investigation, or regulation."

So stated the director of the Census Bureau on the front page of every 1960 census form. Below his signature, the message was repeated in slightly different language. Yet, since 1960, the Bureau has distributed detailed statistics, summarized from individual census questionnaires, to hundreds of companies, trade associations and government agencies, without determining what those statistics would be used for.

In 1963, the American Medical Association sent the Bureau a list of 900 physicians living in Chicago and the rest of Illinois. Census pulled the returns of 188 doctors, then summarized their incomes. The report sent to AMA was classified into more than two dozen income categories. The number of doctors within each group was further subclassified by type of medical specialty (general practitioner, internist, surgeon), as well as by area of residence (inside and outside Metropolitan Chicago).

Census officials insist that selling this information to AMA didn't violate anyone's privacy. They maintain that there is no way of telling, from the statistics, which of the 900 individuals in the original list were included in the sample. But the message on the front cover of the 1960 census questionnaire says nothing about summarizing and selling the information inside. It clearly implies the opposite.

Actually, the Bureau can't really know if the AMA tabulation violated anyone's privacy because it simply accepted the association's statement that the data was needed for a study of physicians' incomes. Other orders for census statistics are also filled without being investigated.

Instead of investigating, warnings are issued—possibly in the hope that they will make the investigations unnecessary. The annual catalogues issued by the Census Bureau tell prospective purchasers of special tabulations that "the purposes for which such tabulations are obtained must not be contrary to the public interest, nor must they be used to give unfair commercial or other advantage to any person or group."

Among the Bureau's customers during the past few years was an advertising agency that wanted to know which areas of the country contained a high percentage of teenagers; the agency was promoting "Do-It," described as "a teenage dance fad item." An insurance company, seeking prospects for its personal accident policy in New Mexico, asked for data on Indians and persons with Spanish surnames. Another ad agency sought help in locating families with specified incomes, who would make good credit-card customers for stores and oil companies. A Boy Scout group wanted to improve its fund-raising activities, while an electrical products firm asked for family income data that could be used to "evaluate" its pay structure.

". . . I am sure that the Census (Bureau) can get from our members, in some cases, information which they probably wouldn't give to the (American Textile Manufacturers) Institute," said R. B. Brandis, an ATMI executive, when he appeared before a House subcommittee in 1964. This is one of the few times the propriety of the Bureau's special tabulations has been referred to in public. What Brandis said raises a rather chilling prospect. For if the Bureau is distributing information to third parties which they couldn't legitimately get on their own, it is a stool pigeon, not a statistical service agency.

The fees charged for these tabulations cover "the total incremental cost . . . of extracting the data from the files and preparing the tabulations," Census Director Ross Eckler told the subcommittee last year. He neglected to add that the preceding steps—collecting data from each household and processing it into extractable form—are far more expensive and are subsidized by the taxpayer. Just the first job, data collection, represented more than two-thirds of the cost of the 1960 decennial census.

Special tabulations are by-products of the data that produces published census reports, explains a Bureau official; he argues that if there were no tabulations, the same information would still have to be gathered in the field by census enumerators. Hence, the Bureau doesn't feel right charging users of special tabulations for field work.

But the business firms and trade associations that purchase special tabulations have originated many of the census questions added in recent years, so this program must have increased the complexity and expense of census collection and data processing.

Several other federal agencies—notably the Internal Revenue Service, Federal Housing Administration, Small Business Administration and Department of Agriculture—sell aggregate statistical summaries to public and private organizations. The individuals who supply this information, like those who fill out census questionnaires, are always assured that what they tell the government will be kept strictly confidential.

In November, 1964, IRS tabulated the adjusted gross incomes of 5,000 subscribers to the New Jersey Blue Shield Plan. Separate income figures were presented for family and single person subscribers, for those enrolled under group contracts, and for those paying premiums directly. From this analysis, New Jersey Blue Shield developed a proposal in 1965 to increase rates for middle-income subscribers. It was never adopted, but only because the plan's trustees, a majority of whom are doctors, found a better alternative: in October, 1965, they authorized a 6 per cent increase in the fees paid to participating physicians, causing a run on the plan's financial reserves during 1966 which forced the state to grant Blue Shield an overall 12 per cent increase early this year.

IRS and the other agencies do a relatively small amount of statistical tabulating for outsiders. But at the Census Bureau, this is a big business. As Robert Voight, a special assistant in the Bureau's office of research and development boasted last March, in a speech to the American Bankers Association: "In financial terms, the revenue from tabulations and other statistical work done to fill special requests has equaled the total appropriations for the current Bureau program for several years, and this year will exceed that figure by a substantial margin." (The Bureau's fiscal 1967 appropriation totaled approximately $25 million.)

This business should grow considerably because the Bureau is busily refining its statistics and procedures to improve its service. Here is Voight telling the ABA about the major changes planned for their benefit in the 1970 census:

"We expect to provide much greater geographic flexibility. We will identify data down to the individual side of a city block so that it can be grouped into any geographic configuration you call for. Also, we expect to identify these block sides by coordinates of latitude and longitude. This will open up a whole new area of potential value to marketers. For example, you could ask us to give the characteristics of the population and housing in one mile circles from your bank location or from a prospective bank location. We will be in a position to map cities for you in square miles grids or other configurations on the computer, to geographically display the characteristics of such areas, to provide a land and housing value chart, commuting patterns, new housing, old housing, deteriorated housing, et cetera. Some of the future possibilities are quite exciting. . . ."

To exploit this new capability, all the customer will have to do is give the Bureau a list containing the names and addresses of the individuals he wants to know about; a computer will then retrieve the corresponding records and summarize their contents automatically.

These "matching studies" could be made previously, but they had to be done manually, were restricted to a few large cities, and usually failed to match a substantial number of names on the customer's list. Computerization, together with the widespread use of mailed census questionnaires in 1970, is expected to reduce these shortcomings and increase the commercial appeal of matching studies substantially.

If the "data bank" proposed by the Bureau of the Budget materializes, matching studies will become even more useful. The Budget Bureau wants to set up a computerized storehouse encompassing the statistics collected by twenty federal agencies, including Census. The information would be converted into a standard format, permitting figures collected by different agencies to be related, and enabling users—government officials, scholars and businessmen—to combine the information in new ways. This can't be done now because the data collections of most agencies overlap and the boundaries are murky. (See "National Data Center: The Computer vs. the Bill of Rights" by Anthony Prisendorf, *The Nation*, October 31, 1966.)

Several other data banks are already in operation, or planned. According to *EDP Weekly*, an electronics industry trade publication, a nation-wide computerized network designed to help keep undesirable drivers off the highway is being developed within the Department of Transportation. Each state will feed in the records of individual drivers whose licenses have been revoked; all states then will be able to check their driver license applications against this file, routinely and instantly. The basic idea is to prevent a driver who loses his license in one state from getting relicensed in another. Who will have access to this information has not been disclosed.

New Haven, Conn., is developing an IBM system which, according to *U.S. News & World Report*, "will produce facts and figures about anyone" living in the city. Credit bureaus are merging their records at a frenetic rate. Some region-wide data banks are in operation, and by 1972 the Associated Credit Bureaus of America plan to have a nation-wide network.

A few legislators—notably Rep. Cornelius Gallagher of New Jersey, Rep. William Green, Jr., of Pennsylvania, and Missouri's Sen. Edward Long—have wondered out loud whether galloping computerization is hurrying the nation toward an Orwellian society. Gallagher has suggested that the Budget Bureau's proposed data bank could collect individual dossiers and make their contents accessible to anyone with enough political clout. He has succeeded in getting the whole idea shelved, at least temporarily. Meanwhile, the Census Bureau has been persuaded not to ask each person for his religion and social security number in 1970.

Very little has been said, though, about another aspect of the privacy problem which could be just as much of a threat to the individual as a computerized dossier.

The nature of this threat is suggested by a computerized system developed recently at MIT to evaluate consumer loan applications. It is based on "population subsets"—discrete groups of borrowers, residing within particular areas, whose purchasing and payment habits are measured statistically, then cross-classified by income level, family size and various other characteristics. The resulting statistical profiles provide yardsticks for evaluating the people who apply for loans. Matching each applicant with "his' population subset allegedly will indicate whether he's a good or a bad credit risk.

This idea has great appeal for "credit grantors" as they are called in financial circles. Their primary goal is to maximize profit at minimum risk, which means locating a large number of "responsible" borrowers as efficiently as possible. If a computer is able to reduce the costs of existing evaluation procedures (and there is little doubt it can), that is sufficient justification for computerization. Presumably, the new system should also have a better batting average than the old one. But the definition of a "responsible" borrower is flexible, so this judgment depends largely on the judge.

As credit bureaus merge their records into regional and national data banks, systems like the one developed at MIT could encompass more and more credit grantors and more and more borrowers. The physical relationship would change also. Now, when an individual applies for a loan or a charge account, he often has a chance to persuade the credit manager to overlook a doubtful record. In a few years, the borrower's fate is likely to be decided in micro-seconds by an electronic oracle installed on a remote Olympus.

Some credit managers probably will continue to rely mainly on their judgment. But many won't. For denying a man credit in a society where credit is indispensable is a big responsibility.

Many applicants who don't conform to the life pattern programed into the credit bureau computer complex will undoubtedly alter their habits. The others simply will be denied credit, on the basis of guilt by association, because they belong to a wrong population subset.

In the automobile insurance industry, guilt by association already has been honed into a valuable marketing tool. The House Judiciary Committee recently began inquiring into the widespread practice of canceling policies "without sufficient justification, and often on the basis of whimsy or flimsy excuse." The inquiry was announced July 10. In the next ten days, the committee received more than 120 complaints from individuals who claimed they had been denied coverage, or had been forced to pay excessive premiums because of age, sex, color, economic background or place of residence.

Not all businessmen have the resources of the insurance companies, or the same power to extract personal information from their customers. The Census Bureau is amply endowed with both, however, and is more than willing to put them at the service of business.

The 1970 census will, among its other questions, ask for detailed figures on individual income—farm and non-farm earnings, interest and dividend income, welfare payments, unemployment and other insurance benefits. Women will be asked how many babies they ever had. Those individuals born after April, 1953, will report whether they worked at any time in the week preceding the census, and if so, how many hours, where the employment was located; how the individual traveled there; whether he was absent at any time during the week because of illness, vacation or other reason; whether he was looking for work, was unemployed or laid off; the name of his employer; his occupation, duties and job title. There will be equally detailed questions on marital status and living accommodations. Those who rent homes or apartments, for example, will have to tell how much they pay the landlord, what they spend on utilities, and what appliances they own.

Most of these questions will be asked to only a sample of the population. But this shouldn't stop the Census Bureau's computers from massaging the data into matching studies tailored to the individual needs of its customers. While names will be kept confidential, the rest of the information on each census questionnaire will be an open book. Pitchmen of all types and moral complexions will be led straight to their marks, and the marks will pay most of the bill.

SECRETARY UDALL ON THE DEMOCRATIC RECORD

Mr. McGOVERN. Mr. President, on October 21 the distinguished Secretary of the Interior, Hon. Stewart L. Udall, addressed the Midwestern Democratic Conference in Rapid City, S. Dak. That enthusiastic audience received the Secretary warmly, and he in return gave what I consider to be an outstanding address.

No one is better able to relate the domestic triumphs of the Johnson administration than Stewart Udall. With typical Western openness and candor, he simply related the unsurpassed record of legislation and administrative accomplishments of a Democratic Congress and a Democratic administration.

I ask unanimous consent that the text of his remarks be printed in the Record.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

Excerpts of Remarks by Secretary of the Interior Stewart L. Udall at the Midwestern Democratic Conference, Rapid City, S. Dak., October 20, 1967

I am intensely pleased to be with you tonight.

First, because I always enjoy the company of Midwestern Democrats. No other Democratic Conference surpassed your 1964 record. They couldn't. Your 14 States scored 164 electoral votes to none for the opposition.

Second, because I want to express my conviction that in the time of testing next year, you again will lead the way in the voting for our Party and our President, Lyndon B. Johnson.

When the prospective flesh and blood candidates of the opposition are judged against President Johnson, the strength of our Party and our President is overpowering.

There are no Republican platform proposals that stand comparison with our record of the seven years past or our aims to continue that progress.

And there are no opposition candidates, declared or undeclared, who can stand to be judged against the leadership, skill and foresight of President Johnson.

I say this even though some of my best friends are Republicans, and I suspect that some of you have the same catholic tastes. To quote a famous General: "Give me a minute and I'll recall a name."

In this time of peril our country must continue to be supplied leadership with experience and vision.

The Democratic Party repeatedly has proved it has leadership on the field and on the bench.

That other political party remains hidebound with a tendency to substitute a new package for the same old tired program.

Postmaster General Larry O'Brien says one of his favorite pastimes in Washington is identifying which politician is a Democrat and which is a Republican.

Watching television watchers is one way. Democrats watch westerns that cause them to clinch fists and get red in the face. Republicans get the same way watching Democrats.

Economics is another way. Democrats look at the bright side. Republicans react to the greatest economic boom in our history by complaining that we are in the depths of prosperity.

Personally, I find that Democrats buy books that have been banned in Boston while Republicans form censorship committees and read them as a group.

And on Saturdays I understand that Democrats wash the car and get a haircut while Republicans head for the boat club.

Two weeks ago in Washington a nationwide audience gathered to hear President Johnson.

He said he gets plenty of advice on how to get out of trouble cheaply and quickly—and most of it boils down to one thought: Deny your responsibilities.

Then he said:

"In the time I have been given to lead this country, I shall not follow that kind of advice.

"The Democratic Party has never chosen the road of irresponsibility. In the 1960's America, under Democratic leadership, has faced up to the poverty and discrimination in its midst. It has not mastered them. But it has started on the road toward mastery—toward healing and educating and training and employing those whom life was passing by.

"This Party, and the programs it has inspired and legislated and turned into action, has set a standard in the 1960's by which every Administration that follows must be judged."

Democrats are faced with a camouflage of carping, criticism and condemnation.

You and I know that we can burn off that smog of discontent with the bright light of our accomplishments of the last seven years.

Democrats can make this a pair of naturals—seven come eleven—just by pointing out our accomplishments.

They are unmatched in the annals of government in the history of the world.

All of the New Frontier program of 1960 and 85 percent of the Great Society Democratic platform of 1964 have been translated into law and accomplishment.

Some of the legislative landmarks were: Voting Rights, Elementary and Secondary Education, Higher Education, Medicare, Peace Corps, Nuclear Test Ban, Alliance for Progress, the Department of Transportation, the Department of Housing and Urban Development, Veterans benefits, Social Security increases, Model Cities, Rent Supplements, Minimum Wage, the Food and Agriculture Act of 1965. Food for Freedom, the Land and Water Conservation Fund, the Water Pollution Control Act and many others.

The results:

The greatest seven years of economic and social advance this Nation—or any nation—has ever seen.

A gross national product 50 percent greater than it was in 1960.

Seven and one-half million new jobs.

A drop in unemployment rate from over 7 percent to less than 4 percent.

One hundred and eighty billion dollars more in personal income.

Net per farm income up 70 percent from the beginning of 1961 to the end of 1966.

The greatest advance in history in aid to education.

Medicare and, with it, freedom from the oppressive worry of medical expenses.

Addition of parks and recreation lands that put into one spot would equal most of Connecticut.

Democrats share the fish they catch. Republicans hang theirs on the wall.

And how did the Republicans in Congress stand on these Democratic accomplishments?

On the first key vote on Medicare, 128 of 138 opposed the program. . . . Just one fact about Medicare, in its first year of operation, Medicare saw 4 million older persons receive $2.6 billion worth of hospital treatment, saw payments of $800 million made on 15 million bills for doctor and other medical services.

Seventy-three percent of the Republicans voted against Funds for Education legislation. . . . Just one fact, nearly a million needy college students benefited in 1966–67 from federally-financed and insured loans, grants and work study programs and an estimated 9 million disadvantaged youngsters were helped by special educational projects.

Nearly 90 percent of the Republicans in Congress opposed the 1964 Poverty program and the 1966 Poverty program. . . . Just one fact, more than 85,000 young men and women have completed service in the Job Corps and 70 percent of them are now in jobs, back in school or in the military, and nearly a million poor youth have benefited from work opportunities to help them stay in school or improve their ability for employment.

To the casual glance Republicans may appear to be almost indistinguishable from Democrats, but check the voting records. . . .

Eighty-four percent opposed the Civil Rights Act of 1966, 85 percent the Voting Rights Act, 80 percent the Model Cities Funds, 97 percent the 1966 Rent Supplements, 93 percent the 1967 Rent Supplements and 85 percent the raising of the Minimum Wage.

From 1952 to 1960 farm income dropped 17 percent, and they made mountains out of grain surpluses. The Commodity Credit Corporation investment in farm commodities rose to more than $8 billion.

Corrective action started in 1961. The emergency feed grain bill passed, but two-thirds of the Senate Republicans voted against it, and so did 161 of the 165 House Republicans. They continued to oppose, but the Food and Agriculture Act of 1962 passed, so did the Voluntary Feed Grains bill of 1963, so did the wheat-cotton bill of 1964 and so did the Food and Agriculture Act of 1965.

Those mountains of surplus corn, wheat and sorghums were worked off without depressing prices and while farm income strengthened steadily. And gross farm income and net per farm income set all time records last year.

Since 1910 every single time a Republican has succeeded a Democrat in the White House, farm prices and farm income have dropped. Every time a Democrat has succeeded a Republican at 1600 Pennsylvania Avenue, farm prices and farm income have gone up.

I should like to suggest that there exist today two very distinct states of the Nation—one is the state of its preservation, and that one we are lucky enough to be working on at arm's length rather than close-up . . . in Viet Nam rather than our own back yards. The other is the state of its conservation, and this one is definitely a close-up situation—one that cannot be postponed in time nor separated from us in space.

We are uncommonly lucky to have in the position of highest leadership, a President who is acutely aware of both of these states of the Nation, and who is determined to do his utmost—whether such actions be popular or unpopular—to preserve and conserve the Nation that he serves.

The public opinion polls, (which should be printed with the weather reports since they show only which way the wind is blowing yesterday), are not the kind of reports on which a leader can safely base the course of the most imposing ship of state the world has ever known. Other more urgent signs must be read and weighed: The direction the wind is blowing is not nearly so important as where that wind may be taking us.

I do not intend to speak of the battle for preservation, except to note that President Johnson is pursuing America's best interests with strength and determination. On a battlefield far from our everyday world of home we are winning a war to preserve our very way of life.

That the President has also found the resources to lead a historic crusade on behalf of this country's natural beauty and resources is almost a miracle. But it is a miracle with real substance.

His Administration's record of conservation legislation is more than substantial—it is the greatest list of accomplishments on behalf of the overall environment that has ever been written into the Nation's law books. This is my field and I am particularly proud of it.

In the realm of Indian affairs, for example, we have seen substantial progress from a base of need and inequity unmatched by any other group of Americans . . .

More than 5,000 units of low-cost housing have been built or are under construction by nearly 100 tribal housing authorities . . . more than 100 industrial and commercial firms have established plants on or near Indian reservations creating jobs for several thousand Indians . . . gross income from Indian national resource production increased more than $20 million in the last fiscal year to a total of $180 million. Mineral leases brought in another $30 million . . . more than 2,000 Indian students last year received BIA college scholarships and grants, double the number of just three years ago . . . beyond the statistics Indian people, Indian leadership, are taking an ever more active role in shaping their own future, in making the decisions necessary for increased progress.

President Johnson's conservation program has extended beyond humans (although with an eye to hunters, anglers, and wildlife-watchers) and has taken cognizance of our embattled fish and wildlife. From December 1, 1963, through July 1967, nearly 709,000 acres were added to the National Wildlife Refuge system, including nearly 105,000 acres of refuge lands and more than 604,000 acres of waterfowl breeding areas.

Until recently, water has been our most abused natural resource. The state of the Nation's waterways was a state of scandal and disgrace. Today, the pollution brakes are on, control measures are gathering strength and speed, and it is now possible to predict an end to mounting pollution and a gradual rollback to ever-cleaner, purer water.

Research in weather modification is under way, with Government scientists seeking to induce precipitation from clouds, to increase the runoff, which then could be stored in reservoirs already built and released during dry periods. Research appropriations for weather modification in Fiscal 1965 and 1966 totaled nearly $7 million—double that of all previous years.

An expanded and extended program of research and development in desalting ocean and brackish water was approved in 1965, authorizing five years of work with $200 million ceiling. Out of this, in part, will grow by the early 1970's a 150-million-gallon-per-day nuclear-powered operation for the

Metropolitan Water District of Southern California—the world's biggest desalting plant by far. It will provide fresh water enough to supply a city the size of San Francisco or Washington, D.C. and will generate enough power for a city the size of Philadelphia.

Wide-frame thinking has gone into the Johnson Administration's approach to our mineral resources. The approach today is not just to hang onto our known reserves and use them in the wisest way, but to stand back and look at the entire minerals picture—including what to do with the mounting piles of discarded junk that deadend these resources and mar the countryside.

Stepped-up Government efforts to relieve mining areas of underground fires, subsidence and blight, protected and improved property valued at nearly $2.5 billion and improved the quality of life for 6.5 million Americans living in these areas. The projects involved, approved by the Appalachian Regional Commission for Federal-State cost sharing, are providing nearly 800 man-years of work in an economically depressed region.

It matters not in what direction you turn your eyes here on the home front. The environmental battle is going forward with vigor, with vision, and above all, with an interlocking purpose about it. People, resources, wildlife, all the elements of the environment we live in and are part of, are receiving due regard in the Federal scheme of things. This is a new departure. This is heads-up, alert, intelligent planning,—a far cry from the finger-in-the-dike approach with which we have made-do in the past. But today, we realize that well-enough then is no longer applicable to today's world.

I submit that it takes a man with vision and courage to tackle the wide range of problems that President Johnson has put his hand to. A lesser man would have pulled at least one of his punches. But the world view was taken by the President.

He saw that preservation of our way of life against an alien ideology which threatened from without, must be given equal attention with conservation of our fabric of life against the waste and overcrowding and pollution that threaten from within.

The fights for social and political preservation of our way of life, and the conservation of the environmental quality of our land, are companion struggles. To win either one and lose the other would be a national tragedy.

I count myself extremely fortunate to be serving under the leadership of such a President.

DIFFICULTIES IN THE MIDDLE EAST

Mr. **BREWSTER**. Mr. President, the Washington Evening Star of November 2, 1967, contains an editorial entitled "Commonsense and the Arabs."

It deals with one of the most troubling situations we face in the world today—the continuing difficulties in the Middle East.

The editorial states accurately and concisely what is at the root of the uneasiness in the Middle East. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

COMMONSENSE AND THE ARABS

It is difficult to see what the Arab states hope to gain by their continuing refusal to recognize Israel and negotiate a definitive peace treaty with it. The longer they adhere to such negativism, the harder they will find the bargaining when they at last agree—as they eventually must—to engage in talks for an enduring settlement.

This has been made quite clear by Premier Levi Eshkol in his latest address to the Israeli Parliament. The situation that existed before the six-day war in June "shall never be restored." As long as the Arabs decline to talk, Israel will consolidate its position in all the occupied areas—the Golan Heights of Syria, the Gaza Strip, the Sinai Desert, the west bank of the Jordan River, and regions affecting freedom of passage in the Gulf of Aqaba and the Suez Canal. As for Jerusalem, the Israelis apparently intend to hold on to the whole of it, permanently—a decision that runs defiantly counter to world opinion as expressed in a 99-to-0 vote by the United Nations General Assembly.

Aside from Jerusalem, however, and certain other places deemed vital to security, Israel, according to Eshkol, "is prepared to conduct direct negotiations with all the neighboring Arab countries or with any one of them separately," to resolve boundary questions. Presumably assuming good faith on both sides, the negotiations could result in a return to the Arabs of most of the occupied regions. The Israelis themselves have reason to favor such a return. After all, the areas that fell to them in June are inhabited by more than 1 million Arabs with a very high birthrate, and Israel can hardly relish the idea of trying to annex and govern so many potentially hostile people—a force that might be used by the more reckless Arab leaders to create an underground terrorist army.

At the moment, with the Israelis stiffening their bargaining terms with each passing day, and with the Arabs still calling for the annihilation of their Jewish neighbor, the outlook for any progress toward direct negotiations—with or without the help of a United Nations intermediary—seems almost hopeless. Yet Eshkol and his government are not entirely pessimistic: "We believe that there are positive internal forces here and in the area which are working toward peace in the Middle East. In this peace lies the starting point for a solution of the area's problems, including the problem of the Arab refugees."

Israel is ready to begin negotiating at once, but the other side adamantly rejects the idea. So the situation hardens, ceasefire violations escalate, and the threat of a renewal of full-scale war grows rather than lessens. It is hard to believe that this is the direction in which responsible Arab leaders really want events to drift.

ARE THEY BUGGING YOU?

Mr. **LONG** of Missouri. Mr. President, the Philadelphia Inquirer of September 24, 1967, contains an interesting article entitled "Proliferating Miniature Technology: Are They Bugging You?—The High Art of Modern Eavesdropping."

Since this is an interesting survey of the "art of modern eavesdropping," I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PROLIFERATING MINIATURE TECHNOLOGY: ARE THEY BUGGING YOU?—THE HIGH ART OF MODERN EAVESDROPPING

(NOTE.—*The article which follows was written for "West" magazine of the Los Angeles Times and obtained through the services of that newspaper.*)

(By Keith Monroe)

If this hasn't happened to you yet, it may:

You are dickering with a car salesman. He excuses himself. Your family presses you to buy on his terms—and somehow he knows it when he returns. He makes no better offer. You end up settling for a worse deal than was likely.

In an angry moment in your office, you pop off about someone to your confidential secretary. Unaccountably it gets to the wrong ears. You lose the promotion you expected.

Your innocent telephone banter with an old friend is mysteriously overheard and misinterpreted. It becomes common gossip, embarrassing you and your friend.

Your opponents in a lawsuit seem magically forewarned of your attorney's plans. They outmaneuver you and win the case.

A neighbor becomes aware that an eccentricity of his is a household joke within your family. Your friendship with him is permanently frostbitten.

You confide a secret of your past to your doctor or clergyman. Soon you are blackmailed by a stranger who somehow knows your secret.

Such misfortunes would once have been attributed to clairvoyance. Today it's a matter of electronics. For fun or profit, someone planted a "bug" nearby and overheard your private conversation.

Electronic eavesdropping is not new. But the advent of micro-miniaturization in the last four years has made snooping devices smaller, cheaper, more reliable—and more common. The general public has lately been buying them eagerly. Today anyone interested, or idly curious, can invisibly invade your privacy at will. No earphone or special receivers are needed.

Popular electronics magazines publish mail-order advertisements with headings like "How to Spy," proferring such conveniences as a "Supersensitive directional microphone (which) picks up faint sounds at 300 feet." Another offers a stethescope mike that "detects sound through ordinary walls. Easily built for $7. No electronics experience necessary." A Hollywood mail-order merchant coaxes readers in a bold ad to "eavesdrop with a pack of cigarettes. Miniaturized FM radio transmitter. Complete diagrams and instruction, $2."

AMATEUR COME-ONS

For those who can't read plans or aren't handy with a soldering iron, snooping is made easier. Lowbrow magazines advertise tape recorders that "can be concealed in a pocket" and a "bumper beeper—instantly attachable to a car so you can trail it without seeing it." Bargain-hunting amateur spies can send for a "bugging devices information guide. Lists wholesale and retail sources. Save half on some items." The guide describes a whole arsenal of tiny instruments. One factory sells a tiny microscope hidden in a quarter-inch rubber mat for slipping under doors; it can transmit to a hidden recorder so sensitive that the sound of voices turns it on and off. Another company purveys "an integrated business surveillance system" concealed in a briefcase so that "it may be 'accidentally left behind,' still recording."

In 1966, the U.S. Senate Subcommittee on Administrative Practice and Procedure called in the chief engineers or general managers of five obscure electronics firms in the Los Angeles area. Since then all but one of those individuals have separated from the firms, and the firms themselves no longer exist under the same names, although successor companies seem to be thriving at the same locations. There is nothing furtive about the attitude of these companies toward the press. A reporter who recently visited some of them was welcomed, shown their arrays of bugs and told how to install them, and even allowed to browse through order files on the understanding that names would stay off the record.

Most names in these files are "Smith" and "Jones," usually with no addresses. However, two very well-known columnists appear to be steady customers under their own names. The files also show orders from some of Southern California's prominent corporations, particularly in the oil, real estate, supermarket and fashion businesses. One company recently bought 800 desk-pen sets with hidden mikes built in. Another ordered 300 "harmonica bugs," sophisticated devices that can be quickly slipped into any telephone to convert it to an open microphone picking up whispers anywhere in a large room.

BEDECKED WITH NERVE

Thoughtful eavesdroppers can find many ways to get into a home or office with their devices. At a 1959 Senate hearing, former Philadelphia District Attorney Samuel Dash testified:

"Your private specialist who taps . . . does it right in front of your eyes. He usually bedecks himself with screwdrivers and pliers and has wire hanging all over him. He will ring the doorbell and say: 'Madam, I'm from the telephone company; your line has been reported, trouble on the line' . . . Take the lawyers' offices, professional people's offices—they have maintenance men who go in an out. I have been able to observe the telephone multiple box of a large office open and a man working on it and no one questioning whether he was a maintenance man and had a right to be there."

A current book on invasions of privacy shows a photo of hidden investigators firing a shotgun toward a distant house. The caption says, "Special shotgun has just released 'spike mike' that, once embedded in the frame of a window or door, transmits private conversations to the eavesdropper." The dart was built experimentally by an engineer, who found that on impact at only 35 feet, its microphone shattered. Nevertheless, the U.S. Army was sufficiently fascinated by the idea to try to make one. A high-powered airgun with a half-inch barrel was procured from Abercrombie and Fitch, and the engineer was commissioned to fabricate six spike mikes to fit the darts it would shoot. All broke on impact.

Then there is the story of a factory employe who sold mimeographed scandal about fellow workers until a plant detective caught her listening in on a private telephone conversation.

A San Francisco restaurant has been caught with mikes under each table. A rabbi and a Baptist minister are known to have been bugged. A Catholic priest is said by members of his parish to have discovered a listening device in his confessional.

In 1957, a committee of the California Legislature uncovered hidden microphones in the sales offices of used-car dealers. Prospective buyers were left alone there to talk over possible purchases. Then the eavesdropping salesman would reappear to close a deal at the highest possible price within the purchasers' range. Jessica Mitford found morticians using the same systems in selling caskets to bereaved families. Certain realtors are also known to have bought bugging equipment. The Legislature's committee concluded that professional eavesdropping in California was a lively, active, lucrative private business."

BUGGING THE CHAIR

The Wall Street Journal recently reported that a land development company lost several hundred thousand dollars in potential profits when on five occasions someone bought land the company needed. It brought in a detective, who located a bug in an office chair.

There is little doubt that law enforcement officers also bug widely and, while eavesdropping, police can scarcely avoid hearing many other private talks. In the Columbia Law Journal, Professor Alan F. Westin reported: "In the course of tapping a single telephone, a police agent recorded conversations involving . . . the Julliard School of Music, Consolidated Radio Artists, Western Union, a bank, a drugstore, a real estate company, many lawyers, a dry cleaner, numerous bars, a garage, the Prudential Insurance Company, a health club, the Medical Bureau to Aid Spanish Democracy, dentists, brokers, engineers, a police station."

In such cases, attorney Edward Bennett Williams points out, "scores of persons who were suspected of no crime were subjected to this kind of surveillance. What they believed to be private conversations were invaded by the ears of the police. Intimate details of the lives of these people became a matter of record in the files of the Police Department."

POLITICAL CARE

People wonder whether private detectives every try to bug the conferences of political parsonages. In 1953, a Secret Service agent picked up FM broadcasts of Sen. Wayne Morse's private conversations in his home and office, but neither Morse nor the Service ever found the hidden microphones. During the recent California campaign for Governor, Ronald Reagan carried in his breast pocket a small device sold for $149.50 by a Van Nuys manufacturer. Called an anti-bug, it was advertised as a "highly sophisticated electronic instrument which effectively jams all commonly used electronic eavesdropping transmitters."

More and more jamming devices are coming on the market. So are electronic "sweepers" that squeal when pointed at a bug. But they have limitations. Most sweepers are mute unless held within 3 feet of a bug.

Sweepers and jammers are useless against listening devices that transmit by wire instead of radio. The only means of blocking such bugs is to find the hidden wires, which now can be made almost invisible, or can even be built into walls.

Former Attorney General Nicholas deB. Katzenbach has called the Federal anti-wiretap bill "totally unsatisfactory." There are no Federal statutes on electronic eavesdropping, although a new FCC regulation prohibits the use of radio devices for snooping.

So, more or less by default, for the past two decades bugging has been taking root among American folkways. The U.S. Government itself, through its General Services Administration, nurtured the process. In 1958, a sharp-eyed critic noticed that the GSA price list of "office supplies" available to all Federal agencies included handy Minifon bugging equipment that could be quickly concealed around the office.

The GSA admitted it had bought $141,136 worth of bugs for bureaucrats in the previous three years. It halted this service forthwith, due to uproar in Congress, but nobody was naive enough to think that public servants had therefore stopped bugging each other and the public. A 1962 report by the House Committee on Government Operations noted that "more than 5000 gadgets to permit telephone eavesdropping still are attached to Government telephones in the Washington area alone."

STINGING CENSURE

In the comparatively primitive 1950's, when the hidden mike had to be connected with a wire to the Listening Post, Long Beach, Calif., police surreptitiously entered the house of a suspected bookie three times to place and replace a bug in different parts of the hall and bedroom. After months of monitoring, via a wire through a hole they had bored in the roof, the sleuths got enough evidence to convict the suspect. His lawyers, discovering the wire and bug, fought the case to the U.S. Supreme Court. The Court's decision included a stinging attack on the police department:

"That officers of the law would break and enter a home, secrete such a device, and listen to the conversation of the occupants would be almost incredible if it were not admitted," wrote Justice Robert H. Jackson (who as Attorney General 13 years earlier had authorized FBI wiretapping in kidnaping and espionage cases). He pointed out that the police had trampled on the Fourth Amendment to the Constitution, which supposedly guarantees everyone's right "to be secure againt unreasonable searches" of their homes and belongings. Nevertheless, the Court let the suspect's conviction stand because, under precedents followed at that time, evidence gleaned in violation of the Constitution could nevertheless be used in State courts.

Therefore, some California plainclothesmen evidently felt free to continue tiptoeing through the homes of suspects—until the famous Cahan decision of 1955 tripped them. Charles Cahan, too, was a bookmaker, Los Angeles detectives thought, and to prove it they climbed through a window of his brother's house one night and "placed a maid," the cop idiom for planting a concealed listening device. Then, posing as termite inspectors, they got into a house rented by Cahan's accountant and placed another maid. Soon they made arrests and won convictions.

CONDONING ILLEGALITY

But when Cahan appealed, the California Supreme Court ruled that the State's courts could no longer accept clandestine recordings as evidence. Justice Roger Traynor, who wrote the decision, explained: "I observed that time after time (illegally seized evidence) was being offered as a routine procedure. It was one thing to condone an occasional constable's blunder. It was quite another to condone a steady course of illegal police procedures."

Cahan and his cohorts went free while policemen lamented.

Ed Cray, Director of Publications for the American Civil Liberties Union of Southern California, wrote last year: "Interview rooms as well as detention cells in Los Angeles city police stations are bugged so that listening officers can overhear conversations between arrestees and their visiting relatives or between suspects and police officers or paid informers posing as sympathizers. In at least one station, the bugging is so thorough that there is no interview room in which a lawyer may talk to a client without the threat of being overheard by the hidden microphone."

LABOR ALERT

The U.S. Supreme Court has held that an inmate of a jail has no right to privacy, and that anything he says there may be monitored electronically. This is also presumed to apply to suspects and lawyers who may think they are conferring privately in police station interview rooms. Of course, conversations between lawyers and clients cannot be used as evidence, but may be helpful to police and prosecutors in other ways.

One of the most popular devices for helping a boss get an earful is the telephone cutoff—known in Washington as a "snooper button." It activates a listening-in circuit so that the eavesdropper cannot be heard breathing (or chuckling, or grinding his teeth) and his tape recorder cannot be heard purring. The device rents for 25 cents a month from telephone companies.

Bugging of low-rank employes began long before it crept into executive suites. Retail stores which doubted whether their salespeople were sufficiently polite and alert began as early as 1950 to find out by listening. A United Auto Workers local has charged that company officials were able to "quote verbatim some of our private conversations." Eavesdropping expert Samuel Dash told a Senate subcommittee about the value of bugs in negotiating a contract with a labor union. He said that management representatives sometimes withdraw from a labor conference for awhile, supposedly to let union officials talk privately among themselves, but actually to "walk to an adjoining room where they have a listening device connected to a bug in the conference room."

Whatever ethical distinctions may have inhibited eavesdroppers in earlier years seem to have blurred into invisibility lately. An executive who eavesdrops on his own people may come to see nothing undesirable about eavesdropping on competitors. Within the last few years a surprising number of company presidents have found their own offices bugged.

Not everyone agrees that monitoring—or, to use plainer synonyms, snooping and espionage—are bad. Robert Spatz, the IRS attorney, has taken the position that a bug-equipped Government agency is better informed and thus more efficient. "If it's a big brother, it's a big brother looking after the citizen's interests," he said of the Revenue Service.

NEED VERSUS ALARM

Others oppose eavesdropping on philosophical grounds. The University of California's faculty committee on academic freedom wrote recently: "If it were generally known by students that their freedom to disclose beliefs, to express attitudes, and to refer to associations did not protect them from (investigations of loyalty) many students would apply rules of caution differing markedly from the rules of free inquiry we now tend to take for granted."

Bugging by local and Federal law officers, held by some to be an indispensable tool for fighting crime, is viewed with alarm in other respectable quarters. Supreme Court Justice William Brennan, in dissenting from the Court's 1963 ruling that a Federal agent could properly carry a hidden recorder to register a bribe offer, warned that bugs "make the police omniscient, and police omniscience is one of the most effective tools of tyranny . . ."

PRIVATE INDUSTRY AIDS THAI AGRICULTURE

Mr. McGOVERN. Mr. President, on July 12 of this year, I invited attention, in the RECORD, to the project in Thailand for private capital assistance to the loan guaranteed by the United States, to a project to increase food production in that country. I recently received an invitation to the opening ceremony of a network of Thai maize grain elevators on Friday, November 10, 1967.

Charles A. Cogliandro, president of Calabrian, Inc., in New York, has announced that his company's subsidiary has completed in 6 months a major portion of their $3 million program to build facilities and assist small farmers in Thailand in improving their corn production.

It is a fine accomplishment, on which I want to congratulate all concerned.

I believe that other Senators will be interested in this pilot project accomplished by private capital; therefore, I ask unanmious consent to have printed in the RECORD the Cogliandro-Thai Ltd. announcement of the opening ceremonies to be held in Bangkok on November 10.

There being no objection, the announcement was ordered to be printed in the RECORD, as follows:

UNITED STATES-THAI PRIVATE INDUSTRY CORN PROJECT MOVES AHEAD AT RECORD PACE—DEDICATION CEREMONY NOVEMBER 10 AT THA RUA

NEW YORK.—Thailand's efforts to modernize corn production has taken a *significant* step forward with the completion (*in record time*) of the first U.S.-Thai private industry sponsored bulk grain storage and processing complex, with a major inland terminal installation at Tha Rua and 10 country elevators.

Charles A. Cogliandro, President, Calabrian, Inc., New York, announced today that Calabrian's Thailand subsidiary had completed in *six months* a major portion of its $3 million program to build facilities and assist small farmers in improving the quality of corn they produce for sale in world markets.

The Calabrian project, approved in April this year, is financed by private U.S. capital and guaranteed under the U.S. Agency for International Development's "extended risk" loan program.

"During the past six months substantial logistic and planning effort was expended to demonstrate that a private industry could overcome barriers in a foreign country to get the job done," Cogliandro said. "During this time, materials were shipped from the United States, sites prepared, contracts and leases negotiated with Thai farmers, and crop financing was arranged. I am greatly pleased with the results so far."

He noted that thousands of small farmers would benefit by the new facilities and the extensive credit and technical services being planned by Calabrian during the coming months.

"Proper drying, cleaning and shelling facilities will upgrade the corn," he said, "and, better storage, with quality controls, will reduce heat and weevil damage and maintain uniform quality."

Cogliandro stated that he was also mindful of the "important political effects" that a stabilized economy which improved the subsistence level of the Thai people would have.

"Southeast Asia, Thailand in particular, has become the battleground for the minds of uncommitted people," he said. "I want to do my best in showing that the free enterprise system can work to benefit of all concerned."

He indicated that Calabrian would endeavor to expand the following programs:

1. Continued, privately managed extension services to increase crop yields, improved seeds and research efforts to product high-quality corn.
2. Supervised credit to Thai farmers for fertilizers and tractors.
3. Assistance to Thai farmers in perfecting land titles.
4. Continued vigorous program to stimulate world markets and grading of Thai corn to achieve higher prices and stability based on the free enterprise system.

Cogliandro also announced that a special ceremony would be held on November 10 at the Tha Rua installation. Thailand's Deputy Prime Minister Prapas will officially dedicate the new installation. Also expected to take part will be senior officials from the U.S. Embassy, AID Mission, and top Government Representatives from India, Japan, and surrounding Southeast Asia countries. Members of the Press and Media have been invited along with prominent Thai businessmen and local dignitaries.

WATERSHED AND RIVER BASIN PLANNING AND DEVELOPMENT

Mr. CURTIS. Mr. President, one of the best managed conservation associations in the entire country is the Republican Valley Conservation Association. It has for more than a quarter of a century unselfishly promoted the development of the Republican River Basin, which although is largely Nebraska, is also important to both Colorado and Kansas. This fine organization has been responsible for bringing about much-needed flood control, irrigation, and soil conservation.

This association is a tribute to the stalwart individuals who have put their shoulders to the wheel over the years. Two of their distinguished former leaders are deceased. I refer to Mr. Harry Strunk, editor and publisher of the McCook Daily Gazette, and Mr. M. O. Ryan, of McCook, Nebr., and Washington, D.C. These two contributed much, along with many others.

At the present time the Republican Valley Conservation Association has outstanding leadership in former Senator Don Thompson, who is not only a distinguished legislator but an outstanding farmer and devoted civic leader.

On October 27, 1967, the association held its 26th annual meeting. The speaker on that occasion was Mr. Hollis R. Williams, Deputy Administrator for Watersheds, Soil Conservation Service, U.S. Department of Agriculture, Washington, D.C. Mr. Williams' speech is of interest to conservationists everywhere; therefore, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ROLE OF WATERSHED AND RIVER BASIN PLANNING AND DEVELOPMENT

(Address by Hollis R. Williams, Deputy Administrator for Watersheds, Soil Conservation Service, U.S. Department of Agriculture, Washington, D.C., at the annual meeting of The Republican Valley Conservation Association, McCook, Nebr., October 27, 1967)

It is a real privilege and a high honor to speak at your annual meeting. I thank your good President, Don Thompson, for inviting me to be with you on this most important occasion.

It is a special pleasure to come to the great State of Nebraska. Since this is Nebraska's Centennial Year I should like to salute you for the many accomplishments of your State during its first 100 years. In the years to come I am certain your State and your neighboring States of Colorado and Kansas will make even greater progress in all fields—especially in conservation and development of land and water resources.

Most of my 33 years as a professional in soil and water conservation have been spent in the Southeast and the Southwest. Although I have been working at the national level for the past several years, I've had little opportunity to study this part of America at first hand.

Thus, I am grateful for the opportunity to visit with you. I never go anywhere without learning something about our job—yours and mine. This will be another opportunity for me to learn.

The Republican River Valley is in the heartland of the Nation. It is truly a great area, especially noted for its agricultural production. Its location in the Great Plains, stretching from the semiarid West to the great subhumid midland feed growing region, makes possible a wide variety of crops combined with livestock production. You have a great wealth of natural resources, including soil, minerals and water.

All of the States traversed by the Republican River—Colorado, Kansas and Nebraska—are noted for their famous schools and thriving industry, and, above all, their fine people. These rich resources, if properly conserved, developed and used, can mean a future of unlimited prosperity for the Republican River Valley.

All of us are indebted to the Republican

Valley Conservation Association and to you conservation leaders for your past accomplishments and the promise of future progress in land and water resources conservation and development.

You were not content to sit back and accept the land and water problems that came your way. You were not content to watch soil erosion ruin your lands and silt up your streams and reservoirs. You were not content to let damaging floodwaters destroy what you have built in this beautiful valley. You are doing something about all these problems.

More than 18,000 soil and water conservation district cooperators are in the Republican River Valley area served by your Association. All counties within the Association's jurisdiction are served by the Great Plains Conservation Program. More than three million acres are under Great Plains contracts in the Valley. Conservation district cooperators have installed vast amounts of soil and water conservation measures in the Valley. I'll mention a few: Contour farming, 1,598,000 acres; stubble mulching, 1,631,000 acres; proper range use, 4,208,000 acres; ponds constructed, 10,848; erosion control structures, 1156; land leveling, 158,150 acres. You should be proud of these many fine accomplishments.

Tonight I want to discuss watershed and river basin planning as it relates to the total development of water and related land resources of the Republican River Valley.

Your association and we who work with watershed and river basin planning are interested in the same objectives—the agricultural, industrial and overall economic growth through the conservation and development of our land and related resources for the maximum benefit of all our people, both urban and rural.

Because of your geographical location, your water problems range from flood to drought and from abundant supply to critical shortage. Achieving and keeping a balance between these extremes is of vital concern to every citizen of the Republic River Valley. Because we share your concern, our programs are designed to protect communities from the scourge of drought and at the same time protect against devastating floods.

The U.S. Department of Agriculture supports a soil and water conservation program developed and serviced by local people. The Soil Conservation Service is the Department's technical action agency for soil and water conservation in this program which today encompasses the full sweep of interrelated natural resources and their management and use. This has been called "creative conservation". It means a "full-use" of our renewable natural resources.

It means developing our resource capacity to assure abundant supplies of food and timber, clean water, pure air, more outdoor recreation, and a more wholesome environment for an ever expanding population. It means among other things extending the multiple-use concept of watershed and river basin planning to include all land and water resources in order to assure their best possible use in both rural and urban development.

What we do with our land and water resources affects the growth of our Nation. From them comes most of our raw material, our food, our recreation, and the other amenities and necessities of life. Our economy and well-being depend on their care. How well this and future generations will fare will depend on the care we give our land and water now.

A famous Nebraska citizen, William Jennings Bryan said: "Burn down your cities and leave your farms, and your cities will spring up again as if by magic; but destroy your farms and the grass will grow in the streets of every city in the country."

Our experience in many localities has demonstrated that small watershed projects are an effective means for rural and urban communities to deal effectively with their land and water problems.

Since 1954, when the Watershed Protection and Flood Prevention Act, (Public Law 83-566) was enacted, many rural and urban communities have shown that they can halt unchecked soil erosion and excessive water runoff, stop or reduce destructive floods, improve drainage on land in agricultural production, provide for more efficient irrigation, supply water for growing municipal needs, attract new industries, enhance fish and wildlife resources, and provide developments for recreation. The small watershed projects are designed to protect, improve and develop the water and related land resources of a watershed up to 250,000 acres in size through a project type undertaking. It includes a combination of soil and water conservation measures on the land and structural measures such as dams, levees, channels, diversions and others.

These projects bridge the resource development gap between soil and water conservation work on individual farms and ranches and large Federal and State public works projects for water resource developments in major river valleys like the Republican River. Thus small watershed projects usually complement and are not competitive with, nor a substitute for, the larger public works projects

To be specific, the small watershed dams on tributary streams complement the main stem dams built by the Corps of Engineers, the Bureau of Reclamation and others for effective water control in a river basin. Each has a particular job to do. Each helps control the water flow in a vital segment of the watershed.

Small watershed projects along with the activities of all agencies dealing with water control and management can be correlated to work for the total needs and problems of a larger river valley. This might include downstream flood control work by the Corps of Engineers, reservoirs and irrigation works by the Bureau of Reclamation, wildlife habitat development by the Fish and Wildlife Service, pollution abatement by the Federal Water Pollution Control Administration and development of municipal and industrial water supplies by towns and cities.

Broad based planning is essential if we are to realize the full potential of the Nation's land and water resources. The Department of Agriculture is strengthening its commitment to the regional, multiple-purpose approach to resource conservation and development through cooperative programs, including river basin studies, small watershed projects, resource conservation and development projects that accelerate going programs on a regional basis.

It is safe to say that today's soil and water conservation and resource development job bears little more resemblance to that of 25 years ago than the 1968 automobile does to the 1942 model. For example, it is now recognized that town and county are not separate worlds, but, rather part of the same resource community sharing common problems, common needs, common natural resources and a need to cooperate in multiple-use planning and development of the land and water resource.

Therefore, unity is the theme of your future if you are to make the most of your opportunity. Unity and inter-community cooperation.

There can be no withdrawal by communities in the future, no separate compartments for the special interests of one group to the exclusion of the interests of another. There can be no longer a wall between wildlife protection and agricultural conservation, no longer a forestry objective separate from the interests of the grasslands, no compartment for soil and water conservation apart from beauty preservation, no longer a question as to the multiple ues of water resources and finally, no more a disunity between city and open country.

This same unity of purpose is well illustrated at the Federal level by the activities of the Water Resources Council, established by the Water Resources Planning Act of 1965. Here, a number of Federal agencies are participating in river basin surveys, continuing studies of the adequacy of water supplies in each water resource region of the Nation and other activities having to do with the development of land and water resources. Included in these cooperative efforts are the Department of Army; Interior; Health, Education and Welfare; Transportation; Agriculture and Federal Power Commission.

As a member of the Water Resources Council, the USDA is currently participating in 52 comprehensive river basin studies. Ten of these are comprehensive framework studies, commonly referred to as Type I Surveys. One of these is the Missouri River Region of which the Republican River Valley is a part. This study will be completed in 1969. The framework studies are broad brush type investigations that will provide general guides to future water resource development. The plans will indicate which regions or sub-basins have water problems calling for prompt detailed planning efforts as well as those where no such problems are currently pressing for solution.

In addition, these studies will provide a good picture of the resources available to meet both current and future needs as well as a substantial amount of data for use in subsequent detailed plan formulation. Type I Surveys usually include:

1. An economic study of the basin and projections of future economic development.
2. Translation of these projections into demands for water and related land resources uses.
3. Projections of water availability both as to quantity and quality.
4. Projections of related land resource availability.
5. Identification of significant problems and possible general approaches for their solution.

The basic reason for USDA participation in river basin studies is to assist in determining how, where and when its project-type programs can be effectively used to meet the needs for water and related land resource developments and to assure that agricultural interests are recognized and protected in such developments. These studies also provide local people with the information needed to make rational decisions as to which project type activities will make the greatest contribution toward meeting their immediate needs and to the attainment of their long term objectives.

The more detailed river basin studies identify project developments which are needed within the next 15 years. In these studies, various water resource development needs are identified both as to scale of development, geographic locations, and purposes to be included.

Detailed river basin studies provide a means of identifying and analyzing competitive water uses, and of determining the economic and social impact of selecting one competitive use over another where both cannot be satisfied.

Four of these basin studies are in Nebraska. They are the Elkhorn, Big Blue, Nemaha and Niobrara. Findings of these studies already are being used in preparing small watershed development work plans.

I am happy to mention that an application has been filed for a detailed study of the Republican. We will make every effort to start work on it as soon as our resources will permit.

A major purpose of these detailed basin

studies is to identify watershed protection and flood prevention projects which can help to meet the total needs of the river basin. In most cases, these studies involve specific projects of the state and local agencies. Emphasis is placed on water resource problems of the concerned State and an analysis of the potentials of Public Law 566 projects in meeting the needs of the State or local agency.

The USDA Inventory of Conservation Needs shows that some 8,300 small watersheds throughout the Nation would benefit from development and improvement under the watershed program.

As of October 1, 1967, applications for assistance on 2,673 small watersheds had been received from sponsoring local organizations. These applications include over 196 million acres of land. The applications came from 49 States and Puerto Rico. Eighty-five are from Nebraska, some of which are nearby, namely Upper and Lower Medicine Creek Watersheds. When completed, these projects will provide protection to the drainage area above Harry Strunk Lake. This lake, I understand, has been named in honor of the first President of your Association for his great leadership in promoting resource development in the Republican River Valley. These two projects when completed will also keep sediment out of the lake and thus prolong its useful life.

At the last count, over 800 small watershed projects were either in the construction stage or construction had been completed. In these, with USDA technical and financial help, local people have achieved protection from floods worth $41 million a year on the average. In many of these projects flood prevention is the chief purpose. But in many, other purposes are playing an increasingly important role in helping to supply water for many needs. The multiple-purpose project helps conserve and supply water for agriculture, municipal and industrial use, offers water based recreational opportunities; and provides fish and wildlife habitat.

Projects with multiple-purposes have expanded rapidly. More than half of the projects now authorized have dual or triple purposes. In addition to the purposes mentioned, others are likely to be added soon. If some pending legislation is approved, groundwater recharge, water quality management, and beautification are likely to become more significant project objectives over the next few years.

Of the 92 watershed work plans completed during fiscal year 1966, 70 (or 76 percent) included one or more purposes in addition to watershed protection and flood prevention.

Since 1962, there has been a very rapid growth in water-based recreational developments in small watersheds. Developments have been planned that will be used by more than 5 million people a year in some 150 communities in 35 States. Included are such recreational opportunities as fishing, camping, picnicking, boating, water skiing and many other forms of water-based recreation. In addition, the sediment pools of more than 4,000 floodwater retarding dams furnish recreational opportunities to local communities where such facilities previously have not been available.

A few other statistics about progress of the small watershed program may be of interest. For example, the number of floodwater retarding dams installed has more than doubled during the past five years. The number increased from 1,954 through 1961 to a cumulative total of 4,316 in 1967. During the same period, the miles of channel improvement more than tripled—going from 1,009 to 3,234 miles. The total funds obligated increased from about $89.7 million in 1961 fiscal year to approximately $168 million in fiscal year 1967.

About 39 percent of the funds were contributed from non-Federal sources, that is, local organizations and State Governments.

Many States are now contributing funds for planning and for construction work in small watershed projects. The State of Nebraska contributed about $250,000 during fiscal year 1967. Nationally, the total of such State contributions was about $10.2 million during the 1967 fiscal year. This indicates the confidence and interest that State governments have in the program.

Many soil and water conservation districts, irrigation, drainage, and watershed districts, river basin associations like yours and many other organizations as well as private individuals and groups are giving time and money to this program. It is this kind of work—with shirtsleeves rolled up—that is giving the small watershed program, and all of our resource development effort, the push it needs to solve some of America's most critical water resource problems.

Small watershed projects are playing a successful role in community development in the United States. The watershed program offers a fresh approach to community progress and development. These projects can serve the interests of both town and country people. The multiple-purpose nature of the program accounts for a large part of its success. These projects help to protect existing community resources and bring in new ones that provide more jobs, more business and thus boost the entire economy of the community.

The small watershed project is a major resource activity that can bring together town and country in a common cause. The development of a project plan offers an unexcelled opportunity for all interests in a watershed to work together to bring about full use of their land and water resources for the benefit of the entire community.

We attach great importance to multiple-purpose planning in small watershed projects. We know that multiple-purpose watershed projects are practical and effective. Many communities have demonstrated this in all parts of the Nation. For example:

Already small watershed projects have reduced flood damages by more than $58 million.

Already these projects have resulted in erosion control and grassland improvement valued at $85 million.

Already projects have reduced sediment pollution by over 6½ million tons.

Already small watershed projects have increased the payrolls in the projects areas by about $285 million yearly.

I especially urge the Republican Valley Conservation Association and all others who live and work in this beautiful valley not to overlook the opportunities offered by small watershed projects as you plan the development of your resources to meet the challenge of the 1970's and beyond.

Currently the United States has a population of about 200 million people. Present growth rates indicates we will about double our population by the year 2000, or just 33 years from now. By 2040–50 our population may double again for a total around 800 million. What will we do with the first 200 million people, much less the next 400 million?

First we must feed, cloth and house them. They must have living space. I do not believe they will continue to crowd into our overcrowded metropolitan centers. I suspect many will come to the wide-open spaces you have in such abundance here in the great Midwest. These people will need more food, more water, more land and many many more jobs. In fact, we will need more goods and services of every kind and description. The question is, shall we be ready to take care of these needs? We can be ready if we start now to protect, plan and develop our land and water resources for maximum production. How well we succeed in this great task will determine, in a large part, whether we and our children will prosper in the years to come.

I believe that the natural resources of this great Nation—which are its true strength—are in good hands, in safe hands. I have faith that we shall meet the challenges of the future head on; that we shall accept them not as a burden or a hurdle, but as an opportunity; that we shall not fail ourselves or those who come after us.

Someday we may be able to stand on high ground in any soil and water conservation district in the Republican River Valley and in every direction as far as you can see, the land will be protected. Trees and grass will grow on the steep slopes. On the flatter lands, protected by graceful terraces, strips, and waterways, cultivated crops will stand in all their glory. Recreational areas will abound and water will be available in abundance for thriving farms and industries. Man and nature will be in harmony as God intended.

DR. GEORGE BURKET, JR., GENERAL PRACTITIONER

Mr. PEARSON. Mr. President, in this day of medical specialization we make constant reference to the specialist and to his great contribution and service to mankind. Often, I think we overlook the great role that the general practitioner plays in American medicine. Always needed in the rural communities and the great urban centers, these men of medicine continue to make a vital and great contribution to the health and welfare of our people.

It is, therefore, of particular pride that I note that the president of the American Academy of General Practitioners is Dr. George Burket, Jr., of Kingman, Kans. Dr. Burket is one of our outstanding physicians in Kansas, and I note with admiration his position of leadership on the national scene. He typifies the very best of American medicine and of the general practitioner.

PROF. GILBERT FITE ON VIETNAM

Mr. McGOVERN. Mr. President, recently there have come to my attention two excellent, thoughtful statements on our Vietnam involvement, written by Prof. Gilbert C. Fite, of the department of history at the University of Oklahoma. Professor Fite's statements were published in the Norman, Okla., Transcript of August 27 and 28, 1967.

It has been my privilege to know Gilbert Fite for many years. He is a native South Dakotan and a frequent visitor to his home State, where members of his family still reside. I regard his two statements on the Vietnam issue as among the most thoughtful analyses that have yet been made of this complex problem.

I ask unanimous consent that the two articles be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Professor Presents His View on U.S. Involvement in Vietnam

(Editor's Note.—This is the first of two articles, written at the invitation of The Transcript, in which Dr. Gilbert C. Fite, research professor of history at the University, expresses his views on the U.S. involvement in Vietnam.)

No question in the last 15 years has so frustrated and divided the American people as the war in Vietnam. During the last few months these frustrations have mounted, and there are increasing demands for what the pro-war advocates call an all-out effort to achieve a quick military victory. The current war psychology is extremely dangerous because much of it is built on ignorance, emotion, and unfounded fear, rather than on any rational analysis of American involvement in Vietnam.

Nothing can be gained by trying to place the blame for our dilemma in Vietnam. The fact is, we are there. But we do need to ask why we are there, whether our presence there can be justified on the basis of national interest, and, if not, how we can best get out if there is nothing concrete to gain by getting more deeply involved. Perhaps the most important question is whether the goals which we have set forth for South Vietnam are worth the cost in American lives and dollars, and, indeed, whether our stated objectives can be achieved at all.

What are our stated objectives? President Johnson has said repeatedly that our main goal in South Vietnam is to establish an independent, non-Communist, self-sustaining nation. "We fight," the President said, "for the principle of self-determination that the people of South Vietnam should be able to choose their own course." A pro-western democratic government in South Vietnam might be highly desirable, but is this a proper American responsibility? I do not believe that it is. Even if a democratic Vietnam could be achieved, it would not be worth the cost in American lives and treasure. I do not believe the United States should fight ideological wars. War is an instrument of national policy which presumably serves a national purpose in terms of defense or some other basic objective. But by talking about freedom and democracy for Vietnam, we have made this war one of ideology and morality. We are not fighting for our own safety or welfare, but presumably we are fighting to establish a particular system of government for the Vietnamese.

In truth, however, talk of a democratic South Vietnam is only talk. It is rhetoric, not policy. What we really mean by a free South Vietnam is one which is either friendly or subservient to the United States.

The South Vietnamese who support our military effort are among the least democratic people in that troubled country. General Ky leads a small group of militarists and is supported by businessmen who are making money out of the war and large landholders who resist economic reform. Ky is an opportunist who fought for the French against his own people and now obviously does not have broad popular support. Recently, Ky remarked that if any candidate was elected president of South Vietnam who did not follow his policies he would overthrow the regime by military force. This caused a number of senators and other officials to talk about re-evaluating our stand in Vietnam, but we continue to support the military junta. Ky has little more inclination toward democracy than the Viet Cong. However pure our motives may be in pursuing our policies, the nationalistic Vietnamese view Ky for what he is, an American puppet, and look at Americans as outsiders who are trying to impose their will on the country by force. It is no wonder that we fail to get any substantial popular support from the people.

But, of course, we do not really believe that we are in Vietnam to promote democracy, despite the rhetoric of freedom stemming from high places. Our leaders say this simply because it appeals to the emotions of people who are needed to support the war. There isn't a truly democratic government in all of Southeast Asia—Burma, Thailand, Malaysia, Laos, or Cambodia—and thousands of lives and billions of dollars will not establish such a government in South Vietnam. If we discard the goal of democracy in Vietnam as a motive for our presence there, what other reasons are there?

We are told that the war is justified as a means of curbing the spread of Communism. Pro-war propagandists have placed the ideology of Communism against that of Democracy. In this way, pro-war advocates have built support for escalating the war on people's fear that Communism is about to engulf the United States.

The main argument says that Communism as a force must be resisted and that it is better to fight Communism in Vietnam than in San Francisco, Norman, or Kansas City. This appeals to people's emotion and ignorance, but will not stand the test of any intelligent thought or analysis. Are the North Vietnamese about to invade San Francisco? Of course not. But the pro-war people say that we might be attacked by the Chinese if we do not take a stand in Vietnam. This is silly. If China should ever attack the United States, would they do it through Vietnam? Would we stop them by being in Vietnam? Any knowledge of modern weapons or geography makes such a suggestion absolutely ridiculous. If we ever have to fight China—God forbid—we surely will not want to make our stand in Vietnam. No, we are not blocking an attack on San Francisco by fighting in Vietnam, because San Francisco will be defended by airplanes, ships, missiles, and atomic warheads, and not by troops sloshing around in the swamps of Vietnam.

Those who favor our policies in Vietnam, however, say that our presence there is needed to contain China just as we did the Soviet Union after World War II. Assuming that we are at last getting to our true objective in Vietnam, is a war in Vietnam the way to achieve this goal and to maintain some semblance of balance of power in Southeast Asia? I think not. Our policy should be to encourage the nationalistic movements in Southeast Asia, not suppress them. If China is to be contained, the people of Southeast Asia will have to bear the main responsibility for containment, not the United States, unless, that is, this country is prepared to spend hundreds of billions and sacrifice hundreds of thousands of lives.

We are told that if South Vietnam is lost—we never had it—then all of Southeast Asia will fall under Chinese control. This is the domino theory—when one falls they all go.

Again this is propaganda based on fear rather than on any understanding of Communism as it exists in the world in 1967. This idea assumes that Communism is one great monolithic menace as it was 20 years ago, and that every Communist party in the world is a puppet of Moscow or Peking. This is simply no longer true as indicated by the fact that Russia no longer can dictate policy to countries in Eastern Europe, and the best evidence is the split between the two giants of Communism, China and Russia. Communism is divided today and we should do everything in our power to increase the divisions rather than follow policies which force the Communist governments together. Ho Chi Minh is a Communist, but more important he is a nationalist who has been fighting foreigners in his country for more than 20 years. He fought the Japanese, the French, and now the Americans. He is trying to rid his country of all foreign control. Indeed, many authorities on Southeast Asia believe that an independent Vietnam, even under Ho Chi Minh, would serve as the best barrier to possible Chinese expansion.

But, the pro-war advocates say, we learned our lesson by appeasing Hitler. We must not let that happen again. The idea that Ho Chi Minh is another Hitler is an analogy based on fear and false logic, not on fact. Hitler had one of the most powerful armies and air forces in the world, and by word and deed he threatened and overpowered his neighbors. His submarines even attacked United States ships in the Atlantic in 1941 before the Japanese struck at Pearl Harbor. Hitler was a threat because of his ideas and his power. There is absoluttely no comparison between Hitler and Ho Chi Minh. In Korea the United States responded to a direct attack and gained U.N. support. We did not get involved by taking sides in a civil war in South Korea. To compare Hitler or the Korean situation with conditions in Vietnam is to be ignorant of history or deliberately to construct a falsehood.

While Americans would prefer a democratic government in Vietnam, it is not essential to our welfare or national interests. Why is it that a nondemocratic or a Communist government in South Vietnam is so much more dangerous to the United States than Russia, Poland, or even Cuba? The answer is, of course, that no conceivable type of government in Vietnam—Communist, fascist, monarchial, or democratic—could be any threat to the United States. It is stupid to expend thousands of lives and billions of dollars with the goal of defeating Communism in Vietnam, while we are at the same time living in peace with Communist governments all over the world. This holy crusade against Communism in Vietnam is indeed, as Senator George McGovern has said, a policy of "madness." It does no credit to rational men.

Most Americans had no idea that the United States would become so heavily involved in a land campaign on the continent of Asia. In the 1950's civilian and military officials from President Eisenhower on down warned against such a policy. But by the 1960's we were told that just a little force, first advisors and then a few troops, would defeat the Viet Cong and later the North Vietnamese, and bring them to the conference table where a political solution could be worked out. President Johnson said he opposed expanding the war and many people voted for him in 1964 because he repeatedly stated that he did not intend to widen American involvement there. As he said on Oct. 21, 1964: "We are not going to send American boys nine or ten thousand miles away from home to do what Asian boys ought to be doing for themselves." But the President did exactly the opposite of what he told the voters in 1964. By that time it was quite clear that our policy of intervention and of backing unpopular governments in South Vietnam was failing. But instead of recognizing and admitting our mistake, we moved step by step to get more deeply involved militarily. At first this seemed to make sense because our military men assured us that a few thousand marines and perhaps an army division would put the Viet Cong to rout. But we soon found that the Viet Cong and North Vietnamese did not like Americans any better than they liked the French and they fought with dedicated ferocity. So the call came for more and more troops. Rather than re-evaluating our policies we moved stubbornly ahead in bloody battle after bloody battle, but we were never told what we were to expect even if victory were achieved. Rather than widening the war, we should have admitted our error and worked to disengage ourselves from the swamps and jungles of Vietnam.

PROFESSOR SUGGESTS NEGOTIATION, GRADUAL WITHDRAWAL

(EDITOR'S NOTE.—This is the second of two articles, written at the invitation of The Transcript, in which Dr. Gilbert C. Fite, research professor of history at the University, expresses his views on the U.S. involvement in Vietnam.)

In their frustration an increasing number of people claim that the best and quickest way to get American troops back home is to enlarge the war and achieve a complete military victory. Recently Rep. Gerald Ford and others have called for greatly stepped-up bombing of North Vietnam. On the surface this seems like a sensible policy, but closer examination shows that such action promises more than it can deliver. It is a fact of war that no country, including England and Germany in World War II, has been defeated by bombing. The exception to this was when the U.S. dropped the atomic bomb on Japan. More air power is advocated because it promises a relatively cheap victory compared to massive land campaigns. But we should not deceive ourselves, there can be no cheap victory in Vietnam. Moreover, General Ridgway said that the Korean War "taught that it is impossible to interdict the supply route of an Asian army by air power alone." Every report indicates that bombing North Vietnam has not greatly reduced the movement of supplies southward, that morale continues high despite a terrific pounding, and that bombing has simply increased the Vietnamese determination to resist. Of course, we can probably obtain some kind of victory, that is, if we kill everyone, or almost everyone. But what would be the purpose of such destruction? We are really saying to the Vietnamese that it would be better for them to be dead than to disagree with our policies for their country.

The greatest tragedy of all is that complete military victory will not achieve our stated objectives—freedom and democracy for South Vietnamese, resistance to Communism, or even bring American men home. Following an American victory the only stabilizing force remaining would be United States troops. This would mean that American troops would in all probability have to remain in Vietnam indefinitely as policemen. The reason we would have to stay is because we do not have the support of any sizable group of Vietnamese. Military victory will simply put us in the position of the French as the governors of Vietnam.

I do not believe that the American people understand this. If they did they would insist on working for a diplomatic and political solution to the Vietnam problem and a use of minimum military force. The only way we will get the boys home is to reduce our military involvement.

The main reason we should be working toward a political solution to get out of Vietnam is because the great majority of Vietnamese do not want us there. If we believe in self-determination as we claim, then we should let the Vietnamese solve their own problems. The proof of lack of support by the Vietnamese for our position is indicated by their failure to support the war. This has become an American war. We are no longer just helping the South Vietnamese. We are carrying almost the full burden of the war. The Vietnamese have little interest in the war except to avoid fighting. Neither the South Vietnamese nor our so-called allies are interested in fighting such a war, except perhaps for the Koreans on whom we put tremendous pressure to help us. When Clark Clifford and General Taylor visited the Far East early in August, 1967, they returned home and announced that our allies favored stepping up the war. But not a single country promised to send any troops. South Korea said she would consider sending more troops. It seems never to have occurred to American policy makers why we are alone in this war. Obviously Australia, New Zealand, and the Philippines, for example, are not fearful if the Vietnamese are permitted to work out their own problems, and they are thousands of miles closer to Vietnam than the United States.

The South Vietnamese army is a joke, mainly because the troops do not want to fight. Our government has consistently misled the American people about the strength and quality of the South Vietnamese fighting forces. We have been told that South Vietnam has an army of about 600,000 men. But less than 300,000 are in the regular army and the rest are militiamen or regional forces, and very ineffective. The South Vietnamese armed forces total more than the Viet Cong and North Vietnamese troops in South Vietnam, but they are nearly useless in prosecuting the war. Time magazine reported on Aug. 4, 1967, that 125,000, or one-fifth of the South Vietnamese armed forces deserted in the previous year, and that South Vietnam had been reporting 20,000 troops that simply did not exist—phantom troops, Time called them. In July when Secretary McNamara asked General Ky to increase the number and efficiency of the South Vietnamese forces, General Ky replied that he thought the best solution was to send 200,000 more Americans to Vietnam!

Why should the United States be fighting a war to help people who are not interested in helping themselves, or who will not fight on their own behalf. The United States is being played for a sucker by a small ruling group in Vietnam which has not the slightest interest in American objectives. How long will the American people permit themselves to be played for suckers, first by a minority of Vietnamese, and then by their own government which tries to picture conditions as they are not.

American policies have failed in Vietnam. Every military prediction of our leaders has proven wrong. In 1962 Secretary McNamara said that we were winning the war; in 1963 he said that the bulk of American military work had been done and we could soon start bringing the boys home. Also in 1963 Secretary Rusk said that we had rounded an important corner in the struggle against the Viet Cong. General Harkins said that the war would be won "within a year." The next year, in 1964, Secretary McNamara said that the attacks by the Viet Cong had "declined drastically," and intimated that victory would soon be ours. As late as Aug. 12, 1967, Admiral U. S. Sharp told an ABC television audience that the ground war was going well and that no stalemate existed. But reports from Saigon indicate that everyone except government officials recognizes that the ground war is not going well. If it were, General Westmoreland would not have asked for as many as 150,000 additional troops. Despite 100 percent error in evaluating the military situation, the American people are asked to believe the same defense and state department spokesmen who have been consistently wrong in the past.

In the second place, we have failed at pacification efforts, or winning the South Vietnamese to our views and to our side. No serious or objective student claims that we are making progress in the so-called "other war" where the President says it must be won. Even Secretary McNamara reported after his July visit to Vietnam that we had made practically no headway with pacification. Indeed, pacification has failed so miserably that a short time ago this aspect of the war was turned over to General Westmoreland and the army.

An NBC newscast on July 13 showed a village which had been rebuilt after having been burned down by the Americans in their search for Viet Cong. The new houses appeared fairly nice by Asian standards. But then the TV camera showed that the entire village was surrounded by barbed wire in order to keep the Viet Cong out and the villagers inside. An American adviser in the village told the newsman that the village was, to use his words, a "concentration camp." Then he explained that some 4,000 people had escaped from the barbed wire and had fled into the hills. What a commentary on pacification. We are freeing people by putting them in barbed wire enclosures against their wills. Moreover, a dispatch from Saigon on Aug. 14 said that General Ky had removed the head of South Vietnam's rural pacification program because he had been too vigorous in attacking corruption.

Having failed to achieve our stated objectives by either military action or pacification efforts, our government has continually proposed more and more of the same old thing. We are trying to build success on proven failure. Our medicine has not worked, so we are asked to double or triple the dose. More, more, the Administration asks. It is time for the people to rise up and say, less, less, no more, no more. For example, Robert W. Smith, executive editor of the Minneapolis Star, returned from Vietnam in June and reported that the United States wanted to assign 50 percent more advisers to Vietnamese army units. But what can more advisers achieve that earlier advisers failed to do. The problem is a lack of will to fight by the South Vietnamese, it is not a lack of advice.

Our policies have thus far failed in Vietnam, but even if they had succeeded we need to ask ourselves whether the price is not too high. Sensible and rational people should place their aims and objectives over against the cost in American lives and dollars. Is the difference between a friendly or unfriendly Vietnam worth more to the United States than 12,500 brave fighting men and as much as $50 to $100 billion dollars—and the pro-war advocates would raise the cost even higher. Does the kind of government Vietnam has made this much difference to the United States? Scores of countries around the world—much more powerful than tiny, poverty-ridden Vietnam—are unfriendly to the United States, but we are not spending blood and treasure to force them to maintain a government friendly to us, or to guarantee elections. It is clear that we stumbled into Vietnam inadvertently, a step at a time, and that the cost of this intervention in a civil war is much greater than we anticipated. But we have been unwilling to admit our mistake after seeing that no possible achievement in Vietnam would be worth the price we are having to pay.

The American people should insist that their government explore alternative policies in Vietnam. Many distinguished and patriotic Americans, including military experts such as General Gavin and General Shoup, have advocated for many months that we de-escalate the war. As Senator Thruston Morton said on Aug. 14, we should seek "honorable disengagement." Indeed, this is the first step toward getting any kind of peace. As an initial move, the United States should immediately reduce its aggressive air and ground activity and maintain a holding action. Of course our troops should defend themselves and we should support them with everything necessary to do that. One reason we should cease our search and destroy operations is that they have been very expensive in terms of lives, and they have been a failure militarily. But the broader and more significant reason to reduce military activity is to provide a proper climate for peace negotiations.

Next, we should make it known that the U.S. is willing to negotiate a gradual withdrawal from Vietnam and leave the country to the Vietnamese. Rather than us taking the lead in negotiations, we should urge the Asian powers, the U.N., and especially U Thant, to develop policies which would be acceptable to the various interests and groups. If we let nearby Asian countries work out a solution it is much more likely to last than if we try to force some kind of settlement on the region. After all, this is an Asian problem, not an American problem, except as we have made it one.

Moreover, if it appears that the leaders who have supported us in the war are endangered, we should offer them asylum.

Most important of all, the United States should outline a policy which would gradually withdraw American troops from a land war which every knowledgeable civilian and military leader warned us against a decade ago, and get back to a feasible defense line—namely maintain our line of air and sea defenses just off the mainland of Asia. With complete air and sea superiority in the western Pacific, no nation can successfully challenge us; and the United States will be in a position to defend its vital interests of trade or defense without getting mired down in an unending land war.

Many Americans have strong objections to concentrating our efforts on a political and diplomatic settlement in Vietnam—one in which the Vietnamese and other Asian countries would be permitted to work out the problems—because they feel we must "win" the war as a kind of atonement for those who have already died in Vietnam. This is strange reasoning. We have achieved no worthwhile goals or objectives in the national interest with the death of approximately 12,500 American troops, so the pro-war advocates urge sending more and more brave Americans boys to their deaths for equally unsound policies. Every American should, I believe, support the men in Vietnam, most of whom are there against their will, with everything they need. If this means higher taxes, or anything else, we must bear that cost. But we will serve our troops best if we help reverse the policies which have sent them there. The most loyal backing we can give our men in Vietnam is to bring them home, and our best chance of bringing them home is not in enlarging the war, but in negotiation and gradual withdrawal.

This is indeed a curious and paradoxical war. Many of the most vociferous supporters of the war have no sons in Vietnam. They keep their sons in college as long as possible and thank God when they fail to pass the physical examination for military service. They also oppose tax increases to pay for the war. In other words, the war has millions of supporters who think it is fine to keep fighting—even expand the war—so long as someone else's sons are fighting it and they can pass the cost on to the next generation. There is a basic dishonesty here which is not in the best American tradition.

Finally, the pro-war advocates have not at any time shown what benefits will accure to the United States as a result of all the sacrifices which we have made and continue to make in Vietnam. They have not shown what the United States can get out of the war which is of value to us as a people and as a nation. How is our national interest served by elections in South Vietnam? No one has told us. How have we strengthened our defenses by losing thousands of men in a small country which could not possibly threaten or attack the United States? No one has told us. How have we helped our country by spending billions killing Vietnamese—this may provide psychic satisfaction to some people—while poverty, unrest, and riots occur here at home? No one has told us. The truth of the matter is that we have nothing to gain and everything to lose by further military involvement in Vietnam. Let us practice what we preach about self-determination and let the Vietnamese solve their own problems. Let us do what Senator Morton has proposed and seek an "honorable disengagement" by negotiation. We have tried military force and it has failed. Honest and imaginative diplomacy deserves a try.

AN AMERICAN-ARAB DIALOG

Mr. MOSS. Mr. President, a visiting Lebanese professor of political science—Dr. Hassan Saab—now teaching at the University of Utah, in Salt Lake City, has written a most interesting letter recommending a new, free dialog between Americans and Arabs so that their relationship may be assessed in terms of "common ideals and interests," rather than of "power politics and domestic pressures," as he feels is presently the case.

I agree that such a dialog would be most valuable. I well recognize that we in America know all too little about the strong urge now being felt in the Arab world for nationhood built on freedom and justice, and I am sure that many Arabs misunderstand our efforts in Vietnam and elsewhere to help establish free and independent countries. I am sure that they all too often equate these efforts with imperialism.

But valuable as I know a wider American-Arab dialog could be, I feel also that the American attitude toward the Arab will never change deeply until there is meaningful dialog between the Arabs and the Isarelis, as well. Perhaps the dialog could be a three-way one—Arabs, Israelis, and Americans.

I ask that Dr. Saab's well written and eloquent letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FOR AN AMERICAN-ARAB DIALOG

THE UNIVERSITY OF UTAH,
Salt Lake City, September 29, 1967.

MY DEAR SIR: I take pleasure in writing to you from the University of Utah, which I joined for the fall quarter of 1967 as a visiting professor of Political Science. I left Lebanon in these critical moments, hoping that my visit to the United States would allow me to communicate directly with my American friends about the present grave situation in the Middle East.

All of us, Americans and Arabs, ought to be deeply concerned with all the aspects of the Arab-Israeli conflict. We must do our utmost to prevent the resumption of hostilities in the area. We must spare no effort in finding a peaceful and just solution to this tragic conflict. Nonetheless, its impact on American-Arab relations deserves more attention than it has received.

This great country, the United States of America, has every reason and every possibility of building in dignity, freedom, justice and peace, a creative partnership with the whole Arab world from Morocco to Iraq. The Arab world has its weaknesses and shortcomings, but it has also all the thrilling promises of a developing society. The United States has the excesses of affluence, but it has also the resourceful abilities of a developed society. American-Arab partnership should be built complimentarily and patiently for the mutual good of the American and the Arab people.

There have been many obstacles which have hampered the emergence of such a partnership. The Arab-Israeli conflict has been the greatest of these obstacles. Therefore, there is a pressing need for a new constructive approach to this conflict, which would limit its catastrophic effects on American-Arab relations. A new free dialogue must immediately begin, which should enable Americans and Arabs to reassess their relations *in terms of common ideals and mutual interests more than in terms of power politics or of domestic pressures.* Truth, Reason, Wisdom, Statesmanship, and Farsightedness should guide this dialogue rather than prejudice, emotion, violence, politics and short-sightedness.

Americans and Arabs must not allow any "third party" to stand in the way of such a free, direct and creative dialogue. From 1947 to 1967, there has often been a "third party", such as Europe, Israel, or Communism, lying behind the deterioration of American-Arab relations. There has never been a genuine and direct confrontation between the American and the Arab people, nor an authentic meeting between the American and the Arab mind.

Under the impact of the Cold War, Americans see the Arabs in the shadow of a "third party": world Communism. Under the impact of three hot wars with Israel, the Arabs see the United States dominated by another "third party": world Zionism. To Americans, the Arabs are obsessed only with the destruction of Israel. To Arabs, Americans are obsessed only with the destruction of Communism. Thus, each party thinks that it knows all about what the other party stands against, but does not seem to care about what it stands for.

In the Arab mind, the prevailing image of America is the image of a stronghold for world Zionism rather than that of a new continent blessed with unlimited opportunities for human beings. In the American mind, the disturbing image of the Arab world is the image of a stronghold for world Communism rather than that of a land bursting with the restless aspirations of its people for a new renaissance. Americans equate Arab nationalism with fanaticism. They mistake Arab socialism for communism. Islam is judged through the utterances of its reactionary mullahs rather than through the bold achievements of its modernist leaders.

The Arabs equate American world leadership with imperialism. They identify American democracy with Zionist pressure groups. Americans ignore the Arabs' deep urge for a new nationhood built on concrete freedom. They do not properly appreciate the Arabs' sincere longing for a new society founded on justice. Arabs overlook American striving for a new world order governed by freedom and justice.

This basic mutual misunderstanding deepened during the tragic events of the Fifth of June, which conveyed to the Arabs the impression that Americans were feasting over their military debacle. Technological superiority and swift victory seemed to justify all the unhuman means and effects of this victory. The facts about the crisis, before, during and after the so-called "Six Days War", were reported by American mass-media of information in an utterly one-sided manner, which made every Arab question American objectivity, and led him even to wonder about the American sense of fairness.

While statesmen and diplomats are seeking at the United Nations a political settlement of the Arab-Israeli conflict, American and Arab thinkers and intellectuals must attend urgently to the more obvious task of shortening the widening gap between the American and the Arab mind. They should not allow power alone to determine the future of American-Arab relations. Man should be the master of power, not its slave.

The United States cannot rely on power alone for the preservation of her interests in the Arab world. She cannot continue to view her relations with the Arab world only as one aspect of a power game with the Soviet Union or Red China. The greatest human asset in the world contest for power in the Middle East is the good will of one hundred million Arabs, who live at the crossroad of the world continents, command the world's greatest reserves in oil, and who are the heirs to some of the world's greatest civilizations and religions. The Arab world can develop better and faster with American understanding, assistance and friendship.

American intellectuals are called upon to free themselves from the complexes of indifference, isolationism, condescendence or onesidedness which have determined their approach to the Arab world. Arab intellectuals should overcome the feelings of mistrust, grudging, suspicion, bitterness and resentment which have governed their approach to the United States of America.

American and Arab intellectuals must lead the way in challenging national prejudices. They ought to remind their countrymen that the people of another nationality are men, who may commit the greatest blunders but may also pursue the greatest achievements. They ought to show them how to engage in the search for a better future rather than to indulge in recriminations about a vanishing past. Our love for Mankind, our trust in Man, and our concern with a better future for all men must be deep enough to set our minds free from all the ingrained hatreds of the past.

An association, a university, a foundation, any responsible institution should immediately take the initiative in bringing together, outside of any governmental influence, a group of American and Arab thinkers, who may be capable of starting the overdue dialogue between American and Arab thought.

I hope that this letter will stimulate the reader into more thinking about American-Arab relations, and will encourage all those who have considered any proposal for the betterment of these relations to come out with their ideas and suggestions.

My little, country, Lebanon, has always believed in free and rational dialogue as the proper way for communication between men. Faithful to their role as mediators between the Western and the Arab mind, our intellectuals will be happy to make their humble but active and creative contribution to the opening of a new dialogue between American and Arab thinkers.

Sincerely yours,

Dr. Hassan Saab,
Professor of Political Science at the Lebanese University and the Saint Joseph University of Beirut.

ISTHMIAN CANAL TRAFFIC

Mr. MORSE. Mr. President, a constituent of mine, Mr. Carl Svarverud, of Eugene, Oreg., has for many years been president of the Nicaraguan Strait Development Co., Nicaragua. He is an experienced engineer with many insights into the political and economic problems and relations involved in canal construction in the isthmus of Central America.

After talking to him recently in Eugene, I asked that he prepare a written account of the points that he had brought to my attention. Since the subject of Isthmian Canal traffic is of so much interest and importance to many Americans, I feel that his paper should be shared and therefore I ask unanimous consent that it appear in the Record at the conclusion of these remarks.

I should make clear that Mr. Svarverud speaks for himself; but I do agree with his general conclusion that far more attention should be given by our country to the alternatives to Panama in the construction of a new isthmian canal.

There being no objection, the material was ordered to be printed in the Record, as follows:

The Nicaraguan Strait Development Co., Inc.,
Eugene, Oreg., October 23, 1967.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.

Dear Senator: You kindly suggested to me, at our recent meeting at your Eugene home, that I prepare a written account of the points I brought to your attention and you would place it in the Congressional Record.

The Wall St. Journal reported last Friday, Oct 20, that the House Sub-Committee on Panama Canal had approved the measure, H.R. 6791, to give the Canal Study Commmission an extension from June 30, 1968 to Dec. 1, 1969 to carry out its studies. The Senate companion bill, S. 1566, approved last June 5, grants an extension to Dec. 31, 1970.

The Journal further reported: "The measure is expected to face a tough fight on the House floor. The Commission's work has become embroiled in a separate dispute over three newly drafted treaties with Panama."

The aim of my enclosed article is to present a comprehensive analysis of the proposed treaties and the status of the Canal Studies.

In view of the current situation, it would appear to be a most appropriate time to place this article in the Congressional Record.

Should you consider it advisable for me to make some revisions, I will be happy to do so.

Estoy muy agradecido.

Sincerely,

Carl Svarverud.

PROPOSED CANAL TREATIES AND SEA LEVEL PROJECT

(By Carl Svarverud)

Speculation concerning the prospects for joint signing and ratification, in the near future, of the proposed canal treaties between the United States and Panama on the status, defense and replacement of the Panama Canal was put to rest by President Robles of Panama, October 1, 1967.

At the opening of the Panama National Assembly, President Robles "reiterated his government's stand on renegotiating the proposed treaties with the United States. Only after changes, alterations and clarifications were approved would his government decide on the best course for Panama."

Announcement had been made simultaneously in Panama and Washington, last June 26, that agreement had been reached on the three proposed treaties. Signing was tentatively set for July 24, in Washington by the two Presidents, Johnson and Robles. Ex-President Eisenhower was expected to witness the signing.

These plans were upset because quite obviously neither government anticipated the almost vicious opposition to the proposed treaties by just about every segment of Society in Panama. This included eight political parties, lawyers association, professors, 8,000 member University Student Body, Labor leaders, et. al. With a Presidential Campaign and election coming up in Panama next Spring, President Robles has prudently bowed to the overwhelming public opposition to the proposed treaties, at least in their present form.

The rude and adverse reception of the proposed treaties in Panama, which would, if ratified, grant Panama undreamed of concessions, was met with discreet silence by the Administration in Washington.

Panama's opposition to the proposed treaties demonstrates that no amount of concessions and sugar-coating will ever make palatable there a foreign enclave, or "micro-state" as Panamanians refer to the proposed treaty provision for the reduced "Canal Area." A foreign occupied military base is equally disasteful.

The fact that the proposed treaties would give Panama no less than a one thousand per cent increase in payments over the present annuity has not softened the opposition to the treaties in Panama. They would receive 17 cents a ton from canal tolls starting two years after the treaty signing. This would increase 1 cent each year for 5 years, up to 22 cents a ton. The United States would receive 8 cents a ton, increasing 1 cent a year up to 10 cents a ton. Net earnings of the canal to be split 50–50 between the United States and Panama. Panama would receive about twice as much from the canal as the United States, if the treaties were to go into effect in their original form.

Fernando Eleta, Panama Foreign Minister and in charge of treaty negotiations with the United States, in talks in Panama trying to "sell" the treaties, stated that Panama would receive approximately $1.3 billion from the canal enterprise in the next 30 years.

The proposed treaties would return to Panama complete sovereignty over the Canal Zone, transfer to Panama all lands and properties in the "canal area" not required in the canal operation, transfer free to Panama of the complete lock canal and all its installations at the time of the opening of a sea-level canal wherever built outside of the present Canal Zone, a four man representation by Panama on a 9 man Board of Directors of the Canal and Canal "Area", termination of the sea-level canal treaty 60 years after signing and not later than December 31, 2069.

There are three major points in the proposed treaties that have aroused the most violent criticism in Panama. They are:

1. The so-called "reduced canal area" which Panamanians maintain would be a "micro-state" under the foreign (U.S.) control of the 5 to 4 Board of Directors. Thus, they maintain, there would still be a foreign enclave just as the Canal Zone is now.
2. The five to four makeup of the Board of Control of the canal enterprise. Panama holding the minority position.
3. A foreign (U.S.) military presence in Panama of unspecified size and they claim for an indefinite period of time.

Much of the opposition to the proposed treaties that one finds in Panama is emotional manifestations of nationalism. This would exist even without the so-called "intellectuals" and communists among the University professors and students that fan the flames of hatred against the United States at every opportunity.

Business leaders in Panama know that the most serious potential threat to Panama is not from foreign enclaves, or "micro-states", or 5 to 4 Board of Directors. It would be the disastrous dislocation of their economy that would result from moving the present canal with its 14,500 employees to a remote area where the sea-level canal could operate with no more than 500 to 1,000.

Studies made by different agencies for the Panama Government have estimated that the economic dislocation from replacing the present lock canal by a distantly located sea-level canal could cost Panama $80 million annually in lost revenue.

Panama's treaty negotiators, regardless of what their critics say in Panama, have very ably protected Panama's interests in the proposed treaties. This is true in respect to the adverse 5 to 4 control of the Board of Directors and the question of the potential economic dislocation that would result from a sea-level canal located at a distant site.

The proposed treaties provide that Panama would have the right to request the International Court of Justice, The Hague, or the Sect.-General of the O.A.S. to designate arbitrators to resolve any dispute between the two governments. The decision of the Arbitration Board to be final and binding on Panama and the United States. Thus the majority 5 to 4 control by the United States could be nullified and reversed by a decision of the Board of Arbitration.

The neutrality of the 21 members of the O.A.S.—all Latin, except the United States, on any issue between Panama and the United States would be open to question. Just about every nation in Latin America has expressed, at one time or another, sympathy for Panama in its claim to sovereignty over the Canal Zone and its rights in the canal enterprise.

In respect to dislocation of the economy that might result to Panama if a sea-level canal were to be built away from the present Canal Zone, the sea-level canal treaty provides that Panama be paid for damages to disloction of the economy by construction of a sea-level canal. If Panama's purported claim of $80 million annually for moving the canal to a distant location were accepted, the indemnity to Panama would be equivalent to 3.2 per cent interest on $2.5 billion.

Strong opposition to the proposed treaties with Panama has been expressed in this country, patriotic groups, Veterans organizations, military spokesmen, shipping interests, a resolution signed by 128 Congressmen, and the latest—the U.S. Emergency Committee on the Panama Canal. The gravest concern is over relinquishing U.S. de facto sovereignty over the Canal Zone, threat of communistic penetration into Panama and imminent danger of nationalization and expropriation of the canal enterprise by Panama.

Panama could carry out nationalization and expropriation without any assistance from Castroites, or communists. Those elements would delight in such an eventuality in Panama, but their intervention would be much more of a liability than an asset to Panama.

Panama could cite the United States acquiescence to Mexico abrogating Art. VIII of the 1953 Gadsden Treaty, which granted the United States a right of way for a canal, or road across the Isthmus of Tehuantepec. Then there was the acquiescence by the United States to the expropriation of about $300 million worth of oil properties from American (U.S.) Oil Companies by the Mexican Government.

Panama's "ace in the hole" is the story of Suez. Panama could proclaim the nationalization and expropriation of the Panama Canal and agree to pay for it in the precise manner as followed by Egypt's Col. Gamal Abdel Nasser, July 26, 1956, when he seized the Suez Canal. Nasser could never have carried out that brazen action except for the direct intervention and support of the United States.

U.S. military forces in Panama, of course, could prevent a repetition of the Suez disaster at Panama. Could they? Great Britain, as it turned out, had rather unwisely submitted to the urging of a certain friendly Western Ally and evacuated their 80,000 man military force out of their billion dollar military base in the Suez Zone only six weeks before Nasser's seizure and left the Suez defenseless. However, British military forces returned three months later and quickly recaptured almost the entire length of the Suez Canal.

The British effort, supported by France and Israel, proved futile when the United States joined with Soviet Russia—yes, that is right—in a petition to the United Nations demanding the withdrawal of British, French and Israeli forces from Suez. The British and French abjectly withdrew. Israel with more reluctance.

It was a diplomatic, not military, surrender that lost the Suez Canal in 1956. The Panama Canal could only be lost in the same manner.

In a show-down in the United Nations over the nationalization and expropriation of the Panama Canal, is there any reason to believe that the United States would fare any better than did Great Britain and France at Suez in 1956? The United States would be hard-pressed to find a sympathetic vote, certainly not from Great Britain, France, or any nation in Latin America.

The United States, it is claimed, has invested approximately $4.9 billion building, operating and defending the Panama Canal. The original cost for purchase of French interests, concession from Panama, indemnity to Colombia and actual construction of the canal was about $385 million.

Certainly it would be unthinkable to jeopardize in any way the operation and control by the United States of the Panama Canal until such time as a truly adequate replacement could be built and put into operation at some other suitable site in Central America.

However, the stubborn and unrealistic insistence by certain groups in this country on the status-quo and indefinite maintenance and operation of the present lock-type Panama Canal, if allowed to prevail, can only lead to ever worsening political, economic and defense problems for the United States.

A strong lobby in this country has fought for the past two decades the construction of an isthmian sea-level canal. Fear that the great cost involved would result in higher tolls has sparked this opposition. That opposition succeeded in holding up the construction of a sea-level canal because the U.S. Navy was able to secure the funds from Congress to build a so-called two-Ocean Navy, including some 25 vessels that cannot transit the Panama Canal. The estimated cost of a sea-level canal was approximately the same as that of the 25 war-ships. Just one of our air-craft carriers cost $435 million. Add to this a 30-year operation and maintenance cost and you would have a total investment in that one air-craft carrier of approximately $3 billion.

Because of the withdrawal of the British from east of Suez—their Naval bases at Aden and Singapore—the United States is confronted with the option of increasing its Naval task forces in that part of the World or allowing some other Power to do so. Certainly, mobility of U.S. Naval forces between the Atlantic and Pacific Oceans is no less vital today than it was at the time of the building of the Panama Canal. That mobility can only be had today by building a sea-level canal across the isthmus of Central America.

Panama Canal traffic is currently running at more than a 100 million ton annual rate. Increasing for the next fifty years at only 40 per cent of the rate from 1914 to the present time, income from existing toll rates would amortize the cost of a new sea-level canal costing more than $3 billion with annual amortization charges of 3.5 per cent.

Panama Canal tolls could undoubtedly be raised as much as 25 per cent with little, if any, adverse effect on traffic flow through the canal. However, it would not only be unjustified, but it would also be unnecessary as existing toll rates, with the present volume of traffic at the canal and likely to use an adequate isthmian waterway in the future, would be ample to pay operating and amortization charges of a new canal.

Col. Nasser, regardless of his other shortcomings, must be credited with an excellent job of operating and improving the Suez Canal the past decade—up to June 1, this year. Nasser has done this without raising toll rates, although he did place small surcharge for clearing the canal of sunken ships.

The best way for the privately owned shipping industry to allay their fears of higher canal tolls and at the same time give the U.S. Navy the sea-level canal they so badly need would be to suggest that the United States Government provide financing for a new sea-level canal on terms as favorable as granted to foreign recipients of some $7.5 billions of USAID loans the past few years. Those USAID loans were for 50 years with interest rates of 1.75 to 2 per cent, now raise to 2.5 per cent.

It is not only the U.S. Navy's ships that are restricted by the Panama Canal in voyages between the Atlantic and Pacific Oceans. More than 600 merchant ships with the number increasing every month are also confronted with the same restriction.

Just in the past three months, five U.S. Oil Companies, together with the Shell Company, have placed orders for the construction of 57 mammoth tankers, ranging in size from 200,000 to 312,000 tons. In the past month of September, the Italian Government ordered the construction in Italian Yards of two 300,000 ton tankers. These 59 ships represent a tanker tonnage fifty per cent greater than the entire U.S. Flag Tanker fleet.

A former Panama Canal Engineer, member of the Board of Consultants Isthmian Canal Studies, 1960, wrote in a letter placed in the Congressional Record, that the 50,000 to 60,000 ton ships would prove impracticable, there was no reason to provide passage facilities for them at the Panamal Canal. "They could not turn around in the Mississippi River." That Canal "Authority" might have impressed some Congressmen, but certainly not ship operators and bankers that ordered and financed the 600 odd number of mammoth sized ships that represent a cost of more than $1 billion.

Notwithstanding U.S. Government subsidies annually of about $260 million to U.S. ship builders and operators, less than 9 per cent of U.S. imports and exports are hauled in U.S. Flag ships. This is the lowest point in the history of the American Merchant Marine. The figure was above 50 per cent only 15 years ago.

It is the same sad story in U.S. ship building. It ranks only 12th in world shipbuilding—just below Yugoslavia. Of course, this situation is basically due to high U.S. wage standards. These high U.S. wages would not constitute too much of a factor in the operation of the highly automated 100,000 to 200,000 ton ships. They operate with no larger crews than the post-war 11 16,000 ton tankers and the smaller Liberty and Victory ships.

The construction of sea-level canal to connect the Atlantic and Pacific Oceans that will permit the passage of these mammoth sized ships will undoubtedly stimulate Atlantic, Pacific and Gulf Ports, wherever possible, to deepen their harbors and fit their ports to accommodate these larger ships. U.S. Flag ships might once again take their rightful place on the high seas.

Statements are often made that the development of huge air cargo planes will make merchant ships less and less important in the transport of international trade. However, there is no substantial evidence to support this contention. More than 97 per cent of the cargo that has been delivered to South Vietnam since the outbreak of hostilities there the past five years has been by regular merchant marine type ships.

The report made this year by The Arthur Anderson & Co. of Chicago for the Panama Canal Company regarding canal traffic and tolls indicates that a 100,000 ton ship could make a one-way trip from U.S. East Coast to Japan by way of the Cape of Good Hope, South Africa—38 days at $6,000 per day—16,190 miles for $2.53 a ton as against a 25 day trip—at $4,000 a day—for a 50,000 ton ship by way of the Panama Canal for $2.67 a ton.

This hypothetical illustration might leave a false impression that the huge ships could make unnecessary construction of a new sea-level canal. What they don't show is that if the Panama Canal could accommodate the 100,000 ton ship, it could pay the canal tolls and still save $38,000.00 over the voyage by way of the Cape of Good Hope. This would give a tonnage rate of $2.11 via Panama as against $2.53 per ton via the Cape of Good Hope.

A ship voyage from East to West Coast North America is 7800 to 8000 miles shorter by way of the Panama Canal than around the Cape Horn or Straits of Magellan, South America. The longer trip would require a minimum of 20 to 22 days longer with ship speed of 16.5 knots. The 100,000 ton ship would thus save from $40,000 to $52,000, if it could go thru the Panama Canal instead of around South America on a run between East and West Coast North America.

Fortune Magazine, Sept. 1967 issue, quotes a rate of $3.84 a ton on oil shipments from Persian Gulf Ports to Western Europe in an

80,000 ton tanker, largest that can transit Suez. It is stated that a 200,000 ton tanker can reduce this rate by 34 per cent via voyaging the longer route via Cape of Good Hope. However, if the 200,000 ton tanker could transit the Suez Canal it would save approximately $78,000 per voyage over the Cape of Good Hope route.

Ebasco studies show that a 200,000 ton tanker carrying a load of 192,000 tons of oil via the Cape at $2.54 a ton ($3.84 less 34 per cent) on a two way voyage of 22,000 miles round trip would result in a cost of $485,937. An 80,000 ton tanker (limit at Suez and 15,000 tons more than Panama) between the same Ports via Suez paying tolls empty one way and loaded return—would travel 12,470 miles round trip. The cost would be $3.84 per ton.

If the 200,000 ton tanker were able to transit Suez, the cost of a voyage of 12,470 miles via Suez would be 57 per cent of the Cape voyage of 22,000 miles, or $277,000. Tolls at Suez would add $34,000 one way empty and $96,000 loaded one way ($.50 DWT loaded, $.227 per DWT light). Total voyage tolls—$130,000. Total voyage and toll costs for 200,000 ton tanker via Suez 12,470 miles would be $407,000. This would be a saving of $78,000 via Suez over the Cape of Good Hope route.

Regardless of claims to the contrary, no ship has yet been built, or ordered, that could travel the 7,800 to 8,000 mile longer route around South America and save costs over using the shorter isthmian crossing and paying existing rate of canal tolls. This would be true for ships up to 500,000 tons.

The Suez Canal crisis was exclusively a political problem. That at Panama is both political and physical. Both equally critical.

Panama Canal traffic has increased at an annual rate of 5.6 per cent since the canal's opening in 1914 down through fiscal year 1967. However, canal traffic at Panama has quadrupled from 1947 through fiscal year 1967. That is equivalent to an annual rate increase of about 7.5 per cent.

The Panama Canal Company and the Stanford Research Institute back in 1957 and 1959–60 made canal traffic projection studies which were based on an average annual increase of about 2.2 per cent for the rest of this century. The figures they estimated would be reached between the years 1995 and 2000 were actually reached in fiscal year 1967, some 30 years ahead of their educated guess.

President Johnson recognized that a serious misjudgment had been made concerning the future volume of canal traffic at Panama. In his Message, Aug. 8, 1967, of transmittal to Congress of the 3rd Annual Report of the Atlantic-Pacific Interoceanic Canal Study Commission, the President stated: "While past studies has put the need (for a new canal) around the end of this century, recent traffic growth has been more rapid than was earlier foreseen and the need may develop much sooner."

Due to twenty years of vacillation and misjudgment, the United States is now confronted with the stark fact that, even if surveys and construction were started immediately, and isthmian sea-level canal could not be opened in time to avert a serious bottleneck and costly diversion of maritime shipping. Even at a reduced annual canal traffic increase of one-third that of the last 20 years, canal traffic at Panama would be running at an annual rate of approximately 130 million tons by 1980. That would be about the earliest date a sea-level canal could be opened to traffic. This would be a tonnage about 30 per cent above the tonnage figure the Board of Consultants Isthmian Canal Studies in 1960 estimated would require construction of a new canal.

The proposed treaty between Panama and the United States for an option to construct a sea-level canal allows the United States 20 years time to exercise the option and an additional 16 years for construction—a maximum of 36 years before a sea-level canal might be opened. Obviously, a new isthmian canal will have to be opened long before another 36 years passes.

At only a 2 per cent annual traffic tonnage growth for the next 36 years, isthmian canal traffic would reach approximately 200 million tons annually. That would double the heretofore considered practical capacity of the present canal. However, the figure is less than the tonnage that passed through the Suez (sea-level) canal last year. Only a sea-level canal could accommodate 200 million tons of traffic annually.

It remains to be seen whether the three proposed canal treaties will eventually be presented to the U.S. Senate for ratification. At this time, they are blocked in Panama awaiting attempts to renegotiate, alter and clarify all three treaties.

The proposed Sea-level Canal Treaty provides:

1. The canal to be started within 20 years.
2. To be completed within 16 years after start of construction.
3. The canal treaty to expire 60 years after opening of new canal, but not later than Dec. 31, 2069.
4. Damages to be paid Panama by the United States (amount undisclosed) for dislocation of Panama economy.
5. Nuclear excavation to be only at the approval of Panama..

Article XVI of "Treaty between the Republic of Panama and the United States of America concerning a Sea-level Canal connecting the Atlantic and Pacific Oceans" provides: (3) Until the United States of America notifies the Republic of Panama in accordance with the provisions of sub-paragraph (1) of this article, the United States of America *shall refrain* from constructing or concluding an agreement to construct a canal connecting the Atlantic and Pacific Oceans in other country than the Republic of Panama."

This restriction—shall refrain—is unprecedented in the voluminous history of interoceanic canal treaties in the Americas during the past 140 years. This is between a country having a potential canal site and a prospective canal builder. The Clayton-Bulwer treaty did not fit that category.

If the United States were to observe, in good faith, this proposed sea-level canal treaty restriction, it would have the practical effect of granting Panama a monopoly as a site for constructing a sea-level canal as long as that treaty would remain in vigor. Nicaragua would be impelled to interpret that treaty provision as constituting an invalidation of the Bryan-Chamorre Treaty. The United States paid Nicaragua $3 million for that canal option more than fifty years ago. It is still in vigor.

Certainly, it would be difficult to believe that the United States Senate would ever ratify a canal treaty with such a restriction.

The Atlantic-Pacific Interoceanic Canal Study Commission is directed by law to select a site some place on the isthmus for the construction of a sea-level canal. There were four potential sites mentioned by the President and listed by the Commission. Those potential sites involved four different countries, Nicaragua, Costa Rica, Panama, and Colombia.

The Congress has already authorized $17.5 million for the Canal Study Commission's studies and surveys. The Commission requested an additional $6.5 million. The Senate approved an additional $4.5 million for the Commission last June. The House of Representatives has not yet acted on this request.

The Canal Study Commission has budgeted $11,812,000 for canal studies and surveys of the Atrato route in Colombia. Commission field parties have been working all this year in Colombia. Now it is obvious that if the United States were to honorably respect that Panama Sea-level Canal Treaty restriction, Colombia, as well as Nicaragua and Costa Rica would be excluded as sites for the United States to negotiate the construction of a sea-level canal to connect the Atlantic and Pacific Oceans. That could last 20 years, or as long as the treaty remained in effect.

Are the efforts of the Atlantic-Pacific Interoceanic Canal Study Commission to determine the best site for the United States to construct an interoceanic sea-level canal in danger of being derailed and aborted as appears possible with the canal treaty negotiations between Panama and the United States? Incidentally, both the U.S. canal treaty negotiators and the Canal Study Commission have the same Chairman.

The Canal Study Commission has budgeted 94 per cent of its funds for studies and surveys of two so-called "nuclear routes" in Panama and Colombia. Those two routes were judged inferior to other isthmian canal routes in every study and investigation made in the past 140 years by American and European engineering parties and canal concession seekers.

Both the Chairman of the Atomic Energy Commission and Canal Study spokesmen have testified at Congressional Hearings that the Nuclear Test-Ban Treaty, unless amended, would prohibit nuclear excavation of a sea-level canal. The direction and activities of the Canal Study Commission reflects a disdain for the Nuclear Test-Ban Treaty and what the people in the isthmian countries might think about the use of nuclear explosives to excavate a sea-level canal in their area.

Little, if any attention and consideration has been given the fact that the Nuclear Test-Ban Treaty is not the only block to nuclear excavation of an interoceanic canal. The test-ban treaty could be wiped out tomorrow and it wouldn't bring nuclear excavation of the canal one bit nearer.

The test-ban treaty forbids radioactive debris from crossing international borders. Seismic blast is not even mentioned in the test-ban treaty. But it is precisely the seismic blast that presents the most serious hazard in nuclear excavation where megaton quantities of nuclear explosives would be required. This fact was admitted by Gen. Woodbury, Engineering Agent of the Canal Study Commission, at a House Committee Hearing this past May.

General Woodbury stated: "Route 17—Sassardi-Morti—is 100 miles generally east of Panama Canal Zone. To construct a route 17 by nuclear means takes on the order of 300 megatons of energy. (That amount would be equivalent to 15,000 times the 20,000 kiloton atomic explosion that destroyed Hiroshima near the end of World War II.) To get through the Continential Divide on Route 17 preliminary studies indicate a maximum explosive in the order of 10 megatons. When you set off this size detonation there is concern that *seismic disturbance in Panama might be such as to make this infeasible.*"

There you have the very engineering agent of the Canal Study Commission questioning the feasibility of excavating a canal in the Republic of Panama by nuclear means. If it would be infeasible in Panama, how about the Atrato route in Colombia with Medellin, a city of 600,000 people, twice as big as Panama City, only 150 miles distant from the Atrato?

The Canal Study Commission requested Congress to extend its life from June 30, 1968 to Dec. 31, 1970. The Senate voted last June to approve the request. Press dispatches, today, Oct. 20, report: "The House Subcommittee on Panama Canal has just approved a measure to give the Canal Study Commission an extension to Dec. 1, 1969 to complete their studies. This would be 13 months less time than the Senate measure. The measure is expected to face a tough fight on the House floor. The Commission's work has become embroiled in a separate dispute over three newly drafted treaties with Panama."

The Canal Study Commission blames Atomic Energy Commission's inability to carry out necessary nuclear cratering experiments as the principal reason for the Commission's failure to complete its studies by June 30, 1968. The Commission also blames the negotiation of the nuclear non-proliferation treaty.

The 3rd Annual Report of the Commission issued July 31, 1967, states: "There have been only two low-yield nuclear cratering experiments under the U.S. Atomic Energy Commission's Plowshare Program since July, 1962."

Following are listed some of the nuclear projects (not experiments) that have been disapproved by the Administration in Washington in recent years.

1. The Alaskan Harbor Project near Cape Thompson, Alaska. That had been tentatively scheduled for 1960–61.
2. Project to connect the Tennessee and Alabama's Tombigbee Rivers.
3. Bristol Mountain Cut, Southeastern California, for Santa Fe R.R. and California Highway relocation.
4. Oregon-Washington Columbia River-Puget Sound Waterway.

At the Hearing held by the Senate Commerce Committee the first of last June, on the Canal Study Commission's request for an extension of time and increase in its fund authorization, Senator Bartlett asked a Commission spokesman: "What do they think in Panama about the use of Nuclear explosives to excavate an interoceanic canal there?" The Commission spokesman replied: "They would like to see us do something similar in this country first."

The trials, tribulations, and frustrated hopes of Plowshare the past decade do not indicate that "something similar" is going to be carried out in this country. Then what reason is there to believe that Panama, or any other isthmian country, would permit it? The Minister of Foreign Affairs, President of the National Bank of Panama, and many other leading Panamanians have repeatedly stated that under no circumstances would Panama permit nuclear excavation of a canal in Panama. The proposed canal treaty for a sea-level canal provides: "Nuclear excavation only at Panama's approval."

Why has the Canal Study Commission completely ignored the San Blas Route in Panama—known as #16 in the 1947 Panama Sea-level Study? This route is only 30 miles from Ocean to Ocean. It is 25 miles shorter than the #17 Sassardi-Morti and 65 miles shorter than the Atrato, the two routes preferred and listed as "nuclear routes" by the Commission. Summit elevations and excavation quantities are very little different on those three routes. The San Blas would terminate on the Pacific side on Panama Bay, very close to Panama City.

The reason for the San Blas route being excluded from consideration for the first time in the history of isthmian canal investigations is quite obvious. It is not a "nuclear route". It is admittedly too close to the heavily populated areas in Panama, Panama City and Colon, for large scale use of nuclear explosives.

The Canal Study Authorization Act states: "and its excavation by conventional or nuclear." Note the order of those two terms. Now that doesn't direct the Canal Study Commission to budget 94 per cent of its expenditures on two so-called "nuclear routes". Nevertheless, out of its programmed $24 million (cut to $22 million by the Senate) budget allotments, 94 per cent are listed for the two "nuclear routes", #17 and #25. The other two canal routes supposed to be investigated, #8—Nicaragua-Costa Rica—and the Panama Canal Zone, are allotted one-fifth of one per cent and five per cent, respectively.

The Canal Study Commission has not spent one dollar for on-site survey of the #8 Nicaragua-Costa Rica Route.

Third Annual Report of the Canal Study Commission issued July 31, 1967, states: "From the point of view of construction costs, the Nicaragua-Costa Rica, Route 8, was found to be the least competitive of sea-level canal routes under investigation. However, this will not rule out for further consideration of route by the Commission, for it appears to have some compensating advantages."

What are these "compensating advantages"? There must have been good reason for the most comprehensive isthmian canal surveys and investigations ever carried out by the U.S. Government to have selected the Nicaraguan Canal route over all others—some 30 in all. This route would effect savings of from 400 to 600 miles per voyage between East Coast, Gulf and West Coast—North America over the more southerly routes in Panama and Colombia. The net savings to shippers using the isthmian transit would amount to no less than 25 billion ton-miles annually.

An equally important "compensating advantage" of the Nicaragua-Costa Rica route would be that this route is *between* two countries. Thus, it would not be subject to unilateral exploration as would all other isthmian canal routes. Nicaragua and Costa Rica have twice in the last hundred years mutually signed border treaties that stated: "In the event of the construction of an interoceanic canal, the canal shall constitute the common frontier between the two countries."

In view of the unresolved argument that the high maximum tides of the Pacific at Panama—up to 22 ft.—would require a tidal lock for a sea-level canal there, it is significant that the tidal variations on the Pacific side at the Nicaragua-Costa Rica route is less than half that at Panama. They are, in fact, almost the same as at the Mediterranean and Red Sea entrances to the Suez Sea-level Canal.

The Atlantic-Pacific Interoceanic Canal Study Commission has left no doubt that its motivation and activities have been directed toward selecting a site for excavating a sea-level canal by nuclear means. Its composition, policy statements, budget allotments, testimony before Congressional Hearings, and its Annual Reports all bear this out.

The Canal Study Commission, however, is confronted with the forbidding Nuclear Test-Ban Treaty, the failure to secure approval to carry out planned nuclear cratering experiments and nuclear excavation projects in the Continental United States. And then there is the insurmountable problem of seismic blast. To compound these insoluble problems is the derailed and apparently aborted canal treaty negotiations with Panama.

Unless immediate steps are taken to drastically alter the present direction and motivation of the Canal Study Commission, little hope can be held out for it to accomplish the objectives that the Congress and the President must have had in mind when they set it up.

With only eight more months to go under its original tenure, the Canal Study Commission gives every indication that its efforts could prove, as so many isthmian canal studies have in the past, to be no more than a futile diversion.

The critical problems of the proposed treaties with Panama on the status, defense and replacement of the Panama Canal, and whether that replacement should be in or outside of the Republic of Panama, must soon be resolved.

Matters of such transcendental importance warrant more than the hurried, perfunctory and rather one-sided presentations given at some of the recent Congressional Hearings.

PANAMA CANAL INFORMATION OFFICE DAILY DIGEST OF NEWS AND EDITORIAL OPINION OF PANAMA NEWS MEDIA, OCTOBER 10, 1967

(NOTE.—This Digest is an informal résumé of items selected from Isthmus newspapers and broadcasts as being of interest to Canal Zone officials. It does not purport in any sense to summarize the full content of the press or to translate in detail any articles therein.)

LA HORA, OCTOBER 9

In the news columns: A report in the middle of the back page says the Panama University Students Union (UEU) summoned the University Committee for Defense of Sovereignty to a meeting October 3 at the University to determine the new tasks of the students concerning the treaty negotiations and for discussion of the proposed treaty.

EXPRESO, OCTOBER 9

Columnists: Although the Canal treaty drafts are considered damaging to the dignity of the country, the President of the Republic has not rejected them and continues to keep the same Foreign Minister and negotiators, says "Picando."

LA PRENSA, OCTOBER 9

In the news columns: A story on the back page says the Panama Government has decided to accept the proposal of a German firm, "Hospitalia," to build a regional hospital in Aguadulce in view of U.S. AID's inability to finance the project.

An article by columnist John Wilson which appeared in the St. Louis Globe-Democrat, July 29, is reprinted on page 15 with a headline that says, "The Panama Canal Has Saved Billions For the U.S." The article shows Panama as demanding something to which she has no right, says the editorial comment at the beginning of the story.

Columnist: The columnist in "Caleidoscopio Panameno" comments that the offer of the German firm to build the regional hospital in Aguadulce should have been accepted long ago since it would be beneficial for the country, and it was known that U.S. AID had no intention of financing the project.

Romulo Escobar Bethancourt says that the anti-treaty campaign by ex-Ambassador Spruille Braden and ex-Governor Charles Edison is an U.S. tactic that goes into operation whenever the U.S. is negotiating a treaty. He says, in reality, the U.S. wishes to guarantee its right to build a sea level canal soon. As for the committee's being against the "gift of the Panama Canal to Panama," the members know that the United States is not the owner of the Canal Zone, says the columnist; as for the "weakness" of the Robles Government, the contrary is true.

EL, DIA, OCTOBER 10

In the news columns: "The Canal Is A Pretext/United States Bases in the Zone are Anti-Castro" is the headline across the top of the front page over a report based on the fourth of a series of articles in Paris Match, a French weekly with world-wide circulation. El Dia says that due to the article's length, the complete text will be printed tomorrow, but a few paragraphs are used together with photographs of General Porter and Colonel Churchville, described as "spokesman for the Southern Command." Colonel Churchville is quoted as saying: "We are not here solely for the defense of the Canal. This is a secondary mission. Our true work is to fight against Castroite subversion. Here you are in anti-Cuba." The French writer describes General Porter as having the face of a "businessman . . . a strong jawbone and no beard to hide it." "Physically," the writer says, "he is anti-Castro."

"Assembly Violently Censures S. Braden" says El Dia's front page headline over a report on the Panama National Assembly's repudiation of the newly formed U.S. anti-treaty committee.

Columnists: The first half of the column "Mario Augusto Opina" discusses, in three separate paragraphs, "The Canal Company," "Contraband," and "Liquor." The writer asserts that the creation of the so-called "Canal Company" which is an illegal organization arbitrarily created to exploit the interoceanic Canal as a commercial firm, has become a tremendous business for the multimillionaire Uncle Sam." In regard to contraband, the writer says "the commissaries and similar establishments, that are illegally and arbitrarily in the Canal Zone, offer every type of facility to those who haven't the slightest pretext to such privilege to acquire every type of merchandise and evade payment of taxes in the territory under Panama's jurisdiction. Moreover, such persons then sell to residents of Panama, Colon, and other cities. As for liquor, Mario Augusto says that as a result of the Remon-Eisenhower Treaty, the Zone residents have the right to consume liquor without paying Panama taxes, thus snatching, annually, more than $1.5 million from the Panama National Treasury. What's more, he says, this liquor is sold to residents as well as transients, depriving the Panama Treasury of even more money, damaging the business of Panama's bars.

LA ESTRELLA DE PANAMA, OCTOBER 10

In the news columns: "Panama National Assembly Repudiates Statements of Braden and Edison/Reaffirmation of Legitimate Rights of the Republic," says La Estrella's top of front page headline. It refers to a report that the Assembly cast a unanimous standing vote of acclamation for a resolution repudiating documents circulated by a newly formed American Emergency Committee on the Panama Canal in the United States to fight ratification of the pending Panama-United States treaties. The report is given bottom of front page position in the English-language sister newspaper, Star and Herald.

"Here The Treaty Of 1903 Is Guarded" says a headline over a photograph on page 20. Cutlines under the photograph say the original of the Canal Treaty is carefully protected at the State Department building in Washington.

CRÍTICA, OCTOBER 10

Columnists: Despite the silence that surrounds the three proposed treaties with the United States, the writer in (la bola de Hoy) today's rumor, claims to have learned that "various belligerent organizations" are preparing a joint statement with the objective that the Foreign Ministry make public the position being taken concerning the treaties. Politics seem to have obscured the fever of interest in the treaties, says the columnist.

Pamama Canal Information Office Daily Digest of News and Editorial Opinion of Panama News Media, October 11, 1967

LA HORA, OCTOBER 10

In the news columns: "The Zone is the 'Anti- Cuba' 'We Are Not Here To Defend the Canal,' stated a U.S. Colonel in zone," say heavy black headlines across the top of the back page over part of an article by French newsman Jean Larteguy published in Paris-Match.

EL MUNDO, OCTOBER 9

In the news columns: A story that the Panama National Assembly unanimously denounced statements made by former U.S. Ambassador Spruille Braden and ex-Governor Charles Edison is given a 5-column headline on the front page. A smaller headline says the statements are damaging to the prospects of reasonable understanding between the U.S. and Panama.

LA PRENSA, OCTOBER 10

In the news columns: Panama National Assembly denouncement of statements by Spruille Braden and Charles Edison is on page 16. A similar story appeared in English.

EXPRESO, OCTOBER 10

Columnists: Commenting on the Canal treaty drafts, "Picando" says the masses have rejected these drafts and will never accept them, no matter how many changes are made The President should appoint new negotiators and a new Foreign Minister and renegotiate the treaties with the U.S., says the columnist.

CRÍTICA, OCTOBER 11

In the news columns: Panama students' attempts to burn a United States flag in front of the United States Embassy in Panama City are shown in two photographs across the bottom of the front page. The caption says a group of Panama high school students tried to burn the U.S. flag as a protest against intervention of the United States Army on October 10, 1925 when Panama people were protesting an increase in rents. Panama National Guard Capt. Nenzen Franco intervened, and in trying to take the flag away from the students, the United States' emblem was ripped, says the legend below the photographs.

LA ESTRELLA DE PANAMA, OCTOBER 11

In the news columns: Dr. Ricardo J. Alfaro's article, answering a memorandum circulated by the U.S. Emergency Committee on the Panama Canal, is printed in full, starting on the front page under a 4-column headline which says: "U.S. Committee Opposes Proposed Treaties Between Panama and the United States."

Economic benefits that Panama receives from her participation in income from the interoceanic Canal must be total, and exclusively channeled toward the social and economic development of the country, asserted Attorney Olmedo A. Rosas, controller general of the Republic in his annual report to the Panama National Assembly, says a front page story.

"U.S. Flag Destroyed Yesterday" says a headline on the bottom half of the front page. The English-language sister newspaper gave the report a 2-column headline near the top of the front page.

EL DIA, OCTOBER 11

In the news columns: "'A Fence and Plenty of Hatred' Between Panama and the Zone" says a headline in capital letters across the bottom of the front page. The reader is directed to page 10, where El Dia has a translation of chapter 4 of an article that appeared in Paris Match September 9, 1967. An editor's note at the head of the article recalls that Panama's Ambassador to France protested statements made about Panama in the first of the series of articles.

"New Treaties Signify Substitution for Colonialism" says a headline across the top of the back page over a report on statements by Dr. Ricardo J. Alfaro, a former President of the Republic. He stated that the treaties protested by Spruille Braden and Charles Edison "in a veritable explosion of arrogance and jingoism," would substitute for the colonialist, unilateral and exclusive regime now in power in the Canal Zone, a regime that gives Panama participation in the administration and management of the interoceanic waterway, a full right due the country as sovereign in all the territory.

Columnists: Mario Augusto, in his column on the editorial page, comments that the civilian, as well as military, authorities in the Canal Zone have large and expensive public relations and information offices but the basic error of the U.S. authorities in Panama, as in all Latin America, is lack of knowledge of Panama's realities. Psychologically, the columnist says, there are depths of lack of comprehension between them and us. Specifically, Columnist Mario Augusto mentions the matter of the articles by Jean Larteguy in Paris Match. It appears, he says, that Larteguy obtained from top Zone authorities a great amount of information and opinions that not only are offensive to Panama, but also are seriously damaging to the interamerican and international policy of the United States. The French writer quoted ideas and sentiments of General Porter and his former spokesman, Colonel Churchville, says the columnist.

"We fully justified the anger of the Panama National Institute students in January 1964 when they saw the Panama flag torn in front of Balboa High School. Everyone knows this was the start of the January riots that brought a toll of pain, death and sorrow. For this reason we strongly repudiate the action of certain students who yesterday, in front of the Foreign Ministry, refused to listen to Capt. Nenzen Franco of the Panama National Guard and proceeded to destroy and trample the flag of the United States of America," says L. Sanchez-Galan in his column "Epistolario de Actualidad." The columnist asks where the professors, teachers and parents of the students were and advises that someone should explain to the students that with such acts of provocation nothing will be gained. On the contrary, he says, this would only reinforce the negative attitude of the United States citizens toward Panama's just ambitions in the Panamanian territory of the Canal Zone.

Panama Canal Information Office Daily Digest of News and Editorial Opinion of Panama News Media, October 12, 1967

(NOTE.—This Digest is an informal résumé of items selected from Isthmus newspapers and broadcasts as being of interest to Canal Zone officials. It does not purport in any sense to summarize the full content of the press or to translate in detail any articles therein.)

PANAMA CITY RADIO LIBRE, OCTOBER 9

The commentator, in Spanish, spoke of the formation of a Tenth of October Committee "born of the Panamanian people's urgent need to have organized groups to fight their claims against Yankee imperialism and its allies within the country." This Committee, says a communique read by the commentator, pays tribute to the martyrs of 1925 and January 9, 1964. The date October 10, 1925, "marks a glorious day in the people's struggle, a struggle which the masses have continued through bitter years of U.S. domination. That day, October 10, (1925) the Panamanian people were massacred at Santa Ana Plaza when the local oligarchy unmasked itself and summoned the Marines to come to its aid." The communique said "the three treaty drafts are clear evidence of the reactionary and unpatriotic nature of the Robles Government. The Robles Government is negotiating with the imperialists three treaties that are an outrageous mockery of our historic struggles of the past. It is clear that the Government is conspiring against our fatherland and is criminally scoring the patriotic sacrifice of the October 10 and January 9 martyrs." The communique is signed "Sovereignty or death."

LA HORA, OCTOBER 11

In the news columns: A front page photograph shows Panama students trampling a United States flag in front of the Panama Foreign Ministry. Placards carried by the students read: "Traitorous Treaty Will Not Pass," and "The Martyrs Live."

Columnists: "Antena del Dia" congratulates the Panamanian deputies for their "unanimous repudiation of the statements of Spruille Braden and Charles Edison, (ultra conservatives and anti-Latin American) representatives of a supposed Panama Canal Defense Committee, who are damaging the hopes of a reasonable understanding between the two countries.

LA PRENSA, OCTOBER 10

In the new columns: A top of back page headline over several pictures of Panamanian students tearing up a United States flag say, "The 'Glorious' Feat of Yesterday." Artlines say the community is perplexed by the behavior of a small group of students who, in open defiance of Panamanian authorities, and in front of them, tore and trampled a U.S. flag which they had attempted to burn. The act, which took place in front of the Foreign Office, was condemned by the friends of the government and the opposition, says the artline.

Five persons, asked in a poll to give their opinion on the Committee In Defense of the Panama Canal headed by Spruille Braden, replied that Braden is known as an enemy of Latin America and statements such as those he made (on the Panama Canal) are damaging to both the U.S. and Panama and should not even be considered by Panamanians. The poll appears on page 2 (of the paper).

Editorial: The editorial is in favor of the resolution adopted by the National Assembly denouncing the disrespect shown toward Panama by Spruille Braden and Charles Edison, who organized a Committee in Defense of the Panama Canal. This committee's only result could be to obscure cordial relations which should exist between the U.S. and Panama because of the Panama Canal, says the writer. All civic and political organizations should follow the example of the National Assembly, says the writer.

EXPRESSO, OCTOBER 10

In the news columns: Pictures on the back page show Panama high school students tearing a U.S. flag which they had attempted to burn. The headline above the photos says, "They Tore a Flag in Protest of the Treaties."

Columnists: "Picando" comments that the students are maintaining a calm, civic and vigilant attitude against the Canal treaty drafts and that they picketed the U.S. Embassy and the Foreign Office.

General Robert W. Porter, considered "the highest U.S. military authority stationed in Latin America," stated, according to news from Washington, that the "supposed" military arms race on this continent is just fiction, says the columnist in "El Pulso de Panama" on the front page. In a talk before the United States Army Association, he added that the purchases of war material by the Latin American countries are to "replace antiquated, uneconomical and unsafe equipment." But, the columnist says, what General Porter failed to mention is that the real reason the Latin American armies purchase the war material is to consolidate their power for political reasons. Militarism, the writer adds, appears to be strengthening its power in the underdeveloped weak countries and is supported by the weapons, whether Mr. Porter admits it or not.

EL MUNDO, OCTOBER 11

In the news columns: ex-President Dr. Ricardo J. Alfaro's article answering a memorandum circulated by the U.S. Emergency Committee on the Panama Canal is printed on the editorial page and carries an eight column headline which says, "The U.S. Committee of Opposition to the Treaty Drafts."

EL DIA, OCTOBER 12

In the news columns: "Nearly Three Thousand Zone Employees Live In Panama," says a 3-column headline on the back page. According to the latest bulletin of Panama's Office of Census and Statistics, 12,882 Canal Zone employees reside in Panama, and 149 Canal Zone employees resident in Panama earn monthly salaries of $500 or more.

Columnists: The programs of loans by the United States and its agencies are coming under heavy fire that is becoming increasingly stronger in Latin America, says the columnist in "hablando bajito." The conflict with the government of Otto Arosemena in Ecuador is only one of the examples of the existing disagreement over the methods and systems imposed that, at times, are open exploitation and are humiliating, in contradiction to the doctrines of the Alliance for Progress. In Panama, the writer notes, there have been two explosions "against this supposed policy of technical and economic assistance; the first the complaint before the Panama Supreme Court of Justice against a decree that concedes to USAID faculties that are inherent to the Panama National Assembly, and the second, the report of Panama Controller General Rosas to the Assembly in which he energetically denounced the terms for granting of loans."

DYING LAKE MICHIGAN

Mr. HART. Mr. President, in this week's issue of Newsweek magazine is an article that should make us all sick with dismay.

The piece, entitled "Dying Lake Michigan," outlines the alarming fever chart of a very ailing body of water.

Politicians are always pointing to some natural feature in their districts and describing it as a "great national asset." The words perhaps have been eroded by overuse to the point where they hold little meaning.

But it is no exaggeration to say that without these bodies of fresh, pure water, we will have a very different society, a very different Nation.

Yet it appears that before long, cartographers, in the interest of accuracy, will be coloring them brown.

Lake Michigan is indeed dying, just as Lake Erie is already very nearly dead. The scum of algae that the article describes is known to anyone who has visited the shore.

It marks the high water point at Muskegon. It stains the sand at Manistee. It slimes the breakwater at Frankfort. It is the phlegm of a choking lake—and what a tragedy.

There are those of us in Congress who will fight to head off this disease. But the only penicillin for a sick lake is money, because it will take a great deal of money to divert the wastes.

And, of course, everyone is for water pollution control unless it somehow inconveniences him.

The greatest danger certainly will not come from anyone who advocates water pollution. No one advocates it. The danger comes from those who defend to the death a pious stand that can only be labeled, "economy in government."

You see, no one is against economy just as no one is against water pollution control. Yet it is hollow indeed to shout against pollution while also shouting against domestic spending.

Mr. President, I am not sure what Lake Michigan is worth in terms of dollars.

But even if a program to save this lake were to cost $1 billion, I invite anyone to tell me precisely why it would be a waste of money.

I ask that the Newsweek article be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DYING LAKE MICHIGAN

Carved out 11,000 years ago during the last ice age, Lake Michigan is a young, freshwater lake. Normally, a body of water its size—Michigan is the world's sixth largest lake—has a lifetime measured in millions of years. But man's appearance on the edge of this great glacial basin has upset nature's timetable. Filling with sewage and sediment, Lake Michigan is beginning to die.

To be sure, Chicagoans can still step into their lake for a swim (something unthinkable for Clevelanders to do in polluted Lake Erie), but the signs of mortality float ashore all too often. This summer, thousands of rotting alewives washed up on Chicago beaches, a product in part of Lake Michigan's man-made links to the Atlantic Ocean. Then, a 5-mile oil slick spread up the lake from industrial East Chicago, Ind., where one steel manufacturer alone daily discharges some 480 million gallons of polluted water. Chicagoans were so offended, in fact, that their sanitary district asked the state of Illinois to sue Indiana for fouling the lake. And just last week a national organization called the Environmental Defense Fund sought an injunction barring the Michigan Department of Agriculture and nine cities from spraying DDT and dieldrin in the lake's watershed area. The pesticides are washed into the lake and swallowed by rainbow trout, which then fail to reproduce. Thus not only is a sporting fish decimated but the ecological balance of the lake upset: trout, it seems, feed on alewives and so help control their population.

The most alarming symptom of the lake's malaise has been the rapid increase of a wisp, green alga called cladophora. Milwaukee's public beaches were stained for days by the decomposing organisms, and in Chicago the algae clogged the intake screens on the city's water-filtration plant.

The proliferation of aquatic plant life in lake waters is the result of a process called eutrophication, or biological enrichment. Under natural conditions, a lake accumulates nutrients from the mineral-rich rocks and soils surrounding it. The nutrients actually fertilize the lake, endowing it with a rich variety of microorganisms. Algae and other plants flourish, die, then sink to the bottom. And as they decompose, they absorb oxygen from the water. Without oxygen, animal life begins to die, adding its own decomposing mass to the buildup of organic sediments. Finally, filled to the brim with decaying matter, the lake itself dies a natural death. But slowly. In less than 100 years, however, man's use of the lake as a dump has brought on Michigan's first fatal signs of decay.

SLOW STARVATION

Sewage is the principal eutrophier of the lake. It spills untreated into the lake or its tributaries from some 55 municipalities within the watershed. Another 255 municipal sewage systems contribute their effluents after the waste has been treated. The liquid input may be free of bacteria, but it still contains nutrients, particularly the phosphates found in common detergents. According to the Federal Water Pollution Control Administration, the watershed's 250 industries and 310 sewage systems bestow on Lake Michigan a quantity of pollutants—and nutrients—equal to the raw wastes of nearly 10 million people. North of the urban-industrial belt, agricultural fertilizers also hasten the process of eutrophication.

Some scientists fear that parts of Lake Michigan may someday become as devoid of fish life as the oxygen-starved 3,500 square miles of central Lake Erie. Though Michigan is nearly five time deeper than Erie, its coastal currents move parallel to the shore and do not readily mix with the deeper basins. What's more, most of the freshwater input from Lake Superior moves through Lake Huron. That leaves Michigan relatively speaking, in a backwater.

To prolong the life of the lake, plant ecologist Charles F. Cooper of the University of Michigan believes the small watershed communities could use their treated wastes profitably to irrigate forests. And biologist A. M. Beeton of the University of Wisconsin's Center for Great Lakes Studies suggests that a huge interceptor sewer could be built around the south end of the lake—all the way from Milwaukee to Michigan City—to divert nutrients into the Mississippi basin. "Somewhere along the line," warns Beeton, "we've got to decide how we want to use the lake. If we want a sewer, then we'd better forget about swimming and fishing. You can't have it both ways."

PROJECT EVALUATION POLICIES MUST BE CHANGED

Mr. PROXMIRE. Mr. President, as long as Congress allows the Government to employ unrealistic discount rates for project evaluations, the Nation's economy will be greatly hampered. Palliatives, such as meat-ax budget cuts and tax surcharges, may only bring about very shortrun relief; unless wasteful policies—like the low discount rate which is based on the rate at issue of long-term Government bonds—are changed, the need for recurring shortrun interventions will accelerate, and as the number of interventions rises it becomes harder to have a smoothly functioning economy.

At present, the discount rate employed in most public works cost-benefits studies is 3¼ percent. In cost-benefit techniques, the lower the discount rate, the lower can be the return on an investment; thus, as the discount rate increases, the benefits of the project must also be higher. A project which might be feasible at a 3-percent discount rate might become marginal at a 5-percent discount rate and could become quite uneconomical at a 10-percent interest rate.

In a series of Joint Economic Committee hearings on planning-programing-budgeting—PPB—systems held in September, the question of Government discount rate policies occupied 1 full day. Every witness that day went on record opposing the current determination of the Government discount rates. Two indictments of present policy were made:

First, instead of the 3¼-percent discount rate, witnesses said that any project which necessitates transfer of resources from the private to the public sector should utilize the private sector's expected rate of return as the relevant discount rate. According to witnesses, that private sector rate is at least 10 percent and probably ranges around 15 to 20 percent for many projects. As long as Government applies a much lower discount, projects will be approved which compete for scarce resources with higher return private sector investments. The result is increasing inflationary pressures and lower economic growth.

Second, because a low discount rate allows many low returns projects to be approved, witnesses argued that Government is relatively overinvested in public works programs as compared to such important areas as education, poverty, and urban needs. Returns to these programs have consistently been above those from public works, but history recently repeated itself when Congress moved to cut poverty and model cities funds while increasing public works budget requests.

Congress must know how to rationally cut the budget. If Congress demands alternative discount rates be applied to all proposed public works projects, and insists that the alternative rates reflect the opportunity cost of private sector rates of return, then not only will Government be realistically allocating its resources but the whole economy will profit by avoiding serious and potentially dangerous dislocations.

THE SUGAR PINE

Mr. MORSE. Mr. President, Mr. Robert D. Hostetter, resource utilization specialist with the Bureau of Land Management in Portland, Oreg., has recently written an excellent article for the magazine, Our Public Lands, published by the Department of the Interior. Mr. Hostetter's article deals with efforts now underway in Oregon to protect the sugar pine trees found in the magnificent Siskiyou Mountains of southern Oregon. Nearly half a billion board feet of sugar pine is harvested annually in Oregon and California and this article tells of precautions taken to insure survival of these magnificent trees from the diseases to which they are so vulnerable. I ask unanimous consent to insert this article in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Sugar Pine No. 4

(By Robert D. Hostetter)

How sugar pine number four got to be the Sweetheart of the Siskiyous is a story of love and devotion.

It is the story of the love that BLM people have for the forests of southern Oregon and of their devoted efforts to save sugar pines from the onslaught of blister rust.

Sugar pines during their youth are straight and slender, with regal grace and beauty. As they mature, their craggy crowns dominate the forest. They are indeed the monarchs of the pines. In the Siskiyou Mountains of southern Oregon, flanking the Rogue River, sugar pines grow to be 6 or 8 feet through and more than 200 feet tall. They grow rapidly during the first century of life, and volumes of 75,000 to 150,000 board feet per acre are not unusual for sugar pine stands.

Sugar pine wood is fragrant, soft, satiny. Its remarkable freedom from any tendency to warp or twist with changing moisture makes it valuable for interior trim, patterns, model making, and wood carving, as well as for more prosaic uses.

Stumpage prices paid for standing trees reach $50 per thousand board feet. Nearly half a billion board feet of this fine timber are harvested annually by forest industries in Oregon and California.

SUGAR PINE SURVIVAL THREATENED

Survival of these splendid trees is threatened by white pine blister rust, a fungus. This disease attacks all five-needle white pines, including the commercially important eastern white pine, the western white pine, and the sugar pine. The disease was brought from France to Vancouver, British Columbia, on nursery stock in 1910. It quickly spread throughout the range of white pines in the West.

Blister rust infects pine trees through their needles in the summer and autumn. Then it spreads to the branches and causes cankers. Spores from those cankers cannot infect other pines, but can infect alternate host plants—gooseberries and currants of the genus Ribes. In turn, the spores produced on the leaves of ribes plants infect more pine trees, and the disease spreads.

To halt that vicious cycle, foresters for 30 years have sought to destroy all ribes plants in sugar pine areas by pulling and grubbing them or through the use of selective herbicides. This procedure is costly and only partly successful; so, better methods are being sought.

In 1954, Robert C. Warnock and Carrol E. Brown, who had been directing the ribes eradication program in the Bureau of Land Management's Medford District, started looking for sugar pine trees that seemed to be naturally resistant to the disease. Starting in 1957, in cooperation with the Forest Service, they began testing the effectiveness of antibiotics to control the disease by spraying infected trees. Chemicals used were cycloheximide and phytoactin. It was hoped that the antibiotics would be translocated from where they were sprayed on the tree trunks to other parts of the tree, killing blister rust cankers wherever they occurred. However, the tests proved to be unsuccessful and they were abandoned in 1966.

TEST TREES SELECTED

By the time Bob Warnock retired in 1959, he and Carrol Brown had located 11 sugar pine trees that seemed to be resistant to white pine blister rust. The selected trees were growing near infected ones, but had no cankers themselves. For a tree to be selected as a candidate for testing it must have been bombarded for years by blister rust spores without becoming infected. That spores had been present was shown by the infection and death of nearby trees.

By controlling the cross pollination of candidate trees, the researchers planned to determine whether any of them could transmit their disease resistance to their progeny.

Both male flowers, which produce pollen, and female flowers, which become cones, grow on the tips of the uppermost branches. Carrol Brown has developed the agility of a squirrel to reach them. Wearing soft-soled shoes that do not injure the bark of branches he climbs on, he has learned exactly how far a branch will bend without breaking. Numerous treetop ascents are necessary to check flower maturity, place specially designed bags with plastic windows over developing cones, collect pollen, pollinate flowers, note the presence or absence of cone insects, and to check cone development.

Getting to the first branch of a 150-foot sugar pine would be a problem for most people, but Brown has a choice of methods. Either he uses a light aluminum ladder or Swiss tree grippers. The latter is a contraption that encircles the tree trunk with two hoops, each attached to one foot of the climber. His weight on pedals gives him leverage to walk gingerly up the tree, as the hoops clasp it without injuring the bark.

Pine cones require 2 years to mature. During that time sugar pine cones grow from 10 to 20 inches long with seeds as large as kernels of corn.

The first crop of cross-pollinated sugar pine cones from disease resistant trees was harvested in November 1962. Brown had previously placed a cloth bag over each cone to avoid loss of precious seeds as the cones matured. As he pulled them off, one by one, he dropped them to eager helpers on the ground below. Those cones had cost plenty, but their worth was still unknown.

PROGENCY TESTING BEGINS

Next came progeny testing. The seeds were planted in pots, with numbers identifying which trees had been crossed. This phase of the project was carried out at Wind River Nursery, operated by the Forest Service in south-central Washington.

Seedling sugar pine trees were inoculated with blister rust spores from ribes plants each August for 3 years—in 1963, 1964, and 1965. Results were noted 1 year after each application. Thirty different crosses had been made, and the pots containing seedlings of each were randomly arranged while in the inoculation chamber as well as while at the nursery site.

When examination results were tallied, one point became quite clear: Sugar Pine Number Four transmitted amazing disease resistance to its progeny!

Number Four was selected as a candidate by Carrol Brown and Bob Warnock on October 19, 1959. It grows in the Rogue River basin of southern Oregon in BLM's Medford District. Most prolific of all candidate trees, it has produced 131 cones.

Results show that resistance demonstrated after the first inoculation of Number Four's seedlings held up well through the second the third spore inoculations. During inoculation, seedlings are enclosed in a room with moisture, temperature, and other conditions ideal for infection. Even after three such trials, high percentages of the progeny of Number Four remained healthy. When crossed with candidates 1, 5, and 11, the proportion of Number Four progeny remaining healthy varied from 63 to 81 percent.

BEST CROSS FOUND

The best cross, with the greatest transmittal of disease resistance to first generation progeny, was between sugar pines Number Four and Number Eleven. Cuttings have been taken from both of these trees and grafted to rootstocks at the Dorena Tree Seed Orchard near Cottage Grove, Ore. There are now nine surviving grafts of each tree at the orchard, which is operated cooperatively by the Bureau of Land Management, the Forest Service, and Oregon State University.

A new tree seed orchard is being established near Merlin in the Medford District where cuttings (scions) of the best trees will be grafted. Grafted trees in the seed orchard will carry the genes of the parents and will be of the same age. Consequently, they will immediately start to produce pollen and flowers. Crosses will be controlled, and the seed produced will be used to reforest the land as sugar pine timber is harvested. If the indications of present tests are borne out, most of the seedlings in the new crop will be immune to white pine blister rust.

Carrol Brown points out that rust resistant strains must be developed for a wide range of climates and elevations on 2.5 million acres of commercial sugar pine forest land in Oregon and California. He has located 101 candidates for testing, and more will be needed. Site adaptability is developed over many generations, so disease resistant strains must be developed for each of the different geographic zones.

Other outstanding performers may be discovered in the future, but the thrill in seeing the success of Sugar Pine Number Four will be hard to equal. Number Four started an era, and will always be the Sweetheart of the Siskiyous!

ACKNOWLEDGMENTS

Carrol E. Brown, Donald J. Schofield, and Ronald J. Younger of BLM's Medford District in Oregon assisted Mr. Hostetter in preparing this article.

Members of the U.S. Forest Service cooperating with BLM in white pine blister rust control work in Oregon have included Gerald Barnes, Donald Graham, Thomas Greathouse, George Harvey, Howard Hopkins, Benton Howard, Reed Miller, Jack Thompson, and Clifford Woody.

THE GREAT SILENT CENTER OF AMERICA WILL BE HEARD ON VIETNAM

Mr. BYRD of West Virginia. Mr. President, during the most difficult moments in American history, after the extremes have had their say on vital issues, the great silent center of American opinion is heard from.

It is often slow in forming, yet when it does coalesce, it defines the solid middle-of-the-road position which most Americans of good conscience will support.

There was a great debate about our entrance into World War II and about aid to allies such as Britain. The great American political center which supported our entry was right on that decision.

There was a debate after the war on whether the United States of America should invest its resources through a Marshall plan in the recovery of Western Europe. Reason won out there, too.

So it is not at all strange that there should now be created an organization unifying the great center of national opinion called "Citizens Committee for Peace With Freedom in Vietnam."

This is the group which may now represent the viewpoint of the majority of Americans.

This is the group which supports the Presidency and the commitments of the Presidency.

And this is the group whose illustrious membership—Presidents and prominent Americans—will become the focus for new popular support of our policies in Vietnam.

Hanoi must understand that this group represents American thinking much more than the strident voices of protest and counterprotests we have heard in recent weeks.

I ask unanimous consent to have printed in the RECORD an editorial entitled "Polls and 'the Silent Center,'" published in the Chicago Sun Times of October 27, 1967.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

POLLS AND "THE SILENT CENTER"

From a Communist source in Europe comes the information that the North Vietnamese Communists do not intend to respond to any peace overtures by the United States until after the Presidential election next year.

If true, Ho Chi Minh is gambling that American discontent with the war, as reflected in opinion polls, may bring a change of administration in January, 1969, and with it a change in the determination of Washington to "stay the course" as President Johnson puts it.

America, as viewed from Hanoi, certainly must give a picture of a nation divided and discontented over pouring men and money into the war. But Ho should not mistake discontent for a willingness to surrender as we said on this page Tuesday after last weekend's war protest in Washington.

The Gallup Poll shows that 46 per cent of Americans now believe it was a mistake to send American troops to Vietnam but this does not mean that nearly half the American people favor abandoning South Vietnam to Communist aggression.

The Gallup Poll did not measure public opinion on what specifically should be done in Vietnam; another survey will be made on that subject. But there is evidence at hand that despite the loudness of those who argue the United States should get out of Vietnam there is a large "silent center" of citizens who support America's commitment to resist aggression in Asia as the U.S. has in Europe.

Reference to the "silent center" was made Wednesday by the newly formed Citizens Committee For Peace with Freedom in Vietnam, which includes former Presidents Truman and Eisenhower. The group supports the philosophy that guides the President in resisting aggression in Vietnam; its policy statement specifically says, however, that the committee supports not President Johnson or the Administration but the office of the Presidency. Republicans on the committee, therefore, could argue for a change in the Presidency, which Hanoi is waiting for, but against any change in America's basic commitment in Vietnam.

"Our concern," says the statement, is not with politics or popularity, but with principle."

The committee, co-chairmanned by former Sen. Douglas of Illinois and Gen. Omar N. Bradley, former chairman of the Joint Chiefs of Staff, specifically notes that never since the Civil War has there been as much loud and violent opposition to a conflict in which our fighting men are engaged. It supported the right to dissent but said the voices of dissent have received attention "far out of proportion to their actual numbers."

"Our objective," said the committee, "is to make sure that the majority voice of America is heard—loud and clear—so that Peking and Hanoi will not mistake the strident voices of some dissenters for American discouragement and a weakening of will."

Does the committee represent a majority of silent Americans, some of whom will vote for President Johnson next year and some for a Republican? Hanoi should consider the probability that it does.

A poll of delegates at 13 AFL–CIO conventions showed only 8 per cent favored withdrawal of the United States from Vietnam and only 13 per cent favored de-escalation. The rest favored standing by America's commitment in Vietnam, 41 per cent supporting current administration policy and 38 per cent favoring escalating the war even further.

Ho Chi Minh should be conscious of this poll, too. It implies that continued resistence for another year will mean only more and more suffering in his country as well as in South Vietnam, suffering that could be ended now if Ho would read American opinion accurately and come to the peace table.

ADDRESS BY AMBASSADOR SOL M. LINOWITZ

Mr. MORSE. Mr. President, on October 19, Ambassador Sol M. Linowitz, U.S. representative to the Organization of American States, addressed a meeting of the Inter-American Press Association at the Dorado Beach Hotel, Dorado Beach, P.R.

As chairman of the Senate Subcommittee on American Republics Affairs, I read the Ambassador's speech with great interest and approval. In fact, I think Ambassador Linowitz is doing a remarkably fine job as our country's Ambassador to the Organization of American States.

I would like to have the speech available not only to members of the Senate Foreign Relations Committee and to the public, generally, and therefore, I ask unanimous consent that it be printed at this point in my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY AMBASSADOR SOL M. LINOWITZ, U.S. REPRESENTATIVE, ORGANIZATION OF AMERICAN STATES

I welcome this opportunity to report to you on the state of affairs in the neighborhood in which we live. I make no claim to reportorial objectivity; and if any bias shows it will be one that favors the policy clearly enunciated in the Charter of the Organization of American States—a policy that seeks "an order of peace and justice" in our hemisphere.

Indeed, I can think of no better way of summing up President Johnson's entire Latin American policy than to stand here and read to you the Charter of the OAS. Its goals, its hopes for the present, its aspirations for the future express fully all that we strive for today in our relations with our sister republics in the Americas.

For the United States seeks in short, what the OAS seeks—a hemisphere in which all people respect their neighbors and share in the blessing of plenty that is the heritage of the New World.

Obviously, the OAS will not in and of itself guarantee such a future for the hemisphere. But it does point the way. And because it does, the United States' commitment to it is deep and irrevocable. It is a commitment, moreover, that bespeaks our belief in international cooperation—peaceful cooperation and change—among all men and nations no matter what their hemisphere.

For the overall international aim of the United States is a world in which want is replaced by sufficiency, in which aggression is rejected by respect for one's neighbors, in which belligerency has been overtaken by understanding, in which inequality and discrimination—economic and social—finally give way to the dignity of the individual.

The OAS is the instrument of this international aim in the Western Hemisphere, and as such our membership in it well serves our national interest, even as our membership in the United Nations serves our national interest universally.

And whatever the shortcomings of either body may be, they are those of the members and not of the organizations which are but creations of fallible men with all their problems and all their diversity.

Indeed, this very diversity is the source of the OAS greatest strength—the independence of its members.

It is my belief that skepticism about the OAS stems from nothing less than a lack of information about the work it has done and the work that it is even now doing—work that is deeply interwoven in the fabric of America.

It is work that does not stop with the defense of the Americas and the efforts to strengthen the peace. It is work that advances also the economic and social well being of its members—work that runs the gamut from industrial planning to farming, from education to public health, from child welfare to Indian affairs, from culture to human rights, from science and technology to jurisprudence.

Twenty-two members of the OAS are today cooperating to build a better hemisphere. One country is not. We cannot ignore that one country; its threat is too real.

But we must give far greater attention to the constructive efforts and the creative work of the 22 who will not permit the problem of Castro subversion to interfere with such OAS programs as eradication of Yellow Fever or development of a hemisphere-wide system of educational television. For they are convinced that these are indispensable works of peace—work that will be remembered long after Castro has been forgotten.

This creative spirit of the OAS was clearly evident in the recent Meeting of Foreign Ministers that dealt with the problem of Cuban subversion. The result was a measured response, calm but keenly aware of the nature of the threat, flexible but resolved that the pursuit of intervention and the support of subversion will not be tolerated in this hemisphere.

The OAS policy—a policy of respect for the individual and the freedom of each nation—will be the policy of the United States, for we also believe that the most effective response to any despot of the right or left—is a response of hemispheric unity that inspire the confidence of all the people of the Americas.

This, I would note, is in sharp contrast to the sporadic, discordant and dissident voices of the LASO extremists when they met at the conference of their Latin American Solidarity Organization in Havana.

And even Castro must realize by now that extremism is not the way of the future for the rest of the hemisphere. The plain fact is that the people of Latin America have not responded to the strident call for violence. Those who advocate such a sterile course have failed—failed to capture the imagination or support of the people, failed to achieve any political power outside of Cuba, failed to stop the steady forward movement of the Alliance, failed—above all—to identify with the real, the legitimate aspirations of the Latin American people.

It would, therefore, be a grave mistake to focus on the Cuban problem to the exclusion of all others in Latin America—or to equate the challenge of Latin America with that of stopping Castro. I am convinced that the Cuban people will one day stand free again. Then theirs will be the job of determining their own destiny.

Our main job in Latin America now, however, is to stop poverty, to stop inequality, to stop hunger, to stop illiteracy—to stop all things that create a climate of despair in which a Castro, or a Batista, can flourish.

Our main job in Latin America—indeed our policy in Latin America—is a constructive one, a job of building, a job of hope, one that does not believe in the force of arms but in the force of mutual cooperation.

The Alliance for Progress gives voice and form to that policy. It is not aimed against any people or regime but it reaches out to all the people of the Americas. It seeks not to dominate but to share; indeed the willingness to share is its only qualification.

We hope that someday soon there will be a change that will permit the Cuban people to share in the Alliance for Progress, too, for the development of the hemisphere is a vast program in which every nation has its own part to play, the Cuban nation along with all the others.

Our quarrel is not with the people of Cuba but with an extremism that pursues a calculated policy of intervention in the affairs of other nations, preaching hatred and seeking to turn countrymen against countrymen, and which serves as a arm of Soviet force in the Hemisphere.

It is only the posture of the Castro regime which has resulted in the isolation of Cuba. We would prefer to see the people of Cuba clasp the hand of friendship and hemispheric progress inherent in the OAS and the Alliance.

For it is progress that should be the overriding concern of all of us—progress that will meet the just yearnings of the great majority of the people of Latin America. It is in these yearnings for economic and social justice that the Alliance has its roots.

In assessing the progress made by the Alliance, we must therefore understand that the average citizen—the man who will ultimately decide the future of the Alliance and of the continent—will not be won over by the statistics of monthly car loadings or of rising figures on a graph. What he wants to see is improvement in his life and in his neighborhood.

He will not be won over by a Common Market with its modernized economies and increased business opportunities unless he feels he will somehow share in the gains they make possible.

He will not be inspired or won over by shiny new farm equipment and modern agricultural methods unless he has a stake in the land they till.

He will not be won over by modern schools or efforts to wipe out illiteracy unless his education permits him to live in a society in which ability is the criterion for advancement.

In short, economic progress alone cannot be the key to the future of Latin America. Economic progress may be the body and muscle of the Alliance, but social progress must be its heart and its soul.

Simon Bolivar once said that the goal of the Americas was to be the greatest region on earth "greatest not so much by virtue of her area or her wealth, as by her freedom and her glory". That "freedom and glory" must be made possible in a continent of social justice and equity.

What the people of Latin America today seek is what we have sought and still seek for ourselves in the United States. For we are also trying to wipe out poverty in the United States and to give each of our citizens his birthright of equality and dignity. We are seeking to insure the legal right of all of our people to participate in the democratic process, and we are trying, through great social efforts in medical care, education and job training, to maximize dignity for our old and opportunity for our young.

We are doing these things through peaceful, democratic change, in fulfillment of our own revolutionary heritage. Indeed, through our own efforts of self-help, we have shown our commitment to the revolutionary ideology of the Alliance for Progress.

And as the people of Latin America—especially the young people—search for an alternative to communism, it is appropriate for us to remind them that western democracy—to which their culture has contributed so much—stands not merely as that alternative but as a way of life that offers fulfillment for their aspirations, even as it does for ours.

All in all, the people of the Americas—North and South—must concern themselves with building societies better able to cope with the rising expectations that are the hallmark of the twentieth century. Basically many of our problems are the same—such problems as urban stagnation, lack of educational facilities, inadequate housing, insufficient public health services and others. And basically, too, the people of the United States—homes, food, jobs, decent clothes, an education for their children, the opportunity to live in a life of dignity in freedom. How can they get these? Through land reform, urban development, community development, low cost housing, more schools, nutrition, sanitation, hygiene, recreation and welfare—all the things that go into giving people a stake in what they are doing and in their countries. In short, what they want is a combination of economic and human aspirations—a society that understands it can only succeed only if it utilizes the goals of economic improvement to provide a better life for its people.

And in helping to provide it, the Alliance is moving ahead faster in a number of ways than we had any right to expect. Yet with all that is being done, the monumental nature of the task and the scope of the existing problems make forward movement of the Alliance appear glacial.

However, we must look not only at the speed, but also at the rate of acceleration. Only thus can we see the distance already traveled. And the facts are impressive: There have been more tax reforms, more land reforms, more schools built, more students trained, more roads built, more new institutions created in Latin America in the past six years under the Alliance for Progress than during any previous decade. In land tenure, tax reform, and administrative reform there has been greater progress during the past six years than in the previous twenty-five.

There is no question, however, that the Alliance has a long way to go before it accomplishes its goals. Potential for violent revolution still exists in every sordid slum in Latin America, in every backward village where the heritage of centuries of neglect remains greater than the effort to overcome it. It is this effort that the Alliance must now inspire with ever increasing urgency.

I believe that, on balance, it is doing so. We can see this certainly in the steps being taken to implement the decision of the American Presidents to integrate the economy of Latin America.

We can see it, for example, in the establishment of a coordinating committee of the Latin American Free Trade Association and the Central American Common Market to speed the process of merging the two into an eventual continent-wide Common Market.

We can see it in the realistic and creative manner in which the population question is now being approached.

We can see it in the spirit of cooperation among hemisphere experts who are even now studying ways and means of utilizing science and technology to improve the life of all the American people.

We can see it in the study now underway to establish an educational television network on the continent.

We can see it, above all perhaps in the will to develop; and this, I believe, dramatically underscores what is taking place. For the very significant fact is that the development of Latin America is greater than its growth.

Actually, the 2.5 per cent average annual per capita growth rate, stipulated in the Charter of Punta del Este, is an abstraction that in and of itself tells little. Indeed, to use growth rate as an over-all yardstick for the success or failure of the Alliance can be highly misleading and deceptive. For it does not reflect the new conviction in Latin America that development is today a national task, which must depend on the generation of internal energies and resources.

This new awareness, which was impressively manifested at the summit meeting of American Presidents, perhaps more than any other factor shows that Latin America is developing and that the Alliance for Progress is making lasting headway.

Of course there is much that needs improvement and reappraisal. But the fact remains that with the Alliance we are in the right place at the right time with the right program.

The problems of Latin America cannot be filed for some future time or future convenience. They are with us now and their ramifications are as great as any in the world today, including Viet-Nam, and we will not serve the future if we think otherwise.

Quite the contrary, we know Latin America is a continent in ferment—in revolt, if you will—against the evils of the past. Vast social changes are going on and more must be stimulated. The question at issue, therefore, is whether the revolution will be a peaceful one—a revolution of international cooperation and peaceful change—or whether it will be a violent one in which the only ones who stand to gain are those who prefer tyranny to freedom.

This question has particular timeliness today when our headlines are filled with reports of an alleged arms race in Latin America. It is entirely right that we should view with deep concern any move which seems to suggest this danger in the Hemisphere. Yet when viewed in proper perspective, the facts hardly suggest that the Latin American nations have embarked on such a course. The essential facts are these:

Latin America spends less on arms than any other part of the world. Approximately 90 percent of its military expenditures is for upkeep of military and defense establishments and only 10 percent is for acquisition of new military equipment. In fact, in the past 20 years defense budgets as a proportion of total expenditures have dropped 50 per cent. The current headlined effort on the part of one or two Latin American countries to acquire more sophisticated equipment arises from the desire to replace outmoded and obsolete equipment which is both uneconomical and ineffective.

The other side of the coin, however, is that the limited resources of Latin America are precious. At the meeting of Presidents in Punta del Este last April the Presidents determined that unnecessary military expenditures should be eliminated so that available resources might be devoted to the prior social and economic needs of the continent. It is in this context that the effort to purchase new advanced military equipment must be evaluated by the countries of Latin America in the light of their own needs and aspirations.

The commitment of the Latin American Presidents to eliminate unnecessary military expenditures is a solemn one, and it is right and fitting, therefore, we find ways within the inter-American system to carry it out. The Inter-American Committee of the Alliance for Progress—known as CIAP—on which I serve as the United States Representative—is charged with the responsibility for annual country reviews of Alliance programs for each Latin American country. Such reviews involve an analysis of the plans of each nation and the need for additional external resources to carry forward the country programs.

Under the terms of an amendment sponsored by Senator William Fulbright, the Congress of the United States has made a commitment that the expenditure of Alliance funds in Latin America would be consistent with the recommendations of CIAP. This gives testimony to the United States' belief that development is of necessity a multinational undertaking.

It would appear reasonable that in its country reviews CIAP might undertake careful consideration of proposed defense budgets—a review of the allocation of resources devoted to defense purposes as compared to the allocation of resources for development purposes—in order to see whether there are in fact unnecessary military expenditures being contemplated which can and should be eliminated in accordance with the Declaration of Presidents.

In and of itself the Alliance cannot, of course, assure the future of democracy in Latin America. Democracy cannot be imported from the outside; it must be nurtured and defended from the inside.

The Alliance, if it is to succeed, must be guided by men and women who believe in courageous and progressive political leadership. President Johnson has made unequivocally clear our own support for constitutional representative democracies in this hemisphere.

"In Latin American countries", he has said, "we are on the side of those who want constitutional governments. We are not on the side of those who say that dictatorships are necessary for efficient economic development or as a bulwark against communism."

The Charter of the Alliance for Progress states that it is established "on the basic principle that free men working through the institution of representative democracy can best satisfy man's aspirations". It is not going too far to say that the future of the Alliance will to a large extent depend on the capacity of progressive democratic governments and their leaders.

But we must walk a careful line between assertion of principle and intervention in the affairs of sovereign countries. This latter course was an all too familiar phenomenon of our past relationships with Latin America a few decades ago. We do, however, have both the responsibility and the commitment to encourage the growth of constitutional representative governments in the hemisphere, and to make clear our hopes for the secure future of political democracy. For, in the words of the President, "we shall have . . . and deserve . . . the respect of the people of other countries only as they know what side we are on."

President Kennedy was reported as having said that the struggle for democracy and freedom "is going to be won or lost right here in Latin America".

What he meant, I think is that if we cannot, through the Alliance for Progress, win the battle for men's hearts and minds in the countries of this hemisphere, where we share common ties of history, geography and tradition, then it is unlikely that democracy can serve better in other parts of the world.

But all the indications are that we can win, and that we will win. If we reject the recipes offered by the do-nothings—if our actions are guided by our faith in democracy and in the power of international cooperation—then I am confident that we can move forward toward a brighter tomorrow in a hemisphere and in a world free from war and free from want.

LYNDON B. JOHNSON AND POLITICAL COURAGE

Mr. INOUYE. Mr. President, the American people expect the President of the United States to guide the ship of state, not to follow in its wake.

Although, this may seem to be self-evident, I think the times justify a reminder of what the Presidency is all about.

The public opinion polls tell us what the people think about the issues of the day. But the President worthy of the office cannot slavishly court public opinion. He must, if he is true to his oath of office, act out of the conviction that what he is doing is right and in the best interests of the Nation, opinion polls notwithstanding.

Needless to say, the President must possess a full measure of political courage.

Mr. President, I think that Lyndon B. Johnson is the equal of any of his illustrious precedessors when it comes to political courage. I have disagreed with the President on occasion; but I have never ceased to admire and respect the courage of his conviction to do the right as he sees the right.

It goes without saying that had President Johnson placed politics above conviction he would have long ago shifted his Vietnam policies to placate his critics.

But he has not done so. And even those who disagree with certain elements of this policy must agree that the President has remained firm and consistent despite enormous pressures to either moderate or expand our commitment.

Those who disagree, do so respectfully, knowing that the President's refusal to embrace their position is due not to stubbornness but to a conviction that the road he is following in Vietnam is the right one.

The mark of a great leader is the ability to stick to the courage of his convictions. And Lyndon Johnson is a great leader.

The years of his Presidency have been marked with enormous challenges and burdens. But he has not shrunk from meeting them head on. Nor has he allowed unprecedented personal vituperation and abuse to dissuade him from taking strong action on emotionally-charged, controversial issues.

President Johnson is not an issue-dodger, who ducks out when the going gets rough. And if he does not always enjoy our complete support, he merits our respect and loyalty, trust, and admiration in these difficult times.

Many of these same points have been vigorously enunciated in an excellent editorial by the M. E. Green Co., in a newsletter to their subscribers. I ask unanimous consent that the editorial be printed in the RECORD, with the earnest hope that it will be carefully read by all Senators on both sides of the aisle.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

Profile in Courage

Every day appears to be a good day to criticize the man in the White House. Recently, even a leading magazine took time out to participate in the contest of disparaging epithets directed against the 36th President of the United States. We do not propose today to take a stand for or against the issues so vividly and irresponsibly discussed by so many, but we will try to analyze Lyndon Baines Johnson's motives for action.

Usually good actors are poor playwrights, and good playwrights do not perform well on the stage. John F. Kennedy was an excellent actor, his personal appearances were inspiring, his press conferences were literary events, and the brilliancy of his on-stage performance made up for the mistakes of judgment. A tragic event left the promise of youth unfulfilled, created a myth and put the subsequent President at a disadvantage. This problem was compounded when the intellectuals who played first violin in the JFK Orchestra, unwilling to play second violin in the LBJ Band, decided apparently in unison to unload their frustration on the new conductor. The Schlesingers, Goodwins & Company must be forgetting that the greatness of America lies in its unsophistication, not in intellectual snobism. American democracy is horizontal, unlike Western Europe's where it is vertical, and where political power, money and education are represented usually by a single person or combined in one family or club.

The man from Texas, who replaced the man from Boston and Hyannis Port, and who does not have the same aura of "savoir-faire" and "savoir-vivre" as his predecessor, recently stated what every thinking American should have known all along, i.e., that if he were concerned only with his own popularity, he would not have been going about things the way he has and would not suggest higher taxes or more war or similar unpopular actions. And that is the crux of the matter: LBJ is putting his own political future in jeopardy for the sake of his belief that he is doing the right thing for the United States.

We all know that even Johnson's enemies do not consider him incapable, not smart, or a political amateur; obviously, he has the opposite qualities and certainly weighs carefully the pros and cons of all his decisions, particularly those that concern the future of America and/or his own. The record shows that in this context he always chose America. Now whether or not President Johnson's judgment is right, only history will tell. But one thing is sure, that in pursuing his policy in a most unselfish way he has proven to be a better American than his critics. LBJ has stuck to his guns even at the cost of alienating large segments of the U.S. population; few political figures would do it. This courage and self-denial—not egotism as others claim—have brought the President nothing but abuse. Another "despised" man, in a letter to his sister written 200 years ago, made timeless and pertinent remarks about such slanderous assaults:

"As to the abuses I meet with . . . I number them among my honours. One cannot behave so as to obtain the esteem of the wise and good, without drawing on one's self at the same time the envy and malice of the foolish and wicked, and the latter is a testimony of the former. The best men have always had their share of this treatment, and the more of it is in proportion to their different and greater degrees of merit. A man has therefore some reason to be ashamed of himself when he meets with none of it. And the world is not to be condemned in the lump because some bad people live in it. . . ."

Not only adults—senators, teachers, taxi drivers, barmen and the like—abuse the presidency, but so do teenagers and college students, and there appears to be some sort of a race going on in the United States for the No. 1 spot in irresponsibility, blindness and vulgarity. American political life has always been full of it, yet reason ultimately prevailed in spite of the fact that those who had the least to say always yelled the loudest, as, for instance, students of some American universities who have an excellent record of wrong political judgment. In 1946, when an honorary degree was bestowed by Columbia University on one of the greatest men of this century, the then students demonstrated violently against him.

The "despised" man who 200 years ago wrote the letter quoted above was Benjamin Franklin; the man abused in New York 21 years ago was Winston Churchill. To the loneliest man in the nation, Lyndon Baines Johnson, today's target of vicious and irresponsible attacks, our sympathy and respect.

PRESIDENT JOHNSON URGES PASSAGE OF IMPORTANT CONSUMER PROPOSALS

Mr. PROXMIRE. Mr. President, in a speech today to the Consumer Assembly, President Johnson rightly noted that there are currently 12 major pieces of consumer legislation still pending before Congress.

All of us in the Senate who have championed these vital consumer programs join with the President in hoping that these legislative proposals will be enacted during this session.

For as the President noted:

> We have just begun our program for the consumer. . . . At a time when economy is the by-word of our nation, these should be the first bills passed. The cost to the taxpayer is virtually nothing. The savings to the consumer are in untold grief and millions of dollars.

I applaud the President's words. I commend this administration for its outstanding efforts to provide new and greater protection for the buying public.

I think the President is absolutely right in saying:

> This is a consumer's Administration.

I ask unanimous consent that the text of the President's remarks to the Consumer Assembly be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

Text of Remarks by the President at the Consumer Assembly

The idea that the consumer deserves protection is relatively new in America.

In the early days of our history, the only consumer law was "let the buyer beware." And a great many consumers were victimized by the fast-buck artists of the day. Our country was almost 100 years old before the first consumer protection law was passed. It prohibited the fraudulent use of the mails.

Some of the abuses that brought about that early legislation would insult our intelligence today. They were "American ingenuity"—at its worst.

There was the man who advertised that he would send you a steel engraving of George Washington if you sent him a dollar. When he got your dollar, he sent you a one-cent stamp.

Another fellow asked for a dollar in return for a sure-fire method of exterminating potato bugs. For your dollar, you received a slip of paper saying, "Catch the bug, put him between two boards, and mash him."

On the American frontier, the practice of medicine was haphazard at best. People bought cure-alls like "Kick-a-poo Indian Sagwa"—that promised you everything but the headache they produced.

At the turn of the century, there was no guarantee that the meat Americans ate was not diseased—or even that it come from the advertised animal. One newspaper wrapped up the problem in a short poem:

"Mary had a little lamb,
And when she saw it sicken,
She shipped it off to Packing-town,
And now it's labelled chicken."

Foods were filled with strange chemicals, whose effect nobody knew. It was 1909 before President Theodore Roosevelt could say that America had finally awakened to the fact that "no man may poison the people for his private profit."

We take it for granted, now, that such outrageous practices are forbidden by law.

But without the indignation and action of an aroused public—without the Federal Government's strong sense of responsibility to the consumer—the counters in our stores might still be filled with Kick-a-poo Indian Sagwa.

Without the great milestones of consumer legislation, we would still be playing Russian roulette every time we dealt in the market place.

Our savings would be stolen by unscrupulous speculators.

Our bodies would carry burn scars from clothing which ignited without warning.

Our food would be tainted, our drugs unsafe.

Our children would be maimed by the toys we bought them.

Consumer legislation is a continuing process of serving changing needs. Technology daily makes our existing laws obsolete. Progress is not an unmixed blessing. It can bring countless unforeseen hazards.

Fortunately, these problems are usually resolved in our competitive market, by the energies of private enterprise.

But dangers must be predicted whenever possible. Standards must be set. Consumers must be safeguarded from unreasonable risk.

In the modern marketplace, there are still plenty of traps for the unwary—more subtle than those our grandfathers knew, but no less dangerous. The difference is that the confidence men who brew them up now have college degrees.

Every year, Americans pay millions of dollars for parched and worthless land.

Every year, our citizens are lured, unsuspecting, into credit traps which drive them to desperation.

Every year, Americans eat, on the average, 27 pounds of uninspected red meat—meat that may be mislabelled, tainted, or dangerously diseased.

Every year American families furnish their homes with fabrics that are dangerously flammable.

This is a consumer's Administration. I have sent three major messages to the Congress in the past four years—asking for strong laws to protect our people from those who would cheat them or expose them to unreasonable hazards in pursuit of an easy dollar.

The 89th Congress passed several major pieces of legislation which materially helped the consumer to a better life.

The Truth-In-Packaging Act, to tell the buyer just what he is buying, how much it weighs, and who made it. The days of the "jumbo quart" and the "giant economy quart" are over.

The Child Protection Act, to guard our children against hazardous toys. Now there is a law that protects a child from poisoning if he puts one of his toys in his mouth—that protects him from being burned by firecrackers that look like candy.

The Traffic and Highway Safety Acts, to protect our drivers from dangerous vehicles, and to train them to protect themselves from each other.

Still we have just begun our program for the consumer. There are currently twelve major actions before Congress. At a time when economy is the by-word of our nation, these should be among the first bills passed. The cost to the taxpayer is virtually nothing. The savings to the consumer are in untold grief and millions of dollars.

The Truth-In-Lending Bill would require the money leaders of our society to inform the citizen—to tell the parents who need to borrow for their children's education, or to pay medical bills, or to buy a car or a television set—just how much it will cost to borrow that money.

The lender knows to the penny how much interest he is charging. We don't think it is too much to ask that he tell the borrower.

We have proposed amendments to the Flammable Fabrics Act of 1953. As new materials are invented, new hazards occur. We don't want a repeat of the incident when young girls were incinerated by their sweaters.

We want to see minimum safety standards set for the movement of natural gas by pipeline. These pipes may run under your city streets. We don't want them to erupt and kill your townspeople.

As representatives of our 200 million consumers, these bills concern you directly. It has been said that the consumer lobby is the most widespread in our land, yet the least powerful. I disagree.

But you can only wield the power you have if you make yourselves heard. You have the interest, you have the organization, you have the numbers.

And we have made sure that you have access to the highest councils of government. The President's Committee on Consumer Interest, the Consumer Advisory Council, and my Special Assistant for Consumer Affairs, Betty Furness, are all available to you. They hear your ideas and complaints, and they pass them along to me.

Your Congressmen should hear from you, too—loud and often.

At this moment, there are two specific issues which demand your attention. They theraten our consumers and our country.

The first is inflation. By keeping a close watch on our economy, we have managed for the past six years to keep our consumer price rise lower than that of any other nation in the industrial West. We have kept the housewife's dollar secure. We have even been able to lower taxes.

But now there are pressures on the economy which demand that we ask for a portion of that tax cut back—in the form of a surcharge. We estimate that it would take one penny out of the average American's dollar.

I realize that it is hard for you to ask the people you represent to surrender more money in taxes. But let me give you two quick examples of what will happen if we don't get that surcharge.

A family of four with an income of $5,000 would pay nothing under the surcharge plan. But the chances are very great that it would pay $147 a year under the tax of inflation.

A family with an income of $10,000 will pay $285—or $174 more than some economists estimate it would pay if the surcharge is passed.

The second issue you should know about is the threat of protectionism, which is rearing its head in the form of certain quota bills now before Congress.

Those proposed quotas would invite massive retaliation from our trading partners abroad. Prices would rise. Our world market would shrink. So would the range of goods from which American consumers choose what they buy.

These bills must not become law.

Again I urge you to make yourselves heard, to exercise your rights and fulfill your duties as citizens and consumers.

We have much to preserve, but far to progress. We have reaped the harvest of a vigorous prosperity—a record prosperity that has now lasted for 81 months. Our consumers now enjoy the highest standard of living ever known on this earth. Yet one in every seven of our citizens exists below the poverty line. And every citizen faces unreasonable risks in the modern marketplace.

When all Americans enjoy the bounties of this rich land, when all Americans can live in dignity and security—then we can say we have done the consumer justice. I hope you will not settle for less. I promise you that I will not settle for less.

THE AWARDING OF MEDALS TO JUSTIFY THE WAR IN VIETNAM

Mr. MORSE. Mr. President, the awarding of medals has become the primary forum used by the administration to justify the war in Vietnam.

Therefore, I think readers of the CONGRESSIONAL RECORD will be interested, as I was, in a letter forwarded to me by a constituent and former serviceman who declined to accept a Bronze Star Medal for his work in Vietnam. It was written by Mr. Keith Tillstrom. In a cover letter to me, Mr. Tillstrom said:

> I have felt guilty about my participation in the war, and this act in no way assuages that guilt, but I think it will let some of the military leaders of the war realize that not everyone in uniform is proud of what we are doing in Vietnam. Please continue your efforts to convince our leaders that we must have peace in the world if we want to solve world problems.

His letter speaks for itself. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

PORTLAND, OREG.,
September 21, 1967.

Col. JOSEPH MEACHAM,
Information Officer,
Headquarters, U.S. Army, Vietnam.

DEAR COLONEL MEACHAM: Enclosed are the orders, citation and Bronze Star Medal which you forwarded to me through the Portland sub-sector command. I cannot accept this award because to me it represents the hypocrisy and sub-human thought which pervaded my two years in the Army, particularly the last twelve months in Vietnam.

I recognize that the Army considers the medal a high honor, but to me it is a worthless momento, a scrap of ribbon, an object which stands for two wasted years in the military where I was reduced to a common criminal and a participant in a war that lacks all reason.

It stands for the incredibly inept and basically false information program of which I was a member, the evasion of Truth, the glossing over of facts and the complete irrationality of the military mind.

It stands for the irreverance for life which is inherent in any war, and is all too present in Vietnam, where death is glossed over and transformed into a numbers game of "Victory" when Americans do the killing, and "sacrifice for the good of the country" when our soldiers die.

It stands for the economic, political and social rape that America is carrying out in Vietnam. For the inflation, poverty, disease, bribery and corruption, a puppet military government and, yes, the orphans in the streets and the girls in the bars—all of which exist because America has perverted its presence into a senseless colonial war.

It stands for the evil reality that America has turned the Vietnamese people into "niggers." Completely subservient to their American overlords, totally reliant on U.S. economic aid, absolutely dependent on American protection, cruelly resilient to every whim of Washington. If the Vietnamese people were downtrodden and helpless before our armies came to their sad country, their condition since our war has racked Vietnam has precluded almost all for stable nation building.

The medal you sent stands for colonialism and a phony patronising of the yellow race. One U.S. senator has said: "Those little people need our help." A friend of the military solution for the world's problems, he reflects the foolish belief that America is superior in every way to the rest of the world. Why do we continue to impose our horrible, indiscriminate authority and power on Vietnam? Why continue a war in Vietnam when certainly we could help that nation in a world of peace?

Finally, and possibly least important to the wider scope of this letter since it concerns only my self-respect: The medal represents the insult and degradation I have received from the military. Not only as a competent writer, but as a human, thinking being who was told not to question any part of my value system, which has, in effect, been smashed by my participation in the wrecking of Vietnam. Ordered to believe in the "righteousness" of American presence in Vietnam. Cajoled and defrauded into paying obeisence to "superiors" who have nothing but artificial rank and a false set of values to live by.

The medal carries a false double standard: The army awards medals posthumously to widows as solemnly and with as much fanfare as it does to officers behind the lines who receive them automatically for putting in the allotted time behind their desks. Your medal is worthless and insulting. I cannot accept it. I will, instead, hope for peace in Vietnam, which circumvents your military solutions, and then perhaps I can find something to be proud of.

Please put through your mill the necessary paperwork to revoke the orders for the medal. I don't want them on my military records.

Sincerely,

KEITH D. TILLSTROM.

SOUTH DAKOTA CLERGYMAN'S COMMENT ON VIETNAM

Mr. McGOVERN. Mr. President, on April 25 of this year, I delivered a major speech on our involvement in Vietnam. Because I believe this issue has fundamental moral aspects, I sent reprints of my Senate address to the clergymen of my home State, South Dakota.

Many of the clergymen replied with thoughtful letters which have been a source of instruction and inspiration to me. One letter that particularly captured my attention came from Rev. Ralph Nelson, the associate pastor of the First Presbyterian Church of Sioux Falls. He enclosed with his perceptive answer a remarkable sermon preached on Sunday, April 23, by the Reverend John Foss, minister of the First Presbyterian Church of Sioux Falls. The sermon was in the form of a letter to an imaginary GI.

I ask unanimous consent that the Reverend Mr. Nelson's letter to me, together with the enclosed sermon, by the Reverend Mr. Foss, be printed in the RECORD.

There being no objection, the letter and sermon were ordered to be printed in the RECORD, as follows:

FIRST PRESBYTERIAN CHURCH,
Sioux Falls, S. Dak., May 31, 1967.

Hon. GEORGE McGOVERN,
U.S. Senator from South Dakota,
Senate Office Building,
Washington, D.C.

DEAR SENATOR McGOVERN: My humble apologies for this late reply to your request for a review of your article in "The Progressive". My own schedule has been hurried and I wanted time to rethink my own position on the Viet Nam issue more clearly.

Let me state from the outset that I am in very close agreement with your Viet Nam policy, and have total sympathy for your strenuous peace-making efforts. I firmly believe that the calling of "peace-maker" lies at the heart of the Christian message and I heartily endorse the recent "Confession of 1967" of our church, which states "The church, in its own life, is called to practice the forgiveness of enemies and to commend to the nations as practical politics the search for cooperation and peace. This requires the pursuit of fresh and responsible relations across every line of conflict, even at risk to national security, to reduce areas of strife and to broaden international understanding. Reconciliation among nations becomes peculiarly urgent as countries develop nuclear, chemical, and biological weapons, diverting their manpower and resources from constructive uses and risking the annihilation of mankind. Although nations may serve God's purposes in history, the church which identifies the sovereignty of any one nation or any one way of life with the cause of God denies the Lordship of Christ and betrays its calling."

Certainly to take such a stand may well jeopardize one's political career, especially in a country as finely tuned to military accomplishment as our own, but no stand could be more prophetic, or show more genuine concern for the human race. In too many instances today, men's knowledge of the needs of mankind is blinded by a false patriotic ideology. And I fear that our present administration is prone toward glossing over truth and spending human lives in the attempt to purchase its own political future. Certainly lives lost in such a cause could not come under the heading of "lives lost in the defense of freedom."

In the first place, I believe that our present predicament in Viet Nam is the result of a long series of mistakes, warped views of reality, and the tendency to perpetuate categorized views of the international picture long since irrelevant. As in too many cases in the international spectrum, the U.S., under the illusion of fighting Communism, has ended up supporting a government which is (1) not a relevant or popular answer to the country's needs, and (2) actually inimical to the interests and way of life of the U.S. This series of mistakes arises, as you suggest, from a crude misreading of history, as well as from the mistaken assumption that Communism, and other ideologies, are monolithic the world over, and totally contrary to any Western position, Christian or otherwise. As the "Confession of 1967" implies, the Christian message and its working out in history is not limited to any one national, political, or economic ideology. And there is a multitude of literature today to the effect that certain tenets of the Communist way of life in some countries is as close, if not closer, to the basic Christian message, than certain expressions of capitalism. If this is true, we ought no longer to live in a world of warring opposition, but of dialogue and change.

Second, I believe as a theologian, that we have reached a new plateau in theological history. God has brought us into an era, working through man's development of nuclear warfare, when war as a technique has become obsolete. And therefore the tendency of the U.S. to use war to accomplish its ends represents the extent to which it rebels against the purposes of God, is blind to the essential movement of history, and refuses to find its rightful place as a servant nation among nations. Today to risk nuclear war is plainly immoral; a nuclear war, in making the globe uninhabitable, would settle no moral or political issues other than to prove the ultimate immorality of whoever chose to use such weapons. The very situation in which we stand makes the risk of nuclear war the final revolt against God, and any use of war qualifies as a risk of nuclear war. God has left us no alternative but to talk, love, and change, or die in the wake of the inherent tragic element in man. What before was a command of the Gospel is today the only way left. If the U.S. must pay a price for not using force, then such is the price of discipleship. The fact that we are not accepting such discipleship is plain from our loss of respect in the world community. I have just finished spending 16 months living in Europe where I have seen this loss of respect first hand, and sympathized with it.

Third, I believe that the effect of the Christian message is to render every individual and group of individuals complete and fulfilled in the eyes of God, through our love for them. Were there any substance to our talk about "self determination" in Viet Nam and other places, we would probably be fulfilling this mission. But plainly the U.S. has always been deluded into thinking that self determination is commensurate with the American standard of living. In the last analysis we are going to turn out to be even more crudely imperialistic than was Britain in the last century. True self determination in Viet Nam would be better enhanced if we were not there at all, if the social revolution of the Viet Cong were allowed a voice in proportion to its real popularity, and Marshal Ky, whose interests are not the interests of Viet Nam as a whole, were dismissed from the country entirely. As a masters degree student of Near Eastern history and culture, let me say that the same, I believe, is true of the mandate originally establishing the state of Israel. There was nothing in that political move which in any way represented the character of Near Eastern politics or self determination, and therefore I have little sympathy with Israel in the present crisis, or with any role which the U.S. may be felt called upon to perform in her behalf to the detriment of Arab nations. Nasser, who has done more than any Egyptian ruler in 8,000 years to develop the corporate life of the Arab people has been forced into Soviet hands by our boorish treatment of him, our exploitation of his country's resources, and a policy toward the Near East which is an aberration in the flow of Near Eastern history.

Certainly we are living in a time when self interest must be secondary and vision primary, for "where there is no vision, the people perish." Never has that phrase held out more possibility of proving true than today. From here on in, our battle can be won with love and understanding alone.

I am enclosing with this, my own reply, a copy of a sermon preached by the Reverend John Foss, the senior pastor of this church, and distributed to the congregation. This sermon will make clear his position on the Viet Nam issue.

Again, congratulations to you on your courageous stand. I hope to be able to come to know you and support you better as time goes on, and my citizenship in South Dakota gains seniority.

Very sincerely,
Rev. RALPH NELSON,
Associate Pastor.

(NOTE.—On Sunday, April 23, 1967, The Rev. Mr. John Foss of the First Presbyterian Church of Sioux Falls, South Dakota preached a sermon on the Christian's Dilemma in seeking to define the issues in Vietnam. Because so many requests have been received for copies of the sermon, the following letter has been prepared. The original sermon was not cast in this form. However, since every sermon is in reality a "message" from God, this sermon has been rephrased and incorporated in a letter to "Jim". "Jim is the "G.I. Joe" of yesteryear. He is also every Christian who is one in heart and spirit with "Jim" and what he is facing and trying to accomplish on our behalf. This, then, is an "open letter":)

DEAR JIM: It is very early in the morning and I can no longer sleep. I, too, am troubled by your question, "What is the truth about the issues in Vietnam?" I understand your feeling of "having been let down" by the extensive dabate taking place on the home front in response to this question; and so, I cannot sleep. I feel that I must try to put down on paper some of the matters of "Christian urgency" that are coming to the forefront in my thinking. Please excuse my unorthodox literary form. I find that my thoughts flow more easily when I use this form I have developed. I hope it doesn't confuse you.

Jim, we are, today, engaged in the greatest public debate and inner struggle that has taken place in our nation since the time of the Civil War. Not even the Civil Rights movement of recent years has stirred such an immense amount of debate and controversy. On the tip of every lip deep in every heart is Vietnam . . . and the debate is growing hot!

I am beginning to see three different positions emerging. They are not clean-cut. There is much overlapping. But, at the risk of over-simplification I will try to state them for you.

The "Hawks" . . . are obsessed to "seek and destroy". They see the issue very simply as one of "containment of aggressive communism". They subscribe to the "domino theory" that if Vietnam goes Communist the new technique of Communist subversion known as "A War of National Liberation" will be established and sweep that part of the world. They believe that aggression must be met with "force" and that military might will result in communist defeat. Their chief cry is "Escalate more swiftly" . . . bomb Hanoi if necessary.

The "Doves" . . . are obsessed with "Peace". They point to the long and involved history of the Vietnamese people. They stress that we have wrongly permitted ourselves to become involved in a Civil War. They emphasize our role in deliberately short-circuiting the Geneva Accords of 1954 and our Unilateral action that is contrary to the United Nations Charter. They dramatize the brutality of this war for all concerned, and are especially cognizant of the tragedy involving civilians . . . women and children. They feel that the "American Cure" is worse than the "Communist Disease" . . . and ultimately their cry is "Get out . . . all the way out. Bring our boys home and let the Vietnamese settle their own differences."

The "Pigeons" . . . are obsessed to be "Messengers". They hold that there are strong elements of truth on either side. They replace the cry of "Escalate" or "Get out" with . . . "Pull back to South Vietnam alone and Hold Fast" . . . Bring every possible pressure to bear for negotiation . . . seek new means of conciliation.

Jim, the debate is hot! Charges and counter-charges are being heard on every side. All I can claim is that I have literally devoured everything I can get my hands on, from any source, with regard to our involvement there. My thinking has changed rather drastically in some instances, and I have my own "opinions" that now border on deep conviction. However, I shall not try to convince you in this letter of the rightness of my opinions. I shall not try to present my case in such a way that I sift the wheat from the shaff in each instance and lay bare the kernel of truth.

Rather, I want to share with you some matters of Christian Urgency that now weigh heavily upon my heart. They appear to me as the "common ground" where we stand together, regardless of the "strategy" we choose.

I'm going to ask you to pause here and take out your Bible. Please read carefully and ponder the following passages of scripture. They give insights into much that will be said later in this letter. Read Matthew 5:43–48 and Romans 14:5–19.

The first passage does not need explanation. It is a specific command that requires deliberate action that is often contrary to emotions and feelings. However difficult, it cannot be avoided. The passage in Romans might need a little explanation. Paul was concerned over the heated debate growing between Christians about the "rightness" or the "wrongness" of different practices being observed by Christians. His conclusion is noteworthy . . . he states that, if you make your decision on the basis of a love of God as revealed in scripture and a humble willingness to be used of Him for His own glory . . . then you can come to opposite conclusions . . . and both be right! This is the great paradox of the Christian Faith, Jim. "Creative tension" is necessary to the discovery of truth. Indeed, this is the whole foundation of the concept of "Freedom" we possess in our country. Truth and Freedom are not static . . . they are Dynamic, flowing, ever-changing. "Creative Tension" under the guidance of God is what brings balance and meaning to our world. Therefore, hold your convictions firm and work for them. . . . and respect the right and privilege of your opponent to do the same!! This debate that we are carrying on is not treason . . . it is the very expression of everything we treasure and hold most dear.

Jim, let me move on to the matters of Christian urgency. While the debate is waged by sincere and committed persons on every side . . . Christians among them . . . I believe there are some matters coming to the fore that need to be taken seriously by all of us, regardless of the positions we might assume in the debate.

The first matter of Christian urgency is that expressed in Matthew's Gospel . . . "Love your enemies . . . Pray for those who persecute you . . . Do good to those who despitefully use you."

I know that this sounds like the over-simplified mutterings of a pious parson. But I honestly believe it to be one of the most urgent and necessary mandates of our times. It must be fulfilled.

You will frequently be fighting alongside of South Vietnamese soldiers who do not understand you, your viewpoint, your way of life, your many luxuries while they live in need . . . and in their own mixed-up emotions they will resent you while they fight alongside you.

When Viet Cong soldiers are captured and turned over to South Viet soldiers for questionings you will observe torture and brutality being expressed before your eyes by those beside whom you fight.

Medics will be asked to treat South and North soldiers and civilians. You will be given the chance during off-duty hours to assist in refugee and rehabilitation programs and community development efforts. When your parents read the statistics in ever-mounting number of the enemy killed and "our boys" killed, they will be forced to inwardly decide whether both are children of God.

In each instance . . . during your "work" and "leisure" hours . . . you will be redefining for all those with whom you come in contact . . . what is the meaning of Calvary and of Christian love.

It is a matter of Christian urgency . . . regardless of where you place your loyalties in this debate . . . that you seek in every moment to live out Christ's mandate of Christian Love . . . He (the Living Christ within you) will show you how! The chaplain will help you discover additional insights on the local scene.

The second matter of Christian urgency is this: It is urgent that you discover anew the Amazing Breadth of God's Infinite Variety. God is never boxed-in and stymied by one method.

He uses a variety of political methods as expressions of His grace. Pure Democracy, Representative Democracy, Limited Monarchy, Absolute Monarchy . . . God uses many forms. God uses a variety of forms in relationship to the problems confronted in various countries.

He also uses a variety of economic systems: Laisse Faire Capitalism, Modified Free Enterprise (Present U.S. system), partial socialism, complete socialism, Communism. In each instance a variety of degree is expressed. While I know and understand my own personal and total commitment to the American Free Enterprise system, I must also acknowledge that I have met many wonderfully dedicated Christians who live and conscientiously work under political and economic systems different from my own.

Communism is not a monolithic structure!! There are varieties and degrees. At present we do not cooperate in any way with hard core communism as expressed in Red China. We do carry on varying degrees of trade with Rumania, Poland, and Yugoslavia. The more limited degrees of socialistic-communistic policies in Burma, Ceylon, and India give us very little concern.

We must be willing to affirm that God works in a variety of ways.

We must be eager to affirm that all people have a right to choose and maintain their own form of government.

What we are fighting for in South Vietnam . . . is not American Democracy and Free Enterprise . . . it is the right of all people, including the indigenous portion of the South Vietnamese population who genuinely and sincerely support the National Liberation Front (Viet Cong) . . . to freely choose their own form of government without violence, aggression, or external threat.

At this point we are uncertain. When negotiations, including the Viet Cong at the table, are complete . . . the people themselves, in general election . . . may choose for themselves a form of political and economic life that is *not* what we would choose for them.

Under God we must give them this right . . . and if they freely choose some form . . . some form . . . of a limited communist expression; we must not feel that we have, therefore, "failed" and "wasted" American lives.

It is urgent . . . regardless of our side in the debate . . . that we be open to God's infinite variety of answers . . . and permit others to freely make the choice which they deem best. International action and cooperation towards this end is what we seek.

The third matter of Christian urgency I will refer to as the ultimate futility of military solutions.

There have been times in ages past when men believed that problems could be solved by force (military conflict). That age is gone forever. We have left the Atomic Age in dust, and are now well into the Nuclear Age. All major nations have Nuclear Weapons so massive as to destroy our planet.

These nations are aligned on both sides of the Vietnamese line. Russia and China have made it perfectly clear that if we continue to push for military victory, the ultimate result will not be the defeat of North Vietnam, but rather the increased involvement of men and materials from China and Russia until we are engulfed in a nuclear war.

We can debate forever our sincere opinions as to how far the war can be escalated before the "point of no return," but of one fact we must be united and certain . . . this war will never be "won" from a military standpoint. Ultimately, there will be no military winners in this war . . . only universal losers.

The Public opinion of the World is shouting loud and clear that they are not in agreement with present tactics of escalation.

Personally, I have no hard-and-fast, predetermined answers to "just how far we can go" in this matter militarily, but I am certain of one thing. This year we will be spending, as a nation, close to $25 Billions of dollars on the military answer, and $500 million for AID (Community Improvement and Development). It appears as though we are laying our bets 400 to 1 in favor of a military answer.

Somehow, while acknowledging the tragic necessity of your police action to help stabilize South Vietnam, we must shift gears and press on and on and on . . . for negotiation . . . to bring about those conditions where the people themselves can freely choose without undue pressure from either the Communists or the Americans.

It is a matter of universal Christian urgency . . . that we become more and more aware of the ultimate futility of all military solutions.

Jim, there is a fourth matter of Christian urgency that weighs heavily upon me. We must make clear to all our boys the equal validity of being a "selective conscientious objector." I have failed here, and so have our people.

Our government has long provided opportunity for courageous young men who preferred to give their lives in a non-military way to do so. All through South Vietnam the government is sponsoring opportunities for those willing to risk their lives in community development and renewal in rural and city areas . . . areas infested with Viet Cong.

We have never helped you to see that this is also a legitimate Christian answer if your conscience should so dictate. We as pastors and people have permitted the impression that those not willing to "go the usual route and serve their term of duty" are cowards, un-American, and unpatriotic. We now are learning differently through this great debate taking place here in your beloved homeland.

We now say emphatically what we have always said too quietly . . . whatever choice you make . . . we are proud of you and stand behind you!!

If you choose to be an active part of the attempt to solve this agonizing problem from a military standpoint . . . we will stand behind you.

If you choose, before entering the service through special arrangements with your enlistment board, or after active engagement through cooperation with your chaplain . . . to be a part of the courageous, community rehabilitation and development program . . . or some other phase of necessary, non-military service . . . we will proudly stand behind you.

But Jim . . . the decision is yours. Either way is valid. May God guide you in your choice.

Sorry, Jim . . . no easy and "pat" answers are available. I can't be neutral in this debate. Inevitably some of my own prejudices and opinions have shown through.

Please remember . . . I do not claim to have the only valid and Christian "opinion" as to which strategy is best.

You will have to read all available material from many different view-points and decide for yourself in this great debate just where you stand . . . Nothing makes me more proud to be an American than to live in a country where this kind of a debate takes place!! Sincere and committed men and women are on different sides in the choice of strategy. The trick is in maintaining the "creative tension" wherein we firmly hold and fight for our convictions while still respecting the right and integrity of the other man's point of view.

But there are certain matters of Christian urgency that we have in common.

We must learn to love all men, especially our enemies, amidst the harsh realities of daily life.

We must inwardly acknowledge and resolve that God uses an infinite variety of political and economic and cultural solutions to channel his grace.

We must become acutely aware of the ultimate futility of military solutions . . . we live in a new age . . . They are stop-gap at best and border on total annihilation at worst.

We must make absolutely clear the equal validity of choice to serve in either a military or a "selective conscientious objector" role.

May God give to us in these days that abundance of His grace which will enable a shaft of light to break through the immense darkness of this present hour.

May he use the "Creative Tension" of our present debate that is being carried on in so many forms to break the stalemate and give a new sense of hope.

And Jim, may the risen and living Christ . . . through the indwelling presence of his Holy Spirit . . . Strengthen you for loving obedience wherever he may lead.

Yours in Christ,

JOHN FOSS.

JOINT ECONOMIC COMMITTEE HEARINGS ON NEW BUDGET PROPOSALS

Mr. PROXMIRE. Mr. President, the Economy in Government Subcommittee of the Joint Economic Committee yesterday concluded two extremely profitable hearings dealing with proposed changes in the Federal budget. Hopefully, Congress and the administration soon can begin implementing the new ideas stemming from the President's Commission on Budget Concepts—the Kennedy Commission.

A pressing need for budget changes, as recommended by the Kennedy Commission, has been evident for a long time. Existing budgets are often confusing; they do not tell in simple terms just what the Government is taking in and giving out: Present budget concepts fail to convey the economic impact of Government accounts, and there are serious timelags in reporting of key budget indicators.

The Kennedy Commission proposes a unified set of accounts to replace the three budgets now used—the administrative budget, the consolidated cash budget, and the national income accounts budget. In addition, the Commission asked that budget reporting be done on an accrual basis which would provide more up-to-date information for economic analysis of budget trends.

The Joint Economic Committee strongly endorsed the formation of the Kennedy Commission earlier this year. The committee has focused on the role of the budget in the economy in a number of hearings and reports over the past decade.

I invite the attention of the Senate to an editorial published in the October 21 issue of Business Week. The editorial commends the Kennedy Commission, but it also notes that—

> Unfortunately, it will take more than just good accounting to solve the fiscal problems that face the U.S. today.

Congress must act not only to adopt these new budget concepts but also to provide leadership in creating better economy in Government as well as setting up rational budget priorities and goals.

I ask unanimous consent that the editorial, entitled "A New Framework for Budgetmaking," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A NEW FRAMEWORK FOR BUDGETMAKING

In view of the fact that there already are at least three different ways of computing and presenting the federal budget, it could be argued that the last thing this country needs is a fourth. Nevertheless, the President's Commission on Budget Concepts, headed by David M. Kennedy, chairman of Continental Illinois National Bank & Trust Co., has performed a highly useful service by designing a new "budget and financial plan" that would replace all of the older approaches. President Johnson will be contributing a good deal to sound decisionmaking and clear thinking about fiscal policy if he accepts the commission's advice and makes the new concept "The Budget" of the United States.

The basic problem that the commission faced was that the budget must serve a variety of purposes. Among the things that it must do, three are particularly important:

It must set forth the appropriations that Congress is being requested to make.

It must propose an allocation of resources among the various federal programs and between the public and private sectors of the economy.

It must present the data needed to determine what effect fiscal policy will have on economic stability and growth.

Multiplicity of uses generated a multiplicity of concepts in budgetmaking. The old administrative budget, built around appropriations and spending estimates, was first supplemented by the cash consolidated budget, which showed receipts from and payments to the public. And then alongside these the White House began presenting the national income accounts budget as a better measure of the impact of the federal government on the economy.

The result was growing confusion that threatened to discredit the whole budgetmaking process. And this danger was aggravated by bitter disagreement among accounting experts on the proper way to handle a number of items, such as government loans and participation certificates.

After a painstaking study, the commission has come up with sensible proposals on most of these disputed points. Its greatest contribution, however, has been to propose a framework for the budget that will present all the essential data for analysis and decision making without allowing one aspect to overshadow the others.

As the commission says, "This approach is in contrast to the historic tendency to view the budget in terms of a single number—the surplus or deficit. This overconcentration on the surplus or deficit figure is responsible for much of the present proliferation of budget concepts. In turn it has been a root cause of public confusion and has been responsible for accusations of 'gimmickry.' . . . It is not possible for one number to portray the scope, character, and economic effects of the government's financial plan."

Unfortunately it will take more than just good accounting to solve the fiscal problems that face the U.S. today. But the budget the commission proposes will contribute to intelligent debate and a broader understanding of what our problems are.

EDUCATION IS THE SECRET OF OUR BOUNTIFUL HARVEST

Mr. HOLLINGS. Mr. President, it is constantly disheartening and shocking to me as I read current reports concerning the decline in farm commodity prices. Nothing brings home more vividly the plight of our farmers as do these constant reminders that farm parity stands at 73 and that prices for the farmers' produce have declined.

American agriculture which, in the eyes of a hungry world, is our greatest success story, is the least rewarded of any segment of our economy. It seems that our economy is constantly on the upswing, particularly insofar as consumers prices are concerned, but stationary, or depressed, insofar as farm prices are concerned. Unless we soon undertake that massive, long-range innovative effort to master the world food problem, as called for in the President's Science Advisory Committee report, we may face the awesome spector of famine unprecedented in human history.

The Western World can ill afford to sit idly by and watch immense tragedy unfold on the world scene, under circumstances where 2 billion people scarcely able to provide for themselves today will double their population within the next few years.

I mention these facts simply to dramatize the challenge that is currently facing our agricultural economy. Since the beginning of this Nation, with the help of Congress, the laboratory, and a wise system of inexpensive distribution of knowledge, the American farmer has given us a $50 billion industry. Under its progress, our American consumer spends less than 18 percent of his disposable income for food. Compare this with the requirement of 29 percent in the United Kingdom, 30 percent in France, 53 percent in Russia, 45 percent in Italy, and 47 percent in Japan.

Under our system one farmworker in America produces enough food for 31 persons. In Europe the average farmer produces only enough food for 10 persons. In Russia, a farmworker's production is barely sufficient to feed four or five persons.

I believe the greatest tribute paid the American farmer and his tremendous productivity was a recent report by the U.S. Department of Agriculture that, if farm prices had kept pace with the general level of food prices over the past 20 years, consumer expenditures for food in America last year would have been $104 billion instead of $91 billion. Think of it. This yearly $13 billion savings to the American consumer is twice the annual cost of running the U.S. Post Office Department, or the total cost of operating both the U.S. Post Office Department and the Department of Agriculture. It has been estimated that over the past 20 years, food savings to the American consumer have been well over $100 billion.

In comparing our success with those of other countries, I think we should keep constantly in mind that the founders of this country envisioned education as a practical tool of agriculture. It is for this reason that they established an inexpensive method of bridging the gap between the scientific laboratory and the land, by providing for the low cost distribution of technical information.

On this premise the agricultural publishers of our country, with the help of the Congress, have built their industry, but like the American farmer they too have been ill rewarded for their efforts. State and regional farm publications, familiar to all of you, have had a decline of 30 million copies per year in the past 10 years, and their revenues have declined by about $2 million per year. This is big money in their small business.

There are many disagreements with the House of Representatives and this body over proposed and pending legislation. However, on their special recognition of agricultural magazines, as contained in the House-enacted version of H.R. 7977, it is my very fervent desire that the Senate acquiesce.

These publications have had their pound, advertising rates in the first and second zones hiked 180 percent in the past 18 years and had the administration's original proposal been approved by the House, their first- and second-zone advertising rates would have been hiked 240 percent. This is far more than the percentage increases imposed or anticipated for their large national competitors. The steep, local rates have come about in the effort to curb "drop shipments" and reentry practices on the part of large publishers to take advantage of low, local rates, as urban population increased and farm population declined.

I agree with the House that farm publication's rate increases on the advertising content in the first and second zones should be withheld at this time.

A short time ago I reviewed a copy of the first edition of the American Agriculturist published in April 1842. I was impressed with the pattern of operation established by this publication which is still in existence today. Its subscription rate was $1 per year then and has remained at $1. Under the then existing laws, the postmasters were permitted to enclose money for subscriptions free of postage. Finally, the editorial content of this publication gave the first indication of the value of hybrid seed. It was truly a lighthouse guiding an infant industry. The agricultural publishing industry has followed this pattern generally throughout the past 150 years.

Many of their magazines are over 100 years old and still in business. Subscription prices are low to encourage maximum circulation.

This segment of the publishing industry has been built on free-in-county rural free delivery, low within-county rates, and for over 20 years—1935 to 1958—a combined editorial and first and second zone advertising rate, which were equal in amounts ranging from 1.5 cents per pound in 1935, to 1.95 cents per pound in 1958.

In tribute to the great innovative efforts of our agricultural science, this industry has been recognized by Government and farmers alike as one of the most valuable tools of production. And yet, how can farm publications pass on increased postal costs in light of declining circulation and revenues?

With the challenge facing the world today, as population expands at 3 percent a year, while food production lags at 2 percent per year, we can ill afford to discourage the agricultural publishing industry, which has added so much to the bounty of America. Especially, since it is the lack of this great foresight in foreign nations that has contributed to their unproductive plight.

I believe the U.S. Senate should encourage this industry, and permit it to continue its invaluable service to the farmer and all the American people.

BICENTENNIAL OF NORFOLK NAVAL SHIPYARD

Mr. SPONG. Mr. President, last Saturday I had the pleasure of participating, along with Senator BYRD and Representative PORTER HARDY, JR., in a ceremony climaxing this year's bicentennial celebration of the Norfolk Naval Shipyard in Portsmouth, Va.

As a native and lifelong resident of Portsmouth, it was a special privilege to have a role in the rededication of the Nation's oldest shipyard to another century of service and to introduce the day's principal speaker, Adm. Ephraim P. Holmes, the commander in chief of the U.S. Atlantic Fleet.

The shipyard at Portsmouth was established before there was a U.S. Navy, and one of the first frigates authorized by the Congress for the Navy was constructed there. Literally, the shipyard has grown with the Navy and has earned a reputation by its service in peace and war for efficient and economical performance.

The rich historical tradition of the Norfolk Naval Shipyard was recounted Saturday by Admiral Holmes as he stressed the invaluable contributions a shipyard makes to the fleet. He spoke knowingly of the skill and craftsmanship of the shipyard employees and of their ability to meet the challenging demands of a modern fleet.

I join with Admiral Holmes in saluting the truly elite work force at the Norfolk Naval Shipyard and I wish them continued success in the future. Mr. President, I ask unanimous consent that Admiral Holmes' address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY ADM. EPHRAIM P. HOLMES, U.S. NAVY, COMMANDER IN CHIEF, U.S. ATLANTIC FLEET, AT THE BICENTENNIAL ANNIVERSARY OF THE NORFOLK NAVAL SHIPYARD, PORTSMOUTH, VA., NOVEMBER 4, 1967

Senator Spong, Senator Byrd, Congressman Hardy, Rear Admiral Brown, distinguished guests, ladies and gentlemen, often man marks centennial anniversaries in a sterile museum atmosphere, surrounded by objects too sacred to touch, too fragile to use, too obsolete to be of any value in contemporary times. However, that is certainly not the case with the Norfolk Naval Shipyard because, as we mark the 200th anniversary of the Nation's oldest shipyard, we are surrounded by one of the Nation's most modern ship repair facilities.

As we stand almost in sight of America's oldest drydock, we also stand within the shadow of one of the Navy's most modern electronics shops. As we look backward over 200 years of accomplishment, we also may look forward to a future of infinite challenge. Application of advanced technology by personnel with a tradition of skill and craftsmanship has always been the key to effectiveness by the U.S. Navy, afloat, and ashore. Nowhere should that be more true than in its shipyards.

It is appropriate, then, that we examine the past upon which our heritage is based, while keeping a weather eye upon tomorrow. The 200 year history of this shipyard and its vast potential for the future offers us an excellent opportunity to do so.

These two hundred years have been a time of tremendous change which has been reflected by alteration of the roles and contributions of this shipyard. The two main causes of those changes are: *First*, developing naval technology which has seen us go in 200 years from sail to coal to oil to nuclear energy; from round shot to rifled shot to guided missiles; and, from observation balloons to biplanes to jet fighters, and, *second*, the changing mission of the U.S. Navy as an instrument of American foreign policy. In the 200 years under discussion we have progressed from a defensive continental country to a nation preeminent in world affairs.

But this shipyard had its beginnings before there was any thought of a U.S. Navy. It played a part in the revolution, and some of its workmen witnessed the significant example of the importance of seapower to the Nation when Cornwallis was trapped on the peninsula at Yorktown with any escape closed to him by seapower applied by our French allies.

The first threat to the new Nation's freedom came at sea. American merchant ships unprotected by a naval force, were tempting targets for the corsairs of the barbary states. To counter this threat Congress established the U.S. Navy and authorized the construction of six frigates. One of these frigates, USS *Chesapeake*, was built here. With the building of the *Chesapeake*, this shipyard established her place of importance to the new Navy and they have grown together continuously.

Chesapeake fought in the Barbary Wars in the Quasi War with France, and in the War of 1812 against the British.

The Navy which entered that war without a great deal of respect, even from fellow Americans emerged, ton for ton, with a reputation as a most formidable fighting Navy. As a result of the lessons of that unfortunate war, the Nation saw the need for first line ships. Even though peacetime slowed the building program, the decade after the war of 1812 saw the U.S. Navy acquire its first ships of the line—one of which, USS *Delaware*, with 74 guns, was built here in 1817 and, after this shipyard completed the first drydock in America, went on to become the first ship to be drydocked in this country.

After the war of 1812, the country entered a period of expansion.

Noted naval historian and newsman Fletcher Pratt characterized the period as being dominated by the concept of making the American flag respected. In his words "This concept turned naval captains into armed diplomats."

It was during these years that great strides were being made in two vital areas of technological development—the evolution of naval propulsion from sail to steam, and the evolution of the modern warship.

This shipyard was deeply involved in both of these significant programs.

Napoleon called American Inventor Robert Fulton a Charlatan after a demonstration of the steamboat, but luckily, our Congress had more confidence in him and in 1834, authorized $5,000.00 to experiment with steam engines. In 1850, the USS *Powhatan*, one of the U.S. Navy's first effective steam powered ships was commissioned here. I stress she was not our first steam powered ship. This is significant because it took twenty years to proceed from experiments with steam power to a stage of having the technical ability and equipment to build a truly operational steam powered warship.

Powhatan is a good example of the importance of applied research and how this shipyard, using scientific advances in naval warship design and construction, influenced history.

The total transition to a steam powered fleet took some 40 years to complete. For many reasons, it is reasonable to assume that it may take very nearly that long for a complete change to nuclear power to become an accomplished fact.

The Civil War was an era which saw this shipyard play a major role in making the world's wooden navies obsolete. In 1962, on the burned hull of the former Union frigate, USS *Merrimac*, it built the first armored ship to fight a battle. As the CSS *Virginia*, she defeated a squadron of wooden Union ships in Hampton roads and she then engaged, inconclusively, the USS *Monitor*, as a result, the course of naval development was changed in Hampton roads, in sight of you seated here.

After the Civil War, as the Nation turned its thoughts and energies to internal affairs, the Navy fell into stagnation and disrepair. International trade carried in American ships fell to ⅓ its former volume. There was little feeling of a need for a Navy. During the period 1867 to 1883, American shipyards deteriorated. The Norfolk shipyard apparently built the only new ships constructed for the Navy during this 18 year period—two small gunboats.

Many factors, including the writings of Commander Alfred T. Mahan, freed the Navy from its enforced lethargy. The resurgence was marked here in 1887 by the beginning of the construction of USS Raleigh, an 11 gun cruiser, the first ship of the "new" Navy to be completely designed and built by the Government, and the construction of USS Texas. She was the Navy's first battleship and the first all steel ship built at this yard. The shipyard also felt the influence of modern innovations ranging from electricity to telephones.

After victory in the Spanish American War the United States was clearly established as a world power. The United States came out of the war with overseas possessions which made a seagoing Navy an obvious necessity.

America's naval contribution to World War I was largely logistic and defensive. We built ships such as the destroyer Craven here in 1918. We furnished supplies, provided convoy escorts and patrols which succeeded in neutralizing the enemy submarine threat. In each of these things, the naval shipyard played an important supporting role.

The commissioning here of the USS Langley in 1922 as the Navy's first aircraft carrier marked the third major type of naval warship produced by this shipyard for our Navy. Armored ships, battleships and aircraft carriers for our Navy all started here. The importance of having shipyards capable of converting ships to new uses is illustrated by recalling that the Langley was converted to her historic role from not so glamorous beginnings as the collier Jupiter. Langley was the first of a type of ship which was to play a major role in the defeat of the Axis powers in World War II, and is the cornerstone to the flexible, mobile operating forces of the U.S. Navy.

Activity and employment in the Norfolk naval shipyard dropped in the twenties and early thirties to a level below that of 1914. This trend of consolidation was a manifestation of the national temper against war and all the instruments of war in the post war period.

During the steady deterioration of international relations, in the postwar decades, understanding began to grow that a superior Navy, made possible by our wealth and resources, would be the best insurance against involvement, or failing in that, against defeat in future wars. It was also realized that the danger of war was increased when nations controlled wealth and resources which they lacked strength to defend.

As a result, a battleship modernization program was undertaken. Six of the fleet's older battleships were modernized at the Norfolk Navy Yard between 1925 and 1934. This program marked the beginning of a new role for this naval shipyard: conversion and modernization as opposed to new construction.

It was during World War II that our Nation's status as a world power was put to the class of combatant ship. The Atlantic Fleet was inferior to the Japanese fleet in every class of combatant ship. The Atlantic fleet was soon put in a very serious situation by the German submarine threat. The contributions of our naval shipyards during those trying years is legendary. Norfolk Naval Shipyards particularly so. From 1940 to the end of the war shipyard workers swarmed to repair, alter or convert 6,850 ships at the same time. They built over 100 new ships, 44 of them large combatant types like U.S.S. *Shangri-La*. In addition, the yard manufactured and delivered millions of dollars worth of products for forces afloat and other elements of the shore establishment.

With the close of World War II the naval shipyards resumed a peacetime status. However, this shipyard's work force did not fall below 9,000. The existence of a skilled work force paid off when we had to rebuild our national defenses with the outbreak of hostilities in Korea.

During the three-year period of fighting in Korea, this shipyard completed repairs or other work on more than 1,250 naval ships, and in addition built two new ships, the minesweepers U.S.S. *Bold* and U.S.S. *Bulwark*. Those two ships were the last two built in this shipyard. From that time on, because it was near the largest concentration of naval forces in the world its service to the fleet would primarily be in performing modernization, repair, and conversion, a role which it began to play successfully with the battleship modernization program I mentioned previously.

In the years since we entered the era of the cold war, the effects of the period on the naval shipyard can best be summarized by discussing briefly the tremendous technological changes which have taken place since 1953.

The construction of a new 8.5 million dollar electronics building, begun in March 1953 and completed in August 1956, was the first positive step in true modernization. It was also in 1953 that the nuclear age arrived here with the establishment of a facility for repairing radiological instruments. From this beginning the yard has continued to adapt itself to the demands of the nuclear Navy. In 1965, it completed its first nuclear overhaul on U.S.S. *Skate*. Currently it can repair any type of ship in the fleet, except the Polaris submarines, and, it is now preparing to add this capability.

In 1957, computers joined electronics and nuclear energy in the shipyard installation of the first computer in the comptroller department. Now the shipyard has four computer systems which are used in such varied fields as stock accounting, predicting workloads, processing payrolls and solving scientific and engineering problems in the design division.

By 1959, 81% of our fighting ships had been built in World War II. To avoid block obsolescence we had to spend many millions of dollars to modernize and prolong the useful life of nearly 300 ships. It took five years to complete the fleet rehabilitation and modernization program, better known as Fram.

Older ships certainly have no monopoly for repair and modernization requirements. From the time a new ship slides down the ways—she's subject to the damaging effects of the elements and, in this day of swift technological advances, obsolescence.

The challenges of keeping the fleet modern and ready were made greater by the introduction of missiles. The missile age came to this shipyard in 1958, when USS Observation Island, a support ship for the first test shots of the Polaris missiles, was commissioned.

Missiles had become so important to the fleet by 1964 that this shipyard established a surface missile systems task group.

In 1767, as today, new types of machinery, trained technicians, adequate docking facilities, and efficient administrative systems were needed to meet the challenges of changing times and methods.

As a result, it is not wrong to say that in our review of the accomplishment and challenges here at Norfolk, we have been talking of things common to all naval shipyards because since the U.S. Navy established shipyards in 1801, they have been an integral part of our Nation's naval strength. Our yards are vital because they provide essential support which must be responsive to the operating forces, and as those operating forces are made up of ships or growing complexity and the demands upon them for prolonged deployments continue, the future role of naval shipyards will be increasingly important. It has been said that we once defined our ships in terms of measurement, that is tonnage, or speed, or draft, but now they must be measured in the more subtle terms of the purpose and effectiveness of their weapons systems. In turn, that effectiveness must always be measured in terms of the specific environment in which a ship is now operating, and in which it will operate in the foreseeable future. For example, many of our ballistic missile submarines have been successively converted to employ 3 versions of the Polaris missile and USS Forrestal, now undergoing repair here, has a completely modern electronic system as a result of the modernization program at this yard, although she is now 14 years old. The complexities of today's many threats to world peace dictate rapid and accurate work now to meet the challenges of tomorrow.

With the continuing introduction into the Navy inventory of such sophisticated ships and craft as: hydrofoils; ground effects vehicles; combined purpose ships such as the fast stores ship, the fast combat support ship, and the amphibious assault ship; improved missiles; advanced electronics; submarines able to dive to greater depths; anti-submarine warfare ships with bigger sonars and diverse weapons. The naval shipyards will be a determining factor in the U.S. Navy's efforts to remain the world's preeminent naval power.

Old skills cannot be forgotten, new skills must be developed, to be practiced with dedication and craftsmanship.

For that reason, in closing, I wish to address myself particularly to those who toil here, those who must practice the skilled craftsmanship.

I hope that this review has emphasized, in your minds, the importance of this shipyard, and all Navy shipyards to the fleet and in that way has enhanced your understanding of the contributions you make to the Nation's development and security.

I ask that you rededicate yourselves to a new century of progress, because the most valuable asset to this shipyard through the years has been its people. Men and women who are in the aggregate, educated, dedicated and professional.

The quality of output of this shipyard attests to the fact that it is supported by a truly elite work force.

A fighting ship is not a democracy; it is a tool democracy uses to survive. This shipyard has been producing these tools for 200 years. Our country's survival in the face of repeated military threats throughout its history is a living tribute to the quality and success of your efforts.

FORMER CEA CHAIRMAN HELLER: HOW TO MAKE PROSPERITY LAST

Mr. **PROXMIRE**. Mr. President, the fourth article in the United Press International series on how to make prosperity last was published in last Friday's Washington Post.

The article was written by Dr. Walter W. Heller—a man who needs little introduction in this body. Walter Heller as President Kennedy's Chairman of the Council of Economic Advisers has perhaps done more than any other person to educate the Congress and the public in the role that Government economic policy can play in maintaining continuous prosperity. He set high goals for our economic performance, and demonstrated that we could indeed achieve our tremendous economic potential. Although Walter Heller returned to academic life at the University of Minnesota in 1964 after serving 1 year with President Johnson, he continues to consult with the President's Council and takes an active part in the public debate over economic issues.

True to his belief in our ability to manage continuing prosperity, Walter Heller today sees no reason why we can not have 81 months more of prosperity. However, I can not accept his prescription for making this possible.

The economic dilemma we face today involves more than a test of the "new economics" and the "old politics," as Dr. Heller describes it. The economic outlook is uncertain enough to create differences of opinion even among adherents to the principles of the "new economics."

Dr. Heller believes that "the U.S. economy is again off to the races," and that a tax increase is needed if we are to escape the penalties of future economic distortions and more inflation. But I ask, Does the evidence today support the view that economic expansion is progressing too rapidly? I do not believe it does. With employment above 4 percent, capacity utilization at 83.8 percent, and declines in the levels of industrial production and durable goods orders, there is certainly no evidence of overheating.

To this line of argument Dr. Heller would answer that the tax increase is needed today to help the economy later. But this view places a faith in the accuracy of forecasts that I do not believe is warranted. Economic expansion has been much slower this year than the administration predicted. We barely avoided a recession in the first half of the year, and if we had enacted a tax increase effective the first half of July as originally proposed, we would very likely have thrown the economy into a recession. I think that the advocacy of a tax increase is still premature today.

I was disappointed that Walter Heller did not mention the wage/price guideposts, and in particular, the need for a stronger wage/price policy this year. Dr. Heller deserves much credit for the first articulation of the guidepost policy. In February, he told the Joint Economic Committee that price rises this year would be largely caused by cost-push factors, and this view has been proven to be correct. I felt then and still believe today that a stronger wage/price policy would have helped considerably to hold down prices. Yet just when we needed the guideposts most, they were virtually abandoned by the administration.

Mr. President, I ask unanimous consent that Dr. Heller's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Nov. 3, 1967]

HOW TO MAKE PROSPERITY LAST, IV—TAX INCREASE NOW WILL HELP ECONOMY LATER, HELLER SAYS

(By Walter W. Heller, former Chairman, Council of Economic Advisers)

It is curious and perplexing that just when the current economic expansion, begun in the winter of 1961, is entering the record books as the longest uninterrupted expansion in our history, a new chorus of criticism is being directed at the economics and the economic policies that have made it possible.

For those who may have entered late, let me add that this is not the first time under fire for what has become known as the "New Economics." In the earliest years of the Kennedy Administration, the Council of Economic Advisers was criticized for laying out forecasts and goals in specific quantitative terms; and its projections of the economy's capabilities were widely—and wrongly—argued to be too high.

Later, the 1963 proposal for major tax cuts was bogged down for over a year as Congressional and public debate raged over the analysis behind the proposal and the forecast of what it would deliver for the economy.

DEBATES CLARIFIED ISSUES

But these debates served to clarify issues and to educate. And the "New Economics" gained acceptance by delivering the economic expansion and resulting balanced Federal budget it had promised.

But once the refreshing breezes of the tax cuts were supplanted by the strong, hot winds of Vietnam in the summer of 1965, the "New Economics"—as well as the "Old Politics"—was put to a severe test: would its successful policy for expansion be matched by equally forceful policies to fight inflation?

Policy in 1966 gave an unsatisfactory answer. True, fiscal policy switched from expansion to restraint with a couple of tax-tightening measures. But no across-the-board income tax boost was put through. As a result, we jammed on the monetary brakes. . . .

OFF TO THE RACES

Today, the U.S. economy is again off to the races. We are faced with renewed inflation. Yet, rather than use the temporary restraint of the 10 per cent surtax, Congress is dragging its feet.

Economic issues are being obscured by quarrels over Vietnam, the budget, and fears of voter reaction. Decisions are being delayed at considerable cost and even greater risk. . . .

We need restraint now as a step toward maintaining our expansion over the longer run. If 81 months is a new record, this is a new record, this is no reason why we cannot have 81 more. . . .

If we fail to enact a tax increase, we will pay a double penalty: More inflation and distortion now, more risk of recession later, especially after Vietnam—when quick removal of the surtax could be our most effective weapon in keeping the economy on an even keel.

President Johnson has shown himself willing to propose the unpopular measure of a temporary surtax to achieve the needed economic restraint. If Congress now rejects it—which I, for one, don't believe it will when the facts are in and the chips are down—it would show itself willing to step on the accelerator, but unwilling to step on the brakes.

In the end, this would seriously impair our ability to pursue sustainable, maximum expansion.

And in the process, it would give apparent ammunition to critics of the "New Economics," when the fault would really lie with the "Old Politics."

THE ACID AFFAIR

Mr. **BYRD** of West Virginia. Mr. President, recently a most disturbing series of articles concerning the so-called hippies and flower children was published in the Washington Post. The articles are entitled "The Acid Affair" and describes in graphic detail the sort of lives these persons lead. The articles also describe the immense flow of traffic in illegal narcotics and drugs that goes on in certain sections of our country.

While I was disturbed by the tragic self-destruction and waste of human resources the ill-guided hippies have brought upon themselves, I was even more concerned and appalled by the criminal behavior of their elders—the persons who manufacture the illegal LSD and other drugs which so many hippies consume.

According to the articles, many of these drug salesmen cloak themselves in the mantle of righteousness and virtue. They say they are motivated by only the highest aims—supposedly to bring peace and spiritual pleasure to those whom they sell their illegally concocted potions.

Yet it has been proved by physicians of the highest repute that these drugs are harmful beyond description. Though this harm may not be apparent the first time they are taken, over a period of time the drug's effects are deadly.

Thus not only are the dealers in these drugs committing an illegal act when they sell their drugs; they are, in addition, being hyprocritical in the highest degree, for eventually the only type of peace these drugs will bring their users is the peace of the grave.

I urge Federal and State law enforcement officials to continue investigating and prosecuting these drug manufacturers with all the vigor at their command.

That this problem may be more widely known, I ask unanimous consent that the articles entitled "The Acid Affair" be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Oct. 15, 1967]

THE ACID AFFAIR—I: THE HAIGHT IS A SHOW OF MOODS

(By Nicholas von Hoffman)

HAIGHT-ASHBURY, SAN FRANCISCO.—The gray vapor moves like liquid in slow motion photography curling up from the fogbelt of the Sunset District, penetrating the hills, flowing down and upon and around Haight Street itself.

News from the outside world is discontinuous. The fog and drugs filter out precision.

"MICE ARMY ADVANCES

"SARAJEVO, YUGOSLAVIA, August 18 (UPI).—An army of field mice was poised on the outskirts of Sarajevo yesterday eating its way through the rich Bosnian country side.

"BAD SPOT FOR BIRD NEST HAIRDO

"SUNDERLAND, ENGLAND, August 29 (Reuthers).—Seagulls attacked a woman at a bird sanctuary near here yesterday apparently mistaking her new hair-style for a nest."

There were reports of bats dying of unknown causes in the Carlsbad Caverns in New Mexico and of people dying of known causes in Vietnam, Nigeria, Detroit and Bolivia.

These were the reverberations from the other side of the fog. But the prophets, the seers and the magicians here know that the Haight is the center of good vibrations, creative energies, of the self-effacing self, the cosmogonic infinity.

For confirmation there were ads in the newspapers: "Columbia Pictures presents the love-ins produced by Sam Katzman, starring Richard Todd, James MacArthur, Susan Oliver—special guest star Joe Pyne—take a trip into a world of hippies, LSD and love-ins. It's the motion picture that makes the Haight-Ashbury scene with the love generation."

The Love Generation, platonic or sexual, is easier to proclaim than to find—though enough people have crawled the neighborhood looking for it. Look, Time, The Saturday Evening Post, The Atlantic Monthly, The New York Times, all media, were there looking and sending back the word and every word was different.

Arnold Toynbee and the International Boy Scout Jamboree, Sen. Charles Percy and Dame Judith Anderson, the Beatle, George Harrison, and nuns and radicals and conservatives and tourists in cars, tourists in campers stuffed with coleman lamps, refrigerators and canasta sets for life in the wilds, came to watch, to pass judgment and go away.

It is, they said, the salvation of the Western world, the ruin of the Western world, a conspiracy, the incarnation of the gospel or its profanation, the degeneracy of youth, no, its ascension to a higher plane. They announced it is the same old thing, youth in rebellion, youth going through its phase of alienation; they announced it is utterly new, the first epiphany of the leisure society.

The photographers remain but their pictures are not true. Haight Street isn't the tumultous fauvism of color and free form presented on the covers of the magazines and television tubes. It's a gray street, made grayer in the late afternoon by the cold fogs. The brightly dressed people stand out because they're rare.

Apache, ex-bike rider, blond Indian, his long blouse and beadwork is colorful. So is Christopher White Rabbit, goateed and piratically dressed like Errol Flynn in an old flick. And also Mike, dealer in grass (marijuana), hair dyed vivid blond, walking Haight Street clad in the vestments of a Catholic priest, triangular, folding, rich cloth of gold and white, emblematic of double feast days of rejoicing.

LONG HAIR, CHEAP JEWELRY

Most of Haight Street is in second hand blankets, cast off army coats, jeans, thick sweaters frayed with pulled-out loops. They have long hair and long hair will look picturesque if you live in the land of the crew-cut. They wear a little jewelry, mostly cheap bibelots, but enough to flash on when they're stoned, on drugs, when colors glow in intensities straight nervous systems can't register.

In the mornings the sun does shine and the vibrations on the street are low frequency, loose elongated curves. In the mornings the "straights" (better than four fifths of this area of perhaps 30,000 people) arise to do their straight things like going to work, cleaning house and playing ball in Golden Gate Park. These are the Negroes, the older whites disinterested in the suburban joys of Daly City and a few old time Bohemians and university intellectuals.

The dealers are still asleep, yet some hip people are up. Peggy Caserta is on her way down the hill on Ashbury Street to her men's clothing store. "I'm on a money trip," she says, and you must get up early to make money. Funky Sam is up, probably ditching the girl of the night before, taking coffee in the communal kitchen for there are posters to be designed and sold, and Funky Sam is also on a money trip.

Larry Baldwin is up going to his job as a computer programmer. They busted Larry for selling acid (LSD) so he cut his hair, took off his beads and went to work. After a bust a lot of dealers do that till their case is disposed of.

SKATEBOARD BY THE STORE

The Street, the six blocks between Masonic and the pillared gates to the park, is friendly in the morning. It reminds Peggy of three or four years ago before the crowds. "Bobby and I used to skateboard right in front of the store, there were so few people on the street," she says, but by the afternoon there is scarcely a place to walk.

Long haired youths stand on every curb hawking the underground press to touring pedestrians and drivers.

Traffic, bumper to bumper, has almost stopped. It now takes an hour to drive the six blocks and by eight o'clock at night it will be an hour and a half—even with the municipal buses diverted into other streets.

The afternoon scene is a bazaar. Tambourines chunking, quick and metallic, flutes, the occasional steely hum of a sitar. Offers to sell . . . dope, paper flowers, bits of jewelry and beggars: "Got any spare change? Gimme a quarter to support my habit. Gimme a quarter to get a haircut."

Across many of the recessed stairway entrances to the flats above the stores there are grills to keep off the lounging street hippies who like to pass time without demarcation on the steps.

TOURISTS INCENSED

They sit with thin sticks of burning incense stuck in the crack between their upper incisors. The tourists think they're smoking dope.

Knees drawn up under their chins, one of their favorite places is in front of the Print Mina, the big poster store that does $1000 a day in buttons and pictures.

The night comes early, blowing the fog in from the west until it occludes the sun. Then the frequencies of the vibrations shorten and the dope dealers quicken their bargaining, their recitations of today's prices for grass, for acid, for speed (methamphetamine), for smack (heroin), The customers out to cop their dope hasten, too. Some want it retail for consumption now; some want it wholesale for shipment to fifty states and a hundred campuses.

Night arrives at Benches with the armed private guard who keeps order in the cavernous pizza parlor where the Hell's Angels hang. At Benches you will find Big Tiny, the bikeless commando, waiting to step and fetch for the leaders, Chocolate George Hank, St. Louis, Joe Morningstar, when they come and drink their beer.

Night vibes are high frequency and short. They beep a warning violence. The gentle ones vanish. Now the Haight is a freak show, a street of poisoners, killers, geezers, burn artists, beggers and thieves.

[From the Washington Post, Oct. 16, 1967]

THE ACID AFFAIR—II: DOPE DEALING INSTITUTIONALIZED

(By Nicholas von Hoffman)

HAIGHT-ASBURY, SAN FRANCISCO.—There is Ashleigh Brilliant, standing in a Haight Street doorway, telling passers by, "I'm a human jukebox, put a quarter in me and I'll play." Someone does and he sings to the tune of *Cielito Lindo:*

"Folks are free in Haight-Ashbury
They can live and be what they wanna;
Wedding cakes give stomachache
So the hippies take marijuana.

"High, high, high, high,
It's no dishonor—
Phony matrimony's a lousy life;
If you need a wife, marry Juana!"

A cop comes along in the passing crowd and cautions Ashleigh, "Ugh, ugh, ugh! Remember you believe in free, free, free. No soliciting."

The gesture is lost in the disorder of the street. The bongo players on the steps of the United California Bank carry on. The notes of a lutist mingle with the throaty evocative call of a shofar, the ram's horn sounding the remembrance of atonements which a Jesus-Saves preaching couple are demanding here and now of the sluggish, exuding jell of passersby.

The couple who clang salvation in Southern accents through a power megaphone have been here almost every weekend throughout the summer. They make all the big American scenes. They were outside the courthouse for the Jack Ruby trial.

Beast, who was once an average-sized blond boy, dances barefoot down the pavement leaping out at the tourists and shouting at them in animal languages: "Grrrrrrrr! Uuuuuuu-oooowwwweeeerah-rah-rah!" And beyond him a raggedy girl with a pedigreed Russian Wolf hound begs, "Got any spare change? Got any dope?"

The madness of the place, the shouts, the chasing, the gunning bikes, the chaotic, occasional screams of girls runnings have convinced people that the Haight is a rare species of insane disorganization or driven them to find a ruling philosophy to explain the zig-zaggery of the human water bugs they see at rest and in flashing motion.

The Haight offers plenty of elucidating philosophy: Zen, anarchism, nihilism, Taoism, Jesus, astrology, visions of new social rectitudes. Many of the people have come here to write and broadcast have picked these themes up and used them to explain why thousands of mostly young people came this summer. These thematic ideas are important, but they don't encompass what the people on the street do.

DOPE MARKET INSTITUTIONALIZED

What they do, regardless of philosophy and world view, is deal dope. (Dope, not drugs, is the preferred word.) In fact they deal so much dope and take so much dope that the Haight-Ashbury could be studied as a unique social experiment: a community in which, de facto, all narcotic laws have been repealed or held in suspension.

The Haight is a market in the formal sense of the word, as it is used by professional economists, that is, a place where buyers and sellers come to transact business in a reasonably orderly or institutionalized way. The contacts between buyer and seller aren't haphazard. The buyers know the sellers will be there and vice versa.

Although the business is illegal, it's a publicly recognized fact in the community. Hence, places like the Free Medical Clinic that aren't in the trade and don't want to be busted by the police put up signs saying, "No dealing. No Holding." (No buying and selling and no having merchandise on your person.)

This truth is reflected in the language of the Haight. Hip people—hippies—are people who know, who cut in, who are in. The rest of the world is straight, a word used by criminals and homosexuals to make the same kind of them/us distinction which exists in every occupation that is especially absorbing and formative of a collective identity: soldier/civilian, politician/voter, doctor/layman.

(Straight, by extension, can be the dope equivalent to alcoholic sobriety, as in "I'm straight. I'm not stoned on anything.")

There are conservatives and liberal hippies; there are hippies who hate the establishment and are indifferent to it; there are hippies who love money and there are hippies who love love, love free food, free rent, free everything, but if the word means anything it means a hippy is a dope dealer. Dealing dope is the one thing most of them have in common, which is not to say that there aren't a few who've never dealt dope. (An estimate would be seven out of ten hippies making the Haight scene for six months or longer have dealt professionally—been involved in deals where the ultimate consumer isn't a friend.)

The products traded include every kind of dope there is. There are the exotics like woodrow nuts, magic mushrooms and opium but these are quite rare; the uppers and downers, amphetamines and barbiturates, are traded too. ("I want to buy pep peeels. You know where I buy pep peeels?" the Mexican laborer says, inquiring of the coffee sipping dealers in the House of Do-Nuts on Stanyon Street. But the three staples of the market are methamphetamine (usually called by the trade name Methedrine or speed), marijuana and acid, as LSD is invariably referred to.

The Haight is the acid center of the world, and the place where it was first marketed and where it is most plentiful and most cheaply available. The trade in the other drugs has grown up around it. Without acid San Francisco would simply be another urban drug center, not a national market place.

Even now smack (heroin) is cheaper in New York, and the grass (marijuana) trade in Los Angeles is certainly bigger. Not that it's small in the Haight where grass is purchaseable in 200 kilogram lots (2.2 pounds per kilo), or key as they say in the trade).

Business on this scale begins to demand warehousing. There is almost certainly a big storage place across the Bay in Sausalito, and in all probability at least three others in San Francisco. Most of this merchandise is not consumed by hippies who live in Haight-Asbury but by short-haired, straight Americans who turn on for pleasure. (Last year the Customs Service seized 26,313 pounds of grass, probably a fraction of what came over the line.)

MURDERS CUT TRADE

The curb market in grass on Haight Street is like the Chicago commodity exchange. It fluctuates daily according to supply. Early this summer when two border guards were murdered, presumably by people bringing pot across the Rio Grande River, the price zoomed out of sight and the San Francisco market collapsed. Pot virtually couldn't be bought but by mid-August stocks were replenished and you could buy it at prices which varied with the quantity of the order and the quality of the grass. For very large orders grass can be bought for as little as $20 a key.

The acid market is huge too. This summer people have come here to cop (buy) from New York, Washington, D.C., Seattle, Minneapolis, Dallas and no one can know how many other places. These are local dealers who come out to buy and retail back home. Thus organization of the national LSD market resembles the New York fashion market, the Chicago furniture mart, the electrical appliance business, or any business where local dealers come together to make their purchases.

After putting together scraps of information from perhaps two dozen dealers, a certain amount of street intelligence and a few hints from police sources, one can guess there are probably three to five chemists active in the San Francisco area. One is most likely in Berkeley, another in Palo Alto and a third somewhere a little further south. These chemists operate intermittently or at least products identified as coming from their labs are put on the market in batches.

In the acid wholesale business, the basic unit of manufacture is the gram. This almost microscopic amount of pure LSD (.035 of an ounce) will sell for around $2000.

Two hundred and fifty micrograms (a "mike" is one millionth of a gram) is a good acid powered rocket ride. Thus this tiny amount, a gram, will make up into something like 3500 to 4000 acid doses and a lab turning out enough acid for 20,000 doses a week is still producing, by bulk, a substance that weighs less than an ounce. From the police point of view looking for a needle in a haystack would have to be preferable. The needle is bigger, heavier and easier to see.

The equipment for making acid isn't so hard to find, but chemists only sell to one, two or possibly three trustworthy people. They in turn are just as careful about the two or three people they allow to cop from them, and these people, big dealers in pure acid, aren't seen doing casual business on Haight Street where it's easy to get a crack at them.

Apparently not all the acid sold in the Haight market is made in the Bay area. This summer one very large shipment was referred to as "MIT" acid. It seems reasonable that chemists from other parts of the country sell here, not only because there is an organized market but also because in the confusion of buyers, sellers and dealers in the Haight, tracing the stuff back to its source is so much harder.

The lowest figure consistent with the known facts would show the monthly acid market in the Haight to be 200,000 doses selling at not less than fifty cents apiece and there aren't that many hippies in the world.

[From the Washington Post, Oct. 17, 1967]

The Acid Affair—III: Hippieland's Cool Salesmen Create a Vast Dope Mart

(By Nicholas von Hoffman)

Haight-Ashbury, San Francisco.—Jerry is a eye-bulger. When he talks he purses his lips into a small tulip and pops his eyes out in a perpetual expression of awe, intimidation and aghast astonishment.

A year ago Jerry was a salesman for Proctor and Gamble. "That's where my head was at," he will say, leaning up toward you, laying a delicate index finger across the tulip in straight line with the cleft of his chin and the point of the goatee growing on it. "Oh, I was straight. Was I straight? I slapped my cousin when I heard she was going out with a boy who smoked a joint—once. That's where my head was at. I was a very good salesman. They were going to transfer me to Cincinnati . . . headquarters."

Jerry is still a salesman but he's switched lines. Now he sells dope. He cops here and sometimes sells retail on the street or sometimes goes to New York where the mark-up on acid (LSD) is higher.

He uses the same skills in the dope business that he applied to soap. He has enthusiasm and he knows the market: "Pot is selling for $50 a key (kilo) in L.A., $65 here, $95 or thereabouts in Portland, and you know what it is in Anchorage? one hundred and sixty five dollars." He doesn't shout when he emphasizes. He drops his voice into a whisper, makes his tulip more distinct and pops his eyes out further, an effective sales technique. It always seems important, what he has to say, ". . . and it's cool there. They're so straight in Anchorage, if you go up to a cop and say, 'Hey, where can I buy some pot?' he'll direct you to a hardware store."

Like everybody else who's in business in America, Jerry is brand name conscious: "Once, once, I had a white Sandoz. Oh, oh, I can't tell you. Such acid! So fine! I will never forget that trip. It was the most beautiful trip of my life . . . of course, you can't get them anymore."

Sandoz, a Swiss pharmaceutical company, ceased making acid available when it became illegal, but another brand has taken its place, and today Owsley acid is considered the best available. It is so named after the middle name of Augustus Owsley Stanley, a young man in his early thirties who is referred to in the San Francisco papers as the "Acid King."

Owsley or others who may be marketing under his name employ modern business techniques.

Owsley acid tablets are smaller than most, slightly larger than saccharine. They have been manufactured in three colors: white, purple and most recently orange, if the street consensus is correct.

Dr. David Smith, a toxicologist from the University of California at Berkeley who heads the Free Medical Clinic in the Haight remarks with resigned bitterness, "The acid manufacturers do the same thing that the legal drug houses do. They vary the product ever so slightly so they can claim they're putting something new on the market."

Like Westinghouse and Buick, class acid manufacturers are out after repeat business by marketing a product that people have learned to have confidence in. Owsley tabs, his enthusiastic customers aver, are always pure and always potent. Squibb or Lilly couldn't get more sincere testimonials.

This isn't true of all acid, however. People have been seen parading around the Haight with signs reading "Syndicate Acid Stinks." Gangster or mafia acid is reputed to come from Italy and is believed to be of poorer quality. It or at least somebody's acid, has also been known to have been cut with methedrine, a combination many dealers disapprove of; but tastes in dope range as much as tastes in everything else. There're people who prefer the combination. "It gets you off faster," they say, sounding like a cowboy from Marlboro country.

Owsley pills are given away as free samples. The stories that pop up in the papers from time to time of thousands of acid tabs being given away to the crowds at free rock concerts are true. Maybe not as much is given away as is claimed—five thousand pills worth twice that figure in retail dollars—but a lot does get handed out. Thus a new dope product is introduced to the market via the same methods used for skin cream, tooth paste and washing machine detergents.

Most chemists don't tab their own acid. They sell it in crystal or liquid form to wholesale distributors. The wholesalers usually dissolve it in vodka, then color it with a vegetable dye and drop it on some relatively inert tablet. Vitamin C tablets are preferred because they are big enough to work with and take the substance well.

There are many Haight-Ashbury stories about the surprised looks on checkout counter clerks' when making change for some cheery young customer who's just bought ten or twenty thousand vitamin C tablets. There are other stories about "tabbing parties," the long sessions when the vodka-acid mix is put, a drop at a time, on each of the thousands of pills. By the time the party's over everybody, owing to the touching of fingers to lips, is stoned.

Free dope is the customary compensation for tabbing acid. It's one of many instances of secondary business enterprises growing up around the major industry.

Ancillary, dope-related businesses are growing as fast, if not faster, than dope itself. You can make a living manufacturing dope pipes which come in every price range, design and all colors. (They're used for marijuana, hashish and, if you know how to get it, opium.) Coming along *pari passu* are dope jewelry (roach clips, mandalas, god's eyes, and so forth), special lighting equipment, posters, music and publications.

Many words have been said and written asserting that at the least, hippies are shaking off the mass production-consumer economy. The better publicized hippies make statements about their belief in a free world without money. They have started free stores, free places to live; they give away free food. Without the profits from the dope trade few hip institutions could exist.

Neither dope nor the uses it's put to can be understood as things set apart, unconnected with what has gone before or is going on now outside of the dope world. For the dope industry to grow as it has its leaders have had to rely on the exploit old forms and themes while they served as conduits for new ideas and feelings.

The speed and width of the industry's growth is indicated by a study made of dope usage in a San Mateo County high school. This is a mostly white, mostly well-to-do suburban area. More than 4 per cent of the girls and boys said they had taken acid more than three times. Talks with suburban high school students who've passed through here this summer strongly suggest that the same pattern of acid taking holds in the green edges of most large American cities.

A national high school market of a million is quite possible with a yet larger collegiate and older customer pool. This for an industry which three years ago had no capital, no mass production equipment, no distribution system and a product which nobody had heard of. Acid started off even further back since it was defined as dope—immoral, unhealthy, dangerous and criminal.

The advertising campaign which sold acid has to be among the greatest feats of American merchandising—on a par with the building of Sears, Roebuck or the early sloganeering of Lucky Strike. By comparison, look at history of drugs like marijuana and heroin, both of which have been around for years. With all their money and distributive organization, the gangsters, the chief purveyors of smack, could never get it out of the ghettoes and the working class. The same holds true of pot, which remained the dope for musicians, Negroes, Mexican farm hands and semicriminal whites until it was incorporated into the acid trade.

The country's advertising agencies have recognized genius by imitating the dope industry's technique. Dope slogans like "tuned in," "switched on," "where it's at" have been used so much they've lost their freshness. Dope photography, not only psychedelic color arrangements but things like the use of the fisheye lens, is as common. Those silent TV commercials with the distorted, bug-eyed heads coming out at you are doped up too. The art nouveau handlettering is as distinct a dope trademark as the trapezoid-like Chevrolet symbol.

The dope style is more than empty, inventive facility—the creativity of the account executive. It carries meaning at many levels. The most obvious has been using it to connect the product, as do automobile manufacturers, with youth and modernity; but like Avis, except more successfully, the dope industry identifies its merchandise with deeper emotions.

Avis uses the underdog theme. The dope pushers connect their stuff with nothing less than God, infinity, eternal truth, and morality.

[From the Washington Post, Oct. 18, 1967]

THE ACID AFFAIR—IV: BUSINESS, PLEASURE MIX INSIDE THE ACID FACTORY

(By Nicholas von Hoffman)

HAIGHT-ASHBURY, SAN FRANCISCO.—Steve Christenson was fidgeting and almost jumping as he threw his weight from one foot to the other. He reminded you of a boy being allowed to help mother bake daddy's birthday cake and the aquamarine powder on his fingers looked like frosting.

Steve is 25. He was bouncing around the door to the English basement apartment on Clayson Street because he was God Almighty nervous that the wrong people might enter and the stuff on his hands was LSD. Steve and his friend Hutch, a red-faced ex-biker with a lugubrious, silent manner, had copped big—they had bought two grams. It would make up into somewhere between seven and eight thousand doses.

Past Steve in the yellow-painted kitchen, Hutch and the two other young men were seated around a table capping the acid. The LSD itself, mixed in a harmless, aquamarine, calcium compound was in several large plastic bags. As it was needed, it was spooned out of the bags onto several ordinary saucers where the three men laboriously capped it by putting the powder into half a gelatin capsule. When they filled it, they inserted it in the other half and chucked the finished product into a bowl. The gelatin capsules were stored in the refrigerator; the cold keeps them stiff and easier to work with.

The atmosphere in the room was jittery paranoia. No introductions, no names, so if you didn't know who the people were, you didn't find out; but one of them was the rarest of all Haight-Ashbury birds, a chemist, an actual maker of lysergic and diethylamide-25. Why he was there wasn't clear. Chemists can make a great deal of money and they don't have to pick up free dope by capping. He may just have been a friend, or he might have been out of production for lack of raw materials or he may have had a secret financial interest, but he was there, a bitter talking guy. His manner made you think of a defrocked priest or a disbarred lawyer.

"If you stay here, you're going to get stoned, whether you like it or not," he said. "This stuff is one of a class of compounds that are called aromatic, which means it gets in the air." He looked at his aquamarine fingers and added, "It also gets through your pores."

"I'm getting finger cramps," the chemist remarked, flexing them. "You know it's a lot easier with a pill, press. They cost about $9000 if you want one that the Government can't trace. The FDA knows the serial numbers and the owners of every press that's sold. They come around and see what you're doing with them and if you don't let them in they're back with a court order.

"They're nice though. I have a friend who has one. He's wiped out now. A lot of the money Superspade had on him when he was murdered belonged to my friend."

"Do you think the Mafia killed Superspade?" somebody in the room asked, referring to a dope wholesaler who was murdered last August. His body turned up in Marion County, across the Bay.

"Don't be ridiculous. I know Superspade had at least $50,000 on him when he was killed. The people who killed him are the people he went to cop from. It was simple robbery. You don't have to go inventing gangsters. Listen," the chemist said in a particularly saturnine tone, "three quarters of those kids out on that street would kill you for two dollars if they got you alone and they had a weapon. Love generation!

"I was in this business when it started before Leary came along setting himself up as some kind of second Jesus. That acidhead hasn't got 20 functioning brain cells left, but when I started we didn't drop it to see God or overthrow the Government. We did it because we liked it. I still take acid sometimes, but I get my hair cut and I'm still in the middle class. I have middle class values. I told my wife the other day if I ever came home and found a man in her bed I'd kill her. You know what she answered? She said she was glad because it meant somebody cared enough about her. I'm the same way, I want to belong somewhere."

On the street things were much less tight. The news that there was a vast amount of acid around seemed to be sifting out. Hutch had said that the people he copped his two grams from had eighteen more so that even the small dealers got whiffs.

Teddybear got his fat self in motion. He'd have to move fast before the people he knew learned they could cop directly from Steve and Hutch. Once they found out they'd bypass him and buy direct, so he'd lose his ten per cent commission.

"I don't make a commission," he said, as though he'd been accused of a crime. "I just get 10 per cent of the dope. I wouldn't take money from my friends."

"Dope is money, Teddybear," his companion retorted.

"Well if you want to look at it that way I guess you can," he said, but he was distracted by somebody he knew whom he took off to the side and whispered at, probably trying to get the guy to come up with some front money. Acid is a no credit, no Diner's Club card business.

The availability of acid isn't constant. When the market's tight, the people on the Street get tight, and when it's loose, they smell it like water on the wind and loosen up themselves. The mood communicated itself to people who weren't involved. Love, the dyed redheaded Persian girl, who must be in her forties and sells "loveburgers" from her streetside hot dog stand, had caught the spirit.

"Hello, baby, how are you, love?" she called, walking with her two little dogs up Clayton Street. "Oh baby, I'm stoned. It feels so good. You know what I'm stoned on? Good Persian hashish. The very best there is. You try it sometime. You'll never drink again," Love promised with a giggly laugh, forgetting the times she's gotten juiced.

Even Lefty, the chief of Alibaba and the Forty Thieves, had picked up the vibrations. Lefty doesn't turn on, doesn't even allow dope in his place. The outfit he runs is one of those amorphous Haight-Ashbury benevolent societies which is supposed to do unspecified good, though all you ever see is the membership talking about getting high. Lefty was having a party, a spaghetti dinner where a miscellany of clubless bikers . . . the street commandoes, petty dealers and uncategorizable oddballs—socialized by talking about the great fights they'd been in and promising each other they would devote themselves to trying to return the mass of runaway kids in the neighborhood to parents who don't seem to want them.

On the corner of Haight and Masonic, Papa Al took in the scene outside the Drugstore. There is much merry dope selling. "My, my," he said, "I haven't seen the children trade that openly for a couple of months. Usually they at least try to pass it under a blanket or a coat or something."

As Papa Al, a short man with a smile of twinkling cruelty, looked and made sarcastic remarks, Teddybear came up to him. "I need protection, Papa Al," he said as though a sniper had him in the crosshairs of a telescopic sight.

"Tell me son," replied Papa Al, "who's going to save the State of California the cost of putting you away?"

"No, no, Papa Al, I'm serious. I've got a thousand dollars on me. Will you walk me down to Hutch's. It's not my money. I don't want anything to happen."

"Well, it so happens I just do have a little protection on me," the older man replied and put Teddybear's hand against the pocket of his zipper packet. The dope pusher could feel the hardness of a revolver.

The two proceeded to Hutch's where the older man announced, "I've got a customer for you, but I don't think his money's any good. You'd better take a good look at those bills."

"I've got a thousand dollars on me . . . actually, a thousand and five," Teddybear told Steve. "How much are you selling for?"

"Two dollars apiece."

"That's too much. We want to sell them on the street for $2.50 a cap."

"Well, how about $1.97?"

"I'm buying in quantity."

"I don't have any trouble selling acid at two."

"I've got the cash on me," Teddybear replied, and there was more haggling until they agreed on $1.75, after which he took himself off into the living room where blue stroboscopic light shone down on the mattress and with pencil and paper attempted to figure out exactly how many caps it would work out to be.

While Teddybear coped with arithmetic, more people knocked on the door; most were coming to buy but one hippy couple had heard and arrived without money simply to windowshop. The strangers were pushing Steve up tight, though Hutch didnt seem to mind. At length Steve said, "I want everybody who's not buying out of here."

Some people left but Papa Al stayed to negotiate. Can Steve get him acid? How much? Two thousand a gram? Guaranteed righteous stuff, Steve assured him, adding that he was barely making any profit himself. Al said it sounded pretty good; could the cop be made tomorrow?

"I'll have to phone," Steve answered and there began a round of telephone calls and people going in and out. "Now look, this has gotta be sure," Al cautioned him, "these people will be coming all the way out from Washington, D.C. . . . Yea, I'll get them here tomorrow if you can definitely hold the acid."

Time passed with more telephone calls. Then Hutch said the market had broken as a result of the appearance of the aquamarine acid and now there were blue acid and other kinds of acid making their appearance. He went over to a white enamel slop pail near the refrigerator, took off the top and came up with several handfuls of dope. "Samples," he said.

They were passed around and special interest was shown in a new product which had the acid impregnated on sheets of paper. Six shots to a sheet. It would be put out in book form so that the dealers could rip out however much the customer wanted. (To turn on you merely chew the paper.)

"Funny nobody thought of that before," somebody said.

"Yea," Steve agreed, "that's how everybody's turning on their friends in jail."

"Right you are," Hutch put in. "Don't read your mail, eat it."

The tightness in the room had abated. The men were holding out their acid covered fingers and saying to each other, "Wantta lick?" Everybody took licks but the chemist who declared, "I'm getting cramps in my fingers. Somebody else'll have to do this." He got up from the table, flexing and reflexing his hands while he discoursed on how he was in the acid business for the money, "But it's not as easy as some people think. It's hard to get lysergic acid. The Government has stopped the sale of it. Of course, there're a lot of people who are bringing it in from Europe. Once you've got that it's relatively easy to convert. There're cook books that'll tell you how. It helps, though, if you know laboratory procedure, If you're not a chemist and something goes wrong, you won't know what to do . . . There is a way to make lysergic acid. An article in a certain English Journal of Chemistry describes the procedure for growing fungus and turning it into batches of about 100 grams.

The chemist put on his jacket and left as did Papa Al. When Al returned only Steve and Hutch were in the apartment. Teddybear, they reported, had gone with his acid in a bag and was off somewhere with his friends capping it. He got it so cheap, Teddybear was told, that he would have to cap it himself.

Hutch was pretty well stoned but not enough apparently because he produced hashish from a coat and beer from the ice box. As the dope and alcohol made their way around the kitchen Al, having concluded arrangements with Steve, picked up the phone and called J. D. Kuch in Washington. She had been busted in Washington only days earlier on a dope charge. When he hung up he reported that she would wire the cash tomorrow morning and a courier would arrive to pick up the merchandise in the afternoon.

The next morning the cops raided the place. Steve and Hutch were busted. Most of the dope was gone except for a little hash and about 800 caps. The police also found two .22-caliber revolvers and a .32-caliber automatic. Teddybear, Papa Al and the chemist got clean away, and the cops never knew that the next night, two blocks from Steve's, there was another capping party where they smoked hashish, only at this one the hash was cured in cocaine; they drank champagne and they didn't get busted.

THE ACID AFFAIR—V: A PORTRAIT OF LARRY: MASS PROVIDER OF DOPE

(By Nicholas von Hoffman)

HAIGHT-ASHBURY, SAN FRANCISCO.—Not long ago an Oak Park, Ill., housewife idly asked her baby sitter if she'd ever taken any of that LSD stuff—there had been so much in the papers about it. The teen-age girl replied no, she hadn't, it was too expensive, $17 a dose in her high school.

If Larry Baldwin had heard the conversation he would have been perturbed by the price. "One of the reasons I sold acid," Larry once said, "is because I believe it's important that as many people as possible get good dope at reasonable prices."

Henry Ford felt the same way about cars, and both he and Larry did their best to bring a product that once was only within the reach of a special few to the American mass consumer market. Until Larry was busted by the cops a couple months ago and put out of the dope business he was, as they say in the Haight-Ashbury, a very heavy dealer.

For an extended period of time Larry was selling in excess of 10,000 acid tabs a week. In one three-month period his business grossed over $100,000. These are figures he gives himself, but other people, who know the dope industry corroborate them. (Larry estimates 15 other dealers in San Francisco are doing business on the same scale, which, if he is correct, means at least a half a million acid tabs are being sold every month here.)

The actual Larry Baldwin bears no resemblance to the stereotyped dope pusher. He has no Cadillac, although his income was about $800 a week; he never went around with snarling bodyguards; he doesn't talk tough; he has never met a gangster, or had anything to do with the syndicate, and all his sentences parse.

They should. Larry's a graduate of Reed College, Oregon, one of the most respected liberal arts schools in the country. His senior thesis was on topological squares. From Reed Larry went on to the University of California at Berkeley where he completed a year of graduate work in mathematics.

If he fits a stereotype it's that of a mathematician. Slightly built, a bit stoop-shouldered with glasses that always magnify wondering, naive eyes, Larry is both timid and cerebral. The timidity is reflected in a slight hitch to his otherwise articulate speech, and a small, irrelevant laugh which introduces itself from time to time in his conversation.

"I've always had difficulty relating to people," Larry will say of a childhood and growing up that he regards as too studious and too withdrawn, too preoccupied with the arcane symbolism of mathematics.

Although Larry could go to jail for a year if he's convicted, he says he's happier now than at any time before he began taking acid and got into the dope business. If he has any regrets, they're not obvious. "Acid works to resolve cognitive dissonances, it's unifying," Larry explains as he reveals himself to be a person who has spent most of his 22 years trying to find his own feelings but always blocked off from them by mathematics, by ciphered abstractions.

"One of the things acid does is bring you into present time," says Larry talking of his first trip as though until then, emotionally anyway, he had lived in no time—unless it was the vague future time of post doctoral years that young professors in training live in. "The second time I dropped acid was on a Greyhound bus going to Portland to see a chick. I had some math work to do so I said to myself if I really dig mathematics I should enjoy doing it when I'm stoned. I found I couldn't do it, so I decided to give it up. I finished the semester at Berkeley and left school."

Exactly how these drugs work on the nervous system is still in serious doubt, but it may be that not even a mathematical genius like Archimedes could function on acid. Judging from the testimony of many acid users one of the first capacities to be impaired or held in suspension by dope like pot and acid is the ability to manipulate any kind of closed system of symbols.

One day he said, "I think I might have been an original mathematical genius if I'd had the right person to study under in grammar school, but there wasn't anybody, and I could only go so far on my own. I was held up in an important period, and you know in mathematics you usually do most of your original work before you're 20 or so."

Larry is not the only young academic to feel the pressure to be an Einstein or consider himself without value. There are other young people in the Haight who judge themselves by standards of accomplishment realized by only a few thousand individuals in all of Western history. These, you might say, are the Promethean dropouts, people who condemn themselves because luck failed to endow them with the rarest gifts of the mind. When Larry left school he got a job as a computer programmer and "I started in the business by selling acid to my friends so I could get mine free. I used to buy it in $100 lots. Then I had more money and I bought a $500 lot and started selling it in $100 batches. It was easy to do because basically with acid you never have to push. There is always more of a demand than a supply."

Many people get into the business the same way.

They buy a kilo of grass, sell enough to their friends to cover the cost and smoke up the profit themselves. At this stage they are still amateurs; they're not really part of the distributive chain in which the ultimate consumer is somebody they don't know. From this point they graduate into professionals. The part-timer will sometimes deal purely for monetary profit, not merely to keep himself in dope. He's in and out of the professional market either because he has a straight job, or because he's too busy with other things, like going to school or perhaps just grooving on life on Haight Street, to want more than a marginal amount of money.

Another reason that many people remain part-time dealers is the difficulty they have copping, that is, buying dope from a wholesaler. Small dealers are virtually immune from arrest; it isn't worthwhile blowing a hard-to-come-by police cover to arrest some kid who's selling five or six lids (a few ounces) of grass a day at eight dollars a lid. Big dealers, wholesalers, are another matter. As a result, they're very careful whom they sell to.

Copping dope isn't easy, and very few small dealers have more than one reliable wholesaler they can cop from. If that wholesaler is busted, the little dealer's supply is cut off until he can make another contact. Meanwhile, he's out of the dope business.

One of the ways you can grow into a big dealer is building up a reputation for honesty, for keeping your word. The same premium is placed on personal integrity in the dope business as in any business where contracts aren't legally enforceable—like gambling, prostitution or politics.

Larry suffered many of the hit-or-miss vicissitudes of the smaller dealer, but he's a reliable, well organized, truthful person, somebody you'd prefer to do illegal business with. He grew big in grass and acid. (These are the only two commodities he's ever sold or used.)

"I had three full-time people working for me. It was very challenging. It takes remarkable ability to handle money and organize people like that. It was a big business, so big I never saw the dope, never touched what I sold. I sat at a desk and took care of the arrangements."

By this time his business had become completely wholesale. He wasn't even selling to people in San Francisco. His buyers were in Seattle and Washington, D.C. They would come to San Francisco or Larry would have couriers deliver to them, but shipping contraband is a lot harder than shipping automobile parts.

Larry's description of what it requires to get a shipment of grass across the border into the United States will give you an idea of what's involved: "You have to have a reliable American down there to cop from the Mexicans. Mexicans aren't trustworthy. They'll take your money and then turn you in for a bounty. We had somebody there full time.

"Usually the purchase is made in the desert. You don't pay until you get the merchandise. Whoever's receiving the shipment comes armed . . . it's usually two people. They're Americans, of course. The pot is transferred once and sometimes twice before it's taken across the border so that the Mexicans can't tell the guard what kind of a car it's coming across in.

"It's often taken across in private cars. The ideal thing is a late-model car with a husband, wife and a baby. A passenger car can hold about 100 kilos of grass. . . . You'd be surprised how much empty space there is in an automobile. The door panels are taken out and it's stuffed in there. The same thing is done with the seats. It's even put behind the hub caps. There's a lot of work involved in that. In that heat the grass will smell like a Mexican compost heap and the smell will give you away. Before the grass is packed in the car, it's sprayed with a pine scent, wrapped in plastic and aluminum foil. It's also brought across the border by bribing the guards. The usual price is $5 a key.

"They can make a lot of money that way. I knew one person who was buying 500 keys (kilogram, which equals 2.2 pounds) a week. I'd estimate that San Francisco consumes a ton of grass a week."

[From the Washington Post, Oct. 20, 1967]

THE ACID AFFAIR—VI: AS THE ACID SCENE GROWS, THERE ARE FAKERS . . .

(By Nicholas von Hoffman)

HAIGHT-ASHBURY, SAN FRANCISCO.—

"If a man carries a burden on his back
"And nonetheless rides a carriage,
"He thereby encourages robbers to draw near,
"Perseverance leads to humiliation."

—From I CHING
(The Book of Changes).

The I Ching is more than 2000 years old. It is used as a guide to the future. Translated into the occidental terms of the Haight-Ashbury, the words might be construed to mean, "When university intellectuals exchange their calling for dope pushing, they are laid open for robbery."

Robbers and others have drawn near Larry Baldwin, the young mathematician who became a heavy dealer in acid and pot. On the floor of his bedroom, next to the mattress he sleeps on, Larry has a copy of the I Ching. On top of it are the three coins used in the intricate system of divination.

Larry, like a member of other people who deal in dope and are called hippies, is a student, a practitioner and a believer of the I Ching and certain other metaphysical ideas that have found their fullest expression in China and India. But the warning from this oracle of bronze antiquity was not heeded by Larry for not long ago the police came knocking on his door, busted him for dealing, confiscated his dope and impounded his money.

Many people in the acid world have taken up the occult sciences, I Ching, tarot cards, astrology and numerology. Their interest flows from their acid experiences, which, they believe, have given them new sensitivities. Acid people, for instance, often believe that they can catch "vibrations" emanating from others.

Before Larry got into the dope business, he was a mathematician at the University of California at Berkeley, where he steeped himself in studies that now appear to him to be denatured—irrelevant to the important points of life. Acid set him to the pursuit of Eastern religion and cabalistic learning.

The straight world has put down these exotic investigations by hippies as so much nuttiness, forgetting that some newspapers print horoscopes daily.

Nevertheless, Larry didn't pick up the bad vibrations when he should have. "I was set up," he says of his arrest. "It was funny because I wasn't dealing at the time, I was out of the dope business, but the wife of one of my customers from out of town got in touch with me and said she just had to cop. I didn't know that her husband, who was a good friend, had been busted and that she'd made a deal with the police.

"It was a funny thing. I had to go to a lot of trouble to get it for her because I didn't have any dope. I had to make a lot of phone calls to get it. When she came to cop it, she brought a man with her and later I found out he was a narcotics agent."

As Larry tells the story he was not arrested at the time, nor for months afterwards. "They waited until I was back in the business, dealing big. When they raided my place, they only had an arrest warrant, no search warrant. But they got all the dope I had and $3000. They confiscated the dope and I never got the money back. I was wiped out," Larry concludes.

Ordinarily, intelligent people in the dope business never keep money or merchandise where they live. For a considerable period of time, Larry operated that way. That was when he was in a ring headed by a mysterious girl named Marge, whom he doesn't say much about. Marge was in a position to cop acid wholesale—probably only one or two transactions away from the manufacturing chemist—while Larry could cop grass. They formed something of a partnership with Marge, who controlled the source of acid, the dominant member.

"There was a time," says Larry, indulging in the arcadian reminiscences that stamp him as a Haight-Ashbury old-timer, "there was a time about a year ago when all acid dealers were my neighbors, people I trusted, but that's not true now. The change was due to a complex set of factors. When a scene starts it can be pure because it's small, but when a scene grows there are fakers, charlatans and mountebanks. If you sell H (heroin) you do it for the money, but if you sell acid you sort of believe in it, you're sort of a preacher. At least that's the way it was."

There are some dealers who do fit Larry's description of people who only want to make a modest amount of money, but there aren't nearly the number of such philanthropists as the dope world would like to believe. Most dealers charge what the traffic will bear; even so only a small number of people dealing big and close to the source of supply make money. Most dealers, like Larry, may make it big for a while but then they're burned or busted and wiped out.

Often financial disaster overtakes them because they've been stupid, which means doing business on credit or drawing the police's attention by doing something mildly nutty when they're stoned. Even those who stay straight and smart can't always avoid the traps that go along with any illegal industry. One of the most hazardous is the hippy costume. There are many reasons for wearing costumes which have nothing to do with dope, but dealers will say that it helps them in their business. It is the dope equivalent of the cigar store Indian or the bright yellow Shell sign at the gas station, but it attracts narks (narcotics agents) as well as customers.

Marge was a speed freak, or so Larry says. Speed (methamphetamine) is a drug that can be taken in pill form, sniffed or shot with a hypodermic needle. Acid heads look down on speed freaks as little better than old-time junkies; dangerous, erratic people who aren't to be trusted. Consequently, Marge, strung out on speed, apparently reached a point where she was too disorganized to cop acid for the dope ring. She may simply have grown suspicious of Larry. Acid and pot can induce paranoia, but prevailing opinion is that speed is almost guaranteed to do it.

In any event, the operation broke up. But not before Marge accused Larry of having burned her for several thousand dollars in acid, which she had supplied but he hadn't paid for. Larry claims it was her fault because the word got out among their customers that he had no more acid to sell—and they had no reason to pay their outstanding bills once they knew they couldn't cop from him anymore.

Some time later, Marge revenged herself. Though no longer partners, both were back in business and Larry, with several thousand dollars, went to cop some acid from Marge. With the help of two men with guns, she took his money and wouldn't give him the acid. Even now Larry sometimes fantasizes about getting even with Marge.

But most of the time he's more detached: "In the long run nobody makes money in dealing. With all the money I made and lost, I haven't come out much ahead. I think dope paid for my hi-fi set, and that's about all."

Of possessions he has few: some records, some books, his hi-fi and an old, lovingly and psychedelically painted Volvo, which he has upholstered in paisleys. In his wallet he carries a picture of the pre-arrest Larry—head encircled in blond hair, dripping with beads, but now he is clept short and most of the time he wears a business suit, de rigeur for his job as a computer programmer where they know nothing of their employe's short glorious past.

He lives in a little apartment across the Bay in Berkeley where the bedroom is hung with madras prints. The effort is tent-like, with rungs, candles and the smell of incense.

With him is Kathy, the dark-haired daughter of an Army officer, just 21 and a former speed freak from Denver, now on LSD. "My father's the kind of colonel who wears his blues on Sunday. He only lives to get his star," says Kathy, who arrived in the Haight three weeks ago and lived on the sidewalks until Larry found her and took up with her.

With another dealer who's awaiting sentence, they are trying to start a "love center," a place where disturbed kids in the Haight can go to talk out their problems. It's a surprising endeavor for Larry, once such an ingrown person that he seemed to his friends to shrink back from even walking the streets. But acid, everybody agrees, can change your personality and Larry has taken a lot of it in the last couple of years.

"I usually take it about once every 17 or 18 days. You feel when to take it from your body's rhythm, unless you're really dingy," he explains. People might say that Larry is dingy. He does convey the impression of one who has changed, perhaps lost a certain acuity and power in his thinking, as though he had gone limp in his personality.

"The other day I got a letter from J. D.," he remarked not long ago, referring to J. D. Kuch, the young woman recently arrested in Washington on a dope charge. "She said after she got busted, she felt relieved. After I got busted, I felt the same way. Maybe you don't realize the tension you're under because it's illegal."

Larry's relief seems deeper than that. He now expresses his identity in terms of Karma, the Hindu principle of higher cause.

"I'm not going by the name Larry any more," he said. "I'm using my karmic name, Lomand. It means to use understanding. It's not a name that is given to us. It's one that we find out. My karmic name used to be Lom, which means to gain understanding."

Kathy has a new name too: "My name's Saqui. I don't know but I have the vague feeling it may mean bewildered."

[From the Washington Post, Oct. 21, 1967]

The Acid Affair—VII: Down a Bluish Corridor for Pink Caps

(By Nicholas von Hoffman)

HAIGHT-ASHBURY, SAN FRANCISCO.—There's two places you can find Bill Bricker for sure. You may run into him in a doorway on Waller Street standing with Sharon, who will have a shawl around her head, peering out of granny glasses, wizened in her early twenties. Sharon says, "Bill doesn't care for anybody. He wants people to worry about him and take care of him. If he cares for anybody, it's probably me."

But the better way to find Bill is at the corner of Haight and Ashbury. He'll be leaning against a light post, one foot on the ground, on foot drawn up under his bottom, flat against the pole. He'll be rapping (talking) always rapping with two or three chicks, dumb little chirpers, little hippie girls passing through, wanting to be stoned. He'll be smiling and moving his head sideways to get his long, blond dyed hair back over his right ear.

Late at night you can find Bill at his place up the hill. Bang on the door and wait. If Jonathan, a carefree dealer boy in the room next to Bill, comes to the door, you can go right in. Jonathan is a heedless one who doesn't believe the narks (narcotic agents). If one of the speed freaks in the other room comes, hold up two fingers in the V sign, say it's cool, tell him you're no nark—he won't believe you, but it may reassure the crazy paranoid while he gets Bill.

Bill takes you down the bluish corridor by the kitchen, where the speed freaks are, into his room. A couch, a dresser, a mattress and a TV set. "I could be the only dealer in the Haight who has a TV set—I like to watch the news. I like to watch when I'm stoned. TV's a very fortunate thing, even though it's very plastic, but there's something real about it . . . It's real plastic," he says, searching for a lapel button so he can take the pin out of it to clean his water pipe.

He paws through the wreckage on the floor, butts, bits of paper, pots.

Sometimes there's a girl on the mattress and sometimes he remembers her name. He apologizes for the mess. Sometimes he says, "I'm sorry. I haven't had any motherly types in here to clean up," and sometimes he says, "I can't let the chicks clean up because then they kinda get to thinking you belong to them." Sometimes he cleans up and then he's pleased with himself and talks of going to school and living differently.

He finds a button over by a book—Kierkegaard's Ethics. The button reads, "May the Baby Jesus Shut Your Mouth and Open Your Mind." He starts to clean the water pipe. He likes grass better that way.

FEELS OLD AT 22

"I'm 22, but I feel old," he says as he works. "Pretty soon I'm going to be 25, then 27, then you're almost middle-aged. It's easier for me when I'm young with the chicks and the fellows, whichever you prefer."

Is it death he fears? Or is he afraid age will end his strange, numbed relationships? "I make money by having sex with men. It's not repulsive. I'm not against it. I don't think I'm gay. I would prefer to be bisexual so that I could really dig everybody. I don't think I have a homosexual hang-up. I used to hustle down on Market Street (the San Francisco Tenderloin) when I first got started. I'd turn as many tricks as I could but then it was my sole source of income. I've slipped off a lot since I've gotten into dope. Now I have three steady customers. One's a professor of psychology at Berkeley who pays me $40 to $60 to go on an acid trip with him and have sex."

Bill enjoys his professor; he talks about him a lot. They rap about intellectual subjects, and Bill, with his B.A. from Berkeley (a philosophy major), dies for a chance at serious conversation, living as he does among the mindless. "I haven't read a whole lot in the last year. Reading is hard when you're taking dope for some reason, but, man, I like to rap. Philosophy is where it's at for me. I think after a while the Haight-Asbury isn't going to be enough What I'm doing now isn't really worthwhile. If I had an M.A. or a Ph.D.—I can see myself teaching, growing old like Mr. Chips."

In the interim, he says, "What I'd like to do is get higher up in the dope business where there's more money so I'm not dealing on the streets, but even that's better than panhandling. I don't understand that, but people give them money, like the people are almost like suckers."

FEAR NARCOTICS AGENTS

But Bill, with all the trouble he has copping dope to sell, still isn't at the bottom of the business. You can be sitting in his place rapping of a night when there'll be a knock on his door and a stiffening in the room. In the back of every dealer's mind there is a nark following him.

"Come in."

It's Nick. Pink-cheeked like burn artist. Says he's 19 but he's probably three years younger.

"I'm looking to cop acid. They said on the street you had some. Is it righteous?"

"Yea."

"What color?"

"It's the pink caps. They're good, man," Bill says and then adds, "But I don't have many left."

"How much?"

"Two fifty apiece."

"Too much. Look, I've got blue dots I'm selling for $1.75. I know they're not as good as the pink caps, but two fifty . . ."

"I don't really want to sell I mean, I don't want to sell all of them."

Nick is trying to cop acid on the town waiting around for a pot shipment to take back there where he sells lids at high prices to the high school kids. They talk for awhile, but the only deal that's made is that Sharon buys a blue dot to split with a friend.

Dealing dope on Haight Street isn't dangerous. Money and merchandise pass openly back and forth and almost nobody is busted, but it's wasteful of time and energy, as it is in all industries where there are too many low-volume, independent businessmen. Prices fluctuate widely and the cheating among the dealers themselves and with their customers is so pandemic that each transaction has a wild, furtive uncertainty about it.

DREAM OF STABILIZING MARKET

There is always the dream of stabilizing the market, administering prices the way big corporations do. One communal apartment of acid dealers is working to establish a kind of LSD Federal Reserve, a bank in which seven or eight grams will be stored and released on the market when the price per tab goes above three dollars. There are other schemes too.

There is the example of Teddybear, who sticks to grass and acid. He and his partner keep the grass in a guitar case. Teddybear dresses in sandals, wide-wale corduroy pants and a thick oatmeal sweater which he gets into like a coat and wraps around his belly. He has a big face and a goatee and bells on a leather thong which ring as he marches along, rapping about what lovers the hippies are.

His pad is carpeted with mattresses and the light is stroboscopic blue with dull white specks scintillating in the air. This is one night when everybody's stoned. Some girl's already crashed sound asleep but one of the guys keeps adjusting her foot so he can paint luminescent flowers on the boot she's wearing. There's another girl, a wan, blonde thing who's putting the glowing paint on a piece of paper while she talks about getting a job as an artist. There are other guys talking away.

Loud knocking from without. Enter three angry hips. They've been burned and they want money or vengeance or both, but the culprit isn't there.

"We'll let a contract out on him," Teddybear says. (The Haight thinks gangsters talk this way.)

"Give us a gun."

"I'm not giving you no gun," says Teddybear, implying he has one, which he doesn't. "We'll take care of this. I'll get the Hell's Angels to take care of this. I'll call Chocolate George. He's a brother of mine. We're all brothers. We're closer than we are to our real brothers, members of the same tribe, true love of man for man. We'll let a contract out on him."

The burned hips leave and Teddybear turns back to lecture: "See that's why we're forming a brotherhood. This'll be a brotherhood of all the righteous dealers who only sell righteous stuff. We're gonna arrange it so nobody who isn't in the brotherhood can cop, so you'll know when you buy you're going to get good dope. The Angels have already agreed to help."

[From the Washington Post, Oct. 22, 1967]

The Acid Affair—VIII: Dope Trade: Free Enterprise

(By Nicholas von Hoffman)

Haight Ashbury, San Francisco.—

"The statement below is true
"The statement above is false."
—Dope Graffito, 1967.

Afternoon. Lil' Wally and the girl sleep in the bedroom. White Preacher is stomping, stamping, muttering in the kitchen, working on a piece of leather to sew on his biker's cutaways. Lil' Wally and the girl move under the blankets.

They're awake, making themselves visible, bones under naked white skin, red sores covering them. Methadrine will do that, produce those sores, and the freaks get hung up on them. They pick, pick, pick at them like they endlessly string their hippy beads or do those infinitely disorganized and detailed pen and ink drawings.

Lil' Wally gets out of bed. Petite featured, rapier moustached and tattoos all over him. There is one around his neck: it's a dotted line with the words "cut here" and an arrow pointing to the line.

The place is a crystal palace, a place where methamphetamine users live. Speed is the third most popular drug in the Haight-Ashbury, (There are no reliable estimates on the extent of usage. Its use appears to be growing rapidly, which should not be too surprising since many young people learn to take some form of amphetamine in college when cramming for exams.)

SIGNS GIVE WARNING

Acid and marijuana ideologues detest the stuff and preach against it all the time. Everywhere in the Haight there are signs warning that speed kills, but people go on taking the fine, white crystal powder, usually by intravenous injection. "Speed is a brain burner," they say, but exactly what it does and how much it takes to do it is in doubt, as it is with the other drugs that have won such popularity. In a laboratory situation, speed does kill, and until recently the level of lethal dosage was thought to have been clearly established. Now, however, Dr. David E. Smith, a toxicologist from the University of California who has been moving around the hippy world, reports finding people taking eight to ten times the amounts previously thought to be fatal.

That doesn't make the drug harmless. It does illustrate the variable nature of the effect of drugs. Who takes them and under what immediate and general circumstances has much to do with how the taker will react.

It is this fact that makes the dope world think the doctors are lying, tools of a hostile establishment, when they get up in public and say, "The effects of marijuana, acid, speed, etc. are . . ." Whatever the predicate of the sentence, it won't conform to the actual experience of most dope heads. The doctors aren't lying. They're reporting what they've seen in their clinics, but all the evidence indicates only a small and unrepresentative sample of dopesters end up in doctor's offices seeking treatment for dope-related problems.

Not that dope users can speak with more authority. They generalize on the basis of an even less representative sample, their own personal experience. They talk as though they believe dope affects everyone as it does them.

They tell their parents and other straights, "You can't know where my head is at if you don't try it yourself." Out of the straight world's earshot druggies know better, as when they say, "You can't go on somebody else's trip." Yet in their inconsistent way they hold that a specific kind of dope will have a specific kind of psychological and moral effect. This is the foundation for the reiterated assertion that acid induces a gentle, nonviolent, loving regard for one's fellow man.

TRADE HAS PROBLEMS

And it may. For middle-class kids, brought up in permissive homes—the Spock generation—who have absorbed the diffuse humanitarianism of UNICEF Halloween collections, it could follow that they drop acid and dissolve into a mild and smiling, non-violent broth. Then study three Hell's Angels, stoned on acid, stamping the guts out of a Negro, while a group of happy hippies watches, grooving on the scene.

Dope, doesn't rise above personality or culture. The dope trade is organized on a commercial model common to all mass consumption industries, but it has certain problems specific to its special circumstances. The most striking of these is that it is an unregulated free market. The government doesn't control it. It does try to suppress it. This drives up prices by creating scarcity and serves to underline what a textbook case of unfettered free enterprise the dope business is.

No price subsidies, no ever-normal granaries to flatten the fluctuations on the curve; no oligopolies of producers or merchandisers in a strong enough position to regulate the market as the government might. The consequences are uncertainty and surprises for everybody down to the consumer, who can never anticipate the price or be sure of the merchandise's quality.

In the acid business, an attempt has been made to get around the problem by establishing brand-name identity. An Owsley double-domed purple, a hard-to-counterfeit pill, is a guarantee of purity if not price. They're rare, and even in the Haight you may have to pay $10 apiece for them.

ONE WAY OUT SEEN

One way out of the dilemma is to build a trust, a monopoly like Morgan or Rockefeller did. During the summer, a number of efforts were made to put a combine together. The would-be cartelists called up dealers they found unsatisfactory and told them, "You're out of the business." Some dealers, lured up to a room in the Jeffery-Haight Hotel on the promise of being able to cop merchandise, were threatened with guns. None of these attempts, so familiar in economic history, to revoke the franchises worked.

No system of industry self regulation has developed. Fraud has been rampant and on every level the only guide has been to do business with a dealer whose reputation you're reasonably certain of.

Even in the pot market there has been adulteration. Green tea, oregano and other likely looking herbs have been palmed off as grass. Another trick is to sugar cure pot to add to its weight. This "syndicate pot," however, turned out to be popular with a segment of the consuming public who're now asking for the stuff. There is a merchandising parallelism here with mentholated cigarettes.

The same situation obtains with acid. There are instances of people paying $250 for a bag of 150 of what tested out to be pure saccaharin tablets. Some acid has been cut with strychnine, a substance that can give you a stimulating high or kill you.

Poisoning has been most frequent with speed.

ACID DIFFERENT MATTER

Acid and its psychedelic little sister, pot, are associated with dropping out, with God, with self-realization, with seeing form and color in new ways. Whether or not acid does these things or is just the 20th Century snake oil doesn't matter; the people in the acid industry thing it does and like all businessmen who believe in their products, they do strive to make it better, purer and cheaper. One of the few illegal chemists who allowed himself to be interviewed remarks, "I'd never make speed. It's rotten stuff, bad for you, but acid, that's a different matter."

None of this glorious penumbra extends to speed. One of the reasons is that, although speed can also be classified as a hallucinogenic, it is most commonly taken with a needle, something that revolts the oral-gratification types who seem attracted to acid. Speed appears to be the dope of first choice for despairing, self-destructive, hateful and heedless people, as with the boy who said, "I'd rather shoot myself up with meth than be shot down by the Vietcong."

The present condition of the speed business is comparable to meat packing before Sinclair Lewis wrote "The Jungle." Poisoning has become a way of making a living. Speed has been adulterated with baking soda, tooth powder, talcum powder and even such substances as battery acid.

"What they do is grab anything, put it in the packet and sell it," said one speed merchant named Jerry, who started up (shooting) when he was 12 years old. "They'll run into the street, get liquid out of the battery, put it on a saucer, evaporate it and what's left looks just like real crystal (speed)."

USING IS THE TEST

It does till you shoot it into your veins. Then you'll see an arm psychedelicly colored in blue and black as the rest of the human organism whimpers in misery. The pain may be indescribable but the social effects aren't. For months hardly a day has passed in the Haight when the neighborhood wasn't criss-crossed by vengeful youths looking to get even with their poisoners.

"When I get hold of a burn artist, he's going to have pain," says Jerry, a big 22-year-old who looks like he can inflict it. "I make 'em take their own stuff, overamp (overdose) till they scream. I put 'em in the hospital, not for a couple of days either. I put 'em in the hospital for six or eight months because I don't break their bones; I break their joints and that snaps their tendons and rips their muscles."

"I'm a needle freak," he says working to puncture the overused vein with the steel. "I'm flashing on the needle right now."

"Gypsy's a needle freak too," somebody says in the quiet of the watching. "She doesn't need sex."

[From the Washington Post, Oct. 23, 1967]

The Acid Affair—IX: The Haight-Ashbury Establishment

(By Nicholas von Hoffman)

The Haight-Ashbury, San Francisco.—"We've got our own everything here. We don't need anybody else. We have ourselves, our tribes and our families and we live in love and brotherhood. We have our free, hippy medical clinic. We have our own employment agency. We have our newspapers and we're getting our own farms where pretty soon we'll be growing our food. Why, we even have our own police force . . . The Hell's Angels, that's right, they're our police force. You don't believe me? Well, it's true. They've all dropped acid an' they're different now."

It's Teddybear talking. Teddybear, the street loudmouth, frightened petty dope pusher. He's a short fat fellow, always on the street putting his hands around the young chicks, squeezing them up against himself and talking like a floor walker in a department store: "See how she kisses me back? Heh, heh, I'm a dirty old man, only I'm not through," he declares in a voice that mixes squeaks and low tones in a way that makes your ears itch.

"I'm 33 but I'm young because I'm a hippy an' I'm not afraid to say it. You may not believe me but I love this little chick," he says and kisses the little chick. She responds in an oscular gesture that reminds you of a baby's automatic reaction to having his lips touched.

DEALS ARE FICTION

He lets go of the girl and starts down the street looking for some particular people who might want to cop acid. He's trying to play middle man for eight grams, which, on that day, would have been worth about $25,000, but most of Teddybear's deals are fiction, bragging talk or ridiculous fiascoes like the time he and a pal are supposed to have been busted in San Diego when they were asleep in a hearse with $11,000 and a truck full of dope. Half the time Teddybear's out of cigarette money.

"This is my last deal. After I've done this I'm not dealing any more. I'm going to devote myself to helping people. I wantta see these poor kids who come here have something to eat and a place to crash. If we don't help them, who will? You know what the straight world thinks about hippies," says Teddybear, continuing to expatiate on the sacrifices he's already made and will soon make for the common Haight-Ashbury good.

In his way Teddybear has sketched the public, institutional face of the first community in America to be founded on making, taking and selling dope. His rhetoric about helping people is the Haight-Ashbury equivalent of a Rotarian's gabbling about civic pride. It's one of the ways you establish yourself in society. Yet it shouldn't be dismissed. For like Chamber of Commerce yak-yak it does shed light on systems of belief and actual behavior.

The stable, reasonably permanent social structure of the Haight is probably limited to 2,000 people or less. These 2,000 are the frame for the changing tableaux of tourists, itinerant youth, cops, deviates, small-time, entrepreneurial criminals, mass-media reporters, government officials, parents in search of runaway children, servicemen in hot pursuit of hippy girls and hoodlums after peaceniks to beat up on.

Teddybear, like the crowds who come to this street to gawk, thinks of himself as a dropout. It's a questionable proposition, however. Born into the blue-collar world of Jewish Brooklyn, it would be better to say he found an exit from marriage, from fatherhood and from dreary low-level technical factory employment. A familiar American theme, the unwanted and the unhappy, the cramped and restricted, turning drifter and moving on, often westward, to build new communities and then giving them up. America is full of ghost towns and scarcely remembered places names. The newness of the Haight is the building of a community where one already exists, like the cities of Troy erected on top of each other.

The community's language—dropping out as opposed to ascending the social order—suggests vertical movement, but the real motion is lateral. There are low hierarchies of prestige but they're not universally recognized and social distance between the top and the bottom isn't great. The major figures (Owsley, The Grateful Dead or two or three other groups in music, Wes Wilson and Mouse in posters) are more like celebrities, more like TV stars than commanding social personages. They can't lead and such power as they have derives from their money as it would in the straight world.

The predominant movement of people is coming and going, in and out. That is why most of the people who come here are not destroyed and may even be strengthened in certain qualities the outside world requires.

Listen to Peggy Caserta, a frontier woman of the Haight who opened the first hip store on the street, a men's clothing shop. She expresses the lateral theme, the feeling of luck and hard work, the admixture of poor and rich, the drifting, the impression that the Haight is a mining camp that may stabilize into permanence or disappear:

"I come from a little town in the South. I won't say which because I don't want my parents to see what you write. I've lived all over. I've lived on Coconut Grove in Miami, the French Quarter in New Orleans and in Greenwich Village. We starved the first year with the store but it was my trip. I worked 14 hours a day and two jobs to keep it going. This year the store will do over $100,000 and I'm opening another one in Seattle. I can't believe it. I don't really know anything about money except I'm making a lot of it. I turn my inventory over 12 times a year and they tell me that's good. Businessmen get with me like I'm some kind of child genius. I can't give them answers. I just sell clothes.

"I'm not lucky and I'm not smart. I just happened to be on the most famous corner in America. The reason I put my store on a dying street was knowing that the Haight-Ashbury would be the next happening in this country. The store was an acid trip. The LSD made me realize I was young, reasonably intelligent and energetic and that I should do it because I hated five out of the seven days where I was working as an airline clerk."

The sense of impermanence and striking it rich and maybe losing it just as fast is fortified by the illegal nature of the community's largest industry. Everybody knows people who've been busted and more who are in jeopardy. Even the legal businesses like Peggy's depend on a public taste that can change in a few months. At any time the vein's gold may play out and this too serves to structure the Haight into a place of coming and going, sideways motion.

Thus the community that has won for itself an international reputation as rebellious and anti-establishmentarianism serves the greater society. America demands portable people, unrooted individuals who can move as technology and economic organization requires. The country needs human replaceable parts who may be used in Boston this year and Tacoma, Wash. the next, and the institutional life of the Haight strongly reinforces a life of lateral motion.

Peggy, for instance, is married. Her husband lives and works in New York and sees her perhaps twice a year. It would be unprofitable for either to move. On a larger scale it could be said that personal freedom, emancipation from the customs of home, hearth and family make people more useful in a nation where technological considerations often come first.

From this point of view, the sexual practices of the Haight, which shock and disturb some, have a utilitarian function. They teach the young people they don't need the companionship of the same mates, that people, like tools, can be had and used anywhere with about equal satisfaction.

In this light, much that is said and done here looks less bizarre than when simply set out with no interpretive context. The hippy girl is revealing something when she says, "I've decided that from now on I'm not going to sleep with any boy unless I know his name."

ADVANCING THE TRENDS

This is called love but what it looks like is carrying the trends in the lives of their parents several steps further. There are no figures but you can't spend time here without observing a high proportion of people who come from fractionated backgrounds. The children of servicemen who've spent their lives going from one base to another (for a full generation, America has had millions under arms), the children of itinerant executives and wandering academics, children from divorced homes and children from narrow-waisted modern families that consist of a younger brother and two parents in an undistinguished air-conditioned high rise in Queens.

Out of this boom town, make-shift matrix of lateral motion, the Haight establishment has grown. It takes two forms: An elite snobbery and a desire to build service institutions that will receive the incoming and make them permanent members of the community.

Peggy is an elitist. She is a member of the hip DAR. She boasts of having been an original settler and looks down on the street that has made her so much money: "Oh that! Well, it IS a freak show. I can't stand to walk down it anymore. The really beautiful people have left or they're in hiding."

She sticks to her own crowd and acts like the storekeepers in the Western movies who won't join the sheriff's posse but insist that the lawless element be run out.

The service institutions provide what amounts to grub stakes for the people who drift into this miner's camp. The more stable one like the medical clinic are paid for by the straight world and have to be counted as hybrids.

The service institutions tend to be dominated by the most strenuously political and religious types. They are the ones who proclaim the doctrine of dropping out loudest but who also seem to work the hardest. They are the public-spirited hips. They're like Peter MacKaness, though Peter is uncommonly vivid.

Tall and big-boned, itself unusual for dopesters who run to thinness and small sizes, he's the 25-year-old son of a university botanist. Sometimes he'll be stoned out of his mind lying in the sidewalk sun, a red fez toppled off his black hair, so blasted he can't lift his wooden shepherd's pipe to tootle incoherently.

FEW USEFUL LISTINGS

Peter runs the Hip Job Coop, a place to go when you hit the Haight and need a job. The Coop rarely has many useful listings but it can line you up to sell undergrounds newspapers on San Francisco street corners or you can just stay in the storefront office, groove on the Buddhist Altar and the poster photograph of Tim Leary, or you can rap aimlessly with the others. You can sleep on the floor and cadge a starchy meal when they happen to be "feeding." If you're really accepted you might get cut in on the dope being dealt out the back door. According to Peter, dope is the Coop's principal source of money.

"The street is a rough mother," says Peter. "It's a survival of the fittest trip, but it's my feeling you can't lose in the Haight because Haight Street is God fingered; it's a pulse; it's like a cosmos, it's a respiration trip. The best stone of all, the best groove of all is just to look into the eyes of your brothers and sisters on the street and smile. That's the best dope of all, but I'm not going to put down anybody else's trip, smack, acid, speed, whatever it is."

A social system as fluid as the Haight's can't be described in a frozen position. It shows itself best in time of crisis and stress. Then you may see, as Peter would say, "the thousand petal white lotus flash."

[From the Washington Post, Oct. 24, 1967]

THE ACID AFFAIR—X: FUSED, FUZZY SOUNDS . . . ON THE SPIRITUAL STATE OF HAIGHT

(By Nicholas von Hoffman)

HAIGHT-ASHBURY, SAN FRANCISCO.—The kids on the street put their blankets over their heads like monks' cowls and moved closer together on the shadowy stairways where they sat looking out at the tourists. The sun was gone in the fog. The street hippies cuddled their kittens, gently pushed them under the blankets, felt their fur and smoked dope.

There's a story that Chob's body was found by someone looking for his kitten. It could be. There are so many of these Egyptian animals here, members of the Haight's mystical menagerie of scarabs, owls, toads and phoenixes who live in the high mushroom forest. Chob was found dead by a cat, by somebody, stabbed in the heart, his right arm cut off and stolen with his money, $3000 of it. Chob was a dope dealer and maybe he burned somebody with his right arm.

Across the Bay in Marin County where the acid bands practice their music, a girl in one of the rehearsal halls remarked, "He had to be a speed freak who killed Chob. They caught the guy, didn't they, in Chob's car with the arm sewed up in a velvet bag grooving on it?"

The boy's lawyer said his client had made himself crazy on acid. It was not to be believed that it was acid. The Haight concluded that it was speed, or better yet that the Mafia had done it, for the Haight could not think that one of the beloved community would murder.

Then Superspade was turned up in a sleeping bag over in Marin County with a bullet in his head. Proof convincing the syndicate was moving in, but on the street the drifting kids repeated to each other, "Don't hassle yourself." They hadn't known Superspade, though they may have flashed on a Negro wearing a button that said, "Superspade, faster than a speeding mind." So they petted their cats and panhandled for dog food and howled for dope and chanted for dope and didn't understand that, with Superspade dead, there'd be no dope for awhile.

The dealers were running out of the city.

OUT OF THE COOP

Jerry disappeared out of the Hip Job Coop, evaporating into Los Angeles' Topanga Canyon. Frodo took his nonchalent, barefooted self off Haight Street, traveling the less-used parallel routes until he could clear town. "I'm going to New York. The trouble hasn't gotten to me yet, but I'm not waiting, I still don't think they'll be able to take over the Haight."

Others left for Mendocino, the Santa Cruz Mountains and Indian reservations in New Mexico. Chob's murder could be explained but this killing was a sign the vibrations were at an evil confluence. Only people like Howard at the God's Eye coffee house and pizza parlor could shake their heads and smirk with superior knowledge. He'd been in the dope business in L.A. where he was the only one of the 17 in the ring who hadn't been arrested. When they got out of jail they'd come looking for him and he'd split for the north. "I don't do that anymore," he said comfortably. "I had myself declared insane. I have 100 per cent disability and live on a pension from the Social Security Administration."

As much as it could the community broke off from its preoccupation with dealing dope, hooking tourists and getting stoned to react against a sense of being invaded.

They gathered on Hippy Hill to talk about the murders. To reach Hippy Hill you must go to the end of Haight Street into Golden Gate Park, down a slope, past a pool, under a bridge and pursue a curving path until you come first to an expanse of lawn and then the green-sodded hill. There were about 300 on Hippy Hill as the gong from the Psychedelic Shop reverberated and the sitting people expelled their breath to make the slow sound of the god centering ommmmm.

At the summit was Felicia dressed in silky magentas that moved with the wind as it blew her red hair. She had her staff on which is mounted the upside down Y of the peace symbol. She makes her living dancing topless on North Beach and has probably had too much acid, but on the day of the meeting she resembled a girl king in one of the Lost Atlantis amazon movies. Hippy Doc was there, too, away from the center of the crowd with Foxy, his old lady, smoking dope and declaring four square, "I'm for war, war that will stop the man."

Peter MacKaness, who runs the Hip Job Coop, was present in a new, gold and white brocade shirt from Peggy's, but not Peggy. Father Grosjean, the long-haired Episcopalian minister who's really straight, hung on the outside of the crowd.

"WINGED INFINITY"

A thin, middle-aged Negro named Jimmy—police intelligence suspects him of wanting to start a riot—spoke first and long about "winged infinity . . . in this earth time of 1967 we're stretched out in cosmic consciousness. We have the center point and it's traveling at cosmic speeds out there at the perimeters."

"Jimmy, you're lousing up the whole meeting," cried Tobacco and the gong sounded. Tobacco is a Digger, the angry, politically slanted group that started the Free Store and sometimes provides free food and crashing space.

FLOW WITH THE LIGHT

"Groups! Forces!" another voice called out. "Give your attention to the fly that appears when your eyes are closed for it is a spiritual light which is but the manifestation of your concentration. We are all one God! As you see light, become one with that light, flow with it, so I will ask you to be silent for ten minutes. We must save this planet, and it's us if anybody's going to. We must become more self-sufficient. The role of karma yoga is also very important."

A girl shrieked, "I thought we were going to talk about the murders. There's supposed to be another one and several people are missing. All my friends who aren't dead are hiding."

Ned was carrying his pack of tarot cards in a leather box attached to his belt. He's misty and algebraic, given to making final clarifying statements that nobody can understand. "Two good friends of mine were murdered," he declared. "They were murdered because they were paranoid. They carried knives and guns. If you don't want to be murdered, don't be paranoid and don't carry weapons."

"It's bigger than paranoia," a voice shouted as another yelled, "Let's don't buy or sell dope anymore. Then they won't kill us."

"We're in a society that still takes money, man. How're we gonna live if we don't sell dope?" came a hollering retort, but the question went unanswered for still another voice was commanding attention: "I just came from Detroit. I saw a lotta people get the crap kicked out of 'em and a lot get killed. This country is over, man, it's over. What you gotta do is get the people out of the cities. Get together everybody who has a skill, let's go to the country."

"Dichotomies! Dichotomies," Ned reproved them. "Total up everything you have here today and divide it."

"No, no," called out Pan, the hippie dope pipe-maker. "The country is a good scene man. Build your own tepee man, your own hogan. Do it for yourself man."

The voices began to come from all parts of the crowd:

"No, sir, man, what I want to know is when're we going to be self-sufficient and not keep on begging from the establishment."

"We gotta beg or sell dope. We need the tourists even if they may have mucked up the Haight, but they're people so if they roll up their windows and won't buy newspapers from you, don't say frig you to them, say thank you."

"What're we going to do about tonight?"

"What're we going to do about the syndicate?"

"Two of my friends have been murdered!"

"All this world needs is love, love, love. Ya gotta have love, love, love."

"I need dope. Anybody who's got grass, break it out."

"Purple Owslies! ! !"

A chant began: "We want dope! We want dope! We want dope!"

The ringer began to hit the gong, its brassy reverberations catching up with each other in fused and fuzzy circles of sound, but the chant was still audible, "We want dope, dope, dope!"

[From the Washington Post, Oct. 25, 1967]

THE ACID AFFAIR—XI

(By Nicholas von Hoffman)

HAIGHT-ASHBURY, SAN FRANCISCO.—

"Spades are programmed for hate."
—ACID APHRISM,
Summer, 1967.

Night at the Free Medical Clinic. The clinic is up a flight of stairs in a converted apartment. Down on the street there is talk of trouble from Negroes in the adjoining Filmore district. For some reason the Negroes who live in the Haight itself—surely half the population—are regraded as less threatening.

It's not because the hippies know the Negroes in the neighborhood. Contact is next to nonexistent. They don't realize that most of the black people they see live next door and not in The Filmore, which is defined as dangerous territory, but the smoke from the fires of Newark and Detroit have carried their ashes here and irritated the eyes of the suburban youths in the dope colony.

"Teddy, Teddybear!" a bearded young man called running down the apartment hallway to the room that serves as the clinic office. "Four spades in a car with a machine gun parked just down from Tracy's. What're we going to do?"

Teddybear hangs out at the clinic, doing the voluntary work of answering telephones. It also makes a good place from which to deal dope. The straight doctors who ostensibly run the place and give of their labor free have strict rules against holding and dealing, but their grasp of what goes on is vague.

"You better call the fuzz," somebody in the room said.

"No, don't call the fuzz. Call the Angels," the messenger from the confusion on the sidewalks below put in.

In critical moments, Teddybear develops an officious way about him. Only he, his manner implies, has direct contact with the important people, as though all the telephone numbers in his little book were unlisted. "I think I'll call the Gypsy Jokers in Daly City, and I'll get a hold of Chocolate George," he said and began dialing the numbers where the leaders of the motorcycle packs hang out. Teddybear, like so many of the people in the Haight, has great trust in the protective power of these psychedelic storm troopers.

"Hello, Chocolate? It's Teddy, no, no, you know Teddybear, yea, yea, over at the clinic. Listen, Chocolate, it looks bad here. Carloads of spades with guns cruising the neighborhood. I think there's going to be trouble. We need the Angels fast," Teddy informed the biker on the other end of the line.

Hanging up, he lamented the state of things in the Haight, "I've been here since March. (Assertion of status to distinguish him from the summer visitors.) It was beautiful then. We had human love. You could actually feel the love here because we're not like people think. We're not beatniks, dirty, who don't give a damn, but now it's getting bad. I personally know of two hippie mamas raped by spades. We went to the police station and they didn't even write it down because we're hippies. We're supposed to be the lowest, even though the straight world imitates our clothes and our music."

The flower children have been nurtured in the same social soil as everybody else and their drugs don't expunge the fears and misunderstandings that hang invisible over the cities. But both the drugs and the type of people drawn to the center of the drug world combine to produce some variations of response to the racial crisis.

In the Haight, the word "Negro" is almost never used. "Black" is employed by peope tinged with New Left political understanding, but the most common word is "spade." Even the Negroes who've amalgamated into the scene invariably refer to themselves as "spades," a term used without prejudicial meaning in a restricted part of the jazz world for many years, but in the Haight it's use is ambiguous. It can connote nothing more than an ingroup vocabulary; however, most of the white kids aren't in that in-group, and for them the word carries a mildly derogatory, mildly hostile meaning.

For them, spades are very much dark, dangerous people whom they both understand and dismiss with the oft-cited aphorism, "Spades are programed for hate." This kind of passive fatalism extends beyond race to take in all of life, where everybody is programed and nobody programs himself. It conforms to much of their own experience, of being surrounded from infancy by human and mechanical objects that obey their magnetic tapes. Mother and her automatic washing machine both appear to run on preset cycles. On the afternoon of the night that the burning was supposed to begin in the Haight, a lithograph flyer appeared on the street. It carried an apologetic warning:

"Survive baby brothers: An important notice for your safety and survival."

"Sorry to bring you down, but this is about the riots our black brothers have planned for the city. There isn't much hope that they won't occur.

"What do they mean to you, as white hippies, et. al.? Riots mean that the black people are going to be busy and would appreciate your getting out of the way . . . Looting will empty all the food stores in one day. No trucks will come to bring more food to the stores . . . Store up some right now . . . Within the black people's mind they will be fighting a revolution. If you hamper them in any way you will be their enemy. During the riot the only help they want from you is your gun. If not that, get out of their way."

The word was passed down to the silliest street hippies to be off the sidewalks by eight. At the clinic, plywood was tacked up against the downstairs glass door and within, heavy, lightproof curtains were put over the windows. "This'll be the first place the spades are going after. They had a hearse with BARs (Browning automatic rifles) in it parked down in front for three straight nights," somebody explained to a visitor amazed at the siege preparations.

A block or so down Haight Street they had another apartment to be used as a medical aid station. Citizen band shortwave radio communication joined the two. To make sure that everybody had a place to go, temporary crash pads were opened all over. The Print Mint—the largest poster store on the street—opened a rear room to crashers, and Peggy, the young woman who owns one of the busiest hippy men's stores, spent the hours before sunset supervising the removal of most of her inventory. Other closed early.

A lot of people had no intention of getting off the streets. They scurried around looking to buy LSD if they hadn't been provident enough to keep a stash. (There is a distinct type of acid taker who has no interest in beauty, self-discovery or religious learning; he likes to get stoned in a variety of situations for the experience: "Man, can you think what those fires are going to look like under acid? I've never seen even a fight under acid, but wow, a riot, what a groove!").

The Negro reaction is often patronizing disgust with an admixture of amazement at what appears to be hippy stupidity. On the night the kids thought the riot had been programed, a couple of Negro men stood on the steps of a Haight Street apartment house, a place much favored for dope taking. Speed methamphetamine is even shot publicly on those steps.

As the hippies floated by it was too much for them. One of the Negroes called out, "Take dope and shout love! That don't solve anything," but the hippies only smiled and asked for spare change. "It don't figure," the man said to his companion. "I live here in the hottest building in the neighborhood and this silly boy sits down and shoots up. I say to him, 'Why don't you just put an ad in the newspapers? There's a policeman across the street taking your picture.' An' you know what that silly boy says? He says, 'That's your hang-up.' My hang-up! I almost liked to hit him along side his head."

Not everybody in the Haight took dope or waited for the spades to do the violence they couldn't bring themselves to do against the machines and their fathers who make and run them. Teddybear reacted like Lester Maddox. He armed himself with an ax handle and stayed in tense, self-important radio communication with the other apartment, where a collection of hippies, street commandoes and junior heistmen hid in the darkness, peeping out from the window shades, checking their guns, knives and clubs.

[From the Washington Post, Oct. 26, 1967]

THE ACID AFFAIR—XII: NEGROES REJECT WHITE HIPPIES' VIEW

(By Nicholas von Hoffman)

HAIGHT-ASHBURY, SAN FRANCISCO.—The Black Man's Free Store is a Negro version of the free store the hippies have in the Haight, only it looks like another wretched charity. It smells of castaway seconds and handouts; it has none of the suggestion of change and rebellion of the hip free store not many blocks away.

Roy Ballard, who runs the Black Man's Free Store, observes "Marijuana is groovy. I myself take it and LSD is useful. I know a number of white kids who've had their heads straightened out by taking it. These are kids who were all messed up by guilt and the black man, but now they can do their own thing, but if a man has to depend on any kind of drug to find reality, that's bad. That's a world of fantasy. They just wish the world would be like what they feel when they're on their drug."

Ballard is 27 years old and nearly a third of that time he's spent in the civil rights movement both in the South and the North. He met some of the whites in the Haight in jails and on picket lines during their activist days and is more favorably disposed toward "the movement," drugs that is, than most Negroes you'll meet. "I put down organizations a long time ago," he says, sympathizing with the anarchistic pronunciamentos issuing out of Haight-Ashbury. "They're a hang-up. They don't get anything done. I was a member of Snick for a year and a half . . . I went in Haight-Ashbury, spent four months there to find out what it was all about. The only worthwhile thing I could see was their free store which we started here.

"The rest of Haight-Ashbury is white kids getting away—revolting against what their parents neglected to do . . . They're trying to say the only way to do it is to start over again because everything is a game . . . Black people never had it before so they can't start all over. You might say the white kids are more advanced, but also less realistic."

Ballard is talking about the section of the Haight-Ashbury world which isn't anti-Negro and considers the drug experience politically and socially relevant. It is a minority segment, but a large one, and a black person could comfortably fit into it, make friends and become a hippy. Very few have decided to do so, probably less than 50 in the whole Haight.

One reason for the paucity of black hippies may be acid itself. The drug, according to expert opinion and users' testimony, tends to hypo all physical sensations. It is not a pain killer, but just the reverse. The senses—sight, sound, taste—all become much more intense with most users. The nervous system is overloaded with sensations which arrive with such speed and variety the brain often doesn't know what to do with them—or even how to sort them out.

This may be exhilarating for people who're half-dead emotionally, for whom life is hardly more than enduring the blandness of "the plastic society"; but for Negroes such is not the case. "Man, I feel enough as it is. I don't wantta know any more than I do," said one black who tried acid.

Negroes are the last people in America to need drugs to express themselves or realize their feelings. Some take smack (heroin) because sometimes their feelings are too strong to tolerate; and they have the catharsis of art. Iti s the ghetto that has given the drug world most of its language, it's music while the effete English homosexuals of the mauve decade provide the ideas of color and form from which psychedelic art derives.

The colloquial language of the Haight is the speech of the ghetto interspersed with a few expressions from two fugitive minorities: the homosexuals and the underworld. The word "chick," the verb "to split" (meaning to leave), the expletive "man" (as in "look, man". . .), the deuces-wild use of the word "like" (as in "like, man, you aint gonna make it with that chick so like you'd best split"), is all ghetto idiom.

But a black man doesn't have to dress up like an Indian and go running to hippy town—there is now one in almost every city—to hear language like that. He can stay home. In fact, if he goes to hippy town he will find he is still in the white culture of self-restraint and pulling back.

The drugs don't necessarily facilitate free self-expression. This is best illustrated by what's happened to Negro music after its been given an acid bath by the Beatles and the other musical dope heads. The volume is turned up but the notes are fuzzed over so that you have to be stoned on acid to pick up its techtonics.

(Much has been written pointing out that this music is about drugs, but it is also often played by people who're stoned for listeners who are stoned, although a minority of acid heads are driven up the walls by their outraged nervous systems when they hear it.)

A hundred notes are used where one would do but only at the cost of losing the tension and hard clarities of the urban blues. Either the emotion is too strong or directed toward joys and pains white dopesters have never felt but men like Muddy Waters, the masters of ghetto musical idiom, enjoy only a fringe popularity.

The same holds true for dancing. "My God, my God, what are those people doing?" cries a Negro girl on beholding three hundred dopeheads on the dance floor of the Straight Theatre, the Haight's Palladium. "They can't dance. They can't keep time, what *are* they doing, and they're so ugly!"

On the night in question the heads were coached before the music started "to find the moving rhythmic spot inside yourself, and then find another, and another and let them come together until they bring you up off the floor expressing yourselves with your bodies." The poor hips tried, rising to their feet from the floor where they had been seated during their dance lesson, but they knew no dance steps and could only stamp and flutter their arms. Some were so stoned it was enough for them to approach the stage where the Grateful Dead were playing. They stood looking up at the Dead, their mouths creased in the characteristic expression of people on acid, picking up the vibrations like a motionless cloud of drugged bats.

At a time when Negroes are fighting off dope and forcing their way out of the ghetto to get the good things that hips dismiss as so much plastic, it's hard for them to emphasize with white kids who have what many Negroes want. It's incomprehensible that these whites should build a new ghetto and lock themselves up in it to take dope. The following playlet took place one afternoon in front of Benches, a Haight Street hamburger joint. It illustrates the chasm between the population of the two ghettoes.

The cast includes Teddybear, a dope dealer; Jerry, another dope dealer; Gypsie, a 16-year-old girl speed freak; Chester, a sidewalk hippy; David Simpson, a political activist hippy; Randolph, an older Negro, and Malcolm Y, an unidentified black militant.

Teddybear (grabbing hold of Gypsie who giggles). These are the people who live in the Haight-Ashbury. The Government won't take into consideration we're a people, a frigging people. We're tired of the establishment and we're tired of wars.

Gypsie. He's my Teddybear. (He starts to let her go.) Don't split, Teddybar. I'll give you a grape.

Teddybear (Taking one). We're a persecuted people. The police are always hounding us. That's why everybody around here knows some law.

David Simpson. The spades have been up against it for years. We just didn't know what the law is like until they came after us."

Jerry. The sun is shining today. It was out of sight—I just came from my shrink. I told him I wanted a letter keeping me out of the army. He said he was glad I was honest and he'd give me one.

Teddybear. See, where's the Bill of Rights? It applies to everyone but hippies.

David. That's not true. It doesn't apply to colored people either.

Randolph. (He's been listening all the time.) I believe I take acid so I can pretend. You don't have to pretend, but I caint talk good English. If I had good clothes and a fair face I wouldn't grow no beard and stay here.

Chester. Sure you would because you're a hippy and a true Christian.

Randolph. You people have taken the Bible and broken it down so you can understand and go higher with God but our people have been deprived of it, man. (Enter Malcolm Y who listens).

David. Not our people, just *the people.* People.

Randolph. Our people, yea, our people, gotta have help, man, ya understand. We want nice coats and pastel striped ties, and they've got to stop killin' the brothers, ya understand.

David. Well, who's doing the killing?

Teddybear. The Establishment.

Randolph. You're the highest power, white folks. You been talking English sixteen hundred years. The black man hasn't been exposed. He gotta catch up.

Malcolm Y. I think you're insulting black people. I see you here dressed in costumes wearing African prints! (To Randolph) I really don't dig black brothers and sisters getting hung-up tripping with these junkies.

Teddybear. We're your brothers too. We're hippies.

Malcolm Y. The best thing you white brothers can do is get out of our neighborhood and go down on Van Ness to do your begging.

Teddybear. We love everybody. We love you.

Malcolm Y. I don't want you to love me. Love! I know what *I'm* going to do. I'm going to train my people to kill you and you and you (points a finger at each of the whites).

A White Voice. I can't talk well. My teeth have been knocked out by the cops, but I still believe in peace, don't you?

Malcolm Y. Peace! Peace! Crap! You're street bums. You better go get your hair cut, get a job and train your people to defend themselves.

The White Voice. I'm just a stoned, happy hippy. Let's talk hip.

Malcolm Y. I don't know anything about being hip. You're sick . . . Disgusting. (He exits.)

Chester. I profess Christianity myself and I know that spade. I saw him in Watts two years ago. He was one of them that was trying to start the riot.

The playlet ends with Chuck, the hash slinger in Benches who's been listening, making a face and saying, "Welcome, welcome. This is hippyland, land of love, land of tolerance and integration."

[From the Washington Post, Oct. 27, 1967]

THE ACID AFFAIR—XIII: THERE NEVER WERE ANY FLOWER CHILDREN

(By Nicholas von Hoffman)

"FUNERAL NOTICE

"Hippie in the Haight-Asbury District of this city, Hippie, devoted son of Mass Media. Friends are invited to attend services beginning at sunrise, October 6, 1967, at Buena Vista Park."

HAIGHT-ASHBURY, SAN FRANCISCO.—Several thousand black-bordered funeral announcements like this one were prepared and printed by the more community minded members of the Haight establishment. The funeral was held in the little, mountainous park at one end of the neighborhod. It was followed by a procession in which the body of Hippie was carried through the community in a coffin and finally burned. It was reported that somebody from Playboy magazine was one of the pallbearers and that the coffin itself contained several beards, a number of strings of beads and two kilograms of marijuana.

The event—a publicity stunt itself—was staged to express a common indignation at the lava flow of publicity that hippies and the Haight-Ashbury have been treated to throughout the spring and summer.

"There never were any flower children. It was the biggest fraud ever perpetrated on the American public," pronounced Teddybear, dope dealer and social commentator, "and it's your fault, you, the mass media, did it. This wasn't a 'Summer of Love,' this was a summer of bull and you, the press, did it. The so-called flower children came here to find something because you told 'em to, and there was nothing to find.

"They got all the rules written down for them, how to dress, how to behave, what to say. They only had to turn on their television sets or open a magazine or a newspaper and read, 'Come to San Francisco, the City of Saint Francis, with a flower in your hair.' You told 'em to come here and everything would be free, free crash pads, free food, free dope. It never happened to me. The only things I got free was from my friends. Truthfully this community is based on dope, not love."

Several hundred conversations with some of the thousands of young people who came here to cop dope and catch bronchitis in the cold San Francisco summer show a large number of them heard about the Haight from the mass media. Most of them also reported they felt misled; their local newspapers and television stations had promised them a utopian community of distributive democracy, and what they found was a violent and viciously exploitive little society, a living replica of the adolescent savagery depicted in the novel, "The Lord of the Flies."

No great harm was done. The majority only stayed a few days decamping elsewhere by car, thumb and airplane as others who'd read the same newspapers and magazines replaced them.

Because of the diversity of the population that mass media called hippies it was possible for a reporter to find anything his editors wanted to find in the Haight. Some appeared to want sex so that journalistic voyeurs found the material for many stories of prurient indignation. But just as many concentrated on what they imagined was hip social philosophy, and, above all, on love. In the smoking, fatal summer of 1967 "flower power" may have seemed hopeful in a way no message from a pulpit could be.

It made no difference that these flower children were armed or even that in terms of old-fashioned police reportage, the reporters were passing up the criminal aspects of the biggest crime story since prohibition.

White collar crime, or in this case crime by white collar people, has always been under-reported by the media and the police, just as it also has been underprosecuted by district attorneys.

As an editor of a San Francisco paper remarked, "The children of some of our very best families are involved in this and it makes handling it very difficult." (San Francisco debutane Melinda Moffett, 19, was arrested in a Haight dope raid in the company of Superspade, a big-time dope pusher who was later murdered.)

The Neo-American Church, a network of people that exists to propagandize and propagate dope, writes in its catechism: "Infiltrate and take over the communications and entertainment industries." It adds parenthetically. "This objective is close to being accomplished."

The Neo-American Churchmen, who use dope as a sacrament, may be right. On Sept. 24, CBS presented coast-to-coast in living color an hour-long marijuana spectacular. Lucky Strike and Champion spark plugs paid for the time and talent but their products only got plugged during the commercials. The Smother Brothers, whose show it was, had Herman's Hermits singing a song called Green Street Green—"Get yourself a little green." (Green stands for grass, a synonym for marijuana.)

This was followed by a song called "Day Tripper," after which a Haight-Ashbury hippy girl was yanked out of the audience for a little spontaneous ad lib. This creature's name turned out to be "Goldie Kief," two more synonyms for pot.

The flower child made jokes about being high and then presented one of the Brothers with a necklace made of "seeds" which, she explained, are like oregano (an herb that resembles pot.) She went on to say you can use these seeds for making brownies, a favorite recipe used by nonsmokers who still want to get stoned.

The Smother Brothers' dope huckstering is the last of a long chain of presentations to the white, educated middle class public.

The beginning might be dated from Aldous Huxley's publication of "The Doors of Perception" in 1954. Here we see dope in its elite stage as Huxley writes about the effect of mescalin on him as he examines Seurat's paintings and listens to Gesualdo's madrigals. At this stage dope taking is restrained, exclusive and associated with highly articulated sets of esthetic ideas.

Later, in the hands of Leary and Ginsberg, it becomes religious and political; the product is advertised in a way that will attract more people. It is hooked on to music—the singing commercial—but it is still limited in its appeal both because the religious ideas are exotically incomprehensible to most Americans and because the political ones seem rude and somehow subversive even though they are based on ancient political slogans.

Its next evolution is Time magazine where dope is presented both as stuff kids use a la Wheaties and as mildly radical, but perhaps connected with the unpremeditated love of primitive Christianity. Finally the Smothers Brothers sell it on CBS with the bland, un-differentiated message of the ordinary TV commercial—for a headache, take aspirin, for tension take Compoz (the little blue pill) and for a low, take pot, a new, improved product that's better than liquor; you get high but not hung over.

It has taken considerable finagling of facts and people for dope to be presented in the attractive light it has been. This hasn't been easy with photography because pictures don't lie, but liars take pictures. The ones coming out of the Haight of lovely, otherworldly girls floating in flowers and pastel butterflies have as much relationship to what goes on there as a shot of Bob Hope entertaining the troops does to the war in Vietnam.

One Sunday morning a wildly painted bus stopped in front of Betty Gip's house at 870 Ashbury Street high up on the hill overlooking the Haight.

Betty has an "old man" named Wil Garet, and Wil is making a documentary movie of the drug scene. To make this sequence 40 or so hippies have been rounded up to take the bus some miles south to an obscure commune at Ben Lomand, Calif., where, once in the mountainous countryside, they will be supplied by Wil with music, food and acid. After they're thoroughly stoned he will photograph them.

When they arrive the day is so beautiful and Wil is so happy that these are the last shots for his picture that he not only gives out 65 acid tabs (his count) but takes one himself. He's foresighted enough to have hired a regular, turned-off TV camera man, so there is somebody with the presence of mind to make the shutter adjustments when the boys and girls now spaced out of their heads, wander down to the brook, strip and swim naked in the waters. As they do, Wil photographs this spontanous, unstaged scene for the documentary.

Radio Station KMPX is the San Francisco station that all the heads listen to; it is radio Free Hashbury, the only station in the world where you'll see hips, frozen in the lotus position in the lobby. The Haight comes there every evening to chat, to ask for announcements to be put on the air, or listen to the music and use the crayons and paper supplied by the management for itinerant speed freaks who have to do something with their hands. Most of all the Haight comes to watch Tom Donahue, the 350-pound program director and disc jockey who broke with the top-40 idea to play albums, mostly dope music.

This huge, bearded man with a strand of beads, a sinister face, and a tiny old lady named Rachael who rolls his joints and takes care of his correspondence, has made a seeming success out of the FM station.

The company, he explains while he talks about going to India to sign Mrs. Ravi Shankar to a recording contract, has hit it so big they've bought another station in Los Angeles. If the FCC approves the sale, Donahue expects that the same format of institutionalized dope music and service to the drug community will be used there.

KMPX doesn't yak-yak about dope. None of this, "Hello out there, all you dieters," the way top-40 deejays do. "One thing some of the top-40 stations do is drug talk, but we don't do it." says Donahue. It's usually alcoholic deejays who do. We don't even use slang. They do because they're looking for the youth audience."

For KMPX's audience mass media institutionalization has advanced past cute "in" remarks; it's enough to play the drug music and provide the public service announcements to the hip world. "Listen, if you want to print what's going on here, just print the lyrics of County Jo and the Fish's song 'Bass Strings'," Donahue says as he plays on the air. Very acidic, soft and reverberating, a many chambered path out, out far away:

"Hy pardner
  Won't you put me around
My world is spinnin', yeaaaaaa
  Floatin' alllll around
Yea, you know I've surrrre
  Got this moment down
It's so hiiiiiii this time
  That I know I'll never come down
Aaaaaaa . . . ohhhhh . . . never come
  down."

[From the Washington Post, Oct. 28, 1967]

The Acid Affair—XIV

(By Nicholas von Hoffman)

HAIGHT-ASHBURY, SAN FRANCISCO.—After many hassles Raena Love, Tracy and Ego moved to the house at 1419 Laguna in the Filmore district, the Negro section of town.

They'd been living in the Hip Job Coop, sleeping in bedrolls in front of the Hindu altar. Even though Ego wasn't yet two years old he seemed to like it, the Eurasian baby whose Chinese father was unknown. Conception involved some kind of wild party, Raena said once, with Chinese, but you can't be sure Raena means anything she says. She's no longer the little girl who went to high school at Luther South in Chicago.

They'd had trouble finding the house on Laguna. After they found it, Tracy's car with all her clothes in it had been busted by the cops. Finally the three of them had gotten there and rented the upstairs out to an acid band so the place thundered with electrified vibrations but nobody minded, not even Ego.

"He's a turned-on little kid, Ego is," said Raena. "I used to give him acid, but kids don't need acid. Kids are naturally turned on. Kids are born knowing everything. I'm not even going to teach him to talk. No, he won't forget anything growing up in this environment. It isn't plastic."

It wasn't plastic; the pots in the kitchen with dried or rotting remains of cooked natural rice, the smells of rancid rags, everything putrescent and looking like it had a thousand swarming white bugs under it. They all slept in one room, including Augie Lowe, who shared Raena's mattress. This evening they were naked lying together as Ego slept nearby. Tracy roamed the rooms reading I Ching.

Augie sat up and peered shortsightedly into the indistinct room before picking up Raena's remark about children: "I think people should live backwards. They should be born old and grow younger until you turn into a baby and climb back into a womb and disappear."

"I was busted when I was 14 years old in Bethesda, Md., for pushing amphetamines," continued Augie. "I'm a minister of the Neo-American Church. My title on the East Coast is Boohoo of the Bethesda Bag, but in the West I'm a Primate. . . . To be a Boohoo? You have to be a decent trip sort of guy. You have to be a philosopher, a priest, a warlock."

"A lover," interjected Raena.

Augie and the others conform to the general pattern of what the turned-off public thinks a dope fiend is like: the disorganization, the filth, the incoherent metaphysical lunges out into God knows where. Raena, who's dropped (taken) acid about 200 times, exhibits some of the symptoms of a person who may have taken too much. She has the beginnings of the tell-tale homogenized acid personality, which Dr. Jolyon West, chairman of the department of psychiatry at the University of Oklahoma, likens to a punch-drunk fighter or a frontal lobotomy. (Not the vegetable type, but where the operation has been successful.)

The Boohoo of the Bethesda Bag doesn't show these signs, though he records that he's dropped acid twice as much.

Almost nothing is known for sure about the abiding effects of this drug. Even West, who started experimenting with it in the early '50s, doesn't have much more than hunches and he has worked with physiological reactions to it and also studied it as it is used in social situations. He can cite case histories where acid seems to have impaired brain function and others where it may have played a part in helping people.

Whatever else acid is, it's powerful. Dr. West killed a 7000-pound male elephant named Tusko with it during the course of some experiments on musth, a male elephant affliction. "You should have seen me there sitting on top of Tusko's head shooting anticonvulsants into his ear."

The consensus is that anybody who takes acid is playing a risky game with his cerebral cortex, particularly if he's much under 25, that is before physiological development is complete. Even among people who never have one of those outrageously bad trips that end up in the newspapers or the hospital, the signs of some kind of brain damage are there; but no one can say if they will set in after the first, the 50th or the 500th trip. There are also cases of people who report taking staggering amounts of acid with no obvious ill effects.

The ratio of good trips to bad trips on acid is sufficiently favorable so it will be around for a long time. "Human beings like to get high, to get out of themselves. It's universal," remarks Dr. West. "Even very small children run around in circles so they can get dizzy."

Under the circumstances, telling horror stories to the young is a dubious practice which may only discredit the story tellers. This happened with pot. Adults told young people things of which there was no evidence, and now it is impossible to convince them that marijuana is any more dangerous than chewing gum.

The other side is making exaggerated claims, too. It's being said the pot smokers and dope takers in general don't drink alcohol, which is just another form of dope. This isn't so. Acid, pot, speed, smack and alcohol are different kinds of highs. They're not mutually exclusive, except for certain psychological types who greatly need one particular form. Many dopetakers drink when they're high, and others, people who've been strung out (more or less addicted) on speed or smack, give it up to become booze hounds. They'd rather get juiced than stoned.

The way some people switch their poisons casts doubt on the usefulness of the idea of addiction. There are a lot of people walking around the Haight who say they've been hooked on smack and kicked it. There's no reason to disbelieve them. There are also many reasonably well-authenticated cases of speed shooters giving it up. Addiction or dependence may not be an inevitable and mechanical thing, but may depend on the person and the circumstances.

There may also be truth in the assertion that pot leads people to take stronger dope. Getting stoned on pot can be very tedious if you do it often enough, and if you're in a dope culture the next step is a more interesting high. Many dope takers say they began with marijuana.

But others report they got started by sniffing glue in high school, although that may well go out as pot becomes more easily available to the American high school student. Another group—this isn't a small one either—reports they were first turned on by their family doctors. The pattern involves a doctor writing a prescription for a month or two months' supply of dope without requiring the patient to report how he feels. They found they were getting high on the stuff and liking it. Yet another group says they first turned on in college with the amphetamines they used to stay awake to cram. "Universities are proselytizing centers for dope," remarks Peter Cohon of the Diggers.

None of this should be taken to mean that a whole generation is becoming dope fiends. From the nonstatistical evidence at hand it appears no more likely that smoking a few reefers or dropping a couple caps of acid makes a confirmed addict than a few bottles of booze make a drunk. In both cases most users limit their intake. Moreover, the dope world, like the booze world, is becoming sufficiently institutionalized to teach the young how to do it properly.

They are told, "Don't take dope among strangers." "Don't buy from dealers you don't know—don't put just anything in your mouth." "Learn what kind of situations you can't take when you're stoned so that you don't blunder into them and freak out."

"Freaking out" is dope's equivalent of the hangover or getting sick to your stomach.

There is a swirling, inconclusive debate about harmful various kinds of drugs are. But it may be beside the point.

The chances are that all of them are harmful, even marijuana, but what does a free society do if hundreds of thousands, perhaps millions of its citizens, insist on having these drugs?

Serious enforcement of the drug laws, particularly as they relate to marijuana, will require vastly increased numbers of policemen and undercover agents in our cities and on many college campuses. Since the principal source of imported marijuana is Mexico, the border will have to be sealed with narcotics agents.

Marijuana grows wild over much of the United States—large amounts of it have been sighted and picked in Kansas, Iowa, Illinois, Wisconsin and Michigan. Furthermore there are probably dozens of other substances that ought to be outlawed if marijuana is prohibited because they can be used as more or less satisfactory substitutes: morning glory seeds, parakeet food, a weed called scotch broom, airplane glue—the list is endless.

Until the day Congress takes another look at the situation we can anticipate more turmoil and more pain, although altering the illegal status of marijuana, the mildest of these drugs, will not prevent people like Augie from hurting themselves. It is argued by some that if the drug is legalized individual agonies won't be criminal and the people who are in trouble from using them will be easier to find and to help than was Augie—dejected, confused, homeless, distracted, ruined by dope and living by it.

"Raena went crazy," he said a few weeks after the scene on Laguna Street. He was standing on the corner of Haight and Ashbury. "She was really freaked out. Threw me out of the place. I don't know what I'm going to do. I've got the clap. Say, could you drive me to the hospital?"

[From the Washington Post, Oct. 29, 1967]

THE ACID AFFAIR—XV: THE SCENE SHIFTS TO DISTRICT OF COLUMBIA

(By Nicholas von Hoffman)

"We are the people our parents warned us about."

—COFFEEHOUSE WALL, 1967.

The young ones, in their early teens, drifted into the autumn park for the Be-In in the Georgetown section of Washington. Across the lawn and down a slight grade was the Balloon Man. The young ones couldn't see him sitting on a bench filling balloons from his green steel bottle. There were too many other young ones crowding around him with flat, shriveled balloons in their hands, pressing toward him, supplicating him to fill them up with the wonder-making gas.

When they grasped what he was doing they ran down to him. They pressed in and got free balloons from the girl friend of the Balloon Man, whose name is Roger, and waited for their turn. When it came he turned the cock on the end of the rubber hose so that the freon-22 inflated the balloons.

Even before they turned away they put the balloons to their mouths, letting the gas fill their lungs. Eyes watery, wide and unblinking, they held the gas in their lungs until it acted on their brains. As it did they lost balance, began to stumble, fall down and pass on elsewhere into a state of gassy intoxication.

Roger was in hilarious excitation. "I've filled 600 balloons already," he cried, "and lots have come back for refills."

"Won't it kill you? People died from it," a little girl wanted to know. She was referring to the reports that several people had died from the refrigerant, which turns to a cold liquid under pressure.

"No, no, not as long as you don't drink it," he reassured her. "Don't believe the yellow press and their lies. It'll make you feel good. Remember, the yellow press hates hippies."

Roger said he was 21, an only child, a student at the University of Maryland and the son of a refrigerator repair man.

The adolescents, no longer latent, demanded more gas, but the Balloon Man was getting tired. "That's all for awhile. I want to take a rest . . . you're the last one . . . ok, I'll give you some if you want to take it directly from the tank," he said to a boy whose pursed lips were prehensile as they strained for the nozzle.

In copses and along the side of a shallow ravine that bleeds off toward Rock Creek Park, small groups of older young people smoked pot. The strolling straights, adult rich from the neighborhood, sauntered through the grounds of Dumbarton Oaks and the brightly colored air of an October afternoon in Georgetown's Montrose Park.

A few were nettled. These kids were lousing up the park. "Where did they come from?" an older man asked. "Did they come from the P Street beach? What are they doing? There's gas in those balloons."

The Balloon Man was off with a few others explaining why he was doing it. "It's legal. They can't bust you for getting stoned on it, so I had this idea. Why not give it away? I walked into a store and bought it off the shelf for $10. People were offering money for some but I didn't take any."

"It's a bad high," somebody said.

"Yeah, I don't like the high from it," the Balloon Man argeed. "You get a dead head from it afterwards."

A brunette chick was impatient with this conversation about "body highs" and "head highs," the connoisseurship of the true head. "I just want to see how high I can get. Give it to me from the nozzle and don't turn it off until I say."

The Balloon Man did but he stopped dosing her before she signaled. "I don't want you to take too much. I don't know what it'll do," he said, as the little chick began falling over backwards off the bench she was sitting on. Somebody caught her.

This is, of course, merely one vignette of the Washington scene at the junior high school and high school level. To what extent it reflects use of drug substances—freon, glue, tobacco and aspirin concoctions and so on—has not been scientifically measured.

There are dope scenes in every city of any size. Through the underground press, through cross-campus contacts, through youth's endless coming and going, the news spreads about what the scene is like.

This summer the main scene was San Francisco, the Haight-Ashbury; next summer it may be Denver although there's talk now of making it London, England. The acid industry will probably stay rooted in its headquarters, but the thousands of young people who gave the city new fame may create a scene elsewhere.

The youth scene encompassed far more than dope. There is mobility, the adolescent need for locomotion, and this generation is traveling as no other. The automobile of the twenties and thirties gave youth a city-wide range, but the Federal highways system, the half-fare youth plans and cheap bus transportation has increased the range to cover a continent. The proof of the ease with which they can swoop down and congregate any place was a totally different scene—the recent Washington peace demonstration.

The word went out and those who wanted to came. A second change which made both Washington and the San Francisco scene possible is that the word *can* get out. American youth now has its own communication system which can be monitored but not controlled by the adult world.

Both San Francisco as one example, and the Washington demonstrations as a wholly different one, show a growing complexity, competence and worldliness in the youth scenes that are being created now. For a long time only juvenile delinquents and affluent playboys on college campuses had scenes. By today's standards, they were simple, very local affairs that seldom progressed beyond panty raids and rumbles. The 1950s saw more complicated scenes that were a little less temporary, a little more institutionalized: the surfing scene, the Fort Lauderdale bacchanalias, the jazz and folk festivals with their growing undertow of political and social meaning.

In the late 50's, the civil rights movement brought to life the first national, semipermanent youth organizations that adults could not control. (Organizations like the National Student Association are older but they've had a good deal of adult guidance and manipulation of which the CIA episode is the best known example.) The Student Non-Violent Coordinating Committee and Students for a Democratic Society both owe their origins to breaking away from adult sponsoring organizations.

The intellectuals in the Haight-Ashbury have read social critics like Paul Goodman, who says the sign of adulthood in the coming society will be the Ph. D. They are aware they are surplus people, or "personnel" as they like to say it, and that schools exist not only to teach but for other social purposes unrelated to education.

When during the course of the riots this summer Vice President Hubert Humphrey suggested the school year be lengthened to a full 12 months as a means of social control, a number of kids in the Haight took his words as proof that schools are sometimes used as camouflaged jails.

When Mario Savio, the leader of the Free Speech Movement at Berkeley, coined the phrase, "Don't trust anyone over 30," his meaning was political. He meant don't trust anyone who had been cowed by the McCarthy period, who'd had the spunk scared out of him. Adults took it to mean there is a "generational gap" across which it is almost impossible to talk.

However, what the slogan unintentionally signifies is the lengthening of the age of adolescence to thirty or when you get your Ph.D. and it is this lengthening that accounts for the competence and sophistication of much that happens in the segregated playpens of youth like Haight. Our working definition of youth now includes superlatively well educated people who have all the skills needed to build or destroy on an impressive scale. People were shocked at Savio's ability to outthink and out-maneuver the university's officials, some of whom paid for their failures with their jobs; people are astonished that youth could build the Haight scene into a new industry; people are outraged that youth fake out the military and penetrate the Pentagon.

They shouldn't be. A twenty-four or twenty-five-year-old "youth" with several years political experience in mass movements who may also be a candidate for a doctor's degree in chemistry or history can be a skillful and resourceful opponent.

This summer the Haight was glutted with runaways, white middle class high school dropouts. One of the things that makes the

Haight scene so new is that for the first time kids who drop out have a choice of doing something besides joining the Navy or becoming dishwashers.

Making the scene in the Haight isn't all dope.

Many of the young people who went there put the place to their personal use. For some of the wallflowers and misfits at home, the scene was the first time in their lives they could comfortably belong to any kind of group. For others the scene was a place of perfect social weightlessness where they could play any role or none. This may have been very important for only children and eldest children, the people who must carry the heaviest weight of parental ambition.

There seemed to be a lot of them, kids bent over from being told they must be doctors or lawyers, kids crushed by the assurance they were getting a better start in life than their parents, kids who grew having their lives arranged in the shape of their parents' ambitions for them.

For some kids the scene was a place where they could confront the demons of adolescent sex and make it with a girl or a boy for the first time. For others it was a place to find themselves in the angry, withdrawn cloud of identity diffusion. You could make the scene and be a hippy which is better than not knowing who you are; or, you could try different roles, and dress for them. You could be an Indian, a frontiersman, a soldier, a magician, a clown, a blower of minds, a mother, a floozy, a busybody, a nobody.

You could make the scene in the Haight and make a new you and if you didn't mind it, throw it away and make another you.

There are many ways they can use a scene. You can use it to find the solidarity of the tribe, the blood brother and you can use it against your family like Candy, an 18-year-old girl who ran away from a wealthy home.

"My relatives wouldn't believe it if they could see me. They didn't think I could make it alone. I want to go back there with a pocket full of money and show it to them. They'd probably think I made it living with an older man. I've been offered money for sex. One man offered me a hundred dollars but I wouldn't do it. My family would never believe how I made it, that I sold ten keys of grass today. I bought at 65 and sold at 70. I never even touched it and I made fifty dollars.

"Am I going to have stories to tell my grandchildren. How I sold dope, how I sat around and shot up and caught the —. Do you know my aunt used to say I wouldn't last five seconds without anybody to pick up after me?"

Freon "High" Could Be Unwary Hippie's Last

An expert on poisons said yesterday that a balloon filled with freon contains "probably a lethal dose or very close to it."

Commenting on a story appearing on page G1 of today's Washington Post, Dr. Robert Dreisbach said in a telephone interview that there is a very narrow range between the point where freon produces a "high" and the point where it can kill.

The article, fifteenth in a series titled "The Acid Affair," describes a be-in in Montrost Park where hippies got "high" by holding freon in their lungs. They sucked the gas from balloons.

Dr. Dreisbach, professor of pharmacology at Stanford University School of Medicine, is author of the "Handbook of Poisoning."

He said that when freon gas turns to a liquid, it freezes the inside of the mouth. Even holding the freon in the mouth can cause death, as in the case of an 11-year-old Greenwich, Conn., girl who died Oct. 2 after inhaling freon 12, used to frost cocktail glasses.

ADDRESS BY SENATOR SPONG BEFORE VIRGINIA EDUCATION ASSOCIATION CONVENTION

Mr. HOLLINGS, Mr. President, the distinguished junior Senator from Virginia [Mr. Spong] has not been one to speak often or on matters of little import. Conversely, when the Senator does speak, he speaks with clarity, purpose, and compelling logic.

Senator Spong delivered such a speech this past Thursday to the Virginia Education Association convention in Richmond. His subject was the conduct of our foreign affairs, past and present. He pointed out the evolution of our method of conducting these affairs from the time when our foreign policy was viewed in such terms as "manifest destiny" and the idea of a chosen people through the period of making the world "safe for democracy" and a "war to end all wars" to the present time when our involvements no longer appear so simple and our people are not always convinced their Nation is morally right.

As Senator Spong pointed out, in this day and age, the task the average man faces in sorting out the confusions and choosing alternatives is great. Senator Spong calls this "the challenge to the individual citizen, to our Nation and to our education system in particular." I agree. I also agree with the Senator's assertion that "if we fail to solve these problems there is the possibility that there will be no others to solve."

I feel that Senator Spong's discussion of our foreign policy from the past to the present is an excellent historical analysis, one which should not escape the attention of any Member of the U.S. Senate. I commend the Senator from Virginia and recommend his speech to every Member of the Senate.

I ask unanimous consent that his remarks be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Excerpts From Speech by U.S. Senator William B. Spong, Jr.

The United States, according to a number of historians, grew up with an illusory innocense, particularly in the conduct of foreign affairs. Removed from entangling alliances and ancient quarrels, safe from foreign hostilities and possessed of almost unlimited resources, the United States moved forward adhering to myths and unrealities.

United States foreign policy was viewed in such terms as manifest destiny and the idea of a chosen people. Perhaps no better example is available than President McKinley's relation of his 1898 decision for the U.S. to take the Philippines. He said that after many hours of prayer, he knew that there was nothing for the U.S. to do but to take the islands "to educate the Filipinos and uplift and civilize and Christianize them, and by God's grace to do the very best we could by them . . ."

As can be seen, this illusory innocense also carried with it a moralism, the idea of a clearly drawn line between right and wrong and of a national conscience identified with right.

And, the innocence and moralism carried with them a further element: emotionalism. The United States entered two world wars, not ostensibly or vocally to preserve our own interests, but, for example, to assure "freedom of the seas" and "to end all war."

Now, however, the old concepts have been challenged. Our involvements no longer appear so simple and our people are not always convinced their nation is morally right. We have not found the universal truths and realities, if indeed there are such, to replace the old innocense. We have tended to cut down the old, but have not found an adequate substitute.

We are said to live in an age of anxiety, prompted by nuclear development. Many of our citizens are no longer certain of their fate or of the government's ability to maintain security and prevent nuclear destruction. The military-industrial complex has become a technological enigma to some citizens, who fail to understand modern weaponry and data processing. In addition, certain people are confused by policy proclamations. While our innocence and self-righteousness have been denounced, a lucid statement of policies and interests has not been substituted. Some citizens are faced with two other problems: lacking the sophistication and the classified information which the government possesses, they do not completely perceive the intricacies of international politics. Deprived of simply stated aims, such as "making the world safe for democracy," and uncertain of the "rightness" of the cause, they cannot always justify the nation's aims and actions. And, all too often they are frustrated in attempts to express dissatisfactions.

The task the average man faces in sorting out the confusions and choosing alternatives is great. The disaster which will result from the failure to resolve these problems is greater.

This is the challenge to the individual citizen, to our nation and to our educational system in particular. For, if we fail to solve these problems, there is the possibility that there will be no others to solve.

We must look beyond the myths and misconceptions of our history and our foreign policy. We should not abandon our principles or our ethics, but we must be honest and we must have a reasoned honesty. We must see our interests for what they are: We must preserve peace and secure a society which offers the ultimate in opportunity. And, we must be definite and open about our goals. For, if our goals are reasonably and honestly determined, the chance of their being the right ones is enhanced.

Here is the main responsibility of education: to provide our citizens with the background necessary for understanding our technological complex and our international policies and to instill in them the ability to seek answers through honest and intellectual means. For only then is a rational and principled consensus possible.

We must accurately evaluate our world involvements and make logical choices for dealing with them. Governmental officials must certainly contribute to development of our understanding of foreign affairs, but the essential basis will always be a nation of educated individuals.

Our foreign policy of the post-World War II era has been particularly difficult to understand because it has been dominated by new forces and new concepts.

These forces and concepts collectively are called the Cold War.

After first becoming apparent in Europe the "war" became a global one. Like previous wars, this one involves a balance of power, attempts to preserve security through arms and weapons, and conflicting ideologies. Unlike previous wars, however, the Cold War thus far has engendered no massive encounter.

But the Cold War, like most wars, has not been static.

By the late 1940's, the democratic versus communist alignments in Europe had become clearly visible. The response of the United States was the Marshall Plan and then NATO. This was later followed in other parts of the world by SEATO, CENTO, and ANZUS, as the United States pursued a policy of containment. This was the policy of building an "imaginary wall" around the communist and communist oriented countries to confine them to their existing borders. Naturally, the communist nations opposed the containment policy, for ideological, geographic, political or combined reasons. And they probed for the weak spots in the policy.

During the Khrushchev era, the Cold War took a new ideological turn. There was somewhat of a "thaw." The concept of peaceful coexistence was explored. But the events of the entire post-World War II period are a seesaw of moves and countermoves. There was, for example, the Korean war, the Berlin blockade, the 1958 Middle East crisis, the shelling of Quemoy and Matsu, the Cuban missile crisis, the Berlin wall, and a banged shoe at the United Nations. But these events were interspersed with the Korean armistice of 1953, the Austrian Treaty of 1955, the test ban treaty of 1963 and various summit meetings. These are some of the events in the seesaw between provocation and accommodation.

Yet, neither the communist bloc nor the Western nations have been able to maintain a uniform stance. The communist monolith was weakened by Yugoslavia in the late 1940's, the discontent in East Germany and Czechoslovakia in 1953 and the Polish riots and Hungarian uprising of 1956. Likewise, the Atlantic partnership has not moved forward and European unity has not progressed in the manner conceived by many Westerners.

Recently, strengthened relations between the East and West have been proposed. We have been told of the "new feeling" in Europe—of the desire for increased trade and better relations with the East. Even in West Germany, where the Cold War has been fought so hard, the government has begun to explore new dealings with Eastern Europe. We hear discussion of and support for dente. Our oldest ally, France, finds the principal Western alliance, NATO, no longer necessary.

But this is not the complete picture either.

The Soviet Union, which historians tell us has always sought access to the sea, steadily increases her maritime strength. For instance, the Russians have just begun construction of their first aircraft carrier, a vessel often associated with offensive rather than defensive strategy. In May of 1967 a Soviet vessel collided with the U.S.S. Walker in the Sea of Japan. Increased Soviet activities become apparent in the Norwegian straits. Soviet ships, which the U.S. Ambassador to NATO has said were infrequently seen in the Mediterranean in 1963, are commonly sighted now. And, shortly after the Middle East crisis in May, Soviet vessels in the Mediterranean came close to matching U.S. vessels in number, if not in strength.

Soviet arms and weapons continue to pour into the Arab nations of the Middle East during a period of insecurity. It has been shown that the United States has little influence with Israelis and that the Soviet Union cannot control the Arabs. Yet, the Soviet Union continues to maintain personnel in the area, where ultimately a confrontation is likely. Thus, the Middle East, in many respects, poses as explosive a threat to world peace as Southeast Asia.

These recent events lead to but one conclusion: the Cold War is not over; the end is not even in sight. The locale has not merely shifted; it has expanded. And in its expansion, it has come to encompass new areas where local fears and hatreds can be exploited and used.

These events call for a continued leadership on the part of the United States. And, as has been our policy since the creation of NATO, we must lead from a position of strength. This strength must, however, be tempered by reason and responsibility.

We must look beneath the surface of recent events and beneath our old myths and prejudices. We must, for example, evaluate Soviet arms shipments to the Middle East in light of the "hot line" communications made by Soviet leaders during the early hours of the crisis. And, we must evaluate the entire situation in terms of national goals and interests. We must also, for example, distinguish between a Berlin Wall and a collision in the Sea of Japan, without assigning the same degree of provocation to both.

To be able to follow such a course, an educated nation becomes imperative and your jobs take on a new importance. For, citizens must be able to understand the degree of the technological threats and the realities of our international relations.

THE METRIC SYSTEM

Mr. PELL. Mr. President, the American Pharmaceutical Association is to be complimented for its excellent article on the metric system, written by S. Goldstein, Ph. D., in the Journal of the association.

I believe that it is urgent that this country study the feasibility of a switch to metric and have for the past 2 years introduced bills urging such action. The excellent article by Dr. Goldstein does, I believe, offer important reasons why this country should at least study the potential benefits of going metric. I ask unanimous consent that Dr. Goldstein's article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Pressure (in Pounds) for Metric System in United States of America

(By Samuel W. Goldstein)

The United States will eventually be converted by law to the metric system of weights and measures.

A Nostradamus would not hesitate to make this prophecy and a farmer's almanac, basing its predictions on past events and trends, would print it in bold type.

The modern historical period of weights and measures began in the 16th century and since the 17th century the efforts of all the leading nations have been directed toward scientific accuracy and simplicity and, during the 20th century, toward international uniformity.

ORDER OUT OF CHAOS

The 16th century's greatest trading nation, England, found its trade and commerce in a state of confusion due to the different systems of weights and measures in use at home and among its colonies and dominions. Different groups of merchants and artisans were using systems such as "avoirdupois," "troy," "apothecary" and others.

Description of a "yard" as the distance from a monarch's nose to the fingertip of his outstretched arm is certainly simple. The accuracy and uniformity are questionable when the same system is applied by persons with different physical endowments or even by the same person with an occasional rheumatic twinge in his elbow or shoulder. Moving to the scientific approach, English scientists developed the imperial weights and measures which were legalized in 1826. It was determined that the length of a pendulum adjusted to vibrate in seconds of time, in the latitude of London, in a vacuum, at sea level, was equal to 39.13929 English inches. Since it had been established that there were 36 inches in the yard, the portion of the invariable pendulum marked at 36/39.13929 of its lentgh became the standard yard. The result was compounded confusion caused by the addition of still another system of weights and measures to the already muddled marketplace. England's dominion of Canada accepted the imperial system but the newly independent United States of America would not abide by a Parliamentary decision.

Other countries had evolved their own styles of confusion in weights and measures. In 1685, Huygens, a Dutch astronomer, striving for uniformity in measurements recommended that a meridian (a circle around the earth through its poles), being practically of invariable length, could be the basis for standard measures of length. In France, the revolution (1789–1799) did not halt the French movement toward a uniform system of measurements. In 1790, Prince de Talleyrand (then Bishop of Autun) distributed among the members of the Constituent Assembly of France a proposal to found a new system of weights and measures based upon the principle of a single and universal standard. He preferred the pendulum over the part of the earth's circumference as the basis.

In 1791 a select committee reported to the French National Assembly in favor of a system of measures and weights related to a terrestial standard and commissions were appointed to measure an arc of meridian and to perfect the commensurability of the units and the nomenclature. The resulting metric system conceived the basic unit to be the meter, intended to be equal to one ten-millionth of the earth's quadrant.

Thomas Jefferson returned to the United States in 1789 from France where he had assisted Benjamin Franklin and then succeeded him as minister to France. It was there that Jefferson was made aware of the many agitations for uniformity in systems of measurement. In 1790, then secretary of state, he noted the confusion in weights and measures and advocated uniformity by limitation to one of the English systems or to a decimal system, such as that suggested by James Watt, the English inventor, in 1783.

In 1864 Great Britain legalized metric measures but their use was not made compulsory and in 1866 the United States followed Great Britain's example. The following years have shown that while scientists in both countries found the metric system to be an invaluable aid, the general public and established industries showed no inclination to change from a known system, no matter how confusing and difficult, to something new, no matter how logical and simple. And now, in 1965, Great Britain, by act of Parliament, is deserting the English system in favor of the metric system—allowing a period of 10 years for the mandatory conversion. It follows, that in the natural course of events, the United States also will make conversion to the metric system compulsory. The remaining question is *when?*

PRESENT STATUS

The metric system is almost universally used in scientific work. Since 1875 an International Bureau of Weights and Measures in Paris has provided prototype meter bars, equivalent to 39.37 inches. In the United States today all weights and measures are derived from the meter and the kilogram prototype standards maintained by the National Bureau of Standards. The international standard of length is still the meter but on October 14, 1960, the 11th general conference on weights and measures which met in Paris defined the meter in terms of the wavelength of light related to an isotope of krypton—

The meter is 1,650,763.73 wavelengths of the orange-red line of krypton 86.

This is the same length as the original standard platinum-iridium meter bar that has been the international standard since 1889 under the Treaty of the Meter. For practical purposes the prototype meter bars will continue in use but they can now be calibrated or checked for accuracy against ^{86}Kr light instead of being shipped to Paris for comparison with the standard bar.

When other standards of length, weight or volume are sent to the U.S. National Bureau of Standards to be certified, they are checked against the metric prototypes and the results of the measurements in meters, kilograms or liters are reported, as requested, in pounds, yards or gallons. U.S. industry and commerce with but few exceptions continue to employ the inch-pound system.

PHARMACY LEADS

The pharmaceutical industry has led the new movement toward total conversion to the metric system. This was probably a result of its saturation with scientifically and professionally oriented individuals. Most drugs, and definitely all the newer drugs, are manufactured and sold in kilogram, gram or milligram quantities or are incorporated in liters or milliliters of liquid dosage forms. Some strange combinations result from the meeting of old and newer drugs, such as dosage forms containing aspirin (in grains) and an antihistamine (in milligrams) in the same tablet or liquid medication. Some investigators, using the metric units in which the drug is supplied by the pharmaceutical manufacturer, report their observations on laboratory animals in terms of milligrams per kilogram of test animal. However, some of the clinical investigators will then recommend the dose of the drug in humans in terms of milligrams per pound of body weight. Fortunately, medical schools are orienting the next generations of physicians to think and write doses in terms of milligrams per kilogram of body weight and a newer concept of dosage relates the medication to body surface area as milligrams per square meter (mg/M^2).[1]

Advocates of the inch-pound system point out that a decimal system can be applied as in the automotive industry where the tolerance in the dimension of a part may be 0.000010 inch and the length of an automobile is given as 190 inches. Some retail food stores are using the decimal pound. The latter would be an improvement over packaging trumpeted as the supercolossal red, white and blue box (15⅔ ounces) priced only slightly higher than the family size yellow and green box (one pound). You cannot fool all of the buyers all of the time but there might be some who "off-hand" might not recall that there are 16 ounces in the avoirdupois pound. Those who maintain that the new system would confuse the buyer might explain how a contents declaration of 444 Gm could be construed as more than 454 Gm, regardless of the size or color of the package.

A newspaper version of predicted activities in the U.S. in the 1970's cities changing road signs, such as miles to kilometers (3280.8 feet, 1 K); Speed Limit 80 KPH; Underpass—3.048 meters clearance, and asks, "Does it sound confusing?" The article continues—

> According to experts, retraining people and repainting signs are the easiest part of a switch to the metric system.

One need not be an expert to agree; just think of all the immigrants to this country who quickly learned the more intricate U.S. system after living all their lives with metric units.

GOVERNMENT NUDGES

In the 16th century England could impose its system of measurements in most of its trading areas mainly because those areas were crown colonies, possessions or dominions, or they formerly had been. In the 20th century the United States of America, so endowed by nature as to be practically self-sufficient if it were satisfied to be a second-rate power, has become the greatest international trader and, as a result of forces of international origin, the guardian of all the nations that profess, for one reason or another, to believe in the concept of individual and national freedom. It also is engaged in international hot and cold wars based on ethical and theological ideologies and being waged in many ways, including commerce and trade.

Speaking to the American Physical Society on May 1, 1959, Lewis L. Strauss, then secretary of commerce, said—

> Outside of our Anglo-Saxon culture practically every nation has made this shift (to the metric system) during the past 150 years or so. Due to our delay in taking action and due to the complexity of our industrial system, this change will be more difficult for the United States than for other countries but when achieved it will also be more useful.

He further observed that the metric system is all around us. He did not foresee that it would be completely around us by 1975 when Great Britain (and almost certainly) the commonwealth of nations will be using metric units exclusively. Strauss continued—

> The problem, therefore, is not to make a revolution in measurement but to direct and accelerate the evolution which has been taking place. It is a matter of becoming conscious of this evolution and of giving it an assist. It is a matter of using the metric system more and more and the English system less and less. Naturally this evolutionary process will take some time. We still have very considerable amounts invested in the English system of measurement. Our culture has long been entrenched in yards, pounds and gallons and a reeducation will be necessary. Textbooks will require revision and instruments will require recalibration or replacement. The changes in our machine tools and in much of our equipment—containers for example—will be most difficult and costly. The switch from inches to centimeters in industry must be accomplished with minimal disruption but I do not think it will take years upon years. We simply cannot remain static but must recognize the conditions of our time and meet rather than be forced into the inevitable and logical. The time has come when the government should do something affirmative about a proposal which scientists have been reiterating since the days of Lord Kelvin (developer of the standard absolute temperature scale).

Strauss cited the need for a procedure by means of which the change can be carried out must expeditiously with the least cost, the least confusion and the least opposition. He noted that for certain areas of our economy, the changeover would give no apparent advantage; for other areas, an abrupt changeover would prove very costly. In land measurement, for example, considering American title history, it may take scores of years to convert to a metric classification—and such problems could exist in other fields—but there is no need for immediate conversion in those areas. Strauss voiced the hope that a number of industries would undertake their own studies on the problem of converting to the metric system and that, wherever possible, they will take voluntary steps toward effective transition to the metric system as has the pharmaceutical industry.

BRITISH LION ROARS

Probably the most significant stimulation to the moribund question of U.S. conversion to the metric system occurred not in the U.S. but in Great Britian. The mother country, that had burdened its offspring with its archaic system of weights and measures, told its independent, although still greatly devoted relative, to go its own way with its measures and weights. In the May 24, 1965 *Proceedings of Parliament*, the president of the British Board of Trade, said—

> The government considers it desirable that British industries on a broadening front should adopt metric units, sector by sector, until that system can become in time the primary system of weights and measures for the country as a whole.

Whether the British lion was roaring in defiance or anguish mattered little. India, on October 1, 1958, had already passed a law converting India to the metric system and making all other systems and units of measure illegal after ten years.

LEGISLATIVE ACTION

Three bills (HR 269, HR 2049 and S 2030) were introduced in 1961 during the first session of the 87th Congress calling for a study to determine the practicability and desirability of the adoption of the metric system; HR 2049 was introduced by Congressman George P. Miller of California. None of these was considered on the floor of either house during the 87th Congress. Representative Miller introduced a similar new bill, HR 18, in the 88th Congress, first session, on January 9, 1963. Another proposal to make such a study was HR 403, also introduced on January 9, 1963. No action was taken on these bills.

On January 27, 1965, Senator Claiborne Pell of Rhode Island introduced S 774, a bill authorizing $2.5 million for a three-year program of investigation, research and survey by the Department of Commerce to determine the practicability of the adoption by the United States of the metric system of weights and measures. The first witness at the hearings of the Senate commerce committee on this bill, July 14, 1965, was J. H. Hollomon, assistant secretary for science and technology of the Department of Commerce. Hollomon cited the Indian and British actions and stated—

> There can be no doubt that these trends and recent actions will have an important effect upon American industry and our foreign commerce. . . . I believe that our government should squarely face the problem raised by these trends.

Later that morning, J. V. Swintosky, president-elect, APHA Academy of Pharmaceutical Sciences, presented the APHA statement in favor of the bill and cited the conversion to the metric system in the pharmaceutical field as a tested and proven model that could be helpful in other fields. He was accompanied by E. G. Feldmann, director, APHA scientific division, and R. F. Steeves, director, APHA legal division. Swintosky stressed the following points—

> We believe that adoption of the metric system would greatly benefit the public and the industrial community and this has been supported by most research and scientific bodies in this country for many years.
>
> The convenience of use and understanding with the metric system minimizes the possibility of error in calculations involved during industrial manufacture of drugs or in compounding prescriptions in the pharmacy. Thus, there is an additional element of human safety in a convenient system of weights and measures for drugs.
>
> In recent years the major American pharmaceutical manufacturers have converted completely to the metric system. This has been done not only because of the greater assurance of safety to the human consumers of drugs but it also has been done because it enables greater manufacturing efficiency. Inventories, collection records, cost analyses and batch cards are conveniently maintained in the metric system, which in turn lends itself to ready use of data processing equipment.

Representative Miller has come to bat a third time with HR 2626 which would authorize the National Bureau of Standards to make the desired study relative to conversion. Testifying before hearings of the committee on science and astronautics on this bill, August 4, 1965, was T. J. Macek, APHA Councilor, who presented the APHA statement in favor of the bill. Macek was accompanied by Feldmann, who participated in the question period, and this writer who is secretary of APHA's Academy of Pharmaceutical Sciences. Macek noted that the convenience of use and understanding of the metric system minimizes the possibility of error in calculations involved in many industrial operations. Complete conversion to the metric system by pharmaceutical manufacturers has provided better and more uniform control and thus greater assurance of safety to consumers of drugs from possible errors which might arise in converting between different systems.

---

[1] This is described and utilized in the *Dosage-Posology Handbook (Usual Doses for Infants and Children)* by Harry C. Shirkey, BS (Pharm.), MD, available from APHA order department.

Even should a bill clear both the Senate and the House and be signed by the President, it appears that legal compulsion to convert to the metric system (or the International System of Units as it was designated in 1960 by the 11th general conference on weights and measures) would not begin before at least four years have passed. The reports requested in the bills are not to be submitted for three years. If legislative compulsion then is deemed desirable, the laborious process of running a suitable bill to that end through the fine legislative mill would only then begin.

It is difficult to foresee the number of inch-pound screws or nuts that might come loose or the wrenches that might accidentally fall into the legislative machinery. It is hoped by proponents that evidence of favorable progress in the study period will spur some industries to begin conversion before a law is enacted. Opponents, such as some manufacturers of screws, rivets and nuts, claim that the cost of conversion and the resulting adverse economic factors are so great that the study of how conversion might be effected and how that would affect their industry is an unnecessary expenditure. Some of the opponents' fears appear to be premature, or could they be voiced as statements preliminary to the bargaining and lobbying that will increase in tempo when, or if, the legislative process develops?

CONVERT WITH DELIBERATE SPEED

In view of the complexity and size of the United States industrial economy, any legislation requiring compulsory conversion to the metric system should include reasonable qualifying clauses. Conversion could be accomplished with due deliberate speed. Although the pharmaceutical industry has largely completed the conversion and the official drug compendiums hastened the trend by complete conversion some years ago, the use of the apothecary system has continued in catalogs, published listings and labeling. Pharmacy textbooks, practically converted to the metric system, still include study prescriptions written for the first editions of the books when the apothecary system was used predominantly. The editors, having spent many months in the revision of the texts, appear to have an aversion to converting the quantities in these timeless teaching examples of special compounding technics and practices or examples of incompatibilities. General conversion to the metric system might provide the incentive to make these slight changes.

The final stage of conversion might entail a three-year period to complete the conversion in the entire pharmaceutical field. It might require a ten-year period for an industry in which the machinery or materials depreciate rapidly or a 25-year period for an industry, such as "screws, nuts and bolts," in which the conversion period might be governed more by the time required for a new metric-oriented generation of workers to replace gradually the current older workers than by the time required for retooling and replacement of the current stock with products whose specifications are based on metric units. The educational system could retool as quickly as its teachers could be reoriented and its textbooks revised and replaced.

Hollomon summed up the purpose of the studies proposed in S 774 and HR 2626 as an assessment of the consequences of alternative courses of action—

1. General adoption of the metric system by legislation
2. Voluntary extension of metric usage industry by industry
3. Regulated partial conversion, segment by segment in identified areas over an extended period, with plans for handling the resulting coexistence of mixed systems
4. Solutions other than adoption of the metric system to mitigate the crucial problems without forced conversion by law
5. A system of financial incentives to those who voluntarily convert.

He hoped the study would ascertain to what extent the general welfare would be improved by encouraging or discouraging more widespread use of metric units in the United States and the effects of such action on our economic and technological development.

To those who have grown up in the pharmaceutical metric generations the way has seemed clear and unequivocable. The scientific areas of the profession and industry have long worked and communicated in metric units. Since 1957, when Eli Lilly and Company made the astounding announcement that it was converting to the metric system, all phases of the major pharmaceutical industry have converted. But we must not overlook the 50 years of education and preparation for these decisions and actions. We believe that a uniform system of weights and measures would be a boon to the United States and that the best and only unadulterated system available is the metric system.

THE 27TH ANNIVERSARY OF FOUNDING OF HILL AIR FORCE BASE, UTAH

Mr. MOSS. Mr. President, 27 years ago tomorrow the Federal Government began to build an installation. This has proved to be wise and very forward looking action on the part of the Government.

I am proud to note that tomorrow marks the 27th birthday of Hill Air Force Base near Clearfield, between Ogden and Salt Lake City. This vast air materiel area facility has grown from humble beginnings as a warehouse and logistic installation to a position of major prominence in Utah and in the entire Air Force Logistics Command. It was named for Maj. Ployer B. Hill, who died in 1935 while testing the original XB–17.

Hill Air Force Base is now the largest employer of civilian personnel in the State of Utah. Its responsibilities are truly worldwide. One of the most notable of these assignments is to provide engineering support to the Minuteman missile system. To this end, the base is now building an engineering test facility for the Minuteman II system. Hill engineers and technicians are responsible for making sure that America's most dynamic weapons system remains the free world's primary nuclear deterrent force.

Hill Air Force Base and the Ogden air materiel area are deeply involved in our military effort in Southeast Asia. Much of the logistics support for the troops in Vietnam is channeled through Hill Air Force Base. The F–4 is one of the aircraft maintained out of Hill. In addition, all air munitions are tested on the Hill range. I could go on.

The fact that this facility has continued to grow is a deep tribute to the thousands of military and civilian personnel assigned to Utah. The efficiency rating of this vast base is always high. Morale among the workers is high, because each employee realizes that his job is important and even vital to the overall defense of the United States and much of the free world.

It is with pleasure that I salute not only today's workers and military personnel at Hill Air Force Base, but I salute the foresight of those who realized that Utah could provide land area, a work force, and all other elements needed to assure the success of our defense effort. These goals have been met. This is affirmed by the fact that many of the tactical aircraft now operating in Southeast Asia use assemblies which are maintained and tested by the employees of Hill Air Force Base.

I am proud to be able to commend Hill Air Force Base on its 27th anniversary. We in Utah are proud of the work of our people at Hill and we wish them well during the next quarter century.

INEQUITABLE TREATMENT OF BLUE-COLLAR WORKERS IN DEPARTMENT OF THE NAVY

Mr. PELL. Mr. President, on September 27, 1967, I submitted for Senate consideration Senate Resolution 171, which was subsequently referred to the Committee on the Armed Services. At that time, I spoke of the unequitable treatment accorded to blue-collar workers employed by the Department of the Navy. This situation can exist under the present procedure under which area wage surveys are held to determine comparable wage rates. By surveying an unrealistic geographical area, one which does not truly represent the available wages contiguous to the work facilities, Department of the Navy wages are held down, and the worker suffers. This situation certainly does exist for the Federal workers in Rhode Island where one neighboring State low-wage area is included in the survey while a high-wage area in another neighboring State is excluded.

On Thursday, October 12, 1967, the Senate passed S. 2303, a bill to provide a uniform system for fixing and adjusting the pay of employees in recognized trades or crafts, and for other purposes. Surely, the intent of this measure, uniform treatment in geographical areas, is a good one. I should specifically like to discuss the new section 5342(c). Therein it is stated:

> The Committee shall establish wage areas for the determination of prevailing rates. In establishing such areas, the Committee shall consider the nature and similarity of the population, employment, manpower, and industry.

No further explanation of that section is contained in Senate Report No. 592, a portion of which I shall read into the RECORD:

> The new section 5342(c) authorizes the Federal Wage Board Committee to establish wage areas for the determination for prevail-

ing rates. In establishing such areas the Committee shall consider the nature and similarity of the population, employment, manpower, and industry within the area.

Mr. President, I believe that under the language of the law and legislative history printed, a clear mandate would be given to the newly established Federal Wage Board Committee to restudy the present wage survey areas. As I pointed out in my previous statement on this subject, these area determinations go back some 20 years and do not take into consideration either the population growth or the diversity of employment opportunity, both of which have occurred since the Second World War.

Specifically, Mr. President, it would appear to me incumbent upon any new wage board to take cognizance to the great amount of commutation of workers, not only from city to city but from State to State. One can only point with astonishment to the situation in my own area of the country, wherein a new Federal interstate highway has made it possible for workers to travel a great distance, but by doing so cause an adverse effect on wages in the areas from which they commute.

With this thought in my mind, Mr. Robert H. Willey, Director of the Office of Civilian Management, Department of the Navy, was asked for his understanding of section 5342(c), specifically if it would apply to the area wage survey situation. Mr. Willey has recently replied to my request for clarification. I am pleased to note that he stated:

> If this Act becomes law, it would require that the wage survey area . . . be reviewed.

I ask unanimous consent that Mr. Willey's letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE NAVY,
OFFICE OF CIVILIAN
MANPOWER MANAGEMENT,
Washington, D.C., October 26, 1967.

Hon. CLAIRBORNE PELL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PELL: In response to a telephone inquiry from your Office, the following information regarding the review of the wage survey labor market areas in connection with S. 2303 is provided.

The purpose of the Act S. 2303 is to provide a uniform system for fixing and adjusting the pay of employees in recognized trades or crafts, and for other purposes. This Act would establish a Federal Wage Board Committee is charged with the responsibility for prescribing regulations for the administration of the wage board system designated to accomplish the objectives of the Act. Section 1 of S. 2303 which would amend 5 U.S.C. 5342 states:

"5342. Federal Wage Board Committee

(c) The Committee shall establish wage areas for the determination of prevailing rates. In establishing such areas, the Committee shall consider the nature and similarity of the population, employment, manpower, and industry."

If this Act becomes law, it would require that the wage survey areas for the determination of prevailing rates be reviewed in terms of the criteria above and in accordance with any supplemental instructions that would be issued by the Federal Wage Board Committee.

If we can be of any further assistance, please let us know.

With kindest regards,

Sincerely,

R. H. WILLEY,
Director.

Mr. PELL. Mr. President, the information contained in Mr. Willey's letter will be received with pleasure by the many employees of the Department of the Navy. It would appear that an enlightened Federal Wage Board Committee will be achieved if problems such as the one I have spoken of are fully recognized and discussed by its constituent members; that is, the Federal employing agencies. The final passage of S. 2303 will present an opportunity to insure that those who work for the Federal Government are treated with fairness and equitability.

THE CONCERN OF YOUNG PEOPLE FOR THEIR COUNTRY

Mr. TALMADGE. Mr. President, there has come to my attention a letter written by the members of a Sunday school class in Decatur, Ga., to the President. I believe it is representative of the thought and concern of millions of Americans today.

These young people express a deep and genuine concern about many of the things that we have been witnessing in this country recently. I am thankful, as I know the people of America are, that these young people are the real spokesmen for youth today, and not the disgraceful types who denounce their own Government, in effect give aid and comfort to our enemies, and run amuck in the streets shouting silly slogans and carrying stupid signs.

This is a very fine letter, and the young girls are to be commended for their interest in our country. I bring it to the attention of the Senate and ask unanimous consent that it be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

INTERMEDIATE GIRLS CLASS,
REHOBOTH BAPTIST CHURCH,
Decatur, Ga., October 29, 1967.

The PRESIDENT,
The White House,
Washington, D.C.

MR. PRESIDENT: We are a Sunday School Class of thirteen-year old girls. We attend Rehoboth Baptist Church, Tucker, Georgia, on the outskirts of Atlanta, Georgia.

Realizing that we are the youth of today and the hope of tomorrow, we feel that we need to think seriously and take whatever action we can to improve the world in which we live. We would like suggestions as to the part we can play, right now or in the future, for our country. We realize the importance of being the best citizens possible but we would like to take even more definite action.

This is our reason, Mr. President, for writing a letter to you, that we may make ourselves heard on certain beliefs.

We believe that man was created by God and for God and we feel that because of the worth of all mankind that no man has the right to disrupt the lives of others by his protesting and rioting. We feel that our nation was established as a God fearing nation and the situation today would seem that our legislators are too easily influenced by man, when they should look to God for guidance.

It is our belief that civil disobedience should be prevented by law. There should be legislation to stop riots or any other form of civil disobedience and penalties should be established. Protestors and demonstrators have had their way too long. They are a disgrace to our country's image the world over. We are tired of draft card burning and sit-in demonstrating at our induction centers when so many of the fine youth of our country are dying for it every day. The government seems to go too far in trying to appease these types of people who are running our country down without actually doing anything to make this a better world.

Also, we do not believe that poverty is an excuse for laziness or justification for looting and rioting and that action should be taken against such un-American behaviour.

We do believe in the strength of prayer and we want you to know that our prayers are with you and our national leaders.

Respectfully,

PHYLLIS WILLIAMS.
DEBBIE JOHNSON.
SHEILA BROWN.
DEBBIE BARNES.
BRENDA BARKER.

THE ORBITAL BOMBING SYSTEM

Mr. THURMOND. Mr. President, Secretary McNamara's announcement of the possible Soviet development of an orbital bombing system should be viewed as an additional argument to redirect his Chinese-oriented ABM defense toward the Soviet Union. In focusing on the fractional orbiting bombardment system—FOBS—he highlighted just one of many possible nuclear weapon delivery systems that have bothered students of the strategic balance for some time.

Furthermore, Secretary McNamara did not disclose anything particularly new. The Soviets announced publicly 2 years ago that they had a "monstrous new terrible weapon" which Tass described as "an orbital missile whose warheads can deliver their surprise blow on the first or any other orbit around the earth."

The whole spectrum of Soviet strategic weapons, which can attack the United States from outer space, from rocket launching sites, from submarines or from bombers, and which can arrive over the North or South Pole, or from the Atlantic or Pacific Ocean, has been documented publicly. The best documentation entitled, "The Changing Strategic Military Balance," was prepared at the request of the House Armed Services Committee, and published in June 1967. It can be purchased from the American Security Council, Washington, D.C. for $1.50.

On the first page of this report is the clear warning that the Soviet Union is developing a strategy to win a nuclear war rather than to simply deter one, which is Secretary McNamara's policy today. The report also contains a quote from Gen. Earle Wheeler's statement made before the Senate Committee on Foreign Relations during hearings on the Outer Space Treaty last March. With regard to orbiting weapons, the Chairman of the JCS had this to say:

This threat can be answered only through intensified U.S. efforts to develop capabilities to detect and verify the orbiting of nuclear weapons or those threatening mass destruction. We must develop the capability of dealing with that threat should it materialize, with or without a treaty.

Implicit in dealing with this threat, as General Wheeler described it, is the ability to defend against it. It makes little sense to speak in terms of a single-direction ABM defense against a Chinese threat, which Secretary McNamara now advocates. We need an ABM defense capable of 360 degree coverage, and large enough to cope with the Soviet threat, which is many times as large, more sophisticated, and further developed than the Chinese threat.

There has been a constant accumulation of factors that justifies an early decision to shift into full production of the heavy ABM defense advocated by the Joint Chiefs of Staff. The principal reasons given by the Defense Department for not proceeding with the full ABM are, first, nothing that the Soviets have on the drawing board will nullify our assured destruction capability of their homeland, and, second, that space offensive nuclear delivery forces are less efficient, less accurate, and less credible, than ICBM's.

While these reasons appear logical on the surface, we should remember that warfare is not a logical science. Further, we should not rely too much on our own estimates of the capabilities of the Soviet systems. It is far more important to consider what the Soviets think. If they conclude that their weapons are better than they are, they might be tempted to use them.

The Soviets are already known for miscalculation and overrating their capabilities, and they are willing to gamble on the basis of their estimates. They gambled in Cuba and in the Arab-Israel war. The fact that they are willing to take such chances should persuade us to be doubly careful in our preparations for defense against nuclear attack.

We should remember that the Soviet Union is dedicated to offensive world objectives. In this endeavor, they would find the special effect of space military forces very useful. If their space satellites, or fractional orbiting systems become operational, the Soviets would enjoy the following advantages: prestige; terror; persuasion; coercion; pressure; and demoralization. They could threaten to use these space systems in conjunction with other strategic weapons, and perhaps, achieve their goal of victory by nuclear blackmail.

Our own response to these possibilities could be much more firm if we had the reassurance inherent in a full ABM defense such as that urged by the Joint Chiefs of Staff. In this regard, Senator Henry Jackson is conducting an investigation this week that may shed more light on the Defense Department's plans and programs for the ABM. It is hoped that the testimony before his subcommittee will provide sufficient evidence to move the American public to demand a full and adequate ABM defense for the United States.

SENATE RATIFICATION OF POLITICAL RIGHTS OF WOMEN IMPERATIVE

Mr. PROXMIRE. Mr. President, the struggle for human rights—throughout recorded history—has been a continuing battle against the lethal enemy of reason and decency: discrimination. No nationality, no religious sect, no race, no people in history has been subjected to the oppressive and dehumanizing discrimination that has been visited upon women.

In every epoch—no matter how glorious or how gross—the blight of inequality of women has persisted. At the time of the signing of the United Nations Charter, women were granted political rights in only half of the sovereign countries of the world.

The United States—where the political equality of women is constitutionally established—has failed to ratify the United Nations Convention on the political rights of women. Over 4 long years ago President Kennedy sent this treaty to the Senate, asking ratification, but for 4 years this Senate has failed to act. We, a nation which has disclaimed and disdained almost the last vestige of discrimination from our statutes, have again remained internationally mute on one of the vital issues of our time.

Here in America—where women have made momentous contributions to our national life as Senators, jurists, cabinet officers, scientists, university presidents, and ambassadors—we have proved not only the wisdom but also the inherent value of full equality of women. I doubt that any one of my male colleagues, be he bachelor or benedict, does not bear daily witness to this fact of American life.

The time has arrived for the United States to join China, Japan, India, Nigeria, Lebanon, Turkey, Thailand, Pakistan, and the 46 other members of the United Nations in ratifying the convention of the political rights of women.

Again, let the record of the United States in human rights serve as a beacon for the old nations as well as the new—demonstrating for all mankind that the elimination of all forms of discrimination is more than worth the labor and the pains. I once again ask my colleagues to join me in seeking immediate ratification of the Human Rights Conventions on Political Rights of Women, on Forced Labor, on Genocide, and Freedom of Association.

COMMUNITY-FEDERAL PARTNERSHIP FOR NATIONAL DEVELOPMENT

Mr. KENNEDY of Massachusetts. Mr. President, late last month, on October 23 and 24, I sponsored a conference in Washington for mayors, selectmen, county commissioners, and other community leaders in the Commonwealth of Massachusetts. Community-Federal partnership for national development was the theme of the conference. The sessions were devoted to discussions on national issues and Federal legislation of special interest to local communities in my State.

I feel the conference was extremely helpful in broadening the lines of communication between the community leaders and the Federal bureaucracy, especially at this time when expanding activities of the Federal Government need local understanding and initiative to achieve their objectives and goals. There is little doubt that the community leaders, the Federal officials who participated in the discussions, as well as myself, learned a great deal and benefited much from the exchange of views.

Federal officials who spoke to the conference and responded to questions included, in order of appearance:

Hon. R. Sargent Shriver, Director, Office of Economic Opportunity.

Hon. Robert Wood, Under Secretary, Department of Housing and Urban Development.

Hon. Ralph Nicholson, Assistant Postmaster General.

Hon. James B. Webb, Administrator, National Aeronautics and Space Administration.

Hon. Mike Mansfield, majority leader, U.S. Senate.

Hon. Hubert H. Humphrey, Vice President of the United States.

Hon. Stanley S. Surrey, Assistant Secretary for Tax Policy, Treasury Department.

Hon. Ramsey Clark, Attorney General of the United States.

Hon. Lawrence F. O'Brien, Postmaster General of the United States.

Hon. John W. Gardner, Secretary, Department of Health, Education, and Welfare.

Gen. Maxwell D. Taylor, special consultant to the President.

Hon. Stewart L. Udall, Secretary, Department of the Interior.

Hon. J. Oliva Huot, Chief, Local Government Liaison, Department of Transportation.

Hon. Paul C. Warnke, Assistant Secretary for International Security Affairs, Department of Defense.

Staff members of these agencies were also on hand to confer with the delegates.

I believe the proceedings of the conference will be of interest to Members of the Senate. I ask unanimous consent that excerpts be printed in the Record.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

[Excerpts from proceedings]

Community-Federal Partnership for National Development—Senator Edward M. Kennedy's Massachusetts-Washington Conference of Community Officials

(Monday, October 23, 1967)

Senator Kennedy. I want to welcome all of you to this Massachusetts-Washington Conference of Community Officials. I am delighted with your response to the conference—and I appreciate very much your taking time out of your busy schedules to come to Washington for these two days.

Community-Federal Partnership for National Development is our theme. And I am extremely hopeful that the discussions we have will enable the local communities and citizens of the Commonwealth to participate more fully in the spirited adventure of progress in our generation.

The profile of our State is not unlike that of our neighbors across the country. We, too, are faced with enormous problems—and the challenge of creative leadership in finding new avenues and techniques in meeting the needs of our State and its growing population. Solving our problems and meeting our needs is no longer a matter of choice—if, indeed, it ever was. Today, it is a matter of necessity.

When more than 12% of the families in our State have an annual income of under $3,000—and in one county this is true of more than 23%—poverty is an issue to be dealt with, by broadening the avenues of opportunity to all, in education, in health, in housing and in employment.

When the cost of pollution in our air and water is far outstripping the cost of controlling it, and making our environment secondrate—innovation is needed to end this debilitating plague.

When the education of our children is hampered by outmoded concepts, a shortage of faculty and facilities, a limited course of study, and a small local tax base—cooperative efforts are needed at all levels of government to provide new direction and additional funds to keep our school systems in the mainstream of progress, so that the graduates can make a full contribution to the work and life of our economy and our society.

When our citizens fear to walk and ride the streets of our urban areas—when our local police can no longer handle the increasing complexity of crime problems—the time is overdue in finding new approaches to ensure safe streets and to control and prevent crime and violence.

When adequate transportation systems are denied our citizens by antiquated concepts, limited financial resources and misunderstandings at the various levels of government—new efforts to coordinate planning and development programs are essential.

Movement in solving our problems and in meeting the complex needs of a growing population requires the active participation of all levels of government—from Washington to the Town Hall. It requires the active interest and concern of citizens and organizations in the private sector as well.

In the implementation of Federal programs, local initiative is imperative if we are to win Federal support for a community project, and if we are to maximize the effectiveness of the collective response to a particular community problem or need.

The value of this conference is that it will help keep open and broaden the lines of communication between the local community in Massachusetts and the Federal government. And I hope the words and ideas expressed here will flow on a two-way street—that you who are showing an active interest and leadership in solving your community's problems will leave with a better understanding of the nature, objective and limitations of Federal programs—and that the Federal official participating in the conference will learn from your suggestions on how existing programs can be streamlined and adjusted to better meet community problems and needs and will listen to your suggestions for new Federal programs.

You will note from the conference schedule a list of speakers, all of whom have agreed to run the gauntlet of your questions.

Additionally, there will be workshop sessions in which you are free to move along the tables on the sides and in the back of the room, and to express your views and questions to the Federal officials involved in specific programs. The Federal departments represented are listed on the back of your program.

Again, may I welcome you to what I hope will be a most worthwhile conference.

It is a pleasure and a privilege for me to introduce the man who spells poverty with a capital "P"—Sargent Shriver.

STATEMENT OF SARGENT SHRIVER, DIRECTOR, OFFICE OF ECONOMIC OPPORTUNITY

Mr. SHRIVER. Good morning, ladies and gentlemen, Senator Kennedy and members of the Senator's staff. Things are looking up down at OEO. The Senate voted 60 to 21 in favor of the OEO program. That was the best vote by far we ever have received in the United States Senate and probably the best vote by far we have ever received anywhere.

It was significant, however, to us, not just because of the numerical count involved, it was significant for other reasons.

First of all, the Senate investigated the OEO for about three months. Both Senators Kennedy were on the investigating committee. There were six or seven Republican Senators on it. They took about 40,000 pages of testimony. They heard from more than 400 witnesses. They got written statements from something like 350 national organizations. They held hearings not only here in Washington but around the country, in about ten or 12 locations, and at the end of the investigation an official report was submitted to the Senate. It was signed by both all the Republicans and the Democrats and this report said many things. But among the more significant things was the statement that these Senators all believed that every one of the programs which had been inaugurated should be continued or expanded. So that with all the mistakes we have made, I say that everybody, apparently, regardless of party, believed that the programs themselves, all of them, now should be continued or expanded. To us that was very significant.

The second thing that was significant was that in the vote of the Senate, every Senator, regardless of party, from Virginia to Maine, and as far West as Illinois, every one of them voted for OEO.

Now, this includes men like Senator Scott of Pennsylvania, who used to be head of the Republican National Committee; Senator Dirksen of Illinois, who is the Minority Leader, and all of the Republicans as well as Democrats from Maine, Vermont, Rhode Island, New Jersey, New York, from the part of the country from which all of you come. I think it is fair to say that the United States Senate gave a 100 percent endorsement to what we have been attempting to do.

I should add one other thing, a third point. That the Senate not only authorized what President Johnson requested but they suggested about $200 million more than what President Johnson had proposed be authorized for expenditure. So we conclude from this heartening vote in the Senate that we must be doing something right over at OEO, otherwise we couldn't have gotten that support after a long investigation such as was conducted.

I would like to say also that we have been heartened in the last two to three or four weeks by additional evidence as a bipartisan support for this program. It was just about a week ago that 22 Republican Mayors, which believe it or not is 60 percent of all the Republican Mayors in the cities of more than 100,000 population, 22 of them sent a letter to Senator Dirksen and Congressman Gerry Ford on the House side endorsing the OEO program completely. Like the Senate, they called for a continuation or expansion of every program we have inaugurated.

These are not the best known Mayors, perhaps, in America, but they were really significant to us, because a large proportion of them came right out of the heartland of Republicanism in the Middle West, where theoretically we were quite unpopular.

These Mayors all came forward in support of the program. In addition, we have had social workers, lawyers, the American Bar Association, and many others, who have come forward recently in support of the program. So we say to ourselves why is this happening, and we think it is happening because finally lots of Americans are getting to the point where they actually understand the true nature of what we have been attempting to do.

For example, it is finally getting through this is a local program, locally managed, not a giant Federal program run by huge Federal bureaucracy.

For example, we have 2700 employees at OEO. That is half the size of the Small Business Administration. It is about one 100th of the size of HEW. It is one 1,000th the size of the Department of Defense.

OEO is a very small Federal bureaucracy. That is possible because 90 percent of all the money we get from Congress is expended through local agencies, through local private philanthropic agencies like the YMCA or Boys' Clubs or through local government agencies like, let's say, the local Board of Education or Board of Health. 90 percent of all the money that comes to us goes out not through Federal government operations but through local government operation, and through the private sector of American life, not the governmental sector of American life. That simple point is finally getting through.

It is finally getting through too that this is the first piece of legislation since 1933, when Franklin Roosevelt came to Washington, the first piece of legislation to decentralize the power of government both in terms of money and in terms of jobs and in terms of authority and in terms of responsibility. This places the money back into the hands of Mayors, and businessmen at the local level.

Third, it is finally getting through it is a very cheap program, believe it or not. The total budget for OEO costs one and a quarter cents out of every dollar of taxes paid to the Federal government.

For example, just by way of comparison, 75 cents out of every dollar you pay in taxes goes to finance past wars or the current war.

Our thought is very simple. If we can spend 75 cents for those purposes, we can spend a cent and a quarter for the war against poverty. That thought, I think, is beginning to get through.

Finally, since I notice that the principle topic of this Conference is Federal and State Relationships and Local Relationships to Human Relationship, let me say that rather than talk about states rights, in the theory, our agency has tried to put some blood into those words by giving Governors and Mayors more control over this program than any other program in the government.

For example, there is no program in the Federal government over which the Governor has a veto within the state, except the war against poverty. So you can talk about states rights a lot, but here states rights have come into reality really with that veto.

Now, it is a fact that the Director of OEO can override the veto of a Governor, if the Director of OEO believes that the program which the Governor has vetoed is in fact a program that would be beneficial to the local people.

However, out of 18 vetoes which have now taken place in the last two years, the Director of OEO has only overridden four of those vetoes so far.

And since many people felt that the advent of a program like OEO would be a threat to the local government, it is significant, I believe, to observe that the Governors of the 50 states have had about 40,000 opportunities to veto OEO programs. So they have been up to bat, so to speak, 40,000 times, and out of the 40,000 times they have vetoed, let's take a round number, 20 of the programs.

So it seems to us at any rate that once again we must be doing something right, if out of 40,000 chances we have committed 20 errors, in the opinion of the Governors.

So we actually have placed authority into the hands of the Governors. That is one thing.

Second, we have set up an advisory body composed of Governors, Mayors, County executives, which advises with us regularly on all of our programs.

For example, if we are going to put out a guideline on a particular program, that guideline is circulated here in Washington, through the men in Washington who represent the Governors, to the Office of the U.S. Conference of Mayors, to the Office of the U.S. County executives, and so on.

So that before we issue the order, it it well known and has been commented upon. So we get the benefit of their advice by all of these local officials.

Third, we have attempted to make sure, as the statistics I cited a minute ago indicate, that most of this money is spent locally, by local people not by government people.

And in these ways I might just conclude by saying we hope that we have given genuine participation and genuine authority to the local level of government, rather than just to the national level.

And finally let me say two things: One, it has been suggested that cuts are appropriate in this program in order to reduce the deficit of our national government.

It has been suggested, for example, that $400 million be taken out of the amount of money suggested by President Johnson for this program.

Now, it is perfectly true that in times of emergency, when you have to cut down on your spending, nobody wants to be cut. And, secondly, that lots of programs which are good programs will suffer.

But I would like you to think for a few minutes about the significance of cuts in this program and what they would mean to you in your community.

For example, if the Congress were to pass a cut of about $400 million dollars—which they have talked about—it would mean that 90,000 boys and girls in the Job Corps, now in the Job Corps Centers, would be sent home.

It would mean that about 50 Job Corps Centers would be closed down.

It would mean that about 25 percent of all the children in Head Start would be sent home.

It would mean that the rural loans we have got, we would just close them down. We would not give any loans to small farmers.

It would mean that the work experience program for older men—these are adults, in ghettos, for example, as well as in the rural areas—but let's say principally in the ghettos—those programs would be closed down.

It would mean that next summer there would be no Federal summer programs such as we have had the last two or three summers. In other words, there would be no summer recreation programs or these cultural programs or camping programs or job programs for youngsters, or for you adults.

Now, let me say, obviously we could make those cuts. Obviously we don't have to spend money. But personally I believe the consequences to this nation, not just for your state or your cities or towns or counties, but the consequences to this nation of a cut of that magnitude might be catastrophic.

I think that is one of the principle reasons why Mayors, regardless of party, regardless of religion, and regardless of their previous position, are today almost unanimously in favor of the programs which we have inaugurated and which we are attempting to operate.

Fortunately, I am glad to say, in the presence of my brother-in-law, that Massachusetts, among the states, only ranks 26th in the number of poor people. In other words, Massachusetts is very well off as compared to most states. But as a result of his fantastic enterprise ability, competence, courage and enthusiasm, Massachusetts ranks 13th of all the states in the amount of money Massachusetts has received from this agency.

I feel that I needn't say anything more about how good a Senator he is.

Thank you very much.

(Applause.)

Senator KENNEDY. I know some of you have some questions on your minds.

Question: Rumor has it that the Legal Aid program is to be shot down in the House by a series of events.

Is there any truth to this?

Mr. SHRIVER. I think that the Legal Aid program has managed to convince leaders of both parties, and of the Bar, that it is desirable from the point of view of the administration of justice in this country, as well as from the point of view of the poor.

I, therefore, don't think in the final bill the Legal Aid program will be shot down.

Question: Cities that are fortunate enough to get Model Cities legislation, will they get priority on OEO programs in these areas?

Mr. SHRIVER. No. We will try to do as effective a job as we can with any city that has a Model City grant. But the truth is that this is not a city program in that sense—and it is hard to get this across—it is a poor people's program. What we try to do is put the money where the poor are, not just where there happens to be an effective Model Cities program.

Question: What is the future of the day care centers?

Mr. SHRIVER. From our point of view, we are very strong for day care centers. We are anxious that they expand so that they won't be custodial centers. We try, when we finance a day care center, to put it to work being a more effective instrumentality.

Question: The high school student, for instance, I know that in our cities we have kept the figures, we have kept records, each high school student that has been connected with the Neighborhood Youth Program, we have found an improvement in scholastic standing from year to year.

Mr. SHRIVER. Yes. The Neighborhood Youth Corps is administered for us by the Department of Labor. There are two other programs we run which involve high school students, and figures there are so surprising as to be almost unbelievable.

One of them is called Upward Bound. That has been conducted at Boston College, I think, at Northeastern and a couple of other institutions in Massachusetts, and the University of Massachusetts.

Frankly, it's been more in Massachusetts than in any state.

The idea of Upward Bound is that there are a lot of youngsters who are doing badly in high school because they are not adequately motivated or because they don't have any vision of what they could accomplish if they actually did well, if they actually did their work in high school.

Now the results of this program are unbelievable. From this general population in our country, prior to Upward Bound, 8 percent of those youngsters go to college. And it was generally believed, therefore, that these kids were not capable, you might say, of college work. Of the youngsters who have now gone through Upward Bound, 83 percent go to college. And the encouraging thing is they stay in college better than the other kids do. In other words, they have a lower dropout rate after they go to college. To us, at least, it indicates that as a nation we have been wasting a lot of human talent which we could have saved or could have put into productive work.

The same thing is happening in the Job Corps. The Job Corps, of course, is for kids who are even worse off, you might say, than the Upward Bound kids. The Upward Bound kid is still in high school. All Job Corps youngsters are out of work.

It may shock you to realize—it does me, at any rate—that 30 percent of them arrive at the Job Corps illiterate. By that I mean they cannot read or write any language, Spanish, English, or anything else. It is unbelievable to me, at any rate, that with our public school system and all the other schools we have in the country that 30 percent of this group is still arriving at the doorsteps of Job Corps agencies illiterate. Yet that is what the facts are. They are, as you may have heard on other occasions, 20 to 30 pounds underweight. About 40 percent of them have eye defects. 85 percent of them haven't been to a doctor in at least the last ten years. And 90 percent of them have four or more cavities in their teeth. Some of them have lots of abscessed teeth. As I said a minute ago, they are really rather pathetic and they are destined to be in poverty the rest of their lives unless something drastic is done about them right now. We do try to make a massive change in these kids.

Those kids make fantastic gains. They will gain anywhere from two years of academic work, roughly two years every six months. We have 600 Job Corps youngsters in Vietnam who never would have qualified to be in the Army, Navy, or Air Force, and six of them, I am sorry to say, have lost their lives fighting for us.

So it is very encouraging, the things about the academic gains of these kids.

Question: We have a large Portuguese element in our town. These population figures have been enrichened, shall I say, and this is causing a very particular problem in our school system.

Mr. SHRIVER. This gentleman from Western Massachusetts points out that in his town or area, the proportion of Portuguese-speaking people, which was substantial before, has increased greatly because of immigration, and very few of these people can speak English and this is a real problem and what can be done about it?

The truth is we run what we call an adult education program, we ourselves do, and the HEW runs a very much larger one.

Your school system should be able to get an adult-based education grant out of HEW for precisely those people, and they should be able with that money to get instruction for those people in your area.

Question: I am concerned about the community action programs and a tendency to regionalize the programs.

Mr. SHRIVER. Well, there is some of that. You are right. And there may be even more. The object is to try to give everybody a reasonable voice but fundamentally to keep it at the community level. That is easier to say than it is to do. That is our objective and we hope with your understanding we may achieve it.

Question. On this same line, is it desirable, from the Federal standpoint, to regionalize government within the states so that you get the idea of community concept in a section or region of the state and, if so, perhaps Massachusetts needs more regionalizing from a government standpoint, if that is the Federal standard, and it appears to be.

Mr. SHRIVER. We have not adopted in this program a Federal standard. What we attempt to do is to allow the states and the communities to resolve those issues locally. I don't know enough about Massachusetts, honestly, to say whether it would be desirable from the point of view of participation in government programs for a number of townships to get together into some sort of a regional arrangement, or whether it would not be desirable. It is being done in other states, I can tell you that. It is being done in Kentucky, Missouri, Oklahoma, Illinois, and others.

Question: This has to do with your program that you must be so proud of, kind of a big daddy to all the poor people in the country, and I have seen locally where the program has been effective in Attleboro. These people that administer the program are so proud of what they have achieved, I wonder what big daddy is the proudest of in what he has achieved?

Mr. SHRIVER. When we first came over to testify this year at the Senate—I think Senator Kennedy was there—Senator Javits, who had the first question on the Republican side, started off his statement by saying he felt possibly that the greatest contribution of OEO, or war against poverty, was the fact that it had so aroused interest or alerted America in the problem of poverty, and no candidate running for President would be able to run in the immediate future without having a strong platform and program for eradication of poverty. He felt this constituted a massive change in the attitudes of most of us about poverty in our country. He felt that probably was the largest or most significant contribution we have made. Beyond that I personally feel that some of these programs are of a nature that they will have a profound effect on American life for many years to come.

I would like to mention one that hasn't been mentioned before, because Senator Kennedy has been one of the architects of this particular program. It is called Neighborhood Health Centers, NHC. We have one of these centers in the Columbia Point area of Boston.

Senator KENNEDY. Roxbury.

Mr. SHRIVER. I am not sure whether we have any others in Massachusetts. The basic idea of the Neighborhood Health Center is this. As a result of the study of the poor we discovered to my amazement that the vast majority of these people, let's say 75, 85, 90 percent, never get any health service except, let's say, for an accident or if they are dying, so to speak.

So we came up with this concept of locating in the middle of the slums a center which would provide across-the-board services to the family, to the mother and children and father simultaneously, on a continuous basis, a little bit the way a family doctor used to take care of your own family. This is causing what they call a revolution in the way medical service is delivered to the people, particularly to the poor people, and it is having such an impact that now people better off, let's say well-to-do people, are saying this is such a good way to get medical attention we would like to get it, too.

I believe that the Neighborhood Health Centers may transform the method by which medicine is practiced in the country.

The same thing is true about legal service.

John Gardner, Secretary of HEW, said one day "I don't think any of these programs should be taken away from OEO." There was talk about that, you know, and there still is. He said, "If they are taken away, the one program I would like to have in HEW more than any other is legal service," because, he said, "I think that is the most significant new development which OEO has created."

So there are a number of these things which we feel pleased about, but most, I guess, is what Javits said: "All of us are more interested in the problems of the poor than we were before."

Three years before, at a meeting held like this by any Senator, there wouldn't be any discussion of poverty as such, definable poverty. To me that is the biggest problem.

Thank you very much.

Senator KENNEDY. The next speaker is a resident of the Commonwealth of Massachusetts.

So it is a very special pleasure and privilege to introduce the Under Secretary of HUD, Mr. Robert Wood.

STATEMENT OF ROBERT WOOD, UNDER SECRETARY, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Mr. WOOD. I want to acknowledge the kind words from the Senator. It was my pleasure to support him in 1962, and you will recall that we had a little slogan at that time. This was one of the early days in the academic world when not only was it rare to talk about cities, it was rare to talk about Senators at that point. But we had a little slogan called "He Can Do More for Massachusetts." And in this time, when budget deficits are high, when priorities are involved in urban programs, I just wanted you to know that regardless of your present party affiliation, the hard facts state this: "Before the Senator came to Washington, the Commonwealth of Massachusetts was building 1,200 units of low-cost housing a year. After you came, at the present time they are building 5,930, and not only have we been able to go forward in the series of programs per year but we have been able to add in the last five years some 14 major new urban aid programs from the Federal government for the support of state and localities across the country.

I don't say that these are all due to exact correlation between the Senator's arrival and the progress of the programs, growth of the program. I do say that the last five years have seen a transformation in the kind of posture that the Federal government has taken, the kind of concern that it has had for urban affairs, for assistance to localities of all sort and sizes, and the present state of affairs. And in a time when the headlines are filled with budgetary deficits and we are short, it is important to take that kind of historical perspective.

HUD, the agency, is not yet two years old. When the Senator came to Washington there was no effective mass transportation program. There was no neighborhood facilities program, no rent supplement, no rehabilitation aids, no Model Cities, no series of open space programs.

In the period of time of the Kennedy and Johnson Administrations, a whole new second order generation, some 50 programs, have been added onto the classic renewal programs. Also in that time from a position in which a Federal government has more authorization for each of these programs than it had requests from the various communities across the country, we have moved to a period in which every program, with the exception of the advanced aid for community facilities, has requested in excess of authorization and appropriation.

So you have shifted in the urban assistance programs from a period of where supply outran demand, through the exact reverse.

Now the response of HUD, the response of Secretary Weaver, is to try to respond in some kind of sensible way in this situation.

We began with the water and sewer program where we started a set of priorities of the kind and in the way which we could distinguish the demand. When the Department was established, the average time in which it took a local government to get an answer to water and sewer, on whether or not the program qualified, could be funded, on the assistance, was 18 months. This at the present time is now four months. We hope to cut it to three.

Last June, we undertook the same effort in urban renewal and that is the so-called circular 418 in which we said among the various needs for urban renewal funds, the three that we think at the present time ought to come first are those that build housing for poor people. Second, those that generate jobs in older cities, and, third, those that will be responsive to areas that have extreme blight and need attention.

We put that program forth, and so far 99 communities, $419 million, have had a reordering of their priorities, because of these needs, because of these goals, and we began in the Federal Housing Administration the same sort of process, both in terms of saying for the first time in May and June of this year that we waive the condition of economic soundness for housing guarantee programs in slum areas, in areas particularly distressed, and in which we said that we would move for the first time as a positive program for counselling poor people who want housing. And we started in the so-called process a procedure in which we have now in 28 offices begun to change the average processing time for multi-family housing from 18 months to six months.

We have not done this across the Board yet. I would be the last to say to every one of you here every process of every application occurs with the speed of light.

I do say that program after program we move: one, we try to define priorities, and, two, then try to be responsive in being able to handle the backlog other than just shuffling the particular papers involved.

We have a series of new programs that, taken together and put together can also be available in combination. We began the experiment first in the State of Maine. The report we get from Maine and Rhode Island is that they are being effective in terms of services. These so-called urban representatives require training, they require development.

The last and major change that is underway began this summer and falls in the old public housing field, now in the Housing Assistance Administration, and here we begin in a series of programs to start moving to involve first in construction, then in management, and finally in home ownership, the talents and resources of private industry.

All of this is done against a backdrop of a sense of new and growing urgency in community and urban problems; all of it is done against an estimated situation which doesn't pretend this country is doing enough in urban affairs at the present time.

The Model Cities program has not yet started. It's not until the Conference Committee reports are acted upon by the House and Senate, hopefully this week, we can make any realistic determination of the kind of money we have to give some realistic decisions to the community leadership. But they are underway, they will go, and hopefully they will be responded to.

We know one thing: the Federal government will not go along, we will not prescribe the kind of cities or the kind of urban aid program across the country on a national basis. We will try to keep as general as we can the guidelines that are before us.

Every now and then we will undertake an experiment. This is what we are trying with the surplus Federal land and national training school site here, and other Federal surplus property locations across the country.

But essentially we are here to try to respond.

Fortunately, or hopefully, we will be able to be responsive to your particular requirements.

Senator, I will stop here.

Senator KENNEDY. I might ask the Secretary—we had a meeting early this year out at Worcester and invited a number of Mayors, and I think that we know that under the statements of the President there will be a limited number of communities or cities in each of the States that will receive the Model City grant.

I am wondering if you can tell us, for the communities that have made this effort, what will be in store for them?

Mr. WOOD. Let me talk about model cities. In the context of population trends, what have you, that I gave you just at the end, the idea of the model cities is not a "competition" in which a few favored communities win and everybody else loses automatically.

The idea of the Model Cities program is to have a series of rounds of communities passing through a particular threshold of qualifications and demonstrations of capability.

I think I said last April, when I was up for the conference of municipalities, that Massachusetts had more applications than any other state. I think I indicated at that time that I thought that was a healthy thing, not because every community would get in on the first round, but that every community would begin the process of doing what the Model Cities program was aimed to do. And essentially these were three things: to bring together the different institutions and agencies at a local level to plan the restoration of an entire neighborhood. Agencies and institutions that have never talked before, school committee and Welfare departments and city governments and private agencies, and a lot of people have told me, as I have gone across the country, that this initial experience of just trying to get different groups in a locality to mobilize themselves and to look themselves and examine what their problems were was a worthwhile effort.

The second objective was really to tie together the kinds of programs that Sargent Shriver talked to you about earlier, the kind of programs that I sketched in an outline, because what I think—what we have learned after 20 years is that you don't just build a housing project, you don't just build a school, a park, you don't have a neighborhood center or youth program. Somehow you have to put them together to change in sequence all the conditions in which a city finds itself, and that kind of effort is involved in the Model Cities program.

And the third thing is we said we wanted to start working in these programs and we really have some innovations in terms of housing technology, in terms of how a city wanted to look at its building codes and housing codes, in terms of a whole basic range of new ideas that might or may not be available. We wanted to have the state government in the same way be responsive.

So the effort of going through the process of the first round of applications was thought to have some payoff right there.

As we get the appropriations made available from this Congress, those communities that seem most ready to go ahead will start out with their planning money. But what we are trying to do is to get beyond a stage of simply saying let's let every community go right at once and then find out later that not every community can go.

The other thing to add about this program, that is one of the most overlooked aspects of the program and still puzzles the Secretary and me is Title 2 of the '66 act, about the metropolitan incentive grants, because what we said at the same time we were talking about the Model Cities was for the suburban communities who had been planning for four and five years in the metropolitan planning efforts, that if they wanted to pool their resources together in any one of ten region-wide programs, water or sewer or transportation or airports, we responded with the same kind of supplemental money that is written into the single-city program of Model Cities.

The interesting thing is that neither in the Congress nor abroad in the land very many people take note of that program. We have not been able to have appropriations with it as we found increasing support for model cities. We have not been able really to get this point across.

But it seems to all of us here that the next step is somehow going to have to be the recognition of the interdependence of localities across metropolitan communities.

We are trying to provide the kind of assistance that will help that. That is a step that I hope in the next year or two will follow right along for Model Cities.

Question: Mr. Secretary, George Tenney, of Pruro. How serious will the budgetary cutback affect the availability of 701 money?

Several communities have master-plan applications on file, an overall program of the Cape Cod Planning and Economic Development Commission are all stalled because apparently our applications are pigeonholed.

Is there any hope of us getting 701 money in the near future?

Mr. Wood. 701 grants have been in the same situation, more demand than supply, for about a year and a half. The Secretary has in effect sort of held these in the last two months pending these wide variations between the appropriations enacted by the House and enacted by the Senate.

We would hope to get active again in this field within the month. Clearly I ought to say that the kind of wide scale regional development plan that the Cape has been involved in has been the kind that we think ought to be encouraged all along. Our representatives in the regional office of New York will be here this afternoon to be able to be responsive in detail here.

But basically we hope that 701 after this month will be reasonably well financed.

Senator Kennedy. We hope you will give your name so we can have a record.

Question: What plans, if any, do you have to expedite the 221D3 program?

Mr. Wood. We are sure that for this calendar year everyone of the HHA district offices will have indeed a new process. This does not guarantee instant processing. It does guarantee a new procedure, a new look, and new posture on the part of HUD.

Question: Selectman Micelli of Wilmington.

Is there in fact a prior list of towns regarding 701 applications already submitted?

Mr. Wood. I don't know. There is a priority system in 701 that began to work out in order of the sewer.

How and whether it operates on a regional basis——

Question: It does. We submitted a program application about a year before you came out with the directive. We feel that we talked about two of the three requirements. Does that mean we will not be funded even though we may qualify?

Mr. Wood. No, no, not necessarily.

Question: Mr. Secretary, Harry Loftus, Commissioner of Public Works in the City of Marlboro.

In regard to the same topic, if an application has been submitted, and due to commitments to expanding industry in the area of the city we couldn't wait four months for an answer, and so on, do we still qualify for HUD money or will that part of the project have to be deleted?

Mr. Wood. As it stands now, my understanding from general counsel is that you lose on that one.

However, this depends on what stage of the authorization you are at. One of the technical amendments that we want, we would like to have considered in the legislation, because we are faced with a number of communities that have a particular kind of deadline timing, either an agreement on an industry or bonding on the local bonding, and if we can't respond by that time it puts the locality in a difficult position.

Right now we are trying to take this into account but I think in a legal sense you at the present time are not able to qualify.

Question. Mr. Secretary, Frank Walker, Mayor of Marlboro.

As far as the workable program is concerned, your department has said that we have to have a 701 project. Now, if we don't get any funds, are we going to be recertified come the next certification?

Mr. Wood. Yes. As it stands now, you will not be held accountable if funding prevents your 701 program. And if you are so informed I would appreciate your dropping me a note directly.

Question: Justin Gray, City of Cambridge.

I would like to return to the 221D3 role of funding and inadequacy of Federal budget. I know this is a meeting on Federal systems programs, but if I may make a plea to the people of Massachusetts, we have a rather unique program started by Governor Peabody on low-cost or low-income housing, where we have before the general Court a request right now for what is it called, the Massachusetts Housing Finance Agency—essentially an agency which would be funded to produce supplemental 221 programs, and we are before the House Ways and Means Committee right now, and if it looks as if the general Court might very well disband for the term without acting on our request, and the members of the delegations here today wish to add to the housing stock in their Commonwealth, 221D3 type of housing, funded through the state, get through the State Senator and the Ways and Means, otherwise, we are going to be dead on this issue.

It was a program initiated by Governor Peabody and accepted by the present Governor, and it is a bipartisan program and it's a program that everybody should support.

Mr. Wood. It's that kind of creative Federalism that I like.

Question: Emil Petrovick, Selectman of the Town of Norfolk.

I probably represent the smallest community in the State of Massachusetts, to date, but we in the town feel we have the number one priority on the water and sewage.

My community which I represent, 16 percent of the population in the town of Norfolk is without water. Mr. Kennedy, who was instrumental in having a Federal geological survey made, a team came into our town to survey a program which you supported or your organization supported, and this well installed with your funds created this situation and this problem.

We feel we have the number one problem because this well has made this area a poverty stricken area also. We feel we followed every one of the three categories. I feel for these communities around here if they want to industrially expand their water and resources. We need it because 16 percent of my population cannot exist. We are priority number one, barring any community in the State of Massachusetts, barring anyone.

Question: Senator Kennedy, can we look forward to any improvement in the funds for advanced planning? Our programs on water and sewer grants are good programs, but we have to wait up to 18 months to two years to get advanced planning money. A lot of our deadlines have already passed. Can we look forward to any improvement?

Mr. Wood. Some. But you can't look forward really in any of these programs, I think, to a substantial increase where demand, where supply begins to reach demand, until the House of Representatives of the United States Congress is as responsive as the Senate is.

Our basic problem and the basic problem you should know about the situation here is that the Senate passed by almost a three to one vote their appropriations requested by the President for HUD. They were even more generous than with poverty. The House of Representatives at the present time does not respond in the way the Senate does in every conference, and every conference committee reflects it.

Each one of our major programs passes by five votes, six votes, in the House of Representatives, and that is a very fragile margin for me to stand on and say to you that we will be adequately funding in the near future.

Question: One of the things that was brought out was that a backlog of applications would serve as one way in gaining some additional appropriation. It would lend more weight. There must be a ton of applications for advanced planning that have been there for a long time.

Mr. Wood. Let me add one word.

We are at the time where the American public has finally started to discover municipal problems and urban problems and problems of urban development.

They have discovered them in some ways that are fairly shocking to them and thoroughly unpleasant after four summers of disorders. They have discovered them in some ways that are reasonably sensational when a lot of magazines, a lot of writers for the first time understand this is an urban country and it is going to be more of an urban nation. As they start doing this, those of us who have been on the firing line or in the know, or one way or the other involved in urban affairs, find ourselves at a point where minor irritations, frustrations of different points of view, where we sit, can make us all irritated, one with the other. I recognize your problem that when you send in an application and somehow a regional office says it's in Washington and the headquarters says no, it's in the region, and these people say no, it's your Congressman, I recognize the problem.

But the basic point is we are beginning to build an alliance of responsible people at the local, State, and Federal level that can speak for your problem. It is still a confederation and not a federation. It is still a point at which we can break it up if we let the small administrative factors get in our way. But I say to you that the people who stood for their communities as elected officials and people who are trying to work it out in the State and Washington level, have got really in the next two years to make a common front because we have run out of time for any other way.

Senator KENNEDY. I would like to thank you, Mr. Wood.

He will be here for a few moments because I know a number of you have questions. He said he would be kind enough to stay.

It is a pleasure to have the chance to introduce the Assistant Postmaster General.

STATEMENT OF RALPH NICHOLSON, ASSISTANT POSTMASTER GENERAL, POST OFFICE DEPARTMENT

Mr. NICHOLSON. There is, of course, a partnership between the Commonwealth of Massachusetts and the Post Office Department. And it takes the form of Postmaster General Lawrence F. O'Brien from Massachusetts.

We do have a unit in the Department that is working specifically with the Governors and Governors' offices of the states, and we are, of course, aware that governments at all levels are among our most important mailers and, therefore, governments are an important part of our customer-community relations programs.

At a recent national postal forum held last month with about 2,000 major mailers represented, we had specialized panels for the discussion of problems of governments that use the mail.

But I did not intend to talk specifically about the mail service for governments. I will try to be brief so that through your questions I will be responsive to the things you have in mind.

There are really just two things I would log in with you inasmuch as postal service does touch every individual, every organization, every business, every government agency.

Those two things are the consideration presently being given to some basic change in the organizational structure of the post office department, and the other has to do with the current consideration of an increase in postal rates. . . .

So turning first to the possible change in the organization or form of the postal establishment, perhaps it would be helpful very quickly to indicate the kind of change that has taken place in this country since the post office was first organized.

It has its roots back to the Colonial days when Ben Franklin served as the Colonial Postmaster General for Great Britain. And now on up through the earliest Colonial days until today. In those early times the post office initially when formed as part of the United States had the purpose of producing general revenues and did operate as a part of the Department of the Treasury for the purpose of producing general revenues and did operate as a part of the Department of Treasury for the purpose of raising revenues, and that is probably why a single sheet of paper, a letter, cost 25 cents a sheet, two sheets for 50 cents, and so on, for a distance of 300 miles and over.

For the first 60 years of its operation the post office contributed to the general revenues, but then with the opening up of the country, the emergence of new areas, new territories, migration of people westward, the post office was used to connect those people, both through correspondence and through the exchange of news and information; and, of course, also later with the shipment of merchandise and products of the market were made available to the people wherever they might live.

In those unfolding days the Department was central in our domestic practice. It was central to the road-building program, for example. Indeed, until very recently, until 1954 or 1955, the Committee in the two Houses was known as the Post Office and Post Roads Committee.

It was the Post Office, using the revenue from postage to build the basic network of roads, that was laid down in this country, the Boston Post Road being one of the famous ones and one of the early ones.

Also the interconnection of the country, the interconnection, the means of communication between and among all the people in the country, was the most pressing domestic problem to solve, it seems to me.

When the railroad, of course, and then the airplane came along, it was the post office, through its payment for the charge of mail, that contributed to, or in the case of airlines, actually subsidized the development of those industries. The telegraph was an early postal development.

The Postmaster General at this time, either rightly or wrongly, decided which was better, a private enterprise operation. So it never became an organic part of the post office.

Montgomery Blair, Abraham Lincoln's Postmaster General, was very keen, a very central figure in the President's Cabinet, and he took a very important part, not just in postal functions, although that was a great postal period, but the emergence of city delivery service for the first time. In the formation of what is now the Universal Postal Union, probably the oldest and one of the more effective international organizations now in existence. But not only was Montgomery Blair a great innovator of postal affairs, he was a key member of the President's Cabinet and his advice and his energies were central in the conduct of government.

Of course, today, the road-building, the programs for helping the people, you noted the people each has its own Department, HEW, or OEO, and so on, are involved in programs that would seem to be related to the postal function, so that today the post office is operating in an entirely different climate and under entirely different circumstances.

It was probably because of that that Postmaster General O'Brien back in April of this year made the suggestion that perhaps the Post Office Department should be converting into a government corporation, the policies and purposes of which, of course, would be determined by Congress, and the operations would be in the public interest, but, the corporation itself would have the opportunity to appoint a permanent staff, professional staff, would have the opportunity to raise money through different kinds of financing, or more flexible than the present appropriation process, would have perhaps a greater control over the setting of postal rates and in setting the terms of conditions of employment.

Mr. O'Brien's proposal got a very big and generally receptive response with the Congress. A few days after Mr. O'Brien made the proposal the President appointed a Presidential Commission of ten outstanding citizens, headed by Fred Kappel, former Chairman of AT&T, to study the O'Brien proposal and other proposals for other organizational forms, as well as a very broad charter to examine postal operations in all aspects, all phases, the quality of service, what the public wants and what is economically feasible to provide in the way of postal service.

The Commission is now about midway in its activity. It's due to report next April 8th to the President on changes, if any, and if there are to be changes, what form or what types of changes they recommend.

The second little subject that I would like to introduce is the postal rate subject.

The Postal Policy Act of 1958 establishes that the Post Office Department shall operate on a break-even basis. By break-even, the Act prescribes or goes on to say by break even they mean after setting aside the costs of enumerated public services that are not to be charged to the patrons of the mail.

There are certain services, such as losses incurred by preferential postal rates afforded to nonprofit organizations, or the loss on the mail carried free for the blind, in pursuit of statute, and other services of that sort. So that the deficit for rate-making purposes is the difference between revenue and costs after the costs of public services have been set aside.

The Postal Policy Act directs there should be no deficit—that the revenue and cost should be equal.

At the present time there is an overall deficit of $1.2 billion, of which a little less than $600 million is public service and a little more than $600 million is the amount by which the user of the mail falls short of covering the costs of that usage.

At the same time, I am sure you are aware there is pending a proposal to increase the pay of Federal employees, and indeed in the House of Representatives the two matters have joined in a single piece of legislation that would raise postage rates and, on the other hand, would raise the rates of pay for all civilian Federal employees, including postal employees.

In order to attack a deficit of this magnitude, it is a practical impossibility to do so without an increase in the price of the first-class letter. And even if it weren't a practical necessity, the price of a first-class letter should indeed be raised.

Of all first-class letters, about 95 percent of them are one ounce or less and, therefore, today pay five cents. The remainder, of two ounces or more, pay ten cents. The five-cent letter today is in a loss position. It does not pay its way and that is the only other guidance in the Postal Policy Act in the way of financial guidance.

The Act does state that first-class mail shall pay its allocated cost plus an extra amount because of preferential service. Thus, historically, first-class mail has always paid its way plus an additional amount, but today the nickel letter is not paying its way and, of course, it will fail by a still larger amount, assuming the passage of the pay increases without the accompanying rate increases.

The five-cent letter is a great bargain. I believe never has there been such a bargain in this country or in the world. I know I get a lot of correspondence that refers me to the good old days when letters were three cents.

In fact, I got enough of them so that I looked up the economic profile of the day and found that the average person in the United States had to work four minutes and six seconds in order to earn three cents for which to purchase a stamp or first-class letter in 1933—four minutes—whereas today the average employed person works 1.1 minutes to earn five cents for the five-cent letter.

So that anyone who wishes to may go back to the good old days, but as it is today, the five-cent stamp takes one quarter as much out of the hourly earnings of American citizens than did that great bargain back in 1933.

It is not only true that the five-cent stamp is a great bargain in our postal history, it is also a bargain versus the rest of the world.

In Great Britain the average person works more than three minutes in order to buy their first-class stamp. And in West Germany it's five minutes and in France it's nearly ten minutes of work to earn the money to buy the first-class stamp.

There is, of course, an inevitable relationship between the quality of the service and the amount withdrawn from the society to support this service. But I do submit that if we withdrew three times as much from the public for the operation of the postal service, so as to be comparable with Great Britain, I think we could do a whale of a lot.

We now use 6.6 billion dollars to operate the Department. If we had $20 million, for example, something less than three times our present appropriation, I think you would find we could give service to many communities where today for economic reasons we cannot.

So whether I am taking longer than I thought, I will hurry. The first-class increase is a practical and legal necessity under the conditions which we find ourselves in. A one-penny increase on first-class is a 20 percent increase and, therefore, it seemed to us that the appropriate increase for all classes of mail thus should be at least 20 percent. And indeed our proposal suggests 20 to 30 percent on various classes of mail. And thus the bill before the Congress now is an omnibus rate bill, every class of mail is affected, and speaking generally the increases range from 20 to 30 percent.

I believe I should pause at this point in case there are specific subjects about the postal operation that would like to have me comment on.

Question: Secretary Nicholson, I am Bob Nicholson from Boston.

Just recently I saw some references in the Boston papers with reference to the recent requested increase, that other class mail is not carrying its fair share, that first-class mailers are paying unnecessarily a high proportion of the added revenue which is needed by your Department. And this condition is being brought about by fostering nuisance mail which we are all being flooded with and I think everyone will agree about 60 percent of the mail I have delivered at my home goes right into the wastebasket.

Why is it that this particular class of mail the bulk mail rates, aren't brought up in line with the increases that we have had to pay, say, since the days when we were paying three cents?

Mr. NICHOLSON. Yes, sir. I suppose that this is the subject of most of the correspondence I get.

The third-class bulk rate mail has been growing very, very rapidly ever since the class was recreated in 1928. The increase on that mail has been far more frequent than the increases on first-class mail.

The rates were raised in 1958, 1960, 1961, 1962, 1963, 1964, and 1965. The total increases since 1962 have been 188 percent. So that frequency of adjustment has been far more rapid.

Also in the current rate bill the proposal by the Administration and enacted so far by the House, and I hope also by the Senate, provides a 31 percent increase on that class of mail as contrasted with the 20 percent increase on first-class mail.

Now, as for paying its way.

The setting of rates is not just a determination of costs. Rates are formula. It's cost plus judgment equals rate. Cost can only measure tangible cost effects, not intangible effects, and there are some intangibles present.

Third-class mail is subject to delay, to deferment, in contrast, first-class mail is preferred, it gets preference over all classes of mail. If the clerk reads 100 addresses and pokes mail in the pigeonholes today it costs the same as if he did it tomorrow or the day following. So the cost is the same. The value to the mailer is different between mail that is processed today and mail that is processed tomorrow or the following day.

It's the same difference, for example, between phone calls made after a certain hour and phone calls made before. We use the same instrument and use the same telephone wires but there is a deferred rate because of the off-peak handling of that call. Or the seat in the balcony may cost the same as the seat in the orchestra, but the value to the user of the seat is different.

So, too, in the third class versus first class. There is a different value rendered by the service and plus there is a basis, in my opinion, than there is in any other type of rate.

Still the thrust of your question is first of all should there be that differential even though it may be economically justifiable and, if so, how big a differential? I believe that the proposal we have made brings the so-called cost coverages, that is, the percent of revenue, what percent is revenue to cost?

The original proposal brought that percent of revenue from cost to 90 percent. Whether or not that is the right percentage, I don't know. The pay increase when added in drops it again to 83 percent, I believe it is. So there is still a differential. The users of that mail are all profitmaking corporations and I think it could be said that within the framework of the Postal Policy Act the objective should be that that class of mail pays 100 percent of its way and that other classes be preferred or deferred below that as the norm.

So I haven't really answered your question as you wanted me to, but, yes, we have, we are asking for a larger than average increase on that class of mail. There is justification economically for that, for a dropping of the revenue under cost for that class of mail, but in the long run I think the proper rate objective probably should be the revenue should equal 100 percent of cost.

Question: On Thursday night I had occasion to send a letter to Washington, using the zip code, to get the hotel accommodations. And looking at the mailbox they said they would collect the mail at 5:30 in the morning. I knew already that it would take me an hour and ten minutes to come to Washington by air, and I figured if I used the air mail service of the post office using the zip code and putting a piece of mail in Thursday night, that it would possibly get here before I would, coming Sunday before noon.

So when I arrived at the airport I called the hotel and they said that they had no letter that I thought would beat me here.

I am not complaining. I am just stating the situation that happened to me recently and would like to know how is your zip code working?

Mr. NICHOLSON. Well, I can't explain that one particular movement. It is true that some of our difficult mail handling is in the Northeast corridor from Boston to Washington and Richmond.

We have as much a problem moving the mail from the collection box across town, as we do to get it between cities.

Zip code is working. Zip code is the inevitable expression of postal operations in the future. The initial phase of zip coding was for the purpose of providing those mass mailers who must create their mail by computers or other devices. Create the checks or the label by computers. If given a code, those computers could be programmed so that the material comes out in the postal sequence. It does no good to have all the A's together and all the B's. The initials of people's names together for postal purposes, it serves no purpose whatsoever. But to have all the zip codes that are similar, run consecutively, so that that run can be dumped in a sack and thus all pieces of mail in that sack are delivered as a unit instead of as separate pieces.

The initial phase, as I say, was to give the users of the computers an opportunity to sequence the mail in a way that made sense to the Post Office Department. That phase is well underway.

We are now getting some 20 billion pieces of mail pre-sorted by zip code, delivered to the post office in sacks, so that they bypass the post office of origin and are not handled until they reach the carrier station where they have to be sorted for delivery along the routes.

That is a very significant saving and also a very significant increase in the speed of handling of that mail.

The second phase of zip code comes about within the major post offices where the density of mail is such as to make it economically possible where letter sorting machines can now be activated by electronic scanners that can read the zip code when it's printed or typewritten on the envelope.

This means that those machines can be fed the mail by zip code readers at the rate of 36,000 pieces an hour whereas a human attendant on the same machine does about 45 a second. I can't multiply. You will have to multiply 45 by 360.

It makes the throughput on the machine that much more significant that we can afford the investment in the machines so as to apply them in more places.

Now the zip code reader, this optical scanner, is still just entering its second generation, but we do see the use of zip code making possible this kind of accelerated handling in the post office as the second main advantage of zip code.

Thirdly, we have real problems in our employment, particularly in the large cities, through various circumstances, including legislation of a year ago, October, called Public Law 89–301, we have had to have large infusions of new people employed at times that are not satisfactory mainly from midnight until 6:00 in the morning, and under terms by which we cannot assure the personnel that he will work even one hour a week, much less 40 hours a week. It is temporary employment at unsatisfactory times. So that we have had a very large problem of recruiting, training and retaining postal employees.

A normal distribution clerk needs about two years of training in order to understand the distribution of the mail, to memorize the five or 6,000 bits of information he needs to know about what post office is handling Lynn, Massachusetts, or what post office is handling this or that suburb or Boston, whereas by zip code number the clerk, after an hour's training is about as effective as he will ever be.

So that the zip code makes it possible for an untrained person to be proficient in mail distribution, whereas previously scheme understanding took up to two to three years to memorize a scheme with the 95 percent accuracy rate.

Zip code in that aspect of it is going to enable us to operate with the available people to us in the major markets at the pay levels and conditions of work that we are able to offer.

I think without zip code we would have been lost last fall when we had some very real mail-handling problems.

Underlying the zip code is a whole revolution in transportation concepts. Up until a few years ago, the Department was operating out of 37,000 post offices and the problem of interconnecting exchanging mail among 37,000 locations is a terribly complicated thing.

For many years we were very ably served by the railroads, but in the last three or four decades, railroads have been disappearing in ever accelerating numbers. Today we have fewer than 900 passenger-carrying trains that carry mail whereas before World War II we had 10,000 daily railroad movements. So, something had to be found to replace the disappearing railroad.

I think the State of Maine has no passenger-carrying trains, if I remember rightly. Other states, other whole states, are without train service. So the zip code made it possible, indeed the two went hand in hand, we revolutionized the transportation scheme of the country so instead of exchanging mail among now 33,000 post offices, we have the transportation network organized around 552 section centers. And we have laid down truck, railroad, or airline movements that interconnect those 552 centers.

The zip code thus has played a part in the transportation revolution, not necessarily of our making, but a solution to the problems that we found ourselves in because of the disappearance of trains. So zip code mechanizes a very large quantity of bulk-created mail. It contributes greatly to our mechanization and modernization program and enables us to use available personnel effectively through the substitution of zip code instead of scheme and it has been the groundwork, the fundamental on which a whole new transportation concept has been based.

Question: Frank Walker, Mayor of Marlboro.

Why aren't you using United Parcel Service, because it gives much faster service than the postal service and much cheaper rates?

Mr. NICHOLSON. We would be very glad to.

But the terms of their business are different and their selection of customers is different.

I guess I am defending the parcel post system.

Question: George Tenney of Truro.

We are a gnat on the tail of the flea, on the flea on the tail of the dog that bites the postman, insofar as our problems are concerned. But we have been assured by your Department, as the Senator's mail will affirm, that for five years a study has been going on relative to replacing our outmoded and totally inadequate post office.

What would you consider a reasonable time of waiting?

Mr. NICHOLSON. Well, I imagine the backlog is pretty fantastic.

Of all of the Federally occupied space that we use, 80 percent of it was built 30 years ago or longer. We do have a need for about 100 million square feet of space that we haven't constructed yet. We hope to in the next five years.

I don't know the specific situation in your community except I am sure there are a long list of cities with similar requirements.

Senator KENNEDY. Mr. Webb, we are delighted to welcome you here. We have all followed your great success as the Administrator of one of the most complex and complicated programs that this government has ever undertaken, and I think all of us as Americans are indeed fortunate to have your service in serving all of us.

So I want to introduce Mr. James Webb.

STATEMENT OF JAMES WEBB, ADMINISTRATOR, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. WEBB. President Kennedy had a very deep concern for building the kind of capabilities this nation would need, not just for one day or one week or one year, but for the long-time future.

Now I say that because we are going to show you some film that indicates the problems that were faced in the early days of this program.

Senator KENNEDY. Congressman Keith has joined us here for lunch. I would like to introduce him.

(A projection screen was set up in the room and a film was shown by Mr. Webb.)

I know you want to end by 2:00 o'clock and some of you would like to have a little rest before the next speaker. So I am going to take only a few minutes to make several important points.

First of all, the power to do what you saw here, to build and fly the most difficult machine that the human mind can conceive of, very efficiently in the air and space, started in 1916.

At the end of World War II we moved into the jet age and developed large transport airplanes and large military planes and by the atomic and hydrogen bomb we thought the world could be stabilized with jet airplanes and these atomic weapons and very soon we found the Russians had moved again in front. They had developed the rocket engine and we began to see the large machines leaving the middle of Russia and going over the land and dropping into the Pacific. We suddenly acknowledged they had atomic weapons and they had the means to put them on the outside or blackmail us.

You remember when President Kennedy went to Vienna and met with Mr. Khrushchev, and Khrushchev said we are going to take away your rights in Berlin. You don't have anything to say. We will sign a peace treaty in East Berlin and you can take care of yourself. President Kennedy was deeply concerned about this. You have read this, I am sure. He felt it was essential that this country not back away from that kind of a threat and yet not to expose ourselves to a risk that we ought not to take at that time. And Khrushchev made the famous statement, when Kennedy said no, sir, we are not going to do that—am I taking too much liberty with your distinguished brother—when President Kennedy came back from that trip he said we must build military power. We must have a very advanced weapons system using the rocket engine and we must develop a space capability for this nation. We must not be without the new technology.

As a result of his decision, we moved rapidly to build the kind of power that you have been shown and you have seen some of the evolution.

But we have done something else that many people do not realize, and this is my last point.

Let me illustrate that with the worldwide communications network, in order to fly these very large and complex equipments, we must be able to keep in touch with them wherever they are.

When the Mercury or Gemini leave Cape Kennedy and go over Bermuda, over the radar screen, we get a massive amount of information. It tells us if the men are okay, if they have enough oxygen, if the fuel cells are working, and a tremendous amount of information. We have developed a way under which that information, if it is okay, if everything is working all right, the human brain doesn't have to look at it. If anything is marginal or out of order it flashes up and the men look at it and form a judgment whether we will let the spacecraft go around the earth or splash it before it gets to Africa.

We have developed a system of developing information and let the human mind work on the things that only the human mind can decide.

What is the application of it here on earth? This kind of feedback is used in certain experimental cases by doctors who when they are administering treatment to a man who comes into an emergency clinic with a heart condition they get an immediate reading. They instrument him like we do astronauts and they get an immediate indication as to whether the drug he administered is having its proper effect. If not he can try something else. In certain cases the mortality rate has been cut by 50 percent.

Let me again say this is experimental. All of it is very new but the principle of a fast feedback to tell you what is happening when you start something like the administration of drugs or launch a spacecraft is a very important part of the total systems engineering, which is going to move in the same way toward air and water pollution, whether modification, and I would say when you look at the urban problems that stretch from Boston to Richmond you are going to find our ability to get a clear understanding of what that is, whether it be weather or the earth or what is happening in these areas, is going to contribute greatly and lay a challenge on all of you as to what part you have in participating in such a system.

One other illustration.

The same kind of analysis of photographic data we use at Mars and at the moon is being used on humans. Right now you can take an x-ray picture of a man's chest and you can put that through a machine that has a picture taken a month ago and the machine will subtract one from the other and the only thing the doctor has to look at is what has changed. This means he sees only what has changed. This is the same principle we use out of Bermuda.

One last point. In order to control these machines we had to build a worldwide tracking and data acquisition network tied together with effective communications. To do that we had to have an automatic monitoring of the circuits to make sure you didn't have a break in the circuit and you didn't know it and you lose valuable information.

We saved those two men you saw land off Japan because we had fast and accurate communication.

Secondly, you had to have high speed equipment at the end of the line in order to translate this data into something that could be used and, the third thing is automatic switching system that would switch you off of a circuit that is going bad on you.

Right now the entire communications system of this planet Earth is anywhere from five to ten times more valuable to the human race because of this system.

What we did is we can get halfway around the world in seven seconds and it takes you 15 seconds to dial a local number in Washington. We can go anywhere on our network in half the time it takes you to dial a number in Washington.

We have an automatic switching if a circuit is busy and we switch onto another. If they are all busy it switches them over and it goes the other way. It is all done automatically.

The 25 contractors who have done this for us are the people who run the communications systems of the world—maybe the British post office, the French government agency, or a private contractor operating a network. They may go by land, line, submarine cable, but it's done automatically. The minute a circuit shows about a one percent error, or something less than one percent error, the machine automatically detects and it switches over to another circuit where there is no air. And you get this standardization on high speed equipment. Even the French are standardizing a 100-word per minute typewriter. And since the contractors run these things, they immediately take this better system and put it over into the entire communications system of the earth.

I just would like to point out that this money is not spent out in space. It's spent on human beings, 10,000 of them in universities like those up in your state. There have been as many as four hundred, slightly less than 400,000 in 20,000 factories and only 10 percent of the money has been spent within the government, some years as low as 5 percent, to put the system together to enable the country to do bigger things in aviation and bigger things in communication.

It's the first unlimited environment that man has had. You don't have to ask any other nation about going across its boundaries and you are not limited by the water. You are not limited by the weather or by the fuel you can carry. You scavenge your pie from the sun. You have an unlimited tool of the human race. I am delighted that Senator Kennedy has asked me to come and talk with you a little bit about this.

Senator **Kennedy**. Thank you for a fascinating 45 minutes.

It is a pleasure and privilege to present a man who comes from the West but is a familiar figure to all of those in Massachusetts, the Senate Majority Leader, Mike Mansfield of Montana.

STATEMENT OF HON. MIKE MANSFIELD, A U.S. SENATOR FROM THE STATE OF MONTANA AND MAJORITY LEADER OF THE U.S. SENATE

Senator **Mansfield**. Senator Kennedy, honorable Mayors, councilmen, selectmen, newspaper editors, and what not:

I wish I could tell you, so that you could tell Ted, when we are going to adjourn this year.

If we do not have a tax bill—and I hope we do—we should be able to adjourn before Thanksgiving.

If we have a tax bill, all bets are off and we will be in long after Thanksgiving and very likely up until Christmas.

I asked Ted, when I came in, what I should talk about and he said the record of the 90th Congress. That would be an easy thing to talk about because I could only tell you nothing but good about what the Democrats have accomplished and what the Democrats had failed to accomplish. So instead of giving you a speech on what has been done this year, why don't we turn the meeting over to questions and you ask any question on any subject you like and I will do my best to answer them.

Question: You made a statement that you were in favor of a tax bill. Please explain your position.

Senator **Mansfield**. At the present time we face a possible deficit of between twenty-eight and $29 billion.

A tax bill based on the surcharge asked for by the President would put a dent into that, somewhere between seven and $8 billion.

If the President could get the appropriation bills—and he has received six out of 14 so far—he feels he could lop off another $4 billion, and if the Congress faces up to its responsibility we might be able to knock off three or $4 billion, still leaving a pretty heavy deficit.

As I see it, we will either impose a surcharge tax that applies to only those who have incomes of more that $5,000, and it would apply to income which they had paid the previous year, the tax, income tax, then we face a possible serious inflation situation and if you don't try and stop inflation on this basis then I think you had better get ready to accept an inflated currency, and you will have only yourself to blame if it turns out that way.

This is pretty harsh medicine but if you want a sound dollar, my judgment is that we had better have a surcharge tax.

Next?

Senator **Kennedy**. What were your impressions of the last weekend of the meetings in Washington?

Senator **Mansfield**. Well, frankly, I consider it an American tragedy. It's sad to me that a small group of demonstrators, who certainly did not represent the great majority of those who were peacefully assembled, but this small group of demonstrators used foul language, spit on the troops and the U.S. Marshal, cursed them, shoved them, and threw torches in their faces. It was a tragedy.

I was ashamed for that very small minority for the image which they portrayed of this country.

You know, this is a government of law, an old saying, but a true one, and if we believe in the Constitution of the United States then I think we had better live up to it and practice it.

No one is more for the right of dissent than the Senator from Montana now addressing you. Because the Constitution guarantees the right of free speech, free press, free assembly, the right to petition. But it doesn't guarantee license, it doesn't guarantee anarchism, it doesn't guarantee that any American, no matter how much he dislikes a policy or law, has a right that he is going to take over the Pentagon or the Congress or any other government building.

The great majority were fine. They assembled at the Lincoln Memorial. They were peacefully assembled. They wanted to express dissent on Vietnam. They had a perfect right to. And for them I have nothing but commendation. And the same goes for the troops, the marshals and U.S. security forces who, I think, acted with admirable restraint. That is it.

Question: Will there be any new civil rights legislation passed this year?

Senator **Mansfield**. I can't say whether it will pass this year because we are getting down toward the shag end of the First Session.

But it is my understanding that in the latter part of this week a bill will be reported out of the Judiciary Committee, will go on the calendar, and as far as the leadership is concerned, it is our intention to call it up.

Question: Mr. Mansfield, I am sure that I express the sentiment of the majority of the people here when I say that we not only recognize but we appreciate the work done by the 90th Congress.

However, in reference to one program that was conceived by our President, the APW program, it certainly fell by the wayside.

I was wondering whether or not perhaps the next Session of the Congress that something like this could be resurrected. Certainly many of the communities that are represented here have plans afoot for some public buildings of some kind in their various communities, and certainly the help that would be forthcoming from such a program would certainly be appreciated by many of the communities here.

I know in our State of Massachusetts, and I was wondering if perhaps at some future date something along this line again could be brought forth?

Senator **Mansfield**. I am not a prophet. I would hope that it would but I try to present to you in brief the financial picture that confronts the country at this time.

However, I feel that programs such as those which you have mentioned really play an important part in the development of our country. And the difficulty now is that we are spending a good deal more on Vietnam and a good deal less proportionately in looking after the interests of our domestic economic welfare of our people.

It is unfortunate that is the case. But when you figure that we are going to spend approximately $2½ billion a month, or $30 billion a year, in Vietnam this calendar year or this fiscal year, then, of course, you can see where the pinch comes in.

Many of the programs, the one you mentioned, APW, is very much worthwhile and should be continued but it's a matter of finances.

I would be glad personally to see it brought up again, discussed, debated and passed.

Question: What kind of plans, if any, is Congress making for the economy after the affair in Vietnam is settled?

Senator **Mansfield**. None. Because the affair in Vietnam has no end in sight.

Next?

Question: Senator, in the light of your concern for the finances of the country, why, is there any doubt that there will be a tax increase?

Senator **Mansfield**. It doesn't seem as if the House is in a mood to face up to the problem at the moment, and there is no great enthusiasm in the Senate either. And if you can't get the two Committee Chairmen to call their Committees together, there will be no tax bill. And the decision lies with them.

As far as the Senate is concerned, we can do nothing unless a bill is reported out of the Ways and Means Committee, out of the House, and comes over to us for consideration. And we have to wait and take our turn.

But the initial responsibility lies in the House.

Question: Senator, presently in the Congress there is a bill to assist law enforcement throughout the country. With the social problems that confront us it seems that law enforcement has to bear the major problem. Law enforcement is our nation's first line of defense when it comes to our urban centers, with this bill, especially the Massachusetts Police Association of our state, we are looking forward to it that the Federal government might give us, and that most of the cities are not able to help. We are looking for joint cooperation between Federal and State assistance to give us a better means of communication.

Would you care to comment?

Senator **Mansfield**. Yes, indeed.

There is a bill seeking to do what you have mentioned, in the Judiciary Committees of both Houses, and Ted Kennedy could give you more in the way of details than I can.

But I feel very strongly that there has to be a very close and solid relationship between the local-state officials who are charged with the enforcement of the law and the Federal government.

There is a great change occurring in this country and summers of discontent may well run into winters of discontent as well.

It appears to me that the policemen—and you refer to them as our first line of defense, domestically—have an unhappy lot nowadays. If he tries to enforce the law he is accused of police brutality, as was the case over at the Pentagon on Saturday night. He has had his authority stripped from him to a great degree. He has had inhibitions placed on him as a result of court rulings. His responsibilities are increasing all the time because trouble is increasing. He is underpaid and overabused. And I think he is entitled to every possible consideration we can give him because he is the man, he is the authority, he is the law, who stands between the rest of us and turmoil and crime and all these other facets which mark disorganization in a society.

Question: Mr. Senator, has the "Summer of Discontent" affected Congress' attitude towards the civil rights movement?

Senator **Mansfield**. I don't think so, I can only speak for the Senate in this respect: that the attitude there is, generally speaking, what it was a year ago. There have been no changes. There may be a few additional in the way of Senators who are a little more liberally inclined toward civil rights. In the House I do not know. But the problem is there. It is not by any means a Federal responsibility entirely because the cities, the big cities, the urban areas and states have to face up to this first themselves and the Federal government should come in only as a last resort.

Question: You mentioned a moment ago that there is no end in sight to the Vietnam situation. Is there any glimmer of hope anywhere?

Senator **Mansfield**. I am sorry to say, none as far as I can see.

Question: In the morning paper Congressman Udall is quoted as saying we should deescalate and withdraw. And he cites as one reason we have been able to live with Communistic governments in Havana and Budapest, so why shouldn't we in Vietnam.

Do you have any comment?

Senator **MANSFIELD**. Yes; I wouldn't go as far as Representative Udall.

It is too late now to wonder or to figure out how or why we got there. We are in.

The question is moot. I do not think we can withdraw unilaterally. There is too big of an investment in Vietnam at the present time.

But I do think we ought to continue an unending search for peace so we can reach the negotiating table to the end that an honorable settlement can be achieved. And none of these proposals I am going to call to your attention are original with me: but a barrier be built along the 17th parallel across Laos cutting off—on the Laotian frontier. There is some indication we are building a barrier composed of mines, electronic devices and the like below the 17th parallel.

I have also supported the idea advanced by Senator Cooper of Kentucky that we ought to concentrate our bombing at the 17th parallel and the Ho Chi Minh trails in Laos. That would mean that it would not be necessary to bomb the North. But it would be a concentration and consolidation of the effective bombing, an interdiction, in my opinion, which would accomplish far more than bombing of the north has accomplished today.

The bombardment of Vietnam had two objectives.

One, to stop the flow of infiltration, to stop the infiltration of men and material into South Vietnam. In that respect it has failed. Because in talking to General Westmoreland in Manila just last month. I asked him how many North Vietnamese were coming down into the South. He said between 6,500 and 7,000 a month.

The second objective was to bring Hanoi to the conference table. The exact opposite has resulted. And Hanoi is further away from the conference table now than it was before the bombing began.

Other proposals have been made, such as de Gaulle's idea to neutralize all of Southeast Asia.

I am in favor of a guaranteed neutrality of all of Southeast Asia. I think we had better be careful as these bombing attacks are extended north. Ten miles from the Chinese border means you are 30 seconds away. 6.8—and the newspaper reports carried this story about three weeks ago, is 24 seconds away. And we have lost two planes over the Chinese Mainland beyond the border, plus one on the Island of Hainan, and others we know nothing about. And what I am fearful of is a possible confrontation with China, based on accident, miscalculations or by chance.

I am sorry, ladies and gentlemen, that I can't be more encouraging on Vietnam. But I can only tell you how I honestly feel, and the situation is not a very good one.

Question: Mr. Senator, in your experience has Hanoi ever attempted to communicate or initiate any steps toward negotiation?

Senator **MANSFIELD**. Not once. That is why I support the President and will continue to support him in the many efforts he is trying to make to reach the negotiating table. Because no man feels the strain of this war greater than does the President of the United States. And I know. And when I see these people carrying placards, villifying the President and the First Lady, shouting obscenities at them, insulting them, as was the case over the weekend, I think it's time to call a stop, because I don't care who is President of the United States, the man who occupies that office is entitled to be treated with dignity and respect and not to be villified.

Question: Have you ever heard any relative weight being put on the amount of information that is available to the general public, the Congress, or its leaders?

The President is in possession of every bit of military intelligence information. Do you care to comment?

Senator **MANSFIELD**. The President has been accused of creating a credibility gap. Don't you believe it. Because the President has given the people and the Congress and the leadership all the information he had and thought he could give out at a given time which was at his disposal.

Now, things change in the next two weeks or the next month, that doesn't mean that he has been dishonest. It just means the information at that particular time was not available.

I get pretty disturbed when I read about credibility gaps and the holding back, supposedly, of information on the part of the President. He doesn't hold it back. There is some he can't give out, but what he can give out he does give out and we have no reason to complain on the basis of a credibility gap between the Congress, the American people and the Administration.

Question: Senator Mansfield, as a former resident of the land of the shiny mountain and now a municipal electric light commissioner in Middleborough, I wonder if you would comment on the power project making it through Congress.

Senator **MANSFIELD**. As far as the Senate is concerned, no question. As far as the House is concerned, I am afraid you are in difficulty. And as a public power advocate I would like to see the Lincoln-Dickey bill. I think it will mean a great deal to the people in Maine and I support the efforts of Smith and Muskie in that respect and have down through the years.

Question: It seems to me that the United Nations should be accepting their responsibility getting over to Vietnam and trying to settle the issue.

Senator **MANSFIELD**. I couldn't agree with you more.

Senator Kennedy and I have been working in this direction for some months now. We figure that the UN should face up to its responsibilities under Article 1 of the Charter. It's supposed to maintain, preserve and keep the peace. It has been dodging that responsibility and in that respect reneging on its authority.

The President is most interested for the United Nations Security Council to take up the U.S. resolution or some other resolution which has been pending there since January 30, 1966. We are very hopeful that in the not too distant future efforts will be made to bring a resolution before the Security Council and if it sees fit to consider it, and incidentally, taking up the resolution and talking about it are not vetoable, recommendations are, but I for one would be most willing to have the Security Council invite Peking, Hanoi and the NLF along with all others directly and indirectly concerned, members or not of the United Nations, who appear before the Council and to lay their cards on the table.

Question: Will the Congress pass a bill giving us increased social security and Medicare benefits this year?

Senator **MANSFIELD**: I hope so. There is a bill in the Finance Committee—incidentally, it has already passed the House. I believe the hearings are complete on the Social Security bill. It should be reported out. If it is not reported and passed by the Senate, I feel that we would not have kept our word to the people who have been expecting for a year necessary recognition and changes in the Social Security bill on the payment coming up.

Question: What do you consider would be the major issues in the next Presidential campaign?

Senator **MANSFIELD**. Vietnam, the disturbances in the urban areas, and taxation.

Question: Is there any danger of a confrontation in the Mediterranean because of the concentration of the Russian fleet in that area?

Senator **MANSFIELD**. Not at the present time. Because while it appears that at the time of the Midwest crisis, the Middle East War, that the Russians were bringing in eight or ten ships through the Dardanelles into the Mediterranean, and people got the idea that this was a new movement. We ought to remember that for years now the Russians have had a sizeable force in the Mediterranean and this influx at that particular time did not mean an increase but a keeping up to the level which has been ordinary over the past several years.

Naturally she will have an interest in the Mediterranean and this interest will be amplified as she gets closer, if she does, with certain of the Arab states to which she is supplying arms at the present time.

Senator **KENNEDY**. What are the prospects of the Nonproliferation Treaty?

Senator **MANSFIELD**. Hard to say.

As far as this country and the Soviet Union are concerned, I would say good. But some of our friends like the West Germans and Italians are raising roadblocks which may temporarily stymie the consummation of an agreement which is needed even though it will not cover all the countries which should be covered.

But at the time being it appears those two countries are the major roadblocks.

Question: Would the fact that the Russians succeeded in refining where they can land panels of recording instruments on Venus, will that cause the Congress to reappraise the NASA budget?

Senator **MANSFIELD**. I would hope not. I think that we ought to get away from this idea of wanting always to be first in everything we do. I would rather we spend less and be more sure and achieve what we want on that basis and spend some of this space money in the ghettos at home where we have problems and people who need attending to, so if the Russians are going to get ahead it won't be the first time. They had Sputnik long before we were able to follow up. If we operate on the basis that we have to be ahead of them or keep up with them, I think it is going to waste a lot of money and not achieve the results we desire, and I would rather go slowly and surely and not spend.

Question: Do any of the members of the Congress share the feeling you just expressed?

Senator **MANSFIELD**. I am afraid not.

Question: You spoke of the Near East crisis and the crisis still exists.

How is it going to be resolved?

Senator **MANSFIELD**. You are asking the wrong guy. It will be resolved, I hope, between the Israelis and Arabs at an appropriate time, but I am sure the sinking of the destroyer has not added to the amiability between the Israelis on the one side and the Arabs on the other.

But Israel at the present time, as you know, holds a good portion of the Sinai Peninsula, holds the heights of the valley above Galilee, and also holds the old City of Jerusalem, plus the area of Jordan on the West bank. It has shown no indication that it will give up any of this until and unless some agreement can be reached. And at the present time there seems to be no possibility of an agreement even though until this destroyer incident occurred it appeared that Nasser may be gentling a little bit and probably coming to the conclusion that a settlement might be achieved.

Now this will just throw the whole thing back into the yard again and we will have to wait and see.

Question: Senator, in the area of municipal administration, I read recently that there is a bill in the Subcommittee in the House to reclassify four national holidays so they would fall, I believe, on Mondays or Fridays, one or the other, and I was wondering what your feeling was.

A lot of us here will be concerned with it. These are personnel problems.

What is your feeling on this bill should it come to the Senate?

Senator Mansfield. Frankly, I have no feeling on it. I like Saturdays and Sundays and holidays as they are. My mind is open.

Question: The Medicare program has proven very successful but one of the problems with the elderly is the payment of bills, bills, and medicine.

Will any legislation be made available to take care of this in the future?

Senator Mansfield. At least amendments, I think, are in the Finance Committee, offered by George Aiken of Vermont, seeking to bring about a reduction in drug payments which will include bills. This is quite a problem. I don't know what the Committee has done or is doing but I wouldn't be surprised if something did not come out of that Committee seeking to rectify this process, at least in part, this year.

Question: I have been reading about the Social Security going bankrupt, I read that in the paper last week.

Is there any truth in it?

Senator Mansfield. No; there is a surplus of funds. It's in good shape. Don't worry.

Senator Kennedy. We want to thank the Majority Leader. The bells are ringing. They will be voting very soon over in the Senate. He has been very generous with his time.

We are indeed fortunate to have the Vice President of the United States who will be with us.

No one has a greater understanding about the workings of government at all different levels. He has been a mayor, a United States Senator, as Vice President in the close councils of our President, and a person who has always understood our problems in Massachusetts. He has always received a warm welcome and it is my great privilege to present the Vice President of the United States.

STATEMENT OF HON. HUBERT H. HUMPHREY, VICE PRESIDENT OF THE UNITED STATES

Vice President Humphrey. Thank you very much, Senator Kennedy, my good friend Ted.

I want to take just a few minutes of your time. I know that you have had a very full program today and I gather from the program of tomorrow that you are going to be busy and talk to and visit with some of the most important officials of our government.

You are going to be hearing from the experts. I am not an expert. There are only two general practitioners in this government. One has a license, the other doesn't have one. I am the one without the license and the President is the one with the license.

I am, however, a former mayor. I have had a long and continuing interest in the problem and the concern of our municipalities and our institutions of local government. I have tried to keep up to date. That is not so easy when you are not on the firing line of local government.

Many of us that speak of the problems of community life and local governments do so from a rather pat point of view and from a rather remote position.

When you are there, when you are out home with the people, and they bring you every conceivable problem and you have to face the day-to-day situations that may develop, it is then that you have a full knowledge of what is going on in local government.

So I come to you to share a few thoughts, hopefully that they might be of some interest to you.

You know that President Johnson asked me to serve as his liaison between the White House, Federal establishments, and the local community, local government officials. We have had over 40 meetings with the mayors, city managers, county commissioners, councilmen, selectmen, people at the local level of government. In more recent days we have been meeting with the legislative leaders as well because so many of our Federal programs today require State implementation or State cooperation.

The purpose of my meetings with the local government officials has been to acquaint them with what the Federal Government has to offer. How this partnership between Federal, State and local government can work. And the word that is important to remember is "partnership."

Now, the public administrators, and indeed in the Presidential Message, spoke of it as creative federalism. That is a rather big term to swallow and understand what it really means is that level of the governmental establishment, Federal, State and local, is energized that each level recognizes the interrelationship with the other. That each level, if you will, fills its responsibility. This is a way of saying that there isn't a single problem that confronts this country that can be met or satisfactorily solved by any one individual group, one level of government. No matter what it is today, the problems are so big. If it is communications or transportation or water pollution or air pollution, or health, name any problem that is yours and in your community and you alone, no matter how good a mayor you may be, no matter how good a council member you may be, no matter how competent a city manager you may be, no matter how good a legislator you may be, you cannot solve it alone. It requires the combined resources of the Federal, State and local governments and private groups.

Now, your Senator, Ted Kennedy, has approached this doctrine here in the halls of Congress and done so effectively. He has taken a great interest in all matters of legislation that relate to our municipalities, our community life, our urban life. Particularly we need Senators that do this because, I think, we are just now coming to grips with the big problems of urban America, and the relationship of the smaller community to the center city through the big metropolitan areas.

Fortunately, we have people today in government who understand that the demagogue of yesterday has no place in the environment of today. There were people in other days that tried to pit the rural areas against the city areas, the big city against the small city or town, the Federal Government against the State, and the State government against the local government, and vice versa. These are the busy forces in our country. There are still a few of them left, but I think most people now understand that the concept of partnership is the only one that will work. And I am talking about a partnership in which the Federal Government does not supplant what you want to do, but supplements what you want to do. I am talking about the partnership in which we come to you with what resources we have for your use, rather than coming to you to tell you what to do as we want to use them.

I think we have made considerable progress, and I say this most respectfully to you, in applying this definition of partnership; and I hope that you will find that in your conference here that this is true.

One of the things that we have tried to do these past two or three years, as I said, is to acquaint the local officials with what we have here.

I can describe the first meeting of mayors we held in Washington. I said I was Mayor of the City of Minneapolis, a city of over half a million people, and when I used to come to Washington I didn't know who to go to, what to ask for, who to see, or what to expect. I said since then there are so many new Federal programs and so many new jobs that a mayor or councilman, or county commissioner, or county supervisor, county judge, whatever the title may be, when he comes to the Nation's capital now looking, and he has heard about Federal programs that might be of help to his community, he is sort of like the person that walks into a supermarket and there are all kinds of goodies and goods on the shelves without a label on any that he can understand. Just about the time he is getting ready to hopefully make a suggestion, even without the label, somebody turns the lights off.

And he wanders around wondering, "Am I getting what I want; what did I get; what am I down here for; was the trip really necessary?"

As a result of that what I think is a rather accurate picture of the circumstances that have prevailed all too long, we have developed—and, Teddy, I want to be sure every member of your group gets one of these catalogues, gets the entire kit—we have developed through the Office of Economic Opportunity a catalogue of community programs that are available to you, and not only a catalogue of it but what they are, when they were passed, what their official title is, what their common name is, who you apply to, how you apply, and how much money is there. Because I can tell you there isn't enough—but you ought to get in as fast as you can.

In other words, we put a label on these products. That is a very helpful catalogue. Imagine what Sears and Roebuck would have been like without a catalogue. The farmer that used to buy from Sears and Roebuck would never have known what he was ordering or getting and Sears and Roebuck would never have known what they were selling and I think that it the way it has been all too often in the past between local and Federal government. It has brought about suspicion and doubt and friction and frustration.

And I want to give you one other suggestion: Whenever you have a problem in your local community that you feel you are not getting the proper answer to, or at least a reasonable proper response, both in time and quality, you can always go to your Congressman and to your Senator. They are more than happy to help you. They are the most effective representatives that you can have. You can go to your League of Cities, your organization of municipalities, or if you are a member of the United States Conference of Mayors you can go to them or to the National Association of County Officials. Any organization that you or your community may belong to. But if none of those help you, the Vice President's office would like to. We are equipped to do so. I don't believe that we can promise you results always, but we can promise you an answer.

One thing that always irritated me when I was a local government official was to write to Washington or write to a regional office and think they somehow never delivered the mail because if they delivered it at least the answer didn't get back.

I don't believe you ought to have to wait and collect your social security checks before you get an answer to your communication.

Whether we can say yes or no, I can't tell you, but we ought to give you an answer. We ought to let you know that we are interested in what your problem is and you are entitled to do something about it.

One other thing: There are many ways that we can be of help to you at the departmental level and congressional level and at the Vice President's office level. We are pretty good inside scrappers for the kind of help you want. I wanted to give you that little assurance here because I like to work with you. It is my most important, I think, and most interesting assignment, working with our local government officials.

We haven't publicized our conference a great deal. I think we maybe made a mistake on that. But we have taken them all over the country. We have been up one time, I recall, up in your area with some local government officials and we have been in different parts of the United States.

I think it is so good that Senator Kennedy has done this for the people in your area of Massachusetts, because it means so much to you and it will help him to better represent you, as he wants to do and as he does.

Just another observation or two. We are going to have a great and growing country here, a great fast-growing country in the next 33 years. We are going to have 100 million more Americans in the country between now and the year 2000.

The question is where are they going to live and how are they going to live and what will be the quality of their lives.

We are going to have to understand that many of the problems that our cities face today are problems that came about because there wasn't proper advance planning, because there was not a vision of what would be needed.

Believe me when I tell you the most conservative projections of population increases for the next 33 years—and that is a little over the next quarter of a century—is another 100 million people. And if there is no change in the direction in which those people flow, most of those people will be on the Atlantic Seaboard, in the Gulf States area and on the Western Pacific Coast, and some along the great cities of the Great Lakes. The vast hinterland of America, as it now appears, is the more slow rate of population growth between the Appalachian and Rockies. Also there is another matter—the smaller community.

Now, it isn't good enough to go around and romanticize about the beauty of the small town and the wonders of rural life. I know some people say that is the way it ought to be. Most of the people that appreciate the wonders of rural life are people who have made it pretty good in the city and decide to buy a country home. Because that man in rural America is having to work mighty hard to make a living, if he is making a living.

The greatest amount of poverty in America today is in rural America.

Ladies and gentlemen, it is out of these swamps of poverty that move now to the big metropolitan areas. I don't think there is any way that we are going to adequately meet the problem of disadvantaged young people, of unemployment, joblessness, bitterness, racism, frustration in the metropolitan areas unless we start to meet it back in the countryside. That means helping to build and design policies that help build other communities in America outside of just the great metropolitan areas.

It means raising the quality of life in rural America, the quality of life in the city of 10,000, 15,000, 20,000, 25,000 and 50,000.

What do I mean by that? Not only fresh air, sunshine, beans and flowers, but jobs, industry, schools, hospitals, doctors, community centers, drama, the theater, the arts, because that is what people want in that and that is what we are working on now. It can be done.

Let me give you one little example. Huntsville, Alabama, 10 or 15 years ago, was a sleepy little southern town of less than 20,000 people. Then came the space program, Dr. Werner von Braun, the great space rocket program. Today there are over 175 Ph.D's in Huntsville, Alabama. Today it is a city of almost 200,000. Today a culture center, a branch of the University of Alabama. Today it is one of the thriving commercial centers of the southland, as modern and progressive and fine a city as you would ever find. How did it happen? Because of the smell of magnolias? No. Because somebody could be kind and sweet to the people? No. Because government and industry decided to do something about it. In a large measure it was government, in this instance, but industry followed and jobs were available and then the university came in and then 100 things started to happen. And it can happen.

I am going to speak tonight at a rural youth conference on this very subject.

So this is for the smaller community and this is to the advantage of the bigger city, their friends that live on the fringes of Boston. Councils of government, a new concept, is very important. Councils of government where you have representatives of your local government institutions with their full autonomy, with their full sovereignty, with their full legal jurisdiction, where they work together in a new framework of supergovernment or superstructure of government, to coordinate the program that affects the entire area, not a new formalized government, not with a new charter, but councils of government where you pool together the representatives of a number of communities in an area to meet common problems, transportation problems. What good does it do to have a transportation program in your community—what good does it do if you have a four-lane highway going through your town if there is a two-lane highway at the boundary. What good does it do to have an air pollution engineer only to find out that the town right next to you, that is only 50 feet away, or 25 feet away, a line like this, this is your town and the other one is the other town and the other one doesn't have this.

I remember when I was Mayor of Minneapolis I wanted to have air pollution control in Minneapolis and St. Paul didn't. You know, the river had no respect for us at all.

So we are beginning to learn that we have to start to pool our resources and we can pool them without losing our identity. That is one of the real problems of local government.

Before when you talked about pooling your resources you lost control of your fire department or police department or health department. And local people have a sense of local pride. It's not necessary to do that. You can do it another way. You can do it where you start to develop uniform standards, where you start to develop a closer coordinated relationship at the local level so your health programs and communication programs and transportation programs and your ordinances on zoning and on other things start to fit into a pattern.

We want to help you do that. There are Federal funds available for just that kind of planning and there can be people that can help you do such things. Maybe you want to plan ahead for a new fire station or a simple thing like this. Maybe you want to plan ahead for a new community center. Maybe you do not want to tie up your money in the bond issue but you would like at least to be able to take some options on some ground. There are some funds for open spaces and for that kind of long-term planning. You ought to take a look at it.

In other words, there are many things we can help you look at and look with. My final words are these: What we are talking about above all is how are we doing to provide for the people? 70 percent of our people on one percent of the land. In our great cities and our cities of medium size, smaller size. This movement that we are talking about, the next hundred million, they are going to have to find a place to live. Why not in your town. Why not make the plans for it right now. Why not talk to your legislators about it? Why not talk to your Governor about it? Why not talk to the officials, Federal and State, that can help you look ahead? And some of it requires a big look ahead.

There are three things above all which bother, bewitched and bewildered Municipal officials; jobs, housing, and education. Those are the three great problems that stand today right out there so obvious that we can't run away from them.

What about jobs in your town for people today who do not have jobs?

Some of you are very fortunate that you have a rather fully-employed economy but possibly some of you do not.

I want you to take a look at what the job training programs are for your Federal government. Are they at work in your town, and, if not, call on a representative of the Department of Labor to see if there is a job training program you can get into your town. And more importantly, go see the businessman. Jobs ought to be provided by business. Job training ought to be done by schools. Your schools can help your institution.

Let me give you a suggestion.

Let's say in your community that you have 100 hardcore unemployed that you haven't been able to do anything about.

Why don't you find some industry, look over the industries. Go to the retail establishments, whatever they are, in your community, and go to them and say, "Look here, the jobs that we want in this city are jobs for your places and your plant."

The people that know best about how to provide a job is a private businessman. Job training ought to be directly related to the needs of this community and of the industries and businesses in that community. We don't want job training for the sake of training. We don't want to pull people through the schools to train them so that the teachers have jobs training people. This is not the first purpose of training.

The training purpose is to make a nonproductive citizen a productive citizen, to get him involved in the community and industry. Go to the businessman and say to him, "I heard the Vice President say if you hire some of these people that we could work out arrangements with the Federal government so on-the-job training could be compensated for by the Federal government with your plant. We want to work this out with you, plant-by-plant. We don't have any big national program on this because if we did it wouldn't work." Everything is a little different. Every community is a little different. Every industry is a little different. The needs are different.

But I can tell you right now we are prepared, if you have an industry in your community that wants to take on some of the hard core unemployed that are so identified by your employment service and your community agencies, we are prepared to work with that industry on contracts, on surplus equipment, on job training. We want men and women to have jobs.

I will give you a figure.

If we can find 200,000 jobs in America in the big cities of America, just 200,000 next year, we will have broken the back of adult male unemployment instances among the Negro. We are going to have a million and a half jobs because of the growth of the country. Add 300,000 and the total of the average of the unemployed male adults in the Negro community becomes the same as the rest of the community, 3.8. So we are not talking about something that is immense and huge. It's just a little extra effort.

One other thing about our young people.

Do you have a youth opportunity council in your town? If you don't, get one. Appoint it. It's good economics and it doesn't hurt you politically. You are not going to hurt yourself one bit by taking an interest in young people. See if you can energize your recreation program, your educational program, your job program, your recruitment program for disadvantaged young people, whether you have a big city or small city or hamlet.

We have sent to some of you, I am sure you have received over the past, circulars and pamphlets on your youth opportunity program.

I head this program for your Federal government. We can't run it out of Washington. It is your program, Mr. mayor. It is your program in your town, Mr. City Councilman.

You can't lose with it. No matter what you do it will be better than what has been done.

And you can provide recreation. You can open up your streets. You can improve your parks and you can do it without any great Federal appropriation or State appropriation or local revenues. Go to a businessman that runs the department store and suggest to him you need equipment for playgrounds.

We had hundreds of playgrounds last year equipped throughout America by private enterprise. See if you can't find in your town your newspaper and your radio program, and if you have a television station, your television station, the disc jockeys that the kids listen to for job opportunities. See if you can't find jobs, part-time jobs for youngsters now who are in school and in the summer months look ahead for full-time jobs for them in the summer.

Your nephew will get a job by himself and so will your niece. Not only that, if you get them one you get in trouble in the papers. Help somebody else. Put up that Mayor's youth opportunity program. Take a good look at your school. See if these schools and their programs are somewhat related and hopefull very much related to the needs of your people.

I am not going to take the time today to discuss your educational needs. You can go into that with your school board.

Anyway, on the housing program, may I suggest that hopefully the Congress of the United States is going to give the Administration some funds for our Model Cities program, for our urban renewal program, for our low-income housing program, for our rent supplement porgam. These are your problems. They are my problems.

I conclude on this note: Washington, D.C., can be of help to you in the Federal employment, but it cannot make your community a better community unless you want it that way. If there are going to be better schools in this country they are going to be where you live. If there are going to be more jobs in this country, it's going to be where you live.

The jobs that are available in Washington are very limited. If there is going to be better employment opportunities it's going to be because you made it that way in your community.

If there is going to be better housing and people are going to live in better housing it will be where you live.

In other words, we have to get the message back to our own people that the Federal government's role in this thing is to come in with tools and assistance and hopefully some resources to help you do what you need to do in your town. That is what the Model Cities program is about.

But even if you don't get a model city application, you don't need to wait for it. Don't wait around for the Federal government. Come to us and ask what we can do to be of help to you. Go to your legislators and ask them what they can do to be of help to you and we will try to respond as best we can.

This is just a few remarks off the cuff, ladies and gentlemen, that I wanted to give to you. I am kind of optimistic about our country.

I just met with a few people from one of our great weekly magazines and they were telling me they weren't sure people thought much was happening in America. I think a lot is happening and most of it is good.

I regret that much which is brought to our attention is not too good. I couldn't help thinking over the weekend, that mess that was made over at the Pentagon, those who made it should be told to stay there and clean it up.

I will never forget the time when I got mixed up as a little boy in a little exercise around our local school, and a few windows were broken. The Superintendent of Schools called us and said, apparently you like to buy new windows, apparently you like to sweep up glass, and apparently you like to clean up the hall. And we have a nice job and continue to do it until you get it all done.

When people get out of hand they shouldn't get a little pat on the wrist and a $25 fine.

I want to say that when in our own towns we have some messes there, I think we have to learn to clean them up ourselves. It boils down to the fact that the law enforcement problems of this country are in our towns and our cities. But the needs of our communities are quite evident in our towns and cities. And it's because that you know these things that you come here to see how your Federal government, which should be your servant and hopefully is, can come to help you with some of these programs. And you can be helpful here by speaking to some people. You don't need to speak to your Senator. He has done a good job and he continues to do a good job.

I wish we had more like him all through this government in every position.

You can help us with your safe streets and crime control act to help strengthen your police department.

I know what your problems are. I was never able to get enough money as Mayor to do a thing for the city that needed to be done. That is why a grant-in-aid program under Safe Streets and Crime Control can be of help to you. You can be of help here when you go through the many Federal programs, Juvenile Delinquency Control Act, Model Cities Act, Urban Renewal Act, Technical Assistance Act, these things you can help with. Talk to the people here and don't hesitate to talk to the people that don't live in your state.

A member of Congress from another state that denies you his vote on important legislation that relates to American citizens who happen to be living in your town, he is your member of your town, these are Congressmen of the United States of America.

If you are denied action at a state legislative level or a Federal level, if you are denied action, the sources which you need for the citizens of the United States that happen to live in your communities, you ought to speak up. You are close to the battle line. You know what the people are facing. You know what you are facing. And we ought to constantly remind ourselves that this is a great nation and our people are mobile. People who live in your town may move some place else and people who live some place may come into your town next year.

So we ought to be thinking of the standards of our nation and each one of us trying to build our community the best way we can—the standards that contribute most to the strength of this nation.

Thank you very much.

Senator KENNEDY. We know of our next speaker's background and experience as a professor at Harvard University and the extraordinary work and writing he has done about fiscal affairs. We know how fortunate we are to have him in the service of our government and I want to introduce Secretary Stanley Surrey.

STATEMENT OF STANLEY S. SURREY, ASSISTANT SECRETARY FOR TAX POLICY, TREASURY DEPARTMENT

Mr. SURREY. I suppose if there is any audience that knows what a tough job a tax official has it's this audience right here, of State and local officials, but I also know this audience realizes this tough job of taxes has to be done, has to be accomplished if the job of government is to go ahead and the job of government is to be accomplished.

Right now, looking at the United States from the standpoint of the tax job and fiscal policy job, our problem is tc deal with the tide of rising demand that will push us into an inflationary situation unless we take appropriate action now.

Appropriate action, as I am sure you have been told, is in the temporary surtax increase.

Now, I really believe that all responsible people in the Federal government, State and local governments, business, finance and labor, all understand this and recognize it and agree with it. And the task, really, here at the Federal level is to work out the procedure to bring about this result.

I fully believe that procedure will be worked out and that this task will be done, because the alternatives are all too clear and all undesirable.

The alternative is that of a rising price level and rising set of interest rates and interest costs that will take its monetary toll, will take its monetary toll inequitably and unfairly.

The tax increase, which will take its monetary toll, at least takes that toll from all businesses alike and from all individuals except those in the lowest brackets. But if you take the other course and say let's accept the inflationary tolls, the rising prices and rising interest rates, then you have an inequitable application. All business won't be hit the same.

You will hit the housing industry, and hit it very hard. You will find some small business hit very hard. You will find every business that is at the end of the credit line hit the hardest.

Equitably, you will find that this inflationary toll will hit individuals unfairly. Instead of being an across-the-board-like tax increase, it will hit the elderly, the retired, those who are in very low-paying jobs, who will not be subject to the tax increase, those who are on welfare rolls.

It will hit homebuyers very hard, it will be difficult, maybe impossible, to buy homes, as it started to be last year. It will also hit very hard functions that represent State and local government which were hit hardest last year when the credit and monetary crisis was on.

Now, nobody can stand here and tell you how high prices are going or how high interest rates are going to go.

But I can stand here and say that almost every forecaster will tell you what the trend is, and the trend is up. And they all recognize that the forces that are working on the economy are all working now in the same direction.

They see a large Federal deficit. They see the absence of little slack in the economy. They see the private sector with a good head of steam under it and when these combine there is just no way the economy can go but up very fast, and that going up fast will be in a sense a mirage because its going up will be both really production but a great deal of inflation built into it and back to where I said before we will have this inflationary toll.

Everybody has an interest in the steady growth of the United States. But certainly you people here have a very basic interest in seeing that our economy expands and grows in steady fashion. Because it's the output, the growth of our economy, that has permitted us and your government and you to do the job that you have been doing in the last few years. It permits you to do something about the demands that are placed upon you in your local areas. The growth of our Committee has permitted State and local governments since 1961 to increase their expenditures 65 percent. It has permitted their tax receipts to rise by nearly $25 billion in this period and that the ratio of taxes collected to the Gross National Product for State and local governments hasn't varied by more than one percent in this whole period.

It has permitted Federal government grants to go up from $6.5 billion to $15 billion. All this came about because we have had 80 months of expansion in the United States and our overall economy has grown tremendously and with that overall growth in the economy has come that based upon which you collect your taxes, that base from which you get the money to spend, that base from which the Federal government gets its revenues to turn back a good deal of them in grants to your government.

So you have a strong vested interest in this growth in the economy.

As I say, it's in the 80th month, the longest on record. You don't need any qualification about the longest peacetime expansion or anything on record. It is the longest expansion on record that any country can talk about.

The job is to have a fiscal policy that keeps it that way and keeps it moving in a steady, responsible way without taking the toll of people through price rises without bringing about the danger of a price rise.

One last word about a tax increase: The revenues obtained from a tax increase will permit the Federal government to make the hard decisions that are needed for expenditures restraint in a setting that is tolerable and a financial setting that is tolerable rather than to make those decisions under constraint of achieving an unreasonably stringent budget, because the revenues aren't there. And in view of our many present social problems, this aspect of a tax increase seems highly important to us and to you and consequently I think it comes down to a very simple thing, the need is clear, the wisdom of the tax increase is clear, it is the physically responsible course for the United States government to take at this time.

That being so, I believe that a responsible Congress will take that course.

Senator **Kennedy**. Could you relate a little bit to us about the relationship between cutting and spending and the revenues that come in from a tax increase?

This is always something that I as a legislator am trying to fix in my own mind. As I understand it, from an economic point of view, if you need so much with regard to the deficit, does it make a difference whether you raise that from an increase in taxes or reducing spending? As I understand it, it does.

Mr. **Surrey**. Well, I think right now these two matters work in the same direction. That is what we have now in this situation is a pretty strong, a very strong private sector of the economy, and on top of that the Federal Government spending a great deal of money. The extent to which the Federal Government spends it means it adds to the stream of funds available to you people in business to spend and it increases their rate of demand along with the rate of private demand. You can dampen that demand down by either continuing to spend very large at the Federal level and taking a great deal of money away from people and bringing them to the Federal level, and dampening down the progressive sector of the community, or you can say both of these will come together and both will exercise a combined restraint.

The Federal Government will take more in taxes from people, which temporarily does lessen the demand for people for goods, and if the goods aren't there, then this demand for goods simply sends prices up and lessens the demands for business and at the same time lessens demand at the Federal level.

So, at this time the two actions of raising taxes and lowering expenditures come together. The point is not to make either of these forces bear the entire burden.

If you make a tax increase bear the entire burden it would be a heavy increase on our people and that is hard to accommodate.

If, on the other hand, you made reducing expenditures take up all of the burden, dampening down demand, then that would be very difficult with respect to the programs that are planned and underway and those that have to be carried forward.

Consequently, the desire is that you bring our forces of production more in balance with our forces of demand by temporarily dampening down the demand of business individuals and also the demand on the Federal government through its expenditures.

I might say this is a temporary tax increase. I think if you look at the long-run future of the United States, it is the form of downward Federal taxes by the Federal government. We have a strong revenue system in the Federal government. In any post-Vietnam you would have to look at that Federal tax system and say, is it too high, is it restraining the private sector, is it taking too much in Federal funds and not enabling you people to pay your particular share?

So I think the long-run trend of the United States is in the form of a lower Federal burden but the short and temporary problem is that of the higher burden.

Question: In your post-Vietnam tax planning, what is the position of the Department and your own thinking with respect to the possibilities of the Federal-State tax-sharing along the lines of the Heller Plan, or perhaps even the development of the local community as opposed to direct grants in the Federal tax structure?

Mr. **Surrey**. I wouldn't give you the position of the Department on that because it has not taken a position on that question.

It is an important question and one we should all be thinking about.

In a sense, viewed from our Department it is not a tax question. It is more of an expenditure question for the Bureau of the Budget because tax sharing and allocation of revenues to the states on some blanket basis is a method of granting Federal funds to the states, is a method of expenditures to states and local government.

Now, it then poses the question what is the best way for the Federal government to aid State and local governments?

Should it be by grants-in-aid?

Should it be by consolidated grants and the like?

Is there a better grant system?

A more consolidated, better organized system?

Or should it be some blanket payment of money to the state?

I think this is a question that we are coming to. But I say it is largely an expenditure question because to some extent if there is to be tax sharing, when it's quite likely that there are other ways of aiding the states would be at some lower level, so I think the states and local governments have to really see which in their best interest from the standpoint of assistance from the Federal government, which way will it come?

And I think you will find the expenditure department of government, those who are charged at the Federal level, will see that our social problems are solved and our funds are spent wisely in that solution, which of these is the best arrangement.

I also think that any question of tax sharing we have to look at the Federal-state relationship.

I think one matter upon which I have spoken before, that of industrial revenue bonds, is a matter out for some solution.

Question: I still do not understand how you intend to cushion inflation by raising taxes.

Mr. **Surrey**. Well, essentially our problems are two-fold.

One, we have an economy that is working pretty near at capacity. It isn't likely to turn out many more goods all of a sudden. The unemployment goes to 3.8 percent.

By simply giving more funds, you are going to outbid your neighbor for the goods that are becoming scarce. If you don't have the excess funds to outbid him you won't have to outbid him and consequently the prices will be held reasonable and the Federal government is going to have to borrow the funds it doesn't get through taxes. You officials are aware of that. If the Federal government has to go into the credit market, rather massive borrowing to take care of its regular needs and its tax needs, it is necessarily going to drive interest rates up and that will drive costs up and that in turn will drive prices up also. That can be prevented if the Federal government doesn't have to go in for a very large borrowing.

Question: Mr. Secretary, the junior Senator from New York—I have forgotten his name, but I think he used to live in Massachusetts—cited very disturbing examples of large salaried individuals paying little or no tax.

What does your Department plan to do in the way of tax legislation to close some of these loopholes?

Mr. **Surrey**: The President has said that he will send up a tax reform program to the Congress of the United States at this session. He doesn't expect it to be acted on at this session because tax reform programs are tough controversial matters. They take time to debate, discuss and work their way through. He has it and will send it and it will deal with these problems.

I do want to make one point clear. A tax reform program is not a substitute for the tax surcharge. The tax surcharge revenues are needed right now and could be obtained right now. The revenue you get from a tax reform will come in under whatever programs are adopted at the end of next year after the debate is over. So they won't help us now.

Secondly, I wouldn't assume that the moneys raised through tax reform are all plus money because tax reform consists of two things: it consists of placing taxes on those who inequitably don't pay them today, and it also consists of giving tax relief to those who are unfairly treated.

The President has indicated that his reforms will encompass both kinds. In other words, the revenues that are obtained through taxing those that have their preference will be used to ease the tax situation for those who are unfairly treated. So you get a balance of plusses and minuses but not a substitute for tax surcharge.

Senator **Kennedy**. One of the things that comes up when a tax measure comes up in the Congress, I think the one that concerns all of us is the oil depletion.

Bill Proxmire put in the record, probably two weeks ago, that 22 companies that are in excess of $75 or $100 million were not paying any taxes at all. And the approach that many of us have followed with regard to the question of depletion is that they should not have this kind of depletion allowance and it should be scaled down so that the giants will take their various exploration costs as business expenses. There is no reason in the world why they can't charge off their exploration and leave the depletion allowance for the individual, the small one that has an investment of $500,000 or a million dollars. But there are a number of things we can do. But I think the point, I think the thrust of your question, which I am sure the Secretary understands, I think all Americans with regard to paying increased taxes feel a lot better about paying increased taxes if they know that the system is applied equitably.

It is now 4:00 o'clock and we have the workshop panels here.

(Tuesday, Oct. 24, 1967)

Senator **Kennedy**. If I may have your attention, we will come to order and I will ask if everyone will be kind enough to take their seats.

I will say good morning to all of you and welcome you back to our second day.

We are indeed fortunate this morning to have the distinguished Attorney General of the United States to start and lead us off and talk with us about many of the matters which he is interested in and I know he will be delighted to be responsive to any of the questions that you might have.

Mr. Attorney General, we are delighted to have you here. I have the good fortune of serving on the Judiciary Committee, and during the course of many of the legislative hearings I have an excellent opportunity to listen to his testimony and his comments about some of the most involved, complex, complicated constitutional questions that come before the United States. He is always well prepared, he is a soft spoken man, but a man who speaks with a very deep sense of feeling and intelligence and understanding and comprehension of the law.

I think all of us are indeed fortunate as Americans to have him in his service as the Attorney General and it is my pleasure to introduce the Attorney General of the United States, Ramsey Clark.

STATEMENT OF HON. RAMSEY CLARK, ATTORNEY GENERAL, DEPARTMENT OF JUSTICE

Attorney General CLARK. Thank you very much, Ted, and gentleman, ladies.

One of my major responsibilities as Attorney General is not only action, but image in the area of law enforcement, law and order, the rule of law, which is facing quite a test and will face probably a greater test in our very complex times.

It is always important, in my judgment, to start with the context in which we live and operate. It is so easy to react emotionally and without understanding, but we live in a time that is unique. We live in a time when the fundamental fact of our existence is change. The change is very difficult for individuals, and it is particularly difficult for government.

There are two really immense dynamics that are causing change at a rate that history has never witnessed, and it is awfully important, in my judgment, that we understand that.

Let's examine just very briefly what this change seems to be in this century which is a short time in history and even in lives of nations.

In 1900, which was much longer ago in Texas then it was in Massachusetts, we were 76,000,000 people, and we were predominantly rural. We lived on the land as man had through all history. We have added 255 percent to our population in the first two-thirds of this, our century, the first two-thirds being now concluded. And that is immense change. It is a change that has not been witnessed in times past on this continent or elsewhere, although it is being experienced throughout the world today, and in other nations at a much greater rate than ours even.

So population growth is one of the immense dynamics of our time that causes tremendous change. We will add more people in the last third of this century than we have in the first two-thirds, and that means that you're compressing the time within which change takes place. We added roughly 125,000,000 Americans to reach 200,000,000 by the two-thirds mark. Actually, we are over 200,000,000. The Department of Commerce won't admit it until sometime in November, they have got the day and hour picked, but they forget that they didn't count 5,000,000 of us in 1960 and they are missing that many now because it is hard to count urban dwellers.

But we will add not 125,000,000 in the next 33 years, we will add more than 140,000,000. By the most conservative estimate of our statisticians, our demographers and that is a short time. It is a very short time. It will be immense in its implications to the quality of our lives.

This fellow McLuhan has pointed out in the last 30 years we have enclosed more space on this planet in the architectural design and construction of man than in 6 milleniums, 6,000 years theretofore, and we would enclose more space than that in the next 15 years. And that is change. And the people that were predominantly rural in 1900 are overwhelmingly urban in 1967. Eighty percent of our people live in urban centers of 50,000 population or more, and that affects our lives in many, many ways that are hard to appreciate.

The other great dynamic of our times is science and technology, and its application to our daily lives, and it is hard at any moment to really appreciate what this means. It can be described in this way, perhaps, the physical scientists are doubling our knowledge, our basic knowledge, fact data of the world in which we live each decade. That means in the one-third of this century that remains we will add to our scientific understanding of this total environment eight times more than we now know, and we think we know a lot to day, and that is change, and we will apply that eightfold knowledge at a much faster rate to our daily lives than it has ever been applied before, and that will cause tremendous pressures on people and on institutions to understand, to adapt, to maintain principle to meet new conditions.

A ph.D graduating in physics today will be confronted in 33 years when he has still not reached the height of his intellectual potentials, he will be faced with eight times more knowledge in his field than all of his teachers, all of the researchers knew when he graduated.

When you place that against Max Plank's observations that scientists no more than layman change their minds about scientific facts, that it takes another generation who can see the new truth and take it as an assumption of life, you realized what trauma we will go through with this change.

Who in 1900 dreamed of television, much less its pervasive effect on our lives today. Who in 1900 dreamed of a supersonic airtransport capable of carrying hundreds of people in intercontinental flight at speeds a multiple of the speed of sound, a speed which was really not comprehended in meaning in 1900. Those are changes, but we will see more change in the next 33 years by far than we have seen in the last 67, and things undreamt of today, things that affect the fundamental way that people live will be old fashioned in the year 2000.

There has, in my judgment, been more change in the way people live in the first two-thirds of this century than recorded history in the years heretofore and there will be more change than there has been.

Government, the first principle of government being the rule of law and the maintenance of the rule of law, has got to adapt to that change, has got to maintain the principles on which it is based in the light of entirely new conditions.

We don't have time for the leisurely adaptation of the 18th and 19th century. We have got to initiate, we have got to implement, we have got to have more vision, more courage, and more action than people have required at any time in history, I believe, because we are involved in a sweeping change that will not slow down and will not turn around.

Every place I go, I am asked what causes all this crime? Well, you just don't have a ten word answer for anything like that. I don't believe a soap company could have a contest seeking an answer in 25 words or less. But basically people cause crime. You and I, our children, our relatives, our friends, people cause crime and crime measures the quality of the people. It measures the regard or the respect they have for the rights of others, because it is basically a disregard and a violation of the rights of others.

Our first burden is, to work with our people in areas in which governments must work is, clear, just as the area in which all of our social organizations, our families and our individual selfs must work and that is youth.

The crime Commission as every crime commission before it, including the Wickersham Commission in 1941 said to reduce crime you have got to work with juveniles, and the statistics show nothing more clearly. In the first seven years of this decade adult crime, according to our best statistics, has actually declined very slightly, but declined in proportion to the population, the adult population.

Not so juvenile crime, it is up more than 57 percent. Last year, 1966, a half million automobiles stolen, two-thirds were stolen by kids under 18 years of age, two-thirds. That proportion of our population between the ages of 11 and 17 which is 13 percent of our total population committed half of our three most frequent property crimes, larceny, burglary, theft.

That is what this generation is building in the next.

Now, of course, the overwhelming majority of our young people have deep respect for the rights of others. But far too many don't, and when there is widespread juvenile crime and juvenile delinquency, it describes the failure of the generation before and predicts the problems of the generation to be. We have got to work as governments, as individuals through every social organization, through our churches, to build our youth. We have got to have more concern for them. We have got to devote more resources to them. It is a reflection upon how much we care about ourselves when we recognize that 83 percent of the juvenile courts in these United States have no access to psychological or psychiatric help for kids in trouble. That one-third have not even a case worker, much less a probation officer. That means that a judge with a juvenile before him in the well of the court charged with crime, has two options. How would you like to be the judge: Sentence that kid to prison where one out of four last year spent their days with hardened adult criminals, no segregation whatsoever. No special treatment because he was a kid of 14 years old, without any previous experience in crime, without any known social—anti-social conduct theretofore. One out of four in prison with whoever happened to be in there that day, be they murderers, organized crime, dope addicts or anything else. That is one choice the judge has.

The other choice is send the kid back to the environment that contributed at least to his getting into this trouble in the first place, and what will that do for the kid and his opportunity? Government has got to supply resources to work with these youths. The most remarkable statistic in all of our crime experience at this time in my judgment is this: Four out of five persons in these United States convicted of felony today, and felony is serious crime, four out of five were convicted of misdemeanors before that, and nearly always when they were kids. There was our opportunity to reduce crime objectively. We know, in my judgment we know beyond any reasonable doubt, that the sciences have brought the potential to us to divert at least half of those away from lives of crime, at least half and if you do that then you have reduced the serious crime in your community and you have reduced it substantially.

If you really reduced half of it there will be forty percent of your serious crime. Let's not fool ourselves, a lot of crime is uncontrollable. I think we would all agree that murder is probably the ultimate crime. But 39 percent of all murders are within families, husband-wife, father-son. Another 40 percent are between people acquainted with each other, beer drinking buddies, lovers, that type of crime is very difficult to control because that is the manifestation of human nature. It gets emotional and something violent happens, and you can't have a policeman in every kitchen or in every automobile, so we are dealing with the crime we have to deal with. We have to deal with the crime that is controllable and that is lives that fall into the patterns of crime. Not the one-time offender, but patterns of crime in individual lives and resources of government need immense building for these purposes, and in this whole United States—Federal, State, and local government in all its correctional, prison, jail, rehabilitation efforts spends only one billion dollars, only one billion dollars. We spent 8.8 billion for tobacco. We spend 1.6 billion for whiskey, but we don't care enough about the crime in our midst except to complain about it, to do more, to work in the correctional rehabilitation way with juvenile offenders where we know that is one place we can make a huge difference.

I would place, as your number one goal your personal—knowing that your government is doing everything it can with the kids in its community, that it has helped organize and lead social organizations to make similar efforts, because that is the best technique for crime prevention and law enforcement not only tomorrow, but today as well.

Second, and the second most important, are the agencies of criminal justice themselves on the law enforcement side.

We have in the United States approximately 425,000 full-time law enforcement officers. By and large the standards set for them are nominal or non-existent. By and large the training, the on-going training, the initial training established for them is either nonexistent or out of keeping with the needs of the day. By and large the compensation that these men and women receive for their services, which is the first order of business of government, are grossly inadequate. By and large the organization of jurisdiction within which they operate was designed for 18th or 19th century rural and small town America, and are absolutely inadequate to the need of the day.

We are a metropolitan people. We are an urban people. Government must meet the needs of our time particularly in the light of the change that is taking place today and the greater change that is coming.

We have got 40,000 police jurisdictions in the United States. I do not believe a rational defense of that number can be made. It means ineffectiveness, it means inefficiency. Every jurisdiction of criminal justice in the United States is affected by the conduct of other jurisdictions. If a city or a municipality condones or protests gambling within its jurisdiction that affects surrounding jurisdictions. If its police force is inadequate that affects surrounding jurisdictions. If the prosecution in one jurisdiction is inadequate, it is too lenient, is plain ineffective, that affects surrounding jurisdictions. If the backlogs in one jurisdiction where crime is not punished swiftly that affects other jurisdictions.

If the correctional institutions of one jurisdiction are turning people loose who are bent on further crime, that affects other jurisdictions. We are the most mobile, the most transient people who ever lived. Only one in five in the United States today lives within 50 miles of where he was born. If you went back through history you would probably find that fewer than one in five heretofore had ever gotten 50 miles away from where they were born, and this affects us in many ways. This means we are the most interdependent people that ever lived, that we have to have excellence in all of our jurisdictions or all of our jurisdictions suffer.

Within a single jurisdiction, if you have good police but poor prosecution you are not getting much in terms of government protection. If you have good police and good prosecution, but courts have years of delay there is no real inhibition to criminal conduct because they can't see the penalty that far away.

If you have good police, you have got good prosecution, you have good courts that are current on their caseloads, but you have inadequate facilities for your jails, your prisons, your corrections, rehabilitation, your probation and parole efforts, then the whole thing is a waste because it is just speeding up the treadmill they will be right back in. You have got to be excellent in all of these.

We have a responsibility to organize our jurisdictions to meet today's needs. We have a responsibility to build excellence in each of our agencies of criminal justice, to see that they have adequate resources to face this most critical of our domestic problems.

We have a responsibility to bring excellence to police departments.

If I were asked what is the one most important thing to do for a police department to assure its performance, I would say salaries. I was riding back from one of the major Southern cities with a major, one of the five biggest cities in the South, back in the spring actually. He had been Mayor for 14 months and we got to talking about crime control as seems like I nearly always do whenever I am talking with anybody and he asked what would you say is the most important thing I can do to build good law enforcement to provide adequate public safety in my city. I said, "pay your police an adequate salary." He said, "I am awfully glad to hear you say that." He said, "I have been in office 14 months, we have had three pay raises already." I said, "That is fine leadership. What do you pay a beginning rookie now?" And he said, "$325 a month." You can't do it that way. You cannot poor boy that way. Police have to be professional. Our liberty depends on it as well as the public safety.

This isn't the 19th century. Our problems are essentially different. The police, the great police problem of the last third of this century will be police-community relations. You cannot police a people who do not support the police. You have got a garrison situation any other way. We have got to bring to the police service the quality of people who have the support of their governments and the respect of the community that can maintain a police-community relations environment that will permit the police to be effective, and until we do that we will be embroiled in the controversy that we are embroiled in today and we will see further isolation and further polarization of minority groups and poor, and that will be intolerable as our country grows.

We require as at no other time in this area local leadership. Our country has preached local law enforcement from the beginning and this is one of those very happy areas where we have practiced what we have preached. But if local law enforcement was good preachment in the 18th century, it is essential in the 19th century, and more so in the 20th century, because you cannot be effective in a nation of 200,000,000 people except through excellence in local law enforcement. The Federal Government cannot build and maintain a national police force that can be effective nor could it be efficient. This depends upon local jurisdictions organized to meet the needs of their areas.

We do not want a national police force. In addition to its ineffectiveness and its inefficiency it would be a threat to our liberty and we must never forget that that is the hope for mankind, the one opportunity for individual fulfillment.

I hope that each of you will look to see what he can do, what leadership he can provide in the field of youth opportunity, in the field of crime prevention among you, in the field of rehabilitation of youth offenders and in perfecting your agencies of criminal justice. It is a pleasure and a privilege to be with you this morning.

Senator KENNEDY. Thank you very much, Mr. Attorney General.

I know there are some questions for you. I might just ask you whether you would care or whether you can comment on the conviction down in Mississippi. Is there anything you can tell us really about this that might be of interest to our people here from Massachusetts?

Attorney General CLARK. Well, I do not like to comment on particular cases involving individuals. I think that under our system of justice the best comment is the jury's verdict, and I can say without regard to the case particularly or the individuals involved, because it is not for me as an individual or as Attorney General to indict or convict, but for courts and juries, but I can say that I believe we turned an important corner with that verdict. I am awfully proud a Federal Court, a Federal jury that showed real courage that is very difficult for people from Massachusetts to understand, I believe, real courage, and a team of Federal lawyers who worked with intense diligence and fairness in presenting the evidence.

Mr. PLANTE. Bill Plante, Essex County Newspapers in Massachusetts.

The problem you pose about the jurisdictional differences and the inequities which result from them because of ills with which we are all familiar, but inasmuch as the financial support of the police departments have depended upon individual tax structures of communities bordering upon one another and inasmuch as communities have varied considerably with the ability to provide for their services, isn't it likely that unless funds are available from a higher government source to eradicate these differences that these jurisdictional differences and inequities of the police are bound to continue?

Attorney General CLARK. Let me make several observations but begin by saying that essentially I agree with your observation.

I think it is not a problem that is peculiar to law enforcement, however. The basic problem is how do local governments secure a tax basis that is adequate to finance the services that they need to provide for their people, and there is a piece of that pie.

Let me observe, second, that the President's, President Johnson's Safe Streets and Crime Control Act is directed precisely at this problem. That as conceived and presented to the Congress it would provide an opportunity for local governments to triple the average annual national rate of expenditure for law enforcement purposes.

We find, looking across the country, that we spend really just barely over $4 billion a year for all of our expenditures for criminal justice, all of our police, and all of our prosecutors, all of our courts, with all of their ancillar assistance, all of our correctional activities, jails, prisons, probation, parole, just a little bit over $4 billion. We find that we are increasing, this is Federal, State and local, and state has better than 60 percent of the total, Federal Government has less than 5 percent of the total.

The annual rate of increase is about five percent a year. That is clearly inadequate when you take population growth, when you take inflation and other factors, when you take where we are now and where we need to be now, I doubt that five percent a year keeps up. The Crime Control Act will provide the opportunity, the funds and the formula and the guidance under the findings of the Crime Commission Report, which is the most comprehensive study of crime ever made, in my judgment, to triple that, to raise it to 15 percent.

Now, if you do that for three years, if you triple that for three years, you have made an immense difference in your potential for law enforcement and I think that is an essential thing to do.

At the same time, I think that more of the same won't meet the need of today or tomorrow. I think that we, as individuals, have to look without regard to our personal situation to what is best for the people in our community, to what is best for the people in our state, to what is best for the people in our nation.

I doubt very seriously that we can justify 30, 40, 50 police jurisdictions in a single metropolitan county, and we find that. I doubt very seriously that we can expect either effectiveness or efficiency under those circumstances.

I think there are many devices that can be used to overcome that. A simple one is one that has been used in Los Angeles County. There you have got a major city, the City of Los Angeles. It only has a fraction of the total population though. It has got a police force of about 5,600 men. There are literally scores of municipalities outside of the City of Los Angeles, but within the County of Los Angeles they have arranged, many of them have arranged, with the sheriff's office under contract for the provision of law enforcement protection. As a result you have got the largest sheriff's office in the United States in Los Angeles County. He has more than five times more deputy sheriffs than the United States has deputy marshals for the whole nation. We have not under 7000 deputy marshals for the whole U.S. He has got 3,000 deputy sheriffs for his county. He doesn't police the whole county outside of the City of Los Angeles, but he polices more than 30 towns and municipalities outside. He has a potential because of size to provide training, to provide salaries, to provide mass force where it is needed.

The Mayor of Cambridge, Maryland, came up to me the other day and he said "What do I do as the Mayor of this little town if thousands of people who might cause a disturbance come to my town? How many policemen can I have?" He can't have enough. It would take more than his citizenry under some circumstances that are readily imaginable.

He has got to look to a greater resource, and that has to be some type of government that can provide it.

Question: John Erhardt.

It has often been stated we should be trying to get a uniform training program for the police officers throughout the country. How much progress is being made along this line? It has always been stated that a policeman will eventually have a college degree before they will put him on the police force. Is this a true statement? What are the tendencies in this direction?

Attorney General CLARK. On the uniform training let me say, I don't like the word, but it is a very popular one right now, but this is a pluralistic society, there are differences in different parts of the country and it is a very vital and valuable difference to the U.S. Uniform training in the sense we train a fellow in Boston the same which we train him in Austin, Texas, is very dubious in my judgment. I think they need to be trained to meet the needs of their particular jurisdiction and there are immense differences. New York City needs a particular type of training, but if you get out to Western Massachusetts I don't think there would be much real advantage to the kind of training New York police need. Training is one of the critical needs of law enforcement. We emphasize training in the Law Enforcement Assistance Act. We emphasize training in the Crime Control Act that we hope will be law before the end of this year.

Police have to keep up. They have got to be looking forward. They have got to devote research to police techniques to bring the police out of what are essentially 19th century equipment and techniques, but not uniform.

On college training for police, let me say there is a clear trend that way. Multnomah County, Oregon, is the county in which Portland is located today requires a college degree for a beginning deputy sheriff. That is good. They can obtain them. They pay. They have got a waiting list of men who want to be deputy sheriffs in Multnomah County, men with college degrees.

Now, we found in the Law Enforcement Assistance Act which was passed with the very great help of your Senator Ted Kennedy, that fewer than 10 states had police science courses in any college in the state. Rather remarkable, not a single institution of higher learning that had any course in police science, and the high schools weren't teaching it.

One of the primary uses of the Law Enforcement Assistance Act has been the setting up of police science courses in colleges. Today almost two-thirds of the States have colleges within their jurisdictions because of this Act that are providing police science courses for people interested in careers in law enforcement.

I think the educational standards for police over the country need to be raised immensely. I think it is critical to performance, I think it is critical to public safety, and I think it is critical to liberty.

There were something over 15,000 but less than 16,000 policemen recruited for the New York police force between 1956 and 1966. Fewer than 400 out of these more than 15,000 had college degrees, and that is a pretty darned good police force, I should say. But that shows we are just even in good police forces not getting nearly enough college men. We have got to look for leadership, we have got to look for strength and leadership in all enforcements because it is much more important than it was in bygone days.

Question: I think one of the themes of your talk was the long-range effectiveness of police is really to avoid a garrison state. Could we develop the popular habit of respect for law?

And I wonder if you could give any specific examples of viable police-community programs you have observed across the country?

Attorney General CLARK. Well, that is really an excellent question because it goes to what I consider to be the greatest police problems of the years ahead.

It is a controversy. Police, I have had friends in police all my life. I have been fortunate in that regard, and some of the finest people I know have been police, but over a period of time entry into police work has been from particular segments of the total population and police have become more isolated over the years.

One of the strange ironies is that in working for improving the efficiency of police we have removed them from the community. We came to realize this about five years ago, but for years we had really been working toward the one-man police squad car and doing all of our police work that way, and removing the precinct station and having one great big massive efficient central office and just policemen out there in cars, and just like other drivers, you can't see them, you can't identify with them, you can't know them. We realize now you can't go on that way because we have to build the police back into the community. Chief O. W. Wilson, Chief of the Police Department of Chicago, just recently retired and one of your great police leaders over the last 35 or 40 years has said every police officer must really be a social worker as well and I think that is not too good a thing for us to emphasize, but it has a great truth in it that we have to be very much aware of.

When police hear it they say that is not for me, I am after safecrackers and things like that.

But when you look at what police really do, when you measure their phone calls, when you measure the number of times they have to get a cat out of a tree or a kid off a window ledge or a wife says her husband is coming home or somebody is locked in the bathroom or stuff like that, you realize the great preponderance of the police work has been in these other areas and this is how attitudes as to how police perform are created.

We still have in major cities completely out of touch with reality up to one-third of all police activity going toward dealing with drunks. Police can't deal with drunks really. It is not their responsibility to deal with drunks. They are not trained to deal with drunks. It is not really a law enforcement problem as even the courts are telling us now, while the medical people have been telling us that for years. You are not accomplishing anything by picking drunks up and taking them down to a jail and letting them dry out for 10 or 20 or 30 days or whatever it is and then sending them out to come back in. That just is not the way to make a change or make a difference.

Police-community relations have to be tailored to the particular community. I think it is awfully important for police to identify with school kids at an early age. A couple of years ago I was talking to a police group and I said "you know, I just hate to see us take the police away from school crossings." I know it is efficient to get some woman out there or get somebody else who is not a policeman. I know even in some high schools today if a policeman is there people are going to throw things at them. But we have to change that, not run away from it.

I think police have to be close to school kids and we have to develop a relationship back in grammar school if not before where kids believe, because it is the truth, that policemen are there to protect society, protect them, to protect their rights. He is a friend, and so we have got to work with kids, we have got to work with high schools, we have got to build in the individual policemen, because the chief can talk all he wants to, it is what the policemen are doing out on the beat that makes these impressions.

The individual policeman has to realize his responsibility as a public servant, to be firm, to enforce the law, to be fair and to secure the respect of those citizens.

I think in all of our surveys of central city America of the minority problem in central city America, the statistic that causes you the most concern, I say statistic, this is a poll sort of thing, but it is what the Negro community in the major city thinks about the police compared to what the white community living in the suburbs around central city thinks about the police, and they are two different worlds. The same police, same city, but one, the variation of 65 percent of the people in the white community who really have no particular contact with the police except when they have run through a red light or speeded or the dog has been lost or something like that, 85 percent say there is no police brutality, that the police are doing a fine job, except for crime in the streets and we just need more police.

You get down to the Negro community and the percentage will be just reversed, 85 percent will feel just the opposite. And one reason is there is a high police presence in contact there.

We found in South Central Los Angeles where we had 12 percent of the population of the City of Los Angeles in a 45 square mile area, it is a great big sprawling city, 65 percent of the population had arrests five times the greater than the general population. Those are the areas where we have to build strong police-community relations.

Question: Tenney of Truro.

Mr. Attorney General, would you care to comment on recent Supreme Court decisions and their effect on law enforcement?

Attorney General CLARK. It is hard to generalize about recent Supreme Court decisions because there have been so many. I must say I don't agree with all recent Supreme Court decisions in the crime field or any other field. It would be an admission of intellectual poverty if I did, I guess, but I would say this about several. They are realistic, and as they are implemented they will bring about a higher level of police efficiency and police science.

Let's take confessions. You know we just worry about confessions all the time, but we worry in ignorance, by and large. The average citizen doesn't know enough about police problems and about the role of confessions in police problems to really have a feel for what it means. It just seems absurd to him that when a fellow has confessed that is not the end of it, you know. In 1931 the Wickersham Commission reported that police confessions in many, many areas of the United States to a very high degree were extracted by force. Do we really think that we had better police work then than we have now? I don't think anybody does.

In what proportion of the circumstances are police confessions secured really important? I guess one of the most controversial rules of law ever pronounced by a court in the District of Columbia is U.S. v. Mallory in 1957. The Supreme Court said that an individual is entitled to be arraigned after an arrest following Rule 5(a) of the Federal Rules of Criminal Procedure without unnecessary delay. This fellow Mallory, who I haven't found anybody who thinks is much of a person, they held him for something like 30 hours and he had probably committed, I think, he was later convicted of it, but it slips my mind right now, of a pretty horrendous crime.

But he was, his case was, reversed.

Now over a period of 10 years since Mallory, there have been 130 cases reached the appellate courts roughly, involving the Mallory issue. In only about 30 of those has there been a reversal.

Now, you can't say it was just because of Mallory. There are many other factors in these cases. If you brought it down purely to Mallory it would be a fraction of 30, but who knows? I think of the 30 odd two-thirds have been convicted on new trial without use of the confession.

Several haven't been tried yet and several have been released, maybe half a dozen. I think that is a little high. That is over 10 years. But the press and the public have been very much concerned about the courts, been very much concerned about police effectiveness and police morale because of something that in the total law enforcement picture is very minor.

Miranda is a case that was just decided in June of 1966 and people think all of the crime in the U.S. is caused by the Supreme Court in its Miranda decision. There were four cases decided with Miranda. Mr. Miranda, his case was remanded, of course, he now stands convicted of the same crime, convicted on evidence without use of the confession. Each of the other cases reversed at that time, the same result has followed except one, and that case hasn't been tried yet, and I have talked to the prosecutor and he thinks he will secure a conviction without the confession.

Confessions may be old-fashioned. They may take effort off of scientific police detection efforts. You can just sit down at the station house, it is not too hard, and ask questions. But there may be some witnesses out there that are getting away. There may be some physical evidence that is out there that is not being observed that rain and other things will eliminate, and I am not sure that the Supreme Court has not done us a great service, has not done law enforcement a great service, has not created a pressure that will improve the quality and the scientific effort of law enforcement through the United States in those cases.

Senator KENNEDY. Our next speaker is a man who is a native son of Massachusetts. We heard of his department yesterday. He was unavoidably detained yesterday, but wanted to come by today and greet friends from Massachusetts. He is native-born Massachusettsian, and educated in Massachusetts schools. He is the man who heads our Post Office Department. The Postmaster General of the United States, Larry O'Brien.

STATEMENT OF HON. LAWRENCE F. O'BRIEN, POSTMASTER GENERAL OF THE UNITED STATES

Postmaster General O'BRIEN. Thank you very much, Ted.

The fact of the matter is that I was not detained yesterday. I didn't have the courage to come up and discuss the Post Office Department with you.

But I understand that you had a thorough going discussion and also further understand that a representative of our Department remains with you this morning, Howard Barker, who will answer any additional questions you might have during the course of the day.

I just wanted to point out to Ted that I am the only Cabinet member from Massachusetts, that you do have two Senators and one Cabinet member. And as far as I know, I didn't check with Ramsey as he was leaving, but as far as I know, I am the only cabinet member who has been proposing the elimination of my job. There may be others soon. I don't know.

I am sure as you all know this town is always rife with rumors. I left the President a few moments ago to come up here, and you will hear these stories about conflict between President Johnson and Senator Bob Kennedy. Well, it just cannot be true because I told the President I was coming up to the Hill to visit with Senator Kennedy and some of his friends and he didn't even ask me which Senator Kennedy.

But I thought this morning just for a brief few moments because I know I am interferring with Senator Ted's schedule, and he has another member of the cabinet due here momentarily, I would just quickly review with you an aspect of government that is rarely discussed in any depth and that is congressional relations.

As you know President Kennedy inaugurated a procedure in the White House in January of 1961 that would insure that in-depth advocacy, if you will, of the President's program with the Congress, would in no way violate the Constitution and its provisions of the separation of the two powers, Executive and Legislative Branches, but nevertheless would insure that we would have rapport and understanding with the Congress.

Historically, at least in this century, this was not the case. There was a great deal of difficulty in the relationship between Presidents and Congress but this entity was established in the White House in a sense as a department within the White House in January of 1961, and it has been continued in that manner, and will be continued in my judgment regardless of who the occupant of the White House may be, because the case has been well documented, that the Executive Branch, of course, proposes and the Congress disposes. But within that approach the Executive Branch has an ongoing responsibility as an advocate and we have a regularly established procedure in Congressional relations.

There are approximately 40 key members of the Executive Branch in the departments and agencies that deal directly with us at the White House. They report regularly, we meet with them regularly. The President meets with the leadership of the Majority Party on a regular basis also. As a matter of fact, that is what prohibited me from attending the social functions at Ted's house last night. The President was meeting with the leaders of the House and Senate.

This is a worthwhile endeavor. This insures, hopefully from our point of view, an opportunity to have the views of the Executive Branch in the form of proposals and messages to the Congress reviewed, considered and a determination made up or down as they say, and it has worked quite well.

But I do emphasize in this regard that we conceive that in no sense does this violate any of the prerogatives of the Legislative Branch of Government.

I listened to and read for several years since 1961 the context of the pundits and the experts that we were engaged in something called arm-twisting. I find that it's arm-twisting when we are succeeding. I find recently very little comment made regarding arm-twisting because, as you all know, we are having our difficulties with the 90th Congress. I feel much more comfortable over on the Senate side of the Hill, let me add.

But be that as it may, we do attempt to move vigorously forward. We do attempt to work mutually, and I think the record shows that there has been a great deal of success in this area.

Currently, we have many problems involving our program. Some of them have been or will be referred to here in some depth, as I understand.

Ramsey Clark, I am sure, has discussed the basic problem of crime in the streets of America, the dedication of this Administration to insure law and order, along with that our continuing effort to expand and broaden our urban programs.

At this very moment we are experiencing considerable difficulty maintaining our current activity in basic programs involving urban America, model cities, rent supplements. In each instance these programs, as presently constituted, do not represent what we intended and what we presented to the Congress initially by way of proposals. But nevertheless they are ongoing and it is our responsibility to maintain that. We are going to do everything possible to do this, along with, hopefully in some areas of our urban problems, bring about an expansion of programs in federal participation.

We have, as you know, a struggle ongoing here in this city regarding a tax proposal made by the President, a proposal for a tax of one cent on the dollar that the Administration construes to be in substance an insurance policy. We sincerely believe, and our belief is supported by the overwhelming majority of those who are experts in this field, that there is dire need for this type of tax and every enactment at this point to insure against the spectre of inflation, the realty of inflation in short order if indeed we do not succeed in our tax proposal.

We will continue that struggle as we continue all struggles.

Beyond all that, we have the overriding problem of Vietnam and we have the overriding fact that this in American terms represents a tremendous and serious problem and is of deep concern to our fellow Americans.

There again, as I pointed out on the domestic side we will not be deterred. This Administration will fulfill its responsibilities, its commitment as it sees it in Vietnam, polls or suggestions otherwise notwithstanding, and by the same token this President will continue in his daily attempts to bring about some dicussion, some consultation, some avenue of approach to a peaceful resolution of this situation.

I suggest to you that the President dials the phone daily, hourly. As yet no one has picked the phone up on the other side, and I would also suggest that as soon as someone can deliver a warm North Vietnamese body to a table we will get down to business. But with all that is occurring and all the discussion that has taken place, the reality of the situation, my friends, is this has not come about. We have no one to speak to, no one who will speak to us, no one who is in a position to negotiate. So we will continue our vigorous approach to these matters.

I heard John Gardner's voice behind me. I am departing to perform a task today that I am pleased to have the opportunity to engage in and that is to go down to Virginia and speak at the dedication of a new building and a new stamp in memory of George Catlett Marshall, and I recall that through General Marshall's career he had one overriding problem that he coped with and resolved, and that was, as he said, "always keep your temper because you have to deal with them regardless."

Thank you very much.

Senator KENNEDY. Our next speaker is a member of the Cabinet, is a man who distinguished himself prior to his service in the Cabinet of the U.S., as a man of extraordinary intellect and a successful businessman and provide the Department of HEW with innovation, with creativity in trying to provide the best kind of service to the people of our State and really throughout our country. I have the good fortune in serving on the Labor and Public Welfare Committee to hear his testimony time and time again about the important and fundamental programs which are administered by the Health, Education, and Welfare and which affect so many of the people of our State.

He is a man of great feeling about these programs. He is always interested in seeing how they can be perfected and developed, how we can move ahead in eliminating the red tape which in many instances applies to some of these areas, and he is always concerned about the welfare of the people in his department and the people around our country.

So it is a great pleasure and privilege to introduce Secretary Gardner of Health, Education, and Welfare.

STATEMENT OF HON. JOHN W. GARDNER, SECRETARY, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Secretary GARDNER. Thank you very much, Senator Kennedy.

I am very happy to be here and take part in this program. I don't know anyone who in a brief period has won so much respect in the Senate as Ted Kennedy. He has been a very good and staunch friend of the programs in my Department. He is deeply concerned about the state of the Nation and he works in behalf of the Nation regardless of what the problem is. So it is a pleasure for me to talk to his constituents.

I will just say a few preliminary things and then perhaps take some questions. I brought along someone who knows the answers, and he will join me at that time.

I want to say something very general to you, and I think fairly important for you. I think some new winds are blowing with respect to State and local government, and I think they mean a great deal for you in the future of the activities that you spend your time on.

For about 35 years the American people, acting through their elected representatives, moved consistently to strengthen their federal Government, and during that period and during all our brief history, almost all of our previous history, we have tended to neglect State and local government.

It is a great American tradition to do as little for State and local government as possible. I think that is changing. In fact I believe that it must change, I think that it is inevitable that you are going to see a resurgence of State and local government, you are going to see resurgence of vitality at that level, and this is, I believe, going to markedly alter the way in which this Nation is governed and organized. It is going to mean far better, far more effective communications between Federal, State and local government. It is going to mean reexamination of all the relationships that now exist, and those relationships have not been systematically analyzed or examined.

We have tended to mount new programs, pass new legislation, move off in new directions without asking ourselves what were the principles governing the relationships. Sometimes the relationships worked very much to the benefit of State and local government. Sometimes they didn't. This we now have to look at.

The reason I believe that State and local government are absolutely essential to the pattern of the future is not just the well established reason that we believed in dispersion of power and initiative and we want something other than a centralized government, that has always been clear to us.

Some other things are becoming clear now, clearer than ever. One is that you can only put all the pieces together at the local level. You can't put them together at the Federal level and hand them over to the localities, because that would be a measure of dictation, not only a measure of dictation that no one could tolerate, but Federal officials don't know enough to shape programs to fit local needs. You have to provide the pieces and enable local officials to put them together.

We are not now in a very good state to do that because we haven't designed our programs in that way. We haven't designed our relationships with State government and local government authorized to do that.

But this is essential, and whenever any really significant problem develops in one of the great cities, for example, it is perfectly clear that the Federal Government cannot solve it. It cannot move past local leadership to solve the problem. It is like standing behind someone playing tennis and trying to show them how to make the shots by moving their arm. Only local leaders can lead locally, and the Federal Government must conduct its business in such a way that it provides local officials with the wherewithal, with the support, resources, the encouragement, the technical assistance that will enable them to do the job.

The other reason that I think it is perhaps less widely recognized but is perfectly clear as I go around the country, there is a rising concern for the impersonality of modern society, the sense of anonymity, rootlessness, feelings of alienation, feelings of impotence, feelings on the part of the citizen that he doesn't have a chance to have his say, that he doesn't have a role, that he isn't plugged into whatever action is taking place.

Now, the only place, the only level, at which that can be cured is the local level. A relatively small portion of the population can be active at the national level. Very well educated professionals, people who belong to large national organizations and so forth, but the average citizen will only be able to participate at the local level, and for this reason the kind of vital communities that permit participation are absolutely essential to this Nation's future.

What we are doing in HEW is to re-examine in all of our relationships with the people who receive our funds, and we are doing this quite systematically. We have had very extensive back and forth the Governors. We have told the Governors the kinds of things that we can do to improve the relationship, and we have been quite specific about it. We have altered and developed new legislation which will provide Governors with more flexibility and initiative.

In the case of localities, we have taken a variety of moves. For example, the timing of school appropriations has been a subject of recent discussion. For years the most, not the most, but one of the most, irritating factors in Federal relationships with the educational world was the faulty timing of appropriations. The school superintendent had to hire teachers and make commitments for educational programs beginning around January. He had to make the commitments perhaps in January, and would receive appropriations covering those commitments as late as August, September, October, or even November.

Now this, we tackled this year, the President called for a task force, and I set up the task force. It consisted of people in my Department, and people from the States and localities. They came up with an extremely good report, recommendations which seem to me completely feasible, and when you look at them you wonder why in the world someone didn't get to that sooner.

To me this is a characteristic of a great many of the relationships that we deal with. When you get past the rhetoric, and sit down and say "what are the sources of frustration here, why are we working at cross purposes" you can find out. You can find specific things that can be changed to make this a more livable relationship.

Now, this depends on communication. We have got to know what your frustrations are, we have got to know the things that will make these programs workable for you, and when we do then we can move systematically to improve the relationship. Now, that is really the heart of what I want to say this morning.

I think you are involved in a level of government which is for a very exciting period in the years immediately ahead. We want to help in every possible way to enable you to do your job. In order to do that we need to hear from you. Any time that you communicate with us either through Senator Kennedy or through others or through people in the Department whom you know, we will try to get at the problems, particularly if you have an idea as to how we can fundamentally improve the relationships between our department and your level of government, let us know.

I will be glad to answer questions if I can. I want to introduce Dean Coston, Deputy Under Secretary of the Department.

Question: Secretary Gardner, my name is Mayor Crossman from Leominster.

I was very concerned about Federal programs that leave Washington and get to our State and then, as Senator Kennedy has made this meeting possible, I feel that the State government, the Governor, and the legislators should make meetings like this available for the different cities and towns throughout the State in order to inform us of these bills that are passed.

Now, Medicaid is a prime example, and Medicaid has helped many, many people. But it has also embarrassed many, many mayors and selectmen and so on throughout the State of Massachusetts.

But then again I have talked to my welfare agent and director and he tells me that it is pretty easy to get for a lot of people who perhaps don't quite need it and I have had the embarrassing position of saying this man is making so much a year and his wife is working and so on and still they are getting Medicaid.

So I am wondering if we are taking the initiative from some of these people and giving them these opportunities to, we will say, get new glasses and new teeth and medicines and so on, and they could do it very well on their own.

I think the programs are good, but also that some of the programs they shouldn't be too easy to get this extra help if certain people don't need it.

Secretary GARDNER. May I just say one word about that? I fully understand the problem. I don't see exactly what we can do tomorrow to resolve it, but I agree with your points.

I do want to say a general word and that's that representatives of local government generally in your State and throughout the Nation must join the effort to strengthen and revitalize State government. This is not a natural thing for the local official to do. His tendency is to take potshots at State government, but he is always at the mercy of State government in one way or another and unless it is a vital instrument, unless it is an effective instrument, he will always suffer by the defects of State government.

Now, we have a marvelous chance right now in this country to strengthen State government and make it more effective than it has ever been, and I think that all of you ought to get in behind that and make it clear to the people generally that they must develop the kind of instrumentality in their State capital that will serve the localities well.

Question: Mr. Secretary, on the ninth of next month we are opening bids on a new four-year academic high school and vocational school which is estimated to cost $14 million. Included in this facility is a resource center that is unequaled in New England, to the best of my knowledge.

My limited or our limited experience with Federal programs has been such that there is a great deal of duplication, a great deal of single items that we must submit separate applications for and it is certainly within HEW there are programs to get equipment and staffing in part of a facility of this nature.

My specific question is: Will your Department entertain a single application with consultation here in Washington, review of the drawings and specification of the educational plant and educational specification, will your Department entertain a single application of the City of Medford where it can benefit from any resources that are available in one application?

Secretary Gardner. I don't think we are in a position to do that now. Dean, do you know whether we are? We are moving toward this.

Mr. Coston. Let me say that probably we are not in a position to do that, but I would urge you to sit down with our regional office people in Boston to look over the entire spectrum of proposals you have to see the extent to which they can be consolidated and the extent to which they can expedite the various pieces of your proposal.

As the Secretary pointed out, one of our problems is that there are a great many pieces of these puzzles around. Some of what you are doing, I am sure, affects manpower development activities in the Labor Department. Some of them affect the vocational education programs in the U.S. Office of Education. I think you will find in our regional office we are trying to establish systems which will let you have one contact point. You may still end up with several sets of applications in these programs but at least you will find a person in Boston with whom you can deal and simplify your work a good deal.

Secretary Gardner. The whole movement of our effort now is just in the direction that you are talking about. It is a movement towards simplification, toward packaging of programs to make it easier for the receiving official.

I would like to mention the name of our regional representative. It is Wally Mode. He is in Boston, and he is there to serve you, and he is very good at it, and if you will bring your problems to his attention you will get quick service and effective service and he is very much interested in providing it.

Senator Kennedy. Thank you very much, Mr. Secretary. We shall now adjourn and go back into the work shop period for those who still have some questions on their mind.

(The next speaker spoke at luncheon.)

Senator Kennedy. We want to recognize some of our Congressmen, Congresswoman Heckler who was kind enough to join us here today and is sitting with some of her constituents. Congressman Conte. Congressman Keith, who was with us yesterday and who is here today.

Let me say it is a very special privilege for me to have the honor to introduce our luncheon speaker today. I know of no one that President Kennedy had a greater sense of confidence in, in the affairs of the defense of our country and also looked to for advice and guidance in the conduct of our military affairs.

General Taylor has distinguished himself as an extraordinary, able and brave soldier in World War II and going back through many years before. He has distinguished himself and impressed all of us in the Congress and the Senate for his thoughtfulness, and for his understanding and for the fact that he really, in his book, "The Uncertain Trumpet," which was written about the defense posture of the United States, enunciated a course of action about preparedness, the importance of preparedness for the United States, which was followed very dramatically and directly by President Kennedy in the early 1960's.

He felt that the way for the United States to have a successful kind of foreign policy was by a strong defense, but also by showing flexibility and adaptability to the threats of counter insurgency throughout the world. His was really the first voice, I think, that I know of, who warned all of us about the dangers of counter-insurgency, guerrilla activity as we know it in Southeast Asia.

So he has had an extraordinary career in the Armed Forces of our country. In the field of battle, as an adviser to two Presidents, the great respect, as I mentioned that President Kennedy had, and we all know the great sense of confidence and trust that President Johnson has in General Taylor.

He has served as the Chairman of the Joint Chiefs of Staff. He served as our country's ambassador to South Vietnam at really the most difficult and trying period, and served extremely well and ably.

I think his name will go down certainly in history books as one of the great thinkers of our time and a man of great compassion.

So it is a great pleasure and privilege for me to introduce General Taylor, Ambassador Taylor, to you now.

STATEMENT OF GEN. MAXWELL D. TAYLOR, SPECIAL CONSULTANT TO THE PRESIDENT; PRESIDENT, INSTITUTE FOR DEFENSE ANALYSIS

General Taylor. Senator Kennedy and ladies and gentlemen of Massachusetts, I am very grateful to Ted for his very fine introduction.

I am not quite sure how I qualify for this Massachusetts gathering. Perhaps on the positive side I might mention my wife came from Worcester and I have a son who graduated from Williams, but then I will quickly offset that favorable impression by saying I am from Missouri and I always was a Cardinal man.

Senator Kennedy asked me to give a few informal remarks on the subject of Vietnam following this very pleasant luncheon.

We just don't like—don't enjoy what is going on in Vietnam. Having agreed on that statement then we will start perhaps to diverge as we go down the road. Because I think having made that statement we then owe ourselves or owe those with whom we discuss Vietnam a statement of what we really are objecting to, what is going on there that we don't like. And there are many times when I ask that question I find that my counterpart will say "well, I just don't know because it is just so confusing and so uncertain, there are so many contradictions, so many statements that seem to be true, half truth, non-truth and that frankly I don't know what is going on."

So I think I would first preface any discussion of Vietnam by saying what I think is going on there. I would say we are, our Government is, pursuing a quite clear policy, which can be stated in its overall objective quite simply. It has been by three Presidents, President Johnson said essentially in one of his speeches two years ago "Our objective is an independent Vietnam, free from attack and able to choose its own government." That is straightforward, simple. You and I understand it. It means two things, a cessation of the present communist inspired aggression against South Vietnam, and the right of self-determination on the part of the people of South Vietnam.

Of course, these are not new principles to guide our foreign policy. They have been involved directly or indirectly, wholly or in part, in certainly all our conflicts since World War I.

That being an overall objective how are we trying to get there? We are trying to get there, I would say, by pursuing a strategy which falls into two general parts. One, those military actions which we are doing, first, to bring security and protection to the people of South Vietnam against the attacks of the guerrillas and the North Vietnamese forces and, secondly, in so doing to inflict such casualties on the enemy forces that they will eventually conclude that a military solution to their problem of the imposition of a communist government on South Vietnam is simply not in the cards.

The other half of our strategy would call the nonmilitary socio-politico-economic part which is nation-building even while this war is going on, and represents the efforts of our civilian agencies to establish a stable government, a constitutionally based government to protect the economy against inflation, and to build up the ravaged provinces insofar as possible, under the conditions of guerrilla warfare.

So there I would say in a capsule form is what we are doing, a straightforward, clear objective, and a coherent strategy involving all of our resources of our military, political, economic, psychological and moral.

Well, then, my friends will say "that is fine. But it is not good enough. It is not doing well enough," or others will say "well, perhaps it is the best thing to do."

So I think it is fair to ask ourselves what are the pros and cons of this program which we are pursuing in South Vietnam? Well, let's say first on the affirmative side, the pro side, what is good about it. Well, I would say the best thing about it in my book is it is succeeding, it is suceceding. To say it is succeeding means that it is successful, but does not mean it has attained final success, but having lived, as Senator Kennedy mentioned, having lived through the dark days of 1964 and 1965, when I, as Ambassador, had the broadening but frustrating experience of doing business with five different governments, five different prime ministers, five different cabinets, governments which turned the rascals out in the good old American style as soon as they came in and all of this in time of war through the tremendous overturn of the programs which were necessary to bring success in the military or in the civil field, this was a very, very discouraging time.

So that when one looks back to that period some two years, two and a half years ago, it is impossible for me to understand why a fair minded person would not concede there has been progress. We are being successful in moving toward our objective.

It is certainly true in the economic field where we desperately threatened with runaway inflation two years ago, that danger is not entirely allayed now and never will be, but thanks to the very close cooperation of our economists and those of the South Vietnamese government, with the help of a monetary fund, inflationary pressures have been held relatively under control.

In the military field, in the last year and a half the enemy has not scored a single victory that one can point to and identify as such. They lost very heavily, last year over 100,000 casualties, killed, seriously wounded, deserted, men who had to be replaced in the South and the rate this year is apparently almost double that for 1967.

In the field of the protection of population which is a fair measure of the progress toward giving security to South Vietnam, when I was Ambassador we estimated only about half of the population was reasonably secure from the depradations of the Viet Cong. As evidenced by the recent elections which have taken place, some two-thirds of the population, 67 percent, now are free and secure enough to be able to vote in the face of the threat of reprisals on the part of the Viet Cong.

I notice in the Ambassador Bunker's recent cable that the embassy is estimating 69 percent of the population they control. So I think it is quite right to say, it is defensable on the pro side of this program, it is succeeding and the question is how far has it gone?

I think it is also on the pro side we can point to the fact that we are not in World War III whereas two or three years ago there were many who predicted we were on a head-on collision with Red China, the Soviet Union or both. I think that fear has generally subsided, that as long as at least we operate under the current ground rules that this danger of a major expansion of the war is not going to occur.

Finally, on the pro side it is certainly true we have not seriously damaged our economy by this effort. Our society in spite of the decisiveness of this issue is intact. We have not gone through the turmoil of meeting the requirements of Korea, whereas you recall we did mobilize our reserves. There were economic controls imposed and many other things that have not been necessary thus far in Vietnam. That is then on the rosy side.

What do we have on the dark side? Well, my opposite number who is arguing the other case will say "look, you are saying you are making progress but you are not making progress enough, not nearly fast enough. This is endless. You can't tell me whether this is going to end. Look at old Ho Chi Minh. He looks tougher today than he looked a couple of years ago."

Then they will point out that this slowness in using our military forces is just contrary to the American temperament. We are not the kind that like to hold out the last two wars of attrition. We want to get into a fight, let's hit the bad guy on the nose, knock him out and walk away and go home. So we are really pursuing a strategy which is antithetical to our natural tendencies as a Nation.

Then they say, "Look at our situation on the domestic front here at home. You gentlemen who defend this course of action can't explain it to us. We don't understand it. There are no measures of true yardsticks of success, there are no easy and visible ways of measuring how we are doing," and that certainly I must say is true, and hence we have on the domestic front the growing unhappiness, the growing discontent, the growing signs of dissent from this course of action, and then my opposite number will point out that, in turn, makes Ho Chi Minh tougher against victory and success moves farther away.

So one finds that we find ourselves in sort of a vicious circle. Where Ho Chi Minh gets tough we get concerned, our concern makes Ho Chi Minh tougher and victory gets farther and farther beyond our grasp.

I think that is the fairest statement of the opposite side, what is against what we are doing. Then at this point usually in our friendly debates I have with my friends we say "all right, let's agree we are not doing so well. This isn't a good way, perhaps not the best way, to accomplish our objectives. What are the alternatives we have at hand?

Then to boil them down into the simplest slogan kind of form they turn out to be only three, at least I have found no one who can suggest a fourth that is truly a fourth and not variant of these three.

The first is walk out, the second is talk it out, the third is shoot it out.

Then let's go back and look at each one of those, how attractive is each one?

Well, walk out, of course, is to walk off the battlefield, it is to abandon those to whom we carried our help, to whom we encouraged to resist and concede defeat. I don't think that appeals to many of us Americans. Very few men in public life certainly are willing to take that position, and I find even behind the anonymity of polls not more than 10 percent will say they are for walking out.

It is another matter though to say let's talk it out because that can indeed rally our support. I suppose all of us here would raise our hand if I asked are you in favor of talking it out. Well, so would I. So would I. But to talk it out means find somebody to talk to and preferably somebody who will be willing to talk in terms which are at least within the ballpark of possible acceptance on our side.

And the unhappy fact is thus we have found nobody to talk to, to say nothing of finding anyone who will talk in reasonable terms.

Then our third alternative is to shoot it out. That stirs the blood of all belligerent Americans, those of us who feel we should do more. I am, certainly think I am, in that category, but when I then ask myself what does it mean to shoot it out, what are our targets that we are not shooting out at the present time, where is a decisive military objective which if taken would really be the end-all and the be-all of this conflict, I, frankly, can't find them. I can't find them. There is no effort being unattempted in South Vietnam in terms of striking the ground forces that can be found. But the guerrilla enemy is an elusive enemy. You can't decide on what day and what hour to catch and finally fight him. He also has the sanctuaries of the demilitarized zone of Cambodia and Laos to which he can retreat. So on the grounds it is very hard to hit the fellow harder if you can't lay your hands on him first and I say that is not always possible.

In the air war, I would say we have been striking all the targets of military importance with very limited exceptions, probably the Port of Haiphong being the only one, and even that target certainly would not have a decisive effect on the situation in the South.

So again when I analyze the shoot it out course of action I just can't find that it is in itself, that it contains in itself, the solution to our problem.

So then I come back to the course we are on now, which I would characterize as stick it out, and before we decide to leave that course of action I think we should draw counsel from Old Bill. Old Bill, those of you who are old enough to remember World War I, I am sorry our host won't understand this one.

Remember Bruce Barnsfeather, the great cartoonist who kept the spirit of the British up by his soldier cartoons, Old Bill was his favorite GI although GI's didn't exist at that time. He was an old soldier who has been in for months and carried on until the end of the war and he always had some recruit with him who he was giving some sound advice, and probably the most famous of the cartoons was entitled "The Better Ole", Bill didn't speak very good English, he spoke Cockney English, and here was a picture of Bill and his young colleague in a shell hole, mud up to their waists. It was raining and the shells were coming down, and obviously the young man had been complaining about his lot because Old Bill was turning to him and said "if you know a better ole go to it."

So I think in this present circumstance, ladies and gentlemen, before we leave our present "ole" let's be sure we have a "better ole" to go to on this international battle field.

Question: General, I am a little confused. I think I know the reasons why we are in Vietnam, but our people, our Administration keeps telling us that we are there to allow the people, to allow them a free selection of their own government. But isn't it true that there was one Vietnam, and that the purpose of the Geneva Accords was in effect to unify the North and the Central and the South, and that the 17th parallel was only a demarcation line?

Now when we hear these things, and we wonder whether we are doing the right thing to create a South Vietnam when the intent of the peace accords was one Vietnam, would you care to comment on that?

General TAYLOR. First, you are really raising the whole question of the Geneva Accords and the aftermath which is a fairly long and involved story.

First, I point out historically there were only for a very few years, I think 60 years was there ever a single government ruling all of Vietnam, and you have to go back three generations to find that. So strictly speaking in the time frame we are talking about there was no Vietnam as a single government. That is one of the tragedies of the situation in Vietnam, is that there never has been a spirit of nationhood developed in the country.

The population while most of them are Vietnamese, they have a very strong sense of regionalism. Those who live in the North in the Hanoi area that was the old kingdom of Tonkin. Those in the center, Hue, Danang, that was Annam, and the South the Saigon area, the Mekong Delta, was Cochin China, and they think of themselves more in terms of those regions than they do in the sense of a national spirit uniting all Vietnamese. They all speak the Vietnamese language, but there is just enough difference so that they can identify each other very carefully. So in all political matters one has to take into account these three regions, in forming cabinets or trying to get consensus because they are very, very jealous of their regional rights and their regional prejudices.

The Geneva Accords were far from a satisfactory settlement. We recognized it at the time by not signing them. The South Vietnamese knew they were being sold down the river by the French. You will recall that Mendes-France, the French Premier, came into office in June of 1954, with a mandate, as he interpreted his election, to get out in 30 days, so he announced to the world the French were pulling out in 30 days and better sign some papers. Well, you can imagine the kind of papers the communists would sign under those circumstances. They literally sold out South Vietnam and we certainly—the French understand it that South Vietnam would come under the communist regime of Ho Chi Minh.

Meanwhile, the leaders in the South were thoroughly aware of their danger and wanted no part of it and announced, they denounced the Geneva Accords before they were signed.

The Geneva Accords themselves were conflicting because they established a 17th parallel and then gave the population North and South the right to change, to come—if you were in the North and wanted to go South in a non-communist state you came South, and almost a million refugees, the first refugee stream, came down in order to avoid the Communist regime.

In the South, the movement was much smaller. We think around 80,000 went North. But clearly by that change of population the understanding was there would be a unified Vietnam. Yet at the same time because of the Viet Minh-French agreement there was in the Geneva Accords the guarantee of elections two years later, but they would be supervised elections, and by 1956 it was quite apparent to the United States and quite apparent to South Vietnam that Ho Chi Minh had made a communist police state in North Vietnam and wouldn't let anybody in to see what was going on in his part of the country, so very wisely, in my judgment, South Vietnam, supported by our country, said "we are just not in this business of turning over South Vietnam to Ho Chi Minh." That is part of a long story and I am not sure I answered all the points you raised. It is quite interesting to recall them because we forget them as we go on.

Question: General, one of the things we have been trying to accomplish is to prevent the flow of supplies in North Vietnam. One of the questions is why don't we bomb the Port of Haiphong and mine the harbors and, two, how are we making out in control of the Delta with regard to communists?

General TAYLOR. With regard to the first question, Haiphong, I have been on record since the Fulbright hearings of favoring the mining of the harbor of Haiphong because it can be done quite easily. Having said that I would say there is definitely a case on the other side too because this action would be essentially directed at the Soviet Union and there have been hopes, recurrent hopes, whether they are valid today I don't know, that the Soviets may prove the bridge by which we can establish contact and start negotiations going. So on the political side there has been these countervailing arguments which thus far have convinced our leaders at least for the time being such action should not be taken.

I point out, however, in the recent bombing attacks there have been pinpoint attacks on Haiphong installations which certainly is having a favorable, from our point of view, a favorable effect on destroying and making difficult the movement of supplies out of the Haiphong area.

The second question is whether the situation in the Mekong Delta, that there has never yet been a major effort to move in military force in great strength into the Mekong Delta. I think that is wise because, first, we don't have excess strength in other parts of Vietnam to move into the South in numbers. Secondly, there has been a fairly satisfactory equilibrium of forces. The two Vietnamese divisions have done quite well in holding down major depradations on the part of the Guerrillas. We have had the rice problem which may be in the back of your mind of getting the rice of the Delta out and into the rice-poor provinces in the center and into the North. This has been disappointing somewhat from, because of the interference of the guerrillas, but more so because of the shortage of manpower. You see itself South Vietnam has 800,000 men under arms today. I often remind my doubting compatriots who think this little country is not trying hard, that would mean 12,000,000 Americans under arms which just happens to be about the top figure of our strength in World War II. So with this manpower being taken out of agriculture very largely, they just don't have enough young men to cultivate the rice in the quantities that they used to. Hence there has been a very heavy import of rice subsidized very largely by our Government in the last two years.

Question: General Taylor, yesterday Senator Mansfield more or less suggested that one of our fears was a confrontation with China by virtue of bombing because he didn't want to be involved with China at the present time. Of course my feeling is sooner or later we will have involvement. Do you subscribe to his theory insofar as China is concerned at this time?

General TAYLOR. I think I have indicated in my early talk that I felt that we have accomplished what we have in the South with minimum danger of involvement with Red China. I had that opinion as long as three years ago, I certainly have it even stronger today. In view of the internal turmoil and disorder in Red China, certainly the dangers of military involvement initiated on their part is very small. Certainly on our side we are equally unwilling to take any action which would really be provocative in any sense of the word. I don't think we are. Our bombing has been very carefully conducted. There have been a few cases of overnights, actually we have lost two planes shot down, but the Chinese certainly have shown no desire to make that a cause for war.

By the same token—I am not sure I get the second part of your question, I certainly don't think we on our side should deliberately initiate the war with anybody. I have never subscribed to the inevitability of history. Some of my colleagues in the military two years ago felt a preemptive attack on the Soviet Union was really the course to follow, not many but a few thought of it. Certainly I think history is showing, I believe it is showing, that would have been an act of the greatest of folly had it ever been followed.

Hence today I am just hoping in due course China can become a peaceful member of the communities of nations and learn to behave itself whether they are under a communist government or not.

Question: General Taylor, in view of the recent demonstrations can we accept the present government, elected government as representative, truly representative?

General TAYLOR. I think it is as truly representative as one can get under the present conditions. There was no reasonable doubt expressed by the countless observers that a man who wanted to vote did vote, and furthermore he voted the way he wanted to. It was certainly in a way a rather surprising thing to me, but encouraging that the military, the government in office, got as low a percentage as it did, only about a third of of the vote. So that insofar as the equity was concerned, I think it was well protected.

Having said that, I would add certainly, I don't think they are a stable, experienced democratic government that is going to come out of this. It takes time to develop experienced officials. It takes time to develop true tradition, and I am quite sure we are going to see many events in the political field in which to us Americans are either disquieting or even repellent in the sense they do not coincide with our concept of government, but nonetheless this little country has really done an amazing thing in getting constitutional government in the course of a three year cycle, in time of war, without the traditions which backed our Founding Fathers. It took us, I remind my American audiences, from 1776 to 1789 including eight years of peace to get our first constitutional President. They have got one in three years.

So even though this performance doesn't look like that of a professional democrat, let us say, certainly it does look like the act of people trying to learn the ways of democracy and I think deserves our cheers rather than our criticism.

Question: Are the South Vietnamese soldiers, have they improved over the last 10 years as fighting soldiers and are they doing all they can to help win this war?

General TAYLOR. I mentioned the numbers involved. Just on the numbers basis, I think this country raising 800,000 men is doing very well. Quality wise our experience has been very much what it was in Korea. I would say our criticism of Korea and troops if one can think back to 1950, was much sharper, much harsher than has ever been the criticism of professional soldiers of the performances in Vietnam. We found in Korea simply this, that the Asian makes an excellent soldier, but he has to be trained and most of all has to be led. In South Vietnam as in Korea foreign occupiers have deliberately held down the leadership clash in the military field, the political and economic and everywhere. So this business of finding men who have the basic qualities to be officers and non-commissioned officers to lead the fight and show initiative. It is very difficult. It takes time. It takes training and it takes a long experience, personal acquaintance with the key officers in order to really be able to evaluate them.

So in answer to your question then their Army definitely is improving. General Westmoreland last year did not try to increase the overall strength because he had a program which he called Leadership Stockpile. He was trying to build up enough officers so that he could expand this year, and the present objective is to add 65,000 more troops this year.

Now, the actual performance has been superior in certain of the elite units, tolerable in and fair, let's say in, the bulk of the units and certainly there have been some weaknesses also, usually weakness being attributable to the leadership rather than the quality of the soldiers.

Question: General, what are the political relationships between North Vietnam, Red China and Russia?

General TAYLOR. The political relationships between Hanoi, Peking and Moscow? I wish I could answer that. I think Secretary Rusk would probably have to concede that he is not sure either. We know this, that Hanoi is trying to carry water on both shoulders retaining the friendship and support of both Moscow and Peking, and I am sure it takes some doing.

We also know that traditionally all Chinese are suspect to all Vietnamese. This is a very curious fact, a very clear fact, however, when one gets to know the Vietnamese.

In the South, I often asked the question "what would you think if Chiang Kai-Shek sent us a couple of divisions, we could certainly use them, couldn't we?" I could never get any South Vietnamese to show the slightest interest in such things. They just don't want Chinese under arms in their country regardless of what their ostensible motive is, and they assured me and I would suspect they are right, because many of the people in the south are really foreigners, that Ho Chi Minh must feel the same way and must be desperately afraid of being crushed in the embrace of China, and recognizing that even now he has had to take in some 20, 30 perhaps 40 thousand non-combat engineer-type troops, he must be terribly afraid that China, the Chinese, will find some reason, some way to press combat on them. So these relationships are confused, uncertain but I would suspect present Ho with headaches which far exceed those which exist in the heads of the Vietnamese leaders in the South in spite of all their troubles.

Question: Do you feel, General Taylor, we can build a Maginot-Siegfried modern day equivalent line across the 17th parallel?

General TAYLOR. Not the way you expressed that. Having said that, properly designed obstacles do have military value. They are being used, or have been used to some extent thus far, a great deal of that being done on the Marine front, simply an extension of field fortifications common everywhere. The concepts in the press of some other mysterious way of suddenly sealing the whole thing across the fronts, if that possibility exists, I am not aware of it.

Question: General, then you approve of the course of action that is being taken by the present Administration, is that correct?

General TAYLOR. I couldn't say that to anybody. I would simply say that certainly in the broad outlines I am very much in favor of it but I suspect if I went on probably I could find matters in detail to which I would not subscribe.

Question: Mr. Sorenson suggests in a recent article that any escalation of the war on our part produces another increase in aid from both Russia and Red China. In other words, their commitment is the same to the communist world as ours is to the free world. Do you share this opinion with him?

General TAYLOR. I never like to talk ad hominem, as they say, so I won't reply to Mr. Sorenson. I will simply say that anyone having a view such as that expressed would have to convince me which is cause and which is effect; does our escalation cause them to escalate or does their escalation cause us to escalate. So far as we are concerned we have never wanted to increase our forces one man or one plane or one round of ammunition which hasn't been proved necessary by the events taking place in South Vietnam. Hence taking that point of view, which I do, I would say that necessarily our build-up has resulted from their increasing forces they are putting into South Vietnam.

Question: General, this incident over the weekend at the Pentagon and other incidents in the past years and marches and the burning of draft cards, and what have you, what effect does this have on our fighting men and the people in Vietnam?

General TAYLOR. Well, I used to be able to answer that with some authority when I was sent over there, I have been back now for almost a year so I don't have that penetration of the military machine in South Vietnam. But I suspect it hasn't changed very much. Most of our soldiers out in combat, they have plenty on their hands without having to read the New York Times. So that they are happily freed from a great—of the knowledge of some of these events at home. When they do hear about it they utter a few unprintable words, but go about their business. So I don't think you can ever say that this is undermining morale of our troops in South Vietnam.

But where the damage is done is up in Hanoi. There is a fellow watching the situation, there is a fellow who is wondering how he is going to get out of his growing predicament, and seizes upon the possibility of something, a break-up on the home front of the U.S., so those pictures taken at the Pentagon go around the world, worth how much in dollars I couldn't possibly say to the other side.

Question: General, I think over the years this country has been in many conflicts, the Korean conflict, for instance. It seemed to drag out and took a great many years to settle. Now we are in Vietnam, and I think no doubt it will be a big issue in the next national election, and I wondered if we could get encouragement on the settlement of this? I think the American people are used to fighting a war and then coming to an end, a victory, and I know the boys over there are not kicking and we don't agree with all the beatniks and what not, and I know we are in there for a good cause, but I think one of the big issues is going to be as far as the American people are concerned have we a chance of ending this? I mean I think it is—a lot of our boys coming back, wounded and so on, and we are losing a lot of them. I think it is a big issue in the back of our minds, when are we going to end all this?

General TAYLOR. Well, I conceded that this apparent endlessness is indeed one of the prime concerns of all of us, we all share it.

On the other hand, I don't know of any course of history which has not been unpredictable. I can remember very well the Berlin Blockade, for example. It looked as if we were going to be flying coal to Berlin until a certain place froze over. I certainly felt there was absolutely no indication that we wouldn't continue indefinitely and we were quite prepared to. There were no statements in the U.S., let's give up the Berlin Blockade, so on a given date contact was made out of Moscow. Within 24 hours, 48 hours, the barricades were lifted, a complete change about. No one could possibly have predicted it.

I remember in Korea, the 8th Army had driven up to Yalu and then taken an awful shellacking, then driven south back again to the 38th parallel and then General Ridgway displaying a magnificent leadership turned that defeated Army around and was just beating the hell out of the Chinese around north of the 18th parallel. Suddenly we heard from Malik that maybe we had better start talking about an armistice at Panmunjom. It came just like that.

So the fact is we can't afford to be an impatient people. We are playing in a new league now, a league in which determination, confidence, stability are assets which we must have. The old Hollywood desire to punch the guys on the nose, that won't do in this dangerous world in which we live and if we don't learn it in time to apply here we are going to take a very great setback which it will take us years to overcome. But sooner or later we must learn the lesson if we are going to survive in this nuclear age.

Senator KENNEDY. I want to thank the General.

Mr. LANDRY. Before we start the program this afternoon I would like to, on behalf of the Massachusetts Mayors Association, thank our senator for putting on this program for us. I think it has been very educational and a real benefit to us. Senator, thank you very much.

Senator KENNEDY. It is a pleasure to introduce the distinguished Secretary of Interior to this group. Secretary Udall is known to many of our communities in Massachusetts. I remember a little over a year ago travelling with the Secretary up the Merrimack River Valley. We met with a number of the different communities that border on the Merrimack on problems of pollution and we coptered over a number of communities and viewed at first hand the problems of the Merrimack. We traveled later and looked on out in Worcester and we had a conference on the Blackstone River out there. I have had an opportunity to talk to him at length about the problems that we face in the Connecticut River Valley. We have had a conference up there last Friday about the problems of pollution in the Westfield River, the Chicopee River as well as the Connecticut. So he is no stranger to Massachusetts or the problems that we face up there.

It is always a pleasure to welcome him. Secretary Udall.

STATEMENT OF HON. STEWART L. UDALL, SECRETARY, DEPARTMENT OF THE INTERIOR

Secretary UDALL. Thank you very much, Senator. I think the Cape Cod National Seashore has been by all odds one of the most successful large national conservation projects that we have carried out in the seven years that I have been Secretary. And, of course, we started this under the President, your brother, Senator, and it is one of the programs I think all of us in Washington take the most satisfaction in. I have told more people where you have the usual local resistance because people don't understand large-scale conservation projects, if they had doubts they ought to go to Massachusetts and see what we were doing at Cape Cod.

The Interior Department, and it should be properly termed natural resources department, and I appreciate Senator Kennedy's testimony on this subject last week, was thought of by most people until a few years ago as a western department, indeed many of our responsibilities are there, the public lands, the large national parks, the Indians, mineral resources and things of that kind. But there has been a rather dramatic change in the 1960's in terms of my department, and its responsibilities.

We had intimate ties with all 50 States. I think the Department is a national department in a very real sense. We have direct relationships with my own Department and its bureaus with your city governments in a way that we did not have even a few years ago. In addition to that, of course, when one looks at Cape Cod, our Minuteman National Historic Site Project and other projects we have going in your State, you see a growing intimate relationship between these Federal agencies and your own local functions.

The Land and Water Conservation Fund which is a grant program to the State and to its subdivisions grew out of the establishments of the Bureau of Outdoor Recreation in 1962. This is a vital program, it is just beginning, I will discuss it in a moment, the water pollution control program we are right now gearing up for the big national effort, and we will have before we are through, through our grant program, through working with you on water clean up and water quality standards, we are true partners in the effort to clean up the rivers and the water supplies of our Nation. Congress a year ago passed a new act, the first broad-scale act of its kind in setting up a new program, Federal matching program with cities, with local organizations on historic preservation that I think is going to have a long-term significant interest particularly in regions like your own, where you have a very rich history.

We, of course, too, have interest in many other resource problems like commercial fisheries and wildlife, but I won't spend too much time on those today.

Your State, however, is a State that is not only rich in history, many opportunities to preserve that history, to add quality and distinction to your communities. You always are rich in the unspoiled landscapes that remain, and it often reminds me every time I think of New England of the story some of you may have heard me tell before of Robert Frost, the old poet who lived in Massachusetts, in Vermont, in his last years, who used to say that one year Vermont has a state brochure, beautiful full scene on it and it said underneath "come to unspoiled Vermont for your vacation." And he said every time he saw it he wanted to write down below "and help us spoil it", and I think this is the problem that we face in our cities, in most of our States today because the conservation movement today is not concerned with the big national parks and the big seashores alone. Conservation has come to the door step of city hall.

I talk as much about urban problems as I talk about the problems of the countryside. I gave a speech in Montreal yesterday to the Canadian Club and I talked mostly about cities and urban problems, and Secretary Weaver doesn't resent it either, because today when we are talking about conservation we talk about nature, we talk about resources, it is a single system. It doesn't stop at the city boundary. And when we talk about an environment we are talking about the total land and people equation in this country, and that is the reason that I think these new programs are so vital because we are understaking to do things that we weren't doing even a few years ago. I often think myself that the reason some of our cities, particularly our larger cities, have so many problems is that we had the wrong focus in the past. We didn't give them enough help. We didn't have the kind of Federal grant programs and programs of assistance that are so common today.

The Land and Water Conservation Funds was established by Congress in 1964. This program is just beginning. I am sure it is going to grow. I said the other day that I would be very disappointed if in the next five years it is not a half billion dollar program. It is a program designed to help the States and their subdivisions carry out total outdoor recreation planning programs. This includes everything from city parks to large State parks and efforts to preserve wildlife and seashores and forests.

There is another program that it overlaps somewhat but we need them both, and that is the open space program which is a program that the Department of Housing and Urban Affairs administers, but the conservation fund program, I know this from some summaries my people gave me in many instances if the State approves projects we end up matching funds with the cities on all manner of projects. This is, this program is just getting underway. I hope that with the help of Congress we are going to have even more funds than we have now. Much of the time many of the projects will be large state projects, but these projects where you can get a city project that qualifies, that is given a priority we are delighted to cooperate on these projects.

Another most vital new program, of course, not new in the sense that the Federal Government has just gotten interested in pollution, but the Congress in the last two years, in 1965 and 1966, passed two land mark basic water pollution measures, the one in 1965 established water quality standards for the Nation. We are working with the States now putting in finishing touches on setting the water quality standards in all of the rivers of the Nation.

The second major law passed just a year ago now established, was what we call the Clean Rivers Restoration Act and it for the first time provides for a minimum of 30 percent and in some instances 40 percent and in others 50 percent grants for waste treatment works and water pollution control, and, of course, in your case, you are very fortunate because your state legislature a year ago enacted one of the best State water pollution control measures that has been passed in the country. You have State contributions also, State matching funds for these projects. But how we fit these together, whether your community is able to get the 30 percent or the 40 percent grant or in some cases 50 percent, this depends on the type of working relationship we establish and your own ability to qualify and to work with us in carrying out these programs.

This, of course, is going to be a long-term effort. We will not clean up the rivers of our country, we will not do the right kind of job of managing water conservation in our nation until we develop new techniques of cooperation, until we develop a new technology of water quality management, until we develop a new pattern of cooperation with the States, the Federal Government, the local government working together. This is a ten-year job, 12, 15 years, perhaps, and it is going to be an on-going job, but I think we can see clearly now that this Nation is rich enough, that we have the technical skills to do the job, and I will hope one of these days, Senator, to go with you and look at the first of Massachusetts' Rivers that has been cleaned up, and that it is available for all human uses that are possible.

But we face, too, and water is kind to growth, let's make no mistake about it. Those communities that want to grow in the future are not only going to be those that have the best opportunity to grow, in my judgment, that have the best place to live, the best total environment to live both in terms of the culture, their cultural advantages as well as in the physical setting itself, as well as in what is in the countryside. I think people are increasingly, the type of sophisticated young people we are producing are going to want to live in cities that are attractive, and that this is no longer what we are calling beautification, it isn't something that is just something to be nice to have. This may be the key to the future in terms of whether communities grow or don't grow.

But another key factor will be water, availability of water, and this is where the water pollution clean up is not simply a problem of eliminating a blight from our land. It is a matter of providing managing our water in such a way that we can use and reuse it, and that we can provide whatever supplies are needed for growth in the future.

Finally, I come to the last of these three new major laws, where my government has or my department, has an interface as the engineers would say, with the cities, and that is the historic preservation legislation that was enacted a year ago. This again is a grant program, in this instance of the Federal Government working directly with communities, with local associations. It is in recognition of the fact that, and some of the leading mayors in this country helped draft this legislation and helped enact it, that there is a big task that we have not been undertaking in terms of historic preservation in our country.

Of course, in many areas, particularly with regard to big national projects, we haven't been doing a bad job in this field. But historic preservation is a big enough task that the States must do part of it, the local governments must do part of it, and I get around the country, I have seen some superb local projects of preserving and interpreting historic buildings.

I think those communities that have a regard for their own history, that preserve the most historic buildings and landmarks in their cities, these are the cities that command respect, these are the cities that people have some affection for, and this new program—we will not begin the full funding of it until next fiscal year as was contemplated under it. But under this program those of you who have important opportunities for historic preservation or where you have local government or non-governmental groups that are engaged in historic preservation activities in all manner of projects, you will work directly with the National Park Service.

These programs, I think, hold out real promise that those communities that want to can carry out vital projects.

Of course, one only has to, in your own State, talk of Salem, New Bedford and Nantucket and of all the large and small communities where parts of our history were enacted, to know that Massachusetts probably should be, should participate, Senator, as much or more in this program than any other State in the Union.

So I look forward in the future, Senator, to many of these new contacts that are just beginning, ripening into very fruitful relationships with the Congressional Delegation from Massachusetts, for the State people, and above all with those who guide the cities of that State.

Senator KENNEDY. I might just open the question period up, Mr. Secretary. One of the things is the problem of number two oil. We have been interested, many of the industries over the period of the last few years, in the importation of residual oil, and we know that quotas have increased and restrictions lifted. Now, as we look down to the winter this year, we are concerned about prospects, I think many of us are, about the increase in cost of oil to many of the consumers, the people of Massachusetts. We would be interested, I think, in some comment. We have been in touch with you at other times, but I think many of the people here represent consumers and represent people who are affected by this, and your comment might be something which I think many people would be interested in.

Secretary UDALL. Thank you very much, Senator. Of course, my Department does control the oil import program, and we did two or three years ago, after a long and rather acrimonious struggle with the New England Congressmen and the coal Congressmen, we did end the controls and restrictions on importation of residual fuel oil which, of course, is used in much space heating.

The number 2 fuel oil which as I understand it is used in the great majority of homes in the New England area, has been the source of great concern in recent weeks, both because the stocks were down and there were some, there have been some, price rises, too. I talked for sometime with a large delegation, Senator, from your State that came down to see me last week.

We are watching this program closely. We are determined that there will be adequate supplies, we have been in constant touch with the industry people who normally supply the, or bring in the, supplies, and I think that we can't have a severe winter and find out that we don't have adequate fuel to heat the homes of our citizens. This is a very serious problem. I know some of the mayors in New England have gotten into the issue already, and I can simply assure you at this point, Senator, that I am very much aware of the gravity of the problem, and that we are following it day-by-day, and if—I think we are going to be able to see rather soon what the final prospect is for the winter period, and we will make then whatever decisions are warranted under the circumstances.

It is a serious problem and I want you to know that we take our responsibilities very seriously in administering this program.

Question: Vincent F. Benson, Chairman of the Board of Selectman, Town of Truro.

Secretary UDALL. Truro.

Mr. BENSON. Truro, Massachusetts.

I think I represent one of the smallest towns in this conference here and I think we have been greatly affected by one single piece of legislation and that is the creation of the National Seashore Park. One thing that I believe that was not considered when the Act was put through that something should be done about these small towns where Federally acquired, owned land in lieu of real estate taxes.

One classic example I would like to bring out, we had a golf course and a hotel, which was sold to the National Park Service approximately three years ago. Once that was Federally controlled, we lost all taxes due and payable to the Town of Truro. But the National Park Service subleased it back to the original owner who now has sublet it to somebody else. Now, we are getting nothing in lieu of taxation, but still it is being conducted in the same original condition it was before. We have many more motels within the National Park Service and if they acquire this, lease them out again, where does the Town of Truro stand? I am afraid that maybe one-third of the people of the Town of Truro are going to pay the cost of the remaining two-thirds. And I hope sometime, some place, legislation may be enacted for these great takings within our town. Our widest point is only two and a half miles wide. This is not in the State of Arizona, and our longest point is only seven miles, and with acquisition we are going to have one-third of our town left.

Now the National Park Service is using our fire department, our roads, our police department, which we get nothing back. They pay a nominal fee for the use of our fire department, but nothing else for these services which the town must give to the National Park Service, and I hope this may be taken into consideration in the future because we are only a town of 800, 900 people.

Secretary UDALL. I have to be real honest and direct with you on this subject. And I know there are some contrary problems, and they are in most instances contrary, where there may be an impact felt.

Of course, the philosophy of the legislation was, and that is the reason we left the towns out, as islands in the Park, that you would, you know, instead of stringing motels all over the place and summer places, that they would be put in these communities and would be taxed and that you would build up your own tax base.

We have had the problem of having to acquire the other lands that go into the park, but I want to be honest with you because the Congress has had a philosophy that has been developed in the 60's and has been very consistent, and that has been for—a philosophy rejecting the idea of in lieu tax payments. We have the very similar problems in the Redwoods Legislation, Senator, that the Senate is going to consider next week of where we are taking large land holdings, large forest holdings. This will shut down some lumber mills, this will affect employment over a period of five years during which tourism is building up. But Congress pretty strictly rejects that philosophy and so I can't promise you that there will be any relief on that point.

Maybe we can handle some of these problems, however, and I will refer this to my people in a way so that the impact is minimized on communities such as Truro.

Senator KENNEDY. I think the matter brought up is understandable.

Whether in Massachusetts or elsewhere,

the point being raised is that functions are being continued almost as they were before.

Secretary UDALL. But taken over.

Senator KENNEDY. But taken over, the tax base. I think the point is well made.

Mr. BENSON. Thank you, Senator.

Question: Mr. Secretary, this morning in talking to one of the representatives of your department relative to land acquisition for conservation purposes, it came to our attention that although there were some 3,000,000, some odd thousand dollars that had been allocated to the State of Massachusetts for this purpose, still there have been no funds obligated, and it seems to be some shortcoming there in the State either on the part of the legislature or somebody, someone remiss somehow in providing for a funding of these moneys on to the applicants. I was wondering if something had gone amiss here and if so, what could be done to rectify the situation.

Secretary UDALL. Well, Massachusetts has been slow, relatively slow, compared to some of the States, in getting its program going and geared in. We have a few States that haven't even qualified under the new program.

I think we should look into this and I think pressure both from our independents and from yourself should take place because the money or rather let me put it this way: The States were given under the law the responsibility of working with the cities, the counties and so on, to prepare State-wide master plans in terms of what the State intended to do, and no grants can be made to projects unless they are part of that plan. If the State has been slow in getting its program moving, of course, it doesn't lose its money, the money can sit there for as long as two years or I think maybe three, but the money does not go on through until the State takes the necessary action and some of the States regrettably have not geared up as quickly as we would like to see them do it. So I think you have raised a good point and we ought to raise questions on both ends and see if we can't quicken the process.

Senator KENNEDY. Our speaker on transportation is a fellow New Englander, former member of the House of Representatives, who has been in attendance at part of our meetings. The questions of transportation are of great interest to all of us, and we have seen a number of the discontinuances of railroads affect the life and the well being of the people and industries in Massachusetts. We have been concerned about the various mergers that have been suggested by the various courts.

We are interested in Senator Pell's proposal about the rapid speed corridor that is being built between Boston and New York and further down to Washington. We are equally concerned about the future of air transportation.

One of the most worthwhile messages that I think came out of the early 1960's was President Kennedy's message on transportation, the talk about an integrated kind of a transportation policy. I think we are still working towards this end, but questions of transportation are of great interest and significance for the life and well being of all the people of the Commonwealth.

So it is a pleasure for me to present a person who has some of these responsibilities, Ollie Huot.

STATEMENT OF J. OLIVA HUOT, CHIEF, LOCAL GOVERNMENT LIAISON, DEPARTMENT OF TRANSPORTATION

Mr. HUOT. Thank you very much, Senator.

The Department of Transportation, as you know, is a brand new department, and in most cases departments speak about their accomplishments, what they have done. But really I cannot speak about the accomplishments of the Department of Transportation because we really haven't done anything yet. We are six months old, but the fact that as a department we have not any real accomplishments yet, I can tell you that the Department is most anxious to present programs for the future, accomplishments denote something of the past.

The setting up of the Department of Transportation is not strictly a bureaucratic whim to set up a department. They have been talking about it since 1874, and on 17 separate occasions, it had been brought before the Congress. In 1966, there were 30 different federal agencies working in transportation. So now, we have come to one, and many problems are going to arise, they are arising all the time. When we consider that there are 90 million cars now on the road, by 1975 there are going to be 120 million. Air fields traveled are now 57 billion passenger miles. In 1975 we are going to have 130 billion. And there are now 3,000,000 miles of paved roads. In this decade you will be able to travel from Coast to Coast without stopping for a light.

These statistics help to point out the size of the transportation problem that is facing this country, that is facing you, even if you are in a small city or a large city. And the Department has been given by Congress a mandate to promote national transportation policies and progress. No longer can we make decisions affecting one thing. We can't say that we are going to build an airport, and we build an airport. We can't say that we build a road, and we build a road or that we put a track and we run a train on it.

These things have all got to be related, because they all concern all of the people, and besides the people who are going to use these facilities we have to think of all the people who are affected because of these facilities. And this adds to the problem because we must coordinate and make a cohesive program of transportation, whether it be air, highway or rail.

In our department, as you know, has been incorporated the Federal Aviation Administration, the Federal Highway Administration, the United States Coast Guard and the St. Lawrence Seaway Development Corporation, and the Federal Railroad Administration.

Now, there are a lot of economic and political responsibilities. Economically the Federal Government will never be funded enough to take care of all of the problems of all of the people. So consequently we are going to depend heavily on the communities and the States. And really the direct political responsibility is yours as leaders and top elected people from your State, whether it be a small community or the State as the whole. And, therefore, we are going to become partners. You are going to become partners with the Federal Government in turn, which is nothing more than you, the people.

The Vice President yesterday at this meeting indicated this partnership between the Federal Government and the cities and states.

Certainly you, as elected officials representing the people from your State or area, you have the responsibility and should have some control over the environment created by these facilities, and you should have some control and influence on the destiny of your people in your area and, therefore, you should definitely be working closely with all of the agencies and in my particular case with the Department of Transportation.

There is the road that the Department of Transportation intends to travel, a road that will bring about cooperation between towns and cities and States, to provide the best facilities, coordinate the facilities, so that you can work in your roads with your airports, and your trains with your airports and your roads and your cities.

Particularly, I am sure that you are interested in the high speed ground transportation that affects Boston and Massachusetts in the New York to Boston run which will probably, as the plans provide, it will save an hour in traffic time between New York and Boston which is quite a saving of time.

Now, there is a great deal of work going in and research going into this area. We are talking about fluid dynamics, they are talking about microwave power, talking about different suspension systems to eliminate wheels. The aerospace program, the FAA Administration, a lot of their facilities and their research has been helpful in this program, and this program in helping the people and the research that is being done for the high speed ground transportation will, in turn, help aviation in that any of the findings that are made in obstacle detection or whatever it may be, these same facilities will be available to all transportation, and, of course, the key factor in all this is safety. We are concerned, of course, with safety on this train, we are concerned with safety on the highway, we are concerned with safety of vehicles. This has all become part of the concern of the Department of Transportation.

Perhaps I might point out a couple of new programs that probably you haven't heard about. These are programs that are just getting underway. We have a program called TOPICS. You could well guess that TOPICS is initial because nobody talks full today. We just use initials. So TOPICS is an initial that means Traffic Operation Program to Improve Capacity and Safety. This is intended for cities, this is intended to help main city streets. And by this program there are going to be available funds for you to help in traffic signals, unloading lanes, channelizing traffic, overhead pedestrian walks, this type of thing that will improve capacity of the existing streets in the cities and the safety of the people. This is a program that is very new. You necessarily have to work this through your highway department. This has to become a priority and has to be included in the highway system, and it is possible to do this now with the TOPICS program.

Another program which has to be used and with cities and not only highways, but with other development is the Freeway to Urban Development. The Freeway to Urban Development will provide for cities to, say, through an authority of some sort, buy whole blocks where a highway may be going through, whole, several blocks, at, of course, a blanket price naturally for all the property, then be able to sell the portion that the freeway is going to need and then the city will have the balance of that property for development, which would be substantially cheaper and the property would be at a much more minimum price compared than if you buy just the portion for the highway and then want to buy extras on the side of the highway for when you know of the highway you can do this.

Question: Mr. Huot, you have mentioned programs for transportation in cities and two urban areas. I come from a small town of Seekonk which really needs a North-South access highway. We cannot afford land acquisition or the cost of putting this land through 12 miles of our town. Do you have any programs to help smaller communities?

Mr. HUOT. You mean you want to tie in between an interstate——

Question: 85 in the south and 195 which goes through Attleboro in the North. We would like a tie-in.

Mr. HUOT. I would assume if you work with your highway department, it may not be an interstate part of the highway you are talking about because I gather you are trying to link an interstate with something else to make a cross traffic.

Question: 95 and 195, right.

Mr. HUOT. I would suggest this could be considered of course a primary road, and your State, after all, you get highway funds for that at 50 percent, your State does, and I think you ought to put your bug under the

State Highway people and show them your need.

Yes, sir.

Question: Lawrence Fitton of Attleboro.

We have a problem, Mr. Huot, concerning bus operation deficit until the operator could no longer afford to continue. He is now taking his service runs that are needed by people that work in the industry locally and depend on bus for service and they find now that they can get a bus 7:00 o'clock Saturday morning and that is the only time, and yet they have Saturdays off so they need them the other days of the week. This comes about when the city has taken school bus transportation away from the public carrier, and without this added income he cannot operate and now is cutting service, and will likely even dissolve his bus transportation system. Is there any area that you could help such a situation as this?

Mr. Huot. I gather that the city is not helping?

Mr. Fitton. Not a bit.

Mr. Huot. A quick answer, I could get rid of it in a minute, is that this is covered also under Housing and Urban Development, they have under mass transportation. But we find many cities have that question and many cities are already contributing to bus transportation, but are getting to a saturation point where they cannot continue to do it because it is going up every year and there is a limit.

Senator **Kennedy**. Our final speaker, Paul Warnke, comes to us as Assistant Secretary of Defense for International Security Affairs.

STATEMENT OF HON. PAUL C. WARNKE, ASSISTANT SECRETARY FOR INTERNATIONAL SECURITY AFFAIRS, DEPARTMENT OF DEFENSE

Secretary **Warnke**. Thank you, Senator. Vietnam, of course, represents to the United States of America a very difficult and a very different sort of a situation. What it really is is an attempt to exercise limited power to deal with a limited problem, and to avoid the impatient reaction that might escalate that problem into a graver one.

It is a different kind of a war than any in which the United States has been engaged in a number of respects. First of all, because it is hard to define our enemy. The enemy consists not only of the North Vietnamese forces, which are engaged in overt aggression against South Vietnam, but also it consists of the forces within South Vietnam itself which are insufficiently affiliated with or responsive to their own government control.

Now, as a result it does us no good really to talk about bringing full power to bear to destroy the enemy because we could decimate North Vietnam and as General Taylor pointed out in his article over the weekend that would still leave us faced with a couple of hundred thousand armed enemy within South Vietnam itself.

It is an area in which there are no battlelines; there is no way of telling by just measuring on the map how close you are to victory. There is no way of telling how soon you are going to capture Berlin because we are not trying to capture Berlin.

What we are trying to do is to put an end to the overt aggression from North Vietnam, supported, of course, as it is by the other communist states, and to try to create within South Vietnam the kind of a viable government that can earn and retain the support of its people.

Our interest in Vietnam is a completely altruistic one. We are not interested in any kind of permanent bases, we are not interested in any kind of territorial conquests. Now, that doesn't mean that our own national interests aren't intimately involved in what we are doing in Vietnam. Of course, they are. We are not all that unselfish. It is in our interests to create a free and independent government in South Vietnam so that you don't end up with a totally solid front of communist states sticking like a dagger down toward Malaysia, Indonesia, Australia and bordering on the Philippines.

So that it is in our interest to try to do what we are trying to do primarily for the people of South Vietnam themselves.

Now, the pressures, of course, are always to widen the War because of the impatience with the difficulties of trying to reach results in this sort of an ambiguous and cloudy situation. But I think the answer to that is that a wider war would not bring us any closer to victory, and might confront us with the danger of rapid escalation with all of what that means in a nuclear age.

So that what we have to try to do is to maintain our patience, maintain our resolve, and look for the signs that indicate that we are making the sort of progress that will eventually bring us to the goal that we seek to reach. And we think that there are indications of this progress. Certainly there are very many indications on the military front.

As I have said you can't measure it on a map, but in terms of the effectiveness of the South Vietnamese forces themselves, there has been definite progress. They have become more aggressive, they now capture more weapons than they lose, their desertion rate is more than halved. They have over 700,000 men under arms. They had indicated they are going to increase that by another 65,000 this year. For a country relatively small that is a very high percentage of their youth under arms.

As far as the other indications within South Vietnam itself are concerned, you have the fact that the population under the control of the Government of Vietnam at the present time has increased by about four million people since 1965. You have the fact that the roads and waterways which are essential to the movement of commerce within South Vietnam now are open to the extent of about 91 percent, and you also have the fact that the intelligence reports indicate that there are increasing shortages of ammunition, medical supplies and manpower at the disposition of the Viet Cong.

So that militarily we feel that we are doing very well indeed.

Now the problem, of course, is how you were going to make those gains translatable into some kind of peace and long range security within South Vietnam. And that, I am afraid, is something that we can't do for them. That is something they are going to have to do for themselves. In order for there to be the South Vietnamese Government that we would like to see, the South Vietnamese are going to have to take not only the major part, but almost the sole responsibility. It is very difficult for us sitting where we are to structure a South Asian government. I wouldn't know how to go about it and I am sure none of you would. So what we have to count on is that we are giving them the breathing space and the time to create their own political institutions.

Within the past year they have made very massive strides towards doing just that. They have, as you know, gone through a series of elections. They have elected first of all the Constituent Assembly which wrote their constitution. They had hamlet and village elections, they have had elections for president, for the Senate, and just yesterday for the lower house. In all of those instances they had a very remarkable turnout for a country in a state of siege and for a country in which voting was sometimes to risk your life.

The voting turn out for the presidential election was over 80 percent and even now when they must be somewhat satiated with elections they had yesterday a turn out of 73 percent for the lower house. There are indications that this political experience is making them aware of what fun it is to participate in your own political processes, and we can only hope that as the government becomes established it will be able to extend its control over more and more of its own people, because we have to feel that among those who are presently in revolt in South Vietnam there must be a very substantial majority that aren't dedicated marxists. After all most of them are peasants with a fairly low degree of education, if in fact, they have any formal education at all.

What they are interested in, they are interested in a better life and the peaceful conditions that will enable them to live and to thrive.

If the Government of South Vietnam is able within the next several months to show that it can do this, then we feel that that, together with our own application of military pressure, is going to bring us to the goal we are trying to achieve.

Question: Mr. Secretary, statements have been made to the effect that the Vietnamese people, the man on the street, does not desire American presence in Vietnam. Would you care to comment on this statement?

Secretary **Warnke**. Well, I think that you have to try to again identify who you are talking with. I can't claim to be an expert on Vietnam. I have not spent enough time there to qualify as an instant expert of whom we have too many in this country. But I think one thing is very clear, that as far as the man in the village is concerned, that they are deeply appreciative of American efforts to help, and that the amount of good will that our armed forces have been able to build up because of their activities within the villages and hamlets is very heartwarming.

Similarly the amount of good will that has been built up by some of our AID personnel within these villages and hamlets is a very encouraging thing and makes you feel much better about American participation in this far corner of the world.

Now, unquestionably there are some Vietnamese that resent American presence. But I think that is quite natural and to me quite encouraging. If they didn't resent it I would hold every little hope for them as a sovereign nation. They do have a sense of national pride, they are aware, I think, of their own deficiencies, and like all of us they resent their own deficiencies, and they resent the fact that they have been unable at the present time to take care of themselves and to resist this aggression by themselves.

So that I think there is a sort of a mixed love-hate relationship, they like what we are doing, but they wish we didn't have to do it for them, and I think that this is particularly true when you get away from the mud hamlet and the village and get into the big cities. When you get there and you have got people who are better educated they naturally are the more resentful of their own inability up to the present time to assume the major part of the burden and I would suspect the longer we stay there that the more people there are that are going to resent us and I think when the day comes when they resent us terribly and they don't need us any more that is good.

Yes, sir?

Question: There has been some allegation by responsible people in this country that a number of them are not well disposed to the U.S. and were prevented from appearing on the ballot in the recent elections. Will you comment on that?

Secretary **Warnke**. Well, I suppose that refers primarily to people like Tran and the gentleman down in Bangkok, what is his name? Big Minh.

Certainly, there is no question of the fact that the constituent assembly did exercise some degree of selection when it came to candidates. They did that however in accordance with their own constitution, and their constitution provides that anyone who is communistically inclined is not eligible for candidacy for the president or for the legislative assembly.

I think that this is not an unreasonable sort of restriction given some of the restrictions under which South Vietnam is operating at the present time.

As far as Big Minh is concerned the charge there was not that he was a communist nor was communistically oriented but that they regard his return to the country as being inimical to the interests of order. Again, this is a decision that you and I might question, but certainly a decision which was in their jurisdiction to reach. Certainly the number of candidates that were in fact presented and the distribution of the votes indicates that there was the opportunity for a considerably broader choice than that which exists in most of the countries of what we refer to as the free world.

Yes, sir?

Question: Mr. Secretary, the North Vietnamese, the Viet Cong, have been said to be very successful with their campaign of terror even in those areas that we control and we pacify and even Saigon itself. I have never seen reported anywhere where there has been any successful act of espionage or terror carried on up North, the blowing up of bridges or vital installations near the Port of Haiphong so we wouldn't have to risk sending our bombers and risk confrontation with Russian ships.

Is there any evidence that we have read in the paper or anywhere else that there have been successful acts of sabotage in North Vietnam by partisans of the South by those highly motivated.

Secretary WARNKE. Well, first of all, obviously there is some information which we can't discuss. We would be free to say, however, that the difficulties of engaging in sabotage in the North are extreme, and the best analogy I can think of is the analogy of trying to engage in sabotage in the Soviet Union under Stalin, that they have a degree of population control which exists, to my knowledge, only in totalitarian countries.

Now, whether the people in North Vietnam like their government or not, there is no question of the fact that they are subject to that government, and are very strictly controlled by it, and that again whether it is grudging support or willing support that support does exist. It would take not only a degree of heroism, but I think also a fantastic degree of luck to be able successfully to engage in sabotage under the police state conditions that exist in North Vietnam.

There have been some efforts, they have been of very limited success.

Question: Secretary Warnke, what percentage of the costs of running the South Vietnamese Government do they contribute and also how much do they contribute percentage-wise in running the war over there, and how are these funds obtained?

Secretary WARNKE. Well, they, of course, maintain their own armies, and that is almost one hundred percent. There is some subsidization on our part of their commissary supplies, but their percentage in the total war effort is just a fraction of ours and it would have to be because of the enormous cost involved. It is a cost which is a very heavy one for them, and if you compare the burden on their economy with the burden on our economy, of course, the proportion is much heavier in their direction than it is on ours, which is why I said in my opening remarks that we have to consider that we ourselves have got a national interest involved here; that the American security interest is involved there, that we can't pretend we are being entirely altruistic. If so we would look kind of silly.

Yes, sir?

Question: Sometime ago there was talk of building a barricade all the way across between the two Vietnams. Has this idea been discontinued?

Secretary WARNKE. Well, Secretary MacNamara announced, you will recall, a few weeks ago that there were plans to create a type of barrier which ranged from conventional sort of physical obstacles to very sophisticated types of electronic devices. His statement concluded that he had directed the other members of the Department of Defense to say no more about it. I think prudence dictates that I stop at there, sir.

Senator KENNEDY. Gentlemen, that brings us to the end of this meeting and session. Let me express my appreciation to all of you for your interest and for your attention during the course of our meetings. I was impressed with the quality of the questions, as I know a number of those who participated in the discussions were. They have themselves in their comments to me said they have benefitted from the points that you raised, from the conversations that they had with many of you. So we are very much appreciative for your comments and for your ideas. We hope if you have suggestions as to the workings and functionings of these federal programs you will stay in touch with us and we can communicate them to the respective agencies.

We hope to continue to have these kinds of meetings, both up in the State, and also down here again in the not too distant future. I think it has been valuable and helpful, and it has been educational for me, and I hope to some extent for all of you. I want to thank all of you for coming here.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

AMENDMENT OF PUBLIC HEALTH LAWS RELATING TO MENTAL RETARDATION

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 709, H.R. 6430.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 6430) to amend the public health laws relating to mental retardation to extend, expand, and improve them, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HILL. Mr. President, I have the honor to submit to the Senate the Mental Retardation Amendments of 1967, H.R. 6430. The legislation was approved by the House of Representatives by a vote of 389 yeas. There was not a single nay. The measure was approved by the Committee on Labor and Public Welfare without a dissenting vote.

H.R. 6430 would—

Extend the existing program of project grants for the construction of university-affiliated facilities for the mentally retarded and authorize $50 million in appropriations over the 3-year period 1968–70;

Extend the existing program of formula grants to the States for the construction of community mental retardation facilities and authorize $80 million in appropriations over the 2-year period 1969–70;

Begin a program of project grants for initiating services at facilities for the mentally retarded. Similar grants are now authorized for community mental health centers and for rehabilitation facilities. A total of $31 million for the 3 years, 1968–70, would be authorized in appropriations to initiate the grants and such sums as may be required over the years 1969–74 to continue the grants over the remainder of the 51 months that is provided for.

AMENDMENTS

The Committee on Labor and Public Welfare approved several amendments to the bill as passed by the House:

First. The first amendment would permit planning grants to be financed out of the funds appropriated for the construction of university-affiliated facilities for the mentally retarded. Such grants could not exceed $25,000 nor 75 percent of the planning costs. No increase in appropriations is authorized.

Second. The second amendment would permit States to use 2 percent of their allotments for the construction of community mental retardation facilities, or $50,000, whichever is less, to pay for not to exceed one-half of the cost of administering the program at the State level. This same authority now exists under the Hill-Burton program. The amendment involves no increase in appropriation authorization.

Third. The third amendment would make it possible for mental retardation facilities to use the funds appropriated for initiating services for transportation and other services where the major expense is not represented by personal services. As passed by the House, these grants could only be used for the costs of professional and technical personnel. This amendment was suggested by the National Association for Retarded Children. No increase in appropriation authorization is involved.

Fourth. The fourth amendment would extend for 1 additional year the existing program of research and training for the education of handicapped children. A total of $73 million, the amount recommended by the Department of Health, Education, and Welfare, would be authorized to be appropriated in 1970 for this program.

Fifth. The definition of construction under Mental Retardation Facilities and Community Mental Health Centers Construction Act would be amended to include the cost of land acquisition as a cost of construction. This is in accord with our policies under other construction programs; that is, the Vocational Rehabilitation Act.

Sixth. Finally, H.R. 6430 would be amended to provide for training and research in physical education and recreation for the mentally retarded and other handicapped children. A total of $10 million would be authorized to be appropriated over the 3 fiscal years 1968, 1969, and 1970.

SUPPORT FOR THE LEGISLATION

The enactment of H.R. 6430 is recommended by the administration, the National Association of State Coordinators of Mental Retardation Programs, the National Association for Retarded Children, the State mental health program directors, the American Association on Mental Deficiency, the American Public Health Association, the Alexander Graham Bell Association, and the American Nurses' Association.

As I stated at the opening of my remarks, this legislation was approved by the House by 389 yeas and not a single nay. It was approved by the Committee on Labor and Public Welfare without a single dissenting vote.

I urge the Senate to approve H.R. 6430.

Mr. JAVITS. Mr. President, on the part of the minority, I rise only to confirm what my colleague has stated that this is a bill arrived at in the fine spirit manifested in the committee in respect to all matters on health, education, and welfare, on an entirely bipartisan basis.

The report has set forth the detailed provisions which are contained in the bill but I should like to comment on just one or two matters.

First, the size of the problem. It is estimated that three out of every 100 children born are destined to be mentally retarded, so that with the birth rate in our country what it is, this is roughly speaking around 3 million a year. Thus, we have a very serious problem involving many children—and a problem of great interest to the Nation.

Second, as we are now making a great effort in respect of self-help, it is very important to note that the communities of the country are spending $650 million a year for treatment, education, and training of the mentally retarded. Although these services and facilities are so far short of what is needed, it represents a very considerable commitment of effort by the States, municipalities, counties, and other political subdivisions in the United States.

The Senator from Vermont [Mr. PROUTY] and I, as our individual views on page 18 in the committee report indicate, take great pride in bringing the mentally retarded program abreast of the other programs in which we have provided not only facilities but also staffing. That was not the case in the mental retardation program. Although we had provided such staffing at community mental health centers and sheltered workshops and rehabilitation facilities, we had not provided it for the mentally retarded.

The provisions of section 4 of this bill inaugurate a system of grants for services in the community mentally retarded centers through the years 1968, 1969, and 1970, reaching a maximum of $14 million in fiscal year 1970. This program carries on after fiscal year 1970, due to the timelag and the actual taking effect of the money, into 1973 on a diminishing scale of participation. The participation begins with the 75 percent Federal grant percentage and diminishes down in the third year to 30 percent, thus giving inducement and taking into account the fact that the local communities will do more in this all important field.

We are respectfully aware that the support to which the Senator from Alabama [Mr. HILL] has referred, from so many of the outstanding organizations in the field, is completely warranted and that the bill eminently deserves unanimous approval of the Senate, which I hope it will obtain.

The PRESIDING OFFICER. The clerk will state the amendments.

The following committee amendments were stated and agreed to:

On page 2, after line 18, insert:

(d)(1) Section 121 of such Act is amended—

(A) by inserting "(a)" immediately after "Sec. 121."

(B) by inserting (in the first sentence thereof) immediately after "construction" the following: "(and the planning for the construction),"

(C) by striking out "The" (in the second sentence thereof) and inserting in lieu thereof "Except as provided in subsection (b), the", and

(D) by adding after and below such section the following new subsection:

"(b)(1) Of the sums appropriated pursuant to subsection (a) for any fiscal year, beginning with the fiscal year ending June 30, 1968, an amount equal to 2 per centum thereof (or such smaller amount as the Secretary may determine to be appropriate) shall be available to the Secretary for the purpose of making grants to cover not to exceed 75 per centum of the costs of the planning of projects with respect to the construction of which applications for grants may be made under this part. Not more than $25,000 shall be granted under this subsection with respect to any project.

"(2) Planning grants under this subsection shall be made by the Secretary to such applicants and upon such terms and conditions as he shall by regulations prescribe. Payment of grants under this subsection shall be made in advance or by way of reimbursement, as the Secretary may determine.

"(3) Whenever, in the succeeding provisions of this part, the term 'grant,' 'grants', or 'funds' is employed, such term shall be deemed not to include any grant under this subsection or any of the funds of any such grant."

On page 4, after line 12, insert:

(c) Section 132 of such Act is amended by inserting at the end thereof the following new subsection:

"(d)(1) At the request of any State, a portion of any allotment or allotments of such State under this part shall be available to pay one-half (or such smaller share as the State may request) of the expenditures found necessary by the Secretary for the proper and efficient administration during such year of the State plan approved under this part; except that not more than 2 per centum of the total of the allotments of such State for a year, or $50,000, whichever is less, shall be available for such purpose for such year. Payments of amounts due under this paragraph may be made in advance or by way of reimbursement, and in such installments, as the Secretary may determine.

"(2) Any amount paid under paragraph (1) to any State for any fiscal year shall be paid on condition that there shall be expended from State sources for such year for administration of the State plan approved under this part not less than the total amount expended for such purposes from such sources during the fiscal year ending June 30, 1967."

On page 5, line 9, in the heading, strike out "Staffing Of" and insert "Services In"; in line 16, in the heading, strike out "Professional and Technical Personnel of" and insert "Initiating Services In"; on page 6, line 6, after the word "of" strike out "compensation of professional and technical personnel for"; on page 9, after line 15, insert a new section, as follows:

EDUCATION OF HANDICAPPED CHILDREN

Sec. 6. (a) Section 302(a) of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (20 U.S.C. 618(a)) is amended by striking out "and" before "$14,000,000", and by inserting ", and $18,000,000 for the fiscal year ending June 30, 1970" after "June 30, 1969".

(b) Section 7 of the Act of September 6, 1958 (20 U.S.C. 617), is amended by striking out "and" before "$37,500,000", and by inserting ", and $55,000,000 for the fiscal year ending June 30, 1970", after "June 30, 1969".

On page 10, after line 2, insert a new section, as follows:

Sec. 7. Section 401(e) of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 is amended by striking out "including architect's fees, but excluding the cost of offsite improvements and the cost of the acquisition of land" and inserting in lieu thereof "including architect's fees and the cost of the acquisition of land, but excluding the cost of offsite improvements".

After line 9, insert a new section, as follows:

Sec. 8. The Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 is amended by adding at the end thereof the following:

After line 12, insert a new title, as follows:

TITLE V—TRAINING OF PHYSICAL EDUCATORS AND RECREATION PERSONNEL FOR MENTALLY RETARDED AND OTHER HANDICAPPED CHILDREN

GRANTS; AUTHORIZATIONS OF APPROPRIATIONS

Sec. 501. (a) The Secretary is authorized to make grants to public and other nonprofit institutions of higher learning to assist them in providing professional or advanced training for personnel engaged or preparing to engage in employment as physical educators or recreation personnel for mentally retarded and other handicapped children or as supervisors of such personnel, or engaged or preparing to engage in research or teaching in fields related to the physical education or recreation of such children.

(b) For the purpose of making the grants authorized under subsection (a), there is authorized to be appropriated for the fiscal year ending June 30, 1968, $1,000,000 for the fiscal year ending June 30, 1969, $2,000,000, and for the fiscal year ending June 30, 1970, $3,000,000. Any sums appropriated for any such fiscal year and not obligated before the end thereof shall remain available for the succeeding fiscal year for the purpose for which appropriated.

RESEARCH AND DEMONSTRATION PROJECTS IN PHYSICAL EDUCATION AND RECREATION FOR MENTALLY RETARDED AND OTHER HANDICAPPED CHILDREN

Sec. 502. (a)(1) There is authorized to be appropriated for the fiscal year ending June 30, 1968, $1,000,000, and for each of the two succeeding fiscal years, $1,500,000, to enable the Secretary to make grants to States, State or local educational agencies, public and nonprofit private institutions of higher learning, and other public or nonprofit private educational or research agencies and organizations, for research or demonstration projects relating to physical education or recreation for mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other children with specific or serious learning disabilities, who by reason thereof require special or modified physical education and recreation activities to enhance their physical and mental development.

(2) Grants under paragraph (1) shall be made in installments, in advance or by way of reimbursement, and on such conditions as the Secretary may determine.

(b) The Secretary shall from time to time appoint panels of experts who are competent to evaluate various types of research or demonstration projects under this section, and shall secure the advice and recommendations of one such panel before making any grant under this section.

ADVISORY COMMITTEE

SEC. 503. (a) (1) The Secretary shall appoint an advisory committee which shall consist of fifteen members to advise him on matters of general policy relating to the administration of this title. Seven members of such committee shall be individuals from the field of physical education, five members thereof thall be individuals from the field of recreation, and three members thereof shall be individuals with experience or special interest in the education of the mentally retarded or other handicapped children.

(2) The Secretary shall, from time to time, designate one of the members of such committee to serve as the chairman thereof.

(b) Members of the advisory committee and members of any panel appointed pursuant to section 502(b), who are not regular full-time employees of the United States, shall, while serving on the business of such committee or such panel, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including travel time; and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

Mr. YARBOROUGH. Mr. President, I am informed that an estimated 3 percent of the American population have an IQ below 67, the level at which a person is considered to be mentally retarded. This totals approximately 6,000,000 individuals, some 11 percent or 660,000 of which are so severely handicapped that they require institutionalization. I am further informed that both in absolute terms and as a percentage of the population, mental retardation is likely to become even more widespread as the American population expands.

It is with these rather depressing facts in mind that I stand now in support of one of the most needed pieces of legislation to come before the Senate this session—the Mental Retardation Amendments of 1967. Under the compassionate care and imaginative guidance of the very capable chairman of the Subcommittee on Health, Senator HILL of Alabama, H.R. 6430 comes to us as a major stride toward the realization of a mental retardation program that will help meet the very personal needs of those American families which daily must cope with the hard realities of mental retardation.

For too long mental retardation remained largely a neglected facet of our public health effort. It has been during Senator HILL's distinguished chairmanship of the Health Subcommittee that a national commitment to aid the mentally retarded has been developed. In October of 1963, with the full support and encouragement of the Kennedy administration, Congress enacted the Mental Retardation Facilities and Community Health Centers Construction Act.

As a member of the Subcommittee on Health for the past 9 years, I have worked for all of the legislation to aid the mentally retarded. Under this initial commitment there have been funded 167 projects for construction of community centers for the mentally retarded, 12 projects for construction of mental retardation research centers, and 14 projects for construction of university-affiliated facilities for the mentally retarded. These 193 construction projects for mental retardation services, research, and training have been funded at a total cost of $187 million, of which the Federal share has been only $30 million.

Needless to say, this national investment of $30 million is only a beginning—indeed, it represents a mere $5 investment in each of the 6 million individuals afflicted. Perhaps its primary significance is as a manifestation of national concern for and a promise of hope to the mentally retarded of America. The major task, however, still lies before us. It is evident that services for the mentally retarded will not keep pace with the demand for many years to come. Long waiting lines continue to exist, and services adequate to meet the needs of all will not be available for many years—and then only if we mount a major effort to fulfill our commitment. The House report to accompany H.R. 6430 gives some indication of the scope of the problem:

> Over 189,000 mentally retarded persons are now in institutions; an estimated 31,000 are on official waiting lists to be admitted into institutions but are unable to do so because of lack of available facilities and services. All indications point to the fact that these official waiting lists represent only a small portion of those who are waiting for institutional services, diagnostic or clinical care, special education, training, and other services.

If 660,000 mentally retarded individuals require institutionalization today, yet only 189,000 are presently in institutions, our immediate task is clearly defined: meet the institutional needs of 471,000 mentally retarded Americans. It is this need that H.R. 6430 strives to meet. The Mental Retardation Amendments of 1967 seek to build on the very solid foundation of the act of 1963, and they represent a creative response to the experience of programs begun under that landmark legislation. Like its 1963 counterpart, the measure before us now does not provide a final answer to any of the medical, social, educational, and economic problems associated with mental retardation. But it does expand and strengthen the base upon which these ultimate solutions finally must be constructed.

The major thrust of H.R. 6430 is to provide more facilities and trained personnel to make it possible for a much greater number of the retarded to live with some degree of decency and normalcy in our society. I consider the outstanding characteristic of this measure to be its tendency toward localizing and customizing our mental retardation effort. For too long our program emphasis was on State or regional mental institutions as the means of dealing with retarded individuals. While these centralized institutions still have a role to play, experience has proven them inadequate to cope with the varied and extremely personal needs of retarded individuals. In his testimony before our Subcommittee on Health, Dr. Charles Barnett, of the Texas Department of Mental Health and Mental Retardation, applauded H.R. 6430's tendency toward program decentralization when he said:

> We have come to realize that the continued construction of institutional beds can never adequately and fully deal with the mental retardation problem but, rather, that increased emphasis on the development of a broad array of services for the retarded and their families at the community level is required.

The bill which we presently are considering commits Federal construction funds to communities and universities to provide or expand mental retardation facilities in their own local area. I was pleased to sponsor and obtain committee approval of two procedural amendments to the construction provisions of this bill—one would allow planning grants to applicants for university-affiliated facilities, thus encouraging careful and exhaustive consideration of local mental retardation needs and objectives during the vital planning stage; my second amendment would authorize an administrative cost allotment to the State agency which administers Federal funds on behalf of local applicants for community facilities, thus strengthening the administration of community mental retardation programs. In addition to construction, this legislation makes grants to new or expanded community clinics to help them attract and keep adequate professional and technical personnel, and it also takes the long view by providing grants for the professional and advanced training of those who teach physical education and recreation to mentally retarded children. All of these provisions contribute toward a proliferation of community programs, and ease away from the old concept of a single State institution for the mentally retarded.

I can point again to the Texas experience as an example of the good promised by this localized and customized approach. There are some 300,000 persons in Texas afflicted with mental retardation. Yet Dr. Barnett points out that—

> Only about 15 to 20 percent of the estimated 300,000 individuals who are thought to be retarded are now being served in ongoing programs of one type or another.

However, a large percentage of those not presently served, as well as a surprisingly large number of those who are institutionalized, are not classified as having profound or severe mental retardation; that is, an IQ below 35 and a need to be constantly cared for and sheltered. Rather, many of the 300,000 retarded in Texas—perhaps a majority of them—have moderate or mild retardation—an IQ ranging from 36 to 67. These individuals can, and ordinarily should be cared for in their respective communities in proximity to their family and homes. Not only does this approach allow a greater number to be served, but it allows individual needs to be cared for individually. Perhaps its finest attribute, however, is that it is conducive to normalcy and it enhances the dignity of the individual patient. Since passage of the first act employing the community approach in 1963, 17 community projects have been approved in Texas, serving an additional 6,676 retarded citizens.

The Texas experience is not at all atypical. By providing increased funding for such community services as diagnosis, parent counseling, day-care programs, preschool training, special education, prevocational training, sheltered employment, as well as expanded grants for research and teacher training, the Mental Retardation Amendments of 1967 respond creatively to the initiative made in 1963, and extend the promise and hope of that legislation to thousands of mentally retarded individuals in America. I endorse the purpose and provisions of H.R. 6430, and I urge its passage by the Senate.

Mr. KENNEDY of New York. Mr. President, I just want to add a word in support of the mental retardation amendments now before us. The commitment which Congress has shown in bringing help—and new hope—to the mentally retarded, in recent years, is heartening. The vast majority of retarded children are educable. They can be trained to lead useful lives and to contribute to society. For too long this fact was ignored, and retarded children were left to spend their lives in the dank gloom of prisonlike institutions. The amendments before us today will allow the continuation and expansion of programs designed to reverse this living tragedy, this waste of human lives. I commend the chairman of our committee for his leadership in bringing us to where we are today.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 6430) was passed.

Mr. LONG of Louisiana. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HILL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

PARTNERSHIP FOR HEALTH AMENDMENTS OF 1967

Mr. LONG of Louisiana. Mr. President, I move that the Senate now proceed to consider H.R. 6418, Calendar No. 708.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 6418) to amend the Public Health Service Act to extend and expand the authorizations for grants for comprehensive health planning and services, to broaden and improve the authorization for research and demonstrations relating to the delivery of health services, to improve the performance of clinical laboratories, and to authorize cooperative activities between the Public Health Service hospitals and community facilities, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare, with amendments, on page 2, line 8, after the word "thereof" strike out "'1971'" and insert "'1970'"; in line 12, after "June 30, 1969," insert "and"; in line 13 after "June 30, 1970" strike out the comma and "and $20,000,000 for the fiscal year ending June 30, 1971'."; on page 3, line 12, after "June 30, 1970", strike out the comma and "and for the next fiscal year,"; in line 16, after the word "thereof" strike out "'1971'" and insert "'1970'"; in line 20, after "$15,000,000" strike out "each"; in line 21, after "1970" strike out the comma and "and for the fiscal year ending June 30, 1971'"; on page 4, line 6, after the word "thereof" strike out "'1971'" and insert "'1970'"; in line 9, after "June 30, 1969", insert "and"; in line 10, after "June 30, 1970", strike out the comma and "and $10,000,000 for the fiscal year ending June 30, 1971'"; in line 17, after "June 30, 1970", strike out the comma and "and $110,000,000 for the fiscal year ending June 30, 1971,"; on page 5, line 9, after "June 30, 1969, insert "and"; in line 10, after "June 30, 1970" strike out the comma and "$100,000,000 for the fiscal year ending June 30, 1971,"; in line 12, after the word "subsection" strike out "(h)" and insert "(g)"; in line 13, after the word "section" strike out "(as redesignated by section 12(a) of this Act)"; in line 23, after "1969" insert "and"; in line 24, after "1970" strike out the comma and "$8,000,000 for the fiscal year ending June 30, 1971,"; on page 6, line 19, after the word "hospitals," insert "long-term facilities"; on page 7, line 4, after the word "hospitals," insert "long-term care facilities"; in line 15, after the word "services," insert "and" and the following:

"(C) projects for research and demonstration in new careers in health manpower and new ways of educating and utilizing health manpower."

On page 8, line 18, after "June 30, 1969", insert "and"; in line 19, after "June 30, 1970", strike out the comma and "and $80,000,000 for the fiscal year ending June 30, 1971"; on page 11, line 8, after the word "of" strike out "obtaining" and insert "providing"; on page 13, line 11, after the word "prescribe.", insert "Any clinical laboratory in a hospital, and any other clinical laboratory, which is accredited by a nationally recognized body or bodies approved for the purpose by the Secretary shall be deemed to meet the requirements for a license under this section; but only if the standards applied by such body or bodies in determining whether or not to accredit such hospital or laboratory are equal to or more stringent than the standards prescribed by the Secretary under this section, and only if there is adequate provision for assuring that the standards of such body or bodies continue to be met by such hospital or laboratory."; on page 17, line 11, after the word "patients", strike out "or to any clinical laboratory operated by a pathologist in which all laboratory tests and procedures are performed by such pathologist or by such pathologist and his employees acting under his direct supervision"; on page 23, after line 16, strike out:

JOINT HOSPITAL ENTERPRISES

SEC. 11. (a) Section 605(a) of the Public Health Service Act is amended by striking out "or by a public or other nonprofit agency" and inserting in lieu thereof ", by a public or other nonprofit agency, or by a joint hospital enterprise".

(b) Section 605(a)(3) of such Act is amended by striking out "or in a public or other nonprofit agency" and inserting in lieu thereof ", in a public or other nonprofit agency, or in a joint hospital enterprise".

(c) Subsection (c) of section 625 of such Act is amended (1) by inserting "(1)" immediately after "(c)", (2) by inserting "or owned and operated by a joint hospital enterprise" immediately after "and central service facilities operated in connection with hospitals", and (3) by adding at the end thereof the following:

"(2) The term 'joint hospital enterprise' means a nonprofit organization organized and operated exclusively to provide services for public or other nonprofit hospitals."

On page 24, line 14, change the section number from "12" to "11"; on page 25, line 20, change the section number from "13" to "12"; at the top of page 26, insert "(d), or a nursing educational opportunity grant payment made pursuant to section 862"."; after line 20 insert a new section, as follows·

DEPUTY SECRETARY FOR HEALTH, EDUCATION, AND WELFARE; UNDER SECRETARY FOR HEALTH

SEC. 13. (a) There shall be in the Department of Health, Education, and Welfare, in addition to the Assistant Secretaries now provided for by law, a Deputy Secretary of Health, Education, and Welfare and an Under Secretary for Health each of whom shall be appointed by the President, by and with the advice and consent of the Senate, and shall perform such functions (related to health in the case of such Under Secretary) as the Secretary may prescribe. The provisions of the second sentence of section 2 of Reorganization Plan Numbered 1 of 1953 shall be applicable to such Deputy Secretary to the same extent as they are applicable to the Under Secretary of Health, Education, and Welfare and shall be applicable to the Under Secretary for Health to the same extent as they are applicable to the Assistant Secretaries authorized by that section.

(b)(1) 5 U.S.C., 5313 is amended by inserting after clause (18) the following new clause:

"(19) Deputy Secretary of Health, Education, and Welfare."

(2) Clause (7) of 5 U.S.C., 5314 is amended to read:

"(7) Under Secretary for Health in the Department of Health, Education, and Welfare."

(c)(1) The office of Under Secretary of Health, Education, and Welfare, created by section 2 of Reorganization Plan Numbered 1 of 1953 (67 Stat. 631), is hereby abolished.

(2) The President may authorize the person who immediately prior to the date of enactment of this Act occupies the office of Under Secretary of Health, Education, and Welfare to act as Deputy Secretary of Health, Education, and Welfare, until that office is filled by appointment in the manner provided by subsection (a) of this section. While so acting, such person shall receive compensation at the rate now or hereafter provided by law for the Deputy Secretary of Health, Education, and Welfare.

COMPREHENSIVE SURVEY

SEC. 14. The Secretary of Health, Education, and Welfare, in consultation and cooperation with other officials of the Federal Government and of the States, shall make a comprehensive survey of the incidence and location of serious hunger and malnutrition and health problems incident thereto in the United States and shall report his findings and recommendations for dealing with these conditions to the Congress within six months from the date of enactment of this section.

And on page 28, line 20, change the section number from "14" to "15".

Mr. HILL. Mr. President, I have the honor to submit to the Senate the Partnership for Health Amendments of 1967, H.R. 6418. The legislation was approved by the House of Representatives by a vote of 395 to 7. It was approved by the Committee on Labor and Public Welfare without a dissenting vote.

H.R. 6418 would—

First. Extend and expand the existing program of formula and project grants for comprehensive health planning and public services.

Second. Consolidate and expand existing authorities in the Public Health Service Act for research and demonstration relating to the provision of health services.

Third. Establish a new program for licensing clinical laboratories that solicit or receive specimens in interstate commerce.

Fourth. Extend and expand the existing program of grants for schools or public health.

Fifth. Authorize Public Health Service health care facilities to, first, accept the uncompensated services of volunteers; second, cooperate in the interchange and sharing of scarce or highly specialized health resources; third, assist in community planning to meet health needs in the case of emergencies or disasters; and fourth, provide health services to Federal employees at remote stations and to certain seamen trainees.

Sixth. Permit the use of, not to exceed, 1 percent of funds appropriated for certain grant programs to be used for program evaluation purposes.

Seventh. Extend the existing contract authority of the Public Health Service Act.

Eighth. Amend the Hill-Burton Act to authorize the loan of not to exceed two-thirds of the additional costs of an experimental hospital construction project where costs have risen substantially following initial approval of the project.

Ninth. Amend the Nurse Training Act to define "federally sponsored students" as including those nurse students awarded loan funds from the nurse student revolving fund or an educational opportunity grant payment.

Tenth. Increase from 12 to 13 the number of members of the National Advisory Council on Education for the Health Professions to be chosen from the fields of higher education.

Eleventh. Add the Trust Territory of the Pacific Islands to the jurisdictions eligible for grant assistance under section 314 of the Public Health Service Act.

Twelfth. Establish a new position of Under Secretary of Health in the Department of Health, Education, and Welfare and redesignate the present position of Under Secretary of Health, Education, and Welfare as Deputy Secretary of Health, Education, and Welfare. And

Thirteenth. Authorize the Secretary of Health, Education, and Welfare to make a comprehensive survey of serious hunger and malnutrition and health problems related thereto in the United States.

A major objective of this legislation is the extension of the Comprehensive Health Planning and Public Health Services Act of 1966 that I was privileged to sponsor as S. 3008 last year. The Senate will recall that the act consolidated the existing 16 categorical grants into block grants on a formula and project basis. This new approach to Federal-State cooperation for public health purposes has been endorsed by representatives of government at all levels and also by voluntary health agencies.

The Council of State Governments wrote the committee, as follows:

> For many years both the national Governors' Conference and the National Association of State Budget Officers have been interested in bringing about a greater measure of flexibility in the purposes for which grants-in-aid of various health purposes might be expended. It appears to us that the bill you have introduced serves this purpose admirably * * *. All in all, it appears to us that enactment of the proposed legislation would aid materially in achieving better organization and administration of public health programs.

The Advisory Commission on Intergovernmental Relations also wrote in support of the bill and stated:

> The Commission believes that S. 3008 represents a major improvement in intergovernmental relations in the field of public health and in grant-in-aid administration generally. These reforms to permit greater flexibility in the use of grant funds for the provision of community health services are long overdue and should result in more effective use of scarce financial resources of the Nation.

In addition, the National Association of Counties wrote:

> I should like to express our support of S. 3008 * * *. The concept embodied in this legislation are in keeping with the American county platform, the official policy statement of our Association, especially our position on regional cooperation and county planning.

H.R. 6418 would extend the Comprehensive Health Planning and Public Health Services Act through 1970. Practically all of the States have designated an agency for carrying out the comprehensive planning. To assist in the planning at the State level, the legislation requires the appointment of an advisory council that is broadly representative of consumers and health institutions and agencies. The planning agency in cooperation with the advisory council will identify public health needs and identify priorities in the provision of services.

Since the planning is not yet under way, the committee decided to limit the new authorization for appropriations to the years 1968, 1969, and 1970. Prior to 1970 the comprehensive planning efforts in States and communities will be implemented and Congress will be better informed regarding adequate levels for appropriations in 1971 and future years.

As passed by the House of Representatives, H.R. 6418 exempted clinical laboratories operated by pathologists from the provisions that require the Federal licensure of clinical laboratories that operate in interstate commerce. During the course of hearings before this committee, the exemption was criticized as unfair by representatives of several scientific disciplines and by representatives of clinical laboratories that are not operated by pathologists. As an alternative to exemption, the committee adopted an amendment that would automatically deem eligible for licensure those laboratories accredited by a nationally recognized body or bodies approved for this purpose by the Secretary of Health, Education, and Welfare, but only if the accreditation standards of such body or bodies are equal to or more stringent than those promulgated by the Secretary under the legislation.

As passed by the House of Representatives, H.R. 6418 amended the Hill-Burton Act to authorize two or more nonprofit hospitals to establish joint hospital enterprises. The committee deleted this provision since it determined it would be more appropriate to defer action until the Hill-Burton Act is extended. The Hill-Burton Act expires on June 30, 1969.

An amendment added by the committee would authorize the new position of Under Secretary of Health in the Department of Health, Education, and Welfare to provide for increased coordination of health programs in the Department. Since 1961 a total of 36 new major health programs have been enacted that provide for increased departmental responsibilities in the field of health. In addition, the title of the Under Secretary of Health, Education, and Welfare would be changed to Deputy Secretary of Health, Education, and Welfare.

Another amendment authorizes the Secretary of Health, Education, and Welfare to conduct a 6-month comprehensive survey of serious hunger and malnutrition and health problems incident thereto in the United States.

In addition, H.R. 6418 was amended to emphasize that research and demonstrations relative to health facilities and services extend to long-term care facilities and projects relating to new careers in health manpower and new ways of educating and utilizing health manpower.

Finally, the definition of "federally sponsored" students under the Nurse Training Act was expanded to include nursing students awarded nursing educational opportunity grant payments.

THE COST

H.R. 6418 as approved by the committee would provide for a total of $589 million in new authorizations for appropriations over the 3 fiscal years 1968–70.

This total is $124.5 million below the amounts requested by the Department of Health, Education, and Welfare for the same fiscal years.

The House of Representatives approved a total of $932 million in appropriation authorizations for the 4 fiscal years 1968–71.

SUPPORT FOR THE LEGISLATION

The enactment of H.R. 6418 is recommended by the Association of State and Territorial Health Officers, the American Dental Association, the American Hospital Association, the American Nurses Association, the American Public Health Association, the American Heart Association, the Association of American Medical Colleges, the National Association of Counties, the Health Insurance Association of America, the Blue Cross Association, the National Association of Mental Health, the National Tuberculosis Association, the National League of Cities, and American Federation of Labor and Congress of Industrial Organizations.

Mr. JAVITS. Mr. President, again, this is a measure which has received outstanding bipartisan support in the committee, and it is a fine tribute to the leadership of our distinguished colleague from Alabama that it has come to the floor thus strengthened.

There are a number of matters in this bill to which I wish to call the attention of the Senate.

CLINICAL LABORATORIES

First and foremost, on a subject action on which has been long needed and long overdue, there is the matter of clinical laboratories which is contained in section 5 of the bill. This provision is a major advancement in consumer protection, one which Senator MURPHY and I pioneered in the 89th Congress.

Investigations have indicated that there has been a sad lack of supervision of clinical laboratories. Instances of incorrect diagnoses which have resulted from failure to do the job which was intended to be done by these laboratories have resulted often in unnecessary hospitalization, unneeded operations, inappropriate treatment, injury, and even death.

Now, Mr. President, for the first time we will have under specific statute a system for the certification of these interstate clinical laboratories by the Secretary of Health, Education, and Welfare. I am proud to be able to state that I joined with the Senator from California [Mr. MURPHY] in offering legislation for that purpose, beginning in the 89th Congress, and again in this Congress, and this legislation has now been, for all practical purposes, incorporated in this bill. I point out that the administrative details in our proposal which are not included in this bill will be dealt with by departmental regulations; a letter to that effect is contained in the body of the report. So the full scheme of certification is provided for. I refer to page 49 of the committee report which details Senator MURPHY's and my views on the clinical laboratory provision, section 5.

But, Mr. President, under our federal system in this country, that alone is not enough. We have the additional problem of the necessity for State regulation. I would urge the States to study this measure carefully, as soon as it becomes law, with a view toward following the general lines of regulation of clinical laboratories which it provides.

I point out, Mr. President, that relatively few States—New York and California chief among them—now have such regulations. I believe that every State should promptly attend to this very urgent aspect of public health in its own interest, just as the United States is now doing on the Federal level by this measure.

I hail the inclusion of this provision in the pending measure with great enthusiasm, Mr. President, because I believe it demonstrates once more the kind of statesmanship in this field which has built such a fine reputation for the chairman of the committee, and by extension for the committee itself, in approaching objectively recommendations made by anyone, including minority members of the committee, and where they commend themselves as desirable in the national interest, adopting them with generosity and, indeed, with diligence.

HOSPITAL MODERNIZATION

Mr. President, my second point is referred to very briefly on page 3 of the committee report, in the following statement:

> The committee recognizes the urgent need for financial assistance for the modernization of hospitals and other medical facilities. It is not feasible to provide for this priority item in this legislation but it is the intent of the committee to consider the subject in the near future.

Mr. President, when we consider the crisis known as the agony of the cities, I know of no phase of it more critical than this question of hospital modernization. In my own city of New York, for example, anyone who has ever been the victim of an accident and has been taken to Belleview, Polyclinic or any of the other central city hospitals, must have been appalled at the extent to which modernization is needed.

Mr. President, the situation is indeed appalling. It is estimated that there are in use in the United States about 272,000 obsolete hospital beds—one-third of the Nation's hospital capacity—with an additional 13,000 becoming obsolete every year. In the city of New York, the degree of obsolescence among the 130 general care hospitals, particularly as far as surgical suites, emergency departments, and outpatient facilities are concerned, is more nearly 70 percent. Moreover, it is believed that in New York City only 17 percent of such hospitals would even pass the fire prevention standards established by the U.S. Public Health Service.

The administration has tried to alleviate the situation. The 89th Congress received an administration proposal providing for $1 billion in modernization funds each year for 10 years. We had one hearing on this bill, S. 3009, in April of last year, but it went down the drain because of the money crisis which we faced.

Many suggestions have been made, including one of my own contained in S. 2076 by which the public can subscribe to indebtedness bonds of hospitals provided they have a U.S. Government guarantee, and the Government guarantees a certain level of interest within the competence of most hospitals. Such a plan would involve no major budgetary impact, and would, I feel, effectively deal with the problem.

But, Mr. President, the problem must be dealt with, and on the Federal level; and I deeply believe that Congress will render one of the most important services which it could render to the country with respect to the problems of the cities if this measure is enacted.

Mr. President, I feel that it is critically important that our committee should address itself to this problem promptly. It can be done without a major budgetary impact. I am pleased to note very particularly in accordance with a colloquy which we had at the meeting at which the committee reported the pending measure, that the committee does intend to do precisely that.

RAT CONTROL

Mr. President, one last point. A great deal has been said and there has been much discussion about what came to be known in the House of Representatives as the rat control bill. It is a matter of the deepest gratification to me that the measure now before us endeavors to do something about that situation. The matter was dealt with by the House of Representatives in section 314(e) of this bill, under the heading of "Health Service Project Grants," for which a new authorization of $27.5 million is provided for 1968, including $20 million for rat control.

The debate in the House of Representatives, which I have very carefully reviewed, demonstrates that $20 million of that sum was included in this item expressly for the purpose of creating a health service project—and that is quite properly the heading under which it fits—to deal with the awful problem of rats in the slums and ghettos of large cities.

Mr. President, I think it is most wise for us to go along with the House of Representatives in this respect. In that connection, I should like to address two questions to the Senator from Alabama.

I note that as a result of an amendment accepted on the floor of the House of Representatives and retained by our committee in the bill, which is found at page 5, lines 5 to 11, inclusive, $20 million is included for each of the years 1968 and 1969 for rat control.

This section provides project grants to be made by the Secretary of Health, Education, and Welfare to meet health needs of communities.

Will it be necessary, I ask my chairman, for Congress to appropriate additional rat control funds as part of a supplemental appropriation bill for the current fiscal year?

Mr. HILL. It will be necessary to provide for the additional funds. The regular appropriation bill has already been passed by both Houses. The funds will have to be provided in a supplemental appropriations bill, and, as the Senator knows, we will have a supplemental bill under consideration near the end of the session.

Mr. JAVITS. Mr. President, can our chairman inform us for the record how these funds can be obtained by the communities that need them?

Mr. HILL. The funds can be obtained by the communities by working with the State health planning agencies and the regional offices of the Department of Health, Education, and Welfare. The pending bill seeks to support the State planning agencies and provide financial assistance for public health services.

Mr. JAVITS. Therefore, by getting a rat control project included in State plans qualifying under this law, the local community can get funds for this purpose.

Mr. HILL. The Senator is absolutely correct.

Mr. JAVITS. Mr. President, am I correct in my statement that the debate in the House of Representatives clearly demonstrated that the purpose of the additional $20 million was for rat control and that this fact was fully within the cognizance of our committee when we passed on these sections of the bill?

Mr. HILL. The Senator is correct. The House of Representatives made it clear in its debate, and that was true.

Mr. JAVITS. And that was true in our committee.

Mr. HILL. The Senator is correct. It was true when the matter was considered by our committee.

Mr. JAVITS. I thank the Senator from Alabama.

Mr. HILL. Mr. President, I thank the distinguished Senator from New York for his very kind and generous remarks about his chairman. I thank him for his many splendid contributions to the pending legislation. I express my appreciation to him.

Mr. JAVITS. Mr. President, I greatly appreciate the remarks of the Senator from Alabama. I know of no greater champion for the cause of public health, as has been once more demonstrated by the colloquy we have just had.

The State of Alabama has only a very small problem when compared with the problem we have in the big cities, as I have just described. Yet, the Senator from Alabama was very responsive to our problems. I am very grateful to him.

Mr. HILL. I thank the Senator. The Senator from New York raised a question about the modernization of hospitals. The Senator will recall that in our committee report on page 3 we state:

> The committee recognizes the urgent need for financial assistance for the modernization of hospitals and other medical facilities. It is not feasible to provide for this priority item in this legislation but it is the intent of the committee to consider the subject in the near future.

As the Senator knows, the President of the United States has appointed a Commission on Hospital and Health Facilities. That Commission is headed by Mr. Boisfeuillet Jones who was at one time Assistant Secretary for the Department of Health, Education, and Welfare.

The Commission is now working on this problem, and we hope to have its report in the not-too-distant future. That report will be very helpful in the matter.

Mr. JAVITS. I thank the Senator. I know of a few more things that are more overdue than that particular matter.

As I just recited, if we follow the example mentioned in the bill I have introduced and adopt the procedure used in the case of the REA and the rural telephone service, I believe we can deal with the matter of hospital modernization without experiencing a great budgetary impact.

Mr. HILL. Mr. President, I have introduced a bill along the same lines which would provide for loans.

Mr. JAVITS. The bill I introduced is S. 2076. Does the Senator not believe that all we really have to do is to get buyers of bonds to believe that the obligor is suable? No one wants to sue a hospital, although its credit is excellent. Even though the U.S. Government guarantees this matter, the Government will never have to pay the judgment, because the hospital can raise the money.

Mr. HILL. The Senator is correct.

Mr. JAVITS. I am very grateful to the Senator. I hope that we can do the job on this legislation that is really terribly urgent.

I had a friend the other day who was involved in an automobile accident and I had occasion to go to one of our midtown hospitals to see him. That hospital is strictly a 19th-century institution. It is unbelievable that such conditions could exist in the 20th century. The conditions existing in the hospital are such that it looks just as it did 100 years ago.

This results, of course, because of the lack of money. Modernization cannot be effected unless we have Federal assistance in this regard.

Mr. HILL. The Senator is correct. The institutions must have funds for modernization.

COMPREHENSIVE SURVEY

Mr. JAVITS. I thank the distinguished Senator whose leadership will unquestionably contribute to success in this matter.

Mr. President, the Senator from Alabama has already called attention to the fact that we took a piece out of the so-called Stennis bill dealing with starvation and other matters. This is section 14 of the bill. The part I refer to—of which I was a coauthor—was in this case the amendment of the Senator from New York [Mr. KENNEDY], and I would like to make it clear that this does not represent passage of the Stennis bill.

The Senator from Mississippi would have an absolute right to deal himself with the question of whether the bill should be repassed in the Senate because of the difficulties it is experiencing in the House of Representatives.

This is a part of the bill which we wrote in the committee. I think it is therefore perfectly proper to make it clear for the Senate generally, and also for the Senator from Mississippi [Mr. STENNIS], so that the record may be clear, that in lifting that part out of the Stennis bill we are not taking something of which the Senator from Mississippi is the author. We are talking about something of which we are the authors.

It will be recalled that we had a rather heated hearing with Secretary Freeman. I am sorry to say that I contributed to the heat at that hearing; the facts were eloquent and need no emphasis. The matter is understandable because it is so very serious when we see the people who are the innocent victims of such conditions.

I am very hopeful that we might now be able to proceed to get all the facts, and that is always a prelude to action not only locally, but also nationally.

Mr. HILL. We are authorizing and directing that a study be made to obtain these facts.

Mr. JAVITS. The Senator is correct. That is dealt with in section 14.

I just call attention to the fact that this part of the bill is our creation to make clear that we are fully respecting the authorship of the Senator from Mississippi [Mr. STENNIS].

Mr. FANNIN. Mr. President, I commend the distinguished senior Senator from Alabama for his outstanding leadership as chairman of the Committee on Labor and Public Welfare, on which it is my pleasure to serve.

We are all very appreciative of the contributions of the senior Senator from Alabama [Mr. HILL], who has long been recognized throughout our Nation as a leader in public health activities.

I support the pending bill. I had considered at one time offering an amendment to the pending bill, H.R. 6418. My amendment would have defined the basic element we are discussing today—public health activities.

The importance of such activities has been and will be extolled here many times today, as we consider this measure. Several million dollars will be authorized for expenditure in this area. The total involved in the bill, as reported by the committee, is $589 million.

Yet, Mr. President, nowhere in this pending legislation are public health activities defined.

My proposed amendment would have defined these as follows:

> Public health activities authorized in this legislation shall not include patient care, except in connection with research or demonstration projects authorized by Federal law.

I am concerned that such a program as we are considering today might very well result in authorizing unlimited patient care without limitations on amounts and types of services or on needs of patients. I would be opposed to such a situation resulting under the guise of comprehensive public health services, as authorized by this legislation.

I appreciate the assurances our distinguished chairman has given me in this regard, and I am confident that he does not want this to occur either. Therefore, I will not offer an amendment.

I will ask our chairman if he will speak to this matter of a definition of public health activities and what limitations there are on such activities. I know his remarks will be an invaluable part of the legislative record on this legislation.

Mr. HILL. I say to my friend, the distinguished Senator from Arizona, who has made some fine contributions to the writing of this measure, that the block grant approach of this bill is endorsed by the Council of State Governors, the National League of Cities, the National Association of Counties, and by virtually all of the voluntary health agencies and organizations, such as the American Heart Association and the National Association for Mental Health.

I emphasize that it is not the aim of this measure to submit the operational activities of any health resource, whether it be a medical school, voluntary health agency, private practitioner, or State program, to any Federal controls. Indeed, the purpose of this measure is to increase flexibility and local control of programs and decisions without interfering in any way with the existing patterns of private and professional practice in medicine, dentistry, and related healing arts.

Mr. FANNIN. I thank the capable and distinguished chairman. I, then, have his assurance that the proposed legislation will not authorize unlimited patient care without limitations on amounts and types of services or on needs of patients.

Mr. HILL. The Senator is correct.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. YARBOROUGH. Mr. President, today there are two major pieces of health legislation placed before this body for its consideration—the Mental Retardation Amendments of 1967 and, now, the Partnership for Health Amendments of 1967. There was a time not so long ago when session after session of Congress would elapse without any major consideration of the health needs of the American people. Indeed, I believe it is fair to say that our national commitment of public resources to provide the best possible health care for all our citizens largely has been developed under the distinctive leadership and during the distinguished tenure of Chairman Hill, of the Senate Subcommittee on Health. During the nearly 7 years of the Kennedy-Johnson administrations, some 36 pieces of health legislation have taken form in Senator Hill's subcommittee and ultimately have been enacted into law. As Wilbur Cohen, the honorable Under Secretary of Health, Education, and Welfare has pointed out:

> There has been more landmark health legislation enacted in this period of time than in any other comparable period, or I would say, any other period three times as long.

Mr. President, I have found great satisfaction in joining with our very able chairman to play my part in this historic endeavor for the past 9 years, as a member of the Subcommittee on Health; and I am pleased today to stand once again with Senator Hill—this time in support of H.R. 6418, the Partnership for Health Amendments of 1967.

This very significant measure embodies a comprehensive effort to enable all the partners in the health enterprise—public and private—to plan and use our resources most effectively to meet the major health problems and needs of the American people. H.R. 6418 extends and expands the partnership for health program begun last year—a program that has been widely hailed as a model of creative federalism and that already has seen 48 of the 50 States, the Territories, and Puerto Rico enter into full partnership and cooperation with the National Government.

Many aspects of this momentous measure interested me as we considered it in the Subcommittee on Health and later in the full Labor and Public Welfare Committee. Today, however, I shall isolate for brief comment only a few of the provisions that are of particular interest to me.

My first comment centers around Senator Hill's amendment to create in the Department of Health, Education, and Welfare an Under Secretary for Health to coordinate and direct the growing health activities of the Federal Government. With characteristic insight, Senator Hill has shown that the expanded scope of medical decisions and activities increasingly involve major social considerations. In short, a national health effort necessarily affects and is affected by other national efforts, and it requires some degree of overall coordination for the sake of effectiveness and efficiency. While the determination and development of national health goals must forever remain the jealously guarded prerogative of Congress—a prerogative on which I shall always insist—the day-to-day realization of those goals will be better served by an Office such as Senator Hill's amendment contemplates and provides. The new Under Secretary of Health would be charged with the responsibility for the overall coordination and direction of our national health effort as it is defined by Congress.

Perhaps the major aspect of H.R. 6418, and the second one on which I wish to comment, is the clinical laboratories licensing provisions of section 5. The essence of this section is to authorize the Secretary of Health, Education, and Welfare to license and regulate certain clinical laboratories operating in interstate commerce. These are clinical laboratories which examine materials from the human body to provide information to doctors for the assessment of a patient's health—including the diagnosis, prevention, or treatment of disease. During the subcommittee's hearings, Dr. William Stewart, Surgeon General of the Public Health Service, estimated that approximately 1,000 of the 13,000 laboratories in the country dealt in interstate commerce and might be subject to the provisions of section 5.

The purpose of this regulation is simply to guarantee every doctor and patient who utilizes the services of a clinical laboratory in another State that the work done there is reliable, safe, and accurate. This is no mere question of business or professional regulation, for the ultimate success or failure of the work performed by these laboratories is measured in terms of human health, and at times in terms of human life. Yet Wilbur Cohen, Under Secretary of Health, Education, and Welfare, pointed out in hearings that studies by the National Communicable Disease Center indicate that—

> Erroneous results are obtained in more than 25 percent of all tests analyzed by these studies.

Though the percentage of error is disputed by those who would be regulated under section 5, everyone concedes that there is error in laboratory tests which leads to medical mismanagement. Clinical laboratory testing is a large, rapidly growing industry which provides an extremely important service. Virtually every person who seeks medical attention today uses, directly or indirectly, some type of laboratory services. These consumers cannot afford any miscalculation, and they certainly deserve maximum assurances that the services they receive will be performed under responsible supervision, within established, clinically sound procedures, and subject to extensive quality controls.

There are certain clinical laboratories specifically exempted from the provisions of section 5 and allowed to regulate themselves. In executive session, however, I received assurances in the form of additional language that though they might accredit themselves there would be a continuing performance evaluation by the Secretary of Health, Education, and Welfare, and that they would remain subject to the penalty and injunctive provisions of section 5. I believe that their inclusion at least under these minimal provisions is good public policy and will enhance the ultimate effectiveness of the bill.

The final comment that I have on the specifics of H.R. 6418 concerns a new and I think very bright thread that weaves throughout the tapestry of the partnership for health amendments. I speak of new provisions allowing a part of certain grant funds to be used for program evaluation. Too often, our reason for doing something a certain way is more historical than it is logical. The result is a staid program that gradually becomes cantankerous bureaucracy, often completely out of touch with dynamic needs. Only by continually evaluating our public investment are we able to develop programs capable of meeting our needs. I commend the foresight of Senator Hill for incorporating in certain provisions of the bill assurances that program evaluation will become an integral phase of our national health effort.

The Partnership for Health Amendments of 1967 open wider the avenues of cooperation among the several partners, public and private, in the medical and health fields. In addition to the extension and expansion of the initiative begun a year ago, H.R. 6418 embodies new thrusts which greatly strengthen the national partnership to assure medical care to all who need it, when they need it, at a cost they can afford to pay. I am pleased to support this measure, and I urge its enactment today.

Mr. HILL. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. HILL. May I express my appreciation to the Senator from Texas. He has made many fine contributions to the enactment of these health programs. Furthermore, he has provided the cooperation and support that was needed to secure the needed appropriations for the new programs after their enactment.

Mr. YARBOROUGH. Mr. President, I am grateful to the distinguished senior Senator from Alabama.

There really was not much I could do as a member of the Subcommittee on Health, because the Senator from Alabama brought such a fine measure before us and provided us with such excellent leadership that it was approved without difficulty.

However, I may have been of a little assistance as a member of the Appropriations Committee, because appropriations have been shaved, and very often we could save an appropriation by one vote. So I will accept his thanks for my services on the Appropriations Committee. I wish more Senators had voted as did the Senator from Alabama and as I did, under his leadership, for full funds to implement these programs.

Mr. KENNEDY of New York. Mr. President, the Partnership for Health Amendments of 1967 are an extension and expansion of last year's important comprehensive health planning legislation. They are an indication of Federal policy that health planning in each locality of our Nation must be conducted in a unitary way, ending the piecemeal and categorical approaches ending the piecemeal and categorical approaches which have plagued health planning for too long.

I would emphasize only two points today:

First, the committee amended the demonstration and research provisions of the bill to make clear its determination that particular emphasis be placed on projects in the field of long-term care, and on projects in developing new careers in health manpower. I proposed these amendments.

Medicare promised nursing home care, but we are estimated to be half a million beds short of the capacity needed to care for chronic illness and convalescent needs. As a result, our hospitals are crowded with patients who could well be cared for in less costly nursing homes or extended care facilities. We must move quickly to develop new kinds of physical facilities and new methods of delivering long-term care. That is why I proposed adding language to emphasize the need for demonstration projects in this area.

Similarly, shortages of medical manpower—especially doctors and nurses—plague all our efforts to deliver better health care to all Americans. The development of new kinds of health manpower can help us to use our most skilled personnel more efficiently, and enable us to deliver quality health care at lower cost. That is why I proposed a special emphasis on new careers in health manpower.

Second, the committee amended the bill to direct the Secretary of Health, Education, and Welfare, to make a survey of hunger and malnutrition in the United States. In proposing this amendment, I had in mind a new study, involving a comprehensive inquiry all over the country. The amendment directs a report to Congress in 6 months. It may turn out that a survey and study of the magnitude needed to do the job—of the same breadth as we have done in and for other nations—will take longer than 6 months. If that is so, I trust the Secretary will make an interim report to Congress and continue his efforts until the study is truly completed. I am reliably informed that a study of the breadth needed would cost about $2,000,000. I am informed, too, that the Department of Health, Education, and Welfare has funds sufficient to conduct a study of this magnitude. The Surgeon General told our committee in July that there is a serious hunger problem in our Nation, but that we do not know its magnitude. The committees amendment will enable us to find out so that we can act appropriately.

Let me emphasize, however, that we know enough now to enact the Stennis bill—S. 2138. This body passed the Stennis bill unanimously over 3 months ago. The other body has yet to act. The survey amendment to H.R. 6418 is in no way a substitute for immediate authorization and funds to feed and care for those Americans who, in the midst of affluence, are suffering the slow wasting away that is the result of serious hunger and malnutrition. A way must be found to enact the Stennis bill at the earliest possible time.

Mr. HILL. Mr. President, I ask that the amendments be agreed to en bloc.

The PRESIDING OFFICER. The question is on agreeing to the amendments.

The amendments were agreed to en bloc.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossing of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 6418) was passed.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HILL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HANSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROHIBITION OF AGE DISCRIMINATION IN EMPLOYMENT—PRIVILEGE OF THE FLOOR

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that Robert Harris and Eugene Godley, staff members of the Subcommittee on Labor of the Committee on Labor and Public Welfare, may be allowed the privilege of the floor during the consideration of S. 830, the bill to prohibit age discrimination in employment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WASHINGTON AREA MASS RAPID TRANSIT SYSTEM

Mr. BYRD of Virginia. Mr. President, perhaps no problem facing the Washington metropolitan area should have higher priority than the development of a mass rapid transit system.

Transportation is essential.

Rapid transportation is essential.

Mass transportation is essential.

The problem is a regional one. It concerns not just the District of Columbia, not just the counties of Montgomery and Prince Georges in Maryland, and not just the northern Virginia area of Arlington, Fairfax, and Alexandria.

It is a District of Columbia problem, a Maryland problem, and a Virginia problem, all rolled into one.

That is why Congress last year took action to establish the Washington Metropolitan Area Transit Authority.

It is not a question of whether a mass rapid transit system will be built, but rather a question of how soon.

Of course, it will cost money and, of course, each of the areas must participate in the cost.

But in considering this problem, it must be asked what will happen if we do not, at the earliest opportunity, construct a rapid mass transit system.

Anyone who has occasion to do much traveling in Washington, anyone who drives through Prince Georges and Montgomery, anyone who with any frequency gets about Fairfax and Arlington Counties, instinctively realizes just how essential it is that a mass transit system be quickly built.

The Washington Post of yesterday, Sunday, November 5, published a rather comprehensive news analysis of the proposed rapid transit system for the Washington metropolitan area. It brings out facts and figures which should be of considerable interest to the residents of northern Virginia, of the adjacent Maryland areas, and to the residents of the District of Columbia.

I might say that it should be of interest also to Members of Congress.

I ask unanimous consent that the article, written by Richard Severo, of the Washington Post staff, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TAXPAYER'S $7 TRANSIT BILL MAY BE A TRANSPORT BARGAIN

(By Richard Severo)

The $2.3 billion proposed rapid transit system for the Washington metropolitan area may cost Maryland suburbanities as little as $7 a year.

That figure is based on what the owner of a $20,000 home in either Prince George's or Montgomery County might expect to pay extra on to his property tax each year over a 30-year period.

Taxpayers in Virginia and the District of Columbia may pay more or less than $7 depending on what it finally costs to overcome construction problems peculiar to given areas. Present calculations suggest that the cost will be within several dollars either way of the Maryland figure.

All those taxpayers will have to pay for each ride they may take on the system as well. But, even if they never set foot in one of the air-conditioned cars, they are likely to find the system has saved them other costs and highway inconvenience.

COSTS TO BE INDIVIDUAL

The cost of any public works project as big as this one is difficult to scale down to a size the average taxpayer can find meaningful. But by the use of simple arithmetic and a few reasonable assumptions, it would appear that anyone who can afford, say, the price of a ticket to a Redskins football game can afford rapid transit, too.

The arithmetic goes like this:

Of the $2.3 billion total cost, the Washington Metropolitan Area Transit Authority expects that money from the fare box will be sufficient to pay off $700 million in bonds.

This leaves $1.6 billion. The Federal Government has made substantial grants to other cities attempting to develop rapid transit systems. There is no reason to believe Washington will be neglected. A Federal grant of about a billion dollars is likely. In all probability, this would be received at the rate of $80 million a year for 12 years, the expected time required for construction.

This would leave some $561 million to be paid by the people who will benefit directly from the system in the District and suburban Maryland and Virginia.

COST FORMULA

Under the formula now being used by the Transit Authority, Maryland would pay $210 million; the District, $198 million, and Virginia, $153 million.

The cost to each jurisdiction has been calculated by the Transit Authority's financial consultants, who have developed formulas based on construction and operating cost, population estimates and projected ridership. There has been some criticism of cost allocation and the formula could be changed.

But as it stands now, Prince Georges and Montgomery counties would have to supply $210 million.

Property taxes in both counties are based on a 50 per cent assessed valuation. That is, in computing taxes, the properties are evaluated at half of what they are actually worth.

At present, the basic property tax rate in Prince Georges a $2.90 per $100 of assessed valuation. Assuming the County pays roughly half of the $210 million Maryland must pay, and assuming that property taxes are used to retire 30-year general obligation bonds issued to pay the counties' share of the system calculations made by the WMATA's financial consultants suggests that the subway would add 13 cents to the tax rate, bringing it up to $3.03.

SIMPLE ARITHMETIC

The consultants used simple arithmetic to arrive at that amount. They did not attempt to either inflate or deflate the figure with estimates on population increase vis-a-vis the cost of living.

The same process can be used for Montgomery County, where—according to figures used by the WMATA's financial consultants—the subway would cost the taxpayer another 12 cents, bring the rate up to $2.82 per $100 of assessed valuation.

Initially, this would mean that a taxpayer owning a $20,000 home would have to pay another $12 a year. But assuming that the amount of taxable property increases (it has doubled in the past four years and experts think it will at least triple in the next thirty years in the Washington suburbs), the rate would gradually slide down to around $4 or less. And so the average over the 30-year period would be between $7 and $8.

Of course, the base may not be property taxes at all. No firm decisions on this have yet been made. But it will probably be a consideration.

The prospect of any tax increase—no matter how modest or how worthwhile the cause—is bound to be greeted with restraint by taxpayers.

But $7 is surely a figure the average taxpayer can cope with, and it appears even more modest when viewed against ability to pay. The Washington area now has an average per capita income of about $3700. In 30 years, it probably will be over $7500. What's more, there will be more people around to foot the bill. Our present area population of 2.6 million is projected to rise to 4.23 million by 1990.

To be sure, there will be other public expenses abuilding and no numbers game is apt to dislodge the American taxpayer from his responsibilities.

ADVANTAGES CITED

Still, the question of how much the subway is going to cost is asked nervously by politicians (especially those in Virginia, it seems), angrily by taxpayers and fearfully by planners at the Transit Authority.

"I wish," said a WMATA staff man the other day, "that people would ask themselves what might happen if we don't build the subway."

The point is well taken. Even with the development of a subway, the Washington area can expect that its residents will continue to rely heavily on the automobile. Without the alternative of rapid rail travel, the reliance could produce a night-marish proliferation of freeways.

Prince Georges County Commissioner Francis J. Aluisi put his finger on it a couple of weeks ago when he told a group of real estate men that "ten years from now, Indian Head highway will need 12 lanes . . . just to keep the traffic moving. Twelve! Where in the name of hail Columbia are we going to build them all?"

Indeed, even with the proposed 95.6-mile rapid transit system, there is a distinct possibility of substantial highway construction in Washington's future. The mass transit survey of 1959 undertaken by the National Capital Planning Commission and the National Capital Regional Planning Council said that the Washington area needed 329 miles of freeways and parkways. If that advice is followed, it would mean doubling the highway mileage that now exists.

Although many in Washington would recoil at the thought of extensive highway building, there is no question that further accommodation will have to be made for the automobile. According to estimates made by the Council of Governments, there will be 406,700 cars registered in D.C. alone in 1990. There are now about 200,000. The total 1990 automobile registration for the metropolitan area is projected at well over 2 million.

If everybody who had a car in 1990 were to use it for work—because that's the only way he had of getting there—it would mean that at least 160 million square feet of parking area would be needed in the metropolitan area's business centers.

Using present rates, the fixed costs of keeping a car for a year total nearly $800. That includes $621 for depreciation, $24.50 for license and registration, $120 for liability insurance, and $30 for fire and theft insurance.

Apply this to the year 1990, and we have residents of the Washington area paying $1.6 billion every year just to keep their cars. And they don't even get gas and oil for it.

It is conceivable that widespread acceptance of rapid transit could cut down on need for all those expensive highways and parking spaces, and, for those who pay to ride the transit system, on auto costs as well.

No studies have been made to indicate how many of these 1990 drivers will be able to extricate themselves from a second or third car because of the presence of rapid transit.

But such studies have been made elsewhere and it is reasonable to assume that the projections of other cities would offer some yardstick for Washington.

Officials at San Francisco's Bay Area Rapid Transit predict that once their system is fully operative:

The average number of cars needed for commuting into San Francisco will decrease by 55,900, thereby saving commuters $1,800,000 in insurance premiums.

An estimated 33,700 daily vehicle trips across the Bay Bridge will be diverted to rapid transit, thereby saving commuters more than $2 million in tolls.

By 1975, cars in the Bay area will travel 472,300,000 fewer miles than they do now, a saving to drivers each year of $24,100,000.

There is even an estimate that the Bay area will save $400,000 a year after the rapid transit system is complete, simply because it will require that much less of police manpower and equipment to patrol the freeways.

Perhaps the most dramatic result of rapid transit is what it does to property values.

In Toronto, over a 10-year period, tax assessments on the property around the Yonge Street Subway went up 58 per cent—$136 million. Under normal circumstances, Toronto might have expected an increase of about 25 per cent, or $58 million.

Washington's proposed $2.3 billion rapid transit system does not really cost as much as it appears to. Not if it is measured against the economic benefits it can produce.

But it is going to cost something. There are going to be taxes, there are going to be expenses nobody can foresee now, there are going to be squabbles about where transit lines ought to go.

It is possible that the system proposed will not attract the passengers the WMATA predicts.

It is also possible that as subway lines cause property values to go up in the region, the poorest families will be driven out of their homes by the realities of the market place. Pockets of poverty could simply shift elsewhere.

Rapid transit is not a panacea for everything. It will not replace the car, despite the fondest wishes of the freeway foes. It will generate some problems cars do not generate.

But Washington now has before it for the first time a real choice, an opportunity to break the umbilical cord to Detroit and develop a balanced transportation system. And maybe Washington won't become one big super highway, after all.

WHEELING CREEK WATERSHED PROTECTION AND FLOOD PREVENTION DISTRICT COMPACT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 704, Senate 2514.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. S. 2514, to grant the consent of Congress to the Wheeling Creek Watershed Protection and Flood Prevention District compact.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. RANDOLPH. Mr. President, last year congressional approval was given to construction of the Wheeling Creek watershed project located in both the States of Pennsylvania and West Virginia. The project is a cooperative venture between the Department of Agriculture and certain local sponsoring groups. However, inasmuch as no local organization legally exists under the laws of either State to cooperate with the Federal Government, it is necessary for the States involved to enter into a compact to create such a duly constituted organization.

Mr. President, this is the purpose of our legislation which was offered for myself and my able colleague, Senator BYRD. It will grant the consent of Congress to an interstate compact creating as an agency and an instrumentality of the governments of the two States, a district to be know as the Wheeling Creek Watershed Protection and Flood Prevention District.

The compact will also create a governing body of the district to be known as the Wheeling Creek Watershed Protection and Flood Prevention Commission, consisting of five persons from Pennsylvania and five persons from West Virginia. The commission would serve in the capacity of a local organization in order to cooperate with the Federal Government in carrying out the watershed project on Wheeling Creek.

Briefly, the project previously approved by the Public Works Committee, will provide flood protection to urban areas in the city of Wheeling, W. Va., and suburbs situated upstream on Wheeling and Little Wheeling Creeks. The project will also provide recreation facilities, such as fishing, camping, and picnicking.

The authorized plan of improvement for this watershed provides for the construction of six single-purpose floodwater retarding structures, one multiple-purpose flood water retarding and recreation structure, and 200 feet of channel clearing and snagging.

Land treatment measures will be installed for both watershed protection and flood prevention purposes. Three of the projects, two flood-control structures and one multiple-purpose reservoir, are located in Pennsylvania while the remaining four flood-retarding structures are located in West Virginia.

Mr. President, this program is urgently needed to provide flood protection in the Wheeling Creek Basin. Records show that 13 serious floods have occurred in the last 29 years. The latest severe flood occurred in February of 1966. I am told that once the proposed works of improvement are installed, more than 1,600 properties throughout the watershed will directly benefit, in addition to benefits to municipal, county, and State properties.

The States of Pennsylvania and West Virginia have already acted and ratified the compact. It only remains for the Congress to grant its consent. Mr. President, I urge the passage of this legislation in which Senator BYRD and I have joined.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2514

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is given to the interstate compact relating to the Wheeling Creek Watershed Protection and Flood Prevention District between the Commonwealth of Pennsylvania and the State of West Virginia, ratified by the Commonwealth of Pennsylvania in an Act approved by the Governor of such Commonwealth on August 2, 1967, and by the State of West Virginia in an Act approved by the Governor of such State on March 1, 1967. Such compact reads as follows:

"Wheeling Creek Watershed Protection and Flood Prevention District Compact

"ARTICLE I. RECITATION OF REASONS FOR COMPACT

"Whereas, Wheeling Creek, a tributary of the Ohio River, arises in Pennsylvania, flows through Washington and Greene Counties of that commonwealth, enters the State of West Virginia, flows through Marshall and Ohio Counties, West Virginia, and empties into the Ohio River at Wheeling, West Virginia; and

"Whereas, The inhabitants of Marshall and Ohio Counties, West Virginia, and, also, but to a much lesser degree, the inhabitants of Washington and Greene Counties, Pennsylvania, living along Wheeling Creek have over the years experienced loss of life and property from flooding of that stream; and

"Whereas, Surveys made by the Soil Conservation Service of the United States Department of Agriculture indicate that the inhabitants of the four counties named can best be protected from the flooding of Wheeling Creek by flood prevention dams constructed thereon with some of the dams being located on the upper reaches of the stream and its tributaries in the Commonwealth of Pennsylvania; and

"Whereas, The federal Watershed Protection and Flood Prevention Act of 1954, as amended, authorizes, under certain circumstances, federal assistance to local organizations in preparing and carrying out undertakings for flood prevention and the conservation, development, utilization and disposal of water in watershed or subwatershed areas; and

"Whereas, No local organization within the meaning of the federal act aforesaid established by or organized under the laws of West Virginia is competent under state laws to acquire land for, construct, and operate with or without federal assistance flood prevention facilities in the Commonwealth of Pennsylvania, and it appears that no such local organization established by or organized under the laws of the Commonwealth of Pennsylvania can justify the expenditure of locally raised funds to construct and operate flood prevention facilities which will benefit primarily the inhabitants of the neighboring State of West Virginia; and

"Whereas, Facilities erected on the upper reaches of Wheeling Creek and its tributaries for flood control and prevention can nevertheless have a recreational value for the citizens of both West Virginia and Pennsylvania and particularly the citizens of Ohio and Marshall Counties, West Virginia, and Washington and Greene Counties, Pennsylvania; accordingly, for purposes of promoting that potential, as well as providing a vehicle or means whereby federal assistance may be enlisted for the protection of citizens of her neighboring State of West Virginia from the flooding of Wheeling Creek, the Commonwealth of Pennsylvania joins with the State of West Virginia in negotiating and ratifying this compact; now therefore,

"ARTICLE II. WHEELING CREEK WATERSHED PROTECTION AND FLOOD PREVENTION DISTRICT CREATED

"The Commonwealth of Pennsylvania and the State of West Virginia hereby create as an agency and instrumentality of the governments thereof a district to be known as the 'Wheeling Creek Watershed Protection and Flood Prevention District,' hereinafter called the district, which shall embrace all territory in the Commonwealth of Pennsylvania and the State of West Virginia, the water in which flows ultimately into Wheeling Creek or its tributaries.

"ARTICLE III. WHEELING CREEK WATERSHED PROTECTION AND FLOOD PREVENTION COMMISSION CREATED

"The Commonwealth of Pennsylvania and the State of West Virginia hereby create as the governing body of the district the 'Wheeling Creek Watershed Protection and Flood Prevention Commission,' hereinafter called the commission, which shall be a body corporate, with the powers and duties set forth herein, and such additional powers as may be conferred upon it by subsequent concurrent action of the General Assembly of Pennsylvania and the Legislature of West Virginia or by act or acts of the Congress of the United States.

"ARTICLE IV. COMPOSITION OF COMMISSION

"The commission shall consist of five commissioners from Pennsylvania and five commissioners from West Virginia, each of whom shall be a citizen of the commonwealth or state from which he is appointed. The commissioners from the commonwealth and from the state shall be chosen in the manner and for the terms provided by the laws of the commonwealth or state from which they shall be appointed, and any commissioner may be removed or suspended from office as provided by the law of the commonwealth or state from which he shall be appointed. Vacancies on the commission shall be filled in the manner provided by the laws of the commonwealth or state among whose representation on the commission the vacancy occurs.

"The commissioners shall serve without comepnsation from the commission, but they shall be paid by the commission their actual expenses incurred and incident to the performance of their duties.

"ARTICLE V. ORGANIZATION OF COMMISSION

"The commission shall meet and organize within sixty days after the effectvie date of this compact, shall elect from its number a chairman and vice chairman, and shall appoint, and at its pleasure remove or discharge, such officers and legal, clerical, expert and other assistants as may be required to carry the provisions of this compact into effect, and shall determine their qualifications and fix their duties and compensation. It shall adopt a seal and suitable bylaws, and shall adopt and promulgate rules and regulations for its management and control. It may establish and maintain one or more officers within the district for the transaction of its business, and may meet at any time or place. The presence of three commissioners from the Commonwealth of Pennsylvania and three commissioners from the State of West Virginia shall constitute a quorum, and a majority vote of the quorum shall be necessary to pass upon matters before the commission.

"ARTICLE VI. POWERS AND DUTIES

"The commission is hereby authorized and empowered:

"(A) To be and serve in the capacity of a local organization within the meaning of the Watershed Protection and Flood Prevention Act of the eighty-third Congress of the United States, second session (Public Law 566), approved August 4, 1954, as from time to time amended, and in that capacity the commission shall have the following authority and powers:

"(1) To apply for and receive federal financial and other assistance in preparing and carrying out plans for works of improvement as that term is defined in said federal act, as from time to time amended, hereinafter referred to as works of improvement, and to apply for and receive federal financial and other assistance under the aforementioned or other federal acts in preparing and carrying out plans for public fish and wildlife or recreational development in connection with works of improvement, including the construction and operation of all facilities which may be necessary or incident to such works of improvement and public fish and wildlife or recreational development in connection therewith.

"(2) To acquire, or with respect to interests in land to be acquired by condemnation, provide assurances satisfactory to the secretary of agriculture of the United States or other agent or agency of the United States that the commission will acquire such land, easements, or rights-of-way as will be needed in connection with works of improvement, and public fish and wildlife or recreational development and facilities in connection with works of improvement, installed with federal assistance.

"(3) To agree to operate and maintain any reservoir or other area included in a plan for works of improvement or public fish and wildlife or recreational development and facilities.

"(4) To assume all or such proportionate share, as is determined by the secretary of agriculture of the United States or other agent or agency of the United States, of the costs of installing any works of improvements, involving federal assistance, which is applicable to the agricultural phases of the conservation, development, utilization, and disposal of water or for fish and wildlife or recreational development and facilities or to purposes other than flood prevention and features relating thereto.

"(5) To make arrangement satisfactory to the secretary of agriculture of the United States or other agent or agency of the United States for defraying costs of operating and maintaining works of improvement and public fish and wildlife or recreational development and facilities in connection with works of improvement: *Provided,* That such arrangements shall be based solely upon contributions, allotments or commitments of funds to the district or commission.

"(6) To acquire, or provide assurance that landowners or water users have acquired, such water rights, pursuant to the law of the commonwealth or state applicable thereto, as may be needed in the installation and operation of the works of improvement and public fish and wildlife or recreational development and facilities in connection with works of improvement.

"(7) To cooperate with soil conservation districts in obtaining agreements to carry out recommended soil conservation measures and proper farm plans from owners of land situated in the drainage area above each retention reservoir to be installed with or without federal assistance.

"(8) To apply for and receive federal loans or advancements to finance the local share of costs of carrying out works of improvement and public fish and wildlife or recreational development and facilities in connection with works of improvement, and to submit a plan of repayment satisfactory to the secretary of agriculture or other agent or agency of the United States for any loan or advancement: *Provided,* That such plan of repayment shall be based solely upon contributions, allotments or commitments of funds to the district or commission.

"(9) To cooperate, and enter into agreements with, the secretary of agriculture of the United States or other agent or agency of the United States, and to do all other things required, not inconsistent with the provisions of this compact and the laws of the Commonwealth of Pennsylvania and the State of West Virginia, to obtain maximum federal financial assistance for works of improvement and public fish and wildlife or recreational development and facilities in connection with such works of improvement.

"(B) To acquire within the district, land, easements, rights-of-way and other property rights as may be needed in connection with works of improvement and public fish and wildlife or recreational development and facilities in connection with such works of improvement and to make studies respecting, and to plan, construct, maintain and operate, works of improvement within the district and public fish and wildlife or recreational development and facilities in connection with such works of improvement.

(C) To obtain options upon and to acquire, by purchase, exchange, lease, gift, grant, bequest, devise, eminent domain, or otherwise, any property, real or personal, or rights therein, for any of the purposes specified in this article of the compact: *Provided,* That eminent domain proceedings shall be instituted and prosecuted in the manner and forums provided by the laws of the commonwealth or state in which the property or property rights proceeded against are situate: *Provided, however,* That no property now or hereafter vested in or held by the Commonwealth of Pennsylvania or the State of West Virginia, or by any county, city, town, village, district, township, municipality or other political subdivision thereof shall be taken by the district without the consent of the commonwealth, state or political subdivision which owns the same.

"(D) To maintain, administer and improve any properties acquired, to charge fees for use of, and receive income from, such properties and to expend such income in carrying out the purposes and provisions of this compact, and to lease any of its property or interests therein in accordance with the following provisions and requirements: The board of commissioners of the County of Ohio, West Virginia, the county court of Marshall County, West Virginia, the board of commissioners of Greene County, Pennsylvania, and the board of commissioners of Washington County, Pennsylvania, shall each have the option of leasing from the commission for such period as the lessee may specify all or any part of the works of improvement and the public fish and wildlife and recreational development and facilities in connection with works of improvement located within their respective counties upon the following terms and conditions: (a) That in each such lease the lessee in consideration thereof pay to the lessor the sum of one dollar and agree to fully maintain at its (the lessee's) expense all works of improvement and all such development and facilities in connection therewith located within the county of the lessee in accordance with the requirements of the Watershed Protection and Flood Prevention Act of the eighty-third Congress of the United States, second session (Public Law 566), approved August 4, 1954, as from time to time amended, and all agreements and work plans made or formulated thereunder with respect to such works of improvement and such development and facilities in connection therewith located within the county of the lessee, and that for failure of the lessee to comply with such agreement, the lessor shall be given the right in the lease agreement to cancel the lease upon thirty days written notice to the lessee; (b) that any such lease not be inconsistent with the provisions, or impair the purposes, of this compact; and (c) that any such lease be approved by the secretary of agriculture of the United States or other federal agent or agencies having authority to extend approval under the provisions of said act and agreements and works plan made or formulated thereunder. In the event the board of commissioners or county court of any one of the four counties named does not, within six months from the completion of the works of improvement and all such development and facilities in connection therewith located in such county, elect in writing transmitted to the commission to exercise the option given to it by the foregoing provisions, or in the event such option is exercised and the lease to such board of commissioners or county court is subsequently cancelled because of violation of the provision of the lease by the lessee, or in the event such option is exercised and the board of commissioners or county court subsequently chooses not to renew its lease, the commissioners may lease all or any part of the works of improvement and all such development and facilities in connection therewith located within such county to any other lessee which the commission may choose, and upon such terms as may be agreed upon, *Provided,*

a. That any such lease be approved by the board of commissioners or county court of the county in which any part or all of the works of improvement and all such development and facilities in connection therewith are located.

b. That any such lease not be inconsistent with the provisions, or impair the purposes of this compact.

c. That any such lease be approved by the secretary of agriculture of the United States or other federal agent or agencies having authority to extend approval under the provisions of said act and agreements and work plans made or formulated thereunder.

d. The option of leasing in the board of commissioners of the County of Ohio, West Virginia, the county court of Marshall County, West Virginia, the board of commissioners of Greene County, Pennsylvania, and the board of commissioners of Washington County, Pennsylvania, shall include the right to sublease on the same terms and conditions set out in this paragraph to any individual, corporation, municipal subdivision, or municipal authority without the approval of the Wheeling Creek Watershed Protection and Flood Prevention Commission.

"(E) To enter into contracts and other arrangements with agencies of the United States, with persons, firms or corporations, including both public and private corporations, with the government of the state and the government of the commonwealth, or any department or agency of the United States, the state or commonwealth, with governmental divisions, with soil conservation, drainage, flood control, soil erosion, or other improvement districts in the state or the commonwealth, for cooperation or assistance in constructing improving, operating, or maintaining works of improvement within the district, and public fish and wildlife or recreational development and facilities in connection with works of improvement, or in preventing floods, damage from sediment deposited by floodwaters, or in clearance of stream beds, or in conserving, developing, utilizing, and disposing of water in the district, or for making surveys, investigations, or reports thereof.

"(F) To apply for, receive and use grants-in-aid, donations and contributions from any source or sources, and to accept and use, consistent with the purposes of this compact, bequests, devises, gifts and donations from any person, firm, corporation, state, commonwealth, or agency or political subdivision thereof.

"(G) To do any and all things necessary or convenient for the purpose of promoting, developing and advancing the purposes of said district herein set forth, and in promoting, developing and advancing the recreational development and facilities incidental to the works of improvement that shall be constructed to achieve said purposes.

"(H) To delegate any authority given to it by law to any of its agents or employees, and to expend its funds in the execution of the powers and authority herein given.

"ARTICLE VII. FISCAL AFFAIRS

"The commission shall submit at the appropriate or designated time to the board of commissioners of the County of Ohio, West Virginia, the county court of Marshall County, West Virginia, the board of commissioners of Greene County, Pennsylvania, and the board of commissioners of Washington County, Pennsylvania, an annual budget of its estimated expenditure, which budget shall contain specific recommendations of the amount or amounts to be appropriated by each of the named governing bodies.

"The commission shall not incur any obligation prior to the commitment or allotment of funds by the named governing bodies or by other sources adequate to meet the same.

"The commission shall keep accurate accounts of all receipts and disbursements, which accounts shall be open for inspection at any reasonable time and shall be subject to audit by representatives of contributing political subdivisions and to the Commonwealth of Pennsylvania and State of West Virginia. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its by-laws: *Provided*, That all receipts and disbursements of the commission shall be audited yearly by a qualified public accountant, and the report of the audit shall be transmitted to each contributor of funds to the district or commission.

"ARTICLE VIII. EXEMPTION FROM TAXES AND FEES

"The district and the property belonging to the district shall be exempt from the payment of all taxes or fees imposed by the Commonwealth of Pennsylvania or the State of West Virginia and by any agency and political subdivision thereof.

"ARTICLE IX. EFFECTIVE DATE OF COMPACT

"This compact shall become effective upon ratification by the General assembly of the Commonwealth of Pennsylvania and the Legislature of the State of West Virginia and upon approval by the Congress of the United States."

SEC. 2. The right to alter, amend, or repeal this Act is expressly reserved.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOSS RESERVOIR MASTER CONSERVANCY DISTRICT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 686, Senate bill 1946.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1946) to amend the repayment contract with the Foss Reservoir Master Conservancy District, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior is authorized to conduct feasibility studies in the areas serving the Foss Reservoir Master Conservancy District to determine alternative water sources and the most practicable and feasible methods of alleviating the problems associated with the poor quality and supply of water stored in Foss Reservoir, Washita River Basin project, Oklahoma.

SEC. 2. In order to assist the Foss Reservoir Master Conservancy District in developing an adequate interim water supply, the Secretary of the Interior is authorized to relieve the District (1) of the obligation of making any further construction charge payments under its repayment contract with the United States, numbered 14-06-500-322, dated February 14, 1958, as amended, and (2) of any interest accrual on its total obligation, until initial delivery of water is made which the Secretary considers to be satisfactory for municipal and industrial use. The Secretary is also authorized (a) to refund to the District the amount of $218,364.62, representing the amount already paid under such contract and to revise such contract by adding such amount to the obligation for future payment, (b) to further revise such contract so that further payments on its construction charge obligation will be rescheduled in a manner satisfactory to the Secretary over a period not to exceed fifty years from the date of the aforementioned delivery of water, and (c) to cancel any penalties which have accrued on any unpaid matured construction charge payments.

SEC. 3. The Secretary of the Interior may use any funds that are otherwise available to him to carry out this Act.

Mr. MONRONEY. Mr. President, the bill before us today was introduced by my distinguished colleague, the Senator from Oklahoma [Mr. HARRIS], and myself to try to correct an intolerable situation resulting from lack of full information on the quality of water that would be impounded in the Foss Reservoir on the Washita River to serve the Foss Reservoir Master Conservancy District.

This is a relatively arid area which has grown in population but in which, unfortunately, sources of underground water or of surface water have not been available in sufficient amounts for an adequate water supply. This includes a considerable area in the central-western part of my State. In other words, within the Master Conservancy District are Clinton, Hobart, Bessie, and Cordell.

This master conservancy district was created in 1957, and these cities contracted with the district, and the district with the Bureau of Reclamation, to construct the Foss Reservoir and to pay for their share of the use of the reservoir and for the impoundment of municipal water supplies that would provide about 9 million gallons per day. The municipal water contract would represent approximately $8 million of the construction cost of the Foss project, plus interest.

They were to build a normal water purification and filtration plant, and had in fact received a loan from the Federal Community Facilities Administration last year of $365,000 for the purpose of building a conventional water treating and softening plant.

Wisely, the Community Facilities Administration asked that they name consulting engineers for the district to make a careful study of the size and type of plant required, and the needs that the water impounded in Foss would serve.

After a careful study, the engineers that were employed determined that even after treatment in the conventional plant the water from the Foss Reservoir would still contain about 1,600 parts per million of dissolved solids, or even more.

The engineers recommended that the plant should not be built unless equipment for demineralization of the water could be included. Therefore, the board members decided to cancel plans to build the conventional plant.

Demineralization of the Foss water, unfortunately, will be expensive. They cannot use the soda-ash methods ordinarily used in the purification of water from reservoirs. As a matter of fact, this water will require an expensive study and investigation, not only to find out how to demineralize the water, but also as to the types of purification that can be used. Apparently it will be necessary to build a large purification plant completely dissimilar from those ordinarily built for a city water supply, possibly including electrodialysis equipment with 2 million gallons per day capacity at the start.

To correct this mineral content, which is far harder to take out of the water than ordinary salt solutions, or other impurities of all kinds, will involve many items of new scientific effort.

The investigation indicates that satisfactory results may require the reverse osmosis process. This bill gives the Department of Interior responsibility for evaluation of the problem, and for determining how to alleviate it.

These cities would be able to meet their obligations if the water, as contracted for, could be provided. The situation, as I say, cannot be solved by conventional soda-ash softening and filtering of the water, which does not remove the dissolved solids, the noxious taste, nor the undesirable effects of the Epsom salts which the water contains.

So the purpose of the bill Senator HARRIS and I present here is twofold. It has been amended by the committee; and we accept the amendments as being the best means of solution. The solution proposed is that the Secretary of the Interior, under the bill, is authorized to conduct feasibility studies of ways and means of alleviating the problems encountered by the Foss Reservoir Master Conservancy District associated with the poor quality and supply of water stored in Foss Reservoir, Washita River Basin project, Oklahoma.

This is not a special problem found only in the Foss Reservoir. As a matter of fact, we not infrequently encounter this type of "gyp" water—that is, water containing a high concentration of Epsom salts. This pollution is acquired from running over minerals contained in prairie lands in many sections of our Middle West—which render the water unfit for human consumption.

It seems to me that such a study, made to find ways to eliminate the problem, would be most valuable to many arid parts of the West, where the problem is a common one. This will be adding to our knowledge of water purification, antipollution measures, and demineralization, knowledge which we do not have as yet.

Second, in addition to the study being very beneficial in determining what to do in other reservoirs in addition to Foss, this bill, as we have introduced it and as it is reported by the committee, affords relief to the district from its burden under the repayment contract, wherein it is obligated to pay for water, that is unusable.

This is made possible because the Secretary would be authorized to refund the amount paid thus far under the contract. When usable water is available, this amount will have to be repaid, as will the suspended amount of the construction charges under the contract. Any penalties which have accrued on unpaid construction charges will be canceled.

So thus these cities will be protected against repayments which so far have totaled more than $200,000. I might point out that the first installment was paid in on the day that it became due, and that the cities have paid a second annual contract repayment altogether totaling about $220,000. The third annual repayment was due September 1, 1967.

In addition, the four cities have contributed nearly $75,000, during the past 32 months, for the operation and maintenance of the Foss project works during its current "mothball" period.

So we feel that this is only proper relief to ask: Suspension of payments for a water supply that was supposed to be usable for human consumption—but which, because of the mineral elements found in the watershed, that washed into the reservoir, has proven unusable—until the Bureau of Reclamation, which designed, engineered, and approved this project, finds ways to make the water usable, to help out the cities, which desperately want the water, desperately need it, and are anxious to pay for it as soon as it can be made fit for human consumption.

So I am happy that the Committee on Interior and Insular Affairs has reported this bill with these recommendations to provide for this study to find means of making the water usable, so that the full repayment, amounting, as I say, to some $8 million, can be made by the water users of the cities involved. We can hope through this means to have available the type and supply of water that is so greatly needed to carry on their present growth and their present and future needs for water.

This project was authorized, after careful study by Congress, in Public Law 84-419, 70 Stat. 28. It authorized the construction, operation, and maintenance of the Washita River Basin project for municipal and industrial purposes, irrigation, flood control, fish and wildlife, and recreation purposes.

We furnished an adequate amount of protection against floods. The very devastating floods we once experienced and which cost so much in the western part of the State downstream from where the reservoir is now located have virtually been eliminated.

We have not been able, however, to use any of the water for municipal purposes. Therefore, the purpose of the project relating to human consumption has not been fulfilled because the water has not been available to the public.

The purpose with respect to fish and wildlife, which is a matter reserved to the Federal Government and to the State, has been fulfilled.

Another purpose is for recreation purposes. Although that was included in the bill, the facilities have not yet been developed.

I urge that the Senate take favorable action on the pending bill today so that the bill can be sent to the House. Studies must be made as soon as possible to correct the situation with respect to pollution and to make this water usable for human and industrial consumption as well as for irrigation purposes.

Mr. President, I yield the floor.

Mr. HARRIS. Mr. President, my distinguished senior colleague has very clearly and forcefully explained the case for the rapid enactment of S. 1946 which he and I cosponsored.

The multipurpose Foss Reservoir Master Conservancy District to which the pending bill relates was completed in 1962 at a cost of approximately $21 million. The major purpose of the reservoir, as has been pointed out by my colleague, is adequate municipal water supplies for the towns of Clinton, Hobart, Cordell, and Bessie, which towns had joined together to form the Foss Reservoir Master Conservancy District.

Repayments by the district in the amount of almost $8 million for municipal water were agreed to, and approximately $220,000 of that amount has been paid to date. However, as has been pointed out, soon after the reservoir project was completed it was discovered that the mineral content in the water made it unusable for municipal or industrial purposes.

As was said by the Interior and Insular Affairs Committee in its report, the situation in which the citizens in this part of Oklahoma find themselves is best explained by an excerpt from a statement presented to the subcommittee during the hearing by Mr. Charles E. Engleman, of Clinton, Okla., president of the Foss Reservoir Master Conservancy District.

I ask unanimous consent that the excerpt contained on pages 2 and 3 of the committee report dealing with the statement of Mr. Engleman be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The cities of Clinton, Bessie, Cordell, and Hobart, together with the Foss Irrigation District, have been included in the Foss Reservoir Master Conservancy District since it was created by the Oklahoma Supreme Court in 1957.

These cities contracted with the district, and the district with the Bureau of Reclamation, to repay approximately $8 million of the construction costs of the Foss project, plus interest, in return for municipal water allocations of 9 million gallons per day.

The cities of the district now find themselves in the unfortunate position of paying for water their citizens cannot drink. The situation cannot be solved by conventional soda ash softening and filtering of the water, for that does not remove the dissolved solids—or the obnoxious taste—nor the undesirable effects of the epsom salts, according to the opinion and judgment of the engineers we consider thoroughly reliable.

After a long period of misunderstandings, delays, frustrations, and disappointments, district board members finally received approval, with the able assistance of Senator Mike Monroney and other members of the Oklahoma delegation, for a $365,000 loan from the Community Facilities Administration last year for the purpose of building a conventional water treating and softening plant.

But before the loan was advanced, the newly named consulting engineers for the district discovered and reported to the board members that even after treatment in that conventional plant, the Foss water would still contain approximately 1,600 parts per million of dissolved solids, or even more.

They recommended that the plant should not be built unless equipment for demineralizing the water could be included. So, board members decided to cancel plans to build the conventional plant.

Demineralization of the Foss water, however, will be expensive; so expensive, in fact, that it is far out of the reach of the financial ability of the project cities, if contract repayments as now scheduled are also met.

All of the project cities have paid the first annual contract repayment, and three of them have paid a second annual contract repayment—altogether totaling about $220,000.

The third annual repayment is due September 1, 1967. In addition, the four cities have contributed nearly $75,000 during the past 32 months for the operation and maintenance of the Foss project works during its current "mothball" period.

Month after month, year after year, week after week, interest under the repayment contracts is accruing at a current rate of about $448.50 per day.

But not one drop of water has been delivered to the cities. If it were delivered to the cities at the present time, in its present condition, it could not be used.

So, what is the future of Foss Reservoir at this point, nearly 10 years after our cities agreed to pay for, and the Bureau of Reclamation agreed to deliver, municipal water for this usually productive, but frequently drought-stricken area of western Oklahoma?

Can it be possible that the 50,000 or so people in this area will see their high hopes for Foss Reservoir as a dependable, plentiful water supply become a mere mirage?

Demineralization—one of the new wonders of modern technology—could salvage the municipal phase of this project. With modern demineralization equipment, and its operation, the reservoir could be "rescued" and made to fulfill its full mission.

With officials of these project cities trying to stretch budgets in order to meet already contracted dam and aqueduct repayment and worried about meeting other operating costs of the project, and costs of maintaining present systems, it becomes crystal clear to us that the cost of demineralization is far beyond the ability of the district cities to meet.

Mr. HARRIS. Mr. President, the pending bill does not provide as much as my senior colleague and I and the citizens of that area of Oklahoma hoped we might be able to obtain during this session of the Congress. However, this is a giant step toward a total solution of the problem.

The bill authorizes a feasibility study to be made by the Department of the Interior of the ways and means of alleviating the problem encountered by the Foss Reservoir Master Conservancy District. Because of the poor quality of the water which is stored in that reservoir, our greatest need in respect to this problem in that area of Oklahoma is to have sufficient usable water for municipal and industrial purposes. So, it is highly important that that portion of the bill be enacted as rapidly as possible and that detailed recommendations be made for the construction of the type of plant which will make it possible for this water to be used for those purposes.

The bill also quite properly affords relief to the districts from the burden assumed under its repayment contract whereby it is obligated to pay for water that is unusable. The relief granted in that respect is by means of suspending further construction charge payments and interest accruing on the total obligation until good water is available and until we are able to do what was originally intended when this reservoir was constructed and when that obligation was entered into.

Furthermore, and highly important and completely equitable, this bill authorizes the Secretary of the Interior to refund $220,000, the amount paid thus far on this contract.

Mr. President, my distinguished colleague and I have sought by this legislation to commit the Government to the construction of a desalinization plant. However, in the wisdom of the committee, that portion of the bill was deleted and a decision on the matter was deferred pending further study.

I may say, however, that we are very pleased that there is contained in the committee report a letter from Mr. Kenneth Holum, Assistant Secretary of the Interior, addressed to the distinguished chairman of the Committee on Interior and Insular Affairs, wherein it is stated on page 7 of the report:

> The Department of the Interior recognizes an obligation to assist the district to provide water which is suitable for use by the district. It is obvious that, for a number of reasons, the water in Foss Reservoir is not suitable and not what the district expected to receive when it entered into agreements with this Department.

Therefore, because of the changes made in the repayment obligations, because of the feasibility study, and because of the recognition of the Government's obligation in respect to the delivery of good water, my colleague and I are very pleased that the pending bill has been reported to the Senate by the Committee on Interior and Insular Affairs.

My senior colleague and I met in Oklahoma City on November 3, 1966, with a group of people led by Mr. Charles Engleman, president of the Foss Reservoir Master Conservancy District, at which time they very forcefully brought this problem to our attention and urged that action be taken in a legislative way.

I am very pleased that, because of their diligent effort, because of the advocacy especially of my distinguished senior colleague with whom I have been pleased to join in sponsoring this measure, and because of the very rapid action and consideration by the Interior and Insular Affairs Committee, headed by the distinguished Senator from Washington [Mr. Jackson], we have been able to get this bill to the floor of the Senate in such a relatively short period of time.

The pending bill seeks to do equity. I, therefore, hope that it will be speedily enacted into law.

I yield the floor.

The PRESIDING OFFICER. The committee amendment is open to amendment.

If there be no amendment to be proposed, the question is on agreeing to the committee amendment in the nature of a substitute.

The committee amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading ond was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

So the bill (S. 1946) was passed.

Mr. MONRONEY. Mr. President, I move to reconsider the vote by which the bill passed.

Mr. HARRIS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

UNDESERVED, SEVERE CRITICISM OF THE NATIONAL GUARD

Mr. MONRONEY. Mr. President, one result of the recent rioting in cities across the Nation is a revived public interest in the National Guard. Incidents involving Guard units in Detroit and Newark have generated severe criticism which unfortunately has not been confined to those units alone.

The October 27 issue of Life magazine contains an article, based on the writer's limited association of 64 hours with the Guard, which makes a mockery of the entire organization by referring to it as a "haven for the comic soldier."

Under leave to extend my remarks, I am including in the RECORD a letter from Maj. Jimmy Kellogg of the Oklahoma National Guard to the editor of Life magazine protesting the injustice of the article. Major Kellogg is assistant division provost marshall for the 45th Infantry Division and I share his indignation over the biased insinuations in the article.

The primary purpose of the National Guard is to provide a Reserve Force for the Regular Army. Divisions such as the 45th of Oklahoma can point with pride to 75 of 88 units which, this year, received an Army rating of excellent or superior, nine Medal of Honor winners, and a record of more combat days and amphibious landings than any other division in World War II.

Today, citizen soldiers are, for the first time in history, serving voluntarily on active duty. The Oklahoma Army National Guard has sent 70 volunteers to Vietnam and over 300 members of the Air National Guard are eligible for the Vietnam Service Medal. Surely these units are comprised of something more than comic soldiers.

A secondary purpose of the National Guard is to participate in the quieting of civil disturbances. In many cases, notably Watts, Cleveland, Chicago, and Milwaukee, the Guard has performed this function well.

Criticism of the actions of Guard units in Detroit and Newark should not be a justification for a sweeping indictment of the entire organization. The National Guard is deserving of a more considered analysis, one which combines constructive criticism with recognition of its achievements and merit.

Mr. President, I ask unanimous consent that the letter sent to the editors of Time and Life by Maj. Jimmy Kellogg be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

STRINGTOWN, OKLA.,
October 27, 1967.

LIFE,
Time and Life Building,
Rockefeller Center,
New York, N.Y.

DEAR SIR: I am writing concerning your article in the Oct. 27th issue of Life, concerning the National Guard.

I am a member of the 45th Infantry Division, Oklahoma National Guard. I hold the rank of Major and am presently assigned as Assistant Division Provost Marshall. I will soon have thirteen years service in this Division.

I guess I am a typical citizen soldier, my vocation being a Superintendent of schools. I drill one weekend a month in Okla. City which is about 130 miles from my home. I am extremely indignant and disappointed in your treatment of the Guard in this article. It seems to me that your opinion of the Guard is based on very limited experience.

I would extend a challenge for you to come to Okla. City and visit the 45th M. P. Company of which I am a part. Come without notice, see this unit train, meet its officers and men. I assure you that this unit can soldier with any outfit in the Army of the United States.

I also would have you to investigate the operation of the 45th Division. Its officers meet the same educational requirements as the regular Army. Give us the minimum amount of time and active duty and we can soldier and fight with any regular Army division. The fact that we are not in Vietnam today is not our decision. We are ready, and able to do the job, when our Country calls.

Articles like the one mentioned are a disservice to citizens like me, Guard divisions like the 45th, and the United States. For every one "comic soldier" as you call them, there are 50 who have chills down their spine when they see the Stars and Stripes go by or hear the National Anthem. Men who are proud of the Guard and its gallant defense of this country. Men who are ready to serve and secretly hope for mobilization and a chance to do their share.

Rest assured my friend, that when sharp tongued, ill-informed, ill-advised, people like you have long since passed from the scene and battles must be fought, the National Guard will be there on the F.E.B.A. They will fight and win their countries battles and then go home once again to take up their role as patriotic, hard working tax paying citizens, willing to trade plow shares for rifles in time of war and be the backbone of our nation in time of peace, by spending spare time in training and preparation for other emergencies.

Once again I challenge you to come to Oklahoma. Meet the men who wear the C. I. B. with a star. Men who have tasted battle, men whose fathers and brothers have poured out their blood and died on foreign soil, far from the Red River, the Kiamichi Mountains and plains of Oklahoma. Tell them they are "Comic Soldiers," tell them that they and their friends, brothers and forefathers of the National Guard are draft-dodgers!

Read the list of Medal of Honor winners

in the Thunderbird Division, study our History and combat record and our present record of training and achievement. You will find that we are, have been, and will continue to be, capable, proud and ready to fight and die if necessary for the watch words of our heritage, Duty, Honor and Country.

JIMMY R. KELLOGG.

AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 707, S. 830.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 830) to prohibit age discrimination in employment.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Labor and Public Welfare, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Age Discrimination in Employment Act of 1967".

STATEMENT OF FINDINGS AND PURPOSE

SEC. 2. (a) The Congress hereby finds and declares that—

(1) in the face of rising productivity and affluence, older workers find themselves disadvantaged in their efforts to retain employment, and especially to regain employment when displaced from jobs;

(2) the setting of arbitrary age limits regardless of potential for job performance has become a common practice, and certain otherwise desirable practices may work to the disadvantage of older persons;

(3) the incidence of unemployment, especially long-term unemployment with resultant deterioration of skill, morale, and employer acceptability is, relative to the younger ages, high among older workers; their numbers are great and growing; and their employment problems grave;

(4) the existence in industries affecting commerce of arbitrary discrimination in employment because of age burdens commerce and the free flow of goods in commerce.

(b) It is therefore the purpose of this Act to promote employment of older persons based on their ability rather than age; to prohibit arbitrary age discrimination in employment; to help employers and workers find ways of meeting problems arising from the impact of age on employment.

EDUCATION AND RESEARCH PROGRAM

SEC. 3. (a) The Secretary of Labor shall undertake studies and provide information to labor unions, management, and the general public concerning the needs and abilities of older workers, and their potentials for continued employment and contribution to the economy. In order to achieve the purposes of this Act, the Secretary of Labor shall carry on a continuing program of education and information, under which he may, among other measures:

(1) undertake research, and promote research, with a view to reducing barriers to the employment of older persons, and the promotion of measures for utilizing their skills;

(2) publish and otherwise make available to employers, professional societies, the various media of communication, and other interested persons the findings of studies and other materials for the promotion of employment;

(3) foster, through the public employment service system and through cooperative effort, the development of facilities of public and private agencies for expanding the opportunities and potentials of older persons;

(4) sponsor and assist State and community informational and educational programs.

(b) Not later than six months after the effective date of this Act, the Secretary shall recommend to the Congress any measures he may deem desirable to change the lower or upper age limits set forth in section 12.

PROHIBITION OF AGE DISCRIMINATION

SEC. 4. (a) It shall be unlawful for an employer—

(1) to fail or refuse to hire or to discharge any individual or otherwise discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's age;

(2) to limit, segregate, or classify his employees in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's age; or

(3) to reduce the wage rate of any employee in order to comply with this Act.

(b) It shall be unlawful for an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against, any individual because of such individual's age, or to classify or refer for employment any individual on the basis of such individual's age.

(c) It shall be unlawful for a labor organization—

(1) to exclude or to expel from its membership, or otherwise to discriminate against, any individual because of his age;

(2) to limit, segregate, or classify its membership, or to classify or fail or refuse to refer for employment any individual, in any way which would deprive or tend to deprive any individual of employment opportunities, or would limit such employment opportunities or otherwise adversely affect his status as an employee or as an applicant for employment, because of such individual's age;

(3) to cause or attempt to cause an employer to discriminate against an individual in violation of this section.

(d) It shall be unlawful for an employer to discriminate against any of his employees or applicants for employment, for an employment agency to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because such individual, member, or applicant for membership, has opposed any practice made unlawful by this section, or because such individual, member, or applicant for membership has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or litigation under this Act.

(e) It shall be unlawful for an employer, labor organization, or employment agency to print or publish, or cause to be printed or published, any notice or advertisement relating to employment by such an employer or membership in or any classification or referral for employment by such a labor organization, or relating to any classification or referral for employment by such an employment agency, indicating any preference, limitation, specification, or discrimination, based on age.

(f) It shall not be unlawful for an employer, employment agency, or labor organization—

(1) to take any action other wise prohibited under subsection (a), (b), (c), or (e) of this section where age is a bona fide occupational qualification reasonably necessary to the normal operation of the particular business, or where the differentiation is based on reasonable factors other than age;

(2) to observe the terms of a bona fide seniority system or any bona fide employee benefit plan such as retirement, pension, or insurance plan, which is not a subterfuge to evade the purposes of this Act, except that no such employee benefit plan shall excuse the failure to hire any individual; or

(3) to discharge or otherwise discipline an individual for good cause.

STUDY BY SECRETARY OF LABOR

SEC. 5. The Secretary of Labor is directed to undertake an appropriate study of institutional and other arrangements giving rise to involuntary retirement, and report his findings and any appropriate legislative recommendations to the President and to the Congress.

ADMINISTRATION

SEC. 6. The Secretary shall have the power—

(a) to make delegations, to appoint such agents and employees, and to pay for technical assistance on a fee-for-service basis, as he deems necessary to assist him in the performance of his functions under this Act;

(b) to cooperate with regional, State, local, and other agencies, and to cooperate with and furnish technical assistance to employers, labor organizations, and employment agencies to aid in effectuating the purposes of this Act.

RECORDKEEPING, INVESTIGATION, AND ENFORCEMENT

SEC. 7. (a) The Secretary shall have the power to make investigations and require the keeping of records necessary or appropriate for the administration of this Act in accordance with the powers and procedures provided in sections 9 and 11 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 209 and 211).

(b) The provisions of this Act shall be enforced in accordance with the powers, remedies, and procedures provided in sections 11(b), 16 (except for subsection (a) thereof), and 17 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 211(b), 216, 217) and subsection (c) of this section. Any act prohibited under section 4 of this Act shall be deemed to be a prohibited act under section 15 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 215). Amounts owing to an individual as a result of a violation of this Act shall be deemed to be unpaid minimum wages or unpaid overtime compensation for purposes of sections 16 and 17 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 216, 217): *Provided*, That liquidated damages shall be payable only in cases of willful violations of this Act. In any action brought to enforce this Act the court shall have jurisdiction to grant such legal or equitable relief as may be appropriate to effectuate the purposes of this Act, including without limitation judgments compelling employment, reinstatement or promotion, or enforcing the liability for amounts deemed to be unpaid minimum wages or unpaid overtime compensation under this section. Before instituting any action under this section, the Secretary shall attempt to eliminate the discriminatory practice or practices alleged, and to effect voluntary compliance with the requirements of this Act through informal methods of conciliation, conference, and persuasion.

(c) Any aggrieved individual may bring a civil action in any court of competent jurisdiction for such legal or equitable relief as will effectuate the purposes of this Act: *Provided*, That the right of any individual to bring such action shall terminate upon the commencement of an action by the Secretary to enforce the right of such individual under this Act.

(d) No civil action may be commenced by any individual under this section until the individual has given the Secretary not less than sixty days' notice of an intent to file such action. Such notice shall be filed—

(1) within one hundred and eighty days after the alleged unlawful practice occurred, or

(2) in a case to which section 13(b) applies, within three hundred days after the alleged unlawful practice occurred or within thirty days after receipt by the individual of notice of termination of proceedings under State law, whichever is earlier.

Upon receiving a notice of intent to sue, the Secretary shall promptly notify all persons named therein as prospective defendants in the action and shall promptly seek to eliminate any alleged unlawful practice by informal methods of conciliation, conference, and persuasion.

(e) Sections 6 and 10 of the Portal-to-Portal Act of 1947 shall apply to actions under this Act.

NOTICES TO BE POSTED

SEC. 8. Every employer, employment agency, and labor organization shall post and keep posted in conspicuous places upon its premises a notice to be prepared or approved by the Secretary setting forth information as the Secretary deems appropriate to effectuate the purposes of this Act.

RULES AND REGULATIONS

SEC. 9. In accordance with the provisions of subchapter II of chapter 5 of title 5, United States Code, the Secretary of Labor may issue such rules and regulations as he may consider necessary or appropriate for carrying out this Act, and may establish such reasonable exemptions to and from any or all provisions of this Act as he may find necessary and proper in the public interest.

CRIMINAL PENALTIES

SEC. 10. Whoever shall forcibly resist, oppose, impede, intimidate, or interfere with a duly authorized representative of the Secretary while he is engaged in the performance of duties under this Act shall be punished by a fine of not more than $500 or by imprisonment for not more than one year, or by both: *Provided, however,* That no person shall be imprisoned under this section except when there has been a prior conviction hereunder.

DEFINITIONS

SEC. 11. For the purposes of this Act—

(a) The term "person" means one or more individuals, partnerships, associations, labor organizations, corporations, business trusts, legal representatives, or any organized groups of persons.

(b) The term "employer" means a person engaged in an industry affecting commerce who has twenty-five or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year: *Provided,* That prior to June 30, 1968, employers having fewer than fifty employees shall not be considered employers. The term also means any agent of such a person, but such term does not include the United States, a corporation wholly owned by the Government of the United States, or a State or political subdivision thereof.

(c) The term "employment agency" means any person regularly undertaking with or without compensation to procure employees for an employer and includes an agent of such a person; but shall not include an agency of the United States, or any agency of a State or political subdivision of a State, except that such term shall include the United States Employment Service and the system of State and local employment services receiving Federal assistance.

(d) The term "labor organization" means a labor organization engaged in an industry affecting commerce, and any agent of such an organization, and includes any organization of any kind, any agency, or employee representation committee, group, association, or plan so engaged in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment, and any conference, general committee, joint or system board, or joint council so engaged which is subordinate to a national or international labor organization.

(e) A labor organization shall be deemed to be engaged in any industry affecting commerce if (1) it maintains or operates a hiring hall or hiring office which procures employees for an employer or procures for employees opportunities to work for an employer, or (2) the number of its members (or, where it is a labor organization composed of other labor organizations or their representatives, if the aggregate number of the members of such other labor organization) is fifty or more prior to July 1, 1968, or twenty-five or more on or after July 1, 1968, and such labor organization—

(1) is the certified representative of employees under the provisions of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended; or

(2) although not certified, is a national or international labor organization or a local labor organization recognized or acting as the representative of employees of an employer or employers engaged in an industry affecting commerce; or

(3) has chartered a local labor organization or subsidiary body which is representing or actively seeking to represent employees of employers within the meaning of paragraph (1) or (2); or

(4) has been chartered by a labor organization representing or actively seeking to represent employees within the meaning of paragraph (1) or (2) as the local or subordinate body through which such employees may enjoy membership or become affiliated with such labor organization; or

(5) is a conference, general committee, joint or system board, or joint council subordinate to a national or international labor organization, which includes a labor organization engaged in an industry affecting commerce within the meaning of any of the preceding paragraphs of this subsection.

(f) The term "employee" means an individual employed by an employer.

(g) The term "commerce" means trade, traffic, commerce, transportation, transmission, or communication among the several States; or between a State and any place outside thereof; or within the District of Columbia, or a possession of the United States, or between points in the same State but through a point outside thereof.

(h) The term "industry affecting commerce" means any activity, business, or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce and includes any activity or industry "affecting commerce" within the meaning of the Labor-Management Reporting and Disclosure Act of 1959.

(i) The term "State" includes a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act.

LIMITATION

SEC. 12. The prohibitions in this Act shall be limited to individuals who are at least forty years of age but less than sixty-five years of age.

ANNUAL REPORT

SEC. 13. The Secretary shall submit annually in January a report to the Congress covering his activities for the preceding year and including such information, data, and recommendations for further legislation in connection with the matters covered by this Act as he may find advisable. Such report shall contain an evaluation and appraised by the Secretary of the effect of the minimum and maximum ages established by this Act, together with his recommendations to the Congress. In making such evaluation and appraisal, the Secretary shall take into consideration any changes which may have occurred in the general age level of the population, the effect of the Act upon workers not covered by its provisions, and such other factors as he may deem pertinent.

FEDERAL-STATE RELATIONSHIP

SEC. 14. (a) Nothing in this Act shall affect the jurisdiction of any agency of any State performing like functions with regard to discriminatory employment practices on account of age except that upon commencement of an action under this Act such action shall supersede any State action.

(b) In the case of an alleged unlawful practice occurring in a State which has a law prohibiting discrimination in employment because of age and establishing or authorizing a State authority to grant or seek relief from such discriminatory practice, no suit may be brought under section 7 of this Act before the expiration of sixty days after proceedings have been commenced under the State law, unless such proceedings have been earlier terminated, provided that such sixty-day period shall be extended to one hundred and twenty days during the first year after the effective date of such State law. If any requirement for the commencement of such proceedings is imposed by a State authority other than a requirement of the filing of a written and signed statement of the facts upon which the proceeding is based, the proceeding shall be deemed to have been commenced for the purposes of this subsection at the time such statement is sent by registered mail to the appropriate State authority.

EFFECTIVE DATE

SEC. 15. This Act shall become effective one hundred and eighty days after enactment (except (a) that the Secretary of Labor may extend the delay in effective date of any provision of this Act up to an additional ninety days thereafter if he finds that such time is necessary in permitting adjustments to the provisions hereof, and (b) that on or after the date of enactment the Secretary of Labor is authorized to issue such rules and regulations as may be necessary to carry out its provisions).

APPROPRIATIONS

SEC. 16. There are hereby authorized to be appropriated such sums, not in excess of $3,000,000 for any fiscal year, as may be necessary to carry out this Act.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that that portion of the committee report (No. 723) beginning with the purpose of the legislation on page 1, through the fourth paragraph on page 7, be printed in the RECORD.

There being no objection, the excerpt from the report was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE LEGISLATION

It is the purpose of S. 830 to promote the employment of older workers based on their ability. This would be done through an education and information program to assist employers and employees in meeting employment problems which are real and dispelling those which are illusory, and through the utilization of informal and formal remedial procedures where the education program has failed in its objective—the ending of employment discrimination based upon age. The prohibitions in the bill apply to employers, employment agencies, and labor organizations.

BACKGROUND

During recent years bills have been introduced in both the Senate and House to bar discrimination in employment on account of age. Also, duirng the last several years, significant legislation to bar discrimination in employment on the basis of race, religion, color, and sex have been enacted.

Section 715 of Public Law 88–352 (Civil Rights Act of 1964) directed the Secretary of Labor to make a study of the problem of age discrimination in employment. The product of that study was a report—"The Older American Worker—Age Discrimination in Employment"—issued June 1965. In his report, the Secretary recommended action to eliminate arbitrary age discrimination in employment and said:

"The possibility of new nonstatutory means of dealing with such arbitrary discrimination has been explored. That area is barren * * * A clear-cut and implemented Federal policy * * * would provide a foundation for a much-needed vigorous, nationwide campaign to promote hiring without discrimination on the basis of age."

Section 606 of Public Law 89–601 (Fair Labor Standards Amendments of 1966) directed the Secretary to submit "his specific legislative recommendations for implementing the conclusions and recommendations contained in his report on age discrimination in employment made pursuant to section 715 of Public Law 88–352." The President, in his Older American message of January 23, 1967, recommended the Age Discrimination in Employment Act of 1967, which was transmitted to the Congress by the Secretary in February.

The President's message, in the section on job opportunities, stated:

"Hundreds of thousands, not yet old, not yet voluntarily retired, find themselves jobless because of arbitrary age discrimination. Despite our present low rate of unemployment, there has been a persistent average of 850,000 people age 45 and over who are unemployed. Today more than three-quarters of the billion dollars in unemployment insurance is paid each year to workers who are 45 and over. They comprise 27 percent of all the unemployed, and 40 percent of the long-term unemployed."

STATE LEGISLATION

There are now 24 States and Puerto Rico which have age discrimination legislation. A number of other State legislatures have passed resolutions declaring age discrimination to be against public policy.

Studies have been made to determine the relative effectiveness of State laws, but the findings have been somewhat inconclusive as the effects of the laws are difficult to measure with any degree of accuracy. An analysis of the responses to a survey conducted by the Manpower Administration of the Department of Labor during May-June 1963 indicated the following:

(1) The most easily measured effect of such laws is the reduction of age discriminatory specifications in job advertisements. Of the 11 States which have such provisions in their laws, seven stressed this effect.

(2) A second important effect was the reduction in age discriminatory specifications in job orders filed with employment agencies.

(3) There appeared to be a general underlying presumption by the reporting States that there was a lessening of discrimination in actual hiring.

(4) The volume of complaints is related to public awareness of the law as a result of promotional activity, rather than to the effect of discrimination.

(5) The overall reaction to the laws is favorable.

(6) While promotion, education, and persuasion are most effective, enforcement procedures are necessary to get the required attention of employers and others.

The provisions of S. 830 reflect substantial awareness and consideration of these conclusions. It is important to note also, that in a canvass of State officials regarding the advisability of Federal action against employment discrimination on account of age, most operating officials perceived advantages in a national policy against such discrimination and were in favor of the passage of Federal legislation.

COMMITTEE ACTION

The Subcommittee on Labor began public hearings on S. 830 on March 15, 1967. They lasted for 3 days, during which time the subcommittee heard from 19 witnesses. In addition, numerous statements were filed with the subcommittee by other interested persons and groups.

Support for the general purposes of the legislation was unanimous. In several instances testimony contained suggestions for changes in the original bill. A number of these suggestions as well as others were accepted by the subcommittee on April 26, 1967, and the bill was reported favorably to the Committee on Labor and Public Welfare. During the committee's consideration on three separate dates, additional amendments were approved and an amendment in the nature of a substitute was unanimously approved and ordered reported.

SUMMARY OF MAJOR PROVISIONS

Education and research program

Section 3 of the bill authorizes the Secretary of Labor:

1. To carry on a continuing program of education and information to reduce barriers to the employment of workers between 40 and 65 years of age;

2. To publish his findings for the promotion of the employment of these workers;

3. To foster through the public employment service and through cooperative effort, the development of public and private agencies for expanding employment opportunities for older workers; and

4. To sponsor and assist State and community informational and educational programs.

These functions can do much to correct age discriminatory employment practices and are therefore vital to the overall effectiveness of the bill. They are means of affecting salutary changes in attitude which will induce compliance with the simple justice the proposal espouses, thereby making enforcement measures unnecessary. This viewpoint was corroborated by many of the witnesses, including representatives of State agencies and labor and management.

Prohibition of age discrimination

Section 4 of the bill provides that:

A. It shall be unlawful for an employer of 50 or more persons (25 or more after June 30, 1968):

1. To fail or refuse to hire, or to discharge or discriminate against any individual as to compensation, terms, conditions, or privileges of employment, because of age;

2. To limit, segregate, or classify employees so as to deprive them of employment opportunities or adversely affect their status; or

3. To reduce the wage rate of any employee in order to comply with this act.

B. It shall be unlawful for an employment agency, including the U.S. Employment service, to fail or refuse to refer any individual for employment, or to classify any individual for employment on the basis of age.

C. It shall be unlawful for a labor organization with 50 or more members (25 or more after June 30, 1968):

1. To discriminate against any individual because of age by excluding or expelling him from membership, or by limiting, segregating, or classifying its membership by age;

2. To fail to refer for employment any individual because of age, which failure may result of a deprivation of employment opportunities; or

3. To cause or attempt to cause an employer to discriminate against an individual because of age.

D. It shall be unlawful for an employer, employment agency, or labor organization:

1. To discriminate against a person for opposing a practice made unlawful by this act, or for participating in any proceeding hereunder; or

2. To use printed or published notices or advertisements indicating a preference, specification, or discrimination, based on age.

E. Exceptions to the forementioned unlawful practices:

1. Where age is a bona fide occupational qualification reasonably necessary to the particular business.

2. Where differentiation is based on reasonable factors other than age.

3. To comply with the terms of any bona fide seniority system or employee benefit plan which is not a subterfuge to evade the purposes of this act, except that no employee benefit plan shall excuse the failure to hire an individual.

4. To discharge or discipline an individual for good cause.

It is important to note that exception (3) applies to new and existing employee benefit plans, and to both the establishment and maintenance of such plans. This exception serves to emphasize the primary purpose of the bill—hiring of olders workers—by permitting employment without necessarily including such workers in employee benefit plans. The specific exception was an amendment to the original bill and was favorably received by witnesses at the hearings.

Study, recommendations, and reporting

Section 5 directs the Secretary to study institutional and other arrangements giving rise to involuntary retirement and report his findings with appropriate legislative recommendations to the President and the Congress.

Section 13 directs the Secretary to make an annual report to the Congress regarding the activities carried on in the administration of this act, including an evaluation of the minimum and maximum ages established by the act, with his recommendations to the Congress.

Section 3(b) further directs the Secretary, not later than 6 months after the effective date of the act, to recommend to the Congress any measures he may deem desirable to change the lower or upper age limits established herein.

Investigation and enforcement

The investigation and enforcement provisions of the bill essentially follow those of the Fair Labor Standards Act. The enforcement provisions replace those in the original bill which were similar to the National Labor Relations Act approach. The private witnesses who appeared at the hearings were unanimous in preferring this type of enforcement to that originally in the bill which had envisaged an administrative hearing prior to court review. The bill now authorizes an individual, as well as the Secretary of Labor, to seek remedies through court action. A condition precedent to the bringing of action by an individual is that he must give the Secretary 60 days' notice of his intention to do so. This is to allow time for the Secretary to mediate the grievance.

It is intended that the responsibility for enforcement vested in the Secretary by section 7 be initially directed through informal methods of conciliation and that the formal methods be applied only if voluntary compliance cannot be achieved.

In order for the Secretary to discharge his responsibilities under the act, section 7(c) provides that rights of individuals to bring actions shall terminate when the Secretary commences an action covering the particular grievance for which vindication is sought.

In summary, section 7 of the bill:

(1) Authorizes the Secretary to make investigations and to require appropriate recordkeeping in accordance with the powers and procedures provided in sections 9 and 11 of the Fair Labor Standards Act of 1938.

(2) Directs the Secretary to attempt to

secure voluntary compliance through conciliation before instituting action, and requires 60 days' notice to the Secretary by persons intending to file civil actions to provide time for the Secretary by informed methods to bring about compliance with the act.

(3) Provides for enforcement of the act in accordance with the powers, remedies and procedures of sections 11(b), 16 (except (a) thereof), and 17 of the Fair Labor Standards Act of 1938, and section 7 of this act. Provides that amounts owing as a result of violation of this act shall be deemed to be unpaid minimum wages or unpaid overtime compensation for the purposes of sections 16 and 17 of the Fair Labor Standards Act of 1938, and that liquidated damages will be payable only for willful violations.

(4) Gives the Secretary or aggrieved individuals power to bring civil actions for legal or equitable relief. However commencement of an action by the Secretary to enforce rights of an individual terminates that individual's right to bring his own action.

(5) Requires that suits brought to enforce the act must be brought within 2 years after the cause of action accrued, or in the case of a willful violation, within 3 years, and that in the case of suits brought by individuals notice of intention to sue must be given the Secretary of Labor within 180 days after the alleged unlawful practice occurred, except that where action has been commenced under a State statute this period shall be extended to 300 days. It further provides that suits shall be barred against any employer, employment agency, or labor organization that has relied in good faith upon regulations, administrative practices, or enforcement policies later modified, rescinded, or determined by judicial authority to be invalid or of no legal effect.

Federal-State relationship

Section 14 provides for concurrent Federal and State actions, except that in States having laws prohibiting discrimination in employment because of age, no suit may be brought under this act before the expiration of 60 days after proceedings have been commenced under the State law (120 days during the first year after the effective date of the State law), unless such proceedings have been earlier terminated. Furthermore, commencement of an action under this act shall be a stay on any State action previously commenced. This provision will protect employers, such as those engaged in the transportation industry, from having to defend against a multiplicity of suits in various State courts when they operate simultaneously in several States.

Rules and regulations

Sections 6 and 9 empower the Secretary—

(1) To issue rules and regulations in accordance with procedure established by the Administrative Procedure Act to administer the act.

(2) To delegate authority and pay for technical assistance on a fee-service basis for aid in administering the act.

(3) To cooperate with regional, State, local, or other agencies, and to cooperate with and furnish technical assistance to employers, labor organizations, and employment agencies to aid in effectuating the purposes of the act.

Criminal penalties

Section 10 provides criminal penalties in the case of willful interference with duly authorized representatives of the Secretary.

Age limitation

Section 12 limits the prohibitions in the act to persons who are at least 40, but less than 65 years of age. The committee reduced the lower age limit from 45 in the original bill to 40, since testimony indicated this to be the age at which age discrimination in employment usually becomes evident. It is also the lower age limit found in most State statutes bearing on this subject. The committee declined to further lower the age limitation, notwithstanding the highly effective and persuasive presentations made by witnesses representing airline stewardesses—some of whom are not permitted to continue as stewardesses after age 32. Although the committee recognized the significance of the problem, it was felt a further lowering of the age limit prescribed by the bill would lessen the primary objective; that is, the promotion of employment opportunities for older workers.

The case presented by the airline stewardesses, many of whom must by company rule cease acting as stewardess at age 32 or 35, reveals an apparent gross and arbitrary employment distinction based on age. It deserves mention again, that the only reason the committee bill does not specifically redress this discrimination is in the interest of the major objective of the bill. However, in lieu of such provision, the committee added section 3(b) and expects the Secretary—pursuant to the subsection—to undertake a study in this area, making whatever recommendations he deems appropriate.

The committee further recognizes that in some industries a disproportionately high number of older workers are found in the work force. In some cases, this has resulted from a decline in total employment in such an industry, coupled with the exercise of seniority rights. The committee does not intend that the legislation be administered in such a way as to worsen a situation such as this.

In industries such as the trucking industry, regulatory agencies, for the safety and convenience of the public, have imposed requirements as to the physical qualifications of employees. It is not the purpose of this legislation to require the employment of anyone, regardless of age, who is not qualified on grounds other than age to perform the job.

Many different types of employment situations prevail. Administration of this law must place emphasis on case-by-case basis, with unusual working conditions weighed on their own merits. The purpose of this legislation, simply stated, is to insure that age, within the limits prescribed herein, is not a determining factor in a refusal to hire.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that immediately following that excerpt there be printed in the RECORD the section-by-section analysis of the bill beginning two paragraphs above the bottom of page 7, and continuing through the last paragraph on page 12 of the report.

There being no objection, the excerpt from the report was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS

SECTION 1.—SHORT TITLE

This section provides that the act may be cited as the "Age Discrimination in Employment Act of 1967."

SECTION 2.—STATEMENT OF FINDINGS AND PURPOSE

This section contains a congressional finding that older workers find themselves disadvantaged in their efforts to retain or regain employment, that arbitrary age limits and certain other practices may work to the disadvantage of older persons, that the incidence of unemployment is higher among older workers and their numbers are growing, and that arbitrary discrimination in employment in industries affecting commerce because of age, burdens commerce and the free flow of goods in commerce.

The section, in subsection (b), declares it to be the purpose of the act to promote employment of older persons based on their ability rather than age, to prohibit arbitrary age discrimination in employment, and to help employers and workers find ways of meeting problems arising from the impact of age on employment.

SECTION 3.—EDUCATION AND RESEARCH PROGRAM

Subsection (a) of this section directs the Secretary of Labor to undertake studies to provide information to labor unions, management, and the general public concerning the needs and abilities of older workers and their potential for continued employment and contribution to the economy. The Secretary is directed to carry on a continuing program of education and information under which among other things he may—

(1) undertake and promote research to reduce barriers in the employment of older persons,

(2) publish and otherwise make available the findings of studies and other materials for the promotion of employment of older persons,

(3) foster the development of facilities of public and private agencies for expanding the opportunities and potentials of older workers, and

(4) sponsor and assist State and community informational and educational programs in this area.

Subsection (b) of this section requires the Secretary, within 6 months, to recommend to Congress any measures he deems desirable to change the lower or upper age limits which are established by section 12.

SECTION 4.—PROHIBITION OF AGE DISCRIMINATION

Subsection (a) of this section makes it unlawful for an employer (1) to fail or refuse to hire, or to discharge, any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's age; or (2) to limit, segregate, or classify his employees in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of his age or (3) to reduce the wage rate of any employee in order to comply with this act.

Subsection (b) of this section makes it unlawful for an employment agency to fail or refuse to refer for employment, or otherwise discriminate against, any individual because of his age, or to classify or refer for employment any individual on the basis of his age.

Subsection (c) makes it unlawful for a labor organization (1) to exclude or expel from its membership, or otherwise discriminate against, any individual because of his age, (2) to limit, segregate, or classify its membership, or to classify or fail or refuse to refer for employment any individual, in any way which would deprive or tend to deprive any individual of employment opportunities, or would limit such employment opportunities or otherwise adversely affect his status as an employee or as an applicant for employment, because of his age, or (3) to cause or attempt to cause an employer to discriminate against an individual in violation of this section.

Subsection (d) of this section makes it unlawful for employers, employment agencies and labor unions to discriminate against a person because he has opposed a practice made unlawful by this act, or because he has made a charge, testified, or assisted or participated in any manner in an investigation, proceeding, or litigation under this act.

Subsection (e) of this section makes it unlawful for an employer, labor organization or employment agency to use any printed or published notices or advertisements which indicate any preference, limitation, specification, or discrimination based on age.

Subsection (f) contains exceptions to the foregoing provisions of this section. It provides that it shall not be unlawful to take action, otherwise prohibited by subsections (a), (b), (c), or (e), where age is a bona fide occupational qualification reasonably necessary to the normal operation of the particular business, or where differentiation is based in reasonable factors other than age. It also provides that it will not be unlawful to observe the terms of a bona fide seniority system or any bona fide employee benefit plan, except that no employee benefit plan may excuse the failure to hire any individual. Finally, it provides that it will not be unlawful to discharge or otherwise discipline an individual for good cause.

SECTION 5.—STUDY BY SECRETARY OF LABOR

This section directs the Secretary of Labor to study institutional and other arrangements giving rise to involuntary retirement and report his findings with appropriate legislative recommendations to the President and to the Congress.

SECTION 6.—ADMINISTRATION

This section authorizes the Secretary of Labor to make delegations, appoint agents and employees, and to pay for technical assistance on a fee for service basis to assist him in the performance of his functions under this act. It also directs him to cooperate with regional, State, local, and other agencies and to cooperate with and furnish technical assistance to employers, labor organizations, and employment agencies to aid in effectuating the purposes of this act.

SECTION 7.—RECORDKEEPING, INVESTIGATION, AND ENFORCEMENT

Subsection (a) of this section gives the Secretary the power to make investigations and requires the keeping of records necessary or appropriate for the administration of the act in accordance with powers and procedures provided in sections 9 and 11 of the Fair Labor Standards Act of 1938.

Subsection (b) provides that the act will be enforced in accordance with the powers, remedies, and procedures provided in sections 11(b), 16 (except for subsec. (a) thereof), and 17 of the Fair Labor Standards Act of 1938, and subsection (c) of this section. Any act prohibited under section 4 of the act will be deemed to be a prohibited act under section 15 of the Fair Labor Standards Act of 1938. Amounts owing as a result of a violation of this act shall be deemed to be unpaid minimum wages or unpaid overtime compensation for purposes of sections 16 and 17 of the Fair Labor Standards Act of 1938. Liquidated damages will be payable only in case of willful violations. When an action is brought under this section the court will have jurisdiction to grant such legal or equitable relief as may be appropriate. This relief may include judgments compelling employment, reinstatement, or a promotion, or enforcing liabilities for amounts deemed to be unpaid minimum wages or unpaid overtime compensation. Before he may institute any action, the Secretary must attempt to eliminate discriminatory practice or practices alleged and effect voluntary compliance with the act through informal methods of conciliation, conference, and persuasion.

Subsection (c) gives aggrieved individuals power to bring civil actions for legal or equitable relief. This right will terminate upon the commencement of an action by the Secretary to enforce that individual's rights under this act.

Subsection (d) requires that persons intending to file civil actions under this act must give the Secretary of Labor 60 days' notice before doing so. During the 60-day period, the Secretary must seek to eliminate unlawful practices by informal methods of conciliation. This subsection further provides that the notice to be filed by an individual who wishes to bring suit must be filed within 180 days of the occurrence of the alleged unlawful practice, except that where a State has undertaken action in accordance with its laws, an individual must file his notice within 300 days of the alleged unlawful practice.

Subsection (e) incorporates by reference sections 6 and 10 of the Portal-to-Portal Act. Under section 6 of that act any suit to enforce the Age Discrimination in Employment Act must be brought within 2 years after the cause of action accrued, unless it arose out of a willful violation, in which case the period is extended to 3 years. Under section 10 of the Portal-to-Portal Act any employer, employment agency, or labor organization that relies in good faith upon written administrative regulations, orders, rulings, approvals, or interpretations of the Secretary of Labor or any administrative practice or enforcement policy, has a valid defense against a suit under this act, involving any of the aforementioned actions of the Secretary, notwithstanding that such administrative regulation, order, ruling, approval, interpretation, practice, or policy was subsequently modified or rescinded, or determined by judicial authority to be invalid or of no legal effect.

SECTION 8.—NOTICES TO BE POSTED

This section requires every employer, employment agency, and labor union to keep posted on its premises a notice, to be prepared and approved by the Secretary, setting forth such information as he deems appropriate to effecutate the purposes of this act.

SECTION 9.—RULES AND REGULATIONS

This section authorizes the Secretary to issue such rules and regulations, which are to be promulgated in accordance with the Administrative Procedure Act, as he may consider necessary to carry out this act, and authorizes him to establish such reasonable exemptions to and from the act as he may find necessary and proper in the public interest.

SECTION 10.—CRIMINAL PENALTIES

This section makes it a crime to forcibly resist, oppose, impede, intimidate, or interfere with a duly authorized representative of the Secretary while he is engaged in the performance of duties under this act. The penalty for a violation is a fine of not more than $500 or imprisonment for not more than 1 year, or both; however, no imprisonment may be imposed except where there has been a prior conviction of a violation of this section.

SECTION 11.—DEFINITIONS

This section defines a number of the terms used in the act. Several of these deserve special discussion.

The term "employer" is so defined as to include only persons having 25 or more employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year. However, until June 30, 1968, employers having fewer than 50 employees will not be considered to be employers. As the term is defined, the United States or a State or political subdivision thereof will not be considered an employer.

The term "employment agency" is defined to mean a person regularly undertaking, with or without compensation, to procure employees for an employer and includes an agent of any such person. Again, the term will not include an agency of the United States or of any State or political subdivision thereof. However, the term will include the U.S. Employment Service and the system of State and local employment services receiving Federal assistance.

The term "labor organization," as defined in the bill, is a special provision under which an organization will be deemed to be engaged in an industry affecting commerce if it maintains or operates a hiring hall or office which procures employees for an employer, or procures for employees opportunities to work for an employer, or if the number of its members is 50 or more for the period prior to July 1, 1968, or 25 or more thereafter.

SECTION 12.—LIMITATION

This section provides that the prohibitions in the act will be limited to individuals who are at least 40 years of age but less than 65 years of age.

SECTION 13.—ANNUAL REPORT

This section requires the Secretary to submit an annual report to the Congress covering his activities under this act for the year, and shall include appropriate information and data and his recommendations for further legislation. The report should contain his evaluation and appraisal of the effect of the maximum and minimum ages established in the act.

SECTION 14.—FEDERAL-STATE RELATIONSHIP

Subsection (a) of this section provides that the act will not affect the jurisdiction of any agency of any State performing similar functions with regard to discrimination in employment on account of age, except that the commencement of an action under this act shall be a stay on any State action previously commenced.

Subsection (b) provides that where any practice which is unlawful under this act occurs in a State which has a law prohibiting discrimination in employment because of age and establishing or authorizing a State authority to grant or seek relief from such discriminatory practice, no suit may be brought under this act before the expiration of 60 days after proceedings have been commenced under the State law unless such proceedings have been earlier terminated. However, the 60-day period would be extended to 120 days during the first year after the effective date of the State law. If any requirement for the commencement of such proceeding is imposed by State authority other than a requirement of the filing of a written signed statement of the facts upon which the proceeding is based the proceeding shall be deemed to have been commenced for the purposes of this subsection at the time such statement is sent by registered mail to the appropriate State authority.

SECTION 15.—EFFECTIVE DATE

This section provides that the act will become effective 180 days after its enactment, except that the Secretary is authorized to delay the effective date for an additional 90 days if necessary and he is authorized to issue necessary regulations any time after the date of enactment.

SECTION 16.—APPROPRIATIONS

This section authorizes the appropriation of such sums, not in excess of $3 million for any fiscal year, as may be necessary to carry out the act.

Mr. YARBOROUGH. Mr. President, as floor manager of this bill, I shall make a brief opening statement setting forth the purpose of the legislation and its major provisions; and then if there are any questions, I shall be happy to answer them.

In simple terms, this bill prohibits discrimination in hiring and firing workers solely because they are over 40 and under 65.

S. 830 is designed to alleviate one of the employment problems which is facing our country. As the life expectancy of our citizens increases, so does their desire to continue working, at least until normal retirement age and often well beyond that time. It is not the purpose of this bill to extend the normal working life of our citizens. The bill is intended to ban discrimination in employment because of age during the years it most frequently occurs—40 to 65.

The lower age limit of 40 was picked because age discrimination in employment most normally appears at this age. However, there is no magic in this figure and, because this is the first national law on this subject, we have directed the Secretary of Labor to make a special study in regard to the age limits which should be included within the scope of this antidiscrimination law. He has been directed to report his findings to the Congress 6 months after the passage of this act. We have also directed the Secretary to make annual reports so that we may be continually apprised of the effects of this legislation and of any needed changes.

Mr. President, I repeat that the lower age limit of 40 has been picked because the discrimination usually appears at that age. The bill as originally introduced provided for an age limit of 45 to 65. The House provided for an age limit of 40. In the executive committee hearings, the full Committee on Labor and Public Welfare unanimously voted to accept the House figure of 40 years of age as the minimum age at which the law should apply.

The bill provides for four exceptions from the enforcement provisions:

First. Where age is a bona fide occupational qualification reasonably necessary to the particular business. The example is often given—although I do not know at what age this limit would apply—of a jet pilot who flies a plane at many hundreds of miles an hour.

Second. Where differentiation is based on reasonable factors other than age. For example, if a test shows that a man cannot do certain things. He might fail to pass the test at 35; he might fail to pass the test at 55. Some men slow up sooner than others. If the job requires a certain speed and the differentiation is based upon factors other than age, the law would not apply.

Third. To comply with the terms of any bona fide seniority system or employee benefit plan which is not a subterfuge to evade the purposes of this act, except that no employee benefit plan shall excuse the failure to hire an individual.

Fourth. To discharge or discipline an individual for good cause. Where there is good cause for discharge, this bill will not permit an individual to remain in the employment simply because he has reached a certain age. He cannot hide behind that to stay in employment, if there are disciplinary reasons why he should not remain there.

While the bill includes enforcement procedures which are adopted from the Fair Labor Standards Act, it is the hope of the sponsors of this legislation that such procedures will not be needed very often. Rather, it is the fact that our national policy as declared by this bill will be to stop invidious distinctions in employment because of age. Everyone who testified at our hearings felt that the greatest need in this area was to educate employers to the facts—facts which show that older workers are at least as productive as younger workers and that on average they stay with their employers for a longer period of time. Despite the general notion to the contrary, it is the younger workers who are the big job shifters. Older workers are usually more experienced and more stable workers. It will be the major job of the Department of Labor under this bill to educate the country to the fact that older workers are just as capable employees as younger workers.

While this is the first Federal law in this respect, a number of States have State laws; and we were able to bring to the committee hearings the knowledge that has been accumulated by a number of the leading industrial States which have had such laws over a long period of time.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. JAVITS. I believe it would be useful, if the Senator would permit it, to include by unanimous consent a list of the States, with some reference to the nature of the laws of each State, which appears in the hearing record, and which should appear at this point in the RECORD. I ask unanimous consent that the list be printed in the RECORD.

Mr. YARBOROUGH. Mr. President, I accept the suggestion of the distinguished senior Senator from New York. We had that evidence before us at the hearing, and I believe the full Senate should have the benefit of the State laws.

There being no objection, the listing was ordered to be printed in the RECORD, as follows:

SUMMARY OF STATUTORY PROVISIONS RE DISCRIMINATION IN EMPLOYMENT BECAUSE OF AGE

Twenty-four States and Puerto Rico have statutes prohibiting discrimination in employment because of age.

A

The New York Law (§ 296, Executive Law) contains language specifically exempting bona fide pension policies or systems and the varying of insurance coverages as follows:

"But nothing contained in this subdivision or in subdivision one of this section shall be construed to prevent the termination of the employment of any person who is physically unable to perform his duties or to affect the retirement policy or system of any employer where such policy or system is not merely a subterfuge to evade the purposes of said subdivisions; or shall anything in said subdivisions be deemed to preclude the varying of insurance coverages according to an employee's age."

The statutes of the following fourteen (14) states contain exemption language similar to that of the New York Statute:

California: § 2072, Unemployment Ins. Code.
Connecticut: § 31–126.
Delaware: Title 19, § 712.
Hawaii: § 90A–8.
Idaho: §44–1602.
Maine: Title 26, § 852.
Maryland: Art. 100, § 79.
Montana: HJR 12, Laws 1961.
Nebraska: § 48–1003.
New Jersey: § 18:25–2.1.
North Dakota: § 34–01–17.
Pennsylvania: Title 43, § 955, Purdon's Stats.
Washington: § 49.44.090.
Wisconsin: § 111.32(5)(c).

B

The statutes of the following three (3) states contain a provision exempting pension or retirement plans:

Indiana: § 40–2327, Burns' Stats.
Louisiana: § 23:893.
Rhode Island: § 28–6–5.

C

The following six (6) jurisdictions have enacted age discrimination statutes with no exemption for pensions or insurance:

Alaska: § 18.80.220.
Colorado: § 80–11–16.
Massachusetts: Chapter 151 B, § 4.
Ohio: § 4101.17.
Oregon: § 659.024.
Puerto Rico: §§ 146–152, Ch. 7, Part I, Title 29.

D

Texas has enacted such a statute applicable to public employees only.

Mr. YARBOROUGH. New York State is one of the leading States with State law in this respect. I believe the distinguished senior Senator from New York had something to do with the fact that New York State does have such a law.

Mr. JAVITS. I thank the Senator.

Mr. YARBOROUGH. In closing, I might just mention one problem of age discrimination which is not being taken care of in this bill. That is the problem of airline stewardesses, who are forced to give up that job at age 32 or 35. The committee heard a great deal of testimony regarding their special problem, but rather than single out that group for special treatment, or hold up the protection of the 40 million older workers who will be covered by this act, it was decided that the special study to be undertaken by the Secretary of Labor should explore this special problem and that in 6 months the Secretary should give us the benefit of his research into whether this is a unique problem and his recommendations for a solution.

We thought it wiser to do this than to hold up action on a measure designed for the protection of 40 million older workers who would be covered by this measure. Of a population of 200 million, 40 million are dependent upon this measure for protection, and that amounts to 20 percent of the population. If there are an average of four and a half people in the family of a man 45 years of age, you have between 80 million and 100 million people dependent upon this measure to provide an opportunity for the breadwinner to hold a job.

Mr. President, I have received letters from people who are 55 years old in which they say, "I can do any work now that I could do 5, 10, or 15 years ago. I am just as capable, but they tell me they will not hire anybody who is 55 years old. What are you people in Congress going to do with us? Are you going to give us a pill and put us in suspended animation for 10 years so that then we can come out at the age of 65 and start drawing social security?"

This is the problem that is faced by many of the most capable workers that we have.

To sum up, this is a bill to give every American the opportunity to be equally considered for employment and promotional opportunity. It would not give a preference to an older worker over a man who is 35 years old, but it gives him the right to be equally considered for employment and promotion.

No matter how young we may now be, it will not be too long before we will be grateful for the protection that this act will afford us. We are only young once—but we must all work a lifetime.

I urge a "yea" vote on the part of every Senator.

Mr. JAVITS. Mr. President, it is with the greatest satisfaction that I join the Senator from Texas in support of S. 830. I have had a very special interest in this particular piece of legislation for I have been introducing bills to outlaw discrimination in employment on grounds of age ever since I was a Member of the House of Representatives in 1951. Unfortunately, it has taken all of these 16 years before we could reach the point at which we are now.

I am very grateful to the distinguished Senator from Texas and the chairman of our committee, who afforded us this opportunity.

This is not the first time I have offered a particular measure for many years, finally to see it realized because of the great cooperation of other Senators on the Labor and Public Welfare Committee. I remember very well the cooperation of the Senator from Rhode Island [Mr. PELL] and the Senator from Pennsylvania [Mr. CLARK], and the cooperation of Vice President HUMPHREY in connection with the National Foundation of Arts, which I had sponsored since 1949.

I know the Senator from Texas is aware of the satisfaction I derive this day, at long last, to see age discrimination in employment legislation pass this body.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. YARBOROUGH. Mr. President, I commend and congratulate the distinguished senior Senator from New York for his long and diligent work and leadership in this field. He comes from a State that has a law against age discrimination. He served as attorney general of that State and his experience there has been invaluable in this committee.

Both the Senator from New York and I have had this experience of which he spoke of introducing bills year after year, and finally the consensus arrives.

As the Senator knows, this bill of mine, although I am the principal sponsor, is based on many provisions of his bill and the Department of Labor recommendations. In that sense it is an administration bill, but we might call it a consensus bill. It has had the overwhelming support of a majority of Senators on both sides. I do not know of any opposition to this bill which has been carefully worked out. I hope that it is passed by both Houses in this session of Congress. It was not easy to reach the consensus necessary to pass this bill because certain segments of our economy and society were opposed to this. It has taken years for them to see the necessity of it. The Senator from New York has been in the forefront of the fight.

Mr. JAVITS. Mr. President, I am grateful to the Senator for his generosity.

Mr. President, it is a sad day indeed when a man realizes that the world has begun to pass him by; that happens to all of us sooner or later. But it is surely a much greater tragedy for a man to be told, arbitrarily, that the world has passed him by, merely because he was born in a certain year or earlier, when he still has the mental and physical capacity to participate in it as energetically and vigorously as anyone else.

We in America pride ourselves on our free enterprise system; particularly on the market as the only really objective test for the acceptance or rejection of the worth of goods or services. America was and still is the great land of opportunity, and the reason is clear: It is a land where a premium is put on ability—not rank, not privilege, and, if the system worked to perfection, not nationality, not religion, not sex, not race, and not age. But, Mr. President, we are confronted with the fact that as well as the system does work, there are still some shortcomings. We recognized this when, in the Civil Rights Act of 1964, we specifically prohibited discrimination on the ground of race, sex, religion, or national origin. At the time, we all recognized that the act left untouched another major problem: age discrimination. Although many of us, including myself, felt that the problem was severe enough and obvious enough to justify Federal legislation, the lack of any concrete information and statistics to show the full magnitude of the problem led us as a compromise in conference to direct the Secretary of Labor to make a report to Congress on age discrimination in employment.

In 1965, the Secretary filed his report and with it all doubt as to the need for this legislation vanished. The report found that a substantial amount of age discrimination in employment did exist and, furthermore, that almost all of it was completely arbitrary. As the report stated:

> An unmeasured but significant proportion of the age limitations presently in effect are arbitrary in the sense that they have been established without any determination of their actual relevance to job requirements; and are defended on grounds apparently different from their actual explanation.

During this period the States were also manifesting their awareness of the age discrimination problem. At this date, some 24 States and Puerto Rico have enacted laws prohibiting age discrimination in employment. Half of those laws were passed since 1960, and all but three since 1955. The experience under the State laws has been varied. Unfortunately, most States have not made available sufficient funds or manpower to really make a dent in the problem. However, where forceful attempts have been made, especially in some demonstration projects, great success has been achieved.

What we have learned, essentially, is that a great deal of the problem stems from pure ignorance: there is simply a widespread irrational belief that once men and women are past a certain age they are no longer capable of performing even some of the most routine jobs. The answer to this kind of popular misconception is obviously a broad based program of information and education, and that is exactly what S. 830 provides for. At the same time, the experience of the States has shown that information and education alone are not enough; they must be coupled with the availability of formal remedial procedures to compel compliance with the law. S. 830 also provides these formal procedures through suits, either by the Secretary of Labor or the aggrieved individual, in the Federal or State courts.

The enforcement techniques provided by S. 830 are directly analogous to those available under the Fair Labor Standards Act; in fact, S. 830 incorporates by reference, to the greatest extent possible, the provisions of the Fair Labor Standards Act. This was accomplished through an amendment sponsored by Senator YARBOROUGH and myself which was adopted by the Subcommittee on Labor. The original version of S. 830 called for agency type enforcement, with hearings before the Secretary of Labor and then an appeal to the U.S. courts of appeals.

That was a departure from the approach which the Senate had actually adopted, at the urging of myself and Senators MURPHY, PROUTY, FANNIN, GRIFFIN, and SMATHERS when it incorporated a ban on age discrimination into the Fair Labor Standards Act amendments which passed the Senate last year. Although the age discrimination provisions were stricken in conference, the Secretary of Labor was directed to make specific legislative recommendations concerning age discrimination in employment to Congress this year. Those recommendations were embodied in S. 830, as originally introduced.

Although, as I have stated in my individual views, S. 830 was in most respects an excellent bill, the fact that it eschewed FLSA type of enforcement procedures in favor of an agency type process, which would have required the establishment within the Department of Labor of a wholly new bureaucracy complete with regional directors and attorneys, as well as hearing examiners, was most unfortunate. Happily, this defect has been corrected in the committee process. S. 830, as it has been reported out of committee, actually incorporates the best features of that bill, as originally introduced and S. 788, the bill which I, together with Senators ALLOTT, KUCHEL, MURPHY, and PROUTY introduced earlier this year based on the FLSA type of approach adopted by the Senate last year.

We now have the enforcement plan which I think is best adapted to carry out this age-discrimination-in-employment ban with the least overanxiety or difficulty on the part of American business, and with complete fairness to the workers. I think that is one of the most important aspects of the bill.

I can assure my colleagues that this bill was given the most careful possible attention by the Subcommittee on Labor and the full Committee on Labor and Public Welfare. Besides the change in enforcement technique to which I have already referred, many other amendments were adopted, some of which I had the honor of cosponsoring: among those amendments were the elimination of the criminal penalty in favor of a provision for double damage in cases of willful violation; an exemption for the observance of bona fide seniority systems or retirement, pension, insurance or similar plans and a provision specifically requiring the Secretary of Labor to promulgate rules and regulations under this act in accordance with the Administrative Procedure Act.

The amendment relating to seniority systems and employee benefit plans is particularly significant: because of it an employer will not be compelled to afford older workers exactly the same pension, retirement, or insurance benefits as younger workers and thus employers will not, because of the often extremely high cost of providing certain types of benefits to older workers, actually be discouraged from hiring older workers. At the same time, it should be clear that this amendment only relates to the observance of bona fide plans. No such plan will help an employer if it is adopted merely as a subterfuge for discriminating against older workers.

One of the problems which arose before the committee, and which, happily, has been resolved in the bill, as reported, is the airline stewardess problem. I refer to the practice of a few airlines in requiring stewardesses to retire at the age of 32 or 35. At the present time, this practice exists only on a few airlines; most airlines have either never adopted the practice or, if they have, have now changed it voluntarily or as a result of collective bargaining. In their testimony before the Subcommittee on Labor, the stewardesses presented a very forceful case, and at one time the committee was seriously considering lowering the age limits in the bill to 32, or lower.

However, the Subcommittee on Labor and the full Committee on Labor and Public Welfare came to realize that while the stewardesses might have a good case, it was actually not within the province of this bill, directed as it is against the problem of discrimination against older workers. Thus, the committee, in my judgment, wisely decided to lower the age limit only to 40, since that is the age where, according to information currently available, age discrimination generally seems to start. We did however direct the Secretary of Labor to make a study of the feasibility of lowering the minimum age limits or raising the maximum age limits and report back his recommendations to us within 6 months. We anticipate that he will thoroughly study the stewardess problem as part of his overall study.

There are one or two other matters dealt with in the bill that I would like to call attention to. The full committee report is now before us, including not only my individual views, but those of the Senator from Colorado [Mr. Dominick], which I think are most important. Especially because of Senator Dominick's individual views, I wish to ask a couple of questions of the manager of the bill, which I think will help very much to clarify some of the very intelligent points which Senator Dominick raises. I emphasize that he voted to report out the bill and he is permitting it to go through here. We are deeply indebted to him for his fine understanding and cooperation. I think he is entitled to have answers to certain of the very important questions he raises.

The first question, Mr. President, which also was raised with me by our minority leader, the Senator from Illinois [Mr. Dirksen] relates to that section 4(f)(2) of the bill, found at page 20, lines 20 to 25. As the Senator from Texas described it, that subsection provides an exemption from the prohibitions of the bill in the case of observance of bona fide seniority systems or employee benefit plans such as a pension, retirement, or insurance plan.

The meaning of this provision is as follows: An employer will not be compelled under this section to afford to older workers exactly the same pension, retirement, or insurance benefits as he affords to younger workers. If the older worker chooses to waive all of those provisions, then the older worker can obtain the benefits of this act, but the older worker cannot compel an employer through the use of this act to undertake some special relationship, course, or other condition with respect to a retirement, pension, or insurance plan which is not merely a subterfuge to evade the purposes of the act—and we understand that—in order to give that older employee employment on the same terms as others.

I would like to ask the manager of the bill whether he agrees with that interpretation, because I think it is very necessary to make its meaning clear to both employers and employees. I ask whether he agrees with that interpretation of subsection (2) of section 4(f) of the bill, found on page 20, lines 20 to 25, inclusive.

Mr. YARBOROUGH. I wish to say to the Senator that that is basically my understanding of the provision in line 22, page 20 of the bill, clause 2, subsection (f) of section 4, when it refers to retirement, pension, or insurance plan, it means that a man who would not have been employed except for this law does not have to receive the benefits of the plan. Say an applicant for employment is 55, comes in and seeks employment, and the company has bargained for a plan with its labor union that provides that certain moneys will be put up for a pension plan for anyone who worked for the employer for 20 years so that a 55-year-old employee would not be employed past 10 years. This means he cannot be denied employment because he is 55, but he will not be able to participate in that pension plan because unlike a man hired at 44, he has no chance to earn 20 years retirement. In other words, this will not disrupt the bargained-for pension plan. This will not deny an individual employment or prospective employment but will limit his rights to obtain full consideration in the pension, retirement, or insurance plan.

Mr. JAVITS. I thank my colleague. That is important to business people.

As it now stands, the bill is limited to protecting people between the ages of 40 and 65. The Senator from Colorado, in his individual views, has raised the possibility that the bill might not forbid discrimination between two persons each of whom would be between the ages of 40 and 65. As I understand it, that is not the intent of the legislation. I do not think any such reading is justified by the terms of the bill. I think we should nail this down.

Section 4 of the bill specifically prohibits discrimination against any "individual" because of his age. It does not say that the discrimination must be in favor of someone younger than age 40. In other words, if two individuals ages 52 and 42 apply for the same job, and the employer selected the man aged 42 solely—and I emphasize that word "solely"—because he is younger than the man 52, then he will have violated the act. The whole test is somewhat like the test in an accident case—did the person use reasonable care. A jury will answer yes or no. The question here is: Was the individual discriminated against solely because of his age? The alleged discrimination must be proved and the burden of proof is upon the one who would assert that that was actually the case. Would the Senator from Texas be kind enough to advise the Senate whether he agrees with that interpretation of the bill?

Mr. YARBOROUGH. I am glad that the Senator from New York has brought this question up for clarification. This matter was discussed in committee, but it was discussed in executive session. I think we should clarify this in the Congressional Record. It was not the intent of the sponsors of this legislation, including the distinguished Senator from New York, with all of his contributions, to permit discrimination in employment on account of age, whether discrimination might be attempted between a man 38 and one 52 years of age, or between one 42 and one 52 years of ago. If two men applied for employment under the terms of this law, and one was 42 and one was 52, naturally, the personnel officer or employer would have a choice to make. But if they were of equal capability, or one was higher than the other, he could not turn either one down on the basis of the age factor, he would have to go into the capabilities, experience, of the two men, or he might have to give them a test, either manual or mental, or whatever test that particular personnel officer would require, to see if they could do the work. The law prohibits age being a factor in the decision to hire, as to one age over the other, whichever way his decision went.

Mr. JAVITS. The last question raised by the Senator from Colorado [Mr. Dominick], and which I also think we should take account of, is the question of any conflict which might develop in the administration of the law as related also to the Civil Rights Act of 1964, which has some provisions in it with respect to discrimination in employment, or employment opportunity on grounds of race or color.

I do not think this presents any particular problem. The Civil Rights Act of 1964 does not cover age discrimination, and S. 830 does not cover racial or religious discrimination. The laws will operate completely independently of each other, as will the enforcement procedures.

I would ask my colleague again whether he would agree with that comment upon the particular concern expressed by the Senator from Colorado [Mr. Dominick].

Mr. YARBOROUGH. I agree with the answer to that comment in the remarks of the distinguished Senator from New York. I agree with his interpretation.

Mr. JAVITS. Let me conclude by stating once again how proud I am to have played a part in bringing this important bill to the floor of the Senate. This is a long unfinished piece of business that the Senate is about to complete and, hopefully, the House will shortly finish. I thank my colleague from Texas.

Mr. President, I yield the floor.

Mr. YOUNG of Ohio. Mr. President, this is an important and much needed legislative proposal. With the committee amendments just agreed to, I hope very much the bill will be passed immediately by the Senate. The bill provides for the Secretary of Labor to submit annually a report to the Congress covering his activities each year in connection with matters included in this bill. This proposed report must also contain an evaluation and appraisal by the Secretary of the effect of the minimum and maximum ages established by this bill. I am hopeful that if this proposal is enacted into law the Secretary of Labor will make a careful study of the feasibility of continuing the outdated and unjustifiable concept of 65 as an arbitrary age for forced retirement.

Compulsory retirement programs were conceived as a reward for years of toil. Yet, they have forged an iron collar for many Americans who are ready, willing, and able to work beyond the arbitrary age, usually 65.

Today, America's over-65 population is growing at the rate of more than 1,000 a day.

Since the turn of the century, the number of Americans over 65 years of age has grown 2½ times faster than the population as a whole. More than 16 million of our citizens are now of the age of 65 or older. I assert that we, willfully and knowingly waste their resources, their skills, and their experience.

The view that a man or woman is so old at 65 as to warrant compulsory retirement from industry stems from an era before the turn of the century and comes to us from a period when life expectancy was about half of the life expectancy of Americans and Europeans at the present time. It was in 1887 that Otto von Bismarck, Chancellor of the German Empire, proposed the first social security law ever adopted by any government. In the German social security system established at that time, Chancellor Von Bismarck fixed 65 years of age as the age when retirement benefits under the Imperial German Government social security program would commence.

Medical science and other factors have vastly increased the life expectancy of every man, woman, and child. With the advance of medical science and techniques, men and women are no longer old at 65. In fact, today they are not as old at 65 in thought, action, physical and mental ability as men and women of Germany and the United States were at the age of 40 back in the 1880's. Yet, for some reason or other, we Americans have adhered to this view of 65 being the proper age for retirement notwithstanding the fact that this concept is today as outdated and outmoded as are flintlock muskets, candle dips of the 18th century, bustles, mustache cups and civil war artillery of the 19th century, including muzzle-loading cannon such as were used in the Franco-Prussian war of 1870 and for years afterward. The Senator from Texas [Mr. YARBOROUGH], who has done so much to bring this legislative proposal before the Senate, would refer to the muzzle-loading cannon used in the War Between the States, while I, coming from the State of Ohio, would refer to it as the Civil War.

Times have certainly changed. The view that a man or woman over 65 should have his or her compulsory retirement from industry at that age stems from that era.

While I firmly hold that a man or woman, at the age of 65 or at the age of 62, or at the age of 60, if he or she wishes, should have the right to retire in comfort and free of insecurity, I also am convinced that no arbitrary retirement age should in all fairness be applied.

Youth is not merely a time of life or lack of age. It is rather a state of mind. What counts most for all men and women is perhaps a quality of the imagination, a temper of the will, a vigor and also a freshness of the ever-flowing spring of life. We do not grow old merely by living a number of years. People grow old by losing their enthusiasm, deserting their ideals, abandoning their joy for life, and no longer looking forward to the challenges of adventure and change. Instead of yearning for retirement, the desire for a vigorous active life and the wish and ability to work hard and look forward with hope instead of fear often exists in men and women of 70 or more. Sometimes, unfortunately, these qualities are altogether lacking in men and women in their thirties or forties. Years may wrinkle the skin, but to abandon enthusiasm wrinkles the soul and deadens the brain. Men and women are as young as their faith, as young as their self-confidence, and as young as their aspirations and willingness to look ahead and work hard for a better future, not for themselves alone, but for those of generations to come. People are only as old as their doubts, their lack of confidence, their fears and despair.

A working man full of vitality, vigorous and strong; an executive, imaginative and decisive; a secretary, quick and alert—are they useful, productive members of society one day shy of 65, then excess baggage 24 hours later? Must they immediately be cast loose from gainful employment, in many cases from jobs to which they have devoted decades? Are they suddenly old?

Should those 65 or older applying for positions they are eminently qualified to fill be discriminated against in favor of someone with less experience but who happens to be perhaps 10 or 20 or 30 years younger?

The life expectancy tables of insurance companies make provision for the fact that the life expectancy of Americans is now precisely twice that of the life expectancy of people at the time of Von Bismarck, when the first social security law in the civilized world fixed the retirement age at 65.

In the present Congress, many Senators and Representatives are over 65 years of age. Some of us have passed our 75th birthday.

In the past, men of stature in all fields made some of their greatest contributions long after their 65th year. Pope Leo XIII, John Adams, and Michelangelo all strode into their nineties with their intellectual vigor unimpaired.

George Bernard Shaw, in his mid-nineties, was still bowling over false idols with the sharpest wit of the century. Prime Minister Gladstone, at the age of 83, rendered magnificent service to the British Empire. The great poet Tennyson composed his immortal poem, "Crossing the Bar," not long before his death at the age of 83.

The old concept of 65 as the ideal retirement age has no validity whatever in the second half of the 20th century. With each generation, 65 grows younger. In early Rome the average age at death was 22. In those early times, a man of 30 or 35 was considered elderly. In the New England of the mid-18th century, a man who lived to attain the age of 34 was considered well past middle age. For a man in the early 18th century, and even right up to the period of the Revolutionary War, to attain the age of 65 was somewhat of a rarity.

At the turn of the century, a man of 65 had then outdistanced his average contemporary by 18 years. To come down to the present time, a baby born today in the United States or in Europe has a life expectancy of beyond 70 years. The life expectancy of a man who is 70 years old at present is for at least another 13 years. The young woman of today who has attained the age of 70 has a further life expectancy of 16 years.

Recent dramatic reports by scientists of a life potential of 125 years indicate that the 65-year-old of the foreseeable future may be, in fact, in the prime of life.

Mr. President, our concepts must change as the facts around us change. The facts today are indisputable: many persons over 65 have years of active service left in them; many prefer employment to idleness.

I long have felt it is a particular tragedy to amputate a human being's function, to strip productive persons of their skills, cheating them of the dignity of continued self-support. These are the consequences of forced retirement. It squeezes useful, healthy people out of the mainstream of society into a drab tributary on its fringe. For many Americans to whom work is life—and whose way of life, like mine, has been work—this is exile into a limbo of boredom and inactivity.

The tragedy and waste go beyond the scope of those Americans directly affected. Even our prosperous society can ill afford to isolate a huge productive segment of the population without paying the penalty.

Mr. President, it is a fact that employers value older workers for their performance, their attitude toward the job, their loyalty to the organization, their safety records and their attendance records.

Despite this, nearly 60 percent of job openings received by public employment offices have some upper-age restriction. This is age discrimination in action.

Though less dramatic—therefore less newsworthy—it is as insidious, as damaging, and as deplorable as racial or religious discrimination.

In space age America, in this great era of change and challenge, we must adjust our ideas and our methods. Every 65-year-old man or woman who wants to stay on the job and be gainfully employed, and is capable of doing so, should have that right. Involuntary unemployment, in a great Nation like ours, is a moral wrong which should not be tolerated.

One answer is that employers everywhere—in business, in government—must take a long look at their forced retirement policies with a view toward tossing them out. Make retirement after a certain age, say 65, voluntary, with the understanding that those who choose to keep on working must be capable of pulling their weight. Even here, industry, business, and government as employers might well set up tapering off programs. They might even take a page from a policy of the Veterans' Administration and some industries: Upon a man or a woman who wishes to continue in employment attaining the age of 65, such person might be given a medical examination to determine physical and mental fitness, with perhaps a re-examination in 2 or 3 years for those who passed the first one.

Skilled workers, for instance, are too valuable to discard abruptly upon age 65. If they were permitted to work 3 days a week, or 20 or 30 hours, perhaps, spread out over a 5-day week, everybody concerned would benefit.

Mr. President, I congratulate the distinguished Senator from Texas [Mr. YARBOROUGH] and the distinguished Senator from New York [Mr. JAVITS] for their work in bringing this bill before the Senate. Senator JAVITS and Senator YARBOROUGH have performed a real and needed public service, and I am happy to lend my support to this meritorious legislative proposal. If enacted, it will also be a major step forward in bringing America's older citizens who have been the victims of the compulsory retirement programs now in force in many places the status and opportunity which is rightfully theirs.

Mr. YARBOROUGH. Mr. President, I thank the distinguished Senator from Ohio for his contribution and for his kind remarks.

I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I, too, wish to express my appreciation to the distinguished Senator from Ohio for his very gracious words, especially since he demonstrates in his own person so very well, and to the great admiration and affection of his fellow Senators, including myself, the fitness and capacity of which he speaks in respect to employment and employment opportunities for the elderly.

Mr. YOUNG of Ohio. I thank the Senator.

Mr. YARBOROUGH. Mr. President, I wish to associate myself with the remarks of the distinguished Senator from New York. I did not intend to mention age; but the distinguished Senator from Ohio consistently runs away from other candidates who are 20 years younger. I sincerely hope he does not move down to Texas and participate in politics down there against me. I do not think he would, with our voting patterns; but he demonstrates here the living proof of the propositons for which he has argued.

The PRESIDING OFFICER. The committee amendment is open to amendment. If there be no amendment to be proposed, the question is on agreeing to the committee amendment in the nature of a substitute.

The committee amendment was agreed to.

The PRESIDING OFFICER. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

So the bill (S. 830) was passed.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. YARBOROUGH. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 5091. An act to amend Public Law 87–752 (76 Stat. 749) to eliminate the requirement of a reservation of certain mineral rights to the United States; and

H.R. 11627. An act to amend the act of June 16, 1948, to authorize the State of Maryland, by and through its State roads commission or the successors of said commission, to construct, maintain, and operate certain additional bridges and tunnels in the State of Maryland.

LANDS TO BE HELD IN TRUST FOR CERTAIN CHILOCCO INDIANS AT CHILOCCO, OKLA.

Mr. BYRD of West Virginia. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 536.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 536) to provide that the United States shall hold certain Chilocco Indian School lands at Chilocco, Okla., in trust for the Cherokee Nation upon payment by the Cherokee Nation of $3.75 per acre to the Federal Government, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BYRD of West Virginia. On behalf of the junior Senator from Washington [Mr. JACKSON], I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MCGOVERN, Mr. ANDERSON, and Mr. FANNIN conferees on the part of the Senate.

SUPPORT THE WAR ON POVERTY

Mr. CLARK. Mr. President, as the House begins its debate on antipoverty legislation, I should like to make a few comments on that subject in the hope that the Members of the other body may give them some attention.

THE POOR WILL BE VICTIMIZED IF EXISTING PROGRAMS ARE SLASHED

The first point I wish to make is that the poor will be victimized if existing programs are slashed.

Mr. President, recent legislative developments have made it plain that many Federal programs benefiting the Nation's poor are in jeopardy. This has been emphasized by apprehensive Members of both the Senate and the House, by community and welfare officials in a score or more States, by spokesmen for antipoverty groups, by trade union leaders, and the Nation's labor press.

A concise and illuminating summary of the hazards facing these antipoverty programs has been prepared and syndicated by Press Associates, a national news and feature service for the Nation's trade union publication. This summary deserves to be read by Members of Congress and others who are concerned with the continued progress of the war on poverty. In fact, Mr. President, this report is important because the very survival of these programs is menaced. Therefore I ask consent that this Press Associates report be placed in the RECORD at this point.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

The poor will be the obvious victims of a two-pronged drive in the 90th Congress—if it is successful.

One drive is the so-called economy move in which the House has already voted to force cutbacks in federal spending up to $8 billion. The Senate is set to act on this.

The second drive is against the War on Poverty itself.

Director of the Budget Charles L. Schultze, appearing before the Senate Appropriations Committee, gave some insight into what the $8 billion slice in "non-war" spending would mean.

The spending cuts would have to be made agency by agency and Schultze gave this "rough" estimate of the impact in some agencies.

[In millions]

Defense, nonwar items	$2,200
Health, Education, and Welfare	1,100
Housing and Urban Development	500
Office of Economic Opportunity	400

He pointed out that much of the HEW budget involved payments fixed by law but that the heaviest cutbacks would probably come in aid to elementary and secondary schools, public health and health research.

Expectation is that when other Great Society programs, such as the Teachers Corps, model cities and rent supplements come up for new appropriations they will be mangled or eliminated.

Even more significant, the conservative Republican-Dixiecrat coalition, now firmly in control in the House, is sharpening its knives for the antipoverty bill which is scheduled to reach the floor the week of November 7.

The Senate passed the appropriation for the Office of Economic Opportunity calling for expenditures for $2,258,000,000. The House Education and Labor Committee whittled about $200,000,000 off this figure.

As reported out of the House committee, the OEO bill would be further weakened by turning control of spending over to the states and cities.

What is at stake in the anti-poverty effort was spelled out recently by Vice President Humphrey in a speech to the Baltimore AFL–CIO.

He said that if the country lets up on the war against poverty it "will be deciding to go backwards."

"If this country should decide to pause," he said, it will be only to "watch more children grow up in poverty, to watch explosive slums become tense and more crowded, to watch more American children preparing for the 21st century in inadequate classrooms, to watch more workers inexcusably left behind in this posperous society."

The Vice President said this would be a tragedy, "a tragedy made all the greater by the fact that for the first time in the history of mankind there is a nation capable of providing the best for all.

"Now, I don't mean the best in welfare, the best in care and feeding. I mean something grander, something much more consistent with the inherent dignity of man, I mean full and equal opportunity."

ANTIPOVERTY TRAINING PROGRAM IS PHILADELPHIA SUCCESS STORY

Mr. CLARK. Mr. President, second, I should like to note the success of the antipoverty training program in my home city of Philadelphia.

Mr. President, it is an ancient belief, as old as history, that good news never receives the attention given to bad news. The report of a disaster, a crime, or a misfortune almost always obscures a report of a favorable happening. The justification, tradition tells us, is the belief that the negative or antisocial occurrence is more dramatic.

I find that borne out once again, Mr. President, in the Federal war on poverty. The errors or transgressions are dramatized; the solid unspectacular achievements are not. Most of the time the numerous accomplishments of the various antipoverty programs go unheralded and unsung.

A success story that probably will never receive the public applause it deserves is being written these days in Philadelphia. It involves the manpower development and training program and the hundreds of young people it has trained, and continues to train, for skilled occupations. How quietly effective this program is can be judged from the fact that General Electric, Westinghouse, ITE Circuit Breaker Co., and many other firms are waiting for the graduates of this program, waiting for them with jobs to be filled.

This success story can best be told in the words of a gentleman who has come to know the program intimately after 4 years of participation. Mr. J. William Henry, Jr., is supervisor of the machine tool program and he recently wrote me the following letter, an extremely impressive report which I am anxious to share with other Members of the Senate.

I ask unanimous consent to have the letter from Mr. Henry printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

It was with interest that I read of your subcommittee on Employment, Manpower and Poverty coming to Philadelphia to conduct hearings on unemployment in the city's depressed areas. After being in industry for more than 30 years, I became associated with the Manpower Development and Training Program four years ago. At present my position is to supervise all instructors and training in the Machine Tool Operators Program. We have more than 200 students training in six machine tool specialties (i.e. Engine Lathe, Turret Lathe, Automatic Screw Machine, Multi-Head Drill Press, Milling Machine and Production Grinder) at this time.

I also have close contact with all trainees and instructors in Manpower Programs training men and women here at the John F. Kennedy Center for Vocational Education. Our school is administered by the Philadelphia Board of Education. I am certain that the findings of your hearings would be materially benefitted if you include interviews with the staff: the instructors, students, and graduates of the Manpower Development Program in Philadelphia.

You will find that the trainees are led by people who are motivated themselves, are experienced in the field they are teaching, and consider without exception the success of the program and placement of the graduates, above all else. You will find that the students, after several weeks of initial orientation are changed people, not only in the desire to learn a new skill, but to take a respectable place in society. They are acquiring a new outlook, the means to a new life, frequently not contained in "cut and dried" curricula. So much so that it cannot be adequately detailed on paper, you must see their endeavor and wholesomeness for yourself.

I have tapes which are extremely interesting as they cover comments by students at their graduations. They display unearthed talents which have been hidden so long. You and other officials will enjoy hearing these.

The graduates are, frankly, completely changed, new citizens, happy and proud of what they have been able to do in so few months. Speaking for the Machine Tool Courses, 62 men have completed training during the past five months and have begun new careers at rates from $2.50 per hour to $3.48 per hour. With overtime pay, many are taking home from $150 to $200 per week.

At inadequate marginal rates (i.e. $1.90 per hour etc.) a man cannot be the head of a family and assume successfully its financial burdens. At this rate over a 40 year earning career he would earn a gross income of $158,000. At skilled workmen's rates (ie. appx. $3.90 per hour up) he will earn at least $324,000 over a career. This does not include overtime hours. With this income, the man can assume without excessive stress the burden and joy of raising a family. The increased monies, as you are well aware, generate a higher velocity of increase of goods and services within our country.

General Electric Company, Westinghouse Corporation, I.T.E. Circuit Breaker Company and many other companies are waiting for graduates and will vouch for the superior quality of employees we are supplying. The same story can be repeated for every class being graduated (i.e. Auto Mechanics, Stenographic, Medical Record Clerks, Auto Body Repairmen, Welders (as high as $4.20 per hour) and all categories).

This is truly a training program which you can be proud of having sponsored. It has had its growing pains, but is now maturing to become a permanent factor in the economic growth of industrial Delaware Valley.

This program just cannot be slowed down at this time. Its effect would be to cancel and nullify effective money already invested toward good ends. Progress would be set back many months. Real costs would increase human costs.

Senator, we are with you in your efforts. It is our desire to help, for the benefit of all mankind, in any way possible. Please feel free to call on me if you feel I may be helpful in crystalizing your efforts in the Congress of the United States.

Most sincerely,

J. WILLIAM HENRY, Jr.,
Supervisor, Machine Tool Program, The School District of Philadelphia, John F. Kennedy Center for Vocational Education.

THE DEPRESSION NEVER ENDED FOR RESIDENTS OF THE SLUMS

Mr. CLARK. Mr. Preisdent, the civil disturbances that exploded in more than a hundred American communities last summer have provoked a great deal of soulsearching, and rightly so.

Two questions above all others dominate the reflections of communities and private citizens: First, why did the riots happen; and, second, what must we do to prevent their recurrence?

To answer these questions a national examination of the causes and consequences of the riots is now underway by the National Advisory Commission on Civil Disorders, and scores of other studies have been undertaken by municipalities, private research organizations, labor and religious groups.

By the time these investigations are completed and correlated, we should know a great deal more than we do now about the economic and social conditions that trigger wholesale destruction and bloodshed and what action must be taken nationally and locally to eliminate those conditions.

However, Mr. President, one major cause of the uprisings is already indisputably clear. The depression has never ended for the slum Negro. This is proved by the fact that living conditions in the urban slums have not improved since the depression years—in fact, in many places they have deteriorated horribly since then—and also that the unemployment rate among nonwhite slum residents is two, three and even four times higher—depending upon age levels—than the national average.

One of the most thoughtful and penetrating analyses of the breeding grounds of riots appeared in the October issue of Nation's Cities, the authoritative journal published by the highly respected National League of Cities. This editorial deserves a careful and reflective reading by Members of Congress and all citizens who are concerned with eradicating joblessness, penury, ignorance and other causes of civil eruptions. For that reason, Mr. President, I ask unanimous consent that the editorial be printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

A Way To Attack Rioting's Roots

"Those terrible days in July—the sudden appearance, as from the bosom of the earth, of a most infuriated and degraded mob; the helplessness of property owners and the better classes; the boom of cannon and rattle of musketry in our streets; the sky lurid with conflagrations; the inconceivable barbarity and ferocity of the crowd . . . the immense destruction of property were the first dreadful revelations to many of our people of the existence among us of a great, ignorant, irresponsible class who were growing up without any permanent interest in the welfare of the community, of the success of the government . . . of the gradual formation of this class and the dangers to be feared from it, the agents of this society have incessantly warned the public for the past 11 years."

This description of whites rioting in New York in 1863 could be of Newark or Detroit or of a dozen other American cities in which rioting erupted this past summer. Daniel P. Moynihan, who is director of the MIT-Harvard Joint Center for Urban Studies, states that the rioting in Detroit and other cities was begun and probably largely continued by young persons who could be described as "urban underclass." They happen in this case to be Negro. And yet, in its first annual report, dated 1854, the Children's Aid Society of New York had predicted the formation of such a class among the white immigrants of the city:

"It should be remembered that there are no dangers to the value of property or to the permanency of our institutions so great as those from the existence of such a class of vagabond, ignorant, and ungoverned children. This dangerous class has not begun to show itself as it will in eight or 10 years when these boys and girls are matured. Those who were too negligent or too selfish to notice them as children will be fully aware of them as men. They will poison society. They will perhaps be embittered at the wealth and the luxuries they never share. Then let society beware, when the outcast, vicious, reckless multitude of New York boys, swarming now in every foul alley and low street come to know their power and use it."

A decade or so ago, Moynihan says, we began to see the formation of a Negro version of this class growing up in our northern cities. We did little or nothing about it.

Moynihan points out that the basic conditions that would appear necessary for the formation of such a class have clearly existed in our cities for a generation now. "First and uppermost," he says, "is unemployment. The Depression has never ended for the slum Negro."

"To unemployment add low wages, add miserable housing, add vicious and pervasive forms of racial discrimination, compound it all with an essentially destructive welfare system, and a social scientist would have every ground on which to predict violence in this violent country."

The "destructive welfare system" he refers to is primarily the miserable Federal Aid to Dependent Children program, which has at some time supported something like six out of every 10 Negro youths reaching 18. This probably accounts for the steady deterioration of family structure in low-income neighborhoods. Probably not more than a third of the children of low-income Negro families now 18 years old have lived all their lives with both parents.

"Breakdown in family relations among poor persons is a pretty good clue that an underclass is forming," according to Moynihan. With something like one New York City child in five living on welfare, Dr. Mitchell Ginsberg of the Lindsay administration this summer declared the system "bankrupt."

The Social Security Act is right now in the process of being overhauled by the U.S. Congress, not by its Labor and Public Welfare Committees, but by its tax-writing House Ways and Means Committee and Senate Finance Committee. It retains the old welfare concept of Aid to Dependent Children, which encourages the break-up of families—if the father leaves the household, the mother then becomes eligible for relief for the children. Too many people, including members of Congress, seem to associate the Social Security Act exclusively with insurance taxes for old age pensions and Medicare. Actually the Act has many other titles which have profound influence on our welfare programs, including the out-moded Aid to Dependent Children concept.

The opposite approach should be taken in this country to encourage permanent family formation among the poor, whose children should have the advantage of the experience of family discipline. Moynihan believes the best known way to do this is through a family (or children's) allowance and points out that the United States is the only industrial democracy in the world that does not have such a system of automatic payments to families who are raising minor children. These payments would have the advantage that everyone would get them, not just a special segment artificially defined as below a certain income level. It has worked well all over the world, including Canada. It needs serious consideration in America.

UNIQUE OEO-PEDIATRICIANS' PROGRAM TO IMPROVE HEALTH OF U.S. CHILDREN

Mr. CLARK. Mr. President, over the past 3 years the Office of Economic Opportunity, the command post of the war on poverty, has chalked up many achievements which the history of our times, I am confident, will record as uniquely progressive.

One such achievement—described as "the largest cooperative effort ever undertaken by the Federal Government and a voluntary professional organization"—was revealed recently in Chicago. This unprecedented undertaking, which holds out immense promise for improving and maintaining the health of hundreds of thousands and perhaps millions of American children, is a working alliance between the prestigious American Academy of Pediatrics, representing 10,000 child specialists, and the OEO.

Nothing can be more precious to a nation than the well-being of its youngsters, the citizens and leaders of the new generation. Here in this trailblazing OEO program is perhaps the dawn of a new era of active cooperation between the medical profession and the war on poverty. It is a program that will help, at the beginning, to protect and improve the health of 700,000 boys and girls currently participating in the Headstart program. I have christened it "Medikids."

Mr. President, only those who have personally observed, as have members of the Senate Subcommittee on Employment, Manpower, and Poverty, the horrible ravages of hunger on innocent children can fully appreciate how invaluable a program such as this can be.

The sight of tiny innocent toddlers with swollen bellies, shriveled limbs and the open sores that betray malnutrition and even starvation, the lethargy and listlessness that leave children unable to attend school and even apathetic toward childish play—these are experiences that must strike horror and revulsion into the hearts of all adult men and women.

We of the older generation, Mr. President, cannot be forgiven and should not be forgiven for the stunted growth and the gnawing pain in the bellies of hundreds of thousands of children in this richest and most resourceful of all countries. We should not be forgiven for this crime against a future generation until we make amends such as this program devised by the OEO and the organization of 10,000 childrens' doctors.

This being true, Mr. President, the OEO and the American Academy of Pediatrics deserve more than our praise for this pioneering program. They deserve our heartfelt thanks and our prayerful wishes not only for the success of this program but for its enlargement until every American child who needs medical care receives it. Such should be, from this moment on, the birthright of every child born in this land.

Mr. President, I ask consent that an article by Staff Writer Betsy Bliss, which appeared in the October 25 issue of the Chicago Daily News, describing this auspicious alliance and program, be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Pediatricians Join Effort To Aid Poor—700,000 Kids

(By Betsy Bliss)

Washington.—Add 300 outstanding pediatricians to 700,000 Head Start youngsters—at 50 cents per child—and get better health care for the nation's poor children.

That's the goal of Dr. Robert S. Mendelsohn, one of Chicago's best-known pediatricians.

Dr. Mendelsohn Tuesday was named medical director of a new alliance between the 10,000-member American Academy of Pediatrics and the Office of Economic Opportunity. It is the largest co-operative effort ever undertaken by the federal government and a voluntary professional organization.

The partnership and Dr. Mendelsohn's appointment were announced during the annual meeting of the AAP at the Washington Hilton Hotel.

Called Medical Consultation Service Project Head Start, the program will enlist private physicians on a part-time basis to improve effectiveness of existing Head Start medical programs and to bring in the physicians' knowledge of additional financial and medical resources.

The project involves a $361,000 contract between the OEO and AAP—or about 50 cents per child. "Considering the consultants' many outside contacts, we expect to be getting a lot of our money," an OEO spokesman said.

The consultants will be paid $100 a day, the standard government consulting fee. But they will work only about 2½ days a year per project. Each will be assigned to assist three or four Head Start programs.

The outside pediatricians will have no authority over present Head Start medical directors. Instead, "we'll be a kind of medical ombudsman, advocating the child's best interests," Dr. Mendelsohn said.

Problems in poverty medicine, he added, include hearing and visual impairment, dental decay, anemia and psychological and mental retardation. "But we want to do more than direct trouble; we want to make sure that each child gets treatment and follow-up care."

Initially the American Academy of Pediatrics will select 300 physician-consultants, on a geographic basis, from its membership and other leaders in the field of child health. Criteria for acceptance include "outstanding professional reputation and leadership in nonmedical, civic activities."

Already 430 pediatricians have accepted invitations for consideration. This "enthusiastic response," according to Dr. Mendelsohn, is evidence of "doctors' basic humanistic impulses and social consciences—which have not been encouraged in any kind of structural way."

Pediatricians have traditionally taken a different approach from the American Medical Assn. toward social problems and private-public co-operation. AAP began as a protest in 1922 against AMA opposition to a federal maternal and infant program.

The AAP–OEO partnership symbolizes, Dr. Mendelsohn believes, a "growing general awareness of the need to provide equal medical services to all. What is happening in many medical fields is that doctors are sitting down with social workers, educators, administrators, and finding ways to work together."

PARTNERS OF THE ALLIANCE FOR PROGRESS

Mr. CLARK. Mr. President, last June the National Association of the Partners of the Alliance sponsored a meeting of their National Rural Development Advisory Committee in Washington, D.C. This committee is composed of Agricultural experts from a number of U.S. States participating in the Partners of the Alliance program, the citizen level involvement of people working toward the broad objectives of the Alliance for Progress. Among participating States with representatives on the Rural Development Advisory Committee of the National Association of the Partners are Alabama, New Jersey, Wisconsin, Texas, Missouri, Pennsylvania, Florida, Louisiana, Utah, Idaho, Arkansas, Michigan, and Vermont. The Pennsylvania Partners of the Alliance are represented by Dr. Russell Dickerson, vice dean, College of Agriculture, Pennsylvania State University, at University Park.

The committee met to consider ways and means for the Partners of the Alliance committees, throughout the hemisphere, to assist in the development of democratic institutions in rural Latin America, and how to assist also in increasing the level of food production. The committee favored a campesino-oriented program and pledged to work toward the goal of providing material and technical assistance for agriculturally oriented self-help projects in Latin America.

Mr. President, since that meeting, a number of agricultural teams from several participating U.S. Partner States have gone to pilot areas to conduct on the ground surveys designed to implement the basic goals of the Rural Development Advisory Committee. Among those teams which have traveled were technicians in agriculture from Arkansas and Michigan. The States of Vermont, Texas, New Jersey, and Pennsylvania are scheduled to send teams very soon.

Dr. Dickerson of Pennsylvania State University also serves as the chairman of the Pennsylvania Partners Agriculture Committee. He recently announced plans of the Pennsylvania State Grange to join in the effort to assist farmers in Pennsylvania's Partner State of Bahia in Brazil. I ask unanimous consent that an article published in the Greater Philadelphia Chamber of Commerce News for September 14, 1967, be printed at this point in the RECORD, for the interest of my colleagues.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PARTNERS, GRANGE TO HELP IMPROVE FOOD PRODUCTION ON BAHIAN FARMS

The Pennsylvania State Grange is joining hands with the Pennsylvania-Bahia Partners of the Alliance for Progress to develop programs which would help farmers in the Brazilian State of Bahia to increase their food production.

The disclosure came at a meeting of the Partners' Board of Trustees in the Board Room of the Philadelphia National Bank on Tuesday, when Dr. Russell B. Dickerson, Chairman of the Partners' Agriculture Committee, reported that John W. Scott, Master of the Pennsylvania State Grange, has expressed the desire of his organization to cooperate with the Partners on a Bahian agricultural program.

VISIT PLANNED

First step in the development of the program, Dr. Dickerson said, will be a trip to Bahia later this year by himself and a representative of Mr. Scott.

During the visit to Bahia, which is being made at the invitation of James H. Boren, Federal Director of the Partners of the Alliance for Progress program, Dr. Dickerson and the Grange representative will survey conditions on Bahian farms and determine ways in which the Partners-Grange may be of most help to the campesinos (farmers).

FORMS OUTLINED

Dr. Dickerson, who is Assistant Dean, Director of Resident Education and Coordinator of International Development at Pennsylvania State University's College of Agriculture, explained that this help might take various forms.

It could be help in improving seed, fertilizer, or pesticides, he said, assistance in forming an organization to improve farmer credit; assistance in improvement of marketing, including transportation, storage, or processing; help in land and water development, including irrigation, or aid in providing machinery and equipment, such as small tools, water pumps, small generators, and tractors.

As is the case with other Partners' projects, programs will be sought which permit the Bahians to help themselves as much as possible, Dr. Dickerson added. The self-help concept is a cornerstone of the Pennsylvania-Bahia Partnership, whose Pennsylvania Committee was organized in 1965 by Chamber officials and other civic leaders.

Frederick Heldring, President of the Pennsylvania-Bahia Partners and Senior Vice President, International Division, Philadelphia National Bank, reported that a new slate of officers has been elected by the Bahian counterpart of the Partners' organization. Heading the slate is Jayme Meseeder de Souza Soares, President, who succeeds Dr. Jorge Calmon, who has headed the Bahian organization since its inception in 1965.

A DESERVED TRIBUTE TO A REMARKABLE WOMAN: MRS. LYNDON B. JOHNSON

Mr. BAYH. Mr. President, Mrs. Lyndon B. Johnson recently visited one of the Nation's most prestigious universities and was subjected to the kind of rudeness that seems to be commonplace nowadays among irresponsible elements on our campuses.

I do not suppose any Member of this body feels more strenuously than I about the American right to dissent. But today it seems to me that increasingly those who are dissenting are indeed destroying the basic philosophy of what dissent is all about.

I know that Mrs. Johnson is too gracious to complain about the treatment accorded her.

Mr. President, we had a similar situation at Indiana University when Secretary of State Dean Rusk spoke there last week. Some two dozen or so hecklers almost prevented 4,000 students and faculty members from hearing our Secretary of State.

I believe all responsible Americans will join in sternly condemning such inexcusable boorishness and poor judgment by those who have abused the right to dissent by acting like a mob of savages.

Our First Lady deserves better treatment. She is a remarkable woman, whose keen intellect and warm heart deserves the Nation's respect and admiration.

Mr. President, I believe it is no exaggeration to say that Lady Bird Johnson personifies the best qualities of American womanhood through her loyalty and devotion to her family, and her concern and devotion to the welfare of the Nation.

It is no secret that she is a tower of strength to the President, his confidante and helpmate, who helps to ease his enormous burdens through her kind and understanding ways.

I am proud to pay tribute to such a woman, and extend to her my deep admiration and respect.

I think it is well worth recalling a recent interview with Mrs. Johnson that appeared in the New York Times. I doubt whether any of the thoughtless hecklers read that interview. For if they had, their jeers would have been turned to cheers in the presence of such a woman. And although it is "after the fact," Mr. President, I ask unanimous consent to insert this interview in the RECORD, with the hope that those who participated in the rudeness to Mrs. Johnson may feel the full weight of shame for their ill-mannered act.

There being no objection, the interview was ordered to be printed in the RECORD, as follows:

A TALK WITH THE FIRST LADY

(NOTE.—Mrs. Johnson is interviewed at the White House by Henry Brandon, the Washington correspondent and associate editor of the Sunday Times of London.)

Now you grew up in Texas, and I'm sure that the scenery and the people have had a great influence on you. Would you tell me a little about what it means to grow up in Texas?

For me it meant growing up in what's affectionately called Deep East Texas, which is the economy and the culture and the landscape of the South. It was in Harrison County, close to the Louisiana line. My father was a landowner and merchant. The economy is cotton—at that time, I mean, it was—almost entirely a one-crop way of living. And we lived in a big, old, red-brick house with white columns which, in terms of our country, was an old house. It was built before the Civil War and the bricks were right on the place, and it's still a quite noble-looking old house.

My mother died when I was 5, which was, I'm sure, quite a radical change in my life, although at 5 one is anesthetized and one doesn't know it, you know, and I didn't.

My greatest delight as a very small child was to have her read to me. My two brothers, Tony and Tommy, were gone most of my childhood years off to school in New York and various places.

What difference did it make being brought up by your father, without a mother?

When my mother died, my daddy necessarily had to take over. He had quite a good deal of land and was always buying more from those people who moved to town, even in those days. He had a large country store and cotton gin, and he took me with him a lot. It made me very aware of him and very admiring of him, which one necessarily would have been because he was a commanding figure. In his small world he was a man of size and authority and presence.

The size was physical as well as in character. He was about 6 feet 3 and very broad-shouldered and a rather handsome man and, like all the men in his family, had a name that's dear to me—Thomas Jefferson Taylor. No kin to their famous namesake whatsoever except the kin of loving admiration.

But, you know, some people say that you're a very good businesswoman, too. Has this something to do with watching your father at work?

It taught me the importance of a solid economic base. On the other hand, no, Mr. Brandon, I think my business acumen is much exaggerated. I simply hope I have a sense of judgment about people. I've tried to select good people who have helped run the business interests I have and make it worth their while to stay with us through the years, establishing strong cords of friendship and interest with them. Then, as it so happens, I landed in a growing industry in a growing community and 20 or 25 years passed. That's just the story of the economic progress of our country really—no credit to me.

What was your life like as a child?

People always look back at it now and assume it was lonely. To me it definitely was not. I lived in a country of farm lands and pine forests and little country lanes. In spring there were wild cherokee roses along the fence rows, and in the woods there were violets. In the fall the roads are real bright with the sweet gum and hickory trees and all the fall foliage: I spent a lot of time just walking and fishing and swimming.

When I was 5, after my mother's death, my Aunt Effie from Alabama, my mother's sister, came to live with me. She was a very gentle and rare person. I cannot say that any of her gifts to me in raising me were on the material or practical side, but she certainly did instill in me more valuable ones like a love of nature and an enjoyment of the world around me.

What kind of education did you have?

The first years were at a little one-room school right up the hill from home called Fern School. We were about eight children, and all the grades were taught in the same room. And then high school in Jefferson and in Marshall, where I drove myself back and forth the 15 miles to school for two years, and St. Mary's School for Girls in Dallas. And on I went to the University of Texas, and that was a very great step because I—well, I had the feeling that all the doors of the world swung open.

Wasn't it something unusual for a girl to go to the university then?

Oh, no, not at all. Of the 6,000 student body at that time, I don't know how many girls there were, but I would say at least a third and maybe more.

You said you were driving yourself to school—was it unusual for a girl to have a car?

Yes, but it was simply the fact that living 15 miles out in the country, it was an awful chore for my daddy to have to delegate some person from his business to take me in and out.

So in a way there was a certain independence already developing in you?

Quite.

When did you meet the President?

I suppose it was because I went to the university, because there I made quite a few friends. Among them, Gene Boehringer, who was secretary to a member of the Texas Railroad Commission and had many friends in the political world. She was a friend of Lyndon's father, who had been a member of the Teaxs Legislature off and on for 20 years. And she was also a friend of Lyndon's and probably had a number of dates, although they were just friends, they both assured me. And it was through her that I met him—in her boss' office, in fact. Neither of us quite remembers the exact date . . . maybe the very first day of September of 1934.

Was it a long courtship?

No. From approximately the first of September until we married on Nov. 17.

So he's really a very fast worker?

Yes. When I met him, he asked me for a date at breakfast the next morning—and breakfast turned out to be also about a four-hour drive out into the country in which we discussed everything about each other.

Was it love at first sight?

Not on my part. It was keen interest and excitement. When I say we discussed everything, I mean he told me a great deal about his job—he was at that time secretary to Congressman [Richard M.] Kleberg from Corpus Christi—and about his interests and his family. Then he asked me if I would drive with him to meet his mother and father.

On the first date?

Yes. I think it was probably—I'm trying to remember—I think it was the next day we went to see his mother and father, and I did not know what sort of young man I had met, I just knew that he was different from anybody I'd ever met before—more intense and driving and, somehow or other, more alive.

In talking about his job, it must have already been clear that he was an ambitious person?

Yes. I would say certainly ambitious, but more a person who was immersed, enthralled in doing his job, and because it was important to him he wanted to talk about it to someone that he felt he was beginning to like.

Did he ever as a young man like to say to you, "I'd like to become President"?

No, never, never (*laughs*). And then I remember so distinctly meeting his mother and father and just seeing how much they loved him and how much their lives centered around him, and also a certain question in their eyes about "Who are you?" and "What part do you play?" Then he asked me to go down to meet his boss, Congressman Kleberg [a grandson of Richard King, founder of the 1,125,000-acre King Ranch], which was quite an experience, because the King Ranch was a fabulous place then, as now, and presided over at that time by a woman of great authority—sort of a head of the clan—Grandmother Kleberg, for whom my husband had a great admiration, and I think she liked him, too.

Now, in Texas terms you really lived in more sumptuous surroundings than, I presume, the Johnson family did. How did this strike you at first?

Well, Mr. Brandon, there was nothing in my background that would have taught me to seek the same kind of economic level I had. One rather turned one's back on aiming toward that, because there was always the thought that with hard work and ability you could arrive at just about anywhere you wanted to. Heaven knows, my father had come up from no economic background to a very solid one, and as for my husband's family, his father had been a rancher, farmer and legislator—the latter is a very sapping job as regards making money—you don't make any—and yet he loved public service and he put an awful lot of time in on it. And his fortunes had risen and fallen with the depressions and with the slope of the years, and at the time I met Lyndon they were of quite modest means. That to me was obvious and no barrier.

When did he propose to you finally?

He and I are really not quite sure, but I think it was perhaps the second day—of course, I didn't believe it. I just thought—well, nobody in quite such clear terms had made such a proposal on the second day, but I just couldn't believe that he would be willing to take such a chance any more than I would at that time.

How old were you then?

I was 21.

And he was?

Twenty-six.

Did you decide to wait?

The decision on my part was, "We'll wait," and on his part, "We'll go ahead pretty soon."

And then you got married, and how soon did he try to get into politics after that?

Well, I would say that he was in politics, actually, when I met him, because being secretary to a Congressman you learn all about the job, and his boss was an open and generous man who made it possible for him to exercise some amount of initiative and judgment.

At any rate, we came to Washington, we lived here from right after the honeymoon in early December of 1934 until the following July—at which time he was offered by President Roosevelt, the job of State Director of the National Youth Administration for Texas, one of those many efforts of the early depression years to help young folks of high-school and college age get skills and education. It was just tailored to his loves, and so he accepted the job. We came back to Texas in August of '35.

The period of N.Y.A. was one of the richest and happiest and most productive of our lives. It's remembered with great warmth and spice and satisfaction. Lyndon was in that until suddenly, in February of '37, the Congressman from Tenth District [James P. Buchanan]—his district—died. Overnight he was confronted with, "Shall I run for this unexpired term? Do I take the plunge? Do I dare?"

Then he took the first plunge into politics. How clear were his ambitions then—I mean—

To go to Congress from the Tenth District, and that—oh, that, Mr. Brandon, was and is a very wonderful thing. He was pretty daring to assume he could because he was still a very young man and from a county which was the smallest of the 10 counties of the district, with the least population, and he was on a field of 10 candidates. He left the house terribly early in the morning, and I didn't see him until long after midnight—we were living in a little rented apartment—and he worked awfully hard across those 10 counties, and my contribution was simply to talk to the grocery man and the laundry man and to my own friends.

You didn't actually campaign?

Now, I didn't. I would have loved to begin even then, but I was pretty shy and, well, I just didn't. I did help, though, because we couldn't really have taken this plunge if it hadn't been for the fact that my daddy was still handling my inheritance from my mother, and so I just called him up and said, "Can I have a part of it?" And he said (it was on Sunday when I called him), "Well, honey, I can't get it to you before tomorrow morning at 9 when the bank opens." That was the financial basis, and the campaign ended on April 10, and he was elected. And though it took him several years, he insisted on paying this back.

So you really encouraged him to go into politics?

Yes, I was committed and interested, because after all, by that time I'd had a 2½ years' indoctrination. The very first thing after we married, Lyndon asked me to learn the names of the county seats of those counties that his boss represented and, say, three or four of the outstanding men who were able to get things done in each county and the basis of his district's economy and working.

So already you were in favor of women in politics? This was in your blood.

No, I wouldn't say that. I was in favor of everyone knowing about their part of the country and having their say about it. And I was very much in favor of my husband making the try, although I recognized what a slim chance he had.

Were you ever tempted to go into politics yourself?

Good heavens, no! Not then, now or ever.

You went on your own whistle-stop campaign tour much later, which I thought was very courageous and very enterprising. Yet I had certain reservations about it at the time, because people were not voting for you but for your husband, therefore you were using your charm and personality to help your husband. How do you feel about this?

Mr. Brandon, I think in this country there is still the legend, the deep strain of feeling, that people want to *know* the man that they're entrusting so much of their own power to, and not even the rising prevalence of radio and television has taken away that personal bond of "campaigning on the courthouse square," meeting everybody and shaking hands, and knowing what that man is like. Well, the man can't be everywhere and meet everybody. An interpreter—somebody close to him, his wife or members of his family—can do something to explain him, his aims, his character, his hopes for the folks, and I was simply an extension, an interpreter.

Do you think that the news media like radio and television project the President as you see him? You know, some people's personality comes over on television very accurately, others don't.

I do think that he is at his best in a small group of people where he simply talks straight from the heart. There's a pungency and a color and a humor and a force in meetings of that sort, and it may be equally as good in a face-to-face confrontation with a larger group. It is somewhat diluted and restricted when it gets to the mechanics of TV and the great invisible audience. I do not think it is quite as good as face to face. I think it's perhaps because he's used to and likes that bond of looking at people and feeling their response. Nevertheless, I have seen him lots of times on TV when I thought, "That is the real flavor of the man coming through."

Why at times doesn't that flavor come through?

I simply think that the sheer mechanics and the absence of the audience make it somewhat more difficult for some people. He's a human man and not a machine man.

Do you think he is somewhat afraid of these machines?

No, not at all. He just is not responsive to them. He responds to humans.

Is he ever afraid?

Yes, of course. He would be less than intelligent if he weren't afraid sometimes. Sometimes you have to be afraid, evaluate the alternatives, choose the one that you think holds the least fear, holds the least dynamite and obstacles, and go ahead. I don't think any really wise, aware person could say that he wasn't ever afraid.

Do you remember when the President discussed with you such alternatives that involve—more or less—fear?

Those several times when there have been those dead-of-the-night calls that some violence has erupted in some part of the world, and when there are minutes only to evaluate action—because one thing you don't have is the luxury of inaction, and you try to balance alternatives based on judgment of the best people you know and pick whichever path offers the most hope and the least dynamite. And in a democracy you must weigh always what path you can get your Congress and your allies to follow you on.

How much can you give him in this sort of situation?

I can give none, really, except a peaceful setting right here in the house. The best thing I can do for him is to try to create a pleasant little island where he can *work*—where you like the food and where you are not constantly bothered with questions about household and family and where you know you're coming back to somebody who, even if they don't always agree with what you're doing, are not going to—

Are you not being too modest? Because you are a very alert, very intelligent woman, and you will understand the President's dilemmas and, after all, you are his best friend, and it's very difficult these days to have somebody one can trust 100 per cent.

Perhaps there is this—I'm terribly average—something like litmus paper—and I think maybe my reaction would be the reaction of millions of people across the country. On, for example, a big controversial question with innumerable ramifications, if I have a straight-from-the-heart reaction, it may have some value in that respect. Certainly I can give him a very honest criticism. In this job—his job—you are surounded by two things—adulation and "yes," "yes," "yes," and on the other hand the acid bath of biting criticism. Maybe somewhere in between there is a firmer ground for reaction to a state of affairs and saying what you think about it.

Does he take criticism from you easily?

Yes, I think so. I'm not thinking of it so much in terms of criticism as of saying, "This is what I think about it, and why." And it is sometimes different from his own view—but, goodness knows, he asks all sorts of people that he trusts for their reaction.

Now, I presume that you really know something about Washington politics or national politics. Is this where the President takes your advice most?

Mr. Brandon, I think perhaps you think I've entered into it more substantively than I have. I have feelings about people and programs, but I think mostly it's been from the standpoint of the citizen that's going to be affected by those things, and then the wife of the man. No, sir, I don't think of myself as deeply versed—I don't know the first thing about parliamentary procedures.

You mentioned that you are interested in programs. What programs, and how did you come to select them?

After Lyndon was elected in '64, and when we got back and settled here early in January of '65, I began to think of what I could do to be of help to him and his aims. What had the greatest appeal to me (and I think in order to work on something it has to be something that you love and know a little bit about) was the whole field of conservation and beautification. And if you'll come up with a better word for it than that last, I will thank you kindly.

Why did I choose it? I think because what has given me the most joy, what surfaces when I think back over the last 50 years, are things like walking through the piney woods of East Texas listening to the wind sighing, or along the banks of Caddo Lake with gnarled cypress trees heavy with moss, and, well, the whole beautiful picture of our diverse country . . . and the little towns with the squares that have the elm trees all around the courthouse, and the long shaded residential streets, and I want that to be just as good for our grandchildren's children as it was for me. So beautification became one of the primary things I interested myself in.

The other was Headstart, one of the many educational programs—and that's my husband's most loved field. It attempts to help youngsters of 4 and 5 who have lived in deprived circumstances—to give them an opportunity to play with other youngsters, to have medical examinations which will reveal anything like bad eyesight, bad hearing, the sort of thing that would burden their start in school—to give them something of the same vocabulary and ability to cope that other youngsters have when they hit first grade, so they'll get there with hope and interest rather than be burdened with that feeling of failure already at the age of 6.

Now, the beautification program has very wide ramifications, hasn't it?

Yes, Mr. Brandon, it began, of course, as everything should begin, right at home. I mean, for me it began with setting up the Committee for a More Beautiful Capital, which operates here in Washington. But as the months went by, I found that it has so many ramifications—right down to the level of getting people not to chuck that bottle or that piece of paper out the car window as they drive along, because the sheer amount of litter in this country, now that we're really a "packaged society—everything comes all wrapped up so fancy, you know—is tremendous. The cost of it has actually gotten to be 32 cents per article picked up off the highway.

And speaking of highways, you know the highways of the U.S.A. are the biggest public-works program in the history of mankind—bigger than the pyramids of Egypt, the temples of Greece or Rome—they cost more money, take up more land and they can be beautiful as well as being functional and safe. I think we're just now beginning to apply some sort of esthetic barometer to them. Of course, Mr. Brandon, I sort of stepped on to a moving train in all this.

Part of the beautification program is city planning, and the great problem of the cities today is that the center becomes all-Negro and the whites are moving out into the suburbs. That is now creating some sort of social confrontation. Is there any way by which, through city planning, this problem can be solved?

It's a subject of very agonizing and urgent thinking and effort. It's obvious what it does to the tax base, and it's true the center of many cities and towns is decaying. The problem is becoming clear and is of tremendous importance. The answer I do not know, except that I think our country has had the vitality to solve most of the problems it's had to face, and I believe we will solve this one.

What did you see when you visited Hartford, Conn.?

That was about two years ago. It was an extraordinary example of handling the downtown traffic problem. Great new shops were grouped around a raised plaza, which was beautifully planted. The garage was down below ground, and automobiles, moving or parked, didn't dominate the landscape. I thought it was a very impressive, clean, fresh approach to downtown.

Would you have had any inkling that Negroes in Hartford were bubbling with discontent and that there would be such outbreaks as happened recently?

I was there for one day. You don't learn a city in depth and all its problems in a time like that. No, it wasn't apparent to me.

The President in his program is trying to do so much to advance the lot of the Negro, and he can be proud of what he's done—and yet these things happen. What is the explanation?

That's a long deep question. I suppose the problem has been accumulating for—what?—175 or more years?—and I earnestly believe more has been done in the last 10 years and, very especially, I think, in the last three years, to solve it than in many, many decades before. Obviously it has not been solved and won't be in just a few years. I think, Mr. Brandon, the only solution is education and training and time, and I realize to an impatient people that is a hard answer.

Has the President discussed with you bills in advance of their being drafted—bills about schools or beautification?

Oh, the rush is so fast you don't get a chance to discuss nearly everything you want to—but, yes, we do talk about them and the people who will implement them.

How much do you see of him during the day?

Oddly enough, more, now, than when he was in the Senate, for the very simple reason that his office is within about a block of our bedroom, and he comes home for lunch every day. His hours are extremely unusual. He eats and sleeps when his work is in shape, when he can stop it, so—if he does not have guests—he may have lunch as late as 4 in the afternoon and dinner as late as 11 at night. Weekends—Sundays especially—are our safety valve, our cushion. That's our time to sleep late and talk a lot and, after church, to look at the TV programs and, in the evening, just to get up a quick casual party of good friends and perhaps go out on the boat—or just come in and have dinner here and sit out on the balcony and watch the twilight.

Does he easily relax?

Oh, yes. That he can't relax is purely an incorrect impression.

What do you think is his favorite relaxation?

I think his favorite is to be at home at the ranch, and to drive around, especially in the late afternoon, looking at the cattle and the deer and just talk. We both have a feeling of closeness to the land.

He also relaxes in telling stories, doesn't he?

Yes, I think he's quite a humorous raconteur.

I mean some people relax by sinking into silence——

No, I'd say that's not his habit.

What do you do with your own free time?

Oh, it's just like a jewel to be sought and preserved. I get my daughter Lynda to go with me, and we whisk away quickly and maybe go down to the National Theater or the Arena Theater and see a play. Then I remember one golden October day when Lynda Bird and I flew out to a rocky canyon in West Texas with an archaeologist friend and the rancher who owned the place, and climbed upon the cliffs and ledges and looked at early Indian pictographs; and then I enjoy walking along the river which flows in front of our house, the little Pedernales River; along stretches of anywhere from three miles to 10 miles—there's no way to learn the country like walking on it. Riding will never do it. You come within feet of an arched-backed black and white skunk, or an armadillo that looks like it was left over from dinosaur times or—if it's April and there's rain—a pasture that's yellow—and—red with gaillardias or blue as the sea with bluebonnets.

You like walking?

It depends on how interesting it is. I'm sure I wouldn't like to walk very far just along cement streets. I think the longest river walk we had—this was quite by chance and not planning—was 10 miles. It's simply we couldn't find a place to get out. You see, there were steep cliffs on both sides.

What do you read?

Right now I'm reading three books. I frequently read several at a time, according to what mood I am in. Thomas Wolfe's "Of Time and the River." Just a torrent, a tide, a flood of language, and some of it's quite magnificent, I think, but undisciplined. And then I'm reading Thornton Wilder's "The Eighth Day." It's good writing all the way through. I just finished "Travels with Charlie" by John Steinbeck, who's one of my real favorites. It's a delicious, humorous book.

I enjoyed reading it, although I think it's probably one of his weaker ones, isn't it?

I thought it was totally fun. I can't say that it carries the wallop of "Grapes of Wrath" or—what's the one about the whaling village?—"The Winter of Our Discontent." That, too, is one of my favorites.

The relationship with the dog is quite unusual, isn't it?

Not for us. We're a dog-loving family. Dogs get to be people. We ascribe to them all sorts of personal characteristics and we spend a lot of time talking to each other about our dogs and with them. They're understanding friends.

But the President spends enormous time reading?

Yes, the tyrant of his life—the compelling master is that big stack of night reading that comes in folders from the different Cabinet members or agency heads or his own executive assistants. The tough things—well, there they are at night on his bed. Sometimes it takes him until 2 A.M.—I wish we could change the way and do it in the morning, but that's the routine.

Is it that he doesn't easily fall asleep?

Oh, no. The Lord has blessed him with many things—a very, very rugged constitution and remarkable resiliency and the ability to sleep when the job permits and—most of all—a deep well-spring of faith—confidence—in the ability of mankind to solve man's problems.

He has an enormous amount of energy and dynamism although he's had this heart attack. Do you try to slow him down sometimes? Or—

I did, yes, for a while, for—perhaps two years. He was very good about his diet and reasonably good—never quite as good—about hours spent. But, you know, as danger recedes, discipline relaxes. It's not that you forget it—I'm sure that it's back there in the back of his mind, but today's needs are the ones that are pressing.

What do you do when he reads till 2 A.M?

I, too, read, but not serious things like his are. And, then, I'm likely to go to sleep earlier.

Does he sometimes hand over a piece of paper and ask you to read it?

Yes—yes, quite often.

What does he think would interest you among state papers?

I think, mostly, the things about education and conservation are the ones he's more likely to talk over with me.

He talks to you at 2 A.M. about those?

(Mrs. Johnson laughs.)

It's sometimes been suggested that he doesn't feel altogether at ease in the company of non-Americans.

I simply don't think it's true. Of course, I think he prefers to be able to talk to people and be understood in the same language, but, no, I think that is fiction.

Have you traveled abroad?

Yes, I have.

Where have you been?

I went with my husband to Senegal, Africa, in the early spring of '61, and later in the year to six southeast Asian countries. The following year we went around the world again, and then in the early fall to the Scandinavian and Benelux countries. And, of course, I've been to Mexico many times.

Have you spent much time in England?

Alas, no. The meager sum of 24 hours. And, oh, I do envy my daughter so! She's having the most marvelous time in England right now. Old books are one of her passions, and she has some friends over there who know a lot about them and have taken her to places to look for them. Sotheby's, I think, was one. And she spent the weekend at a lovely old house that was built in Tudor times. And then she went to see Mr. [Ernest] Shepard, a very elderly man who did the drawings for the Winnie the Pooh books—you know, A. A. Milne's. She was raised on those. The characters in them are part of our lives. We are always comparing each other or somebody to Eeyore or Piglet or some other character. So she loved seeing Mr. Shepard.

What do you think, as a mother, of the American youth today?

My experience, Mr. Brandon, has been pretty much limited to my two children and their numerous friends. And I hardly recognize what I see in this great spate of writing as being related to those I know. I just think they're pretty marvelous young folk. And I'm not afraid of the future in their hands.

Yet the American youth today is much less conformist than it used to be even 10 years ago. It is less interested in money and in security.

Perhaps because so many of them have always had it. They never have had to struggle for a living. Maybe when they have to get out and make a living, it might change them somewhat.

And then they are critical of the misuse of American affluence.

I don't know, I see with admiration the reaching of a lot of them for personal contribution such as they manifest in the Peace Corps and VISTA.

You think that what we read about so much relates to a small minority that gets a lot of publicity?

Mr. Brandon, how can I talk about something I don't know anything about or haven't experienced? I read about marijuana and LSD and I don't know anybody that uses it. I don't have my head in the sand—I don't deny the problem exists in many countries—I simply have not had any close observation of it that qualifies me as an authority. What I see are Lynda and Luci and their friends, and I feel good about them.

The most fun I've had in years, if I may inject this here, were the 11 days I spent with Luci about the time that the baby was going to be born. It was my good fortune that the baby was several days late. I finished a trip to New England and left immediately afterward to go down to be with Luci and had just the most wonderful time—just talking, talking, talking with her. Having dinner around the kitchen table. Sometimes she would cook it, and a very good cook she is.

And sometimes she and Patrick and I and some of their friends would go out in town for dinner. And I got acquainted once more with my own very lovely home town of Austin. And it was just the happy, slow-pace domestic life that I had missed and yearned for and didn't know it, really. I'm glad I got it. And then it was climaxed in the happiest of ways when the baby was born, well and strong, and Luci acted like this was what she'd been waiting for all her life, and she knew just exactly how to cope with it.

Has it changed you, being a grandmother?

Someone asked me how I liked it, and I said I liked the condition but not the name (*laughs*).

I'd like to go back for a moment to the President. His first year after he was elected was enormously successful, and more bills were passed, perhaps, than ever in American history. Since then the situation has changed, and now he must feel much more frustrated.

Mr. Brandon, he's been in this so long, you know—30 years. And I think he knew in the beginning that you strike while the iron is hot, and you get what you're able to get, and you settle down knowing that the pace will be slower and more restricted. No, I do not look upon him as being frustrated. I don't think he ever thought that it would be an unbroken stretch of Congressional successes.

Do you think he is concealing his frustration from you?

(*Laughs*) No.

Does the war in Vietnam weigh him down?

Yes. Terribly.

In what way?

That every one of those soldiers out there is a valuable life to himself and to his family and friends and country. Of course it weighs.

He must also feel that the war is interfering with many of his plans for the Great Society program?

Don't let that idea cloud the fact that all of those programs are going ahead. For instance, in the last three years we're spending vastly more on education and on medical care than ever before. In fact, since 1963 the Government has tripled its investment in education and medical care—and those two things are the hinge points, I think, of Lyndon's whole philosophy of government.

But don't you think that without the war he would be able to do more than he is already doing?

Yes, of course. But neither must we let the war overshadow the fact that much is being done.

Do you discuss the war with him, and do you have a personal view about it?

Mr. Brandon, I just have to trust and believe in people whose good minds and good hearts are dedicated to finding the way to deal with it.

Are you aware of having changed since you've come into the White House? What it has done to your life and personality?

I think in a way it has stretched and expanded me. You see your country in greater depth—I have traveled a lot, learned a lot. More is demanded of you, and you try to respond, you know. In a lighter vein, for instance, one thing I've tried to learn, oh, quite simply, is how to dress better. How to look better. That pleases my husband. And what pleases him pleases me.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. BAYH. I am glad to yield to the distinguished Senator from Maryland.

Mr. BREWSTER. Mr. President, I wish to join my distinguished friend from Indiana in expressing the sentiments he has just expressed in the Senate.

Our First Lady has earned the respect and affection of us all. Her sense of public service and deep humanitarianism is recognized and respected by the American people. The American people like their First Lady. They are well aware of her leadership in beautification of our streets and highways and her devotion to the welfare of the American performing arts.

They know, too, that Mrs. Johnson cares deeply about the needs of our people and the kind of American future we are building today.

Those who attempted to insult our First Lady recently succeeded only in insulting themselves and defaming their causes.

Mrs. Johnson would be the first person to grant her husband's critics the right to be heard. She would defend this right as one that is inalienable in our system of government. And she would be the last person to protest when this right is blatantly abused by those seeking only to humiliate and embarrass her.

But we, her friends and admirers, will not remain silent. We deplore those mindless individuals who have tried to insult the First Lady. And we join with all responsible Americans in extending to her our genuine respect and warm affection now and in the years to come.

Mr. BAYH. I appreciate the thoughtful remarks of the Senator from Maryland. I think the Senator has made a good point. There is the right to dissent and the right to freedom of speech in this country, but if we are not careful, those who dissent will stifle the right of free speech of the majority of the people in this country. This is not in the best tradition of America and it is inexcusable when it is directed toward our First Lady. I appreciate the Senator's thoughtful remarks.

MRS. LYNDON B. JOHNSON—A GREAT AND GRACIOUS LADY

Mr. HARRIS. Mr. President, I join the distinguished Senator from Indiana [Mr. BAYH] in his warm and sincere remarks about the character and stature of our wonderful First Lady, Mrs. Lyndon B. Johnson.

Unhappily, I also share his shock and disappointment that the wife of a President of the United States could be abused and mistreated at a public gathering by a coterie of so-called dissenters.

Lady Bird Johnson has contributed more to the elevation of American national life than any of her detractors.

Her deep personal commitment to Project Headstart; her energetic work in behalf of the beautification of our cities, roads, and countryside; and her devotion to the cultivation of the arts and humanities are all a matter of public record and fully deserve public praise.

Mrs. Lyndon B. Johnson merits the respect of the American people not only because she is the First Lady, but because she is a great and gracious lady whose life and work bespeak her rank.

Mrs. Johnson would have gained national stature in whatever vocation she pursued.

I am personally proud that such a fine woman is at the President's side to counsel and aid him.

Our country is proud of her.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERGOVERNMENTAL PERSONNEL ACT OF 1967

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 699, Calendar No. 684, the Intergovernmental Personnel Act of 1967. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be read by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 699) to strengthen intergovernmental cooperation and the administration of grant-in-aid programs, to extend State and local merit systems to additional programs financed by Federal funds, to provide grants for improvement of State and local personnel administration, to authorize Federal assistance in training State and local employees, to provide grants to State and local governments for training of their employees, to authorize interstate compacts for personnel and training activities, to facilitate the interchange of Federal, State, and local personnel, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Government Operations, with an amendment, strike out all after the enacting clause and insert:

That this Act may be cited as the "Intergovernmental Personnel Act of 1967".

DECLARATION OF POLICY

SEC. 2. The Congress hereby finds and declares—

That effective State and local governmental institutions are essential in the maintenance and development of the federal system in an increasingly complex and interdependent society;

That, since numerous governmental activities administered by the State and local governments are related to national purpose and are financed in part by Federal funds, a national interest exists in a high caliber of public service in State and local governments.

That the quality of public service at all levels of government can be improved by the development of systems of personnel administration consistent with such merit principles as—

(1) recruiting, selecting, and advancing employees on the basis of their relative ability, knowledge, and skills, including open consideration of qualified applicants for initial appointment;

(2) providing equitable and adequate compensation;

(3) training employees, as needed, to assure high-quality performance;

(4) retaining employees on the basis of the adequacy of their performance, correcting inadequate performance, and separating employees whose inadequate performance cannot be corrected;

(5) assuring fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, national origin, sex, or religious creed and with proper regard for their privacy and constitutional rights as citizens; and

(6) assuring that employees are protected against coercion for partisan political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the result of an election or a nomination for office; and

That Federal financial and technical assistance to State and local governments for strengthening their personnel administration in a manner consistent with these principles is in the national interest.

SEC. 3. The authorities provided by this Act shall be administered in such manner as to recognize fully the rights, powers, and responsibilities of State and local governments.

TITLE I—DEVELOPMENT OF POLICIES AND STANDARDS

DECLARATION OF PURPOSE

SEC. 101. The purpose of this title is to provide for intergovernmental cooperation in the development of policies and standards for the administration of programs authorized by this Act.

ADVISORY COUNCIL

SEC. 102. (a) Within one hundred and eighty days following the date of enactment of this Act, the President shall appoint, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, an advisory council on intergovernmental personnel policy.

(b) The advisory council shall be composed primarily of officials of the Federal Government and State and local governments, but shall also include members selected from educational and training institutions or organizations, public employee organizations, and the general public. At least half of the members shall be officials of State and local governments.

(c) It shall be the duty of the advisory council to study and make recommendations regarding personnel policies and programs for the purpose of—

(1) improving the quality of public administration at all levels of government, particularly in connection with programs that are financed in whole or in part from Federal appropriations;

(2) strengthening the capacity of State and local governments to deal with complex problems and confronting all levels of government;

(3) aiding State and local governments in training their professional, administrative, and technical employees and officials;

(4) aiding State and local governments in developing systems of personnel administration that are responsive to the goals and needs of their programs and effective in attracting and retaining capable employees; and

(5) facilitating temporary assignments of personnel between levels of government.

(d) Members of the advisory council who are not regular full-time employees of the United States, while serving on the business of the council, including traveltime, are entitled to receive compensation at rates not exceeding the daily rate for GS-18; and while so serving away from their homes or regular places of business, all members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government service employed intermittently.

REPORTS OF ADVISORY COUNCIL

SEC. 103. (a) The advisory council on intergovernmental personnel policy shall from time to time report to the President and to the Congress its findings and recommendations.

(b) Not later than eighteen months after its establishment, the advisory council shall submit an initial report on its activities, which shall include its views and recommendations on—

(1) the feasibility and desirability of extending merit system requirements to additional Federal-State grant-in-aid programs;

(2) the feasibility and desirability of extending merit system requirements to grant-in-aid programs of a Federal-local character;

(3) appropriate standards for merit personnel administration, where applicable, including those established by regulations with respect to existing Federal grant-in-aid programs; and

(4) the feasibility and desirability of financial and other incentives to encourage State and local governments in the development of comprehensive systems of personnel administration based on merit principles.

(c) In transmitting to the Congress reports of the advisory council, the President shall submit to the Congress proposals of legislation which he deems desirable to carry out the recommendations of the advisory council.

TITLE II—STRENGTHENING STATE AND LOCAL PERSONNEL ADMINISTRATION

DECLARATION OF PURPOSE

SEC. 201. The purpose of this title is to assist State and local governments to strengthen their staffs by improving their personnel administration.

STATE GOVERNMENT AND STATEWIDE PROGRAMS AND GRANTS

SEC. 202. (a) The United States Civil Service Commission (hereinafter referred to as the Commission) is authorized to make grants to States for up to 75 per centum of the costs of developing and of carrying out programs or projects which the Commission finds are consistent with the applicable principles set forth in clauses (1)–(6) of the third paragraph of section 2 of this Act, to strengthen State and local government personnel addministration and to furnish needed personnel administration services to local governments in that State. The authority provided by this section shall be employed in such a manner as to encourage innovation and allow for diversity on the part of State and local governments in the design, execution, and management of their own systems of personnel administration.

(b) A grant authorized by section (a) of this section may be made to a State on application to the Commission at such time or times and containing such information as the Commission may prescribe.

To be approved, the application shall—

(1) provide for designation, by the Governor or chief executive authority, of the State office that will have primary authority and responsibility for the development and administration of the approved program or project at the State level;

(2) provide for the establishment of merit personnel administration where appropriate and the further improvement of existing systems based on merit principles;

(3) provide for specific personnel administration improvement needs of the State government and, to the extent appropriate, of the local governments in that State, including State personnel administration services for local governments;

(4) provide assurance that the making of a Federal Government grant will not result in a reduction in relevant State or local government expenditures or the substitution of Federal funds for State or local funds previously made available for these purposes; and

(5) set forth clear and practicable actions for the improvement of particular aspects of personnel administration such as—

(A) establishment of statewide personnel systems of general or special functional coverage to meet the needs of urban, suburban, or rural governmental jurisdictions that are not able to provide sound career services, opportunities for advancement, adequate retirement and leave systems, and other career inducements to well-qualified professional, administrative, and technical personnel;

(B) making State grants to local governments to strengthen their staffs by improving their personnel administration;

(C) assessment of State and local government needs for professional, administrative, and technical manpower, and the initiation of timely and appropriate action to meet such needs;

(D) strengthening one or more major areas of personnel administration, such as recruitment and selection, training and development, and pay administration;

(E) undertaking research and demonstration projects to develop and apply better personnel administration techniques, including both projects conducted by State and local government staffs and projects conducted by colleges or universities or other appropriate nonprofit organizations under grants or contracts;

(F) strengthening the recruitment, selection, assignment, and development of handicapped persons, women, and members of disadvantaged groups whose capacities are not being utilized fully;

(G) achieving the most effective use of scarce professional, administrative, and technical manpower; and

(H) intergovernmental cooperation in personnel administration, with respect to such matters as recruiting, examining, pay studies, training, education, personnel interchange, manpower utilization, and fringe benefits.

LOCAL GOVERNMENT PROGRAMS AND GRANTS

SEC. 203. (a) The Commission is authorized to make grants to general local governments, or combinations of such governments, that serve a population of fifty thousand or more, for up to 75 per centum of the cost of developing or carrying out programs and projects which the Commission finds are consistent with the applicable principles set forth in clauses (1)–(6) of the third paragraph of section 2 of this Act, to strengthen the personnel administration of such governments. Such a grant may be made only if, at the time of the submission of an application, the State concerned does not then currently have an approved application for a grant providing adequately for assistance in strengthening the personnel administration of that local government or combination of local governments. However, such a grant, except as provided in subsection (b)(1) of this section, may not be made until the expiration of one year from the effective date of the grant provisions, as provided in section 513 of this Act.

(b) A grant authorized by subsection (a) of this section may be made to a general local government or combination of local governments on application to the Commission at such time or times and containing such information as the Commission may prescribe. To be approved, the application must meet requirements similar to those established in section 202(b) of this Act for a State application for a grant, unless any such requirement is specifically wavied by the Commission, and the requirements of subsection (c) of this section. Such grants may cover the costs of developing the program or project covered by the application. The Commission may—

(1) waive at the request of a general local government or combination of such governments, the one-year waiting period, unless the State concerned declares, within ninety days from the effective date of the grant provisions, as provided in section 513 of this Act, an intent to file an application for a grant that will include the local government or governments; and

(2) make grants to general local governments, or combinations of such governments, that serve a population of less than fifty thousand if it finds that such grants will help meet essential needs in programs or projects of national interest and will assist general local governments experiencing special problems in personnel administration related to such programs or projects.

(c) An application to be submitted to the Commission under subsection (b) of this section shall first be submitted by the general local government or governments to the State office designated under section 202(b)(1) of this Act for review, except that, if no State office has been so designated, such application shall be submitted to the Governor for his review. Any comments and recommendations of the State office or of the Governor and a statement by the general local government or governments that such comments and recommendations have been considered prior to its formal submission will accompany the application to the Commission. However, the application need not be accompanied by such comments and recommendations and by such a statement if the general local government or governments certify that the application has been before the State office or the Governor, as the case may be, for review for a period of sixty days without comments or recommendations on the application being made by that office.

INTERGOVERNMENTAL COOPERATION IN RECRUITING AND EXAMINING

SEC. 204. (a) The Commission may join, on a shared-costs basis, with State and local governments in cooperative recruiting and examining activities under such procedures and regulations as may jointly be agreed upon.

(b) The Commission also may, on the written request of a State or local government and under such procedures as may be jointly agreed upon, certify to such governments from appropriate Federal registers the names of potential employees. The State or local government making the request shall pay the Commission for the costs, as determined by the Commission, of performing the service, and such payments shall be credited to the appropriation or fund from which the expenses were or are to be paid.

TECHNICAL ASSISTANCE

SEC. 205. The Commission may furnish technical advice and assistance, on request, to State and general local governments seeking to improve their systems of personnel administration. The Commission may accept from such governments payments, in whole or in part, for the costs of furnishing such assistance. All such payments shall be credited to the appropriation or fund from which the expenses were or are to be paid.

COORDINATION OF FEDERAL PROGRAMS

SEC. 206. The Commission, after consultation with other agencies concerned, shall—

(1) coordinate the personnel administration support and technical assistance given to State and local governments and the support given State programs or projects to strengthen local government personnel administration, including the furnishing of needed personnel administration services and technical assistance, under authority of this Act with any such support given under other Federal programs; and

(2) make such arrangements, including the collection, maintenance, and dissemination of data on grants for strengthening State and local government personnel administration and on grants to States for furnishing needed personnel administration services and technical assistance to local governments, as needed to avoid duplication and insure consistent administration of related Federal activities.

INTERSTATE COMPACTS

SEC. 207. The consent of the Congress is hereby given to any two or more States to enter into compacts or other agreements, not in conflict with any law of the United States, for cooperative efforts and mutual assistance (including the establishment of appropriate agencies) in connection with the development and administration of personnel and training programs for employees and officials of State and local governments.

TRANSFER OF FUNCTIONS

SEC. 208. (a) There are hereby transferred to the Commission all functions, powers, and duties of—

(1) the Secretary of Agriculture under section 10(e)(2) of the Food Stamp Act of 1964 (7 U.S.C. 2019(e)(2));

(2) the Secretary of Labor under—

(A) the Act of June 6, 1933, as amended (29 U.S.C. 49 et seq.); and

(B) section 303(a)(1) of the Social Security Act (42 U.S.C. 503(a)(1));

(3) the Secretary of Health, Education, and Welfare under—

(A) sections 134(a)(6) and 204(a)(6) of the Mental Retardation Facilities and Community Health Centers Construction Act of 1963 (42 U.S.C. 2674(a)(6) and 2684(a)(6));

(B) section 303(a)(5) of the Older Americans Act of 1965 (42 U.S.C. 3023(a)(5));

(C) sections 314 (a)(2)(F) and (d)(2)(F) and 604(a)(8) of the Public Health Service Act (42 U.S.C. 246(a)(2)(F) and (d)(2)(F) and 291d(a)(8)); and

(D) sections 2(a)(5), 402(a)(5), 503(a)(3), 513(a)(3), 1002(a)(5), 1402(a)(5), 1062(a)(5), and 1902(a)(4) of the Social Security Act (42 U.S.C. 302(a)(5), 602(a)(5), 703(a)(3), 713(a)(3), 1202(a)(5), 1352(a)(5), 1382(a)(5), and 1396(a)(4)); and

(4) any other department, agency, office, or officer (other than the President) under any other provision of law or regulation applicable to a program of grant-in-aid that specifically requires the establishment and maintenance of personnel standards on a merit basis with respect to the program;

insofar as the functions, powers, and duties relate to the prescription of personnel standards on a merit basis.

(b) The Commission shall—

(1) provide consultation and technical advice and assistance to State and local governments to aid them in complying with standards prescribed by the Commission under subsection (a) of this section; and

(2) advise Federal agencies administering programs of grants or financial assistance as to the application of required personnel administration standards, and recommend and coordinate the taking of such actions by the Federal agencies as the Commission considers will most effectively carry out the purpose of this title.

(c) So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds of any Federal agency employed, used, held, available, or to be made available in connection with the functions, powers, and duties vested in the Commission by this section as the Director of the Bureau of the Budget shall determine shall be transferred to the Commission at such time or times as the Director shall direct.

(d) Personnel standards prescribed by Federal agencies under laws and regulations referred to in subsection (a) of this section shall continue in effect until modified or superseded by standards prescribed by the Commission under subsection (a) of this section.

(e) Any standards or regulations established pursuant to the provisions of this section shall be such as to encourage innovation and allow for diversity on the part of State and local governments in the design, execution, and management of their own individual systems of personnel administration.

(f) Nothing in this section or in section 202 or 203 of this Act shall be construed to—

(1) authorize any agency or official of the Federal Government to exercise any authority, direction, or control over the selection, assignment, advancement, retention, compensation, or other personnel action with respect to any individual State or local employee;

(2) authorize the application of personnel standards on a merit basis to the teaching personnel of educational institutions or school systems;

(3) prevent participation by employees or employee organizations in the formulation of policies and procedures affecting the conditions of their employment, subject to the laws and ordinances of the State or local government concerned;

(4) require or request any State or local government employee to disclose his race, religion, or national origin, or the race, religion, or national origin, of any of his forebears;

(5) require or request any State or local government employee, or any person applying for employment as a State or local government employee, to submit to any interrogation or examination or to take any psychological test or any polygraph test which is designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters; or

(6) require or request any State or local government employee to participate in any way in any activities or undertakings unless such activities or undertakings are related to the performance of official duties to which he is or may be assigned or to the development of skills, knowledge, or abilities which qualify him for the performance of such duties.

(g) This section shall become effective sixty days after the date of enactment of this Act.

TITLE III—TRAINING AND DEVELOPING STATE AND LOCAL EMPLOYEES

DECLARATION OF PURPOSE

SEC. 301. The purpose of this title is to strengthen the training and development of State and local goverment employees and officials, particularly in professional, administrative, and technical fields.

ADMISSION TO FEDERAL EMPLOYEE TRAINING PROGRAMS

SEC. 302. (a) In accordance with such conditions as may be prescribed by the head of the Federal agency concerned, a Federal agency may admit State and local government employees and officials to agency training programs established for Federal professional, administrative, or technical personnel.

(b) Federal agencies are authorized to receive payments from, or on behalf of, State and local governments for the costs of training provided under this section, and to enter into agreements with them for this purpose. The head of the Federal agency concerned may waive all or part of such payments. Payments received by the Federal agency concerned for training under this section shall be credited to the appropriation or fund used for paying the training costs.

(c) The Commission may use appropriations authorized by this Act to pay the additional developmental or overhead costs that are incurred by reason of admittance of State and local government employees to Federal training courses and to reimburse other Federal agencies for such costs.

TRAINING OF PERSONNEL ENGAGED IN GRANT-IN-AID PROGRAMS

SEC. 303. (a) Any Federal agency administering a program of grants or financial assistance to State or local governments may—

(1) establish, provide, and conduct training programs for employees and officials of State and local governments who have responsibilities related to the federally aided program, and, to the same extent provided in section 302(b) of this Act, receive or waive payments for such training and credit any such payments to the appropriation or fund used for paying the training costs; and

(2) authorize State and local governments—

(A) from Federal funds available for State or local program administration expenses under grants or financial assistance; or

(B) from other Federal grant or financial assistance funds when so provided in appropriation or other Acts;

to establish, conduct, provide, and support training and education programs for their employees and officials who have responsibilities related to the federally aided program, including internship, work-study, fellowship, and similar programs if approved by the Federal agency concerned, provided that full-time, graduate-level education supported under this subsection shall be consistent with provisions made for Government Service Fellowships under section 306 of this Act.

(b) The State or local government concerned shall—

(1) in accordance with eligibility criteria

prescribed by the Federal agency concerned, select the individual employees and officials to receive education and training in programs established under this section; and

(2) during the period of the education or training, continue the full salary of the employee or official concerned and normal employment benefits such as credit for seniority, leave accrual, retirement, and insurance.

GRANTS TO STATE AND LOCAL GOVERNMENTS FOR TRAINING

SEC. 304. (a) If in its judgment training is not adequately provided for under grant-in-aid or other statutes, the Commission is authorized to make grants to State and general local governments for up to 75 per centum of the cost of developing and carrying out training and education programs, for their professional, administrative, and technical employees and officials, which the Commission finds are consistent with the applicable principles set forth in clauses (1)–(6) of the third paragraph of section 2 of this Act. Such grants may not be used to cover costs of full-time graduate-level study, provided for in section 306 of this Act, or the costs of the construction or acquisition of training facilities. The State and local government share of the cost of developing and carrying out training and education plans and programs may include, but shall not consist solely of, the reasonable value of facilities and of supervisory and other personal services made available by such governments. The authority provided by this section shall be employed in such a manner as to encourage innovation and allow for diversity on the part of State and local governments in developing and carrying out training and education programs for their personnel.

(b) A grant authorized by subsection (a) of this section may be made to a State on application to the Commission at such time or times and containing such information as the Commission may prescribe. To be approved, the application must meet requirements established by this subsection unless any requirement is specifically waived by the Commission. Such grant to a State, or to a general local government under subsection (c) of this section, may cover the costs of developing the program covered by the application. The program covered by the application shall—

(1) provide for designation, by the Governor or chief executive authority, of the State office that will have primary authority and responsibility for the development and administration of the program at the State level;

(2) provide, to the extent feasible, for coordination with relevant training available under or supported by other Federal Government programs or grants;

(3) provide for training needs of the State government and of local governments in that State;

(4) provide, to the extent feasible, for intergovernmental cooperation in employee training matters, especially within metropolitan or regional areas; and

(5) provide assurance that the making of a Federal Government grant will not result in a reduction in relevant State or local government expenditures or the substitution of Federal funds for State or local funds previously made available for these purposes.

(c) A grant authorized by subsection (a) of this section may be made to a general local government, or a combination of such governments, that serves a population of fifty thousand or more only if, at the time of the submission of an application, the State concerned does not then currently have an approved application for a grant providing adequately for training of employees of that local government or combination of local governments. However, such a grant, except as further provided in this subsection, may not be made until the expiration of one year from the effective date of the grant provisions of this Act. To be approved, an application for a grant under this subsection must meet requirements similar to those established in subsection (b) of this section for State applications, unless any such requirement is specifically waived by the Commission, and the requirements of subsection (d) of this section. The Commission may—

(1) waive, at the request of a general local government or a combination of such governments, the one-year waiting period provided under subsection (c) of this section unless the State concerned declares, within ninety days from the effective date of the grant provisions of this Act, an intent to file an application for a grant that will provide training for employees of the general local government or governments; and

(2) make grants to general local governments, or combinations of such governments that serve a population of less than fifty thousand if it finds that such grants will help meet essential needs in programs of national interest and will assist general local governments experiencing special needs for personnel training and education related to such programs or projects.

(d) An application to be submitted to the Commission under subsection (c) of this section shall first be submitted by the general local government or governments to the State office designated under section 304(b) (1) of this Act for review, except that, if no State office has been so designated, such application shall be submitted to the Governor for his review. Any comments and recommendations of the State office and a statement by the general local government or governments that such comments and recommendations have been considered prior to its formal submission will accompany the application to the Commission. However, the application need not be accompanied by such comments and recommendations and by such a statement if the general local government or governments certify that the application has been before the State office or the Governor, as the case may be, for review for a period of sixty days without comments or recommendations on the application being made by that office.

GRANTS TO OTHER ORGANIZATIONS

SEC. 305. (a) The Commission is authorized to make grants to other organizations to pay up to 75 per centum of the costs of providing training to professional, administrative, or technical employees and officials of State or local governments if the Commission—

(1) finds substantial State and local government interest in the proposed program; and

(2) approves the program as meeting such requirements as may be prescribed by the Commission in its regulations pursuant to this Act.

(b) For the purpose of this section "other organization" means—

(1) a national, regional, statewide, areawide, or metropolitan organization, representing member State or local governments;

(2) an association of State or local public officials; or

(3) a nonprofit organization one of whose principal functions is to offer professional advisory, research development, educational or related services to governments.

GOVERNMENT SERVICE FELLOWSHIPS

SEC. 306. (a) The Commission is authorized to make grants to State and general local governments to support programs approved by the Commission for providing Government service fellowships for State and local government personnel. The grants may cover—

(1) the necessary costs of the fellowship recipient's books, travel, and transportation, and such related expenses as may be authorized by the Commission;

(2) reimbursement to the State or local government for not to exceed one-fourth of the salary of each fellow during the period of the fellowship; and

(3) payment to the educational institutions involved not in excess of $3,000 per academic year for each fellow less any amount charged the fellow for tuition and nonrefundable fees and deposits.

(b) Fellowships awarded under this section may not exceed two years of full-time graduate-level study for professional, administrative, and technical employees. The regulations of the Commission shall include eligibility criteria for the selection of fellowship recipients by State and local governments.

(c) The State or local government concerned shall—

(1) select the individual recipients of the fellowships;

(2) during the period of the fellowship, continue the full salary of the recipient and normal employment benefits such as credit for seniority, leave accrual, retirement, and insurance; and

(3) make appropriate plans for the utilization and continuation in public service of employees completing fellowships and outline such plans in the application for the grant.

COORDINATION OF FEDERAL PROGRAMS

SEC. 307. The Commission, after consultation with other agencies concerned, shall—

(1) prescribe regulations concerning administration of training for employees and officials of State and local governments provided for in this title, including requirements for coordination of and reasonable consistency in such training programs;

(2) coordinate the training support given to State and local governments under authority of this Act with training support given such governments under other Federal programs; and

(3) make such arrangements, including the collection and maintenance of data on training grants and programs, as may be necessary to avoid duplication of programs providing for training and to insure consistent administration of related Federal training activities.

TITLE IV—MOBILITY OF FEDERAL, STATE, AND LOCAL EMPLOYEES

DECLARATION OF PURPOSE

SEC. 401. The purpose of this title is to provide for the temporary assignment of personnel between the Federal Government and State and local governments and institutions of higher education.

AMENDMENTS TO TITLE 5, UNITED STATES CODE

SEC. 402. (a) Chapter 33 of title 5, United States Code, is amended by inserting the following new subchapter at the end thereof:

"SUBCHAPTER VI—ASSIGNMENTS TO AND FROM STATES

"§ 3371. Definitions

"For the purpose of this subchapter—

"(1) 'State' means—

"(A) a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and a territory or possession of the United States; and

"(B) an instrumentality or authority of a State or States as defined in clause (A) of this paragraph (1) and a Federal-State authority or instrumentality; and

"(2) 'local government' means—

"(A) any political subdivision, instrumentality, or authority of a State or States as defined in clause (A) of paragraph (1); and

"(B) any general or special purpose agency of such a political subdivision, instrumentality, or authority.

"§ 3372. General provisions

"(a) On request from or with the concurrence of a State or local government, and with the consent of the employee concerned, the head of an executive agency may arrange for the assignment of—

"(1) an employee of his agency to a State or local government; and

"(2) an employee of a State or local government to his agency;

for work of mutual concern to his agency and the State or local government that he determines will be beneficial to both. The period of an assignment under this subchapter may not exceed two years. However, the head of an executive agency may extend the period of assignment for not more than two additional years.

"(b) This subchapter is authority for and applies to the assignment of—

"(1) an employee of an Executive agency to an institution of higher education; and

"(2) an employee of an institution of higher education to an Executive agency.

"§ 3373. Assignment of employees to State or local governments

"(a) An employee of an Executive agency assigned to a State or local government under this subchapter is deemed, during the assignment, to be either—

"(1) on detail to a regular work assignment in his agency; or

"(2) on leave without pay from his position in the agency.

An employee assigned either on detail or on leave without pay remains an employee of his agency. The Federal Tort Claims Act and any other Federal tort liability statute apply to an employee so assigned. The supervision of the duties of an employee on detail may be governed by agreement between the Executive agency and the State or local government concerned.

"(b) The assignment of an employee of an Executive agency either on detail or on leave without pay to a State or local government under this subchapter may be made with or without reimbursement by the State or local government for the travel and transportation expenses to or from the place of assignment and for the pay or supplemental pay or a part thereof, of the employee during assignment. Any reimbursements shall be credited to the appropriation of the Executive agency used for paying the travel and transportation expenses or pay.

"(c) For an employee so assigned and on leave without pay—

"(1) if the rate of pay for his employment by the State or local government is less than the rate of pay he would have received had he continued in his regular assignment in the agency, he is entitled to receive supplemental pay from the agency in an amount equal to the difference between the State or local government rate and the agency rate;

"(2) he is entitled to annual and sick leave to the same extent as if he had continued in his regular assignment in the agency; and

"(3) he is entitled, not withstanding other statutes—

"(A) to continuation of his insurance under chapter 87 of this title, and coverage under chapter 89 of this title or other applicable authority, so long as he pays currently into the Employee's Life Insurance Fund and the Employee's Health Benefits Fund or other applicable health benefits system (through his employing agency) the amount of the employee contributions;

"(B) to credit the period of his assignment under this subchapter toward periodic step-increases, retention, and leave accrual purposes, and, on payment into the Civil Service Retirement and Disability Fund or other applicable retirement system of the percentage of his State or local government pay, and of his supplemental pay, if any, that would have been deducted from a like agency pay for the period of the assignment and payment by the Executive agency into the fund or system of the amount that would have been payable by the agency during the period of the assignment with respect to a like agency pay, to treat (notwithstanding section 8348(g) of this title) his service during that period as service of the type performed in the agency immediately before his assignment; and

"(C) for the purpose of subchapter I of chapter 85 of this title, to credit the service performed during the period of his assignment under this subchapter as Federal service, and to consider his State or local government pay (and his supplemental pay, if any) as Federal wages. To the extent that the service could also be the basis for entitlement to unemployment compensation under a State law, the employee may elect to claim unemployment compensation on the basis of the service under either the State law or subchapter I of chapter 85 of this title. However, an employee or his beneficiary may not receive benefits referred to in subparagraphs (A) and (B) of this paragraph (3), based on service during an assignment under this subchapter for which the employee or, if he dies without making such an election, his beneficiary elects to receive benefits, under any State or local government retirement or insurance law or program, which the Civil Service Commission determines to be similar. The Executive agency shall deposit currently in the Employee's Life Insurance Fund, the Employee's Health Benefits Fund or other applicable health benefits system, respectively, the amount of the Government's contributions on account of service with respect to which employee contributions are collected as provided in subparagraphs (A) and (B) of this paragraph (3).

"(d)(1) An employee so assigned and on leave without pay who dies or suffers disability as a result of personal injury sustained while in the performance of his duty during an assignment under this subchapter shall be treated, for the purpose of subchapter I of chapter 81 of this title, as though he were an employee as defined by section 8101 of this title who had sustained the injury in the performance of duty. When an employee (or his dependents in case of death) entitled by reason of injury or death to benefits under subchapter I of chapter 81 of this title is also entitled to benefits from a State or local government for the same injury or death, he (or his dependents in case of death) shall elect which benefits he will receive. The election shall be made within 1 year after the injury or death, or such further time as the Secretary of Labor may allow for reasonable cause shown. When made, the election is irrevocable unless otherwise provided by law.

"(2) An employee who elects to receive benefits from a State or local government may not receive an annuity under subchapter II of chapter 83 of this title and benefits from the State or local government for injury or disability to himself covering the same period of time. This provision does not—

"(A) bar the right of a claimant to the greater benefit conferred by either the State or local government or subchapter III of chapter 83 of this title for any part of the same period of time;

"(B) deny to an employee an annuity accruing to him under subchapter III of chapter 83 of this title on account of service performed by him; or

"(C) deny any concurrent benefit to him from the State or local government on account of the death of another individual.

"§ 3374. Assignments of employees from State or local governments

"(a) An employee of a State or local government who is assigned to an Executive agency under an arrangement under this subchapter may——

"(1) be appointed in the Executive agency without regard to the provisions of this title governing appointment in the competitive service for the agreed period of the assignment; or

"(2) be deemed on detail to the Executive agency.

"(b) An employee given an appointment is entitled to pay in accordance with chapter 51 and subchapter III of chapter 53 of this title or other applicable law, and is deemed an employee of the Executive agency for all purposes except——

"(1) subchapter III of chapter 83 of this title or other applicable retirement system;

"(2) chapter 87 of this title; and

"(3) chapter 89 of this title or other applicable health benefits system unless his appointment results in the loss of coverage in a group health benefits plan the premium of which has been paid in whole or in part by a State or local government contribution.

"(c) During the period of assignment, a State or local government employee on detail to an Executive agency—

"(1) is not entitled to pay from the agency;

"(2) is deemed an employee of the agency for the purpose of chapter 73 of this title, sections 203, 205, 207, 208, 209, 602, 603, 606, 607, 643, 654, 1905, and 1913 of title 18, section 638a of title 31, and the Federal Tort Claims Act and any other Federal tort liability statute; and

"(3) is subject to such regulations as the President may prescribe.

The supervision of the duties of such an employee may be governed by agreement between the Executive agency and the State or local government concerned. A detail of a State or local government employee to an Executive agency may be made with or without reimbursement by the Executive agency for the pay, or a part thereof, of the employee during the period of assignment.

"(d) A State or local government employee who is given an appointment in an Executive agency for the period of the assignment or who is on detail to an Executive agency and who suffers disability or dies as a result of personal injury sustained while in the performance of his duty during the assignment shall be treated, for the purpose of subchapter I of chapter 81 of this title, as though he were an employee as defined by section 8101 of this title who had sustained the injury in the performance of duty. When an employee (or his dependents in case of death) entitled by reason of injury or death to benefits under subchapter I of chapter 81 of this title is also entitled to benefits from a State or local government for the same injury or death, he (or his dependents in case of death) shall elect which benefits he will receive. The election shall be made within 1 year after the injury or death, or such further time as the Secretary of Labor may allow for reasonable cause shown. When made, the election is irrevocable unless otherwise provided by law.

"(e) If a State or local government fails to continue the employer's contribution to State or local government retirement, life insurance, and health benefit plans for a State or local government employee who is given an appointment in an Executive agency, the employer's contributions covering the State or local government employee's period of assignment, or any part thereof, may be made from the appropriations of the Executive agency concerned.

"§ 3375. Travel expenses

"(a) Appropriations of an Executive agency are available to pay, or reimburse, a Federal or State or local government employee in accordance with—

"(1) subchapter I of chapter 57 of this title, for the expenses of—

"(A) travel and per diem instead of subsistence to and from the assignment location;

"(B) per diem instead of subsistence at the assignment location during the period of the assignment; and

"(C) travel and per diem instead of subsistence while traveling on official business away from his designated post of duty during the assignment when the head of the Executive agency considers the travel in the interest of the United States;

"(2) section 5724 of this title, for the expenses of transportation of his immediate family and of his household goods and personal effects to and from the assignment location;

"(3) section 5724a(a)(1) of this title, for the expenses of per diem allowances for the immediate family of the employee to and from the assignment location;

"(4) section 5724a(a)(3) of this title, for subsistence expenses of the employee and his immediate family while occupying temporary quarters at the assignment location and on return to his former post of duty; and

"(5) section 5726(c) of this title, for the expenses of nontemporary storage of household goods and personal effects in connection with assignment at an isolated location.

"(b) Expenses specified in subsection (a) of this section, other than those in paragraph (1)(C), may not be allowed in connection with the assignment of a Federal or State or local government employee under this subchapter, unless and until the employee agrees in writing to complete the entire period of his assignment or 1 year, whichever is shorter, unless separated or reassigned for reasons beyond his control that are acceptable to the Executive agency concerned. If the employee violates the agreement, the money spent by the United States for these expenses is recoverable from the employee as a debt due the United States. The head of the Executive agency concerned may waive in whole or in part a right of recovery under this subsection with respect to a State or local government employee on assignment with the agency.

"(c) Appropriations of an Executive agency are available to pay expenses under section 5742 of this title with respect to a Federal or State or local government employee assigned under this subchapter.

"§ 3376. Regulations

"The President may prescribe regulations for the administration of this subchapter."

(b) The analysis of chapter 33 of title 5, United States Code, is amended by inserting the following at the end thereof:

"SUBCHAPTER VI—ASSIGNMENTS TO AND FROM STATES

"Sec.
"3371. Definitions.
"3372. General provisions.
"3373. Assignments of employees to State or local governments.
"3374. Assignments of employees from State or local governments.
"3375. Travel expenses.
"3376. Regulations."

REPEAL OF SPECIAL AUTHORITIES

SEC. 403. The Act of August 2, 1956, as amended (7 U.S.C. 1881–1888), section 507 of the Act of April 11, 1965 (20 U.S.C. 867), and section 314(f) of the Public Health Service Act (42 U.S.C. 246(f)) (less applicability to commissioned officers of the Public Health Service) are hereby repealed.

SEC. 404. This title shall become effective sixty days after the date of enactment of this Act.

TITLE V—GENERAL PROVISIONS

DECLARATION OF PURPOSE

SEC. 501. The purpose of this title is to provide for the general administration of titles I, II, III, and V of this Act (hereinafter referred to as "this Act"), and to provide for the establishment of certain advisory committees.

DEFINITIONS

SEC. 502. For the purpose of this Act—

(1) "Commission" means the United States Civil Service Commission;

(2) "Federal agency" means an executive department, military department, independent establishment, or agency in the executive branch of the Government of the United States, including Government owned or controlled corporations;

(3) "State" means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and a territory or possession of the United States, and includes interstate and Federal-interstate agencies but does not include the governments of the political subdivisions of a State; and

(4) "local government" means a city, town, county, or other subdivision or district of a State, including agencies, instrumentalities, and authorities of any of the foregoing and any combination of such units or combination of such units and a State. A "general local government" means a city, town, county, or comparable general-purpose political subdivision of a State.

GENERAL ADMINISTRATIVE PROVISIONS

SEC. 503 (a) Unless otherwise specifically provided, the Commission shall administer this Act.

(b) The Commission shall furnish such advice and assistance to State and local governments as may be necessary to carry out the purposes of this Act.

(c) In the performance of, and with respect to, the functions, powers, and duties vested in it by this Act, the Commission may—

(1) issue such standards and regulations as may be necessary to carry out the purposes of this Act;

(2) consent to the modification of any contract entered into pursuant to this Act, such consent being subject to any specific limitations of this Act;

(3) include in any contract made pursuant to this Act such covenants, conditions, or provisions as it deems necessary to assure that the purposes of this Act will be achieved; and

(4) utilize the services and facilities of any Federal agency, any State or local government, and any other public or nonprofit agency or institution, on a reimbursable basis or otherwise, in accordance with agreements between the Commission and the head thereof.

(d) In the performance of, and with respect to the functions, powers, and duties vested in it by this Act, the Commission—

(1) may collect information from time to time with respect to State and local government training programs and personnel administration improvement programs and projects under this Act, and make such information available to interested groups, organizations, or agencies, public or private;

(2) may conduct such research and make such evaluation as needed for the efficient administration of this Act; and

(3) shall include in its annual report, a report of the administration of this Act.

(e) The provisions of this Act are not a limitation on existing authorities under other statutes but are in addition to any such authorities, unless otherwise specifically provided in this Act.

REPORTING REQUIREMENTS

SEC. 504. A State or local government office designated to administer a program or project under this Act shall make reports and evaluations in such form, at such times, and containing such information concerning the status and application of Federal funds and the operation of the approved program or project as the Commission may require, and shall keep and make available such records as may be required by the Commission for the verification of such reports and evaluations.

REVIEW AND AUDIT

SEC. 505. The Commission, the head of the Federal agency concerned, and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access, for the purpose of audit and examination, to any books, documents, papers, and records of a grant recipient that are pertinent to the grant received.

DISTRIBUTION OF GRANTS

SEC. 506. (a) The Commission shall allocate grants under this Act in such manner as will most nearly provide an equitable distribution of the grants among States and between State and local governments, taking into consideration such factors as the size of the population, number of employees affected, the urgency of the programs or projects, the need for funds to carry out the purposes of this Act, and the potential of the governmental jurisdictions concerned to use the funds most effectively.

(b) In each fiscal year, 15 per centum of the total amount available for grants under this Act shall be apportioned equally among the States and the amount apportioned for each State shall be reserved for programs or projects in that State: *Provided*, That any amount so reserved but not used in any fiscal year shall be added to the total amount available for grants under this Act in the next succeeding fiscal year.

(c) Notwithstanding the other provisions of this section, the total of the payments from the appropriations for any fiscal year under this Act made with respect to programs or projects in any one State may not exceed an amount equal to 12½ per centum of such appropriation.

TERMINATION OF GRANTS

SEC. 507. Whenever the Commission, after giving reasonable notice and opportunity for hearing to the State or general local government concerned, finds—

(1) that a program or project has been so changed that it no longer complies with the provisions of this Act; or

(2) that in the operation of the program or project there is a failure to comply substantially with any such provision;

the Commission shall notify the State or general local government of its findings and no further payments may be made to such government by the Commission until it is satisfied that such noncompliance has been, or will promptly be, corrected. However, the Commission may authorize the continuance of payments to those projects approved under this Act which are not involved in the noncompliance.

ADVISORY COMMITTEES

SEC. 508. (a) The Commission may appoint, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, such advisory committee or committees as it may determine to be necessary to facilitate the administration of this Act.

(b) Members of advisory committees who are not regular full-time employees of the United States, while serving on the business of the committees, including traveltime, are entitled to receive compensation at rates not exceeding the daily rate for GS–18; and while so serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government service employed intermittently.

APPROPRIATION AUTHORIZATION

SEC. 509. (a) To carry out the programs authorized by this Act, there are authorized to be appropriated at any time after its enactment not to exceed $20,000,000 for fiscal year 1968; $30,000,000 for fiscal year 1969; and $40,000,000 for fiscal year 1970.

(b) Any amounts appropriated under this section shall remain available until expended, and any amounts authorized for any fiscal year under this section but not appropriated may be appropriated for any succeeding fiscal year commencing prior to July 1, 1970.

REVOLVING FUND

SEC. 510. (a) There is established a revolving fund, to be available without fiscal year limitation, for financing training and such other functions as are authorized or required to be performed by the Commission on a reimbursable basis by this Act and such other services as the Commission, with the approval of the Bureau of the Budget, determines may be performed more advantageously through such a fund.

(b) The capital of the fund shall consist of any appropriations made for the purpose of providing capital (which appropriations are hereby authorized), and such unexpended balances of appropriations or funds relating to the activities transferred to the fund and the fair and reasonable value of such stocks of supplies, equipment, and other assets and inventories on order as the Commission may transfer to the fund, less the related liabilities, unpaid obligations, and accrued annual leave of employees who are transferred to the activities financed by the fund at its inception.

(c) The fund shall be credited with—

(1) reimbursements or advance payments from available funds of the Commission, other Federal agencies, State or local governments, or other sources for supplies and services at rates which will approximate the expense of operations, including the accrual of annual leave, the depreciation of equipment, and the net losses on property transferred or donated; and

(2) receipts from sales or exchanges of property and payments for losses or damage to property accounted for under the fund.

(d) Any unobligated and unexpended balance in the fund that the Commission determines to be in excess of amounts needed for its operations shall be deposited in the Treasury as miscellaneous receipts.

LIMITATIONS ON AVAILABILITY OF FUNDS FOR COST SHARING

SEC. 511. Federal funds made available to State or local governments under other programs may not be used by the State or local government for cost-sharing purposes under grant provisions of this Act. State or local government funds used for cost sharing on other federally assisted programs may not be used for cost sharing under grant provision of this Act.

METHOD OF PAYMENT

SEC. 512. Payments under this Act may be made in installments, and in advance or by way of reimbursement, as the Commission may determine, with necessary adjustments on account of overpayments or underpayments.

EFFECTIVE DATE OF GRANT PROVISIONS

SEC. 513. Grant provisions of this Act shall become effective one hundred and eighty days following the date of enactment of this Act.

ADJOURNMENT

Mr. LONG of Louisiana. Mr. President, I move that the Senate adjourn until 12 noon tomorrow.

The motion was agreed to; and (at 3 o'clock and 16 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, November 7, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate November 6, 1967:

U.S. JUDGES

James M. Carter, of California, to be U.S. circuit judge for the ninth circuit, vice Gilbert H. Jertberg, retired.

Herbert N. Maletz, of Virginia, to be a judge of the U.S. Customs Court, vice Philip Nichols, Jr., elevated.

AGENCY FOR INTERNATIONAL DEVELOPMENT

Paul G. Clark, of Massachusetts, to be an Assistant Administrator of the Agency for International Development.

DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS

Arthur Christopher, Jr., of the District of Columbia, to be associate judge of the District of Columbia court of general sessions for the term of 10 years, vice Catherine B. Kelly, elevated.

WITHDRAWAL

Executive nomination withdrawn from the Senate November 6, 1967:

DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS

William C. Gardner, of the District of Columbia, to be associate judge of the District of Columbia Court of General Sessions for the term of 10 years, vice Catherine B. Kelly, elevated, which was sent to the Senate on August 7, 1967.

HOUSE OF REPRESENTATIVES

MONDAY, NOVEMBER 6, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

My meat is to do the will of Him that sent me and to finish His work.—John 4: 34.

God of our fathers and our God, we would begin the day conscious of Thy presence and committing our lives anew to Thee. Sustain us with Thy spirit and make us ready for our responsibilities, equal to our experiences, and adequate for every task. In the midst of the heat of daily duties let not our strength fail, nor our steps falter, nor our vision fade.

Make us patient with each other and understanding, remembering that each one of us walks a lonely road and each one has struggles no one else knows.

Give to us a real reverence for personality, a deep desire to speak the truth, and an unending enthusiasm for the reign of liberty and justice in our Nation and in our world. In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, November 3, 1967, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 5091. An act to amend Public Law 87–752 (76 Stat. 749) to eliminate the requirement of a reservation of certain mineral rights to the United States; and

H.R. 11627. An act to amend the act of June 16, 1948, to authorize the State of Maryland, by and through its State roads commission or the successors of said commission, to construct, maintain, and operate certain additional bridges and tunnels in the State of Maryland.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 1985) entitled "An act to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes, agrees to a conference requested by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SPARKMAN, Mr. WILLIAMS of New Jersey, Mr. PROXMIRE, Mr. BENNETT, and Mr. HICKENLOOPER to be conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 391. An act to amend the act of March 1, 1933 (47 Stat. 1418), entitled "An act to permanently set aside certain lands in Utah as an addition to the Navajo Indian Reservation, and for other purposes";

S. 561. An act to authorize the appropriation of funds for Cape Hatteras National Seashore; and

S. 1321. An act to establish the North Cascades National Park and Ross Lake and Lake Chelan National Recreation Areas, to designate the Pasayten Wilderness and to modify the Glacier Peak Wilderness, in the State of Washington, and for other purposes.

THE LATE HONORABLE CLARE HOFFMAN

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HUTCHINSON. Mr. Speaker, it is my sad duty to announce to the House the death of my distinguished predecessor, Clare Hoffman. He passed away last Friday evening, November 3, at Allegan, Mich., his home. He was in the 93d year of his life. He had been in poor health since the fall of 1961, when he suffered the first of several strokes which, very much against his will, incapacitated him, and he reluctantly declined to be a candidate in 1962.

Since leaving the House of Representatives he has lived in complete retirement.

Funeral services will be held tomorrow afternoon in Allegan.

Mrs. Hoffman, his wife for nearly 70 years—now herself past 90 years of age—survives him, as do his two sons who followed their father into legal careers, and several grandchildren and great-grandchildren.

Mr. Speaker, Clare Hoffman was first elected to Congress in 1934, in the 60th year of his life, at an age when most men look forward to retirement, but not Clare Hoffman. He had no idea of retiring ever.

He came here after a long, prominent, and successful legal career, and served 28 years. Until his illness, his skill in debate and parliamentary procedure had no superior, as the 250 Members of the House who served with him will agree.

Mr. Speaker, I hope that within the next few days time can be arranged to eulogize the career of our late former colleague, Clare Hoffman.

At this point, Mr. Speaker, I include

an obituary on the Honorable Clare E. Hoffman, from the November 5 issue of the Washington Star:

EX-REPRESENTATIVE CLARE HOFFMAN, FOE OF SPENDING, DIES

Former Michigan Rep. Clare Eugene Hoffman, 92, whose crusty conservatism and highly individual personal integrity combined to give him a reputation as a "lone wolf" throughout a House career that spanned 28 years, died Friday in Michigan.

Doctors said that he died of pneumonia at the Allegan (Mich.) Health Center. He had been immobilized recently after the sixth in a series of strokes that began in 1961 while he was still a vigorously active member of the House.

His long congressional career began at the age of 59 when he won election as a Republican from Michigan's 4th District in 1934. He retired in 1962.

FOUGHT BOTH PARTIES

Rep. Hoffman struggled in vain and sometimes alone not only against Roosevelt's New Deal, Truman's Fair Deal, and Kennedy's New Frontier, but also—and with equal enthusiasm—against Eisenhower's New Republicanism.

"I'm for progress, yes, but not at the cost of going deeper in debt," Hoffman once said. "This is the most selfish generation in our history. We buy everything we think we want, whether we need it or not, and charge it off to our kids."

On this principle, Rep. Hoffman voted against Social Security, farm price supports, housing subsidies, foreign aid, and a $2,500 medal for the poet Robert Frost.

Yet, despite his uninhibited habit of debating with colleagues and his unabashed delight in upsetting Democratic and sometime Republican leadership plans, he was one of the most beloved men in the House. In his 80s, he lost none of his sharpness of wit and quickness of tongue.

NO. 1 FISHERMAN

He won a measure of fame as the "No. 1 congressional fisherman" who often went fishing at 4 a.m. to be in his House office by 8 a.m. He won respect as a hard-working legislator who as ranking Republican on the Government Operations Committee kept a close and critical eye on governmental spending.

Essentially a Republican conservative, Mr. Hoffman commanded recognition in recent years mainly as the acknowledged "leader of the third party" in the House. He and Rep. H. R. Gross, R-Iowa, were the exclusive members of that "party."

Mr. Hoffman frequently tied the House in parliamentary knots and regaled the galleries. One of his favorite devices to obtain additional time for speaking was to move to "strike out the enacting clause" of a pending bill. If such a motion had passed—and sometimes his moves came surprising close to adoption—it would have automatically killed the bill.

Such tactics, including inconvenient demands for quorum calls, irked his colleagues, and slowed the legislative pace. Yet, after he was stricken at his Michigan home by a heart attack, a huge "get well" card bearing signatures of all available House members was presented to him when he returned to Washington the year before his retirement. The card fittingly depicted Mr. Hoffman as saying: "Mr. Speaker, I object."

WAS COUNTY ATTORNEY

Born in Vicksburg, Pa., Sept. 10, 1875, Mr. Hoffman moved to Michigan as a youth. He obtained a law degree at Northwestern University and was admitted to the Illinois and Michigan bars in 1896. He practiced law in his home town of Allegan, Mich., and was county prosecuting attorney from 1904 to 1910.

After being elected to Congress, he easily won re-election year after year, notwithstanding opposition of organized labor in his state. One of his favorite targets in House speeches and committee meetings was Walter Reuther, head of the United Automobile Workers.

For all of the attention he attracted in Congress, he limited his Congressional Directory biographical sketch to only three lines. His biography in "Who's Who" also was purposely brief, although it noted that in November. 1899, he married Miss Florence M. Wason, and had two sons, Carl E. and Leo W. Hoffman. He also had five grandchildren and four great-grandchildren.

His activity on the Government Operations Committee, particularly as chairman when Republicans controlled the House in 1953–54, was no more tranquil or secluded than his restless roaming of the House floor. He seldom missed a House or committee session.

In 1953, he antagonized some of his G.O.P. committee colleagues who teamed up with Democratic members to clip his control. He was deprived of authority to conduct special investigations, several of which had been aimed at charges of labor rackets.

OPPOSED REORGANIZATION

Next to his constant attacks on what he regarded as wasteful and unnecessary expenditures in numerous federal programs, his criticism centered on governmental reorganization plans proposed by Presidents. He voted against the original law giving that authority and consistently opposed every specific plan.

It was symbolic that some of the suits he wore had no pockets. He explained in 1951 that "pants pockets are kind of like the New Deal, a catch-all for all sorts of damn fool junk."

That was the year, and again in 1960, that he proposed that members of Congress cut their own salaries. He commented that: "Nobody drafted me for Congress." At the same time he defended office employment of relatives of congressmen if they were efficient and honest.

He was one of the few congressional Republicans who urged President Kennedy to appoint Robert Kennedy as attorney general. While feeling free to criticize Presidents irrespective of party he defended them personally and declared his profound respect for the office. In 1952, however, he introduced a bill for appointment of a $30,000-a-year official to "censor" former President Truman's statements.

Several years previously he filed a libel suit, subsequently dropped, against a Michigan colleague, Democratic Rep. Lesinski, an Allegan newspaper and three labor union officers. And when arrested on a speeding charge in Hagerstown, Md., in 1953, he refused to claim congressional immunity. He protested when that charge was dropped.

As a long time congressional resident of the Capitol Hill area Mr. Hoffman occasionally called the attention of the House to what he described as "inadequate protection of citizens from hoodlums" on streets here.

Mr. Hoffman tangled with former House Republican Leader Charles Halleck without fear of reprisal and wrangled even more frequently with Speaker McCormack when majority leader. He never lost their friendship even though he made them lose their patience. His contacts with most news reporters were personally pleasant but he insisted he was right in 1948 when he unsuccessfully sponsored a bill to jail reporters who printed "leaks" from members of Congress.

JOHN THOMAS MAYS, JR., AN OUTSTANDING GEORGIAN

Mr. FLYNT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FLYNT. Mr. Speaker, it is my sad duty to inform the House of Representatives of the unexpected death of an outstanding Georgian, Mr. John Thomas Mays, Jr., at his home in Stockbridge, Ga., November 4, 1967. Named John Thomas, he was known as "Jake." I never heard him called by any other name.

Mr. Mays was a prominent merchant, a former mayor of Stockbridge, a member of the Henry County Board of Education, a lay leader and steward of the Methodist Church, an organizer, officer, and director of the First State Bank of Stockbridge, a district governor of Lions International, and a member of the Sixth District Democratic Executive Committee. He was active in the work of the Boy Scouts at troop, local, district, and regional levels. During World War II, he served in the Amphibian Forces of the U.S. Navy in the Mediterranean and Normandy landings.

He was a devoted husband and father, son and brother. He was a true and loyal friend. He was a leader in local government, education, church activities, and community life. His influence was an influence for good. He gave of his seemingly unlimited energy and enthusiasm to make his community a better place in which to live.

The area in which he had lived all of his life was shocked and saddened by his untimely and sudden death.

The son of John Thomas Mays, Sr., and Ora Walden Mays, he was born in Stockbridge on December 6, 1919. He is survived by his wife, Miriam, and their daughter, Debbie, his mother, and two brothers, Aldine and Walter.

His community has lost one of its finest citizens. I have lost a devoted friend.

Mrs. Flynt and our children join me in extending our affection and heartfelt sympathy to Mrs. Mays and Debbie and to all members of his family.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT TONIGHT TO FILE A REPORT

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on the foreign assistance appropriation bill for the year 1968.

Mr. CONTE reserved all points of order.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

RECORD OF CONGRESS ON APPROPRIATIONS

Mr. MAHON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

REDUCTIONS IN APPROPRIATION REQUESTS

Mr. MAHON. Mr. Speaker, this morning the House Committee on Appropriations approved for House consideration a foreign aid bill which includes, for the mutual assistance program, the sum of $2.2 billion. This $2.2 billion is $621 million below the authorization figure and $1 billion plus below the budget estimate.

If this figure is sustained by the House and the Congress, and if the House reduction of $794 million on the military construction bill is sustained by the Congress, the Congress at this session, for the current fiscal year 1968 and for the bills covered, will have reduced the President's appropriation budget in the sum of $5.6 billion. And that does not count one major bill that remains to be considered; namely, the final supplemental appropriation bill. The only major item in that bill will be funds for the antipoverty program.

I have discussed with members of the Committee on Appropriations probable committee action on the appropriation for the antipoverty program and I find that it is the sense of a majority of the Appropriations Committee that appropriations approved by the committee for the antipoverty program probably will not exceed $1.6 billion, the approximate figure for the last fiscal year 1967. In fact, there are strong indications that the figure approved by the Appropriations Committee for the entire antipoverty program may be less than $1.6 billion, but for the present I do not think it appropriate to estimate what the precise figure may probably be.

But assuming that the committee and the House approve $1.6 billion for the antipoverty program for the fiscal year 1968, we will have reduced the 1968 budget request for the antipoverty program by $460 million.

Recapitulating, if final action on the foreign aid, military construction, and antipoverty appropriations eventuate approximately as I have outlined, the total reduction in the President's appropriation budget for all departments and agencies for the fiscal year 1968 would approximate $6 billion, plus. I thought you would be interested in having this report.

APPROPRIATIONS COMPARISONS 1967–68

Another significant figure which will be of great interest to Congress and the country is the relationship of appropriations this year to the level of last year's appropriations. If fiscal 1968 appropriations at this session eventuate as indicated in the statement just made, appropriations for 1968 will be roughly $1.3 billion below what was appropriated for fiscal 1967. This, I think, will be surprising to some.

APPROPRIATIONS—EXPENDITURE RELATIONSHIPS

Please note that I have been talking about appropriations, not expenditures. If these reductions are sustained, $6 billion will be saved to the taxpayer. Much of it will be saved in fiscal year 1968; the rest of it will be saved in subsequent years.

While appropriations will be less for this fiscal year than last, it must not be overlooked that spending will be more. According to the latest official Bureau of the Budget figures, expenditures will be $10.8 billion greater. However, this figure does not take into account the impact which the appropriation reductions will have on expenditures. The $6 billion in appropriation cuts may translate into about $2½ billion in expenditure cuts for this year.

The explanation of why spending will be greater this year than last, despite lower appropriations is as follows:

In the last 2 years, for example, the defense buildup that began in mid-1965, including the Southeast Asia war effort, the inauguration of many new domestic programs, military and civilian pay increases, and increases generally in the cost of Government programs, resulted in an increase in unexpended carryovers between mid-1965 and mid-1967 of some $28 billion. In other words, this buildup in unexpended carryovers to be spent in years following the original appropriation results not from actions taken by the present Congress, but rather from actions of the last two sessions of Congress. These higher carryovers inevitably add to the level of spending in subsequent years, as is true, for example, with the current fiscal year 1968.

For example, the official Budget Bureau figures on Defense spending show an increase over last year of some $4.7 billion. Appropriations thus far for fiscal 1968, on the other hand, are only some $200 million above 1967 appropriations.

In Labor-HEW, 1968 spending is estimated to be some $1.5 billion above 1967 spending. Appropriations, on the other hand, are up only about $200 million.

These two instances illustrate the point I make.

SPENDING TRENDS

While appropriations for this fiscal year will apparently be below appropriations for last fiscal year, it is inevitable that the trend over a period of years will be upward as long as Congresses continue to authorize new programs and expand old programs and provides frequent pay increases for Federal employees.

Last week the House passed a bill authorizing $500 million for flood insurance and a bill authorizing an additional $362 million to combat air pollution. Among other new or substantially increased programs which the House has voted this year to authorize, and their fiscal year 1968 added costs, are:

	Million
Veterans benefits	$319
Civilian employee pay	625
Military pay	626
Law enforcement assistance	75

FINAL APPROPRIATIONS ACTIONS

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. I wonder if I might have the attention of the gentleman from Texas. I am greatly interested in the remarks the gentleman just made. However, he stated that when Congress adjourns, Congress will have reduced appropriations approximately $6 billion below the budget. I believe he should have said that the House of Representatives so acted, bearing in mind the other body has not finished or completed their work on several appropriation bills already considered by the House. We can anticipate almost anything before the other body completes consideration of every bill for very often they are inclined to raise House figures.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Texas.

Mr. MAHON. I would not want to be unparliamentary, but the other body has agreed with many of the cuts which we have made. The other body has, in fact, thus far reduced two bills below the House figure. So while there were increases in some items, the final results have been joint efforts between the two bodies. It is true that many of the bills were raised by the other body.

RELATIONS WITH WESTERN EUROPE AND DE GAULLE'S FRANCE

Mr. WYATT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. WYATT. Mr. Speaker, it is high time we in this country directed some real attention and talent to the problem of our relations with Western Europe and De Gaulle's France.

Twice in the first half of this century the United States has saved France from being conquered and made a permanent satellite of Germany. We have offered a great many American lives so that France might remain free.

What have been our thanks for these monumental efforts?

Continued attacks by De Gaulle to undermine our currency.

Throwing NATO out of France at a cost to us of over $1 billion.

And De Gaulle's persistent efforts to force a wedge between the United States and Western Europe. All of this at the same time France fails to reach an agreement with us on the billions of dollars she owes us as a result of war debts.

We must adjust our Western European foreign policy to counteract these concentrated De Gaullist attacks on the integrity of the United States before it is too late.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

FORT PECK INDIAN RESERVATION, MONT.

The Clerk called the bill (H.R. 7820) to cancel certain construction costs and

irrigation assessments chargeable against lands of the Fort Peck Indian Reservation, Mont.

There being no objection, the Clerk read the bill, as follows:

H.R. 7820

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby canceled $558,039.08 of construction costs, and $542.77 of accrued operation and maintenance assessments, and any accrued interest thereon chargeable to lands of the Fort Peck Indian Reservation, Montana.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That in accordance with provisions of the Act of June 22, 1936 (49 Stat. 1803, 25 U.S.C. 389–389e), the order of the Secretary of the Interior canceling delinquent irrigation operation and maintenance charges in the amount of $461.40 and any accrued interest thereon for certain lands adjacent to but outside the boundary of the Fort Peck Indian Irrigation Project, Montana, and reimbursable irrigation construction costs in the amount of $206,902.21 against lands within the Fort Peck Indian Irrigation Project, Montana, as listed and described in schedules referred to in such order, is hereby approved.

Sec. 2. Unassessed construction costs of $118,266.64 allocable against both the Indian- and non-Indian-owned lands in the Frazer-Wolf Point Unit of the Fort Peck Indian Irrigation Project, Montana, are hereby canceled."

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 1391, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the Senate bill, as follows:

S. 1391

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with provisions of the Act of June 22, 1936 (49 Stat. 1803; 25 U.S.C. 389–389e), the order of the Secretary of the Interior canceling delinquent irrigation operation and maintenance charges in the amount of $461.40 and any accrued interest thereon for certain lands adjacent to but outside the boundary of the Fort Peck Indian irrigation project, Montana, and reimbursable irrigation construction costs in the amount of $206,902.21 against lands within the Fort Peck Indian irrigation project, Montana, as listed and described in schedules referred to in such order, is hereby approved.

Sec. 2. Unassessed construction costs of $118,266.64 allocable against both the Indian- and non-Indian-owned lands in the Frazier-Wolf Point unit of the Fort Peck Indian irrigation project, Montana, are hereby canceled.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 7820) was laid on the table.

LANDER, WYO., LAND TRANSFER

The Clerk called the bill (S. 219) to authorize the Secretary of Agriculture to sell certain land in Lander, Wyo., and for other purposes.

There being no objection, the Clerk read the bill, as follows:

S. 219

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to convey by quitclaim deed, for not less than fair market value, all right, title, and interest of the United States in and to lots 4 and 5, block 16, in the original town of Lander, Wyoming, and the improvements thereon and to apply the proceeds of such sale to the purchase of other land in or near Lander and the construction thereon of similar improvements.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTERNATIONAL BRIDGE AT PHARR, TEX.

The Clerk called the bill (H.R. 470) to authorize the Pharr Municipal Bridge Corp. to construct, maintain, and operate a toll bridge across the Rio Grande near Pharr, Tex.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

INCREASE OF TIMBER SURVEY AUTHORIZATION

The Clerk called the bill (S. 1136) to amend section 9 of the act of May 22, 1928 (45 Stat. 702), as amended and supplemented (16 U.S.C. 581h), relating to surveys of timber and other forest resources of the United States, and for other purposes.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

EXTENSION OF SPECIAL MILK PROGRAM FOR THE ARMED FORCES AND VETERANS' HOSPITALS

The Clerk called the bill (H.R. 11161) to extend for 3 years the special milk programs for the Armed Forces and veterans' hospitals.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. POAGE. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 2179, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. HALL. Mr. Speaker, reserving the right to object, may I ask the distinguished gentleman if this is an identical bill?

Mr. POAGE. Yes, it is.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

There being no objection, the Clerk read the Senate bill, as follows:

S. 2179

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 202 of the Agricultural Act of 1949, as amended (7 U.S.C. 1446a), is amended by striking in subsections (a) and (b) the words "December 31, 1967" and inserting in lieu thereof "December 31, 1970".

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 1161) was laid on the table.

AMENDING SECTION 701, TITLE 10, UNITED STATES CODE, TO AUTHORIZE ADDITIONAL ACCUMULATION OF LEAVE IN CERTAIN FOREIGN AREAS

The Clerk called the bill (H.R. 1341) to amend section 701 of title 10, United States Code, to authorize additional accumulation of leave in certain foreign areas.

There being no objection, the Clerk read the bill, as follows:

H.R. 1341

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 701 of title 10, United States Code, is amended—

(1) by striking out the first sentence in subsection (b) and inserting in place thereof "A member may not accumulate more than sixty days' leave."; and

(2) by adding at the end:

"(f) Notwithstanding any other provision of law, under regulations prescribed by the Secretary concerned or his designated representative, a member who serves one hundred and twenty days or more in a foreign area in which there is hostile activity may accumulate ninety days' leave. Leave in excess of sixty days under this subsection is creditable only for use before the end of the fiscal year following the fiscal year in which service in the foreign area terminates."

Sec. 2. This Act is effective June 30, 1965.

With the following committee amendment:

Strike out all after the enacting clause and substitute the following language:

"That section 701 of title 10, United States Code, is amended as follows:

"(1) Subsection (b) is amended by striking out "Notwithstanding any other provision of law" and inserting in place thereof "Except as provided in subsection (f)".

"(2) A new subsection (f) is added as follows:

"'(f) Under uniform regulations to be prescribed by the Secretary concerned, and approved by the Secretary of Defense, a member who serves on active duty for a continuous period of at least one hundred and twenty days in an area in which he is entitled to special pay under section 310(a) of title 37 may accumulate ninety days' leave in excess of sixty days accumulated under this subsection is lost unless it is used by the member before the end of the fiscal year after the fiscal year in which the service terminated.'

"Sec. 2. Section 1 of this Act applies only to active duty performed after June 30, 1966."

The committee amendment was agreed to.

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, I rise in support of the bill, H.R. 1341, which will authorize a member of the Armed Forces to accumulate more than 60 days' leave when he serves longer than 120 days of continuous duty in a hostile fire area.

Today, many of our men serving in Southeast Asia are unable to take the leave that is earned while they are assigned to that area. Under present policy, military personnel assigned to Vietnam may apply for only one 7-day leave. This is in addition to an authorized absence of one 7-day period for rest and recuperation, which is not charged against their accumulated leave. Because of this lack of opportunity to take the leave that is earned, many men now lose leave which was earned.

It is an injustice to penalize our military personnel for being assigned to a hostile fire area. The dangers to which they are exposed in carrying out their mission is bad enough, without asking for further sacrifices from these dedicated servicemen.

The enactment of this legislation will not increase the military budget, but will increase the morale of our troops serving in Southeast Asia.

Mr. Speaker, I urge the adoption of the bill, H.R. 1341.

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, the purpose of H.R. 1341 is to amend section 701 of title 10, United States Code, to allow a member of the Armed Forces to accumulate more than 60 days' leave whenever the individual serves on active duty for a continuous period of at least 120 days in an area in which he is entitled to hostile fire pay. The bill authorizes the accumulation of leave up to 90 days. However, leave in excess of 60 days accumulated under the proposed legislation must be used by the member before the end of the fiscal year after the fiscal year in which he returns from a hostile fire area.

The proposed legislation is very similar to that passed by the House last year on which the Senate failed to act.

There is no direct cost related to this legislation.

The bill was unanimously approved by the House Armed Services Committee.

Mr. Speaker, I urge the adoption of the bill H.R. 1341.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NAMING THE FEDERAL OFFICE BUILDING, DETROIT, MICH., IN HONOR OF THE LATE PATRICK V. McNAMARA

The Clerk called the bill (S. 343) to provide that the Federal office building to be constructed in Detroit, Mich., shall be named the "Patrick V. McNamara Federal Office Building" in memory of the late Patrick V. McNamara, a U.S. Senator from the State of Michigan from 1955 to 1966.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

CONSENTING TO THE ENTRY OF OHIO INTO A BUS TAXATION PRORATION AGREEMENT

The Clerk called the bill (H.R. 12912) to give the consent of Congress to the State of Ohio to become a party to the agreement relating to bus taxation proration and reciprocity as set forth in title II of the act of April 14, 1965 (79 Stat. 60), and consented to by Congress in that act and in the acts of November 1, 1965 (79 Stat. 1157), and November 2, 1966 (80 Stat. 1156).

There being no objection, the Clerk read the bill, as follows:

H.R. 12912

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is given to the State of Ohio to become a party to the agreement relating to bus taxation proration and reciprocity as set forth in title II of the Act of April 14, 1965 (79 Stat. 60), and consented to by Congress in that Act and in the Acts of November 1, 1965 (79 Stat. 1157) and November 2, 1966 (80 Stat. 1156).

With the following committee amendment:

After line 8 add the following:

"SEC. 2. The right to alter, amend, or repeal this Act is expressly reserved."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING TITLE 10, UNITED STATES CODE, TO SIMPLIFY LAWS RELATING TO MEMBERS OF THE ARMY, NAVY, AIR FORCE, AND MARINE CORPS, AND FOR OTHER PURPOSES

The Clerk called the bill (H.R. 8547) to amend title 10, United States Code, to simplify laws relating to members of the Army, Navy, Air Force, and Marine Corps, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 8547

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

ACTIVE DUTY

SECTION 1. (a) Title 10, United States Code, is amended as follows:

(1) Chapter 39 is amended—

(A) by inserting the following new sections after section 671:

"§ 671a. Members: service extension during war

"Unless terminated at an earlier date by the Secretary concerned, the period of active service of any member of an armed force is extended for the duration of any war in which the United States may be engaged and for six months thereafter.

"§ 671b. Members: service extension when Congress is not in session

"(a) Notwithstanding any other provision of law, when the President determines that the national interest so requires, he may, if Congress is not in session, having adjourned sine die, authorize the Secretary of Defense to extend for not more than six months enlistments, appointments, periods of active duty, periods of active duty for training, periods of obligated service, or other military status, in any component of the Armed Forces of the United States, that expire before the thirtieth day after Congress next convenes or reconvenes.

"(b) An extension under this section continues until the expiration of the period of extension specified by the Secretary of Defense unless sooner terminated by law or Executive order."; and

(B) by inserting the following new item in the analysis thereof:

"671a. Members: service extension during war."

"671b. Members: service extension when Congress is not in session."

(2) Sections 3492 and 8492 are repealed.

(3) The analysis of chapter 341 is amended by striking out the following item:

"3492. Members: service extension during war."

(4) The analysis of chapter 841 is amended by striking out the following item:

"8492. Members: service extension during war."

(b) Chapter 341 of title 10, United States Code, is amended by repealing section 3493 and striking out the following item in the analysis:

"3493. Army Reserve: commissioned officers with Corps of Engineers."

ENLISTMENTS

SEC. 2. (a) Title 10, United States Code, is amended as follows:

(1) Chapter 31 is amended—

(A) by redesignating section 501 as section "502";

(B) by inserting the following new sections:

"§ 501. Definition

"In this chapter 'enlistment' means original enlistment or reenlistment.

"* * * * *

"§ 503. Enlistments: recruiting campaigns

"The Secretary concerned shall conduct intensive recruiting campaigns to obtain enlistments in the Regular Army, Regular Navy, Regular Air Force, Regular Marine Corps, and Regular Coast Guard.

"§ 504. Persons not qualified

"No person who is insane, intoxicated, or a deserter from an armed force, or who has been convicted of a felony, may be enlisted in any armed force. However, the Secretary concerned may authorize exceptions, in meritorious cases, for the enlistment of deserters and persons convicted of felonies.

"§ 505. Regular components: qualifications, term, grade

"(a) The Secretary concerned may accept original enlistments in the Regular Army, Regular Navy, Regular Air Force, Regular Marine Corps, or Regular Coast Guard, as the case may be, of qualified, effective, and able-bodied persons who are not less than seventeen years of age in the case of male persons and not less than eighteen years of age in the case of female persons, nor more than thirty-five years of age. However, no male person under eighteen years of age, or female person under twenty-one years of age, may be originally enlisted without the written consent of his parents or guardian, if he has a parent or guardian entitled to his custody and control.

"(b) A person is enlisted in the Regular Army, Regular Navy, Regular Air Force, Regular Marine Corps, or Regular Coast Guard in the grade or rating prescribed by the Secretary concerned.

"(c) The Secretary concerned may accept original enlistments in the Regular Army, Regular Navy, Regular Air Force, Regular Marine Corps, or Regular Coast Guard, as the case may be—

"(1) of male persons for the duration of their minority or for a period of two, three, four, five, or six years; and

"(2) of female persons for a period of two, three, four, five, or six years.

"(d) In the Regular Army, female persons may be enlisted only in the Women's Army Corps.

"(e) The Secretary concerned may accept reenlistments in the Regular Army, Regular Navy, Regular Air Force, Regular Marine Corps, or Regular Coast Guard, as the case may be, for periods of two, three, four, five, or six years. No enlisted member is entitled to be reenlisted for a period that would expire before the end of his current enlistment.

"§ 506. Regular components: extension of enlistments during war or national emergency

"An enlistment in the Regular Army, Regular Navy, Regular Air Force, Regular Marine Corps, or Regular Coast Guard in effect at the beginning of a war, or entered into during a war, unless sooner terminated by the President, continues in effect until six months after the termination of that war.

"§ 507. Extension of enlistment for members needing medical care or hospitalization

"(a) An enlisted member of an armed force on active duty whose terms of enlistment expires while he is suffering from disease or injury incident to service and not due to his misconduct, and who needs medical care or hospitalization, may be retained on active duty, with his consent, until he recovers to the extent that he is able to meet the physical requirements for reenlistment, or it is determined that recovery to that extent is impossible.

"(b) This section does not prevent retention in service, without his consent, of an enlisted member of an armed force under section 972 of this title.

"§ 508. Reinlistment: qualifications

"(a) No person whose service during his last term of enlistment was not honest and faithful may be reenlisted in an armed force. However, the Secretary concerned may authorize the reenlistment in the armed force under his jurisdiction of such a person if his conduct after that service has been good.

"(b) A person discharged from a Regular component may be reenlisted in the Regular Army, Regular Navy, Regular Air Force, Regular Marine Corps, or Regular Coast Guard, as the case may be, under such regulations as the Secretary concerned may prescribe.

"(c) This section does not deprive a person of any right to be reenlisted in the Regular Army, Regular Navy, Regular Air Force, Regular Marine Corps, or Regular Coast Guard under any other provision of law.

"§ 509. Voluntary extension of enlistments: periods and benefits

"(a) Under such regulations as the Secretary concerned may prescribe, the term of enlistment of a member of an armed force may be extended or reextended with his written consent for any period. However, the total of all such extensions of an enlistment may not exceed four years.

"(b) When a member is discharged from an enlistment that has been extended under this section, he has the same rights, privileges, and benefits that he would have if discharged at the same time from an enlistment not so extended.

"* * * * *

"§ 518. Temporary enlistments

"Temporary enlistments may be made only in the Army, Navy, Air Force, Marine Corps, or Coast Guard, as the case may be, without specification of component.

"§ 519. Temporary enlistments: during war or emergency

"Except as provided in section 505 of this title and except for enlistments as Reserves of an armed force—

"(1) temporary enlistments in an armed force entered into in time of war or of emergency declared by Congress shall be for the duration of the war or emergency plus six months; and

"(2) only persons at least eighteen years of age and otherwise qualified under regulations to be prescribed by the Secretary concerned are eligible for such enlistments."; and

(C) by striking the following item out of the analysis:

"501. Enlistment oath: who may administer."

and inserting the following new items in place thereof:

"501. Definition.
"502. Enlistment oath: who may administer.
"503. Enlistments: recruiting campaigns.
"504. Persons not qualified.
"505. Regular components: qualifications, term, grade.
"506. Regular components: extension of enlistments during war or national emergency.
"507. Extension of enlistment for members needing medical care or hospitalization.
"508. Reenlistment: qualifications.
"509. Voluntary extension of enlistments: periods and benefits.

"* * * * *

"518. Temporary enlistments.
"519. Temporary enlistments: during war or emergency."

(2) Chapter 333 is amended—

(A) by amending section 3253 to read as follows:

"§ 3253. Army: persons not qualified

"In time of peace, no person may be accepted for original enlistment in the Army unless he is a citizen of the United States or has been lawfully admitted to the United States for permanent residence under the applicable provisions of chapter 12 of title 8.";

(B) by repealing sections 3252, 3254, 3255, 3256, 3262, and 3263; and

(C) by striking out the following items in the analysis:

"3252. Temporary enlistments.

"* * * * *

"3254. Army: during war or emergency.
"3255. Regular Army: recruiting campaigns.
"3256. Regular Army: qualifications, term, grade.

"* * * * *

"3262. Extension of enlistment for members needing medical care or hospitalization.
"3263. Voluntary extension of enlistment."

(3) Chapter 537 is amended by repealing sections 5531(a), 5532, 5533, 5534, 5537, 5538, and 5539 and by striking out the following items in the analysis:

"5532. Prohibited classes.
"5533. Minors.
"5534. Term: grade.

"* * * * *

"5537. Extension: during disability incident to service.
"5538. Extension: during war or national emergency.
"5539. Extension: voluntary, periods and benefits."

(4) Chapter 833 is amended—

(A) by amending section 8253 to read as follows:

"§ 8253. Air Force: persons not qualified.

"In time of peace, no person may be accepted for original enlistment in the Air Force unless he is a citizen of the United States or has been lawfully admitted to the United States for permanent residence under the applicable provisions of chapter 12 of title 8.";

(B) by repealing sections 8252, 8254, 8255, 8256, 8262, and 8263; and

(C) by striking out the following items in the analysis:

"8252. Temporary enlistments.

"* * * * *

"8254. Air Force: during war or emergency.
"8255. Regular Air Force: recruiting campaigns.
"8256. Regular Air Force: qualifications, term, grade.

"* * * * *

"8262. Extension of enlistment for members needing medical care or hospitalization.
"8263. Voluntary extension of enlistment.

(b) Chapter 537 of title 10, United States Code, is amended by repealing sections 5531(b) and 5535 and by striking out the following items in the analysis:

"5531. Recruiting campaigns: use of advertising agencies.

"* * * * *

"5535. Evidence of age required for certain enlistment of minors."

(c) Section 906 of title 37, United States Code, is amended to read as follows:

§ 906. Extension of enlistment: effect on pay and allowances

"A member of the Army, Navy, Air Force, Marine Corps, or Coast Guard, as the case may be, who extends his enlistment under section 509 of title 10 is entitled to the same pay and allowances as though he had reenlisted. For the purposes of determining entitlement to reenlistment bonus or to travel and transportation allowances upon discharge, all such extensions of an enlistment are considered one continuous extension."

DISCHARGE AND SEPARATION

SEC. 3. (a) Title 10, United States Code, is amended as follows:

(1) Chapter 59 is amended—

(A) by adding the following new sections at the end thereof:

"§ 1169. Regular enlisted members: limitations on discharge

"No regular enlisted member of an armed force may be discharged before his term of service expires, except—

"(1) as prescribed by the Secretary concerned;

"(2) by sentence of a general or special court martial; or

"(3) as otherwise provided by law.

"§ 1170. Regular enlisted members: minority discharge

"Upon application by the parents or guardian of a regular enlisted member of an armed force to the Secretary concerned within 90 days after the member's enlistment, the member shall be discharged for his own convenience, with the pay and form of discharge certificate to which his service entitles him, if—

"(1) there is evidence satisfactory to the Secretary concerned that the member is under eighteen years of age; and

"(2) the member enlisted without the written consent of his parent or guardian.

"§ 1171. Regular members: early discharge

"Under regulations prescribed by the Secretary concerned and approved by the President, any regular enlisted member of an armed force may be discharged within three months before the expiration of the term of his enlistment or extended enlistment. A discharge under this section does not affect any right, privilege, or benefit that a member would have had if he completed his enlistment or extended enlistment, except that the member is not entitled to pay and allowances for the period not served.

"§ 1172. Enlisted members: during war or emergency; discharge

"A person enlisted under section 518 of this title may be discharged at any time by the President, or otherwise according to law."; and

(B) by inserting the following items in the analysis:

"1169. Regular enlisted members: limitations on discharge.

"1170. Regular enlisted members: minority discharge.

"1171. Regular enlisted members: early discharge.

"1172. Enlisted members: during war or emergency; discharge."

(2) Sections 3811(b), 3812, 3816, 6293, 6295, 8811(b), 8812, and 8816 are repealed.

(3) The analysis of chapter 361 is amended by striking out the following items:

"3812. Army enlisted members: during war or emergency; discharge.

"* * * * *

"3816. Regular enlisted members: minority discharge."

(4) The analysis of chapter 569 is amended by striking out the following items:

"6293. Minors enlisted without consent of parent or guardian.

"* * * * *

"6295. Regular Navy: early discharge."

(5) The analysis of chapter 861 is amended by striking out the following items:

"8812. Air Force enlisted members: during war or emergency; discharge.

"* * * * *

"8816. Regular enlisted members: minority discharge."

(b) Title 10, United States Code, is amended as follows:

(1) Sections 3450, 3811(a), 3813, 3815, 6291, 6296, 6298, 6409, 8450, 8811(a), 8813, and 8815 are repealed.

(2) The analysis of chapter 339 is amended by striking out the following item:

"3450. Warrant officers: suspension of laws for promotion or mandatory retirement or separation during war or emergency."

(3) The analysis of chapter 361 is amended by striking out the following items:

"38.11. Army enlisted members: discharge certificate; limitations on discharge.

"* * * * *

"3813. Army enlisted members: dependency discharge.

"* * * * *

"3815. Regular enlisted members: resignation of members enlisted on career basis; limitations."

(4) The analysis of chapter 569 is amended by striking out the following items:

"6291. Honorable discharges.

"* * * * *

"6296. Furlough without pay.

"6298. Authority to live at a receiving station after honorable discharge."

(5) The analysis of chapter 573 is amended by striking out the following item:

"6409. Navy and Marine Corps; warrant officers: suspension of laws for mandatory retirement and separation during war or emergency."

(6) The analysis of chapter 839 is amended by striking out the following item:

"8450. Warrant officers: suspension of laws for promotion or mandatory retirement or separation during war or emergency."

(7) The analysis of chapter 861 is amended by striking out the following items:

"8811. Air Force enlisted members: discharge certificate; limitations on discharge

"* * * * *

"8813. Air Force enlisted members: dependency discharge.

"* * * * *

"8815. Regular enlisted members: resignation of members enlisted on career basis; limitations."

(c) Members of the Army or the Air Force who, on the effective date of this Act, are serving under enlistments for unspecified periods under sections 3256(b) and 8256(b) of title 10, United States Code, shall continue in that status and shall be discharged therefrom in accordance with laws applicable to such discharges on the day before the effective date of this Act.

DETAILS AND DUTIES

SEC. 4. (a) Title 10, United States Code, is amended as follows:

(1) Chapter 41 is amended—

(A) by inserting the following new section after section 711:

"§ 711a. American National Red Cross: detail of commissioned officers

"(a) Commissioned officers of the Army, Navy, and Air Force may be detailed for duty with the American National Red Cross, by the Secretary of the military department concerned, as follows:

"(1) for duty with the Service to the Armed Forces Division—

"(A) one or more officers of the Army Medical Service;

"(B) one or more officers of the Medical Department of the Navy; and

"(C) one or more officers selected from among medical officers, dental officers, veterinary officers, medical service officers, nurses, and medical specialists of the Air Force; and

"(2) to be in charge of the first-aid department—

"(A) an officer of the Medical Corps of the Army;

"(B) an officer of the Medical Corps of the Navy; or

"(C) a medical officer of the Air Force."; and

(B) by inserting the following new item in the analysis thereof:

"711a. American National Red Cross; detail of commissioned officers.".

(2) Sections 3539 and 5987 are repealed.

(3) The analysis of chapter 343 is amended by striking out the following item:

"3539. American National Red Cross: detail of officers of Army Medical Service."

(4) The analysis of chapter 553 is amended by striking out the following item:

"5987. American National Red Cross; detail of officers in the Medical Corps."

(5) Chapter 49 is amended—

(A) by adding the following new section:

"§ 973. Duties: regular officers; performance of civil functions restricted

"(a) No officer on the active list of the Regular Army, Regular Navy, Regular Air Force, Regular Marine Corps, or Regular Coast Guard may accept employment if that employment requires him to be separated from his organization, branch, or unit, or interferes with the performance of his military duties.

"(b) Except as otherwise provided by law, no officer on the active list of the Regular Army, Regular Navy, Regular Air Force, Regular Marine Corps, or Regular Coast Guard may hold a civil office by election or appointment, whether under the United States, a Territory or possession, or a State. The acceptance of such a civil office or the exercise of its functions by such an officer terminates his military appointment."; and

(B) by adding the following new item at the end of the analysis:

"973. Duties: Regular officers; performance of civil functions restricted."

(6) Sections 3544 and 8544 are repealed.

(7) Section 3017(b) is amended by striking out "3544(b)" and inserting in place thereof "973(b)".

(8) Section 5036 is amended by adding the following new subsection:

"(c) Performance of the duties of the Secretary by the Chief of Naval Operations, the Vice Chief of Naval Operations, or any officer of the Navy or Marine Corps designated under section 6 of title 5 shall not be considered as the holding of a civil office within the meaning of section 973(b) of this title."

(9) Section 8017(b) is amended by striking out "8544(b)" and inserting in place thereof "973(b)".

(10) The analysis of chapter 343 is amended by striking out the following item:

"3544. Duties: regular officers; performance of civil functions restricted."

(11) The analysis of chapter 843 is amended by striking out the following item:

"8544. Duties: regular officers; performance of civil functions restricted."

(12) Section 6405 is repealed.

(13) The analysis of chapter 573 is amended by striking out the following item:

"6405. Effect of acceptance of appointment in Foreign Service."

(b) Title 10, United States Code, is amended as follows:

(1) Sections 3538, 3545, 5984, 8537, and 8545 are repealed.

(2) The analysis of chapter 343 is amended by striking out the following items:

"3538. Geological Survey: detail of officers of Ordnance Corps.

"* * * * *

"8545. Duties: officers; superintendence of cooking for enlisted members."

(3) The analysis of chapter 553 is amended by striking out the following item:

"5984. Military institutions and colleges: details as superintendents and instructors."

(4) The analysis of chapter 843 is amended by striking out the following items:

"8537. Department of Commerce: detail in aid of civil aviation.

"* * * * *

"8545. Duties: officers; superintendence of cooking for enlisted members."

RANK AND COMMAND

SEC. 5. (a) Title 10, United States Code, is amended as follows:

(1) Chapter 43 is amended—

(A) by adding the following new sections at the end thereof:

"§ 747. Command: when different commands of Army, Navy, Air Force, Marine Corps, and Coast Guard join

"When different commands of the Army, Navy, Air Force, Marine Corps, and Coast Guard join or serve together, the officer highest in rank in the Army, Navy, Air Force, Marine Corps, or Coast Guard on duty there, who is otherwise eligible to command, commands all those forces unless otherwise directed by the President.

"* * * * *

"§ 749. Command: commissioned officers in same grade or corresponding grades on duty at same place

"(a) When the Army, Navy, Air Force, Marine Corps, or Coast Guard, as the case may be, has on duty in the same area, field command, or organization two or more commissioned officers of the same grade who are otherwise eligible to command, the President may assign the command without regard to rank in that grade.

"(b) When officers of the Army, Navy, Air Force, Marine Corps, or Coast Guard are on duty in the same area, field, command, or organization and two or more commissioned officers of different services, who are otherwise eligible to command, have the same grade or corresponding grades, the President may assign the command without regard to rank in that grade."; and

(B) by adding the following new items at the end of the analysis:

"747. Command: when different commands of Army, Navy, Air Force, Marine Corps and Coast Guard join.

"749. Command: commissioned officers in same grade or corresponding grades on duty at same place."

(2) Sections 3576, 3578, 5954, 8576, and 8578 are repealed.

(3) The analysis of chapter 345 is amended by striking out the following items:

"3576. Command: when different commands of Army and Marine Corps join.

"3578. Command: commissioned officers of Army in same grade on duty at same place."

(4) The analysis of chapter 551 is amended by striking out the following item:

"5954. Command: when different commands of Marine Corps and Army or Air Force join."

(5) The analysis of chapter 845 is amended by striking out the following items:

"8576. Command: when different commands of Air Force and Marine Corps join.

"* * * * *

"8578. Command: commissioned officers of Air Force in same grade on duty at same place."

(b) Title 10, United States Code, is amended as follows:

(1) Sections 5941, 5950, and 5953 are repealed.

(2) The analysis of chapter 551 is amended by striking out the following items:

"5941. Assignment to command: regulations.

"* * * * *

"5950. Exemption from Supply Corps duties.

"* * * * *

"5953. Executive officer: assignment; authority."

MISCELLANEOUS PROHIBITIONS AND PENALTIES

SEC. 6. (a) Title 10, United States Code, is amended as follows:

(1) Section 971 is amended by inserting the designation "(a)" before the words "The period of" and adding the following new subsection:

"(b) In computing length of service for any purpose—

"(1) no officer of the Navy or Marine Corps may be credited with service as a midshipman at the United States Naval Academy or as a cadet at the United States Military Academy, United States Air Force Academy, or United States Coast Guard Academy, if he was appointed as a midshipman or cadet after March 4, 1913; and

"(2) no commissioned officer of the Army or Air Force may be credited with service as a midshipman at the United States Naval Academy or as a cadet at the United States Military Academy, United States Air Force Academy, or United States Coast Guard Academy, if he was appointed as a midshipman or cadet after August 24, 1912."

(2) Sections 3682, 6116, and 8682 are repealed.

(3) The analysis of chapter 353 is amended by striking out the following item:

"3682. Service credit: officers; service as cadet not counted."

(4) The analysis of chapter 559 is amended by striking out the following item:

"6116. Service credit: officers; service as midshipman or cadet not counted."

(5) The analysis of chapter 853 is amended by striking out the following item:

"8682. Service credit: officers; service as cadet not counted."

(6) Chapter 49 is amended—

(A) by adding the following new section:

"§ 974. Civilian employment: enlisted members

"Except as provided in section 6223 of this title no enlisted member of an armed force on active duty may be ordered or permitted to leave his post to engage in a civilian pursuit or business, or a performance in civil life, for emolument, hire, or otherwise, if the pursuit, business, or performance interferes with the customary or regular employment of local civilians in their art, trade, or profession."; and

(B) by adding the following new item at the end of the analysis:

"974. Civilian employment: enlisted members."

(7) Sections 3635, 6114, and 8635 are repealed.

(8) The analysis of chapter 349 is amended by striking out the following item:

"3635. Enlisted members: restriction on civilian employment."

(9) The analysis of chapter 559 is amended by striking out the following item:

"6114. Civilian employment: enlisted members."

(10) The analysis of chapter 849 is amended by striking out the following item:

"8635. Enlisted members: restriction on civilian employment."

MISCELLANEOUS RIGHTS AND BENEFITS

SEC. 7. (a) Title 10, United States Code, is amended as follows:

(1) Section 101 is amended by adding the following new clause:

"(36) 'Dependent', with respect to a female member of an armed force, does not include her husband, unless he is in fact dependent on her for his chief support, or her child, unless his father is dead or he is in fact dependent on her for his chief support."

(2) Chapter 53 is amended—

(A) by adding the following new section:

"§ 1040. Replacement of certificate of discharge

"If satisfactory proof is presented that a person who was discharged honorably or under honorable conditions has lost his certificate of discharge from an armed force or that it was destroyed without his procurement or connivance, the Secretary of the military department concerned may give that person, or his surviving spouse, a certificate of that discharge, indelibly marked to show that it is a certificate in place of the lost or destroyed certificate. A certificate given under this section may not be accepted as a voucher for the payment of a claim against the United States for pay, bounty, or other allowance, or as evidence in any other case."; and

(B) by adding the following new item at the end of the analysis:

"1040. Replacement of certificate of discharge."

(3) Sections 3685, 3693, 6033, 8685, and 8693 are repealed.

(4) The analysis of chapter 353 is amended by striking out the following items:

"3685. Regular Army; Army Reserve: female members; definition of 'dependents'.

"* * * * *

"3693. Replacement of certificate of discharge."

(5) The analysis of chapter 555 is amended by striking out the following item:

"6033. Woman member: definition of dependents."

(6) The analysis of chapter 853 is amended by striking out the following items:

"8685. Regular Air Force; Air Force Reserve: female members; definition of 'dependents'.

"* * * * *

"8693. Replacement of certificates of discharge."

(b) Title 10, United States Code, is amended as follows:

(1) Sections 3631, 3637, 3690, 6158, 8631, 8637, and 8690 are repealed.

(2) The analysis of chapter 349 is amended by striking out the following items:

"3631. Dealing in quartermaster supplies prohibited.

"* * * * *

"3637. Enlisted members: forfeiture of right to pension by deserters."

(3) The analysis of chapter 353 is amended by striking out the following item:

"3690. Exemption from arrest for debt: enlisted members."

(4) The analysis of chapter 561 is amended by striking out the following item:

"6158. Exemption from arrest for debt: enlisted members of Marine Corps."

(5) The analysis of chapter 849 is amended by striking out the following items:

"8631. Dealing in quartermaster supplies prohibited.

"* * * * *

"8637. Enlisted members: forfeiture of right to pension by deserters."

(6) The analysis of chapter 853 is amended by striking out the following item:

"8690. Exemption from arrest for debt: enlisted members."

THE UNIFORM

SEC. 8. Title 10, United States Code, is amended as follows:

(1) Chapter 45 is amended—

(A) by inserting the following new section after section 771:

"§ 771a. Disposition on discharge

"(a) Except as provided in subsections (b) and (c), when an enlisted member of an armed force is discharged, the exterior articles of uniform in his possession that were issued to him, other than those that he may wear from the place of discharge to his home under section 772(d) of this title, shall be retained for military use.

"(b) When an enlisted member of an armed force is discharged for bad conduct, undesirability, unsuitability, inaptitude, or otherwise than honorably—

"(1) the exterior articles of uniform in his possession shall be retained for military use;

"(2) under such regulations as the Secretary concerned prescribes, a suit of civilian clothing and an overcoat when necessary, both to cost not more than $30, may be issued to him; and

"(3) if he would be otherwise without funds to meet his immediate needs, he may be paid an amount, fixed by the Secretary concerned, of not more than $25.

"(c) When an enlisted member of the Army National Guard or the Air National Guard who has been called into Federal service is released from that service, the exterior articles of uniform in his possession shall be accounted for as property issued to the Army National Guard or the Air National Guard, as the case may be, of the State or territory, Puerto Rico, the Canal Zone, or the District of Columbia of whose Army National Guard or Air National Guard he is a member, as prescribed in section 708 of title 32."; and

(B) by inserting the following new item in the analysis thereof:

"771a. Disposition on discharge."

(2) Chapters 347 and 847 are repealed.

(3) Section 6297 is repealed.

(4) The analysis of chapter 569 is amended by striking out the following item:

"6297. Disposition of uniform; clothing allowance; emergency funds."

(5) The chapter analysis of subtitle B and the chapter analysis of part II of subtitle B are each amended by striking out the following item:

"347. The Uniform ---------------- 3611".

(6) The chapter analysis of subtitle D and the chapter analysis of part II of subtitle D are each amended by striking out the following item:

"847. The Uniform................ 8611".

With the following committee amendments:

On page 2, strike the matter on lines 17 through 20 and substitute the following:

"(b) An extension under this section continues until the sixtieth day after Congress next convenes or reconvenes or until the expiration of the period of extension specified by the Secretary of Defense, whichever occurs earlier, unless sooner terminated by law or Executive order; and".

On page 5, line 21, strike "or national emergency".

On page 24, line 20, strike "of the military department".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DECLARING A PORTION OF BAYOU LAFOURCHE, LA., A NONNAVIGABLE WATERWAY OF THE UNITED STATES

The Clerk called the bill (H.R. 6692) declaring a portion of Bayou Lafourche, La., a nonnavigable waterway of the United States.

There being no objection, the Clerk read the bill, as follows:

H.R. 6692

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Bayou Lafourche, in the State of Louisiana, between Canal Boulevard, city of Thibodaux, Parish of Lafourche, State of Louisiana, and the head of the bayou at its junction with the Mississippi River levee at the city of Donaldsonville, Parish of Ascension, State of Louisiana, is hereby declared to be a nonnavigable waterway of the United States within the meaning of the laws of the United States.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

With the following committee amendment:

On page 1, line 9, insert after the period the following: "The existing project for Bayou Lafourche, Louisiana, authorized by the Acts of August 30, 1935 (49 Stat. 1028) and July 14, 1960 (74 Stat. 480) is hereby deauthorized in the reach of Bayou Lafourche herein declared nonnavigable."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

H.R. 13653

Mr. WAMPLER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WAMPLER. Mr. Speaker, I regret very much that my colleagues the gentlemen from Kentucky [Mr. CARTER and Mr. SNYDER] will voice objection to the passage of H.R. 13653.

This bill, of which I am a cosponsor, was carefully considered by the Tobacco Subcommittee of the Committee on Agriculture. Public hearings were held and it was reported favorably by both the subcommittee and the full committee.

I think H.R. 13653 is a sound bill and is in the best interest of agriculture. It provides, among other things, for the leasing of burley tobacco allotments.

Mr. Speaker, in the Ninth District of Virginia, which I am privileged to represent, there are more than 18,000 producers of burley tobacco. Tobacco is one of our most important cash crops and is, therefore, vital to the agricultural economy.

Many of the producers of burley tobacco live on small mountain farms. With the ever-increasing shortage of farm labor, producers of tobacco are having difficulty finding competent labor to help tend their crops. This is particularly true where the producers of the tobacco are elderly or infirmed—with many of these unable to produce a crop at all.

This legislation would have enabled producers of burley tobacco to lease their allotment for a period of time not to exceed 5 years. It also provided that the allotment would remain with the lessor for the purpose of determining the base allotment.

Mr. Speaker, I believe this legislation would be of great help to many of our small tobacco farmers.

TOBACCO ALLOTMENT LEASE AND TRANSFER

The Clerk called the bill (H.R. 13653) to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CARTER. Mr. Speaker, I object.

Mr. SNYDER. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

AMENDING SECTION 319 OF THE IMMIGRATION AND NATIONALITY ACT TO PERMIT NATURALIZATION FOR CERTAIN EMPLOYEES OF U.S. NONPROFIT ORGANIZATIONS ENGAGED IN DISSEMINATING INFORMATION WHICH SIGNIFICANTLY PROMOTES U.S. INTEREST, AND FOR OTHER PURPOSES

The Clerk called the bill (H.R. 2138), to amend section 319 of the Immigration and Nationality Act to permit naturalization for certain employees of United States nonprofit organizations engaged in disseminating information which significantly promotes United States interest, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 2138

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 319 of the Immigration and Nationality Act (66 Stat. 244) is amended by adding a new subsection (c) to read as follows:

"(c) Any person who (1) is employed by a bona fide United States incorporated nonprofit organization which is principally engaged in conducting abroad through communications media the dissemination of information which significantly promotes United States interests abroad and which is recognized as such by the Attorney General, and (2) has been so employed continuously for a period of not less than five years after a lawful admission for permanent residence, and (3) who files his petition for naturalization while so employed or within six months following the termination thereof, and (4) who is in the United States at the time of naturalization, and (5) who declares before the naturalization court in good faith an intention to take up residence within the United States immediately upon termination of such employment, may be naturalized upon compliance with all the requirements of this Act except that no prior residence or specified period of physical presence within the United States or any State or within the jurisdiction of the court, or proof thereof, shall be required."

(b) The title preceding section 319 is amended to read as follows: "MARRIED PERSONS AND EMPLOYEES OF CERTAIN NONPROFIT ORGANIZATIONS".

(c) The table of contents (Title III—Nationality and Naturalization, ch. 2) of the Immigration and Nationality Act is amended by changing the designation of section 319 to read as follows:

"Sec. 319. Married persons and employees of certain nonprofit organizations."

With the following committee amendment:

On page 2, line 13, after the words "requirements of this" strike out the word "Act" and substitute in lieu thereof the word "title".

AMENDMENT TO COMMITTEE AMENDMENT OFFERED BY MR. DOWDY

Mr. DOWDY. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. DOWDY: Strike out the word "title" and substitute in lieu thereof the word "Title".

The amendment to the committee amendment was agreed to.

The committee amendment, as amended, was agreed to.

Mr. MOORE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. MOORE. Mr. Speaker, the purpose of this bill (H.R. 2138) is to permit the naturalization of certain aliens who meet the conditions precedent—the principal one being five years of employment abroad, after a lawful admission to the United States for permanent residence, with an organization of the communications media—disseminating information.

Certain employees of U.S. nonprofit organizations—particularly Radio Liberty and Radio Free Europe—although admitted to the United States for permanent residence have been necessarily, regularly stationed abroad in their employment and thus are unable to meet the physical presence requirements and in some cases the residence requirement for naturalization.

Most of the beneficiaries of the bill are anti-Communist exiles from countries now under Communist rule. They cannot either safely or in good conscience return to their native countries. They choose to live in freedom, and they wish to become American citizens. All have at some time in the past established residence in the United States, and hold reentry permits. Their dearest wish is to become American citizens, and most especially to facilitate their children becoming citizens, so the children can have an American education and be completely American. Although they are, for the best of reasons, working abroad, they avidly take advantage of opportunities to send their young children to American schools. Typically, the children speak unaccented, colloquial English and their parents are proud of it. It should not be overlooked that these people are select people, and their children are potentially a prime asset to the American way of life.

Among these individuals are former ambassadors, diplomats, parliamentarians, academicians, professional people, writers, editors, businessmen—people of great talent and proven ability, who would be able in America to make a real contribution to society—indeed, their contribution is already notable in their present work.

This bill considers the period of employment abroad by specified organizations as constructive residence and constructive physical presence in the United States. The employees of these quasi-governmental organizations will enjoy the same special benefits that U.S. Government employees, ministers and priests engaged in religious activities, and seamen employed aboard American-flag carriers now enjoy.

This bill is concerned only with the residence requirement for naturalization. Any person benefiting from this bill, must have been lawfully admitted for permanent residence in accordance with all provisions of law, and must satisfy all naturalization requirements, including good moral character and attachment to the principles of the Constitution.

I recommend passage of the bill.

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD.

The **SPEAKER**. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. RODINO. Mr. Speaker, it is a great pleasure to speak in support of the legislation I have introduced, H.R. 2130, which is before us now for action.

This measure will benefit persons employed by bona fide U.S. nonprofit organizations, such as Radio Free Europe and Radio Liberty, engaged abroad in disseminating information which significantly promotes U.S. interests. Because of their employment overseas, employees of these organizations have been unable to satisfy the physical presence requirements necessary for naturalization. Under H.R. 2138 the aliens to benefit must first be admitted into the United States for permanent residence and then have worked for such organizations for at least 5 years. In all other respects they must comply with provisions of our immigration and naturalization laws.

Because of their dedication the people to benefit from H.R. 2138 have sacrificed the opportunity to remain in the United States and become citizens in order to serve the nation abroad in anti-Communist endeavors. These people are, by every standard, American in thought, devotion, and allegiance, and they are especially mindful of the future of their children. They have escaped from Communist countries and have rededicated their lives to combatting it.

Mr. Speaker, I first introduced this legislation in January 1965, after I had visited the facilities of Radio Free Europe and Radio Liberty in Munich, Germany, in 1964. At that time I had an opportunity to talk with employees of both organizations as well as an opportunity to evaluate their contributions to the interests of the United States. With this firsthand, on-the-scene appraisal of what was being accomplished, I became firmly convinced that legislation which would consider their employment overseas with these organizations as constructive residence for immigration purposes would be both in the spirit of recognizing their service to the United States abroad and in the interest of the United States.

The people who would be beneficiaries of this legislation have held important positions in many fields in their native lands. They are former diplomats, laywers, economists, writers, and editors.

Mr. Speaker, enactment of H.R. 2138 is essential as a mater of simple justice, and it would benefit our country by giving us as new citizens dedicated and highly capable individuals who are promoting our interests and ideals abroad. I urge the approval of this long needed measure.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The **SPEAKER**. This concludes the call of the Consent Calendar.

TRANSFER OF PEANUT ACREAGE ALLOTMENTS

Mr. O'NEAL of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 11565) to amend section 358 of the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of peanut acreage allotments.

The Clerk read as follows:

H.R. 11565

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Agricultural Adjustment Act of 1938, as amended, is amended by adding after section 358 the following new section:

"SEC. 358a. (a) Notwithstanding any other provision of law for the 1968 and 1969 crop years, the Secretary, if he determines that it will not impair the effective operation of the peanut marketing quota or price-support program, (1) may permit the owner and operator of any farm for which a peanut acreage allotment is established under this Act to sell or lease all or any part or the right to all or any part of such allotment to any other owner or operator of a farm in the same county for transfer to such farm; and (2) may permit the owner of a farm to transfer all or any part of such allotment to any other farm owned or controlled by him.

"(b) Transfers under this section shall be subject to the following conditions: (1) no allotment shall be transferred to a farm in another county; (2) no transfer of an allotment from a farm subject to a mortgage or other lien shall be permitted unless the transfer is agreed to by the lienholders; (3) no sale of a farm allotment from a farm shall be permitted if any sale of allotment to the same farm has been made within the three immediately preceding crop years; (4) no transfer of allotment shall be effective until a record thereof is filed with the county committee of the county in which such transfer is made and such committee determines that the transfer complies with the provisions of this section; and (5) if the normal yield established by the county committee for the farm to which the allotment is transferred does not exceed the normal yield established by the county committee for the farm from which the allotment is transferred by more than 10 per centum, the lease or sale and transfer shall be approved acre for acre, but if the normal yield for the farm to which the allotment is transferred exceeds the normal yield for the farm from which the allotment is transferred by more than 10 per centum, the county committee shall make a downward adjustment in the amount of the acreage allotment transferred by multiplying the normal yield established for the farm from which the allotment is transferred by the acreage being transferred and dividing the result by the normal yield established for the farm to which the allotment is transferred: *Provided,* That in the event an allotment is transferred to a farm which at the time of such transfer is not irrigated, but within five years subsequent to such transfer is placed under irrigation, the Secretary shall also make an annual downward adjustment in the allotment so transferred by multiplying the normal yield established for the farm from which the allotment is transferred by the acreage being transferred and dividing the result by the actual yield for the previous year, adjusted for abnormal weather conditions, on the farm to which the allotment is transferred: *Provided further,* That, notwithstanding any other provision of this Act, the adjustment made in any peanut allotment because of the transfer to a higher producing farm shall not reduce or increase the size of any future National or State allotment and an acreage equal to the total of all such adjustments shall not be allotted to any other farms.

"(c) The transfer of an allotment shall have the effect of transferring also the acreage history and marketing quota attributable to such allotment and if the transfer is made prior to the determination of the allotment for any year the transfer shall include the right of the owner or operator to have an allotment determined for the farm for such year: *Provided,* That in the case of a transfer by lease the amount of the allotment shall be considered, for the purpose of determining allotments after the expiration of the lease, to have been planted on the farm from which such allotment is transferred.

"(d) The land in the farm from which the entire peanut allotment has been transferred shall not be eligible for a new farm peanut allotment during the five years following the year in which such transfer is made.

"(e) Any lease may be made for such term of years not to exceed five as the parties thereto agree, and on such other terms and conditions except as otherwise provided in this section as the parties thereto agree.

"(f) The lease of any part of a peanut acreage allotment determined for a farm shall not affect the allotment for the farm from which such allotment is transferred or the farm to which it is transferred, except with respect to the crop year or years specified in the lease. The amount of the acreage allotment which is leased from a farm shall be considered for purposes of determining future allotments to have been planted to peanuts on the farm from which such allotment is leased and the production pursuant to the lease shall not be taken into account in establishing allotments for subsequent years for the farm to which such allotment is leased. The lessor shall be considered to have been engaged in the production of peanuts for purposes of eligibility to vote in the referendum.

"(g) The Secretary shall prescribe regulations for the administration of this section which may include reasonable limitation on the size of the resulting allotments on farms to which transfers are made and such other terms and conditions as he deems necessary, but the total peanut allotment transferred to any farm by sale or lease shall not exceed fifty acres.

"(h) If the sale or transfer occurs during a period in which the farm is covered by a conservation reserve contract, cropland conversion agreement, or other similar land utilization agreement the rates of payment provided for in the contract or agreement of the farm from which the transfer is made shall be subject to an appropriate adjustment, but no adjustment shall be made in the contract or agreement of the farm to which the transfer is made."

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Georgia is recognized for 20 minutes.

Mr. O'NEAL of Georgia. Mr. Speaker, this bill has been previously debated, but it turned on a point that was not directly related to the bill itself. The Members will recall that several weeks ago we had the bill up, but the opponents of the bill saw fit to confine their objections to a matter related to food stamps rather than the bill itself.

I personally regret that the gentleman has seen fit to demand a second, but it does give me an opportunity again to outline the bill to the House.

Mr. Speaker, the purpose of H.R. 11565 is to authorize the sale, lease, or transfer of peanut acreage allotments among farms within the same county.

Enactment of the bill would not result in any additional cost to the Federal Government, but it would serve to improve program operations for peanut farmers. It has the blessings of the Department of Agriculture, the Bureau of the Budget, and the House Committee on Agriculture.

This legislation is needed primarily to permit farmers to increase the size of their allotment in order to realize a more reasonable return on their considerable investments.

There are many peanut acreage allotments too small to constitute an economic unit in view of rising costs of producing and harvesting the crop. The Department of Agriculture reports that in 1964—the last year for which complete statistics are available—more than one-fourth of all peanut allotments were 5 acres or less and more than one-half were 10 acres or less. This year the average size of established allotments is approximately 17.9 acres.

The problem of small allotments becomes more serious each year as the cost per acre to produce peanuts continues to rise steadily. A farmer with an allotment of 5 acres must use the same type expensive equipment, herbicides, and improved methods of cultivation as a farmer with 100 acres.

Allowing farmers to transfer peanut acreage allotments would permit the establishment of more economic-sized units of production. This in turn would result in more efficient production on individual farms and for the industry as a whole.

Small but capable and efficient farmers could increase their acreage of peanuts while others, who wish to discontinue growing peanuts, could transfer their resources to other crops, or retire from peanut production entirely and still receive remuneration.

Another very important benefit of the bill is that it would allow a new grower to acquire an allotment even though the national allotment is not increased by 1 acre. At present there is little or no opportunity for a young man who decides on a career in farming or a sharecropper who has long dreamed of the day he could own a farm because they were not fortunate enough to meet the requirements for a peanut acreage allotment in 1949 when they were reestablished after World War II. This legislation would permit a new grower to obtain an allotment up to 50 acres through lease or outright purchase.

In essence, this legislation will put peanut production in the hands of those who want to grow peanuts while at the same time it guards against any geographical switch in peanut production which could conceivably damage the economy of many counties.

The committee felt that the authority to lease, sell, or transfer peanut acreage allotments should be accompanied by language in the legislation which would guard against any speculation or overproduction which might otherwise result from this new authority. Therefore, the following conditions are set forth in the legislation:

First. Under no condition may allotments be transferred across county lines.

Second. No allotment may be transferred from a farm subject to a mortgage or lien unless the transfer is agreed to by the lienholders.

Third. No sale of a farm allotment from a farm shall be permitted if any sale of allotment to the same farm has been made within the three immediately preceding crop years.

Fourth. No transfer of allotment shall be effective until a record thereof is filed with the county committee of the county in which the transfer is made and until the county committee determines that the transfer complies with the provisions of the law.

Fifth. If there is not more than a 10-percent difference in production per acre, transfers shall be on the basis of acre for acre; however, in cases where the transferred acreage goes to a farm where the production per acre exceeds that of the transferred acreage by more than 10 percent, there shall be a corresponding downward adjustment in the amount of acreage transferred to assure that no overproduction would result from the transfer.

Sixth. Where an allotment is transferred to a farm which at the present time is not irrigated but which within 5 years places the transferred allotment under irrigation, the Secretary of Agriculture shall then make a downward adjustment in the amount of acreage transferred to assure that there would be no increased productioin as a result of irrigating the transferred acreage.

Seventh. The land on the farm from which the entire peanut allotment has been transferred shall not be eligible for a new farm peanut allotment during the 5 years following the year in which such transfer is made.

Eighth. Leases of any portion of a peanut allotment shall not exceed 5 years.

Ninth. The total peanut allotment transferred to any farm by sale or lease shall not exceed 50 acres or any lesser amount prescribed by the Secretary.

Peanut farming has undergone very great changes in recent years.

When the present allotments were required in 1949, nearly all of the harvesting was done by hand labor using pitchforks to pile the newly plowed vines and nuts in stacks, so that the wind and sunshine would dry them in a process that might take many weeks.

Now the labor is scarce and the stacks are nonexisting.

Virtually every peanut farmer in America uses a windrow process that requires expensive machinery, and as a result an investment is required of many thousands of dollars.

The same allotment useful to the farm with labor in the family or nearby is "gone with the wind."

The farmer either has to buy this machinery himself or pay someone else who has bought the machinery.

So, he has virtually the same cost of harvesting 20 acres as he would 50 acres.

If this bill becomes law, it will not cause an increase in production. Extreme care has been taken to write in it language that will not cause it, but it will bring about a general reduction in costs per acre.

It will not affect the national volume, but it will permit a net profit to the individual farmer by merely reducing his cost per acre.

Many of these allotments are held by people who have inherited them with the land, but who do not farm them. They rent out the land and the allotment to active farmers who buy the big machines but who have no security because of changing whims of landlords affected by changing agriculture programs such as soil bank and cropland adjustment programs.

This will enable this man who was born 20 years too late to buy into his security by owning the allotment along with the machinery he has to invest in.

The provisions of this bill are virtually parallel with those of a bill permitting the sale and lease of cotton allotments—passed in 1965 by the 89th Congress.

And parallel with the provisions of a bill passed this year by the 90th Congress with reference to two or three types of tobacco.

The only difference is that this bill regarding peanuts is more restrictive—the committee recognizing clearly that the problems of commodities are different.

Mr. STUCKEY. Mr. Speaker, will the gentleman yield?

Mr. O'NEAL of Georgia. I yield to the gentleman.

Mr. STUCKEY. Mr. Speaker, I would like to take just a few minutes today to address my colleagues.

We have under discussion here today, legislation which importantly affects not only the people of my State and Eighth Congressional District, but also our entire Nation. Since the district which I represent is directly affected, I believe that it is my duty and responsibility to speak in behalf of this legislation, H.R. 11565, the purpose of which is to authorize during the 1968 and 1969 crop-years the intracounty lease, sale, and transfer of acreage allotment for peanuts among farmers.

Now, Mr. Speaker, as was pointed out in the hearings on this bill before the Agriculture Committee, the reestablishment of the peanut acreage allotments in 1949 brought in many producers who had only begun growing peanuts during the time when allotments had not been in effect. The entrance into the program of these producers created many small and inefficient allotments. I believe that the measure which we are taking up here today will make it possible for many producers to acquire enough peanut acreage to grow peanuts on a more sound economic basis. And, it will make it possible for those growers who do not want to continue growing peanuts, to transfer their resources to other crops, or to discontinue peanut production entirely without having to take a loss on their crop.

As has been done in the case of cotton, Mr. Speaker, I believe that we must act today to enable the peanut grower to be able to lease, sale, or transfer his peanut acreage allotment within his county.

This bill which we have under consideration will provide for more efficient production of a commodity which is extremely valuable to our country, especially during this time when we are involved in the war in Vietnam. The transferring of peanut allotments will permit the establishment of more economic-sized units of production which will in turn result in more efficient production on individual farms and for the industry as a whole.

We have seen in my Eighth Congressional District where small but efficient farms could increase their acreage of peanuts without incurring the heavy cost involved in buying additional land which they often do not need should this bill be passed here today.

Under the present law, Mr. Speaker, the peanut grower is unnecessarily penized. This situation must be remedied. It had seemed to me that the best method of alleviating this problem would have been to allow the transfer of peanut acreage allotments across county lines. Personally, I can see the need for this right in my own district. But, this is not the case of the bill which has been brought to the floor today by the committee. But, I believe that if we are not going to have the opportunity to completely alleviate the unfair restrictions on our peanut growers, then we should at least act favorably on this bill before us today which will not require additional funds, but which will be of great benefit to our peanut growers and to our economy as a whole.

Mr. ANDREWS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. O'NEAL of Georgia. I yield to the gentleman from Alabama.

Mr. ANDREWS of Alabama. Mr. Speaker, I wish to commend the distinguished gentleman from Georgia [Mr. O'Neal] for bringing to the floor of the House and presenting for its consideration this peanut acreage allotment bill in behalf of the peanut-producing farmers of this country.

Mr. Speaker, I rise in support of the bill, and hope that the bill is passed.

Mr. O'NEAL of Georgia. Mr. Speaker, the peanut farmers of this country need this bill very badly. Insofar as I know it is acceptable to all geographical areas and to all people interested in peanut production. It will not cost this Government a single dime. It is designed to avoid any possible increase in peanut production.

Mr. Speaker, I reserve the balance of my time.

Mr. GROSS. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. Teague].

Mr. TEAGUE of California. Mr. Speaker, this bill has been very accurately and fully described by the gentleman from Georgia [Mr. O'Neal]. I just rise to point out the fact that the bill did come out of the Committee on Agriculture by a unanimous vote, as I recall. Therefore, Mr. Speaker, I recommend that it be passed.

Mr. GROSS. Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore (Mr. Albert). The question is on the motion of the gentleman from Georgia that the House suspend the rules and pass the bill H.R. 11565.

The question was taken.

Mr. WOLFF. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 256, nays 57, not voting 119, as follows:

[Roll No. 362]

YEAS—256

Abbitt
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Arends
Ashbrook
Ashmore
Aspinall
Ayres
Baring
Battin
Belcher
Bennett
Berry
Betts
Bevill
Biester
Bingham
Blanton
Boland
Bolling
Bolton
Bow
Brinkley
Brooks
Brown, Calif.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burton, Calif.
Burton, Utah
Bush
Byrnes, Wis.
Cabell
Carey
Carter
Cederberg
Celler
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cohelan
Colmer
Corbett
Cunningham
Daddario
Davis, Ga.
Davis, Wis.
Dawson
Denney
Devine
Dickinson
Dingell
Dole
Donohue
Dorn
Dowdy
Downing
Duncan
Eckhardt
Edwards, Ala.
Edwards, La.
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Fisher
Flynt
Foley
Fraser
Friedel
Fuqua
Galifianakis
Garmatz
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Goodell
Griffiths
Gross
Gude
Gurney
Haley
Hall
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hechler, W. Va.
Helstoski
Henderson
Hicks
Holifield
Holland
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karsten
Kastenmeier
Kazen
Kee
Keith
King, Calif.
Kirwan
Kleppe
Kornegay
Kupferman
Kuykendall
Kyl
Kyros
Laird
Latta
Leggett
Lennon
Lipscomb
Long, Md.
Lukens
McClure
McCulloch
McDonald, Mich.
McEwen
McFall
McMillan
Macdonald, Mass.
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Matsunaga
May
Mayne
Meeds
Miller, Ohio
Mills
Mink
Minshall
Montgomery
Moore
Moorhead
Morris, N. Mex.
Morton
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nichols
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
Ottinger
Passman
Patman
Patten
Perkins
Philbin
Pickle
Pirnie
Poage
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reifel
Reinecke
Reuss
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rooney, N.Y.
Rosenthal
Roudebush
Roush
Roybal
Satterfield
Schadeberg
Scherle
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Slack
Smith, Iowa
Smith, Okla.
Snyder
Stafford
Staggers
Stanton
Steiger, Ariz.
Stuckey
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Tuck
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vigorito
Waggonner
Waldie
Walker
Wampler
Whalen
White
Whitener
Williams, Pa.
Winn
Wolff
Wyatt
Wylie
Young
Zablocki
Zion

NAYS—57

Andrews, N. Dak.
Ashley
Bates
Bell
Bray
Brotzman
Brown, Mich.
Cahill
Cleveland
Collier
Conte
Conyers
Dellenback
Edwards, Calif.
Erlenborn
Esch
Eshleman
Findley
Ford, William D.
Frelinghuysen
Fulton, Pa.
Goodling
Heckler, Mass.
Hosmer
Joelson
Langen
Lloyd
McClory
McDade
MacGregor
Meskill
Mize
Morse, Mass.
Nedzi
Nelsen
Pike
Quie
Reid, N.Y.
Roth
Rumsfeld
Ryan
St Germain
Scheuer
Schneebeli
Schweiker
Schwengel
Springer
Steiger, Wis.
Sullivan
Tiernan
Vanik
Whalley
Widnall
Wilson, Bob
Wyman
Yates
Zwach

NOT VOTING—119

Abernethy
Adair
Adams
Addabbo
Annunzio
Barrett
Blackburn
Blatnik
Boggs
Brademas
Brasco
Brock

Broomfield
Brown, Ohio
Burleson
Button
Byrne, Pa.
Casey
Clark
Conable
Corman
Cowger
Cramer
Culver
Curtis
Daniels
de la Garza
Delaney
Dent
Derwinski
Diggs
Dow
Dulski
Dwyer
Edmondson
Eilberg
Everett
Fino
Flood
Ford, Gerald R.
Fountain
Fulton, Tenn.
Gallagher
Gardner
Giaimo
Gray
Green, Oreg.
Green, Pa.
Grover
Gubser
Hagan
Halleck
Halpern
Hansen, Wash.
Hardy
Hays
Hébert
Herlong
Horton
Howard
Hull
Jacobs
Jones, Mo.
Karth
Kelly
King, N.Y.
Kluczynski
Landrum
Long, La.
McCarthy
Madden
Mathias, Md.
Michel
Miller, Calif.
Minish
Monagan
Morgan
Mosher
Multer
Nix
O'Neill, Mass.
Pelly
Pepper
Pettis
Pool
Quillen
Resnick
Rhodes, Ariz.
Rhodes, Pa.
Rogers, Fla.
Ronan
Rooney, Pa.
Rostenkowski
Ruppe
Sandman
St. Onge
Saylor
Skubitz
Smith, Calif.
Smith, N.Y.
Steed
Stephens
Stratton
Stubblefield
Taft
Teague, Tex.
Tenzer
Thompson, N.J.
Utt
Watkins
Watson
Watts
Whitten
Wiggins
Williams, Miss.
Willis
Wilson, Charles H.
Wright
Wydler

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Edmondson and Mr. Corman for, with Mr. Rogers of Florida against.

Mr. Pepper and Mr. Fountain for, with Mr. Brasco against.

Mr. Boggs and Mr. Landrum for, with Mr. Addabbo against.

Mr. Rhodes of Arizona and Mr. Watson for, with Mr. Barrett against.

Mr. Gardner and Mr. Hagan for, with Mrs. Dwyer, against.

Mr. Abernethy and Mr. Williams of Mississippi for, with Mr. Horton against.

Mr. Brock and Mr. Mathias of Maryland for, with Mr. Fino against.

Mr. Blackburn and Mr. Quillen for, with Mr. Halpern against.

Mr. Cramer and Mr. Gubser for, with Mr. Button against.

Mr. Cowger and Mr. Hardy for, with Mr. Watkins against.

Mr. Stephens and Mr. Whitten for, with Mr. Eilberg against.

Mr. Teague of Texas and Mr. Stubblefield for, with Mr. Nix against.

Mr. Long of Louisiana and Mr. Hébert for, with Mr. Minish against.

Mr. Steed and Mr. Herlong for, with Mr. Multer against.

Mr. Watts for, with Mr. Charles H. Wilson against.

Mr. Skubitz and Mr. Pettis for, with Mr. Sandman against.

Mr. Everett and Mr. Fulton of Tennessee for, with Mr. St. Onge against.

Mr. Burleson and Mr. Hull for, with Mr. O'Neill of Massachusetts against.

Mr. Casey and Mr. Wright for, with Mrs. Kelly against.

Mr. Wiggins and Mr. Curtis for, with Mr. Broomfield against.

Mr. Pelly and Mr. Pool for, with Mr. Smith of California against.

Mr. Dulski and Mr. de la Garza for, with Mr. Utt against.

Until further notice:

Mr. Rooney of Pennsylvania with Mr. Ruppe.

Mr. Delaney with Mr. Adair.

Mr. Madden with Mr. Gerald R. Ford.

Mr. Flood with Mr. Halleck.

Mr. Brademas with Mr. Grover.

Mr. Annunzio with Mr. Wydler.

Mr. Blatnik with Mr. Taft.

Mr. Adams with Mr. Smith of New York.

Mr. Rostenkowski with Mr. Derwinski.

Mr. Dent with Mr. Saylor.

Mr. Daniels with Mr. Conable.

Mr. Culver with Mr. Brown of Ohio.

Mr. Clark with Mr. Mosher.

Mr. Gray with Mr. Michel.

Mr. Hays with Mr. King of New York.

Mr. Diggs with Mr. Resnick.

Mr. Rhodes of Pennsylvania with Mr. Tenzer.

Mr. Thompson of New Jersey with Mr. Karth.

Mrs. Hansen of Washington with Mr. Byrne of Pennsylvania.

Mrs. Kelly with Mr. Giaimo.

Mr. Green of Pennsylvania with Mr. Howard.

Mr. Stratton with Mr. Ronan.

Mr. Morgan with Mrs. Green of Oregon.

Mr. Miller of California with Mr. Jacobs.

Mr. Kluczynski with Mr. McCarthy.

Mr. Monagan with Mr. Gallagher.

Messrs. ASHLEY, SPRINGER, and BROTZMAN changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On October 25, 1967:

H.R. 1674. An act for he relief of Frank I. Mellin, Jr.; and

H.R. 6189. An act for the relief of Fred W. Kolb, Jr.

On October 27, 1967:

H.R. 1572. An act for the relief of Mercedes De Toffoli;

H.R. 1653. An act for the relief of Omer Penner;

H.R. 2477. An act for the relief of John J. McGrath;

H.R. 6663. An act for the relief of Jesse W. Stutts, Jr.;

H.R. 6666. An act for the relief of Mrs. Marilyn Shorette;

H.R. 7324. An act for the relief of Dr. Alfredo F. Mendez, doctor of medicine; and

H.R. 8254. An act for the relief of Jan Drobot.

On October 31, 1967:

H.R. 1948. An act for the relief of Lim Ai Ran and Lim Soo Ran;

H.R. 1960. An act for the relief of Angelique Kousoulas;

H.R. 2464. An act for the relief of Yoo Young Hui, and her daughter, Ok Young;

H.R. 2978. An act for the relief of Yong Ok Espantoso;

H.R. 3430. An act for the relief of Yim Mei Lam;

H.R. 3497. An act for the relief of Ramiro Velasquez Huerta;

H.R. 4534. An act for the relief of Mary Bernadette Linehan; and

H.R. 5216. An act for the relief of Roberto Martin Del Campo.

On November 2, 1967:

H.R. 11767. An act to authorize the Secretary of the Navy to adjust the legislative jurisdiction exercised by the United States over lands comprising the U.S. Naval Station, Long Beach, Calif.

On November 3, 1967:

H.R. 4772. An Act to authorize the Secretaries concerned to direct the initiation of allotments of the pay and allowances of certain members of the Armed Forces for the purpose of making deposits under section 1035 of title 10, United States Code;

H.R. 8718. An act to increase the annual Federal payment to the District of Columbia and to provide a method for computing the annual borrowing authority for the general fund of the District of Columbia; and

H.R. 9960. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes.

On November 4, 1967:

H.R. 1499. An act to provide for the striking of medals in commemoration of the 300th anniversary of the explorations of Father Jacques Marquette in what is now the United States of America.

H.R. 4903. An act to amend the act providing for the economic and social development in the Ryukyu Islands.

H.R. 10105. An act to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the State of Mississippi.

H.R. 10160. An act to provide for the striking of medals in commemoration of the 50th anniversary of the founding of the American Legion.

H.R. 13212. An act to provide for the striking of medals in commemoration of the 200th anniversary of the founding of San Diego.

NATIONAL COMMISSION ON PRODUCT SAFETY

Mr. STAGGERS. Mr. Speaker, I move to suspend the rules and pass the joint resolution (S.J. Res. 33) to establish a National Commission on Product Safety, as amended.

The Clerk read as follows:

S.J. Res. 33

Whereas the American consumer has a right to be protected aaginst unreasonable risk of bodily harm from products purchased on the open market for the use of himself and his family;

Whereas manufacturers whose products are marketed substantially in interstate commerce are entitled to a reasonable degree of uniformity in the application of safety regulations to such products;

Whereas it is desirable to establish a commission to review the scope, adequacy, and uniformity of existing voluntary self-regulation and Federal, State, and local law relating to consumer protection against such hazardous products; and

Whereas it is desirable for such commission to make recommendations at it deems appropriate for remedial action by the President, the Congress, the States, and private industry: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a National Commission on Product Safety (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of seven members appointed by the President from among persons who are specially qualified to serve on such Commission by virtue of their education, training, or experience. Not more than four members of the Commission may be members of the same political party.

(c) Any vacancy in the Commission shall not affect its powers.

(d) The President shall designate one of the members to serve as Chairman and one to serve as Vice Chairman of the Commission.

(e) Four members of the Commission shall constitute a quorum.

DUTIES OF THE COMMISSION

SEC. 2. (a) The Commission shall conduct a comprehensive study and investigation of the scope and adequacy of measures now employed to protect consumers against unreasonable risk of injuries which may be caused by hazardous household products. Such study and investigation shall include consideration of the following:

(1) the identity of categories of household products, except such products excluded in section 6, which may present an unreasonable hazard to the health and safety of the consuming public;

(2) the extent to which self-regulation by industry affords such protection;

(3) the protection against such hazardous products afforded at common law in the States, including the relationship of product warranty to such protection; and

(4) a review of Federal, State, and local laws relating to the protection of consumers against categories of such hazardous products, including the scope of coverage, the effectiveness of sanctions, the adequacy of investigatory powers, the uniformity of application, and the quality of enforcement.

(b) As soon as practicable, the Commission shall publish in the Federal Register a list of the categories of household products which it proposes to study and investigate. The Commission shall afford an opportunity for any interested person to submit his views concerning any category of household product on the published list.

(c) The Commission may transmit to the President and to the Congress such interim reports as it deems advisable and shall transmit its final report to the President and to the Congress not later than two years from the date of approval of this joint resolution. Such final report shall contained a detailed statement of the findings and conclusions of the Commission together with its recommendations for such legislation as it deems appropriate.

POWERS OF THE COMMISSION

SEC. 3. (a) The Commission, or any two members thereof as authorized by the Commission, may conduct hearings anywhere in the United States or otherwise secure data and expressions of opinions pertinent to the study. The Commission shall publish notice of any proposed hearing in the Federal Register and shall afford a reasonable opportunity for interested persons to present relevant testimony and data. In connection therewith the Commission is authorized by majority vote—

(1) to require, by special or general orders, corporations, business firms, and individuals to submit in writing such reports and answers to questions as the Commission may prescribe; such submission shall be made within such reasonable period and under oath or otherwise as the Commission may determine;

(2) to administer oaths;

(3) to require by subpena the attendance and testimony of witnesses and the production of all documentary evidence relating to the execution of its duties;

(4) in the case of disobedience to a subpena or order issued under this subsection, to invoke the aid of any district court of the United States in requiring compliance with such subpena or order;

(5) in any proceeding or investigation to order testimony to be taken by deposition before any person who is designated by the Commission and has the power to administer oaths, and in such instances to compel testimony and the production of evidence in the same manner as authorized under paragraphs (3) and (4) of this subsection; and

(6) to pay witnesses the same fees and mileage as are paid in like circumstances in the courts of the United States.

(b) Any district court of the United States within the jurisdiction of which an inquiry is carried on may, in case of refusal to obey a subpena or order of the Commission issued under subsection (a) of this section, issue an order requiring compliance therewith; and any failure to obey the order of the court may be punished by the court as a contempt thereof.

(c) The Commission is authorized to require directly from the head of any Federal agency available information deemed useful in the discharge of its duties. Each Federal agency is authorized and directed to cooperate with the Commission and to furnish all information requested by the Commission to the extent permitted by law.

(c) The Commission is authorized to request from any department, agency, or independent instrumentality of the Government any information it deems necessary to carry out its functions under this joint resolution; and each such department, agency, or independent instrumentality is authorized to cooperate with the Commission and, to the extent permitted by law, to furnish such information to the Commission upon request made by the Chairman or the Vice Chairman when acting as Chairman.

(d) The Commission is authorized to enter into contracts with Federal or State agencies private firms, institutions, and individuals for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of its duties.

(e)(1) Except as provided in paragraph (2), when the Commission finds that publication of any information obtained by it is in the public interest and would not give an unfair competitive advantage to any person, it is authorized to publish such information in the form and manner deemed best adapted for public use, except that data and information which would separately disclose the business transactions of any person, trade secrets, or names of customers shall be held confidential and shall not be disclosed by the Commission or its staff: *Provided, however,* That the Commission shall permit business firms or individuals, reasonable access to documents furnished by them for the purpose of obtaining or copying such documents as need may arise.

(2) Prior to a finding by the Commission that the publication of any information with respect to any category of household product, is in the public interest and would not give an unfair competitive advantage to any person, the Commission shall (i) notify to the extent practicable all known manufacturers of any such products of such contemplated finding together with a synopsis of the information being considered for publication, and (ii) afford an opportunity not longer than thirty days for any such manufacturer to submit views with respect to the contemplated publication.

(f) The Commission is authorized to delegate any of its functions to individual members of the Commission or to designate individuals on its staff and to make such rules and regulations as are necessary for the conduct of its business, except as herein otherwise provided.

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 4. Each member of the Commission may receive compensation at the rate of $100 for each day such member is engaged upon work of the Commission, and shall be reimbursed for travel expenses, including per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently.

ADMINISTRATION

SEC. 5. (a) The Commission is authorized, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, to appoint and fix the compensation of an Executive Director and the Executive Director, with the approval of the Commission, may employ and fix the compensation of such additional personnel as may be necessary to carry out the functions of the Commission, but no individual so appointed shall receive compensation in excess of the rate authorized for GS–18 by section 5332 of such title.

(b) The Executive Director, with the approval of the Commission, is authorized to obtain services in accordance with the provisions of section 3109 of title 5, United States Code, but at rates for individuals not to exceed $100 per diem.

(c) The head of any Federal agency is authorized to detail, on a reimbursable basis, any of its personnel to assist in carrying out the duties of the Commission under this joint resolution.

(d) Financial and administrative services (including those related to budgeting and accounting, financial reporting, personnel, and procurement) shall be provided the Commission by the General Services Administration, for which payment shall be made in advance, or by reimbursement, from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator of General Services. Regulations of the General Services Administration for the collection of indebtedness of personnel resulting from erroneous payments shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of said Administrator for the administrative control of funds shall apply to appropriations of the Commission, but the Commission shall not be required to prescribe such regulations.

(e) Ninety days after submission of its final report, as provided in section 2(c), the Commission shall cease to exist.

DEFINITION

SEC. 6. As used in this joint resolution, the term "household products" means products customarily produced or distributed for sale through retail sales agencies or instrumentalities for use by a consumer or any member of his family in or around the household. Such term does not include products which are subject to regulations prescribed under the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1381 et seq.), the Flammable Fabrics Act (15 U.S.C. 1191 et seq.), the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), the Federal Hazardous Substances Labeling Act (15 U.S.C. 1261 et seq.), the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1331 et seq.), the Federal Firearms Act (15 U.S.C. 901 et seq.), the National Firearms Act (26 U.S.C. 5801 et seq.), and the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135 et seq.).

AUTHORIZATION

SEC. 7. There are authorized to be appropriated such sums, not to exceed $2,000,000, as may be necessary to carry out the provisions of this joint resolution.

The SPEAKER. Is a second demanded?

Mr. HALL. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. HALL. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Speaker, the Commission would be composed of seven members appointed by the President from among persons specially qualified for service thereon by education, training, or experience.

Four members of the Commission would constitute a quorum.

One member of the Commission would be designated by the President to serve as its Chairman and one member would be so designated to serve as Vice Chairman of the Commission.

The committee proposes an amendment to this section to provide that not more than four of the seven members of the Commission may be members of the same political party.

Under subsection (a), the Commission is required to conduct a comprehensive study and investigation of the scope and adequacy of measures now employed to protect consumers against unreasonable risk of injuries which might be caused by hazardous household products. This study and investigation would include consideration of, first, the identity of categories of household products which may present an unreasonable hazard to the health and safety of the consuming public; second, the extent to which self-regulation by industry affords such protection; third, the protection against hazardous household products afforded at common law in the States, including the relationship of product warranty to such protection; and fourth, a review of Federal, State, and local laws relating to the protection of consumers against categories of hazardous household products, including the scope of coverage, the effectiveness of sanctions, the adequacy of investigatory powers, the uniformity of application, and the quality of enforcement.

The Commission, or any two members thereof authorized by the Commission, could conduct hearings anywhere in the United States or otherwise secure data and expressions of opinions pertinent to the study. Notice of any proposed hearing would be published in the Federal Register and interested persons would be afforded reasonable opportunity to present relevant testimony and data. For this purpose, the Commission could—by majority vote—(1) require corporations, business firms, and individuals to submit in writing such reports and answers to questions as the Commission prescribed; (2) administer oaths; (3) require by subpena the attendance and testimony of witnesses and the production of all documentary evidence relating to the execution of its duties; (4) in the case of disobedience to a subpena or order, invoke the aid of any district court of the United States in requiring compliance with such subpena or order; (5) in any proceeding or investigation, order testimony to be taken by deposition before any person who is designated by the Commission and has the power to administer oaths, and in such instances, compel testimony and the production of evidence in the same manner as described in (3) and (4) above; and (6) pay witnesses the same fees and mileage as are paid in like circumstances in the courts of the United States.

Subsection (a) authorizes the Commission to appoint and fix the compensation of an Executive Director, and authorizes the Executive Director, with the approval of the Commission, to employ and fix the compensation of such additional personnel as may be necessary to carry out its functions.

Under subsection (b), the Executive Director, with the approval of the Commission, is authorized to obtain temporary or intermittent services of experts or consultants or an organization thereof, including stenographic reporting services. This authority would not permit the payment for individuals to exceed the rate of $100 per day.

Subsection (c) authorizes the head of any Federal agency to detail, on a reimbursable basis, any of the personnel of such agency to assist the Commission in carrying out its duties.

Subsection (d) provides that financial and administrative services shall be provided the Commission by the General Services Administration.

Under subsection (e), as noted above, the Commission would terminate 90 days after submission of its final report to the President and the Congress.

"Household products" is defined to mean products customarily produced or distributed for sale through retail sales agencies or instrumentalities for use by a consumer or any member of his family in or around the household.

The bill came from the committee with unanimous approval and I recommend it to the Members.

Mr. STAGGERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise briefly to say that the bill did come out of our committee unanimously and I know of no opposition to it whatsoever.

Therefore, I urge passage of the bill.

Mr. HALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am in opposition to the Commission or to the creation of another Federal "study group" at this time and place when we are suggesting national belt tightening, in an economy weighted heavily with taxes, and when we are continuously told on the floor of the House that we must quit authorizing legislation and commissions, which means that they later must be funded by the operating committee of the House, or the Committee on Appropriations.

Perhaps, Mr. Speaker, this is erstwhile and will not include other things, but I have studied the bill itself as well as the committee report in great detail over the weekend, and as I understand the amendments, it is my opinion that the legislation does perhaps, if adopted, establish a dangerous precedent wherein a regulatory agency can act by fiat, or by imposition upon the Congress what I call the "veto in reverse" situation; that is, by publication under the Reorganization Act of 1949 in the Federal registry of such regulatory rules and procedures as the executive branch may wish, which will have the force and effect of law, if not, acted upon adversely by one of the Houses of the Congress within the period of 30 or 60 days.

Mr. Speaker, this seven-member Commission, the members thereof, drawing $100 per day per diem plus expenses, which in my opinion we can ill afford at a time when we have an administration-planned $30 billion deficit this year, can be deferred.

Also, there is a question with reference to when this type of personnel as proscribed in both the report and the bill could be found and appointed by the President.

I would call to the attention of the Members of the House the fact that upon three different occasions within the last 3 months, we have had "continuing resolutions" to extend for a certain period of time commissions previously established by Presidential appointment, some of whom were not appointed for a period of up to 7 months thereafter. They seem also to involve more funds, inevitably.

Therefore, Mr. Speaker, the time during which the various members are to be appointed as well as the various requests which have been made for continuing appropriations, where necessary, should be thoroughly considered by the Members of this body.

In addition to all of this, there will be the additional cost of $2 million in the first year and for each year thereafter in the name of a "sacred cow," which in the first place is a function of the States and community law and ordinances, rather than Federal legislation.

Mr. Speaker, I hope we do not get ourselves into another situation where we have a Food and Drug Administration acting as it does by fiat under the food, drug, and cosmetics law.

Mr. Speaker, I would strongly recommend that this Commission at this particular time and place, and in view of the financial requirements of this country, be voted down at this time.

Mr. GROSS. Mr. Speaker, will my friend from Missouri yield?

Mr. HALL. I yield to the gentleman from Iowa.

Mr. GROSS. Is this the bill that provides for an increase in the number of the members of the Commission?

Mr. HALL. Mr. Speaker, I will say to the gentleman from Iowa that this is a joint resolution designed to set up a new Commission of seven members. This is not the one, of which there is another on the suspension list today for consideration of the House today, which increases the membership from 26 to 39 members of that particular Commission for a study of highway problems.

Mr. GROSS. Mr. Speaker, would the gentleman yield further?

Mr. HALL. I yield further to the gentleman.

Mr. GROSS. Would the gentleman have any idea as to why $900,000 should be spent on consultants?

Mr. HALL. No, I am sure I would not.

I want to say, Mr. Speaker, that this is another one of the reasons I rise in opposition to this particular Commission; namely, that it will be as powerful as the product of safety assignments in the bureaucracies is at this time. The Department of Commerce, which has been "bobtailed" of so many of its functions by reason of the recent reorganization of the executive branch, has indicated a staff of 29 persons would be appropriate. I am not sure what the supergrades in this would be, but obviously it would involve technicians.

Mr. GROSS. I know of no limitation in this bill on the number of supergrades that may be employed under this setup.

It is unconscionable that Congress should be called upon to provide 29 supporting staff members. Moreover, there are a number of commissions and bureaus dealing with so-called safety. Why is it necessary to create an additional commission for this purpose?

Can we obtain answers to some of these questions?

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. HALL. Yes, I yield to the gentleman from Illinois.

Mr. SPRINGER. Let me just read here what has been said in the report:

> The Public Health Service has furnished estimates of injuries for this year. These estimates include 100,000 from power lawnmowers; 125,000 from home workshop machinery; 125,000 from heating devices; and, perhaps surprisingly, 100,000 (mostly children) from wringers on washing machines.

These are injuries, which occur to some people in some of the better-known categories. We put those in here because we thought the House would understand the dangers involved with such devices. In fact, I personally have had an injury myself with a power lawnmower, and so I can understand these problems. So that would be the answer to the inquiry of the gentleman, in trying to secure justification for the legislation.

And if we are going to administer this we feel that it should be done either through an agency or a commission, and we had the feeling that a commission could do a better job, and do it more independently and would not be subservient to another administration as it would be if it was not an independent commission.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. HALL. I will be glad to yield further.

Mr. GROSS. Let me point out that children have been getting their fingers caught in washing machine wringers from the time wringers were invented, whether they be hand powered or motor powered. If more women would stay at home and take care of their children there would not be so many of them getting their fingers caught in wringers.

Mr. SPRINGER. Would the gentleman yield further?

Mr. HALL. I will be glad to yield further to the gentleman.

Mr. SPRINGER. I thank the gentleman for yielding.

Certainly the gentleman is entitled to his own views, and I know how strongly he feels with reference to the setting up of new commissions.

We went into this subject in considerable degree, may I say, in trying to analyze exactly how much work we felt there would be involved, and we felt that it could be done without a terrifically large bureaucracy, but principally this is not in the field of supervision, this is in the field of eliminating dangerous devices from machinery which we know are necessary to the economy, and that is the reason for creating the commission. We just felt it could be done, and we would rather have this done independently by a commission than by sending it down to the Federal Trade Commission

Mr. GROSS. Mr. Speaker, would the gentleman yield further?

Mr. HALL. I yield further to the gentleman.

Mr. GROSS. We have bureaucrats running out of our ears in this country, and I insist there is no need to set up another commission to describe how to keep your foot out of a power mower or your fingers out of a washing machine wringer.

You can "expert" this from now until doomsday, and you will still have people who are careless and who will be injured by these devices.

I do not see any logic to support this business of establishing a brandnew Commission in the Government on the basis that this is proposed.

The Comptroller's office takes note of the staffing of this Commission. On page 9 of the report it says:

> The budget analysis presented by the Department of Commerce showed an estimated cost for the Commission of $1,956,300. The budget was based on a seven-member Commission, each receiving compensation of $100 a day, and on the assumption that the Commission would require 29 supporting staff members and would have a life of 1½ years. We have no special information or other basis on which to evaluate the reasonableness of these assumptions. Generally, the Department did not have detailed data to support the cost estimates included in the budget analysis.
>
> We have no special information or other basis on which to evaluate the reasonableness of these assumptions (that is the staffing assumption).

Apparently the legislative committee had little information upon which to base its opinion that 29 staff employees would be needed.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman.

Mr. SPRINGER. May I say to the distinguished gentleman from Iowa, we tried to evaluate how much money was needed and how many employees they probably would have to start with.

There is a reason why the office that the gentleman has mentioned does not know whether or not that number is needed because they made no special survey. This was recommended by the Department. We tried to rely the best we could upon the facts and figures that they gave to us. We did not think they were unreasonable about it. I could not see that 29 employees were too many when they are going to survey hundreds of products, I would assume, and if this Commission is to be effective, they would have to review hundreds of products throughout the economy in order to understand and find out the dangers involved and to try to come up with remedies in this field.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman.

Mr. GROSS. What is wrong with the Federal Trade Commission taking this over? They do not seem to be doing much these days and they are apparently well supplied with money and staff. Why does not the Federal Trade Commission get into it?

Mr. SPRINGER. Before I try to answer the gentleman, in the first place, and I think plenty of Members would be of the same opinion, I would say if I were a petitioner and there was an inquiry to be made into a matter that I would rather have my case determined by an independent agency than to go down to something like the Federal Trade Commission.

One further thing, with reference to the Federal Trade Commission, and I think I am right about this—the Federal Trade Commission simply does not work in this field of safety.

Mr. HALL. Mr. Speaker, before yielding further, I would like to comment that indeed I am sure we are all against mislabeling and improper use of these dangerous or unsafe devices.

But I think the colloquy so far has demonstrated beautifully that there is a legitimate question about the cost at this time, and about whether this is a function of the Federal Government or the States. Certainly, there is an area of honest disagreement about whether one of the bureaus in being, or the Federal Trade Commission in being, a creature of this Congress, should oversee this, or whether we should have an additional study commission, to make a further study of products and of safety. I think not.

Mr. MOSS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman.

Mr. MOSS. First, I would like to say to the gentleman from Iowa that the Federal Trade Commission does not have the authority to undertake the type of studies contemplated in the resolution now before the House.

Second, out of an abundance of caution, the subcommittee took unusual steps of going to the General Accounting Office and submitting estimates prepared by the department for the General Accounting Office, for a careful reevaluation on the best information they had and admittedly no one has precise information because we have not had this precise type of commission in the past.

There were numerous instances before the subcommittee in the course of those hearings supporting the need for a study.

Now it comes down really to a philosophical question of whether you feel that we should have products which protect the imprudent or whether we should leave them at the mercy of the marketplace.

The precedent for protection is a very long and very old one. We have tried through voluntary efforts, through industry, through group studies of the underwriters' laboratories, to establish standards. With the proliferation of products, it is the hope to obtain an additional body of knowledge which will lead to, first, encouragement through voluntary groups, and second, governmental action to protect the consumer. That is the purpose of the commission.

Mr. HALL. I thank the gentleman for his comment. This is a point about which we disagree. We can disagree without being disagreeable. I would like to call to the attention of Members the table on the top of page 10 of the committee report.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to my esteemed colleague from Iowa.

Mr. GROSS. In response to the gentleman from California, let me say that it seems to me that we would have been better served had the Interstate and Foreign Commerce Committee come in with legislation to set up in the Federal Trade Commission or some other agency—but why not the Federal Trade Commission—the authority to conduct this kind of investigation instead of creating a brandnew and expensive Commission in Government with another staff to go with it. President Johnson, since he became president, in November, 1963, has already increased the payroll by nearly 500,000. When in all conscience do you propose to stop?

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Illinois?

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. KEITH] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. KEITH. Mr. Speaker, the resolution now before us is an important part of the series of legislation designed to protect the interests of the consumer. This legislation is important, not only because it deals with an area of concern to all citizens—the safety of household products, but because it contains several attributes that I hope will serve as a standard for future consumer legislation.

Mr. Speaker, I believe that this resolution takes a reasoned and reasonable approach to an important area of consumer protection. This resolution will enable the government to deal with the problem of product safety without inhibiting the growth and development of our economy. It is not a reflex action to a crisis nor does it call for panicked action without sufficient knowledge to do a proper job. In fact, it provides for the creation of a Commission to assemble the knowledge in the field so that when the need arises we will be able to act intelligently—with the ability to produce results rather than just motion.

This resolution calls on the Commission, to be created by this resolution, to work with the industries that will be affected by its work. This approach will permit a full consideration of all factors before action is taken. It will allow an industry to present its position and bring into public view considerations that might otherwise be lost in the shuffle. It will allow the Commission to utilize the expertise that has been acquired by the industries involved. I feel that these are important factors in approaching this matter on a reasoned and reasonable basis.

There are other significant and beneficial safeguards in this resolution. The Commission is required to give industry sufficient notice before proceeding with a matter to enable both parties to deal with the matter in an atmosphere other than one of crisis. My personal experience in the "cranberry crisis" in the not too distant past has convinced me of the danger of hasty and ill-advised action that exists when prior consultation with an affected industry is not practiced.

There is much legislation that already deals with the safety of "household products"; for example, the Federal Food, Drug, and Cosmetic Act and the Federal Hazardous Substances Labeling Act, to mention just two. All "household products" that are already covered by existing legislation are specifically excluded from the domain of the Products Safety Commission.

Mr. Speaker, I think that, as a final point, it is important to realize the benefits that will accrue to the States as a result of the establishment of the Product Safety Commission. One function of the Commission is to draw together all material on current efforts to insure product safety, including industry self-regulation and all State laws and regulations. One result of this function is that if a State desires to review or change its rules and regulations governing product safety, the State will then have a single source that contains information on what the industries are already doing by self-regulation, what the Federal Government is doing, and probably most important, what other States have done. As a result, all parties will be able to proceed on a rational basis, avoiding the mistakes and taking advantage of measures that have worked well.

Mr. Speaker, I support this resolution, its goals, and the procedures it sets up for the Product Safety Commission to follow, and I urge all of my colleagues to give it their support.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Minnesota.

Mr. NELSEN. I thank the gentleman for yielding. I would like to point out that many times in the Interstate and Foreign Commerce Committee, when the Federal Trade Commission has appeared, they have asked for cease-and-desist authority, and our committee has almost always opposed this practice.

For example, the person charged is guilty until he proves he is innocent.

We like the reverse procedure where they would have proper opportunity by adversary, proceedings to protect himself. In this Commission it is the feeling of the committee that at least the public interest was better protected under this approach. I note by the press that the Secretary of Labor has made the decision that if you are below 16 years of age, you cannot operate a cornpicker, a combine, and you cannot even drive a tractor unless the horsepower is under 25 horsepower. This is what is happening in the Office of the Secretary of Labor. Orders are going out to the farmer telling him, "You cannot hire unless you meet my rules and they include practically all farm machines used in modern agriculture.

Actually, some of our best operators are the young folks on the farm. I see this exercise of authority growing and growing, and I think part of the thinking of the committee was to protect against Federal agencies exercising abuse of power.

Mr. HALL. I thank the gentleman for his comments.

I would simply comment further that there is no assurance in the bill that we will not have identically the same proposition under the powers given the Commission by this bill, as I said in my opening remarks, as, to wit, the Director of the Food and Drug Administration, who we will be discussing under the next bill to come up under suspensions today, and who has issued regulatory regulations that have the very effect of finding drug manufacturers or food additive producers which go into animal foods guilty before he has evidence, especially if they are new drugs that are being introduced. This is one of the reasons that I oppose the bill.

I call attention to the Members in closing my remarks—and I have no further requests for time—to the Department of Commerce budget analysis of the 29 staff members which appears on page 11 of the committee report. They are high grades, to be sure.

Mr. ASHBROOK. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman from Ohio.

Mr. ASHBROOK. I would merely like to associate myself with the statement of the gentleman from Missouri and thank him for bringing this to the attention of the House.

The SPEAKER. The Chair recognizes the gentleman from West Virginia.

Mr. STAGGERS. Mr. Speaker, I yield to the gentleman from California [Mr. MOSS].

Mr. MOSS. Mr. Speaker, I would like to say to my good friend, the gentleman from Iowa, that the committee had some very sound reasons for not deciding that the Federal Trade Commission should have the authority which would be vested in this special commission.

First, we did not want it to be a continuing body or a continuing authority. We did not want to create within the Federal Trade Commission a continuing bureaucracy for this purpose.

Second, we wanted to have an outside look by experts. That is the reason that the proposal contains the funds for the hiring of qualified personnel, and also to enter into contracts with the types of agencies that would be able objectively to undertake factfinding upon which any commission would be called to base prudent and reasonable decisions.

I do not recall a single vote, either in the subcommittee or in the full committee, in opposition to this legislation. The committee acted with great care and great deliberateness. I think the committee has as much regard for the public dollar and the public interest as would be evidenced by any Member of this body on either side. I think the bill reflects a responsible considered action, as the judgment of a committee which has a proud record in this House. I think the legislation is thoroughly consistent with that record.

Mr. STAGGERS. Mr. Speaker, I would like to sum up the arguments here. The subcommittee considered the bill very carefully and voted it out unanimously. It was brought to the full committee. The full committee discussed the bill very carefully and reported the bill out.

This is a consumer bill, to protect all the people in the United States. This is no special interest bill.

Here are just a few categories of home accidents: 125,000 in home workshops;

more than 120,000 from heating devices; and 100,000, mostly children, hurt from wringers. These are only a few categories of home accidents.

We are having hearings now on the effects of radiation from TV tubes. We have had reports of injuries involving electric knives. There are accidents from all kinds of other electrical devices. Many of these products are new.

We are only authorizing a study in this legislation. This study would be terminated not later than 2 years after this legislation is enacted. For this study not more than $2 million is authorized to be appropriated.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I doubt very much that the establishment of a brand-new commission in Government will help much. All too often these new commissions are a haven for broken-down politicians. I doubt very much that the creation of a brandnew commission is going to stop people from cutting their fingers or hands from knives electrically operated or otherwise. I do not think the gentleman thinks it will.

As far as the Federal Trade Commission is concerned, there is also a Department of Commerce that has some relation to this. They are pretty well supplied with employees, as attested to by the fact that since President Johnson took office, employment in the Federal Government has increased from 2.5 million to more than 3 million. In this Government and now on the payroll there are employees capable of taking care of this situation—in the Department of Commerce or elsewhere.

Mr. STAGGERS. I would say to the gentleman this: We have had this same argument many times about many different propositions when they came up. It was said about polio, heart disease, cancer, and stroke, that somebody else could take care of them. It was said different departments of Federal Government could do it. But here again we have decided it is important for America to do it now. We must protect the consumers of America—now.

Two million dollars is a lot of money. But this legislation cannot cost more than that and it will protect the people of this land. This will provide not only a study of products, but of laws—Federal and State and local—so as to determine whether the people, the consumers, have adequate legal remedies against hazardous household products.

We believe this is good legislation, and we do not believe one single Member of this House should vote against it.

The SPEAKER. The question is on the motion of the gentleman from West Virginia that the House suspend the rules and pass the Senate Joint Resolution 33, as amended.

The question was taken.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors. The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 206, nays 102, not voting 124, as follows:

[Roll No. 363]

YEAS—206

Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Ashley
Aspinall
Ayres
Bates
Bell
Bennett
Betts
Biester
Bingham
Blanton
Boland
Bolton
Brinkley
Brooks
Brotzman
Brown, Calif.
Broyhill, N.C.
Broyhill, Va.
Burke, Fla.
Burke, Mass.
Burton, Calif.
Bush
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Celler
Chamberlain
Clancy
Clausen, Don H.
Cleveland
Cohelan
Conte
Conyers
Corbett
Culver
Cunningham
Daddario
Davis, Ga.
Dawson
Devine
Dingell
Dole
Donohue
Dorn
Dowdy
Downing
Eckhardt
Edwards, Calif.
Edwards, La.
Esch
Eshleman
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Fisher
Flynt
Foley
Ford, William D.
Fountain
Fraser
Friedel
Galifianakis
Garmatz
Gettys
Gibbons
Gilbert
Gonzalez
Goodell
Green, Oreg.
Griffiths
Gude
Halpern
Hamilton
Hanley
Harsha
Harvey
Hathaway
Hawkins
Hechler, W. Va.
Helstoski
Holifield
Holland
Hosmer
Hungate
Irwin
Jarman
Joelson
Johnson, Calif.
Jones, Ala.
Karsten
Kastenmeier
Kazen
Kee
Keith
King, Calif.
Kirwan
Kornegay
Kupferman
Kyros
Latta
Leggett
Lukens
McDade
McDonald, Mich.
McFall
Macdonald, Mass.
Machen
Mathias, Calif.
Matsunaga
Mayne
Meeds
Meskill
Mills
Mink
Moore
Moorhead
Morse, Mass.
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neal, Ga.
Ottinger
Patman
Patten
Perkins
Philbin
Pickle
Poage
Poff
Price, Ill.
Pryor
Pucinski
Purcell
Quie
Randall
Rees
Reid, N.Y.
Reinecke
Reuss
Riegle
Rivers
Rodino
Rogers, Colo.
Rooney, N.Y.
Rosenthal
Roth
Roush
Roybal
Rumsfeld
Ryan
St Germain
Satterfield
Scheuer
Schneebeli
Schweiker
Schwengel
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Springer
Stafford
Staggers
Stanton
Steiger, Wis.
Sullivan
Talcott
Thompson, N.J.
Tiernan
Ullman
Van Deerlin
Vanik
Vigorito
Waldie
Walker
Wampler
Whalen
Whalley
White
Whitener
Widnall
Williams, Pa.
Wolff
Wyatt
Wylie
Wyman
Yates
Young
Zablocki
Zwach

NAYS—102

Abbitt
Andrews, Ala.
Arends
Ashbrook
Ashmore
Baring
Battin
Belcher
Berry
Bevill
Bow
Bray
Brown, Mich.
Buchanan
Burton, Utah
Clawson, Del
Collier
Colmer
Davis, Wis.
Dellenback
Denney
Dickinson
Duncan
Edwards, Ala.
Erlenborn
Findley
Frelinghuysen
Fulton, Pa.
Fuqua
Gathings
Goodling
Gross
Gurney
Haley
Hall
Hammerschmidt
Hansen, Idaho
Harrison
Henderson
Hicks
Hunt
Hutchinson
Ichord
Jonas
Jones, N.C.
Kleppe
Kuykendall
Kyl
Laird
Langen
Lennon
Lipscomb
Lloyd
McClory
McClure
McCulloch
McEwen
McMillan
MacGregor
Mahon
Marsh
Martin
May
Miller, Ohio
Minshall
Mize
Montgomery
Morris, N. Mex.
Myers
Nichols
O'Konski
Passman
Pike
Pirnie
Pollock
Price, Tex.
Railsback
Rarick
Reid, Ill.
Reifel
Roberts
Robison
Roudebush
Schadeberg
Scherle
Scott
Selden
Shriver
Skubitz
Smith, Okla.
Snyder
Steiger, Ariz.
Taylor
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Tuck
Vander Jagt
Waggonner
Wilson, Bob
Winn
Zion

NOT VOTING—124

Abernethy
Adair
Adams
Addabbo
Annunzio
Barrett
Blackburn
Blatnik
Boggs
Bolling
Brademas
Brasco
Brock
Broomfield
Brown, Ohio
Burleson
Button
Byrne, Pa.
Casey
Cederberg
Clark
Conable
Corman
Cowger
Cramer
Curtis
Daniels
de la Garza
Delaney
Dent
Derwinski
Diggs
Dow
Dulski
Dwyer
Edmondson
Eilberg
Everett
Evins, Tenn.
Fino
Flood
Ford, Gerald R.
Fulton, Tenn.
Gallagher
Gardner
Giaimo
Gray
Green, Pa.
Grover
Gubser
Hagan
Halleck
Hanna
Hansen, Wash.
Hardy
Hays
Hébert
Heckler, Mass.
Herlong
Horton
Howard
Hull
Jacobs
Johnson, Pa.
Jones, Mo.
Karth
Kelly
King, N.Y.
Kluczynski
Landrum
Long, La.
Long, Md.
McCarthy
Madden
Mailliard
Mathias, Md.
Michel
Miller, Calif.
Minish
Monagan
Morgan
Morton
Mosher
Multer
Nix
O'Neill, Mass.
Pelly
Pepper
Pettis
Pool
Quillen
Resnick
Rhodes, Ariz.
Rhodes, Pa.
Rogers, Fla.
Ronan
Rooney, Pa.
Rostenkowski
Ruppe
St. Onge
Sandman
Saylor
Smith, Calif.
Smith, N.Y.
Steed
Stephens
Stratton
Stubblefield
Stuckey
Taft
Teague, Tex.
Tenzer
Tunney
Udall
Utt
Watkins
Watson
Watts
Whitten
Wiggins
Williams, Miss.
Willis
Wilson, Charles H.
Wright
Wydler

The SPEAKER. The Clerk will call my name.

The Clerk called the name of Mr. McCORMACK and he answered "yea."

So (two-thirds having voted in favor thereof), the rules were suspended and the Senate joint resolution, as amended, was passed.

The Clerk announced the following pairs:

Mr. Annunzio with Mr. Adair.

Mr. Boggs with Mr. Gerald R. Ford.

Mr. Rostenkowski with Mr. Rhodes of Arizona.

Mr. Abernethy with Mr. Brock.

Mr. Corman with Mrs. Dwyer.

Mr. Pepper with Mr. Halleck.

Mr. Monagan with Mr. Broomfield.

Mr. Rogers of Florida with Mr. King of New York.

Mr. Sikes with Mr. Horton.

Mr. Fulton of Tennessee with Mrs. Heckler of Massachusetts.

Mr. Green of Pennsylvania with Mr. Button.

Mr. Hagan with Mr. Cramer.

Mr. Byrne of Pennsylvania with Mr. Fino.

Mr. Miller of California with Mr. Gubser.

Mr. Resnick with Mr. Curtis.

Mr. Landrum with Mr. Smith of California.

Mr. Burleson with Mr. Cederberg.

Mr. Teague of Texas with Mr. Grover.

Mr. Herlong with Mr. Pelly.

Mr. Kluczynski with Mr. Morton.

Mr. Wright with Mr. Brown of Ohio.

Mr. Charles H. Wilson with Mr. Sandman.

Mr. Brademas with Mr. Pettis.

Mr. Watts with Mr. Gardner.

Mr. Williams of Mississippi with Mr. Quillen.

Mr. Barrett with Mr. Mosher.

Mr. Blatnik with Mr. Saylor.

Mr. Evins of Tennessee with Mr. Smith of New York.

Mr. de la Garza with Mr. Watson.

Mr. Whitten with Mr. Utt.

Mr. Adams with Mr. Watkins.

Mr. Udall with Mr. Taft.

Mr. Tenzer with Mr. Blackburn.

Mr. Jacobs with Mr. Wiggins.

Mrs. Kelly with Mr. Conable.

Mr. Casey with Mr. Michel.

Mr. Clark with Mr. Cowger.

Mr. Madden with Mr. Ruppe.

Mr. O'Neill of Massachusetts with Mr. Derwinski.

Mr. Pool with Mr. Mailliard.

Mr. Edmondson with Mr. Johnson of Pennsylvania.

Mr. Dent with Mr. Wydler.

Mr. Addabbo with Mr. Mathias of Maryland.

Mr. Nix with Mr. Multer.

Mr. Diggs with Mr. McCarthy.

Mr. Tunney with Mr. Daniels.

Mr. Dow with Mr. Gray.

Mr. Giaimo with Mr. Rhodes of Pennsylvania.

Mr. Dulski with Mr. Rooney of Pennsylvania.

Mr. Flood with Mr. St. Onge.

Mr. Hull with Mr. Steed.

Mr. Stubblefield with Mr. Karth.

Mr. Stephens with Mr. Hébert.

Mr. Ronan with Mr. Hanna.

Mr. Morgan with Mrs. Hansen of Washington.

Mr. Everett with Mr. Stratton.

Mr. Stuckey with Mr. Hardy.

Mr. Hays with Mr. Long of Maryland.

Mr. Long of Louisiana with Mr. Willis.

Mr. Gallagher with Mr. Eilberg.

Mr. Howard with Mr. Minish.

Mr. SCOTT changed his vote from "yea" to "nay."

Mr. HUTCHINSON changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

ANIMAL DRUG AMENDMENTS OF 1967

Mr. STAGGERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3639) to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate certain provisions assuring the safety and effectiveness of new animal drugs, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3639

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Animal Drug Amendments of 1967."

NEW ANIMAL DRUGS

SEC. 101. (a) Section 501(a) of the Federal Food, Drug, and Cosmetic Act, as amended, is amended by inserting before the period at the end thereof a semicolon and the following: "or (5) if it is a new animal drug which is unsafe within the meaning of section 512; or (6) if it is an animal feed bearing or containing a new animal drug, and such animal feed is unsafe within the meaning of section 512".

(b) Chapter V of such Act is amended by adding at the end thereof the following:

"NEW ANIMAL DRUGS

"SEC. 512. (a)(1) A new animal drug shall, with respect to any particular use or intended use of such drug, be deemed unsafe for the purposes of section 501(a)(5) and section 402(a)(2)(D) unless—

"(A) there is in effect an approval of an application filed pursuant to subsection (b) of this section with respect to such use or intended use of such drug,

"(B) such drug, its labeling, and such use conform to such approved application, and

"(C) in the case of a new animal drug subject to subsection (n) of this section and not exempted therefrom by regulations, it is from a batch with respect to which a certificate or release issued pursuant to subsection (n) is in effect with respect to such drug.

A new animal drug shall also be deemed unsafe for such purposes in the event of removal from the establishment of a manufacturer, packer, or distributor of such drug for use in the manufacture of animal feed in any State unless at the time of such removal such manufacturer, packer, or distributor has an unrevoked written statement from the consignee of such drug, or notice from the Secretary, to the effect that, with respect to the use of such drug in animal feed, such consignee—

"(i) is the holder of an approved application under subsection (m) of this section; or

"(ii) will, if the consignee is not a user of the drug, ship such drug only to a holder of an approved application under subsection (m) of this section.

"(2) An animal feed bearing or containing a new animal drug shall, with respect to any particular use or intended use of such animal feed, be deemed unsafe for the purposes of section 501(a)(6) unless—

"(A, there is in effect an approval of an application filed pursuant to subsection (b) of this section with respect to such drug, as used in such animal feed,

"(B) there is in effect an approval of an application pursuant to subsection (m)(1) of this section with respect to such animal feed, and

"(C) such animal feed, its labeling, and such use conform to the conditions and indications of use published pursuant to subsection (i) of this section and to the application with respect thereto approved under subsection (m) of this section.

"(3) A new animal drug or an animal feed bearing or containing a new animal drug shall not be deemed unsafe for the purposes of section 501(a) (5) or (6) if such article is for investigational use and conforms to the terms of an exemption in effect with respect thereto under section 512(j).

"(b) Any person may file with the Secretary an application with respect to any intended use or uses of a new animal drug. Such person shall submit to the Secretary as a part of the application (1) full reports of investigations which have been made to show whether or not such drug is safe and effective for use; (2) a full list of the articles used as components of such drug; (3) a full statement of the composition of such drug; (4) a full description of the methods used in, and the facilities and controls used for, the manufacture, processing, and packing of such drug; (5) such samples of such drug and of the articles used as components thereof, of any animal feed for use in or on which such drug is intended, and of the edible portions or products (before or after slaughter) of animals to which such drug (directly or in or on animal feed) is intended to be administered, as the Secretary may require; (6) specimens of the labeling proposed to be used for such drug, or in case such drug is intended for use in animal feed, proposed labeling appropriate for such use, and specimens of the labeling for the drug to be manufactured, packed, or distributed by the applicant; (7) a description of practicable methods for determining the quantity, if any, of such drug in or on food, and any substance formed in or on food, because of its use; and (8) the proposed tolerance or withdrawal period or other use restrictions for such drug if any tolerance or withdrawal period or other use restrictions are required in order to assure that the proposed use of such drug will be safe.

"(c) Within one hundred and eighty days after the filing of an application pursuant to subsection (b), or such additional period as may be agreed upon by the Secretary and and the applicant, the Secretary shall either (1) issue an order approving the application if he then finds that none of the grounds for denying approval specified in subsection (d) applies, or (2) give the applicant notice of an opportunity for a hearing before the Secretary under subsection (d) on the question whether such application is approvable. If the applicant elects to accept the opportunity for a hearing by written request within thirty days after such notice, such hearing shall commence not more than ninety days after the expiration of such thirty days unless the Secretary and the applicant otherwise agree. Any such hearing shall thereafter be conducted on an expedited basis and the Secretary's order thereon shall be issued within ninety days after the date fixed by the Secretary for filing final briefs.

"(d)(1) If the Secretary finds, after due notice to the applicant in accordance with subsection (c) and giving him an opportunity for a hearing, in accordance with said subsection, that—

"(A) the investigations, reports of which are required to be submitted to the Secretary pursuant to subsection (b), do not include adequate tests by all methods reasonably applicable to show whether or not such drug is safe for use under the conditions prescribed, recommended, or suggested in the proposed labeling thereof;

"(B) the results of such tests show that such drug is unsafe for use under such conditions or do not show that such drug is safe for use under such conditions;

"(C) the methods used in, and the facilities and controls used for, the manufacture, processing, and packing of such drug are inadequate to preserve its identity, strength, quality, and purity;

"(D) upon the basis of the information submitted to him as part of the application, or upon the basis of any other information before him with respect to such drug, he has insufficient information to determine whether such drug is safe for use under such conditions;

"(E) evaluated on the basis of the information submitted to him as part of the application and any other information before him with respect to such drug, there is a lack of substantial evidence that the drug will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the proposed labeling thereof;

"(F) upon the basis of the information submitted to him as part of the application or any other information before him with respect to such drug, the tolerance limitation proposed, if any, exceeds that reasonably required to accomplish the physical or other technical effect for which the drug is intended;

"(G) based on a fair evaluation of all material facts, such labeling is false or misleading in any particular; or

"(H) such drug induces cancer when ingested by man or animal or, after tests which are appropriate for the evaluation of the safety of such drug, induces cancer in man or animal, except that the foregoing provisions of this subparagraph shall not apply with respect to such drug if the Secretary finds that, under the conditions of use specified in proposed labeling and reasonably certain to be followed in practice (i) such drug will not adversely affect the animals for which it is intended, and (ii) no residue of such drug will be found (by methods of examination prescribed or approved by the Secretary by regulations, which regulations shall not be subect to subsections (c), (d), and (h)), in any edible portion of such animals after slaughter or in any food yielded by or derived from the living animals;

he shall issue an order refusing to approve the application. If, after such notice and opportunity for hearing, the Secretary finds that subparagraphs (A) through (H) do not apply, he shall issue an order approving the application.

"(2) In determining whether such drug is safe for use under the conditions prescribed, recommended, or suggested in the proposed labeling thereof, the Secretary shall consider, among other relevant factors, (A) the probable consumption of such drug and of any substance formed in or on food because of the use of such drug, (B) the cumulative effect on man or animal of such drug, taking into account any chemically or pharmacologically related substance, (C) safety factors which in the opinion of experts, qualified by scientific training and experience to evaluate the safety of such drugs, are appropriate for the use of animal experimentation data, and (D) whether the conditions of use prescribed, recommended, or suggested in the proposed labeling are reasonably certain to be followed in practice. Any order issued under this subsection refusing to approve an application shall state the findings upon which it is based.

"(3) As used in this subsection and subsection (e), the term 'substantial evidence' means evidence consisting of adequate and well-controlled investigations, including field investigation, by experts qualified by scientific training and experience to evaluate the effectiveness of the drug involved, on the basis of which it could fairly and reasonably be concluded by such experts that the drug will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling or proposed labeling thereof.

"(e)(1) The Secretary shall, after due notice and opportunity for hearing to the applicant, issue an order withdrawing approval of an application filed pursuant to subsection (b) with respect to any new animal drug if the Secretary finds—

"(A) that experience or scientific data show that such drug is unsafe for use under the conditions of use upon the basis of which the application was approved;

"(B) that new evidence not contained in such application or not available to the Secretary until after such application was approved, or tests by new methods, or tests by methods not deemed reasonably applicable when such application was approved, evaluated together with the evidence available to the Secretary when the application was approved, shows that such drug is not shown to be safe for use under the conditions of use upon the basis of which the application was approved or that subparagraph (H) of paragraph (1) of subsection (d) applies to such drug;

"(C) on the basis of new information before him with respect to such drug, evaluated together with the evidence available to him when the application was approved, that there is a lack of substantial evidence that such drug will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling thereof;

"(D) that the application contains any untrue statement of a material fact; or

"(E) that the applicant has made any changes from the standpoint of safety or effectiveness beyond the variations provided for in the application unless he has supplemented the application by filing with the Secretary adequate information respecting all such changes and unless there is in effect an approval of the supplemental application. The supplemental application shall be treated in the same manner as the original application.

If the Secretary (or in his absence the officer acting as Secretary) finds that there is an imminent hazard to the health of man or of the animals for which such drug is intended, he may suspend the approval of such application immediately, and give the applicant prompt notice of his action and afford the applicant the opportunity for an expedited hearing under this subsection; but the authority conferred by this sentence to suspend the approval of an application shall not be delegated.

"(2) The Secretary may also, after due notice and opportunity for hearing to the applicant, issue an order withdrawing the approval of an application with respect to any new animal drug under this section if the Secretary finds—

"(A) that the applicant has failed to establish a system for maintaining required records, or has repeatedly or deliberately failed to maintain such records or to make required reports in accordance with a regulation or order under subsection (l), or the applicant has refused to permit access to, or copying or verification of, such records as required by paragraph (2) of such subsection;

"(B) that on the basis of new information before him, evaluated together with the evidence before him when the application was approved, the methods used in, or the facilities and controls used for, the manufacture, processing, and packing of such drug are inadequate to assure and preserve its identity, strength, quality, and purity and were not made adequate within a reasonable time after receipt of written notice from the Secretary specifying the matter complained of; or

"(C) that on the basis of new information before him, evaluated together with the evidence before him when the application was approved, the labeling of such drug, based on a fair evaluation of all material facts, is false or misleading in any particular and was not corrected within a reasonble time after receipt of written notice from the Secretary specifying the matter complained of.

"(3) Any order under this subsection shall state the findings upon which it is based.

"(f) Whenever the Secretary finds that the facts so require, he shall revoke any previous order under subsection (d), (e), or (m) refusing, withdrawing, or suspending approval of an application and shall approve such application or reinstate such approval, as may be appropriate.

"(g) Orders of the Secretary issued under this section (other than orders issuing, amending, or repealing regulations) shall be served (1) in person by any officer or employee of the department designated by the Secretary or (2) by mailing the order by registered mail or by certified mail addressed to the applicant or respondent at his last known address in the records of the Secretary.

"(h) An appeal may be taken by the applicant from an order of the Secretary refusing or withdrawing approval of an application filed under subsection (b) or (m) of this section. The provisions of subsection (h) of section 505 of this Act shall govern any such appeal.

"(i) When a new animal drug application filed pursuant to subsection (b) is approved, the Secretary shall by notice, which upon publication shall be effective as a regulation, publish in the Federal Register the name and address of the applicant and the conditions and indications of use of the new animal drug covered by such application, including any tolerance and withdrawal period or other use restrictions and, if such new animal drug is intended for use in animal feed, appropriate purposes and conditions of use (including special labeling requirements) applicable to any animal feed for use in which such drug is approved, and such other information, upon the basis of which such application was approved, as the Secretary deems necessary to assure the safe and effective use of such drug. Upon withdrawal of approval of such new animal drug application or upon its suspension, the Secretary shall forthwith revoke or suspend, as the case may be, the regulation published pursuant to this subsection (i) insofar as it is based on the approval of such application.

"(j) To the extent consistent with the public health, the Secretary shall promulgate regulations for exempting from the operation of this section new animal drugs, and animal feeds bearing or containing new animal drugs, intended solely for investigational use by experts qualified by scientific training and experience to investigate the safety and effectiveness of animal drugs. Such regulations may, in the discretion of the Secretary, among other conditions relating to the protection of the public health, provide for conditioning such exemption upon the establishment and maintenance of such records, and the making of such reports to the Secretary, by the manufacturer or the sponsor of the investigation of such article, of data (including but not limited to analytical reports by investigators) obtained as a result of such investigational use of such article, as the Secretary finds will enable him to evaluate the safety and effectiveness of such article in the event of the filing of an application pursuant to this section. Such regulations, among other things, shall set forth the conditions (if any) upon which animals treated with such articles, and any products of such animals (before or after slaughter), may be marketed for food use.

"(k) While approval of an application for a new animal drug is effective, a food shall not, by reason of bearing or containing such drug or any substance formed in or on the food because of its use in accordance with such application (including the conditions and indications of use prescribed pursuant to subsection (i)), be considered adulterated within the meaning of clause (1) of section 402(a).

"(l)(1) In the case of any new animal drug for which an approval of an application filed pursuant to subsection (b) is in effect, the applicant shall establish and maintain such records, and make such reports to the Secretary, of data relating to experience and other data or information, received or otherwise obtained by such applicant with respect to such drug, or with respect to animal feeds bearing or containing such drug, as the Secretary may by general regulation, or by order with respect to such application, prescribe on the basis of a finding that such records and reports are necessary in order to enable the Secretary to determine, or facilitate a determination, whether there is or may be ground for invoking subsection (e) or subsection (m)(4) of this section. Such regulation or order shall provide, where the Secretary deems it to be appropriate, for the examination, upon request, by the persons to whom such regulation or order is applicable, of similar information received or otherwise obtained by the Secretary.

"(2) Every person required under this subsection to maintain records, and every person in charge or custody thereof, shall, upon request of an officer or employee designated by the Secretary, permit such officer or employee at all reasonable times to have access to and copy and verify such records.

"(m)(1) Any person may file with the Secretary an application with respect to any intended use or uses of an animal feed bearing or containing a new animal drug. Such person shall submit to the Secretary as part of the application (A) a full statement of the composition of such animal feed, (B) an identification of the regulation or regulations (relating to the new animal drug or drugs to be used in such feed), published pursuant to subsection (i), on which he relies as a basis for approval of his application with respect to the use of such drug in such feed, (C) a full description of the methods used in, and the facilities and controls used for, the manufacture, processing, and packing of such animal feed, (D) specimens of the labeling proposed to be used for such animal feed, and (E) if so requested by the Secretary, samples of such animal feed or components thereof.

"(2) Within ninety days after the filing of an application pursuant to subsection (m)(1), or such additional period as may be agreed upon by the Secretary and the applicant, the Secretary shall either (A) issue an order approving the application if he then finds that none of the grounds for denying approval specified in paragraph (3) applies, or (B) give the applicant notice of an opportunity for a hearing before the Secretary under paragraph (3) on the question whether such application is approvable. The procedure governing such a hearing shall be the procedure set forth in the last two sentences of subsection (c).

"(3) If the Secretary, after due notice to the applicant in accordance with paragraph (2) and giving him an opportunity for a hearing in accordance with such paragraph, finds, on the basis of information submitted to him as part of the application or on the basis of any other information before him—

"(A) that there is not in effect a regulation under subsection (i) (identified in such application) on the basis of which such application may be approved;

"(B) that such animal feed (including the proposed use of any new animal drug therein or thereon) does not conform to an applicable regulation published pursuant to subsection (i) referred to in the application, or that the purposes and conditions or indications of use prescribed, recommended, or suggested in the labeling of such feed do not conform to the applicable purposes and conditions or indications of use (including warnings) published pursuant to subsection (i) or such labeling omits or fails to conform to other applicable information published pursuant to subsection (i);

"(C) that the methods used in, and the facilities and controls used for, the manufacture, processing, and packing of such animal feed are inadequate to preserve the identity, strength, quality, and purity of the new animal drug therein; or

"(D) that, based on a fair evaluation of all material facts, such labeling is false or misleading in any particular;

he shall issue an order refusing to approve the application. If, after such notice and opportunity for hearing, the Secretary finds that subparagraphs (A) through (D) do not apply, he shall issue an order approving the application. An order under this subsection approving an application with respect to an animal feed bearing or containing a new animal drug shall be effective only while there is in effect a regulation pursuant to subsection (i), on the basis of which such application (or a supplement thereto) was approved, relating to the use of such drug in or on such feed.

"(4)(A) The Secretary shall, after due notice and opportunity for hearing to the applicant, issue an order withdrawing approval of an application with respect to any animal feed under this subsection if the Secretary finds—

"(i) that the application contains any untrue statement of a material fact; or

"(ii) that the applicant has made any changes from the standpoint of safety or effectiveness beyond the variations provided for in the application unless he has supplemented the application by filing with the Secretary adequate information respecting all such changes and unless there is in effect an approval of the supplemental application. The supplemental application shall be treated in the same manner as the original application.

If the Secretary (or in his absence the officer acting as Secretary) finds that there is an imminent hazard to the health of man or of the animals for which such animal feed is intended, he may suspend the approval of such application immediately, and give the applicant prompt notice of his action and afford the applicant the opportunity for an expedited hearing under this subsection; but the authority conferred by this sentence shall not be delegated.

"(B) The Secretary may also, after due notice and opportunity for hearing to the applicant, issue an order withdrawing the approval of an application with respect to any animal feed under this subsection if the Secretary finds—

"(i) that the applicant has failed to establish a system for maintaining required records, or has repeatedly or deliberately failed to maintain such records or to make required reports in accordance with a regulation or order under paragraph (5)(A) of this subsection, or the applicant has refused to permit access to, or copying or verification of, such records as required by subparagraph (B) of such paragraph;

"(ii) that on the basis of new information before him, evaluated together with the evidence before him when such application was approved, the methods used in, or the facilities and controls used for, the manufacture, processing, and packing of such animal feed are inadequate to assure and preserve the identity, strength, quality, and purity of the new animal drug therein, and were not made adequate within a reasonable time after receipt of written notice from the Secretary, specifying the matter complained of; or

"(iii) that on the basis of new information before him, evaluated together with the evidence before him when the application was approved, the labeling of such animal feed, based on a fair evaluation of all material facts, is false or misleading in any particular and was not corrected within a reasonable time after receipt of written notice from the Secretary specifying the matter complained of.

"(C) Any order under paragraph (4) of this subsection shall state the findings upon which it is based.

"(5) In the case of any animal feed for which an approval of an application filed pursuant to this subsection is in effect—

"(A) the applicant shall establish and maintain such records, and make such reports to the Secretary, or (at the option of the Secretary) to the appropriate person or persons holding an approved application filed under subsection (b), as the Secretary may by general regulation, or by order with respect to such application, prescribe on the basis of a finding that such records and reports are necessary in order to enable the Secretary to determine, or facilitate a determination, whether there is or may be ground for invoking subsection (e) or paragraph (4) of this subsection.

"(B) every person required under this subsection to maintain records, and every person in charge or custody thereof, shall, upon request of an officer or employee designated by the Secretary, permit such officer or employee at all reasonable times to have access to and copy and verify such records.

"(n)(1) The Secretary, pursuant to regulations promulgated by him, shall provide for the certification of batches of a new animal drug composed wholly or partly of any kind of penicillin, streptomycin, chlortetracyline, chloramphenicol, or bacitracin, or any derivative thereof. A batch of any such drug shall be certified if an approval of an application filed pursuant to subsection (b) is effective with respect to such drug and such drug has the characteristics of identity and such batch has the characteristics of strength, quality, and purity upon the basis of which the application was approved, but shall not otherwise be certified. Prior to the effective date of such regulations the Secretary, in lieu of certification, shall issue a release for any batch which, in his judgment, may be released without risk as to the safety and efficacy of its use. Such release shall prescribe the date of its expiration and other conditions under which it shall cease to be effective as to such batch and as to portions thereof.

"(2) Regulations providing for such certifications shall contain such provisions as are necessary to carry out the purposes of this subsection, including provisions prescribing—

"(A) tests and methods of assay to determine compliance with applicable standards of identity and of strength, quality, and purity;

"(B) effective periods for certificates, and other conditions under which they shall cease to be effective as to certified batches and as to portions thereof;

"(C) administration and procedure; and

"(D) such fees, specified in such regulations, as are necessary to provide, equip, and maintain an adequate certification service.

Such regulations shall prescribe only such tests and methods of assay as will provide for certification or rejection within the shortest time consistent with the purpose of this subsection.

"(3) Whenever, in the judgment of the Secretary, the requirements of this subsection with respect to any drug or class of drugs are not necessary to insure that such drug conforms to the standards of identity, strength, quality, and purity applicable thereto under paragraph (1) of this subsection, the Secretary shall promulgate regulations exempting such drug or class of drugs from such requirements. The provisions of subsection (c) of section 507 of this Act (other than the first sentence thereof) shall apply under this paragraph.

"(4) The Secretary shall promulgate regulations exempting from any requirement of this subsection—

"(A) drugs which are to be stored, processed, labeled, or repacked at establishments other than those where manufacutred, on condition that such drugs comply with all such requirements upon removal from such establishments; and

"(B) drugs which conform to applicable standards of identity, strength, quality, and purity prescribed pursuant to this subsection and are intended for use in manufacturing other drugs.

"(5) On petition of any interested person for the issuance, amendment, or repeal of any regulation contemplated by this subsection, the procedure shall be in accordance with subsection (f) of section 507 of this Act.

"(6) Where any drug is subject to this subsection and not exempted therefrom by regulations, the compliance of such drug with sections 501(b) and 502(g) shall be determined by the application of the standards of strength, quality, and purity applicable under paragraph (1) of this subsection, the tests and methods of assay applicable under provisions of regulations referred to in paragraph (2)(A) of this subsection, and the requirements of packaging and labeling on the basis of which the application with respect to such drug filed under subsection (b) of this section was approved."

DEFINITIONS

SEC. 102. Section 201 of the Federal Food, Drug, and Cosmetic Act, as amended, is amended by—

(a) inserting "(except a new animal drug or an animal feed bearing or containing a new drug)" after "Any drug" in subparagraph (1) of paragraph (p);

(b) inserting "(except a new animal drug or an animal feed bearing or containing a new animal drug)" after "Any drug" in subparagraph (2) of paragraph (p);

(c) striking out the period at the end of subparagraph (4) of paragraph (s) and inserting in lieu thereof "; or", and by adding a new subparagraph (5) to read as follows: "(5) a new animal drug.";

(d) inserting ", 512," after "409" in paragraph (u); and

(e) adding at the end of such section the following new paragraphs:

"(w) The term 'new animal drug' means any drug intended for use for animals other than man, including any drug intended for use in animal feed but not including such animal feed—

"(1) the composition of which is such that such drug is not generally recognized, among experts qualified by scieintific training and experience to evaluate the safety and effectiveness of animal drugs, as safe and effective for use under the conditions prescribed, recommended, or suggested in the labeling thereof; except that such a drug not so recognized shall not be deemed to be a 'new animal drug' if at any time prior to June 25, 1938, it was subject to the Food and Drug Act of June 30, 1906, as amended, and if at such time its labeling contained the same representations concerning the conditions of its use; or

"(2) the composition of which is such that such drug, as a result of investigations to determine its safety and effectiveness for use under such conditons, has become so recognized but which has not, otherwise than in such investigations, been used to a material extent or for a material time under such conditions; or

"(3) which drug is composed wholly or partly of any kind of penicillin, streptomycin, chlortetracycline, chloramphenicol, or bacitracin, or any derivative thereof, except when there is in effect a published order of the Secretary declaring such drug not to be a new animal drug on the grounds that (A) the requirement of certification of batches of such drug, as provided for in section 512(n), is not necessary to insure that the objectives specified in paragraph (3) thereof are achieved and (B) that neither subparagraph (1) nor (2) of this paragraph (w) applies to such drug.

"(x) The term 'animal feed', as used in paragraph (w) of this section, in section 512, and in provisions of this Act referring to such paragraph or section, means an article which is intended for use for food for animals other than man and which is intended for use as a substantial source of nutrients in the diet of the animal, and is not limited to a mixture intended to be the sole ration of the animal."

PROHIBITED ACTS AND PENALTIES

SEC. 103. Section 301 of the Federal Food, Drug, and Cosmetic Act, as amended, is amended by—

(1) striking out "or" before "507," and inserting ", or 512 (j), (l), or (m)" after "507 (d) or (g)" in paragraph (e), and

(2) adding "512," after "507," in paragraph (j).

ANIMAL DRUGS IN FEEDS AND RESIDUES THEREOF IN OTHER FOOD

SEC. 104. Section 402 of the Federal Food, Drug, and Cosmetic Act, as amended, is amended by—

(1) striking out the word "or" before "(iii)" in clause (A) of subparagraph (2) of paragraph (a) and inserting "; or (iv) a new animal drug" after the words "color additive" therein; and

(2) adding before the semicolon following "commodity" at the end of the proviso to clause (C) of subparagraph (2) of paragraph (a) the following: "; or (D) if it is, or it bears or contains, a new animal drug (or conversion product thereof) which is unsafe within the meaning of section 512".

ANTIBIOTIC DRUGS FOR ANIMALS

SEC. 105. (a) Section 502 of the Federal Food, Drug, and Cosmetic Act, as amended, is amended by inserting "(except a drug for use in animals other than man)" after "represented as a drug" in paragraph (l).

(b) Section 507 of such Act is amended by inserting "(except drugs for use in animals other than man)" after "drugs" in the first sentence of subsection (a).

AMENDMENT WITH RESPECT TO VIRUS, SERUM, TOXIN, AND ANALOGOUS PRODUCTS ACTS

SEC. 106. Section 902(c) of the Federal Food, Drug, and Cosmetic Act is amended by striking out "the virus, serum, and toxin Act of July 1, 1902 (U.S.C., 1934 ed., title 42, chap. 4);" and inserting in lieu thereof the following: "section 351 of Public Health Service Act (relating to viruses, serums, toxins, and analogous products applicable to man); the virus, serum, toxin, and analogous products provisions, applicable to domestic animals, of the Act of Congress approved March 4, 1913 (37 Stat. 832–833);".

EFFECTIVE DATE AND TRANSITIONAL PROVISIONS

SEC. 107. (a) Except as otherwise provided in this section, the amendments made by the foregoing sections shall take effect on the first day of the thirteenth calendar month which begins after the date of enactment of this Act.

(b) (1) As used in this subsection, the term "effective date" means the effective date specified in subsection (a) of this section; the term "basic Act" means the Federal Food, Drug, and Cosmetic Act: and other terms used both in this section and the basic Act shall have the same meaning as they have, or had, at the time referred to in the context, under the basic Act.

(2) Any approval, prior to the effective date, of a new animal drug or of an animal feed bearing or containing a new animal drug, whether granted by approval of a new-drug application, master file, antibiotic regulation, or food additive regulation, shall continue in effect, and shall be subject to change in accordance with the provisions of the basic Act as amended by this Act.

(3) In the case of any drug (other than a drug subject to section 512(n) of the basic Act as amended by this Act) intended for use in animals other than man which, on October 9, 1962, (A) was commercially used in the United States, (B) was not a new drug as defined by section 201(p) of the basic Act as then in force, and (C) was not covered by an effective application under section 505 of that Act, the words "effectiveness" and "effective" contained in section 201(w) as added by this Act to the basic Act shall not apply to such drug when intended solely for use under conditions prescribed, recommended, or suggested in labeling with respect to such drug on that day.

(4) Regulations providing for fees (and advance deposits to cover fees) which on the day preceding the effective date applicable under subsection (a) of this section were in effect pursuant to section 507 of the basic Act shall, except as the Secretary may otherwise prescribe, be deemed to apply also under section 512(n) of the basic Act, and appropriations of fees (and of advance deposits to cover fees) available for the purposes specified in such section 507 as in effect prior to the effective date shall also be available for the purposes specified in section 512(n), including preparatory work or proceedings prior to that date.

The SPEAKER. Is a second demanded?

Mr. SPRINGER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. STAGGERS. Mr. Speaker, this bill will assemble into one place in the law all of the major provisions of the Food and Drug Act which relate to drugs for administration to animals either directly or in their feed and water.

Its principal benefits to the drug and feed industry will be to provide for regulation of these drugs through legislation separate from legislation related to human drugs so that in the event of future legislation increasing controls over human drugs, these increased controls will not automatically apply to animal drugs as would be the case under existing law.

EXISTING LAW

The definition of "drug" in existing law is very broad and covers every substance which is intended to affect the structure or functions of the body of man or any other animal and, therefore, includes not only all substances for direct administration to animals to promote health, but also includes all feeds which contain drugs. This makes every feed manufacturer in the United States who mixes any drugs into his product automatically a "drug manufacturer" subject to stringent regulation.

Similarly, the term "food additive" is very broadly defined in the Food and Drug Act, so that drugs which are used in the manufacture of animal feed are also "food additives" as defined.

The result of the foregoing means that every manufacturer of drugs for use in animal feeds and every feed manufacturer who uses such drugs, is subject to regulation under the Food Additives Amendment—section 409 of the Food and Drug Act—and the new drug section of the law—section 505 of the Food and Drug Act.

Since a substantial number of animal feeds also contain antibiotics, feed manufacturers are subject to regulations under the antibiotic section of the Food and Drug Act—section 507—with respect to certifiable antibiotics.

A number of years ago, the manufacturers involved were required to submit two separate applications to FDA for clearance of animal feeds containing any drug. Through administrative action, FDA has simplified the procedure so that only one application is required to be filed today and there is better coordination between the three divisions of FDA which pass on applications for the use of drugs in animal feeds—the Food Additive Division, the New Drug Division, and the Antibiotic Division.

A Bureau of Veterinary Medicine has been established and the very substantial delays in FDA action which formerly plagued the industry have been cut down considerably.

PROVISIONS OF THE BILL

H.R. 3639 consolidates into one place all provisions of existing law which cover animal drugs and animal feeds. It does not take away any of the authority FDA has under existing law but provides one mode of regulation for the basic drug manufacturers, and a different and simpler mode for feed manufacturers, and provides that action on a feed manufacturer's application must be completed within a statutory deadline of 90 days, rather than the 180 to 210 days permitted under existing law.

The bill adds two new terms to the Food and Drug Act, "new animal drugs" and "animal feed." In general, the basic drug manufacturer who proposes to manufacture a "new animal drug" must go through comprehensive tests of the drug of the sort required today under the new drug section of the Food and Drug Act—section 505—and the Food Additives Amendment—section 409.

Upon completion of all testing and a determination by the manufacturer that the product is ready for marketing, the manufacturer submits his data to FDA, and within 180 days FDA is required to pass on the application. The approved application may, of course, be suspended or revoked in the same manner and subject to the same procedure as currently apply to new drugs and to food additives.

When a basic new drug application has been approved, any feed manufacturer may apply for approval of his mixing the drugs in animal feeds. The most important part of his application is a cross-reference to the approved basic application and a full description of his proposed methods, facilities, and controls for manufacture of the feed. FDA is required to act within 90 days on the application.

The most important parts of this application to the FDA are, first, a review of the adequacy of the facilities of the manufacturer to provide adequate mixing of the drugs, since the quantities of drugs in relation to the quantities of feed are usually very small; and second, the controls to be used by the manufacturer to prevent contamination of feed, particularly contamination from other drugs mixed in other feeds with the same equipment. After the manufacturer's application has been approved, it may be suspended or revoked under the same provisions that apply under existing law, and if the basic manufacturer's application is revoked, this will automatically revoke the feed manufacturer's approved application as well.

The bill takes effect approximately 12 months after the date of its enactment and contains transitional provisions, stating in substance that existing approved applications will be treated as approved applications under the new procedures set out in the bill.

As reported, the bill is identical to the bill reported by this committee and passed by the House last year, except that the effective date is postponed for 12 months in this year's bill rather than 6 months is proposed in last year's bill.

In addition the committee this year adopted an amendment recommended by the American Feed Manufacturers Association relating to the export of animal drugs and animal feeds containing drugs. Existing law permits foods, drugs, and cosmetics and devices to be exported, if they comply with the laws of the foreign country and the specifications of the foreign purchaser and are labeled for export. Because of the historical development of the Food and Drug Act, drugs may not be exported unless they also comply with U.S. laws. The committee adopted an amendment providing that animal drugs and animal feeds containing drugs may be exported under the same conditions as apply to food, devices, and cosmetics; in other words, if they meet the requirements of foreign law, meet the specifications of a foreign purchaser, and are labeled for export. The Food and Drug Administration has stated that it has some objection to this amendment on the ground that it would diminish somewhat their ability to protect foreign purchasers of veterinary drugs and feeds. The committee did not agree that this is a sufficient reason to continue the provisions of existing law prohibiting export of drugs and feeds that comply with foreign laws.

The committee recommends that the amendment be adopted, and that the bill as amended be passed by the House.

At this time I yield to the chairman of the subcommittee, the gentleman from Oklahoma [Mr. JARMAN], whose subcommittee heard all the evidence.

Mr. JARMAN. Mr. Speaker, in recent years the growing world population and impending food crisis have received an increasing amount of attention—and with due cause. Economic, scientific, and agricultural authorities have expressed grave concern that we will be unable to meet tomorrow's food requirements. The food industry in this country is facing an unprecedented challenge to meet demands for more meat, poultry, eggs, and dairy products. In coming to grips with this challenge, a vital and major role is played by the animal health and nutrition industry—the people responsible for safeguarding our livestock and poultry populations.

We must exercise every opportunity to help wage the battle against hunger. H.R. 3639 is such an opportunity. This bill amends the Federal Food, Drug, and Cosmetic Act to provide a single procedure for the premarketing clearance of animal drugs. It consolidates existing provisions of the act into a single section specifically designed for animal drugs and feeds containing drugs. Streamlining clearance procedures will permit more immediate availability of the safe drugs desperately needed to arrest livestock and poultry losses.

The chief objective of legislation in the food and drug area has been to regulate drugs for human use. From the Food and Drug Act of 1906 through the Food, Drug, and Cosmetic Act of 1938 and its amendments, human drugs have been the prime consideration. Although animal drugs have always been regulated under the act, they have received stepchild treatment at best.

In 1938, when the Food, Drug, and Cosmetic Act was signed into law, the number and type of drugs which were being marketed for use in animals were greatly different from those available today. Research has produced a myriad of sophisticated, specialized drugs and antibiotics for use in both nonfood and food producing animals, and for use in animal feeds. The medicated feed industry as we now know it did not exist in 1938.

The development in the last 20 years of new animal drugs and new uses for those drugs has been spectacular. Subsequent growth of the livestock and poultry industries into highly commercialized, integrated, technical operations has been equally spectacular.

The Food and Drug Administration recognized the importance of this mushrooming industry when, in 1965, it reorganized and elevated the Division of Veterinary Medicine to Bureau status.

Yet the law has not grown with the activities it regulates. Although compounds for human use are cleared under one, and only one, of the various clearance sections of the act, animal drugs in many instances are reviewed under two of the applicable sections. There are three appropriate statutory channels under which compounds for human use may be cleared. If an application for a new human drug is approved, the drug can be cleared for market within 180 days.

Clearance procedures for animal drugs, however, are diverse and overlapping. For example: Both section 505, governing new drug procedures, and section 409, concerning food additives, are involved in the primary clearance of a new drug intended for animal feeds for food-producing animals. The agency has 180 days to act under section 505 and 210 days under section 409. These periods of time run concurrently with respect to the original application and petition. However, after the safety and efficacy of the new compound have been demonstrated, the new drug application approved, and a food additive regulation issued, each feed manufacturer must obtain a secondary clearance for each of his plants either through the submission of a new drug application or a form 1800. The law provides the agency an additional 180 days for this. Consequently, statutory time required for clearance totals 390 days. Between the time the manufacturer has completed his research and development work and the time the product is available in a medicated feed, a period in excess of a year may pass.

In 1 year, Mr. Speaker, losses of livestock and poultry to diseases, parasites, and insects are estimated by the U.S. Department of Agriculture to total $2.8 billion. Disease costs dairymen $463 million each year. Parasites and insect losses push the total to the half-billion point. Hog producers lose $300 million per year. Cattle losses from disease, parasites, and insects average $9 per head.

Who pays the cost? Part is paid by every individual engaged in any phase of food production, be it basic research, feed manufacturing, or packaging. Our Nation's 3 million farmers pay the greatest share, estimated at $900 each. The consumer pays. Livestock losses reduce the food supply, and a reduced food supply raises prices in the supermarket. The Government pays, too. Though the price tag is staggeringly high, we cannot forget that the loss is not only in dollars, but in enormous quantities of belly filling food.

The animal health industry has made tremendous strides in combating livestock and poultry diseases and increasing production efficiency. But research must provide more and better drugs. Better designed approval procedures will free more scientists for basic research and permit industry to explore many promising new fields. There are only limited product development dollars available; they may be better utilized in research rather than in conformance to duplicative and confusing administrative procedures.

Better drugs are meaningless unless they are made available for use. The cumbersome administrative procedures are needlessly delaying the movement of a new animal drug from the laboratory to the market. I have already told of the huge livestock losses suffered in 1 year. Other losses in time and vital research are costly to industry and government alike.

H.R. 3639 is designed to solve the problems created by multiple controls. It would consolidate the duplicate and triplicate controls currently imposed by sections 409, 505, and 507 of the act. It would create a single statutory standard of safety and effectiveness for animal drugs in a new section 512, thus elevating such drugs to a position equal to that of drugs and antibiotics for human use and of human food additives.

It would establish a realistic statutory mechanism for the premarketing clearance of new animal drugs and of animal feeds bearing or containing them. It would provide appropriate controls over animal drug manufacturers and over feed manufacturers using such drugs. It would prevent recurring delays in the introduction of new animal drugs and would facilitate their availability to the producers of livestock and poultry following discovery and development.

There are some important things this bill would not do. It would not require additional appropriations to effect its provisions. We anticipate, in fact, that FDA operating efficiency will be significantly increased. It would not, in any manner, reduce the rigid controls contained in existing law to safeguard public health. There are no shortcuts to safety. All safety and efficacy requirements provided for in the existing act are retained. It would not usurp any State authority. The National Association of State Departments of Agriculture has lent its support to the legislation as "essential and workable" and "important to the long-range development of our animal-type agriculture."

Legislation specifically relating to drugs for use in animals and in their feeds was introduced in the House in the 87th Congress. Hearings were held in September of 1963, and several amendments were suggested. Since then, representatives from industry, the Department of Health, Education, and Welfare, the Food and Drug Administration, and the Interstate and Foreign Commerce Committee have worked in close cooperation to resolve differences of opinion, to improve and simplify statutory language, and to insure that all necessary safety standards are maintained. H.R. 3639 is a distillation of all points of view. It has been endorsed by the major segments of the animal health and nutrition industry, the veterinary profession, and the Food and Drug Administration. A bill differing only slightly from H.R. 3639 passed the House unanimously in the 89th Congress. Thirteen of our esteemed colleagues have introduced measures identical to H.R. 3639 in this session of the 90th Congress. Both the Public Health and Welfare Subcommittee and the full Interstate and Foreign Commerce Committee have reported out this bill unanimously.

To further delay enactment of this legislation would tax the American public and the Government many millions of dollars, and would deny food to our Nation's, and the world's, exploding populations.

I strongly urge passage of H.R. 3639.

Mr. ST GERMAIN. Mr. Speaker, will the gentleman yield for a few questions?

Mr. JARMAN. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. Mr. Speaker, page 15 of the report explains section 301, prohibited acts and penalties, and this is in reference to the act being amended: I wonder if the gentleman will tell us what the penalties are?

Mr. JARMAN. Mr. Speaker, for the first offense the penalty would be 1 year or a fine of not more than $1,000, and for the second offense 3 years, and $10,000. Of course, there are provisions for seizure and for injunctions, where necessary.

Mr. ST GERMAIN. Mr. Speaker, will the gentleman yield further?

Mr. JARMAN. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. Mr. Speaker, I do not oppose the bill and I thank the gentleman for answering my question. However, I am a bit concerned—not with this legislation, and I commend the committee on this legislation—but I am quite concerned that so much time has been spent and so much effort and detail has been gone into with respect to the manufacture of drugs for animals, and so little time and effort has been spent on inspection and method of manufacture of drugs for human beings.

If we compare the penalties with those under the Pure Food and Drug Act for violations of manufacture and sale of drugs under the Pure Food and Drug Act for human beings, we find the penalties here are much stiffer.

In reading the report, we find under the Virus, Serum, Toxin Act, which is exempted under the transfer here, requirements for a licensed establishment, it says that the establishments are inspected prior to licensing and are subject to continuing inspection.

Then at the bottom of the page we are told that historically the Secretary of Agriculture has regulated such animal biotics, many of which are not used for animals that are a source of human food. Going further in the report, on new drugs, it says that:

> (b) Any person may file with the Secretary an application with respect to any drug subject to the provisions of subsection (a). Such persons shall submit to the Secretary as a part of the application (1) full reports of investigations which have been made to show whether or not such drug is safe for use and whether such drug is effective in use; (2) a full list of the articles used as components of such drug; (3) a full statement of the composition of such drug; (4) a full description of the methods used in, and the facilities and controls used for the manufacture, processing, and packing of such drug;

Then, on page 29 of the report, it states:

> On the basis of new information before him, evaluated together with the evidence before him when the application was approved, the methods used in, or the facilities and controls used for, the manufacture, processing, and packing of such drug are inadequate to assure and preserve its identity, strength, quality, and purity and were not made adequate.

And so on and so on.

Mr. Speaker, Members of the House, I repeat, I do not oppose this bill. However, it is a source of irritation to know we are so concerned about production of and methods of manufacture of new drugs, for the "silken fur catfood" and for the "bow-wow dogfood," and yet, in order to obtain an FDA registry number to manufacture drugs for human consumption, one need only put down one's name, his address, the address of the plant in which it is going to be manufactured, and whether or not one intends to manufacture narcotics. By return mail the individual receives his FDA registry number, which goes on every label, saying in effect that Uncle Sam approves of this manufacturer.

Mr. Speaker, I have introduced legislation which will require inspection of these plants prior to issue of a registry number.

I commend the committee for this legislation, but I do hope the committee will spend one-half as much time looking into the manufacture of drugs for human consumption.

I thank the gentleman for yielding.

Mr. JARMAN. Mr. Speaker, I certainly understand the gentleman's concern over the need for adequate protection in both fields.

The only response I would make to the gentleman's statement would be that the legislation before us makes no changes in existing law, and the penalties are the same in both the animal and human drug fields.

Mr. ST GERMAIN. I appreciate that fact, but I believe the gentleman would agree with me the changes should be made in the manufacturing requirements for drugs for human beings, so that they at least equal the requirements for the manufacture of drugs for animals.

Mr. JARMAN. I would certainly say to the gentleman that the committee stands ready to confer with him on this problem. Certainly we all have the same objectives in mind.

Mr. ST GERMAIN. I thank the gentleman.

Mr. SPRINGER. Mr. Speaker, the bill would consolidate into one place in the law all of the principal provisions of the Federal Food, Drug, and Cosmetic Act which relate to premarketing clearance of new drugs for administration to animals, either directly or in their feed and water. The bill is supported by the entire animal drug and feed manufacturing industry, by the Department of Health, Education, and Welfare, the Bureau of the Budget, and the Department of Agriculture.

The bill would entail no additional cost for its administration.

During the 88th Congress, the Subcommittee on Public Health and Safety of this committee held extensive hearings on legislation proposing the consolidation of all laws relating to premarketing clearance of new animal drugs, and considered the bill in several executive sessions. A number of revisions were made by the subcommittee in the legislation, but time did not permit the completion of action on the bill. During the 89th Congress a revised version of the bill worked out by the subcommittee was passed by the House, but time did not permit the consideration of the bill by the Senate.

In many cases, the requirements for clearance of new drugs for administration to animals are more complicated than the clearance procedures for new human drugs. These complexities have in some instances led to long delays in the clearance of new animal drugs, and the purpose of the bill is to provide a single procedure for clearance of these drugs.

By consolidating into one place in the new law all of the provisions providing for regulation of these drugs, clearances should be expedited, with resulting decreases in costs, and consequent encouragement for the development by manufacturers of new drugs for use in animals.

The bill as reported is the product of the work over four sessions of Congress of interested industry groups representing manufacturers and feed mill operators, veterinarians, and the Food and Drug Administration. It provides not only benefits for industry, but through improved procedures, benefits for the consumer in the more efficient and less costly production of livestock, poultry, eggs, and milk.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Minnesota.

Mr. NELSEN. I thank the gentleman for yielding.

I should like to point out that we have been up the hill and down the hill with this legislation for a good many years. The procedure, in the way of approval of a formula, as an example, is that at one time one manufacturer might be using a formula, and a new man would come into the field. He would have to go through a long and lengthy process, using identically the same formula, all this because of legislation and regulation which make it so difficult for the handling of new animal drugs.

This bill provides the needed legislative guides to streamline procedures for clearing animal drugs while preserving proper and necessary safeguards for public health.

It has been the purpose of our committee not to loosen up the standards and to protect the public in every possible way. This bill will do exactly that, but it will make it easier to operate—not easier in the sense of relaxing protection for the public but easier in the sense of administering it.

During the committee hearings when the Food and Drug Administration officials appeared, the question was asked by several Members, including myself, "Does this in any way relax protection for the general public?" The answer was, "It does not."

The merits of this legislation are reflected in the consensus of the animal drug industry, the feed manufacturing industry, the Food and Drug Administration and our Committee on Interstate and Foreign Commerce.

It might be pointed out that procedures now in effect have actually discouraged the development of drugs which would reduce disease in animals. The bill before us will remove the roadblocks to encourage research and development. This in turn will result in healthier livestock and lower net costs for the farmer.

The rate of growth in the knowledge and ability of drug producers has outstripped present clearance procedures. More efficient methods are needed to meet the needs of a growing livestock industry, increasingly conscious of scientific techniques and their application. H.R. 3639 makes special provisions for new uses of animal drugs such as feed additives, and it unifies the clearance methods for all animal drug applications.

Commissioner Goddard of the FDA stated with reference to H.R. 3639:

> This brings together in one act all of those items that affect animal drugs, feeds and the use of antibiotics therein. It clarifies and explains some procedures we are currently employing.

In the closing days of the second session of the 89th Congress, a similar measure passed the House of Representatives without a dissenting vote. Unfortunately, the other body did not find time to consider the legislation before adjourning. As I feel this is good legislation moving in the right direction, I hope the House will pass the bill and it will receive the attention it deserves on the other side of the Hill.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. McCLORY] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McCLORY. Mr. Speaker, I support the passage of H.R. 3639, the Animal Drug Amendments of 1967. H.R. 3639 represents almost 4 years of work by the Interstate and Foreign Commerce Committee, by groups representing drug manufacturers, veterinarians, and feed mill operators, as well as by officials of the Food and Drug Administration, to achieve a bill which will effectively consolidate all laws relating to premarket clearance of new animal drugs.

The need for this legislation is apparent. Under the present system of clearance, a drug to be administered to animals may be regulated as a new drug, as a feed additive, and/or an antibiotic. The cost of this complicated procedure—in many cases more complicated than clearance procedures used for new human drugs—is increased cost and delayed development of new animal drugs. These costs and delays are reflected in a reduction of farm income due to animal disease and in increased food costs to the consumer.

Mr. Speaker, we can ill afford such costs and delays due to lack of coordination in obtaining clearances for new animal drugs.

This legislation in no way sacrifices animal health and safety to expediency. The Subcommittee on Public Health and Safety, ably chaired by the gentleman from Oklahoma [Mr. JARMAN], held full and complete hearings on all aspects of this legislation in the 88th, 89th, and 90th Congresses. Legislation substantially identical to H.R. 3639 passed this House in the 89th Congress under suspension of the rules. I urge my colleagues again to support this much needed bill.

Mr. SPRINGER. Mr. Speaker, I yield such time as he may consume to the gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding.

Mr. Speaker, I arise in support of this bill, because I believe it will simplify and clarify procedures, and I compliment the committee.

In the past few years I have had occasion to become quite familiar with the provisions of the Federal Food, Drug, and Cosmetic Act as a result of a still-continuing controversy over the manner in which the Food and Drug Administration administers the provisions of the law as they affect the safety and effectiveness of new or in-being animal drugs, additives, and food supplements.

I understand the measure before the House is primarily intended to consolidate into one place all of the principle provisions of the Federal Food, Drug, and Cosmetic Act which relate to premarketing clearance of new drugs for administration to animals either directly or in their feed and water. Naturally it concerns residues therein and the effects of and on human consumption.

I may say parenthetically I think this answers part of the question of the gentleman from Rhode Island.

The statement is made in the committee report that:

> The bill is supported by the entire animal drug and feed manufacturing industry.

And while I would not dispute that contention, I wish to make quite clear that this same unanimity of opinion does not prevail about the sometimes arbitrary and unreasonable manner by which Food and Drug administers these laws.

I recognize that this bill today is perhaps not the proper forum in which to seek a resolution of the inequities that have occurred in the case of a single company. But I do believe the discussion of this bill is a proper forum to detail what happens when a Federal agency resorts to harassment and contradiction so as to maintain its "can do no wrong" image.

I would offer two amendments to this bill if it were not here under suspension.

One would stipulate that where any hazard is thought to exist in the animal use of any drug or in its use in combination with any other readily available drug, such class of drugs be confined to use under direction and supervision of graduate veterinarians only.

Second, I would propose an amendment to rule that if a drug is not judged sufficiently hazardous to deserve such restriction of usage, the FDA will be prohibited from challenging a combination usage which cannot be controlled in the first place and therefore results only in lost motion and total waste of our tax money.

This is on the principle that you are innocent, especially if you have practiced conforming usage, until you are proved guilty.

Under unanimous consent I place at this point in the RECORD the attached excerpts of a letter written on October 17, 1967, by W. P. Scott, president of Naremco, Inc., of Springfield, Mo. Would that Dr. Goddard had at least the same concern for the employees, stockholders, and customers of this firm, that he recently evidenced for the marihuana smokers of America. The letter follows:

OCT. 17, 1967.

DR. JAMES F. GODDARD,
Commissioner, Food and Drug Administration.

MY DEAR DR. GODDARD: We have, for twelve years past had a running battle for survival with the Veterinary Medical section at FDA over their refusal to recognize the value of certain very old, very safe, effective, *but no longer new and glamorous drugs,* for use in control of poultry and livestock disease. Two of them are sold "over the counter basis" for human use, one is commonly used as a food preservative, all are *"not new drug"* and are in free interstate commerce, available to all producers for use either in animal feed or drinking water, and in any chosen concentration or combination.

Our sin is only that we use them in several patented combinations in proprietary formulations which have done a very excellent and much needed job in poultry and animal disease control. In "service selling", American producers have used more than $4,000,000.00 worth of these formulations. We can't fool the people that badly, *and in fact on the efficacy issues have already won two defensive actions against FDA litigation.* As we understand it, efficacy is the only question that can be raised under the "grandfather clause" of the 1962 New Drug regulations.

As a result of our protests, Mr. George P. Larrick wrote our Congressman Dr. Durward G. Hall on April 13th., 1961, that these drugs and their combinations were *not* new drug (thus refuting six years of harassment by B. V. M.), and required *no* clearance by our company prior to marketing. Yet, five condemnation actions were filed by FDA in May of 1966, one each against five special formulations. In doing so, several discrepancies and actual floutings of the law have occurred.

1. Each drug is individually exempt under the "grandfather clause" of the 1962 New Drug regulations. Fully adequate data published on the safety and efficacy of each long predates the latest Food Additive or New Drug regulations.

2. Four of the formulations were positively exempted by the "grandfather clause", and the fifth is a re-arrangement of a product we started with in November 1956 which might be questionable on basis of date first sold except that there are absolutely no restrictions stated or proposed for use of one of these compounds in any food, feed, or combination with other drugs. It is, in other words, *a free compound.*

3. Notification that B. V. M. proposed a change in classification of each product to require Food Additive petition came in a letter signed by Dr. M. R. Clarkson, dated June 6th, following the filing of all litigation without warning in May 1966. This Action was clearly in violation of 121.3(C) subpart A, Food Additive Regulations, which require that, "except in case of imminent hazard to public health", which has not yet been shown to exist, no prior sanction or approval will be withdrawn or modified without prior notice or a statement of the reasons for the action. We were then denied the right to submission of added data on the basis that the matter is in litigation.

Why were these actions initiated in the first place, since by admission of the government attorneys *before the Tyler, Texas Court,* no *actual* hazard was even claimed to exist, the only question being that in the *opinion* of the government's "expert" witnesses the combination is "not generally recognized as safe and effective" because no evidence of such can be found in the literature on the *combination.* We can find no requirement in the law which specifies such publication as being legal prerequisite to marketing. Hundreds of exemptions are being honored on drug combinations on which data has not been published, and clearance of "New Drugs", is invariably followed, not *preceded* by such publications.

4. Appearing at both trials, two government witnesses (University people), representing themselves to be "experts", did, at the second trial contradict their own testimony as presented at the first trial.

5. Neither the *safety* or the *efficacy* of the *individual* drugs is questioned, even by the Government. The charges are in each instance against the "combination" of drugs, in violation of 121.4 subpart A, Food Additives, which stipulates that tolerances will be questioned on food additives "that cause similar or related pharmacological effects", and 121.4(c) which discusses *chemicals in the same class.* In each case the chemicals involved are unrelated in pharmacological action and any adequately trained chemist can state with certainty that no chemical change or interaction can or does occur in the environment of application.

With reference to 121.4(c), no two or three of these compounds are, by any stretch of the imagination, in the same class.

6. In each case, B. V. M. demanded removal from the market of each product pending clearance through New Drug and Food Additive regulations. This, for drugs which had been on the market in the challenged combinations for from five to twelve years, and individually are thoroughly researched for safety and efficacy, and scientifically recognized on a worldwide basis in virtually all the medical and veterinary medical journals. We know of no instance in which other widely used and accepted drugs, *even those justifiably suspected of being hazardous,* are denied marketing pending the submission of new safety data.

7. Since each of these drugs continues in free interstate commerce and available to all producers, *our company only* would be deprived of their sale or use *in any chosen concentration or combination* by the FDA action. Thus prejudice under the law is clearly established.

8. Why were Food Additive regulations suddenly discovered to be applicable four to five years after four of these formulations were introduced in interstate commerce? Why were "New Drug" charges not filed initially against *any* of these products, but added before joint court action against the next two, *almost five years after passage of the 1962 new drug regulations, and only after FDA decisively lost both food additive and efficacy charges in the first litigation on the same combination of drugs?*

Why were legal actions continued against four other formulations after FDA clearly lost in the first, which, because it involved the same combination of drugs, had even then defeated the claimed FDA objective of protection of the public health against the hazards of this combination of drugs? Note also, that the Government did not decide to "question" the verdict in the first case, by appeal.

9. One University (expert) witness admitted under oath that he had for a number of years received a regular retainer or consultant fee from one of our largest drug company competitors. Why does FDA use unquestionably prejudiced witnesses.

10. We, and all citizens having any knowledge of these legal actions were sickened at the spectacle of supposedly respectable University scientists callously acting to injure through use of their position, by using strictly "opinion testimony," obviously without adequate knowledge of the structure, uses or effects of the drugs or combinations of drugs they appeared to challenge.

Do influences such as grants-in-aid, retainers and consultant fees paid by our larger competitors, or National Institute of Health grants controlled by Health, Education and Welfare, play a part? Wouldn't you wonder? And what do the members of the B. V. M. Staff have to gain? Again, wouldn't *you* wonder?

As a result of this, we have a solid basis for damage suits against four representatives of four major Universities, and perhaps the University too in each case. This would, even if damages were denied, totally embarrass both the Colleges and B. V. M. publicly disclose that the testimony given by these people at the request of B. V. M. was something less than "the whole truth and nothing but the truth", and which might even result in perjury indictments against one or more of these witnesses.

Action in such an area will be a nasty mess, and will therefore be initiated only as a final alternative to capitulation. It is very unfortunate that medical terms so confuse our courts, that the weight of government prestige and that represented by "big name" College experts all too often become the only basis for judgment, even though to trained people in this field the testimony may be recognizably "slanted" and prejudicial.

11. Failing in efforts to present credible evidence of even the slightest hazard resulting from *combination,* B. V. M. departed from its pre-trial charges to single out *one* drug, Sodium Phthalysulfacetamide (at the second trial) and used Dr. James Dollahite of Texas A & M University before a Tyler, Texas jury to introduce evidence of a "detectable" but unmeasurable (too small) sulfanilamide residue, which because the latter is the parent compound of *all* sulfa drugs, and is *a common result of all sulfa drug therapy,* could be cumulative, sensitize the human population and cause all kinds of reactions in as much as one-third of the human population, *and even death* when sulfa drugs are subsequently administered by M.D.'s for control of human disease.

a. But this same sulfa drug was cleared through new drug and food additive regulations at least seventeen years ago by the Schering Corporation, and is manufactured, sold and used by innumerable U.S. Companies, and in a number of other countries. B. V. M. *knew* this, and yet implied before the court that it was *new* drug.

Then, as a result of our appeals to members of the Congress, Mr. Paul A. Pumpian, Director of the Office of Legislative and Governmental Services wrote several letters in reply which stated:

"Prior to the 1962 Kefauver-Harris amendments to the Food, Drug and Cosmetic Act, proof of safety was the sole requirement for approval of a new drug. On this basis the firm was advised that the existing formulations with the exception of Sodium Phthalylsulfacetamide, were not new drugs, but were of doubtful efficacy for label claims."

One of the drugs we were advised was not new drug *by FDA* was Sodium Phthalylsulfacetamide.

Thus we see an implication to the respected members of our Congress which was *absolutely untrue,* and can be *proved* so by FDA correspondence both prior to and subsequent to the enactment of the 1962 New Drug regulations.

c. This sulfa is shown in all the scientific literature as having value only as an intestinal antiseptic, *because it is so poorly absorbed.*

d. Tolerances have been set for poultry or animal use for only two of the very large family of sulfa drugs, and innumerable drug combinations in which sulfas are one or more of the active ingredients, *so absolutely no foundation can be found for the veracity of Dr. Dollahite's testimony in the first place.*

Sodium Phthalylsulfacetamide therefore belongs to a broad class of drugs, most of which are far more absorbable and therefore many times more hazardous than it is. Action should therefore be instituted against this *entire class* of drugs, or against none of them, and should be instituted at source, not with people who buy the finished compound in free interstate commerce. Only by "source control" do you achieve any assurance of industry protection, or guarantee of even the slightest degree of protection of the public health.

e. We have, since this evidence was presented in February, tried quite hard to persuade Texas A. & M. that one of two conditions must prevail. First, if the evidence is not scientifically valid, the result must unjustly deprive poultry and animal producers of an entire class of drugs which are vital to disease control, and in the human field will increase the hazard of food contamination by infectious processes, a problem which may well outweigh drug residue hazards.

Secondly however, the sulfa drugs have been extensively used in poultry and livestock for twenty or more years. Therefore, if the evidence *is* scientifically valid, hundreds of thousands of American people must have long ago become sensitized, still nothing is being done to eliminate the hazard to present and future generations.

Therefore, we have at hand a matter of the utmost urgency. Since we have as yet uncovered no means which promises to scientifically disqualify the Dollahite sulfa testimony before the Court, our company, FDA, all our agricultural colleges, all state departments of drug control, the entire drug industry, the feed industry, and all U.S. husbandrymen must appear before the bar of public opinion to answer for either abysmal ignorance, or a callous and unpardonable disregard for the public health and welfare.

Our backs are to the wall: We cannot wait beyond November 15th to determine the course we must follow. Therefore, if clarification of the sulfa drug issue is not forthcoming by that date, we feel that the pros and cons of the situation, together with the history and present status of these drugs in poultry and livestock use should be mailed to the editors of leading publications throughout the U.S. We have hesitated to date only because of the dire effects such action will have on our industry.

A terrific controversy will ensue of course, for such action will demand public explanation, which under the circumstances FDA cannot afford to make, or will result in loss of confidence in another supposedly responsible department of government. Either way it will result in unwelcome embarrassment to The Administration and for this totally misguided action FDA has expended not less than $100,000.00 of our tax dollars, and has cost our company not less than $100,000.00 in costs and damages, which we are justly entitled to recover, and will spend as much more, and cost us as much more in continuing the actions presently in process.

Therefore, I trust the virtue of our appeal for your prompt and effective investigation of the legal, moral and constitutional (equal rights) aspects of this matter will be understood and appreciated.

Yours very truly,

NAREMCO, INC.,
W. P. SCOTT, *President.*

Mr. SPRINGER. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana [Mr. BRAY].

Mr. BRAY. Mr. Speaker, I was pleased to introduce companion legislation to this bill and I am happy to speak in its behalf on the floor of the House. The work and study of several years by the Congress is wrapped up in the bill and I hope the Senate will take speedy and favorable action.

Few advances in the realm of human knowledge have been more rapid and spectacular than in the field of drug research and development. Most persons generally think of the astonishing number of "wonder" drugs for human use and consumption, and only rarely does the average person consider those available to promote growth and combat disease in animals.

As I testified before the House Committee on Interstate and Foreign Commerce in support of this measure, the great pharmaceutical houses of America have made genuinely outstanding contributions in the discovery, development, production and distribution of drugs, serums, and antibiotics, which have raised the living standard of all mankind. It is a matter of personal pride with me that the great firm of Eli Lilly & Co. is located in my congressional district.

The Congress must make sure that necessary regulations do not become negative restrictions. Favorable action on this bill is an important and vital step to that end, and I am happy to give it my wholehearted support.

The SPEAKER pro tempore (Mr. HOLIFIELD). The question is on the motion of the gentleman from West Virginia [Mr. STAGGERS] that the House suspend the rules and pass the bill H.R. 3639, as amended.

The question was taken.

Mr. DEVINE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 317, nays 0, not voting 115, as follows:

[Roll No. 364]

YEAS—317

Abbitt
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Baring
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bevill
Biester
Bingham
Blanton
Boland
Bolton
Bow
Bray
Brinkley
Brooks
Brotzman
Brown, Calif.
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burton, Calif.
Burton, Utah
Bush
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Cederberg
Celler
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conte
Conyers
Corbett
Culver
Cunningham
Daddario
Davis, Ga.
Davis, Wis.
Dawson
Dellenback
Denney
Devine
Dickinson
Dingell
Dole
Donohue
Dorn
Dowdy
Downing
Duncan
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Fisher
Flynt
Foley
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fuqua
Galifianakis
Garmatz
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Green, Oreg.
Griffiths
Gross
Gude
Gurney
Haley
Hall
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Holifield
Holland
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karsten
Kastenmeier
Kazen
Kee
Keith
King, Calif.
Kirwan
Kleppe
Kornegay
Kupferman
Kuykendall
Kyl
Kyros
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, Md.
Lukens
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Matsunaga
May
Mayne
Meeds
Meskill
Miller, Ohio
Mills
Mink
Minshall
Mize
Montgomery
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Morton
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Nacher
Nedzi
Nelsen
Nichols
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
Ottinger
Passman
Patman
Patten
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Pucinski
Quie
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rooney, N.Y.
Rosenthal
Roth
Roudebush
Roush
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
Satterfield
Schadeberg
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steiger, Ariz.
Steiger, Wis.
Stuckey
Sullivan
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tuck
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Whalen
Whalley
White
Whitener
Widnall
Williams, Pa.
Wilson, Bob
Winn
Wolff
Wyatt
Wylie
Yates
Young
Zablocki
Zion
Zwach

NAYS—0

NOT VOTING—115

Abernethy
Adair
Adams
Addabbo
Annunzio
Barrett
Blackburn
Blatnik
Boggs
Bolling
Brademas
Brasco
Brock
Broomfield
Brown, Ohio
Burleson
Button
Byrne, Pa.
Casey
Clark
Conable
Corman
Cowger
Cramer
Curtis
Daniels
de la Garza
Delaney
Dent
Derwinski
Diggs
Dow
Dulski
Dwyer
Eilberg
Everett
Fino
Flood
Ford, Gerald R.
Fulton, Tenn.
Gallagher
Gardner
Giaimo
Gray
Green, Pa.
Grover
Gubser
Hagan
Halleck
Hansen, Wash.
Hardy
Hays
Hébert
Herlong
Horton
Hosmer
Howard
Hull
Jacobs
Jones, Mo.
Karth
Kelly
King, N.Y.
Kluczynski
Landrum
Long, La.
McCarthy
Madden
Mathias, Md.
Michel
Miller, Calif.
Minish

Monagan
Morgan
Mosher
Multer
Nix
O'Neill, Mass.
Pelly
Pepper
Pettis
Pool
Purcell
Quillen
Resnick
Rhodes, Ariz.
Rhodes, Pa.
Rogers, Fla.
Ronan
Rooney, Pa.
Rostenkowski
Sandman
St. Onge
Saylor
Smith, Calif.
Smith, N.Y.
Steed
Stephens
Stratton
Stubblefield
Taft
Teague, Tex.
Tenzer
Utt
Watkins
Watson
Watts
Whitten
Wiggins
Williams, Miss.
Willis
Wilson, Charles H.
Wright
Wydler
Wyman

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Boggs with Mr. Gerald R. Ford.
Mr. Delaney with Mr. Adair.
Mr. Hébert with Mr. Halleck.
Mr. Pool with Mr. Brock.
Mr. Rostenkowski with Mr. Rhodes of Arizona.
Mr. Hagan with Mr. Quillen.
Mr. Hays with Mr. Sandman.
Mr. Jacobs with Mr. Broomfield.
Mr. Barrett with Mr. Smith of California.
Mr. Madden with Mrs. Dwyer.
Mr. Annunzio with Mr. Brown of Ohio.
Mr. Abernethy with Mr. Cramer.
Mr. Corman with Mr. Saylor.
Mr. Dulski with Mr. Fino.
Mr Purcell with Mr. Utt.
Mr. Ronan with Mr. Watkins.
Mr. Multer with Mr. Button.
Mr. Daniels with Mr. Horton.
Mr. Everett with Mr. Fulton of Tennessee.
Mr. Pepper with Mr. Brown of Ohio.
Mr. Watts with Mr. Curtis.
Mr. Addabbo with Mr. Derwinski.
Mr. Teague of Texas with Mr. Hosmer.
Mr. Eilberg with Mr. Grover.
Mr. de la Garza with Mr. King of New York.
Mr. Herlong with Mr. Conable.
Mr. St. Onge with Mr. Mathias of Maryland.
Mr. Rogers of Florida with Mr. Pelly.
Mr. Miller of California with Mr. Gubser.
Mr. Burleson with Mr. Watson.
Mr. Byrne of Pennsylvania with Mr. Pettis.
Mr. Landrum with Mr. Cowger.
Mr. Brademas with Mr. Wyman.
Mr. Williams of Mississippi with Mr. Gardner.
Mr. Adams with Mr. Michel.
Mr. Long of Louisiana with Mr. Blackburn.
Mr. O'Neill of Massachusetts with Mr. Mosher.
Mr. Blatnik with Mr. Smith of New York.
Mr. Karth with Mr. Taft.
Mr. Monagan with Mr. Wiggins.
Mr. Giaimo with Mr. Wydler.
Mr. Nix with Mr. Resnick.
Mr. Dow with Mr. Diggs.
Mr. Rhodes of Pennsylvania with Mrs. Hansen of Washington.
Mr. Casey with Mr. Charles H. Wilson.
Mr. Gray with Mr. Tenzer.
Mr. Dent with Mr. Wright.
Mr. Clark with Mr. Willis.
Mr. Hardy with Mr. Whitten.
Mr. Green of Pennsylvania with Mr. Hull.
Mr. Howard with Mr. Steed.
Mr. Stubblefield with Mr. Rooney of Pennsylvania.
Mr. Morgan with Mr. Stephens.
Mr. Brasco with Mr. Stratton.
Mr. McCarthy with Mr. Kluczynski.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

SECRET SERVICE PROTECTION FOR WIDOW AND MINOR CHILDREN OF A FORMER PRESIDENT

Mr. CELLER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 13165) to extend the period during which Secret Service protection may be furnished to a widow and minor children of a former President.

The Clerk read as follows:

H.R. 13165

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the authority vested in the United States Secret Service by section 3056 of title 18 of the United States Code to protect the person of a widow and minor children of a former President is extended until March 1, 1969, with respect to persons receiving such protection on the date of enactment of this Act.

The SPEAKER pro tempore (Mr. HOLIFIELD). Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. CELLER. Mr. Speaker, I yield myself such time as I may consume.

This bill was introduced at the request of the Secretary of the Treasury. It would extend until March 1, 1969, the period during which Secret Service protection may be furnished to a widow and minor children of a former President. Unless renewed, existing authority will expire on November 23 of this year.

The Secretary of the Treasury advises that Mrs. Kennedy and her minor children still receive considerable publicity and are sought out and subjected to annoyance by the idly curious, and remain possible targets of the mentally deranged. The Department believes it should be in a position to continue to furnish Secret Service protection to Mrs. Kennedy and her minor children unless she declines such protection.

The history of this protection is as follows:

Within a month after President Kennedy's assassination Congress authorized the Secret Service to protect the person of Mrs. Kennedy and her minor children as she might request, but for not in excess of 2 years from the date of enactment, which was December 11, 1963 (Public Law 88–195). By Public Law 89–186, approved September 15, 1965, Congress extended the period of authorized protection by amending 18 U.S.C. 3056 to provide generally that the Secret Service might "protect the person of a former President and his wife during his lifetime and the person of a widow and minor children of a former President for a period of 4 years after he leaves or dies in office, unless such protection is declined." It is this 4-year period that will expire on November 23 unless extended. The bill before the House will extend the period of protection only with respect to persons receiving such protection on the date of enactment; namely, Mrs. Kennedy and her children. The committee's action was unanimous.

The Secretary of the Treasury requests, and the bill provides, that the duration of this protection be extended until March 1, 1969.

In connection with the 1965 extension the Department estimated that the cost of protecting Mrs. Kennedy and her children would be approximately $210,000 annually.

Mr. Speaker, I urge that H.R. 13165 be considered favorably by the House.

Mr. Speaker, I yield such time as he may consume to the gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Speaker, I thank the distinguished chairman for yielding to me.

As I understand this bill, it would extend the protection to Mrs. Kennedy for an additional 17 months or until a day certain, March 1, 1969, which is about 17 months from the expiration date which would be 4 years from the time that the original law was passed by this Congress.

Mr. CELLER. The extension will be 15 months.

Mr. HALL. Does the distinguished gentleman know if the Secretary of the Treasury or the Secret Service responsible under him, queried Mrs. Kennedy as to whether or not she desired this additional protection?

Mr. CELLER. She did not initially request this protection. The Secretary of the Treasury and others felt that she should have it for her own protection and the protection of her children and so recommended to her.

Mr. HALL. Is it not true that Mrs. Kennedy turned back some of her secretarial help and expressed the feeling at that time that perhaps she did not need as much protection as was being given to her by a grateful Government?

Mr. CELLER. That is correct. All the secretarial help has been discontinued at her request.

Mr. HALL. It does seem to me, then, Mr. Speaker, it would have been well to have brought to the Members of the House some evidence as to whether this lady desired additional protection or not, in view of this other information wherein she did quite thoughtfully consider the taxpayers' money and her own circumstances in discontinuing her secretarial staff.

Mr. CELLER. It is very natural, I think, for a lady of the sensibilities of Mrs. Kennedy not to accept protection. She is a courageous lady, and she did not ask expressly for this protection. However, the Secretary of the Treasury decided that protection is actually needed and persuaded her to accept his judgment.

Mr. HALL. I thank the gentleman for yielding.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Massachusetts.

Mr. BOLAND. With respect to the amounts which have been heretofore previously appropriated for office and staff, Mrs. Kennedy did express to the administration and to Members of Congress a desire that the amount which was put in by the Bureau of the Budget this year of around $30,000 be deleted.

So, on that basis, of course, it was deleted at her request.

There was no formal request by Mrs. Kennedy for protection by the Secret Service. This request was made by the Secretary of the Treasury.

Because I am convinced her children and she needs this protection, I filed a similar bill. My bill would extend protection for 4 years. However, I support the bill as reported.

Mr. Speaker, this legislation has been recommended, and is strongly endorsed by the Secretary of the Treasury because of the continued threat of injury to Mrs. Kennedy and her two children from emotionally unstable individuals who by their letters, or their actions, indicate a desire to contact or injure one or more members of the family.

The concern of these people with the Kennedys does not rise out of the family position as private citizens but out of President Kennedy's tenure as Chief Executive of this Nation. The Office of the Presidency attracts the interest of a large number of mentally disturbed persons each year and prompts many to seek to communicate with, or injure, the incumbent. To some degree this interest adheres to members of the Presidents' families. Under the circumstances of President Kennedy's death, such interest has attached to his survivors.

While undoubtedly private detective agencies could provide limited protection for the Kennedy family, none have the resources comparable to those available to the Secret Service through its field offices and its intelligence division. Secret Service agents are especially trained, as no others, to afford such protection. In addition, they have continual and immediate access to classified information on conditions and developments which indicate potential danger, arrangements not available to private concerns.

Unless this Congress extends this protection until March 1, 1969, it will expire on the 22d of this month. I urge that the House take quick action on this bill.

Mr. KEITH. Mr. Speaker, will the gentleman yield?

Mr. CELLER. Of course I yield to the distinguished gentleman from Massachusetts.

Mr. KEITH. Mr. Speaker, as the Congressman from the 12th District of Massachusetts, and therefore the Representative in Congress of Mrs. John F. Kennedy, who resides now in Hyannis Port, I am particularly interested in this legislation.

We all remember with distaste the crowds of publicity hounds and curious thrill seekers who made Mrs. Kennedy's life here in Washington most difficult at a time when she was bravely starting a new life as the widow of our former President. It is my fervent hope that Mrs. Kennedy and her children now can find the privacy and peace which they desire in Hyannis Port, Cape Cod.

The Barnstable police do an excellent job of protecting my new constituents—but they are not equipped, and should not be expected, to provide the round-the-clock protection which the former First Lady and her two children deserve and require.

We all hope that a time will soon come when Mrs. Kennedy and Caroline and John can go about as they please with a minimum of harassment and exposure to danger. Until that time arrives, however, it is our duty and our privilege to afford them such protection as they require and desire. H.R. 13165 deserves our unanimous support, and I urge its passage.

Mr. GROSS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I am surprised that the committee made no attempt to contact Mrs. Kennedy, the beneficiary of this legislation, in order to ascertain whether she wished to continue to be the beneficiary of it.

It seems strange indeed, for this may be in the nature of forcing something upon her that she perhaps does not want.

I am further surprised that the committee held no hearings upon this legislation to provide the Members of the House with any information concerning the so-called protection she has received, the scope of that protection, and all the costs.

Mr. Speaker, these expenditures have cost the taxpayers of this country $210,000 a year, at a minimum. This has been going on for the period of 4 years, and with the extension provided for in this bill, it will amount to well above $1 million.

Now, Mr. Speaker, I would like to ask the chairman of the committee how many more extensions are proposed, how many more requests will be made of the taxpayers of this country with respect to the expenditures in connection with this protection?

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Of course, I yield to the gentleman from New York.

Mr. CELLER. I want to say to the gentleman from Iowa that I have no knowledge of any additional sums that will be asked for and expended upon behalf of the wife of the late President Kennedy.

Mr. GROSS. Well, then, this can go on into the indefinite future; is that correct?

Mr. CELLER. Mr. Speaker, if the gentleman will yield further, I doubt that very much. It is my opinion that as time goes on the idle and the curious will dwindle in number and there will be less and less danger.

I think that the gentleman from Iowa must realize that this distinguished lady becomes a cynosure and is the delight of all observers wherever she goes. We must realize that thousands of people gather around her and there is great fear and intrepidation upon the part of all of us, as she views these thousands of people, not only for herself but for her children. She, also, must feel that fear, if not for herself, then for her children. I think that in the spirit of appreciation toward the gracious lady of this Republic, who has gone through so much suffering, we should extend this modicum of our admiration and gratitude.

Mr. GROSS. I would say to the gentleman from New York that I suspect the children of the widow of a man who has given his life in Vietnam, are also susceptible to danger from a mentally deranged person. I believe the gentleman predicted the continuance of this legislation, in part, upon the fact that someone being mentally deranged would represent danger to this family. Yes, I suspect that the widow and children of a soldier who fell in defense of his country in Vietnam are also susceptible to this sort of potential danger. Yet, we do not make any such provision for them.

Now, I want to say to the gentleman that I doubt very much that the taxpayers of this country approve the protection of the beneficiary in this case in her travels to the skiing resorts, to the French Riviera, to Cambodia, under the present circumstances.

As I understand it, there is also the use of Air Force planes in addition to the protection that is provided under the terms of this and past legislation. I would like to have had some assurance from the chairman of the Committee on the Judiciary that we will not again be confronted with a bill of this nature. Apparently I am not going to receive that.

Mr. CELLER. Mr. Speaker, will the gentleman yield on the question of the air flight?

Mr. GROSS. I yield to the gentleman.

Mr. CELLER. I made some check on this flight, and her flights were in almost every respect paid out of her own pocket, with one exception. I will read from what was released by the Department of Defense:

> The former First Lady was invited by the Head of State to visit Cambodia and an Air Force airplane was made available as a courtesy. The one-hour flight from Bangkok, Thailand, to Phom Penh, Cambodia, was authorized by Secretary of Defense McNamara and all appropriate clearances were obtained.

In other words, this was only a 1-hour flight at the expense of the Government.

The SPEAKER pro tempore. The gentleman has consumed 5 minutes.

Mr. GROSS. Mr. Speaker, I yield myself 2 additional minutes.

Mr. Speaker, I am surprised that under the circumstances the beneficiary made the present trip because Cambodia today is a sanctuary for the Vietcong, and it may well be that we will have to invade Cambodia in order to win the present conflict. At any rate it is a sanctuary for the Communist Vietcong, who operate from bases in and are being supplied from Cambodia. Some of the heaviest losses occurring to American fighting men have been from Communists who came out of Cambodia and then fled back into that country. Yes; I am surprised that such a trip would have been undertaken at this time to add to the burdens of our taxpayers.

I am not aware, I will say to the gentleman, that the beneficiary in this case is exactly destitute. It is my understanding that she has inherited in one way and another a very substantial fortune, and I wonder how much longer the taxpayers are going to be called upon to provide continuing protection that she herself might well provide.

Mr. CELLER. Would the gentleman yield further?

Mr. GROSS. I yield to the gentleman.

Mr. CELLER. The question has been

asked, and I asked the question: Why does she not hire private protection? The answer is that private operatives cannot provide the type and quality of services made available by the Secret Service.

Mrs. GRIFFITHS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes; I yield to the gentlewoman from Michigan.

Mrs. GRIFFITHS. Mr. Speaker, I would assume that in this case we protect this woman because she is the widow of a President that we could not protect, and that these children are the children of a President that we could not protect.

Mr. GROSS. That we could not protect?

Mrs. GRIFFITHS. I believe that we could not and did not protect him. And I would believe it would be a great trauma to the United States if either this woman or these children were killed. The gentleman who is speaking, I am sure, must be approximately as old as I am, and must remember the Hall-Mills murder case, and I would like to remind the gentleman——

Mr. GROSS. If the gentlewoman will pause for just a moment, I suspect that I am approximately a good deal older than the gentlewoman.

Mrs. GRIFFITHS. I would say to the gentleman that if he has had occasion recently to read concerning that case, on the day those two persons were found beneath that tree in New England, that tree itself was totally destroyed, and removed that very day.

In my opinion that is why Mrs. Kennedy moved away from Georgetown where she wanted to live, because her presence causing so much traffic in that neighborhood, so many people came past that home, that if she had not had protection then and if that property had not had protection, then it would have been destroyed.

I personally feel that it would be the same type of problem for her now. It is my understanding that the Secret Service itself makes the decision as to whether or not she can be properly protected without them.

Personally, it may cost a little money.

I would assume that the people of the United States would prefer not to have this woman and her children unprotected and killed or injured in any way, if that amount of money would protect them. Furthermore, the Secret Service is in a much better position to do this since they have the power of arrest and they have many other powers that a private guard service does not have.

Mr. GROSS. I am sure no one wants anything to happen to this family, and certainly no one wants anything to happen to the children of any other family, be they of high or low degrees. I do not think that is the issue here at all.

Mr. Speaker, I believe the citizens of this country have done very well indeed to provide personal and worldwide protection for Mrs. Kennedy for a period of 4 years and at a cost approaching $1 million. I reiterate that she is not destitute. I urge that this bill be rejected.

The SPEAKER pro tempore (Mr. HOLIFIELD). The question is on the motion of the gentleman from New York [Mr. CELLER] that the House suspend the rules and pass the bill H.R. 13165.

The question was taken.

Mr. ASHBROOK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 302, nays 11, answered "present" 2, not voting 117, as follows:

[Roll No. 365]

YEAS—302

Abbitt
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Baring
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bevill
Biester
Bingham
Blanton
Blatnik
Boland
Bolton
Bray
Brinkley
Brooks
Brotzman
Brown, Calif.
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Colmer
Conte
Conyers
Corbett
Culver
Cunningham
Daddario
Davis, Ga.
Davis, Wis.
Dawson
Dellenback
Denney
Devine
Dingell
Dole
Donohue
Dorn
Dowdy
Duncan
Edmondson
Edwards, Ala.
Edwards, Calif.
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Feighan
Findley
Fisher
Flynt
Foley
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Garmatz
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Griffiths
Gude
Gurney
Haley
Hall
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Holifield
Holland
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
King, Calif.
Kirwan
Kleppe
Kornegay
Kupferman
Kuykendall
Kyl
Kyros
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, Md.
Lukens
McClory
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Matsunaga
May
Mayne
Meeds
Meskill
Mills
Mink
Mize
Montgomery
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Morton
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nichols
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
Ottinger
Passman
Patman
Patten
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rooney, N.Y.
Rosenthal
Roth
Roudebush
Roush
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
Satterfield
Schadeberg
Scheuer
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steiger, Wis.
Sullivan
Talcott
Taylor
Thompson, Ga.
Thomson, Wis.
Tiernan
Tuck
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Whalen
Whalley
White
Whitener
Widnall
Williams, Pa.
Wilson, Bob
Wolff
Wyatt
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—11

Buchanan
Burke, Fla.
Gross
Hansen, Idaho
McClure
Miller, Ohio
Scherle
Schneebeli
Steiger, Ariz.
Teague, Calif.
Winn

ANSWERED "PRESENT"—2

Collier
Dickinson

NOT VOTING—117

Abernethy
Adair
Adams
Addabbo
Annunzio
Barrett
Blackburn
Boggs
Bolling
Bow
Brademas
Brasco
Brock
Broomfield
Brown, Ohio
Button
Byrne, Pa.
Clark
Conable
Corman
Cowger
Cramer
Curtis
Daniels
de la Garza
Delaney
Dent
Derwinski
Diggs
Dow
Downing
Dulski
Dwyer
Eckhardt
Edwards, La.
Eilberg
Everett
Fascell
Fino
Flood
Ford, Gerald R.
Gallagher
Gardner
Giaimo
Gray
Green, Oreg.
Green, Pa.
Grover
Gubser
Hagan
Halleck
Hansen, Wash.
Hardy
Hays
Hébert
Herlong
Horton
Hosmer
Howard
Jacobs
Jones, Mo.
Kelly
King, N.Y.
Kluczynski
Landrum
Long, La.
McCarthy
Madden
Mathias, Md.
Michel
Miller, Calif.
Minish
Minshall
Monagan
Morgan
Mosher
Multer
Nelsen
Nix
O'Neill, Mass.
Pelly
Pepper
Pettis
Pool
Quillen
Resnick
Rhodes, Ariz.
Rhodes, Pa.
Rogers, Fla.
Ronan
Rooney, Pa.
Rostenkowski
St. Onge
Sandman
Saylor
Smith, Calif.
Smith, N.Y.
Steed
Stephens
Stratton
Stubblefield
Stuckey
Taft
Teague, Tex.
Tenzer
Thompson, N.J.
Utt
Watkins
Watson
Watts
Whitten
Wiggins
Williams, Miss.
Willis
Wilson, Charles H.
Wright
Wydler

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Boggs with Mr. Gerald R. Ford.

Mr. O'Neill of Massachusetts with Mr. Rhodes of Arizona.

Mr. Rostenkowski with Mr. Halleck.

Mr. Whitten with Mr. Smith of California.

Mr. Willis with Mr. Adair.

Mr. Byrne of Pennsylvania with Mrs. Dwyer.

Mr. Delaney with Mr. Bow.

Mr. Morgan with Mr. Gubser.

Mr. Dulski with Mr. Horton.

Mr. Dent with Mr. Broomfield.

Mr. Gallagher with Mr. Grover.

Mr. Flood with Mr. Saylor.

Mr. Miller of California with Mr. Conable.

Mrs. Green of Oregon with Mr. Hosmer.

Mr. de la Garza with Mr. Cramer.

Mr. Kluczynski with Mr. Minshall.

Mr. Jacobs with Mr. Wydler.

Mr. Downing with Mr. Curtis.

Mr. Addabbo with Mr. King of New York.

Mr. Eckhardt with Mr. Quillen.
Mr. Fascell with Mr. Michel.
Mr. McCarthy with Mr. Sandman.
Mr. Giaimo with Mr. Wiggins.
Mr. Eilberg with Mr. Mathias of Maryland.
Mr. Edwards of Louisiana with Mr. Utt.
Mr. St. Onge with Mr. Mosher.
Mr. Gray with Mr. Fino.
Mr. Everett with Mr. Neisen.
Mr. Steed with Mr. Derwinski.
Mr. Teague of Texas with Mr. Pelly.
Mr. Stratton with Mr. Button.
Mr. Stephens with Mr. Watson.
Mr. Pepper with Mr. Brown of Ohio.
Mr. Daniels with Mr. Pettis.
Mr. Clark with Mr. Watkins.
Mr. Brademas with Mr. Taft.
Mr. Hagan with Mr. Brock.
Mr. Howard with Mr. Smith of New York.
Mr. Hardy with Mr. Blackburn.
Mr. Hébert with Mr. Cowger.
Mr. Herlong with Mr. Gardner.
Mr. Brasco with Mr. Nix.
Mrs. Kelly with Mr. Barrett.
Mr. Annunzio with Mr. Minish.
Mr. Diggs with Mr. Resnick.
Mr. Madden with Mr. Adams.
Mr. Abernethy with Mr. Pool.
Mr. Hays with Mr. Green of Pennsylvania.
Mr. Rogers of Florida with Mrs. Hansen of Washington.
Mr. Ronan with Mr. Multer.
Mr. Monagan with Mr. Landrum.
Mr. Rooney of Pennsylvania with Mr. Stuckey.
Mr. Stubblefield with Mr. Charles H. Wilson.
Mr. Wright with Mr. Thompson of New Jersey.
Mr. Long of Louisiana with Mr. Tenzer.
Mr. Watts with Mr. Corman.
Mr. Dow with Mr. Williams of Mississippi.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

EXTENDING THE DURATION OF COPYRIGHT PROTECTION IN CERTAIN CASES

Mr. KASTENMEIER. Mr. Speaker, I move to suspend the rules and pass the joint resolution (S.J. Res. 114) extending the duration of copyright protection in certain cases.

The Clerk read as follows:

S.J. RES. 114

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in any case in which the renewal term of copyright subsisting in any work on the date of approval of this resolution, or the term thereof as extended by Public Law 87–668, or by Public Law 89–142 (or by either or both of said laws), would expire prior to December 31, 1968, such term is hereby continued until December 31, 1968.

The SPEAKER pro tempore. Is a second demanded?

Mr. POFF. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Senate Joint Resolution 114, if adopted, would extend until December 31, 1968, the renewal terms of existing copyrights which have hertofore been extended to December 31, 1967, by act of the Congress, or which would otherwise expire during 1968.

Mr. Speaker, the object of the legislation is to prevent 11th-hour lapses of copyright protection, pending completion by the other body of its work on the general copyright revision bill. That bill passed this House in April of this year. It provides a longer term for new copyrights, substituting life plus 50 years for the present 28 plus 28-year term. It also adds 19 years to the terms of existing copyrights. In other words, the House has already passed a bill that would grant a longer extension to existing copyrights than is contemplated by the joint resolution.

Mr. Speaker, two earlier House-initiated measures were enacted at earlier stages of the revision project. The first was enacted in 1962 and extended expiring terms to December 31, 1965. The second was enacted in 1965 and provided an extension that will expire on December 31, 1967, at the end of this year. The Senate informs us that it cannot complete its work on the revision bill during the remaining days of the present session, but is likely to do so early next year.

Enactment of Senate Joint Resolution 114 is therefore needed if the purpose of the earlier extension measures is to be achieved.

Mr. Speaker, this measure passed the other body without dissenting voice on October 19. Committee action was similarly unanimous.

Public hearings were held on the measure before the Copyright Subcommittee, at the request of a Member who desired to be heard in opposition, but neither he nor any other opponent of the bill appeared.

Mr. Speaker, I urge favorable action on this joint resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. POFF. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I endorse wholeheartedly the remarks which have been made by the distinguished gentleman from Wisconsin [Mr. KASTENMEIER].

This legislation is absolutely necessary.

Mr. Speaker, the major revision of the copyright bill, the first in half a century, passed this House on April 11 by a vote of 379 to 29. We anticipated at that time that that bill would have been acted upon in the other body, that a conference committee would have been appointed, and that those conferees would have agreed, and the bill would have been laid on the President's desk before the end of this year.

Because of some unanticipated complexities and difficulties which arose, which made action in the other body a little tardy, it is necessary in order to preserve the equities to extend the renewal copyrights now outstanding until December 31, 1968. This involves altogether some 58,000 copyrights now in their renewal term.

I hasten to add, however, that this extension will not confer upon the holders of those copyrights any greater benefits than those which all other holders of copyrights at their renewal term will receive from the major revision which finally becomes law, and this we confidently expect to happen early in the next session of this Congress.

Mr. Speaker, I urge the unanimous consent of the Members on the legislation.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. KASTENMEIER. I yield such time as he may consume to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Speaker, this is highly appropriate and necessary legislation. Without it, 58,000 copyrights will fall into the public domain, solely because the Senate has not yet been able to complete its work on the copyright revision bill which this committee reported and which passed the House on April 11.

Among the copyrights that would thus be lost if this measure is not enacted before adjournment of the present session are such valuable old favorites as "Alexander's Ragtime Band," "Down by the Old Mill Stream," "I Wonder Who's Kissing Her Now," "Shine On Harvest Moon," "By the Light of the Silvery Moon," and "Take Me Out to the Ballgame."

As our colleague the gentleman from Wisconsin [Mr. KASTENMEIER] points out, the joint resolution would grant an additional 1-year interim renewal of the terms of copyrights which would otherwise expire during 1968. Its enactment will permit the Senate to complete its work on the House-passed revision bill during the coming second session of the present 90th Congress. It will be the third of such extensions that have been enacted in recent years in an effort to assure all copyright owners of the benefit of the increased term which is provided by the bill which passed the House and is pending in the Senate.

I urge all Members to support the measure.

Mr. KASTENMEIER. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Speaker, I thank my good friend from Wisconsin for yielding me this time. I want to express my high regard for the gentleman from Wisconsin and also for the distinguished chairman of the Committee on the Judiciary, and I hope they will not take unkindly what I say in opposition to this particular legislation.

I would like to begin perhaps by asking the distinguished gentleman from Wisconsin [Mr. KASTENMEIER] as to whether reports were solicited on this bill from the Department of Justice?

Mr. KASTENMEIER. No department reports were solicited other than from the Register of Copyrights. It was the opinion of the committee that the Department of Justice had had ample time to express itself on the general copyright revision, and may I suggest to the gentleman that their views expressed 5½ years ago have changed on this issue.

Mr. DINGELL. I would like to point out to my good friend from Wisconsin that in 1962 the Department of Justice expressed strong opposition to this particular kind of legislation, and pointed out that we are essentially conferring additional rights not contemplated by law, nor sanctioned by practice, and not required by any reasonable protection legitimate of interest of those persons who are the holders of copyrights.

I do not want to burden the body by telling how old many of these copyrights are, or how long they have been in effect, but the fact of the matter is this legislation is special interest legislation. It seeks to extend large numbers of existing copyrights often of hoary and ancient vintage, it would extend copyrights already several times extended, and would prevent realization of the intention of the framers of the original copyright act, that on expiration of the appropriate period that copyrights revert to the public domain. This legislation as a matter of public policy is very bad. This establishes a new copyright policy that is not in conformity with the requirements of the American people that knowledge and information should flow freely, and that those works of literary value and genius should be protected for a reasonable period of time because of the need to stimulate and to encourage the contribution of those who participate in the creative arts.

What is happening here is this Congress is being asked to extend something which would otherwise revert to the public domain. We are being asked, in this legislation before us, to sanctify something as the exclusive property of the copyright holder when, in fact, we should be permitting it to revert to the public domain.

There is no justification for this. The Department of Justice which has always expressed opposition to this kind of legislation was not asked to assert its views. Not a single department downtown has been solicited for its views.

This body passed legislation not long ago which is not going to see the light of day in the other body, and which I rather expect is going to die. But yet we are being called upon to extend copyrights for another year on the most tenuous grounds and on the basis of the most limited hearings which are not now available in printed form. We do not have available to us the information of either the views of the departments or the reasons why the committee is bringing this legislation before us today.

This is the sheerest kind of special interest legislation.

This legislation is not in the furtherance of the public interest and is not dedicated to protecting the rights of even the original holder of the copyright because most of them are long gone—but it is dedicated to their heirs and in many instances the grandsons, grandchildren, and perhaps the great grandchildren and/or their successors and/or assigns—maybe three or four or five generations down the line, affording them continued income from something to which they contributed nothing whatsoever.

This legislation should be voted down because it is not in the public interest and I believe there is no justification for it.

I thank my friend for permitting me this time to make my views plain on this legislation.

Mr. KASTENMEIER. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, the House has already spoken many times on the question that the gentleman from Michigan has raised. The House has decided that existing copyrights should be continued while the Congress was in process of general revision.

With reference to the copyright extensions about which the gentleman from Michigan complains, the House in April passed a bill wherein we said that the terms of such copyrights would be extended up to 19 more years.

So, Mr. Speaker, all we are doing here today is extending those copyrights for 1 additional year until the other body is able to act, and presumably at least in this case, to concur in the House action, approving general revision of the copyright law.

GENERAL LEAVE TO EXTEND REMARKS

Mr. POFF. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may extend their remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Without objection, it is so ordered.

There was no objection.

The **SPEAKER** pro tempore (Mr. HOLIFIELD). The question is on the motion of the gentleman from Wisconsin [Mr. KASTENMEIER] that the House suspend the rules and pass the Senate Joint Resolution 114.

The question was taken.

Mr. CLANCY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The **SPEAKER** pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 308, nays 6, not voting 117, as follows:

[Roll No. 366]

YEAS—308

Abbitt
Albert
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Baring
Battin
Belcher
Bell
Bennett
Berry
Betts
Bevill
Biester
Bingham
Blanton
Blatnik
Boland
Bow
Bray
Brinkley
Brooks
Brotzman
Brown, Calif.
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conte
Conyers
Corbett
Culver
Cunningham
Daddario
Davis, Ga.
Davis, Wis.
Dawson
Dellenback
Denney
Devine
Dickinson
Dole
Donohue
Dorn
Dowdy
Downing
Duncan
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Fisher
Flynt
Foley
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Garmatz
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Green, Oreg.
Griffiths
Gross
Gude
Gurney
Haley
Hall
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harrison
Harsha
Harvey
Hathaway
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Holifield
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karsten
Kastenmeier
Kazen
Kee
Keith
Kirwan
Kleppe
Kornegay
Kupferman
Kuykendall
Kyl
Kyros
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, Md.
Lukens
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Matsunaga
May
Mayne
Meeds
Meskill
Miller, Ohio
Mills
Mink
Minshall
Mize
Montgomery
Moore
Moorhead
Morse, Mass.
Morton
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nichols
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
Ottinger
Passman
Patman
Patten
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Pucinski
Quie
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Riegle
Rivers
Robison
Rodino
Rogers, Colo.
Rooney, N.Y.
Rosenthal
Roth
Roudebush
Roush
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
Satterfield
Schadeberg
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steiger, Ariz.
Steiger, Wis.
Stuckey
Sullivan
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Tiernan
Tuck
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Whalen
Whalley
White
Whitener
Widnall
Williams, Pa.
Wilson, Bob
Winn
Wolff
Wyatt
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—6

Dingell
Ford, William D.
Karth
Morris, N. Mex.
Nedzi
Roberts

NOT VOTING—117

Abernethy
Adair
Adams
Addabbo
Anderson, Ill.
Anderson, Tenn.
Annunzio
Barrett
Bates
Blackburn
Boggs
Bolling
Bolton
Brademas
Brasco
Brock
Broomfield
Brown, Ohio
Button
Byrne, Pa.
Clark
Conable
Corman
Cowger
Cramer
Curtis
Daniels
de la Garza
Delaney
Dent
Derwinski
Diggs
Dow
Dulski
Dwyer
Eckhardt
Eilberg
Everett
Fino
Flood
Ford, Gerald R.
Gallagher
Gardner
Giaimo
Gray
Green, Pa.
Grover
Gubser
Hagan
Halleck
Hardy
Hawkins
Hays
Hébert
Herlong
Holland
Horton
Hosmer
Howard
Jacobs
Jones, Mo.
Kelly
King, Calif.
King, N.Y.
Kluczynski
Landrum
Long, La.
McCarthy
Madden
Mathias, Md.
Michel
Miller, Calif.
Minish
Monagan
Morgan
Mosher
Multer
Nelsen
Nix
O'Neill, Mass.
Pelly
Pepper
Pettis
Pool
Purcell
Quillen
Resnick
Rhodes, Ariz.
Rhodes, Pa.
Rogers, Fla.
Ronan
Rooney, Pa.

Rostenkowski
St. Onge
Sandman
Saylor
Smith, Calif.
Smith, N.Y.
Steed
Stephens
Stratton
Stubblefield
Taft
Teague, Tex.
Tenzer
Thompson, N.J.
Utt
Watkins
Watson
Watts
Whitten
Wiggins
Williams, Miss.
Willis
Wilson, Charles H.
Wright
Wydler

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate joint resolution was passed.

The Clerk announced the following pairs:

Mr. Boggs with Mr. Gerald R. Ford.

Mr. Hébert with Mr. Rhodes of Arizona.

Mr. King of California with Mr. Smith of California.

Mrs. Kelly with Mr. Bates.

Mr. Flood with Mrs. Dwyer.

Mr. Delaney with Mr. Fino.

Mr. O'Neill of Massachusetts with Mr. Halleck.

Mr. Rooney of Pennsylvania with Mr. Wiggins.

Mr. Morgan with Mr. Adair.

Mr. McCarthy with Mr. Taft.

Mr. Minish with Mr. Derwinski.

Mr. Monagan with Mr. Wydler.

Mr. Daniels with Mr. Gubser.

Mr. Corman with Mr. Anderson of Illinois.

Mr. Hagan with Mr. Utt.

Mr. Clark with Mr. Hosmer.

Mr. Byrne of Pennsylvania with Mrs. Bolton.

Mr. St Germain with Mr. Conable.

Mr. Hardy with Mr. Watkins.

Mr. Rogers of Florida with Mr. Curtis.

Mr. Rostenkowski with Mr. Broomfield.

Mr. Steed with Mr. Cramer.

Mr. Stephens with Mr. Watson.

Mr. St. Onge with Mr. Grover.

Mr. Stratton with Mr. Pelly.

Mr. Stubblefield with Mr. Brock.

Mr. Herlong with Mr. Saylor.

Mr. Dulski with Mr. Pettis.

Mr. de la Garza with Mr. Brown of Ohio.

Mr. Brademas with Mr. Mosher.

Mr. Anderson of Tennesseee with Mr. Quillen.

Mr. Adams with Mr. Nelsen.

Mr. Addabbo with Mr. Button.

Mr. Annunzio with Mr. Mathias of Maryland.

Mr. Abernethy with Mr. Blackburn.

Mr. Pepper with Mr. Michel.

Mr. Kluczynski with Mr. Cowger.

Mr. Barrett with Mr. Horton.

Mr. Madden with Mr. King of New York.

Mr. Brasco with Mr. Gardner.

Mr. Jacobs with Mr. Sandman.

Mr. Pepper with Mr. Smith of New York.

Mr. Nix with Mr. Thompson of New Jersey.

Mr. Teague of Texas with Mr. Long of Louisiana.

Mr. Miller of California with Mr. Multer.

Mr. Resnick with Mr. Diggs.

Mr. Landrum with Mr. Dent.

Mr. Hawkins with Mr. Dow.

Mr. Eckhardt with Mr. Gallagher.

Mr. Howard with Mr. Green of Pennsylvania.

Mr. Eilberg with Mr. Hays.

Mr. Giaimo with Mr. Pool.

Mr. Purcell with Mr. Everett.

Mr. Rhodes of Pennsylvania with Mr. Watts.

Mr. Whitten with Mr. Ronan.

Mr. Tenzer with Mr. Charles H. Wilson.

Mr. Willis with Mr. Wright.

Mr. Gray with Mr. Holland.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

TRANSPORTATION OF HOUSE TRAILERS AND MOBILE DWELLINGS OF MEMBERS OF UNIFORMED SERVICES

Mr. PRICE of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3982) to amend section 409 of title 37, United States Code, relating to the transportation of house trailers and mobile dwellings of members of the uniformed services, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the text of section 409 of title 37, United States Code, is amended to read as follows:

"(a) Under regulations prescribed by the Secretaries concerned and in place of the transportation of baggage and household effects, a member, or in the case of his death his dependent, who would otherwise be entitled to transportation of baggage and household effects under section 406 of this title may transport a house trailer or mobile dwelling within the continental United States, within Alaska, or between the continental United States and Alaska, for use as a residence by one of the following means—

"(1) transport the trailer or dwelling and receive a monetary allowance in place of transportation at a rate to be prescribed by the Secretaries concerned, but not more than 20 cents a mile;

"(2) deliver the trailer or dwelling to an agent of the United States for transportation by the United States or by commercial means; or

"(3) transport the trailer or dwelling by commercial means and be reimbursed by the United States for the expense, including the expenses of necessary tolls, charges, and permit fees.

However, the cost of transportation under clause (2) or the reimbursement under clause (3) may not be more than the cost of transporting the maximum weight allowance of baggage and household effects prescribed by the Secretaries concerned for the member or his dependent. Any payment authorized by this section may be made in advance of the transportation concerned. For the purposes of this section, 'continental United States' means the forty-eight contiguous States and the District of Columbia.

"(b) Under regulations prescribed by the Secretaries concerned, a member who is ordered to make a change of permanent station from a place inside, to a place outside, or from a place outside, to a place inside, the continental United States or Alaska is entitled to both the transportation of his house trailer or mobile dwelling and the transportation of his baggage and household effects within the continental United States or Alaska. However, the total cost of moving his baggage and household effects and his house trailer or mobile dwelling within the continental United States or Alaska may not be more than the cost of transporting the maximum weight allowance of baggage and household effects authorized for the member or his dependent from—

"(1) the old duty station in the continental United States or Alaska to the location to which the housetrailer or mobile dwelling is transported at the expense of the United States thence to the port of embarkation through which household goods would have been transported from the old duty station; or

"(2) the greater distance of either—

"(A) the port of debarkation to the new duty station in the continental United States or Alaska; or

"(B) the location where the housetrailer or mobile dwelling was transported at the expense of the United States to the new duty station in the continental United States or Alaska."

The SPEAKER. Is a second demanded?

Mr. HALL. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the purpose of this bill is to provide a fair cost to servicemen in the shipment of both their trailers and household effects when a member is transferred to another duty station.

Mr. Speaker, an analysis of a sample payment, paid by the U.S. Army Finance Center, indicates that 94 percent of the members of the Armed Forces shipping trailers must pay excess cost averaging $126.71 per shipment, over and above what they might receive in reimbursement from the Government.

The Committee on Armed Services believes that the proposed legislation will eliminate most of these excess costs now borne by the members of the uniformed services and will extend to them the same privileges as those received by civilian employees of the executive branch of the Government.

The amended bill removes the present limitation of 51 cents a mile payable for transporting trailers when the Government makes arrangements by commercial means. It permits the payment of a dislocation allowance when a trailer is moved at Government expense.

It limits the allowable cost to what it would cost the Government to move the maximum weight allowance of household goods and baggage.

In other words, it would be under no circumstances more than the cost allowed a serviceman to move his household goods on a change of assignment.

The bill permits a member of the armed services to ship both a trailer and household goods and baggage when the member is ordered overseas or returns from overseas, and allows the member to be reimbursed for tolls, charges, and permit fees when the Government does not arrange for transportation by commercial means and the member makes his own personal arrangements.

Mr. Speaker, this bill was approved by the House last year, but was not acted upon by the other body.

Mr. PUCINSKI. Mr. Speaker, would the gentleman yield?

Mr. PRICE of Illinois. Yes, I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, I wonder if the gentleman will be good enough to explain to me what is the general policy of moving trailers when a soldier is not being shipped overseas, but may be transferred from one State to another?

Mr. PRICE of Illinois. He is allowed up to 51 cents a mile for transportation.

Mr. PUCINSKI. In other words, we do help defray the cost of moving that trailer from one State to another State now, within the continental United States?

Mr. PRICE of Illinois. That is correct.

Mr. COLLIER. Mr. Speaker, will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman from Illinois.

Mr. COLLIER. Mr. Speaker, I would ask the gentleman if there was any testimony presented before the committee providing figures for comparison between moving costs in mobile units and regular moving expenses?

Mr. PRICE of Illinois. Yes; there was considerable testimony presented, and considered by the committee, and I have a chart. At this time I would like to ask unanimous consent to include it in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The material referred to follows:

COST OF TRANSPORTING HOUSE TRAILERS BETWEEN 12 TYPICAL PAIRS OF POINTS IN THE CONTINENTAL UNITED STATES

Route	Mileage	Width not to exceed 10 feet 6 inches						Width not to exceed 12 feet 6 inches					
		Length						Length					
		35 to 50 feet		50 to 55 feet		55 to 60 feet		35 to 50 feet		50 to 55 feet		55 to 60 feet	
		Rate	Total	Rate	Total	Rate	Total	Rate	Total	Rate	Total	Rate	Total
1. Quantico, Va., to Camp Lejeune, N.C.	341	0.61	208.01	0.68	231.88	0.77	262.57	1.07	364.87	1.14	388.74	1.21	412.61
2. Newport, R.I., to Seattle, Wash.	3,044	.57	1,735.08	.64	1,948.16	.73	2,222.12	1.03	3,135.32	1.11	3,378.84	1.18	3,591.92
3. Pendleton, Calif., to Washington, D.C.	2,638	.57	1,503.66	.65	1,714.70	.74	1,952.12	1.03	2,717.14	1.11	2,928.18	1.18	3,112.84
4. Great Lakes, Ill., to Jacksonville, Fla.	1,006	.56	563.36	.64	643.84	.73	734.38	1.02	1,026.12	1.10	1,106.60	1.15	1,156.90
5. Westover AFB, Mass., to McClellan AFB, Calif.	2,970	.57	1,692.90	.65	1,930.50	.74	2,197.80	1.03	3,059.10	1.11	3,296.70	1.18	3,504.60
6. Fort Lawton, Wash., to Fort McPherson, Ga.	2,667	.56	1,493.52	.64	1,706.88	.72	1,920.24	1.03	2,747.01	1.11	2,960.37	1.15	3,067.05
7. Fort Leavenworth, Kans., to San Francisco, Calif.	1,834	.57	1,045.38	.65	1,192.10	.74	1,357.16	1.03	1,889.02	1.11	2,035.74	1.18	2,164.12
8. Fort Bragg, N.C., to Fort Knox, Ky.	602	.57	343.14	.65	391.30	.74	445.48	1.03	620.06	1.11	668.22	1.18	710.36
9. Presidio, Calif., to Washington, D.C.	2,839	.57	1,618.23	.65	1,845.35	.74	2,100.86	1.03	2,924.17	1.11	3,151.29	1.18	3,350.02
10. Wright-Patterson AFB, Ohio, to Ent AFB, Colo.	1,181	.56	661.36	.64	755.84	.73	862.13	1.02	1,204.62	1.10	1,299.10	1.15	1,358.15
11. Carswell AFB, Tex., to Davis-Monthan AFB, Ariz.	890	.56	498.40	.64	569.60	.73	649.70	1.02	907.80	1.10	979.00	1.15	1,023.50
12. Annapolis, Md., to Macon, Ga.	754	.58	437.32	.65	420.10	.73	550.42	1.03	776.62	1.10	829.40	1.16	874.64
Average	1,730	.57	283.00	.65	1,118.00	.74	1,250.00	1.03	1,781.00	1.11	1,919.00	1.17	2,027.00

Note: Rates include line-haul, bridge tolls, road tolls and taxes, turnpike tolls, ferry and tunnel charges, flagging charges (for trailers under 10 feet 6 inches), permits, special hazard liability coverage. Trailers exceeding 10 feet 6 inches, rates also include flagman, and vehicle at 25 cents per mile.

Source: Military Traffic Management and Terminal Service Rate and Cost Analysis, dated Aug. 18, 1967.

Mr. PRICE of Illinois. This table shows the average cost of shipping trailers of certain lengths, and trailers of different widths, and from the testimony received it indicates that the costs were considerably in excess of the allowable figure of 51 cents per mile.

Mr. COLLIER. Would the gentleman say, from the figures that he has, that it would be less expensive to move a man from one duty station to another from stationary housing facilities than in the moving of a mobile unit?

Mr. PRICE of Illinois. I will say to the gentleman that right now, as far as the Federal regulations, it is less expensive to the Government, in moving owners of mobile homes because of our not providing adequate reimbursement to the serviceman for the cost to him. But in no case have we allowed him funds to provide for the movement of household articles in the trailer which are in excess of what it is now for any other serviceman by any other form of transportation.

Mr. COLLIER. Mr. Speaker, will the gentleman yield further?

Mr. PRICE of Illinois. I yield to the gentleman.

Mr. COLLIER. Mr. Speaker, the situation that prompted my question is the attitude of the Deputy Assistant Secretary of Defense toward the approval of mobile housing for the military.

The SPEAKER. The time of the gentleman has expired.

Mr. PRICE of Illinois. I yield myself 2 additional minutes.

Mr. COLLIER. Perhaps if Mr. Reed had a less arbitrary attitude toward mobile housing it would be less costly and would recognize the wishes of thousands of men in the service whose preferences are ignored by the Department of Defense.

Mr. PRICE of Illinois. I would say that the attitude of the Department of Defense has changed quite a bit in the last few years in regard to this, and there is authority by which the service provides trailer court areas for the installation of mobile homes.

Mr. COLLIER. I thank the gentleman for yielding.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman from Ohio.

Mr. VANIK. Mr. Speaker, I would like to ask the gentleman from Illinois whether this bill will provide trailer transportation for other than the mobile units that are used for the residences of uniformed servicemen? In other words, would this bill cover the cost of transporting a trailer that is used for vacation purposes, or for hunting purposes, or for some purpose other than that of a residence of a member of the armed services?

Mr. PRICE of Illinois. No, it would not and the language of the bill specifically refers to house trailers and mobile dwellings. That is specific in the bill.

Mr. VANIK. We can be assured that this will only apply to mobile dwellings used as places of residence by servicemen?

Mr. PRICE of Illinois. That is the language as contained in the bill. In any case, there could only be one allowance, so if he received an allowance by some subterfuge, he would not have it for the movement of his household goods. I think this would preclude moving a hunting or fishing trailer.

Mr. VANIK. I thank the gentleman.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman.

Mr. PUCINSKI. Would the gentleman agree that there could be a substantial saving to the Government in moving these trailers and savings to the people who have been using mobile homes if the States would take another look at their prohibitions against moving trailers at night. Many, many States under our Federal highway system have a sun-up to sun-down rule and it does take longer to move these trailers because they cannot move during the night.

It would seem to me that with the trailers being properly illuminated so that they can be identified and together with other safety factors so they could be identified particularly at night, it does not make sense any more to have a prohibition of that kind.

Mr. PRICE of Illinois. That is not one of the things that the committee has jurisdiction over and we did not go into it.

Mr. PUCINSKI. Since we are going to pay for this, I think we should. I think it is a good bill and I intend to vote for it. We might ask the States to consider taking another look at this prohibition against movement of these trailers during the night hours because those rules have a direct bearing on the cost of moving these trailers.

Mr. PRICE of Illinois. I understand the gentleman's point.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a letter which has been received by the chairman of the Committee on Armed Services on this particular subject from a serviceman who is familiar with the situation to which we are addressing ourselves here this afternoon.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, the letter to which I referred is as follows:

NOVEMBER 1, 1967.

DEAR SIR: As a serviceman who owns a house trailer I feel that something should be done to help us.

As things are now, personnel who do not have a trailer gets their household goods shipped free according to their rank but servicemen like myself suffer.

Most companies charge $.90 per mile and

the government only pays $.51 per mile, this leaves $.49 out of my own pocket per mile plus if a lead car is required that is an additional $.25 per mile.

I made a move in July from North Carolina to here at Fort Leavenworth, Kansas and I will have to pay approximately $850.00 out of my own pocket and with a wife and two children is quite a bit even if it is spread over 6 months time.

A serviceman without a trailer making the same move, gets his household goods shipped free, he also receives a dislocation allowance and travel pay, I only received travel pay which did not cover expenses.

A serviceman who buys a housetrailer is making an investment in something he can call his own and when he retires, he has this investment to use when he finally decides to buy a home and live normally.

Servicemen who have housetrailers need help and they need help as soon as possible.

I feel sure that you and the other distinguished gentlemen of the Armed Services Committee could bring about a great deal of help for us.

Normally, I don't write to Congressmen but I think by my speaking out a bit that some good may come of it and I feel sure that if all servicemen who own trailers would say the same thing.

Thank you for taking time to listen to a serviceman.

SFC. JOHN A. TROUTMAN.

ATCHISON, KANS.

Mr. HALL. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I too rise in support of the bill, H.R. 3982, as amended.

As my distinguished committee chairman, the gentleman from Illinois [Mr. PRICE] has stated, the bill as amended, was unanimously reported by the subcommittee and by the full Committee on Armed Services.

This is the third time that this or similar legislation has been reported to the House. In the 88th Congress the House passed similar legislation, only to have the other body of the Congress amend the bill by placing the 51-cent-a-mile limitation on the transportation of trailers by commercial means.

This amount was not and is not sufficient to cover the actual cost of moving a large family-size mobile home. Recognizing this, the House last year in the 89th Congress, again approved legislation removing the limitation of 51 cents a mile—but limiting the allowable costs to what it would cost the Government to move the maximum weight allowance for household goods and baggage. The other body again took no action.

It seems to me only fair to the serviceman owning a mobile home, often at the suggestion of the Government where there is inadequate local family housing, that he should be entitled to a similar cost benefit as one owning or renting a house. It certainly seems to me there should be available to him the same rates for moving his own home as provided for civilian employees of the Government. This bill attempts to provide that equity.

The gentleman from Illinois [Mr. PRICE] has explained thoroughly the provisions of the amended bill. Therefore, I will not bore the Members with repetition. I know of no opposition to the proposed legislation and I, too, ask for its unanimous approval by the House.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the distinguished member of the Committee on Armed Services, the gentleman from Vermont [Mr. STAFFORD].

Mr. STAFFORD. Mr. Speaker, I also rise in support of this bill and I would like to be associated with the remarks just made by the distinguished gentleman from Missouri.

Mr. HALL. I thank the gentleman for his contribution.

Mr. Speaker, I have no further requests for time.

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, for quite some time our servicemen who own mobile homes have been required to bear a most inequitable burden whenever they are reassigned. The bill before us today will eliminate this inequity and I urge my colleagues to join me in supporting it.

This problem was first brought to my attention when several of my constituents wrote to me about their difficulties under the present law. Following are excerpts from one of these letters which I think fully explains the hardships placed on servicemen who own mobile homes when they are reassigned:

> As it stands now, the government pays 51¢ per mile, the military man pays the rest. Our mobile home was moved from North Rose, New York to Quantico, in July, at a cost of 62¢ per mile. The remaining 11¢ came out of our pocket. Our home is really small, we couldn't afford to move a larger one at the rates the haulers charge.
>
> If we lived in permanent housing, on or off the base, and got transferred, the movers would come in, pack everything up and load the van. The service family, besides this, gets $105 dislocation pay. We trailer owners get nothing.
>
> Thank you for reading this, maybe you can understand why the bill is so important to us.

As this letter indicates, under present law a serviceman who owns a mobile home is denied the dislocation allowance to which other servicemen are entitled. Further, when such a serviceman is transferred overseas he must elect to be reimbursed either for having his household goods transported to the point of debarkation or his mobile home transported to this point: the Government cannot repay him for both expenses.

Under this bill servicemen owning mobile homes would be entitled to dislocation allowances. When such servicemen are sent overseas they would also be entitled to recover the expenses they incur both in moving their household effects to the point of debarkation and their mobile home to a storage location within the United States. However, in no case would they be entitled to reimbursement which would exceed the maximum possible allowance for moving baggage and household effects alone. Thus they are not now being given preferred treatment but rather are being given the same treatment to which all other servicemen are entitled.

The SPEAKER. The question is on the motion of the gentleman from Illinois [Mr. PRICE] that the House suspend the rules and pass the bill H.R. 3982, as amended.

The question was taken.

Mr. SCHERLE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 319, nays 0, not voting 113, as follows:

[Roll No. 367]

YEAS—319

Abbitt
Albert
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Baring
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bevill
Biester
Bingham
Blanton
Blatnik
Boland
Bolton
Bow
Bray
Brinkley
Brooks
Brotzman
Brown, Calif.
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conte
Conyers
Corbett
Culver
Cunningham
Daddario
Davis, Ga.
Davis, Wis.
Dawson
Dellenback
Denney
Devine
Dickinson
Dingell
Dole
Donohue
Dorn
Dowdy
Downing
Duncan
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Erlenborn
Esch
Eshleman
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Findley
Fisher
Flynt
Foley
Ford, William D.
Fountain
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Garmatz
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Green, Oreg.
Griffiths
Gross
Gude
Gurney
Haley
Hall
Halpern
Hamilton
Hammerschmidt
Hanna
Hansen, Idaho
Hansen, Wash.
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Holifield
Holland
Hosmer
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
King, Calif.
Kirwan
Kleppe
Kornegay
Kupferman
Kuykendall
Kyl
Kyros
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, Md.
Lukens
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Matsunaga
May
Mayne
Meeds
Meskill
Miller, Ohio
Mills
Mink
Minshall
Mize
Montgomery
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Morton
Moss
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Nichols
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
Ottinger
Passman
Patman
Patten
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reifel

Reinecke
Reuss
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rooney, N.Y.
Rosenthal
Roth
Roudebush
Roush
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
Satterfield
Schadeberg
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steiger, Ariz.
Steiger, Wis.
Stuckey
Sullivan
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Tiernan
Tuck
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Whalen
Whalley
White
Whitener
Widnall
Williams, Pa.
Wilson, Bob
Winn
Wolff
Wyatt
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—0

NOT VOTING—113

Abernethy
Adair
Adams
Addabbo
Anderson, Tenn.
Annunzio
Barrett
Blackburn
Boggs
Bolling
Brademas
Brasco
Brock
Broomfield
Brown, Ohio
Button
Byrne, Pa.
Celler
Clark
Conable
Corman
Cowger
Cramer
Curtis
Daniels
de la Garza
Delaney
Dent
Derwinski
Diggs
Dow
Dulski
Dwyer
Eckhardt
Eilberg
Everett
Evins, Tenn.
Fino
Flood
Ford, Gerald R.
Fraser
Gallagher
Gardner
Giaimo
Gray
Green, Pa.
Grover
Gubser
Hagan
Halleck
Hanley
Hardy
Hays
Hébert
Herlong
Horton
Howard
Jacobs
Jones, Mo.
Kelly
King, N.Y.
Kluczynski
Landrum
Long, La.
McCarthy
Madden
Mathias, Md.
Michel
Miller, Calif.
Minish
Monagan
Morgan
Mosher
Multer
Murphy, N.Y.
Nix
O'Neill, Mass.
Pelly
Pepper
Pettis
Pool
Quillen
Resnick
Rhodes, Ariz.
Rhodes, Pa.
Rogers, Fla.
Ronan
Rooney, Pa.
Rostenkowski
St. Onge
Sandman
Saylor
Smith, Calif.
Smith, N.Y.
Steed
Stephens
Stratton
Stubblefield
Taft
Teague, Tex.
Tenzer
Thompson, N.J.
Utt
Watkins
Watson
Watts
Whitten
Wiggins
Williams, Miss.
Willis
Wilson, Charles H.
Wright
Wydler

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Boggs with Mr. Gerald R. Ford.

Mr. Flood with Mr. Rhodes of Arizona.

Mr. Barrett with Mr. Adair.

Mr. Celler with Mr. Horton.

Mr. Hanley with Mr. Mathias of Maryland.

Mr. Rooney of Pennsylvania with Mr. Pettis.

Mr. Stephens with Mr. Cramer.

Mr. Herlong with Mr. Halleck.

Mr. Brademas with Mr. Pelly.

Mr. Long of Louisiana with Mr. Curtis.

Mr. O'Neill of Massachusetts with Mrs. Dwyer.

Mr. Murphy of New York with Mr. Broomfield.

Mr. Delaney with Mr. Saylor.

Mr. Multer with Mr. Fino.

Mr. Fraser with Mr. Brock.

Mr. Byrne of Pennsylvania with Mr. Grover.

Mr. Anderson of Tennessee with Mr. Michel.

Mr. Corman with Mr. Gubser.

Mr. Annunzio with Mr. King of New York.

Mr. Clark with Mr. Sandman.

Mr. Gray with Mr. Quillen.

Mr. Adams with Mr. Mosher.

Mr. Rogers of Florida with Mr. Smith of California.

Mr. Hagan with Mr. Utt.

Mr. Addabbo with Mr. Watkins.

Mr. Daniels with Mr. Button.

Mr. Dent with Mr. Conable.

Mr. Abernethy with Mr. Watson.

Mr. Evins of Tennessee with Mr. Brown of Ohio.

Mr. Hays with Mr. Cowger.

Mr. Hardy with Mr. Gardner.

Mr. Dulski with Mr. Conable.

Mr. Eilberg with Mr. Smith of New York.

Mr. Everett with Mr. Taft.

Mr. Brasco with Mr. Wiggins.

Mr. Giaimo with Mr. Wydler.

Mr. Pepper with Mr. Blackburn.

Mr. Kluczynski with Mr. Derwinski.

Mrs. Kelly with Mr. Wydler.

Mr. Pool with Mr. Green of Pennsylvania.

Mr. Eckhardt with Mr. Madden.

Mr. Diggs with Mr. Dow.

Mr. Nix with Mr. Resnick.

Mr. Hébert with Mr. Whitten.

Mr. Morgan with Mr. de la Garza.

Mr. Teague of Texas with Mr. Landrum.

Mr. Gallagher with Mr. McCarthy.

Mr. Howard with Mr. Jacobs.

Mr. Charles H. Wilson with Mr. Minish.

Mr. Miller of California with Mr. Rhodes of Pennsylvania.

Mr. Monagan with Mr. Wright.

Mr. Watts with Mr. Stubblefield.

Mr. Ronan with Mr. St. Onge.

Mr. Steed with Mr. Tenzer.

Mr. Rostenkowski with Mr. Thompson of New Jersey.

Mr. Willis with Mr. Stratton.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

AMENDING SECTION 2734 OF TITLE 10, UNITED STATES CODE

Mr. ASHMORE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 13669) to amend section 2734 of title 10 of the United States Code to permit the use of officers of any of the services on claims commissions, and for other purposes; to amend section 2734a of title 10 to authorize the use of Coast Guard appropriations for certain claims settlements arising out of Coast Guard activities; and to amend section 2736 of title 10 to authorize advance payments in cases covered by sections 2733 and 2734 of title 10 and section 715 of title 32 involving military claims.

The Clerk read as follows:

H.R. 13669

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first sentence of section 2734 of title 10, United States Code, is amended by striking the words "appoint one or more claims commissions, each composed of one or more commissioned officers of the armed forces under his jurisdiction," and by inserting in lieu thereof the words "appoint one or more claims commissions, each composed of one or more commissioned officers of the armed forces,".

(b) Subsection (a) of section 2734 of title 10, United States Code, is amended by adding at the end thereof the following sentence: "An officer may serve on a claims commission under the jurisdiction of another armed force only with the consent of the Secretary of his department, or his designee, but shall perform his duties under regulations of the department appointing the commission."

SEC. 2. Subsection (a) of section 2736 of title 10, is amended by striking the words "as the result of an accident involving an aircraft or missile under the control of that department" and inserting in lieu thereof "under circumstances"; and the caption of section 2736 is amended to read as follows:

"§ 2736. Property loss; personal injury or death: advance payment."

and the chapter analysis of chapter 163 of title 10 of the United States Code is amended by striking

"2736. Property loss; personal injury or death: incident to aircraft or missile operation."

and inserting

"2736. Property loss; personal injury or death: advance payment."

SEC. 3. Section 2734(b)(3) of title 10, United States Code, is amended to read as follows:

"(3) it did not arise from action by an enemy or result directly or indirectly from an act of the armed forces of the United States in combat, except that a claim may be allowed if it arises from an accident or malfunction incident to the operation of an aircraft of the armed forces of the United States, including its airborne ordnance, indirectly related to combat, and occurring while preparing for, going to, or returning from a combat mission."

SEC. 4. (a) Subsection (c) of section 2734a of title 10, United States Code, is amended to read as follows:

"(c) A reimbursement or payment under this section shall be made by the Secretary of Defense out of appropriations for that purpose except that payment of claims against the Coast Guard arising while it is operating as a service of the Department of Transportation shall be made out of the appropriations for the operating expenses of the Coast Guard. The appropriations referred to in this subsection may be used to buy foreign currencies required for the reimbursement or payment."

(b) Section 2734a of title 10, United States Code, is amended by the addition of the following subsection:

"(d) Upon the request of the Secretary of Transportation or his designee, any payments made relating to claims arising from the activities of the Coast Guard and covered by subsection (a) may be reimbursed or paid to the foreign country concerned by the authorized representative of the Department of Defense out of the appropriation for claims of the Department of Defense, subject to reimbursement from the Department of Transportation."

The SPEAKER. Is a second demanded?

Mr. MESKILL. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. ASHMORE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 13669 amends three sections of chapter 163, "Military Claims," of title 10, United States Code, and has the purpose of improving claims administration and settlement under those sections.

Section 2734 of title 10 is amended to provide that a military claims commission of one armed force may include officers of another branch of the Armed Forces. That section is further amended to provide that the Secretary concerned may allow a claim arising from an accident incident to the operation of a U.S.

aircraft indirectly relating to combat when the accident occurred while preparing for, going to, or returning from a combat mission.

Section 2734a of title 10 is amended to authorize the use of Coast Guard funds to reimburse or pay a foreign country under the claims settlement provision of an international agreement when the Coast Guard is a service in the Department of Transportation. That section is further amended to provide for implementation of the single service administration of claims in foreign countries by providing that the Secretary of Defense or his representative, at the request of the Secretary of Transportation, may make payments of claims relating to Coast Guard activities subject to reimbursement from the Department of Transportation.

Section 2736 of title 10 is amended by deleting the present restriction relating to aircraft and missiles of the section concerning advance payment where claims are cognizable under sections 2733 and 2734 of title 10 and section 715 of title 32, so as to make the provisions of the section applicable generally to cases where claims are allowable under those sections.

H.R. 13669 was introduced to provide for amendments to sections 2734 and 2734a of title 10 which concern foreign claims arising from activities of the U.S. Armed Forces. Section 2734, which is known as the Foreign Claims Act, presently provides for the settlement of claims by inhabitants of foreign countries resulting from activities of the Armed Forces. Subsection (a) of that act provides for the appointment of claims commissions composed of one or more commissioned officers by the Secretary concerned. Since the language presently provides that the commissioned officers appointed must be "under his jurisdiction," it has been impossible for a Secretary, or his designee, to appoint a commissioned officer of another armed force to a claims commission even though the nature of claims being considered by the commission might justify the use of a commissioned officer of that particular service. It is logical that the section be amended to permit such appointment. The bill provides for two amendments which will accomplish this purpose. The first is to delete the words requiring that the Secretary appoint only commissioned officers "under his jurisdiction" so that he can appoint officers of other Armed Forces. The second amendment is to add a new sentence to subsection (a) to provide that such an appointment requires the consent of the Secretary with jurisdiction over the officer, and it is further made clear that once appointed, the officer of the other service shall perform his duties under the regulations of the department appointing the commission. The opening sentence of section 2734 states that its provisions are intended "to promote and maintain foreign relations through the prompt settlement of meritorious claims." It was obvious that the unavoidable delay in payment of claims which, of course, must await full adjudication, could in some cases all but eliminate the desired effect of promoting friendly relations with the nationals and countries affected. It was thought that a provision for a limited advance payment would counter such adverse effects. In its report on an earlier bill, the Department of the Air Force pointed out that section 2736 of title 10 presently provides emergency payments not in excess of $1,000 in cases of aircraft and missile accidents.

Section 2736 provides for the advance payment in cases where a claim would be cognizable under section 2733—"Military Claims"—and section 2734—"Foreign Claims"—of title 10, and also under section 715 of title 32, which is a section patterned after the "Military Claims" section of title 10 and concerns claims arising out of National Guard activity. The Air Force recommended that the present provision now limiting emergency payments to aircraft and missile accidents be made applicable to all claims provided for in those three sections. In this connection, the Air Force pointed out that claims may arise from explosions, motor vehicle accidents, and other accidental causes which also produce an urgent need for financial assistance on the part of the injured person.

A payment as provided for in section 2736, that is, up to $1,000, would provide authority to make meaningful advance payments in emergencies in order to alleviate hardship.

Section 2734 presently bars any claim resulting "directly or indirectly" from an act of the Armed Forces of the United States in combat. The amendment to this section is intended to meet the problem concerning possible claims arising from aircraft operations where the accident might be far removed from a combat area and still technically be "indirectly" related to combat. The Air Force, in behalf of the Department of Defense, has stated that certain circumstances exist which now justify a limited exception and suggested the necessary language to accomplish this purpose. This is the language contained in section 3 of H.R. 13669. The exception is to provide that claims may be allowed if they arise from an accident or malfunction incident to an operation of an aircraft of the Armed Forces of the United States, including its airborne ordnance indirectly related to combat occurring while preparing for, going to, or returning from a combat mission. The unique mobility of aircraft is such that the preparation for a combat mission usually occurs at great distances from the target area.

As a result, such a mission may involve the overflight of large areas of friendly countries in going to and returning from the target. Damage, loss, injury, or death to persons in such countries has resulted from accidents or malfunctions of aircraft or air ordnance in preparing for, going to, or returning from a combat mission. For example, an aircraft under such circumstances may crash or it may accidentally release bombs or there may be a premature firing of rockets. The Air Force states that it believes that clear statutory authority to pay such indirect combat claims is presently desirable. The committee agrees that this discretionary authority should be made available to the military. The committee further notes that this amendment can be made without otherwise deviating from existing claims concepts and the traditional law relating to claims arising as the result of combat activity.

Section 4 of the bill concerning section 2734a relates to claims settled pursuant to international agreements of the NATO Status of Forces type. Section 4 of H.R. 13669 authorizes the use of Coast Guard funds for the reimbursement or payment of claims involving the Coast Guard when it is operating as a service in the Department of Transportation. There is now no authority for the payment of claims by the Department of Defense arising under international agreements which involve the Coast Guard. Section 2734 now authorizes only the Secretary of Defense to make reimbursements or payment even though the Coast Guard is an "armed force" and covered under international agreements.

As a result, since the Coast Guard operates in some foreign countries as a service in the Department of Transportation and claims caused by its personnel have been settled by foreign governments in accordance with those agreements, funding problems have been encountered in paying the bills relating to the Coast Guard which have been submitted to the military departments representing the Department of Defense. The language contained in subsection (a) of section 4 provides the necessary authority for the payment of such claims. Subsection (b) of section 4 contains language recommended by the Department of Defense which provides for a cross-servicing provision which is similar to that presently contained in section 2734(f) of title 10. The effect of this language recommended by the Air Force is to expand the single service responsibility which may be exercised by one of the military departments in all foreign countries where the international claims agreements are in effect so as to include the Coast Guard when requested by the Secretary of Transportation. The amendment provides that upon the request of the Secretary of Transportation, or his designee, any payments made relating to claims arising from the activities of the Coast Guard and covered by subsection (a) of section 2734a may be reimbursed or paid to the foreign country concerned by the authorized representative of the Department of Defense out of the appropriation for claims of the Department of Defense, subject to reimbursement from the Department of Transportation. The committee agreed that this is a logical addition and further notes that it is an amendment which is consistent with the first amendment included in section 4 of the bill.

Each of the amendments proposed in this bill is needed to meet a specific problem in the administration and settlement of military claims. Since sections 2734 and 2734a of title 10 provide authority for the consideration and settlement of claims arising in foreign areas as a result of U.S. military activity, the improvement of procedures for the settlement of such claims are clearly in the interest of the United States. The expeditious and fair handling of claims in such areas will do much to better relations between the United States and the countries concerned.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ASHMORE. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. Does this bill make any change in the administrative settlement of claims other than those that the gentleman has related? I have in mind fire losses and that sort of thing. Will this change the limits of settlements in cases of that kind?

Mr. ASHMORE. No; there would be no change whatsoever.

Mr. GROSS. Would there be any limitation under section 4? I notice this language in the report:

> In claims under Section 2734 where the claim is found to exceed $15,000, it must be certified to Congress for payment——

Mr. ASHMORE. It does not change that provision.

Mr. GROSS. That is present law?

Mr. ASHMORE. Yes; and it remains the law if this bill does or does not pass.

Mr. GROSS. It will not change the limitations that we ordinarily find on the Private Calendar in the matter of administrative settlements?

Mr. ASHMORE. No, sir.

Mr. GROSS. I thank the gentleman.

The SPEAKER. The Chair recognizes the gentleman from Connecticut [Mr. MESKILL].

Mr. MESKILL. Mr. Speaker, this bill (H.R. 13669) represents one result of the continuing effort of the Judiciary Claims Subcommittee to improve the administration of the claims laws of the United States. The legislation stems from an investigation by members of the Judiciary Committee of claims settlement activities in foreign countries.

Under the bill, section 2734 of title 10 is amended to provide that a military claims commission of one armed force in a foreign country may include officers of another branch of the Armed Forces.

Claims administration in overseas areas has been improved by the use of single service responsibility in certain countries. Section 2734 provides for this type of responsibility in subsection (f), and this means that one of the military departments has full authority for claims settlement regardless of whether the claim in a particular country arose as the result of the activity of that department or as the result of the activities of the Armed Forces personnel of another department. However, a situation may arise where the Army is responsible for the settlement of claims in a foreign country and a significant proportion of the claims being asserted are attributable to Air Force activity. It would be logical to provide for the appointment of an Air Force officer as a member of the claims commission which would be called upon to consider the claims, but this is not possible under the present law. It is, therefore, logical that the section be amended to permit such appointment, and the bill provides for two amendments which will accomplish this purpose.

The next amendment to section 2734 is to authorize settlement of a claim arising from an accident incident to the operation of U.S. aircraft not directly related to combat activities. Combat missions often involve overflight of portions of friendly countries. Damage, loss, injury, or death to persons in such countries has resulted from accidents or malfunctions of aircraft or air ordnance in preparing for, going to, or returning from a combat mission. Presently the statute bars claims resulting directly or indirectly "from an act of the Armed Forces of the United States in combat." This bill will permit settlement of such claims.

The bill also will permit meaningful limited advance payments of foreign claims in emergencies in order to alleviate hardship. This provision was included because the claims subcommittee was advised of difficulties faced by our military authorities in situations in foreign countries when payment had to await final settlement. It was obvious that the unavoidable delay in payment of some claims which, of course, must await full adjudication, could in some cases all but eliminate the desired effect of promoting friendly relations with the nationals and countries affected. Provision for a limited advance payment will counter such adverse effects.

Finally, under existing provisions of law, there is no authority for the payment of claims arising under international agreements which involve the Coast Guard. This bill authorizes the use of Coast Guard funds for the reimbursement or payment of Coast Guard claims when it is operating as a service in the Department of Transportation.

I recommend passage of the bill.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. MESKILL. I am very happy to yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman yielding. I would simply like to ask if under paragraph (d) of section 4 of the bill H.R. 13669, there is, in fact, any limitation in the existing law or the intended one rendered hereby, that would place an upper limit on claims paid to a foreign country by the authorized representative of the Department of Defense out of appropriations for claims of the Department of Defense subject to reimbursement by the Department of Transportation. It appears to me that there is no limitation in this section of the new law.

Mr. ASHMORE. Mr. Speaker, will the gentleman yield?

Mr. MESKILL. I yield to the gentleman from South Carolina, the chairman of the subcommittee.

Mr. ASHMORE. The amendments to this bill do not affect that part of the law. They are controlled by international agreements, I understand.

Mr. HALL. If the distinguished gentleman will yield further, I would ask the distinguished chairman of the subcommittee, does that international agreement remain the same?

Mr. ASHMORE. Yes, it does.

Mr. HALL. Or the limitation of payments is the same as in other existing U.S. law?

Mr. ASHMORE. Yes, sir.

Mr. HALL. I thank the gentleman for his answer and I thank the gentleman from Connecticut for yielding.

The SPEAKER pro tempore (Mr. PATTEN). The question is on the motion of the gentleman from South Carolina that the House suspend the rules and pass the bill, H.R. 13669.

The question was taken.

Mr. DICKINSON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 318, nays 0, not voting 114, as follows:

[Roll No. 368]

YEAS—318

Albert
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Baring
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bevill
Biester
Bingham
Blanton
Blatnik
Boland
Bolton
Bow
Bray
Brinkley
Brooks
Brotzman
Brown, Calif.
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conte
Conyers
Corbett
Culver
Cunningham
Daddario
Davis, Ga.
Davis, Wis.
Dawson
Dellenback
Denney
Devine
Dickinson
Dingell
Dole
Donohue
Dorn
Dowdy
Downing
Duncan
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Erlenborn
Esch
Eshleman
Evans, Colo.
Farbstein
Fascell
Feighan
Findley
Fisher
Flynt
Foley
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Garmatz
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Green, Oreg.
Griffiths
Gross
Gude
Gurney
Haley
Hall
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Holifield
Holland
Hosmer
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
King, Calif.
Kirwan
Kleppe
Kornegay
Kupferman
Kuykendall
Kyl
Kyros
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, Md.
Lukens
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
MacGregor
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Matsunaga
May
Mayne
Meeds
Meskill
Miller, Ohio
Mills
Mink
Minshall
Mize
Montgomery
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Morton
Moss
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Nichols
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
Ottinger
Passman
Patman
Patten
Perkins
Philbin
Pickle
Pike

Pirnie
Poage
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Pucinski
Quie
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rooney, N.Y.
Rosenthal
Roth
Roudebush
Roush
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
Schadeberg
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steiger, Ariz.
Steiger, Wis.
Stuckey
Sullivan
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tuck
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Whalen
Whalley
White
Whitener
Widnall
Williams, Pa.
Wilson, Bob
Winn
Wolff
Wyatt
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—0

NOT VOTING—114

Abbitt
Abernethy
Adair
Adams
Addabbo
Anderson, Tenn.
Annunizo
Barrett
Blackburn
Boggs
Bolling
Brademas
Brasco
Brock
Broomfield
Brown, Ohio
Button
Byrne, Pa.
Celler
Clark
Conable
Corman
Cowger
Cramer
Curtis
Daniels
de la Garza
Delaney
Dent
Derwinski
Diggs
Dow
Dulski
Dwyer
Eilberg
Everett
Evins, Tenn.
Fallon
Fino
Flood
Ford, Gerald R.
Gallagher
Gardner
Giaimo
Gray
Green, Pa.
Grover
Gubser
Hagan
Halleck
Hardy
Hays
Hébert
Herlong
Horton
Howard
Jacobs
Jones, Mo.
Kelly
King, N.Y.
Kluczynski
Landrum
Long, La.
McCarthy
Macdonald, Mass.
Madden
Mathias, Md.
Michel
Miller, Calif.
Minish
Monagan
Morgan
Mosher
Multer
Murphy, N.Y.
Nix
O'Neill, Mass.
Pelly
Pepper
Pettis
Pool
Purcell
Quillen
Resnick
Rhodes, Ariz.
Rhodes, Pa.
Rogers, Fla.
Ronan
Rooney, Pa.
Rostenkowski
St. Onge
Sandman
Satterfield
Saylor
Smith, Calif.
Smith, N.Y.
Steed
Stephens
Stratton
Stubblefield
Taft
Teague, Tex.
Tenzer
Utt
Watkins
Watson
Watts
Whitten
Wiggins
Williams, Miss.
Willis
Wilson, Charles H.
Wright
Wydler

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Boggs with Mr. Gerald R. Ford.
Mr. O'Neill of Massachusetts with Mr. Halleck.
Mr. Teague of Texas with Mr. Adair.
Mr. Madden with Mr. Rhodes of Arizona.
Mr. Murphy of New York with Mr. Horton.
Mrs. Kelly with Mrs. Dwyer.
Mr. Addabbo with Mr. Fino.
Mr. Hays with Mr. Smith of California.
Mr. Flood with Mr. Saylor.
Mr. Watts with Mr. Quillen.
Mr. Kluczynski with Mr. Pettis.
Mr. Daniels with Mr. Sandman.
Mr. McCarthy with Mr. Pelly.
Mr. Brademas with Mr. Smith of New York.
Mr. Everett with Mr. Mosher.
Mr. Byrne of Pennsylvania with Mr. Taft.
Mr. Landrum with Mr. Utt.
Mr. Corman with Mr. Watkins.
Mr. Evins of Tennessee with Mr. Michel.
Mr. Purcell with Mr. King of New York.
Mr. Hagan with Mr. Watson.
Mr. Fallon with Mr. Mathias of Maryland.
Mr. Hébert with Mr. Grover.
Mr. Hardy with Mr. Wiggins.
Mr. Gray with Mr. Derwinski.
Mr. Howard with Mr. Curtis.
Mr. Giaimo with Mr. Wydler.
Mr. Dulski with Mr. Gubser.
Mr. Gallagher with Mr. Button.
Mr. de la Garza with Mr. Cramer.
Mr. Clark with Mr. Brown of Ohio.
Mr. Dent with Mr. Conable.
Mr. Whitten with Mr. Brock.
Mr. Celler with Mr. Broomfield.
Mr. Willis with Mr. Gardner.
Mr. Abbitt with Mr. Blackburn.
Mr. Anderson of Tennessee with Mr. Cowger.
Mr. Diggs with Mr. Dow.
Mr. Resnick with Mr. Nix.
Mr. Adams with Mr. Jacobs.
Mr. Miller of California with Mr. Barrett.
Mr. Minish with Mr. Pepper.
Mr. Steed with Mr. Morgan.
Mr. Multer with Mr. St. Onge.
Mr. Rostenkowski with Mr. Wright.
Mr. Satterfield with Mr. Rooney of Pennsylvania.
Mr. Monagan with Mr. Charles H. Wilson.
Mr. Macdonald of Massachusetts with Mr. Brasco.
Mr. Annunzio with Mr. Delaney.
Mr. Ronan with Mr. Eilberg.
Mr. Long of Louisiana with Mr. Pool.
Mr. Rhodes of Pennsylvania with Mr. Stratton.
Mr. Stephens with Mr. Tenzer.
Mr. Rogers of Florida with Mr. Stubblefield.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

AMENDING HIGHWAY SAFETY ACT OF 1966

Mr. EDMONDSON. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1552) to amend the Highway Safety Act of 1966, as amended.

The Clerk read as follows:

S. 1552

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 404 of the Highway Safety Act (23 U.S.C. 401 et seq.) is amended by—

(1) striking subsection (a) (1) thereof and inserting in lieu thereof the following:

"(a) (1) There is established in the Department of Transportation a National Highway Safety Advisory Committee, composed of the Secretary or an officer of the Department appointed by him, who shall be Chairman, the Federal Highway Administrator, and thirty-five members appointed by the President, no more than four of whom shall be Federal officers or employees. The appointed members, having due regard for the purposes of this chapter, shall be selected from among representatives of various State and local governments, including State legislatures, of public and private interests contributing to, affected by, or concerned with highway safety, including the national organizations of passenger car, bus, and truck owners, and of other public and private agencies, organizations, or groups demonstrating an active interest in highway safety, as well as research scientists and other individuals who are expert in this field."

(2) striking subsection (a) (2) (A) and inserting in lieu thereof the following:

"(2) (A) Each member appointed by the President shall hold office for a term of three years, except that (i) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (ii) the terms of office of members first taking office after the date of enactment of this section shall expire as follows: Twelve at the end of one year after the date such committee members are appointed by the President, twelve at the end of two years after the date such committee members are appointed by the President, and eleven at the end of three years after the date such committee members are appointed, as designated by the President at the time of appointment, and (iii) the term of any member shall be extended until the date on which the successor's appointment is effective. None of the members appointed by the President who has served a three-year term, other than Federal officers or employees, shall be eligible for reappointment within one year following the end of his preceding term."

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, this bill is reported unanimously by the House Committee on Public Works and is legislation to increase the size of the National Highway Safety Advisory Committee which was set up pursuant to the Highway Safety Act of 1966, and also to revise in a technical way the limitation on the first-year term, to make it possible to extend the term of the members who were appointed for the short 1-year period to this committee.

As a matter of fact, the committee was not composed until April 1967, and under the terms of the 1966 act the terms of these initial 1-year members would expire in September of this year unless this bill is passed.

Mr. Speaker, this bill makes it possible to continue to have available the expertise of these members of the committee, and in addition thereto to secure the additional representation on the committee of highway user groups that are presently not adequately represented on the committee.

I think the language of the bill is intended primarily to make it a matter of congressional mandate that organizations like the American Automobile Association and the American Truckers Association and other heavy users of the highways have representation on this advisory committee.

I do not think any additional authorization of funds is involved in this bill.

The bill itself provides merely for the payment of expenses and a per diem to the members of the committee. It precludes the payment of such a per diem or expenses to governmental personnel who are part of this committee.

The Committee on Public Works felt that this was a bill with merit. It felt that the highway casualty and accident problem that we have today is a major problem that demanded the best brains we could get as advisers to the Secretary of Transportation, and it felt that it was a mistake not to have a congressional mandate requiring representation on this committee of the heavy users of the highway.

Mr. Speaker, we feel that this is a bill that will be passed overwhelmingly by the House.

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I am glad to yield to the gentleman from California.

Mr. DON H. CLAUSEN. I simply rise to indicate that the minority's position is similar to that which was explained by the gentleman from Oklahoma. It was noncontroversial before the committee. Therefore, we urge its passage.

Mr. GROSS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I supported the National Highway Safety Advisory Committee when it was created by Congress. But I am opposed to this bill because I can think of no reason in the world why this commission should be increased from the present 29 members to 35, with an additional expenditure—and I want to be corrected if I am wrong—I assume they will be paid as the other members of the commission are paid. So there must be an increased cost either by way of travel or by way of compensation for the members of this expanded advisory commission.

Can anyone tell me why there should be a 35-member commission? I am sure it is unwieldy with 29.

In answer to the gentleman from Oklahoma and his suggestion that the additional six members are requested for the purpose of representing other segments of the economy or society, I would say to him that there is no reason why the vacancies presently existing on the 29-member commission cannot be filled by persons representing those national interests that are not now represented.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I think the gentleman has a good point. I would agree that it would be possible to place representatives of the automobile operators, the American Automobile Association and the ATA, on this Commission when we get expired terms as they develop. But I think there is only one way to be sure that representatives of those organizations go on, and that is for Congress to say that there shall be representation of them on this Commission. This is what we are doing with this bill. We are requiring that these groups and these organizations be represented on the Commission, and we are providing that the additional members shall be appointed from groups of this sort.

Mr. GROSS. Yes, but you are adding another six members to a commission that already totals 29. I cannot recall another commission of such numbers in the Federal Government.

If the gentleman had brought a bill to the floor under a rule so that we could offer amendments to it, I would not be opposed to specifying the additional groups that ought to be represented. But I cannot go along with an increase of six members on what I believe is already an unwieldy and unnecessarily expensive commission. That is my opposition to this bill.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield further?

Mr. GROSS. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. The feeling of the Public Works Committee about the rule was that with a unanimous committee, with feeling on both sides of the aisle of the committee unanimous, we felt this was a desirable thing, that it was assertion of a congressional feeling that we should have representation of our truck operators and automobile operators on this committee, which, incidentally, is required by the bill to meet only once a year. It involves a cost that will measure in hundreds of dollars—or possibly of thousands of dollars with the addition of these members, and the committee thought this was a matter that could be handled by suspension, without any usurpation of prerogatives of the House.

Mr. GROSS. Unanimity is fine, but not in this case. I can see absolutely no reason for a 35-member commission, and the additional expenses. Why set a precedent of 35 members on a commission simply to accommodate a situation that President Johnson ought to have taken care of when he appointed the 29?

I hope the House defeats this bill, and I suggest that then the Public Works Committee return with a bill that continues the limitation of 29 members and thereby saves the taxpayers at least a little money.

Mr. Speaker, I yield such time as he may consume to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I simply want to know if this expanded Commission on Highway Safety will have anything to do with the trust fund or with the interstate and defense highway system that the executive branch has recently suggested be placed in abeyance as an economy measure, even though the funds come from gasoline taxes supposedly placed in a trust fund, which would then have no effect on the General Treasury.

If so, I submit we cannot have it both ways.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, it is my understanding that this is not involved in any way with the highway trust fund financing, that this is an advisory committee which is set up to be financed entirely out of the appropriations for the Department of Transportation.

Mr. HALL. But it does deal with at least advice and consent to the Bureau of Roads of the Department of Transportation concerning the construction and at least labeling or marking, if we may say that, of the highways. Is that not correct?

Mr. EDMONDSON. Its principal mission, if the gentleman will yield further, is to make recommendations, to advance ideas, to improve safety practices on our highways, both in terms of construction and in terms of the practices that are followed for improvement of safety.

Mr. HALL. Certainly. Part of this has to do with gradient angles, curves, arc on which the roads curve, signing, turnarounds, underpasses and overpasses, dual lanes, and all the safety factors, on Federal interstate and defense highways which have to do with moving on land from one coast to another.

I suggest and submit again to the gentleman and Members of the House, we really are asking to have it both ways, when that construction is placed in abeyance—as badly as we are liable to need these roads—as an economy measure, when they are based supposedly on a trust fund gained from gasoline taxes paid by users of the roads, and not the General Treasury.

Therefore, I think it is more important to be economical and not add the additional per diem or the additional members.

The SPEAKER. The question is on the motion of the gentleman from Oklahoma that the House suspend the rules and pass the bill S. 1552, as amended.

The question was taken.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 252, nays 65, not voting 115, as follows:

[Roll No. 369]

YEAS—252

Adams
Albert
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashley
Aspinall
Ayres
Baring
Bates
Battin
Belcher
Bell
Bennett
Bevill
Biester
Bingham
Blanton
Blatnik
Brinkley
Brooks
Brotzman
Brown, Calif.
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Cabell
Cahill
Carey
Carter
Casey
Chamberlain
Clausen, Don H.
Cleveland
Cohelan
Colmer
Conte
Conyers
Corbett
Culver
Daddario
Davis, Ga.
Dawson
Dellenback
Dingell
Donohue
Dorn
Dowdy
Downing
Eckhardt
Edmondson
Edwards, Ala.
Edwards, La.
Erlenborn
Esch
Eshleman
Evans, Colo.
Farbstein
Fascell
Feighan
Findley
Fisher
Flynt
Foley
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Goodell
Green, Oreg.
Griffiths
Gude
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harsha
Harvey
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Holifield
Holland
Hosmer
Hull
Hungate
Ichord
Irwin
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen

Kee
Keith
King, Calif.
Kirwan
Kornegay
Kupferman
Kyros
Latta
Leggett
Lennon
Long, Md.
Lukens
McClory
McClure
McDade
McDonald, Mich.
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Mahon
Marsh
Mathias, Calif.
Matsunaga
Meeds
Meskill
Mills
Mink
Minshall
Mize
Montgomery
Moore
Moorhead
Morris, N. Mex.
Morse, Mass.
Morton
Moss
Murphy, Ill.
Natcher
Nedzi
Nichols
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neal, Ga.
Passman
Patman
Patten
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Price, Ill.
Pryor
Pucinski
Purcell
Quie
Randall
Rees
Reid, N.Y.
Reinecke
Reuss
Rhodes, Ariz.
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rooney, N.Y.
Rosenthal
Roth
Roush
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
Scheuer
Schneebeli
Schweiker
Schwengel
Selden
Shipley
Shriver
Sikes
Sisk
Slack
Smith, Iowa
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stuckey
Sullivan
Talcott
Taylor
Thompson, N.J.
Tiernan
Tuck
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waggonner
Waldie
Wampler
Whalen
Whalley
White
Whitener
Widnall
Williams, Pa.
Wilson, Bob
Wolff
Wyatt
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—65

Ashbrook
Ashmore
Berry
Betts
Bolton
Bow
Bray
Burke, Fla.
Byrnes, Wis.
Cederberg
Clancy
Clawson, Del
Collier
Cunningham
Davis, Wis.
Denney
Devine
Dickinson
Dole
Duncan
Goodling
Gross
Haley
Hall
Harrison
Hicks
Hunt
Hutchinson
Kleppe
Kuykendall
Kyl
Laird
Langen
Lipscomb
Lloyd
McCulloch
Mailliard
Martin
May
Mayne
Miller, Ohio
Myers
Nelsen
O'Konski
Ottinger
Price, Tex.
Railsback
Rarick
Reid, Ill.
Reifel
Roudebush
Schadeberg
Scherle
Scott
Skubitz
Stanton
Steiger, Ariz.
Steiger, Wis.
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Vander Jagt
Walker
Winn
Wylie

NOT VOTING—115

Abbitt
Abernethy
Adair
Addabbo
Anderson, Tenn.
Annunzio
Barrett
Blackburn
Boggs
Boland
Bolling
Brademas
Brasco
Brock
Broomfield
Brown, Ohio
Button
Byrne, Pa.
Celler
Clark
Conable
Corman
Cowger
Cramer
Curtis
Daniels
de la Garza
Delaney
Dent
Derwinski
Diggs
Dow
Dulski
Dwyer
Edwards, Calif.
Eilberg
Everett
Evins, Tenn.
Fallon
Fino
Flood
Ford, Gerald R.
Gallagher
Gardner
Garmatz
Giaimo
Gray
Green, Pa.
Grover
Gubser
Gurney
Hagan
Halleck
Hardy
Hays
Hébert
Herlong
Horton
Howard
Jacobs
Jones, Mo.
Kelly
King, N.Y.
Kluczynski
Landrum
Long, La.
McCarthy
McEwen
Madden
Mathias, Md.
Michel
Miller, Calif.
Minish
Monagan
Morgan
Mosher
Multer
Murphy, N.Y.
Nix
O'Neill, Mass.
Pelly
Pepper
Pettis
Pool
Quillen
Resnick
Rhodes, Pa.
Rogers, Fla.
Ronan
Rooney, Pa.
Rostenkowski
St. Onge
Sandman
Satterfield
Saylor
Smith, Calif.
Smith, N.Y.
Steed
Stephens
Stratton
Stubblefield
Taft
Teague, Tex.
Tenzer
Utt
Watkins
Watson
Watts
Whitten
Wiggins
Williams, Miss.
Willis
Wilson, Charles H.
Wright
Wydler

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Boggs with Mr. Gerald R. Ford.
Mr. Boland with Mr. Halleck.
Mr. Barrett with Mr. Taft.
Mr. Madden with Mr. Wydler.
Mr. Teague of Texas with Mr. Smith of California.
Mr. Dulski with Mr. Adair.
Mr. Delaney with Mr. Fino.
Mr. Hébert with Mr. Broomfield.
Mr. Daniels with Mr. Smith of New York.
Mr. Hays with Mr. Grover.
Mrs. Kelly with Mrs. Dwyer.
Mr. Everett with Mr. Brock.
Mr. Dent with Mr. Horton.
Mr. Hagan with Mr. Cramer.
Mr. Clark with Mr. Gubser.
Mr. Howard with Mr. Curtis.
Mr. Herlong with Mr. Michel.
Mr. Byrne of Pennsylvania with Mr. McEwen.
Mr. Corman with Mr. Utt.
Mr. Fallon with Mr. Button.
Mr. de la Garza with Mr. Gurney.
Mr. Flood with Mr. Mathias of Maryland.
Mr. Landrum with Mr. Cowger.
Mr. Hardy with Mr. King of New York.
Mr. Celler with Mr. Mosher.
Mr. Kluczynski with Mr. Saylor.
Mr. Jacobs with Mr. Conable.
Mr. McCarthy with Mr. Sandman.
Mr. Miller of California with Mr. Watkins.
Mr. Rogers of Florida with Mr. Pelly.
Mr. Pepper with Mr. Brown of Ohio.
Mr. Minish with Mr. Pettis.
Mr. Long of Louisiana with Mr. Blackburn.
Mr. Wright with Mr. Wiggins.
Mr. Whitten with Mr. Quillen.
Mr. Pool with Mr. Gardner.
Mr. Satterfield with Mr. Watson.
Mr. Multer with Mr. Nix.
Mr. Gray with Mr. Eilberg.
Mr. Murphy of New York with Mr. Watts.
Mr. Resnick with Mr. Diggs.
Mr. Green of Pennsylvania with Mr. Charles H. Wilson.
Mr. Garmatz with Mr. Monagan.
Mr. Willis with Mr. Dow.
Mr. Morgan with Mr. Whitten.
Mr. O'Neill of Massachusetts with Mr. Tenzer.
Mr. Abbitt with Mr. Brademas.
Mr. Brasco with Mr. Annunzio.
Mr. Rhodes of Pennsylvania with Mr. Addabbo.
Mr. Abernethy with Mr. St. Onge.
Mr. Rostenkowski with Mr. Steed.
Mr. Stephens with Mr. Edwards of California.
Mr. Evins of Tennessee with Mr. Stubblefield.
Mr. Stratton with Mr. Ronan.
Mr. Gallagher with Mr. Giaimo.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

SMALL-BOAT HARBOR AT MANELE BAY, LANAI, HAWAII

Mr. BLATNIK. Mr. Speaker, I move that the House suspend the rules and pass the bill (S. 423) authorizing the use of additional funds to defray certain increased costs associated with the construction of the small-boat harbor at Manele Bay, Lanai, Hawaii, and for other purposes.

The Clerk read as follows:

S. 423

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the project for a small-boat harbor at Manele Bay, Lanai, Hawaii, constructed by the Chief of Engineers, United States Army, in accordance with the provisions of section 107 of the River and Harbor Act of 1960 (Public Law 86-645), is hereby modified to provide for the assumption by the Federal Government of the cost of certain additional work necessitated by unforeseen project conditions and in excess of the monetary limits authorized by Public Law 86–645, at an estimated additional Federal cost of $172,000: *Provided,* That responsible local interests make a cash contribution toward the cost of such additional work in the amount of $124,845.

SEC. 2. Funds authorized to carry out section 107 of the River and Harbor Act of 1960, as amended, shall be available to carry out the provisions of this Act.

The SPEAKER. Is a second demanded?

Mr. HALL. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Minnesota [Mr. BLATNIK] is recognized.

Mr. BLATNIK. Mr. Speaker, very briefly this is a noncontroversial bill and was passed unanimously by the House Committee on Public Works.

Mr. Speaker, I rise in support of the bill, S. 423, which authorizes the payment by the U.S. Government of $172,000 to defray the cost of certain construction work on the small-boat harbor at Manele Bay, Lanai, Hawaii, which was necessitated by changed project conditions.

When this small-boat harbor project at Manele Bay, Lanai, Hawaii, was initially authorized under section 107 of the River and Harbor Act of 1960—Public Law 86–645—the limitation on Corps of Engineers authority for use of funds under this type of project was set at a ceiling of $200,000. This was sufficient authority for the Corps of Engineers under the project as originally contemplated. In carrying out the terms of a contract awarded by the corps for the construction of this project, the contractor encountered certain unforeseen foundation conditions. The existence of harder material requiring blasting ultimately resulted in a greater total project cost than originally estimated by the Corps of Engineers.

The corps and the contractor have agreed on the amount of cost of additional work necessitated by the changed project conditions, which is $289,845. Based on this increase in cost, the total project cost is now estimated at $742,845, of which $372,000 is Federal and $370,845 is non-Federal. This additional cost for construction of $289,845 would be shared, $172,000 Federal and $124,845 non-Federal—$7,000 is for engineering and design and associated costs.

In 1965 the River and Harbor Act—Public Law 89-298—increased the authorization for small navigation projects under section 107 from $200,000 to $500,-

000. The Manele Bay project would be covered by this new ceiling; however, since the original authorization for the project was limited to $200,000 Federal participation, further authorization is required at this time so that the Corps of Engineers will have authority to proceed with Federal funds under the $500,000 ceiling in the 1965 River and Harbor Act. This is the sole purpose for the authorization contained in S. 423. The State of Hawaii has passed a capital improvements budget bill which includes the amount of $124,845 as the share of the State of Hawaii for the additional construction work costs.

I, therefore, strongly urge approval of S. 423 to authorize the Federal share of $172,000 in order to satisfy the contractor's legal entitlement in this matter.

The bill authorizes the payment by the U.S. Government of $172,000 to defray the cost of certain construction work on the small-boat harbor at Manele Bay, Lanai, Hawaii, which was necessitated by changed project conditions.

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. I rise merely to concur in what the gentleman from Minnesota has expressed in support of the legislation. There was no opposition expressed in the committee.

I think there might be a couple of significant points worth making, the first of which being that the work was actually undertaken by contract in 1964. This, of course, was under section 107 of the Public Works legislation where you actually had a limitation of $200,000 on a project. If this project had come up, or the problem had risen 1 year later, the bill would not be before the Congress at this time, because the limitation was increased, leaving the chief of the corps with a limitation of $500,000, subject to his approval.

I believe also the fact that the problem, as expressed by the gentleman from Minnesota, in which the corps ultimately ran into some difficulties that they had not anticipated and actually spent some $7,000 in engineering to evaluate the problem, that fact that the State has in effect approved the project and will participate to the extent of some $125,000, I think our only position is to support this legislation because the job has been done and the money needs to be paid. All that is required is the authorization. We see no other way out of the dilemma.

Mr. BLATNIK. I thank the gentleman from California very much.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from Iowa.

Mr. GROSS What are we asked to do here? Pick up the check for the contractor who made the mistake, or what is the story?

Mr. BLATNIK. The contractor did not make a mistake. The Corps of Engineers made the mistake in the original proposals.

Mr. GROSS. Did the contractor rely exclusively upon the Corps of Engineers?

Mr. BLATNIK. They usually do in matters involving hydrographic and geological data. In the matter of subsurface data the contractor usually depends on the Corps of Engineers, as far as he is concerned, for the conditions in which the work is to be done.

Mr. GROSS. Do I understand that we have $200,000 invested in this project, and the bill would provide that the taxpayers put up another $172,000? Is that correct?

Mr. BLATNIK. We split the extra cost, the overage which was due to a change in the contract initially called for by the Corps of Engineers because of an underestimation of rock structure. The overage would be divided between the Federal Government and the local participants on the same ratio as the original project cost, 58 percent to 42 percent.

Mr. GROSS. Who in the Corps of Engineers has been penalized because of this mistake, if it was a mistake? I cannot understand why the contractor did not find out what he was getting into.

Mr. BLATNIK. The contractor proceeded on the basis of what he was assured by the Corps of Engineers were the conditions. They both agreed that they ran into this hard rock all the way through the project.

The Corps of Engineers did the work. They did underestimate, or they did not adequately estimate the conditions. The contractor was not expected to go behind the Corps of Engineers on that.

Mr. GROSS. Why does not the contractor go to the State of Hawaii for $173,000 instead of coming to our taxpayers?

Mr. BLATNIK. The contractor has gone to them.

Mrs. MINK. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. I yield to the gentlewoman from Hawaii.

Mrs. MINK. Mr. Speaker, I would like to quote from a letter from the Secretary of the Army to the Senate Public Works Committee, in which the Secretary says:

> The contractor was not placed on actual or constructive notice with respect to contract funding limitations and must look solely to the Federal Government for payment of his just claim. The State of Hawaii was effectively induced, by errors of the Federal Government during project design and cost estimation, to commit itself to unforeseeable gross overruns in project expenditures. The State has, nevertheless, shared in the project far beyond original cost expectations and is equitably entitled to acceptance by the Federal Government of the sharing arrangement proposed by this legislation.

In other words, as stated in this letter, the contractor has already gone to the State, which has participated far beyond what was originally anticipated.

The total cost will be $742,000 and the State will participate to the extent of $371,000, and the Federal Government will participate to an equal amount of $371,000.

Mr. GROSS. Mr. Speaker, may I ask the gentlewoman, what kind of boat harbor is this? Is it a yacht harbor?

Mrs. MINK. Mr. Speaker, if the gentleman will yield, it is a small boat harbor, with a draft of about 8 feet, for small boats in the island of Lanai.

Mr. GROSS. Who uses it?

Mrs. MINK. There are no yacht owners on the island of Lanai. It will be used by the residents who own small boats.

Mr. MATSUNAGA. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from Hawaii.

Mr. MATSUNAGA. Mr. Speaker, I rise in support of S. 423, which would authorize the use of additional funds to defray certain increased costs associated with the construction of the small-boat harbor at Manele Bay, located along the southeasterly coast of the island of Lanai, in the State of Hawaii.

I introduced a similar measure in the House.

This legislation would authorize the payment to the contractor involved of the sum of $172,000 in full settlement of the Federal share of the cost of additional work necessitated by changed conditions associated with the construction of the small-boat harbor at Manele Bay, Lanai, Hawaii. Construction of this small-boat harbor was initially authorized under section 107 of the River and Harbor Act of 1960, which carried a Federal cost limitation of not more than $200,000 for small navigation projects. S. 423 provides the further authorization that is needed to enable the Corps of Engineers to proceed with Federal funds under the $500,000 ceiling in the 1965 River and Harbor Act.

In carrying out the terms of the construction contract, the contractor encountered certain unforeseen foundation conditions. The existence of the harder material required blasting which ultimately resulted in a greater total project cost than originally estimated by the Corps of Engineers. The contractor satisfactorily completed the work, and it was accepted as of December 14, 1965.

Our Committee on Public Works is of the opinion that both the Federal Government and the contractor acted in good faith in this matter, but that circumstances beyond the control of the Corps of Engineers prevented the contractor from receiving full compensation for the work.

Since the passage of S. 423 by the Senate, the State of Hawaii has passed a capital improvements budget bill which includes the amount of $124,845 as the share of the State of Hawaii for the additional work costs, and Governor Burns of Hawaii has requested that early favorable action be taken on this legislation.

Mr. Speaker, I urge the passage of S. 423.

Mrs. MINK. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. Mr. Speaker, I yield to the gentlewoman from Hawaii.

Mrs. MINK. Mr. Speaker, I would be happy to explain the purpose of this bill which is to authorize additional compensation for unforeseen costs involved in the construction of a small boat harbor at Manele Bay, Lanai, Hawaii.

This public works project was authorized under section 107 of the River and Harbor Act of of 1960, which among other conditions, set a limitation of $200,000 as the Federal share, exclusive of cost of aids to navigation. The State of Hawaii agreed to provide $239,000 of the estimated total project cost of $443,000.

The contract for this work was awarded by the Corps of Engineers in 1964 to Associated Engineers and Contractors, Inc., of Seattle, for an amount estimated at that time at $299,520 based on the Government's survey and planning. The contract specified the types of dredging and disposal that would be necessary, and also stated that there would be no prohibition to "the removal of excepted material by special means, including blasting, at prices agreed upon and approved in accordance with the article of the contract entitled 'Changed Conditions.'"

The contractor encountered in less than 2 months hard substrata material which had not been anticipated, and notified the government of this changed condition. Subsequent negotiations led to an agreement that blasting would be required for completion of the work, and the construction costs were tentatively adjusted to $376,555.62 with the State of Hawaii agreeing to provide the extra funds. The contractor completed the job with an extension of time by agreement, and submitted a revised contract price far in excess of the original amount.

The Secretary of the Army agreed that it was the Corps of Engineers which was "materially in error" in its original estimate of the cost of the additional work, and a formal agreement was reached to the effect that $290,000 would be acceptable compensation to the contractor if payment could be made before May 23, 1968. The State of Hawaii, which has already borne 55.15 percent of the total project cost, agreed to contribute an additional share if the total contribution were revised on the basis of the original cost-sharing ratio of the contract which provided for 58 percent Federal and 42 percent State share. The State of Hawaii has already passed a capital improvements budget bill including its portion of $124,845, and S. 423 would authorize the Federal payment of $172,000 to meet the unanticipated excess cost.

It should be noted that Public Law 86-645 has been superseded by Public Law 89-298, the River and Harbor Act of 1965, which set a new Federal limitation of $500,000 on small navigation projects, but this new ceiling cannot be applied retroactively and the Department of the Army lacks authority under section 107 of the 1960 act to settle the contractor's claim without special legislation. Approval of S. 423 would place the total cost of the Manele Bay construction to the Federal Government at about $372,000, still well under the present statutory limitation, while the cooperation of the Hawaii State government in this matter pegs the State total cost at $371,000, or just about 50 percent of the total.

I feel that my State has shown admirable initiative in agreeing to bear these additional costs which the Corps of Engineers admits have been incurred by its own error in estimation of the project, and the Secretary of the Army agreed in his letter to Senate Public Works Chairman JENNINGS RANDOLPH:

> The contractor was not placed on actual or constructive notice with respect to contract funding limitations and must look solely to the Federal Government for payment of his just claim. The State of Hawaii was effectively induced, by errors of the Federal Government during project design and cost estimation, to commit itself to unforseeable gross overruns in project expenditures. The State has, nevertheless, shared in the project far beyond original cost expectations and is equitably entitled to acceptance by the Federal Government of the sharing arrangement proposed by this legislation.

In all fairness to the contractor and to my State of Hawaii, Mr. Speaker, I urge approval of this bill to provide the $172,000 in Federal funds necessary to settle a claim agreed to as fair by all parties.

Mr. HALL. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I ask the distinguished chairman of the Subcommittee on Public Works, who is handling the bill, if hearings were held on the House side. I have read the report and I have studied the bill, and I understand there is a report from the other body, but I find no hearings for study or perusal on the House side, so it must have been in executive session only, in which departmental witnesses were heard. Is this a correct statement?

Mr. BLATNIK. That is correct. There was testimony given, in addition to the report, in executive session in the House.

Mr. HALL. Mr. Speaker, I thank the gentleman.

I wonder if the gentleman, while he is on his feet, will tell us why this was not included in the regular public works authorization or appropriation bill?

Mr. BLATNIK. I cannot answer that offhand. Perhaps the gentleman on the other side of the aisle [Mr. CLAUSEN] can.

Mr. HALL. Why was it not in the authorization bill or appropriation bill? We have to authorize, to give the authority, as we all understand, before we can appropriate.

Mr. DON H. CLAUSEN. Mr. Speaker, we have not had a public works authorization for this bill. This is under section 107, which is under the jurisdiction of the Chief of the corps. All that is required is authority, and funds will come from the Corps of Engineers.

Mr. HALL. Mr. Speaker, I continue in opposition to this bill, because it has been specifically developed that the Pineapple Island is owned and primarily used by a private corporation, which is now having some additional tourist attractions, and this small boat harbor is not for defense purposes or anything similar, but is being funded while we are at war and running a planned high deficit.

The question naturally arises, and I ask the distinguished gentleman again, whether or not this actually happened on the basis of the Corps of Engineers' underestimate or whether it happened on the basis of lack of knowledge of coral heads in the bay or hard rock for the channel, as required?

Mr. BLATNIK. They ran into working conditions of solid, continuous hard rock, which was unexpected, unanticipated and unknown to the Corps of Engineers when they described the amount of work and the estimated cost. On that basis the Corps of Engineers agreed an increased cost was warranted and justified.

Mr. HALL. I have read repeatedly in the report, I say to the gentleman, about the Corps of Engineers agreeing that this contractor should be found safe for his additional time and expense, but does the gentleman mean to tell me that a modern contracting engineer will submit a bid—and I presume there were competitive bids—for a construction job like this without making test borings or site soundings or without a knowledge of the coral head or hard rock in any bay or channel approach? If so, does not the principle of caveat emptor pertain in this bid as it would in any construction bid?

Mr. BLATNIK. Not necessarily.

I am willing to respond to the question. It is a good question.

It is not rigid policy or principle that is followed that the contractor would go out in some instances and make his own determination geologically of the substrata.

The SPEAKER. The time yielded by the gentleman from Missouri has expired.

Mr. HALL. Mr. Speaker, I yield myself 2 additional minutes.

Mr. BLATNIK. In this instance the Corps of Engineers prescribed the working conditions for the work to be done, and the estimated cost. The contractor agreed. All the requirements and criteria were established and stated by the Corps of Engineers.

There is no basis, in circumstances such as that, when the corps has full authority to authorize work and payment up to $200,000 at that time, and now $500,000, to go behind the Corps of Engineers' figures or estimates.

Mr. HALL. Of course, the discussion of the Engineer limitation as between $200,000 and $500,000 is after the fact. I believe we can stipulate that between ourselves. It is not pertinent to this argument, except it is a happenstance which developed thereafter.

Certainly we also know that the Corps of Engineers often specifies work or even makes estimates of tonnages to be moved. These are stipulated in the contract.

I should think that either the accountable officer in the Corps of Engineers should be held responsible for such erroneous figures, without core drillings, or site soundings, in the area; or, that the contractor should be penalized by having to pay this money, or absorb his loss. I certainly do not feel it should come out of the pockets of the taxpayers, even on a matching basis.

I find no fault with the State of Hawaii in its planned program to match this deficit, except that the hand is out to the taxpayers of the entire United States of America, for the pleasure of the yacht set, while we are at war.

Mr. HARSHA. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Ohio.

Mr. HARSHA. I take this time to inform the gentleman that the general practice is for the contractors to take the cost estimates and engineering data provided to them by the Corps of Engineers and to submit bids on the basis of that information. As I understand it, this was done in this case.

The contractor in good faith relied

upon the specifications and the estimates and the engineering provided by the Corps of Engineers. A contract on that basis was agreed to.

It was not until some months afterward that the contractor, who delved into the problem more deeply, found out that some of the substructure, which the Corps of Engineers had relied upon, was not in the condition the corps felt it was in. He then entered into extended negotiations with the Corps of Engineers, and there was no question in the mind of the corps that the conditions were substantially changed from when the original contract was entered into. They entered into a subsequent contract in good faith with the contractor.

There was no lapse of efficiency on the part of the contractor. Rather, it was his efficiency that found these changed conditions.

As a result of that, it is the feeling of the committee that the Government agency is responsible and that the contractor, who acted in good faith and entered into a contract in good faith, and promptly called the changed conditions to the attention of the Government, is entitled to be adequately and fairly reimbursed.

That is the purpose of this legislation.

Mr. HALL. I thank the gentleman for his additional contribution.

I still submit, Mr. Speaker, that this is calling on the taxpayers of the United States to the tune of $172,000 to make up for a bad bid by a certain contractor. Perhaps if we let some of them pay for their own mistakes or if we rendered them accountable because they are responsible, they would think twice before they made a bad bid.

Mr. DON H. CLAUSEN. Mr. Speaker, I simply state that we have a letter from the Secretary of the Army to our committee indicating that the contractor actually notified the Corps of Engineers of the problem he was running into within 2 months after he started on the project.

The SPEAKER. The question is on the motion of the gentleman from Minnesota that the House suspend the rules and pass the bill S. 423.

The question was taken.

Mr. STEIGER of Arizona. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 291, nays 25, not voting 116, as follows:

[Roll No. 370]

YEAS—291

Adams
Albert
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashley
Ashmore
Aspinall
Ayres
Baring
Bates
Battin
Belcher
Bell
Bennett
Betts
Bevill
Biester
Bingham
Blanton
Blatnik
Bolton
Brinkley
Brooks
Brotzman
Brown, Calif.
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Colmer
Conte
Conyers
Corbett
Culver
Cunningham
Daddario
Davis, Ga.
Dawson
Dellenback
Denney
Dickinson
Dingell
Donohue
Dorn
Dowdy
Downing
Duncan
Eckhardt
Edmondson
Edwards, Ala.
Edwards, La.
Erlenborn
Esch
Eshleman
Evans, Colo.
Farbstein
Fascell
Feighan
Findley
Fisher
Flynt
Foley
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Goodell
Green, Oreg.
Griffiths
Gude
Gurney
Haley
Halpern
Hamilton
Hammerschmidt
Hanna
Hansen, Idaho
Hansen, Wash.
Harsha
Harvey
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Holifield
Holland
Hosmer
Hull
Hungate
Hunt
Ichord
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
King, Calif.
Kirwan
Kleppe
Kornegay
Kupferman
Kuykendall
Kyros
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, Md.
Lukens
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Mahon
Marsh
Martin
Mathias, Calif.
Matsunaga
May
Mayne
Meeds
Meskill
Miller, Ohio
Mills
Mink
Minshall
Mize
Montgomery
Moore
Moorhead
Morris, N. Mex.
Morton
Moss
Murphy, Ill.
Natcher
Nedzi
Nelsen
Nichols
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neal, Ga.
Passman
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rooney, N.Y.
Rosenthal
Roth
Roush
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
Schadeberg
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steiger, Ariz.
Steiger, Wis.
Stuckey
Sullivan
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thompson, N.J.
Tiernan
Tuck
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Whalen
Whalley
White
Whitener
Widnall
Williams, Pa.
Wilson, Bob
Wolff
Wyatt
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—25

Ashbrook
Berry
Bow
Bray
Chamberlain
Collier
Davis, Wis.
Devine
Dole
Goodling
Gross
Hall
Harrison
Hutchinson
Kyl
Laird
Langen
Morse, Mass.
Myers
O'Konski
Roudebush
Scherle
Thomson, Wis.
Winn
Wylie

NOT VOTING—116

Abbitt
Abernethy
Adair
Addabbo
Anderson, Tenn.
Annunzio
Barrett
Blackburn
Boggs
Boland
Bolling
Brademas
Brasco
Brock
Broomfield
Brown, Ohio
Button
Byrne, Pa.
Celler
Clark
Conable
Corman
Cowger
Cramer
Curtis
Daniels
de la Garza
Delaney
Dent
Derwinski
Diggs
Dow
Dulski
Dwyer
Edwards, Calif.
Eilberg
Everett
Evins, Tenn.
Fallon
Fino
Flood
Ford, Gerald R.
Gallagher
Gardner
Garmatz
Giaimo
Gray
Green, Pa.
Grover
Gubser
Hagan
Halleck
Hanley
Hardy
Hays
Hébert
Herlong
Horton
Howard
Irwin
Jacobs
Jones, Mo.
Kelly
King, N.Y.
Kluczynski
Landrum
Long, La.
McCarthy
Madden
Mailliard
Mathias, Md.
Michel
Miller, Calif.
Minish
Monagan
Morgan
Mosher
Multer
Murphy, N.Y.
Nix
O'Neill, Mass.
Ottinger
Pelly
Pettis
Pool
Quillen
Resnick
Rhodes, Pa.
Rogers, Fla.
Ronan
Rooney, Pa.
Rostenkowski
St. Onge
Sandman
Satterfield
Saylor
Smith, Calif.
Smith, N.Y.
Steed
Stephens
Stratton
Stubblefield
Taft
Teague, Tex.
Tenzer
Utt
Watkins
Watson
Watts
Whitten
Wiggins
Williams, Miss.
Willis
Wilson, Charles H.
Wright
Wydler

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Boggs with Mr. Gerald R. Ford.

Mr. Madden with Mr. Smith of California.

Mr. Dulski with Mr. Cramer.

Mr. Evins of Tennessee with Mr. Halleck.

Mr. Fallon with Mr. Broomfield.

Mr. McCarthy with Mr. Adair.

Mrs. Kelly with Mr. Horton.

Mr. Irwin with Mr. Brock.

Mr. Teague of Texas with Mr. Mosher.

Mr. Flood with Mr. King of New York.

Mr. Tenzer with Mr. Curtis.

Mr. Hardy with Mr. Michel.

Mr. Whitten with Mr. Pelly.

Mr. Watts with Mr. Watson.

Mr. Gallagher with Mr. Mailliard.

Mr. Delaney with Mr. Pettis.

Mr. Daniels with Mr. Brown of Ohio.

Mr. Garmatz with Mr. Conable.

Mr. Corman with Mr. Taft.

Mr. Byrne of Pennsylvania with Mr. Derwinski.

Mr. Gray with Mr. Mathias of Maryland.

Mr. Rostenkowski with Mr. Fino.

Mr. Clark with Mr. Watkins.

Mr. Hébert with Mrs. Dwyer.

Mr. Brademas with Mr. Gubser.

Mr. Giaimo with Mr. Wydler.

Mr. Barrett with Mr. Saylor.

Mr. Hays with Mr. Wiggins.

Mr. Annunizo with Mr. Grover.

Mr. Howard with Mr. Quillen.

Mr. Addabbo with Mr. Smith of New York.

Mr. Celler with Mr. Button.

Mr. O'Neill of Massachusetts with Mr. Sandman.

Mr. Abbitt with Mr. Blackburn.

Mr. Monagan with Mr. Utt.

Mr. Abernethy with Mr. Gardner.

Mr. Willis with Mr. Cowger.

Mr. Dent with Mr. Everett.

Mr. Hagan with Mr. Eilberg.

Mr. Boland with Mr. Hanley.

Mr. Green of Pennsylvania with Mr. Anderson of Tennessee.

Mr. Herlong with Mr. Jacobs.

Mr. de la Garza with Mr. Brasco.

Mr. Dow with Mr. Nix.

Mr. Kluczynski with Mr. Wright.

Mr. Landrum with Mr. Long of Louisiana.

Mr. Miller of California with Mr. Pool.

Mr. Edwards of California with Mr. Diggs.

Mr. Resnick with Mr. Steed.

Mr. Stephens with Mr. Ottinger.

Mr. Morgan with Mr. Stratton.

Mr. Minish with Mr. Ronan.

Mr. Rogers of Florida with Mr. Monagan.

Mr. Rhodes of Pennsylvania with Mr. Multer.

Mr. Satterfield with Mr. Rooney of Pennsylvania.

Mr. Murphy of New York with Mr. St. Onge.

Mr. Stubblefield with Mr. Charles H. Wilson.

Mr. REID of New York changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

REPORT OF FOOD AID PROGRAMS DURING CALENDAR YEAR 1966—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 179)

The **SPEAKER** pro tempore. The Chair lays before the House a message from the President of the United States.

Mr. **HALL**. A parliamentary inquiry, Mr. Speaker. Is the message a transmittal of a report, or is it one of the special messages from the President?

The **SPEAKER** pro tempore. The Chair understands the message does transmit a report.

Mr. **HALL**. Mr. Speaker, in the opinion of the Chair, it is not necessary to have the Members here in that case to hear the report read?

The **SPEAKER** pro tempore. The Chair did not give an opinion.

The Clerk will read the message.

The Clerk read as follows:

To the Congress of the United States:

I am pleased to transmit to the Congress a report of our food aid programs during calendar year 1966.

This report marks a year in which the productivity of American agriculture and the generosity of the American people have done much to help others to help themselves.

Food and fiber valued at $1.5 billion were provided to needy people in more than 100 countries. Since 1954 the United States has provided almost $16 billion in farm products to 116 countries which together contain almost half of the world's population.

To millions of human beings, this sharing has meant survival in the face of drought or other natural disaster. To countless children it has meant freedom from the weakness, disease, and mental retardation which are the tragic consequences of malnutrition.

In 1966, however, U.S. food aid programs entered a new and more critical stage. The world's food problem was growing, not diminishing. Despite our efforts, serious food shortages threatened many countries. The problem of feeding rapidly growing populations was compounded by serious drought in India and Pakistan—the worst drought on the South Asian subcontinent in this century.

The world faced two related problems:

To stimulate agricultural production in the food-deficit countries so that they will eventually be able to grow their own food, or to buy it through the normal channels of world commerce; and

To provide direct food shipments sufficient to ward off starvation and severe malnutrition during the interim period until the deficit countries achieve self-sufficiency.

After a long and careful study, the United States undertook to carry its share of the burden in a worldwide war on hunger. I sent to the Congress a special message proposing that the United States lead an all-out effort to reverse the dire trend in the race between world population and world food supply. The response of the Congress gave us the tools to wage that war.

There are six main elements of the new strategy.

Emphasis on self-help: The war on hunger must be fought and won within the countries where hunger exists. Our food aid and other forms of assistance must go primarily to those who do the most to help themselves. The key to victory over hunger is self-help.

Policy for a nonsurplus era: In the past, our food aid programs have been based on the existence of food surpluses in the United States. These surpluses are gone. Until the less-developed countries are able to provide for themselves, our domestic farm programs must be geared to insure that we produce enough to meet pressing foreign needs as well as the demand here at home.

Population programs: Rapid population growth can make the dream of plenty a nightmare of famine. This is an enormous problem. It is clearly a matter for the conscience of each family and each nation. We will never dictate an answer, nor intrude on the decision others must make for themselves. But many countries have voluntarily decided that the time has come to confront the population challenge. We stand ready to respond to the requests for help from these nations in formulating and carrying out effective programs.

Integration of all U.S. assistance programs: Relief from immediate suffering is only part of the war on hunger. It gives precious time and strength for a larger task. The developing countries must use this time to gather the resources and skills to improve their agricultural production so that they can ultimately stand on their own feet. This is the goal of our technical and economic assistance. Clearly, our food aid must be closely related to these other forms of help in a single, carefully integrated approach to the entire food problem.

Increased private investment: There is no easy or simple answer to the scourge of poverty and hunger. No single program, no single plan, and no single government holds the key. We must marshal the sum of our experience. We must bring to bear more and more the capital and know-how of private enterprise—both in the United States and in the developing nations themselves.

A multinational effort: The food deficit is a world problem. Developed nations must join in an international undertaking to combat hunger and modernize agriculture. The United States cannot shoulder this responsibility alone. In meeting the world's food needs, the common interest lies in common effort. In sum, we propose to enlist the very best talent—private and public, of all nations, rich and poor.

As I have stressed, our own food aid is only a part of a wider attack on the causes of hunger. We made effective use of this new approach in the sales agreements signed in 1966. In the program with India, for example, our food assistance complements India's own strenuous measures to increase agricultural production. We also made a special effort to encourage help to India from other developed nations.

We seek new agreements with other countries in the same spirit. Our goal is to achieve both self-help in the developing countries and close integration of our own aid with the assistance of other wealthy countries.

The developing nations are helping themselves. Given a critical margin of capital, technical skill, and interim food shipments from the advanced countries, the threat of mass hunger will eventually diminish. Over the past 12 years, Public Law 480 has meant the difference between life and death for millions all around the world. That challenge and that momentous obligation are still with us.

I know that Americans have the dedication, the patience, the skills, and the wisdom to see the job through. Working together with rich nations and poor, all equally determined that mankind will conquer its oldest enemy, we will win the war on hunger.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *November 6, 1967.*

The message, together with the accompanying papers, was, without objection, referred by the Speaker pro tempore (Mr. ALBERT) to the Committee on Agriculture and ordered to be printed.

APPALACHIAN STATE UNIVERSITY'S FINE RECORD OF STABILITY AND PATRIOTISM

Mr. **WHITENER**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. **WHITENER**. Mr. Speaker, in these days of marches and demonstrations in opposition to the policies of the United States in the Vietnam crisis the college campuses have been the situs of much of such activity. The prevalence of such conduct at many of our institutions of higher learning has caused many to assume that our American college students are lacking in patriotism.

On Friday, November 3, 1967, the Nation was given concrete proof that patriotism and loyalty to country is still in existence in the hearts and minds of our college youth. This proof was furnished by the students at Appalachian State University in Boone, N.C.

The press reports told the story of the display of loyalty to country by several hundred Appalachian students when nomadic antiwar protesters invaded the campus to undertake to poison the minds of the students there. These loyal American students responded by demanding that the invaders leave the campus and as they left the students sang the patriotic song, "God Bless America."

As the Appalachian students were displaying their support of their country, the wise leadership of Dean of Student Affairs O. K. Webb brought both the invaders and the students to a resolution of the situation in such manner as to avoid violence or other misconduct. The action of Dean Webb causes me to express regret that we do not have more men of his sound judgment serving in such positions in other colleges and universities in our country.

Dean Webb and the Appalachian students have brought credit to themselves and their university. Their actions in this situation is characteristic of the students and faculty of their great university. No institution of higher learning in our Nation has a finer record of stability and patriotism than that of Appalachian State University.

I salute the faculty and student body of Appalachian for their patriotism, judgment, and maturity in handling what might have been a difficult situation on other campuses. The nomadic troublemakers who claimed to represent an organization known as the Southern Student Coordinating Committee were given the firm opposition at Appalachian that all loyal Americans should applaud.

The fighting Americans in Vietnam are entitled to the type of support on our college campuses that the students at Appalachian gave them last Friday. As they get the news from home that hundreds of North Carolina collegians are willing to actively give them support their morale will surely be higher as they go forth to battle to preserve freedom.

PRESIDENT JOHNSON SETS THE RECORD STRAIGHT ABOUT THE YELLOW PERIL NONSENSE

Mr. **HOLIFIELD**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **HOLIFIELD**. Mr. Speaker, during ceremonies honoring our Nation's latest Medal of Honor winner recently, President Johnson spoke out against the phony issue that has been raised about our presence in Vietnam—the so-called yellow peril.

The President declared:

> We have fought side by side with Asians at Bataan and Corregidor, in Korea, and now in Vietnam. . . . We have utterly repudiated the racist nonsense of an earlier era.

The President continued:

> Indeed, we have made a commitment in Asia because we believe . . . that no men, whatever the pigmentation of their skins, should be delivered over to totalitarianism; that freedom is not a prize reserved for white Europeans or Americans in our private enclaves of affluence.

And he concluded:

> Race has no place in our purpose. The American commitment is clear.

Mr. Speaker, I warmly endorse President Johnson's words. I commend him for speaking out so forcefully on this matter. My hope is that it will erase—once and for all—any notion held by any American that their government is involved in a racial war in Asia—or anywhere else.

This charge is the height of irresponsibility and absurdity. There is simply no justification whatsoever to believe that American troops are in Asia to contain a yellow peril. We are there to contain aggression—of whatever color or political stripe. We are there to defend the freedom of those who have sought our help and who happen to be Asians.

The only peril in Asia is the threat to the peace if aggression is allowed to proceed unchecked and unchallenged. This is the real peril, Mr. Speaker, and it has been avoided by the courageous stand taken by Lyndon B. Johnson.

History will prove this stand to be the correct one. Mr. Speaker, In my opinion those who attack our foreign policy in Vietnam bear two heavy responsibilities:

First. They must consider the effect of their statements on the determination of the enemy to continue their aggression.

Second. If they do not advocate surrender and withdrawal, I ask, What alternative policy do they advocate?

TAXES, MONEY, AND STABILIZATION

Mr. **TALCOTT**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **TALCOTT**. Mr. Speaker, our whole Nation—government, business, industry, and the private citizenry—is now suffering the consequences of the "new economics" espoused by the present administration.

The chaotic fiscal situation demands that every Member of Congress study thoroughly the consequences if we permit the fiscal, monetary and the budgetary practices of the Johnson-Humphrey administration to persist.

University of Chicago Prof. Milton Friedman's economic theories and expertise have withstood the exigencies and buffeting of time and reality better than the theories and practices of the Keynes-Heller school which are failing us so badly now.

Those who still believe that the Federal budget can be used as an instrument to insure economic stability in the United States and abroad should read this provocative and illuminating column by Professor Friedman published Sunday in the Washington Post.

With unanimous consent, I include Professor Friedman's timely and scholarly article at this point in the RECORD:

TAXES, MONEY, AND STABILIZATION

(By Milton Friedman)

Most current discussion of President Johnson's proposed tax surcharge takes it for granted that the Federal budget is an effective and sensitive instrument for promoting economical stability and that the only issues in dispute are whether the economy needs restraint and if so whether the restraint should be imposed via higher taxes, lower spending, or tight money.

For example, in his thoughtful and sophisticated presentation of the case for a tax increase in these columns three weeks ago, James Tobin wrote, "If tax policy is to be used, *as it must be*, for economic stabilization . . ." (my italics)—not a word about whether it *can* be so used. Apparently, he regards that as so obvious as to require no discussion.

Yet it is by no means obvious. Indeed, in my opinion it is false. For both political and economic reasons, tax policy cannot be used successfully for economic stabilization. Perhaps at some future date, when we know far more than we now do about the workings of the economy, the situation will be different. But under existing conditions, the attempt to use tax policy for economic stabilization is likely to do harm, not good; it is likely simply to introduce an additional source of instability.

The political difficulties are the more obvious but perhaps the less important. In early 1966, many new economists favored a tax increase to stem what they regarded as growing inflationary pressure. The Federal Reserve System shared this view and justified its tight money policy of 1966 by the failure of the President to recommend and of Congress to enact a tax increase. Despite this near consensus among economic experts, the political climate of the time was hostile to a tax increase and none was recommended. Similarly, in 1962 the economic experts declared that a tax cut was imperative. A tax cut finally came in 1964. delayed by the time required to marshal political support.

These political difficulties have led many new—and some old—economists to propose that the President be given the power to raise or lower tax rates within a limited range at his discretion. Some such step is indeed essential if frequent changes in tax rates are to be used as a regular instrument of economic policy. But even if the President were granted such discretion, political considerations would hardly be eliminated from the decision when to raise and when to lower tax rates. And the granting of such discretion would involve a major change in the distribution of political power. To those of us who believe that too much power has already been concentrated in the hands of the Executive and who fear a continuation of this trend, the change would be very much for the worse. It could be justified only if there are clear and compelling economic reasons for bearing the political cost.

The economic difficulties with using tax policy for stabilization are more basic. The 1966 episode suggests the problem. The tax increase recommended by experts did not occur, and government expenditures continued to mount. As a result, fiscal policy became increasingly expansive as measured by the high employment deficit—perhaps, as I suggested in a 1946 article, the best single measure of the impact of Federal budget policy on the economy. Yet output stopped growing and price rises moderated. There clearly was an economic slowdown in the first half of 1967, though it may not have been severe enough to qualify as a full-fledged recession, fiscal policy went in one direction, the economy in precisely the opposite.

This episode can be multiplied many-fold. Examine the behavior of the full employment budget over the postwar period and compare it with the behavior of the economy. You will find that there is little connection between the changes in the one and in the other. For example, in 1948, there was a sizable tax cut—followed by a recession. In 1955 and 1956, and again in 1962 and 1963, there were substantial high employment surpluses—and economic boom. By hindsight, it is possible to explain the discrepancies by adducing other factors that were at work. But if tax policy is to be used for economic stabilization, foresight rather than hindsight is needed.

Mr. Tobin and other proponents of the tax increase write as if tax changes had a clear and predictable impact on the economy, as if they could assert with confidence beforehand what effect such and such a change in taxes will have on national income, on employment, and on prices. True, they will grant, there were "special circumstances" in 1966 and 1967, but this time is different.

The claims are extravagant. Yet, so far as I know—and this may surprise most readers—no systematic evidence whatsoever has been offered to support them. We must take it all on faith.

Those of us who have been working on monetary problems have at least tried to assemble some empirical evidence to justify our assertion that there is a strong—though by no means precise and completely regular—regulation between changes in the quantity of money and in national income. In the course of our studies, we have also turned up much evidence that this relation is far closer and stronger than the relation between budget changes and national income. For example, each of the glaring discrepancies listed above between fiscal action and the curse of the economy can be accounted for by the behavior of the quantity of money. And there are no similar discrepancies between monetary growth and economic change. Recessions have been consistently preceded by a deceleration of monetary growth; expansion, by an acceleration of monetary growth.

Is it not time that the new economists offered some evidence to support their claims?

But, you may answer, is evidence really needed? How can there be any doubt about the potency of tax changes? A tax increase now will reduce the income available to taxpayers to spend. Surely, that will reduce the pressure of demand that is pulling up prices. True, but that is only part of the story. If a tax increase takes some of the heat off the drive to hold down government expenditures, the effect on taxpayers will be partly or wholly cancelled by higher government spending. If this offset is incomplete, so that a tax increase adds more to revenues than it does to government spending, then the government would not have to borrow as much to finance its expenditures. But in that case, those who would have loaned funds to the government now have such funds available. Some part may be used to finance the payment of the higher taxes—to that extent, the taxes will not reduce private spending. The rest will add to available loanable funds, easing the strain on credit markets. *For a given monetary policy,* interest rates will be lower. Reduced spending by taxpayers will be offset, at least in part, by the increased spending of those who now borrow the funds released.

In general, there will still remain some net effect because lower interest rates will induce the public to hold higher cash balances relative to their income than they otherwise would have done—as they view it, they will finance some of the extra taxes by running down cash balance. But, *unless the tax change affects monetary policy,* this net effect is likely to be small, irregular, and uncertain. That is, I believe the reason why the statistical evidence shows such an irregular relation between budget policy and economic activity when allowance is made for the effects of monetary policy.

The tax change may affect monetary policy. However, it clearly need not do so. The Federal Reserve System has the power to increase the quantity of money at the rate it desires, whatever the state of the Federal budget within any range that appears at all likely—a proposition for which again there is ample empirical evidence.

Monetary policy, by which I mean changes in the quantity of money, seems to have had a far more potent effect on national income and prices than fiscal policy. The slowdown in the first half of 1967, despite an expansionary fiscal policy, followed a drastic reduction in the rate of monetary growth imposed by the Federal Reserve System in April, 1966—and this result was predicted in advance by those of us who have attached major importance to changes in the quantity of money as a determinant of changes in national income in current prices. The renewal of economic expansion in mid 1967 followed a drastic acceleration in the rate of monetary growth imposed by the Federal Reserve System in January, 1967—and again this result was predicted in advance. It is this rapid rate of monetary growth, not the state of the Federal budget, that raises the spectre of serious inflation. If this rate of monetary growth continues, we shall experience significant inflation, regardless, within wide limits, of what happens to taxes and government spending. If monetary growth tapers off decidedly, inflation will be checked, again almost regardless of what happens to taxes and government spending.

These sweeping assertions may give the impression that I believe that monetary growth is a precise and infallible predictor of subsequent income and prices. That is very far from the case. *On the average,* there is a close relation between the rate of change in the quantity of money and the rate of change in national income in current prices some six or more months later. However, that *average* conceals much variability in both the time delay and the magnitude of response. the response may come after three months or it may be delayed 12 or 18 months. A one percentage point increase in the rate of monetary growth may be followed by a negligible change in the rate of income growth or by a change of 3 or more percentage points.

Such sweeping assertions can nonetheless be made with great confidence because the recent rate of monetary growth differs so widely from the rate that would avoid inflation. Evidence for the past century suggests that on the average a rate of growth of about 4 or 5 percent in the quantity of money (defined as currency plus all commercial bank deposits, demand and time) is consistent with stable prices. Since January, 1967, the quantity of money has been growing at the rate of 12.5 per cent. It does not require a very close or precise relation between monetary change and income change to predict that continuation of such a rate of growth will produce severe inflationary pressure.

Because the effect of monetary change is delayed, and because its relation to income change is loose, it has been possible for the Fed to vary considerably the rate of monetary change without its being obvious that it was thereby contributing to instability in the economy. Yet with hindsight, we can see that the Fed has tended to react late to changes in economic circumstances and then, when it did react, to over-react—as in April, 1966 and again in January, 1967. Instead of offsetting other forces making for instability, the Fed has itself been a major source of instability.

My own conclusion is that we simply do not know enough to be able to use either fiscal policy or monetary policy as a flexible and sensitive instrument to control the course of the economy. "Fine tuning" is a wonderfully evocative phrase, but we do not have the knowledge or the instruments to make it more than a phrase. Attempts to apply it have provided another example of the best being the enemy of the good.

That is why I favor a government policy of providing a stable fiscal and monetary framework for the economy, rather than of trying to engage in fine tuning.

A stable fiscal framework would involve setting tax rates and enacting expenditure programs in terms of long-run considerations, not of short-term stabilization objectives. Congress could and should concentrate on the issues it is qualified to judge—how large a fraction of their resources the citizens wish spent through government and on what projects. It should not let itself get mired in trying to forecast short-term changes in the economy.

In terms of these long-run considerations, taxes are already too high, not too low. We are now spending too large, not too small, a fraction of our resources through the Federal government—as judged by what we are getting (or not getting) for our money. We are being told that the proposed tax surcharge is a strictly temporary expedient. But past experience suggests that temporary taxes have a way of becoming permanent. Enacting higher taxes now will simply reinforce recent trends, validate past expenditures, and encourage still higher levels of spending later. That is why I oppose any increase in taxes. Far better to suffer temporarily high deficits, if that be the price, than permanently high taxes.

A stable monetary framework would involve a steady increase in the quantity of money at a rate calculated on the average to be consistent with stable prices. It would involve, too, a free market in foreign exchange—but that is another and even longer story.

Currently, such a monetary policy would require a sharp decrease in monetary growth—as already noted, from about 12.5 per cent a year to about 5 per cent per year. That would be a drastic change. However, postponing it will make the move to a stable monetary policy still more difficult, as inflationary expectations become ever more widespread and even more strongly imbedded in private arrangements. It is probably not too late to make such a drastic change without drastic consequences. Let the present rate of monetary growth continue much longer, and that will no longer be the case. The course of prudence will then involve reconciling ourselves to a long-continued inflation, with at best a gradual tapering off.

If the monetary authorities were at once to shift to a slower rate of monetary growth, the immediate effect would be to raise interest rates. But this effect would be temporary. After some three to six months, as the reduced rate of monetary growth started to restrain the growth of aggregate demand, the pressure for credit would slacken, and interest rates would start to decline. A monetary policy that will avoid inflation is also a policy—and the only policy—that can be counted on to stop the present trend toward ever higher interest rates.

Such a stable fiscal and monetary framework would enable the public to conduct their economic affairs without having to engage in a guessing game about what governmental authorities propose to do, in full confidence that governmental monetary and fiscal policy would provide a stable base for the private economy. It would enable Congress to go about its proper business without having to engage in a guessing game about what private individuals and enterprises propose to do. It would enable the monetary and fiscal authorities to concentrate their scarce resources on strengthening our basic financial and economic institutions rather than vainly trying to lean against next year's wind, which, in the process, they are themselves stirring up.

REPORT ON THE LINDSAY ADMINISTRATION

Mr. ROSENTHAL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, the City Club of New York is an organization of responsible citizens of New York City who are concerned with the welfare and well-being of the city. On November 2, 1967, they issued a report entitled "Achievement and Nonachievement by the Lindsay Administration." The report is set forth at length at the conclusion of my remarks.

The report is both laudatory and critical of the Lindsay administration, and I bring it to the attention of my colleagues for its substance.

I believe that the quality of city government today is crucial to the well-being of the Nation. This report, in its fair criticism, can help other city managers who are interested in appraisals of programs in a sister city.

Frequently style passes for performance in public recognition, but in this report the City Club makes this important distinction. I recommend this analysis to all interested in the welfare of our cities:

ACHIEVEMENT AND NONACHIEVEMENT BY THE LINDSAY ADMINISTRATION

Because we admire Mayor John V. Lindsay's idealism, we hesitate to criticize his administration. Yet, we are afraid that if he fails to offer constructive counsel and he fails to heed it, the four-year record of the first reform administration in a generation could be one of non-achievement.

To Mayor Lindsay's great credit is the adoption of a progressive municipal tax program including an income tax for both residents and commuters, whereby fiscal responsibility was substituted for the irresponsibility of long term borrowing for current expenses. Our mayor also had the courage to bring from outside the city a new police commissioner who was in a position to reorganize the department. In selecting Thomas Hoving as his first Park Commissioner, Mayor Lindsay gave authority to a creative person whose innovations will very likely have a lasting favorable effect on the recreational scene. He has spoken out courageously on the Vietnam war and, in his opposition to the new State constitution, refused to capitulate to forces which would destroy the public school system. And he is perhaps unique among public officials in the United States in his ability to relate personally and sympathetically to the poor and neglected people of the cities.

On the other hand, inquiries made by the City Club reveal deficiencies in Mayor Lindsay's administration which are very deep-seated—through certainly correctible.

One of Mayor Lindsay's chief complaints is that he has not been able to put through his entire reorganization plan. One of his proudest boasts is that he has attracted the new breed of public administration specialist.

It will be recalled that the City Club was the only good government organization to withhold support for the reorganization plan.

We felt that it was a paper recipe sold to our mayor by men still devoted to what have long been discredited as mechanistic approaches to administration.

When we listened to the reorganization scheme being presented to the City Council on behalf of Mayor Lindsay, we dreaded what we were hearing. It sounded as if our mayor were in the hands of people who know all about management—or its vocabulary—except how to get a job done. The essential purpose of organization, getting the work done, was ignored. No evidence was submitted that another level of staff would produce the work.

We saw in the program of building ever higher pyramids, or consolidating departments or bureaus under new and bigger staffs, a continuation of the process of making government ever more bureaucratic, unmanageable and unresponsive. We saw that most of the reorganization plans called for proliferation of supporting staffs at the expense of the operational line. Paths of communication would be so lengthened that by the time they reached the line, commands would become inaudible whispers.

The City Club was not the first to observe that while effective large business enterprises encourage the making of operating decisions at the lowest possible level, government tends to require all decisions to be made at the highest possible level. This means that if a new staff level is established, it becomes more isolated from operations while the functional departments below are rendered impotent.

Another principle is that the executive must pick good people and then let them do the work. No organization can work if the top executive must supervise every detail of administration. The right way to supervise in business is to let the lower echelons do their work and then modify it, if necessary, after action has been taken. Any other procedure leads to paralysis of the organization and the program.

HOUSING AND DEVELOPMENT ADMINISTRATION

The Housing and Development Administration was the first to be formed by action of the City Council. In our testimony, questioning the reorganization, we asked, "Will it build one more house?" We then traced housing programs of New York, starting with the six-man organization under Robert Moses, the staff of less than 50 under Mario Procaccino and the 600-man staff under Milton Mollen, and said, "The proposed Housing and Development Administration is the latest attempt to get results in a field where there has been a consistent growth of staff with no improvement in results."

What happened? Has the Lindsay administration reached its housing goals? Here are the facts:

The Lindsay campaign white paper on housing proposed:

1. To create 50,000 new low-rent apartments in four years.

2. To boost middle-income apartment construction, to a rate of 15,000 annually.

Let us see if these goals have been reached.

1. In 1965, the last year of the Wagner administration, whose record in housing the City Club always considered unsatisfactory, building permits were issued for 3,363 low-rent public housing dwelling units.

In 1966, the first year of the Lindsay administration, permits were issued for 1,730 low-rent public housing units.

There has been a slight improvement in 1967 when in the first eight months permits were issued for 1,933 public housing units, a rate still well below the performance in 1965.

2. In 1965 permits were issued for 5,791 dwelling units under the City's middle-income program. In 1966, the number dropped to 3,483. In the first eight months of 1967, *only 394 permits were issued!*

If we add up all housing construction; private luxury, FHA, single family tracts, public housing and middle-income—Federal, State and local, we find that permits were issued for 25,715 in 1965 and 23,142 in 1966. In the first eight months of 1967, permits were issued for 16,443 dwelling units. Allowing for the seasonal drop-off, it seems likely that 1967 will be well below 1966.

The campaign white paper also said, "Tear down the 400,000 slum apartments which have infested the city since the turn of the century.

What happened? The City went on a rehabilitation kick. This was to be the new nostrum. Even though it should have been perfectly obvious to his staff that it would cost much more than new construction, Mayor Lindsay was induced to fall for the farce known as instant rehabilitation.

Jason Nathan, the administrator of Housing and Development, presided at the highly publicized ceremony marking the opening of the first instant rehab of an old law tenement. Later, when the Federal government publicly dismissed instant rehabilitation as worthless, Mr. Nathan was 3,000 miles away in Portland, Oregon, making a speech about how housing should be administered.

The one bright light in Mayor Lindsay's housing picture was Charles Moerdler, a compulsive achiever, a man for whom there was apparently no place in a consolidated set-up. Well, Moerdler is gone. And we have consolidation. But five months later we still did not have Uniforms on Building Inspectors, One Stop Plans Review, Consolidated Inspection Staffs, Cyclical Inspection, Objective Standards for Housing Inspection, or any of the solid reforms pushed by Moerdler.

HUMAN RESOURCES ADMINISTRATION

Re-reading the City Club testimony on consolidation of the Welfare Department into the new Human Resources Administration we noted the following: "Merely putting existing programs under an enlarged bureaucracy holds little promise of a solution. It would save money and accomplish no less to turn the whole program over to the Welfare Department, which seems to have in Commissioner Ginsberg a qualified executive."

In the language of the season, when Mayor Lindsay brought Mitchell Sviridoff to New York, he hailed him as a mighty ground gainer. Unfortunately, when Sviridoff became separated from the political organization and labor unions which had been running interference for him in New Haven, he faded as a scoring threat. He surrounded himself with many highly touted specialists in public administration and perhaps will take some of them with him when he joins the Ford Foundation, from where he will try to call the signals on poverty from a less exposed position.

The Sviridoff problem seems to have been that after the extreme build-up, miracles were unfairly expected of him. We suspect the program itself was not sound. There does not seem to be an adequate unifying theory behind the poverty program, national or local. Usually, the absence of a sound basic concept means a program is foredoomed to failure. Like the tendency to make all decisions at the highest possible level, one of the mysterious obliquities of governmental practice is that the bureaucrats never seem to hesitate to set up an elaborate organization before having a sound plan for what to do with it and what it should do. Government often acts as if the setting up of an organization were the rite which would solve the problem. The City very likely does not have the power to deal adequately with the deep-seated social problem of poverty. Mayor Lindsay should say so, or come up with a new theory and plan. He should not imply that it will somehow be solved by medicine men called "urbanists."

No doubt this little essay could cause Mayor Lindsay considerable annoyance. We hope it won't and that instead he will re-examine his administration to see where and how improvements can be made. As an eager intellectual who came late to the field of administration, our Mayor has been fascinated by its scientific aspects, and assumes that those who observe its complexities and talk its language are also able to produce the results which he wants. But the critic is not the playwright, and the researcher not the manager. As businessmen know, administration is also a craft or field, with so many controlling variables that it defies exact theoretical prescriptions. Consider for a moment the miracle of human motivation which can compensate for almost any shortcoming in training or equipment. In Vietnam a powerfully motivated peasantry holds in stalemate the richest and strongest nation in the history of the world.

The vocabulary of public administration experts is full of phrases like "coordination of responsibility," "span of control," "sound alignment of functions," "delegation of responsibility." But one word is sometimes missing. It is "accountability," without which no administrative scheme is worth the paper it is written on. Unless the head of government demands full performance toward the established goal, and penalizes non-performance, talk about scientific management is meaningless. And unless his own staff is able to provide him with a regular accounting of work accomplished, he cannot manage for results. Fiorello LaGuardia was himself the best judge of the quality and quantity of work to be expected. Since this is apparently not yet John Lindsay's strong suit, he must have deputies on his own staff with the most sophisticated knowledge of capability upon whom he can rely.

Mayor Lindsay stands today amidst a total lack of achievement in housing and redevelopment. Failures also exist in other areas. What is to be learned? We have some suggestions:

Despite the laudatory recent articles in The New Yorker and the New York Times Sunday Magazine, Mayor Lindsay's inner circle does not seem to be adequate to enforce accountability for performance from the various departments and agencies.

We must have goals for every department and agency and our mayor should add to the City Hall leadership those who can give meaning to that most important of highest level management mandates—accountability.

There is a natural tendency of public officials not to stir up the quiet sectors. No one can really blame an elected official for coming to believe that the appearance of things is more important than their true condition. Yet we cannot help feel that now, when the first half of his four-year term is almost over, is the time for Mayor Lindsay to take stock. Non-achievers in high posts should be replaced with committed achievers. Even if such people stir things up a bit too much for City Hall comfort and may occasionally be hard to live with, they are the people we need if work is to be done and if problems are not merely to be covered with mimeograph paper.

We believe that Mayor Lindsay has the capacity to learn rapidly and that these first two years could be followed by two years of high and "hard" achievement.

VIETNAM

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, Vice President HUBERT HUMPHREY, on his recent visit to Vietnam, described the war there by stating, and I quote:

> This is our great adventure, and a wonderful one it is.

It should be pointed out, Mr. Speaker, that the Vice President of the United States was not speaking for the American people when he made his remarks. He was not speaking for the American soldiers, he was not speaking for the South Vietnamese, he was not speaking for this Congress, or at least I doubt that he was doing so.

The question is, Who was he speaking for when he described the bloody and frustrating war there, just as Webster does in the dictionary, as "a stirring experience, of a romantic nature"?

The war in Vietnam is not a great adventure for our fighting men. It is a final adventure for far too many of them.

It is not romantic for the parents of the fighting men; it is heart rending and fearful.

It is not wonderful for the wives and children of those sacrificed there. It is a lonesome, anxious, terrible, and sometimes eternal vigil for those who live to suffer their losses of their loved ones.

> Our business is to make history—

The Vice President went on to say.

> It's wonderful to make it, make history in your own way and your own time—

He added.

The kindliest thing I can say for our Vice President in this instance, Mr. Speaker, is that he was not talking for the parents, the soldiers, the wives and children of America, but for himself. And if this is true, I suggest that the President of the United States confine his Vice President to future travels within the continental limits of the United States.

If one of our national leaders feels war is an exhilarating, somewhat frivolous adventure, and says so in the presence of those we are trying to encourage to participate more fully in the war for freedom, he is doing a disservice to his country and his fellow Americans on the battlefield.

We have enough contention at home concerning our efforts in Vietnam, an effort I support now that our fighting men are committed to the battlefield. We do not need, nor should we tolerate, international joyriders touring foreign lands on our behalf, spreading gladtidings about the "great adventure" we are engaged in. It is a fight for freedom, and to quote the President of the United States, "a fight for survival." What is so funny about Vietnam, then, Mr. Speaker; what is so great and adventuresome? I repeat, the place for our gung-ho Vice President is not overseas, yapping about making history with someone else's sons. He belongs back in Washington, explaining what he meant and why he considers war such a great adventure.

HYDE PARK CO-OP A PATTERN FOR THE NATION

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter concerning the Hyde Park Co-op.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, Hyde Park, in the district it is my privilege and my honor to represent, is Hyde Park. It is Hyde Park in a singular numerical sense, since though there are other communities by that name scattered over this universe of ours, none has similarity in universality, depth in the art of being pleasantly articulate, and the knack of achievement in neighborly living together and blending the everyday chores of existence with the gainful pursuit of the arts and cultures, comparable to that of Hyde Park on Lake Michigan on the South Side of the city of Chicago.

Charles P. Schwartz, Jr., is president of the Hyde Park Cooperative Society, Inc., which has a membership of 10,334 families and in the current year has done a merchandizing business of $6,117,499, has declared a 4-percent dividend on common stock, and distributed a 3-percent patronage refund on member patronage during the last fiscal year. The patronage refunds payable in cash totaled $136,887. In brief, the Hyde Park Cooperative Society has been a huge success.

President Charles P. Schwartz, Jr., writes me:

> I know you are familiar with the Co-op and its unique success in bringing together people to fill a common need. While such an organization may not succeed in every neighborhood, I think it is reassuring today to see that people of modest means can combine together for a mutual benefit. I am sure it would be welcomed by the Co-op members, and perhaps useful to others in various parts of the country, to have public mention of the Co-op's success.

Mr. Speaker, with this thought I am in full agreement. I am sure my colleagues throughout the Nation will find in the success story of the Hyde Park Co-op an inspiration for the commencement of similar undertakings in their respective districts. As Mr. Schwartz suggests such an organization may not succeed in every neighborhood, but with the same dedication and the industry of the founders of the Hyde Park Co-op I venture the prediction that a Co-op on the pattern of that in Hyde Park would succeed in most American neighborhoods.

By unanimous consent, and with the confident hope that it will provide a chart for other American communities throughout our Nation, I am extending my remarks to recite the success story of the Hyde Park Co-op as told in excerpts from the 1967 annual report of the society and from the articles in the mid-October 1967, issue of Evergreen, the society's publication. I quote from the president's annual report by Mr. Schwartz:

THE PRESIDENT'S REPORT

Last year combined progress with problems of operations, expansion and debate among the membership. While many of these conditions continue, each Co-op member should be proud of the way in which their Society and its staff have been meeting challenges such as—

Higher food prices and rising operating costs.

Sales volume that often pushes your store to capacity.

Operating difficulties and merchandise shortages created by record snow storms and truckers' strikes.

Starting the new FORM Scandinavian furniture store to offer quality furniture at reasonable prices.

Debates within the membership upon a variety of operating policies and the possible role of the Co-op outside of its previous activities.

> Revision of the role of Co-op committees and creation of a practical method to submit controversial issues to a referendum vote of the entire membership.
>
> * * * * *
>
> Grocery store: This operation has continued its past success and we have adequate financial resources.
>
> Our rate of profit last year was relatively good despite the factors listed above and efforts to maintain lower prices. . . .
>
> Prices charged by the Co-op are regularly examined so that the store remains competitive on an overall basis, offering good value for "one stop" convenient shopping. Our weekly specials remain in effect for a full week and unlike competitors, do not compel shoppers to concentrate their buying on the weekend period. Shoppers receive a real bonus every shopping day through the "Everyday Low Prices" program which covers a number of high volume popular items. These prices are often below cost, so only a small proportion of our goods can be priced so low. There is also a general desire for the Store to carry a wide range of goods, and this assortment is bound to include higher, as well as lower priced items. However, through our unique, "price per ounce or unit" signs, shoppers are able to compare the values offered. Your store is apparently still the only one in the nation to offer this service.
>
> The Society has previously considered opening a second grocery store but no site has been located that seems suitable in terms of consumer demand or the elements needed for success. . . .
>
> Furniture store: FORM, your Scandinavian furniture store, opened soon after Labor Day and has met widespread praise. It will provide quality furniture at reasonable prices and thereby fill significant needs for our community and the general Chicago area. FORM is patterned after a successful operation by the Greenbelt (Washington, D.C.) Co-op which is providing us with valuable consulting services. . . .
>
> Other Services: FORM is the Society's largest venture outside the grocery field. However, the Co-op has helped a number of other activities, although none are directly part of the Society. The list includes the Credit Union, Fuel Co-op, Chicago Memorial Association and Sitter's Swap. . . .
>
> Community activities: The Society has always sought to participate in and support worthwhile community organizations and activities. Special functions such as the annual book sale for Worldwide Co-op Partners and the UNICEF card sale have raised significant sums for charitable contributions outside our own area. Last year contributions were made to help establish a co-op amongst California farm workers who were seeking improved living conditions; and to co-operative activities to help victims of the Italian floods.
>
> The Society is supporting, for a second year, a joint project with the Cooperative League to provide educational and organizational assistance to neighbors in Hyde Park, Kenwood-Oakland and Woodlawn. This program, conducted by William Stewart, has sought to reach residents directly and to help them help themselves in areas such as ending overcharging on the sale of substandard merchandise in local stores. Consumer groups such as buying clubs have been organized which can reduce the cost of living. Information is also provided about activities such as credit unions.

GENERAL MANAGER'S REPORT

Mr. Speaker, Gilbert Spencer is the efficient and popular general manager of the Hyde Park Co-op and Mrs. Linnea Anderson, the education director. Mrs. Anderson and her distinguished husband, Douglas Anderson, associated with Senator Paul Douglas for 18 years as his Chicago representative, have been motivating forces of dynamic influence in the growth of the co-op since the days of its organization. The directors are President Schwartz, Vice President F. Raymond Marks, Jr., Secretary Colette Rasmussen—Mrs. Richard—Treasurer Frank T. Okita, David Badal, Florence Goldwasser—Mrs. Eugene—Jetta Jones—Mrs. James—Henry McGee, Dorothy Sandberg—Mrs. Glen H.—and alternates Dr. Andrew Thomas and Nathaniel Blackman, Jr., William J. Stevens, is the co-op's attorney.

I quote from the annual report of General Manager Gilbert Spencer:

> Our Society completed another successful year on July 29, 1967. Your Board of Directors is recommending a 4% dividend on common stock and a 3% patronage refund on member patronage recorded for last fiscal year. 3% is the very maximum refund rate that earnings of $228,000 for last year will permit. Earnings were down from the high peak of the prior year because expenses were higher in 1966–1967 and sales of $6,117,000 increased only $98,000 or 1.6%. Contractual wages were higher and productivity dropped slightly due to inefficiencies resulting from labor turnover and the fact that applicants with experience are generally unavailable. Also, legal expenses were abnormally high last year and we absorbed nearly $20,000 of expenses incurred in the developing of our new Scandinavian furniture operation, FORM.
>
> FORM, located on the north end of Harper Court, at 52nd Street and Harper Ave., opened for business on September 8th, nearly six weeks after the beginning of our current fiscal year. We projected average weekly sales of $10,000 per week for the remainder of this fiscal year. Actual sales during the opening weeks were nearly double this figure and the enthusiastic comments of members and others visiting FORM indicate that sales may average above our estimates for this year. We were fortunate to have had the services of Bob Gowell, manager of Scan, and his design staff headed by Frits Moltke-Hoff in developing our furniture operation. They, with our manager, Barbara Goede, have created our unique and attractive Scandinavian furniture shop.
>
> Although the Hyde Park Cooperative Society now has two operations, the supermarket and FORM, patronage refunds will be based on your total co-op purchases . . .
>
> Our Balance Sheet, Statement of Assets and Liabilities, indicates that our financial position is sound. Member investment and reserves account for a high proportion of total assets. Working capital was reduced appreciably last year due to investment of accumulated cash savings in our furniture store. Our total cash and savings deposits were $400,000 as of the close of last fiscal year (July 29, 1967) but $200,000, half of this, will be paid out in the next few months in patronage refunds, dividends on shares, deposits to employees' savings-sharing trust and in income taxes. This will leave our Co-op with adequate working capital but minimal savings for further growth.

ENTHUSIASTIC CONSUMER RESPONSE

Mrs. Mary Louise Stauffer, reporting on the enthusiastic consumer response to FORM, writes:

> Our new furniture store in Harper Court, FORM, opened September 8th and has been bustling ever since. Both member and public response were enthusiastic beyond all our expectations. Co-op members, not only from the Southside, but from all parts of the city, have come to visit FORM and to make both small and large purchases. At this writing, re-orders have already been placed for several pieces of furniture.
>
> * * * * *
>
> We are pleased that our original objective of bringing a very fine line—and a most complete one, too—of Scandinavian furniture to Chicago, at very reasonable prices, is being met. Thus can we, as a cooperative, continue to find new ways of offering new and needed consumer services.
>
> At the stockholder's annual meeting of the Harper Court Foundation, treasurer Bruce Sagan reported that FORM is one of the best things to happen to Harper Court. He pointed out that FORM, even at this early date, is a great traffic builder for the other merchants. FORM also has on display potted plants from Plants Alive, children's books from Acasa, a stereo from the Fret Shop, drapery panels from Wall and Window and bedspreads from Fabyar. FORM is also displaying children's books from its 53rd street neighbor, the Accent shop. In the future, FORM hopes to be able to work closely with other neighborhood merchants.

CREDIT UNION DAY

October 19 was International Credit Union Day, and in recognition of that day Evergreen comments:

> In 1849, Friedrich Wilhelm Raiffeisen, mayor of the tiny German Village of Flammersfeld, founded the first credit union to save his villagers from usurers and loan sharks. Membership was limited to the inhabitants of Flammersfeld, who knew each other intimately. By pooling the village savings, a fund was created for making low-cost loans to responsible villagers, thus freeing them from exploitation.
>
> The same principle guides our credit unions today—to the confusion of loan sharks and high-cost finance companies. In helping ourselves through our cooperative credit society, we are building a living, ever-growing monument to Friedrich Wilhelm Raiffeisen.

CO-OP A COMMUNITY INSTITUTION

Hyde Park Co-op, with over 10,000 member families, is a community institution interested in pretty much everything that happens in Hyde Park. Here is the program for the semiannual membership meeting on October 26, 1967:

> AGENDA
>
> At 6:30 p.m.: United Nations Buffet Dinner.
>
> At 7:30 p.m.: Meeting called to order by Charles Schwartz, President.
>
> Approval of Minutes of Semi-Annual Meeting of April 27, 1967.
>
> Introduction of Parliamentarian: William J. Stevens, Attorney.
>
> Report by the President: Charles Schwartz.
>
> Report by the General Manager: Gilbert Spencer.
>
> Distribution of Earnings by the Treasurer: Frank T. Okita.
>
> Discussion of above reports.
>
> Presentation of Resolutions:
>
> (1) Alan and Lois Dobry: "Resolutions presented at meeting without previous notice" . . .
>
> (2) Shirley Lens: "Peace and other neighborhood organizations be granted the right to have tables for petitions, etc., in store". . .
>
> (3) John Rossen: "An immediate end to American participation in the war in Vietnam and immediate withdrawal and return of all American military personnel". . .
>
> (4) Richard Murray: "Negotiate a loan for at least $10,000 to East Garfield Park Cooperative Assn. for instigation of small grocery store". . .
>
> Discussion and vote on above Resolutions.
>
> Movie: "This is a Cooperative."
>
> New business and adjournment.

HYDE PARK IS ARTICULATE

Mr. Speaker, I close with this quotation from President Schwartz' report:

> Many of these events reflect the maturity and success of the co-op. * * * Differences

of opinion are inevitable in all such efforts, especially in our articulate community.

Hyde Park is an articulate community. Perhaps that is the reason for its greatness and of the success of the Hyde Park Co-op.

FLOOD INSURANCE

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. WYATT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WYATT. Mr. Speaker, in the last two decades the State of Oregon has had the unfortunate occasion to experience the wild ravages of the forces of nature several times. Most of these disasters were floods.

Just 3 years ago at Christmas a heavy snowfall followed by sudden warming created flood conditions so critical that certain parts of the State were named national disaster areas. This is why I have carefully studied possible areas of flood relief, and why I have introduced flood insurance legislation and have worked diligently for its passage.

Floods wreak terrible damage, and, although the toll in lives lost directly and through associated disease are bad, the damage to the property of uninsured individuals generally makes up far and away the greatest proportion of loss.

In flood-prone areas those persons who most need financial protection from the dangers of flooding are the least likely to have that protection. Either they are classified as absolutely uninsurable, or the rates are so exorbitant as to be prohibitive.

The National Flood Insurance Act of 1967, passed this past week by the House of Representatives, is a marked step toward providing some measure of financial security for those families finding themselves in flood-prone areas.

Admittedly, this measure is just a first step. But it is a long step and an important one on the way to providing flood-threatened individuals with the protection and security they should and must have.

Together with our rapid advancement in the field of flood control through strategically located dams and water reservoirs, the National Flood Insurance Act of 1967 should be looked upon as another great stride forward in protecting the people of this Nation, both physically and financially from the crippling effects of natural disasters.

HOSMER STATEMENT IN ABM HEARINGS

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HOSMER] may extend his remarks at this point in the RECORD and include extraneous matter and tables.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOSMER. Mr. Speaker, following is the statement I am making today to the Subcommittee on Military Applications of the Joint Committee on Atomic Energy which is holding hearings reviewing the anti-ballistic-missile system issue:

In 1966 the Pentagon estimated the USSR then had 340 ICBMs. Estimated additions to this arsenal range from 200 to 400 per year. The US has 1000 silo-based Minuteman missiles and 54 Titan II's—1054 landbased missiles. Roughly 400 of its 656 Polaris missiles can be assumed to be on station at any one time. Thus the total of available US strategic missiles is 1454 and this figure remains steady. Depending on Soviet rate of additions, the Table I indicates when the Soviets will achieve numerical parity and thereafter superiority:

TABLE I

Yearly additional rate	1967	1968	1969	1970	1971	1972	1973
200	540	740	940	1,140	1,340	1,540	1,740
300	640	940	1,240	1,540	1,840	----------	----------
400	740	1,140	1,540	1,940	----------	----------	----------

It makes little difference whether these additions are in ICBM configuration or take the form of orbiting weapons. In either event they will carry large hydrogen warheads and their purpose is the same.

The precise reason the Soviets maintain, improve and expand their strategic nuclear system is to be able to make a surprise attack which so severely damages us that our retaliatory forces are rendered incapable of hitting back with unacceptable destruction. The fact they continue to spend billions of rubles on this system makes it obvious they intend to use it when it can be employed successfully on its offensive mission.

The precise reason we maintain our strategic nuclear system is to deter such an attack. Deterrence is a defensive maneuver and its success depends on obviously being able to suffer such an attack and still have sufficient undamaged surviving weapons to impose unacceptable retaliatory destruction on the attacker's homeland.

Secretary of Defense Robert McNamara properly points out that the keystone of deterrence is a capability to "absorb any surprise nuclear attack and to retaliate with sufficient strength to destroy the attacking nation as a viable society." He believes this involves not so much the atomic punch of our warheads as it does laying them down with precision on their targets. He feels it depends not so much on the number of our missiles as it does their survivability. He contends survivability does not necessarily require ABMs to intercept enemy warheads, but that what is important is hardened ICBM sites capable of withstanding the explosions and functioning afterward.

He promises—and has convinced President Johnson—that enough of our strikeback strength will survive any conceivable attack to impose "assured destruction." As the Soviets come closer and closer to us in numerical parity, more and more of the validity of his promise turns whether they are using warheads sufficiently powerful to penetrate our hardened silos and destroy our ICBMs.

In announcing the Soviet orbital system last Friday Mr. McNamara again contended that Soviet yields are in the 1 to 3 megaton range—insufficient to penetrate our silos. He refuses to recognize the Soviet penchant for large yields in the 10 MT to 30 MT range, or the superior thrust of their rockets which enables them to carry the more powerful warheads—presumably capable of penetrating and destroying our ICBMs in their silos. Nor, have I ever heard him admit that even if he is right about Soviet yields at this moment, there is any guarantee that tomorrow their strategic nuclear system cannot or will not be retro-fitted with the larger warheads.

Secretary McNamara surely cannot speak about today's Soviet warheads with any more verity than his Joint Chiefs of Staff who apparently disagree with him on the issue. Nor can he speak with any more assurance about future Soviet warheads than even members of this Joint Committee and others privy to the same intelligence estimates that he is.

As the trend toward parity continues it becomes increasingly important to determine—as best we can—whether or not, utilizing the proper yield warheads, a Soviet surprise attack at numerical parity actually will leave us an undamaged "assured destruction" capability. For the purpose we must assume continued improvements in their guidance will bring accuracy to within around 2000 feet and it is reasonable to assume their force has been programmed against our 1054 landbased ICBMs, locations of which are known.

Under these circumstances the Rand Corporation's "Bomb Damage Effect Computer" calculates a 92% destruction probability—destruction of 970 of our 1054 landbased ICBMs, leaving 84 undamaged to retaliate.

It can be assumed our 25 Polaris submarines actually at sea with about 400 Polaris missiles will be subject to some attrition from a fairly large number of Soviet submarines and other attackers. To round out calculations generously we can assume 79%—316 Polaris missiles—will actually get away on retaliatory missions.

Our total retaliatory force will thus be 400 missiles with what generally are assumed to be 1 megaton warheads. If the Soviet ABM defense system is only 50% effective, 200 will get through to their targets.

Will that 200 impose "assured destruction"?

The answer does not require revelation of national secrets. It can be done with substantial confidence using the laws of probability. We can assume that all 1454 of our missiles are targeted for destruction of the Soviet Union, because any lesser assumption simply decreases the retaliatory damage calculation about to be made. It also is logical to assume the 100% destruction mission will be divided proportionately between landbased and Polaris missiles according to their respective ratios in the stockpile, 72% and 28%, and that they will be destructive in the same relationship as the number reaching target is to the total available the moment before surprise attack—7.9% for landbased missiles and 39.5% for Polaris. Damage calculations are shown on table II.

TABLE II

[In percent]

	Planned damage	Missiles on target	Actual damage
Land based	72	7.9	5.7
Polaris	28	39.5	11.1
Total	100	--------	16.8

Prior to World War II the USSR lost 10% to 15% of its population during the purges. During WWII it lost over 13% of its population. From the Soviet viewpoint it is questionable whether a 16.8% population loss from retaliation would be unacceptable and therefore constitute "assured destruction." In WWII the USSR suffered a total loss of 40% of its industrial capacity. By comparison it might regard a 16.8% loss to be a bargain-basement price for world domination.

I anticipate a quarrel with my figures by claims that our arsenal has a large "overkill" capability and several missiles may be assigned to the same target, thus "assuring" destruction. It will be said there are about 150 city-industrial complexes in the USSR worth hitting, so that starts us with about 10 bombs in stockpile for each—and if 200 get through, that still allows 1⅓ per complex to assure destruction.

My answer is straightforward. In assuming that 200 missiles penetrated Soviet defenses, I assumed that all were assigned to the city-industrial complexes. Actually not less than 25% would likely be assigned to purely military targets. That leaves 150—one per complex. Further, it is unreasonable to assume that ICBMs are perfect and there would be no malfunctioning. It is more realistic to assume 5% loss for rocket power failures, another 5% for guidance system troubles, another 5% for warhead defects, then allow 5% more for post-attack human judgment degradation at our retaliatory command and control centers, and another 5% loss to account for Soviet civil defense. This totals another 25% and leaves only 100 missiles, ⅔ of a missile per complex. Since complexes actually should need about 4 warheads to accomplish the 100% destruction we assumed, that means the remaining warheads will account for but 25 complexes—whether by 25% destruction of 100 complexes, 100% destruction of 25 complexes, or some combination in between. Thus, since 25 complexes is 16.6% of the 150 complexes started with—destruction amounts only to .2% difference from the 16.8% figure arrived at by another route and the refutation of my calculations does not stand up.

I also anticipate an effort to attack my calculations by asserting they neglect MIRV. This is a "Multiple Individual Re-entry Vehicle" package attaching more than one warhead to a missile. But since the Russians are as smart technically as we are there is no validity to a contention that they are not also going to MIRV and thereby cancelling out whatever advantage we might otherwise anticipate. And, since they are blessed with rockets capable of carrying larger payloads than ours, there is no assurance they just might pack more warheads per delivery vehicle than us and gain an advantage.

My conclusion is that we should (1) be adding to our numbers of ICBMs; (2) we should be putting in an ABM system against the Soviets, not just the Chinese; (3) we should not phase out the B–52s and B–58s, which I did not include in this discussion and which may well be the balance of power on our side at this moment making deterrence work; and, (4) we should be analyzing whether a second mission for the orbiting weapon is to knock out any antiballistic missile system we put in, and thereby clear the way for a rain of Soviet ICBMs to follow.

It is interesting to note that decisions affecting nuclear deterrence which a President makes on the advice of his Defense Secretary and others probably will not affect the strategic power of the nation during his term of office. But they may largely determine the degree of strategic superiority—or inferiority—available to his successor.

This is an ironic fact of life in the nuclear age. The decisions made by President Eisenhower gave President Kennedy the opportunity to build superior weapons systems. The decisions President Kennedy and President Johnson have made may determine whether their successors have the opportunity to build superior strategic systems to defend the nation. If they have made mistakes, their administrations will not suffer for it, but in the future the nation may be hard pressed to cope with nuclear blackmail or even a disasterous surprise attack.

WHAT SECRETARY McNAMARA FAILED TO TELL ABOUT THE SOVIET ORBITING WEAPON

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Hosmer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOSMER. Mr. Speaker, over 5 months ago many more details about the Soviet orbiting weapon were revealed than Secretary McNamara disclosed in his Friday press conference. These were contained in the May 29, 1967, issue of the American Security Council's Washington Report. The article was written by the exceptionally well-informed Dr. Steffan T. Possony, of the Hoover Institution on War, Revolution, and Peace at Stanford University. For the information of the Congress and of the public I have obtained unanimous consent for the republication of Possony's statement below.

It is to be noted that McNamara inexplicably designates the weapon as FOBS—fractional orbital missile system—while the Soviet call it by the code name Scrag, a word which the dictionary defines as meaning "to wring the neck of; also to garotte."

A most vital disclosure by Possony is that the Scrag warhead in orbital configuration would have a 30-megaton warhead, presumably sufficient to penetrate our hardened ICBM silos, ruin our ICBM missiles and thus destroy our retaliatory capacity. Despite Soviet capabilities with this size warhead and larger, and the ability of their rocket motors to hoist them, McNamara continues to insist that Scrag warhead yields are only in the 1- to 3-megaton range. I believe he does so less with assured knowledge of the yield than he does wishfully, to support his continued claims that we do not need an IBM system for protection because our missile silos are so strong they cannot be penetrated.

During McNamara's Friday press conference a hint was tossed out that, if anything, Scrag was designed to suppress our manned bombers by catching them on the ground with only a 3-minute attack warning. A more pertinent speculation might be that Scrag would be put not only to that mission but two more in the following sequence: First, to destroy the acquisition radar of any anti-ballistic-missile system we might install, that is, function as an anti-ABM weapon; and, second, to destroy our retaliatory ICBM's in their silos.

That Secretary McNamara has chosen not only to rename Scrag as FOBS and then depreciate its possible adverse effect on American security, while at one and the same time enunciate a legal brief for Soviet development of such a weapon is amazing and regrettable. Had we developed such a system and the Soviet Secretary of Defense announced it similarly he would have been put up against a wall and shot instantly.

Full details about Scrag disclosed by Possony and which Secretary McNamara withheld are as followed:

Scrag: The Weapon of the World Revolution

For several years now, American strategists have been debating the question of whether it would be useful to develop or deploy nuclear space weapons. Space weapons, notably bombs or radiation weapons, could be built but need not be orbitted before the onset of a crisis; or they could be deployed in orbit to win cold or hot conflicts through space mastery, just as during the 19th century Britain was able to prevail through its dominion of the high seas.

The dominant Washington attitude has been that space weapons offer no advantages over conventional ICBM's. Some scientists have even argued that a space weapon is a "stupid weapon" because it is more expensive, less accurate, and less usable than the weapon which, according to their uncritical assumption, it replaces, namely the long-range missile. (This was the classical argument of the gun against the airplane and of the airplane against the missile. Incidentally, new weapons usually do not "replace" old weapons, but the new and the old arms join in novel combinations of mutually-supporting systems.)

As usual, when the American strategic community indulges in flights of fancy and tries to prove that a plausible weapon is neither feasible nor advisable, or in any event is too expensive, the Soviets just move forward and produce the weapon which our conformist chorus denigrates.

In the present instance, the Soviets did something which no one expected: they came up with a weapon which can be used as a normal ICBM *or* as a space bomb *or*, for good measure, as a fractional orbital weapon. This three-stage triple-in-one soviet weapon code-named "Scrag" was announced by Brezhnev on July 4, 1965 and first exhibited on November 7, 1965.

By the end of 1966, some characteristics of this remarkable instrument had become known. According to the best presently available information, Scrag, used as an ICBM, could carry a 50 MT warhead; in its orbital configuration, the warhead would have a yield of 30 MT. The yield of the suborbital assembly is unknown, but it may be estimated at about 40 MT. It is probable that with some reduction of overall yield, all Scrag configurations, including the orbital assembly, can be fitted for the delivery of *multiple* warheads. (The Soviets may not have full test-validated data on space configurations for the Scrag, hence, there could be some "bugs" yet in the weapon.)

In terms of firepower, one orbital Scrag is the equivalent of 20–30 of our Minutemen Missiles. One ICBM-Scrag equals more than five Tital II or 50 Minutemen. A major technological surprise, therefore, *has* been achieved by the Soviets, contrary to the often-voiced Pentagon conviction that significant surprises no longer are likely.

The information about this new threat became known at the very time when the United States was signing a treaty outlawing space weapons. The information was soft-pedalled, lest it disturb our greatest venture in space diplomacy. The widely acclaimed and rarely analyzed treaty was sent to the Senate. Ratification was achieved by unanimous vote. Yet, the treaty provides no defense whatever against Scrag or other space weapons. On the contrary, it inhibits the U.S. from protecting itself against space attack.

The American press did not pick up this sensational counterpoint story. Hence, the American public never heard of Scrag and if asked, might well confuse it with a new beach resort in Hawaii. It is even more disturbing that the present civilian “high command” of the Pentagon does not think Scrag is very important and needs to be neutralized by an ABM system adjusted to handle both orbital and missile warheads.

What are the additional capabilities which Scrag gives to the Soviet Union?

1. Though it is not too difficult to extend the range of missiles, each ICBM is essentially targeted against a few locations. By contrast, Scrag provides the Soviets with a genuine capability to hit every spot on earth, at very short notice.

2. In terms of target selection, missiles do not have the operational flexibility of a combined orbital, sub-orbital or ballistic system.

3. The presumed capability of Scrag to be fitted with single and multiple warheads renders this weapon effective against a whole spectrum of targets, ranging from strongly hardened pinpoint targets like missile and nuclear storage sites, to soft large targets like metropolitan clusters, and to numerous smaller and semi-hardened targets within a large area like industrial installations and airfields.

4. Soviet military thinking has been impressed by the idea that a major offensive should be run in three successive “waves” or blows. If the three different configurations of Scrag are fired simultaneously, the ICBM would hit after half-an-hour and the sub-orbital version after one-hour-and-a-half. The orbital bombs could be used for subsequent salvo, serial or individual attacks, at the discretion of the Soviet high command.

5. The orbital bombs also would be available as a strategic reserve, for days, weeks or months. Thus, they would provide the Soviets with an option to fight a short or a long nuclear war. If the U.S. has no defenses against the space threat and if it does not pursue an effective counter-force strategy, Scrag would be invulnerable while on the ground, in space, and on its target run. If so, the orbital bombs would be available after the so-called nuclear exchange in which the U.S. would have expended its nuclear weapons. In this case, these bombs would embody a war-winning nuclear monopoly.

6. The orbital weapons could be directed at targets that escaped destruction during the initial blow or at targets that were spared for the ultimate phase of the conflict. The weapons could be used to compel surrender, or else to punish the resister by destroying one city after the other. After surrender the space weapons would facilitate occupation, allowing the Communists to takeover, control or devastate the vanquished country.

7. Through simultaneous launch, the missiles and the sub-orbital configurations could be used to destroy American strategic power, whereas the orbital bombs would terminate and win the war. In a staggered-firing series, the Soviets could launch the orbital Scrags hours or days before the rest of their force is released. Whenever the Soviets estimate that a credible and overwhelming nuclear *threat* is enough to force us to our knees, they may be satisfied just to *orbit* the space bombs and rely on purely psychological effectiveness. But if a physical nuclear attack should become necessary, pre-launched Scrags could be used to negate existing warning systems and to execute very rapid pre-emptive counter-force strikes against the United States.

8. The sub-orbital and orbital Scrags provide the Soviets with a significant capability of detonating high-yield explosions at very high altitudes and through a drawn-out firing series to keep U.S. electronics and communications inoperable. With such a capability, they would be able to “pin down” our strike forces. Under certain circumstances and given certain assumptions, Scrag could be used for sustaining high-altitude X-ray screens, thus delaying or precluding retaliation. (High-altitude explosions could blind many millions of people. High-yield bombs launched from space would allow genocidal strategies.)

9. The new Scrag capability, notably the sub-orbital version, allows the Soviets to intervene with increasing effectiveness into local crises and to threaten any country that may take an anti-communist position. Further, the information on Scrag is still another item in our current intelligence regarding Soviet weapons that indicates the strategic balance is changing. This change—in the Soviets' favor—is one reason why the U.S.S.R. has not hesitated to intensify the Cold War.

10. Except perhaps for SLM systems, Scrag represents the first genuine global weapon in history. Once the U.S. has been neutralized or destroyed and provided a sufficient number of orbital warheads is left over, Scrag could force each heretofore free country to establish a Communist government and would ensure that this government remains obedient to Moscow. Scrag, therefore, is the optimal weapon for the completion of the world revolution and for the preservation of Communist world rule.

11. If the U.S.S.R. elects to orbit Scrag space bombs without a concomitant missile strike, the U.S., depending upon the magnitude of the unexpected Soviet space deployment, might suddenly find itself in a posture of accentuated military inferiority. (For example, 50 Scrags may position 250 to 500 additional warheads.) Given present U.S. capabilities, the Scrags could not be shot down; if we intercepted some of them, the Soviets might elect to regard such action as U.S. aggression. If upon a sudden Soviet space deployment, we attack the U.S.S.R. forthwith, regardless of whether we still have the strength to win, we could invite our own physical destruction. If we did not attack, the Soviets could destroy us politically. Thereupon, the orbital bombs could blackmail one country after the other. Ultimately, and entirely in accordance with the Kremlin's preference, the world revolution would be completed by “peaceful means.”

Thus, Scrag will increase the effectiveness of nuclear psychological warfare, enhance the effectiveness of Soviet physical nuclear strategy; possibly deter or prevent counter-strikes and retaliation; conceivably maneuver the U.S. into self-destruction or surrender, as well as facilitate and perhaps bring about world conquest.

The Soviets are deploying Scrag simultaneously with their ABM weapons. The resulting strategic imbalance is dangerously aggravated by these other gaps in our own capabilities: Our erstwhile numerical superiority may be giving way to quantitative inferiority. Our Minutemen missiles allow only a very narrow target selection and are not capable of taking out strongly hardened or large area targets. We do not have up-to-date weapon systems for multiple or serial strikes, nor can we preserve portions of our main strikes forces as a strategic reserve. We are not prepared to fight a long war; once our bombers are completely obsolete, attrited, de-activated or destroyed in battle, we will lack a strategic system suited for winning the terminal phases of war. We also lack offensive and defensive space weapons. And we refuse to build defenses against missiles, and to protect three-quarters of our population against the hazards of nuclear war.

In summary: The United States is confronted by an entirely new and dramatically augmented threat. The ominous development of Scrag was not predicted by U.S. intelligence nor by U.S. computers, let alone by Mssrs. McNamara and Brown. Since our country continues to see no evil and hear no evil, time is beginning to run very short. It just may be that we are too gullible too bemused, and too disinterested to survive.

Stefan T. Possony,
Strategy and Military Affairs, Editor.

PERSONAL EXPLANATION

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Hosmer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOSMER. Mr. Speaker, during part of this afternoon I was in attendance at the Joint Committee on Atomic Energy's hearings on ABM defenses. These hearings were held in the New Senate Office Building, and it was impossible to interrupt my attendance at the hearings for all the frequently called votes in the House.

THE TEXTILE INDUSTRY

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska [Mr. Denney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DENNEY. Mr. Speaker, today I am introducing a bill, the purpose of which is to provide the necessary machinery to prevent the needless destruction of one of our Nation's basic industries, the textile industry.

The impact of excessive cheap foreign imports has especially been felt by our domestic wool industry. This industry has experienced a severe depression since July of 1966 which continues unabated resulting in shorter work hours and adding to unemployment. There are over 300,000 woolgrowers in the United States and thousands of people in connected-service industries who are dependent upon them.

Mr. Speaker, the need for immediate action is apparent. For instance, imports of woven wool cloth, chief product of the wool textile industry in 1966 were 64 percent over those in 1961. In 1966 alone, cloth imports displaced about 20 million manhours of work in U.S. mills. Even my colleagues who would generally support the administration's viewpoint, must agree that this is not in keeping with the President's plea to create new jobs for our disadvantaged.

The source of imports of wool manufacturers has shifted rapidly to Japan and other oriental countries with low wage scales. For instance in 1966, Japan, South Korea, and Taiwan accounted for about two-thirds of the imports of woven wool cloth. I find this fact especially disturbing in the case of Japan. As my colleagues know, this country has expended great amounts of money and effort in placing that country on its feet after World War II. However, now that Japan has recovered, although it seems willing to sell goods to this country, it has high protective barriers directed against American imports. Not only does it restrict imports, but economic policies are such that it denies substantial American equity investment in their domestic industries.

Mr. Speaker, as my colleagues know,

we are still facing an increasing balance-of-payments problem. Excessive foreign imports contribute substantially to this deficit. In wool textiles and apparel alone, in 1961 imports exceeded exports by $144 million. In 1966 this deficit soared to $310 million. The figures become even greater when other segments of the textile industry are added.

Mr. Speaker, the distinguished chairman of our Ways and Means Committee, the gentleman from Arkansas [Mr. MILLS], has already introduced similar legislation. It would be my hope that this entire problem could be explored in depth with the benefit of early hearings on the subject.

A copy of my bill follows:

H.R. ——

A bill to provide for orderly trade in textile articles

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Textile Trade Act of 1967".

SEC. 2. The Congress finds that the program for orderly trade in textile articles instituted by the President in 1961 has not been fully implemented. Imports of textile articles have grown two and one-half times since that year, with particular concentration and disruption in certain areas. Such imports contribute to reduced employment opportunities for United States workers in the domestic textile industry. International agreements already exist for orderly trade in cotton textiles and numerous agreements between countries other than the United States exist for trade in textile articles of other fibers as well as cotton.

It is, therefore, declared to be the policy of Congress that access to the United States market for foreign produced textile articles should be on an equitable and orderly basis consistent with the maintenance of a strong and expanding United States textile industry and designed to avoid the disruption of United States markets and the unemployment of United States textile workers.

SEC. 3. The President is authorized and directed to undertake negotiations with other Governments for the purpose of consummating agreements to provide orderly trade in textile articles, including the quantitative limitation of imports of all such articles into the United States. Such agreements and the authority contained in section 4 shall limit the annual importation of each category of textile articles to the share of the United States consumption of such category supplied by imported textile articles during a representative historical period of not less than one calendar year prior to the year 1967, as determined by the President. Such representative historical period shall be the same for all countries and all categories of textile articles. The President shall have full authority to determine the share of total imports of any category of textile articles which may be supplied by any country to the United States on the basis of historical patterns of such imports, the interests of developing countries, and such other factors affecting trade in such categories as he deems appropriate.

SEC. 4. To effectuate the purposes of section 3, when agreements exist which cover a significant portion of the United States imports of textile articles, the President shall by proclamation limit the quantity of such articles designated by categories which may be imported from any country or countries not parties to such agreements.

SEC. 5. After one hundred and eighty days after the date of the enactment of this Act, the total quantity of imports of each category of textile articles not subject to an agreement or agreements negotiated pursuant to section 3 or to proclamations issued under section 4 shall be limited during any calendar year to the average annual quantity of such articles entered, or withdrawn from warehouse, for consumption during the six calendar years 1961–1966. The total quantities of any textile article which may be entered, or withdrawn from warehouse, for consumption during the balance of the calendar year in which this section becomes effective shall be equal to that proportionate share of the average annual imports of such article for the years 1961–1966 which the number of days remaining in the calendar year bears to three hundred and sixty-five. Beginning with the calendar year following the year in which this section becomes effective the total quantity of any category of textile articles which may be entered, or withdrawn from warehouse, for consumption in that year and each succeeding calendar year shall be increased or decreased by an amount corresponding to the increase or decrease (if more than 5 per centum) in the United States consumption of such category during the preceding calendar year compared with the year previous thereto, except that the amount of such increase in any category of textile article which may be entered or withdrawn from warehouse for consumption during any calendar years shall not exceed 10 per centum of the amount of such increase in United States consumption of such category.

SEC. 6. Nothing contained in this Act shall affect in any way quantitative import limitations established pursuant to international agreements, either multilateral or bilateral, which were in effect on July 1, 1967, so long as such agreements remain in force and effect and are enforced by the United States in a manner which controls imports to the minimum amounts permitted under such agreements.

SEC. 7. As used in this Act—

(a) The term "textile articles" includes top, yarn, fabric, apparel, man-made staple fiber, filaments, and filament yarns, and all other textile manufactures, whether spun, woven, knit, felted, bonded, or otherwise manufactured of cotton, wool, or man-made fiber, or any combination or blend thereof or in combination with other fibers.

(b) The term "category" means a type or class of textile articles such as staple, yarn, fabric, apparel, made up goods, or other article, whether based on count, construction, style, weight, value, or other characteristics.

(c) The term "textile industry" includes all establishments engaged in the production of textile articles.

SEC. 8. The President may issue such regulations as may be necessary to carry out the purposes of this Act.

FARMERS COME TO DEMONSTRATE

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. ZWACH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ZWACH. Mr. Speaker, quite recently there was a peace demonstration here in Washington by—what the Defense Department estimated to be—35,000 people. When the demonstration was over some 400 demonstrators had been jailed and the taxpayers had a million dollar bill to pay for extra police and cleanup operations.

By contrast, on August 16, 35,400 farm folk gathered at Des Moines, Iowa, under the auspices of the National Farmers Organization. It was a moving demonstration, a demonstration very different from other demonstrations which have occurred in the United States during recent years.

Mr. Speaker, in order to share with my colleagues the contrast between this farm demonstration and other demonstrations held in our country, I would like to insert in the CONGRESSIONAL RECORD at this point an article by Msgr. Edward W. O'Rourke, which appeared in the St. Cloud Visitor of November 3, 1967:

NFO MEETS: 35,400 FARMERS COME TO DEMONSTRATE

(By Msgr. Edward W. O'Rourke)

On Aug. 16, 35,400 farm folk gathered at Des Moines under the auspices of the National Farmers Organization. This was the largest meeting of farmers which has ever taken place. But, it was more—it was a moving demonstration, a demonstration very different from other demonstrations which have occurred in the United States during recent years.

Most demonstrations are organized as protests—against the war in Vietnam, against racial discrimination, unfair labor practices, etc. Those who gathered at Des Mones on Aug. 16 came to protest unfair farm prices. But they had a more positive purpose, too. They came to pledge cooperation in a nationwide effort to bargain for better prices.

Many demonstrations are unruly and loud. 35,400 farm folk came and went from Des Moines in perfect order, without a single unpleasant incident.

Many demonstrators are unkempt, unclean and freakish in their appearance and conduct. The men and women who came to Des Moines on August 16 were clean-shaven, neatly dressed and well mannered.

Most demonstrations are noisy and brief shows by a very small group. The NFO demonstration in Des Moines was a massive meeting which lasted 6 hours. Many of the participants had ridden buses for 10 to 14 hours en route to Des Moines; they sat in a sweltering auditorium for 6 hours and then boarded their buses for the long ride home.

The 35,400 farm folk who came to Des Moines on Aug. 16 had something to say. Everything about them and their meeting indicates that they deserve a hearing.

This is what I heard these folks say on Aug. 16: We consider farming a way of life and intend to preserve the family farm system. We want prices which will pay the cost of production and a fair profit. We are convinced that the Government cannot or will not give us such prices; we intend to bargain together to obtain them. If necessary, we shall resort to a massive holding action of all major farm commodities as a means to bargain for fair prices.

I am convinced that these 35,400 persons deserve a hearing. First and foremost, the farmers of our nation should listen to them. Either they should join in the bargaining effort planned or come forward immediately with a better plan. To procrastinate or to do nothing is completely unreasonable.

All members of the NFO should listen. A massive holding action will succeed only if a very large number of farmers hold their products. Memers of the NFO must either convince their neighbors to join the NFO or in some legitimate way to support the proposed bargaining effort.

Leaders of other farm organizations should listen. It must be apparent to all openminded observers that a rapidly growing and very large number of farmers want to bargain for fair prices. Any farm organization which fails to meet this need will probably lose members.

Officials in Washington should listen. They have done little to serve the needs of the folk who met in Des Moines on Aug. 16. These are hard-working, loyal U.S. citizens. They deserve more understanding and better service from their government.

American consumers should listen. Farmers deserve better prices. Consumers must be willing to pay accordingly.

I pray that the great demonstration in Des Moines on Aug. 16 will lead to an accomplishment of the just cause which 35,400 good people proposed that day.

SALUTE TO THE GRANGE

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Zwach] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ZWACH. Mr. Speaker, I would like to call attention to the fact that the oldest farm organization in the United States—the National Grange—celebrates its 100th anniversary this year.

This centennial event will be celebrated during their weeklong national convention at Syracuse, N.Y., November 13 to 22.

Oliver Hudson Kelley, the father of the Grange, settled on a homestead near Elk River, Minn. Mr. Kelley helped to organize the first State Grange in Minnesota in 1869.

As we pay tribute to the oldest farm organization in America, a short recap of its 100 years finds its history starred with national and local accomplishments in behalf of rural America. A partial listing shows the Grange was active in the educational and legislative process of securing passage of the Farmers Home Administration; the rural electrification program; Public Law 83-480, the Agricultural Trade Development and Assistance Act; the parcel post system and rural free delivery; the Interstate Highway System; and many other long-lasting programs of benefit to society.

Mr. Speaker, I am proud that this organization, which has served our Nation so well, had its roots in the Sixth Congressional District of Minnesota. My sincere congratulations to the National Grange on the occasion of attaining 100 years of age, and best wishes for continued service to mankind in the next century of growth.

CONGRESSMAN HORTON CRITICIZES PROPOSAL TO SHIFT CERTAIN FUNCTIONS OF THE SMALL BUSINESS ADMINISTRATION TO THE COMMERCE DEPARTMENT

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Horton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HORTON. Mr. Speaker, it is my firm belief that it is a serious mistake to scatter Federal services for small businesses among several agencies. In 1953 Congress created an independent agency to deal exclusively with the problems of small business. I only wish that every act we passed produced results as constructive as those which have flowed from the creation of the Small Business Administration.

Surely one of the reasons the economy has done so well through the last 7 years lies in the impressive gains small business made. It is clear from the record that SBA has been a strong factor in these gains.

In just the last 4 years, SBA has made nearly 43,000 general business loans, contributing some $1.7 billion in new investment to the economy. These loans have opened hundreds of thousands of new jobs, directly and indirectly.

The small business population has climbed sharply, to a total that now exceeds 5 million firms. Four years ago, it was roughly 4.7 million. Thus, the small business community is growing by a net gain of 70,000 to 100,000 new firms a year.

Now we find that in section 406 of title IV of the poverty bill, provision is made to transfer vital SBA functions to the Department of Commerce. If these provisions are not removed or amended by the House, they certainly would go a long way toward undoing much good which has been accomplished during the past 14 years by SBA, operating as a one-stop shop center for small business.

The program we are on the verge of giving to Commerce and the Office of Economic Opportunity could surely be better handled by SBA, which already has the basic responsibility in this area and has a wealth of experience that Commerce and OEO simply do not share. These changes will merely lead to duplication and confusion.

In order to carry out the provisions now embodied in section 406 of title IV, it would be necessary to establish another miniature Small Business Administration within the Department of Commerce. Has anyone stopped to consider the cost of such an endeavor? How much time and money would it take to effectively change the orientation of the Department of Commerce so that it might meet the needs of small business?

Perhaps the seriousness of the situation can best be described by showing what could happen to SBA's vital procurement function if section 406 remains as is. The proposal would create duplicating and overlapping programs in the Office of Economic Opportunity and the Commerce Department's Economic Development Administration.

The SBA—within the limits of its budget—is doing just the sort of work some observers want to see turned over to OEO and Commerce. SBA already has an Office of Procurement Assistance and administers a number of programs specifically designed to funnel business into distressed locales. Both OEO and EDA, under the proposed ground rules, will have the authority and money with which to outbid each other for furtherance of their own pet projects. SBA has no authority to offer financial "rewards" to firms that cooperate with it.

In short, section 406 undercuts the work now being performed by SBA and allows OEO and EDA to "bribe" prime and subcontractors away from programs SBA has developed out of 15 years of experience.

Legislation already on the books in the Small Business Act could be used to do the very things that are called for in the proposed legislation—instead of that, the proposal would nullify efforts of SBA which currently is giving priority to programs aimed at assisting ghetto areas.

At the time SBA was established by Congress, section 12 of the enabling act provided that all the functions, duties, and powers of any then existing Government departments bearing on small business should be transferred to SBA—including records, property, and necessary personnel. The proposals now before the House Education and Labor Committee would reverse this precedent. The new groups are quite apt to be working at cross purposes with the existing agency which has proven its competence over the past 14 years.

In the name of helping small business, let us not take steps that may easily turn out to injure it. Let us amend section 406 so as to substitute "Small Business Administrator" for "Secretary of Commerce" wherever the latter appears in that section.

Mr. Speaker, I am pleased to be able to say that I am joined in my opposition to this provision of the poverty bill by all of my colleagues on the Small Business Committee and by the distinguished chairman of the House Education and Labor Committee, Hon. Carl Perkins. Chairman Perkins wrote to me and the other members of the Small Business Committee who had earlier written to him expressing our concern for this provision. He assured all of us that he joins us in feeling that the term "Small Business Administrator" should be substituted for "Secretary of Commerce" wherever it appears in section 406 of title IV of the poverty bill.

I am hopeful that the House will act to preserve the integrity of this vital Federal agency.

HUNT-WESSON CANCELS SOVIET OIL IMPORTS

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the Hunt-Wesson Co., of Fullerton, Calif., has canceled purchases of Soviet vegetable oil and has informed me that a 20-million-pound shipment originally expected to dock last weekend at New Orleans is no longer en route to U.S. port. The announcement was good news for American farmers, especially those with sons in Vietnam.

While I am gratified at the company's belated decision, I am determined, nonetheless, to make sure that none of the

13 million pounds of Soviet oil the firm has already accepted in this country is fed to U.S. servicemen in Vietnam.

It would be a gargantuan irony if U.S. soldiers in Vietnam wounded by Soviet weapons, were fed Soviet vegetable oil purchased, in effect, by U.S. taxpayers. Hunt-Wesson is one of the largest suppliers of vegetable oil to U.S. forces in Vietnam and has declared that none of the supplies are from the Soviet Union. The Defense Department has assured me an investigation. I have demanded first-hand verification that none of the Soviet oil is commingled in preparation of orders for Vietnam.

Text of telegram received November 4:

Hon. PAUL FINDLEY: No Soviet oil has been used by Hunt-Wesson in fulfilling Department of Defense contracts. Ship Prometheius no longer enroute to U.S. port. Shipment of cottonseed oil on Prometheius was rejected October 26 on receipt of laboratory test results showing oil failed to meet standards required by purchase contract. We have no plans for making additional Soviet oil purchases.

R. B. GABLER,
Vice President.

McNAMARA'S "THIN" ABM COULD TRIGGER NATO COLLAPSE

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the House Republican Committee on Western Alliances today warned that the McNamara "thin" ABM system could rupture NATO.

The committee's conclusions and recommendations are contained in a statement published today. Here is the text:

McNAMARA'S "THIN" ABM COULD TRIGGER NATO COLLAPSE

The Administration's decision last month to begin the deployment of a "thin" anti-ballistic missile (ABM) defense carries with it the stark possibility of fatally rupturing our North Atlantic military alliance.

Secretary McNamara strove to justify the decision claiming the ABM system would act as a deterrent to Red Chinese nuclear blackmail sometime in the 1970's, but he was forced to admit the system would have value in protecting our launch sites from a Soviet ICBM attack. It is significant that over the past year Congressional pressures and the recommendations of our chief military advisors were to deploy an ABM mainly in response to the Soviet Union's ABM system. Initial European reaction has been to view our ABM deployment as more Cold War competition. Secretary McNamara himself has repeatedly pointed out that a "thin" system would provide the momentum for expansion that could trigger a new arms race.

Just as the development of purely national nuclear ballistic missiles in the late fifties created divisive policy problems within NATO, so will the development of purely defensive nuclear weapons heighten these differences. In addition, the deployment of ABM systems by the United States and the Soviet Union will radically widen the gap between the two super super-powers and the rest of the nations of the world.

Unless timely policies are undertaken at once to forestall it, our European allies will ultimately be driven to positions of defensive neutrality, and a long-standing goal of Soviet foreign policy will have been realized: the break-up of NATO into a fragmented set of middle-sized states, each of which would be highly vulnerable to Soviet power squeezes.

To prevent this calamity, the United States must—without further delay—explore fully with her NATO allies the possibilities of developing a NATO ABM system. As the nation possessing the preponderance of nuclear technology in the alliance, the U.S. should seek to share with its allies the development of an ABM defense serving the entire community on the basis of cooperative funding and construction. Of direct benefit to the defense United States would be advance warning from European-sited radars of a Soviet launch that would enable us to attempt off-shore interceptions.

Although the NATO Nuclear Planning Council is reported to have discussed the need for ABM defense of western Europe, there is no evidence that the basic concept has been considered by the North Atlantic Council. If it has been so considered and rejected, surely the U.S. decision to "go-it-alone" was of sufficient importance to warrant announcement by President Johnson—with suitable reference to the attitude of our allies.

It is already apparent that the manner of Secretary of Defense McNamara's ABM announcement last month resulted in a gaffe comparable to his imperious scrapping of U.S. participation in the Skybolt Project back in 1962 that rocked the MacMillan government.

Prominent foreign policy analysts have reported that our allies grumbled that they were merely "informed"—not "consulted" about the ABM decision—with but advance copies of the Secretary's speech, exactly the same as sent to the Russians.

The decision to proceed with an ABM system—which has been unfolding in Congress and in the press this past year—was certainly momentous enough to have warranted full coordination with our allies and use of the full prestige of the President's office to explain it to the American public and our NATO allies.

Relegating the task to Secretary McNamara as the subject of a speech before a press services gathering of editors and publishers in San Francisco revealed anew the major foreign policy flaw of the Johnson Administration: the cavalier subordination of Western solidarity to the pursuit of detente with the Communist world. The Secretary's speech was drafted as one long assurance to the Soviet Union that we intend it no harm, and a continuation of his plea for a non-proliferation treaty unpopular with many of our European allies.

Since about five years will be required to deploy a "thin" ABM system within the United States, it is not too late to begin genuine consultative discussions with our allies towards the possibility of a community defense system. From studies already made there are several modes for deploying an ABM in Europe, all of which should be explored with our alliance partners.

We should not approach such a conference with a pre-announced "American package," such as the ill-fated mulitilaterial force proposal, which Secretary McNamara tried to impose on NATO several years ago, but rather be prepared to listen as well as talk.

In the long run we must share more responsibilities so that western unity in international politics may be strengthened. It is neither necessary nor desirable that the U.S. counter the Soviet missile threat alone. Our unwillingness to share nuclear responsibility with our allies in the past has led to the present rift in NATO. We should not seal NATO's demise by rushing into the development of an ABM system alone.

Anti-missile defenses can either be a stumbling stone or a stepping stone toward western solidarity. The first step upward is one that the U.S. alone may take.

IS NATO CLOSING RANKS?

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the eminent foreign correspondent and columnist, Edgar Ansel Mowrer, recently congratulated the nations of NATO for closing ranks. I hope the congratulations are not premature. Certainly forward steps to stitch together this most essential of our free-world alliances is long overdue and the alliance must be more than restored to its former position of solidarity in military defensive matters. In order to survive the critical 1969 milestone it must take on useful new form, reaching into political, economic, and monetary matters as well as military. It must also be a focal point at which external policy decisions can be hammered out.

Here is Mr. Mowrer's perceptive and hopeful comment:

NATO CLOSING RANKS—BENEFITS COULD EXTEND TO MANY FIELDS

(By Edgar Ansel Mowrer)

Better late than never!

At long last, but still in good time, representatives of 14 of the 15 NATO countries have decided to close ranks, formulate common policies on crises in all parts of the world and compel potential adversaries everywhere to deal with what can be the strongest political and military unit in the world.

Provided of course that the NATO powers agree to place such responsibility in a fortified executive council.

What a relief to those of us who have, since NATO's foundation, urged the U.S. Administration to take the lead in making it a center of political, military, scientific and economic power able to cow and deter any conceivable adversary.

Yet we should go easy. The new plan is still only a proposal and will be put in final form by a special policy making group (the American member is Under Secretary of State Eugene V. Rostow) at the end of this month. It will still have to be accepted by the fourteen countries, with or without the participation of France.

Moreover, this draft does not go nearly far enough. The individual governments are asked to "coordinate traffic in science and technology" rather than to pool their research and finding in these fields.

ARMS CONTROL ONE OBJECTIVE

It binds them to seek common effective methods of "arms control" instead of military preponderance.

It recommends economic aid to developing (meaning underdeveloped) countries on a multilateral basis but apparently contains no mention of a common trade and economic policy toward common enemies.

Like the United States since the advent of the Kennedys, the drafters of the new blue print do not admit that they have enemies.

They talk of improving relations with the communist countries of Eastern Europe instead of making friendship with these countries dependent upon their dissolution of communist schools for subversion and upon the cessation of "little wars of liberation" and of communist promotion of third-party aggression such as the Arabs' recent attack on Israel.

Nonetheless, the announcement of the fourteen-power proposal could be the best news in a month of Sundays.

For once accepted in embryo, any united West seems bound to extend its activities into all necessary fields. Not even the United States will be able to proceed with bi-lateral agreements with a non-member such as the Soviet Union.

NONPROLIFERATION TREATY OPPOSED

This should hold good of the potentially disastrous non-proliferation treaty whose signature would permanently divide nations into two classes—those with nuclears and those without.

Britain and some smaller NATO countries may favor that treaty. Germany and Italy do not. On October fifth of this year, the Frankfurter Allgemeine Zeitung, the acknowledged organ of the German Christian Democrats, stated flatly that the Bonn government "is not going to sign the non-proliferation treaty come what may." (Nor, in my judgment, will Japan, Sweden or India.)

As members of the newtightened NATO organization, Germany and Italy may properly argue that any such treaty would be a violation of the common policy agreement.

In the eyes of Russians as well as of Chinese communists, the Cold War is today's overweening fact which it is the purpose of peaceful coexistence pattern to obscure. As co-policy makers with the United States, even the peaceniks among our NATO allies will be compelled to face this situation.

Furthermore, they will, I dare hope, see that the primary role of a reinforced NATO is to make clear to the Russians the futility of further expansionist efforts. Thereby, for the first time since Moscow produced an A-bomb, the prospect of real peace will appear.

THE 50TH ANNIVERSARY OF BOLSHEVIK SEIZURE OF POWER IN RUSSIA

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FINDLEY. Mr. Speaker, November 7 will mark the 50th anniversary of the Bolshevik seizure of power in Russia. It appropriately can be identified as a day for mourning and this is precisely what is recommended by more than 70 American national organizations and over 100 prominent individuals including several prominent and respected Members of Congress.

Here is the text of the proclamation formulated by this association:

DAY OF MOURNING FOR THE VICTIMS OF COMMUNISM

PROCLAMATION

November 7th will mark the 50th anniversary of one of the greatest disasters in history—the Bolshevik seizure of power in Russia. From that country the communist blight has spread until it torments a billion human beings.

We free Americans record:

That during the last half-century, communism has been responsible for the extermination of at least 85 million people through civil war, man-made famine, purges, genocidal deportations and executions, in torture chambers and in concentration camps;

That communism has systematically destroyed moral and spiritual values; imposed incalculable sufferings on nation and people; has persecuted all religions and placed myriad minds in the chains of thought control;

That communism set the pattern for Fascism, Nazism and other varieties of totalitarianism, and that its relentless drive for world domination has kept nearly a hundred million people of East-Central Europe in bondage and the world in a state of turmoil;

That since 1917 not one of the nations conquered by force or seized by subterfuge has been permitted a free election, nor has any free people ever voted to adopt communism in preference to democracy;

That during these 50 years, communist dictatorships have preached "liberation" while practicing unlimited oppression to consolidate their rule based on terror;

Therefore, believing it to be the solemn duty of those who cherish freedom and conscience to speak for the silenced and to honor the martyred dead,

We, free American individuals and organizations, do proclaim November 7th a day of mourning for the victims of communism.

We call on free men everywhere to observe that day and that week by commemorations and prayers; and

We call on every community to rededicate itself in its own way to restoring the freedoms already destroyed for a billion human beings and threatened by communism for the rest of mankind.

THE POVERTY PROGRAM

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. RUMSFELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, the Committee on Education and Labor has completed dramatic markup sessions and has reported to the House its proposal to extend the present poverty program.

Republicans on the committee proposed an expanded attack on poverty through a revised and improved "economic opportunity crusade" designed to reach more of those people who need help, and at a reduced cost to the taxpayer. Regrettably, it was rejected.

The bill as reported is likely to be torn apart on the floor of the House, with many of the changes damaging and destructive. As a result, the future of the poverty program is in doubt.

Poverty is a problem of individual human beings.

It is a child in a ghetto school whose IQ drops from 90.6 percent in the third grade, to 85.3 percent in the sixth grade.

It is an unemployed father forced to leave his family so the family can receive welfare.

It is 56 percent of the pupils who enter high schools in Central Harlem and drop out before they receive a high school diploma.

The sorrowful statistics of want have been recounted many times. My purpose is not to recount statistics, but to question what is being done to change them.

Between 1947 and 1960, the percentage of Americans whose income was less than $3,000 decreased from 33.9 percent to 22 percent. This was significant progress. In recent years, the progress has been less marked. It is economic growth, and economic involvement of all citizens, that makes up our American tradition. Our remarkable record of advancement makes us insist that today's poverty can be treated; that to a large extent poverty can be remedied.

The poverty bill is scheduled for debate today, November 6. The congressional discussion on poverty which we have listened to in the past few months is hardly an appropriate background for a public discussion of this pressing problem.

I am deeply concerned over the prospect that any poverty bill may be defeated. I say this as one who for the past 2 years has supported the Republican alternative and opposed the Economic Opportunity Act as passed. I have done so because I felt the measures, as passed, were not addressed to the real needs of the poor as were the alternative approaches available in the minority substitute. Too often the debate has been on quantity rather than quality. Interestingly, critical comments have been voiced recently by many supporters of the present war on poverty. For example, Congressman HUGH L. CAREY, Democrat, of New York, made this observation:

> If I wanted to sack this program I could fill the record with the excess and the waste and the mismanagement, if you will, the nepotism that has been practiced in some of these agencies.

I am also concerned about these shortcomings, and I am equally concerned that the program falls far short of its announced purpose. However, I would hope to be able to vote for some poverty program and to retain the Office of Economic Opportunity. My reason is that, despite its faulty performance, it is important to maintain at least one credible national symbol and program which demonstrates our Government's commitment to the poor.

If the Democrats fail to realize the jeopardy in which they have placed the OEO, and should the OEO not be retained, a serious psychological harm could be done to the country, with a widening of the gap between the urban poor and society. Even more discouragement and alienation on the part of the poor is a risk this country should not take.

Although the image of OEO has become increasingly blurred over the past 3 years, it is, sadly, the only symbol that this administration has for the poor. For example, recent years have seen the passage of several civil rights bills, but they have gone largely unenforced by this administration. Unique proposals such as the Human Investment Act, the Home Ownership Plan, and the Economic Opportunity Corporation have been derided by the administration, or worse, ignored.

To abolish the one Federal symbol would make it appear to the poor that the Nation is breaking its commitment. I would like to vote to retain OEO. But, in retaining it, it must be improved and strengthened by changes in unsuccessful programs and by the addition of new proposals. I believe strongly that by grafting on fresh ideas, OEO will be able to better accomplish its stated purpose.

I am dismayed and disheartened at the obstinacy of the Democratic leadership. It is approaching the upcoming floor debate on the poverty bill seemingly blind to the pleas of constituent groups. Leadership actions are risking full destruction of the flagship of the administration's programs.

There is much discontent in this body over the performance of the poverty program. With important modifications, the House could be persuaded, I believe, to preserve OEO. But it will not be easy. To accomplish this, the Democrats will have to develop some compromise with the Republican leadership. They must decide whether it is more important to maintain their traditional party power coalition between the Northern and Southern wings of the Democratic Party, or to consider the people who have staked their hopes on the exaggerated and unfulfilled programs' promises.

If the OEO bill remains unimproved and unchanged it will face almost certain extinction. There are three alternatives open to the Democratic leadership. First, they can remain unmoved by the rising chorus of public appeals to make changes or concessions. In that case, the bill and its hollow promises will be defeated. The Democrats may feel as a party that little would be lost by having the poverty bill defeated. They would be trading a program for a campaign issue. But the poor would bear the loss of such a pyrrhic victory.

A second alternative is for the Democratic leadership to make concessions to the Southern wing of their party. That could maintain the poverty program in name only. The desires of many of the latter group to gag and bind community action, and other self-help programs, could so emasculate the war on poverty that it would be without substance.

I recall similar sacrifices made by the administration. In 1965 the demise of Adam Yarmolinsky was the price of the Southern Democrats. In education it was Commissioner Howe's authority. In agriculture it was the cotton subsidy-food stamp deal. The price this time appears to be, at the minimum, the poor and community action. The price of passage has skyrocketed even in terms of the present inflation.

This approach worked well for the Democrats in the 89th Congress, when they outnumbered Republicans by almost 2 to 1. The Democrats did not have to listen or yield in the 89th; they rammed their programs through without so much as a nod to their Republican colleagues. The OEO and other poverty programs were launched by the Democrats with no hint of compromise.

The role of a responsible minority is to interact with the majority to modify and perfect legislative proposals. The minority can only propose. They cannot initiate proposals with any prospect of successful adoption. The minority cannot schedule hearings, or the witnesses to testify, on important legislative matters. The minority cannot control the flow of the legislation from the committees to the floor of the House. But, the minority should be heard when it offers constructive suggestions for the improvement and refinement of legislation with which it can basically agree in purpose. The majority is blind, indeed, if it believes that its approach is flawless. Clearly, the Democratic Party has no monopoly on humanitarianism or concern for the people of this Nation. This is especially true in the case of the present Democratic majority which is, for the most part, a combination of the liberal, the conservative, and the big city machine blocks, and little middle ground. That is an alliance, not a political party. It is designed not to govern but to maintain power. And that is the tragedy of the present Congress of the Democratic Party, and, indeed, that party's increasingly obvious weakness.

The third alternative for the Democratic leadership is to earnestly seek a bipartisan agreement with the Republicans. Most Republicans are committed to finding solutions to big city problems. Legislation requires compromise. Each side must make concessions in order to save that poverty effort and to move the program forward. The question is—are the Democrats willing to compromise? It appears not.

In seeking and urging a compromise to save OEO, I am pleading not for myself or for other Republicans. The scandals and failures in the OEO programs have made the War on Poverty an unpopular issue in most Republican districts all across the Nation. And, as Daniel P. Moynihan, former Assistant Secretary of Labor, warned in his oft-quoted speech to the Americans for Democratic Action in September:

> We have been too long prisoners of the rhetoric that Republicans don't know anything about the social problems of the nation, or in any event don't really care.

Or, as the Washington Evening Star put it in response to Moynihan's warning:

> This is a time of choice for the liberals of this nation. It is a time of division between those hopelessly enmeshed in the politics of opposition and change, and those who are truly liberal enough in their thinking to realize that the nation is indeed in a major crisis at home and abroad. It is a time when the only sane reaction is to stabilize the ship and to start bailing, not to drill more holes in the hull.

My plea expresses the same desire as a number of national organizations who share my hope for a compromise to save OEO. I recommend that the Democratic leadership heed the urgings of the Citizens Crusade Against Poverty, the National Association for Community Developments, the U.S. Chamber of Commerce, and the League of Women Voters, to mention just a few of the concerned organizations.

We will soon know the decision of the House Democratic leadership.

And, most important, the poor will know.

The responsibility is with the Democratic Party which controls the executive branch and both Houses of the Congress. The choice is theirs.

Mr. Speaker, at this point in the Record I insert the following articles:

First. "The Liberal Dilemma," editorial by the Washington Evening Star, September 26, 1967.

Second. "Private Agency Helps Poor in NW Suburbs," editorial by Paddock Publications, October 20, 1967.

[From the Evening Star, Washington, D.C., Sept. 26, 1967]

THE LIBERAL DILEMMA

Daniel Patrick Moynihan is a man dedicated to the proposition that the truth should be heard, regardless of whose sacred cow is scarred in the process. And this fact alone sets him apart from the majority of those whose function it is to think aloud in public today.

Two years ago, Moynihan—then assistant secretary of labor—was asked to study the root causes of the Negro problem. His report, arguing that the basis of the trouble was the instability of the Negro family structure, resulted in his being labeled a racist by the people who make a practice of basing their conclusions on emotion rather than facts.

Now, he's done it again.

Moynihan, who is now director of the Harvard-MIT Joint Center for Urban Affairs, undertook to tell the executive board of the Americans for Democratic Action what the proper role of the liberal should be today. As a result, there are bound to be demands that his credentials as a liberal be canceled.

The core of Moynihan's argument is that the major international and domestic crises that face the nation today cannot merely be the targets of liberal political wrath. The liberals, he said, should face up to their responsibility by seeking solutions to the problems, and should stop preaching against what is happening, because "it is they who have been in office . . . and in large measure presided over the onset of both the war in Vietnam and the violence in American cities."

It is time, he said, to recognize that "getting out of Vietnam is a matter not just of summoning the will, but also of finding a way."

It is time for liberals to approach the domestic crisis with an understanding "that their essential interest is in the stability of the social order" and to form "much more effective alliances with political conservatives."

Liberals should "divest themselves of the notion that the nation . . . can be run from agencies in Washington" and should work toward a decentralization of government power.

And finally "liberals must somehow overcome the curious condescension which takes the form of sticking up for and explaining away anything, howsoever outrageous, which Negroes, individually or collectively, might do."

Pat Moynihan does not have all the answers. But here is a man who thinks, who cares, and who has the courage to speak his mind. And he has put his finger on an essential truth.

This is a time of choice for the liberals of this nation. It is a time of division between those hopelessly enmeshed in the politics of opposition and change, and those who are truly liberal enough in their thinking to realize that the nation is indeed in a major crisis at home and abroad. It is a time when the only sane reaction is to stabilize the ship and to start bailing, not to drill more holes in the hull.

[From Paddock Publications, Inc., Oct. 20, 1967]

PRIVATE AGENCY HELPS POOR IN NW SUBURBS

Some big city and southern congressmen are teaming up in an effort to prune the federal government's right to channel anti-poverty funds to private community action groups; they intend to exact that price for supporting new Office of Economic Opportunity appropriations.

Local community action groups have operated some of the War on Poverty's most imaginative programs, but they also have posed an annoyance and threat to some big city political machines.

What concerns us, however, is the effect cutting off funds to non-official agencies would have on the anti-poverty effort in the northwest suburbs.

Some school districts—notably Elk Grove District 59, Wheeling District 21 and High School District 214—have been creative in their use of federal War on Poverty funds. But most other suburban taxing bodies have taken no interest in anti-poverty programs.

Local governments have understandable reasons for not jumping into the War on Poverty. Most of them are struggling with a multiplicity of problems directly affecting their own residents. The poor generally live in unincorporated areas, and they are scattered, uneducated, and unlikely to call government attention to their needs. Couple with that the difficulty inherent in getting several municipalities to cooperate in solving all but the most pressing problems, and it seems unrealistic to expect suburban municipalities to become involved.

It is a local community action agency, the Northwest Cook Opportunity Council (Norwesco), that has initiated most of the programs available in this area for low income families. Their most notable effort has also been a national success, Head Start. An Opportunity Center designed to centralize scattered services for poverty-level families is just getting under way. The council has encouraged improvement of area medical services for the poor and looked into low-cost housing, so far with little success.

Norwesco is performing a needed service to the area's poor, a service that would be lacking if anti-poverty administration was limited to public agencies.

A TRUE PERSPECTIVE

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, during this period of celebration commemorating the 50th anniversary of the Soviet October revolution, one might be tempted to fall for some of the propaganda disseminated by the U.S.S.R. concerning the great progress made since 1917.

Of course, no mention is made, for example, of the barbaric treatment accorded religious liberty during the last half century. How many churches, mosques, synagogues, and seminaries have been eliminated since Lenin assumed power will not be a matter of discussion in Soviet circles during this period of celebration. The importance of religious liberty, a right which contributed so much to the founding of our Nation, seems to be almost unimportant in evaluating the "progress" made by the Soviets.

A Reuters dispatch from Geneva, Switzerland, dated October 29, tells of a charge of religious persecution against members of the Evangelical Christian Baptist Church in the U.S.S.R. It might be well to review during this 50th anniversary season the unparalleled brutality visited upon those of religious beliefs by the godless leaders of the Kremlin. Perhaps then the 50th anniversary of the Soviet October revolution will be put in proper perspective.

I insert the article, "Baptists in Soviet Jailed, One Tortured to Death, Thant Told," which appeared in the Philadelphia Inquirer of October 29, in the RECORD at this point:

BAPTISTS IN SOVIET JAILED, ONE TORTURED TO DEATH, THANT TOLD

GENEVA, SWITZERLAND, October 29 (Reuters).—More than 200 dissident Soviet Baptists are in jail or awaiting trial for violating strict Russian religious laws, a document made public here Saturday alleged.

It said one person died after torture and that children were questioned for hours about their parents' religious activities.

DESCRIBED AS APPEAL

The document was described as an appeal by relatives of Baptists who ran afoul of the law, and was addressed to United Nations Secretary-General U Thant.

It was disclosed Saturday by Russian Orthodox Archbishop Anton of Geneva.

There was no means of checking the authenticity of the 17-page document and only copies in Russian and French were shown to reporters.

CAREFULLY DOCUMENTED

The Russian-language copy was carefully documented and gave considerable circumstantial detail. Attached to it was a list of 202 names of persons said to be in jail or under investigation, including a number already mentioned in the Soviet press.

Beside each name was listed the town where the trial took place, showing that the disidents were spread over most of European Russia and the Ukraine, and extending to the North Caucasus, Central Asia, and Irkutsk in Siberia.

ILLEGAL MEETINGS

The document said they were charged with organizing illegal meetings, distributing slanderous literature or involving under-age children in religious practices.

The carefully hand-printed last page was dated Aug. 15, 1967, and the signatures of five women, who said they represented the "council of relatives of prisoners—members of the Evangelical Christian Baptist Church in the U.S.S.R.

The 202 were all members of the large group among an estimated 500,000 Soviet Baptists who refused to recognize the authority of the state-registered Baptist Church.

ARCHIE MOORE: HELPING OTHERS EARN LIFE, LIBERTY, AND HAPPINESS

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, almost every American, and sports fans without fail, know the name of Archie Moore, former light-heavyweight boxing champion of the world. The story of his title fights and the climb from the slums of St. Louis to the glory of world recognition as champion for a decade is the story of a man who demanded only a chance to work hard toward success.

The true measure of Archie Moore, however, cannot yet be taken even though he no longer actively participates as a contender for world boxing titles. When most men would be content to retire after one successful and lucrative career, Archie Moore has started another and the final judgment of his total success in life must include his latest venture: "ABC—Any Boy Can." The final judgment of this fine American will not concern whether he has succeeded but only how much. And at this stage in life the degree appears to be ever increasing.

When asked, "Any boy can, what?" Archie Moore replies: "Any boy can improve himself if he wants to." The program is designed to help them do it. The boys are the first concern.

ABC started some 5 years ago in Vallejo, Calif. It is an after-school project for the boys and for "Instructor Moore," as the boys call Archie, it is a program with this goal:

> We only have one objective in ABC . . . and that is to teach the young boys to *want* something better, to give them the desire to grow into good and decent human beings, to show then that they, too, can be police chiefs, school principals, teachers, doctors, lawyers or anything else. We teach just what we call it, "Any Boy Can."

It began for Archie Moore when, as he says:

> I started thinking, I got weary with thinking about boys and how to help . . . then it came to me that we could help if we could show them they don't have to act "big" in bad ways, they can be "big" in good ways.

ABC is backed not by the Federal Government but by money from the city, civic agencies, and private industry, and from Archie himself.

In Archie Moore's ABC program, "his boys" learn self-respect; self-assurance; sports, including football, softball, and boxing—for defense only; they also learn the 10 Commandments by heart and the rules which an ABC boy is expected to live by. These include "A boy shall not steal, A boy shall not drink, A boy shall not lie, steal, or show disrespect.

As Archie says:

> We start out by getting their interest . . . maybe we do this with a free feed, or a party, or just taking time to talk with them, not at them, and then we emphasize that they must teach as they learn. It isn't enough that the boys, who are from 8 to 15 years old, learn our code and rules . . . They must feel they are teaching them too.

Of course, the most important thing about ABC is that it works. It takes boys who are either juvenile delinquents or headed in that direction, and the underprivileged boys and helps them find a life of responsibility and respect—and shows that they have a future, if they want it.

Congratulations from the recreation district in which the Vallejo project operates were emphatic. In a resolution of commendation and congratulations, recreation members stated that the ABC program had developed "a basics program, providing opportunities for physical, mental, and moral improvement to youngsters" with results which are "obvious, immediate, and conclusively successful in the judgment of this community."

Archie Moore would be the last to say the injustice stemming from racial conflict does not exist. He knows it does. But he is also quick to state that these injustices can be mediated, and admits that while he "despised the whites who cheated me, I used that feeling to make me push on."

Archie's philosophy, and the sentiments he tries to instill in "his boys," was recently published by the San Diego Union. This excellent article was reprinted across the Nation and is also to be used by the U.S. Information Agency for distribution to foreign nations. I believe his statement shows wisdom and the love he has for his country.

His statement, he wrote it himself and submitted it to the sports editor, is not only a statement of purpose, it is a call to law and order and to plain, old-fashioned work. I submit it at this point:

GUIDE OR MISGUIDE—ARCHIE MOORE POINTS WAY

(EDITOR'S NOTE.—Archie Moore, internationally known San Diegan and retired light heavyweight boxing champion of the world, told friends yesterday he feels that "everybody must take a stand in this time of internal crisis. A man who stands neutral stands for nothing." He then wrote the following statement and submitted it to The San Diego Union, which is printing it verbatim.)

(By Archie Moore)

The devil is at work in America, and it is up to us to drive him out. Snipers and looters, white or black, deserve no mercy. Those who would profit from their brother's misfortunes deserve no mercy, and those who would set fellow Americans upon each other deserve no mercy.

I'll fight the man who calls me an "Uncle Tom." I have broken bread with heads of state, chatted with presidents and traveled all over the world. I was born in a ghetto, but I refused to stay there. I am a Negro, and proud to be one. I am also an American, and I'm proud of that.

The young people of today think they have a hard lot. They should have been around in the '30s when I was coming up in St. Louis. We had no way to go, but a lot of us made it. I became light heavyweight champion of the world. A neighbor kid down the block, Clark Terry, became one of the most famous jazz musicians in the world. There were doctors, lawyers and chiefs who came out of that ghetto. One of the top policemen in St. Louis came from our neighborhood.

We made it because we had a goal, and we were willing to work for it. Don't talk to me of your "guaranteed national income." Any fool knows that this is insanity. Do we bring those who worked to get ahead down to the level of those who never gave a damn? The world owes NOBODY—black or white—a living. God helps the man who helps himself!

Now then, don't get the idea that I didn't grow up hating the injustices of this world. I am a staunch advocate of the Negro revolution for the good of mankind. I've seen almost unbelievable progress made in the last handful of years. Do we want to become wild beasts bent only on revenge, looting and killing and laying America bare? Hate is bait, bait for the simple-minded.

Sure, I despised the whites who cheated me, but I used that feeling to make me push on. If you listen to the professional rabble-rousers, adhere to this idea of giving up everything you've gained in order to revenge yourself for the wrongs that were done to you in the past—then you'd better watch your neighbor, because he'll be looting your house next. Law and order is the only edge we have. No man is an island.

Granted, the Negro still has a long way to go to gain a fair shake with the white man in this country. But believe this: if we resort to lawlessness, the only thing we can hope for is civil war, untold bloodshed, and the end of our dreams.

We have to have a meeting of qualified men of both races. Mind you, I said qualified men, not some punk kid, ranting the catch phrases put in his mouth by some paid hatemonger. There are forces in the world today, forces bent upon the destruction of America, your America and mine. And while we're on the subject, do you doubt for a minute that communism, world communism, isn't waiting with bated breath for the black and white Americans to turn on each other full force? Do you want a chance for life, liberty and the pursuit of happiness in the land of your birth, or do you want no chance at all under the Red heel?

AFRICA'S A GREAT PLACE TO VISIT

There are members of the black community who call for a separate nation within America. Well, I do not intend to give up one square inch of America. I'm not going to be told I must live in a restricted area. Isn't that what we've all been fighting to overcome? And then there is the element that calls for a return to Africa.

For my part, Africa is a great place to visit, but I wouldn't want to live there. If the Irishmen want to go back to the Emerald Isle, let them. If the Slavs want to return to the Iron Curtain area, OK by me. But I'm not going to go to any part of Africa to live. I'm proud of ancestry, and of the country that spawned my forefathers, but I'm not giving up my country. I fought all my life to give my children what I'm able to give them today; a chance for development as citizens in the greatest country in the world.

I do not for a moment think that any truly responsible Negro wants anarchy. I don't think you'll find intelligent—no, let's rephrase that—mature Negroes running wild in the streets or sniping at total strangers. God made the white man as well as the black. True, we haven't acted as brothers in the past, but we are brothers. If we're to be so many Cains and Abels, that's our choice. We can't blame God for it.

TEACH THAT "ANY BOY CAN"

Something must be done to reach the Negroes and the whites in the ghettos of this country, and I propose to do something.

As a matter of plain fact, I have been doing something for the past several years. I have been running a program which I call the ABC—Any Boy Can. By teaching our youth, black, white, yellow and red, what dignity is, what self respect is, what honor is, I have been able to obliterate juvenile delinquency in several areas.

I would now expand my program, change scope. If any boy can, surely any man can. I want to take teams of qualified people, top men in their fields, to the troubled areas of our cities. I know that the people who participated in the recent riots, who are participating and who will participate, are misguided rather than mad.

If some bigot can misguide, then I can guide. I've spent too much time of my life building what I've got to put it to torch just to satisfy some ancient hatred of a man who beat my grandfather. Those men are long dead. Do we have to choke what could be a beautiful garden with weeds of hate? I say NO! And I stand ready to start "Operation Gardener." I invite the respected Negro leaders of our country to join me.

Mr. Speaker, Archie Moore is a voice in the wilderness. There are too many Negro leaders saying, "we want," "we should get," "give us." I believe that one of the greatest problems facing the Negro comes from leaders who counsel their followers to demand things rather than to work for them.

Examples of the "we want" leadership are, of course, Martin Luther King and his righthand man, Ralph Abernathy. During the late months of summer King wound up a tour of northern cities. While in Washington, D.C., Abernathy stated:

> We don't want any tea and cookies. Tell the nation (he is speaking to a group of 2,000) and the world we want filet mignon. We're sick and tired of neck bones and back bones.

Within 2 weeks after this statement the president of the National Council of Negro Women said of the Civil Rights Act of 1964:

> It told them they would get so much and then gave them nothing. So they go into the streets and fight society.

More recently, King called for $20 billion—for guarantee programs including guaranteed annual wage and guaranteed jobs; threatened a massive "camp-in" in Washington, and the need for "escalating nonviolence to the level of civil disobedience." King proposed stopping all functioning of the Nation's Capital. Civil rights pressure, he said, should be put on Congress so it can "no longer elude our demands."

It is tragic to think of the barriers which the rantings of a Martin Luther King place in the path of a sincere, dedicated Archie Moore.

The value of Archie Moore working with his boys cannot be overstated, and the merit of his philosophy should not be missed. He calls for hard work, not charity and handouts; he counsels self respect and respect of others, not civil disobedience. He recommends understanding instead of hate; and he speaks of long-term faith rather than rioting and killing.

Archie Moore submitted his statement to the San Diego Union, not because some one had asked him to write for them, but because he doubtless felt he had something to say, something that needed saying. The editor who received it saw a question Archie had written: "What do you think of this?"

The amazing response by millions of Americans has given the answer.

HOW SOUND IS YOUR DOLLAR?

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ERLENBORN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ERLENBORN. Mr. Speaker, one of the fine newspapers which serves our middle western region—and serves the Nation—is the Chicago Tribune. It has just completed a series of editorials entitled "How Sound Is Your Dollar?" This has been a thoughtful analysis of our economy and our place in the world.

I submit these editorials for inclusion in the RECORD:

How Sound Is Your Dollar?

Lenin, the evil genius of the Russian revolution, contended that the United States could be forced to spend itself into a revolutionary crisis. "The best way to destroy the capitalist system," he wrote, "is to debauch the currency."

What is happening to our currency? How valid is the familiar standard of comparison, "sound as a dollar?" Is it still, in Washington Irving's words, "the almighty dollar, that great object of universal devotion?" If so, why have foreigners converted more than 10 billion of their surplus dollars into gold since 1952 and reduced the United States gold reserve to 13 billion dollars?

Responsible bankers and economists tell us that inflation is not simply a possible danger—something we may have to worry about in the future—but is hurting us now. Officials of the Johnson administration say the deficit in this fiscal year may reach 29 billion dollars unless Congress votes a tax increase. Others believe the deficit may be much larger. Unless this deficit is financed by printing new money, which would greatly increase the rate of inflation, the government will have to pay record-high interest rates to sell its bonds, in competition with private borrowers, in a money market that is already squeezed. Clearly we are facing a money crisis.

Because this problem vitally concerns the welfare of all the people, the editor has decided to devote this entire space normally reserved for editorials of The Tribune for seven days, beginning today, to a special report on the money crisis.

We are moved by a sense of public responsibility to do this. It is not a pleasant undertaking. The "pursuit of happiness" is an American ideal, and the vision of an "affluent society" is for more agreeable than the specter of ruinous inflation. Moreover, those who are not absorbed in the pursuit of happiness have other things besides the value of the dollar to worry about, such as the manifestations of moral decay and disintegration which some of our social philosophers ascribe to the affluent society.

What we are attempting to do is not easy, either. If readers believe we are exaggerating the menace they will doubt our credibility. If we are too restrained they may wonder whether there is anything to be concerned about.

People don't worry much about the purchasing power of the dollar so long as they have enough dollars to spend. It is comforting to be told that the "gross national product of goods and services" [GNP] increased 15 billion dollars in the third quarter of 1967 to an annual rate, seasonally adjusted, of 790 billion dollars—an average of $3,950 a year for 200,000,000 Americans. But inflation accounted for more than half of this increase in the GNP, which is simply the sum total of all spending. The GNP would be doubled overnight if the dollar were devalued by 50 per cent. The GNP per capita in 1966 was $3,757, but compared with 1940 dollars it was only $1,619. Even in constant prices, however, the per capita GNP was more than twice as high in 1966 as the average of $761 in 1940.

There are various measures of the rate of inflation, but the consumer price index, published by the bureau of labor statistics, is the most meaningful for most citizens. It is based on the average cost of a long list of representative items purchased in American cities. In August, the dollar was worth 41.5 cents, compared with its purchasing power in January, 1940. The consumer price index rose only 1.3 per cent a year from 1959 thru 1965, but in 1966 it climbed nearly 3 per cent and since May of this year the annual rate of increase has been 4.5 per cent. The rate may go much higher next year, especially if the federal deficit is financed mainly by pumping out fresh supplies of money. When inflation reaches a rate of 4 or 5 per cent a year it begins to feed on itself. The people rush to buy things they want before the price becomes prohibitive.

The classic definition of inflation is "too much money chasing too few goods." This is called "demand-pull" inflation. Another kind is called "cost-push" inflation. Powerful labor unions push wages up faster than productivity increases and big corporations pass their increased costs along to the consumers. The United States has had both kinds, but the trouble since 1965 has been "cost-push" inflation. Industry has been operating at 10- to 20-per cent below capacity, so there is no general shortage of goods. Settlements in the railroad and Ford Motor Co. strikes have established a pattern for labor cost increases of 6 per cent a year.

The great danger is that deficit financing will add "demand-pull" to "cost-push" inflation. Then it could run away with most of the nation's dollar assets unless totalitarian controls were adopted to suppress it. We could lose our economic freedom that way.

Inflation eats up savings and all fixed-dollar assets, such as life insurance reserves, pension and retirement funds, mortgages, government and corporation bonds, and bank deposits. Hundreds of billions of dollars of such assets already have been wiped out by the 58.5 per cent decline of the dollar since 1939.

Inflation hurts everybody, but pensioners and others with fixed incomes, as well as salaried white-collar workers, are the first to suffer. Wage increases obtained by the labor unions may keep pace with living costs for a time, but in a runaway inflation the social order is disrupted and almost all of the people are impoverished. That is what happened in Germany from 1920 to 1923, when prices increased a trillion-fold. Women standing in line in food stores watched a constantly changing price table and the cost of their purchases often doubled or tripled before they could reach the cashier.

There are no safe income-producing hedges against inflation. In the earlier stages of the German inflation common stocks advanced more rapidly than the depreciation of the paper mark, but in later stages wholesale and retail prices rose more rapidly than stocks.

Economists disagree about the effect of deficit financing on the business cycle. Some believe the boom is over and that we face a severe slump. Others believe a slump can be avoided by a vast expansion of the money supply and bank credit to finance the deficit. This might be more disastrous than a slump. We have no crystal ball and we make no predictions. We have consulted monetary authorities and other officials, economists, and bankers in Washington, New York, Chicago and Zurich, Switzerland, however, and there is general agreement that the present rate of deficit spending is extremely dangerous. We report the facts of this frightening situation to alert the people. They can stop this reckless deficit spending if they want to. The way to stop it is to cease clamoring for more and more federal spending programs and to put pressure on Congress to stop voting for them.

How Sound Is Your Dollar?

THE MONEY CRISIS

The shepherd boy of folklore had warned so many times that the wolf was coming that nobody believed him when the wolf finally came. So it is with those who have been warning for years that deficit spending would produce a financial crisis in this country. When they use the word "crisis" their credibility is doubted. But the crisis is here, now. The wolf of inflation is no longer creeping at a stealthy rate of 2 to 3 per cent a year; he is boldly striding at an annual rate of 4½ per cent and threatening to become voracious enough to eat up most of the nation's dollar assets.

Responsible officials in Washington frankly acknowledge that monetary policy in this country is no longer controlled by the federal reserve system, which was established by law to maintain an "elastic" but sound currency. Monetary policy is controlled by fiscal policy [spending], which in turn is controlled by the politicians. The politicians are committed to a policy of "guns and butter,' of a "war on poverty" concurrently with the war in Viet Nam, of constantly expanding government and continuously rising deficits. Officials of the Johnson administration warn that the deficit in fiscal year 1968, ending next June 30, may reach 29 billion dollars without a proposed 7.4 billion dollar tax program, which has been rejected by the House ways and means committee.

Others believe the deficit may be considerably larger. European bankers told American representatives at the recent annual meeting of the World Bank and International Monetary fund in Rio de Janeiro that they expect the United States deficit in fiscal year 1968 to reach 35 or 40 billion dollars. For the first time at one of these annual meetings European bankers, in private conversations, said they no longer believe budget estimates announced by the United States government.

The credibility of official budget estimates has been impaired by this country's chronic deficits, both in its domestic and in its international accounts. As Dr. Robert V. Roosa, former undersecretary of the treasury, said in a recent lecture, "a country whose external accounts are seriously and continually out of balance often has something going seriously awry within its own economy." The accumulated deficit in the United States balance of payments position from 1950 thru 1966 was 33.3 billion dollars, and it is continuing at an annual rate of more than 2 billion dollars.

As a result of this persistent deficit, the United States gold reserve decreased from 23.252 billion dollars at the end of 1952 to 13.075 billion at the end of August, 1967, when United States liabilities to foreigners—payable in gold—exceeded 29 billion dollars. The depletion of our gold reserve, which now is considerably less than half of the total of foreign claims against it, is psychologically inflationary; it weakens confidence in the dollar. The main cause of inflation, however, is deficit spending. The government finances its deficits by selling bonds and other instruments of indebtedness, which become the basis for a vast expansion of paper currency and bank credit.

The federal debt on Oct. 12 was 339.752 billion dollars. The interest alone on this colossal debt was estimated, in the President's budget submitted to Congress last January, at 14.050 billion dollars in this fiscal year, but it is likely to be close to 15 billion because of rising interest rates and much heavier spending than the President predicted.

The growth of the federal debt has been attended by a steady erosion of the purchasing power of the dollar. As reported by the labor department's bureau of labor statistics, the consumer price index, representing average costs of all items purchased in United States cities, was 116.9 [1957–59 equals 100] in August. On the same 1957–59 base, the index for January, 1940, is 48.5. Thus in August of this year the dollar was worth 41½ cents compared with January, 1940.

Leif H. Olsen, senior vice president and economist of New York's First National City bank, told the National Industrial Conference board on Oct. 3 that "we have been experiencing an unacceptable rate of inflation for two years now." He said the consumer price index rose only 1.3 per cent a year from 1959 thru 1965 but climbed nearly

3 per cent last year. Despite a near-recession, inflation in the first half of this year eased off only slightly, to a 2.5 per cent annual rate. Since May 1, Mr. Olsen noted, "the rise in consumer prices has spurted to a 4½ per cent annual rate." He warned that both inflation and high interest rates are "already with us" and are "likely to move higher" as the "federal reserve pumps out new money to finance the federal deficit."

Mr. Olsen also warned that the money supply, broadly defined to include time deposits as well as currency and demand deposits, has been growing at a record annual rate. On Aug. 30 the total was 357.2 billion dollars, consisting of 39.6 billion in currency, 139.5 billion in demand deposits, and 178.1 billion in time deposits, all seasonally adjusted.

"From December last year thru August of this year the annual rate of increase was more than 12 per cent, over half again the average rate of increase from 1961 thru April of 1966," Mr. Olsen said. "Total commercial bank credit, that is loans and investments, increased in the first eight months of this year by 16 billion dollars. Seasonally adjusted, this amounted to an annual rate of increase of 41 billion dollars, or 13 per cent; the previous record gain in growth of bank credit was 25 billion dollars in 1965."

A federal deficit of 25 or 30 billion dollars would require a far more inflationary expansion of the money supply unless the Fed should decide to raise interest rates much higher. The easy money politicians would resist higher interest rates. Moreover, it is doubtful that the Fed could finance such an enormous deficit, even with higher interest rates, without a vast expansion of the money supply.

As Dr. Roy L. Reierson, senior vice president and economist of the Bankers Trust company, told the National Industrial Conference board, chronic deficit spending "gives rise to . . . persistent and spiraling inflation, tight credit, and high interest rates, repeated crises and unsettlements in the credit markets, abandonment of any hope for the balance of payments, and the real possibility of a major dollar crisis."

No responsible economist or banker believes there is imminent danger of hyperinflation in this country, such as occurred in Germany after World War I and China after World War II. In the German inflation of 1920–23, prices increased a trillionfold. In such a cataclysmic inflation whole classes are impoverished and the social order is destroyed. Altho there is no imminent or unavoidable danger of such a terrible catastrophe in the United States, the peril is clear, present, and great. Even creeping inflation, at a rate of 3 per cent a year compounded, doubles prices in 23 years. Once the rate increases to 4 or 5 per cent and the people become convinced that continued, rising inflation is inevitable, they accelerate it by trying to evade it or hedge against it. They spend their savings and even go into debt, bidding up prices for stocks, real estate, commodities, new cars, and other costly things.

A tax increase would reduce the deficit and thus would have some effect on the rate of inflation. But taxes themselves are inflationary because they increase production costs, consumer prices, and demands for higher wages. The Johnson administration has argued that its proposed surtax of 10 per cent on the income tax liability of corporations and individuals would not affect married couples with two children, earning $5,000 a year or less, or single persons earning $1,900 or less because of personal exemptions. This argument is as false as it is demagogic. Taxes are paid by all the people, regardless of their income, when they buy bread and the other necessities of life.

Colin Clark, of Oxford university, one of the world's most distinguished economists, contends that "25 per cent of the national income is about the limit for taxation in any nontotalitarian community in times of peace." The rate in the United States in 1966 was 36.9 per cent. The national income was 616.7 billion dollars, receipts of the federal government were 143.2 billion, and receipts of the state and local governments were 84.7 billion. The nation's imperative need in the present crisis is not higher taxes but a reduction of spending. Rep. Wilbur D. Mills (D., Ark.), chairman of the ways and means committee, wisely justifies the refusal of the House to vote new taxes on the ground that "we want to pause in this headlong rush to ever bigger government." The objective, he says, is not simply to cut federal spending this year and next year, desirable as that may be, but to establish control over the amount and character of federal spending in the future. He emphasizes that basic changes in federal programs are necessary, and demands responsible leadership by the executive branch in the formulation of such changes.

HOW SOUND IS YOUR DOLLAR?

PRINTING PRESS MONEY?

While officials of the Johnson administration have been calling for a tax increase to restrain inflationary pressures, the federal reserve system has been pumping out fresh supplies of money at an unprecedented rate to expand the already overheated economy.

Leif H. Olsen, senior vice president and economist of New York's First National City bank, calls this curious spectacle "the great economic paradox of 1967." It is significant, he says, that the two leading schools of economic theory now agree that the economy is being overstimulated. One school consists of the so-called "new" economists—Keynesians and neo-Keynesians—who advocate deficit spending to stimulate economic expansion, full employment, and prosperity. The other school, headed by Prof. Milton Friedman of the University of Chicago, advocates a continuous but limited expansion of the money supply—3 to 5 per cent a year—to maintain orderly economic growth. From December, 1966, thru August of this year the money supply, broadly defined to include time deposits as well as currency and demand deposits, increased at a record annual rate of 12 per cent.

The federal reserve board's easy money policy in the face of a federal deficit that may exceed 30 billion dollars in this fiscal year is viewed with increasing concern by bankers and businessmen. Even William McChesney Martin Jr., esteemed chairman of the Fed's board of governors, is accused of going along with a reckless policy of financing the deficit by printing new money.

For many years Mr. Martin has been regarded as the personification of sound money—a mighty bulwark against the deluge of inflation—and has been as immune from attack as J. Edgar Hoover, heroic defender of the nation from communist, infiltration and subversion. But Barron's National Business and Financial Weekly charged in its issue of Oct. 9 that the nation's money managers, under Mr. Martin's leadership, "have pursued an almost fanatical easy credit policy, a reckless course that has ceaselessly worked to lower the purchasing power of the currency at home and debase its standing abroad."

Some leading bankers agree with this judgment of the Fed but tend to excuse Mr. Martin. They point out that he has only one of seven votes in the board of governors of the federal reserve system and one of 12 in the federal open market committee, both of which are dominated by easy money proponents. At a meeting of the open market committee on May 23, the chairman went along with the "liberals," voting for a "policy to foster money and credit conditions, including bank credit growth, conducive to renewed economic expansion." Darryl R. Francis, president of the St. Louis Federal Reserve bank and a member of the open market committee, voted against this policy directive on the ground that both monetary and fiscal policies had been highly stimulative and that some firming in the money market was needed to guard against inflationary pressures later in the year.

The Fed adopted a restrictive money policy in 1966, which resulted in an excessive accumulation of inventories and depressed the market. Altho the money managers switched to an expansive policy in December, the lag effect of the earlier tight money policy caused a near-recession in the first half of this year. Just as the full effect of the restrictive policy last year was not felt until this year, the full effect of the inflationary policy this year will not be known until next year. In spite of this danger, the money managers, with Chairman Martin's acquiescence, persist in their policy of expansion.

Actually the monetary authorities have no real choice. Control of monetary policy has passed into the hands of the politicians, and that is the most frightening aspect of the financial problem. If the President demands and Congress votes appropriations which will result in expenditures of 25 to 30 billion dollars in excess of revenues, government obligations must be sold to finance the deficit. If they cannot be sold to individuals and nonbanking institutions, they must be sold to the banks. When serious inflation is present or threatened, investors are relucant to buy fixed-income, longer-maturity securities, such as mortgages, municipal bonds, and treasury issues. To make government securities attractive to individuals and nonbanking institutions, the Fed would have to push interest rates up to intolerable heights. The tug-of-war between government and private borrowers would be intensified. There would be no mortgage money for housing.

The only alternative to a restrictive, high-interest-rate policy is to pump reserves into the banking system and force it to buy the government's bonds. In effect, this amounts to printing new money.

In a statement to the House ways and means committee, Chairman Martin strongly supported the President's proposal for tax increases. He said we already have "clear and compelling evidence of a resurgence in inflationary pressures which, if unchecked, would curtail domestic expansion, aggravate an already serious balance-of-payments problem, and bring severe strains in the markets for credit." Instead of a reduction in government spending, however, he argued for a tax increase.

Mr. Olsen told the National Industrial Conference board that increasing taxes while continuing an expansive monetary policy would be similar to applying the brakes on a speeding automobile while keeping the accelerator on the floor. "A tax increase may well help to slow things down," he said, "but the real help will come when monetary policy is permitted to become somewhat less stimulative by having less federal debt to finance."

This would require a reduction of spending. The cost of the war in Viet Nam has reached an annual rate of 27 billion dollars [2¼ billion a month] and is likely to go higher unless the administration eventually decides to end it by winning it. All wars are wasteful, but there is no realistic hope for substantial savings in Viet Nam if we give our fighting men the support they deserve.

There are opportunities, however, for reductions of billions of dollars in civilian spending. The budget submitted to Congress last January estimated expenditures on civilian programs at 59.5 billion dollars. Henry H. Fowler, secretary of the treasury, told the ways and means committee that the January estimates may be exceeded by 2.5 billion dollars. Others believe the Johnson administration will ask Congress to vote huge new appropriations for spending programs in the cities next year, an election year, because of threats of black power demagogs to incite insurrections that will make last summer's violence in Newark, Detroit, and other cities look like mere tryouts.

Fowler said total expenditures in fiscal 1968 may be 8.5 billion dollars higher than the estimate of 135 billion in the President's administrative budget, submitted to Congress last January. Revenue estimates have been revised downward by 7 billion. Without a tax increase, Fowler said, the deficit could rise to 29 billion dollars.

There is a highly significant item called "transfer payments" in the government's national income account, which is reported in the commerce department's Survey of Current Business. These are called transfer payments because the money is transferred from the pockets of one group of citizens to those of another—from the productive to the nonproductive. They include social security and other pensions, as well as welfare payments, but the pensions have to be paid out of current income, because there are no reserves for them. The total of all transfer payments, including 1.8 billion dollars in state unemployment insurance benefits, was 43.9 billion dollars in 1966. In 1967 the seasonally adjusted annual rate was 50.8 billion dollars in the first quarter and 51.4 billion in the second quarter. This is one measure of the rate at which the United States is becoming a socialist welfare state. Another measure is the tax rate—total federal, state, and local tax collections as a percentage of national income—which in 1966 was 36.9 per cent. Still another is the rate of inflation. In August of this year the dollar was worth 41½ cents compared with its purchasing power in January, 1940, and in recent months consumer prices have been rising at the annual rate of 4½ per cent.

These are trends that disturb Rep. Wilbur D. Mills [D., Ark.], chairman of the ways and means committee, who says there must be "basic changes in federal programs, not merely appropriation cuts this year," before Congress increases taxes. They are trends that should disturb all Americans.

How Sound Is Your Dollar?

AS GOOD AS GOLD?

There are two deficits, closely related and mutually aggravating, which debase the domestic purchasing power and discredit the international standing of the United States dollar. One is the deficit in the federal budget and the other is the deficit in the international accounts of the United States.

We have a substantial tho declining surplus in foreign trade, but because of foreign aid, military expenditures overseas, tourist spending, foreign investments, and other dollar outflows, there is a chronic deficit in our total international transactions. Beginning in 1950, the United States has had a balance of payments deficit every year except 1957, and the accumulated net total at the end of 1966 was 33.339 billion dollars. The deficit, seasonally adjusted, was 536 million dollars in the first quarter and 513 million in the second quarter of 1967; so the total this year may exceed 2 billion dollars.

The balance of payments deficits have been financed in part by the payment of gold to foreigners and in part by the increase of our indebtedness to foreigners. The United States gold stock declined from 24.6 billion dollars at the end of 1949 to 13.04 billion on Aug. 30, 1967. Meanwhile, United States liquid liabilities to foreigners increased to 29.596 billion dollars in June. Altho only 14.069 billion of this was held by foreign official institutions and therefor immediately convertible into gold, the dollar holdings of private banks and other foreigners can readily be transferred to their central banks for conversion into gold.

Thus foreigners could draw out the entire gold reserve of the United States at their discretion or else discredit the dollar by forcing this country to suspend gold payments. They have not done this because such a raid on the dollar would adversely affect their own currencies and economies. The dollar is an international currency. More than half of all international transactions are denominated in dollars. So long as the United States is willing and able to buy or sell gold at 35 dollars to the fine ounce troy, the dollar is as good as gold.

Many foreign bankers are convinced, however, that the United States, in spite of official protestations to the contrary, eventually will be compelled to suspend gold payments or devalue the dollar by increasing the price of gold. If this opinion gains credence, the foreigners may start a run on the United States gold stock, just as a run on a bank is started when the word gets around that its condition is shaky. If the price of gold were doubled, the dollar holdings of foreigners in the United States would lose half their value.

West European countries which enjoy surpluses in their international transactions and have accumulated large gold and dollar reserves are increasingly insistent that the United States must put its house in order. Their attitude was reflected in the 1965 annual report of the Bank for International Settlements, which declared that, "after an extended series of external deficits, the reserve position of the United States needs to be strengthened to restore full confidence in the dollar." If the United States does not solve its balance of payments problem, confidence in the dollar will be further impaired and there will be great danger of a run on our gold stock, as well as forced devaluation of the dollar.

The balance of payments deficit increases inflation in the United States by draining off gold and eroding confidence in the dollar. In addition to this, foreign holdings in the United States resulting from the balance of payments deficit include more than 15 billion dollars in bank deposits, which are part of the inflationary money supply.

Inflation in turn has a major effect upon the balance of payments deficit. High production costs are pricing the United States out of the markets of the world and our trade surplus is rapidly declining. The surplus will decline further and may be wiped out if the rate of inflation increases, for imports always go up with inflation. From 6.7 billion dollars in 1964, the trade surplus declined to 4.8 billion in 1965 and to 3.7 billion in 1966. The surplus was up to an annual rate of 4.2 billion in the first half of 1967, but this rate may not continue because of declining exports to Britain and Germany, which have had recessions.

Actually it is doubtful that the commercial exports of the United States balance its imports. If exports that are subsidized under the foreign aid program and military equipment sales by the government were deducted from the so-called surplus, it probably would disappear. Foreign aid of all kinds, economic and military, now exceeds 6 billion dollars a year. The administration argues that 87 per cent of all foreign aid expenditures are for American goods and services and that the effect on the balance of payments is negligible. It is obvious, however, that nations receiving this aid can use the foreign exchange it saves them for the purchase of goods and services from other countries. Otherwise this foreign exchange might come to the United States.

Instead of reducing foreign aid to balance our international accounts, the government has resorted to the shortsighted expedient of restricting profitable private business with foreigners. There is a so-called interest equalization tax on purchases of foreign securities. Under a so-called voluntary restraint program, the federal reserve board limits bank loans to foreigners and the commerce department limits direct foreign investments by American companies. As a result of this program, the total outflow of private capital declined from 6.5 billion dollars in 1964 to 3.7 billion in 1965 and rose only slightly to 4.1 billion in 1966. The annual rate so far this year has been about the same as in 1966.

This policy is self-defeating, for the repatriation of United States earnings from direct investments abroad has exceeded the investment outlay from the United States every year since 1945. In 1964, the last year for which the figures are at hand, the inflow to the United States was 4.5 billion dollars and the outflow was 2.4 billion. In 1960 United States corporations invested 4 billion dollars in fixed assets abroad, but 56 per cent of this came from retained earnings and borrowings abroad. In 1966 the investment total was 9 billion dollars, but 70 per cent of it came from retained earnings and borrowing abroad.

Americans spend about 2 billion dollars a year more on foreign travel than foreign tourists spend in the United States. This is a substantial item in the adverse payments balance, but any limitation on the freedom of Americans to travel and spend their money abroad would be widely resented. Duty-free imports of tourist purchases already are limited to $100.

From 1960 thru 1966 about 70 per cent of the direct cost to the United States government of maintaining its troops in Germany was offset by the sale of military equipment to Germany. This year Germany agreed to purchase $500,000,000 of long-term United States bonds and the total offset, including military purchases, is expected to be 100 per cent. The German purchases offset expenditures by the United States government, but there is still a big dollar loss thru spending by the troops, who exchange some of their dollars for marks in Germany and for other European currencies when they go on leave.

This dollar loss could be stopped only by bringing the troops home, and this would be prudent, both strategically and economically. The prosperous western European countries, which rely mainly upon the United States nuclear deterrent for their defense against communist aggression, certainly could replace the American ground forces with troops of their own. Moreover, the Germans are fully capable of developing their own nuclear deterrent as the French are doing, and it makes no sense to restrain them from acquiring weapons which the enemy already has.

The dollar loss in Viet Nam from all sources is estimated at 2 billion dollars a year. The troops are paid in military payment certificates [scrip], which is the only currency accepted in United States installations, but they exchange some of their scrip for piasters to spend in Saigon and other cities. The United States buys these piasters with dollars, which the government of Viet Nam is supposed to use to pay for imports from the United States. Undoubtedly, however, there is a big leakage, just as there is a big dollar leakage in foreign aid to Viet Nam, in spite of all efforts to prevent it. Some of these dollars find their way into the hands of French businessmen and end up in Paris. Moreover, the troops in Viet Nam are given dollars to spend when they go on "R and R" [rest and recreation] in Bangkok, Singapore, Hong Kong, Manila, or Taipeh.

There is not much more that can be done to plug the dollar leaks. The only way the United States can solve its balance of payments deficit is to put its house in order by ending deficit spending—on foreign aid, among other things—which is the cause of inflation, of the loss of foreign markets, and of the steadily worsening dollar crisis.

How Sound Is Your Dollar?

THE GLOBAL GIVEAWAY

Foreign aid is a major reason why your dollar is losing its purchasing power and the debt-burdened, deficit-ridden United

States is in the throes of a money crisis. Foreign aid, including interest on the money we have borrowed to give away, now costs the American people more than 10 billion dollars a year.

A table submitted by the government to a House appropriations subcommittee shows that foreign aid of all kinds, economic and military, grants and loans, from 1946 thru 1966 [fiscal years], totaled 122 billion, 365 million dollars. The net total, after all interest and principal payments on loans, was 108 billion, 867 million dollars. Rep. Otto E. Passman [D., La.], chairman of the subcommittee, has since been advised that the net total thru fiscal year 1967 is 114 billion, 694 million dollars.

Rep. Passman calculates the total cost of foreign aid since 1946, including interest the government has paid on money borrowed to give away, as 152 billion, 533 million dollars. The net total of 114 billion, 694 million—not counting the interest already paid on it—is more than one-third of the present federal debt of 340 billion dollars. Hence more than a third, or almost 5 billion dollars, of the interest cost of the federal debt—officially estimated at more than 14 billion dollars this fiscal year—must be attributed to foreign aid. New grants and loans to foreign countries now exceed 6 billion dollars a year, and the net total, after all interest and principal payments, is well over 5 billion. Thus the total cost of foreign aid, including interest on the debt, is more than 10 billion dollars a year.

The total public debt of all the other noncommunist countries of the world, according to the latest figures Rep. Passman could get from the executive agencies of the government, is 248 billion dollars, 92 billion less than that of the United States. Yet the United States this year, 22 years after foreign aid began as a post-war emergency relief program, is dissipating its national resources and loading unborn generations with debt by extending assistance of some kind to 100 countries and five territories.

When this unexampled giveaway madness began in 1945 the dollar was still worth 77.3 cents, compared with its purchasing power in January, 1949, in spite of war time inflation, but by August, 1967, it had declined to 41.48 cents. Meanwhile the United States had accumulated a net deficit of 33.3 billion dollars in its international balance of payments position by the end of 1966; its gold stock had declined from 24.6 billion dollars at the end of 1949 to 13 billion in August, 1967, and its liquid liabilities to foreigners, payable in gold, had increased to 29.5 billion dollars. Now the United States is facing a federal deficit that may exceed 30 billion dollars in this fiscal year, accelerated inflation, and a money crisis that could induce foreigners to start a run on our remaining gold stock.

Rep. Passman charges that the foreign aid program has been "fragmentized" to confuse the people. He says the aid flows from 16 different "spigots," and that each year Congress is asked in more than a dozen items of proposed legislation to increase the spending or lending authority of the dispensing agencies.

What the public hears most about is the President's annual request for authorizations and appropriations under the foreign assistance act. This year the President requested 3.226 billion dollars in new funds, and Congress may reduce this by almost a billion dollars, but it will make little difference. There are too many other programs, such as food for peace, the Export-Import bank, military assistance, and aid thru international agencies, and too many billions of dollars of unexpended balances available to the aid bureaucracy. Yet irresponsible Washington reporters write about the annual "foreign aid" bill of 3 billion dollars or less as if it were the sum total of foreign aid, and this phony figure sticks in the minds of the people. The table submitted to the House subcommittee shows that economic and military assistance of all kinds, including loans and grants, totaled 6.376 billion dollars in fiscal 1962, 6.738 billion in fiscal 1963, 6.134 billion in fiscal 1964, 6.140 billion in fiscal 1965, and 6.751 billion in fiscal 1966.

Secretary of State Dean Rusk told the House subcommittee that foreign aid "transfers United States skills and commodities—not United States dollars—to the less developed countries" and has no significant effect on the chronic balance of payments deficit. This argument, of course, takes no account of what economists call the "substitution effect" of aid and is false. Countries receiving American goods and services under the aid program can use the foreign exchange this saves them—including their dollar earnings from exports to the United States—for the purchase of goods and services from other countries.

Moreover, foreign aid is a major cause of federal deficit financing, which increases inflation and the cost of production and thus adversely affects the competitive trade position of the United States. Our trade surplus, which declined from 6.7 billion dollars in 1964 to 4.8 billion in 1965 and 3.7 billion in 1966, falls far short of offsetting the deficit in our other international transactions.

Testifying before a joint congressional subcommittee on economic policy, Dr. N. R. Danielian, president of the International Economic Policy association, said: "The stark fact is that United States commercial exports are hardly enough to pay for our commodity imports. If you deduct the foreign-aid-induced exports and the military hardware sales from export figures, it is doubtful that purely civilian exports and imports are in balance."

Secretary Rusk also told the House subcommittee that foreign aid requests of all kinds for fiscal year 1968 were less than 0.7 per cent of our GNP [gross national product of goods and services], which was swollen by inflation to an annual rate, seasonally adjusted, of 790 billion dollars in the third quarter of 1967.

Without foreign aid, Rusk, said we'd be living in a "less stable and more threatening world." Yet when Congressman Passman reminded him that foreign aid, with interest, had cost 152.5 billion dollars, Rusk said this country, since 1946, "has put more than 900 billion dollars into defense, almost a trillion dollars." When we have to spend that much on defense, it is hard to believe that foreign aid has brought us a more stable or less threatening world.

Another administration argument is that American exports to Europe have increased enormously since the end of the Marshall plan and that exports to Japan have multiplied as a result of our aid. But our imports have increased more than our exports. We still have a favorable balance with Europe—exports of 10.011 billion and imports of 7.863 billion in 1966—but not with Japan, for which the figures in 1966 were 2.964 billion of exports to 2.365 billion of imports from the United States. If the grant aid of 12.928 billion dollars extended by the United States under the Marshall plan from 1949 thru 1952 and 8.724 billion under the mutual security act from 1953 thru 1957 had consisted of interest-bearing loans, the prosperous countries of Europe, as well as Japan, would be repaying us now, with interest, and there would be no balance of payments problem. Instead, these countries are accumulating huge gold and dollar reserves and exporting manufactured produdcts at prices with which the United States cannot compete.

Altho the United States is technologically the most advanced nation in the world, its industrial production costs are so high that it has become primarily an exporter of agricultural products and other raw materials, chemicals, semi-finished products, and machinery [an exception to the general trend] and an importer of finished products which require a substantial employment of labor in their manufacture. In 1966 we imported manufactured goods valued at 6.353 billion dollars and machinery and transport equipment valued at 4.827 billion, compared with exports of manufactured goods valued at 3.434 billion and machinery and transport equipment valued at 11.164 billion.

The western European countries agreed to general tariff reductions averaging about 31 per cent in the recent "Kennedy round" of negotiations, but they have erected all kinds of so-called nontariff barriers against American products, such as quotas and internal taxes. As a result of these restrictive trade practices, there is strong support in Congress for a proposed system of quotas to restrict imports of textiles, footwear, steel, electronics, and other manufactured products. This would provide some protection for American industry and labor, but it would increase prices to consumers, provoke reprisals against American exports, and further aggravate the balance of payments problem.

HOW SOUND IS YOUR DOLLAR?

GOLD AND FOOL'S GOLD

Dr. Hjalmar Schacht, the financial wizard of Hitler's Third Reich, probably would feel vindicated by the artful expedients and quackeries that have been proposed by some of the frenzied financiers in this country to prevent a day of reckoning for the United States dollar.

These clever schemes are intended to make it appear that the dollar is as good as gold, altho the gold we have left is less than half of the outstanding foreign claims against it. They are intended to conceal the vulnerability of the dollar and the cause of its distress—deficit spending.

Charles Dickens stated the problem as Micawber's law: "Annual income twenty pounds, annual expenditure nineteen nineteen six, result, happiness; annual income twenty pounds, annual expenditure twenty pounds ought and six, result misery."

Micawber's law was repealed by the Roosevelt administration in the 1930s and the Keynes law was substituted. In her book, "The Roosevelt I Knew," Frances Perkins thus stated the Keynes law: "With one dollar paid out for relief or public works or anything else, you have created four dollars' worth of national income."

John Maynard [Lord] Keynes, English economist and a major deity in the international lavender set, was "liberally consulted" by "government people" in Washington, according to Miss Perkins, and was convinced that the United States would prove the validity of his prosperity-thru-spending doctrine to the whole world.

Keynes also dreamed of a world central bank, with the power to create new money, an international currency which would replace gold in the settlement of accounts between nations. A long step in that direction was taken by the members of the International Monetary fund at its recent annual meeting in Rio de Janeiro. This scheme provides for the use of S. D. R.s [special drawing rights], called "paper gold," by nations with chronic balance of payments deficits, such as the United States and Gamal Abdel Nasser's United Arab Republic. The S. D. R.s also have been called fool's gold, a term suggesting that they would have about as much value as the iron pyrites which so many deluded prospectors have mistaken for real gold.

If the new scheme is ratified by the I. M. F. member governments, each member will be authorized a certain quota of S. D. R.s. Then if President de Gaulle of France, for example, should continue to demand gold for his country's surplus dollar holdings, the United States—at least, in theory—could pay him off in S. D. R.s. If de Gaulle accepted the S. D. R.s, he could use them to settle France's accounts with any other country that would accept them.

If a nation should overdraw its quota of S. D. R.s, it would be obliged, in due time, to purchase acceptable foreign exchange with its own currency and redeem the overdrafts. The idea is that the S. D. R.s would rest upon the joint and several obligations of all the I. M. F. members and would be "gold-guaranteed," altho just how has not been determined

Bankers we have consulted say this scheme is nothing to be alarmed about because it will never be used extensively. The nations with balance of payments surpluses do not need it and they are not likely to accept "fool's gold" from countries with persistent deficits. Even if the S. D. R.s were acceptable, the United States could not draw too heavily upon them, because that would be a sign of weakness and it might start a run on our remaining gold stock.

Dr. Robert V. Roosa, fromer undersecretary of the treasury and now a partner in Brown Brothers, Harriman & Co., New York, was one of the original proponents of the international currency scheme. He proposed the use of C. R. U.s [convertible reserve units], which were called "Roosa crusas." Supporters of this proposal were called Roosacrusians, which sounds more like a potty religious sect than a group of responsible monetary authorities.

The international currency proponents have been derided gently by Prof. Milton Friedman, of the University of Chicago, as "able men who spend endless hours trying to devise ingenious means whereby everybody can borrow from everybody else without anybody being committed to lend to anyone." Dr. Roosa, however, seemed the soundest of sound money men in a recent debate with Prof. Friedman, in which he strongly defended the present system of fixed exchange rates, based upon $35 as the price of gold.

Prof. Friedman, who was described by Dr. Roosa as "one of the world's most distinguished exponents of market economics," said the balance of payments problem "is simply another example of the far-reaching effects of government price fixing." He proposed a system of floating exchange rates, in which the market would determine the parity of the dollar and of all other currencies, and there would be no balance of payments deficit because exporters and importers and other private traders would settle their own accounts. Official foreign exchange reserves are not needed, he said, because private dealers will provide them, just as they do in the free commodity markets.

If the exchange value of the dollar should decline under the floating rate system, American exports would rise, in spite of high production costs, because more dollars could be purchased with English pounds, German marks, French francs, etc. Dr. Roosa argued, however, that such a system would "make for progressive inflation and successive waves of exchange rate depreciation from one country to the next." In a country experiencing rapid inflation, he said, the most likely reaction would "be toward accentuation, not containment, of the exchange rate decline, for the domestic prices of exports could then increase beyond the screen of lower exchange costs to foreigners, import costs would rise, wages would no doubt be raised even further, and a new wage floor would have, in effect, been built under the inflation already realized."

Many foreign bankers are convinced that the United States will be compelled eventually to increase the price of gold, because the dollar already has lost more than half of the commodity purchasing power it had before World War II and the cost of producing gold, like everything else, has gone up proportionally. This belief is an incentive to foreigners to speculate on a gold price increase, or insure against devaluation of the dollar, and it makes our remaining 13 billion dollar gold reserve highly vulnerable.

William F. Butler and John V. Deaver, vice presidents and economists of the Chase Manhattan bank, have proposed an ingenious plan to protect the gold we have left without devaluing the dollar. In the October issue of Foreign Affairs, they suggest an official declaration that the United States will never support a price higher than 35 dollars an ounce and that this country's response to an assault on its remaining gold stock would be suspension of the privilege foreigners now have of buying our gold with their dollars. Future sales and purchases would be made only at the discretion of the United States, and then only at the fixed price of 35 dollars an ounce.

Butler and Deaver acknowledge that the United States in such circumstances would lose control over the price of gold and over the foreign exchange value of the dollar. But they argue that foreigners would either have to support the dollar at the present rate, which would be the same as going on a full dollar standard, or else at a devalued rate, which would put European exporters at a competitive disadvantage. Moreover, Europeans would take a huge loss on their dollar holdings if the exchange rate were devalued.

Butler and Deaver are persuasive, but they concede that the United States, despite its great economic power, "can no longer call the tune." Certainly it will be increasingly difficult for the United States to call the tune on gold, because the world supply is so small and the demand is so great. Gold sells for the equivalent of 70 to 75 dollars an ounce on the Bombay market. The total reserves of all the non-communist countries in December, 1966, were estimated at 43.225 billion dollars. World production outside of the communist countries totaled 1.445 billion dollars in 1966. The major producers are the Soviet Union and South Africa [1.080 billion dollars in 1966], followed by Canada [114.6 million dollars] and the United States [63.1 million dollars]. New production is barely sufficient to supply the increasing needs of industry. The United States may have to subsidize domestic production of gold for industrial use, for some of the mines cannot operate profitably at the government's fixed price.

How Sound Is Your Dollar?

WHAT CAN WE DO?

There is not much an individual can do to stop inflation—unless he happens to be President of the United States. If enough people are sufficiently concerned, however, they can stop federal deficit spending—the main cause of inflation—by sending a torrent of letters and telegrams to their senators and representatives in Congress, demanding an end of the reckless practice of voting appropriations that vastly exceed any reasonable expectation of revenues. A list of senators and representatives from five midwest states will be found on page 2.

We have asked leading Chicago bankers what can and should be done to halt inflation, which has reduced the value of the dollar by 58.5 per cent since January, 1940, and is rapidly getting worse as the federal reserve system pumps out fresh supplies of printing press money to finance a deficit that may exceed 30 billion dollars this fiscal year.

Here are their answers:

Beryl W. Sprinkel, vice president and economist, Harris Trust and Savings bank: "The source of the current serious inflation is clearly overexpansive governmental economic policies in the monetary and fiscal areas. Economic policies are now the most expansive since World War II, despite the fact that the economy is fully employed and prices are rising rapidly. Hence, the prospect is for substantially greater increases in total spending in the coming year than in the production of real goods and services. Therefore, price pressures will be sizable.

"What can now be done to bring the inflation under control? Clearly the leadership for this action must emanate from government. So far this year the money supply has been rising at about a 7 per cent annual rate, at least twice too much for price stability. At the same time, the budget deficit has continued to increase as both defense and nondefense spending has risen.

"Strict control of federal spending, accompanied by a possible tax increase, is a desirable ingredient in slowing the inflationary push. Of equal or greater importance is a reduced rate of monetary growth emanating from a less expansive monetary policy. Undoubtedly, monetary policy has been this expansive primarily because of concern about rising interest rates and the problems created both for the housing industry and the financing of the federal deficit.

"Unfortunately, when rapid monetary increases occur at full employment and inflation develops, an easy money policy causes high rates of interest after the money begins to be spent. On the other hand, the beginning of the less expansive money policy in an effort to slow the inflation would, in the short run, mean even higher interest rates.

"There is little that the individual can do to slow the inflationary surge other than to urge his elected representatives to pursue less expansive monetary-fiscal policies in this day of full employment and rising prices."

Tilden Cummings, president, Continental Illinois National Bank and Trust Company of Chicago: "Inflation has once again become one of our most serious economic problems. Efforts to curb the rapid advance in prices have been half-hearted at best and will continue to be ineffective unless the administration, Congress, labor, and management combine to bring the dangerous trend to an early halt.

"The current inflationary trend must be attributed to monetary and fiscal policies inappropriate for a war economy. Clearly, the need now is for a sharp reduction in the huge and unsettling budget deficit thru cuts in such nondefense expenditures as harbor and river development, road construction, dams, aero-space, agriculture, and termination of the numerous programs that have outlived their usefulness. Where cuts are not immediately feasible, deferment of projects must be considered. It is entirely possible that cuts could be made in defense expenditure also, without impairing military effectiveness. In addition to budgetary cuts and deferments, a tax increase is needed in order to return some semblance of proportion and balance to our fiscal and monetary position.

"Firm fiscal action will free the monetary authorities from the need to finance the administration's unwieldy deficit thru massive injections of bank credit by the federal reserve. Undoubtedly the resulting sharp rise in the nation's money supply has materially contributed to the inflationary trend. Reduction in the money supply's growth might even go hand-in-hand with a general lowering of interest rates once the administration's borrowing needs have been brought back to normal proportions.

"The urgency of a successful anti-inflationary program requires a clear statement by the administration of its specific policy objectives, supported by immediate action on the part of Congress. In addition, strong appeals must be made to both labor and management to exercise maximum restraint in their wage and price demands."

Homer J. Livingston, chairman of the board, First National Bank of Chicago: "The threat of an acceleration in the upward movement of prices is one of the most serious economic problems facing the nation today. Such a development always lowers the purchasing power of those on fixed incomes, mainly the senior citizens who are growing in number and who have come to constitute a significant market for the nation's output of goods and services. Equally troublesome is the effect of inflation on the nation's balance of international payments. Exports would decline as United States-made products are priced out of world markets, while imports would rise as they become less costly than domestically-produced goods.

"Finally, inflation wears away the incentive to save, and savings are essential to investment and capital formation, the source of job creation. It is for these reasons that the deficit of the federal government must be narrowed by reducing expenditures and by increasing taxes. Failure to do so will lead to higher prices for all.

"It is unconscionable that a nation as affluent as the United States should resort to massive deficit financing at a time when employment and incomes are virtually at unprecedented highs, as they are today."

In a significant speech at Grinnell college last Sunday, George Champion, chairman of the board of the Chase Manhattan bank and a distinguished native son of Illinois, warned that "massive transfusions of federal money" will not solve the problems of our cities. He noted that the cities which were hardest hit in riots last summer had received above-average shares of the billions dispensed each year by the federal government. He said the whole welfare state, including the farm program, is based upon the assumption that depression is a normal condition, tho this concept is hopelessly obsolete.

Many of the federal programs have exactly the opposite effect from what was intended, Mr. Champion said. Housing projects become permanent slums. Welfare payments to fatherless families encourage fathers to leave home, resulting in patterns of idleness and community-sponsored illegitimacy. The "sprawling welfare empire and the layers of local and state relief operations" are regarded as the "enemy" by welfare recipients, who are organizing unions to press for their "rights" in demonstrations against the system.

What is needed, Mr. Champion said, is "incentive welfare," involving motivation, training, and job opportunities. Business and industry, he said, can provide the basic education and training needed by the unemployed to qualify them for jobs now going begging. Across the nation, there are more than 1,000,000 job openings and almost 3,000,000 unemployed.

"Even as prosperous a nation as ours cannot do everything at once," Mr. Champion asserted. "We must inevitably make choices."

If we make the wrong choices, relying upon an ever-expanding central government and ever-mounting federal deficits to "do everything at once," a prophecy made 110 years ago by Lord Macaulay may be the melancholy fate of this Republic. In a letter to H. S. Randall, an American friend, Macaulay predicted that industrialization and urbanization eventually would produce "a distressed and discontented majority" in this country, which would listen to the rantings of demagogs and could not be restrained by the government.

"There is nothing to stop you," he wrote. "Your Constitution is all sail and no anchor. . . . When a society has entered on this downward progress either civilization or liberty must perish. Either some Caesar or Napoleon will seize the reins of government with a strong hand, or your Republic will be as fearfully plundered and laid waste by barbarians in the 20th century as the Roman Empire was in the fifth; with this difference, that the Huns and Vandals who ravaged the Roman Empire came from without, and that your Huns and Vandals will have been engendered within your own country by your own institutions."

TRUTH-IN-PRICING LEGISLATION

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. SMITH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SMITH of Oklahoma. Mr. Speaker, many times in the press of legislative work and in the rush to judge serious issues the work of some of our distinguished colleagues is overlooked.

One of my freshman colleagues, the Honorable ROBERT V. DENNEY, of Nebraska, has introduced, in my opinion, one of the most interesting and important measures in this session.

"The Denney bill," as this legislation has come to be known, would require that every public bill or resolution submitted to the House of Representatives contain an estimate of its cost to the Government for the next 2 fiscal years. Cumulative totals would be published twice a month.

H.R. 9966 will require the Director of the Bureau of the Budget to submit to both bodies, on or before the 15th day of each month, an adjusted estimate of anticipated revenues and expenditures of the Federal Government for the balance of the fiscal year. We all know that the budgets presented to us in January are based on a number of assumptions, which later are often proven to be inaccurate. In this measure the members of both bodies would be presented with an up-to-date financial picture as to the current financial status of the budget.

In conjunction with the above measure, Congressman DENNEY has introduced House Resolution 476 which would amend the rules of the House to provide that each bill or resolution introduced in the House must contain an estimate of the cost to the Federal Government, for the then fiscal year and for the next succeeding fiscal year. The resolution also provides that the Clerk of the House shall have the duty to publish in the RECORD on the first and 15th days of each month cumulative totals showing the total cumulative costs per fiscal year of all bills or resolutions introduced during the present Congress, and as well, the total cumulative costs per fiscal year of all legislation passed during the present Congress.

Mr. Speaker, I believe that BOB DENNEY is asking us to use good business judgment and commonsense in this approach to the fiscal responsibilities of Congress. The National Federation of Independent Business put this idea to a vote of its 240,946 members, and 82 percent registered approval of this approach, 12 percent were opposed, and 6 percent undecided. In my own State of Oklahoma, 87 percent registered approval.

With all of the discussion of truth in packaging, and truth in lending as being valid national objectives, I believe that we in Congress would be remiss if we did not as well believe truth-in-pricing legislation is both desirable and absolutely necessary.

I congratulate my distinguished colleague, BOB DENNEY of Nebraska for his outstanding approach, and I for one intend to join with him in his fight for fiscal responsibility by cosponsoring this measure today.

CONGRESSIONAL REFORM—ACTION NOW

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, it is perfectly obvious that the academic community, the American people, and the press are well aware of the source of failure to take action on congressional reform.

The Senate passed S. 355, the Legislative Reorganization Act of 1967, by a vote of 75 to 9, clearly demonstrating wholehearted bipartisan support for improving Congress so far as the Senate is concerned.

The Republican policy committee of the House of Representatives has twice formally endorsed congressional reorganization and urged action through publicly released statements of position on October 10, 1966, and May 10, 1967. The entire conference, composed of all Republican Members of the House, formally adopted a resolution urging action on congressional reform at its last meeting on October 11, 1967. The text of this resolution was included in the RECORD by my colleague from Michigan Mr. RIEGLE, on page 31016 of the RECORD of November 2, 1967. From time to time, I and other Members have inserted editorials urging action on congressional reform. These editorials come from all parts of the country.

An editorial in the Spokane, Wash., Spokesman-Review of October 11, 1967, entitled "House Demos Stall Congress Reform," was recently brought to my attention. I include the text of that editorial at this point in my remarks:

HOUSE DEMOS STALL CONGRESS REFORM

Well over seven months ago the United States Senate passed a bill to provide for a comprehensive reorganization of the machinery of Congress.

This measure, and comparable legislation that had been introduced in the House of Representatives, has been stalled in the lower house, where hearings have been suspended and the rules committee has blockaded desirable action.

Legislative reform should be a vital issue now because this measure—among other things—is intended to establish new procedures in the handling of appropriation bills, and in equiping the Congress with improved means of checking into the budget requests of the executive agencies.

The proposed reorganization would also give better direction and leadership to congressional committees, improve their professional staffs and revise the regulation of lobbyists.

The Democrats who control the House and the House Rules Committee apparently fear the effects of legislative reorganization.

Members of Congress who see the need for strengthening the legislative branch of the federal government—and the need for restoring popular respect for representative government—have a ripe opportunity now to show their faith and their works. Their first job is to knock out the Democratic leaders' blockade and get the reorganization bill passed at this session.

THE POVERTY PROGRAM

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. SCHADEBERG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, during November, this body has reflected the concern and the temper of the people, and has voted to allow the States to exercise more control in matters of common interest. I supported the rights of the States in the areas of meat inspection and air pollution.

Now that we are discussing one of the most controversial of the proposals offered by this administration, I must remain consistent in my voting and must continue to reflect the wishes of the voters in the First District of Wisconsin.

I am firmly convinced that the best answer to the so-called poverty program in this Nation—which, I believe, at best should be an adjunct of the Department of Health, Education, and Welfare—rests with the several States.

Each State is best prepared to cope with the poverty problems which confront it. Each State is best prepared to minister to the needs of its citizenry, just as each community is best able to handle its own United Givers' drive.

The Federal Establishment has little business dictating to the States when it comes to methods and means of attempting to deal with poverty as such in these United States. Member after Member of the House and the Senate has spoken at length about the abuses and mishandling which are increments of the poverty program as it is administered by the Office of Economic Opportunity. I have been appalled by illustrations of waste, inefficiency, and lack of judgment found in the OEO and almost totally ignored by its Director, Sargent Shriver.

Mr. Shriver is accustomed to the "good life," and apparently expects his OEO to operate at the same level. He and the administration ask us each year to pay Cadillac prices for a compact car. It is time that the taxpayers get somewhere near a dollar's value for each 100 cents they are forced to invest in the OEO via payment of their Federal income tax.

It would be more reasonable to direct action against poverty in the Nation if each State controlled the funds for its individual program. Through this method, more money could be spent on the training and rehabilitation of individuals, as the bureaucratic level of fat would be stripped from designated funds. States have organizations of varying degrees of efficiency already in existence, and while some of them may not prove to be much better than the bureaucratic control exercised by Washington, D.C., I feel confident that the lowest proficiency found among the States would surpass the efforts of the present administrators at the OEO.

In my own district in the State of Wisconsin, there are some dedicated and competent men and women who seem to have to spend much of their time wrestling with the forms and applications which the Federal Government requires as a prerequisite to the granting of funds already collected in Wisconsin for use in combating poverty. Several local officials have told me, in all candor, that they have been told that the most professionally prepared applications have the best chance of approval and ultimate funding. This is ridiculous. The communities with the greatest need do not necessarily have slick-writing public relations men available to prepare their applications. Quite the contrary. Yet the Washington bureaucrats apparently have no other basis on which to judge the merits of the requests they receive. The State's assumption of control of the program would eliminate such nonsense. The deserving would receive their share of funds regardless of their competence in verbiage and verbosity in the submission of their applications.

I would urge that any antipoverty fight be financed through the withholding of Federal taxes collected by the States in an amount proportionate to the population and number of low-income families found therein. By keeping the money at the State level, the 10 to 20 percent of funds wasted on administration in Washington, D.C., but now programed for use throughout the Nation would be eliminated. The topheavy pay scale enjoyed by the large yet select group of sociologists and economists nuzzling against the Federal bosom would be eliminated and the money would have a better chance of finding its way to worthy recipients.

The needs of the people can best be met when those who administer a program are totally conversant with the area and populace involved. Even in the four counties which I represent the needs differ sharply from the western edge of the district to the eastern. Wisconsinites know this and could cope with such a problem much more capably than bureaucrats attending high level conferences some thousand miles away.

My idea is not new. Many efforts have been made during this and preceding Congresses to keep local taxes back home for local use. I am certain that many more bills will be introduced which will ask for greater local control over the largesse accumulated in Washington yearly to finance programs which can best be administered at the local level. I will support those bills which meet such a test. And believe me, Mr. Speaker, I am certain that more and more Members will adopt such an attitude if they pay close attention to their mail. The voters are sick and tired of pumping money into Washington, D.C., to be used in select areas for a select few.

It is high time that the United Givers' principle be adopted when it comes to the grappling with poverty pockets in the States. The United Givers' drives in the United States would never succeed if the entire amount of money collected throughout the United States were sent to the all-knowing bureaucracy in Washington where the sage of Timberlawn, Sargent Shriver and his subordinates would skim off the cream, before they dispensed the loot after due consideration was given to political benefit to be accumulated in certain areas.

If I must vote against final passage of this bill, and I presently believe that vote against it I must, I shall certainly not oppose other bills which may bring out one or two of the more successful sections administered by OEO if they are placed under the jurisdiction of the Department of Health, Education, and Welfare.

LET'S KEEP OUR STAKE IN TOMORROW

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. SCHADEBERG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, one of the most responsible groups in these United States which has accomplished much in preparing for the world's population explosion is the American Feed Manufacturers Association.

This group has not only given the United States a lead on everyone else when it comes to the solution of nutritional problems, but has made enormous progress in the development of techniques and programs which will be in the forefront when the day comes that the population has expanded to its maximum and agricultural potential has diminished to its minimum.

Dr. Robert Spitzer, of Burlington, Wis., is the president of the AFM this year. He is an acknowledged expert in the nutritional field, and is one of the leading exponents of early planning for the needs of the world in the future. On October 11, Dr. Spitzer delivered an address at the Texas Nutrition Conference which is worthy of note. I include it in the RECORD for the benefit of all:

LET'S KEEP OUR STAKE IN TOMORROW

(By Robert R. Spitzer, Ph. D., president, Murphy Products Co., Inc., Burlington, Wis.)

The day I received Dr. Couch's kind invitation to speak here, I doubted whether I should accept. I knew it would be a long summer as we've been adding new management people and gearing ourselves to meet the obligations we announced earlier this spring. Perhaps you read about them last Spring in Feedstuffs, Feedbag Magazine and other of the fine trade press papers.

Perhaps, there wouldn't be the time to do justice preparing myself for so demanding a subject. But thanks to many wonderful people and the good Lord too, things are going very well up there in Burlington, and we've had time to give this subject real consideration. Much thanks is acknowledged to our experiment station friends and the American Feed Manufacturers' Association Board of Directors.

And, after all, wasn't the question Dr. Couch proposed rhetorical for a guy who puts bread on the table before his wife and three kids by running that feed concentrate group up in Yankee Country?

"Should we be eating the soybean meal or feed it to animals and then eat the meat and eggs?"

That was his query.

Of course we should be feeding soybean to the animals—combined with a good ration of the commercial feeds you and I make.

Or, should we?

That night at the dinner table I told Marie I would be talking in Texas come October.

I guess that bread on our table had much to do with my decision.

It was diet-bread. That afternoon at the office I had a bottle of Diet Pepsi. At the morning coffee break I'd grabbed a low calorie candy bar and Marie was making sure we were having a colorful dessert called "Whip and Chill", guaranteed only 24 calories.

Robert White-Stevens of American Cyanamid summarized my thinking so well when he said in a paper earlier this year:

"Certainly we have come full cycle when we find ourselves paying a premium for sugar-free candies, cookies and cakes, saltless vegetables, low-calorie energy foods and indigestible bulk diets, where minus nutrition costs more than plus nutrition. There is apparently a significant psychological difference between lack of food and a minus-nutrition diet, and certainly it must be in the Marie Antoinette spirit of luxury when our dietary can be so munificent as to lead more to concern over the low calories of the cake than the bread it was proposed to replace."

Had I grown fat in spirit as well as slightly overweight in body? After 21 years in school had I abandoned the scholars' credo of questioning? Had I become so insular, living in a land of plenty, that I could not think in terms of those living in nations of want?

I determined to begin asking questions again.

I am thankful that I did.

For I found the answer to be "Yes" and "No"—and where "Yes", it is unquestionably a qualified "Yes".

Can the animals compete with the humans for concentrates?

In North America, Europe, Australia, New Zealand, Soviet Russia, of course they can. And should.

In parts of Africa, Asia, South America they can also compete, if, at the same time qualified world forces are at work helping upgrade agricultural science, marketing procedures, fiscal and governmental policy and all the other parts of that nation's economy.

And in other parts of those same continents—these nations in the birth pangs of development—there is little desire and no need for an animal agricultural economy. Too many human beings need too much more soybeans, rice, and wheat, than they are receiving today.

But we of the food and feed industry have an obligation to all; to the five-year-old boy in Pakistan dying of Kwashiorkor; to the Peruvian father who may have meat today, but hunger tomorrow and to the Dallas housewife with two chickens in the Sunday pot and saccharine in her coffee.

Our obligation, whether we be scholar, scientist, businessman, or politician—is to be making a meaningful contribution to the world food supply issue.

Only if we are doing so, in my opinion, can we contest the animal with the person for the protein both need to survive and flourish.

Let me say at this outset, I have neither the wisdom nor the clairvoyance to be speaking for the 21st Century and beyond. I read of a possible world 100 years from now I cannot comprehend. A world of 50 billion persons, or 10,000 per square mile—including the land areas of deserts, ice caps, and jungles. That would give our entire world land area the same population density as Manhattan Island today.

Which only means you won't be able to catch a cab anywhere in the world at 4:30 P.M.

That world is of another demography, another society, than what I can comprehend. But I can comprehend 6 or 7 billion people in 2000, about 330 million of them in this nation. And, it is to that era I address myself today.

We count 3.2 billion human beings in today's world, fast heading toward 5 billion by 1985 and probably near 7 billion by 2000 at a rate of 7000 births over deaths per hour.

For, while I have been speaking five minutes, the world's population has grown by nearly 600 persons.

And, four fifths of them have been added to nations that can accommodate them least—the under developed, or developing, countries.

Almost entirely in these nations 10,000 children are dying every day of hunger and malnutrition. It is this fact and the real fear of world wide famine after 1975 that led to this conclusion by the President's Science Advisory committee:

"The world food problem is not a future threat. It is here now and it must be solved within the next two decades. If it is solved during this time, it will be manageable for the years there after."

Recently I finished William and Paul Paddock's frightening book—"Famine 1975!" Their theme, carefully documented, is that Thomas Malthus was right in the early 19th century when he cited the imbalance between the world's arithmetically increasing food supplies and the geometrically increasing population. The book published this year, calls the next 10 years our "decade to disaster" and predicts famines to sweep through Asia, Africa and Latin America.

Assuming, as we must, that the world population will double by 2000—and that population of many developing nations will double before 1975—we see the arable land worldwide increasing by only five per cent in this century. But, the world food supply must be trebeled by the year 2000 if people are to have enough of the right kinds of food to eat.

But in Asia there is virtually no available new cropland and in Latin America and Africa not nearly enough to meet demands.

The Paddocks debunk the "something will turn up" attitude with which we often look at these scare messages. They consider all known, practical methods of limiting family size and conclude none will be effective.

I have read supporting sources who say that optimistic estimates of the effect of family planning in the next 20 years will only reduce projected food needs by 20 percent.

This is not to discount the continuing efforts for world wide population control. Obviously, the effects of successful family planning will become more apparent in the years after 1985 if they are initiated now.

President Johnson in his 1967 State of the Union message rightly stated:

"Next to the pursuit of peace, the really greatest challenge to the human family is the race between food supply and population increase. The race is being lost. Every member in the world community now bears a direct responsibility to help bring our most basic human account into balance . . ."

The fleets of ships with holds laden with $21 billion in food and over another $100 billion of other aid over the last 10 years has not helped "bring our most basic human account into balance." We have, indeed, saved millions of lives in India during the two year drought since 1965. But now that the monsoon rains have again returned, India is generally not any more ready to increase the rice yields or the mills' production than two years ago.

As the Chinese say, "If you give a man a fish he has food for a day. If you teach him to fish he has food from then on."

In fact, like the sea gulls at St. Augustine, Florida, the people in some developing nations have been hurt by "Food for Peace" shipments. You remember how the gulls followed the shrimp boats out of St. Augustine every day growing sleek and fat on the scraps the fishermen threw to them. Then the shrimp beds played out and the boats no longer set out to sea each morning from St. Augustine.

And the sea gulls died. Thousands were washed ashore within a few months, dead of starvation. The gulls, in living off hand-outs from the fishermen for generations, had lost the ability to fish for themselves.

So it can be in some nations where it may be easier to get free wheat from the United States, Canada, and Australia than to work to improve the yield at home. Once the gifts give out the nation may have lost the ability to work for its own improved crop. And the bearer of gifts Uncle Sam becomes a villain . . . marches, protests, and our embassies sacked.

That is exactly what is happening today: the free wheat is giving out. In the U.S. we just don't have the reserves of only a few years ago to feed the world.

For example—in 1961 there were 115 million metric tons of grain stored here. In 1965 the reserve was reduced to 61 million ton and dropping.

In 1961, 59 million ton of wheat was stored in major exporting countries.

By 1966 there were 30 million ton, and it was dropping fast.

With half of the world's population rice consuming people, 1955 say 1.8 million ton of rice in storage.

By 1965 this has been reduced to less than 300,000 ton.

India, China and Soviet Russia—representing 40 percent of the world's people—are wheat importers today.

And South Vietnam, Japan, Indonesia and the Philippines—all self sufficient or exporting rice before—are now importing.

So, with our surpluses depleted it is a myth to even consider that the United States can permanently feed the world. It has been figured that if we were to reduce our animal population by one-half (and can you imagine this nation deliberately butchering its herds and flocks?) we could release 100 million tons of cereal grains. While this would constitute a large part of the diet of 200 million people it could make but little impact on the world's 1985 need. I am told that under the most favorable circumstances the U. S. could provide only one tenth of under developed countries requirements during the 1980's and little more by the year 2000.

We must, then, look to other ways to help alleviate world hunger. For, as the great historian, Toynbee has said:

"If there is a history of this time, the era will be noted not for its horrifying crimes or the astonishing inventions, but because it is the first generation since the dawn of history in which mankind dared to believe it is practical to make the benefits of civilization available to the whole human race."

For all of us with ability, knowledge, resources must "dare to believe" and do something about it.

The big city industrialist, the suburban housewife, the downtown politico—they must all be concerned with the scandal of our cities the long, hot summer just past. It is indeed a time of caring and involvement by all who live there—lest man in the megalopolis ultimately destroy his own habitat.

Witness my own 76 year old father living in Milwaukee, 30 minutes from my serene little city of Burlington. In July he armed himself with a loaded 12 gauge shot gun and was ready to station himself on the front porch to protect his home and my 72 year old mother.

Witness my friend from boyhood days on the farm, who told me when we met at a family wedding last week that for a week in July he walked by an armed 50 caliber machine gun to get into the front door of his Milwaukee factory.

Remember Teddy Roosevelt's answer to the small businessman in the midwest who asked him what he could do to help the nation's ills? Do what you can with what you have, where you are, but do it.

The soldier, the statesman—his battle ground is in the jungles and rice paddies of Vietnam.

Metropolitan man, his wife, the politician—their battle ground is in the ferment of our cities.

The agri-businessman, the scientist, teacher, farmer—their battleground lies wherever people are hungry.

To each his own, we are a nation of specialists. We do what we can where we can do it best. Our best lies in preparing the land, growing the grain, breeding and feeding the animals, marketing the products that will feed hungry people.

Recently, someone on meeting me back in Wisconsin said, "Oh I know you, you're the Bob Spitzer in the feed business".

So, I've come to talk with you today more as a businessman and citizen in the life saving business than as a scientist discussing whether or not we can continue to feed our world's grain to the world's animals.

Several of you know me best—as I know you—as a scientist. We worked beside each other as grad students in nutrition. We have taught nutrition together. I worked with you on committees and at conferences when I served as Chairman of the Nutrition Council of the American Feed Manufacturers Association.

We know together nutritional and agricultural facts that need little elaboration here:

We know that one calorie of animal product requires seven calories from a vegetable source.

But, we are also aware that today 60 per cent of the by-product feeds used in animal production are essentially unusable for human food. So, the animal is not nearly the parasite upon our world food supply that it might seem.

We know that 75 to 80 per cent of all feed for beef animals comes from grasses and legumes and that the U.S. has a billion arable acres suitable only for grazing.

We know that animal protein has a higher biological value than vegetable protein in the pattern of amino acids included and unique nutrients such as B-12.

But, we are also aware of great strides in new crops and synthetic foods such as opaque —2 maise, a high-protein strain rich in critical amino acids.

We know that the unimproved milking cow of India produces about 38 kg. of milk protein annually, compared with about 350 kg. of protein for the improved dairy cow in Europe or North America. But, in the U.S. milk production has been increasing at a rate of 150 kg. to 200 kg. per cow per year and is expected to continue. In fact, similar production and protein efficiency increases can be expected in all the ruminants.

We know that the non-ruminants, pigs and poultry, require highly concentrated rations—high in cereal grains and high protein, oil seed meals. They are in direct competition with man for these ingredients, and therefore will not show the continued production growth we have witnessed in the past decade.

We could talk together all day, even argue, about the potentials of animal farming vs. grain farming both here and abroad: Our subjects could include the prospects of urea feeding, vast fertilizer use increases abroad, intensified farming fostered by known scientific means, and several other areas as they relate to the conflict of man and beast for the world's grains.

But, history has proven that man anywhere given the chance will decide his dietary in the market place. He aspires to meat, but will settle for vegetable protein when cultural or religious mores demand or economics dictate otherwise.

For example, Japan in its ascending economy rose in red meat and poultry consumption between 1952–1962 from 6.6 lbs. per capita in the same 10 year period.

But, conversely, 50 per cent of the world population consumes its protein almost entirely from cereals and other indigenous crops with little or no animal proteins.

I am well aware that many eminent scholars and world planners are advocating a planned return to vegetable agriculture to match the world's multiplying protein need.

But, I am concerned, as is Dr. Ray Kottman, agricultural college dean at Ohio State University, that "the issue is too great and the stakes too high to become side-tracked in a squabble of animal vs. vegetable protein. I am very seriously concerned." Dr. Kottman continues, "That in our present pre-occupation about the specter of world-wide famine in decades of 1980's we might go on a national binge in holding back our research and development effort in livestock and livestock products."

Let us not forget that of the three billion livestock in the world and the equal number of domesticated fowl, that 60 per cent of these animals are in the developing countries. Yet, these nations produce only 20 to 30 per cent of the world's meat, milk and eggs. This low productivity is due largely to a failure to utilize scientific principles of disease control and animal husbandry in production processes, according to the President's Science Advisory Committee report on "The World Food Problem". And I'd add to this the lack of incentive for producer and processor.

Isn't it then a time to increase research and development efforts for livestock and livestock products in these developing nations rather than hold back?

Isn't it also time for the botanists, agronomists, chemists and all our research powers to look at the soybean, at the grains, rice, and the myriad of crops indiginous to the tropics and sub-tropics. Because it is true that the great body of agricultural science has been built up in temperate climates, while today's food problem is concentrated in the tropics. "Profound changes are needed," as Don Paarlberg of Purdue University has written, "conceptually, geographically, institutionally and financially to re-orient agricultural research toward the area of greatest human need."

The time is now (for some struggling nations it may already be too late) for the United States to lead the free world in history's greatest life saving mission.

If we do not, I assure you the Communist World will try. We can oppose the ideology of Communism. There is no better proof of its failure than agriculture. I have studied and I have viewed first hand the agricultural economy in Russia. Communism is not the answer for food production in the developing nations: It won't work.

Lack of incentive for the individual has led to failure and near-failure of Russia's agricultural development. That nation is incapable of merchandising abroad the incentive that is so vital an ingredient of any agricultural rehabilitation program.

I see that look on many of your faces. It says, "Of course, we agree. But where can the food industry—from farm to supermarket—find the funds to finance a massive research program. And haven't we already done a fair country job already improving both animal and grain production in this nation?"

The answer to your second query is unquestionably "Yes".

Edward Higbee writing in *Farms and Farmers in an Urban Life* says that, "The improved efficiency of modern American agriculture is as fabulous as the conquest of outer space, and it is far more significant for human welfare."

Look at some examples of that efficiency:

In 1939—2.3 billion bu. corn grown on 78 million acres.

In 1966—75 per cent more corn grown on 21 million less acres.

In 1939—740 million bu. wheat on 52.7 million acres.

In 1966—1.3 billion bu. on 50 million acres (a 71% increase).

In 1939—81 million head livestock.

In 1966—108 million head on the same range.

Today, 70% more farm commodities on 10% fewer acres than 1939.

While this crop and livestock efficiency has been increasing, manpower on the farm has been rapidly dropping.

In 1939—6.4 million farm units.

In 1966—3.3 million farm units.

In 1980—(projected) less than 1 million farm units.

Which means that where each farmer fed 16 others 30 years ago, today he produces food for 33 or more non-farm people. By contrast, the Russian farmer feeds four others. And, through this improvement of crops and livestock the food industry has continually lowered the percentage of total income that the consumer earned, while today only 18.2 per cent of the U.S. consumers disposable income is spent for food.

Or, to express it another way in a more current perspective. Since the 1947–49 period:

Wages have increased 100 per cent.

Medical care costs have increased 78 per cent.

Transportation costs have increased 51 per cent.

Housing costs have increased 39 per cent.

Food prices have increased 25 per cent.

Summarizing the total agricultural economic picture today, U.S. agriculture has already produced a production miracle to meet our own population explosion.

It has released 90 per cent of our people from labor on the farm, taking only 20 per cent of their take home pay for food, and left 80 cents of every dollar for goods and services other than food.

For a nation and industry that has done so well to meet one peoples need, doesn't it then, deserve a chance to meet the world's food needs. What other major U.S. industry has so streamlined its production efficiency?

Doesn't the animal industry deserve more research funds to further upgrade itself, to improve the animal efficiency in production of protein both here and in the more tropical nations where that animal can prosper?

The American housewife pickets the supermarket, charging that food costs are too high.

In my opinion she should be picketing, complaining that the food she buys is costing too little rather than too much. Because we in this industry are today doing too little to improve the product she buys. The fact is, after a century of progress, today we cannot offer to do more. Today too little profit margin exists to supply the research and development funds needed for new products, new machinery, new programs and the much needed help to new nations.

This is a nation investing three per cent of the gross national product in research and development. But in agriculture we are investing only six tenths of one per cent—including both private and public investment.

President Johnson, you say the greatest challenge next to the pursuit of peace is the race between food supply and population increase?

President Johnson, I then suggest an administration farm policy oriented not to control the U.S. consumer alone, but a policy oriented to both consumer and producer.

President Johnson, let's return to the free enterprise policy that worked so well the century past. Let's let it begin working again so that we in agri-industry can get the prices we need to do the job you want done.

We have seen the specter of a crowded, hungry world where shipping Food for Peace from breadbasket nations in treatment without cure. We have seen urgent shortages of animal protein foods in some nations, vegetable protein needs in others and both in still others.

Statesmen, politicians, scientists and all of us here agree that the developed nations must help the developing improve their own technology in animal agriculture.

How, then, is the best way to do so?

Speaking in our own language, I believe we need a crossbreed, a crossbreed of government's Food for Peace program with our own People to People plan.

Call it a Food for Freedom Corp, or call it Self Help, Inc. if you will.

It begins with you . . . with me.

Its mission, the greatest liefsaving adventure the world has known.

Its method—a massive research and development program at home supporting full force field teams abroad.

For instance: Imagine a team in a Pakistan province. It consists of dairy and beef cattle nutritionists, agronomists, irrigationists, implement people, University research people, veterinarians, feed manufacturers and some very practical farmers and cowboys too.

What could they do in a couple years to refine agricultural input and improve output?

Nothing, of course, unless both the political and economic climate was receptive.

Everything—or at least a 20% production improvement with that climate.

Don Paarlberg in his writings cites a few such scattered teams abroad today "drawing on the vast body of animal science, running it through the transformers and adopting it to local needs. The results have fun from failure to the spectacular," he observes.

But, Dr. Ivan L. Bennett, Deputy Director Office of Science and Technology cautions: "Any program to meet the world food problem must encompass the entire foreign assistance program of the U.S., other developed countries and international bodies."

"Obviously, government's role lies in improving farm to market transportation, improving sources of farm power, stimulating price systems, stabilizing prices and assuming the incentives necessary to motivate enterprise and, of course, attempting to bring reading and writing to the masses," Dr. Bennett concludes.

Ladies and Gentlemen . . . I am personally going to continue to enjoy steak, milk, and ham and eggs too. I intend to work for the good of agriculture and our industry. But I also accept another big responsibility.

I ask you to do likewise.

Although I am the current chairman of the Nation's largest manufacturing industry serving agriculture, I cannot at this time commit its 6,000 plant managements to join with me. But I have discussed the Self Help, Inc. proposal with a number of industry leaders and vitally interested people are discussing it in Washington later this month. I hope key people will be listening.

We agreed, the time is now for the agribusinessman who has thought more of his company and his country club than his country or his fellow man world wide to become involved.

At our little company in Burlington, Wisconsin, we want to become involved. We will pay our share; we will send a specialist in the feed manufacturing business wherever he is needed.

I know at least 10 top people in various other agricultural industries or schools who will join me in sending experts or going themselves.

One of these people recently toured Asia and saw the need for just such a team effort as I envision. He saw the ravages of beri-beri in some of the polished rice eating developing countries. As, for centuries before, these people were deficient in Vitamin B–1. It was being lost in the rice outer hulls they would not eat. Nothing is ever going to convince them to eat rice hulls.

But, chickens grow fat on rice polishings, and the people of the orient are eager for more chicken meat in their diet; if only they could afford it.

What a place for an agri-industry team to start a broiler industry?

Again, I see your skepticism and questioning. "Nice ideas, but in an industry that can't finance its development program, how can we possibly afford sending key people and equipment abroad on life saving missions?

Let me answer that with a brief personal and Murphy Products picture today.

I have spent 8 years since high school getting three degrees and the knowledge they represent; then 20 more years helping bring this little company along.

Five years ago a group of us in management bought a fairly large piece of the business. We had been with the firm for 15–25 years working hard. But with new opportunity our group went all out! These men worked literally night and day; we mortgaged our homes. After five years excellent progress is apparent. But what is the reward for work excellence and enterprise? This year we had a fine annual statement.

We are proud of it.

But, before we could spend $1.00 for research facilities and capital investment, the government takes 52% for taxes. Add this to the volumes of reports and staggering demands for more regulatory branches of the government than I can mention here. Just how much burden can they put on our backs?

And, what would these tax dollars buy on the world's life saving market? It would buy a whole broiler industry team for Vietnam or a dairy team for Pakistan or a wheat team in the Middle East.

I venture that a few dedicated people from my company—your company, your schools, your ranches—could do more with that money than the millions spent on ill conceived, politically oriented, inadequately executed government agricultural programs.

This is not meant to be an attack on many of the dedicated career people in government agriculture. Or, on all their programs abroad. No team going to the developing nations could be without state and agricultural department technicians. I personally salute the career employee, dedicated in extension, U.S.D.A., Food and Drug, etc.

But, in many cases we have been sending a tackle or a freshman quarterback when a whole team was needed. That team needs some feed manufacturers from my industry, and representatives of your businesses and schools.

What could our tax dollars and energies do for world's hunger through a complete team effort? Give us tax credits for our overseas programs. Give us outright tax deductions for the high priced skilled technicians and management people we loan to hungry nations for a year or two. Let us send the man power and equipment and pay for it directly rather than filter our tax monies through the many federal layers.

To this administration I say we want to help in this war the President has declared on hunger. We have proven our genius and efficiency in the startling advances made over a century in U.S. agriculture.

Give us the chance, then, to work with government and do the same for the developing nations abroad.

Let me conclude with the final statements by the Paddocks in their book, Famine 1975!

"Now it is the turn of the American people to stand trial before the tribunal of history."

The next ten years may set the course which eventually can determine how the United States will be judged.

For in this period the American people must deliberately take on a role of leadership that will inspire and guide the stricken world through the complex Time of Famines. The United States must not lose the future by default. . .

Today we are a dynamic nation. It is well within our capabilities to work out policies which will alleviate the hunger and which will offer to some of our fellow nations, if not all, time to create their "better" world when the famines have subsided. .

Let history's tribunal record that, although the United States could not prevent the Time of Famines, it nevertheless accepted this period as a challenge to its ingenuity and power. Let history record that because the American people met this challenge, the Time of Famines was something more than a crisis in man's development, that out of the experience of the Time of Famines came the foundation on which man built an era of greatness, an era of greatness not for the United States alone but also for the hungry nations."

With my own words, I add that we must rediscover in our own nation the power of freedom of individual action and of individual action and of individual incentive as compared to an agriculture hampered with political domination and controls.

Unshackle our power here and accept our opportunity overseas and we'll solve one of history's greatest problems—hunger. And there will be steak in our tomorrow.

SENATOR BENNETT CLARIFIES VIETNAM ISSUES

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Utah [Mr. LLOYD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LLOYD. Mr. Speaker, on October 23, Utah's senior Senator, WALLACE F. BENNETT, presented a major Senate address on Vietnam policy which is still being praised in the national press as one of the most lucid and clear discussions of the complex issue to emerge from the 90th Congress.

The address has been reprinted in its entirety by the U.S. News & World Report, which has a circulation of 1.6 million. It has also been the subject of columns by two nationally syndicated columnists, Mr. David Lawrence and Mr. Walter Trohan.

Senator BENNETT noted in his address that we are already involved in world war III—Communist style, and that we have been fighting it for more than 20 years. He said:

> To me, the war in South Vietnam is a part of world war III, Communist style; another in the series of little wars the Communists thought they would win easily, by which

they hoped eventually to extinguish all political, economic and personal freedom in all the world.

Senator BENNETT stated further that he did not believe we can disengage from the conflict until we can assure South Vietnam freedom "from internal terror and external force."

The Senator said:

To withdraw sooner would not only reward Communist aggression, and confirm the effectiveness of their so-called wars of liberation, but would inevitably encourage further Communist military adventures elsewhere, just at a time when, in fact, their essential weaknesses are beginning to show and they are going downhill.

Mr. Speaker, I recommend Senator BENNETT's speech as must reading for all Members of Congress. It is a great and responsible contribution to clarification of the basic world objectives of the United States. It reaffirms loudly and clearly what the Vietnam conflict is all about.

Mr. Speaker, I include in the RECORD an editorial from the Salt Lake Tribune, October 25, 1967, commending Senator BENNETT for his address:

SENATOR BENNETT CLARIFIES VIETNAM ISSUES

In joining the debate on Vietnam this week, Senator Wallace F. Bennett of Utah did not offer a specific solution or call for new action. Instead, he analyzed the war in its historic context, emphasizing that "our presence in Vietnam is in keeping with our long-time foreign policies," and declaring that negotiations should not be started "until we can be sure that at the end . . . South Vietnam will still be free and independent."

President Johnson, Secretary of State Dean Rusk and other administration spokesmen have said much the same thing. But they were justifying a policy now under attack by members of both major political parties. Senator Bennett, a Republican, was offering a realistic appraisal of a policy buffeted by the winds of contradictory opinions.

The present battle of South Vietnam, said the senator, "may turn out to be as decisive in the third world war as the Battle of the Bulge and the Battle of Midway were in World War II." For "the third world war, Communist-sytle" is already under way. Instead of moving in force, as happened in 1919 and 1939, the Communists move one at a time against countries they consider helpless. In Senator Bennett's words, "The world is not to be swallowed whole, but chewed up in little bites."

The question of how the United States came to be involved in Vietnam on such a large scale is often asked. The answer as enunciated by Secretary Rusk and other administration leaders is that involvement is part of the containment program that worked so well in western Europe. In Europe the threat came from Communist Russia. In Asia it comes from Communist China. And nations like South Korea, the Philippines and Thailand, which lie directly in the path of a Chinese thrust, are well aware of the danger, and support the American effort in South Vietnam. The same can be said of neighboring Australia and New Zealand. In contrast, America's friends in Europe either oppose the war or look the other way. Not one of these friends is a power in Asia. But Communist Russia, the one nation that is both European and Asian, is very much involved in the war as a supplier of weapons to Communist North Vietnam. The Russians certainly are aware of the nature of the conflict and what effect the outcome can have on their policies.

Senator Bennett cited the heavy turnout of voters in recent South Vietnam elections as evidence that the people of the country prefer their government, even though it is plagued with corruption, to the communism of the North. Our comment here is that we hope the new government in Saigon will now make a greater contribution to the war effort than has been the case so far. Those who want freedom should be willing to fight for it.

Talk of ending the war through negotiation is constantly heard. But negotiation, as Senator Bennett rightly said, should be "a process by which decisions are reached through mutual concessions," not, as the Communists would have it, "an extension of the conflict on another level." In Korea, where the wrong approach was used, so-called negotiation is still going on after 15 years.

We congratulate Senator Bennett for an excellent job of clarifying American policy. He has made a major contribution to the understanding of the issues in Vietnam.

PERSONAL EXPLANATION

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. RUMSFELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, it was necessary for me to be out of town on October 19 and 20, 1967, when five rollcall votes developed. Had I been present, I would have voted as indicated below:

On rollcall No. 323—yea.
On rollcall No. 325—yea.
On rollcall No. 327—yea.
On rollcall No. 328—yea.
On rollcall No. 329—yea.

FACING THE BIG ONE IN 1968

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. RUMSFELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, the analysis of a major political party in the United States is a very difficult undertaking. Nevertheless, this task has been accomplished with skill and imagination by two political professionals, Stephen Hess, a former assistant to President Eisenhower who is now an instructor of political science, and David S. Broder, a syndicated columnist and political correspondent for the Washington Post.

I wish to call the Hess-Broder product, "The Republican Establishment," to the attention to my colleagues. A review of the book by David Murry, which appeared in the Chicago Sun-Times' "Book Week," follows:

[From the Chicago (Ill.) Sun-Times, Nov. 5, 1967]

FACING THE BIG ONE IN 1968

(By David Murray)

Late, late on election night, 1966, Ray C. Bliss, the Republican national chairman, sat in his Washington office watching the television screen record the impressive series of GOP victories across the land.

"I'd say we're on our way, Thrus," he remarked to Sen. Thruston B. Morton, the congressional campaign chieftain.

"You — betcha we are," Morton replied. "It's a new ball game and it's a long time coming."

Now, a year later, there are few signs that the Republican momentum has measurably slackened, and the party and its leaders are facing the Big One in 1968, if not with cockiness, at least with waxing confidence.

Into this precampaign climate, Stephen Hess, a student and practitioner of GOP politics, and David S. Broder, a political correspondent and syndicated columnist for the Washington Post, have brought *The Republican Establishment*. At the beginning of the season when one can expect a torrent of political guidebooks, they have produced a high standard for others to follow. Their book, the result of three years of work, is a superb inventory of the GOP assets and liabilities in the year ahead.

As someone has said, the Democrats are a party of organizations, the GOP a party of personalities. Broder and Hess provide exhaustive portraits and assessments of the major contenders for the presidential nomination—Gov. George W. Romney of Michigan, former Vice President Richard M. Nixon, Sen. Charles H. Percy of Illinois and Gov. Ronald Reagan of California. But they also examine organization, finance, staff from Bliss on down, and find that the GOP, while it has made strides, is now basically made up of "clusters of independent organizing talents." Not, Broder and Hess say, that these clusters are incapable of mounting a successful campaign next year. The authors take the GOP leaders to the top of the temple to show them the world—or at least the politically arable U.S. land.

The nation as a whole is younger than ever (27 average age by 1968 vs. 33 in 1964), better-educated (half the young men reaching their majority have gone beyond high school), and urban (three-fourths of the population in metropolitan areas). The GOP must no longer rely on the old-fashioned, rural-and-small-town policies and philosophies, Hess and Broder write. And there is reason to believe that the Republicans are seizing chances to capitalize on the massive population shifts.

"But the question of which party will mobilize the new generation of voters is as yet unsettled," the authors say. "The Democrats are hardly dunderheads and not all of them are 80 years old." Given the proved Democratic penchant in the past to ride, in Dean Acheson's words, with "the drama of human progress," the Republicans have their work cut out for them.

At the top of one list they have candidates such as Percy and Reagan who are attractive to the younger group of voters, although for different reasons. Farther down, there is a handsome group of senators, governors and congressmen—young, articulate and responsive to the new professional and managerial class that now controls the economy.

Broder and Hess do not, however, seem to take into large account the one great factor that could re-elect Lyndon Johnson next year. That is the *kamikaze* complex to which the GOP has clung through the years. There is no reason the authors should have examined this in any great detail, because it becomes apparent only after the fact. Like a bad shot in golf, you know exactly what you have done wrong as soon as you have done it. But it is very nearly a physical law—or has been in the past—that if the Republicans are given the opportunity to muff a chance, they will almost invariably do it.

The authors do point out a number of ways in which this pitfall can be avoided, and even provide some encouraging signs that the party leadership is aware of it. But we shall see.

Broder and Hess, thank God, present no heroes or villians in their assessment. They do not, again the same grace, view politics as a holy calling. They write with high good humor about people and incidents. For example, Nixon, the indefatigable campaigner for others in 1966, is described as making a speech in Oakland, Calif., "for 50 minutes, imbuing a soon-to-be-forgotten Republican congressional candidate with virtues his own wife never suspected he possessed." At another point, they characterize the troglodytes in the GOP as viewing the progressives of the Ripon Society as "button-down Mario Savios."

More enlightening even than the profiles of the front-runners is a solid, carefully researched look at the leaders in the different regions of the country, along with the gains and losses of the past and the chances for the future. For a political writer, this section is an advanced refresher-survey course; for the novice, it is required reading for an understanding of national politics.

URBAN ECONOMIC DEVELOPMENT A REAL NEED

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. STEIGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. STEIGER of Wisconsin. Mr. Speaker, I want to continue today to discuss a matter of concern to me, and I know to all Members of the House—the proposals contained in title IV of the Economic Opportunity Act amendments which we will consider this week.

Title IV, in my view, contains a significant breakthrough in the necessary struggle to help our major metropolitan areas and in particular those residents of ghetto areas. Title IV contains a program to help develop businesses in those areas and in particular to provide the kind of managerial training and advice that is today so lacking for many ghetto area citizens. It would extend the title of this act, "Economic Opportunity," into a more meaningful phrase, since title IV is the only section of the act which truly is relevant to economic opportunity rather than training or educational opportunity.

There is a great deal of evidence that our programs to help build private enterprise in urban areas with a high proportion of disadvantaged have been a failure. Our programs to help members of minorities have been a failure. As I pointed out last Thursday in this regard, only 18 percent of the businesses in the 18th Congressional District of New York—Harlem—are Negro owned. Too often the doors of opportunity have been closed and the key to opening them rests with a program combining training and financial assistance.

During this past summer of violence in our major cities, many arguments were advanced as to the reasons for the riots and the need for prevention of future riots. At this point no significant answer has been forthcoming, but one viable proposal is the concept of creating opportunities for the indigent of the area in which they live. It is obvious that the frustration and antagonism felt by many in urban ghettos is taken out against the small businessmen whose stores are located in inner core areas but whose residence often is not. Little has been advanced to answer this situation other than the need to update the economy and bring life in the ghettos up to the standards of other areas.

How then do we set out to accomplish this difficult and complex task?

It is my feeling that we must zero in on the large cities and their ghetto areas and provide meaningful programs that will build a better economic environment for those who live in the depressed areas. Such a program need not be what we would term "national" in scope. It need only be enough national to encompass all the major metropolitan areas of this country. What is needed for the New York City area in economic development certainly is not what is needed in the Florence County area of Wisconsin with a population of 3,437.

A program of economic opportunity and development through the building of local industry and business for the ghetto areas of this country should be narrow enough to encompass only those ghetto areas.

Many studies have been advanced that point out specifically that the population and job matching problem in this country is twofold. We need to provide programs that will build industry in both our rural and urban areas. What we face is not a single problem but one that must be attacked on two fronts.

A recent study by the Department of Commerce aimed at projections for 1975 points to this problem when it says:

> The central cities will be the source of the job-shortage problem in these areas. Job opportunities in the suburbs are growing more rapidly than population. Although suburbs and outer-ring counties are expected to absorb labor (and hence population), this will not be nearly enough to solve the city problem.
>
> Excluding California, which may be considered a special case because of its unusually rapid growth, even if all the labor force absorbed by expanding job opportunities in suburban and outer-ring counties comes from the central cities, 9.8 per cent of the population of the 25 largest metropolitan areas still must either migrate to smaller, rapidly growing counties or find jobs at home not projected by our analysis. This 9.8 percent is an enormous figure in absolute numbers—7.1 million persons (or 2.9 million jobs).

What is needed then is a two-edged sword. One edge must be aimed at providing opportunities in the rural areas that will help stem the flow of migration to our cities. The other edge must be aimed at providing the larger metropolitan areas and the ghetto areas specifically with entrepreneurial manpower that does not exist today. We desperately need both programs and one must not exclude the other.

The Small Business Administration has done and is doing a tremendous job and an extremely effective job in building industry and aiding the small businessman of America. Its programs must be continued. The SBA should not, however, be burdened with projects that are unrelated to what it is doing and would tend to minimize its effectiveness.

The Small Business Administration operates an economic opportunity loan program. Originally intended for the small businessman in the major metropolitan areas, SBA has expanded the program to that of a nationwide program. Former SBA Director Bernard L. Boutin describes the rational behind this expansion in this month's issue of Outlook. Boutin says:

> In expanding the program to include individuals above the poverty level with strong managerial ability, as well as the low-income small businessman, SBA doubled the EPL allotment for fiscal 1967—from $25 to $50 million—and made the program national in scope. Now EO loans are available to residents of all 50 states, Washington, D.C., Puerto Rico, Guam, and the Virgin Islands through SBA's 73 regional and branch offices.

This program has been extremely successful and well worthwhile. I might point out, however, Mr. Speaker, that the vast majority of the loans made by the SBA under their program of "loans in unemployment areas" were made in the rural areas. For the information of my colleagues, I include a list of the loans by State made during fiscal 1967 by SBA under this program along with an indication of the average population of the counties receiving the money:

SMALL BUSINESS ADMINISTRATION LOAN IN UNEMPLOYMENT AREAS, FISCAL YEAR 1967

State	Number of participating counties	Population of participating counties	Average population of participants	Total funds	Largest participating county	Smallest participating county
Alabama	6	175,525	29,254	$372,000	Walker, 54,211	Greene, 13,600.
Alaska	3	12,643	4,210	4,294,240	4th judicial division, 6,690	2d judicial division, 1,772.
Arkansas	24	362,625	15,105	2,246,800	White, 32,745	Perry, 4,927.
California	32	3,925,551	261,703	5,440,210	San Diego, 1,033,011	Mariposa, 5,064.
Colorado	5	25,638	5,127	207,900	Conejos, 8,428	Teller, 2,495.
Connecticut	2	809,411	404,705	544,000	Hartford, 689,555	Litchfield, 119,856.
Florida	5	1,159,475	231,895	5,957,800	Dade, 935,047	Franklin, 6,576.
Georgia	44	441,815	10,041	3,239,070	Floyd, 69,130	Long, 3,874.
Idaho	11	123,410	11,219	1,726,667	Kootenai, 29,556	Boise, 1,646.
Illinois	16	279,133	17,460	170,000	Williamson, 46,117	Pope, 4,061.
Indiana	12	224,471	18,706	241,500	Lawrence, 36,564	Ohio, 4,165.
Kentucky	61	1,126,772	18,470	3,563,450	Pike, 68,264	Menifee, 4,276.
Louisiana	18	622,773	34,600	1,553,500	Calcasieu, 145,475	Cameron, 6,909.
Maine	6	304,931	50,822	2,396,142	Aroostook, 106,064	Lincoln, 18,497.

SMALL BUSINESS ADMINISTRATION LOAN IN UNEMPLOYMENT AREAS, FISCAL YEAR 1967—Continued

State	Number of participating counties	Population of participating counties	Average population of participants	Total funds	Largest participating county	Smallest participating county
Maryland	6	186,273	31,045	$813,850	Allegany, 84,169	Calvert, 15,826.
Massachusetts	10	4,154,421	415,442	19,451,550	Worcester, 583,228	Nantucket, 3,559.
Michigan	43	800,142	18,608	4,097,700	St. Clair, 107,201	Keweenaw, 2,417.
Minnesota	26	621,760	23,900	2,701,830	St. Louis, 231,588	Cook, 3,377.
Mississippi	7	199,110	28,444	1,002,500	Washington, 78,638	Greene, 8,366.
Missouri	20	283,596	14,179	2,238,800	Pemiscot, 38,095	Hickory, 4,516.
Montana	3	18,398	6,132	25,000	Park, 13,168	Meagher, 2,216.
Nevada	1	2,431	2,431	6,000	Lincoln, 2,431	Lincoln, 2,431.
New Jersey	5	1,348,071	269,614	2,800,000	Essex, 923,545	Cape May, 48,555.
New Mexico	12	203,943	16,995	550,000	Valencia, 39,943	Guadalupe, 5,610.
New York	13	706,903	54,377	1,660,800	St. Lawrence, 111,239	Hamilton, 4,267.
North Carolina	19	407,299	140,593	1,480,200	Robeson, 89,102	Tyrrell, 4,520.
North Dakota	3	30,782	10,260	597,800	Rolette, 10,641	Cavalier, 10,064.
Ohio	16	630,400	39,900	256,000	Scioto, 84,216	Noble, 10,982.
Oklahoma	32	596,255	18,638	3,153,242	Muskogee, 61,866	Roger Mills, 5,090.
Oregon	7	167,409	23,801	73,000	Coos, 54,955	Lake, 7,158.
Pennsylvania	15	1,456,792	97,120	1,456,792	Luzerne, 346,972	Perry, 26,582.
Puerto Rico	8	714,475	89,309	11,679,400	San Juan, 451,658	Humacao, 33,381.
South Carolina	2	71,913	35,957	180,000	Berkeley, 38,196	Chesterfield, 33,717.
Tennessee	22	396,405	15,287	2,607,971	Greene, 42,163	Houston, 4,794.
Texas	16	564,629	35,289	1,245,300	Hildalgo, 180,904	Kinney, 2,452.
Utah	15	254,291	16,952	2,731,700	Utah, 106,991	Kane, 2,667.
Virginia	9	202,713	22,523	492,900	Tazewell, 44,791	Richmond, 6,375.
Washington	12	397,334	33,111	4,717,380	Yakima, 145,112	San Juan, 2,872.
West Virginia	40	1,130,931	28,273	5,564,525	Cabell, 108,202	Doddridge, 6,970.
Wisconsin	10	218,010	21,801	474,750	Kenosha, 100,615	Florence, 3,437.
Wyoming	2	16,504	8,251	120,000	Lincoln, 9,018	Uinta, 7,484.

Mr. Speaker, while we need a program of loans to unemployment areas nationwide, we also need very desperately an economic development program designed for use and implementation in our ghetto areas. If we do not have such a program, we will not be able to significantly help those areas. The problems of our ghettos are unique and pressing. They are unlike the rural areas or for that matter other areas of the city. We need a program of economic opportunity specifically designed for those areas.

Such a program is provided for under title IV of the EOA amendments. The program has been assigned to the Commerce Department because it is my feeling that they are better equipped and able to handle this program with its important technical assistance purpose. SBA, on the other hand, should continue its other very worthwhile programs; the two can and should supplement one another—they do not compete.

Support for title IV has been received from the Human Resources Administration of New York City and the American Association for Business and Economic Development. For the information of my colleagues, I include the letter I have received from AABED.

I urge my colleagues to maintain this section of the EOA amendments.

The letter follows:

American Association for Business and Economic Development,
San Jose, Calif., October 30, 1967.

Hon. William A. Steiger,
Rayburn Building,
Washington, D.C.

Dear Mr. Steiger: Enclosed is a copy of the *Poverty Hearing—Legislative Recommendations Report* presented to the October 26–28, 1967 Hearings on Mexican-American Affairs at El Paso, Texas.

As you well know, over 1000 delegates considered to be experts on the plight of the Mexican-American in the United States, met with the President and Vice-President of the United States and several cabinet members to recommended solutions to numerous socio-economic problems.

In order to reflect the "pulse of the community", the delegates were mainly (95%) Americans of Mexican descent.

The enclosed recommendation No. 11 is called to your attention so that you may be aware of the significance that Title IV of the Economic Opportunity Act has for Mexican-Americans who desire to *participate in* and *contribute to* our *free enterprise democracy.*

It is indeed encouraging to observe that bi-partisan support in both the Senate and House of Representatives has approved the continuance of Title IV—EOA and additionally called for the programs of Title IV to be administered by the Department of Commerce through grants to local non-profit business and economic development organizations.

This is an admirable example of how our Congress serves the will and needs of the people and not the monolithic federal bureaucracy who decry local initiative. Legislative support for EOA Title IV is applauded by the 4–5 million Mexican-Americans of our nation as well as millions of entrepreneurs in all the United States.

The AABED sincerely desires your continued support for EOA—Title IV as approved by the Senate of the 90th Congress.

Sincerely,

John K. Lopez,
Treasurer.

Poverty Hearings—Legislative Recommendations

(By Cabinet Committee Hearings on Mexican-American Affairs, El Paso, Tex., October 26–28, 1967)

Inter-Agency Committee on Mexican-American Affairs: Honorable Vincente T. Ximenes, Chairman, Commissioner of the Equal Employment Opportunity Commission; Hon. Orville L. Freeman, Secretary of Agriculture; Hon. W. Willard Wirtz, Secretary of Labor; Hon. John W. Gardner, Secretary of Health, Education, and Welfare; Hon. Robert C. Weaver, Secretary of Housing and Urban Development; Hon. Sargent Shriver, Director of Office of Economic Opportunity.

RECOMMENDATION NO. 11

"It is recommended that legislation be enacted that *continues Title IV of the Economic Opportunity Act—Employment and Investment Incentives* and that the Title call for *local, community operated,* small business assistance programs to the minority and disadvantaged community."

The unanimous decision of the Report Committee was that business and economic development assistance be available to the 4–5 million Spanish-surnamed population of the nation by providing resources to *local, non-profit organizations* to serve that population.

The existing method of attempting to render direct service through federal agencies was severely criticized as ineffective and inadequate.

EXCERPTS FROM ADDRESS ON HOUSE FLOOR ON THE OPENING DAY OF POVERTY DEBATE

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Goodell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GOODELL. Mr. Speaker, it is not too late for House Democratic leaders to abandon their city hall, southern strategy which dooms the poverty bill to torture and mutilation this week in the House.

No poverty proposal, including the committee bill and the Republican opportunity crusade, has the votes to pass the House today. After the committee bill is maimed, mutilated, and mangled, the pitiful end product may pick up enough votes to pass, but that is too high a price for the poor to pay.

Concerned Americans want a realistic program to help the less fortunate in our midst help themselves. They do not think the present poverty war is adequate, nor do I. They want substantial, realistic, and meaningful changes in the program.

The committee bill, on the whole, does nothing but tinker with the present program. The one major exception, where substantial change was made, amounts to a craven capitulation to those who oppose the concept of involving the poor in helping themselves. Self-help, self-involvement, and self-motivation are critical to any successful program to eliminate poverty. Innovation does not spring forth from big city political machines in the North, nor will meaningful measures to help the Negro poor emanate from southern city halls.

We must restore the independence of community action boards, involve State and local governments as partners in community action, and eliminate the 10 percent local cash requirement. We must emphasize meaningful, productive jobs in private enterprise, not deadend, makework public jobs.

I will offer a package proposal on the floor to reverse the regressive Green amendment adopted in committee. Whatever else the House does, we must not stifle the spark of genius in community action that involves the poor in their own destinies. It will be an uphill fight. I do not believe it can be won unless there is a strong bipartisan movement. I, and many other Republicans, stand ready to cooperate in a completely bipartisan way to accomplish this necessary change in the committee bill.

THE NATIONAL COMMISSION ON PRODUCT SAFETY

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Halpern] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HALPERN. Mr. Speaker, I am delighted that Senate Joint Resolution 33, passed this House today by an overwhelming vote. The measure establishes a National Commission on Product Safety.

As the resolution so clearly states, every American has the right to be protected against unreasonable risk of bodily harm from products purchased on the open market. The need for legislation to enforce these rights is brought home to us with frightening frequency by daily accounts of injuries in the home caused by hazardous goods.

The Commission, Mr. Speaker, will have the power to conduct a thorough and meaningful study of this question. After first establishing the categories of household goods which might present an unreasonable hazard to health and safety, the Commission will then review the extent to which self-regulation by industry presently affords protection and the scope and coverage of already existing Federal, State, and local laws relating to consumer protection. Upon completion of this study and investigation, the Commission will make a full report to both the President and Congress. This report will contain a detailed statement of the findings and conclusions of the Commission, together with its recommendations for such legislation as it deems appropriate.

I can assure you, Mr. Speaker, that I will await the report of this Commission with the expectation that the principles embodied in this resolution, and my own identical resolution, House Joint Resolution 869, will find their proper enunciation. This bill, very simply, is a just and major step in the direction of protecting our Nation's consumers.

LATIN AMERICA'S MILITARY EXPENDITURES

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. Fascell], is recognized for 30 minutes.

Mr. FASCELL. Mr. Speaker, the Members of this House are deeply split on the issue of military assistance to underdeveloped countries. Nowhere does the issue seeem to be drawn more starkly than in Latin America.

But I would ask: Have we analyzed the facts and are we debating the real issue, or what we have chosen to say is the issue?

Some say that the issue is an "arms race."

Let us look at the facts. Latin America is an area three times as large as the United States and with as many people. What is it spending on military equipment? The figures are not too precise but it is estimated that Latin America's total annual expenditure for military equipment is less than $150 million—about the same as the annual cost of the Chicago police department and about half the annual cost of the New York Police Department.

Divide that up among all of the Latin American countries and it involves less than $1 million per country in Central America, several millions in countries like Colombia and Brazil.

The truth is that:

First. Defense expenditures as a percentage of budgets have dropped 50 percent in the last 20 years. Only 10 percent of these defense expenditures, less than $150 million annually, is for equipment. The other 90 percent is for civic action, and basic educational training, military training and pay and allowance of forces, and maintenance of equipment.

Second. Latin American defense expenditures—except for Africa south of the Sahara—are the lowest in the world.

Third. Almost all of the active naval vessels of the destroyer type or smaller in the Latin American navies are on loan from the United States and Latin America has not spent significant sums on naval equipment.

I, for one, consider that quite a good record. I wish that I could say that it would have been possible for us to have reduced our military budget 50 percent since World War II.

There are other significant facts that should be brought out:

In the last 6 years alone the number of fighter squadrons in Latin America has been reduced from 29 to 19, an apparently sizable reduction in fighter strength. And I am told that one of the objects of the Latin American governments in seeking more modern planes at this time is to phase out additional squadrons and cut operating costs. Many of the aircraft they now have on hand cost more to operate than the ones they want to buy from us.

I am told that if the Latin Americans buy more modern equipment from us it will lead to armed clashes. What is the record? There were absurd arms races in Latin America until World War II as the European nations, with the missions they maintained in Latin America, tried to promote arms sales and otherwise transport European rivalries to South America. But what has the record been since World War II?

There has been no significant incident between Latin American countries since 1942 that the inter-American peacekeeping machinery has not promptly handled. There has been no arms race, and there will not be one if Europe will cooperate.

Quite the contrary, there has been a significant reduction in the proportion of budgets going to arms and a reduction in arms.

In the face of this record, how can this Congress speak of an arms race or increasing arms expenditures? I agree that the administration has not made its case, but this is no excuse for the failure of the Congress to determine the facts. I do not believe that an arms race is the issue.

Is the sale of jet aircraft the issue? A Member of the other Chamber has said in emotional terms that the willingness of the United States to permit its manufacturers to offer jet aircraft in Latin America is a sordid business.

How do the Latin Americans see this problem? Each of the large South American countries maintains a squadron or two of jet fighter planes. They feel that they need these planes to provide support to ground troops for insurgency situations. Surely no one will deny, in the face of the news over the last months, that insurgency is a fact in Latin America. What does a country do that wants a few fighter planes that can be maintained? It buys what is on the market. What I am told is that the F–5 is the best and most economic fighter we have to fill the needs of several Latin American countries.

What is the F–5? It was developed by the Department of Defense for use in less developed countries. It flies about 200 miles per hour faster than the jet planes the Latin American countries now have. It is more modern. It does cost money. But I fail to see how anyone can compare it with a French Mirage which flies twice as fast as an F–5 and costs twice as much to buy and operate. If costs are to be kept down, it seems to me there is a substantial difference between a squadron which costs $15 to $20 million and one that costs $35 to $40 million. And it seems to me that being willing to see Latin America buy the lower cost squadron and opposing the more expensive one is a policy of restraint.

I must be very frank in saying that for all the furor that has been raised about the F–5 versus the Mirage, or any other aircraft, I do not think that is the issue.

Some say the issue is that resources that could be spent on economic development are being diverted to military purposes. Any expenditures for military purposes are a diversion of resources. I would indeed be happy if this country could spend all of its resources for peaceful purposes. It is lamentable that the Defense budget of the United States exceeds the total annual gross national product of all of the Latin American countries combined. But we do not live in a peaceful world. We have not learned to live with one another. So each country maintains the forces it considers necessary. This is also true in Latin America. But as I have already pointed out, Latin America has a better record than any other area of the world. Moreover, Latin America is the only area in the world that has established a nuclear-free zone. Although there may be a few specific cases where expenditures for military equipment could be trimmed, I am not persuaded that the alleged diversion of resources is the issue.

This House should understand clearly that the issue is one far exceeding the points I have discussed above—although they may have a bearing on the real issue.

The real issue is a political one. What is really being discussed in the U.S. press and in this Congress is the influence of the military in the politics of Latin America.

Does the military have an undue influence in the political affairs of Latin America? It is undoubted that it has an influence. In fact, it is undoubted that this Congress is influenced by military opinion. But the question is: Does it have an undue influence?

So we should look at the record. And if we look at the record, we see that every government in Latin America—except Cuba, Argentina, and Haiti—is operating in accordance with a constitutional mandate. We may think some of these governments are too far to the left and we may regard some as too far to the right, and we may question whether a duly elected constitutional government meets all of the standards of democracy. But even as we question, we must also ask—is there any other region in the world that is doing better than Latin America is in trying to resolve its differences peacefully? Is it Africa? Is it Asia? Is it Europe?

Mr. Speaker, by any reasonable standard, the Latin Americans have a good record. If we can cooperate with them under the Alliance for Progress and be patient, the record can be even better.

How do we cooperate? Do we do it by putting out ultimatums that all loans will be cut out unless the Latin Americans knuckle under to our determination of their requirements? The United States would never accept such a condition. And yet some of us would try to impose it on our friends.

Do we achieve our objective by such invectives as calling Latin American officers "tin-pot flyboys?" After all, these people are human. These "tin-pot flyboys" were trained in the United States. These men, like many of our own pilots, may someday be asked to risk their lives for their countries. They are comrades of our own Air Force officers. Mr. Speaker, we demean ourselves when we act like this.

Mr. Speaker, I take no back seat to anyone in favoring reform in Latin America. But I do not believe you get it with threats, with invectives, but with patience and compromise. Politics is the art of the possible. Hardline, uncompromising positions will not get us there. Simply stated, we must negotiate, and our negotiators must have the flexibility provided by the Alliance for Progress and a reasonable level of military assistance. Otherwise, there will be no negotiation and no possibility for reasonable reform. We will abdicate our responsibility and help defeat the very purposes we seek to achieve.

My recommendation to this House is that we stop bombing Latin America with ultimatums and let the President negotiate.

Mr. GONZALEZ. Mr. Speaker, will the gentleman yield?

Mr. FASCELL. I yield to the distinguished gentleman from Texas [Mr. GONZALEZ].

Mr. GONZALEZ. Mr. Speaker, I wish to compliment the distinguished gentleman from Florida because the gentleman has made some very important points in a most eloquent manner with reference to this particular problem.

There has been, as the distinguished gentleman from Florida has said, some preoccupation with the thought that some of these nations and the fact that they are purchasing arms and weapons from European countries is not proper, and that we ought to reduce our aid to them in accordance with the amounts of weapons and arms which they are purchasing from those foreign governments by a like amount from the foreign aid program.

But I think there is another most significant matter which the distinguished gentleman from Florida has said, and that is the fact that there has been a tendency on the part of certain segments of our society to make casual and hostile remarks about these people, people who are not entitled to be the recipients of this kind of treatment and any such actions which engender their hostility should be dispelled.

So, Mr. Speaker, I conclude my remarks as I began by again complimenting the distinguished gentleman from Florida [Mr. FASCELL] for his very important contribution in this area.

Mr. FASCELL. Mr. Speaker, I wish to thank the distinguished gentleman from Texas [Mr. GONZALEZ] for his comments and for his contribution, and especially in view of his particular experience with reference to this subject. It is my opinion that the distinguished gentleman from Texas has put his finger upon the very point involved here, which is the human point, as well as the political point. As all of us have recognized and have understood the fact that these Latin American countries are sovereign and independent countries. This has been in large part the approach which has been necessary for several reasons:

Because of internal security reasons, and because of external security reasons, both hemispheric and otherwise. And it is just unrealistic for us to take a position that they should not have those military establishments, and it is just not reasonable for us to say that they should not in a reasonable degree have modern equipment; because of human nature being what it is they are going to demand it and seek to obtain it in one way or another, and for us to turn our backs on them now and say "You ought not to be using your money for this, but you should be using all your money for plowshares or for building harbors or roads." There is no need for that, it is not realistic. We need to be doing all these things that we are doing under the Alliance for Progress in order to improve the economic and social and political situation of Latin American countries, but at the same time within a reasonable degree we need these modern small military establishments which are in consonance with the needs of their country and the needs of the Western Hemisphere, and I might add in consonance with the needs of the United States, also.

Mr. MONTGOMERY. Mr. Speaker, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Mississippi.

Mr. MONTGOMERY. Mr. Speaker, I would also like to join with my colleague from Texas in commending the gentleman from Florida on his very splendid remarks today. I believe they are very timely. I will have to admit that the gentleman brought up some points today that I certainly was not familiar with. I was not familiar with the fact that the Latin American countries, since World War II, have reduced their military expenditures, and their military forces.

I find there is a tendency not to learn about countries that do not give us any trouble. The Latin American countries certainly have been our friends. I have a tendency—and I am sure other Members of Congress have a tendency—to overlook our friends sometimes, and really not to look at their problems. The gentleman certainly has pointed out some facts that the whole Congress and the people of this country should be interested in. Again I commend the gentleman.

Mr. FASCELL. I thank the gentleman for his comments. I might say that here again he has put his finger on a very important point. We are talking now about Latin America, our friends who have supported us and who continue to support us. The ties between North and South America are the bulwark, as indeed the whole Western Hemisphere is the bulwark, of the free world. That is why we ought to look at this as giving us the opportunity for closer ties with Latin America. We have done so much together in order to improve the conditions in Latin America that we ought not be blinded by such an unrealistic approach, and we should not take away their military establishment or relegate them to such a point as that in terms of equipment, manpower, and modernization, just so that they will not be able to fight each other or get mad at each other, or have an arms race; that is not the way to solve that problem, we solve it by the educational process, by training programs combined with their social, economic, and political improvements through the Alliance for Progress, and other equal programs. And I believe the gentleman from Mississippi has made a very good point.

Mr. Speaker, I yield back the balance of my time.

CREATION OF A SPECIAL COMMITTEE ON CAPTIVE NATIONS NEEDED

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BRAY] is recognized for 30 minutes.

Mr. BRAY. Mr. Speaker, a most appropriate birthday gift that this Congress can offer Moscow, on the occasion of its 50th anniversary of the Russian Bolshevik revolution, is the creation of a Special Committee on the Captive Nations. This action is long overdue. Not only the Russian Bolshevik 50th, but also the numerous 50th anniversaries of the independence of the Ukraine, Lithuania, Estonia, Armenia, and others now held captive in the Soviet Union serve as an excellent occasion for us to seize the initiate in this vital respect.

The Russian Bolshevik 50th is no birthday for the captive non-Russian nations in the U.S.S.R. November 7 is a day of tragedy and mourning for them. In our day, these captive non-Russian nations are a key to world peace, to the end of the cold war, and to the advance of freedom.

There has never been a thorough examination of the position of these captive countries from the viewpoint of American national interests. This alone more than justifies a Special Committee on the Captive Nations. Throughout the 1967 Captive Nations Week this and other important themes were registered about the country, and I place the following material in the RECORD at this point:

PROCLAMATION BY THE MAYOR OF THE CITY OF ROCHESTER, N.Y.

By These Presents, Greetings:

Whereas, There exist today more than a dozen nations whose people have seen their national and cultural integrity dissolved by oppressive rulers selected for them, not by them, by the masters of the Kremlin; and

Whereas, It is vital to the security of free men everywhere that the desire for liberty and independence on the part of the people of these captive nations be nurtured and strengthened by all honorable means; and

Whereas, There are in Rochester many residents with close personal and family ties with the peoples of Europe, Asia and Latin America who feel the heavy hand of Communist dictatorship, a hand which offers social justice and equality but delivers the chains of bondage; and

Whereas, The President and the Congress of the United States have proclaimed the Third week of July, 1967, as Captive Nations Week,

Now, therefore, I, Frank T. Lamb, Mayor of the City of Rochester, New York, do hereby proclaim the week of July 16–22, 1967, as Captive Nations Week in the City of Rochester and urge all residents of the City to observe the occasion by strengthening their understanding of the basic rights which make all men free.

In Witness Whereof, I have hereunto set my hand and caused to be affixed the Seal of the City of Rochester, at the City Hall on this 14th day of July in the year of our Lord 1967.

FRANK T. LAMB,
Mayor, Rochester, N.Y.

REVIEW: CHICAGO, ILL., CAPTIVE NATIONS' WEEK OBSERVANCE, 1966

The Captive Nations' Week Observance in Chicago was started by Mayor Richard J. Daley's signed proclamation, asking the Chicago residents not to forget captive nations under the Communist regime. In his proclamation the Mayor asked not to deny all possible support towards observance of the Captive Nations' Week on July 16.

Viktors Viksnins, Captive Nations' Committee Chairman, presented a certificate of merit and esteem to Chicago's mayor, expressing gratitude for the support, which they have always received in Chicago.

On the evening of July 6, 1966, a Captive Nations' Week press conference was held at the Conrad Hilton hotel. The speakers were: Frank T. T. Sia, Consul General of China; Dr. Petras Dauzvardis, Consular General of Lithuania, and Chicago Mayor's Office Director of Special Events, Col. Jack Reilly. The conference was led by radio and TV commentator Sig Sakowicz. One of the press conference participants was Mr. Janis Grigalis, a recent refugee from an Iron Curtain country—Latvia.

The Captive Nations' parade was led by the motto: "Freedom and Independence for All Nations" and "Salute to Servicemen Fighting for Freedom." Honorary guests in the parade were the wounded in Viet Nam battlefields. Following them were Chicago's Mayor Richard J. Daly; Major Raymond Casteel, representing the United States Army; and Viktors Viksnins, Captive Nations' Week Chairman, followed by committee members. The units participating in the parade were as follows:

American Legion, U.S. Navy Band, Cossacks, Latvia, Slovakia, Cuba, Germany, Chicago Fire Department, Serbia, Armenia, Estonia, Byelorussia, P. J. Cullerton Drum & Bugle Corps, Hungaria, Bulgaria, Chinese Drum & Bugle Corps, Poland, Shannon Rovers Pipe Band, Lithuania, Chicago Lawn Moose Post, Korea, Hornets Drum & Bugle Corps, Croatia, Albania, Ukraine and Czechoslovakia.

The parade was concluded in Grant Park with a special program. The speakers were: Dr. Lev Dobriansky, National Chairman of Captive Nations Committee, Washington; Joseph C. Murphy, American Legion Department Commander; and Senator Paul H. Douglas. The statement by Hon. Hubert H. Humphrey, Vice-President of the United States, was read. Messages were received from Illinois Governor Otto Kerner, Senator Everett M. Dirksen, and Congressmen E. Derwinski and D. Rostenkowski.

The Captive Nations' observance in Chicago turned out well; gratitude is due to all who contributed to the fine results. Our achievements were also evaluated by the National Captive Nations Committee, whose chairman Dr. Lev E. Dobriansky sent the following letter to mayor Richard J. Daley:

"By all evidence your observance surpassed all others, and in behalf of this committee and certainly the suppressed voices of millions in the Red Empire, I heartily congratulate you for your remarkable and outstanding leadership in this annual event. We look forward to the fitting occasion when our tangible recognition of your magnificent endeavors can be made."

A large share of our gratitude belongs to Mayor Richard J. Daley, and Col. Jack Reilly, Director of Special Events, for the great support and the good advice in organizing the Captive Nations' parade and program.

In closing this review, I wish to express sincere thanks to all committee members, and all nationality groups participating in the parade and program.

Sincerely,

VIKTORS VIKSNINS,
General Chairman.

HEADQUARTERS, U.S. MILITARY ASSISTANCE COMMAND, OFFICE OF THE COMMANDER,
Vietnam.

Mr. VIKTORS VIKSNINS,
Chairman, Captive Nations Committee,
Chicago, Ill.

DEAR MR. VIKSNINS: Thank you for your 25 July letter, informing me of your Annual Captive Nations Observance and for the resolution expressing support of the men here in Vietnam.

The support of those at home is an indispensable element in our effort to ensure that the people of this nation can determine their future without fear of intimidation. It is particularly inspiring when such expressions of support come from those who have made personal sacrifices in the cause of freedom.

A parade such as you held on your Captive Nations Day portrays the patriotic spirit of those who participated and provides public awareness of this much needed support. We deeply appreciate these demonstrations of confidence on the part of the American people.

Your resolution will be brought to the attention of our troops through notice in our command-wide newspaper.

On behalf of all the servicemen of this command, I extend my heartfelt thanks to you and the members of the Chicago Captive Nations Week Committee.

Sincerely,

W. C. WESTMORELAND,
General, U.S. Army, Commanding.

COMMANDING OFFICER,
NAVAL HOSPITAL,
Great Lakes, Ill., July 19, 1967.

Mr. VIKTORS VIKSNINS,
Chairman, Captive Nations Committee,
Chicago, Ill.

DEAR MR. VIKSNINS: On behalf of the staff and patients at this Hospital I wish to thank you so very much for including some of our patients in the Captive Nations Parade held on July 15, 1967.

Those of us who work in a Hospital realize that keeping morale high is as important as the medical care which is administered. When the patients are aware that others are concerned for their welfare, this in itself is a "morale booster".

The patients felt honored that the Captive Nations Committee should have remembered them for such an important occasion. They also enjoyed the luncheon afterwards at the Conrad Hilton.

Again, thank you so much for your continued interest in our Hospital.

Sincerely yours,

J. W. ALBRITTAIN,
Rear Admiral, MC, USN, Commanding Officer.

[From the Wanderer, Aug. 17, 1967]

CAPTIVE NATIONS

CATHOLIC WAR VETERANS,
Rego Park, N.Y.

EDITOR, THE WANDERER:

Last week our Nation observed Captive Nations Week. For a number of years, by resolution of Congress, each year in July we commemorate Captive Nations Week—commemorate, not celebrate, for it is a solemn, not a happy occasion. Under the resolution, the President issues an annual proclamation designating the week of commemoration. At first the Presidential proclamations were specific about the reasons for the observance, *i.e.*, the holding in bondage by Communist Russia of a whole group of Eastern and Central European nations whose nearly two hundred million peoples are unwilling slaves of the Red bosses in the Kremlin.

However, over the years, as voices of those who would accommodate Red butchers, and tones singing of mellowing Communists grew louder in the Land, the Presidential proclamations—both Republican and Democratic Presidents—became more watery and spiritless. The names of the captive nations used to be included in the proclamations. Gradually this was dropped until two years ago the President managed to proclaim Captive Nations Week without even mentioning Soviet Russia or Communism; and last year our Vice President found himself unable to attend a Captive Nations Week dinner but somehow managed to show up the next evening at a party in the embassy of the Red bosses of Poland whose people are among the captives of the Communists.

The purpose of Captive Nations Week in

the United States was to let the peoples of Eastern European nations swallowed by the Red beast—the peoples who have been so rightly described as our secret allies in the war between freedom and slavery—to let them know that Americans did not regard their enslavement as permanent and devoutly hoped for their liberation from the Red Yoke. Regardless of the attitude of official Washington, we would do well to commemorate Captive Nations week all year round and to remember, as we pray for the liberation of these nations' peoples, that "there, but for the grace of God, go I."

TED BUDZINSKI,
Americanism Chairman.

[From the Truth-Forum, August 1967]

L. B. J. AND DEAN RUSK AID SOVIET AIMS

(By Edward L. Delaney)

President Johnson's annual proclamation of Captive Nations Week, 1967, followed the pattern and innocuous phrasing of his previous apologies to the Soviet, in this connection. A joint resolution of Congress, July 17, 1959, authorized and instructed the President to designate the third week in July of each year as "Captive Nations Week" and to continue this observance until freedom and independence is given all peoples and nations presently under Soviet-communist subjugation.

The first such proclamation, over the signatures of Dwight Eisenhower and Christian Herter, Secretary of State, July 17, 1959, refers specifically "to the plight of the Soviet-dominated nations" and urges our people to "support" the just aspirations of those people for their independence. But President Kennedy and Johnson apparently followed the policy so earnestly advocated by Walt W. Rostow, i.e.—"we must do nothing to embarrass the Soviet."

Many members of Congress carefully avoided mentioning the utterly asinine tenor of LBJ's "Captive Nations" proclamation. It conveys the impression that the peoples in the several nations presently held "captive" may be in that plight because they wish to be under communist serfdom. The President and Secretary of State Dean Rusk, studiously omit reference to the "captor" of the several little and some large nations presently held as virtual prisoners of the Soviet or communist regimes that have been imposed on them.

By contrast, the Captive Nations Week proclamation of Ohio's Gov. James A. Rhodes, names 26 nations presently "Communist dominated and oppressed." Obviously he did not "clear" his proclamation with the White House tenant or Dean Rusk or he would not have been guilty of such discourtesy to the Soviet and their satellite slave states.

By coincidence—as noted elsewhere in this issue, Soviet Premier Kosygin stated before the General Assembly that the Soviet Union respects the wishes of all peoples for their "self determination" and freedom.

It would appear to be an insult to the natal common sense of the American people to be told by Kosygin—and his statement given the tacit approval of our State Department and the Johnson administration—that Soviet-communism does not impose its oppressive blight on smaller nations. On the contrary, according to Kosygin, the Kremlin caliphs want all peoples to enjoy self-determination, Moscow style.

Dean Rusk and the President should review Public Law 86-90, which initiated Captive Nations Week. It states, in part: "Whereas the Imperialistic and aggressive policies of Communist Russia have led, through direct and indirect aggression to the subjugation of the national independence of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, White Ruthenia, Estonia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Georgia, North Korea, Albania, Idel-Ural, Turkestan, North Vietnam and others, and——"

Of course Dean Rusk and the pro-Soviet coterie in the State Department would regard that as indelicate to mention—when they are "building bridges to the east." But so far none of the captive peoples cross over from serfdom to freedom on those "bridges." Small wonder that an increasing percentage of our people are urging a purging of the State Department. And perhaps next year that purging will make a change in the White House Tenant.

[From the New England Committee for Captive Nations]

CAPTIVE NATIONS WEEK IN BOSTON

(By O. Szczudluk)

BOSTON, MASS.—This year's Captive Nations Week was observed here by informing the public, through newspapers and radio, about the captive nations. Governor John A. Volpe and Mayor John F. Collins of Boston enhanced the observance by issuing proclamations designating the week of July 16–22 as "Captive Nations Week" in Massachusetts and Boston respectively. The official signing of proclamations was witnessed by delegations representing the New England Committee for Captive Nations and included representatives of American, Armenian, Ukrainian, Latvian, Lithuanian and Hungarian organizations.

Each major daily and radio station in the State received a press release, together with copies of the official proclamations. These newspapers commented on the observance: The Boston Herald Traveler, Boston Record American, The Standard Times (New Bedford, Mass.), Manchester Union Leader (Manchester, N. H.), Morning Sentinel (Waterville, Maine), Hairenik Weekly (Boston, Mass.).

The Boston Herald of July 19, 1967, carried a letter by James H. Tashjian, Chairman of the NECCN, urging concrete efforts in support of freedom for captive nations, such as exposing the fraudulent 50th anniversary of the Bolshevik Revolution and urging the U.N. to investigate Russian Communist aggression against and demanding free elections in captive countries.

The Boston Herald of July 6, 1967, carried an interesting article, written by Ted Lewis. The nationally syndicated columnist, citing an interview with Prof. Lev E. Dobriansky, Chairman of the National Captive Nations Committee, chided the Administration for paying only a "lip service to the cause of freedom" in captive countries. The article was entitled, "Captive Nations Get Lip Service."

The New England Committee for Captive Nations sponsored this year's observance, in cooperation with several other civic organizations. The Committee is headed by Dr. James H. Tashjian as Chairman and Orest Szczudluk as Executive Secretary.

ACTION ON SPECIAL COMMITTEE

In separate letters, 25 New England Congressmen were urged to initiate action in the House Rules Committee on pending legislation and to vote for the establishment of a permanent Special Committee on Captive Nations in Congress. So far, favorable answers were received from Speaker McCormack and Congressmen O'Neill, Philbin, Burke, Cleveland, St. Onge, Conte.

BOSTON, MASS., *July 31, 1967.*

[From the Boston Herald Traveler, July 19, 1967]

CAPTIVE NATIONS WEEK

BOSTON.

To the HERALD TRAVELER EDITOR:

The week of July 16–22 is observed as Captive Nations Week in this country. The observances of Captive Nations Week have been vituperatively condemned by Communists because they spread the truth about Communist aggressions.

The 1967 Captive Nations Week provides immense opportunities for advancing the cause of captive nations by:

Exposing the fraudulent 50th anniversary of the Bolshevik Revolution. The national revolutions of the captive non-Russian nations were, indeed, the genuine revolutions, because they expressed the principle of freedom, national self-determination and sovereign equality of all nations. The Bolshevik revolution brought aggression and slavery.

Urging the United Nations to investigate Russian Communist aggression in Armenia, Ukraine, Lithuania, Latvia, Estonia, Georgia, and other captive nations.

Challenging Communist dictators on free elections, as they were once promised, in Hungary, Poland, Rumania, Czechoslovakia, Bulgaria, and East Germany.

JAMES H. TASHJIAN,
Chairman, New England Committee for Captive Nations.

THYNG FLAYS U.S. APATHY AT CAPTIVE NATIONS RITES

ASHLAND.—The eighth annual Captive Nations Rally was held yesterday at Captive Nations Cemetery here with Brig. Gen. Harrison Thyng USAF (ret.) of Pittsfield, and Josef Mlot-Mroz of Salem, Mass., president of the Anti-Communist Confederation of Polish Freedom Fighters in USA Inc. giving addresses.

"We have got to end this war!" said Gen. Thyng speaking of the Vietnamese war. "You hear the claim that to declare war will bring Communist China into the war; that is a lie. We have 100,000 men there in Southeast Asia. Who is being kidded? Why aren't we being told the truth?"

"Because of apathy, because you have a TV, a car, a good job, you want to sit back and enjoy it, not let anything disturb you. Maybe you can have a second car if you can keep this war going. What about it, America? Are you and I ready to sacrifice some more? Insist that we have peace and freedom, whether we have a job or not," urged the general.

He continued, "We don't need a war to have economy. We can have the greatest economy in the world without a war."

"With your son over there and my son over there, I'm not going to give up the fight. My son has flown 10½ months, almost 300 missions. I know his nervous system has been disrupted and he will never overcome it," said the general.

"This is what happens because we have a pilot shortage," Thyng continued. "You've been told there's no such thing, but there is one of the biggest pilot shortages in the history of our country."

"There are some things they can lie to us about, but you and I must insist upon the truth. You and I who live in this country have got to have the courage to speak out," the general went on.

"The greatest country on earth, the greatest people on earth, the greatest capacity on earth and the greatest potential, let's fight for it," concluded Thyng.

HOUR IS LATE

In his address earlier, Mlot-Mroz assailed communism as a "cancer," and said: "It is foolish to talk about keeping ourselves and the rest of the Free world from Communist domination without planning the liberation of the enslaved 900 million freedom fighters. To save ourselves we must work to free the captive nations, the hour is late. Americans be on guard tonight."

The program opened with the entrance of the color guard of Dupuis-Cross American Legion Post under the direction of George Ober, the national anthem and the pledge of allegiance. Dr. Ryki-Ryski, formerly of Byelorussia, opened and closed the program with prayer.

Messages were read from Sen. Norris Cotton and U.S. Rep. James C. Cleveland.

A highlight of the observation was the placing of a wreath in the Captive Nations Cemetery by Mlot-Mroz, Thyng and Ted Marksimowicz, secretary of the Polish Freedom Fighters of the USA.

The Torch of Freedom was lit by Mrs. George Faucher of Bedford, who was wearing her native Polish costume.

SILENCE ON CAPTIVE NATIONS

(By Barry Goldwater)

This column is deliberately late. It concerns something that happened a month ago, but I have not written about it until now to make my point more forcefully.

One month ago the President, under a mandate from Congress, "proclaimed" Captive Nations Week.

The proclamation was so silent that few Americans heard it. It didn't cause a ripple.

It was so silent that it might as well not have been done. Between the theoretical date of Captive Nations Week and now there hasn't been enough made of it to produce a whisper that could be heard beyond the few communities that did something about it.

Captive Nations Week meant something in the years immediately after a concerned Congress established it as a beacon of hope to the captive millions behind the Iron and Bamboo Curtains. It was important to the many Americans who have relatives in the captive nations and to millions abroad to whom the U.S. attitude toward the Communist conquerors is the only ray of hope left in a dark world.

It meant something in particular to the mood of American foreign policy. It meant nationwide recognition that communism is a naked aggressive force, that millions of formerly free men are oppressed behind a barrier of Red bayonets and that the cold war is essentially a war of liberation.

Dwight Eisenhower, for instance, did not hedge when he first proclaimed Captive Nations Week. He referred honestly and flatly to nations "made captive by the imperialistic and aggressive policies of Soviet communism." There, for all the world to see and hear, was the statement of a man who knew the realities of the world in which he lived, of a people who knew them, also, and of a leader and a people dedicated together to getting on with the fight against aggression by every peaceful means available to them.

The Captive Nations Week proclamation ever since has been a barometer of the Administration's firmness or softness toward communism.

On the scale of such a barometer, Lyndon Johnson's versions of Captive Nations Week have hit dead bottom.

This past one was throttled with official indifference at the outset.

Just as surely as a barometer foretells a storm, this attitude reflects the Administration's incredibly paradoxical attitude toward communism.

Thousands of Americans have lost their lives fighting Communist aggression in Vietnam. And yet the same President who ordered them there has not effectively extended this firm policy to communism on other fronts.

Communism supplies the battlefield, and yet this Administration asks that we step up trade with communism.

And rather than even embarrass communism, this Administration has buried Captive Nations Week as deeply as communism promises to bury us.

CELEBRATE THE 50TH ANNIVERSARY OF THE RED FASCIST REVOLUTION BY REMEMBERING AMERICA'S SHAME: THE CAPTIVE NATIONS

"None of the nations now behind the Iron Curtain (known as 'captive nations') would be enslaved by the Soviet dictatorship today were it not for the aid given that dictatorship by our Government and our sources of information."

If ours were an enlightened self-interest, what would be the normal position to take on the captive nations? We would work continuously to promote their freedom and to publicize their present enslavement.

Why?

The captive nations are testimony to the fact that we cannot do business with Communists. Americans should remember that there is not a single nation or territory under Communism which did not have relations with the Soviets. Moreover, the more high-sounding the treaties and agreements made with the Soviet empire, the quicker and more absolute was the enslavement. By exploiting the captive nations for the lessons they can teach, we learn that:

1. Red Russia cannot be contained by disarmament pacts, cultural exchanges, windy debates, give-and-take agreements, appeasement.

Rather, the seed of communism's destruction lies within itself. The conquered are longing and planning for their freedom. To shake hands with a Khrushchev, a Brezhnev, a Kosygin—or with the one who may soon replace them and start the cycle over again with friendly smiles and lofty proposals—is to snuff out the captive's spark of resistance, a weapon against our own enslavement. Even for our own sake, therefore, we should work to keep Americans aware of the present state of the captive nations and of the best natural hope for our victory which comes from them.

2. The strongest advantages of the enemy are not military, but political and psychological.

It was not armed might that locked the galling chains about the necks of the captive nations. Although Russia's greatest conquests occurred in times of war, the armies came second. First there came subversion in government, education, and communications. In government, the puppets of appeasement assured the people that peace, friendship, and freedom were to be the gifts of cooperation with the Reds. In education, traditional moral standards and patriotism were held up for examination as curiosities, and then suppressed. In communications, what the people could not know was not reported and what they could know was subtly distorted.

The string about each nation's throat became a cord, the cord became a rope and the rope eventually became an iron chain. The captive nations are watching the thread around America's throat. If we but listen to their cries, perhaps we shall snap the string before it becomes a chain. Certainly, we must be totally prepared militarily, but no amount of armed might will protect us if we rot from within.

If all we know is what is in the refrigerator, what is on TV, how much gas is in the car, and which cigarette pleases most; if all we have time for is luxury, then we should hoard well our comforts, for we have not long to enjoy them. We must take time, in the name of enlightened self-interest, to learn and teach the lessons of the captive nations, to win this Soviet-declared war of politics and psychology.

3. To work for our own preservation, we must work toward the liberation of the captive nations.

Communism is a cancer. A man who is told that he has lung cancer would be a fool to take steps to protect his heart with never a thought about curing the cancer. It is foolish to talk about keeping ourselves and the rest of the Free World from Communist domination without planning the liberation of the enslaved nine hundred million Freedom Fighters.

Declaring military war is not the way to free them. Waging ideological, political, and phychological war is the way. The Free World must become absorbed, in international dealings with the subject of the captive nations. Every crack in the Iron Curtain must become an echo chamber for freedom's voice. Every reliable report of Red suppression of the enslaved must become subject to investigation by the Free World.

Next time one of the captive nations breaks the slavery chains, we should be ready to recognize the new government and to send in American representatives and real "foreign aid." It is our obligation to elect representatives who will do this. It is our obligation to make the present representatives of the Free World aware of the need for non-violent aggression on behalf of the captive nations.

War is what will result from appeasement: war when we can only lose. A strong, unyielding stand today will make war unnecessary. From within and without their prisons, the people will rise to drive back to hell the father of lies with his false philosophy.

The sufferings of the captive nations are beyond comprehension. Justice and charity demand that we preface any evaluation of "peaceful co-existence" with consideration of the plight of every captive nation.

It is not practical, it is not just, it is not Christian to negotiate on other matters without insisting on freedom for the enslaved; for by doing so we write off the millions who look to us for help, we invite further Communist aggression, we become slowly reconciled to surrender by default.

There is only one standard for America: if a policy advances the cause of freedom, let us pursue it vigorously; if it injures the cause of freedom, let us reject it vehemently. In the words of John Donne:

"No man is an island unto himself. Every man is a piece of the continent . . . a part of the main.

"Every man's death diminishes me because I am involved in all mankind.

"Therefore, send not to learn for whom the bell tolls . . . it tolls for thee."

[From Freedom's Facts, July 1967]

CAPTIVE NATIONS WEEK, JULY 16–22, 1967

Participants in a Captive Nations Conference in Washington, D.C., July 15 urged that Captive Nations Week observances be extended year round. Specific quotes from the Conference:

Congressman Edward J. Derwinski (R., Ill.)—"You can't have peace and freedom in the world until all people live in countries with governments of their own choice."

Congressman Michael A. Feighan (D., Ohio)—"We have tens of millions of allies inside the Communist Empire. They call out to us for support in their aspirations for liberty, freedom and national independence."

Henry Kirsch, International Department, AFL–CIO, speaking for Mr. George Meany, President AFL–CIO, and Honorary Chairman, National Captive Nations Committee—"The trade union movement stands with clear, unequivocal support for the aspirations of all people for freedom. . . . Unless all people are free none of us is secure in our own liberty."

Conference speakers also included Dr. Peter P. Lejins, President, American Latvian Association, and Dr. Lev E. Dobriansky, Chairman, Ukrainian Congress Committee of American, and Chairman, National Captive Nations Committee.

IMPORTANT NEW PUBLICATIONS

"U.S. policy toward the USSR"—This 16-page publication by Dr. Lev E. Dobriansky, Professor of Economics, Georgetown University, and Chairman, National Captive Nations Committee, points out a series of misconceptions which have led to disadvantageous American positions viz-a-viz the Soviet Union. The publication calls for a full Congressional review of U.S.-USSR relations in respect to Viet Nam, East-West trade, establishment of consulates, and the like to "eliminate the conceptual cobwebs which misdirect us into new disadvantageous positions." "Review of U.S. Policy Toward the USSR," 16 pages, $.50 per copy, National Captive Nations Committee, 1028 Connecticut Ave., N.W., Washington, D.C. 20036.

[From the Ukrainian Quarterly, Summer 1967]

Trade With the Red Empire

(By Lev E. Dobriansky)

Although cold war evidence of Russian and Red Syndicate aggression against the Free World accumulates daily, the pressure for the swift buck in East-West trade remains unremitting. Moscow's material support of totalitarian Hanoi, its triggering of the Israel-Arab war, and indirectly, through Cuba and the Communist Party in the U.S., its political warfare exploitation of the American civil rights movement, leading to organized insurrection in our cities, make little impression on those who would beef up the Red economies to commit even greater and more disastrous cold war aggressions. In short, the Cold War is not at an end; on the contrary, it is more intense and complex than ever before, and trade is a vital part of it. If they knew what is being shipped to the Red Empire as "non-strategic material" under the Administration's irrational policy, the American people would be both horrified and rebellious.

Developments since World War II in the area of Free World trade relations with the expanded totalitarian Red Empire can be intelligibly reduced to a few essential and determining points. These are: (1) a repetition of errors committed in the prewar trade with the totalitarian Axis powers; (2) an almost total indifference to our past economic contributions to the imperium in imperio, namely the Soviet Union; (3) a grave limitation in general understanding of Red economic strategy in the Cold War; (4) a consequent lack of appreciation concerning the discernible outlines and inroads of Red trade aggression; and (5) the absence of a rationally appropriate and effective Free World trade policy to cope with the implicit dangers and threats of Red economic strategy and aggression. A thorough examination of all outstanding literature on the subject discloses the presence of one or any combination of these basic, ultimate points.

A NEW GENERATION OF ERRORS

In our thinking on East-West trade the one conspicuous oversight is the lessons taught by our experiences with totalitarian economies prior to World War II. Except for a few references here and there, it would appear from current discussion that no such experiential background existed. What in essence is transpiring is a new generation of errors, characterized by a basic repetition of self-legitimized mistakes which, with new actors and a different setting on an old stage of imperialist totalitarianism versus freedom, yield substantially the same lines and sounds.

"Trade for peace," "trade to change the attitudes of the people," trade to reduce the power of domination and influence by the totalitarian state over another, trade to reorient a totalitarian economy from heavy capital goods production to more consumer goods activity and also toward multi-lateral world trade as against economic autarchy with bilateral trade sieves, trade because other democracies are profitably indulging in this with the totalitarian states, and an inability to define precisely the nature of a "strategic item"—these dominant rationalizations and aspects marked the period of the thirties as they do now. They were employed to justify Free World trade with the totalitarian Axis powers of Nazi Germany, Imperial Japan, and Fascist Italy as they are now in relation to the totalitarian economies in the extensive Red Empire.[1] Supposedly, there were "good and bad Fascists" then as there are now "good and bad Communists."

In the welter of discussion on East-West trade the striking similarities between the thirties and now deserve incessant re-emphasis. As will be shown below, the present Cold War context with all its subtleties, evasiveness, and calculated maneuvers makes the present situation an even far more perilous one. The awareness shown, for example, by the AFL–CIO Executive Council should be generalized. Referring to business deals with Communist governments, the Council has clearly stated, "It is not true that in such deals 'the only thing that matters is profit and competitive advantage.' This practice of doing 'business as usual' with the Nazi and Fascist dictators proved disastrous before World War II. 'Business as usual' with Communist dictators will certainly be no less disastrous."[2]

Some of the ideas suggested here have received only minor emphasis in the current discussion. For example, a nationally known columnist has observed, "But if, as in the 1930's, the private greed supersedes the interests of the people as a whole, the world may again see a global conflict. For it was the failure of the embargo on oil against Mussolini in 1935 and the flagrant indifference of the nations of Europe to the plea of President Roosevelt in 1937 for a 'quarantine' or economic embargo against Hitler that brought on the very conditions which made World War II inevitable."[3] Quoting a *Chicago Tribune* editorial, he observes further, "Although grain is not usually classified as 'strategic material' in the sense of arms and ammunition, it certainly becomes strategic when our enemies are hungry and can't feed themselves."

That our experience before World War II must be recalled over and over again with a necessary dimension of thought conveying the new context of protracted cold warfare is further underscored by much limited thinking on liberalizing trade with Eastern Europe. For example, a commission established by the President to report on the subject well demonstrates this with its unrealistic and narrow conception of what constitutes "strategic trade" in the contemporary context. It states in its report to the President "we rule out from these considerations any kind of strategic trade that could significantly enhance Soviet military capabilities and weaken our own position of comparative military strength."[4] Although this represents an improvement over the difficulties of thought encountered in the thirties, when far more than just scrap iron was shipped to the Axis powers, to think that strategic trade is related solely to military capability sufficiently indicates a conceptual insularity concerning the psycho-political content of the Cold War. Red propaganda employed in programs of subverting governments in the Free World, notably in Asia, Africa, and Latin America, doesn't place stress on the military powers of the USSR or even Red China but rather, and almost entirely, on the rapid economic advances of "the socialist countries."

It is noteworthy, too, that the commission virtually disregards the interrelated complexity of modern industry and agriculture, which is even more so now than in the thirties. The shipment of oil facilities, chemical plant structures, transport means, plastic and synthetic processes, high-grade fertilizers, various types of machineries for even consumer goods production, and valuable intangibles of managerial organization and talent cannot but have either direct or indirect beneficial influence for Red military capabilities. In terms of waging a psycho-political cold war, i.e., paramilitary capability, such measure of aid is absolutely unquestionable. But this perhaps more important factor escapes the understanding of not only the President's commission but also most analysts of the subject.

Moreover, on the bases of developments over the past thirty years, an examination of all current output on East-West trade and the new cold war dimension, it is no exaggeration to conclude and argue that up to this point we have developed an outlook of military preparedness toward the Red challenge, which we did not have toward the Axis threat, but as of now we still are fully exposed to cold war Pearl Harbors because of our fundamental unpreparedness in cold warfare, which embraces economic weapons as well as all others. These cold war Pearl Harbors may occur in the Dominican Republic, Brazil, Sudan, Thailand, anywhere in the Middle East and numerous other areas in the Free World, and ironically the leading economic powers of the Free World would in some indirect way be contributing to these outbreaks by beefing up the Red totalitarian economies through liberalized trade. In this broader framework of understanding, wheat shipped to the USSR so that it could meet its cold war commitments to Egypt, Cuba, and several other states is itself clearly a strategic item.

When one recounts how much the Red Empire expanded since World War II with inferior resources, one dreads to think about the long-term prospects of the empire's cold war operations, equipped with superior resources supplied in part by the Free World. Strangely enough, most analysts ignore the cumulative long-run record and concentrate exclusively on separate annual statistics of either absolute or percentage amounts. Yet, in the case of grain for example, it requires little imaginative thought to contemplate what the possible consequences might have been had the Red Empire been deprived of 40 million metric tons which it obtained from the Free World in the short period of 1960–64. There is no end in sight on this yet. In the sphere of complicated industrial equipment the same perspective should apply on both the military and cold war scales. Over the years of the thirties, the Axis powers acquired sizeable amounts of economic aid for their war plans.

TRENDS IN HELPING THE RED EMPIRE

The past twenty years of developments surrounding the issue of trade with the Red Empire lend themselves to an intelligible patternization of dominant trends and phases, in terms or both volume and controls. Bearing in mind the experiences of the thirties, it is remarkable how easily the natural instinct to exchange, veritably the economic side of the instinct for peace, can be exploited to advance the strategic objectives of the Red economies. It is also startling to observe how few pay any heed to our substantial economic contributions in the past to the build-up of the USSR imperium in imperio.[5]

Some who do recognize this past record

---

[1] See Lev E. Dobriansky, "Historical Lessons in U.S.-Totalitarian Trade," *The Intercollegiate Review*, Philadelphia, Pa., November-December 1966.

[2] Statement on East-West Trade, AFL–CIO Executive Council, Bal Harbour, Florida, March 1, 1965.

[3] David Lawrence, "Trade With Best Bolsters Reds," Syndicated Column, October 1965.

[4] *Report to the President*, Special Committee on U.S. Trade Relations With East European Countries and the Soviet Union. The White House, April 29, 1965, p. 1.

[5] See "Five Perspectives On East-West Trade," *East-West Trade, Part II, Hearings*, Committee on Foreign Relations, U.S. Senate, 1965, pp. 94–104.

rationalize it away on the basis that selective trade now would not contribute nearly as much because it would constitute a small percentage of Red gross product, estimated about $500 billion, and that in time the Red economies will develop their own respective economic capabilities. But, then, the basic question still remains, "Why are they so anxious to indulge in trade with the industrial Free World?" What in this rationalization is overlooked, too, is the fact that the global goals, commitments, and cold war operations of the USSR in particular and the entire Red Empire in general are more positive, expressive, and costly today than they were decades ago. In effect, the industrial Free World is being called in to expedite these for the far-flung empire.

Control policy over the period logically bears an inverse relationship to volume of trade; a hard policy with many extensive controls means less trade, a soft policy with fewer qualitative and quantitative controls conduces to more trade. Three distinct phases punctuate the post-World War II period. Immediately after the war, in 1945–47, Western trade with the USSR and the "satellites" was on the increase, this exclusive of residual lend-lease deliveries and UNRRA operations. By 1948 broad controls were instituted by the U.S. and its Western allies to curb the shipment of goods important to the empire's military strength.

This early control picture from 1948 to 1953 was reflected statistically in the decline of exports and imports concerning the empire, whether one views them on the basis of the OECD countries, the Free World, or the United States alone. OECD exports to the empire declined from $1,161.7 million in 1948 to $770.8 million in 1953, imports from $1,263.8 million to $934.1 respectively.[6] In the same period total Free World exports decreased from $1,969 million in 1948 to $1,389 in 1953, imports from $2,008 million to $1,631 million. U.S. trade dropped in exports from $269 million in 1947 to $1.8 million in 1953; imports from $154 million in 1947 to $46 million in 1953.[7]

A new trend followed this early period, thus initiating the third phase. The year 1954 may rightly be accepted as the starting point of a period of liberalization or breakdown in controls which has continued to the very present, with forces and pressures seeking a marked relaxation particularly in the U.S. The end of the Korean War, the death of Stalin, the bilateral and multilateral control stings felt by the empire, and a deceptive policy of peaceful coexistence resurrected by Moscow account for this change. COCOM lists were successively subjected to review and scaled down markedly in 1954, 1958, 1963, and 1964. In conformity with COCOM rules on individual country privilege, the U.S. however, had maintained its extensive control lines until recently.

The consequences of the soft multilateral control policy are plainly evident in the statistical data. OECD exports to the empire jumped from $770.8 million in 1953 to $2,481.4 million in 1960, and $2,972.4 million in 1963; for the given years its imports from the empire also rose from $934.1 million to $2,448.8 million and $3,150 million. Total Free World exports to the empire increased from $1,389 million in 1953 to $4,425 million in 1960 to $5,173 million in 1963; imports showed equally significant increases from $1,631 million to $4,462 million and $5,389 million, respectively. By virtue of a discrepancy in controls U.S. exports to the empire rose only from $1.8 million in 1953 to $194 million in 1960 and $167 million in 1963; imports also increased from $46 million to $84 million and $85 million for those years.

Since 1962 powerful pressures have been generated in the U.S. for relaxed export controls. While the campaign progresses, numerous disquieting features of slipshod control administration have been emerging, as though to reinforce the campaign. In addition to renewed pressures for U.S. wheat sales to the USSR, clearances have been given for the sale of advanced technologies, specialized machinery and equipment, and industrial plants, products and data to the empire. Of the far too many examples than can be mentioned, a few should be observed here as being typical of the present trend, notably from the viewpoint of strategic materials.

In July 1965, for example, the Department of Commerce issued an export license for the shipment of over $3 million of chemical woodpulp to the USSR. This wood is ultimately used in the production of tires, both passenger cars and trucks for both military and economic build-up uses. Another license issued that month was for over $2 million worth of grinding machines to the USSR, also important militarily and economically in the transport industry. A license for the export of polystyrene to the USSR was also issued, despite the fact that the item enters critically into the manufacture of explosives, demolition blocks, nonmagnetic mines and the like. In addition, much technical data and a broad assortment of advanced machineries are being released to Rumania, Czechoslovakia, Hungary, and Bulgaria without certain knowledge as to their end use. Moreover, many of the clearances give every indication of prototype purchasing by the Red regimes.[8] Through July 31, 1965, the Export-Import Bank has authorized 83 commercial credit guarantees to Red states, totaling some $66 million. The 1966–67 clearances are abounding and incredible, including steel mill components, computers, missile guidance devices, industrial chemicals, converting machinery, magnetic tape units, Boron isotopes, aircraft equipment, and wide assortments of machineries.

To complete this picture in outline form, it should be emphasized that Red exports consist largely of raw materials, food, fuel, and finished natural products for imports that are chiefly of highly developed finished industrial products, whole plants, and new technologies, such as chemical processing plants, oil refineries, synthetic rubber plants, electronic computer parts, research laboratory equipment and so forth.

Given a long-run cold war viewpoint, in the 15 years of the 1950–1964 period Free World exports to the Red Empire have totaled some $49 billion, and in 1965 they well exceeded the $50 billion mark. Although total imports from the West make up only a little over 1 per cent of USSR's gross product and about 2 per cent of the combined gross product of the other East European Red states, and despite the even lower aggregate significance of this trade for Western Europe and the United States, over time this trade is substantial for the build-up and cold war potential of the Red Empire. And in any given year it bears disproportionate significance for selected Red industrial targets; trade between the Red states of Eastern Europe and the Western industrial countries was about $3.5 billion each way in 1964, or a total trade turnover of approximately $6 billion. It grew over the past decade by nearly 10 per cent, exceeding the rate of growth in the overall trade of the Western industrial states. For Western European countries this trade has averaged about 3½ per cent of their total trade, for the United States scarcely 1 per cent.

Those overemphasizing these small proportions as justification for more liberalized trade demonstrate their insufficient grasp of Red economic strategy in the Cold War. Regardless of the facades of "increasingly independent" Yugoslavia, Poland, and Rumania, this strategy is substantially no different from the past totalitarian economic strategy of the Axis powers, with stress on overall self-sufficiency, accelerated build-up by overcoming current deficiencies, and controlled trade and foreign exchange operations. In essence, the errors of thirty years ago are being repeated again. Some 50 per cent of all trade between the empire and the Free World is accounted for by the COCOM countries, predominantly the West European ones (non-European are the U.S., Canada, and Japan). In relation to the Red Chinese sector of the empire, Free World trade has also increased over the past decade, rising from $740 million in 1953 to $1,505 million in 1963.[9] West Germany, Japan, Great Britain, France, Italy, and Canada show up in the figures as the leading traders with the Red Empire, taking into account all sectors.[10]

When talking about "strategic items," one need exercise only a minimum of common cold war sense in assessing these day-to-day reports: (1) according to Moscow, USSR trade with developed capitalist nations rose 15 percent in 1964, chiefly in industrial products (USSR foreign trade increased more than 75 per cent since 1958, to about $15.3 billion, of which 75 per cent is with other parts of the empire); [11] (2) Swedish firms contracted to supply Red China with heavy duty trucks valued at $30 million, apparently the most important single industrial contract between Red China and a Western country.[13] Similar items abound monthly and add up to sizeable absolute amounts yearly, at least in the light of their significance for Red economic strategy.

RED ECONOMIC STRATEGY

As stressed at the outset, there have been grave limitations in general understanding of Red economic strategy, which is part and parcel of overall Cold War strategy as directed mainly by Moscow, the chief power center of the Red Empire, and to a lesser degree by competitive Peking. Also as indicated above, this strategy is not new, though it enjoys a considerably broader framework than prevailed prior to World War II at the hands of the Axis powers which did not command the resources now at the disposal of the Red totalitarians.

The elements of Red economic strategy, which even lends itself to diagrammatic exposition, include accelerated economic growth, self-sufficiency, overcoming short supplies, selective bilateral trading, sustaining cold war commitments, inroads into the underdeveloped areas, Eastern European industrial assistance for the USSR, increased productivity and fulfillment of plans, acquisition of late technology, data, and managerial ability. Russian exploitation of the empire, concentrated deficit payments in gold, and a growing integration of the empire—all interrelated and oriented to serve the consummate goals of political subversion, takeover, and empire expansion. All of these fundamental elements fit into a working pattern of operation in which the industrial Free World countries are to play their vital, assisting role.

Many salient points in this deficient understanding, in not perceiving the situation as a whole, can be elaborated upon. For example, on past empire assistance, Secretary of State Dean Rusk has admitted, "Even before we recognized the USSR diplomatically, the Soviet Trading Company, Amtorg, operated widely in the United States, and American engineers and private corporations helped to build industrial plants and installations in the Soviet Union." [14] This valuable assistance contributed heavily to the economic and military build-up of Soviet Russian imperio-colonialism, the effects of which have been felt by the West since. Today, under the illusion of fostering the "independence" of East European "satellites," we are being pressed to strengthen the extended Soviet Russian Empire largely through trade with its outer integral parts. It is not generally recognized that an extraordinarily high percentage of USSR imports from its Red partners in Eastern Europe is made up of industrial equipment and machinery. Rising significantly over the recent period, this machinery component represented 39 per cent in 1958, but 45 per cent in 1963 and with greater overall trade.[15] Thus, when one reads "Present trends toward decentralization of the economic systems of the Eastern countries deserve a positive response from the West," he cannot but wonder about the politico-economic vacuum such statements are conjured up in.[16]

---

[6] *Direction of International Trade,* United Nations, 1948; Statistical Bulletins, Foreign Trade, Series A, OECD, 1953.

[7] *Annual Trade Statistics,* Department of Commerce.

[8] *Export Control,* 73rd Quarterly Report, 3rd Quarter, 1965, Department of Commerce, pp. 4–5, 19–20.

[9] *A Background Study On East-West Trade,* Committee on Foreign Relations, United States Senate, 1965, p. 67.

[10] *Op. cit. East-West Trade,* Part II, pp. 186–187.

[11] *Reuters,* Geneva, May 5, 1965.

[13] *Toronto Globe and Mail,* Peking, June 7, 1965.

Thirty years ago statements of intention and aims issuing from the Axis powers were virtually ignored and even scoffed at. It is quite evident that today similar Red statements are not read or understood. They well support the facts presented here. Just to cite a few examples, it is well to recall the Marx-oriented statement of Lenin, "When the time comes to hang the capitalist class, they will compete with each other to sell us the rope." Khrushchev clearly stated in 1959, "We will soon need a large amount of equipment which must be designed and produced anew. It would also be expedient to order a part of this equipment in capitalist countries, primarily the United States, West Germany, and Britain." In 1959, during his visit here, he spoke quite frankly, "Some thirty years ago when our country started building a large-scale industry, good economic contacts were established with leading United States firms. Ford helped us build the motor works in Gorky. Cooper, a prominent American specialist, acted as a consultant during the building of the hydroelectric power station on the Dnieper, which in those days was the biggest in the world. Your engineers helped us build the tractor works in Stalingrad and Kharkov. Americans, along with the British, were consultants during the construction of the Moscow subway." He also stated he wants more, following this up to the end of his reign, "We need to study all the best achievements, the best foreign experience, and apply this ourselves in order to obtain higher labor productivity." [17]

One of Khrushchev's successors, Premier Kosygin continues this strain by indicating the USSR's desire to "link the long-term economic planning with foreign trade prospects to expand the Soviet market for western goods and the production of Soviet goods for export." [18] In the Red trade campaign in the Middle East and Southeast Asia, the Czechoslovak Statistical Institution observed ten years ago: "Czechoslovak participation in this expansion of trade is not guided by purely practical considerations. It follows a plan carefully drawn up in accordance with political considerations." [19] The director of the Department of Circulation of Goods in the Rumanian State Planning Commission states plainly: "We put great emphasis on modern techniques. We do not purchase equipment from abroad unless we are convinced that it is at the top of the world in technology. We find that the United States, West Germany, France and Great Britain make the finest equipment and we want to procure it. This accounts for the increase in our trade with the West." [20]

An East German economist sheds light on another dimension, eventual military and political concessions by the West: "The fact that not only the working people but a substantial section of the bourgeoisie in Western Europe want closer economic relations between the two systems opens up broad opportunities for supplementing the political struggle for peaceful coexistence with economic struggle. The creation of a nuclear-free zone in the center of Europe, renunciation by Bonn of nuclear armaments and the policy of revenge, and peaceful settlement of all outstanding questions, could create a favorable climate for closer economic collaboration between all the European countries." [21] Here a Communist writer gloats, "During 1964, big holes were torn in the remaining barriers against free trade between Socialist countries and U.S. Allies. The volume of such trade spurted forward at an accelerated rate. A further shift in domestic views put a majority of American business in favor of East-West trade." [22]

These statements are sufficient to indicate the primary factors at work in this issue. Discussion about laws, patent rights, copyrights, outstanding indebtedness and the like is of secondary importance and suggests a blind willingness to trade with the empire. If we believe, for example, that more liberalized trade would contribute to peace, the growing independence of the "satellites," and a fairer share for American business, then an easy resolution of these secondary problems should take effect, with the Red regimes doubtlessly accommodating it in no small degree. Prior to its recognition by us in 1933, the USSR repudiated debts to the U.S. valued about $628 million. During World War II, the USSR received approximately $11 billion in U.S. lend-lease aid. By pillage, reparation, and expropriation Moscow collected over $30 billion worth of property in Germany and elsewhere. All this did not deter us in 1951–52 to offer a negotiating figure of $800 million for Moscow to settle its debts. It balked with a counter-offer of $300 million.[23]

If we disregard the content of Red economic strategy and plunge into liberalized East-West trade, some nominal settlement of outstanding obligations may be expected or the Johnson Act may be repealed. Concerning patents and copyrights, the trade-eager Russians have already demonstrated their civility by becoming the 68th member of the Paris convention for the protection of industrial property. This "concession" is not without several subsidiary advantages to the Russians, such as buying the complex know-how along with the patent, obtaining foreign exchange from the sale of its own patents, and continued difficulties we would encounter in finding out how our patents are being used in the closed society of the USSR. Moreover, with the dubious argument of increasing their purchases here, the Russians will seek the elimination of what they consider a discrimination against their exports to us, namely withholding the most-favored-nation treatment from their exports.

Exclusive concern with these secondary problems cannot but abet the objectives of Red economic strategy for it reinforces the underlying assumption of liberalized trade. In 1955, Khrushchev illumined the essence of Red totalitarian trade when he said, "We value trade least for economic reasons and most for political reasons." It appears rather naive for many Americans to believe that trade with the empire is a peace-contributing, normalizing agent. Trade has been and will continue to be an essential weapon in the arsenal of Red economic warfare. The outlines of Red economic strategy are clear for all to see: (1) acquisition of the best of Western technology in its broadest sense to augment productivity, accelerate economic growth, and reap surpluses for intensified Cold War operations; (2) furtherance of the empire's integration on the bases of national division of labor and a heightened intra-empire trade facilitated by products from the Free World; (3) marginal penetration of the markets in the underdeveloped areas, also indirectly assisted by Free World industrial trade and leading to political involvements designed for eventual takeover, and (4) playing off one Free World industrial competitor against another with the aim of advancing political divisions among allied Free World nations.

Anastas Mikoyan, the skilled Armenian trader and former president of the USSR, confirmed the foundation of this strategy when in 1961 he indicated how the industrial part of the Free World was to assist: "It will be necessary to make wide use of foreign trade as a factor for economizing in current production expenditures and in capital investment, with the aim of accelerating the development of corresponding branches." In short, whether by direct trade with Moscow or indirectly through the parts of the CEMA network (Council of Economic Mutual Assistance) meaning Bucharest, Warsaw, or Prague and others, the West is to enable the empire to leap over years of research and development cost so that it may be strengthened to pursue more rapidly its global objectives.

A POSITIVE POLTRADE POLICY

What goods are strategic? From the analysis given here it becomes clear that virtually no goods for export to the empire is nonstrategic. Its cold war economies thrive on fertilizers, food, transport facilities, plastics, clothing, etc., as they do on imported technological data, heavy machinery, and military weapons. As a vital instrument of the Red states, trade covers deficiencies in the economy, influences policies of less powerful states, affords channels for acquiring useful information, permits industrial espionage, has wide propaganda uses, allows for psycho-political penetrations of countries and their dependence on the empire without having to go "Communist," and gradually leads to a displacement of Western influence in the areas, primarily through political agitation for socialism, nationalization, and the imitation of totalitarian economic plans. In sharp contrast to normal, standard Western practices, the Red trading mechanism embraces all of these factors—ingredients of economic warfare.

One of the striking aspects of East-West trade discussion is the confusion surrounding the definition of "strategic materials." Either the discussant prattles the term with no precise definition offered or he defines it solely in terms of military weapons, disregarding the intermeshed military-political-economic mix in a totalitarian economy oriented fundamentally toward Cold War goals. It cannot be said that the Reds, like the Nazi and Fascist totalitarians, haven't time and time again specified their desires, methods, and aims. As another example, Eugin I. Cortemiev, deputy chairman of the USSR Committee for Inventions and Discoveries, frankly told a National Association of Manufacturers conference in New York that for the latest and best technology "We are prepared to conclude not only separate license contracts but also permanent agreements on the exchange of patent rights and technical information between your companies and us."[24] An examination of the reports by the recent U.S. business mission to Poland and Rumania, shows a hungry appetite by the Red regimes for American techniques. Concerning the Polish, "They are very much interested in any form of cooperation with U.S. computer manufacturers, peripheral equipment manufacturers, and U.S. producers of integrated circuits, measuring and testing instrumentation."[25] The same applies to the Rumanians. American businessmen are quite capable of meeting this demand, but they also make clear their inability to determine the politico-strategic importance of such trade.

---

[14] *East-West Trade*, Part I, Hearings, Committee on Foreign Relations, United States Senate, 1964, p. 3.

[15] *Op. cit. Current Economic Indicators for the USSR*, p. 154.

[16] *East-West Trade*, Committee for Economic Development, 1965, p. 18.

[17] *East Europe*, October 1964, p. 40.

[18] *New York Times*, December 10, 1964.

[19] *The Observer*, December 11, 1955.

[20] Daily CONGRESSIONAL RECORD, November 12, 1965, p. A6427.

[21] Karl-Heing Domeday, "Economic Contacts Between the Socialist and Capitalist Countries of Europe," *World Marxist Review*, November 9, 1965, pp. 9–14.

[22] Victor Perlo, *New World Review*, December 1964.

[23] "Special Study Mission to Europe, 1964," Committee on Foreign Affairs, House of Representatives, 1965, p. 8.

Clearly, our failure to recognize the varying strategic character of all goods, consumer and capital, to the planned cold war economies of the Red Empire has bred a series of policy failures that render our posture irrational and self-defeating. Inadequate food, for instance, does not exactly bolster a Red regime's relations with the underlying populace in terms of exacted productivity, stoic acquiescence, and reduced frictions and resistance, all of which have their impact on the overall strength of the state. Our basic failure to face up to the broad strategicity of goods has accounted for the little pressure exerted on our allies to restrict their trade with the empire, the little discipline we've displayed with our own recent exports, our own violations of the Battle Act during the Korean War and since, and the rash of Free World trade with Red China while the U.S. defends the sovereignty of South Vietnam. The proliferating anomalies in the vital situation are logically traceable back to this basic failure.

The problem is not as complex as the confused thought on strategicity would make it appear. Chemical plants, for example, are a top priority item in Red import demand. Missilry, space technology, munitions, agriculture, and general industry depend heavily on such plants. Strategic? As a restricted study by the Center for Strategic Studies at Georgetown University discloses, our Manufacturing Chemists Association knows they are and, despite naive State Department urgings on Rumanian trust as to use, the group has consistently shown a reluctance to support their export to the empire. The oil offensive of the empire is a story in itself, an excellent example of empire integration through the Friendship Oil Pipe Line and also economic aggression. Strategic? The American Petroleum Institute knows it is and has opposed exports of oil processing facilities to the empire. These cases can be multiplied along the entire spectrum of economic goods entering into a planned cold war economy.

What can we do? On the basis of given evidence, the first thing is to recognize soberly the absence of a rationally appropriate and effective Free World trade policy toward the Red Empire. Second, to urge a complete embargo, such as exists against Red China, North Korea, North Vietnam, and Cuba, or to advocate freer trade with Eastern Europe because our allies indulge in it or because of accidental gestures on the part of the "satellites," is in the present situation an extreme course disproportionate to our strategic cold war needs. It is obviously not entirely true, as the President's Commission maintains, that "The United States has three alternatives. It can leave things as they are. It can eliminate this disparity through action across the board that would bring U.S. trading practice into line with those of our allies. Or it can modify its practices selectively and on a country-by-country basis."[26] In reality, there are two other alternatives—a complete embargo and selective country-by-country trade on the basis of political concessions; in other words, the latter being a poltrade policy with the same approach as the commission's third alternative but with a different and realistic, cold war political basis.

The poltrade policy has these five dominant characteristics: Cold War realism, freedom instrumentation, a via media approach, a formula for maximum flexibility and consistency, and a structure for positive Free World action. The first characteristic has been reflected throughout this analysis. Its content constitutes the very foundation of this poltrade policy. It refutes as illusory the basic assumptions and major reasons given for liberalized trade with Eastern Europe and emphasizes the Red economic strategy, the aggressive nature of Red trade, the vital distinction between Red states and the underlying captive nations, Red empire anarchy and integration, and the self-defeating character of unconditional Free World trade with the empire.

Indeed, the more one contemplates the clear-cut benefits of unconditional trade to the Red totalitarians, the more concerned one becomes about the acute vulnerabilities of the Free World. The trade issue cannot be divorced from "wars of liberation" and a host of other interrelated phenomena. Even this would be indicatively pertinent, "We have evidence," disclosed the Venezuelan Minister of the Interior, Gonzalo Barrios, "that Venezuelan Communists have been getting money from the Soviet Union, using the Italian Communist party as a vehicle. The Venezuelan Communists recently asked for additional funds designed to organize a large-scale subversive plan."[27]

Freedom instrumentation is the second characteristic, meaning the full use of trade as a means of sustaining and expanding freedom. Liberal trade advocates argue in terms of freedom, too, but their false notions about the weaning process and evolution have already been noted. With cold war realism, we should scarcely hesitate or fear utilizing trade as a freedom weapon just as the Red regimes manipulate it as a weapon for conquest. Vague rhetoric about bridges of understanding, contacts with peoples, and exchanges of ideas could hardly forge such a weapon for freedom. In the present-day context only trade predicated on specific political concession values, involving even pecuniary subsidy, can guarantee such a weapon.

The Red regimes would not, of course, find this policy to their liking. Early in 1965 the Polish premier, Josef Cyrankiewicz, already "warned the West not to demand political or ideological concessions in exchange for increased trade."[28] He seems to forget that the empire desperately needs this trade, not we. On the Free World side former Chancellor Ludwig Erhard of West Germany issued another type of warning when at the 13th Congress of the Christian Democratic Union he bemoaned the fact that some Western nations are "competing with each other to give the Communist East long-term credits without getting any political concessions in return." Short-term credits are also important, and on this basis West Germany has led the others in East-West trade. It cannot be emphasized too strongly that the United States leads in overall technological development, and it is this fact which places it in a unique position to determine how far the Red regime can partake of it.

Another important characteristic of the poltrade policy is its via media approach, a general avenue between a complete embargo and free trade, yet participating in their negative and positive natures in unlimited possible combinations of bids and offers. The approach would be sharply differentiating, in breadth and depth even more so than that of the present policy. The reasons for this are an awareness of the general strategic character of all goods for the Red cold war economies and their varying degrees of strategic importance, and of the different political conditions existing in various parts of the empire in terms of oppression, persecution, special restrictions, and opportunities for internal pressure. These are the two broad bases for the operation of the poltrade formula, which would proportion trade bids to political concession bids.

Much is uncritically made of Yugoslavia as an example of wisdom in our present policy, for $3.5 billion in U.S. assistance chalked up are its "independence" from Moscow, about 70 per cent of its trade being done with the West, and a cozy association with Free World economic organizations. Yet it's extremely difficult to perceive the political values of this pragmatic wisdom. From viewpoints of ultimate survival and ideological hue, Belgrade's interests are inextricably tied up with Moscow's and, just to mention one example. Tito's record of condemnations against U.S. action in the Congo, Vietnam and the Dominican Republic and concerning Cuba, constitutes ironic compensation of the most indescribable type. Belgrade trades with Havana and, despite its minor power on the global scale, has played for the empire a unique role of diplomatic broker. Also, the thought of Yugoslavia setting a pattern of profitable practice for others in the Red Empire, and to the net advantage of the empire, seems to elude many. This pattern was formed not by design but rather by necessity of response to internal and external problems. In any case, the wisdom of our policy toward Yugoslavia has worked against the freedom of the various nations in that totalitarian state, as its broadened application certainly will against those in Rumania, Poland, Hungary and others.

Turning to the poltrade formula, one can see that it would be practicable and adaptable for all changing circumstances. Scaled to priorities of political consideration, the formula allows for long-term and short-run credits, as well as cash payments. It deals in producer, capital goods and consumer goods, as well as managerial ability, organization, and technological data. In sharp contrast to present U.S. policy, it advances a principle of consistency in that its application would be directed at the Asia sectors of the empire as well as the European and Latin American. The avid use of the formula would produce considerable politico-propaganda values, since all trade transactions would necessarily be tied to specified political items. Bids for specific political concessions would make the latter integral parts of the economic valuation process just as much as Red bids for machines, etc.

Moreover, application of the formula would unambiguously work in behalf of the captive nations; it would not accommodate without real cost the empire's economic plans; it would uphold the efficacy of our foreign aid program by relating Red subversive efforts in the underdeveloped areas to trade offers; and it would provide the U.S. with an effective leverage to solve the problem of unconditional West European trade with the empire and reorient much of this trade toward intensified intra-Free World trade. A vigorous and well-planned poltrade policy with alternative advantages for our allies and a consuming emphasis on trade for freedom would find few, if any, Free World nations seeking to help the empire unconditionally, particularly as concern savings in intangible values of time and costs of research and development.

---

[24] "U.S. Technology Sought in Soviet," *The New York Times*, June 12, 1965.

[25] Thomas P. Collier, "Poles Enter Electronic Age," *International Commerce*, November 15, 1965, p. 14.

[26] *Op. cit. Report to the President*, p. 5.

[27] AP, *Caracas*, Venezuela April 12, 1965.

[28] *Reuters*, East Germany, March 1, 1965.

Steps in applying the formula would in general be simple, methodical, and in graded order: (1) as in present policy, military weapons and space technology face complete embargo; (2) most advanced producer goods, technology, managerialism and data would be proportioned to poltrade bids of the highest value, entailing free elections, enforcement of the national self-determination principle, the opportunity for political party opposition, and the satisfaction of legal obligations in World War II treaties; (3) trade in less advanced producer goods, engendering the set-up of whole factories and organizational plans, would call for proportionate poltrade values in the order of dismantling the Berlin Wall, Russian, Czech, etc. exodus from Cuba, the withdrawal of USSR troops from Hungary and other captive areas, a vastly expanded cultural exchange program, proven Red support of subversion in Vietnam, etc.; (4) trade in consumer goods would also be differentiated on scales of recency, quality, and quantity and proportioned in terms of prevailing conditions and acts of religious oppression, slave labor employment, civil suppression, unjust arrests and imprisonment of Free World citizens, atrocities, the need for rehabilitating political prisoners and so forth.

These are the four general categories of poltrade application into which further specific poltrade bids would be fitted as developments and circumstances demand. Another manifest advantage of such constant predication is that the real cause of our foremost problems today will be kept in the forefront of world attention and thought. Except for a complete embargo and its justifying reasons, this is not the case wtih the other alternatives; indeed, they submerge these causes into temporary oblivion. Again, the argument that the empire would refuse to trade under such poltrade conditions misses the whole, crucial point of trade as a weapon for real freedom and the tremendous leverage possessed by the West. Pursuit of the present course means endowing the Red economies with intangible values of shortened time and reduced real costs of development without, in this dimension, receiving anything in return except the spurious satisfaction of believing that dispersed contacts would lead to "greater understanding" and "evolution toward peace." Also, in the cold war context, to literally aid them to undermine us in time and everywhere is the height of folly. Rationally, a quid pro quo is demanded in these dimensions and can only be realized through advanced bargaining for counterpart, intangible freedom values. If the Red states are desperately in need of this trade, as they indicate to be, the best test of their determination is this quid pro quo approach.

As mentioned earlier, the formula's application would, of course, receive detailed treatment in relation to each Red state. If Hungary, for example, seeks Free World trade, in addition to the items stated above there are the genocidal abortion laws, the case of Cardinal Mindszenty, the reduction of the Iron Curtain, release of political prisoners, freedom of assembly for the Petofi Circle and others, and a reciprocal distribution of U.S. literary output in Hungary. The same detailed treatment can be applied to any other Red state. Doubtless, the totalitarian regimes will cry about "interferences in internal affairs," their "national sovereignties" and the like, but these protestations are thoroughly arid in the light of history, the empire network, the basic solidarity of the Communist Parties, and the international Red conspiracy.

Lastly, the structure of positive Free World poltrade would to a notable degree be erected by the initiative and leadership of the U.S. and its poltrade policy. Though the structure should be built concurrently with the adoption of the policy, unilateral U.S. action would itself become a constructive, efficient cause for the moulding of the institution. The objective is, of course, a unity of action primarily with our West European allies. The present lack of such unity is to a great extent ascribable to our own failure in providing the necessary leadership in the Cold War, over and beyond the military umbrella and foreign aid. A new, concentrated initiative by us should aim at the formation of a NATO Council on Free World Trade. The move would undoubtedly infuse a new life of working partnership in the Atlantic community.

The Council's prime function would be a multi-lateralization of the poltrade policy. Free World countries, such as Japan, would be included as associates. Japan has been pushing its trade with the empire (Japan's trade with it increased 15 per cent over 1964 and amounts to less than 7 per cent; about $400 million with Red China, jumping 60 per cent over 1964, $30 million with North Korea, and small amounts with North Vietnam). With this economic power assembled, in the ratio of 3 to 1 to the entire Red Empire, the so-called Communist economic offensive would become a sterile exercise as the Free World market, particularly in the underdeveloped areas, becomes in every sense a true, free market. The new structural framework, would, with qualification, accommodate the inclinations of our allies as expressed, for example, in a resolution by the six-nation Common Market Assembly stressing "the political and economic importance of trade relations with state-controlled trade, in particular with neighbor countries of East Europe, and the desirability of developing them"—yes, toward genuine freedom. Canadians selling $403 million of wheat to Red China, Italians buying natural gas from the USSR, Greeks selling wheat to Bulgaria, and multiplying day-to-day reports on unconditional Free World trade with the empire would receive an entirely new assessment under the sway of a rational poltrade policy.

Only thirty years ago we substantially committed the same trade mistake with another breed of totalitarian powers. This time it is even worse because of the cold war subtleties involved and the trained capacity of the enemy to compound the use of his relatively inferior resources. In the final analysis, the requirements of the present situation are a firm understanding of Red economic strategy, the launching of a poltrade policy to counter this strategy, and a national will to see it through. Frequent comments on the current disunity, the alleged ambiguity of strategic materials, and "our allies are trading them" are only convenient rationalizations for less than firm action in behalf of expanded world freedom.

WHO ARE THE SPENDERS?

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Alabama [Mr. EDWARDS] is recognized for 30 minutes.

Mr. **EDWARDS** of Alabama. Mr. Speaker, we have been hearing a great deal in recent days about the need for cutting back on spending by the Federal Government.

And there is a real need. The Government's spending has skyrocketed in the past 3 or 4 years, and not all of the increases, by any means, can be traced to the Vietnam war.

The only strange aspect of this recent burst of enthusiasm for economy in Government is the fact that we are hearing it in substantial strength only now.

An observer from another planet would have cause to wonder why a congressional move to limit Federal spending is approved with substantial majority in October although it would have been only laughed at in May.

He would wonder what surprises in economic trends had occurred to bring about such a transformation in the mood of the Congress and of the White House.

It would be worthwhile to take a few minutes to look back at the voting patterns this year. The RECORD shows that Republicans have been no "Johnny-come-lately" to the cause of making responsible cuts in levels, of Federal spending. It shows that all through this year, for example, Republicans have voted overwhelmingly for responsible spending limitations.

The RECORD also shows that the great majority of Democrats in the House of Representatives have overwhelmingly favored the "business as usual" approach, opposing efforts to hold down the spending level.

A look at the record of voting in the House this year shows 23 key votes on issues relating to Federal spending. On all of these votes Republicans have voted overwhelmingly for reduced spending only to be confronted with consistent opposition from President Johnson's Democratic party Congressmen voting the White House line.

If more Democrats had chosen to side with Republicans in support of responsible spending cuts the fiscal situation now would be far stronger because the budget deficit would be far smaller.

The major reason why the deficit is rising virtually out of control is that the President has used his Democratic party majority control in Congress throughout his term of office to introduce vastly wasteful and nonessential domestic spending programs.

All during this period Republicans in Congress have warned of the danger of the very same fiscal crisis which administration people are now finally admitting is upon us.

Republicans have provided the initiative for fiscal responsibility in two ways: first, by urging the President and the Democratic party majority to establish priorities among the flood of Great Society programs, and failing that, to seek congressional action to hold back on increases in spending on nonessential programs which the Johnson administration has continued to request in spite of the danger signals.

Policies of the President and of his Democratic Party majorities in both Houses of Congress have led us into a real fiscal mess, by their own tacit admission.

We face a budget deficit of staggering proportions, upwards of $30 billion. It is the direct result of the skyrocketing

Federal spending policies of an irresponsible administration and of a bureaucracy whose main attitude seems to be one of "let the public be damned."

Let us not kid ourselves. The budget deficit will be dangerously large with or without a tax increase. It will mean higher prices for everything the consumer buys, outrageous interest rates, a worsening balance-of-payments problem, and possibly a need for wage and price controls.

A tax increase by itself will not solve this problem. It could even aggravate the whole situation if it would serve to encourage more and more nonessential spending. The vital element in any solution has got to be substantial reductions in current spending plans along with paired-down programs in the nonmilitary field over the next few years.

I invite close examination of the 23 key economy issues showing the voting pattern among our Democratic and Republican colleagues. It will be seen that on five occasions Repubicans voted unanimously in favor of economy.

And although the greater number of Democrats on each occasion voted the other way, on 11 of the 23 votes enough Democrats voted with the Republican position to swing the issue in support of economy. But keep in mind that it was the Republican position to which these few Democrats adhered, and not the position of their own party.

Let the President acknowledge the record and we will then have made progress in moving back to fiscal policies which will give our Nation the economic strength and the kind of overall capability required to attain the goals we all seek.

Following are the 23 key economy votes of 1967 through November 6:

VOTES ON ECONOMY ISSUES, HOUSE OF REPRESENTATIVES, 1967

	Yes	No	Percent for economy
1. Feb. 8: To increase the temporary national debt limit ceiling from $330,000,000,000 to $336,000,000,000: the 9th increase during the L. B. J. and Kennedy administrations:			
Republicans	2	173	99.0
Democrats	213	26	11.0
Total	215	199	......
2. Mar. 22: Amendment to eliminate 15 new executive-level jobs the administration requested in the Treasury Department:			
Republicans	157	15	91.5
Democrats	54	160	25.6
Total	211	175	......
3. Mar. 22: Move to limit spending under Treasury and Post Office appropriations bill to 95 percent of budget estimates:			
Republicans	153	19	89.5
Democrats	15	198	7.0
Total	168	217	......
Apr. 27: Move to limit spending under Interior appropriations bill to 95 percent of budget estimates:			
Republicans	134	39	77.5
Democrats	24	192	11.0
Total	158	231	......
May 11: Increase in telephone allowance for each Member of Congress:			
Republicans	52	105	67.0
Democrats	137	52	27.5
Total	189	157	......
6. May 17: Amendment to cut $10,000,000 from the rent supplement program:			
Republicans	163	12	93.5
Democrats	69	159	30.4
Total	232	171	......
7. May 17: Move to cut $225,000.000 from the demonstration cities program:			
Republicans	141	35	80.0
Democrats	52	178	22.5
Total	193	213	......
8. May 31: Amendment to limit the amount of Federal subsidy in the sale of SBA participation certificates:			
Republicans	150	0	100.0
Democrats	36	144	20.0
Total	186	144	......
9. May 31: Move to limit spending under State, Justice, Commerce, and the Judiciary appropriations bill (excluding FBI) to 95 percent of budget estimates:			
Republicans	135	12	92.0
Democrats	36	144	20.0
Total	173	156	......
10. June 6: Move to limit spending under Agriculture appropriation bill (excluding school lunch and special milk programs) to 95 percent of budget estimates:			
Republicans	149	24	86.0
Democrats	26	198	11.6
Total	175	222	......
11. June 7: To increase the temporary national debt limit ceiling from $336,000,000,000 to $365,000,000,000:			
Republicans	0	176	100.0
Democrats	197	35	15.0
Total	197	211	......
12. June 21: To increase the permanent national debt limit ceiling to $365,000,000,000 but do it over a 2-year period:			
Republicans	0	176	100.0
Democrats	217	20	8.5
Total	217	196	......
13. July 18: Move to limit spending under Transportation appropriations bill to 95 percent of budget estimates:			
Republicans	174	6	96.5
Democrats	39	183	17.6
Total	213	189	......
14. July 25: To cut funds for the Dickey-Lincoln public power project in Maine:			
Republicans	176	2	99.2
Democrats	57	167	25.5
Total	233	169	......
15. July 25: Move to reduce appropriation for public works and AEC by 5 percent:			
Republicans	146	32	82.0
Democrats	20	207	8.6
Total	166	239	......
16. July 26: To cut the increase in U.S. contribution to Inter-American Development Bank as requested by the administration:			
Republicians	152	21	88.0
Democrats	33	196	14.4
Total	185	217	......
17. Aug. 24: Motion to reduce authorization for foreign aid:			
Republicans	153	23	87.0
Democrats	81	140	36.6
Total	234	163	......
18. Sept. 14: Amendment to cut $50,000,000 from total authorized for Appalachian area projects:			
Republicans	146	14	91.5
Democrats	53	147	26.5
Total	199	161	......
19. Sept. 27: Motion to recommit continuing appropriation resolution in an effort to bring about $5,000,000,000 cut in Federal spending:			
Republicans	168	0	100.0
Democrats	34	182	35.7
Total	202	182	......
20. Oct. 3: Vote on previous question on continuing appropriation resolution in an effort to make it in order to consider spending reduction amendments. A "yes" vote would prohibit offering amendments:			
Republicans	0	180	100.0
Democrats	213	25	10.5
Total	213	205	......
21. Oct. 4: Move to make cuts in appropriation for Departments of Labor, and Health, Education, and Welfare. (Conference report.):			
Republicans	157	23	87.0
Democrats	69	151	31.4
Total	226	174	......
22. Oct. 17: Move to make cuts in appropriation for Department of Transportation. (Conference report.):			
Republicans	113	60	65.5
Democrats	11	208	5.0
Total	124	268	......
23. Oct. 18: Move to limit overall Federal spending to about $131,500,000,000:			
Republicans	171	9	95.0
Democrats	67	155	30.0
Total	238	164	......

INTEREST IN OMBUDSMAN CONTINUES TO MOUNT

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. REUSS. Mr. Speaker, the interest in establishing an American ombudsman at various levels of government continues to increase.

On the national level, for the last several years I have been sponsoring a bill to establish a congressional ombudsman. In its present form, it is H.R. 3388.

On the State level, the State Legislatures of Hawaii and New York are considering bills to provide funds for an ombudsman.

On the local level, New York City and Buffalo are running full-scale ombudsman programs. Last February, in my home district of Milwaukee, Wis., I ran an experimental ombudsman project. Milwaukee will soon seek funds to run a full-scale program.

Last Saturday, October 30, the American Assembly of Columbia University held a meeting on the ombudsman at which I was privileged to speak. A text of my remarks follows:

THE FEDERAL OMBUDSMAN

(Remarks of Representative HENRY S. REUSS, of Wisconsin, at the American Assembly, Arden House, N.Y., October 28, 1967)

My interest in the Ombudsman goes back to early in 1963, when I first heard of him. Flying from London to Paris, I picked up the London Times and there read an editorial about how New Zealand had just established its Ombudsman.

This led me to prepare and introduce a bill for a Congressional Ombudsman in July 1963. Nothing much happened. Then, in 1965, through the courtesy of the American Political Science Association, I was lucky enough to have in my office for some months as a Congressional intern an up-and-coming young political scientist, Professor Stanley Andersen. He was especially interested in governmental administration, and his ancestors came from Scandanavia. He just had to be an Ombudsmaniac, and he kept my interest in the Ombudsman from flagging. The current version of the Congressional Ombudsman is my bill H.R. 3388, introduced on January 23, 1967.

I shall describe how the bill approaches the problem of the Congressional Ombudsman, and then tell of an experiment in Ombudsmanry which I conducted in my Milwaukee district earlier this year.

The Ombudsman at the state and local levels, described by other speakers, is necessarily primarily because we need him. The Congressional Ombudsman, on the other hand, is necessary primarily because the Congressman, as a de facto Ombudsman, just doesn't have enough time to be that and to do the job that he has to do on the great national and international issues of the day.

This week, like every week, the great issues are before every Member of Congress. What of the war in Viet Nam? Are we headed for inflation? If so, should we cut expenditures? If so, should it be space, the SST, rivers and harbors appropriations, or should it be education, pollution control or the war on poverty? Should we raise taxes? If so, should we raise them across the board, by blocking particular loopholes, or how? What shall we do about the reform of the international monetary system, about the need for more funds for the World Bank, about arms aid to developing nations, about East-West trade?

All these questions require thought, study, and debate. Yet the time that can be given to thought, study, and debate on the great issues is inevitably diminished by the need for Senators and Congressmen, and their staffs, to devote more and more of their time to so-called "case work"—the job of helping citizens with their problems with the federal bureaucracy.

By a unique coincidence, the tough policy questions with which a Congressman must deal keep increasing at about the same rate as do citizens' problems with the bureaucracy. As one newly-arrived Congressman said: "I came here thinking I was going to be a Daniel Webster, but I find myself an errand boy."

Social security and welfare programs inevitably involve administrative error, abuse of discretion, delay, or discourtesy. New laws bring millions of citizens into direct relationship with their government for the first time. Medicare has spawned a whole family of administrative problems. The Cold War GI bill and the scholarship provisions of the Higher Education Act make thousands of college students depend upon efficient federal administration for completing their education. Mounting public criticism of the selective service system has produced a skyrocketing of draft cases.

To an aggrieved citizen, the only remedy to his grievance in many cases is to call or write his Congressman. This is exactly what millions of Americans do every year.

"Cases" are estimated to comprise anywhere from a third to two-thirds of all the mail that pours into congressional offices. Every year, the average Representative must deal with several thousand "cases". They range from simple ones that can be cleared up with a telephone call—such as a delayed social security check—to complex matters which require many hours of work by the Congressman and his staff.

How complex these cases can be may be judged from the following example.

A few years ago male employees of the Hilltop post office in Milwaukee were outraged by an invasion of their privacy. Toilets in the post office's men's room were without doors. When the door to the men's room was open, the toilet facilities were in full view of the occupants of the adjoining lunchroom. The employees got nowhere with their complaints and turned to me for help. I wrote scores of letters to the Milwaukee postmaster, regional postal officials, Washington postal officials, and finally the Postmaster General. I inspected the station. I even offered to buy a partition to allow some privacy.

The Post Office offered a whole series of "reasons" why nothing could be done—such as the need for inspectors to be able to watch for thefts from the mails, and the cost of doors. Not until seven years later, after I threatened a House committee investigation, was an elementary right to privacy respected. In an historic decision, the Post Office Department put up partitions.

Take another case. Recently, John J. DeFrancisco of Milwaukee, penniless and unable to hire an attorney, came to me after the Army had obtained a $5,253 judgment against him.

DeFrancisco, a copper miner, had been drafted into the Army on August 7, 1942. After three months of basic training he was sent with other "soldiers" to Houghton, Minn., with instructions to report to the copper mine. He was issued a card by the Army stating that he was "on furlough from the U.S. Army". He was ordered to keep his unforms in shape and be ready to move out on 24 hours' notice. Thinking they were still in the Army, DeFrancisco and his companions worked in the mines from November 4, 1942 until June 11, 1945, when DeFrancisco was sent with an Army unit to the west coast. He was discharged at Camp Beal, Calif., on April 19, 1946. While working in the mines, DeFrancisco was paid $4.60 a day by a mining firm, almost all of which was spent on room and board. He received no pay from the Army. His wife, a son, and his wife's two minor sisters lived on an $80-a-month Army allotment check.

In 1958 the Army filed suit to recover the allotments plus interest. DeFrancisco, who had only a grade school education, ignored the notice of the suit and the Army obtained the judgment.

After listening to DeFrancisco's story, I dug out his Army records. They confirmed his story in every respect except that they listed him in the "ready reserve" instead of "on active duty" during the period he worked in the mines. Following exhaustive legal research which showed that the Army had no legal basis for recovery of the allotment, I went into Milwaukee Federal court on several occasions to plead DeFrancisco's case. By this time the case had attracted national publicity. Finally the Army decided to drop its unjust claim.

As a result of the newspaper stories, other men who had been drafted and sent to the mines were able to have similar judgments against them dismissed. Several men who were disabled in mine accidents, and had been denied veterans' disability payments, instituted court proceedings to collect compensation as a result of the DeFrancisco case.

This congressional casework role is important in humanizing Government bureaucracy and making it responsible. It is constructive to have the actions of remote, permanent civil servants reviewed continuously by Congressmen and Senators who must answer to the people every 2 or 6 years. The effect is to prod bureaucrats into the best possible administration of the laws.

But the great difficulty is: How can Members of Congress continue to give citizens the help they need in problems with the Federal bureaucracy and still find time to be effective, thoughtful, original legislators?

The solution I have advanced is the Congressional Ombudsman, embodied in H.R. 3388.

The bill delimits the types of cases which the congressional ombudsman would review:

"The Congressional Ombudsman, unless he believes that the complainant has available another reasonable remedy, shall review the case of any person who alleges that, as a result of any action or failure to act on the part of any officer or employee of the United States (a) he has been subjected to any improper penalty or has been denied any right or benefit to which he is entitled, under the laws of the United States; or (b) the relevant proceedings are being conducted in a manner that is unreasonable, unfair, oppressive, dilatory, or inefficient."

The Congressional Ombudsman would centralize much of the casework now being handled by 535 Congressmen, Senators, and their individual staffs. He would be appointed by the Speaker and the President pro tempore of the Senate solely on the basis of fitness and without regard to party. An eminent jurist or administrative expert, he would be paid the same salary as Members of Congress. He would be assisted by a staff of experts in the major types of casework, perhaps a few score at the start. He would have power to obtain any necessary papers and files and to consult with Federal officials without the permission of their supervisors.

He would investigate only cases referred to him by a Member of Congress. When he completed his investigation, he would report to the Congressman who referred the case to him and also make known to the agency concerned any recommendations for remedial action.

In the case where an agency was unwilling to correct what the ombudsman considered a serious administrative error or abuse, the ombudsman could make a special report to Congress which would be printed as a public document and be available to the press. He would also make an annual report to Congress, containing more general recommendations and reports. Thus, like his overseas prototypes, he would have the power to investigate, recommend, and publicize.

In addition to the primary objective of freeing Members of Congress and their staff of much case work, so that they may concentrate upon the substantive issues before them, the Congressional Ombudsman would have three other major advantages.

1. It would more effectively protect citizens' rights against administrative abuse. Under the present system, congressional casework is handled by men-of-all-work in the offices of Representatives and Senators, almost none of whose staff budgets can afford true experts in even the major categories of casework. The result is that in complex cases the citizens' advocate, a congressional office, is frequently at the mercy of the administrative branch's experts. Through centralization under the Federal ombudsman, Congress would have its own experts looking into citizens' grievances. Professor Walter Gellhorn of Columbia University Law School, in his November, 1966 work on the Ombudsman, "When Americans Complain: Governmental Grievance Procedures", makes the point that staff experts of an Ombudsman's office would be able to protect citizens' interests faster and better than can a jack-of-all-trades in an individual Congressman's office.

2. It would allow more effective diagnosis and the elimination of root causes of recurring difficulties between citizens and the bureaucracy. With complaints so scattered under present arrangements, it may not be recognized that a vast number of problems arise from a single source. The ombudsman, seeing the entire pattern of citizens' complaints, would be better able to identify trouble spots and recommend remedial action.

3. It would be more efficient than continuing increases in individual Congressmen's staffs. The casework burden is bound to increase in the years ahead. The population of House districts is growing rapidly and in 1980 will average 564,000 inhabitants per district, compared with 410,481 in 1960. Most Senators also will serve larger populations. To respond by merely adding to existing office staffs would provide only an unwieldy, costly, inefficient means of handling the growing volume of casework.

Professor Gellhorn, after sampling how Congressional offices handle their individual case work, concludes that "most offices have little slack, either in available personnel or in available space . . . unless Congress were to continue to expand its quarters indefinitely, a bursting-point must soon be reached."

The American ombudsman is based not only on the Scandinavian institution but also on our own experience with the Legislative Council and the Legislative Reference Service. Through them, Congress has given itself the benefit of expert, centralized assistance in the drafting of legislation and in legislative research. The ombudsman or Administrative Council would extend this service into the area of casework.

H.R. 3388 would carefully continue the interest of the Congressman in the problems of his constituents. Unlike in the Scandinavian prototype, cases could come to the Ombudsman only through Members of Congress. Congressmen could continue to handle their own casework if they wish, as they do now. If the Congressman were dissatisfied with the Ombudsman's final recommendation, he could pursue the case further on his own.

This method of funneling cases through the Congressman would continue the present tradition of "Write your Congressman," but at the same time relieve him of much of the time-consuming work involved. Incidentally, it vastly improves the bill's chances of passage, since Congressmen are not eager to divest themselves of their vote-getting function of serving constituents. The Congressional Ombudsman is not included in the Congressional reform legislation now before the House; I doubt whether this matters, since the reform legislation has been officially pronounced dead by the House Committee on Rules.

So the Congressional Ombudsman is plainly an idea whose time has not come. Its time will not come until congressmen realize that an Ombudsman would strengthen their position, not weaken it.

Recognizing this reality, earlier this year I decided: If Congress won't do it, I'll do it; there is nothing to stop me from setting up an Ombudsman of my own back in my home district of Milwaukee.

So, for four months last spring, I experimented with my own private Ombudsman in Milwaukee. The Ombudsman selected was Mr. James Buckley, a live-wire in his early thirties who had been until January, 1967, clerk of the Wisconsin State Assembly. At that point, the control of the assembly changed parties, and Mr. Buckley was, as the saying goes, at liberty.

My experimental Ombudsman had no statutory authority. I made room for him during the experimental four months on my Congressional Clerk allowance at a salary of $708 a month.

The experimental Ombudsman was a far different affair from the statutory Washington-centered Ombudsman which is the subject of H.R. 3388. Far from *relieving* me from case-work, he made *more* case-work. But Mr. Buckley established by the experiment that a sensitive and energetic person may do a great deal to humanize government and to ease the administrative difficulties of the average citizen.

My Ombudsman used as his headquarters my own Congressional office in downtown Milwaukee. At times, he had the assistance of volunteer workers who pinch-hit for him. He held regular office hours—widely publicized in press, radio, and TV—each week in six post offices in my district, the north side of Milwaukee. At the appointed hour each week, he would set up a table, some chairs, and an identifying poster in the post office lobby. While the post masters offered Mr. Buckley the use of their private offices, he figured that the marking "private" on the official door might scare some people away. In fact, situating himself in the public lobby did not seem to inhibit complaints in the least.

Of the six post offices, three were in the inner core of Milwaukee, with heavy concentrations of low-income Negroes; two were in lower-middle to middle-income areas; and one was in an upper-income area.

Particularly during the first four weeks, the volume of complaints was almost overwhelming. People stood in long lines at the post office to see the Ombudsman.

In the four months of the projects, 467 "cases" were received. About 60 percent were cases involving Federal agencies, the remainder cases involving state and local agencies or private matters. Mr. Buckley received all complaints, handling the Federal ones through my office, and doing what he could with state and local government, like the State Insurance Commission or the Industrial Commission. While of course he had no investigatory power over the agencies involved, he reports that in no case was this a handicap. He also reports that the Congressional imprimatur was an effective entree to officialdom at all levels.

The break down of the 467 cases received is instructive:

Social Security	114
Miscellaneous	61
Medicare	47
Veterans' Administration	35
Military	35
Local government	34
Suggestions for new or amended legislation	29
Legal matters	19
Immigration and Customs	18
Small business and patents	17
Taxes	14
State government	14
Job requests	14
Local government—welfare	11
No action taken	5
Total	467

What was the result of Mr. Buckley's action in the 467 cases? In 90 cases the complaint was justified and the constituent's grievances redressed; in 62 cases complaints had previously been made to governmental agencies, and the Ombudsman's work was to expedite; in 75 cases the complaint seemed reasonable, but a final result had not been obtained by the end of the experiment last June (many of these cases have since had a successful outcome); in 148 cases the complaint was finally determined to be unjustified (though in most of these cases the Ombudsman's efforts were appreciated and the constituent felt better); in 91 cases the subject matter was not a complaint but an expression of opinion or a request for information.

The Ombudsman reports that those using his services come from a wide variety of income groupings, and are by no means confined to the poor.

Sometimes the Ombudsman's solutions are simplicity itself. For example, Mr. Buckley had some complaints that in one federal office building in Milwaukee employees were forced to use toilet paper to dry their hands in the lavatory, because of a paper towel economy drive. With a little leg work, the Ombudsman was able to convince the various federal building managers that agencies with surplus paper towels—and there were some—should share them at the week's end with the deficit areas. It turned out there are enough paper towels to go around.

Here are some observations Mr. Buckley made on the pattern of his 467 complaints:

1. The biggest single citizen difficulty was with governmental delay in the completion of cases. Take case #165. He had been waiting 5 months to begin receiving his monthly social security benefits. He had exhausted all of his resources, and had to keep pleading with the manager of a hotel to forestall eviction. There was no question of eligibility. #165 was himself partially to blame for not getting the necessary age-proving documents a bit sooner from his native land. After all the initial processing was completed, however, he still had to wait, and after several months was in severe straits. The Ombudsman repeatedly called the local Social Security office, and was assured they were doing all they could, that they had placed an "Urgent" status on the case with the Chicago Payment Center of the Social Security Administration. Repeated calls to the local office and their repeated calls to Chicago availed nothing. Finally, my office in Washington interceded with the Chicago office. After a day, we were informed that the source of the problem had been traced, and #165 could expect his initial benefit payment in about 10 days. But 10 more days of this was too much. A second intervention got #165 his check in three days.

2. Complaints related primarily to ordinary problems, and did not involve gross injustices. No great scandals were uncovered by the experiment, which stressed the meat

and potatoes of everyday existence; the denial of a Veterans Administration disability claim; the unwillingness of the Small Business Administration to give a reason for refusal of a loan; coaxing the Social Security office to expedite the payment of a death benefit claim.

3. A surprisingly small number of complaints belonged in the "nut" category. Despite the Ombudsman's fears that he might have to spend endless hours with people who had thought up new ways to send rockets to the moon, or a secret elixir for maintaining eternal youth. Surprisingly few such ear-benders showed up, although a number of citizens found in the Ombudsman a new source of friendship and took the occasion to "visit" with him longer than a statement of the complaint would have required.

4. The possibility of press publicity can help get action.

One of the first cases received concerned a lady who paid over $40 a month on a utility bill, yet had no heat or hot water to show for this expense. The Ombudsman suggested to her in the presence of a reporter that the Public Service Commission might be interested in her problem. The day after this appeared in the local press, representatives of the utility volunteered their willingness to look into the problem and to handle it on a purely local basis. They investigated, found mechanical problems in the equipment, repaired the default, and went one step further by putting the customer on their monthly low-cost budget payment plan. They probably would have done this anyway, had they known of the problem, but there is little doubt that the press attention given the case, and uncertainty over possible future attention, was helpful in eliciting a response, and spurred by the hope that the case would not be passed on to a regulatory agency.

My Ombudsman experiment may lead to something more permanent. The Law School of Marquette University in Milwaukee is now applying, at my suggestion, for a grant from the Office of Economic Opportunity to enable it to sponsor at least two Ombudsmen to operate within Milwaukee. The OEO has already funded a somewhat similar grant to Buffalo, N.Y., through the State university. The idea of the Ombudsman has been approved by the county executive, which affords him, in my judgment, enough of an official status so that he can do most of the good that the admirers of the device envisage. If the problem that arises is a federal one, I foresee no difficulty in his handling it directly, or referring it to me in Washington.

All told, more will be heard from the Ombudsman in America. The United States has created many of its political institutions by borrowing and adapting. We took the name of the Senate from Rome, our Speaker from the British House of Commons, and our doctrine of the separation of powers from the French philosophers. We could do worse than to borrow and adapt the concept of the Swedish Ombudsman.

TEXAS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. WRIGHT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WRIGHT. Mr. Speaker, there appeared in the press the other day—on the eve of the 1968 tourist season—a story that automobile liability rates in the District of Columbia are $208 for coverage that is available for as little as $52 in Tallahassee, Fla.

Now, I have no fuss with the great recreation State of Florida, nor with its beautiful capital of Tallahassee. But, before they reap the sole benefit of a mass exodus of automobile insureds from the District of Columbia I want equal time to plug the winter and summer vacation attributes of Texas—without the deterrent of misinformation about our auto insurance rates.

This business of Tallahassee running off with all the tourists is as serious to Texas, with its six flags on the edge of Fort Worth and its HemisFair in San Antonio, as Billy Joe's problem on the Tallahachie Bridge was to the Choctaw Ridge community of Mississippi.

Mr. Speaker, I have with me conclusive proof of the reasonableness and stability of auto insurance rates in Texas over the last 43 years in the form of a copy of an old insurance policy and comments from the chairman of our State Board of Insurance.

In 1924 Mr. George Fritz, a tailor in San Antonio, Tex., insured his Ford automobile for bodily injury liability protection for $21.16. That Ford had a list price of $393.

Today, should Mr. Fritz have prospered to the extent of ownership of even a Lincoln Continental, he could buy the same basic limits, with the currently broader coverage, for but $23. Even should he today use his car to go to and from work, the rate is only $27 for any Ford product, and, those rates are before policy dividends. And, sir, those rates are no exception within Texas for the classifications appropriate to Mr. Fritz apply to some 85 percent of our insureds.

In conclusion, while I wish Tallahassee a prosperous tourist season, I would hope for Texas to share with Florida some of the exodus from the cold, cold North.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1967

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. FRASER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. FRASER. Mr. Speaker, one of the arguments that has been made against the Economic Opportunity Amendments of 1967 is that the war on poverty has not been popular with the American public. On the basis of what I know about my State of Minnesota, I regard this argument as a false one.

The chief reason for my belief is the usually reliable Minnesota poll of the Minneapolis Star and Tribune. On October 22, the poll asked this question, among others: "Which do you think should receive priority, Vietnam or the war on poverty?"

The answer was almost a tossup: 45 percent of the Minnesotans questioned would give priority to Vietnam, 42 percent to poverty. Also significant was the response from residents of the State's three major cities of Minneapolis, St. Paul, and Duluth—where more than half the population lives—50 percent for poverty, 39 percent for Vietnam.

I cite these figures, Mr. Speaker, because they are a clear indication of support for programs of the Office of Economic Opportunity by the people of my state and of the Fifth Congressional District—the city of Minneapolis—which I represent.

One official who has contacted me in recent days is Mayor Arthur Naftalin, of Minneapolis. His letter began:

> I write you with a feeling of great urgency concerning the desperate importance of immediate action by Congress in appropriating funds for the anti-poverty program at a level that will sustain the constructive effort now evident in our Hennepin County programs.

The mayor's letter went on to discuss the development of the important neighborhood center project—made possible by OEO funds and threatened with extinction because of the possible cutoff of those funds by an indifferent Congress. The complete letter follows:

> NOVEMBER 1, 1967.
>
> DEAR DON: I write you with a feeling of great urgency concerning the desperate importance of immediate action by Congress in appropriating funds for the Anti-Poverty Program at a level that will sustain the constructive effort now evident in our Hennepin County programs.
>
> We are especially apprehensive over suspension of funds for the new multi-purpose North Side Neighborhood Center. While the difficulty results from failure of Congress to approve the appropriation, we are concerned that, even when authorized, it may not be sufficient to cover the commitments already made for this and other important anti-poverty projects.
>
> On Monday night of this week an election was held for members of the board of the new Center, and this election was based upon an expression of mutual confidence which, I deeply fear, we may lose if effective action for the future is not assured.
>
> We have made in Hennepin County extraordinarily successful use of the Anti-Poverty Programs. The Neighborhood Center Project—which we refer to locally as the Pilot City Project—is of special concern to us because it will encompass a variety of services that are extremely important to residents of the North Side.
>
> The development of the Center has served as the framework within which it has been possible to achieve a new level of communication and understanding and I am fearful that failure to provide sufficient funds for the operation of this project will be interpreted as a further action of indifference and insincerity.
>
> This project reflects the cooperative efforts of the OEO, HUD, HEW, Department of Labor and the Bureau of the Budget, and represents a breakthrough in the direction of coordinating related federal services: It holds unusual promise for the delivery of essential services in health, education, recreation, employment, legal aid, and other areas of social need.
>
> The Anti-Poverty funding is central to the entire effort and failure to fullfill the commitments which have been made will have a devastating effect not only upon this program but upon all of our efforts to cope with poverty and its effects.
>
> The Pilot City Project, however, is only one of many programs that will be jeopardized if Congress fails to provide sufficient appropriations. Our programs for youth, for pov-

erty area parents, for the unemployed and underemployed, for young children have given us promising beginnings in coping with the effects of poverty. They have created hope on the part of many who would otherwise be slipping further into despair. They have given encouragement and assistance to people who want to improve their lives.

The threat of a 40 per cent reduction in these programs creates concern of the most critical magnitude. If the appropriation level compels cutbacks and further curtailments we will have irresponsibly contributed to the heightening of frustration.

I am further concerned over the growing feeling that Congress is in a punitive mood concerning the Anti-Poverty Program, as evidenced by the action excluding OEO employees from the federal pay increase. This action is unprecedented and unconscionable and must not be allowed to stand.

Also, amendments which are designed to redirect and reorganize OEO must be viewed without partisan concern. OEO has brought to the anti-poverty struggle new imagination and new approaches which are still in the process of being tested. To redirect the OEO activity at this point will cause further delay in delivering on the commitments which have been made to those the programs are intended to serve.

In the wake of the last summer all of us have pledged our best efforts to alleviate the conditions that breed frustration, despair and violence. One of our efforts here has been the Anti-Poverty Program, and I want to urge most fervently that you give your full support to an adequate appropriation and to the continuance of this program that has meant so much for so many of our citizens.

Sincerely yours,

ARTHUR NAFTALIN, *Mayor.*

Tonight in my district, a mass meeting is scheduled for the citizens of Minneapolis to arouse community support for the continuation and expansion of antipoverty programs. The news release, containing details on the potential damage to antipoverty programs in Minneapolis and Hennepin County, follows:

NOW IS THE TIME

A mass meeting at Lincoln Junior High School, 2131 12th Avenue North, at 8:00 P.M., Monday, November 6, 1967, to which the public is invited is being called by a number of concerned citizens to express their indignation over Congressional mistreatment of Economic Opportunity Programs and to arouse community support for the continuation and expansion of Anti-Poverty programs. As a result of Congressional action or inaction, a number of Anti-Poverty programs are in danger of being lost or reduced to the extent that they become totally inadequate to serve the needs that exist.

Some of the programs that are in serious jeopardy are the North Side Pilot City Program which is an attempt by the Federal Government to provide multi-services such as a 24-hour health clinic, employment, social services, community planning, and educational programs on the North Side. The North Side Pilot City Program, in particular, will be a tragic loss because of the recent evidence of real community involvement and participation from a cross-section of our community to help to enable this program to get underway. If the Appropriation Bill of $1.2 billion as passed by the House of Representatives is passed by Congress, it will mean in Hennepin County a 40% reduction in the number of children that will be able to participate in Head Start. It will mean a 40% reduction in the services provided by the Citizens Community Centers such as Home Management and Home Maker Services, Debt Adjustment, Employment Counselling and Referral, and Neighborhood Out-Reach and Organization. It will mean a 40% reduction in free legal services that are now being provided through the Citizens Community Centers to the poor persons. There will be a total loss of the Summer Program (Operation Youth) which this year employed 1,000 low-income youths. In addition to the employment, another 4,000 youths ranging in age from pre-school through young adults had an opportunity to participate in educational, recreational, and cultural enrichment programs.

The poor in our society cannot combat all of the obstacles that confront them by themselves. The poor in our society include many persons such as the very young, the disabled, senior citizens and others who through no fault of their own are dependent upon the compassion and commitment of our society for their continued existence, and even more importantly a continued existence with dignity.

It is vitally important that all citizens in our society become concerned now about those in our society who are less fortunate than others. It is not enough, also, that citizens be concerned and not exercise that concern through commitment and activity. Citizens must express indignation over injustices wherever it occurs, whether overseas or in our community. The poor in our society daily face injustices, many times purely as a result of their economic circumstances. It is our task as responsible concerned citizens to not only be compassionate but to work diligently so that our society may be a community of hope and opportunity for all.

Yesterday the western conference of the Veterans of Foreign Wars of the United States, meeting in Phoenix, Ariz., adopted the following resolution, a copy of which arrived in my mail this morning:

RESOLUTION NO. 1

Whereas, the Veterans of Foreign Wars, through direct action and collective support, have always promoted increased opportunities for all Americans, that every individual, regardless of race, color, creed or ethnic background, might share in this Nation's abundance; and

Whereas, the Veterans of Foreign Wars recognize that the seeds of communism and subversion are sown in the soil of poverty and nurtured by the fertilizer of despair, and,

Whereas, the Economic Opportunity Act, as originally passed by Congress in 1964, and since extended and amended in 1965 and 1966, has established self-help programs and mechanisms, in the best American tradition, to enable the poor of our Country to break their shackles of poverty,

Now therefore, be it resolved, by the Veterans of Foreign Wars of the United States, Western Conference, composed of 18 states, Okinawa, Panama Canal Zone, Provisional Department of Pacific Area strongly urges the enactment of the Economic Opportunity Act Amendments of 1967, and

Be it further resolved that all U.S. Congressional Representatives of the States represented by the Western Conference of the Veterans of Foreign Wars of the United States, be furnished a copy of this resolution.

Several other communications have come into my office on this subject. Among them was the following letter from the American Association of University Women:

NOVEMBER 3, 1967.

Hon. DONALD M. FRASER,
House of Representatives,
Washington, D.C.

DEAR MR. FRASER: The American Association of University Women was among the supporters of the Economic Opportunity Act at the time of its enactment. We have followed the progress of its implementation with great interest. On the whole we are convinced that much that is good has been achieved in the short period this program has been in operation. We are equally convinced that a far greater contribution to solution of the social ills that plague this country is possible if this program is extended and strengthened. Therefore we urge passage of a bill extending the Economic Opportunity Act.

We are gratified that day care, family planning, and senior opportunity and services for the elderly, as well as emergency food and medical service programs are incorporated in S. 2388 now under consideration. But we are gravely concerned that the bill before the House so drastically alters the 10–90 formula of sharing between local and Federal sources that was a part of the original act.

We are certain that many communities will be forced to drop immediately many very worthwhile and even indispensable projects when required to put up in cash rather than "in kind" so much higher a percentage of the total cost.

We urge enactment of authorizations, at a minimum, at present levels and *preferably at higher levels* so that the war on poverty can continue.

Sincerely yours,

MRS. GLORIA PETERS,
Area Representative in Community Problems.
MISS LOIS ROTH,
Area Representative in Education.
MISS VICTORIA SCHUCK,
Chairman, Legislative Program Committee.

But not all the letters, by any means, have come from organizations or officials. Many have come from ordinary citizens. For example, one woman in North Minneapolis wrote:

I urge you to do everything in your power to see that the House passes a bill equivalent to S. 2388 passed by the Senate. Now that the hopes of the poor and minority people have been raised to the extent which brought them out to vote earlier this week in Minneapolis the cutting off of the promised funds would destroy any faith they could have in the promises made by anyone at all claiming to wish to help them . . . Let us use funds which are presently being wasted in Vietnam to take care of our needs at home before riots and rebellions force us to do so on a much larger scale and in a much more painful way than will be the case if we act now.

And another woman wrote in obvious anguish:

We must have lost our sanity to be talking about such a cut.

Mr. Speaker, I hope the message contained in these letters, polls, resolutions, and mass meetings is clear to the Members of this House. We need to pass the strongest possible antipoverty bill. Failure to pass a strong bill would amount to nothing less than irresponsibility. Many communities, such as the one I represent, have kept their share of the bargain with OEO through extensive planning and energetic development of local support. Now we must keep our share of the bargain. If we want to continue fighting poverty, we must pass the bill that is before us.

VOLUNTEER FROM FRESNO PUSHES PROGRESS IN FLORIDA SLUMS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Moss] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MOSS. Mr. Speaker, America's social conscience has been aroused by the tragic consequences of poverty to our own citizens and neighbors. Among those most severely afflicted by poverty in our country are the Spanish-speaking minority groups. The Office of Economic Opportunity's VISTA program has confronted and challenged the conditions of poverty that prevail in so many urban and rural areas of America, and among the Spanish speaking. The Sacramento Bee published an article recently that recounted the effort of VISTA volunteer Robert Ramirez in dealing with Spanish-speaking migrant workers in Florida.

Mr. Speaker, I believe VISTA has established itself as a real credit to the OEO. VISTA volunteers such as Robert Ramirez, who can completely identify with those in poverty, is one of the most salient and effective features of the VISTA program. I am certain my colleagues will derive as much interest and appreciation about VISTA's work from this article as I have and I include it below:

VOLUNTEER FROM FRESNO PUSHES PROGRESS IN FLORIDA SLUMS

FORT MYERS, FLA.—The children were always getting sick in Harlem Lake, a cluster of 65 Spanish-speaking migrant families outside Fort Myers, Fla. The sickness was traced to contaminated water, caused by an overflowing septic tank

The apartments where the watermelon and chili harvesters lived six months of the year were arranged to house too many people in a small space, and there was no play area for children. Water from the overflowing tank soaked their improvised playground.

"There were other problems," said Robert Ramirez, 20, a VISTA (Volunteer in Service to America) from Fresno, who was assigned last March to work with migrant workers in the Fort Myers area. "Doors and windows were broken, the wiring was a fire hazard, and the plumbing was primitive. But all complaints to the rental agency were ignored."

TENANT GROUP

Today, Harlem Lake is a healthier and prettier place because of action taken by tenants who formed the Harlem Lake Community Action group. With the help and encouragement of the Spanish-speaking VISTA, the people demanded respect and fair treatment. And they won it.

Ramirez spoke to church groups to describe the migrants' living conditions and how the workers were trying to help themselves. "Church members wrote to their elected officials to protest the conditions," he said. "Newspapermen came and took pictures of the crumbling plaster and accumulated trash."

They also observed men, women and children painting and cleaning up the premises. The owners of the buildings—absentee landlords in Miami and New York as well as some in Fort Myers—began to receive criticism about the conditions.

The migrant sanitarian in Fort Myers tested Harlem Lake's drinking water and quickly ordered the people not to use it. The building inspector warned that the dwellings would be condemned.

After six weeks of withheld rents the rental agency, under public pressure, began listening to the tenants. At summer's end the septic tank was repaired, garbage cans were bought and a plumber and electrician were hired.

"There are many more things that need doing," Ramirez said, "but we know that everything can't be done at once. What has already happened has been wonderful. The people are very excited because now they know their ability to change things."

Ramirez helped organize the people first to help themselves by working with the children, then with the parents.

"They are a friendly, sociable people," he said. "They were deeply concerned about the children but were afraid to protest as a group. They had never heard of the Legal Aid Society and they didn't know how to tap the good will of the community—if they knew it existed."

Out of several informal social gatherings grew the community action group which was ultimately responsible for the improved conditions.

In August, Ramirez was transferred to Miami. He lives and works in a Negro ghetto in the deteriorated central district. The problems there are similar to those of the migrants in Fort Myers—substandard housing, lack of education, ill health, unemployment, a feeling that nothing can be done.

Again Ramirez is working with children and through them getting to know the parents.

Ramirez' year in VISTA will be up in March 1968. If he does not re-enlist, he plans to return to Fresno State College, where he was majoring in Spanish and social studies.

One of 12 children in the family of Mr. and Mrs. Lupe R. Coronado, he is a graduate of Edison High School. He was a member of the Mexican-American Political Association and of the Fair Employment Practices Commission in Fresno. While working with migrants in California, he decided on a course of social action through VISTA.

THE OPPOSITION CRUSADE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Rees] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. REES. Mr. Speaker, several Republican Members of Congress have proposed a substitute to the Economic Opportunity Act of 1964, as amended. They call their proposal the "opportunity crusade."

If the Republican proposal is an opportunity crusade, it is a misguided one indeed. It is designed to seize the partisan opportunity afforded by this preelection year to launch a crusade against the Office of Economic Opportunity. It is more aptly entitled an "opposition crusade."

This mischief is unworthy of the Republican Party. In a real sense, it is playing politics with poverty; it is manipulating the hopes and expectations of the poor.

A sponsor of this opposition crusade told the House of Representatives on June 8, 1967:

> The Republican proposals would eliminate the Office of Economic Opportunity.

This, in the very words of a draftsman of the scheme, is the outrageous principal purpose of the misguided opposition crusade.

Yet, without the coordination and stimulation provided by the OEO since the Congress created that agency in 1964, the attack on poverty in America would still be unfocused and uninspired. In fact, under Sargent Shriver the OEO's versatile attack on poverty is showing tremendous results.

This is a fact implicity recognized even by the sponsors of the opposition crusade. In their so-called redirection of the war on poverty they have retained disguised versions of virtually every one of the major achievements of the OEO.

To masquerade their overdue recognition of the necessity for OEO programs, and to justify their purpose of abolishing the OEO, the opposition crusaders have evolved a plan almost amusing in its simplistic deviousness. Although regular critics of the size and alleged unresponsiveness of Federal departments, they now seek to bury OEO programs, all dressed up in different names, in the larger bureaucracies of other Federal agencies.

In a burst of frenzied partisanship these come-lately crusaders want to destroy the OEO but keep its programs; reduce the size of Federal Government but add to the Federal bureaucracy; help the poor by strangling the only voice the poor have ever had in the councils of government—the Office of Economic Opportunity.

This puzzling plan is one which only madcap political partisanship explains. It is a plan designed to play to the know-nothing segment of American public opinion. It is a plan to label the OEO as a kind of mischievous dragon, somehow responsible for community unrest, then to slay that dragon and present both ears and tail to the electorate in 1968. It is worse than a shortsighted plan; it is a deceit which cannot succeed.

Even a cursory review of the Republican opposition crusade will show that it is not a real, but a superficial, alternative to the present antipoverty war. It is interesting only because it is a part of a deliberate attempt to obscure the tremendous good accomplished over the last 3 years by the OEO.

Imitation is the homage that skepticism pays to success. We must not be surprised, then, that the opposition crusaders have weakly duplicated almost all of the OEO programs. But, they are determined to wipe out the OEO, the command post in the war on poverty. It is to their credit, I suppose, that they are enough aware of the problems of hunger and poverty in America to see the need for a continuation of some kind of antipoverty programs. But in my firm opinion their crusade is wholly misguided. They offer no compelling reasons whatsoever to justify their proposal. Indeed, their proposals invite administrative and bureaucratic chaos at a critical juncture in a national effort barely 3 years old.

If the Republicans feel that they must go to the voters in 1968 with a positive program, I invite them to abandon this negative opposition crusade and support the Office of Economic Opportunity as the coordinator of the existing programs under the Economic Opportunity Act of 1964. The war on poverty requires the resolute commitment of every American, but the opposition crusaders seem to prefer to do battle with those who are fighting poverty, rather than to fight poverty itself.

We have some serious questions facing us at the end of this explosive summer of 1967. And how we answer these questions, I believe, will be more than an indicator of how we regard our national priorities. In a real sense, the choice is simply whether we choose to meet our domestic responsibilities or evade them. And to evade them in this season of our national life is to invite the steady decay of our social order.

Poverty is not, of course, at the root of every one of our domestic problems, but it is related to most of them. I am firmly of the belief that a defeat of poverty and its consequences is the imperative destiny of the American experiment—bearing in mind that to wage war on poverty effectively is to do more than meet the material needs of the poor. It is, as well, to defeat a poverty of the spirit that afflicts us all whenever fellow citizens, denied their full opportunity to share in our American abundance, live ignored in anger and despair.

FIREARMS, LIMITED

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Dingell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. DINGELL. Mr. Speaker, pursuant to permission granted, I insert in the Record an excellent editorial appearing in the Birmingham News of Wednesday, October 4, 1967, entitled "Firearms, Limited" pointing out in a reasoned fashion the evils of the so-called administration or Dodd bill and presenting calmly the need for adequate controls along the line of the Hruska bill.

There is need for control of firearms moving in interstate commerce to prevent them from falling into the hands of criminals, lunatics, dope fiends, minors, and similar irresponsible persons.

At the same time public policy should prevent enactment of legislation which strips the law-abiding citizen of the right to own arms and use them for legitimate sporting and defense purposes.

The editorial referred to follows:

Firearms, Limited

Debate over fresh efforts to write a reasonable and meaningful federal firearms control law goes on. Nebraska's Republican Senator Roman Hruska seeks to rebore specific provisions of the measure supported by the White House.

Actually, the basic difference centers over whether rifles and shotguns, used in far greater part by millions of Americans for hunting and target sports, should be placed in the same category as handguns, concealables and destructive devices.

Sen. Hruska considers placing all guns in the same restrictive rack to be an unreasonable position. And he has stout support from rifle and shotgun owners, firearms manufacturers and the vigorously outspoken Nation Rifle Association.

The Hruska proposal says this about the sale of handguns: (1) The mail order sale to minors should be prohibited; (2) the mail order sale or over-counter sale to non-residents 21 or older must be accompanied by an affidavit that the recipient is not barred by federal or state law or local ordinance from receiving and possessing a handgun and then supply the name of the principal law enforcement officer of the locality to which the gun will be shipped; (3) the statement must be sent to such officer by registered or certified mail including a description of the firearm and an acknowledgment received; delivery of the firearm to the purchaser then must be delayed for another seven days.

The Dodd bill would prohibit the mail order and non-resident over-counter sales completely. Additionally—and herein lies a basic rub—the Dodd plan would attach the affidavit procedure to mail order sales of all rifles and shotguns.

In addition to other provisions, Dodd's bill would repeal the National Firearms Act of 1938, generally known as the "Machine Gun Act," which specifically addresses itself to and polices the sale and possession of machine guns, sawed off rifles and sawed-off shotguns.

This federal act is considered generally to be effective and Hruska's bill would leave it untouched.

Opponents of the administration-Dodd plan see inherent dangers in its contents, not the least of which is what they consider to be an intrusion into the rights of states to enforce their own firearms laws. And 36 states, including Alabama, have such statutes on their books.

There are no substantial records to sustain the argument that crimes of violence are more prevalent in states where firearms licensing is not required. Available statistics indicate that crimes of violence in licensing and non-licensing states are about the same.

To be considered before any catch-all legislation is enacted is whether tossing rifles and shotguns, in effect, into the same category with handguns and concealables, where purchase is concerned, is wise. The Dodd proposal presents a substantial danger of overkill, potentially penalizing many thousand times more law-abiding rifle and shotgun owners than it would deter would-be law violators.

There is no reasonable argument against effective controls of firearms which present a potential threat to the public's safety. Both Dodd and Hruska proposals contain such provisions and the public is entitled to all reasonable protection. And certainly our law enforcement officers deserve consideration for similar reasons.

Ideally, the Senate Judiciary Committee would put all political considerations and pressure group arguments aside, coming to the floor with a compromised version of the Dodd and Hruska bills that would not infringe upon the rights of anyone but *would* prevent firearms predominantly employed in criminal acts from ending up in the hands of the criminally disposed.

ANTICS OF DEPARTMENT OF JUSTICE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Hébert] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HÉBERT. Mr. Speaker, I never cease to be amazed at the antics of the Department of Justice. This latest exchange is almost unbelievable if it were not a documented fact.

You recall that sometime ago during an Armed Services Committee meeting on the draft bill, Assistant Attorney General Fred Vinson, Jr., testified he had never heard of a criminal statute that I read to him.

Now comes another Assistant Attorney General, John Doar, who defies the request of a Member of Congress contrary to a statute which he uses as authority for the defiance.

It is absolutely amazing.

I am including herein three documents, which speak for themselves. I draw attention to the language which Doar uses in the letter as authority for denying my request as it is right above the language in the law on the last page which specifically says:

> Nothing in this section authorizes withholding of information or limiting the availability of records to the public except as specifically stated in this section, nor shall this section be authority to withhold information from Congress.

Mr. Doar conveniently and deliberately has withheld the words "nor shall this section be authority to withhold information from Congress."

I submit the three documents so you may see for yourself these unbelievable antics of the Department of Justice.

October 30, 1967.

Mr. John Doar,
Assistant Attorney General,
Department of Justice,
Washington, D.C.:

Request of Federal agencies here for list of names of individuals who have "volunteered" to serve as watchers at the polls on election day have been denied me. I respectfully request you to cite the law on which a Member of Congress is denied the names of Federal employees on the public payrolls. The Department heads have referred me to the Department of Justice. I am now calling on you to give me the lists of names of those civil service employees who have "volunteered" and to which Department they are attached.

F. Edw. Hébert,
Member of Congress.

November 3, 1967.

Hon. F. Edward Hébert,
House of Representatives,
Washington, D.C.

Dear Congressman Hébert: This will respond to your telegram dated October 30, 1967, requesting a list of the names and agencies of civil service employees who have volunteered to serve as observers at the polls on the forthcoming election day.

The observers assigned under Section 8 of the Voting Rights Act have the function of collecting facts upon which the Attorney General can base the judgments he is required to make in enforcing specific terms of the statute. Their fact-collecting and reporting function is no different from that performed by the investigative agents of many agencies having law enforcement functions.

The Freedom of Information Act authorizes exemption from disclosure of "matters that are . . . investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency," 5 U.S.C. 552(b) (7). We think the exemption covers the information you have requested.

The regulations of this Department authorize disclosure of exempt material when such disclosure is in the public interest. See Section 16.1(a) of the regulations, published at 32 F.R. 9663, July 4, 1967. Our experience with law enforcement functions leads us to believe, however, that advance disclosure of the names of agents who will perform any aspect of an investigation will permit such disruption of the investigative function as to be inconsistent with the public interest.

We must be mindful, too, that public disclosure of the names of observers could lead to the opportunity for needless harassment of them. Our concern for proper execution of the Voting Rights Act prevents us from finding that such disclosure would be in the public interest.

The observers do, of course, identify themselves to the election officials at the polling places to which they are assigned, as would any investigative agent. But this is quite different from disclosure in mass and before undertaking their assignments. House Report No. 1497, 89th Congress, 2d Session, pages 5–6, acknowledges that "there may be plans which, even though finalized, cannot be made freely available in advance of the effective date without damage to such (*i.e.*, public and private) interests. There may be legitimate reasons for non-disclosure, and S. 1160 is designed to permit non-disclosure in such cases."

On this basis we believe our decision is proper under the Freedom of Information Act.

Sincerely,

JOHN DOAR,
Assistant Attorney General,
Civil Rights Division.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., November 3, 1967.

Mr. JOHN DOAR,
Assistant Attorney General,
Department of Justice,
Washington, D.C.

DEAR MR. DOAR: I am deeply shocked by your letter of November 3, 1967 denying to me, as a member of Congress, the names of individuals who have "volunteered" to serve as observers at the polls in Louisiana tomorrow.

I am dismayed not only by your unconscionable refusal but by the fact that you, a lawyer backed by the powerful legal talent of the United States Department of Justice, would cite as your legal authority for refusing the information to me a law which cannot be made to apply by even the wildest stretch of imagination.

You claim that the Freedom of Information Act which went into effect July 4, 1967 permits you to keep secret "matters that are . . . investigatory files compiled for law enforcement purposes." Whether or not it is possible to twist that phrase of the law to withhold the names of "volunteer" observers from the *public*, it certainly is most absurd legal reasoning to try to apply the law to my request for information *as a member of Congress.*

The most junior law student, Mr. Doar, could read and understand the provision of the Freedom of Information Act which states that nothing in the law "shall . . . be authority to withhold information from the Congress."

My request for the names on October 30, 1967 clearly asked that you "cite the law on which a *member of Congress* is denied the names of Federal employees on the public payrolls." Instead, Mr. Doar, you claim as authority for secrecy a law which, by its very language, does not apply to the Congress.

I repeat my request for the list as a member of Congress and as dean of the Louisiana delegation in the House of Representatives. There is no statutory authority to withhold routine government information from a member of Congress.

In the past, information has been withheld from the Congress under a claim of Executive Privilege flowing from the Constitution, but this broad claim of bureaucratic power has been cut down to size by action of the last two Presidents. I am sure you are aware that both Presidents Kennedy and Johnson formally stated that the claim of Executive Privilege would be exercised by the President and the President alone.

If you do not immediately provide the government information requested, I demand you cite the pertinent legal authority, and if you rely on the claim of Executive Privilege, I demand that you follow the Presidential directive that he, and he alone, will make the decision.

Sincerely yours,

F. EDW. HÉBERT.

PUBLIC ACCEPTANCE OF OEO

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mrs. MINK. Mr. Speaker, as we move into consideration of the Economic Opportunity Amendments of 1967 amid the threat of the concerted drive to dismantle OEO by reassigning some programs to other agencies, by phasing out others, and by granting more control over its functions to State and local governments, I would call to the attention of my colleagues the growing nationwide support for our Federal war on poverty in its present form. As a member of the Education and Labor Committee, I have heard from civic groups, veterans' organizations, the U.S. Conference of Mayors, businessmen representing their corporations, labor organizations, religious groups, and countless numbers of individuals, virtually unanimously opposed to this threatened fragmentation or any sort of dilution of the activities of the Office of Economic Opportunity.

The concept of a centralized agency dealing directly and solely with the impoverished of America has finally been proven to overwhelming numbers of Americans as the most hopeful way to attack the shameful poverty that is still so widespread in America and so tied-in with the social unrest endemic in our cities. Many of the early and most virulent critics of OEO have become converts in these brief 3 years of experimentation, optimism, frustration, and bitter controversy. I number myself as one who has seen the beneficial results of Headstart, who has witnessed the solid evidence of personal rehabilitation being made possible by the Job Corps, of the tremendous salvaging of human talent through Upward Bound, and, overall, the general spirit of uplift and hope that so many thousands of the poor have found through their own involvement in community action. I submit, Mr. Speaker, that a continuation of the Office of Economic Opportunity as presently functioning, under the dedicated and capable leadership of Director Sargent Shriver, is absolutely essential if we are to maintain any momentum at all in our drive for social and economic justice for all Americans, and I insert in the RECORD a sampling of letters and wires I have received as evidence of the broad spectrum of public backing which the OEO has deservedly won in these first few crucial years of its operation.

WASHINGTON, D.C.,
November 6, 1967.

Hon. PATSY T. MINK,
Washington, D.C.:

The National Association of Social Workers opposes any transfer of programs in the Office of Economic Opportunity to other Federal departments.

We consider the Economic Opportunity Act as one of the most creative and innovative pieces of legislation enacted by the Congress, and urge that the authorization for the Office of Economic Opportunity be extended for another 2-year period under, essentially, its present provisions. We have solid evidence, and have so testified before the House Education and Labor Committee, that the Economic Opportunity Act initiated the development of an opportunity structure for low-income individuals that deserves not only continuation but expansion. Through its work programs, through Headstart, through the opportunities provided by the community action programs to the poor, for participation in shaping their own affairs, the Economic Opportunity Act has opened doors previously closed to hundreds of thousands of individuals.

We urge your support for the $2.06 billion authorization, continuation of the present optional approach to the operation of community action programs under either governmental or private auspices elimination of the 50-percent cash requirement for the local non-Federal share and the retention of the work programs, Headstart, and other special emphases programs within the Office of Economic Opportunity.

CHARLES I. SCHOTTLAND,
President, National Association of Social Workers.

WASHINGTON, D.C.,
October 6, 1967.

Hon. PATSY T. MINK,
House Office Building,
Washington, D.C.:

Delta Sigma Theta urges the prompt approval of H.R. 8311, the Economic Opportunity Amendment of 1967. As an organization of 45,000 college women we are especially concerned that the merger budget proposed for all antipoverty programs not be cut any further, that attempts to transfer all successful programs such as Headstart and Job Corps out of OEO be defeated. Continuation of OEO as the strong central coordinating headquarters for the war on poverty is essential to success of this crucial effort. The poor need your help and Delta Sigma Theta urges that you personally work in support of, and vote for, H.R. 8311.

FRANKIE M. FREEMAN,
National President,
Delta Sigma Theta, Inc.

WEST VIRGINIA STATE COLLEGE,
October 27, 1967.

Hon. PATSY MINK,
House of Representatives,
Washington, D.C.

DEAR MRS. MINK: The Community Relations Council for the Charleston Job Corps Center for Women, Charleston, West Virginia, has been actively serving this center as an advisory board in the matter of policy operation and public relations for more than two years. The Council consists of more than 30 volunteer members from various segments of society who feel adequately rewarded with the feeling that they are rendering a service in the war on poverty.

We are writing you now because of our concern about the welfare of this center and its continuation under the Office of Economic Opportunity.

During our more than two year association with the Office of Economic Opportunity we have always felt that dealing directly with an agency such as OEO is the best way of handling the numerous administrative problems that arise. We share the belief that OEO, during the past three years has arrived at a stable position in regard to organizing and administering this program. It is our feeling that it would be a mistake, after three years of organizing and building the Office of Economic Opportunity, to transfer the various projects to other branches of government.

It would seem to us, therefore, that OEO control of Job Corps Centers should not only remain intact, but should be strengthened in order to do the job that must be done and which has been well begun. We recommend to you that the present trained and experienced administration of the OEO be continued.

Sincerely yours,

ANDREW H. CALLOWAY,
Chairman,
Community Relations Council.

RESOLUTION 1

Whereas, the Veterans of Foreign Wars, through direct action and collective support, have always promoted increased opportunities for all Americans, that every individual, regardless of race, color, creed or ethnic background, might share in this Nation's abundance; and

Whereas, the Veterans of Foreign Wars recognize that the seeds of communism and subversion are sown in the soil of poverty and nurtured by the fertilizer of despair, and

Whereas, the Economic Opportunity Act, as originally passed by Congress in 1964, and since extended and amended in 1965 and 1966, has established self-help programs and mechanisms, in the best American tradition, to enable the poor of our Country to break their shackles of poverty,

Now therefore, be it resolved, by the Veterans of Foreign Wars of the United States, Western Conference, composed of 18 states, Okinawa, Panama Canal Zone, Provisional Department of Pacific Area strongly urges the enactment of the Economic Opportunity Act Amendments of 1967, and

Be it further resolved that all U.S. Congressional Representatives of the States represented by the Western Conference of the Veterans of Foreign Wars of the United States, be furnished a copy of this resolution.

Dated, at Phoenix, Arizona, this 4th day of November, 1967.

WALTER H. MARSHALL,
Chairman, Western Conference Veterans of Foreign Wars.

Attest:

ROBERT A. DURKEE,
Secretary.

AMERICAN ASSOCIATION OF UNIVERSITY WOMEN,
Washington, D.C., November 3, 1967.

Hon. PATSY MINK,
House of Representatives,
Washington, D.C

DEAR MRS. MINK: The American Association of University Women was among the supporters of the Economic Opportunity Act at the time of its enactment. We have followed the progress of its implementation with great interest. On the whole we are convinced that much that is good has been achieved in the short period this program has been in operation. We are equally convinced that a far greater contribution to solution of the social ills that plague this country is possible if this program is extended and strengthened. Therefore we urge passage of a bill extending the Economic Opportunity Act.

We are gratified that day care, family planning, and senior opportunity and services for the elderly, as well as emergency food and medical service programs are incorporated in S. 2388 now under consideration. But we are gravely concerned that the bill before the House so drastically alters the 10-90 formula of sharing between local and Federal sources that was a part of the original act.

We are certain that many communities will be forced to drop immediately many very worthwhile and even indispensable projects when required to put up in cash rather than "in kind" so much higher a percentage of the total cost.

We urge enactment of authorizations, at a minimum, at present levels and *preferably at higher levels* so that the war on poverty can continue.

Sincerely yours,

MRS. GLORIA PETERS,
Area Representative in Community Problems.

MISS LOIS ROTH,
Area Representative in Education.

MISS VICTORIA SCHUCK,
Chairman, Legislative Program Committee.

NEW ROCHELLE, N.Y.,
November 1, 1967.

Hon. PATSY T. MINK,
House Education and Labor Committee,
Washington, D.C.:

Our promising antipoverty community programs are being dismantled, our trained staff and volunteers are discouraged because of deep cuts in Federal funds.

We submit that the poor, the aged, the children, the urgent need to prevent anarchy in our cities, should have the money that is spent on the war in Vietnam, supersonic planes, and space spectaculars.

MILTON HEIMLICH,
Chairman,
Citizens Committee for War on Poverty.

ST. PETER'S HEAD START,
Yonkers, N.Y., October 24, 1967.

Hon. PATSY T. MINK,
House Committee on Education and Labor,
Washington, D.C.

DEAR MRS. MINK: It is with deep distress that St. Peter's Head Start Advisory Board takes note of the recommendation of the House Education and Labor Committee to restrict, almost to the point of impotence, the Poverty Program by not only its financial strictures but also its administratively cumbersome machinery for access to federal funds. As citizens, we cannot emphasize too much the success of the Head Start Program with which we are closely aligned. You may hear of some spectacular programs that hit the front page. Our program has thoughtfully, efficiently and somewhat quietly gone about its business of changing a whole neighborhood called the "flats" of Yonkers where our people are gaining new hope and a sense of dignity.

St. Peter's Head Start will undoubtedly have to close up in the face of the amendment proposed by your House Committee. May we beg you to reconsider what it does to hope, self-esteem and a sense of community rebirth to so restrict federal involvement—as is now being proposed. We have not only emphasized aid for children but also for their parents and the entire neighborhood. Changes are being made. The Head Start Program has had no small influence on positively assisting the city in breaking the roadblock to relocation housing. Our children and their families have benefited from the Poverty Program on a very meager budget in this very high cost of living area. We urgently beg you to reconsider the drastic consequences of such cuts—a re-entry into frustration and despair and all the violent children of these two evils.

We request that you reconsider your action of Friday, October 20, and don't kill hope.

Respectfully yours,

JOHN M. HARRINGTON,
Coordinator,
St. Peters Head Start.

WILLIAM R. OFFUTT,
Chairman,
St. Peter's Adivsory Board.

OCTOBER 11, 1967.

Hon. EVERETT DIRKSEN and Hon. GERALD R. FORD,
U.S. Congress,
Washington, D.C.:

We, the undersigned Mayors and Members of the Republican Party endorse the continuation or expansion of the programs fostered by the Office of Economic Opportunity.

All of us are greatly concerned as we are continually pushing forward those projects in our individual cities which are aimed at improving neighborhoods that can be rehabilitated and to also raise the economic, educational, and social standing of those citizens who are living in poverty. We feel the implementation of our local programs as sponsored by OEO are giving great impetus toward our goal and any slowing up of such programs will greatly deter the progress which has been made thus far.

We fully realize that in any new program, such as the War on Poverty, there are bound to be certain imperfections and criticisms from some corners. But in our daily activities of actually seeing these programs administered they are proving to be successful and getting the job done. It is our considered opinion that the programs are a positive force in lessening social tensions in our cities. All of us are confident they will continue to improve and are so meaningful as to give our less fortunate citizens a new hope in life. You can readily see people involved and active. These programs are realities and are no longer in the talking stage. The strong leadership provided by this agency in administering the various projects has been most impressive.

We strongly urge each of you to encourage members of Congress to support the OEO budget so that these dynamic and imaginative programs may be carried on in a successful manner.

Neal S. Blaisdell, Honolulu, Hawaii; John S. Ballard, Akron, Ohio; J. D. Braman, Seattle, Wash.; Stanley A. Cmich, Canton, Ohio; Frank M. Dulan, Utica, N.Y.; Dave Hall, Dayton, Ohio; James M. Hewgley, Tulsa, Okla.; Orville L. Hubbard, Dearborn, Mich.; Floyd H. Hyde, Fresno, Calif.; Ronald R. James, San Jose, Calif.; Erik Jonsson, Dallas, Tex.; Lawrence F. Kramer, Jr., Paterson, N.J.; Robert J. Lehnhausen, Peoria, Ill.; John V. Lindsay, New York City, N.Y.; Theodore R. McKeldin, Baltimore, Md.; John W. Potter, Toledo, Ohio; Kenneth A. Schmeid, Louisville, Ky.; A. V. Sorensen, Omaha, Nebr.; Edwin W. Wade, Long Beach, Calif.; George C. Whitmer, Des Moines, Iowa; Charles W. Wright, Jr., Topeka, Kans.; Clarence E. Vollmer, Wichita, Kans.

U.S. CONFERENCE OF MAYORS,
Washington, D.C., October 18, 1967.

Hon. CARL D. PERKINS,
House of Representatives,
Washington, D.C.

MY DEAR MR. CHAIRMAN: The United States Conference of Mayors endorses legislation to continue and expand the war on poverty.

We strongly support the Community Action Program within the Office of Economic Opportunity through which programs have been locally initiated and locally developed. It is essential that this local character be maintained. It is for this reason that we are disturbed by reports that your Committee might act to limit the ability of the communities to determine the nature and structure of their community action agencies. We need more flexibility at the local level—not less.

We know that real community action requires the active participation of local units of government but at the same time we appreciate the need to include all segments of the community within the program. Perhaps in the past there has been too much emphasis at the national level on encouraging a particular form of local CAP structure. We have resisted such efforts. It would be a mistake at the same time to move further in this area by requiring that all local CAP's be either units of government or private nonprofit corporations.

On behalf of the Conference of Mayors we urge that we be permitted in the communities to move ahead with our programs as we have developed them. We cannot afford at this time to stop for total reorganization.

Sincerely,

Joseph M. Barr,
Mayor of Pittsburgh,
President, U.S. Conference of Mayors.

New York, N.Y.,
October 21, 1967.

Hon. Patsy T. Mink,
House Office Building,
Washington, D.C.:

After adjournment of National Headstart Conference, 292 key local officials remained and gave personal financial support to following plea:

Urge no change in present structure of Headstart and community action program.

Do not force cash contributions: would close most local programs.

Local communities will express same concern.

Mrs. Rheable M. Edwards,
Chairman, Ad Hoc Committee To Save Community Action Program.

National Consumers League,
Washington, D.C., October 10, 1967.

Hon. Patsy T. Mink,
U.S. House of Representatives,
Washington, D.C.

Dear Mrs. Mink: The National Consumers League urges that you as a member of the House Education and Labor Committee vote to report out favorably legislation which will keep the Office of Economic Opportunity intact, as the central organization to coordinate the efforts in the War on Poverty, and that you provide adequate funds for the coming year. The battle against poverty in the United States has just begun OEO should be strengthened and its programs expanded so that progress can be continued and stepped up.

Our organization feels that the bill passed by the Senate is a fine one although we were sorry to see the Clark-Javits Emergency Employment Amendment defeated. We urge your Committee to report out an equally strong bill.

Sincerely yours,

Sarah H. Newman,
General Secretary.

Department of Social Justice,
National Council of the
Churches of Christ in the
U.S.A.,
New York, N.Y., October 9, 1967.

Hon. Patsy T. Mink,
House of Representatives,
Washington, D.C.

Dear Mrs. Mink: The invaluable role of the Economic Opportunity Act of the Office of Economic Opportunity in continuing to provide the supporting sinews of the nationwide war on poverty is demonstrated on every page of the enclosed just-off-the-press study of church-related anti-poverty projects.

Its authentic description of the many ways in which these private-sector, non-profit groups depend upon OEO for staff and financial help testifies to the basic, positive contribution of the Federal program to date and the strategic importance of its extension under its present structure. As the writer warns (p. 10):

"To lose this momentum now, when many communities and leaders have just learned what can be done and how, would be not only an immediate, but an historic, tragedy."

I am rushing this copy to you in the belief that its contents may prove pertinent to the current debate in the Education and Labor Committee on the 1967–68 Poverty War legislation.

Sincerely yours,

Larold K. Schulz,
Director, Antipoverty Program.

Packard Bell,
Los Angeles, Calif., September 28, 1967.

Dear Congresswoman Mink: Packard Bell has been actively participating with the Office of Economic Opportunity for the past two and one-half years in the various War on Poverty projects. We are presently operating two Women's Job Corps Training Centers located in Charleston, West Virginia and Albuquerque, New Mexico. These centers are presently training 675 young girls, ages 16 to 21.

When OEO was established approximately three years ago, Packard Bell felt very strongly that industry, education and government should and could make an excellent combination in the training and rehabilitation of young people through the establishment of Job Corps training centers. Industry recognizes the shortage of trained, educated and qualified personnel at all levels and the surplus of uneducated and unskilled workers. Consequently, Packard Bell was one of the industry leaders in joining with OEO in the establishment of Job Corps training centers. It has indeed been a most interesting and meaningful project and one that has proven to be largely successful in educating, training and motivating these disadvantaged young people to the point where 70% of them were employed after graduation.

Certainly there have been problems in starting up a program of this nature. During our three-year association with the Office of Economic Opportunity we have always felt that dealing directly with an agency such as OEO is the best way of handling the myriad of administrative problems that arise. We believe that OEO, during the past three years, has arrived at a stable position in regard to organizing and administering this program. It is our feeling that industry as a whole shares this opinion, and we believe it would be a mistake, after three years of organizing and building the Office of Economic Opportunity, to transfer the various projects to other branches of government. We believe this would dilute and confuse the effort. We believe this program must be pinpointed and clearly identified and directly managed. It would seem to us that OEO control of Job Corps Centers should not only remain intact, but should be strengthened in order to do the job that must be done and which has been well begun.

Packard Bell and the other industries involved in this program strongly feel our responsibility to the program, and we hope that this letter will clearly indicate our position in this matter. We feel that the basic job is to rehabilitate and motivate the hard core of the young unemployables and that vocational training only will not do the job. If you believe, as we do, that Job Corps Centers can accomplish this mission, then we further recommend to you that the present trained and experienced administration of the OEO be continued.

Cordially,

Robert S. Bell,
Chairman of the Board.

Graflex, Inc.,
Rochester, N.Y., September 25, 1967.

Hon. Carl D. Perkins,
U.S. House of Representatives,
Washington, D.C.

Dear Congressman Perkins: When I was privileged to testify before your Committee on July 20th, I furnished each of you with copies of my prepared testimony containing certain statistics on the experience at Breckinridge, and Job Corps overall.

For example, I reported 1,137 Breckinridge graduates from July 1, 1966 to July 11, 1967. Of these, 601 had been placed in jobs, and an additional 466 were so recently graduated that meaningful reports on them were not yet available.

In response to your questions, I predicted that the majority would be reported to be performing satisfactorily in their jobs. While our surveys are by no means concluded, it is clear that this prediction is borne out by experience.

It is not surprising to read in the September 19, 1967, Wall Street Journal: "But the controversial Job Corps gets surprisingly high marks; 60% of the 159 companies hiring corpsmen rate them satisfactory workers."

Apparently, many of them change jobs to improve themselves, even to vocations different from those in which they were trained—but this indicates that their training makes them flexible enough to adjust to the changing world of work, without losing the basic motivation which many of them once lacked.

In substance, now that most of the growing pains are behind us, Jobs Corps is producing self-reliant, taxpaying citizens from material which otherwise might have become additions to our relief roles, or worse.

Based upon the results, which are constantly improving with experience, may I again urge your support of O.E.O.'s Job Corps program, as a worthy investment in the Youth of America.

Sincerely,

G. C. Whitaker,
Chairman.

Dresser Industries, Inc.,
Dallas, Tex., August 25, 1967.

Dear Madam: The Office of Economic Opportunity needs your support. This function is essential to the health and well-being of our country—especially during this period of rioting and lawlessness.

I call your attention to the enclosed tear sheet of an advertisement that will appear in the September 1967 issue of Nation's Business and earnestly urge you to maintain and continue the Office of Economic Opportunity in its present structure.

Sincerely,

John Laurence.

Scripps-Howard Newspapers,
Cincinnati, Ohio, September 7, 1967.

Hon. Patsy T. Mink,
House of Representatives,
Washington, D.C.

Dear Congresswoman Mink: I am a member of the Business Leadership Advisory Council of the Office of Economic Opportunity. In this capacity, I would like to express my personal concern about certain efforts in Congress that would tend to weaken the O.E.O.

I believe a strong O.E.O. is needed *for the time being,* for the following reasons:

An aggressive and immediate effort to deal with the problems of poverty continues to be essential to the welfare of the country. A centralized management of programs to this end should rest in a single agency until considerably more progress has been made.

Any dismantling of O.E.O. would result in increased frustration and agitation in our cities. Efforts to this end would provide effective propaganda for the extremist agitators.

There is no escaping the fact that over the past four decades poverty has become increasingly a part of the everyday working economy of the nation. This condition is here to stay. It is a negative part, and extremely expensive.

At one time, the poor were relatively isolated physically and economically, but public welfare and migration to the cities have greatly changed the picture. This condition isn't likely to change. The only economic answer is a major effort to eliminate the causes of poverty wherever possible.

It seems evident that the traditional local public and private programs and institutions have not been equal to the task. Migration to the cities, and increasing public acceptance of responsibility for the poor, and a number of other contributing factors have overwhelmed the capacity of the local agencies to deal with the jobs they were designed to do.

I am encouraged to note that O.E.O. has made it a point to work through local and private agencies wherever possible. This has resulted in some cases of poor judgment, poor management, and errors. These can be corrected. In the long run, I would hope that the local agencies would become fully competent to handle local problems.

I am encouraged also to note that O.E.O. has been able, at the Federal level, to spin off certain programs to H.E.W., Small Business Administration, the Department of Labor, and perhaps other agencies.

It seems to me that this is the kind of progress that O.E.O. should make. Ideally, I would hope that O.E.O. could be so successful that eventually there would be no need for it.

As for now, we need a strong O.E.O. to develop programs to meet critical present needs, and to help local agencies develop the capability to do what is needed. At the Federal level, a centralized responsibility in O.E.O. is best able to crease and initiate.

The most important thing that the United States of America can say for our form of government and way of life is that every citizen enjoys freedom, has a useful job, and enjoy decent health services and living conditions. Words cannot communicate this, but the visible existence of the condition would be most eloquent.

Peoples around the world must wonder how the richest and most powerful nation can tolerate conditions that breed deep poverty, substantial housing, substandard health, substandard education, and finally riots.

What we can demonstrate now is that our society and our form of government can recognize our problems and deal with them quickly and effectively.

I have not attempted to discuss the merits or lack thereof of any specific O.E.O. programs. You are closer to the situation than I. What O.E.O. programs are doing in your own community will be more significant than my comments.

I'm sure you and your staff have plenty to do. I have already burdened you with the above communication, so please don't trouble to acknowledge.

Sincerely,

CHARLES E. SCRIPPS.

(This message appears in the September 1967 issue of Nation's Business)

A Hand Up Not a Handout—That's What the OEO Is All About

We believe that businessmen, legislators, indeed all citizens should understand and support the Office of Economic Opportunity. For what it does, as well as for how it does it.

What does the OEO do? As businessmen we look at it this way: The OEO and its programs give people a hand up, not a handout . . . get people off relief roles and onto payrolls. Our payrolls. It helps people move up the economic ladder; equips them through education and training to become productive and constructive members of society. The way we see it, the OEO turns out workers and consumers.

Now, how does the OEO operate? It's set up and run like a big business should be. A central management governing and administering a variety of diverse programs in 1100 communities in all 50 states, plus 120 Job Corps Centers. The OEO runs tightly, cleanly, economically. And it does this largely because of the way it's organized.

Operationally, the OEO follows the proven management concept of *single responsibility*. As businessmen, we practice this principle within our own organizations. And therefore, it's only natural for us to believe that *the OEO must be preserved as the single responsible agency for the conduct and management of the many and diverse activities of the economic opportunity program.*

It is the best way to get a vital job done.

Robert S. Benjamin, Chairman of the Board, United Artists Corp.; Ralph M. Besse, President, The Cleveland Electric Illuminating Co.; Cabell Brand, President, Ortho-Vent Shoe Co.; George R. Brown, President, Brown & Root, Inc.; Carter Burgess, Chairman of the Board, American Machine Foundry; Donald S. Carmichael, Attorney at law; Richard H. Carter, President, Fostoria Corp.; Walker L. Cisler, Chairman, The Detroit Edison Co.

Donald C. Cook, President, American Electric Power Co., Inc.; Richard Cudahy, President, Patrick Cudahy, Inc.; C. Malcolm Davis, President, Fidelity Union Trust Co.; John D. deButts, Vice Chairman, American Telephone & Telegraph Co.; Dr. A. G. Gaston, President, Booker T. Washington Insurance Co.; Harold S. Geneen, Chairman, International Telephone and Telegraph Corp.; Carl A. Gerstacker, Chairman of the Board, The Dow Chemical Co.

Eli Goldston, President, Eastern Gas and Fuel Associates; Lewis Gruber, Honorary Chairman, P. Lorillard Co.; Robert Hilkert, First Vice President, Federal Reserve Bank of Philadelphia; Joseph H. Kanter, President, Kanter Corp.; Harding Lawrence, President, Braniff International; John Lawrence, President and Chairman, Dresser Industries; C. Virgil Martin, President, Carson Pirie Scott & Co.

James McCormack, Chairman, Communications Satellite Corp.; William Patrick, Assistant General Counsel, Michigan Bell Telephone Co.; Harvey Russell, Vice President, Pepsi-Cola Co.; Charles E. Scripps, Chairman of the Board, Scripps-Howard Newspapers; Olcott Smith, Chairman, Aetna Life Insurance Co.; Roger P. Sonnabend, President, Hotel Corporation of America; Jay Wells, President, Wells Television, Inc.; W. H. Wheeler, Chairman of the Board, Pitney-Bowes, Inc.

BRUNSWICK CORP.,
Chicago, Ill., October 3, 1967.

Hon. PATSY T. MINK,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSWOMAN MINK: I have been following carefully the progress of the Economic Cpportunity Act and understand that the House Education and Labor Committee is preparing to make decisions which are quite important.

As an officer of the Brunswick Corporation, I want to take this opportunity to express our point of view regarding, specifically, the Job Corps. Brunswick's interest in Job Corps stems from the fact that we are operating two Job Corps Centers—one in Chicago, and the other in Marion, Virginia. Our experience to date indicates that the concept of Job Corps is a practical and effective one, and deserves support and continuation.

As a businessman, I can state that the investment being incurred to house, train and place a Job Corps enrollee makes sense when compared to the return that can be expected when an individual takes his or her place as a productive citizen.

I am hopeful that my comments will be helpful to you in reaching a positive decision about the Job Corps.

Sincerely,

R. G. BENSINGER.

AMERICAN FEDERATION OF TEACHERS,
AFL–CIO,
Washington, D.C., September 12, 1967.

Re Office of Economic Opportunity.

Hon. JOSEPH S. CLARK,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CLARK: The recent Convention of the American Federation of Teachers adopted a resolution recommended unanimously by its Committee on Legislation to support the continuation of the Office of Economic Opportunity and its programs, with these considerations:

A. The American Federation of Teachers strongly supports the efforts of the Urban Coalition and Senator Joseph Clark of Pennsylvania, including the $3 billion grant proposed by the Senator, to wage massive war on poverty in our central cities, administered through the Office of Economic Opportunity, and involving matching efforts by city government, business, and labor in our nation's cities.

B. The American Federation of Teachers strongly urges the Congress to provide that Job Corps Centers—both urban and conservation—be expanded under the Office of Economic Opportunity, provided that guarantees are written into law for fair labor conditions and collective bargaining rights as defined otherwise by Federal law.

Sincerely,

CARL J. MEGEL,
Director of Legislation.

THE DETROIT EDISON CO.,
Detroit, Mich., August 25, 1967.

Hon. PATSY T. MINK,
House Education and Labor Committee,
Washington, D.C.

DEAR CONGRESSMAN MINK: I am writing to you of my deep concern for the Economic Opportunity Act of 1967 and related appropriation requests now being considered in the Congress.

It has been my valued privilege to have served for the past two years as Chairman of the Business Leadership Advisory Council for the Office of Economic Opportunity. This group of key executives of many leading corporations from all sections of the United States consults with and advises the Director of the Office of Economic Opportunity, Sargent Shriver, and participates actively in the planning and evaluation of the programs of that office.

As business and community leaders deeply concerned with the causes and effects of poverty in our society and as citizens who have been privileged to assist those directly responsible for the work of O.E.O., we know full well of the many problems which must be faced and overcome if meaningful progress is to be made. I and other members of the Council have personally visited and seen firsthand the work of many of the organizations and establishments associated with the endeavors of the Office of Economic Opportunity.

Our approval of the beginning which has been made and our confidence in the organization and the leadership to which this great task has been assigned is well expressed in a resoluton adopted at our recent meeting on May 10 in Washington, D.C., at which time we also met with President Johnson to tell him of our support for the Poverty Program.

Introduced by Mr. R. H. Carter, President of the Fostoria Corporation, following resolution had the unanimous support of Council members.

"Whereas, the Business Leadership Advisory Council, which includes members of both political parties, reaffirms its support for the programs of the Office of Economic Opportunity, which the Council believes are being effectively administered in the interests of our country, and,

"Whereas, the Council believes that the success of the O.E.O. programs has been made possible by its organization as a central command post in the War on Poverty which enables it to coordinate a broad spectrum of programs that represent many needs and touch many age levels with strong thrust of purpose, be it

"Resolved, that the Council be on record that it believes the Office of Economic Opportunity should remain as presently structured, retaining the overall administrative responsibility of the scope of the entire Poverty Program, and that dispersal of its programs with divided responsibility would seriously deter the impact of the total campaign that is now the charge and responsibility of the Office of Economic Opportunity."

This position has been further endorsed by a number of chief executives of major corporations in a statement which will appear in the September Nation's Business. A reprint is enclosed for your information.

As with all citizens, I have been deeply concerned with recent unfortunate events in many of our cities, including my own City of Detroit. Many of our Detroit Edison employes were closely involved in maintaining and restoring service in the riot area, with support and protection of civil and military personnel. I have personally gone into these areas and have talked with many who are involved at all levels of our community. As a member of the Mayor's "New Detroit" Committee, I have a deep and continuing concern for those endeavors which will contribute to the well-being of our people and our community. It has been a significant part of my daily life.

During the riots and following, I find only good work being done by those involved in programs here developed and supported by the Office of Economic Opportunity. Many were working actively to contain the disorder and to keep others from participating. Considering the short time these programs have been under way, I believe the present and potential benefits are clearly evident. This good work must be continued and strengthened if we are to resolve the crucial matters facing us today. Time cannot be lost.

The recommendations made to the Congress by the Administration redefine and strengthen those areas of the War on Poverty which experience has proven most effective. It merits your full support and I commend it to you most highly.

With all good wishes.

Sincerely,

Walker Cisler.

University of Pennsylvania,
Philadelphia, Pa., August 21, 1967.

Hon. Carl D. Perkins,
U.S. House of Representatives,
Washington, D.C.

Dear Mr. Perkins: From a purely administrative standpoint, I feel very strongly that the proposed amendments to the Economic Opportunity Act would be a serious mistake. Everyone shares a deep concern for the very complex poverty problems in their entirety, and it will take the combined cooperative efforts of all public and private institutions to make visible progress in this area.

It is of crucial importance administratively, that Congress provide a central focus of responsibility for all efforts in this area. Centralized responsibility should provide a more effective means of keeping the poverty problem before public and private institutions as well as the general public, and at the same time, provide a greater degree of operating flexibility in dealing with rapidly changing conditions. Moreover, from an organizational standpoint, it is essential to clearly identify those responsible for accountability for the performance of the numerous programs established by Congress in this field. Once again the present program seems superior to the proposed amendments. While criticism is certainly appropriate of some of the administrative efforts of the present organization, I am afraid that it would only be accelerated under the proposed amendments because of diffused and confused responsibilities inherent in these proposals. I can just see buck-passing rising to new heights if the proposed changes are made.

It is my understanding that the present organization has, in fact, spun off programs and activities to existent agencies whenever possible and it is most likely that this trend may be accelerated in the near future. This, in itself, would seem to answer or anticipate some of the implied criticisms toward which the proposed amendments address themselves.

On balance, therefore, I find it difficult to see the advantages to be gained administratively by adopting the proposed amendments.

Sincerely yours,

Willis J. Winn,
Dean.

Board of Social Ministry,
Lutheran Church in America,
New York, N.Y., July 24, 1967.

Hon. Patsy T. Mink,
House of Representatives,
Washington, D.C.

My Dear Congresswoman: As a member of the House Education and Labor Committee which is considering the future of the "War on Poverty," I want to forward to you, for your information, a communication that was sent by this office to the president of the thirty-two synods as well as the thirty-two synodical committees.

I am enclosing also a copy of a statement on Poverty adopted by the 1966 convention of the Lutheran Church in America. The Lutheran Church in America is composed of some 3.2 million members in the United States and Canada.

Should you have any questions, please feel free to contact me.

Sincerely yours,

Carl E. Thomas,
Executive Secretary.

Board of Social Ministry,
Lutheran Church of America,
New York, N.Y., July 17, 1967.

Memorandum to: Synod Presidents, Staff and Members of Synod Social Ministry Committees/Boards LCA Board of Social Ministry Members.

From: Board of Social Ministry Staff.

Subject: The Crisis in the House of Representatives with Regard to the War on Poverty.

The Office of Economic Opportunity (OEO) is facing a battle for survival. Committees of both Houses of Congress are currently conducting hearings on the Administration bill to extend (and amend) the Economic Opportunity Act, originally passed in 1964.

Because the War on Poverty has incurred a great deal of criticism, the Administration's bill attempts to meet the opposition by tightening the administration of the program in various ways. The proposed changes are too great to suit its liberal supporters, but not drastic enough to assure that the bill will get past its most determined critics.

House Republicans have mounted a frontal attack on the Administration program in the form of their Opportunity Crusade bill (H.R. 10682), introduced on June 8 with the sponsorship of 10 of the 14 GOP members of the Education and Labor Committee. It is believed that the Republican alternative has the support of many Democrats as well. It calls for an appropriation of $1.7 billion for fiscal 1968, compared to the $2.06 billion called for by the Administration bill. This economy is made possible by the abolition of the OEO as the central agency of the poverty program, and the scattering of its present functions among other government agencies; and by seeking to stimulate greater anti-poverty efforts in the private sector.

The General Board of the National Council of Churches, meeting on February 21, resolved that in its judgment "the OEO represents an essential spearhead in the war on poverty," and called for support of the funding of that agency in the coming fiscal year at no less than the Administration request. Representatives of other responsible religious bodies, including the United States Catholic Conference and the Synagogue Council of America, agree with this judgment.

Our first concern, which we hope you share, is that the appropriations for the anti-poverty program be adequate. This surely is not the time to reduce funds for this crucial effort to eradicate poverty. Rather we need patience and continued financial support in a battle that will not be won in a short time. The importance of this battle for our nation and its people would justify a substantial increase, rather than a reduction, in the appropriations.

Our second concern is that OEO continue as the central agency of the anti-poverty thrust. Although the Republican proposal seems to commend itself in terms of logic and sound organization, its effect would be to scatter the government's programs just when there is need to further coordinate them under the Director of the OEO. Moreover, the OEO has become the symbol of the War on Poverty. To abolish it would be a serious mistake.

Our third concern is for the retaining of the aspect of the anti-poverty program which is the most controversial, the Community Action program with its basic emphasis upon "maximum feasible participation of the residents of the areas and the members of the groups to be served." This principle is the cutting-edge of the anti-poverty program, for it spells the difference between the dispensing of charity and the extension of democracy. But it points to the acquisition of political and social power by a great mass of people hitherto silent and passive. That this prospect is not to be welcomed by many in power today is demonstrated by the persistent troubles OEO has had with local political officials across the land. Nevertheless, we are convinced that the principle of participation of the poor in making decisions which affect their lives is essential to an effective War on Poverty. This fact is underscored by the riots that have been raging recently in a number of our cities. Certainly the hopelessness of poverty is a major ingredient in such explosions. But people are not likely to destroy programs in the planning and implementation of which they have had a part.

We urge that you express your concerns now on these and other issues with regard to the War on Poverty. Write or talk to your own Congressman; and write to the members of the House Education and Labor Committee, a list of whom is enclosed in this mailing.

House Education and Labor Committee, and Major Cities in Their Districts

DEMOCRAT

Carl D. Perkins (7–Ky; Ashland).

Edith Green (3–Ore; Portland).

Frank Thompson (4–N.J.; Ewing, Hamilton, New Hanover, Phillipsburg, Princeton, Trenton).

Elmer J. Holland (20–Pa; Braddock, Clairton, Duquesne, Munhall, North Braddock, North Versailles, Pittsburgh, West Mifflin).

John H. Dent (21–Pa; Greensburg, Hempfield, Jeannette, Monessen, New Kensington).

Roman Pucinski (11–Ill; Chicago, Norridge, Park Ridge).

Dominick V. Daniels (14–N.J.; Harrison, Hoboken, Jersey City, Kearny, North Bergen, Union City, West New York).

John Brademas (3–Ind; LaPorte, Michigan City, Mishawaka, South Bend).

James G. O'Hara (12–Mich; Detroit, Lynwood, South Gate, Willow Brook).

Hugh L. Carey (15–N.Y.; Brooklyn).

Sam M. Gibbons (6–Fla; Tampa).

William D. Ford (15–Michigan; Allen Park, Garden City, Lincoln Park).

William D. Hathaway (2–Maine; Auburn, Bangor, Lewiston).

Patsy T. Mink (A.L.; Hawaii).

James H. Scheuer (21–N.Y.; Bronx).

Lloyd Meeds (2–Wash; Bellingham, Everett).

Philip Burton (5–Calif; San Francisco).

Augustus Hawkins (21–Calif; Los Angeles).

Carl Albert (3–Okla; Ardmore).

REPUBLICAN

William H. Ayres (13–O; Akron, Barberton, Cuyahoga Falls).

Albert H. Quie (1–Minn; Austin, Rochester, South St. Paul, W. St. Paul).

Charles E. Goodell (38–N.Y.; Corning, Dunkirk, Jamestown).

Alphonzo Bell (28–Calif; Burbank, Los Angeles, Manhattan Beach).

Ogden R. Reid (26–N.Y.; Harrison, Mamaroneck, Mt. Vernon, New Rochelle, Port Chester, Rye).

Edward J. Gurney (5–Fla; Orlando, Winter Park).

John N. Erlenborn (14–Ill; Addison, Downer's Grove, Elmhurst, Glen Ellyn, Joliet, Lombard, Naperville, Villa Park, Wheaton).

William J. Scherle (7–Iowa; Council Bluffs).

John R. Dellenbach (4–Ore; Eugene, Medford, Springfield).

Marvin L. Esch (2–Mich; Adrian, Ann Arbor, Eastlawn, Monroe).

Edwin D. Eschleman (16–Pa; Lancaster).

James C. Gardner (4–N.C.; Raleigh).

William A. Steiger (6–Wisc; Appleton, Fond du Lac, Neenah, Oshkosh, Sheboygan).

Oklahoma Council of Churches,
Oklahoma City, Okla., July 28, 1967.

To Members of the House Education and Labor Committee, House of Representatives, Washington, D.C.:

We the undersigned, having had a long standing concern for and involvement with persons in poverty, especially agricultural migrants, wish to share with you our deep concern over proposed amendments to the Economic Opportunity Act.

We have been heartened in the past two years by the vigorous beginning on the part of the federal government toward meeting its responsibility to eradicate poverty among its citizens. We concur wholeheartedly with the goal of the preamble of the Economic Opportunity Act: "to eliminate the paradox of poverty in the midst of plenty in this nation by opening to everyone the opportunity to live in decency and dignity". We have been impressed not only by the stated goal, but by the initial steps taken toward the achievement of that goal. A multiplicity of programs, reaching all age groups and a vast diversity of needs among the poor, have been not only conceived but rapidly put into action. While we have not, of course, always been completely in accord with OEO programs and approaches, we must commend that office for its excellent overall performance in a frontier program.

However remarkable the achievements of OEO, we are always painfully aware of the need for even greater effort and often grow impatient with the progress of OEO. We can therefore understand and sympathize with those Congressmen who also show signs of impatience. We are concerned, however, that the results of this understandable impatience be constructive, leading to greater progress, rather than destructive, leading to a slowdown of effort. We are concerned to hear talk of diminishing needed appropriations precisely at the time when appropriations must be kept adequate. We are concerned to see a bill introduced which would do away with OEO, scattering its work throughout different sections of the Government, precisely at the time when greater coordination and authority are needed.

We are a nation accustomed to rapid tangible progress. And progress toward the elimination of poverty is often neither swift nor tangible, due to the peculiar characteristics of poverty. People in poverty are the victims of years and sometimes generations of hopelessness, dependency and isolation from the mainstream of the nation's steps forward. Such an inheritance has had its negative impact not only on the immediate economic situation of the poverty person, but upon his respect for himself, his perception of his resources, and therefore his resolve and ability to take advantage of opportunities. Eradicating poverty does not consist merely of providing the impoverished person with a house, a job, or food on the table; these are necessary but not sufficient.

The true eradiction of poverty lies in the eradication of this hopelessness, dependency and isolation. Such changes occur inwardly, and like all inner transfer actions, occur not only invisibly, but awkardly, stressfully, and very, very slowly. Unfortunately, we can see only a few of the outward manifestations of such changes in statistical charts in two years.

Past legislation on anti-poverty has shown that Congress understands the problems of poverty quite well. We are sure, therfore, that reason and good judgment will prevail over any destructive effects of impatience. We have observed in the past the capacity of Congress for patience. We have seen Congress patiently wait years to see the completion of a dam or a system of highways. We have seen Congress postulate decades to reach the moon. We are confident, therefore, that members of Congress will resist any hasty action which will be detrimental to the integrity and forward progress of the nation's war on poverty.

Respectfully submitted.

Members of Commission on Migrant and Related Ministries, Oklahoma Council of Churches; Dr. Roderick E. Gray, Superintendent, Oklahoma-Texas Conference, Evangelical United Brethren Church, Oklahoma City, Okla.; Mrs. Harold Nordman, Oklahoma City, Okla.; Rev. Kenneth Forshee, Chairman of the Commission, Oklahoma City; Mr. Maurice Mahan, President, Associated Christian Ministries, Inc., Altus, Okla.; Rev. Don English, Pastor, Grace Methodist Church, Altus, Okla.; Rt. Rev. Frederick Putman, Suffragan Bishop, Diocese of Oklahoma, Protestant Episcopal Church, Oklahoma City, Okla.; Rev. Earl N. Kragnes, Executive Director, Oklahoma Council of Churches, Oklahoma City, Okla.

United Church Women, National Council of the Churches of Christ in the U.S.A.,
New York, N.Y., July 28, 1967.

Hon. Carl D. Perkins,
Chairman, Committee on Education and Labor, House of Representatives, Washington, D.C.

Dear Mr. Perkins: On July 14, 1967, as Vice President of the Church Women United, I appeared before the House Committee on Education and Labor in support of H.R. 8311.

While the Hearings were in progress, the Church Women United were holding their Triennial Ecumenical Assembly at Purdue University. Represented at the Assembly were state organizations of the Church Women United and National women's denominational organizations representing 26 major Protestant and Orthodox Churches.

On July 16, 1967, the Assembly passed the attached Resolution supporting the Job Corps and Office of Economic Opportunity. I should appreciate the inclusion of the Resolution in the record of the House Hearings on H.R. 8311 immediately following my testimony.

Sincerely,

Edna Sinclair,
(For Mrs. George B. Martin, Church Women United).

Triennial Ecumenical Assembly of Church Women United

Resolution

Since it is now possible for the first time in history to eliminate poverty, as Christians we have a clear and compelling mandate to support even stronger efforts than have yet been made towards this end.

Our experience with thousands of girls in poverty throughout the country leads us to the conviction that the Job Corps program is absolutely essential if this generation of disadvantaged girls is to receive adequate assistance.

Believing that the essential coordination of all services for the poor and the continuing necessary innovations in these programs and services can be accomplished only through a single administrative agency, we support the Office of Economic Opportunity as that agency.

Therefore, Church Women United, Assembled in Lafayette, Indiana, July 16, 1967, urge members of our Congress to support the Economic Opportunity Bill and further urge our members as individuals and as groups to make known their support of this Bill.

Approved unanimously by the 2,000 Delegates to the Triennial Ecumenical Assembly of Church Women United, Assembled on July 16, 1967.

Fostoria Corp.,
Fostoria, Ohio, July 26, 1967.

Hon. Patsy T. Mink,
Longworth House Office Building, Washington, D.C.

My Dear Mrs. Mink: As both a fellow citizen and a businessman, I feel compelled to write you expressing my growing concern about the current House debate concerning the War on Poverty.

I personally have followed closely for some three years the formation and operation of this program. I believe it is one of the truly significant contributions of our generation to meet one of the oldest and most difficult problems that has always plagued mankind.

I am gratified today to see most of the OEO's pioneering programs now showing both tangible results and increasing public acceptance. The question today does not seem to be whether these programs should be continued, but rather could they not be done better or more economically by dispersal of the OEO functions to other agencies?

This is an entirely reasonable question deserving careful analysis. In this regard, the following related questions are pertinent:

1. Will better planning and coordination result?

Poverty is a tremendously complex problem with many interrelated efforts required to deal with its causes. The overall planning and coordination of these many programs clearly requires a special effort such as the OEO.

2. Will better programs result?

The OEO with its singleness of purpose and sole responsibility has come up with some novel and effective approaches to reach the *causes* of poverty—these transcend the specific areas of responsibility of the various departments. Although the OEO has had its shortcomings, its "batting average" has been very high on creative and worthwhile programs, particularly in view of the uncharted seas in which it is navigating.

3. Will lower costs result?

In my judgment, the sense of purpose plus the management and coordination functions of the OEO are worth many times the modest administrative overhead involved. Without the overall direction provided by the OEO, the monies expended by various departments each going their own way would result in far greater confusion, duplication, and less effective use of public funds. To me, the OEO performs the most important function of analyzing the "cost effectiveness" of various potential programs and allocating the limited funds authorized by Congress to the most promising activities.

In our manufacturing business we estimate it takes three years for a new product to reach the profitable stage. Certainly a complex pioneering program such as the War on Poverty, now showing tangible results, can be expected to take much longer to reach maximum effectiveness.

It does seem likely that with the passage of years after the pioneering period is largely concluded, the function of the OEO can be reduced or eliminated. But I must conclude that elimination of the OEO function *now* would be a major and likely fatal blow to our chances of succeeding in this great endeavor.

My plea to you is therefore to support the continuance of the OEO for at least several more years. I do believe its activities should be constructively evaluated and modified by Congress where necessary for greater effectiveness. But to strike it down today just as it is showing real results would in my view be a tragedy to our country.

I will welcome your reaction to the above thoughts.

Respectfully,

R. H. CARTER.

THE CLEVELAND ELECTRIC
ILLUMINATING CO.,
June 22, 1967.

HON. PATSY MINK,
House of Representatives,
Washington, D.C.

DEAR MRS. MINK: As you know, a large number of businessmen are serving on the local councils of the Community Action Programs throughout the country.

The members of the Business Leadership Advisory Council to the Office of Economic Opportunity have felt for some time that these businessman participants in the Community Action Programs should be called together to exchange ideas, reflect constructive criticism and present their views to the staff of the Office of Economic Opportunity.

This was done last week and I had the pleasure of chairing a meeting of more than 50 such businessmen in an all-day session in Washington. I enclose the list of those who attended.

At the close of the session several of those present suggested that the group should reflect its views on the pending legislation in the Congress affecting the Office of Economic Opportunity. As a result of this discussion in which many people participated, the enclosed resolution was presented and unanimously adopted.

I thought you would be vitally interested in the views of businessmen who are closest to the Community Action Program attack on poverty.

Cordially yours,

RALPH M. BESSE.

A RESOLUTION TO THE CONGRESS OF THE UNITED STATES PASSED UNANIMOUSLY BY THE COMMUNITY ACTION SUBCOMMITTEE OF THE BUSINESS LEADERSHIP ADVISORY COUNCIL CHAIRED BY RALPH M. BESSE, CHAIRMAN, CLEVELAND ELECTRIC ILLUMINATING CO.

Whereas those in attendance at this meeting are representatives of a variety of business interests throughout the Nation;

And whereas we are actively engaged in the War on Poverty through service on Community Action boards and through private efforts to alleviate poverty in our own communities;

And whereas we are vitally interested in the continued success of the Community Action Program;

We therefore strongly recommend:

(1) that the Office of Economic Opportunity, whose work is really just beginning, remain intact and that it be the central organization to lead the efforts in the War on Poverty.

(2) that the funds recommended in the President's message to Congress for the Office of Economic Opportunity effort for the coming year be passed by Congress.

(3) that this include the maximum amount of versatile funds for Community Action.

PITNEY-BOWES, INC.,
Stamford, Conn., July 19, 1967.

STATEMENT OF W. H. WHEEDER, JR., CHAIRMAN, PITNEY-BOWES, INC., STAMFORD, CONN., RE WAR ON POVERTY

I should like to go on record as a strong supporter of the War on Poverty and, in particular, OEO. I have taken quite an active interest in it over a period of time, starting primarily with my activities as Chairman of the National Corporations Participation Committee of the United Funds and Councils of America. I am a member of our local OEO Committee here in Stamford as well as the OEO Advisory Committee.

I hope the total amount of funds will not be reduced, regardless of whether the local contribution is to be ten or twenty per cent. I do favor the former because local funds are extremely hard to come by and yet I think the War on Poverty itself is certainly of equal importance or more to the war in Vietnam. This is a job which we have simply got to lick if we are going to make this country what it is supposed to be.

Furthermore, I think rather than decrease the control of the Office of Economic Opportunity, the control should be strengthened. There is nothing more confusing to a local community than to have several different agencies of the Federal Government tackling the same sort of a problem in different ways. It causes confusion and plays directly into the hands of those who say, "Well what can you expect of the Federal Government? They ought to be out of it entirely." There is great need for coordination at the local level.

I have been pleasantly surprised to see how efficient our own local operation has been, and despite the fact that this is blazing an entirely new trial, and there is very little past experience to go on. I don't question but what mistakes have been made, but I think we are learning fast.

A NEW TWIST IN POLL TAKING

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. VAN DEERLIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, as a former broadcaster, I have been most impressed by Television Instant Poll, an intriguing new method for sampling the national pulse on key issues.

The poll, begun last February on a local basis by station WFIL–TV in Philadelphia, has now been implemented by 35 stations under WFIL's guidance, with more joining every week. In Washington, the feature is carried by WMAL–TV, Channel 7.

The basic formula is quite simple: Audiences are questioned on the early evening news show, and the results are announced on the late evening news show.

What makes this poll different from others is the huge volume of votes that can be recorded within 3 hours because of special telephone equipment that does not jam a switchboard. Votes are cast by dialing a number, and can be recorded at the rate of 12,000 ballots per hour for every phone unit installed.

Realizing the value of turning this local opinion device into a national instrument, WFIL–TV secured agreement from 14 stations to ask the same question on the same night.

On October 9, audiences in Florida, Indiana, Louisiana, Maryland, Michigan, Minnesota, New Jersey, New Mexico, Ohio, Pennsylvania, Texas, and Utah were asked: Should the bombing of North Vietnam be stopped immediately? The result was 38 percent in favor of halting the bombing and 62 percent opposed.

WFIL–TV, which coordinated the balloting and distributed the results to all participating stations, is now underwriting this national vote once a month. At least 30 major markets will participate in the November question. With an average of 75,000 votes per station, this means that 2 million people will express their opinion on some vital topic.

The WFIL management has performed a true public service, both in developing the instant poll technique and in then putting it to such wide and valuable use.

MAKING JOB PROGRAMS WORK

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BROWN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BROWN of California. Mr. Speaker, I agree with the sentiments expressed in a recent Los Angeles Times editorial that:

> The most urgent target in the poverty war is unemployment, for no slum dweller can achieve the objectives of independence and dignity so long as he must rely upon welfare payments.

I am also in agreement, Mr. Speaker, with the work of my distinguished colleague from California [Mr. HAWKINS] who is endeavoring to insure effective coordination between the various job-training programs. It is encouraging to note that the Los Angeles Times has devoted itself to consideration of this important subject in the following editorial:

[From the Los Angeles Times, Oct. 17, 1967]

MAKING JOB PROGRAMS WORK

Surely the most urgent target in the Poverty War is unemployment, for no slum-dweller can achieve the objectives of independence and dignity so long as he must rely upon welfare payments.

Yet far too many job training programs

are missing the mark—or failing to make maximum use of available money and opportunities.

Congress already has expressed its dismay and disleasure at the situation. A House subcommittee will hold hearings in Los Angeles next week to determine how local efforts can be made more effective.

One member of the subcommittee, Rep. Augustus Hawkins (D-Los Angeles), who represents much of the local poverty area, believes that too many funds are spent on experimental programs, as opposed to proven projects.

Hawkins, according to his special assistant, Charles Knox, also objects to what he considers an excessive emphasis upon recreational programs. He is extremely critical of the failure of the various participating agencies to coordinate their plans and programs more effectively.

The Times has not always agreed with Rep. Hawkins' comments upon anti-poverty efforts. But his criticisms in this instance appear to have great validity.

An example he cited is the so-called Concentrated Employment Program (CEP), a new experiment in Los Angeles County intended to provide training "slots" for 2,000 persons in poverty areas. The Labor Department was sufficiently impressed by the CEP concept to combine pieces of existing programs to form a "package" totaling $8,635,417.

As of Oct. 11, however, only a small fraction were employed under the program, according to Supervisor Kenneth Hahn. "Red tape and bureaucratic buck-passing" were blamed by Hahn for the hang-ups in the program. He warned that the appropriation "will be used up in administrative costs rather than helping the poor."

The CEP will be one of the items on the House subcommittee's agenda, along with other programs that members feel have not yet measured up to their potential.

The subcommittee, however, will also find that one highly controversial antipoverty program—the Teen Posts—has taken a new tack toward job training.

"We've found out that just getting the kids in off the streets to shoot pool isn't enough," said William Elkins, new director of the Teen Post program.

The change in emphasis from recreation to employment results from a shift among the Teen Post members themselves. These teen-agers, Elkins explained, have "begun to think in terms of jobs and training."

Their new attitude is encouraging indeed. But it will lead to even greater frustration and bitterness if the community is not able to provide meaningful programs of job preparation and training.

The objectives of the War on Poverty are far too important and the price of failure far too great to tolerate inefficiency and jurisdictional disputes in employment programs for the poor.

DICKEY-LINCOLN SCHOOL PROJECT

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. TIERNAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. TIERNAN. Mr. Speaker, there has been considerable continuing debate on the Dickey-Lincoln School project for which the House of Representatives denied further planning funds 2 weeks ago.

I have had considerable mail from my district indicating a great interest in this project and expressing a desire that Congress assist to bring about lower electric power rates in New England. Mr. Paul Boghossian, president of the Concordia Manufacturing Co., a textile plant in Coventry, R.I., writes—and I quote:

> Our company made a comprehensive review of power rates recently and we found that Rhode Island power costs in Rhode Island are running about 66% more than comparable investor-owned power charges elsewhere. There is no question that the tremendous premiums industry has had to pay for power has been one of the reasons the New England economy has not grown at the rate that other areas have grown.
>
> If public power were introduced into the New England area, this might tend to offer a rate structure which the investor-owned utilities would be required to follow and enable industry and consumers alike to enjoy competitive power rates in line with the national average and with other sections of this country.

Mr. Boghossian eloquently points out the dilemna of many New England industrial concerns. He is obviously most concerned about the future development of New England. Unfortunately, the action of the House with respect to Dickey-Lincoln gives little comfort and encouragement for the expansion of business in New England and also gives little hope to the millions of New Englanders who use electric power and heat in their homes.

I am hopeful that the House will reconsider its position with respect to this project so that we in New England will some day be the beneficiary of reasonable electric power rates.

Mr. Speaker, without objection, I include three editorials from the Providence Journal as part of my remarks:

[From the Providence (R.I.) Evening Bulletin, Oct. 14, 1967]

PUBLIC UTILITY RATES

The fact that over the last 25 years many champions of the public interest have sought regional utility rate control helps to underscore a point made before the New England Regional Commission, namely, that regional control remains a valid, much-needed goal from the public's point of view.

New England citizens take comfort in assurances that public utility administrators and consumer protection councils adequately can defend public interest in, say, the region's electric power rate structure. These assurances cannot be firmly supported. Congressional testimony has confirmed misgivings that state public utility divisions in the region have neither the staff nor the expertise competently to analyze whether rate structures are unjustly high. In a word, the public relies on a weak state-by-state protection of its interests, while the utility interests rely on a highly efficient regional arrangement of holding companies and interlocking directorships.

Time and again, Rhode Island consumers have seen how impressively the utility interests can mobilize its economists, engineers, and accountants in a massive presentation of data to support a rate case. Too frequently, the public utilities administrator has all he can do simply to understand a case, let alone to act as arbiter between company and public interests. Too frequently, state administrators, knowing that company versions of its investment, income, depreciation, and expenses as rate base elements, *should* be items of controversy, simply must pass over these items for lack of experts who can challenge the company.

Rates are changed, and consumers ask, as they have done many times over the years in New England, why is it that the consumer who buys electric power from one company—power which it bought from a second company—pays less than the consumer who buys power directly from the producing company. Occasionally the Federal Power Commission has stepped into situations of this kind and ordered that the costs to consumers be allotted more equitably.

Public utility corporate structure, financing and methods of rate setting are highly intricate, and the companies understandably are completely up to the minute on these intricacies in order to provide the greatest possible return to investors.

New England regional representatives have been told again—and forcibly—that basic readjustments are essential if consumers are to be protected adequately and if the region is not to discourage new industry by high electric power costs.

[From the Providence (R.I.) Journal, Oct. 21, 1967]

DICKEY-LINCOLN PLEA

The three Northern New England governors have joined in a plea to congressmen from this region urging that they reverse their votes and go along with approval of planning funds for the Dickey-Lincoln School Dam. It was disappointing not to see the other three New England governors join in this plea.

The hydro-electric dam on the upper St. John River in Northern Maine is a project that will benefit nearly all of New England. While its huge reservoir of power would be intended mostly for the Boston metropolitan area, this reserve would ease demands on other facilities throughout the southern half of the region.

A project involving a dam 300 feet high and producing about 700,000 kilowatts of power, Dickey-Lincoln School is truly a New England project. It is discouraging to promoters of New England regional cooperation to see the region badly split on the issue of public power—the first big public power project the region has ever come near to getting. As an example of the value of the project in terms of measuring private power company performance, Maine power companies this fall have announced rate reductions totaling one million dollars a year; Maine public officials are sure this is a direct benefit of the Dickey-Lincoln School project, even before its construction is assured.

Fourteen New England congressmen voted against planning funds for the dam when the huge public works bill came before the House earlier this year. Now that the Senate has restored the funds, another vote will be necessary. We hope the congressmen will give the project a chance, even if three governors, for reasons of their own, have not seen fit to plead for approval.

[From the Providence Journal, Oct. 28, 1967]

DICKEY-LINCOLN FUNDS

The strangest part of the repeated House vote against funds for planning the Dickey-Lincoln School hydro power project in Northern Maine is that the opposing congressmen have made no attempt to vote against public power projects in other regions of the country. The House vote to kill the Senate-House compromise appropriation of only 875 thousand dollars was 236 to 162, a fairly decisive margin. Yet many other projects in the 4.6 billion dollar public works (and Atomic Energy Commission) bill sailed through without any challenge at all.

Senator Muskie of Maine cannot be blamed for vowing to hold up the entire bill, with its myriad of projects for virtually every one of the state, until the House relents on the Dickey Dam. But the fact is that he has been undercut right in his own New England region. While all the senators and congressmen of traditionally conservative Maine, both Democrats and Republicans, have fought for the huge, 700,000 kilowatt power project, a majority of the congressmen in the other New England states, Democrats and Republicans alike, have consistently voted in opposition.

There is no question that New England's first big public power project has been fought relentlessly by the private power companies. Senator Muskie went even further. He said that several members of House and Senate had told him lobbying against the project by private power companies nationwide was "the most vicious they have ever experienced." The nation has been treated to the ironic spectacle of legislators from other parts of the country voting for a New England project that New Englanders themselves sought to kill. Had New England been united, others would have had less excuse for a negative vote.

The Dickey-Lincoln School dams and power stations would not be cheap at perhaps 380 million dollars. But they would provide needed power at heavy-load periods of the day and, more particularly, they would provide the public power yardstick for measuring the cost of private power installations in the region that has the highest power rates in the country. Nobody has denied this. Moreover, in their fear of the Dickey project, or in their zeal to head it off, the private companies have been finding ways to grant rate reductions worth millions of dollars. The reductions always seem to come when the project is up for another modest allotment of planning funds.

The only heartening factor in the setback of the Dickey project Wednesday was the vote of both Rhode Island congressmen for it. Congressman Tiernan felt some of the information put out by the private utilities was "misleading and harmful" to New England's interests. It is too bad that all of the region's 25 congressmen could not have been as solicitous of the interests of New England's people.

SECRETARY OF DEFENSE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Nevada [Mr. BARING] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BARING. Mr. Speaker, last Friday Defense Secretary McNamara announced that Russia was testing a new weapon which could bomb the United States from outer space as early as next year. Our esteemed Secretary of Defense is also reported as saying:

> I am not concerned about the new development.

Mr. Speaker, perhaps Mr. McNamara is not concerned, but I want you to know that I am concerned—quite concerned—and so are millions of people in this country.

Mr. McNamara tells us that a new radar going into operation would not be accurate enough to destroy the U.S. Minuteman ICBM bases. Therefore, Mr. McNamara points out, the U.S. deterrence is not reduced.

Mr. Speaker, I wish I could say I have complete confidence in the views stated by our Secretary of Defense. But I cannot. How can anyone have confidence in this man, under whose guiding hand this great Nation of ours is becoming the second most powerful nation of the world?

In January of 1961, the United States held a strategic superiority of 10 to 1 over the Soviet Union. At the start of this year, our missile and bomber lead shrank to less than 4 to 1 and overall, our lead in total megatonnage was cut to 2 to 1. Now the experts tell us that by 1971, Russia will have nearly 50,000 megatons of strategic delivery capability while the United States will drop to 15,000 megatons.

On December 7 of last year, Mr. McNamara admitted that the United States had underestimated the growth of the Soviet Union's ICBM's. But did that worry our Secretary of Defense? No. He scuttled plans for a new long-range bomber—dismantled the Army Reserve, cut our bomber fleet down to 600, while more than 1,000 bombers were scrapped and not replaced. He abandoned our missile bases on the borders of the Soviet Union and gave the Russians a commanding lead in antimissile defenses by postponing a start on our own antimissile defense.

How much confidence can you have in a man who said on January 26 that his studies show that the Russians, by building more and more missiles, could overcome Nike X defenses in an all-out attack and kill 120 million Americans? And then blithely adds:

> I have grave doubts on the advisability of our deploying the Nike-X system for the protection of our cities.

His stand is, of course, contrary to the Joint Chiefs of Staff, who argue that millions of Americans could be saved, and that it is far better to try than to give up.

And, Mr. Speaker, that is seemingly the direction that our Secretary of Defense is taking—giving up and in to the Soviet Union.

This feeling of passiveness has even seeped down to the Deputy Secretary of Defense, Cyrus R. Vance, who gave this reply to a question by Charles W. Cordry, Jr., of the Baltimore Sun on the "Meet the Press" program of May 28, 1967:

> Mr. CORDRY. Mr. Secretary, did your answer to Mr. Evans mean that you are unalterably opposed ever to building an anti-ballistic missile system designed against the Russian threat?
>
> Mr. VANCE. Yes. Insofar as I personally am concerned, I think it makes absolutely no sense.

I ask you, Mr. Speaker, are these the kind of men who should be in charge of our national security?

During his tenure as Secretary of Defense, Mr. McNamara has made many public statements that are eyebrow raising, to say the least, for a man in his position. Who can forget his intelligent remark in 1963 when he said:

> I have no evidence that Cuba is being used as a base for subversion against other Latin American countries.

Three months later, the Senate Preparedness Subcommittee reported:

> The evidence is overwhelming that Castro is supporting, aiding and abetting Communist revolutionary and subversive movements throughout the Western Hemisphere.

But Mr. McNamara came up with his alltime high eyebrow raising statement when he said the Soviet Union did not violate the space treaty because the space weapons would be fired "in a fractional orbit, not a full orbit."

I ask you, Mr. Speaker, is this the kind of statement for the Secretary of Defense for the United States to be making?

Is Mr. McNamara actually that naive to believe that the Soviet Union would ever live up to the exact wording of any treaty or pact? Has not Mr. McNamara ever looked into the past history of our agreements with the Soviet Union?

It is my understanding that the treaty does not define the meaning of the term "orbit." It simply forbids signatory nations from placing "in orbit around the earth any objects carrying nuclear weapons of mass destruction."

Needless to say, Mr. Speaker, if, when and ever the Soviet Union places one of their orbital bombs into the sky, I will rely on the comforting words of Mr. McNamara that the Soviet Union isn't breaking any treaty while—heaven forbid—our cities are destroyed.

And I am sure it will be a comforting thought to the victims, too, that the Soviet Union is not fudging on the treaty.

As Secretary of Defense, Mr. McNamara has made one blunder after another: the TFX fiasco; the aircraft carrier *John F. Kennedy* where McNamara overruled the Navy, the Atomic Energy Commission, and others because his cost effectiveness studies convinced him that the *John F. Kennedy* would be a better buy as a conventional oil-burning carrier than nuclear powered.

As Secretary of Defense, Mr. McNamara has refused to listen to the Joint Chiefs of Staff on the Vietnam war and it has proved costly to this Nation in the matter of lives and money.

His computerized theories and decisions have cost this country greatly.

I wonder today how Mr. McNamara can justify his statement which was made in San Francisco on September 18, 1967.

> Is the Soviet Union seriously attempting to acquire a first-strike capability against the United States?
>
> Although this is a question we cannot answer with absolute certainty, we believe the answer is no.

Yet 46 days later, the Secretary of Defense announces that the Soviet Union is testing a weapon which could bomb the United States in 1968.

Mr. Speaker, the American public has been asked too long to accept any more judgment decisions of Mr. McNamara. I have stated many times in my monthly newsletters to my constituents and in my weekly news releases to the newspapers in my State of Nevada, that McNamara must go.

I repeat it again today. The President should rid himself of McNamara.

Last week, the President urged the people of this country to write their Congressman urging their voting for a surcharge tax.

Today, I am urging the people of this great Nation to write the President demanding that he fire our Secretary of Defense, Robert Strange McNamara.

EXAMPLES OF IMPROVED MANPOWER MANAGEMENT IN THE FEDERAL GOVERNMENT

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. HENDERSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HENDERSON. Mr. Speaker, the departments and agencies of the executive branch of the Government have reported to the Manpower and Civil Service Subcommittee savings in excess of $41 million for the first 6 months of this year through improved uses of personnel and equipment. Likewise, during this same 6-month period, 11,600 vacant civil service positions were abolished. This, too, represents a sizable savings.

Examples of improved work techniques and overall better management are:

The Army's Anniston Depot has developed new work standards. By applying these standards 41 man-years were saved, over $300,000 in salaries.

The U.S. Information Agency abolished one of its organizations, the Office of Private Cooperation, and the needed functions were placed in other offices. This action eliminated 12 jobs and will save $159,000 annually.

The Treasury Department reviewed its paperwork and has eliminated 256 different forms. Actually, 85 of these forms were directly used by the public. Annual savings of over $440,000 are predicted.

The subcommittee semiannually issues a report reflecting examples of improved management. The report for the period January through June 1967 is being released today. It also reveals employment data.

Comparing June 1966 with June 1967, civilian employment in the Federal Government increased by 243,400 or 8.8 percent. The major employment increases were in the military departments, 163,900, reflecting the war effort in Vietnam and the replacement of combat-qualified military men in support jobs with civil service personnel.

ALLIANCE FOR PROGRESS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, the Alliance for Progress is a program dedicated to our realization of hemisphere responsibilities.

We are engaged in this program in our national interest and not principally to win the affection of our friends to the south.

However, our efforts are appreciated in the country of Panama. For the past 3 years President Marco A. Robles has dedicated himself to the principles of the Alliance, working closely with our AID mission and utilizing its resources most wisely. He has utilized this assistance as it is intended to be used to create increasing social, economic, and political growth. That he is appreciative of our assistance is set forth in the following comments which he made in his state of the Union message before the National Assembly recently.

President Robles said:

> My administration has had as one of its main objectives the promotion of economic growth. This explains the growth rate which we have obtained and which represents a highly satisfactory level within the objectives of the Alliance for Progress.
>
> With the cooperation of international organizations we have made considerable progress in many projects. Thanks to the assistance of the Agency for International Development through the Rural Development Program we have promoted many activities which have resulted in effective instruments for improving rural living conditions and at the same time serve to increase production.
>
> I think it is fair to acknowledge in this message my Government's appreciation for the technical and economic assistance received from international organizations, such as, the Alliance for Progress, the Agency for International Development, the United Nations Special Development Fund and the Food and Agriculture Organization. Please permit me to reiterate what I have stated on other occasions in the sense that, in Panama, the Alliance for Progress has achieved the goals and objectives indicated in the Charter of Punta del Este.

Also, as an example of the wonderful cooperation between Panama and ourselves, is the following annual report to the National Assembly by the Minister of Agriculture, Commerce and Industry, Rubén D. Carles, Jr. Minister Carles is an example of the new spirit which has arisen in Latin America. He is one of the growing group of public officials totally dedicated to the Alliance for Progress and fully cognizant to its ability to minister to the problems of his people.

Minister Carles stated:

> We have maintained a close relationship with the Alliance for Progress and the Agency for International Development. From these organizations we have received the most dedicated and enthusiastic cooperation not only in the form of technical assistance, but also financial assistance and supplies. In the case of the Ministry of Agriculture, Commerce and Industry, I must say that similar to other Government Agencies and Institutions, the Alliance for Progress has been a reality which has provided the Panamanians the opportunity of working "shoulder to shoulder" with officials of this organization. Together we have achieved some of the objectives outlined and set as goals and we continue to prepare new projects.
>
> At all times the Agency for International Development has given full cooperation to the Ministry of Agriculture and this is evident in the work and results obtained in the development of the rural areas in the country. We should present here our recognition to Messrs. Charles W. Adair, Ambassador of the United States, and James Megellas, U.S. AID Director in Panama.

These are only a few examples as to what is happening in many countries in Latin America. It is my hope that the flame of the spirit of reform which we have helped to light in Latin America through the Alliance for Progress will continue to be supported by the United States.

PRESIDENT JOHNSON—A GREAT STATESMAN

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I was extremely interested in an article entitled "Unpolitical Behavior" appearing in the November 3 issue of the Wall Street Journal. This article raised the question as to why President Johnson is staunchly sticking with three very unpopular stands—he refuses to compromise his Vietnam policy, he continues to talk about satisfying the needs and aspirations of slum dwellers and not of repressing the rioters, he continues to push for a tax increase instead of slashing his domestic programs.

The question has so often been asked—Why? The article points out that these stands are contrary to Lyndon Johnson, the so-called compleat politician. Several reasons were offered: First, the President is unaware of the evidence that such stands are unpopular or that he refuses to believe such evidence; second, the President realizes the unpopularity of his actions but can do nothing about them; and third, the President and his advisers are misreading history. Alternatively, it is suggested that President Johnson so firmly believes that his policies are right that he is pursuing them regardless of the consequences at the polls or in the history books. To accept this latter explanation would be to violate the image of Johnson as the "compleat politician."

I suggest to my colleagues that it is time we all discarded the myth of President Johnson as the "compleat politician." It is long overdue. Undoubtedly the President of the United States must be a politician. He must respond to those who, in good faith, placed him in office. At the same time, we, as the electorate, must recognize that a President has a greater responsibility than just responding to the dictates of the polls. A President of integrity must provide leadership and direction for a nation.

Granted, a politician would respond to the dictates of the polls. The "compleat politician" would withdraw immediately from Vietnam—disregarding all the consequences. He would call for repressive measures for rioters and turn his back on the festering and explosive ills of our cities. He would allow this country to continue its perilous path toward inflation by forgetting about a tax increase—leaving the economy in shambles for the next man in office. That, my friends, is what a so-called practical politician would do.

That a statesman would never do—regardless of the unpopularity of his alternatives. A statesman lets polls charter his course only if he believes such polls to be in the best interest of his country.

I, for one, am glad that President Johnson is not the "compleat politician." I say thank God President Lyndon B. Johnson is not the "compleat politician." I say thank God he is a leader and not a drifter. President Johnson is investing in the future of this country. All of us have a stake in the returns on this investment.

So that my colleagues might read this excellent article from the Wall Street Journal, I would like to include it in the CONGRESSIONAL RECORD:

[From the Wall Street Journal, Nov. 3, 1967]

UNPOLITICAL BEHAVIOR

(By Alan L. Otten)

WASHINGTON.—Everyone knows that Lyndon Johnson is the Compleat Politician. That everything he does is for political gain. That he rarely takes any step likely to cost him votes.

Yet right now the President is staunchly sticking with three major stands that—according to the polls, editorial comment, Congressional reaction and all other commonly accepted measures of voter response—are widely unpopular. He refuses to compromise his Vietnam policy; he still, despite the summer's riots, talks more of satisfying the needs and aspirations of slum dwellers than he does of repressing the rioters; he stubbornly resists efforts to combat inflation with deep cuts in domestic spending and instead insists on a large tax increase.

How come this political animal takes such evidently unpopular positions?

One explanation is simply that the White House either is not aware of the evidence or does not believe it. Increasingly, the President and his top lieutenants on the White House staff and in the Cabinet appear insulated from the rest of the nation. More and more they talk to each other, reassuring themselves of the wisdom and justice of their courses. What they read outside they dismiss as the niggling criticisms of an always-critical press or the petty plaints of frustrated liberals still not resigned to the rough Texan's presence in the White House.

The real America, Administration men assert, speaks through such groups as the one recently organized in support of present Vietnam policy with former Presidents Truman and Eisenhower as leading sponsors. The President and his aides display to White House visitors, and attempt to plant all through the Washington press corps, polls of their own showing LBJ decisively beating all Republican comers in New York, Pennsylvania and a swing county in New Hampshire.

Local Democratic leaders have reassured the White House (whether rightly or wrongly remains to be seen) that loyalists forces will remain firmly in control of state party machinery, and that peace-plank and dump-Johnson moves now being aggressively advanced by Democratic doves will not translate into primary victories or convention delegates—and, in fact, may backfire and create sympathy for the maligned President. The Administration has begun to try to sell itself in interviews and speeches, and LBJ lieutenants think this will raise the President's standing; still further and even more dramatic improvement will come, they are convinced once the Republicans nominate their candidate and the contest narrows to one against one.

Some State Department and Pentagon officials assure the President that unfolding events in Vietnam give cause for even greater political optimism. By November 1968, they insist it will be obvious to all but the most obtuse or most stubborn that the U.S. has in fact won the war, and that it's only a question of time—perhaps only a question of getting our election over and behind—before Hanoi sues for peace.

Administration urban experts similarly suggest that programs now under way provide at least some hope of getting through next summer without rioting as extensive or caustic as this year's.

And the economic team argues that when, for want of a tax increase, prices soar ever higher next fall, the President will at least be able to remind the country "I told you so."

Another possible explanation of the President's current courses is that he realizes their unpopularity but sees little he can do about it. Alternatives are difficult to devise and could turn out to be even riskier politically.

The ballot-box backlash might be even greater, for instance, if he sharply escalated military action in Vietnam and still failed to end the war. Or if he softened his negotiating stance too much and then the bargaining dragged on or, even worse, produced a settlement that quickly soured and permitted a Communist takeover. Republicans would have a field day attacking Mr. Johnson for letting Ho Chi Minh put one over on him, and demanding why so many American lives had to be sacrificed for so little result.

A get-tough-with-the-demonstrators line would risk loss of support among Negroes and sympathetic whites—and militant whites still prefer Alabama's George Wallace.

Deep spending cutbacks might help stem inflation, but might also produce political fallout among voters affected by the retrenchment; yet any runaway inflation, without at least some prior Administration effort to erect a barrier, would also be politically perilous.

Still a third possible explanation of the President's apparently atypical behavior is that he and his advisors are misreading history. They frequently note that the Presidents most commonly rated by historians as great or near-great, from Washington and Jefferson to Roosevelt and Truman, were constantly criticized and attacked by contemporaries—and they seem to draw from this the conclusion that sharp criticism and attack is almost a guarantee of the greatness of the man and the wisdom of his policies. The troubles and difficulties the President must endure now, these Johnsonians seem to suggest, merely ensure his glory niche in the history books.

Administration speechmakers bear down heavily on the theme that the intellectuals and the press have always fought with Presidents who seek to fulfill "national commitments"; this was the sole burden of Texas Governor John Connally's lengthy, impassioned defense of the President's Vietnamese policy at the recent governors' conference.

Certainly Mr. Johnson and his aides spend an incredibly large amount of time and talk these days recalling the trials of previous Presidents now counted among the nation's greatest. Friendly journalists reflect this White House line, with columns suggesting the parallel with Lincoln or Roosevelt or Truman. All this, of course, can be construed as an attempt to make the best of a bad lot—to bid for understanding and sympathy from today's voters and tomorrow's historians.

These are all critical explanations, of course. There's one other possible interpretation: That the President so firmly believes his policies are right that he is pursuing them regardless of the consequences at the polls or in the history books. The explanation, to be sure, violates the image of Johnson the Compleat Politician, but it could just conceivably be right.

THOUGHTS OF A WIFE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. LENNON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. LENNON. Mr. Speaker, I would like to share the touching, courageous, and prayerful "Thoughts of a Wife"—the wife of a soldier serving in Vietnam—with our colleagues and the readers of the RECORD.

These thoughts published in the Fayetteville Observer, Fayetteville, N.C., are placed in the RECORD at this point:

THOUGHTS OF A WIFE

The following was written by Mrs. Richard Clark of Fayetteville whose husband, Spec. 7 Richard Clark, is serving in Vietnam.

"Lord, don't let me forget—
Our last quick cup of coffee . . .
How handsome he looked—shined shoes, spotless, starched uniform—his boys waiting, forebodingly, by the front door.
Our goodbye kiss—so brave, sprinkled with sad smiles.
How he winked as he left!

"Lord, don't let me forget—
How the tears ran after he was gone.
Emptiness filled our house.
Children looked for daddy—not understanding, only wondering why he had to go.
Waiting for his return at suppertime. But he didn't return!

"Lord, don't let me forget—
Looking at the barrenness of our room—now just my room—to cry in, to dream in, to worry in. Alone!

"Lord, don't let me forget—
The endless waiting, day after day, for the mailman.
The letters of love, of loneliness.
My concern when his letters didn't come . . .
His closeness when they did come!

"Lord, please don't let me forget—
The unshared growing up of our children. The little tears, the little ills, the little smiles he missed.
The days when life was impossible.
The nights so quiet, when loneliness sat next to me, instead of him.
The mornings of breakfast alone and no kiss for him as he started his day. No kiss for me as I started mine.
The Saturdays of no shopping, no rushing, no chasing here and there.
The Sundays with no family ride, no big special dinner with everyone home.
The days when crisp Fall arrived, weary Winter came and sunny Spring passed on to simmering Summer.
The needing him hours.
The wanting him hours.
The loving him hours.

"Lord, please don't let me forget any of it:
From the loneliness and despair to the waiting and worry.
And most of all—when he comes through our front door and winks and smiles and it's all over but the cheering—

"Don't let me forget, Lord—
It wasn't very pleasant for him either. Amen."

"THE THOUSAND HOUR DAY"

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HELSTOSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HELSTOSKI. Mr. Speaker, the celebration of Poland's millennium as a Christian state in 1966 brought the work of many Polish writers to the attention of the Western World. In my opinion, the best of these is "The Thousand Hour Day" by W. S. Kuniczak, chosen by the Book of the Month Club as their June 1967 selection. This extraordinary historical novel takes place during the first thousand hours of World War II. The thousand hours in which Poland was invaded in the blitzkrieg.

It is a novel about the tragedy of a nation armed with little more than courage, resisting one of the most powerful military machines of modern times; about men and women who struggled through fearful days and nights to preserve the reality they believed in; about conquerors who are arrogant, frightened and destructive; about deliberately uncommitted observers, professional skeptics. In a broader sense it is a novel about conflict of values, conflicts that rage on, no matter who wins on the battlefield.

In "The Thousand Hour Day," W. S. Kuniczak has created a richly textured cast of characters and woven them into hours that spelled disaster for Poland. Here, living and dying in the heroic and often heartbreaking defense of their homeland, we get a very detailed picture of the character and spirit of the Polish people. The spirit to fight for freedom and the determined resistance to alien domination which has manifest itself so many times in Poland's long history.

The breadth of concept is reminiscent of Tolstoy at his best and W. S. Kuniczak is a master storyteller in the same tradition.

"The Thousand Hour Day" is an epic drama of the spirit of man and I commend it to my colleagues for their reading pleasure.

JOB CORPS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. HATHAWAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, the Office of Economic Opportunity's Job Corps has been the subject of a great deal of criticism by a not-so-great, but active minority, and I think it is only just that we give equal time to the supporters of this program.

I should like to bring the attention of my colleagues to several letters written to Mr. William P. Kelly, Director of the Job Corps, to Mr. Sargent Shriver of the Office of Economic Opportunity, and to the editor of the New York Times. These letters express the views of two individuals who have personally visited the Acadia and Poland Spring Job Corps Centers in my home district in Maine.

In light of the fact that critics of a program are more likely to vocalize their opposition than advocates are likely to express concurrence, I am especially proud to draw attention to the efforts and opinions of these public spirited Americans by having these letters printed in the RECORD at this point:

NEW CANAAN, CONN.,
August 1, 1967.

MR. SARGENT SHRIVER,
Antipoverty Program,
Washington, D.C.

MY DEAR MR. SHRIVER: My husband and I read of the idea of some Congressman that job corps people be trained in their immediate area for jobs available there.

Having really "scoured" Poland Spring, Me. Job Corps, we feel the idea repellent. The very mixing of young of all sorts, and from many areas is one of the best in the present plan. The spirit was wonderful, and we feel, as old teachers and social workers that the breadth, confidence, and much happiness prepare them for life and work, and we don't see why anything is lost if they get jobs different from their vocational choice. Please do fight this. We will, too.

(MRS. T. J.) HELEN T. CRONIN.

BROOKLYN, N.Y.,
August 24, 1967.

EDITOR, NEW YORK TIMES,
New York, N.Y.

DEAR SIR: This letter is in reference to a recent visit I made to a "Job Corps Center" at Bar Harbor, Maine. I am writing this letter to remind you that these Centers exist and are doing, in my opinion, a fantastic job of helping those who "were" potential "news makers." The staff, as well as the corpsmen have taken troubled and/or neglected boys and instilled in them a hope for the future and have transformed them into men.

One could see some projects in various phases of completion, a huge gym, a re-built ambulance and areas being cleared for future projects, and I might add, extremely polite Corpsmen throughout the area.

It is most reassuring to know that there is at least one area where some portion of the tax dollar is being put to good use. However, it seems to me most strange that our Country, rich as it is, is wasting, surely not investing, untold billions in an "undeclared" war instead of investing it in the future by expanding the "Job Corps project," we should build, not kill.

Although the Job Corps may not be a "cure-all" for the prevention of racial strife, it sure is the best start. Buildings can always be repaired to be burned again, stores can be re-stocked to be broken into again. However, a re-built individual helps to build a better society, not destroy it. To re-build these individuals it is necessary to enlarge the present staffs and Centers, and I might also add, more Centers and publicity to inform the general public of the work being done.

Very truly yours,

EFRAIN ROSA.

BROOKLYN, N.Y.,
August 24, 1967.

MR. WILLIAM P. KELLY,
Director of Job Corps,
Dupont Circle Building,
Washington, D.C.

DEAR SIR: After a recent trip to the Acadia Center I felt that I had to write and thank you, and all involved, for a fantastic program. The Job Corps is, I believe, the best thing that has ever happened to our Country and I am sorry that no one had the foresight to think of this much earlier.

It is very difficult for me to put into words what I feel, so that I can only say, i.e., ask, that the Job Corps be expanded so that more boys can be helped, the present 120 boys at Acadia is far too small.

I would also like to point out that if it hadn't been for Dr. Goldaber at Brooklyn College, I would have never known the existence of the Job Corps. Please advertise.

Thank you for your kind attention, I am

Very truly yours,

EFRAIN ROSA.

DICKEY-LINCOLN PROJECT

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. HATHAWAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, the conference report on the public works and Atomic Energy Commission appropriation was returned to the Senate on October 25 with funds for further planning of the Dickey-Lincoln School power project deleted. The amount of $875,000 was a compromise figure representing slightly over one-half of the budgeted amount of $1,676,000. As yet the Senate has taken no action on the conference report, but presumably action will be taken some time before the end of the session and it is quite possible that the House will again have an opportunity to vote on funds for this worthwhile project.

I would like to call the attention of the Members who opposed the modest appropriation for this worthwhile project to an editorial which appeared in a leading Maine newspaper, the Waterville Sentinel, which points out the false economy of deleting these funds from the bill:

[From the Waterville (Maine) Morning Sentinel, Nov. 1, 1967]

IT COULD BE INCIDENTAL

The Dickey-Lincoln School power project is clinging to life only by the tips of its fingers because of the House of Representatives.

On the grounds of "economy" the House has knocked a modest $875,000 item for Dickey out of a $4.7 billion appropriations bill that is loaded with projects with considerable less public merit than Dickey.

The power industry is opposed to Dickey-Lincoln which, if it ever becomes a reality, would serve as a yardstick on power rates in the only region of the country that doesn't have a yardstick.

This is the reason that a majority of New England Congressmen knuckled under, not economy. If they had been interested in economy they would have substantially reduced the appropriations bill by deleting some other projects, projects that have a considerably smaller benefit-to-cost ratio than the Maine proposal.

Perhaps it is only incidental that the region has the highest electric rates in the country.

IN 1967—SOME POSITIVE STEPS TOWARD A BETTER WORLD BY CONGRESSMAN LEE H. HAMILTON

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HAMILTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HAMILTON. Mr. Speaker, for most of us in the fall of 1967 American foreign policy means Vietnam. There can be no argument that Vietnam is by far the most important element of American foreign policy today, but we ought not to be blinded because of it to other events of major international significance.

A more peaceful and orderly world will not come in a blinding flash—however fervently we might wish it would. Rather it will come step by agonizing step. Some of these positive steps have been taken in 1967, and I think they are worth calling to the attention of the Congress.

First. The Kennedy round: In the Kennedy round negotiations 53 nations agreed to broad and deep cuts in existing tariffs. This accord represents tariff reductions affecting about 60,000 items and more than $40 billion annually in the world trade, and represented the most significant liberalization of international trade in history. Its major features included: first, a reduction of about one-third in world industrial tariffs over the 5-year period beginning January 1, 1968; second, liberalization of trade in agriculture; and third, a food aid program for the less developed countries. Through the Kennedy round, the movement toward lower trade barriers would continue, and the thrust toward free trade was increased.

Second. Rio Conference on international liquidity: The agreement in Rio de Janeiro this September 29 creates new international monetary assets. One hundred and six members of the International Monetary Fund unanimously approved a "special drawing rights" or SDR plan, advancing the most significant reform in the history of the organization. When the reform, also known as "paper gold" takes effect, it will create a monetary reserve used to supplement gold and permit for the first time the controlled growth of world monetary reserves. This monetary reform is the result of nearly 4 years of negotiations, primarily in the Group of Ten major trading nations, and represents the most important innovation in monetary reform since Bretton Woods.

This landmark agreement will have a beneficial impact for decades to come. World economic progress is, we hope, almost inevitable and this growth must be funded by assets that increase as the need for them increases. The significance of the agreement is that the international money supply will be managed. Greater international liquidity is essential for expanding the world economy, and the Rio conference has assured that international reserves will not be in short supply.

Third. Rio Conference agreement to increase IDA funds: Another positive development is the agreement in Rio to increase the funds of the International Development Association. The United States advocated a program for increasing the resources of this "easy loan" subsidiary of the International Bank. The Agency had received contributions from member states of $250 million a year for the past 3 years. These resources have proven inadequate to meet the needs for funding international development projects. The United States proposes an ascending scale of member contributions, $600 million the first year, $800 million the second, and $1 billion the third with certain permissible delays in meeting contributory obligations in case of international balance of payments difficulties. Again this increased availability of international liquidity will permit the continued economic growth in those countries most in need.

Mr. Speaker, these foreign policy successes I have discussed thus far represent agreement between ourselves and many other countries. There are, in addition to these broad international agreements, various regional accords of great importance.

Fourth. Punta del Este decision to move toward economic integration in Latin America: On April 14, President Johnson and the chiefs of state of 18 other members of the Organization of American States met and agreed on an action program for achieving economic integration in the Americas. All the conferees, with the exception of the acting President of Ecuador, signed a "Declaration of the Presidents of America." Among the major points of the declaration was that a common market for Latin America would be established in 1970 and would be substantially in operation by 1985. President Johnson also made clear the willingness of the United States to help in this and other endeavors aimed at increased economic and social progress of the Americas. This concert of agreement represents a positive reaffirmation of the Alliance for Progress, an alliance that should result in the economic flowering of the Americas in the not too distant future.

Fifth. Increased development funds for the Inter-American Bank: This year the Congress authorized an additional U.S. contribution to the Inter-American Development Bank. The increase will be a graduated increase for the next 3 years of from $50 million a year to $300 million a year.

Sixth. Ratification of the Consular Treaty with the Soviet Union: The U.S. Senate, by a vote of 66 to 28, approved the consular convention with the Soviet Union. The convention, signed in 1964, specified the rules under which each country can establish consulates in the other country. Two provisions, unusual in such treaties, grant consular officials and employees complete diplomatic and criminal immunity and guarantee consular notification within 3 days and access within 4 days to nationals arrested or detained in the other country.

Seventh. Ratification of Space Treaty: The Senate, on April 25 of this year, by a vote of 88 to 0, ratified the Space Treaty, an agreement to ban mass destruction weapons for outer space. This treaty should prevent the nuclear powers from orbiting nuclear vehicles of mass destruction that could be used as tools of international blackmail. This is a significant step forward in securing the understanding and agreement that something must be done to safeguard this planet and its inhabitants from a nuclear holocaust.

Eighth. Draft Treaty on Nuclear Nonproliferation: This step is particularly significant as the United States and Russia proposed identical texts of the treaty draft. There was common recognition that it is in the world's best interest to allow no more countries to attain nuclear capability. Much work remains to be done before this treaty is implemented, but agreement by the two major nuclear powers is a giant stride forward.

Ninth. Cessation of hostilities in the Mideast without confrontation by the major powers: No one can claim that the Mideast crisis is resolved, but we can count it a major achievement that the major powers were not drawn into the hostilities. The United States through the U.N. Security Council played a significant and successful role in the speedy termination of the Arab-Israeli war of June 5 and 6. The United States and the Soviet Union were sufficiently in accord and in touch with each other to enable the Council to adopt four cease-fires or withdrawal resolutions in the period from June 6 through June 12.

Also the Washington-Moscow hotline was used for the first time on June 5, when Soviet Premier Kosygin sent an urgent message to the President via the Pentagon. The White House reported that the message was given an immediate reply by the President.

President Johnson used the hotline again on June 8, after the Israel attack on the U.S. ship *Liberty*. The White House reported that President Johnson had informed Soviet leaders of the incident, stating that the American 6th Fleet planes then taking to the air were only going to the aid of the stricken ship.

Tenth. Food for India: The U.S. response to the famine in India was a major step. On March 20, the Congress cleared for the President's signature House Joint Resolution 267, supporting emergency food assistance to famine-threatened India. Among other provisions, the resolution approved the participation of the United States in cooperation with other countries and multilateral organizations in international efforts to develop a self-help approach to the war on hunger in assisting India to achieve food self-sufficiency, and to meet future food shortages. The resolution provides up to 3 million additional tons of food grain to India, provided it is matched by others. An agreement was also signed in New Delhi on June 4 bringing the total of agreed food shipments for the current year to 5.1 million tons, some of it to be paid for in Indian rupees.

Mr. Speaker, I have listed only 10 instances where steps toward a saner, safer world were taken in 1967. They are only 10 of hundreds taken in the laborious task of building the peace.

We should not let our preoccupation over Vietnam distort our view of other developments, or stop us from making progress where progress can be made. It is obvious from the foregoing recitation that in spite of all, worthwhile deeds have been done.

UNPAID VISTA'S REMAIN ON THE JOB

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. HOLLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HOLLAND. Mr. Speaker, the last few days have seen one of the most remarkable tributes it has ever been my privilege to witness to the value of a public program.

The program is the VISTA program of OEO. This program, like others in OEO's war on poverty, has been hard hit by the economy wave that has surged through this Congress. Because of the failure of the Congress to approve even a continuing resolution to cover the activities of this program until the Congress can get around to enacting the authorizing legislation and appropriating funds for the coming year, the VISTA volunteers, who perform a host of invaluable functions for the poverty-stricken communities in which they have volunteered to live, and who, under the best of conditions, are given only a subsistence allowance, have been advised that they will not even receive their subsistence allowance on their next pay day. It seems highly unlikely that the Congress will altogether refuse to pay these volunteers for services already performed, but for the time being, the volunteers are in hard straits.

In St. Albans, Vt., for example, four VISTA volunteers are actually living in the local jail, as guests of the sheriff, on, I hasten to assure my colleagues, an open-door basis.

But the value of the VISTA program to the very people it is designed to help has been movingly demonstrated by the spontaneous reaction to this crisis. The poor themselves in community after community have offered of what little they have to the VISTA volunteers—to see them fed and housed until affluent America can find the funds to fulfill its obligations to these volunteers.

The second moving aspect of the entire situation is that the volunteers themselves have spontaneously agreed to stay on the job, even in the absence of any assurances that they will ever be paid for their out-of-pocket expenses.

The VISTA volunteers and the poor themselves are willing to sacrifice to help this entire country meet a problem that affects us all—the problem of poverty. I hope the Congress will be as generous.

I ask unanimous consent that two articles from the Washington Post be printed at this point in the RECORD.

CITIZENS PITCH IN TO HELP—UNPAID VISTA STAFF TO STAY

Washington Vista volunteers are prepared to stay on their jobs and community members are prepared to feed and shelter them, while Congress decides whether to continue their program, a survey here indicated yesterday.

Francis Luzzatto, an assistant director of the Capital Head Start program, to which 14 volunteers are assigned, said parents of students in the program, teachers and teachers' aides have agreed to help tide the volunteers over.

Lillian Wright, of 1103 Stephens rd. se., one of whose children was in the program last year, has been providing meals for Vista volunteer Lynn Severance.

"She ate just like my family," said Mrs. Wright. "They do a wonderful job in the community."

Luzzatto said that most of the volunteers had last been paid two weeks ago. So far, they had not yet faced severe financial hardship, he said, adding, however, that many would be in trouble if they are not paid soon.

"When funds really run out," he said, "then the neighbors will have to put them up and feed them three meals a day. Right now it's just beginning."

Isabelle Wiener of 719 E. st. se., one of the Vista Volunteers, said, "We're going to stick to our jobs. This means a lot to us. As long as we can manage, we'll stay."

Two other volunteers who have no money for their rent are now living in the apartment shared by Miss Wiener and volunteer Marian Sternat.

"We've been very upset," said volunteer Larry Holcomb, "because it looks like Vista is down the drain."

"It's heartening to know there are people who will help us get along," he said, "But I don't relish taking things from people who have very little for themselves."

[From the Washington Post, Nov. 5, 1967]

JAILER IS HOST TO FOUR VISTA GIRLS

ST. ALBANS, VT., November 4.—Four girl antipoverty workers went to jail here today rather than give up their jobs, which have been removed from the Federal payroll.

Sheriff John Finn explained that they're his guests on a strictly open door policy intended to provide them with food and lodging. The girls are Vista Volunteers and the funds for the program have not yet been renewed by Congress. Consequently, the girls are off the payroll and can't support themselves.

THE RUSSIAN BOLSHEVIK "50TH" AND A SPECIAL HOUSE COMMITTEE ON THE CAPTIVE NATIONS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DULSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. DULSKI. Mr. Speaker, the 50th anniversary of the Russian Bolshevik revolution is not the only "50th" at this time. Free Ukrainians, Lithuanians, Latvians, Byelorussians, Georgians, Armenians, and many other non-Russians will be observing their 50th anniversaries of independence and freedom, which Soviet Russian imperio-colonialism snuffed out. Their free voices will be raised in behalf of captive Ukrainians and other captive non-Russian nations in the U.S.S.R.—yes, equally, and also in behalf of the freedom and open opportunities of the long enslaved Russian nation.

A REAL OCCASION FOR A SPECIAL COMMITTEE

In every sense, this oncoming period is a real occasion for us to establish finally a Special House Committee on the Captive Nations. Such a committee in this House would symbolize our free answer to the basic fraudulence of the Russian Bolshevik Revolution and the tragedy of this 50th anniversary of that deceptive revolution. The creation of the special committee would also pay shining tribute to the non-Russian "50th's," for the non-Russian revolutions in the years of 1917–23 were of the same essence and nature as our own American Revolution. This, indeed, is an excellent occasion for Congress to seize the initiative in recognizing the realities of the Soviet Union and proceeding to open up the whole matter of Soviet Russian imperio-colonialism within the U.S.S.R.

Mr. Speaker, this theme was sounded throughout this country during the 1967 Captive Nations Week Observance. Much illustrative material on this score has appeared in the RECORD these past few months. By way of further examples, I include the following as parts of my remarks: The Captive Nations Week statement by Gov. Robert E. McNair of South Carolina; the resolution prepared by Dr. Lev. E. Dobriansky of Georgetown University, and unanimously adopted by the First Conference of the World Anti-Communist League in Taipei, China, concerning the 50th anniversary of the Russian Bolshevik Revolution; the address of Mr. Lee N. Vogel, executive director of the South Florida Captive Nations Committee; the address of Senator THOMAS J. DODD, of Connecticut; an editorial from the Miami Herald, "Bull's-Eye, Mr. Kosygin, on Soviets' Glass House," dated June 21, 1967; editorials of the Miami News, "Nations Captive, Too," dated July 20, 1967, and the Miami Herald, "Focus on Cuba," dated July 21, 1967:

STATEMENT BY GOV. ROBERT E. MCNAIR, OF SOUTH CAROLINA, ON CAPTIVE NATIONS WEEK, JULY 16–22, 1967

Americans cherish freedom. We in South Carolina place the utmost priority upon our abilities to live, work, speak, worship and move without limitation or undue restriction. South Carolina is a part of the great heritage of freedom, promulgated by our founding fathers almost two hundred years ago. For this reason we encourage our citizens to participate meaningfully in the observance of Captive Nations Week, July 16–22.

For the oppressed in our world we would offer hope. For those who desire freedom we would offer encouragement. Because we in South Carolina and America love freedom, we would wish it for all the world and as rapidly as possible. It is fitting that Captive Nations Week be observed to impress those around us that we have not abandoned captive peoples nor will we cease to work for their liberation and freedom.

RESOLUTION ON THE 50TH ANNIVERSARY OF THE BOLSHEVIK REVOLUTION

(By the First Conference of the World Anti-Communist League)

(Recommended by committee I, Chairman, Korea; cochairman, Malaysia, Vietnam; Rapporteur, Sweden.)

The World Anti-Communist League—

Recalling that the Russian Bolshevik Revolution was the source and incubator of Soviet Russian imperio-colonialism, enslaving over a dozen non-Russian nations in 1918–22 and thus laying the groundwork for further conquests in the 40's and constituting a formidable threat to the rest of the world in the 50's and 60's;

Recalling that the tragic revolution produced another fraud in Lenin's promise of "land, bread, and peace", which in the course of 50 years has not been realized according to civilized standards either for the 115 million Russians or the 120 million non-Russians held captive in the Soviet Union;

Considering that the fraudulent revolution also conjured up Lenin's "peaceful coexistence" policy with immediate reference to the neighboring and newly independent non-

Russian states, such as Armenia, Georgia, Ukraine, Byelorussia and others, a deceptive policy of indirect aggression that led to the captivity of these countries and is now being applied by imperio-colonialist Moscow to the West; and

Considering that the sinister forces of that revolution have over these past fifty years led to the creation of an unprecedented Red Empire, extending from the Danube to the Pacific and into Cuba, and created ultimately by the imperio-colonialist power of the USSR and Red China; therefore,

Resolves at its First Conference that:

1. Each of the League member organizations and observer groups devote its energies in the weeks ahead, up to and even beyond November 7, to exposing the myths and frauds of the Russian Bolshevik revolution and to directing world attention to the ravages and threats of Soviet Russia imperio-colonialism, within the Soviet Union itself and elsewhere; and

2. On the occasion of the Communist commemoration, the League should issue a manifesto directed to the youth and workers of the whole world as follows:

"We want to set the record straight regarding the past 50 years of Communism.

"1. Since 1917, 85 million innocent non-combatants lost their lives at the hands of Communism's minions, often after atrocious tortures in Nazi type concentration camps. This is 25 times higher than the death toll of both World Wars I and II combined.

"2. While the most extreme excesses of the Stalinist era have been eliminated—although they still survive in Red China—the freedom and dignity of the individual remain crushed by a totalitarian dictatorship working through an almighty secret police. The absolute and exclusive supremacy of a single party, monolithically directed from a self-perpetuating top, does not give us even the semblance of a hint that democracy in public life exists in Communist countries. Culture and justice remain choked and degraded by strict subservience to party orthodoxy. All religious faiths are severely persecuted.

"3. All the peoples that have been ensnared by Communism are cut off the outer world by an iron curtain, never seen before in human history and a tight censorship and persistent radio jamming.

"4. Heavy and armament industries have been greatly developed, but light industry and agriculture continues to trail in chronic crises, plunging the people in a state of permanent scarcity of food and consumer goods. Whatever industrial progress has been achieved was at the sacrifice of unprecedented stress, want and submission imposed on the masses.

"5. The factors of production have not been given to the workers but appropriated collectively by a new ruling and privileged class of bureaucrats and demagogues who have dominated workers' unions, forbidden strikes under the death penalty and reduced peasants to the condition of proletarians in open-sky factories.

"6. Since its inception, Communism has plagued the globe with trouble and violence, in search of a global hegemony which it cannot renounce because if it does not destroy freedom outside, freedom will destroy it inside.

"7. Apart from the yoke it imposes on its own peoples inside the USSR and Red China, Communism has subjugated, and maintains in bondage against the sacred right of self-determination, 27 formerly independent countries covering 3 million square miles and populated by 250 million inhabitants.

"8. The international Communist movement, which had promised to advance only through the enhancement of political consciousness, was turned into a sheer but colossal apparatus to conduct fraudulent political warfare, run by 500,000 overt or covert professional activists spending 5 billion dollars per year.

"To sum up, the political movement which had claimed the boldest aims ever set to human progress, has generated the darkest mixture ever seen of oppression, inefficiency and deceit. Its failure is therefore total and entirely gloomy.

"We invite all free men to hold 7th November as a day of mourning for the fiftieth anniversary of the Communist revolution and to unite, above all, divisions of races, nations, parties, and creeds to prevent the evil already done from spreading further."

SPEECH BY LEE N. VOGEL, EXECUTIVE DIRECTOR, SOUTH FLORIDA CAPTIVE NATIONS COMMITTEE, BEFORE THE SOUTH FLORIDA OBSERVANCE OF CAPTIVE NATIONS WEEK, MIAMI, FLA., JULY 21, 1967

Many of you may not really know why you are here . . . so let me begin by explaining that this group you join tonight is convinced that a war which was declared fifty years ago against the United States, and every other free nation in the world, should be won . . . and we in the free world should win it . . . That's why we are here tonight.

This war which was declared by the International Communist Conspiracy has never changed its goals . . . the domination of the population, the means of production, and the natural resources of every country on earth. They told us how and where it would be fought, and against whom . . . It has been the same war for fifty years . . . no matter what we call it, or how we may react to the various personalities involved . . . or when we wishfully think that it doesn't really exist . . . It has been, it is, and it will continue to be the same war . . . and we are not winning it . . . That's why we are here tonight.

The evil and vile machine which declared and continues to fight this war represents itself as the Soviet Union . . . but we know it for what it is really is . . . the Soviet Empire . . . a Prison House of Nations and Races . . . built and maintained by lies, deceit, genocide, and abuse of power . . . We also know that long before the coming to power of the Bolsheviks, Czarist Russia was a multinational concentration camp, consisting of hundreds of ethnic groups, speaking hundreds of languages and dialects, and according to figures from the Library of Congress, barely half of the over 200 million population of the U.S.S.R. is Great Russian ! ! ! And this does not take into account those millions enslaved behind the Iron Curtain!

In November of 1917, we were put on notice by the new leadership that the proletariat's promise "to champion the right of nations to self determination" was about to be fulfilled, and the "struggle against imperialism by the working class" was about to begin. We were told of "colonial revolutions", and "movements for national liberation" which we could expect.

And so they came as promised . . . the movements and the revolutions . . . and a brand of psychological and political warfare which has been operating since 1917:

Agitation and propaganda enflaming national or racial feelings;

Efforts to penetrate and control through trained personnel, economic and military aid, treaties, red carpet treatment to celebrities of the target groups;

Exploitation of every suitable occasion until national or racial feelings are built up to the boiling point, and acts of violence and rebellion are committed against governments of the free world and their allies;

Having severed their previous ties and having become politically, economically and militarily dependent upon the Soviet Empire, the given national or racial group falls like the proverbial "ripe plum" into the arms of the Soviets as either a Soviet Republic, or a satellite state;

And the final stage is one of complete Soviet domination in which the victorious dictators clearly demonstrate in blood and tears the complete insincerity of their glowing promises.

We saw this operation executed to it's completion most recently in Cuba under Castro . . . another attempt in the Dominican . . . and now we see the early stages operating within certain segments of the Negro community right here in this country. . . .

Why has this plan . . . with its clear definition of purpose . . . with its easily recognizable and entirely predictable modus operandi been so successful? Simply because the freeworld has refused to recognize it for what it is . . . and therefore has been unable to direct a defense against it.

On one hand, the machinations of the Soviet Empire have been described by the opologists in terms of "agrarian reform . . . social and cultural revolution . . . relief from capitalistic exploitation."

On the other hand, some of the defenders of democracy in this country fight Communism by attacking the U.S. Government, and the Constitution . . . various minority groups . . . and many of their fellow Americans whose opinion does not agree with theirs. . . .

In 1959, a group of Americans led by Dr. Lev E. Dobriansky, Professor of Economics at Georgetown University, created and caused to be sent through both Houses of Congress and signed by President Eisenhower, Public Law 86-90, or what is now known as the Captive Nations Resolution. This American Declaration of International Independence was and still remains the most clear cut, unequivocal statement of U.S. position regarding the Soviet Empire since World War 2. It recognized the Red Regime for what it is and what it has done, and declared for all the world to know . . . that the United States would never accept the enslavement of the peoples of the captive nations as a permanent condition . . . but rather shared with these peoples their aspirations for the recovery of their freedom . . . and further, that we will not coexist with international butchers and criminals.

The Captive Nations Resolution and the nationwide observance of Captive Nations Week not only spotlite the fact that the Soviet Empire has imposed Communism by force of arms on people who possess their own histories, traditions of freedom, and unique nationalistic origins, but also that the captive peoples, despite Communist regimentation and persecution, maintain their own languages, traditions, cultures and religious beliefs. . . . And these virtues keep alive their independent spirit and hopes for restoration of their own, free national governments . . . and their desire to live as free human beings in an open society of their own choosing.

Despite every effort of the Soviet masters to draw our attention away from this situation, and despite what seems to be ignorance of it or indifference to it by our own leaders, this national spirit is a powerful human force which cannot be snuffed out by the Communist rulers . . . and whenever the opportunity presents itself, this smoldering force breaks out into open flame of rebellion. . . .

Crushing and immediate response is then brought to bear by the Communist masters who know apparently better than we that this great internal weakness of the Soviet Colonial Empire might well do from the inside what only total war could do from the outside . . . and that is to split the Empire wide open . . . and break the hated chains of Sino-Soviet enslavement.

By joining us here tonight, you join thousands of other freedom loving peoples across the Free World who want to see an end to this fifty year nightmare . . . freedom restored to those enslaved millions . . . and a treatment for this International cancer which does not involve a nuclear holocaust, but which takes advantage of the very conditions which I just outlined.

Captive Nations Week is sponsored by the National Captive Nations Committee with headquarters in Washington, D.C. The chairman is the author of the Resolution, Dr. Dobriansky. The Honorable Herbert C. Hoover was Honorary Chairman from 1960 to 1964. Mr. George Meany, President of the AFL–CIO has occupied this position from 1965.

Over one-third of the House of Representatives and nearly one-third of the Senate are members of the NCNC, and these men represent every conceivable political persuasion.

Each year, over half the Governors of the United States issue state proclamations. Hundreds of county and city administrations make public recognition of the Week.

In Florida, Governor Claude Kirk has issued the first Captive Nations Proclamation in the history of the State, and both Houses of the Florida Legislature have issued a joint resolution, "expressing concern and compassion for the plight of refugees from nations subjugated by Communism who are now residing in the United States and in the state of Florida."

The movement supporting this American Declaration of International Independence has now spread overseas, and Captive Nations Week is now observed in Britain, France, Australia, Turkey, Korea, Sweden, and West Germany. The largest observance in the world is held in Free China for the entire week with rallies and parades involving thousands of participants.

Each year, thousands more join in support of the principles endorsed by the Captive Nations Movement as an important contribution to the practical solution of the worldwide menace of Communism.

And what are these principles?

1. Promote a clear understanding of the nature, purpose, and methods of the Communist apparatus.

2. Continuing exploration of the conditions behind the Iron, Bamboo, and Sugar Cane Curtains and the information used to promote the advantage of the Free World.

3. Continuing exploration of the opportunities for para-military, psychological, and political cold war operations.

The goals for this year of 1967, which operate within the context of the above principles are as follows:

1. Peace with justice and freedom, stressing the tremendous deterrence represented by all the captive nations against Soviet Russian and Red Chinese aggression.

2. Full support for victory in Viet Nam.

3. A Pol-Trade policy toward the Red Empire, wherein trade must be used as a political weapon to gain concessions as a price for that trade.

4. The focus of free world opinion on Sino-Soviet Russian Imperio-Colonialism, such as a complete disclosure of the role played by Russia in the Middle East crisis.

5. Creation of a Special House Committee on the Captive Nations to gather and then transmit up-to-date information on conditions behind the Iron Curtain, the Bamboo and Sugar Cane curtains, using this information in a constant review of legislation relating to U.S. Foreign Policy.

6. U.S. support for the new Greek Government, which saved Greece from a Red takeover.

7. A complete overhaul of U.S. policy toward the Soviet Union, in light of information gathered from behind the Iron Curtain.

8. Opposition to the operation of Russian Consulates in this country.

9. The use of the so-called "50th Anniversary of the Russian Bolshevik Revolution" as an opportunity to expose the Soviet Empire for what it is.

10. Public support for greater use of psychological and propaganda pressure to be brought to bear against the Communists in the United Nations, and other forums of world opinion . . . where their stone throwing has been so constant as to make the world almost forget that they live in a glass house which could shatter at several points if they themselves were put on the defensive.

I hope I have made it clear why we are here . . . and what our business is. If we do not have all the answers, these, at least, are some which want to correct the same mistakes being made year after year . . . which mistakes have allowed the International Communist Cancer to invade and destroy the national existence of one country after another. The time is long since past when we must recognize this challenge to our very existence, formulate a plan of action . . . and above all, commit ourselves to a positive victory over Communism . . . For without that total commitment, as a nation and a people, we are bound to see this fifty year horror continue . . . perhaps to our very doorstep . . . Therefore we in the Captive Nations Movement ask your blessing and your help . . . because there is nothing on earth more powerful than a concept whose time has come . . . and this, we are convinced, above all, will turn back the Red Tide . . . the concept is Victory . . . the time is now . . . will you join us?

[News release, July 22, 1967]

SENATOR DODD ASSAILS "MYTH OF THE DETENTE"—SAYS CUBA LOGICAL PLACE TO START WITH LIBERATION OF CAPTIVE NATIONS

MIAMI, FLA., July 21, 1967.—Senator Thomas J. Dodd (D-Conn) in a speech before the South Florida Chapter of the National Captive Nations Committee assailed what he described as the "myth of the detente". He said that, instead of a reduction of tension, "the past five years have witnessed a terrifying intensification of Communist subversion and aggression in every continent." He urged that the Free World look upon the liberation of the captive nations as a practical measure of self-defense. "Morality and common sense and self-interest all dictate", he said, "that we dedicate ourselves to the early achievement of this goal."

In challenging the myth of the detente, Senator Dodd pointed to the Soviet Union's key role in the recent mid-East crisis, to its role in last year's Tri-Continental Conference in Havana, and to the conference of the so-called Latin-American Solidarity Organization which wil convene on July 28 in Havana. He said this conference points to a vast expansion of the Soviet-Castro war of aggression against the freedom of the Americas.

Senator Dodd said that there are some people who oppose captive nations week because they believe there are no captive nations. In reply to them, the Senator said the following: "The differences that exist between the Soviet government on the one hand and the Cuban, Rumanian, and other satellite governments on the other hand, are of secondary importance. Cuba *is* a captive nation, Rumania *is* a captive nation, and all the other satellites *are* captive nations, in the basic sense that their governments are obedient to Soviet desires on all major issues and that they are completely dependent on the Soviet Union for their continued existence.

"How long would Fidel Castro last without Soviet support? In my opinion he wouldn't last a month. And the same thing goes for all the captive nations of Europe. If the peoples of these countries felt they could revolt against Communism without fear that the Red Army would intervene against them, they would do so tomorrow.

"We have been too prone to write off the captive peoples, too willing to accept the position that Communist rule, once established, must never be challenged by the West. But the East German uprising, the Poznan uprising in Poland, the Hungarian Revolution, the great rebellion in the Vorkuta slave labor complex in Siberia, the Tibetan rebellion, the ousting of the Arbenz regime in Guatemala, and the overthrow of the Nkrumah regime in Ghana—all of these should be sufficient to prove that Communist regimes are neither unshakeable nor invincible."

Senator Dodd said that Cuba was the logical place to start with the policy of liberation. He says there is a "growing recognition throughout the Americas that the Soviet-Castro campaign of subversion can no longer be ignored and that united action is necessary to deal with it." And he said it is "possible to think of the liberation of Cuba in practical terms" because "the Red Army cannot intervene in Cuba as it did in Hungary when the Cuban people, with or without our assistance, rise up against the Castro tyranny."

THE CAPTIVE NATIONS AND THE SECURITY OF THE FREE WORLD

(Speech by Senator THOMAS J. DODD before the National Captive Nations Week Committee, South Florida Chapter, Miami, Fla., July 21, 1967)

I am honored to join my friends of the South Florida Chapter, National Captive Nations Week Committee in this ninth observance of National Captive Nations Week.

The resolution calling upon the President to designate the third week in July every year as Captive Nations Week was passed unanimously by both houses of Congress in the summer of 1959. The purpose of this observance, in the words of the resolution, was to demonstrate to the peoples of the Captive Nations "that the people of the United States share with them their aspirations for the recovery of their freedom and independence."

There are some who criticize the observance of Captive Nations Week because they say that it is untrue that Hungary and Poland and Cuba are subjects of satellites of Moscow. They point to the fact that Castro and the other satellite leaders have differences with Moscow as proof of their contention.

I am sure there are certain differences. I am sure, for example, that Fidel Castro tries to drive as hard a bargain as he can with his Soviet masters.

But the differences that exist between the Soviet government on the one hand and the Cuban, Rumanian, and other satellite governments on the other hand, are of secondary importance.

Cuba *is* a captive nation, Rumania *is* a captive nation, and all the other satellites *are* captive nations, in the basic sense that their governments are obedient to Soviet desires on all major issues and that they are completely dependent on the Soviet Union for their continued existence.

How long would Fidel Castro last without Soviet support? In my opinion he wouldn't last a month.

And the same thing goes for all the captive nations of Europe. If the peoples of these countries felt they could revolt against Communism without fear that the Red Army would intervene against them, they would do so tomorrow.

There are others who criticize the observance of Captive Nations Week because in their opinion the danger of nuclear war makes it necessary to abandon all hope for the liberation of the Captive Nations. The world cannot afford a war, they tell us. And, since liberation cannot be achieved without war, we have to accept the Captive Nations as an unalterable fact of political life. True, they feel sorry for the captive peoples who have been subjugated by Communist imperialism. But their sorrow is not strong enough to prevent them from relegating the captive nations to perpetual slavery.

In their more tolerant moments, the critics of Captive Nations Week will say that its observance is harmless because nothing is going to be done about the Captive Nations anyway.

But let me say to you that I have not come here to participate in a requiem for the dead, or in the observance of a just cause for which there can be no real hope.

I am convinced that the Captive Nations *can* be liberated.

And I believe they *must* be liberated.

The free world, in the interest of its own survival, must find the wisdom and the means to assist the captive peoples of Europe and Asia and Africa and America to liberate themselves from the tyranny which now oppresses them.

At no time in our history was a statement of rededication to the goal of freedom more necessary than it is today. For today almost one-half of mankind is goverened by the blackest, the most ruthless, the most amoral dictatorship the world has ever known, while the free world fights desperately to prevent further encroachments on its territory by communist aggression and subversion.

We have been too prone to write off the captive peoples, too willing to accept the position that Communist rule, once established, must never be challenged by the West. But the East German uprising, the Poznan uprising in Poland, the Hungarian Revolution, the great rebellion in the Vorkuta slave labor complex in Siberia, the Tibetan rebellion, the ousting of the Arbenz regime in Guatemala, and the overthrow of the Nkrumah regime in Ghana—all of these should be sufficient to prove that Communist regimes are neither unshakeable nor invincible.

It is something to think about that, despite the manifest superiority of free societies in every sphere, and despite the weaknesses and contradictions of Communism, it is the free world today that is on the defensive, while the Communist world continues its non-stop offensive against freedom in every continent.

Now I know that there are people who tell us that communist subversion is a thing of the past or that it is rapidly becoming a thing of the past.

They assure us that Moscow in particular has moderated its ways—that is, in fact, seeking to discourage subversion rather than encourage it.

They have for several years now been telling us that there is a growing *detente,* or accommodation, between Soviet Europe and the free world.

They are not quite so sure that Fidel Castro has accepted the Spirit of *detente;* but on the other hand they seem to believe that the Kremlin has been using its considerable influence with Castro to dissuade him from engaging in revolutionary adventures or supporting guerrilla movements in the Americas.

The belief in this mythical *detente,* in my opinion, has done more to befuddle and frustrate the conduct of our foreign policy than any other single factor.

It is a tribute to the capacity of the Communists for confusion that so many intelligent people, both in government and out of government, have talked about the detente as though it were a fact of history.

In reality, instead of witnessing a growing detente between the Communist world and the free world, the past five years have witnessed a terrifying intensification of Communist subversion and aggression in every continent.

With Soviet support—even more than Chinese support—the North Vietnamese Communist regime has been able to step up its campaign of aggression against South Vietnam to the point where we have had to send some 450,000 men to South Vietnam to help cope with this so-called War of National Liberation, and it has been indicated that further reinforcements will soon be under way.

The myth of the detente was seriously shaken, but not destroyed, by the Mid-East war. The Soviet role in arming the Arab states and in inciting them to action against Israel was too blatant to be ignored even by the most addicted dreamer. But before the fighting actually erupted, those who believe in the detente apparently found no difficulty in reconciling their belief with the massive build-up of Soviet arms throughout the Middle East; with the Soviet supported invasion of Yemen by Nasser's forces; with the Soviet supported campaign of terror in Southern Arabia; and with the Syrian coup of last year which brought to power in that country an openly pro-Soviet regime.

In January of last year the Soviet Union played a role of prime importance in the organization and conduct of the Tri-Continental Conference of Anglican, Asian, and Latin American People, as it was called, in Havana.

At this conference all pretense of non-intervention in the affairs of other nations was dropped and the delegate, under Moscow leadership, openly committed themselves to the overthrow by violence of all those governments which did not meet with their approval.

The Conference established a Communist dominated general headquarters to support, direct, intensify and coordinate guerrilla operations in Africa, Asia, and Latin America.

The chief of the Soviet delegation, Mr. Rashidov, told the Conference that it was the aim of his government to give—I quote—"all round assistance to the unification of the anti-imperialist forces of the three continents in order to provide greater impetus to our common struggle against imperialism, colonialism, and neo-colonialism, led by the U.S. capitalists."

The Tri-Continental Conference, unfortunately, was played down by the American press and virtually ignored in official statements on Latin American policy. And despite the Tri-Continental Conference it still remained fashionable in certain circles to talk about the existence of a "growing detente," marred only by the war in Vietnam.

More recently we have been told by the New York Times and others that Moscow strongly disapproves of Castro's guerrilla activities and has been endeavoring to restrain him. But once again, all the facts point in the contrary direction.

One week from today, on July 28, the so-called Latin American Solidarity Organzation, which was set up in the wake of last year's Tri-Continental Conference, will convene in Havana. Against the background of the intensified guerrilla activity in Venezuela and Colombia, and Guatemala and Peru, as well as the recent landing of Cuban guerrillas on the Venezuelan Coast, it is clear that the July 28 conference does not point to any detente in the Americas. On the contrary, it points to a vast expansion of the Soviet-Castro war of aggression against the freedom of the Americas.

It is terrifying to realize that some thousands of Communists and a few hundred guerrillas have been able to impair the security of the Americas to the point where countries like Bolivia and Colombia have to spend a substantial portion of their budget to combat the guerrillas, while frightened capital continues to flee from the Americas at a much faster rate than the Alliance for Progress can pump in new capital.

In my opening remarks I said that the Captive Nations must be liberated in the interests of our own survival. Cuba is a prime example of what I meant by this remark. So long as Cuba remains Communist, there will be no peace in the Americas and no security and no meaningful social progress—because Castro is determined to prevent all of these things.

Instead, the future will probably witness the emergence of a whole series of Vietnam situations in the countries of the Americas. In fact, Castro has frankly described this as his objective.

And if Cuba is ever joined by several other communist states in Central and South America then, short of a collossal military effort by the United States, the fate of all of Latin America would have been sealed.

And so, I say again, as I have said several times in recent years, that *Castro must go and the Cuban people must be liberated.*

Morality and common sense and self-interest all dictate that we dedicate ourselves to the early achievement of this goal.

I am not suggesting a policy confined to Cuba. What I am suggesting, rather, is an over-all policy—a practical policy—designed to promote the liberation of the Captive Nations in every part of the world.

The logical place to start with the policy of liberation is Cuba—not only because of the immediate threat Castro poses to the freedom of the Americas, but also because geographic and strategic and historical and political circumstances make the liberation of Cuba a highly practical possibility.

The first factor that makes it possible to think of liberation in practical terms is the fierce love of freedom which the Cuban people have always displayed, and their seething hatred for the bearded monster who today oppresses them.

The second factor is their traditional friendship for America—which the Castro tyranny has only reinforced.

The third factor is the growing recognition throughout the Americas that the Soviet-Castro campaign of subversion can no longer be ignored and that united action is necessary to deal with it.

The fourth factor is that we have it in our power, if we wish to use this power, to enforce an embargo on all trade with Cuba, at least by the free world nations. All we would have to do is announce that ships engaged in Cuban commerce would be barred from American ports for a period of one year.

The fifth factor is the existence in this country and elsewhere in the Americas of a community of hundreds of thousands of Cuban exiles. Many of these admittedly are too old to fight. But there are among them scores of thousands of younger men who would gladly give their lives to help bring about the liberation of their beloved motherland.

The sixth factor is the remarkable persistence of armed resistance to Castro, despite his resort to Stalinist methods of terror to stamp it out.

The seventh and final factor that makes it possible to think of the liberation of Cuba in practical terms is the fact that the Red Army cannot intervene in Cuba as it did in Hungary when the Cuban people—with or without our assistance—rise up against the Castro tyranny.

The liberation of Cuba would have the most profound impact throughout the Communist empire. Indeed, I think it is no exaggeration to say that it would start a process throughout the captive nations which Moscow would not be able to control.

The observance of Captive Nations Week, is not merely an expression of sympathy with the captive peoples in their present agony. If it were simply this, it would be an act of cheap and pious hypocrisy.

If Captive Nations Week has any significance, it means that we, as a nation, are dedicated to the liberation of the captive nations from the cruel tyranny that oppresses them.

It means that we must make this issue a cardinal objective of our foreign policy, that we must raise it at the UN and at diplomatic conferences at every opportunity, that we must mobilize world support for the containment and ultimate abolition of Communist imperialism.

In thus dedicating ourselves to the restoration of man's God-given rights to all the peoples of the Captive Nations, we are rededicating ourselves to the principles which gave birth to our own nation.

[From the Miami Herald, June 21, 1967]

BULL'S-EYE, MR. KOSYGIN, ON SOVIETS' GLASS HOUSE

A housewife in New York made the point yesterday about the same time the ceremonial chief of the Soviet Union was flying to Cairo.

Mrs. Esther Prager of the Bronx strolled nonchalantly past police barricades outside the Soviet mission to the United Nations. She reached into her raincoat and drew out a sign saying: "Kosygin, we demand the Soviet withdrawal from their illegally annexed territories.

Her message scored a bull's-eye on the glass house of Communist expansionism. Many an ancient, independent nation has been snatched behind the Iron Curtain by force or guile. Yet Soviet Premier Alexei Kosygin stands deadpan before the U.N. General Assembly to insist that Israeli forces must withdraw from terrain which they captured during the four-day war June 5–9.

What about Estonia, Latvia and Lithuania, thrust under the Red yoke as "Soviet Socialist Republics" against their will in a conquest never recognized by the United States?

Or what about Communist East Germany and all the other captive nations of Eastern Europe, enslaved by Moscow despite solemn promises of free elections?

Indeed, what of the Ukraine and other components of the Soviet Union itself which vainly resisted annexation by Russia?

A government guilty of such grabbing needs a lot of gall to suggest that another nation should hand back territory taken in war. Bolsheviks, of course, have that kind of brazenness. The flight of Soviet President Nikolai V. Podgorny to Cairo obviously is intended to back up Kosygin's posturing at the U.N. as the champion of the Arabs.

With such defenders, Egypt and its allies hardly require enemies. For the Red glass house has been cracking at the edges for the past three years. Its reverses should hearten free men everywhere.

Brazil, as we said at the time, slipped out of the clutches of communism April 1, 1964. Had the Reds been able to seize that largest and most populous nation of South America, the rest of the New World would have been under their guns. But they lost, thanks to an upwelling of patriotism among Brazilian businessmen, women and the armed forces. Brazil has been firmly anti-Communist for more than three years.

The vast archipelago of Indonesia decamped from the Red empire Sept. 30, 1965. The pro-Peking Indonesian Communist Party started a coup which backfired, and up to 400,000 Reds there were executed.

Reds overreached themselves again in Ghana Feb. 24, 1966. That young nation's self-styled "redeemer," Kwame Nkrumah, was visiting chums in Peking when he was deposed. His downfall shattered a network of Communist subversion in Africa.

Two billion dollars' worth of Soviet weapons proved worthless to Egypt's Gamal Abdel Nasser and his buddies when they moved in on little Israel, only to suffer shattering defeat.

The Soviets didn't lift a finger to rescue their Arab proteges.

They're talking a good game now in the U.N. and Cairo, but perhaps even the Arabs, along with the rest of the world, will wonder, like the Bronx housewife, when the Soviets will withdraw from their "illegally annexed territories."

[From the Miami Herald, July 21, 1967]

FOCUS ON CUBA

It is fitting that the focus of tonight's climax to Captive Nations Week will be on Captive Cuba.

The island so close to our shores is the first in this hemisphere to slide behind the iron curtain. The cost is high to Cubans deprived of freedom, initiative and even the necessities of life. The daily flight of desperate refugees on the Freedom Airlift is the terrible indictment of what goes on under Red rule.

That Cuba is on the tragic list including Estonia, Latvia, Lithuania, Poland, Hungary and other seized lands brings the Communist threat close to home. Tonight at the Miami High School Auditorium, the meaning will be explained as the roll of imprisoned nations is called. All those of good will are asked to express sympathy for the captives and renew the hope that they will be freed to live in peace and dignity.

This is no remote condition but one whose effects are felt every day in this community. The thousands among us who know the tragedy from a personal experience give the occasion deep significance.

[From the Miami News, July 20, 1967]

NATIONS CAPTIVE, TOO

In Albania, a military tribunal has jurisdiction over civilian crimes "impairing the security of the state," i.e., hostility to the Communist regime.

In Czechoslovakia, the court of last resort is the police.

In Hungary, some 50,000 political prisoners still languish in Soviet-forced labor camps, an aftermath of the 1956 revolt.

In Rumania, forced labor camps in the Danube Delta and in the Brad region of Transylvania operate for political foes of the Communist government.

Captive Nations Week, now being observed by nations of the free world, eloquently reminds that these imprisoned subjects of communism are denied the privileges of free speech, religion and choice in determining government.

America is a great nation because, through the democratic process, we are also a free society. Submerged countries look to us as a citadel of freedom and for leadership in bringing about their liberation. It is appropriate that we express our sympathy to these subjugated peoples.

IMPORTATION OF COTTONSEED OIL FROM RUSSIA

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. NICHOLS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. NICHOLS. Mr. Speaker, I am greatly disturbed by the reports some of our colleagues have made here on the floor of the House concerning the importation of cottonseed oil from Russia by U.S. companies. These reports disturb me for several reasons. First, this importation comes at a time when our own cotton industry here at home is facing its worst year in recent history. Our cotton farmers are suffering because of both poor quality and poor quantity in this years cotton crop.

Despite my own efforts and the efforts of my colleagues from cotton-producing States, the administration is preventing passage of legislation which would give some relief by limiting imports.

I am disturbed, too, Mr. Speaker, by news reports that President Johnson has threatened to veto any import limitation bills the Congress might pass. This is a proper function for the Congress to decide, and I hope the leadership will give us the opportunity to debate the issue and to vote on it soon.

Lastly, Mr. Speaker, I am disturbed that the Hunt-Wesson Co. has chosen the Soviet Union to purchase this huge shipment of cottonseed oil from. Today, our country is at war in Southeast Asia. American fightingmen are dying there to prevent the spread of communism to other parts of the world. Yet, here is an American company which has paid the Soviet Union a huge sum of money for oil. This money, in turn, may be used to ship more arms and ammunition to the Communists in North Vietnam, and from there, they will find their way down the Ho Ch Minh Trail to the Vietcong for use against American men.

How do we explain this to the families of our soldiers? How do we say, "Yes, we are trading with the enemy that is providing the weapons to shoot at your sons"? There is no way to explain it. I will not try to explain it, but from now on, here is one Congressman who will do everything possible to prevent any further trade with any enemy of our country, or with any country that trades with our enemies.

I also intend to see that the people of my State know what companies in this country sell products which come from Russia or any other Communist country.

THE U.S.S. "ROSS F. GRAY"

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. NICHOLS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. NICHOLS. Mr. Speaker, on last Friday, November 3, the Navy launched a new destroyer escort at Seattle, Wash. The U.S.S. *Ross F. Gray* was named for a gallant Alabamian who gave his life for his country on Iwo Jima a quarter of a century ago. Marine Sergeant Gray won this country's highest honor, the Congressional Medal of Honor, for his actions on Iwo Jima. The sponsor of the U.S.S. *Ross F. Gray* is Sergeant Gray's sister, Mrs. E. B. Armel, of Pinson, Ala. The principal speaker at the christening ceremonies was my good friend and colleague ARMISTEAD SELDEN, of Alabama's Fifth Congressional District, Sergeant Gray's home district.

Congressman SELDEN is himself a former Naval officer, and served aboard a destroyer escort during World War II. His address not only paid tribute to Sergeant Gray and the fine ship which bears his name, but in it he has given us a vivid picture of the war we are fighting today in Southeast Asia. I would like very much for each Member of this House to read

Congressman SELDEN's remarks on the occasion of the launching of the U.S.S. *Ross F. Gray*.

Mr. Speaker, under unanimous consent I insert Mr. SELDEN's remarks in the RECORD:

REMARKS OF REPRESENTATIVE ARMISTEAD SELDEN, DEDICATION OF U.S.S. "GRAY," SEATTLE, WASH., NOVEMBER 3, 1967

It is both a privilege and an honor for me to be here today to participate in the launching of the USS GRAY (DE-1054)—a valuable addition to our nation's Navy.

From John Paul Jones and Stephen Decature to the present, the United States Navy has a proud history. Several years ago in an edition of *All Hands Magazine* it was written that "Tradition, valor, and victory are the Navy's heritage from the past." We stand here today in the presence of this heritage because the launching and christening of ship constitute the birth of that ship's tradition.

The proud name of the ship launched here today vividly reflects the Navy's heritage of valor. The 438-foot USS GRAY is named for Sgt. Ross Franklin Gray, United States Marine Corps, who was awarded the highest military decoration that can be bestowed by our nation—the Congressional Medal of Honor. Sgt. Gray was a native of Bibb Co., Alabama, located in the District I have the privilege to represent in the United States Congress. The USS GRAY's sponsor is Sgt. Gray's eldest sister, Mrs. E. B. Armel of Pinson, Alabama.

The coveted Medal of Honor was awarded posthumously to Sgt. Gray for "great personal valor, daring tactics, and tenacious perseverance in the face of extreme peril". The place was Iwo Jima, that volcanic island of only eight square miles where 4,590 men were killed in a month-long campaign to rout the Japanese garrison. The time was February, 1945. Sgt. Gray's platoon was pinned down by a barrage of Japanese grenades. After surveying the area, the sergeant discovered a strong network of enemy fortifications protected by an extensive minefield.

Under extremely heavy fire, the Alabama Marine cleared a path through the minefield. Then, he made six or eight trips back and forth carrying explosives which he used to destroy the Japanese position. The enemy fire was intense and, at one point, a grenade exploded near enough to blow off Sgt. Gray's helmet. Nevertheless, he traveled unarmed in order to more easily handle and set off his explosives.

Still he persisted. Even after he had destroyed the enemy fortifications, he did not return to his platoon until he once again entered the minefield to completely disarm it.

A count showed that this brave Leatherneck from Bibb Co., Alabama, had killed over 25 Japanese soldiers and destroyed a machine gun, a field weapon and an ammunition dump.

Although Sgt. Ross Franklin Gray emerged unscratched from this ordeal, he was killed only six days later by an enemy shell on Iwo Jima. He was posthumously awarded the Congressional Medal of Honor—the medal that President Truman said he would rather have than be President.

Just as the proud name of this ship reflects the merging of tradition and valor, the long history of the United States Navy speaks of victory. Such victory includes bringing the Barbary pirates to terms as far back as the 1800's and backing the Soviets down as recently as the October 1962 Cuban missile crisis.

This, however, is not the early 1880's nor is it 1962. Yet, the importance of sea power continutes unabated. We cannot discuss hot war, cold war, limited war, or for that matter any threat to the United States, without discussing sea power.

I challenge anyone to analyze the fall of Carthage without discussing sea power; or the history of Britain, Spain and France. I challenge anyone to discuss the defeat of Germany in World War I, or of Germany and Japan in World War II, or the Korean conflict, or the 1958 Lebanon crisis, or the 1962 Cuban missile crisis, or Vietnam today—without discussing sea power.

The question perhaps arises at this point: since this is true, why belabor the obvious? My answer is that I am not sure *how* obvious *is* the importance of a strong U.S. Navy. We live in a technological age, and this is accompanied by a constant reevaluation of the role of different weaponry. Needless to say, obsolescence comes with bewildering rapidity, and one of the greatest dangers of a technological age exists when reevaluation loses its perspective. With the obsolescence of weapons and equipment oftentimes comes the generalization that certain services themselves are obsolete, or at least should be downgraded.

A cursory review of United States Naval history reveals this danger. With the advent of rail communications there were those who maintained that sea power had lost its vitality. With the advent of the Blitzkrieg there were those who maintained that sea power had lost its vitality. With the advent and ascendance of air power there were those who maintained that sea power had lost its vitality.

But from time immemorial the primary task of navies has been to gain and maintain control of the seas. Is is perfectly clear that technology *has* made certain goals of sea power obsolete. Yet, the challenges of science and technology necessitate more than ever a strong Navy. Indeed, the strategic importance of the Arctic Ocean results from this very advance of science and technology.

Therefore, it is vital that everyone associated with the Navy—indeed all Americans—be aware of the importance and function of the United States Navy in today's world. Such maxims as that of Capt. John Paul Jones' "Without a Navy, alas America" is as true today as it ever was. But we must go beyond the maxims to a definition of exactly why the United States Navy is so important.

To answer this question, why a strong United States Navy is so important today, may I quote the following statement written in 1964 by Hanson Baldwin, military affairs analyst of the *New York Times:*

"To the United States, a continental island in a world of global conflict, control of the seas is vital. The arterial highways of alliance cross the world's oceans. Cut them and the alliance dies. Cold wars and brushfire conflicts lie across the seas, and sea power in all its forms—on, under, and above the sea—is the most flexible, the most mobile, and the most discreet form of limited-war power available. For the seas are free, and the political and psychological limitations of land bases are avoided by those who can use the sea.

"To the United States, the ability to use the broad oceans for our own purposes and to deny that use to any enemy, the ability to project our power inland from the sea, has been our greatest single strategic advantage in limited war and in the world struggle against Communism."

Mr. Baldwin has referred to the importance of the Navy's role in limited warfare. One of the first missions of the Navy under such conditions is the hampering of the enemy and the control of arms traffic to prevent the escalation of a land campaign. For example, during the 1962 Cuban missile crisis, naval power was used to prevent an additional Communist buildup in Cuba. We witnessed at that time nothing less than what can be called the first full-fledged showdown between the United States and the Soviet Union in the nuclear age. It is particularly constructive to note that this confrontation took place on the seas, and a naval quarantine was employed to control the nature and scope of a Communist buildup of military power in an area that directly affects the security of our nation. Commenting on the importance of sea power during the Cuban crisis the late President Kennedy said:

"Events of October 1962 indicate as they have all through history that control of the seas means security, control of the seas means peace, control of the seas can mean victory. The United States must control the seas if it is to protect our security."

Another important function of the Navy in a limited war environment is the use of naval forces to supply, support, and protect an overseas land campaign and to deny the enemy access to the sea and land areas under contention. This, of course, is one of the functions being employed in Vietnam today by our naval forces.

In our battle to draw the line against Communist aggression in Southeast Asia, United States Navy pilots are bombing economic infrastructures, infiltration corridors and military bases in North Vietnam. Their efforts are supported by naval shore bombardments and, in some instances, invasion or landings of U.S. military personnel.

U.S. Marines this autumn broke the new Communist offensive by their valiant stand at Con Thien. Leatherneck battalions in I Corps daily face Red bombardments and hold off North Vietnamese regulars poised to infiltrate into South Vietnam through the Demilitarized Zone.

Navy Seabee and Marine units are engaged in what we have termed "the other war", the unprecedented effort to move a nation forward economically, politically and socially in the midst of a war. While resisting Communist aggression on the one hand, U.S. naval personnel at the same time are helping an embattled nation lift itself into the 20th Century.

My only regret today as we dedicate this fighting vessel named for such a valiant Marine is that there are some in this nation who seem to be losing the strength and spirit to see the battle in Vietnam through. In doing so, they are giving aid and comfort to Hanoi's policymakers because our adversaries are counting on a war-weary America, a nation which no longer has the patience, prudence and perseverance to stand by their commitments and aid Southeast Asia nations maintain their independence.

This policy won the war for the Viet Minh 13 years ago, when defeatism and fatigue caused the French to pull out of Indochina after Dienbienphu. In fact, Ho Chi Minh's only chance for victory lies not on the battlefield but in defeating the will and resolve of his adversary at home.

To abandon the South Vietnamese would weaken and undermine many nations, and lead the insatiable appetites of Communist aggressors toward even further aggression. If the name of the battlefield were not Vietnam, perhaps it would be Thailand, or India, or Venezuela. Modern history should teach us that if we do not live up to our commitments and responsibilities, we could find ourselves fighting for freedom not in distant lands but here in our own hemisphere.

I recall having read the following true anecdote in a 1961 issue of *US Naval Institute Proceedings:*

"A young naval lieutenant was commanding his first ship during recent NATO maneuvers when he collided with another vessel. Although the damage was slight, there was considerable confusion in the deployment of the fleet. The Admiral commanding the operation signaled, 'What do you propose to do now?' "

The lieutenant's answering signal was, "Buy a small farm, sir."

There probably isn't a man alive who hasn't at some point dreamed of buying a small farm somewhere, far from the direct demands of today's civilization. For that matter, the United States itself oftentimes seems to yearn for what we recall as the placid, agrarian days of yesterday. But the United States must continue to provide freedom and security for its citizens within the framework of this dangerous nuclear age. And our Navy, of which the Marine Corps is an integral part, along with the Army and Air Force continues to serve as the guarantor of this freedom and our nation's security.

In my opening remarks I quoted the following sentence from a 1963 issue of *All Hands Magazine:* "Tradition, valor, and victory are the Navy's heritage from the past." The rest of the quotation is as follows: "To these may be added dedication, discipline, and vigilance as the watchwords of the present and future."

May I say that I am very proud to have served in the US Navy, and I am honored to be present at the launching of this splendid addition to our fleet which bears the name of that gallant Marine—Sgt. Ross Franklin Gray.

AMENDMENT TO S. 2388 OFFERED

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Mexico [Mr. Morris] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MORRIS of New Mexico. Mr. Speaker, equal justice for every American is one of the great ideals of our society. It is for this reason that I plan to propose an amendment to the Economic Opportunity Act when this body considers S. 2388 later this week. My amendment would direct the Office of Economic Opportunity to foster and stimulate the adoption of those legal services programs which permit an indigent to freely choose his own attorney from those participating in the program. My amendment would not make the judicare program mandatory across the entire Nation, but rather it would encourage judicare programs whenever the local communities involved preferred such a method in contrast to the present OEO setup which provides that a salaried government lawyer handle the indigent's case. My amendment provides that the fees of the attorneys would conform to criteria based upon the regional fee schedules prescribed by the Director of the Office of Economic Opportunity.

Essentially the program I propose would permit each eligible person to choose his own attorney from among those participating in the program. The attorney would provide the services requested and would then be reimbursed from Federal funds provided by an OEO grant according to a prescribed fee schedule. Although the method of financing judicare would be different from that of the medicare program, the operation of the two programs would be similar. They will both be based upon the principle that each eligible individual should have the right to services, whether medical or legal, and to the right of the choice of doctor or lawyer.

A major reason why I favor this approach to the provision of legal services to the poor is that I feel, without question, it is more consistent with our free enterprise system than the alternative of hiring "government salaried" lawyers to serve one segment of our population. In our system we believe that each American should have the right to shop at any store, to avail himself of any service and not be restricted to certain facilities and services just because he is poor. Rich or poor, each is entitled to some freedom of choice.

I point out that my amendment would encourage judicare programs whenever the local community preferred such a system instead of the type now eligible under the Economic Opportunity Act. It may be that the existing program of neighborhood legal services is more suited to certain populations and locations. In such event, my amendment would make no change. On the other hand, judicare may well be a unique and preferable program in small communities and rural areas where a full-time attorney for the poor is not needed.

The type of program I support has been tried and found to be successful. A similar system has been operating effectively in England for the past 20 years. It has been operating on a demonstration basis in Wisconsin and proved to be a workable successful program. I hope you will agree with me that local option should prevail in the choice of legal services provided by the Economic Opportunity Act.

Amendment to S. 2388 Offered by Mr. Morris of New Mexico

On page 188, at the end of line 18, insert the following:

"In carrying out this paragraph, the Director shall encourage, foster, and stimulate the adoption of legal services programs which (1) permit each user of the program to choose his attorney from among those participating in the program, and (2) provide that the fees of participating attorneys will conform to criteria prescribed by the Director."

ONE AGENCY ON SOUND FINANCIAL FOOTING

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Shipley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. SHIPLEY. Mr. Speaker, one of the truly remarkable programs carried on by the Federal Government is that operated by the Farmers Home Administration of the Department of Agriculture. This agency effectively provides supervised credit for farmers and other rural citizens whose opportunities to reach their goals and achieve their aspirations are often frustrated by their inability to obtain necessary financing.

As my colleagues know, the law clearly provides that Farmers Home Administration may make loans only to those who cannot obtain credit from usual commercial sources, including the Federal land banks. Therefore, Mr. Speaker, I was particularly interested to learn this week that the write-off rate on current USDA–FHA programs is a miniscule seventy-nine one-hundredths of 1 percent, and that interest collections are 13 times the writeoffs. This record clearly demonstrates the agency's adherence to sound principles of business management and efficient operation.

Through June 30, 1967, Farmers Home Administration has collected more than $6 billion in principal and interest on $9 billion advanced through current programs, most of which are long-term farm, housing, and community facilities loans. Interest collections passed the $950 million mark during fiscal 1967 and are fast approaching $1 billion.

In these days of mounting Federal expenses and requests for tax increases, it is refreshing to know that one agency is on such a sound financial footing.

Mr. Speaker, I commend Secretary of Agriculture Orville L. Freeman and Farmers Home Administrator Howard Bertsch for their successful efforts to make USDA–FHA effective in its role of helping to revitalize rural America, while at the same time maintaining the highest standards of fiscal prudence and integrity.

CONGRESSIONAL ATTITUDES ON ROLE PLAYED BY THE PRESS, RADIO, AND TV MEDIA IN COVERING CONGRESSIONAL ACTIVITIES AND NATIONAL AFFAIRS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Hungate] may extend his remarks at this point in the Record and include charts, tables, and extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HUNGATE. Mr. Speaker, I recently concluded a poll of Members of the House and Senate to discover congressional attitudes on the role played by the press, radio, and TV media in covering congressional activities and national affairs.

Five hundred and thirty-three questionnaires were sent out, there being two vacancies in the House. One hundred and fifty replies were received by the stated deadline, November 1. Signatures were not required but 24 Members did sign. Comments were invited and 22 Members availed themselves of this opportunity.

I thank my colleagues for their time and courtesy in making these responses, which I hope will prove helpful, both to the press and to the Congress, in our constant evaluation of our mutual responsibilities toward the people of the United States.

I insert the results of the poll in the Record at this point:

CONGRESSIONAL QUESTIONNAIRE

[Please check 1]

	Excellent	Good	Fair	Poor	No opinion
1. In general, what kind of rating would you give radio on its coverage of national issues?	7	58	62	20	3
2. In general, what kind of rating would you give TV on its coverage of national issues?	12	47	58	32	0
3 .In general, what kind of rating would you give newspapers on their coverage of national issues?	18	56	41	29	0
	Highly accurate	Reasonably accurate	Occasionally accurate	Seldom accurate	Rarely accurate
4. Do you think the television reports on congressional activities are generally	2	77	51	10	7
5. Do you think the newspaper reports on congressional activities are generally	4	79	48	9	6
6. Do you think radio reports on congressional activities are generally	3	92	44	1	5
7. Do you think that Huntley and Brinkley's TV reports on congressional activities are generally	8	67	33	21	8
8. Do you think Drew Pearson's newspaper reports on congressional activities are generally	1	17	51	27	52
9. Do you think Paul Harvey's radio reports on congressional activities are generally	5	33	43	24	19
			Yes	No	No opinion
10. Would you favor a code of ethics to be adopted for application to all radio, TV, and newspaper personnel accredited to House and Senate galleries?			91	43	11

11. If you could only receive 1 weekly magazine to keep yourself accurately informed on the activities of Congress, which of the following would you prefer to receive?

Time	13
Newsweek	33
Life	2
U.S. News & World Report	82
Congressional Quarterly	5
The National Observer	2
(Numerous others 1 each.)	

12. Please list the news columnist you read most regularly (regardless of your opinion of reliability or the area covered).

Evans and Novak	29
David Lawrence	20
Drew Pearson	17
James Reston	13
Art Buchwald	10
(Several others from William Buckley to Ann Landers also ran.)	

There were many comments included in the replies. Some samples follow:

Four Members thought it impossible to generalize on newspaper coverage since, as one said, it "depends on the newspaper—varying from rotten to excellent."

One thought:

"Some control should be put on radio, TV, and newspaper editorializing. Take for example, I ride to work every morning and hear Radio WMAL have an editorial everyday—they couldn't have that good a research department to know everything.

Two thought Paul Harvey was reasonably accurate but hedged their comments, one saying "Accurate in substance more often than not, but hardly ever accurate in perspective."

Comments on Drew Pearson were perhaps the most enthusiastic and ranged from one Member who considered him highly accurate to comments such as, "Only accidentally accurate" and "A paid purveyor of hatchets."

Two found Huntley and Brinkley TV reports "slanted," and one stated "These are performers—not newsmen," while another commented, "Their 30-minute program often seems stretched for content," and found radio programing pathetic.

Other samples included:

It is my opinion that most reporters covering Congress rely on prepared handouts rather than investigation—and that almost all tend to use the same one or two Members (Members varying for each reporter) for all their news bits and opinions. With a few exceptions, they are lazy, pompous, prejudiced, egotists. * * *

The press is a business. At times its interests as a business are not entirely consistent with the responsibilities it bears as a free system with Constitutional privileges and sanctions. In other words, "freedom of the press" is not a one-way street.

There are certain columnists, such as Drew Pearson, who consistently distort the news. While their columns may bring public attention to certain issues which could not otherwise be focused so dramatically, they have done much to hamper the tradition of "privileged communications" with members of their profession. Drew Pearson has never reported any item accurately in which I was involved, which makes me doubt his veracity in regard to other Members.

Another Member commented in depth on the congressional questionnaire:

In general, I think all of the news media do a good job in covering the Congress within the limits of each medium. The newspapers over-all are the best because they can devote the space to the subject on a daily basis. I say this with respect to the major papers—The New York Times, The Washington Post and The Washington Star.

Television and radio news coverage are less comprehensive and many of the major newsmen in the electrical media acknowledge this. On certain subjects, however, television news exceeds the newspapers. This happens with the so-called "in depth" pieces the three networks will utilize frequently. Radio news is rarely more than the headlines and should not be expected to be much more than that.

I would add that the intelligent reader (if he wishes to remain that way) must read and listen to more than one source for the sake of accuracy. This presents a time problem but there is no other solution.

I oppose a "code of ethics" for Congressional reporters because I do not think this is a practicable idea. In fact, I am not even sure what is intended in such a code. The press plays a more significant role in our society than most citizens realize. Rather than restrictions, it needs to attract the best possible people to become its practitioners, a problem gaining wider recognition than heretofore.

Two other comments of interest were: "News of activities in Congress is too sketchy for average Americans to realize what is really happening," and "I try not to be confused by reading any—never do I read an editorial."

SOVIET USE OF SPACE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. DADDARIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. DADDARIO. Mr. Speaker, on Friday, November 3, Secretary Robert McNamara revealed to the American public that the Soviet Union has begun testing in orbit the carrier of a nuclear weapon, posing a new class of threat to the defense of the United States. Since September 1966, 11 flights have been recorded as reaching earth orbit in the Soviet pursuit of this system, and the Secretary estimates it could attain initial operational capability in 1968.

In the legal sense, the Soviet action does not yet constitute a violation of the recent treaty on peaceful use of outer space. Like an ICBM, the payload has been recovered in less than one orbit, but barely so. Like most other weapons tests in peacetime, it is highly unlikely that a nuclear weapon has been carried in the warhead.

But to say the least, the development of a new terror weapon, whatever its total military effectiveness, is a disappointment to all men of good will who hoped for an easing of tensions between the two great space powers.

The Secretary has indicated that in anticipation of this threat, protective steps have been undertaken. This underscores the urgency of both the very small antisatellite system we now possess in the mid-Pacific, and the proposed antiballistic missile system which is still only a research and development concept today.

So far, these Soviet weapons flights have not passed over the United States because their single fractional orbit carries them over the Pacific, Argentina, the South Atlantic, and Africa back to the U.S.S.R. In time of war they might come from any direction, scooting so low compared with an ICBM that our radars would have but limited warning. Fortunately, the preponderant logic is that these weapons in net balance are not as effective as the same resources put into the kind of weapons mix which both the United States and the Soviet Union already possess and which would destroy the main fabric of both societies in an all-out exchange.

Nonetheless, the Russians must have their military reasons for creating this new system, and we cannot ignore its uncertain potentials. Careful study, prompt study, will indicate what measures we should take to adjust to this new reality.

I think it is entirely appropriate for me to remind this body that some of us have been trying for years to explain how our involvement in the complex business of space technology has broad consequences for American life and American survival. Our space efforts keep us successful on the forefront of science, and can bring marked economic dividends to our daily life. But also unspoken in many decisions about space is the key importance of buying technological insurance against military surprise. I am not sure that we can be entirely happy about the state of our present defenses against an orbital bombardment attack. But our situation would be even more bleak if we had not made the broad effort in space technology which has been conducted by the Space Administration and the Department of Defense.

In the next year or two, I predict, on the basis of careful consideration, the Soviet Union is going to unveil further space capabilities which will not be to the advantage of the United States. Those of us who passed over as inconsequential in priority our space budget requests this year will feel a fresh concern as these events unfold.

This is not a time for panic, but it is a time for sober reflection on the realities of the technical revolution which is upon the world, whether the United States assumes a role of leadership in this regard or not.

OEO RECORD SET STRAIGHT

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. OLSEN] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. OLSEN. Mr. Speaker, among all of the unfair, inaccurate, and blatantly partisan charges that have been leveled against Sargent Shriver and OEO in the past 3 years, few if any have been so totally specious and ill founded as the charge that the OEO staff receives exorbitant salaries, and is somehow in a class by itself among Federal agencies as far as salary is concerned. Nothing could be further from the truth, Mr. Speaker, and I want to take a few moments at this time to try to set the record straight on this score, because the OEO salary issue is a phony issue if I ever heard of one.

The salaries and civil service grades of OEO employees are not set by Sargent Shriver. They are set by some mysterious cable of Democratic politicians or bureaucrats. They are established by the Civil Service Commission in consultation with the Bureau of the Budget, and in accordance with the same Federal laws which govern salary levels in all Federal departments and agencies. There is nothing special about OEO. It has never received preferential treatment of any kind in this area, and there is absolutely no reason to attack the agency on the basis of the salaries earned by its employees.

Mr. Speaker, let us look at the facts. In the President's budget for fiscal year 1968, 2,870 permanent positions are allocated to OEO. The average salary of these 2,870 employees, including Sargent Shriver and his top staff in OEO headquarters and seven regional offices, is at the level of GS grade 9.2, or about $7,957, and this is down from an average pay level of GS grade 9.5 during OEO's first year of operation, in 1965. How does this compare with other Federal agencies? Well, the average grade in fiscal 1968 for the Bureau of the Budget is 11.6; for the Office of Emergency Planning it is 11.3; for NASA it is 10.4; for the Civil Aeronautics Board, it is 10.2; for the Rural Electrification Administration, it is 10; and for the NLRB, it is 9.5—all in excess of the OEO average, and these are only some of the Washington agencies whose employees, on the average, make more money than do the employees of OEO.

Some critics have alleged that OEO has an unduly large number of "supergrades," or positions at the level of GS-16, GS-17, and GS-18. In light of the facts, such a charge is ludicrous. Of the 2,870 OEO positions allocated in the President's fiscal 1968 budget, there are 24 GS-16's, 16 GS-17's, and 13 GS-18's. In addition, there are seven special positions, six of which are provided for in the Economic Opportunity Act, with compensation in excess of the GS-18 level. These seven positions are filled by Mr. Shriver; his deputy, Mr. Harding; the Directors of CAP, Job Corps, and VISTA; the Assistant Director for the elderly, Miss Genevieve Blatt; and the Assistant Director for research, plans, programs, and evaluation, Dr. Robert Levine. In all, these "supergrade" and special positions account for 60 out of the 2,870 OEO positions, or about 2.1 percent of the total. In other words, for each one of these OEO positions at grade GS-16 or higher, there are 47 positions at grade GS-15 or lower.

Again, the comparison with other Federal agencies is instructive. In contrast with the OEO ratio of 1 to 47, the ratio at NASA is about 1 to 43; at the Farm Credit Administration, it is about 1 to 40; at the NLRB, it is 1 to 17.4; at the ICC, it is 1 to 16.2; at the CAB, it is 1 to 15.8; at OEP, it is 1 to 13.4; and at the Budget Bureau, it is 1 to 8.9. Perhaps the most useful comparison, Mr. Speaker, can be made with the Peace Corps, which, like OEO, was organized and established under Sargent Shriver, and which is generally considered to be a model of administrative excellence. The ratio at the Peace Corps is 1 to 15.5; with 1,200 fewer employees than OEO, the Peace Corps has 48 more positions at the "supergrade" level—Foreign Service Reserve Officer, classes 1 and 2—or above than OEO. And never, to my knowledge, has a question been raised about the appropriateness of such positions at the Peace Corps—so why is it that there should be an issue with respect to OEO, the top-level headquarters of the war on poverty?

Those who seek to make political capital by assailing OEO are fond of trying to put OEO in a bad light by the most specious and irrelevant salary comparisons. The classic example is the charge that there are 25 OEO employees with salaries in excess of the base pay of General Westmoreland, the commander of our troops in Vietnam. The very clever hitch is the use of the words "base pay," which is only part of military compensation, instead of simply "pay," or "salary." By using this cute phraseology, the idea gets across to receptive minds—such as that of Henry J. Taylor, the eminent 18th-century columnist—that 25 OEO officials make more than General Westmoreland does. As has been repeatedly pointed out by OEO spokesmen, no one at OEO, including Sargent Shriver, is paid as much as General Westmoreland, who earns in excess of $30,000 per year. Besides making more than Sargent Shriver, about one-third of the general's total compensation is tax free, and he enjoys free medical care for himself and his family, more generous retirement benefits than civil servants, and commissary and PX privileges. No one at OEO enjoys such advantages. So there is simply no excuse for any Member of this body who has the slightest regard for truth to invoke General Westmoreland's hallowed name in derogation of OEO employees. Not even the Director of the war on poverty is so audacious as to earn as much as the general, and we can put this question to rest once and for all. Of course, if there is any Member of this body who feels that the general is not getting paid enough, he is perfectly free to introduce legislation to correct the situation.

In any event, only the cynics and hypocrites will continue to affect shock that the general's base pay should not be more than the total pay of all OEO officials. A rough check of the President's budget for the Department of Agriculture reveals at least 78 positions compensated in excess of General Westmorelands base pay, and I am sure that similar checks on the budgets of other agencies often favored by OEO's detractors would show equally shocking results. So let us leave General Westmoreland and his salary out of the debate on the pending bill, because nothing could be less relevant to the business at hand.

Another comparison OEO's enemies are fond of drawing is between OEO and the Office of Education. It is breathlessly revealed that the Office of Education has more employees but fewer supergrades and a lower average salary level than OEO, and the conclusion is drawn that a scandal has been uncovered. In fact, the same sort of ostensibly damaging comparison could be drawn between OEO and any number of Federal agencies, for the simple fact that different agencies do different jobs and have different responsibilities and functions, and the structure appropriate to any given agency is dependent upon the job it is supposed to do. There is no standard staffing pattern for Federal agencies. The Bureau of the Budget therefore has a much higher ratio of highly paid staff to total staff than OEO, while the Office of Education has a lower ratio. Of the Bureau's 546 permanent staff positions in this fiscal year, 171 are at GS-15 and above: This is a ratio of 1 to 3.2. At OEO, 215 of 2,870 positions are at GS-15 or above, for a ratio of 1 to 13.3, while at the Office of Education 194 of 3,256 positions are at GS-15 or above, for a ratio of 1 to 16.7. This is because the three agencies have different jobs to do. The Office of Education, for instance, depends upon State and local education agencies to actually operate and administer the programs it funds, while OEO is responsible for national administration of CAP, Job Corps, and VISTA, as well as for overall coordination and planning of the war on poverty. So there is nothing magical about any staff ratio at the Office of Education, and if OEO has a higher ratio than the Office of Education, so does the Office of Education have a much higher ratio than dozens of other Federal agencies and bureaus. At the FBI, for instance, there were 4,643 GS-3's and GS-4's alone in fiscal 1967, about twice the number of OEO's total staff last year. It is thus totally irrelevant to single out OEO for comparison with agencies which have completely different responsibilities and functions. Chairman Macy of the Civil Service Commission has, on several occasions, specifically rejected the use of such comparisons, and of any arbitrary ratio or formula as a method of determining the number of positions at any grade appropriate to any Federal agency.

Based on the President's budget for fiscal 1968, only 2.33 percent of the funds requested to continue the war on poverty would go for salaries of all OEO employees—a figure which few, if any, other Federal agencies can beat. If funds allocated by OEO to other agencies are included, the figure becomes 3.8 percent. Of every $100 obligated by OEO in fiscal 1967, only $2.57 went for personnel compensation and benefits to OEO employees; if the total war on poverty budget for fiscal 1967 is used and programs of OEO's delegate agencies are included, for every $100 obligated, $4.21 went for personnel compensation and benefits. This is an entirely reasonable and modest ratio of personnel costs to total program costs, and compares favorably with most other Federal agencies with similar top-level responsibilities. For instance, 4.15 percent of HEW funds are allocated to salaries and personnel benefits, and at labor, the figure is 7.5 percent.

Mr. Speaker, there is a curious irony in the argument of those who on the one hand criticize OEO administration, and on the other hand seek to make it even more difficult than it already is for OEO to attract and retain the top-quality personnel so desperately needed to carry out the immense responsibilities borne by this gallant little agency. The notion that OEO can be improved by lowering the caliber of its staff is a strange one, to say the least, but the conclusion is inescapable that to deprive OEO of the staff structure which it needs to do its job—and which the Civil Service Commission, the Budget Bureau, and responsible congressional committees know it needs to do its job—will inexorably lead to a far less competent, less effective, and less dedicated group of OEO employees.

Of course, that is precisely what certain people would like to see happen, and so I do not hestiate to categorize amendments directed against OEO staff salaries as in fact being deliberate attempts to cripple or kill OEO itself. To knowingly deprive a top-level agency like OEO of the caliber of staff it needs is more than being penny wise and pound foolish—especially in light of the meager "savings" involved. Last year's amendment to limit OEO to one "supergrade" per 100 employees, for instance, would have saved the Government about $56,000, at the cost of about half of OEO's top staff. Such a move can only be motivated by the desire to undermine OEO itself, and indeed to emasculate the war on poverty.

Mr. Speaker, as a final confirmation of my views on this subject, I would like to offer for insertion at this point in the RECORD a very excellent letter, from Civil Service Commission Chairman John W. Macy, Jr., to Senator Joseph S. Clark, which was written 13 months ago when House and Senate conferees were considering a final poverty bill. Chairman Macy discussed the so-called Ashbrook amendment in last year's House-passed bill, and successfully urged the conferees to omit such a provision from the conference bill. Chairman Macy's letter follows:

OCTOBER 7, 1966.

Hon. Joseph S. Clark,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CLARK: In the course of the conference discussion on the Economic Opportunity Act Amendments of 1966, consideration will undoubtedly be given to the provisions of the so-called Ashbrook amendment added to the bill in the House of Representatives on September 30. This amendment provides that the Office of Economic Opportunity and its field offices shall not have more than one position in the Classification Act grades of GS-16, 17 and 18 for every 100 employees on its rolls.

It may be of assistance to you and the other conferees to have background from the Civil Service Commission concerning the allocation and distribution of positions in these grades at the Office of Economic Opportunity. I am forwarding a similar letter to Chairman Powell.

Unless a specific exception is provided in Title V of the United States Code, any position placed in grades GS-16, 17 and 18 of the general schedule in an executive agency of the Government must be approved by a majority of the three Civil Service Commissioners. Such approval action was taken by the Commission in the allocation of positions to these grade levels in the Office of Economic Opportunity. In every instance the Civil Service Commissioners themselves reviewed the recommendations for placement of these positions in one of the top three grades of the general schedule. Not every one so recommended was allocated to one of these three grades. The ones which the Commissioners did place in these grade levels were believed to be thoroughly justified on the basis of sound classification principles and in comparison with other similar type positions placed in those grade levels in other agencies of Government.

In addition, the Commission carefully checked with the Bureau of the Budget before taking approval action to make sure that the proposed organizational structure in which the positions were being established followed sound organizational principle and they were required to carry out the agency's important mission. The Commission received Budget Bureau assurance that the organizational structure was sound and that the positions proposed were required to staff the leadership posts in that organization.

The Commission's position has always been that in the allocating of top level positions, there is no validity to considerations of ratio of numbers of top positions to total employee population within an agency. A new organization needs a higher ratio when it is in initial stages of development. This ratio will go down as the new agency grows.

A central staff agency with top professional personnel will need a higher proportion of top positions than an operating agency with a large volume of day-to-day work operations and a large number of clerical or semiskilled employees.

The large departments will have a relatively low proportion of top positions to employee population even though they may have the largest number of top jobs. Conversely, the smaller agencies will have much higher ratios since their total employee populations are smaller, since they have the same need for top professional and managerial staff and since their missions usually require a larger proportion of professional type personnel.

It follows that the agencies in the Executive Office of the President would fall into the latter category. For example, the Bureau of the Budget, the Office of Emergency Planning, the Office of Science and Technology, and the Office of Economic Opportunity are all agencies that are concerned with planning, directing, coordinating, and integrating the work done by many other agencies of Government or, in some instances, by parts of the private sector outside of Government. Their work is much less operational than most of the other agencies of Government. Their ratios of top general schedule positions to the total number of employees will be much higher than in the larger Government departments.

The Commission has consistently held that the top level positions in these agencies, as in all other executive branch agencies, should be based on the worth of each individual position and not an arbitrary numbers unrelated to the specific positions in a needed organizational structure.

There would be a serious impact on vital work done by the Office of Economic Opportunity if the Congress finally places a ratio on the number of positions in the top three grade levels in relationship to the total number of employees. The Civil Service Commission has allocated to the Office of Economic Opportunity 52 of the relatively scarce spaces available for distribution to departments and agencies. As of July 31, there were approximately 2,900 employees in the Office of Economic Opportunity. If the Ashbrook amendment were adopted, it would mean that the agency would have to manage its programs with only 29 positions in the top three grades. This drastic reduction would certainly have a severe detrimental impact on the agency's capability to meet its statutory obligations.

The Civil Service Commission urges that the conferees thoroughly assess the impact of this restriction and consider the elimination of such an arbitrary restraint on the ability of the agency to do its job. The Commission can assure the Congress that it will continue to review with great care every position recommended for allocation to the top three grades.

The Commission will review periodically the grade structure in the Office of Economic opportunity to assure itself that the positions already allocated to that agency are needed and are operating at the levels contemplated when they were originally placed in their present grades. The Commission will also continue its close scrutiny of the persons proposed for appointment to these positions since the law also requires that we approve the qualifications of persons placed in these grades.

Please let me know if there is any further information which I can provide you to assist in your consideration of this matter.

Sincerely yours,

JOHN W. MACY, Jr.,
Chairman.

THE STATE DEPARTMENT'S DECISION TO SELL SUPERSONIC JET WARPLANES TO LATIN AMERICA

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from Wisconsin [Mr. REUSS] is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, a month ago the press reported that the State Department, contrary to what had been our understanding, proposed to approve the sale of the American supersonic jet F-5 warplanes to Latin American countries. Peru, Brazil, Chile, the Argentine, and other countries were mentioned as possible recipients.

A number of my colleagues and I were disturbed. These planes are relevant neither for antiguerrilla warfare, nor for continental air defense. Their sole effect appears to be to enhance the prestige of the Latin American military, to generate an arms race, and to subtract valuable resources, particularly foreign exchange, from the vitally necessary economic development of these countries. All of the countries concerned have grievous problems of economic development and are close to the limit of their foreign exchange resources.

The case against the State Department's position is well put in a recent editorial in the St. Louis Post-Dispatch:

BACK IN THE ARMS TRADE

The State Department is being somewhat coy about whether it has changed policy in allowing sales of supersonic jet warplanes to Latin America. Whether the policy has been changed or not, it seems wrong.

For at least a year the United States has appeared to resist Latin American efforts to buy such "sophisticated" weapons, because such military expenditures could better be used for domestic development. However, in recent weeks Peru and Brazil have been talking with the French firm of Marcel Dassault about buying Mirage fighter-bombers. The State Department's brief announcement that American Northrop F-5 jet fighters would be made available amounts to saying that the United States might as well get the business as the French.

Washington officials content that, actually, the arms sales policy has not been changed, and that the only reason the Latin republics could not buy F-5s until now was that they were not ready for delivery. Does it matter? The arguments against United States involvement in a Latin arms race are as sound now as in the past, and provide no excuse for spurring that race just because the French did.

Supersonic planes and other advanced equipment are totally irrelevant in Latin America. Peru wants them in fear of Chile and Chile wants them out of suspicion of Argentina and the Argentine and Brazilian governments want them for no apparent reason, unless it is to hold their unpopular clamps on their peoples. But all of these nations depend ultimately on United States protection against outside aggression and for that purpose a few jet fighters would do them no good.

To the contrary, such arms purchases would be a distinct disservice to countries struggling with regressive economies and backward social conditions. As with other underdeveloped nations, they need dollars for more important purposes than gilding creaking military machines.

In offering to add to Latin armaments, the United States is doing its neighbors no service and its own diplomatic pretensions of peaceful goals no good. What is the purpose?

No doubt it will be argued that it is better for Latins to fly American warplanes than French, but why? Since World War II this country has helped to arm both sides in the Middle East, both sides in the Pakistan-India dispute and both sides in the Greek-Turkish argument over Cyprus, as well as practically any side anywhere that met the solitary consideration of being anti-Communist.

In 17 years we have sent abroad, in gifts and sales, more than 37 billion dollars in armaments—including more than 20,000 tanks and 10,000 planes. But where on earth has this arsenal diplomacy won America any lasting friends, or political influence, or military power? And where has it helped to promote freedom and democracy?

With negative answers preponderant, the Pentagon turned a year or so ago to the argument that the United States needed arms trading because of its balance of payments deficit. In truth, this is big business for what President Eisenhower once termed the military-industrial complex. Since 1961 arms exports abroad have averaged about two billion dollars a year. That is close to half the value of all exports of manufactured goods.

The defense complex may profit from this but the nation does not. The profit in balance of payments is not worth the ultimate cost of cynical diplomacy—of preaching peace while contributing to arms races, of advocating international development while burdening it with guns, of blaming others for being merchants of death while taking second place to no one in that respect.

Let France, or the Soviet Union, or somebody else foul up the small nations with their military hardware. That is no excuse for the United States. Its security is not affected by restraint, and its prestige and principles are contaminated by the arms trade.

Thus, we wrote on October 25, 1967, to Secretary of State Dean Rusk asking that the State Department reconsider its apparent decision to sell F-5's. Particularly, we pointed out that this decision seriously compromised our foreign aid program; that inevitably U.S. foreign aid would be used to repair the holes in the foreign exchange position of these countries left by the U.S. moral approval of their improvident expenditures on unnecessary warplanes; and that this compelled us to reevaluate our support of foreign aid programs.

I have today received the reply of Secretary of State Rusk to our letter of October 25:

NOVEMBER 4, 1967.

DEAR MR. REUSS: I am writing in reply to the letter which you and a number of your colleagues sent to me on October 25 about the sale of U.S. military aircraft to developing countries, particularly those in Latin America. I understand that Under Secretary Katzenbach and Assistant Secretary Oliver have discussed this matter with you and reviewed the reasons for our decision to authorize discussions on the sale of F-5 aircraft to certain Latin American countries.

I want to make clear how strongly I share your concern that we do not encourage developing countries to use their resources for the purchase of unnecessary military equipment. We pressed strongly, prior to the Summit Meeting in April 1967, to encourage an agreement among the Latin American nations to forgo permanently certain types of heavy military equipment and to postpone the acquisition of advanced aircraft until 1970. We were unable to secure a comprehensive agreement because no Latin American country was willing to assume the initiative at that time. However, Brazil did introduce the "unnecessary military expenditures" paragraph in the Declaration of the Presidents of the Americas.

We have had even less success persuading European governments to forgo the sale of unnecessary military equipment to Latin American countries. The attitude of the European governments is public knowledge; they have resisted, even resented, our efforts to limit sales of military equipment. They do not see the sales of arms as a moral issue but as a commercial effort to improve their export earnings.

At the same time, we must understand—even if we do not fully share—the very strongly felt and not unreasonable concern of Latin American governments that their military forces have access to advanced military technology in order to modernize and replace worn-out or obsolescent equipment. This applies particularly to their desire for limited replacement of tactical aircraft as these aircraft become technologically obsolescent and beyond reasonable repair. Comparative statistics show that the Latin American countries have not in fact modernized at the rate and pace common in other parts of the world. But it is a fact of life that these countries believe they should participate in some reasonable way adapted to Latin American conditions, in the progress of a technology which has both military and, actually or potentially, civilian use; and that they consider their Armed Forces a vital expression of their nationhood and sovereignty. We cannot reasonably ask these countries to deny themselves all access to advanced military equipment, and it would be impossible for us to prevent them from acquiring this equipment in view of the attitude of European governments.

Our ability to exercise influence in, and cooperate with, Latin America in the direction of reduced arms expenditures depends essentially on the good will we enjoy in these countries, and on our willingness to take an understanding and flexible attitude towards what they consider as minimal but essential defense needs. If we try to dictate military programs without regard to national sensitivities and outlooks, we will lose our good will while failing to prevent the acquisition of arms. And going beyond this immediate issue, an overly rigid posture in this highly sensitive area would affect adversely our working relationships with these governments in other areas as well and thereby reduce our ability to encourage social and economic progress under the Alliance.

You may be interested in just how Latin American air forces have evolved since World War II under the influence of U.S. (and European) policy. In the late 1940's, these air forces acquired mainly lend-lease World War II aircraft such as the P-47, P-51 and F-4U. By the 1950s this equipment had worn out: Latin American countries began to acquire surplus fighter aircraft, by now jet, first in Europe and then in the United States, at relatively low cost. Replacement of these aircraft, in turn, became necessary in the late 1950s: the early jet models were replaced with more modern jets from both Europe and the United States. These planes are now also wearing out after ten years of use. We have suggested interim solutions, such as the sale of A–4B aircraft to Argentina, but several Latin American countries have insisted that by the end of the 1960s they want to move to a more advanced aircraft that can be maintained for at least ten years.

The F–5 was developed under the military assistance program and is a technically simple, low-cost but modern aircraft. It is the only practical alternative to far more advanced and costly aircraft, such as later models in the A–4 series, the U.S. Century series, the British Lightning or the French Mirage. In other words, the F–5 while incorporating the advanced technology which these governments seek is adapted to the needs of developing countries; there is a sharp step-up in cost and complexity in going from the F–5 to these other aircraft.

Accordingly, when concern mounted in Latin America about replacement of aging equipment, we told the Latin American nations in 1965 that we would be prepared to see limited deliveries of F–5s in 1969/1970. Our recent decision to authorize discussions between the U.S. manufacturer and the Latin American Governments meets this time frame because a 20-month lead time is required on the average from the start of such discussions to actual deliveries.

In view of our reluctance to make available more advanced equipment and our persistent efforts to persuade the Latin American governments to go slow in acquiring them, I can understand that you considered our announcement as reflecting a change in policy. In fact it is not. In the months past we have pushed our policy of restraint harder than ever before. Over the years it has helped in promoting a 50 per cent reduction in Latin American military budgets. In the months to come we plan to continue to use our influence in favor of restraint wherever we can.

One factor in maintaining restraint is our decision to insist on strictly commercial sales arrangements between the U.S. manufacturer and the Latin American governments. It will be up to these governments to weigh the priority of these aircraft relative to other pressing demands upon their budgets. The United States Government will authorize the sales but it will not support them with credits.

Another important fact to remember is that the F–5s to be sold will replace existing aircraft. Thus, our decision will not result in an enlargement of Latin American air forces. In fact, the number of fighter squadrons operating in Latin America has declined since 1961 by 30 percent.

Taking all these factors into consideration, it seems clear to me that the sale of F–5s is not only consistent with the Punta del Esta Declaration but in fact essential to our ability to press for its implementation. In reaching our decision we are fully cognizant of the objective of an arms limitation agreement in Latin America, such as was called for by President Frei on October 31, 1967. We believe that our refusal to make F–5s available would almost eliminate the chance for such an agreement in the foreseeable future because it would ensure that Latin American countries would proceed to acquire far more advanced and sophisticated fighter aircraft in Western Europe.

You and your colleagues state that our decision on F–5s compels you to reevaluate your previous support for our foreign aid authorization. I fully appreciate and share your concern that the limited resources of Latin America, and for that matter all developing countries, go to the fullest possible extent for the welfare and improvement of human life. But I am equally convinced that the position you and your colleagues propose to take on the sale of these aircraft would be considered in Latin America as an attempt to force the will of sovereign countries on matters of their own defense, in violation of Articles 15 and 17 of the OAS Charter.

I hope that you and your colleagues will agree that, under the circumstances, the course we have chosen, in close consultations with the Latin American countries themselves, is a reasonable one.

I am also persuaded that a majority of the Congress supports both the objective we seek and our specific decision. I would welcome the opportunity to discuss this matter with you further. I would regret if you do not share our view that this is the best course to follow and am hopeful that you and your colleagues, after further review, will continue your support for the great developmental tasks in the less-developed world, and particularly in this Hemisphere.

Sincerely yours,

DEAN RUSK.

In short, the State Department proposes to go ahead with its plans to sell F–5's to Latin American countries. Among other things, this decision seems at variance with the conference report, agreed to by both the Senate and House conferees on November 3, 1967, on section 620(s) of the Foreign Assistance Act of 1967. This conference report will be before the House within the next few days. That language follows:

> In furnishing assistance under this Act, and in making sales under the Agricultural Trade Development and Assistance Act of 1954, as amended, the President shall take into account (1) the percentage of the recipient or purchasing country's budget which is devoted to military purposes, and (2) the degree to which the recipient or purchasing country is using its foreign exchange resources to acquire military equipment. When the President finds that development assistance under this Act or sales under P.L. 480 are being diverted to military expenditures or a recipient or purcasing country is diverting its own resources to increasing military expenditures to a degree which would materially interfere with its development, the President shall terminate such assistance and sales until he is assured that such diversion will no longer take place. No other provision of this Act shall be construed to authorize the President to waive the provision of this sub-section.

The above language is substantially identical with the language passed by the Senate on August 15, 1967. Senate Report No. 499 of August 9, 1967, on the Foreign Assistance Act of 1967 says of the language, page 36:

> The committee's objective is very simple—to try to be of some influence in dissuading recipients of U.S. aid from spending their scant resources for military purposes and in insuring that U.S. aid does not help them pay for unnecessary arms. In too many countries U.S. economic aid goes in one pocket and comes out the other pocket in the form of useless military expenditures.
>
> The amendment is aimed not only at aid recipients who buy arms from third countries, but at those who buy from the United States—and at U.S. officials who sell to them. U.S. military aid and sales policy leaves much to be desired in this respect. The amendment, in no small measure, is directed at controlling our own bureaucracy where the right hand in AID, concerned with economic development, often does not seem to know what the left hand in the Defense Department, busy building foreign armies, is doing. This amendment, and other changes made by the committee in revamping military aid and sales policy, should make U.S. assistance far more effective in accomplishing the development objectives intended by the Congress. The committee expects that this amendment will be implemented when necessary and that it will not be permitted to become an idle paper threat through nonuse.

The language, as clearly stated in the Senate report "is aimed not only at aid recipients who buy arms from third countries, but at those who buy from the United States—and at U.S. officials who sell to them."

Yet here we have the State Department, the day after the conference report was adopted, telling the Congress that no matter how much a Latin American country's use of foreign exchange resources to buy unnecessary military hardware interferes with its development, U.S. officials intend to go ahead and approve the sale of F–5's.

I once again call upon the State Department to reconsider its decision to permit the sale of F–5's to Latin American countries where it would consume foreign exchange needed for the economic development.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FOUNTAIN (at the request of Mr. ALBERT), for an indefinite period, on account of his attendance at the 22d General Assembly of the United Nations as an official member of the U.S. delegation to the U.N.

Mr. TEAGUE of Texas (at the request of Mr. ALBERT), for today, and the balance of the week, on account of official business.

Mrs. DWYER (at the request of Mr. ARENDS), for today, on account of illness in family.

Mr. HOSMER, for November 7 and 8, on account of official business of the Joint Committee on Atomic Energy.

Mr. CORMAN, for Monday, November 6, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FASCELL, for 30 minutes, today; to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. VANDER JAGT) and to revise and extend their remarks and include extraneous matter:)

Mr. BRAY, for 30 minutes, today.

Mr. POFF, for 20 minutes, on November 7.

Mr. EDWARDS of Alabama, for 30 minutes, today.

Mr. KUPFERMAN, for 15 minutes, on November 7.

(The following Members (at the request of Mr. MONTGOMERY) and to revise and extend their remarks and include extraneous material:)

Mr. REUSS, for 30 minutes, today.

Mr. FEIGHAN, for 30 minutes, November 7.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL

RECORD, or to revise and extend remarks was granted to:

Mr. REUSS to revise and extend his remarks and include extraneous matter in special order today.

(The following Members (at the request of Mr. VANDER JAGT) and to include extraneous matter:)

Mr. CRAMER.

Mr. EDWARDS of Alabama.

Mr. ROBISON.

(The following Members (at the request of Mr. MONTGOMERY) and to include extraneous matter:)

Mr. LONG of Maryland.

Mr. WRIGHT.

Mr. FRASER.

Mr. REES.

Mr. CELLER.

Mr. GILBERT.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 391. An act to amend the act of March 1, 1933 (47 Stat. 1418), entitled "An act to permanently set aside certain lands in Utah as an addition to the Navajo Indian Reservation, and for other purposes"; to the Committee on Interior and Insular Affairs.

S. 561. An act to authorize the appropriation of funds for Cape Hatteras National Seashore; to the Committee on Interior and Insular Affairs.

S. 1321. An act to establish the North Cascades National Park and Ross Lake and Lake Chelan National Recreation Areas, to designate the Pasayten Wilderness and to modify the Glacier Peak Wilderness, in the State of Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 5091. An act to amend Public Law 87-752 (76 Stat. 749) to eliminate the requirement of a reservation of certain mineral rights to the United States; and

H.R. 11627. An act to amend the act of June 16, 1948, to authorize the State of Maryland, by and through its State roads commission or the successors of said commission, to construct, maintain, and operate certain additional bridges and tunnels in the State of Maryland.

ADJOURNMENT

Mr. MONTGOMERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 5 minutes p.m.), the House adjourned until tomorrow, Tuesday, November 7, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1202. A letter from the national commander, Civil Air Patrol, transmitting the Annual Report of the Civil Air Patrol for the calendar year 1966, pursuant to the provisions of Public Law 79–476; to the Committee on the Judiciary.

1203. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting the report on Department of Defense procurement from small and other business firms for July-August 1967, pursuant to the provisions of section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAWSON: Committee on Government Operations. H.R. 10085. A bill to amend section 211 of the Federal Property and Administrative Services Act of 1949, as amended, so as to authorize the Administration of General Services to prescribe regulations for the use by executive agencies of airconditioning units in Government-owned passenger motor vehicles, and for other purposes with amendment (Rept. No. 889). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. H.R. 12510. A bill to establish a Commission on Government Procurement; with amendment (Rept. No. 890). Referred to the Committee of the Whole House on the State of the Union.

Mr. PASSMAN: Committee on Appropriations. H.R. 13893. A bill making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 891). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BRINKLEY:

H.R. 13880. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. COLLIER:

H.R. 13881. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. ESHLEMAN:

H.R. 13882. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. KEITH:

H.R. 13883. A bill to provide for orderly trade in footwear; to the Committee on Ways and Means.

By Mr. PATMAN:

H.R. 13884. A bill to prohibit federally insured banks from voting their own stock and to provide for cumulative voting in federally insured banks; to the Committee on Banking and Currency.

By Mr. PEPPER:

H.R. 13885. A bill to authorize an appropriation of $10,000 toward the cost of erecting a monument in the Spanish War Memorial Park, Tampa, Fla., commemorating the patriotic services of the American forces in the war with Spain; to the Committee on Interior and Insular Affairs.

By Mr. RIVERS:

H.R. 13886. A bill to amend title 37, United States Code, to increase the rates of special pay for sea duty, and provide the entitlement for officers; to the Committee on Armed Services.

By Mr. DELLENBACK:

H.R. 13887. A bill to amend the Small Business Act to prohibit discrimination against small newspapers as borrowers from the Small Business Administration; to the Committee on Banking and Currency.

H.R. 13888. A bill to amend the tariff schedules of the United States to provide that the amount of ground fish imported into the United States shall not exceed the average annual amount thereof imported during 1963 and 1964; to the Committee on Ways and Means.

By Mr. SMITH of Oklahoma:

H.R. 13889. A bill to require the Bureau of the Budget to submit to the Congress certain monthly estimates concerning national income and expenditures; to the Committee on Government Operations.

By Mr. WINN:

H.R. 13890. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. CULVER:

H.R. 13891. A bill to provide for an annual conference between representatives of the dairy industry, the Secretary of Agriculture, and representatives of other departments and agencies of the Federal Government to consider problems relating to the import and export of dairy products to and from the United States, to interstate commerce in dairy products within the United States and related problems in international trade and interstate commerce, and for other purposes; to the Committee on Agriculture.

By Mr. KEITH:

H.R. 13892. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. PASSMAN:

H.R. 13893. A bill making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1968, and for other purposes.

By Mr. GOODELL (for himself, Mr. QUIE, Mr. ERLENBORN, Mr. DELLENBACK, Mr. ESCH, Mr. ESHLEMAN, Mr. STEIGER of Wisconsin, and Mr. DON H. CLAUSEN):

H.R. 13894. A bill to mesh the combined efforts of government at all levels with private endeavors to provide jobs and dignity for the poor; to the Committee on Education and Labor.

By Mr. HATHAWAY:

H.J. Res. 920. Joint resolution to authorize and direct the Secretary of the Interior to conduct a survey of the coastal and freshwater commercial and recreational fishery resources adjacent to the United States, including the resources within the territorial waters of the Great Lakes, the territories and possessions of the United States, and the Commonwealth of Puerto Rico, and to make available to the public and Congress information gained from such survey; to the Committee on Merchant Marine and Fisheries.

By Mr. MATSUNAGA:

H. Con. Res. 572. Concurrent resolution providing that it is the sense of Congress that the President should accord preeminence to safety in the operation of all Federal airway and air travel undertakings along with the maintenance of the standards of safety intended by Congress in all Federal programs relating to all phases of air travel; to the Committee on Interstate and Foreign Commerce.

By Mr. MINISH:

H. Con. Res. 573. Concurrent resolution expressing the sense of the Congress with respect to the incorporation of Latvia, Lithuania, and Estonia into the Union of Soviet

Socialist Republics; to the Committee on Foreign Affairs.

By Mr. ZABLOCKI (for himself, Mr. ADAIR, Mrs. BOLTON, Mr. BYRNES of Wisconsin, Mr. CEDERBERG, Mr. DERWINSKI, Mr. DULSKI, Mr. ESCH, Mr. FINDLEY, Mr. HALLECK, Mr. HAMILTON, Mr. HAYS, Mr. KASTENMEIER, Mr. LATTA, Mr. MOSHER, Mr. O'KONSKI, Mr. REUSS, Mr. ROUDEBUSH, Mr. ROUSH, Mr. RUMSFELD, Mr. SCHADEBERG, Mr. STEIGER of Wisconsin, and Mr. VIGORITO):

H. Con. Res. 574. Concurrent resolution to express the sense of the Congress with respect to the Great Lakes Basin compact and the Great Lakes Commission; to the Committee on Agriculture.

By Mr. SMITH of Oklahoma:

H. Res. 967. Resolution amending the Rules of the House of Representatives to provide that each public bill or resolution introduced in the House of Representatives shall contain an estimate of the cost to the Federal Government, and for other purposes; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HAYS:

H.R. 13895. A bill for the relief of Ugo Russo; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 13896. A bill for the relief or John R. Olson; to the Committee on the Judiciary.

By Mr. REID of New York:

H.R. 13897. A bill for the relief of Mr. and Mrs. Saverio Fiorino and their son, Francesco; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.R. 13898. A bill for the relief of Maria Carcione; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 13899. A bill for the relief of Pietro Addamo; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 13900. A bill for the relief of Norma Esther Barrosa and daughter Andrea Claudia Coltellini; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

197. By the SPEAKER: Petition of Robert B. Murphy, Leavenworth, Kans., and Elizabeth Murphy, Alderson, W. Va., relative to compensation from the Treasury of the United States for a sustained loss; to the Committee on the Judiciary.

198. Also, petition of the City Council, City of Pacifica, Calif., relative to Federal tax rebates, unrestricted block grants and a shift of sources of revenue from the Federal to local government; to the Committee on Ways and Means.

199. Also, petition of city of Stockton, Calif., relative to the principle of tax sharing in order to make additional revenues available to the State and local governments; to the Committee on Ways and Means.

200. Also, petition of Henry Stoner, Avon Park, Fla., relative to a war profits tax; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

World's Largest Airline Personnel Training Center To Be Built by American Near Fort Worth

EXTENSION OF REMARKS

OF

HON. JIM WRIGHT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 6, 1967

Mr. WRIGHT. Mr. Speaker, another great step in the program by our Nation's airlines to keep this country the leader in air transportation has just been taken by American Airlines.

This is American's announcement that it will build a multimillion-dollar Academy of Flight to be located on an 80-acre campus adjacent to the new supersonic-age airport being constructed between the Texas cities of Fort Worth and Dallas.

In this new academy, when completed in 1969, will be the focal point of an educational complex for flight crews and it will be the largest airline personnel training center in the world.

American, in this new jet-age and supersonic-age academy, will give its professional pilots graduate level training for both the supersonic and the other highly advanced transports due in the 1970's.

William T. Seawell, American senior vice president, has stated that while the center will be primarily for training American's pilots, his company is studying the possibility of admitting crews from smaller airlines, both foreign and domestic.

The new academy will comprise an administration building and student service center; cafeteria and medical facilities; safety research center, classroom building, and a simulator building. The academy will be completed in 1969 on acreage now containing American's Stewardess College, which will be tripled in size.

We are delighted to have this new academy located in the Fort Worth-Dallas area and congratulate American Airlines on this fine project.

National Eye Institute

EXTENSION OF REMARKS

OF

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 6, 1967

Mr. GILBERT. Mr. Speaker, with permission, I wish to insert in the RECORD my recent statement before the Subcommittee on Public Health and Welfare of the Interstate and Foreign Commerce Committee, on my bill and related bills, to establish a National Eye Institute:

TESTIMONY OF HON. JACOB H. GILBERT, OF NEW YORK, BEFORE SUBCOMMITTEE ON PUBLIC HEALTH AND WELFARE, HOUSE INTERSTATE AND FOREIGN COMMERCE COMMITTEE, NOVEMBER 1, 1967

Mr. Chairman, I want to commend this committee for its forward-looking stand in conducting hearings on the proposal to establish a National Eye Institute. I am one of the sponsors of this proposal, my bill being H.R. 4331, but Congressman Fred B. Rooney of Pennsylvania, author of the bill, deserves our particular thanks. This is a progressive measure, one that is worthy of Congress' tradition as a leader in the field of health care and research. All of us here in Congress depending so heavily as we do on our eyes, understand its meaning. I urge favorable consideration of this bill and the establishment, without delay, of a National Eye Institute.

Mr. Chairman, and members of the Committee, we know that by 1975, unless there is a dramatic breakthrough in eye research and treatment, there will be some 16 million blind persons in the world. Even today, in the United States alone, there are three and a half million men, women and children suffering from permanent and serious eye defects. It is estimated that nearly 90 million Americans suffer from some sort of eye trouble. At this moment, there are more than 10 million in the world who are blind.

It is difficult to believe that with all the effort and money that has been put into medical research, most diseases of the eye remain a mystery to doctors. Eighty percent of all loss of vision in the United States results from diseases of which the causes are unknown. Surely that alone is testimony to the importance of this legislation.

In economic terms, the burden of eye diseases is staggering, Mr. Chairman. Public assistance is extended to more than 100,000 blind persons. Society pays for special facilities, books, teachers and materials for no less than 20,000 blind children attending elementary and secondary schools. The upkeep is tremendous for vocational rehabilitation centers and other facilities to restore the productiveness of the blind. I have no figure of how much society pays for this grievous debility but it is enormous, and we obviously cannot measure blindness in monetary terms alone.

But, as an example, let me point out to you the story recently brought to my attention of one blinding disease. In 1953, doctors made the discovery that too much oxygen administered to premature infants resulted in retrolental fibroplasia, a cause of blindness. As a result of the discovery, the incidence of this disease fell from 1900 cases in 1952 to only 28 in 1958. Happily, this terrible condition is today a rarity. But if this discovery had come only a year later, the lifetime cost of care for the additional blind persons would have amounted to more than $120 million. If the discovery had come 10 years later, the cost would have exceeded one billion dollars.

So you see, Mr. Chairman, you are not being asked to undertake a project that is merely humane, as if humaneness alone were not sufficient reason for passage of the bill. This measure will pay for itself over and over again in the years to come. The National Eye Institute would conduct research on blinding eye diseases, blindness and other visual defects. Its work will be of benefit not only to the thousands, perhaps millions, who will be saved from blindness. It will be of benefit to society, both at home and abroad.

Mr. Chairman, and members of the Subcommittee, the American people will be grateful to you for positive consideration of this bill. A recent Gallup Poll disclosed that Americans fear blindness only second to cancer as a debilitating disease. I urge you to act quickly, for each day means more persons struck down, persons who could be leading happy and productive lives if only they had the use of their eyes. This bill will do so very much to keep these eyes functioning.

President Johnson Offers Challenge to New District of Columbia Council

EXTENSION OF REMARKS

OF

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 6, 1967

Mr. FRASER. Mr. Speaker, last Friday I was pleased to attend the swearing in ceremonies for the City Council of the new District of Columbia government. This completed the last official step in President Johnson's District reorganization plan.

President Johnson spoke at the ceremonies and challenged the new council members to meet the new era of government with a pledge of excellence—in police-community relations, in education, in housing, and in crime prevention.

It is my opinion that President Johnson has done more for the District of Columbia than any other President in our history. President Johnson has not only stated the right goals for the District of Columbia—he has taken his valuable time and worked effectively to see the goals implemented. Those of us who are trying to make the District of Columbia a model city are indebted to the President for using his influence toward that end.

At this time, I insert in the RECORD the remarks of President Johnson at the swearing in ceremony of the District of Columbia City Council, plus an editorial from the November 4 Washington Post.

The material follows:

TEXT OF THE REMARKS OF THE PRESIDENT AT THE SWEARING IN OF THE DISTRICT OF COLUMBIA CITY COUNCIL

We are in this East Room to celebrate an historic day.

This morning the future separates from the past.

In the Nation's Capital, the city of all the people, a new era of government begins.

For a hundred years, the citizens of Washington have waited for this moment.

Many men have worked hard and faithfully to make it possible.

The list is long. It includes members of the Congress. Many are with us today.

It also includes the three commissioners who have helped to solve the District's unemployment problem—by working themselves out of a job. Now the people of the District will gain nine new employees to serve them. They are the members of the City Council, who will be sworn in in just a few minutes.

With that, Washington will move from wagon wheel government into the jet age.

The new government launched here this morning will be an effective force for the people's hopes and needs.

Earlier today, I took the first step by signing the revenue bill for the District of Columbia. This will give the new government a stronger fiscal base for its work.

Now the job will be up to you—Council Chairman Hechinger, Vice Chairman Fauntroy, and Council members—working as a team under the leadership of Mayor Washington and Deputy Mayor Fletcher.

Your problems are out there waiting. They are many. They are serious. They are pressing.

Above all, they are the problems of people. Help us solve them.

Help us find ways to drive crime from our midst, so citizens can walk safely.

Help us find ways to make our schools places of excellence for the entire community.

Help us find ways to build decent homes for those who have never known their comfort.

Help us find ways to make responsible citizens out of young men and women who need only a chance.

All the Nation will be watching you—because this is the people's city.

Your challenge is unique. It is to turn Washington into a model community—a place of pride for people to live and work and visit.

The federal government stands ready to help you.

And the one million people you serve will be your source of strength and inspiration.

Go among them. Learn their problems—first hand.

Begin your work now as you go back to City Hall. And work as if you had to run for election every November.

[From the Washington (D.C.) Post, Nov. 4, 1967]

THE NEW GOVERNMENT

The new government of the District of Columbia, formally installed in appropriate ceremonies at the White House yesterday, is better equipped to deal with the problems of this community than its predecessors. It is the product of months of patient effort that could not have succeeded without the unrelenting support of the White House staff. No other Presdent in modern times has devoted as much time and attention to the extremely difficult problems of this urban community.

Now that the government is launched, that interest will continue to be a strong support for effective government in Washington. But the Administration's assistance alone will not translate this hopeful beginning into a satisfactory system of government.

The sympathetic response of citizens themselves is required. The Mayor and his deputy and the Council members must obtain from the rank and file residents of this city more cooperation and support than the previous Commissioner regimes have had. Washington residents now have a government that quite adequately represents most elements in community life—even though it has not been chosen by popular election. It deserves the good will of citizens and is entitled to their confidence and help as it sets about the incredibly difficult task of governing Washington. For this new government is confronted by the difficulties that are characteristic of American urban society. And it has added to these difficulties some challenges that are unique and local.

Even the support of the White House and the Community will not assure the success of the new government, however, if it lacks the interest and support of Congress. No other public body has more collective experience in dealing with Washington problems and the wisdom of Senators and Congressmen on the District Committees and Appropriations Committees must be drawn upon. At the same time, Congress will doom the new regime to failure if its interventions are so mischievously detailed as to destroy Executive authority and initiative.

It is a hopeful moment in Washington history. If this government fulfills the expectations of those who have helped to bring it about, the city can look forward to a more democratic regime. Sooner or later the offices now filled by appointment should be filled by election. How soon or how late this day arrives will be determined largely by the success of the government inaugurated yesterday.

Dickinson Reports

EXTENSION OF REMARKS

OF

HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 6, 1967

Mr. EDWARDS of Alabama. Mr. Speaker, Representative WILLIAM DICKINSON has sent a useful newsletter to the people of the congressional district he represents. It follows here in the general interest:

BILL DICKINSON REPORTS TO THE PEOPLE

DEAR FOLKS: October saw some political blood-letting on the Floor of the House. On the 18th, Republicans and conservative Democrats dealt the President a blow for the taxpayer. By a healthy margin, we ordered President Johnson to hold federal spending to $131.5 billion—$5 billion less than the President had requested in his budget to Congress.

However, the President doesn't like it when the arm being twisted is his. As a result of this "LBJ backlash," a big question mark hangs over several 2nd District projects: $625,000 authorized for construction of an archives building at Maxwell AFB (Montgomery), and $300,000 for improvement of Perdido Pass. Since all appropriation bill items are temporarily "frozen," these two important 2nd District projects are awaiting Conference Committee action.

POSTAL RATE INCREASE—FEDERAL PAY HIKE

I think almost all fair-minded people in the 2nd District who know anything about the facts, will agree that many of our postal employees are underpaid.

The man who delivers the mail and the man who sorts letters are subjected to rigid job classification & limited promotion opportunity which have caused inefficiency & costly and increasing turnover of personnel. These people are entitled to a change of classification in many instances & a reasonable increase in pay.

A bill was introduced at the first of this session (HR7) which was such a bill, & would have cost a little more than $626 million. I was prepared to vote for and support this bill. However, this is not the bill that reached the Floor for a vote.

The bill presented to us gave postal workers a 6 percent increase & almost ALL federal employees a raise of 4.5 percent—more even than the fancy spending LBJ Administration had recommended. This would cost 3 billion dollars a year when fully effective. In addition, the military pay raise bill was before the Armed Services Committee at the same time, and it had been announced that the military pay hike would be on a par with the civilian pay raise. This would add an additional $2.7 billion dollars to the annual debt when fully effective, and both bills together amount to $5.3 billion per year.

We were asked to support this at a time when we are faced with a tax increase of 10 percent to pay our present debt, plus ever increasing inflation. I could not vote to increase expenditures without voting to raise taxes, which I will not do. Another bad feature of this bill was that it raised all postal rates, but the raises will not increase efficiency or the service within the Post Office Department. Also included in the bill was a pay raise for myself and all federal judges and other high government officials. These are some of the reasons I voted "no".

VIETNAM MAPS AVAILABLE

Due to the large number of requests we have had for up-to-date maps of Vietnam from constituents with sons, husbands and fathers in Vietnam, I have procured a limited supply and will be happy to send them upon request. This map is published as a House document. The maps are in color and offer good details of Vietnam and Southeast Asia.

AGRICULTURE DEPARTMENT YEARBOOKS

Also available upon request is the 1967 Agriculture Yearbook entitled, "Outdoors, U.S.A." Both map and yearbook requests should be mailed to my Washington office.

NEW OFFICE NUMBER

My staff and I just went through the ordeal of moving from the fourth floor of the Cannon Building to the fifth floor of the Longworth Building. My new address is: 1504 Longworth House Office Bldg., Washington, D.C. 20515. The phone number, thank goodness, is the same.

The reigning Miss Universe is Sylvia Hitchcock, a student at the University of Alabama. I had the pleasure of meeting her during a Washington stop over on her year-long tour. Although she represented Alabama in the international beauty contest, we must share our pride with Florida. She hails from Miami where her father is a member of that city's finest—the Police Department. She is as gracious as she is attractive, and I know she will represent Alabama well during her exciting tenure as Miss Universe.

When a citizen got a letter from a politician addressed to "Occupant," and asking for campaign funds, he sent back a nice check—signed "Occupant."

In my last letter I mentioned I was going to take a first-hand, on-the-spot look at the F–111A fighter—better known as the TFX. Above you see me doing just that at Nellis AFB, Nevada. Colonel Dethman, who is showing me the plane, is organizing a squadron to take it to Vietnam sometime soon, (according to the press). About the time it looked like they were getting the "bugs" worked out of the Air Force version, one konked-out in flight and crashed on October 19th. Now, they're not so sure. (This is the third one to crash in all). On October 20th the *first* production model F–111A was delivered to the Air Force, but the Navy will be at least two years late receiving their order of F–111B's—if they accept them at all.

Incidentally, one of the pilots who bailed out of the crashed F–111A was Max Gordon, a graduate from Auburn in Aeronautical Administration.

Baltimore Sergeant Decorated for Service in Vietnam

EXTENSION OF REMARKS
OF
HON. CLARENCE D. LONG
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Monday, November 6, 1967

Mr. LONG of Maryland. Mr. Speaker, Sgt. Glenn C. Hoppert, son of Mr. and Mrs. Charles Hoppert, of Baltimore, Md., was recently awarded the Army Commendation Medal for meritorious service in Vietnam. Sergeant Hoppert, who is now serving with the 82d Airborne Division at Fort Bragg, N.C., previously won the Bronze Star for heroism while he was with the 101st Airborne in Vietnam. I wish to commend this young man for his courage and to congratulate his parents on the fine job their son is doing for his country.

Address by the Honorable James C. Cleveland at the 53d Annual Meeting of the American Association of State Highway Officials

EXTENSION OF REMARKS
OF
HON. WILLIAM C. CRAMER
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Monday, November 6, 1967

Mr. CRAMER. Mr. Speaker, on October 16, of this year my able and respected colleague, the gentleman from New Hampshire [Mr. Cleveland], presented an address at the 53d annual meeting of the American Association of State Highway Officials at Salt Lake City, Utah. It was very appropriate for Mr. Cleveland to speak to AASHO at that meeting since later during the business session the commissioner of the New Hampshire Department of Public Works and Highways, Mr. John O. Morton, was elected president of the organization for the coming year.

My colleague from New Hampshire is an able and valuable member of the Committee on Public Works and serves on both the Subcommittee on Roads and the Special Subcommittee on the Federal-Aid Highway Program. He utilized the experience and knowledge gained through his service on the subcommittees in preparing his speech for AASHO. The address is an informative and thought-provoking discussion on the Federal-aid highway program and its probable future. The address discusses succinctly and forcefully the critical problems confronting the Federal-aid highway program, including particularly the lack of adequate funds to complete the Interstate System, the willingness of the present administration to turn the highway program on and off like a spigot, and the paralyzing reorganization of the Bureau of Public Roads under the new Department of Transportation.

I commend it highly to my colleagues and insert it at this point in the Record:

Address by the Honorable James C. Cleveland at the 53d Annual Meeting of the American Association of State Highway Officials, Salt Lake City, Utah, October 16, 1967

It is a *real* pleasure to be with you today, because my interest in highways has been of long standing. During my 12 years of service in the N.H. Senate, my many years as a country lawyer, and five years in the Congress, highway matters have been of major and direct concern to me. Over the years I have enjoyed a cordial and constructive relationship with the N.H. Department of Public Works and Highways. I would like to take this opportunity to publicly pay my respects to Commissioner John Morton and his able and dedicated associates. They have been cooperative and helpful in many ways. Some of the information and suggestions which they have shared with me have in fact found their way into the laws of the land, and I hope that more will follow.

Today, I want to discuss the outlook for the Federal-aid highway program once the presently designated Interstate System has been completed.

As most of you know, chiefly because of financial difficulties, the Interstate System will probably not be completed until 1975. But it is imperative that we decide soon what course the highway program will take after that date, so that highway development can continue in an orderly manner without interruption.

The need for making decisions on the future program is made particularly urgent because of uncertainties as to the effect the creation of the new Federal Department of Transportation will have. I am genuinely concerned about the apparent down-grading of the Bureau of Public Roads and its effect upon the State-Federal partnership which has continued so long and so successfully.

The years since enactment of the Federal-Aid Highway Act of 1956 have wrought dramatic and far-reaching changes in the highway construction program and its acceptance by the public. Many of these changes have been reflected in amendments to the Federal-aid highway laws. I would like to briefly review some of the most important of these amendments, because they illustrate the growing realization that highways are more than a convenient means of getting from one place to another. The location and construction of a highway can have a tremendous impact—beneficially or otherwise—upon many groups other than the highway users.

On August 3, 1956, just a little more than one month after passage of the 1956 Act, President Eisenhower approved *Public Law 966 of the 84th Congress.* This Act provided that the head of the Bureau of Public Roads would be a Federal Highway Administrator, appointed by the President with the advice and consent of the Senate, and to receive compensation at the rate set for Assistant Secretaries of executive departments.

The Act was passed in recognition of the increased importance of the expanded highway program and the additional responsibilities of the head of the Bureau of Public Roads resulting therefrom. However, this concept has now been reversed as a result of the reorganization of the Bureau within the new Department of Transportation. I do not believe the down-grading of the Bureau's authority, functions, and responsibilities is encouraging for the future of the Federal-aid highway program.

The Federal-Aid Highway Act of 1958 contained the first Federal provision for the control of outdoor advertising. Under this provision, the States were offered a bonus if they agreed to control outdoor advertising in certain areas adjacent to the Interstate System but were not subjected to a severe penalty for failure to comply, as is provided in the controversial and unworkable Highway Beautification Act of 1965.

Also in 1958, all of the laws relating to the Federal-aid highway program were codified as *Title 23, United States Code.* This made only minor substantive change in the highway program, but it did bring together, in one convenient package, more than 40 separate laws dealing with the program.

The *Federal-Air Highway Act of 1962* contained two important provisions reflecting Congressional awareness of the severe impact highway construction can have on people and communities.

The first provision required that relocation advisory assistance be provided for the location of families displaced by acquisition or clearance of rights of way for any Federal-aid highway. Federal funds were also made available to reimburse States for moving cost payments to displaced persons and businesses.

The second important provision of the 1962 Act required that programs for Federal-aid highway projects in urban areas of more than 50,000 population be based on a continuing comprehensive transportation planning process carried on cooperatively by States and local communities.

In 1963, the Congress recognized that the requirement of the 1956 Act for Interstate highways to be constructed to standards adequate to accommodate traffic forecast for 1975, would result in highways which would be obsolete and inadequate almost as soon as they are opened to traffic. Accordingly, the *Federal-Aid Highway Act of 1963* required that Interstate highways be constructed to standards adequate to accommodate traffic forecast for the twenty-year period following approval of plans, specifications and estimates for projects.

The year 1965 was an extremely important one from the standpoint of the Highway program.

Public Law 89–139 requires that in January, 1968, and in January of every second year thereafter, the Secretary of Transportation, acting through the Bureau of Public Roads shall report to Congess his estimates of the future highway needs of the Nation. The purpose of this provision was to enable the Congress to obtain the information it must have in order to make proper decisions as to the nature and scope of the continuing highway program after completion of the Interstate System. As I indicated earlier, these initial decisions should be made soon.

Public Law 89–139 also contained a provision that after December 31, 1967, each State should have a Highway Safety Program. This provision, which was an amendment offered by the late Congressman Baldwin, was the forerunner of the Highway Safety Act of 1966. In fact, the 1966 Act has been referred to as "the Baldwin Amendment with money."

During the same year, 1965, the Highway Beautification Act of 1965 was enacted. I could speak at some length on that inadequate and unworkable piece of legislation, but will refrain. Suffice it to say that the Act provides a penalty of 10 percent of all the Federal-aid highway funds apportioned to any State which fails or refuses to comply with the Act. I am very much in favor of beautifying our highways, but I do not believe that a penalty approach is at all appropriate in a State-Federal partnership program.

The year of 1965 also brought forth the *Appalachian Regional Development Act of 1965*. This is an important enactment from the highway standpoint, even though it affects only thirteen States. The Act is based upon Congressional recognition that highways are an important element in the economic development of an area or region. In consequence, the bulk of Federal money provided under the Act is for the construction of highways and access roads.

In this connection, it seems to me that further thought should be given to highway location and construction as a tool to solve some of our serious urban problems.

Under several Great Society programs, millions of dollars are being poured into large metropolitan areas in an apparently unsuccessful effort to solve some of their economic and social problems. In my opinion, expenditure of such large sums of money may well have reached a point of diminishing returns. Some Federal actions may even be adding to the problems, by encouraging more people to migrate to hopelessly crowded metropolitan areas, and conversely by discouraging the development of smaller communities.

I suggest that some urban ills might be alleviated by reducing or reversing the trend of migration to large metropolitan areas. We know that highways are an important element in economic development. We know that construction of Interstate highways and other freeways is almost always followed by commercial, industrial and residential development.

Highways should thus be located where the maximum economic development potential can be realized. If this is done, development along the highways may help slow down the migration to large metropolitan areas.

The year 1966 was even more active than 1965 with respect to the highway program.

The Federal-Aid Highway Act of 1966 amended the existing law by requiring that the standards for highways on the Interstate System provide for at least four lanes of traffic in all cases. This I have long advocated.

The 1966 Act also declared it to be a national policy that maximum effort be made to preserve Federal, State, and local government parklands and historic sites. The Act prohibits the Secretary from approving any program for a project which requires the use of parklands unless such program includes all possible planning to minimize any harm to such or site.

The 1966 Act directed the Secretary of Commerce to make two important studies. The first of these studies was for the purpose of determining what action can and should be taken to provide additional assistance for the relocation and re-establishment of persons, business concerns and non-profit organizations to be displaced by the construction of Federal-aid highways. The requirement for this study reflected Congressional dissatisfaction with the effectiveness of the relocation assistance being provided under the provisions of the Federal-Aid Highway Act of 1962. The study has been submitted to the Congress and will provide the basis for considering further legislation on this subject.

The 1966 Act also directed the Secretary of Commerce to make a full and complete investigation and study of the advance acquisition of rights-of-way for future construction of highways on the Federal-aid highway systems. The report on this study has been submitted to the Congress, and I am delighted to note that it contains a recommendation that the Congress authorize a revolving fund from the Highway Trust Fund to finance the advance acquisition of rights-of-way. I am particularly gratified at this recommendation because in 1963, during the 88th Congress, and in each Congress since then, I have introduced a bill to authorize the Secretary of Commerce to advance Federal-aid highway funds to any State for early right-of-way acquisition. With the report of the Secretary before the Congress, perhaps favorable action will be taken on my proposal at an earlier date.

Two additional important enactments during 1966 were the *Highway Safety Act of 1966* and the Department of Transportation Act. The Highway Safety Act, if properly carried out, can result in the saving of thousands of lives. I was a strong supporter of this Act, although I deplore the fact that it follows the example of the Highway Beautification Act of 1965 by providing a severe penalty for those States which fail to comply. The *Department of Transportation Act*, as you know, places most of the Federal agencies having to do with transportation under a single department. I still have reservations as to what this change will accomplish that could not have been accomplished under the previous organizational structure. I am more concerned, however, about the downgrading of the Bureau of Public Roads which has taken place under the new Department.

During its consideration of the Department of Transportation Act last year, the Congress recognized that the United States has the finest highway network in the world, and that a primary reason for this is the Federal-Aid Highway Program, a State-Federal partnership program, with the BPR representing the Federal Government and doing an outstanding job. Because of this recognition, the Congress clearly expressed its intent that the Bureau be preserved when it provided in Sec. 3(f)4 of the Department of Transportation Act that "The Director shall be the operating head of the Bureau of Public Roads or any other agency created within the Department to carry out the primary functions carried out immediately before the effective date of this Act by the Bureau of Public Roads."

We have heard repeated assurances from the Department of Transportation that the Bureau of Public Roads would be preserved.

Unfortunately, however, analysis of the organizational structure and the delegations of authority issued by the Department of Transportation and the Federal Highway Administration are in direct conflict with these assurances. It is clear that despite the expresssed will of Congress and repeated assurances from the Department, the Bureau of Public Roads has been almost completely eviscerated.

The field offices and personnel of the Bureau of Public Roads are no longer responsible to the Director of Public Roads. The division engineers report and are responsible to the regional engineers (who have been re-designated Regional Federal Highway Administrators). These officials report and are responsible directly to the Federal Highway Administrator, so that the Director of Public Roads is no longer in the chain of command. It is elementary that authority can be delegated but that responsibility cannot. It is an intolerable situation when the Director of Public Roads has no supervision or control over the officials exercising authority delegated by him.

Under the new organizational structure and delegations of authority, very few functions remain in the Washington office of the Bureau of Public Roads. According to an analysis prepared by my able colleague, William C. Cramer, of Florida—which can be found in the Congressional Record for October 3, at page 27695—the only functions which remain are, and I quote:

"Supervision and control over Region 15, which is engaged in direct Federal construction in the eastern part of the United States, and the Inter-American Highway Office (Regional 19), which administers construction of the Inter-American Highway in Central America:

"Development of policies, procedures and standards governing Federal and Federal-aid highway research, planning and construction (but subject to control of higher officials, and without control, over field offices applying such policies, procedures and standards);

"Provide technical program guidance and assistance to Federal Highway Administration Regional offices, other Federal and State agencies, and certain foreign governments with respect to the location, design, construction and maintenance of highways."

I am strongly in favor of reorganization for the purpose of streamlining and simplifying government and making it more efficient, but I am strongly opposed to the almost complete evisceration of a highly respected agency which, over the years, and on balance, has performed well.

I feel very strongy that substantial reorganization of Governmental agencies, as well as far-reaching legislative proposals should be carefully and critically analyzed by the Congress. This is the only means of assuring that reorganizations are effective, and that the laws enacted by the Congress are workable and wise.

In order to accomplish this, the Committees, must be properly staffed, on both the majority and minority sides. Minority staffing is particularly important during periods when the same political party controls both the Congress and the White House, because the Members and staff of the majority party are oftentimes inclined to accept Administration proposals on faith, instead of subjecting them to careful scrutiny.

The House Committee on Public Works has a fine and capable staff on both the majority and minority sides. But on the minority side, at least, we have too few staff members to do all of the work which needs to be done.

The work of the Committee would be vastly better—and the highway program, among others, would benefit—if the minority members of the Committee can obtain the additional staff members we have been seeking so long, and need so badly.

I speak with some conviction on this subject of staffing. In a book entitled *We Propose: A Modern Congress*, published by my Task Force on Congressional Reform and Committee Staffing (McGraw-Hill) last year, I have a chapter on the need for increased minority staffing. I hope some of you may find the time to read that chapter. To dwell further on the vital importance of staffing to representative government is hardly necessary here. I know that all of you depend heavily on staffing and thus can appreciate, better perhaps than most, how truly important it is.

The year 1967 has not gone well from the standpoint of highways. The year started with joint Senate and House hearings on the highway cutback ordered by the President, allegedly as an anti-inflationary move. The "disorganization" of the Bureau of Public Roads followed.

The latest blow has been the proposal to severely cut back the highway program as part of the move to reduce Federal expenditures.

This proposal is an obvious sledgehammer tactic to bludgeon the Congress into passing the tax surcharges the President has recommended, instead of reducing unnecessary Federal expenditures.

It is a meaningless gesture. Cutting back on the Federal-aid highway program, which is financed on a pay-as-you-go basis out of the Highway Trust Fund, not the general fund, will have no effect whatsoever on the estimated expenditures in the Administrative budget nor the deficit of approximately $29 billion which the President has forecast.

It is an unwarranted and unthinking attack on the Federal-aid highway program which the President himself has described as being "one of our best investments".

I am a strong advocate of restraining Federal expenditures. But, continuity and orderly scheduling are essential to the highway program. Making that program an up-and-down, yo-yo program, which fluctuates with every change in the direction of the economic winds, is entirely unacceptable.

In other economy moves affecting other construction programs the President has halted the approval of new projects, but has properly allowed projects underway to continue to completion. This is to avoid the economic waste of a half-completed facility.

Perhaps someone should remind the Administration that the Interstate System is a half-completed facility. The Interstate Highway Program is an on-going project, and should be continued to completion. It must be admitted that, unlike a half-finished project, part of the Interstate System can be and is being used. But it should also be noted that a completed Interstate System will save more lives.

Next year will be a critical one insofar as the future of the Federal-aid Highway Program is concerned. A new estimate of the cost of completing the Interstate System will be presented to the Congress, and the Congress will have to make a decision as to ways and means of financing the completion of the System. So far, the present Administration has exerted little leadership to provide for such financing. Also, in January of 1968 the Secretary of Transportation is to submit his recommendations concerning the future highway needs of the nation. I have no way of knowing what those recommendations will be but there are disturbing reports that they will bear little resemblance to the recommendations contained in the preliminary report of the AASHO presented to the Committee on Public Works last June.

Ladies and gentlemen, if our future Federal-aid Highway Program is to truly meet the needs of the Nation, and not simply be a subsidiary adjunct of some theoretical Great Society program, the highway departments must exert every effort to furnish to the Congress and to the people solid and constructive reasons for the continuation of the program and prove that this can be done with a minimum adverse impact on people and communities.

Let me hasten to say that I am confident that this will be done, that the Congress will provide for financing for the completion of the Interstate System and that the Congress will reach acceptable conclusions as to the nature and scope of our future Federal-aid highway program. I am confident of this, because AASHO in the past has done an outstanding job and because the Congress recognizes the necessity of an adequate highway network.

Ladies and gentlemen, it has been a privilege for me to appear before you today, and I am looking forward to working with you in the future.

Where Work Works Wonders

EXTENSION OF REMARKS

OF

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 6, 1967

Mr. ROBISON. Mr. Speaker, we are about to begin debating again the merits and demerits of the administration's celebrated "war on poverty"—and we will undoubtedly discover enough of both qualities in that controversial conflict to spend the better part of this week talking about them.

At this moment, as the debate begins, it is difficult if not impossible for anyone to predict the outcome. But I am sure that, whatever the outcome, the American people will go on fighting poverty in their own individual ways, either through their own individual efforts, or on a collective, communitywide basis, and that this "other" war will continue to be won though not, perhaps, as fast as some of the more impatient among our citizens would like, and surely not as fast as those within the current administration who have badly oversold its own government-led "war on poverty," and inspired thereby something akin to a revolution of rising expectations among the poor, would like.

But, Mr. Speaker, what makes these comments of mine relative—I hope—to the present moment here in this Chamber, are two unrelated matters that were recently called to my attention, the first a comment by Columnist Joseph Kraft, in his syndicated column in the Washington Post for Sunday, October 22, and the second my recent opportunity to attend and speak at what I discovered was the 25th anniversary dinner of the Sheltered Workshop for the Disabled, Inc., of Binghamton, N.Y., in the congressional district I have the honor to serve.

Taking these items in order, Mr. Kraft—in commenting upon the current American scene—said, among other things:

> I do not think the country is yet ready to live on memories. I think it is still pulsing with restless energies, still doing every day with its left hand things undreamt of in the poor philosophy of Washington. And, setting against the energy of the country the tired routines of the political leaders. I am reminded of T. S. Eliot's famous lines:
>
> "Here I am, an old man in a dry month,
> Being read to by a boy waiting for rain."

Yes, Mr. Speaker, as Mr. Kraft suggests, this Nation does still pulse "with restless energies"—and the people of these United States, in their own way, are still accomplishing, and veritably with their "left hand," so many virtually unmarked successes that the sum total thereof continues to surpass even the wildest dreams of those who too often I fear, come close to believing that Government can somehow become a substitute for people.

Now, what in the world has Binghamton's Sheltered Workshop for the Disabled—and its complementary counterpart, Rehabilitation Services, Inc.—got to do with all this?

Well, Mr. Speaker, the theme of that 25th anniversary dinner was one of paying tribute to the founders and present or retired—or graduated—workers of this truly noble experiment: A place "where work works wonders."

Permit me, now, to detail the dimensions of the success of this enterprise—successes, believe it or not in this age of growing dependency upon some form of governmental assistance, that have been achieved without the need for either Federal aid or guidance:

Last year, the employees of the Sheltered Workshop earned more than $1 million in wages.

That is only a statistic, of course, but it has meaning. It is income that is spent in the Binghamton community for homes, cars, furniture, clothing and other items;

And behind it is a dramatic story of 25 years of productive work by talented people who have given that community a unique manufacturing facility;

As I have said, the workshop is self-supporting. It receives no outside financial support. In fact, both the company and its employees make contributions to many worthwhile community agencies;

Besides this, the handicapped employees—who surely have no handicap of the spirit which may be the only true human handicap—are taxpayers, not welfare recipients; 150 people have, in fact, been taken off the relief rolls through employment by the workshop;

Its more than 300 employees last year paid $133,552 in Federal income taxes, $19,144 in State taxes, and $86,208 in social security taxes;

The company and its employees have contributed $22,112 to the Broome County United Fund; 94 of its employees own their own homes; 168 have raised families; 132 own and drive automobiles, and 450 have "graduated" on to other jobs with other firms after their workshop training.

And all without "Federal aid."

Mr. Speaker, I feel like cheering—and most assuredly I am proud of this enterprise and of its people, just as is the community that is blessed by its presence; and, truly Mr. Speaker, those men with vision who founded this enterprise in awareness of their and our responsibility to our neighbors, and those who through the years have supported and worked for it, are the kind of people who are the backbone of our great country.

The lesson?

Here I am, an old man in a dry month,
Being read to by a boy waiting for rain

EPIC: Title I of the Higher Education Act in Action

EXTENSION OF REMARKS

OF

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 6, 1967

Mr. REES. Mr. Speaker, with the enactment of the Higher Education Act of 1965, the Congress of the United States recognized the changing role of the university and the college in America today.

In view of the pressing social problems which confront us all, we can no longer afford to regard our institutions of higher learning as a separate part of our society. Our communities are greatly in need of the talents of our concerned young men and women and our college students are eager as never before to address themselves to the task of finding solutions to our country's problems. Title I of the Higher Education Act enables these students to work together with the community for the benefit of the Nation.

Title I was enacted "for the purpose of assisting the people of the United States in the solution of community problems; by enabling the Commissioner to make grants; to strengthen community service programs of colleges and universities." As has been amply demonstrated in the past, there are many ways in which the college can be of service to the community, but I think you will agree that the strongest program is the one in which the community also contributes to the educational process. There must be a two-way exchange of ideas and services if the program is to be of maximum benefit to all concerned. In constructing such a program, then, there is one essential question which must be considered: How can this program best serve the needs of the underprivileged community while contributing to the effectiveness of the educational institution?

EPIC, or Educational Participation in Communities, is one of the most promising answers to this question. EPIC is a program which is being conducted at the California State College at Los Angeles under the able direction of Mrs. Vivian Gordon, formerly of the Education and Public Welfare Division of the Legislative Reference Service. Seventy-five percent of its funds are allocated to it by the Coordinating Council for Higher Education in California under title I of the Higher Education Act of 1965. The remaining 25 percent of EPIC's budget is provided by the California State colleges and the associated students of the college. EPIC is a demonstration project which is rapidly proving its value to the Los Angeles area, and which could well serve as a model for similar projects in other institutions. Several colleges in the Los Angeles area have already made plans to start their own EPIC programs, and requests for information have been received from schools across the Nation.

Last year over 1,000 students from California State, Los Angeles, volunteered their time and talents to participate in EPIC. These volunteers served in over 100 agencies in the Los Angeles area and contributed thousands of hours of their free time to a variety of projects. In my own district, the Cystic Fibrosis Foundation and the National Cystic Fibrosis Research Foundation in Beverly Hills, the Family Planing Center in Venice, the Venice Service Center, and the Neumeyer Foundation were all assisted by EPIC.

This year some of the student volunteers will be able to earn academic credit for field experience or independent study conducted while participating in the EPIC program. Others will fulfill their student teaching requirement in schools or Teen Posts.

Student interest in EPIC runs high. One Cal State L.A. student describes the impact of her work for EPIC in these terms: "My life is not the same. It's affected me greatly." Mr. Frank Gutierrez, Assistant Director of EPIC, explains the students' enthusiasm in this way: "Our students felt that there was something lacking in their college education and that something was experienced in dealing with people in their chosen field on a real-life basis." According to Mr. Gutierrez, many of the students have come to know poverty intellectually through books and classes, "but through EPIC they come to know poverty in a way that will not soon be forgotten."

EPIC provides valuable preprofessional experience for students who wish to continue in the fields of social work, public health, education, and recreation. It also prepares students of other vocational interests to function in the community in a constructive and meaningful way.

The Cal State newspaper, College Times, states that:

> At the present time EPIC answers so urgent a community need that it is organized on campus with a professional staff. The ultimate aim of the program is to establish a strong organization which can be entirely manned on a student volunteer basis."

The present staff of EPIC consists of a director, an associate director and an assistant director, as well as secretaries, program coordinators and student assistants. There is also an EPIC advisory board composed of campus and community representatives which meets regularly to evaluate program progress and recommend future activities.

An EPIC volunteer can choose to serve in one of eight project areas: recreation, teacher aides, hospital-clinic, Headstart, social work, special interest, or special programs and events. Within each area, there are opportunities for many different kinds of community service. Volunteers have staffed a summer school, tutored dropouts and potential dropouts, worked in planned parenthood clinics, conducted remedial reading groups for adults, assisted in physical therapy classes for handicapped children and counseled parolees for the county probation department.

It is apparent from this list, which represents only a few of the many activities in which student volunteers have participated, that EPIC is succeeding in serving many different portions of the community. During the first year of the program's operation, over 190 social agencies requested the assistance of college students through EPIC. The agencies are enthusiastic about the results, as the additional help provided by EPIC volunteers has enabled them to expand their own activities and services.

One of EPIC's most distinctive features is its flexibility. There is room for innovation and change within the context of the program. The advantages of such a broad approach are obvious in view of the multiple social problems which beset our communities. All community agencies may apply for volunteers, thereby identifying those areas where assistance is most urgently needed. The students can choose to work within the field of interest in which they can perform most effectively. And the community receives many services which might otherwise exist only as ideas in the minds and imaginations of these college students.

I should like to recommend EPIC as a highly successful example of the application of funds under title I of the Higher Education Act of 1965. If the war on poverty is to be won, we must enlist the cooperation and support of the entire community. Our Nation's college students are an important part of this community. They are concerned and eager for change. Through EPIC, these students are discovering constructive ways to translate their desire for a better world into a social reality.

Prisoners of Their Skin

EXTENSION OF REMARKS

OF

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 6, 1967

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I am pleased to include an address I made before the American Jewish Committee Appeal for Human Relations, at the New York Hilton Hotel, Thursday, November 2, 1967.

My remarks follow:

PRISONERS OF THEIR SKIN

"When I consider how my life is spent," thus, Milton begins his sonnet of his "Blindness". It is a pitiless thing to ask a man to consider how his life is spent. That is why, to me, Milton's line is one of the most poignant I have read. It is like asking a man to wrap himself in guilt, to tear himself apart with the rapiers of self-accusation, for who among us has been, without pause, on the side of the angels? A man must make his way, fulfill his ambitions, seek love and laughter, provide the bread, all for his own sweet sake. What more? Must we pick up each day and throw over our back like peddlers of old the bundle of the world's woes? War, poverty, crime, disease, illiteracy, woes thousands of miles away and woes just around the corner? No wonder, then, we seek the "island in the sun". Each morning the troubles removed from our own thresholds press in upon us.

Well, what do you do? Retreat with a shrug and a muttered "plague on all your houses?" Certainly there is an arguable premise that having lived our own lives responsibly and with a degree of integrity, we have discharged our obligation toward God and man, but there is an equally arguable premise that the dimensions of our lives are as flexible as time itself and that our hearts and minds will remain unsatisfied if we keep them rigidly in place to concern ourselves with that only which touches on our personal selves.

I think the key word in the second premise is "unsatisfied". In the final analysis, if we choose the road of participation we do an essentially selfish act lest we walk through the days of our lives forever hungry, our spirits starving on an island of isolation. There are so many needs in the world, can we try to fill them all? No, of course not. The answer lies in selectivity. We choose to attack that evil which shakes our conscience most, one or two or even three, as our capacities permit.

Being city born and city bred, I, for one, find I am most responsive to the anguish prevalent in the city streets. How could we have permitted this to happen? This ugliness in parts of our cities; this mass huddling in poverty in our ghettos, this forcing of a part of our people to be prisoners of their skin? I remember last Congress when the open housing provision of the Civil Rights Act came before the Judiciary Committee, of which I have the privilege to be Chairman, white people throughout the country shrank away from commitments they had made to civil rights. Mind you, this was before the multiple riots. When the finger was pointed sharply at the South, as it was in the 1964 civil rights proposals, we Northerners were vigorous, articulate and organized in support of these proposals. Religious groups, labor groups, professional groups—just name them and there they were demanding the passage of the 1964 package. In 1964, in response to that push, the civil rights legislation was enacted into law.

Contrast that with what happened in 1965 when the open housing proposal was unveiled. Silence. Silence from religious groups, the labor groups, the professional groups, etc. All we heard were the anguished cries of a "man's home is his castle". They were busy people, people like the real estate brokers, the builders, the landlords, and their white tenants. I cannot measure for you the dismay among the Members of the House when the open housing proposal was unveiled. Which weighed more heavily upon them—conscience or votes? I am proud of the House of Representatives because conscience won. The bill passed the House; it died in the Senate.

A new phrase gained currency—"white backlash". Do not be mistaken, there is white backlash and this is the major tragedy of our cities. We tell our Negro residents, "This is the line beyond which you shall not pass". Why? Because you are black, that's why. Does it amount to more than that? There are those who would say, "Yes, it does." The Negro is crime prone, irresponsible, illiterate, etc. What he is is dictated so, were we to have open housing economics would determine where the Negro seeks entry. The landlord screens out the white undesirable, just so can he screen out the Negro undesirable. As all economic groups do among the white citizenry of our country, the Negro will seek his own economic and social level. What is this all-pervasive fear? The point must be made over and over again. No man, woman or child shall be deprived of the equality of opportunity in any area of human activity only because of the color of his skin. I have said repeatedly, a man can change his religion, can change his wife, his profession, his trade, but no man can change the color of his skin. Yet, that is what we charged him with; accused, he stands before us, accused of not being white. And he cannot purge himself of the accusation. He cannot remove his guilt. He cannot become white.

There is, as has been said, "white flight to avoid the black flight".

What have been the economic and social consequences to those of us who live in the cities?

(1) A narrowing of cities' tax base as the middle class moves to the suburbs. Thus, where the tax money is most needed there is less of it.

(2) The further degradation of schools and housing.

(3) An island of glittering high rise office buildings with an inner rim of factories and filth and an outer rim of ghettos. I am reminded of a passage in Matthew noting our concern with making clean "the outside of the cup", assuming that such attention makes the "inside" clean as well.

(4) Highways glutted in the morning and in the evening, ingress and egress blocked for miles.

(5) A deepening and dangerous frustration on the part of city dwellers with the consequent increase in crime and violence.

These are all demonstrable facts. Just look. Look and see.

Mind you, I do not hold at all that no responsibility lies with the slum dwellers. Law and order are as necessary for him as it is for all inhabitants of this land. Riots are a form of self-indulgence and ultimately boomerangs. That we understand the reasons for the riots is important. That we do not use the *reasons* for *excuses* is equally as important.

I want to state this at this point because I do not want you to believe that I am an apologist for these riots. That is another subject and would take more time than you have to give me this evening. What I have endeavored to do is to underscore our responsibility. Our responsibility goes much deeper than economic deprivation. Economic deprivation of the slum dweller is one aspect Far greater is the self-respect for which the Negro in the ghetto has been robbed. His *social poverty* is shaped by our attitudes. From morning until night the Negro is rebuffed and humiliated. For the most part, these are not conscious acts on the part of white people. This is the greater tragedy. Unions fight to get the Negro out. This is more than economic jealousy. In the offices and in the stores, white personnel is preferred. But police brutality does exist.

You need only watch the performances in the clinics of our hospitals to note the difference in attitudes. You see those attitudes take shape in our subways, in our streets, in our restaurants, and in our theatres. We fear and are feared, and, yes, we hate and are hated.

It may seem to many of you that the civil rights bill, which I introduced, H.R. 5700, has lain dormant before the Committee. It has not. Because of a sullen climate which surrounds the phrase "civil rights", the Committee on the Judiciary has been acting on the bill piecemeal. One provision, the extension of the Civil Rights Commission passed the House, passed the Senate with an amendment. A conference may be necessary thereon. The protection of civil rights workers, another portion of the bill, was acted on favorably by the Committee and by the House of Representatives and has undergone many changes in the Senate. The Judiciary Committee of the Senate reported it out after a long fight and by a majority of one, though in pretty good shape. Report of the Committee will be filed by midnight tonight. I am not hopeful that it will be taken up on the floor of the Senate this session because there is a very definite threat of filibuster.

Two other sections of the bill on jury reform are now being actively processed by a Senate Judiciary subcommittee, and I have every reason to hope that this reform will be acted upon by both the House and the Senate. Two provisions remain untouched; namely, enforcement rights for the Commission on Equal Employment Opportunity, and open housing. You can well understand the reluctance of the House membership to act when having fought with moments of great bitterness for the open housing section only to have it killed in the Senate. It is now the feeling of the House membership that the Senate act first, lest once again the House engage in a futile exercise.

I frankly foresee no action on either of these two provisions for the simplest of reasons. The majority of our electorate is against it. Maybe some day we shall awaken to the old truths: "As we sow, so shall we reap."

Civil rights is not minority rights. It is rights up and among the major issues that plague all of us. Civil rights is not the march of the minority towards fulfillment of the American ideal; it is everybody's march. That realization will come sooner or later. If later, we shall have had to pay a merciless price for it.

Thus, you see I am totally committed. I do not ask that you make this the object of your commitment, nor do I ask that your commitment be total. I do not have that right. I can only suggest that the disengaged life is barren. The way to fulfillment is your choice. I hope you will choose.

Thank you.

HOUSE OF REPRESENTATIVES

TUESDAY, NOVEMBER 7, 1967

The House met at 12 o'clock noon.

Rev. James Pickett Wesberry, D.D., LL.D., pastor, Morningside Baptist Church, Atlanta, Ga., offered the following prayer:

Blessed is the nation whose God is the Lord; and the people whom He hath chosen for His own inheritance.—Psalm 33: 12.

O God of all power and might, maker and ruler of men, whose invisible hand may be traced in the shaping of our Nation, we praise Thee this day for free and representative government.

We commend our Nation to the guidance of Thy wisdom and the keeping of Thy love.

May these whom the people of the various States have chosen to serve them serve Thee in honesty of purpose and uprightness of life, remembering always their answerableness to the people and their accountability to the people's God.

Uphold by Thy gracious omnipotent hand the President of the United States, the honored Speaker of the House, and each of these Thy servants.

With a love that makes for beauty and truth, a devotion to Thy ways of righteousness, and led by Thy Holy Spirit, may they help establish legislation to govern our Nation according to the laws of Thy kingdom which is from everlasting unto everlasting.

Through Jesus Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 13048. An act to make certain technical amendments to the Library Services and Construction Act.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 162. An act to grant the masters of certain U.S. vessels a lien on those vessels for their wages and for certain disbursements;

H.R. 6418. An act to amend the Public Health Service Act to extend and expand the authorizations for grants for comprehensive health planning and services, to broaden and improve the authorization for research and demonstrations relating to the delivery of health services, to improve the performance of clinical laboratories, and to authorize cooperative activities between the Public Health Service hospitals and community facilities, and for other purposes; and

H.R. 6430. An act to amend the public health laws relating to mental retardation to extend, expand, and improve them, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 536) entitled "An act to provide that the United States shall hold certain Chilocco Indian school lands at Chilocco, Okla., in trust for the Cherokee Nation upon payment by the Cherokee Nation of $3.75 per acre to the Federal Government," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McGOVERN, Mr. ANDERSON, and Mr. FANNIN to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 830. An act to prohibit age discrimination in employment;

S. 1946. An act to amend the repayment contract with the Foss Reservoir Master Conservancy District, and for other purposes;

S. 2029. An act to amend the National Traffic and Motor Vehicle Safety Act of 1966 relating to the application of certain standards to motor vehicles produced in quantities of less than 500;

S. 2330. An act declaring a portion of Bayou Lafourche, La., a nonnavigable waterway of the United States;

S. 2419. An act to amend the Merchant Marine Act, 1936, with respect to the development of cargo container vessels, and for other purposes; and

S. 2514. An act to grant the consent of Congress to the Wheeling Creek Watershed Protection and Flood Prevention District compact.

THE LATE HONORABLE JOHN NANCE GARNER

Mr. FISHER. Mr. Speaker, it becomes my sad duty to announce the death of former Speaker of the House and former Vice President of the United States, John Nance Garner, of Uvalde, Tex.

Born November 22, 1868, Mr. Garner lacked only 15 days of reaching the age of 99 at the time of his death. He enjoyed fairly good health and was mentally alert right up to the end. He lived longer than any other Vice President, or than any former President.

John Garner was one of the truly great men who appeared on the American scene during the 20th century.

He was born in a log cabin in Red River County, Tex., 3 years after President Lincoln was shot. His early life was amid hardships and privations on the wild frontier. It was the age of the outlaws and gunslingers, and the Indians were being driven to the reservations.

Garner's early education was limited, but he possessed an active and inquisitive mind. He studied law and was admitted to the Texas bar in 1890. His first political office was that of county judge of Uvalde County, while Grover Cleveland was still President.

After serving two terms in the Texas Legislature Mr. Garner came to Congress in 1902, where he served with great distinction for 30 years. He was elected Speaker in 1931, became Vice President on March 3, 1933, and was reelected in 1936. He opposed the third term, bade Washington adieu, and boarded a train for his home in Uvalde, never to return to the Capital City.

During my many visits with Mr. Garner in recent years, he was often nostalgic in recalling the days he spent in the House of Representatives and as Vice President. He often spoke of JOHN McCORMACK, EMANUEL CELLER, Lew Deschler, Carl Vinson, and others. He seemed very fond of Deschler, the Parliamentarian, and was always concerned about the well-being of all his old friends of bygone days.

Above all, Garner cherished his days as Speaker. He once quipped that when he switched from Speaker to Vice President, it "was the only demotion I ever had."

Mr. Speaker, there is no way of measuring the full value of the public service which was rendered to the American people and to our way of life by this great American. He stood as a symbol of stability and rugged character. In his legislative battles he asked no quarter and gave none. In debate and in conference his chief weapons were reason, logic, and commonsense, always respecting the public interest.

Mr. Garner belonged to the old school of rugged individuals who believed in the principle of balancing the ledger on Saturday nights. "Cut down on the spending," was the title of a feature article on Garner when his picture appeared on the front cover of the U.S. News & World Report on March 8, 1957. And he practiced what he preached, both in Government and in private life.

After leaving Washington Mr. Garner lived in the servants' quarters which was built in 1879, located behind his old home. The Garner home stands 50 feet from the street, amid giant oaks and towering pecans. This two-story brick mansion was built by Mr. Garner for his wife, the late Ettie Rheiner Garner. The building was donated to the city following Mrs. Garner's death in 1948, and is now used as a museum in her memory.

Garner's only child, Tully, lives across a driveway from where his father lived. In love and devotion, the son ministered to his father's every need during the declining years.

Mr. Garner knew the value of a dollar, and he accumulated considerable wealth during his lifetime. In recent years he gave most of that back to the community which had honored him so long. He often spoke of the debt he owed to those who had loyally stood by him during his long career. A popular State park, known as Garner Park was a product of his generosity. At one time he donated a million dollars in bank stocks to Southwest Texas Junior College, located in Uvalde, and he engaged in other philanthropies.

Mr. Speaker, the entire Nation is much better off because John Nance Garner lived and served. The world is a little darker because his light has gone out. And the entire Nation mourns the passing of this great and good man.

Mr. McCORMACK. Madam Speaker, will the gentleman yield?

Mr. FISHER. I yield to the gentleman from Massachusetts.

The SPEAKER pro tempore (Mrs. MINK). The distinguished Speaker is recognized.

Mr. McCORMACK. Madam Speaker, I am very sorry to learn of the death of my dear and valued friend, John Garner, who was not only an outstanding legislator, but also one of the great Americans of our Nation's history. Throughout his entire lifetime, John Garner evidenced his intense love of America by the many contributions he made toward the strength and progress of our country.

John Garner's life was one that is typical of America. He took advantage of the opportunities that our form of government presents to everyone, and against great odds and difficulties, making every sacrifice necessary, he attained ambitions and goals that place him among the important figures of our Nation's history.

I had a close personal relationship with John Garner. When I was first elected to the House, he was the minority leader. He later became Speaker. I remember in my second full term, with trepidation I went in to see him. As a matter of fact, I did not know the Democratic leaders knew I was a Member of the House for the first 2 years. Apparently they did. I was one of those who wanted to learn my rules of parliamentary law and, although not completely unheard, I conducted myself so that I was not aware the leadership knew I was actually a Member of the House during my first 2 years. I went in to see John Garner when we took over the House, and I went to see him with trepidation, to see if he would give me support for assignment to the Committee on the Judiciary.

My first committee assignments were Territories and Elections No. 3 and Civil Service. So with trepidation I went in to see him to enlist his assistance with reference to getting on the Committee on the Judiciary. I delayed coming down, because I was trying some cases in Boston, cleaning up some cases I had there. He said, "We wanted you down here. We wanted you to go on Ways and Means, but you waited until the last minute."

Of course, that was beyond my fondest dreams or ambitions, to get on the Committee on Ways and Means, with actually only one full term of service.

I said, "Well, Mr. Garner, I do not mind running and being defeated if at the outset I have a chance of winning." "But," I said, "I do not want to run just knowing I am going to be defeated, and if you will blow your nose at me I will go out and be a candidate."

He said, "You go and tell Billy Connery to send out a letter from the delegation for you."

Well, he blew his nose. So I did.

The first delegation that met and unanimously endorsed me for election to the Ways and Means Committee was the Texas delegation. I knew that was due to John Garner—to Jack Garner, as we called him—and Sam Rayburn. I have never forgotten it during all the years I have been a Member of the House. I have never forgotten the friendship that existed between us.

That is a little human interest side of what friendships mean, that I have spoken about so frequently both in Democratic caucuses and on the floor of the House. I have spoken of the friendships we make and how they transcend party politics.

So I am very, very sorry because the country has sustained in the death of John Garner the loss of one of our truly great Americans. I am also very sorry because of the personal relationship that existed between John Garner and me while he was Speaker and later Vice President and during the many years of his retirement.

I extend to his loved ones my deep sympathy in their great loss and sorrow.

Mr. HALL. Madam Speaker, will the gentleman yield?

Mr. FISHER. I yield to the gentleman from Missouri.

Mr. HALL. Madam Speaker, I appreciate the gentleman's yielding on the occasion of this sad announcement.

If this lesser bird might seek to twitter while larks sing on high, as a representative of the current minority in just and deserved tribute to John Nance Garner, former Speaker of the House, former Vice President, a man of America who lived to be 90 and 9, I would presume to say indeed he did belong to all of America. He etched well into the history of this body and into the history of our Nation rugged individualism. He had the courage to stand for eternal principles in the face of the stares of all in high places, including his own.

As our friend from the hills of home, the Ozark Mountains in which I live, used to, with great love and appreciation, refer to Cactus Jack Garner, so do we, with all attribute, with all accolades and with all appreciation; join the distinguished gentleman who represents this district in expressing our sense of loss of a great Texan, another great American, as he is laid to rest.

Our sympathy goes to his entire family.

I should like to associate myself with the erstwhile words of the gentleman from Texas and the current distinguished Speaker.

I thank the gentleman for yielding.

Mr. FISHER. Madam Speaker, I now yield to my colleague from Texas [Mr. POAGE].

(At this point the Speaker assumed the chair.)

Mr. POAGE. I thank the gentleman for yielding.

When I came to Congress John Garner was Vice President of the United States—having just taken that office. I believe I found in him one of those practical men in politics who are necessary to make our Government function through various kinds of times.

He was far from a theorist. He was a practical man. His practicality sent him to Congress. His practicality kept him here and kept the U.S. Government on a good deal more even keel than it might have been had it not been for John Garner. As I see it, that was his great and unique contribution to American politics and to American history.

He served during a period of time when there was a tremendous change, and it was often a change for the good, but he recognized that change, even though it may be good, could come too fast. He always exercised the stabilizing influence, which is always needed in those circumstances.

Mr. Speaker, I think Mr. Garner was probably better known in Washington than in his native Texas in later years because he spent so many years here that there was a second and third generation in Texas by the time he came home to spend his last years there. I think it was a source of great comfort to him that he was able to spend his last years in Texas in Uvalde. He always spoke of Uvalde as his home and he always mentioned his home and the people of that community.

We, his neighbors, probably cherished the hope that he might live to be 100. He almost reached that age. But far more than the idea of his being 100 years old, we were impressed with the fact that one of our neighbors had so considerably influenced history and influenced it for the good. Our whole country has suffered a loss in the loss of John Garner.

Mr. FISHER. Mr. Speaker, I thank the gentleman from Texas.

I now yield to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Speaker, nothing that I might say can possibly express the great loss that is felt by all of us with the passing of John Nance Garner. It is a loss beyond measure, deeply felt not solely by those of us who were privileged to know him personally but by all who know him. His name is inscribed indelibly on countless pages of our country's glorious history.

Nothing that anyone might say will add a fraction to his stature. The passing of John Nance Garner is like the passing of an era in our history that challenged our very existence as a free people, and we have now lost one of our national leaders who proved himself more than equal to the challenge.

A truly great American is no longer with us. The entire Nation mourns this loss. We pause here in an hour of sadness but we are inspired in the task before us from reflecting on the life and deeds of such men as this who so courageously met the challenges of his day.

Mr. PRICE of Texas. Mr. Speaker, although it was not my privilege to be personally acquainted with that great Texan and former Vice President of the United States, John Nance Garner, I would like to join in this tribute to a man who I know was a truly great American.

John Nance Garner personified the spirit of independence and individualism that have made this country great. His homespun philosophy was simple and direct and could well be followed by some of those who today seem so confused as to what, if anything, they do believe.

John Nance Garner served his country well and set an example of integrity in both his public and private life from which we all benefit.

Mr. PATMAN. Mr. Speaker, it is my sad duty to also bring to the attention of the House the death of the beloved former Vice President of the United States, John Nance Garner.

Mr. Speaker, there are many of us who have fond and affectionate memories of this great Texan, who spent so many years as a leading figure on the Washington scene. When I was elected to the Congress in 1928, John Nance Gardner was already a prominent figure in the Democratic Party and in the leadership of the House of Representatives. I had the honor of serving with Mr. Garner for 4 years before he was elected as Franklin D. Roosevelt's Vice President in 1932. This was a memorable experience.

Mr. Speaker, I feel particularly close to John Nance Garner since he was born in Red River County, near Detroit, Tex., in my home district. Mr. Garner grew to his young manhood in northeast Texas and we in the First Congressional District have always taken pride in our close relationship with one of the great statesmen of our era.

We share with all Texans and all Americans a fond memory of John Nance Garner.

Mr. Garner's career was a fabulous one by any standards. His entire life was one of public service. He was county judge in his home county of Uvalde and served in the Texas Legislature. Mr. Garner was elected to the U.S. Congress in 1902 and served there until his election as Vice President in 1932. He was the minority floor leader in the 71st Congress before becoming Speaker of the House in the 72d Congress.

More importantly, John Nance Garner was a warm personality who brightened Washington for so many years. Those of us who had contact with him cannot forget his great sense of humor and his willingness to consult with and guide the freshman Members of Congress.

America has lost a great man, a great statesman, and a wonderful human being. Both Texas and the United States have been tremendously enriched by having a leader like John Nance Garner. We owe his memory much and I know that all of us here in the House of Representatives and our fellow Americans everywhere will miss Mr. Garner.

Mr. MAHON. Mr. Speaker, I wish to join my colleagues in taking note of the passing of John Nance Garner. Mrs. Mahon and I are grieved to learn of the death of Mr. Garner. In my book he was one of the Nation's greats.

His legislative finesse, his down to earth ideas of government, and his homespun philosophy are legendary. Texans can always treasure the memory of former House Speaker and Vice President John Garner.

When I came to Washington as a Member of the House in 1935, Mr. Garner was then Vice President and his counsel and advice through the years were invaluable to me.

Mr. BROOKS. Mr. Speaker, today a great American, who once served as Speaker of this body, passed on. Former Vice President John Nance Garner, a Texan who served in the House of Representatives for 30 years, died this morning.

He had been a living legend in our time. He was a great man who rose from an extremely humble beginning in Red River County, Tex., and with a very meager formal education advanced to the second highest position that any American can attain.

During his years of public service, he experienced and took part in many great decisions and events. Certainly some of the highlights of his great career were attained during his service with the late President Roosevelt in bringing our country from the depths of a depression by initiating programs on which our country has grown into the greatest nation this world has ever known.

John Nance Garner rose to the highest counsels of our Nation and a position of eminence throughout the world, but he never lost contact with his native Texas and the hard-working Texans from whom he came.

"Cactus Jack" Garner was a frontiersman from the day he was born until he retired in 1941. The frontier which he faced changed, but the dedication and hard work that its challenges required remained the same. John Nance Garner has joined other great Texas heroes, but his patriotism and dedication will serve as an example for many future generations of Texans and Americans.

Mr. CASEY. Mr. Speaker, our Lone Star State of Texas mourns the death of a great and distinguished native son, John Nance Garner.

His accomplishments, during a long and illustrious career, are legendary. He was, as his nickname "Cactus Jack" implies, as rough and rugged as the Uvalde land that he loved so well.

We, in Texas, are proud of our many sons who have left their mark on the course of world and national events. Ours is a strong land, and the strength of the land and the people is bred into these great men.

My colleagues know the distinguished background of this great statesman, of his battle to overcome educational shortcomings to become an outstanding lawyer, judge, Member and Speaker of the U.S. House of Representatives, and Vice President of the United States. His was a career to rival the greatest of our leaders.

A few years ago, I had the great privilege to visit with John Nance Garner in his home in Uvalde. He had celebrated his 92d birthday. I found a man who had not sat idly by in retirement, letting the world and events pass him by. His mind was alert, brilliantly so. He discoursed on current events with a knowledge that only a full career at the fountainhead of action could have given him. He regaled us with tales of his years as Vice President, as Speaker, and as a Member of this great body. He set out in detail the facts of his opposition to the proposed "Supreme Court packing plan" which led to the deep split between him and President Franklin D. Roosevelt. His strength of body and mind at this great age of 92 was phenomenal. I recall one story he told of his first campaign for U.S. Representative. He stumped his district, as we all have done, soliciting votes from his constituents, for he was a relatively young attorney seasoned by a term as county judge of Uvalde County, and a term as State representative. And when he finished his speech, he pointed his finger at the crowds and added:

> And one more thing, he said. If you vote to send me to Washington to handle your affairs—don't you write me any letters telling me how to do my job. If you don't have confidence enough in me to do this job without being pestered with a lot of postcard advice—then I don't want your vote.

He said he got their votes, and less mail than any Member of Congress, which he rarely answered.

Mr. Speaker, we are privileged to sit in a Chamber where the great men of history have left their imprint. None, in my judgment, has been greater than "Cactus Jack" Garner. His passing will be mourned by all, and I extend deepest sympathy to his many close friends and relatives at this great loss.

Mr. EVINS of Tennessee. Mr. Speaker, permit me to join with my colleagues from Texas and others in paying a brief but sincere tribute to the memory of the late Speaker and Vice President, John Nance Garner—a great leader who became a legend in his own time.

John Nance Garner was a great Texan, a great American, and a rugged frontiersman popularly known as Cactus Jack. He went far in public life—and rose to great heights and yet he retained his humble spirit. John Garner saw America and its problems through the eyes of its people.

At the Democratic National Convention in Chicago in 1940, I had the privilege of meeting John Nance Garner and Sam Rayburn with the Texas delegation. At that time Garner was considered a candidate for the Democratic nomination for President following his service as Vice President for two terms. Judge Cordell Hull, of Tennessee, was also being considered for the nomination. Although President Roosevelt chose Henry Wallace as his Vice-Presidential running mate for an unprecedented third term, Jack Garner, of Texas, never lost his place in the hearts of his countrymen. He lived a long and useful life and was a great American.

GENERAL LEAVE TO EXTEND

Mr. FISHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD concerning the late John Nance Garner.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

OCTOBER MOTORCAR SALES SHOW THAT GERMAN-MADE VOLKSWAGEN PLACES THIRD IN AUTOMOBILE SALES IN AMERICA

Mr. VANIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, yesterday's newspaper reports of October automobile sales show that the German-made Volkswagen placed third in automobile sales in America with 41,661 sales.

Only Chevrolet and Pontiac managed to outdo the Volkswagen in attracting the American consumer.

The American automobile manufacturers should be concerned with the sharp increase in automobile imports. Apparently, there is a strong market in America for a sturdy, economical automobile of unchanging design for some Americans who simply want economic transportation. Evidently 750,000 car buyers each year—almost 1 out of 10—place these considerations ahead of the gasoline burners currently designed in Detroit.

Almost any day now, we can expect the automobile manufacturers to plead for import limitations to choke off the growing desire for economy imports. As a better alternative, they should contemplate meeting the needs of this market either by producing an acceptable economy car or by manufacturing the foreign favorites in the United States under license. The import quota system should never be used to force-feed the American people into accepting something they do not want.

THE HONORABLE CLAUDE PEPPER WINNER OF ALBERT LASKER MEDICAL RESEARCH AWARD

Mr. ANDREWS of Alabama. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ANDREWS of Alabama. Mr. Speaker, I was delighted to see in the morning Post that one of our colleagues has been announced as the winner of the annual Albert Lasker Medical Research Award. The Member to whom I refer is our colleague, the gentleman from Florida, CLAUDE PEPPER.

He was born and reared in my congressional district in Alabama and I claim him as my constituent.

Mr. Speaker, I congratulate him for having brought this honor to the House of Representatives, and to himself, an honor that is richly deserved by the gentleman from Florida [Mr. PEPPER].

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of Alabama. I yield to the distinguished majority leader.

Mr. ALBERT. I join with the gentleman in this word of tribute to a man whose presence casts a ray of light over this Chamber. We are all happy for this honor to our colleague. It is an honor richly deserved.

Mr. ANDREWS of Alabama. I thank the distinguished majority leader.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of Alabama. I yield to the gentleman from Florida.

Mr. HALEY. I want to join with my distinguished majority leader in praise of my colleague from Florida. He has not only served with distinction in the other body but he was then elevated to come over here where he is continuing to do fine work not only for Florida but for the Nation. I congratulate Congressman PEPPER.

Mr. ANDREWS of Alabama. I thank the gentleman. I have said many times that he is one of the greatest orators on Capitol Hill and I wish we could hear him more often.

Mr. SIKES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, I am pleased indeed to join in extending warm and sincere congratulations to our distinguished colleague from Florida, the Honorable CLAUDE PEPPER, on being chosen as a recipient of the Lasker Award. These awards, known as the Albert Lasker Medical Research Awards, are given annually and are worth $10,000 each. The Lasker Public Service Award was given to Congressman PEPPER for his support of medical legislation. Honored with him are Dr. Bernard B. Brodie, of the National Institutes of Health and Dr. Robert Allan Phillips, director of the Pakistan-SEATO Cholera Research Laboratory.

We in Florida have long known of the great humanitarian interests of Congressman PEPPER and of his contributions for the good of mankind in many fields. It is stimulating to realize that his fine efforts are so widely recognized and that he has been chosen for this distinctive and outstanding award. I congratulate Congressman PEPPER and the other distinguished recipients for this outstanding achievement.

Under unanimous consent I include in the extension of my remarks news items from the New York Times, the Washington Post, and the Washington Evening Star:

[From the New York Times, Nov. 7, 1967]

TWO SCIENTISTS WIN LASKER AWARDS—REPRESENTATIVE PEPPER ALSO NAMED TO RECEIVE HONOR

(By Robert Reinhold)

A physician who developed a highly effective treatment for cholera and a pharmacologist whose research has influenced drug therapy were named yesterday to receive the 1967 Albert Lasker Medical Research Awards.

The physician, Dr. Robert A. Phillips, director of the Pakistan-SEATO Cholera Research Laboratory in Dacca, East Pakistan, was awarded the Clinical Research Award for his treatment, which has reduced the death rate among cholera victims from 60 per cent to 7 per cent.

The pharmacologist, Dr. Bernard B. Brodie, chief of the Laboratory of Chemical Pharmacology at the National Heart Institute in Bethesda, Md., received the Basic Medical Research Award for his 30 years of research into what happens to drugs taken into the body.

Cholera is an intestinal disease spread through the contamination of food or drink by bacteria in human sewage. The bacteria cause catastrophic vomiting and diarrhea, and often death from dehydration, if not treated. The disease, almost unknown in Western countries with modern sanitation, is still widespread in Asia.

BODY FLUIDS REPLACED

Dr. Phillips, a 61-year-old retired Marine Corps physician, developed a technique for replacing the body fluids in cholera victims. The withered patient is intravenously fed sodium bicarbonate and saline solutions continuously until he begins to hold the liquids and gain strength.

The $10,000 awards, given annually for achievements in Medical research by the Albert and Mary Lasker Foundation, will be presented at a luncheon at the St. Regis Hotel on Thursday. The recipients were introduced to newsmen yesterday morning during conference at the foundation's offices at 866 United Nations Plaza.

Representative Claude Pepper, Democrat of Florida, was chosen to receive the Albert Lasker Public Service Award for his interest in medical legislation over 30 years in both houses of Congress. This award also carries a $10,000 honorarium.

Dr. Phillips, a soft-spoken Iowa-born physician said at the news conference that his feeding technique was so simple that it could be applied by persons without medical training. The chief drawback, however, is that treatment of the average cholera patient costs about $50—the equivalent of five-month's salary in developing countries, where cholera is most prevalent.

Dr. Brodie was cited for studies that have profoundly influenced treatment of cardiovascular diseases, mental disorders and cancer.

Asked at the news conference what he regarded as his most significant work, the 58-year-old British-born scientist told of his findings that human response to drugs differs little from animal response if the amount of drug in the blood rather than the dose taken is used as the basis of measure.

Many drugs, he said, are metabolized, or broken down, at "fantastically different" rates in different animals. Therefore, he said, drug responses must be rated to the concentration of the active ingredient at the site in the body to be acted upon rather than on the over-all dose.

These findings, Dr. Brodie said, raise important questions about the practice of testing new drugs on animals before humans. A substance effective in humans, he said, can be passed up because of its low activity in animals. As an example, he cited phenylbutazone, a drug effective against rheumatism in humans but almost inactive at comparable doses in animals.

NIH AIDE AND PEPPER WIN LASKER AWARDS

The winners of the annual Albert Lasker Medical Research Awards, worth $10,000 each, are Dr. Bernard B. Brodie, of the National Institutes of Health and Dr. Robert Allan Phillips, director of the Pakistan-SEATO Cholera Research Laboratory in Dacca, East Pakistan.

The recipient of the Lasker Public Service Award is Rep. Claude Pepper (D-Fla.), for his support of medical legislation. The awards anounced yesterday, will be presented at the Lasker luncheon in New York on Thursday.

Dr. Brodie is being honored for his "extraordinary contributions to biochemical pharmacology" and the use of drugs in treatment of heart, mental and emotional disorders and cancer. He is chief of the Laboratory of Chemical Pharmacology in the National Heart Institute.

Among a number of achievements for which Dr. Brodie, 58, is cited is "an understanding of how antipsychotic drugs can be used effectively in the treatment of mental and emotional disorders" and his stimulation of research to develop "a basic understanding of how the brain functions in health and disease."

Dr. Phillips, 61, a former Marine Corps captain, is being honored for his "research and leadership" in the reduction of the death rate from cholera. In the area in which he has worked in East Pakistan, the death rate from cholera was 60 per cent in untreated cases. In the cases he has treated, the death rate is less than 1 per cent.

[From the Washington Star, Nov. 7, 1967]

LASKER AWARDS ARE GIVEN TO TWO SCIENTISTS, LEGISLATOR

A retired Navy physician and two Washington public servants—one a researcher at the National Heart Institute: the other a member of the House of Representatives—are this year's winners of the Albert Lasker awards for Medical Research and Public Service.

The Lasker awards, which carry with them an honorarium of $10,000 each, rival the Nobel prize in terms of prestige. They will be presented Thursday at a meeting in New York.

Dr. Robert Allan Phillips, the former Navy physician, is currently the director of the Pakistan-SEATO (Southeast Asia Treaty Organization) Cholera Research Laboratory in East Dacca, Pakistan. The treatment he developed over the last ten years has reduced the cholera death rate to less than one percent. Before the treatment, the disease sometimes killed as many as a million people a year in India and Pakistan alone.

The key to the Phillips treatment is replacement of the electrolytes—the body fluids salts and other chemicals lost through dehydration in the course of the disease. According to the citation that accompanies his award, the "life-saving therapy of rapidly replacing, intravenously these lost body fluids and compounds is so simple that it can be successfully administered in the field, even under the most elementary conditions, and even by relatively unskilled personnel."

The other scientist to receive a Lasker Clinical Research Award is Dr. Bernard B.

Brodie, chief of the Laboratory of Chemical Pathology at the National Heart Institute in Bethesda. Brodie's research into the precise biochemical pathways of the body has improved the treatment of many disorders ranging from heart disease and cancer to emotional disorders and is now helping other scientists to develop new and better drugs.

Brodie is also a pioneer in the chemical study of the brain. By correlating data on how nerves impulses are transmitted with how people behave, he has proposed "a new line of attack on schizophrenia," his citation says.

Rep. Claude Pepper, D-Florida, is the recipient of the Award for Public Service. His citation points out that he has been active in the field of health legislation since 1937 when as a member of the Senate he was cosponsor of the legislation which led to the creation of the National Institutes of Health.

Among the other laws which Pepper has had a major hand in shaping are the Mental Retardation Act of 1963, the Nurse Training Act of 1964, and the Health Professional Educational Assistance Act of 1965. A long-time fighter for Medicare, he is now working to extend its benefits to the elderly and bring them to the disabled, as well.

According to the citation he will receive Thursday, "A measure of his vision is reflected in the fact that when the Pepper Committee held hearings in 1944, the National Institutes of Health was spending only $2,400,000 a year. . . . By 1967 the National Institutes of Health has grown to include eight additional Institutes and the former National Institute of Mental Health, now separately reorganized as the Bureau of Mental Health. Their present annual budget—is in excess of one and a half billion dollars."

Mr. PEPPER. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of Alabama. I yield to the gentleman.

Mr. PEPPER. Mr. Speaker, I want very profoundly to thank my fellow Alabamian, my devoted friend, the able gentleman from Alabama [Mr. ANDREWS], my distinguished leader, the gentleman from Oklahoma [Mr. ALBERT] and others of my colleagues who have been kind enough to make these generous remarks about me. I thank them all very much.

CALL OF THE HOUSE

Mr. WYATT. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 371]

Abbitt
Abernethy
Adair
Addabbo
Anderson, Tenn.
Annunzio
Barrett
Boggs
Brasco
Brock
Broomfield
Buchanan
Bush
Button
Byrne, Pa.
Clark
Cowger
Cramer
de la Garza
Dent
Diggs
Dole
Dorn
Dow
Downing
Dulski
Eilberg
Erlenborn
Eshleman
Everett
Fallon
Fino
Flood
Ford, Gerald R.
Fountain
Friedel
Gallagher
Garmatz
Giaimo
Green, Pa.
Gross
Grover
Hagan
Halleck
Halpern
Hanley
Hays
Helstoski
Herlong
Hosmer
Howard
Hutchinson
Irwin
Jacobs
Jones, Mo.
King, N.Y.
Kluczynski
Kupferman
Madden
Mathias, Calif.
Mathias, Md.
Meskill
Miller, Calif.
Monagan
Moorhead
Morgan
Morton
Multer
Murphy, N.Y.
Nix
O'Neill, Mass.
Ottinger
Pelly
Pettis
Pike
Reid, N.Y.
Resnick
Rhodes, Pa.
Rogers, Fla.
Ronan
Rooney, Pa.
Rosenthal
Rostenkowski
St. Onge
Sandman
Sisk
Smith, Calif.
Smith, N.Y.
Steed
Stratton
Stubblefield
Taft
Teague, Tex.
Tenzer
Utt
Watkins
Watson
Watts
Whalley
Whitten
Williams, Miss.
Willis
Wilson, Charles H.
Wolff
Wright
Wydler
Zion

The SPEAKER. On this rollcall, 326 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AMENDMENT OF PUBLIC HEALTH LAWS RELATING TO MENTAL RETARDATION

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 6430) to amend the public health laws relating to mental retardation to extend, expand, and improve them, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia? The Chair hears none, and appoints the following conferees: Messrs. STAGGERS, JARMAN, ROGERS of Florida, SPRINGER, and NELSEN.

PARTNERSHIP FOR HEALTH AMENDMENTS OF 1967

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 6418) to amend the Public Health Service Act to extend and expand the authorizations for grants for comprehensive health planning and services, to broaden and improve the authorization for research and demonstrations relating to the delivery of health services, to improve the performance of clinical laboratories, and to authorize cooperative activities between the Public Health Service hospitals and community facilities, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. HALL. Mr. Speaker, reserving the right to object, may I ask the distinguished gentleman, the chairman of the Committee on Interstate and Foreign Commerce, if this is the bill that has been in conference but which passed the House on September 19 this year, entitled the "Partnership for Health Amendments," and if one of those amendments added thereto by the other body represents the changing of the status of the Under Secretary, thereby creating an additional position in the Department of Health, Education, and Welfare for medical matters?

Mr. STAGGERS. Mr. Speaker, if the gentleman will yield, I am not sure that that question is in disagreement. However, we have other amendments in disagreement and this could very well be in disagreement.

Mr. HALL. I would certainly hope that the distinguished chairman of the Committee on Interstate and Foreign Commerce as well as the other conferees on the part of the House will seek to maintain the position of the House in this area.

Mr. STAGGERS. We shall attempt to do so.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the distinguished gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Speaker, I am interested in what the distinguished gentleman from Missouri is saying with reference to the creation of an Under Secretary for Health, as is contained in one of the amendments added to the legislation in the other body.

Mr. HALL. Certainly. It appears on page 24, line 21, under the title of "Deputy Secretary for Secretary of Health and Welfare; Under Secretary for Health" thereby creating an additional agency under which there were no hearings held whatsoever in the House of Representatives.

Mr. BROWN of Ohio. Mr. Speaker, if the gentleman will yield further, there were none in the House and, I understand, there were none held in the other body, beyond the submission of the amendment, and there was a rather prompt vote on that amendment.

Mr. HALL. The gentleman from Ohio is exactly right. For that reason, I wanted to clarify the position of the House thereon.

Mr. BROWN of Ohio. There was some indication that this may be the first move in an effort to reorganize the Department of Health, Education, and Welfare, according to a pattern rumored for some time. It occurs to me, as a member of the Committee on Government Operations as well as a member of the Committee on Interstate and Foreign Commerce, that this particular subject would fall under the jurisdiction of one or the other of those two committees, probably under the jurisdiction of the Committee on Government Operations if it were to involve an effort toward reorganization of the Department of Health, Education, and Welfare.

For this reason, Mr. Speaker, I certainly hope the position of the House will be maintained in the conference.

Mr. HALL. I agree with the remarks of the gentleman from Ohio, and I am sure that we must sustain the position of the House in that we will not allow the appointment of a social worker to a place that should be filled by a professional. This is my concern and area of interest.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

The Chair hears none, and appoints the following conferees: Messrs. STAGGERS, JARMAN, ROGERS of Florida, SPRINGER, and NELSEN.

DR. JOHN E. YANNAKAKIS

Mr. DOWDY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 4538) for the relief of Dr. John E. Yannakakis, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert:

"That, for the purposes of the Immigration and Nationality Act, Doctor John E. Yannakakis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 2, 1960, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the said Act."

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

COMDR. ALBERT G. BERRY, JR.

Mr. ASHMORE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 2757) for the relief of Comdr. Albert G. Berry, Jr., with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 11, strike out "pay and allowances" and insert "retired pay".

Page 2, line 6, strike out "pay and allowances" and insert "retired pay".

Page 2, line 8, strike out "pay and allowances" and insert "retired pay".

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

E. F. FORT, CORA LEE FORT CORBETT, AND W. R. FORT

The Clerk called the bill (H.R. 2661) for the relief of E. F. Fort, Cora Lee Fort Corbett, and W. R. Fort.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

MAURITZ A. STERNER

The Clerk called the bill (H.R. 3865) for the relief of Mauritz A. Sterner.

There being no objection, the Clerk read the bill, as follows:

H.R. 3865

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $100,000 to Mauritz A. Sterner, of 107-19 Seventieth Avenue, Forest Hills 75, Long Island, New York, in full settlement of his claims against the United States for his original idea and development of a paper blanket: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

On page 1, line 5, strike "$100,000" and insert "$25,000".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHARLES WAVERLY WATSON, JR.

The Clerk called the bill (H.R. 8091) for the relief of Charles Waverly Watson, Jr.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

FIRST LT. ALLAN L. SCHOOLER

The Clerk called the bill (H.R. 6325) for the relief of 2d Lt. Allan L. Schooler.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

DR. PABLO E. TABIO

The Clerk called the bill (S. 62) for the relief of Dr. Pablo E. Tabio.

There being no objection, the Clerk read the bill, as follows:

S. 62

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Pablo E. Tabio shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 15, 1960.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. ANGEL REAUD, ALSO KNOWN AS ANGEL REAUD RAMOS IZQUIERDO

The Clerk called the bill (S. 503) for the relief of Dr. Angel Reaud, also known as Angel Reaud Ramos Izquierdo.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

DR. MENELIO SEGUNDO DIAZ PADRON

The Clerk called the bill (S. 808) for the relief of Dr. Menelio Segundo Diaz Padron.

There being no objection, the Clerk read the bill, as follows:

S. 808

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Menelio Segundo Diaz Padron shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 10, 1961.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VISITACION ENRIQUEZ MAYPA

The Clerk called the bill (H.R. 4386) for the relief of Visitacion Enriquez Maypa.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PANAGIOTIS PAULUS

The Clerk called the bill (H.R. 5575) for the relief of Panagiotis Basil Paulus.

There being no objection, the Clerk read the bill, as follows:

H.R. 5575

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Panagiotis Basil Paulus may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. George Paulus, citizens of the United States, pursuant to section 204 of the Act.

With the following committee amendment:

On page 1, line 4, strike out the name "Panagiotis Basil Paulus" and substitute in lieu thereof the name "Panagiotis Paulus".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Panagiotis Paulus."

A motion to reconsider was laid on the table.

CHRISANTHE SAVAS KARATAPANIS

The Clerk called the bill (H.R. 6326) for the relief of Chrisanthe Savas Karatapanis.

There being no objection, the Clerk read the bill, as follows:

H.R. 6326

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Chrisanthe Savas Karatapanis may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Savas M. Caras citizens of the United States, pursuant to section 204 of the Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VALENTINA SIDOROVA PARKEVICH

The Clerk called the bill (S. 811) for the relief of Valentina Sidorova Parkevich.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

DR. CESAR ABAD LUGONES

The Clerk called the bill (S. 863) for the relief of Dr. Cesar Abad Lugones.

There being no objection, the Clerk read the bill, as follows:

S. 863

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Cesar Abad Lugones shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 23, 1961.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. G. F. VALDES-FAULI

The Clerk called the bill (S. 1105) for the relief of Dr. G. F. Valdes-Fauli.

There being no objection, the Clerk read the bill, as follows:

S. 1105

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor G. F. Valdes-Fauli shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 30, 1960.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. RAMON E. OYARZUN

The Clerk called the bill (S. 1109) for the relief of Dr. Ramon E. Oyarzun.

There being no objection, the Clerk read the bill, as follows:

S. 1109

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Ramon E. Oyarzun shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 29, 1961.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. YOUSSEF (JOSEPH) SELIM HASBANI

The Clerk called the bill (S. 809) for the relief of Dr. Youssef (Joseph) Selim Hasbani.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

DR. RENE JOSE TRIAY

The Clerk called the bill (H.R. 1592) for the relief of Dr. Rene Jose Triay.

There being no objection, the Clerk read the bill, as follows:

H.R. 1592

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Rene Jose Triay shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 10, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANDRES MAURICIO CANDELA, M.D.

The Clerk called the bill (H.R. 3516) for the relief of Andres Mauricio Candela, M.D.

There being no objection, the Clerk read the bill, as follows:

H.R. 3516

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Andres Mauricio Candela shall be held and considered to have been lawfully admitted to the United States for permanent residency as of November 5, 1960, upon payment of the required visa fee.

With the following committee amendment:

On page 1, line 6, after the date, "November 5, 1960" change the comma to a period and strike out the remainder of the bill.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ISRAEL MIZRAHY, M.D.

The Clerk called the bill (H.R. 3525) for the relief of Israel Mizrahy, M.D.

There being no objection, the Clerk read the bill, as follows:

H.R. 3525

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Israel Mizrahy, doctor of medicine, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such a lien as provided for in this Act, the Secretary of State shall instruct the proper officer to deduct one number from the total number of immigrant visas and conditional entries which are made available to natives of the country of the alien's birth under paragraphs (1) through (8) of section 203(a) of the Immigration and Nationality Act.

With the following committee amendment:

Beginning on page 1, line 6, after the language "for permanent residence as of" strike out the remainder of the bill and substitute in lieu thereof the following: "October 28, 1960."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ISAAC CHERVONY, M.D.

The Clerk called the bill (H.R. 3528) for the relief of Isaac Chervony, M.D.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

DR. ARMANDO COBELO

The Clerk called the bill (H.R. 5186) for the relief of Dr. Armando Cobelo.

There being no objection, the Clerk read the bill, as follows:

H.R. 5186

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Armando Cobelo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 12, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. MANUEL A. TURBAT

The Clerk called the bill (H.R. 4974) for the relief of Dr. Manuel A. Turbat.

There being no objection, the Clerk read the bill, as follows:

H.R. 4974

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Dr. Manuel T. Turbat shall be held and considered to be lawfully admitted to the United States for permanent residence as of July 9, 1961.

With the following committee amendment.

On page 1, line 6, strike out the date "July 9, 1961" and insert in lieu thereof the date "July 10, 1961".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. EDUARDO ENRIQUE RAMOS

The Clerk called the bill (H.R. 3866) for the relief of Dr. Eduardo Enrique Ramos.

There being no objection, the Clerk read the bill, as follows:

H.R. 3866

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That under the Immigration and Nationality Act, Doctor Eduardo Enrique Ramos shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 26, 1960.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. HECTOR ALFREDO E. PLANAS-PINA

The Clerk called the bill (H.R. 5187) for the relief of Dr. Hector Alfredo E. Planas-Pina.

There being no objection, the Clerk read the bill, as follows:

H.R. 5187

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Hector Alfredo E. Planas-Pina shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 21, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. MANUEL JOSE COTO

The Clerk called the bill (H.R. 6088) for the relief of Dr. Manuel Jose Coto.

There being no objection, the Clerk read the bill, as follows:

H.R. 6088

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Manuel Jose Coto shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 7, 1962.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. ORLANDO O. LOPEZ

The Clerk called the bill (H.R. 6449) for the relief of Dr. Orlando O. Lopez.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. DOWDY. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 1556, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if the Senate bill is the same as the House bill, with the proposed amendment?

Mr. DOWDY. It is, and I have an amendment to offer.

Mr. HALL. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. DOWDY]?

There being no objection, the Clerk read the Senate bill, as follows:

S. 1556

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Orlando O. Lopez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 16, 1962.

AMENDMENT OFFERED BY MR. DOWDY

Mr. DOWDY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DOWDY: On page 1, line 6, strike out the date "July 16, 1962" and substitute in lieu thereof the date "July 19, 1962".

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 6449) was laid on the table.

DR. ROLANDO POZO Y JIMENEZ

The Clerk called the bill (H.R. 6658) for the relief of Dr. Rolando Pozo y Jimenez.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. DOWDY. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 2167, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. DOWDY]?

There being no objection, the Clerk read the Senate bill, as follows:

S. 2167

Be it enacted by the Senate and House of Representatives of the United States in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Rolando Pozo y Jimenez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 24, 1959.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 6658) was laid on the table.

DR. PEDRO AUGUSTO RUIZ Y CUE

The Clerk called the bill (H.R. 6659) for the relief of Dr. Pedro Augusto Ruiz y Cue.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

DR. VIRGILIO A. GANGANELLI VALLE

The Clerk called the bill (H.R. 6670) for the relief of Dr. Virgilio A. Ganganelli Valle.

There being no objection, the Clerk read the bill, as follows:

H.R. 6670

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Virgilio A. Ganganelli Valle shall be held and considered to be lawfully admitted to the United States for permanent residence as of April 9, 1962.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. RAUL GUSTAVO FORS DOCAL

The Clerk called the bill (H.R. 6766) for the relief of Dr. Raul Gustavo Fors Docal.

There being no objection, the Clerk read the bill, as follows:

H.R. 6766

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Raul Gustavo Fors Docal shall be held and considered to be lawfully admitted to the United States for permanent residence as of September 10, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. JOSE DEL RIO

The Clerk called the bill (H.R. 7042) for the relief of Dr. Jose Del Rio.

Mr. MOORE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

DR. JOSE A. RICO FERNANDEZ

The Clerk called the bill (H.R. 7896) for the relief of Dr. José A. Rico Fernández.

There being no objection, the Clerk read the bill, as follows:

H.R. 7896

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Doctor José A. Rico Fernández shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 26, 1961.

With the following committee amendment:

On page 1, line 3, after the word "That", insert the following language: "for the purposes of the Immigration and Nationality Act".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. NEMESIO VAZQUEZ FERNANDEZ

The Clerk called the bill (H.R. 7898) for the relief of Dr. Nemesio Vazquez Fernandez.

There being no objection, the Clerk read the bill, as follows:

H.R. 7898

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Doctor Nemesio Vazquez Fernandez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 15, 1960.

With the following committee amendment:

On page 1, line 3, after the word "That", insert the following language: "for the purposes of the Immigration and Nationality Act".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. HERMES Q. CUERVO

The Clerk called the bill (H.R. 8256) for the relief of Dr. Hermes Q. Cuervo.

There being no objection, the Clerk read the bill, as follows:

H.R. 8256

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Hermes Q. Cuervo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 6, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSE BERNARDO GARCIA, M.D.

The Clerk called the bill (H.R. 8257) for the relief of Jose Bernardo Garcia, M.D.

Mr. MOORE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

JORGE GABRIEL LAZCANO, M.D.

The Clerk called the bill (H.R. 8258) for the relief of Jorge Gabriel Lazcano, M.D.

There being no objection, the Clerk read the bill, as follows:

H.R. 8258

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Jorge Gabriel Lazcano, doctor of medicine, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of April 16, 1962.

With the following committee amendment:

On page 1, line 6, strike out the date "April 16, 1962." and insert in lieu thereof the date "April 17, 1962.".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. RAQUEL MARIA CRUZ-FLORES

The Clerk called the bill (H.R. 8407) for the relief of Dr. Raquel Maria Cruz-Flores.

There being no objection, the Clerk read the bill, as follows:

H.R. 8407

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Raquel Maria Cruz-Flores shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 29, 1962.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GUILLERMO RAMON PALACIO SELA

The Clerk called the bill (H.R. 8738) for the relief of Guillermo Ramon Palacio Sela.

There being no objection, the Clerk read the bill, as follows:

H.R. 8738

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Guillermo Ramon Palacio Sela shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 24, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. JOSEFINA ESTHER KOURI-BARRETO DE PELLEYA

The Clerk called the bill (H.R. 9081) for the relief of Dr. Josefina Esther Kouri-Barreto de Pelleya.

There being no objection, the Clerk read the bill, as follows:

H.R. 9081

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Josefina Esther Kouri-Barreto de Pelleya shall be held and considered to have been lawfully admitted to the United States for permanent residence as of April 14, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. LORENZO GALATAS

The Clerk called the bill (H.R. 10985) for the relief of Dr. Lorenzo Galatas.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

DR. RAFAEL DE LA PORTILLA LAVASTIDA

The Clerk called the bill (H.R. 11374) for the relief of Dr. Rafael de la Portilla Lavastida.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. DOWDY. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 2192, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There being no objection, the Clerk read the Senate bill, as follows:

S. 2192

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Rafael de la Portilla Lavastida shall be held and considered to have been lawfully admitted to the United States, for permanent residence as of August 13, 1960.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 11374) was laid on the table.

DR. JOSEFINA QUINTOS MARCELO

The Clerk called the bill (H.R. 7890) for the relief of Dr. Josefina Quintos Marcelo.

There being no objection, the Clerk read the bill, as follows:

H.R. 7890

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Josefina Quintos Marcelo shall be held and considered to have been lawfully admitted for permanent residence as of September 30, 1957.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. PEDRO PINA

The Clerk called the bill (H.R. 11472) for the relief of Dr. Pedro Pina.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. DOWDY. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 2168, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There being no objection, the Clerk read the bill, as follows:

S. 2168

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Dr. Pedro Pina y Gil shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 28, 1962.

AMENDMENT OFFERED BY MR. DOWDY

Mr. DOWDY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DOWDY: On page 1, line 6, strike out the date "February 28, 1962" and substitute in lieu thereof the date "March 2, 1962".

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 11472) was laid on the table.

JACK L. GOOD

The Clerk called the bill (H.R. 11254) for the relief of Jack L. Good.

There being no objection, the Clerk read the bill, as follows:

H.R. 11254

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 151, title 35, United States Code, or any provision of existing law, the Commissioner of Patents is authorized and directed to accept the late payment of the final fee (prescribed in section 41 (a), title 35, United States Code), in the application for United States Letters Patent of Jack L. Good of Palestine, Arkansas, serial number 381,830, filed July 10, 1964, and allowed July 28, 1966, for a stump pulverizing apparatus, as though no abandonment or lapse had ever occurred: *Provided*, That such final fee is paid within three months of the date this Act is approved. Upon payment of such fee, the Commissioner is authorized to issue to the said Jack L. Good the patent for which application was so made. No patent granted on said application shall be held invalid on the ground that the final fee was not paid within the period specified in title 35, United States Code.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MR. AND MRS. CHRISTOS PHOTINOS-SVORONOS

The Clerk called the bill (H.R. 3031) for the relief of Mr. and Mrs. Christos Photinos-Svoronos.

There being no objection, the Clerk read the bill, as follows:

H.R. 3031

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Mr. and Mrs. Christos Photinos-Svoronos may be classified as immediate relatives within the meaning of section 201(b) of the Act, upon approval of a petition filed in their behalf by their adopted daughter, Mrs. Despina St. George, a citizen of the United States, pursuant to section 204 of the Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. KAREN WOOD DAVILA

The Clerk called the bill (H.R. 3032) for the relief of Mrs. Karen Wood Davila.

There being no objection, the Clerk read the bill, as follows:

H.R. 3032

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of section 301(a)(7) of the Immigration and Nationality Act, Mrs. Karen Wood Davila, a citizen of the United States at birth, shall be considered to have resided in the United States for five years after attaining the age of fourteen years.

With the following committee amendment:

On page 1, line 7, at the end of the bill, change the period to be a comma and add the following: "and prior to the birth of her son.".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WEN SHI YU

The Clerk called the bill (S. 287) for the relief of Wen Shi Yu.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

FAVORING THE SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The Clerk called the Senate concurrent resolution (S. Con. Res. 36) favoring the suspension of deportation of certain aliens.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that this concurrent resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ARTHUR JEROME OLINGER, A MINOR

The Clerk called the bill (S. 155) for the relief of Arthur Jerome Olinger, a minor, by his next friend, his father, George Henry Olinger, and George Henry Olinger, individually.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CHESTER E. DAVIS

The Clerk called the bill (S. 233) for the relief of Chester E. Davis.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

JAMES W. ADAMS AND OTHERS

The Clerk called the bill (S. 234) for the relief of James W. Adams and others.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ELOY C. NAVARRO

The Clerk called the bill (S. 294) for the relief of Eloy C. Navarro.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

ESTATE OF PATRICK E. EAGAN

The Clerk called the bill (S. 910) for the relief of the estate of Patrick E. Eagan.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

JOHN W. ROGERS

The Clerk called the bill (S. 1580) for the relief of John W. Rogers.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

SOPHIE STATHACOPULOS

The Clerk called the bill (H.R. 1705) for the relief of Sophie Stathacopulos.

There being no objection, the Clerk read the bill, as follows:

H.R. 1705

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Sophie Stathacopulos, of Brookyln, New York, is relieved of liability to the United States in the amount of $636, representing an overpayment, through administrative error, of her wages during the period beginning October 14, 1962, and ending July 16, 1966, while employed by the Small Business Administration in New York, New York. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sophie Stathacopulos, of Brooklyn, New York, an amount equal to the aggregate of the amounts paid by her, or withheld from sums otherwise due her, with respect to the indebtedness to the United States specified in the first section of this Act.

(b) No part of the amount appropriated in subsection (a) of this section in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

On page 1, line 5, strike "$636" and insert "419.86".

On page 2, line 11, strike "in excess of 10 per centum thereof".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DWAYNE C. COX AND WILLIAM D. MARTIN

The Clerk called the bill (H.R. 2281) for the relief of Dwayne C. Cox and William D. Martin.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CHARLES B. FRANKLIN

The Clerk called the bill (H.R. 2288) for the relief of Charles B. Franklin.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

ESTATE OF CHARLES C. BEAURY

The Clerk called the bill (H.R. 2688) for the relief of Charles C. Beaury.

There being no objection, the Clerk read the bill, as follows:

H.R. 2688

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles C. Beaury, of Saint Louis, Missouri, the sum of $508. Such sum represents the amount which the said Charles C. Beaury, a substitute letter carrier in the United States Post Office at Saint Louis, Missouri, was required to pay the United States for the loss of money contained in an envelope sent as registered mail which was apparently stolen on March 4, 1965, from the mail truck used by the said Charles C. Beaury. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Strike all after the enacting clause and insert the following: "That the estate of Charles C. Beaury, deceased is hereby relieved of liability to the United States in the amount of $288, representing the amount which the late Charles C. Beaury, a substitute carrier in the United States Post Office at St. Louis, Missouri, was indebted to the United States by reason of the loss of money contained in an envelop known as registered mail which was apparently stolen on or about March 4, 1965, from a mail truck operated by the decedent.".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read:

A bill for the relief of the estate of Charles C. Beaury.

A motion to reconsider was laid on the table.

SONDRA D. SHAW

The Clerk called the bill (H.R. 2760) for the relief of Sondra D. Shaw.

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

O. P. BECKEN

The Clerk called the bill (H.R. 4818) for the relief of of O. P. Becken.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

RALPH W. HENEMAN

The Clerk called the bill (H.R. 4819) for the relief of Ralph W. Heneman.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

SYLVAN H. MILLER

The Clerk called the bill (H.R. 4820) for the relief of Sylvan H. Miller.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ARNOLD E. REMMEN

The Clerk called the bill (H.R. 4821) for the relief of Arnold E. Remmen.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

MR. AND MRS. JOHN F. FUENTES

The Clerk called the bill (H.R. 4936) for the relief of Mr. and Mrs. John F. Fuentes.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

RAYMOND E. GRAIL

The Clerk called the bill (H.R. 5853) for the relief of Raymond E. Grail.

There being no objection, the Clerk read the bill, as follows:

H.R. 5853

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the annual leave account of Raymond E. Grail, of Moline, Illinois, a civilian employee at the Rock Island Arsenal, Illinois, there shall be added a separate account of one hundred and seventy-four hours of annual leave, in full settlement of claims of the said Raymond E. Grail against the United States for compensation for the loss of such leave which was earned by him during the period beginning May 1961, and ending May 1966, inclusive, while employed at the Rock Island Arsenal, and which, through administrative error, was not credited to his leave account.

SEC. 2. Section 6304 of title 5 of the United States Code shall not apply with respect to the leave granted by this Act, and such leave shall not affect the use or accumulation, pursuant to applicable law, of other annual leave earned by the said Raymond E. Grail. None of the leave granted by this Act shall be settled by means of a cash payment in the event such leave or part thereof remains unused at the time the said Raymond E. Grail is separated by death or otherwise from the Federal service.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLAUD FERGUSON

The Clerk called the bill (H.R. 6305) for the relief of Claud Ferguson.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri.

There was no objection.

LESTER W. AND SADIE HEIN

The Clerk called the bill (H.R. 6890) for the relief of Lester W. Hein and Sadie Hein.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

GILMER COUNTY, GA.

The Clerk called the bill (H.R. 7431) for the relief of Barney Elrod Construction Co., Inc.

There being no objection, the Clerk read the bill, as follows:

H.R. 7431

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Barney Elrod Construction Company, Incorporated, a Georgia corporation, the sum of $34,359.36 in full settlement of all his claims against the United States for the construction work which the said Barney Elrod Construction Company, Incorporated, performed on the Gilmer County Airport, Gilmer County, Georgia, during the period beginning July, 1966, and ending October, 1966, which work was part of the planned development of such airport as contemplated in Federal Aviation Agency Project Numbered 9-09-083-C701.

SEC. 2. No part of the amount appropriated in the first section of this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Strike all after the enacting clause and insert the following: "That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury, not otherwise appropriated, to Gilmer County, Georgia, the sum of $24,715, in full settlement of its claims against the United States for the Federal share of allowable project cost for the development of the Gilmer County Airport in accordance with the provisions of the Federal Airport Act in the period beginning July 1966 and ending October 1966, involving work which was part of the planned development of such airport as contemplated in Federal Aviation Agency Project Numbered 9-09-083-C701.

"SEC. 2. No part of the amount appropriated in the first section of this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Gilmer County, Ga."

A motion to reconsider was laid on the table.

CERTAIN INDIVIDUALS EMPLOYED BY THE DEPARTMENT OF THE NAVY AT CERTAIN U.S. NAVAL STATIONS IN FLORIDA

The Clerk called the bill (H.R. 7882) for the relief of certain individuals employed by the Department of the Navy at certain U.S. naval stations in Florida.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CERTAIN CIVILIAN EMPLOYEES OF THE AIR FORCE AT KELLY AIR FORCE BASE, TEX.

The Clerk called the bill (H.R. 8096) for the relief of certain individuals employed by the Department of the Air Force at Kelly Air Force Base, Tex.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

RICHARD BELK

The Clerk called the bill (H.R. 8481) for the relief of Richard Belk.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

LUCIEN A. MURZYN

The Clerk called the bill (H.R. 9568) for the relief of Lucien A. Murzyn.

There being no objection, the Clerk read the bill, as follows:

H.R. 9568

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Lucien A. Murzyn, United States Army, retired (FINCS-E, W-903593), is relieved of liability to the United States in the amount of $837.71, representing overpayments resulting from an administrative error, of his retirement pay and allowances as a retired member of the Army while holding Federal civilian employment under the dual compensation laws of the United States. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lucien A. Murzyn an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, with respect to the indebtedness to the United States specified in the first section of this Act.

(b) No part of the amount appropriated in subsection (a) of this section in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 11, strike "in excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEPH J. WOJCIK

The Clerk called the bill (H.R. 9574) for the relief of Joseph J. Wojcik.

There being no objection, the Clerk read the bill, as follows:

H.R. 9574

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph J. Wojcik, of Dayton, Ohio, the sum of $806.17 in full settlement of all his claims against the United States for the funds which he extended during 1965 to provide necessities of life for Frank E. Mandlsky, a World War I veteran, prior to the death of said Frank E. Mandlsky at the Veterans' Administration hospital, Dayton, Ohio, in November 1965.

SEC. 2. No part of the amount appropriated in the first section of this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 8, strike "Mandlsky" and insert "Mandlski".

Page 1, line 10, strike "Mandlsky" and insert "Mandlski".

Page 2, line 2, strike "in excess of 10 per centum thereof".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN M. STEVENS

The Clerk called the bill (H.R. 10003) for the relief of John M. Stevens.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

LLOYD W. CORBISIER

The Clerk called the bill (H.R. 10199) for the relief of Lloyd W. Corbisier.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MRS. ESTHER D. BORDA

The Clerk called the bill (H.R. 10058) for the relief of Mrs. Esther D. Bordi.

There being no objection, the Clerk read the bill, as follows:

H.R. 10058

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Esther D. Bordi, of Bethlehem, Pennsylvania, the sum of $700, in full settlement of her claim against the United States for not paying, by reason of lapse of time, seven $100 United States postal money orders held by her, numbered and dated as follows: 12799, November 10, 1944; 21224, March 16, 1945; 35935, March 28, 1945; 14410, June 18, 1945; 54, July 13, 1945; 55, July 13, 1945; 56, July 13, 1945. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, strike "Bordi" and insert "Borda".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Mrs. Esther D. Borda."

A motion to reconsider was laid on the table.

CAMILLE ANITA DOBSON

The Clerk called the bill (H.R. 10449) for the relief of Camille Anita Dobson.

There being no objection, the Clerk read the bill, as follows:

H.R. 10449

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of subchapter III (relating to civil service retirement) of chapter 83 of title 5, United States Code, Camille Anita Dobson, Kansas City, Missouri, shall be held and considered to be the adopted daughter of Armand Dobson, deceased former employee in the Post Office Department. No benefits shall accrue by reason of this Act for any period prior to the date of its enactment.

SEC. 2. Section 8348(g) of title 5, United States Code, does not apply with respect to annuity benefits resulting from the enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

E. L. TOWNLEY, OTIS T. HAWKINS, AND LEO T. MATOUS

The Clerk called the bill (H.R. 11381) for the relief of E. L. Townley.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

JOSEPH M. HEPWORTH

The Clerk called the bill (H.R. 12119) for the relief of Joseph M. Hepworth.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ROCHESTER IRON & METAL CO.

The Clerk called the bill (H.R. 7210) for the relief of the Rochester Iron & Metal Co.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the further call of the private calendar be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. This concludes the call of the Private Calendar.

FOREIGN ASSISTANCE ACT OF 1967

Mr. ZABLOCKI submitted a conference report and statement on the bill (S. 1872) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1967

Mr. PERKINS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2388) to provide an improved Economic Opportunity Act, to authorize funds for the continued operation of economic opportunity programs, to authorize an Emergency Employment Act, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 2388, with Mr. Rooney of New York in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the distinguished gentleman from Kentucky [Mr. Perkins] will be recognized for 3 hours, and the distinguished gentleman from Ohio [Mr. Ayres] will be recognized for 3 hours.

The Chair now recognizes the gentleman from Kentucky [Mr. Perkins].

Mr. PERKINS. Mr. Chairman, I yield myself 28 minutes.

Mr. Chairman, on April 10, 1967, I introduced H.R. 8311, the Economic Opportunity Amendments of 1967. This legislation was studied by members of the Committee on Education and Labor until the bill was reported October 20. S. 2388, as passed by the Senate, was before the committee when we completed the markup of H.R. 8311. In reporting the bill, the committee amendments struck out all of S. 2388 after the enacting clause and substituted the language in the House bill.

Members of this House are aware of the tremendous impact that has already been made as a result of the decision made by Congress 3½ years ago when we passed the Economic Opportunity Act of 1964. It has been accepted by the people of this country as another piece of landmark legislation along our road to a better life. Thousands of men and women who 3½ years ago had been left outside the great prosperity which the American economy is capable of sustaining, have now been brought into the mainstream as fully participating members.

We have had many successes, and we have made mistakes.

Congress acted responsibly in 1965 and 1966 when it amended the original act to make improvements and to correct errors. S. 2388, the Economic Opportunity Amendments of 1967, is in that tradition. We feel that the bill before you today will make some needed improvements in the basic legislation, and will eliminate some of the mistakes we have heretofore made.

I admit at the outset that we are tardy in bringing this legislation before the House, and for that I am willing to take my share of the responsibility.

We held long and exhaustive hearings

on the operation of the entire economic opportunity program—much longer than were conducted even before passage of the original legislation. We took longer with the markup of the bill than we should have. But I thought it was important that we take every step that could possibly be taken to reach agreement and accommodation among all the members of both parties.

While the measure that we produced is not what could be called an agreed bill, I must say that neither is it a one-man bill; nor a one-faction bill, nor a one-party bill. I believe there is something of every member of the committee in this bill, and I am delighted to recommend it to this House.

I would urge the House to act with speed and dispatch. The delay in funding the programs for fiscal 1968 is already producing great havoc and frustration throughout the country.

And I would certainly counsel against the temptation exhibited by some to inflict mortal cuts in the authorization for the economic opportunity programs

For the past fiscal year, the economic opportunity programs operated on an appropriation of $1,687 million. The request for fiscal 1968 is for $2,060 million, and that is the figure S. 2388 would authorize.

At the same time we were holding hearings on the basic measure, we also were considering H.R. 10682, the minority party's opportunity crusade.

Even the minority measure envisioned $1,669 million for fiscal 1968, and that was certainly the very bottom figure that anybody on the committee felt could be seriously considered.

Let me tell you some of the things that are already happening as a result of our delay in funding for fiscal 1968.

Six local community action agencies—including one in my own congressional district, right in the heart of Appalachia, are without funds.

One other local CAP agency has had to cut half of its operations.

Unless we act by November 23—just 17 days from now—35 other local community action programs will have to close down their operations. This involves $42 million worth of CAP programs and affects the lives of some 500,000 poor people.

The local agencies are scattered throughout the country in 16 States, including New Jersey, New York, Delaware, Kentucky, Virginia, Maryland, West Virginia, Georgia, Florida, Mississippi, Wisconsin, Illinois, Michigan, Ohio, Colorado, and California.

The community action agencies are not the only ones affected by our failure to provide funds.

The approximately 4,000 VISTA volunteers have been asked to serve without food and living allowances until we act.

In the Neighborhood Youth Corps, 67 projects are already closed down, affecting 16,463 boys and girls.

Unless we move by November 23, another 134 Neighborhood Youth Corps projects will have to close down, leaving 33,000 boys and girls without the opportunity to continue their education and training.

Unless we act, the Job Corps will be unable to pay the November allowances to its 40,000 enrollees, amounting to $1.2 million. That agency will also be unable to pay $1.5 million in allowances to the families of the Job Corpsmen.

You can well imagine the anxiety and the frustration that this lack of funding is creating in the hearts and minds of poor people throughout this country.

Now, Mr. Chairman, I know there are those who would have us go the route of a continuing resolution—who would have the Congress simply say to the Office of Economic Opportunity. "Go ahead and operate but don't spend more than $1.2 billion, or $1.3 billion," or whatever figure they settle upon.

Those are strange figures indeed, coming from people who just a short time ago were boosting an Opportunity Crusade for $1.669 billion.

This continuing resolution, of course, would have the virtue of being fast. But then the meat ax always is. You do not have to wait around in slow agony. It gets the job done fast.

But for the House to ignore the lengthy study given to the economic opportunity programs by the Committee on Education and Labor, to scrap all of the really constructive work we have done to bring about substantial improvements, this is completely unrealistic and completely irresponsible.

Make no mistake, the impetus for a continuing resolution approach is coming from those who want to see the economic opportunity programs severely crippled. It is camouflage to shield the wishes of those who would slam shut the door of opportunity in the faces of some 30 million of our fellow citizens.

I have faith enough in the Congress and in this House to believe that we are not going to let the poor people of America down—that we are going to act promptly and decisively to get these good programs funded and back in enthusiastic operation again.

Now, Mr. Chairman, I intend to discuss briefly some of the titles in the bill before us. Because of the many programs that are involved, even brief mention will make the discussion lengthy. I shall confine myself to brief comments, and rely upon my colleagues on the Committee on Education and Labor to discuss in detail various phases of the bill.

TITLE IA

Title I, part A involves the Job Corps, one of the most significant programs undertaken by the Office of Economic Opportunity.

We are asking for fiscal 1968 an authorization of $295 million to provide meaningful training for some 40,000 young men and women.

During its relatively young life, the Job Corps has been damned by its critics for being "controversial"—whatever that means. They said it was expensive, that the enrollees did not behave themselves, and even that the rolls were loaded with juvenile delinquents.

I can only say that this was the judgment of the uninformed, particularly with respect to the Job Corps as it exists and operates today—November 1967.

At the outset, I will admit that the Job Corps' first months were less than impressive. Its operation was marred by blunder and mistake.

The cost was high.

And its enrollees did include some pretty tough customers. For this we merely say "Thank God," for that is exactly the kind of young men and women the Jobs Corps was designed to accommodate.

Today there is a new Job Corps:

One that has built upon its experience;

One that has found its focus;

One that is carefully and ably managed;

One whose costs have steadily gone down;

And one whose record for reclaiming and rehabilitating young men and women has steadily gone upward.

This is a Job Corps that is making an important contribution to a greater and stronger America.

I want it to work itself out of a job as soon as possible. No one will be happier or more relieved than I to vote to dismantle Job Corps just as soon as it has performed the task which we have set for it.

If this is a paradox, I explain it by reminding the House that the Job Corps was designed to give another chance—to give a hand up, if you will—to the thousands of young people who have, by reason of poverty and deprivation, been left outside the mainstream of life in this country.

They are the youngsters whose education is so scant or of such poor quality as to leave them powerless in an economy that depends upon ever greater sophistication in its work force.

They are often youngsters who have gotten off on the wrong foot with the community of law and order, because of the frustrations accompanying their poverty.

These are often youngsters whose lack of elemental medical and dental care has handicapped them from birth.

They are often youngsters whose very motivation to be independent, self-reliant, self-supporting men and women has been eroded and possibly destroyed by the only experience with life they have known.

Can there be any wonder that some of these youngsters have on occasion gotten into trouble? For the first time in their lives, many of them have been taken out of a poorly structured home environment and exposed to a residential community based upon rules, discipline, hard work, and consideration for other people.

To be perfectly frank, we ought to be surprised that the Job Corps proved workable at all.

Now the critics are confounded by the knowledge that it is not only working, but working well. The Job Corps is getting results.

Current information shows that of 103,000 youths who have been through the Job Corps program, 71,500 are now holding jobs; or have upgraded their training to the point where they have returned to school; or have successfully passed induction standards to enter military service.

We now have operating some 123 Job

Corps centers—with a capacity of handling 43,000 youths at any one time.

During fiscal 1968, the Job Corps expects to operate at an average on-board enrollment of 41,000. Before the fiscal year is out, an additional 100,000 young men and women will have been involved.

During this calendar year, the Job Corps has more than doubled its capability for training young women in the 18 women's centers. Plans are well under way to increase the proportion of women until it eventually reaches 50 percent.

As I have mentioned, the cost of training a corpsman has steadily dropped during the 2½ years this program has been in operation. Last year, at a time when costs per enrollee were averaging about $9,000 per year, Congress imposed a statutory limit of $7,500.

Under the dedicated management of Mr. William Kelly, the Corps director, this cost has actually been reduced $800 below that to $6,700.

Although I firmly believe that figure can and will be reduced even further I am neither alarmed nor horrified by the $6,700 figure. This is a special situation, and it calls for extraordinary measures.

I realize that there are those who say that for $6,700 you could send all these youngsters to a good university. They are talking hogwash.

The youngsters for whom this program was created could not even get near a university campus—unless it was to sweep up the debris left by an antiwar demonstration.

For the most part, these young people could not even make it through grade or high school. They are people who have been failed by the elementary and secondary schools of this country, in many instances through no fault of their own.

Except for programs such as the Job Corps, they stand to become a drain on the productive elements of our society for the rest of their lives.

The Job Corps is simply trying to retrieve these young people and restore their capacity to be productive and self-supporting before it is utterly destroyed. We are simply holding out a ladder by which they can climb back from the brink, over which many of their parents have already disappeared.

If this ladder costs $6,700 and will give to society a useful, productive, contributing citizen—then it is the best money the Congress can spend.

The question is not whether to spend that $6,700 or to save it.

The question is: Can we afford not to spend $6,700 now, and risk many times that amount in future years as the cost of welfare handouts to this individual and his progeny, and even more if he develops a criminal or antisocial behavior pattern?

I want to make it perfectly clear that I do not impeach the character of the young people who enter this program. Far from it.

The fact that they have made a decision—a hard decision—to improve themselves and to take a purchase on an independent future for themselves, indicates that they have courage of a very high order.

This is the American way. A young man or young woman sees and seizes an opportunity to make something of himself by dint of perseverance and hard work. And the rewards are his.

I urge every Member of this House to get acquainted with some of these young people, if you have not already done so. When you do, I suspect that you are going to be pretty impatient with people who call the Job Corps a "controversial" program.

I yield to no Member of this Chamber as an advocate and supporter of vocational education. It has long been one of my major interests in Congress.

I can understand those of my friends who say that we should take Job Corps out of the Office of Economic Opportunity and lodge it in some expanded vocational education program in the Department of Health, Education, and Welfare.

We may come to that point someday, but the time is not yet.

In the first place, vocational education is not yet equipped to deal with the kind of youngster now served by Job Corps.

Vocational education is taking the "cream of the crop" of the school dropouts, and is doing a good job with them. I do not mean it derogatorily when I say that the vocational education schools are giving first preference to those young men and women that are most easily trainable and most easily placed in a job. That is only natural.

But the Job Corps youngster is something else. He is the most deprived, the most handicapped, the most difficult to place, and unhappily, the most unwanted.

As of now, only Job Corps is equipped to deal with this highly specialized problem. And the program is making great strides.

The private industries, educational institutions, and government agencies that are operating Job Corps centers are developing new methods, new techniques of teaching these youngsters. Much basic research is being done.

Eventually, this new material will be picked up by the vocational education schools who will make excellent use of it. In fact, some of the techniques are even now being used in such institutions.

This is a fringe benefit of Job Corps, of course. But in the long run it may turn out to be worth the investment on this score alone.

For the moment, only Job Corps is equipped to deal with the truly impoverished youth of the country. Only the Job Corps is equipped to treat the total youth—his educational, vocational, social, and cultural needs. Only the Job Corps operates 24 hours a day, 7 days a week, 52 weeks a year. It is a unique agency, designed for a special purpose, and it is serving that purpose very well indeed.

For me, it is unthinkable to do other than continue it as presently constituted, subject of course to the improvements that we have sought to make in the bill before us today.

TITLE IB

The bill which we bring before the House today combines all work and training programs for youth and adults in a single heading—part B of title I.

The authorization for this important work would be $579 million, of which $321 million is for Neighborhood Youth Corps and $258 million is for the adult programs.

I shall give you a detailed breakdown of these proposed authorizations in just a moment.

The Neighborhood Youth Corps has been in operation less than 3 years. During that period, it has developed 3,895 local projects in all of our 50 States.

These projects have provided almost 1½ million youth with work opportunities:

To help them stay in school;

To help them return to school;

And to improve their chances for gainful employment in the job market.

The latest available figures indicate that some 1,770 Neighborhood Youth Corps projects are currently active, serving more than 300,000 boys and girls throughout the country.

These projects are located in both urban and rural areas. Of the 1,438 projects authorized in fiscal 1967, 772 were in urban areas, 657 in rural areas, and nine in mixed urban-rural areas. Rural participation accounts for 35 percent of the enrollment opportunities.

For the $321 million requested for the Neighborhood Youth Corps for fiscal 1968, we propose:

To provide enrollment opportunities for 106,000 youngsters in in-school programs at a cost of $67.8 million;

To provide 50,000 out-of-school slots at a cost of $152.7 million; and

To provide 165,000 summer Neighborhood Youth Corps enrollment opportunities at a cost of $88 million.

The remaining $12.5 million of the requested authorization would go for research and demonstration programs and for program direction.

During the extensive hearings on the bill before us this week, I do not recall a single critical reference to the Neighborhood Youth Corps.

It is not a visionary, pie-in-the-sky program, but one that gets straight to the heart of one of the most pressing problems in America today.

The adult work-training experience programs were authorized by 1965 and 1966 amendments to the Economic Opportunity Act. These programs now consist of three main groupings: Operation Mainstream, New Careers, and Special Impact.

The bill which we reported and which we discuss today makes some revision, in that all manpower activities carried out at the local level are to be consolidated into this part.

The focus is to be upon unemployed or low-income persons, both youth and adult, with emphasis upon full use of local capacity for planning, operating, and evaluating programs that will draw upon all available public and private resources.

Authority for all existing programs is continued, including the Nelson amendment—Operation Mainstream, the Scheuer amendment—new careers, along with necessary supportive services.

But we have taken a significant step in providing for substantial funding of the concentrated employment program recently initiated by the Department of Labor. This replaces the special impact program, and is designed to reach the hard-core unemployed and disadvantaged residents of urban and rural areas through a single contract with a single sponsor and a single intake center where all participants will go to get whatever help is necessary to move toward employability.

It combines in one local program all of the Federal and local manpower resources that are available to operate a manpower program in a specific target area.

The concentrated employment program now operates in 20 cities and in two rural areas, and is aimed at those individuals in greatest need of a concentrated effort.

The committee believes that this is a significant new step to get at the hard-core unemployed, and have great hope for its effectiveness.

To carry out these adult work-training experience programs, we propose to authorize for fiscal 1968 these amounts:

For Operation Mainstream, 14,200 training slots at a cost of $48 million;

For the new careers program, 12,100 slots at a cost of $48.1 million;

And 64,400 slots in the new concentrated employment program at a cost of $155.8 million.

We further propose $3.6 million for research and demonstration projects and $2.5 million for program direction.

Adding the 90,700 slots of the adult programs to the 321,000 in the Neighborhood Youth Corps, we have a total of 411,700 openings in the work and training programs under title I, part B, at a total cost of $579 million.

This, I admit, is a great deal of money. But I say we are getting our money's worth from these programs. We stand to gain a great deal more than that in increased productive capacity spread over the lifetimes of the 411,700 individuals involved.

We risk having to spend a great deal more on them if we fail to provide them with an opportunity to enter the mainstream of American economic life as fully participating members.

TITLE II

Under title II of this bill, Mr. Chairman, $1,022 million would be authorized for a strengthened and expanded community action program. Community action is at the heart of our effort to improve the lot of the poor—a working concept the committee has strengthened through important changes in the bill before us.

We have made provision, Mr. Chairman, for the greater participation of local public officials in this important part of the economic opportunity program. We have strengthened the prohibitions of law against political activity by antipoverty personnel. We have restricted the size of community action boards and tightened quorum requirements to assure responsible majority control. We have tightened the audit requirements for community action agencies. And we have called for greater emphasis on programs for the elderly poor, on day care centers, and in providing emergency food and medical services where severe conditions warrant such action.

These changes should not be interpreted, however, as a retreat from the concept of community action by the committee. It is a good concept and it is working. Businessmen, religious and civic leaders, educational experts, women's organizations, labor leaders, and the poor themselves are working together in communities across the country to develop and implement programs.

Since the endorsement by the Congress of the Economic Opportunity Act in 1964, more than 9 million poor Americans have been served by this program—most of them through community action that is bringing together, at the community level, local resources, local intelligence, local pride, local responsibility, and local decisionmaking in a fight against the causes and consequences of poverty.

More than 1,000 community action agencies across the country have been formed to implement such national programs as Headstart, Neighborhood Health Services, Upward Bound, and Legal Services; as well as thousands of unique, locally initiated programs developed by the individual community.

Under the Headstart program, more than 1.3 million youngsters have been given the chance to start school on a more nearly equal basis with children from more affluent homelife.

Under the legal services program, 172,000 poor persons have been given the opportunity for justice that only a lawyer can provide.

More than 55,000 poor persons have obtained necessary medical help through neighborhood health centers.

And in programs initiated at the local level, more than 1½ million poor people have gained a better education and 4 million have taken advantage of the neighborhood centers in poor areas to obtain information about jobs and job training, counseling, and available manpower and social services.

But it is time to move on, Mr. Chairman, if only in the modest and responsible fashion that our overall financial situation dictates.

In authorizing $1,022 million for community action in this bill, the committee is recommending a step-up in the war against poverty that is both necessary and minimal.

We are proposing under this title that 50 new community action agencies be started in rural America and that the Office of Economic Opportunity proceed along the following lines:

For a Headstart program, $352 million, to serve 520,000 youngsters in the summer and 213,000 in full-year classes;

For a Followthrough program, $120 million, to assure that the benefits of Headstart are not lost when a youngster moves on into school;

For an Upward Bound program, $35 million, to encourage 30,000 potentially capable but previously unmotivated high school youngsters toward college;

For an expansion of the legal services program, $47 million, in both urban and rural areas—a move fully supported by the American Bar Association, which asked the committee to double the present program;

For the funding of 50 centers to provide comprehensive health services in areas of concentrated poverty, $60 million;

And $329 million for locally initiated programs, including the development of 1,000 neighborhood service centers.

These proposed allocations by OEO reflect only the most urgent needs. Of the 613 rural community action agencies in this country, many have received only program development grants and now need funding to put their program in operation. Of the $166 million increase in funds for national emphasis programs, all but $46 million is for the new Followthrough program for youngsters starting to school.

The need is urgent. We cannot tolerate a condition that condemns 30 million of our fellow Americans to remain untouched by the prosperity and the hope that is available to the other 170 million.

The Office of Economic Opportunity—the director and coordinator of our effort—the acknowledged symbol of hope and promise to the poor of America—is now out of funds and the authority to spend. It cannot even pay its own employees.

And the many community action agencies which helped keep the peace during the urban tensions of last summer are now ending their program years without money to continue the important work they are doing.

It has been suggested, Mr. Chairman, that the community action program should be dismantled—that certain of its programs be transferred to other agencies. The committee rejected such an approach after hearing more than 100 witnesses—selected by both the majority and the minority—testify in favor of OEO as the agency to operate these programs.

I could cite many reasons why a transfer of these programs would be unwise at this time, but let me, at this point, make just two observations.

First, the strength of a full-scale effort to provide full economic opportunity lies in a centralized source of direction with powers of coordination and operation. You cannot curb the authority of the Office of Economic Opportunity in these areas without curtailing the overall objective.

Second, the Secretary of Labor and the Secretary of Health, Education, and Welfare have both said that OEO should run the programs which opponents of the present program would transfer to them.

It has also been suggested, Mr. Chairman, that the funds for the program should be cut back severely. Some of my colleagues have suggested that the program should even be cut back to a level of $1.2 billion—a billion less, in other words, than the Senate has already authorized; $800,000 less than the President requested and almost half a billion less than the program received in the last fiscal year.

I would urge my colleagues to reflect for a moment what a cut of this magnitude would mean. It would mean, for instance, that California would receive $48 million less in antipoverty funds;

New York, $44 million less; Texas, $24 million less; Illinois, $21 million less. I could go on, but for the benefit of all I will include in the RECORD at this point the State-by-State cutback a $1.2 billion program would mean:

Dollar reduction by State that would be necessitated by a $1.2 billion appropriation

State	*Amount*
Alabama	$8, 810, 075
Alaska	1, 679, 601
Arizona	8, 299, 494
Arkansas	6, 769, 531
California	47, 812, 673
Colorado	6, 509, 592
Connecticut	4, 558, 578
Delaware	777, 049
District of Columbia	8, 666, 376
Florida	12, 007, 188
Georgia	10, 061, 385
Hawaii	1, 513, 550
Idaho	2, 662, 589
Illinois	20, 959, 551
Indiana	6, 539, 210
Iowa	4, 833, 487
Kansas	2, 377, 921
Kentucky	16, 089, 786
Louisiana	8, 955, 197
Maine	3, 892, 561
Maryland	5, 345, 923
Massachusetts	11, 011, 527
Michigan	17, 983, 533
Minnesota	8, 211, 178
Mississippi	17, 493, 546
Missouri	12, 809, 585
Montana	3, 224, 097
Nebraska	3, 645, 302
Nevada	1, 397, 080
New Hampshire	1, 094, 443
New Jersey	17, 744, 406
New Mexico	7, 695, 309
New York	43, 830, 779
North Carolina	13, 125, 782
North Dakota	1, 875, 650
Ohio	15, 829, 088
Oklahoma	8, 102, 033
Oregon	6, 946, 712
Pennsylvania	18, 767, 889
Rhode Island	1, 739, 242
South Carolina	6, 231, 878
South Dakota	3, 223, 729
Tennessee	10, 318, 996
Texas	23, 579, 540
Utah	3, 354, 711
Vermont	1, 111, 316
Virginia	7, 416, 133
Washington	8, 221, 931
West Virginia	9, 748, 247
Wisconsin	6, 197, 835
Wyoming	1, 580, 470
Guam	421, 854
Puerto Rico	8, 484, 649
American Samoa	187, 315
Virgin Islands	562, 453
Multistate	5, 821, 365

In the area of community action alone, a $1.2 billion program would deny the benefits of Headstart to 92,000 children who would receive them under the committee bill; it would close 320 legal services offices; preclude any new follow-through projects; deny basic education, day care, and housing programs to 15,000 migrants; cut 19,000 students out of Upward Bound; prevent progress on 33 neighborhood health centers; and cut versatile funds to local communities by nearly 40 percent.

Mr. Chairman, I do not think that this is what the Congress or the country wants.

The questions before this House are quite clear.

Are we, Mr. Chairman, to let the community action agencies serve and speak for the urban poor—or are we to give ground in the ghetto to the Stokely Carmichaels and the Rap Browns?

Are we to offer the poor in rural America a way out of the poverty that grips them—or are we to abandon them to the expensive welfare existence their families have known for generations.

I am confident, Mr. Chairman, that the House will take the route of responsibility—a route that commands the continuation of the community action program and all the American traditions it involves: local initiative, self-help, community cooperation, and innovation.

Those thousands of Americans who are working in community action programs across the country—to bring peace to our cities and opportunity to all—need our endorsement.

TITLE III

Turning to another important feature of the Economic Opportunity Amendments of 1967, I turn now to the rural loan program under title III.

This program provides for loans to rural residents to assist them in such agricultural or nonagricultural enterprises as may increase their income. The authority to operate this program is delegated by the Director of the Office of Economic Opportunity to the Farmers Home Administration in the Department of Agriculture.

The significant amendment proposed by the committee with respect to this program is to specifically spell out the eligibility of elderly rural people to participate. Another proposed change is merely a technical one having to do with the manner in which the $3,500 loan limit is calculated.

I felt it was particularly important that the Congress make it crystal clear that our elderly rural citizens are eligible for this program. For in many cases, particularly in my area, these are the people who suffer most with least outcry from economic privation.

Some lending agencies are reluctant to enter loan agreements with an elderly fellow, even if it can be demonstrated clearly that a loan would help him upgrade his economic prospects and make him self-supporting. We want to correct this situation, and we believe this move merits your support.

The bill contains a proposed authorization of $20,000,000 in new obligation authority for the rural loan program.

Amounts in the loan fund resulting from loan repayments and funds carried over from fiscal 1967 will be used with this new obligational authority to support $27,000,000 in individual and $5,000,000 in cooperative loans. These amounts will provide 13,000 loans to individuals and 368 cooperative loans.

Individual loans under this program may be made up to an aggregate indebtedness of $3,500. Loans generally are secured by a promissory note and a loan agreement. The maximum term is 15 years with an interest rate of 4⅛ percent on the unpaid principal.

Cooperatives financed through this program may be either incorporated or unincorporated groups providing a needed marketing, purchasing or processing service predominately to low-income families and individuals. Before a loan can be made, the FHA must determine that the service involved is not already being supplied by others in the area. Cooperative loans have a 30-year limit, and the interest rate is the same as for individuals.

Up through June 30 of this year, $13,165,000 in principal and interest had been repaid by rural borrowers under this program. And as of the same date, repayments on loans were about 3 percent greater than the amount due.

The bill before us today makes no change in the other major program under title III, the migrant and seasonal farmworker program.

We simply ask for an authorization of $27 million which is approximately $6 million below the amount authorized for fiscal 1967.

This program was designed to meet the special needs of groups with respect to education, housing, sanitation, and day care. The migratory nature of their lives simply puts them beyond the reach of the ordinary public welfare and rehabilitation programs available to other citizens.

It is anticipated that the number of enrollees in the migrant adult education program will be about the same as last year—28,000. The cost will be $17 million.

No funds are sought in this bill to continue the youth education program for the children of migrant workers. These children are now covered by title I of the Elementary and Secondary Education Act.

We are asking in this bill for an authorization of $5 million for permanent housing for migrant workers, covering some 2,000 units to serve 12,000 occupants.

The $1 million authorization requested for temporary housing under this title will cover 1,600 units servicing 16,000 occupants.

A total of $4 mililon is sought for the day care program to serve an estimated 13,000 children.

This latter program permits a migrant mother to work along with her husband and older children, insuring that the younger children need not be left unattended, frequently inside locked automobiles on the roadside.

The day care program for these migrant children provides not only the normal babysitting, but medical attention where needed. Even the mothers are trained in the elements of child care and child guidance.

This is truly a "stitch-in-time" program that will certainly "save nine" and many more in the years ahead.

TITLE VIII

The Volunteers in Service to America, popularly known as VISTA, is a corps of full-time and part-time volunteers from all walks of life who are willing to devote their efforts toward helping the Nation's poor.

Since its inception, some 7,200 people have served as volunteers, and at the beginning of fiscal 1968, the enrollment stood at 4,257.

The committee has sought, I believe successfully, to improve the effectiveness of the VISTA organization by several amendments.

We have made it possible for the Director to assign volunteers to work in their own or nearby community service programs to utilize part-time volunteers for periods of less than 2 months.

It is the hope that these changes will encourage the voluntary service of many business and professional men who have a little time to contribute their talents to needed projects. We see the changes as stimulating retired people to make use of their creative energies in useful work with the poor.

The authorization sought for the program this year is $31 million, and I am sure the Congress will give consideration to it.

I realize, Mr. Chairman, that in this discussion, I have been able to touch upon only some of the major aspects of the bill and of the economic opportunity programs.

I believe that subsequent discussion in this Chamber over the next few days will persuade a vast majority of the Members that the great journey upon which we set out with the Economic Opportunity Act of 1964 is going well.

It is a journey that must be taken for when the objective is reached, this will be a stronger, richer, and more vital America.

In closing, I would compliment our great President on recommending to the Congress so strong a renewal of this Nation's commitment to the alleviation of poverty.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield briefly to the gentleman.

Mr. GOODELL. First of all I would like to clarify for the RECORD that the opportunity crusade involves over $1.4 billion being expended, and we will have something over $3 billion in money that would be going to help the poor cause.

So I would like to ask the gentleman, since he has made such a strong case for the $2,060,000,000, I have also heard rumors going around, is the gentleman prepared to assure us that he is not going to come in at the outset, when we start reading this bill, and support the amendment that will cut this $2,060,000,000 substantially?

Mr. PERKINS. It is my purpose to support the committee bill as recommended by the Members of the House who serve on the Committee on Education and Labor.

The CHAIRMAN. The distinguished gentleman from Kentucky has consumed 10 minutes.

Mr. PERKINS. I yield 10 additional minutes to myself.

Mr. GOODELL. Mr. Chairman, would the gentleman yield further at that point?

Mr. PERKINS. If the gentleman will wait just a moment, then I will yield, but let me complete my statement first.

Mr. GOODELL. Do I interpret the gentleman correctly that he is going to oppose the amendment to cut this $2,060,000,000?

Mr. PERKINS. As the gentleman knows, the proposed substitute of $1.2 billion, as I understand, will be offered at the outset and is nothing more than a very effective way to kill this legislation and place the responsibility on the majority party.

Personally, I feel that if the shoe were on the other foot, and the Republicans were in power and had a bill that had been thoroughly considered by the committee, I would not vote to cut the guts out of the bill.

If I were against the bill, I would vote against it—or else I would support the bill. I am certainly not supporting any substitute that would completely destroy this legislation. This substitute is a camouflage to shield the wishes of those who would like to kill the bill and to try to shift the burden somewhere else. I do not think this House is gullible enough to buy any continuing resolution of that type.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman.

Mr. ALBERT. The gentleman has described this as being an effective way to kill the bill. I would say a more accurate description is that it would be a very deceptive way of killing the bill—and that that is what is intended.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman.

Mr. GOODELL. I understand the gentleman's position on the $1.2 billion continuing authorization should that be offered. As the gentleman knows, I do not intend to offer such an amendment or substitute.

Mr. PERKINS. I did not think that the gentleman from New York would offer the $1.2 billion amendment. I understand that the gentleman from Ohio was going to offer the $1.2 billion amendment at the outset.

Mr. GOODELL. The gentleman has made a very compelling case here for the expenditure of $2.06 billion but he still has not answered my question. The rumor is going around that there will be a move at the outset to revise that figure substantially and that it will be supported by the chairman.

Mr. PERKINS. Let me state to the gentleman that as chairman of the committee, I know nothing about any such rumor.

Mr. GOODELL. Is it not the chairman's intention to support such an amendment?

Mr. PERKINS. Will the gentleman repeat the question?

Mr. GOODELL. Is it not the chairman's intention to support such an amendment?

Mr. PERKINS. I do not intend to support a move to cripple this legislation in any way.

Mr. AYRES. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman.

Mr. AYRES. The gentleman has referred to what may be done and has assumed that I was going to offer an amendment. I would like to discuss it briefly with the gentleman.

I know the gentleman is aware that the $100,000,000 a month—and I think you can help a lot of poor people with $100,000,000 a month—has already been approved by this House and is in conference now. So this House has already taken a position on that proposal.

Mr. PERKINS. I will agree with the gentleman that before we brought this bill to the Chamber that that resolution was approved by this House. But the resolution is now dead. We are out of spending authority, and if we cannot get a bill through this Chamber expeditiously and if we have to rely on this $1.2 billion continuing resolution, the whole program in this country would go down the drain. In fact, you would find any competent administrator resigning. I cannot think of any competent individual who has had any experience in the field of administration who would think of assuming a position of that type under such circumstances. But the worst thing that is going to happen is that there will be thousands and thousands of dedicated employees, now working in the antipoverty program throughout the Nation, who are going to resign almost overnight if we fail to come up with a bill. In my judgment, we would cripple the program to the extent that it would be completely unworthy of support and to all intents and purposes would kill off the program in this session of the Congress.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman.

Mr. ARENDS. I wonder if the gentleman does not have the same feeling that many of us in the House have that the bill reported out by the committee would never pass the House. So I know that we would be very interested, if when the gentleman has the time available, he would discuss what he might intend to do in reference to this bill and improving it in some way so that the Members of the House might take a different view of the bill than they do of the bill that was reported out by the committee.

Mr. PERKINS. Let me say to the distinguished minority whip, I think we have brought a bill out of the committee with many improvements, and many effective changes.

One of which was authored by the gentlewoman from Oregon to the community action section of the bill which she will explain to the Members of the House. Other provisions to strengthen the bill will also be discussed as this debate progresses.

Mr. Chairman, I yield now to the gentleman from New York, as I promised I would yield to him.

Mr. GOODELL. I thank the gentleman for yielding.

At the time I was asking the gentleman to yield, I wanted to clarify the matter.

The gentleman from Kentucky made a strong case that if we transferred the Job Corps it would take 10 years to get residential centers started. I believe in this debate we should be very clear about what the alternatives are.

The gentleman is aware, I am sure, that there is no proposal just to close up all the Job Corps centers and to start all over again with grants to the States and wait for the States to get residential centers. The proposal is to transfer the administration nationally of the Job Corps into the Vocational Education Office, with authority to continue the present Job Corps centers, but to begin the phasing over process so that we will set up realistic training centers on a regional or community basis.

Mr. PERKINS. I believe I understand. We went through weeks of hearings.

The proposal, as I understand it, is to transfer the operation of the whole Job Corps presently to the Office of Education, to be operated through the vocational schools. But that would require plans from the States, just like the present vocational school system operates today.

The CHAIRMAN. The time of the gentleman from Kentucky has again expired.

Mr. PERKINS. Mr. Chairman, I yield myself 1 additional minute.

Mr. GOODELL. That is not the Opportunity Crusade. The Opportunity Crusade gives full authority for the Vocational Education Office to operate the Job Corps with 100 percent Federal funds, to keep these centers open. Then, over a period of years, they would work out integrated facilities with the existing schools, and work them into State plans to the degree it is feasible.

The Vocational Education Office has full authority to keep these centers operating under the Opportunity Crusade.

Mr. PERKINS. What about funds to be provided in the Opportunity Crusade for residential centers through the Office of Education? How long would the gentleman expect that program would take to get off the ground?

Mr. GOODELL. How long to get off the ground?

Mr. PERKINS. Yes.

Mr. GOODELL. It would be off the ground immediately.

Mr. PERKINS. Where are the centers?

Mr. GOODELL. They would take over the present centers.

Mr. PERKINS. Would it close down the present Job Corps centers being operated by the Department of Agriculture?

Mr. GOODELL. No.

Mr. PERKINS. Where are the facilities?

The CHAIRMAN. The time of the gentleman from Kentucky has again expired.

Mr. AYRES. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. Mr. Chairman, the confrontation is at hand.

I hope in the course of the debate in the ensuing days there will be a clear confrontation, that we will not muddy the waters, that we will not talk about alternatives which are fictional, which nobody is proposing.

I hope there will be an understanding of what we believe to be realistic proposals we are making, and that the House of Representatives will make a choice based upon the facts and the arguments presented here in a truthful and accurate basis.

This poverty legislation embarked at the beginning on a rather partisan course. Today, 3 years later, it is careening along a tortuous course, bordering on a precipice, apparently with many leaders clutching for the wheel and pulling in different directions.

It serves no purpose for us to talk here of passion or partisanship. All of us are concerned about doing more to help the less fortunate in our country.

I do not believe there is a single Member of Congress who would deny the means to implement a realistic program to help the poor and to eliminate poverty in this country.

The debate from the beginning, in 1964, revolved around the question of what is the best way? What is the most realistic way? What is really going to reach the poor?

Arbitrary, all-encompassing indictments of the war on poverty are also uncalled for. We have spent over $4 billion in 3 years. Obviously, when you spend $4 billion, you reach some people, you help some people. Virtually everyone in this Chamber would agree that some of the programs in the war on poverty are good and some of them are not so good. The issue before us as responsible Members of Congress representative of our people is to discuss how we can improve the war on poverty.

Let us not deal with overall indictments. On the other hand, let us not deal with paeans of praise from those who advocate this program claiming that all has been going right and clean in the war on poverty. I think the record is unmistakably clear that it has not been all right in the war on poverty and that there are many difficulties with the present operation of the program.

Recognizing that the American people want to eliminate poverty in this country and that they are willing to pay in order to eliminate poverty in a realistic way, we should end up with a bipartisan approach. Yes, there is not anything partisan about the basic approaches to eliminating poverty. We should end up with a program that is not going to duplicate a variety of other programs and that is not going to add confusion to the present confusion and compound it all into chaos but which will straighten out the problems which are so evident.

Many of us believe this establishment downtown known as the Office of Economic Opportunity is a monument to administrative asininity. It is beyond any doubt the worst administered office that we have seen in modern times in Washington. Now, I say that flatly, and I think most of you off the record and privately would concede that you would have a lot of difficulty in naming another agency of this Government that is administered in a more muddled and confused way.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I will in just a moment.

It is not enough to say these are just new approaches and innovations and therefore inevitably involve some controversy and inevitably involve conflicts. I agree with that. I agree that new programs and innovations involving the poor, with a little decisionmaking of their own and guiding of their own destinies, involve some controversies. This can be constructive for our society. That is no excuse for the unending administrative blunders and confusions that have been going on in the war on poverty.

I can look at my colleagues across the aisle here and see one after another of those who have said this to me privately and conceded this. There is no controversy, really, and there is no discussion that anybody can debate on as to the poorness of the administration of this program. So then the question is how can we improve it.

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. Our initial suggestion was, let us get these programs into the existing agencies where we can count on some better administration.

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. At this stage we have been forced to a new position recognizing that, listening to the hearings and listening to the experts who came in in an unpartisan way, they feel that the Office of Economic Opportunity has become an important symbol—an important symbol—that something, something, was going to be different and something might eventually come about that would help the poor. Recognizing also that we should move to get this program out of the partisanship in which it was born in 1964, we tried to move in the opportunity crusade that we will present here later this week, to a proposal that is a fair compromise, that will improve the program and which will permit major redirections in the program without destroying the good.

Mr. CAREY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Will the gentleman yield to the gentleman from New York?

Mr. GOODELL. I will yield to the gentleman from Kentucky first and then to the gentleman from New York.

Mr. PERKINS. Let me first say to the gentleman that we all admit that mistakes have been made. Mistakes are made everywhere in government.

Mr. GOODELL. Can you name me an agency that has made as many mistakes, Mr. Chairman?

Mr. PERKINS. I want to say to the gentleman that we threw a lot of money at Sargent Shriver and told him to get started at an early date, and he did just that according to my way of thinking, and he handled the situation in an excellent manner, considering the time he had in which to get started and to commence the operation. Considering the circumstances it has been an efficient operation and in my opinion he has performed in an excellent manner. He has profited from mistakes that were made from time to time. Improvements have been placed into operation. The Job Corps is an example, wherein the cost of its operation has been brought down. And, you can take the programs one by one and examine them and you will find that Sargent Shriver has been effective.

Therefore, Mr. Chairman, I think the gentleman's blanket charge is completely unfair to the present Director, because he is doing an excellent job. The Office of Economic Opportunity was designed in one sense of the word to do a lot of experimenting, to do something for the poor people, and to do some coordinating in the executive branch of the Government. Therefore, it takes time for that to be accomplished.

We admit that mistakes have been made. But we have profited—the Office of Economic Opportunity has profited—from those mistakes and has done something about these mistakes when they detected them.

Mr. GOODELL. Well, Mr. Chairman, the gentleman from Kentucky did not answer my question. I certainly do not know of any other agency of this Federal Government that is working to help the poor that is so poorly administered—and we are spending somewhere between $25 billion and $40 billion a year on poverty-oriented programs, Federal money, depending upon how you define the "poverty oriented" program. Yet only $1.5 billion is contained in the war on poverty, and I know of no agency that has made as many monumental mistakes as have been made by the Office of Economic Opportunity, and which has made such mistakes with consistency, with more consistency than any other agency of the Government.

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from New York.

Mr. CAREY. I thank the gentleman for yielding. The gentleman began his original remarks with a statement of his desire to remove partisanship from consideration of the legislation providing for the war on poverty. He indicated to us on this side of the aisle in a grand and eloquent manner he intended a fair and full discussion of this program so that we thought he was prepared to come to the peace table and suspend the bombing. However, the gentleman immediately came to the question of extending this program by dropping a blockbuster upon the command post of the Office of Economic Opportunity.

Mr. Chairman, in response to the gentleman's question I do not know of any agency in the Government which is prepared to sustain such an attack. Also, I do not know of any other agency that was ever asked to take on something that this country had never tried before in its history; the job of coping with the war on poverty and undertaking to improve the deplorable conditions which existed. However, just about the time the agency began to fully confront this task of great proportions, they were cut back 40 percent.

Mr. Chairman, I do not know of any other agency which was ever given a job like that and then had its weapons spiked before it got to the frontlines.

Mr. GOODELL. The gentleman from New York would indicate that the Republican side of the aisle controls this Congress and, therefore, the course of this legislation. We, together, on our side shall do everything we can in the next year to make that situation come to pass. But the gentleman from New York knows full well that the House of Representatives is 3 to 2 Democrat, and when he says that the minority deprived the Office of Economic Opportunity of 40 percent of their money, he is just engaging in a fallacy.

Mr. CAREY. Mr. Chairman, will the gentleman yield further?

Mr. GOODELL. I do not yield further to the gentleman at this moment. However, I shall in a moment.

Last year, Mr. Chairman, as the gentleman from New York is well aware in the second session of the 89th Congress—and it was, perhaps, the most generous Congress in our history—that second session of the 89th Congress cut back the war on poverty, and I say that there were some good reasons why this happened. The people, suddenly, in this House of Representatives and the other body, began to take a look at what was going on and said, in effect, "We had better stop here and try to redirect this program to some extent."

We had better not just funnel money out in a big load, because it will not solve very much, because not very much of it is really going down to help the poor. So let us do that in this debate here this week.

The gentleman from Kentucky was the first one who mentioned the Director. I said that the program has been poorly administered, and that the Office of Economic Opportunity has made great mistakes.

We said this in 1964, that we felt there was an unrealistic administrative structure. Frankly, I believe Mr. Shriver has made mistakes, but I will give him my sympathy in having to take over such an agency with the administrative structure that was proposed by the President, and that Congress created for him. It was an impossible administrative structure from the outset.

Mr. CAREY. Mr. Chairman, will the gentleman yield further?

Mr. GOODELL. Yes, I yield briefly to the gentleman from New York.

Mr. CAREY. Mr. Chairman, I would just point out that since the gentleman has been relating the history of this bill, I believe it is clear upon the record who the friends of poverty have been, and who have really been interested in this problem of our Nation.

Let me say this: that the gentleman has never voted for this program, and the gentleman has always voted for the motion to recommit. The gentleman has voted for every crippling amendment that has been offered.

I recall one of the great contributions that the minority side made to the war on poverty was that Mr. Shriver—whom I consider to have done a terrific job, and who undertook a job that no one was willing to handle. And I believe he has done a fine job for the benefit of the poor. I say to the gentleman that I believe he has done a terrific job.

Mr. GOODELL. I understand the gentleman believes he has done a terrific job.

Mr. CAREY. But when the minority first came to consider this matter, they insisted that one of the things that had to be done was in the fact that Mr. Shriver would have to remove one of his two hats, because he was handling the Peace Corps, and this meant that he was now going to handle poverty also, and they wanted him only to concentrate on the poverty program, and thus they then settled for removing one of his hats. Now they are asking for his head.

Mr. GOODELL. I refuse to yield any further to the gentleman. The gentleman can take all of his own time that he wishes to deliver his perorations. I would only say to the gentleman, as long as he has raised the issue, I would just like to quote what the gentleman stated in a public session—and this is from the transcript, and I am quoting the gentleman from New York who just sat down:

> If I wanted to sack this program I could load the record with the excess and the waste and the mismanagement, if you will, the nepotism that has been practiced in some of these agencies * * *. I could be a vandal in this regard and damage beyond all repair the image of community action agencies which have expended millions of dollars not for the benefit of the poor but to set up hierarchies of staff and clerical personnel, travel, and all sorts of designs and features which were never, never contemplated in the passage of this legislation.

The record speaks for the gentleman. The gentleman now says he believes it is a very finely administered program.

Mr. CAREY. Mr. Chairman, will the gentleman yield further?

Mr. GOODELL. I will yield briefly, but I do not want the gentleman to go off on a tangent for another 5 minutes.

Mr. CAREY. I thank the gentleman for yielding.

I will say very briefly that the context in which I made those remarks was that I had specifically in my mind my hometown program in the city of New York.

I believe the gentleman realizes that under the local option formula in this case it is administered by Republican Mayor John Lindsay. And all the criticisms that I am going to make of this program will be directed as to the manner in which it has been conducted in New York City, where Mr. Shriver cannot prevail upon them to conduct the program in the manner he would suggest.

Mr. GOODELL. Well, the great irony is that most of your colleagues who have spoken or who may speak on this subject have very clearly in mind the way the programs are being handled in their own district, and they do not have the benefit that the gentleman from New York does of placing the blame for everything at the top, on the individual mayors of these cities as fall guys, as the gentleman has done here.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. AYRES. I yield 5 additional minutes to the gentleman from New York.

Mr. GOODELL. I believe actually it is not necessary, judging from the prior comments about all of the mistakes that have been made, to belabor this issue of chaotic administration, but at this stage I would like to quote two individuals who were active in the war on poverty who are very strong advocates of community action, and who certainly have done yeoman work in trying to straighten out the problems at the local levels.

The concentrated employment program was announced with great fanfare last spring. They were trying to get the summer programs started, as they should have been started and planned in the winter or fall of last year, not on a hit or miss basis last spring, in a panic. When these actions were taking place late last spring, James Banks, former UPO director here in Washington, D.C. had this to say:

> The government's whole method of approaching the summer is a crazy, illogical, emotional response to a problem that deserves more serious consideration.
>
> There's something rather immoral about it.
>
> The government's response is: Let's keep down riots and violence rather than to eliminate the causes of riots and violence.

Then Mitchell Sviridoff, director of the program in New York City, the Human Resources Administration, said:

> It is a hell of a way to run a public program. It's unhealthy. What it does is to inform people: The way to get some money is to have a riot or threaten one.

Two and one-half years after the war on poverty was declared, we were still last summer throwing together crash programs.

You can go through the hearings and find testimony after testimony from individuals, that in April, May, and June they were suddenly told that they were going to have $8 million or $10 million to spend in the summer. There was no time to put them together in a reasonable and realistic way.

Now, I want to talk about the Job Corps. I will not belabor the statistics there, but the only evidence we had on the Job Corps performance after 2 full years of operation had to come—and it is appalling to have to say this in a public body—it had to come from the OEO sending out Lou Harris, a pollster, to poll the Job Corps kids to find where they were and what they were doing.

These were kids for whom in the first 2 years we were spending about $11,000 a year in the Job Corps centers per enrollee. We had to have the Federal Government go out and get a pollster to take a sample to find out how many of them got jobs, where they were and what they were doing.

There is something wrong with that.

I believe very deeply in the concept of residential skilled training for those who must have a change in environment to respond. But I believe that we can do it in a more efficient way and more effectively. I think it is kind of sad that we are here 3 years later still arguing that the Job Corps should not be changed and that we should go on doing it in the same way.

The gentleman from Kentucky mentioned the National Youth Administration and the CCC. That is part of the trouble. Apparently, we have not grown up from the tragic years of the thirties. We accept the same old, tired approach and that is not good enough for the problems of the 1960's.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman.

Mr. PERKINS. It took us a long, long time to get vocational education job oriented. Now you are the one who is proposing to take us back so that it will take us many, many years to go forward again, by reason of these transfers.

Mr. GOODELL. Mr. Chairman, I decline to yield further to the gentleman at this point because I was about to explain exactly what we would do.

Mr. PERKINS. I would hope that the gentleman would tell the Committee about Lou Harris and the statement he made when he appeared before the committee. It is true that the placement record is 70 percent in the Job Corps and that in the first year they did not have adequate followthrough procedures to see how many of those youngsters were employed, but they did contract for surveys, but I think the gentleman in good faith with this Committee should tell the Committee about the statement that Lou Harris made when he appeared before the committee keeping in mind that the report he made concerned the Job Corps as it existed in 1966 and not as it is today with greatly strengthened directions and administration.

Mr. GOODELL. I will respond first and tell you some of the things that Lou Harris reported to us.

Mr. PERKINS. But I do not mean the way you interpret it.

Mr. GOODELL. These are figures that come from the Lou Harris survey, the only information that we have as to what has happened in the Job Corps after 3 years.

The CHAIRMAN. The time of the gentleman has expired.

Mr. AYRES. Mr. Chairman, I yield the gentleman an additional 5 minutes.

Mr. GOODELL. I will have to be quick about this because I would like to explain briefly the opportunity crusade. Mr. Harris showed that 44 percent of the Job Corps graduates, that is those who graduated and stayed to completion, had jobs before they came in. Fifty-three percent had jobs after they graduated. In other words, the number with jobs rose from 44 to 53 percent.

It showed that only one out of 10 Job Corps graduates got any help at all in getting a job from the Job Corps and another 11 percent got some help from the local employment office.

The rest were just cast on the open seas to fend for themselves.

The Harris survey showed that one-third of the Job Corps enrollees dropped out in the first 3 months and another third in the second 3 months. On the average that means that two-thirds of them dropped out in the first 6 months. Mr. Harris also showed that if an enrollee did not stay in the Job Corps for at least 6 months, they were getting very little if any benefit at all out of it.

In fact this is what Mr. Harris said, and I quote——

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I do not yield now. The gentleman asked me to quote from the survey, and I will be glad to discuss with him later in a colloquy, if we have the time, the specifics. But I quote now Mr. Harris with reference to nongraduate terminations:

> Overall, there is no reported change in the number currently employed compared with the pre-Job Corps studies. The number in school has dropped slightly. Unemployment has increased slightly.

These were the determinations in the first study. He indicated that if you dropped out in the first 6 months, basically, you ended up no better than before. In fact, in the Job Corps generally, with all the enrollees, 18 percent said they thought they were worse off, 29 percent said they were about the same, leaving about half, 47 percent of them, who said they were no better off than before they went in.

Mr. Harris' survey showed that only 15 percent of the total Job Corps enrollees were using the training that they received in the Job Corps in their jobs. He showed that of the graduates, those that went all the way through, only 25 percent were using the training that they received in Job Corps centers. These are some of the statistics that must be pointed out when we are talking about the Job Corps.

I do not think those statistics in the Lou Harris survey show that an across-the-board indictment of any residential skill training program is indicated here. I think it does indicate very strongly that we can do this job better, that we should make changes. This is basically what we are proposing in the opportunity crusade.

First, the opportunity crusade, instead of spending $2,060,000,000, would spend $1.4 billion of Federal money. That $1.4 billion would generate over $3 billion of money going into the pockets of the poor. How? It would use the Federal money as seed money generating the involvement of private enterprise. Almost all of the money that is in addition to the Federal money would come from private employers hiring these people.

If we talk to the poor, we discover that they do not want dead-end, make-work jobs. They want meaningful jobs for the future. They want to get on-the-job training. They want to start moving up the ladder. That is what we are trying to do with our opportunity crusade.

We would transfer the Job Corps administratively in Washington to the Office of Vocational Education. That is the only change that would be made initially. The Office of Vocational Education would be administering the Job Corps centers that we now have.

Then we would put in the law authority for the Office of Vocational Education to begin to make a transition, a phase-over, into realistic approaches where we can follow through with these youngsters to get them jobs or to give them job training, where we can take some responsibility for placement.

At the end of the transition, in 3 or 4 years, we want these Job Corps centers phased over so they are no longer centers for rejects, where they send them out into the country somewhere. Rather we would have a complex of community training facilities around the country, so that these youngsters can go into a training facility that is residential and paid for 100 percent by Federal money. It would not be set up with the States having to match. Enrollees would go into that facility, and it would be integrated with existing technical institutes and vocational schools, so that those Job Corps enrollees who respond well could move into other types of courses. This would save a great deal of money in the program. We would abandon and reject the policy that you have to send Job Corps enrollees as far away from home as possible. The survey done by Mr. Harris indicates that 85 percent of the kids want to go back to their hometown when they get out. Let us take that into account. There will be a placement service built into this training facility. This is the kind of thing we want to move over to. We want to phase the present Job Corps into that kind of program so that we have a continuum carrying these youngsters—these boys and girls—from the beginning all the way through and placing them in a productive job at the end of the line, not dropping them off at the end of the line, as occurs in the Job Corps.

What else do we do? We now have an Education Act funding elementary and secondary education. Among other things we fund preschool programs and follow-through programs in the early years of the youngsters. So then we set up a Headstart program that is completely uncoordinated with the education program, and we go through an entirely different channel, down to the local level, and set up all the torsions and frictions at the local level, and all trying to administer this program at the local level tear their hair.

We lose the major impact of a glorious program, Headstart. It has been a success. Many of us were urging it before the war on poverty. I strongly support it. Let us get a better administrative structure for this.

We propose transferring it to the Office of Education in Washington. They would allocate funds to the State through the State commission, and the State commission in turn would allocate Headstart funds to the local community action boards—not to the local school system—and the local community action boards would contract with public and private agencies for the provision of Headstart for these youngsters.

We think it is a fair and reasonable transition over, and all of it would be run out of the Office of Education and HEW, so there is an automatic coordination of education funds with poverty funds.

This, we feel, would give a great deal more impact to the whole Headstart project.

We would transfer the Neighborhood Youth Corps, which is now delegated to the Labor Department anyway, to the Labor Department and give them full authority. This is one of the programs that would cause no difficulty at all in transferring, because the Labor Department already has it.

We would set up new military career centers on a voluntary basis for youngsters who want to qualify to get into the military service and where the military feels they can upgrade the skills enough—either mental skills or physical condition—to get them into the service. We found many of these youngsters, particularly from the ghetto areas, wanted to get into military service. A good many of them got into the Job Corps, and the minute they could qualify for the service, they enlisted. Why do we not have a special program in the military where they can have a uniform and go in on a voluntary basis, upgrade their skills, and then go into the service of their choice? We think this would be a sensible approach to the problem.

Let me come finally to a major change we make in our program. There are many others. We set up an Industry Youth Corps where the community action boards will be able to pay part of the wages of the poor youngsters, for up to a year, so they can get on-the-job training, and get over that first major hump to employment, when they are 16 to 22 years of age. We know this is a major crisis problem in this country, the employment of youth.

This would help, because the community action boards could pay one-quarter of the wages with a private employer paying three-quarters, for up to a year's time, with safeguards provided in the act. Also they could pay some of the expenses of training. The employer is paying three-quarters of the wage, and it is not Uncle Sam paying 100 percent of the wage. Thus, with one-quarter of the wage paid by the Federal Government, we can reach so many more people, and the private employers come in and make a contribution and get productiveness from these individuals.

This is the kind of job the average poor youngster is looking for.

There are a variety of other programs providing counselors in our schools, to get part-time jobs for the youngsters in public or private employment, but once again it will be the approach that will get the jobs that are meaningful and productive.

Let me come to community action and how we handle that in our bill. Unfortunately in our committee we took a regressive step—resisted strenuously by most of us on this side of the aisle. In my opinion, we completely sandbagged the whole concept of involvement of the poor. We turned community action agencies over to city hall. I say bluntly, it does not do any good to guarantee the poor one-third representation on a community action board if we then say that the board is the instrument and the creature of city hall, that the board gets no money unless it comes through city hall, and that the board is created by city hall. This is what the Green amendment does. In my opinion, in most of our big cities, it will completely destroy the genius of community action. I believe it would do so in the South.

In the big cities and in the South it would destroy community action. Is this the price of the votes that may be necessary to pass this bill? If so, it is a dreadful price, because it is snuffing out the one spark that holds great hope for the future in a poverty program; that is, self-motivation, self-involvement in one's own destiny.

This is a good old American principle, going all the way back to the barn-raising days of getting people involved together as a team, working and exchanging and communicating, feeling a part of society.

This has been misconceived in some areas. In some areas community activism or community action has been confused with community militancy and destructiveness. Community building has been confused with community tearing down.

These things should be corrected. We need some standards and guidelines in the program.

We need to involve the local governments more effectively as partners in this, but we need to keep the community action board as the decisionmaking body, with at least one-third of the representatives of that board the representatives of the poor themselves who are to be served.

I believe very deeply that this move, this action by the committee, should be reversed in our deliberations in this Committee of the Whole. I shall offer an amendment to do that. It is an amendment that will bring the States in, in a coordinative way, and will bring in local government as a partner but not as the dominant master of community action.

The amendment which was adopted in our committee might well be called the bosses and boll weevil amendment because it is an amendment for the big city hall bosses and for the southerners to completely denude community action of its potential.

Mr. **PUCINSKI**. Mr. Chairman, will the gentleman yield?

Mr. **GOODELL**. I yield to the gentleman from Illinois briefly.

Mr. **PUCINSKI**. I wonder if the gentleman would give us his interpretation of the language in the bill which reads as follows: "at least one-third of the members are persons chosen in accordance with democratic selection procedures."

Mr. **GOODELL**. I will answer right now.

Mr. **PUCINSKI** (continuing). "Adequate to assure that they are representative of the poor in the area served."

Will the gentleman explain that?

Mr. **GOODELL**. I certainly will. What you have done there is handed it over and said that the community action agencies are the local governments and are the State governments. Then you provide that the program shall be administered through what will in effect be advisory committees. That is all. You let the poor elect at least one-third to this advisory committee that is totally impotent. You have taken away the dignity of a decision from them, as a partner in the decisionmaking process.

Mr. **PUCINSKI**. How does the gentleman suggest we do it?

Mr. **GOODELL**. I just outlined that. We would have a community action board with at least one-third of the representatives of the poor selected by the poor——

Mr. **PUCINSKI**. Is that not what is in here?

Mr. **GOODELL**. Who sets the priorities——

Mr. **PUCINSKI**. Is that not what is in here?

Mr. **GOODELL**. No, it is not.

I do not yield further. The gentleman

knows that is not what is in the Green of Oregon amendment. Let us not muddy the waters.

Mr. PUCINSKI. I suggest that the gentleman read the Green of Oregon amendment.

Mr. GOODELL. That is not what it is. You make a community action board there that is a charade. It is a little charade for the poor to go through that is meaningless.

Mr. PUCINSKI. How does the gentleman want to do it?

Mr. GOODELL. I want that community action board to have power. I want it to be representative of the whole community and be independent of city hall but with balanced representation from all elements of the community, including city officials.

Mr. PUCINSKI. Who would pick them? Who would select them?

Mr. GOODELL. At least one-third would be representatives of the poor. They would be selected by the poor.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. GOODELL. Mr. Chairman, will the gentleman yield me 1 additional minute?

Mr. AYRES. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. GOODELL. That is a high compliment. I thank the gentleman. I do not believe I will need that much time, except for yielding.

Mr. GARDNER. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from North Carolina.

Mr. GARDNER. I hate to take issue with my colleague, but the reference to the "boll weevil" southerners certainly offends me.

I supported the Green of Oregon amendment in the committee. I plan to support it on the floor.

I want to ask the gentleman a question. The gentleman apparently does not have much faith in the local forms of government. In the South we are perfectly able to take care of our own problems. If I remember correctly, the gentleman stood up and told us that under the Quie amendment the proper thing to do was to turn this funding over to the same governmental agencies, in order that they could best determine how the money should be spent.

I think we should do the same thing as far as this is concerned.

Mr. GOODELL. The gentleman's comments confirm my characterization of the amendment. I said it was a bosses and boll weevils amendment. I must say to the gentleman I have very little confidence that southern local government will undertake the innovation and the new approaches necessary to help the downtrodden Negro in the South. I do not have much confidence in that. I am sorry.

Mr. GIBBONS. Mr. Chairman, will the gentleman yield? You have sort of slandered us. I wonder if you will yield for a little observation on that point.

Mr. GOODELL. Did the gentleman say I slandered you?

Mr. GIBBONS. I certainly did.

Mr. GOODELL. I certainly did not intend to, and I apologize if I seemed to. But I am delighted to yield to the distinguished gentleman from Florida at this time.

Mr. GIBBONS. I get pretty excited about something like this. You dubbed us the bosses and boll weevils. That makes me laugh. I think the gentleman adequately answered it and I do not want to expand on that, but I thank the gentleman for yielding.

Mr. GOODELL. I think he adequately answered it, too, if I may say so to the gentleman. I think he confirmed what I am saying.

Mr. GIBBONS. The gentleman should know that there are many fine governmental agencies in the South. There are quite a few of them. I know some who have rendered service to this program responsibly and have involved all races and have done it on a very fine and proud basis. I do not want the impression left here at this time that there are not responsible, openminded governments in the South.

Mr. GOODELL. I would like to respond briefly to that and say to the gentleman I have great respect for local government and I have great respect for the ability and integrity of many officials of local government in the South. I just feel that the concept of community action and the new approach we are seeking here cannot be implemented in the way that the gentleman's amendment and Mrs. Green's amendment does it in community action, because it hands over the whole idea of innovation to people who really do not want to have that kind of innovation.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from New Jersey.

Mr. JOELSON. I think the gentleman's designation of his proposal as a crusade is quite accurate, because in the Middle Ages the crusaders set out to convert the infidels and they ended up by butchering and slaughtering them. I am not sure whether your crusade is for the poor or against the poor, but I think it is very well named.

Mr. GOODELL. I think it is well named, too, for apparently different reasons I will say to the gentleman. I suspect maybe the gentleman from New Jersey will agree with me on community action, will you not? Does the gentleman from New Jersey support the Green amendment in this bill?

Mr. JOELSON. I am considering it very carefully and weighing the debate.

Mr. GOODELL. I thank the gentleman.

I now yield to the gentleman from Kentucky.

Mr. PERKINS. First, Mr. Chairman, I would like to ask the gentleman from New York, the so-called opportunity crusade before the committee, when we considered the legislation, H.R. 10682 provided for the transfer of the Office of Economic Opportunity to the Department of Health, Education, and Welfare where it would not have any constituency. Now, if I understand you correctly, in your new substitute you are proposing to leave it just as it is but transfer all the functions away. Am I correct? Is that your new substitute?

Mr. GOODELL. Oh, no, no, no. We do not transfer all of the new functions away. We leave a great many functions in OEO. The community action remains in OEO. VISTA remains, and a variety of other programs. The legal services program remains. Most all of your new special emphasis programs and things of that nature remain in there. We transfer Headstart, the Job Corps, and the Neighborhood Youth Corps. That is basically it. That is to be administered by existing agencies. The gentleman has correctly stated what I think should be the case and I hope will soon be the case, that we transfer community action to HEW.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOODELL. Mr. Chairman, may I have 1 additional minute.

Mr. AYRES. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. GOODELL. I would like to conclude in 1 additional minute.

Mr. Chairman, I hope that the members of this Committee will give serious, fair, and open consideration to the proposals that we are making in the opportunity crusade. They are offered in a constructive and unpartisan way. We want them to be enacted because we think they will bring realism to this program and bring more help to those who so desperately need it.

From 1950 to 1960 we reduced the number of poor families in this country from about 30 percent to 20 percent. And, in the last 5 years that pace of reduction of poor families has slowed. It is now 16.5 percent.

Mr. Chairman, in the last 5 years we have reduced the amount of poverty by a lower rate than we did from 1950 to 1960. Something is wrong.

Mr. Chairman, as the poor could so eloquently put it, "I am as poor as Job, but not so patient."

Mr. Chairman, let us move to change this program before it is too late.

Mr. PERKINS. Mr. Chairman, I yield 15 minutes to the distinguished gentlewoman from Oregon [Mrs. Green].

Mrs. GREEN of Oregon. Mr. Chairman, much has been written and spoken in recent days about the war on poverty. It is obvious that this legislation is in trouble, but, Mr. Chairman, I suggest that the war on poverty is in trouble, not because Congress is blind to the urgent problems of our cities, and not because Congress is deaf to the pleas of those in need, because if that were the case Congress would not have passed innumerable bills for the preschool child, the aged, the unemployed, the unemployable. We have appropriated hundreds of millions of dollars for programs to help those in need and to give a start to those who would try to help themselves.

For disadvantaged children—this year alone we appropriated over $1 billion in title I of the Elementary and Secondary Education Act. We have appropriated funds for neighborhood facilities; for public housing; for model cities; for education for the handicapped; for vocational rehabilitation; for the public health service.

Over $4 billion have gone in grants to States for public assistance; for maternal and child welfare; for the manpower development and training alone, one-half billion dollars. For school lunch program; for the food stamp program; for the school milk program; for rural housing for domestic farm labor; for aid to the blind; for aid to dependent children.

Mr. Chairman, this does not exhaust the list but it would be a disservice to this Congress and to this administration to have a message go abroad in the land that this Government is not concerned about all of its citizens and further than a disservice—it would be a misstatement of the facts. We can record by chapter and verse the great programs that have come from the various committees.

But today this program on which we start debate is in trouble because of other reasons than the indifference of Congress to the plight of the poor.

It is in trouble because money that Congress thought would go to the poor is eaten up in high administrative costs or in some cases unaccounted for. It is in trouble because some of us on the committee could not even get answers to questions which we asked. It is in trouble because efforts are made to invoke executive privilege on studies that would give Congress needed information on which valid judgments could be made. It is in trouble because there is an absence of candor when honest people try to get honest answers.

These and other matters have given me great concern about the way the war on poverty has been administered.

Many of our people are caught in the eye of a social hurricane.

The schools of the District of Columbia, the schools of New York City, Detroit, Watts, Cambridge, Cleveland, are caught in that eye of a social hurricane.

Three years ago the Nation declared itself ready to try to do something about poverty. The opponent is an old, grim warrior, strong with years of neglect. That enemy, as I see it, is not so much outside us as he is a part of our individual values. The war on poverty seeks to attack specific evils, but it also helps to transform us as individuals and as a nation. For in daily battle we gain a truer picture of ourselves, a truer concept of the idea that to call oneself an American is tantamount to calling oneself "my brother's keeper."

Poverty, in one sector or one section of America, impoverishes all Americans. To be poor is to die a little each day as the dream of dignity fades down the years. Our war, therefore, must draw no lines of race, color, creed, or sex. Our enemy is everywhere, sapping all of the substance of humanity.

The legislation the committe brings you today is a measure of our resolve to continue the fight. In some areas, on some fronts, the results have been most encouraging and successful; on other fronts our efforts have not been equal to our task. Often our tactics have proved faulty. From these we must learn.

Mr. Chairman, I would argue that past mistakes must not and cannot serve as an excuse to abandon the war on poverty. To make changes in the program, yes; to abandon it, no. Other Federal programs have had their failures and we have not cut them off. Mishap and error in space exploration did not end their efforts in that area of Federal spending. The tragic death of three gallant men in an Apollo capsule did not signal the end of that program. On the contrary, we went forward, saddened by wasteful death, determined to eliminate the cause, but nevertheless forward.

And just a few weeks ago this Congress appropriated over $2½ billion for the Apollo program and an additional $315 million for Apollo applications. If we can afford—in this year of the tight budget—to spend these billions on such projects as putting a man on the moon, we can certainly afford to spend the necessary money on a few million of our children—on this corner of our planet—if in so doing their lives will be enriched and thereby our national life enriched also. The moon is very patient and, I am certain, could not care less whether it meets one of us in 1970 or 1980, but youngsters are not patient and grow up in whatever ways are open to them; they stand still for no one.

Mr. Chairman, the members of the Education and Labor Committee are determined that the waste of funds, the inefficient operations, the irresponsible actions are to be stopped—not just for the sake of economy, but so that the disadvantaged will, in fact, reap the benefits of good intentions.

Americans have left messy battlefields in all wars. Few would deny that there is not evidence that the war on poverty has not left a messy battlefield also. But the committee believes the Economic Opportunity Act of 1967 will continue the battle with more precision.

But we do not, we cannot, use partial failure to justify retreat. To do so would be unworthy of our responsibility to evaluate and correct programs begun as an expression of this Nation's will to try to end poverty in America.

Let me turn now to title II and the change that the committee made in the bill. In many areas CAP worked well and they will continue to work well under committee changes. A few years ago President Johnson said:

> Legislation should not be examined in the light of benefits it will convey if properly administered—but by wrongs it would cause if improperly administered.

It is to these areas that legislative changes in title II are directed. As I understood the original legislation—and I served on that subcommittee which drafted it—the Congress did not intend to create a new governmental structure of powerful political bodies with the luxury of millions of Federal dollars to spend and none of the responsibilities of raising any of that money. I do not think that Congress aimed to create autonomous groups to displace the decision-making process of State, county, or local governments or to fund with Federal dollars any groups intent on reversing the decisions of the duly elected school boards or county or local governments. No one challenges the right of dissent but many of us question the wisdom of requiring others to pay taxes to finance it. As I see it, the Congress clearly intended to attack an economic problem through political means, but it did not intend to legislate a revolution in American politics by establishing another structure of government at the various levels of political action in the United States.

This year's committee bill that makes community action agencies "a State or a political subdivision of a State"—having duly elected or duly appointed governing officials—clarifies the intent of the original Economic Opportunity Act as I see it.

It does not intend, nor do any of its provisions provide that "poor people" will no longer be able to help shape decisions affecting their lives. The opposite is true for the bill specifically provides that community action boards shall insure participation of the poor through giving poor people at least one-third of the seats on such boards. But it also provides that those who are helping to pay the bill—and who also live in this same community—shall have a voice through their elected officials on how their money is spent and how programs can be coordinated with other existing programs.

I would also like to call attention to the provision encompassed in section 3(d) of title II—the so-called bypass language—if States or political subdivisions fail to develop program meeting criteria of this legislation. It reads:

> 3(d). The Director may provide financial assistance to a public or private nonprofit agency as a Community Action Agency other than a Community Action agency designated under subsection (a) for activities of the kind described in this title where he determines that the Community Action Agency serving the Community has failed, after having a reasonable opportunity to do so, to submit a satisfactory plan for a Community Action program which meets the Criteria for approval set forth in this title, or that neither the state nor any qualified political subdivision or combination of such subdivisions is willing to be designated as the Community Action Agency for such community or to designate a public or private nonprofit agency or organization to be so designated by the Director.

But the bill does provide that State or local governmental officials shall participate—and for good reasons: Those who spend public money and initiate local projects affecting the entire community should and must be accountable to their fellow citizens through the democratic process, an election, and the electorate has the chance to reject those for whom private gain or personal power is of greater value than public service.

The bill does not blunt the attack on poverty through this provision. It helps to ensure that locally elected commanders will be responsible for local successes and local failures.

In this respect, I would ask what political alchemy at work in the United States has suddenly made Washington politicians and appointees above error or reproach, and State or local politicians incapable of making wise decisions for the constituents who elected them. In any area where Federal, State, or local politicians are unresponsive to constituency needs, blind to poverty, deaf to legislative pleas for change, then I would say the answer is to make it possible for the people to throw them out of office at the next election and not permit them to enjoy the luxury of seeking refuge in a nonprofit corporation—not subject to the same regulations as other public employees. In the last several days I have heard cries of alarm in regard to committee changes to title II. The cry usually is, keep the State or local politicians out of it, that local politicians are inefficient at best or nonresponsive or corrupt at the worst. But what they are really saying is: do not have the community action program in the hands of "elected" politicians. This does not keep the politicians who have been rejected by the voters out of it. This does not keep the self-starting politician, who dreams of empire building out of it. This does not keep the self-starting politician, who dreams of empire building out of it. The only complaint I have heard: somehow keep the elected politicians away. My answer is to bring the local elected politicians into it. Then we would continue to be able to measure their competence in the light of popular judgment.

And how many so-called local politicians, who have suffered defeat in State and local elections, have found a community action agency a convenient sanctuary from which they may sally forth—armed with Federal money and sanction—to further their own ambitions?

How many agencies are providing millions of Federal dollars to build local political empires for would-be elected politicians—and those very politicians cry—"keep the politicians out."

Is it the purpose of this legislation to foment discord in our cities and in rural communities? Or are we not trying to stamp out ignorance, disease, and poverty in America? If it is the latter, it is the worth of the program that is important and not whether the poor are the architects. Are the able, are the compassionate, are the concerned the architects? For when the reckoning comes—and come it must—when the shouts produce no skills; when the marches deliver no meat; when the rallies yield no rewards; it will be the Government of the United States of America which is credited with the lie, and then there is no one left to believe.

The bill aims to insure that emergency measures to meet a genuine crisis do not become a pattern of government based on the assumption that all wisdom lies somewhere in the vicinity of Washington, D.C., or that there will be no local movement without Federal initiative.

I have heard in recent days that we may "throw out the baby with the bath." But that baby that is in danger of being thrown out is that fragile infant we call the democratic process. We are not defending the right of local majorities to oppress local minorities.

We are defending the right of local governments to make hard decisions on local problems. In fact, the bill demands engagement by local politicians so that they cannot avoid tough decisions on the battle lines of the war on poverty.

The bill does not abandon responsibility for national guidelines to insure that the purposes of the program are fulfilled and that there is representation of all the people in local decisionmaking. Nor does it take the easy path of building a neatly symmetrical pyramid of Federal power in which the foundation stones exist merely to bear the weight of those above them.

Finally, Mr. Chairman, we are fighting a war against the idea that "the poor shall always be with us." Our dedication to see victory increases our dedication to see that victory soon. Our dedication gives us the responsibility to make our tactics suit our strategy.

Mr. PERKINS. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from Kentucky.

Mr. PERKINS. First, let me compliment the gentlewoman from Oregon for one of the great speeches made in this body. In the past we have never involved public officials in the so-called Economic Opportunities Act to the extent that we should have. The explanation of the gentlewoman speaks for itself. We have made tremendous improvements in the legislation and we have got it in shape so that we can eliminate waste. I am hopeful now, Mr. Chairman, that all of the membership of this body could support the bill.

Mrs. GREEN of Oregon. I thank the chairman.

Mr. FARBSTEIN. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from New York.

Mr. FARBSTEIN. To my mind certain clarifications are needed to interpret section 211, for which I understand the gentlewoman from Oregon is responsible. First: What is the composition or the supposed composition or the intended composition of the community action agency under section 211?

Mrs. GREEN of Oregon. The community action agency is to be a State or a political subdivision of a State or a private corporation that the State or political subdivision would so designate and the Director would designate.

Mr. FARBSTEIN. Subquestion 1: Is that agency to be composed of a tripartite group, like the war on poverty?

Mrs. GREEN of Oregon. That agency, either under a political subdivision or the State, is the community action agency. There will be a community action board. It is a tripartite agency, it becomes a community action board. If a private agency is designated as a community action agency by the State on a political subdivision of the State—then there is to be a community action "governing board." In both instances it will be tripartite.

Mr. FARBSTEIN. Assuming, for the sake of argument, that the community action agency may be either the State, the city, the local government, or their representatives, they in turn, as I understand, must work through a board?

Mrs. GREEN of Oregon. That is correct.

Mr. FARBSTEIN. I then come back to the original question: What is to be the composition of the agency which is the city, the local government, or whatever the government may be? What is the intention on that?

Mrs. GREEN of Oregon. One-third of the board is to be the elected public officials, one-third representatives of the community, industry, labor, education, welfare, and so forth, and one-third of the board would be representatives of the poor, elected in a democratic process by the poor.

Mr. FARBSTEIN. Evidently I have not made myself clear. There is the top layer of the city or its appointed agency. Then there is the lower agency or the board. Is that correct?

Mrs. GREEN of Oregon. There is no lower agency of the board. There is to be a three-party board for every community action agency: one-third public officials, one-third community and one-third the poor.

Mr. FARBSTEIN. Let us assume there is only one layer. Under subsection (b), one-third are public officials, one-third are representatives of the poor, who are elected, but there is left in the air the composition of the center group, these officials who are members of business, industry, labor, religious and so on. How are they designated? How do they come into being?

Mrs. GREEN of Oregon. If the question is, how are representatives in the one-third group to be representative of the community at large to be designated, the answer is that the bill remains silent on this, and intentionally so. It was not any oversight by the committee. It was the desire on the part of the members of the committee to leave the maximum flexibility possible.

Mr. AYRES. Mr. Chairman, I yield 15 minutes to the gentleman from Minnesota [Mr. QUIE].

Mr. QUIE. Mr. Chairman, the previous speaker explained her amendment to the bill that is before us, which is the committee bill. It greatly revamps the action of the community action program as we have seen it for the last 3 years. It also greatly weakens a provision I believe very strongly in, and that is the maximum feasible participation on the part of the poor. Last year I was successful in including an amendment to the bill which required in every community action agency at least one-third of the members of that board must be representative of the poor.

The reason I believe it greatly weakens the bill is that the first priority I can see in reading this bill is that the State can be a community action agency or, if the State chooses not to, a political subdivision of a State or combination of such political subdivisions can be community action agencies. In the event the State does not designate a public nonprofit private agency to be a community action agency but chooses to be the community action agency itself, section 211(a) reads that they shall administer their program through a community action board, but that board will not have the powers of a governing board as defined in section 211(e).

Section 211(e) provides:

> The powers of every community action agency governing board shall include the power to appoint persons to senior staff positions, to determine major personnel, fiscal and program policies, to approve overall program plans and priorities, and to assure compliance with conditions of and approve proposals for financial assistance under this title.

I would assume that since these powers are given only to the governing board of community action agencies, a community action agency which does not have a governing board because it is a political subdivision, retains these powers for the mayor and his council. The three-legged stool or the tripartite board would be only an advisory board in the case the State or political subdivision chooses to be the political action agency.

Some say, as the gentlewoman from Oregon just indicated, that section 210(d) will prevail in case the State and local political subdivision does not operate a program the way the Director wishes, and that he can then designate another community action agency, private nonprofit agency, in order to run the program. But I have seen enough of the political pressures that cities can make on the Federal Government, and I doubt that the director in a number of instances of big cities would say to them, "We do not like your program. We are going to turn this over to another private, nonprofit agency in your city."

So in this instance, I believe the bill effectively removes the participation of the poor that has been very difficult to achieve so far. The poor have had very little experience in self-government. In the big cities of the Nation, the poor in their neighborhoods are as far away from city hall and the mayor as the people generally are from the State government or even the Federal Government. These people need to learn how to exercise their responsibility in self-government. The community action agency has been an effort to achieve that. It has been difficult. It has been slow. But in some areas this has been achieved. They have made substantial progress. Three years have seen that progress.

I have seen it occur in my congressional district. I have seen it occur in some areas of the country and in some cities of the country.

Where elections have been held, it has been difficult to get the poor to participate in the elections. They had never had a meaningful voice before. They would not believe they had a meaningful voice now with this bill.

Do the Members suppose that we can sell them on the idea of a meaningful voice in the future if they have only an advisory capacity, when their advice has never been accepted before?

When we look to the section of the bill providing for three groups, who will select those who serve on the board?

The first group will be the one-third who are public officials.

The second group will be:

> At least one-third of the members are persons chosen in accordance with democratic selection procedures adequate to assure that they are representative of the poor in the area served.

If a mayor appoints a person from an area of the city where poor people reside in large numbers, is that a democratic procedure? Some Members have said to me that is a democratic procedure, and an appointment by the mayor would be sufficient.

That would greatly weaken what we have anticipated as the responsibilities and the opportunities of the poor in this program. I believe that the poor themselves ought to select the person to represent them, and no one else should appoint a person the poor do not select.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. QUIE. Let me finish this, and then we can come back to it.

The poor themselves need to know that the individual they select, whether he is acceptable to city hall or not, is their representative. They need to know if he does not do a good job for them they can turn him out and put somebody else in.

There should be no fear of this by public officials and my colleagues, if the poor have only one-third membership of the boards. In fact, the mayor of Seattle said the poor have more than half in Seattle, and he thinks it is great. At least there is no danger, because we are only insuring that the poor have one-third.

As to the other leg of the stool, the remaining members who are not public officials or representatives of the poor, they are the members of business, industry, labor, religious, welfare, education, or other major groups.

But this does not provide that they will choose their representatives on the board either. I anticipate that the public officials will appoint the representatives of business, industry, labor, religious, welfare, education, or other major groups, and therefore they will be answerable to the public officials.

I believe that if we are going to have these other people on the board, as we should have, they should be answerable to the groups who send them. The business group ought to have an individual answerable to them. Organized labor ought to have an individual answerable to them. The welfare group ought to have the same thing.

Each one of those groups ought to select its own representative for the board. In this way I believe we will have effective local government in community action.

Some people have said that always, when there is Federal assistance to the local level, it be given through the State governments and local governments. But this will not be effective for poverty programs, because the poor people to date have not been actively participating in the city governments. We should permit a State to appoint a State commission to develop a State plan. But at the local level city hall is not the best agency to go through.

Rather, this ought to operate, as I have said many times, in the way the rural programs with Federal assistance do, which we have had for years and years, and which are practically sacred. If anybody should try to touch them, woe unto him.

Those are in three areas.

One is cooperative extension. In cooperative extension the boards are representatives of the farmers, who are selected by them.

Another is the Soil Conservation Service. Through the election process the farmer participates in electing a representative, a soil conservation district supervisor, to make broad policy decisions.

In the ASCS committees, again on a township level the farmers elect the township committeeman, and the committeemen join together to elect the county committeemen. This method has proved effective in the rural areas.

I should like to see the people in poverty, be they in the rural areas or in the cities of the country, given the same effective voice in selecting their representatives to make the broad policy decisions for programs in their areas, because no one knows what a poor person is thinking of, as he is caught in the ghetto and cannot escape.

There is no way of understanding that. None of us can visit there or spend a week there and understand that. These policymaking boards need individuals to represent the poor who are caught in that helpless state. The poor should select men as their representatives to speak on these boards. There is a gross failure in the legislation we have before us.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I would like to ask the gentleman these two questions and see if he will answer them. I would like to know, first, how he interprets the language on page 174, and I invite my colleague to that language. It appears on line 23.

Mr. QUIE. Will you give me the section? I have the committee report in front of me rather than the bill.

Mr. PUCINSKI. The section is 211(b). It says:

> At least one-third of the members are persons chosen in accordance with democratic selection procedures adequate to assure that they are representative of the poor in the area served.

This is relating to the composition of the board.

My second question is, the gentleman has made many, many statements on this floor over the years on this subject, but he has never spelled out nor has his colleague, the gentleman from New York [Mr. GOODELL], spelled out precisely and specifically how you propose that these people be chosen. If you are for elections, why do you not say so? How do you propose it? What is your formula? Forget about our formula. Tell us, What do you propose to be the accepted procedure for selecting the one-third representatives of the poor in the community served?

Mr. QUIE. I will be glad to tell the gentleman.

Mr. PUCINSKI. Thank you.

Mr. QUIE. There are two methods that can be used that I believe are effective. One is election. Election in the cities of the country where the poor reside in an area such as a census tract where 80 percent of the area are poor. I would say let everybody in that area vote. Let them all vote and decide who are to be their representatives.

Mr. PUCINSKI. How do you decide who will be a qualified voter?

Mr. QUIE. Anybody who lives in that area can vote.

Mr. PUCINSKI. Will you say I am poor and therefore I can vote?

Mr. QUIE. If the gentleman will listen to me instead of talking at the same time, he would understand what I said.

Mr. PUCINSKI. Go ahead. I would like to hear it.

Mr. QUIE. I said in the census tracts where more than 80 percent of the people are poor everybody in that area can vote. You do not have to prove you are poor.

Now, in the rural areas and where they are more widely distributed, the poor people who will benefit from the program and are interested in the program, can come together in neighborhood meetings. This has been done effectively so far. At the neighborhood meetings they can select the person to represent the poor in that area. If they do not choose wisely, the next time when there is such a neighborhood meeting to select a representative, the ones opposed to the representative can come to the meeting and select whoever the majority wants.

Those two methods are effective so far for the poor to select their representatives.

Mr. PUCINSKI. I thank the gentleman, but I must say this is a heck of a way to run a railroad. The gentleman saw the disaster we had in this country when we tried this method in Philadelphia and in a few other cities.

Mr. QUIE. Philadelphia was not a disaster. Philadelphia was not as successful as they believed should have been the case, but it was not a disaster. It was an attempt, and they made greater progress the second time they tried it.

Mr. PUCINSKI. Will the gentleman answer the second question? How do you interpret this language in the bill which provides that they shall be chosen in accordance with democratic selection procedures adequate to assure that they are representative of the poor in the area served? How do you interpret that language?

Mr. QUIE. Nobody has given me guidelines or rules and regulations that will be followed to implement this program. I assume it would permit a mayor to appoint them from the area where the poor reside. The appointment method has been considered a democratic process before, but I do not approve of that method of selecting representatives of the poor.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York.

Mr. GOODELL. The gentleman from New York once again raises this in a context that would confuse the Members. I think it should be emphasized the requirement for a board where one-third are selected by a democratic process to represent the poor is for a community action board that is totally and completely subservient to and a creature of city hall. So that it is a facade. There is a clear involvement of the poor, or else the board itself will not be the decision-making creature. It is a creature of city hall and it does what it tells them to do.

So, if you leave all the representation to the poor and assume that they will be democratically selected, they end up on a board that does not do anything that is meaningful.

Mr. FARBSTEIN. Mr. Chairman, if the gentleman from Minnesota will yield further, and if the distinguished gentleman from New York [Mr. GOODELL] would be good enough to give me the basis for his interpretation under the law. As I read the law, one-third of them shall be elected officials and one-third of them shall be individuals who are considered to be poor.

Now, let me tell the gentleman how they are elected in New York City. I am unaware as to how they are elected elsewhere. Individuals in a particular area can be elected to this poverty board by petition. As we have it, and as I envisage this specific proposal involving this particular situation, I can see no basis that "city hall" will control it.

I wish the gentleman from New York would clarify that particular situation.

Mr. GOODELL. The gentleman from New York [Mr. FARBSTEIN] is talking about the present law. We are talking about the bill that comes out of the Committee on Education and Labor, and I would quote from page 171 of the bill, line 7, and thereafter:

> COMMUNITY ACTION AGENCIES AND PROGRAMS
>
> SEC. 210. (a) Community action agencies shall be a State or political subdivision of a State (having elected or duly appointed governing officials), or a combination of such political subdivisions, or a public or private nonprofit agency or organization which has been designated by a State or such a political subdivision or combination of such subdivisions——

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. AYRES. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. FARBSTEIN. Mr. Chairman, I would like to further ask the gentleman from New York [Mr. GOODELL]——

Mr. QUIE. I would say to the gentleman from New York [Mr. FARBSTEIN], in further answer to the gentleman's question, if you will follow on from the language which the gentleman from New York [Mr. GOODELL] just read, section 210, over to section 211, it says that there are two different kinds of community action agencies. There is the one which is the State or political subdivision which shall administer its program under a community action board. But the other community type of community action agencies are ones designated either by a political subdivision or combination of political subdivisions or designated by the Director of OEO, and the governing board's powers are defined in section 211(e).

So the powers given the poor, as well as the other two classes on the board, meaningful power, are listed in section 211(e). But those powers are not given to the community action board where the State or the political subdivision is the community action agency, but, rather, are retained for the political subdivision itself.

Mr. FARBSTEIN. Mr. Chairman, if the gentleman will yield further, this brings about a community action agency governing board. Now, are there two layers or is there one layer of government?

I tried to determine that from questioning the gentleman from New York [Mr. GOODELL].

Mr. QUIE. It is evident that there are two layers. The top layer is the Government, the other is the board appointed by the Government, whether it be city or State appointees.

Mr. FARBSTEIN. Mr. Chairman, if the gentleman will yield further, my question is, How do they come into being? Does this top agency come into being pursuant to the law which does not actually say how it is to come into being? Is it the intention that the agency be composed of a tripartite group, and is the lower level also to be composed of a tripartite group?

In other words, is the top agency just created by law; that is, the mayor or the local council, or the Governor, and the legislature? As I see it, how is this top agency to come into being?

Mr. QUIE. The top agency is not selected by a political subdivision, but the political subdivision which accepts the designation itself, and by following the law they shall be the "community action agency." The Director, of course, must designate them as the community action agency. But if they designate somebody else—another public or nonprofit agency—then there is only one top group or board which receives full governing powers.

Mr. FARBSTEIN. Let me see if I understand this correctly, because I believe it is beginning to make sense. It is either the mayor or the council or the Governor or the legislature who are to act as the agency?

Mr. QUIE. That is right.

Mr. FARBSTEIN. Representing the Office of Economic Opportunity, let us say?

Mr. QUIE. That is right.

Mr. FARBSTEIN. Thereafter there is this lower agency which is composed of a tripartite board, although the governing agency or the first agency does not of necessity have to be composed of a tripartite group; is that correct?

Mr. QUIE. That is correct.

Mr. FARBSTEIN. So that in event that the Governor and State legislature refuse to act, and they designate individuals, then there must be a tripartite group; is that correct?

Mr. QUIE. Then there must be a tripartite group that has governing power. However, in the first instance they shall have the tripartite group as an advisory group.

Mr. FARBSTEIN. Just one moment. If they designate the tripartite group then there will be two groups that will be composed of people in political life or public life, civic groups, and representatives of the poor.

Mr. QUIE. Right.

In that instance there would be two groups which would be composed of public officials; the ones who have the governing power is the State or political subdivision, and their advisory group through which they say they shall administer the program is the three-legged group.

Mr. FARBSTEIN. I do not understand it to be an advisory group. As I understand—and I would like to be enlightened if I am wrong—is that first group, or the top group, designates, a board through which they act if they so desire. If they do not desire to designate, they act as both the advisory agency and the board.

Now, a board must be composed of, as I understand it, a tripartite group, and they in turn carry out the functions of the agency. To determine whether or not this lower group is to be influenced at all, I inquired and I asked wherein is there any statement showing authority by anyone to designate the central group or the civic agency. It would seem to me that there is nothing in the law that says the top layer shall appoint them, and there is nothing to say any other body shall appoint them, therefore it would appear to me that the central agency should be elected also just the same as the poor are elected.

Mr. HALEY. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-four Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 372]

Abbitt
Addabbo
Anderson, Tenn.
Annunzio
Ashley
Barrett
Boggs
Brasco
Broomfield
Brown, Mich.
Bush
Button
Byrne, Pa.
Clark
Cohelan
Cowger
Cramer
Dent
Diggs
Dole
Dow
Downing
Dulski
Eilberg
Erlenborn
Eshleman
Everett
Evins, Tenn.
Fallon
Fino
Flood
Ford, Gerald R.
Fountain
Friedel
Gallagher
Garmatz
Giaimo
Green, Pa.
Griffiths
Gross
Grover
Hagan
Halleck
Halpern
Hanley
Hays
Helstoski
Herlong
Hosmer
Howard
Hutchinson
Irwin
Jacobs
Jones, Mo.
Kupferman
Madden
Mathias, Calif.
Mathias, Md.
Meskill
Miller, Calif.
Moorhead
Morgan
Morton
Multer
Murphy, N.Y.
Nix
O'Neill, Mass.
Ottinger
Pelly
Pettis
Pike
Reid, N.Y.
Resnick
Rhodes, Pa.
Rogers, Fla.
Ronan
Rooney, Pa.
Rosenthal
Rostenkowski
St. Onge
Smith, Calif.
Smith, N.Y.
Stratton
Stubblefield
Teague, Calif.
Teague, Tex.
Tenzer
Utt
Vander Jagt
Watkins
Watson
Watts
Whalley
Williams, Miss.
Williams, Pa.
Willis
Wilson, Charles H.
Wolff
Wright
Wydler
Zion

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Rooney of New York, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill S. 2388, and finding itself without a quorum, he had directed the roll to be called, when 336 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose, the gentleman from Minnesota [Mr. Quie] had 4 minutes remaining of the last 10 minutes allocated to him.

The gentleman from Minnesota [Mr. Quie] is recognized.

Mr. QUIE. Mr. Chairman, just a last comment upon the colloquy which we had before the quorum call was requested, and this has to do with the language, which appears on pages 46 and 47, wherein we see the explanation of subsection (e) defining the powers of governing boards.

> Subsection (e) of this section specifies that "community action governing boards" must have the power to select persons for senior staff positions, determine major personnel, fiscal and program policies, approve overall programs, establish priorities and assure compliance with conditions of this title. Does not specify the powers to be delegated to "community action boards" when the State or political subdivision itself has been designated as the community action agency.

And, Mr. Chairman, as I have stated previously, under section 211(a), the State or the political subdivision, if it is a community action program, does not have a governing board. But it states in the phraseology of subsection (e) of subsection 211 that this section does not specify the powers to be delegated to a community action authority when the State or the political action group has been designated as the political action agency.

Dr. Kenneth B. Clark, head of Metropolitan Applied Research Center in New York, in his recent study of community action programs in 65 cities noted that:

> Programs directed to community action were successfully implemented only when they were basically independent of political control or, occasionally, and very rarely, supported and protected by an empathetic progressive local government, and
>
> That, generally, local governments and, when challenged the OEO, were alarmed when the poor took the anti-poverty community action program seriously, and tended to resist or to seek the defeat of such programs when their programs challenged the status quo directly.

He further noted:

> Where the local community has resisted the organized program of the poor, the Federal Government has not proved able to support the program effectively over such resistance.

A recent effort in St. Louis to turn control of the board over to the Mayor by giving him power to appoint 10 of the 15 board members. In regard to this attempt, the regional OEO director Don Thomason said:

> The Mayor's power to appoint two thirds of the board would create such a concentration of power as would trend to develop loyalties and antipathies which probably would deprive the community action agency of the greater wealth of talent and resources attendant from the whole community.

The AFL–CIO and others attack this proposal asking that the Human Development Corporation be "kept above politics."

Another said:

> The War on Poverty is too serious a business and critically affects the lives of too many of our poorer citizens to allow the program to become bogged down in political maneuvering.

Well, I brought this question up of the involvement of the poor because I believe that this is a key feature, the real genius to the poverty program. There is not much else which is really new in the poverty program. The Job Corps and the NYC are not new. Other agencies could administer them just as now the Department of Labor actually administers the NYC, but involvement of the poor in the programs that the Federal Government administers is an ingenious feature that I strongly support which has been operated in the poverty program, and I would hope that it would continue into the future. I dislike seeing it hampered, as the amendments that came out of the committee will do.

I believe there are a number of programs that have functioned well. Some of them are the Headstart program, the new addition of followthrough, I believe is excellent, and should be supported, and there are other programs like foster grandparents, and the Green Thumb, that really have made significant contributions to the war on poverty that have been attempted in the crusade that I would like to see us get into.

The special genius of Headstart has been the recognition that the pitiful poverty cycle can best be broken at an early age. The opportunity crusade places far greater emphasis on Headstart and a more meaningful followthrough program in the first three grades. I believe also there should be a continuing and expanded foster grandparents and Green Thumb programs.

However, the major difference between the Democrat and Republican approaches is that Republicans place emphasis on creating real jobs for the poor, while Democrats continue to fund make-work jobs which lead nowhere. The key to ending poverty has always been finding ways to assure men and women of good jobs. Our Industry Youth Corps and other educational and training programs are designed to prepare the underprivileged and undereducated for jobs with dignity.

The opportunity crusade will truly involve business and industry in the war to alleviate poverty. Hiring a few firms to run Job Corps camps is not true involvement of America's No. 1 generator of jobs—private enterprise.

Let us remember the needs of the poor and the deprived. The hard reality of poverty will be with us far beyond the elections of 1968. Democrats and Republicans should join forces to write a bill which will truly begin to end the tragedy of poverty in this land of affluence. Republicans are more than willing to take the best of the administration's program along with the best in the opportunity crusade and combine them into a strong program. Poverty is too critical a problem to be the victim of partisan struggles.

I believe that the opportunity crusade would make some meaningful changes in the program to enable it to function better. For instance, in Headstart, followthrough, and upward bound, we propose that those be administered by the Department of Health, Education, and Welfare, then they could be coordinated with similar programs that are presently being operated by the Office of Education today.

There is title I of the Elementary and Secondary School Act, which is funded over $1 billion, that can be used for the purposes of preschool education. Since OE is administering that program, certainly Headstart would function much more efficiently and have the same advantages that are enjoyed by the same Department of the Government, this would permit these two to be coordinated. However, I will point out that when we suggest that the Department of Health, Education, and Welfare administer project Headstart, that we do not mean that the community action agencies would be divested of their responsibilities that they have had heretofore.

The way that private organizations can participate in Headstart programs is to permit money to be administered through community action agencies. In the opportunity crusade, State agencies broadly representative of all the groups who are interested in this program, will set a State plan and develop State policy, and the money will go through the community action agencies if a qualified community action agency is in existence, otherwise it would go through Headstart agencies or any other means whereby the young people who definitely need the assistance of a Headstart program can benefit from it.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. AYRES. Mr. Chairman, I yield 5 additional minutes to the gentleman from Minnesota.

Mr. QUIE. Mr. Chairman, I believe that it would be possible for a bill to be developed which would take the most important features of opportunity crusade, and blend them into a bill that would enable us to finally write a bipartisan poverty bill.

As was stated by my colleague from New York [Mr. GOODELL], the poverty program started out in politics. In 1964 the President did not want any Republican amendments to it. Evidently he wanted to make certain that the conglomeration of the Kennedy proposals that they put together in the war on poverty would carry his stamp, and his stamp alone for the 1964 elections, and there were enough Democrats in that Congress to do it without any Republican stamp to it at all.

In the fall of 1966 issue of Columbia Journalism Review, Erwin Knoll and Jules Witcover had an excellent article entitled, "Maximum Feasible Publicity." They stated that:

> President Johnson, leafing through the pending-business basket of the Kennedy Administraton for something dramatic to call his own, seized on the poverty problem with characteristic zeal. Tentative Kennedy titles—"Human Conservation and Development," "Access to Opportunity"—were discarded as "bloodless" and Johnson declared "unconditional war on poverty" in his first State of the Union message.

The article is mostly about, however, the amount of publicity that emanates from OEO. Quoting from Knoll and Witcover again:

> In the Johnson Administration's War on Poverty, nobody—not even the poor—gets more attention from Sargent Shriver's GHQ than does the combat correspondent. Except for the Pentagon, where more than 200 government publicists labor to explain or obscure details of the administration's other war, no federal command post puts greater emphasis and energy into psychological warfare for and against the press.
>
> But not since New Deal days has Washington seen a coordinated hard-sell for a relatively small program to match OEO's merchandising of the effort to combat poverty.

But I think most of us remember when there was a meeting with the Citizens Crusade Against Poverty. A number of the poor saw through Shriver's avalanche of propaganda. Knoll and Witcover again state in their article:

> Only one misfortune has marred Shriver's record as his own, and OEO's, best PR man—the Washington convention last spring of the Citizens Crusade Against Poverty at which he was booed off the stage and out of the hall by delegates who were angry, disillusioned, and poor. There were two immediate casualties—Shriver's image and Kramer's left shoulder, which was bumped in the melee. There were also significant implications for OEO's publicity effort. Newspaper stories on the incident jarred the office of public affairs. Particularly resented was the front-page story in *The New York Times* by Nan Robertson, whose account of what had happened differed in no significant respect from other newspaper and wire service reports. In New York, Turner Catledge, the executive editor, received protests against the story. In a long telegram, one prominent citizen informed the *Times* that "I resent and object to today's news story," and went on to praise Shriver as a man who "to the best of my knowledge has never ducked out of any meeting in his life including yesterday's." Another, shorter telegram advised the *Times* that Shriver had "conducted himself with calm, dignity and decorum." Neither sender mentioned the fact that his message to the *Times* had been encouraged—in fact, solicited—by OEO, or that others had been importuned to send similar protests, but had refused. The handling of the episode had become a matter of controversy—some of it openly expressed—within the public affairs office. Shortly afterward, Kramer's deputy, Jim Kelleher, resigned.
>
> Shriver blamed "professional demonstrators" for the incident, but there were other appraisals that laid the cause closer to the door of OEO's in-house advertising agency. Walter Reuther, the chairman of the Citizens Crusade Against Poverty, was quoted as pointing out that the demonstrators started booing as "Shriver was trying to overwhelm them with success statistics. They released their anger and their deepest frustrations at not seeing results." The shouts of the protesters lent weight to Reuther's assessment. "Tell us where the poor are being helped," one woman screamed. "It's just a big publicity deal." "Shriver tells us what has been done, but what about what hasn't been done?" another shouted. The Washington Post commented in an editorial that Shriver "was hearing from the people who have taken literally every word of every official pronouncement. These true believers now consider themselves betrayed, for the performance turns out to be less splendid than the promise."

I understand that $2,400,000 has been expended per year in public relations by OEO. In the hearings before our committee on page 881 my colleague, CHARLES E. GOODELL, asked Sargent Shriver about this expenditure. The colloquy is as follows:

> Mr. GOODELL. If you are referring to the series of investigative reports we made last year, none of which were contradicted in their essential facts, then I think it is a very unfortunate reference. Glib terms like "throat slitting," "professional hatchet job," which don't advance the cause of good legislation at all. We were very careful with those memos to stick to the facts as we were able to establish them with our professional investigators. It seemed to us that those facts should be brought out.
>
> Part of the problem with this is the so-called ballyhoo budget that you have at OEO. Is it true that you have $2.4 million allocated to public information and public relations at OEO?
>
> Mr. SHRIVER. I don't know that specifically.
>
> Mr. GOODELL. You have 46 employees in your public information office and a $2.4 million budget. This troubles a good many of us. According to a recent AP story, $42 million is spent by the Federal executive agencies on self-pleadings, if you will, publicity or public relations. At OEO $2.4 million for a ballyhoo budget really does bother us. Is that much money really necessary?
>
> Mr. SHRIVER. I would be glad to compare our budget for publicity with any agency carrying on a comparable program under President Eisenhower.
>
> Mr. GOODELL. You have all sorts of reservations.
>
> Mr. SHRIVER. I will be happy to compare it to any program with the same amount of money.
>
> Mr. GOODELL. You don't think $2.4 million is too much?
>
> Mr. SHRIVER. I don't know about the figure. All I know is that our Department of Public Information is working night and day trying to keep up with requests for information about the program. It is a small office for an agency of this size and compares very favorably with any agency that I know of, or any business concern of comparable magnitude. There are 47 people including all the secretaries that work in that division and they have an annual pay of $975,000 for them all. Now the additional money probably is to pay for printing of reports that are required here by the Congress and by others. We have to have information on hand about the program. For example, when we launched Project Headstart we had to put out five little pamphlets, each one of which was essential for every community in the United States to have. One was about nutrition, another about the kind of teaching equipment you needed, or materials in the headstart program. We had to pay for all of that out of our money.
>
> Mr. GOODELL. I understand that information pamphlets have to go out but it seems to me that $2.4 million is an excessive amount of money for public relations for an agency that size.
>
> Mr. SHRIVER. We would be delighted to have the amount of money that we spend for that purpose up here for a complete analysis by this committee where the men in charge of it will show you everything that is being spent, who gets paid, and then I think you can compare that with the expenditures for any agency of the U.S. Government, any private business, or the Red Cross, or any other agency.
>
> Mr. GOODELL. The reason for our concern about this is that many of us feel exaggerated statements of results accomplish nothing constructive at all. This concern has been shared by many conscientious observers including Haynes Johnson of the Washington Star who wrote articles on the poverty program. He said:
>
> > The program has suffered from too much and too effective salesmanship. As a consequence, it is, in part, a captive of its own promises.
>
> I could give you a number of quotes from other people who basically favor the war on poverty. In a war on poverty it seems to me it furthers no one's case to exaggerate and go through a bayhoo routine which points up and exaggerates alleged good features and leaves out the bad features. As a matter of fact, I have before me an article in which this problem is discussed and an OEO information staff member is quoted.

An OEO information staffer says that: "With Sarge when something goes wrong with the program you step up public relations." Unfortunately there are a good many times when legitimate, constructive criticism has been made and each time it does seem that the thin-skinned reaction is almost a flashback. OEO denies everything and then comes through with great exaggerated claims for what has been done. There have been a number of cases where the poor themselves have risen up and objected to this kind of high promise which far exceeds performance.

Mr. SHRIVER. I will just respond by saying that first of all we welcome the criticism whenever it is constructive. Second, we have not exaggerated our claims for success but, in fact, have minimized it. With Project Headstart we have only reached 32 percent of the kids eligible. In other programs we are very, very low in terms of reaching the people who should be reached by the program, so that I would like to say for the record that we are interested in constructive criticism. We are not exaggerating what we have done. We do try to dramatize the needs and will continue to, because the needs of the poor are always overlooked and their needs need to be dramatized. That is where we are concentrating our effort.

Mr. GOODELL. We have heard these claims about 4 million of the poor touched or 8 million touched or affected by this program, technically I guess you could say that is not an exaggeration. However, when you take an impressive figure like 4 million or 8 million people who have been touched and we don't know what the dickens "touched" means—it certainly doesn't mean meaningful impact—then your claim exaggerates the real effects of the war on poverty. It seems to us that this doesn't serve a particularly good cause.

Mr. SHRIVER. Those figures are compiled by the research and planning department. Sarge is not putting them out. They come from there.

Mr. GOODELL. It is your agency.

Mr. SHRIVER. They are the best figures it is possible for us to obtain. Everybody likes to know what the figures are, what are you doing? These are the best figures we could come up with. Suppose we had touched 6 million or 5 million or 7 million people. That still leaves five times as many people untouched and that is what we are talking about all the time. If there are 32 million people in the United States that are poor we are not touching even one out of four with 8 million.

Mr. GOODELL. Reached, affected, served, touched, all of these words are misleading. I quote another outstanding authority who has made many of these studies and he said:

"Unsupported claims of achievements and exaggerated official promises for the Federal war on poverty regrettably have serious repercussions."

Mr. LEVINE. On that 7 million or 9 million people, it should be clear that neither my Department nor Mr. Shriver has ever claimed anything for that figure aside from what you have said. There are people who have passed through that we don't know how we have affected.

Mr. GOODELL. What does touched mean?

Mr. LEVINE. It means perhaps they have been in a neighborhood center. In fact, Mr. Shriver never meant anything but that.

But as I have looked at programs in the past and seen them develop from a committee, the real strong programs that continued without a great deal of controversy are the ones that have had bipartisan support when they came out of the committee. For that reason I believe that there ought to be some major changes.

Some of the major differences of the opportunity crusade will involve private business to a far greater extent than does the committee bill.

I am convinced that the only way we are really going to solve the poverty problem in the United States is to enlist private business in the activity so that private business can give meaningful jobs—real jobs—that can carry these people on year after year.

You talk to the people in the ghettos and talk to the poor people and ask them what they want. They want jobs—good jobs—jobs with dignity. If we will give them the benefits of the educational training programs and an opportunity to find jobs in private business the antipoverty efforts will be worth the money expended.

The Industry Youth Corps, which we advocate, will enable the Federal Government, through a much smaller expenditure of money per individual, to give poor youth a better opportunity for meaningful jobs.

The National Youth Corps now requires a 90-percent Federal share in the wages of the youth. Under the Industry Youth Corps the Federal Government will only need to contribute 25 percent of the wages of the youths, enough to enable private business to utilize such young persons and teach them skills during the period of time that their skills are not commensurate with the wages that have to be paid.

This subsidy would enable us to reach many more young people with the same amount of money and give them much more meaningful jobs than they could secure either through public or private nonprofit employment.

I believe, Mr. Chairman, if we will strengthen the private enterprise portion of this bill and transfer those parts of the program that obviously ought to go to existing agencies for the operation of such as the Job Corps going to vocational education, and Headstart and Upward Bound and Followthrough to HEW and make certain of a more meaningful voice for the poor in community action, we will then have the kind of strong economic opportunity bill this year which I believe we could all support. It is toward that end, when we are considering the bill under the 5-minute rule tomorrow, that I will be working as one Member of this body.

Mr. ROBISON. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. ROBISON. Mr. Chairman, I take this time merely to commend the gentleman on his statement and on the position that he has adopted and to advise him that I support it wholeheartedly. I am looking forward to success in the effort that he will be offering to us to improve this program.

Mr. Chairman, if one can accept that which is said editorially by the New York Times as being accurate and objective, then—on the basis of its lead editorial this morning—Julius Caesar would have to stand corrected for "all Gaul" would now apparently have to be divided not just into the traditional three parts but into five parts, with the two new divisions being reserved for our two colleagues on this side of the aisle, the gentleman from New York [Mr. GOODELL] and the gentleman from Minnesota [Mr. QUIE].

This is because—though one has to change the spelling of "Gaul" a bit—the Times has chosen, wrongly and unfairly, I believe, to attack these two of our colleagues for advancing their "opportunity crusade"—as they call it—as a substitute for the bill, S. 2388, now before us.

To quote the Times:

> It takes a lot of gall to vote against the poor and then call it a "crusade" but many a gentleman in Congress is brave when it comes to defeating the defenseless.

Mr. Chairman, it is easy enough to get emotional about subject matter such as that we are now beginning to consider—anyone can do that and many of us here probably will before this debate ends—but I believe that the Times has gone way off the deep end in this respect and I, personally, resent and object to the line its editors have thus taken. I resent it and object to it, not just in behalf of these two of my respected colleagues who have so been singled out for attack, but I resent it and object to it in my own behalf and in behalf of all those others here who, regardless of party, have voted against prior antipoverty legislation, not because of any lack of disregard for or understanding of the problems of America's poor, but because we disagreed with the approach—or some portion of it—as embodied in those earlier bills and offered as a solution to those very real and urgent problems.

The situation, as I see it, Mr. Chairman, is very much the same here again today.

For the question we all have to decide is not whether the poor have problems—or whether those problems are worthy of our attention—but how best can we, how best can this Nation, get at the root causes of those problems; how best can we devise an antipoverty program that will produce more for America's poor than a rising tide of expectations that—once dashed against the hard rocks of reality—will smash back in against us all in a flood of disappointment and disillusionment that could carry with it the seeds of revolution.

Now, I am far from an expert in this field. In point of fact, I doubt that anyone really is, given the truly experimental nature of what has been attempted in this war on poverty that—Government directed and Government led—has been devised to supplement and spur on the similar war that the individual American citizen has heretofore been carrying on, mostly on his own, and with generally outstanding success, ever since this Nation was born.

But, at the same time Mr. Chairman, I have done the best I could to familiarize myself with the manner in which this new and focused war has been conducted in the congressional district I have the honor to represent. I have visited and talked with the paid professionals who have been selected in our several communities to head this war, and I have—within the limited time given me—also visited and talked with as many of the so-called poor, themselves, whom this program was intended to encourage and to assist, as I could.

From this experience, Mr. Chairman, I know that this program has accomplished much that is good and useful in my congressional district, and I believe that this is an effort that must now be carried on—and I now announce that I hope we will vote to carry it on but, at the same time, this experience has convinced me, too, that the program can and must be improved in several respects; that it needs to be tightened up and to be subjected to better overall administration, and that in this respect the suggestion made by the Goodell-Quie substitute for a transfer of certain of the OEO's programs to other, preexisting Federal agencies, makes good sense to me and, far from "gutting" OEO as this proposition has sometimes been pictured, this would permit OEO to move back toward what ought to be its primary function—that of coordinating and spurring antipoverty efforts on both the Federal and local levels.

For it seems to me, Mr. Chairman, that though less visible and less dramatic, certainly, than the running of national antipoverty programs, this coordinating role—the overseeing role—that OEO ought to have, if this overall program is ever to succeed, is of vast and heretofore mostly forgotten importance. For, as we have already seen all too often, when OEO attempts to operate programs itself—outside of the community action program which it ought to retain—it inevitably acquires a vested interest in continuing those programs, regardless of their merits or lack of success.

The prime example of this is, of course, the Job Corps which—as the minority points out in the committee report—has, unfortunately, been "as tragic a failure as anything attempted under the Economic Opportunity Act."

I was especially impressed, some time ago, by the views of Richard Boone in this connection. Mr. Boone, a former director of the Program Policy and Development Division of the OEO's community action program, suggests that OEO was intended by its original planners to serve as a "catalyst for the development of leadership among those who have been traditionally excluded from local decisionmaking, its funds to be used as 'cement' in bringing about the coordination of local groups that ordinarily might never work with one another."

But, then he adds—as has so painfully been true about so much of this originally oversold war—that "we promised much more than we could produce," and he goes on to further suggest that, in large part, the failure of OEO to produce better results has been because it has only partially fulfilled its role as a catalyst, saying:

> I doubt whether the Office of Economic Opportunity can remain responsive to its policy goals and *new* operational strategies while continuing to expand its direct operational responsibilities. If Federal agency history is any guide, as OEO increases its direct operations (through administering bigger programs and adding new ones), it will find its ability to innovate, criticize, evaluate and mobilize decreasing. As it increases its operational "domain", its constituency will shift from the poor to middle men, the carriers of its programs, and to those who help to designate the carriers.

Mr. Chairman, I believe the concern thus expressed by Mr. Boone to be most worthy of our consideration—and it is, as I understand them, the same sort of concern that now has motivated the gentleman from New York [Mr. GOODELL] and the gentleman from Minnesota [Mr. QUIE] in devising their substitute.

I am also especially gratified to note that, in that substitute, these gentlemen of the committee do not adopt that portion of the reworked committee bill which would tend to put local politicians—no matter how worthy and understanding they may be—firmly in control of the community action program, for I think this would be a very large mistake.

If there is promise anywhere in this whole effort, that promise—in my judgment—lies in the concept of community action, a concept that, to succeed, must remain flexible and innovative and, thus, fully responsive to local needs and conditions, and that, above all, must also involve to the fullest extent possible the poor themselves.

This is an issue that, I know, will be further developed as this debate moves along, but as of now I am squarely on the side of the Goodell-Quie substitute in this respect, just as I am on its side where it eliminates the proposal made by the committee requiring that at least one-half of each local community's contribution toward this program must be in cash. If one really wanted to gut the program, I do not know how it could be accomplished any more quickly than in that latter fashion because, bad though the Federal budgetary picture is, the local and State picture is, if possible, only worse.

Mr. Chairman, I appreciate this opportunity to express these preliminary views. I do not know, nor do any of us, what the outcome here this week will be; but I do wish that the Nation's press—that ought to be more objective about such matters as this, even on its editorial pages, than it has been—would take note that not all those who seek to preserve but improve, the war on poverty are its enemies. The Goodell-Quie substitute may not be flawless—but, then, neither is the committee's product, and it is our common task here this week, as responsible legislators, to do the best we can with the best of both; and this, I trust is what we will do.

Mr. QUIE. Mr. Chairman, I thank my colleague.

Mr. Chairman, I yield back the balance of my time.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, poverty is a pitiful state sometimes caused by circumstance and sometimes, we are told, passed from generation to generation almost as though by heredity. There can be little doubt that a war on poverty will find favor in our society. The Government, as an instrument of our citizens, has a rightful role in ministering to their broad problems. And so, I would say that there is little disagreement on the basic objective before this body—to approve a proper and successful way to alleviate poverty.

Nevertheless, we are undergoing extensive debate, over a period of several days, on this very point. In a few words, we are attempting to determine the best way to help the poor permanently.

I have been one who was skeptical. My constituents have related to me charges of direct political campaigning by antipoverty workers employed with Federal funds, suspicions of labor organizing with these same funds, even importation of hippies into certain areas to create pockets of poverty and require an antipoverty program. I am one who encourages political action and supports the need for labor unions, but I do not believe that public funds should be used in a partisan way to further these institutions.

Many of these problems have eased. Further, programs such as Headstart, Follow Through, Foster Grandparents, and Green Thumb have succeeded in areas of great need. In short, I consider some of our Office of Economic Opportunity programs, especially Headstart training for preschool youngsters, to be among our finest social programs.

This week we have before us a proposal to continue the war on poverty at an increased level of $2.06 billion, an increase of $460 million over the present program. In view of our present tight fiscal situation caused by the Vietnam war and heavy domestic spending; in view of the serious problems still existing in the present program; and in view of basic philosophical fallacies in the present program, which I will detail a little later, I cannot agree to continue this program in its present form, nor to substantially increase its authorized funding.

Instead, I will support a detailed program to redirect this poverty war into more constructive channels. We must develop the strengths, not perpetuate the weaknesses of the poor. We must inspire and incite them to self help rather than soothe them in the status quo with handouts and lack of incentive. We must bring the private sector into this effort to help the poor rather than load it all on the backs of our taxpaying citizens.

The vehicle for this change of direction, hopefully toward much greater success, is the opportunity crusade. I will support this new approach because it provides the following necessary changes:

First. It would cost the Federal taxpayers $660 million less than the administration program now before us.

Second. It would continue community action programs under OEO but with greater emphasis on job training, strong representation of the poor, and would require State plans to administer the program within each State.

Third. It would prohibit political activities by all antipoverty employees.

Fourth. It would create new programs to attract wider participation from private industry for job training.

Fifth. It would shift all educational programs—Headstart, Job Corps, Upward Bound, and In-School Neighborhood Youth Corps—to the Department of Health, Education, and Welfare.

Sixth. It would shift manpower and vocational training programs to the Department of Labor and eventually phase the Job Corps into State vocational education programs.

Seventh. It would establish military career centers to upgrade young men to meet military service requirements.

I firmly believe that an antipoverty program of this nature must appeal to the strengths of our citizens rather than to their weaknesses. It must be our goal to provide programs which will motivate people to help themselves improve their lot rather than to encourage dependence on others or to reward idleness, sloth, or immorality. In addition, any program should include provisions which will encourage individuals to help the poor and disadvantaged through a sharing of their knowledge and talents.

If we do otherwise; that is, if we establish programs which convince the poor that they are in for a free ride or that they will be taken care of by a benevolent society without any effort on their part, we cannot possibly realize any long-term gain, and I am certain that we would only succeed in placing a damaging and, perhaps, disastrous drain on the human and financial resources of our society.

I think the experience we have had with the Office of Economic Opportunity over the past several years has substantiated this point. The one great failing of the war on poverty to date is that it has attempted to solve deep-seated and long-standing problems with a simplistic handout of easy Federal money. I say simplistic because it has stemmed from a desire, conscious or unconscious, to take the easy course and to refrain from admitting to the real problems which cause poverty and the related feelings of cynicism, bitterness, and hopelessness which the poor feel, and which cause them to believe they are unable to help themselves. They think society, rather than their own shortcomings, holds them back from improving their lot.

The unlikely combination of Daniel P. Moynihan, former Assistant Secretary of Labor, and conservative William F. Buckley, Jr., has joined in recent years to point out that our society is unwilling to admit, and consequently ignores, many of the problems behind chronic poverty, particularly among poor, urban Negro families, which are far beyond solution by Federal grants. In many cases, political norms run counter to accepting and attempting to solve these problems.

Thus, I believe creative programs must be developed which come directly to the root of the problem. The past history of the Office of Economic Opportunity shows that it has failed to meet these problems and, in many cases, only increases bitterness and frustration among the poor. We need to provide the proper motivation.

I believe it is possible and effective to use the tax structure to help create incentive for people to advance their way in life rather than to destroy their initiative through excessive taxation or reliance on easy governmental grants. As we seek means of improving our education, employment, and other programs for social progress, we must seek positive means of making the tax structure a constructive tool in our way of life, not a destructive tool. Proper tax reform is an answer.

Rather than taking away initiative by way of free money and help, people should be encouraged to become motivated volunteers by permitting them to take measured tax deductions if they, in turn, accept certain responsibilities.

I think the tax structure can become the focal point of our efforts. Also, in keeping with the philosophy embodied in the tax reform proposal, we should make certain that other programs for social upgrading be based on providing motivation, both to those who need the assistance as well as to those who are able to provide it. The more socially disadvantaged persons we can motivate and the more successful persons we can motivate, the more far-reaching and long-lasting any program will become. Additionally, any successful effort of this nature will become self-prolonging and self-sustaining.

A successful program, to my mind, must draw from the resources of all levels of government, from the private sector and from the independent sector of religious groups and charitable organizations.

If we can muster up the courage to acknowledge and accept the true sources of the problems of the poor, if we can develop intelligent programs designed to encourage greater motivation toward self-help and, if we can involve all segments of our society in this vast effort; then, and only then, can we begin to make significant improvements in the lives of our disadvantaged people. Further, any program which does not meet these criteria will be an unfortunate waste of time and money and will cruelly raise the expectations of our poor without any hope of fulfilling them.

We have a responsibility to the poor to help upgrade their lives and I hope this Congress will live up to that responsibility. However, a poorly conceived effort could become a tragic hoax, and I hope that wisdom and judgment will be used in developing an efficient, successful effort in this field. In respect to these thoughts, I believe that the opportunity crusade is a significant improvement.

Mr. PERKINS. Mr. Chairman, I yield 8 minutes to the gentleman from Florida [Mr. GIBBONS].

Mr. GIBBONS. Mr. Chairman, after 8 or 9 or 10 months of working on this legislation, the issues have now been distilled, despite all of the talk we may hear in this Chamber, to just two major issues that should attract the attention of this body during the remainder of the debate.

The first major issue is on the question of money. How much money and effort are we going to put into this program?

The second major issue revolves around the Green amendment—the amendment that my friend, the gentleman from New York [Mr. GOODELL], refers to as the boss and boll weevils amendment, and as to which he said, as I understand it, there just were not any real responsible governments in the South to carry out a constructive program.

I am going to devote my time to those two important issues.

First of all, apparently, tomorrow the first thing we are going to be faced with is a motion by the gentleman from Ohio [Mr. AYRES] that we commit hara-kiri with this program; that we take this program and we slit our own throats; that we take this program and allow it to continue on a month-to-month basis, with $101 million.

All that that would do to this program is to kill it, without the gentleman from Ohio [Mr. AYRES], and the Members who will vote with Mr. AYRES tomorrow, accepting the political responsibility for killing the program.

That is all it would do, because the program would deteriorate in Washington, and on every street in the United States where it is working effectively. That is all that the Ayres motion would do. If Mr. AYRES wants to kill this program—and I am sure that he does because he has submitted motions to strike out the enacting clause in the past—then I would suggest to him that he take the straightforward approach that he has always taken in the past—just attack the program. Do not merely strangle it to death. Do not let it commit suicide by itself.

I would urge those who are truthfully opposing the program not to vote for the Ayres amendment but just vote to kill it when final passage comes.

On the money issue, the bill that the committee brought to this floor was in the President's budget. Many people may wonder how much of the need is actually met by this program; let us talk about the need in America for a little while and contrast it with what our actual support is. Actually, the need in this country is about 10 times as great as the effort we are carrying forth in this program. If we had the money available, if we had the trained people to carry out the program, to actually do something about the amount of poverty that we have in this country, it would take in addition to this program, and all the other programs ongoing now that we have in this country, $12 to $13 billion a year to really make a substantial impact on poverty in the United States. The need is that great. Contrast it with the figure we will probably come out of here with next week when we vote on the bill. So the need is much greater than we have ever been willing to put up.

I think America has the capacity and the skill, but, I am afraid it does not have the determination to attack and solve this problem. But the need is there and the money can be spent and spent wisely.

As to the "bosses and boll weevils," first, I take strenuous objection to calling Mrs. GREEN's amendment by that title. It was an amendment that many of us had talked about for a long time. I do not think I need to apologize for my support of that amendment.

I support Mrs. GREEN's amendment because I think it is a constructive step. It would bring back into the program what we had originally conceived the program to be—a responsible program, administered wherever it can be by a local government, a local government that would put some money into the program and put some of their own effort and some of their own reputation on the line. That is what I meant it to be when I voted for the program 3 or 4 years ago and when I have supported it ever since. That is what the Green amendment does.

Mr. CAREY. Mr. Chairman, will the gentleman yield at that point?

Mr. GIBBONS. I am glad to yield to the gentleman from New York.

Mr. CAREY. I thank the gentleman for yielding. Is it not true that your familiarity with the guidelines that were published by the OEO to translate the intent of Congress in the present bill into implementation at the local levels, that those published guidelines actually carry the same kind of provision that we now have put in this bill, namely, on page 17 of the guidelines it states—

> The minimum standards for representation, either on the governing body of the community action agency or on a policy advisory committee are:
>
> A. Representation from private and public agencies shall include at least one representative of the chief elected official, or officials, of the community, the board of education, the public welfare agency—

And so forth.

Thereafter, in subparagraph (b) it states that there shall be—

> Representation form the leadership of important elements in the community, such as labor, business, religious, and minority groups—

Just as we provide in this bill.

Finally, Congress decided to include the poor to be served, which we call the indigenous corps, and which has been characterized as the maximum feasible participation by the poor.

Is it not true that if these boards that were set up had followed the guidelines laid down by the OEO, and had followed them as published in the OEO pamphlets, they would not have to reconstruct or try to revise the boards to meet the language of the bill? Is this correct?

Mr. GIBBONS. The gentleman has accurately described the situation.

Let us talk about the Green amendment a little more. I think, as I said, there are only two major issues. One is money, and the other is how we are going to control these community action programs. I think Mrs. GREEN of Oregon put her finger on the issue when she said we did not intend in 1964 to create another whole level of government in the United States, a level of government that had no clearly defined constituency and a level that did not have to levy any taxes, and a level that was not responsible to any electorate.

It seems to me that somewhere along the line the objectives of title II were perverted by the establishment of numerous so-called private, nonprofit corporations to administer Federal funds.

There are many of us on both sides of the aisle who have a great deal of respect for local government, for the process of people standing for election, and that is all we are asking that we go back to.

If there is any irresponsible government in this country, there is adequate provision in the Green amendment for the bypassing of this operation.

So I would urge, as we consider how we are going to vote tomorrow, to remember there are only two really major issues: One is on money—and we are not doing enough, and we have a great deal of capacity to do more—and the other is on how the program should be managed.

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. GIBBONS. I yield to the gentleman.

Mr. FEIGHAN. Mr. Chairman, I commend the efforts of the Office of Economic Opportunity and urge its support.

In its formative period OEO did not function perfectly. However, as time progressed, many cogs were eliminated and greater efficiency achieved. The program is still not without fault. However, its continuing improvement justifies our approval of its work.

Basically, I support OEO for two reasons. First, I believe in the fundamental concept of rehabilitative services in contrast to Government handouts. The active participation of highly skilled personnel working with the individual helps him break the cycle of poverty. It provides the individual subsistence level, enabling the individual to attain the essential motivation and self-respect to become a contributing member of society.

Second, I have observed the programs in my district. OEO programs in Cleveland deserve praise. OEO funds in Cleveland have been well spent. Thousands of people have been benefited by these programs.

It is imperative that OEO continue. The war against poverty must be fought on many fronts, but there must be essential coordination between these efforts. This can be best achieved by all programs being a part of OEO. Extensive hearings conducted by the Committee on Education and Labor show unanimous agreement by almost all sectors of society—business, labor, charitable organizations, and government—that OEO should be the central guiding mechanism for the war on poverty.

Mr. DELLENBACK. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. BELL].

Mr. BELL. Mr. Chairman, I rise in support of S. 2388. I do have one point I would like to make relative to the comments of the gentleman from Minnesota [Mr. QUIE]. I do have to agree essentially with what he said, relative to adequate representation of the poor on the community action boards.

Mr. Chairman, the need for a meaningful and effective war on poverty has at no time been more critical.

We are just beginning to realize the dimensions of the problem facing us—in terms of numbers and in terms of the kinds of needs that must be met.

We are just beginning to make good on promises too often only spoken and to realize the rights and hopes which have too long been deferred.

My belief in the need for a meaningful war on poverty is not without the qualification that in all too many instances it has suffered from serious maladministration on its several levels.

But, Mr. Chairman, I believe that all of us—especially those of us who have not supported antipoverty legislation in the past—should take a moment to reflect on the issues before us today.

Despite popular statements to the contrary, a vote on our committee's bill is not a vote for or against the war on poverty.

It is a vote for or against changes which would improve much of what has been wrong with the war on poverty.

I have been numbered—and will probably continue to be numbered—among the most severe of OEO's critics.

But it is because of such criticism that we have before us today a constructive piece of legislation—not perfect by any means, but a great deal more constructive than anything we have considered in the past.

This bill constitutes an acknowledgement by OEO's most vigorous defenders that criticism has in fact been justified.

I have joined with my minority colleagues on many occasions in attacking such faults as the inordinately high cost per Job Corps enrollee.

This legislation would reduce that cost.

I have protested the use of taxpayers money in partisan and nonpartisan political activities by antipoverty workers.

This legislation would finally restrict such activities.

I have seen and been critical of serious fiscal abuses in community action programs.

This legislation recognizes such abuses and provides strengthened auditing requirements.

Mr. Chairman, this is not the time to slice up the antipoverty program.

I know that many have said the Nation is running through a period of conservatism, that the people want to slow down, not spend money, and so forth; but, Mr. Chairman, I do not believe the American people believe this insofar as the urban ghettos are concerned or the poor in the ghettos, or the poor in areas such as Appalachia. I believe that to say they are opposed fighting poverty would be misreading their sentiments. The American people do recognize poverty as a problem, a disease, and despite the condition of the thinking of the American people today, which one might say is conservative, I believe the American people want to do something about this very severe problem.

If we should kill this bill, poverty areas are going to interpret it as—as an attempt to turn our backs on the urban poor. I believe that it would be a very serious mistake for either side of the aisle, to take that position.

This is the time to strengthen it.

The war on poverty has only just begun.

We have failed so far to put sufficient emphasis on the paramount need for on-the-job training in jobs of substance in the private sector.

We have failed adequately to utilize the largely untapped resources of private enterprise.

It is essential that this house lift its sights to meet the expectations of the American people.

We must take action of real significance—rather than turning our backs on the cities and dashing the hopes of our youth.

We must do so now—not because it will cool the cities, not because it will prevent riots—but because it is right, and long overdue.

We have a commitment to the ghetto dwellers, to the rural poor, to the young people of this country.

That commitment, to be meaningful, must be enlarged, not cut back.

It must be streamlined, not shuffled into further confusion.

To do less could destroy the hopes of those who have little left to live on but faith.

Mr. MIZE. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to the gentleman from Kansas.

Mr. MIZE. Does the gentleman know, either from memory or from checking either with the majority or minority staff, whether in the consideration of this bill in the committee there ever appeared representatives from the Salvation Army, one way or another?

Mr. BELL. I do not recollect whether they did or not. Perhaps the chairman of the committee could answer that question.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to the gentleman from Kentucky.

Mr. PERKINS. I do not believe they did.

Mr. Chairman, on behalf of the committee I wish to take this opportunity to congratulate the distinguished gentleman from California [Mr. Bell] for his outstanding work in the legislation. He worked diligently and untiring in his effort to bring a decent bill to the floor of the House, and gave the Committee his most active support in writing the present legislation. Numerous amendments the gentleman proposed were adopted. He has made a great contribution.

Mr. BELL. I thank the gentleman.

Mr. PERKINS. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. Pucinski].

Mr. PUCINSKI. Mr. Chairman, I rise in support of the committee bill as amended. I believe it will go a long way toward continuing the war against poverty in America.

It is the irony of our time that while this Nation enjoys its eighth consecutive year of economic prosperity, there continues to be millions of Americans who live under poverty conditions.

I would agree with my colleagues in the minority that the first goal of this legislation must be the ultimate attainment of a job for the victims of poverty. There can be no question that a poverty program that does not ultimately prepare those in poverty for employment fails to meet its mark.

But it would be my hope that my colleagues would not view the poverty program as a program within itself. If we were to view this effort as a single-shot operation, only within itself, then I would say the poverty program is destined to fail.

I suggest that we view the Economic Opportunity Act as only one weapon in the arsenal of the war on poverty and apply it to the totality of the problems being experienced by those in poverty.

The poverty program supplements and adds to the program of the model cities, Federal aid to education program, manpower retraining, and the various efforts to improve housing for the underprivileged, together with the massive efforts now being worked out both by the Government and private industry to eliminate slum housing; the huge effort being made by local governments to improve education, all of these things—moving together—in their own way play a key role and will lead to the elimination of poverty in America.

Mr. Chairman, it would be a mistake for us to view the legislation before us today as a total answer to poverty; this poverty program must be viewed as only one segment of the total effort to eliminate poverty. Those of us who support this legislation are part of a national effort for America ultimately to be the first nation in history to reduce and hopefully eliminate poverty. This is the great promise of a free America.

There are those who have expected miracles in the short time this program has been alive. And, indeed, in many parts of the country in many of the community action programs, miracles have literally been performed.

Unfortunately, there have been many shortcomings, and those shortcomings are the ones which have received the greatest public attention.

The committee has labored honestly and fairly and sincerely to eliminate those root causes which brought about the conditions which produced the criticisms.

But all in all, when you view this program in its entirety and understand those fundamental objectives, and that is to deal with the total problem of poverty along with all the other programs now on the books, only then can you fully appreciate this effort.

It is a hollow effort to say that you want to create a job for an unemployed person in poverty when in reality that person in his present form is totally unemployable. It is not easy to find jobs for those who have migrated to the big cities and to the small communities in rural America because they were automated out of their sharecropper role, or from the forests in the deep South where they have been automated out of a job, or from Appalachia where they have been literally dislocated and forced to move because of abject poverty, when none of these families have even the more basic experience for individual employment.

In many instances these tragic victims of poverty do not know how to distinguish between a men's and women's washroom in a factory because they cannot read the signs on the door. People who are totally unemployable because they cannot recognize simple signs like "Danger" and "Stop" and "No Smoking."

People who have had absolutely no experience in any kind of factory or service industry.

How can you expect Headstart alone to make an impact on youngsters who are offered this marvelous educational assistance when they are returned to a home or a mother coming to the big city or urban rural America with no concept of life in urban society. She walks into a supermarket and aimlessly wanders through the aisles, unable to read the labels on the cans. She knows nothing about urban life, nor does she know anything about the problems of urban communities. This women needs a great deal of assistance. Yes, she needs assistance on how to run her house. It is difficult for Americans to appreciate this and understand that in this great and beautiful America of ours there can be people like that. But the harsh reality of life is that they are with us, and until we can reach the total problem of these people and until we can help them at all levels to resolve their individual family problems as well as community problems and train them and prepare them for employment, piecemeal and fragmentized approaches to the problem of poverty must end in failure.

This is why the community action program has been so successful in so many communities.

I am aware of the opportunity crusade proposal, but I suggest to my colleagues that it does not face up to the reality of the problem before us.

It is superficial in that it presumes that all you have to do is find a person a job and somehow all of the problems will disappear.

I am amazed that my colleagues who have spent so much time in studying this whole problem of poverty and the deep roots that it presents to us would try to oversimplify the solution by proposing their opportunity crusade.

The Office of Economic Opportunity has recognized that poverty has many roots and until you deal with all of these roots individually and collectively, you are not going to make any significant contribution to eliminating poverty.

Let me cite you the most recent study made of five exceptional schools in the city of New York which have been partially financed under title I of the Elementary and Secondary Education Act. All of the most modern techniques of teaching were moved into these five schools and these youngsters were exposed to the finest kind of teaching ever developed by man. Small classes; special teachers; highly trained teachers; all of the visual aids; special tutorial services; high-density counseling; psychiatric and psychological assistance, and all of the other things that modern-day educators believe are needed in order to raise youngsters to an appreciable educational standard.

After 3 years of this high intensity teaching, Mr. Chairman, I regret to say that an impartial study of this experiment shows that the youngsters attending these special schools have achieved no greater academic standards than the youngsters who did not have this kind of assistance.

What does this mean, it simply means that there are a great many other factors which must be brought into play if you want to improve the academic standards of children in poverty. It cannot deal with this problem on any single-shot, single-method operation. Obviously, the problem was that while these youngsters received an inspiring education in school, after school hours they returned back to the same morbid poverty-stricken conditions in their homes and family environment. And so, Mr. Chairman, this poverty program is designed to close that gap of family life which contributes so much to the many social problems, including rioting which plagues the streets of America today.

Let me give you another example, Mr. Chairman.

This Nation is now spending in excess of $2.5 billion every year on support of the ADC program—the aid to dependent children program.

This figure is constantly growing, despite all sorts of effort at the local level to deal with the problem.

Mr. Chairman, it is not enough for us to condemn the problem and say that we ought to tighten up the rules. This problem is going to be with us for a long time to come unless we do have an effective antipoverty program which deals effectively with these young women, and helps them develop higher social values. I read an excellent article by Miss Lois Wiley of the Chicago Daily News on this entire subject and if ever anybody needed any persuasion to support the continuation of the poverty program, and within it, the very important planned parenthood provisions which make possible intelligent programs for these young women within the community action program, let them read the article by Miss Wiley.

Mr. Chairman, the minority says that it wants to reorient this program to bring in a greater degree of the private sector and private industry of our economy. I could never find any quarrel with that concept. I also read an editorial which appeared in the Chicago Sun Times dealing with the very problem of how private industry today is more and more taking on a key role in the elimination of poverty. We read with great pride and admiration a statement by Mr. Henry Ford that the 5,000 workers who quit to find other jobs during the recent Ford strike will be replaced by workers from poverty areas who will be trained by the Ford Co. to be eligible for these jobs. This is a magnificent and inspiring example of how private industry now is moving in with its own resources to deal with the problem.

We also read with great admiration how the private insurance companies of America are providing more than a billion dollars in financial assistance to deal effectively with slum housing.

In Chicago, the U.S. Gypsum Co. is engaged in an exciting program to renovate 1,500 slum housing units in order to make them habitable for people in poverty.

We also see a huge effort being made by the Federal Housing Administration to encourage homeownership among the people in poverty, giving them guaranteed housing and home improvement loans in order to speed along this progress.

It is because we realize that poverty has many roots that a tremendous coordinated effort is being made in this country to deal with the problem of poverty, and it is for this reason that I sincerely hope my colleagues in this Chamber will set aside harsh judgments, will set aside parochial views, will set aside personal animosities, will set aside lack of understanding and look at this program in its entirety. More important, Mr. Chairman, it is critical to view the poverty program as one aspect of a total effort being made today by local governments, by State governments, by private organizations, by not for profit agencies and organizations, by private industry, and yes, the Federal Government—all of us moving together in unison in an effort to eliminate poverty. I honestly believe that we can be the first nation in the world to eliminate poverty.

It is for this reason that I believe the Education and Labor Committee amendments to the act have made a significant and constructive change. The gentlelady from Oregon [Mrs. Green] has offered two very significant amendments which I hope will be retained in the bill.

They are not amendments to give this program back to city hall.

This is a statement that will not stand up to the facts. In those communities where local governments are now very active, and actively participating in the development of these programs—and thus including more of the big cities—we find the most successful programs in America. The criticism of these programs has come primarily in those areas where public officials have for various reasons been disengaged from this program and have avoided any responsibility for its management.

An amendment offered by the gentlewoman from Oregon [Mrs. Green] would make sure that all Federal funds must flow through an agency of government as a community action agency—either a State agency or a county agency or a municipal government. But the amendment clearly and specifically and unequivocally requires that this agency must be governed by a community action board whose members equal at least one-third of those representing the poor in the community, one-third elected officials, and one-third interested parties. The amendment specifically provides that the poor cannot be handpicked by the mayor or by the Governor, or by the city manager or by the county board president based on their political beliefs or how much help they can give to the local political organization.

On the contrary, the bill requires that this one-third of the representatives of the poor must be "chosen in accordance with democratic selection procedures adequate to assure that they are representative of the poor in the area served," and I am quoting from the bill, page 174, line 23. In other words, the committee bill in no way disturbs the present method of selecting members. All we did was put the money in the hands of the community action agency.

I hope this House will reject the irresponsible statements made by those who try to create the impression that somehow Mrs. Green of Oregon's amendment is designed to give this program to city hall. I invite your own careful study of the language of this particular provision. You will see from reading the language that these statements are just not consistent with the facts.

The other very important amendment is the amendment which would bar direct funding from Washington to these various "fly by night" organizations that few have ever heard about. This has been an area of great and serious criticism. Mrs. Green of Oregon's amendment provides that only programs approved by the community action board—and keep in mind this board must have a minimum of one-third members of the poor on it—can be funded out of Washington. Heretofore, we have found instance after instance where somebody here in Washington, without even consulting the local community or the proper people in that community went ahead and funded programs directly out of Washington. This has created many problems; serious problems.

Mr. Chairman, you cannot argue on the one hand that you want maximum feasible participation of the poor in the planning of these programs and then on the other hand allow the bureaucracy here in Washington to make its independent decisions on the funding of these programs that do not go through the local community action board.

Mrs. Green of Oregon's amendment would provide that hereafter all such funding must go through the local community action board, or after it is approved by the community action board, it can then be funded directly out of Washington.

All over this country, decent, legitimate, experienced, effective, private organizations and nonprofit agencies which have been dealing with the problems of poverty for a long time and whose only shortcoming over the years has been that they have been plagued with a shortage of funds, are asking how come they are being required to go with their programs to the local community action board of a given community to share in the limited funds available to the local CAP agency when certain elite can come directly to Washington and get million dollar financing without ever clearing with the local board.

Mr. Chairman, if you really want to preserve the structure of private—not for profit agencies—participating in this war on poverty, then I say you will accept the Green amendment which bars the bureaucracy here in Washington from choosing at will those private agencies that tow the line of those who have their own design on America here in Washington.

Mrs. Green of Oregon's amendment in no way interferes with the participation of private, not-for-profit agencies in the war on poverty. All it says, is that programs or proposals devised by private agencies shall first be submitted to a local community action board and the people of the local community will have the final decision whether or not this particular program fits into the comprehensive plan they have devised for their community with the assistance of the poor in that community to attack poverty at all levels.

Mrs. Green of Oregon's amendment makes a lot of sense to me, and I hope that this House will support her in this endeavor.

There have been many other amendments that the committee has adopted which, in my judgment, make a more effective bill.

So, Mr. Chairman, I strongly urge support of the committee bill.

I hope we reject efforts by the minority which would seriously reduce the funding of this program. All over this country local communities have worked out effective programs which are starting to have impressive results.

In the city of Chicago alone we have been able to remove more than 22,000 families from the public dole with this poverty program. The savings to the taxpayer in the long run are huge.

America now is spending an estimated $44 billion on various forms of public assistance to the people of this country. This cost is second only to the cost of our defense commitment.

Mr. Chairman, I do hope that my colleagues will dispassionately look at this poverty program. Talk to their local officials, and recognize that for any appreciable reduction in expenditures, in the war on poverty now will have a profoundly adverse effect all over the country. This is false economy. You would have to phase out programs that have cost us a substantial investment of public funds to establish. You are really wasting money when you try to reduce the expenditure at this time because sooner or later, Mr. Chairman, you are going to have to restore these programs.

This poverty program has many facets—all of them directed at eliminating the menace of poverty.

I sincerely hope the House will sustain the committee in its honest effort to make the war on poverty an effective instrument for the betterment of America.

Thank you very much.

So I say to the Members the two amendments, approved by the committee and offered by the gentlewoman from Oregon [Mrs. Green], strengthen this program, and will help us move forward.

The CHAIRMAN pro tempore (Mr. Price of Illinois). The time of the gentleman has expired.

Mr. PERKINS. Mr. Chairman, I yield 1 additional minute to the gentleman from Illinois.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Illinois.

Mr. GOODELL. Mr. Chairman, I understand from the gentleman from Chicago that this will legitimatize the control which Mayor Daly now has over the program in Chicago. The same thing will happen throughout the country in the other big cities as far as their programs are concerned. Such as Mayor Yorty, of Los Angeles, who has dominated the Los Angeles program, now he will have control completely. There will be no programs which they disagree with funded because they will control all programs through the local councils, they will dispense the money, they will have likewise a community action board that is a central place where the poor can represent themselves and make no decisions.

Mr. PUCINSKI. Let me comment on that. I have invited the gentleman and the gentleman from Minnesota [Mr. Quie]——

Mr. GOODELL. I have been in Chicago.

Mr. PUCINSKI. I have invited the gentleman and the gentleman from Minnesota [Mr. Quie] and the gentleman from Ohio [Mr. Ayres] to come to Chicago and investigate our program and I told them they would find the best program in America and all of you gentlemen have gone through the whole Chicago program from top to bottom. You had investigators over there who cost the committee hundreds of dollars. We gladly paid these expenses so that you could see what was going on in Chicago, and there was not a thing that you found down there. So let us cut out this foolishness. We have full involvement of the poor in planning and executing our programs.

Mr. GOODELL. You have the involvement of the city government in Chicago, you do not have the involvement of the poor.

The CHAIRMAN pro tempore. The time of the gentleman has expired.

Mr. DELLENBACK. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. Goodling].

Mr. GOODLING. Mr. Chairman, I have had an opportunity to examine firsthand the operation of various antipoverty programs in my congressional district in Pennsylvania, and I am happy to report to this House that many splendid things are being accomplished by these programs. In particular, I have seen many of our youths receive training that equipped them to obtain gainful employment. This has brought dignity to the individual and benefit to our society. I have also seen programs of doubtful value.

Unfortunately, as the record shows, most of the other antipoverty programs operating throughout our country do not operate with such a high degree of efficiency. It is my understanding that, in some areas of the country, fully 75 percent of the funds in these programs are used for administration purposes, leaving only about 25 percent of such funds to filter down to the people where they are needed.

Why are these programs in my congressional district so successful? Mr. Chairman, they are making a positive contribution because they are being supervised by highly responsible people who have an interest in having these antipoverty efforts bring beneficial results. The programs are operated not to pay off political debts or to provide political favors but, instead, to accomplish a bona fide public good. This type of responsible management promotes positive results.

Mr. Chairman, it is too bad that most of the antipoverty programs in the country do not follow the lead of the programs in my congressional district in worthwhile achievement. If they did, there would be an altogether different and improved tone to the program, and it would win wholehearted support rather than abuse.

Mr. Chairman, nobody can argue with the intent of S. 2388, the Economic Opportunity Amendments of 1967, but plenty of argument can be marshaled against the general results—particularly, the object of this legislation is admirable, and, generally—with the exception previously stated—the administration of it is deplorable.

Mention has been made of the so-called Green amendment. I want the Record to show that those responsible for the administration of the program in my area are violently opposed to this feature of the bill. If enacted as now written, many features of a working program will be destroyed.

Under unanimous consent I insert a letter at this point, written by one of the directors of the Community Progress Council:

Community Progress Council,
York, Pa., November 4, 1967.

Hon. George A. Goodling,
House Office Building,
Washington, D.C.

Dear Congressman Goodling: I want to thank you for meeting with Mr. Robert Erdos and me this morning and discussing the pending amendments to the Economic Opportunity Act. We also appreciate your suggestion that we submit our thoughts to you in writing.

The York County Community Progress Council is a non-profit corporation organized under Pennsylvania law in April, 1965. It is the duly authorized community action agency in York County for the development, conduct and administration of authorized programs under the E.O.A.

Ever since its organization the C.P.C. has followed a policy of involving as many community resources in its activities as possible. It has tried to maintain contact and communications with local and county public officials; it has involved existing health, welfare and recreational agencies as delegates in the actual operation of program; and it has striven to involve as many representatives of the poor, both in policy-making functions and program activities, as is possible. We believe we have had reasonable success in all of these efforts and that the many varied programs which have been developed and put into operation in York County have met with public approval and have produced significant results in terms of the objectives of the E.O.A.

Unfortunately, we believe, some of the proposed amendments to the E.O.A. will seriously impede continued progress of our program in York County. We are particularly concerned about two proposed changes.

First, it is proposed that agencies involved in E.O.A. community action programs be directed by a board at least one-third of the members of which are public officials or their representatives. In York County we have had excellent cooperation from existing public officials. Both the County of York and the City of York have made cash contributions to C.P.C. to assist in its operations. Various public officials have served as members of the corporation, and one has served on the board of directors. I believe I am accurate in stating that these officials have no desire to add the responsibility for governing the county's community action programs to their existing heavy duties.

Even more important is the effect this change would have on our delegate agencies. For example, one of our major programs in the City of York is being conducted under the sponsorship of the York Y.M.C.A. It is most unlikely that the Y.M.C.A. would be willing to revamp its own organizational structure in the way required by the proposed amendments to S. 2388. The only logical effect of such a change would be to make it impossible for C.P.C. to receive continued support and assistance from the many community agencies which have been so active in the program.

Second, the suggestion that at least one-half of the local contribution must be in cash will produce an equally great hardship on these agencies. So far, they have been able to meet the local contribution requirements by in-kind contributions and by mobilizing volunteer assistance throughout the County. We believe that this approach not only allows communities to conduct programs which, otherwise, it would be unable to support but also serves the positive goal of involving as many members of the community in the program as can be used. A requirement that local cash be supplied will undoubtedly work a hardship on the program and subvert one of its beneficial purposes.

We believe that the E.O.A. program has been a good one for York County and is working well here. We urge you to do what ever is possible to insure its continued operation and funding in a manner consistent with its original purposes. Your support in this effort will be greatly appreciated.

Sincerely yours,

HARRY J. RUBIN,
Member, Board of Directors, C.P.C.

Mr. DELLENBACK. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. STEIGER].

Mr. STEIGER of Wisconsin. Mr. Chairman, I will not try to enter the sticky wicket that has been created by those who support the so-called Green amendment to provide for domination by city hall of community action. I would, however, ask that some consideration be given to a study that was done by Daniel Yankelovich, Inc., on behalf of the Office of Economic Opportunity. Among other things in their study of some 10 communities, the Yankelovich study urged the Office of Economic Opportunity to give more attention to programs aimed at breaking the cycle of poverty, and at deemphasizing services that simply mitigated poverty. But they went on to point out that in most communities "the poor are included in even greater numbers on policy boards which govern individual programs. Thus, there is abundant evidence that the poor are in a position to contribute to the direction of the program. But there are significant differences of opinion about the effectiveness of their contribution."

It should be stressed, finally, this report goes on to say, "that the leaders of the poor—and to some extent the poor themselves—consider CAP's stress on giving the poor an opportunity to be heard as one of its most important innovations."

It is my judgment that it would be exceedingly difficult to continue this kind of innovation were the committee's amendments to title II, the community action title, to be adopted by this House.

The report goes on to ask, in question No. 13, on page 21:

Why can't CAP do a better job of keeping the political and government leaders informed of its activities?

The relevant findings were these:

This appears to be a major problem. It is a cause for adverse criticism in many of the communities studied. In some of these communities there is little or no contact, because there is no representation of the local administration on the CAP Board. This deficiency appears likely to be remedied in the future by changes in OEO law.

I concur this is a major problem, but what would be most regrettable would be to have the solution be regressive rather than progressive. Instead of moving to provide for meaningful participation the committee bill provides for complete domination of the CAP Board by city hall.

The committee bill is in contrast to what the Opportunity Crusade would provide which is the opportunity for complete participation both by the local administration and the citizenry.

There is, however, one further amendment in the committee bill which has not received a great deal of attention thus far to which I would call the committee's attention.

It is that part of the committee bill which will require that 10 percent of the local contributions for community action programs shall be in cash rather than in kind.

I have already placed in the RECORD on two separate occasions letters from people around the country who have been exceedingly critical of the 10-percent cash provision.

I got a letter dated November 3 from the League of Women Voters of Wisconsin in which they said:

LEAGUE OF WOMEN VOTERS OF WISCONSIN,
Madison, Wis., November 3, 1967.

Hon. WILLIAM A. STEIGER,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN STEIGER: The League of Women Voters of Wisconsin wishes you to know that we are very concerned about the future of the Community Action Program. We feel the two changes proposed by the House Committee on Education and Labor in the present Title II of the Economic Opportunity Act will alter the self-help concept of community action. We hope you share our concern and will help to defeat these amendments.

Sincerely yours,

MRS. F. A. MOTE,
President.

Prof. George Hartung, University of Wisconsin, wrote to me and said:

THE UNIVERSITY OF WISCONSIN,
Madison, Wis., November 3, 1967.

Hon. WILLIAM STEIGER,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN STEIGER: In my position as chairman of the English Department of University Extension I have had an opportunity to work closely with administrators and parents in Head Start. University Extension, in cooperation with Head Start, has set up a program to give parents a chance to remove themselves from the public welfare list, and to develop a more responsible attitude toward their children. We feel that we have been making some headway.

Now the program is in danger because of proposed legislation that will affect O.E.O. programs. The amendment that would require communities to provide 20% of funds, 10% in cash, would severely cripple Head Start in Dane County, which has been one of the national leaders in innovation and planning. I feel very strongly that a commitment has been made to the disadvantaged and that to escalate in the area of one national commitment while we deescalate in another is a gross inconsistency, particularly when the long-run effects are going to be upon American children.

Sincerely,

GEORGE HARTUNG,
Associate Professor of English.

The First Methodist Church of Madison, Wis., pastor J. Ellsworth Kalas, wrote to me as a member of the Committee on Education and Labor and said:

THE FIRST METHODIST CHURCH,
Madison, Wis. November 3, 1967.

Hon. WILLIAM STEIGER,
House Office Building,
Washington, D.C.

DEAR MR. STEIGER: I am writing you because of your position on the Health, Education and Labor Committee. I'm concerned that an amendment now before the House would require local communities to provide 20% of the cost of the Community Action Commission, 10% in cash.

I thoroughly favor that a great part of the burden be carried at a local level by contributions in-kind; I'm afraid that a cash contribution would kill the program in the very communities that need it most.

The church of which I am minister currently houses a Head Start Project. We have chosen to do so with no remuneration for rental or janitorial service; in fact, we did not seek even enough remuneration to pay for the several hundred dollars of fencing required to make our parking lot suitable for usage. I think this kind of contribution ought to be made by local agencies, to keep the program "local." But I'd hate to see the program suffer in the communities of greatest need simply because those communities would not be able or willing to get behind the program financially.

Sincerely,

J. ELLSWORTH KALAS.

In addition, I have heard from the following, each of whom expresses the same concern about the committee amendment to require that 10 percent of the local contribution be in cash:

SHEBOYGAN, WIS.,
November 5, 1967.

Hon. WILLIAM A. STEIGER,
House of Representatives,
Washington, D.C.

DEAR MR. STEIGER: The League of Women Voters of Sheboygan is opposed to two changes the House Committee on Education and Labor has made in the Administration Economic Opportunity Amendments. Placing the Community Action agencies under control of state and local governments would effectively put Community Action Programs directly into the hands of the local political groups, some of whom are not at all sympathetic to the program with its attendant participation by the poor.

As the amendment is now written, a private, non-profit organization may establish a CAP agency only if a public agency does not establish one. However, the private agency may be much more interested in sponsoring a program. We would like to point out that Sheboygan has had a Head Start program the past two summers only because of a few strongly interested individuals. We wonder if a city program would have been as well supported by the volunteer workers.

The committee amendment which increases the local contribution from 10% to 20%, of which half must be in cash, will effectively prevent Sheboygan from having a Head Start program next year, since the application is again being made by a small group of private citizens, under the sponsorship of the Sheyboygan Human Rights Association. We were pleased to read in the *Sheboygan Press* Nov. 2, 1967, that you oppose the 10% local cash contribution. We feel that the amendment should be changed.

Sincerely,

Mrs. Alfred Grube,
President.

November 3, 1967.

Congressman William A. Steiger,
House Office Building,
Washington, D.C.

Dear Congressman Steiger: Since you are a member of the House Education and Labor Committee, I am writing to you about House Bill S. 2388 concerning the Economic Opportunity Act.

I hope that you will work to keep the local Community Action Agencies under the control of concerned citizens, because I hear that elected officials (of state and local government) are given too much control under the proposed amendments.

Also I understand that local communities would have to contribute 10% of the funds *in cash*. The danger of this is that the communities with the greatest need are no doubt least able to raise this money. I hope this amendment will be eliminated.

My concern and interest are derived from my experience as a volunteer in the local Headstart program.

With best wishes,

Ted Page.

November 6, 1967.

Dear Mr. Steiger: I am writing as an interested member of the Dane Co. Citizens' Assn. for Children & Youth and a volunteer working with a group of Headstart mothers.

In reference to the House Bill S. 2388, please do *all* you can to fight for: citizen control of OEO programs, abolition of the requirements of 10% in cash donation from communities.

Sincerely,

Dorothy Batt.

Madison, Wis., *November 4, 1967.*

Re: House Bill S. 2388.
Congressman William A. Steiger,
House Office Building,
Washington, D.C.

Dear Congressman Steiger: We are greatly concerned about some of the proposals in House Bill S. 2388 as we feel is will weaken the Economic Opportunity Act, something our nation can ill afford.

We feel it is of utmost importance to maintain citizen control of OEO programs for most effective operation. We are opposed to the requirement of 10% in-cash donation from communities, as this would result in OEO programs being denied to poor communities.

Sincerely yours,

Mr. and Mrs. James E. Lake.

Madison, Wis., *November 2, 1967.*

Congressman William A. Steiger,
House Office Building,
Washington, D.C.

Dear Congressman Steiger: I am writing in reference to House Bill S. 2388, the amendments to the Economic Opportunity Act.

Madison presently operates a Head Start program and a neighborhood youth corps, both projects in large part funded by the Office of Economic Opportunity. I have been directly involved in the Head Start schools as a volunteer and have found it a very rewarding experience. The importance of the Head Start program and the other possible OEO projects I believe lies to a great extent in the participation of the average citizen who through these programs can acquaint himself firsthand with the problems of poverty. I think it would be tragic for the program if strings were attached making cash donations from the local community mandatory in place of the previously allowable contributions in kind for the local share. Secondly, I think the participation of the community itself in the planning and organizing is vital. Oftentimes, the political figures, those elected officials, are not willing to take the necessary steps toward elimination of poverty. I could here cite the reluctance of the Dane County Board in taking advantage of the federal program to train ADC mothers for work on the grounds that in the short run it might cost the County a small amount of taxpayers funds.

Yours truly,

Rebecca Young.

I happen to share their concern about the 10-percent cash amendment and I hope the House will not continue with that provision.

As to the opportunity crusade which my distinguished colleague, the gentleman from New York, discussed in some detail, there is a very important and I think meaningful provision which deserves further discussion.

It provides for the transfer of the Headstart program from OEO to the Office of Education.

One of the most severely criticized aspects of the Headstart operation has been the program's administration.

Unfortunately, there has been a severe time lag between application approval and funding in many instances.

I would like to call to the committee's attention that in a sampling questionnaire to Headstart sponsors by Congressman Quie, the following facts were revealed.

Of those answering, over half—84—favored the transfer of Headstart to the Office of Education. Some of their comments were as follows:

> Application was made in December 1965 and it wasn't until June 10, 1966, that funds became available. This was two weeks after the start of project. This program could be administered more efficiently if we were responsible to the State Department of Education.
>
> By the public school system since there is a greater understanding of the purposes of pre-school education and most of the administrative machinery would already be in operation.
>
> This program is definitely in the realm of education and should be handled by the public schools. . . . Headstart, in my opinion is a sound program and does a great deal of good for the less fortunate youngsters. It should be operated through the U.S. Dept. of Ed. and be handled locally by the public schools. As it is now operated no one seems to know what the other fellow is doing. We are asked to fill out numerous forms that are probably worthless.
>
> Should be public school administered with strong safeguards to insure the objectives of Headstart are carried out.
>
> Since this is an educational program for children, it should be administered locally by qualified, licensed early childhood specialists. Much red tape could be eliminated and funds received on time if all funds were administered by the same source.
>
> A program such as Headstart is an educational endeavor more than an economic one, therefore I believe it should be administered by the Office of Education. . . . Under present arrangements, we have been answerable to three agencies (1) local school board, (2) OEO and (3) ESEA, Title I. Can we cut down on duplication of paper work?
>
> The Headstart program is good and should have a secure place in our educational system, with the assurance that funds are available from year to year.
>
> Other agencies (not public school) are not close enough to the opportunities and problems.

Concerning existing funding procedures, the following comments were made:

> We have not been notified of funding yet—This is ridiculous . . . trying to guess a program out while waiting to be funded. The tardiness of organization whoever is at fault is comical and tragic. But we still function effectively.
>
> Discontinue such procedures as a firm in Oklahoma assigning preschool training programs for teachers in New York State.
>
> Funding should be assured earlier in the program—We were funded on Friday and had to open 400 classes for 6210 children on the following Monday. This made innumerable problems concerning personnel, recruiting and equipment. We could not officially hire aides, doctors, etc., until we were sure that the funds were available. We could not order materials for the same reason.
>
> (Changes). That OEO hire competent people to handle the administering of Head Start project. Many times people in the capacity of Head Start Area Evaluators had no knowledge of school, classroom procedure, and children in general. It is well to be an expert in stipulation set down by the OEO but most important that evaluators and technical assistance people be aware of the overall program and the objective.

One reason for the delay in funding has been a confusion over the source of funds to be used for pre-school-age programs. Headstart type programs can be financed under funds from title I of the Elementary and Secondary Education Act, as well as the Economic Opportunity Act. On August 10, 1965, Francis Keppel, then Commissioner of Education, and R. Sargent Shriver wrote to summer Headstart grantees and school supervisors urging them to follow up summer programs. Their joint letter said:

> Both the Economic Opportunity Act and the Elementary and Secondary Education Act can be used to finance both programs. (followup and summer programs)
>
> Either Act can be used to finance full-year programs for pre-school children of the poor, except that the Education Act is limited to programs under the administration and control of public educational agencies.

Herein lies the source of much confusion. There are numerous instances of applications being shunted from agency to agency while each claimed the other should finance it. In some instances, both agencies have jointly financed a program. However, OEO does not consider the role of the Office of Education when making projections of future Headstart program needs. They do not even maintain information on how many projects they are funding jointly with the Office of Education. As one OEO official put it:

> You can't legitimately say there has been a close relationship between the Office of Education and OEO. There has been a spirit of competitiveness.

Under the Elementary and Secondary Education Act, title I, approximately 4.9 percent of the total of $778 million provided in fiscal year 1966, or about $38,179,000, of that title has been used for preschool and kindergarten programs; 5.8 percent of title I participants are utilizing the program under funding provided by ESEA which is similar to that funded by OEO.

I believe that it would make a great deal more sense to take the approach of combining these programs in the Office of Education to fight duplication and to fight overlapping and waste so that everyone will know exactly where to go to get this program.

I want to make clear, however, that the local community action agency would have the responsibility for determining how and by whom the program would be run. If there is no local CAP agency, of course, a nonprofit Headstart agency would continue to be eligible as the sponsor at the local level.

Thus, the opportunity crusade would basically be aimed at a shift only at the Federal level.

This is what is provided in the amendment that will be offered for the consideration of the committee by the gentleman from New York [Mr. GOODELL], to insure that there will be coordination—something which is now lacking.

I want to pause here, Mr. Chairman, to pay tribute to the Fond du Lac County Office of Economic Opportunity, the Fond du Lac Area Economic Opportunity Committee, Inc. Under the able and dedicated leadership of the director, Mrs. Rosalie Tryon, and her staff and board of directors this community action agency has proved to be an effective agency in mobilizing the resources of the Fond du Lac area in working to meet the needs of the people of Fond du Lac County. Donald Flanders, a member of the board of directors of this agency, appeared before the Committee on Education and Labor and did an excellent job in providing insight into the operation of a local CAA.

I have had the privilege of viewing firsthand the programs being carried out in Fond du Lac County. Their operations are well run and well managed and it would be most unfortunate if this program were to be jeopardized by the failure of this House to provide the kinds of changes necessary to insure that the program can be strengthened, not weakened, in the time ahead. My fear, Mr. Chairman, is that the constructive amendments which will be offered in the days ahead will be turned down, that there will continue to be an unwillingness by the majority and OEO to move to correct the errors and mistakes which are so readily apparent. But, Mr. Chairman, if this program is not substantially redirected then the good programs, like the one being carried on in Fond du Lac County, will suffer.

Mr. SCHEUER. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Wisconsin. I am glad to yield to the gentleman from New York.

Mr. SCHEUER. What I do not understand, to engage in some forensics with my colleague, is why they will not accept success. When we established the poverty program, was it not to effect just exactly the competition that you describe as existing between the OEO and the Office of Education—the goad, the stimulus, the challenge, the competitive pin prick to the existing agencies in the executive branch to do the job with the poor that they have not been doing, and if the Office of Education now feels that they have felt the pin prick of competition and are now themselves engaged in the job that they had not done before; namely, to reach the kids in their preschool years and to adopt from OEO the concept of Headstart in an effort to get the local public school agencies of our country to reach down to preschool years, to reach into the homes and get to parents; is that not the hallmark of success of the poverty program?

Mr. STEIGER of Wisconsin. In my judgment, competition in many cases can serve, as the gentleman from New York has said, as a pin prick for the purposes of upgrading and improving the policies that may operate in another agency.

Mr. SCHEUER. So the program then has been successful?

Mr. STEIGER of Wisconsin. I do not think that is the case, and what bothers me is that it has not achieved success. It has achieved duplication. In my judgment, that is not to be desired as a goal either in OEO or in the Office of Education.

Mr. SCHEUER. Mr. Chairman, will the gentleman yield further?

Mr. STEIGER of Wisconsin. I have but 10 minutes and I cannot yield further.

Mr. SCHEUER. I thank my colleague for yielding.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Wisconsin. I yield to the gentleman from New York.

Mr. GOODELL. I merely wish to make one brief observation. It is always the same line that comes up here. They were not doing it before. They have success now because we have given them all this money. The basic point here is that the Federal Government, never before 1964, set up a program for preschool education. Many of us were urging such a program prior to 1964. That question is entirely irrelevant as to the proper agency that could administer this program effectively. Had we set the program up initially in the Office of Education with a good structure down through it to coordinate with existing programs and existing education efforts at the Federal level, with this money we would have a far more successful program today, and we are urging the Congress to take that action belatedly, 3 years later.

Mr. STEIGER of Wisconsin. There are two other points upon which I wish to make comment. One relates to the amendment that the committee adopted, and which is contained in S. 2388 for title IV. It is an amendment that I offered during consideration of the bill by the Committee on Education and Labor, and which has come under some criticism from those who think that this provision would be an invasion of the responsibilities and independence of the Small Business Administration.

May I say to my friends on both sides of the aisle that this is not the intent, the substance, or the purpose of the title IV amendment. In my view, title IV contains a significant breakthrough in the necessary struggle to help our major metropolitan areas, and in particular those who reside in ghetto areas. Title IV contains a program to develop businesses in those areas and to provide the kind of managerial training that is lacking today for so many ghetto area citizens. It would extend the title of this act, Economic Opportunity, into a more meaningful phase than it ever has been before. It would create a program of economic development where now there is none. It in no way jeopardizes the Small Business Administration, but what it does provide is a totally new program which would be assigned to the Department of Commerce for the purpose of giving meaningful management and technical assistance and advice to those in urban areas who can, with that kind of training and advice, undertake to become a part of the economic life, the indigenous economic life, of the ghetto area.

All too often the frustrations and the riots that we have seen break out in the past two summers have been vented against the very small businessman we were supposed to be helping.

The reason that has happened is because the small businessman has not been indigenous to the urban area served by his place of business. Title IV then would begin to reverse that trend.

What we are talking about in title IV is a program aimed at one of the root causes of this Nation's ghetto existence. Without this kind of program to initiate and provide the kind of entrepreneurial skill necessary to improve economic life, our ghettos will remain this Nation's wasteland filled with hopelessness and despair.

In title IV we have a program to ban that hopelessness, to change despair into hope for the future. That hope, quite simply, lies in creating an economic community in our inner cities by providing those who live there with a pride necessary for existence and growth.

Last, I think it would be well for this committee to take note of what a very wise Englishman, Richard Titmus, has said after a lifelong study of the problems of social welfare:

> We cannot achieve a better balance between the needs of today and the resources of today by living out the destinies of tradition. Without knowledge of wind and current, without some sense of purpose, men and societies do not keep afloat for long either morally or economically by merely bailing out the water.

S. 2388 in its present form does nothing more than bail out the water. It does not really aim at breaking the cycle of poverty. It does not give true meaning to economic opportunity.

I hope that the program will be redirected to provide less duplication, a greater involvement of State and local government, less redtape, and more meaningful help for the poor.

America today desperately needs an effective program to help the poor in a meaningful way. The Republican proposal—the opportunity crusade—would provide for proper administration of major segments of the existing antipoverty programs while redirecting the remainder strongly toward overcoming unemployment and dependency. It would use Federal funds in large part as seed money to help enlist the enormous resources of our free enterprise economy and to increase the scope of State participation.

Our opportunity crusade proposal, for example, would authorize a 1968 Federal expenditure of less than $1.7 billion—the administration called for an expenditure in excess of $2 billion—but would generate a total investment of public and private funds of nearly $3.5 billion. The revitalization of the program is impossible to calculate in dollars.

The war on poverty is in very deep trouble. It is in trouble in large measure because of its failure to meet the real needs of the unemployed and underemployed poor and because:

First, in far too many places in this country it has been mired in partisan politics and factionalism.

Second, a large part of the funds appropriated to help the poor have been spent for administrative expenses and high salaries.

Third, its management at the Federal level particularly has been inept.

Fourth, programs such as the Job Corps have produced few results at enormous costs when administered by a Federal agency having no competence in education.

Fifth, it has failed to involve the resources of either private industry or the States in any meaningful way.

I think if we can—as I trust this Committee will—move to redirect it, to involve State and local government and to a greater extent involve private industry. If this is done we can truly say that this House has created an opportunity for some advancement for the disadvantaged. If it does not, it will have failed in its responsibility.

Mr. PERKINS. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania [Mr. HOLLAND] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. HOLLAND. Mr. Chairman, I rise in support of the Office of Economic Opportunity, and in support of the 1967 amendments to the Economic Opportunity Act. I would say I rise in support of the bill as reported to the House, but there are areas in which I think it could be improved. I am not an enthusiastic fan of what the present amendments have done to community action. I am not wildly happy about the sudden doubling of the cash contribution by local agencies, and I am quite dubious about those amendments which seem to be designed to prevent the poor from being advised that they, too, are voting members of the community in which they live.

But I am also aware of the temper of this House, and I do not expect that a perfect bill could pass the House this year. Considering the mood of the House, considering the vital needs of the Nation with respect to the poverty problem, I am willing to measure the desirable in terms of the possible, and give my sincere support to this bill.

Mr. Chairman, in spite of thousands of words and speeches to the contrary, the war on poverty is not primarily a program "for the poor." It is a program for all America. Poverty is a problem with which the poor must cope daily and intimately. But those among us who think our affluence is eternal have to cope with it as well, whether we know it or not. Poverty at the level it is known in contemporary America is a national problem—it is a handicap all of us suffer from—it is a disgrace to the entire Nation.

There is so much that needs doing in this country, there are so many jobs for for which we lack the trained hands and heads, there are so many competing and equally legitimate demands on our human resources are left virtually untapped.

The growing burden of welfare costs, and the growing impact of the welfare mentality on recipients and dispensers alike, is reaching very serious proportions in this Nation. A program which will help break the cycle of poverty, help find permanent remunerative jobs for those who have always been thought of as being in a kind of surplus labor pool, such a program, Mr. Chairman, would be one of the most valuable things we could perfect, not only for those who would benefit from it at the outset, but for those, as well, who must pay for the consequences of our failure to do so.

America, Mr. Chairman, stands at a moral crossroads. The poverty program is designed to reunite a nation that the evil of poverty has come perilously close to splitting into fragments. The poverty program is intended to bring people into a community from which they have been excluded by walls too high to climb and too thick to push over.

And today, this very day and this very week, Mr. Chairman, this Nation on the floor of this House, will decide whether or not we want to continue with the progress we have been making, or whether we want to continue forward along the other road—the road of fragmentation, of growing alienation and class division. Some Americans may think the choice before it is whether we go forward or go backward—backward to a happier time when:

> The poor were poor, and the rich were rich. And you felt so damn secure, just knowing which was which.

These people reminisce about times when the poor were taken care of by private charity, and public affairs were securely in the hands of those whom affluence allowed the time to get involved.

Mr. Chairman, we are not going back there, even if that nostalgic vision were of a land that ever existed—and it did not. We do not have that choice. Our choices are which road ahead are we to take. Are we to try to build bridges and open doors between the two or three or four nations that exist within our boundaries, or are we to deepen the chasms that separate us, and close the doors we have begun to open?

The choice is essentially a moral one. I have heard and heard and heard talk about our "not being able to afford" the poverty program, Mr. Chairman. But on Thursday of this week, we are going to hurl into space, at a cost of $350 million, a rocketship which several tries later may take three people from the prosperity of Cape Kennedy to the empty wastes of the moon. I do not oppose the space program in essence, but if we can afford to practice moon shots at a cost per practice equal to one-sixth of the entire annual cost of the poverty program, then we can afford the poverty program.

If we can criss-cross America with a network of highways like the world has never seen before, just to accommodate our growing number of automobiles, then we can do something to meet the food and shelter and job needs of people.

If we can spend $1.2 billion of public funds to develop a supersonic transport, so the jet set can get to Paris in 2 hours instead of 6, then we can afford a program half again as large to slow down the very rapid pace at which a poor American moves from the cradle to the grave.

If we can afford a war in Vietnam which is estimated to cost $100,000,000 per day, then we can afford to spend the cost of 20 days of that war to fight against poverty—which is as implacable and deadly an enemy to America as communism or Nazism ever were.

Mr. Chairman, I am simply not convinced that this debate, and the votes that come at the end of it will center around cost considerations. Those who shout so loudly about the cost of the war on poverty are in some cases those who shout equally loudly about "false economy" when cuts are made in some project in their district or some project affecting an industry in which the Member may feel particularly friendly.

In my 14 years in this Congress, Mr. Chairman, I have voted for a great many expenditures of public funds for purposes which seemed to have an immediate impact in one section or among one part of the population. I have voted for great dams in the West, for flood control along the Mississippi and Ohio Rivers, for agriculture support and research, for highways, for space, and for defense. I have supported these expenditures, even though only a part of the population might profit from them, because I have felt in my heart that what strengthened America strengthened us all. I have always felt that Grand Coulee Dam and the Interstate Highway System and price stability for farmers and insurance and loans for small businessmen and contracts for the aerospace industry were of benefit to us all—that they were investments in a nation which had learned, better than any other nation in the world how to share its wealth among its people, and how to use money imaginatively and profitably, to make us all strong and free.

Never in those 14 years, Mr. Chairman, have I seen a better prospect for an investment in America than I see in the poverty program. Because this program, to a greater extent than any other program I have supported, is an investment in the one natural resource that always pays off—human hands and hearts and brains. I hope those in this House whose districts have benefited directly from the other programs I have mentioned, and who have spoken at such great length about how such programs are good for the entire country—I hope these distinguished and able gentlemen will see that an investment in the war on poverty, too, is an investment in the future of the whole Nation.

Mr. PERKINS. Mr. Chairman, I yield 6 minutes to the gentleman from Indiana [Mr. Brademas].

Mr. BRADEMAS. Mr. Chairman, I rise in support of the committee bill. I take this opportunity to commend the distinguished chairman of our committee, the gentleman from Kentucky [Mr. Perkins] on his tenacious and persistent effort to bring a bill to the floor of this House that will enable the war on poverty to move ahead effectively and successfully.

At this point, Mr. Chairman, I also want to pay tribute to Sargent Shriver, Director of the Office of Economic Opportunity, a man of great integrity, ability, and dedication, who has given outstanding leadership to the effort to carry out our national commitment to combat poverty.

Mr. Chairman, I think it appropriate here to raise the following question:

Why, in spite of the very strong support which the antipoverty program has won in communities across the Nation, do we find such determined opposition to continuation of the program on the part of so many of our Republican colleagues in the House of Representatives?

In this respect, I was struck by an editorial, to which reference was made earlier in the debate by my distinguished colleague from New York [Mr. Carey], an editorial in the New York Times of this morning entitled "Whose Opportunity Crusade?"

Mr. Chairman, I am aware that under the rules of the House it is not proper—and I shall not do so—to make specific reference to any Member of this body who was mentioned in that particular editorial, but I do want to call attention to the fact that the New York Times editorial made a comment relative to the point I am raising; namely, why is there such a determined effort here on the part of some of our Republican colleagues in this body to try to kill or cripple this program?

As the New York Times pointed out in referring to some of the principal Republican spokesmen on the antipoverty program:

> The weight of their influence is not to improve or strengthen the program. They are willing to kill it but not accept the responsibility. The "opportunity" they are seeking is their own political advantage. It takes a lot of gall to vote against the poor and then call it a "crusade," but many a gentleman in Congress is grave when it comes to defeating the defenseless.

Mr. Chairman, I think this editorial which appeared in the New York Times today is right on target because one of the points that have struck me in this debate is this: From some of our colleagues on the Republican side of the aisle have come suggestions of a so-called opportunity crusade to help the poor. Yet we all know that the strongest support for drastic slashes in funds for carrying out the war on poverty have come from the same side of the aisle. I think, therefore, that, it might be much more apt if we were to talk about an "opportunistic crusade" rather than an opportunity crusade, for it seems to me quite opportunistic to make a lot of speeches about wanting to help the poor in 1 week when not many days before many of those same speechmakers were voting for drastic reductions in the money for this important program.

Mr. Chairman, I wish to make just one other point and that is to call attention to the widespread support which our national moral commitment to resolve the scandal of poverty in a land of great wealth has won from the churches and religious organizations of America.

I here cite but one example. Only this afternoon a distinguished group of religious leaders from here in the Nation's Capital issued a statement in support of continuation of an effective war on poverty.

Chairman of this group, the Interreligious Committee on Race Relations, is the bishop of the Methodist Church for the District of Columbia area, Bishop John Wesley Lord, D.D.

I insert at this point in the Record the text of Bishop Lord's letter to Members of Congress, dated November 7, 1967, and to insert following the letter the list of distinguished clergymen who constitute this committee:

Interreligious Concern for the War on Poverty, November 7, 1967

(Statement by Bishop John Wesley Lord, D.D., chairman, on behalf of the Interreligious Committee on Race Relations)

Dear Mr. Congressman: The Interreligious Committee on Race Relations is composed of 60 clergy and lay religious leaders in the greater Washington area. Their names appear on this letterhead. The Interreligious Committee was organized in April, 1963, with His Eminence, Patrick Cardinal O'Boyle, Archbishop of the Catholic Archdiocese of Washington as its Chairman for the first two years. He was followed by the Right Rev. William F. Creighton, Bishop of the Episcopal Diocese of Washington, as the Committee's Chairman for the next two years. As present Chairman of this Interreligious Committee which represents all the major institutions of faith in the Washington Metropolitan area, I am writing to you to seek your support for a continued strong and vigorous War on Poverty.

Three years ago, our nation embarked on the War on Poverty, a bold new effort to give fresh opportunity and a rebirth of hope to the poor. The major religious communities in America strongly supported the legislation which launched the Poverty War as a visible expression of our nation's moral commitment to the liberation of those citizens imprisoned by poverty. This week will decide whether our nation's commitment to that venture will be continued and renewed, or whether the door it opened will now be closed and the hopes it raised cruelly smashed. On the field of this domestic battle the reliability of our national commitments is surely tested at least as severely as on any foreign one.

The decision rests with you, the members of the House of Representatives who are now debating the 1967 amendments to the Economic Opportunity Act. The bill reported out by the committee and now under consideration on the floor already compromises some important parts of the program, and further crippling amendments would spell death to its effectiveness. We call upon the House to pass a strong anti-poverty bill which:

(a) retains the Office of Economic Opportunity as the Coordinating agency for the whole of the War on Poverty;

(b) authorizes funding of the program at a minimum of $2.06 billion annually;

(c) provides maximum feasible participation of the poor themselves in community decision making without political domination of their programs;

(d) eliminates the 10% cash local matching fund requirement for community action programs.

In the midst of unprecedented national prosperity, none of us can afford the shame of continued crippling poverty. This is no time for "business as usual" nor for maneuvering for partisan or personal political advantage. We hope and trust that you in Congress will renew and strengthen the nation's efforts to relieve the misery of its poor. We are acutely aware that many poverty programs here in the Nation's Capital will be severely curtailed or eliminated without positive action in the House of Representatives. If Congress provides the nation with a renewed War on Poverty, our democratic institutions will be given a new chance to prove their worth. If Congress fails to provide effective legislation for the struggle against poverty, we will all pay the price, in bitterness, despair, disillusion and strife, and worst of all in the betrayal of our own aspirations and moral commitments.

We of the Interreligious Community can do no less than to pledge to you our continuing support in common cause to fulfill the promises of America for all Americans.

Interreligious Committee on Race Relations, Washington, D.C.

Chairman: Bishop John Wesley Lord, D.D.

Past-Chairmen: Patrick Cardinal O'Boyle; the Right Rev. William F. Creighton, D.D.

Co-Chairmen: Bishop Henry C. Bunton, D.D.; the Rev. David G. Colwell; Rabbi Martin S. Halpern; the Most Rev. John S. Spence, D.D.; Bishop Smallwood E. Williams, D.D.

Secretary: Dr. Isaac Franck.

Treasurer: Philip J. Olin.

Members: Floyd H. Agostinelli, Hon. Harry T. Alexander, the Rev. Arthur A. Azlein, Dr. William A. Banner, the Rev. Geno Baroni, the Rev. Theodore Bowen, George O. Butler, William Calomiris, the Very Rev. Msgr. Leo J. Coady, the Rev. Clarence W. Cranford, D.D., Insp. Vernon E. Culpepper, the Rev. Burke E. Dorworth, Julian Dugas, the Rev. Walter E. Fauntroy, the Rev. Samuel Frazier.

Also the Rt. Rev. Msgr. George L. Gingras, Louis C. Grossberg, the Rev. Earl L. Harrison, D.D., George Hartford, the Rev. Everett A. Hewlett, Dr. Duncan Howlett, Maj. Reginald K. Ingram, the Rev. E. Franklin Jackson, D.D., Rabbi Harry J. Kaufman, the Rev. John W. Laney the Rev. Theodore E. Ledbetter, Rabbi Eugene J. Lipman, Edward B. Lyman, Richard K. Lyon, the very Rev. Msgr. Thomas W. Lyons.

Also the Rev. Graydon E. McClellan, R. Grayson McGuire, Hon. John P. Moore, the Rev. Philip Newell, H. Carl Moultrie, the Rev. Channing E. Phillips, the Rev. Daniel Pierotti, Mrs. John Posey, Rabbi Stanley Rabinowitz, Hon. Aubrey E. Robinson, Jr., the Rev. Jefferson P. Rogers, Harry N. Rosenfield, the Rev. John H. Satterwhite, Th. D., David H. Scull, Rabbi Samuel Scolnic.

Also Rabbi Theodore Steinberg, the Rev. Russell C. Stroup, D.D., Dr. Donald F. Sullivan, the Rev. Henri Stines, Sterling Tucker, Rabbi Lewis A. Weintraub, the Rev. Richard Williams, S. D. Wolf.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. AYRES. Mr. Chairman, I yield 15 minutes to the gentleman from Iowa [Mr. Scherle].

Mr. SCHERLE. Mr. Chairman, since I became a Member of the U.S. House of Representatives and a member of the House Education and Labor Committee, I have had the opportunity to study the Office of Economic Opportunity and the programs administered by that agency in the so-called war on poverty.

I wish that I could support S. 2388, the proposed Economic Opportunity Amendments of 1967, and do so with the conviction that I would be helping to improve the lot of the many Americans that do need help to break through the barrier of poverty. Unfortunately, this is not possible.

I realize, as presumably does each Member who will cast a similar ballot, that a vote against this bill will in some quarters be interpreted as a vote for poverty. That is precisely the conclusion many supporters of the measure hope Americans will draw. Nothing would please them more than to have us branded with the stigma that we are unsympathetic with the plight of the economically disadvantaged, or that we are indifferent to the Nation's needs. Nothing could be further from the truth. We have supported and will continue to support every realistic antipoverty measure, whether in the field of education, health, or welfare. This bill is primarily unrealistic because it is based on a false assumption; namely, that our problems are wholly economic. Dollars alone will not eliminate poverty. The principal tool to upgrade those who are now underemployed or unemployed is education. When I speak of education I do not mean merely formal education but also rehabilitation and vocational retraining.

Even if the Government had the money to fight costly wars on two fronts, even if public spending were superior to private investments in solving these problems, and even if you assume all these things—what reason is there for believing that "we can buy our way out of poverty." Certainly the present OEO program does not warrant such confidence. At best, it has achieved only mediocre success and even that has been expensively purchased.

The founding father of OEO, Sargent Shriver, predicted that his agency would eliminate poverty by 1976. Of course, such a statement is wholly inaccurate and adds fuel to the flames of disillusionment which swept across America in the urban riots this summer. Time after time, I have been told by both friend and foe of the OEO that the agency promises more than it can deliver. A key element, which OEO has not considered, is time. Attempts to substitute time with expenditures of money result in wasteful and extravagant spending as well as ill-advised and poorly planned programs. Specifically, what I object to in the poverty program are its high administrative costs. At least 75 percent of the community action expenditures are administrative in nature; nearly one-half of those employed by the OEO in semi-responsible positions are paid $10,000 a year.

What we object to in the OEO program is not its aims, which we also share, but its excesses, its failures, its unfulfilled dreams and the frustrations which they, in turn, produced. At this point, I wish to cite some of the many blunders for which this program is accountable. They symbolize what the war on poverty is to many Americans.

The war on poverty has benefited some, to be sure. But in all too many cases, we become aware of situations like these:

Take for example, the case of Mr. and Mrs. William S. Clark. Both were on two poverty war payrolls at the same time. The Clarks drew a total of $5,178 in pay and expenses during 12 weeks in June, July, and August of 1965. Clark was director of the Headstart program and supervisor of a Neighborhood Youth Corps project at the same time. Mrs. Clark was overall supervisor of the Neighborhood Youth Corps program and on the Headstart program as an instructor.

In the Bronx, a minister serving three churches with a fourth post as a city civil defense inspector was charged with still another activity—stealing more than $9,000 from a Federal antipoverty project he handled.

This gent really knew how to aid the poor. On his antipoverty payroll he had his father at $150 a week, his mother at $100 a week, his sister at $175 a week, and himself at $200 a week—and they all lived at the same address.

However, this income was apparently inadequate. The 145-count indictment returned against this man, charged that he took kickbacks from the employees of the program

A CAP director found moonlighting so profitable that he recently gave up the war on poverty to pursue it full time. This gentleman was collecting fees from schools for compiling their applications for Federal aid to education.

The San Jose News indicates that under-the-table payments are being made to expedite antipoverty job training grants—fees are being paid to cover rewriting of applications for grants in a manner that would facilitate their approval.

My colleagues, I cannot ask the taxpaying Americans in my congressional district to continue paying for this type of conduct.

The war on poverty was conceived of politics and under the circumstances it appears that unless the entire house is cleaned, politics will continue to be the name of the game.

In city after city, all across the country, we find antipoverty officials and employees engaging in political activity.

VISTA volunteers registered voters on the Near North Side of Omaha, Nebr., during the 1966 congressional campaign. My protest to OEO brought new guidelines, which in effect said—you can register voters but you must be nonpartisan about it. This is precisely the point. As long as an area contains known partisan groupings, the act of deliberately selecting an area of this type to conduct registration activities is a political or partisan act. While the Hatch Act covers these employees, it is being interpreted so as to permit this activity.

The Office of Economic Opportunity has been subsidizing a voter registration drive in Reading and Berks County, Pa., and in Gary, Ind. One has only to read the newspaper accounts of what is going on in Gary these days to see how improper Federal intervention exists.

In Atlanta, Ga., the OEO has 60 employees working on a voter registration drive that is organizing the recipients of poverty program aid on a block-by-block, precinct-by-precinct basis.

Our colleague, JIM GARDNER, has brought to our attention, through minority views filed in connection with the bill we are considering today, that antipoverty funds have been used to establish a massive political machine in Durham, N.C. Antipoverty money in Durham was even used to print sample ballots and to provide transportation to the polls.

In Des Moines, Iowa, antipoverty officials, with approval of Federal officials, are backing candidates in the local elections. The Polk County Community Action Council personally interviewed candidates for mayor and city council, intending to compile the answers for distribution in low-income areas "to give residents information—and to help them make a decision."

In a desperate effort to thwart responsible efforts to reshape the war on poverty into a workable and worthwhile program, the Office of Economic Opportunity has encouraged Republican mayors to send telegrams to members of the House and Senate. The message is clear—leave the program alone. I can imagine the message was very clear to these mayors, too. My colleague, the gentleman from New York [Mr. GOODELL], has pointed out that this activity may violate the Federal antilobbying law.

Bulletin boards in Job Corps centers have been used to develop a partisan political bias in enrollees. I have seen it myself.

I repeat: I cannot ask my people to continue contributing their hard earned money to finance such activities. To aid the poor—yes, but to establish a federally financed political machine—no.

After the OEO sets money aside to pay salaries and other administrative expenses, there is some left to finance programs for the poor. But the American people have just cause to seriously question many of these expenditures. I will mention only a few:

In Nashville, Tenn., funds from the Office of Economic Opportunity went to help finance a liberation school, which was used to teach Negro children to hate whites. This situation was revealed before the Senate Judiciary Committee by Nashville Police Capt. John Sorace, and attempts to discredit him failed when the head of the Nashville Metropolitan Action Commission had to "reverse his field" and admit that the funds had been so used.

An OEO audit has revealed that a Mississippi antipoverty outfit called Child Development Group, "has more than a half million dollars in expenditures which cannot be accounted for."

This same group was also listed as one of the groups with credentials to the recent meeting of the National Conference for New Politics in Chicago.

An investigation by the General Accounting Office has revealed that a Job Corps center in Pleasanton, Calif., operated by Litton Systems, Inc., purchased $347,000 worth of so-called instructional materials from Litton Instructional Materials upon the recommendation of another Litton division, the learning resources department.

I have nothing against "keeping the money in the family," but this money went to purchase materials on the atomic theory, the laws of relativity, trigonometry, and "facts about sex." These are dropouts they are teaching.

The Office of Economic Opportunity has financed a $376,000 program through the Iowa Civil Rights Commission to establish a domestic student exchange program. The main problem—instead of the expected 150 participants, only 15 were placed. That works out to about $25,066 per enrollee for a one-semester project.

The United Community Corp. of Newark held a weekend retreat at the Goldman Hotel in West Orange that will cost the taxpayers about $2,500. Included in the package was a floor show.

It was reported in the September 15, 1966, issue of the Detroit News that that city's antipoverty program had been paying $500 a month since March for a youth center which has not even been opened.

In New York City, a local antipoverty group is providing the funds to defend 10 peaceniks who interrupted church services and staged a protest in St. Patrick's Cathedral against the war in Vietnam.

The Rangers and the Disciples, two of Chicago's big teenage gangs, have been given nearly $1 million in Federal antipoverty money, supposedly to set up a job training program.

My colleagues, is this the kind of misguided monster the Government of the United States intended to create with the establishment of the war on poverty? I think not, but I am not impressed with claims that the bill we have before us will yield a significantly improved product.

The files in my office, and I am sure yours, too, are filled with letters from people around the country who wonder if OEO has lost direction. OEO seems to have a great deal of difficulty keeping its mind on the task it was established to tackle. For example:

In Omaha, Nebr., 560 children from poor families have had no Headstart program for the past 2 months. Why? Because the Kansas City regional OEO officials have refused to release funds, claiming that residence patterns in Omaha result in de facto segregation.

Has OEO forgotten that the purpose of this program is to aid the poor, not compulsory integration?

The Pledge of Allegiance has been removed from the curriculum of Project Headstart because, in the opinion of the Office of Economic Opportunity, it is "meaningless" to preschool children.

When the OEO was having trouble finding a place for its Headstart program in Kirksville, Mo., the Christian church offered the use of its rooms, rent free. After using the church for 2 years at no cost to the program, the Kansas City office of the OEO ordered the church to remove religious paintings and other symbols from the rooms being used. The church refused.

Community Opportunities, Inc., an antipoverty program in my own district asked newspapers and radio stations to sign pledges to use publicity releases from the agency in return for local in-kind credits of $1.50 a column inch or $4 a minute for air time.

As was pointed out by Congressmen Kyl, Mayne, and myself, and by the Des Moines Register, this is nothing short of bribery.

We have often heard that without retention of the Office of Economic Opportunity as the coordinating head of the Government's antipoverty efforts, the program will lose its direction, and the poor will lose their spokesman. My colleagues, I submit that the direction has been lost and the spokesman is ineffective. The American people do not trust the Office of Economic Opportunity, and cannot be expected to continue feeding it the money it needs to keep it alive.

We can all appreciate the difficulty of accurately measuring the success of any program such as we are considering here today. But there is one program which should be capable of evaluation on this type of basis. I refer to the Job Corps.

The concept of the Job Corps is, or should be, to give an unemployed young person, in a relatively short period of time, a needed job skill, a healthy work attitude, and an opportunity to begin working with that newly acquired job skill.

But the Job Corps has failed in each respect.

According to a study made by the U.S. Chamber of Commerce, only 28 percent of the Job Corps graduates who obtain jobs are working in a job for which they were trained. In this same study, the chamber indicated that in its view, most of the employed graduates found work because of current economic conditions rather than their Job Corps training.

The program continues to cost a phenomenal amount of money. Job Corps officials have recently revealed that the per enrollee cost for fiscal 1967 exceeded a whopping $8,500.

As was pointed out recently by our esteemed colleague, the gentleman from Ohio [Mr. Ayres], according to the Internal Revenue Service, over 51 million wage earners—two out of three wage earners—make less money than it costs to put one boy or girl through 1 year of Job Corps training. Census figures show that over 70 percent of American workers earn less than this sum.

With the money is takes for a single Job Corps enrollee, most parents could put a child through college. They cannot understand such an expenditure by the Government, and neither can I.

On September 4, 1967, the Omaha World-Herald reported that of the 1,506 trainees who have entered and left the Lincoln, Nebr., Job Corps center this year, the whereabouts of more than one-half are unknown. What's more, only 338 were reported to be employed.

The Lincoln statistics also show that of each 10 entering corpsmen, only two will graduate. The other eight will transfer, drop out or be dismissed. As they say—nothing succeeds like success.

No one seems to be able to explain the reason for the outrageous cost of the Job Corps program, but a couple of examples from a Job Corps center across the river from my congressional district should provide a good clue:

The Omaha girls Job Corps center has less than 800 enrollees. Yet it costs nearly $93,000 a year to keep unauthorized visitors from entering the centers, and to keep the girls from leaving without permission.

The center also spends $132,000 a year to provide recreation for the enrollees on Saturday and Sunday. There must be a more efficient way to provide these needed opportunities.

Not only has the Job Corps product been poor, and the cost excessive, but certain administrative practices have brought the program into further disrepute. The Washington office of the OEO, in what appears to have been a plan to inflate Job Corps enrollment statistics, and reduce the per capita cost figures, asked Job Corps officials to withhold information on June dropouts until after the close of fiscal 1967. The initial charges, having reference to the Guthrie, Oklahoma center, were denied by OEO loud and long. But the director of the Omaha Job Corps center subsequently acknowledged that a similar request was made of him.

I believe the American people are fed up with the Job Corps as they know it. If the backers of the war on poverty want to institute an industry-oriented program that will achieve the desired results—fine. But if we are just going to continue on pouring money into this program as it now operates, I think the time has come to eliminate it.

My colleagues, I object to a program which encourages one group of Americans to hate other Americans. I object to its reliance on measures that are "throw backs" to a depression era. I object to the practices of ignoring and bypassing State and local officials, and the almost total exclusion of the resources that private industry could bring to bear on this problem.

There is no logical reason why many of the poverty programs cannot be funded through and administered by existing Federal agencies. The Federal Government administers more than 79 separate training and education programs under the auspices of 15 different bureaus and agencies. Job recruitment funds can be obtained from nine manpower sources; funds for adult basic education from 10; funds for prevocational training and skill training from 10; and funds for work experience from five. On-the-job training can be subsidized by five programs and support service can be funded from nine programs.

Already, a proliferation of Government agencies are involved in the major segments of the war on poverty. For example, the Department of Agriculture, Interior, and Defense, and the U.S. Employment Service are already involved in the operation of the Job Corps. The Neighborhood Youth Corps is farmed out to the Departments of Labor, and Defense, Health, Education, and Welfare, and the Civil Service Commission. In both of these cases, the principal function of the Office of Economic Opportunity appears to be that of a "gadfly."

The list goes on. The Department of Agriculture works with the rural loans program. The Department of Health, Education, and Welfare and the Labor Department have been delegated responsibility for the work experience program; the Small Business Administration makes economic opportunity loans; the adult basic education program has been transferred from OEO to the Office of Education. These illustrations, it seems to me, serve to emphasize that the Office of Economic Opportunity, as such, is just so much excess baggage. The expertise in dealing with the poor is concentrated in the established agencies of Government.

Why must we forever establish new bureaus, new sections, to deal with problems and programs that clearly are within the province of a functioning agency? That practice produces enormous duplication and waste.

Another concern, maybe even a primary one, is whether the American taxpayer can afford such an expensive program with our country at war fighting international communism in Vietnam. Also State and local taxes have been increased throughout the Nation; social security taxes soon will be raised, the Johnson administration which, this year alone will produce a $29 billion deficit seems certain to soon push through at least a 10 percent surtax. Inflation now runs rampant throughout the country—where will it end? How much of a burden must the average taxpayer be asked to shoulder? The only thing we can accomplish by continuing to support legislation like this is not to raise the poor out of the depths of poverty, but rather to tax countless more Americans, those who work and pay the cost of this Government, into a position of near poverty. We must find the moral courage to admit that we cannot afford to do everything at once, no matter how much some might think it needs doing. Instant affluence cannot be purchased on a credit card. It must evolve from the maintenance of this country's fiscal health.

Mr. PERKINS. Mr. Chairman, I yield 6 minutes to the distinguished gentleman from New York [Mr. CAREY].

Mr. CAREY. Mr. Chairman, let me commend the distinguished chairman of our committee, who with great diligence and devotion to this program has labored with it and given it his utmost efforts in an attempt to bring forth a bill which would truly serve the needs of the poor of this great country.

In passing, let me state as to the remarks delivered by my distinguished colleague from Iowa [Mr. SCHERLE] so recently in the well, I can appreciate his not yielding during the course of the entreaties that we directed to him to yield, because I have never heard more unyielding arguments. They did not yield very much new. They were old criticisms. They were heaped on the back of the OEO from newspaper accounts, many of which have been explained and contradicted.

I do not think that that is a constructive way in which to approach this program. I think the first thing we should do when we come into the well to talk about the poverty program is to produce our own credentials and ask what each one of us has done on his own to try to make this a better program. I know we can look around the table on both sides of the aisle and see those who have gone out into the country and have seen these programs firsthand. They have met the kids in the Job Corps and the young people in the Neighborhood Youth Corps and have seen the infants in the beginning Headstart programs. They know firsthand what is good and bad about these programs.

Perhaps after the gentleman from Iowa has been here a little more than 9 months, he will have time to do that and see these programs firsthand. When he does that, possibly he will know a little bit more of his own knowledge, and he will not have to depend on newspaper articles, which make good reading for those who want to read horrible things about the program that deals with the most abject cases in society.

So when he finds a benighted man, a minister of God, who strays from the path of righteousness and then is indicted by the U.S. attorney and, with his family, attempts to make restitution, finally receives a sentence in a court of this land for taking money from this program, that does not mean the program is bad. It means human nature is still there to deal with.

Unfortunately, this program has to deal with human nature in its most tragic aspects. I think what the committee is trying to do is to look at the errors and the objections that have been raised validly to the program, and has come forth with a bill that will move this program forth with more efficiency and better direction. There is nothing that was ever legislated in this House that could not be improved.

I say we should speak with our credentials known. I come into the well of this House, as have those others from our side, able to say that in every case I and the others to whom I have referred have voted for this program. We have opposed motions to recommit. We have opposed crippling amendments. We have sat in the committee hour after hour and day after day to hear the recommendations of those from both sides of the aisle who want to help us build a better program.

We come to the well today I think with good conscience, and in all good conscience I promise the people of my district and the people of my country that when I find something wrong in this program, I will not hesitate to speak out and try to correct it. That is why I have supported very strongly, and with great conviction, the remedial amendments that have been placed in the bill this year.

Of course, that which has received the greatest attention has been the restructuring of title II, according to the amendment introduced by the gentlewoman from Oregon, which will have, I hope, a remedial and reforming effect upon community action.

Has it need of this? It most definitely has need of this, for the reason that at the lower level, because this is a local option program, there is no means, no instrumentation, no apparatus, no mechanization at the hands of the Director of OEO, Sargent Shriver, to control the setup of these programs. He can lay down guidelines but he cannot tell local mayors or country officials whom to hire and how to expend funds.

This program was designed that way. As a result of this, we have decided we now need to lay down some very direct statutory authority on what will be done and how it will be done at the local and State levels, because there has crept into this program not politics, not some misuse that is laid to the current structure of our Government in this country, but what has crept in really has been an inordinate use of moneys expended by the Federal Government, devoted by the Federal Government for the benefit of the poor, an inordinate use of these funds to build up administrative structures at the local level that are not needed to help the poor. That is what we are trying to get at here.

I would be the last to say we have a political boss in New York City, the greatest city in the country, which annually has received $75 million in poverty funds. We do not have a political boss. I have not heard him called that. He operates this program in New York City. I am not satisfied with this New York City program where, in each eligible community, 75 to 80 percent of the funds are used for high-priced administration, for professional staff, for clerk hire, for rentals, phones, travel, and fixtures, and only 30 percent or less is available for antidependency and action-type activities for the benefit of the poor.

What do I mean by that? I mean we need to write the kind of bill here today that will state if they want maximum feasible participation of the poor in the benefits of the program, there is only one way to get that, and that is to confine and restrict the money that can be used to build up little "pentagons of power" to run the poor and make more programs available to the poor.

In this last minute I will say, Mr. Chairman, I will place in the RECORD, when I have the opportunity to do so, when we go back into the House, chapter and verse, item by item, of the way the poverty program has been structured in New York City by the mayor now incumbent. This is where we need reform, and I hope the Republicans will support this in the interest of the poverty program reform, even if it hurts one of their own.

Mr. Chairman, I am pleased to express my support for the new Job Corps.

This Nation now has an effective and successful Job Corps which in the past year served 100,000 youngsters, 24,000 of whom were impoverished young women. This is a Job Corps that has significantly reduced its operating costs from over $9,000 per man-year in 1966 to $6,950 in fiscal year 1967.

This is a Job Corps that has documented a 70-percent placement record with youths who were the 100-percent failures of the existing educational system. This is a Job Corps that now has an arrest rate that is less than half of the national arrest rate published by the FBI for youths between the ages of 16 and 21; a Job Corps that has reduced the distance that a youth must travel from his home to a center by an average of 400 miles and reduced transportation costs by 50 percent; a Job Corps that has stirred the corporate social conscience of private enterprise and involved business in the work of educating youths as it has never done before; a Job Corps that has revised earlier negative attitudes in innumerable communities throughout this Nation; a Job Corps that represents the first and only organization that seeks out and rehabilitates the poorest of poor young men and women in this country.

And the Job Corps of today estimates that it will further decrease the operating cost of its centers in the coming year; that it will lengthen the average stay of corpsmen to 9 months in the coming year—since success is so closely related to the time spent in a center—that by next year it will be placing 80 percent of the corpsmen leaving its centers in jobs, school or the military; that it will further increase the number of poor female youths served; that it will seek more effective participation of States in the Job Corps program.

In the spring of 1965, this Nation had neither the capability nor the facilities to reach and help hard-core impoverished youth. But in the short span of just 2½ years the Job Corps has opened and is successfully operating 123 Job Corps centers. Eighty-three are conservation centers operated by the Forest Service and the National Park Service. Seven are conservation centers run by States. Ten are men's urban centers: 18 women's urban centers.

These centers have been erected with a capability of handling over 43,000 youths at any one time, and during fiscal year 1967 the Job Corps reached 100,000 youths. At present, various statutory limitations restricting the female enrollment to a specific percent of total enrollment prevents the Job Corps from utilizing its full capacity.

Nonetheless, during fiscal year 1968, the Job Corps plans to operate with an average on-board enrollment of 41,000 and expects to reach another 100,000 poor young men and women.

In the beginning of Job Corps, emphasis was primarily placed on reaching young men between the ages of 16 and 21 who were out of school and out of work. By congressional direction, the female capacity was significantly enlarged.

Within the past 9 months the Job Corps has more than doubled its capability to train young women. As late as this past January there were only a few thousand women in the Job Corps. By May of 1967, 17 percent of the total enrollment in Job Corps were women. By June of 1967, 23 percent of the total enrollment of Job Corps, or over 9,500 enrollees were women.

In 1968, the Job Corps has proposed to further increase the size of its women's program. The present plans are that at least 25 percent of all enrollees will be women. This means that over 10,250 women at any one time will be receiving the services of Job Corps.

From the time Job Corps opened its first center, critics have claimed that the operating costs of Job Corps were too high. These critics persisted, despite their knowledge that all new organizations must initially encounter high start-up costs, which can be allocated to only a very small number of enrollees.

Over the past 2½ years, the cost of operating the Job Corps has continually dropped. Last year at a time when the costs per enrollee in the Job Corps were averaging about $9,000, the Congress imposed a statutory limitation that the average cost per enrollee in the Job Corps could not exceed $7,500.

But the Job Corps brought the cost down below $7,000 and there is every indication that it will continue to reduce its unit cost further to $6,500 per enrollee in this fiscal year, as required in the bill before us.

The high cost of capital investment has also been a point of criticism about the Job Corps. The total investment for 123 centers now stands at $144 million or about a little over $1 million per center. The capital investment was minimized by making maximum use of idle military facilities.

The $144 million of investments resulted in spaces for 43,000 corpsmen at a cost of about $3,000 per space. However, the Job Corps has served over 140,000 youths, including those now on board.

The allocation of these capital costs over just the number of youths served to date reduces the capital investment per youth to $1,000. And this is not the end: these capital costs per youth will continue to decrease as each graduating corpsman is replaced by another youngster.

The record also contains many observations detailing the success of the Job Corps in touching the social conscience of private industry. From Job Corps earliest days, over one-half of all corpsmen were trained in centers operated by private enterprise. A listing of its contractors and corporations desiring to operate additional Job Corps centers reads like a who's who listing of the business world.

It is significant to note that this country has never before been able to attain this level of involvement with private enterprise as an integral part of its educational process. It is also significant to note that no industrial organization has ever quit on the Job Corps. The management of these organizations are fully behind the Job Corps and fully support the objectives that Job Corps has striven to attain.

From time to time comments are heard about companies who make a profit out of poverty: These comments are not fair. The size of the profit realized on any Job Corps training center contract is well below the return being realized by these corporations on other endeavors. The maximum fixed-fee, or profit, has been set at 4.7 percent, significantly below the fixed fee of 6 percent and higher which these contractors receive on Space and Defense contracts and far below the rate of return realized on commercial sales.

Over the past several months we have also heard testimony from several individuals describing training organizations that are "the same as Job Corps." These educational organizations were vocational programs dealing with youths that had dropped out of school.

An objective inquiry and analysis into the programs of these vocational schools and the characteristics of their student body will show that not one of these programs is "the same as Job Corps." These vocational programs:

Do not deal with the truly impoverished youths that the Job Corps seeks to help;

Do not treat the total youth—his educational need, his vocational need, his social need, his cultural need;

Do not operate 24 hours a day, 7 days a week, 5½ weeks a year; and

Do not operate the same program cheaper than the Job Corps since these institutions receive substantial local support and provide a more limited program, neither of which is considered when cost per student is cited.

Many vocational schools do an excellent vocational training job. But, the Job Corps remains unique in its approach of treating the total human being. The youths served by the vocational schools whose programs were explained to the Education and Labor Committee are not dealing with the truly impoverished youth.

Job Corps has a success rate as good or better than the public schools and many vocational schools even though the Jobs Corps youth are much poorer and much harder to deal with.

There is no organization in this country that has the capability of the Job Corps to deal with the hard core and impoverished men and women who represent the failings of the existing educational system.

The Job Corps is unique. From its inception, it embarked on a program of total human renewal. The Job Corps did not see a young man's or woman's lack of educational or vocational training, or lack of social skills, as separate problems to be dealt with by separate organizations.

The Job Corps has never attempted to take the "cream" of the youth. It has taken 103,000 youths who can be truly classified as 100 percent dropouts or failures and has placed 70 percent of them in jobs, school, or the Armed Forces. These are youths who, had it not been for Job Corps, in all probability, would be a dredge to society for the rest of their lives.

To spin off the Job Corps into another agency at this stage of development will do nothing but impede, if not destroy, all that Congress has sought to achieve. Neither the Department of Health, Education and Welfare and the Department of Labor have both indicated that OEO should operate the Job Corps.

The public image of the Job Corps has changed for the better in almost every community in the vicinity of a center.

The testimony of House hearings contains letters from the mayors, law enforcement officials, leading editors, and heads of chambers of commerce of 100 towns and cities in the vicinity of Job Corps centers. In all of the letters there are only five that can be considered generally negative.

It is evident from this overwhelming testimony by local community leaders, some of whom were violently opposed to

Job Corps just 2 years ago, that Job Corps is a good neighbor. Practically every community is now a strong supporter of the program for many reasons—

Appreciation is expressed by these towns and cities because of the way corpsmen have so willingly assisted with voluntary projects;

City officials compliment the Job Corps on the attitude of corpsmen and staff members on centers and in communities; and

These cities and towns are aware and grateful for the favorable impact on the economy of the community in which the center is located.

This is the record of the new Job Corps—a changed Job Corps that must be permitted to continue. I repeat that I personally believe one of the greatest tragedies of this session would be the authorization of legislation that would require Job Corps to deviate from the plan that it has outlined to this Congress.

The present Job Corps is an improved Job Corps and one that gives every indication of further improvement in the months ahead. I believe that Job Corps must be maintained as an organizational entity to preserve its imaginative, innovative, and successful program. It must be preserved because, today, this Nation does not have a feasible alternative to the Job Corps.

For the first time in this Nation's history, we have an organization that has demonstrated the capability of dealing with the very poor. We must not destroy this organization.

I strongly support the request of the Job Corps managers that Congress permit them to operate during the remainder of this year at its present capacity. A year in which no drastic changes are required will provide the opportunity to prove what Job Corps can really do. I am convinced that such a year would stabilize the program and result in an even more improved Job Corps than the successful one we have today.

THE PATRIOTISM OF JOB CORPS BOYS

Mr. Chairman, I want to remind the Members of this House of the sacrifices that are being made by young people who have been lifted from poverty by the program whose future we are debating today.

Two weeks ago, 44 young men from Parks Job Corps Center, in California, enlisted simultaneously in the Army airborne forces. Their induction test scores were higher than the national average, by the way.

As we sit here in this comfortable Chamber discussing whether or not to extend the life of the Office of Economic Opportunity, some 350 young men trained by the Job Corps are fighting for their country in Vietnam. This may be a controversial war, but there is no controversy at all about the extent of the danger that stalks the young men we send into battle.

Eight former Job Corps men have been killed in action.

One of these fine young Americans who have given their lives in Vietnam was George W. Jones. A private first class in the 1st Cavalry, he was drafted in June 1966 from Kilmer Job Corps Center and killed in action 6 months later.

This is what George's friends at Kilmer Job Corps Center said about him:

> He was here for the same reason we are—to get a trade. Even though George never finished his training, we can finish ours as a memorial to George.

My fellow Members, are we going to make it possible for George's friends to carry out their pledge?

Mr. Chairman, we have heard over and over again the statement that "Job Corps does not provide any placement or follow-up services for its trainees." It is surprising that this myth continues to be related despite vast amount of testimony during the extensive hearings on Job Corps.

Job Corps placement and follow-up system is effective and is working. Although the Economic Opportunity Act of 1964 as amended does not specifically call on Job Corps for placement, Job Corps has been moving ahead in this area.

Job Corps now receives verified placement records for 86.4 percent of terminees within 90 days of termination. 78 percent of the youths who complete training enter jobs, school and the military at an average wage of $1.70 per hour within an average time of 36 days.

Now it is true that a year ago they did not have all of this information. This is a part of tightening-up and improvement in administration that we have seen during the past year.

In addition to this, Job Corps is interested in long-term results as well. Job Corps has established two methods of obtaining these results:

First. Surveys through Louis Harris and Associate, and

Second. Concentrated support service programs.

Follow-up statistics based on surveys show that 6 months after Job Corps:

First. Seventy percent of all youths are in either jobs, school, or military.

Second. Eighty percent of completers are placed with: First, 89 percent working full time; and second, 75 percent having had no more than two jobs.

These figures also show that youths under 18 have less success than those over 18, although completers under 18 do just about as well as noncompleters over 18.

Working hand in hand with placement are Job Corps two networks of support service volunteers—JACS and WICS.

For the men, JACS now has 370 volunteer coordinators and 1,644 community volunteers who have helped 3,000 corpsmen on their return to the community since June.

For women, WICS with its 12,000 volunteers in 300 local units has helped 25,000 women since 1965.

Still not satisfied, Job Corps is testing a model placement and support project operated by the City of Baltimore Health and Welfare Council.

During the last 6 months, they have worked with 347 terminees, placing 80 percent of them. The record for completers is:

First. Eighty-six percent placed;

Second. Ninety-four percent placed in training-related jobs; and

Third. Eighty percent employed in the same job after 6 months at $1.91 average hourly wage.

This has been done at a cost per youth served of $51—less than the cost of 3 weeks of welfare benefits or 2 weeks of unemployment benefits.

Mr. Chairman, this is the new Job Corps—as Lou Harris said in his 2 hours of testimony explaining the results of his surveys before the House Education and Labor Committee:

In fact, what happened to these young people as human beings may in the long run go much further toward determining the real long-term effectiveness of the Job Corps than whether immediately their hourly wages are going up 20, 40, or 80 cents an hour, or whether they are among the upper third or second third as engine mechanics today.

Mr. REUSS. Mr. Chairman, 3 years have passed since Congress enacted landmark legislation creating the Office of Economic Opportunity.

We gave a mandate to the OEO to undertake a comprehensive assault on the poverty.

As a result, resources were mobilized. Ideas were generated. Programs were developed and put into operation. Today we can see in human and organization terms the first results of this effort: 1,000,000 Americans volunteering their services in a variety of antipoverty efforts; 1,050 communities with new organizations seeking to meet the needs of the poor; 2,000,000 children helped by the excellent Headstart program for preschoolers; 321,000 young people receiving basic education, job training, work experience, and needed income through the Neighborhood Youth Corps; 102,000 men and women given work training, counseling, and education providing them with a second chance, through the Job Corps; and 41 neighborhood health centers funded and beginning to make a dent in the long-neglected health problems of the poor.

These programs, during their brief existence, have begun to make significant inroads on conditions which have prevented millions of Americans from full participation in the prosperity and economic program of this Nation.

Gov. Warren P. Knowles, of Wisconsin, recently wrote to Director Sargent Shriver of the Office of Economic Opportunity, urging authorization and appropriation of $2 billion for community action programs.

In his letter of October 5, Governor Knowles spelled out the reasons for supporting increased funds for community action programs. The text of his letter follows:

THE STATE OF WISCONSIN,
EXECUTIVE OFFICE,
Madison, Wis., October 5, 1967.

MR. SARGENT SHRIVER,
Director, Office of Economic Opportunity,
Washington, D.C.

DEAR MR. SHRIVER: In response to our recent correspondence, I would like to thank you and Mr. Beals of the Chicago Regional Office for restoring most of the cut in allocations to the Milwaukee Social Development Commission. I have been assured that the Social Development Commission now will be able to operate its present programs satisfactorily.

In responding to the P.S. in your letter of September 19, I am most willing to communicate my convictions concerning the Economic Opportunity Act amendments to the Wisconsin Congressional Delegation.

I feel the three major pieces of legislation to be inadequate to the needs of the poor especially as defined by the community action sections in all three. I am therefore enclosing a copy of this letter to the Delegation indicating my request for a larger community action authorization and appropriation over and above 1.062 billion dollars.

Quite frankly, I find various features of program content attractive in each of the three major bills. For the Quie Bill, I believe the strong emphasis on state planning and financial participation to be important. In this direction, I have recommended the State Board of Governmental Operations be authorized $1 million by the Wisconsin Legislature to be used in assisting inner-city, urban poor.

I have also called for the appropriation of $100,000 in state monies for the Milwaukee OIC program.

I find the Administration Bill, as proposed, a continuation of programs which are excellent, but which are not coordinated by the federal agencies as well as they should be. Certainly the allocations for community action are heavily mortgaged for Fiscal 1968.

Likewise, I do not consider the community action allocation under the Senate Labor and Welfare Bill adequate to meet the needs of the nation either. The Senate measure appeals to me in its approach and funding level although community action again is given light treatment.

I feel that a $2 billion investment for community action alone is none too much. Best wishes.

Very truly yours,

Warren P. Knowles,
Governor.

I certainly regret that some of my colleagues from Wisconsin on the other side of the aisle do not support the Governor in his request for OEO funds. Instead of seconding his call for increased funds, they launched a series of attacks on him.

Governors, mayors, educators, civic groups, and businessmen generally recognize the need for the OEO and the programs it furnishes because they come face to face with the poor and their problems.

Yet, in spite of this, some Members have suggested that the attacks on poverty could be better waged if OEO were eliminated and the responsibility for administering its programs scattered around Washington.

The other body and the Committee on Education and Labor gave careful consideration to this issue. They held more than 6 weeks of public hearings, listened to more than 100 witnesses—mostly from outside Government—and recorded more than 4,000 pages of testimony. An attempt was made to let every knowledgeable and important voice on this subject in the country be heard.

Of the 64 public witnesses who addressed themselves to the issue of retaining OEO, only one called for the elimination of that agency. Outstanding spokesmen representing diverse segments of American life, such as business, labor, church groups, education, and all levels of government firmly and clearly supported the retention of OEO as the central guiding mechanism for the war on poverty.

Public administrators, asked to comment on the question, were unanimous in recommending that OEO be continued. One of these officials succinctly stated the general position of those responding when he said:

> To break up the Office of Economic Opportunity and place its functions in the established departments would be a disaster.

There are four good and decisive reasons for continuing the OEO:

First. The poor need an independent advocate. To break this agency up and parcel out its programs to other agencies would destroy the war on poverty as a concentrated effort. It would mean that programs conceived by OEO would be given over to administrators whose primary responsibilities have not been and still would not be concerned with programs specifically fashioned to help the poor.

Second. The problems of poverty require new and imaginative solutions. OEO has shown a willingness to experiment, to innovate, and to tackle the tough problems of poverty with freshness and vigor.

Third. The war on poverty requires central direction and guidance. Someone must have primary responsibility for leading the fight, exercising control over the channeling of resources, and standing accountable to the public through success and failure. If this country's antipoverty effort is not to go off in all directions without overall responsibility, the command post must remain intact.

Fourth. The OEO has gotten results, despite the enormousness and intractability of the problem and the modest resources so far engaged.

OEO is not perfect. Of course it has faults and makes mistakes as it plows new ground.

The answer must not be to destroy the OEO. Instead, let us support and strengthen it.

Mr. ST GERMAIN. Mr. Chairman, as some Members of this body careen along on budget-slashing sprees and others play nakedly partisan politics with programs that are crucial in attacking the social and economic ills of the Nation, I wonder if we all have a full realization of what these capricious actions mean locally, in thousands of communities across the country.

I submit, Mr. Chairman, that not all of us do know the local consequences. And I further submit that we had better find out before it is too late.

There are wise economies, Mr. Chairman, that the Congress must make. But there are also actions, taken piously in the name of saving money, that in reality will result in a prodigal waste of the Nation's resources and will end by costing us all dearly.

It is emphatically not an economical move, Mr. Chairman, to cripple community attacks on poverty, to stifle the local initiative which the self-styled economizers among us pay such lipservice to, and to turn our backs on the national commitment affirmed 3 years ago when Congress passed the Economic Opportunity Act.

Yet this is just what the self-styled economizers are doing when they talk of cutting the already minimal war on poverty budget to pieces and in the meantime of putting the economic opportunity programs on a continuing resolution that would force community cutbacks of up to 50 percent.

No elected officials are better qualified to predict the consequences of this false economizing than the mayors of our cities, who must deal day by day with the almost overwhelming problems of poverty and social unrest. My good friend, the perceptive, able, and dedicated Mayor Joseph A. Doorley, Jr., of Providence, has made a telling comment on what the current "economizing" wave may mean for his city. These consequences will not be unique, Mr. Chairman, and accordingly I insert in the Record at this point for the very careful consideration of my colleagues an article from last Friday's Providence Journal summarizing the views expressed by Mayor Doorley at a press conference:

Doorley Fears Devastating Poverty Cuts

(By Hamilton E. Davis)

Mayor Joseph A. Doorley, Jr., of Providence said yesterday that the federal antipoverty director had warned him local programs across the country will be cut by nearly half if the House gets its way on temporary financing for the agency.

The mayor said in an afternoon press conference that the effect of such a cut in community action funds would be "devastating," and that the effect on Providence would be especially serious because the city gets more antipoverty money than many communities its size.

Mr. Doorley said he had been warned of the danger to the program by Sargent Shriver, director of the federal Office of Economic Opportunity (OEO), in a meeting Tuesday in Washington.

If the House gets its way on the temporary spending level and if the appropriation bill is put over to the next session of Congress, the effect on Providence would be to cut its roughly three-million-dollar budget by as much as two-thirds.

To head this off, the mayor said he was calling chief executives from other cities to urge them to bring pressure on the House to moderate its hostility to locally designed and run "community action" programs.

Mr. Doorley said he was not yet sure what form this pressure might take, but that he was hopeful there might be a meeting of big-city mayors in Washington to demonstrate the degree of support for the program among the men who have to live with the problems of poverty.

The threat to the antipoverty effort lies in the House decision to force OEO to operate its community action programs at a level 40 percent below that of last year until the appropriation bill for the present fiscal year is passed.

The Senate wants to operate the program temporarily at last year's level, and the conflict will have to be resolved by a Senate-House conference committee. This decision is expected daily, because OEO's authority to spend anything technically expired at midnight Monday.

Under normal circumstances, the appropriation bill for the agency would be passed about now—the Senate has passed it and House debate is scheduled Nov. 7—but there has been so much controversy over it there is speculation that Congress may put off action until the January session.

In a telephone interview from Washington after the Doorley press conference, an OEO spokesman said that if Congress does put off action on the bill, the agency will have to operate at the temporary level fixed by Congress.

The spokesman said the consequences described by Mr. Doorley amounted to the worst that could happen; that is, the House could make its 40 per cent reduction under last year stick. Actually, however, the House-Senate compromise is likely to be a smaller reduction.

In his statement yesterday afternoon, Mayor Doorley said that he had been told that the roughly three-million-dollar community action budget for the Providence antipoverty agency could be cut to as little as one million dollars.

He said that he had not discussed the problem yet with officials of Progress for Providence, Inc., but that a major cut could wipe out not only operating programs but those that are in the planning stage.

Cleo E. Lachapelle, director of Progress for Providence, said, when asked for comment last night, that a cut to one million dollars here would emasculate the program.

"It would be a terrific blow, not only here, but throughout the country," he said. "I don't think we could recover from it."

The local programs that are paid for with community action funds include the preschool Head Start effort, the community schools, the neighborhood resource units, drop-in centers and legal services.

In answer to a question, whether he would consider using city money to help make up any cuts in the program by Congress, Mr. Doorley said that no city, by itself, could hope to attack the poverty problem.

Providence contributes no cash to the program: its share is made up in "in kind" services such as the use of city school buildings.

Mr. Doorley said that he hopes pressure by the chief executive can counterbalance the effects of a coalition of House members who oppose the bill. This coalition does not include Rhode Island's representatives—Fernand J. St Germain and Robert O. Tiernan—he emphasized.

The Doorley move to draw attention to the implications of the House effort and his action in trying to mobilize the nation's mayors appears to be the first major step in an OEO campaign to bypass the hostile House coalition.

The mayor said that the information about the effects of the cuts asked by the House and the specific reductions this would cause in 50 cities around the country were contained in a memorandum given him by Mr. Shriver.

He said he had asked Mr. Shriver what he should do with the memorandum and that the director told him: "Do what you want with it."

In Washington, the OEO spokesman said that Mr. Shriver couldn't very well announce the consequences of the House move because it would look as if he was trying to scare people into support for OEO.

But it was perfectly proper for the staff of OEO to chart the worst possible consequences of the cuts, the spokesman said. It was those consequences that were contained in the memorandum given to Mr. Doorley. The mayor did not release the memorandum. Until recently, OEO was operating at the same level as last year, in which it received an appropriation of 1.6 billion dollars. This figure was agreed on by both the House and Senate.

According to the OEO spokesman, the House voted on Oct. 19 to cut this to 1.2 billion, and on Oct. 23 the previous joint agreement expired. The 1.6 billion figure contains $1,022,000,000 for community action programs; the remainder is for other programs that are federally designed, such as the Neighborhood Youth Corps.

The 1.2 billion sum contains only $600,000,000 for community action. These levels are set in what are known as "continuing resolutions." The compromise between House and Senate between the 1.2 and 1.6 billion dollar figures is expected momentarily.

The actual appropriation bill requested by the administration calls for a total annual spending of 2.06 billion dollars. The Senate has passed a bill authorizing expenditure of 2.258 billion dollars.

On Nov. 7, the House is scheduled to debate a bill calling for 2.06 billion dollars, but with a series of amendments attached that are aimed at satisfying critics of the community action effort.

This bill was reported out by the House education and labor committee, but only after the most heated debate in the life of the anti-poverty program. It is this factor, and the hostile mood in the House that has led to the speculation that Congress might just let OEO run for an indefinite period on the continuing resolution.

Mr. BOLAND. Mr. Chairman, I agree with the distinguished Member from Indiana [Mr. BRADEMAS] in his personal judgment of R. Sargent Shriver, the Director of the Office of Economic Opportunity.

Few men have had more difficult assignments in the Federal Government than Mr. Shriver and few men have so risen to the challenge and responded so magnificently. The genesis and progress of the Peace Corps has had no greater personal stamp than that of R. Sargent Shriver. The success of this great program is, in my opinion, directly attributable to his leadership, his dedication, and the inspiration he gave to the staff and the members of the Peace Corps.

In this complex, highly controversial, and difficult task as Director of the Office of Economic Opportunity, Mr. Shriver has again demonstrated his ability to bring life to a new and untried program. No one knows better than he, that all has not been a bed of roses, and everything about the program has not been perfect. He would be the first to agree to this. But his vision and his deep concern for the problems of the poor gave him the drive to get the program off the ground. He deserves the applause of all who are concerned with giving hope and help to the disadvantaged and poor of this Nation. I congratulate him for what he has done in this important area.

Mr. EDWARDS of California. Mr. Chairman, today we must face the question of continuing or abandoning our national decision a few years ago to attack poverty and to seek to better the lives of millions of Americans whose lives are carred by urban and rural ghettos and the culture of poverty. New techniques and ideas were put to the root of the problem, emphasizing most particularly jobs and education.

A smaller part of the war on poverty was to be directed at assisting low-income persons expand their business opportunities and gain a stake in the economic life of the community—title IV authorized loans to be approved finally by the Small Business Administration and envisioned the establishment of small business development centers to locate and screen applicants and to organize training and management counseling necessary for borrowers, most of whom had little formal education and lacked basic business skills. Without much priority, though, and with administrative conflict of the guiding principles of the program, the entire operation was shifted in 1966 to the SBA and soon the SBCD's were being informed that they would not longer be funded.

I feel very strongly that this program must be revitalized according to its original concept and so I rise to urge the support of the House for the amendment of our colleague, Congressman STEIGER, to the Economic Opportunity Act of 1964—to focus the loan program upon small business concerns either located in poverty areas or owned by low-income persons and, second, to require management development programs for the participants. The responsibility for this crucial technical assistance is to be with the Secretary of Commerce, and thereby, the Economic Development Administration.

By reactivating the SBCD's, we shall not be undermining the role of the SBA, but merely halting the further slipping away of the economic opportunity loan program with its unique and difficult goal of testing whether or not low-income, unemployed, little-educated persons, given the proper training and assistance, can establish a self-supporting small business enterprise.

I include a letter I received recently from Mr. John K. Lopez, treasurer of the American Association for Business and Economic Development, urging the support of the Congress for title IV of the Economic Opportunity Act. Mr. Lopez cogently and forcefully states the case for this program, as follows:

AMERICAN ASSOCIATION FOR
BUSINESS AND ECONOMIC DEVELOPMENT,
San Jose, Calif., October 24, 1967.

HON. W. DONLON EDWARDS,
Longworth Building,
Washington, D.C.

DEAR MR. EDWARDS: It has become apparent in the past few months of the Congress sessions that the concept of *local participation in the development of the nation's business economy is being discouraged.*

Federal bureaucrats in a display of self-serving interest have co-ordinated their activities with private pressure groups in an attempt to destroy the funding provisions of *Title IV of the Economic Opportunity Act—Employment and Investment Incentives.*

As you well know, Title IV—EOA is the enabling legislation for the Small Business Development programs of many local community and business organizations. These programs assist the minority and disadvantaged *to develop entrepreneurial skills.*

These *beneficiaries are the hard-working small businessmen of the disadvantaged community, the real victims of the civil destruction and disorder that has plagued our nation.*

It is incredible that any of our Congress would allow a single bureaucracy to control all available assistance to the entire small business community (95% of all U. S. businesses).

However, it is evident that numerous informed members of the Senate and the House of Representatives, *from both political parties,* have maintained Title IV of the EOA and have additionally called for more resources to develop this program of *free enterprise and job opportunities.*

Our nation is truly indebted to those of the Congress that support Title IV—EOA.

Locally sponsored and administered small business assistance programs, co-ordinated by the Department of Commerce, are a splendid opportunity for our nation's resources to encourage participation and contribution by responsible minority and disadvantaged individuals in our free enterprise democracy.

Your support is needed.

Sincerely,

JOHN K. LOPEZ,
Treasurer.

Mr. FRASER. Mr. Chairman, yesterday, I reported to my distinguished colleagues of the very great degree of support for the war on poverty which exists in my congressional district and in the State of Minnesota, and to express my alarm over the threatened demise of tremendously worthwhile and essential antipoverty projects in Minneapolis.

Today, I would like to further substantiate what I have said on previous occasions about the crucial importance of the war on poverty in Minneapolis by calling the attention of my colleagues to an editorial, entitled "Penny Pinching on Poverty," which appeared in the Minneapolis Star on November 3, and a very fine article by Bernie Shellum, entitled "Mayor Urges Fight To Get Pilot City Fund," which appeared in the Minneapolis Tribune on November 2.

Mr. Chairman, the Minneapolis pilot city project, which was to be supported with OEO funds, is of great importance to my city, just as thousands of other locally developed antipoverty projects are essential to the health and stability of cities from coast to coast. As Governor LeVander of Minnesota said in a recent statement:

> With the tremendous amount of citizen interest and neighborhood involvement in the pilot city project, the sudden halt of funds would be a breach of faith.

Mr. Chairman, the time for partisan politics and petty bickering is past. We are dealing with America's future. Let us pass a strong antipoverty bill without further delay.

With permission, I insert the Star editorial and the Tribune article at this point in the RECORD:

[From the Minneapolis (Minn.) Star, Nov. 3, 1967]

Penny Pinching on Poverty

Northsiders, and others in Minneapolis who worked long and hard to organize the successful election of directors for the Pilot City demonstration project, can hardly be blamed for their outrage as they see the program about to collapse.

The fault lies with Congress. Looking about for spending programs they could cut, members of the House have passed up such obvious targets as pork barrel public works projects and the supersonic transport, and instead have zeroed in on the war on poverty. By slashing the spending authorizations for the Office of Economic Opportunity, the congressmen have brought the Pilot City project and other antipoverty programs here to the edge of bankruptcy.

The lessons of last summer's riots and disturbances have apparently been forgotten. One of those lessons was that the dwellers of the nation's ghettos cannot for much longer be taken up the mountain of expectations and then, before realizing the hope of a better life, be dropped again into the abyss of despair.

The North Side Pilot City project offered such a hope. Scheduled to start operations this week, with the elected board of area residents planning a wide variety of social services, the program may never get off the ground. A letter-writing campaign by Northsiders, and a city-wide protest meeting Monday night, will convey to congressmen the disappointment at this turn of events. We hope they will be listening.

[From the Minneapolis (Minn.) Tribune, Nov. 2, 1967]

Mayor Urges Fight To Get Pilot City Fund

(By Bernie Shellum)

The Pilot City project in North Minneapolis was nearly bankrupt Wednesday, two days after 1,317 residents elected new directors.

The estimate that the demonstration project would run out of money in about 1 day provoked a protest against congressional cuts in the antipoverty program.

"We must have lost our sanity," said Mayor Arthur Naftalin at a news conference in which he chastised Congress for a "punitive" attitude toward the poor.

The news conference is to be followed by a letter-writing campaign urging restoration of antipoverty funds and by a citywide protest meeting Monday night.

The letter-writing campaign and the Monday meeting at Lincoln Junior High School will be sponsored by the North Side Federation, the 60-plus organizations which have formed the base for Pilot City board elections.

"We are not rats. They won't exterminate us," said Mrs. Charlotte Carmouche, one of the 12 resident members of the Pilot City planning committee. She was reelected Monday and, with two other North Side women attended the news conference in Naftalin's office.

The Pilot City staff of 12 full- and part-time workers is operating on what remains of a four-month, $50,000 planning grant.

As a new project it is not eligible for federal funds being doled out to other Office of Economic Opportunity (OEO) agencies under a continuing resolution which has served in place of a 1968 appropriation.

President Johnson has requested $2.1 billion in antipoverty funds for fiscal 1968, which began in July. The Senate is willing to provide it, but the House is not.

The House, until recently, did allow OEO to continue spending at the 1967 rate of $1.68 billion. But on Oct. 23, the House amended the continuing resolution and cut OEO spending to a level of $1.2 billion, 40 per cent less.

Nationally, some 35 local agencies serving 500,000 poor people will have to shut down in three weeks unless they are financed. Some 38,600 Job Corps boys and girls will start living off the shelf and 2,800 workers at OEO headquarters in Washington face a payless payday Nov. 14.

Yesterday Naftalin said Congress understands neither the importance of the antipoverty effort nor "the nature of the trouble this nation faces."

One reason for the plight of OEO, Naftalin said, is that Southern congressmen object to the large number of Negroes employed in the program.

He said he has written to all Minnesota congressmen urging their support for OEO and invited Rep. Albert Quie, R-Minn., to "'come into Hennepin County" and "go project to project." Quie has led Republican critics who want to transfer many OEO functions to other governmental agencies.

Naftalin called antipoverty money "the price of decent relationships next summer."

Pilot City was promised $100,000 for 1968 to administer a complex of social services that would be available under a single roof to 52,000 North Siders.

The planning committee compiled an application for programs costing up to $4 million before giving way yesterday to the Technical Advisory Committee to Implement Community Services (TACTICS), elected Monday. The fate of that application, the first of 14 such projects in the country, is still not known.

The appropriation for the Hennepin County antipoverty board, Mobilization of Economic Resources (MOER), expires Nov. 30, meaning a 40 percent cut in those projects unless the mood in Congress changes.

Edgar Pillow, MOER director, said Head Start, which involves 1,000 children—and 109 parents as paid workers—will be among the programs to be reduced. The youth employment program, which gave jobs to 1,000 last summer, also would be cut.

Mr. SCHEUER. Mr. Chairman, never, since I entered the House of Representatives a little less than 3 years ago, have I been as deeply concerned as I am today.

The lead editorial in today's New York Times and a column by Tom Wicker eloquently state the reasons for my concern.

I will include in the RECORD excerpts from both items at the conclusion of my remarks.

I would like to add a personal plea to all of the Members of this House—Republican and Democrat, liberal and conservative.

When this House first passed the Economic Opportunity Act, we were, for the first time, facing up boldly and courageously to a grave national problem we had ignored for generations.

We dared then to give the poor and downtrodden a voice, a chance to live a decent life, to educate their children, to participate in the design of their own futures. We dared to conceive the idea that we in the United States of America could, for the first time on this planet, banish abject, inherited, endemic poverty.

We have now created a tidal wave of rising expectations, hopes, aspirations, commitment. We must not, we cannot, turn back the clock.

During the past month, this House has demonstrated its hostility to this program in mean, petty, and vindictive ways, utterly beneath its dignity, let alone its generosity. Government employees, including secretaries, office boys, and so forth, face payless pay days because the House has refused interim funding. And Federal poverty employees at all levels were gratuitously and spitefully executed from the general executive branches pay raise.

Across the country, antipoverty programs are in chaos, some without funding, others uncertain as to their future.

Now we have an opportunity to erase the bankruptcy of the immediate past. Let us unite to produce legislation that will not dash, but rather will fortify and validate the hopes of millions of the poor who wish meaningful work, not welfare; independence, pride, and self-respect, rather than charity, dependency, and despair.

This program is important to many of our towns and rural areas; it is desperately crucial to our cities.

Our cities are paying for half a century of neglect by Federal and State governments. Polluted air and water, filthy traffic-jammed streets, crumbling rat-infested slums, and grossly antiquated educational plants and systems are too often the tragic hallmark of our central cities.

In these explosive surroundings live a substantial number of the beneficiaries of this antipoverty legislation. The failure of this legislation may well be the proverbial straw for many of our urban areas.

Mr. Chairman, let us not play Russian roulette with the fate of our cities.

The excerpts referred to follow:

Whose "Opportunity Crusade"

> "Tragically weak . . . reckless waste . . . ineffective." The words ring forth in the statements of Representative Ford of Michigan, the House Republican leader, as he denounces the antipoverty program.
>
> It is strange that Congressmen who would not dare break faith with cotton and tobacco farmers over price supports or with the Rivers and Harbors Congress over a navigation project have no compunction over breaking faith with the nation's poor.
>
> Because of Congressional irresponsibility, the work of the Office of Economic Opportunity has been seriously disorganized. Projects are stopped and started, funds slashed arbitrarily, hopes raised and then dashed. The agency's employes are becoming demoralized and its politically feeble clients—the unorganized poor—are increasingly disheartened. It is a shameless performance.
>
> Because Congress has not acted on this year's appropriation and has allowed the temporary continuing resolution to expire, OEO has had to cut off the $30 a month paid to each Job Corps member. The 4,000 VISTA volunteers are deprived of their pittance of $50 a month. Community action programs that run day-care centers for working mothers and provide legal and health services have folded. The Head Start program for pre-school youngsters cannot be made into a year-round program. The Follow Through program which was intended to capitalize on the achievements of Head Start now looks like a budgetary casualty.
>
> Bitterness and social unrest in the urban ghettos and the rural slums can be the only consequences. Those who are guilty of this planned disaster are Representative Ford, his senior Republican colleagues in the House, and their allies, the reactionary Southern Democrats. They are guilty of killing the continuing resolution that is shutting down antipoverty programs across the country as funds run out. They are guilty of the political guerrilla warfare against the antipoverty program which is now underway in the House.

Poverty in the House—The Political Grab Bag

(By Tom Wicker)

> In most of this, of course, there is little concern for the poor; and although opponents of the program love to charge that it has been nothing but a political grab bag, the political grabbing in the House of Representatives obviously is a lot worse than anything yet proved to have happened in the poverty program.
>
> But whatever happens to the program itself, the poverty question is not going to disappear. That is the real achievement of O.E.O.; it has aroused some of the poor themselves, and called the attention of a nation to their plight. Poverty is going to haunt American politicians for years to come, and if the men who vote in the House this week don't know that yet, they will find it out the hard way.

Mr. BOLAND. Mr. Chairman, as the House begins debate today on S. 2388, the Economic Opportunity Amendments of 1967, I hope that my colleagues will focus their attention on the great accomplishments of the antipoverty program during the last 3 years rather than constantly eyeing and criticizing the few faults of the program.

There have been problems with the antipoverty program, as there are with any new program in Government during the shakedown period. But this does not mean that we should emasculate and dilute the program, as title II would, because there have been problems. We are living in a most critical period and the need for a more meaningful and effective antipoverty program is urgent, both now and for the future.

The New York Times respected and perceptive columnist, Tom Wicker, writing on the antipoverty bill today, said, and I quote:

> President Johnson declared "war on poverty" three years ago. The resulting program may be reduced to a helpless invalid, without money or power, when this week's shouting, table-thumping, posing and meat-axing have been completed in the House of Representatives.
>
> Already the Office of Economic Opportunity's funds are exhausted and many of its projects around the nation are shutting down; already its employees are having to work as volunteers—despite the insulting fact that this House has specifically excluded them from a Federal pay raise.

Mr. Chairman, Mr. Wicker justifiably says in concluding his column:

> But whatever happens to the program itself, the poverty question is not going to disappear. This is the real achievement of O.E.O.: it has aroused some of the poor themselves, and called the attention of a nation to their plight. Poverty is going to haunt American politicians for years to come, and if the men who vote in the House this week don't know that yet, they will find it out the hard way.

Mr. Chairman, there are still some 30 million Americans living in poverty today. The productive future of some 2½ million of them, if we exclude youths still in school, is in large part dependent on intensive training and job placement programs. The Office of Economic Opportunity will have reached no more than 1 million of these at the end of this fiscal year. The Nation is just beginning to realize the dimensions of the problem facing it, in terms of the numbers of poor and of the kinds of needs that must be met.

Promises have been made to these people and they should not be broken. This is not the time to cut back or to change the antipoverty program. There have been successes, innovation and creativity in these programs. Let me list some of them:

Headstart has changed the future for more than 2 million youngsters.

The legal services program has assured the poor the right to equal justice which more fortunate Americans have so long enjoyed.

Neighborhood health centers have helped to break the vicious cycle of poor health and poverty for residents of 35 low-income areas.

Upward Bound has opened the doors of a higher education to some 27,000 young men and women whose potential might not otherwise have been recognized and encouraged.

The 700 neighborhood centers established by community action agencies as a multiservice unit have brought a large reservoir of heretofore untapped manpower and services to bear on the total needs of individuals and families.

The followthrough program, which seeks to provide services of the type offered in Headstart programs to youngsters who have moved on to kindergarten and first grade, is now underway on an experimental basis for some 190,000 children, and holds promise as a meaningful addition to the regular curriculum of educationally deprived children in public schools.

Mr. Chairman, these programs, and other OEO components such as the Job Corps and Neighborhood Youth Corps, are concerned not only with learning to read but also with learning what books are and what they have to offer, not only with learning a skill but also with learning what it means to hold a responsible job.

Participants in these programs differ from middle-income Americans not simply in terms of their paychecks but in the more tragic, the more human terms of functioning as thoughtful, responsible, and self-sufficient citizens. To learn these things—to learn to learn—is one of the most basic goals of the antipoverty program, and is a prerequisite to increasing a youngster's reading level by three grades or learning to be a television repairman.

In this endeavor, the Office of Economic Opportunity has the potential to provide the impetus and coordination that make such programs meaningful. The overall direction and coordination must be left with OEO. It would be a mistake to sacrifice the innovation and spirit that OEO has brought to this challenge to the more traditional approaches of many other governmental units.

Mr. Chairman, I am opposed to turning over control of community action programs to city hall. This would dilute the independence of existing local boards and still the voices of the poor and the disadvantaged who now have the opportunity to serve on these boards. These provisions in title II should be taken out of the bill.

I have received many telegrams from my district and from throughout the Commonwealth of Massachusetts in opposition to this proposal. I also received a petition with hundreds of signatures of people benefiting from the antipoverty programs in Springfield—my home city of Springfield—expressing opposition to this provision in title II. The petition preamble reads:

> DEAR CONGRESSMAN BOLAND: The bill, if passed as drafted, will take the Poverty Program away from the poor people.
>
> It will place the Poverty Program in the hands of state and local governments. If approved by the House and voted into law, it would give governors, mayors and local officials a good deal of authority in running the Poverty Program. Please vote to kill this provision

Mr. Chairman, I am opposed to further cuts in the antipoverty program. America has made a commitment to the poor and the disadvantaged. We should live up to that commitment by expanding these programs, rather than slashing and weakening them. Not because we want to show our magnanimity in order to prevent riots in the city, but because it is right and long overdue. In conclusion, let me quote from the lead editorial in today's New York Times concerning the bill before us now:

> Because of Congressional irresponsibility, the work of the Office of Economic Opportunity has been seriously disorganized. Projects are stopped and started, funds slashed arbitrarily, hopes raised and then dashed. The agency's employees are becoming demoralized and its politically feeble clients—the unorganized poor—are increasingly disheartened. It is a shameless performance.
>
> Because Congress has not acted on this year's appropriation and has allowed the temporary continuing resolution to expire, OEO has had to cut off the $30 a month paid to each Job Corps member. The 4,000 VISTA volunteers are deprived of their pittance of $50 a month. Community action programs that run day-care centers for working mothers and provide legal and health services have folded. The Head Start program for preschool youngsters cannot be made into a year-round program. The Follow Through program which was intended to capitalize on the achievements of Head Start now looks like a budgetary casualty.
>
> Bitterness and social unrest in the urban ghettos and the rural slums can be the only consequences.

Mr. PERKINS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRICE of Illinois, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 2388), to provide an improved Economic Opportunity Act, to authorize funds for the continued operation of economic opportunity programs, to authorize an Emergency Employment Act, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE TO EXTEND

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill S. 2388 and to include therein extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

FIRMNESS IN LAW ENFORCEMENT

Mr. WYMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. WYMAN. Mr. Speaker, at long last there are indications that a new firmness is taking hold within U.S. college administration in dealing with unlawful college demonstrations. The distinction between the constitutional right to demonstrate and illegal civil disobedience is being drawn in terms of suspension or expulsion from school or college, which is, of course, something that should have been done long ago. In fact, it is almost safe to say that had it been done in the beginning, much trouble would have been avoided.

This same firmness is urgently needed on the part of our law-enforcement agencies in dealing with non-school illegal civil disobedience. Those who deliberately violate or conspire to violate the laws of the land in the process of demonstrating should be warned that if they break the law, there will be prompt arrest and prosecution without exception, no matter who they are as individuals. If a professor at a particular university deliberately breaks the law, no matter what his motivation, he should be prosecuted. If he wishes to have a record of conviction of lawbreaking, his wish should be granted. The same should apply to individual students.

There is now new talk about more illegal civil disobedience either this winter or in the spring, some relating to the war in Vietnam and some to civil rights causes. Insofar as these planned demonstrations project a deliberate violation of Federal law, their organizers should be dealt with as conspirators and prosecuted by the U.S. Attorney General in accordance with the law.

Title 18 of the United States Code makes it a Federal offense punishable by 5 years in the penitentiary to conspire with another person to commit an offense against the United States or any agency thereof and to do an act to effect such an objective. Organized demonstrators should be warned that if they plan an unlawful demonstration against a Federal agency such as the Pentagon and then commit an act carrying out the demonstration, they violate this Federal statute.

In the same sense, title 18 of the United States Code, section 2387, with reference to the armed services provides a penalty of 5 years in the Federal penitentiary for anyone who, intending to interfere with loyalty, morale, or discipline of the military advises insubordination or mutiny or refusal of duty by any member of the Armed Forces. It is well known that numbers of adults throughout the country have intentionally urged refusal to serve by draftees as well as distributing materials encouraging demoralization of morale amongst members of the armed services serving in Vietnam. The persons distributing this material should be arrested and promptly prosecuted under this statute, no matter who they are, including the ministry.

Why does the Attorney General fail to act here?

Recently the president of the United States Anti-Communist Congress, Mr. Wilson C. Lucom, inquired of the Attorney General with regard to these specific statutes in relation to the proposed demonstration on October 21, 1967, in Washington, D.C. A copy of his letter has come to me from the staff of one of the standing committees to which it was sent, and I include it following these remarks. So far as I know, the Attorney General has not even acknowledged receipt of this letter. I am sure that Members of Congress will be most interested in the answers to these questions.

The other day I wrote the Attorney General asking him to act to keep a certain article in Playboy magazine out of the U.S. mails on the ground that it was obscene within the meaning of Federal law. The Department replied to me in substance that they were unable to say it was obscene under decisions of the Supreme Court relating to pornography. This correspondence and my reply is also appended.

In protecting our people from what the chief law enforcement officer of the country believes to be pornographic principles announced in a Supreme Court decision dealing with different material is not a complete bar. Each case stands on its own in this field, and if the Attorney General would only act to protect the people from the floods of this type of filth we would be better off. He can do so under existing statutes awaiting court ruling on the new material. This sometimes takes years, but in the meantime, the offending material will not be on the shelves.

It is little short of scandalous that the Supreme Court of the United States declares itself unable to define or describe obscene material in such a way as to enable those who are responsible for protecting the young people of the Nation against outright pornography to even know what is illegal material. The Court's opinions have been so unnecessarily libertarian as to open the floodgates of the mails and invite the printing presses of the unscrupulous to sell the most aggravated types of pornography and obscenity. The article to which I have referred at page 154 in the November 1967 issue of Playboy magazine is one example. Beyond nationally known publications everyone knows that smut and filth available in relatively unknown magazines and tabloids can be found in quantity at virtually any corner store across the land.

The dismal thing about all this, of course, is that there has been no need for such loose decisions. They could have been worded in such a way as to give the country some measure of protection.

Even more dismal is the compelled conclusion that those who wrote these decisions knew exactly what effect they would have upon this country and are now fairly chargeable with having intended the foreseeable consequences of their chosen language. The national injury does not derive from a single case. The decisions have been repeated, again and again.

Mr. Speaker, this is a damning indictment, but it is nevertheless demonstrably true. In the meantime, let the U.S. Attorney General and the Department of Justice pick up the pieces and do the best they can with the help of this Congress in moving against the conspirators, the peddlers of pornography, the distributors of narcotics and the inciters of riots. Let us have some firm action to protect and preserve the America we love. The hour is late.

The material referred to follows:

UNITED STATES ANTI-COMMUNIST
CONGRESS, INC.,
Washington, D.C., October 14, 1967.

Hon. RAMSEY CLARK,
Attorney General,
Department of Justice, Washington, D.C.

DEAR MR. CLARK: Congress is being criticized for not passing new laws to protect our government departments and the armed forces from obstruction of their lawful functions by demonstrators. A specific reference is made to the "Peace" Demonstration of October 21, 1967.

In addition to obstructing the lawful functions of the Defense Department, you can be assured that the TV and news coverage will be used throughout the world to mold world opinion to the effect that President Johnson's Vietnam Policy is wrong and that the American people do not approve of the President's policy—once again damaging his world image.

The Washington Daily News, October 14, 1967, carried an article by Ted Knap, Scripps Howard Staff Writer, stating "Mobilization chairman David Dellinger said more than 100 organizations will be represented. These include the Communist Party, W.E.B. DuBois clubs and several communist splinter groups".

Realizing how busy you are with other important matters, I call your attention to the following two sections of the United States Code which are present, enforceable laws:

"TITLE 18, UNITED STATES CODE, CRIMES AND CRIMINAL PROCEDURE

"Section 371, conspiracy to commit offense or to defraud United States

"If two or more persons conspire either to commit any offense against the United States or to defraud the United States, or any agency thereof in any manner or for any purpose, and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined not more than $10,000 or imprisoned not more than five years, or both.

"If, however, the offense, the commission of which is the object of the conspiracy, is a misdemeanor only, the punishment for such conspiracy shall not exceed the maximum punishment provided for such misdemeanor."

The legislative history shows the Supreme Court interpreted this statute and said:

"The statute is broad enough in its terms to include *any* conspiracy for the purpose of impairing, *obstructing* or defeating the lawful functions of *any* department of government." (Italic supplied.)

"Any department" specifically includes the Department of Defense as defined in 18 USC Section 6 and 5 USC Section I. Interestingly enough, this law does not include either the White House or the Capitol in its provisions:

"TITLE 18, UNITED STATES CODE, CRIMES AND CRIMINAL PROCEDURE

"Section 2387, Activities affecting Armed Forces generally

"(a) Whoever, with intent to interfere with, impair, or influence the loyalty, morale, or discipline of the military or naval forces of the United States:

"(1) advises, counsels, urges, or in any manner causes or attempts to cause insubordination, disloyalty, mutiny, or refusal of duty by any member of the military or naval forces of the United States; or

"(2) distributes or attempts to distribute any written or printed matter which advises, counsels, or urges insubordination, disloyalty, mutiny, or refusal of duty by any member of the military or naval forces of the United States—

"Shall be filed not more than $10,000 or imprisoned not more than ten years, or both, and

shall be ineligible for employment by the United States or any department or agency thereof, for the five years next following his conviction.

"(b) For the purposes of this section, the term 'military or naval forces of the United States' includes the Army of the United States, the Navy, Air Force, Marine Corps, Coast Guard, Naval Reserve, Marine Corps Reserve, and Coast Guard Reserve of the United States; and, when any merchant vessel is commissioned in the Navy or is in the service of the Army or the Navy, includes the master, officers, and crew of such vessel. (June 25, 1948, ch. 645, 62 Stat. 811; May 24, 1949, ch. 139, Section 46, 63 Stat. 96.)"

Enclosed for your convenience are xerox copies.

Charging the lawbreakers with a misdemeanor has not been successful in preventing further planned demonstrations which will obstruct the lawful functions of the Defense Department. These two laws make such obstruction a felony rather than a misdemeanor.

No longer can the enforcement of Section 371, "Conspiracy to commit offense or to defraud United States" or Section 2387, "Activities affecting armed forces generally" be suspended.

Nowhere do I find that the *Department of Justice* or you as Attorney General are empowered to suspend the United States Criminal Code of the United States. Have I over looked such suspension power granted to you under the Constitution? If so, please inform me. I feel that neither you nor any other government official has the right to suspend laws of the United States except provided for by the Constitution of the United States; otherwise, there should be a debate in Congress on this point.

If you agree that these are valid enforceable laws and must be enforced rather than suspended, then you are petitioned to put these people on notice by:

1. formally and publicly announcing that any obstruction of the lawful functions of the Pentagon or interference with the armed forces anywhere will be dealt with as felonies punishable by up to 5 and 10 years in prison and $10,000 fines under these two sections of the United States Criminal Code.

2. That as Attorney General, you have a sworn duty to uphold the United States laws which include these two laws; therefore, these laws must be enforced because you and the Department have no authority or power to act as judge and jury. The law must be applied and the dispositions thereof, left to a Federal judge and jury. Forms of protest and petition exist within the framework of the law. If they choose to violate the law, you do not have a choice, but a duty to enforce the law and charge felonies.

The passing of new laws by Congress will be an exercise in futility unless the existing laws are enforced.

It takes great intestinal fortitude to stand up to a large number of demonstrators and enforce the law. The Department of Justice did this in Alabama and Mississippi. Now it has to do this at the Pentagon.

May God give you the moral strength and courage.

Sincerely,

Wilson C. Lucom,
President.

[From the United States Code]

§ 2387. Activities Affecting Armed Forces Generally

(a) Whoever, with intent to interfere with, impair, or influence the loyalty, morale, or discipline of the military or naval forces of the United States:

(1) advises, counsels, urges, or in any manner causes or attempts to cause insubordination, disloyalty, mutiny, or refusal of duty by any member of the military or naval forces of the United States; or

(2) distributes or attempts to distribute any written or printed matter which advises, counsels, or urges insubordination, disloyalty, mutiny, or refusal of duty by any member of the military or naval forces of the United States—

shall be fined not more than $10,000 or imprisoned not more than ten years, or both, and shall be ineligible for employment by the United States or any department or agency thereof, for the five years next following his conviction.

(b) For the purposes of this section, the term "military or naval forces of the United States" includes the Army of the United States, the Navy, Air Force, Marine Corps, Coast Guard, Naval Reserve, Marine Corps Reserve, and Coast Guard Reserve of the United States; and, when any merchant vessel is commissioned in the Navy or is in the service of the Army or the Navy, includes the master, officers, and crew of such vessel. (June 25, 1948, ch. 645, 62 Stat. 811; May 24, 1949, ch. 139, § 46, 63 Stat. 96.)

[From the United States Code]

Chapter 19.—Conspiracy

Sec.
371. Conspiracy to commit offense or to defraud United States.
372. Conspiracy to impede or injure officer.

§ 371. Conspiracy to commit offense or to defraud United States.

If two or more persons conspire either to commit any offense against the United States, or to defraud the United States, or any agency thereof in any manner or for any purpose, and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined not more than $10,000 or imprisoned not more than five years, or both.

If, however, the offense, the commission of which is the object of the conspiracy, is a misdemeanor only, the punishment for such conspiracy shall not exceed the maximum punishment provided for such misdemeanor. (June 25, 1948, ch. 645, 62 Stat. 701.)

Congress of the United States,
House of Representatives,
Washington, D.C., October 26, 1967.

Hon. Ramsey Clark,
The Attorney General,
Department of Justice,
Washington, D.C.

Dear Mr. Attorney General: I call your attention to the November 1967 issue of Playboy magazine and the article contained therein commencing at page 154. I ask that you act to bar the distribution of this article through the United States mails in whatever form.

In my Opinion, this article is violative of Federal law and palpably obscene.

I hope and trust that you will act immediately in this matter so that any further distribution can be stopped, including the use of such injunctive procedures as may be necessary.

Sincerely,

Louis C. Wyman,
Member of Congress.

Department of Justice,
Washington, D.C., November 3, 1967.

Hon. Louis C. Wyman,
House of Representatives,
Washington, D.C.

Dear Congressman: This is in reply to your letter to the Attorney General dated October 26, 1967, regarding the November, 1967 issue of "Playboy" magazine. The Post Office Department has supplied us with a copy of this issue and we have reviewed the material which you referred to in your letter.

We note from Post Office intelligence reports that sale of this issue has been stopped at Dover, Exeter, Manchester and Portsmouth, New Hampshire. There is no comparable Federal statute under which we may ban or enjoin the sale or distribution of this issue. We must primarily rely on the Federal criminal statutes (18 U.S.C. 1461, Use of Mails, and 18 U.S.C. 1462, Use of Carrier for Interstate Shipment) to control the traffic in alleged obscene materials.

In order for material to be actionable under these statutes it must be established that (a) the dominant theme of the material taken as a whole appeals to a prurient interest in sex; (b) the material is patently offensive because it affronts contemporary community standards relating to the description or representation of sexual matters; and (c) the material is utterly without redeeming social importance. The latter test presents the most formidable obstacle to successful prosecution. In *Memoirs* v. *Massachusetts,* 383 U.S. 432 (1966) at footnote 7 the Supreme Court cited with approval the following language from *Zeitlin* v. *Arnebergh,* 383 P. 2d 152 (1963):

"Material dealing with sex in a manner that advocates ideas . . . or has literary or scientific or artistic value or any other forms of social importance, may not be branded as obscenity and denied the constitutional protection. Nor may the constitutional status of the material be made to turn on a 'weighing' of its social importance against its prurient appeal, for a work cannot be proscribed unless it is 'utterly' without social importance."

We are unable to make the judgment, in a practical sense, that this issue of "Playboy" magazine or the article in question is without the modicum of social value which entitles it to constitutional protection. Further evidence of the stringency of this test is represented by the Supreme Court's per curiam decisions of May 8, 1967 and June 12, 1967, which together reversed two Federal criminal convictions and fourteen state cases both civil and criminal. See, e.g., *Redrup* v. *New York,* 386 U.S. —, 87 S. Ct. 1414, 18 L. Ed. 2d 515 (May 8, 1967).

We hope that this brief discussion of the inherent constitutional difficulties in the area of pornography will aid you in understanding our conclusion in this matter.

You will be pleased to know that the Congress has enacted Public Law 90–100 creating a Presidential Commission on Obscenity and Pornography which was signed by the President on October 3, 1967. The Commission's duties call for a broad gauged study of the obscenity problem which will include an evaluation by leading constitutional authorities of the present definition of obscenity. We are hopeful that constructive legislative recommendations will be made by this study group.

Sincerely,

FRED M. VINSON, Jr.,
Assistant Attorney General.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., November 7, 1967.

Mr. FRED M. VINSON, Jr.,
Assistant Attorney General,
Department of Justice,
Washington, D.C.

DEAR MR. VINSON: Thank you for your letter with reference to my request that the Department act to take the Playboy article out of the U.S. mails. I appreciate your taking the time to reply as carefully as you have.

I do not agree with the opinions of the Supreme Court dealing with obscenity, either in regard to their substantive content or with the interpretation that has been placed upon them by prosecuting agencies. I believe that it is possible to limit the circulation of particular material, not yet ruled upon, on the grounds of obscenity. I cannot believe that even as loose as some of the U.S. Supreme Court decisions have been in this regard, that they require you to permit everything filthy to flood our mails without restraint.

I did not contend that the November issue of Playboy Magazine in which appeared the article to which I had reference was obscene. It was the article at page 154, not the issue, and the article could have been removed, and still could be removed, from the magazine to make it mailable. The Justice Department should enforce the law and protect the people against this sort of filth.

If the Court wants to put up the roadblocks, let it do so. This will only further arouse the American people to the staggering dimensions of the dilemma law enforcement faces from a Court that is unable to even selectively define obscenity and deliberately continues to hand down decisions that keep this country in a condition approaching civil chaos.

I am aware of the existence of the Presidential Commission, which of course undoubtedly will sometime present recommendations for legislation which may even extend to a constitutional amendment or two, but this is a long way off.

In the meantime, are we to stand helpless against the floods of pornography that are overtly available at virtually every local corner store throughout the land? I cannot believe this is made necessary for the Department of Justice merely because of the present confusion resulting from decisions of the High Court. They have not enjoined you in the Justice Department from protecting the people. Why don't you at least try to take the smut off the shelves and let them holler—including the Court?

Sincerely,

LOUIS C. WYMAN,
Member of Congress.

COMMUNITY ACTION PROGRAMS

Mr. CAREY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CAREY. Mr. Speaker, during the debate on the bill S. 2388 earlier today I stated I would place in the RECORD statistics and figures on the status of community action programs as conducted in New York City.

I do this in response to the call of the minority as expressed on page 208 of the report where I am quoted as follows:

> Mr. Carey had this observation:
>
> "If I wanted to sack this program I could load the record with the excess and the waste and the mismanagement, if you will, the nepotism that has been practiced in some of these agencies * * *. I could be a vandal in this regard and damage beyond all repair the image of community action agencies which have expended millions of dollars not for the benefit of the poor but to set up hierarchies of staff and clerical personnel, travel, and all sorts of designs and features which were never, never contemplated in the passage of this legislation."

Since the minority believes it is my "public duty" to cite these matters in detail I will oblige.

First, however, let me place my criticism which is meant to be constructive in a proper context.

As I said earlier my observations referred to the organizational operation of community action programs in New York City and not elsewhere in the country.

The configurations and structures of these community action program agencies are in no way due to any action or policy directive of the OEO in Washington.

In fact, just the reverse is true. I have observed a succession of three regional OEO directors and officials of OEO in Washington who have diligently but vainly attempted to secure the cooperation of New York City officials in following OEO guidelines in CAP structure.

I have met not once but several times with Federal representatives and city officials in the past 2 years to indicate that the city was not following the intent of Congress nor the guidelines in setting up either its city-wide umbrella agency or its neighborhood community corporations.

These guidelines as I have indicated earlier today clearly provide (see "OEO Community Action Guide," October 1965, page 17, referring to participation in policymaking agencies) that there should be representatives of the chief elected official or officials of the community, and representatives of the leadership of elements of the community such as labor, business, religious, and minority groups. Combined with these two categories would be representatives from residents of the area and members of the groups to be served.

Briefly stated this is the one-third, one-third, one-third representation which we clearly intended in community action.

There has been, and is, valid and substantial reason for this arrangement in the judgment of our committee.

The need for elected and appointed public officials in the program is demonstrable. Those officials represent the entire community including the poor and they are needed to articulate the needs of the poor to the entirety of society. They can bring to community action programs the understanding and cooperation they need from other agencies of government, State and local, and legislation in such fields as housing, health, education, and so forth.

Most importantly when joining with the leadership of important elements of society they bring two indispensable strengths to community action.

First. They are in a position to build confidence and understanding of community action among the families in society who are in better income groups.

Second. They can through local action institute responsible and efficient management practices to see that excessive overhead and waste will not diminish the already limited flow of funds for programs aimed at ending dependency and building dignity and motivation among the poor.

Had these concepts been followed by the administration in New York City I am sure we would not have the situation existing today which I shall illustrate below.

To make certain that we will reform the programs in New York City and elsewhere for better benefits and greater impact I have joined with the gentlelady from Oregon in supporting the amendments to title II which would have this result.

All this amendment does is make statutory what the Congress intended in our legislation as indicated in the guidelines which have unfortunately been either demurred or defied by local officials.

Now what did happen in New York City? Did the poor organize and develop these programs and neighborhood structures? Hardly.

The mayor of New York appointed a human resources commissioner. In a dramatic demonstration of how to escalate income to escape poverty, he took a $17,000 official of the New Haven poverty program and paid him $45,000 to set up the New York City programs. This is no reflection on the individual, Mitchell Svirdoff who must be worth the money because he now is going to Ford Foundation where he will be paid $55,000 after grappling for a year and a half with the problems of New York City.

But the commissioner was not expected to labor without adequate staff.

To head up the three major divisions in the poverty corps there was appointed one commissioner of community development at $32,500—recruited from OEO-level $15,000. One manpower commissioner at $32,500—formerly with the Department of Labor at $22,000. And one community relations director at $32,500—formerly staff director for a New Jersey community action program at $17,000.

Then with Federal funds there was organized at 100 Church Street, New York City, in the highest rent district in the world several hundred strategic thinkers spread over several floors to man the command post.

So far the poor have not had much to say about running this program but good news is on the way.

If the poor had a hand in these programs, if public officials other than the plush-lined commissioners I have referred to above, and if leaders in other sectors of the community had a voice I doubt if they would condone the cost of the strategic direction center at 100 Church Street just one-half mile west of city hall.

This center, for salaries, for personnel service, for professional planning and research has its own withholding system. To make certain the poor will be well planned for it deducts over $4.5 million from the city's direct poverty entitlement of $34 million or 12½ percent.

This would not seem overly disproportionate if the poor received the remainder of 87½ percent.

Unfortunately such is not the case. An examination of typical budgets at the neighborhood level community corporations which will expend the 87½ percent will show that the amount available for actual conduct of programs probably does not exceed 20 percent of the entire $34 million at best.

How can this be? Are not these programs controlled by the poor?

They are not. These community corporations are more structured for control of the poor than by the poor.

I wish to make it clear and definite that this system is in no way the fault or responsibility of the poor or their representatives in the areas to be served.

Had they devised their own budget and organized their own neighborhood corporations I doubt that the present condition would obtain.

Rather it becomes apparent that these budgets were handed down from above and the poor and their representatives were instructed to submit these budgets and they would be funded accordingly.

In order therefore not to cast any aspersion or criticism on the residents of the areas in question I shall designate them as area A, B, C. I am citing only these three although my study indicates that the remaining target areas in the city have almost identical balance sheets.

At the heading of each budget I have inserted the population of the target area and the number of welfare cases located within such area.

AREA A

Population	56,436
Welfare cases	10,788

	Salary 12 months
Personnel:	
1 Executive director	$15,000
1 Deputy director	12,200
1 Executive secretary	6,450
1 Secretary	5,050
Total	38,700
Urban development:	
1 Assistant director (for community programs)	10,650
1 Information officer	8,300
1 Social service officer	8,750
4 Community organizers (at $8,300 each)	33,200
1 Consumer specialist	8,300
3 Program specialists (at $7,900 each)	23,700
2 Social service assistants (at $5,550 each)	11,100
4 Neighborhood counselors assistants (at $5,550 each)	22,200
4 Senior community workers (at $6,450 each)	25,800
45 Block workers (at $4,150 each)	186,750
20 Neighborhood aides (at $4,150 each)	83,000
1 Supervising secretary	5,850
6 Clerical aides (at $4,150 each)	24,900
Total	452,500
Training:	
1 Senior training officer	9,650
1 Training officer	6,800
1 Supervising secretary	5,850
1 Clerical aide	4,150
	26,450
Manpower:	
1 Assistant director	10,650
1 Psychometric technician	8,300
2 Senior job placement officers (at $8,300 each)	16,600
2 Job preparation counselors (at $6,800 each)	13,600
1 Job counsellor	6,450
1 Senior Job developer	8,750
3 Job developers (at $6,450 each)	19,350
5 Neighborhood aides (at $4,150)	20,750
1 Supervising secretary	5,850
1 Secretary	5,050
3 Clerical aides (at $4,150 each)	12,450
	127,800
Administration:	
1 Senior fiscal officer	9,650
1 Senior fiscal officer	$9,650
2 Bookkeepers (at $6,450 each)	12,900
1 Supervising secretary	5,850
8 Clerical aides ($4,150 each)	33,200
2 Messengers ($4,150 each)	8,300
1 Stock clerk	4,150
1 Machine room operator	4,150
	85,000
Program evaluation and design:	
1 Assistant Director	10,650
2 Program analysts ($8,300 each)	16,600
2 Research assistants ($5,850 each	11,900
1 Supervising secretary	5,850
1 Clerical aide	4,150
20 Neighborhood aides ($4,150 each)	83,000
	132,150
Personnel w/o fringe	862,600
15 percent fringe benefits	129,600
	991,990
Consultant services and contract:	
Training consultants (15 days at $50 per day)	750
Business consultants (10 days at $75 per day)	750
Program specialists (12 days at $50 per day)	600
Manpower development (10 days at $50 per day)	500
Housing consultants (20 days at $50 per day)	1,000
Medical consultants (30 days at $75 per day)	1,500
Auditing services	800
Legal services (12 days at $50 per day)	900
	6,800
Travel:	
Local (25 staff at 1.50 per week)	1,950
60 fieldworkers at 50 cents per day	7,200
Personnel:	
Out of town (4 trips—20 days at $16 a day, plus $75 per trip, also travel expense)	620
Rental of station wagon ($250 per month. Including gas, oil, maintenance, insurance)	3,000
	12,770
Space costs:	
Central headquarters 8,000 sq. ft. (current lease)	18,000
4 satellites approximately 100 sq. ft. (2.50 per sq. ft. each)	10,000
	28,000
Consumable supplies:	
Office supplies ($150 per person for 68 persons)	10,200
Postage (300 mailings per week at 5 cents each)	780
	10,980
Equipment (purchase):	
8 staff desks ($90 each)	720
4 secretarial desks ($105 each)	420
12 chairs swivel with arms ($32 each)	380
1 electric typewriter	400
1 Electric typewriter, long carriage	480

AREA A—Continued

AREA A—Continued	Amount
Equipment (purchase)—Continued	
4 Typewriters, manual	$440
2 Calculators ($460 each)	920
2 Adding machines ($130 each)	260
12 File cabinets ($55 each)	660
1 Tape recorder	150
50 Chairs w/arms ($7 each)	350
	5,180
Equipment (rentals):	
1 Xerox machine ($135 per month)	1,620
1 Postage meter ($13.33 per month)	160
4 Water coolers ($60 per year each)	240
	2,020
Total equipment	7,200
Other costs:	
Telephone installations	560
Costs 48 lines ($20 per month)	11,520
	12,080
Maintenance costs (contract)	
Headquarters ($400 per month)	
Satellites ($100 month each)	9,600
Equipment maintenance and repair	500
Printing ($250 per month)	3,000
Publications	400
Insurance costs	700
Security costs (installation and servicing of alarm system)	2,400
Conference and meetings	200
Total other costs	28,880
Grand total	1,091,860

AREA B

Population	133,913
Welfare cases	16,950

[Budget 1967 (12 months)]

Personnel and category	Amount
Executive:	
1 Director	$15,000
1 Deputy director	12,200
1 Program analyst	8,300
1 Information officer	8,300
1 Program specialist	7,900
1 Executive secretary	6,450
1 Supervising secretary (step 1)	5,850
1 Research assistant	5,850
1 Secretary	4,800
	74,650
Administration:	
1 Senior fiscal officer	9,650
2 Bookkeepers ($6,450)	12,900
1 Supervising secretary (step 1)	5,850
1 Maintenance man	4,400
1 Payroll clerk	4,400
2 Clerical aides ($4,150)	8,300
1 Stock clerk	4,150
1 Machine operator	4,150
1 Messenger	4,150
	57,950
Training:	
1 Senior training officer	9,650
1 Training officer (step 1)	7,150
3 Job preparation counselors (step 1 $6,800)	20,400
1 Supervising secretary (step 1)	5,850

AREA B—Continued

AREA B—Continued	Amount
Training—Continued	
1 Clerical aide	$4,150
	47,200
Manpower:	
1 Assistant director	10,650
1 Supervising counselor (step 1)	9,200
2 Senior job developers (1 at $8,750, 1 at $8,300)	17,050
1 Senior job placement officer	8,300
5 Senior job counselors ($7,500)	37,500
4 Job placement officers ($6,150)	24,600
4 Senior neighborhood aides ($5,050)	20,200
1 Psychometric technician	8,300
1 Supervising secretary (step 1)	5,850
2 Clerical aides ($4,400)	8,800
	150,450
Community development:	
1 Assistant director	10,650
1 Senior community organizer	8,750
3 Community organizers ($8,300)	24,900
4 Community workers ($5,550)	22,200
60 Blockworkers ($4,150)	249,000
1 Supervising secretary	5,850
1 Secretary	4,800
3 Clerical aides ($4,400)	13,200
	339,350
Total	669,600
Fringe benefits 15 percent	100,440
	770,040
Neighborhood aide trainees 50 at $1.70/hr at 40 hrs/wk	176,800
Fringe benefits at 8 percent	14,140
Total personnel costs	960,980
Consultants and contract services:	
Consumer frauds consultant ($50/day for 25 days)	1,250
Program development consultants ($50/day for 25 days)	1,250
Health consultant ($50/day for 36 days)	1,800
Legal services ($50/day for 18 days) per year	900
Accounting services ($50/day for 18 days) per year	900
	6,100
Travel:	
Local—100 employees (staff and nonprofessionals) at 40¢ per day for 240 days	9,600
Out of town: 3 trips—10 days at $16/day plus $75/trip travel expense	390
Rental of station wagon (including operating costs) $250/month	3,000
	12,990
Space costs and rental:	
Central office (current lease cost)	24,500
Three satellites at $175/month each	6,300
	30,800

AREA B—Continued

CONSUMABLE SUPPLIES

	Amount
Office Supplies:	
60 staff at $150/person	$9,000
60 nonprofessional at $25/person	1,500
Postage: Center and 3 satellites. average 200 mailings/day at 5 cents/mailing for 240 days	2,400
Program supplies: Psychometric testing equipment at $120 plus necessary tests at $2,500	2,620
	15,520
Equipment (see attached schedule)	12,890

OTHER COSTS

Telephone installation	1,900
40 lines at $25/line/month	12,000
	13,900
Utilities: Central office at $150/month, 3 satellites at $20/month each	2,520
Printing costs at $175/month	2,100
Insurance	500
Library at $40/month	480
Meeting expenses at $100/per month	1,200
Security: Including installation and servicing of alarm system	2,400
Total other costs	23,100
Grand total	1,062,380

PURCHASE

Desks:	
9 Staff at $90	810
2 Secretarial at $105	210
Chairs:	
12 Swivel at $33	400
4 Secretarial at $33	130
120 Folding at $3.60	430
20 Reception at $18.30	370
11 Reception with arms at $25.10	280
Cabinets:	
24 File at $55	1,320
10 Storage at $50	500
11 Conference tables at $80	880
1 Electric typewriter	400
1 Electric typewriter, long carriage	480
6 Manual typewriters at $110	660
1 Calculator	460
2 Adding machines at $130	260
1 Sound projector and screen	270
2 Tape recorders at $145	290
12 Clothing racks at $40	480
20 Typing tables at $20	400
8 Blackboards at $50	400
2 Bookcases at $40	80
	9,510

RENTAL

Postage meter at $13 per month	160
150 Folding chairs, 4 times per year at $50 per hundred chairs	300
8 Water coolers at $600 per year	480
1 Xerox machine: 1,500 copies per month at 4½ cents per copy plus supplies 7 rental at $10 per month	1,000
Amplifier and other sound equipment at $15 a day plus $25 a day for truck rental for 12 days	480
Sanitez for 13 restrooms at $50 a month	600
Waxing service at $30 a month	360
	3,380

AREA C

[Population, 169,491; welfare cases, 25,300]

BUDGET 1967 (12 MONTHS)

I. Office of the Director:			
1 Executive Director	$18,000.00		
1 Executive Secretary	7,000.00		
1 Typist-Clerical	4,770.00		
1 Switchboard Operator	4,770.00		
1 Assistant to the Director	11,500.00		
1 Senior Secretary	5,550.00		
		$51,090.00	
II. Community Development Department:			
1 Comm. Develop. Prog. Coord	10,500.00		
1 Program Secretary	6,450.00		
1 Typist-Clerical	4,770.00		
7 Sr. Comm. Organ's, at 8,870	62,890.00		
7 Jr. Comm. Organ's, at 7,770	54,390.00		
14 Blockworker's II, at 4,770	66,780.00		
14 Blockworker's I, at 4,576	64,064.00		
7 Intake Clericals, at 4,770	33,390.00		
1 Liaison Coordinator	5,200.00		
		307,634.00	
III. Manpower and Career Development Program (Manp. Neigh. Serv. Center):			
(1) Administration:			
a. 1 Director for Manpower	13,100.00		
b. 1 Program Coordinator	10,500.00		
		23,600.00	
(2) Intake:			
a. 1 Intake Counselor	7,500.00		
b. 1 Intake Assistant	5,400.00		
		12,900.00	
(3) Job Corps:			
a. Screener	6,150.00		
b. Assistant Screener (CI Aide)	4,800.00		
		10,950.00	
(4) Job Development:			
a. 1 Junior Job	8,000.00		
b. Assistant Job	7,150.00		
		15,150.00	
(5) Remediation and Job Preparation:			
a. 1 Supervisor	9,000.00		
b. 3 Teachers II, at 7,750	23,250.00		
c. 2 Teachers I, at 6,600	13,200.00		
		45,450.00	
(6) Job Placement:			
a. Job Placement Officer	8,200.00		
b. Job Placement Coordinator	8,900.00		
c. Job Placement Follow-Up	6,200.00		
		23,300.00	
(7) Testing:			
a. 1 Psychometric Teach. II	8,000.00		
b. 1 Psychometric Teach. I	7,500.00		
		15,500.00	
(8) Counseling:			
a. 1 Supervisor	9,000.00		
b. 3 Sr. Counselors (Center Staff) 8,200	24,600.00		
c. 3 Jr. Counselors at 7,150	21,450.00		
d. 4 Assistant Counselors at 6,200	24,800.00		
e. 7 Manpower Aides at 4,576	32,032.00		
		111,882.00	
(9) Clerical:			
a. 1 Sr. Secret. (Ass't Director)	6,189.00		
b. 1 Secretary (Program Coord.)	5,050.00		
c. 4 Clerical Aides at 4,770	19,080.00		
		30,319.00	
		289,051.00	
IV. Personnel-Budget and Fiscal Dept.:			
1 Chief Fiscal Officer	10,500.00		
1 Ass't Fiscal Officer (Off-Mgr.)	8,500.00		
1 Bookkeeper	6,500.00		
1 Typist-Clerical	4,770.00		
1 Clerical Aide (Stock-Cl.-Mach-Op.)	4,770.00		
1 Driver-Messenger	5,200.00		
	40,240.00		
Maintenance Dept.:			
1 Supt.-Watchman	5,200.00		
3 Porters at 4,420	13,260.00		
	18,460.00		
V. Public Information and Community Relations Dept.:			
1 Public Information and Community Relations Director	10,500.00		
1 Resources Developer	6,150.00		
1 Program Secretary	5,050.00		
1 Translator-Typist	4,770.00		
		26,470.00	
VI. Research and Evaluation Program:			
1 Evaluator-Researcher	9,000.00		
1 Research Statistical Aide	5,200.00		
1 Typist-Clerical	4,770.00		
		18,970.00	

BUDGET 1967 (12 MONTHS)—Continued

VII. Training & Education Program:			
1 Sr. Training Officer	$10,500.00		
1 Training & Educ. Ass't	5,580.00		
1 Typist-Clerical	4,770.00		
		$20,850.00	
			$772,765.00
15% Fringe Benefits			115,914.75
Total			888,679.75
Consultants and contract service:			
(1) Training Consultants, 15 days at 50 Per	750.00		
(2) Training Sessions, 30 Sessions—25 Per	750.00		
(3) Auditing & Budget Analysis, 4 Qtly Audits at 500 Per	2,000.00		
(4) Legal 10 days at 50 Per	500.00		
(5) Personnel & Administration Consultant 10 days at 50 Per	500.00		
(6) Statistical & Research Consultants 10 days at 50 Per	500.00		
			5,000.00
Travel:			
(1) Out of Town trips:			
4 trips at 5 days×16 per day	320.00		
4 Round trip air fares at 75	300.00		
		620.00	
(2) Local:			
35 Non-Professionals at .80; 2 round trips average per wk	1,456.00		
(3) 35 Professionals at 1.00: Average per week	1,820.00		
		3,276.00	
(4) Car Rental, Station Wagon 12 months:			
At $136.50 per	1,638.00		
Gas and Maint. $8 wk-aver	416.00		
		2,054.00	5,950.00
Space Costs and Rentals:			
Rentals:			
Will-Act Headquarters	30,000		
7 Comm. Action Centers, at $150 aver	12,600.00		
		42,600.00	
Maintenance:			
Janitorial Supplies:			
Central offices	360.00		
7 CAC's, at 5 per mo	420.00		
		780.00	
Consumable Supplies:			
Postage 250 mailings, at 5 cents, total 240 days	3,000.00		
Office supplies	4,500.00		
55 Proff—75 per yr., 50 Non prof, at 25 per yr	1,250.00		
		8,750.00	
Other Costs:			
Rentals:			
(1) Telephone-Switchboard 50 lines, at 20/mi/line	12,000.00		
Manpower Center 300-over/mo	3,600.00		
		15,600.00	
(2) 9 water coolers, at 4.20 each per mo		453.60	
(3) Rental of 1 Xerox Mach., at 120 per mo		1,440.00	
(4) Rental 1 postage meter, at 8.50 per mo		100.00	
(5) Rental of 50 folding chairs for 12 wks, at 7.50 doz		390.00	
			17,983.60
Utilities:			
Electricity (7)	1,200.00		
Central offices	3,000.00		
7 C.A.C.'s, at 20 mo	1,680.00		
		5,880.00	
Heating, No. 6 oil (13.50)		1,500.00	
			50,760.00
Miscellaneous:			
(1) Repairs and maintenance of equipment	500.00		
(2) Printing costs	2,400.00		
(3) Library	300.00		
(4) Meeting expenses 17 staff members, at 4 weeks	3,536.00		
(5) Security:			
Manpower center alarm, system install	250.00		
Monthly maintenance charge, at 10	240.00		
7 CAC's alarm systems maintenance	504.00		
			7,730.00
(6) Allowance for Community Committee meetings, at 12 full Comm. Comm. meetings, 50 members, at 5 per	3,000.00		
b. 6 Sub-comm. meetings, 7 Sub-comm., at 7 members each, at 5 per	1,050.00		
		4,050.00	
(7) Emergency contingency fund		2,000.00	
			6,050.00
Total			990,903.35

Even the most cursory study of this financial picture for three typical areas will suggest several salient observations.

First is that there is a seeming lack of relationship between the number of residents to be served and the size of the outlay.

Although the target population varies from approximately 56,000 to 169,000 the budgets are each about $1 million.

Second, they evidently reflect what some high-level mastermind believes each neighborhood community corporation should have in its professional and personnel echelon.

Each budget provides for program analysts—public information officers, psychometric specialists, budget and fiscal officers, et cetera.

The tragedy is that when all this money is expended in the poverty superstructure there will be no action program funds for anyone to analyze, let alone a full-time program analyst.

The grief for the poor is that money designed for their benefit should not be used to place onboard psychometric specialists when such scarce professional types are now available in the State employment service offices in every neighborhood. Unfortunately in New York City there is a détente between the manpower agency of the city and the State employment service so that a contractual arrangement to provide these services has been pending for several months but has not been executed.

The bad news for the poor is that the only function "public information officers" can fulfill is that a million dollars is coming into the neighborhoods but only professionals need apply.

Of course, there is provision for some neighborhood blockworkers and community organizers. These may be used to secure the maximum feasible participation of the indigenous poor as they gather on folding chairs around the water cooler only to be told by the staff director of the great things that are going to happen if they can get another million dollars to add to the million dollars for the official family of the local poverty "Pentagon."

I am no nitpicker in poverty spending but I doubt if the poor who drink tap water from leaky pipes ever wanted their funds allotted for water coolers as a status symbol.

Our job is to get the water cooler waste out of these neighborhood programs.

I am certain that dedicated public officials and community leaders joined with the poor can do a better job of getting benefits down to the poor than these budgets represent.

The criticism has been directed to title II that we are trying to set up patronage for politicians.

Mr. Speaker, the patronage is in the program now and the poor are being patronized to pay for it.

The job of the public officials must be to get the patronage out and get the poor in.

Mr. Speaker, I have deliberately not chosen the biggest budget for community action agencies in New York City—just the median-type agencies.

I cannot help but note however in studying one of the major funded programs that one of them is receiving over $216,000 for guard service to protect their premises by a contractual arrangement with a uniformed force.

Mr. Speaker. I have said that we did not intend to carry on the war on poverty by having a poverty "Pentagon" with the general and top brass in every eligible neighborhood.

I am sure those poverty war "Pentagons" are not what the poor want or need and they do not represent their aspirations.

If they do, why do we need over $200,000 to protect the indigenous agencies for the poor from those who are inimical to it?

I believe the committee bill will help to correct these abuses and I urge its adoption.

PRESIDENT NYERERE STATES POSITION OF TANZANIA ON EXECUTIVES AND PROFESSIONALS FROM FOREIGN LANDS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, Julius Nyerere, the President of Tanzania, whom I have known for many years as a friend and who is one of the strong statesmen of Africa, in a speech at the Tanu Biannual Conference in Mwanza in Tanzania on October 17, 1967, outlined his policy of nonalinement with either East or West, to which policy by the way he has strictly and impartially adhered, and his determination that the development of Tanzania should come from the planning, the direction, and the toil and sacrifices of Tanzanians. He made it clear, however, that where the need existed for foreigners, loyal to the Government of Tanzania, in the professions, the skills, and elsewhere they would be welcomed.

By unanimous consent, I am extending my remarks to include the first installment of President Nyerere's memorable address, as follows:

TEXT OF ADDRESS BY PRESIDENT NYERERE

Many things have happened since our last meeting, and it is the job of this Conference to examine the most important of them in the light of the objectives we set ourselves when we adopted the Arusha Declaration. For that Declaration was a commitment to the principles of self-reliance and socialism. It did not by itself bring either of these things: only hard thinking, and hard work in the right direction will do that. It is important that we should be very clear about this fact.

The Arusha Declaration did not cause miracles. It did not make the crops more fruitful, nor the rains more regular. It did not make everyone wealthy, nor change the level of our education. It did not change the habits of mind we have grown up with, nor create any other miraculous changes in our condition.

Our acceptance of the Arusha Declaration was like a young Christian's confirmation: it is a declaration of intent to live a certain kind of life and to act in a certain kind of manner for desired ends. We have no more become a socialist country because of the Arusha Declaration than a young boy becomes a good Christian or a good Muslim by the act of dedication.

The sincere act of dedication is important; but much more important are the actions which follow during his life. The question before us, therefore, is whether we have started to make the right decisions, and the right plans, and whether we have begun to act in a manner which will in time build socialism and self-reliance in Tanzania.

First, let us look at this question of self-reliance, for I believe that this has been widely misunderstood—by ourselves more than by others. Some of our people have spoken and acted as though it meant self-sufficiency in manpower and financial resources. It means nothing of the kind.

We would be extremely silly if we imagined that the Arusha Declaration has caused us to have more qualified doctors, engineers, teachers, administrators, and so on, so that the Development Plan target of self sufficiency in skilled man-power by 1980 had suddenly become irrelevant. Self-reliance does not mean that for self-reliance is not a silly thing. Let us therefore be very clear what we do expect now, and what the policy of self-reliance means in the immediate future, and what it does not mean.

First, it means that we must make maximum use of the resources which we have. We want citizens to be given priority in every field as soon as they are capable of doing the job efficiently. And certainly we must have Tanzanians making policy; Tanzanians must control our country. But this is not an issue now; we have already achieved that.

The question at issue is whether we must at all costs have Tanzanian citizens in every executive position. And the answer we give must be a realistic one if we wish to fulfil our ambitions. For the truth is that we do not yet have enough qualified and experienced Tanzanian citizens to do all the jobs which have to be done if the policies we Tanzanians have decided upon are to be implemented.

The question, therefore, is whether we are prepared to make our plans wait until we have educated and trained a Tanzanian for every job which has to be done. And we long ago decided that this would not only be absurd, it would also be unnecessary. An accountant is an accountant, whether he is a citizen or not; a doctor is a doctor; a manager is either efficient or not efficient. What really matters in relation to such people—whether they be citizens or not citizens—is that they loyally and efficiently carry out the decisions made by our Government and our people.

To employ an inefficient person just because he is a Tanzanian, when the job he has to do is crucial for our development, is not self-reliance; it is stupidity. When we or members of our family fall ill, what we want is a competent doctor, not necessarily a citizen. When we have decided to build a bridge, what we want is a competent engineer who will be able to ensure that the bridge will be safe and effective for its purpose.

The questions we need to ask ourselves are these: Firstly, is this job essential to our plans? Secondly, do we have a citizen who is qualified and has the necessary experience for this particular job? And if there is no qualified citizens available, thirdly, can we obtain a qualified non-citizen who will be accountable to us for his loyal and efficient carrying out of the job? And fourthly, what plans do we have for the training of citizens to do this kind of work in due course? Then, if we decide that the job is essential, and if there is no qualified citizen available to do it, and if a non-citizen can be obtained, let us pay a non-citizen to do the job for us.

By doing this we might, for example, make it possible for a village in an outlying area to become self-reliant because it can sell its increased production and thus support improved conditions for its members. If we do not allow this bridge to be built simply because we have no citizen available to do it, then the village will remain on a low level and without any real possibility of becoming a self-reliant, prosperous community.

But in this country we also have a second thing which we really desire of the people working for us. Ideally we also need socialists in every job—which is not necessarily the same thing as wanting a citizen for every job, because not all Tanzanians are socialists. But if a competent doctor also has socialist attitudes, then he is surely an especially great asset to us. And the truth is that the international reputation of Tanzania is such that many socialists from other countries very much want to come and work with us.

One day in the future Tanzanian socialists may be able to assist other socialists to achieve their objectives. Today we should be ready and happy to welcome socialists from other countries who are ready to help us achieve our objections. And we should remember that many socialists come from capitalist countries; it is sometimes the very fact that they cannot contribute to socialist objectives in their own country which makes them enthusiastic about working with us.

What all this means is that if we are to make progress towards the implementation of our policies of socialism and self-reliance, we should be ready to use all the people who are able to contribute towards these objectives. There are certain jobs which have to be done by citizens. Those we have now filled. There are other jobs which have to be done and done now or in the next few years, whether or not we have enough citizens or enough socialists. Let us get these jobs done instead of indulging our prejudices or our generalised assessments of people by skin colour or country of origin.

There is another aspect of our self-reliance policy which has also been misunderstood by some people. For the Arusha Declaration does not say that Tanzania refuses outside aid, or that there is something wrong in receiving it.

The Declaration says, and I quote: "We are not saying that we will not accept, or even that we shall not look for, money from other countries for our development. This is not what we are saying."

What the Arusha Declaration says is that the only group of people we will rely upon is ourselves; we will not organize our country and our life in such a way that there will be no development unless we get foreign money. And most of all, we have said very firmly that we shall not bend our political, economic or social policies in the hope of getting overseas aid as a result.

But if we get outside assistance to carry out purposes decided by us, then we shall welcome that assistance. Thus we welcome the Chinese decision to help with the Tanzam Railway. Thus we shall welcome an American decision to help build our road from Dar es Salaam to Tunduma.

In fact, self-reliance is not really against anything or anyone, unless there are people who want to recolonize us. Self-reliance is a positive affirmation that we shall depend upon ourselves for the development of Tanzania, and that we shall use the resources we have for that purpose, not just sit back and complain because there are other things we do not have.

We are saying to ourselves that we are going to build a self-reliant socialist society. We are saying: "Here is land, here we are: this is the amount of knowledge, skill and experience we have; and this is the amount of money we have to spend on supplementing our skill and knowledge or on buying more advanced machines. Now let us get on with it". And we are saying to other people: "This is what we are doing: if you want to help us, do this and this and this, for that is what we need most at this stage".

The really important thing for us to be clear about is that we are not saying to other people (and now, after the Arusha Declaration, we cannot say): "Please come and develop our country for us, and if you insist we will stop being socialist, or believing in equality, or being anti-colonial". These things we will never say.

We do not believe that anyone else can develop our country for us and, even if they could, we would not be willing to give up the determination of our own policy. It is we ourselves who will develop our country. We may decide to spend some of the resources we have, or the products of those resources, on buying imports of skills or machines from abroad. But our real emphasis will be on using the skills that we already have, and on developing the natural resources that we now possess.

In our situation this means that the emphasis of our development will be in the rural sector, and particularly in agriculture. Further, it means that we shall modernise within our resources. But we must modernise. In many parts of the country we are beginning to follow the advice of our agricultural experts. But our major tool, the jembe, is too primitive for our present day needs. We must now abandon it and replace it with the oxen-plough. We cannot make progress by waiting until every peasant is able to possess his own tractor which he can drive and maintain.

Indeed, if we wait for that we shall never leave the hoe behind us, for our present methods are too inefficient ever to produce the wealth which would enable us to buy tractors for all parts of the country, or to train the people to drive and maintain them. We are not ready for the tractor, either financially or technically; but we are ready for the oxen-plough.

We have the animals, and the ploughs can be bought cheaply or even made here. They are simple tools which our peasants can quickly learn to use, and they are appropriate for the kind of small unit farming which is involved in the ujamaa villages to which we aspire, or even to the amount of land an energetic individual peasant family can cultivate.

We have to modernise our farming if we are to improve our standard of living. But we cannot modernise by buying tractors for everyone, because we do not have either the necessary money or the necessary technical skill, or the social organization which would make such implements economic. We have to modernise by utilizing to the full the tools which are within our capacity to buy and to make: which are sufficiently simple for us to use without trouble and breakdown.

LEGAL SERVICES PROGRAM UNDER THE ECONOMIC OPPORTUNITY ACT PROVIDING VITALLY NEEDED ASSISTANCE TO UNDERPRIVILEGED PEOPLE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GIBBONS. Mr. Speaker, the legal services program carried out under the Economic Opportunity Act is providing vitally needed assistance to underprivileged people. Through these locally administered programs, controversies are resolved through the courts rather than through civil disobedience.

On November 5, Florida Accent, a magazine supplement to the Tampa Tribune, featured an interesting and informative report on the operation of the legal services program in my congressional district. The Hillsborough County program is administered by Law, Inc., in cooperation with the Hillsborough County Bar Association. Although their staff is small, they are doing a fine job in helping a large number of people help themselves.

I include the full text of the article, entitled "And Justice for All," at this point in the RECORD:

AND JUSTICE FOR ALL

(By Jack McClintock)

In four offices in four of the county's poorest neighborhoods, there are four lawyers waiting for clients.

Which, when you know the rest, is pretty unusual.

It is unusual because for a long time most lawyers didn't pay much attention to poor neighborhoods—let alone have offices in them—for the very good reason that lawyers have a living to make. And it is hard to make a living from the troubles of people who are having trouble making a living for themselves.

Which, in turn, is one reason the poor have historically found it difficult to get legal help when they need it, and why Law, Inc. was formed.

The four lawyers are paid by Law, Inc., out of the national treasury.

They work, however, for the poor.

Law, Inc. is an Office of Economic Opportunity program which cranked up in Tampa in August, the fifth such program in Florida. The others are in Miami, Ft. Pierce, Daytona Beach and Jacksonville.

Its purpose is to help that one-sixth of Americans who, in the words of Mr. Justice Fortas, "live on society's fringes."

"Our basic objective," says Don Castor, Hillsborough's executive director, "is to provide orderly and lawful methods of solving problems and handling grievances. In many ways, ours is a conservative approach—we resolve controversy through the courts rather than through civil disobedience."

The four lawyers are there to represent the poor. When a poor family has a problem, its members will come to the nearest Law, Inc. office. These are purposely situated in neighborhoods where the need is likely to be greatest: West Tampa (staffed by Douglas W. Kielkopf), Sulphur Springs (Malory B. Frier), Ybor City (John G. Tomlinson), and Plant City (James B. Moore).

The lawyer then studies the case and the financial situation of the applicant. Roughly, a single head of household must have income of $28 a week or less to qualify, with an additional $12 a week permitted for each dependent. If the applicant qualifies, there is no charge and the attorney will pursue the case through appropriate legal channels.

Law, Inc. has helped people with their legal tribulations in such fields as veteran's benefits, unemployment insurance claims, social security, welfare appeals, (on the state level), evictions, foreclosures, some misdemeanors (but not many), and Castor's area of special interest: consumer problems. The latter include sales and service complaints, warranty difficulties, etc.

Criminal cases are left to the Public Defender's office, and most misdemeanors to the Legal Aid Bureau and other appropriate agencies. It is not only good politics but practical to avoid an overlapping of services.

Law, Inc. interests itself in other matters as well.

"We also want to see that the poor obtain a legitimate share of public services," Castor says. A city councilman, for example, pestered for better street lighting, usually finds it easier to say "So what?" to a poor man than to a rich and influential one.

"Tampa rates pretty well here," Castor says, "but more needs to be done. There are slum areas with potholes in the streets, inadequate bus service . . . Nobody seems to care."

For years, the poor have been victimized in this and similar ways. They had no recourse. Castor can, and will if his visitor has time enough, reel off dozens of cases of old couples being conned into signing exorbitant loan contracts, of juveniles being hauled off to jail without their parents being notified, of illegal evictions, retaliatory rent hikes, and many cases of people simply not knowing what was coming to them and therefore not getting it.

"There are self-righteous people who consider themselves law-abiding in the country club," Castor says, "but seem to think they are above the law when they go to evict a tenant, for example. There is a legal procedure for this—you don't just move a family's belongings out into the street."

Even in such cases as have gone to court, there has often been a tendency to subject poor people to what Frier calls "cafeteria-style justice." "These people go through the mill," he says. "Their cases get handled routinely and, without counsel, sometimes handled unfairly."

It was Frier who was recently able to have a 17-year-old girl's shoplifting sentence (she admitted taking a $16 pair of false eyelashes) reduced from $300 or 100 days, to six months probation and a $100 fine payable in installments. She had been sentenced twice without even her parents being notified that the case was going to trial.

Now that they have a place to go, poor people have flocked to legal service offices all over the country. Word gets around via referrals by social workers, private lawyers, and word-of-mouth.

The OEO Legal Services program, according to "The Reporter" magazine, has been one of the most successful of poverty programs. There are about 190 local programs, including the five in Florida, and some 600 offices in the nation's poorest neighborhoods, including the four in Hillsborough County. They are staffed by 11,000 full-time lawyers who earn an average salary of $9,500 annually. Two in Hillsborough earn $11,000; the other two earn $8,000. (In 1959, lawyers and judges in the U.S. averaged $10,587 annually.) These men are working for people who could never have afforded their services before and, in some cases, did not ever know they were available.

In Hillsborough County, Law, Inc., is administered by a hired executive director (Castor), and policy is made by a 12-man board—eight lawyers designated by the bar, and four laymen to represent the poor (although none of the four is himself poor).

One of Castor's early problems was finding qualified Negroes to serve in staff positions. Since many of the nation's poor are black, it was thought not only fair but practical to have Negro lawyers to work with them—or with whomever happened to need help; there was no thought of segregation in reverse. But Castor says it was not possible to find qualified men who were willing to take on the job. There are Negro legal secretaries, and the chief legal investigator, Warren H. Dawson, is a Negro, but to date the four lawyers are white. The situation does not satisfy Castor completely.

Ideally, the poor obtain from all this not only the legal due process which in many cases eluded them for years, but a new feeling of dignity, of participation and actual membership in society. They need no longer regard themselves as left out, ignored, merely underfoot.

The success of the Legal Services program has not always set well with all the people. When the program was suggested, the American Bar was cool toward it, although it later appointed a committee to help out in designing the program. This, Castor says, was not only an admirable shift in viewpoint, but an exercise of the historically sanctioned principle: "If you can't beat 'em, join 'em and do a little lobbying from inside." The bar was able to influence the shape and direction of the program.

Some of the original opposition related to legal ethics, and this remains a point of contention with many lawyers. Many objected, Castor says, on grounds that such a program could permit—even encourage—lawyers to "stir up litigation."

The potential was indeed there, but many now think that the prohibition is irrelevant, since the lawyer who "solicits business" is not doing so to benefit himself but some other person. The lawyer's salary, after all, remains the same. The other question—of overstepping the boundaries of dignity—has to be resolved by each lawyer in terms of his own definition of "dignity."

There were other objections, some still heard. A judge said recently that Legal Services lawyers (not necessarily those in Hillsborough) seemed bent on dragging every nickel-dime case to the U.S. Supreme Court.

In any event, once inaugurated the program faced another obstacle: the poor themselves.

"It really takes some time for the poor to identify with the neighborhood lawyers and to believe that some professional person is interested in what happens to them," Castor says.

This suspicion is one of the legacies of that long-time neglect of the poor by the legal establishment and by the law itself.

"To the poor, the law has often meant only welfare cutoffs, wage attachments, arrogant policemen and marshals with eviction notices," wrote Wade Green in "The Reporter."

Most of the Law, Inc. lawyers want not only to deal piecemeal with individual problems as they arise, but to press for reform of the statutes themselves.

"We are anxious to get into the field concerned with developing some idea of what laws should be passed—or repealed," says Castor. Take the case, for example, of an employer of day-labor who sometimes refuses to pay his men, claiming the work was unsatisfactory.

Perhaps only one in ten of these men, Castor says, will do more than go home mad. That one man may take his case to small claims court, where the employer can cheerfully ante up, then take his profits from the other nine men, and run.

"So how do you get around something like that?" Castor asks rhetorically.

"Simple. All you do is pass a law allowing punitive damages to the employee if it is proved he was wronged. This is the kind of thing we'd like to urge."

To do so, a lawyer might submit proposed laws to the legislature or local governmental bodies, and argue for their passage.

Until now, everybody had a lobby but the people.

Law, Inc., would also like to perform a kind of preventive maintenance: Castor says the lawyers would go over such items as sales and loan contracts for clients—before the purchase—and explain the client's obligations. Such obligations are often nuclear even to the sophisticated reader.

"Most of our cases, from my observation," says Frier, "stem from ignorance—which applies to a lot of middle-class people as well as poor ones."

Law, Inc.'s primary job, in a sense, is to keep the channels of communication open between various strata of society. By facilitating dialogue among the aggrieved, the judges, and the other side, for example, it is often possible to settle matters without going into court.

Those conservatives who like to label the poverty program a wholesale boondoggle might be encouraged by a closer look at the Legal Services program, here and elsewhere. For among its most important functions is this, in the words of Earl Johnson, the director of the program in Washington:

"We have a duty to do everything we can to substitute justice in the courts for violence in the streets."

MEDICARE IS FOR PEOPLE

Mr. HICKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HICKS. Mr. Speaker, I want to call the attention of this House to an action of the Social Security Administration which I consider the epitome of rampart bureaucracy. It concerns a medicare claim.

A constituent of mine, in Tacoma, Wash., had been hospitalized under the medicare program. After his discharge, early this year, his family naturally preferred to take care of him at home if at all possible and attempted to do so. When it became obvious they could not properly attend him, and his doctor ordered nursing home care, they sought his admission to a home. The attempt took place near the end of the 14-day statutory period for eligibility for posthospital, nursing-home care, but it was still within that period. However, the period ran out over a weekend, and although virtually every facility in the Tacoma area was contacted, each one indicated they adhered to the policy of making no admissions on a weekend. The patient finally gained admission to a nursing home at the beginning of the following week.

Only then did he learn that, contrary to all usual business procedure in which contractual agreements do not begin or end on a weekend, and regardless of the fact that all nursing homes adhered to the policy of no weekend admissions, his claim for medicare coverage was rejected because the 14 days had expired while the patient, acting in the best of faith, was attempting unsuccessfully to gain admission to a home.

I object most strongly to this callous disregard of the true purpose of the medicare program. It has already caused my correspondent and his family great inconvenience and difficulty, and while I sincerely hope others will not be trapped by this rigid ruling, I have no doubt similar cases will occur. If the Social Security authorities cannot see their way clear to making their rulings fit the purpose of the legislation, then I think it will be up to the Congress to correct it.

PRESIDENT JOHNSON'S SPEECH OF LAST WEEK BEFORE CONSUMER ASSEMBLY, 1967

Mr. GURNEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GURNEY. Mr. Speaker, President Johnson made a speech last week before Consumer Assembly, 1967, sponsored by consumer organizations, cooperative groups, and labor unions.

He took the occasion to call for public pressure upon the Members of this House as well as the Senate to enact his proposed tax increase.

Two major newspapers in my congressional district carried front-page stories which were headlined in the Orlando Sentinel as follows: "L. B. J. Urges You Fight for Tax Hike," and in the Brevard County Today newspaper, "L. B. J. Asks Public To Back Tax."

As a result of these headlines and accompanying news stories, I started to get mail in my office.

As L. B. J. had hoped, the taxpayers are taking his advice and are writing Congress. However, the reaction is a little bit different than L. B. J. had hoped for.

So far, the letters in my congressional office have been 100 percent against the tax increase.

Some of the letters contained some

rather pithy language like "Spending cut—Si; surcharge—No"—with exclamation points.

Another correspondent said:

I think he (LBJ) is in for a real shock when he finds out how the American people feel about this. I suggest that we get a copy of the recording, "The Party's Over," and give it to him as a reply to his request for more money to spend.

Another:

As long as the President thinks he can raise taxes, he will continue to spend; no more taxes—less and less spending.

Let's cut down on wasteful government squandering of our hard earned money.

President Johnson has asked us to write urging you to increase our taxes. Instead of doing that now, I hope you will cut some of the excessive and unnecessary spending that I have read about.

And still another:

How he can make this request in view of the present depressed supply of money in general, I can't understand. The prices of food are steadily increasing. I guess Mrs. Gurney has told you about this; my wife has certainly let me know about it.

Here is another:

I can't understand how any Congressman would have the nerve to vote for a tax increase. It is deplorable what the Great Society has foisted on the American people. Money taken from my salary for so-called poverty programs . . . people working in these programs as typists actually are paid more than I am as an experienced, college-trained medical secretary.

My family for generations were Democrats and voted Democrat, but believe me, everyone has re-registered as Republican in the last few years, and I will never again help put another Democrat Great Society in the White House.

If my mail is any sample of what the rest of the House Members are receiving, L. B. J. has come up with another "clinker in public relations, and has struck out again."

The next Gallup poll will probably show a new low for President Johnson in the next polling.

FOREIGN AID CONFERENCE REPORT REFLECTS VICTORY FOR CONGRESS OVER THE EXECUTIVE BRANCH ON ISSUE OF ARMS SALES

Mr. WIDNALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WIDNALL. Mr. Speaker, with regard to the issue of arms credit sales to underdeveloped countries, I think the House-Senate conferees on the foreign aid authorization bill have reached a satisfactory compromise. Because I supported final passage of the foreign aid bill on August 25, I shall support adoption of the conference report tomorrow.

At this late date, to threaten a vote against the conference report simply because I personally object to the proposed sale of jet fighter aircraft to certain Latin American nations would be irresponsible. We have been assured that any such sale will take place between the foreign government and the U.S. manufacturer, with financial credit arrangements totally without Eximbank participation or Pentagon credit guarantees. The sad fact that diversion of scarce economic resources from peaceful to military goods will take place should be taken into consideration by both our State Department and the international lending institutions to which we subscribe capital. To threaten a total cutoff of all foreign aid and military assistance to all parts of the world over what now will be a straight commercial credit transaction would be akin to saying, "Stop the world, I want to get off."

Mr. Speaker, it was on the basis of my letter to the chairman of the Committee on Banking and Currency earlier this year that the extent of secret arms credit loans by the Eximbank was first exposed to the Congress and the Nation. I shall continue my fight against any arms credits by the Eximbank to underdeveloped nations after June 30, 1968, when the Eximbank bill reaches the floor of the House for final consideration.

Those who favor elimination of any foreign aid whatsoever will, of course, be expected to vote accordingly tomorrow. Those of us who have been alarmed over arms credit sales, however, should recognize the foreign aid conference report for what it is: the first in a three-step process representing a victory for Congress over the executive branch on the issue of arms sales. The next two steps will be the foreign aid appropriations and Eximbank bills.

For the information of the House I am including with my remarks a copy of letter dated October 19, 1967, from Eugene V. Rostow, Under Secretary of State for Political Affairs. This letter was in answer to my own letter of October 12, 1967.

The letter follows:

Under Secretary of State
for Political Affairs,
Washington, D.C., October 19, 1967.

Hon. William B. Widnall,
House of Representatives.

Dear Congressman Widnall: I was glad to receive your letter of October 12 concerning our military sales policies and procedures. I appreciate the inherent difficulty of the issues raised by this problem, and welcome the opportunity to discuss these matters further with you. Each of your questions bears on one or more of the many crucial aspects of our military credit sales programs; I shall be happy to come up and discuss these problems with you further if you conclude that this would be helpful.

The following are point by point answers to the eight specific questions posed in your letter.

1. Is it not a fact that under existing law the Eximbank can extend credit for arms purchases to less developed countries and that amendments to neither the pending foreign aid bill nor the Eximbank bill would prohibit such credits? In this connection, is there any fundamental reason why the Eximbank can extend credits to underdeveloped countries for peaceful goods at market interest rates while refusing to do so for military equipment without Pentagon guarantee of repayment? I have in mind the fact that there is no prohibition against such arms credit sales to underdeveloped countries in the charter of the Bank.

As it now exists, Eximbank's charter contains no prohibition against the financing of military exports to developed or developing countries. Such financing is considered entirely consistent with the agency's purpose of facilitating the trade of the United States. Foreign military sales of U.S. defense articles and services are increasingly being substituted for grant aid whenever possible, and the return from these sales, made primarily to further political and military objectives, also represents a favorable contribution to the U.S. balance of payments position.

Pending amendments to the Bank's charter and the Foreign Assistance Act, taken together, still would leave the Bank free to extend credit to a developing country without the Defense Department's guarantee.

However, the Bank, as you know, until now has insisted on the Defense Department's guarantee for such credit sales. The Bank has taken the position that credits for military sales to developing countries under the military assistance program inherently carry more risk than credit for sales of commercial items. Unlike credit for peaceful goods, many of the credit sales of military items to the developing countries are authorized by the U.S. Government because of overriding foreign policy considerations. Since banking considerations are not always controlling in this type of case, the Bank, as a general principle, has taken and continues to take the position that it will finance such military credit sales only when supported by a Department of Defense guarantee, as contemplated by the Foreign Assistance Act.

2. In those extreme cases where the best interests of U.S. foreign policy can only be served by facilitating credit for arms sales to less developed countries, is there any reason why the Defense Department, on its own account, cannot provide financing arrangements? Aside from security and budgetary considerations, are there any legitimate reasons why the Eximbank has been used as an underwriting middle man?

There is no legal reason that would prevent the Defense Department from providing financial arrangements on its own account for credit sales to less developed countries. To do so, however, would duplicate a function that Eximbank is well able to perform more economically and efficiently.

Under a system explicitly authorized by the Congress, a procedure was devised whereby the Eximbank could be used as the best instrument within the Government to provide financing for sales to less developed countries. This system works well. The Departments of State and Defense take full responsibility for determining the political and military requirements for the sales. The Eximbank's function is to act as the banker in the sale. In this way the Bank does not involve itself in the making of the foreign and military policy of the U.S. and the Departments of State and Defense do not enter into the banking business. Each of the Governmental institutions involved operates within its own realm of special competence without duplicating functions which can best be performed by another.

If the Defense Department were to assume the Eximbank function in this process, it could no longer as a practical matter rely on financing under the 25% guaranty reserve system. Relying on the continuation of this system, the President's Budget for FY 1968 did not ask for funds to make military credit sales on a dollar for dollar basis. It is now too late in the legislative cycle to revise upward the amount of MAP appropriations which would be required adequately to fund the program. Accordingly, elimination of Eximbank at this time as a source of credit would force deep cuts in the grant and sales programs, which could adversely affect the NATO alliance and the ability of the "perimeter countries" (whose borders adjoin the USSR and Communist

China) to defend themselves, if important sales to developing countries were not to be rejected for lack of funds.

Finally, the involvement of the Eximbank in this system has introduced sound banking techniques into the credit sales negotiating process. For example, under present procedures the purchasing country knows that promissory notes which it signs will be sold to a bank rather than held in the Defense Department's "grant-aid account." This assists the Defense Department in negotiating terms satisfactory to financing institutions and also has the effect of involving the foreign finance and central banking authorities whose approval is required for such credit documents, with the helpful result that foreign borrowers consider such debts within the framework of their overall financial and economic condition.

3. *With regard to credits to developed countries by the Export-Import Bank, is it not a fact that terms and conditions of credit have been dictated, if not influenced, by the Department of Defense? I have in mind a recent Eximbank loan to the United Kingdom for $500 million at an interest rate of 4¾% per annum repayable in fourteen approximately equal semi-annual installments beginning December 31, 1968 for the purchase of F–4's, F–111's and C–130's. I have in my files a letter from Eximbank to a Member of Congress which states that "the decision (by U.K.) to buy (U.S. aircraft) was facilitated by the terms of financing offered by the Bank."*

The terms and conditions of Eximbank credits to developed countries for military exports have not been dictated by the Defense Department. On the contrary, the Bank and other Departments of the Government bear in mind the Bank's legislative mandate (Section 3 of the Bank's Act) which declares it an independent agency of the U.S. The Bank consistently has taken the position that repayment terms for military credits to developed countries should not exceed seven years, and preferably should be held to five years, and that interest should be at a rate at least that of the cost of money to the lender. As you appreciate, the credit terms which a U.S. seller is able to offer often tip the balance in favor of procurement from the United States—obviously a factor in the U.K.'s decision to buy U.S. military aircraft. The Bank actively participated in the negotiations with the British in 1965 and made a very careful calculation of the terms of the credit which it was prepared to suupport, knowing that its decision probably would facilitate an unusually large sale of U.S. equipment. And, as you know, the interest rate for this sale was above the Bank's average cost of borrowing at that time.

4. *Again, with regard to Export-Import Bank loans to developed countries for the purchase of U.S. military equipment, is there any reason why the terms and conditions as well as the equipment purchased have been until recently withheld from the appropriate committees of Congress? Conversely, could any possible violence occur to national security were the terms and conditions of such loans to developed countries revealed at the conclusion of financing negotiations and prior to delivery of such military equipment? For instance, the details of the recent $500 million Eximbank-U.K. loan were released to the press in London and later confirmed in Washington by Eximbank officials.*

Information on loans to developed or less developed countries, the terms and conditions of the credit agreements, as well as the equipment purchased, can of course, be given to the appropriate committees of the Congress. Classified information may be passed to appropriate Committees and we recognize that the confidential nature of the information will be respected. Until recently, however, with respect to the military credit sales program, we assumed it sufficient to give such information to the Foreign Relations, Foreign Affairs and Appropriations Committees and for the President of the Eximbank to inform the Chairmen of the Banking and Currency Committees in a general way on military credits extended by the Bank. Now that we have been made aware of the interest of the Banking and Currency Committees in receiving more complete information on this program, the Executive Branch has made clear its intention promptly to provide information in the detail required by the Committees, not only on concluded sales but on the impending sales programs as well.

5. *The enclosed administration memorandum entitled, "Latin American Military Expenditures and U.S. Arms Sales," indicates that defense budgets of Latin American countries have declined during the last 20 years. What the memorandum fails to point out, however, is the type of military equipment purchased by Latin American countries during this period. While Latin America under the Alliance for Progress is striving for regional economic integration, can it not be contended that there has recently been a tendency toward the purchase of sophisticated weapons of aggression as compared to the former emphasis on weapons and equipment more truly compatible with internal security?*

With regard to the type of military equipment acquired by Latin American countries, the tendency in recent years has been toward weapons and equipment compatible with internal security rather than more sophisticated weapons. Latin American navies have acquired no ships larger than destroyers in the 1960's. (The purchase of aircraft carriers and cruisers was a development of the 1950's.) Army acquisition programs have been modest, with emphasis on transportation and communications. Regarding aircraft purchases, these have represented the replacement of obsolete and virtually unusable equipment. Until recently, and in contrast to other areas of the world, the planes purchased have all been subsonic and roughly comparable in performance and numbers to aircraft already in service in the area. It must be noted, however, that the passage of time, attrition of their equipment, and technological advance leave Latin American countries increasingly with no technically feasible alternative to supersonic planes as replacements for the aging tactical aircraft now in their inventories. As you know, the United States is continuing to make every effort to limit the quantity of aircraft, level of sophistication, delivery rates and cost of aircraft purchases.

6. *Some have suggested that the recent Peruvian purchase of French supersonic fighter bombers was the most recent chain reaction to a series of sales that commenced in 1965 with the $10.9 million Eximbank financed sale to Argentina of A–4B skyhawks. Others point to a possible connection between the 1966 Eximbank loan to Brazil for the purchase of 50 M–41 tanks and the recent decision by Argentina to purchase 50 highly sophisticated AMX–30 tanks from France. With the substantial contribution of U.S. loans and grants to the Alliance for Progress has there been any attempt by the United States in diplomatic negotiations aimed at establishing a quantitative limitation on arms purchases by members of the Alliance, as suggested by President Frei of Chile in a recent article in Foreign Affairs Magazine?*

The purchase of secondhand subsonic A–4B aircraft by Argentina in 1965 and the recently reported purchase of supersonic aircraft by Peru are not casually related. Instead, these developments, as well as the purchase by Chile of Hawker Hunter aircraft and the purchase of F–86 aircraft by Venezuela in 1966, reflect the common intent of a number of Latin American countries to replace aircraft that are overage, dangerous to operate, and rapidly becoming impractical to maintain. Thus, the secondhand A–4B's sold to Argentina represented a relatively low-cost, serviceable replacement aircraft which would meet their current needs without undue financial strain and without stimulating equipment rivalries in neighboring countries. Chile and Venezuela also chose to fill their replacement needs, for the time being, with relatively low-cost subsonic aircraft.

Paralleling the problem of replacement aircraft is the problem of replacing World War II tanks that several Latin American countries now have in inventory. Argentina has intended to obtain replacement tanks for some time; the reported decision to purchase them from France which follows by many months a U.S. refusal to sell tanks to Argentina would accordingly appear to reflect Argentina's inability to obtain serviceable replacement tanks at relatively low cost elsewhere. There is no reason to believe that this reported purchase is a reaction to Brazil's purchase of tanks from the U.S.

As I indicate below, the Executive Branch has given high priority, in the conduct of our foreign relations in Latin America, to restraining the acquisition of arms and to encouraging the conservation of resources for the priority needs of economic and social development. While exceptions to the general trend of restrained arms procurement are, unfortunately, still occurring and are of a nature to draw attention to themselves, the general trend is, in our view, in the direction of conservative military expenditures.

7. *Your Latin American memorandum suggests that U.S. arms sales policies are considered in the context of hemispheric foreign policy and are coordinated between the Departments of Defense and State. Yet, in testimony before a subcommittee of the Senate Foreign Relations Committee, testimony revealed that the A–4B sale to Argentina was not brought before the State/Defense Coordinating Committee for discussion. Would you care to elaborate on this testimony?*

While the State/Defense Coordinating Committee was not the mechanism used for coordination, the sale of A–4B aircraft to Argentina was not only thoroughly coordinated between the Departments of State and Defense, but prior to the departure of the negotiating team which concluded the agreements, it was coordinated with the White House.

8. *Referring again to the enclosed Latin American memorandum where it is suggested that arms purchases by Latin American nations have been on a decline, would you comment on the obvious inconsistency between the memorandum and the following statement by President Frei of Chile in his Foreign Affairs Magazine article:*

"The armaments race also conspires against the strengthening of the Alliance. The annual expenditure of the Latin American countries on armaments has reached $1.5 billion. Yet the average yearly sum made available by the United States to Latin America in the period 1961–65 was $1.1 billion. The two figures clearly show that present arms purchases seriously undermine the objectives of the Alliance. A Latin American country in 1965 had, in proportion to population approximately the same number of men under arms as the United States. India, with twice the population of Latin America and having had two armed conflicts in recent years, has fewer soldiers than Latin America.

"Nobody can possibly suppose that these weapons and armies are going to deter an aggressor from outside Latin America. Equally, the assertion that to stop subversion these countries must purchase fifty-ton tanks, supersonic aircraft and battleships defies belief. The armaments race encourages distrust and nationalism and these in turn are among the chief enemies of integration. It also diverts important resources which should be utilized to satisfy the urgent need

for economic and social development. It is therefore essential that a decision be taken at the highest levels of the Alliance to establish a quantitative limitation on arms purchases."

President Frei's article in *Foreign Affairs* magazine refers to the "annual expenditure of Latin American countries on *armaments*" (emphasis supplied) as reaching $1.5 billion. It appears that he has used the word "armaments" to represent Latin American defense expenditures as a whole, not arms and equipment purchases alone. Only about one-tenth of Latin American defense budgets is spent on military hardware, the rest going for salaries, allowances, maintenance and other recurrent expenditures.

In any case, continuing efforts are being made to limit armaments. On the multilateral level, the need to eliminate unnecessary military expenditures in order to apply maximum resources to economic development and social progress was recognized by the Latin American Chiefs of State at Punta del Este last April when they declared their intention to limit military expenditures to the actual demands of national security. President Frei's appeal for arms limitation was welcomed by the United States and the subsequent Punta del Este declaration reflected wide support for this concept even though no specific arms limitations were agreed. We are continuing our efforts through the OAS and bilaterally to exert a beneficial influence against arms competitions and for more productive use of resources.

With regard to the number of men under arms, during the period 1955–1965, one Latin American country had an average of .675% of its population in its armed forces. This was the highest percentage. Four other countries in the area had an average percentage above .5%, while the regional average was only .345%. The comparable figure for the U.S. is 1.695%.

Although we differ with some of President Frei's statistics, the United States Government is in full accord with his objective: limitation of arms expenditures and conservation of resources for more productive applications. The aim of our arms policy is to help friendly countries meet their legitimate security needs, while at the same time using our influence and managing our arms policy in ways which encourage the development of regional arms controls and prevent excessive investment in military forces.

But, as you point out, U.S. policy in this regard cannot realistically operate in a vacuum, taking little or no account of the aggressive military sales policies of other countries. Developing countries will buy their arms elsewhere if U.S. sources of supply are denied to them. Consequently, until some general understandings can be reached limiting the international sale of military equipment, we fail to see how our influence in controlling arms levels can be increased by denying ourselves the capability even to make carefully controlled and selective arms sales.

Quite the contrary, we believe that our influence for restraint is maximized by the careful management of our arms supply programs with these countries, through the ties established by training and logistical resupply.

This policy with respect to developing countries is a fundamentally negative sales policy. We do not seek out sales; we make them only when to do so is demonstrably in the overall national interest of the United States.

Credit sales to such countries is an indispensable aspect of this policy. It reduces the U. S. cost of contributing to the maintenance of world peace, encourages prudence on the part of the requesting country in assessing requirements, and makes it possible for the developing countries to take more responsibility for their own self-protection.

I believe we will continue to need this capability for the future as in the past. And in this respect the role of the Eximbank—the principal U. S. export financing agency—as the administrative mechanism for financing is both appropriate and essential.

I hope that the foregoing explanation has been helpful. I should like to thank you for the opportunity to convey this information to you and to ask your support of the military sales program as presently constituted. It is a most important element in the military, political and economic aspects of United States foreign policy.

Yours sincerely,

EUGENE V. ROSTOW.

IMPORTANCE OF TELEVISION IN WINNING WAR IN VIETNAM

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, many of my colleagues may remember that after my first visit to Vietnam better than 2 years ago, I urged that plans for the installation of a television network in Vietnam be pushed off the drawing board and implemented without delay in order to help win the minds of men in this war-torn country. Just recently a progress report on the program—of unusual significance—came to my attention.

The Department of Defense has just released a report telling how a television appeal for information about the Vietcong activities in Saigon resulted in destruction of the Vietcong's 69th Special Action Unit which has long been one of the most important and most effective terrorist cells operating in Saigon. When the police broke up the sabotage ring they found among captured documents plans to place explosives around the U.S. Public Affairs Office and the adjacent Rex hotel where U.S. troops are billeted. The blast was to be touched off 5 days later. Among those arrested was the unit commander, a veteran saboteur responsible for masterminding many attacks against U.S. installations and U.S. personnel. This unit was credited with 80 percent of all sabotage and terrorist attacks in the Saigon area. Police also found the unit's weapons and explosives caches.

Mr. Speaker, I am confident the Members of the House will be gratified and encouraged to learn that our modest investment to strengthen the Government of Vietnam by helping to provide better communication with the Vietnamese people has been sound, and I urge my colleagues to join me in making certain that this program is continued and, in fact, expanded in order that the truth may be fully disseminated throughout this country. I am satisfied that the duration of this war can be shortened if we fully utilize our great television technology—a weapon in our arsenal of vast potential.

Under unanimous consent, I insert a copy of the report at this point in the RECORD:

EFFECTIVENESS OF SAIGON TELEVISION

A recent TV campaign to help Saigon police find Viet Cong terrorists resulted in the smashing of a major sabotage ring which was planning an attack against JUSPAO headquarters.

After seeing a TV spot announcement about a reward program for tips about the Viet Cong, an informer contacted police. He gave information which eventually resulted in the near-complete destruction of the VC's 69th Special Action Unit. The unit was one of the most important and most effective terrorist cells operating in Vietnam's capital city.

When police broke up the sabotage ring they found among captured documents plans to place explosives around JUSPAO headquarters and the adjacent Rex Hotel military billet. The blast was to be touched off five days later.

USIA PsyOps Advisor, Warren Simpson, assigned to CORDS, had worked with Ministry of Information officials to develop a complete media campaign which would publicize the Government of Vietnam's information awards system.

Simpson was instrumental in getting maximum exploitation of the campaign on THVN, the Saigon television station.

A reward of 400,000 piastres ($3,390) was paid to the informer. His story, in turn, will become another TV spot to encourage others to come forward.

The 69th Special Action Unit was credited by police with 80 percent of all sabotage and terrorist acts in the Saigon area. Information on the number of personnel and weapons neutralized was not available; however, among those arrested was the unit's company commander, a veteran saboteur responsible for masterminding many attacks against U.S. installations and personnel.

Police also found the unit's weapons and explosives caches.

COMMUNISM'S 50 YEARS OF TERROR AND FAILURE

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HOSMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HOSMER. Mr. Speaker, November 7 is the 50th anniversary of the Bolshevik revolution in the Soviet Union. Lenin and his cohorts seized power from a democratically chosen government, set up after the overthrow of the czars, some 8 months earlier. Their highly organized minority seized power from 160 million subjects; today communism has spread until it rules more than one-third of the earth's population.

International communism, on conservative estimates, has been responsible for some 83 million deaths since the coup of 1917. At least 45 million of these in the Soviet Union itself. Stalin boasted that the manmade famines of 1932–33 killed 10 million peasants who were refusing to give up their land.

Those who listen to Communist propagandists today forget that before the revolution 71 percent of the cultivated lands were in small holdings of 135 acres or less. Before the revolution, peasants owned 82 percent of the cattle, 86 percent of the horses, and produced a grain surplus for export. For the period 1907–

13, the industrial growth rate exceeded the rates in the same period for the United States, Great Britain, and Germany. In less than a decade, before the revolution, production had doubled. Russia was second only to the United States in railroad mileage. Russia had more universities than England, France, and Germany, with one-third of the students attending on scholarship. Although czarist terror seemed formidable at the time, only 32,000 convicts were at hard labor at the peak and the death penalty was outlawed except for the crime of political assassination.

After 50 years of communism in the Soviet Union, the Soviet gross national product—GNP—is only 45 percent of that of the United States, $333 billion compared to $739 billion. Of the major industrial nations, the U.S.S.R. is fifth in GNP. In per capita income, the U.S.S.R. is 13th; and in overall social and economic services, 20th. The average weekly earnings for a worker in 1965–66 was $26, with millions subsisting on the so-called legal minimum of $10 per week. Food takes 60 percent of a worker's earnings in the U.S.S.R., as against 19 percent in the United States. The most telling statistic of all is that 50 percent of wage earners in the Soviet Union are women—proof that a man cannot support a family with his paycheck alone.

The human costs have been staggering. Hardly any family has not been touched by arrests for slave labor—a fact from which we can estimate that over 50 million people have served in the slave labor camps. Even today, refugee information indicates that 1 million are still held. One camp, only 250 miles from Moscow, holds 70,000 in this 50th anniversary year.

The Soviet regime is celebrating 50 years of personal terror, with neighbor spying upon neighbor, husband upon wife, and son upon father. The neighborhood organized spy corps today numbers 6 million. There are 6,000 local schools to train disseminators of domestic propaganda aimed entirely at Soviet citizens. On a higher level, 177 regional institutes give advanced propaganda training. The Stalin constitution is still in effect. The Supreme Soviet—that is, the supposed national legislature—meets for a few days each year to rubber-stamp decisions handed down by the Communist Party. The accused in the Soviet Union has no right to habeas corpus; and his survivors even have no right to a certificate of his death.

Although indications are that the open terror has abated somewhat, it is clear that the totalitarian nature of the regime makes any significant liberalization improbable. The KGB—the secret police—carries on as before, and has been known to take over when local police allow disturbances to get out of hand. Recent reorganizations in the Soviet leadership have brought the KGB directly into the policymaking control of the central committee of the Communist Party. As Svetlana Stalin pointed out, many of her father's henchmen, from Brezhnev on down, participated in directing the blood purges and still sit on the central committee. Miss Stalin maintains that conditions today are deteriorating.

Today's Communist leaders are better educated, and more sophisticated than the revolutionaries of old. They are more effective in pursuing their goal of world domination through indirect means—diplomacy, espionage, and agitation. The Communists have not abandoned their goal of conquering the world.

A brilliant assessment of the operations of the Soviet Union has been made by Dr. Stefan T. Possony of the Hoover Institution on War, Revolution, and Peace at Stanford University. Few analysts in the world are more qualified to speak authoritatively on this subject than Dr. Possony. His views, contained in a paper recently circulated amongst his friends and which he has authorized for publication here, are the following:

PROLETARIAN REVOLUTION WITHOUT PROLETARIAT

(By Stefan T. Possony)

The exuberant celebrations of the 50th anniversary of the bolshevik revolution suggest a tantalizing question: How would Karl Marx and Friedrich Engels have looked at this Russian revolution of which they are the alleged patron saints?

There have been interminable, and on the whole futile, arguments about the theories, judgments, and predictions of these two men. There would hardly be any discussion about their literary legacy if Lenin and Stalin had not proclaimed a position which in effect says: "If you can prove your point through a citation from Marx and Engels, you may be right. If there is no quote to support you, your point is not worth listening to."

Thanks to the deification of Marx and Engels, their reputation was inflated to the point of ridiculousness, even within the Free World. Thereafter their reputation was unduly deflated, even in communist countries. Whatever their public image, they are quoted and misquoted, but not read. This is a pity, for Marx and Engels have their merits.

For example, they insisted on the necessity of using scientific methods. They did not usually live up to their own standards, and the claim that they founded "scientific socialism" was not justified—"isms" and science do not mix. But they tried to base politics on scientific analysis, they rejected utopian thinking, and they were fact-oriented—they would have had no patience with the statistics emanating from the USSR.

Both men were humanists and wholeheartedly stood up for political progress, at least most of the time. There can be considerable argument as to whether the movements they supported were progressive or not. Their "causes" included the fight of the Union under President Lincoln during the American Civil War, the unification of Germany under Bismarck, the struggle of the Poles and the Irish for political independence, and the Paris Commune in 1871. In many crises they supported Great Britain and, increasingly, as they were growing older, the United States.

Their main opposition was directed at the primary "reactionary" forces of their time, the short-lived regime of Napoleon III and the Russian autocracy, which they opposed throughout their lives and wanted to eliminate through a major war or a series of conflicts. Their objections to these regimes were based on conventional "liberal" criteria: Marx and Engels fought for political freedom and democracy, and against exploitation, dictatorship, arbitrary justice, terror, and militaristic aggression.

During their youth they were violent revolutionaries, with an occasional inclination for democracy. As mature men, they promoted democratic socialism, although they often reverted to the rhetoric of, and addiction to revolution.

Marx and Engels criticized "capitalism" because it had not fully extirpated poverty. At the same time, they regarded capitalism as a progressive force which was creating far more resources and wealth, and higher living standards, than the earlier systems it had replaced. They expected that as capitalism was developing, it would ultimately reach a point where, due to its "inner contradictions," it no longer would be able to sustain the momentum of economic progress but would retrogress and create "increasing misery." At that moment, in order to regain the lost momentum and to re-accelerate economic progress, private property would be abolished and be replaced by social property and a supposedly more efficient economic system, namely socialism, would supersede moribund capitalism.

It followed that the socialist revolution probably would occur after capitalism no longer would be capable of feeding the population and after it had run its course. If the revolution were to occur earlier, it would be premature because the "tasks of capitalism" would not yet be fulfilled, because capitalism still would have an enormous potential of progress, and because the economy would not yet have developed to a level where a socialist organization is supposedly necessary.

A premature revolution would be made by a minority, in contrast to a revolution at the right time which would be desired and carried out by the overwhelming majority. The premature revolution would be "political". But a purely political change, even if executed by the proletariat (the only progressive class, according to Marx and Engels), would not result in the creation of those additional and growing "productive forces" (technology), on which sustained progress is dependent.

In a book on the peasant war in Germany which took place during the 16th century, Friedrich Engels wrote a poignant comment which my friend and colleague Bertram D. Wolfe, author of *Three Who Made a Revolution*, used as a motto for a recent analysis of the fate of Marxism after the bolshevik revolution: "The worst thing that can befall a leader of an extreme party is to be compelled to take over a government in an epoch when the movement is not yet ripe for the domination for the class which he represents and for the realization of the measures which that domination would imply." What this leader *can* do, does not depend "upon his will but . . . upon the degree of development of the material means of existence". What this leader *ought* to do "again depends not upon him" and "what he ought to do cannot be achieved." "What he can do is in contrast to all his actions as hitherto practiced, to all his principles and to the present interests of his party." "He is compelled to represent not his party or his class, but the class for whom conditions are ripe for domination." He must "defend the interests of an alien class, and . . . feed his own class with phrases and promises, with the assertion that the interests of that alien class are their own interests. Whoever puts himself in this awkward position is irrevocably lost." Those who insist on making a premature revolution, find themselves in an "insoluble dilemma", merely pay "lip service to the extreme revolutionary party", and are "foolish beyond measure". This applies particularly to leaders of the working class when there has been "only a very low level of proletarian development." In 1890, Engels commented in a private letter that the enormous social and political troubles from which Germany had been suffering for centuries were due to revolutions which had failed.

By 1917, capitalism in Russia was making tremendous progress, but only the initial phases of capitalist development had been completed. Lenin knew that according to the theories he had adopted from Marx and Engels, the proletarian revolution was premature, simply because there was barely any proletariat. He justified his political acts through various rationalizations, but by 1921 he knew that he had reasoned wrongly. A supreme pragmatist, he introduced a system which he himself described as "state capitalism" and to which he gave the innocuous but quite incorrect name of "new economic policy" (NEP). This new—but actually very old system—was abolished after Lenin's death and henceforth socialism was being professed loudly. But the soviet economy has remained state capitalism because the "surplus" is not equitably distributed to the workers and peasants who, according to recent calculations, receive only about one-fifth of the value they create through their labor. The "surplus value" is appropriated by the state and the military machine, and the high ranking officials and managers are the beneficiaries of "planning".

The soviet system is a mirror-image of Russian serfdom, as Marx and Engels criticized it, except that it is infinitely more tyrannical, exploitative, and aggressive; and except also that the Tsar abolished serfdom in 1861, while Stalin reintroduced it in 1929.

The soviet system, to describe it in Marxian terminology, is a system of class rule. The soviet state represents the bureaucracy as a class and is run in its interest. This state is in the hands of intellectuals who have assumed the role historically discharged by the aristocracy.

What Engels said about the German peasant leader Thomas Muenzer applies to Lenin: "The social transformation that he pictured in his phantasy was so little grounded in the then existing economic conditions that the latter were a preparation for a social system diametrically opposed to that of which he dreamed."

Being premature (and also unnecessary), the bolshevik revolution became a counter-revolution. It restored autocracy and in the process invented totalitarianism. The totalitarian counter-revolution of Russia was promptly imitated by Italian fascism and German nazism. Ultimately, the bolshevik party was exterminated by bolsheviks turned "fascist". The red flag was kept flying and the Marxian words were kept flowing. But underneath the communist facade, Stalin built a Russian replica of nazism. The dream became a nightmare. It may yet end as mankind's final armaggedon.

FIFTY YEARS OF COMMUNISM

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, as a necessary countereffort to the Soviet propaganda of the 50th anniversary of the Bolshevik revolution, I today introduced a resolution condemning the persecution by the Government of the Soviet Union of persons because of their religion, race, or nationality. The resolution also asks that the President call upon the Government of the Soviet Union on the occasion of the 50th anniversary of that Government to cease its suppression of the free exercise of religion. I insert the resolution to be printed at this point in the Record, as a continuation of my remarks:

H. Res. 968

Whereas the House of Representatives of the United States deeply believes in universal freedom of religion and the rights of all men to their ethnic, cultural, and national heritage and is opposed to infringement of such freedom anywhere in the world; and

Whereas the Government of the Soviet Union is presently celebrating the 50th anniversary of the Bolshevik Revolution which purported to respect the human dignity and individuality of every citizen; and

Whereas abundant evidence has made clear that the Government of the Soviet Union notoriously denies basic rights guaranteed even under her own constitution to all citizens; and

Whereas the Government of the Soviet Union is persecuting citizens of Christian, Jewish, Moslem, and other faiths and denominations by exercising total state control, by interfering in the sacred relationship between man and God; by confiscating sacred places of worship, by destroying cemeteries, by curtailing religious observances, by subverting the ministry; by exploiting religious differences, as in the Middle East, to attain aggressive foreign policy objectives; by discrimination against persons of faith in cultural activities and access to higher learning, by denying employment to individuals because of religion and race; by imposing restrictions that prevent the reuniting of families, by forcibly dislocating persons of various religious, cultural, ethnic, and nationality groups; and by other acts that oppress individuals in the free exercise of their faith, heritage, and culture; and

Whereas it is the objective of the United States to contribute effectively toward the strengthening of international law, including the adherence to universal human rights and norms of conduct: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that persecution by the Government of the Soviet Union of persons because of their religion, race, or nationality, be condemned and that the President should call upon the Government of the Soviet Union on this special occasion of the fiftieth anniversary of that government to cease its suppression of the free exercise of religious and cultural activities.

Mr. Speaker, I also include an editorial from this morning's Chicago Tribune entitled "Fifty Years of Communism," and a letter to the editor in this morning's Washington Post written by Mr. Paul De Hevesy, former Hungarian Minister Plenipotentiary:

[From the Chicago Tribune, Nov. 7, 1967]

Fifty Years of Communism

A couple of our readers chide us in the Voice of the People today for printing an extended series of articles gathered by New York Times writers in a survey of Russia after 50 years of communism. The assumption of power by a handful of bolsheviks under Lenin and Trotsky is being celebrated today as a peoples' revolution, which, in the light of historical truth, is an utter falsification.

Nevertheless, we have reported whatever progress the Times writers were able to discover in the despotism which has been fastened on the numerous peoples composing the Soviet Union, 45 percent of whom are not Russians. It is the duty of a newspaper to inform. Perhaps the insights of The Tribune have not always been prophetic, but it is better to try to know what lies ahead before you are swept over the falls in a barrel.

It is not possible to shut one's eyes to the fact that, after 50 years of the Marxian superstition, Russia has risen to a rank of world power which is counter-balanced only by that of the United States. There are, in fact, only two giants in this age. If Americans did not try to understand the nature of the adversary, this country would be a stupid giant indeed.

No observer has ever viewed communism with a more clear and unsentimental eye than this newspaper. We abhor the system and its masters, as we abhor tyranny of any sort. We have never subscribed to the notion, now in fashion, that soviet life is somehow ameliorating and that freedom of the intellect and of expression will eventually flower under totalitarian oppression.

Let us look at a few myths and realities. The "revolution" celebrated in Moscow today actually occurred eight months before the bolshevik seizure of power. A provisional government ruled from March to November of 1917, after the abdication of Czar Nicholas II on March 15. It was this revolution which was purloined by the Communists, who seized power thru an armed coup.

It is a myth that the masses supported the bolsheviks, just as it is a myth that the Russian people love communism. In World War II many of the victims of the new serfdom were prepared to welcome even the German armies as liberators, but Hitler's nazi apparatus, with a rigidity comparable to the mentality of the Kremlin, alienated all potential support with a fierce policy of repression.

If the peoples of Russia love communism, why has it been necessary to fence them in with terror, barbed wire, and a smothering control of all thought? Why has it been necessary to deny them any political choice save for the party of the oligarchy? If communism casts a spell over men's minds, why are its victims in the various lands over which it holds sway numbered in authoritative estimates as high as 85 million dead?

It is true that there has been progress under communism, especially in the building of military might and in accomplishments in space, but it is often forgotten that Russia in the period before World War I had an economic growth rate greater than that of western Europe. Progress would have been achieved whether or not communism had come, with all the sterilities and failures of central planning in a system of socialist command economics.

The more Russia has changed, the more it has remained the same. As long ago as 1839 a discerning French traveler, the Marquis de Custine, wrote a book which reads as if it were an account of contemporary Russia. The only changes in 130 years have been surface changes. Examining the history of Russia, Custine found that the conditions of 1839 were merely a repetition of those obtaining during the reign of Ivan the Terrible, 300 years earlier.

In these 400 years and more, despotism has been changeless. The 19th century Russian historian, Alexander Herzen, predicted in 1855, after the enunciation of the Communist Manifesto, that communism would simply be "Russian autocracy turned upside down." So it proved.

Custine judged Russians to be a "people as wildly enthusiastic for submission as others are frantic for freedom." He found them "a population of menials, able to escape one yoke only to pass under another." Over them, whether czar or commissar, was destined to preside the tyrant: "This divinity, born of a political superstition, has only two choices: to prove that he is a man by allowing himself to be crushed or to force his disciples to conquer the world in order to prove that he is God."

When he came out of Russia, Custine exclaimed, "A bird escaping from its cage or coming out from under a vacuum bell, would be less joyous [than I]. I can speak, I can write what I think, I am free! . . . Whoever has really seen Russia will find himself content to live anywhere else. It is always good to know that a society exists where no happiness is possible because, by a law of his nature, man cannot be happy unless he is free."

[From the Washington Post, Nov. 7, 1967]

Fifty Glorious Years?

The Union of the Soviet Socialist Republics—in short, the Soviet Union—is territorially the largest country in the world: three times as large as the United States of America. In point of population it is, after China and India, the third largest country in the world. It is a conglomerate of some 170 nationalities.

A week and a day after its foundation, on the 15th November, 1917, the Soviet Union promulgated, by decree of the Council of Peoples Commissars, a Declaration of Rights, which provided that all its component nations were to enjoy self-determination, including the right to secede and to form independent states.

Encouraged by this Declaration, the following nations proclaimed their secession from the Soviet Union and established independent republics:

Finland	Dec. 6, 1917
Ukraine	Jan. 22, 1918
Lithuania	Feb. 16, 1918
Estonia	Feb. 24, 1918
Bielorussia	March 25, 1918
Azerbaijan	April 27, 1918
Armenia	April 27, 1918
Georgia	April 27, 1918
Poland	Nov. 11, 1918
Latvia	Nov. 18, 1918
Kuban	Dec. 5, 1918

But soon after, in flagrant defiance of its pledged word, the Soviet Union recaptured all these sovereign states, with the exception of Finland and Poland, and forcibly incorporated them into its rigidly tyrannical empire. Ruthenia, Southern Sakhalin, the Kurile Islands, the northern part of East Prussia, including Konigsberg, the eastern provinces of Poland, and the Rumanian provinces of Bessarabia and Bukovina: all these territories suffered the same fate.

As for the three Baltic states—Lithuania, Latvia and Estonia—they were subjected to the most treacherous duplicity. Though the Soviet Union, by the terms of peace treaties signed with these countries in 1920, "unreservedly recognized their independence and sovereignty" and, in pacts of nonaggression concluded with them in 1932, "renounced voluntarily and forever all rights of sovereignty possessed by Russia over their population and territories," it did not hesitate to break its pledged word by seizing them in 1940. Indeed, a short eternity.

As if all these annexations were not enough, Bulgaria, Czechoslovakia, Hungary and to a certain extent Rumania were—and still are—all held in virtual subjection to the despotic rule of the Kremlin.

In considering Russian territorial aggrandizement, it is, however, necessary to distinguish between different kinds of Russian annexation. In many regions of the Soviet Union, national minorities are so closely intermingled with Russian and other ethnic groups that it would be hard even to imagine their separate political existence. Nor would it be practicable to suggest that the many primitive tribes inhabiting the territories of the Soviet Union should be exalted into independent sovereign states.

Though the establishment of the Soviet Union as the second most powerful state in the world has cost untold suffering to many millions of people, it has undeniably achieved great things, including the transformation of a primitive agricultural country into a rapidly advancing industrial power.

To mark the 50th anniversary of the foundation of the Soviet Union, the rulers of the Kremlin might now—22 years after the end of the Second World War—adopt a policy of belated liberation by fulfilling their solemn contractual promise to respect the independence of the Baltic states, and by withdrawing their military forces of occupation from Poland (90,000 men) and from Hungary (45,000 men). Thus put into effect, a policy of liberation would notably enhance the moral standing of the Soviet Union and would earn it the respect and gratitude not only of the liberated peoples but also of the whole free world.

Those who wish to live in peace must understand that, in modern times, victory in war does not constitute a right to acquire territory from a vanquished adversary, unless a qualified majority of countries assembled in the United Nations agrees. The days of violent conquest and dominion are long past. It is incumbent on every state to exercise moderation and restraint in its ambitions and its demands. True greatness is born of moral excellence, and is fundamentally alien from the predatory excesses to which the Soviet Union has too often had recourse. The Soviet Union must therefore understand that it can become greater only by consenting to become smaller.

Paul de Hevesy,
Former Hungarian Minister
Plenipotentiary.

Hove, England.

Mr. Speaker, in conjunction with many other Members of the House a plan will be developed to focus attention on the forthcoming anniversaries of the national revolutions against Soviet control. These are the revolutions launched by the captive people of the Soviet Union and those nations who are now Eastern European satellites of communism.

PREPARED SPEECH OF HON. HENRY C. SCHADEBERG

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, my friend and our colleague, Henry C. Schadeberg, of Wisconsin, recently prepared a speech on our Nation's difficulties in Vietnam. The conclusions he reaches, and the logic he exhibits, are worthy of the attention of this body and I include his remarks in the Record for that purpose, as follows:

Few if any of us in Congress have the privilege to share with the White House and the Defense Department any information of a Secret, or non-Secret category for that matter, sufficient to enable us to determine in full the goals and purposes of the Vietnam War. Those of you who have attended briefings held by the State Department or the Defense Department know the pattern. You are instructed by the briefer to be sure to keep the information to yourself because you are going to be allowed into the inner holy-of-holies of the information establishment. The presentation is labelled "Top Secret," so you listen intently to what is being said and always waiting to hear that bit of news that is so hush-hush, but it doesn't come; and when you ask questions, the answers are classics of evasion and marvels of end runs.

You leave the meeting wondering how the briefers could think you could be so stupid to think you have been thrilled with the information you have received from them, trying to figure out what's new, what has been said you don't already know, and then you stop at a newsstand to read the paper and you get a more complete and detailed account than you heard in the secret briefing. Actually, insofar as Vietnam is concerned, we in Congress have no information that is not available to you. What we do have—if we want to take the time to assimilate it—is a body of information coming to the desk daily, a staff to digest it, and thus a capacity to put the pieces of the jig-saw puzzle together until a clearer picture emerges.

We only know for certain that American forces are fighting in Vietnam and that there are over 500,000 of our young men there. We do not know whether or not they are winning, losing, or just holding their own. Nor do we know the intention of those charged with the conduct of the war—the basic, hard rock, tactical, and strategic plans of that war; nor do we know the ultimate goal we are seeking there if one has been set.

Yet, many spokesmen of both political persuasions have come forth with their plans and suggestions on how to conclude the Vietnamese war to the satisfaction of everyone involved—the United States, China, North Vietnam, Russia, and the conglomerate self-interests that make up the United Nations.

As a result, we are busy dividing our people into classifications. Some enterprising newsman coined the words Doves and Hawks—and getting no-where in the process, except on occasions to single out a chicken or two who instantly become justified targets for both factions.

What is our objective in Vietnam? In asking, I plead guilty to overwhelming personal confusion, but in doing so, I believe I stand with the majority of the Members of the Congress and the majority of Americans who care deeply as I do about the lives and security of our young fighting men.

As a Chaplain in combat in World War II, I was in a unique position to participate in the life and death struggles of our young men. I witnessed first-hand the death of many of them—youngsters who died in the defense of freedom—young men who shared with their last breath the conviction of their comrades who lived believing that dying in the cause of freedom was worthwhile.

Since that time, freedom has been challenged in every part of the world. As it has been throughout history and will continue to be as long as the nature of man is what it is—as long as a few are seeking the personal prestige and power to control the many. The community of nations that was supposed to keep the peace has, instead of doing so, lost it by default and inadequate leadership. Now we are inching closer and closer to a global struggle. Do not take my word alone, but listen to those who prescribe limitations and strange rigidity on our fighting men in Vietnam in order to delay what in their hearts and minds they must know is inevitable if history has any measure of authority.

As clearly as I can discern, our people are being asked by this Administration to support—and be content with—the waging of a limited war, for a limited objective for whatever unlimited period of time it will take and for whatever price we must pay to gain an undecisive stalemate.

We are told that peace is our objective. But peace in itself is not within OUR capacity to achieve by waging war anymore than a half-peace is attainable by waging a half-war.

Neither World War I, World War II, nor the Korean War was waged for peace. If it were peace we desired, all we would have had to do was to accept the tyranny of a Kaiser, a Hitler, a Mussolini, or a Hirohito. The first war was to make the world safe for Democracy.

World War II was waged—at least we were told—to make secure the four freedoms. Yet, when victory was ours, and we possessed not only the prestige but the power to enforce the rights of people of all countries to pursue their own destiny and to live in peace, our diplomats were content to settle for less than the full freedom for which we fought and died. And as a result of lack of leadership or vision or both, the tyranny we fought was replaced by another tyranny of leadership equally oppressive and equally disinterested in peace.

Freedom is not divisible nor is human dignity negotiable. Either a people have it or they do not. A half-slave is a figure as pathetic as one totally in chains. Whenever freedom is compromised, denied by pact or treaty, limited by edict or military muscle, the memory of those who fought and died for freedom is defamed.

In Korea, a struggle comparable to the one underway in Vietnam today, we settled for less than freedom—we settled for a half-peace, continuing sacrifice, seemingly perpetual turmoil, and death. A Republican leadership in 1952 had its hands tied in seeking a settlement by the deterioration caused by the lack of leadership and determination to win in Korea.

We won the great struggle in the Pacific in World War II, but we did not win the freedom for those who fought beside us in China and other areas of Asia.

We won the war in Europe, but we did not win the freedom for those who fought and died with us there. Instead, our diplomats created a divided Germany and denied to many nations the freedom for which our men fought by placing them under Communist tyranny without their consent and without their right to self-determination. I speak of the Balkan States.

Peace is a hollow and abused word when it is stripped of the meaning of freedom, for there is no peace without freedom, as we all can see in looking at the world today.

If we fight for freedom, Peace will be its by-product. It always has been. If we fight for peace, freedom may or may not become the cherished prize.

Lincoln led this country in war—for freedom, not peace.

General Douglas MacArthur fought in the Pacific, not for peace, but for freedom; and his genius achieved it for Japan—the only truly free nation besides the United States to emerge from that conflict. While our aim in Japan under the leadership of General MacArthur was to re-habilitate the Japanese people to the position of acceptance into the community of nations, the aim in Europe was, it seems, pure revenge so that we permitted a divided Germany with its capital city an island in the midst of a sea of oppression. Later, we were willing to permit a million people in Berlin to be placed in a concentration camp behind an ugly wall.

A more devious plot destroyed freedom in China.

Now a wall is to be built across half of Vietnam—not for freedom, but for peace—with tyranny on one side and with fear and distrust on the other; and with the hope of peace not dimmed but destroyed.

I suspect that many of us in the Congress and many of our diplomatic and military leaders are deluding themselves in a quest for a peace that can be achieved without freedom. There is no such thing. Is it right that we should start a conflict under the banner of freedom and then lower that banner to half-staff for the sake of a hollow peace?

Certainly our people are not afraid to fight for freedom. Those young men, many who died in my arms in World War II, knew that peace without freedom was nothing and would in time fester into threats and another conflict. Those who survived the holocaust of World War II were well aware of the threat to peace posed by a Communist tyranny that isolated itself behind a wall of secrecy. Those dying in Vietnam today know this only too well. Is it right that we should send our young men to fight those who seek to deny freedom to others as well as to their own people and then settle for half a victory and a hollow peace or a negotiated stalemate?

To put it bluntly, in my opinion, the North Vietnamese capacity to deny freedom to any people, anywhere in the world, must be destroyed. And I did not say people must be destroyed, I said the capacity of Hanoi's leaders to extend tyranny must be destroyed if the sacrifices in Vietnam are to be worthy of our heritage as free men. If freedom for the Vietnamese was not our goal when we sent troops into Vietnam, then it was not only impractical and unwise, but it was immoral to send them. Surely, we could not expect to send fighting men and to have peace as a result. No one wins either peace or freedom by waging a war. If the war that is being waged is successful, it can buy time to pursue freedom—but the war has to be won.

We cannot destroy the philosophy, the idea, the mad dream of Communism. What we would do by winning Vietnam would be to destroy the conviction that Communism and all other forms of tyranny have a right to exist by denying freedom to others.

Weapons cannot kill ideas. Weapons cannot destroy a philosophy. If used with determination and victory as a goal, they can preserve the right of people to pursue peace and freedom. They can prevent the destruction of freedom, however, and they must be used to do so if we are to have peace worthy of the meaning of the word.

I do not propose to tell our civilians or military leaders how to fight the war in Viet Nam. I, along with most members of Congress, know too little about what we are doing there to serve as a critic.

I only speak out at this moment with every ounce of feeling I can muster to warn you not to be deluded by the cries for peace when it does not move in tandem with freedom.

We had peace before we entered the conflict in Vietnam. We had peace before we entered the war in Korea. We had peace before we entered the war in Europe and Asia in the 1940's.

We did not answer the call of peace, but the call of freedom when we committed our nation to the conflicts.

If the goal of an enemy is oppression—to extend its tyranny over the globe—surely neither freedom nor peace can result from entering the conflict unless the goal is to make it impossible for the enemy to continue his violence and to deny his capacity by threat or brutality to force people to accept his tyranny.

1) What is highly confusing to the American people is a policy that commits 500,000 men to battle, for a goal that is said to be peace yet is not clear on the more important matter of what kind of peace will be purchased—a peace in which men can secure the right to pursue freedom or the peace of the enslaved who are forced to passively accept tyranny?

2) What is confusing is the policy that commits 500,000 men to battle and insists that they do enough to die if needs be but are not permitted to do enough to win.

3) What is confusing is the policy that commits a half million men to battle against an enemy with whom the fathers and mothers and wives and sons and daughters are encouraged to trade—the result of which trade serves only to strengthen the enemy's capacity to wage war against us.

4) What is confusing is a policy of "business as usual" that taxes and taxes, not only to wage a war the men are not permitted to win but to place those who cannot go and many who will not go, on an economic level above that permitted those who do the fighting and dying.

5) What is confusing is a policy of business as usual—as if war has become a way of life to be accepted, and we hear voices from Washington and elsewhere—some authentic and some not—that we should be prepared for a war that will last ten to fifteen years.

Let us not be deluded over the reiterations that peace is our goal in Vietnam. If that is all it is, we as a people were committed to a war under false pretenses.

If that is all, we are fighting a war that is futile and useless.

I do believe the American people do not want to sacrifice their sons and their treasure for peace in Asia. They are willing to make the necessary sacrifices to permit them to pursue freedom, without which there is no peace. I hope and pray that our leadership holds the same convictions. The failure of this Administration to make clear the whole truth involving our participation in the war in Vietnam—(a) why we committed troops to battle; (b) why we have privileged sanctuaries beyond the reach of our bombers; (c) why we are pursuing a war of gradualism; that is not only alienating us from effective leadership in the world but has claimed the lives of over 14,000 of our men; (d) how long we expect to be involved; and, finally, (e) what we expect to gain—has lead this nation and our people into massive confrontations of confusion and despair and is dividing this nation as it has never been divided before.

Only on the battlefields, in the front lines of Vietnam, is there singleness of purpose coupled with the courage and determination to win.

FARMERS STRUGGLE IN FALSE PROSPERITY

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. ZWACH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ZWACH. Mr. Speaker, while the conflict in Vietnam may be the primary present concern of the people of the United States, the editorials I read in the rural press of the Minnesota Sixth Congressional District indicate that the matter of next concern is the decline of the countryside.

I recently read a very interesting editorial in the Little Falls Daily Transcript about the struggle of the farmer in a false prosperity which I insert in the RECORD at this point:

FARMERS STRUGGLE IN FALSE PROSPERITY

Figures compiled in Washington indicate there are 40 employes in the Department of Agriculture for every farmer in Morrison County. The farmer population in this county is approximately 2600. The number of department employes in the county is limited to just a few offices and all indications are that they are doing a good job.

The excess, however, is something else again. It can be traced to the massive complex in the national capital presided over by Secretary Orville L. Freeman, who was appointed to the cabinet after his defeat for governor of Minnesota in 1960.

Farmers read how Freeman is busy up to his ears in urban renewal, which is not in his province, while more and more bureaucrats climb on their backs. Under the Great Society the farmer's income is up, but he is held down by the high cost of everything he buys. His compensation is down, which is a discouraging proposition for those who produce the food not only for this nation, but supply food for many others. The farmer has increased his production through good land and livestock practices and is deserving of a better deal than he is getting.

Farmers meeting with members of the House Agriculture Committee at Willmar last month had the opportunity to voice their complaints and did so with facts and figures. It probably is the first time in history that this committee has come into Minnesota seeking information, Rep. John Zwach writes. The farmers charged that they were victims of the cost price squeeze, and are victims of a false economy.

In the face of this privation comes the news that five farmers made more than $1 million each in taxpayers' money for not planting crops. Thus the rich farmers get richer and the poor get poorer. Eleven more were handed $500,000 to $1 million. A rich British-owned plantation in Mississippi got $187,000.

Nationally, farm prices, including livestock, are seven per cent below mid-September 1966.—G. W. J.

A HALT TO INSURRECTION

Mr. **ARENDS**. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Zwach] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. **ZWACH**. Mr. Speaker, people in my Minnesota Sixth Congressional District are becoming increasingly concerned over the permissiveness shown in regard to acts of violence, especially demonstrations in which the laws of the land are broken.

These people believe that the lawbreaking demonstrations are not typical of our society and they believe it is time for the majority of decent, loyal, patriots and sincere Americans to take the rostrum and call a halt to insurrection.

Mr. Speaker, at this point, I insert in the Congressional Record an editorial written by Jack Cook of the Lyon County Independent, Marshall, Minn., which states very succintly the position on these demonstrators held by many people in my district:

We Believe It's Time To Call a Halt to Insurrection

There are some things we believe about the recent anti-war demonstrations in this country—and there are some we don't believe.

We'd like to mention some of those things we believe, as well as some we don't. For example:

We believe the constitutional position on dissent has been made clear. Americans have the right of free speech and petition. It is guaranteed in the constitution. It has been upheld and strengthened in numerous Supreme Court decisions.

We do not believe the right of dissent guarantees freedom to create public violence and chaos, or to further hatred and civil disobedience, or to destroy public order.

We believe this nation's future is in the hands of its young people. We believe this because it has to be so if there is to be any future.

We believe the future of the nation is secure with the millions of emotionally stable, intelligent, far-thinking young people who may be honestly convinced of the wickedness of war, but who also realize that an evil that has persisted since the dawn of man will not be corrected in a day; who knows that the way to eliminate one evil is not to perpetrate another evil; who knows that the impact of sane, sound and patient reason will finally prove more effective than the thrown rock or the clubbed fist.

We believe that the overwhelming majority of young people to whom the future belongs repudiates assembly that breeds violence and dissent that advocates lawlessness. We believe these young people know there are more effective and permanent methods of protest and dissent. They know that in the future it will be they and not the lefties or the hippies or the paranoids who will find and apply those means.

We do not believe the sincere peace movement of this nation is represented by screeching hordes of demonstrators who mouth four-letter epithets for the benefit of news cameras and microphones, who paint sickeningly obscene slogans on sidewalks and walls, and who urinate on the steps of public buildings.

We believe that within this nation's freedoms, dissenters must be heard and must be guaranteed a forum from which to voice their dissent. We believe they must be allowed "their say" because that right is assured them under law.

We do not believe any American has to listen to any dissenter who preaches mob action against constituted authority, no matter which way he wears his collar.

We do not believe the cause against war or any other evil is served by such public figures as baby doctors and unwashed female ballad singers who exhort to violence.

We do not believe the future of this nation lies with the likes of Dr. Benjamin Spock or Joan Baez.

We believe the right of protest and dissent was earned long ago by Americans and has been cherished and protected by Americans at considerable cost in pain and blood and sacrifice. We believe those rights and guarantees must be re-earned by Americans, and when they are not they can be forfeited.

We believe those rights are forfeited by "peace" demonstrators who throw bottles and filth at law officers and then whine about "police brutality." We believe those rights are forfeited by the runny-nose punks who bring encouragement and aid to an enemy engaged in killing as many Americans as possible.

We do not believe that most "peace" demonstrators have lived long enough or acquired enough experience and knowledge to dictate, by force, how the nation should be run. And we are sure none of them has a solution to the problems they protest.

Furthermore, we do not believe most of the violent demonstrators moved by convictions of honest dissent, but rather by such considerations as "how can I personally get out of the draft?"

We believe the Dr. Spocks and the Joan Baezes, and—yes, the Father James Groppis—and all the rest of the "peace" marchers with their commandos and their filth and their preachments of insurrection, have used up all the rights and freedoms they have earned.

We believe it is now time for the majority of decent, loyal, patriotic and sincere Americans to take the rostrum.

WEAKNESS OF ADMINISTRATION POLICY INDICATES LACK OF UNDERSTANDING OF REAL ENEMY OF PEACE

Mr. **ARENDS**. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Kuykendall] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. **KUYKENDALL**. Mr. Speaker, as the Soviet Union celebrates today the 50th anniversary of the Bolshevik revolution, the world should take note of the heavy emphasis of the display of military weapons. While posing as a peace-loving nation Red Russia rattles its military might in attempted blackmail against any who thwart her designs of conquest. Her leaders proudly boast of the weapons they are sending to Communist North Vietnam to be used against the United States. In the face of the continued animosity toward us as expressed by Communist Russia spokesmen for the administration go on attempting to "build bridges" which in truth only strengthen the enemy and weaken us.

The latest, almost unbelievable statement which underscores a lack of understanding of Communist motives on the part of those responsible for American security is that of Secretary of Defense McNamara who blandly announces the Russians have perfected a means of shooting a nuclear warhead from outer space and at the same time tries to tell us it is not serious or that the Russians really have not broken the treaty they signed agreeing not to develop such a weapon.

Mr. Speaker, it is time that the administration recognize the true enemy we face before our defenses have been completely destroyed. The following editorial from the Memphis Commercial Appeal points out clearly the real enemy and I include it here for the information of my colleagues:

The Real Enemy

"For better or worse, the United States cannot escape the dilemma of power," says William R. Kintner. "If the United States is to have the option of introducing constructive changes into the existing world order—changes that could render the military technology race unnecessary—it must ensure its own and the world's security during the process of change.

". . . As the Soviet Union nears the United States strategic position and gains leverage, the balance of power will become more unstable and the probability of general international instability will be greater.

"The risks to the American people of a nuclear war and the political consequences to the United States of a loss of strategic superiority are so great that, to lessen these dangers we must be prepared to maintain, over a period of time, a relatively high level national defense."

Mr. Kintner is a graduate of West Point and veteran of 21 years in the Army from which he retired as a colonel. He earned a Ph. D. at Georgetown University and went on to become deputy director of the Foreign Policy Research Institute of the University of Pennsylvania.

The quotations are from his new book, "Peace and the Strategy Conflict" (Praeger).

This man is a student of cold war strategy, not an alarmist. But he states that the Soviet Union "could in the near future achieve a significant first-strike advantage over the United States."

Colonel Kintner has been described by Hanson W. Baldwin as one of the most thorough chroniclers of the erosion of United States strategic superiority—"a process that has been going on for the past three years, largely obscured to the general public by Pentagon soothing syrup."

His thesis is that while the United States is heavily engaged in fighting an apparently endless war in the Far East, this nation has permitted itself unwittingly to be suckered into letting its own defenses down steadily to the point where in due time it will be a second-rate military power.

In short, we are putting all our "eggs" in the "basket" of offensive weaponry in hopes that we will be able to strike back if attacked, and failing miserably to provide the defenses that will be needed—by 1970, he estimates—against Russian superiority. This policy, he maintains, is one which will leave us at the mercy of the Soviet Union which he believes is the power that, unlike China, is really capable of and desirous of outstripping the United States in military strategy.

The competence and experience of Colonel Kintner should give pause to all those in the nation who see the Vietnam War as the main bastion of defense against communism. If his arguments need reinforcement, that can be found in recent achievements of the Soviet Union.

Consider that while the United States is cutting back its space program—which is in fact a military training and proving exercise as well as a scientific expedition—the Soviet Union has made two notable advances in this field in the last few weeks. Consider, too, the advanced development of an anti-ballistic defense system in the Soviet Union, while the United States belatedly is beginning only a limited form of such defense against the possibility of some future Chinese attack. Even in the more conventional arms field, there has been the recent disclosure in the Mideast that Russia has beaten us in the development of a sea-to-sea missile which is highly accurate and effective.

Colonel Kintner, being primarily a strategist, only spells out the problems and the serious consequences they pose.

It is for the politicians, both in Congress and in the Pentagon, to assess the facts. It is for them to decide how long and how far this nation can go in pursuing an Asian war that might take us into the vastness of China. It is for them to decide whether such a war, costing almost 30 billion dollars a year now and undoubtedly more in the near future, is really the war we should be trying to win.

Ho Chi Minh is now, for the first time, expressing concern about the effect that the bombing of his country is having. It may be that at long last we are getting through to him the message that negotiations for peace in South Vietnam can end the war. Maybe intensified bombing is the cue.

Communism has operated on the premise that the United States is vulnerable to a war of attrition. We have suffered from a confrontation of this anti-American policy. Unquestionably the enemy is drawing American blood, physically, economically, and politically. But we are proving that attrition will not work.

We have a larger and more potent enemy than North Vietnam, and we should be concentrating our defense toward his future moves. The quicker we conclude the Vietnam War and close off the impending threat of a spreading Asian war, the better our defense position in this changing world will be.

WARTIME PROSPERITY NO CAUSE FOR CHEER

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CURTIS. Mr. Speaker, now that the economic expansion has exceeded 80 months, the administration's propagandists are once again trumpeting their achievements in producing record-shattering prosperity. To say that the administration is misleading the public would be overly charitable.

The fact is that the administration knows full well that the current expansion is being fueled by a costly and bloody war. Its failure today to distinguish between an economy based on war and one based on peace reminds me of attacks on the Eisenhower administration made by leading Democrats during the recession of 1954. At that time, there also was an absence of candor about the fact that the economy was in the process of shifting over from the Korean war to peacetime conditions. Just as the blame for recession was misplaced in 1954, the Democratic Party's self-serving economic statements today are inaccurate and, in light of the human costs of our current prosperity, even indecent.

What is remarkable today is not that the expansion is continuing but that it slowed down sharply in spite of a war which has resulted in a million new civilian jobs, as well as opening up 700,000 positions in the Armed Forces. The failure of the administration's economic policy is best measured by the resumption of serious inflation, the highest interest rates in 40 years, the complete break in wage stability, the drop in corporate profits, and the chaos of Federal finances. Only one thing is certain: restoring stable growth will be a long and painful process that ultimately will affect employment itself. If there is any cause for cheer or self-congratulation in this picture, I fail to see it.

The distinction between an economy based on war and one based on peace was recently highlighted by Prof. Raymond P. Saulnier, former Chairman of the Council of Economic Advisers, in the November 2 edition of the Washington Post, and in an editorial in the Wall Street Journal on the same day. I place these articles in the RECORD at this point:

[From the Washington Post, Nov. 2, 1967]

HOW TO MAKE PROSPERITY LAST—III: PUT FINANCIAL AFFAIRS IN ORDER, SAYS SAULNIER

(EDITOR'S NOTE.—The current expansion—the longest in the nation's history, is due "in large part" to the war in Vietnam. That's the gloomy opinion of the man, who served as Chairman of President Eisenhower's Council of Economic Advisers from 1956 to 1961. Raymond J. Saulnier is now Professor of Economics at Barnard College, Columbia University, in New York. The following is the third of five articles written for United Press International by past and present council chairmen.)

(By Raymond J. Saulnier)

It is the longest expansion on record, to be sure, but the occasion is hardly one for rejoicing.

The longest previous expansion ended in February 1945. It was extended to 80 months by World War II.

The present expansion has reached 81 months in large part due to the war in Vietnam. There is nothing here that warrants being celebrated as a happy anniversary.

Nor is there any basis for rejoicing in the state of the economy. Cost and price inflation are back again. Since January 1967, the cost-of-living has been rising at a rate that will cut the value of the dollar by 37 per cent in a decade.

INFLATION MAY GET WORSE

More hours are being lost in strikes than at any time in eight years. Interest rates are higher than they have been in over 30 years.

And the prospect is that inflation will get worse before it gets better.

Unemployment is low, but no lower than might be expected in a war period. Even so, industrial production was no higher in August 1967 than 12 months ago, and less than 85 per cent of industrial capacity is being utilized.

Actually, recession was avoided this year only by a narrow margin, which is something of a miracle considering we are in a war and considering that the money supply is being inflated by 9 per cent a year, and budgetary deficits—in total defiance of the "new economics"—get bigger as unemployment rates get lower.

Obviously, the problem is how to correct these conditions and how to avoid the financial crisis that thoughtful people know is a real danger.

BUDGET DEEP IN RED

Two things are essential. First, the budget must be moved back toward balance. But it is so deep in the red now that even with a tax increase, which is clearly needed, spending would have to be held at the fiscal 1968 level for two years to give revenues a chance to close the gap.

Obviously, we must do a better job of setting expenditure priorities or we will have what the Secretary of the Treasury, with uncommon candor, recently described as a "financial shambles."

Second, annual increases in the money supply must be reduced from the current 9 per cent to 4 or 5 per cent. Like balancing the budget, this too will take time—at least it should.

In the meantime, we shall have to put up with inflation, with high interest rates and with a growth rate below what we might have had if costs and prices were stable.

Beyond these essentials there is a long agenda of unfinished business. We must learn better how to train unemployed people for jobs and how to motivate them toward continuing employment and self-support.

We must renew our cities, clean our air and water, improve our transportation, upgrade our education and health services, etc., etc.

But what is essential for progress in all of this is that we first put our financial affairs in order.

[From the Wall Street Journal, Nov. 2, 1967]

THERMOMETER FOR A FEVER

This great 80-month-long boom, currently being celebrated by the Administration and the more uncritical commentators and private economists, needs a down-to-earth appraisal.

Much is made of the fact that the long period of prosperity has been historically equalled only under the abnormal wartime conditions of 1939–45. But of course the present expansion, especially in the past three years, has been partly fueled by another war and by the fantastic military expenditures of some $75 billion a year. Even so, there have been a couple of dips in the course of America's economic "miracle."

Most of all, it has been an inflationary boom, right from the start in early 1961. The Federal Reserve has been inflating the money supply as though it had never heard of history's classic inflations. The Administration and Congress have been ballooning spending to a grotesque degree, causing huge and uninterrupted deficits and a steep rise in the public debt.

For the first few years the inflation was reflected in only moderate price increases, but the past couple of years have seen an annual upsurge of more than 3%. Any housewife can readily, and bitterly, translate that into her own budget terms. For the economy as a whole it signals, if continued, an inflation of grave proportions.

The predictable distortions have all come about. Investment in marginal or uneconomic enterprises. Rising interest rates, which easy money is supposed to check but somehow hasn't. Last year's crisis in the money markets. Speculative fever in the stock markets, the root case being too much money; it must find its channels somewhere.

As Presidential economist Gardner Ackley rightly says, the Government has learned well enough how to stimulate the economy when it is threatened by slack (far too well, we would add). Now we must show "that we have the self-discipline to apply necessary restraint when the economy is threatened by overheating." By which he means to plug the Administration's proposed 10% tax "surcharge."

Nonsense. The Government could have curbed or averted the inflation if it had exerted any restraint on its own gross political spending appetities during the past six years. A tax increase now would most probably only whet those appetities, like pressing fresh drinks on a drunkard.

A case can be made that the uncontrolled spending, a lot of it useless, plus the easy money policy can put the economy in a fix comparable to that following the 1929 crash. Most of the blame for those events is placed on an overextension of private credit, and the Administration's sycophants customarily and complacently pooh-pooh any resemblance today. Conditions are very different, they contend, and we now have all those built-in safeguards such as the Federal Deposit Insurance Corp., Social Security and unemployment compensation.

Yet we also have an inflationary, credit economy; can anyone honestly deny that it may be overextended? Or concede for the sake of argument that private credit is not unduly stretched. Unquestionably the Government's fiscal and monetary policies are. And if you have wildly overextended public spending, credit, deficit and debt, why can it not cause the same kind of havoc that private recklessness was doing some 40 years ago?

Well, we are not predicting. In fact, a quite different possibility can be envisaged. The Government could keep stumbling on, year after year, inflating without stint, but the enormous inherent strengths of the private economy might stave off the debacle, giving the nation a Brazil-type or Uruguay-type economy—tough on the people but yet not a depression like the 1930s. Still, the question nags: How long can such inflation go on?

These, we think, are some of the realistic comments to be made about the long superboom. The Administration and its friends are busily praising the wonders of the New Economics, but whether they know it or not they are in actuality charting the course of a virulent fever.

ISSUES CONCERNING THE 1970 CENSUS OF POPULATION AND HOUSING

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CURTIS. Mr. Speaker, there are a number of important issues which have been under discussion recently concerning the forthcoming decennial census of population and housing. For purposes of moving the dialog forward, I would like to discuss briefly what I believe are four of the major issues: First, voluntary versus compulsory response; second, the possible invasion of personal privacy versus the Government's need to know; third, the benefits versus the costs of obtaining the particular information; and fourth, who should make the final decisions about the content of the census.

VOLUNTARY VERSUS COMPULSORY RESPONSE

Title 13 of the United States Code provides a fine of not more than $100 or more than 60 days imprisonment or both for any person over 18 years of age who refuses or willfully neglects to answer, to the best of his knowledge, any of the questions on the census of population and housing. This requirement goes back to the first census of the United States, in 1790, and has been incorporated in every census act since that time.

Mr. Ross Eckler, Director of the Bureau of the Census, stated before the House Subcommittee on Census and Statistics that only two persons were prosecuted for willful failure to comply with the 1960 census. Both were fined and both cases were upheld on appeal. To his knowledge, no person has ever been imprisoned for failure to cooperate in the census.

Legislation introduced in June of this year by the gentleman from Ohio [Mr. Betts] would limit the categories of questions required to be answered under penalty of law in the decennial censuses to the following: first, name and address; second, relationship to head of household; third, sex; fourth, date of birth; fifth, race or color; sixth, marital status; and seventh, visitors in home at the time of census.

The hearings on this bill before the Subcommittee on Census and Statistics, under its able chairman, Mr. William J. Green, of Pennsylvania, have been especially helpful in presenting and clarifying some of the major issues.

Although H.R. 10952 would remove the penalty provision for additional questions, it would not prohibit their inclusion. Congressman Betts believes that a voluntary sample would be workable and that adequate voluntary responses would be forthcoming. On the other hand, Mr. Eckler believes that H.R. 10952 "would devalue the significance and importance of the national census at a time when its results are more critically needed than ever before. It would seriously interfere with the conduct of the census and it would jeopardize the information to be obtained."

Mr. Eckler argues that the voluntary nature would render much of the data virtually meaningless, especially for local purposes, since many persons would not complete the forms for one reason or another unless the Government required them to do so.

THE ISSUE OF PERSONAL PRIVACY

Title 13 of the United States Code also provides for the strict confidentiality of any information furnished under its provisions. Nonstatistical uses of the data are prohibited, as is the publication of data about an identifiable establishment or individual. Any employee of the Census Bureau who publishes or communicates unauthorized census data is subject to a fine of up to $1,000 and/or imprisonment for up to 2 years.

Congressman Betts believes that many of the questions asked in the decennial census, as planned, are of a very personal nature and violate personal privacy. He believes that many of the questions having to do with the quality of housing, mobility, former marriages, birthplace of parents, and work histories are of this type.

Congressman Cornelius Gallagher, in his testimony before the Subcommittee on Census and Statistics concerning the Betts bill, expressed the following viewpoint:

> The real question we need to answer is what and how much information does the Government need to function effectively without an undue intrusion into the personal lives of its citizens. Besides being a population count, the Census has come to be a method for collecting and collating information necessary to make the economic and social predictions on which the future planning and policy of our nation will be based. . . .
>
> The real issue with which we should now be concerned is *not* whether response to a question is forced by law, but rather whether the question violates or threatens to violate privacy in the first place and what happens to the information after it is collected. . . .

I have been informed by the Census Bureau that there have been no known violation nor has any Census employee been charged with divulging confidential information. While the record of the Census Bureau to date is commendable, the points raised by the gentleman from Ohio [Mr. Betts] and the gentleman from New Jersey [Mr. Gallagher] are worthy of close study. I believe the issue of privacy merits more discussion in the Congress, and I hope the Betts bill will give us that opportunity.

BENEFITS AND COSTS OF CENSUS DATA

The Census of Population and Housing should be viewed in its total context. It is central to our entire statistical system—public and private. The Federal statistical system is engaged in transforming inputs of labor and capital into information which has value. Thus, from an efficiency standpoint, a particular type of information should be collected and processed in a manner that it least expensive, most accurate, and most useful for statistical purposes.

Presumably, the information which is most valuable to the country will be produced and the value of the uses of the information will equal or exceed the alternative costs of the resources used. In thinking about the resources used, we should also include the time spent by respondents in completing the questionnaires.

Congressman Betts has stated that the 1970 census questionnaire, as contemplated, would be excessively long and contain many nonessential questions. He also feels that the response will be incomplete and inaccurate because of the length of the questionnaire, and the fact that the typical respondent will be asked to complete the form himself and mail it. He has suggested that many of the questions should be dropped and lists four such categories:

> First, questions essentially of local interest: place of work, means of transportation to work, number of units at this address; sewage disposal, and source of water.
>
> Second, questions for other Federal agencies to provide statistics: self-employment and income last year, farm income, other income, citizenship, and year of immigration, hours worked last year, and last year in which worked.
>
> Third, questions not significant [enough] to merit inclusion on a decennial census: State or country of birth, activity 5 years ago, number of children ever born, mother tongue, year moved to this house, place of residence 5 years ago, married more than once, and date of first marriage.
>
> Fourth, questions of a commercial nature [which could be] referred to private research organizations for collection of data: heating equipment, telephone, tenure, vacancy status, months vacant, value, contract rent, trailer, bedrooms, automobile, air conditioning, television, radio, clothes dryer, washing machine, bathroom, dishwasher, and second home.

On the other hand, Mr. Eckler has defended the general content of the questionnaire—pointing out that the public and private needs are weighed very carefully. He states:

> A question is included only if it is of substantial value for fulfilling significant purposes. The needs of Government are given primary consideration.

Mr. Eckler has at numerous occasions discussed the uses that are made of census data on population and housing. At the hearing, he stated:

> They are used extensively in developing, planning, administering, and evaluating programs by Federal, State, and municipal and other government agencies. Census data are used not only in apportionment and districting for national and State legislative bodies, but also for distribution of Federal and State funds, and for a large number of administrative actions. Census data are vital in planning, administering, and evaluating public programs relating to employment, education, health, poverty, urban renewal, and many others. Many government agencies have a need for statistics for specific small areas, such as those in the central cities, rural problem areas, river basins, school districts, State legislative districts, and others. Their need for information is not limited to head counts but covers the range of census data. . . .
>
> The Government Operations Committee of the Senate, the National Advisory Commission on Civil Disorders, and many other agencies concerned with the urban violence problem have eagerly sought and used such data. Uses by nongovernmental interests and agencies are also considered, but no question is included in the census solely because some private profit or nonprofit group asked for it. . . .
>
> All of the questions included in the census are important. If a question is not important, it should be excluded rather than included but downgraded by being placed on a voluntary basis.

The Federal Statistics Users Conference has stated:

> Census inquiries have been dictated by the emerging needs of our society; and those needs have been carefully screened through a comprehensive structure of advisory groups.

WHO SHOULD DECIDE THE CENSUS CONTENT?

Under the present law, the Secretary of Commerce is charged with the responsibility for determining the content of the census. He, in turn, has delegated this function to the Director of the Bureau of the Census. However, census questionnaires are covered by the Federal Reports Act which provides for the review of all Federal Government survey questionnaires by the Bureau of the Budget.

Congress, for its part, has a general oversight function, which in many cases operates informally. For example, the Subcommittee on Census and Statistics of the Committee on Post Office and Civil Service has held extensive hearings on the 1970 census. I understand that, at least partly because of these discussions, two questions were eliminated from the 1970 census; namely, those concerning the social security number and religious affiliation. The view was expressed that these questions represent a threat to personal privacy.

The job of deciding what items are to be included and how the information can be obtained is very lengthy and technical. The Census Bureau works years in preparing for the decennial census. They consult with mayors, State officials, local planners, and many nongovernment groups, including statistical associations and marketing groups. In addition, there are interagency committees within the Federal Government which have now been meeting over a period of more than 2 years in preparation for the 1970 census.

Some legislators believe that Congress should take a more active and formal role in examining and passing approval on census questionnaires. For example, Congressman GALLAGHER has stated that he is preparing legislation which would provide that, after the Census Bureau has designed a census questionnaire, the final version would be reviewed by an appropriate committee of Congress. The committee would have the power to submit legislation that would delete particular questions from the census. Congressman BETTS also believes that Congress should take a more active role in determining what types of information should be sought from the public.

I believe that the gentleman from Ohio [Mr. BETTS] and the others who have taken an interest in this matter deserve the appreciation and encouragement of the Congress. They have raised some basic questions in a constructive manner. Personally, I hope that their initiative will receive an equally constructive and thoughtful response. As a ranking minority member of the Economic Statistics Subcommittee of the Joint Economic Committee, these brief remarks today were intended to make some positive contribution to that discussion.

FATHER'S FAREWELL TO HIS SON

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. SPRINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SPRINGER. Mr. Speaker, the following is James J. Kilpatrick's column as it appeared in the Washington Sunday Star, on November 5, 1967. He has eloquently written about a moment in time shared by all parents, and any further comment would be superfluous. I know all of us in the House wish Chris' safe return.

FATHER'S FAREWELL TO HIS SON

(By James J. Kilpatrick)

We drove out to Dulles Airport a little while ago, son Christopher and I, on a morning so beautiful that it might have been specially minted at sunrise. The Potomac was a mirror of burnished bronze and gold, the mist still rising, the Gothic towers of Georgetown shimmering above the quiet river.

On the way to the airport, we made the masking conversation that such occasions demand. Had he forgotten anything? Did he have enough money to hold him for a while? Would he let me have his address, and would he try to write from Subic Bay? It was no, sir, and yes, sir, and aye, aye, sir, and he sat very straight so as not to rumple his dress blues, with that ridiculous and useless white cap firmly centered on his head. It happened to be his twentieth birthday, but we had been over all that, and after a while the conversation dwindled into silence.

It is a long drive out to Dulles. The years went rolling back like road signs, briefly glimpsed and left astern. Probably it is true of every household that the sons are always different. Chris was the quiet one, driven toward the naval service with an intensity of purpose that had its exasperating aspects. When he should have been studying chemistry, he was reading Morison instead; he could not conjugate a French verb, but he could name every ship at Midway. He used to leave his room littered with great fleets of cardboard vessels, toothpick gunned, meant to sail on plywood seas.

The road signs rippled by: The November he was 12, and broke his leg in an auto accident, a compound fracture and not a tear shed; the time he got badly gashed in a football game, and had to be carted to the hospital still in shoulder pads and full regalia; the spring he learned to drive. But mostly the memories were of Chris and the Navy—a cadet cruise on the Geiger, ten days on the Sussex County, the time he was sworn into the Naval Reserve, the summer he survived boot camp at Great Lakes.

Now, active duty; and training school behind him, the minutes to flight time ticking past. It had been a good leave—long walks in the mountains, with the collie puppy frolicking at his heels; some old books reread, some favorite girls revisited; and one night there had been a bull session that went on for hours, from God to sex and back to God again.

We had talked about the hippies that evening, about the meanings of amorality, the conflict of liberty and order. Chris had watched the recent Pentagon demonstrations on TV, his young face frozen in contempt. "Give it to 'em," he kept exhorting the stoic troops. "Throw 'em out!"

On the way to Dulles, we had circled the Lincoln Memorial, where the Pentagon march began. How had it happened, we wondered aloud, that a self-respecting government could have permitted this pusillanimous rabble to carry out its obscene seige? Was this the "freedom" that servicemen are committed to defend? Freedom to defile? Freedom to profane?

As a general proposition, a political columnist ought to stick to impersonal comment on political affairs. Forgive me if I drive out to Dulles today with Chris, thinking of slack-jawed demonstrators who burn their draft cards and wave the flag of the Viet Cong; and glancing sidewise at a son who yearns to fight in Tonkin Gulf. A million other fathers know the moment. I mark it for us all.

Saarinen's stunning airport loomed ahead, graceful as a bird in flight. Chris swung the bulky seabag to his shoulder. The flight to San Francisco was ready for boarding. In our household, long-distance comings and goings have ceased to be a novelty. There seemed nothing special to say, even on his birthday, even on the occasion of his first active duty at sea.

"Be a good sailor," I said, and hit him on the arm.

"Aye, aye, sir." He grinned and made a mock salute, the seabag bouncing, and at the steps he turned and waved. It will be a year before he comes again on leave.

ANNIVERSARY OF BOLSHEVIK REVOLUTION

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from South Dakota [Mr. BERRY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BERRY. Mr. Speaker, I rise in sad commemoration of the 50th anniversary of the Bolshevik revolution as a tragic day for the free people of the world. There is really no cause to celebrate the day when the light of freedom was extinguished for millions, but the world's democracies should observe this occasion as a stark reminder of the threat of communism.

This is an excellent day to caution those who support trading with Communist countries in the vain hope that two such remarkably opposite ideologies can build meaningful bridges uniting them. I regard it as sheer hypocrisy for the United States to feed the mouth that has made no secret of its intention to bite us—and ultimately bury us.

By trading with the Communists, we are, in effect, freeing large sections of their labor force to develop the weapons they are providing the Vietcong to use against American boys. Today provides us with an opportunity to renew our dedication to freedom and our unfaltering opposition to the ruthless oppression of communism.

ARTHUR WASKOW, APPARENTLY A FRIEND OF THE ADMINISTRATION

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the name of Arthur I. Waskow has come up on several occasions during the past few years and I am unhappy to note that Waskow is again in the center of controversy.

Mr. John R. Immer, president of the Federation of Citizens Associations of the District of Columbia, has written to President Johnson concerning Waskow and administration approval and support of him. To date the letter has not been answered but I would like to include it here regardless of the date of the President's response, along with several other illuminating facts about this radical leftist.

Unfortunately, administration and Government dealings with persons such as Waskow who oppose the policies of the Government concerning Vietnam are not unique. Possibly, the degree to which members of the Johnson administration have supported this man recently is a new high.

At this point I include the letter from Mr. Immer to President Johnson. It gives the details of the controversy and the persons who are directly or indirectly supporting Waskow:

FEDERATION OF CITIZENS ASSOCIATIONS
OF THE DISTRICT OF COLUMBIA,
November 3, 1967.

In re support of extremist leader by the President's official Cabinet, while the President criticizes such critics of our Vietnam policy publicly.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: You have criticized critics of your Vietnam Policy, as has Secretary of State Dean Rusk, Vice President Hubert H. Humphrey, House Speaker John W. McCormack and many others. Personally I have been a strong supporter, and continue to be a strong supporter of our Vietnam policy.

However, I cannot understand the support your Cabinet officers, and members of the Supreme Court are giving here in Washington, D.C., to one of the bitterest critics of your foreign policy. I refer to Arthur I. Waskow, secretary of the Adams-Morgan Community Council. Mr. Waskow was elected secretary of the Adams-Morgan Community Council October 9, and your Cabinet officers and their wives are working with Mr. Waskow in the presentation of "Camelot" at the Warner Theater on November 8.

Did they give any thought to Mr. Waskow's background as—according to the *New York Times,* a leader in organizing the militant new National Conference for the New Politics? It has also been widely reported that Mr. Waskow was a leader in the recent march on the Pentagon which was resisted by the Armed Forces at a cost of $1,000,000. He is also a leader in the Institute for Policy Studies at 1520 New Hampshire Avenue—right next door to the Woman's National Democratic Club. Apparently, the Democrats get along very well with the radical, militant New Left which is out to destroy you and your great Democratic Party, which is out to destroy our foreign policy, and which openly gives—as you and your Party leaders have well said—aid and comfort to the North Vietnam Communists.

Among the patrons listed by Mr. Waskow for the Camelot presentation on November 8 are: Mr. Justice Fortas and Mrs. Fortas; Secretary McNamara, Navy Secretary Ignatius; Attorney General Clark; Postmaster General O'Brien; Interior Secretary Udall; Secretary Weaver; Under Secretary of State Rostow (who had clearance difficulties); Under Secretary of the Army McGiffert; Under Secretary of the Navy Baird; Under Secretary of the Air Force Hoopes; Secretary of Commerce Trowbridge; and Secretary of Agriculture Freeman. In view of this array of top Federal officials working with and sponsoring Mr. Waskow and his New Left activities—and the tax write-off for the Institute for Policy Studies which brings Government officials and the Stokely Carmichaels together, according to their own statements—no wonder our troops in Vietnam must be confused and must wonder about the sincerity of the support given by your Cabinet officials and Supreme Court appointees. There ought to be a searching inquiry and a house cleaning, and an immediate explanation of your Administration's support of Waskow and his ilk, to the American people and the troops fighting and dying in Vietnam.

There are a couple of other facts which show how your Administration deals with these matters—which have given aid and comfort to our enemies in Vietnam and left your supporters here at home completely mystified.

For instance, When Vice President Humphrey recently toured the Adams-Morgan area he didn't meet with the businessmen and the middle-class Negro and white citizens in the area. He took particular pains to meet with several citizens from the area a number of whom are known as black power militants. Is the Vice President, as your assistant, as leader of the Senate and its President, the Vice President of all of the people or only those who are your bitterest critics.

Furthermore, the Adams-Morgan Community Council has been given charge of the summer program and has charge of hundreds of thousands of dollars of appropriated funds made available by such Congressionally-funded agencies as the Office of Economic Opportunity and the D.C. Recreation Department. In fact, the Federal Government has demanded and required that the UPO (United Planning Organization and its agencies) stay out of the Adams-Morgan area and that the District government work with the Adams-Morgan Community Council and, as a result, all Federal and District funds are channelled through the Adams-Morgan Community Council, which has proved disastrous.

The situation in the entire area is chaotic as a result. The *Washington Post* reported on the terrible situation at the Morgan School which the Federal policy insisted the District Board of Education turn over to the Adams-Morgan Community Council. The children of the Adams-Morgan area are being cheated out of a quality education. The teachers maintain no discipline, are Hippies, use vile language, do not maintain discipline, have had little or no teaching experience and have and are using untried teaching methods. The *Post* article was published October 26 and was titled "Staff, Control Issues Beset Morgan School". This has not been an isolated incident. White children of Foreign Diplomats have been beaten at the new $2,000,000 Abraham Lincoln School which serves the Adams-Morgan area, and the situation has gotten so alarmingly out of hand that the *Washington Post* sharply called for immediate remedial action in an editorial fittingly titled "Anarchy at Lincoln" on October 27, 1967.

It is clear that the Federal support from the Cabinet officers and Supreme Court Justices down to the District Government and Congressionally-funded OEO, D.C. Recreation Department, Housing Division, and other agencies has proved to be a disaster. This is inevitable under the Waskow-type thinking which dominates the Adams-Morgan Community Council, which is bent on creating chaos.

Isn't it high time you instituted an Administration policy to request your Cabinet officers, and other Administration officials—including Vice President Humphrey—to make certain that they not work hand-in-glove with our American enemies here at home? Before any Federal employee is assigned to a sensitive position he is given an FBI scrutiny. No disloyal American can be employed by the Federal Government. Why then, should you permit top Cabinet officers to work with a Communist-supporter like Arthur I. Waskow? There are scores and hundreds of loyal Negro and white supporters of your Administration in the Adams-Morgan area—why don't you demand that your Administration officers work with them instead of, as now, ignoring them and work instead with Waskow? Especially in view of his entire record—which is well-known and documented. Why not support jobs, housing, and the subway, all in the NCPC's 1985 for Adams-Morgan, instead of flag burners?

Respectfully,

JOHN R. IMMER,
President.

The stripe of Waskow is indicated by the groups with which he affiliates. As an example, the SDS radical education project. This is a call to radicals for total involvement in all phases of left-wing discontent, Waskow, as an adviser to REP, presumably subscribes to the following stated beliefs of the group:

> That the great promise of American abundance is perverted and thwarted by the functioning of contemporary capitalism.
>
> That anti-communism is a central element in this ideological manipulation of belief, of what is true, what is good, what is possible, what is necessary. It provides the cover to "rationalize" the most brutal applications of military and economic power.
>
> That in America where formal democracy is highly developed, the important decisions governing the course of social developments and the quality of individual life and opportunity are not democratically made or accountable.
>
> That violent revolution is to be recognized and deplored for its high human cost; but that where the oppressed lack political power overthrow may be the necessary though not the sufficient precondition to economic and political freedom.

This is but one of the radical positions taken by Waskow. Add to this several articles in the underground, Washington Free Press, one of which, in September of this year, gave advice on how to avoid paying telephone excise taxes, which Waskow said were extended by the President "solely in order to pay for the war." He ended his tirade with these choice words:

> If all this seems a little troublesome, remember, the napalm goes on every day, month in and month out; the children keep dying; and we are paying to kill them.

The author of several books on disarmament, Waskow is also credited with proposing—according to the National Guardian—"nonlethal wars." No weapons, but spying, infiltration, bribery, and so forth, would be allowed. One wonders whether the South Vietnamese would approve of 100 million "infiltrators" from Red China.

This must be the advice Waskow gives to cohorts in marches on Washington, National Conference for New Politics, Faculty Committee To Stop the War in Vietnam, National SANE, and the fringe groups which he condones, including DuBois Clubs, May Second Movement, and Women Strike for Peace.

With this as background, Mr. Immer's letter to the President calls for a response, and soon. Without a public disassociation by administration leaders from Waskow it amounts to approval and another instance of the administration cooing out of both sides of its collective mouth.

Let me conclude by inserting an article concerning Waskow by columnist Edith Kermit Roosevelt:

WASHINGTON "THINK FACTORY" TRAINS EXTREMISTS

(By Edith Kermit Roosevelt)

A Washington based "think factory" helped train Stokely Carmichael and other extremists who incite violence in American cities. It's the Institute for Policy Studies, a tax-exempt organization of supposed "scholars." Educational research serves as a cover for intrigue and political agitation.

Through its conferences and seminars, the Institute for Policy Studies, located at 1502 New Hampshire Ave., N.W. exerts a continuing influence on the ideology and tactics of "the New Left." It serves as a model for a network of so-called "research" institutes and think factories that operate thoughout our nation.

In its report titled "The First Three Years of the Institute for Policy Studies, 1963–1966," the Institute revealed that Carmichael, then of the Student Nonviolent Coordinating Committee (SNCC) and a Howard University student, participated in its civil rights seminars held in January-May 1964. The term "civil rights" which most Americans favor, is used nowadays as an umbrella for every sort of anti-democratic and anti-American activity.

In June of 1965, according to its report, the Institute hatched a Conference on Youth in Politics, under the chairmanship of Arthur Waskow and Robb Burlage, two of its Resident Fellows. The participants were Robert Parris (Moses), Donna Richards and Courtland Cox of SNCC, and Thomas Hayden, Phil Hutchings, Terry Jefferson, Mrs. Bessie Smith and Connie Brown of the Newark Community Union Project, and other activists in the so-called "freedom movement."

Waskow, a senior staff member of the Institute for Policy Studies, is an advocate of what he calls "creative disorder." Creative disorder means the use of illegal or nearly illegal techniques to force revolutionary changes in society. Examples given by Waskow range from the popularized lunch counter sit-ins of the early 1960's to the 1967 drive in the Quaker movement to send medical aid to North Vietnam. For example, before the Newark riot, the Institute invited activists to view virtual training films in community organization in Newark and to attend a seminar on "Poverty, Politics and Power."

This sort of indoctrination for young people, followed by agitation and anarchy, has been largely financed by grants to the Institute for Policy Studies from tax-exempt foundations. The contributing foundations as listed by the Institute in its 1964 report and 1963–1966 reports are the Ford Foundation, the National Board of Missions of the Presbyterian Church, Institute for International Order, the Milbank Foundation, the Commonwealth Fund, Edgar Stern Family Fund, Fontenay Corporation, Joseph Ziskind Trust, Palisades Foundation, Community Research and Development, Inc., and the Samuel Rubin Foundation.

Foundation money has also helped the work of the Institute in shaping much of the strategy for the forthcoming "Peace" Party. The groundwork for this so-called Peace Party was laid out by advocates of civil rights, peace, and Communism at a five-day meeting in Chicago. The Convention was called by the National Conference for the New Politics, the latest in newly formed organizations with deceptive titles. They constitute the new united front, with penetration in depth by the Communists.

In a position paper prepared for the Chicago Convention entitled "Toward a Radical Tammany," Waskow, senior staff member of the Institute for Policy Studies urges that priority be given to what is in effect the established guerrilla warfare technique of creating "parallel institution." In this instance Waskow suggests training nurses, teacher aides and others who when refused jobs would "sit-in" at the premises of their prospective employers, thus forcing their employment or arrest.

Another suggestion of Waskow is the creation of community institutions such as citizens groups to police the police, schools supposedly controlled by the students, and law firms that will cater to those in trouble over such an approach. In effect, what is outlined is an entire framework of a shadow government with shadow institutions.

The Institute for Policy Studies serves as a meeting place for Students for a Democratic Society (SDS) activists according to the underground "Washington Free Press," circulated here. The Institute also trains SDS members wishing to pursue the "activator vocation," a euphemism for revolutionary action.

Lee Webb, a past student of the Institute for Policy Studies, is a former national secretary of SDS. Todd Gitlin, past president of SDS and present Coordinator of its Peach Research and Education Project, was a fellow of Waskow's Peace Research Institute before it changed its name to the Institute for Policy Studies.

The influence of the Institute for Policy Studies extends beyond the radical elements outside Government. Congressional assistants and Federal Government officials participate in the Institutes comprehensive seminars on civil rights, new political structures, foreign aid, foreign policy, defense and disarmament, poverty, housing and urban planning and education and welfare. This gives Institute activists access to Government secrets as well as the opportunity to influence opinions and political developments.

We saw evidence of this summer when a faction among the temporary employees of the Congressional offices met and passed an anti-Vietnam war resolution. Obviously, the Institute is in a position to infiltrate persons into Government agencies who are indoctrinated in revolutionary ideology.

These agitation-propaganda networks function outside the institutions of a democracy. Their constituency is the rootless, urbanized mass whom they professionally mobilize around such simple slogans as "peace, jobs and freedom" and "everything for the kids."

AN HONEST REPORTER AT LAST

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, I have been impressed by the absolute deception of most of the Washington press corps in calling Walter Washington the "mayor" of the Nation's Capital. They know full well that this is a misrepresentation. Some of the news media have said that it is hard to get the word "commissioner" in a headline, but this is a phony argument. It is not difficult or impossible to mention that correct title on radio or TV programs or carry the proper name in the body of a story.

Many of us have been looking for the honest reporter who would properly refer to Mr. Washington. I might add, Mr. Speaker, that I mean no discredit to Mr. Washington. He knows what he is and, as far as I know, has not called himself something he is not. From what I have gathered and have heard in his TV interviews, he is a quite impressive person.

Viewing the Washington press corps, one is inclined to opine that Diogenes might come to Washington looking for an honest reporter and 30 minutes later would be looking for his lamp.

Last night, I did finally witness an honest reporter. There may be others, but the first I have run into is Tony Sylvester who, on his 11 p.m. report on channel 9, gave a very good news report on Commissioner Washington and, guess what, referred to him by his right title. It did not impair his news reporting and, in fact, Mr. Washington's proper title sounded good.

Thanks, Mr. Sylvester, for proving that there is at least one honest man on the Washington press corps.

CHET HUNTLEY'S PLAIN TALK ON BRITISH SOCIALISM

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, Chet Huntley gave a very succinct appraisal of British socialism in his NBC feature, Plain Talk, which was carried on July 27, 1967. I heard the program and was so struck by its candor and truth that I wrote and asked for the script of his message. He promptly sent it, and although I have delayed bringing it to the attention of the House, its timeliness is just as obvious today as when delivered more than 3 months ago.

On October 31, I included with my remarks an article from Barron's which pulled no punches in outlining the decline of the British industrial state. What two world wars were unable to do, the Labor Socialists have done in a few short years.

Mr. Huntley's remarks are particularly germane. He points out that in the modern welfare state, something has gone awry in communications. The benefits are preached from the rooftops, it would seem, but the obligations and costs are little known. To use his words:

> There was too much publicity about the gains for the individual out of the welfare state and too little concerning the obligations. The result has been that the British have been living beyond their means and the nationalization of steel is going to make no difference.

Mr. Speaker, it is no pleasure to say "I told you so," particularly when it comes to the welfare and fate of your own nation. For some years now, many of us have been pointing out the crash course on which this Nation is headed under the bankrupt liberal policies of this administration. I do note recently that the scoffers are amazingly silent, however, and even the diehard planners and liberal economists sense the impending havoc they have wrought on our great Nation.

The Chet Huntley feature follows:

EMPHASIS, PLAIN TALK

Chet Huntley, Emphasis, Plan Talk.

Tomorrow a long and excruciating agony will come to an end in Britain: our friends on the other side will nationalize their steel industry for the second time in 18 years. That says something: the Labor Government, in spite of the fact that it came into office with a promise that it would nationalize the steel industry according to the scripture of Karl Marx, has taken several years to bring itself to the awful decision. Now it nationalizes the industry with a minimum of promises and with a wry countenance.

The steel industry is a barometer of the decline of the British economy. One central fact tells a major portion of the story: three times as many employes are required in Britain to pour a ton of steel as are needed in the United States. British steel production fell substantially last year. The industry went into a recession, with little prospect of recovery; and no wonder, since the ominous threat of nationalization was hanging over the heads of the steel management.

The British steel industry reflects the extent to which a nation can get caught up in the habit of living beyond its means. The British have installed the so-called "cradle to the grave" social security system. All of that adds to the price of steel. Furthermore, British labor, in order to make work, has inflicted upon management a wilderness of featherbedding contracts. To make more jobs, British labor has fought virtually every technological improvement which might reduce the cost of labor.

But not all of it can be laid at the doorstep of labor. British industrial management has been complacent. At this late stage of the game, there is a wide gap between British ownership and British industrial management. But here again we get back to attitudes of government. The present-day British industrial manager, representing the owners in all their corporate numbers, is inclined to bow to the tune out of Whitehall, and there the climate is not conducive to competitive British industrialism.

Something has gone awry with communications in the modern welfare state. The moment the various welfare programs are put into practice, there is no agony, whatsoever, about making their services known. On the other side of the coin, however, it becomes almost impossible for the state to communicate the notion, or the fact, that those programs have to be paid for. There is no sure way that the welfare government can get its people to work a little harder, to produce more, to trim wage demands, or to trim their new standard of living. There was too much publicity about the gains for the individual out of the welfare state and too little concerning the obligations. The result has been that the British have been living beyond their means and the nationalization of steel is going to make no difference . . . it will mean that a once-vital industry is now more in the doldrums than ever as it substitutes bureaucracy for disinterested management.

FURTHER TESTIMONY ON THE NEED FOR TITLE IV OF THE EOA AMENDMENTS

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. ARENDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. STEIGER of Wisconsin. Mr. Speaker, there are many problems that confront any small businessman in America. The problems for businessmen from minority groups and those in our ghetto areas are compounded far beyond the normal difficulties. Some of this was discussed by Julius Hernandez, executive director of Lower Manhattan Small Business Development and Opportunities Corp., in a prepared statement delivered before the social and economic development Mexican-American cabinet hearings in El Paso, Tex., on October 28, 1967.

Mr. Hernandez said:

> The Mexican American in his native land has been exposed and involved in the full range of business and industrial activity common in the United States. He has complete freedom and opportunity of maximum participation in the business development of his country. However, although he has brought with him this tradition of entrepreneurship, this has not been his experience in the United States, especially the Southwest. As with other ethnic and minority groups, his limitation of expression in the English language, education, attainment and lack of work capital has made the Mexican American enter into small family types of retail and service business operations, almost to the exclusion of manufacturing operations. Consequently, the Mexican-American businessman has yet to make an impact upon the industrial sector. In addition the lack of opportunity and apathy has aggravated the situation. Further, no effort has really been made to bring him into the mainstream of economic life.
>
> It has been proven, under specialized business programs, that with the proper orientation, know-how and accessibility to adequate financing, the economic development of the Mexican-American community can be strengthened and expanded. This development provides an opportunity for the furtherance of manpower resources for the unskilled and the frequently unemployed; for the orientation in and training of business skills; and for the advancement to managerial and executive positions which will generate leadership and new opportunities for the entire community.

Mr. Hernandez went on to say:

> Thus, it is clear that until a substantial group of financially sound businessmen grows within the community, considerable help in these practices must come from an organized effort both from within the community itself and also from outside sources. However, the only program that has been meaningful to the small businessman is scheduled to be phased out. This is the small business development program. A substitute program passed by the Senate and being considered by the House under Senate Bill S. 2388 adequately fills the void.

Mr. Hernandez called for support of title IV when he urged that—

> This conference support and recommend the passage of the Senate version of the Small Business amendment to the Economic Opportunity Bill, S. 2388, wherein there is a provision to improve the Small Business Program and provide substantial and meaningful funds to effectively carry out a program to assist small businessmen financially and technically, especially those in poor ghetto communities.
>
> In closing, I would like to say that the Puerto Rican and Mexican-American communities have problems which are basically the same, with very few exceptions. Our problems can be more effectively and dynamically resolved by amalgamating our forces for the benefit of our communities. The recently proposed bilingual educational legislation by Congressman Scheuer of New York and Sen. Yarborough of Texas is an example of our bilateral and concerted efforts

to support and foster legislation of mutual interest.

I have always been a proponent of programs initiated, administered and staffed by the people affected. It is only through the efficient operation of these self-help programs we can really tackle the problems and find resolutions to same. My office, the Lower Manhattan Small Business Development and Opportunities Corporation, has, and I say this very candidly, tried to relate itself intimately with the Puerto Rican community.

An insight into these problems was also supplied in a proposal submitted by the City of Philadelphia Fellowship Commission of the Drexel Institute of Technology. In that proposal, appendix A, an expanded discussion on developing opportunities for small business, states:

> Small business occupies an important place in American life. The versatility of products and services offered contributes greatly to the economic strength of the United States. The mortality rate of small business, however, is high. The losses to both owners and creditors is appalling, resulting in human distress and frustration.
>
> It is therefore important to study the various factors that make for business success and for business failure. Although much statistical data is available about both these topics, there is comparatively little that relates to that lowest segment of small business, those firms which are owner-operated, "with not more than three paid employees." For our purpose, Small Business is defined in a much more modest fashion than it is by the Small Business Administration. We are concerned with businesses whose total assets do not exceed $50,000 and especially with those whose net worth may be from practically nothing to no more than $10,000 or $15,000—sometimes entitled "Little Business."
>
> Philadelphia has traditionally been noted for the number, diversity and achievements of small business firms. Unemployment in Philadelphia could be reduced materially if a large number of small businesses could be launched in those fields of activity in which the chances of success are large. Our study will be focused on small business in the specific area of Metropolitan Philadelphia. Nevertheless, we find that the variety of businesses here is essentially similar to those throughout urban America.
>
> The problems are: first, how can an individual or small group having limited capital, say not over $15,000, get into a business; and second, once the business is started, how can it be managed so that it will become profitable? To succeed in both of these respects requires much planning, which means that our would-be businessman must act with almost special talents, and he may need more money than he had originally assumed.
>
> The problem of the viability of firms of such modest dimensions is much graver than of firms with somewhat larger financial resources, which are still classified as "small business." The businessman must be aware—or made aware—of the pitfalls that force two out of three businesses to die within two years after the business starts. A small new enterprise, with limited capital, must struggle to survive the harsh competition of business firms that are financially stronger, with resources and experience far beyond the reach of this small concern.
>
> Small Business means many types of activities, ranging from a carpenter or painter to a bustling neighborhood store or to a thriving automobile mechanic's shop. The businessman we are considering is not limited in his activities to any type of business. He, even with marginal capital, can enter into a wide variety of enterprises. For instance, many manufacturing processes can be handled by a small businessmen; or he may assemble manufactured components, and market the finished product; or he may become a manufacturer's representative.
>
> We shall also be interested in retail business, for so many individuals are attracted into the various lines of stores. The profusion here seems endless. Special problems, however, arise in this area that interest us. For example, what happens to the neighborhood store as it competes with chain stores and supermarkets? How does a small enterprise fare in a shopping center? How successful are concessions in a department store or in a "farmer's market" when run by an individual?
>
> In the numerous enterprises that may be classified as wholesale business are found many small firms. Again, certain activities in the business of transportation, whether for industry or for the consumer, lend themselves to profitable sources of livelihood for individuals with modest capital.
>
> In the construction industry, an abundance of small concerns with exceedingly limited capital engage in a variety of activities. Home repairs and alterations have been profitable sources of livelihood for many enterprising individuals.
>
> We shall find it useful to examine commercial services, ranging from brokers to bookkeeping to printing, and consumer services, such as electrician, TV service, or shoemaker or a cleaning and dyeing establishment.
>
> To understand the problems of the variety of independent business, it will be necessary to examine not only the type of activity and its functional classification, but very often the geographic location.

ANNUAL QUESTIONNAIRE—POLL

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from North Dakota [Mr. ANDREWS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANDREWS of North Dakota. Mr. Speaker, the views of the people I am privileged to represent are most valuable to me. It is, therefore, my custom to ask all of my constituents to express their views—and make them count—by participating in an annual questionnaire poll.

Questions in my 1967 questionnaire, being mailed this week, were formulated by the graduate students in the department of political science at the University of North Dakota. They have included a number of questions regarding the political views, age, income, occupation, and education of the respondents because they feel it will help them to more fairly evaluate the final tabulations.

The students did an outstanding job in drafting the questions and I insert them in the RECORD at this time. I will, of course, publish the results of the poll as soon as it is tabulated.

INTERNATIONAL MATTERS

1. Would you favor increasing trade in non-strategic goods to improve relations with:

----The Soviet Union?

----Other East European Communist nations?

----Both?

----Neither?

2. Which of the following policies would you favor regarding U.S. involvement in Viet Nam?

----Maintain the present policy.

----Increase bombing and extend ground operations.

----Halt the bombing and seek negotiations.

----Total withdrawal.

----Appeal to the United Nations for settlement.

3. In your opinion, what country is most friendly toward the United States?--------

4. Which of the following nations would you back in the Middle East situation?

----Israel.

----Egypt.

----Neither.

5. If you chose Egypt or Israel in the above question, to what extent do you feel the U.S. should officially support that nation?

----Moral support only.

----Economic support only.

----Military support only.

----Economic *and* military support.

NATIONAL MATTERS

1. Several legislative proposals to restrict the sale of firearms have been made. Which would you prefer?

---- Prohibit the mail-order sale of all firearms.

---- Prohibit the mail-order sale of hand guns only.

---- Permit the sale of firearms to persons who hold a valid local permit only.

---- Place no further restrictions on the sale of firearms.

2. Also under consideration is the question of the registration of firearms. Do you feel:

---- That all firearms should be registered?

---- That only hand guns should be registered?

---- That there should be no registration of firearms?

3. There has been considerable discussion recently concerning highway safety. Which of the following measures would you like to see become law? (Check any or all of the following:)

---- Compulsory periodic mechanical inspection of all cars.

---- Compulsory periodic physical examination of all drivers.

---- Compulsory retirement of drivers over a certain age.

---- Stricter laws dealing with intoxicated drivers. (Making blood tests compulsory for suspected drivers, for example.)

---- Stricter requirements for obtaining a driver's license.

---- Lowering the speed limit to a maximum of 50 m.p.h.

---- None of the above, or other (specify) --------------------------------

4. The Selective Service System is a point of much discussion. Which do you feel would be most desirable?

---- Abolish the draft, increase pay and rely on volunteers for the military forces.

---- Select men for the service by means of a lottery.

---- Establish compulsory military training for men at age 19.

---- Leave the system the way it is now.

5. In view of present conditions, both domestic and international, would you be in favor of or opposed to the proposed tax increase?

----In favor of.

----In favor of, if accompanied by significant spending cuts.

----Opposed to.

6. In order to combat increasing crime, would you:

----Expand the FBI to form a national police force?

----Approve the formation of a new national police force?

----Improve local police effectiveness through local action?

----Improve local police effectiveness through Federal grants and assistance?

----Make no change?

7. In view of the recent Supreme Court decisions with respect to individual rights, do you feel the Court:

----Has over stressed the right of the individual to the detriment of society as a whole?

----Is attempting to bring the rights of the individual into balance with the rights of society?

----Has not done enough for the rights of the individual?

----Other: ------------------------------

8. Recently there have been riots in many American cities. What do you feel is their major underlying cause?

----Unemployment and substandard living conditions.

----Outside agitators.

----A basic disrespect for law and order.

----Biased law enforcement.

----Other: ------------------------------

9. Other than Viet Nam, which problem facing the government and the country are you most concerned about at the present time?

----Cost of living, inflation.

----Civil rights, racial issues.

----Taxes, government spending.

----Social welfare programs, Medicare, Social Security.

----Farm problems, farm prices.

----Foreign affairs, foreign aid.

----Labor problems, unemployment.

----Crime, juvenile delinquency.

----Trends in government.

----Schools, education.

10. What methods would you suggest the government use to solve the above problem which concerns you most? ----------------

11. Which of the following possible Republican Presidential candidates do you feel is the strongest?

---- Nixon?

---- Percy.

---- Lindsay.

---- Reagan.

---- Rockefeller.

---- Romney.

---- Other ------------------------------

12. Which of the following possible Democratic Presidential candidates do you feel is the strongest?

---- Lyndon Johnson.

---- Robert Kennedy.

13. Who would you support for President at this time? ------------------------------

14. Do you believe Congress should pass legislation giving farmers power to establish their prices, along with more responsibility for regulating their production and storing any excess?

---- Yes.

---- No.

RESPONDENT'S BACKGROUND

---- Male; ---- Female.

Education: ---- Grade School; ---- High School; ---- Some College; ---- College Degree; ---- Graduate or Professional Degree.

Religious Affiliation: ---- Protestant; ---- Catholic; ---- Jewish; ---- Other; ---- None.

Residence: ---- Always lived in North Dakota; ---- More than 10 years in North Dakota; ---- One to 10 years in North Dakota; ---- Less than 1 year in North Dakota; County --------------

Main Employment of Head of Household: ---- Agriculture; ---- Industry; ---- Professional; ---- Service; ---- Retail or Wholesale Trade; ---- Government, incl. Military; ---- Banking or Real Estate; ---- Retired; ---- Unemployed.

Approximate Annual Household Income: ---- Less than $5,000; ---- $5,000 to $10,000; ---- $10,000 to $20,000; ---- More than $20,000.

Do you normally consider yourself a: ---- Democrat; ---- Republican; ---- Independent.

BIG CITIES' PROBLEMS

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from North Dakota [Mr. ANDREWS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANDREWS of North Dakota. Mr. Speaker, I was delighted to read the October 20 editorial in the Forum, Fargo, N. Dak., entitled "Problems of Big Cities, Problems of All America." The editorial noted that our cities are taking the initiative in solving their own problems and are not just waiting for the Federal Government to move in.

This editorial did not deny the need for Federal financial and planning aids to our cities, but they stressed the importance of the participation of the community itself, the municipal governments, the business enterprises, and the ordinary citizen.

It is a most encouraging sign that our cities are not becoming dependent on Federal aid programs. During the next year the Federal Government will channel several billion dollars into urban areas. With our cities willing to take the initiative and to make sure that the Federal expenditures are matched with local efforts, we can all look forward to a better urban America.

So that my colleagues might read this most informative article from the Forum, I would like to include it in the CONGRESSIONAL RECORD:

PROBLEMS OF BIG CITIES PROBLEMS OF ALL AMERICA

Big things are happening in the cities of America, and they are not waiting for the federal government to move in and do the necessary jobs for them.

They will take all the help they can get in financial and planning aid, but the impetus to get things done has to come from the community itself, from the municipal governments, the business enterprises and the ordinary citizen.

One of the cities where things are happening on a major scale is Chicago, as Mayor Richard J. Daley told the Associated Press Managing Editors convention there Tuesday.

The city of today is concerned with far more than police and fire protection, he pointed out. In the last 20 years municipal government has been transformed from being a housekeeping agency to the point where the mayor is concerned "with poverty and jobs, the kind and quality of education, manpower training and merit employment, civil rights and human relations, welfare of youth and senior citizens, and conservation, rehabilitation and renewal of neighborhoods."

He emphasized that only local government is equipped to solve some of the problems that population growth and scientific breakthroughs have created. "Repetition of goals does not bring accomplishment of programs—only action under well planned programs can do that," he declared.

Even a brief visit to Chicago impresses one with the changes that have been accomplished there. Even the streets are cleaner, for one important thing. And the loop is jammed with people. The downtown is not going out of style, despite the hectic task of driving a car in Chicago traffic.

In Fargo and Moorhead, of course, municipal government has not become as deeply involved in all aspects of the community activity as it has in Chicago. There is a sharp separation of city government and school administration, for instance, but the time may soon come when a closer link between the city boards and the school boards may have to be forged. After all, they both look to the same property taxpayer for the bulk of their tax revenues.

Our problems are not comparable with those in Chicago at the moment, but Mayor Daley's speech made it apparent that the problems of big city America are the problems of all America. It is going to take strong, responsible local government to tackle the jobs outlined by Mayor Daley. A spirit of cooperation under which all urban communities work together for future improvement and progress would be most helpful.

WHY PAY MORE FOR LESS?

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, have we finally heard the last of Lincoln-Dickey? I certainly hope so, but I have my doubts. Last October 25, for the third time in the past 2 years, the House voted to eliminate from Public Works appropriations the Lincoln-Dickey hydroelectric dam project in the State of Maine. Last time, the measure was forced back upon us in conference by the other body with the threat of "no Lincoln-Dickey, no public works bill." Such a threat was enough to get a number of extra votes and so this ill-conceived project was kept alive.

Now there is some danger of this occurring again. It is my hope that the Senate will recognize the House as a coequal partner in Congress, and will not try to again blackjack the House into approving this project. In this time of urban crisis, budget deficit and war, Congress can certainly find a more sensible use for the approximate $380 million which this dam would cost the taxpayer by 1975.

There has been a great deal of talk about how high electric rates in New England are stifling the growth of new industry. This is nonsense. The percentage cost of the electricity used in manufacturing a product is extremely small in comparison to the final value of that product. In the textile industry, the average percentage cost is less than 1 percent. This fact holds true for most industries. Only in a small number of industries in the chemical, rubber, paper, and electrometallurgical fields does the percentage cost of the electricity climb much higher than 1 or 2 percent of the finished product's value. It is not the high cost of electricity that is slowing industrial development in New England. Factors such as the shortage in skilled labor and transportation needs are the principal retardants.

One more point. It is very clear that Lincoln-Dickey is not the answer to cheaper electric rates in New England.

This hydroelectric dam, which would produce a total of 723,500 kilowatts annually, would cost approximately $227 million. This does not include the necessary transmission lines and other costs boasting the estimated total cost to some $380 million. A pump storage power project is presently being constructed at Northfield Mountain in Massachusetts at a cost of only $74.35 million and will produce 1 million kilowatts annually. Why pay more for less?

Last month, when debate over Lincoln-Dickey was still raging, an editorial appeared in the Washington Post favoring the project. The editorial stated one by one a number of reasons why the Post thought the proposal was a good one.

I sent the editorial to the director of the information services for the Public Service Co., of New Hampshire, Mr. Sinville. In his reply, each of the statements made in the Post were refuted, one by one. Although this letter is only a small addition to the large volume of evidence concerning the Lincoln-Dickey hydroelectric dam proposal, I believe it underscores with particular clarity many of the reasons why the project has little merit. It is true, of course, that Mr. Sinville has a bias, but his points are well made and worthy of consideration. I therefore submit the Post editorial and Mr. Sinville's rebuttal into the CONGRESSIONAL RECORD:

[From the Washington (D.C.) Post, Oct. 17, 1967]

DICKEY-LINCOLN

Further planning funds for the Dickey-Lincoln Dam on the St. John River in Maine now depend on the House-Senate conferees on the public works appropriation bill and it is to be hoped they will act favorably.

The Senate approved the Administration's request for $1,676,000; the House did not approve it. The conferees should follow the Senate's lead. If they do not do so, previous appropriations of $1.9 million for planning this hydro-electric project will be rendered sterile. The project has had trouble in Congress at each appearance, notwithstanding the thorough House study it got in 1965 when it was authorized.

Demand for the plant arose out of the power plight of New England where rates are the highest in the country. Since it was authorized there have been some downward revisions on the mere prospect of the plant. It will surely perform such a "yardstick" service when built. The rate structure has handicapped New England in the competition for new industry. The lower rates of the TVA have enticed into the South some old industries it might have held. Congress, in simple justice, owes New England one such plant.

It has been argued that conventional hydroelectric plants are outdated; but they continue to be essential power suppliers, with a national prospect that capacity of such plants will double in the next 25 years. Plants like Dickey-Lincoln are being built right now. Their usefulness as peak-load suppliers makes them efficient complements to steam or thermonuclear plants. Private interests now are planning a large thermonuclear plant at Wiscasset, Maine, but no one believes that it will be adequate to all future needs in the region. Some voices have been raised against its effect on recreational and wildlife values; but the foremost defenders of such resources support the project as vastly superior to an alternative site that would affect the wild-river program on the Allagash.

The project has been thoroughly studied. It contemplates the addition to the Nation's power resources of an efficient supply that will be available to private distributors, municipalities and cooperatives in a region where there is a deficit and where rates are high.

Congressman JAMES C. CLEVELAND,
Longworth House Office Building,
Washington, D.C.

DEAR JIM: Thank you for your letter of October 19 requesting comments on the Washington Post article about Dickey-Lincoln. Each statement in the article is restated below followed by our comments.

Statement: "Demand for the plant arose out of the power plight of New England where rates are the highest in the Country."

Comment: This is not a true or factual statement. Enclosed is a comparison of industrial rates of the whole northeast. It shows that New England is in a favorable position when compared to other highly industrialized sections.

Statement: "It will surely perform such a 'yardstick' service when built."

Comment: To perform a "yardstick" service, Dickey would have to be competitive in the cost of construction and in total cost of producing power in 1975 and it definitely will not be. For example, construction cost of Dickey with associated transmission would be $375.00 per Kw. Public Service Merrimack II will cost $100 per Kw. MK II will operate 24 hours a day. Jet engines of Northfield Mountain pump storage will cost less than $80 per Kw. This type plant will operate during the few hours of peak demand. Enclosed is a copy of the Federal Power Commission press release relating to the Northfield Mountain project. Attention is called to the first and second paragraphs on page 3 which show that the 1,000,000 kilowatt station will cost $74,350,000, or less than $80 per kilowatt.

Statement: "The rate structure has handicapped New England in the competition for new industry."

Comment: Enclosed is a report by the Edison Electric Institute showing the percent that electricity contributes to the total cost of various products. This report clearly shows that the cost of electricity as a percent of the total cost of manufactured products is minor. Industry looking for locations in an area are more interested in:

1. Availability of labor force.
2. Availability of plants and plant sites.
3. Real Estate tax rates.
4. Access to superhighways.
5. Availability of railroad travelling sidings.
6. Access to airports.
7. Type of community.

Statement: "The lower rates of the TVA have enticed into the South, some old industry it might have held."

Comment: Some textile industries did move to the South but not because of the cost of electricity. If they moved to the South only because of the difference in the cost of electricity the most that they could have saved in the total cost of their finished products was less than 1% which is the total cost of electricity to total cost of the finished product. They moved to obtain real estate tax savings, savings in the cost of labor, and construction savings because of tax-free bonds for financing new plants. Enclosed are two statements by General Vogel, Chairman of TVA.

Statement: "It has been argued that conventional hydroelectric plants are outdated, but they continue to be essential power suppliers, with a national prospect that capacity of such plants will double in the next 25 years."

Comment: This statement is the result either of a misunderstanding of the position of the utilities or of a deliberate attempt to mislead by lifting words out of context. The position of the private utilities with respect to hydroelectric power is simple, direct, and understandable. Where new hydro-electric developments can be economically justified when compared with other sources of power, they should be built. However, in the more mature (electrically) New England region, practically all economically justifiable hydro-electric plant sites have been developed so far as conventional hydro plants are concerned. This means that most future growth will come from other sources. There is nothing surprising about this. Already TVA, which started as a 100% hydro-electric system, is now generating more than 82% of its electricity in steam plants. Also, in the Pacific Northwest, where huge government hydro-electric plants like Grand Coulee, Bonneville and others have been constructed, the use of steam power is being planned to take care of growth.

The hydro included in the Big-11 Power-loop is pumped storage which is a type of development that offers much promise for New England. There are many good sites in the area, and it seems clear that additional installations of this type will be coming along in the future.

Statement: "Private interests now are planning a large thermo-nuclear plant at Wiscasset, Maine, but no one believes that it will be adequate to all future needs in the region."

Comment: Enclosed is a progress report on Electric Development in New England that shows that the Maine Yankee Atomic Plant in Wiscasset is only one of eleven plants under construction in New England to be completed by 1972.

There is also a plan for generation and transmission lines for New England through 1990.

Statement: "Some voices have been raised against its effect on recreational and wildlife values; but the foremost defenders of such resources support the project as vastly superior to an alternative site that would affect the wild river program on the Allagash."

Comment: Two years after Dickey is completed, if it is constructed, and the economic boom is over and the neighboring communities have reverted to their present economic status, as they surely will, a decision can very easily be reached as to whether or not it was worth giving up one of the most beautiful of all wilderness areas for a four or five year economic boom.

Statement: "The project has been thoroughly studied."

Comment: If it has been thoroughly studied, what is the need for the $1,600,000 appropriation in this session? None of this money is for construction. If it had been thoroughly studied by competent power people, it would not be considered for construction.

Statement: "It contemplates the addition to the Nation's power resources of an efficient supply that will be available to private distributors, municipalities and cooperatives in a region where there is a deficit and where rates are high."

Comment: If by "efficient supply" the writer means an economical supply, Dickey would not qualify because it would definitely not be economical. Or, if by "efficient supply" the writer means a reliable supply, Dickey would not be nearly as reliable as plants planned near the load center of New England because of the 400 miles power would have to be transmitted and mostly through inaccessible timber lands in Maine.

Comments in previous paragraphs on the construction program of the private companies clearly show that there will not be a deficit of power and power from private companies will be available at reasonable prices to the electric customers of New England.

If you wish any additional comments, please let me know.

Very truly yours,

DONALD E. SINVILLE,
Director, Information Services.

FINDLEY AND RIEGLE WIN PRAISE FOR CONGRESS

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I wish to call to the attention of my colleagues a very interesting article, written by David S. Broder, which appeared in the Washington Post this morning. Broder observed that recently "some politicians in Washington are at last beginning to raise into public view the fundamental policy questions involved in the war."

Mr. Broder cites Congressman Paul Findley for his resolution calling on Congress to formally debate and consider alternative policies to our present course in Vietnam. Broder also makes well-deserved mention of Representative Morris Udall and Representative Bradford Morse for their help with Findley's bipartisan work.

As a cosponsor of the Findley resolution, I, too, approve this trend away from sloganeering and toward meaningful discussion of the Vietnam issue. My colleagues might well remember the recent debate engendered by this resolution which occured on the floor of the House on Monday, October 30. The full record of the debate can be found in the Congressional Record for that day between pages 30465 and 30479.

In my last biweekly Washington Report to my constituents in New Hampshire, I made the following comments on this interesting and informative discussion over the Findley resolution:

Vietnam—A House Debate

On September 25, I joined 56 of my colleagues in co-sponsoring on a bipartisan basis a resolution authored by Paul Findley (R. Illinois). The purpose of this resolution was to determine whether further congressional action is desirable in respect to our policies in Southeast Asia. Last week on the Floor of the House, this led to a constructive debate in which many Congressional leaders of stature, including the Speaker himself, participated. Congressman Findley listed 26 alternative policies to our present course, which have been sponsored by leading citizens of this country. There are, of course, no easy solutions to the Vietnam problem, but it is a hopeful sign to have the matter thoughtfully discussed on the Floor of the House. Good debate and deliberation discourages rigidity of thinking and over-simplification of complex issues. The Vietnam issue can and should be debated without sending false signals to Hanoi. I have long felt that Hanoi's misunderstanding of this nation's purpose and resolve began with the unfortunate interjection of the peace issue into the 1964 political campaign. Miscalculation by Hanoi has surely been strengthened since by over-zealous and sometimes disgraceful demonstrations. These may have been caused in part by the lack of candor and clarity of purpose which have accompanied our commitment in defense of South Vietnam. Hopefully, debate on the Findley Resolution will help clear the air, and help make more clear our purpose and resolve: to defend South Vietnam against aggression.

Mr. Broder also praised Congressman Donald Riegle in his article, and I too wish to commend our able colleague from Michigan for his fine work in the House Appropriation Subcommittee on Foreign Operations. During the testimony of Rutherford M. Poats, deputy foreign aid administrator and once director of the so-called "other war" in Vietnam, Mr. Riegle asked some extremely penetrating questions, and Mr. Poats' subsequent answers shed some new light on the course of our economic programs in Vietnam. Mr. Riegle placed extracts of this dialog in the Congressional Record on Monday, September 18, and they appear on pages 25753 to 25761. I highly recommend to anybody who has not already done so to take the time to read them.

Mr. Broder's article in the Post this morning appeared as follows:

Young House Members Seek Overall Viet Strategy Review

Something is happening that could alter the view, often expressed by this reporter, that the louder and longer the debate on Vietnam, the less useful it becomes.

Instead of sloganeering, some politicians in Washington are at last beginning to raise into public view the fundamental policy questions involved in the war.

The effort is not being led by the senior spokesmen for the two parties. Most of them are so committed to specific viewpoints that they are unable to take a fresh look at the issue. Rather, it is the younger House Democrats and Republicans who are bringing fresh thinking and fresh information into the stale Vietnam discussions.

Some 66 of them have joined Rep. Paul Findley (R–Ill.) in a resolution calling for formal congressional debate on the Vietnam alternatives. The discussion of the resolution on the House floor the other day, involving such able younger members as Findley, Rep. Morris Udall (D–Ariz.) and Rep. F. Bradford Morse (R–Mass.), established the fact that despite the Capital's weariness with the topic, there is still fresh food for thought on Vietnam.

The young House members' approach is characterized by an insistence that the whole U.S. strategy in Vietnam, its costs and its consequences, be examined and debated—and not just a single aspect of the war.

An interesting example of this developing drive for a systematic look at Vietnam policy is the work of Rep. Donald W. Riegle, Jr., a 29-year-old freshman Republican from Flint, Mich. Despite his lack of seniority, status and renown, Riegle is making a significant contribution to the process that must precede any intelligent reappraisal of American policy in Vietnam.

As a member of the House Appropriations Subcommittee on Foreign Operations, Riegle conducted an examination of Rutherford M. Poats, deputy foreign aid administrator, that shed important light on the "other war" in Vietnam, the effort to construct a stable, self-sufficient society.

It is impossible to summarize in a few sentences the testimony Riegle extracted from Poats in their four-hour colloquy. But one can fairly say that it raises serious questions as to whether our "nation-building" program in South Vietnam can succeed without a massive semi-permanent investment both of American money and of American civilian manpower.

The testimony has received too little public attention, but Riegle has circulated it among his colleagues in the House. There, it has become a major text in the debate between those who accept and those who reject the Administration's argument that the United States is simply providing a temporary military shield behind which the Vietnamese are reorganizing and rebuilding their own country.

Now, Riegle has moved on to an examination of the military side of the war and of the Administration argument that the United States has a vital national security stake in Vietnam.

He has unusual credentials for this task. He is, like Secretary of Defense McNamara, a produce of the Harvard Graduate School of Business Administration and, after working in systems analysis for IBM, he discourses easily in the "cost-effectiveness" language McNamara uses to buttress the strategic decisions in Vietnam.

Last week Riegle sent the Secretary a letter that must have been unique in McNamara's huge correspondence from Capitol Hill. Asking for weekly tabulations of 85 specific statistical measures of the Vietnam fighting, Riegle explained, "I have designed an information matrix to collect data that I believe is germaine to the problem."

In reply to his request for a precise statement of the strategic importance of South Vietnam to the defense of Southeast Asia, Deputy Assistant Secretary of Defense Richard C. Steadman last week wrote Riegle a letter stating:

"From a strictly military viewpoint, the United States does not require control of the land mass of South Vietnam to meet possible further Communist aggression against countries with which we have treaty obligations (although our problems in this regard could be greatly compounded were South Vietnam to be controlled by a government hostile to the United States and its allies.)"

Raising questions is only a first step, of course, but it is immeasurably more useful than most of the shouting that has passed for debate on Vietnam.

THE MAFIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia [Mr. Poff] is recognized for 20 minutes.

Mr. POFF. Mr. Speaker, the edition of the Saturday Evening Post that appeared on the newsstands yesterday contains an article entitled "The Mafia, How It Bleeds New England." It tells an indeed sordid story. The Post now joins Life magazine in performing the public service of informing the American people concerning the menace of organized crime. They are to be commended for this.

It is disturbing, however, that magazines have to perform a service—informing the public—that in this area is principally the responsibility of the U.S. Department of Justice. All we hear from Attorney General Ramsey Clark is how minor the organized crime problem really is. Yet with each succeeding magazine story that I read, I come more and more to the conclusion that organized crime is far from a minor problem and that for some reason or another, Attorney General Clark is not telling us all the facts.

Another point to be made about the Post article is that the stated source for most of the material contained in it is FBI eavesdropping devices. This raises the question in my mind as to how magazine writers can get access to this type of information when we in Congress cannot.

Some time ago, the House Republican Task Force on Crime called for the creation of a Joint Congressional Committee on Organized Crime and suggested that the first task of such a committee be the examination of the FBI's logs, tape recordings, and communications concerning its electronic surveillance of organized crime. Our statement did not really invite a reply from the Department of Justice since no such committee had then been created nor has one been created since. Nevertheless, an anonymous spokesman for the Department lashed back at the task force for daring to make even the suggestion that this be done. Now I find that while Members of Congress are not to be trusted with access to these materials, magazine writers are. I applaud their tenacity in this regard but wonder what Congress has to do to be afforded the same opportunity. We, too, have a legitimate purpose to serve.

Under leave to extend my remarks and include extraneous matter, I quote herewith the text of the Post article:

The Mafia: How It Bleeds New England—It Is Taking in Half a Billion Dollars a Year From Gambling, Hijacking, and Loan-Sharking, Murder Is a Sideline

(By Bill Davidson)

Early in 1965 a big, tough, 41-year-old gambler named William Marfeo opened his own dice game in a second-floor apartment in Providence, R.I. He was doing this in defiance of the Mafia, and he knew it. He disregarded several Mafia warnings to close the game. At 11:45 a.m. on July 13, 1966, Marfeo was eating pizza with friends in the Korner Kitchen Restaurant across the street from his gambling operation, when a stocky man wearing a straw hat walked in with a gun. The gunman ordered everyone else in the restaurant to lie on the floor and prodded Marfeo into a phone booth. He closed the door of the booth, fired four bullets into Marfeo's head and chest through the glass walls, walked out of the restaurant and disappeared in the noon crowd.

Just a month before—on June 13—a handsome 26-year-old former boxer named Rocco DiSeglio had dispatched a group of henchmen to one of the Mafia's floating dice games in Boston. His men, holding the gaping crapshooters at gunpoint, scooped $3,500 off the table and made an orderly departure. Three days later DiSeglio was found beaten and shot to death in his new burgundy-colored Thunderbird in a residential section of Topsfield, Mass.

In the ordinary run of criminal affairs freelance thugs do not compete with the Mafia, and they certainly don't barge into the Mafia's sacrosanct dice games and rob the Mafia's guests. The thing that is surprising is that both Marfeo and DiSeglio thought they could get away with it.

Actually, their main mistake may have been that they were slightly premature. The fact is that the New England Mafia, once the very model of a modern major Cosa Nostra family, is coming apart at the seams. Discipline has broken down. Crude shootings are common. So many FBI plants have infiltrated the organization that you can hardly tell the Mafiosi from the informers. The FBI has thousands of reels of tape recordings from a "bug" in the No. 1 leader's office. A hired gunman who has good reason to believe that the Mafia no longer loves him is talking freely to the FBI. And the No. 1, No. 2 and No. 3 leaders of the organization are awaiting trial on charges involving murder; they could be imprisoned for many years.

This is not to say that the New England Mafia has gone out of business. It is still raking in half a billion dollars a year from its operations, the Justice Department estimates. But there's trouble at hand and more ahead for New England's Mafia.

"It's like Chicago in the Al Capone days," says John Irwin, first assistant district attorney of Middlesex County, Mass. In the last six years there have been 45 gangland murders in the Boston area alone. The victims have been shot, strangled, beaten to death, beheaded or butchered.

Charles Rogovin, chief of the Organized Crime Section of the Massachusetts attorney general's office, told a visitor recently, "Since I came here from President Johnson's Crime Commission, I feel as if I've been watching old gangster movies. The other families of the Mafia have become much more subtle in their killing. Their victims mostly just disappear—and there's no heat, no hue and cry. But here they brazenly shoot them down at high noon on a busy street."

Where other Mafia families are moving into quasi-legitimate big business and international finance, the main underworld occupations in New England are the old standbys: gambling, loan-sharking and hijacking—all controlled by the bullet in the head or the broken leg for troublemakers. In fact, so feared are the New England Mafia specialists in violence that Mafia families in other cities frequently send for the Boston or Providence boys to do their dirtiest work. The FBI knows, for example, that the "contract" to kill New York Mafia underboss Albert Anastasia, a founder of Murder, Incorporated, was given to Jackie Nazarian of Providence, who shot down Anastasia in a barber chair in a Manhattan hotel in 1957. (Nazarian himself was later killed by gunfire in broad daylight as he left a Providence dice game.) Similarly, out-of-state bombing contracts often go to Joe Puzzangara, a specialist in plastic explosives. Puzzangara is regarded as a gifted innovator—it was his idea to blow up a house by pumping gasoline into its oil-burner tank.

The New England family is small—only about 100 members (the Brooklyn family has more than 500)—but it has controlled crime in its five major centers of operation: metropolitan Boston and Providence, and the cities of Revere, Worcester and Springfield in Massachusetts. According to an undercover agent who penetrated the operation the family accomplished this by making a series of alliances with non-Sicilian mobsters, gamblers and politicians to compensate for its limited number of genuine Mafiosi who have taken the ritual blood-and-ashes oath.

Among the allies of the New England Mafia family are Jews, Greeks, Syrians, Irish, Italians, Lebanese, Portuguese, Germans and even old-line Yankees. They range from low-level paid killers and hijackers to full-time partners in the executive class. Abraham Sarkis, a Syrian, supervises the vast numbers racket in Boston in partnership with Gennaro Angiulo, identified by McClellan committee testimony as the Mafia underboss in charge of all Boston operations. A Jew, Jasper Sagansky, who did time on a federal bookmaking conviction, is Angiulo's partner in running the illegal wire for horse-race results. Other non-Mafia allies hold Mafia "licenses" to operate bookie joints, loan-sharking businesses or establishments for the fencing of stolen merchandise. In return they pay 25 to 40 percent of their receipts to the Mafia. Other allies have territories under "license" from the Mafia. Somerville, Mass., for example, is the preserve of Howie Winter, sole surviving leader of the Irish gangs that once dominated the Boston underworld. Winter pays tribute regularly to Angiulo's men; he meets them in a Boston nightclub called the Nautical Café.

On an even higher level, the New England Mafia has contacts among a group of millionaire pillars of the community, some of them former bootleggers for whom several current Mafia bigwigs worked as bodyguards during Prohibition. There is no evidence that these millionaire businessmen engage in illegal enterprises with the Mafia. But a court-introduced transcript summary of an FBI eavesdropping "bug," planted for three years in the Providence office of New England Mafia boss Raymond Patriarca, revealed that friendly business contacts, at least, continued. One prominent citizen mentioned in transcripts of the bugged talk is Joseph Linsey, financier and a trustee of Brandeis University who has a vast complex of industrial and commercial holdings and is considered one of the most generous philanthropists in the area. He was convicted of bootlegging in 1927 and served a one-year prison term. He still has on his payroll Michael (Mickey the Wise Guy) Rocco, the *consigliere* (elder-statesman counselor) of the New England Mafia. Among Rocco's criminal activities, as described to the McClellan committee, are extortion, mayhem, murder, bribery, burglary, robbery and larceny. Just last wear Rocco, at the age of 71, was convicted of assaulting a federal officer, an Internal Revenue Service undercover agent who had been posing as an Italian waiter in mob-frequented restaurants.

Equally important to the New England Mafia family is its impressive list of allies among the area's politicians. "In the bag," according to informants within the organization, are a highranking state official, a police chief, two licensing officials, a high-ranking court administrator and a handful of powerful state senators and representatives, among others. These contacts enable the Mafia to obtain licenses for taverns and other enterprises through front men—the real owners are not eligible because they have criminal records. The friendly officials pretend not to notice illegal activities; allow late closings of mob-operated joints; switch court cases involving Mafia figures to more lenient judges; and arrange pardons and paroles for Mafia men who are convicted.

In 1963 FBI agents watched the high-ranking state official meet with boss Patriarca in Patriarca's car in the parking lot of a Boston hospital. The meeting is referred to in the transcript of the "bugged" conversations in Patriarca's office. Patriarca was heard complaining to his bodyguard that a stool pigeon obviously had tipped off the FBI—as the FBI paraphrased it, "because they surveilled the hospital and observed Patriarca meeting with various individuals, including [name blanked out]. Patriarca said that he was contacting [name blanked out] in an effort to obtain the parole of Leo Santaniello and Lawrence Baioni" (two Patriarca lieutenants who had been convicted of loan-shark extortion).

The "bug" transcript also includes insights into the lack of police interference with mob activity in many areas of New England. In discussing a new Mafia gambling operation in Biddeford, Maine, a top Patriarca aide told the boss that a Mafia ally "has arranged to pay off the state police," and that he would furnish the identities and amounts paid to individual members of the state police. The aide went on to point out that these contributions had already borne fruit. Members of the Maine state police had obligingly warned the mob of an impending raid and "in view of this, the opening of the operation has been temporarily discontinued."

The "bug" transcript reveals that payoffs to politicians are much more subtle and usually take the form of campaign contributions. In the transcript Patriarca complained bitterly that he had been rebuffed in several attempts to induce Massachusetts ex-Lieutenant Governor Francis X. Bellotti to accept $100,000 in Cosa Nostra money for his compaigns for governor in 1964 and for attorney general last year. Bellotti's honesty went unrewarded. Piqued by his refusal, the mob spread the word that he had taken mob money, and these rumors were a major factor in Democrat Bellotti's defeat in both campaigns. The "bug" transcript (or The Patriarca Papers, as they are called) established that the going rate for politicians in New England is $100,000.

With purchased forbearance from politicians and police, it is no wonder that the New England Mafia operated so efficiently for so many years. One of its main sources of income, for example, is a remarkable series of permanent floating crap games and card games in the Boston and Providence areas. These games couldn't last one night if local authorities wanted to stop them. One of them, in Boston, is the same game mentioned by Joe Valachi in his Senate testimony. He said he visited it in 1938, when he first met Raymond Patriarca, then just a lowly "soldier" in the New England family. The dice and card games operate in hotels, office buildings and warehouses. They earn a consistent quarter of a million dollars a week for the mob, according to an informant within the organization; $100,000 of this is Patriarca's personal cut. For years Patriarca's trusted executive officer, Henry Tameleo, journeyed every Tuesday and Thursday from Providence to Revere where, at a nightclub called the Ebb-Tide, he picked up a suitcase of money for "the office," as the mob calls Patriarca's headquarters. The floating games are inviolate, Patriarca's personal prides, and on the three occasions when outsiders dared to interfere with them, they were murdered.

Just as any bartender or bellhop in metropolitan Boston and Providence can direct you to the nearest Cosa Nostra crap game, so he can send you to a Mafia-controlled bookie within a block or so. There is an extensive network of bookmakers in New England, all supervised by the Mafia's Joe Lombardi. Their license fees to "the office"—25 percent of their take—total $6,500,000 a year. The 25 percent includes protection from police harassment, paid for by the mob. The mob also supplies horse-race results from all over the country to its bookie clients (for fees ranging from $5 to $25 per result) from its illegal race wire. Like the crap games, the terminus of the race wire floats, and it pops up in some ingenious locations. Last March, for example, an investigator staked out the Kenmore Hospital, a fully accredited, 58-bed private institution in a good section of Boston, and identified eight known bookies who entered the building in the course of a single afternoon. He also observed many unmarked panel trucks that were parked outside the hospital and were driven away sometime later without making pickups or deliveries. The investigator traced the ownership of the hospital to the Huntington Realty Trust, one of the principal stockholders of which is Gennaro Angiulo, Patriarca's No. 2 man in the New England Mafia. The investigator checked the public records of the hospital's ownership at night. At three o'clock the next morning a moving van pulled up at the hospital and hauled away several large pieces of equipment from the basement. There were no bookies at the hospital the next day—or at any time thereafter.

Perhaps the largest slice of mob income comes from loan-sharking. In the Greater Boston area alone more than 200 loan sharks operate under the control of Mafia lieutenant Larry Baioni. Federal and state authorities say that the income from this lucrative service is a million dollars a week in New England. These loan sharks extort the standard Mafia rate of 20 to 30 percent a week. Their victims are gamblers and others who can't get credit at banks or legitimate finance companies. One victim, a near-bankrupt Boston businessman, told me about the deal he made with a Mafia loan shark. He borrowed $2,000, which he desperately needed to hold onto his retail store. He had to pay $75 a week in interest, which added up to $3,900 interest on the original $2,000 loan by the end of the first year—and he still owed the principal. When he offered to put up collateral for the balance, the loan shark took out a .45-caliber pistol, put it on the table, and said, "Your body is our collateral."

As in all Cosa Nostra enterprises in New England, the trademark of loan-sharking is violence. Charles Rogovin, expert on organized crime for the Massachusetts attorney general, says, "All other Mafia families have a tradition which they call 'stopping the clock.' That is, when you're bled dry, they stop the clock on the interest and just let you give back the principal. They stop short of killing, on the theory that a dead man can't pay. But not here. They're totally ruthless about loan-shark debts. Two thirds of the murders and maimings in New England involve people who have given up the collateral of their bodies to the loan sharks."

In a rare moment of candor Phil Waggenheim, ace "enforcer," or strong-arm man, for Mafia loan-shark boss Larry Baioni, explained to an undercover agent the schedule of punishments for loan-sharking delinquents in New England. "If a man is three weeks late in his vigorish [interest payments]," Waggenheim said, "he gets a broken arm or leg. If he's six to eight weeks late, he has an accident. We fix the brakes of his car, or we run him off the road, or we blow up his house or his business. Sometimes we go to his house and beat up his wife, or we break a leg on his kid on his way home from school. If the guy owes more than $15,000, or if he's arrogant about falling behind in his vigorish, he gets death."

The third major enterprise of the mob is hijacking. The Mafia specializes in stealing entire trailer loads of merchandise from the many truck-transfer depots that dot New England. For loot, it favors color-TV sets, bonded whiskey, sides of beef, produce, and for some strange reason, watchbands (a Mafia lieutenant named Albro Vitali was recently convicted in federal court of being in possession of a whole case of watchbands taken from a sealed freight car in an interstate shipment).

The mob uses country barns and vacant city garages for warehouses. Its "fences" operate from telephone booths at nightclubs, restaurants, barbershops and such, and you can call Big Tony, say, and order a ton of meat or a gross of appliances for cut-rate prices at any hour of the day or night. The hijack-and-fencing specialists also deal in side commodities—a specific make and year of stolen car (up to a thousand dollars below the list price), a legitimate medallion to operate a taxi in Boston ($27,000), and a phony driver's license ($500).

Few activities produce cash as readily as gambling, loan-sharking and hijacking, but even the Mafia can run short at times. Usually the loan-shark money is borrowed at six-percent interest from banks owned by wealthy non-Mafia allies of the organization. But sometimes, in an emergency, the mob taps other supplies. Assistant District Attorney John Irwin says, "Whenever I hear there's a serious shortage of loan-shark money on the street I expect another one of those armored-car holdups we're getting so famous for here in the Boston area." The Federal Government has information that the million and a half dollars stolen in the Plymouth mail-truck robbery in 1962 disappeared into Boston Mafia loan-shark operations within two days after the robbery.

Usually, though, the mob has more money than it needs and must bury its earnings in other enterprises to avoid unpleasantness with the Internal Revenue Service over income its members can't account for. The mob owns hundreds of cleaning-and-dyeing establishments (called cleansers in New England), diaper services, linen services, auto agencies, car-repair firms, drugstores and garbage-collecting firms. At one time it even ran a fleet of sightseeing boats in Boston Harbor. It controls numerous nightclubs, bars and restaurants, ranging from dives—in the seamy Revere area, in Boston's prostitute-ridden "combat zone" and in Providence's run-down Federal Hill—to some of the finest gourmet eating places in New England. The mob owns, or has owned, cemeteries, dude ranches, a New Hampshire ski resort and a country club north of Boston.

Most of these subsidiary enterprises serve a double function for the Mafia. The cleaning-and-dyeing establishments, for example, are handy for over-the-counter bookie and loan-shark operations. A dude ranch or ski resort has outbuildings in which hijacked goods can be stored. What better hiding place for cash and stolen jewels than graves and cemetery vaults? What better outlet for the sale of stolen goods than Arthur's Farm, a tacky roadside "discount house" in Revere, or an innocuous-looking diner near Boston's North Station? What better laboratory for making LSD, one of the newer Mafia industries, than the back room of a late-hours Boston drugstore near three college campuses where customers abound?

The New England Mafia family does not deal locally in heroin and other hard narcotics, but it uses vehicles from its auto agencies and car-rental firms to haul narcotics for Cosa Nostra families in New York—for a fee. Last year the New York state police closed down the regular route for narcotics entering the United States from Canada by putting close watch on Route 9, which runs from Montreal to New York. The New York families immediately established a new route, with the point of entry at Highgate Springs, Vt., and thence, by Routes 7, 89 and 93, across New England. The aid of the New England family was requested, and it has responded, according to informants, by recruting college students to drive mob cars. The heroin is hidden in girls' hairpieces, in the soles of ski boots and, during the summer, in hollowed-out compartments in surfboards.

But narcotics transport is not the cnly service performed by the New England mob for other Mafia families. The Patriarca group also specializes in fixed professional sports contests and horse races so that the Cosa Nostra's bookies all over the country can make killings on "sure-thing" athletic events. Informants say that there is a regular payrate in Boston: $5,000 for a football or basketball star who can come up with an illness or injury, attested to by a physician, that will keep him out of a game; $10,000 to an athlete skillful enough to blow key plays in the game itself. Some athletes, it is said, use these methods to get out of debt to Mafia loan sharks.

The technique with horses is simpler. New England tracks are famous throughout the United States for their so-called "banana races," in which the winner is known in advance to a select few. Because of the ""banana races," many independent bookies refuse to handle any action on New England tracks. The "banana-race" expert in the New England family is Blondy Simonelli, identified in McClellan-committee testimony as one of Patriarca's lieutenants in Providence. Simonelli, who has a long record of arrests and convictions for gambling and illegal possession of weapons, is field representative on New England tracks for the Horsemen's Benevolent Protective Association, the all-powerful union of horse owners. Because of his criminal record he was once barred from Rhode Island tracks, but was inexplicably reinstated by the State Racing Commission in 1961.

Col. Walter E. Stone, superintendent of the Rhode Island state police, explains how Simonelli controls races: "Blondy can influence or intimidate owners to enter certain races and drop out of others so that one horse outclasses all the others in a given race. Through his power over the grooms he can arrange for a horse to be scratched at the last minute by coming up lame from a blister or from a pinched shoe, or by developing colic from something he ate. Blondy's work on the tracks makes a lot of money for the mob."

The overlord of all this illicit commerce is boss Raymond Loreda Patriarca. He is 59 years old, ailing with diabetes and gallbladder trouble, and is indistinguishable in appearance from any number of pizza-parlor countermen. He is five feet seven inches tall, weighs 165 pounds, has a hatchet face and, according to one government agent who knows him, "a nice, shifty smile." He habitually wears white socks (he has complained for years about his "bad feet") and nondescript semiconservative clothing, with only an enormous diamond ring and expensive alligator shoes for show.

For a decade or more Patriarca ran his Mafia empire from a storefront office on Atwells Avenue in the heart of the heavily Italian Federal Hill district of Providence. The storefront also houses Patriarca's vending companies—Coin-O-Matic and the National Cigarette Service—whose machines needless to say, are the only ones used in most Rhode Island bars and grilles. It was in this office that the FBI planted its bug. When Patriarca found out about the bug—after it had transmitted for three years—he moved out of the office and has not entered the building since. He has his headquarters in the Nu-Brite Cleansers store, across the street, and is having its upstairs apartment remodeled, at a cost of $180,000, into a fortress home, presumably bug-proof.

Patriarca has also abandoned his home, a $35,000 white-clapboard house in a quiet, fashionable, mostly Jewish neighborhood in the east side of Providence. He lived there with his wife, Helen, until she died two years ago. Patriarca now has a buxom blonde mistress; they live in a well-protected lakeside cottage near Providence, awaiting completion of the fortress.

Patriarca shows up every day at his office in the Nu-Brite Cleansers to do business behind drawn blinds with a steady traffic of lieutenants. On warm afternoons, however, Patriarca occasionally sits on the doorstep of the Nu-Brite Cleansers to take the afternoon sun. He wears a white sweater, smokes a huge cigar, and waves at admiring passerby. Sometimes he chats with them. Until you notice Rudy Sciara and the other gunmen-bodyguards hovering watchfully in the area, Patriarca looks almost benign. He is not benign.

Patriarca served a routine Mafia apprenticeship, ably executing dirty lower-level assignments in various forms of thuggery to prove himself to his elders. He was born in Worcester, Mass., in 1908, of Sicilian parents. He moved to Providence when he was 18 and apparently was sworn in as a blood brother of the Mafia soon afterward. Phil Buccola was the New England boss then, and Patriarca's criminal record indicates that Buccola quickly tabbed young Patriarca as a comer. The boy was barely 18 when he was arrested for hi-jacking, and then got 30 days for breaking out of jail. After that came a variety of arrests and convictions for bootlegging, gambling, breaking and entering, larceny, suspicion of murder, lewd cohabitation, adultery, auto theft, armed robbery, illegal possession of weapons and white slavery. He served prison sentences of two years for larceny, three years for breaking and entering, 18 months for auto theft, two and a half years for burglary and one year—in a federal penitentiary—for violation of the Mann Act (transporting a string of prostitutes between Providence and New London, Conn.).

One stretch of the long Patriarca criminal record indicates clearly how high he had risen in the Mafia by 1938. He was convicted of burglarizing a Brookline, Mass., jewelry store and sentenced to three to five years in prison. After he had served only 84 days of this sentence, he received a full pardon from the governor of Massachusetts through the good offices of Executive Councilor Daniel H. Coakley. In 1940 a special Massachusetts investigating commission looked into this pardon and found that Coakley was guilty of "deceit and fraud" in pressing the pardon petition. Coakley was impeached. It was the first time a member of a Governor's Executive Council had been removed from office since 1821.

Patriarca was a valuable member of the Mafia, indeed, to require the services of so high-ranking an ally to spring him. It came as no surprise, therefore, that when Buccola decided to retire and return to Italy in the late 1940's, Patriarca became the No. 1 man in the New England family.

Patriarca soon developed an excellent reputation as an administrator not only within his own family but also among the other 11 heads of families with whom he sat on the National Commission, the ruling grand council of the Mafia in the United States. He was given a "piece of the action" in Las Vegas through front men at two of the largest casinos (one of the front men is registered with the Nevada Gaming Commission as a nine-percent owner), and he was cut in on lucrative deals by Mafia families in Florida and Philadelphia. The FBI "bug" transcript reveals that the ruling commission thought so highly of Patriarca that it chose him as the sole referee to adjudicate the bloody war between the Gallo and Profaci factions of the Mafia family in Brooklyn.

Until a short time ago, Patriarca seemed to be riding high. His crime empire was flourishing. His organization seemed airtight. In Providence he had a skilled and trusted executive officer in Henry Tameleo. In Boston, Gennaro Angiulo was a fine underboss, backed up by two knowledgeable elder statesmen in John (Johnny Williams) Guglielmo and Michael (Mickey the Wise Guy) Rocco. Even the outposts were well-manned, with such solid lieutenants as Sam (Big Nose) Cufari in Springfield, Mass., and Cosmo (Pinky) Panarelli in Worcester, Mass.

Patriarca seemed to have solved his manpower problem brilliantly. The commission in 1957 had put a stop on all new Mafia memberships, because it feared FBI infiltration. This ruling had put a strain on Patriarca's unusually small organization; he had a shortage of young hoodlums to do the low-level dirty work. Patriarca got around this by hiring non-Sicilian punks. He called them his "suckers." They were not taken into the Cosa Nostra family as members, but they were paid well, and they did their jobs efficiently. The structure seemed as solid as those of the bigger families in New York and Chicago.

But then, suddenly, the structure began to fall apart. The suckers, who had not been trained in basic Mafia skills, and who had not taken the Mafia oath of *omerta* (silence on pain of death)—got out of control.

It all began in 1961. At that time there were two Irish mobs in the Boston suburbs, one headed by Bernard McLaughlin and the other by Buddy McLean. They operated independently, but under Patriarca's license. One day McLaughlin got into a fistfight with McLean over a girl at Salisbury Beach. McLean beat up McLaughlin, who in turn tried to dynamite McLean's car. McLean then shot McLaughlin to death in broad daylight in City Square in Charlestown. After that the McLaughlin and McLean mobs obliterated each other in a series of killings that lasted into 1965, when Buddy McLean himself was gunned down.

Until then the New England family and its suckers had observed Mafia discretion in their murders. Victims were killed in private and disposed of in rural graves, in Boston Harbor or in automobiles being compressed for scrap. But the McLaughlin-McLean street massacres seemed to embolden and inflame the New England mafia—especially its suckers. Discretion was forgotten. There were rattles of gunfire and bloody bodies all over the Boston and Providence areas. Patriarca was incensed. On January 26, 1965, he was heard to say (via the FBI-planted "bug"), "If the killing doesn't stop, I'll declare martial law." But the killing didn't stop; it became freer and messier, an indication to some crime experts that perhaps the aging Patriarca was losing his grip.

There were 25 well-publicized assassinations in 1965 and 1966. Among them were the murders of gambler William Marfeo and tough-guy Rocco DiSeglio, who had defied the Mafia. There appeared to be very little out of the ordinary about these two executions at the time, but they were to loom very large in the New England Mafia's future.

The Marfeo murder seemed to slow down the pace of the killings for a while, but then a group of the suckers got completely out of hand. The leader of this particular group was Joe Barboza, 34, a savage young man of Portuguese descent who had gravitated to the Mafia in 1959. He had already served two reformatory sentences and a five-year term in prison for a series of house burglaries in New Bedford. At 20 he had led an escape from the Concord Reformatory, an act of leadership that marked him as a comer with Mafia members whom he met later at the state prison in Walpole, Mass. Six months after he got out of Walpole he was working for the Mafia.

On October 6, 1966, Barboza and three colleagues were en route to a Mafia assignment when their car was stopped by police in the heart of Boston. In the car were a fully loaded Army M-1 rifle and a .45-caliber pistol. The four men were arrested for illegal possession of firearms, and Barboza was held in unusually high bail, $100,000, because he already was on bail on a stabbing charge.

At this point there was a highly significant sequence of events. Barboza waited for "the office" to bail him out, as it had done on previous occasions, but this time there was no word from above. Two of Barboza's sucker friends, Thomas DePrisco and Arthur Bratsos, then decided to raise bail for him on their own. They made the rounds of Mafia joints in Boston and had collected $60,000 by the time they reached the Nite-Lite Café in the north end, an establishment owned by an important middle-level Mafia functionary, Ralph Lamattina, called Ralphie Chiong because of the oriental cast of his face. Ralphie Chiong asked Barboza's friends to wait until the nightclub closed, and then he invited them into a back room. The next day both Barzoba emissaries were found shot to death in a black Cadillac in South Boston.

Acting on an inside tip, the police arrived at the Nite-Lite Café shortly thereafter, and they found Ralphie Chiong in the back room, still mopping up bloodstains and attempting to cover holes in the wall with a mirror. There was a bullet in one of the holes, and it matched those in the bodies of DePrisco and Bratsos. Ralphie Chiong was arrested as an accessory after the fact of murder.

A few weeks later a high-level Mafia meeting took place on a Sunday afternoon in the Intermission Lounge in Boston's "combat zone." Henry Tameleo, boss Patriarca's executive officer from Providence, chaired the meeting. He said Patriarca had decided that Ralphie Chiong should plead guilty to the accessory charges, "because there was too much heat over the murders, and he didn't want a trial with a lot of publicity." The decision staggered Ralphie Chiong, but Tameleo assured him: Patriarca had seen to it that he would get only two years, and when he left prison he would get a lucrative enterprise.

Ralphie Chiong went to court and pleaded guilty, but somehow Patriarca's efficiency broke down. Ralphie Chiong appeared before the wrong judge. Instead of a light two-year term, he got two concurrent maximum sentences of 8 to 14 years. The severity of the sentences attracted a lot of attention in the newspapers.

In the meantime Joe Barboza, the sucker whose bail problems had started the entire sequence of events, was serving a four-to-five-year sentence on the gun charge and faced life imprisonment as a habitual criminal. Still puzzling over his abandonment by "the office," he read about Ralphie Chiong in the newspapers. He nearly went wild in his cell when it finally dawned on him that "the office" not only had abandoned him but also had killed his two best friends.

A short time later Barboza was visited in jail by two FBI agents, Paul Ricco and Dennis Condon. They confirmed what he read in the newspapers, adding details. In later visits they gave him more and more evidence of how the Mafia men had indeed betrayed him, even tipping the police to pick him up on the gun charge—he was potentially the most troublesome of the suckers, and they wanted to be rid of him. Barboza didn't even know that the Mafia men referred to him as a sucker. The clincher came when the FBI agents played tapes made from the "bug" in Patriarca's office. Barboza heard boss Patriarca's voice saying, "Barboza's a —— bum. He's expendable." Barboza then did what he probably never would have done if he had been allowed to become a full-fledged Mafia member under the oath of silence. He talked.

As a result of Barboza's talking, United States Attorney Paul Markham went to the federal grand jury in Boston on June 20 and got an indictment charging that Raymond Patriarca and his executive officer, Henry Tameleo, conspired with Barboza and another man to commit murder. The murder involved was the killing of William Marfeo, the gambler who had had the temerity to run an unauthorized dice game in Patriarca's Providence. Patriarca is specifically charged with causing Barboza to travel interstate with the intent of commiting murder to further gambling. Tameleo is charged with the same federal crime, but with an additional count alleging that he made the interstate telephone call that summoned Barboza from Boston to Providence with the intent of committing murder. Barboza is under heavy military guard in the stockade of an army base, to which he was moved from a remote Cape Cod prison. He will be the principal witness against both Patriarca and Tameleo. If they are convicted, the No. 1 and No. 3 men of the New England Mafia family can get up to 10 to 15 years in the penitentiary respectively.

On August 8, District Attorney Garrett Byrne of Boston, acting on information from Barboza sent along by federal authorities, went to the Suffolk County Grand Jury and got an indictment against Gennaro Angiulo for conspiracy and accessory before the fact of murder. The murder involved in this case is the killing of Rocco DiSeglio, the ex-boxer who planned the holdup of the Mafia's floating crap game in Boston. If he is convicted on the accessory count of the indictment, Angiulo, the No. 2 man of the New England Mafia family, can go to the electric chair or get life imprisonment.

"And this is only the beginning," one high-ranking law-enforcement officer says. "Barboza is telling us enough to get many more more indictments. He's the most important thing that's happened in years in the war on organized crime. More important than Valachi, because Barboza actually took part in the conspiracies he's talking about." Under federal law, it takes only one conspirator's testimony in court to convict a co-conspirator.

United States Attorney Markham said, "The top Mafia bosses are usually so insulated by so many layers of command from the crimes they order to be committed by their 'soldiers' on the lower level, that they have indeed become 'untouchables.' The significance of what's happening here in New England is that the top echelon of the Mafia is untouchable no longer. This is the first time in history such a thing has happened."

Markham's assistant, E. F. Harrington, adds, "It looks as if the Mafia boys outsmarted themselves. They stopped swearing in new members in 1957 to prevent penetration by the FBI, but the FBI penetrated anyway. They thought they were safe by hiring outside labor who would not be privy to the secrets of the organization, but now it's an outsider who's wrecking them."

For all of Patriarca's apparent inperturbability, his once-invincible empire seems to be falling around him. The word is out in the Mafia that 49-year-old Larry Baioni, more suave than Patriarca but tougher, has been named to replace him. And prison isn't all all that Patriarca faces. The six brothers of William Marfeo want revenge: Two of them tried to kill him the day his indictment was announced. Patriarca's bodyguards drove them off in a wild car-to-car gun battle through the streets of Providence.

And, of course, anything that happens to the New England family of the Mafia has an effect on other Mafia families all across the United States. There are rumors that the Mafia commission, much as they like Patriarca, would prefer to see him dead. He's old, they figure, and likely to break during a long prison term—and a talking commission member would be a disaster of the first order for the whole organization.

But if all this past, present and potential adversity has affected Patriarca, he doesn't show it. He sits basking in the afternoon sun on the doorstep of the Nu-Brite Cleansers, puffing on his cigar and chatting with his subjects. He's still the Big Man.

ASSEMBLY OF CAPTIVE NATIONS RECOGNIZES 50 YEARS OF COMMUNIST IMPERIALISM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. KUPFERMAN] is recognized for 15 minutes.

Mr. KUPFERMAN. Mr. Speaker, on Saturday, November 4, at the Carnegie Endowment International Center at 46th Street near the United Nations in my district, I was privileged to address the Assembly of Captive Nations.

Their meeting was to acknowledge the 50th anniversary of the Soviet Union, and to put it in true perspective as Communist imperialism.

The agenda of the meeting follows including the opening remarks of Chairman George M. Dimitrov, the address by Vaclovas Sidzikauskas, and the declaration by rapporteur Jozef Lettrich, which declaration was unanimously accepted by the delegation:

PROVISIONAL AGENDA OF THE 129TH (EXTRAORDINARY) MEETING OF THE PLENARY ASSEMBLY PROTESTING 50 YEARS OF COMMUNIST IMPERIALISM IN EASTERN EUROPE: CARNEGIE ENDOWMENT INTERNATIONAL CENTER, NEW YORK CITY, SATURDAY, NOVEMBER 4, 1967, AT 3:00 P.M.

Presiding: George M. Dimitrov, Bulgaria, Chairman, Assembly of Captive European Nations.

Invocation: Rt. Rev. Msgr. John Balkunas.

Opening Remarks by the President.

Addresses: The *Honorable Theodore R. Kupferman*, Member of the House of Representatives from New York;

Christopher Emmet, Chairman, American Friends of the Captive Nations;

Francis Wazeter, President, Polish American Congress, New York Division;

Ferenc Nagy, former Prime Minister of Hungary;

Vaclovas Sidzikauskas, Chairman, Committee for a Free Lithuania, former Minister Plenipotentiary to the Court of St. James.

Declaration on the Fiftieth Anniversary of the Bolshevik Revolution, (ACEN Doc. No. 432 (XIV) Gen.). Rapporteur: Jozef Lettrich, Czechoslovakia.

OPENING REMARKS BY GEORGE M. DIMITROV, CHAIRMAN OF THE ASSEMBLY OF CAPTIVE EUROPEAN NATIONS, AT THE 129TH MEETING OF THE PLENARY ASSEMBLY ON NOVEMBER 4, 1967, NEW YORK CITY

Distinguished Guests, Members of the Assembly, Ladies and Gentlemen: On November 7, 1967, the Communist World will celebrate the 50th Anniversary of the Bolshevik Revolution by boasting about its achievements and victories. We, the democratic representatives in the free world of the nine subjugated nations of East-Central Europe, are gathered here today on the occasion of this Anniversary. But ours is not a festive gathering with fanfare and superlative boasts. On the contrary, ours is a solemn meeting of mourning and protest. We have assembled to pay tribute to the victims of Communism and to our compatriots still struggling under oppressive regimes to regain their freedom and independence.

The Soviets and their Communist satellites will mention with pride the landmarks of the Revolution: the storming of the Winter Palace in Petrograd, the exploits of the Kronstadt sailors and even their great victory of Stalingrad. We will mourn the machine-gunned victims of Katyn, the slaves deported to Vorkuta, Karaganda, the marshes of Rumania and Dobrudzha, and we will grieve the other examples of Communist atrocities. The Soviets boast of their economic achievements and military might. The exiled spokesmen for one hundred million East-Central Europeans mourn the loss of personal freedoms and human rights and the establishment of thought-control, censorship and persecution of religion that have taken the place of freedom.

We have assembled here today to protest the continued existence of oppressive Communist regimes in our nations imposed by Communist imperialism. We address our accusations at the heirs of the 50th Anniversary of Soviet communism: the record of Communist promises and performance in Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, Rumania clearly demonstrates:

First, that the durability of a system in itself proves nothing about the quality of a way of life or rule. If twenty-odd years of communism in our countries have demonstrated anything, it is the awesome efficacy of modern totalitarianism, as developed first and most completely in the police state of the Soviet Union and then in the captive countries of East-Central Europe.

Second, that Communist economic and social experiment was purchased at the price of terror, forcible collectivization, slave-labor camps, purges, brutal exploitation of workers and farmers, persecution of all beliefs and views that do not conform to the system or its dogma. We accuse the Soviet Union and the bureaucratic Communist Parties of usurping the sovereignty of our captive peoples and of failure to fulfill their promises of personal freedoms, material well-being and self-government for the workers and peasants.

Our Assembly once more deems it essential that a clear-cut policy of democratic unity, solidarity and mutual assistance be established in the free world. Such an expression of concerted policy should be considered an official joint program of the free nations and should include a common stand on the captive nations.

In memory of our martyred democratic

leaders and compatriots, we must use this occasion to renew our appeal to the free world to acknowledge the fundamental right of national self-determination to our peoples and to aid them in their quest for its restoration. And we must dedicate our mutual efforts to the final victory of freedom, national independence, and social justice.

Address by Vaclovas Sidzikauskas, Chairman of the Lithuanian Delegation to the ACEN, at Plenary Assembly, November 4, 1967

Mr. Chairman, Distinguished Guests, Fellow Delegates: When the future historian will describe the post-World-War II era, he will present it as a period of prolonged afterwar convulsions and political restlessness.

At the root of this world turmoil and as one of the principal causes of the ills that plague our generation lies an ill-famed event which took place fifty years ago in Petrograd, then capital of Russia, namely, the overthrow of the democratic government and the seizure of power by a small yet determined and well-organized clique, headed by Lenin and Trotsky.

Today, viewed from a perspective of fifty years, the Communist reality stands completely divorced from the ideological and propagandistic myth. The closest Western neighbors of Soviet Russia—Estonia, Latvia and Lithuania (not to speak about Finland and Poland)—have bitterly experienced the hollowness of the Bolshevik rhetoric on the right of non-Russian peoples to secede from the Soviet empire. As Eugene Lyons rightly stated in his excellent book *Workers Paradise Lost*, "the Kremlin's unswerving drive for one Communist world has been and remains a prime force in shaping the twentieth century."

The Soviet attempt to invade Western Europe immediately after the First World War was to a large extent frustrated by the opposing forces of the Baltic States and Poland. Their determined resistance gave Europe and mankind twenty years of relative peace and security.

Hitler's megalomania and blunders opened new vistas to bolshevik ambitions of world domination. I will limit my remarks to the Baltic States which are among the first and most tragic victims of Kremlin's imperialism.

The occupation and subsequent forcible incorporation and Sovietization of Estonia, Latvia and Lithuania constitute a continued Soviet aggression against these states and a flagrant defiance of the recognized principles of international law and international morality.

The legacy of Soviet aggression against the Baltic States has been genocide, economic exploitation, and cultural levelling. Moscow's goal remains denationalization and Russification of the Baltic peoples. This colonization campaign has even grown in intensity since Stalin's death.

The aggression against the Baltic States was perpetrated by Stalin and his close collaborators, Molotov and Suslov, as well as Kremlin's emissaries to the Baltic States—Zhdanov, Vishinski and Dekanozov. Until and shortly after Stalin's death, Stalin's deeds were considered sacred and inviolate, to be accepted unquestionably by each Soviet citizen. The turning point, as some say, came on February 24, 1956, when Nikita Khrushchev mounted the rostrum in the Kremlin's assembly hall. By the time he had finished speaking several hours later, the stunned delegates in the Twentieth Congress of the Communist Party of the USSR had been treated to one of the most sensational exposures of our time. For Nikita Khrushchev told them, in an address punctuated by tears and fist-banging, that the man they had been taught to revere as God, had been a false idol. Joseph Stalin, Khrushchev's own mentor and for decades Russia's undisputed ruler, was shorn of his aura and branded as a tyrant and murderer.

And yet the Twentieth Congress speech was not a geninue turning point. Khrushchev was careful to limit himself to the castigation of Stalin's misdeeds at home, especially against Party members. Hardly an allusion was made to the dead dictator's long record of international crimes, ranging from the infamous pact with Nazi Germany to the forcible annextion of the Baltic States and interference in the internal affairs of every country in East-Central Europe.

The present Brezhnev-Kosygin regime, like that of their predecessor, Khrushchev, has shed some of the worst excesses of Stalinism, but retains its chief attribute—the concentration of all power in the hands of the Kremlin and denial of any power to the people. The Big Lie remains an essential part of the state structure, although the methods and forms of its application have become somewhat different, more palatable to the West, more deceptive. Most importantly, the present Soviet regime has retained Stalin's fruits of aggression. By continuing the occupation of the Baltic States, the Kremlin today remains burdened with Stalin's guilt.

Although relegated to the second plan by the events in the Far East and, quite recently, the Middle East, the European problems have never lost their importance and their actuality. It stands to reason that, as long as Europe is divided and the hundred million Europeans are subjected to alien rule or influence, there will be no peace and tranquility in the Old Continent.

In his speech on September 23, 1966, in the General Assembly of the United Nations, Soviet Foreign Minister Gromyko emphasized the following conditions for European security: "The maintenance and inviolability of the existing European borders and the prevention of access to nuclear weapons for the revenge seekers."

The emphasis on borders makes it clear that the Soviet aim is to consolidate its war-time imperialistic territorial acquisitions and its continued, although diminished, grip on the nominally independent states of East-Central Europe. Any legalization of these borders would also affect the Baltic States—Lithuania, Latvia, and Estonia—for all practical purposes transformed in the colonial possessions of Soviet Russia.

The bustling Soviet diplomatic activity in Europe seeks to exploit the US involvement in Far East and, above all, to secure USSR's European flank, in view of the widening Moscow-Peking rift. During the recent months, Podgorny in Rome, Kosygin in Paris and London have advocated the convocation of a European conference—the United States, of course, excluded—and the conclusion of an overall European settlement—naturally, on their terms.

The Middle East crisis with all its ramifications has momentarily retarded but not halted these Soviet activities. They are bound to be revived as soon as the desert dust settles. And the problem of the Baltic States will again loom large in the context of the Soviet drive.

Those who are eagerly looking for signs indicating that the Soviet Union is inexorably becoming "normal," "law-abiding," member of the international community, will be sorely disappointed to find out that the Soviet attitude toward the Baltic problem has not changed an iota since Stalin's days.

The shopworn and discredited arguments of the Stalin era about the "voluntary" accession of the Baltic States to the Soviet Union are still paraded in utter solemnity as gospel truth. The crime of genocide against the Baltic people has not been admitted, and its perpetrators, Suslov included, still occupy high government posts. A gala demonstration of these Soviet Big Lies techniques was recently given during the so-called Estonian, Latvian and Lithuanian Days at Montreal Expo '67. More recently Mrs. Dirzinskaite-Pilyushenko has been brought to the General Assembly of the United Nations to pose as a Deputy Prime Minister and Foreign Minister of the fictitious Soviet Socialist Republic of Lithuania.

The problem of the Baltic States is an international European problem. The restoration of their independence is one of the main elements of the all-European settlement which is, as President Lyndon B. Johnson stated, to make Europe whole again.

The Middle East debate in the United Nations has again disclosed what passionate intensity the existential problems of small countries may generate and how much fire and urgency are contained in such seemingly abstract concepts as "aggression," "self-determination," "territorial integrity," "recognized principles of international law and international morality." These same concepts and a comparable urgency apply to the problem of the Baltic States—Estonia, Latvia, and Lithuania—overrun by Soviet troops on June 15–17, 1940, and then subjected to a rule that can be most accurately termed as colonial.

Declaration on the 50th Anniversary of the Bolshevik Revolution Introduced at the Meeting of the Plenary Assembly Held in New York City on November 4, 1967

(By Jozef Lettrich, Czechoslovakia, Rapporteur)

I

On November 7, 1917, a small group of Bolsheviks under Lenin and Trotsky seized control of the Russian State from the democratic Provisional Government set up eight months earlier. This event set into motion forces which have shaken the world and kept it in turmoil to this day. The Bolshevik Revolution provided a base of operations for spreading an ideology, which is the official creed of oppressive regimes ruling over one-third of the world's population.

In Russia, before Lenin's death in 1924, the "dictatorship of the proletariat" had evolved into a dictatorship of the Communist Party leadership. Non-Communist parties were suppressed and any opposition to the Party line became a punishable offense. The same pattern, has since been applied in any state or territory that has fallen under Communist domination, where small minorities imposed by force came to power. The Communists enforced Russian supremacy over the non-Russian nationalities in the Soviet Union. The attempts of peoples long enslaved by Tsarist Russia to attain freedom and work out their own destiny were mercilessly crushed.

The Soviet-Nazi Pact of 1939 paved the way for Hitler's attack on Poland which started the Second World War. The Pact extended Soviet influence to the Baltic States, and the USSR promptly availed itself of this new latitude in 1940 by forcibly annexing Estonia, Latvia, and Lithuania. Soviet Communist imperialism was on the march and made a thrust into East-Central Europe.

The Soviet Union emerged from World War II with its armed forces in command of all the strategic positions from the Balkans to the Elbe. Lassitude among the Western allies and the prevalent desire to avoid antagonizing the Russians left the Soviets a clear field for action during the crucial postwar years. The Soviets reoccupied Estonia, Latvia, and Lithuania, and directly or indirectly foisted Communist regimes on Albania, Bulgaria, Czechoslovakia, Hungary, Poland, Rumania, and East Germany.

Moreover, the Soviets had annexed territories totaling 146,000 square miles belonging to Czechoslovakia, Poland, and Rumania, and by 1953, the Communist rule had extended to China, Tibet, Mongolia, and North Korea. North Vietnam's turn came the following year, and that of Cuba six years later.

Until the death of Stalin in March 1953, the monolithic aspect of the Communist orbit was disturbed only by the defection of

Yugoslavia in 1948, while the other countries were under strict Soviet control. There was continued resistance to Soviet rule: guerrilla warfare in the Baltic States, underground fighting in Poland, workers' strikes and riots such as in Pilsen and Poznan.

It was the fateful year of 1956 which, in addition to Khrushchev's de-Stalinization speech, also witnessed the Polish October and the Hungarian Revolution that shook the Communist regimes. Since 1956 a number of ameliorative measures have taken place in Communist-dominated Eastern Europe under the pressure of popular discontent and the terror of Stalin's day has assumed a more refined form.

These changes, however, have not been substantive. Fundamental human rights are violated or denied. The people have no voice in government. Freedom of speech and of the press is nonexistent; freedom of worship and conscience severely restricted. Trade unions protect the regime's interests at the expense of the worker. Forced collectivization has deprived the farmer of his dignity and individuality.

II

After analyzing the record of fifty years of Communism, the Assembly of Captive European Nations lays the blame and responsibility upon the architects and heirs of the Bolshevik Revolution for the following conditions in the captive countries of East-Central Europe:

1. *Terror.*—The Communist carried out in cold blood deliberately calculated destruction not only of enemies, but of potential opponents or elements unwanted in their system. The Soviets have applied genocide and intensive Russification in order to change the ethnic composition of annexed territories. Communism from 1917 to 1967 has been directly responsible for millions of deaths through armed aggression, starvation, "liquidation of kulaks and bourgeoisie," purges and the very high mortality rates in forced labor camps. The Communist regimes spawned gigantic organs of surveillance, punishment, censorship and intimidation. The individual has no protection against the all-powerful and arbitrary police state.

2. *Thought control.*—The Communist regimes have tried to seal off their countries from foreign printed matter and radio. They parcel out information through absolute control of news and ideas. Censorship guards against the leakage of forbidden ideas through the press, books, on the stage and screen and on the air, in school rooms and lecture halls. Never before in history has there been such a massive enterprise in shaping and regimenting the thought of whole nations.

Some people have broken under this psychological strain, others have bowed meekly or paid lip-service. Yet, the overwhelming majority resisted Communist propaganda. The indoctrination of youth was a complete failure. Now more than ever before in the fifty years the writers, students and intellectuals rise to criticize and even to protest the methods of the Communist regimes.

3. *The political oppression.*—The self-perpetuating bureaucratic obligarchies exercise absolute power over the small ruling parties and through them over the rest of the citizenry.

Soviet Communism and its models in East-Central Europe have stamped out free speech, press, and assembly. "Elections" are limited to a single list of names, drawn up by the Party or by organizations under Party control. The citizen has no semblance of any role in government, in law-making and decision-making.

4. *Economic exploitation.*—In the economic field, the Communist regimes have unswervingly adhered, and still adhere, to a policy of strong preferential treatment of heavy industry and of boosting the power sector of the economy at the expense of consumer goods production. This policy, coupled with a waste of resources characteristic of the Communist economic system, has resulted in a failure to secure a proper growth of the real income of the population.

The burden on the peoples of East-Central Europe is aggravated by extortion of illegitimate profits for the benefit of the Soviet Union through price discrimination in trade, and by granting of credits by the satellite regimes for the development of Soviet basic industries.

5. *The moral cynicism.*—The humanitarian principles of Western Civilization have been rejected by the Communists in their vain attempt to reconstruct human nature in the pattern of their philosophy of historical materialism. A deep immoralism has marked Communist ethics from the start. It has turned the person into an object, a bloodless statistic. Solemn promises and treaties trodden underfoot, flagrant interference in the internal affairs of sovereign states, unlawful seizure of power—all these are part of a record the protagonists of the Bolshevik Revolution and their heirs have added to the history of mankind.

III

In an era when old-style colonialism has been virtually ended, Communist imperialism has emerged as the largest colonial system in existence. There is hardly a major crisis anywhere from Southeast Asia to the Caribbean, from Africa to the Middle East, in which the expansionist ambitions of Moscow are not involved. The Communist drive for world domination creates international tension and keeps alive the fear of nuclear war. This drive has resulted in the division of countries and continents.

When measured by its costs in life suffering and moral depravity the fifty years of communism is demonstrably the most tragic failure on this scale in all history.

The Assembly of Captive European Nations on the occasion of the fiftieth anniversary of the Bolshevik Revolution reiterates its firm belief that only complete national independence, personal, political and religious freedom is the answer to the hopes and aspirations of the people of East-Central Europe, who will never accept Communist domination.

The Assembly therefore condemns the Communist totalitarian system, which has shackled the nine nations of East-Central Europe as a consequence of Communist aggression.

1. The Assembly asks for the restoration of freedom and independence to Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, and Rumania, as a prerequisite for establishing a durable peace in Europe.

2. This can be only achieved by:

a) Putting an end to interference by the Soviet Union in the internal and external affairs of the East-Central European countries;

b) Withdrawing Soviet troops and bases and agents from the territories of the captive nations;

c) Re-establishing democratic institutions through free elections of governments responsive to the will of the people.

On the occasion of the 50th Anniversary of the Bolshevik Revolution the Assembly of Captive European Nations pays tribute to the everlasting memory of the countless victims of Communist tyranny: to those who fell before firing squads; to those who died in prisons; to those who perished in forced labor camps and to the victims of mass deportations. The Assembly rededicates itself to the restoration of independence and freedom for which so many have given their lives in East-Central Europe. Peace with justice and freedom for all Europeans shall prevail.

REFUGEES—STILL A MAJOR WORLD PROBLEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. FEIGHAN], is recognized for 30 minutes.

Mr. FEIGHAN. Mr. Speaker, recently, I traveled in Europe for the purpose of reviewing refugee, migration, and related activities in the principal asylum countries; namely, Austria, Germany, and Italy. I also had an opportunity to examine the Cuban refugee problem in Spain and to receive briefings from representatives of the Jewish Voluntary Agencies on the situation of Jewish communities in the Arab countries. For more detailed information on these two points, I refer you to supplement A and supplement B which I will include in my remarks. I was accompanied on these visits by Ambassador James Wine, special assistant to the Secretary of State for Refugee and Migration Affairs, and Mr. James L. Carlin, chief, refugee, migration, and Red Cross affairs, U.S. mission, Geneva.

My legislative experience in the field of immigration and refugees extends now over a period of two decades. This experience, as well as my participation in some international activities related to the refugee and migration field, have given me what I believe to be a good appreciation of the refugee problem; still, it is a firsthand visit such as the one I have just made that renews the impact and improves the understanding of this continuing human drama. And let there be no mistake about it, the refugee problem in Europe is a continuing one. My trip has renewed my conviction that no single solution to it is possible as long as freedom and economic opportunities beckon from the free lands to human beings oppressed by tyrannical regimes regardless of the name under which they function.

Seeing thousands and talking with many of the new refugee-escapees from the various Eastern European countries in processing centers in Austria, Camp Traiskirchen; Italy, Camp Latina; and Germany, Camp Zirndorf, has provided vivid proof that not even a thaw in the cold war will stop the drive of people out from behind the Iron Curtain. On the contrary, the thaw with its attendant relaxation on travel restrictions is producing increasing numbers of refugees. Some 7,000 escapees from Communist-dominated countries have sought asylum in Western European countries during the first 8 months of this year. They have been predominantly from Czechoslovakia, Hungary, Poland, and Yugoslavia, with a sprinkling from Albania, Bulgaria, Rumania, and the U.S.S.R. For a complete breakdown, I refer you to supplement C. The refugee flow continues—I understand more than 1,000 arrived during September—and I am convinced that it will continue as long as totalitarian regimes attempt to oppress the minds of men.

The principal effort of the United States to assist these refugees is the U.S. refugee program—USRP. It was originally established in 1952 under the name of the U.S. escapee program to help keep open the asylum conditions of Western Europe by assisting in the prompt reestablishment of those who flee communism. It operates primarily through the medium of voluntary agencies which provide supplemental assistance for the initial reception and care and maintenance of refugees and offers help to them in resettling permanently overseas or locally. For calendar year 1967, approximately 10,000 refugees will be helped by this program at an estimated cost of $750,000. A substantial number of these immigrate to the United States. The U.S. effort, however, is supplemental to that of the asylum countries. In my travels I visited both host country and our own facilities to determine how effective each separately and together were for the objectives which we seek.

On the day we visited the processing center in Latina near Rome, the camp population was 1,450, including 134 newcomers who had just arrived from the reception center in Trieste. Among the refugees with whom I spoke in Latina was a Rumanian doctor who explained that he had been severely restricted in pursuing his medical profession and was obliged to undertake undesirable work assignments in various parts of Rumania as directed by the regime. He and his wife had left Rumania by train on July 7, 1967, with permits to visit Yugoslavia. Once in Yugoslavia, they sought their way to the Italian border which they crossed illegally on July 9. They reported immediately to the Italian police and requested political asylum. They proudly announced that their processing for immigration to the United States was well underway and they expected to be departing for their new homeland in the early future.

The population of Camp Traiskirchen, near Vienna, at the time of our visit was 1,530, including some 90 new arrivees in the detention sector of the camp who were still being processed for asylum by the Austrian police. While in Traiskirchen, I had the opportunity to see and talk with the 12-year-old Sindar boy who had been captured at the Czech-Austrian border when the other members of the Sindar family had made their dramatic escape from Austria in a rain of bullets from the Czech border guards. The boy had been released by the Czech authorities and permitted to join his family in Austria only shortly before my visit. His release followed the Austrian Government's strong protest to Prague over this border incident.

Camp Zirndorf had a population of some 800 at the time of our visit—the majority having arrived in the Federal Republic during the past 3 months. A typical case in that camp was a young Czech journalist who had managed his escape after securing an exit permit to attend an international hockey match in Vienna. Explaining that he had become disenchanted with his homeland because of the strict control and direction over his journalistic work, he expressed a keen desire to emigrate to any country in the Western World where he might work at his profession with freedom of expression.

In these three camps I was much impressed by the contribution that was being made by the host Governments—Austria, Germany, and Italy. These Governments are bearing the brunt of the European refugee problem by assuming responsibility for the refugee's basic care and maintenance until he is either processed for resettlement overseas or integrated into the local economy. The high majority of the refugees choose overseas resettlement and their preferences are Australia, Canada, and the United States. A representative of Austria's Ministry of Interior informed me that the Government of Austria would expend 29,000,000 Austrian shillings, approximately $7,000,000, on the care of refugees during the current year. It would be reasonable, I believe, to estimate that the Government of the Federal Republic of Germany will expend a comparable amount and that the Government of Italy even more.

I was also very favorably impressed by the significant contribution that was being made by our own U.S. refugee program—USRP—under which supplemental assistance is rendered to the refugee/escapees and defectors through a network of American voluntary agencies. Whatever the agency, be it a Catholic group, a Protestant group, a Jewish group, or a nonsectarian one, it was inspiring to see what these dedicated people were doing in the asylum areas for the benefit of refugees.

The USRP clearly reflects the determination of the United States and its people to insure that persons who reject communism and risk the hazards of escape and defection will receive the necessary measure of assistance to make possible their reestablishment in the free world on the basis of personal dignity and self-dependence. One of the aims of the USRP is to reduce, to the maximum extent, the length of time the refugees remain in camps at Government expense through contractual arrangements with voluntary agencies engaged in projects designed to speed refugee resettlement.

These projects consist of early registrations and individual counseling services to acquaint refugees with immigration possibilities and requirements, language training to equip refugees to adapt more rapidly to their new social and cultural conditions, and orientation programs explaining the opportunities in various resettlement countries. For needy cases, USRP also finances immigration processing and documentation costs, as well as part of the overseas transportation costs, and occasionally, in the case of difficult-to-settle persons, pay fees for special placement in the country of resettlement. Emigration abroad is the preferred USRP solution but certain refugees unable to emigrate have received USRP local integration grants to secure out-of-camp housing and employment, thus enabling them to become useful and productive citizens in the asylum areas in which they find themselves. USRP also makes available to the individual refugee some supplies for personal needs. A printed greeting from the people of the United States is included.

Success in these various efforts has required the close cooperation of asylum governments, as well as smooth teamwork with immigration selection missions, Intergovernmental Committee for European Migration, and voluntary agencies. I was impressed by the high degree of this cooperation which has narrowed the resettlement process for the average refugee to less than 6 months.

Apart from demonstrating the compassion of the American people for their fellow men in need and at the same time achieving certain foreign policy objectives, USRP's presence and patterns of assistance have been instrumental, I believe, in arousing the humanitarian conscience of host governments and achieving liberal asylum policies. I was gratified to learn during my travels that some time ago the Council of Europe adopted a resolution designed to insure the refugees the right not to be in danger of persecution—and affording them at least temporary asylum to enable their processing for admission to another country. Supplement D provides further information relating to asylum procedures.

Moreover, in providing assistance to refugee/defectors, USRP demonstrates, I believe, a positive, sympathetic understanding, not only of those fleeing Communist domination but also helps to keep alive the hope of those remaining in Eastern Europe that the United States still shares a concern and maintains an interest in their right to live in an atmosphere of freedom.

In summary, while USRP is a modest program—its budget for the current year totals only $750,000—it is an essential form of people-to-people activity. This is one Government program abroad that is very clearly identified to the refugee and the asylum country as a program conducted under the auspices of the United States. Moreover, since its inception it has played an important and successful role in advancing both general and specific U.S. foreign policy objectives. I consider, therefore, that this program merits our continued support. The scope of such support should be increased if—as expected—the influx of refugee escapees continues its upward trend.

The supplements referred to follow:

Supplement A

The Cuban Refugee Situation in Spain

At the time of my visit to Spain, there were some 6,500 Cuban refugees being processed by the Embassy in Madrid for immigration to the United States. Although the Embassy has succeeded in increasing its monthly visa issuance to Cubans from 250 to about 400 during the first nine months of 1967, the Cubans have been arriving from Cuba at the average rate of 700 a month. In order to enable the Embassy to double its monthly visa issuance to Cuban refugees, the Department of State authorized the employment of four additional local employees for the processing of Cuban applications. Within a short time the Embassy should be issuing to Cuban refugees approximately 700-800 visas monthly, which is barely enough to offset the monthly increment of new arrivals. It appears that the backlog of 6,500 cases in Spain will remain for the foreseeable future unless arrivals from Cuba fall off or some other dramatic step is taken to dispose of the backlog.

I also had the opportunity to witness the departure of ICEM Flight MISAD 121411 on September 15 from Madrid to New York. Of the 179 Cuban refugees aboard, there were 7 women with children, 16 persons, who were joining husbands and fathers; 20 families, 77 persons; 4 small unaccompanied children; 25 youths who were preceding their parents in order to avoid military service; 14 couples; and 29 single adults.

SUPPLEMENT B

JEWISH COMMUNITIES IN ARAB COUNTRIES: SUMMARY BY COUNTRY

UNITED ARAB REPUBLIC

The situation in the UAR is the most serious on which there is reliable information. Many reports indicate that, during the recent conflict, there was extensive mob violence against Jews and Jewish properties in the U.A.R., and that on June 5 UAR authorities imprisoned all Jewish heads of households while also placing elderly community leaders under house arrest. Although some 200 Jews having foreign nationality and lesser numbers of stateless Jews have been permitted to depart, those of Egyptian nationality are being prevented from leaving. Sources including many of the evacuees arriving in Europe have stated that those imprisoned have received severe maltreatment. A very recent report estimates that from 400 to 500 are still incarcerated in Cairo and an additional 80 in Alexandria. The same report states that internees have been given permission to communicate with their families in Egypt via the ICRC or Egyptian Red Crescent and may receive parcels and money for use in prison canteens. One source believes that all Jews will eventually be permitted to depart the country but without their possessions.

The release of some Jewish political prisoners by the UAR indicates some relaxation of the harsh policy of imprisonment.

ALGERIA

The overwhelming majority of Jews left Algeria for France when the country attained independence in 1962. No instances of anti-Jewish violence or discrimination have been reported.

ADEN

The British authorities provided full protection for all Jews and soon after the conflict arranged for their evacuation by air to friendly countries.

IRAQ

While information concerning Jews in Iraq (which severed diplomatic relations with the United States on June 10) is very limited, it is nevertheless apparent that Jews in that country are being subjected to a variety of forms of harassment, discrimination and restriction. According to a qualified, nonpartisan source, Jews in Iraq face an extremely difficult situation. They are not permitted to leave the country, face danger if they leave their homes and are being subjected to such relatively minor but demoralizing harassments as the disconnecting of their telephones. Money transfers are strictly controlled and limited. All Jews under twenty would leave the country if permitted. Iraq still maintains no diplomatic relations with the United States.

LEBANON

There is no serious Jewish problem in Lebanon. From the outset of the conflict the Lebanese Government provided adequate protection for the Jewish population. Judaism, as one of the 14 recognized religions in Lebanon, enjoys protection, rights and privileges. Following an anti-Jewish riot in Beirut on June 10, the Government moved most of the Jews to protective custody in a mountain area, and has similarily protected those in Beirut and elsewhere. There has been no indication that most of the Jews wish to leave the country. Most Lebanese Jews are over forty years of age with few ties abroad. About 150 have emigrated to other countries during the last three months and some 500 additional persons have shown interest in emigrating. More than half of these are stateless Jews who entered the country from Syria during recent years.

MOROCCO

Following mob violence against Jewish persons and property in Morocco (involving the death of at least 2 persons), the Government took a firm stand to control the situation. It has announced and shown that it will not tolerate such action and Jewish agencies have been highly complimentary of the King's performance in this matter. Nevertheless, economic boycotts against Jews instigated by private groups have continued and there is a widening cleavage between Jewish and Moslem populations. In these circumstances there is increasing anxiety in the Jewish community and, although King Hassan has encouraged Jews to remain in the country, increasing numbers seek emigration opportunities. Most of those leaving would like ultimately to settle in Canada or the United States.

TUNISIA

Following initial disorders, President Bourguiba announced that he would not tolerate their resumption. The Government is fully protecting the Jewsh community and facilitating procedures for those who wish to leave. There is a continuous stream of about 1000 Jews per month to France where they are being assisted by Jewish voluntary agencies and where many are being absorbed into the local community.

SYRIA

It is reliably reported that the Government of Syria has been correct in its treatment of Jews, has detailed security forces to protect them, and there has been no major violence directed against Jews. Nevertheless, there have reportedly been many individual instances of petty harassments and abuse of Jews such as spitting and shoving and there are reports of Jews being held by police until payments are made for release. Those in mixed neighborhoods are being menaced and subjected to vexations. While the situation in Syria is bad it is considered "normal" as the Jews in that country were under constant threat even before hostilities. No Jews are permitted to leave the country regardless of nationality but the majority of the community is uneasy and would leave Syria if given that option.

LIBYA

During and immediately after the recent hostilities, mob violence directed against the Jews in Libya resulted in widespread destruction of Jewish property and reportedly in some deaths. Since these initial disorders, however, the Government of Libya has been able to provide necessary protection for its Jewish population. The Government has also permitted and facilitated the evacuation of all Jews wishing to depart for other countries (without most of their possessions) and has offered to pay transportation costs for anyone who has no other means of meeting this expense. Thus far approximately 3100 persons have been evacuated to Italy, which has granted them temporary haven and where they are being assisted by Jewish voluntary agencies. According to reports, the Libyan Government is willing, upon request, to extend indefinitely the 3-month re-entry visas issued evacuees when they leave the country. Most of the undetermined number remaining in Libya are expected to depart, and the evacuation is continuing although at a reduced rate. Jews remaining in Libya continue to face harassment, and many are reluctant to leave their homes.

ICRC

The International Committee of the Red Cross (ICRC) is continuing its efforts—commenced soon after the end of hostilities—to assist Jews in Arab countries. ICRC, with its established capability for neutral intervention in situations of tension or conflict to provide humanitarian protective and emergency relief assistance to victims of war, has one or more delegates in most of the Arab countries. The delegates, among their other activities, are attempting as necessary to secure adequate protection for threatened Jewish populations and permission for the evacuation of those desiring to depart. The United States has contributed $100,000 to the ICRC for its emergency program for the provision of relief and other assistance in behalf of all victims of the Middle East conflict, through an allocation from the $5 million Middle East emergency fund announced by President Johnson on June 27. In addition, the United Nations High Commissioner for Refugees (UNHCR) is considering measures appropriate under the UNHCR mandate which he might take in behalf of threatened or persecuted Jews.

Jews in Arab countries

[Prehostility estimate]

	Total number
Aden	134
Algeria	2,000
Iraq	2,500 to 3,000
Lebanon	7,000
Libya	5,000
Morocco	60,000
Syria	3,000 to 4,000
Tunisia	20,000
United Arab Republic	2,500

SUPPLEMENT C

NUMBERS OF ESCAPEES, BY COUNTRY, AS OF AUG. 31, 1967

Citizenship	Austria	Germany	Italy	Greece and Near East	Western Europe	Total
Albanian	5	5	214	26	1	251
Bulgarian	70	94	45	88	13	310
Czechoslovak	581	435	110	3	135	1,264
Hungarian	674	545	330	12	92	1,653
Polish	141	116	92	7	205	561
Rumanian	29	30	162	45	19	285
U.S.S.R.	7	12	2	28	10	59
Yugoslav	447	732	1,784			2,963
Total	1,954	1,969	2,739	209	475	7,346

SUPPLEMENT D

ASYLUM PROCEDURES IN AUSTRIA, GERMANY, AND ITALY

AUSTRIA

The Federal Ministry of the Interior is responsible for the determination of refugee status in accordance with the Refugee Convention of 1951. The procedure is based on internal administrative decrees and instructions. Applicants for recognition are normally referred to the Federal Reception Center in Traiskirchen and their applications are examined by the Bundespolizeidirektion Vienna.

All proposed negative decisions are communicated to the Office of the UNHCR which is entitled to interview the applicant and, if appropriate, to submit a recommendation for recognition.

Cases in which UNHCR recommendations for recognition are not accepted by the Bundespolizeidirektion are referred to the Federal Minister of the Interior which consults with UNHCR. If after such consultation no agreement is reached, the Minister of the Interior—before taking a final decision—may refer the case to the Advisory Council on Asylum (Asylbeirat). This Advisory Council is composed of representatives of the Ministries of Foreign Affairs, Interior and Justice, the members of the Austrian Delegation to the Committee on Population and Refugees of the Council of Europe and the Representative of UNHCR, under the chairmanship of the Federal Minister of the Interior.

Applicants of Yugoslav nationality who enter Austria illegally in Carinthia and Styria may in exceptional cases be screened and interviewed by the local Police Authorities. Where a negative decision is envisaged, the Minister of the Interior informs the Office of the UNHCR which may request the transfer of the person in question to the Federal Reception Center where the case follows the normal procedure.

FEDERAL REPUBLIC OF GERMANY

By virtue of the Aliens Law of 28 April 1965 the "Federal Office for Recognition of Foreign Refugees" (Bundesamt fur die Anerkennung auslandischer Fluchtlinge), located at the Federal Reception Center in Zirndorf, is competent to decide on applications for asylum. Applicants for asylum are to be referred to the Federal Reception Center. Persons entitled to asylum are refugees as defined by the Refugee Convention and persons defined by Article 16 of the Basic Law which includes persons who are not covered by the Convention due to the dateline of 1 January 1951.

ITALY

Refugee status is determined by Eligibility Commissions in Trieste or in Rome. These Commissions, established by exchanges of Notes between the Office of UNHCR and the Minister of Foreign Affairs, are composed of a representative of the Ministry of Foreign Affairs, a representative of the Ministry of the Interior and two representatives of the Office of UNHCR. The representative of the Ministry of Foreign Affairs and the senior representative of the Office of UNHCR act alternately as chairman with a casting vote in cases of disagreement. Decisions of the Commissions are normally final but if new elements are presented they may be reviewed.

CHICOPEE, MASS., POST OFFICE DEDICATION

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, last Saturday, November 4, 1967, it was my pleasure and distinct privilege to attend and participate in the dedication ceremonies of the newly expanded and renovated Chicopee, Mass., Post Office.

These exercises marked the culmination of a period of long anticipation by the citizens of Chicopee who for years had desired to be served by one consolidated post office bearing the postmark "Chicopee, Mass." I include at this point in the RECORD the remarks I delivered on this historic occasion of the dedication, the program for the event, and the news account taken from the Springfield Sunday Republican of November 5:

ADDRESS BY MR. BOLAND

Rev. Clergy, Mayor Demers, Postmaster Dorval, Distinguished guests, Ladies and Gentlemen:

Herodotus, the Greek historian, must have had in mind this kind of day when he coined the thought in 500 B.C., "Neither snow, nor rain, nor heat, nor gloom of night stays these couriers from the swift completion of their appointed rounds." Despite the grayness of this day, it is a happy and significant event for Chicopee. I am delighted to be a part of it.

This event embraces more than the routine dedication of a building with modern facilities. It signifies the realization of one general Post Office for this growing and thriving city of Chicopee. It was a long time in coming. It came because of the combined efforts of public officials, civic organizations, and the people of this city. The consolidation was grounded on more effective, efficient mail service for the inhabitants and businesses of this community. Its conception was tinged with the understandable civic pride that Chicopee should no longer be the satellite of another community in the matter of mail delivery.

I do not believe that anyone could quarrel with this position. I commend all those who have had a part in bringing this problem to a successful conclusion. I am delighted that I joined in this effort and gave it my support and assistance.

There are few other areas of government that reach the people and the business community so directly as does the Post Office Department. The task of delivering the mail is one of the biggest activities in the world.

Think for a moment of this gargantuan, herculean effort! Some 35,000 Post Offices, handling over 75 billion pieces of mail, more than 23 billion stamps are issued every year in the United States. Placed end to end, they circle the world fourteen times! The Post Office has more than 600,000 employees—receipts of almost $4 billion. The volume of mail equals the mail volume of the 68 largest countries in the United Nations—countries having a total population of 1.9 billion people—U.S. population, 195 million people.

This gives you an idea of what the Post Office Department faces in its constant and continuing effort to serve the people of this nation.

When our friend and neighbor, Lawrence F. O'Brien was handed the awesome responsibility of running this huge establishment, he was charged by the President of the U.S. to "provide this country with the finest mail service it has ever known, while managing the Post Office Department efficiently and prudently." All of us can take pride in the manner in which Postmaster General O'Brien has responded to this great challenge. All over this land he has sought to modernize and improve the service. He has brought imagination and initiative and drive to this task. Facilities, such as the one we dedicate here today, are eloquent proof of what is being done to upgrade his department.

But structures of brick and mortar and steel, filled with modern equipment, are nothing without the dedication and spirit of men and women who, in the final moments get the mail delivered.

We dedicate this Post Office today in the name of the United States—to the memory of all who have labored and will labor here—to the Postmasters, the Clerks, Carriers, handlers and maintenance crew.

I congratulate all who have been a part of the human side of this building—the employees, the architect, the builder, the artisans who fashioned this structure. I am privileged to bring to all of them and to the people of the city of Chicopee, the greetings of the United States of America.

DEDICATION PROGRAM OF U.S. POST OFFICE, CHICOPEE, MASS., NOVEMBER 4, 1967

Lyndon B. Johnson, President of the United States.

Lawrence F. O'Brien, Postmaster General.

William P. Dorval, Postmaster.

"Neither snow, nor rain, nor heat, nor gloom of night stays these couriers from the swift completion of their appointed rounds."

Musical selection: Eighth Air Force Band, Westover Air Base, Chief Warrant Officer William Berky, Director.

Welcoming introduction: William P. Dorval, postmaster.

Master of ceremonies: Attorney Thomas D. Murphy, special hearings officer, president, Chicopee Bar Association.

Invocation: Rev. Thomas A. Shea, pastor, Holy Name of Jesus Church.

Introduction of special guests: Attorney Thomas D. Murphy.

Greetings, city of Chicopee: Hon. Richard H. Demers, mayor.

Principal speaker: Hon. EDWARD P. BOLAND, Congressman, Second District.

Greetings from Postmaster General Lawrence F. O'Brien: Hon. EDWARD P. BOLAND.

Presentation of flag to postmaster: Hon. EDWARD P. BOLAND.

Color Guard: Combined Chicopee American Legion Posts.

Raising of the flag.

National Anthem: 8th Air Force Band.

Vocalist: Mrs. Dolores Asselin.

Dedication address: Hon. Donald P. Steele, regional director, Post Office Department.

Musical selection: 8th Air Force Band.

Benediction: Rev. Charles W. Wakefield, pastor, Chicopee Falls Methodist Church.

Closing remarks: Francis S. Balicki, president, Chicopee Chamber of Commerce.

Post Office Dedication Committee: William P. Dorval, chairman, Joseph Ghareeb, treasurer, Howard W. Redfern, Conrad Goff, Charles Berube, Oscar Hilbert, Alphonse Dupuis.

CHICOPEE DEDICATES POST OFFICE

CHICOPEE.—Political, postal and civic leaders participated Saturday in the formal dedication of the new Chicopee central Post Office at ceremonies attended by more than 150 persons.

PRESENTS FLAG

The highlight of the day was the presentation and the raising of a new flag which had flown over the nation's Capitol and at the Post Office headquarters in Washington, D.C. Congressman Edward P. Boland made the presentation of the flag for Postmaster General Lawrence O'Brien. Chicopee Postmaster William P. Dorval accepted the flag in behalf of his staff.

Flag-raising ceremonies were conducted by a color guard from the various Chicopee American Legion posts as Mrs. Dolores Asselin sang the National Anthem, accompanied by the Eighth Air Force Band of Westover Air Force Base.

Congressman Boland told the crowd, protected under the covered rear platform from the rains that forced the switch of the ceremonies from in front of the attractive million-dollar facility, that the construction of the Post Office represented a significant milestone in the history of this growing city.

Boland praised Postmaster Dorval for his work in helping to plan "The beautiful and functional building." He said that federal officials shared in the civic pride that marked this occasion for the city.

He also brought good news to the postal employees on hand including visiting postal officials and Chicopee employees, who went about their "appointed rounds" and duties in traditional fashion. Boland said that pay raise and increased postal rate legislation had progressed through House and Senate committees and would proceed to confirmation this week to be acted upon by Congress. The bill provides for six per cent wage increases spread out over a three-year period and retroactive to Oct. 1 for the first step and is tied in with postal rate increases to be effective Jan. 1.

TRACES HISTORY

Mayor Demers traced post office history in the city. He cited the central post office as a marvelous step in unifying the city and a means of eliminating the sectionalism fostered under the previous arrangement of two first class Post Offices and services from Holyoke.

Mayor Demers, Postmaster Dorval and Atty. Thomas D. Murphy, master of ceremonies for the dedication, all praised Congressman Boland for his role as a prime mover in the plans and legislation which led to the construction and expansion of postal services in the city.

Donald J. Dowd, assistant regional director of the Post Office Department in Boston, reminded the audience that the Post Office is a non-profit organization dedicated to providing service to people. This principle is the motivating force in the continually improving postal services being developed, Dowd said. He urged all to use the ZIP code in order to assist in creating a more efficient postal system.

Others participating in the program were the Rev. Thomas A. Shea, pastor of Holy Name Church, who delivered the invocation; the Rev. Charles W. Wakefield, pastor of the Chicopee Falls Methodist Church, who gave benediction; and Francis S. Balicki, president of the Greater Chicopee Chamber of Commerce, who brought regards from the business and mercantile community.

Musical selections were played by the Eighth Air Force Band under the direction of Chief Warrant Officer William Berky, director.

Other officials seated on the platform included State Reps. Roger Bernashe and Steve Chmura, Aldermanic President Roger J. Roy, Howand Redfern and Oscar Hilbert, representing postal employees, and Westover Air Force Base representatives.

The Fireball Club of the Chamber of Commerce under the supervision of Charles Berube provided refreshments.

MARIE CURIE

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, when an honorary degree was conferred upon Marie Curie by St. Lawrence University, the citation read:

> Marie Curie, self-effaced and devoted scientist, teacher and author, exemplar of the art of living while directing to beneficent ends powerful forces of nature, single and persistent in purpose, triumphant in research, hastening the march of civilization by the discovery of radium, inspired and inspiring idealist, and practical dreamer.

The girl named Marya Sklodovska, whom the world was to know as Marie Curie, was born on November 7, 1867, in the ancient Polish city of Warsaw. Her parents were members of the minor land-owning Polish nobility that had been impoverished by Russian rule of their area of the Polish homeland. Marya learned to read when she was only 4 years old. When she was graduated from secondary school in June of 1883 she won highest honors, but the university in Warsaw was closed even to the most brilliant women.

She was employed as a governess until 1891 when she went to Paris to attend the Sorbonne. There, for 3 years, she led a life devoted to study. Most of her attention was given to her studies in mathematics, physics, and chemistry. She was particularly adept in performing the experiments assigned to her in the science laboratories. By July of 1893, she had obtained a master's degree in physics, leading the honors list of the group that received the degree with her. She next obtained a master's degree in mathematics.

In 1895, she was married to a man destined to become an eminent physicist in his own right, Pierre Curie, then a professor of physics. Their scientific work together began as a study of radioactivity, the topic of Marie Curie's doctoral dissertation. Using a variety of compounds of uranium, Madam Curie discovered that the radioactivity of any uranium compound was a fundamental property of the uranium atoms of the compounds.

In July of 1898, Marie and Pierre Curie discovered the new radioactive element, polonium, named for Marie Curie's beloved homeland. In December of the same year, they discovered radium. They invented a means of laboriously isolating radium salts from pitchblende.

For their intensely creative scientific achievements, they were awarded the Nobel Prize in physics in 1903. After the death of her husband, Madam Curie succeeded him in 1906 as professor of general physics at the Sorbonne, and continued her research into the mysterious properties of radium. For this work, she received the Nobel Prize in chemistry.

The curie, a unit of energy in radioactive materials, is named for Madam Curie. Among her many scientific achievements were preparing uranium in a pure state and establishing its atomic weight.

In 1912, a Radium Institute was established in her honor in Warsaw. She returned to a triumphant welcome in her native city in 1913. Her love for Poland had never waned in her long years of exile.

In 1921, Marie Curie visited the United States, where a group of generous American women presented her with a gram of radium and with funds to be used as she wished. Characteristically, she used the money for the rental of still another gram of radium for the laboratory of the Warsaw Institute. She had, of course, contributed the first gram given to her to the Institute. When she visited the United States again in 1929, to dedicate the Hepburn Hall of Chemistry at St. Lawrence University, American friends presented her with another monetary gift which she also donated to the Warsaw Institute.

She died at the height of her powers on July 4, 1934, in Paris, universally mourned by Poles, Americans, and the scientists of the world.

COMMENDATION OF SECRETARY McNAMARA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. HOLIFIELD] is recognized for 10 minutes.

Mr. HOLIFIELD. Mr. Speaker, in a democratic society we frequently exercise the right to criticize the public servants, the servants in the executive branch of Government, the men who are appointed, and in some instances, of course, the men who are career people.

This is as it should be, and no one would want to stop that type of criticism.

The same thing happens to Members of Congress. They are frequently criticized in their own districts by their constituents.

They are criticized in the local and national press and frequently these criticisms are inaccurate. Sometimes they are part story and part truth. Sometimes they are vicious. Sometimes they tend to destroy the confidence of the constituencies which they represent.

Mr. Speaker, for some time I have listened to criticism of a man who I think is one of the great public servants of all time. Now, I have disagreed with this man on many occasions. In fact, I have been a part of putting out a report in the Joint Committee on Atomic Energy which criticized the decision that this gentleman made. I speak of Secretary of Defense McNamara. I think at the time that he made the decision not to make the aircraft carrier *Kennedy* nuclear powered he was making a mistake. I still think that. The fact that the Department of Defense has reversed its position on nuclear aircraft carriers and surface vessels of that size and class and even smaller is an indication that they, too, realize that the unanimous report of our Joint Committee on Atomic Energy was a valid report and that the facts contained therein, which justified the installation of nuclear propulsion power in surface vessels, were valid facts and had the interests of national security at heart.

Tonight, Mr. Speaker, I take the floor for the purpose of saying a few words of praise for Secretary McNamara. As we all know, at one time he was one of the top officials in the Ford Motor Co. He had a salary, I am told, which was in excess of $400,000 a year at the time when he was asked by the President to come into the Government service at a salary of less than $30,000 a year. At great sacrifice to himself, selling his stock which he owned and forfeiting almost half a million dollars a year in salary, he came to the service of the Government. He has acted as Secretary of Defense ever since.

Now, I have been here for 25 years and I have seen a good many Secretaries of Defense come and go. In my humble opinion, this man has a greater grasp of the tremendous function of the Department of Defense than any Secretary of Defense within my memory. I have witnessed this man sitting for hours under questioning before various committees, including my own. He very seldom had to turn around and ask an admiral or a general or a colonel behind him for an answer to a question that was asked him by a member of the committee before which he appeared. He usually had the facts and the figures to sustain the answer that he gave.

It has been said that this man has a mind like a computer. Well, to some extent I think he does have a mind like a computer, because he has a faculty for remembering facts and figures and for assimilating complicated problems which go far beyond that of the oridinary public servant.

I think he has been a good Secretary of Defense. I know he has made some mistakes, but I think we have been fortunate during the past 6 or 7 years in having a man of this caliber, a man who would be willing to forego his own personal financial advantage and to take over the onerous duties that he has performed. I do not suppose there is any man in Washington who works more hours a day in the service of our Government than this man does. In my opinion, he is a great Secretary of Defense. He is making a speech tonight before the National Association of Educational Broadcasters at Denver, Colo. I have procured a copy of his speech. Under consent heretofore granted, Mr. Speaker, I would ask that it be appended to my remarks of today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DORN. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I will be happy to yield to the gentleman from South Carolina.

Mr. DORN. Mr. Speaker, I want to commend the gentleman from California who is the chairman of the Joint Committee on Atomic Energy. Mr. Speaker, I served on the Committee on Government Operations for many days and nights when we worked on and wrote the Unification Act of 1947. I think that is the greatest piece of defense legislation in the history of this country. It created the Central Intelligence Agency and was really the beginning of our space program. We had hearings that lasted for days, weeks, and months, and all of the top military came before our committee. If I recall correctly, at that time we envisioned a Secretary of Defense who would be a Secretary of Defense, who would maintain civilian control and yet who would coordinate all of the activities of the Department of Defense and really, frankly, knock heads together and save money.

Again, Mr. Speaker, I want to commend the distinguished gentleman from California.

Mr. Speaker, it is my opinion that Secretary of Defense McNamara has come nearer to being exactly what we planned a Secretary of Defense to be when we first wrote the Unification Act. So, I wish to commend the distinguished gentleman from California [Mr. HOLIFIELD] for his taking this special order on this subject this evening.

Of course, Mr. Speaker, no individual is perfect. It is my opinion that he is on the way toward becoming the type of Secretary of Defense we planned for at the time this matter was considered.

I see sitting here present in the Chamber this evening the distinguished Speaker of the House of Representatives who served on that committee, and I recall very well the late James Wadsworth of New York who was also a member of that committee; I recall the distinguished gentleman from Indiana [Mr. HALLECK] who served on that committee, and in my opinion at that time our Committee on Government Operations was one of the most effective and well-established committees of the House of Representatives. Truly, Mr. Speaker, I do not know how I was selected to serve on it as a freshman member of what was really one of the most outstanding groups with which I have served and which has represented this House of Representatives.

Incidentally, Mr. Speaker, that committee was chaired at that time by our late colleague, the gentleman from Michigan, Mr. Clare Hoffman, whom we eulogized yesterday. However, I wish to call attention to the Members of the House to the fact that the Department of Defense and the Unification Act was written by the best minds in this House of Representatives.

Mr. Speaker, I wish to pay tribute to the gentleman in the well, the gentleman from California [Mr. HOLIFIELD], who contributed as much to the enactment of that act as any man in this body of the House of Representatives.

Mr. Speaker, we envisioned at that time a Secretary of Defense who would save money and who would coordinate and truly unify the various branches of the armed services of this country, services which so often in the past were prone to go in different directions.

Therefore, Mr. Speaker, I join the distinguished gentleman from California [Mr. HOLIFIELD] in commending a man who I believe on the whole has really lived up to what we pictured him to be at that time as a Secretary of Defense.

Mr. HOLIFIELD. Mr. Speaker, I thank the distinguished gentleman from South Carolina [Mr. DORN] for his remarks. Further, I thank the gentleman for recalling to my mind something that happened about 20 years ago. As a matter of fact I had not thought of it in a long time. However, I do recall that at that time there was a great deal of fear that we were going to set up a so-called Prussian military system. There were arguments on the floor of the House at that time that this was what we were doing. But I think, as the distinguished gentleman from South Carolina has so eloquently stated, we did foresee the need to pull together the conflicting forces which existed between the three branches of the Department of Defense, the Department of the Air Force, the Department of the Navy, and the Department of the Army.

We felt that there was not too much accommodation between the branches at that time and there was no one with authority, really, over there in the Pentagon to knock their heads together, to use the phrase of the gentleman from South Carolina, and to cause them to do the right thing for the benefit of the entire Nation as a whole. I thank the distinguished gentleman for his remarks.

The speech previously referred to is as follows:

REMARKS OF SECRETARY MCNAMARA TO THE NATIONAL ASSOCIATION OF EDUCATIONAL BROADCASTERS, NOVEMBER 7, 1967

Ladies and gentlemen, I want to talk to you this morning about the unused potential of the Department of Defense—a potential for contributing to the solution of the social problems wracking our nation.

The Defense Department is the largest single institution in the world: an institution employing directly four and a half million men and women, indirectly employing several million more, and directing the use of nearly 10 percent of the nation's wealth.

The question I want to put to you is this: can these vast resources be used to contribute to our nation's benefit beyond the narrow—though vitally necessary—role of military power?

As a basis for exploring this question, I want to describe to you three projects that are currently under way:

An Open Housing Program, to break through the barriers of racial discrimination in off-base housing for military personnel.

Project 100,000, a program to salvage the property-scarred youth of our society at the rate of 100,000 men each year—first for two years of military service, and then for a lifetime of productive activity in civilian society.

And finally, Project Transition, a program to assist the three-quarters of a million men leaving military service each year to select and train for the role in civilian life that will contribute most to their personal fulfillment and to the nation's benefit.

But before discussing these programs, let me make it unmistakably clear that our primary responsibility and our clear mandate from the President and from the Congress is to procure and maintain in a high state of combat readiness whatever military forces are necessary to protect this nation from external attack, keep our commitments to our allies, and support the objectives of our foreign policy.

We are meeting that responsibility.

Since 1961, excluding those forces added because of operations in Vietnam, we have increased our military capability in every essential category:

A 45% increase in the number of combat assigned Army divisions—from 11 to 16.

A 73% increase in the funds for general ship construction and conversion to modernize the fleet.

A 200% increase in the number of guided missile surface ships—from 23 to 72.

A 300% increase in our inventory of nuclear-powered ships—from 19 to 77.

A 40% increase in the number of Air Force tactical fighter squadrons—from 67 to 94—and a 100% increase in the total payload capability of all our fighter and attack aircraft, Air Force, Navy and Marine Corps.

A 300% increase in helicopter troop lift capability.

A 340% increase in our fixed-wing airlift capability—an increase which will reach 1000% in the 1970s with the introduction of the mammoth new C–5A transport.

A 100% increase in the number of nuclear weapons deployed in NATO Europe.

A 160% increase in the number and total megatonnage of nuclear weapons in the strategic alert forces.

Nor do these increases tell the full story. We have developed in the past several years a broad new array of weapons which include:

The SR–71: a highly sophisticated reconnaissance aircraft that can fly three times the speed of sound.

The Poseidon intercontinental missile which has five to ten times the destructive power of the Polaris missile it replaces.

The MBT–70, a new main battle tank, providing increased firepower, protection and mobility.

The CH–54 flying crane: our first heavy-lift helicopter, which has paid for itself many times over in recovering battle-damaged helicopters, as well as performing an expanded range of supply and logistic functions in support of our troops.

The family of F–111 aircraft: the most sophisticated and effective attack aircraft in the world today—and recognized as such by foreign governments who are buying it in preference to aircraft produced in their own countries.

The multi-warhead ballistic missile re-entry system which multiplies the effectiveness of our missile force.

The Walleye guided bomb, which uses a television guidance system, enabling aircraft and conventional explosives to hit targets in Southeast Asia today with extreme accuracy and effectiveness.

The Lance tactical surface-to-surface missile, equipped with both nuclear and non-nuclear warheads, which has greater range, accuracy and reliability than the missiles it will replace.

The Spartan and Sprint anti-ballistic missiles which will provide defense against a possible Chinese attack in the 1970s.

The Phoenix air-to-air missile system, providing us with the capability of destroying formations of enemy aircraft in the air at substantially greater distances.

The SRAM air-to-surface missile, increasing the effectiveness of our strategic bombers, and enabling us to penetrate advanced enemy defenses.

The Cobra attack helicopter, providing faster, more flexible support of our ground troops.

The A-7 attack aircraft, giving our Navy and the Air Force an improved capability to support our ground forces, with its greater bomb capacity and longer range.

And scores of other weapon systems and sub-systems—many of them, of course, still highly classified.

Now, obviously, the real test of combat readiness is not simply to have an adequate arsenal of advanced weaponry—which we have greatly added to over the past six years—but to be able to respond rapidly and effectively to an emergency.

Such an emergency faced us in the summer of 1965, when it became apparent that Hanoi was on the verge of cutting South Vietnam in half by overwhelming force.

If we in the United States were to prevent that defeat, we had to respond rapidly and effectively.

That is what we did—and our accomplishments in the face of that emergency are the most realistic measure of our combat readiness.

In the first crucial months of the crisis we moved over 100,000 men to Southeast Asia in 120 days. We supplied them with hundreds of thousands of different items, at the end of a 10,000 mile pipeline—which at the time had only one deepwater port, and neither roads nor rail line to move the supplies inland.

In those first critical months we saved South Vietnam from complete and final defeat.

Today we are supporting some 600,000 men in Southeast Asia—at a standard of proficiency never before equalled in the history of warfare—and we are doing so without wage controls, without price controls, without profit controls—and indeed without the serious dislocation of the economy that has been the inevitable accompaniment of every other war we have fought in this century.

What is more, we are accomplishing this without calling up our reserve forces; without any significant movement of our men and equipment out of Western Europe; without any important change in our forces in South Korea; and without jeopardizing our ability to meet additional emergencies that might occur elsewhere in the world.

Now, how has all this been possible?

It has been possible because we have met our first and overriding responsibility in the Defense Department: we were, we are, and we will continue to remain in a high state of combat readiness.

Combat readiness is our primary responsibility.

But I want to stress that responsibility is not inconsistent with other goals.

We have been concerned, for example, with obtaining and operating the required level of military power at the lowest possible cost. That goal is clearly sensible in a Department that is spending over $70 billion per year.

Efficient, economical management does not detract from combat readiness. On the contrary, it strengthens it.

Our defense expenditures today—even including the full cost of our commitments in Southeast Asia—constitute a smaller percentage of the Gross National Product than they did in any fiscal year from 1952 through 1959.

That is due in part to the five-year Cost Reduction Program, which we initiated in 1962. Over the five years we saved the taxpayers in excess of 14 billions of dollars. Now that the initial phase has been completed, we have established the Cost Reduction Program as a permanent annual procedure—with stated goals and carefully audited results.

As part of reducing costs, we have to date initiated actions to consolidate, reduce, or close over 950 Defense installations or activities—all over the world—involving property that has become surplus to foreseeable peacetime or wartime needs.

The base closure program understandably created, in the beginning, a great deal of local apprehension and political pressure. And yet we have not reversed a single base closure decision due to pressure; nor has it been necessary to reopen a single installation to take care of the 25% expansion of our forces which has occurred in the past two years. The recurring annual savings of the base closure program alone, when completed—including the elimination of 200,000 jobs—will total $1.5 billion.

Furthermore, the usual pattern of these base closures is that the local communities—ultimately—benefit from the action. Our Office of Economic Adjustment works closely with the community leaders from the day a base closure is announced, and helps explore fully the growth potential of the area.

Now, just as efficient management and cost reduction are not the Defense Department's primary goals—but are nevertheless entirely consistent with our central responsibility of combat readiness—so it is becoming clear there are other measures that we can take that benefit the economy, and the social profile of the nation, which are equally consistent with our primary objective.

As I said at the outset, we are currently conducting three programs which are directed toward alleviating certain social inequities in the nation.

First, the Open Housing Program:

Racial discrimination—granting the great legislative advances that have been achieved in the past six years—remains a festering infection in our national life.

The Defense Department, beginning with the courageous executive order of President Truman in 1948 integrating the armed services, has been a powerful fulcrum in removing the roadblocks to racial justice—not merely in the military, but in the country at large.

But clearly the nation's road to equality is still strewn with boulders of bias.

Shortly after I became Secretary of Defense, I asked Mr. Gerhard A. Gesell, a leading member of the bar, to organize a committee to review the progress of equal opportunity in the Armed Forces.

That committee took a hard, realistic look at the problem. It reported that substantial improvement had been made on military bases. But it found that there remained severe off-base discrimination affecting thousands of Negro servicemen and their families. This discrimination was most destructive in the field of housing.

Open housing is a serious issue throughout our society. It is not confined to the Armed Forces. Too many of our citizens cannot live in the homes of their choice, on the streets of their choice, in the neighborhoods of their choice.

But this intolerable racial discrimination affects military personnel even more severely than it does the population at large. The serviceman and his family, on limited compensation and under military orders, must move every few years. While defending their nation, they are singularly defenseless against this bigotry.

My response to the Gesell Committee findings was to issue a directive incorporating its recommendations. Commanders everywhere were asked to organize voluntary programs to eliminate housing discrimination in the communities surrounding their bases.

In the Pentagon we turned our minds to other problems.

Early this year we reviewed the results of that four-year-old directive. We sent teams to a dozen bases to look into every aspect of equal opportunity. A special task force was set up for the greater Washington area. Seventeen thousand service families were surveyed. Their answers were analyzed.

One fact became painfully clear. Our voluntary program had failed, and failed miserably.

This failure we found intolerable. I put the matter to you bluntly: our nation should not, and will not, ask a Negro sergeant, for example, to risk his life, day after dangerous day, in the heat and hardship of a jungle war, and then bring him home and compel him to remain separated from his wife and his children because of the hate and prejudice that parades under the pomposity of racial superiority.

And yet, that is precisely what has been happening in this country.

The color of the blood that our men shed in the defense of Asia is all the same shade.

But when these men return home, it is not the color of their blood that matters; it is the color of their skin.

There are thousands of our Negro troops, returning from Vietnam, who are being discriminated against in off-base housing. When there is adequate housing on the base, Negro men in uniform are treated as all Americans should be treated. When there is not, and the Negro must depend on the civilian community for housing, he all too often is denied this equality of treatment.

Because of his color he suffers a penalty; his family suffers a penalty; and our national security suffers a penalty because of the impaired morale of our fighting forces.

We are talking here about a group of men who have distinguished themselves in the service of their nation. It is a fact that Negroes often volunteer for the most difficult and hazardous assignments. It is a fact that 20 percent of Army deaths in Vietnam last year were Negroes.

Earlier this year, in a visit to his home State of South Carolina, General Westmoreland paid tribute to the superb performance of these men.

"I say to the people of my native State and my country," the General noted, "that the performance of the Negro serviceman has been particularly inspirational to me. He has served with distinction equal to that of his white comrade in arms. The Negro serviceman, like all servicemen, has been a credit to our country. He has been courageous on the battlefield, proficient in a cross section of technical skills. Like his white colleague, he understands what the war is all about, he is loyal to his country and supports its policies, and is carrying out his responsibilities with a sense of responsibility."

The Negro serviceman has been loyal and responsible to his country. But the people of his country have failed in their loyalty and responsibility to him. The country which sent him to hazardous duty abroad refuses to permit him to live in the midst of the white civilian community when he returns.

Our original voluntary program to correct off-base housing discrimination floundered and fell apart. It lacked sufficient leadership from the top—starting with me, and going right on down through the senior echelon of the Defense establishment. And it lacked appropriately stiff sanctions for the violation of our anti-discrimination policy.

We have forged, therefore, a whole new set of tools to deal with this failure.

We have mapped out a two-pronged campaign. The first phase was to compile a nation-wide census of open off-base rental housing for military personnel. That we have completed.

The second phase is to mobilize—throughout the entire country—effective community support for non-discriminatory military off-base housing. That is now well under way.

We selected the greater Washington metropolitan area, including Maryland and Virginia, as our first objective. We wanted to make the area surrounding the nation's capital a model program—as it should be—and we wanted to learn quickly all the lessons we could that would assist us in the country at large.

Officials from the highest levels of the Defense Department—the Deputy Secretary of Defense, the Service Secretaries, and senior commanders—met with realtors and landlords of the area and put the matter to them squarely.

The extent of off-base housing discrimination was appalling. The morale of our Negro servicemen and their families was being severely eroded. We told the landlords the Defense Department could no longer tolerate the situation.

We appealed to the landlords for voluntary compliance with our nondiscriminatory housing policy.

But we pointed out that the situation as it stood was so unjust that, whether we secured their voluntary compliance or not, we simply could not permit the conditions to continue. If, then, the landlords felt they would not or could not comply, we were going to have to prohibit any of our men—regardless of their race—from signing rental agreements in housing units where such discrimination was practiced.

Many proprietors complied voluntarily. Too many did not.

Let me say that in many instances their position—while shortsighted—was understandable. Some faced genuine economic pressures.

In any event, they did not comply. And so we were compelled to take the only action open to us. We prohibited all military personnel, both white and Negro, from signing new leases or rental agreements in their facilities.

This had the effect of applying a countervailing economic pressure, and our open housing program took on an altogether new and positive direction.

In Northern Virginia and Maryland, within 120 days, we more than trebled the number of non-discriminatory units—from about 15,000 to 53,000 units.

Now we are at work elsewhere throughout the nation. We have, for example, an intensified program going on in California at the moment. We are giving particular emphasis to this State, not merely because of the large number of Defense installations and military personnel there; but because of the 14 states with open housing regulations and laws, California has the lowest percentage of apartment facilities open to all races.

Indeed, we have plans to extend the program in a dozen additional states in the near future.

Everywhere our approach will be the same. We will survey the local situation of each military base. We will meet with the realtors and landlords and explain the problem fully. We will request their cooperation and seek their voluntary compliance. We will do everything possible to see that our military families act as good tenants: that they pay their obligations promptly, and that they respect the property of private owners. We will enlist the help of local and State officials. And only when, and if, all other actions fail, will we apply the appropriate sanctions.

I want to emphasize that I am fully aware that the Defense Department is not a philanthropic foundation or a social-welfare institution. But I want to emphasize just as strongly that I do not propose to let our Negro servicemen and their families continue to suffer the injustices and indignities they have in the past.

It is said that there are no atheists in foxholes. I can assure you that in South Vietnam there is no segregation in foxholes.

There is no segregation of our servicemen in on-base housing.

And the Defense Department cannot tolerate segregation of our servicemen in off-base housing.

Where we must use stiff sanctions, we will.

What we prefer, hope for, and expect is an overwhelming measure of voluntary compliance.

Now let me discuss with you for a moment our second program in the social field. It is called Project 100,000, and I first announced it in a speech in New York in August of last year.

I pointed out, at the time, that though there were roughly 1.8 million young men reaching military service age each year in the United States, some 600,000—a full third—were failing to qualify under our draft standards. Some had medical problems, but I was particularly concerned about those thousands who failed because of educational deficiencies.

In some areas, the failure rate for draftees ran as high as 60 percent; and for Negroes in some states it exceeded 80 percent.

What this clearly meant was that the burden of military service was not being shouldered equally. Inequities were serious: inequities by region; inequities by race; and inequities by educational level.

What was even worse was the obvious implication. If so massive a number of our young men were educationally unqualified for even the least complicated tasks of military service, how could they reasonably be expected to lead productive and rewarding lives in an increasingly technological and highly-skilled society?

Our studies confirmed that a great number of these draft rejectees were the hapless and hopeless victims of poverty: a poverty that is not the mere absence of American middle-class affluence, but something infinitely more complex: a corrosive and decaying mix of social, educational, and environmental deprivation.

What these men badly need is a sense of personal achievement—a sense of succeeding at some task—a sense of their own intrinsic potential.

They have potential, but the slow and silent poison of the poverty virus has paralyzed it in many of them. They have grown up in an atmosphere of drift and discouragement. It is not simply the sometimes squalid ghettos of their external environment that has debilitated them—but an internal and more destructive ghetto of personal disillusionment and despair: a ghetto of the human spirit.

Poverty in America pockmarks its victims inwardly.

If unchecked and unreversed, that inner ghetto of the poverty-scarred personality of these men can fester into explosive frustrations of bitterness and violence.

Chronic failures in school throughout their childhood, they are destined to a downward spiral of defeat and decay in a skill-oriented nation that requires from its manpower pool an increasing index of competence, discipline, and self-confidence.

Poverty destines thousands of young men today to a dismal future. Destines them, yes. But dooms them, no.

These young men—and they are typified by those who in the past have failed to qualify for military service due to educational deficiencies—can be saved from that futile future. They can be rehabilitated, both inwardly and out. They are men, we concluded, who given the benefits of the Defense Department's experience in educational innovation and on-the-job training, and placed in an atmosphere of high motivation and morale, could be transformed into competent military personnel. Beyond that, after their tour of duty, they could return to civilian life—equipped with new skills and attitudes—and thus break out of the self-perpetuating poverty cycle.

The Defense Department is the world's largest producer of skilled men. We provide enlisted men with highly professional training in 1,500 different skills, in more than 2,000 separate courses. And each year we return about three-quarters of a million men to the nation's manpower pool.

The goal of Project 100,000 was, therefore, to take in 40,000 rejectees the first year, and 100,000 each year thereafter. The program completed its first year on September 30.

I want to report to you on its progress.

Our goal was to take 40,000 men; we took 49,000.

They entered all of the services: Army, Navy, Air Force, and the Marine Corps.

Now, what sort of backgrounds do these men come from? About 60 percent are whites; about 40 percent Negroes. Their average age is 21. Thirty percent of them are unemployed at the time they come to us, and an additional 26 percent are earning less than $60 a week.

What this means is that more than half of these men are gripped in poverty. Nor is that surprising. Their average reading score is a bare sixth-grade level; and 14 percent of them read at a third-grade level or less. Many are poorly motivated when they reach us. They lack initiative. They lack pride. They lack ambition.

If nothing were done to give them a strong sense of their own worth and potential, they, their wives and their children would almost inevitably be the unproductive recipients of some form of the dole 10 years from now.

I want to repeat: We have taken these men into the service because we are convinced that, given the proper environment and training, they can contribute just as much to the defense of their country as men from the more advantaged segments of our society.

Has that belief been borne out by the facts?

We now have had a full year's experience with this program, and let me tell you the results.

Ninety-eight percent of our traditional categories of recruits successfully graduated from basic training during the year. And the successful graduation rate of these 49,000 new category men was 96 percent—only two percentage points less than our traditional recruits.

I have insisted that these men should never be singled-out or stigmatized as a special group. Technically—and for our own internal record-keeping—men who would have formerly been draft rejectees are termed New Standards men. But the men themselves are never informed that they are in this category.

It is absolutely imperative that they believe in themselves and their own potential. They obviously cannot do that if we treat them with anything remotely suggesting condescendence.

The plain fact is that our Project 100,000 is succeeding beyond even our most hopeful expectations. Many of our commanders report that these men are turning out to be even more highly motivated than some servicemen with a much more privileged background.

Now these are the initial results, and we are immensely encouraged. But obviously the real test is going to come later, when these men move back into civilian society. How will they fare then?

Will the vital sense of achievement and self-confidence they have experienced in their military service, as well as the skills they have learned, move them forward in society—or will they return to the depressing downward-spiralling, poverty-in-the-midst-of-plenty phenomenon that plagues our urban ghettos and our rural pockets of economic stagnation?

We cannot say for certain. But we intend to find out.

We are launching a careful follow-up study to test conclusively the ultimate outcome of Project 100,000. At least a decade of careful measurement of the performance of the men both in and out of the service will be required. We won't know until the end of that period what the definitive study will prove. But I am willing to make a prediction. I am convinced that the Project 100,000 men will continue to do a fully creditable job in the service; and that on return to civilian life, their earning capacity—and their overall achievement in society—will be two or three times what it would have been had there been no such program, and had they remained rejectees.

Hundreds of thousands of men can be salvaged from the blight of poverty, and the Defense Department—with no detriment whatever to its primary role—is particularly well equipped to salvage them.

We not only can do it. We are doing it. And the benefit to our society—and to the ultimate roots of our security—will be immense.

Now, let me describe to you briefly our third program in this field. We call it Project Transition.

As I mentioned, we return some 750,000 men from the services annually to civilian life. Some of these men can move readily into civilian jobs without difficulty, but a significant number of them are faced with genuine problems.

We surveyed the situation, and found that some 50 percent of the men about to leave the services need and want some degree of help to make the transition to a productive civilian life.

To provide that help, we have created a voluntary program—Project Transition—for men with 30 to 180 days of service time remaining. The project gives priority to certain groups: to those disabled in battle; to those with no previous civilian occupation; to combat arms servicemen with no civilian-related skill; to those who have such a skill, but who require additional training or upgrading; and finally to those who desire a completely new civilian skill, regardless of their current training status.

The program meets four basic needs of the man leaving the service: counseling, skill enhancement, education, and job placement.

We now have pilot programs—for each of the services—at five bases. I can report to you today that within sixty days Project Transition will be in operation at all eighty of the major installations in this country.

We have enlisted the cooperation of other federal agencies—the Labor Department, HEW, the Postal Service—as well as a number of State and local agencies that can assist with training, and offer employment to these men. A number of police departments around the nation, for example, are participating, not only with professional advice and technical assistance but with solid job offers as well.

Though the program is still in its pilot stage, it clearly has tremendous potential, and industrial leaders throughout the nation have already expressed enthusiasm for the idea. Further, the Ford Foundation has offered to work closely with us in solving the problems connected with placing the right veteran in the right job.

We are going to be able to give the returning Negro veteran—particularly the Negro veteran who without help might be compelled to drift back into the stagnation of the urban ghetto—an opportunity for valuable training and satisfying employment.

Every veteran—regardless of color, creed, or class—who has served his country in the Armed Forces deserves the opportunity to move back usefully and productively into civilian life. Project Transition will help give him the opportunity.

I think the point we must realize is this. There is no question but that the economic, social, and educational legislation of the current period eventually will transform American society immensely for the better.

But the very magnitude of the task will require a decade or two for the full effects to be felt.

This means that the present generation of the under-privileged youth of all races, caught in the self-perpetuating trap of poverty, are in danger of being left out of these eventual benefits.

The President has made clear that the United States cannot be satisfied with that situation. We must find ways to assist people now—even before our present legislation can reach its full potential for economic and social improvement.

This is manifestly a national responsibility—not primarily a Department of Defense responsibility.

Our primary responsibility—to repeat—is the security of this nation. But in the ultimate analysis, the foundation of that security is a stabile social structure. I suggest to you that the Defense Department can find ways to contribute to the development of such a structure without compromising the combat readiness of its forces.

The three social programs I have described to you today are the kinds of programs that will bolster the security of this nation. They are the kinds of programs that will reduce the criticism, some of it justified, that we are often bludgeoned with internationally: criticism that grows out of the discrepancy between our traditional preaching of the principles of liberty and equality—and our obvious lapses in the practice or those two bedrock constitutional guarantees. They are partial answers to the basic question: can our present American society afford to meet simultaneously its responsibilities both at home and abroad?

Can we continue to meet our commitments to contain aggression internationally, and at the same time take the measures necessary to cure our urban and racial ills here at home?

I say definitively that we can.

This nation is immensely powerful—both in material and human resources.

Our current Defense expenditures—as heavy as they are—are only 9 percent of the GNP. That is a lesser percentage of the GNP than defense spending in most of the years of the 1950s. The taxes we pay today are billions of dollars less than the taxes we would be paying under the tax rates of the 1950's. The modest surcharge that the President is recommending—and which makes eminent sense in our highly charged economy—will represent a recision of less than half of the tax cuts this Administration has achieved.

And yet, we appear to believe that we cannot afford to achieve all that genuinely needs achieving.

We appear to believe that we are stretching our resources too thinly.

We appear to believe that we cannot simultaneously wage war against aggression abroad, and a war against poverty, urban decay, and social injustice here at home.

That we cannot afford it is a myth.

That we may choose not to attempt it, is another matter entirely.

But if we make that choice, let us make it deliberately and rationally.

Let us not make that choice because of a mere mythology—the mythology that America is not now strong enough to do all that needs doing.

We are strong enough materially and technologically. We do have the resources in both money and manpower.

What we may lack is the will power.

If we do lack it, so be it. But let that be our conscious choice. Let us face the issues honestly, and admit to ourselves that we simply do not want to make the effort.

Let us not blame the lack of effort on the myth that we cannot do all that needs doing.

For the fact is, we can.

We can curb aggression abroad. And we can meet our pressing social problems here at home. And we can do both at the same time if we will use wisely existing institutions and available resources.

The simple question is this: do we have the requisite faith in ourselves?

Do we have the requisite confidence in our constitutional objectives?

Do we have the requisite resolve to complete the achievements that the United States was found less than 200 years ago to secure?

I, for one, say we do.

Ladies and Gentlemen, what say you?

Thank you, and good morning.

HON. SARGENT SHRIVER—AN OUTSTANDING AMERICAN AND INCOMPARABLE PUBLIC SERVANT

The **SPEAKER** pro tempore (Mr. PRICE of Illinois). Under previous order of the House the gentleman from Illinois [Mr. PUCINSKI] is recognized for 10 minutes.

Mr. PUCINSKI. Mr. Speaker, earlier in general debate today on the poverty bill a statement was made to the effect that Sargent Shriver, the Director of the Office of Economic Opportunity, has indicated that he would resign from his position if Congress reduced appropriations below what he believes is the absolute minimum which he needs to carry on this program.

One of the Members during general debate expressed the desire that Sargent Shriver should resign from the Office of Economic Opportunity, and further had some rather unkind things to say about the Director of the poverty program.

Mr. Speaker, Sargent Shriver needs no apologists. He has written a record which speaks for itself.

He is one of the outstanding citizens of this country and has made a profound contribution to his Government at all levels.

In my opinion, Mr. Speaker, Sargent Shriver truly represents the very epitome of a good American and a good citizen.

However, I would not want this record to show that the statements made by an earlier speaker calling for the resignation of Sargent Shriver went unchallenged.

I know Sargent Shriver well.

I remember him as an outstanding citizen of the city of Chicago when he was president of the Chicago School Board and when under his administration Chicago developed one the finest school systems in the entire country.

Mr. Speaker, Sargent Shriver was brought to Washington by the late great President John F. Kennedy to head the Peace Corps. He was invited by President Johnson to take on the very difficult task of putting together an effective war on poverty.

I do not know of any man in Government who has a more difficult and thankless job, than Sargent Shriver.

We are the first nation in the world, Mr. Speaker, that has undertaken the herculean task, a difficult task, and a seemingly impossible task, of eliminating poverty from our ranks

Sargent Shriver has carried out and managed this battle with a dedication seldom found in a public official.

Sargent Shriver is independently wealthy. He has a lovely family that he would like to spend more time with, and yet week in and week out, and day in and day out, and night in and night out, Sargent Shriver is at his desk here in Washington or visiting some community action center, or some community action agency in the country, to make a personal observation of the programs, and to make sure that the great hope and confidence that the American people have placed in the poverty program will be effectively carried out.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I am delighted to yield to the distinguished chairman of the Committee on Appropriations, the gentleman from Texas [Mr. Mahon].

Mr. MAHON. Mr. Speaker, I thank the gentleman for yielding.

I am no deep student of the poverty program, but I do want to say that in my judgment Sargent Shriver has diligently sought to do a good job with the program. I realize that many mistakes have been made, and I believe anyone will agree that mistakes would be inevitable in trying to do what amounts almost to the impossible in dealing with this poverty problem.

Mr. Speaker, I further want to say that I have the greatest respect for Sargent Shriver. I believe he is a brilliant and capable man, and I believe he has given unstintingly of his efforts to serve the Nation in an important capacity.

Mr. PUCINSKI. Mr. Speaker, I thank the gentleman from Texas for his comments. I would certainly join the gentleman from Texas in saying that this country and all of us, rich and poor, in politics and out of politics, in Government and out of Government, owe Sargent Shriver a monumental debt of gratitude.

It will be a great loss for America if and when the day does indeed come when for personal reasons and reasons known best to himself, he will remove himself from the poverty program.

He has given this program direction and hope, and if we are winning this war—and we are winning this war against poverty in community after community in America—it is a tribute to the determined, honest, and dedicated leadership that Sargent Shriver has given to the program.

Mr. Speaker, I yield back the balance of my time.

DAIRYMEN'S LEAGUE CERTIFICATES OF INDEBTEDNESS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Resnick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RESNICK. Mr. Speaker, during the 4 months in which I have been conducting an investigation of the American Farm Bureau and its affiliates, not one of my charges has been refuted. Instead, the Farm Bureau uses an intriguing end run of personal attack and distortion of my views.

For example, in the October 2 edition of the American Farm Bureau Federation Official Newsletter, I read that—

> Representative Joseph Y. Resnick (D) of N.Y. has launched an attack on all farm cooperatives.

This scurrilous and irresponsible account of my investigation ignores the fact that I have repeatedly said I am concerned with the practices of only those giant cooperatives—usually affiliated with the Farm Bureau—which have been victimizing the American farmer by issuing worthless patronage dividends.

Many cooperatives—certainly a large majority—are truly farmer controlled and farmer owned. Since they represent the farmer, they return co-op profits to him within a reasonable period of time. Such a co-op is the New York Dairymen's League.

Mr. Speaker, under unanimous consent, I insert the following statement of the Dairymen's League, which describes their policy of distributing patronage dividends, in the Record. It is a model which all cooperatives would do well to follow:

Dairymen's League Certificates of Indebtedness

1. Dairymen's League Certificates of Indebtedness represent, in effect, a legally binding agreement between the Cooperative and its individual members. Each member under the bylaws of the Association, loans the League 10c a hundredweight on all of his milk marketed through the League. In return, he receives each April a Certificate representing the monies so loaned during the preceding 12-month period. This Certificate has a due-date 10 years from the date of issue. In addition, it pays (presently) 5¼% interest each year until called. The money is used exclusively for capital purposes: building plants; buying businesses; plant improvements etc. It is separate and distinct from the 2c a hundredweight members contribute to the day-to-day operations of the League.

2. For more than 40-years League Certificates of Indebtedness have been used by members of the Association as a regular part of the financial operations. They are often used as security when negotiating a loan. In instances of this type, the bank holds the Certificates until the loan has been paid, but the League member continues to collect the interest.

3. There has always been a ready market for League Certificates. In most cases, the member can sell his Certificates for 100 cents on the dollar to other members or to other private parties looking for a secure investment for surplus cash. There is also an active dealers market for Certificates. At least two or three such dealers regularly advertise in the Dairymen's League News to buy all Certificates offered. As is customary in such cases, the dealers buy at some discount below the face value of the Certificates.

4. The League has never failed to redeem its Certificates—usually a year or two before they are legally due to be called. No interest payment has ever been missed.

5. Beginning in 1967, the League issued an *additional* type of Certificate called a "Certificate of Investment." This is *purely voluntary*. It is intended to provide the Association with long-term capital and members with opportunity for long-term investment at a high rate of interest. These Certificates of Investment are for 25 years and carry 6% interest. As one mark of the confidence members have in the Association, some $700,000 have already been invested in the new Certificates by members. There is no doubt that this success reflects the reputation earned during the past 40 years by the original Certificates of Indebtedness (which, of course, continue to be the mainstay of the Association's capital financing.)

A SALUTE TO MARIE CURIE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Dingell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. DINGELL. Mr. Speaker, today let us pause to consider and to celebrate the hundredth anniversary of the birth of one of the world's most important and heartwarming scientists—Marie Curie. Every American school child has heard the story of the Curies—Pierre and Marie—who persevered through the harshest circumstances to isolate polonium and radium. Marie Curie is considered a scientist par excellence whose life should be studied by any young person aspiring to scientific endeavor. Madam Marie Curie was born Marie Sklodowska in Warsaw, Poland, on November 7, 1867. She grew up in an atmosphere of scientific pursuit—her father was a professor of physics—and in 1891 traveled to Paris to study physics and chemistry at the Sorbonne.

Mademoiselle Sklodowska married Pierre Curie, a professor of physics, in 1895 and together the Curies began their researches into radioactive substances. In 1903 they were awarded the Nobel Prize for Physics for the discovery of radioactivity. After Pierre was killed in 1906, Marie continued their work. In 1911 she was awarded the Nobel Prize for Chemistry for the discovery of radium and the study of its properties. She became the first person to receive the Nobel Prize in two subjects.

In 1921 and again in 1929 she visited the United States where she was enthusiastically received and aided in her radiology research. Marie Curie encouraged the establishment of a radium institute in Warsaw, the city of her birth, and attended the dedication of the institute in 1932. She died in Paris on July 4, 1934, but will never really die so long as we continue to look to her fortitude in the face of adversity as a source of inspiration and courage.

POLLS TAKEN BY KOB-TV

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Mexico [Mr. Morris] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MORRIS of New Mexico. Mr. Speaker, I believe that my colleagues would appreciate being provided with the results of recently taken polls in Albuquerque, N. Mex., by KOB-TV news station, directed by Mr. William F. Tucker, radio-TV news director, and substantially representative of the thinking of the Southwest—and specifically of New Mexico—in the fall of 1967. The results of the polls are as follows:

Should the Government force a ban on cigarette advertising and also try to halt the sale of cigarettes?

[In percent]

Yes	60.1
No	39.9

Should Congress pass Federal gun registration and strict gun control laws?

Yes	22.3
No	77.6

Should teachers be permitted to strike?

Yes	64.9
No	35.1

Do you feel 18-year-olds should be allowed to vote?

Yes	55.4
No	44.6

Do you think a stoppage of the bombing in North Vietnam would lead to useful negotiations?

Yes	71.1
No	24.9

Are you in favor of abolishing capital punishment?

Yes	28.6
No	71.4

Do you think the Job Corps is doing a good job?

Yes	29.6
No	70.4

Do you think labor unions have become too powerful?

Yes	70.4
No	29.6

Do you think members of the clergy should participate in civil rights demonstrations?

Yes	19.7
No	80.3

Do you think Congress should cut back and completely reexamine the war on poverty?

Yes	69.7
No	30.1

Do you think draft card burners should be charged with treason?

Yes	78.1
No	21.9

THE 95TH ANNUAL CONVENTION OF AMERICAN PUBLIC HEALTH ASSOCIATION

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Moss] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MOSS. Mr. Speaker, on October 23 to 27, the American Public Health Association held its 95th annual convention in Miami Beach, Fla. It may seem somewhat incongruous to my colleagues that I draw their attention to this meeting rather than to last year's APHA meeting which was held in my home State, but I do so for two reasons. First, this outstanding association, with a membership of over 19,000 persons working in official and voluntary public health agencies, at the Miami Beach session named as its president-elect, Dr. Lester Breslow, director of public health of California's State Department of Public Health. Dr. Breslow has a well deserved reputation as an outstanding leader in public health activities. California is fortunate to have a man of Dr. Breslow's competence directing its public health programs. I compliment him on the honor which has been given him and commend the American Public Health Association for its wise choice.

Additionally, my colleague on the Interstate and Foreign Commerce Committee, Congressman Paul Rogers, presented an unusually perceptive address at the convention's first general session on the Partnership for Health Act. Congressman Rogers, whose interest in and whose many contributions to this Nation's health programs have long been recognized by members of our committee, skillfully outlined our view of the potentials which this bold new program offers in better coping with the health problems of this country. I believe that Congressman Roger's remarks, which I am including, will be of interest to all Members of the House.

Speech by Congressman Paul G. Rogers at the 95th Annual Convention of the American Public Health Association in Miami Beach, Fla.

At the onset, I want to say all Floridians were complimented by your selection of our state for your meeting this year. Your choice reflects the sort of keen judgment all of us in the Congress have come to expect from the American Public Health Association.

I am also delighted that you are interested in such a vital way in the Comprehensive Health Planning Program which we passed last year and are in the process of amending and extending this session.

As little as five years ago the comprehensive health plan was just a dream. We knew something was needed to improve our health services and planning. But at the same time there was little on the horizon that would indicate just when we would have relief. This caused anxiety.

It was rather like the man who felt there was something wrong with him and scheduled a visit with his doctor to get a checkup. The doctor ran the man through three hours of testing and while the patient was dressing somewhat confirmed his patient's fears by asking, "How do you spell incurable?"

Well, I don't think any of us really felt that our health services were in such straits. And I think we are now proceeding to find an effective cure for many of the problems which have plagued our health services.

I think the single most encouraging and enlightening item in making our health legislation is the fact that we have begun to define our goals. I consider this most important.

With your help, we are shaping legislation that in turn will re-shape the structure of public health programs across the nation.

The main tool in this effort, I feel, will be the Comprehensive Health Act, or, the Partnership for Health Act.

I assure you that we in the Congress will be closely watching the planning and execution of this program as to quality, cooperativeness and of course, the ultimate effectiveness of the program. In many ways the legislation is an experiment. The success of the experiment depends largely upon the ability of all the parties concerned to meet their responsibility.

I know that some organized elements of the health enterprise may be hesitant in participating for fear that they will lose their identity. But I submit to you, that to get your state and the nation moving along on the same road to better health services, there must be comprehensive health planning to unify our health effort.

When we reported this year's amendments to the Comprehensive Health Act from the House Committee, we took particular pains to indicate to the House our concern that the planning process was to be inclusive of every health element—not exclusive.

As we envisioned this legislation, the future should bring about plans for each portion of a state where there are health problems. We may see geographic areas which encompass several counties combining to submit a plan which is particular to that area. Of course, the individual county with a large population will most probably submit its own plan.

Evolving finally, however, we hope that each area of each state will participate to the extent that all will fit together like the pieces of a puzzle which, in the end, will represent the state plan.

The Comprehensive Health Planning Act, or the Partnership for Health Act, evolved from a finding by the Congress that (A) the changing character of health problems demanded a comprehensive planning for (1) health services (2) health manpower, and (3) health facilities at every level of government. That (B), desirable administration required strengthening of the leadership and capacities of state health agencies, and (C) that support of health services provided people in their communities should be broadened and made more flexible. Under these headings come more specific items which demand our attention.

(1) Health services require more planning and concern for delivery of health services, using and disbursing the latest techniques. Our heart, cancer, stroke legislation—which in reality is a continuing education program—is a good example of this.

(2) Health manpower requires planning for more effective use of highly trained and skilled personnel and a means to help solve our existing shortages. Use of supporting allied health personnel is a necessity. The Allied Health Professions Training Act should be of great help to train those interested in the supporting health professions. The development and use of electronic devices to free limited manpower should be given greater emphasis.

(3) Health facilities—better planning and coordination in placement of facilities, and in particular, better planning in placement and use of expensive, yet limited-use equipment.

A major priority in all health planning must be a consideration heretofore not emphasized sufficiently—and that is a reduction of the cost of health services to the American people.

Hospital and medical costs have skyrocketed alarmingly. The Brookings Institution published a study which has projected a

$100 a day hospital room cost in the very near future. Health services have risen 7 to 8 per cent a year in the past two decades and jumped 14 to 16 per cent each year in the last two years. A concentrated effort in planning must be undertaken to solve this problem.

Planning must give greater emphasis to preventive medicine rather than just curative medicine. There must be more extensive use of examinations and check-ups to catch and prevent critical health problems before they develop and require extensive and expensive care and hospitalization.

Your organization can perform a major service to the American people if you will devote your abilities to help meet and solve this challenge and assume a leadership role.

As you know, we are moving into a new concept of Federal-State relationship—a Partnership for Health—with greater responsibility thrust upon state and local governments to develop comprehensive, imaginative and effective plans and programs for health. How the states meet this responsibility will determine the continuance of this program. As to the Act itself, there are four provisions I would like to briefly mention.

(1) Block grants to the states will replace the old categorical grants. The planning done by the state—not by Washington—will be the determining factor in the allocation of these funds. In other words, the states will say where this money will go, determined by the priorities set by the state. The plan must be comprehensive.

(2) Project grants must conform to the state plan. It is my feeling that in the near future the Congress will look at the division of funds between block grants and project grants, which presently are equal, to see if more of the funds should be allocated to the block grants and a subsequent reduction in project grants.

Special programs like Migrant Health, as well as new and innovative programs will continue to need special attention.

(3) Personnel exchange and training in the new legislation is also a most significant step. The law is designed to again carry out the Partnership in Health approach in a realistic manner. Federal health personnel and state health personnel may be interchanged as agreed upon by the Secretary and the State. This will allow a greater knowledge and understanding of health problems and solutions. I hope that extensive use will be made of this provision not only by the states, but also by the Federal agency, so that those in Washington may obtain a better working knowledge of the problems in the *field*.

(4) Training programs for state public health personnel should be developed and used immediately as authorized by the Act.

The Congress has been responsive in trying to meet the health needs of the nation in formulating legislation. In fact, 37 separate pieces of health legislation have been approved by the Congress and signed by the President in the past six years. When we consider the number of people who have been affected by medicare and medicaid, we can see just how Federal health legislation has gone to the heart of some of our largest problems—health protection and service for the elderly. We did not have this six year ago.

Clearly, health programs are an increasingly important part of our national effort. And their growth is as certain as the growth of our total population.

The momentum caused by this health legislation led the Committee on Interstate and Foreign Commerce to establish a Special Subcommittee to investigate the health activities of the Department of Health, Education and Welfare. It was my honor to chair this Subcommittee. I feel certain that we will soon see a continuing and effective reorganization of the Federal Health Agency.

Perhaps the most significant recommendation by the Committee was for the establishment of a Department of Health with a Sub-Cabinet post for health—either of Secretary or Undersecretary of Health under the Department of Health, Education and Welfare—in order to provide a single focus for health planning and coordination of Federal health activities with the Department.

An amendment has already been proposed to establish such a position. Reorganization must follow. All of us, I am sure, will be interested in watching these developments.

It was the intent of the Committee that health functions be focused in the Health Department, and I am concerned with an initial transfer of the Crippled Children's Services—basically a health program—to the new Social Rehabilitation Services. I hope that the Committee's recommendations will not be misinterpreted.

In the Partnership for Health Act we have said to the states, "Let's get organized, let's plan, let's obtain optimum results from available money and Health Manpower."

It does not appear too much to ask our Federal Health Agency to do likewise.

In conclusion, may I say that, along with many members of the Congress, I deeply value the voice and opinions of the American Public Health Association. I join with all of the people of this nation in expressing our appreciation and thanks for your dedication to the cause of better health for all our people.

CONGRESSMAN DANIELS CITES NEW JERSEY CAPTIVE NATIONS RESOLUTION

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Daniels] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. DANIELS. Mr. Speaker, under unanimous consent following my remarks I place in the Record a resolution of the Captive Nations Committee of the State of New Jersey.

I think it is well that we frequently bring to mind the fact that many millions of our fellow human beings still suffer under the yoke of Communist oppression.

The resolution follows:

Resolution of the Captive Nations' Committee of New Jersey

We, the delegates of Czech, Bulgarian, Byelorus', Estonian, Hungarian, Latvian, Lithuanian, Polish, Romanian, Serbian, Slovakian and Ukrainian organizations representing our peoples who are citizens of the United States of America and who at the same time preserve cultural and spiritual ties with the peoples of our original homelands, do solemnly declare:

1. The forthcoming 50th Anniversary of the Bolshevik (Communist) Revolution fills our hearts with anguish for it represents the beginning of the Imperialist movement which has culminated in the military conquest of our original homelands and in the serfdom of our peoples.

2. Our peoples held under the alien Communist yoke have been deprived of all freedom. On the soil of their own homelands our peoples cannot benefit from their own natural and human resources. The wealth of the land and people has been confiscated by the Communist rulers to perpetuate their positions of power and by brutal suppression and to extend the boundaries of Communist Imperialism by international subversion.

3. The unrelenting resistance by our peoples to Communist oppression in our original homelands is a continuing source of inspiration to us in our new homeland. In recent years we witnessed repeated attempts to regain greater freedom in the development of their national identity and culture. Particularly persistent efforts were made to restore the cultural achievements of their nations and to impress the youth with the feeling of national pride. The entry into the cultural life during the recent years of hosts of nationally-minded, patriotic men and women clearly reflects a powerful reservoir of resistance to Communist oppression.

4. The Communist tyrants have reacted in typically brutal fashion to crush the persistent aspirations of our peoples to regain the benefits of national liberation and cultural freedom. They have recently suppressed several leading literary persons by imprisonment, bullying, humiliation or by depriving them of their rights of citizenship. They have produced an increasing number of pseudo-historical works degrading our national movements, distorting our political and cultural leaders and deriding the activities of our immigrants in their adopted homelands. They continue to deny all religious freedom in our original homelands, and have increasingly interferred with the affairs of our emigrant churches. The increasing sharpness of these attacks serves as a measure of the Communist rulers' apprehension regarding the tenacious yearning of our peoples for freedom.

5. For the above stated reasons, we firmly resolve to persist in our efforts to alert the government and people of our new homeland to the continuing fight of our peoples remaining in their original homelands, and to increase cooperation in our efforts in a brotherly manner. We further pledge to maintain and strengthen moral and material ties with our peoples subjugated within the Communist Colonial Empire.

6. We fervantly hope that the government of the United States of America, chosen by us and our fellow citizens, will fulfill our aspirations which are embodied in the Constitution and the Declaration of Independence by giving its moral support for the liberation of our enslaved peoples from Communist regimes' attempts to conceal its true totalitarian nature behind a facade of pseudo-democracy.

7. We solemnly implore the government of the United States of America to refrain from sending congratulations to the Soviet Empire on the 50th Anniversary of the Bolshevik (Communist) Revolution, but to join us in mournful silence remembering the millions of our peoples who have perished from Communist brutality. We also implore our government to refuse to send official representatives to any official observances sponsored by the Soviet Empire, its colonies or protectorates for we deplore the thought that our representatives will be greeting Communist brutes whose hands are smeared with the blood of our peoples.

On behalf of the Captive Nations Committee:

Daniel Marchishin,
Chairman.

THE HONORABLE JOHN V. KENNY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Daniels] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. DANIELS. Mr. Speaker, on October 27, 1967, the Jersey City chapter of UNICO named as their "Man of the

Year," a man who is Jersey City's man of the year every year, the Honorable John V. Kenny.

Because John V. Kenny means so much to so many in Hudson County, N.J., there is not enough time to list all of the good things he has done for his city, his county, his State, and, as an original backer of the late President Kennedy, for his country. Suffice it to say that John V. Kenny is a man who brought tolerance and decency to politics and opened the doors to those who had previously known only closed doors. His achievements are many but truly this was his greatest gift to his community. There are very few of whom it can be said that we shall not see his like again. John Vincent Kenny is one of those.

All of the things I would like to say were said so well on the occasion of the presentation of the UNICO Award by the Honorable William J. Flanagan, executive director of the New Jersey Turnpike Authority, that I will include his remarks, which were given at the Skyline Cabana in Jersey City on October 27, 1967, in their entirety at this point in the RECORD. Mr. Flanagan's speech follows:

ADDRESS BY HON. WILLIAM J. FLANAGAN

John Vincent Kenny, as a subject matter could not be adequately covered in any single evening. The history of his life and times recounting the colorful days of "Shagger" Cummins, lovable Tom Boyle and "Bug Juice" Morrisey would alone fill a volume. But as I move on to other chapters perhaps he can be persuaded to regale you with tales of their activities.

Tonight I'm going to tell you about the John Vincent Kenny you know by telling you some things you do not know.

It is of course acknowledged that he is a master of the political art. As a leader, his string of political victories is phenomenal.

As a working office holder, no other mayor of this town ever did as much in the five years he served as John Kenny. No other chief executive had ever achieved so great and rapid change.

He built five new schools, new housing projects and new hope in the hearts of our people.

He erased political prejudice and offered the opportunity for high elective office to Americans of Polish and Italian extraction for the first time.

He wiped out the enforced discipline and the old fears and replaced them with a freedom the city has never known.

He encouraged and developed young men and changed the course and fortunes of more young lives than any man I know.

His experience in politics made him a student of the past and a prophet of the future.

A full eighteen years before the remainder of the United States awakened to its necessity John Kenny launched his own equal rights and equal opportunity programs.

He moved Negroes into positions of trust and responsibility. He appointed them to the Board of Education, the Housing Authority, the city Law Department, the Fire Department and as superior officers in the Police Department.

He took them by the hand—without urging from anyone—and prompted by a sense of justice, led them through doors that had been forever closed to them.

True, he is your man of the year—but he was a man of his time eighteen years ago when the times could have used more men like him.

He served in that high ceilinged and paneled office on the second floor of City Hall for five years, though he never intended to stay that long. In fact, he never intended to run at all.

Peace loving but courageous, like any true son of Irish ancestry, he responded to the natural urge to swing back when someone swung at him.

I recall being separated from my appendix back in 1948. I was in St. Francis Hospital when he walked into my room. We talked of many things and he revealed—although he wasn't to announce his intention until almost a year later—that he would be a candidate.

"I don't want to run," I can remember him saying, as he stood at the foot of my bed. "But I have to run—to show them I'm not afraid of them and to show them I can beat them."

He then recounted the harassment he and his family was being subjected to; that he was followed constantly; that he and the members of his second ward club were under constant surveillance by a Jersey City Police Sergeant who had been placed within his group. The fact that he was supposed to be a friend was part of the deception.

"When I beat them," he said with characteristic confidence, "I'll serve one term and hand it over to someone else."

So sweeping was his victory and so dramatic were his changes that in the course of human behavior it was inevitable that there would be those who would seek to throttle him.

Few men in public life had been successful against such odds. Fewer still have ever been subjected to personal harassment as malicious and as persistent.

John Kenny was hounded and pounded, probed, investigated, interrogated and degraded. But never once did he hide, never did he run, nor ever lower his head.

Through years of countless degradations the lie was continually hurled back into the teeth of his detractors. To his everlasting credit, never once did any accuser—and they were legion—never once did they succeed in placing a mark against his character.

Your man of the year is a man by many measurements, and most surely by those standards set down by Rudyard Kipling in his immortal "If."

"If you can walk with kings and keep the common touch; then you're a man, my son," was one of the conditions he wrote.

John Kenny has walked with the great and near great and has never been affected by their presence. He has dined with Mrs. Kenny at Morven and at the White House on more than one occasion. Yet he finds the same satisfaction at Sunday dinner with his wife, with his daughter, Catherine, her husband Paul and the children—grand and great-grand.

Perhaps an explanation of that can be found in the fact that he had so much to do with assisting those kings to the throne.

In Los Angeles during the summer of 1960 following the waste of New Jersey's convention votes I told John Bailey, the national Democratic chairman, of our bitter frustration.

"I'll tell you something," he confided. "Jack Kennedy knows very well where Johnny Kenny stands for there are only three men in this country who formed the keystone that originated his candidacy. One was Congressman Charlie Buckley of New York, the second myself and the third Johnny Kenny."

Relaying these assurances to Mayor Kenny he revealed to me an incident that occurred in his apartment in Miami Beach early in 1959. He received a phone call, he said, from Joe Kennedy who told him his son, Jack, wished to discuss an important matter.

"He probably used the family plane to come down from Palm Beach," the Mayor recalled, "because he was there in a very short time. We had a pleasant conversation. He asked me if I would support him for the presidency. I encouraged him, we shook hands and I gave him my word."

That handshake and that word are the hallmarks of this man. They are symbols of sincerity to the thousands who have received them.

As contemporaries it may be difficult to fully appreciate his greatness. I imagine that is because of his disarming demeanor and his simple style.

He likes to laugh and to hear people laugh.

He is a charitable man.

He is an unaffected, humble man.

He is a devout man.

Like all Irishmen he is a sentimentalist, and while he is eloquent and truly literate before an audience he is at his best in a small group, reminiscing and re-living the glories and the lives of the people who have enriched his life.

There are a thousand other ways to describe your Man of the Year.

Barney Doyle referred to him as "Quarters" because of his classic habit of jingling change from hand to hand. The late Johnny Connell, whose lexicon was as famous as it was colorful, called him "Two Fingers" in honor of the ever present V-for-victory sign he flashes during campaigns.

Redheaded Joe Culloo, his dearest friend, affectionately dubbed him "The Little Guy", though he stands tall, crowned by the sun, casting a giant shadow.

The Man of the Year for 1967? Indeed.

But more than that—he is a man for all seasons!

HOFFMANN-LA ROCHE: A COMPANY OF VISION AND RESPONSIBILITY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RODINO. Mr. Speaker, I am very pleased to call attention to another outstanding achievement of the remarkable pharmaceutical firm, Hoffmann-La Roche of Nutley, N.J. This splendid company has just announced an 8-year, $300 million expansion program which will be of incalculable benefit to Nutley, Essex County, and the State of New Jersey. This is a magnificent project, which Hoffmann-La Roche's president, Dr. V. D. Mattia, terms "unparalleled anywhere in the world." It is also a heartening expression of confidence and faith in the future of the community and the strength of our economic system.

Hoffmann-La Roche has already embarked on several enlightened and public-spirited programs. Since 1962, it has had in operation an indigent patient program, whereby the company's drugs are made available without cost to the indigent sick. Hoffmann-La Roche also initiated a landmark medicare reimbursement program, which provides a 25-percent discount on all Roche drugs used by medicare patients during hospitalization. And more recently, plans were announced for a unique institution, the Roche Institute of Molecular Biology, which will be dedicated to fundamental research on basic life processes.

I am extremely proud that Hoffmann-La Roche is located in my congressional district, and even more privileged that its president, Dr. V. D. Mattia, is also a resident. Dr. Mattia is a man of vision and courage, with genuine concern for humanity. Under his direction Hoffmann-La Roche's progressive and innovative policies are helping meet the most basic problems and needs of our country. I include at this point in the RECORD a Newark Star Ledger editorial of November 7, commenting on the latest benefit which we will derive from this great company:

THE RIGHT RX

The mammoth expansion program that will be undertaken by Hoffmann-La Roche Inc., the major pharmaceutical firm based in Nutley, is a tangible, substantial expression of faith in the nation's economy.

It is an example of what the private sector can do to bolster sagging confidence in the capacity of the nation to underwrite an extremely costly conflict and to maintain a domestic stability with programs designed to relieve ghetto tensions and to help in the rebuilding of America's older cities.

The spending of $300 million over an eight-year period projects even more significant benefits for Essex County and the state. It will mean thousands of new jobs, an expanded tax source for Nutley and the county and the spinoff of benefits that accrue to the commercial and financial communities from the growth of a corporate entity.

When the drug firm's capital construction program is completed, it will represent a complex of manufacturing and research facilities that in the words of its president, Dr. V. D. Mattia, will be "unparalleled anywhere in the world." It is a corporate asset that should be highly prized by the Garden State, providing a vital impetus for New Jersey's future growth.

THE VISTA VOLUNTEER

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BINGHAM. Mr. Speaker, the life and work of a VISTA volunteer who serves with the Office of Economic Opportunity's VISTA program is far from easy or glamorous. Fighting poverty at its source requires patience, dedication, and hard work. Those of our fellow Americans who join the VISTA program are truly making a remarkable contribution to the war on poverty.

I believe my colleagues will find the following article about a VISTA volunteer serving in New York City interesting and reassuring; interesting because it describes some of the unique daily challenges and problems posed by urban poverty to a young lady who is a VISTA volunteer serving in Harlem; reassuring because the volunteer is a 23-year-old member of the younger generation who is making a contribution to those less fortunate.

It is with knowledge of this kind of work that we should approach the bill before us today, and quickly remedy the "freeze" on appropriations which is currently bringing the VISTA program to a halt.

Mr. Speaker, I would like to include this excellent article from Sunday, the Courant Magazine, about the good work VISTA volunteers are doing in their service with the OEO at this point in the RECORD:

SHE HELPS THE POOR IN HARLEM—RADCLIFFE GRADUATE FROM KENT TAKES THE SLUMLORDS IN COURT

(By Betty Murphy)

Ceilings were falling in. Streams of water ran through living rooms from bathroom leaks. There were many rat holes. Windows were broken and children were freezing cold.

A 19th century tenement house was falling apart around 18 Puerto Rican families in East Harlem, N.Y., last December, but the landlord wouldn't repair it. One-third of the tenants of the filthy, gloomy walk-up couldn't speak English. They didn't know what to do.

A 23-year-old girl from Kent who lived on the next block knew about the situation. Even with a college degree, she didn't know exactly what to do either, but she decided to find out.

Mary Breasted, a tall, pretty VISTA (Volunteer in Service to America), who looks like a Radcliffe College girl (which she was) was starting her second year with Block Communities as a worker on East 119th where the apartment house was located. She knew many of the tenants. In fact, one was her closest friend in Harlem.

She sought legal advice on the situation and a rent strike seemed to be the only answer. The tenants would stop paying their rent until the landlord repaired the building, but certain technicalities must be observed to do it within the law.

Miss Breasted united the tenants and had them apply for free legal services from public social agencies and other sources. In a short time, CORE provided them with a young lawyer who explained the legalities involved.

Two means by which New York apartment dwellers can legally go on a rent strike are through court action under Article 7–A of the Real Property Actions and Proceeding Law or through the Welfare Department under the Spiegel Act.

Provided the tenants can prove that the building has dangerous conditions, they can petition the court for an Article 7–A ruling. If their case is passed, a court-appointed administrator (who may be the landlord) collects the rents and makes the necessary repairs. The repairs are made under the supervision of the court and the case continues until they are completed and enough rents have been collected to pay for them.

Or, if the large majority of the tenants are on welfare, they can request the Welfare Department to invoke the Spiegel Act under which a rent stoppage is ordered until all dangerous conditions have been repaired Rent money is not included in the welfare checks and the landlord is not paid until the building is up to accepted city standards.

The lawyer helped the tenants write a proper letter requesting the Welfare Department to invoke the Spiegel Act, but got no response. Therefore, they decided to act on their own and file for an Article 7–A.

At the first court session on Jan. 9, the landlord agreed to repair the general conditions listed: i.e., fallen plaster, broken windows, leaky pipes, etc. Two months later no repairs had been made except in two apartments, which were occupied by the most active tenants in the strike.

Miss Breasted, the lawyer and some of the tenants returned to court where they were ordered by the judge to present a detailed list specifying each defect—each area of fallen plaster, each leaky pipe, each broken window, etc. This was done and the case was brought to court again.

The landlord's lawyer was appointed administrator and the landlord was ordered to make all necessary repairs with the rent moneys under Article 7–A. The tenants, who were told to periodically inform the court of his progress, thought they had finally won.

In late March, however, each tenant received a bill for one month's rent from the Emergency Repairs Division of City Housing, which had repaired flood damage to the building the previous December and had no knowledge of the rent strike. When repair costs come to approximately the same amount as one month's rent for the building, the Division will frequently bill the tenants directly, notifying the landlord that this has been done. The tenants would not have been billed if Emergency Repairs was aware that a rent strike was in progress.

In the midst of this tangle, the Welfare Department invoked the Spiegel Act, withdrawing all rent money from the welfare checks. The families, all but one or two of whom were on welfare, were being billed for rent by both Emergency Repairs and the court-appointed administrator. And, with the invocation of the Spiegel Act, they didn't have money to pay anybody.

The landlord, receiving neither money to pay the repair bills nor rent, gave each tenant a 72-day eviction notice.

Confused and dejected, Miss Breasted and the tenants requested another court hearing. Fortunately, a sympathetic judge invited representatives of all concerned to his chambers for an informal discussion. The results: Emergency Repair withdrew its bills. The Welfare Department cancelled the Spiegel Act and gave the tenants rent money for the landlord's lawyer who agreed to see that the landlord resumed repairs. The tenants had finally won.

The informal session took place on a Wednesday. Friday a fire broke out in the building and City Housing condemned it as unsafe.

The fire, presumably started by a couple of trespassing drug addicts heating dope injections, gutted the roof and one apartment, before the firemen, who had to break all the windows, put it out.

The tenants were scattered to hotels throughout New York City by the Welfare Department while they looked for other apartments in other buildings where they may have the same fight ahead of them again.

Miss Breasted, who still keeps in touch with some of the tenants, is now trying to unite the residents in another dilapidated building, but is finding it more difficult this time. Dope addicts, pushers and people in the numbers game among the tenants are not willing to cooperate.

Before she arrived in Harlem in December, 1965, she had never seen a dope addict or racketeer, let alone worked with them. Born in Washington, D.C. she was 10 years old when she moved to Kent, where her father is an art history instructor at Kent School, a boys' prep school.

She received her education in Kent and in small progressive schools in Switzerland, Germany and Vermont before attending Radcliffe. During college, she did volunteer teaching at a women's correctional institute and a boys' reform school. Interested in social problems, she "looked around for something like VISTA" after graduating from Radcliffe in 1965, read about VISTA in the paper and applied.

Miss Breasted had her first glimpse of slum life in Chicago where she received her six weeks' Volunteer training. Stationed at Hull House, she worked and lived with Appalachian immigrants in poor neighborhoods on the North Side, but this did not prepare her for Harlem.

"I was scared at first—scared of not knowing how to approach Negroes not used to contact with white people," she admits. "I was also frightened of the dope addicts—thought they were some kind of maniacs. They were so out of it. Actually, while they might rob apartments for money to buy drugs, they wouldn't want to touch a flea and don't often approach a person directly.

The first time she walked around her block on 119th Street and knocked on doors to get acquainted, the inhabitants, mostly Puerto Ricans, just stood and looked. Later when they talked, it was mostly, "What do you want from me?" It took her about six weeks of door knocking and "talking about everything under the sun" to reach her neighbors.

After establishing friendly relations with a number of residents, she and her roommate, former VISTA Volunteer Judy Lewis, helped a group of teenagers organize a summer recreation and education program—planned trips with them, gave them ideas for recreation projects, assisted them in remedial reading and arranged workshop sessions. They also told the kids about job opportunities and training courses for college and encouraged their interest.

Miss Breasted spends much of her time trying to organize tenant unions, encouraging community meetings and participating in a block worker training program which consists of discussion and group therapy sessions at the Block Communities office.

She is one of 32 block workers, including 12 VISTAs, who recruit and help train Harlem residents in informal courses in which social problems are thrashed out and group behavior analyzed by voluntary individual criticism. "For example," said Miss Breasted, "if a participant continually interrupts discussions, we take him aside and ask him, 'how do you think you came across in the group?' If he seems concerned over his behavior and able to take criticism, we ask if he'd mind if the group answers the question."

Those who take these discussions seriously and continue attending become block workers after four weeks' paid training.

A large part of Miss Breasted's work consists of walking. When not involved in collective community action, she strolls up and down her block talking with the residents most of whom she knows quite well. She inquires about their problems, informs them about social agencies who could help them and encourages them to do as much as they can for themselves.

One of the hardest things about being a VISTA Volunteer, according to Miss Breasted, is that "we're never allowed to do anything for people directly, even fill out forms. We can only inform them of resources available to them and tell them how to take advantage of them. This isn't always easy, but they'd never learn if we did it for them. It's the only way."

Miss Breasted, who served a second year in VISTA because she felt that her work wasn't finished, hopes to remain in the neighborhood next year, working as a salaried writer for Block Communities and studying for her masters degree at Columbia School of Journalism. She wants to do more for her friends in Harlem because, in her words, "I don't feel I've done that much."

PERCEPTIVE ARTICLE ON THE "AGONY" THE UNITED STATES IS EXPERIENCING

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Bingham] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BINGHAM. Mr. Speaker, in the last few weeks we have seen many disturbing events in our country—from the bitter and hate-filled demonstrations against the war in Vietnam, to the brutal and senseless murder of two harmless young people in New York City's West Village, from the black separatist explosions on our colleges, to the harsh counterreactions spawned by each of these. It is hard for those of us who are caught up in the flow of day-to-day crises to stand aside and take a dispassionate and philosophical look at their meaning.

Tom Wicker, chief of the New York Times Washington bureau, who has been abroad for this month of October, has written a most perceptive article on the "agony" the United States seems to be living through these days. I insert it herewith in the Record and commend it to my colleagues:

Aboard SS "France"—Coming Home in October

(By Tom Wicker)

Aboard SS "France," October 28.—October was a better month than most to be away from the United States. It is a difficult time of year, anyway. The true season of beginning is the fall, when a new class of children goes off trustfully to school; and the autumn nostalgia is not really for the closing of another year but for our own forgotten beginning, our own lost trust.

From abroad, this seemed a special October. "Your country," said a distinguished British diplomat, "is in rather an agony, isn't it?" It was, of course, a courteous understatement, for the agony was apparent.

DISTORTED PICTURE

Perhaps it was summed up in a picture widely printed in the European press—the contorted face of a young American pacifist screaming with hatred, the veins of a passionate contempt outlined in his neck, his fists clenched under a policeman's blank riot mask. In what manner could a pacifism so fierce and so despising differ from the violence and cruelty of men in iron helmets?

But as the American agony was apparent even in Europe, the nature of the trial still was not clear. Was all this soul-searching, this passion, this bitterness, this hatred in the cause of love, inspired only by a faraway war engaging a fraction of a nation's men and resources, distasteful and of such dubious validity as that war is? Had modern communications, bringing napalm and the B-52 into the den and the game room, truly made what the 19th century never worried about into something unthinkable in the 20th?

This is a proposition hard to accept, particularly when it also is a time of riots in the cities, of youthful rejection of so many formerly accepted standards of behavior and belief, in the age of LSD, when pot is not so much fun as defiance.

It is more likely that if the war in Vietnam did not exist at this particular time in American life, it might have had to be invented. Something, it seems from the vantage point of distance, was needed to symbolize, and thus to give focus and energy to, a profound but voiceless discontent with the land of the free and the home of the brave—to a deep and brooding sense that something was wrong, some failure was distorting and perverting the idea of America.

This is not new to American intellectuals; it is as plain in Norman Mailer's writings about World War II as in his current novel, "*Why Are We in Vietnam?*" But the issue of Vietnam seems to have evoked this sense of perversion, for the first time, in a large part of the population. Perhaps it was an inability to halt or change the inexorable march of the war, making plain the plight of the individual in that vastness of the 20th century; or the contrast of the war's flagrant expense with the misery and poverty of the Negro ghetto—distasteful affluence careless of the rot within; or perhaps it was only the ancient American sympathy for a brave underdog, transformed into revulsion at the spectacle of marvelous technology, vast resources and splendid young men trying to pound a small and backward nation, of whatever moral and political character, into submission.

Or perhaps it was all of these things, and more. Whatever it was, the war in no way expressed the idea of America in which men wanted to believe, and so the drama of Vietnam gave them their choice in dissent—not just dissent from the war but from their country, what they thought it was and where they thought it was going.

It was a needed voice, but now there is something repugnant in it, too, in the intolerance and ferocity of disaffection, as if human failure were evil, as if a sort of inquisition were needed to scourge the money changers from the American temple.

POISONOUS ATMOSPHERE

An American who has been living abroad for two years is aboard this ship, returning with some reluctance to his own country. It is a bad time to be going home, he fears, because "the atmosphere seems poisonous."

That, of course, is the question. Will an America profoundly in conflict with itself poison its own soul with hatred and contempt and bitterness? Or will the agony of a nation lead, as in the mighty Greek dramas, to catharsis, to a renewed sense of American life in its common humanity, its promise and its reality?

One is not more important than, nor can either transcend, the other. From reality man reaches toward promise, fails, and in the agony of failure finds his greatness by reaching again. And so it must be with a young country passing at last into middle age.

That is why this agonized October has been a good time to go away and look back, while the autumn nostalgia whispered its sadness and its knowledge. We do not need to cling to old trusts and old faiths so much as we need to remember that while trusts fade and faiths die the generations come on ceaselessly, in the season of beginning and renewal.

COMMEMORATION OF VICTORY OF CONTINENTAL FORCES AT YORKTOWN

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. Downing] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. DOWNING. Mr. Speaker, several weeks ago on October 19 while we in both Houses were engaged with the many problems which beset a nation in conflict, there was commemorated in my district of Virginia the concluding effort of the conflict which brought independence to our Nation. This was the 186th anniversary of the victory at Yorktown of the Continental Forces and their allies under the leadership of Gen. George Washington.

As is its patriotic custom, the Thomas Nelson, Jr., Chapter, Sons of the American Revolution, singled out a great living American for special honor. The honor is annually bestowed to a present-day patriot whose devotion to the principles of liberty have made him a true and noble descendant of the Founding Fathers of the Republic.

We in this great House were honored this year by the selection of the Honorable William Munford Tuck, the distinguished Representative of the Fifth District of Virginia and a former Governor of the Commonwealth. Congressman Tuck was the recipient of the Thomas Nelson, Jr., Medal presented in memory of that distinguished Member of the Continental Congress, signer of the Declaration of Independence, and likewise Governor of Virginia.

October 19, 1967, was a great day at Yorktown when Representative Tuck received the award, responding in his time-honored fashion which has both thrilled and delighted us in this House on so many occasions. It was by reflection a great day here in Washington because Representative Tuck is the third Member of the Congress to be so honored. The late Senator Harry Flood Byrd and the Honorable Howard Worth Smith, the former dean of the Virginia delegation were previous recipients.

We of the Virginia delegation take exceptional pride in this tribute to "The Governor," the title by which we shall always know and respect our esteemed colleague, and on behalf of the other Representatives of our great Commonwealth I take particular pleasure in including in the Record the citation to Representative Tuck and his response in which he rededicated himself to the principles of American liberty:

A Resolution for a Citation to Representative William Munford Tuck

Who: in a life of devoted service to his beloved Commonwealth, early forged the fundamental principles that would guide him through forty-six years of unswerving dedication to the esteemed values of the Founding Fathers: and thereupon set a course which would take him to the House of Delegates, the State Senate, the Lieutenant-Governorship, the Governorship, and the Congress of the United States.

Who: personifying the axiom that responsibilities gravitate to those who best can direct them, implacably steered the Commonwealth through the wrenching changes in political directions by eschewing opportunism and by hewing to the solid doctrines of The Constitution.

Who: while devoting the latter years of his public life to bulwarking the rights and privileges of the individual, comported himself throughout with an engagingly frank good humor while agonizing over the ever-increasing encroachment of the federal establishment.

And who: through this dedication to the American tradition of man's dignity, best exemplifies the Sterling Virtues of Thomas Nelson, Jr.

Who: served in the Virginia House of Delegates, was a member of the first General Convention, signed the Declaration of Independence, was Governor of Virginia and led Virginia's forces in the Battle of Yorktown and whose patriotism led him to pledge his own credit in raising funds for the Revolution since it was a surer guarantee than that of the National Government: advocate of sound government and of strong national defense, and devoted Patriot.

The Thomas Nelson, Jr., Chapter,
Sons of the American Revolution.

Acceptance Remarks of Congressman William M. Tuck at "Surrender Day" Ceremonies at Yorktown, Va., October 19

You have paid me a great honor today. To be chosen an exemplar of the sterling characteristics of Thomas Nelson, Jr., is a distinction indeed to be cherished. I do not consider myself worthy of such, and I do not find words to express adequately my appreciation for this honor which you bestow upon me.

However, I can assure you of my deep gratitude to the Virginia Society of the Sons of the American Revolution for such recognition. I understand that it is the third award of its kind that the organization has made and that the two previous recipients were my friends, the late Senator Harry F. Byrd, Sr., and the Honorable Howard W. Smith, gentlemen for whom I have always had the highest admiration.

In accepting this presentation of the tribute expressed in your citation and so fittingly symbolized in the medal you have struck, I recognize the occasion as one for rededication to the great American principles for which Nelson fought and for which the Sons of the American Revolution stand.

Thomas Nelson, who as the third Governor of Virginia succeeded Thomas Jefferson in that office, perhaps gave more of his time, talent and wealth to his state and country than any other man in history. He gave so much of himself that his health was broken; he gave so much of his wealth that he was threatened with poverty. In fact, he gave so much that, as you know, the epitaph on his tomb here at Yorktown reads: "He gave all for liberty."

He was a statesman, a soldier, and a benefactor in the cause of American freedom. History has shown him to be a man of selfless patriotism, a gentleman with the highest order of personal integrity.

He it was who introduced the Virginia Resolutions of 1776 calling upon the Continental Congress to declare the Colonies free and independent. He was one of the immortal signers of the Declaration of Independence. He served in the House of Burgesses and in the Continental Congress. He raised troops for the Continental Army and he served as commander of the Virginia Militia. The fact that he ordered the bombing of his own home in the Battle of Yorktown is a clear demonstration of his patriotism.

In view of this Virginia patriot's completely admirable qualities, no award could be more appropriately named. It serves as a pledge on the part of all of us to preserve and protect free constitutional government.

The Sons and Daughters of the American Revolution have always supported and defended the fundamentals and principles of our form of government, the very essential foundations which have made this country great. Thus I shall ever cherish and appreciate the citation and the high honor which you have bestowed upon me today. I hope and trust that I may always be worthy.

URBAN CRISIS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Vigorito] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. VIGORITO. Mr. Speaker, much has been written about our "urban crisis." In an attempt to solve the many problems surrounding our cities, the President has asked this and previous Congresses to pass a number of most important bills. These have touched upon the problems of urban sprawl, mass transit, urban renewal, and so forth.

Unfortunately, despite the demonstrated need, passage of these bills has been like "pulling teeth."

As a member of the Pennsylvania congressional delegation, I have been vitally interested in this legislation, not only because of the nationwide impact of these various programs, but because of the need for them in various cities in Pennsylvania.

In last year's gubernatorial election, we were honored to have as the Democratic candidate, Milton J. Shapp, of Philadelphia. No one has researched deeper into the problems of our cities and no one speaks with more authority on this subject.

Because of this, I would like to share with my colleagues in the House a report of a press conference which Mr. Shapp held on October 30 which contains some interesting statements and revealing statistics:

Milton Shapp, Philadelphia executive, today called upon Governor Raymond Shafer to "put muscle behind his pledge to whip his party's Pennsylvania Congressional delegation into line to support manpower training, anti-poverty, urban renewal and other federal welfare programs."

Shapp noted that at a press conference last Wednesday, following a meeting in Harrisburg with Mr. Sargent Shriver, head of the Office of Economic Opportunity, the Governor said he would call upon the Pennsylvania delegation in the Congress to seek maximum federal money for anti-poverty urban aid and manpower retraining.

Shapp called the attention of the Governor to the record of his party in the U.S. House of Representatives and indicated it would take strong action on his part to correct their voting record.

"When the model cities program came before the House of Representatives in Washington this year, the GOP led a fight that resulted in an authorization of only $300 million, a figure which has prevailed in the House-Senate conference despite a Democratic effort in the Senate to double this amount. Yet, even the smaller amount was fought by the Pennsylvania Republican House delegation which voted against it by a 10–3 majority.

"When the original rent supplement bill was killed in the House of Representatives last May, all thirteen of Pennsylvania's Republican members voted for its death. The House later agreed to a paltry $10 million and the Senate Democrats upped the amount to $40 million. When the measure was returned to the House for concurrence on Tuesday, October 24, all Pennsylvania Republicans voted to reduce the amount to $10 million.

"On July 20, the U.S. House of Representatives voted down a $40 million rat control bill by 207 to 176. Only two of the 13-man Pennsylvania GOP delegation voted in favor. When public uproar caused the House to switch to a two-year $40 million authorization, seven of Pennsylvania's GOP delegation were still opposed.

"I would suggest," Shapp said, "that the Governor immediately inform his own party's Congressional delegation of his own altered views, and that he publicly call each Congressman to account by name when any of the delegation refuses to support programs that benefit all people in the nation, including the citizens of Pennsylvania."

THE 3D MARINE DIVISION

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. White] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITE. Mr. Speaker, like many another former marine, I took great and solemn pride in reading the Presidential Unit Citation presented to the 3d Marine Division by Vice President Humphrey during his visit to Vietnam last week. When the Vice President pinned another streamer on the division colors, he added further to the record of "uncommon valor" achieved during the Pacific campaigns of World War II and the Korean conflict.

The 3d Marine Division was activated in September 1942, and participated in the campaigns of Bougainville, Guam, and Iwo Jima. As a rifleman and Japanese interpreter, it was my honor to have a part in each of these campaigns. Many of my fellow marines gave their lives, and many others were wounded during these assaults against heavily defended Pacific islands; and in each of them the Marine record of superb training and great courage won new laurels for the division.

The Presidential Unit Citation for 2½ years of service in Vietnam speaks for itself, and I am honored to place it in the Record at this point:

For extraordinary heroism and outstanding performance of duty in action against the North Vietnamese Army Viet Cong forces in the Republic of Vietnam from 8 March 1965 to 15 September 1967. Throughout this period, the Third Marine Division (Reinforced), operating in the five northernmost provinces of the Republic of Vietnam, successfully executed its three-fold mission of occupying and defending key terrain, seeking out and destroying the enemy, and conducting an intensive pacification program. Operating in an area bordered by over 200 miles of South China Sea coastline, the mountainous Laotian border and the Demilitarized Zone, the Third Marine Division (Reinforced) successfully executed eighty major combat operations, carrying the battle to the enemy, destroying many of his forces, and capturing thousands of tons of weapons and material. In addition to these major operations, more than 125,000 offensive counterguerrilla actions, ranging from squad patrols and ambushes to company-sized search and destroy operations, were conducted in both the coastal rice lands and the mountainous jungle inland. These bitterly contested actions routed the enemy from his well-entrenched positions, denied him access to his source of food, restricted his freedom of movement, and removed his influence from the heavily populated areas. In numerous operations, the Third Marine Division (Reinforced) demonstrated the great efficacy of combined operations with units of the Army of the Republic of Vietnam. In July 1966, the Third Marine Division (Reinforced) moved to the north to counter major elements of the North Vietnamese Army moving across the Demilitarized Zone into the Province of Quang Tri; its units fought a series of savage battles against the enemy, repeatedly distinguishing themselves and, time and again, forcing the enemy to retreat back across the Demilitarized Zone. Imbued with an unrelenting combat spirit and initiative and undeterred by heavy hostile artillery and mortar fire, extremely difficult terrain, incessant heat and monsoon rains, the Third Marine Division (Reinforced), employing courageous ground, heliborne and amphibious assaults, complemented by intense and accurate air, artillery and naval gunfire support, inflicted great losses on the enemy and denied him the political and military victory he sought to achieve at any cost. The outstanding courage, resourcefulness and aggressive fighting spirit of the officers and men of the Third Marine Division (Reinforced) in battle after battle against a well-equipped and well-trained enemy, often numerically superior in strength, and the great humanitarianism constantly shown to the peoples of the Republic of Vietnam, reflected great credit upon the Marine Corps and were in keeping with the highest traditions of the United States Naval Service.

A TRAGIC CRUSADE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Rosenthal] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, we shall hear much this week about crusades, about who is really helping whom, and about means and ends.

We shall be saying these things in discussing the future of a program which began in hope and now may end in dismantling an agency to express our frustrations.

The New York Times today, in the following analytical editorial on the politics of crusading, should make us suspicious of the disemembering of OEO which has been proposed and of the "opportunity," which its proponents see in their crusade:

Whose "Opportunity Crusade"?

"Tragically weak . . . reckless waste . . . ineffective." The words ring forth in the statements of Representative Ford of Michigan, the House Republican leader, as he denounces the antipoverty program.

It is strange that Congressmen who would not dare break faith with cotton and tobacco farmers over price supports or with the Rivers and Harbors Congress over a navigation project have no compunction over breaking faith with the nation's poor.

Because of Congressional irresponsibility, the work of the Office of Economic Opportunity has been seriously disorganized. Projects are stopped and started, funds slashed arbitrarily, hopes raised and then dashed. The agency's employes are becoming demoralized and its politically feeble clients—the unorganized poor—are increasingly disheartened. It is a shameless performance.

Because Congress has not acted on this year's appropriation and has allowed the temporary continuing resolution to expire, O.E.O. has had to cut off the $30 a month paid to each Job Corps member. The 4,000 VISTA volunteers are deprived of their pittance of $50 a month. Community action programs that run day-care centers for working mothers and provide legal and health services have folded. The Head Start program for preschool youngsters cannot be made into a year-round program. The Follow Through program, which was intended to capitalize on the achievements of Head Start, now looks like a budgetary casualty.

Bitterness and social unrest in the urban ghettos and the rural slums can be the only consequences. Those who are guilty of this planned disaster are Representative Ford, his senior Republican colleagues in the House, and their allies, the reactionary Southern Democrats. They are guilty of killing the continuing resolution that is shutting down antipoverty programs across the country as funds run out. They are guilty of the political guerrilla warfare against the antipoverty program which is now under way in the House.

Representatives Goodell of New York and Quie of Minnesota, the principal Republican spokesmen on the antipoverty bill, insist they are all for the aims of the program but just want to improve it. But their voting record makes their substitute "Opportunity Crusade bill" look suspect.

In every year since the antipoverty program started in 1964, Messrs. Goodell and Quie have voted against final passage, for recommittal and for every crippling amendment. The weight of their influence is not to improve or strengthen the program. They are willing to kill it but not accept the responsibility. The "opportunity" they are seeking is their own political advantage. It takes a lot of gall to vote against the poor and then call it a "crusade," but many a gentleman in Congress is brave when it comes to defeating the defenseless.

POVERTY AMENDMENT

Mr. Speaker, the mood of our House, and of the Federal Government, is one of economy. This sentiment is proper and laudable and should be encouraged in our consideration of the antipoverty program.

I am especially concerned that economy become a working element within the program of the Office of Economic Opportunity. To that goal, I shall propose amendments to the OEO authorization bill to insure that consumer action programs be given proper emphasis in ending the barriers of poverty which encircle one-fifth of our Nation.

For the word "economy" meant, in its original Greek form, "household management." It is both in this original meaning and in its popular form, that the word is appropriate to my amendments. I shall propose a plan to improve both the efficiency of the dollars we devote to the antipoverty program and the efficiency with which the poorer consumer spends his dollars.

That the "poor pay more" remains one of the paradoxes of our time. What is wrong with a system where the poor, who, by definition, have less than others, has to pay more than his affluent neighbors for food, for clothing, for his housing, and even for his credit?

The facile answer is that the poor must learn to shop more carefully, to compare before he buys, to favor those merchants who are fair and to shun the unscrupulous, that he must, in short, exercise the judgment, initiative, and resourcefulness which some critics of the poor modestly think are the hallmarks of the solid middle class.

Mr. Speaker, my experience with both the American consumer and with human nature itself, suggest two flaws in this criticism of the poor: First, the middle-class consumer, is not such a great shopper himself, especially if unaided in his purchasing; and second, it is fruitless, and self-deceiving, to think that the poor will learn through exhortation and admonition, instead of by education, and practice.

What shall I propose is a program of education, self-help, and good example. A comprehensive consumer action, as conceived under this program, would help the poorer consumer to use existing and new institutions to become a better consumer.

It is true, Mr. Speaker, that a few poor consumers can learn these hard lessons in the marketplace alone, through trial and error and through profit and loss. But we err, I believe, in thinking that the extraordinary effort, the rare and inspiring example of the few which constitutes heroism in any field, should be presented to the poor as the norm for their education and development.

And just as we should not expect only heroes in the ghetto (although we welcome them as they arise) we should not expect only villains, though there will be several of these also.

We should expect simply that people will respond when they are given hope, which this consumer education program will give them.

We do not need to look farther back than last summer's riots to see what hopelessness yields nor beyond our more enlightened moments in this House, for example, when we enacted the antipoverty legislation, to see what great good may come when people have hope.

WALT W. ROSTOW: ANOTHER ALGER HISS?

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Rarick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RARICK. Mr. Speaker, in statements in the Congressional Record of October 17, on page 29118, and in the Daily Congressional Record, on October 18, page A5125, respectively, I commented on the security status of Walt W. Rostow, now special assistant to the President for National Security Affairs, with particular reference to the case of Otto F. Otepka and the recently proposed Panama treaties of which he is alleged to be the "chief architect."

The latest information concerning Rostow is an extensively documented article in the November 3, 1967, issue of the Herald of Freedom, which recommends a "thorough investigation" of his background and activities and predicts that such inquiry "should produce more shocking revelations than the Alger Hiss case."

Mr. Speaker, in this connection, I would invite special attention to Rostow's close association with Harold R. Isaacs, a research associate for the Center for International Studies of the Massachusetts Institute of Technology, for the establishment, which Rostow is alleged to have obtained a grant of $6 million from the CIA and which is now subsidized by the State and Defense Departments as well as the CIA. Isaacs was formerly an editor in Shanghai, China, and had close connections with Miss Agnes Smedley and others involved in the celebrated spy case of Richard Sorge, and was under surveillance of the Shanghai municipal police. Additional information on this case is available in the volume, "A Partial Documentation of the Sorge Espionage Case," prepared by Maj. Gen. Charles A. Willoughby, chief of intelligence for Gen. Douglas MacArthur, on request of the House Committee on Un-American Activities and printed in May 1950 by the Military Intelligence Section, General Staff, General Headquarters, Far Eastern Command. This documentation is available in the files of the indicated committee.

Because of the far-reaching consequences of high officials of our Government relying upon reports prepared by such tax-subsidized organizations in the formulation of important foreign policies, the people of our country have a right to know the full history of such individuals as Rostow and Isaacs and the institutions and policies that they serve.

As the indicated article constitutes a splendid exposé of this facet of communism in our Government circles and should be of interest to appropriate investigating committees of the Congress and security agencies in the executive branch of our Government, I quote it, as follows:

[From the Herald of Freedom, Nov. 3, 1967]

The Honorable Walt Whitman Rostow

Walt Whitman Rostow has been quoted as stating that Vietnam may be the last great confrontation of the Cold War. This means that by the time the planners decide to bring the Vietnam War to an end, the need for play-acting will be over. The United States needs no longer pretend to be the enemy of Communism—for it is just a pretense as at home the present government is ignoring Communism and abroad it has been supporting it for years.

David Lawrence asked in a recent column: "Why can't the government 'see' Reds?" He states: "For some undisclosed reason, officials of the Johnson Administration are reluctant to concede that Communists inside America are responsible to no small extent for some wildcat strikes, violence in street demonstrations, and riots. "We have an answer for Mr. Lawrence—the reason could be the presence of such persons as Walt Whitman Rostow in positions of power in the U.S. Government.

In his present position as special assistant to the President for National Security Affairs, Rostow reads top secret intelligence reports from the C.I.A., F.B.I., the State Department and even our military strategy reports. He sees them all before the President himself does. Yet he had been refused a security clearance three times under the Eisenhower Administration. He came in with the pro-Communist Kennedy Administration and is important enough that he is remaining in the Johnson Administration when other Kennedy men are out.

Walt Whitman Rostow, the security risk, is in and Otto Otepka, the security officer who tried to do his job, is out. This is the way the U.S. Government is being run today. As a result of a brief filed by counsel for Otto Otepka before a State Department hearing officer, Rostow's failure to secure clearance was revealed. Sen. Strom Thurmond stated in the Congressional Record of October 19, 1967 (29509): "The specific issue is whether Rostow was initially rejected for a high-level clearance by the Department of the Air Force; and again in 1955 by Herbert Hoover, Jr., then Under Secretary of State; and again in 1957 by Roderick O'Connor, then Administrator of the State Department Bureau of Security. Rostow has not denied these allegations because he knows he cannot truthfully do so.

"When Rostow says that he has had security clearance from various agencies since 1961, he is trying to obscure the issue. Anyone who knows anything about security clearances knows they are granted for various degrees of accessability and by various agencies. The standards of each agency may be, and frequently are, entirely different; and they may be bypassed completely by high-level command. . . . Whatever level of clearance he (Rostow) may have had, the fact is that he has been denied strict high-level clearance on the three occasions mentioned. For example: under the Hoover action of 1955, Rostow was disapproved to attend meetings of a psychological warfare panel of the Operations Coordinating Board—OCB—which operated directly under the jurisdiction of the National Security Council. . . .

"The fact that Rostow was denied high-level clearance three times indicates that the security factors involved were not taken lightly.

"State Department security standards are spelled out in law and regulation. It is a fact that Rostow did not meet those standards. Today Rostow is special assistant to the President for National Security Affairs. The fact that he now presumably has a high-level clearance—that is permission to have access to sensitive data—shows clearly that the security standards in our top echelons have been lowered." (or changed—Ed.)

When John F. Kennedy became President of the United States he brought into government a number of strange people. The security officer of the State Department at the time was Otto Otepka and he was visited by Bobby Kennedy and Dean Rusk (two of the many strange people) who wanted him to give clearance to another strange person, Walt Whitman Rostow. When Otepka pointed out that Rostow had been refused security clearance three times, one of which was by the Air Force, Bobby is reported to have snapped: "The Air Force crowd are a bunch of bums and idiots." However, Otepka's refusal to clear Rostow did not keep him out of government; it only made it clear to the Kennedy boys that Otepka had to go.

Walt Whitman Rostow was born in New York City on October 7, 1916, the son of Victor Aaron Rostow and Lillian Helman Rostow. His father was a metallurgical chemist. The family moved to Irvington, N.J., remaining there till Walt was ten, and then moved to New Haven, Conn. Walt attended Hillhouse High School and Yale University where he majored in Economics, obtaining his B.A. Degree in 1936 and a Ph. D. in 1940. He was a Rhodes Scholar at Oxford from 1936 to 1938, and a Larned Fellow at Yale and in Europe 1938–9. He married Elspeth Vaughn Davies June 26, 1947 and they have two children.

The political orientation of the Rostow family may be deduced from the names of their children. Walt Whitman Rostow was named after the homosexual poet. One of the early American Communists, Ella Reeve ("Mother") Bloor described Whitman in her book, "We Are Many," as a childhood idol who "somehow transferred to me, without words, his own great longing to establish everywhere on earth 'the institution of the dear love of comrades.' " She states:

"The poem of Whitman's I love best, The Mystic Trumpeter, always seemed to me to be a prophecy of the coming of the new world which so many of us have dreamed about and worked for and seen come into being with the success of the Russian Revolution. . . . Some of his own closeness to nature, his great love for human beings, was passed on by Whitman to all of us who knew and loved him.

"We who had the privilege of knowing Whitman have a special understanding of each other. We have no inhibitions, no reserve. There is a kind of understanding among us that makes it impossible for us to offend one another, no matter what we say, and this has given me the most free and frank human relationships I have ever known."

The Rostow parents named another son (Eugene V.) after Eugene Victor Debs, also a friend of "Mother" Bloor, and hero of all American Communists. Debs was convicted for violation of the Espionage Act and sentenced to ten years in prison. On March 12, 1919 at a Socialist rally in Cleveland, Debs said: "With every drop of blood in my veins I despise your laws and I will defy them—I am going to speak to you as a socialist, as a revolutionist and as a Bolshevist, if you please." (from Revolutionary Radicalism Report of the Joint Legislative Committee of the State of N.Y. Investigating Seditious Activities, Vol. I, Page 555)

Walt Rostow originally entered government service during our first left-wing administration, that of Franklin D. Roosevelt. After having been an instructor of Economics at Columbia University he went into the Office of Strategic Services (OSS) where he remained from 1941 to 1945. The transfer of former OSS employees to the State Department at the end of World War II created serious security problems as a substantial number of OSS personnel were Communists or Communist-sympathizers. Among those transferred from the OSS to the State Department was Walt Rostow who became assistant chief of the German-Austrian Economics Affairs Division of the State Department. Eugene Victor Rostow was also in government service working for the Lend-Lease Program, and had eventually become executive assistant to Dean Acheson.

In 1946 Walt Rostow left the State Department to become Harmsworth Professor of American History at Oxford University, a post he obtained on the recommendation of W. Averill Harriman who was U.S. Ambassador to Great Britain in 1946 and on the Selection Committee. In 1947 Rostow left Oxford to become Special Assistant to the Executive Secretary of the United Nations Economic Commission for Europe. In 1949 he became a professor at Cambridge University and in 1950 an Associate professor of Economic History at Mass. Institute of Technology, where he remained for eleven years.

In 1951 the Center for International Studies was established at M.I.T. with a reported initial grant in excess of five million dollars from the U.S. Government. A research staff was assembled and since that time it has been working on studies involving U.S. foreign policy, national security, international communications, disarmament and defense policies. Rostow was associated with the Center until he was appointed by President Kennedy as deputy special assistant for national security affairs at the White House in 1961. (For more information concerning this center and those associated with it, see H.O.F. issue entitled "Toward A Soviet America.") The Washington Observer of October 1, 1967 in an article entitled, "High Level Treason," states: ". . . in 1950, Rostow got $6 million from the Central Intelligence Agency to set up the Center for International Studies, which is now subsidized by the State and Defense Departments as well as the CIA. Harold Isaacs, a dangerouus Leftist, is now the top Brain Truster of this pro-Soviet garrison which has received million dollar fees to make secret studies for Dean Rusk and Bob McNamara on how to handle international affairs with a view of effecting a world government after a period of peaceful co-existence with the Soviet Union which they claim is 'mellowing.' They also make reports for the guidance of the CIA in its cloak and dagger operations at home and abroad. One of their pro-Soviet comrades is Jerome Wisner who is now Provost of MIT."

The 11th Annual Report—1962 of the MIT Center for International Studies gives us the following information on activities of the "dangerous Leftist" Harold Isaacs whom intelligence reports reveal to be a close contact of Walt and Eugene Rostow.

"Identity and World Politics. During the past half-dozen years Harold R. Isaacs has been examining some of the effects of major political change on patterns of group identity, especially those brought on by the ending of the system of colonial empire and some of its supporting philosophies, mythologies, and modes of behavior. Through interviews with a panel of writers, educators, key governmental and political figures, and others influential in shaping the attitudes of large segments of the population, he first inquired into changing American perceptions of the Chinese and Indians. The results of this study were published in 1958 as 'Scratches on Our Minds: American Images of China and India,' recently reissued in a paperback edition . . .

"Mr. Isaacs' latest book, 'The New World of Negro Americans,' published by John Day in the spring of 1963, traces some of the links between the ending of the white supremacy system in Asia and Africa and its quickening decline in the United States . . .

"In a new study supported by a grant from the National Institute of Health, Mr. Isaacs is enlarging the scope of his research to include groups in a variety of cultural settings. He left Cambridge in February to spend a year interviewing individuals in Israel, India, Malaya, the Philippines, Hong Kong, and Japan. His object will be to take a brief look at various groups which are undergoing the impacts of political change and are, as a result, having to acquire new ways of looking both at themselves and at others . . . His ultimate purpose is to bring all these clues and impressions to bear on a study of the new world-view of the younger generation in America."

These are some of Isaacs' more recent activities but his earlier activities are recorded on the pages of the Senate Internal Security Subcommittee Hearings on the Institute of Pacific Relations. P. 2607—"In the last issue of Pacific Affairs there appears an article by Harold Isaacs entitled 'Perspectives of the Chinese Revolution, A Marxist View.' " P. 3627—"Some years ago, Mr. Isaacs published a book called 'The Tragedy of the Chinese Revolution,' with a preface by Leon Trotsky." P. 4103—(letter to Owen Lattimore from Frederick Vanderbilt Field, both Communists). "Since I first learned that you had arranged for an article on the Chinese Communist movement from Harold Isaacs, I hoped it would be possible to find someone to write a reply. I was very pleased with the way Isaacs' article turned out." P. 1220—"Agnes Smedley (Communist) was an associate of Harold Isaacs and C. Frank Glass, locally classified as a card bearing Communist. Isaacs was for some time Editor of the China Forum, an English language Communist periodical first published in 1932." P. 1221—"Agnes Smedley joined the Noulens Defense Committee which was organized in behalf of Paul and Gertrude Rougge, alias Noulens, who were jailed by Chinese authorities for espionage activities and tried and convicted as bona fide Comintern agents. Associated with Smedley on the Committee was Harold Isaacs." P. 1238—"Irene Wiedemeyer (Soviet agent married to a Chinese Communist), as well as Agnes Smedley and Harold Isaacs were in close contact with John M. Murray, the American correspondent for the Pacific News Agency, listed as an outlet for the Comintern." P. 1247—"The Society of Friends of the USSR, Shanghai branch, was founded in 1932 by Edmond Egon Kisch, a Czech journalist, and long known as a Comintern agent. Among the more important members was Harold Isaacs (G–2 Document No. 31, S.M.P. File D–4718)." And more of the same.

Since it was on the basis of his associations with Isaacs, intelligence reports that he had two aunts who were members of the Communist Party, and a general pro-Soviet attitude that Rostow was originally considered to be a security risk, it was laughable to read an article in the N.Y. Times of Feb. 20, 1962 concerning Rostow and entitled "Challenger of Marxism." The article stated that Rostow won "an international reputation in 1958 for drafting a sort of 'non-Communist manifesto,' an alternative to Karl Marx's theory of history." As Rostow had by this time become a top adviser to President Kennedy this article was presumably to allay any misgivings which the American public might have.

Although Kennedy had never met either Rusk or McNamara when he named them to high government posts, he had been previously acquainted with Rostow. While still a senator, Kennedy had sought Rostow's help and, according to the Times article, Rostow "had a major part in shaping several of the Senator's foreign policy statements. When the Presidential campaign got under way, Mr. Rostow supplied foreign policy material to Senator Kennedy's speech writers."

In 1960 Walt Rostow made a secret trip to Moscow with Dr. Jerome Bert Wiesner of MIT and met privately with Vasily V. Kuznetsov, Soviet 1st Deputy Foreign Minister. He also attended the 6th Pugwash Conference to discuss nuclear disarmament. In November 1960 Rostow attended a series of closed meetings with Soviet officials at Dartmouth College. The scrapping of our manned bomber program reportedly was the result of Rostow's talks with Kuznetsov.

When Kennedy was unable to get Rostow into the State Department through the front door, he brought him into the White House and then moved him into the State Department as someone who had already been given a clearance. Human Events of October 21, 1967 states: "Identified as the author of a State Department policy paper promoting unilateral disarmament, trading with the Communists and a generally 'soft-line' toward Soviet Russia and Communist China, Rostow has come under considerable attack and was even the subject of a special congressional hearing."

Rostow's position in the State Department under Kennedy was counselor and chairman of the Policy Planning Council, a post carrying the rank of assistant Secretary of State. In the post Rostow was involved in long range foreign policy planning and giving advice to the Secretary of State and other high officials in the State Department. Rostow remained in this post until President Johnson appointed him to the position he now holds in the White House on March 31, 1966, after having previously given him the additional job of United States member of the Inter-American Committee on The Alliance for Progress. Rostow is now one of our top planners, and architect of U.S. policy in Vietnam.

A profile in the N.Y. Times of April 13, 1967 states:

"Since McGeorge Bundy and Bill D. Moyers left the White House, Mr. Rostow . . . has been emerging as the White House spokesman on foreign affairs.

"This is widely regarded as an appropriate role, for Mr. Rostow is probably the most loquacious American official since Walt Whitman himself worked at the Interior Department more than 100 years ago."

Rostow has never made a secret of his views, having stated them in books, speeches and policy papers. From his book "The United States In The World Arena:" "It is a legitimate American national objective to see removed from all nations—including the United States—the right to use substantial military force to pursue their own interests." The book argues for a movement in the direction of a "federalized world organization under effective international law" and states that it is "an American interest to see an end to nationhood as it has been historically defined."

Rostow is given credit for formulating the policy which resulted in Kennedy working with Khrushchev to force a "coalition" government on Laos. He was involved with Richard N. Goodwin and Teodoro Moscoso in attempting to force Haya de la Torre down the throat of the Peruvian people in the June 10, 1962 election. Haya participated in the Berlin Session of the Communist International in February 1930 and was the founder of the APRA Party which a pastoral letter of the Roman Catholic Church in Peru pronounced to be Communistic and atheistic. Ambassador to Peru James Loeb was booted out of Peru for his interference in the elections.

In a policy paper on "U.S. Handling of Uprisings in Eastern Europe Should They Occur," prepared by Rostow under Kennedy, he stated: "It is U.S. policy to refrain from encouraging or supporting uprisings in the Eastern European satellites. If revolts break out in East Germany, Poland or any other satellites we should maintain a hands-off posture and urge our allies to do the same . . ." Human Events of March 10, 1962 quotes Rostow as stating that the danger in Vietnam is "internal" and that only defensive and not offensive measures should be taken against the Reds. (Since he is "architect" of our present policy there this could explain why our military people are not allowed to go beyond certain boundaries.)

Rostow, Richard Goodwin and Arthur Schlesinger, Jr. were among those attending a conference of the Organization of American States at which the U.S. delegates "failed" to "get what they went for" which was decisive collective action against Castro. It is doubtful if any of the above-mentioned persons would consider that a "failure" any more than they would consider the Bay of Pigs a "failure." Such "failures" have to be carefully planned.

Human Events of March 17, 1962 stated: "It has been strongly contended in some military quarters that Rostow was behind the Administration's plans to kill further production of B–52's and B–58's (now the backbone of the Strategic Air Command) for the purpose of relieving 'tensions' with Soviet Russia. Rostow's hand was also seen in the Administration's adamant position . . . to block the proposed production of the B–70, a supersonic, manned bomber that was supposed to have replaced the B–52 and B–58 . . . although the administration last year was given over $500 million to produce B–52's it refused to spend the money."

Walt Rostow is a member of the Council on Foreign Relations, believed by some to be the"invisible government of the United States." Writing for their publication, Foreign Affairs, October 1963 issue, Rostow recommended that the United States take a slow course of action to help Communist nations have "a place of dignity" among other nations of the world, and stated that the United States and the Soviet Union actually disagree "only over a very narrow range of issues." We must wonder if the war in Vietnam, on which Rostow is supposedly taking the "hard line," falls into the narrow range of issues on which the U.S. and the U.S.S.R. disagree. Or is it going to be used as the catalyst to effect what Rostow and his cohorts are working toward—a merger of U.S. and U.S.S.R. with the resultant Soviet America?

A thorough investigation of the background and activities of the Rostow brothers, Walt and Eugene, and Harold Isaacs, together with their contacts in and out of government, including the CIA and the MIT Center, should produce more shocking revelations than the Alger Hiss Case.

ELLINGTON AIR FORCE BASE TO CELEBRATE 50 HISTORIC YEARS IN AVIATION

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Casey] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. CASEY. Mr. Speaker, on November 27, 1917, the people of Houston and Harris Counties turned out for a great occasion—the dedication and first air flight of Ellington Air Force Base.

The 50 golden years since then have been marked with historic achievement in aviation by this airbase, and the thousands of men who have been stationed there.

This great base, and the tremendous role it has played in our national defense effort, have long been a source of pride to our people. And our support for its continued operation has been warm and generous.

Located just east of Houston, the airbase is named for 2d Lt. Eric L. Ellington, who died in the tangled wreckage of his aircraft near San Diego, Calif., on November 24, 1913. This fine young pilot would have been proud to know the great part this airbase named in his honor has played in aviation history, for it holds a long record of honors and achievements. Virtually every type of aircraft in our inventory has operated out of Ellington—from the original JN–4 "Flying Jennies"—to the most modern jets and NASA's giant "Super Guppy" that transports our massive rockets.

We, in Harris County, are indeed proud of this great airbase and the men and women who have served there. And on behalf of those I am privileged to serve, I extend a warm and sincere greeting on 50 great years of achievement. All of us know that the years ahead will be filled with exciting and spectacular achievements in the field of aviation.

Mr. Speaker, because the history of Ellington is the history of military aviation, I am taking the liberty of bringing to my colleagues' attention an excellent article from the golden anniversary edition of the Skylander, award-winning newspaper published for the men and women of Ellington:

Ellington 50 Years Old This Month—Ellington AFB Has Had 50 Years of Ups, Downs

Ellington Air Force Base this month celebrates its 50th Anniversary. November 27, 1917, marked the beginning of a half century of service dedicated to the training of young men to assume important roles in the national defense posture of the United States.

On that memorable day five decades ago, Lt. Colonel John F. Curry (retired as Major General, October 31, 1945) assumed command of Ellington Field and directed the first aircraft to fly from what was to become one of the busiest air fields in the country. Just 73 days after ground was broken, the training field became operative. The Houston Chamber of Commerce was one of the most ardent supporters of this new project and was untiring in its efforts to rush completion of the field. Then, as now, prominent figures throughout the Houston area contributed their best efforts in support of this new and critical facility.

The base was originally located on 1,280 acres of Texas prairie owned by Dr. R. W. Knox but through the years has expanded to its present 2,200 acres, owned and leased.

Actual construction of the base began on September 14, 1917. Almost over night the field came into being in spite of a change in plans that involved the construction of many more buildings than anticipated to make the base a two-unit field. Two companies of infantry were sent from nearby Camp Logan to help control the several strikes that plagued the work. All disagreements were satisfactorily settled, however, and the field was built in record time.

The first detachment of Air Service personnel, the 120th Aero Squadron under the command of 1st Lt. William J. Dunn, Jr., arrived from Kelly Field on November 10. This unit was composed largely of airplane mechanics. Aircraft were shipped in to the new facility and were quickly assembled by the expert crews.

Colonel Curry arrived shortly after the planes were delivered and assumed command of the new base on November 27. It was on that date the first airplane was launched from the new airfield. The first formation flight occurred a few days later when Colonel Curry led a flight of ten airplanes over the city of Houston and dropped Red Cross literature to the curious and enthusiastic throngs in the street below.

During the ensuing year, four commanders participated in the development of the new base: Colonel Curry, Major John McDonnel, Major Walter H. Frank and Lt. Colonel Ira A. Rader. It was during Major McDonnel's tenure that a full bombing course was outlined and implemented. The program consisted of both the theoretical and practical bombing practice that soon put Ellington in the number one position in the Air Service for this activity. The dropping of live explosive bombs began in April 1918.

Major Frank was greatly loved and respected by all members of the command and the entire personnel of the field paid homage to him when he was transferred on November 11, 1918. On that date it was reported the airdrome was a sea of ships, many flown in from other bases to pay their respects to a man who had done so much in developing the new air field. Colonel Rader succeeded Major Frank and assumed command of the base on November 4, 1918. He was known throughout the young Air Service as a man of extraordinary executive ability whose primary concern was for his men. As a result he was held in high esteem by all members of his command.

Ellington Air Force Base was named in honor of a young second lieutenant, Eric L. Ellington, who was killed in the tangled wreckage of his flying machine near San Diego, California, on November 24, 1913.

The Curtis JN4 (Flying Jenny) was the first training-type airplane assigned to Ellington Field. This was a biplane with a "powerful" 150-horsepowered Hispano-Suiza engine. It was an extremely versatile plane and was used in all types of training. As an experiment, a Jenny was converted into what was claimed as the first "aerial ambulance." The cowl in front of the rear cockpit, the rear seat and two feet of the fuselage covering behind it were modified so they could be removed. The floor of the body was altered to accommodate a regulation army stretcher which would be fastened down to prevent its shifting while the plane was in flight. The patient was strapped to the stretcher by broad bands around his ankles, waist and chest. The plane was coated with white enamel and red crosses were painted on the wings and sides of the fuselage. One remarkable round-trip mercy flight was made between Houston and Brenham, Texas, a distance of 180 miles, in the unbelievable elapsed time of only two hours and forty minutes.

Virtually every type of plane in the Air Force inventory has flown from Ellington AFB during the past half century, from the Flying Jenny to the most modern jets and NASA's Super Guppy. Ellington has truly been the "Gateway to the Stars" through its pilot and navigator training programs; its gunnery and bombardment training; and today the home of proficiency training for United States astronauts, who fly the supersonic T-38, Talon.

Through the years Ellington has experienced triumphs and sorrows but always emerging victorious. After the success of its early beginnings, the War Department decided the base was excess to the needs of the military and in 1920 directed that it be closed. In 1925 final wrecking operations began. Fire razed the last of the wooden buildings in 1927 and by 1930 the only remnants of the field were the concrete water tank and some concrete slabs on which small hangars had been built. For the next ten years the government leased the land to ranchers.

During its short life span, however, Ellington boasted of many "firsts". Among these were:

First to gain credit for designing, testing, implementing, and having an assigned aerial ambulance.

First to incorporate night flying and the use of calcium lights.

First to make long distance flights such as flying the great distances to Michigan, Washington and Denver, Colorado.

First to adopt a three-day practice bomb raiding trip while flying in formation.

First to receive the DeHaviland 4-B planes with the mighty Liberty 400 engine.

First to be designated an official bombing and navigator school of the flying service.

First to establish an aerial gunnery range. The range was located at San Leon, Texas, on a piece of land jutting into Galveston Bay.

First to introduce "girl canteen workers" to the military. These girls blazed the trail for the highly respected United Service Organization workers.

First to be credited with having its own military camp newspaper.

A non-stop transcontinental south-to-north record flight from Ellington to Gordon, Ontario, was completed by Lt. H. G. Crocker on 26 May 1923. Lt. Crocker's flying time in his DeHaviland 4-B, powered by a Liberty 400 engine, was 11 hours 55 minutes.

In 1940 Congress authorized a construction program of over seven million dollars to rebuild Ellington. On November 23, 1940, Ellington Field was officially designated as an Air Corps station under the temporary command of Capt. H. L. Bordon. Col. Walter H. Reid assumed command on December 1, 1940 and the base was ready for occupancy in the Spring of 1941. Then began the training of thousands of pilots, navigators and bombardiers. On March 15, 1946, the base was again inactivated under the Air Defense Command and later that year was placed under the jurisdiction of the 10th Air Force. It remained in inactive status until 1947. When the Air Corps was officially separated from the U.S. Army on September 18, 1947, Ellington Field became Ellington Air Force Base and was transferred to Air Training Command. Col. Benjamin T. Starkey was assigned as commander of the base on April 15, 1949 and the 3605th Navigator Training Wing was activated.

Successive commanders to Colonel Starkey were Col. William L. Lee (March 1950); Col. Merlin I. Carter (August 30, 1952); and Col. Norman L. Callish (July 21, 1953). The latter served as commander until the training wing was phased out on March 31, 1958.

On April 1, 1958 the base was transferred to the Continental Air Command under the direct supervision of the 10th Air Force. Colonel Howard F. Bronson was designated commander of the newly activated 2578th Air Base Group. He, in turn, was succeeded by Lt. Colonels Bennett T. Browder and Kenneth H. Powers who phased out the base as a full-blown Air Force activity. Brig. General Russell F. Gustke (ART) assumed command of the "civilianized" base on November 1, 1960.

On 1 February 1963 the base was reactivated as a complete Air Force activity. The 2578th Air Base Squadron became the host unit under the command of Col. Lewis P. Ensign. Col. Marion R. McCrackin followed him as commander (August 26, 1964) and was, in turn, succeeded by the present commander, Col. Karl T. Rauk (August 13, 1965).

The present mission of Ellington Air Force Base (the 2578th Air Base Squadron) is to effectively and economically operate and monitor all the facilities of a modern air base, provide necessary services to support the Air Reserve Program and represent the Commander of the Fourth Reserve Region in all matters in the greater Houston, Texas, metropolitan area. These services include logistical and administrative support for the 446th Tactical Airlift Wing (M) (Res), and the 147th Fighter-Interceptor Group (Texas Air National Guard), and other assigned tenant units.

A secondary mission is to provide military training, upgrading training, on-the-job training, collateral training, management training and special training as prescribed by higher headquarters to support the primary mission and enhance the prestige of the United States Air Force in the community.

THE STORY OF HARYOU-ACT, THE POVERTY AGENCY FOR CENTRAL HARLEM

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. SCHEUER. Mr. Speaker, I would like to bring to the attention of my colleagues the program and accomplishments of Haryou-Act, the poverty agency for Central Harlem, and a statement by Andrew R. Tyler, chairman of its board of directors.

Mr. Tyler will be addressed, I am sure, after today as Judge Tyler. He is the nominee of the Democratic Conservative, and Liberal Parties for justice of the civil court in today's elections in New York. He exemplifies the kind of thoughtful, responsible, responsive leadership we need in the poverty program.

The Story of Haryou-Act—The Central Harlem Program Designed as the "Blueprint for Change" for Youth in the Ghetto

AFTER SCHOOL STUDY PROGRAM

Number served: youth, 4,500; adults, 15,500.

Present number in program: 250.

Number of locations: 15.

Number of times classes meet per week: 3.

No child, we say—in Harlem or anywhere else—is expendable. Yet, our statistics on the Harlem youth in the vital area of education, are astounding!

Of the 31,469 students in the elementary and junior high schools in the Harlem community in 1967, the data suggest that at least 50 percent of those in the elementary schools are sufficiently retarded in the basic academic skills to require *intensive* remedial work, and at least 80 percent of those in the junior high schools require extra help if they are to function effectively in high school. These indelibly-etched figures, patently outline in depth the desperate need for After School remedial or corrective Centers in Harlem.

The need is both desperate and staggering. In order to meet the goal Haryou-Act would have to provide for a minimum of 12,000 elementary pupils and nearly 6,000 junior high school students through the establishment of Sixty After-School Centers.

Our After-School Study Centers Program is a community-based education service which has as its goal the upgrading of the in-school achievement level of in-school youth.

ARTS AND CULTURE

Number served: youth, 2,080; adults, 208.

Present number in program: 1,309.

Number of locations: 22.

Number of classes per week: 476.

Number of classes per year: 6,188.

Number of class hours per year 34,782.

The Arts & Culture program has reawakened the Harlem community to the Social, Educational and Economic values of the cultural arts in the war on poverty. Through its unique training and demonstration program, launched in 1954, Arts & Culture has served the thousands of Harlem residents.

More than *two thousand* students have received quality training in commercial art, dance, drama, fashion and design, film and sound, graphics and plastics, journalism, music, vocal training and still photography.

Students trained in Arts & Culture Workshops have performed and exhibited publicly on more than 100 occasions before audiences totalling more than 100,000 people.

The Haryou-Act Documentary and Educational Movie "Summer Story," produced by the Film and Sound Workshop, has been shown more than 175 times locally and throughout the country.

More than *one hundred* workshop and Community Center classes are conducted weekly by Arts & Culture instructors.

BUSINESS ENTERPRISES

The Business Enterprise Department of Haryou-Act began operations in November, 1964 at two locations: 180 West 135 Street (Headquarters), and 268 West 133 Street (training center). The work of the Department was in two major areas: Building Renovation and Repair training, and Business Advisory Services.

Since November, 1964, 197 youth have received training in building renovation and repair involving the elementary use of hand tools while engaged in actual repair projects. Trainees have gone on to further instruction and job placement. To date, 27 major projects have been completed in the Harlem community. These include the refurbishing of three basements at 212, 214, and 260 West 114 Street, whose spaces were allotted to the Haryou-Act Cadet Corps; the complete refurbishing of St. Paul's Baptist Church, 249 West 132 Street, which included electrical wiring, carpentry, painting and the installation of new flooring; and minor repairs at St. Marks Methodist Church, 137 Street and St. Nicholas Avenue, and Beulah Baptist Church, 125 West 130 Street.

Also 62 repair jobs have been completed with Haryou-Act facilities. These include work at Central Administration, Arts and Culture, the Cadet Corps, the Photography Shop, etc.

Since November, 1964, the Business Advisory Service has secured 31 loans for businesses in Harlem; has held 178 conferences with local businesses to assist with business problems including tax accounting control, purchasing aid and modern business techniques; and has given 54 lectures and demonstrations to some 3,600 persons in church groups and non-profit clubs.

CADET CORPS

Number served: youth 18,500.

Present number in program: 2,156.

Number of locations: 21.

Number of classes per week: 83.

Number of class hours per week: 249.

Number of classes per year: 4,316.

Number of class hours per year: 12,948.

Contrary to what some believe, our Cadet Corps is not projected as a training ground for military preparedness as are some such programs as the ROTC in many schools and colleges.

Our Cadet Corps program endeavors to fill the need for prestige, confidence and security for our Central Harlem youngsters. Each activity is geared to the needs of the youth and to serve as a bulwark against delinquency; and to stimulate, educate, and develop constructive activities for those youth who might otherwise "go astray".

The main emphasis of the Cadet Corps program is to present an attractive "package deal" to youth who cannot be reached effectively, by the traditional group work, or resocialization program. *Social education, recreation* and remediation are the components of our Cadet Corps program.

COMMUNITY ACTION INSTITUTE

The Community Action Institute is the central training and orientation arm of Haryou-Act.

CAI is divided into two main categories: The Heritage Program and In Service Training for Haryou-Act members. Approximately 200 persons a week are trained or serviced by CAI. The larger percentage of these groups are young people. Since April 1966 CAI has served approximately 3,000 people in Central Harlem.

The present location of the CAI offices are: Haryou-Act Headquarters and 180 West 135th Street. Classes are held every day (2 hours) in the Heritage Program for 25–30 people with an equal percentage of youngsters and adults. In Service Training is requested by other departments at various times.

CAI reached the community in an effective way by training the residents of Central Harlem in Housing, Education and Welfare. Their central theme being to train Harlem residents for Community Action.

EMPLOYMENT DIVISION

Ask almost any Harlem youth about getting a job and you will find him painfully and emotionally aware of the economic deprivations which have submerged him and his parents in the squalor and powerlessness of the ghetto. He will hasten to proclaim that jobs are the key to his future, since jobs are the fulcrum upon which progress turns.

During the past year, Haryou-Act has sought to give a second chance of securing compensatory education for jobs, to but a part of the Negro youth in Harlem who are already the victims of educational deficiencies, discriminations, and the other crippling effects of forced isolation in the ghetto. We have succeeded only to the extent of our far-too-few funds, and the natural roadblocks of opposition we fully expected to encounter.

We hasten to add, however, that much of our success is to be attributed to the helpful cooperation given us by leaders of unions, business and industry.

Since March, 1965, the Employment Department has serviced 28,342 Harlem residents (15,767 youth and 12,575 adult) in the areas of testing and remediation, vocational counseling, job referral and job placement. The Department has also continued a successful on-the-job training program and has placed youth as trainees in TV repair, stenography, bookkeeping, auto mechanics, carpentry, photo production, printing and office machine repair.

One of the Employment Department's major accomplishments was the successful launching of a taxi driver training program in cooperation with the Metropolitan Taxicab Board of Trade. Between September, 1966 and April, 1967, 1,294 applicants registered with the Employment Department for this training; 906 of them were referred to training classes or directly to the MTBT; 420 graduated from the optional training course and a total of 520 received Hack licenses. The Haryou-Act tax program was directly responsible for the shortened period required for qualification for Hack Licenses.

The Employment Department presently employs a staff of 92 youth and adults at its five locations.

HARLEM YOUTH UNLIMITED

Number of youth served: 40,000.

Present number of youth in program: 500 (on stipend)

Number of locations: 10.

Number of times classes meet per weeks: 4.

The primary components of HYU are: Community Action, Community Services (Group Work), Public Relations and Personnel.

Harlem Youth Unlimited is the youth counterpart of Haryou-Act with the ultimate objective of creating a youth movement. This is being done by bringing together all the youth of Ceneral Harlem through training in a specific area, with constant orientation to the overall goals of community change, thus helping them to coalesce into a unified, active group.

HYU now is comprised of basically two elements: *training* and *service* to the community. For instance, Group Work Trainees are themselves trained and prepared to work in group programs.

HEADSTART

Number served: *Youth 1,300.*

Present number in program: *420.*

Number of locations: *10.*

Number of classes per week: *5.*

Haryou-Act's Headstart, a year-round preschool program for youngsters between the ages of 3 and 5-years-old is designed to prepare children for kindergarten or the first grade. Originally known as "Operation Spark," Headstart was launched in Harlem on July 6, 1965. Because of its initial success, the program was later adopted by antipoverty officials in Washington and officially renamed Headstart.

In addition to preparing youngsters for elementary school, Headstart also works in the following areas of child development: (1) Involves the parents in the educational growth of their children; (2) Initiates teaching techniques and materials to enable culturally deprived children to overcome deficits, auditory and visual discrimination, which hinder their progress in the public school system; and (3) Encourages its staff to attend seminars aimed at aiding them to focus on special problems of the pre-school disadvantaged children and to develop techniques for working with the youngsters and their families.

The Family Service Unit of Headstart provides baby-sitting services, when necessary, and supervises parents' meetings and special programs, functioning as an important link between the home and the school.

NARCOTICS INSTITUTE

The lack of funding for the Narcotics Institute is a clear and somewhat ironic example of Haryou-Act's handicaps. Recognizing the crucial nature of this program, 40 per cent of the city's dope addiction is said to be in Harlem, Haryou-Act produced a proposal for a program. The proposal was highly commended by everyone, but underwritten by no one. Out of sheer desperation, the Board of Directors of Haryou-Act reallocated $100,000 which was promptly utilized in a pilot project that eventually graduated 20 ex-addicts. Today, the antipoverty agency is without funds for this program. Why?

The answer must be forthcoming. With all public harping in the press about dope in Harlem, it is an amazing paradox that Haryou-Act could adequately demonstrate its own willingness and expertise to tackle this problem, yet find no funds coming from the Federal, State, or City Governments or from private sources.

Nevertheless the program's 12 counsellor aides, all of them ex-addicts have lectured in more than 62 schools and colleges to more than 60,000 students during the past two years. They also have made 26 appearances in churches and on scores of panel discussions on radio and television, including two appearances on the Alan Burke Show.

Beside the director, the staff consists of 24 persons. Ten of them are regarded as experts in the narcotics addiction field and 14 are former addicts.

Since the summer of 1965, the ex-addicts or counsellor aides have talked to more than 200,000 persons.

Serving as lecturers with the Police Department's Mobile Unit, they have visited every borough in the city to campaign against the dangers of addiction.

NEIGHBORHOOD BOARDS

For organizational purposes, Central Harlem has been divided into 5 sections called Neighborhood Boards, bounded on the north by 159th Street, on the south by 110th Street and extending from the Harlem River and 5th Avenue on the east to Bradhurst, St. Nicholas and Morningside Avenues on the west. Neighborhood Boards are coordinated by Haryou-Act, Inc.

Neighborhood Boards began organizing in July, 1965. For the next five months an implementation plan was hammered out and, on December 6, 1965, a task force of more than 100 Board staffers began a door-to-door campaign to register approximately 48,000 residents of Board area #1. Their purpose was to procure the "maximum feasible participation of the poor" who were, in this instance, about 40% of those registered.

By mid-February, on snow-covered streets, actual voting for block representatives began and was completed by May, 1966. The immediate result was that on May 31, 1966, in the Renaissance Casino, before an audience of some 1,500 concerned citizens, certificates were awarded to more than 200 block and organization representatives, youth and adult, from Board #1.

During the summer of 1966, registration continued in Board areas 2, 3, 4 and 5. Consequently, on October 1, 1966—Neighborhood Boards Day—1,800 elected representatives, of whom more than 700 were youth from every block in Central Harlem, were installed in impressive ceremonies at Canaan Baptist Church, 10 Lenox Avenue. Mayor John V. Lindsay, Council President Frank O'Conner, State Attorney General Louis J. Lefkowitz, Borough President Percy E. Sutton, Franklin D. Roosevelt, Jr., and other dignitaries were among those present to witness the occasion.

Significantly, these "grass roots" delegates were chosen by 62,026 voters of Harlem's 155,000 eligible registrants. An almost unbelievable 80,072 (52% of the qualified) were registered.

The staff in the five area centers and the coordinator's office, at 2092 Seventh Avenue, total 390, of whom 47 are youth.

STATEMENT OF ANDREW R. TYLER, CHAIRMAN OF THE BOARD OF DIRECTORS

What the nation has failed to accomplish in solving the problems of "Youth in the Ghetto" throughout the land, Haryou-Act has accomplished to a great degree in Harlem: It has documented and chartered a way out from powerlessness and has—for three years—fought valiantly to make that way a reality.

The result? A community in which the seeds of hope have at the least been planted;

a ghetto in which thousands of youths have in the least been stirred with pride.

The 620-page Haryou-Act document, "Youth in the Ghetto," is the only blueprint of its kind and depth to be found anywhere among the antipoverty agencies of the nation. It was published in January of 1964 after 18 months of concentrated research, study and writing by Harlem youth and adult sociological experts. Thousands of copies have been distributed throughout the nation as a guide for other programs. Interpreting and carrying out this document has been one of Haryou-Act's key contributions to the Harlem community and the nation.

Since its inception in late 1964, Haryou-Act programs have annually served some 30,000 youth directly and thousands more indirectly. Thousands of adults, including parents, have been touched directly and many more indirectly while witnessing parades, presentations and forums conducted by Harlem youth.

In 1965, the Haryou-Act staff grew to a force of 1,500, about one-third youth, and has remained at the level serving the community in 89 locations spread over Central Harlem. The bulk of the staff is teaching and supervisory personnel engaged in instruction, guidance and counseling. Every program contains basic instruction in reading, writing and arithmetic; one program has worked after school to help students keep up with their classes and remain in school. All the while, a course in Heritage aimed at pride has been created and carried on in the Harlem community for the first time.

Through Haryou-Act, some Harlem youth—but not nearly enough—have discovered new careers and have gone on to work at them in private industry.

How much is hope worth? Indeed, how much is pride worth? No one can say.

How much is the beginning Haryou-Act has made worth? No one can be certain. But what can be said is that the Haryou-Act, despite its tribulations, came to be recognized as perhaps the most innovative and dynamic new force in Harlem and the nation at the time when such a new institution with grass roots impetus was sorely needed.

The story of Haryou-Act was foreordained by its innovative nature to be one of trial and error; success and failure; happiness and heartbreak; defeat and victory.

To be or not to be? That is no longer the question, Haryou-Act is! It is perhaps the largest and most dedicated and powerful community institution created to work as an integral force for good within the ghetto community.

The report of our accomplishments for three years, which we are submitting today, is positive testimony both to the men, women and youth who have served here in all capacities, including Board members who have done so at a great sacrifice and with no monetary compensation, and to the Congress and the City of New York.

In view of today's demonstrated worth of Haryou-Act and the increasing needs of the people of Harlem, we strongly urge the Members of Congress to pass the antipoverty legislation now before them without any further delay.

EXPANDED STUDY OF CREDIT CARDS NEEDED

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HANNA] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HANNA. Mr. Speaker, tomorrow the House Banking and Currency Committee will begin an important set of hearings on unsolicited bank credit cards. It is the hope of the committee that the hearings will lead to legislation which will dampen the proliferating issuing of unsolicited credit cards.

A recent article in Parade magazine reported one bank in Chicago was hit with $46,000 in fraudulent credit card charges in one day. Another Chicago bank reported 5,700 cards on its blacklist.

Fraudulent use of credit cards promises to multiply as more and more banks enter the field. Some 700 banks now offer some kind of credit card plan, with most of the 9,300 remaining banks expected to enter into the field in the very near future.

Although the present Banking and Currency Committee hearings will be primarily confined to unsolicited bank credit cards, the problem does not end there. More than 140 million credit cards have been issued by more than a thousand companies Although accurate estimates are difficult to come by, most authorities agree that fraudulent credit card practices are now costing upward of $100 million a year.

A recent American Banker's Convention heard a number of speakers, including Rudulph Peterson of Bank of America, predicting that the United States is entering into a cashless, checkless economy where the majority of day-to-day transactions will be handled by all-purpose credit cards. At the rate the use of credit cards are proliferating Mr. Peterson's predictions may be reality even sooner than he expected.

One of the last businesses to succumb to the credit card is retail groceries. However, with the advent of the master charge plan in California some 36 of the State's food chains are now accepting credit cards for grocery purchases.

What are the implications of this movement to the credit card economy? I doubt if anyone really knows. The hearings tomorrow will attempt to open the dialogue on this issue. However, it is doubtful that because of the time allotted, and the narrowness of the announced subject matter these first set of hearings can do little more than scratch the surface.

What is now needed is a detailed Government study, either under the auspices of the Congress or the Federal Reserve, on the implications of the credit card society. The sooner we understand the ramifications of the credit card, the better prepared we will be for what almost certainly seems to be one of the most significant trends shaping the future structure of the market place.

One of the more sinister implications of the proliferating, and unregulated use of credit cards has been the attendant escalation of fraud and abuse resulting from both carelessness and downright inability to deal with credit card crooks. At this point in the RECORD Mr. Speaker, I insert a recent Parade magazine article on the growing problem of fraudulent use of credit cards. I commend the article to all those who now hold credit cards, and to those who anticipate obtaining one in the near future:

A MULTIMILLION-DOLLAR RACKET SWEEPS THE UNITED STATES—GUARD YOUR CREDIT CARDS

(By James D. Snyder)

Last May, somewhere between his Connecticut home and New York's LaGuardia Airport, John Morgan discovered his wallet was missing. The $85 in cash was the least of his worries.

As a $16,000-a-year salesman for a top electronics firm, Morgan carried the complete executive survivor's kit: 14 credit cards ranging from the all-purpose American Express and Diner's Club to assorted hotel and oil company cards he hadn't sought, but had added to his collection when they arrived unsolicited in the mail.

Morgan reported the loss, then waited hopefully to hear from some honest citizen. He didn't. A month later the bills started rolling in: $1500 on two oil company cards and $2150 on a central charge card—all for purchases in the local area. The next month it got worse: $450 in Air Travel Card fares and $1800 for hotel bills that had apparently taken the happy new cardholder on a Caribbean holiday. Then a month later a new twist: the "new" John Morgan had used the card collection as a reference to open a checking account in nearby New Jersey, quickly leaving a trail of bad checks at stores throughout the Eastern Seaboard.

The fact that the card companies agreed to absorb the bogus bills hardly soothed the seething Morgan. By July he'd spent the equivalent of two weeks' working time helping police and credit card security officers unravel the mess. He's also faced the humiliating ordeal of fending off phone calls and overdue bills from area stores which had honored checks on the account opened in his name. The crushing blow, however, came in August when he tried to buy a new car on time. A routine inquiry from the auto dealer to the computerized, areawide credit bureau showed that Morgan had been labeled a "poor risk."

"They told me to come back after everything was straightened out," he says ruefully. "So far, it hasn't been."

If Morgan has any consolation, it's that he's not alone. The nation's sudden swing to credit cards (140 million from a thousand companies this year) has been accompanied by an even greater rise in theft and fraud. The "hot lists" of the big four credit card companies (American Express, Diner's Club, Carte Blanche and Universal Air Travel Plan) currently include more than 25,000 cards. The 300 oil companies who comprise the American Petroleum Credit Association already report more than 30,000 fraud cases this year—double the 1966 total. In Chicago, where several banks began deluging metropolitan area citizens with unsolicited cards early last winter. losses traced to theft or fraud at one point averaged 4 percent of total sales. One bank got hit with $46,000 in fraudulent purchases in a single day. Another, the First National Bank of Chicago, had 5703 cards on its blacklist.

Estimates from different investigative agencies vary, but they indicate that credit card thieves may be stealing as much as $100 million a year.

Some of the schemes devised by amateurs and smalltime crooks are a back-handed tribute to American ingenuity. Recently, a Beaumont, Tex., man, through a newspaper ad, arranged for a collegiate-type youth to drive his car to California. He also loaned the stranger his oil credit card to cover expenses; it did—as well as $8000 worth of automotive merchandise the rider bought and disposed of along the way. Thirty-five-year-old Francis Triola of St. Louis devised a more steady source of income. He'd memorize vital statistics about solid employees encountered on his many jobs, then order credit cards in their name to be sent to postoffice boxes he had established in advance. He even used one victim's name to buy a $3700 Chevrolet on time, to obtain a sizable bank loan, and purchase $2500 in furniture on time.

Then there was the plan devised by three Suffolk County, N.Y. housewives who succeeded in bilking Macy's department store out of $16,000 worth of merchandise in just two months. Armed with three stolen credit cards, and relying on a tip that Macy employees need not make credit checks on transactions under $25, the trio made over 600 small purchases at several of the company's suburban outlets and just as quickly returned them for cash refunds.

All of the above parties are now in jail or on extended probation. So are Clifford Heck and Carol Glen Burton, who victimized Indianapolis with perhaps the most inventive of all plans. Heck, a 26-year-old, off-again-on-again, door-to-door salesman, was last employed by a food freezer company in the Indiana capital which subscribed to a list of new arrivals to the area for its sales leads. The list included not only names and addresses, but personal and credit data on each family.

Heck armed with names and facts, soon left the job and launched his own "business." In early July 1966 the Shell Oil Co. received a phone call from a man who gave his name as David L. Copenhaver of 3315 E. 51st St., Indianapolis. He said he was going on vacation soon and wanted a Shell credit card. He quickly supplied all the pertinent credit history asked by the clerk, who said he could expect his card in the mail within a couple of weeks. Days later, Mrs. Paul Petrowski, the real occupant of 3315 E. 51st St., got a call from the same man, identifying himself as David Copenhaver, who explained that there had been a mail mixup. He had been waiting for a Shell card to be sent to his home at 3315 E. 57th St., and had been told by the Shell home office that it had been mistakenly sent to the 51st street address. Would she be kind enough to hold the card when it arrived until he could pick it up?

Certainly, said Mrs. Petrowski. Not long afterwards, a smiling Clifford Heck (alias David Copenhaver) dropped by, picked up the credit card, tipped his hat, and was off with the first of several tickets that would take him and 20-year-old Burton on a six-state vacation and shopping spree. A driver's license was taken out in Copenhaver's name. Autos were rented, driven a few thousand miles, and ditched. A Sears credit card, obtained in Copenhaver's name with the aid of another unsuspecting homeowner, was used 71 times in eight Indiana cities over three weeks to buy clothing, mixers, shoes, automatic blankets, radios, and furniture—most of it resold for whatever cash it would bring. Three months and several credit cards later, when U.S. postal inspectors finally caught up with the two travelers, they had already run up fraudulent bills of more than $10,000.

Just a year ago, police and postal inspectors were convinced that credit card misuse was pretty much confined to smalltimers like Heck and Burton. Now there is alarming evidence that organized mobsters are rushing to join the buy-now-pay-never plan.

Early this year the FBI closed in on a six-state bookie network which had placed some 6500 long distance calls to gamblers on pilfered telephone credit cards. Police in several cities have been alerted to a scheme known as "bustout," where underworld front men buy into a floundering business, obtain dozens of credit cards in the name of various "employees," run up thousands in fraudulent purchases, and disappear after leaving the company in bankruptcy. New York City police recently cracked a racket in which three professional criminals ordered airline tickets by mail, using the credit card number they had wangled from a large industrial firm, then sold some $25,000 worth of tickets at discounts to individual travelers.

The most alarming indication of what *could* happen is a case now pending before a federal grand jury in New York City. Postal inspectors have charged that a repairman with Dashew Business Machines, Inc., the firm which prints Diner's Club cards, made a deal with a local mob to supply them with embossing machines, printing materials, names of Diner's members, and 5000 blank cards. In turn, the inspectors charged, the gang would churn out counterfeit copies of members' card and mobilize a nationwide network of pushers to embark on a shopping binge unprecedented in American history. According to Diner's Club officials, the operation was smashed after only 200 cards had been printed and used for one month. But the bill for that month, which Diner's Club agreed to absorb after angry protests poured in from cardholders, is expected to total at least $50,000.

Postal and police officials unanimously agree that these cases are just the top of the iceberg—that the underworld below is fast organizing the business of credit card theft, fraud and counterfeiting as an everyday moneymaker alongside such other proven industries as gambling, prostitution, and narcotics.

Thus far, efforts to combat the trend have been limited and inadequate. A handful of credit card companies have tightened their credit checks while a few others (mainly banks) have abandoned the unsolicited mailing in favor of more costly but less risky deliveries by registered letter. There is also talk (but no action yet) of requiring I.D. photos on all cards, and of creating an industrywide computerized data bank to coordinate facts on pending investigations.

Another shortcoming is the nation's law enforcement machinery—almost all of it set up before the credit card became vogue. At present, 12 states have no laws at all to police illegal credit card use, while many existing state statutes are toothless. One bright light on the horizon is a new industry-sponsored model state law that has already been passed in California, Florida, and North Carolina. Efforts at enacting tough federal legislation, however, have been greeted with yawns in Congress. Current federal responsibility is shared by the Post Office Department and the FBI, both of which labor under handicaps. POD's 1,050 mail inspectors are so busy chasing down 67 other categories of fraud that credit card abuse rates only 3 percent of their combined time. The FBI, on the other hand, is limited by a law restricting its jurisdiction to interstate shipments of stolen property valued at more than $5000.

Besides the lack of enforcement machinery, credit card cheats get a headstart from the system itself. They know, for example, that it's often a week or more before a cardholder discovers his loss—and that even when reported properly it may take company headquarters another two weeks to record the loss on a list and circulate it to participating merchants. In fact, some lists (such as Universal Air Travel Plan's) are so crowded that the only way to keep them from becoming hopelessly unwieldy is to confine them to cards already misused.

A THIEF'S DREAM

And now comes the thief's dream: unsolicited mailings. The only way some Americans find out they've been sent cards is when they get the bills for some interceptor's shopping binge.

Despite such alarming flaws, the outlook is for an even greater outpouring of credit cards in the next few years. The Federal Reserve Board expects that the 700 or so banks now proferring "instant money" through card plans will be joined quickly by most of the 9300 remaining banks which have thus far held off. With the $60 billion supermarket industry set to follow suit (36 California food companies have already done so), and with a continued lag in anti-crime controls, the nation may be heading for a checkless, cashless catastrophe.

Until the system does change, the burden of theft and fraud protection falls on the honest individual cardholder. Congress may soon enact legislation to control the indiscriminate proliferation of credit card offers. But the feeling is that the industry will begin to police itself—to cut its increasingly high loss rate. Meanwhile, credit card companies repeatedly urge their members to play safe by: (1) obtaining low-cost credit card insurance; (2) keeping their cards with them at all times; (3) keeping cards in something more secure than the plastic containers; (4) keeping a list of all cards and their numbers; (5) reporting losses promptly by phone or wire.

Then again, some persons have considered switching to a radical, controversial medium for their shopping and travel needs. Word is that it is accepted by all merchants, can be used to buy anything from bubble gum to mink coats, and if lost, can only purchase a limited amount depending on its face value.

It's called *cash*.

USING OUR WEALTH

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. COHELAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. COHELAN. Mr. Speaker, a recent editorial in the AFL–CIO News notes correctly, I believe, that the Nation's long-sustained and solid economic growth gives a hollow ring to the argument that we cannot afford to fully implement and expand every possible avenue to a full measure of social and economic justice for every American. I think the points the editorial makes merit the attention of us all, and under unanimous consent I insert it at this point in the RECORD, as follows:

USING OUR WEALTH

The single overriding fact about the nation's economy is that by the end of 1967 the total value of all goods and services produced will be at the $800 billion level and that this once undreamed of figure is the result of 80 months of almost consecutive economic growth.

According to the Commerce Department's latest report, the gross national product has increased $156 billion since 1964. Allowing for price increases, the real value of the GNP has increased about $100 billion—a tremendous sum reflecting the wealth and economic strength of the nation.

In face of this continuing, solid growth, the sheer hypocrisy of those who would cut back on anti-poverty programs, of those who would deny critically needed aid to the cities and the urban areas takes on a particularly hollow ring.

To a nation with an $800 billion economy the question is no longer "can we afford this" but how and where can we use our resources to continue our growth and bring justice and equity to all Americans.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MATHIAS of California (at the request of Mr. GERALD R. FORD), for the balance of the week, on account of official business, as congressional advisor to the U.S. delegation to the 14th session of the Food and Agricultural Organization.

Mr. ANNUNZIO (at the request of Mr. ALBERT), from November 6 through November 17, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HOLIFIELD, for 10 minutes, today; and to revise and extend his remarks and include a speech by Secretary McNamara.

Mr. PUCINSKI, for 10 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. PUCINSKI.

Mr. COLLIER.

(The following Member (at the request of Mr. ARENDS) and to include extraneous matter:)

Mr. REINECKE.

(The following Members (at the request of Mr. MONTGOMERY) and to include extraneous matter:)

Mr. DONOHUE.

Mr. PICKLE.

Mr. ROGERS of Colorado.

Mr. TAYLOR.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1946. An act to amend the repayment contract with the Foss Reservoir Master Conservancy District, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 2029. An act to amend the National Traffic and Motor Vehicle Safety Act of 1966 relating to the application of certain standards to motor vehicles produced in quantities of less than 500; to the Committee on Interstate and Foreign Commerce.

S. 2419. An act to amend the Merchant Marine Act, 1936, with respect to the development of cargo container vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

S. 2514. An act to grant the consent of Congress to the Wheeling Creek Watershed Protection and Flood Prevention District Compact; to the Committee on the Judiciary.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 219. An act to authorize the Secretary of Agriculture to sell certain land in Lander, Wyo., and for other purposes;

S. 423. An act authorizing the use of additional funds to defray certain increased costs associated with the construction of the small-boat harbor at Manele Bay, Lanai, Hawaii, and for other purposes;

S. 1391. An act to cancel certain construction costs and irrigation assessments chargeable against lands of the Fort Peck Indian Reservation, Mont.;

S. 2179. An act to extend for 3 years the special milk programs for the Armed Forces and veterans hospitals; and

S.J. Res. 114. Joint resolution extending the duration of copyright protection in certain cases.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 5091. An act to amend Public Law 87-752 (76 Stat. 749) to eliminate the requirement of a reservation of certain mineral rights to the United States; and

H.R. 11627. An act to amend the act of June 16, 1948, to authorize the State of Maryland, by and through its State roads commission or the successors of said commission, to construct, maintain, and operate certain additional bridges and tunnels in the State of Maryland.

The LATE HONORABLE JOHN NANCE GARNER

Mr. PATMAN. Mr. Speaker, I offer a resolution.

The Clerk read the resolution, as follows:

H. RES. 969

Resolved, That the House has learned with profound sorrow of the death of the Honorable John Nance Garner, formerly Speaker of the House of Representatives and Vice President of the United States.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

The resolution was agreed to.

ADJOURNMENT

Accordingly (at 5 o'clock and 44 minutes p.m.) the House adjourned until tomorrow, Wednesday, November 8, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1204. A letter from the Comptroller General of the United States, transmitting observations on the U.S. balance-of-payments position; to the Committee on Government Operations.

1205. A letter from the Comptroller General of the United States, transmitting observations on the U.S. balance-of-payments position; to the Committee on Government Operations.

1206. A letter from the Secretary of Defense, transmitting the sixth report of the Federal voting assistance program, covering the period from September 1965 to September 1967, pursuant to the provisions of Public Law 84-296; to the Committee on House Administration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MORGAN: Committee of conference. S. 1872. A bill to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes (Rept. No. 892). Ordered to be printed.

Mr. PATMAN: Committee on Banking and Currency. H.R. 6157. A bill to permit Federal employees to purchase shares of Federal- or State-chartered credit unions through voluntary payroll allotments (Rept. No. 893). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. H.R. 13489. A bill to amend the Federal Credit Union Act to modernize the loan, investment, and dividend provisions, and for other purposes; with amendment (Rept. No. 894). Referred to the Committee of the Whole House on the State of the Union.

Mr. EDMONDSON: Committee on Interior and Insular Affairs. H.R. 7940. A bill to authorize the Secretary of the Interior to prevent terminations of oil and gas leases in cases where there is a nominal deficiency in the rental payment, and to authorize him to reinstate under some conditions oil and gas leases terminated by operation of law for failure to pay rental timely; with amendment (Rept. No. 895). Referred to the Committee of the Whole House on the State of the Union.

Mr. FARBSTEIN: Committee on Foreign Affairs. Report of special factfinding mission to Israel (Rept. No. 896). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL:

H.R. 13901. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. DENNEY:

H.R. 13902. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. KEITH:

H.R. 13903. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. MOSS:

H.R. 13904. A bill relating to the income tax treatment of certain losses sustained by patrons of cooperative organizations; to the Committee on Ways and Means.

By Mr. WHALEN:

H.R. 13905. A bill to prohibit federally insured banks from voting their own stock and to provide for cumulative voting in federally insured banks; to the Committee on Banking and Currency.

By Mr. BURTON of California:

H.R. 13906. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. LAIRD:

H.J. Res. 921. Joint resolution to provide that it be the sense of Congress that a White House Conference on Aging be called by the President of the United States in January 1970, to be planned and conducted by the Secretary of Health, Education, and Welfare to assist the States in conducting similar conferences on aging prior to the White House Conference on Aging, and for related purposes; to the Committee on Education and Labor.

By Mr. PATMAN:

H. Con. Res. 575. Concurrent resolution to express the sense of Congress with respect to an investigation and study to determine the potential of railroad passenger and mail transportation in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. BROWN of California:

H. Con. Res. 576. Concurrent resolution concerning the development of the ocean floor through international cooperation; to the Committee on Foreign Affairs.

By Mr. SCHEUER:

H. Con Res. 577. Concurrent resolution concerning the development of the ocean floor through international cooperation; to the Committee on Foreign Affairs.

By Mr. DERWINSKI:

H. Res. 968. Resolution to express the sense of the House of Representatives against the persecution of persons by Soviet Russia because of their religion, race, or nationality; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOLAND:

H.R. 13907. A bill for the relief of Lesvia M. Doukellis; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 13908. A bill for the relief of Maria Cavallo; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.R. 13909. A bill for the relief of Domenico La Forgia; to the Committee on the Judiciary.

By Mr. LONG of Louisiana:

H.R. 13910. A bill for the relief of Riley C. Melton; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 13911. A bill for the relief of Lt. (jg.) George T. Ankrum; to the Committee on the Judiciary.

By Mr. MEEDS:

H.R. 13912. A bill for the relief of Angeliki Giannakou; to the Committee on the Judiciary.

By Mr. REES:

H.R. 13913. A bill for the relief of Miss Kotoko Abe; to the Committee on the Judiciary.

H.R. 13914. A bill for the relief of Miss Lolita J. Jaramilla; to the Committee on the Judiciary.

H.R. 13915. A bill for the relief of Mr. and Mrs. Andres Nathan; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 13916. A bill for the relief of Rachel F. Fuentes; to the Committee on the Judiciary.

SENATE

TUESDAY, NOVEMBER 7, 1967

The Senate met at 12 o'clock meridian, and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Almighty God, who art the abiding peace of the universe, we bow before Thee in humility and reverence. In the mercies of yet another day, we come with hearts grateful for Thy grace, praying that, by a strength not our own, our individual record may be kept by any word or act unworthy of our best.

To Thee we lift our hearts in prayer, bringing nothing but our need and the adoration of our contrite spirits. From Thy hands we have received the gift of life, the blessings of home and of friendship, and the sacrament of beauty. In the fullness of Thy mercy Thou hast given us work to do and the strength wherewith to do it.

Inspire and guide with Thy spirit these servants of the people—the few among the many—lifted to high pedestals of power and responsibility, to the end that they may be found faithful stewards of the Nation's trust.

Set our feet on lofty places,
  Gird our lives that they may be
Armored with all Christlike graces
  In the fight to set men free;
Grant us wisdom, grant us courage
  That we fail not man nor Thee.

In the dear Redeemer's name. Amen.

THE JOURNAL

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, November 6, 1967, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had pasesd, without amendment, the following bills and joint resolution of the Senate:

S. 219. An act to authorize the Secretary of Agriculture to sell certain land in Lander, Wyo., and for other purposes;

S. 423. An act authorizing the use of additional funds to defray certain increased costs associated with the construction of the small-boat harbor at Manele Bay, Lanai, Hawaii, and for other purposes;

S. 1391. An act to cancel certain construction costs and irrigation assessments chargeable against lands of the Fort Peck Indian Reservation, Mont.;

S. 2179. An act to extend for 3 years the special milk programs for the Armed Forces and veterans hospitals; and

S.J. Res. 114. Joint resolution extending the duration of copyright protection in certain cases.

The message also announced that the House had passed the bill (S. 780) to amend the Clean Air Act to authorize planning grants to air pollution control agencies; expand research provisions relating to fuels and vehicles; provide for interstate air pollution control agencies or commissions; authorize the establishment of air quality standards, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the joint resolution (S.J. Res. 33) to establish a National Commission on Product Safety, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1341. An act to amend section 701 of title 10, United States Code, to authorize additional accumulation of leaves in certain foreign areas;

H.R. 2138. An act to amend section 319 of the Immigration and Nationality Act to permit naturalization for certain employees of U.S. nonprofit organizations engaged in disseminating information which significantly promotes U.S. interest, and for other purposes;

H.R. 3639. An act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate certain provisions assuring the safety and effectiveness of new animal drugs, and for other purposes;

H.R. 3982. An act to amend section 409 of title 37, United States Code, relating to the transportation of house trailers and mobile dwellings of members of the uniformed services;

H.R. 6692. An act declaring a portion of Bayou Lafourche, La., a nonnavigable waterway of the United States;

H.R. 8547. An act to amend title 10, United States Code, to simplify laws relating to members of the Army, Navy, Air Force, and Marine Corps, and for other purposes;

H.R. 12912. An act to give the consent of Congress to the State of Ohio to become a party to the agreement relating to bus taxation proration and reciprocity as set forth in title II of the act of April 14, 1965 (79 Stat. 60), and consented to by Congress in that act and in the acts of November 1, 1966 (79 Stat. 1157), and November 2, 1966 (80 Stat. 1156);

H.R. 13165. An act to extend the period during which Secret Service protection may be furnished to a widow and minor children of a former President; and

H.R. 13669. An act to amend section 2734 of title 10 of the United States Code to permit the use of officers of any of the services on claims commissions, and for other purposes; to amend section 2734a of title 10 to authorize the use of Coast Guard appropriations for certain claims settlements arising out of Coast Guard activities; and to amend section 2736 of title 10 to authorize advance payments in cases covered by sections 2733 and 2734 of title 10 and section 715 of title 32 involving military claims.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 1341. An act to amend section 701 of title 10, United States Code, to authorize additional accumulation of leaves in certain foreign areas;

H.R. 3982. An act to amend section 409 of title 37, United States Code, relating to the transportation of house trailers and mobile dwellings of members of the uniformed services; and

H.R. 8547. An act to amend title 10, United States Code, to simplify laws relating to members of the Army, Navy, Air Force, and Marine Corps, and for other purposes; to the Committee on Armed Services.

H.R. 2138. An act to amend section 319 of the Immigration and Nationality Act to permit naturalization for certain employees of U.S. nonprofit organizations engaged in disseminating information which significantly promotes U.S. interest, and for other purposes;

H.R. 12912. An act to give the consent of Congress to the State of Ohio to become a party to the agreement relating to bus taxation proration and reciprocity as set forth in title II of the act of April 14, 1965 (79 Stat. 60), and consented to by Congress in that act and in the acts of November 1, 1965 (79 Stat. 1157), and November 2, 1966 (80 Stat. 1156); and

H.R. 13669. An act to amend section 2734 of title 10 of the United States Code to permit the use of officers of any of the services on claims commissions, and for other purposes; to amend section 2734a of title 10 to authorize the use of Coast Guard appropriations for certain claims settlements arising out of Coast Guard activities; and to amend section 2736 of title 10 to authorize advance payments in cases covered by sections 2733 and 2734 of title 10 and section 715 of title 32 involving military claims; to the Committee on the Judiciary.

H.R. 3639. An act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate certain provisions assuring the safety and effectiveness of new animal drugs, and for other purposes; to the Committee on Labor and Public Welfare.

SECRETARY IGNATIUS ADDRESSES NAVY LEAGUE

Mr. DIRKSEN. Mr. President, last Friday, October 27, the Secretary of the Navy, the Honorable Paul R. Ignatius, addressed the Navy League in Chicago on the occasion of its annual Navy Day banquet—always a notable event in the city of Chicago and throughout Illinois.

The Secretary's subject on that occasion was the use of nuclear power to propel our naval vessels, and he presented to his sizable audience one of the clearest and most comprehensive descriptions of our preparations and our policies in this regard that it has ever been my pleasure to read.

Because I believe this timely message from the Secretary of the Navy to be of great and continuing importance to our people, I ask unanimous consent that its full text be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY HON. PAUL R. IGNATIUS, SECRETARY OF THE NAVY, AT THE NAVY LEAGUE NAVY DAY BANQUET, CHICAGO, ILL., OCTOBER 27, 1967

Ladies and gentlemen, I can think of no more appropriate place for the Secretary of the Navy to be on Navy Day. Chicago's people are hospitable to our personnel, and your industry and technology contribute to our effectiveness. Your city has always been known as a good Navy town.

We are grateful for this, particularly at a time when Naval and Marine Corps personnel are engaged in combat, as they are so courageously today in Vietnam. These fine men are demonstrating each day, by their valor and dedication, that the Naval Service is indeed the Mark of a Man. Your Navy Day theme was well chosen.

Tonight I want to review with you a matter or current and continuing importance to the Navy—the use of nuclear power to propel our ships. We look on Chicago as the place of birth of this greatest advance in naval technology of this century.

Nuclear power was harnessed in Chicago on a cold, windy day in December 1942, when the first chain reaction was achieved on the University of Chicago campus.

Enrico Fermi, the Italian scientist who guided the experiment proposed to Dr. Arthur H. Compton that the test should take place without delay in the now famous squash court under the west stands of the Stagg Athletic Field.

Dr. Compton has written of the doubts that surrounded that event: ". . . the experiment would be performed in the midst of a great city. We did not see how a true nuclear explosion, such as that of an atomic bomb, could possibly occur. [But] the outcome of the experiment might . . . greatly affect the city."

The experiment was a success and, for the first time, the power of the atom was liberated and controlled.

Even before the first test of a fission bomb in the Summer of 1945, far-sighted naval officers had seen the possibilities of using nuclear power for naval propulsion.

Following a period of intensive debate within the Government, as is not unusual in the face of revolutionary change, the Atomic Energy Commission, in April 1948, authorized a Submarine Thermal Reactor project proposed by the Navy. The first research and conceptual design work on the reactor was done here in Chicago, at the Argonne National Laboratory.

A naval officer from Chicago, Vice Admiral Hyman G. Rickover, has played the central role. He was the leading advocate of nuclear power for naval use and he has been in charge of the program responsible for the application of nuclear power to naval ships.

We are still reaping the benefits of the foresight and energy of this great American. In a moment, I will describe the extent to which the U.S. Navy has made the transition to nuclear propulsion. That background is important because we face decisions that will determine the role of the nuclear-powered surface escort in the Navy. I refer to the application of nuclear power to ship types which are outgrowths of the World War II destroyer—the guided missile frigates and destroyers. It is this issue of nuclear power which I will address tonight.

In January 1955, U.S.S. *Nautilus*, the first nuclear-powered submarine, put to sea. Other nuclear-powered attack submarines followed, and will total 68 when those authorized complete construction. The operational accomplishments of these ships are well known to you:

Voyages under the polar ice cap by *Nautilus* and *Skate*.

Surfacing at the North Pole by *Skate*.

Circumnavigation of the globe, while submerged, by *Triton*.

Steaming on nuclear power for more than 60,000 miles, without refueling, by *Nautilus*.

It was these early phenomenal successes with submarines that led to the strategic concept of relatively invulnerable underwater platforms for ballistic missiles.

Largely through the leadership of Vice Admiral William F. Raborn, Jr., the Navy and private industry joined the capabilities of nuclear-powered submarines to an underwater-launched ballistic missile system and produced our country's most nearly survivable deterrent system, commonly referred to as Polaris.

In November 1960, the first Polaris submarine, U.S.S. *George Washington*, deployed on patrol. Today, only 7 years later all 41 of the authorized fleet ballistic missile submarines have entered the Fleet.

At the same time, work on applying the advantages of nuclear power to the surface Navy went ahead with the result that U.S.S. *Enterprise*, the largest attack aircraft carrier ever built, and the guided missile cruiser, U.S.S. *Long Beach*, were commissioned in 1961.

U.S.S. *Bainbridge*, a nuclear-powered guided missile frigate, was commissioned in 1962, and her sister ship, U.S.S. *Truxtun*, joined the Fleet in June of this year.

Enterprise, *Long Beach*, and *Bainbridge* have completed recent deployments to the Seventh Fleet in the Western Pacific. With these ships and *Truxtun*, the Navy is gaining operational experience with nuclear-powered surface ships.

Enterprise and *Long Beach* have shown the ease with which nuclear-powered ships can steam at speeds of more than 30 knots for indefinite periods, permitting the prompt deployment of naval offensive power to any point of need. Last June, when it was possible that naval forces would be required in the Red Sea, *Enterprise* and *Long Beach*, then in the South China Sea, could have been placed on station in the Suez Canal area within a period of about one week. Conventionally powered ships that were available, including supporting fleet oilers, would have taken almost twice that time.

While in the Seventh Fleet, *Long Beach* was assigned to a task in support of air operations against North Vietnam. This task required *Long Beach's* maintaining an independent station in a relatively small area. Since *Long Beach* did not have to withdraw from station to refuel periodically, and since she could steam at higher speed than conventional ships while in transit to station, she was able to be on the line almost a month longer than a conventional ship.

Thus, from such experience, we are establishing firm evidence of just some of the operational advantages that can be derived from nuclear-powered surface ships.

Throughout the Seventh Fleet deployment of these nuclear-powered ships, their operations were characterized by high reliability of the engineering plants and an instant readiness to move from one assignment to another without the time delay involved in dependence of fleet oilers.

In the sustained type of operations being conducted in Southeast Asia, nuclear power minimizes the periods these ships are off station or in transit from one task assignment to another. In terms of utilization, experience in that area shows that three nuclear ships can do what four conventionally powered ships do in a similar six to seventh month deployment. This factor is particularly significant in extended combat situations, like Vietnam, where rotation of ships on and off the line and from one task group to another is required to sustain the level of pressure desired.

The future course of Naval nuclear-powered ship construction will be judged and decided against this background of 12 years' experience.

We have moved aggressively to develop a force of nuclear-powered attack submarines, ballistic missile submarines, and attack carriers. Many of these ships are already at sea. Their operational experience, in diverse missions, has been beyond anything we could have imagined 20 years ago.

The Navy is planning a construction program for nuclear-powered attack carriers in alternate years. Construction of U.S.S. *Nimitz* will commence soon and the Secretary of Defense has approved two additional nuclear-powered carriers, programmed to start in fiscal year 1969 and 1971.

The unresolved issue before the Navy is how many and what kind of nuclear-powered *escort* ships we should build, such as *Long Beach, Bainbridge*, and *Truxtun*, in order to escort and support our attack carriers, both nuclear and conventionally-powered, and to give added operational flexibility to all types of naval task forces.

The question involves a complex analysis of whether the greater cost of nuclear-powered surface escort ships is offset by their greater effectiveness. The best course of action is less clear than nuclear power for submarines and attack carriers. Escort ships will have to perform multiple combat tasks, similar in scope to the missions assigned to the work-horse World War II destroyer with which many of you are familiar.

Our present-day surface escort fleet—the destroyers, destroyer escorts, frigates and cruisers that give protection to our carrier task forces, underway replenishment groups, and amphibious task forces—contains many ships that were built in World War II. These are rapidly approaching the point where the combat capability they represent must be supplemented and improved by new ships.

The Navy is embarked on an analysis to define the type and number of escorts required in the future. We are looking at all the traditional destroyer tasks—

Detection and killing of submarines;

Defense against aircraft and, in the modern combat environment against missiles;

Shore bombardment; and

A capability for self-defense when operating independently or at long distances from the task force which the escort is assigned to support.

We will want whatever freedom from base or mobile logistical support that is attainable, and some proportion of our escorts should be capable of steaming at high speeds with our large attack carriers in all sorts of sea conditions.

The combat capabilities these ships will have are determined by the various kinds and levels of enemy threats we foresee in the 1970s. We must be ready to defeat forces available to the enemy in order to defend our own offensive naval task forces. Much technological progress is being made to design new sonars of high capability to detect submarines and advanced radars to permit early warning of hostile aircraft and missiles. Similar developmental efforts are leading to modern weapons and countermeasures of markedly increased capability to meet the anticipated threat on, under, and over the seas.

It is not a simple matter, however, to relate the various enemy threats we must be capable of deterring, or defeating, in the 1970s to a requirement for nuclear power in our escort ships. The operational advantage it affords is clear, but other considerations influence the decision both for and against nuclear power. Accordingly, I would like to review with you some of the issues involved.

There is no question that if the costs were the same, a nuclear ship would be superior to a conventionally-powered ship because of the advantages of being free from the requirement to refuel. However, the costs are *not* equal. A nuclear-powered escort ship costs about twice as much to *build* as a conventionally-powered ship.

The initial costs are greater for a number of reasons. However, initial investment is not a full indication of true cost. The costs of operating the ship over its service life must also be considered in order to determine its lifetime or true cost.

For example, though the power plant of the nuclear ship costs more in the beginning, it operates without refueling for a period of years. A conventionally-powered ship requires large amounts of fuel oil every few days under normal operating conditions. The cost of the millions of gallons of fuel oil used by the conventionally-powered ship over a period of years would be included in its *lifetime* cost, but not in its initial cost. The cost of supplying this fuel also must be charged to the operating cost of the conventionally-powered ship. In the same vein, the cost of replacement of reactor cores must be charged to the operating costs of nuclear-powered ships.

These and other calculations indicate that the lifetime cost ratio of nuclear and conventionally-powered ships is not approximately two-to-one, as in the case of investment cost, but more like 1.5-to-one.

Thus, even taking account of all the relevant lifetime costs, the nuclear ship costs more. We must, therefore, be selective in determining the proper mix between nuclear and non-nuclear powered ships for our new construction and modernization programs.

With amphibious and logistic forces, for example, the advantages of the nuclear-propelled escort are not particularly great, because of the slower speed and limited endurance of the other ships involved.

On the other hand, nuclear-propelled escorts would be most useful when accompanying our high-speed carriers and when the escorts are on independent missions that require endurance and flexible response not limited by the necessity to refuel.

I referred earlier to the analytical studies we are conducting to gain insights on these complex matters. These studies include strategic and tactical war scenarios that permit many variations in the interaction between friendly and enemy forces.

Let me illustrate what I mean. We have looked in detail at combat situations which could be encountered both in the Western Pacific and North Atlantic. In each of these areas, our own capabilities and those of an enemy vary in response to proximity of bases, logistical requirements, local forces, the mobility of main forces, and a host of other factors that are not fixed. By exhaustive examination of combinations of these factors, it is possible to see more clearly the escort force level and capabilities that the Navy should have in the 1970s for a proper balance between offensive and defensive capabilities.

First, it becomes clear that we need more destroyers to deal with an enemy submarine threat than to deal with the air threat, because submarines are harder to detect and destroy than aircraft. This confirms the essential wisdom of the present configuration of our destroyer force.

All our ships are equipped to deal with the submarine threat but only some are also equipped to deal with the complete spectrum of the air threat.

Second, our studies show that, in the event of a war involving our naval task forces and enemy submarines, aircraft and missiles, we would need so many destroyers for such diverse tasks that it would not be economical to have all of them nuclear powered.

Third, the analyses show that there is a strong case to be made for having some *conventionally*-propelled destroyers *exclusively* equipped to sink submarines and additional *conventionally*-propelled destroyers equipped to counter aircraft, missiles, and submarines, and to provide gunfire support.

The studies, therefore, make it clear that the combination of these two categories of *conventionally*-powered destroyers can escort most efficiently all of our naval forces and convoys *except* our fast carriers.

There are, however, *substantial* advantages in having nuclear power in ships which must escort nuclear powered carriers.

If the escorts must refuel or replenish more frequently than the *nuclear*-powered carriers they escort, then the operational advantage of these carriers is diminished. The entire task force can take fuller advantage of these benefits if the escorts are nuclear powered.

At the same time, the endurance of nuclear-powered escorts also provides a flexibility for stationing and for independent tasks when in company with *conventionally*-powered carriers.

While all the benefits of nuclear propulsion for surface ships are not easily quantifiable in the context of studies, they are readily apparent to tactical commanders.

First, there is the increased tactical flexibility made possible by unlimited endurance at high speed. We can deploy a nuclear-powered ship from the West Coast to the South China Sea in nine days while a normal transit for conventionally powered ships is close to 15 days.

Second, nuclear power makes possible longer, round-about routes to avoid storms.

Third, in wartime, high-speed endurance would enhance the ability of carrier task forces to attack enemy shores along a greater perimeter of coastline. It would also enhance their ability to evade and outrun submarine attack.

Fourth, they could make high-speed transits for the aviation fuel and ammunition needed to continue in action, if this were necessary. They could postpone such replenishment if the dangers of carrying it out at a given moment were very high. They would not be concerned with a loss of fuel oil facilities or with the problems of a refueling rendezvous en route to destination.

These factors, and others like them, are important to the tactical commander, but difficult to quantify in economic terms. We believe they are of sufficient weight, however, to offset the increased costs of nuclear power and to justify a force of both nuclear and conventionally powered escorts.

Apart from cost, there are other factors that tend to limit the number of nuclear ships the Navy can usefully employ. One such factor is personnel. The rate at which the Navy would be able to train officers and men to operate and maintain a substantial increase in nuclear power plants would be limited, in view of the length and depth of the training involved. Moreover, retention in the Navy of such highly skilled technicians will always be a continuing problem. We have already cut into the available cadre of highly technical personnel in manning the 114 nuclear submarines and ships now in the Fleet or authorized. To the extent this is done, the calibre and skill of men left to man non-nuclear ships becomes progressively lower.

A second limitation is the industrial base for making nuclear propulsion equipment. While this base has expanded as a result of the naval reactors program, much of it is currently committed to commercial and industrial power programs and thus not readily available for meeting Navy needs. Although the industrial base can and undoubtedly will be expanded, it will take time and could add to the current costs for nuclear-powered ships.

We in the Navy have made a detailed review of these complex considerations, keeping in perspective the anticipated threat to our forces in the 1970s. The calculations on force requirements should leave no room for unnecessary risk. If we are to deter aggression, the forces we develop must be capable of defeating that aggression should it nevertheless occur.

But we should bear in mind that the Navy offers the decision-maker a unique choice of options to control and limit conventional warfare once initiated. If we are to preserve this flexibility and advantage of sea power, we must maintain our ability to defend our offensive striking forces against a variety of threats. It is through a strong defense that the options to commit various levels of naval offensive power are preserved.

If the United States were challenged at

sea, it might be in our interest to confine conflict to the areas of the sea. But to do so, we would require a flexible and effective defense against enemy forces that operated from safe bases. Obviously, there would be an equal premium on offensive task forces of our own that could engage and defeat the enemy at sea, but these task forces must be defended until victory is won.

The same sort of balance between the offense and the defensive forces that give our task forces freedom of operation applies to options available to the decision-maker to counter a limited war initiated by an aggressor on land.

In judging these many factors, the Navy believes it should go forward with a long-range program to construct both nuclear-powered and conventionally-powered escorts.

It is clear that *all* escort ships should not be nuclear powered because their additional costs are not offset by operational advantages in some of the missions to be performed. It is equally clear to the Navy, however, that some of its escort ships should be nuclear-powered.

The Navy will propose to the Secretary of Defense, within the next few weeks, a construction program for fleet escorts that will include both nuclear and conventionally powered ships. This program looks to an expansion of the numbers of our nuclear powered ships over the next five years. With the construction of these ships, and the construction of additional conventionally-powered escorts, the surface escort forces will be modernized to meet the anticipated threat of the 1970s.

The pay-off in a Navy properly balanced with nuclear power is high. All of the traditional characteristics of naval power are enhanced. An offensive striking force may be placed quickly anywhere in the world where the oceans and seas allow. The naval options available to the nation in time of crisis will be more responsive to demand than ever before. And, as I have suggested, these options include deployment to the area of threat without commitment until the political decision is made.

I appreciate this opportunity to review with you a matter of great importance to the Navy. The officers and men of the Navy appreciate the support they have always received from Chicago and the Middle West, and in their behalf I express thanks to all of you.

CALENDAR

Mr. LONG of Louisiana. Mr. President, it is my understanding that two bills are on the calendar to which no objection is anticipated, and I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 697 and Calendar No. 711.

The PRESIDING OFFICER (Mr. Talmadge in the chair). Without objection, it is so ordered.

AUTHORITY OF NATIONAL BANKS TO UNDERWRITE AND DEAL IN SECURITIES ISSUED BY STATE AND LOCAL GOVERNMENTS

The Senate proceeded to consider the bill (S. 1306) to assist cities and States by amending section 5136 of the Revised Statutes, as amended, with respect to the authority of national banks to underwrite and deal in securities issued by State and local governments, and for other purposes.

Mr. DIRKSEN. Mr. President, in view of the fact that members of the Committee on Banking and Currency are not in the Chamber, and the fact, also, that there has been some controversy about this bill, I respectfully suggest that it go over until we have had an opportunity to confer with our members of the committee.

Mr. LONG of Louisiana. Then, I will withdraw the request for the consideration of Calendar No. 697. It is my understanding that it has been agreed to and that there is no objection to it.

MEDICAL PAYMENTS OF TEMPORARY AND SEASONAL EMPLOYEES LOCATED IN ISOLATED AREAS

The bill (S. 448) to authorize the Secretary of the Interior to use appropriated funds for the payment of medical care of temporary and seasonal employees and employees located in isolated areas who become disabled because of injury or illness not attributable to official work, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 448

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to provide from any funds available for the work being performed, emergency medical attention for employees of the Department of the Interior located in isolated areas who become disabled because of illness or injury not attributable to official work, including the moving of such employees to hospitals or other places where medical assistance is available, and in case of death to remove the bodies of deceased employees to the nearest place where they can be prepared for shipment or for burial. When a transient without permanent residence, or any other person while away from his place of residence, is employed on a temporary or seasonal basis by the Department of the Interior and while so employed becomes disabled because of injury or illness not attributable to official work, he may be provided hospitalization and other necessary medical care, subsistence, and lodging for a period of not to exceed fifteen days during such disability, the cost thereof to be payable from any funds available for the work for which such person is employed.

Sec. 2. Appropriations of the Department of the Interior available for the work being performed may be utilized for payment to temporary or seasonal employees for loss of time due to injury in official work at rates not in excess of those provided by the Federal Employees' Compensation Act, as amended (5 U.S.C. 751), when the injured person is in need of immediate financial assistance to avoid hardship: *Provided,* That such payment shall not be made for a period in excess of fifteen days and the Secretary of Labor shall be notified promptly of the amount so paid, which amount shall be deducted from the amount, if any, otherwise payable from the Employees' Compensation Fund to the employee on account of the injury. When any person assisting in the suppression of range, forest, and tundra fires or in other emergency work under the direction of the Department of the Interior without compensation from the United States, pursuant to the terms of a contract, agreement, or permit, is injured in such work, the Department may furnish hospitalization and other medical care, subsistence, and lodging for a period of not to exceed fifteen days during such disability, the cost thereof to be payable from the appropriations applicable to the work out of which the injury occurred, except that this proviso shall not apply when such person is within the purview of a State or other compensation Act: *Provided further,* That determination by the Department of the Interior that payment is allowable under this section shall be final as to payments made hereunder, but such determination or payments with respect to employees shall not prevent the Secretary of Labor from denying further payments should he determine that compensation is not properly allowable under the provisions of the Employees' Compensation Act.

Sec. 3. No payment shall be made pursuant to this Act for any hospitalization or medical services for injury or illness not attributable to official work on behalf of a sick or injured person who is covered by an enrollment or who is not excluded from enrollment by virtue of his current employment in a plan under the Federal Employees' Health Benefits Act of 1959, as amended (5 U.S.C. 3001).

Sec. 4. This Act shall not apply to employees of the Federal or territorial governments in Guam, the Virgin Islands, American Samoa, or the Trust Territory of the Pacific Islands while serving in any such area.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 728), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

S. 448 would authorize the Secretary of the Interior to pay, on a limited emergency basis, the costs of medical care for certain temporary employees of the Department in isolated areas. The illnesses and injuries covered are those arising from causes not directly attributable to the work of the employee.

The terms of the bill specifically provide that the care for which payment is made must be of an emergency nature and then is limited to not more than 15 days. In the case of the death of such an employee from nonofficial work causes, the Secretary is authorized to remove the body to the nearest place where it can be prepared for shipment or burial.

Thus, S. 448 would give seasonal or temporary employees of the Department of the Interior the same protection and help as that available for like employees of the Department of Agriculture under the act of March 3, 1925 (found in 16 U.S.C. 557 and 580j).

The bill would not authorize the construction of medical facilities nor the employment, on a salaried basis, of medical or technical personnel.

NEED FOR LEGISLATION

As pointed out in the favorable report of the Department of the Interior on S. 448, the text of which is set forth in full below, as does the Forest Service, the Bureau of Land Management and other bureaus of the Interior Department annually employ transients and other temporary personnel for fire suppression activities and other emergency programs. Such employees include trained, organized Indian, Spanish-American, or Eskimo crews from the Southwest, Montana, and Alaska. In the course of their employment, these crews are transported many miles from their place of residence, very often for prolonged periods. During such periods of absence from their homes, these employees sometimes contract colds, flu, or other illnesses requiring medical attention which are not directly attributable to the performance of their official duties.

At present, the Department has no authority to pay to have a sick or injured employee who is located in an isolated area removed to a hospital when the sickness or injury occurs outside the direct scope of his employment. Similarly, the Department presently has no authority to bring medical help to such an employee.

Under existing law, medical care not covered by Bureau of Employees Compensation regulations and not provided by the Public Health Service has to be paid for by the employee, unless the employing agency has authority to meet the obligation. In most cases, transient personnel are unable to pay their own medical expenses. While local physicians have been very cooperative in providing emergency medical attention to transient employees when required, the committee believes that the moral obligation to provide for the welfare of these employees rests with the employing agency. As stated, the Forest Service is authorized to meet this moral obligation.

COMMITTEE RECOMMENDATIONS

While reporting favorably S. 448, the committee is aware that very little knowledge is available as to the extent and cost of the care authorized. Therefore, the committee requests that the Secretary of the Interior make a report to it at the conclusion of the first fiscal year during which expenditures authorized by the bill are made.

With that provision, the committee unanimously recommends favorable action on S. 448.

EXECUTIVE SESSION

Mr. LONG of Louisiana. Mr. President, I move that the Senate go into executive session to consider nominations on the Executive Calendar.

The motion was agreed to, and the Senate proceeded to consider executive business.

U.S. TARIFF COMMISSION

The assistant legislative clerk read the nomination of Stanley D. Metzger, of the District of Columbia, to be a member of the U.S. Tariff Commission.

Mr. METCALF. Mr. President, I will not vote against this nomination, but I desire to make some comments about the nominee.

I have never met Mr. Metzger, except during the hearings before the Committee on Finance, when he testified. However, during the course of the hearings, the Senator from Indiana interrogated Mr. Metzger, and the latter was far from frank and forthright with the committee.

I ask unanimous consent that the biographical sketch that Mr. Metzger filed with the committee be printed at this point in the RECORD.

There being no objection, the biographical sketch was ordered to be printed in the RECORD, as follows:

STANLEY D. METZGER—BIOGRAPHICAL DATA

Mr. Metzger, 51, was born July 10, 1916, in New York City and received his bachelor's degree from Cornell University in 1936. Following receipt of the LL.B. degree from the Cornell Law School in 1938, he became an attorney with the New York State Labor Relations Board, and then in 1939 an attorney with the National Labor Relations Board. From 1942 to 1943, he served with the U.S. Army Air Force.

He then became Associate Director of Field Operations for the President's Committee on Fair Employment Practices. In 1946, Mr. Metzger joined the Department of State as an attorney, becoming Deputy Assistant Legal Adviser for Economic Affairs in 1950, and Assistant Legal Adviser for Economic Affairs in 1952. He served with the Department of State in the latter capacity until 1960, when he joined the law faculty at Georgetown University, where he had previously served as an Adjunct Professor since 1955.

Since joining the law faculty at Georgetown, Mr. Metzger has served the government in various capacities. From 1961 to 1963, he was a consultant to the International Air Transport Study Group as well as Staff Director of the Claims Committee of the Administrative Conference of the United States. He was a consultant to the White House and State Department on the Trade Expansion Act of 1962. He served as an arbitrator for the United States on the Panel of Arbitrators of the International Civil Aviation Organization, and in 1965 he served as a consultant to the State Department, U.S. Maritime Commission and the Organization for Economic Cooperation and Development.

Mr. Metzger is a member of the Board of Editors of the American Journal of International Law, and of the Executive Council of the American Society of International Law. He has also served as the American Editor of the Journal of World Trade Law published in the United Kingdom, and has authored such books as International Law, Trade and Finance, Trade Agreements and the Kennedy Round and Documents and Readings in the Law of International Trade.

Mr. Metzger is a member of the Bar of New York State and of the Bar of the Supreme Court of the United States.

Mr. Metzger resides with his wife at 3338 Volta Place, NW., Washington, D.C.

Mr. METCALF. The biographical sketch indicates that Mr. Metzger has had considerable experience in international law. He said that he is a member of the board of editors of the American Journal of International Law, and of the executive council of the American Society of International Law; that he has authored such books as "International Law, Trade, and Finance, Trade Agreements," and the "Kennedy Round, and Documents" and "Readings in The Law of International Trade."

He failed to comment that he had also served as counsel, adviser, and consultant for an important Senator. He failed to indicate, in that rather brief résumé of his experience, some of the other activities in which he had participated. Many of them would have been of concern to members of the Committee on Finance, and to me as a westerner who is worried about beef imports, and concerned about such things as tariff policy.

He was less than frank and forthright in some of his statements to the Senator from Indiana [Mr. HARTKE]. For instance, he was asked about a speech he had made to the Federal Bar Association. He was reminded of some of the things he had said in that speech. He said he had not read the bill about which he was talking, he did not know about the subject matter; all he knew about it was a hearsay statement of some man, by the name of William Kelly, whom he had met in the course of negotiations in Geneva.

He did not identify any of the other persons with whom he had talked. On the basis of that hearsay statement about a bill about which he knew nothing, he made a speech; and yet when we asked him about whether or not he would be permitted to teach if he were confirmed as a member of the Commission he was able to cite us page, paragraph, comma, and footnote about an attorney general's opinion as to whether or not a person who served on the Tariff Commission could continue teaching without compensation.

Mr. President, I suggest he should be better prepared in some of the opinions he hands down as a member of the Tariff Commission than he was when he made the speech before the Federal Bar Association, and that he should be as well prepared as he was on his personal business of teaching when he is a member of the Commission.

Another thing in which he failed to be frank and forthright was the matter of the authorship of books. He said he is the author of various books but if he is a teacher and is permitted to continue to teach at the university this two-volume set which I hold in my hand, "The Law of International Trade," will be the textbook for that course. I am informed that "The Law of International Trade" in two volumes costs about $30 a set, and he would have the ordinary author's commission as well as having the book as a text for an admitted authority in the field.

He failed to tell us that he was the author and that anyone who even took the first semester of the course on international trade, which has as its text volume 1 of the set, has to buy the whole set so that he can have that volume for the course.

Mr. President, Mr. Metzger is apparently a very able and very brilliant scholar, a man who has devoted his life to international trade. He came before the committee and failed to tell us that he served previously before a House committee, worked with a House committee on trade, and had had, he said, personal relations with the chairman of the committee with whom he could not agree and so he left; he failed to tell us about his experience; he failed to tell us about the fact that as a result of his teaching he was going to be permitted to sell a $30 set of textbooks; he failed to tell us about some of his background; and he suggested that maybe he would follow the law—perhaps he would—as laid down by the Congress.

Mr. President, I hope this man is confirmed, and I shall not object to his confirmation. As I have said, he is a brilliant, able, and distinguished scholar in international trade. However, I hope when he writes his decisions, conducts his hearings, and participates in the activities of the Tariff Commission, for which he is going to be confirmed, that he will be as concerned about the welfare of the United States as he is about his own welfare, and that he will abandon the unconcern he demonstrated in his speech before the Federal Bar Association.

Mr. LONG of Louisiana. Mr. President, Mr. Metzger testified before the committee and he was interrogated in great depth, particularly by the Senator from Indiana [Mr. HARTKE]. There was one unresolved question before the committee. Mr. Metzger is, as the Senator from Montana pointed out, an authority on international trade, and he is a professor in that subject, teaching, I believe, at Georgetown University in Washington, D.C.

The problem of conflict of interest was raised about the subject. Mr. Metzger indicated he would like to teach foreign trade here in Washington, D.C., without compensation and that if the committee felt that there was a conflict problem involved, that he would be willing to decline to teach at the university, leaving it entirely a matter for the committee to decide as to whether he should do so.

In view of the fact that the professor would not be paid for his services anyway, my guess is that he probably would be willing to contribute to Government or education any profit he would make on the expensive two-volume publication, in the event he taught the course.

(At this point, Mr. SPONG assumed the chair.)

Mr. METCALF. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. METCALF. I think that since he is willing to teach without pay he would waive whatever he might make on the sale of his books to his students at American University.

I hope he would also be willing to waive the profit not only on the sale to his students at Georgetown University, but also the profit he would get from the sale to students in other schools because of the added prestige he receives as a member of the Tariff Commission.

Mr. LONG of Louisiana. It never occurred to this Senator to go into it. I regret to confess my ignorance in the matter. I was not familiar with the fact that the man had written a book. It would appear that the greatest impediment to a man being confirmed is that he wrote a book, anyone who has written a book as voluminous as the Senator from Montana has shown us undoubtedly stated a lot of things in the book with which we might take issue.

So far as expressions of opinion in the text are concerned, the author should make clear that he would lean over backward to take the other side of the argument in the event he takes a position at some time on matters coming before the Commission, and Mr. Metzger indicated that he would do that.

I suggest he is well acquainted with the law, he knows the law, and he is capable of doing a fine job in this capacity. I entertain high hopes that he will do as he indicated before the committee he would do. He would undertake to carry out the will of Congress, well recognizing that the laws we pass here in regard to trade prevail over any executive agreements, such as the executive announcement that insofar as the executive is concerned, this Nation will pursue the provisions of the General Agreement on Tariffs and Trade even though it has never been ratified by Congress. If Congress acts and in some respects finds itself in conflict with something that might be in that document, it is clear under the law, and Mr. Metzger has so stated, that the act of Congress prevails and not some executive agreement.

Thus, I would very much hope that this matter would be pursued because if there are going to be some important decisions to be made in the trade area in the months and years immediately ahead, and if Mr. Metzger has the qualifications to become a great chairman of the Tariff Commission, in the event he applies his talents in the direction which I think we should hopefully assume that he will, then I believe he would be eminently qualified for the position.

If some problem should arise that some Senators might doubt the propriety of his teaching a course in law while he is a member of the Tariff Commission, and he would direct his views on that matter to the committee, we in the committee would be happy to consider them and advise whether in our judgment Mr. Metzger should or should not teach law on a nonpaid basis while he is a member of the Tariff Commission.

Mr. METCALF. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. METCALF. I certainly did not criticize this very able and distinguished man for writing a book.

I think that his book—and I only glanced through it, having had only a little time to go through the voluminous two volumes—expresses some of the tariff and protectionist ideas which are entirely foreign to my concept; but I am convinced that this man who will be confirmed, and I shall vote for his confirmation, will, with a little admonition, spend as much time writing cases for the Tariff Commision as he has justifying his right to teach.

The point I want to make, and I bring this up as a special example, because it comes up time and again, that nominees who appear before committees for confirmation are sometimes less than forthright, are not outspoken concerning all of their activities.

Mr. Metzger, I am told, was advised by the State Department to conceal his activities with the House committee, that he should fail to put into his biographical résumé the fact that he authored a textbook which is somewhat more than a book which is merely in general circulation. Probably he is not at fault. I agree that he is a brilliant, able, and distinguished scholar. I am not going to vote against his confirmation. I am going to point out to the chairman of the Committee on Finance, and our acting majority leader today, that I did not know Mr. Metzger until we had the hearings and he was less than frank; largely, I think, as a result of those who guided him down at the State Department.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Stanley D. Metzger, of the District of Columbia, to be a member of the U.S. Tariff Commission for the term expiring June 16, 1973?

The nomination was confirmed.

POSTMASTERS

The assistant legislative clerk proceeded to read sundry nominations of postmasters.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

DEPARTMENT OF STATE

The assistant legislative clerk proceeded to read sundry nominations in the Department of State.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

NATIONAL LABOR RELATIONS BOARD

The assistant legislative clerk read the nomination of John Harold Fanning, of Rhode Island, to be a member of the National Labor Relations Board for the term of 5 years expiring December 16, 1972.

Mr. PELL. Mr. President, I should like to recommend to the Senate that the nomination before it of John Harold Fanning, of Rhode Island, to be a member of the National Labor Relations Board for the term of 5 years, expiring December 16, 1972, be confirmed. I speak on this matter as both a member of the Labor and Public Welfare Committee and as one who as a Senator from Rhode Island, has personal knowledge of John Fanning.

For the past 25 years John Fanning has been a Federal employee who has served with integrity in various capacities. Fifteen of those years he distinguished himself as a career employee, and for the last 10 years, he has been a Presidential appointment, serving under three Presidents. John Fanning is the senior member of the National Labor Relations Board, and he has not only participated in more Board decisions than any other past or present member; but also he is the first Board member to be appointed to successive terms by Presidents of different political parties.

I could go on and on in relating to you the many reasons why John Fanning should be reappointed to this most important position; but I think that his record speaks for itself, and beyond his record, I know John Fanning well and I can assure you that he will continue to do his best in serving his country if he is confirmed by this body.

Mr. President, I urge the nomination of John Fanning to be confirmed by the Senate.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

DEPARTMENT OF JUSTICE

The assistant legislative clerk proceeded to read sundry nominations in the Department of Justice.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The **PRESIDING OFFICER**. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. **LONG** of Louisiana. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. **LONG** of Louisiana. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

AUTHORITY OF NATIONAL BANKS TO UNDERWRITE AND DEAL IN SECURITIES ISSUED BY STATE AND LOCAL GOVERNMENTS

Mr. **LONG** of Louisiana. Mr. President, we have been able to contact the Senators who are interested in this matter, and I now ask unanimous consent that the Senate proceed to the consideration of Calendar No. 697, S. 1306.

The **PRESIDING OFFICER**. The bill will be stated by title.

The **ASSISTANT LEGISATIVE CLERK**. S. 1306, to assist cities and States by amending section 5136 of the Revised Statutes, as amended, with respect to the authority of national banks to underwrite and deal in securities issued by State and local governments, and for other purposes.

The **PRESIDING OFFICER**. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency, with amendments, on page 2, line 19, after the word "underwriting,", strike out "and"; in line 24, after the word "dealer,", insert "and (5) the purchase, during the underwriting period, of any such obligations by an association for its own investment account, from such association's own account acting as underwriter, dealer, or trader, or from any entity affiliated with such association within the meaning of subsection (b)(1) of section 2 of the Banking Act of 1933, as amended (12 U.S.C. 221a(b)(1)), shall not be permitted: *Provided,* That this restriction shall not apply to any purchases by an association for its investment account or accounts of any such obligations (A) it alone has underwritten or (B) directly from the underwriting syndicate or member thereof in which it is a participant, or to associations not in the underwriting syndicate,", and on page 3, line 23, insert a new section, as follows:

SEC. 2. The Secretary of the Treasury shall submit an annual report to the Congress showing the extent to which the business of underwriting and dealing in State and local obligations is being carried on by commercial banks as compared with other banking institutions with a view to determining the effect of the amendment made by the first section of this Act on the institutional distribution of such business. As used herein, the term "State and local obligations" means obligations issued or guaranteed by or on behalf of a State, political subdivision of a State, or an agency of a State or political subdivision thereof.

So as to make the bill read:

S. 1306

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph Seventh of section 5136 of the Revised Statutes of the United States, as amended (12 U.S.C. 24), is hereby amended by adding the following new sentences at the end of such paragraph: "The limitations and restrictions contained in this paragraph as to dealing in and underwriting investment securities shall not apply to all other obligations issued or guaranteed by or on behalf of a State or any political subdivision thereof or agency of a State or any political subdivision thereof (except special assessment obligations and industrial development obligations) which are at the time eligible for purchase by a national bank for its own account, except that (1) no association shall hold such obligations of any one obligor or maker (other than general obligations of a State or political subdivision thereof) as a result of underwriting, dealing, or purchasing for its own account (and for this purpose obligations as to which it is under commitment shall be deemed to be held by it) in a total amount exceeding at any one time 10 per centum of its capital stock actually paid in and unimpaired and 10 per centum of its unimpaired surplus fund, (2) and purchase of such obligations by a national bank as fiduciary from such bank as an underwriter or dealer shall not be permitted unless lawfully directed by court order, (3) no association may purchase such obligations as fiduciary from a member of a syndicate in which such association is participating until the syndicate has closed as to underwriting, (4) any sales of such obligations by an association to any of its depositors or borrowers or to any correspondent bank (whether for such bank's own account or as trustee) must be accompanied by a disclosure in writing to the purchaser that the association is selling as an underwriter or dealer, and (5) the purchase, during the underwriting period, of any such obligations by an association for its own investment account, from such association's own account acting as underwriter, dealer, or trader, or from any entity affiliated with such association within the meaning of subsection (b) (1) of section 2 of the Banking Act of 1933, as amended (12 U.S.C. 221a(b)(1)), shall not be permitted: *Provided,* That this restriction shall not apply to any purchases by an association for its investment account or accounts of any such obligations (A) it alone has underwritten or (B) directly from the underwriting syndicate or member thereof in which it is a participant, or to associations not in the underwriting syndicate. For purposes of this paragraph the term 'industrial development obligation' shall mean an obligation, not secured by the full faith and credit of the issuer, payable solely from the rentals received by the issuer from the letting of property to private manufacturers for the principal purpose of manufacturing articles for sale if such obligations have been issued to finance the acquisition, construction, equipment, or other development of such property and such property is held or to be held by the issuer for the principal purpose of such letting and not as part of or incidental to another project of the issuer."

SEC. 2. The Secretary of the Treasury shall submit an annual report to the Congress showing the extent to which the business of underwriting and dealing in State and local obligations is being carried on by commercial banks as compared with other banking institutions with a view to determining the effect of the amendment made by the first section of this Act on the institutional distribution of such business. As used herein, the term "State and local obligations" means obligations issued or guaranteed by or on behalf of a State, political subdivision of a State, or an agency of a State or political subdivision thereof.

Mr. **PROXMIRE**. Mr. President, the Committee on Banking and Currency has reported favorably to the Senate S. 1306, a bill to permit national banks and State member banks to underwrite and deal in State and local revenue bonds. At the present time, commercial banks and investment bankers are permitted to underwrite and sell general obligation bonds, that is, those bonds which are backed by the full faith and credit of the State or local government. However, under present law, only investment bankers are permitted to deal and underwrite revenue bonds. These are bonds which are amortized through specific user charges such as toll highways, water and sewer systems, or other such facilities.

Although the bill would permit banks to underwrite revenue bonds, this authority would not be extended to industrial revenue bonds or to special assessment bonds. In addition, the underwriting authority would extend only to those bonds in which a bank can invest for its own portfolio account. Under present procedures, this means the bond must have a rating of Baa or higher.

Additional safeguards are included in the bill which would prevent any possible self-dealing on the part of the bank. For example, the trust department of any underwriting bank would be prohibited from purchasing bonds from a member of an underwriting syndicate during the life of a syndicate.

Second, banks would be required to disclose their underwriting interests when selling such securities to their depositors, borrowers, or correspondent banks. Third, the bill would prevent banks from purchasing bonds from the syndicate for its underwriting or dealer account and subsequently transferring such bonds to its investment account during the life of the syndicate. Fourth, the bill requires the Secretary of the Treasury to make an annual report on the impact of this legislation as it affects the distribution of business between investment banking firms and commercial banks.

HISTORY OF THE LEGISLATION

Mr. President, during the 1920's commercial banks were frequently engaged in the underwriting and selling of securities. The financial collapse of 1929 led to the enactment of the Glass-Steagall Act of 1933 which among other things was intended to separate the business of commercial banking from investment banking. Commercial banks were generally precluded from underwriting stocks and bonds or acting as a dealer in such securities. However, the Congress made an exception with respect to the general obligation bonds of Federal, State and local governments. In order to insure a broad market for these bonds and to facilitate public finance, the Congress permitted commercial banks to continue the underwriting of general obligation bonds. Since such bonds were of high investment quality and safety, the Congress considered it sound public policy to permit them to be underwritten by commercial banks.

Since the time of the Glass-Steagall Act, Congress has consistently expanded the exception for general obligation bonds to include additional instruments of public finance as such instruments developed. For example, Congress amended the Glass-Steagall Act to permit banks to underwrite and deal in the bonds of the TVA, local public housing authorities, the International Bank for Reconstruction and Development, the Inter-American Development Bank, and the Asian Development Bank. Similar exceptions were also made for the bonds and participation certificates of the Federal National Mortgage Association.

At the time of the Glass-Steagall Act, revenue bonds were a largely unheard of device for state and local finance. Revenue bonds primarily developed in the 1930's and gained widespread acceptance during the 1950's and 1960's. Because of their growing importance, attempts have been made since 1955 to amend the Glass-Steagall Act to permit commercial banks to underwrite revenue bonds. Thus, in approving this bill we are not departing from public policy, but rather following a consistent policy established by Congress aimed at securing the broadest possible market for governmental obligations. As new Federal, State or local credit instruments develop, it will be necessary to reexamine the Glass-Steagall Act.

MUNICIPAL BOND MARKET

Mr. President, the need for this legislation can perhaps best be evidenced by the dramatic growth in the use of revenue bonds. As I indicated, revenue bonds were largely unheard of in 1933 when the Glass-Steagall Act was first enacted. In 1948 revenue bonds accounted for $549 million or 18 percent of all State and local bond issues. However, by 1966 the volume of new revenue bond issues has climbed to over $4 billion, or over 38 percent of all State and local issues. All predictions indicate that revenue bonds will continue to be an important instrument of municipal finance, particularly in view of the growing number of municipalities approaching their constitutional debt limitations.

A survey conducted by the Joint Economic Committee last December indicates that total State and local bond issues are expected to double by 1975. Since revenue bonds have been growing at a faster rate than general obligation bonds, it may be expected that the volume of revenue bond issues will be more than doubled by 1975. In view of this rapidly expanding market for revenue bonds it is, therefore, extremely important to insure that there are adequate underwriting and distributional facilities. By permitting commercial banks to supplement the activities of investment banks, we can be sure that the underwriting capacity for revenue bonds will be adequate for our growing needs.

NEED FOR LEGISLATION

Mr. President, the principal argument in favor of this bill is that it will save State and local governments money. By providing more competition in the underwriting field, the bill should lower the rate of interest State and local governments are required to pay on their bonded indebtedness. I asked the Comptroller of the Currency and the Federal Reserve Board to undertake a comprehensive study of the economic impact of this bill and to estimate the amount of savings which would accrue to State and local governments as a result of bank competition in underwriting.

The studies of the banking agencies agree that State and local governments pay a higher rate of interest on revenue bonds than they do on general obligation bonds. Some of this difference is due to the fact that revenue bonds are of slightly lower investment quality and slightly longer maturity. However, when these factors are taken into account, a difference of 10 basis points or one-tenth of 1 percent still remains. Although this slight difference in the interest rate may appear small, if it were entirely eliminated, State and local governments would save approximately $50 million a year now, and such savings would grow to $100 million a year by 1975.

There are other factors which indicate a lack of competition in the revenue bond market. For example, more than 99 percent of general obligation bonds were awarded through competitive bidding, whereas only 81 percent of revenue bonds had competitive bids. Even when competitive bidding was present, general obligation bonds received more bids. The study by the Comptroller of the Currency indicated that general obligation bonds received an average of 1.64 more bids than revenue bonds.

The number of bidders is vitally important to a hard-pressed municipality. Studies show that an interest paid by a city or State government varies inversely with the number of bidders. In other words, the greater the number of bidders the lower the rate of interest cities will be required to pay. This fact is confirmed by the studies conducted by the Comptroller of the Currency and the Federal Reserve Board.

In estimating the amount of savings, the Comptroller of the Currency concluded that on a conservative basis the savings on new revenue bond issues in 1968 would amount to $12 million a year and such savings would exceed $27 million a year by 1975. Total savings over the period from 1968 to 1975 should, according to the Comptroller's studies, reach $182.5 million.

The Federal Reserve Board was more cautious in its estimate of potential savings. Governor Mitchell of the Board indicated the annual savings could be $34 million a year. However, Governor Mitchell also indicated that the higher rate of interest paid on revenue bonds might be entirely due to factors other than the absence of bank competition. However, in summing up his testimony Governor Mitchell concluded "we are inclined to believe that greater competition and an increase in the number of underwriters and dealers would lead to lower costs in this field."

In addition to the banking agency studies, a separate study was conducted by Dr. Reuben Kessel of the University of Chicago using three methods for estimating savings. Dr. Kessel concluded initial savings could range from $21.4 to $43.2 million and that such savings could reach as much as $62.1 million a year by 1975.

The evidence presented to the committee seems reasonable that this legislation will save State and local governments money. I realize, however, that it is difficult to prove this point beyond a shadow of a doubt. However, it should be pointed out that in our free enterprise system there is a traditional presumption that greater competition will lead to lower costs. Thus, those who would restrict competition also have a burden of proof to show that such restrictions are not in fact costing the public money. There is no solid evidence presented to the committee that the absence of bank competition in underwriting revenue bonds does not cost cities money in high interest charges.

Mr. President, if this bill is enacted, I believe it will broaden the market for revenue bonds and will lead to savings for our hard-pressed State and local governments. Commercial banks have many potential customers which are not presently being tapped by investment banking firms. Thus, by permitting banks to underwrite revenue bonds, we are likely to increase the aggregate demand for such bonds with a consequent reduction in the rate charged the issuer.

Second, the entry of commercial banks in the revenue bond field is likely to result in a stronger secondary market for such bonds. To the extent the secondary market is strengthened, revenue bonds become a more liquid instrument. As a result of the increased liquidity, investors should be willing to accept a lower rate of interest on the initial offering, thus leading to savings for the issuer.

Third, by permitting commercial banks to underwrite revenue bonds, we should remove any possible stigma attached to such bonds. The fact that banks are now precluded from underwriting revenue bonds could cast such a stigma in the eyes of the investing public. By removing any such possible implications that revenue bonds are not as desirable as general obligation bonds, revenue bonds should gain greater investor acceptance. This in turn should lead to higher prices for revenue bonds, lower rates of interest, and financial savings to State and local governments.

There have been a number of arguments presented that this bill would place commercial banks in an unavoidable conflict-of-interest position. This argument was examined quite carefully during the hearings on this legislation. I believe the most important fact on this issue is that commercial banks have underwritten and sold general obligation bonds for 34 years without any record of abuse. The opponents of the legislation were unable to offer a single documented instance where a bank has abused its underwriting authority. I find it difficult to conclude, therefore, that the favorable experience which has developed on general obligation bonds would be any different for revenue bonds. The committee has recommended a number of safeguards in the bill to which I previously referred, which I believe will satisfy any legitimate argument with respect to conflict of interest. Nonetheless, it should be kept in mind that the authority to underwrite revenue bonds is not an inherent right of commercial banks but a privilege granted by the Congress, which can be revoked at any time.

Should abuses develop—however remote the possibility—the Congress is always free to revoke the underwriting authority. In that connection, the committee has instructed the bank supervisory agencies to be extremely diligent in examining the activities of the banks under this legislation and to be particularly alert to any potential abuses committed by commercial banks. Since banks are closely regulated by the banking agencies and subject to periodic and comprehensive examinations, I believe there is adequate protection and assurance that commercial banks will not abuse their underwriting authority.

CONCLUSION

Mr. President, I believe this bill is in the public interest. It is a bipartisan bill. It has the support of the ranking Republican member of the committee, the distinguished gentleman from Utah, who worked long and hard on this legislation and contributed substantially to its final development. It is not a bill to assist banks or to punish investment bankers. It is a bill to assist State and local governments. If investment bankers were prohibited from underwriting revenue bonds and commercial banks were able to underwrite such bonds, I would introduce legislation permitting investment bankers to compete with commercial banks. Thus, the key question is not does this bill benefit commercial banks or investment banks, but rather does this bill benefit State and local governments? I believe the evidence indicates it does. The bill is in keeping with a continuing congressional policy of affording the widest possible distribution of Government obligations. I recommend the bill strongly to the entire Senate and hope every Member may be able to cast his vote for it.

Mr. SPARKMAN. Mr. President, I support S. 1306, a bill to permit banks to underwrite and deal in municipal revenue bonds. Senator PROXMIRE, who introduced this bill last March, conducted comprehensive and thorough hearings on this bill and worked skillfully in getting it through the committee. Senator BENNETT, the ranking Republican member from Utah, participated in the development of this legislation at every step and contributed measurably to the final product. I want to compliment both of these Senators for bringing this legislation to the floor.

Mr. President, this is not a bill to assist commercial banks, nor is it a bill to take business away from investment banks. It is a bill providing more competition in the field of State and local revenue bonds so that hard-pressed State and local governments may pay lower rates of interest on their debt obligations. Studies conducted by the banking agencies, although not 100 percent conclusive, do indicate a reasonable chance that this bill will save State and local governments money.

I am mindful of the arguments raised by many respected investment banking firms, that competition from commercial banks could drive investment bankers out of business and in the long run reduce competition rather than increase it. This is certainly not the intent of the legislation. In view of the expected growth in the revenue bond market, I also do not feel there is a reasonable chance that this could happen. Most projections indicate total State and local bond issues will double by 1975 and that revenue bonds will grow even faster. In view of this rapidly expanding market it seems reasonable to me to conclude that there will be enough business for both investment banks and commercial banks. This is also the conclusion of the Federal Reserve Board which has given this matter careful consideration.

In order to make sure that Congress is continually aware of the impact of this legislation, the committee approved an amendment which requires the Secretary of the Treasury to make an annual report on the distribution of business between investment banking firms and commercial banks. This will give the Congress the information it needs to exercise its continuing responsibility.

I also feel quite strongly that if we are to permit the banks to compete for revenue bonds, they should compete on an equal basis with investment banking firms and should not enjoy special advantages over other investors when they are members of an underwriting syndicate. For that reason, I offered an amendment which was accepted by the committee which precludes an underwriting bank from purchasing bonds for its dealer account and subsequently transferring such bonds to its investment account during the life of the syndicate. I do not believe a bank's investment purchases should be confused with its underwriting activities. I would expect that bonds purchased by the banks as an underwriter will be made subject to a genuine public offering. In the event market practices are such that takedown orders for bonds intended for a bank's investment account are commingled with the bank's takedown orders for its underwriting or dealer account then it would be expected that the member bank would disclose this to the syndicate so that the bank's underwriting and investment functions would be clearly understood.

Mr. President, I join with the Senator from Wisconsin [Mr. PROXMIRE] in recommending this bill to the Senate. I believe it is a reasonable bill and in the public interest. It promises to lower the rate of interest which State and local governments pay on their revenue bonds. I also believe that the committee has included a number of safeguards which guard against any possible conflict of interest. I hope that the bill will be approved by the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendments en bloc.

The amendments were agreed to en bloc.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. DIRKSEN. Mr. President, I should like to state that I have cleared this matter with the minority members on the Committee on Banking and Currency and there is no objection to it.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 713), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of S. 1306 is to assist cities and States to obtain minimum cost financing by permitting National banks and State banks which are members of the Federal Reserve System to underwrite and deal in revenue bonds. The committee believes that with added bank competition the cost of borrowing to State and local governments will be reduced in the years ahead.

Although the bill permits banks to underwrite revenue bonds, such authority would not be extended to industrial revenue bonds or special assessment bonds or to revenue bonds of such quality that they are not eligible for purchase by a bank in its investment account. Under present procedures, bank investment quality grade bonds must generally be at a rating of Baa or higher.

Additional safeguards are included in the bill to prevent any bank from holding at any one time on its combined underwriting and investment accounts a revenue bond issue which exceeds more than 10 percent of its capital stock. As an additional safeguard, the bill would prohibit an underwriting bank from selling revenue bonds to its trust account unless lawfully directed by court order. Also, the trust department of an underwriting bank could not purchase revenue bonds from any member of an underwriting syndicate during the life of the syndicate. This is to prevent any possible self-dealing on the part of two or more banks in an underwriting syndicate. The bill also requires an underwriting bank to disclose its underwriting activities whenever it sells revenue bonds to its borrowers, depositors, or correspondent banks.

HISTORY OF THE LEGISLATION

Prior to 1933, there was no clear-cut division between investment banking and commercial banking. Many banks were engaged in the underwriting and distribution of securities during the 1920's. The collapse of the stock market in 1929 caused many banks to undergo severe financial difficulties.

As a result, the Glass-Steagall Act of 1933 was intended, among other things, to separate commercial banking from investment banking. Commercial banks were prohibited from underwriting and dealing in securities, thus leaving such functions to be performed by investment banking firms. However, an exception was made which permitted commercial banks to underwrite U.S. Government bonds and general obligation bonds of State and local governments. The effect of this exception was to permit commercial banks to remain in the underwriting business with respect to such bonds in order to facilitate debt financing by the Federal, State, and local governments. At the time the exception was made for general obligation bonds, revenue bonds were not a common form of municipal finance.

Since 1933, the authority of banks to underwrite Government bonds has been extended to include the bonds of the International Bank for Reconstruction and Development, the TVA, the Inter-American Development Bank, the Asian Development Bank, local public housing authorities, and bonds and participation certificates of the Federal National Mortgage Association. Thus, the Federal Government has followed a consistent policy, over the years, of facilitating public finance by using the underwriting capabilities of commercial banks as well as investment banks. Legislation to permit banks to underwrite State and local revenue bonds has been introduced in the House of Representatives since 1955, and the House Committee on Banking and Currency held hearings on such bills in 1963 and 1965. S. 1306 was introduced in the Senate by Senator Proxmire on March 16, 1967. Hearings were held before the Subcommittee on Financial Institutions on August 28, 29, 30, and September 12, 1967. The subcommittee met on October 4 and reported the bill to the full committee. The full committee met on October 24 and agreed to report the bill, with amendments, to the Senate.

MUNICIPAL BOND MARKET

Although revenue bonds were largely unheard of in 1933, they have become an important instrument of municipal finance. Because of limitations on bonded indebtedness and for other reasons, many cities and States are borrowing funds through the use of revenue bonds as opposed to general obligation bonds which require the full faith and credit of the State or local government. The following table shows the trends in the municipal bond market. In 1948 only 18 percent of all new municipal bonds were in the revenue bond category. By 1966 the percentage has grown to 37 percent. In absolute terms revenue bonds amounted to $549 million in 1948, whereas by 1966 more than $4 billion in new revenue bonds were issued.

MUNICIPAL BONDS SOLD BY ISSUERS, 1948–66

Year	General obligation	Revenue bonds	Total
1948	$2,440,230,000	$549,501,000	$2,989,731,000
1949	2,312,471,799	682,953,250	2,995,425,049
1950	3,093,680,965	599,923,200	3,693,604,165
1951	2,548,057,853	730,095,200	3,278,153,053
1952	2,937,866,967	1,463,450,500	4,401,317,467
1953	3,990,639,799	1,567,256,570	5,557,887,639
1954	3,754,260,796	3,214,381,100	6,968,641,896
1955	4,244,089,370	1,732,414,450	5,976,503,820
1956	3,775,931,126	1,670,488,445	5,446,419,571
1957	4,933,240,520	2,024,911,625	6,958,152,145
1958	5,628,086,000	1,772,281,000	7,400,367,000
1959	5,159,656,123	2,521,397,500	7,681,053,623
1960	5,034,679,948	2,194,820,411	7,229,500,359
1961	5,761,504,589	2,598,007,545	8,359,512,134
1962	5,892,188,262	2,666,012,400	8,558,200,662
1963	6,069,195,364	4,037,470,000	10,106,665,364
1964	6,879,923,836	3,650,752,608	10,530,676,444
1965	7,444,968,995	3,639,219,720	11,084,188,715
1966	7,012,915,849	4,076,022,500	11,088,938,349

Source: Investment Banker's Association.

The projections of future municipal financial needs indicate that State and local governments will continue to be heavy borrowers in the capital markets. In December of 1966 the Joint Economic Committee published a study entitled "State and Local Public Facility Needs and Financing." The study concluded that total State and local government bonds issued would double by 1975. Since revenue bonds have been growing at a faster rate than the total increase in State and local debt, it is probable that revenue bond issues will more than double by 1975. Most of the increase is expected to take place in bonds for water and sewer systems and for transportation facilities. The following tables from the Joint Economic Committee report indicate the expected growth in municipal bonds over the next 8 years:

ESTIMATED STATE AND LOCAL GOVERNMENT DEBT, 1966–75

[In billions of dollars]

Year	Total new debt issued	Beginning balance	Net change	Yearend balance
1966	14.2	100.0	8.5	108.5
1967	14.9	108.5	8.7	117.2
1968	15.7	117.2	9.0	126.2
1969	16.6	126.2	9.3	135.5
1970	17.6	135.5	9.7	145.2
1971	18.6	145.2	10.0	155.2
1972	19.5	155.2	10.3	165.5
1973	20.8	165.5	10.9	176.4
1974	21.8	176.4	11.1	187.5
1975	22.7	187.5	11.3	198.8

Source: "State and Local Public Facility Needs and Financing," vol. 2, p. 35.

COMPARISON OF PUBLIC FACILITY CAPITAL OUTLAYS OF STATE AND LOCAL PUBLIC AGENCIES IN 1965 WITH ESTIMATED CAPITAL REQUIREMENTS DURING 1965–75

[In billions of dollars]

Group of facilities	Actual, 1965	Estimated		
		1970	1975	1966–75
Water and sewer	2.7	5.5	6.8	56.5
Electric and gas	.8	1.3	1.4	12.8
Transportation	8.9	13.5	17.7	141.1
Education	4.9	5.9	7.8	62.0
Health	.8	1.3	1.7	13.1
Recreational and cultural	1.5	3.4	4.4	35.0
Other public buildings	.5	.7	.9	7.3
Total	20.1	31.6	40.7	327.8

Source: "State and Local Public Facility Needs and Financing," vol. 1, p. 14.

Revenue bonds were once regarded as a risky investment compared to general obligation bonds. However, in recent years the overall quality of revenue bonds has approached that of general obligation issues. Since the bill would restrict underwriting only to those revenue bonds of sufficient quality for inclusion in the bank's investment portfolio, this effectively limits the underwriting to bonds of a Baa or higher rating. The Comptroller of the Currency compared the quality of revenue bonds underwritten in 1966 with the quality of general obligation bonds. Since very few revenue bonds were in the Aaa category, the comparison was made in terms of Aa, A, and Baa bonds. The study shows that when these three categories are considered, 31 percent of revenue bonds were in the Aa category compared to 39 percent of general obligation bonds; 40 percent of revenue bonds were in the A category compared to 34 percent of general obligation bonds; and 29 percent of revenue bonds were in the Baa category compared to 27 percent of general obligation bonds.

These figures indicate that there is very little difference in the overall quality of revenue bonds compared with general obligation bonds; while as a group general obligation bonds are of a slightly higher quality, there are many revenue bonds which are of superior investment quality in comparison to general obligation bonds.

NEED FOR LEGISLATION

The principal argument in favor of S. 1306 is that it would reduce the cost of borrowing to State and local governments by bringing additional competition into the underwriting field. On March 31 of this year Senator Proxmire requested the Comptroller of the Currency and the Federal Reserve Board to undertake an extensive study of the economic impact of the bill and specifically to estimate the net savings, if any, which could accrue to State and local governments as a result of additional bank competition in the field of underwriting. Both studies indicate that additional bank competition would tend to lower the cost of borrowing to State and local governments. Similar conclusions were reached by Prof. Reuben A. Kessel of the University of Chicago who testified before the committee for the bill. The estimate of savings was, however, disputed by Prof. Bertrand Fox, of the Harvard School of Business, who testified before the committee in opposition to the bill.

All studies agree that State and local governments pay a higher rate of interest on revenue bonds than they do on general obligation bonds. Some of this difference can be accounted for by the fact that revenue bonds are of a slightly lower investment quality and slightly longer average maturity. However, when adjustments are made for these factors, a difference of approximately 10 basis points still remains. One basis point is equaled to 0.01 percent, thus, 10 basis points would amount to a difference of approximately one-tenth of 1 percent in interest. Although this may appear small, the annual savings to cities and States would amount to more than $50 million a year in 1968 and as much as $100 million a year by 1975 if the entire 10-basis-point difference were eliminated.

In addition to a higher rate of interest, there is additional evidence of a lack of competition in the revenue bond market. Most general obligation bond issues on which there is bank competition, are subject to competitive bidding. A study by the Comptroller of the Currency shows that over the last 3 years more than 99 percent of general obligation bonds were awarded through competitive bidding. Less than 1 percent were subject to negotiated sales. On the other hand, only 81 percent of revenue bonds were awarded through competitive bidding and 19 percent were awarded through negotiated sales.

In addition to a higher incidence of negotiated sales, revenue bonds also enjoy fewer bids, even when they are issued through competitive bidding. The study by the Comptroller of the Currency shows that on the average, revenue bonds awarded through competitive bidding received 1.64 fewer bids than those received by general obligation bonds. The study by the Federal Reserve Board found the same discrepancy, even after adjusting for any possible effect of differences in investment quality and maturity.

The number of bidders is extremely important to a hard-pressed municipality since the figures show the interest paid is inversely related to the number of bidders. In other words, the greater the number of bidders the lower the rate of interest which the city will have to pay on its bonds. The Comptroller's study has shown that for each additional bidder on revenue bond issues, the rate charged the city declines an average of 2 basis points. The Comptroller of the Currency summarized its study with the following remarks:

"Commercial banks generally do not compete in the market for underwriting revenue bond issues, but they are a major competitive factor in the market for underwriting general obligation issues. With the specific authorization to compete in underwriting revenue bond issues provided by S. 1306, commercial banks would also become a major competitive factor in this market.

"The ensuing increase in competition for underwriting revenue issues will lead to a significant reduction in the interest paid by municipal authorities. Our calculations indicate that the reduction of net interest cost on revenue issues would have been 5.3 basis points in 1966. The calculations for all issues studied (all ratings and all years) indicate that added competition would reduce net interest cost on revenue issues by 3.3 basis points.

* * * * *

"The potential dollar savings to municipal authorities resulting from enactment of S. 1306 are large indeed. A conservative estimate of the total savings on the new municipal revenue bond issues for the period 1968 to 1975 amounts to $117.8 million; it is more likely that the savings will reach $182.5 million. A conservative estimate of the savings on new revenue issues in 1968 amounts to $12.5 million; the savings on new issues each year are likely to exceed $27.0 million by 1975."

The Federal Reserve Board was more cautious in its estimates of potential savings. In testifying before the committee, Gov. George W. Mitchell indicated the bill could result in annual savings of $34 million to State and local governments. However, Governor Mitchell cautioned that it is possible that all of the residual difference in borrowing cost is due to factors other than the absence of commercial bank underwriting. In summing up his testimony, Governor Mitchell indicated:

"Although we have discovered no very reliable way to quantify the possible benefits of this bill in reducing State and local borrowing costs, we are inclined to believe that greater competition and an increase in the number of underwriters and dealers would lead to lower costs in this field."

The endorsement of this legislation by the Federal Reserve Board represents a departure from their opposition to similar bills in the past.

In addition to the studies by the Comptroller and the Federal Reserve Board, Dr. Reuben Kessel of the University of Chicago also attempted to estimate the dollar savings to State and local governments. Professor Kessel developed three methods for estimating the potential savings. Under the first method, the savings would amount to $21.4 million in 1968, increasing to $30.7 million by 1975. Under Professor Kessel's second method, the savings would amount to $25.9 million in 1968 and would increase to $37.2 million by 1975. Under his third method, the savings would increase from $43.2 million in 1968 to $62.1 million by 1975.

The results of these studies tend to show there are small but measurable savings to State and local governments as a result of additional bank competition. In addition to this statistical evidence, it is also reasonable to conclude that as a general rule additional competition tends to reduce costs. Most of our antitrust laws and other policies promoting free and open competition are founded upon the assumption that maximum competition will result in the lowest possible price to the consumer. Although it is often difficult to measure precisely the effect of increased competition, in our free enterprise economy there is a presumption that competition is to be preferred to the absence of competition. Thus, those who would restrict competition have a real burden of proof to show that such restrictions will not in fact result in higher costs to the consumer. The committee believes a reasonable case has been made that bank competition will lower interest charges to State and local governments; moreover, no convincing evidence has been presented to show that the absence of bank competition does not in fact result in a higher cost of borrowing to State and local governments.

One natural consequence of additional bank competition in underwriting would be a broadening of the market for the distribution of municipal revenue bonds. Commercial banks have many potential customers which are not tapped by investment bankers. The addition of these new potential customers should increase the overall demand for revenue bonds, thus resulting in a lower rate of interest.

Also, the very fact that commercial banks are prohibited from underwriting municipal revenue bonds casts some stigma on these bonds in the eyes of the investing public. This may account for some of the difference between the rate of interest charged on general obligation bonds as compared to revenue bonds. Since commercial banks can and do underwrite general obligation bonds, no such comparable stigma attaches to these bonds. By permitting banks to underwrite revenue bonds, any possible stigma associated with such bonds shou'd be removed, leading to greater investor acceptance and a consequent reduction of interest charges to the issuer.

Another advantage of permitting banks to underwrite and deal in revenue bonds is to strengthen the secondary market for revenue bonds. To the extent additional dealers are prepared to make a strong secondary market, the liquidity of revenue bonds is correspondingly enhanced. With increased liquidity, investors should be willing to accept a lower rate of return on the initial reoffering, thereby reducing the net interest cost to State and local governments.

The committee is mindful of the conflict-of-interest arguments raised by those who have opposed this legislation. One possible conflict of interest lies in the role of a bank as an underwriter and in its role as providing investment advice to its correspondent banks. The argument has been made that an underwriting bank, in order to rid itself of a slow issue, might pressure its correspondent banks to purchase such issues on unfavorable terms.

A second argument has been made that a bank might use its trust department to manipulate the price of such bonds in the secondary market in an effort to avoid a loss in its investment account. The committee is convinced that there are no undue conflict-of-interest problems associated with this legislation. Banks have been underwriting general obligation bonds for the last 34 years with no apparent abuses. In testifying before the committee, Governor Mitchell of the Federal Reserve Board stated that: "We have no evidence that bank underwriting of general obligation bonds has resulted in abuses that call for legislative correction." Similar judgments were expressed by the Comptroller of the Currency and the Federal Deposit Insurance Corporation. Moreover, none of the opponents of the bill could provide the committee with documented evidence that banks have, in fact, abused their general obligation bond underwriting authority.

In view of the experience with general obligation bonds, the committee recommends that similar underwriting authority can safely be extended to revenue bonds. Nevertheless, the authority to underwrite revenue bonds should not be considered an inherent right of commercial banks, but rather a privilege which can be revoked if evidence of abuse develops. In this connection, the committee expects the bank supervisory agencies to be particularly alert to any possible conflict of interest which might arise as a result of this legislation. The committee expects the bank supervisory agencies to be especially diligent in scrutinizing purchases of revenue bonds by correspondent banks from underwriting banks, to insure that such purchases are not being made upon terms unfavorable to the correspondent bank. The committee also expects the supervisory agencies to examine closely the activities of the trust accounts of commercial banks to insure that such accounts are not artificially influencing the price of revenue bonds in order to further their underwriting or investment activities.

COMMITTEE AMENDMENTS

In reporting the bill, the committee recommends two amendments which are designed to guard against the conflict-of-interest problem.

The first amendment would require the Secretary of the Treasury to submit an annual report to the Congress concerning the impact of this legislation and particularly the distribution of business between investment banking firms and commercial banks. The investment banks have alleged that commercial banks could force smaller investment banking firms out of business, thereby resulting in a monopoly by commercial banks and a consequent reduction in competition. In view of the rapidly growing market for State and local bonds, the committee does not believe this is a realistic probability. The committee agrees with the judgment of Governor Mitchell of the Federal Reserve Board on the impact of this bill. In testifying on the distribution of business between commercial banks and investment banks, Governor Mitchell indicated:

"In our view, there is ample room for both. In the fiscal year ended June 30, 1967, total new issues of municipal obligations amounted to $13.1 billion, more than double the total for fiscal 1957, and continued rapid growth seems assured. This prospect presents a challenging opportunity for both commercial banks and investment banking concerns to contribute in developing and improving this market.

Although the committee concurs with the judgment of the Federal Reserve Board, the committee is concerned that the bill actually increase competition and not reduce competition by forcing investment bankers out of business. For this reason, the committee believes the annual report from the Secretary of the Treasury of the impact of the bill will provide the Congress with the information it needs to exercise its continuing responsibility in this area.

The second amendment concerns the ability of an underwriting bank to purchase revenue bonds for its own investment account. The committee intends that this legislation will permit commercial banks to underwrite municipal bonds whether revenue or general obligation bonds. Many banks will want to continue to purchase municipal bonds for their own investment account. Indeed, such purchases have represented almost 40 percent of the market. At the same time, the committee does not believe that the bank's investment purchases should be confused with its underwriting activities.

Accordingly, the committee has recommended an amendment which would prohibit a member bank from transferring revenue bonds which it purchased as an underwriter to its investment account during the underwriting period. It is expected that bonds purchased by the banks as an underwriter will be made subject to a genuine public offering, in the event market practices are such that takedown orders for bonds intended for a bank's investment account are commingled with the bank's takedown orders for its underwriting or dealer account then it would be expected that the member bank would disclose this to the syndicate so that the bank's underwriting and investment functions would be clearly understood.

CONSTRUCTION AID FOR VESSELS OPERATING ON THE INLAND RIVERS AND WATERWAYS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 701, S. 2211.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. S. 2211, to amend title 46, section 1159, to provide for construction aid for certain vessels operating on the inland rivers and waterways.

The PRESIDING OFFICER. Is there

objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Commerce, with an amendment, strike out all after the enacting clause and insert:

That section 509 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1159) be amended by inserting after the words, "fourteen knots," the following: "except in the case of a passenger vessel operating solely on the inland rivers and waterways in which case the vessel is designed to be of not less than one thousand gross tons and to be capable of sustained speed of not less than eight knots,".

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill to amend section 509 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1159) to provide for construction aid for certain vessels operating on the inland rivers and waterways."

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 717), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE AND EXPLANATION OF THE BILL

The purpose of S. 2211 is to amend section 509 of the Merchant Marine Act of 1936 to increase the amount of Federal ship mortgage insurance available for passenger vessels of not less than 1,000 gross tons with a sustained speed capability of at least 8 knots operating on inland rivers and waterways.

Title XI of the Merchant Marine Act of 1936 authorizes the Secretary of Commerce to guarantee ship mortgages up to 87½ percent of actual cost if the vessel meets minimum size (3,500 gross tons) and sustained speed (14 knots) requirements imposed by section 509 of the 1936 act and if he determines such action to be economically justified. A vessel not meeting these minimum requirements of section 509 are limited to title XI guarantees of 75 percent of actual cost. This proposed legislation would extend the benefit of 87½ percent mortgage guarantee to passenger vessels of a lower tonnage and speed than is now possible but contemplates no additional cost to the Government. The Secretary of Commerce must determine whether the property or project with respect to which the mortgage or loan will be executed will be, in his opinion, economically sound. The insuring of such mortgages involves no cash outlay by the Government except in case of default and the history of the insurance program discloses that the Government has on an overall basis lost no funds by reason of granting title XI mortgage insurance.

Although section 509 of the Merchant Marine Act, 1936, describes and authorizes direct ship construction aid payments in addition to its relationship to title XI of the act, your committee is aware that the section 509 procedures for direct construction aid, in contrast to the title XI mortgage insurance program, is not now in use by the Maritime Administration. However, it is your committee's intention to merely enhance title XI application to smaller passenger vessels operating on inland rivers and waterways. It is not contemplated that application for or use of section 509 direct ship construction payments will be affected by this legislation.

It is believed that this legislation would substantively benefit and encourage the construction of new passenger vessels for use on inland rivers and waterways.

COST OF THE LEGISLATION

Enactment of the bill is expected to involve no additional cost to the Government.

ENROLLED BILLS SIGNED

The PRESIDING OFFICER announced that on today, November 7, 1967, the Acting President pro tempore (Mr. Metcalf) signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

H.R. 5091. An act to amend Public Law 87-752 (76 Stat. 749) to eliminate the requirement of a reservation of certain mineral rights to the United States; and

H.R. 11627. An act to amend the act of June 16, 1948, to authorize the State of Maryland, by and through its State roads commission or the successors of said commission, to construct, maintain, and operate certain additional bridges and tunnels in the State of Maryland.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CHURCH, from the Committee on Interior and Insular Affairs, with amendments:

S. 1267. A bill to establish the Sawtooth National Recreation Area in the State of Idaho, and for other purposes (Rept. No. 730).

By Mr. BARTLETT, from the Committee on Commerce, with an amendment:

S.J. Res. 101. A joint resolution amending title XI of the Merchant Marine Act, 1936, to authorize the Secretary of Commerce to guarantee certain loans made to the National Maritime Historical Society for the purpose of restoring and returning to the United States the last surviving American square-rigged merchant ship, the *Kaiulani*, and for other purposes (Rept. No. 731).

By Mr. BYRD of West Virginia, from the Committee on Appropriations, with amendments:

H.R. 8569. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 729).

By Mr. STENNIS, from the Committee on Armed Services, with amendments:

H.R. 2. An act to amend titles 10, 14, 32, and 37, United States Code, to strengthen the reserve components of the Armed Forces, and clarify the status of National Guard technicians, and for other purposes (Rept. No. 732).

PIPELINE SAFETY MEASURE—REPORT OF A COMMITTEE—SUPPLEMENTAL VIEWS (S. REPT. NO. 733)

Mr. HARTKE. Mr. President, on behalf of the senior Senator from Washington [Mr. Magnuson], from the Committee on Commerce, I report favorably, with amendments, the bill (S. 1166) to authorize the Secretary of Transportation to prescribe safety regulations for the transportation of natural gas by pipeline, and for other purposes. I ask unanimous consent that the report be printed, together with the supplemental views of Senators Lausche, Cannon, Hart, and Brewster.

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calender; and, without objection, the report will be printed, as requested by the Senator from Indiana.

EXTENSION OF CERTAIN NAVAL VESSEL LOANS NOW IN EXISTENCE—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT. NO. 734)

Mr. FULBRIGHT. Mr. President, from the Committee on Foreign Relations, I report favorably, with additional amendments, the bill (H.R. 6167) to authorize the extension of certain naval vessel loans now in existence, and a new loan, and for other purposes. I ask unanimous consent that the report be printed, together with the minority views of the Senator from Pennsylvania [Mr. Clark].

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Arkansas.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN:

S. 2627. A bill to amend title 28 of the United States Code to establish the National Foundation of Law to promote improvement in the administration of justice in the United States; and

S. 2628. A bill to amend the act entitled "An act to incorporate the National Education Association of the United States," approved June 30, 1906 (34 Stat. 804); to the Committee on the Judiciary.

(See the remarks of Mr. Dirksen when he introduced the first above mentioned bill, which appear under a separate heading.)

By Mr. YOUNG of North Dakota:

S. 2629. A bill for the relief of Andree Josette Borge; to the Committee on the Judiciary.

By Mr. HANSEN:

S. 2630. A bill to designate the Stratified Primitive Area as a part of the Washakie Wilderness, heretofore known as the South Absaroka Wilderness, Shoshone National Forest, in the State of Wyoming, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Hansen when he introduced the above bill, which appear under a separate heading.)

By Mr. MONDALE:

S. 2631. A bill to amend section 221(h) of the National Housing Act; to the Committee on Banking and Currency.

By Mr. SPARKMAN:

S. 2632. A bill to provide for the conveyance of certain public land held under color of title to Mrs. Jessie L. Gaines of Mobile, Ala.; to the Committee on Interior and Insular Affairs.

By Mr. NELSON:

S. 2633. A bill for the relief of Adoracion S. Nitro; to the Committee on the Judiciary.

By Mr. PASTORE:

S. 2634. A bill to amend section 867(a)

of title 10, United States Code, in order to establish the Court of Military Appeals as the U.S. Court of Military Appeals under article I of the Constitution of the United States, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. PASTORE when he introduced the above bill, which appear under a separate heading.)

RESOLUTION

RELATIVE TO DEATH OF HON. JOHN NANCE GARNER

Mr. BYRD of West Virginia (for Mr. MANSFIELD and Mr. DIRKSEN) submitted a resolution (S. Res. 183) relative to the death of Hon. John Nance Garner, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. MANSFIELD, which appears under a separate heading.)

ESTABLISHMENT OF A NATIONAL FOUNDATION OF LAW TO PROMOTE IMPROVEMENT IN THE ADMINISTRATION OF JUSTICE IN THE UNITED STATES

Mr. DIRKSEN. Mr. President, the strength of any free society rests ultimately upon its system of justice, on each citizen's certain knowledge that justice will be done. We in the United States have always recognized this simple truth and have been remarkably successful in making it a continuing reality, with the scales of justice always in tolerably steady balance.

I believe the scales still are substantially in balance, Mr. President, but the growing weight that they must bear is threatening to swamp them. We are now nearly 200 million people, living in the most complex social and technical society known to man. And our system of justice, however sound and healthy at its core, is steadily losing ground to this new mass and complexity, despite valiant efforts on the part of our law schools and many dedicated men in the legal profession. I am not suggesting that our legal system is in need of a vast overhaul. But I do believe that it needs much more of our attention and resources if it is to continue to be the best of all possible foundations for a vigorous and growing nation of infinite complexity.

It has been estimated that the law receives less than 1 percent of the funds expended by private foundations for research and education.

And only a fraction of this amount has been available for empirical research that would make our legal institutions and processes more capable of dealing with the vast new problems thrust upon them. The legal field has fared even more poorly at the hands of existing Federal foundations, sharing scarcely at all in the vast expenditures, directed primarily to research in the physical sciences and medicine.

There presently is no nationally oriented foundation consistently concentrating its funds and attention on problems of the law and its relationship to the developing society it must serve. To help correct this serious imbalance in our national priorities for research and education, I am today introducing a bill that would create a National Law Foundation with the primary goal of improving the administration of justice in the United States. The Nation faces no problems more critical than those that could be attacked by this Foundation. It is designed to support research and education projects in all aspects of the law and legal processes by grants to local, State, regional, national, and private agencies and law schools. It would provide badly needed assistance for legal education, including prelaw studies, basic and graduate legal education, advanced study for professional specialization, and continuing education in new developments; new and improved law libraries and other facilities and services including technical training for research and experimentation, development and revision of the law, and for increasing the legal services available to the public.

Mr. President, the law and its processes are central to all aspects of our national life, and it is time that we make them a central concern in our allocation of resources for research and education. Problems in this field are matters of growing concern to legal scholars and educators, to the judges and administrators of our courts, and to knowledgeable leaders of the legal profession.

Both the American Bar Association and the Association of American Law Schools have endorsed the principle of a National Law Foundation as an essential aid to our legal institutions as they struggle to remain responsive to the changing requirements of our modern world.

The PRESIDING OFFICER. The bill will be received and appropriately referred

The bill (S. 2627) to amend title 28 of the United States Code to establish the National Foundation of Law to promote improvement in the administration of justice in the United States, introduced by Dr. DIRKSEN, was received, read twice by its title, and referred to the Committee on the Judiciary.

WASHAKIE WILDERNESS

Mr. HANSEN. Mr. President, I introduce, for appropriate reference, a bill to designate the Washakie Wilderness in the Shoshone National Forest as a national wilderness area. This proposed wilderness area includes nearly 680,000 acres which would be preserved against commercialization and set aside for hunting, hiking, and the enjoyment of nature for this and future generations. The area is about 30 miles southeast of Yellowstone National Park and 220 miles northwest of Casper.

The boundaries of this proposed wilderness area would represent a true blending of the multiple-use concept of Wyoming's great primitive forest areas. The designation of this wilderness area exemplifies the cooperative approach among the Forest Service, wilderness people, and resource people, including the lumber industry, the mining industry, and the oil and gas industries.

Few lands in the West would compare in beauty with the Washakie Wilderness. The area has good accessibility and typifies the rugged beauty and strength of wonderful Wyoming.

The President has endorsed this legislation in his message to the Congress on October 6. I ask unanimous consent that his message be printed in the RECORD following my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the message from the President will be printed in the RECORD, as requested by the Senator from Wyoming.

The bill (S. 2630) to designate the Stratified Primitive Area as a part of the Washakie Wilderness, heretofore known as the South Absaroka Wilderness, Shoshone National Forest, in the State of Wyoming, and for other purposes, introduced by Mr. HANSEN, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The President's message, ordered to be printed in the RECORD, reads as follows:

THE WHITE HOUSE,
Washington, D.C., October 6, 1967.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Just 60 miles from the Los Angeles metropolitan area lies a wilderness of rocky cliffs and deep canyon inhabited only by rare California condors, deer, and other wildlife.

Just last February I asked the Congress to declare this area—the San Rafael Wilderness—a part of the National Wilderness Preservation System, both for the enjoyment of our own and future generations and as a symbol of man's respect for nature's work.

The Wilderness Act of 1964 gives us the authority to preserve this region and others like it. When I signed that Act in September 1964 I noted that it was a major conservation measure which would preserve millions of "acres of this vast continent in their original and unchanging beauty and wonder."

I now propose that three additional areas—in California, Oregon, and Wyoming—also be proclaimed wilderness areas. This action will not cost the American taxpayer a penny. But it will enrich the lives of every citizen.

The Federal Government already has jurisdiction over these lands. They have been the subjects of open hearings and intensive studies and have been recommended by the Secretary of Agriculture for inclusion in the wilderness system.

These three areas are admirably suited to become additions to that system.

The proposed San Gabriel Wilderness in California is a part of the Angeles National Forest and comprises some 36,000 acres of primitive mountain terrain some 35 miles northeast of the City of Los Angeles. It is uninhabited and provides much needed opportunities for hiking, fishing, hunting, camping, and other public use.

The Mt. Jefferson Wilderness would comprise 96,000 acres now included within the Willamette, Deschutes, and Mt. Hood National Forests, some 60 miles from Salem, Oregon. This wilderness contains the second tallest peak in Oregon, nearly 150 lakes, 160 miles of trails, and good fishing and hunting.

The proposed Washakie Wilderness, Shoshone National Forest, Wyoming, includes nearly 680,000 acres. This area provides excellent hunting, a rugged region for hiking, and an opportunity to discover petrified remains of ancient forests.

I urge the Congress to preserve these priceless national assets by approving their inclusion in the wilderness system.

Sincerely,

LYNDON B. JOHNSON.

U.S. COURT OF MILITARY APPEALS

Mr. PASTORE. Mr. President, I send to the desk, for reference to the appropriate committee, the bill with the following explanation. Well over 17 years ago, after careful and thorough analysis of the state of discipline and justice in our Armed Forces, the Congress enacted the Uniform Code of Military Justice. That action was taken in response to the many complaints from all segments of our society about the injustices visited upon our servicemen in the name of military justice. Without retracing painful ground, I believe it is sufficient to observe that the hearings then conducted satisfied the Congress of the essential validity of those complaints.

For the first time in our history, the Uniform Code established a single court-martial system for all of the services and, at the apex of the tribunals there provided for, it placed the Court of Military Appeals. This court consists of three judges appointed from civilian life by the President, with the advice and consent of the Senate. It reviews the records of trial by courts-martial in the following cases: First, all cases in which the penalty affects a general or flag officer, or extends to death; second, all cases which the Judge Advocate General orders forwarded for review; and, third, all cases which, upon petition of the accused and on good cause shown, the court has granted a review.

Functioning as the supreme court of the military services, the Court of Military Appeals has consistently interpreted the Uniform Code in the spirit in which the Congress enacted it. By insisting upon high professional performance by all personnel involved at all levels of the court-martial system, and upon strict compliance with the Uniform Code, it has eliminated many of the justified grounds for the complaints lodged against the earlier procedures. To a great extent public confidence in the essential fairness of courts-martial has been restored at all levels of our society and, during their tenures of office, a Chairman of the Joint Chiefs of Staff, and an Army Chief of Staff, have declared that under the code, the Army has achieved the highest state of discipline and good order in its history.

Despite the enviable record this judicial tribunal has established, I am shocked to learn that there yet remain pockets of resistance to the objectives of the Uniform Code, and misconceptions of the status of the military's supreme court. If these were mere academic matters, they would not warrant more than passing notice. But the portents of expressed beliefs that the Court of Military Appeals is merely an administrative agency are so fraught with the danger that such beliefs will inspire attempts to circumvent the court's mandates and thus increase the difficulties of its already burdensome responsibilities, that action is required.

This legislation will curb all attempts to revert to a rejected view of the nature and objectives of military justice, and will lay at rest any lingering doubts about the status of the court.

The proposed legislation makes no change in the basic structure or functions of the Court of Military Appeals. Rather, it expressly confirms the original intent of the Congress to establish a legislative court under article I of the Constitution as a necessary and proper means of carrying into execution our constitutionally imposed duty "To make rules for the Government and regulation of the land and naval forces." Implicit in this confirmation is the recognition of the effectiveness of the court, and a declaration of our firm resolve to eliminate any obstacle to the continued success of its judicial endeavors.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred.

The bill (S. 2634) to amend section 867(a) of title 10, United States Code, in order to establish the Court of Military Appeals as the U.S. Court of Military Appeals under article I of the Constitution of the United States, and for other purposes, introduced by Mr. Pastore, was received, read twice by its title, and referred to the Committee on Armed Services.

POSTAL REVENUE AND FEDERAL SALARY ACT OF 1967—AMENDMENTS

AMENDMENT NO. 433

Mr. BYRD of Virginia submitted amendments, intended to be proposed by him, to the bill (H.R. 7977) to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements, and for other purposes, which were referred to the Committee on Post Office and Civil Service and ordered to be printed.

(See reference to the above amendment when submitted by Mr. Byrd of Virginia, which appears under a separate heading.)

PROVISION FOR FLYING AMERICAN FLAG OVER THE REMAINS OF THE U.S.S. "UTAH"—AMENDMENT

AMENDMENT NO. 434

Mr. MOSS submitted an amendment, intended to be proposed by him, to the bill (S. 479) to provide for the flying of the American flag over the remains of the U.S.S. *Utah* in honor of the heroic men who were entombed in her hull on December 7, 1941, which was referred to the Committee on Armed Services and ordered to be printed.

(See reference to the above amendment when submitted by Mr. Moss, which appears under a separate heading.)

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO DISTRICT OF COLUMBIA APPROPRIATION BILL, 1968

AMENDMENT NO. 435

Mr. HAYDEN submitted the following notice in writing:

> In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 8569) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1968, and for other purposes, the following amendment, namely: Page 17, after line 16, insert the following:
>
> "Sec. 18. The Joint Resolution of October 5, 1967 (Public Law 90–102) is hereby amended by striking out 'October 23, 1967' and inserting in lieu thereof 'November 9, 1967.'"

Mr. HAYDEN also submitted an amendment, intended to be proposed by him, to House bill 8569, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1968, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

DR. RICARDO VALLEJO SAMALA—AMENDMENT

AMENDMENT NO. 436

Mr. BAKER submitted an amendment, intended to be proposed by him, to the bill (H.R. 2275) for the relief of Dr. Ricardo Vallejo Samala, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Florida [Mr. Smathers] I ask unanimous consent that, at its next printing, the name of the Senator from Tennessee [Mr. Baker] be added as a cosponsor of the joint resolution (S.J. Res. 61) in honor of Amelia Earhart and Joan Merriam Smith.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. HART. Mr. President, I ask unanimous consent that, at its next printing, the names of the junior Senator from Wisconsin [Mr. Nelson] and the junior Senator from Pennsylvania [Mr. Scott] be added as cosponsors of the bill (S. 2321) to supplement the antitrust laws of the United States in order to prevent anticompetitive practices, by providing for just compensation upon termination of certain franchise relationships.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Washington [Mr. Magnuson] I ask unanimous consent that, at its next printing, the names of the senior Senator from Indiana [Mr. Hartke] and the senior Senator from Maryland [Mr. Brewster] be added as cosponsors of the bill (S. 1166) to authorize the Secretary of Transportation to prescribe safety regulations for the transportation of natural gas by pipeline, and for other purposes.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Minnesota [Mr. Mondale] I ask unanimous consent that, at its next printing, the name of the distinguished Senator from North Dakota [Mr. Young] be added as a cosponsor of the bill (S. 2527) to encourage the movement of butter into domestic commercial markets.

The PRESIDING OFFICER. Without objection, it is so ordered.

POSTAL REVENUE AND FEDERAL SALARY ACT OF 1967

AMENDMENT NO. 433

Mr. BYRD of Virginia. Mr. President, I submit an amendment to H.R. 7977, Federal pay raise bill, and ask that it be printed and referred to the appropriate committee.

The PRESIDING OFFICER (Mr. Gore in the chair). The amendment will be received, printed, and appropriately referred.

The amendment (No. 433) was referred to the Committee on Post Office and Civil Service.

Mr. BYRD of Virginia. Mr. President, this amendment would delete section 216 of the bill, which authorizes a Presidential Commission to review the rates of pay for Members of Congress, the judiciary, and high-ranking members of the executive branch, and to make recommendations for periodic salary increases.

I object to this section for two reasons.

First, it would permit the salaries and allowances of Members of the Congress to be increased without a vote of any kind.

Second, this section would give to the President powers that constitutionally belong to the Congress.

On February 21, of this year, the Senate approved an amendment which I introduced to the Legislative Reorganization Act providing that any future changes in the rate of compensation for the Members of Congress shall be the subject of a separate item of legislation and shall be acted on separately by a yea and nay vote.

I offered this amendment because I believe the American people feel that the Congress should be absolutely aboveboard on any action it takes affecting itself.

The last two changes in compensation for Members of Congress—one in 1955 and a more recent one in 1964—were acted upon as part of a larger piece of legislation. They were not voted on separately.

I believe the American people want Members of the Congress to be adequately compensated. They know the arduous duties undertaken by the Members of Congress, and they know the expenses which are involved in carrying out these duties. So I do not think the American people want to deprive their representatives of fair and adequate compensation.

But, simultaneously, I believe they want to know the recorded vote of these men who, unlike most other Americans, have the power to make their own decision and set their own salaries at any figure they desire.

Mr. President, I feel, in justice to the American people, that when the compensation of their representatives is changed, it be done by a separate recorded vote, which would not be the case were section 216 to become law.

Section 216 would nullify the amendment to the Reorganization Act, which the Senate approved last February by voice vote.

I was pleased at the time of that vote that my distinguished colleague from Oklahoma [Mr. Monroney] who, by the way, was chairman of the committee reporting the Reorganization Act as well as being the chairman of the committee considering this new pay raise bill—accepted my amendment and indeed went so far as to say:

> I think we would be setting a good precedent. I think it would be desirable to have the same rule in both Houses.

My distinguished colleague from New Hampshire [Mr. Cotton] agreed, and I quote:

> It would be far better to provide adequate salaries, openly and above board, with no question about it.

My distinguished colleague from Ohio [Mr. Lausche], who cosponsored my amendment, spoke for a good many Senators when he said:

> If Senators will speak up, especially on a proposal signified by a recorded vote on how they stand, in my judgment, the dignity of the Senate will be elevated, the position of Senators will be strengthened, and it will be accepted by the public as being worthy of adoption.

Section 216 of the new Federal pay raise bill would create a Commission appointed by the President to recommend salary increases for Members of Congress. These recommendations can be accepted or changed by the President, and would then become law without a vote of any kind—unless Congress specifically objected within a period of 30 days.

The negative power of veto which would be retained by Congress is a far cry from having one's vote recorded on a separate item of legislation. Members of the Congress could give themselves a pay raise by simply saying nothing.

Mr. President, a recent editorial in the Richmond Times Dispatch has drawn attention to this little-noted provision of the pay raise bill in an editorial entitled, "Those Sly Rascals." Thus, the Congress is leaving itself open to this kind of criticism.

I also object to taking away powers granted to the Congress under the Constitution and giving them to the President.

Section 216 stipulates that the President shall include in his budget "his recommendations with respect to the exact rates of pay and the exact amounts and kinds of expenses and allowances, including any specific requirements, conditions, and other matters relating thereto which he deems advisable."

I do not believe we should turn over to a Presidential Commission the power to set salaries and allowances for Congressmen, for the members of the judiciary, and for high-ranking officers of the executive branch. In time, this could tend to give the President additional power over the Congress.

I am concerned that the executive branch already has too much power. Under the Constitution, the Congress is a coequal branch of Government, with certain powers assigned to it exclusively. Foremost among those powers is control over the public moneys. The Congress has been giving away too much power to the Chief Executive.

I have a deep feeling about Congress—the Senate in particular. Although I have not been here very long, in an indirect way I have had a rather long association with this distinguished body. I have a deep affection for it. I am aware of the very high caliber of men who occupy seats in this Chamber.

That is why I feel that deletion of section 216 would be helpful to the Congress as a whole. To fail to delete this section would further erode congressional power. Deletion of section 216, also, would give the people of this Nation more confidence in their public officials, because action regarding their compensation would be spread on the record.

For these reasons, I feel section 216 of this bill should be deleted.

The PRESIDING OFFICER. Is there further morning business?

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. LONG of Louisiana. Mr. President, I move that the Senate stand in recess until 1:30 p.m.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana.

The motion was agreed to; and (at 12 o'clock and 37 minutes p.m.), the Senate took a recess until 1:30 p.m., when called to order by the Presiding Officer (Mr. Pell in the chair).

SECRET SERVICE PROTECTION FOR WIDOW AND MINOR CHILDREN OF A FORMER PRESIDENT

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 13165.

The PRESIDING OFFICER laid before the Senate H.R. 13165, to extend the period during which Secret Service protection may be furnished to a widow and minor children of a former President, which was read twice by its title.

Mr. MANSFIELD. I ask unanimous consent that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The bill was ordered to a third reading, was read the third time, and passed.

JOHN NANCE GARNER

Mr. YARBOROUGH. Mr. President, I rise to give to the Senate the sad intelligence of the passing away this morning, at about 8:20 central standard time, of the former President of the Senate, John Nance Garner. This was just 15 days before his 99th birthday.

John Nance Garner was born in Red River County, Tex., on November 22, 1868. That is only one county removed from the home of the late Speaker of the House, Sam Rayburn.

John Nance Garner had only limited educational opportunities, but he studied in a law office, and was largely self-educated. He was admitted to the bar in 1890.

Because of a health impairment, he was told by doctors that he would probably not have a very vigorous life and probably would not live too long. He moved to Uvalde, Tex., some 85 miles west of San Antonio, for his health. Having recovered his health, he began the practice of law there, also serving as a judge of Uvalde County from 1893 to 1897. He was elected to the State house of representatives, where he served 4 years, from 1899 to 1903. He was elected to the U.S. Congress in 1902, and was sworn in on March 4, 1903. He served in the House from that date until March 3, 1933, a period of 30 years.

He was minority floor leader in the 71st Congress. He was elected Speaker of the House in the 72d Congress and served as Speaker from 1931 to 1933. He was elected Vice President of the United State in 1932, serving 8 years as Vice President with former President Franklin D. Roosevelt.

John Nance Garner was an unusual person. He was a true product of the frontier, vigorous in mind and in thought, frank and bold in expression. He reached the highest governmental office ever reached by any Texan up to that time. He was the first Texan Speaker of the House of Representatives. He was the first Texan Vice President. His rugged frontier qualities were responsibile for his reaching that office; he had no political machine or organization back there.

He paved the way for others in his home State and caused other sections of the Nation to look at Texas in a new dimension—as a producer of speakers, Vice Presidents, and Presidents, for John Nance Garner was a serious contender for the presidency in his own right.

All Texans are in his debt. The Democratic Party is in his debt and, beyond that, the American people are in his debt for his long, dedicated, and honorable service, in the true democratic spirit.

He was my old and trusted friend, who counseled and aided me over many years. He pioneered the way for others of us who serve the Government now. I treasure the memory of my every visit with him. He symbolized frankness and the direct approach. There was never any doubt about where he stood. He was free of guile, as direct and true as the frontier which produced him. Texas honors her great.

It is another great distinction that John Nance Garner was one of two men who had served both as Speaker of the House and as Vice President. The other was Schuyler Colfax of Indiana.

Mr. Garner was married to Ettie Rheiner. They have one son now living, Tully Garner; one granddaughter, Genevive, who is married to Mr. Curry of Amarillo; and they have three great grandchildren.

In 1948, when Harry Truman was conducting a spectacular rear platform campaign from a railroad train he paid John Nance Garner a visit at Uvalde, Tex., where he had breakfast with Mr. Garner. John Nance Garner was then some 80 years of age. Harry Truman stated the next day:

> I had a most happy breakfast a while ago, when I stopped to see John Garner. He gave us chicken, and whitewing dove, and ham, and bacon, and scrambled eggs, and hot biscuits, and orange juice, and rice; and if there is anything else you can think of, it was on that breakfast table. I never had such a breakfast since I quit the farm.

Harry Truman's visit with John Nance Garner will be long remembered. President Truman said he remembered John Nance Garner and Will Rogers well, because whenever Will Rogers came to the Capitol, he had lunch with John Nance Garner.

I shall miss our distinguished former Vice President, who passed away unexpectedly. His family were preparing for his 99th birthday, which was 15 days away, and he appeared to be in good health for a man of his age.

The United States and Texas have lost one of the most astute men politically ever to serve this Nation.

INTERGOVERNMENTAL PERSONNEL ACT OF 1967

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The **PRESIDING OFFICER.** The bill will be stated by title.

The Assistant Legislative Clerk. A bill (S. 699) to strengthen intergovernmental cooperation and the administration of grant-in-aid programs, to extend State and local merit systems to additional programs financed by Federal funds, to provide grants for improvement of State and local personnel administration, to authorize Federal assistance in training State and local employees, to provide grants to State and local governments for training of their employees, to authorize interstate compacts for personnel and training activities, to facilitate the interchange of Federal, State, and local personnel, and for other purposes.

The **PRESIDING OFFICER.** Is there objection?

There being no objection the Senate resumed the consideration of the bill.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I would like to ask the distinguished majority leader about the calendar for the balance of the week and, insofar as he knows, for the following week as well.

Mr. MANSFIELD. Mr. President, in response to the question raised by my distinguished colleague, the minority leader, it is anticipated that following the disposition of the pending business, we will call up the conference report on redistricting for consideration tomorrow. That measure will cause some debate. Also, if there is no objection, we will take up the District of Columbia appropriation bill tomorrow. That bill was reported today. Furthermore, if it is received in time, the Senate will consider the foreign assistance conference report.

On Thursday, we will take up the bill having to do with pipeline safety and perhaps S. 633, involving the Foreign Service personnel system of the United States Information Agency, which is on the calendar.

On Friday, it is anticipated that we will take up the military construction appropriation bill; and because Veterans Day will be celebrated on Friday, I would like to have the Senate meet at 10 o'clock Friday morning and dispose of that bill at the earliest possible time.

Next week, it is anticipated, barring unforeseen events, that we will take up the social security bill. Also, next week, the elementary and secondary education bill will be considered on Thursday, the 16th. That will be a week from Thursday.

I am anticipating also that the postal rate and civilian pay raise bill will be ready for floor action later next week.

There will be other matters in between, but as of now this is the best information I can offer as to advice concerning the schedule.

Mr. DIRKSEN. I thank the majority leader.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the benefit of the minority leader, who is temporarily absent from the floor, I would like to add to the legislative program previously announced that later this week the Senate will consider Calendar Order No. 712, H. R. 10595, on which I understand there will be some debate. This legislation would prohibit certain banks and savings and loan associations from fostering or participating in gambling activities.

I would say that we would consider

that measure on either tomorrow or Thursday. However, on Friday I think the only measure for consideration will be the military construction appropriations bill.

PUBLIC WORKS AND ATOMIC ENERGY COMMISSION APPROPRIATION BILL, 1968—CONFERENCE REPORT

Mr. ELLENDER. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11641) making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, Interstate Commission on the Potomac River Basin, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1968, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of October 25, 1967, p. 29916, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ELLENDER. Mr. President, I am sorry that the conferees could not reach unanimous agreement. I had hoped that the Senate could have retained more of its increases; however, I realize that all legislation is the result of compromise. Under the circumstances, I believe the Senate conferees did the best they could, and I am pleased that the report was signed by all of the Senate conferees.

The conference bill provides $4,690,813,000, assuming that the Senate insists on the conference agreement of $875,000 on the Dickey-Lincoln School Dam and Reservoirs project in Maine and recedes on its increase of $22,000,000 for construction grants for sewage treatment works, which is $75,251,000 below the amount approved by the Senate; $67,891,000 above the House; $177,000,000 below the budget; and $380,642,000 above the appropriation for fiscal year 1967.

I ask unanimous consent to have printed at this point in the RECORD a summary table explaining the action of the conferees on the various items in the bill.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 1.—*Summary table (Oct. 12, 1967)*

Item	Appropriations, 1967	Budget estimate, 1968	House allowance	Senate allowance	Conference allowance
TITLE I—DEPARTMENT OF DEFENSE—CIVIL					
DEPARTMENT OF THE ARMY					
Cemeterial expenses: Salaries and expenses	[1] $17,148,000	$24,637,000	$21,200,000	$21,200,000	$21,200,000
Corps of Engineers—civil:					
General investigations	32,450,000	39,745,000	33,745,000	36,246,000	34,445,000
Construction, general	967,460,000	[2] 972,992,000	935,074,000	1,010,823,000	968,474,000
Operation and maintenance, general	179,000,000	197,634,000	189,000,000	190,000,000	190,000,000
Flood control and coastal emergencies	7,000,000				
Flood control, Mississippi River and tributaries	87,135,000	77,400,000	83,400,000	91,480,000	87,135,000
General expenses	[3] 18,014,000	19,914,000	18,950,000	18,950,000	18,950,000
Total, rivers and harbors and flood control	1,291,059,000	1,307,685,000	1,260,169,000	1,347,499,000	1,299,004,000
The Panama Canal:					
Canal Zone Government:					
Operating expenses	[4] 34,746,000	36,191,000	36,000,000	36,000,000	36,000,000
Capital outlay	2,000,000	5,024,000	4,500,000	4,500,000	4,500,000
Panama Canal Company: *Limitation on general administrative expenses*	[5] *(12,278,000)*	*(13,267,000)*	*(13,000,000)*	*(13,000,000)*	*(13,000,000)*
Total, the Panama Canal	36,746,000	41,215,000	40,500,000	40,500,000	40,500,000
Total, title I	1,344,953,000	1,373,537,000	1,321,869,000	1,409,199,000	1,360,704,000
TITLE II—DEPARTMENT OF THE INTERIOR					
Bureau of reclamation:					
General investigations	15,075,000	16,523,000	16,000,000	21,555,000	16,523,000
Construction and rehabilitation	[6] 192,825,000	[7] 181,868,000	172,700,000	185,005,000	181,868,000
Operation and maintenance	[8] 42,350,000	49,540,000	48,300,000	48,300,000	48,300,000
Loan program	12,995,000	15,000,000	15,000,000	15,400,000	15,000,000
Upper Colorado River Basin fund	50,198,000	[9] 41,260,000	41,000,000	41,000,000	41,000,000
Emergency fund	1,000,000				
General administrative expenses	[10] 11,567,000	11,356,000	11,356,000	11,356,000	11,356,000
Total, Bureau of Reclamation	326,010,000	315,547,000	304,356,000	322,616,000	314,047,000
Bonneville Power Administration:					
Construction	109,000,000	120,006,000	110,500,000	110,500,000	110,500,000
Operation and maintenance	17,010,000	19,000,000	18,500,000	18,500,000	18,500,000
Total, Bonneville Power Administration	126,010,000	139,006,000	129,000,000	129,000,000	129,000,000
Southeastern Power Administration: Operation and maintenance	1,000,000	1,000,000	850,000	850,000	850,000
Southwestern Power Administration:					
Construction	3,950,000	[11] 5,505,000	5,035,000	5,015,000	5,015,000
Operation and maintenance	2,115,000	2,240,000	2,240,000	2,240,000	2,240,000
Continuing fund (*indefinite appropriation of receipts*)	*(3,700,000)*	*(3,200,000)*	*(3,200,000)*	*(3,200,000)*	*(3,200,000)*
Total, Southwestern Power Administration	6,065,000	7,745,000	7,275,000	7,255,000	7,255,000
Underground electric power transmission research		2,000,000			
Federal Water Pollution Control Administration:					
Water supply and water pollution control [12]	75,439,000	101,114,000	90,800,000	94,935,000	92,800,000
Buildings and facilities	[13] 4,624,000	1,920,000			
Construction grants for waste treatment works [12]	153,000,000	203,000,000	203,000,000	225,000,000	203,000,000
Total, Federal water pollution control	233,063,000	306,034,000	293,800,000	319,935,000	295,800,000
Total, definite appropriations	692,148,000	771,332,000	735,281,000	779,656,000	746,952,000
Total, indefinite appropriations	3,700,000	3,200,000	3,200,000	3,200,000	3,200,000
Total, title II, Department of the Interior	695,848,000	774,532,000	738,481,000	782,856,000	75,0152,000

See footnotes at end of table.

TABLE 1.—*Summary table (Oct. 12, 1967)*—Continued

Item	Appropriations, 1967	Budget estimate, 1968	House allowance	Senate allowance	Conference allowance
TITLE III—ATOMIC ENERGY COMMISSION					
Operating expenses	$1,923,000,000	[14] $2,169,900,000	$2,125,000,000	$2,142,402,000	$2,140,000,000
Plant and capital equipment	276,030,000	[15] 476,200,000	367,733,000	369,633,000	369,133,000
Total, title III, Atomic Energy Commission	[16] 2,199,030,000	[16] 2,646,100,000	2,492,733,000	2,512,035,000	2,509,133,000
TITLE IV—INDEPENDENT OFFICES					
Atlantic-Pacific Interoceanic Canal Study Commission	[17] 4,000,000	7,500,000	6,115,000	6,100,000	6,100,000
Delaware River Basin Commission:					
Salaries and expenses	45,000	45,000	45,000	45,000	45,000
Contribution to the Delaware River Basin Commission	115,000	134,000	134,000	134,000	134,000
Total, Delaware River Basin Commission	160,000	179,000	179,000	179,000	179,000
Interstate Commission on the Potomac River Basin: Contribution to Interstate Commission on the Potomac River Basin	5,000	5,000	5,000	5,000	5,000
Tennessee Valley Authority: Payment to Tennessee Valley Authority fund	63,700,000	62,150,000	60,000,000	62,150,000	61,000,000
Water Resources Council:					
Water resources planning	600,000	1,340,000	1,070,000	1,070,000	1,070,000
Financial assistance to States	1,875,000	2,470,000	2,470,000	2,470,000	2,470,000
Total, Water Resources Council	2,475,000	3,810,000	3,540,000	3,540,000	3,540,000
Total, title IV, Independent Offices	70,340,000	73,644,000	69,839,000	71,974,000	70,824,000
Grand totals:					
Total, definite appropriations	4,306,471,000	4,864,613,000	4,619,722,000	4,772,864,000	4,687,613,000
Total, indefinite appropriations	3,700,000	3,200,000	3,200,000	3,200,000	3,200,000
Grand total, all titles	4,310,171,000	4,867,813,000	4,622,922,000	4,776,064,000	4,690,813,000

---

[1] Includes $2,050,000 in 2d supplemental 1967, H.R. 9481, 90th Cong., 1st sess.

[2] Includes $20,419,000 in H. Doc. 114, 90th Cong., 1st sess.

[3] Includes $464,000 in 2d supplemental 1967, H.R. 9481, 90th Cong., 1st sess.

[4] Includes $1,342,000 in 2d supplemental 1967, H.R. 9481, 90th Cong., 1st sess.

[5] Includes $278,000 in 2d supplemental 1967, H.R. 9481, 90th Cong., 1st sess.

[6] Includes $450,000 in 2d supplemental 1967, H.R. 9481, 90th Cong., 1st sess.

[7] Includes $1,900,000 in H. Doc. 114, 90th Cong., 1st sess.

[8] Includes $1,350,000 in 2d supplemental 1967, H.R. 9481, 90th Cong., 1st sess.

[9] Includes $1,600,000 in H. Doc. 119, 90th Cong., 1st sess.

[10] Includes $267,000 in 2d supplemental 1967, H.R. 9481, 90th Cong., 1st sess.

[11] Includes $400,000 in H. Doc. 114, 90th Cong., 1st sess.

[12] Reflects transfer of $20,000,000 in 1967 and $10,000,000 in 1968 for activities transferred in the estimate from "Construction grants for waste treatment works" to "Water supply and water pollution control."

[13] In addition, unexpended balances of $1,655,618 reappropriated in 1967 Department of Labor and Health, Education, and Welfare Appropriation Act.

[14] Includes $40,000,000 submitted in H. Doc. 62 and decrease of $14,900,000 submitted in H. Doc. 80.

[15] Includes $59,800,000 and $68,200,000 submitted in H. Docs. 62 and 111, respectively.

[16] In addition, it is estimated that receipts and reimbursements will be made available from non-Federal sources totaling $66,610,000 and $58,840,000 for fiscal years 1967 and 1968, respectively.

[17] In addition, unobligated balances of $2,691,000 reappropriated in 1967 Public Works Appropriation Act.

TITLE I. CORPS OF ENGINEERS, GENERAL INVESTIGATIONS

Mr. ELLENDER. Mr. President, for general investigations of the Corps of Engineers, the bill provides $34,445,000, which is $1,801,000 below the amount approved by the Senate; $700,000 above the amount allowed by the House; $5,300,000 below the budget; and $1,995,000 above the appropriation for 1967.

I ask unanimous consent to have printed at this point in the RECORD a tabulation showing the details of the amount allowed for this item.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

TABLE 4.—*General investigations, operation and maintenance, and general expenses, fiscal year 1968 (Oct. 12, 1967)*

Item	1967 appropriation	Approved budget estimate for fiscal year 1968, construction and planning	House allowance, construction and planning	Senate allowance, construction and planning	Conference allowance, construction and planning
GENERAL INVESTIGATIONS					
1. Surveys:					
(a) Navigation studies	$3,490,000	$3,863,000	$3,944,000	$4,280,000	$4,244,000
(b) Flood control studies	8,685,000	8,807,000	8,937,000	9,336,000	9,257,000
(c) Beach erosion cooperative studies	550,000	660,000	680,000	680,000	680,000
General reduction due to slippage		−500,000			
Subtotal, navigation, flood control, and beach erosion studies	12,725,000	12,830,000	13,561,000	14,296,000	14,181,000
(d) Comprehensive basin studies:					
(1) California region	105,000	481,000	481,000	481,000	481,000
(2) Columbia North Pacific region	417,000	537,000	537,000	537,000	537,000
(3) Connecticut River Basin, Conn., Mass., Vt., and N.H.	505,000	299,000	299,000	299,000	299,000
(4) Grand River Basin, Mich	261,000	246,000	246,000	246,000	246,000
(5) Great Lakes region		85,000	85,000	85,000	85,000
(6) Kanawha River, W. Va., Va., and N.C.	473,000	484,000	484,000	484,000	484,000
(7) Lower Colorado region	78,000	81,000	81,000	81,000	81,000
(8) Missouri River Basin	407,000	312,000	312,000	312,000	312,000
(9) North Atlantic region	471,000	594,000	594,000	594,000	594,000
(10) Pearl River Basin, Miss	235,000	175,000	175,000	175,000	175,000
(11) Puget Sound area, Washington	361,000	282,000	282,000	282,000	282,000
(12) Red River below Denison Dam, La., Ark., Okla., and Tex	417,000	281,000	281,000	281,000	281,000
(13) Souris-Red region		108,000	108,000	108,000	108,000
(14) Susquehanna River Basin, N.Y., Pa., and Md	590,000	589,000	589,000	589,000	589,000
(15) Upper Colorado region	52,000	54,000	54,000	54,000	54,000
(16) Upper Mississippi River Basin	500,000	485,000	485,000	485,000	485,000
(17) Wabash River, Ind. and Ill	503,000	371,000	371,000	371,000	371,000
(18) White River Basin, Ark. and Mo	371,000	380,000	380,000	380,000	380,000
(19) Willamette River Basin, Oreg	549,000	328,000	328,000	328,000	328,000
(e) Special studies:					
(1) Appalachian region water resource study	1,830,000	2,000,000			
(2) Chesapeake Bay model study	100,000	400,000	400,000	400,000	400,000
(3) Coordination studies with other agencies (Public Law 566, Public Law 984)	316,000	460,000	615,000	615,000	615,000
(4) Great Lakes-Hudson River Waterway, N.Y	76,000	100,000	100,000	100,000	100,000
(5) Jersey Meadows, N.Y. and N.J	188,000	100,000	100,000	100,000	100,000
(6) Lake Erie-Ontario Waterway, N.Y	305,000	100,000	400,000	400,000	400,000

TABLE 4.—*General investigations, operation and maintenance, and general expenses, fiscal year 1968 (Oct. 12, 1967)*—Continued

Item	1967 appropriation	Approved budget estimate for fiscal year 1968, construction and planning	House allowance, construction and planning	Senate allowance, construction and planning	Conference allowance, construction and planning
GENERAL INVESTIGATIONS—continued					
1. Surveys—Continued					
(e) Special studies—Continued					
(7) Northeastern United States water study	$325,000	$500,000	$500,000	$500,000	$500,000
(8) Potomac River review				30,000	30,000
(9) Rampart Canyon, Alaska				50,000	50,000
(10) Texas coast	509,000	500,000	500,000	500,000	500,000
(11) Texas water and pollution study	550,000	350,000	350,000	350,000	350,000
(12) Water levels at Great Lakes	203,000	200,000	200,000	200,000	200,000
Subtotal, surveys	21,710,000	23,712,000	22,898,000	23,713,000	23,598,000
2. Collection and study of basic data:					
(a) Stream gaging (U.S. Geological Survey)	312,000	312,000	312,000	312,000	312,000
(b) Precipitation studies (U.S. Weather Bureau)	571,000	571,000	571,000	571,000	571,000
(c) Fish and Wildlife Coordination Act studies (U.S. Fish and Wildlife Service)	441,000	441,000	441,000	441,000	441,000
(d) International water studies	104,000	104,000	104,000	104,000	104,000
(e) Flood plain management services	1,800,000	6,000,000	5,000,000	5,000,000	5,000,000
Subtotal collection and study of basic data	3,415,000	7,428,000	6,428,000	6,428,000	6,428,000
3. Research and development:					
(a) Coastal engineering research and development	2,030,000	2,500,000	2,500,000	2,500,000	2,500,000
(b) Hydrologic studies	196,000	210,000	210,000	210,000	210,000
(c) Civil works investigations	2,492,000	3,020,000	3,020,000	3,020,000	3,020,000
(d) Mississippi Basin model:					
(1) Mississippi River comprehensive study	217,000	220,000	220,000	220,000	220,000
(2) Maintenance	170,000	160,000	160,000	160,000	160,000
(e) Nuclear explosives studies for civil construction	2,220,000	2,495,000	2,495,000	2,495,000	2,495,000
Subtotal, research and development	7,325,000	8,605,000	8,605,000	8,605,000	8,605,000
General reduction due to slippage			−4,186,000	−2,500,000	−4,186,000
Total, general investigations	32,450,000	39,745,000	33,745,000	36,246,000	34,445,000
OPERATION AND MAINTENANCE, GENERAL					
1. Navigation:					
(a) Channels and harbors	87,751,000	97,223,000	96,535,000	97,535,000	97,535,000
(b) Locks, dams, and canals	32,055,000	35,199,000	35,199,000	35,199,000	35,199,000
2. Flood control:					
(a) Reservoirs	16,522,000	18,983,000	18,983,000	18,983,000	18,983,000
(b) Channel improvements, inspections, and miscellaneous maintenance	1,397,000	1,730,500	1,730,500	1,730,500	1,730,500
3. Multiple-purpose projects including power	34,160,000	37,291,000	37,291,000	37,291,000	37,291,000
4. Protection of navigation	7,115,000	7,207,500	7,207,500	7,207,500	7,207,500
Reduction for carryover balances			−7,946,000	−7,946,000	−7,946,000
Total, operation and maintenance, general	179,000,000	197,634,000	189,000,000	190,000,000	190,000,000
GENERAL EXPENSES					
1. Executive direction and management:					
(a) Office, Chief of Engineers:					
(1) Executive direction and management	[1] 6,310,200	7,245,000	6,713,200	6,713,200	6,713,200
(2) Special studies	[1] 59,000	72,000	72,000	72,000	72,000
(b) Division offices	[1] 9,343,500	10,181,000	9,833,500	9,833,500	9,833,500
Subtotal, executive direction and management	15,712,700	17,498,000	16,618,700	16,618,700	16,618,700
2. River and Harbor Board	[1] 799,300	850,000	850,000	850,000	850,000
3. U.S. Army Coastal Engineering Research Center	[1] 209,000	216,000	216,000	216,000	216,000
4. Commercial statistics	[1] 1,100,000	1,100,000	1,072,300	1,072,300	1,072,300
5. Special investigations	[1] 193,000	250,000	193,000	193,000	193,000
Total, general expense	[1] 18,014,000	19,914,000	18,950,000	18,950,000	18,950,000

[1] Includes $464,000 in 2nd Supplemental Appropriation Act, approved May 29, 1967, as follows: $160,200 for executive direction and management; $2,000 for special studies; $246,500 for division offices; $22,300 for River and Harbor Board; $4,000 for U.S. Coastal Engineering Research Center; $26,000 for commercial statistics; and $3,000 for special investigations.

CONSTRUCTION, GENERAL

Mr. ELLENDER. Mr. President, for construction, general, the conference agreement provided $968,474,000, of which $875,000 would have been for the Dickey-Lincoln project. On that basis, the conference agreement would have been $52,349,000 below the amount approved by the Senate; $33,400,000 above the House; $4,518,000 below the budget estimate; and $1,014,000 above the 1967 appropriation. Unfortunately, the motion of the House conferees was not agreed to and the funds for the Dickey-Lincoln project were eliminated. At an appropriate time I will move to amend the House amendment to the Senate amendment numbered 2 so as to provide $875,000 for the Dickey-Lincoln School project.

The House sent us a very good bill this year. As I stated earlier when the bill was before the Senate, the House added 16 unbudgeted construction items, which upon review by the Senate committee proved to be desirable projects, and the committee recommended their inclusion in the bill. The Senate concurred in that recommendation.

The House added 11 new planning starts, 10 of which were subsequently approved by the Senate. The Senate added 11 new planning starts, and the House approved seven of these planning items.

The House added 16 new construction starts involving a future commitment of $86,298,000. These projects were accepted by the Senate. The Senate added 25 additional construction starts. The House accepted 13 of the new starts added by the Senate having a future commitment of $52,169,000. The budget provided for nine new starts having a future commitment of $139,756,000; the conferees agreed to five of these having a future commitment of $16,799,000. Thus, the conference bill provides for 34 new construction starts involving a future commitment of $155,266,000, which is about 2 months' work at the current rate of appropriations.

I ask unanimous consent to insert at this point in the RECORD a tabulation showing the details of the amount allowed for this item, assuming that the Senate subsequently approves my motion with respect to the construction general item.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

TABLE 2.—*Construction, general, fiscal year 1968 (Oct. 12, 1967)*

	Construction, general, State and project	Total estimated Federal cost	Approved budget estimate for fiscal year 1968		House allowance		Senate allowance		Conference allowance	
			Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
	Alabama:									
(N)	Alabama River channel improvement	$2,300,000	$1,250,000		$1,250,000		$1,250,000		$1,250,000	
(N)	Claiborne lock and dam	24,000,000	7,000,000		7,000,000		7,000,000		7,000,000	
(N)	**Holt lock and dam**	28,100,000	3,033,000		3,033,000		3,033,000		3,033,000	
(R)	John Hollis Bankhead lock and dam (spillway)	4,200,000	2,000,000		2,000,000		2,000,000		2,000,000	
(N)	*John Hollis Bankhead lock and dam*	25,800,000		$200,000		$450,000		$450,000		$450,000
(MP)	Jones Bluff lock and dam	52,600,000	2,900,000		2,900,000		2,900,000		2,900,000	
(MP)	Millers Ferry lock and dam	58,500,000	12,700,000		12,700,000		12,700,000		12,700,000	
(N)	*Perdido Pass*	675,000			300,000		300,000		300,000	
	Tombigbee River and tributaries, Alabama and Mississippi. (See Mississippi.)									
(MP)	**Walter F. George lock and dam, Seaboard Airline RR., relocation, Alabama and Georgia**	84,939,000	495,000		495,000		495,000		495,000	
	West Point Dam, Ala. and Ga. (See Georgia.)									
	Alaska:									
(N)	*Old Harbor (sec. 107)*		[1](170,000)				[1] (170,000)		[1] (170,000)	
(MP)	Snettisham power project	44,400,000	4,700,000		4,700,000		4,700,000		4,700,000	
	Arizona:									
(FC)	**Alamo Reservoir**	14,500,000	3,260,000		3,260,000		3,260,000		3,260,000	
(FC)	**Pinal Creek**	2,700,000	1,798,000		500,000		500,000		500,000	
(FC)	*Santa Rosa Wash (Tat Momolikot Dam)*	6,510,000		100,000		100,000		100,000		100,000
(FC)	*Winslow*	3,470,000		170,000		170,000		170,000		170,000
	Arkansas:									
(N)	**Arkansas River and tributaries, Arkansas and Oklahoma:**									
	(*a*) Bank stabilization and channel rectification	133,000,000	5,500,000		5,500,000		5,500,000		5,500,000	
	(*b*) Navigation locks and dams	452,000,000	100,400,000		100,400,000		100,400,000		100,400,000	
(FC)	*Bayou Bartholomew (1950 and 1966 acts), Ark. and La.*	9,730,000		200,000		200,000		200,000		200,000
(MP)	Dardanalle lock and dam	79,000,000	3,500,000		3,500,000		3,500,000		3,500,000	
(MP)	De Gray Reservoir	55,400,000	9,400,000		9,400,000		9,400,000		9,400,000	
(FC)	DeQueen Reservoir	11,500,000	1,000,000		1,000,000		1,000,000		1,000,000	
(FC)	Dierks Reservoir	10,600,000	700,000		700,000		700,000		700,000	
(FC)	Garland City	1,240,000	110,000		110,000		110,000		110,000	
(FC)	Gillham Reservoir	14,800,000	1,400,000		1,400,000		1,400,000		1,400,000	
(FC)	**Maniece Bayou, upstream extension**	1,052,000	470,000		470,000		470,000		470,000	
(MP)	Narrows Dam, addition of 3d power unit	1,660,000	715,000		715,000		715,000		715,000	
(N)	Ouachita and Black Rivers, Ark. and La.	90,600,000	8,700,000		8,700,000		10,000,000		8,700,000	
(MP)	Ozark lock and dam	64,100,000	12,000,000		12,000,000		12,000,000		12,000,000	
(FC)	*Pine Mountain Dam, Lee Creek*	10,000,000		200,000		200,000		200,000		200,000
(FC)	Red River levees and bank stabilization below Denison Dam, Ark., La., and Tex.	15,500,000	600,000		600,000		1,000,000		600,000	
(FC)	*Village Creek White River and Mayberry Levee District*	1,045,000					620,000		620,000	
	California:									
(FC)	Alameda Creek, Del Valle Dam	18,890,000	4,300,000		4,300,000		4,300,000		4,300,000	
(FC)	*Buchanan Reservoir (land acquisition)*	16,000,000			750,000		750,000		750,000	
(FC)	Corte Madera Creek	7,790,000	300,000		300,000		300,000		300,000	
(N)	Dana Point Harbor	4,580,000	1,700,000		1,700,000		1,700,000		1,700,000	
(BE)	**Doheny Beach**	588,000	446,000		446,000		446,000		446,000	
(FC)	Dry Creek (Warm Springs) Reservoir	55,600,000	2,315,000		2,315,000		2,315,000		2,315,000	
(FC)	**Eel River (reimbursement)**	3,125,000	1,325,000				1,325,000		950,000	
(FC)	*Eel River (Delta area) 1965 act*	15,500,000		250,000		250,000		250,000		250,000
(FC)	*Hidden Reservoir (land acquisition)*	17,400,000	500,000		400,000		500,000		400,000	
(FC)	*Klamath River*	2,560,000		220,000	530,000	220,000	530,000	220,000	530,000	220,000
(FC)	*Lakeport Reservoir, Scotts Creek*	10,200,000		100,000		100,000		100,000		100,000
(FC)	Los Angeles County drainage area	320,000,000	12,900,000		12,900,000		12,900,000		12,900,000	
(FC)	**Lower San Joaquin River and tributaries**	12,200,000	684,000		684,000		684,000		684,000	
(FC)	*Lytl and Warm Creeks (1965 act)*	11,200,000		350,000		350,000		350,000		350,000
	Martis Creek Reservoir, Calif. and Nev. (See Nevada.)									
(MP)	*Marysville Reservoir*	143,000,000						100,000		100,000
(FC)	Mojave River Reservoir (West Fork)	15,250,000	2,170,000		2,170,000		2,170,000		2,170,000	
(FC)	Mormon Slough	2,420,000	650,000		650,000		650,000		650,000	
(FC)	*Napa River (1965 act)*	16,800,000		300,000		300,000		300,000		300,000
(FC)	New Bullards Bar Reservoir	13,100,000	5,040,000		5,040,000		5,040,000		5,040,000	
(GP)	New Melones Reservoir	133,000,000	2,750,000		2,750,000		2,750,000		2,750,000	
(N)	Oakland Harbor	8,270,000	500,000		500,000		500,000		500,000	
(FC)	Oroville Reservoir	66,425,000	13,700,000		9,275,000		9,275,000		9,275,000	
(FC)	Pine Flat Reservoir (Kings River Channel)	40,500,000			500,000		500,000		500,000	
(N)	*Port San Luis*	7,430,000		115,000		115,000		115,000		115,000
(FC)	Redwood Creek	4,600,000	2,000,000		2,000,000		2,000,000		2,000,000	
(FC)	Russian River Basin (Coyote Valley Dam)	14,752,000	100,000		100,000		100,000		100,000	
(FC)	Sacramento River and major and minor tributaries	11,900,000	420,000		420,000		420,000		420,000	
(FC)	Sacramento River bank protection	21,200,000	1,200,000		1,200,000		1,700,000		1,200,000	
(N)	Sacramento River deep water ship channel	41,340,000	100,000		100,000		100,000		100,000	
(N)	*San Francisco Bay to Stockton*	50,200,000		50,000		50,000		100,000		100,000
(BE)	*Sunset Cliffs, San Diego*	850,000				75,000				
(FC)	*Tahquitz Creek*	4,250,000		200,000		200,000		200,000		200,000
(FC)	Walnut Creek	20,600,000	2,900,000		2,900,000		2,900,000		2,900,000	
	Canada:									
(FC)	*Duncan Lake Reservoir, British Columbia (reimbursement)*	11,100,000	11,100,000		11,100,000		11,100,000		11,100,000	
	Colorado:									
(FC)	Chatfield Reservoir	82,700,000	10,725,000		10,725,000		12,000,000		11,350,000	
(FC)	*Las Animas*	1,770,000		145,000		145,000		145,000		145,000
(FC)	Trinidad Reservoir	21,600,000	1,000,000		1,000,000		1,000,000		1,000,000	

See footnotes at end of table.

TABLE 2.—*Construction, general, fiscal year 1968 (Oct. 12, 1967)*—Continued

	Construction, general, State and project	Total estimated Federal cost	Approved budget estimate for fiscal year 1968		House allowance		Senate allowance		Conference allowance	
			Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
	Connecticut:									
(FC)	Ansonia-Derby	$10,550,000	$1,500,000		$1,500,000		$1,500,000		$1,500,000	
(FC)	Black Rock Reservoir	6,760,000	1,550,000		1,550,000		1,550,000		1,550,000	
(FC)	Colebrook River Reservoir	14,400,000	2,900,000		2,900,000		2,900,000		2,900,000	
(FC)	*Danbury*	2,640,000		$80,000		$80,000		$80,000		$80,000
(FC)	*Derby*	3,360,000		210,000		210,000		210,000		210,000
(FC)	**Hop Brook Reservoir**	5,340,000	825,000		825,000		825,000		825,000	
(FC)	New London Barrier	4,340,000	300,000		300,000		300,000		300,000	
(FC)	**Stamford**	7,170,000	1,510,000		1,510,000		1,510,000		1,510,000	
(FC)	*Stratford*	5,110,000		100,000		100,000		100,000		100,000
(FC)	*Trumbull Pond Reservoir*	5,400,000		100,000		100,000		100,000		100,000
	Delaware:									
	Delaware River, Philadelphia to sea, anchorages, Delaware, New Jersey, and Pennsylvania. (See New Jersey.)									
(N)	Inland waterway, Delaware River to Chesapeake Bay (Chesapeake and Delaware Canal), pt. II, Delaware and Maryland	97,000,000	10,000,000		10,000,000		12,000,000		11,000,000	
	Florida:									
(N)	Apalachicola River channel improvement	4,617,000	100,000		100,000		300,000		100,000	
(N)	Canaveral Harbor	8,700,000	600,000		600,000		600,000		600,000	
(FC)	Central and southern Florida	269,000,000	12,400,000		12,400,000		14,000,000		12,400,000	
(N)	Cross Florida Barge Canal	145,300,000	11,400,000		11,400,000		11,400,000		11,400,000	
(N)	East Pass Channel at Destin	1,260,000	511,000		511,000		511,000		511,000	
(FC)	Four River Basins	56,300,000	3,000,000		3,000,000		4,000,000		4,000,000	
(N)	*Gulf County Canal (1966 act)*	477,000			100,000		100,000		100,000	
(N)	**Intracoastal Waterway, Caloosahatchee River to Anclote River**	8,188,000	550,000		550,000		550,000		550,000	
(N)	*Jacksonville Harbor (1965 act)*	8,800,000		50,000		50,000	500,000	50,000	500,000	50,000
(N)	**Key West Harbor**	820,000	336,000		336,000		336,000		336,000	
(BE)	Palm Beach County, Lake Worth Inlet to South Lake Worth Inlet (reimbursement)	535,000	10,000		10,000		10,000		10,000	
(N)	**Palm Beach Harbor**	5,690,000	1,377,000		1,377,000		1,377,000		1,377,000	
(BE)	*Pinellas County, Treasure Island (1966 act)*	270,000			258,000		258,000		258,000	
(N)	*Ponce de Leon Inlet*	1,200,000		50,000	450,000	50,000	450,000	50,000	450,000	50,000
(BE)	Virginia Key and Key Biscayne	1,010,000	223,000		223,000		223,000		223,000	
	Georgia:									
(MP)	Carters Dam	67,600,000	8,500,000		8,500,000		9,500,000		8,500,000	
(MP)	*Lazer Creek Dam*	44,500,000		200,000		200,000		200,000		200,000
(N)	Savannah Harbor, 40 feet (1965 act)	8,660,000	1,780,000		1,780,000		1,780,000		1,780,000	
(N)	*Savannah Harbor (sediment basin)*	7,040,000					450,000		450,000	
(MP)	*Spewrell Bluff Dam*	70,000,000		245,000		245,000		245,000		245,000
(MP)	*Trotters Shoals Reservoir, Ga. and S.C.*	88,800,000		300,000		300,000		300,000		300,000
	Walter F. George lock and dam, Alabama and Georgia. (See Alabama.)									
(MP)	West Point Reservoir, Ala. and Ga.	64,200,000	8,100,000		8,100,000		8,100,000		8,100,000	
	Hawaii:									
(N)	*Barbers Point Harbor*	8,471,000		168,000		168,000		168,000		168,000
(N)	*Heeia-Kea Harbor*	409,000						34,000		
(N)	*Honokahau Harbor*	765,000					200,000		200,000	
(FC)	*Kuliouou Stream (sec. 205)*		[2] (860,000)		[2] (860,000)		[2] (860,000)		[2] (860,000)	
(N)	*Lahaina Harbor*	429,000		34,000		34,000		34,000		34,000
(N)	*Reeds Bay Harbor*	248,000						35,000		
	Idaho:									
	Asotin Dam, Idaho and Wash. (See Washington.)									
(FC)	*Cottonwood Creek Reservoir*	960,000		40,000		40,000		40,000		40,000
(MP)	Dworshak (Bruces Eddy) Reservoir	243,000,000	41,400,000		41,400,000		41,400,000		41,400,000	
(FC)	Heise-Roberts extension	3,000,000	2,100,000		2,100,000		2,100,000		2,100,000	
(FC)	Portneuf River and Marsh Creek	6,800,000	2,670,000		2,670,000		2,670,000		2,670,000	
(FC)	Ririe Reservoir	13,100,000	1,100,000		1,100,000		1,100,000		1,100,000	
(FC)	*Stuart Gulch Reservoir (1966 act)*	784,000						60,000		60,000
	Illinois:									
(FC)	*Campbell's Island*	1,300,000		32,000		32,000		32,000		32,000
(FC)	**England Pond levee**	890,000	692,000		692,000		692,000		692,000	
(BE)	*Evanston (reimbursement)*	393,000	220,000		220,000		220,000		220,000	
(FC)	Freeport	4,270,000	250,000		250,000		250,000		250,000	
(FC)	**Henderson County Drainage District No. 1**	1,580,000	250,000		250,000		250,000		250,000	
(N)	Horse Island and Crescent Bridge (Mississippi River), Illinois and Iowa	2,470,000	300,000		300,000		300,000		300,000	
(FC)	Hunt Drainage District and Lima Lake Drainage District	3,420,000	80,000		80,000		80,000		80,000	
(N)	Illinois Waterway, Calumet-Sag modification, part I, Illinois and Indiana	85,000,000	5,400,000		5,400,000		5,400,000		5,400,000	
(N)	*Illinois Waterway, Calument-Sag modification, part II, Illinois and Indiana*	35,800,000						25,000		
(N)	*Illinois Waterway duplicate locks*	167,000,000		400,000		400,000		400,000		400,000
(FC)	Indian Grave Drainage District	4,210,000	1,000,000		1,000,000		1,000,000		1,000,000	
(N)	Kaskaskia River (navigation)	68,000,000	5,000,000		5,000,000		6,000,000		5,000,000	
(FC)	*Levee district 21 (Vandalia), Kaskaskia River*	5,370,000		150,000		150,000		150,000		150,000
(FC)	*Levee district 23 (Dively), Kaskaskia River*	615,000				50,000		50,000		50,000
(FC)	*Lincoln Reservoir*	32,200,000		150,000		150,000		150,000		150,000
	Lock and dam 52, Illinois and Kentucky. (See Kentucky.)									
(N)	Mississippi River between Ohio and Missouri Rivers, Ill. and Mo.:									
	(*a*) Chain of Rocks	49,000,000	300,000		300,000		300,000		300,000	
	(*b*) Regulating works	70,800,000	1,200,000		1,200,000		1,200,000		1,200,000	
(N)	*Mount City lock and dam, Illinois and Kentucky*	112,000,000		210,000		210,000		210,000		210,000
(FC)	**Mount Carmel**	2,020,000	1,147,000		1,147,000		1,147,000		1,147,000	
(FC)	**New Athens**	2,400,000	521,000		521,000		521,000		521,000	
(FC)	*Oakley Reservoir* (land acquisition)	62,400,000			450,000		500,000		450,000	
(FC)	*Peoria*	15,000,000		125,000		125,000		125,000		125,000
(FC)	**Prairie DuPont levee and sanitary district**	1,030,000	821,000		821,000		821,000		821,000	

See footnotes at end of table.

TABLE 2.—*Construction, general, fiscal year 1968 (Oct. 12, 1967)*—Continued

	Construction, general, State and project	Total estimated Federal cost	Approved budget estimate for fiscal year 1968		House allowance		Senate allowance		Conference allowance	
			Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
	Illinois—Continued									
(FC)	Rend Lake Reservoir	$36,300,000	$5,900,000		$5,900,000		$5,900,000		$5,900,000	
(FC)	Richland Creek	6,040,000	100,000		100,000		100,000		100,000	
(FC)	**Rochester and McCearys Bluff levee**	1,320,000	877,000		877,000		877,000		877,000	
(FC)	*Rockford*	7,770,000		$50,000		$50,000		$50,000		$50,000
(FC)	*Rock Island*	4,000,000		100,000		100,000		100,000		100,000
(FC)	Saline River and tributaries	9,180,000	700,000		700,000		700,000		700,000	
(FC)	Shelbyville Reservoir	31,400,000	8,850,000		8,850,000		8,850,000		8,850,000	
(N)	*Smithland (Dog Island) lock and dam, Illinois and Kentucky*	96,900,000		250,000		250,000		250,000		250,000
(FC)	**Sny Island levee and drainage district**	5,400,000	1,689,000		1,689,000		1,689,000		1,689,000	
(FC)	**South Quincy drainage and levee district**	1,150,000	235,000		235,000		235,000		235,000	
(FC)	*Wood River drainage and levee district*	228,000				20,000		20,000		20,000
	Indiana:									
(FC)	*Big Pine Reservoir*	17,000,000		200,000		200,000		200,000		200,000
(FC)	Brookville Reservoir	25,300,000	3,480,000		3,480,000		3,480,000		3,480,000	
(N)	Cannelton locks and dam, Indiana and Kentucky	82,700,000	10,600,000		10,600,000		10,600,000		10,600,000	
(FC)	*Clifty Creek Reservoir*	14,500,000		150,000		150,000		150,000		150,000
(FC)	*Greenfield Bayou levee*	2,060,000					80,000			
(FC)	Huntington Reservoir	19,600,000	3,650,000		3,650,000		3,650,000		3,650,000	
	Illinois Waterway, Calumet-Sag modification, part I, and part II, Illinois and Indiana. (See Illinois.)									
(FC)	*Island levee*	1,470,000					50,000		50,000	
(FC)	*Lafayette Reservoir*	30,200,000		185,000		815,000		185,000		185,000
(FC)	Levee unit 5, Wabash River	4,970,000	710,000		710,000		710,000		710,000	
(R)	Michigan City Harbor	1,120,000	280,000		280,000		280,000		280,000	
(N)	Newburgh locks and dam, Indiana and Kentucky	75,400,000	12,000,000		12,000,000		12,000,000		12,000,000	
(FC)	*Patoka Reservoir (land acquisition)*	17,000,000	500,000		442,000		500,000		442,000	
(N)	Uniontown locks and dam, Indiana and Kentucky	61,500,000	12,500,000		12,500,000		12,500,000		12,500,000	
	Iowa:									
(FC)	*Ames Reservoir*	12,800,000		150,000		150,000		150,000		150,000
(N)	*Bellevue small boat harbor*	87,000					87,000			
(N)	*Clinton small boat harbor*	42,000					42,000			
(FC)	Des Moines	3,500,000	1,300,000		1,300,000		1,300,000		1,300,000	
(FC)	Dubuque	10,800,000	1,200,000		1,200,000		1,200,000		1,200,000	
(N)	*Fort Madison Harbor*	1,080,000				75,000		75,000		75,000
(FC)	Guttenberg	2,060,000	200,000		200,000		200,000		200,000	
	Horse Island and Crescent Bridge, Mississippi River, Ill. and Iowa. (See Illinois.)									
(FC)	*Ida Grove (sec. 205)*						[2] (404,000)		[2] (404,000)	
(FC)	*Marshalltown*	2,860,000			200,000		200,000		200,000	
(FC)	Missouri River levee system, Iowa, Kansas, Missouri, and Nebraska	101,700,000	2,900,000		2,900,000		2,900,000		2,900,000	
(N)	Missouri River, Sioux City to mouth, Iowa, Kansas, Missouri, and Nebraska	376,600,000	4,000,000		4,000,000		5,600,000		5,000,000	
(FC)	Muscatine Island levee district and Muscatine-Louisa County Drainage District No. 13	3,140,000	400,000		400,000		400,000		400,000	
(FC)	Rathbun Reservoir	24,000,000	5,430,000		5,430,000		5,430,000		5,430,000	
(FC)	Red Rock Reservoir	82,200,000	8,600,000		8,600,000		8,600,000		8,600,000	
(FC)	Saylorville Reservoir	41,500,000	5,900,000		5,900,000		5,900,000		5,900,000	
(FC)	*Waterloo*	16,000,000		200,000		200,000		200,000		200,000
	Kansas:									
	Arkansas—Red River chloride control, Texas, Oklahoma, and Kansas (see Texas).									
(FC)	Atchison	4,370,000	1,000,000		1,000,000		1,000,000		1,000,000	
(FC)	*Cow Creek, Hutchinson*	1,800,000					150,000		150,000	
(FC)	*El Dorado Reservoir*	25,600,000		200,000		200,000		200,000		200,000
(FC)	*Fort Scott Reservoir*	19,300,000		155,000		155,000		155,000		155,000
(FC)	*Great Bend*	4,530,000						75,000		75,000
(FC)	*Grove Reservoir*	15,500,000		275,000		275,000		275,000		275,000
(FC)	*Hays*	2,960,000		120,000		120,000		120,000		120,000
(FC)	*Hillsdale Reservoir*	18,700,000				75,000		75,000		75,000
(FC)	Lawrence	5,340,000	500,000		500,000		500,000		500,000	
(FC)	**Marion Reservoir**	13,233,000	778,000		778,000		778,000		778,000	
(FC)	Melvern Reservoir	25,800,000	2,200,000		2,200,000		2,200,000		2,200,000	
	Missouri River Levee System, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)									
	Missouri River, Sioux City to mouth, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)									
(FC)	Osawatomie	1,520,000	500,000		500,000		500,000		500,000	
(FC)	Perry Reservoir	47,200,000	6,000,000		6,000,000		6,000,000		6,000,000	
(FC)	Topeka	20,200,000	900,000		900,000		900,000		900,000	
	Kentucky:									
	Cannelton locks and dam, Indiana and Kentucky. (See Indiana.)									
(FC)	Carr Fork Reservoir	22,600,000	5,800,000		5,800,000		5,800,000		5,800,000	
(FC)	Cave Run Reservoir	28,900,000	4,600,000		4,600,000		4,600,000		4,600,000	
(FC)	**Fishtrap Reservoir**	55,700,000	8,520,000		8,520,000		8,520,000		8,520,000	
(FC)	Frankfort, North Frankfort area	2,060,000	920,000		920,000		920,000		920,000	
(FC)	Green River Reservoir	30,400,000	6,630,000		6,630,000		6,630,000		6,630,000	
(FC)	*Kehoe Reservoir*	15,600,000		100,000		100,000		100,000		100,000
(R)	*Kentucky Peninsula*	665,000	100,000		100,000		100,000		100,000	
(MP)	Laurel River Reservoir	24,500,000	1,300,000		1,300,000		1,300,000		1,300,000	
(N)	*Lock and Dam No. 52, Illinois and Kentucky*	8,250,000				300,000	1,800,000	300,000	1,800,000	300,000
(FC)	*Martin*	3,590,000		65,000		65,000		65,000		65,000
(FC)	*Martins Fork Reservoir*	4,780,000		230,000		230,000		230,000		230,000
	Mound City lock and dam, Illinois and Kentucky. (See Illinois.)									
	Newburgh locks and dam, Indiana and Kentucky. (See Indiana.)									
(FC)	Paintsville Reservoir	17,900,000		200,000		200,000		200,000		200,000
(FC)	*Panther Creek (sec. 205)*		[2] (440,000)		[2] (400,000)		[2] (440,000)		[2] (440,000)	
(FC)	Red River Reservoir	11,100,000	330,000		330,000		330,000		330,000	

See footnotes at end of table.

TABLE 2.—*Construction, general, fiscal year 1968 (Oct. 12, 1967)*—Continued

	Construction, general, State and project	Total estimated Federal cost	Approved budget estimate for fiscal year 1968		House allowance		Senate allowance		Conference allowance	
			Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
	Kentucky—Continued									
	Smithland lock and dam, Illinois and Kentucky. (See Illinois.)									
(FC)	Sturgis	$2,000,000	$700,000		$700,000		$700,000		$700,000	
(FC)	*Taylorsville Reservoir*	23,100,000				$100,000		$100,000		$100,000
	Uniontown locks and dam, Indiana and Kentucky. (See Indiana.)									
(FC)	*Yatesville Reservoir*	18,500,000		$200,000		200,000		200,000		200,000
	Louisiana:									
	Bayou Bartholomew, Ark. and La. (See Arkansas.)									
(FC)	*Bayou Bodcau and tributaries*	1,840,000		20,000		20,000		150,000		150,000
(FC)	Caddo Dam	2,140,000	770,000		770,000		770,000		770,000	
(N)	**Calcasieu River and Pass**	19,500,000	1,457,000		1,457,000		1,457,000		1,457,000	
(N)	**Calcasieu River, saltwater barrier**	4,110,000	262,000		262,000		262,000		262,000	
(N)	Freshwater Bayou	9,370,000	2,750,000		2,750,000		2,750,000		2,750,000	
(FC)	*Grand Isle and vicinity*	7,010,000		150,000		150,000		150,000		150,000
(FC)	Lake Pontchartrain	71,671,000	3,260,000		3,260,000		4,500,000		4,500,000	
(N)	*Mermentau River*	3,124,000		75,000		75,000	500,000	75,000		125,000
(N)	Mississippi River, Gulf Outlet	98,200,000	2,000,000		2,000,000		2,000,000		2,000,000	
(FC)	*Monroe Floodwall (1965 and 1966 Acts)*	1,160,000				40,000		40,000		40,000
(FC)	*Morgan City and vicinity*	3,585,000		70,000		70,000		100,000		100,000
(FC)	New Orleans to Venice hurricane protection	9,050,000	500,000		500,000		500,000		500,000	
	Ouachita and Black Rivers, Ark. and La. (See Arkansas.)									
(N)	*Overton-Red River Waterway*	135,000,000					1,700,000		1,700,000	
	Red River levees and bank stabilization below Denison Dam, Ark., La., and Tex. (See Arkansas.)									
	Maine:									
(N)	*Bunker Harbor (sec. 107 project)*		[1](85,000)		[1](85,000)		[1](85,000)		[1](85,000)	
(MP)	*Dickey-Lincoln School Dam and Reservoirs*	212,100,000		1,676,000				1,676,000		875,000
	Maryland:									
(N)	Baltimore Harbor and Channels	22,900,000	200,000		200,000		1,200,000		200,000	
(FC)	*Bloomington Reservoir, Md. and W. Va. (land acquisition)*	73,500,000			2,000,000		2,000,000		2,000,000	
	Inland waterway, Delaware River to Chesapeake Bay, Del. and Md. (C. & D. Canal), pt. II. (See Delaware.)									
	Massachusetts:									
(R)	**Newburyport Harbor**	575,000	259,000		259,000		259,000		259,000	
(N)	**Plymouth Harbor**	1,860,000	1,040,000		1,040,000		1,040,000		1,040,000	
(R)	Plymouth Harbor (dike)	550,000	146,000		146,000		146,000		146,000	
(N)	*Provincetown Harbor*	2,580,000			400,000		400,000		400,000	
(N)	*Weymouth Fore and Town Rivers*	12,500,000			800,000		800,000		800,000	
(FC)	*Whitmanville Reservoir*	4,250,000		60,000		60,000		60,000		60,000
	Michigan:									
(R)	Grand Marais Harbor	960,000	220,000		220,000		220,000		220,000	
(N)	Great Lakes connecting channels	127,500,000	600,000		600,000		600,000		600,000	
(FC)	*Kalamazoo River*	8,400,000		100,000		100,000		100,000		100,000
(FC)	*Lansing*	14,900,000		50,000		50,000		50,000		50,000
(N)	**Leland Harbor**	567,000	140,000		140,000		140,000		140,000	
(N)	**Poe lock, St. Marys River**	34,200,000	1,845,000		1,845,000		1,845,000		1,845,000	
(N)	*Point Lookout Harbor, Au Gres River*	1,550,000			125,000		125,000		125,000	
(FC)	River Rouge	14,000,000	1,900,000		1,900,000		1,900,000		1,900,000	
(FC)	Saginaw River (flood control)	20,000,000	1,200,000		1,200,000		1,200,000		1,200,000	
(N)	Saginaw River (navigation)	6,420,000	1,800,000		1,800,000		1,800,000		1,800,000	
(R)	*Saint Joseph Harbor*	685,000	200,000		200,000		200,000		200,000	
(R)	*South Haven Harbor*	800,000	300,000		300,000		300,000		300,000	
	Minnesota:									
(FC)	*Big Stone Lake-Whetstone River (land acquisition)*	4,790,000			375,000		475,000		375,000	
(FC)	*Mankato-North Mankato*	5,200,000			200,000		200,000		200,000	
(N)	**Minnesota River**	2,460,000	1,159,000		1,159,000		1,159,000		1,159,000	
(FC)	*Roseau River*	2,880,000		130,000		130,000		130,000		130,000
(FC)	Rushford	2,550,000	1,000,000		1,000,000		1,000,000		1,000,000	
(FC)	**St. Paul and South St. Paul**	8,580,000	1,754,000		1,754,000		1,754,000		1,754,000	
(FC)	*Zumbro River*	1,220,000				90,000		90,000		90,000
	Mississippi:									
(N)	*Biloxi Harbor*	753,000			180,000		180,000		180,000	
(FC)	**Okatibbee Creek Reservoir**	9,000,000	3,240,000		3,240,000		3,240,000		3,240,000	
(FC)	Tombigbee River and tributaries, Alabama and Mississippi	23,700,000	525,000		525,000		525,000		525,000	
	Missouri:									
(FC)	Chariton River	8,400,000	1,400,000		1,400,000		1,400,000		1,400,000	
(FC)	*Chariton-Little Chariton Rivers (including Shoal Creek)*	4,450,000		100,000		100,000		100,000		100,000
(MP)	Clarence Cannon (Joanna) Reservoir	70,600,000	3,000,000		3,000,000		3,000,000		3,000,000	
(FC)	**Des Moines and Mississippi Levee District**	1,640,000	577,000		577,000		577,000		577,000	
(FC)	*Gregory Drainage District*	1,750,000					200,000		200,000	
(MP)	Kaysinger Bluff Reservoir	196,000,000	8,800,000		8,800,000		11,000,000		10,000,000	
(FC)	*Long Branch Reservoir*	6,650,000		100,000		100,000		100,000		100,000
(FC)	*Meramec Park Reservoir (land acquisition)*	42,800,000	500,000		450,000		500,000		450,000	
	Mississippi River between Ohio and Missouri Rivers, Ill. and Mo. (See Illinois.)									
	Missouri River levee system, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)									
	Missouri River, Sioux City to mouth, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)									
(FC)	*Pattonsburg Reservoir (Highway I35 crossing)*	6,943,000	834,000		834,000		834,000		834,000	
(FC)	*Platte River*	5,670,000				50,000		50,000		50,000
(FC)	St. Louis	78,600,000	6,000,000		6,000,000		6,000,000		6,000,000	
(FC)	Smithville Reservoir	23,600,000		200,000		200,000		200,000		200,000
(MP)	Stockton Reservoir	66,100,000	10,700,000		10,700,000		11,700,000		10,700,000	
(FC)	*Union Reservoir*	28,400,000		100,000		100,000		100,000		100,000

See footnotes at end of table.

TABLE 2.—*Construction, general, fiscal year 1968 (Oct. 12, 1967)*—Continued

	Construction, general, State and project	Total estimated Federal cost	Approved budget estimate for fiscal year 1968		House allowance		Senate allowance		Conference allowance	
			Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
	Montana:									
(FC)	Great Falls	$4,280,000	$850,000		$850,000		$850,000		$850,000	
(MP	Libby Reservoir	352,000,000	44,300,000		44,300,000		44,300,000		44,300,000	
	Nebraska:									
(FC)	**Gering Valley**	5,880,000	591,000		591,000		591,000		591,000	
(FC)	*Little Nemaha River*	1,650,000		$95,000		$95,000		$95,000		$95,000
(FC	**Little Papillion Creek**	2,910,000	786,000		786,000		786,000		786,000	
	Missouri River levee system, Iowa, Kansas Missouri and Nebraska (See Iowa.)									
	Missouri River, Sioux City to mouth Iowa, Kansas. Missouri and Nebraska. (See Iowa.)									
(FC)	Norfolk	3,940,000	1,200,000		1,200,000		1,200,000		1,200,000	
(FC)	**Salt Creek and tributaries**	11,700,000	993,000		993,000		993,000		993,000	
	Nevada:									
(FC)	Martis Creek Reservoir, Calif. and Nev.	4,910,000	700,000		700,000		700,000		700,000	
	New Jersey:									
(BE)	Atlantic City (reimbursement)	4,010,000	305,000		305,000		305,000		305,000	
(N)	Delaware River, Philadelphia to sea (anchorages), Delaware, New Jersey, and Pennsylvania	29,000,000	200,000		200,000		200,000		200,000	
(FC)	*Elizabeth River*	10,800,000		$280,000		280,000		280,000		280,000
(N)	*Newark Bay, Hackensack and Passaic Rivers (1966 act)*	15,500,000					1,000,000		1,000,000	
	New York and New Jersey Channels, Kill Van Kull entrance, New York and New Jersey. (See New York.)									
(FC)	Raritan and Sandy Hook Bays	6,270,000	700,000		700,000		700,000		700,000	
(N)	*Shrewsbury River Inlet*	4,430,000		100,000		100,000		100,000		100,000
(FC)	*South Orange, Rahway River*	1,790,000		60,000		60,000		60,000		60,000
(MP)	*Tocks Island Reservoir, Pa., N.J., and N.Y. (land acquisition)*	198,000,000	4,000,000		4,000,000		4,000,000		4,000,000	
	New Mexico:									
(FC)	Albuquerque	16,000,000	4,200,000		4,200,000		4,200,000		4,200,000	
(FC)	Cochiti Reservoir	50,000,000	3,700,000		3,700,000		3,700,000		3,700,000	
(FC)	Galisteo Reservoir	16,000,000	2,500,000		2,500,000		2,500,000		2,500,000	
(FC)	*Las Cruces*	3,800,000	400,000		400,000		400,000		400,000	
(FC)	*Los Esteros Reservoir*	12,000,000				100,000		100,000		100,000
	New York:									
(FC)	*East Rockaway Inlet to Rockaway Inlet and Jamaica Bay*	35,000,000		200,000		200,000		200,000		200,000
(BE)	*Fire Island Inlet to Jones Inlet (1962 act)*	10,700,000		165,000		165,000	300,000	165,000		165,000
(FC)	Fire Island Inlet to Montauk Point	32,160,000			2,000,000		2,000,000		2,000,000	
(N)	Great Lakes to Hudson River Waterway	34,850,000	1,950,000		1,950,000		1,950,000		1,950,000	
(BE)	*Hamlin Beach State Park*	1,280,000				30,000		30,000		30,000
(FC)	Ithaca, Cayuga Inlet	3,160,000	950,000		950,000		950,000		950,000	
	Kinzua Dam and Allegheny Reservoir, Pa. and N.Y. (See Pennsylvania.)									
(N)	**Lake Montauk Harbor**	700,000	500,000		500,000		500,000		500,000	
(N)	Little Neck Bay	2,120,000	550,000		550,000		550,000		550,000	
(N)	*Moriches Inlet, Long Island*	3,850,000		150,000		150,000		150,000		150,000
(N)	*New York Harbor (anchorages)*	45,700,000			1,000,000		1,000,000		1,000,000	
(N)	**New York-New Jersey Channels, Kill Van Kull entrance, New York and New Jersey**	2,600,000	1,000,000		1,000,000		1,000,000		1,000,000	
(FC)	Nichols	1,320,000	305,000		305,000		305,000		305,000	
(FC)	North Ellenville	2,110,000	580,000		580,000		580,000		580,000	
(N)	*Oak Orchard Harbor*	1,120,000		75,000		75,000		75,000		75,000
(FC)	*Red Creek*	1,530,000		50,000		50,000		50,000		50,000
(FC)	Rosendale	2,750,000	500,000		500,000		500,000		500,000	
(FC)	Salamanca	1,700,000	655,000		655,000		655,000		655,000	
(FC)	**South Ellenville**	1,330,000	1,240,000		1,000,000		1,000,000		1,000,000	
(FC)	*Staten Island, Fort Wadsworth to Arthur Kill*	7,640,000		200,000		200,000		200,000		200,00
	Tocks Island Reservoir, Pa., N.J., and N.Y. (See New Jersey.)									
(FC)	**Wellsville**	1,740,000	472,000		472,000		472,000		472,000	
	North Carolina:									
(N)	*Cape Fear River above Wilmington*	1,600,000					500,000		500,000	
(BE)	*Cape Lookout*	6,000,000		50,000				150,000		
(FC)	Carolina Beach and vicinity	1,637,000	800,000		800,000		800,000		800,000	
(FC)	*Falls Reservoir*	20,000,000		215,000		215,000		215,000		215,000
(FC)	New Hope Reservoir	30,600,000	3,120,000		3,120,000		4,000,000		3,560,000	
(N)	*Ocracoke Inlet*	288,000					279,000			
(N)	**Wilmington Harbor, 38- and 40-foot depth (1962 act)**	6,000,000	2,795,000		2,795,000		2,795,000		2,795,000	
	North Dakota:									
(R)	*Garrison Dam (Lake Sakakawea) (embankment repair)*	7,500,000	900,000		900,000		900,000		900,000	
(FC)	**Missouri River, Garrison Dam to Oahe Reservoir**	3,000,000	502,000		502,000		502,000		502,000	
	Oahe Reservoir, S. Dak. and N. Dak. (See South Dakota.)									
(FC)	*Pipestem Reservoir (land acquisition)*	3,300,000					300,000		250,000	
	Ohio:									
(FC)	*Alum Creek Reservoir (land acquisition)*	29,100,000			1,400,000		1,400,000		1,400,000	
(N)	**Ashtabula Harbor (1965 modification)**	1,970,000	1,770,000		1,770,000		1,770,000		1,770,000	
(FC)	*Athens*	4,860,000			200,000		200,000		200,000	
(N)	**Belleville locks and dam, Ohio and West Virginia**	62,600,000	8,218,000		8,218,000		8,218,000		8,218,000	
(FC)	Big Darby Creek Reservoir	32,800,000	1,400,000							
(FC)	Caesar Creek Reservoir	23,300,000	1,200,000		1,200,000		1,200,000		1,200,000	
(FC)	Clarence J. Brown Dam and Reservoir (Buck Creek Reservoir)	13,100,000	4,500,000		4,500,000		4,500,000		4,500,000	
(N)	Cleveland Harbor: Bridge replacement, widening Cuyahoga and Old Rivers (1958 act)	12,900,000	1,500,000		1,500,000		1,500,000		1,500,000	
(N)	**Conneaut Harbor (1962 modification)**	4,500,000	900,000		900,000		900,000		900,000	
(FC)	**Deer Creek Reservoir**	21,400,000	7,523,000		7,523,000		7,523,000		7,523,000	
(FC)	East Fork Reservoir	26,500,000	1,420,000		1,420,000		1,420,000		1,420,000	
(FC)	*Eastlake, Chagrin River*	2,430,000		125,000		125,000		125,000		125,000
(FC)	Fremont	5,200,000	650,000		650,000		650,000		650,000	

See footnotes at end of table.

TABLE 2.—*Construction, general, fiscal year 1968 (Oct. 12, 1967)*—Continued

	Construction, general, State and project	Total estimated Federal cost	Approved budget estimate for fiscal year 1968		House allowance		Senate allowance		Conference allowance	
			Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
	Ohio—Continued									
(N)	Hannibal locks and dam, Ohio and West Virginia	$71,400,000	$8,070,000		$8,070,000		$8,070,000		$8,070,000	
(N)	*Lake Erie-Ohio River Canal, Ohio and Pensylvannia*	968,000,000		$2,000,000		$750,000		$750,000		$750,000
(N)	Lorain Harbor	17,100,000	200,000		200,000		200,000		200,000	
(FC)	*Mill Creek Reservoir, Scioto River Basin*	21,800,000		425,000		425,000		455,000		455,000
(FC)	North Branch Kokosing River Reservoir	5,730,000	750,000		750,000		750,000		750,000	
(FC)	Paint Creek Reservoir	22,400,000	2,700,000		2,700,000		2,700,000		2,700,000	
(N)	Racine locks and dam, Ohio and West Virginia	70,900,000	9,500,000		9,500,000		9,500,000		9,500,000	
(N)	*Vermilion Harbor*	709,000		75,000		75,000		75,000		75,000
(N)	Willow Island lock and dam, Ohio and West Virginia	73,400,000	4,500,000		4,500,000		4,500,000		4,500,000	
(FC)	Youngstown, Crab Creek	2,420,000	850,000		850,000		850,000		850,000	
	Oklahoma:									
	Arkansas Red River chloride control, Texas, Oklahoma, and Kansas. (See Texas.)									
	Arkansas River and tributaries, Arkansas and Oklahoma. (See Arkansas.)									
(FC)	*Birch Reservoir*	5,930,000					500,000			
(MP)	Broken Bow Reservoir	39,600,000	5,200,000		5,200,000		5,200,000		5,200,000	
(FC)	*Candy Reservoir*	5,500,000						40,000		40,000
(FC)	*Crutcho Creek*	1,870,000		50,000		50,000		50,000		50,000
(FC)	Hugo Reservoir	30,700,000	1,500,000		1,500,000		1,500,000		1,500,000	
(FC)	Kaw Reservoir	86,600,000	4,700,000		4,700,000		4,700,000		4,700,000	
(MP)	**Keystone Reservoir**	123,000,000	4,579,000		4,579,000		4,579,000		4,579,000	
(FC)	Lukfata Reservoir	13,400,000		120,000		120,000		120,000		120,000
(FC)	Oologah Reservoir	7,400,000	1,350,000		1,350,000		1,350,000		1,350,000	
(FC)	Optima Reservoir	24,900,000	2,000,000		2,000,000		2,000,000		2,000,000	
(FC)	Pine Creek Reservoir	20,500,000	5,600,000		5,600,000		5,600,000		5,600,000	
(MP)	Robert S. Kerr (Short Mountain) lock and dam	92,500,000	13,000,000		13,000,000		13,000,000		13,000,000	
(FC)	*Shidler Reservoir*	6,600,000		100,000		100,000		100,000		100,000
(FC)	Waurika Reservoir	27,300,000		190,000		190,000		190,000		190,000
(MP)	Webbers Falls lock and dam	77,200,000	14,700,000		14,700,000		14,700,000		14,700,000	
	Oregon:									
(FC)	*Applegate Reservoir*	25,800,000		206,000		206,000		206,000		206,000
(FC)	Blue River Reservoir	31,400,000	6,000,000		6,000,000		6,000,000		6,000,000	
(MP)	*Bonneville lock and dam (2d power unit) Oregon and Washington*	124,000,000		400,000		400,000		400,000		400,000
(FC)	*Cascadia Reservoir*	39,600,000		400,000		400,000		400,000		400,000
(N)	*Chetco River*	1,350,000			100,000		100,000		100,000	
(N)	Columbia River and lower Willamette River, 35- and 40-foot projects, Oregon and Washington	22,600,000	2,700,000		2,700,000		4,000,000		3,000,000	
(N)	*Columbia River at the mouth, Oregon and Washington*	12,200,000		65,000		65,000		65,000		65,000
(FC)	*Elk Creek Reservoir*	21,000,000		220,000		220,000		220,000		220,000
(FC)	*Gate Creek Reservoir*	22,300,000		350,000		350,000		350,000		350,000
(MP)	Green Peter Reservoir	82,300,000	4,940,000		4,940,000		4,940,000		4,940,000	
(MP)	John Day lock and dam, Oregon and Washington	448,000,000	38,700,000		38,700,000		38,700,000		38,700,000	
(MP)	Lost Creek Reservoir	83,300,000	2,050,000		2,050,000		2,050,000		2,050,000	
(N)	Port Orford	1,100,000	232,000		232,000		232,000		232,000	
(N)	*Siuslaw River and Bar*	2,435,000					500,000		500,000	
(MP)	The Dalles lock and dam, Oregon and Washington (additional power units)	64,000,000	786,000		786,000		786,000		786,000	
(N)	*Tillamook Bay (south jetty)*	9,360,000			500,000		500,000		500,000	
(FC)	Willamette River Basin bank protection	13,100,000	375,000		375,000		500,000		375,000	
(N)	Yaquina Bay and Harbor	14,000,000	2,500,000		2,500,000		2,500,000		2,500,000	
	Pennsylvania:									
(FC)	Aylesworth Creek Reservoir	1,920,000	993,000		993,000		993,000		993,000	
(FC)	Beltzville Reservoir	21,700,000	5,320,000		5,320,000		5,320,000		5,320,000	
(FC)	*Blue Marsh Reservoir*	15,600,000		275,000		275,000		275,000		275,000
(FC)	*Chartiers Creek*	14,400,000	500,000		500,000		500,000		500,000	
(FC)	*Cowanesque Reservoir*	30,900,000		400,000		400,000		400,000		400,000
	Delaware River, Philadelphia to sea, anchorages, Delaware, New Jersey, and Pennsylvania. (See New Jersey.)									
(FC)	*Dubois*	1,870,000		65,000		65,000		65,000		65,000
(FC)	Foster Joseph Sayers Dam (Blanchard Reservoir)	28,900,000	9,000,000		9,000,000		9,000,000		9,000,000	
(FC)	**Kinzua Dam and Allegheny Reservoir, Pa. and N.Y.**	106,600,000	6,989,000		6,489,000		6,489,000		6,489,000	
	Lake Erie-Ohio River Canal, Ohio and Pennsylvania. (See Ohio.)									
(FC)	Raystown Reservoir	53,500,000	2,700,000		2,700,000		2,700,000		2,700,000	
(FC)	**Scranton**	2,000,000	1,086,000		1,086,000		1,086,000		1,086,000	
(FC)	*Tioga-Hammond Reservoir (land acquisition)*	53,600,000			1,000,000		1,000,000		1,000,000	
	Tocks Island Reservoir, Pa., N.J., and N.Y. (See New Jersey.)									
(FC)	*Trexler Reservoir*	12,000,000		175,000		175,000		175,000		175,000
(FC)	**Turtle Creek**	15,200,000	713,000		713,000		713,000		713,000	
(FC)	Union City Reservoir	11,000,000	1,450,000		1,450,000		1,450,000		1,450,000	
(FC)	Woodcock Creek Reservoir	10,200,000	500,000		500,000		500,000		500,000	
	Rhode Island:									
(BE)	*Cliff Walk, Newport*	414,000						80,000		80,000
(N)	Providence River and Harbor	13,900,000	3,500,000		3,500,000		3,500,000		3,500,000	
	South Carolina:									
	Trotters Shoals Reservoir, Ga. and S.C. (See Georgia.)									
	South Dakota:									
(MP)	Big Bend Dam-Lake Sharpe	103,000,000	1,800,000		1,800,000		1,800,000		1,800,000	
(FC)	Cottonwood Springs Reservoir	1,740,000	500,000		500,000		500,000		500,000	
(MP)	Oahe Reservoir, S. Dak. and N. Dak	338,000,000	1,100,000		1,100,000		1,100,000		1,100,000	
	Tennessee:									
(MP)	Cordell Hull lock and dam	58,500,000	7,600,000		7,600,000		7,600,000		7,600,000	
(MP)	J. Percy Priest Reservoir	49,900,000	5,500,000		5,500,000		5,500,000		5,500,000	

See footnotes at end of table.

TABLE 2.—*Construction, general, fiscal year 1968 (Oct. 12, 1967)*—Continued

	Construction, general, State and project	Total estimated Federal cost	Approved budget estimate for fiscal year 1968		House allowance		Senate allowance		Conference allowance	
			Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
	Texas:									
(FC)	*Abilene Channel improvement*	$34,600,000		$180,000		$180,000		$180,000		$180,000
(FC)	*Arkansas-Red River chloride control (part I), Texas, Oklahoma, and Kansas*	50,000,000						150,000		150,000
(FC)	*Arkansas-Red River chloride control (supplemental studies), Texas, Oklahoma, and Kansas*	2,500,000		1,000,000		1,000,000		1,000,000		1,000,000
(FC)	Buffalo Bayou and tributaries	66,100,000	$3,700,000		$3,700,000		$3,700,000		$3,700,000	
(N)	*Chocolate Bayou*	1,350,000			500,000		500,000		*500,000*	
(FC)	Cooper Reservoir and channels	24,100,000					500,000			
(FC)	*El Paso*	14,400,000		250,000		250,000		250,000		250,000
(FC)	Fort Worth Floodway, Clear Fork extension	3,960,000	900,000		900,000		900,000		900,000	
(FC)	Freeport and vicinity	11,700,000	1,500,000		1,500,000		1,500,000		1,500,000	
(R)	*Galveston Harbor and Channel (groins)*	1,750,000	500,000		500,000		500,000		500,000	
(FC)	*Highland Bayou*	3,850,000		110,000		110,000		110,000		110,000
(FC)	Lake Kemp Reservoir	6,100,000	900,000		900,000		900,000		900,000	
(FC)	*Lakeview Reservoir*	36,100,000		100,000		100,000		100,000		100,000
(FC)	Lavon Reservoir modification and channel improvement	40,300,000	3,500,000		3,500,000		3,500,000		3,500,000	
(FC)	*Liberty, Trinity River*	2,000,000		50,000		50,000		50,000		50,000
(FC)	Port Arthur and vicinity (hurricane flood protection)	40,600,000	7,400,000		7,400,000		7,400,000		7,400,000	
	Red River levees and bank stabilization, below Denison Dam, Ark., La., and Tex. (See Arkansas.)									
(N)	Sabine-Neches Waterway 40 feet and channel to Echo	23,500,000	3,900,000		3,900,000		3,900,000		3,900,000	
(FC)	San Antonio Channel	22,200,000	1,500,000		1,500,000		1,500,000		1,500,000	
(FC)	*San Gabriel River tributary to Brazos River (land acquisition)*	53,100,000	1,800,000		1,532,000		1,800,000		1,532,000	
(FC)	**Stillhouse Hollow Dam**	19,900,000	3,717,000		3,717,000		3,717,000		3,717,000	
(FC)	*Taylors Bayou*	5,930,000		150,000		150,000		150,000		150,000
(FC)	Texas City, hurricane protection	16,000,000	2,000,000		2,000,000		2,000,000		2,000,000	
(N)	*Trinity River Bridge*	12,300,000	2,825,000		1,035,000		1,035,000		1,035,000	
(FC)	Vince and Little Vince Bayous	4,770,000	800,000		800,000		800,000		800,000	
(N)	Wallisville Reservoir, Trinity River	16,200,000	2,500,000		2,500,000		2,500,000		2,500,000	
(MP)	*Whitney Reservoir (road replacement)*	130,000			130,000		130,000		130,000	
	Vermont:									
(FC)	*Bennington*	415,000					350,000		350,000	
	Virginia:									
(FC)	Gathright Reservoir	17,300,000	1,450,000		1,450,000		1,450,000		1,450,000	
(N)	Hampton Roads	31,800,000	6,500,000		6,500,000		6,500,000		6,500,000	
(BE)	Virginia Beach (reimbursement)	1,350,000	85,000		85,000		85,000		85,000	
	Washington:									
(MP)	*Asotin Dam, Idaho and Washington*	97,100,000						200,000		
	Bonneville lock and dam (2d powerplant, Oregon and Washington). (See Oregon.)									
(MP)	*Chief Joseph Dam (additional power units)*	59,800,000		300,000		300,000		300,000		300,000
	Columbia River at the mouth, Oregon and Washington. (See Oregon.)									
	Columbia River and lower Willamette River, 35- and 40-foot projects, Oregon and Washington. (See Oregon.)									
(FC)	**Cowlitz County Consolidated Diking and Improvement District No. 2**	1,320,000	685,000		685,000		685,000		685,000	
(MP)	*Ice Harbor lock and dam (additional units)*	22,000,000		200,000		200,000		200,000		200,000
	John Day lock and dam, Oregon and Washington. (See Oregon.)									
(MP)	Little Goose lock and dam	146,000,000	44,000,000		44,000,000		44,000,000		44,000,000	
(MP)	Lower Granite lock and dam	183,000,000	9,200,000		9,200,000		9,200,000		9,200,000	
(MP)	Lower Monumental lock and dam	191,000,000	23,700,000		23,700,000		23,700,000		23,700,000	
(N)	*Olympia Harbor (deferred)*	373,000						20,000		20,000
	The Dalles lock and dam, Oregon and Washington. (See Oregon.)									
(FC)	Wynoochee River Reservoir	15,500,000	3,000,000		3,000,000		3,000,000		3,000,000	
	West Virginia:									
(FC)	Beech Fork Lake	13,400,000	855,000		855,000		855,000		855,000	
	Belleville locks and dam. Ohio and West Virginia. (See Ohio.)									
	Bloomington Reservoir, Md. and W. Va. (See Maryland.)									
(FC)	*Burnsville Lake*	21,800,000					500,000		400,000	
(FC)	East Lynn Lake	24,900,000	3,170,000		3,170,000		3,170,000		3,170,000	
	Hannibal locks and dam Ohio and West Virginia. (See Ohio.)									
(FC)	R. D. Bailey (Justice) Lake	76,600,000	4,000,000		4,000,000		4,000,000		4,000,000	
	Racine locks and dam, Ohio and West Virginia. (See Ohio.)									
	Rowlesburg Lake	96,100,000		535,000		535,000		700,000		700,000
	Stonewall Jackson Lake	35,700,000		75,000		75,000		375,000		375,000
	Willow Island lock and dam, Ohio and West Virginia. (See Ohio.)									
	Wisconsin:									
	Eau Galle River, Spring Valley	7,010,000	1,300,000		1,300,000		1,300,000		1,300,000	
	Green Bay Harbor (1962 act)	48,820,000	1,000,000		1,000,000		1,000,000		1,000,000	
	Kenosha Harbor	1,855,000	60,000		60,000		60,000		60,000	
	La Farge Reservoir, Kickapoo River (land acquisition)	500,000			300,000		300,000		300,000	
	Manitowoc Harbor	860,000		25,000		25,000		25,000		25,000
	Miscellaneous:									
	Emergency bank protection		500,000		500,000		500,000		500,000	
	Small projects for flood control and related purposes not requiring specific legislation (sec. 205)		6,000,000		6,000,000		6,404,000		6,404,000	
	Snagging and clearing		500,000		500,000		500,000		500,000	
	Small navigation projects not requiring specific legislation costing up to $500,000 (sec. 107)		1,500,000		1,500,000		1,500,000		1,500,000	

See footnotes at end of table.

TABLE 2.—*Construction, general, fiscal year 1968 (Oct. 12, 1967)*—Continued

Construction, general, State and project	Total estimated Federal cost	Approved budget estimate for fiscal year 1968		House allowance		Senate allowance		Conference allowance	
		Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
Miscellaneous—Continued									
Small beach erosion control projects not requiring specific legislation costing up to $500,000 (sec. 103)		$250,000		$250,000		$250,000		$250,000	
Recreation facilities, completed projects		9,000,000		9,000,000		9,000,000		9,000,000	
Fish and wildlife studies (U.S. Fish and and Wildlife Service)		580,000		580,000		580,000		580,000	
Aquatic plant control (1965 act)		900,000		900,000		900,000		900,000	
Employees compensation		625,000		625,000		625,000		625,000	
Reduction for anticipated savings and slippages		−90,025,000		−129,516,000		−90,025,000		−115,025,000	
Grand total, construction, general		951,831,000 (972,992,000)	$21,161,000	915,634,000 (935,074,000)	$19,440,000	988,208,000 (1,010,823,000)	$22,615,000	946,954,000 (968,474,000)	$21,520,000

[1] Included in "Small navigation projects" under "Miscellaneous."

[2] Included in "Small flood control projects" under "Miscellaneous."

NOTE.—Projects shown in italic are new projects or modification of projects on which construction has not started and projects in bold face are those projects to be completed with the amount in the approved budget.

MISSISSIPPI RIVER AND TRIBUTARIES

Mr. ELLENDER. Mr. President, for Mississippi River and tributaries, the conference report provides $87,135,000, which is $4,345,000 below the amount approved by the Senate; $3,735,000 above the House; $9,735,000 above the budget and the amount appropriated for fiscal year 1967.

Mr. President, I ask unanimous consent to insert at this point in the RECORD a tabulation explaining the action of the conferees on the appropriation for flood control, Mississippi River and tributaries.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

TABLE 3.—*Flood control, Mississippi River and tributaries, fiscal year 1968 (Oct. 12, 1967)*

Project	Total estimated Federal cost	Approved budget estimate for fiscal year 1968		House allowance		Senate allowance		Conference allowance	
		Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
1. General investigations:									
(a) Examinations and surveys		$142,000		$442,000		$497,000		$497,000	
(b) Collection and study of basic data		101,000		101,000		101,000		101,000	
Subtotal, general investigations		243,000		543,000		598,000		598,000	
2. Construction and planning:									
Mississippi River levees	$272,000,000	$3,200,000		$3,400,000		$3,700,000		$3,550,000	
Channel improvement	960,000,000	29,700,000		32,700,000		38,400,000		35,225,000	
Old River control	71,000,000	650,000		650,000		1,000,000		825,000	
St. Francis Basin	132,000,000	3,575,000		3,825,000		4,500,000		4,155,000	
Cache River	27,000,000		$120,000		$120,000		$120,000		$120,000
West Tennessee tributaries	13,700,000	460,000		660,000		660,000		660,000	
Lower Arkansas River	25,800,000	140,000		140,000		140,000		140,000	
Tensas Basin:									
Boeuf and Tensas Rivers, etc	52,000,000	540,000		540,000		540,000		540,000	
Red River backwater	37,500,000	1,085,000		1,335,000		1,353,000		1,335,000	
Yazoo Basin:									
Sardis Reservoir	12,580,000	40,000		40,000		40,000		40,000	
Enid Reservoir	15,710,000	35,000		35,000		35,000		35,000	
Arkabutla Reservoir	12,680,000	35,000		35,000		35,000		35,000	
Grenada Reservoir	32,010,000	40,000		40,000		40,000		40,000	
Greenwood	5,470,000	225,000		225,000		225,000		225,000	
Main stem	23,600,000	270,000		270,000		270,000		270,000	
Tributaries	40,000,000	742,000		1,542,000		1,542,000		1,542,000	
Big Sunflower River, etc	19,000,000	445,000		445,000		445,000		445,000	
Yazoo backwater	32,300,000	1,600,000		1,600,000		1,600,000		1,600,000	
Lower Red River, south bank	18,400,000	225,000		225,000		225,000		225,000	
Atchafalaya Basin	302,000,000	8,000,000		9,000,000		10,000,000		9,500,000	30,000
West Kentucky tributaries	2,130,000		30,000		30,000		30,000		
Subtotal, construction and planning	2,404,058,000	51,007,000	150,000	56,707,000	150,000	64,732,000	150,000	60,387,000	150,000
Reduction for anticipated savings and slippages		−1,400,000		−1,400,000		−1,400,000		−1,400,000	
Total, construction and planning		49,607,000	150,000	55,307,000	150,000	63,332,000	150,000	58,987,000	150,000
3. Maintenance		27,400,000		27,400,000		27,400,000		27,400,000	
Grand total	2,429,058,000	77,400,000		83,400,000		91,480,000		87,135,000	

Mr. ELLENDER. Mr. President, I ask unanimous consent to insert at this point in the RECORD a tabulation showing the details of the amount allowed by the conferees for the Atomic Energy Commission.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Title III—Atomic Energy Commission

OPERATING EXPENSES

Program	Appropriation, 1967 ,	Budget estimate, 1968	JCAE authorization, 1968	House bill	Senate bill	Conference action
Raw materials	$162,515,000	$129,594,000	$129,094,000	$129,094,000	$129,094,000	$129,094,000
Special nuclear materials	353,728,000	346,420,000	346,420,000	345,920,000	345,920,000	345,920,000

Title III—Atomic Energy Commission—Continued

OPERATING EXPENSES

Program	Appropriation, 1967	Budget estimate, 1968	JCAE authorization, 1968	House bill	Senate bill	Conference action
Weapons:						
Production, storage, and surveillance	$244,300,000	$236,800,000	$236,800,000	$236,800,000	$236,800,000	$236,800,000
Research and development	215,150,000	222,100,000	227,100,000	222,100,000	227,100,000	227,100,000
Testing atomic weapons	198,480,000	236,100,000	246,100,000	236,100,000	246,100,000	246,100,000
Special test detection activities	5,570,000	5,500,000	5,500,000	5,500,000	5,500,000	5,500,000
Total weapons	663,500,000	700,500,000	715,500,000	700,500,000	715,500,000	715,500,000
Reactor development:						
Civilian power reactors	106,480,000	122,820,000	122,820,000	121,250,000	121,250,000	121,250,000
Cooperative power reactor demonstration	17,116,000	28,783,000	28,783,000	28,783,000	28,783,000	28,783,000
Euratom	2,000,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000
Merchant ship reactors	100,000	100,000	100,000	100,000	100,000	100,000
Army power reactors	700,000	900,000	900,000		700,000	
Naval propulsion reactors	94,900,000	106,700,000	106,700,000	106,700,000	106,700,000	106,700,000
Space propulsion systems	77,575,000	90,400,000	90,400,000	83,000,000	83,000,000	83,000,000
Space electric power development	61,497,000	60,740,000	60,990,000	60,990,000	60,990,000	60,990,000
Terrestrial electric power development	5,595,000	8,125,000	8,125,000	7,500,000	7,500,000	7,500,000
General reactor technology	50,100,000	51,000,000	51,000,000	50,100,000	51,000,000	50,100,000
Advanced systems research and development	14,850,000	11,035,000	9,035,000	8,535,000	8,535,000	8,535,000
Nuclear safety	32,015,000	35,000,000	35,000,000	35,000,000	35,000,000	35,000,000
Operational services	4,792,000	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000
Total reactor development	467,720,000	521,103,000	519,353,000	507,458,000	509,058,000	507,458,000
Physical research:						
High-energy physics	108,073,000	116,500,000	118,000,000	118,000,000	118,000,000	118,000,000
Medium-energy physics	11,000,000	11,100,000	11,100,000	11,100,000	11,100,000	11,100,000
Low-energy physics	28,336,000	29,400,000	29,400,000	29,400,000	29,400,000	29,400,000
Mathematics and computer research	6,107,000	6,200,000	6,200,000	6,200,000	6,200,000	6,200,000
Chemistry research	52,864,000	55,000,000	55,000,000	55,000,000	55,000,000	55,000,000
Metallurgy and materials research	26,284,000	27,600,000	27,600,000	27,600,000	27,600,000	27,600,000
Controlled thermonuclear research	22,626,000	26,200,000	26,200,000	26,200,000	26,200,000	26,200,000
Total physical research	255,290,000	272,000,000	273,500,000	273,500,000	273,500,000	273,500,000
Biology and medicine	86,000,000	90,450,000	90,450,000	90,450,000	90,450,000	90,450,000
Training, education, and information	16,158,000	17,855,000	16,355,000	16,355,000	16,455,000	16,355,000
Isotopes development	7,838,000	8,375,000	8,375,000	7,838,000	7,838,000	7,838,000
Civilian application of nuclear explosives (Plow-share)	13,335,000	21,865,000	21,865,000	20,715,000	20,715,000	20,715,000
Communities	10,137,000	7,223,000	7,023,000	6,871,000	7,023,000	6,871,000
Program direction and administration	88,676,000	94,000,000	94,000,000	93,200,000	93,200,000	93,200,000
Security investigations	6,443,000	6,731,000	6,731,000	6,731,000	6,731,000	6,731,000
Cost of work for others	17,200,000	13,224,000	13,224,000	13,224,000	13,224,000	13,224,000
Total program costs	2,148,540,000	2,229,340,000	2,241,890,000	2,211,856,000	2,228,708,000	2,226,856,000
Change in selected resources	8,756,000	12,818,000	17,218,000	7,518,000	8,068,000	7,518,000
Gross obligations	2,157,296,000	2,242,158,000	2,259,108,000	2,219,374,000	2,236,776,000	2,234,374,000
Revenues applied	−77,186,000	−59,317,000	−59,317,000	−59,317,000	−59,317,000	−59,317,000
Net obligations	2,08 ,110,000	2,182,841,000	2,199,791,000	2,160,057,000	2,177,459,000	2,175,057,000
Unobligated balance, start of year	−170,218,000	−12,941,000	−26,605,000	−35,057,000	−35,057,000	−35,057,000
Unobligated balance, end of year	12,941,000					
Transfer to General Services Administration	167,000					
Appropriation	1,923,000,000	2,169,900,000	2,173,186,000	2,125,000,000	2,142,402,000	2,140,000,000

PLANT AND CAPITAL EQUIPMENT

Project	Construction project	Budget estimate, 1968	JCAE authorization, 1968	House bill	Senate bill	Conference action
68-1-a	Hot laboratory, New Brunswick, N.J.	$1,000,000	$1,000,000	$1,000,000	$1,000,000	$1,000,000
68-1-b	Replacement waste storage tanks, Richland, Wash.	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000
68-2-a	New weapons production capabilities, various locations	100,500,000	100,500,000	100,500,000	100,500,000	100,500,000
68-a-b	Weapons production, development and test installations	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000
68-3-a	Research and development test plants, Project Rover, Los Alamos Scientific Laboratory, New Mexico, and Nevada Test Site, Nevada	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000
68-3-b	Isotopic space systems facility, Sandia Base, N. Mex.	2,250,000	2,250,000	2,250,000	2,250,000	2,250,000
68-3-c	Modifications to reactors	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
68-4-a	Accelerator and reactor additions and modifications, Brookhaven National Laboratory, New York	1,095,000	1,095,000	1,095,000	1,095,000	1,095,000
68-4-b	Accelerator improvements, zero gradient synchrotron, Argonne National Laboratory, Illinois	1,900,000	1,900,000	1,900,000	1,900,000	1,900,000
68-4-c	Accelerator improvements, Lawrence Radiation Laboratory, Berkeley, Calif.	1,740,000	1,740,000	1,740,000	1,740,000	1,740,000
68-4-d	Accelerator improvements, Cambridge and Princeton accelerators	400,000	400,000	400,000	400,000	400,000
68-4-e 9	Accelerator improvements, Stanford Linear Accelerator Center, California	865,000	865,000	865,000	865,000	865,000
68-4-f	Omnitron accelerator, Lawrence Radiation Laboratory, Berkeley, Calif. (AE only)	4,000,000				
68-4-g	200 Bev accelerator, Du Page and Kane Counties, near Chicago, Ill. (AE only)	10,000,000	7,333,000	7,333,000	7,333,000	7,333,000
68-4-h	Laboratory and energy storage facility, Los Alamos Scientific Laboratory, New Mexico	8,500,000	8,500,000	8,500,000	8,500,000	8,500,000
68-5-a	Addition to biomedical building, Rio Piedras, P.R.	1,400,000	1,400,000		1,400,000	1,400,000
68-6	General plant projects	39,175,000	39,175,000	39,175,000	39,175,000	39,175,000
68-7	Construction, planning and design	1,000,000				
67-3-a	Fast flux test facility	80,000,000	80,000,000	21,000,000	21,000,000	21,000,000
66-5-h	Meson physics facility, Los Alamos Scientific Laboratory, New Mexico	50,300,000	50,300,000	10,400,000	10,400,000	10,400,000
	Subtotal, construction projects	319,625,000	311,958,000	211,658,000	213,058,000	213,058,000
	Capital equipment not related to construction	156,575,000	156,575,000	156,075,000	156,575,000	156,075,000
	Total appropriation	476,200,000	468,533,000	367,733,000	369,633,000	369,133,000

Mr. ELLENDER. Mr. President, I ask that the conference report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 11641, which was read, as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 2, to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed, insert "$967,599,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 3 to the aforesaid bill, and concur therein.

Resolved, That the House insist on its disagreement to the amendment of the Senate numbered 13 to the aforesaid bill.

The PRESIDING OFFICER. The clerk will report the first amendment in disagreement.

The assistant legislative clerk read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 2, to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed, insert "$967,599,000".

Mr. ELLENDER. Mr. President, I move that the Senate agree to the amendment with an amendment.

The PRESIDING OFFICER. The amendment will be stated:

The assistant legislative clerk read as follows:

I move that the Senate concur in House amendment to Senate amendment No. 2 with an amendment as follows:

Strike out "$967,599,000" and insert in lieu thereof "$968,474,000".

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The assistant legislative clerk read as follows:

Resolved, That the House insist on its disagreement to the amendment of the Senate numbered 13 to the aforesaid bill.

Mr. ELLENDER. Mr. President, I move that the Senate recede from its amendment No. 13.

The PRESIDING OFFICER. The question is on the motion to recede.

The motion was agreed to.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, I would like to ask a question of the distinguished manager of the conference on the Public Works Appropriation bill. As I understand it, the action we are taking now is to insert money for the Dickey-Lincoln amendment, and that will go back to the House for further action.

Mr. ELLENDER. The Senator is correct.

Mr. PASTORE. How much money is involved?

Mr. ELLENDER. Eight hundred and seventy-five thousand dollars.

Mr. PASTORE. I merely wanted the RECORD to show that fact.

Mr. ELLENDER. The Senator is correct.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HOLLAND. Is not this project duly authorized by law, passed by both Houses of Congress and approved by the President?

Mr. ELLENDER. It is. Aside from that, it had a budget estimate of $1,676,000, but the House would not go along with it, so in conference we agreed to an amount of $875,000 for continuation of planning as a minimum. That was sent to the House, and the House turned that down. We are now sending it back so that the House can have another vote on whether or not to include in the bill $875,000 for the continuation of planning on this project.

Mr. HOLLAND. Mr. President, I thoroughly agree with our standing by our former action in this matter.

My understanding is that the New England people pay more for their electric power than is paid by the citizens of any other part of the Nation.

I ask the distinguished Senator from Rhode Island whether my understanding is correct.

Mr. PASTORE. The Senator's understanding is absolutely correct, unequivocally, and beyond contradiction. And we dare anyone to contradict it.

Mr. HOLLAND. Mr. President, aside from that, it is my understanding that there is not a single Federal power producing project in the six New England States. Am I correct?

Mr. PASTORE. The Senator is absolutely correct. And there, again, we dare anyone to contradict it.

Mr. HOLLAND. Mr. President, I should like to address a question to the distinguished junior Senator from Maine [Mr. MUSKIE].

Is it not true that this matter was duly submitted to the Governor of Maine and the authorities of that State and has the support and backing of the State authorities?

Mr. MUSKIE. Yes. May I say to the distinguished Senator from Florida that since the President sent this project to the Hill, two Maine Governors—one Republican and one Democrat—have supported it. Two Maine Legislatures—one Republican controlled and one Democratic controlled—have supported it. My distinguished senior colleague from Maine and I have supported it from the beginning. Every Member of Congress from Maine has supported the project since it was sent up.

The project has widespread support throughout the State of Maine and also, as a matter of fact, if we get outside of some official circles, throughout the grassroots level in New England.

I should like to make one or two other points that I believe are pertinent.

Mr. HOLLAND. May I ask one question of the Senator?

Mr. MUSKIE. Yes.

Mr. HOLLAND. Is it not correct—at least, I understand it to be correct—that the benefit-to-cost ratio of this project is in accord with Federal law and is satisfactory?

I ask the distinguished Senator from Louisiana to answer my question.

Mr. ELLENDER. It is 1.9 to 1, which is a very good ratio.

Mr. HOLLAND. I thank the Senator from Louisiana.

Mr. President, I note that the senior Senator from Maine [Mrs. SMITH] is present. She was a member of the conference which considered this matter. If anyone ever fought for a project in which she was interested, she did.

I want the record to show that every conferee from the Senate supported the position of the distinguished Senator from Maine [Mrs. SMITH]. I want the record to show that we agreed reluctantly, at the insistence of the conferees of the other body, to practically cut the appropriation in two, making it about half of what had been in the budget and what had been voted by the Senate.

The scrap put up by the distinguished senior Senator from Maine is something that I shall long remember. The Senate had taken that position. The conferees unanimously took that position. The two Senators from Maine took that position. Congress, consisting of both the House and the Senate, had taken that position in authorizing this legislation. The State officials from Maine had backed it from the beginning—and I refer now to those back home in Maine, rather than to those in Congress.

This area of our Nation, six fine States, most of them going back to the origin of our country, are entitled to be taken into the Union for the purpose of having some advantage from the program for the development of the power resources of our country.

I hope that eventually—at an early date—we may get around to moving ahead with this project.

I thank the Senator for yielding.

Mrs. SMITH. Mr. President, will the Senator yield?

Mr. HOLLAND. I am glad to yield.

Mrs. SMITH. I want to say thank you from the bottom of my heart, for myself and the people in Maine, to the distinguished Senator who has just spoken, and especially to the chairman and to the other members of the conference and Mr. Bousquet, who have been so helpful.

I want to express my deep appreciation to the Members of the Senate for their continued kindness and fair treatment to the State of Maine and Maine people as contrasted to the action taken by the House on the Dickey-Lincoln School project.

Dozens of Members of the House voted for unbudgeted projects in their districts or for increasing appropriations over the budgeted amounts—and yet claimed that they were voting against the Dickey-Lincoln School project in Maine on the grounds of economy.

It seems as though they were for economy and cutting the budget unless it involved projects in their own districts. They were willing to cut the budgeted item for Maine. They were willing to vote against even only one-half of the amount budgeted by the President for the Maine project.

But they not only did not practice economy themselves on their own districts but instead voted to increase appropriations for projects that had not even been budgeted.

We of Maine have supported power projects for every region of the country. There seems to be little, if any, reciprocity on their part for Maine and New England.

This is a project that has been worked on very hard, and has been authorized by the Public Works Committee, of which my distinguished colleague is a very influential member. It has never been treated on a partisan basis. I would not expect it to be. Maine needs this power. Maine needs what it will bring in low-cost electricity.

I am grateful that the Senate has upheld both the House and Senate conferees on this project. I would hope that the House would vote as much confidence and approval of the action of their conferees as well as the Senate conferees.

Mr. **HOLLAND**. I thank the distinguished Senator.

I believe that great part of our Nation, an old and distinguished part of our Nation, should have a measuring stick of the actual cost of producing power to help force down the cost of power in that very great section of our Nation.

Mrs. **SMITH**. I have been a member of the Appropriations Committee and the Public Works Subcommittee for many years. I have supported projects all over the country. Maine asks for very little and receives very little. This is not something that is given to us. It is something that is paying for itself. It is self-liquidating over the years, and the ratio of 1.9 to 1.0—I believe the chairman will bear me out—is higher than in most projects of this type.

Mr. **PASTORE**. Mr. President, I believe the RECORD should show that not only was this project sponsored by President Kennedy, who was familiar with the situation in New England, but also, this policy was pursued by the present administration.

I repeat what the distinguished senior Senator from Maine has said: There is no partisan aspect to this project. This is not a provincial or parochial project. This is a project that has been supported not only by the Representatives in Maine but also by Representatives throughout New England, including Rhode Island. Our Rhode Island support of this program has been unanimous.

The budget request was $1,676,000. It was allowed by the Appropriations Committee of the House and was rejected on the floor of the House, which, to me—to use an appropriate word—was a disgraceful act. To me, it was disappointing and incomprehensible.

The Senator from Rhode Island and the Senators from Maine have stood up time and time again to support similar projects all over the country because we felt that the development of the natural resources of this country would inure to the benefit of all the people.

This is no charity deal. The Dickey-Lincoln power project has a benefit-to-cost ratio of 1.9 to 1—almost 2 to 1.

That is a better showing than more than a hundred other projects encompassed in this public works bill.

We are not on the floor of the Senate today asking for sympathy. We do not have our hand out or our hat in our hand, asking for charity. All we ask for is justice and equity; that is all we want.

We have the highest power rates in the country. This project is essential in New England, if we are to bring that high cost of electricity down.

I believe it is high time we reject this sectionalism. Simply because this was a line item, it died on the floor of the House of Representatives. I say that was a discouraging and a very disgraceful act. I hope, now that our very distinguished manager of the bill has seen fit to put only a fraction of the estimate back in the bill, that the House will review the matter and look once again into its conscience and do what is right—not for New England, but for the people of the United States of America.

I thank my distinguished colleague, the Senator from Louisiana, for the fine leadership he has shown in this matter. He has gone beyond the line of duty, and I congratulate him.

Mr. **MUSKIE**. Mr. President, I should like to make two or three additional points which I believe are pertinent for the RECORD at this time, as we send this project back to the conference committee.

First, I should like to express my appreciation to the distinguished Senator from Louisiana; the distinguished Senator from Florida; my distinguished colleague [Mrs. SMITH], who has worked so hard over the years for this project; and the Senator from Rhode Island [Mr. PASTORE].

The Senator from Rhode Island [Mr. PASTORE] I think has touched upon the equity of this proposition. Since I have been a member of the Committee on Public Works I have participated in the approval of 28 Federal public projects across this country. Of those 28 Federal public projects only two had a higher benefit-cost ratio than Dickey-Lincoln School. Not one of the other 28 has ever been challenged in either House of Congress. Yet, Dickey-Lincoln School has been selected as one project in a $4 to $5 billion public works bill to attack. The argument is cynically made that this is an economy move. Mr. President, $1.6 million out of almost $5 billion has been selected for deletion as an "economy" move.

I wish to make another point. Last week I asked the Army Engineers to send me a map of the United States showing every Federal public power project that has ever been constructed or authorized, or which is under construction anywhere in the country. I have that map and that map shows that in the Far West, in the Southwest, in the South, in the Southeast Federal public power projects are scattered across the landscape, and there are so many that they are difficult to count; but north of the Mason-Dixon line, east of the Mississippi River not a single Federal public power project.

In all of these projects in other parts of the country they had to meet the same guidelines and the same tests which have been applied to the Dickey-Lincoln School. Dickey-Lincoln School is justified by every standard that has been used to authorize every one of these other Federal public power projects over the years.

Why, then, Mr. President, is Dickey-Lincoln School being deleted from this bill? It is being deleted for only one reason. New England is the one remaining intact preserve of the private power industry and they intend that it remain so. They even enlisted the assistance of private power companies across the country to bring pressure upon their Congressmen against Dickey-Lincoln School.

Why should a private utility located thousands of miles from the St. John River pick up the telephone and apply pressure on Congressmen without knowing our region, without knowing its needs and without knowing its resources? This company sought to apply pressure to its Congressmen to vote against the Dickey-Lincoln School because the entire private power industry sees this industry as the one remaining preserve of the private utility industry in this country.

They are the ones we are fighting, Mr. President, and they have used every tactic in the book. I intend later in the day to cover some of that record. They have used every tactic in the book except fact and merit to fight this project. They brought pressure through every means they could devise and conjure up against this project. They do not want the Dickey-Lincoln School for New England, not because it does not have merit, but because it would provide a yardstick for their performance.

We have already gotten some benefits of a public power yardstick from the fact that this measure was introduced. There is an agency called the Electrical Coordinating Council in New England made up of executives of 18 private utility companies in New England. It has existed for almost 20 years and for 17 years it never produced a rate reduction for Maine power consumers. However, within 2 months—and I think it is less time than that—of the time President Johnson sent this project to the Hill, and prior to the time the House of Representatives was to consider it, the Maine power companies asked for a rate reduction.

Every time there has been a significant development in the Dickey-Lincoln School project on either side, in either body, another rate reduction is applied for; oh, not very big; it did not provide many benefits for the householder. The last one took place within a month of the day we are now considering this project in the Senate, and undertaking to make a case.

What will happen if the Dickey-Lincoln School dies? Will we see more requests for rate reductions? I hope the Senate will pardon the cynicism of this Senator in suggesting we will have seen the last of them. They want to protect this area and they are applying pressure to the other body.

I wish to say to Senators how much I appreciate the patience with which the entire Senate has supported Senator Smith and me in this project on both sides of the aisle. No voice has ever been raised in the Senate to oppose us and no voice has ever been raised to protest the best interests of the people of Maine or northern and southern New England. I appreciate that patience and consideration over the years, as I do this afternoon.

I again thank the distinguished Senator from Louisiana, my colleague from

Maine, and my Senate colleagues from New England, all of whom rallied behind us in this fight, and I hope effectively this time.

(At this point, Mr. McGovern assumed the chair.)

Mr. AIKEN. Mr. President, since I have been in public life, New England has been in a grip of one of the most powerful power monopolies of any part of the United States.

The monopoly, and it has been a virtual monopoly over the wholesale supply of power in all six New England States up to a few years ago, is centered in Boston. Ever since I can remember the motto has been: "Give as little as you can and charge as much as you can get for it." They have virtually ignored the meaning of the words "public service."

Dickey-Lincoln has been voted down in the House of Representatives because the private power monopoly does not want it passed. They have exerted pressure enough to prevent its acceptance by some whose districts would benefit from it if it could become law.

They say that up to a few years ago this was perhaps the tightest power monopoly anywhere. It is still the tightest power monopoly in four New England States, and these people do not intend to give up that monopoly if they can help it.

A few years ago, due to the fact that St. Lawrence power was developed, my State of Vermont enjoyed relief from this unconscionable situation. I am happy to say that Vermont is now, I believe, 30th in rank according to prices paid for electrical energy. If I remember correctly, the State of Maine pays the highest rate of any State in the Union. Maine ranks 50th. It is followed by New Hampshire, Massachusetts, and Rhode Island. I do not know the order in which those four States come. However, those four States today are compelled to pay a higher rate for their electricity than any other comparable region of the entire United States.

I think Congress should not hesitate in the least to do justice to this area. They are fighting against a monopoly to which money means practically nothing, because they tack it onto the bills of the people that they are exploiting. I think that is the word to use.

In my State this year, where the St. Lawrence Power forced a reduction in electrical rates, the use of electricity has increased about 12 percent over last year and in previous years since St. Lawrence Power has been available it has been increasing about 10 percent a year. But the utility operators cannot see that they can make more money by selling more power at lower rates. All they have to do is look at the utilities in my State to see that that is possible. However, they are fearful that Dickey-Lincoln will provide a yardstick for Maine, New Hampshire, Massachusetts, and Rhode Island to get power at a fair rate, which would be a reflection on the honor of the utilities, they seem to think.

I have worked with the senior Senator from Maine for many years, as well as the junior Senator from Maine. So far as I know, every Senator from Maine since this project came up has supported it, as well as every Representative.

I believe that is true of Vermont, too, where we have had an example of what reasonable cost for power can do for a community.

I hope that the power of these monopolists has waned enough so that the proviso for this modest appropriation for Dickey-Lincoln will be approved at this session of Congress.

Mr. MANSFIELD. I wish to assure the distinguished chairman of the Appropriations Subcommittee on Public Works, the Senators from Maine and Vermont, and others who have spoken on the subject, that I would hope not only the conference committee on the part of the House—which I think will understand what is happening here—but also the House as a whole, will understand that there is bipartisan and total unity in the Senate on this subject, and will react accordingly.

Mr. AIKEN. Amen.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ESTABLISHMENT OF A NATIONAL COMMISSION ON PRODUCT SAFETY

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate a message from the House on Senate Joint Resolution 33, to establish a National Commission on Product Safety.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the joint resolution (S.J. Res. 33) to establish a National Commission on Product Safety, which were:

On page 2, line 9, after "experience.", insert "Not more than four members of the Commission may be members of the same political party."

On page 5, line 4, strike out "paragraph (a) of this section" and insert "this subsection."

On page 5, strike out all after line 23 over through and including 5 on page 6, and insert:

"(c) The Commission is authorized to request from any department, agency, or independent instrumentality of the Government any information it deems necessary to carry out its functions under this joint resolution; and each such department, agency, or independent instrumentality is authorized to cooperate with the Commission and, to the extent permitted by law, to furnish such information to the Commission upon request made by the Chairman or the Vice Chairman when acting as Chairman."

On page 8, strike out all after line 16 down through and including line 25, and insert:

"(c) The head of any Federal agency is authorized to detail, on a reimbursable basis, any of its personnel to assist in carrying out the duties of the Commission under this joint resolution."

On page 9, line 8, strike out "the" where it appears the second time.

On page 9, line 18, strike out "2(b)" and insert "2(c)".

On page 9, line 21, strike out "The" and insert "As used in this joint resolution, the".

On page 9, line 25, strike out "regulated" and insert "which are subject to regulations prescribed".

On page 10, line 14, strike out "Act" and insert "joint resolution".

Mr. MANSFIELD. Mr. President, I move that the Senate concur in the House amendments.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

STATEMENT BY COMMITTEE ON STANDARDS AND CONDUCT REGARDING SENATOR EDWARD V. LONG, OF MISSOURI

Mr. STENNIS. Mr. President, this is a statement on behalf of the Committee on Standards and Conduct.

The committee has taken note of the second article concerning Senator Edward V. Long, of Missouri, by Mr. William Lambert, published in the Life magazine issue dated November 10, 1967.

Shortly after the appearance of the first article, the committee staff interviewed Mr. Lambert at length on at least four occasions, in addition to holding several telephone conversations with him, concerning the basis of his allegations against Senator Long. Mr. Lambert suggested various sources of information and provided much useful background information about his article. These leads and this information were reported to the committee by the staff. The committee later weighed all this information, as well as information from other sources including the results of interviews from leads provided by Mr. Lambert.

The committee cannot definitely state now that there is any new and substantial evidence in the second article. But in view of Mr. Lambert's close association with the matter, the committee will fully consider his latest allegations, within the framework of Senator Long's conduct as a Member of the Senate.

In order to assure that Mr. Lambert has the full opportunity to elaborate on his allegations, the committee has directed its chief counsel to talk with him again and to obtain whatever supporting evidence he has of any facts on which his conclusions are based.

Mr. President, that concludes the statement. As I say, it is a statement not by its chairman but by the committee.

I thank the Senator from Montana for yielding to me.

FEASIBILITY INVESTIGATIONS OF CERTAIN WATER RESOURCE DEVELOPMENTS

Mr. JACKSON. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 1788.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the amendment of the House to the bill (S. 1788) to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JACKSON. Mr. President, I move that the Senate insist upon its amendment to the House amendment to S. 1788, and agree to the conference requested by the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. JACKSON, Mr. ANDERSON, and Mr. KUCHEL conferees on the part of the Senate.

IMPORTANCE OF THE CATTLE INDUSTRY TO OUR ECONOMY

Mr. SPARKMAN. Mr. President, the October 23 newsletter of the American Farm Bureau Federation contained a table on the sources of farm income in the United States.

It is interesting, I believe, that cattle sales are the leading income producer in 21 States; second highest producer in 10 States; and third in five others. As a result, livestock and livestock products in 1966 carned about 57.3 percent of all farm income, with cattle accounting for just over 24 percent.

Because the livestock industry is characterized by small, family, and independent businesses, I have long been interested in fostering the developments which will give our farmers and ranchers a foundation for sound, long-term progress.

The inquiry which I conducted in the Small Business Committee between 1964 and 1967 on foreign market opportunities was one facet of the picture. The investigation of tax problems of livestock producers currently underway in that committee, is another. However, the economic relationships and problems of the livestock industry are so numerous and far reaching that they will call for the attention and the best efforts of industry in government for many years to come.

A part of this effort which is deserving of public notice is the economic research performed by farm organizations such as the Farm Bureau and the American National Cattlemen's Association. For example, the Cattlemen's Association, in its testimony of May 1966, made an analysis of the low profit margins characterizing many segments of the cattle industry, which tend to undermine a businesslike response to the market potentials and problems of livestock sales.

Further work of the association produced a publication entitled "Current Cattle Feeding and Production Facts and Associated Economic Relationships" in July 1967. This study examined and charted the economics of feeding cattle to various weights. I believe this publication is an example of the valuable work which associations of private businessmen can do in the public interest.

The Cattlemen's Association and its State affiliates, including the Alabama Cattlemen's Association, also follow the shifting conditions of the industry closely and perform a valuable service by representing the interests of the members whose enterprises are so important to our economy and to the majority of States across the Nation.

I ask unanimous consent that an excerpt from the Farm Bureau newsletter giving the 1966 cash receipts for the two leading farm commodities be printed in the RECORD at this point for information of all concerned.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

[From the American Farm Bureau official newsletter, Oct. 23, 1967 p. 171]

CATTLE SALES ARE FIRST IN FARM CASH RECEIPTS

Sales of cattle were the major source of cash receipts from farming in 21 states in 1966, USDA has reported.

Dairy products ranked first in 13 states; broilers in four; tobacco in three; and wheat in two.

This table, prepared by the Department, shows the five principal sources of cash receipts from farming in each of the 50 states. It also shows where each state ranks relative to the others in cash receipts from the various commodities.

[Italic figures indicate the rank of States in the United States. Cash receipts in millions of dollars]

State	Total		Livestock and products		Crops		Excerpt the 2 leading commodities for cash receipts [1]			
							1		2	
	Rank	Cash receipts	Rank	Cash receipts	Rank	Cash receipts	Commodity	Cash receipts	Commodity	Cash receipts
Maine	38	249.0	38	143	38	106.0	Potatoes (2)	80	Broilers (9)	53
New Hampshire	48	58.0	47	47	47	12.0	Dairy products (41)	3	Eggs (33)	16
Vermont	44	139.0	41	124	46	15.0	Dairy products (14)	104	Cattle (41)	13
Massachusetts	42	171.0	43	93	40	78.0	Dairy products (30)	50	Greenhouse nurseries (9)	27
Rhode Island	49	22.0	49	12	49	10.0	Dairy products (49)	6	Greenhouse nurseries (31)	5
Connecticut	43	168.0	42	101	41	67.0	Dairy products (32)	45	Eggs (22)	37
New York	15	1,002.0	13	687	21	315.0	Dairy products (2)	491	Cattle (33)	83
New Jersey	37	274.0	40	127	36	148.0	Dairy products (27)	56	Eggs (17)	42
Pennsylvania	17	913.0	14	675	28	238.0	Dairy products (5)	369	Cattle (27)	112
Ohio	11	1,302.0	11	731	8	571.0	Dairy products (7)	240	Hogs (7)	186
Indiana	8	1,461.0	10	800	7	661.0	Hogs (3)	368	Corn (3)	301
Illinois	3	2,763.0	4	1,326	2	1,437.0	Corn (1)	751	Hogs (2)	588
Michigan	18	886.0	18	488	16	398.0	Dairy products (6)	241	Cattle (24)	127
Wisconsin	9	1,420.0	6	1,218	32	202.0	Dairy products (1)	745	Cattle (13)	211
Minnesota	5	1,816.0	5	1,271	10	544.0	Cattle (8)	458	Dairy products (4)	374
Iowa	2	3,460.0	1	2,573	4	887.0	Cattle (1)	1,145	Hogs (1)	1,046
Missouri	10	1,384.0	9	918	14	466.0	Cattle (11)	374	Hogs (4)	310
North Dakota	23	732.0	28	271	15	461.0	Wheat (2)	257	Cattle (14)	187
South Dakota	19	880.0	12	692	33	188.0	Cattle (10)	412	Hogs (8)	156
Nebraska	6	1,680.0	7	1,139	11	542.0	Cattle (3)	794	Hogs (6)	231
Kansas	7	1,533.0	8	977	9	556.0	Cattle (4)	756	Wheat (1)	326
Delaware	45	128.0	44	91	42	37.0	Broilers (8)	71	Corn (22)	12
Maryland	35	333.0	33	226	37	106.0	Broilers (5)	93	Dairy products (19)	84
Virginia	31	507.0	27	282	29	225.0	Dairy products (18)	88	Tobacco (4)	81
West Virginia	46	105.0	45	85	45	21.0	Cattle (38)	28	Dairy products(42)	21
North Carolina	12	1,295.0	19	480	5	815.0	Tobacco (1)	519	Broilers (4)	142
South Carolina	34	397.0	39	138	26	259.0	Tobacco (3)	88	Soybeans (14)	50
Georgia	14	1,016.0	15	633	18	383.0	Broilers (1)	225	Eggs (2)	175
Florida	13	1,039.0	25	297	6	742.0	Oranges (1)	214	Cattle (29)	103
Kentucky	25	711.0	23	384	20	327.0	Tobacco(2)	240	Cattle (18)	165
Tennessee	27	603.0	24	345	27	258.0	Cattle (23)	129	Dairy products (15)	99
Alabama	26	647.0	20	465	34	182.0	Broilers (3)	161	Cattle (25)	121
Mississippi	22	784.0	22	398	17	386.0	Cotton lint (3)	170	Cattle (20)	146
Arkansas	16	935.0	21	440	12	496.0	Soybeans (4)	230	Broilers (2)	175
Louisiana	28	550.0	34	221	19	329.0	Cattle (28)	111	Rice (3)	99
Oklahoma	20	853.0	17	562	23	290.0	Cattle (9)	445	Wheat (3)	167
Texas	4	2,699.0	3	1,385	3	1,313.0	Cattle (2)	896	Cotton lint (1)	424
Montana	32	503.0	26	288	30	215.0	Cattle (12)	235	Wheat (5)	140
Idaho	29	542.0	30	240	22	302.0	Cattle (21)	138	Potatoes (1)	113
Wyoming	39	204.0	36	172	44	32.0	Cattle (22)	132	Sheep, lambs (6)	21
Colorado	21	826.0	16	618	31	208.0	Cattle (7)	497	Wheat (14)	50
New Mexico	36	290.0	35	192	39	98.0	Cattle (19)	155	Cotton lint (10)	33
Arizona	33	500.0	31	232	25	268.0	Cattle (16)	181	Cotton lint (5)	90
Utah	41	188.0	37	150	43	37.0	Cattle (35)	56	Dairy products (37)	35
Nevada	47	63.0	46	52	48	11.0	Cattle (37)	40	Dairy products (47)	7
Washington	24	727.0	29	257	13	469.0	Wheat (6)	139	Dairy products (17)	95
Oregon	30	514.0	32	232	24	282.0	Cattle (26)	119	Dairy products (31)	48
California	1	3,948.0	2	1,557	1	2,391.0	Cattle (5)	711	Dairy products (3)	422
Alaska	50	4.5	50	3	50	1.5	Dairy products (50)	2	Eggs (49)	1
Hawaii	40	199.0	48	37	35	162.0	Sugarcane	(2)	Pineapples	(2)
United States (48 States)	------	43,219.0	------	24,835	------	18,384.0	Cattle	10,432	Dairy products	5,502
United States (50 States)	------	43,423.0	------	24,876	------	18,547.0	do	10,443	do	5,516

---

[1] See news letter, Sept. 4, p. 143, for national rank and value of commodities.

[2] Cash receipts for Hawaii sugarcane and pineapples are not available for publication.

Source: Economic Research Service, USDA.

FIVE ILLUSTRIOUS ALUMNI OF THE UNIVERSITY OF MONTANA HONORED

Mr. MANSFIELD. Mr. President, the University of Montana, at Missoula, honored five alumni for the recognition their careers have brought to the university. The alumni association presented distinguished service awards during the homecoming weekend.

The awards were made to Robert C. Hendon, New York; Anne C. Kimball, Cornell Medical College; Joseph E. McDowell, New York; Richard K. O'Malley, Frankfurt, Germany; and Gordon Rognlien, Kalispell, Mont.

The people of Butte, Mont., have a special fondness for one of the recipients—Dick O'Malley. He grew up in Butte and was well known as a local reporter and political writer. Later he became associated with the Associated Press, then went on to a distinguished career as a war correspondent in World War II. Dick was bureau chief in Denver, and then overseas again, and now with the AP in Frankfurt, Germany.

Dr. Anne C. Kimball, of the department of medicine at Cornell Medical College, is the second member of her family to receive the award. Her late sister, Mary, was similarly honored in 1962. Dr. Kimball is an expert on the effects of parasites on the nervous system.

Joseph E. McDowell, of Deer Lodge, has had a varied career as a lawyer with Government agencies and a private firm in Washington, D.C., and now heads his own company in New York City.

Gordon Rognlien, a favorite son of the Flathead, is the only one of the five who has never strayed far from Montana except in the service of his country during World War II. He is one of the outstanding lawyers in the State, as well as one of its most active participants in civic affairs.

The career of Robert C. Hendon, currently president of the University of Montana Alumni Association, runs the gamut from administrative assistant to FBI Director J. Edgar Hoover, to national vice president of the Railway Express Agency.

Mr. President, each of these outstanding alumni has brought credit to the University of Montana and to the State. I ask unanimous consent to have printed in the RECORD two features published in the Montana Standard of October 8. One concerns Dick O'Malley; the other is a personality sketch of the recipients of the distinguished service award.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From The Butte-Anaconda (Mont.) Standard, Oct. 8, 1967]

EX-BUTTE MAN AS REPORTER COVERS THE WORLD—DICK O'MALLEY: RAIL HOSTLER TO NEWS HUSTLER

(By William J. Clark)

Kilroy, according to popular belief, "was here" in a lot of places, but chances are that Richard Kilroy O'Malley beat the shadowy figure to it more than once.

Dick O'Malley, who grew up here when Butte seemed a lot more brassy and sometimes turbulent, is one of five University of Montana products who will receive the U of M Alumni Association's highest recognition, the Distinguished Service Award. The presentation is scheduled as a highlight of the university's Homecoming in Missoula Oct. 20–21.

Now 57, the Irish Harp has seen many parts of the world since he wrote his first yarn as a schoolboy of 13. His father, Malcolm George O'Malley, an outstanding reporter and political writer in his day in Butte, edited what once was a widely read nostalgic Sunday feature in The Montana Standard. It was called "Echoes of the Distant Past." The elder O'Malley, died in 1949. Cora O'Malley, Dick's mother, died the same year. She had been a local neighborhood columnist and reporter for the Butte papers for many years.

A graduate of Butte High School, where as top cheerleader he exhorted Bulldog athletes to put forth a little extra in the name of victory, he went on to the university's School of Journalism, class of '35. For awhile during his college years O'Malley did some moonlighting as a night-time railroad policeman in the NP yards.

"Don't believe any stories about me as a cinder dick," he says. "It's a base canard that I used to snatch big hoboes off the trains and run them over to the gym to suit up in Grizzly football armor. But maybe I should have."

The Portland native—he was in infancy when the family moved to Butte—emerged from school to become a reporter for the Helena Independent. He covered the Capitol during part of Gov. Roy E. Ayers' administrations. He switched to the Great Falls Leader, then, and for 14 months worked under the late Joe Howard. He did a brief moonlighting stretch even then, as a hostler in the railroad shops at night and on days off.

When a vacancy occurred in the Helena staff of the Associated Press, O'Malley grabbed it. This writer was a member of that staff and in November 1943 wangled a transfer to the Denver AP bureau. In a matter of months O'Malley also hit the trail to Denver AP, but World War II was in full swing and O'Malley, itchy-footed as an old vaudeville trouper, couldn't wait to have a go at it. He used hard work, Gaelic wit and constant persuasion until he landed on AP's West Coast foreign desk in San Francisco, where he joined another ex-Montanan, Roy Roberts.

From there it was westward-ho and an assignment as a full-fledged war correspondent. He joined the U.S. fleet at Leyte. Some of his eye-catching reports were classics of their time—a description of the gooney birds on Wake Island (the birds fly backward, although they probably never tried it until they met The O'Malley), a personality sketch of the inimitable Adm. Bull Halsey, interviews with Nimitz, MacArthur and other top-drawer war leaders, and the memorable day in Tokyo Bay, when he helped cover the Japanese surrender aboard the battleship Missouri.

The war over, O'Malley went off to Korea, perhaps little suspecting this itself would be the next big international combat arena. An oriental virus bit him, though, and he was invalided to a hospital in Tokyo.

Even there O'Malley did not lack for diversion. He had a second-floor room with a window overlooking the street. When he heard the heavy clock-clock-clock of some masculine Japanese approaching in wooden shoes along the sidewalk, O'Malley would amuse himself by directing expertly-aimed bagsful of water from above.

"Got four so far," he exulted once in a letter. "One more, and they're going to decorate me as an ace."

Recovered or nearly so, O'Malley came home and was made bureau chief in Denver. Then it was overseas again, this time to write the summer Olympics in England.

He was stationed for a time in AP Berlin, and there experienced a couple of rich moments career-wise. He and Montgomery Clift and Paul Douglas were in principal roles in the movie "The Big Lift," which was built around the famed airlift operations which kept the Berliners from starving. O'Malley was cast as a photographer.

There was a period when the Berlin City Hall was divided, with West Germans on one side of the building and Communists in the other half. One day when a West German photographer edged too near the line in the corridor and was grabbed from the opposite side in an apparent kidnep, O'Malley walloped a couple of the would-be abductors and yanked his friend to safety.

The Irishman went to Bonn and from there to one of the top AP commands in the world—chief of AP in Moscow. He scored a number of world beats in the checkered days of Bulganin and Khrushchev, but it didn't last. Moscow expelled him on a charge of dealing illegally in currency.

"Everybody was doing it," he explained afterward, "and everybody was expected to do it. But they had a rule against it—you know, something like 'don't spit on the street.' And they always waited until somebody worried them too much, and then they'd pounce with a triumphant: 'Ha! We caught you.'"

So O'Malley became assigned to Paris, after taking a flier to Cyprus in 1956 to handle yet another war. Then it was back to Denver briefly, after which he found himself still another war. This was in Algeria, with French against Algerians. O'Malley even managed there to cover two wars at the same time, his job reporting the French sweep in Algeria and the uprising of Tunisian forces against the French over the sea base of Bizerte. "It was a hell of a busy week," he recalls.

O'Malley became AP chief in Paris March 16, 1959. He accompanied De Gaulle to President Kennedy's funeral, and both went back to Paris to keep fingers on the French pulse. Nearly one year ago he and his wife, the former Jeanne Bright, a reporter and writer in her own right, transferred to AP Frankfurt, where they live in an old but charming villa on the edge of a forest.

He has seen and talked with many world statesmen and military musclemen—Churchill, Khrushchev, Bulganin, Adenauer, De Gaulle, Ben Bella, Habib Bourguiba. The list is long. And eventually, where?

It may be County Galway in Ireland, where he managed a few years ago to buy some frontage on a beautiful lake. He found it on a vacation trip.

"It was the first time in 40 years any property there had changed hands," he reported. "If my name hadn't been O'Malley, and I hadn't chanced to have a little workout first with the Blarney Stone, I'd never have got it."

[From the Butte-Anaconda (Mont.) Standard, Oct. 8, 1967]

FIVE UM ALUMNI WILL RECEIVE DISTINGUISHED SERVICE AWARDS

MISSOULA.—Five alumni whose varied careers have brought recognition to the University of Montana will be honored with the presentation of the Alumni Association's highest accolade, the Distinguished Service Award.

The presentation will be one of the highlights of the University's Homecoming, Oct. 20–21.

The awards will be given in front of the University's Main Hall at the traditional Singing on the Steps which will begin at 7:15 p.m. Oct. 20, Hugh Edwards, executive secretary of the Alumni Association, has announced.

The five honorees are:

Robert C. Hendon, who received a bachelor of arts degree in journalism from the university in 1931 and graduated from the UM Law School in 1934. He served with the Federal Bureau of Investigation for 13 years as a special agent and officer in charge of various divisions, and as administrative assistant to J. Edgar Hoover. In 1947 he joined the Railway Express Agency in New York City. He left REA for a short time in 1950 to become an assistant to the president and director of personnel for the Mathieson Chemical Corp. in Baltimore. He rejoined REA and is vice president in charge of industry affairs of the executive department and president of REA Seven-Arts Transvision. He also is president of the UM Foundation and will be master of ceremonies at the Montana Mansfield dinner Oct. 14 in Helena.

Anne C. Kimball, who received a bachelor of science degree in biology in 1929 from the University. Dr. Kimball concentrates her efforts on toxoplasmosis, which is the study of a diseased condition resulting from the presence of parasites that act primarily on the nervous system. In 1951 she spent a month in Geneva with the World Health Organization before being sent to Burma for 18 months. In Burma she did considerable study on toxoplasmosis. In 1963 she joined the Department of Medicine at Cornell Medical College as an assistant professor. Dr. Kimball is the sister of the late Mary Kimball, who received the Distinguished Service Award in 1962.

Joseph E. McDowell, who received a law degree from the UM Law School in 1938. He was an attorney in the Department of Justice and served four years in the infantry during World War II. In 1950 he returned to Germany on the staff of John J. McCloy, U.S. high commissioner for Germany. Subsequently he was a partner in the law firm of Cummings & Sellers, Washington, D.C. Since March 1961 he has been president of Servomation Corp., New York City. He is a trustee of the UM Foundation and a member of the Church-State Committee of the American Civil Liberties Union.

Richard K. O'Malley, ex-1935, who attended the UM School of Journalism. He began his newspaper career in 1932 with the Missoulian-Sentinel at Missoula. From 1937 to 1941 he worked for the Helena Independent. He was with the Great Falls Leader from 1941 to 1942 before joining the Associated Press in Helena in 1942. A World War II correspondent, he has been assigned to Berlin, Frankfurt, Moscow, London, Geneva and Cyprus. He was made chief of the AP bureau in Paris in 1959, a post he held until this year when he was appointed chief of the AP bureau in Frankfurt.

Gordon Rognlien, who received a law degree from the University in 1930. Now a Kalispell attorney, Rognlien is a former student body president of the University. He was the county attorney for Kalispell from 1934 to 1943. He served on the Judge Advocate General's staff in San Francisco to 1946. In 1949 he and Marshall Murray set up a law partnership in Kalispell. He is now associated with the firm of Rognlien, Hash and O'Brien in Kalispell.

He is district governor of Rotary, past president of the Alumni Association, past president of the Montana Bar Association and past president and charter member of the UM Foundation.

THE DANGER OF INFLATION

Mr. DIRKSEN. Mr. President, for a period of 8 days, the Chicago Tribune published editorials dealing with the danger of inflation in our country. The first seven editorials were entitled "How Sound Is Your Dollar?"; the eighth editorial summed up the great danger which we face because of the continuing inflation.

I commend this great newspaper for bringing to the attention of its readers the menace of inflation and the great harm it is causing our people. Because I feel these views should have wide publicity, I ask unanimous consent that the editorials be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Chicago Tribune, Oct. 29, 1967]

HOW SOUND IS YOUR DOLLAR?

Lenin, the evil genius of the Russian revolution, contended that the United States could be forced to spend itself into a revolutionary crisis. "The best way to destroy the capitalist system," he wrote, "is to debauch the currency."

What is happening to our currency? How valid is the familiar standard of comparison, "sound as a dollar"? Is it still, in Washington Irving's words, "the almighty dollar, that great object of universal devotion"? If so, why have foreigners converted more than 10 billion of their surplus dollars into gold since 1952 and reduced the United States gold reserve to 13 billion dollars?

Responsible bankers and economists tell us that inflation is not simply a possible danger—something we may have to worry about in the future—but is hurting us now. Officials of the Johnson administration say the deficit in this fiscal year may reach 29 billion dollars unless Congress votes a tax increase. Others believe the deficit may be much larger. Unless this deficit is financed by printing new money, which would greatly increase the rate of inflation, the government will have to pay record-high interest rates to sell its bonds, in competition with private borrowers, in a money market that is already squeezed. Clearly we are facing a money crisis.

Because this problem vitally concerns the welfare of all the people, the editor has decided to devote the entire space normally reserved for editorials of THE TRIBUNE for seven days, beginning today, to a special report on the money crisis.

We are moved by a sense of public responsibility to do this. It is not a pleasant undertaking. The "pursuit of happiness" is an American ideal, and the vision of an "affluent society" is far more agreeable than the specter of ruinous inflation. Moreover, those who are not absorbed in the pursuit of happiness have other things besides the value of the dollar to worry about, such as the manifestations of moral decay and disintegration which some of our social philosophers ascribe to the affluent society.

What we are attempting to do is not easy, either. If readers believe we are exaggerating the menace they will doubt our credibility. If we are too restrained they may wonder whether there is anything to be concerned about.

People don't worry much about the purchasing power of the dollar so long as they have enough dollars to spend. It is comforting to be told that the "gross national product of goods and services" [GNP] increased 15 billion dollars in the third quarter of 1967 to an annual rate, seasonally adjusted, of 790 billion dollars—an average of $3,950 a year for 200,000,000 Americans. But inflation accounted for more than half of this increase in the GNP, which is simply the sum total of all spending. The GNP would be doubled overnight if the dollar were devalued by 50 per cent. The GNP per capita in 1966 was $3,757, but compared with 1940 dollars it was only $1,619. Even in constant prices, however, the per capita GNP was more than twice as high in 1966 as the average of $761 in 1940.

There are various measures of the rate of inflation, but the consumer price index, published by the bureau of labor statistics, is the most meaningful for most citizens. It is based on the average cost of a long list of representative items purchased in American cities. In August, the dollar was worth 41.5 cents, compared with its purchasing power in January, 1940. The consumer price index rose only 1.3 per cent a year from 1959 thru 1965, but in 1966 it climbed nearly 3 per cent and since May of this year the annual rate of increase has been 4.5 per cent. The rate may go much higher next year, especially if the federal deficit is financed mainly by pumping out fresh supplies of money. When inflation reaches a rate of 4 or 5 per cent a year it begins to feed on itself. The people rush to buy things they want before the price becomes prohibitive.

The classic definition of inflation is "too much money chasing too few goods." This is called "demand-pull" inflation. Another kind is called "cost-push" inflation. Powerful labor unions push wages up faster than productivity increases and big corporations pass their increased costs along to the consumers. The United States has had both kinds, but the trouble since 1965 has been "cost-push" inflation. Industry has been operating at 10 to 20 per cent below capacity, so there is no general shortage of goods. Settlements in the railroad and Ford Motor Co. strikes have established a pattern for labor cost increases of 6 per cent a year.

The great danger is that deficit financing will add "demand-pull" to "cost-push" inflation. Then it could run away with most of the nation's dollar assets unless totalitarian controls were adopted to suppress it. We could lose our economic freedom that way.

Inflation eats up savings and all fixed-dollar assets, such as life insurance reserves, pension and retirement funds, mortgages, government and corporation bonds, and bank deposits. Hundreds of billions of dollars of such assets already have been wiped out by the 58.5 per cent decline of the dollar since 1939.

Inflation hurts everybody, but pensioners and others with fixed incomes, as well as salaried white-collar workers, are the first to suffer. Wage increases obtained by the labor unions may keep pace with living costs for a time, but in a runaway inflation the social order is disrupted and almost all of the people are impoverished. That is what happened in Germany from 1920 to 1923, when prices increased a trillion-fold. Women standing in line in food stores watched a constantly changing price table and the cost of their purchases often doubled or tripled before they could reach the cashier.

There are no safe income-producing hedges against inflation. In the earlier stages of the German inflation common stocks advanced more rapidly than the depreciation of the paper mark, but in later stages wholesale and retail prices rose more rapidly than stocks.

Economists disagree about the effect of deficit financing on the business cycle. Some believe the boom is over and that we face a severe slump. Others believe a slump can be avoided by a vast expansion of the money supply and bank credit to finance the deficit. This might be more disastrous than a slump. We have no crystal ball and we make no predictions. We have consulted monetary authorities and other officials, economists, and bankers in Washington, New York, Chicago and Zurich, Switzerland, however, and there is general agreement that the present rate of deficit spending is extremely dangerous. We report the facts of this frightening situation to alert the people. They can stop this reckless deficit spending if they want to. The way to stop it is to cease clamoring for more and more federal spending programs and to put pressure on Congress to stop voting for them.

[From the Chicago Tribune, Oct. 30, 1967]

HOW SOUND IS YOUR DOLLAR?

The shepherd boy of folklore had warned so many times that the wolf was coming that nobody believed him when the wolf finally came. So it is with those who have been warning for years that deficit spending would produce a financial crisis in this country. When they use the word "crisis" their credibility is doubted. But the crisis is here, now. The wolf of inflation is no longer creeping at a stealthy rate of 2 to 3 per cent a year; he is boldly striding at an annual rate of 4½ per cent and threatening to become voracious enough to eat up most of the nation's dollar assets.

THE MONEY CRISIS

Responsible officials in Washington frankly acknowledge that monetary policy in this country is no longer controlled by the federal reserve system, which was established by law to maintain an "elastic" but sound currency. Monetary policy is controlled by fiscal policy [spending], which in turn is controlled by the politicians. The politicians are committed to a policy of "guns and butter," of a "war on poverty" concurrently with the war in Viet Nam, of constantly expanding government and continuously rising deficits. Officials of the Johnson administration warn that the deficit in fiscal year 1968, ending next June 30, may reach 29 billion dollars without a proposed 7.4 billion dollar tax program, which has been rejected by the House ways and means committee.

Others believe the deficit may be considerably larger. European bankers told American representatives at the recent annual meeting of the World Bank and International Monetary fund in Rio de Janeiro that they expect the United States deficit in fiscal year 1968 to reach 35 or 40 billion dollars. For the first time at one of these annual meetings European bankers, in private conversations, said they no longer believe budget estimates announced by the United States government.

The credibility of official budget estimates has been impaired by this country's chronic deficits, both in its domestic and its international accounts. As Dr. Robert V. Roosa, former undersecretary of the treasury, said in a recent lecture, "a country whose external accounts are seriously and continually out of balance often has something going seriously awry within its own economy." The accumulated deficit in the United States balance of payments position from 1950 thru 1966 was 33.3 billion dollars, and it is continuing at an annual rate of more than 2 billion dollars.

As a result of this persistent deficit, the United States gold reserve decreased from 23.252 billion dollars at the end of 1952 to 13.075 billion at the end of August, 1967, when United States liabilities to foreigners—payable in gold—exceeded 29 billion dollars. The depletion of our gold reserve, which now is considerably less than half of the total of foreign claims against it, is psychologically inflationary; it weakens confidence in the dollar. The main cause of inflation, however, is deficit spending. The government finances its deficits by selling bonds and other instruments of indebtedness, which become the basis for a vast expansion of paper currency and bank credit.

The federal debt on Oct. 12 was 339.752 billion dollars. The interest alone on this colossal debt was estimated, in the President's budget submitted to Congress last January, at 14.050 billion dollars in this fiscal year, but it is likely to be close to 15 billion because of rising interest rates and much heavier spending than the President predicted.

The growth of the federal debt has been attended by a steady erosion of the purchasing power of the dollar. As reported by the labor department's bureau of labor statistics, the consumer price index, representing average costs of all items purchased in United States cities, was 116.9 [1957–59 equals 100] in August. On the same 1957–59 base, the index for January, 1940, is 48.5. Thus in August of this year the dollar was worth 41½ cents compared with January, 1940.

Leif H. Olsen, senior vice president and economist of New York's First National City bank, told the National Industrial Conference board on Oct. 3 that "we have been experiencing an unacceptable rate of inflation for two years now." He said the consumer price index rose only 1.3 per cent a year from 1959 thru 1965 but climbed nearly 3 per cent last year. Despite a near-recession, inflation in the first half of this year eased off only slightly, to a 2.5 per cent annual rate. Since May 1, Mr. Olsen noted, "the rise in consumer prices has spurted to a 4½ per cent annual rate," He warned that both inflation and high interest rates are "already with us" and are "likely to move higher" as the "federal reserve pumps out new money to finance the federal deficit."

Mr. Olsen also warned that the money supply, broadly defined to include time deposits as well as currency and demand deposits, has been growing at a record annual rate. On Aug. 30 the total was 357.2 billion dollars, consisting of 39.6 billion in currency, 139.5 billion in demand deposits, and 178.1 billion in time deposits, all seasonally adjusted.

"From December last year thru August of this year the annual rate of increase was more than 12 per cent, over half again the average rate of increase from 1961 thru April of 1966," Mr. Olsen said. "Total commercial bank credit, that is loans and investments, increased in the first eight months of this year by 16 billion dollars. Seasonally adjusted, this amounted to an annual rate of increase of 41 billion dollars, or 13 per cent; the previous record gain in growth of bank credit was 25 billion dollars in 1965."

A federal deficit of 25 or 30 billion dollars would require a far more inflationary expansion of the money supply unless the Fed should decide to raise interest rates much higher. The easy money politicians would resist higher interest rates. Moreover, it is doubtful that the Fed could finance such an enormous deficit, even with higher interest rates, without a vast expansion of the money supply.

As Dr. Roy L. Reierson, senior vice president and economist of the Bankers Trust company, told the National Industrial Conference board, chronic deficit spending "gives rise to . . . persistent and spiraling inflation, tight credit, and high interest rates, repeated crises and unsettlements in the credit markets, abandonment of any hope for the balance of payments, and the real possibility of a major dollar crisis."

No responsible economist or banker believes there is imminent danger of hyperinflation in this country, such as occurred in Germany after World War I and China after World War II. In the German inflation of 1920–23, prices increased a trillion-fold. In such a cataclysmic inflation whole classes are impoverished and the social order is destroyed. Altho there is no imminent or unavoidable danger of such a terrible catastrophe in the United States, the peril is clear, present, and great. Even creeping inflation, at a rate of 3 per cent a year compounded, doubles prices in 23 years. Once the rate increases to 4 or 5 per cent and the people become convinced that continued rising inflation is inevitable, they accelerate it by trying to evade it or hedge against it. They spend their savings and even go into debt, bidding up prices for stocks, real estate, commodities, new cars, and other costly things.

A tax increase would reduce the deficit and thus would have some effect on the rate of inflation. But taxes themselves are inflationary because they increase production costs, consumer prices, and demands for higher wages. The Johnson administration has argued that its proposed surtax of 10 per cent on the income tax liability of corporations and individuals would not affect married couples with two children earning $5,000 a year or less, or single persons earning $1,900 or less, because of personal exemptions. This argument is as false as it is demagogic. Taxes are paid by all the people, regardless of their income, when they buy bread and the other necessities of life.

Colin Clark, of Oxford university, one of the world's most distinguished economists, contends that "25 per cent of the national income is about the limit for taxation in any nontotalitarian community in times of peace." The rate in the United States in 1966 was 36.9 per cent. The national income was 616.7 billion dollars, receipts of the federal government were 143.2 billion, and receipts of the state and local governments were 84.7 billion. The nation's imperative need in the present crisis is not higher taxes but a reduction of spending. Rep. Wilbur D. Mills [D., Ark.], chairman of the ways and means committee, wisely justifies the refusal of the House to vote new taxes on the ground that "we want to pause in this headlong rush to ever bigger government." The objective, he says, is not simply to cut federal spending this year and next year, desirable as that may be, but to establish control over the amount and character of federal spending in the future. He emphasizes that basic changes in federal programs are necessary, and demands responsible leadership by the executive branch in the formulation of such changes.

[From the Chicago Tribune, Oct. 31, 1967]

HOW SOUND IS YOUR DOLLAR?

White officials of the Johnson administration have been calling for a tax increase to restrain inflationary pressures, the federal reserve system has been pumping out fresh supplies of money at an unprecedented rate to expand the already overheated economy.

PRINTING PRESS MONEY

Leif H. Olsen, senior vice president and economist of New York's First National City Bank, calls this curious spectacle "the great economic paradox of 1967." It is significant, he says, that the two leading schools of economic theory now agree that the economy is being overstimulated. One school consists of the so-called "new" economists—Keynesians and neo-Keynesians—who advocate deficit spending to stimulate economic expansion, full employment, and prosperity. The other school, headed by Prof. Milton Friedman, of the University of Chicago, advocates a continuous but limited expansion of the money supply—3 to 5 per cent a year—to maintain orderly economic growth. From December, 1966, thru August of this year the money supply, broadly defined to include time deposits as well as currency and demand deposits, increased at a record annual rate of 12 per cent.

The federal reserve board's easy money policy in the face of a federal deficit that may exceed 30 billion dollars in this fiscal year is viewed with increasing concern by bankers and business men. Even William McChesney Martin, Jr., esteemed chairman of the Fed's board of governors, is accused of going along with a reckless policy of financing the deficit by printing new money.

For many years Mr. Martin has been regarded as the personification of sound money—a mighty bulwark against the deluge of inflation—and has been as immune from attack as J. Edgar Hoover, heroic defender of the nation from communist infiltration and subversion. But Barron's National Business and Financial Weekly charged in its issue of Oct. 9 that the nation's money managers, under Mr. Martin's leadership, "have pursued an almost fanatical easy credit policy, a reckless course that has ceaselessly worked to lower the purchasing power of the currency at home and debase its standing abroad."

Some leading bankers agree with this judgment of the Fed but tend to excuse Mr. Martin. They point out that he has only one of seven votes in the board of governors of the federal reserve system and one of 12 in the federal open market committee, both of which are dominated by easy money proponents. At a meeting of the open market committee on May 23, the chairman went along with the "liberals," voting for a "policy to foster money and credit conditions, including bank credit growth, conducive to renewed economic expansion." Darryl R. Francis, president of the St. Louis federal reserve bank and a member of the open market committee, voted against this policy directive on the ground that both monetary and fiscal policies had been highly stimulative and that some firming in the money market was needed to guard against inflationary pressures later in the year.

The Fed adopted a restrictive money policy in 1966, which resulted in an excessive accumulation of inventories and depressed the market. Altho the money managers switched to an expansive policy in December, the lag effect of the earlier tight money policy caused a near-recession in the first half of this year. Just as the full effect of the restrictive policy last year was not felt until this year, the full effect of the inflationary policy this year will not be known until next year. In spite of this danger, the money managers, with Chairman Martin's acquiescence, persist in their policy of expansion.

Actually the monetary authorities have no real choice. Control of monetary policy has passed into the hands of the politicians, and that is the most frightening aspect of the financial problem. If the President demands and Congress votes appropriations which will result in expenditures of 25 to 30 billion dollars in excess of revenues, government obligations must be sold to finance the deficit. If they cannot be sold to individuals and nonbanking institutions, they must be sold to the banks. When serious inflation is present or threatened, investors are reluctant to buy fixed-income, longer-maturity securities, such as mortgages, municipal bonds, and treasury issues. To make government securities attractive to individuals and nonbanking institutions, the Fed would have to push interest rates up to intolerable heights. The tug of war between government and private borrowers would be intensified. There would be no mortgage money for housing.

The only alternative to a restrictive, high-interest rate policy is to pump reserves into the banking system and force it to buy the government's bonds. In effect, this amounts to printing new money.

In a statement to the House ways and means committee, Chairman Martin strongly supported the President's proposal for tax increases. He said we already have "clear and compelling evidence of a resurgence in inflationary pressures which, if unchecked, would curtail domestic expansion, aggravate an already serious balance of payments problem, and bring severe strains in the markets for credit." Instead of a reduction in government spending, however, he argued for a tax increase.

Mr. Olsen told the National Industrial Conference board that increasing taxes while continuing an expansive monetary policy would be similar to applying the brakes on a speeding automobile while keeping the accelerator on the floor. "A tax increase may well help to slow things down," he said, "but the real help will come when monetary policy is permitted to become somewhat less stimulative by having less federal debt to finance."

This would require a reduction of spending. The cost of the war in Viet Nam has reached an annual rate of 27 billion dollars [2¼ billion a month] and is likely to go higher unless the administration eventually decides to end it by winning it. All wars are wasteful, but there is no realistic hope for substantial savings in Viet Nam if we give our fighting men the support they deserve.

There are opportunities, however, for reductions of billions of dollars in civilian spending. The budget submitted to Congress last January estimated expenditures on civilian programs at 59.5 billion dollars. Henry Fowler, secretary of the treasury, told the ways and means committee that the January estimates may be exceeded by 2.5 billion dollars. Others believe the Johnson administration will ask Congress to vote huge new appropriations for spending programs in the cities next year, an election year, because of threats of black power demagogs to incite insurrections that will make last summer's violence in Newark, Detroit, and other cities look like mere tryouts.

Fowler said total expenditures in fiscal 1968 may be 8.5 billion dollars higher than the estimate of 135 billion in the President's administrative budget, submitted to Congress last January. Revenue estimates have been revised downward by 7 billion. Without a tax increase, Fowler said, the deficit could rise to 29 billion dollars.

There is a highly significant item called "transfer payments" in the government's national income account, which is reported in the commerce department's "Survey of Current Business." These are called transfer payments because the money is transferred from the pockets of one group of citizens to those of another—from the productive to the nonproductive. They include social security and other pensions, as well as welfare payments, but the pensions have to be paid out of current income, because there are no reserves for them. The total of all transfer payments, including 1.8 billion dollars in state unemployment insurance benefits, was 43.9 billion dollars in 1966. In 1967 the seasonally adjusted annual rate was 50.8 billion dollars in the first quarter and 51.4 billion in the second quarter. This is one measure of the rate at which the United States is becoming a socialist welfare state. Another measure is the tax rate—total federal, state, and local tax collections as a percentage of national income—which in 1966 was 36.9 per cent. Still another is the rate of inflation. In August of this year the dollar was worth 41½ cents compared with its purchasing power in January, 1940, and in recent months consumer prices have been rising at the annual rate of 4½ per cent.

These are trends that disturb Rep. Wilbur D. Mills [D., Ark.], chairman of the ways and means committee, who says there must be "basic changes in federal programs, not merely appropriation cuts this year," before Congress increases taxes. They are trends that should disturb all Americans.

[From the Chicago Tribune, Nov. 1, 1967]

How Sound Is Your Dollar?

There are two deficits, closely related and mutually aggravating, which debase the domestic purchasing power and discredit the international standing of the United States dollar. One is the deficit in the federal budget and the other is the deficit in the international accounts of the United States.

AS GOOD AS GOLD?

We have a substantial tho declining surplus in foreign trade, but because of foreign aid, military expenditures overseas, tourist spending, foreign investments, and other dollar outflows, there is a chronic deficit in our total international transactions. Beginning in 1950, the United States has had a balance of payments deficit every year except 1957, and the accumulated net total at the end of 1966 was 33.339 billion dollars. The deficit, seasonally adjusted, was 536 million dollars in the first quarter and 513 million in the second quarter of 1967; so the total this year may exceed 2 billion dollars.

The balance of payments deficits have been financed in part by the payment of gold to foreigners and in part by the increase of our indebtedness to foreigners. The United States gold stock declined from 24.6 billion dollars at the end of 1949 to 13.04 billion on Aug. 30, 1967. Meanwhile, United States liquid liabilities to foreigners increased to 29.596 billion dollars in June. Altho only 14.069 billion of this was held by foreign official institutions and therefore immediately convertible into gold, the dollar holdings of private banks and other foreigners can readily be transferred to their central banks for conversion into gold.

Thus foreigners could draw out the entire gold reserve of the United States at their discretion or else discredit the dollar by forcing this country to suspend gold payments. They have not done this because such a raid on the dollar would adversely affect their own currencies and economies. The dollar is an international currency. More than half of all international transactions are denominated in dollars. So long as the United States is willing and able to buy or sell gold at 35 dollars to the fine ounce troy, the dollar is as good as gold.

Many foreign bankers are convinced, however, that the United States, in spite of official protestations to the contrary, eventually will be compelled to suspend gold payments or devalue the dollar by increasing the price of gold. If this opinion gains credence, the foreigners may start a run on the United States gold stock, just as a run on a bank is started when the word gets around that its condition is shaky. If the price of gold were doubled, the dollar holdings of foreigners in the United States would lose half their value.

West European countries which enjoy surpluses in their international transactions and have accumulated large gold and dollar reserves are increasingly insistent that the United States must put its house in order. Their attitude was reflected in the 1965 annual report of the Bank for International Settlements, which declared that, "after an extended series of external deficits, the reserve position of the United States needs to be strengthened to restore full confidence in the dollar." If the United States does not solve its balance of payments problem, confidence in the dollar will be further impaired and there will be great danger of a run on our gold stock, as well as forced devaluation of the dollar.

The balance of payments deficit increases inflation in the United States by draining off gold and eroding confidence in the dollar. In addition to this, foreign holdings in the United States resulting from the balance of payments deficit include more than 15 billion dollars in bank deposits, which are part of the inflationary money supply.

Inflation in turn has a major effect upon the balance of payments deficit. High production costs are pricing the United States out of the markets of the world and our trade surplus is rapidly declining. The surplus will decline further and may be wiped out if the rate of inflation increases, for imports always go up with inflation. From 6.7 billion dollars in 1964, the trade surplus declined to 4.8 billion in 1965 and to 3.7 billion in 1966. The surplus was up to an annual rate of 4.2 billion in the first half of 1967, but this rate may not continue because of declining exports to Britain and Germany, which have had recessions.

Actually it is doubtful that the commercial exports of the United States balance its imports. If exports that are subsidized under the foreign aid program and military equipment sales by the government were deducted from the so-called surplus, it probably would disappear. Foreign aid of all kinds, economic and military, now exceeds 6 billion dollars a year. The administration argues that 87 per cent of all foreign aid expenditures are for American goods and services and that the effect on the balance of payments is negligible. It is obvious, however, that nations receiving this aid can use the foreign exchange it saves them for the purchase of goods and services from other countries. Otherwise this foreign exchange might come to the United States.

Instead of reducing foreign aid to balance our international accounts, the government has resorted to the shortsighted expedient of restricting profitable private business with foreigners. There is a so-called interest equalization tax on purchases of foreign securities. Under a so-called voluntary restraint program, the federal reserve board limits bank loans to foreigners and the commerce department limits direct foreign investments by American companies. As a result of this program, the total outflow of private capital declined from 6.5 billion dollars in 1964 to 3.7 billion in 1965 and rose only slightly to 4.1 billion in 1966. The annual rate so far this year has been about the same as in 1966.

This policy is self-defeating, for the repatriation of United States earnings from direct investments abroad has exceeded the investment outlay from the United States every year since 1945. In 1964, the last year for which the figures are at hand, the inflow to the United States was 4.5 billion dollars and the outflow was 2.4 billion. In 1960 United States corporations invested 4 billion dollars in fixed assets abroad, but 56 per cent of this came from retained earnings and borrowings abroad. In 1966 the investment total was 9 billion dollars, but 70 per cent of it came from retained earnings and borrowing abroad.

Americans spend about 2 billion dollars a year more on foreign travel than foreign tourists spend in the United States. This is a substantial item in the adverse payments balance, but any limitation on the freedom of Americans to travel and spend their money abroad would be widely resented. Duty-free imports of tourist purchases already are limited to $100.

From 1960 thru 1966 about 70 per cent of the direct cost to the United States government of maintaining its troops in Germany was offset by the sale of military equipment to Germany. This year Germany agreed to purchase $500,000,000 of long-term United States bonds and the total offset, including military purchases, is expected to be 100 per cent. The German purchases offset expenditures by the United States government, but there is still a big dollar loss thru spending by the troops, who exchange some of their dollars for marks in Germany and for other European currencies when they go on leave.

This dollar loss could be stopped only by bringing the troops home, and this would be prudent, both strategically and economically. The prosperous western European countries, which rely mainly upon the United States nuclear deterrent for their defense against communist aggression, certainly could replace the American ground forces with troops of their own. Moreover, the Germans are fully capable of developing their own nuclear deterrent, as the French are doing, and it makes no sense to restrain them from acquiring weapons which the enemy already has.

The dollar loss in Viet Nam from all sources is estimated at 2 billion dollars a year. The troops are paid in military payment certificates [scrip], which is the only currency accepted in United States installations, but they exchange some of their scrip for piasters to spend in Saigon and other cities. The United States buys these piasters with dollars, which the government of Viet Nam is supposed to use to pay for imports from the United States. Undoubtedly, however, there is a big leakage, just as there is a big dollar leakage in foreign aid to Viet Nam, in spite of all efforts to prevent it. Some of these dollars find their way into the hands of French business men and end up in Paris. Moreover, the troops in Viet Nam are given dollars to spend when they go on "R and R" [rest and recreation] in Bangkok, Singapore, Hong Kong, Manila, or Taipeh.

There is not much more that can be done to plug the dollar leaks. The only way the United States can solve its balance of payments deficit is to put its house in order by ending deficit spending—on foreign aid, among other things—which is the cause of inflation, of the loss of foreign markets, and of the steadily worsening dollar crisis.

[From the Chicago Tribune, Nov. 2, 1967]

How Sound Is Your Dollar?

Foreign aid is a major reason why your dollar is losing its purchasing power and the debt-burdened, deficit-ridden United States is in the throes of a money crisis. Foreign aid, including interest on the money we have borrowed to give away, now costs the American people more than 10 billion dollars a year.

A table submitted by the government to a House appropriations subcommittee shows that foreign aid of all kinds, economic and military, grants and loans, from 1946 thru 1966 [fiscal years], totaled 122 billion, 365 million dollars. The net total, after all interest and principal payments on loans, was 108 billion, 867 million dollars. Rep. Otto E. Passman [D., La.], chairman of the subcommittee, has since been advised that the net total thru fiscal year 1967 is 114 billion, 694 million dollars.

THE GLOBAL GIVEAWAY

Rep. Passman calculates the total cost of foreign aid since 1946, including interest the government has paid on money borrowed to give away, as 152 billion, 533 million dollars. The net total of 114 billion, 694 million—not counting the interest already paid on it—is more than one-third of the present federal debt of 340 billion dollars. Hence more than a third, or almost 5 billion dollars, of the interest cost of the federal debt—officially estimated at more than 14 billion dollars this fiscal year—must be attributed to foreign aid. New grants and loans to foreign countries now exceed 6 billion dollars a year, and the net total, after all interest and principal payments, is well over 5 billion. Thus the total cost of foreign aid, including interest on the debt, is more than 10 billion dollars a year.

The total public debt of all the other non-communist countries of the world, according to the latest figures Rep. Passman could get from the executive agencies of the government, is 248 billion dollars, 92 billion less than that of the United States. Yet the United States this year, 22 years after foreign aid began as a post-war emergency relief program, is dissipating its national resources and loading unborn generations with debt by extending assistance of some kind to 100 countries and five territories.

When this unexampled giveaway madness began in 1945 the dollar was still worth 77.3 cents, compared with its purchasing power in January, 1940, in spite of war time inflation, but by August, 1967, it had declined to 41.48 cents. Meanwhile the United States had accumulated a new deficit of 33.3 billion dollars in its international balance of payments position by the end of 1966; its gold stock had declined from 24.6 billion dollars at the end of 1949 to 13 billion in August, 1967, and its liquid liabilities to foreigners, payable in gold, had increased to 29.5 billion dollars. Now the United States is facing a federal deficit that may exceed 30 billion dollars in this fiscal year, accelerated inflation, and a money crisis that could induce foreigners to start a run on our remaining gold stock.

Rep. Passman charges that the foreign aid program has been "fragmentized" to confuse the people. He says the aid flows from 16 different "spigots," and that each year Congress is asked in more than a dozen items of proposed legislation to increase the spending or lending authority of the dispensing agencies.

What the public hears most about is the President's annual request for authorizations and appropriations under the Foreign Assistance act. This year the President requested 3.226 billion dollars in new funds, and Congress may reduce this by almost a billion dollars, but it will make little difference. There are too many other programs, such as "food for peace," the Export-Import bank, military assistance, and aid thru international agencies, and too many billions of dollars of unexpected balances available to the aid bureaucracy. Yet irresponsible Washington reporters write about the annual "foreign aid" bill of 3 billion dollars or less as if it were the sum total of foreign aid, and this phony figure sticks in the minds of the people. The table submitted to the House subcommittee shows that economic and military assistance of all kinds, including loans and grants, totaled 6.376 billion dollars in fiscal 1962, 6.738 billion in fiscal 1963, 6.134 billion in fiscal 1964, 6.140 billion in fiscal 1965, and 6.751 billion in fiscal 1966.

Secretary of State Dean Rusk told the House subcommittee that foreign aid "transfers United States skills and commodities—not United States dollars—to the less developed countries and has no significant effect on the chronic balance of payments deficit." This argument, of course, takes no account of what economists call the "substitution effect" of aid and is false. Countries receiving American goods and services under the aid program can use the foreign exchange this saves them—including their dollar earnings from exports to the United States—for the purchase of goods and services from other countries.

Moreover, foreign aid is a major cause of federal deficit financing, which increases inflation and the cost of production and thus adversely affects the competitive trade position of the United States. Our trade surplus, which declined from 6.7 billion dollars in 1964 to 4.8 billion in 1965 and 3.7 billion in 1966, falls far short of offsetting the deficit in our other international transactions.

Testifying before a joint congressional subcommittee on economic policy, Dr. N. R. Danielian, president of the International Economic Policy association, said: "The stark fact is that United States commercial exports are hardly enough to pay for our commodity imports. If you deduct the foreign-aid induced exports and the military hardware sales from export figures, it is doubtful that purely civilian exports and imports are in balance."

Secretary Rusk also told the House subcommittee that foreign aid requests of all kinds for fiscal year 1968 were less than 0.7 per cent of our GNP [gross national product of goods and services], which was swollen by inflation to an annual rate, seasonally adjusted, of 790 billion dollars in the third quarter of 1967.

Without foreign aid, Rusk said, we'd be living in a "less stable and more threatening world." Yet when Congressman Passman reminded him that foreign aid, with interest, had cost 152.5 billion dollars, Rusk said this country, since 1946, "has put more than 900 billion dollars into defense, almost a trillion dollars." When we have to spend that much on defense, it is hard to believe that foreign aid has brought us a more stable or less threatening world.

Another administration argument is that American exports to Europe have increased enormously since the end of the Marshall plan and that exports to Japan have multiplied as a result of our aid. But our imports have increased more than our exports. We still have a favorable balance with Europe—exports of 10.011 billion and imports of 7.863 billion in 1966—but not with Japan, for which the figures in 1966 were 2.964 billion of exports to and 2.365 billion of imports from the United States. If the grant aid of 12.928 billion dollars extended by the United States under the Marshall plan from 1949 thru 1952 and 8.724 billion under the mutual security act from 1953 thru 1957 had consisted of interest-bearing loans, the prosperous countries of Europe, as well as Japan, would be repaying us now, with interest, and there would be no balance of payments problem. Instead these countries are accumulating huge gold and dollar reserves and exporting manufactured products at prices with which the United States cannot compete.

Although the United States is technologically the most advanced nation in the world, its industrial production costs are so high that it has become primarily an exporter of agricultural products and other raw materials, chemicals, semifinished products, and machinery [an exception to the general trend] and an importer of finished products which require a substantial employment of labor in their manufacture. In 1966 we imported manufactured goods valued at 6.353 billion dollars and machinery and transport equipment valued at 4.827 billion, compared with exports of manufactured goods valued at 3.434 billion and machinery and transport equipment valued at 11.164 billion.

The western European countries agreed to general tariff reductions averaging about 31 per cent in the recent "Kennedy round" of negotiations, but they have erected all kinds of so-called nontariff barriers against American products, such as quotas and internal taxes. As a result of these restrictive trade practices, there is strong support in Congress for a proposed system of quotas to restrict imports of textiles, footwear, steel, electronics, and other manufactured products. This would provide some protection for American industry and labor, but it would increase prices to consumers, provoke reprisals against American exports, and further aggravate the balance of payments problem.

[From the Chicago Tribune, Nov. 3, 1967]

How Sound Is Your Dollar?

Dr. Hjalmar Schacht, the financial wizard of Hitler's Third Reich, probably would feel vindicated by the artful expedients and quackeries that have been proposed by some of the frenzied financiers in this country to prevent a day of reckoning for the United States dollar.

GOLD AND FOOL'S GOLD

These clever schemes are intended to make it appear that the dollar is as good as gold, although the gold we have left is less than half of the outstanding foreign claims against it. They are intended to conceal the vulnerability of the dollar and the cause of its distress—deficit spending.

Charles Dickens stated the problem as Micawber's law: "Annual income twenty pounds, annual expenditure nineteen nineteen six, result, happiness; annual income twenty pounds, annual expenditure twenty pounds ought and six, result misery."

Micawber's law was repealed by the Roosevelt administration in the 1930s and the Keynes law was substituted. In her book, "The Roosevelt I Knew," Frances Perkins thus stated the Keynes law: "With one dollar paid out for relief or public works or anything else, you have created four dollars' worth of national income."

John Maynard [Lord] Keynes, English economist and a major deity in the international lavender set, was "liberally consulted" by "government people" in Washington, according to Miss Perkins, and was convinced that the United States would prove the validity of his prosperity-thru-spending doctrine to the whole world.

Keynes also dreamed of a world central bank, with the power to create new money, an international currency which would replace gold in the settlement of accounts between nations. A long step in that direction was taken by the members of the International Monetary fund at its recent annual meeting in Rio de Janeiro. This scheme provides for the use of S. D. R.s [special drawing rights], called "paper gold," by nations with chronic balance of payments deficits, such as the United States and Gamal Abdel Nasser's United Arab Republic. The S. D. R.s also have been called fool's gold, a term suggesting that they would have about as much value as the iron pyrites which so many deluded prospectors have mistaken for real gold.

If the new scheme is ratified by the I. M. F. member governments, each member will be authorized a certain quota of S. D. R.s. Then if President de Gaulle of France, for example, should continue to demand gold for his country's surplus dollar holdings, the United States—at least, in theory—could pay him off in S. D. R.s. If de Gaulle accepted the S. D. R.s, he could use them to settle France's accounts with any other country that would accept them.

If a nation should overdraw its quota of S. D. R.s, it would be obliged, in due time, to purchase acceptable foreign exchange with its own currency and redeem the overdrafts. The idea is that the S. D. R.s would rest upon the joint and several obligations of all the I. M. F. members and would be "gold-guaranteed," although just how has not been determined.

Bankers we have consulted say this scheme is nothing to be alarmed about because it will never be used extensively. The nations with balance of payments surpluses do not need it and they are not likely to accept "fool's gold" from countries with persistent deficits. Even if the S. D. R.s were acceptable, the United States could not draw too heavily upon them, because that would be a sign of weakness and it might start a run on our remaining gold stock.

Dr. Robert V. Roosa, former undersecretary of the treasury and now a partner in Brown Brothers, Harriman & Co., New York, was one of the original proponents of the international currency scheme. He proposed the use of C. R. U.s [convertible reserve units], which were called "Roosa crusas." Supporters of this proposal were called Roosacrusians, which sounds more like a potty religious sect than a group of responsible monetary authorities.

The international currency proponents have been derided gently by Prof. Milton Friedman, of the University of Chicago, as "able men who spend endless hours trying to devise ingenious means whereby everybody can borrow from everybody else without anybody being committed to lend to anyone." Dr. Roosa, however, seemed the soundest of sound money men in a recent debate with Prof. Friedman, in which he strongly defended the present system of fixed exchange rates, based upon $35 an ounce as the price of gold.

Prof. Friedman, who was described by Dr. Roosa as "one of the world's most distinguished exponents of market economics," said the balance of payments problem "is simply another example of the far-reaching effects of government price fixing." He proposed a system of floating exchange rates, in which the market would determine the parity of the dollar and of all other currencies, and there would be no balance of payments deficit because exporters and importers and other private traders would settle their own accounts. Official foreign exchange reserves are not needed, he said, because private dealers will provide them, just as they do in the free commodity markets.

If the exchange value of the dollar should decline under the floating rate system, American exports would rise, in spite of high production costs, because more dollars could be purchased with English pounds, German marks, French francs, etc. Dr. Roosa argued, however, that such a system would "make for progressive inflation and successive waves of exchange rate depreciation from one country to the next." In a country experiencing rapid inflation, he said, the most likely reaction would "be toward accentuation, not containment, of the exchange rate decline, for the domestic prices of exports could then increase beyond the screen of lower exchange costs to foreigners, import costs would rise, wages would no doubt be raised even further, and a new wage floor would have, in effect, been built under the inflation, already realized."

Many foreign bankers are convinced that the United States will be compelled eventually to increase the price of gold, because the dollar already has lost more than half of the commodity purchasing power it had before World War II and the cost of producing gold, like everything else, has gone up proportionally. This belief is an incentive to foreigners to speculate on a gold price increase, or insure against devaluation of the dollar, and it makes our remaining 13 billion dollar gold reserve highly vulnerable.

William F. Butler and John V. Deaver, vice presidents and economists of the Chase Manhattan bank, have proposed an ingenious plan to protect the gold we have left without devaluing the dollar. In the October issue of Foreign Affairs, they suggest an official declaration that the United States will never support a price higher than 35 dollars an ounce and that this country's response to an assault on its remaining gold stock would be suspension of the privilege foreigners now have of buying our gold with their dollars. Future sales and purchases would be made only at the discretion of the United States, and then only at the fixed price of 35 dollars an ounce.

Butler and Deaver acknowledged that the United States in such circumstances would lose control over the price of gold and over the foreign exchange value of the dollar. But they argue that foreigners would either have to support the dollar at the present rate, which would be the same as going on a full dollar standard, or else at a devalued rate, which would put European exporters at a competitive disadvantage. Moreover, Europeans would take a huge loss on their dollar holdings if the exchange rate were devalued.

Butler and Deaver are persuasive, but they concede that the United States, despite its great economic power, "can no longer call the tune." Certainly it will be increasingly difficult for the United States to call the tune on gold, because the world supply is so small and the demand is so great. Gold sells for the equivalent of 70 to 75 dollars an ounce on the Bombay market. The total reserves of all the non-communist countries in December, 1966, were estimated at 43.225 billion dollars. World production outside of the communist countries totaled 1.445 billion dollars in 1966. The major producers are the Soviet Union and South Africa [1.080 billion dollars in 1966], followed by Canada [114.6 million dollars] and the United States [63.1 million dollars]. New production is barely sufficient to supply the increasing needs of industry. The United States may have to subsidize domestic production of gold for industrial use, for some of the mines cannot operate profitably at the government's fixed price.

[From the Chicago Tribune, Nov. 4, 1967]

How Sound Is Your Dollar?

There is not much an individual can do to stop inflation—unless he happens to be President of the United States. If enough people are sufficiently concerned, however, they can stop federal deficit spending—the main cause of inflation—by sending a torrent of letters and telegrams to their senators and representatives in Congress, demanding an end of the reckless practice of voting appropriations that vastly exceed any reasonable expectation of revenues. A list of senators and representatives from five midwest states will be found on page 2.

We have asked leading Chicago bankers what can and could be done to halt inflation, which has reduced the value of the dollar by

58.5 per cent since January, 1940, and is rapidly getting worse as the federal reserve system pumps out fresh supplies of printing press money to finance a deficit that may exceed 30 billion dollars this fiscal year.

WHAT CAN WE DO?

Here are their answers:

Beryl W. Sprinkel, vice president and economist, Harris Trust and Savings bank: "The source of the current serious inflation is clearly overexpansive governmental economic policies in the monetary and fiscal areas. Economic policies are now the most expansive since World War II, despite the fact that the economy is fully employed and prices are rising rapidly. Hence, the prospect is for substantially greater increases in total spending in the coming year than in the production of real goods and services. Therefore, price pressures will be sizable.

"What can now be done to bring the inflation under control? Clearly the leadership for this action must emanate from government. So far this year the money supply has been rising at about a 7 per cent annual rate, at least twice too much for price stability. At the same time, the budget deficit has continued to increase as both defense and nondefense spending has risen.

"Strict control of federal spending, accompanied by a possible tax increase, is a desirable ingredient in slowing the inflationary push. Of equal or greater importance is a reduced rate of monetary growth emanating from a less expansive monetary policy. Undoubtedly, monetary policy has been this expansive primarily because of concern about rising interest rates and the problems created both for the housing industry and the financing of the federal deficit.

"Unfortunately, when rapid monetary increases occur at full employment and inflation develops, an easy money policy causes high rates of interest after the money begins to be spent. On the other hand, the beginning of the less expansive money policy in an effort to slow the inflation would, in the short run, means even higher interest rates.

"There is little that the individual can do to slow the inflationary surge other than to urge his elected representatives to pursue less expansive monetary-fiscal policies in this day of full employment and rising prices."

Tilden Cummings, president, Continental Illinois National Bank and Trust Company of Chicago: "Inflation has once again become one of our most serious economic problems. Efforts to curb the rapid advance in prices have been half-hearted at best and will continue to be ineffective unless the administration, Congress, labor, and management combine to bring the dangerous trend to an early halt.

"The current inflationary trend must be attributed to monetary and fiscal policies inappropriate for a war economy. Clearly, the need now is for a sharp reduction in the huge and unsettling budget deficit thru cuts in such nondefense expenditures as harbor and river development, road construction, dams, aero-space, agriculture, and termination of the numerous programs that have outlived their usefulness. Where cuts are not immediately feasible, deferment of projects must be considered. It is entirely possible that cuts could be made in defense expenditure also, without impairing military effectiveness. In addition to budgetary cuts and deferments, a tax increase is needed in order to return some semblance of proportion and balance to our fiscal and monetary position.

"Firm fiscal action will free the monetary authorities from the need to finance the administration's unwieldy deficit thru massive injections of bank credit by the federal reserve. Undoubtedly the resulting sharp rise in the nation's money supply has materially contributed to the inflationary trend. Reduction in the money supply's growth might even go hand-in-hand with a general lowering of interest rates once the administration's borrowing needs have been brought back to normal proportions.

"The urgency of a successful anti-inflationary program requires a clear statement by the administration of its specific policy objectives, supported by immediate action on the part of Congress. In addition, strong appeals must be made to both labor and management to exercise maximum restraint in their wage and price demands."

Homer J. Livingston, chairman of the board, First National Bank of Chicago: "The threat of an acceleration in the upward movement of prices is one of the most serious economic problems facing the nation today. Such a development always lowers the purchasing power of those on fixed incomes, mainly the senior citizens who are growing in number and who have come to constitute a significant market for the nation's output of goods and services. Equally troublesome is the effect of inflation on the nation's balance of international payments. Exports would decline as United States-made products are priced out of world markets, while imports would rise as they become less costly than domestically-produced goods.

"Finally, inflation wears away the incentive to save, and savings are essential to investment and capital formation, the source of job creation. It is for these reasons that the deficit of the federal government must be narrowed by reducing expenditures and by increasing taxes. Failure to do so will lead to higher prices for all.

"It is unconscionable that a nation as affluent as the United States should resort to massive deficit financing at a time when employment and incomes are virtually at unprecedented highs, as they are today."

In a significant speech at Grinnell college last Sunday, George Champion, chairman of the board of the Chase Manhattan bank and a distinguished native son of Illinois, warned that "massive transfusions of federal money" will not solve the problems of our cities. He noted that the cities which were hardest hit in riots last summer had received above-average shares of the billions dispensed each year by the federal government. He said the whole welfare state, including the farm program, is based upon the assumption that depression is a normal condition, tho this concept is hopelessly obsolete.

Many of the federal programs have exactly the opposite effect from what was intended, Mr. Champion said. Housing projects become permanent slums. Welfare payments to fatherless families encourage fathers to leave home, resulting in patterns of idleness and community-sponsored illegitimacy. The "sprawling welfare empire and the layers of local and state relief operations" are regarded as the "enemy" by welfare recipients, who are organizing unions to press for their "rights" in demonstrations against the system.

What is needed, Mr. Champion said, is "incentive welfare," involving motivation, training, and job opportunities. Business and industry, he said, can provide the basic education and training needed by the unemployed to qualify them for jobs now going begging. Across the nation, there are more than 1,000,000 job openings and almost 3,000,000 unemployed.

"Even as prosperous a nation as ours cannot do everything at once," Mr. Champion asserted. "We must inevitably make choices."

If we make the wrong choices, relying upon an ever-expanding central government and ever-mounting federal deficits to "do everything at once," a prophecy made 110 years ago by Lord Macaulay may be the melancholy fate of this Republic. In a letter to H. S. Randall, an American friend, Macaulay predicted that industrialization and urbanization eventually would produce "a distressed and discontented majority" in this country, which would listen to the rantings of demagogs and could not be restrained by the government.

"There is nothing to stop you," he wrote. "Your Constitution is all sail and no anchor. . . . When a society has entered on this downward progress either civilization or liberty must perish. Either some Caesar or Napoleon will seize the reins of government with a strong hand, or your Republic will be as fearfully plundered and laid waste by barbarians in the 20th century as the Roman Empire was in the fifth; with this difference, that the Huns and Vandals who ravaged the Roman Empire came from without, and that your Huns and Vandals will have been engendered within your own country by your own institutions."

[From the Chicago Tribune, Nov. 5, 1967]

THE WRITING ON THE WALL

The concern with which The Tribune views the menace of inflation was reflected during the last seven days on this page. All of our editorial space during this period was devoted to a detailed study of the erosion in the purchasing power of the dollar, which strikes home to every citizen.

The editor felt that the people of this country should be alerted to the dangers of this problem, which affects them immediately and is a mortgage on their future, their holdings, and their security in old age. Week after week prices rise and equities in insurance and pensions shrink. With the single exception of the federal income tax, inflation has taken more purchasing power away from the people than any other item.

The editorials of the last week trace the many factors that contribute to inflation. The first, of course, is the dimension of federal spending. This can be computed in various ways. The administrative budget shows outlays of 136.5 billion dollars. The cash budget sets a figure of 172.4 billion. But, however you reckon it, the Johnson administration admits that the fiscal year ending next June 30 will produce a deficit of more than 29 billion dollars unless part of this is offset by a tax increase.

That brings us to deficit spending as a prime factor in inflation. In 31 of the last 37 years the government has spent more money than it has taken in. What is so bad about that? The pernicious effect is that the government is forced to cover much of each year's deficit by producing what can only be described as printing press money.

It is obliged to issue its IOUs (called bonds, notes, bills, and certificates). These are normally taken up by banks, for the rest of us have been taxed so thoroughly that, as individuals, we can't rake up enough cash to buy them in the huge amounts the government is constrained to release them.

When the banks take up the bonds, and so on, they credit the government with a deposit in the same amount, and against this the government draws checks to pay its bills. The treasury securities also give the banks an asset against which to expand credit, so that the static paper generates more "money" put out in loans. In this way a printed paper creates money not in existence previously.

By this device the government is increasing the money supply at an annual rate now in excess of 12 per cent. This represents "new" money pumped out by the federal reserve to meet the deficit. The effect is highly inflationary. It is demonstrated by the fact that since 1940 the purchasing power of the dollar has fallen from 100 cents to 41.5 cents. The consumer price index is now rising at an annual rate of 4.5 per cent. This means that the cost of all goods and services is going up in that proportion as the purchasing power of the dollar declines in a matching curve.

It used to be said that the dollar was as "good as gold," and token recognition of the contention is represented by a statutory requirement that the stock of paper money in circulation must have a 25 per cent gold covering. But this is a fiction. Paper money in circulation has risen in 10 years from 28 to 40 billion dollars, and the total money supply, (including demand and time deposits) is now in excess of 357 billion dollars. The government's total gold holdings have fallen to 13 billion. In 1949 the gold stock was 24.6 billion, but claims of foreign creditors have drained away more than 11 billion of this former hoard.

Liquid liabilities to foreigners of almost 29.6 billion now outstanding could wipe out the remainder of the gold stock overnight if presented for conversion by central banks. Yet, in the face of this ominous predicament, the government persists in the folly of doling out foreign aid to more than 100 countries. The drain from this one source, counting in the interest costs on borrowings to be given away abroad, is now 152.5 billion dollars, which represents more than one-third of the federal debt of 340 billion dollars.

Meanwhile, the total tax clout on all individuals and businesses has reached 36.9 per cent. This is socialization of the fruits of production, for the Oxford economist, Colin Clark, has said that 25 per cent of the national income is about the limit for taxation in any nontotalitarian state in times of peace.

We understand that these figures and statistics are difficult to comprehend, but even an imperfect understanding shows them to be alarming. To state the predicament in one form, inflation, except for the income tax, is the harshest of taxes. Inflation totaled 25 billion dollars in 1966. This is equivalent to a sales tax of from 4.1 to 18.4 per cent on the citizens of every state. In Illinois this inflation was equivalent to a sales tax of 8.5 per cent.

Certainly this continuing calamity demands cure. It is up to the citizens to achieve it by insisting that their representatives in Congress stop dawdling and move for immediate correction.

What is our situation? The indictment against successive Democratic administrations could be framed in the words of the keynote speaker at the Republican national convention of 1896, when the great issue was sound money. Sen. Charles W. Fairbanks of Indiana said:

"When the Republican party was in power our currency was good; it was made as good as the best on the globe. We made sound money . . . When in the last half century of our history did the Democratic party advocate a financial policy that was in the best interests of the American people? Consider . . . its efforts to inflate the currency by the issue of greenbacks . . .

"Great and splendid and powerful as our government is, it cannot accomplish the impossible. It cannot create value. It has not the alchemist's subtle art, nor can it, by omnipotent fiat, make 50 cents [equal] 100 cents . . . A sound currency defrauds no one. It is good alike in the hands of the employe and the employer; the laborer and the capitalist. Upon faith in its worth, its stability, we go forward planning for the future. The laborer knows that the money earned by his toil is as honest as his labor and that it is of unquestioned purchasing power. He likewise knows that it requires as much labor to earn a poor dollar as a good one; and he also knows that if poor money is abroad it will surely find its way into his pocket.

"We protest against lowering our standard of commercial honor. We stand against the Democratic attempt to degrade our currency to the low level of Mexico, China, India, and Japan."

It is time for Republicans to make the same ringing challenge to fiscal recklessness and monetary debasement. The people must be protected before everything is swept away.

A NEW LOOK AT THE STATE DEPARTMENT AND THE FOREIGN SERVICE

Mr. RIBICOFF. Mr. President, last week Under Secretary of State Nicholas deB. Katzenbach addressed the Foreign Service Day Conference at the Department of State.

In his speech, the Under Secretary made some most interesting proposals regarding the need to coordinate and reorganize our foreign policy machinery. And he addressed himself to the need to develop creative and broad-gaged leadership potential in the Foreign Service.

Mr. President, I am sure that all of us will be interested in the thoughtful comments of the distinguished Under Secretary. His speech provides serious food for thought. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY UNDER SECRETARY OF STATE NICHOLAS DEB. KATZENBACH, AT THE FOREIGN SERVICE DAY CONFERENCE, DEPARTMENT OF STATE, NOVEMBER 2, 1967

I

Mr. Hamlin, Mr. Weil, Foreign Service Officers, past and present, ladies and gentlemen:

I am delighted to have the chance to talk to this distinguished group of colleagues and friends of the Department of State.

Inasmuch as most of you have probably eaten dinner, I do not propose this evening to cover any culinary subjects. I do not intend to hand you a "bowl of jelly" for dessert, tour you through a "fudge factory", or ask you to take part in a "taffy pull".

Neither do I have any entertaining mystery stories to offer. I fear I can provide little enlightment on the arcane intrigues darkly hinted to be going on in this building. As an alumnus of a certain New Jersey university, I must, however, admit to a certain fascination in the report that something called the "Henderson-Princeton Pack" is operating among us. According to the rather breathless dispatch contained in the current edition of a little newspaper sold outside the entrance-way, there is also a "Bobby Kennedy Coterie," a "Macy-Crockett Camp" and a group known as the "Young Turks".

But while I have neither cooking receipts nor revelations of sinister conspiracies to hold your attention, I do have a subject at once intriguing and complex—the *administration* of foreign policy by the United States Government.

Administration as a topic has a markedly soporific effect on some persons. The word itself seems sufficient to draw forth yawns and make eyelids grow heavy.

This may be because—especially in the field of foreign affairs—administration has often been regarded as something of a stepchild, rather unfashionable and definitely subordinate, smacking vaguely of filing cabinets, travel allowances, or paper flow. It has also been thought of as separate from, and only marginally relevant to, the actual making of foreign policy.

Such a view is, of course, not only a misconception, but a naive one at that. The administration of the Department of State, and of other Federal agencies concerned with foreign affairs, does more than just *bear upon* the formulation of foreign policy. The two subjects are intimately related. Neither can be usefully considered without the other. They are, in fact, more or less inseparable.

This fact has been made starkly apparent in the last two decades. The revolutionary changes of the post-war world forced radical departures in American diplomatic policy. These changes, in turn, required drastic surgery on the institutions charged with formulating and guiding it.

Thus America's emergence as a dominant power with worldwide interests and the demands this made on our foreign policy made necessary such new agencies as AID, USIA, CIA and the Peace Corps. It made necessary several major reorganizations of the State Department.

And, conversely, the exigencies and peculiarities of these newly-shaped organizations altered the way policy is made, created problems of coordination and duplication, deeply affected, in short, the shape and nature of the policy itself.

So great and so swift has been the transformation of the government's foreign policy making apparatus that dislocations, stagnant places, inefficiency and overlapping were bound to occur. I am not giving away any secrets when I say that the current operations of the State Department leave much to be desired. They are not as bad as some critics say they are. But neither are they as good as the more ardent apologists of the status quo would have one believe, and certainly they are not nearly as good as we would like to see them.

II

I would like this evening to touch on a few of the major problems and shortcomings, and how we might deal with them. The problems can be divided into two separate though related categories.

The first has to do with problems of coordination, both among the large number of agencies that have an interest in foreign affairs, and among the various bureaus of the State Department itself. Virtually every Cabinet level department of the government now has dealings overseas, as do such agencies as the AEC or FAA.

One of the things that truly startled me when I first came here was to learn that no less than 80 percent of the people officially representing the United States overseas were working for agencies other than the Department of State. The problem this causes for coordination, not to mention the pinpointing of responsibility, is fairly staggering.

The latter problem was somewhat alleviated overseas by President Kennedy's Executive Order giving primacy to the Ambassador in each country and making all the US personnel in the country subject to him. The country teams, composed of senior representatives of the US missions in the country and senior embassy advisors, were created with the same aim in mind.

While some people think that the various attachés and persons serving overseas for other agencies should be brought formally and structurally into the State Department in a kind of enlarged foreign service, I believe the country team concept has done much to improve the coordination of programs within particular countries.

In Washington, however, the problem is more complicated. Overseas it is possible to gather together the top US officials in a country dealing with political, military, economic and other matters and get them to mesh their ideas and programs as effectively as possible.

At home, however, no identical means of coordination exists. For in Washington one is dealing with separate agencies with varying missions, approaches and "constituencies".

Differences in organization are just one example of the difficulties encountered in the efforts to coordinate programs and policy. The State Department, although it has some "functional" bureaus, such as Economic Affairs and Educational and Cultural Affairs, is largely organized geographically. Other agencies that have dealings abroad, on the other hand, are organized according to the functional requirements of their work and interest, whether it be labor, or law enforcement, or bird life. Thus State Department regional bureaus must deal not only with a welter of separate agencies but with a host of subdivisions within them and with the basic fact that our orientation is to countries and areas while theirs is to programs.

Welding this complex of interests into a harmonious overall policy for a geographic area is, needless to say, not easy. And welding the entire mass together, balancing the requirements of one region against that of another, is more complicated still.

That melancholy and notorious failing endemic to bureaucracy, parochialism—the tendency to see the arguments, needs and interests of one's own agency, or bureau, or office as paramount to every other—compounds the difficulties. At worst, an agency with supposedly unified goals and purposes comes close to being transformed into a battleground of hostile camps, each more concerned with defeating the proposals of another than molding a uniform policy meaningfully conforming to the bidding of the President and the will of the people.

The process of reconciling differences of view has led, of course, to the all-pervading system of clearances, a system which often makes a paper or telegram look more like a petition than a governmental directive. But just because a paper has a dozen or two names appended to it does not make it useful; it may, in fact, have just the reverse effect.

For the signatures may mean only that a kind of truce has been declared on a given issue. Too often, however, the result is not that decisions have been made but that they have been avoided. The document bearing the signatures represents little more than the lowest common denominator of assent. And characteristically, it employs a lot of dense bureaucratic mulch to camouflage its lack of clear direction or decisive policy.

Early last year a significant move was made by President Johnson to cope with this kind of problem, at least at the inter-agency level. It is, I think, by far the most important step yet taken to sharpen the decision-making process and enhance effective coordination among the many government agencies involved in foreign affairs.

The President issued a directive aimed at assuring the Department of State a predominant guiding role in foreign policy despite its shrinking percentage of overseas operations when measured in terms of money, budgets and personnel.

The directive created coordinative units at two levels. At one level are the Interdepartmental Region Groups (IRG), composed of Assistant Secretaries or their equivalents, with the State Department man acting as chairman of each unit. The groups match the Department's five geographical areas: Europe, Latin America, Africa, the Near East, South Asia and the Far East.

At the next higher level the directive created the Senior Interdepartmental Group, made up of the number two agency officials. I act as Chairman of this group. (Inevitably, the entire mechanism has picked up the inelegant sobriquet SIG–IRG, which, though it sounds like some kind of Nazi salute, derives, of course, from the acronyms of both bodies.)

The groups at both levels meet regularly. They were purposely created at levels high enough to command the authority to make significant policy decisions. That is the crucial point. These are not just *discussion* groups. They meet to *decide* issues, with the voice of the chairman being the decisive one. But the fact that he is from the State Department should be irrelevant. He can only do his job if he seeks to represent the view of the President, not merely the sometimes more parochial view of the Department.

The meetings on the whole have been very successful. The Committees represent the most serious and most promising effort we have yet devised to defeat the lowest common denominator approach I mentioned earlier. For the view of a bureau or agency seen in isolation is rather meaningless. The men attending the SIG–IRG sessions are given the opportunity to weigh the merits of their own position in light of other views and other facts.

The group members are enabled to judge the issue in dispute not from the vantage point of what is best for the Bureau of European Affairs or the Bureau of Mines or the Department of the Army or the Maritime Administration, but from the vantage point of *what is best for the United States.*

I am hopeful that this kind of view will filter down through all levels of government. For what ultimately is important is not a *mechanism* or a group of committees but an *attitude* or frame of mind. What I would like to see cultivated is the ability to understand the other man's side, to see the larger picture, the broader view.

A State Department officer charged with responsibility for Portuguese affairs must know and be able to explain our interests in Portugal. The desk officer for an African nation must know and be able to explain our interests in Africa. But if these should happen to clash, neither officer, if he is doing his job properly, will approach the conflict from his own narrow base, but from a base that reflects the *entire* American interest.

Recently, in conjunction with the Bureau of the Budget, the State Department has been reviewing the foreign operations portions of other agency's budgets. This is, I think, another important step forward in enabling us to provide leadership and direction in the foreign affairs field.

If the State Department has been assigned a primary role in the coordination and formulation of foreign policy, it is, obviously enough, not because we have a monopoly of wisdom or a special virtue. It is simply because we are in the best position to assess how the programs of other agencies affect the overall needs and requirements of American policy.

We have no desire to superimpose our judgments on the experienced judgments of experts in the Defense Department, AID or other agencies. Our purpose is to assess, from a central vantage point, how the separate programs fit into the whole, whether the proper balance is being struck, and whether resources are being used to the greatest advantage.

III

The second category of problems we must attack, and attack quickly and effectively if our foreign policy machinery is to keep pace with the changing needs of a fast-paced world, is that of personnel.

If the State Department is to retain its traditional role as the chief foreign policy instrument of the government, it must have professional personnel who can take the lead. It is not enough to proclaim primacy; we must have the kind of people who can command it and are worthy of it.

The effective carrying out of this assignment requires a far broader array of skills than sufficed in the past. For traditionally, the Foreign Service has been concerned with policy rather than with specific programs. Indeed, efforts were made to transfer all foreign programs from the State Department to other agencies. Now, however, we must take upon ourselves both concerns.

If we are to give direction to major foreign programs carried out by other agencies—we must come to understand these programs almost as well as the professionals who handle them daily. And this task demands a rare and difficult capacity—the ability to analyze, compare and choose among the competing demands of a number of programs for limited funds.

But this skill alone does not suffice. Dealing with the many powerful and independent bodies now involved with the foreign affairs of this country requires an understanding of the whole complex of political processes in Washington.

A State Department officer now must understand the other federal agencies, their organization, their responsibilities and their problems almost as well as his own. And he must understand the operations of Congress with a degree of refinement that I fear too few of us today command.

It is not unusual to find an FSO better versed in the operations of the legislature of say, Zambia, than of the Congress of the United States. Yet despite some senators' claims of impotence, Congress is very much involved in the business of forming the foreign policy of the United States.

Our ability to further our national interests abroad depends upon the shape, size and direction of our economic and military assistance programs, our trade policy, and a countless array of other programs which are largely determined by the will of Congess. Clearly, then, Congress is both a useful and a necessary partner in the direction of our foreign policy and we must prepare ourselves accordingly.

The State Department officer of today must also have an understanding of the varying institutions and interests in our society which, when taken together, comprise the "national interest" we are trying to protect and enhance abroad. It is no longer good enough for an FSO to know more about the labor movement in Japan than about the AFL–CIO or the financing of the political parties in Finland than in Maryland. It is not good enough for him to be an expert on what we are doing to help alleviate poverty in India. He must also know what we are doing to fight poverty at home. Unfamiliarity with the domestic scene not only reduces his effectiveness in Washington; it reduces it abroad.

Headlines at home are also headlines overseas. If an American official abroad is not more familiar with the causes of racial conflict in Detroit or protectionist legislation on the Hill than the man in the foreign ministry he is dealing with he is not doing a very good job of representation.

Finally, the Foreign Service has historically been more attuned to the individualistic talents of reporting, analysis, representation, and negotiation than to the group-oriented talents required for management and organization. But if we are to provide the leadership for the 80 percent of American officials abroad who are *not* Foreign Service officers, if we are to take command within high-powered inter-agency committees in Washington and, most important of all, if we are to take effective control of our own sprawling bureaucracy, then we must give a new measure of respect and attention to the talents of executives elsewhere in private and public life.

In short, present day diplomacy requires men who are not just intelligent, but also creative and broad-gauged, not just highly educated but also competitive, aggressive, decisive and able to get things done, not just ambitious and hard working, but with an instinct for leadership, not just perceptive but politically aware and committed, not just versed in foreign affairs but versed as well in the intricacies of American government and political life.

I am optimistic that we can attain a service composed of such men. I am optimistic because the requirements of this kind of service correspond so closely to the demands being made on us by our most talented young officers. There is a happy coincidence between their demands and the needs of the service. Our ablest younger men are restive. They are asking for a richer and more varied experience than is now being given to them.

They complain of a tendency to insularity in the service. They say it fosters a guild mentality, restricted in its interests, defensive in its posture, narrow in its attitudes and highly protective of its own outlook. They feel that the promise of real responsibility in the world of foreign affairs held out to them has been denied. In its place they have been given a measure of personal security for which they did not ask.

Above all, they complain that their talents are under-utilized. In a world of business executives in their 20's; senators in their 30's and even presidents in their early 40's, we cannot expect them to wait patiently for their late 40's or 50's to exercise real responsibility.

One young man made the point rather graphically in his answer to a recently conducted survey attempting to pin down the reasons for attrition among young foreign service officers. He wrote:

"The fact that I more than doubled my total remuneration was not what caused me to leave the Foreign Service! What did cause me to leave was that, after four years of Foreign Service training, I was the second of two Visa Officers in Rome; after six months training in industry, I took over as manager of an oil company producing 35,000 barrels per day."

It is possible that these complaints are exaggerated. But there is no question that they are seriously and deeply felt.

The under-utilization of a talented body of men is paradoxical, harmful and even tragic. It is paradoxical because most other professions—in industry, state, and local government, academia and elsewhere—are crying out for talent; it it harmful because it wastes fine manpower; it is tragic because it causes frustration and depresses morale throughout the service.

The Foreign Service officers with whom I have talked are not carping or negative in their criticism. They want to bring about positive and constructive changes in the career they have chosen and to which they are deeply committed. This is enormously encouraging for ultimately the drive for reform must come from within the Foreign Service itself. The statement of career principles recently prepared by a committee of the American Foreign Service Officers Association seems to me a notable example of this effort.

Above all what strikes me is the absence of fear of change, the willingness—indeed the desire—to meet the challenge posed by the new complexities of foreign affairs. There is a recognition that there must be room within the Department for outsiders—those who have not developed from junior officers but who can bring in new ideas and special skills. Similarly, there is a willingness not only to assume greater responsibility within the Department of State but to accept the challenge of outside opportunities as well. Finally, there is the healthy conviction that any shortage of jobs for truly talented men can only be the result of artificial barriers, not of any shortage of need for their talents.

The Foreign Service is pointing its own way towards meeting the responsibilities that are before it. One idea that has been mentioned seems to me both illustrative and promising.

The Government's need for broadly based and truly professional Foreign Service personnel might be well served by providing officers with an opportunity to work in and with other governmental and private agencies concerned with the foreign and domestic problems of the United States. A Foreign Service officer might, for instance, spend a few years with a Senate committee, with another executive agency, in journalism, with a foundation, in a university, or in private business, and expect to return to the Department at a later time.

Such flexibility would have several advantages. It would make the exceptional talent and experience of this service available wherever it is most needed. It would provide a cross-fertilization of views and ideas. It would introduce into the Service a greater variety of specialized professional skills and talents. And it would increase the independence of Foreign Service officers. With a widened professional experience, they would be able to move out of or stay in the service as they see fit.

A parallel advantage would accrue to the Department. Under a somewhat loosened system it would have to compete harder for the most able men. But it would insist that the caliber of its men be the very highest. And it would recruit and retain its personnel not by assuring them security but by providing positive incentives—in responsibility, in the knowledge of the importance of the work to the nation, and in its high intrinsic interest.

Shaping the career Foreign Service to the evolving needs of our time will not be an easy task. There is a built-in resistance to change in any large organization. There are always some who fear the new. But I do not believe today's Foreign Service has many such men. I know that the vast majority of State Department officers recognize the need for change. Indeed, a large number of them strongly advocate it.

This agency and the people who work for it are under constant scrutiny. There are some here who resent this. They ask "Why can't we just be left alone to do our work like everyone else?" It is the wrong question. We are not everyone else. We serve in an uncommon occupation with an uncommon mission in an uncommon time. How we perform in that mission affects the lives and destinies of all Americans. That is why they have a right to expect an unparalleled performance.

And that is why we must constantly try to improve the way we do our job. In this I solicit your aid. Your suggestions, your advice, and your counsel will be invaluable if we are successfully to complete this momentous assignment.

STATE OF COLD WAR ON 50TH ANNIVERSARY OF SOVIET REVOLUTION

Mr. SPONG. Mr. President, today marks the 50th anniversary of the Communist revolution. Secretary McNamara's announcement that the Soviets are developing a system for delivering nuclear weapons from space and the Russian reaffirmation of its policy of supplying North Vietnam have occasioned recent examinations of the current status of the cold war.

James Reston, writing in the Sunday, November 5, 1967, Richmond Times-Dispatch, made a brilliant analysis of our present relations with Moscow. Mr. Reston concluded:

> The Soviet leaders are apparently not trying to revive the most dangerous phase of the cold war, but they seem to be determined to go into the second half-century of their revolution by creating as much mischief as they can, in Vietnam, and elsewhere.
>
> The liberal tendencies of the Johnson administration lead it to believe that Moscow is coming around to a more moderate view of the cold war, but the evidence in Vietnam, in the Middle East and in the development of weapons systems, suggests that the trend of the Soviet policy is still going in 1967 against the West and in favor of revolutionary action, as it was from the beginning in 1917.

In evaluating Soviet posture and pronouncements of this year there is scant evidence to refute Mr. Reston's conclusions. The cold war is not over; the end is not even in sight. The locale has not merely shifted; it has expanded. In its expansion it has come to encompass new areas where local fears and hatreds can be exploited and used.

I ask unanimous consent that Mr. Reston's column be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

SOVIET COLD WAR POLICY IS SAME AFTER 50 YEARS

(By James Reston)

WASHINGTON.—On the eve of the 50th anniversary of the Communist revolution, the chairman of the Soviet Communist party, Leonid I. Brezhnev, compared the American activities in Vietnam to "the atrocities of the Fascist brutes," and promised that the Soviet Union would keep on giving North Vietnam whatever military assistance it needed until the United States withdrew its forces from that country.

At the same time, Secretary of Defense Robert S. McNamara announced here that the Soviet Union had started testing what American intelligence sources thought might be a weapons system for attacking any part of the world with nuclear weapons from space satellites.

That raises some interesting birthday questions. Where do we stand with this other major nuclear power on its 50th anniversary? What is the outlook for U.S.-Soviet relations, not only in Vietnam but elsewhere?

The Johnson administration has been very generous in its estimates of Soviet policy in Vietnam over the last couple of years. It has been saying that Moscow was unhappy about the war, wanted to end it, but had limited influence on Hanoi, and couldn't really abandon a Socialist ally under bombardment by the United States.

Accordingly, Washington has gone along on the assumption that it could gradually increase the military pressure on Hanoi and force it to settle the war on U.S. terms, and that Moscow would acquiesce in such an accommodation.

That assumption, however, has always been challenged by Washington's major European allies, and it is now being challenged by some of President Johnson's own associates—not to him personally, because he is not in a listening mood, but within the isolated precincts of the State Department.

There are many people within the administration who take Brezhnev threats seriously. They question the major assumption of the President and the secretary of state that the Soviet Union will tolerate the slow defeat of North Vietnam and the Viet Cong, and believe that Moscow has the power and the will to prevent it.

Their argument is as follows: Vietnam is not vital to the Soviet Union geographically, but it is vital politically. Aside from the question of wanting to support a Socialist ally, Moscow gains by Washington's involvement in the war. The cost to the Soviet Union of supporting North Vietnam is about one billion a year; the cost to the United States of supporting South Vietnam is about $30 billion a year.

Moscow is worried about the war getting out of hand, and does everything it can to avoid a dangerous escalation on our part, but it is not unhappy, according to this argument, about an indefinite stalemate that divides the people of the United States, splits the Western alliance, diverts China from the Sino-Soviet border struggles and costs Washington 30 times more than it costs Moscow.

Looking beyond the 50th anniversary of the Communist revolution to the next 10 or 20 years, the prospect from Moscow is not very bright. The United States now has two or even three to one advantage over Moscow in strategic weapons, and a much larger rate of economic growth. If the war ends, Washington's $30 billion a year for Vietnam will be available to ease the pressures in the American cities and in the underdeveloped world, and that would not be in Moscow's interests. Therefore, why should Brezhnev want to end the war, provided it can be controlled?

The Johnson administration, of course, rejects that line of reasoning. It believes Moscow is merely providing token support to Vietnam and will eventually allow Washington's superior air and naval power to prevail, but that is an assumption that may be right and may be wrong, and it is at the heart of the debate going on here in Washington.

For example, Moscow is now providing rockets that can hit our airfields in Vietnam from a distance of five miles. It is rationing its offensive weapons to Hanoi, but if the five-mile rockets do not maintain a balance of power, why not 10-mile rockets? Moscow has them, and it has missiles that can hit our fleet. The question is whether the Soviets are determined to deliver whatever is necessary to keep the war going. Some officials here think Moscow is not; others think that it certainly is.

The evidence on the administration's side is at least subject to debate. The Johnson administration has tried with the utmost sincerity to get Moscow to limit the arms race, to stop building an antiballistic missile system, to keep weapons out of space, to help end the war in Vietnam and to cooperate in reducing tensions in Europe and the underdeveloped world—but Moscow has refused.

The Soviet leaders are apparently not trying to revive the most dangerous phase of the cold war, but they seem to be determined to go into the second half-century of their revolution by creating as much mischief as they can, in Vietnam and elsewhere.

The liberal tendencies of the Johnson administration lead it to believe that Moscow is coming around to a more moderate view of the cold war, but the evidence in Vietnam, in the Middle East, and in the development of weapons systems, suggests that the trend of Soviet policy is still going in 1967 against the West and in favor of revolutionary action, as it was from the beginning in 1917.

CEA CHAIRMAN ACKLEY: HOW TO MAKE PROSPERITY LAST

Mr. PROXMIRE. Mr. President, I invite attention to the last article in the United Press International series: "How To Make Prosperity Last." This piece, published in Saturday's Washington Post, was written by Gardner Ackley, Chairman of the President's Council of Economic Advisers.

Dr. Ackley is a most capable economist. He views, quite correctly in my opinion, our record stretch of prosperity as a considerable achievement. His brief statement of the economic gains registered since 1961 shows just how great an accomplishment this has been. In his usual modest appraisal, Dr. Ackley gives only partial credit to Federal economic policy, but there can be little doubt that our new conception of the role of economic policy has been largely responsible.

Although I do not adhere to his immediate prescription for the economy, I commend him for his constructive and thoughtful approach to economic policy formulation. This article and the series as a whole have helped give perspective to our current economic debate.

Mr. President, I ask unanimous consent that Dr. Ackley's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW TO MAKE PROSPERITY LAST: ACKLEY TELLS HOW TO AVOID FINANCIAL OVERHEATING

(By Gardner Ackley, Chairman, Council of Economic Advisers)

I am pleased to join in celebrating the fact that—in its 81st month—the present economic expansion is now the longest in our history, having outlived the 80-month expansion that included World War II.

Between 1954 and 1961, the average duration of expansions in the United States was 30 months; the three expansions immediately prior to the present one lasted 45, 35, and 25 months respectively.

This expansion has been remarkable not merely for its duration, but for its vigor. Over these 80 months:

Some 9 million more workers have found highly productive jobs;

The total income of consumers, after taxes and measured in constant prices, has risen 40 per cent;

Total real output has risen an average of 5.2 per cent a year, and industrial output 6.4 per cent a year.

How can we keep this longest and most rewarding expansion going? Perhaps the question can best be answered by asking what accounts for the 80 months already achieved.

I am sure that part of the explanation lies in the state of the economy in February 1961 when the expansion began.

There was surely a large backlog of potential investment demand as a result of five years of slack.

As a result of the same slack, price stability had been reestablished—and inflationary expectations dissipated—following the acute inflation of the Korean war and the sharp price rise of the mid-50s.

Moreover, modern industrial managers had learned how to control inventories more effectively, and to make investment decisions on the basis of a longer planning horizon—changes which reduce the inherent instability of a private enterprise economy.

These and other developments had set the stage for a strong and prolonged expansion; but they certainly did not guarantee that it would occur. Witness the distinct faltering in the summer of 1962, which led to well-founded fears that the expansion would peter out after only 15 months.

Among the many elements contributing to the duration and vigor of this expansion, a crucial one is surely a new conception of the role of Federal economic policy.

In response to the mandate of the Employment Act of 1946, the makers of fiscal and monetary policy have learned to estimate continuously the potential output of the economy at high employment, and have designed fiscal and monetary policies which will support markets sufficiently strong to utilize that potential.

Helped by the tax reduction of 1962, 1964, and 1965, the advance of production gradually caught up with the steadily growing potential output of the economy. The task of economic policy was greatly complicated by the growing and not easily predictable demands of the Vietnam hostilities.

Now and for the future, we are required not merely to keep total demand strong enough to use our full potential, but to avoid letting demand outrun potential output, thereby generating unhealthy inflationary pressures and soaring interest rates. These, in turn, could create imbalance capable of bringing expansion to an end.

Thus the immediate challenge is to make effective the restraints on demand that the President has proposed—higher income taxes and a curtailment of less essential public spending.

If we demonstrate the degree of fiscal responsibility necessary to avoid an overheated economy in the period immediately ahead, we can then count on being able safely to stimulate demand whenever in the future it may threaten to dip below the path of potential growth.

The best recipe for continuing expansion that I know consists of flexible monetary and fiscal policies which will keep expansion healthy by avoiding overheating, and which will stimulate its pace when it threatens to slacken off.

Expansion can continue so long as we have the intelligence to measure our performance against our potential, and the political will to do what is necessary to keep our performance in balance with our potential.

THE CONTINUING CRISIS IN THE CITIES

Mr. RIBICOFF. Mr. President, the continuing crisis in our cities has made us all aware of the need for a massive commitment by every segment of our society to curing the ills which have beset our urban areas. This great effort cannot be confined to the Federal, State, or local governmental agencies. The problems of our ghetto areas can be met and solved only by the combined endeavors of public and private sector alike.

Our studies of urban problems pointed out that the overriding need in our cities is more employment opportunities. I would like to take special note of the efforts of the Greater Hartford Urban League, in conjunction with five manufacturing companies—the Allen Manufacturing Co., Anderson Laboratories, Inc., Combustion Engineering, Inc., Kaman Corp., and Hamilton Standard—to launch a job-recruitment drive aimed at providing more jobs for the unemployed in Hartford. These companies deserve the commendation of all for taking the lead in this important effort.

I ask unanimous consent that an article published in the Hartford Times, which describes this effort, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JOB RECRUITMENT AIMED AT GHETTOS

(By Marion Jones)

The Greater Hartford Urban League, in cooperation with manufacturing companies in the Bloomfield, Windsor and Windsor Locks area and the Connecticut Company, has launched an intensive job recruitment program aimed at the unemployed and underemployed in Hartford's ghettos.

The companies—Allen Manufacturing Co., Anderson Laboratories Inc., Combustion Engineering Inc., Kaman Corporation, and Hamilton Standard—have listed nearly 200 job openings with the Urban League employment director Samuel B. Wilson.

The jobs range in scope from maintenance to engineering and offer openings to persons with varied levels of education and experience. Aside from the job openings available the companies have listed various job training openings and have offered opportunities for advancement to those hired in this special effort to get the unemployed to an employer.

The unique part of this program, announced today by Wilson and representatives of the participating programs, is that following the recruiting and hiring phase of the project, the Connecticut Company will revise and establish bus routes from North Hartford, the main job target area, to the participating employers.

This phase of the program will fill the transportation gap long cited as a reason for many North Hartford unemployed not seeking jobs outside of their area.

The companies are also going to set up an extensive advertising campaign to attract persons to the Urban League and subsequently to their companies.

The Urban League will do the initial screening and then will direct applicants to the various companies for job openings. The companies have agreed to have representatives stationed at the Urban League's 10 Allyn St. office during the week of Nov. 13, "Jobs Now Week," to interview screened applicants.

Both male and female applicants will be accepted and there are no age limits. A spokesman for the Bloomfield-Windsor industrial group said also that "we will not say no just because someone has a prison record."

Most of the jobs are for the second shift, however there are several openings for first and third shifts.

The pay ranges from $1.50 an hour to over $3 an hour in the more skilled and professional areas.

Janitors, assemblers, electricians, typists, keypunch operators, machinists, clerks, draftsmen, painters, chemists and engineers are a few of the many openings.

It is expected to be a continuing program geared to filling job openings with people who need jobs. It is also expected that bus service will be a continuing service once the initial employes have been hired.

"We are providing the referral, the transportation and the employer," said a spokesman, "those are the three key issues in filling the labor market today."

THEORY AND REALITY IN TAX POLICY

Mr. CARLSON. Mr. President, taxes—Federal, State, and local—are of great concern to our citizens, and, in view of the administration's demand for increased taxes, we need all the information available on this subject.

Dr. Dan Throop Smith, formerly with the Treasury Department and now professor of finance at Harvard University, delivered an address entitled "Theory and Reality in Tax Policy" at the National Tax Association Annual Conference in Atlanta, Ga., on October 23, 1967. Because it is most timely, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THEORY AND REALITY IN TAX POLICY

(Presidential address by Dan Throop Smith, at the National Tax Association annual conference, Atlanta, Ga., October 23, 1967)

The contributions of theoretical analysis in the development of tax policy are numerous and manifest. At some times and in some places, I have been and shall continue to be a vigorous advocate of the need for reliance on a theoretical structure to secure wise tax legislation. But at this time and in this place, it seems more important to challenge the value and indeed to warn against the use of certain recent developments in theory as guides for public policy. The danger of these theoretical concepts, and it is no exaggeration to say that erroneous or impractical theories may constitute a danger, arises from their failure to take adequate account of the realities of thought and action of people in politics and as taxpayers, investors, and businessmen.

Specifically, the present deficit, which is recognized by virtually everyone as inflationary under existing circumstances, arose from theoretical misconceptions about the long-run economic needs for government revenues to meet expenditures and the short-run political feasibility of changing tax rates. Prospectively, revisions in the tax structure are advocated by some to make it conform to their theoretical concept of equity—a concept which is inconsistent with traditional and widely held popular beliefs about what is fair—or to a theoretical model of economic neutrality which may be inconsistent with economic growth or an acceptable balance of payments.

Emphasis in the literature of public finance sometimes reflects the major problems of a period. Attention to stabilization in the nineteen thirties reflected the depression of that decade. Emphasis on growth in the nineteen fifties reflected the concern felt by some about the international comparisons of rates of growth. This concern, one may note, has at last been recognized as unjustified by subsequent studies indicating the greater potentials for growth at various stages of economic development or under particular conditions of transferable labor.

But a new emphasis in theoretical writing need not reflect the changing problems of the times. A brilliant exposition of a new or neglected concept provides an intellectual challenge for other writers who find their professional satisfaction in writing dissents, refinements or qualifications. Economic theory can become as fascinating for economists as pure mathematics for mathematicians—and as remote from the world of affairs. The construction of a neat model is a satisfying intellectual achievement and, for those whose talents lie in that direction, the manipulation of a model can be more intriguing than attempts to test its correspondence with the real world.

The danger that theory may unduly depart from reality is by no means new. The epitome of the theoretical contempt for the practical was represented by the remark of a renowned economist some thirty odd years ago. Perhaps I have quoted it too often, but it is classic in its unintended forthrightness. The incident involved a prediction that if a certain policy was followed for a year, dire results would occur. The policy was followed; the results did not occur; and the theorist was asked a year later by a newspaper reporter if the events did not disprove the theory. With supreme assurance and unimpaired confidence he answered, "Not at all. If the American people had understood economics, it would have happened." The analogy to the attitudes of some theorists regarding equity in the tax system will be noted shortly.

The concept of "fiscal drag," advanced under that name only a few years ago, turned a statistical possibility about the relative rates of growth of government expenditures and revenues into a firm prediction. Tax reduction based on the concept and the erroneous projections has turned out to be inflationary, and any short-run benefits from a faster immediate expansion in the economy probably will be more than offset by the damage from additional inflation or the actions taken to suppress inflation.

A belief that an increase in aggregate demand would absorb most of the unemployed without creating inflationary pressures turned out to be incorrect in two respects. Much unemployment, especially that which led to the greatest social problems, was hardcore unemployment not susceptible to significant improvements by increased total spending. And bottlenecks led to inflationary wage and other cost increases while total unemployment was still substantial.

Though the phrase "fiscal drag" is a recent addition to our vocabulary, some consideration of future as well as present revenues and expenditures is not new in tax policy. In 1954, for example, a decrease in revenue of over $7 billion was proposed and adopted, through rate reductions and revisions in the Internal Revenue Code, on the basis of a curtailment in expenditure which was confidently and correctly foreseen. It was recognized that a large surplus, if tax reductions had been postponed until expenditures had been cut, would have been unduly repressive. But this was quite different than the projection of revenues to be secured from a level of economic activity theoretically attainable against an inadequate projection of expenditures in existing programs and probable new programs.

At a time when increased Federal spending was thought to provide the solution to most domestic social problems and when real ingenuity was thought to be necessary to avoid economic recession because of surging Federal revenues, it is not surprising that expenditures rose so rapidly that the budget got out of control, quite apart from military outlays. Anyone who had felt the inexorable increases in expenditures in the 1950's, at a time when the prevailing attitude was one of skepticism regarding the need for new and larger Federal programs, could be fairly certain that statistical projections showing any shortfall of expenditures in the mood of the early 1960's would be unrealistic.

In passing, one may note with some regret that critics of our affluent society who correctly emphasize that the quality of life depends on the quality rather than the quantity of expenditures in private consumption have failed to recognize that the same distinction should be made regarding government expenditures. May we hope to have the same discriminating analysis applied in the public area, with the conclusion that a smaller but wiser expenditure may give a better quality of both public and private life?

In education, in welfare, and even in highway construction, more attention to the quality of the result, rather than a presumption that an increased quantity of input automatically leads to a better output, is needed. Analysis of this sort presents a challenge to political scientists and economists, as well as to professional specialists in the various government programs. Symptoms in some of the welfare states suggest that excessive public affluence may be as debilitating for a society as it is for some individuals, with results that are more serious because they are more pervasive.

In brief, the belief of a few years ago that a fiscal drag was the principal danger in the Federal budget has been discredited by the realities of accelerating government expenditures. Like the misconception of a generation ago that western civilization was economically mature and hence inherently stagnant, it led to bad economic policies. The mature economy concept led to tax and other penalties on savings and investment which first suppressed latent revival and growth and later laid the basis for inflationary forces in expanding economics. The concept of fiscal drag led us into the present impasse with an inflationary budget deplored by all but for too long corrected by none.

Until recently it was not only thought that the elimination of fiscal drag was necessary to assure continued economic growth, and that its elimination probably would produce the growth, but it was also believed that a proper exercise of fiscal policy could produce "fine tuning" of the economy with virtually steady rises in activity and income. Again, political and economic realities have disproven the idea that quick adjustments in tax rates could be used for stabilization purposes. First, a temporizing Administration postponed attempts to secure Congressional approval of rate increases far beyond the time when action seemed required. More recently, a frustrated Congress has knowingly and understandably accepted more immediate inflation as a necessary price to pay in an attempt to secure some control over expenditures.

In theory, expenditures should be limited directly by Congressional appropriations but, for a variety of reasons under our governmental processes, individual appropriations mount to a level which, after the fact, is regarded as excessive in the aggregate. Since the middle nineteen fifties, the Congress has used the requests for increases in the debt limit as occasions to try to control expenditures indirectly. These attempts could not be really effective because expenditures in process had to be paid for. It is likely, however, that the small increases in the debt limit actually adopted, forcing repeated requests for further increases, and the denunciations which occurred each time the ceiling was raised, including self-denunciation in the Congress, has had some effect in curtailing outlays, illogical and inappropriate though this method may be in theory.

The size of the deficit may be a psychological constraint on expenditures, quite apart from its relation to the debt limit. But the psychological factor does not apply systematically. For several years after 1953, when a balanced budget was an accepted and attainable goal, the fact that a contemplated expenditure or tax reduction was not "in the budget," was a fairly effective barrier to its adoption. Later, in 1958, when receipts fell off and expenditures increased during a pause in economic expansion, action which increased an already admitted deficit was not taken seriously until the total estimated gap approached $10 billion. This round figure seemed to produce the same shock effect that any imbalance had a few years previously, and the budget constraint again became effective. In 1962, when the policy criterion had changed, a deficit up to but not above the level actually incurred involuntarily a few years previously seemed to be taken as a "safe" figure which could be not only accepted but sought.

More recently, concern about deficit financing subsided and the deficit has continued to mount until the figure of $29 billion was reached in one of the projections. This seemed to have the same psychological impact as did the $10 billion figure in 1958. And this is the situation in the latter part of 1967. Votes against a tax increase do not typically represent enthusiasm for or even approval of the deficit. Rather, they seem to reflect an almost desperate attempt to force the Administration to join with the Congress in a serious review of programs in a situation when even any likely curtailment of spending will still leave an inflationary deficit. There is some precedent for forcing executive action by legislative inaction. The delay by Congress in voting a tax reduction until after the budget was presented in January 1964, probably kept spending plans down in that year.

"Fine tuning" through changes in tax deductions and credits was thoroughly discredited in the Congress by the fiasco over the repeal and reinstatement of the investment credit. The idea that major investment programs in business could be turned off by the suspension of the investment was unrealistic. Once embarked on, efficiency requires completion of a major program. The results of a repeal of the credit thus will lag behind the act, perhaps into the later period when, under "fine tuning," expansion might be desired. But when a restoration of the credit is authorized for a specified date in the near future, projects not yet in the process may be postponed; a few months delay may justify the cost advantage.

The probability of a surge in capital expenditures when the credit was restored was so widely recognized that the date of restoration was advanced and in fact established retroactively. Another generation in a later Congress may try the experiment again, but statements of those most immediately involved indicate that they will not join in a repetition. The estimates of economic activity have been stated to be too uncertain for Congressional action on temporary suspension, and the results of a suspension have been found to be too slow at the start and perversely pronounced at the end.

On the general issues of fiscal policy, I venture the following summary. We have learned, long since, that a reduction in expenditures or an attempt to increase revenues in a period of recession will accentuate the recession. It is improbable that any party at any time will attempt to balance an unbalanced budget during a recession. Also, we know that there is substantial growth in government revenues in an expanding economy. But we have learned from very recent experience, what we should have known already, the government expenditures also have an upward momentum and may absorb available revenues. Inflationary deficits seem a much greater and more persistent danger than does any probable fiscal drag. Continuing deficits are especially unacceptable in an economy which seems to have other inherently inflationary forces, including the expected pattern of wage increases.

The intriguing models of rapid and frequent changes in tax rates, deductions and credits for fine tuning have been proven impractical in our world of political realities. In the final balance, attempts to achieve too much by fiscal policy have thrown an altogether unreasonable and impossible burden on monetary policy. Some theorists who favored the recent experiment will simply complain that the public does not understand economics. Others seem already to be recognizing that a theory which ignores realities should not be used as a basis for public policy.

Theory has not only lost touch with reality regarding the necessary level of total revenue and the difficulties of obtaining it. Much of the current theoretical literature seems also to have set up goals and models for changes in the tax structure which are more impressive as intellectual achievements than useful programs in the real world. I shall refer only to the proposal for a comprehensive tax base and the emphasis on economic neutrality as a major criterion of policy.

The inclusion of gifts, bequests, and capital gains along with ordinary income in a comprehensive tax base for the taxation of individuals is proposed under a concept of equity which has a background as distinguished as it is limited. Some of those who most ardently advocate the comprehensive tax base frankly admit that it rests on a subjective value judgment which others may not accept. Other advocates seem to insist that the general public should feel unfairly treated in the absence of a comprehensive tax base, even if they do not actually feel abused, and that the rather esoteric theoretical ideal of equity based on the net accretion concept alone embodies righteousness. The attitude of the protagonists sometimes seems as arrogant as that of the economist who said that if the American people had understood economics his erroneous prediction would have been realized.

For many generations and for many purposes, the distinction between capital and income has been important. The line of demarcation is at times obscure and, with increasing complexity in investment and business transactions, it has at times been necessary to draw the line in a somewhat arbitrary manner. But the basic distinction is still valid. It is, I think, still correct to say that any economic entity, be it an individual, a business, or a nation, which confuses capital with income has a fair chance of consuming the former with a consequent reduction in both wealth and income.

In spite of this solid and important distinction between income and capital, a number of brilliant and persuasive writers in public finance theory have adopted a concept that transfers of capital between individuals and between assets by a single individual have the same tax-paying capacity as the receipt of ordinary income. (In the case of transfers between individuals, the full amount of the capital value of a gift or bequest would be included in the tax base; in the case of transfers between assets by an owner, the gain only would be included.) The comprehensive tax base is plausible and respectable, though it would significantly deplete the supply of capital. But personal consumptions expenditures would also provide a plausible and respectable tax base, and its adoption would significantly increase the supply of capital.

The popularity of the comprehensive tax base among its advocates probably rests to a considerable degree on their strong predisposition in favor of redistribution of wealth and income. Attitudes on this issue reflect individual value judgments on ethical and social grounds. It is notable, however, that many writers in public finance place such a high value on redistribution, regardless of the extent of redistribution already achieved by a tax structure, that they are inclined to favor any proposal which produces still more redistribution. And they are inclined to reject any which permits increases in higher bracket incomes and wealth, even if associated with greater income and wealth at all levels.

The criticism so often and so justifiably made that in many of the developing countries policies arising from an obsession with redistribution have the effect of limiting economic growth and making everyone worse off applies in less obvious ways here. (The familiar analogy is that controversy over the size of the slices in the pie distracts attention from baking bigger pies from which everyone could get bigger slices.) Perhaps we are sufficiently affluent to afford the luxury of pushing redistribution to a point where it restricts growth if that is what we want, but it should be a conscious choice of alternatives and not assumed to be universally desired regardless of the price in terms of national income foregone.

The effects of adoption of a comprehensive tax base on the supply of capital should be self-evident. Common sense suggests and recent studies confirm the fact that propensities to consume and save vary with the nature and regularity as well as the amount of income and other receipts. Certainly, substantial bequests and gifts of capital sums are not typically regarded as income, or as funds properly spent on consumption. They are likely to be retained as capital. And if taxed away under a comprehensive tax base they are not likely to be restored by unusually high savings from regular income.

Personal attitudes regarding capital gains probably vary more than those regarding capital gifts and bequests. Some consider increases in the value of capital assets as being embodied in capital from their inception and the use of a capital gain for current consumption as being as imprudent as the use of capital itself. Continued depreciation in the value of the currency only reinforces this view. Under this concept, a tax on capital gain is simply a selective capital levy which, though it may have a proper role in a tax structure, should not be confused with an income tax.

Others, with equal conviction, regard a capital gain as income, both in their personal use of gains and in the abstract. It seems probable, in fact, that one's attitude regarding the proper tax treatment of capital gains depends on his own uses of gain. For those who treat gains as windfalls to finance more expensive vacations or, if recurring, a higher standard of living, taxation as income is reasonable.

Unfortunately there is no statistical basis for comparing these two points of view, either by numbers of people or by amounts of total gain involved. About all one may hope for is tolerant recognition by each of the other's concept. The former, which I hold most emphatically, is less often reflected in public finance literature, though it seems very likely that capital accumulation in this country could not have proceeded as it has unless many others treated gains as capital or, if income, as income subject to a peculiarly high propensity for saving. It is hard to imagine that full taxation of gains would not reduce a country's supply of capital below the level it would otherwise attain.

Tax-free roll-overs of realized gains and full taxation of gains used for consumption would seem to give reasonable recognition to both points of view and have minimum adverse effects on the supply of capital. For those who are particularly concerned with redistribution of wealth, in addition to equalization of living standards, tax-free roll-overs, or taxation of reinvested gains at a low rate, would not be acceptable. The proposal, however, deserves more attention from the standpoint of the various concepts of equity, the effects on redistribution of wealth as distinct from effects on differences in standards of living, and the effects on the supply and the use of capital. Supply and use are both influenced by capital gains taxation.

Many other aspects of the concept of the comprehensive tax base deserve specific attention. There is a disposition among its advocates to extend the tax base to virtually all fringe benefits, regardless of the reason for their existence. An excess of enthusiasm can lead to unreasonable complexities in the law and its administration. The taxation of fringe benefits created largely to avoid taxation is necessary to maintain general taxpayer morale. But attempts to cast the tax net over all sorts of imputed income and income in kind will produce little more than intellectual satisfaction to theorists at the expense of great annoyance to many taxpayers.

The comprehensive tax base has great appeal to many people. I suggest that it is by no means the only respectable tax base, and that its adoption would produce adverse effects on supplies of capital and administrative difficulties, as well as being in conflict with the concepts of equity of many people.

I shall comment only in the most general terms on the recent emphasis on economic neutrality as a major criterion for tax policy. Attention to economic neutrality reflects a high respect for the free play of market forces in decisions on consumption, savings and investment. It is, however, more than moderately surprising that many of those who are the strongest advocates of economic neutrality in tax policy are the strongest opponents of neutrality regarding the division between the public and private sectors of the economy and in the distribution of the income left in the private sector.

But neutrality in tax policy appears to have appeal both to those who would have the state intervene to collectivize and redistribute income and to those who prefer a greater degree of free market economy in all respects. The latter, however, though they may sympathize with the theory of tax neutrality in the abstract, recognize that in the real world there are so many other nonneutral aspects of policy that neutrality in one area may not increase neutrality on the average. Furthermore, a shift to tax neutrality could be disruptive and also conflict with other important national goods. Complete neutrality in tax policy may, for example, decrease corporate retained earnings with no likelihood of an offsetting increase in individual savings. And the removal of differential tax treatments may lead to abrupt shifts between industries or prices of products.

The differing attitudes of people to economic neutrality seems worthy of comment. To some, even to some economists, the goal is a rather esoteric one, hardly suitable as a basis for a political issue or for personal emotion. For others, and probably only for economists, indignation about nonneutrality can be stronger than indignation about inequities. The point was most clearly demonstrated in the discussions in the Brookings conference on the tax treatment of oil and gas income. As the discussion developed it seemed to indicate that the effects of the special tax treatments in general were reflected in increased investment in the industry and lower prices for the products, rather than in unreasonably high profits. Some individuals felt that if this were true, the issue was much less significant than it had been thought to be when attention centered on the effects on individual fortunes and net incomes. But others were more concerned, and more indignant, at the thought of "misallocation" of resources, a point of view probably only possible for a theorist.

In another area, tax neutrality regarding foreign investment by business has often been emphasized in both public finance literature and recent proposals for legislation. Much of the analysis and many of the proposals tacitly assume an ideal world in which all other countries have objectives and policies of neutrality, a situation which most emphatically does not exist in fact. Thorough analysis of comparative treatments and relative competitive positions would seem to be more useful as guides for policy than further refinements of models of neutrality.

It seems likely that economic neutrality will receive increasing attention in public finance literature and in proposals for changes to conform to theoretical models. This, I suggest, is an area in which conflicts with reality may be especially acute. Models for neutrality can be simple or elaborate and they are always intriguing to specialists. Hopefully, others will be equally intrigued with analyzing the impact of tax changes toward neutrality in the real world which is full of nonneutral factors and policies and in which many national objectives require nonneutrality.

Analysis which points out nonneutralities and measures their effects can be valuable for rational decisions on public policy. But an elevation of neutrality to a major role as a criterion of policy, with inadequate analysis or unrealistic presumptions about its effects, is not likely to be helpful in dealing with the complex problems of the real world.

BIG DROP IN NEW ORDERS DISCREDITS TAX INCREASE PROPOSAL

Mr. PROXMIRE. Mr. President, I fully appreciate the aversion to beating an old bag of bones. The administration's tax increase proposal may be dead for this year. But next year is nearby, and sentiment for the tax increase continues in the face of economic developments that continue to discredit it more every day.

The economic-academic fraternity continues to contend that only fear and voter aversion to tax increases stand in the way of the logical anti-inflation prescription: a tax increase.

And they continue to be wrong.

The latest development was reported in this morning's newspapers. Factory orders fell in September for the third consecutive month. The drop was almost $1 billion, the steepest decline of three consecutive monthly reductions in new orders.

Mr. President, this is hardly the performance of an economy that is about to burst at the seams in uncontrollable demand pressures sure to drive prices up. New orders are among the best—perhaps the best—single indicators of the future performance of the economy, and this indicator says the economy is going down not up. If this is true, the case for a demand depressing tax increase evaporates.

Second, the disappearance of the stimulus of the Vietnam war is becoming increasingly apparent, and it was the Vietnam war escalation which was, along with the 1964 tax cut, primarily responsible for the sharp inflationary push on the economy in the period from mid-1964 through mid-1966.

Mr. President, I ask unanimous consent that an article published in the Wall Street Journal of this morning, reporting the fall in factory orders, be printed in the Record. Also, I ask unanimous consent that an article written by Joseph R. Slevin, analyzing the diminishing stimulation of the Vietnam war on the economy and published in this morning's Washington Post be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Factory Orders Fell in September for Third Month—Bookings Declined 2.1 Percent From August—Shipments Were Also Down—Backlogs Rose—Ford Strike Partly Blamed

Washington.—New factory orders dropped in September by almost $1 billion, the Commerce Department said, the deepest of three consecutive monthly declines.

Shipments slid even more steeply, the report showed, while the backlog of unfilled orders moved up moderately and inventories edged above their August level.

The factory-orders inflow was a seasonally adjusted $44,945,000,000, the report said, down 2.1% from the upward-revised $45,900,000,000 of August; the bookings, a key guide to future production, had dropped by 9.2% in August and in July.

The latest falloff, which was foreshadowed by a previously reported drop in the inflow of orders for durable goods, isn't a sign of general weakness, Johnson Administration officials assert. Much of it was due directly to the Ford Motor Co. strike, they say, adding that "secondary effects" of the work stoppage might account for much of the rest of the decline.

Factory inventories equaled 1.83 months' sales at the reduced September pace, the department said, up substantially from the 1.78 ratio at the end of August and sharply above the 1.70 of a year before; a high ratio usually leads industry to hold down production, but Government men contend that rebounds from strikes are apt to be brisk.

AUTO-DATA REVISIONS

Downturns in a wide range of industries left the new orders total almost $1.4 billion below the last record of $46,318,000,000 set a year before; it was the lowest level since last April.

Durable-goods ordering was off 2.3% from the month before; this was less adverse, however, than the 3.2% drop originally reported before auto data was revised upward. Nondurables ordering was down 1.9% after a 0.4% decline in August.

New orders received by the machinery and equipment industries dropped to $4,647,000,000 from $5,058,000,000 the month before, which analysts say isn't too surprising in light of the strong gains in prior months and the general expectations that business plant and equipment outlays will rise only slightly this year and next. A year earlier, such orders totaled $4,906,000,000.

The overall orders drop would have been much more severe, the statistics suggested, if it hadn't been for a jump to $3,549,000,000 from $2,841,000,000 in "defense products" orders. This measure is a rough guide to Pentagon purchasing, including both civilian and military business in the aerospace, ordnance and communications industries, but omitting other military goods. Even with the jump, though, such ordering was much smaller than the $4,671,000,000 of September last year.

Ordering for such consumer durables as furniture and appliances declined to $1,773,000,000 from $1,859,000,000 the month before; the total was the slimmest since May and barely above the like 1966 month.

SHIPMENTS DECLINE

Factory shipments in September sank 2.7% to $44,448,000,000 after gaining 0.6% to an upward-revised record $45,675,000,000 in August; the total was the slimmest since last April, and less than $360,000,000 above a year before. The 3.7% drop from August in durables' shipments reflected the auto strike and a "mixed pattern" of ups and downs among other hardgoods makers, the department said. The 1.6% slippage in nondurables came as "moderate decreases" in most industries more than offset "small increases" in oil, coal and leather, it said.

Manufacturers' inventories edged up by only $36,000,000 to $81,406,000,000 at the end of September, but were almost $7,000,000,000 higher than a year before. Stocks of durable-goods companies slipped slightly, and nondurable stocks rose a little.

The September standoff in inventories, following a $473 million advance in August, is in line with Government expectations that inventories will show little change for a while and then resume a normal rise; a massive pile-up of inventories late last year and consequent production cutbacks as regarded as major causes of the softness in the first half of 1967.

With new orders outstripping shipments for the fifth consecutive month, the backlog of orders rose to a record $80,482,000,000 from $79,985,000,000 at the end of August. Much of the advance was in defense industries, which had a backlog of $34,607,000,000 at the end of September; backlogs of the machinery and equipment industry and the consumer durables industry both declined slightly.

Here is the Census Bureau's monthly tabulation of manufacturers' shipments, inventories, new orders and unfilled orders (in millions of dollars):

SHIPMENTS

	Unadjusted			Seasonally adjusted	
	September 1966	August 1967[1]	September 1967	August 1966[1]	September 1967[2]
All manufacturing	46,170	44,413	46,366	45,675	44,448
Durable goods	23,753	22,089	23,363	23,633	22,750
Nondurable goods	22,417	22,324	23,003	22,042	21,698

INVENTORIES

	Unadjusted			Seasonally adjusted	
	September 1966	August 1967[1]	September 1967	August 1966[1]	September 1967[2]
All manufacturing	74,417	81,013	80,897	81,370	81,406
Durable goods	47,319	52,631	52,487	52,784	52,766
Nondurable goods	27,098	28,382	28,410	28,586	28,640

NEW ORDERS

	Unadjusted			Seasonally adjusted	
	September 1966	August 1967[1]	September 1967	August 1966[1]	September 1967[2]
All manufacturing	48,083	44,630	46,660	45,900	44,945
Durable goods	25,810	22,268	23,652	23,726	23,183
Nondurable goods	22,273	22,362	23,008	22,174	21,762

UNFILLED ORDERS

	Unadjusted			Seasonally adjusted	
	September 1966	August 1967[1]	September 1967	August 1966[1]	September 1967[2]
All manufacturing	79,213	80,400	80,697	79,985	80,482
Durable goods	75,673	77,187	77,477	76,801	77,233
Nondurable goods	3,540	3,213	3,220	3,184	3,249

[1] Revised. [2] Preliminary.

VIETNAM SPENDING UPSURGE BEGINNING TO FLATTEN OUT

The big Vietnam spending upsurge is at an end. Defense Department outlays have climbed above the $75 billion a year mark and Administration officials predict that any additional increases will be small.

Vietnam spending is flattening out because the tremendous U.S. military build-up is almost complete. Officials say there will be no decline so long as the war continues but they contend that outlays will not rise significantly again unless President Johnson orders a sharp, new escalation in the Southeast Asia fighting.

The end of the Vietnam spending boom is a major economic development, Rapidly climbing military buying has provided the chief economic thrust for the past two years. But now the main spur will have to come from consumer purchases, home-building, the completion of the much talked about inventory correction, and other civilian activities.

There is a widespread disposition to be deeply skeptical of official suggestions that the military buying upsurge is over. Administration officials repeatedly have underestimated the cost of the Vietnam war. However, the evidence is that this time they will be proved right.

"From an economic standpoint, you cannot count on any significant lift anymore from defense," a key official declared. "For all practical purposes, the impact of the Vietnam build-up is finished."

New figures disclose that the Pentagon's multi-billion-dollar aircraft and ammunition outlays actually have started to edge down. Aircraft spending hit a peak during the spring while ammunition purchases topped out in the early summer.

Construction expenditures are falling rapidly. Most of the huge harbor, airport, and military base installations in Vietnam are nearly completed. The construction companies are laying off workers.

The armed forces now have all but 80,000 of the 3,460,000 men who are to be under arms by next June 30. Spending for uniforms and other equipment has leveled out.

The military's tremendous transportation expenses are dropping sharply, too. Most of the Vietnam units have arrived in Southeast Asia and vast stocks of supporting munitions have been shipped across the Pacific.

Defense Secretary Robert S. McNamara recently cancelled the costly use of chartered aircraft to ferry men and supplies from the U.S. to Vietnam. "We were moving all kinds of junk by air," a Pentagon official snapped. "We've put an end to that."

Fewer ships are being used, as well. While enormous quantities of replacement ammunition, spare parts, food and other supplies still must be sent to Vietnam, the completion of the port construction work has chopped the turn-around time for freighters. They no longer have to wait weeks to be unloaded and the military cargo backlog has been cleaned out of West Coast ports.

The Defense Department originally took 172 ships from the mothball fleet to meet Vietnam requirements. McNamara has ordered that 16 be laid up again and more are due to go back into moth balls before next summer.

Employment has stopped rising in defense industries such as aircraft, electronics, ordnance, shipbuilding, and communications. Their working forces hit a peak earlier this year and have been holding steady ever since.

Looking ahead, officials believe that the future holds more of the same.

McNamara is under intense White House pressure to keep defense spending from increasing again. The best judgment of knowledgeable officials is that the topping out of the Vietnam buildup is giving the bespectacled Cabinet Officer a better than even chance of enforcing the spending lid that Mr. Johnson has been demanding.

AMERICAN ASSOCIATION OF UNIVERSITY WOMEN EXPRESSES CONCERN OVER ASPECTS OF SOCIAL SECURITY BILL

Mr. METCALF. Mr. President, the American Association of University Women has expressed to me its concern over certain aspects of the House passed social security bill, H.R. 12080. Specifically, the association is troubled by the minimal increase in OASDHI benefits, failure to include disabled beneficiaries under medicare, the requirement that AFDC mothers participate in work and training programs and the proposed freeze on the number of children in each State eligible for AFDC support.

I believe that this correspondence will be significant as we discuss H.R. 12080. I therefore ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

AMERICAN ASSOCIATION OF UNIVERSITY WOMEN,
Washington, D.C., October 23, 1967.
HON. LEE METCALF,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR METCALF: The support of the American Association of University Women for the principles behind the nation's Social Security program goes back to 1937 when the original act was passed.

We have followed the progress of the Social Security Amendments of 1967 with keen interest and wish to make some observations, particularly on H.R. 12080 the House passed bill.

In general the changes made in the House passed bill from the Administration's proposals reduce the size of the benefits to the aged, restrict the availability of medical assistance, and limit the present use of Aid to Dependent Children.

For these reasons, the American Association of University Women calls for a reconsideration of the initial proposals offered in February, and dissents from certain aspects of H.R. 12080. In particular, the Association questions: (1) The Act's minimal increase in OASDHI benefits; (2) its failure to include disabled beneficiaries under Medicare; (3) its requirement that AFDC mothers participate in work and training programs, and (4) the proposed limitations on the number of children in each state eligible for AFDC support. The basis for the Association's dissent is as follows:

(1) *OASDHI increase in benefits.* The Administration proposed a 15% general increase in benefits, and an increase in the minimum benefit (from $44 to $70 per month for one person, and from $66 to $105 per month for a couple), to be financed by an increase in the taxable base to $7800 in 1968, $9000 in 1971, and $10,800 in 1974 (from the present base of $6600). Very small increases in the scheduled contribution rates were also to start in 1969.

H.R. 12080 increases the benefits by 12½ percent and raises the minimum benefit from $44 to $50 a month (from $66 to $74 for a couple) to be financed by raising the wage base to $7600 on January 1, 1968, and by increasing the rate by .25 percent on employer and employee.

Two summary statements argue for the larger increase in OASDHI benefits. One, the Department of Agriculture's economy budget (which allows about 22¢ per person per meal) calls for a minimum annual money income of $1470 for an aged person, and $1850 for an aged couple not living on a farm. Two, these figures are higher than the average social security benefit for persons ($84 per month) and couples ($143 per month).

(2) The House bill failed to include disabled beneficiaries under Medicare on the grounds that their coverage would be considerably more expensive than that for the aged. Earlier, the Social Security Advisory Council recommended coverage of the disabled, and it is obvious that their need for such coverage is great.

(3) H.R. 12080 requires every state to set up work-training programs for all unemployed adults and older children who are receiving AFDC. With regard to forcing mothers of dependent children to enroll in such programs, it seems to me that Secretary Gardner's protest might well be that of the Association. He objected, he said, to "any atmosphere of coercion about training because the great bulk of the people we're concerned with here are mothers, and there is a real question as to whether society gains if a mother leaves four children to go to work."

(4) On AFDC, H.R. 12080 further limited the proportion of children under 21 in each state who could receive aid in the absence of a father to the percentage of AFDC children on the state rolls as of January 1967. Such a restriction is quite unrealistic, given the interstate mobility of families and the strong probability that particular states will continue to receive more in-migrants than out-migrants. To quote the Secretary again, such a percentage limit would cause children "to pay for the real or supposed sins of their parents."

As we recognize your dedication to the welfare of children we ask your help in procuring enactment of a Senate bill with provisions closer to those proposed by the Administration.

Sincerely yours,

GLORIA PETERS,
Area Representative in Community Problems.

DR. VICTORIA SCHUCK,
Chairman, Legislative Program Committee.

THE STRIKE IN THE COPPER-MINING INDUSTRY

Mr. MOSS. Mr. President, for well over 100 days now, the employees of Kennecott Copper Co., and others in the mining industry, have been on strike in Utah in an attempt to negotiate a new contract of employment. The impact is very serious on the economy of my State. Governor Rampton has made several efforts to bring the parties together to accomplish meaningful collective bargaining leading to a new contract. So far his efforts have been unavailing. There does not appear to be any prospect of settlement in view.

Naturally, with this condition prevailing in my State, there have been a number of suggestions made as to how the dispute might be dealt with, both presently and in the future. One such suggestion was made by Paul Thatcher, an attorney at law in Ogden, Utah. The second suggestion has been made in an editorial in the Ogden Standard Examiner for October 22. While I do not necessarily subscribe to everything stated in these documents, I think they should be put on the record for all to read and to discuss. In my opinion, we must find some way to protect the public from prolonged work stoppages. Not only the workmen in the affected industry and the stockholders of that industry suffer, but the damage spreads out to other workers in other companies who are not involved in any way in the strike. In our highly complex and closely integrated economic society, we must devise a better way of bringing to a conclusion bargaining sessions between management and labor.

I ask unanimous consent that the two documents be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Salt Lake (Utah) Tribune, Oct. 17, 1967]

REGULATION FOR LABOR

EDITOR, TRIBUNE: Years ago we Americans recognized, and Congress and many legislatures declared that labor-management relations vitally affect the public health, safety and welfare.

Labor Relations Laws were enacted, intended to secure a just and enduring industrial peace serving the interests of all. By those laws we created Big Labor—a virtual independent sovereignty within our nation—hoping it would secure industrial peace by a "balance of power" with Big Business.

Years have passed, but peace and order in labor-management relations still elude us. Daily we read and hear of long continued strife and bitterness in labor relations, of strikes, of violence and sabotage, of idleness and waste.

Clearly the laws we adopted have missed their mark. It is time to take a fresh look and more effective action.

A just and practical solution can be found in the principles and procedures used in regulating the public utilities, whose operation also affects the public interest. If a utility wants a rate increase or a change in operations, it files its proposals with the Public Service Commission. All concerned, including the public, are given a fair, open hearing, and the facts are investigated and determined. The commission then authorizes such changes as the evidence shows are fair, just, and compatible with the public interest.

This system has well and fairly regulated monopolistic utilities. It should as well and as fairly regulate monopolistic Big Labor—to the benefit of all.

PAUL THATCHER.

[From the Ogden (Utah) Standard-Examiner, Oct. 22, 1967]

NOVEL INDUSTRIAL STABILIZATION ACTS POSSIBLE MODEL FOR PEACEFUL LABOR

It's a long ways from Utah to the historic Caribbean islands of Trinidad and Tobago. But a novel Industrial Stabilization Act now in use there offers itself as a possible model for achieving labor peace here in our own state.

When Utah Gov. Calvin L. Rampton intervened personally in a vain attempt to bring peace to the state's paralyzed copper industry, he was criticized in some selfish sources as having no business intervening in a labor dispute.

The governor replied that he was acting upon behalf of the people of Utah, whose economy has been crippled for 100 days by a strike for which no settlement is in sight.

All that Gov. Rampton could do, in asking the opposing sides in the deepening copper controversy to get together, was to use the prestige of his office. He had no legal power to request the strike to end.

Had Gov. Rampton been the chief executive of the independent state of Trinidad and Tobago, he would not only have had the power to intervene but the duty. And the contesting parties would have been required, under a unique "Industrial Stabilization Act," to submit their dispute to a potent Industrial Court. The court's decision would have been final.

The Trinidad-Tobago system of industrial peace provides an ingredient sadly lacking in U.S.-style labor relations. It provides a voice for the people, the public, who—as in the current Utah copper situation—are so badly hurt by labor-management strife.

There's another parallel. The population of the two islands, 20 miles apart in the Windward Islands of the "Lesser Antilles" chain just north of Venezuela, was 950,000 when they became independent members of the British Commonwealth on Aug. 31, 1962. They now have more than one million residents, almost identical with the population of Utah.

The program they have adopted is a thought-provoking one. It is well worth the study of Utahans—and others in our country—who are interested in securing a sensible method of settling unreasonable labor fights.

The new, written constitution of Trinidad and Tobago is a model in many respects, taking its cues from the best portions of the U.S. Constitution and the British form of government. In its preamble, the carefully written document stipulates that the people of the two islands "recognize that men and institutions remain free only when freedom is founded upon respect for moral and spiritual values and the rule of law."

Their parliament consists of a 24-member Senate, appointed by the Crown-named governor-general from a precise list of nominees, and an elected, 36-member House of Representatives. The governor-general is actually powerless; the chief executive is a prime minister.

The system of courts follows, again, a combination of American and British forms, pledged to protect fundamental freedoms and human rights of the multi-racial island society.

The original constitution had no specific provisions on labor courts. However, a state of unrest developed in early 1965 in the all-important sugar belt of Trinidad, brought about by what J. Algernon Wharton, an attorney in Port of Spain, the capital city, called "conflicting trades union interests."

A limited state of emergency was declared. During it the parliament, on March 20, 1965, passed the Industrial Stabilization Act. Its preamble describes it as "an act to provide for the compulsory recognition by employers of trade unions and organizations representative of a majority of workers, for the establishment of an expeditious system for the settlement of trade disputes, for the regulation of prices of commodities and for the constitution of a court to regulate matters relating to the foregoing and incidental thereto."

In plainer language, it resembles the U.S. Taft-Hartley Labor Act, up to a point, but adds a provision for what amounts to compulsory arbitration.

If a dispute develops, the Minister of Labour tries to obtain a settlement. Failing this, he refers the matter to the Labor Court, whose opinion is binding. Appeal can only be taken to higher courts except on points of law, not on the merits of the dispute itself.

Since its enactment, the Industrial Stabilization Act has survived a critical test in the nation's highest courts, which upheld its constitutionality.

The act was a major issue in a parliamentary general election in November 1966. The union-sponsored Workers and Farmers Party demanded its repeal. But the unionists failed to win any of the 35 House seats; one member, a veteran of several prior assemblies, was even rejected in his bid for re-election.

The people of Trinidad-Tobago, in other words, liked the Industrial Stabilization Act and wanted it to remain in force. We sympathize with them, feeling they are on the right track.

During its first year of operation, the court considered 70 trade disputes referred to it for final determination and one case that came up simply for advice, another desirable provision of the act. It settled them all.

The act has a fine set of teeth, applicable to both management and labor. An employer who declares or takes part in an illegal "lock-out" is subject to a penalty of $20,000 in fines, three years in prison or both the fine and prison sentence.

Unions violating the act face a fine of $10,000 and loss of their registration—their charter. Individual union officers can be assessed fines of $2,500, a 12 months' jail term or both; non-union striker leaders can be fined up to $5,000, jailed for two years or be given both penalties. Individuals who strike illegally can be fined $250 or jailed for three months!

This measure used by Trinidad and Tobago is mighty extreme. American labor and management associations may charge that it interferes with the traditional rights of collective bargaining.

We do not believe that it does. If used in Utah or in the United States at large, it could bring order out of the labor chaos already upon us. This situation, with strike threats in many major industries, is apparently going to grow worse.

The time to adopt laws that protect the public instead of only the selfish interests of shortsighted unions and companies, is upon us. The Trinidad-Tobago Industrial Stabilization Act could well serve as an effective model.

LESSON IN LEATHER

Mr. HANSEN. Mr. President, sometimes it seems that whenever a bureaucrat is overcome by the urge to manipulate some segments of the economy, he always wants to experiment first on the farmer.

I am thinking of the unfortunate adventure last year into price manipulation of the price of hides by the Department of Commerce. Last year the price of hides was coming up—at last, after many, many years of scraping bottom. But the Government was persuaded that the manufacturers of shoes and other leather articles needed to be protected from any increase in the prices of raw materials, even though that might mean pushing down the price of hides and the price of cattle. The Government slapped a quota limitation on the quantity of hides that could be sold abroad, and thereby checked the price increase on hides.

An editorial published in the Wall Street Journal a few days ago reminds us of the ultimate outcome of that story. Within a few months it became apparent that the quota on hide exports was unnecessary. Hide prices went down, and the pressure on the American hide market disappeared. But meanwhile foreigners found alternative sources of hides, and much of our foreign market for hides, painfully built up through the years, has now been lost. Also, our foreign customers in some cases have switched over to the use of synthetics in place of leather.

This year American hide exports have fallen by 11 percent during the first 8 months of 1967, compared with the similar period of 1966. The American farmer has had to pay the price of the mistakes made by our economic managers in the executive branch of the Government.

I ask unanimous consent to have printed in the RECORD an editorial entitled "Lesson in Leather," published in the Wall Street Journal of October 31, 1967.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LESSON IN LEATHER

The experiences of the cattle hide business in the past couple of years illustrate only too well what usually happens when the Government tries to manage free markets. Unfortunately, a good many people apparently haven't been watching.

The crisis began in 1965, when drought and other factors forced Argentina to cut back its sales of cattle hides in world markets; together with growing world demand for leather shoes, the move enabled U.S. suppliers to step up their exports of hides.

Naturally enough, the growing demand began boosting hide prices in the U.S., a trend that American producers of shoes and other leather goods did not like at all. By early last year they had persuaded the Commerce Department that a critical situation existed, so the Government decreed a quota on exports.

Quotas, of course, are extremely difficult to enforce, since the Government (as yet anyway) has not chosen to go at the job with Gestapo-like policing. In fact, during the six months or so that the curbs were in effect, exports actually rose slightly, instead of going down as the Government had intended.

With the quotas officially dead, though, they're having some decided effects. Foreign buyers, unsure whether the U.S. will again start fooling around with world trade patterns, have understandably started looking elsewhere for supplies.

Memories of the Governmental intervention, moreover, have probably helped spur foreign use of synthetic materials as replacements for leather. In any case, America's hide exports in the first eight months of this year fell 11% from a year earlier.

Now the U.S. hide men have a new problem: Imports of shoes, made from foreign leather or synthetics, are rising swiftly. This trend is trimming output of shoes in this country, further restricting the market for U.S. hides. So the hide merchants are joining shoe makers, steel companies and others in pleading for the Federal Government to protect them with elaborate new import quotas.

Leather, it's worth noting, is already losing ground to synthetics in the U.S. But the hide men presumably have no trouble ignoring that since they've so speedily forgotten their own sorry experiences with Federal market management.

SOUND LOAN ASSISTANCE TO FAMILY FARMERS

Mr. McGOVERN. Mr. President, like every other Senator from a predominantly rural State, I have been deeply concerned by the steady decline in the number of farm families since the end of World War II.

In South Dakota this decline has been at a rate of about 1,000 farmers a year. In 20 years we have lost more than 20,000 farm families. This has not only deprived my State of many splendid farm families, but has had a serious economic impact on many of our rural communities.

There are many reasons for this decline, but the 1964 Agriculture Census shows that much of the decline in farms, particularly in my State, is due to older farmers retiring. This fact suggests the question:

Why are young farmers not taking their place?

One major reason is that they lack adequate sources of credit to get into farming.

I am encouraged by what the Johnson administration is doing to rectify this problem—to close the farm credit gap.

I refer to the new and enlightened credit policies of the Farmers Home Administration in its farm ownership loan program.

During fiscal year 1967, the Farmers Home Administration advanced more than $14 million to farm families in my State so they could purchase, enlarge or improve their farms. In 1960, just prior to this administration, only $1.8 million was loaned for the same purpose. That is more than a 700-percent increase.

In all, approximately 3,000 South Dakota farmers have received farm ownership loans from FHA since 1961. Many, if not most of these farmers, without this credit resource, would have long since left the land to seek employment elsewhere. Most likely in our cities.

What has happened in South Dakota under this fine loan program is reflected even more dramatically on a national basis.

In fiscal year 1960, the FHA, under the previous administration made less than 3,000 farm ownership loans in the entire United States for a total of $43 million. Last year, the same agency advanced more than $260 million for farm ownership. Since 1961, the Farmers Home Administration has loaned more than $1.3 billion in this program and today nearly 100,000 farm families are using this source of credit.

I say this is real progress—a complete turnaround in farm credit policies and it represents one of the best investments we can make to sustain and improve our farm family agricultural plant.

There are those who say, Mr. President, that such a modest loan program which provides credit only to those farmers who cannot obtain credit elsewhere, merely perpetuates the number of low-income marginal farmers who have no business in agriculture.

The facts prove otherwise. They indicate that it is providing an opportunity for people who lack only capital to succeed.

A survey of FHA farm ownership borrowers shows that on the average over a 5-year period, these borrowers raised their gross cash incomes from $10,115 to $18,565 and made substantial gains in net worth.

Furthermore, Mr. President, this program, which is helping to sustain and strengthen the best agricultural system in the world, is costing taxpayers hardly a dime.

More than 95 percent of the funds for these loans come from private sources and are insured by the Federal Government. And the loans are being paid back. Losses are less than one-half of 1 percent of the amount loaned and repayment is currently running 100 percent of the amount matured.

Can any other farm loan institution claim a better record?

I have nothing but praise for Secretary of Agriculture Freeman, for Howard Bertsch, the Administrator of the agency, and for Arlo Swanson, our State FHA director, for the great work they are doing for providing new credit opportunities for our young farm families.

RESOLUTION BY CAPTIVE NATIONS COMMITTEE OF NEW JERSEY, RELATING TO 50TH ANNIVERSARY OF SOVIET REVOLUTION

Mr. CASE. Mr. President, the chairman of the Captive Nations Committee of New Jersey, Mr. Daniel Marchishin, has brought to my attention a resolution relating to the forthcoming 50th anniversary of the Soviet Revolution. The resolution clearly speaks for the hearts and minds of many Americans whose original homelands have become the victims of Communist tyranny. Their message is one that should be heard on this occasion. I therefore ask unanimous consent that the text of this resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION, CAPTIVE NATIONS' COMMITTEE OF NEW JERSEY

We, the delegates of Czech, Bulgarian, Byelorus', Estonian, Hungarian, Latvian, Lithuanian, Polish, Romanian, Serbian, Slovakian and Ukrainian organizations representing our peoples who are citizens of the United States of America and who at the same time preserve cultural and spiritual ties with the peoples of our original homelands, do solemnly declare:

1. The forthcoming 50th Anniversary of the Bolshevik (Communist) Revolution fills our hearts with anguish for it represents the beginning of the Imperialist movement which has culminated in the military conquest of our original homelands and in the serfdom of our peoples.

2. Our peoples held under the alien Communist yoke have been deprived of all freedom. On the soil of their own homelands our peoples cannot benefit from their own natural and human resources. The wealth of the land and people has been confiscated by the Communist rulers to perpetuate their positions of power and by brutal suppression and to extend the boundaries of Communist Imperialism by international subversion.

3. The unrelenting resistance by our peoples to Communist oppression in our original homelands is a continuing source of inspiration to us in our new homeland. In recent years we witnessed repeated attempts to regain greater freedom in the development of their national identity and culture. Particularly persistent efforts were made to restore the cultural achievements of their nations and to impress the youth with the feeling of nation pride. The entry into the cultural life during the recent years of hosts of nationally-minded, patriotic men and women clearly reflects a powerful reservoir of resistance to Communist oppression.

4. The Communist tyrants have reacted in typically brutal fashion to crush the persistent aspirations of our peoples to regain the benefits of national liberation and cultural freedom. They have recently suppressed several leading literary persons by imprisonment, bullying, humiliation or by depriving them of their rights of citizenship. They have produced an increasing number of pseudo-historical works degrading our national movements, distorting our political and cultural leaders and deriding the activities of our immigrants in their adopted homelands. They continue to deny all religious freedom in our original homelands and have increasingly interfered with the affairs of our emigrant churches. The increasing sharpness of these attacks serves as a measure of the Communist rulers' apprehension regarding the tenacious yearning of our peoples for freedom.

5. For the above stated reasons, we firmly resolve to persist in our efforts to alert the government and people of our new homeland to the continuing fight of our peoples remaining in their original homelands, and to increase cooperation in our efforts in a brotherly manner. We further pledge to maintain and strengthen moral and material ties with our peoples subjugated within the Communist Colonial Empire.

6. We fervently hope that the government of the United States of America, chosen by us and our fellow citizens, will fulfill our aspirations which are embodied in the Constitution and the Declaration of Independence by giving its moral support for the liberation of our enslaved peoples from Communist regimes' attempts to conceal its true totalitarian nature behind a facade of pseudo-democracy.

7. We solemnly implore the government of the United States of America to refrain from sending congratulations to the Soviet Empire on the 50th Anniversary of the Bolshevik (Communist) Revolution, but to join us in mournful silence remembering the millions of our peoples who have perished from Communist brutality. We also implore our government to refuse to send official representatives to any official observances sponsored by the Soviet Empire, its colonies or protectorates for we deplore the thought that our representatives will be greeting Communist brutes whose hands are smeared with the blood of our peoples.

On behalf of the Captive Nation's Committee.

Chairman.

DANIEL MARCHISHIN,

THE F-111 AIRCRAFT

Mr. TOWER. Mr. President, two interesting stories about the F-111 aircraft have come to my attention, and I ask unanimous consent that they be printed in the RECORD so other Senators may review them.

One is by Mr. Nieson Himmel of the Los Angeles Herald-Examiner. It raises the interesting prospect that the F-111 system may be applicable as the base for a follow-on craft that could orbit and become a maneuverable spacecraft.

The second article by Mr. Jim G. Lucas of Scripps-Howard recounts the enthusiasm being voiced by Air Force pilots working with the F-111. They call it "the plane we've been looking for."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Los Angeles Herald-Examiner, Oct. 16, 1967]

F-111 COULD ORBIT, TEST PILOT SAYS

(By Nieson Himmel)

Chief U.S. Air Force test pilot for the controversial F111 swing wing military jet is "high" on the plane's performance, he said today in an exclusive interview with The Herald-Examiner.

So high, in fact, that he believes that with engine and other modifications it could become an orbiting spaceship, possibly capable of interplanetary mission. And for right now, said Maj. Robert K. Parsons, Edwards Air Force Base, it could be "a valuable aircraft for bombing in North Vietnam."

Maj. Parsons made his comments after a symposium here on variable geometry (swing or scissored wing) aircraft. Also speaking was Dan Dudas, a top official on the F111 project for the controversial plane's USAF contractor, General Dynamics, Ft. Worth, Texas.

Both admitted the plane had been having "stall" trouble, but Parsons said the tendency to stall out at various speeds has been corrected in the latest models being delivered.

They also denied technical reports of excessive vibration as it approaches the sound barrier (Mach 1). A congressional source said in mid-August that the F111A (USAF) version with about half a bomb load experienced excessive vibration on the sonic approach. Shaking was so severe, said the source, that the pilot had difficulty reading instruments and in some cases "they were shaking the shackle pins off the bombs."

Other engineers at the symposium said this had occurred, in earlier models, chiefly because of modifications introduced when it was decided to lengthen the plane 10 inches from its original 72 foot design (USAF versions, the F111B for the Navy is 7 feet longer).

The stall trouble occurred because of difficulty with the nozzle at the rear inlet of the jet engine. "It's alignment trouble," said Parsons, "and has occurred on every new military jet engine I know of on all of our current fighters." He said passage into supersonic speed was quite smooth, but could not say whether he tests the plane with bomb loads.

Parsons had some other "minor engineering design criticisms" but he said:

"They are about par for the course and you usually find more in a new ship."

Most serious, however, could be the lack of auxiliary or manual sources of moving the wings (which have a 72-degree sweep) "in event of battle damage in combat to the sweep control." Nor, said Parsons, "is it easy for the pilot to know just how wings are moving (or whether they are moving) and there should be settings shown to indicate the minimum air speed for any angle which the wings can move to."

He denied knowledge of a reported test pilot list which contained 252 deficiencies on the plane including 100 "mandatory for correction."

For space flights, Parson suggested the ship could be equipped with a ramjet engine in addition to the regular jet for the approach to space.

(Expert opinions disagree on the exact limit of outerspace but definitions range from 350,000 to 400,000 feet out.)

"We should also explore its hypersonic capability, although this might call for moving the swing sweep up to 85 degrees (for more rounded smoothness for the entire craft)," said the USAF test pilot.

(Hypersonic speeds begin above 3½ Mach one, the speed of sound).

Chief advantage of the military jet for space application would be "the re-usability," said Parsons, explaining, "just think of the billions of dollars which could be saved if you had a constantly reusably space craft—it could be as much as 90 percent of current space shot costs for booster rocket building, launch facilities, rocket adaptations and so on."

Supply of space stations or satellites, orbital observation and even interplanetary flight were envisioned by Parsons.

The test pilot, who has spent two years with the scissor-winged warplane, said "I am completely sold on variable geometry. If we had only pursued the swept-wing concept when it first came up 15 years ago with full development, who knows how far advanced we would be over today's aircraft?"

Parsons displayed movies of last speed runs of the plane which looks like an aerial coral snake with its layered camouflage.

Among the swept wing advantages cited by Parsons were "ability to avoid buffeting by simply changing the wing sweep." It can climb at a 30-degree angle right from take-off in contrast to other USAF fixed wing craft rates of "10 or 12 per cent." And it can land in 3000 feet without a drogue chute, said Parsons.

Dudas claimed a whole list of advantages of a swept-wing craft over a fixed-wing plane, but carefully pointed out that he was not using F111 performance figures, only theoretical "plots of performance" for a swept-wing plane. (Most F-111 performance rates including top speeds are classified.)

He answered Navy criticism indirectly saying that after catapult from the flight deck, a swept-wing plane has twice the amount of total lift. "Further," he said, "speed of approach can be very much slower, 15 miles per hour is bottom range, to a carrier deck than a fixed wing plane, with 45 MPH." Such an approach would be much safer, he said, and also he said the plane has a 3-2 advantage over fixed wing ships in the "top distance range of its descent to a carrier," another safety feature.

Two Navy admirals bitterly criticized the F111 for being "overweight" for carrier deck operation and other performance requirements. (Grumman Aircraft builds the Navy version, not GD, although the latter is responsible for overall development of the multi-service plane concept.)

Dudas said: "I don't want any controversy with the admirals, but I must say that the plane is presently capable of operation from existing carrier decks and elevators at present weights."

The admirals in testimony had said the plane was 14,000 pounds too heavy (at 62,000) for carrier work and said they saw little chance of it meeting their standards.

LONGER RANGE

Swing-wing planes can loiter one-third as long as fixed-wing craft in event of target or other troubles during a mission and have one-third more range of speed, Dudas indicated.

Ever since selection of the Texas contractor to build the "two-service plane," the F-111 has been the object of bitter congressional criticism. Defense Secretary McNamara overrode a USAF evaluation report which preferred a proposal by Boeing Co., Seattle, as being lower in cost with higher performance promises.

President Johnson was directly accused of taking a hand in the selection. McNamara denied this and said he overrode the Boeing proposal because he felt the costs and performance were not realistic.

Projected cost of the 1500 USAF F-111's and 200 Navy ships was $7 billion. This has now been raised to $10 billion. The defense secretary said a "common plane" between the USAF and Navy would mean total overall program savings of $1 billion.

[From the Washington Daily News, Oct. 20, 1967]

Lucas Gets the Word: Pilots in Love With New F-111—TFX With All the Bugs Out Called Plane We Have Been Looking For

(Note.—Much has been written about the controversial F-111, formerly the TFX, soon to be sent to Vietnam. But how do the men who will fly it feel about this plane which has created such a storm in Congress and the Pentagon? Jim G. Lucas, just back from Vietnam, spent three day this week looking at the plane and talking to the men who fly it. This is his report.)

(By Jim G. Lucas, Scripps-Howard staffwriter)

Nellis Air Force Base, Nev.—The desert air was crisp and clear when Col. Ivan Dethman of Seattle brought her gently down, too new even to have a tail number.

"This is the one we've been waiting for," said Air Force M/Sgt. Charles Hennessee of Morganton, N.C., who heads a 35-man maintenance crew—"the one with all the bugs out."

This—at 1:32 on a Tuesday afternoon—was not just another landing. It was a historic event. This—the 31st F-111 built and flown—was the first production model off the General Dynamics assembly line at Fort Worth. It could revolutionize flying. Or it could turn out to be a five-billion-dollar dud.

An Air Force F-111 crashed recently near Bowie in Northeast Texas. The two crewmen—General Dynamics employes—ejected safely. But Air Force men concede such mishaps are inevitable, and this one is not likely to alter the basic confidence in the F-111 that I found among the men at Nellis.

FIGHT RECALLED

"We make or break the F-111 right here," Maj. Al Sonnett said.

The controversial F-111 program was budgeted at the outset at five billion dollars. It will come to more than that. Each Air Force F-111A was ticketed at $2,800,000. No. 31 cost five million dollars. The Navy F-111B, still a year and a half away, will cost eight million dollars.

The F-111 contract award to General Dynamics was opposed by some who favored Boeing. It has been called the biggest blunder of Defense Secretary Robert S. McNamara, who has pushed it with singleminded intensity. The Navy has never been happy about being dragged into the program; a chief of naval operations who told Congress so was fired by the late President Kennedy. Sen. Karl Mundt, South Dakota Republican, wonders why the landing brakes don't work better than they do.

The Marines have backed off, claiming they don't need the F-111, but the British are in to the tune of 786 million dollars, and so are the Aussies.

GENERAL FLEW PLANE

"All that has been said about this aircraft before it arrived at Nellis is no concern of ours," says Brig. Gen. Ralph G. Taylor, head of the Air Force Tactical Weapons Center. "Our job is to prove or disprove its capabilities."

Gen. Taylor has flown the plane and he says:

"This is one hell of an aircraft we've got here. I tell my men—and they've read a lot and are confused—'Don't knock it until you've flown it.' After you've flown it, you're hooked.

"It gives us a capability we've always need, but lacked, in the Tactical Air Force. The successes we are having with it are unprecedented."

ENTHUSIASM REIGNS

With a note of realism, Gen. Taylor adds, "sooner or later, we'll lose one—that's inevitable—and because it will be an F-111, and because a lot of people are emotionally committed against it—there'll be an uproar, there'll be a lot of 'I told you so.' But that won't prove anything."

There can be no doubting the enthusiasm here. In the Officers Club the talk is even more enthusiastic, if that is possible than on the flight line.

"I'll tell you this," Sgt. Hennessee says, "I helped bring the F-4 into the Air Force in 1963, and I wouldn't want to go back."

There are six F-111s in Nellis, numbers 26 through 31. The others are elsewhere in the Air Force training and research system. The first five here were handbuilt, and there were problems. For one thing, after 1450 miles an hour, they tended to surge and stall. There have been two stalls here, but Gen. Taylor points out, "We've had a worse stall in the F-105."

There were problems with brakes. Treetop speed levels were questionable.

"Surging and stalling has been licked," says George I. Davis of Fort Worth, the General Dynamics representative here. "The thing now is to incorporate the changes into the production models."

FLIERS SATISFIED

Recent congressional testimony was that treetop level speeds are one-third of that guaranteed.

"I'll be honest with you," Gen. Taylor grins. "I don't know what was guaranteed. But as a flier I'll say we are eminently satisfied with this bird's speed at all levels."

Col. Dethman flew No. 31 the 1047 miles from Fort Worth to Las Vegas on automatic pilot, and "I touched the controls on landing and takeoff and it took one hour and 32 minutes.

"I never missed a turning point by more than a foot or a yard," he said. "It was unbelievable."

George Stonehouse, British minister of aviation and a former RAF pilot, flew an F-111.

CALLS IT PERFECT

"It's perfect," he said as he climbed out of the cockpit.

All the men flying the F-111 are Vietnam veterans, and many were skeptical at first.

"Ken Blank came in with a negative attitude," says Lt. Col. Bobby Mead of Van Nuys, Calif., commanding the 4481st Fighter Squadron. "He's positive now."

Maj. Kenneth Blank of Franklin, Nebr., admits he was doubtful: "Who isn't when he's given a new toy to play with?" Maj. Blank was the first F–105 pilot to bag a MIG in North Vietnam.

"I like this bird," he says. "When I came back from over there, all I knew about it I'd read in the papers, and that wasn't good. It has the best avionics I've ever seen. I'm doing things with it I've never done before."

THREE VERSIONS

There are three versions of the F–111. Tactical Air Command has the F–111A. The Strategic Air Command (SAC) will get the FB–111A, which will have longer wing tips, a stronger landing gear to accommodate heavier payloads, and more avionics. The Navy will get the F–111B.

Lt. Col. Roy Burkhart of Del Norte, Col., is the F–111 materiel officer.

"We've had fewer materiel problems than on any other system I've worked on," he says.

"This son-of-a-gun has shown a capability so far superior to anything in the Air Force it's fantastic. Every time I fly it, it amazes me. When it gets to Vietnam it will make a tremendous contribution."

MORE PRAISE

Adds Maj. Al Parks of Little Rock:

"I's the easiest I've ever flown. Its flight controls are outstanding. Its air speeds on final approach are stable. It has excellent brakes. I've landed and turned off the runway within 2000 feet of touchdown."

Maj. Parks has 215 missions over North Vietnam, and has flown the F–111A more hours (140) than any pilot here.

Maj. Bob Autry of Bessemer, Ala., is the F–111A's maintenance officer. "This is nothing if not a great airplane," he says. "I don't have normal maintenance problems. It is the ultimate in sophistication."

Capt. Charles (Beattle) Bailey of Knoxville has 50 missions over North Vietnam. He likes the variable-sweep wings, the automatic terrain following and the inertial guidance. The wings are swept outward for takeoff and landing and swept back for high-speed cruising.

"Hell," he said, "I can drop a 50-foot bomb on a five-foot target with no trouble at all."

Col. Dethman concludes:

"We're satisfied. I don't want to oversell, and I don't intend to. All I'll say is that right now we are damned optimistic about this aircraft."

ADDRESS BY SECRETARY McNAMARA TO NATIONAL ASSOCIATION OF EDUCATIONAL BROADCASTERS

Mr. INOUYE. Mr. President, in addition to directing the massive military might of this Nation around the globe, Secretary of Defense Robert S. McNamara and the Department of Defense are conducting three important programs which are directed toward alleviating certain social inequities in the Nation. These programs are:

Open housing—aimed at eliminating off-base housing discrimination against servicemen. The Defense Department has served notice on the Nation that it will not tolerate segregation of our servicemen in off-base housing.

Project 100,000—to admit draft rejectees to the Armed Forces and return them to society as skilled workers able to make a real contribution to the Nation's economy.

Project Transition—to meet the four basic needs of men leaving the services: counseling, skill enhancement, education, and job placement.

I have no doubt that these three programs are making important long-range contributions to our society.

In an address delivered today at the 43d convention of the National Association of Educational Broadcasters in Denver, Colo., Secretary McNamara gave a progress report on these programs. I ask unanimous consent that his remarks be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks by Secretary McNamara to the National Association of Educational Broadcasters, November 7, 1967

Ladies and Gentlemen, I want to talk to you this morning about the unused potential of the Department of Defense—a potential for contributing to the solution of the social problems wracking our nation.

The Defense Department is the largest single institution in the world: an institution employing directly four and a half million men and women, indirectly employing several million more, and directing the use of nearly 10 percent of the nation's wealth.

The question I want to put to you is this: can these vast resources be used to contribute to our nation's benefit beyond the narrow—though vitally necessary—role of military power?

As a basis for exploring this question, I want to describe to you three projects that are currently under way:

An Open Housing Program, to break through the barriers of racial discrimination in off-base housing for military personnel.

Project 100,000, a program to salvage the poverty-scarred youth of our society at the rate of 100,000 men each year—first for two years of military service, and then for a lifetime of productive activity in civilian society.

And finally, project transition, a program to assist the three-quarters of a million men leaving military service each year to select and train for the role in civilian life that will contribute most to their personal fulfillment and to the nation's benefit.

But before discussing these programs, let me make it unmistakably clear that our primary responsibility and our clear mandate from the President and from the Congress is to procure and maintain in a high state of combat readiness whatever military forces are necessary to protect this nation from external attack, keep our commitments to our allies, and support the objectives of our foreign policy.

We are meeting that responsibility.

Since 1961, excluding those forces added because of operations in Vietnam, we have increased our military capability in every essential category:

A 45% increase in the number of combat assigned Army divisions—from 11 to 16.

A 73% increase in the funds for general ship construction and conversion to modernize the fleet.

A 200% increase in the number of guided missile surface ships—from 23 to 72.

A 300% increase in our inventory of nuclear-powered ships—from 19 to 77.

A 40% increase in the number of Air Force tactical fighter squadrons—from 67 to 94—and a 100% increase in the total payload capability of all our fighter and attack aircraft, Air Force, Navy and Marine Corps.

A 300% increase in helicopter troop lift capability.

A 340% increase in our fixed-wing airlift capability—an increase which will reach 1000% in the 1970s with the introduction of the mammoth new C–5A transport.

A 100% increase in the number of nuclear weapons deployed in NATO Europe.

A 160% increase in the number and total megatonnage of nuclear weapons in the strategic alert forces.

Nor do these increases tell the full story. We have developed in the past several years a broad new array of weapons which include:

The SR–71: a highly sophisticated reconnaissance aircraft that can fly three times the speed of sound.

The Poseidon intercontinental missile which has five to ten times the destructive power of the Polaris missile it replaces.

The MBT–70, a new main battle tank, providing increased firepower, protection and mobility.

The CH–54 flying crane: our first heavy-lift helicopter, which has paid for itself many times over in recovering battle-damaged helicopters, as well as performing an expanded range of supply and logistic functions in support of our troops.

The family of F–111 aircraft: the most sophisticated and effective attack aircraft in the world today—and recognized as such by foreign governments who are buying it in preference to aircraft produced in their own countries.

The multi-warhead ballistic missile reentry system which multiplies the effectiveness of our missile force.

The Walleye guided bomb, which uses a television guidance system, enabling aircraft and conventional explosives to hit targets in Southeast Asia today with extreme accuracy and effectiveness.

The Lance tactical surface-to-surface missile, equipped with both nuclear and non-nuclear warheads, which has greater range, accuracy and reliability than the missiles it will replace.

The Spartan and Sprint anti-ballistic missiles which will provide defense against a possible Chinese attack in the 1970s.

The Phoenix air-to-air missile system, providing us with the capability of destroying formations of enemy aircraft in the air at substantially greater distances.

The Sram air-to-surface missile, increasing the effectiveness of our strategic bombers, and enabling us to penetrate advanced enemy defenses.

The Cobra attack helicopter, providing faster, more flexible support of our ground troops.

The A–7 attack aircraft, giving our Navy and the Air Force an improved capability to support our ground forces, with its greater bomb capacity and longer range.

And scores of other weapon systems and sub-systems—many of them, of course, still highly classified.

Now, obviously, the real test of combat readiness is not simply to have an adequate arsenal of advanced weaponry—which we have greatly added to over the past six years—but to be able to respond rapidly and effectively to an emergency.

Such an emergency faced us in the summer of 1965, when it became apparent that Hanoi was on the verge of cutting South Vietnam in half by overwhelming force.

If we in the United States were to prevent that defeat, we had to respond rapidly and effectively.

That is what we did—and our accomplishments in the face of that emergency are the most realistic measure of our combat readiness.

In the first crucial months of the crisis we moved over 100,000 men to Southeast Asia in 120 days. We supplied them with hundreds of thousands of different items, at the end of a 10,000 mile pipeline—which at the time had only one deepwater port, and neither roads nor rail line to move the supplies inland.

In those first critical months we saved South Vietnam from complete and final defeat.

Today we are supporting some 600,000 men Southeast Asia—at a standard of proficiency never before equalled in the history of warfare—and we are doing so without wage controls, without price controls, without profit controls—and indeed without the serious dislocation of the economy that has been the inevitable accompaniment of every other war we have fought in this century.

What is more, we are accomplishing this without calling up our reserve forces; without any significant movement of our men and equipment out of Western Europe; without any important change in our forces in South Korea; and without jeopardizing our ability to meet additional emergencies that might occur elsewhere in the world.

Now, how has all this been possible?

It has been possible because we have met our first and overriding responsibility in the Defense Department: we were, we are, and we will continue to remain in a high state of combat readiness.

Combat readiness is our primary responsibility.

But I want to stress that responsibility is not inconsistent with other goals.

We have been concerned, for example, with obtaining and operating the required level of military power at the lowest possible cost. That goal is clearly sensible in a Department that is spending over $70 billion per year.

Efficient, economical management does not detract from combat readiness. On the contrary, it strengthens it.

Our defense expenditures today—even including the full cost of our commitments in Southeast Asia—constitute a smaller percentage of the Gross National Product than they did in any fiscal year from 1952 through 1959.

That is due in part to the five-year Cost Reduction Program, which we initiated in 1962. Over the five years we saved the taxpayers in excess of 14 billions of dollars. Now that the initial phase has been completed, we have established the Cost Reduction Program as a permanent annual procedure—with stated goals and carefully audited results.

As part of reducing costs, we have to date initiated actions to consolidate, reduce, or close over 950 Defense installations or activities—all over the world—involving property that has become surplus to foreseeable peacetime or wartime needs.

The base closure program understandably created, in the beginning, a great deal of local apprehension and political pressure. And yet we have not reversed a single base closure decision due to pressure; nor has it been necessary to reopen a single installation to take care of the 25% expansion of our forces which has occurred in the past two years. The recurring annual savings of the base closure program alone, when completed—including the elimination of 200,000 jobs—will total $1.5 billion.

Furthermore, the usual pattern of these base closures is that the local communities—ultimately—benefit from the action. Our Office of Economic Adjustment works closely with the community leaders from the day a base closure is announced, and helps explore fully the growth potential of the area.

Now, just as efficient management and cost reduction are not the Defense Department's primary goals—but are nevertheless entirely consistent with our central responsibility of combat readiness—so it is becoming clear there are other measures that we can take that benefit the economy, and the social profile of the nation, which are equally consistent with our primary objective.

As I said at the outset, we are currently conducting three programs which are directed toward alleviating certain social inequities in the nation.

First, the Open Housing Program:

Racial discrimination—granting the great legislative advances that have been achieved in the past six years—remains a festering infection in our national life.

The Defense Department, beginning with the courageous executive order of President Truman in 1948 integrating the armed services, has been a powerful fulcrum in removing the roadblocks to racial justice—not merely in the military, but in the country at large.

But clearly the nation's road to equality is still strewn with boulders of bias.

Shortly after I became Secretary of Defense, I asked Mr. Gerhard A. Gesell, a leading member of the bar, to organize a committee to review the progress of equal opportunity in the Armed Forces.

That committee took a hard, realistic look at the problem. It reported that substantial improvement had been made on military bases. But it found that there remained severe off-base discrimination affecting thousands of Negro servicemen and their families. This discrimination was most destructive in the field of housing.

Open housing is a serious issue throughout our society. It is not confined to the Armed Forces. Too many of our citizens cannot live in the homes of their choice, on the streets of their choice, in the neighborhoods of their choice.

But this intolerable racial discrimination affects military personnel even more severely than it does the population at large. The serviceman and his family, on limited compensation and under military orders, must move every few years. While defending their nation, they are singularly defenseless against this bigotry.

My response to the Gesell Committee findings was to issue a directive incorporating its recommendations. Commanders everywhere were asked to organize voluntary programs to eliminate housing discrimination in the communities surrounding their bases.

In the Pentagon we turned our minds to other problems.

Early this year we reviewed the results of that four-year-old directive. We sent teams to a dozen bases to look into every aspect of equal opportunity. A special task force was set up for the greater Washington area. Seventeen thousand service families were surveyed. Their answers were analyzed.

One fact became painfully clear. Our voluntary program had failed, and failed miserably.

This failure we found intolerable. I put the matter to you bluntly: our nation should not, and will not, ask a Negro sergeant, for example, to risk his life, day after dangerous day, in the heat and hardship of a jungle war, and then bring him home and compel him to remain separated from his wife and his children because of the hate and prejudice that parades under the pomposity of racial superiority.

And yet, that is precisely what has been happening in this country.

The color of the blood that our men shed in the defense of Asia is all the same shade.

But when these men return home, it is not the color of their blood that matters: it is the color of their skin.

There are thousands of our Negro troops, returning from Vietnam, who are being discriminated against in off-base housing. When there is adequate housing on the base, Negro men in uniform are treated as all Americans should be treated. When there is not, and the Negro must depend on the civilian community for housing, he all too often is denied this equality of treatment.

Because of his color he suffers a penalty; his family suffers a penalty; and our national security suffers a penalty because of the impaired morale of our fighting forces.

We are talking here about a group of men who have distinguished themselves in the service of their nation. It is a fact that Negroes often volunteer for the most difficult and hazardous assignments. It is a fact that 20 percent of Army deaths in Vietnam last year were Negroes.

Earlier this year, in a visit to his home State of South Carolina, General Westmoreland paid tribute to the superb performance of these men.

"I say to the people of my native State and my country," the General noted, "that the performance of the Negro serviceman has been particularly inspirational to me. He has served with distinction equal to that of his white comrade in arms. The Negro serviceman, like all servicemen, has been a credit to our country. He has been courageous on the battlefield, proficient in a cross section of technical skills. Like his white colleague, he understands what the war is all about, he is loyal to his country and supports its policies, and is carrying out his responsibilities with a sense of responsibility."

The Negro serviceman has been loyal and responsible to his country. But the people of his country have failed in their loyalty and responsibility to him. The country which sent him to hazardous duty abroad refuses to permit him to live in the midst of the white civilian community when he returns.

Our original voluntary program to correct off-base housing discrimination floundered and fell apart. It lacked sufficient leadership from the top—starting with me, and going right on down through the senior echelon of the Defense establishment. And it lacked appropriately stiff sanctions for the violation of our anti-discrimination policy.

We have forged, therefore, a whole new set of tools to deal with this failure.

We have mapped out a two-pronged campaign. The first phase was to compile a nation-wide census of open off-base rental housing for military personnel. That we have completed.

The second phase is to mobilize—throughout the entire country—effective community support for non-discriminatory military off-base housing. That is now well under way.

We selected the greater Washington metropolitan area, including Maryland and Virginia, as our first objective. We wanted to make the area surrounding the nation's capital a model program—as it should be—and we wanted to learn quickly all the lessons we could that would assist us in the country at large.

Officials from the highest levels of the Defense Department—the Deputy Secretary of Defense, the Service Secretaries, and senior commanders—met with realtors and landlords of the area and put the matter to them squarely.

The extent of off-base housing discrimination was appalling. The morale of our Negro servicemen and their families was being severely eroded. We told the landlords the Defense Department could no longer tolerate the situation.

We appealed to the landlords for voluntary compliance with our non-discriminatory housing policy.

But we pointed out that the situation as it stood was so unjust that, whether we secured their voluntary compliance or not, we simply could not permit the conditions to continue. If, then, the landlords felt they would not or could not comply, we were going to have to prohibit any of our men—regardless of their race—from signing rental agreements in housing units where such discrimination was practiced.

Many proprietors complied voluntarily. Too many did not.

Let me say that in many instances their

position—while shortsighted—was understandable. Some faced genuine economic pressures.

In any event, they did not comply. And so we were compelled to take the only action open to us. We prohibited all military personnel, both white and Negro, from signing new leases or rental agreements in their facilities.

This had the effect of applying a countervailing economic pressure, and our open housing program took on an altogether new and positive direction.

In Northern Virginia and Maryland, within 120 days, we more than trebled the number of non-discriminatory units—from about 15,000 to 53,000 units.

Now we are at work elsewhere throughout the nation. We have, for example, an intensified program going on in California at the moment. We are giving particular emphasis to this State, not merely because of the large number of Defense installations and military personnel there; but because of the 14 states with open housing regulations and laws, California has the lowest percentage of apartment facilities open to all races.

Indeed, we have plans to extend the program in a dozen additional states in the near future.

Everywhere our approach will be the same. We will survey the local situation of each military base. We will meet with the realtors and landlords and explain the problem fully. We will request their cooperation and seek their voluntary compliance. We will do everything possible to see that our military families act as good tenants: that they pay their obligations promptly, and that they respect the property of private owners. We will enlist the help of local and State officials. And only when, and if, all other actions fail, will we apply the appropriate sanctions.

I want to emphasize that I am fully aware that the Defense Department is not a philanthropic foundation or a social-welfare institution. But I want to emphasize just as strongly that I do not propose to let our Negro servicemen and their families continue to suffer the injustices and indignities they have in the past.

It is said that there are no atheists in foxholes. I can assure you that in South Vietnam there is no segregation in foxholes.

There is no segregation of our servicemen in on-base housing.

And the Defense Department cannot tolerate segregation of our servicemen in off-base housing.

Where we must use stiff sanctions, we will.

What we prefer, hope for, and expect is an overwhelming measure of voluntary compliance.

Now let me discuss with you for a moment our second program in the social field. It is called Project 100,000, and I first announced it in a speech in New York in August of last year.

I pointed out, at the time, that though there were roughly 1.8 million young men reaching military service age each year in the United States, some 600,000—a full third—were failing to qualify under our draft standards. Some had medical problems, but I was particularly concerned about those thousands who failed because of educational deficiencies.

In some areas, the failure rate for draftees ran as high as 60 percent; and for Negroes in some states it exceeded 80 percent.

What this clearly meant was that the burden of military service was not being shouldered equally. Inequities were serious: inequities by region; inequities by race; and inequities by educational level.

What was even worse was the obvious implication. If so massive a number of our young men were educationally unqualified for even the least complicated tasks of military service, how could they reasonably be expected to lead productive and rewarding lives in an increasingly technological and highly skilled society?

Our studies confirmed that a great number of these draft rejectees were the hapless and hopeless victims of poverty: a poverty that is not the mere absence of American middle-class affluence, but something infinitely more complex: a corrosive and decaying mix of social, educational, and environmental deprivation.

What these men badly need is a sense of personal achievement—a sense of succeeding at some task—a sense of their own intrinsic potential.

They have potential, but the slow and silent poison of the poverty virus has paralyzed it in many of them. They have grown up in an atmosphere of drift and discouragement. It is not simply the sometimes squalid ghettos of their external environment that has debilitated them—but an internal and more destructive ghetto of personal disillusionment and despair: a ghetto of the human spirit.

Poverty in America pockmarks its victims inwardly.

If unchecked and unreversed, that inner ghetto of the poverty-scarred personality of these men can fester into explosive frustrations of bitterness and violence.

Chronic failures in school throughout their childhood, they are destined to a downward spiral of defeat and decay in a skill-oriented nation that requires from its manpower pool an increasing index of competence, discipline, and self-confidence.

Poverty destines thousands of young men today to a dismal future. Destines them, yes. But dooms them, no.

These young men—and they are typified by those who in the past have failed to qualify for military service due to educational deficiencies—can be saved from that futile future. They can be rehabilitated, both inwardly and out. They are men, we concluded, who given the benefits of the Defense Department's experience in educational innovation and on-the-job training, and placed in an atmosphere of high motivation and morale, could be transformed into competent military personnel. Beyond that, after their tour of duty, they could return to civilian life—equipped with new skills and attitudes—and thus break out of the self-perpetrating poverty cycle.

The Defense Department is the world's largest producer of skilled men. We provide enlisted men with highly professional training in 1,500 different skills, in more than 2,000 separate courses. And each year we return about three-quarters of a million men to the nation's manpower pool.

The goal of Project 100,000 was, therefore, to take in 40,000 rejectees the first year, and 100,000 each year thereafter. The program completed its first year on September 30.

I want to report to you on its progress.

Our goal was to take 40,000 men; we took 49,000.

They entered all of the services: Army, Navy, Air Force, and the Marine Corps.

Now, what sort of backgrounds do these men come from? About 60 percent are whites; about 40 percent Negroes. Their average age is 21. Thirty percent of them are unemployed at the time they come to us, and an additional 26 percent are earning less than $60 a week.

What this means is that more than half of these men are gripped in poverty. Nor is that surprising. Their average reading score is a bare sixth-grade level; and 14 percent of them read at a third-grade level or less. Many are poorly motivated when they reach us. They lack initiative. They lack pride. They lack ambition.

If nothing were done to give them a strong sense of their own worth and potential, they, their wives and their children would almost inevitably be the unproductive recipients of some form of the dole 10 years from now.

I want to repeat: we have taken these men into the service because we are convinced that, given the proper environment and training, they can contribute just as much to the defense of their country as men from the more advantaged segments of our society.

Has that belief been borne out by the facts?

We now have had a full year's experience with this program, and let me tell you the results.

Ninety-eight percent of our traditional categories of recruits successfully graduated from basic training during the year. And the successful graduation rate of these 49,000 new category men was 96 percent—only two percentage points less than our traditional recruits.

I have insisted that these men should be singled-out or stigmatized as a special group. Technically—and for our own internal record-keeping—men who would have formerly been draft rejectees are termed New Standards men. But the men themselves are never informed that they are in this category.

It is absolutely imperative that they believe in themselves and their own potential. They obviously cannot do that if we treat them with anything remotely suggesting condescendence.

The plain fact is that our Project 100,000 is succeeding beyond even our most hopeful expectations. Many of our commanders report that these men are turning out to be even more highly motivated than some servicemen with a much more privileged background.

Now these are the initial results, and we are immensely encouraged. But obviously the real test is going to come later, when these men move back into civilian society. How will they fare then?

Will the vital sense of achievement and self-confidence they have experienced in their military service, as well as the skills they have learned, move them forward in society—or will they return to the depressing downwardspiraling, poverty-in-the-midst-of-plenty phenomenon that plagues our urban ghettos and our rural pockets of economic stagnation?

We cannot say for certain. But we intend to find out.

We are launching a careful follow-up study to test conclusively the ultimate outcome of Project 100,000. At least a decade of careful measurement of the performance of the men both in and out of the service will be required. We won't know until the end of that period what the definitive study will prove. But I am willing to make a prediction. I am convinced that the Project 100,000 men will continue to do a fully creditable job in the service; and that on return to civilian life, their earning capacity—and their overall achievement in society—will be two or three times what it would have been had there been no such program, and had they remained rejectees.

Hundreds of thousands of men can be salvaged from the blight of poverty, and the Defense Department—with no detriment whatever to its primary role—is particularly well equipped to salvage them.

We not only can do it. We are doing it. And the benefit to our society—and to the ultimate roots of our security—will be immense.

Now, let me describe to you briefly our third program in this field. We call it Project Transition.

As I mentioned, we return some 750,000 men from the services annually to civilian life. Some of these men can move readily into civilian jobs without difficulty, but a significant number of them are faced with genuine problems.

We surveyed the situation, and found that some 50 percent of the men about to leave the services need and want some degree of help to make the transition to a productive civilian life.

To provide that help, we have created a voluntary program—Project Transition—for men with 30 to 180 days of service time remaining. The project gives priority to certain groups: to those disabled in battle; to those with no previous civilian occupation; to combat arms servicemen with no civilian-related skill; to those who have such a skill, but who require additional training or upgrading; and finally to those who desire a completely new civilian skill, regardless of their current training status.

The program meets four basic needs of the man leaving the service: counseling, skill enhancement, education, and job placement.

We now have pilot programs—for each of the services—at five bases. I can report to you today that within sixty days Project Transition will be in operation at all eighty of the major installations in this country.

We have enlisted the cooperation of other federal agencies—the labor Department, HEW, the Postal Service—as well as a number of State and local agencies that can assist with training, and offer employment to these men. A number of police departments around the nation, for example, are participating, not only with professional advice and technical assistance but with solid job offers as well.

Though the program is still in its pilot stage, it clearly has tremendous potential, and industrial leaders throughout the nation have already expressed enthusiasm for the idea. Further, the Ford Foundation has offered to work closely with us in solving the problems connected with placing the right veteran in the right job.

We are going to be able to give the returning Negro veteran—particularly the Negro veteran who without help might be compelled to drift back into the stagnation of the urban ghetto—an opportunity for valuable training and satisfying employment.

Every veteran—regardless of color, creed, or class—who has served his country in the Armed Forces deserves the opportunity to move back usefully and productively into civilian life. Project Transition will help give him the opportunity.

I think the point we must realize is this. There is no question but that the economic, social, and educational legislation of the current period eventually will transform American society immensely for the better.

But the very magnitude of the task will require a decade or two for the full effects to be felt.

This means that the present generation of the under-privileged youth of all races, caught in the self-perpetuating trap of poverty, are in danger of being left out of these eventual benefits.

The President has made clear that the United States cannot be satisfied with that situation. We must find ways to assist people now—even before our present legislation can reach its full potential for economic and social improvement.

This is manifestly a national responsibility—not primarily a Department of Defense responsibility.

Our primary responsibility—to repeat—is the security of this nation. But in the ultimate analysis, the foundation of that security is a stable social structure. I suggest to you that the Defense Department can find ways to contribute to the development of such a structure without compromising the combat readiness of its forces.

The three social programs I have described to you today are the kinds of programs that will bolster the security of this nation. They are the kinds of programs that will reduce the criticism, some of it justified, that we are often bludgeoned with internationally: criticism that grows out of the discrepancy between our traditional preaching of the principles of liberty and equality—and our obvious lapses in the practice of those two bedrock constitutional guarantees. They are partial answers to the basic question: can our present American society afford to meet simultaneously its responsibilities both at home and abroad?

Can we continue to meet our commitments to contain aggression internationally, and at the same time take the measures necessary to cure our urban and racial ills here at home?

I say definitively that we can.

This nation is immensely powerful—both in material and human resources.

Our current Defense expenditures—as heavy as they are—are only 9 percent of the GNP. That is a lesser percentage of the GNP than defense spending in most of the years of the 1950s. The taxes we pay today are billions of dollars less than the taxes we would be paying under the tax rates of the 1950s. The modest surcharge that the President is recommending—and which makes eminent sense in our highly charged economy—will represent a recision of less than half of the tax cuts this Administration has achieved.

And yet, we appear to believe that we cannot afford to achieve all that genuinely needs achieving.

We appear to believe that we are stretching our resources too thinly.

We appear to believe that we cannot simultaneously wage war against aggression abroad, and a war against poverty, urban decay, and social injustice here at home.

That we cannot afford it is a myth.

That we may choose not to attempt it, is another matter entirely.

But if we make that choice, let us make it deliberately and rationally.

Let us not make that choice because of a mere mythology—the mythology that America is not strong enough to do all that needs doing.

We are strong enough materially and technologically. We do have the resources in both money and manpower.

What we may lack is the will power.

If we do lack it, so be it. But let that be our conscious choice. Let us face the issues honestly, and admit to ourselves that we simply do not want to make the effort.

Let us not blame the lack of effort on the myth that we cannot do all that needs doing.

For the fact is, we can.

We can curb aggression abroad. And we can meet our pressing social problems here at home. And we can do both at the same time if we will use wisely existing institutions and available resources.

The simple question is this: do we have the requisite faith in ourselves?

Do we have the requisite confidence in our constitutional objectives?

Do we have the requisite resolve to complete the achievements that the United States was founded less than 200 years ago to secure?

I, for one, say we do. Ladies and Gentlemen, what say you?

Thank you, and good morning.

GOVERNORS' CONFERENCE REAFFIRMS STATES' JURISDICTION OVER FISH AND WILDLIFE MANAGEMENT

Mr. BENNETT. Mr. President, I was very much pleased today to receive a copy of the resolutions passed by the National Governors' Conference at the 59th annual meeting aboard the SS *Independence* last month and to discover that the Governors have asked the Congress to reaffirm States' jurisdiction over fish and wildlife management.

Last month, before the Senate Committee on Interior and Insular Affairs during hearings on the Flaming Gorge National Recreation Area bill, I proposed an amendment which would reaffirm the same jurisdiction for the States of Utah and Wyoming.

My amendment would merely help to protect Utah's hunters and fishermen from Federal encroachment in an area where the Federal Government has no logical or legal business—the management of fish and game.

The Governors at their meeting said that they felt that the States have the basic right to conserve, manage, and regulate the use and harvest of resident species of fish and game on all lands.

The present language in the Flaming Gorge proposal would cast a shadow on State jurisdiction, and most fish and game officials feel that it would give the Federal Government virtually complete control over all fish and game matters which are currently under State control.

The Governors' resolution supports the basic tenets of my Flaming Gorge proposal, which are also encompassed in a bill (H.R. 8377) currently before the House of Representatives.

I ask unanimous consent that the text of the resolution passed by the Governors be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

REAFFIRMING STATES' JURISDICTION OVER FISH AND WILDLIFE MANAGEMENT

Whereas, since colonial times in this country, the ownership of wildlife, by law, history and tradition, has been separated from the ownership of the land, in contrast to the European system in which landowner owns the game thereon; and

Whereas, it has been held by the U.S. Supreme Court that all species of wildlife are held in trust by the individual States for the people of each State, the principal exception to this rule arising under the treaty-making power of the United States which makes the migratory bird treaties and federal legislation dealing with migratory birds pursuant to and limited by said treaties the supreme law of the land; and

Whereas, contrary to Supreme Court decisions and dictates of sound unified fish and game management policies, the Solicitor of the Department of the Interior has held, and the Secretary of the Interior, Stewart L. Udall, has concurred therewith, that the federal government has full and exclusive power and control over both migratory and resident wildlife on all federally-owned land:

Now, therefore, be it resolved that the National Governors' Conference reaffirms the basic right of the States to conserve, manage and regulate the use and harvest of resident species of fish and game on all lands, including those lands owned by the federal government, within each individual State on which said jurisdiction has not been relinquished to the federal government; and

Be it further resolved that, to prevent further encroachment upon the States' responsibilities in the management of wildlife and fish resources, the following basic policies be adopted: the federal government, through existing international treaties and agreements, bears direct responsibility and jurisdiction over specified migratory birds, certain endangered species, basic research, certain oceanic resources, and fauna of certain territorial lands beyond the continental United States, and fish and resident species of wildlife are and should remain state resources under the direct jurisdiction and responsibility of the individual States; and

Be it further resolved that the National Governors' Conference supports the basic tenets of H.R. 8377, introduced in the First Session of the 90th Congress, which purports to declare and determine the policy by the Congress, with respect to the primary authority of the several States to control, regulate and manage fish and wildlife within their territorial limits.

THE PRESS AND THE BAY OF PIGS

Mr. McGOVERN. Mr. President, my attention has been called to a most provocative, carefully prepared article entitled "The Press and the Bay of Pigs," written by Victor Bernstein and Jesse Gordon, and published in the fall, 1967, issue of the Columbia Forum.

The article relates in detail the manner in which the American press handled or mishandled events leading up to the ill-fated attempt to invade Cuba in April 1961.

In the hope that Members of Congress, the press, Federal policymakers, and others will read this important article, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE PRESS AND THE BAY OF PIGS

(By Victor Bernstein and Jesse Gordon)

Aside from its other meanings, the Bay of Pigs was "also important in the history of relations between the American press and the U.S. Government," Clifton Daniel, managing editor of *The New York Times,* told the World Press Institute last year. Mr. Daniel went on to reconstruct this history insofar as it involved his newspaper. This article attempts a reconstruction on a somewhat broader basis. Such a history has permanent relevance to the democratic process; and, in any case, it is always useful to remind the press that if it worried as much about its own credibility gap as about the Administration's the country would be well served.

Early in November, 1960, Carey McWilliams, editor of *The Nation,* received a phone call from Paul Baran, Stanford University economist. He said that Ronald Hilton, then director of Stanford's Institute of Hispanic American and Luso-Brazilian Studies, "is just back from Guatemala. In the current issue of his *Hispanic American Report,* he writes that it is common knowledge down there that the CIA is training Cuban exiles at a secret Guatemalan base in preparation for an invasion of Cuba." Mr. McWilliams checked back with Dr. Hilton, and the result was an editorial which appeared in *The Nation* of Saturday, November 19.

"Fidel Castro," the editorial began, "may have a sounder basis for his expressed fears of a U.S.-financed 'Guatemala-type' invasion than most of us realize." It went on to give the gist of Dr. Hilton's story, which located the base near the mountain town of Retalhuleu and said that the whole affair had been aired on the front page of *La Hora,* Guatemala's leading newspaper. The editorial ended:

"We ourselves, of course, pretend to no first-hand knowledge of the facts. . . . If Washington is ignorant of the existence of the base, or, knowing that it exists, is nevertheless innocent of any involvement in it, then surely the appropriate authorities will want to scotch all invidious rumors. . . . On the other hand, if the reports as heard by Dr. Hilton are true, then public pressure should be brought to bear upon the Administration to abandon this dangerous and harebrained project.

There is a second reason why we believe the reports merit publication; they can and should, be checked immediately by all U.S. news media with correspondents in Guatemala.

The issue containing the editorial went to press on Friday, November 11. On that day, 75 proofs, together with copies of a news release based upon the editorial, were distributed by Jesse Gordon to all major news media, including foreign news bureaus in New York. The more important local offices were serviced by messenger. Mr. Gordon followed the dispatch of the releases with telephone calls to various news desks.

The phone calls elicited some puzzling reactions. The Associated Press was called three times; each time a different desk man answered, professed interest in the story, but said he hadn't seen either the release or a proof of the editorial. Could duplicates be sent immediately? Three duplicates were sent in as many hours, apparently to end up on the desk of someone in the AP hierarchy who didn't want them to go any farther. In the end, neither the AP nor the United Press International used the story, nor did they request any check on it that weekend from their correspondents in Guatemala.

On Monday, Mr. Gordon was again in touch with the UPI, this time speaking to Francis L. McCarthy, head of the service's Latin American desk. "Yes," said Mr. McCarthy, "there's a big base in operation in Guatemala and U.S. planes are flying in and out. But the Pentagon denies any knowledge and the State Department says 'no comment.' One story we hear is that the base is being built by the U.S. as a replacement for Guantánamo."

At this stage, knowledge of the base follows an interesting geographic distribution pattern. The readers of the Guatemalan newspaper *La Hora* knew there was a base. Indeed, according to Andrew Tully in his *CIA: The Inside Story,* "Practically everybody in Central America knew about this [Retalhuleu] training base and, of course, so did Fidel Castro." In the United States, however, where by repute exists the freest and most efficient press in the world, apparently the only people who knew about the base were Dr. Hilton, Mr. McCarthy, and the assorted readership (totaling fewer than 100,000) of the *Hispanic American Report, The Nation* and the *York* (Pa.) *Gazette and Daily* which—alone among the country's dailies—had published *The Nation's* release in its issue of November 12.

What of *The New York Times,* the *ultima Thule* of the publicist? Mr. Gordon sent four copies of the editorial to the *Times*—one each to the city and national editors, another to Herbert L. Matthews (editorial writer) and another to Peter Kihss (a staff reporter who was then covering domestic aspects of the Cuban situation). Additionally, the city and national desks of the *Times,* as well as those of other major news media, received copies over the PR Newswire, a private Teletype circuit. Mr. Gordon followed dispatch of the proofs by phone calls to Mr. Kihss and others; all professed interest in the story, and Mr. Gordon was asked where Dr. Hilton could be reached.

It took nine days for the *Times* to react. On page 32 of its issue of November 20, it printed an unsigned dispatch from Guatemala City based on its correspondent's interview with President Miguel Ydígoras Fuentes. The President was asked about "repeated reports" of a "base established with U.S. assistance as a training ground for military action against Cuba." The article continued:

> The President branded the reports as a "lot of lies." He said the base . . . was one of several on which Guatemalan Army personnel was being trained in guerrilla warfare. The object of the training, he said, was to combat invasions of the type that have occurred recently in Honduras, Nicaragua and Panama.

Five days later, on November 25, the *York Gazette and Daily* shed light on how the AP had been handling developments:

> The *Gazette and Daily* asked the AP . . . to check [*The Nation's*] report. The AP said *The Nation* article seemed "thin"—an adjective which, we think, fairly describes any story as it begins to develop from hearsay or second-hand sources . . . But when we explained that we were not requesting a rewrite of *The Nation* article but rather a check in Guatemala, the AP went to work. Within a few days, the AP sent a story which was printed on page two of the *Gazette and Daily* on November 17, headlined: "Guatemala President Denies Reports of Anti-Castro Force." The headline reasonably sums up the story; the AP had interviewed President Ydígoras of Guatemala and he had "branded as false" the things *The Nation* had published.

Now for the windup. In a letter from Stanford dated November 19, Dr. Ronald Hilton writes as follows: "On Friday, November 18, Mr. [Lyman B.] Kirkpatrick [Jr.], the Inspector General of the CIA, spoke in San Francisco at the Commonwealth Club. . . . He was asked, 'Professor Hilton of Stanford says there is a CIA-financed base in Guatemala where plans are being made for an attack on Cuba. Professor Hilton says it will be a black day for Latin America and the U.S. if this takes place. Is this true?' After a long silence, Mr. Kirkpatrick replied: 'It will be a black day if we are found out.' "

In lying to both the *Times* man and the AP reporter, President Ydígoras displayed the virtue of consistency, at least. But there is another, more significant, observation to be made about these two dispatches. Neither reporter took the elementary journalistic step (or, if they took it, failed to report that they did so) of interviewing anyone on the staff of *La Hora,* which had published the story the previous October 30. At the very least, they should have seen—or reported an attempt to see—the newspaper's publisher Clemente Marroquin Rojas, who was then a member of the Ydígoras cabinet (and is today Vice President of Guatemala). Moreover, according to Dr. Hilton, the base and its purposes were "common knowledge" in the country; should not the reporters have been instructed, at the very minimum, to test this "common knowledge"? It is precisely for this purpose, as any journalist will tell you, that taxi drivers have been invented. But both correspondents chose to go to the one man in the country who would be sure to deny the story—the President.

There was, perhaps, some excuse for the AP correspondent, Albarao Contreras, who was a Guatemalan citizen and could hardly be expected to probe into government secrets for the meager space rates paid to him as a "stringer." But what of the *Times* man?

During April of the current year, while this article was being researched, Victor Bernstein wrote to Mr. Daniel at the *Times,* requesting identification of the author of the November 20, 1960, dispatch, and in general asking for clarification of what the *Times* had done after receiving *The Nation's* original press release. Mr. Daniel replied promptly in a letter dated April 27, 1967:

> Emanuel Freedman, then our Foreign News Editor, wrote a memorandum on November 25, 1960, that referred to the denial interview with President Ydígoras published in *The Times* of November 20, and then provided this background: "We first investigated Dr. Hilton's allegations a few days earlier on the basis of a tear sheet sent to us in advance of *The Nation's* appearance on the newsstands. We talked with Dr. Hilton at Stanford University by telephone to determine whether he had anything more than the hearsay evidence attributed to him in *The Nation.* (He had not.) Then we asked the Washington Bureau, which drew a blank, and our stringer in Guatemala, who reported that there had been rumors about a U.S.-organized training

base, but that it had been impossible to get any confirmation. He denied that Ydígoras had gone on TV about the matter."

The Ydígoras interview was written by Paul Kennedy. He was in Nicaragua at the time that *The Nation* article reached us, and we asked him to go to Guatemala to look into the situation. . . . He met a blank wall in his inquiries and on the 19th sent the Ydígoras interview. Mr. Kennedy left Guatemala on the 21st.

Paul Kennedy was a *Times* expert on Latin America. If, for the nonce, his interview with Ydígoras satisfied the *Times'* editors, it did not satisfy the editors of the *St. Louis Post-Dispatch,* who a short time afterward sent one of their own men, Richard Dudman, into Guatemala. Mr. Dudman saw no purpose in collecting further denials, so he steered clear of the Presidential Palace and ran around asking questions. He confirmed the existence of a "secret, 1,200-foot airstrip" that had been cut out of the Guatemalan jungle, and of nearby barracks capable of housing 500 men. A Guatemalan civilian told him that many of the soldiers at the base spoke with a "Cuban accent"; he also conscientiously reported that an English-speaking Guatemalan soldier had dismissed all stories about the base as "Communist propaganda."

Even with these tentative conclusions, Mr. Dudman had censorship troubles and in the end filed his story not out of Guatemala, but out of neighboring El Salvador. This led the *Post-Dispatch* to print an editiorial which should have galvanized the entire American press into action:

> What is going on in Guatemala? Who is trying to conceal what, and for what purpose? Why should Richard Dudman . . . have to go to neighboring El Salvador to send a dispatch to this newspaper about what he found in Guatemala?

These were what any journalist would call "gutsy" questions, crying for answers. Yet the AP and the UPI, upon whom the overwhelming bulk of the American press is utterly dependent for foreign news, still made no attempt to search out the answers. But around the middle of December the *Los Angeles Mirror* sent its aviation editor, Don Dwiggins, to Guatemala. He reported that American funds were involved in the airstrip and base construction. The AP picked up and distributed a three-paragraph summary of Mr. Dwiggins' long article, but again failed to show any reportorial initiative of its own. In an article that appeared in *The Nation* dated January 7, 1961, Mr. Dwiggins presented strong evidence in support of Dr. Hilton's "hearsay" reports:

> No one in an official position would explain why Guatemala, a country without a single jet plane of its own, needs a jet airstrip for military use. . . . A military base actually exists behind the green curtain of Retalhuleu. All access to the airfield is cut off. . . . As there is no airline traffic into Retalhuleu, there is no question as to airstrip's purpose. Guatemala's air force, it should be noted here, consists of corroding war-surplus Mustang fighters, AT-6 trainers and some war-weary, twin-engine bombers squatting like wounded birds at Guatemala City's La Aurora Airport.

And Mr. Dwiggins reported that, upon his return to Los Angeles, an anti-Castro pilot told him of a "fantastic air-raid operation scheduled for some time early in 1961." People "high up the government," the pilot said, were offering $25,000 to pilots to fly the mission.

It would seem that, by now, things were beginning to add up, even if somewhat slowly. There is definitely a new airstrip and base of some kind in Guatemala; even the *Times* says so. Mr. Dudman has reported the possible presence at the base of soldiers who speak Spanish with a Cuban accent. Mr. Dwiggins has recorded that U.S. money is involved in construction of the base and has pointed out that Guatemala, which has no jets, obviously has no use for an airstrip capable of handling them. Unmentioned, so far, is the unmentionable CIA. Still, it would indeed seem that Castro had reasonable grounds for suspecting that the U.S. was planning something unpleasant for him.

But to the *Times,* nothing adds up to anything, yet. On January 3, the U.S. broke relations with Castro. "What snapped U.S. patience," said the *Times* "Review of the Week" for Sunday, January 8, "was a new propaganda offensive from Havana charging that the U.S. was plotting an "imminent invasion" of Cuba, and a demand that the U.S. cut its Havana embassy to eleven." In nearly five columns of text on the Cuban situation, the only base mentioned by the *Times* is Guantánamo. Why, then, the writer asks plaintively, was Castro making all those invasion charges and fulminating so against the U.S.? The writer answers his own question: "The Castro Government has become increasingly shrill with its anti-American propaganda to busy minds that otherwise would be preoccupied with dissatisfactions at home."

But two days later *Times* readers were to get more solid fare. In the January 10 issue there appeared a second and lengthy dispatch from Paul Kennedy, this one sent directly from Retalhuleu. (In the weeks following November 20, 1960, Clifton Daniel explained in his letter of April 27, 1967, "rumors and tangible pieces of information built up—including stories published in the *Los Angeles Mirror* and the *St. Louis Post-Dispatch*—and as a result we asked Mr. Kennedy to go back to Guatemala and get out of the capital to try to find out just what was going on.") In a sense, it can be said that this second Kennedy piece broke the logjam on the story, and at a later date it was to be pin-pointed by President Kennedy as an example of "premature disclosures of security information."

Actually, the *Times* article of January 10 was written with the utmost circumspection. "This area [around Retalhuleu] is the focal point," the story began, "of Guatemala's military preparations for what Guatemalans consider will be an almost inevitable clash with Cuba." This was not only circumspect; it was misleading. The base had nothing to do with the military preparations of Guatemala; it had to do with the military preparations of the U.S. and a group of Cuban exiles. That Mr. Kennedy knew this, or at least strongly suspected it, was apparent in his text; but each time he offered a sinister interpretations of events, he balanced it with an innocent one. Thus, while Guatemalan authorities insist that the purpose of the base was to "meet an assault, expected almost any day, from Cuba," the "opponents of the Ydígoras Administration" insist that the preparations are for an offensive against Castro. (What is the relevance of labeling those who suspect aggression as "opponents" of Ydígoras? Are we to believe them less?) Mr Kennedy asserted flatly that at the base "commando-like forces are being drilled in guerrilla warfare tactics by foreign personnel, mostly from the United States," and that Americans are assisting with "matériel and ground and air facilities." But he carefully added, quoting an American official, that the United States is supplying only matériel needed for "defensive operations."

Nothing in the story identifies the nationality of the guerrillas under training; Cubans are mentioned only as being among the "experts from several nations" who are acting as trainers. The base, Mr. Kennedy observes (laughingly?), seems to be on the wrong side of Guatemala for efficient defense against a Cuban assault on the Caribbean coast; on the other hand, it is explained to him that its inland site gives it good capabilities for self-defense.

Mr. Dwiggins, it is now clear, came much closer to the truth than Mr. Kennedy. But a half-revelation in the *Times* carries more impact than full revelation elsewhere. With this dispatch, the country as a whole became aware that something peculiar was going on in Guatemala, to say the least. Those who had read Dr. Hilton's original "hearsay" reports found Mr. Kennedy somewhat less baffling; they had a key to the puzzle. But only readers of *Hispanic American Report, The Nation,* and the *York Gazette and Daily* were in the fortunate position. Still missing, however, was any echo of Dr. Hilton's suggestion of CIA involvement. It was now to come from an unexpected source—the State Department. A few hours after the Kennedy story appeared in the *Times,* the afternoon *New York Post* described State officials as turning aside all questions about Retalhuleu with the observation, "Don't ask us about it, ask the spooks—the Central Intelligence Agency."

Meanwhile, beginning on January 8, the *New York Daily News* began a series of articles that pushed back the frontiers of our knowledge a little farther. The activities in Guatemala were definitely in preparation for an invasion of Cuba, the paper said; it quoted Manuel A. de Varona, head of "the most powerful anti-Castro" group in the United States, as saying: "Our invading force will land in Cuba. . . . They will take over as occupation troops . . . A provisional government will be set up [which] will restore all properties to the rightful owners Mr. de Varona was vague only about where all the money was coming from. The *Daily News* was less vague, but quite inaccurate. "It is an open secret," said the newspaper, "that the *Frente* [various anti-Castro groups in the U.S. had been organized into a Front] is being financed by American and Cuban industrial interests" who hoped to get their properties back from Fidel Castro. It was, of course, not industrialists who were paying for all the shenanigans going on; it was the American taxpayer via the CIA.

On January 11, the *Miami Herald,* located in the city where most of the Cuban refugees were living and where the anti-Castro activities were greatest, printed the first of a long series of articles on what was going on. The first story said forthrightly: "Recruiters, some American, have for months been selecting anti-Castro men in Miami for secret flights to Retalhuleu." But two days later *Time* magazine blandly referred to what it called Castro's "continued tawdry little melodrama of invasion." And about the same time, in the Security Council of the U.N., U.S. Ambassador James J. Wadsworth termed the latest Cuban charge of planned invasion as "empty, groundless, false and fraudulent."

The story continued to expand. *Time* magazine finally decided that Castro was not altogether a victim of hallucinations, and on January 27 declared that the *Frente* was getting up to $500,000 a month from the U.S. and boldly stated that the entire operation was in charge of a CIA agent known as "Mr. B." Dr. Hilton had had to wait ten weeks for the last of his "hearsay" reports to be confirmed by a major publication.

It is understandable that President Kennedy, Secretary of State Rusk, CIA Director Dulles and others in Washington were viewing this publicity with something less than enthusiasm. True, during the campaign the previous fall, Kennedy had complained that America had done too little for Castro's "democratic opposition" and said that if elected he would do more. But he had never spelled out just what he would do. Had he been thinking of presenting *bon voyage* baskets to any anti-Castro invaders departing our shores? Four days before the invasion actually began, he told a press conference: "There will not be under any conditions an intervention in Cuba by the U.S. armed forces. . . . The basic issue in Cuba is not one between the United States and Cuba. It is between the Cubans themselves. And I intend to see that we adhere to this principle. . . ."

But the deep American involvement could

not be kept hidden—not after the Guatemala story had once broken. And it grew increasingly difficult to hide as recruiting agents scurried around New York and Miami, gathering sacrificial lambs for the planned invasion. By the second week in April the recruiting was so open that *El Diario*, a New York Spanish-language paper, and the *New York Mirror*, could print the addresses of local recruiting stations. Then there was the impossible problem of keeping the various leaders of the Cuban exile groups quiet. Right and Left factions filled the press with their mutual recriminations, or with complaints of discriminatory treatment at the hands of the Administration.

Still, there persisted in Washington the quaint notion that nothing was really happening unless it was reported in *The New York Times*. And, for many weeks following Paul Kennedy's somewhat equivocal report from Retalhuleu, the *Times* did nothing deeply distressing to Allen W. Dulles. Indeed, in some ways it seemed to be playing the Administration game. As late as April 5, just 12 days before the invasion began, James Reston wrote that "The Administration has reason to believe that there are now between 100 and 200 Cuban airmen in Czechoslovakia being trained to fly Soviet MIG fighters." Washington officialdom, aware that it could not stop speculation on the invasion, had evidently decided on an alternative: to leak stories tending to justify it.

Then, on April 7, the *Times* printed a long dispatch from Miami by Tad Szulc, their able and experienced Latin-American correspondent. While there were few elements in this account that had not already appeared elsewhere, Mr. Szulc not only linked the CIA to the coming invasion but hinted strongly that the climax was "imminent." The handling given the story by the *Times*, and the crisis of conscience it provoked among its editors, were described at length by Mr. Daniel in his address last year before the World Press Institute. Orvil Dryfoos, then publisher of the *Times*, was described by Mr. Daniel as particularly upset: "He was gravely troubled by the security implications of Szulc's story. He could envision failure for the invasion, and he could see *The New York Times* being blamed for a bloody fiasco."

So Mr. Dryfoos, according to the Daniel account, came down from his fourteenth floor office to the news room on the third floor to see Turner Catledge, then managing editor. The two conferred and decided to turn to Mr. Reston, in Washington, for advice. The author of *The Artillery of the Press* advised his superiors to spike the guns, more or less, and the upshot was that Mr. Szulc's account was edited to eliminate references to the CIA and to the "imminence" of the invasion. Instead of a four-column head, as had been originally planned, it was given a one-column head.

In justice to the *Times*, it must be noted that in addition to the consciences of Messrs. Dryfoos, Catledge, and Reston, there were other consciences at work that night. Lewis Jordan, news editor, and Theodore Bernstein, assistant managing editor, objected strenuously to this downgrading of the story as a violation of *Times* tradition; and Mr. Daniel, in his recounting of the episode, placed himself alongside the dissenters.

About a fortnight after the Bay of Pigs took its dismal place in history, a group of press executives met the President at the White House. Mr. Daniel told the World Press Institute what took place:

> President Kennedy ran down a list of what he called premature disclosures of security information. His examples were drawn mainly from *The New York Times*. He mentioned, for example, Paul Kennedy's story. . . . Mr. Catledge pointed out that this information had been published in *La Hora* in Guatemala and in *The Nation* in this country before it was ever published in the *Times*.
>
> "But it was not news until it appeared in the *Times*," the President replied.
>
> While he scolded *The New York Times*, the President said in an aside to Mr. Catledge, "If you had printed more about the operation, you would have saved us from a colossal mistake." More than a year later, President Kennedy [told] Orvil Dryfoos, "I wish you had run everything on Cuba. . . . I am just sorry you didn't tell it at the time."

President Kennedy had changed his mind, but Mr. Reston never did. A year ago he told Mr. Daniel: "It is ridiculous to think that publishing the fact that the invasion was imminent would have avoided this disaster. I am quite sure the operation would have gone forward." Certainly he did nothing to prevent it. Four days before the invasion, he was publicly asking questions to which he already obviously knew most of the answers:

> How much will the U.S. Government help the Cuban refugees? Will it provide them with all the money and arms necessary to launch an invasion, not from American ports and airfields, but from somewhere else? Will it train the refugees in the arts of sabotage and guerrilla warfare in Guatemala or elsewhere?

Yet, in a larger sense, Mr. Reston was probably right. The President, in his astonishing asides to Messrs. Catledge and Dryfoos, seems merely to have been trying to share his monopoly of wrong decisions. In all likelihood, it would have done no good for the *Times* to have "told all" on April 7. At best, the telling might have forced the Administration to delay the invasion a couple of weeks (at added expense to the American taxpayers, who were footing the training bills); at worst, it might have enabled Castro to have been even better prepared than he was, and the invasion might have been totally crushed in one day instead of three.

The evidence is strong that by these final weeks, the affair was beyond aborting; planning had reached the point of no return. The time for arousing public opposition to the idiocy which was launched on April 17 was back in October, 1960, when *La Hora* first broke the story of the Retalhuleu base. The persistency with which the American press ignored the story still seems incredible. Its intrinsic plausibility should at once have been recognized and acted upon; every informed journalist in the U.S. knew Guatemala as an old playground of the CIA. This is where the "spooks" from Washington had overturned the Arbenz regime in 1954.

About the press coverage of the invasion itself, the less said the better. The chief source of information was a Mr. Lem Jones who, according to Arthur M. Schlesinger Jr., in his *A Thousand Days*, "was putting out in the name of the [Cuban Revolutionary] Council press releases dictated over the phone by the CIA." The CIA, Mr. Schlesinger intimates wryly, had not even bothered to inform the Council that Mr. Jones had been hired to do the invasion publicity. Who was Mr. Jones? In Haynes Johnson's *The Bay of Pigs*, he is described this way: "The president of Lem Jones Associates, Inc., a Madison Avenue public relations firm . . . had done public relations work for such clients as a lay committee of the Armenian Apostolic Church and corporation stockholders waging proxy fights; but his present client, he told a reporter, was 'a very serious thing, too.'"

Mr. Jones was still in the proxy business, it appeared; this time he was proxying for the Cuban Revolutionary Council and the CIA. Largely on the basis of his news releases, headlines throughout the U.S. recounted mass uprisings by the Cuban people against Castro, Soviet MIGs blasting the invaders, rebel capture of the Isle of Pines, the surrender of Castro's brother. An eight-column banner in the *Miama News* screamed: Cuban Navy in Revolt. All this time the invading force of 1,400 men was being systematically destroyed by Castro's forces, and nowhere in the length and breadth of the island did a single Cuban raise a rifle in behalf of the "liberators." And four American pilots, members of the Alabama Air National Guard, assigned by the U.S. Air Force for special duty with the invasion, died in this affair which, in President Kennedy's words, was strictly one "between the Cubans themselves."

From beginning to end, the Bay of Pigs was as humiliating for the American press as it was for the country as a whole. In the aftermath, some editors recognized this. On May 10, *The New York Times* editorialized under the heading, "The Right Not To Be Lied To":

> The Cuban tragedy has raised a domestic question that is likely to come up again and again until it is solved. The cause may be something that is happening in Laos [or Vietnam?], in Central Africa or in Latin America, but the question remains the same: is a democratic government in an open society such as ours ever justified in deceiving its own people? . . . A democracy—our democracy—cannot be lied to. . . . The basic principle involved is that of confidence.

Newsweek posed the question: "To what degree was the press really to blame for the magnitude of the American propaganda defeat? The best answer is that the newsmen, like many others, became pawns in the intensifying conflict between Washington and Havana."

The press had a right to be angry. It had been lied to, again and again, by President Kennedy, Allen W. Dulles, Dean Rusk, and everyone else in the hierarchy of blunderers responsible for the Bay of Pigs. But it also had the duty to be ashamed. No law required it to swallow uncritically everything that officialdom said. On the very day the American-planned, American-equipped expedition was landing at the Bay of Pigs, Secretary Rusk told a group of newsmen: "The American people are entitled to know whether we are intervening in Cuba or intend to do so in the future. The answer to that question is no." Where was the editorial explosion that should have greeted this egregious lie? And even when the press had opportunity to strike a blow for truth, it failed. On April 19, while the shooting was still going on, the *Times* received a dispatch from its correspondent at the U.S. naval base at Guantánamo Bay. The last paragraph of the story read:

> The sensitive radar on Navy ships here have picked up no trace of high-speed Cuban or Communist aircraft. Officials, therefore, are confident that there have been no MIG fighters in this area of Cuba, at least. Nor has the Navy sighted any foreign submarines.

This last paragraph appeared only in the early edition of April 20. In the later editions, it was deleted. Mr. Daniel, asked about this, made this response in his letter of April 27: "I cannot at this date give the reason with certainty, but this sort of thing happens so routinely in makeovers for late editions that the odds are that it was simply a matter of space for makeup purposes." In other words, all the news that fits.

There is no reason to doubt Mr. Daniels' explanation, but an explanation is not a justification. Lem Jones' war bulletins out of Madison Avenue had been replete with references to MIGs and Soviet submarines, the work of CIA fiction writers seeking to raise war fever in the American people. Surely so strong a doubt that they ever existed, expressed by so unimpeachable a source as our own Navy men, deserved a better play than a tail-end paragraph. And if it had been anywhere else in the story, it would not have had to be dropped for space.

How does one explain the malaise that afflicted so much of the press during the period? There is no doubt that, in many places, a covert of voluntary censorship was at work. The *Times* treatment of Szulc was one example. The *Miami Herald* openly acknowledged voluntary censorship. The *Herald* published its first story on the Miami-Retalhuleu airlift the day after Paul Kennedy's story from Guatemala appeared in *The New York Times*. A box alongside the *Heralds'* story explained:

Publication of the accompanying story on the Miami-Guatemala airlift was withheld for more than two months by the *Herald*. Its release was decided upon only after U.S. aid to anti-Castro fighters in Guatemala was first revealed elsewhere.

This was on January 11, the *Herald* had apparently known all about Retalhuleu since November 10—just about the time Dr. Hilton was reporting the story to *The Nation*. President Kennedy should have chastized the *Herald*, not *The Times;* had the *Herald* printed the story at the outset, there might really never have been a Bay of Pigs.

This demented patriotism, the urge to play along with government at whatever cost to truth, struck elsewhere. Mr. Schlesinger (in *A Thousand Days*) reports that in March 1961 the *New Republic* set aside a detailed exposé of invasion preparations in Miami at the request of the White House. (Of the magazine's acceptance of the suggestion that the piece be dropped, Mr. Schlesinger comments that it was "a patriotic act which left me slightly uncomfortable.") And in the February 2, 1963, issue of *Editor & Publisher*, Alan J. Gould, on the occasion of his retirement as general manager of the AP, is quoted as saying:

"I think the people in Government should have learned a lesson for all time on the handling of the Cuban affair. Occasionally we have withheld stories for a time in the national interest. When the President of the United States calls you in and says this is a matter of vital security, you accept the injunction."

If the editors of the *Miami Herald* knew the significance of Retalhuleu, it is safe to say that the AP editors knew, too. Yet the AP never budged any part of its massive reportorial staff to get at the truth in behalf of its thousands of clients. Neither the AP, nor the UPI, nor the San Francisco papers ever seemed to have tried to follow through on the startling remark of that CIA official to a San Francisco Commonwealth Club gathering: "It will be a black day if we are ever found out."

The press is not normally so cooperative with government, even on matters touching on national security. In this instance, there was no security to be breached. Castro knew about Retalhuleu as soon as *La Hora* did, and quite likely sooner; and he was in the fortunate position of not having to verify his information with such as President Ydígoras. The early apathy of the press makes sense only when viewed as motivated not so much by patriotic reticence as by eager jingoistic collaboration. The fact is that most powerful American publishers wanted that damn Castro out of there as much as Allen W. Dulles did. So they kept silent until the few independent souls among them precipitated the news competition that is the normal lifeblood of the industry. But the damage had already been done: *public opinion had been eliminated as a factor in a major foreign policy decision.*

Even today most journalists, with some honorable exceptions, criticize the Bay of Pigs not as the wrong thing to have done, but as the wrong way to have done it. One is reminded of most current criticism of the Vietnam war; the cure suggested is always something other than the simple getting out. It is difficult to accept that there is no right way of doing the wrong thing.

Where, then, does the duty of the press lie? Must it always tell all that it knows? Or are there occasions when government, as representative of the people, has the moral right to call upon its discretion? President Kennedy was not alone in his feeling that the press should suppress news in the interest of the government (which is assumed to be identified with the national interest). But back in 1851 that old Thunderer, *The Times of London*, had something to say on this subject:

"The purposes and duties of the [Ministers of the Crown and of the Press] are constantly separate, generally independent, sometimes diametrically opposite. . . . The Press can enter into no close or binding alliances with the statesmen of the day, nor can it surrender its permanent interests to the convenience of the ephemeral power of any Government. The first duty of the Press is to obtain the earliest and most correct intelligence of the events of the time, and instantly, by disclosing them, to make them the common property of the nation. The statesman collects his information secretly and by secret means; he keeps back even the current intelligence of the day with ludicrous precautions. . . . The Press lives by disclosures."

This is a generally admirable statement of a condition that should exist, perhaps, but doesn't. The fact is that most of the press decides for or against cooperation with government not on any basis of principle, but on the basis of the issue. Do we, the editor asks himself, approve or disapprove of what the government is asking us to help it do? So William F. Buckley Jr., alerted to secret peace negotiations between Washington and Hanoi, and fearing an outcome favorable to the Communists, might rush to wreck the talks by publicizing them. Walter Lippmann, in all likelihood, might keep his mouth shut. Who has best served journalism and the public weal? On the other hand, who best served journalism and the public weal in the months before the Bay of Pigs—those who talked, or those who kept silent?

OKINAWA

Mr. INOUYE. Mr. President, in view of the forthcoming talks between President Johnson and Prime Minister Eisaku Sato of Japan, I believe that a recent article by Mr. George Chaplin, editor of the Honolulu Advertiser, may be of interest.

I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Honolulu Advertiser, Nov. 3, 1967]

OKINAWA: NO ANSWER YET

(NOTE.—*The writer flew to Japan last week on a Pan American World Airways inaugural flight marking three-time-a-week service between Los Angeles, Honolulu and Osaka. Before returning to Honolulu he sought some insight into current U.S.-Japan relations*).

(By George Chaplin)

TOKYO.—No firm timetable for the U.S. return of Okinawa to Japan will emerge from the mid-month talks in Washington between President Johnson and Prime Minister Eisaku Sato.

That, at least, is the prediction in authoritative American circles in Tokyo, where U.S. Ambassador U. Alexis Johnson and Japan's Foreign Minister Takeo Miki have held at least two preliminary sessions.

It is anticipated the U.S. will reaffirm its intention for Okinawa to revert to Japan in the future; that negotiations will continue toward an acceptable formula; and that Japan and Okinawa will increasingly integrate economic and other policies.

The governing Liberal-Democratic Party would like to get the Okinawa issue out of the way by 1970. That would prevent the other political parties from peaking their opposition at a time when the U.S.-Japan Security Treaty will be under discussion.

(Okinawa is occupied under the peace treaty following World War II, but it is used by Japan's minority parties as a club against the security treaty, which will reopen in 1970 only if either the U.S. or Japan formally requests it.)

The Okinawa issue is not really one of U.S. bases there, although the Socialists and Communists take that position, but whether the civil administration will revert to Japan and U.S. bases in Okinawa will come under the security treaty—like our bases in Japan proper.

As a practical matter, we are using our Japan bases freely for supplying and supporting U.S. troops in Vietnam. The 7th Fleet's home port is in Japan, where we have the finest navy yard west of Hawaii, backed up by a vast industrial complex.

U.S. airfields in Japan are among the busiest in the world. A large proportion of the damaged U.S. aircraft are repaired or rebuilt in Japan, which is convenient for us and profitable for the Japanese.

Actually, some of our supply LSTs have Japanese crews. But this is not politically popular in a country which still debates whether the U.S. nuclear aircraft carrier Enterprise should even be permitted to call briefly at a port.

In Japan, nuclear weapons could not be stored without government permission. On Okinawa, there is no such restriction and it can be assumed that we have nuclear installations there. As one American put it to me bluntly: "We can do as we please on Okinawa now."

For example, we could mount combat operations for Vietnam out of Okinawa but aren't, according to one source who said we're mostly using the island for refueling and repairs.

The Japanese view of the U.S. military presence in Asia has been somewhat softened by the entry of Communist China into the nuclear club, a fact which has distressed and dismayed the Japanese.

An American who speaks Japanese fluently and is highly knowledgeable about conditions said, "A year ago the Japanese were saying, 'We understand China better than you do.' Since the Cultural Revolution, we no longer get that."

He cited a recent newspaper poll in Tokyo which asked which three countries the people liked best and which three they liked least.

Until this past January, the three least liked, in order, were: the Soviet Union, China and Korea. After the Cultural Revolution gained full force, China succeeded the Soviet Union as the least liked, although the ratings were close.

The three best liked have consistently been Sweden, Switzerland and the U.S.—the first two understandably since their combination of neutrality and a high living standard represents the Japanese dream.

U.S. standing, I was told, dropped sharply two years ago when the bombing of North Vietnam began, but is now back to where it was previously.

On the U.S.-Japan Security Treaty, this source said its continuance is not under serious question, and that even the opposition parties are increasingly accepting this privately.

"They realize the economic value to them of the security relationship," he said, "since they are spending a minimum on defense" (about 1.1 percent of their gross national product, probably a lower per capita figure than that of any other industrialized nation).

However, there is more discussion about defense, not whether troops should be sent into action outside of Japan—"that's still a long way off"—but whether, for example, Japan should consider participating in an international peacekeeping force.

Under the euphemism of "self defense forces," administered by a civilian agency, Japan has assembled a rather effective air force (they are building F–104's in the country and will be building Hawks and Nikes). There is a small but fairly effective navy and well-equipped ground forces (all utilizing volunteers, since there is no draft).

The U.S. is playing it cool on the security treaty. Washington is conveying that we are not worried about its continuance, that it's really the Japanese who should be. One source told me this is having an impact—"the Japanese are worring more in terms of the U.S. maintaining rather than their renouncing the treaty.

"Responsible Japanese discussion is not in terms of renunciation but of an amendment to provide for another 10-year term, to make sure the U.S. sticks with it."

INSPECTION OF MEAT AND MEAT PRODUCTS

Mr. CLARK. Mr. President, until recently most consumers believed that all the meat and meat products they bought were inspected by the Federal Government and certified to be clean and wholesome. Unfortunately this is not the case, as the American people are now beginning to find out.

At the end of this week the Senate Committee on Agriculture and Forestry will begin a series of public hearings on H.R. 12144, the Wholesome Meat Act, which recently passed in House. I hope that out of those hearings will come an improved bill, designed to give the American consumer much-needed uniform meat inspection protection.

I invite the attention of Senators to an editorial in yesterday's Washington Post on the subject, and ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Washington Post, Nov. 6, 1967]

The Meat Controversy

The almost unanimous vote of the House of Representatives for the meat-inspection bill reflects a strong public demand for the elimination of dirty meat. The bill would tighten up Federal inspection of all meat shipped across state lines and extend Federal aid to state inspection systems in line with Federal standards. The aim is to extend protection to all meat consumed in the United States by means of Federal-state cooperation.

The hot controversy which developed in the House was over the ways and means of achieving this objective. The House voted down the Smith-Foley amendment which was designed to extend Federal inspection to 5850 intrastate plants doing business of more than $250,000 annually. In discussing this proposal in our editorial of Tuesday, we neglected to make clear that, like the Purcell bill which the House approved, it would also extend aid to the states in the inspection of some 9000 small plants that would not be taken under Federal jurisdiction. Sponsors of the Smith-Foley amendment believe that it would encourage the states with no inspection laws to enter the field by narrowing their obligation. Opponents contend that it would discourage state action by Federal absorption of state powers and by leaving to the states only small slaughterhouses and processing plants where inspection is difficult and expensive.

Since both the bills contemplate Federal and state inspection systems the nub of the argument is where the dividing line should be drawn. If state inspection can be made effective in all the 50 states, we think the natural dividing line between interstate commerce and intrastate commerce is preferable. But it must be acknowledged that this is a big "if," and if the states do not do their part the task of throwing out contaminated meat will have to be taken over by the Federal system.

We think the Senate could improve the House bill by writing in a time limit during which the states would have to act. If any state should fail to provide for the inspection of all slaughtering and processing plants operating intrastate within two or three years, complete Federal inspection service would be provided in that state. This would allow the states that choose to expand their programs to do so and would allow complete Federal inspection wherever the states might fail to meet Federal standards. The states cannot have it both ways. They must do the job and do it effectively or yield to Federal agents who can.

A CALL FOR STATE INITIATIVE

Mr. GRIFFIN. Mr. President, on November 1, Mr. Peter B. Spivak, chairman of the Michigan Public Service Commission, addressed the 79th Annual Conference of National Association of Railroad and Utilities Commissioners—NARUC—in Hollywood, Fla. With the thought that Mr. Spivak's remarks will be of interest to my colleagues, I ask unanimous consent that his address be printed in the Record at this point.

There being no objection, the address was ordered to be printed in the Record, as follows:

Some Thoughts on the Introduction of the Power Reliability Bill

(Address by Peter B. Spivak, chairman, Michigan Public Service Commission, Hollywood, Fla., November 1, 1967)

In the old isolated type electric systems the only source of reserve generation was in installed capability. As these systems grew in size and complexity, it became evident that it would be mutually advantageous for adjacent isolated systems to standardize on frequency and voltage, and interconnect the systems. A floating tie would synchronize the alternating current, stabilize voltage and make power interchange possible when needed. This idea gradually grew and developed until most systems had at least one outside interconnection with an adjacent system.

With the use of system interconnection came the necessity for careful design of protective systems for the tie lines. Both the amount and direction of power flow over the ties were critical to avoid overloading one system when the interconnected system requires extra capacity to supply unexpected load. Interconnection capacity support can be defined as the amount of power which a system can normally expect to receive, under emergency conditions, from other systems with which it is interconnected. The amount of support is dependent upon the reserve margin available in the interconnected systems, as well as the power carrying capability of the interconnecting tie lines.

Ultimate consolidation of small local utility companies into larger companies and systems has brought about longer power transmission lines. Consolidation of companies and development of more and new electrical equipment has caused the general electrical power requirement to grow extremely rapidly. More power required and longer transmission lines have combined to require higher transmission voltages until we are now working with hundreds of thousands of volts, and there is thought now of going to a million volts or more in the not too distant future for a special, high capacity transmission line.

Interconnection of vast power systems is now commonplace, requiring an even closer vigilance over protective circuit design. The Northeast power failure of November 9, 1965, is an example of what could happen if just one protective relay is set improperly in such a situation.

When major system disturbances occur, one of the matters for consideration is that of whether or not to continue interconnected operations with neighboring systems. If a system is the source of the disturbance, that system is likely to want to hold on to all interconnections as a source of help for righting its situation. On the other hand, if one system is not in trouble and another is taking extraordinary amounts of power, the supplying party may find it desirable or necessary to disconnect in order to save its own operations.

Such situations require sound judgment and fast evaluation and call for the most sophisticated of protective systems. A review of procedures by Michigan companies indicates that substantially all provisions for separations of systems are based upon maximum load carrying capacity of the interconnections. However, there is one important and major exception in that the interconnections between The Detroit Edison Company and the Hydro-Electric Power Commission of Ontario are also controlled automatically by the following types of system separation relaying: (1) out-of-step; (2) underfrequency, in two stages; (3) reverse power directional, used at times of large power importing; and (4) a combination low voltage-high current control. The operation of this protective control scheme kept the Michigan utilities clear of any distress from the Northeast power failure events of November 9, 1965. Automatic recording devices indicate that this interconnection was opened in 1⅔ seconds.

When the Eastern United States and Canada were hit by this massive outage of prolonged duration the public and media reaction which followed was as intense as it was understandable. No one wishes to be without light, and there were millions of people without light. We live in a loud world where television, radios and stereos are on in most homes for most of the evening. For millions of people it became a suddenly silent world. Streetlights not working; appliances not working; home health aids not working; these and many other things were genuinely frightening experiences; and the blackout was protracted. People demanded answers.

This is an answer-oriented society. It presently tends to look to governmental agencies for answers. The agency first looked to, and the one which began and continued to talk in terms of remedies and solutions, was the Federal Power Commission. While some individual state Commissioners talked, explained or discussed plans for the future, there was no state program announced in November 1965, nor was any forthcoming prior to the introduction by the FPC of its proposed Electric Power Reliability Act of 1967. That proposal followed, in terms of its introduction, closely upon the heels of the P–J–M outage in 1967. There had been cascading power failures in the Missouri Basin in 1965 and 1966. Lee C. White, Chairman of the Federal Power Commission, testifying before the Senate Committee on Commerce on August 22, 1967, said that there had been 19 major power failures between the Northeast power failure of 1965, and the P–J–M outage of this year. It is not surprising that this bill was introduced. It will be very surprising if Congress does not pass some legislation on this subject next year.

Following the introduction of the Federal Power Commission's bill, our President, Frederick Allen, appointed an Ad Hoc Committee, consisting of myself as Chairman, Commissioner Fred P. Morrissey of California and Commissioner Wallace R. Burke of Connecticut, to study this bill and to work on a program for the state Commissions and the NARUC. We have all been working on the problem and we have met and made what we consider significant progress. President Allen and Paul Rodgers, our General Counsel, have met with us. The Federal Power Commission has met with its Executive Advisory Board on this subject twice since the formation of our Ad Hoc Committee, and we have been kept informed of the deliberations of that body.

The remedy first advanced by the Federal Power Commission is one with which we are all familiar. It was that much new construction is needed and that coordinated regional and national plans are needed to implement national and regional grid systems envisaged for years by the F.P.C. I have heard it said by many that they object to this concept because unreliability increases as you increase the mileage of the grid. The need for more sophisticated protective systems becomes imperative.

The plans announced by industry in most areas and most states have envisioned more interconnections and more integration within grids with ever increasing sizes. Those who argue for more plants closer to urban or metropolitan concentration are being heard, but the listeners are building bigger grids. There is an attractive argument to this. It is an economic one. In fact, the problem of reliability has become enmeshed with the idea that interconnections can save money and give reliability too. The idea inherent in the F.P.C. bill that the saving of money which comes from shared generating capacity which the grid offers utilities will enable utilities and regulators to combat the problems with which conservationist groups, groups organized to protect the beauties of this land, are now deeply involved. This is a very attractive aspect of the proposed legislation.

As I said, the first reaction of the public to the Northeast power failure in 1965, was to ask for a solution. Much of the questing went to the federal government. Although many of the causes of the power failure were in areas under state regulation, the federal body was given much of the cannonading and much of the opportunity to offer solutions. The state Commissions had over a year and one-half to come up with their own solutions or alternatives, but we did not do so. Oh true, we did, many of us, issue study reports on the conditions within our states, but there were obviously states and areas with problems. Had we, as a national association of state Commissions, introducing a bill involving federal and state cooperation either in 1966 or in the first six months of 1967, it would be the Federal Power Commission which would be looking for alternatives or examining our bill to see if it is satisfied with the role we, in our drafting of legislation, have cast for it. Rather, as so often happened in my tenure as a regulator, we are the ones who must look for the alternative and see how we fit in or should fit in, or hope to fit in some else's bill.

The most recent previous example of this was in the gas safety regulation. No matter how many of us here may feel about the proposed federal regulation, we must acknowledge that prior to the intensity which it generated only 24 of our states had adopted the American Standards Association Code. At the time of the testimony of the Chairman of the Gas Committee of this organization this year, 41 states had adopted the Code and he was able to say that the others would shortly follow suit. Regardless of how good a performance anyone here may think this was or is, it is certainly vulnerable to the suggestion that at least half of the performance was the reaction to an impending federal program. This is not the firmest way to go to Congress and suggest the states can do the job.

As regulators we should be able to know and anticipate what areas need regulating as well as areas which Congress, the public and the media will expect us to regulate, and we should initiate legislation both state and federal to accomplish these aims.

I have heard it said by some that there is no need for regulation because industry is doing a "reasonably good job" in some of the areas which are being suggested for regulation or are being regulated. In today's environment, where solutions are demanded and regulation is expected to do a *full-time*, inventive, imaginative job with vigor and initiative, that kind of approach will not suffice. If there is a need and demand for regulation, industry will be regulated either by federal or state governments. The question for industry is which area it wishes itself to be regulated by in such a situation not whether it will be regulated at all. If industry desires state regulation rather than federal regulation in any given area, then industry itself should initiate the call if its state Commissions do not. It is shortsighted for any industry which feels that regulation is coming to attempt to keep its finger in the dike and hope that it will all go away. Industries spend hundred of millions of dollars on planning. Well, areas of regulation should be included within industry planning. If regulation is coming and needed, industry should, in this day and age, be an initiator or a co-sponsor. In the lexicon of utility industrial statemanship this should be an essential element. It is both necessary and realistic.

Your Ad Hoc Committee recognizes that in whatever proposal we make the ability of states to do the job will be an issue. There are many states, including some which have had major outages, in which the Commissions do not have the authority to pass on the construction of generating facilities. It will be difficult to say that the states should regulate reliability if they cannot even raise questions about the units which are to be integral parts of that reliability. We urge you to prepare and offer legislation at your next session giving Commissions this authority. We urge this position whether the Federal Power Commission bill passes or not, or whether some version of it passes or not. We urge it because it is needed.

On the question of overhead lines and aesthetics, only 37 states have jurisdiction over construction of at least some lines by utility systems. In some of our more populous states there is absolutely no regulation. Of the 37 states which do regulate lines, 13 of them have exemptions for facilities in areas already served if the extension is in "the ordinary course of business." Many states do not have any regulation over lines built by municipally owned utilities. A majority of the states do not have authority over lines built by REA Cooperatives. In these areas state regulation cannot be powerless to any degree or we will again appear before Congress and before the public as not having sufficient authority to do the job we say we want to do. If your state fits in any of these categories you must act now to remedy these situations.

The pattern of eminent domain and condemnation powers from state to state is far from consistent. There is a mounting chorus of complaint. The Federal Power Commission's proposal offers economic and aesthetic comfort to those who are concerned deeply and sincerely about this problem. The proposal states that 44,815 miles of new power lines, requiring almost 1 million acres of land, will be constructed by 1975. The Federal Power Commission offers itself as a forum, "an honest broker," a willing planner and, most of all, a concerned public body in this field. If the states have no authority and do not seek it, you may rest assured that those concerned with these issues will not repose their confidence in bodies which cannot act because of lack of statutory authority which they will not seek. These facts may be hard and may not be particularly palatable but they are political facts, and the failure to face them will not result in less regulation. Rather, it will result in a continuation of less and less regulation by the states because of pre-emption by the federal government. There will also be less and less interest in state regulation.

Let us not be disillusioned. Down the road of increased regulation by the federal government will come a startling and continuing de-emphasis of state public service and utilities Commissions. If the "big jobs" are being federally regulated there will be less budget for and less interest in the program of the less significant state regulation. The time may well come when the utility industry will say the burden of keeping two sets of books, or filing two applications or doing two of anything is becoming such that "we feel that we should be regulated in the main by one regulating body." If that time should come, which body will that be? Will it be the one that is doing the "big jobs" involving the most money and the most planning, or the one doing the "small jobs"?

We shall do our best and we will come up with a good NARUC program and position on power reliability. If initiative, programs and legislation are not coming forth in anticipation of need from this Association now and from now on ahead of the *federal government*, we shall be faced with years of listening to speakers tell us why we need to come up with yet another alternative for yet another program which someone else anticipated and acted upon.

MARYLAND COURT DECISION ON CHRONIC ALCOHOLISM

Mr. TYDINGS. Mr. President, on October 11, 1967, Judge Walter H. Moorman, of the circuit court for Montgomery County, Md., ruled, in the case of State of Maryland against Walter Ricketts, that chronic alcoholism was a defense to a criminal charge of public intoxication, and that a chronic alcoholic could not constitutionally be criminally punished because of this tragic disease. In this ruling, Judge Moorman followed the rulings of the Fourth Circuit U.S. Court of Appeals, in Driver against Hinnant, and the District of Columbia Circuit U.S. Court of Appeals, in Easter against District of Columbia. I applaud Judge Moorman's opinion and ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks. In my view, it is wholly unjust to punish a man merely because he is an alcoholic. Medical treatment, not criminal punishment, must be provided.

The courts have taken the lead in making us aware of the problems of the chronic alcoholic. But now other agencies of the government—local, State, and Federal—must meet the need for medical treatment facilities which the courts have indicated. I believe that Congress has special obligation which it must discharge both to provide Federal assistance for alcoholism care and control programs and to establish a model treatment program in the locality under its direct control, the District of Columbia. To these ends, I have joined as a cosponsor of S. 1508, the Federal Alcoholism Care and Control Act, and have introduced in the Senate S. 1740, to establish a comprehensive alcoholism treatment program in the District of

Columbia. I urge Congress to approve both measures as soon as possible.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maryland?

There being no objection, the opinion was ordered to be printed in the Record, as follows:

In the Circuit Court for Montgomery County, Maryland—State of Maryland v. Walter Ricketts, Criminal No. 8787

MEMORANDUM OPINION AND DECISION

This case is on appeal from the People's Court. At his trial de novo he pleaded not guilty to the following charge.

". . . that Walter Ricketts . . . on the 24th day of May, 1967 . . . was found drunk at Rockville and is an habitual offender, to the disturbance of the public peace, in violation of Article 27, Section 123, of the Annotated Code . . . and against the peace, government and dignity of the State. . . ."

The arresting officer testified as follows:

"May 24, 1967 approximately 2:40 p.m. we received a radio call of one passing out at Hickman's Esso.

Upon responding to the scene we found the defendant Walter Ricketts inside the gas station on a lounge which is made available for customers to wait while cars are being worked on. He was slouched over on the bench.

Officer DeVries and myself placed the defendant under arrest and being under the influence. We could smell a strong odor of alcohol about him. His speech was slurred and he could not stand on his feet.

At this time we took him in our cruiser to the Montgomery County Detention Center."

Evidence of five prior convictions for drunkenness within twelve months prior to his arrest on May 24, was established.

A psychiatrist testified that the defendant is a chronic alcoholic.

Among other provisions of Article 27, Section 123 of the Code it is provided that "Every person who shall be found drunk . . . upon any public street or highway, in any city, town or county in this State, or at any place of public worship or public resort or amusement in any city, town or county of this State, or in any store during business hours . . . shall be deemed guilty of a misdemeanor. . . . Habitual offenders may be fined not more than one hundred dollars or committed to jail or the Maryland House of Correction for not more than six months. An habitual offender is a person who shall have been convicted under the provisions of this section five (5) times in the preceding twelve (12) months."

The evidence reflects that the forty-one-year-old third-grade educated defendant who, when sober, earns his livelihood as a laborer on a turf farm, began consuming alcoholic beverages at the age of sixteen. Within the past twenty years he has been convicted two hundred eighty-six times for being under the influence of intoxicating liquor in public to the disturbance of the public peace. He has been hospitalized for alcoholism on several occasions.

The Act of Congress of August 4, 1947, entitled "Rehabilitation of Alcoholics," 61 Stat. 744 c. 472 defines a "chronic alcoholic" to mean:

"Any person who chronically and habitually uses alcoholic beverages to the extent that he has lost the power of self-control with respect to the use of such beverages, or while under the influence of alcohol endangers the public morals, health, safety and welfare."

As defined by the National Council on Alcoholism, a chronic alcoholic is defined as "a person who is powerless to stop drinking and whose drinking seriously alters his normal living pattern."

In *Driver* v. *Hinnant*, 356 F. 2d 761, the Court, in holding that a North Carolina Statute making it a misdemeanor for a person to be found drunk in public may not be applied to a chronic alcoholic, and further said:

"It is known that alcohol can be addicting, and it is the addict—the involuntary drinker—on whom our decision is now made. Hence we exclude the merely excessive—steady or spree—voluntary drinker.

"This addiction—chronic alcoholism—is now almost universally accepted medically as a disease."

One charged with public drunkenness may assert chronic alcoholism as a defense and introduce evidence in support of that defense. . . . and, public intoxication of a chronic alcoholic lacks the essential element of criminality. *Easter* v. *District of Columbia*, 361 F. 2d 50. Again, in the Driver case the Court held:

"Appearances in public, unwilled and ungovernable by victim of chronic alcoholism, cannot be basis for judgment of criminal conviction and to do so would affront 8th amendment as cruel and unusual punishment in branding him a criminal, irrespective of consequent detention or fine."

The State of Maryland recognizes that chronic alcoholism is a disease as reflected by Article 16, Section 49 of the Annotated Code of Maryland, 1957, whereby the Legislature authorizes a Judge of a Circuit Court to commit to a state hospital for treatment a person suffering from acute or chronic alcoholism.

The Court finds:

1. That on a charge of public intoxication under Article 27, Section 123, a defendant may assert chronic alcoholism as a defense and introduce evidence in support of that defense; that a chronic alcoholic is distinguished from the "voluntary drinker" and the person on a "steady or spree."

2. The Court further finds that the defendant, Walter Ricketts, is now and was on the date of his arrest on May 24, 1967, a chronic alcoholic.

3. That a chronic alcoholic is suffering from a disease that has caused him to lose the power of self-control with respect to the use of alcoholic beverages or while under the influence of alcohol endangers the public moral, health, safety and welfare, and that such a person is powerless to stop drinking and his drinking seriously alters his normal living pattern.

4. That by virtue of this disease the chronic alcoholic is incapable of entertaining the intent necessary to make public drunkenness a crime.

5. That to incarcerate or otherwise punish a chronic alcoholic for being in a state of intoxication in a public place constitutes cruel and unusual punishment and is in violation of the Eighth Amendment, as made applicable to the states by the Fourteenth Amendment of the United States Constitution.

For the foregoing reasons the Defendant is found not guilty, and it is further ordered that the Defendant remain committed to the Springfield State Hospital for treatment and observation of his chronic alcoholism, as ordered by the Court on October 11, 1967.

(Note.—The Court before reaching the foregoing decision perused the brief and particularly the bibliography therein submitted by Mr. Don L. Davis, Esq., of Austin, Texas; and Mr. Lawrence Speiser, Esq., of Washington, D.C., which brief is in regard to No. 405 in the Supreme Court of the United States, October Term, 1967, and for which the Court thanks the said attorneys.)

Walter H. Moorman,
Judge of the Circuit Court for Montgomery County, Md.

THE CHANGING PUBLIC OPINION ON VIETNAM

Mr. GRUENING. Mr. President, as the full realization of the awesome predicament in which the United States finds itself because of its ever-escalating military involvement in an illegal and immoral war in Vietnam sinks in, more and more people—both in the Congress and throughout the country—are shifting their positions to oppose the policies of the United States in Vietnam.

It takes intestinal fortitude to admit publicly that one has been in error, but confession of error is far better than compounding that error by continuing on an incorrect course of action.

In recent weeks, many responsible legislators in both Houses of the Congress have, with great candor, taken this course of action and have admitted that they were wrong heretofore in supporting the military involvement of the United States in Vietnam.

In a constructive and perceptive editorial entitled "The List Grows," the Nation for November 6, 1967, has commented on these changes. I hope there are more.

I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The List Grows

The Nation had occasion to point out some weeks ago that Sen. Thruston Morton had blazed a way to the truth on Vietnam by a three-word formula as simple as it was honest: "I was wrong." Amid the devious ways of politics, such candor is refreshing. It is also economical: argument and recrimination are avoided.

Senator Morton's example of admitting error in the briefest possible compass is catching on in the Congress and elsewhere. Sen. Robert Kennedy has been critical of our entanglement in Vietnam longer than Senator Morton, but never so bluntly as in his reply to a questioner at a business executives' lunch: "Looking back on those years (1961–1963) when I had some share of the responsibility [for Vietnam policy] there is no question I was wrong." Another recruit is Rep. Morris Udall of Arizona, the brother of the Secretary of the Interior and an emergent figure in his own right. We are on "a mistaken and dangerous road" in Vietnam, he now says, and he himself made a "mistake" in supporting Administration policy. Udall said he is not breaking with Mr. Johnson, either as President or as leader of the Democratic Party, but those Democrats who remain loyal to a losing cause can take scant comfort from his contention that a Republican might be elected President next year if he presented an option leading to American withdrawal from Vietnam. Kennedy and Udall are joined by Sen. Albert Gore, a member of the Foreign Relations Committee, who says we have stumbled into a morass in Vietnam and proposes that we negotiate ourselves out of it by consenting to the neutralization of Southeast Asia, including Vietnam.

An especially striking defection is that of Sen. Stuart Symington, for long a hawk among hawks. In the *St. Louis Post-Dispatch* (October 22) Richard Dudman calls the evolution of Symington's views "remarkable or even amazing." Mr. Symington is not nearly as summary in his change of position as was Mr. Morton, but his proposal is radical enough: cessation of all military activity in both North and South Vietnam and of reinforcement of troops already there, in an effort to get peacetalks started. If the enemy did not comply, the United States could resume the war "in any manner of its own choosing." Asked if he meant use of nuclear weapons, Symington said that would be unthinkable. The implied threat of all-out war if Hanoi did not agree to negotiate almost guarantees a rejection. Some observers have thought that Symington was proposing a pause in order to bring more force to bear subsequently, but Dudman, on the basis of a long interview, concludes that the Senator wants to get the United States out of Vietnam, not into a wider war. A factor that weighs on Symington is the casualty list. Eighteen months ago he and his wife began to write a personal letter to the family of each Missourian killed in Vietnam. The 429th letter has just gone out.

The Democratic Party is falling into increasing disarray as the war drags on. The morale of Midwest Democrats could hardly be worse, and rebellion is brewing in several areas. In Michigan the retiring state chairman has volunteered to head any dump-Johnson movement, Minnesota Democrats are seeking a rival slate, and the influential Roman Catholic *Review* of St. Louis is supporting General Gavin's views. In New York, in a significant switch, the state NAACP has come out against the war. In a video vote on WABC, the New York City outlet of the A.B.C. network, 60 per cent of those who telephoned their views were opposed to Johnson's re-election. The following week (October 20), the question was whether we should get out of Vietnam. The replies exceeded 5,000, the largest so far in this poll. The yes answers were 55 per cent of the total.

As long as they were running in his favor, Mr. Johnson set great store by the polls. Now he seems to be deaf and blind, or unable to believe the figures. In November, 1966, on the basis of the polls, we were consoling ourselves and other peaceniks with an estimate of 20 million on our side. Gallup now sets the antiwar total at 46 million, indicating a precipitate drop in support for the Johnson course. Yet the President and, even more fervently, Hubert Humphrey, continue to defend the indefensible. How could two such consummate politicians get themselves into such a cul-de-sac? The British anarchist weekly, *Freedom*, asks, "Is Johnson a prisoner of war?" It is a sharp question.

RESISTANCE TO AGGRESSION

Mr. McGEE. Mr. President, Roscoe Drummond, in a column published in the Washington Post of Saturday, November 4, stated a fact which, in my own experience, I find to be true: That is, that Americans of whatever circumstances find the most compelling reason for our Nation's involvement in Vietnam to be resistance to aggression at its start so as to avert worse war under worse conditions with worse casualties.

As Drummond wrote:

> This is exactly what we failed to do when the cloud of Hitler's oncoming aggression was no larger than a man's fist. No nation resisted Hitler when he invaded the Rhineland. Nor when he invaded the Sudetenland. Nor when he took all of Czechoslovakia. Then came Poland, and World War II could no longer be averted.

Mr. President, as Roscoe Drummond observes, we are today applying the lesson we learned so well in the thirties. We are applying it in Vietnam. I ask unanimous consent that Mr. Drummond's column, entitled "Basic Reason for Viet War Is To Avert Bigger Conflict," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BASIC REASON FOR VIET WAR IS TO AVERT BIGGER CONFLICT

(By Roscoe Drummond)

DALLAS.—Two things stand out in the way people feel about Vietnam, as I discovered talking with audiences—on campuses and off, in large cities and small communities—from Nebraska to Texas:

1. Despite impatience and frustration, there is very little support for quitting the war. Many may feel it was a mistake to get in, but few propose we get out.

2. There is scarcely any emotional commitment to what we are doing in Vietnam and an almost total lack of understanding as to why we are doing it.

It isn't that the public is inattentive. It is that the case which President Johnson has made has not convinced most people and, when it has, they haven't stayed convinced.

Why? After being asked many times by students and adults why there is so much division in the United States about the Vietnam war, I feel that one answer is that the public has been given too many different reasons without adequate and sustained emphasis on the single overriding reason.

It is true that we are protecting South Vietnam from Communist expansion-by-force. It is true that we are insuring the right of the South Vietnamese to have a government of their own choice. It is true that we pledged ourselves under the SEATO treaty to help protect the Southeast Asian nations. It is true that, if we failed to stay the course in Vietnam, no nation could count on the word of the United States.

All valid reasons, but not the compelling, the commanding, the most convincing reason.

No one, I suspect, can convince the great majority of Americans—and keep them convinced—that we should bear the pain and punishment we are experiencing in Vietnam unless the reason bears concretely, directly, and visibly on the security and welfare of the United States itself. All other arguments are subsidiary and diversionary.

The one reason for our being there which I found most meaningful, most acceptable, and most convincing to audiences throughout the Midwest was this:

In defending South Vietnam, the United States is resisting aggression at its start in order to avert worse war under worse conditions with worse casualties.

This is exactly what we failed to do when the cloud of Hitler's oncoming aggression was no larger than a man's fist. No nation resisted Hitler when he invaded the Rhineland. Nor when he invaded the Sudetenland. Nor when he took all of Czechoslovakia. Then came Poland and World War II could no longer be averted.

The United States is defending against aggression at its start in South Vietnam in order to save lives. And how are we saving lives? Think how many lives would have been saved if the United States had joined in the resistance to Hitler at the start instead of waiting until he had grown more powerful, had immobilized two neighboring nations and become convinced that the United States would remain aloof no matter where the Nazis turned to conquer in Europe.

But we didn't and it was then too late to avert worse war. The United States today is applying the valuable lesson of what it failed to do before World War II.

POTATO LABELING BILL DRAWS ADDITIONAL NATIONWIDE SUPPORT

Mr. CHURCH. Mr. President, pending in the Committee on Commerce is S. 562, the proposed National Potato Labeling Act. Under the provisions of the bill, the containers in which potatoes are packed shall bear a label which clearly indicates the State of origin of the potatoes and the name and address of the packer or repacker. This is in line with good truth-in-packaging practices, to which every housewife is entitled.

Objections have been raised to this legislation on the ground that it will benefit only two States: Idaho and Maine. That is not true. Potato grower associations across the country have said that it is not true.

Mr. President, additional strong nationwide support has recently come from the National Association of State Departments of Agriculture. That association, in their convention last month, recognized the bill would be beneficial to all States, and put themselves on record saying so.

Mr. President, I ask that Resolution 1, adopted at the 1967 convention of the National Association of State Departments of Agriculture, be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION 1.—NATIONAL POTATO LABELING ACT—(MARKETING, TRANSPORTATION, AND WEIGHTS AND MEASURES)

Whereas, potatoes are produced commercially in most of the States; and

Whereas, there are differences in potatoes produced in various areas of the country; and

Whereas, there have been proven instances where potatoes have been mislabeled as to state of origin; and

Whereas, this mislabeling is harmful for both producer and consumer; and

Now, Therefore, Be It Resolved, that the National Association of State Departments of Agriculture in convention assembled at Atlanta, Georgia, October 1–5, 1967, strongly supports the passage of S. 562 entitled "A Bill to require fresh potatoes purchased or sold in interstate commerce to be labeled according to the State in which such potatoes were grown."

THE ALASKA MINERS ASSOCIATION CALLS UPON THE SECRETARY OF THE TREASURY FOR AID TO GOLD MINERS

Mr. GRUENING. Mr. President, ever since I began my service as a Senator from the State of Alaska, it has been my constant endeavor to achieve the enactment of legislation that would revitalize the once great gold mining industry of Alaska.

Twice the Committee on Interior and Insular Affairs has reported proposed legislation I have introduced to permit payments to gold miners of amounts equal to the difference between costs of production in 1940, the year in which we reached our peak of gold production, and current costs. Regrettably, the Senate has never been given an opportunity to act on this measure, despite repeated pleas from the sponsors of the bill. I would again call upon the leadership of the Senate to allow this measure to come before this body for debate and passage during the 90th Congress.

No business enterprise in the United States has suffered more cruelly and so unjustly from arbitrary and discriminatory practices of the Federal Government than the gold miners. Since 1934, the price they have been paid for the commodity they produce has not been allowed to change because it was set by Executive order in 1933 and the executive branch refuses to change that order. During World War II, gold miners were ordered to close their mines—alone among mines of the world and alone among enterprises in the United States. No compensation was ever paid for this action by the Government although the gold miners suffered cruelly and although they sought redress in the courts when the war was over.

As a result of the difficulties gold miners have repeatedly encountered, the mining of gold in Alaska on any significant scale at all has virtually vanished. The reason is that gold cannot be produced profitably at the price now allowed. While the price at which the commodity is sold has remained the same since 1934, the cost of everything required to mine gold has risen relentlessly. Therefore, gold miners can no longer pursue their occupation and make a living.

Many gold miners in Alaska believe the solution to their plight is to release gold from its tie with the monetary system of our country. Many believe that if gold could be sold to the manufacturers directly, free from the $35-an-ounce limitation, the price would rise to a level at which it could profitably be mined. The Alaska Miners Association, of which Mr. Leo Mark Anthony is president, and Mr. Mark Ringstad is vice president, have asked me to call upon the Department of the Treasury for the action recommended.

I ask unanimous consent that the text of a letter to the Secretary of the Treasury, Hon. Henry Fowler, by Mr. Anthony and Mr. Ringstad, a copy of which was furnished me, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ALASKA MINERS ASSOCIATION,
Anchorage, Alaska, October 27, 1967.

MR. HENRY FOWLER,
Secretary, U.S. Treasury Department,
Washington, D.C.

DEAR MR. FOWLER: In the light of your pronouncements concerning the establishment of fiduciary money, the miners of Alaska request that gold be freed as a commodity to seek its own price in the marketplace.

Such action by you would stop the discrimination against the possession of gold by United States citizens. In addition, it would create a supply and demand market for gold in the best traditions of American free enterprise and end present discriminatory policies against the sale of gold to users by producers. This action would free the United States government from paying a "support" price of $35 per troy ounce for gold—thus helping to balance our national budget.

We ask for this action in the name of honesty and justice.

Very truly yours,
LEO MARK ANTHONY,
President.
MARK RINGSTAD,
Vice President.

STEELWORKERS' TESTIMONY ON QUOTA BILL

Mr. HARTKE. Mr. President, one of those who testified before the Committee on Finance on October 20 on the Hartke-Dirksen steel quota bill was Mr. Joseph P. Molony. Mr. Molony is vice president of the United Steelworkers of America. His excellent testimony supported the proposal before the committee.

I ask unanimous consent that the testimony be printed in the RECORD.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

TESTIMONY OF JOSEPH P. MOLONY, VICE PRESIDENT, UNITED STEELWORKERS OF AMERICA

Mr. Chairman, my name is Joseph Molony. I am vice president of the United Steelworkers of America, a union which represents the workers in the basic iron and steel industry in the United States and Canada. We also represent the iron ore miners in both countries.

It is on their behalf that I appear before you today to testify in support of the Hartke-Dirksen Bill (S-2537), to provide for orderly trade in iron and steel mill products. We will recommend, however that the bill also cover iron ore imports and that Canada be excluded from the application of any of the quotas.

The force of reality has brought us before you today. The reality is the fact that steel imports have captured almost 11% of our domestic market, and that there is no evidence that this upward trend in imports will slacken off.

Since 1957 there has been a complete reversal in the import-export picture. At that time, imports represented less than 2% of consumption. Today, imports are about 11% and account for almost eleven million tons of steel products. In 1957 we exported about 7% of net industry shipments; whereas, today we export less than 2% of our shipments.

OVERCAPACITY

The prospect of a continuing overcapacity in world steel-producing capacity gives us cause for concern.

Steel production in the European Common Market alone in 1965 doubled the levels of 1952. In comparison, steel production in the United States has increased only 40 per cent between 1952 and 1965. To the extent that these increases in foreign production might have reflected increased demand in their home markets, there would have been no strain in world trade. However, this has not been the case.

As world steel-making capacity rose, steel-producing nations, with insufficient domestic demand, turned to foreign markets to unload production from excess capacity.

It is precisely this acceleration of excess capacity, which has outstripped world demand, that has caused pronounced repercussions upon the American steel industry. Not only has our industry lost most of its own foreign markets to unfair international competition, but the American market itself has become a net importer of steel both in tonnage and in value of steel imported. It should also be noted that somewhat less than half of the American exports are now financed by the Agency for International Development.

As a consequence, we in the union are faced with new and vexing problems. The more recent acceleration of steel imports has come at a time of an extended boom in the American economy. Steel production in 1966 is at an all-time high, having reached 134 million tons. Despite this increased production, however, steel employment has substantially declined. In 1952, steel production stood at 93 million tons and employment at 545,000 workers. Employment in 1966 was only 446,000 workers, 99,000 less than in 1952, although production had increased by 41 million tons. Of course, this is the result of increased productivity and is an economic factor decreasing the need for manpower in the steel industry regardless of the import situation. Without the increased demand for steel accompanying our present economic growth, the impact of automation on steel employment would have been intolerable.

The import situation, therefore, becomes all the more critical when we realize that the American steel industry during the next few years intends to accelerate its present investment in technological improvements. Such improvements are essential to keep abreast of developments in other countries, and to keep our industry competitive. Last year these capital expenditures exceeded $2 billion, and we expect that they may be as great or greater this year. These investments will result in greater productivity of manpower. If demand does not keep pace with the new productivity, there will be even further decreases in the ranks of steelworkers.

Our problem, then, is one of wondering whether growth of the American economy will be strong enough and sustained enough to generate a domestic demand for steel to compensate for the increased productivity. Steelworkers who have suffered deep levels of unemployment in this decade, have good reason to doubt whether such a balance can be achieved. This problem is compounded as imports eat into domestic demand. As a matter of fact, we have strongly supported expansionary fiscal and monetary policies to stimulate economic growth. The political climate in Congress is not always sympathetic to such policies.

We are, therefore, justifiably concerned that increased imports might capture an even more disproportionate share of that demand. If this should happen, then even more jobs will vanish.

I mention the fear of a "disproportionate share of the market" because of the pressures under which the world steel community is currently operating. I emphasize again there is an extraordinary over-capacity in steel production and a lack of demand in foreign home markets. It is no wonder, then, that Japanese imports to the United States increased to 45% of our total import market. Moreover, it is estimated that by 1970 Japanese capacity will outstrip its own rate of consumption by about 30 million tons.

Furthermore, Japan is not alone in this situation of an imbalance between capacity and domestic consumption. The steel-producing nations of Western Europe may well match Japan with similar levels of surplus capacity. We think it is unfortunate that this overcapacity exists because it causes a serious strain on trade relationships. Overstimulation of investment in steel productive capacity results in difficult employment pressures in the foreign countries and awkward international trade relations. When faced with an ever-widening gap between capacity and consumption, the industries of these countries are propelled by a compulsive urge to maintain production by expanding their share of the export market through drastic price sacrifices. Much as I might admire this full production and employment policy of the foreign companies, I realize that ultimately it will be the members of my union which will have to bear the brunt of uncontrollable and unreasonable expansion of foreign productive capacity and increased exports to our shores.

Concern over excess capacity is not just an American problem. A recent article in the November 1965 issue of the *Economist* states: "Steel producers are asking themselves if they must adjust to living permanently in a state of near recession . . . The main reason for the situation is the reaction of producers, particularly European, to overcapacity . . . Attempting to sell their production at any price, the main producing countries found themselves undercutting in each others' home market."

The United Steelworkers of America must react to the threatened job loss that such a situation can produce, as highlighted by the following factors:

1. *Steel investment policy.* I mentioned before the American steel industry has embarked upon a policy of large scale investment for modernization. There has been criticism that the industry has not been ag-

gressive enough in keeping abreast with technological advances. Yet we all are aware that technological advances result in fewer man hours per unit of production because of productivity increases. Hence only a growing domestic demand will absorb our manpower, which otherwise would be displaced. During this period of modernization, we simply cannot afford to see an excessive capture of that increased domestic demand by foreign producers. We do not oppose their access to that increased demand, but we have now come to the conclusion that 10 per cent of that market is indeed reasonable enough. Otherwise, accelerated technological investments will be paid for through the loss of American steelworkers' jobs.

2. *Periods of Recession.* Faced with this overcapacity problem, our concern becomes particularly crucial if there is an economic downturn and the foreign producers retain their current tonnage share of the market. Their percentage share of domestic consumption then would rise disproportionately to the detriment of the American industry, and Steelworkers. The higher percentage levels of imports could be disastrous. Four times since the end of World War II, the steel industry has been plagued by recession. During some weeks, production dropped to below 50 per cent of capacity. As many as 150 thousand steelworkers have been laid off and large numbers of those on the job were employed on short work weeks. Fortunately, during each of these occasions in the past, steel imports were not a serious problem, either because they were still low, or because steel exports were still large. Now, however, the situation is reversed. If, for any reason, the steel industry should again fall victim to a recession, and employment tumble, as in the past, then it would be unacceptable for imports to continue at the present tonnage rate.

3. *Inventory Buildup.* Every time a steel labor contract approaches expiration, demand for our product rises almost geometrically as steel consumers build up large inventories. This, of course, is especially true if the negotiations take place during a period of high economic activity. Steel consumers raise their inventories and stockpile as a hedge against a possible steel strike. So, domestic production is pushed to the utmost and imports rise beyond all measure. Sometimes exporters take advantage of this situation and insist upon long-term commitments to satisfy the eager American customer. In any event, the moment it becomes clear that there will be no strike—and, incidentally, Mr. Chairman—there has been no strike for 8 years, the domestic production drops sharply, and tens of thousands of American steelworkers are laid off. Imports, on the other hand, tend to continue at the new, artificially high level.

Steel imports dramatically increased during the prolonged negotiations of 1965 from 6.4 million tons in 1964 to 10.3 million tons. Furthermore, the characteristic of such an increase is that it remains fixed at the higher level. It then becomes a new floor upon which additional imports are built. Already there are estimates, as we approach the negotiations of 1968, that there will be a minimum of 15 million tons imported next year.

In 1965, after the last inventory buildup, some 65,000 steelworkers were laid off, while steel imports were coming in at the rate of about one million tons a month. Providentially, demand continued high, and even expanded, so that, within 4 or 5 months, or about the beginning of 1966, the laid-off steelworkers were all recalled to their jobs. But in 1968, when our present contract expires, we may not be so fortunate.

LEGISLATIVE ACTION

We have been re-examining our posture with respect to liberal trade policy for the past few years. As the imports continued to rise, there were many who urged us to adopt the protectionist position of higher tariffs. We rejected this approach. While we had not yet formulated any new position, we made repeated entreaties to union, industry, and government officials abroad to moderate their accelerating seizure of the American steel market. Our international representatives urged voluntary action and international steel conferences within the framework of the General Agreement on Tariffs and Trade. But all was to no avail.

We now urge passage of S. 2537, with modifications which I will suggest, so as to establish an orderly steel market—one which could well have been negotiated under a voluntary agreement, if there were the inclination. By establishing a quota system, which is flexible and generous enough to grow with the economic expansion of the American market, we are, in effect, guaranteeing to foreign producers access to the American market on a reasonable basis.

Section 8 of the bill is designed to take care of the problem of inventory buildup during negotiations, since no more than 60 per cent of the annual quota in any one category from any one nation may be utilized during any 6-month period. I would call attention, however, to the fact that, under this bill, during a recession, imports would still be permitted at abnormally high levels for that year. I suggest that the formula be modified to correct this condition.

Another concern which we have about this legislation is that there will be pressure to get in under the quota deadline. This may actually stimulate domestic buyers to go overseas before the bill becomes effective. We recommend, therefore, that a provision be added to deal with this contingency.

The bill also provides that the Secretary of Commerce should give a report to Congress about the impact of the quotas after 5 years. Perhaps we can think of the quota system as being on a probationary basis. The 5-year probationary period is particularly advisable. It may give our own industry the opportunity to increase its technological improvements without job loss, while at the same time the reasonable limitation of access to the American market may decrease the tendency for over-expansion of world capacity.

IRON ORE

Senators, our main concern in appearing before you, as I mentioned earlier, is the protection of the jobs of the members of the United Steelworkers of America. However, our union includes not only basic steelworkers but also iron ore miners. For years, our miners have complained about job losses due to the importation of iron ore by American steel companies from foreign properties totally or partially owned by them.

Their job loss is no less real—especially when there is a downturn in steel production without a proportionate reduction of iron ore imports. Over 36 per cent of domestic ore consumption—44 million tons—was imported last year.

Although conditions on the Iron Range have improved with the exploitation of taconite, we would recommend nonetheless that a quota system be devised to provide similar safeguards for iron ore miners.

CANADIAN COVERAGE

We are aware also that there is a very close economic relationship between Canada and the United States.

Just recently, a treaty was signed eliminating tariff barriers in the automotive industry. We would recommend that the application of the quota system of this bill not apply to Canada.

CONCLUSION

Before I conclude, Mr. Chairman, I wish to indicate that we are aware that this committee is currently deliberating upon a social security bill, the need for which we wholeheartedly endorse. As a matter of fact, we are advocating additional provisions for the benefit of workers, including one to protect those with long years of attachment to the work force, whose pensions may be decreased.

SOUTH DAKOTA BANKER COMMENTS ON VIETNAM

Mr. McGOVERN. Mr. President, over the past 3 years I have received a large number of letters from my fellow South Dakotans expressing their views on our Vietnam involvement. Many of these letters are outstanding, both in content and style.

Typical of some of the more thoughtful letters I have received is one dated June 7, 1967, written by Mr. Arthur Graslie, president of the First National Bank of White, S. Dak. I was impressed with the practical wisdom of Mr. Graslie's letter, and I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

First National Bank,
White, S. Dak., June 7, 1967.

Hon. George McGovern,
U.S. Senate,
Washington, D.C.

Dear Senator McGovern: I have just read your speech of April 25, 1967 delivered on the Senate floor with a great amount of interest. It is gratifying to learn that we have one public official in Washington who is deeply concerned about the Viet Nam problem. I am sure there are others equally concerned but somehow we get the feeling out here the whole mess is a hit and miss proposition. I do not feel personally that our government has done all it possibly can to bring about an end to the strife. It is my feeling that if the United States would see its greatness shine through, it would try to work out an arrangement whereby the entire nation of Viet Nam could again be reunited with a government elected by the choice of the people. We cannot anywhere in the world try to maintain an unpopular government in power any more than we would tolerate such a government here at home. It appears to me that with the number of men in the military in South Viet Nam, we should not need any armed forces there at all if they had a good national spirit and will to work with their own government. I believe that if we could bring the North and South together into a coalition government, they could eventually work out their own problems with economic aid from us. By helping reunite the country and getting them back on their feet, we may find a very strong ally against China in the future. We cannot belittle the aims of the North Vietnamese in doing this however.

It is extremely difficult to back out of a position like we are in at the present time, but I can't help but feel that there are outlets for both sides enough to save face. The costs of the war are staggering when compared with the number of people involved. How much better to use all this money in a constructive program for Asia. I believe that much could be accomplished through talks of any type, no matter how minor the officials involved. We've simply got to get talks started because no reconciliation can be achieved without conversation.

Very truly yours,

Arthur Graslie,
President.

"POLITICAL SLIPPERINESS" IN THE SOCIAL SECURITY BILL?

Mr. HARTKE. Mr. President, tomorrow will be the final day of consideration by the Committee on Finance of the form in which the social security bill will be presented to the Senate for action.

One tentative decision previously announced has created a storm. I, and I presume other members of the committee, have been deluged with telegrams as well as letters protesting a tax base and rate considerably higher than is needed to finance the benefits we propose. There has been editorial protest as well, including that of the Louisville Times in its edition of last Saturday, November 4, under the heading "A Bad Tactic With Social Security."

I am in agreement with the views expressed there, and I hope this body will not act to adopt what the editorial calls "a subterfuge, a trick" under which social security taxes would be used as a back-door means of enacting a substitute for a surtax which could not at this time secure adoption. In the words of the editorial, social security taxes should not be used "as a means—and a dubious means at that—of combating inflation."

Mr. President, I ask that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

A Bad Tactic With Social Security

The Senate Finance Committee has approved a plan which would increase Social Security benefits—along with Social Security taxes.

A Washington news story says that if this $6.1 billion tax increase (to pay for benefits of $4.7 billion) should be adopted by the full Congress, it "might remove the need for President Johnson's proposed 10 per cent income tax surcharge and provide a significant brake against inflation. . . . The committee's action was viewed by some as an ingenious end-around play that would offer legislators a more politically palatable way of voting a tax increase than does the president's income tax surcharge."

If by any chance this kind of political slipperiness is involved in the Social Security proposal, it seems to us unfortunate. It is a subterfuge, a trick—assuming that the sharp tax increase is motivated by a desire to substitute it as a sugar-coated pill in place of the income tax surcharge.

We think it is questionable economics and poor politics to try to use the Social Security system for political ends. Virtually everyone in the United States contributes to Social Security. Nearly everyone benefits or hopes to benefit from it. We cannot believe that all these millions of people would accept placidly the thought that the amount of money they pay in Social Security taxes was infienced by anything except the need for Social Security benefits. We certainly do not believe that they would accept the thought that their Social Security taxes were rising sharply as a means—and a dubious means at that—of combatting inflation.

If these steeply higher taxes are needed to sustain and improve Social Security, that is one thing—and the question should be argued on its merits. But if the idea is to impose these higher taxes primarily in the hope that they will make it possible to avoid enacting the income tax surcharge, that is quite another question, one that has nothing to do with Social Security.

The road between Senate Finance Committee approval of a measure and its enactment by Congress is a long one. We hope that somewhere along that road the two questions about an increase in Social Security taxes will be separated.

INTERGOVERNMENTAL PERSONNEL ACT OF 1967

The Senate resumed the consideration of the bill (S. 699) to strengthen intergovernmental cooperation and the administration of grant-in-aid programs, to extend State and local merit systems to additional programs financed by Federal funds, to provide grants for improvement of State and local personnel administration, to authorize Federal assistance in training State and local employees, to provide grants to State and local governments for training of their employees, to authorize interstate compacts for personnel and training activities, to facilitate the interchange of Federal, State, and local personnel, and for other purposes.

Mr. MUSKIE. Mr. President, S. 699, the Intergovernmental Personnel Act of 1967, is one of the most important bills to come to the Senate floor in many years. It is designed to improve the balance of our Federal system and to help State and local governments to operate with maximum efficiency and independence. It will help them to do so within the framework of a national purpose to enable individual citizens to realize their potential in a free society.

The bill blends ideas from nearly every corner and segment of our country. In my years of experience in intergovernmental affairs, I have not felt a greater sense of urgency and support than I have for this legislation. It has come from Governors, State legislators, State and local administrators, and academicians, as well as from the public at large.

What makes the legislation so important, so acceptable to the officials of our State and local jurisdictions?

First, S. 699 provides grants to State and local governments for the planning and development of improved personnel systems. This could include everything from career incentives and improved recruitment policies to personnel research.

Second, it provides additional grants to State and local governments for training and Government service fellowships. This would include authorization for the use of Federal training programs and technical assistance, where requested, in addition to the establishment of State and local personnel training programs.

Third, it provides for the exchange of personnel between the Federal Government and State and local jurisdictions to provide a mobility of knowledge and experience for qualified administrators up and down the line.

Mr. President, there are other progressive features to the bill. It would provide for a special advisory council to study and report within 18 months on the methods by which the quality of public service at all levels can be improved. It gives particular emphasis to the feasibility of applying merit system standards and incentives to applicable programs and levels of administration. The council would be composed of representatives of Federal, State, and local governments as well as persons selected from educational and training institutions, public employee organizations, and the general public. Significantly, at least half of the council's members would be officials of State and local governments.

The Civil Service Commission would be the chief coordinating and administering agency under this bill. It would take over responsibility for a number of Federal programs which already require merit personnel administration, join with State and local governments in cooperative recruitment and examining programs, provide technical assistance, and coordinate the activities of other Federal agencies in the fields of training and technical assistance.

Like every Federal grant-in-aid bill, S. 699 contains some Federal requirements which are really prospective, rather than conditional in the usual sense. The Civil Service Commission has a mandate of flexibility in determining the funding. In order to be funded, the projects applied for must be consistent with certain merit principles set forth in the bill's declaration of policy.

Mr. President, the funding for this legislation is modest. Because the program is in its beginning stage, we have tried to be conservative in the money authorizations, even though our constituents in the State and local jurisdictions would like us to be more liberal. The legislation authorizes $20 million for the first year, $30 million for the second year, and $40 million for the third year. The matching requirement on the personnel and the training sections is 75 to 25 percent. We have included an amendment that would guarantee a minimum to each State regardless of size, population, or number of employees affected. We have protected the interests of the smaller States by restricting the maximum allocation to any one State to 12½ percent of the total appropriation.

Mr. President, I think for the benefit of my colleagues that I should say that we have had an interesting and constructive dialog with our friends on the other side of the aisle on this bill. The junior Senator from Tennessee [Mr. Baker] offered 16 amendments, most of which the Subcommittee on Intergovernmental Relations accepted in reporting the bill to the full Committee on Government Operations. Senator Baker's amendments were practical, helpful, and reasonable in the spirit of making the bill more effective in its application to State and local administration.

Under the bill, as reported, the Governors play a key role in the development and administration of the program.

They name the agencies to administer the projects at the State level, and they or their agencies review and make recommendations on all applications submitted for the projects in their States. The bill relies primarily on State governments to develop projects, including projects for local governments. If, however, a State government does not choose to provide projects for local governments, a local government can get a grant directly after submitting its application to the State for review and comment.

The senior Senator from South Dakota [Mr. Mundt] offered an amendment in committee which would give the Governors final authority over the distribution and use of the Federal project grant funds. His amendment was rejected by the committee. I understand he intends to make the same proposal today. I hope the Senate will support the committee's position and reject his amendment today.

Under the Mundt amendment funds appropriated for project grants would be allocated among the States on a per capita basis. Authority to determine whether or not any project conforms to the criteria for approval set forth in the bill would be transferred from the Civil Service Commission to the Governor of each State. If a Governor did not choose to use the project grant funds allocated to his State, they could not be transferred for use in another State. The Governor could prevent any local government from participating in the program simply by withholding his certification from a proposed project.

As a former Governor I am opposed to the Mundt amendment as unsound in principle and contrary to the intent of the project grant section.

For my part, I want to say that this legislation as reported by the Government Operations Committee represents the thinking and full support of many Governors, local officials and organizations, and professional and public groups, including the National Governors' Conference, the Council of State Governments, the U.S. Conference of Mayors, the National League of Cities, and the National Association of Counties. It has been endorsed by some of the most respected academicians in the field of public administration.

The legislation has been the subject of extensive hearings. In August of 1966 we held hearings on the bill—then known as S. 3408. We heard testimony from 15 witnesses, and we received over a hundred supporting statements from a cross section of public administrators. In April 1967, we held 3 days of hearings on both S. 699, and on S. 1485, the Intergovernmental Manpower Act, which was sent to the Congress by the Administration as part of President Johnson's legislation related to his message to Congress on the quality of American government.

Again, we heard from 20 witnesses, and received hundreds of statements and testimonials from officials in the intergovernmental personnel and administrative fields.

Our purpose was to blend the best features of these two bills. However, both pieces of legislation contained a rather strong provision which would have authorized the President to require, insofar as he deemed practical, that personnel engaged in programs involving Federal grants must be employed under a State or local merit system. Except for the question of protecting employee's rights, this provision aroused the only major opposition to the legislation both in the hearings and in the committee. The consensus was that this requirement was too rigorous for the moment; that we should be reaching for this goal through encouragement rather than legislative mandate; and that the problem of what is, or what is not, a good or necessary merit system is still a thorny one. Thus, we eliminated this merit system feature, but set forth in the declaration of policy in the bill a series of merit principles to which each applicant must subscribe in order to obtain assistance in manpower development and training. We then authorized an advisory council to study the problems of merit systems and personnel administration and report back to the Congress its findings on more meaningful ways of encouraging merit principle applications to personnel administering Federal programs at State and local levels.

The committee also dealt with the question of preserving the rights of employees, by specifically including a clause stating that nothing shall prevent the participation of employees or employee organizations in the formulation of policies and procedures affecting the conditions of their employment. This is subject to the laws and ordinances of State and local governments concerned.

Mr. President, the last major questions before us are the amendments of the senior Senator from South Dakota, which I understand will be the major issue for discussion today.

Mr. President, I believe that S. 699, as reported by the Government Operations Committee, is a very essential piece of legislation. I believe it will benefit the entire country by strengthening the States and by improving the quality of local administration. I urge my colleagues to vote for its passage.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MUNDT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUNDT. I send amendments to the desk and ask that they be read for the information of the Senate.

The PRESIDING OFFICER. The amendments will be stated.

The assistant legislative clerk proceeded to read the amendments.

Mr. MUNDT. Mr. President, I ask unanimous consent that further reading of the amendments be dispensed with. The remainder of the amendments is a matter of technical markings. I further ask unanimous consent that the various sections of the amendments be considered en bloc as one amendment.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc; and, without objection, the amendments will be printed in the RECORD.

The amendments, ordered to be printed in the RECORD, are as follows:

On page 35, strike out lines 19 through 24 and insert in lieu thereof the following: "projects upon the certification of the Governor that those programs or projects are consistent with the applicable principles set forth in clauses (1)–(6) of the third paragraph of section 2 of this Act, to strengthen State and local government personnel administration and to furnish needed personnel administration services to local governments in that State. Eighty per centum of the grants authorized by this section shall be apportioned on the basis of the distribution formula set out in section 506, and funds shall not be transferable among the States. The remaining 20 per centum shall be distributed by the Commission to applicants that the Commission finds meet the purposes of this Act and which it finds are consistent with the principles set forth in clauses (1)–(6) of the third paragraph of section 2. The authority provided by this section".

On page 38, line 25, beginning with "which", strike out through "finds" in line 1 on page 39, and insert in lieu thereof "upon the certification of the Governor that those programs or projects".

On page 73, beginning with line 9, strike out through line 7 on page 74, and insert in lieu thereof the following:

"SEC. 506. The Commission shall allocate funds for grants among the States, and between State and local governments, on a weighted formula taking into consideration such factors as the size of the population and the number of employees affected.".

On page 75, strike out "(a)" in line 17, and beginning with line 22, strike out through line 2 on page 76.

Mr. MUNDT. Mr. President, the views I am about to discuss have been conveyed to the Members of the Senate via a pair of mimeographed sheets which have been placed on the desks of individual Senators. It bears the heading, "Individual Views on S. 699." It is signed, in addition to me, by Senators CURTIS, HANSEN, BAKER, and ERVIN.

I am advised that the minority views are also printed in the record of the committee.

I ask unanimous consent that these individuals views may be printed at this point in the RECORD.

There being no objection, the minority views were ordered to be printed in the RECORD, as follows:

Individual Views on S. 699

There is no divergence of view that the purposes of this bill for improvement of personnel administration in State and local government meet an important need of these governments. Serious burdens of administration are being placed on State and local governments with expanding populations placing greater demands for more governmental services provided more efficiently and effectively.

This measure would authorize Federal agencies to include State and local government officials and employees in existing Federal training programs and to provide special training for these governmental personnel having responsibilities in the grant programs concerned.

The Civil Service Commission would be authorized to make grants to States and local governments for carrying out training programs of its employees and to provide fellowships for special university and college graduate training. The Commission would be authorized to cooperate with State and local governments in recruitment and examining activities. This bill provides for the initiation and expansion of temporary assignments of personnel between Federal, State, and local governments.

These are but a few of the provisions of this legislation which have highly laudatory purposes for strengthening personnel administration. My opposition lies in the manner in which funds authorized for a grant program are made available to State and local governments. Section 202 authorizes the Civil Service Commission to make grants to States for up to 75 percent of the cost of developing and carrying out programs and projects which the Commission finds are consistent with merit principles set out in Section 2. We support an amendment which would make available 80 percent of the annual appropriation to the States on the basis of population, upon the certification by the governor that the proposed program or project is consistent with the merit principles of Section 2.

Such an amendment would insure the desired assistance for State and local personnel programs while protecting the initiative and freedom of those governments to determine for themselves the personnel programs best suited for the existing circumstances and conditions of their respective governments.

There has been a growing objection toward those provisions of grant programs for State and local governments which result in the accelerated centralization of authority in the Federal government and a growing dependence by State and local governments on that aid with its regulatory strings attached. In 1948 this type of Federal aid amounted to $1.6 billion and will probably amount to $17.4 billion in the current fiscal year. Today there are 379 programs with 197 having been enacted in the 1964–1966 period. Too frequently, the Federal government regulates the conditions under which these funds are spent.

The result has been an increasing concern that the rapidly growing number of grant programs has weakened the position of States and localities and has unbalanced the partnership of our Federal system and raised questions as to the future of the system. The partnership between the national and the other governments must be maintained by assuring that each may execute its rightful role in providing necessary services to its citizens.

I propose to offer amendments which would strengthen rather than weaken the Federal system by insuring the reservation of nontransferable funds for each State to improve its personnel administration when the governor certifies that a proposed plan meets principles of merit as outlined in this bill. It would place upon the individual governor the public responsibility and authority to certify the types of reforms and improvements they deem best suited to their respective areas. My amendments will move this legislation away from the direction of coercive efforts by Federal authorities to standardize and make uniform the various operating procedures and administration of personnel programs and will encourage local initiative and the development of new and original programs for improving and strengthening public service without the stultifying inhibitions of centralized bureaucratic control or the repressive directions of the Federal government.

KARL E. MUNDT.
CARL T. CURTIS.
CLIFFORD P. HANSEN.
HOWARD H. BAKER.
SAM J. ERVIN.

Mr. MUNDT. Mr. President, I share with the distinguished Senator from Maine [Mr. MUSKIE] and most of the other members of our committee—although the bill was not reported unanimously by the committee—the desire to do something under Federal encouragement and incentives and leadership to strengthen the sinews of State and local government, because I happen to believe that we should increasingly work in the direction of sharing the overall tax take of this country with the State and local governments and move in the direction of having them accept responsibility, which they do not now accept, for meeting some of the multitudinous problems that confront this country at every level. To do that the strengthening of State and local governments and the improvements of their efficiency is of course important.

In that regard most of us stand together in terms of supporting S. 699, provided it can be held to that mission.

The problems that concern me are the problems that I know concern a good many Senators because the issue here—primarily in the areas in which I find myself in disagreement with the Senator from Maine [Mr. MUSKIE]—relates to the question of how much power we want to repose in the Federal structure, in the Federal Government, to influence and direct decisions which are made within a State, and especially decisions such as these which affect only—I repeat, which affect only—the governmental structures within the State.

How far should the outstretched hand of authority from the Federal Government be permitted to go with taxpayers' money to tell people within a State: "This is the way we want it done"? Or, do we want to retain, as I want to retain, within the State some recognition of the rights of State and individuals and communities to follow the inclinations of their own noses and determine what kind of activities in the direction of strengthening the sinews of local government are the ones they feel are applicable and acceptable in the local areas?

In a nutshell that is the nubbin of our disagreement. How do we meet that question? Or, do we really want, as this bill proposes, to give to the Federal Government, its Civil Service Commission, the right to take money collected from the taxpayers generally and to use it in an effort to drive or push or shove them into things which they otherwise might not be willing to do?

I do not want to do that. So, while I want to vote for the pending legislation, I cannot vote for it if once again we pack into the Federal power structure the muscle and the might and the money with which to shove around local governors and local government.

I think we have gone too far already in the direction of pushing and persuading and punishing and penalizing governors and local governments which fail to comply with some concept created here in Washington.

We have seen what is being done now under terms of the Highway Beautification Act which should have been a good bill and could have been made a good bill except for an amendment which was added on the floor of the Senate to give for the first time an American history to an appointed Federal official, the Secretary of Commerce, the right, if you please, to veto an act of the legislature in any one or all of our 50 sovereign States.

We propose here to give another veto once again to a functionary in the Federal structure.

My amendments are proposed simply to set in motion some aspects of the bill which will protect this dignity, this importance, this rightful function of the governments of our States.

I believe in the 10th amendment to the Constitution. It is not as well publicized as is the fifth amendment. It is not alluded to as often. However, I believe in many ways that it is the keystone of our whole Bill of Rights because it said then—and it should mean now—that we who operate at the Federal level should exercise only those controls and powers over the States and over the people as the States and the people specifically delegate to us.

We are now asked not to accept some exercise of power which has been delegated to us by the State, but to impose upon the States restrictions and restraints and powers of decision which are made here in Washington. If we did that, and only that, it would still be bad as far as I am concerned, and the measure would lose my support. However, we go further. We take the taxpayers' money, and we say: "We will match to the extent of 75 percent those funds which you contribute to the extent of 25 percent, and you would not get the money unless you submit plans and proposals and suggestions acceptable to Mr. Big, the Federal Government in Washington. And you not only will not get the money, but you will have to pay your share of the taxes to the extent of paying to the other States who do knuckle under 75 percent of the total cost of the operation."

I submit that we have gone altogether too far down that sorry road in this country now, and we are chipping away at the sovereignty of the States, at the dignity of the States, at the jurisdictions of the Governors, at the jurisdiction of the local structures of government. And now we propose to lure them to knuckle under once again by telling them: "The only way you can get back your money is to take our advice."

There are Senators who think that we should have a unitary system of government instead of a republic, a democratic republic of 50 States, but as a believer in the 10th amendment, I have cast my last knowledgable vote in the direction of further stripping the great defenses of freedom, as I see them, which are incorporated in the 10th amendment. That is the issue.

Now, how do I propose to move in the direction that the Senator from Maine wants to move, without at the same time violating what I consider to be a very significant and uniquely American concept of divided authority and State responsibilities in this country? I propose to correct it in two ways.

The first part of my amendment is a simple change. It says that when we finally have negotiated around and worked out plans and programs and devices in order to upgrade the caliber and strengthen the sinews of local government, and it is decided whether or not the 75-percent Federal contribution is to be made, instead of the Civil Service Commission in Washington telling the State "Yes" or "No," it shall be certified in a public statement by the Governor, who will say: "In my opinion, we have conformed with the high principles and noble purposes of this act, and we want to apply for our portion of the funds."

It is not very complicated. It is very simple. Senators, in their good conscience, should be able to decide in whom they wish to repose confidence and whether or not they feel that the Governors should have at least that amount of authority within their own States, to determine what is being done, if you please, with their own structure of government and the structures of government in the local levels within the State—just within the State.

I do not know how you could go further in vitiating the 10th amendment and the rights of the States than to give some Federal authority the right to tell them what they have to do at their own local levels of government in order to populate their offices and regulate their services and train their officials and promote them in conformity with some Federal doctrine.

The second change I propose, Mr. President, deals with the same problem in the bill as presently written, except for two interesting but rather ineffective late additions which were made to the bill just before it was voted out of our committee. The bill gives the control of the distribution of the funds to the caprice or the good judgment or the evil purposes of the Federal officials administering the act.

I propose to put in a distribution formula. Senator MUSKIE, in anticipation that I might offer this amendment, has described that part of it correctly and points out that it is a population ratio of distribution. My amendment also says that those funds shall not be transferable, that each State is allocated its fair share. It can participate in the program after the certification of the Governor, or it cannot participate; but by not participating, it does not have to pay extra taxes for its neighbor or for some other State that reaches out for that 75-percent contribution. What each States does not use reverts to the Federal Treasury.

Senator MUSKIE and I have argued this at great length over many weeks in the subcommittee and in the committee. There is not much reason for us to argue it at great length in the Senate Chamber, when we have presently only a few more people to talk to than we had when we argued it in our own committee. Others may of course come to the Chamber later. We will now address our various advocacies, then, to the distinguished Senator from Florida, who sits here as a sort of impartial referee. He has not heard the debate before. He is listening carefully. Others have also been in on it.

In an effort to be conciliatory, I yielded a bit, because I was a supplicant for votes. After you have been around this town a while, you find out that when you are a supplicant for votes, you sometimes have to back down a little from your basic premise and the full impact of the principles to which you are dedicated.

I said, "All right, we won't insist on the distribution formula including all the money. We won't apply that to the total amount appropriated"—and it starts out with a pretty generous appropriation of $20 million and multiples itself in typical Federal form by a geometric progression year after year.

I said, "We would not take the entire amount of money and freeze it and say that every State is entitled to its exact per capita quota. We will say that 80 percent of the total amount appropriated shall be so included, on a nontransferable basis. Eighty percent of the total divided among the States, under population needs or any other specific and equitable criterion; it is not transferable. But under my amendment States declining the proposal do not have to pay taxes to the other people who decide to take it.

The other 20 percent the Civil Service Commission can use in order to browbeat Governors over the head and local communities over the head or to exercise a more appropriate influence. They can hold that great, big 20-percent carrot out in front of the State horse and the State house to try to pull it in its direction. They can take that 20 percent of the total and use it in order to persuade and to argue with local officials and the State Governor and say, "You ought to do it our way. Do it our way and you get 100 percent. If you don't do it our way, you get only 80 percent of the quota."

You have to buy that much authoritarianism, I suppose, to get the votes. I should like to see it 100 percent, but I backed down to 20 percent.

To meet this argument and to demonstrate the chairman believes my position and proposition has some validity, he reluctantly offered a couple of makeshift amendments moving in that direction. The first was to say, "We will take a little, puny amount of the total and allocate that to the States equally, so each will get a small percentage or a small amount." I have forgotten at the moment whether he says 60,000 per State or 15 percent per State; I believe it is 60,000. That much will be allocated to the States straight out, without any type of performance guarantee. It is a type of subsidy or grant to the States, I suppose. So you move in that direction a little, to help them exercise the ingenuity and the initiative that I believe States and local governments should exercise in trying to improve their processes of public administration.

Then, at the other end of the spectrum, the chairman says that no State can have over 12½ percent of the money that belongs to all the people—just 12½ percent. So no longer could it be argued that an overzealous administration, seeking to dominate the mores or the habits or the attitudes or the programs of a certain State, could offer the entire kaboodle to one. He says that no more than 12½ percent may go to any one State. So that means eight States could receive it all. If you find eight States that you want to get going under this act, you can give all the remaining funds to those eight, after taking off the reservation of the small percentage for every State.

Mr. President, those are the reasons why I oppose this bill as it is presently drawn, and why I urge my colleagues to make it a workable, cooperative partnership formula between the good purposes at the Federal level and the good purposes at the local level; because I deny and disavow the concept that the popularly elected Governors of the 50 sovereign States of the United States could not be trusted to have the good judgment and the sound ethics to survey carefully the certification they would be requested to sign. I do not believe they would stand before the public, trying to grab the money simply because it is available, and dishonesty to sign a certification that they are moving in the direction of strengthening for forces of government, providing local employees with more rewarding merit systems, more security in jobs, and better protection against political malevolence. I believe you can trust the Governors that far.

Mr. President, I do not want to see this large amount of money held out, with its sweet smell and seductive potentialities, to lure State Governors to do that which they know they should not do, and that is to further destroy the dignity and the authority of their office over the operations of things which are strictly intra-State and intimately related to the taxpayers and the people, as are those programs dealing with administration of their local functions.

Mr. President, I would hope my amendment might be unanimously agreed to, but if opposition arises, as I am afraid it will, I shall later ask for a rollcall vote.

Mr. MUSKIE. Mr. President, if this bill did what the distinguished Senator from South Dakota has said it would do, I would vote for his amendment and I would vote against the bill.

By the most accurate count I have been able to get, up to this point we have grant-in-aid programs which will disburse about $17 billion to the States and local governments this year. Not one of them gives to the Governors the authority which the Senator from South Dakota would give to the Governors with his amendment in this program; not one of them.

I shall describe the pending bill with respect to the rights of the States and the authority of the Governors, as I understand it from writing the bill and from interpreting it.

As approved by the subcommittee and the full committee, the bill gives a key role to the Governors and State agencies designated by them. Projects initiated under this bill would be administered at the State level by an office designated by the Governor.

The applications initiated at the local level or at the State level, depending on which of the two levels of government is involved, or any application from local government, must first be submitted to the Governor or to a State agency designated by the Governor for review. The comments and recommendations of the Governor or his agency shall accompany the application when it is submitted to the Federal Government. The Advisory Council created by the bill, which would make recommendations to the President and the Congress on matters of policy and standards, would be intergovernmental in character with a majority to be representative of State and local government.

Finally, Mr. President, it is directed that the act shall be administered in such manner as to encourage innovation and allow for diversity on the part of State and local governments in the design, execution, and management of their own system of personnel administration.

These and other provisions make it clear that the bill relies primarily on the States to develop and carry out programs with the Governors exercising a large responsibility not only for State projects but also those submitted by local government.

What is the heart of the difference between the bill as it is before us and the bill as the Senator from South Dakota would amend it? The Governors would have authority to initiate projects or approve projects initiated by others at the local and State level, whether or not the Mundt amendment is agreed to. The difference between the Senator from South Dakota and me is that he would, in effect, give to the Governors the right to write the checks on the Federal Treasury because he would give to the Governors not only authority to certify the projects, which the Governor has under the committee bill, but also the authority to decide whether or not the disbursements would be made by the Federal agency to that Governor so that the Governor would be not only the applicant but in effect the Federal executive who would approve his own application. That is what the Senator from South Dakota proposes.

This principle is not embodied in any other Federal grant-in-aid program. There are well over 200 of them involving some $17 billion of Federal money in this fiscal year according to the last count I had.

The Senator from South Dakota has asserted his great confidence in the Governors of the 50 States. At the same time he has indicated almost complete lack of confidence in the executive branch of the Federal Government which was created by the Constitution of the United States. The executive branch was created to administer the laws enacted by Congress.

The Senator's amendment would give the administration of this law, or at least 80 percent of the funds provided by this law, to the Governors of the 50 States. That is the principle which separates the Senator from South Dakota and me.

I can understand his motivation. His motivation is the same one which is behind this bill: the desire to strengthen State and local government.

Where did this bill come from, Mr. President? It came from the Subcommittee on Intergovernmental Relations following 3 years of study of the Federal system and especially of the problems of local government. It came from the ideas that were advanced to us by Governors, State personnel agencies, Federal officials dealing with State agencies, local governments and associations of State and local officials, to which I referred earlier, the Conference of Governors, the League of Cities, the Conference of Mayors, and the National League of Cities. These are people who generated ideas which the subcommittee then incorporated in the Intergovernmental Personnel Act which I introduced last year as S. 3408.

When I introduced that bill I had no concept of the great tide of interest in the legislation which would emerge immediately across the country. However, that is exactly what happened and so we held hearings last year in order to fully expose the bill and the ideas it incorporated. As a result of that very great interest which was generated two things happened. First, I reintroduced the bill this year, and, second, the administration introduced its bill, the Intergovernmental Manpower Act, based upon our hearings last year and based upon the great interest in the bill at the State and local levels.

All of this year that interest has been manifested and expressed wherever I have gone anywhere in the country to talk to State and local groups, Governors, mayors, county officials, and to State and local leaders. In every section of the country great interest has been shown in this legislation.

We undertook to move this legislation through committee with the help of the Senator from Tennessee [Mr. BAKER], who rendered extremely valuable assistance in perfecting the bill. In light of the testimony which we got in our hearings, we finally put together a bill which we thought was realistic, useful, and sound.

When we had made all these changes—and this took a matter of several months—the Senator from South Dakota [Mr. MUNDT] at that point offered his amendments. I think it is a matter of from 4 to 6 weeks since the Mundt amendments first saw the light of day. In that period, I have heard nothing but objections to the concept of the Mundt amendments from State and local officials.

S. 699 does not represent an attempt to create coercive Federal authority. Of course, the Federal Government retains the ultimate decision as to whether a Federal check should be made payable to a particular State. If that be coercive Federal authority—I have never heard that kind of authority described as coercive before—then we stand guilty. But the bill incorporates within its four corners less Federal authority than almost any other Federal grant-in-aid program I can think of.

What would be the reaction of the Senate if we were to bring to the floor of the Senate legislation in effect giving to every Governor the right to sign checks for highway money? Can we not trust the 50 Governors? Why should we leave the check writing and the check signing to Federal officials? Why not give it to the State Governors? We who are members of the Committee on Public Works and who have been Governors know that Federal authority over the highway program has grown in the last 10 years in part because of some abuses that have taken place in the administration of that program by some States. I do not think Congress is ready to abandon all control by the Federal executive authority, which is the intent of the Federal legislation. But that is the principle which the Mundt amendments urge.

The bill sets forth in its policy section, on pages 30 and 31, a list of merit principles. These merit principles are a substitute for the more rigorous and inflexible merit system concept which the original bill, S. 690, incorporated.

We made the change from that concept of the merit system to the approach to which I have referred, on pages 30 and 31 of the bill, in order to provide for flexibility in order to give greater recognition to variations among the States and among local governments, and in order to encourage development of innovation and diversity at the State and local level. So that all we have here is a list of principles with which no one interested in professional and qualified government could take issue.

For example, the first principle states: "recruiting, selecting, and advancing employees on the basis of their relative ability, knowledge, and skills, including open consideration of qualified applicants for initial appointment."

Is that an unsound principle, Mr. President?

The second principle states: "providing equitable and adequate compensation."

Is that not a sensible provision, Mr. President?

The third principle states: "training employees, as needed, to assure high-quality performance."

The fourth principle states: "retaining employees on the basis of the adequacy of their performance, correcting inadequate performance, and separating employees whose inadequate performance cannot be corrected."

The fifth principle states: "assuring fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, national origin, sex, or religious creed and with proper regard for their privacy and constitutional rights as citizens; and"

The sixth principle states: "assuring that employees are protected against coersion for partisan political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the result of an election or a nomination for office."

These principles, Mr. President, are guidelines which, if the legislation is adopted by Congress, would represent congressional intent with respect to the use of the funds authorized and, hopefully, later appropriated as congressional intent.

Now, shall the Civil Service Commission, which would be the administering agency under the bill, have any authority with respect to deciding whether such congressional intent is being met or not?

The Senator from South Dakota says it should not have any authority, that the Governors should have complete and final authority to decide whether that congressional intent so spelled out in the bill should be implemented in pursuing State and local projects financed by it. He has retreated from that principle by saying—

Mr. MUNDT. That was a compromise, not a retreat.

Mr. MUSKIE. Yes, it is not a retreat from principle. If he had his way, he would want 100 percent of the money.

Mr. MUNDT. Yes.

Mr. MUSKIE. To implement the congressional intent of spending, with the ultimate authority of the governors to decide whether they should receive the Federal money. That is a precedent which, Mr. President, I do not believe we are ready to accept in Congress.

The second most important thrust, I think, of the Mundt amendment has to do with the allocation of funds authorized among the States.

Frankly, this bill is a project bill. It would not authorize a program such as a highway program with continuing support over the years at levels guaranteed to each State. It is a project bill. The purpose of the bill is to stimulate imaginative ideas in the States for improving their personnel systems or their management systems all across the country. Wherever and whenever, within the limits provided in the bill, such a project emerges, it should be encouraged and given Federal support.

The Federal Government would not tell a State what projects it should have. The projects must be initiated by the States. But it would be the purpose of the bill to encourage all worthwhile projects. To insure that that stimulus is spread nationwide as much as possible, we do provide a minimum in the bill which must be allocated to every State. Every State would get the same amount. The first year's authority would be $60,000 per State, which is more than a State would receive under the Mundt amendment and less than most States would receive under an assured allocation. But every State would be eligible to apply for additional Federal funds, if they generated the projects which merited Federal support.

I think that makes sense. If this were a highway program, we would have a formula allocating the funds to every State. If it were an aid to education bill, we would do the same thing. But, this is a project bill, designed to stimulate the generation of such projects.

I think that the Mundt amendment incorporates a principle we are not ready yet to buy. At some point, if we endorse the Federal tax-sharing concept as a substitute for categorical aids, we may do that; but I do not think we are ready to buy a tax-sharing concept. If we were to do so, and at such time as we do so, I am sure that we will write safeguards into it which will protect the Federal interest as well as the State interest.

Here, under the Mundt amendment, the Federal interest would be protected not by the Civil Service Commission or anyone else, but would be interpreted by the Governors of the States who are also, at one and the same time, the proposed beneficiaries of the program.

Mr. MUNDT. Mr. President, I can conclude my section of debate on this issue rather briefly, but we are presently confronted with a dilemma in the Senate because I want a rollcall vote on this issue. It is a tremendously important issue. While less than 20 persons have heard this debate, thus far, I hope that most Senators have diligently read the committee report and the minority views and have devoted time to it.

Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. LAUSCHE. Mr. President, will the Senator from South Dakota yield for a question?

Mr. MUNDT. I am happy to yield to the Senator from Ohio.

Mr. LAUSCHE. What amount of money is involved under the 75 percent program and then under the 80 percent program?

Mr. MUNDT. I believe it is $20 million the first year—the Senator from Maine will correct me, if I am wrong—$30 million for the second year, and $40 million for the third year.

Mr. LAUSCHE. Then the purpose of the proposal is for the Federal Government to provide moneys to State and local governments to develop better personnel?

Mr. MUNDT. That is right. The Federal Government would provide 75 percent, and it would be matched to the extent of 25 percent by the other instrumentalities of government.

Mr. LAUSCHE. Is there any such program in effect now under which the Federal Government is providing money for this purpose?

Mr. MUNDT. Not that I know of; certainly not as comprehensive a program. The closest I know of is what the FBI does, which is altogether more preferable, in my view, in which the FBI Academy opens its facilities to Cleveland or Sioux Falls, or other cities, in which the law enforcement officers of those cities can get training. That is a different formula, however, and I like it better than the Muskie formula.

Mr. MUSKIE. Mr. President, if the Senator will yield, that is a part of the Muskie formula—the part in which the Federal agencies would open up their programs to the States and local governments. The purpose is to expand it across the board.

Mr. LAUSCHE. This will expand the program which exists, at a cost of $20 million the first year, and $30 million the second year and then to $40 million?

Mr. MUNDT. It will go much further. It is entirely possible, as the Senator from Maine [Mr. MUSKIE] has said, that incorporated into the mechanisms that the Federal Government contrives to help States strengthen their local governmental structures, they could have facsimiles of the FBI Academy set up, and they could do exactly what the Senator has said. In addition to that, there are the allocations, because the bill provides that the States and local instrumentalities will set up programs of their own, and at their level, in order to get the 75–25 allocation. I would assume—and the Senator from Maine will correct me if I am wrong—that as far as the Washington-based training facilities are concerned, they would be financed entirely by the Federal Government.

Mr. LAUSCHE. The committee's bill states that the elevating of the efficiency of the personnel by these subdivisions—the State governments themselves and their subdivisions—shall be consistent with the merit principles set out in section 2.

Mr. MUNDT. Yes. The Senator from Maine [Mr. MUSKIE] read those awhile ago.

Mr. LAUSCHE. The proposal of the Senator from South Dakota is that, if the merit system as promoted by a State, in its own judgment, is deemed adequate, it shall be entitled to the aid whether or not it conforms to the Civil Service Commission principles as set forth in section 2 of the bill?

Mr. MUNDT. Yes. Although the same principles are involved, under my proposal the Governors would certify the programs they sought to be evolved would comply with the principles. Under the other formula, it says, "The Civil Service Commission will not leave the decision up to the Governor to determine whether he has complied with the principle and thrust and objectives set out by the Federal authorities."

Mr. LAUSCHE. Why are not the States by themselves able to develop programs that will improve the efficiency of their personnel? Why is it necessary for the Federal Government to feed in $40 million a year?

Mr. MUNDT. I do not think it is necessary to have that matching program. I do desire to have some incentive provided by the Government to quicken the pace. I agree entirely with the premise of what the Senator from Ohio has said. Why should the poorest relative finance the other relatives of our governmental structure? Our Federal Government is in terribly bad financial shape. This is a bad time to bring in a new spending program. But if it could be done, without using Federal money, to dominate and direct the program, but simply as a partnership program, I could go along with it.

Mr. LAUSCHE. In my opinion, the Federal Government ought not to begin spending money at this time, when there is such dire pressure upon the purse strings of the Federal Government. I do not favor either Senator MUSKIE's proposal or the proposal of the Senator from South Dakota. Let us stay out of it.

Mr. MUNDT. May I say to my good friend, before he stays out of it, that my amendment is from the standpoint of the financial structure. I would hope he would support it because it is more economical. This is not a substitute bill. I am simply changing the way the money is provided and utilized and it is a move toward economy.

Mr. LAUSCHE. Mr. President, inasmuch as the Mundt amendment will be less costly and less offensive to the rights of local governments determining for themselves what they should or should not do, I shall support the Mundt amendment, but finally vote against the bill regardless of what happens to the Mundt amendment.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. COTTON. I have been reading the committee report and the bill. Would it be very far from the fact to characterize this bill as a program to teach State and county and municipal officials how to spend Federal money?

Mr. MUNDT. According to the gospel as written in the first chapter of Uncle Sam's bible, I suppose that would be right.

Mr. COTTON. I thank the Senator.

Mr. MUSKIE. Mr. President, will the Senator yield a moment?

Mr. MUNDT. I yield.

Mr. MUSKIE. Since the question put by the Senator from New Hampshire also goes to the intent of those who sponsored and wrote this bill, may I, for myself, say this is not the intent. The intent is to help the States and local governments to achieve a higher level of competence to do their own job.

Let me read something that was said by the Municipal Manpower Commission in 1962:

> The quality of APT (administrative, professional, technical) personnel in local gov-

> ernments today, by and large, is inadequate to cope with present and especially emerging metropolitan problems * * * The local governments have not attracted at the entry level, a fair share of the ablest young people equipped with intelligence and training to rise to APT positions.

Here is another comment from the Municipal Manpower Commission:

> In a significant number of instances, local governments are living on the "fat" of the manpower they were able to recruit during the depression thirties * * * The retirement of a large proportion of all department and division heads in the next decade must be expected.

May I put this statistic before the distinguished Senator from New Hampshire? The total local and State personnel in 1946 was 2.3 million. By 1965 that figure had risen to about 8 million. This rise in the number of State and local personnel has created staggering problems—manpower recruitment, training, and competence.

I cannot speak for the other 49 States as well as I can for my own in this respect, first as a Governor and now as a citizen, as I have watched State legislatures struggle with the manpower problem. I know the Senator from New Hampshire and the Senator from South Dakota are concerned with the integrity of government at the State and local levels in this country, and I am concerned. Everyone who is knowledgeable in this field, who has studied the problem, will tell the Senators, as they have told our subcommittee over a period of 4 years, that one of the critical problems, the solution of which will be vital to the integrity of government at the State and local levels, is the manpower problem.

The devices used in this bill are devices which were recommended not initially by the Senator from Maine, who is no expert in this field; not by any member of the subcommittee—and I do not know of any one of them who is an expert in this field—but by practicing and academic experts from coast to coast who have addressed themselves to the question of manpower in local governments.

I consider this bill vital. It will not completely solve the problem, by any means, but it offers two methods of help which I think can be invaluable.

I realize this is not the time nor the year to offer new grant-in-aid programs. As a matter of fact, coming from Maine, I even have some reservations myself about this sort of thing. But the matter has generated much interest. It is not one of the spectacular issues; we have not seen it in the headlines; it has not been controversial in the sense that it has emerged in the political columns. But one who has traveled throughout the country, as I have by virtue of my chairmanship of the Subcommittee on Intergovernmental Relations, and talked to the people concerned, knows how deeply they are worried about these problems.

It will not have a major impact on my career, whether Congress enacts this bill into law. There are other things with which I am associated which have greater public visibility, and for which it is easier to obtain Senate support, including the $6 billion water pollution program, or the several-hundred-million-dollar air pollution programs. But the point is that those programs, which are based upon responsibility being placed first at the State and local levels, will not work unless they have the manpower to do the job.

I remember, in the case of the water pollution bill last year, the distinguished Senator from Kentucky [Mr. COOPER] rising to make the point: How are we going to administer this water pollution program without trained people? On program after program which has come to this floor, I have heard that same point made: How are the States to administer the program without the people?

Seventy percent of the money that is disbursed by the Federal Government in domestic social programs is disbursed through State and local governments, under guidelines provided by Congress. It has to be disbursed by people. As I said a few moments ago, the number of employees involved, at those two levels of government, has risen from 2.3 million in 1946 to 8 million today, and it will rise to 12.5 million by 1970 or 1972. Those people must come from somewhere; and those governments must compete with the private sector for the available people. So many of the people that the State governments get are not experienced, because the State salaries are not sufficient to compete with private industry and the Federal Government. I remember, when I was Governor, we had to take a lot of people on who were not trained at all. And we did not have adequate training programs to train them. It is a terrible problem. I came to appreciate it as Governor.

I do not think Maine is so much different from other States. In fact, everyone I talked to, from coast to coast today, tells me it is a terrible problem. That is why I am here with this bill, when, frankly, it would be easier to concern myself with something else.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. COTTON. Mr. President, will a portion of the funds expended under this bill be used to augment salaries of State employees?

Mr. MUSKIE. No; this is a training program.

Mr. COTTON. So this bill would not in any way alleviate the difficulty the States experience in obtaining adequate people because of the scale of their salaries?

Mr. MUSKIE. No. To the extent that salary is part of the problem, this bill does not touch it.

Mr. COTTON. I say to my distinguished friend from Maine that if my remark, or the question that I asked the Senator from South Dakota, sounded ironical or sarcastic, to him, I did not mean it in that way.

Mr. MUSKIE. I would not so interpret anything the Senator from New Hampshire said, except in the privacy of the cloakroom.

Mr. COTTON. I do say, however, that the Senator from Maine speaks very persuasively in behalf of this measure. He is dedicated in these matters, and I have great respect for his judgment.

I think the Senator from Maine, however, by a strange contradiction, is a living, walking answer to his own argument. He has served as Governor of Maine. I know something of his record as Governor of Maine. I am not just being courteous or polishing the apple when I say that people of all parties recognized that he was one of the ablest of Maine's Governors.

We have an able Governor in my own State of New Hampshire. Even though he is not of my political faith, I think that he is competent to face the problems of developing skillful administrators, as was my friend from Maine when he was Governor of his State.

I believe there is merit in the bill. But I think that, in this particular year, with the problems we are up against, for us to start a new program of teaching State and city officials how to spend Federal money is perhaps a supreme act of carelessness—I shall not say callousness. It is an act which exemplifies the Federal Government's apparent viewpoint at this time.

I wonder if we all are afflicted with Potomac fever? It seems to me that if there is one disease, more than any other, that has crept into the Federal Government, it is the idea that we cannot trust, that we cannot have confidence in, the Governors and legislators of our several States, and that all wisdom emanates from the banks of the Potomac here in Washington.

I could not possibly vote for this bill at this time, and I say that with no disrespect for the very able arguments presented by my friend, the Senator from Maine.

Mr. MUSKIE. I thank the distinguished Senator from New Hampshire. I assure him that I did not so interpret his argument; I merely saw an opportunity to make a point, and I can never let such an opportunity pass.

Let me make this one further point: Far from representing the concept that all wisdom rises from the banks of the Potomac, all of the ideas in this legislation came from the grassroots, and not from the banks of the Potomac. This bill was developed, as I stated earlier, by the subcommittee, out of ideas which came to it from the grassroots.

Indeed, those ideas were so persuasive that finally the administration itself introduced the Intergovernmental Manpower Act this year, based upon the same idea. I can understand the argument that there should not be any more grant-in-aid programs; but that is for Congress to decide. However, I can say that this concept has been stressed as an extremely important one, and the outcome will be the judgment of the Senate at the end of the debate.

Mr. MANSFIELD. Mr. President, will the Senator from Maine yield?

Mr. MUSKIE. I yield.

UNANIMOUS-CONSENT AGREEMENTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that on the vote on the pending amendments take place at 5 minutes after 4.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I ask

unanimous consent that on the amendment to follow the pending amendments, the vote take place at 5 o'clock.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MUNDT. Mr. President, the bill has a fundamental fallacy which has been alluded to in the colloquy between the Senator from New Hampshire [Mr. COTTON] and the Senator from Maine [Mr. MUSKIE]. It is built on the false premise that the Federal Government structure is a paragon of perfection. It is not. A pretty good case could be built to have Governors and mayors suggest to the Federal Government how it could improve its governmental structure. I am far from convinced that all the wisdom about government is located in Washington. There have been malfunctions here; there have been malfeasance, waste, and inefficiency here.

I am not at all sure, as I listen to the comments from across the country, that this is not a case of the halt leading the blind. So I do not feel that the premise is sound to begin with.

I wish to answer briefly the arguments and suggestions recently presented by the distinguished Senator from Maine. He said that not a single Federal grant-in-aid bill moves in the direction suggested by the Mundt amendment. The answer to that statement is quick and clear: There is not a single other grant-in-aid bill, as has just been established on the floor of the Senate, which gets into the intimate structure of the selection of personnel and the operation of State and local governments. This is the first time the Federal Government has ever threatened to go so far as to tell State governments whom it wants to serve, and how they shall be selected and promoted; otherwise the Federal Government can veto the plan and say, "You people pay your taxes to support this program, but you will get nothing back."

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. MUNDT. Please let me finish. I am trying to conclude by 4 o'clock, because I promised to yield the last 5 minutes to the Senator from Tennessee [Mr. BAKER] under the agreement to limit time.

The second point the Senator from Maine made was that Governors shall have the power to state whether the Federal Government shall make the payout of the 80 percent, while having complete control over the other 20 percent.

I propose that we would set up the rules and regulations, and then the Federal Government would make the payments in the form of certifications by the Governors that these principles had been complied with, and they would do so openly, publicly, and with no chance of subterfuge.

The Senator from Maine makes much of principles. He says the principles will be guidelines. They are, but they are not self-administrative. They will work exactly like the rules in a baseball game. The rules of the game are known by the players, but the decisions made by the umpire are what count. And the umpire here is a Federal official, dominating and—if he wants to do so—domineering the local governments and the State Governors.

It is the umpire that counts, because somebody must interpret the rules and somebody must interpret the regulations.

I am glad that the Senator from Maine made reference to the Federal highway program. The Mundt amendment proposes to bring into play in this legislation the concept of the Federal highway program, the broad guidelines provided at the Federal level by the local State highway departments, to determine whether to detour the town or whether to split a city or a community or whether to locate a project in that area.

Time after time after time local communities come to us with suggestions about what should be done. The matter is referred back to the State highway department.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. MUSKIE. I can recall a very celebrated highway case when I was Governor. The local community, the highway commissioner, and the Governor all wanted a certain location for that highway. However, our recommendation was vetoed by the Federal Highway Administrator.

Mr. MUNDT. I appreciate the Senator's anticipating my remarks. I was going to say that despite that precedent, there are times when the desire to coerce by the Federal Government overrides these people. However, the working formula and the accepted standard operates in the other direction. The power and the position that the Federal Government likes to exercise still sometimes reflects itself.

I do want to help strengthen the sinews of local government, but I do not want to build up another power structure now with the people's money, a power structure that can be used to bribe them to do things they do not want to do, especially with respect to these intimate details concerning projects which the local government or the Governor want. I think it preferable to have in the 50 States different people experiment and exercise initiative on how best to run governments.

I certainly cannot "buy" the major premise that the Federal Government is perfect. And I cannot "buy" the idea that the Federal Government is so wise and so pure and so good that it should have a right to tell a Governor, "You don't know what you want to have in your State; and to get the Federal money you have to yield, you have to knuckle under."

There are, of course, some Governors who give support to this, but the Senator from Maine did not dwell on the fact that the Governors who support that concept also support the concept that the major decision should be made at the local level.

If we hold up $20 million before a State Governor or local official, we know that it takes a man with a stern capacity of self-denial to say: "I do not want any of it. I do not want to participate."

I am going to offer a sequel to the pending amendment—and it will be voted on at 5 o'clock—to provide that the sharing will be at the rate of 50–50, and not 75 percent and 25 percent.

If this is a program the Governors really want, they should be willing to share the cost. The Senator from Ohio brought out that the States and local communities, if they feel a need for this, should be willing to finance it themselves.

When will we stop this kind of grant program, no matter how good it is?

The senior Senator from Florida said the other afternoon that he is spending half his time figuring out how to save some money. He and I have been meeting with conferees from the Appropriations Committee of the House of Representatives, and I have been spending a like amount of my time in the same effort.

It is kind of disillusioning to spend half of one's time figuring how to save money when we are asked to spend more money in a proportion of 75 percent to 25 percent and putting it out with an attractive label, so that those who want it can get $3 for every $1 they spend, provided they yield to the coercion of the Federal Government.

Mr. President, I promised that I would yield some time, before we conclude, to the distinguished junior Senator from Tennessee. So, I subside, urging the Senate in the rollcall vote to vote for the preservation of the 10th amendment to the Constitution by voting for my amendment.

Let us not stab it in the back with the taxpayers' money.

Mr. President, I yield to the distinguished junior Senator from Tennessee.

Mr. BAKER. Mr. President, I have no desire to prolong the debate.

My colleagues, the junior Senator from Maine [Mr. MUSKIE] and the senior Senator from South Dakota [Mr. MUNDT], respectively the subcommittee chairman and ranking member of the committee, have made most eloquent presentations.

But I have devoted a good deal of effort to the final draft of S. 699 and have participated in the subcommittee in support of the amendments submitted by the Senator from South Dakota.

I sense that there is something very basic and very vital in the future of federalism implicit in this debate, and this bill really, notwithstanding the enormous consequences of any demand on the Federal treasury, merits our attention with respect to the question of whether we are not in fact forging something of a new direction and a new effort toward upgrading, modernizing, and promoting a heightened and more efficient "partnership concept" of Government.

I am convinced that the question of vitality and efficiency of local governing units—whether at the city, county, or State level—is of the very essence in the consideration of whether we continue in the present mold of program after program after program of categorical grant-in-aid type, which now totals $17 billion a year, as has been pointed out by the distinguished Senator from Maine, or whether we do something to reestablish an effective partnership of governing units, not the domination of Central Government, but as a partnership effort with this coordinate level of government.

I myself feel that in this field the next big decision we have to make is whether to launch into a program of Federal revenue sharing, the returning of a fractional share of the Federal tax dollar directly to the local units of government so that they can undertake a strengthening of effective local self-government without strings attached.

I happen to feel that the old axiom with respect to the taxing power of the Government is just as true today as it ever was and that the Central Government, the National Government, has most of the taxing power.

Federal revenue sharing has a similar, corollary proposal that is discussed from time to time in committee and on the floor, which is that we consider the prospect of block grants, grants to cities, counties, and States, essentially without strings attached, for a given general purpose, but without explicit direction from the bureaucracy in Washington.

I happen to feel that either Federal revenue sharing or block grants or a mix of the two are essential if we are to turn around this tendency toward an ever-increasing centralization of Federal Government power in Washington.

I know that from time to time the most persistent argument against Federal revenue-sharing or against block grants has been that the State governments, the county governments, and the city governments are so debilitated that these lesser units of government, if you please, are so little used to the matter of extensive government that they could not possibly handle a new inflow, a fresh infusion, of governing authority in terms of money that Federal revenue-sharing or block grants would entail.

For this reason, if for no other, I believe that something akin to S. 699 and the amendments offered by Senator MUNDT are essential if we are going to take this next step toward a pragmatic decentralism, toward the idea that we must rebalance and reestablish the equilibrium between the Central Government and the other units of government which make up this partnership concept with which the Republic flourished for so many years.

Mr. President, according to this rationale, if we are to prepare for this next progressive, forward-looking, different step—that is, the initiation of Federal revenue-sharing or block grants—if we are to reverse this trend toward centralism, to reverse this growing concentration of all effective governing authority in Washington, we must do something and do it now to upgrade governmental skills at the local level. We must do something now, even though it is a small step, to assure that when the time comes to bring about the infusion of this new vitality of Federal revenue-sharing or block grants, or their equivalent, the personnel, the structures of government, and the administrative techniques are available at State and local levels, so that this step in a new direction will not be in vain.

I share with Senator MUNDT and with Senator MUSKIE some of the ambivalence of feeling they have about the means for accomplishing this upgrading of job skills at the local levels of government, but I am far more concerned about this bill as a first step in the vital matter of reversing the process of galloping centralism.

I believe, therefore, that the question is whether we will content ourselves with the present print of S. 699 and embark on a program of trying to use Federal money in the traditional, categorical grant-in-aid technique to upgrade job skills at the local level, or whether we take the more far-reaching step—in my judgment, the newer and more innovative step—offered by Senator MUNDT. Mr. President, we must take this new step.

I believe that Senator MUNDT's proposal—in effect—amounts to a system of block grants. I believe that it is more far reaching and more forward looking than any other concept that might be engaged in at this time.

In the few seconds remaining to me, Mr. President, I urge that in consideration of this matter we not lose sight of the fact that if we are to reverse this continuing trend toward centralism, if we are to revitalize the forces of local government, we must take the first step now in providing for the orderly, nonregimented training and upgrading of administrative skills at the local county, city, and State levels.

Therefore, Mr. President, I have signed the minority views of Senator MUNDT. I shall support his amendments. I strongly support the concept and its necessity at this time.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the quorum call terminate 5 mintes after the hour.

Mr. HOLLAND. Mr. President, I should like to be heard briefly on this matter.

Mr. MANSFIELD. Mr. President, I withdraw my request.

We have a unanimous-consent agreement.

Mr. HOLLAND. I shall be very brief, in view of the request of the majority leader.

I am concerned to note on page 125 of the record of the hearings in this matter that the witness testifying, Mr. Charles A. Byrley, Director of the Office of Federal-State Relations, National Governors' Conference, stated:

> My remarks today do not necessarily reflect the viewpoints of the State Governors, but rather of staff analysis of the general provisions of the proposals . . .

Then he continues:

> The reason for this is that the Washington office of the National Governors' Conference was only recently established. Time has not permitted individual discussions with the Nation's Governors.

Then I note that on page 126 he said, in his statement:

> Let us express general concern regarding three major issues: (1) the role of the Governor.

That is the first matter about which he expressed concern.

A little later he said:

> Executive management at the State level, including coordination of Federal assistance programs, is clearly the responsibility of the Governor.

The PRESIDING OFFICER (Mr. SPONG in the chair). The time for debate on this amendment has expired.

Mr. HOLLAND. I ask unanimous consent that I may proceed for 3 additional minutes.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator may have 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLAND. Mr. President, we do not have time to digest these matters. This bill was called up suddenly. The Senator from Florida has been intensely busy on appropriations conferences and other matters of that type. But I note some expressions by Governors later at this hearing which make it clear that they have reservations.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. MUSKIE. May I say to the Senator that the point in the bill to which the Governors had reservations has been eliminated from the bill and is not in the bill as it is before the Senate.

Mr. HOLLAND. I have read the bill hurriedly and find no clear recognition of the fact that the Governors ought to be responsible for the carrying out of the provisions of this bill within their States.

I note this statement in the letter of Gov. Otto Kerner, of Illinois, appearing on page 264 of the record:

> I have reservations concerning the question of undue federal control of state and local governments. My comments are similar to those I have made with respect to the Intergovernmental Personnel Act.

That is the bill before the Senate at this time. There is also another letter.

On page 275 of the record appears a letter from Gov. William L. Guy, of North Dakota, stating the same impression:

> Even though the North Dakota Merit System Council is governed by members who have all been appointed by me, I would still prefer to see your measure provide for a designation of the administering agency by the various Governors.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. HOLLAND. I should like to read another portion of the letter.

The trouble is that these matters are sprung on us when we have been working on vital appropriation matters and other matters. This is a record of over 300 pages on points that are of vital concern to the various States.

I will read the other portion of Governor Guy's letter:

> I would also like to invite your attention to another consideration—that of enhancing the role of the state's chief executive as the chief executive. If the States are going to assume the responsibilities that they are presently neglecting, it is imperative that the position of the chief executive is given the authority and latitude necessary to permit leadership.

Those matters are red flags. I do not know what has been met and what has not, but I gather from the amendment of the Senator from South Dakota that he is trying to make it clearer that the Governors have a fixed responsibility to lead in connection with the application of this act to their several States.

I am glad to yield to the distinguished Senator from Maine.

Mr. MUNDT. Mr. President, reserving the right to object, if we are going to parcel out more time, I ask that whatever time is yielded to Senator MUSKIE may be compensated by an equal amount of time allocated to the Senator from South Dakota. I am willing to conclude the discussion at this time, but if the Senator from Maine is permitted to continue, I should like an equal amount of time.

Mr. MUSKIE. I believe the Senator from South Dakota makes a valid point. I only desire a minute to respond to the Senator from Florida, who has been here this afternoon and has heard me make these points before.

He has just raised the point, in reading the letter from the Governor, that the Governor was concerned that in the bill, as it was then written, there is no provision for the Governor to designate the State agency.

I indicated earlier that that agency is, under the bill as written, to be designated by the Governor; the projects would be administered by that office designated by the Governor; any application of the local agency must be submitted by the Governor; and that comments and recommendations of the Governor shall accompany the application. All of these points are contained in the bill and the Governors are now satisfied.

Mr. HOLLAND. I am glad to hear that is the case. I am sorry we were not given that assurance by the report or the printed hearings.

Mr. MUNDT. Mr. President, there is still valid reason for incorporating the provisions of the Mundt amendment which guarantees to the Governors the rights and authorities they have repeatedly said they would like to have because it provides that the ultimate decision is to be made by them instead of authorities in Washington.

The argument of the Senator from Maine breaks down with respect to who is to determine where you get the money. The principles are fine, but the Governors are concerned about whether or not they are going to be represented by their authority in the important decision place and that is where the program is to be financed. Therefore, the objections of the Governors have not been met and will not be until the Mundt amendment is agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Dakota. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I an- that the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. CANNON], the Senator from Connecticut [Mr. DODD], the Senator from North Carolina [Mr. JORDAN], and the Senator from Washington [Mr. MAGNUSON] are absent on official business.

I also announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Mississippi [Mr. EASTLAND], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Wisconsin [Mr. NELSON], and the Senator from New Jersey [Mr. WILLIAMS] are necessarily absent.

I further announce that, if present and voting, the Senator from Pennsylvania [Mr. CLARK], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Wisconsin [Mr. NELSON], and the Senator from Nevada [Mr. CANNON] would vote "nay."

On this vote, the Senator from North Carolina [Mr. JORDAN] is paired with the Senator from New Jersey [Mr. WILLIAMS]. If present and voting, the Senator from North Carolina would vote "yea" and the Senator from New Jersey would vote "nay."

Mr. HICKENLOOPER. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from Kentucky [Mr. COOPER], the Senator from Illinois [Mr. DIRKSEN], the Senator from Oregon [Mr. HATFIELD], the Senator from New York [Mr. JAVITS], the Senators from California [Mr. KUCHEL and Mr. MURPHY] and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

If present and voting, the Senator from Colorado [Mr. ALLOTT], the Senator from Illinois [Mr. DIRKSEN], the Senator from Oregon [Mr. HATFIELD], the Senators from California [Mr. KUCHEL and Mr. MURPHY] and the Senator from Pennsylvania [Mr. SCOTT] would each vote "yea."

So the result was announced—yeas 43, nays 39, as follows:

[No. 309 Leg.]

YEAS—43

Aiken
Baker
Bennett
Boggs
Byrd, Va.
Byrd, W. Va.
Carlson
Cotton
Curtis
Dominick
Ellender
Ervin
Fannin
Fong
Griffin
Hansen
Hickenlooper
Hill
Holland
Hollings
Hruska
Jordan, Idaho
Lausche
Long, La.
McClellan
Miller
Morton
Mundt
Pearson
Percy
Prouty
Russell
Smathers
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—39

Bartlett
Bayh
Bible
Brewster
Brooke
Burdick
Case
Church
Fulbright
Gore
Gruening
Harris
Hart
Hartke
Hayden
Inouye
Jackson
Kennedy, N.Y.
Long, Mo.
Mansfield
McCarthy
McGee
McGovern
McIntyre
Metcalf
Mondale
Monroney
Montoya
Morse
Moss
Muskie
Pastore
Pell
Proxmire
Randolph
Ribicoff
Tydings
Yarborough
Young, Ohio

NOT VOTING—18

Allott
Anderson
Cannon
Clark
Cooper
Dirksen
Dodd
Eastland
Hatfield
Javits
Jordan, N.C.
Kennedy, Mass.
Kuchel
Magnuson
Murphy
Nelson
Scott
Williams, N.J.

So Mr. MUNDT's amendment was agreed to.

Mr. MUNDT. Mr. President, I move that the vote by which the amendment was agreed to be reconsidered.

Mr. WILLIAMS of Delaware. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. CURTIS obtained the floor.

The PRESIDING OFFICER. The Senate will please be in order. The Senator from Nebraska has the floor. The Senate will please be in order.

The Senator from Nebraska.

Mr. MANSFIELD. Mr. President, will the Senator from Nebraska yield?

Mr. CURTIS. I yield.

Mr. MANSFIELD. In view of the fact that we are operating on limited time, I ask unanimous consent that the time be equally divided between the Senator from South Dakota [Mr. MUNDT] and the Senator from Maine [Mr. MUSKIE].

Mr. CURTIS. I ask for only 2 minutes, Mr. President.

Mr. MUNDT. Mr. President, let me offer my amendment first so that all Senators will know what it is all about.

Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 35, line 17, strike out "75" and insert in lieu thereof "50".

On page 38, line 24, strike out "75" and insert in lieu thereof "50".

On page 50, line 12, strike out "75" and insert in lieu thereof "50".

On page 54, line 8, strike out "75" and insert in lieu thereof "50"

Mr. MANSFIELD. If the Senator from South Dakota would further yield, I should like to modify my request and ask that there be a time allocation of 12 minutes, with 2 minutes to go to the distinguished Senator from Nebraska [Mr. CURTIS], the remaining 10 minutes to be equally divided between the Senator from South Dakota [Mr. MUNDT] and the Senator from Maine [Mr. MUSKIE].

Mr. MUNDT. That will be perfectly all right.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CURTIS. I thank the majority leader.

Mr. President, I rise merely to state my position on the proposed legislation. I have supported the amendment offered by the distinguished Senator from South Dakota [Mr. MUNDT] and I shall support his other amendments. However, I shall not vote for the bill.

I do not argue that it does not have some merit and some need, but it is the beginning of a new Federal program. It is the beginning of another grant-in-aid program. It is another attempt to impose the will of the Federal Government on State and local governments.

So far as I know, it is not being requested by a very large segment of the people. Regardless of the merits of the proposal, I submit that we are now at war, that we are facing a deficit that may run to $30 billion, and that there is no crying need to begin another Federal program.

I hope that there will be many other Senators who will vote against the proposal. I say this recognizing that many of those interested in this legislation have spent a great deal of time and effort on it. However, I do not believe that we should start another program.

Mr. MUNDT. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 5 minutes.

Mr. MUNDT. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. MUNDT. Mr. President, this amendment is clear cut. It should not require 5 minutes to explain it. The formula in the bill provides that the matching funds between the Federal Government and the States be 75 percent from the Federal Government and 25 percent from the State and local governments. I feel that since this is a program which benefits entirely the local governments, it is only fitting and proper that there be a 50-50 matching arrangement; that they at least be interested enough in the program to match it halfway, on a partnership basis. This simply removes from the bill the temptation for a State or local government to go after a program because it is "easy money." We now have provided that the money reverts back to the Treasury—it is not transferable—if the States do not wish to participate. I do not want to subject the local governments and States to the temptation of saying, "Well, let us get into it or we will not get the easy money." This provides for a 50-50 matching for programs in which the States and local communities will receive benefits.

Mr. MUSKIE. Mr. President, I yield myself 3 or 4 minutes.

Frankly, the bill in its present form is not worth much additional consideration. The bill as it now stands gives the checkwriting authority—I repeat, the checkwriting authority—to the Governors of States. They will certify the applications from their States, and then they will decide whether or not the applications will be approved and whether or not the Federal check will issue.

Frankly, I think if the bill gets to the President in this form, it will be vetoed. I do not know this from any discussion I have had with him, but if I were President, I would veto it; and I would be surprised if the President did not veto it.

Nevertheless, I think there are provisions in the bill worth fighting for, worth sending to the other body, so it can take a look at the principle that we have written into the bill.

On the question of 50-50 sharing, frankly I am surprised. The sponsors and endorsers of the Mundt amendment urged the Mundt amendment in the name of the tax-sharing proposal. The tax-sharing proposal would give 100 percent Federal Government money to the States without strings attached. Having incorporated the tax-sharing idea of the bill, the Senator now proposes to cut back the Federal share to 50 percent. The two ideas are not consistent if I understand the purposes of tax sharing.

The purpose of the 75-25 formula is to provide a Federal stimulus to State action in a field which the States have neglected. If Senators do not believe the States have neglected it, I ask them only to read the two volumes of testimony, representing hearings last year and this year.

The great problem in local and State government is the failure of the States to develop competent, professional manpower. The States tell us so. The local governments tell us so. State and local personnel have increased from 2.3 million in 1946 to 8 million in 1965. They have not met the problem of competency in manpower. We are trying to stimulate State and local action in that field.

What we have done already gives the bill a body blow with respect to its objectives. If we now cut back the Federal share to 50 percent, we will give it another body blow. If that is the will of the Senate, I will accept it.

We are trying to respond to what we have heard for 3 years from States, from local governments, from political science experts, from academicians. I say to all of you who have voted for the Mundt amendment, if you want strong State and local governments, what has been done already sets back the cause in terms of what are the objectives of this bill. That is the effect of this amendment.

I can only be frank. I am speaking on the basis of 3 years of experience in listening, alone much of the time, to what State and local government experts have told me about the weaknesses of the State and local governments. I brought this bill up at a time when I realized it was a bad time to bring up a new grant-in-aid program, because I am concerned, as one who served in local government, as one who served in State government, as one who watches the operations of States and local governments from Washington. I am concerned that they be viable, vital, dynamic, and progressive; and the great crisis is manpower.

I oppose this amendment, as I did the other.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. PASTORE. I voted against the Mundt amendment. If it is true that the Mundt amendment has emasculated the intent and philosophy of the bill as it originally came to us, and we have left this responsibility to the States, then why would it not be better to have the States participate in the way of providing money? We would be going far afield.

I would be opposed to this amendment if the first amendment had not carried, but now, when we have changed the entire philosophy of the bill and given the reins to the governors, why not let the governors come into this program with 50 percent of their money and assume their full responsibility?

The PRESIDING OFFICER. The Senator from Maine has 1 minute remaining.

Mr. MUSKIE. Mr. President, in reply, there is another body to consider this bill. I would be willing to bet that when the other body gets it, they will hear from the League of Cities, the Conference of Mayors, the National Association of Counties, and I would like to have that case made on the House side. I would like to leave this bill as it is so we can have as good a bill for House consideration as we can.

Again, I accept the Senate's judgment.

Mr. MUNDT. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 3 minutes remaining.

Mr. MUNDT. Mr. President, let us get away from the field of prophecy, because none of us has any great expertise in crystal-gazing. The Senator from Maine says the President will veto the bill. I do not know. He says he believes the House is going to change the amendment we have just adopted. I do not know what it will do. I do know however, what confronts us now. Let us accept the battle cry of the Senator from Maine. He says "We have given the checkwriting power to the States." If we have, we had better get them to pay 50 percent of the cost. We had better not say that they will have to pay only 25 percent and the Federal Government will have to pay 75 percent.

I agree with the Senator from Rhode Island. The States certainly should pay 50 percent since they now share the responsibility for the programs.

The other argument was a strange one, when the Senator says I had offered a tax-sharing proposal. The Senator from Maine says that under that tax-sharing, we return 100 percent to the States. I have never heard of such an idea. I have never seen a plan that says that the Federal Government will collect the taxes and give them all back to the States. This is a new concept of tax sharing which I here and now totally and emphatically disavow.

There is a far different tax-sharing proposal which makes sense, but we have before us, not a theoretical problem, but a practical decision to make. Should we ask the States to pay 50 percent for these programs which they certify and which are going to be in their interest, or are we going to continue to have Uncle Sam pour it out and on—the poorest governmental relative of them all? Why call on poor Uncle Sam to pour out 75 percent when the States can participate on a 50-50 sharing basis, which makes sense for this field of activity?

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. HANSEN. Mr. President, I had the experience, just before January of this year, of having sat in the office of the Chief Executive of the State of Wyoming, and I think I know a little bit about how the States react to this sort of program.

My feeling is that the bigger the percentage of the Federal Government's handout, the greater will be the pressures at the State and local level to get in and participate in a Federal program, whether it is good, bad, or indifferent.

I support the amendment, because it makes good sense to me. If the States believe this program will be helpful, let them demonstrate that conviction and willingness by participating dollar for dollar in what they are asking the Federal Government to do.

I have certain reservations as to how I shall vote on the bill, because with 379 programs already in existence, requiring the spending of $17,400 million, I am not sure we can stand another one.

The **PRESIDING OFFICER**. The Senator's time has expired.

All time having expired, the question is on agreeing to the amendment of the Senator from South Dakota. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from New Mexico [Mr. Anderson], the Senator from Nevada [Mr. Cannon], the Senator from Connecticut [Mr. Dodd], the Senator from North Carolina [Mr. Jordan], and the Senator from Washington [Mr. Magnuson] are absent on official business.

I also announce that the Senator from Pennsylvania [Mr. Clark], the Senator from Mississippi [Mr. Eastland], the Senator from Alaska [Mr. Gruening], the Senator from Massachusetts [Mr. Kennedy], the Senator from Minnesota [Mr. McCarthy], the Senator from Wisconsin [Mr. Nelson], and the Senator from New Jersey [Mr. Williams] are necessarily absent.

I further announce that, if present and voting, the Senator from Pennsylvania [Mr. Clark], the Senator from Massachusetts [Mr. Kennedy], and the Senator from Nevada [Mr. Cannon] would each vote "nay."

On this vote, the Senator from North Carolina [Mr. Jordan] is paired with the Senator from New Jersey [Mr. Williams]. If present and voting, the Senator from North Carolina would vote "yea," and the Senator from New Jersey would vote "nay."

Mr. HICKENLOOPER. I announce that the Senator from Colorado [Mr. Allott], the Senator from Kentucky [Mr. Cooper], the Senator from Illinois [Mr. Dirksen], the Senator from Oregon [Mr. Hatfield], the Senator from New York [Mr. Javits], the Senators from California [Mr. Kuchel and Mr. Murphy] and the Senator from Pennsylvania [Mr. Scott] are necessarily absent.

On this vote, the Senator from Colorado [Mr. Allott] is paired with the Senator from Oregon [Mr. Hatfield]. If present and voting, the Senator from Colorado would vote "yea" and the Senator from Oregon would vote "nay."

On this vote, the Senator from Illinois [Mr. Dirksen] is paired with the Senator from California [Mr. Kuchel]. If present and voting, the Senator from Illinois would vote "yea" and the Senator from California would vote "nay."

On this vote, the Senator from California [Mr. Murphy] is paired with the Senator from Pennsylvania [Mr. Scott]. If present and voting, the Senator from California would vote "yea" and the Senator from Pennsylvania would vote "nay."

The result was announced—yeas 50, nays 30, as follows:

[No. 310 Leg.]

YEAS—50

Aiken
Baker
Bennett
Boggs
Byrd, Va.
Byrd, W. Va.
Carlson
Cotton
Curtis
Dominick
Ellender
Ervin
Fannin
Fong
Fulbright
Griffin
Hansen
Hickenlooper
Hill
Holland
Hollings
Hruska
Jackson
Jordan, Idaho
Lausche
McClellan
McGovern
Miller
Monroney
Morton
Mundt
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Russell
Smathers
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—30

Bartlett
Bayh
Bible
Brewster
Brooke
Burdick
Case
Church
Gore
Harris
Hart
Hartke
Hayden
Inouye
Kennedy, N.Y.
Long, Mo.
Long, La.
Mansfield
McGee
McIntyre
Metcalf
Mondale
Montoya
Morse
Moss
Muskie
Ribicoff
Tydings
Yarborough
Young, Ohio

NOT VOTING—20

Allott
Anderson
Cannon
Clark
Cooper
Dirksen
Dodd
Eastland
Gruening
Hatfield
Javits
Jordan, N.C.
Kennedy, Mass.
Kuchel
Magnuson
McCarthy
Murphy
Nelson
Scott
Williams, N.J.

So Mr. Mundt's amendment was agreed to.

Mr. HANSEN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GRIFFIN. Mr. President, I take the floor for the purpose of directing some inquiries to the distinguished Senator from Maine, the manager of the bill.

Under title IV of the bill, as I understand it, authority is given to the heads of Federal agencies to assign Federal employees to State and local agencies of government.

I would like to ask first of all if there are any particular limits or guidelines as to how many Federal employees can be assigned to work for State and local units of government. Is there any assurance that all of these people will not be assigned to one State or two States? Is there any criteria by which the head of a Federal agency is to be guided?

Mr. MUSKIE. Mr. President, I say to the distinguished Senator from Michigan that this title has to do with the interchangeability of personnel as between the three levels of government. In other words, if implemented—and its implementation depends upon the initiative of the governments involved—it would authorize the interchange of State personnel with Federal agencies, local personnel with State agencies, and so on.

It was argued very persuasively last year that making it possible for personnel at any one of the three levels of government to gain experience in the others would tend to improve the cooperative nature of the federal system. So, this provision was inserted as a result of the hearings last year.

There are no numbers spelled out. The details touched upon by the question of the Senator are not spelled out in the bill.

Mr. GRIFFIN. Mr. President, I appreciate the response of the Senator, but as I read the bill—and I would appreciate being corrected if I am in error—there would be absolutely no limit to the number of Federal employees that could be hired and assigned by agencies or departments of the Federal Government and State and local units of government, except as limited by the appropriations in the bill. Federal employees could be assigned to units of State or local government, their salaries could be paid either in whole or in part by the Federal Government. As I understand it, if they are assigned on leave without pay, the Federal Government would make up the difference, if there were any, between State and Federal pay.

There is no express requirement for any man-to-man exchange, that there be a Federal employee in a State job and a State employee in a Federal job. There need be no equality, as I understand it; it could be all one way. There is no guideline whatsoever in terms of where the employees might go.

I ask the Senator whether the Federal Government could hire teachers and assign them to local school boards to teach in local school systems, their salaries to be paid in full by the Federal Government. And, if not, why not, under the bill? Teachers are employees of local units of government.

Mr. MUSKIE. Mr. President, it is not the purpose of the bill to put teachers on the Federal payroll. The purpose of the bill is to make it possible for employees of the State government to benefit from the experience of working with a Federal agency at the Federal level, and the reverse.

The authority for State employees to participate in such a program will, of course, depend upon State legislation. We cannot legislate for the States. So, what the bill does is provide authority for the Federal agencies to participate in this kind of exchange.

The inhibitions would be the fact that, I take it, no Federal agency is so oversupplied with employees that it can assign them to this kind of duty without limit.

There is the appropriation limitation.

The purpose is to experiment in a limited way, and not in an unlimited way, in the exchange of personnel so that people from the State agencies can get the benefit of working in a Federal agency, benefits that they can take back to their State agencies.

It is not the intent of the Federal Government to use this measure as a way of dominating the schools or the governments at the local and State level.

The proposal was urged upon us even more strongly by State and local leaders than by Federal agencies.

Mr. BAKER. Mr. President, will the Senator yield?

Mr. GRIFFIN. I yield.

Mr. BAKER. Mr. President, I point out also that title VI—which also deals with assignments to and from States—at section 3372 provides that this interchange of employees would be made on request from or with concurrence of a State or local government.

Mr. GRIFFIN. Mr. President, I appreciate that assurance, but does the Senator not think that every State and local agency would be delighted to have as many employees as they can possibly get if the Federal Government would be willing to pay the salaries?

Mr. BAKER. Mr. President, I respectfully feel that the second section of section 3372 implies that the coin has two sides, that the State, county, or city government can request Federal employees for a period not to exceed 2 years and the Federal Government can ask for State, county, or local employees in the Federal Government for a period not to exceed 2 years. So, it is my thought that the two-sidedness of the coin might have a very salutary effect on any abuse of the exchange.

Mr. GRIFFIN. There is no requirement?

Mr. BAKER. There is no requirement.

Mr. GRIFFIN. Did the committee consider including that requirement in the bill, because that would have a great effect on the matter.

Mr. BAKER. I would be going too far if I were to say that that particular point was not considered by the subcommittee. I am sure it was not considered in the full committee.

However, I am sure, and I would reassure my colleague in this respect, that the witnesses we had, both the so-called organizations witnesses such as the League of Cities, the Governors' Conference, and the like, and the academicians we had in this field, pointed out that one of the most salutary methods for training or for upgrading the job skills of local employees is by example.

As Senator MUNDT pointed out in his remarks in connection with his first amendment, one of the most satisfactory and most workable programs of this type has been the use of the FBI Institute and training facilities to train local law enforcement agencies. I believe that this is where the matter took its genesis, and I believe that this formed a pattern for the provision which is elaborated beyond title IV, in title VI, in section 3372.

Mr. GRIFFIN. I can see situations where it would be very desirable, within the framework of reasonable guidelines and criteria, perhaps in one field at a time, as we have done with respect to the FBI, to develop procedures whereby the Federal Government could assign employees on a temporary basis to local units of government, and vice versa.

However, what concerns me about this measure is that it would be a blank check. It appropriates a sum of money, and the head of each agency and department would have almost unlimited discretion. If he determined that it would be of mutual benefit, apparently that would be the only test, there would be no limit as to how many employees could be assigned and paid out of the Federal Treasury. There is no allocation formula in the bill—no assurance that New Hampshire will get fair treatment, for example There is no appeal from any determination, no review. It is a completely discretionary power that could be exercised arbitrarily, as I see it. Because of this I cannot support the bill.

Mr. BAKER. Not only is it substantially as the Senator from Michigan has characterized it, but also, it is without strings attached, which in Federal programs is a matter near and dear to my heart. As a matter of fact, if we were, by legislation or by administrative ruling, to set out the precise totals on how many employees, from what States, and for what purposes, it would become the most rigid of all categorical type programs and would lose the inherent flexibility that this measure tries to put on the statute books as a new approach to the matter of solving a problem without absolute determination and domination by the Federal structure.

Mr. GRIFFIN. I appreciate the response of the Senator from Tennessee.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. GRIFFIN. I yield.

Mr. COTTON. When the Senator from Michigan used New Hampshire as an example, as a possible victim of this bill that has no limitations, I thank him for doing so, because he must have been reading my mind. That is exactly what I think.

Mr. MUSKIE. Mr. President, I find it most interesting, following the vote on the first amendment, that there should now be this concern with guidelines; because the first Mundt amendment, so far as a Federal agency is concerned, eliminated guidelines and provided that a Governor, on his own say-so, and without any test of Federal discretion, can get these sums of money.

Now I find that the Senator from Michigan, who voted for the first Mundt amendment, is concerned that, with respect to the title 4 program, there are inadequate guidelines and that that program may be abused by State and local people taking undo advantage. The bill, at least with respect to that feature, still leaves some discretion—not involving dollars directly—with the Federal agency.

I take it that at this point it is a moot question whether or not the Federal agency should have any guidelines to impose upon the States.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The question is on agreeing to the committee amendments as amended.

Mr. THURMOND. Mr. President——

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. THURMOND. I yield.

Mr. MUSKIE. Mr. President, I did not intend to ask for the yeas and nays on final passage, but several Senators have expressed the desire that there be such a vote; and, out of deference to them—a number of Senators being in the Chamber at the moment—I ask for the yeas and nays on final passage.

The PRESIDING OFFICER. May we first vote on the committee amendments?

Mr. MUSKIE. I withdraw my request at this time.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments, as amended.

The committee amendments, as amended, were agreed to.

Mr. MUSKIE. Now, Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. THURMOND. Mr. President, I rise to speak in opposition to this bill. I cannot conceive of any person who believes in the Constitution of the United States supporting this measure. The title itself indicates that it does not conform to our Federal system. What does the bill propose to do? These are a few things it would do. Listen to the title: Extends State and local merit systems to additional programs financed by Federal funds; provides grants for improvement of State and local personnel administration; authorizes Federal assistance in training State and local employees; provides grants to State and local governments for training of their employees; facilitates the interchange of Federal, State, and local personnel.

Mr. President, all these are State functions. They are functions of the States and the local governments. This bill is another attempt to extend the long arm of the Federal Government down into the functions of the States, which ultimately will lead to control of those functions. It seems to me that the Senate will make a great mistake if it passes this measure, because we will be setting the precedent for more Federal control. If that is what we want, this is the way to get it. I do not know of a more appropriate bill that the Senate could pass than this one, if you want more Federal control.

There is no question in my mind that Federal control follows Federal aid, just as the night follows the day. The Federal Government may start giving this aid without controls. But in a year or two, the controls will be applied.

For years there was a clamor for Federal aid to education, and they said it would be without control. Those who favored such aid said, "We want it without control." And what do we have today? We have Federal control from Washington. Today, funds are being withheld from many school districts in this Nation, funds are being withheld from many hospitals in this Nation, funds are being withheld for other purposes. By whom? By the Federal Government. And funds will be withheld for the functions specified in this bill ultimately, if the bill is passed.

Aside from the funds, Mr. President, I am deeply concerned and becoming more and more concerned about Federal power. There is only so much power. It is a question of whether we are going to leave it at the State level and with the people, where the Constitution placed it, or whether we are going to give it to the Federal Government. Year after year, we are going further and further, shifting it to the Federal Government, shifting it from the State level to the national level, taking it away from the people and transferring it to Washington.

I believe the time has come, Mr. President, if we favor the rights of the States under the Constitution, for us to have the courage to restrain from accepting and advocating more Federal aid, when we know that such action will deprive the States and the people of power given to them under the Constitution, even though such action taken by us may result in the loss of Federal aid to the States.

I hope the Senate will kill this bill, and

I hope it will kill other bills that may arise which would transfer power from the State level to the national level.

We have entirely too much power now at the national level. When the Constitution was written, it was never contemplated that the National Government would go into all the different fields that it has gone into.

Almost every facet of the people's lives is touched now by the Federal Government. How much further are we going? If we go much further, the States will be nothing more than territories, and the Federal Government will control every action of all the people throughout all the States of the Nation.

I hope the Senate will kill this bill.

Mr. MUSKIE. Mr. President, I shall take only 30 seconds.

Despite the fact that I have grave reservations about the bill in its present form, I think it incorporates objectives which should be kept alive, and it is in the hope that the bill may receive careful consideration in the other body, careful review of some of the things the Senate has done this afternoon, that I urge the Senate to vote for the bill.

I must disagree with the distinguished Senator from South Carolina. Rather than representing a massive Federal incursion into State power and responsibility, this bill in its present form may prove to be largely ineffectual because of what we have already done to restrict and inhibit it. Nevertheless, I think the bill is worth keeping alive. Therefore, I propose to vote for the bill despite the crippling amendments and I urge Senators to do likewise.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the distinguished senior Senator from Georgia [Mr. RUSSELL]. If he were present and voting, he would vote "nay." If I were permitted to vote I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. CANNON], the Senator from Connecticut [Mr. DODD], the Senator from Arizona [Mr. HAYDEN], the Senator from North Carolina [Mr. JORDAN], and the Senator from Washington [Mr. MAGNUSON] are absent on official business.

I also announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Mississippi [Mr. EASTLAND], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Wisconsin [Mr. NELSON], the Senator from Georgia [Mr. RUSSELL], and the Senator from New Jersey [Mr. WILLIAMS] are necessarily absent.

I further announce that, if present and voting, the Senator from Pennsylvania [Mr. CLARK], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Wisconsin [Mr. NELSON], and the Senator from Nevada [Mr. CANNON] would each vote "yea."

On this vote, the Senator from North Carolina [Mr. JORDAN] is paired with the Senator from New Jersey [Mr. WILLIAMS]. If present and voting, the Senator from North Carolina would vote "nay" and the Senator from New Jersey would vote "yea."

Mr. HICKENLOOPER. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from Kentucky [Mr. COOPER], the Senator from Illinois [Mr. DIRKSEN], the Senator from Oregon [Mr. HATFIELD], the Senator from New York [Mr. JAVTIS], the Senators from California [Mr. KUCHEL and Mr. MURPHY] and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

If present and voting, the Senator from Illinois [Mr. DIRKSEN], the Senator from New York [Mr. JAVTIS], the Senators from California [Mr. KUCHEL and Mr. MURPHY] and the Senator from Pennsylvania [Mr. SCOTT] would each vote "yea."

On this vote, the Senator from Oregon [Mr. HATFIELD] is paired with the Senator from Colorado [Mr. ALLOTT]. If present and voting, the Senator from Oregon would vote "yea" and the Senator from Colorado would vote "nay."

The result was announced—yeas 54, nays 26, as follows:

[No. 311 Leg.]

YEAS—54

Aiken
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, W. Va.
Carlson
Case
Church
Dominick
Fong
Fulbright
Gruening
Harris
Hart
Hartke
Inouye
Jackson
Kennedy, N.Y.
Long, Mo.
Long, La.
McCarthy
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Muskie
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Smith
Symington
Tydings
Yarborough
Young, Ohio

NAYS—26

Byrd, Va.
Cotton
Curtis
Ellender
Ervin
Fannin
Gore
Griffin
Hansen
Hickenlooper
Hill
Holland
Hollings
Hruska
Jordan, Idaho
Lausche
McClellan
Smathers
Sparkman
Spong
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—20

Allott
Cannon
Clark
Cooper
Dirksen
Dodd
Eastland
Hatfield
Hayden
Javits
Jordan, N.C.
Kennedy, Mass.
Kuchel
Magnuson
Mansfield
Murphy
Nelson
Russell
Scott
Williams, N.J.

So the bill (S. 699) was passed as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Intergovernmental Personnel Act of 1967".

DECLARATION OF POLICY

SEC. 2. The Congress hereby finds and declares—

That effective State and local governmental institutions are essential in the maintenance and development of the federal system in an increasingly complex and interdependent society;

That, since numerous governmental activities administered by the State and local governments are related to national purpose and are financed in part by Federal funds, a national interest exists in a higher caliber of public service in State and local governments;

That the quality of public service at all levels of government can be improved by the development of systems of personnel administration consistent with such merit principles as—

(1) recruiting, selecting, and advancing employees on the basis of their relative ability, knowledge, and skills, including open consideration of qualified applicants for initial appointment;

(2) providing equitable and adequate compensation;

(3) training employees, as needed, to assure high-quality performance;

(4) retaining employees on the basis of the adequacy of their performance, correcting inadequate performance, and separating employees whose inadequate performance cannot be corrected;

(5) assuring fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, national origin, sex, or religious creed and with proper regard for their privacy and constitutional rights as citizens; and

(6) assuring that employees are protected against coercion for partisan political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the result of an election or a nomination for office; and

That Federal financial and technical assistance to State and local governments for strengthening their personnel administration in a manner consistent with these principles is in the national interest.

SEC. 3. The authorities provided by this Act shall be administered in such manner as to recognize fully the rights, powers, and responsibilities of State and local governments.

TITLE I—DEVELOPMENT OF POLICIES AND STANDARDS

DECLARATION OF PURPOSE

SEC. 101. The purpose of this title is to provide for intergovernmental cooperation in the development of policies and standards for the administration of programs authorized by this Act.

ADVISORY COUNCIL

SEC. 102. (a) Within one hundred and eighty days following the date of enactment of this Act, the President shall appoint, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, an advisory council on intergovernmental personnel policy.

(b) The advisory council shall be composed primarily of officials of the Federal Government and State and local governments, but shall also include members selected from educational and training institutions or organizations, public employee organizations, and the general public. At least half of the members shall be officials of State and local governments.

(c) It shall be the duty of the advisory council to study and make recommendations regarding personnel policies and programs for the purpose of—

(1) improving the quality of public administration at all levels of government, particularly in connection with programs that are financed in whole or in part from Federal appropriations;

(2) strengthening the capacity of State and local governments to deal with complex problems confronting all levels of government;

(3) aiding State and local governments in training their professional, administrative, and technical employees and officials;

(4) aiding State and local governments in developing systems of personnel administration that are responsive to the goals and

needs of their programs and effective in attracting and retaining capable employees; and

(5) facilitating temporary assignments of personnel between levels of government.

(d) Members of the advisory council who are not regular full-time employees of the United States, while serving on the business of the council, including traveltime, are entitled to receive compensation at rates not exceeding the daily rate for GS-18; and while so serving away from their homes or regular places of business, all members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government service employed intermittently.

REPORTS OF ADVISORY COUNCIL

SEC. 103. (a) The advisory council on intergovernmental personnel policy shall from time to time report to the President and to the Congress its findings and recommendations.

(b) Not later than eighteen months after its establishment, the advisory council shall submit an initial report on its activities, which shall include its views and recommendations on—

(1) the feasibility and desirability of extending merit system requirements to additional Federal-State grant-in-aid programs;

(2) the feasibility and desirability of extending merit system requirements to grant-in-aid programs of a Federal-local character;

(3) appropriate standards for merit personnel administration, where applicable, including those established by regulations with respect to existing Federal grant-in-aid programs; and

(4) the feasibility and desirability of financial and other incentives to encourage State and local governments in the development of comprehensive systems of personnel administration based on merit principles.

(c) In transmitting to the Congress reports of the advisory council, the President shall submit to the Congress proposals of legislation which he deems desirable to carry out the recommendations of the advisory council.

TITLE II—STRENGTHENING STATE AND LOCAL PERSONNEL ADMINISTRATION

DECLARATION OF PURPOSE

SEC. 201. The purpose of this title is to assist State and local governments to strengthen their staffs by improving their personnel administration.

STATE GOVERNMENT AND STATEWIDE PROGRAMS AND GRANTS

SEC. 202. (a) The United States Civil Service Commission (hereinafter referred to as the Commission) is authorized to make grants to States for up to 50 per centum of the costs of developing and of carrying out programs or projects upon the certification of the Governor that those programs or projects are consistent with the applicable principles set forth in clauses (1)–(6) of the third paragraph of section 2 of this Act, to strengthen State and local government personnel administration and to furnish needed personnel administration services to local governments in that State. Eighty per centum of the grants authorized by this section shall be apportioned on the basis of the distribution formula set out in section 506, and funds shall not be transferable among the States. The remaining 20 per centum shall be distributed by the Commission to applicants that the Commission finds meet the purposes of this Act and which it finds are consistent with the principles set forth in clauses (1)–(6) of the third paragraph of section 2. The authority provided by this section shall be employed in such a manner as to encourage innovation and allow for diversity on the part of State and local governments in the design, execution, and management of their own systems of personnel administration.

(b) A grant authorized by section (a) of this section may be made to a State on application to the Commission at such time or times and containing such information as the Commission may prescribe.

To be approved, the application shall—

(1) provide for designation by the Governor or chief executive authority, of the State office that will have primary authority and responsibility for the development and administration of the approved program or project at the State level:

(2) provide for the establishment of merit personnel administration where appropriate and the further improvement of existing systems based on merit principles;

(3) provide for specific personnel administration improvement needs of the State government and, to the extent appropriate, of the local governments in that State, including State personnel administration services for local governments;

(4) provide assurance that the making of a Federal Government grant will not result in a reduction in relevant State or local government expenditures or the substitution of Federal funds for State or local funds previously made available for these purposes; and

(5) set forth clear and practicable actions for the improvement of particular aspects of personnel administration such as—

(A) establishment of statewide personnel systems of general or special functional coverage to meet the needs of urban, suburban, or rural governmental jurisdictions that are not able to provide sound career services, opportunities for advancement, adequate retirement and leave systems, and other career inducements to well-qualified professional, administrative, and technical personnel;

(B) making State grants to local governments to strengthen their staffs by improving their personnel administration;

(C) assessment of State and local government needs for professional, administrative, and technical manpower, and the initiation of timely and appropriate action to meet such needs;

(D) strengthening one or more major areas of personnel administration, such as recruitment and selection, training and development, and pay administration;

(E) undertaking research and demonstration projects to develop and apply better personnel administration techniques, including both projects conducted by State and local government staffs and projects conducted by colleges or universities or other appropriate nonprofit organizations under grants or contracts;

(F) strengthening the recruitment, selection, assignment, and development of handicapped persons, women, and members of disadvantaged groups whose capacities are not being utilized fully;

(G) achieving the most effective use of scarce professional, administrative, and technical manpower; and

(H) intergovernmental cooperation in personnel administration, with respect to such matters as recruiting, examining, pay studies, training, education, personnel interchange, manpower utilization, and fringe benefits.

LOCAL GOVERNMENT PROGRAMS AND GRANTS

SEC. 203. (a) The Commission is authorized to make grants to general local governments, or combinations of such governments, that serve a population of fifty thousand or more, for up to 50 per centum of the cost of developing or carrying out programs and projects upon the certification of the Governor that those programs or projects are consistent with the applicable principles set forth in clauses (1)–(6) of the third paragraph of section 2 of this Act, to strengthen the personnel administration of such governments. Such a grant may be made only if, at the time of the submission of an application, the State concerned does not then currently have an approved application for a grant providing adequately for assistance in strengthening the personnel administration of that local government or combination of local governments. However, such a grant, except as provided in subsection (b)(1) of this section, may not be made until the expiration of one year from the effective date of the grant provisions, as provided in section 513 of this Act.

(b) A grant authorized by subsection (a) of this section may be made to a general local government or combination of local governments on application to the Commission at such time or times and containing such information as the Commission may prescribe. To be approved, the application must meet requirements similar to those established in section 202(b) of this Act for a State application for a grant, unless any such requirement is specifically waived by the Commission, and the requirements of subsection (c) of this section. Such grants may cover the costs of developing the program or project covered by the application. The Commission may—

(1) waive, at the request of a general local government or combination of such governments, the one-year waiting period, unless the State concerned declares, within ninety days from the effective date of the grant provisions, as provided in section 513 of this Act, an intent to file an application for a grant that will include the local government or governments; and

(2) make grants to general local governments, or combinations of such governments, that serve a population of less than fifty thousand if it finds that such grants will help meet essential needs in programs or projects of national interest and will assist general local governments experiencing special problems in personnel administration related to such programs or projects.

(c) An application to be submitted to the Commission under subsection (b) of this section shall first be submitted by the general local government or governments to the State office designated under section 202(b)(1) of this Act for review, except that, if no State office has been so designated, such application shall be submitted to the Governor for his review. Any comments and recommendations of the State office or of the Governor and a statement by the general local government or governments that such comments and recommendations have been considered prior to its formal submission will accompany the application to the Commission. However, the application need not be accompanied by such comments and recommendations and by such a statement if the general local government or governments certify that the application has been before the State office or the Governor, as the case may be, for review for a period of sixty days without comments or recommendations on the application being made by that office.

INTERGOVERNMENTAL COOPERATION IN RECRUITING AND EXAMINING

SEC. 204. (a) The Commission may join, on a shared-costs basis, with State and local governments in cooperative recruiting and examining activities under such procedures and regulations as may jointly be agreed upon.

(b) The Commission also may, on the written request of a State or local government and under such procedures as may be jointly agreed upon, certify to such governments from appropriate Federal registers the names of potential employees. The State or local government making the request shall pay the Commission for the costs, as determined by the Commission, of performing the service, and such payments shall be credited to the appropriation or fund from which the expenses were or are to be paid.

TECHNICAL ASSISTANCE

SEC. 205. The Commission may furnish technical advice and assistance, on request, to State and general local governments seeking to improve their systems of personnel administration. The Commission may accept from such governments payments, in whole or in part, for the costs of furnishing such assistance. All such payments shall be credited to the appropriation or fund from which the expenses were or are to be paid.

COORDINATION OF FEDERAL PROGRAMS

SEC. 206. The Commission, after consultation with other agencies concerned, shall—

(1) coordinate the personnel administration support and technical assistance given to State and local governments and the support given State programs or projects to strengthen local government personnel administration, including the furnishing of needed personnel administration services and technical assistance, under authority of this Act with any such support given under other Federal programs; and

(2) make such arrangements, including the collection, maintenance, and dissemination of data on grants for strengthening State and local government personnel administration and on grants to States for furnishing needed personnel administration services and technical assistance to local governments, as needed to avoid duplication and insure consistent administration of related Federal activities.

INTERSTATE COMPACTS

SEC. 207. The consent of the Congress is hereby given to any two or more States to enter into compacts or other agreements, not in conflict with any law of the United States, for cooperative efforts and mutual assistance (including the establishment of appropriate agencies) in connection with the development and administration of personnel and training programs for employees and officials of State and local governments.

TRANSFER OF FUNCTIONS

SEC. 208. (a) There are hereby transferred to the Commission all functions, powers, and duties of—

(1) the Secretary of Agriculture under section 10(e)(2) of the Food Stamp Act of 1964 (7 U.S.C. 2019(e)(2));

(2) the Secretary of Labor under—

(A) the Act of June 6, 1933, as amended (29 U.S.C. 49 et seq.); and

(B) section 303(a)(1) of the Social Security Act (42 U.S.C. 503(a)(1));

(3) the Secretary of Health, Education, and Welfare under—

(A) section 134(a)(6) and 204(a)(6) of the Mental Retardation Facilities and Community Health Centers Construction Act of 1963 (42 U.S.C. 2674(a)(6) and 2684(a)(6));

(B) section 303(a)(5) of the Older Americans Act of 1965 (42 U.S.C. 3023(a)(5));

(C) sections 314 (a)(2)(F) and (d)(2)(F) and 604(a)(8) of the Public Health Service Act (42 U.S.C. 246 (a)(2)(F) and (d)(2)(F) and 291d(a)(8)); and

(D) sections 2(a)(5), 402(a)(5), 503(a)(3), 513(a)(3), 1002(a)(5), 1402(a)(5), 1062(a)(5), and 1902(a)(4), of the Social Security Act (42 U.S.C. 302(a)(5), 602(a)(5), 703(a)(3), 713(a)(3), 1202(a)(5), 1352(a)(5), 1382(a)(5), and 1396(a)(4)); and

(4) any other department, agency, office, or officer (other than the President) under any other provision of law or regulation applicable to a program of grant-in-aid that specifically requires the establishment and maintenance of personnel standards on a merit basis with respect to the program;

insofar as the functions, powers, and duties relate to the prescription of personnel standards on a merit basis.

(b) The Commission shall—

(1) provide consultation and technical advice and assistance to State and local governments to aid them in complying with standards prescribed by the Commission under subsection (a) of this section; and

(2) advise Federal agencies administering programs of grants or financial assistance as to the application of required personnel administration standards, and recommend and coordinate the taking of such actions by the Federal agencies as the Commission considers will most effectively carry out the purpose of this title.

(c) So much of the personnel, property, records, and unexpend balances of appropriations, allocations, and other funds of any Federal agency employed, used, held, available, or to be made available in connection with the functions, powers, and duties vested in the Commission by this section as the Director of the Bureau of the Budget shall determine shall be transferred to the Commission at such time or times as the Director shall direct.

(d) Personnel standards prescribed by Federal agencies under laws and regulations referred to in subsection (a) of this section shall continue in effect until modified or superseded by standards prescribed by the Commission under subsection (a) of this section.

(e) Any standards or regulations established pursuant to the provisions of this section shall be such as to encourage innovation and allow for diversity on the part of State and local governments in the design, execution, and management of their own individual systems of personnel administration.

(f) Nothing in this section or in section 202 or 203 of this Act shall be construed to—

(1) authorize any agency or official of the Federal Government to exercise any authority, direction, or control over the selection, assignment, advancement, retention, compensation, or other personnel action with respect to any individual State or local employee;

(2) authorize the application of personnel standards on a merit basis to the teaching personnel of educational institutions or school systems;

(3) prevent participation by employees or employee organizations in the formulation of policies and procedures affecting the conditions of their employment, subject to the laws and ordinances of the State or local government concerned;

(4) require or request any State or local government employee to disclose his race, religion, or national origin, or the race, religion, or national origin, of any of his forebears;

(5) require or request any State or local government employee, or any person applying for employment as a State or local government employee, to submit to any interrogation or examination or to take any psychological test or any polygraph test which is designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters; or

(6) require or request any State or local government employee to participate in any way in any activities or undertakings unless such activities or undertakings are related to the performance of official duties to which he is or may be assigned or to the development of skills, knowledge, or abilities which qualify him for the performance of such duties.

(g) This section shall become effective sixty days after the date of enactment of this Act.

TITLE III—TRAINING AND DEVELOPING STATE AND LOCAL EMPLOYEES

DECLARATION OF PURPOSE

SEC. 301. The purpose of this title is to strengthen the training and development of State and local government employees and officials, particularly in professional, administrative, and technical fields.

ADMISSION TO FEDERAL EMPLOYEE TRAINING PROGRAMS

SEC. 302. (a) In accordance with such conditions as may be prescribed by the head of the Federal agency concerned, a Federal agency may admit State and local government employees and officials to agency training programs established for Federal professional, administrative, or technical personnel.

(b) Federal agencies are authorized to receive payments from, or on behalf of, State and local governments for the costs of training provided under this section, and to enter into agreements with them for this purpose. The head of the Federal agency concerned may waive all or part of such payments. Payments received by the Federal agency concerned for training under this section shall be credited to the appropriation or fund used for paying the training costs.

(c) The Commission may use appropriations authorized by this Act to pay the additional developmental or overhead costs that are incurred by reason of admittance of State and local government employees to Federal training courses and to reimburse other Federal agencies for such costs.

TRAINING OF PERSONNEL ENGAGED IN GRANT-IN-AID PROGRAMS

SEC. 303. (a) Any Federal agency administering a program of grants or financial assistance to State or local governments may—

(1) establish, provide, and conduct training programs for employees and officials of State and local governments who have responsibilities related to the federally aided program, and, to the same extent provided in section 302(b) of this Act, receive or waive payments for such training and credit any such payments to the appropriation or fund used for paying the training costs; and

(2) authorize State and local governments—

(A) from Federal funds available for State or local program administration expenses under grants or financial assistance; or

(B) from other Federal grant or financial assistance funds when so provided in appropriation or other Acts;

to establish, conduct, provide, and support training and education programs for their employees and officials who have responsibilities related to the federally aided program, including internship, work-study, fellowship, and similar programs if approved by the Federal agency concerned, provided that full-time, graduate-level education supported under this subsection shall be consistent with provisions made for Government Service Fellowships under section 306 of this Act.

(b) The State or local government concerned shall—

(1) in accordance with eligibility criteria prescribed by the Federal agency concerned, select the individual employees and officials to receive education and training in programs established under this section; and

(2) during the period of the education or training, continue the full salary of the employee or official concerned and normal employment benefits such as credit for seniority, leave accrual, retirement, and insurance.

GRANTS TO STATE AND LOCAL GOVERNMENTS FOR TRAINING

SEC. 304. (a) If in its judgment training is not adequately provided for under grant-in-aid or other statutes, the Commission is authorized to make grants to State and general local governments for up to 50 per centum of the cost of developing and carrying out training and education programs, for their professional, administrative, and technical employees and officials, which the Commission finds are consistent with the applicable principles set forth in clauses (1)–(6) of the third paragraph of section 2 of this Act. Such grants may not be used to cover costs of full-time graduate-level study, provided for in section 306 of this Act, or the costs of the construction or acquisition of training facilities. The State and local government share of the cost of developing and carrying out training and education plans and programs may include, but shall not consist solely of, the reasonable value of facilities and of supervisory and other personal services made available by such governments. The authority provided by this section shall be employed in such a manner as to encourage innovation and allow for diversity on the part of State and local governments in developing and carrying out training and education programs for their personnel.

(b) A grant authorized by subsection (a) of this section may be made to a State on application to the Commission at such time or times and containing such information as the Commission may prescribe. To be approved, the application must meet requirements established by this subsection unless any requirement is specifically waived by the Commission. Such grant to a State, or to a general local government under subsection (c) of this section, may cover the costs of developing the program covered by the application. The program covered by the application shall—

(1) provide for designation, by the Governor or chief executive authority, of the State office that will have primary authority and responsibility for the development and administration of the program at the State level;

(2) provide, to the extent feasible, for coordination with relevant training available under or supported by other Federal Government programs or grants;

(3) provide for training needs of the State government and of local governments in that State;

(4) provide, to the extent feasible, for intergovernmental cooperation in employee training matters, especially within metropolitan or regional areas; and

(5) provide assurance that the making of a Federal Government grant will not result in a reduction in relevant State or local government expenditures or the substitution of Federal funds for State or local funds previously made available for these purposes.

(c) A grant authorized by subsection (a) of this section may be made to a general local government, or a combination of such governments, that serves a population of fifty thousand or more only if, at the time of the submission of an application, the State concerned does not then currently have an approved application for a grant providing adequately for training of employees of that local government or combination of local governments. However, such a grant except as further provided in this subsection, may not be made until the expiration of one year from the effective date of the grant provisions of this Act. To be approved, an application for a grant under this subsection must meet requirements similar to those established in subsection (b) of this section for State applications, unless any such requirement is specifically waived by the Commission, and the requirements of subsection (d) of this section. The Commission may—

(1) waive, at the request of a general local government or a combination of such governments, the one-year waiting period provided under subsection (c) of this section unless the State concerned declares, within ninety days from the effective date of the grant provisions of this Act, an intent to file an application for a grant that will provide training for employees of the general local government or governments; and

(2) make grants to general local governments, or combinations of such governments that serve a population of less than fifty thousand if it finds that such grants will help meet essential needs in programs of national interest and will assist general local governments experiencing special needs for personnel training and education related to such programs or projects.

(d) An application to be submitted to the Commission under subsection (c) of this section shall first be submitted by the general local government or governments to the State office designated under section 304 (b)(1) of this Act for review, except that, if no State office has been so designated, such application shall be submitted to the Governor for his review. Any comments and recommendations of the State office and a statement by the general local government or governments that such comments and recommendations have been considered prior to its formal submission will accompany the application to the Commission. However, the application need not be accompanied by such comments and recommendations and by such a statement if the general local government or governments certify that the application has been before the State office or the Governor, as the case may be, for review for a period of sixty days without comments or recommendations on the application being made by that office.

GRANTS TO OTHER ORGANIZATIONS

SEC. 305. (a) The Commission is authorized to make grants to other organizations to pay up to 50 per centum of the costs of providing training to professional, administrative, or technical employees and officials of State or local governments if the Commission—

(1) finds substantial State and local government interest in the proposed program; and

(2) approves the program as meeting such requirements as may be prescribed by the Commission in its regulations pursuant to this Act.

(b) For the purpose of this section "other organization" means—

(1) a national, regional, statewide, areawide, or metropolitan organization, representing member State or local governments;

(2) an association of State or local public officials; or

(3) a nonprofit organization one of whose principal functions is to offer professional advisory, research, development, educational or related services to governments.

GOVERNMENT SERVICE FELLOWSHIPS

SEC. 306. (a) The Commission is authorized to make grants to State and general local governments to support programs approved by the Commission for providing Government Service Fellowships for State and local government personnel. The grants may cover—

(1) the necessary costs of the fellowship recipient's books, travel, and transportation, and such related expenses as may be authorized by the Commission;

(2) reimbursement to the State or local government for not to exceed one-fourth of the salary of each fellow during the period of the fellowship; and

(3) payment to the educational institutions involved not in excess of $3,000 per academic year for each fellow less any amount charged the fellow for tuition and nonrefundable fees and deposits.

(b) Fellowships awarded under this section may not exceed two years of full-time graduate-level study for professional, administrative, and technical employees. The regulations of the Commission shall include eligibility criteria for the selection of fellowship recipients by State and local governments.

(c) The State or local government concerned shall—

(1) select the individual recipients of the fellowships;

(2) during the period of the fellowship, continue the full salary of the recipient and normal employment benefits such as credit for seniority, leave accrual, retirement, and insurance; and

(3) make appropriate plans for the utilization and continuation in public service of employees completing fellowships and outline such plans in the application for the grant.

COORDINATION OF FEDERAL PROGRAMS

SEC. 307. The Commission, after consultation with other agencies concerned, shall—

(1) prescribe regulations concerning administration of training for employees and officials of State and local governments provided for in this title, including requirements for coordination of and reasonable consistency in such training programs;

(2) coordinate the training support given to State and local governments under authority of this Act with training support given such governments under other Federal programs; and

(3) make such arrangements, including the collection and maintenance of data on training grants and programs, as may be necessary to avoid duplication of programs providing for training and to insure consistent administration of related Federal training activities.

TITLE IV—MOBILITY OF FEDERAL, STATE, AND LOCAL EMPLOYEES

DECLARATION OF PURPOSE

SEC. 401. The purpose of this title is to provide for the temporary assignment of personnel between the Federal Government and State and local governments and institutions of higher education.

AMENDMENTS TO TITLE 5, UNITED STATES CODE

SEC. 402 (a) Chapter 33 of title 5, United States Code, is amended by inserting the following new subchapter at the end thereof:

"SUBCHAPTER VI—ASSIGNMENTS TO AND FROM STATES

"§ 3371. Definitions

"For the purpose of this subchapter—

"(1) 'State' means—

"(A) a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and a territory or possession of the United States; and

"(B) an instrumentality or authority of a State or States as defined in clause (A) of this paragraph (1) and a Federal-State authority or instrumentality; and

"(2) 'local government' means—

"(A) any political subdivision, instrumentality or authority of a State or States as defined in clause (A) of paragraph (1); and

"(B) any general or special purpose agency of such a political subdivision, instrumentality, or authority.

"§ 3372. General provisions

"(a) On request from or with the concurrence of a State or local government, and with the consent of the employee concerned, the head of an Executive agency may arrange for the assignment of—

"(1) an employee of his agency to a State or local government; and

"(2) an employee of a State or local government to his agency;

for work of mutual concern to his agency and the State or local government that he determines will be beneficial to both. The period of an assignment under this subchapter may not exceed 2 years. However, the head of an Executive agency may extend the period of assignment for not more than 2 additional years.

"(b) This subchapter is authority for and applies to the assignment of—

"(1) an employee of an Executive agency to an institution of higher education; and

"(2) an employee of an institution of higher education to an Executive agency.

"§ 3373. Assignment of employees to State or local governments

"(a) An employee of an Executive agency assigned to a State or local government under this subchapter is deemed, during the assignment, to be either—

"(1) on detail to a regular work assignment in his agency; or

"(2) on leave without pay from his position in the agency.

An employee assigned either on detail or on leave without pay remains an employee of his agency. The Federal Tort Claims Act and any other Federal tort liability statute apply to an employee so assigned. The supervision of the duties of an employee on detail may be governed by agreement between the Executive agency and the State or local government concerned.

"(b) The assignment of an employee of an Executive agency either on detail or on leave without pay to a State or local government under this subchapter may be made with or without reimbursment by the State or local government for the travel and transportation expenses to or from the place of assignment and for the pay or supplemental pay or a part thereof, of the employee during assignment. Any reimbursements shall be credited to the appropriation of the Executive agency used for paying the travel and transportation expenses or pay.

"(c) For an employee so assigned and on leave without pay—

"(1) if the rate of pay for his employment by the State or local government is less than the rate of pay he would have received had he continued in his regular assignment in the agency, he is entitled to receive supplemental pay from the agency in an amount equal to the difference between the State or local government rate and the agency rate;

"(2) he is entitled to annual and sick leave to the same extent as if he had continued in his regular assignment in the agency; and

"(3) he is entitled, not withstanding other statutes—

"(A) to continuation of his insurance under chapter 87 of this title, and coverage under chapter 89 of this title or other applicable authority, so long as he pays currently into the Employee's Life Insurance Fund and the Employee's Health Benefits Fund or other applicable health benefits system (through his employing agency) the amount of the employee contributions;

"(B) to credit the period of his assignment under this subchapter toward periodic step-increases, retention, and leave accrual purposes, and, on payment into the Civil Service Retirement and Disability Fund or other applicable retirement system of the percentage of his State or local government pay, and of his supplemental pay, if any, that would have been deducted from a like agency pay for the period of the assignment and payment by the Executive agency into the fund or system of the amount that would have been payable by the agency during the period of the assignment with respect to a like agency pay, to treat (notwithstanding section 8348(g) of this title) his service during that period as service of the type performed in the agency immediately before his assignment; and

"(C) for the purpose of subchapter I of chapter 85 of this title, to credit the service performed during the period of his assignment under this subchapter as Federal service, and to consider his State or local government pay (and his supplemental pay, if any) as Federal wages. To the extent that the service could also be the basis for entitlement to unemployment compensation under a State law, the employee may elect to claim unemployment compensation on the basis of the service under either the State law or subchapter I of chapter 85 of this title.

However, an employee or his beneficiary may not receive benefits referred to in subparagraphs (A) and (B) of this paragraph (3), based on service during an assignment under this subchapter for which the employee or, if he dies without making such an election, his beneficiary elects to receive benefits, under any State or local government retirement or insurance law or program, which the Civil Service Commission determines to be similar. The Executive agency shall deposit currently in the Employee's Life Insurance Fund, the Employee's Health Benefits Fund or other applicable health benefits system, respectively, the amount of the Government's contributions on account of service with respect to which employee contributions are collected as provided in subparagraphs (A) and (B) of this paragraph (3).

"(d)(1) An employee so assigned and on leave without pay who dies or suffers disability as a result of personal injury sustained while in the performance of his duty during an assignment under this subchapter shall be treated, for the purpose of subchapter I of chapter 81 of this title, as though he were an employee as defined by section 8101 of this title who had sustained the injury in the performance of duty. When an employee (or his dependents in case of death) entitled by reason of injury or death to benefits under subchapter I of chapter 81 of this title is also entitled to benefits from a State or local government for the same injury or death, he (or his dependents in case of death) shall elect which benefits he will receive. The election shall be made within 1 year after the injury or death, or such further time as the Secretary of Labor may allow for reasonable cause shown. When made, the election is irrevocable unless otherwise provided by law.

"(2) An employee who elects to receive benefits from a State or local government may not receive an annuity under subchapter II of chapter 83 of this title and benefits from the State or local government for injury or disability to himself covering the same period of time. This provision does not—

"(A) bar the right of a claimant to the greater benefit conferred by either the State or local government or subchapter III of chapter 83 of this title for any part of the same period of time;

"(B) deny to an employee an annuity accruing to him under subchapter III of chapter 83 of this title on account of service performed by him; or

"(C) deny any concurrent benefit to him from the State or local government on account of the death of another individual.

"§ 3374. Assignments of employees from State or local governments

"(a) An employee of a State or local government who is assigned to an Executive agency under an arrangement under this subchapter may—

"(1) be appointed in the Executive agency without regard to the provisions of this title governing appointment in the competitive service for the agreed period of the assignment; or

"(2) be deemed on detail to the Executive agency.

"(b) An employee given an appointment is entitled to pay in accordance with chapter 51 and subchapter III of chapter 53 of this title or other applicable law, and is deemed an employee of the Executive agency for all purposes except—

"(1) subchapter III of chapter 83 of this title or other applicable retirement system;

"(2) chapter 87 of this title; and

"(3) chapter 89 of this title or other applicable health benefits system unless his appointment results in the loss of coverage in a group health benefits plan the premium of which has been paid in whole or in part by a State or local government contribution.

"(c) During the period of assignment, a State or local government employee on detail to an Executive agency—

"(1) is not entitled to pay from the agency;

"(2) is deemed an employee of the agency for the purpose of chapter 73 of this title, sections 203, 205, 207, 208, 209, 602, 603, 606, 607, 643, 654, 1905, and 1913 of title 18, section 638a of title 31, and the Federal Tort Claims Act and any other Federal tort liability statute; and

"(3) is subject to such regulations as the President may prescribe.

The supervision of the duties of such an employee may be governed by agreement between the Executive agency and the State or local government concerned. A detail of a State or local government employee to an Executive agency may be made with or without reimbursement by the Executive agency for the pay, or a part thereof, of the employee during the period of assignment.

"(d) A State or local government employee who is given an appointment in an Executive agency for the period of the assignment or who is on detail to an Executive agency and who suffers disability or dies as a result of personal injury sustained while in the performance of his duty during the assignment shall be treated, for the purpose of subchapter I of chapter 81 of this title, as though he were an employee as defined by section 8101 of this title who had sustained the injury in the performance of duty. When an employee (or his dependents in case of death) entitled by reason of injury or death to benefits under subchapter I of chapter 81 of this title is also entitled to benefits from a State or local government for the same injury or death, he (or his dependents in case of death) shall elect which benefits he will receive. The election shall be made within 1 year after the injury or death, or such further time as the Secretary of Labor may allow for reasonable cause shown. When made, the election is irrevocable unless otherwise provided by law.

"(e) If a State or local government fails to continue the employer's contribution to State or local government retirement, life insurance, and health benefit plans for a State or local government employee who is given an appointment in an Executive agency, the employer's contributions covering the State or local government employee's period of assignment, or any part thereof, may be made from the appropriations of the Executive agency concerned.

"§ 3375. Travel expenses

"(a) Appropriations of an Executive agency are available to pay, or reimburse, a Federal or State or local government employee in accordance with—

"(1) subchapter I of chapter 57 of this title, for the expenses of—

"(A) travel and per diem instead of subsistence to and from the assignment location;

"(B) per diem instead of subsistence at the assignment location during the period of the assignment; and

"(C) travel and per diem instead of subsistence while traveling on official business away from his designated post of duty during the assignment when the head of the Executive agency considers the travel in the interest of the United States;

"(2) section 5724 of this title, for the expenses of transportation of his immediate family and of his household goods and personal effects to and from the assignment location;

"(3) section 5724a(a)(1) of this title, for the expenses of per diem allowances for the immediate family of the employee to and from the assignment location;

"(4) section 5724a(a)(3) of this title, for subsistence expenses of the employee and his immediate family while occuping temporary quarters at the assignment location and on return to his former post of duty; and

"(5) section 5726(c) of this title, for the expenses of nontemporary storage of household goods and personal effects in connection with assignment at an isolated location.

"(b) Expenses specified in subsection (a) of this section, other than those in paragraph (1)(C), may not be allowed in connection with the assignment of a Federal or State or local government employee under this subchapter, unless and until the employee agrees in writing to complete the entire period of his assignment or 1 year, whichever is shorter, unless separated or reassigned for reasons beyond his control that are acceptable to the Executive agency concerned. If the employee violates the agreement, the money spent by the United States for these expenses is recoverable from the employee as a debt due the United States. The head of the Executive agency concerned may waive in whole or in part a right of recovery under this subsection with respect to a State or local government employee on assignment with the agency.

"(c) Appropriations of an Executive agency are available to pay expenses under section 5742 of this title with respect to a Federal or State or local government employee assigned under this subchapter.

"§ 3376. Regulations

"The President may prescribe regulations for the administrtaion of this subchapter."

(b) The analysis of chapter 33 of title 5, United States Code, is amended by inserting the following at the end thereof:

"SUBCHAPTER VI—ASSIGNMENTS TO AND FROM STATES

"Sec.
"3371. Definitions.
"3372. General provisions.
"3373. Assignments of employees to State or local governments.
"3374. Assignments of employees from State or local governments.
"3375. Travel expenses.
"3376. Regulations."

REPEAL OF SPECIAL AUTHORITIES

SEC. 403. The Act of August 2, 1956, as amended (7 U.S.C. 1881–1888), section 507 of the Act of April 11, 1965 (20 U.S.C. 867), and section 314(f) of the Public Health Service Act (42 U.S.C. 246(f)) (less applicability to commissioned officers of the Public Health Service) are hereby repealed.

SEC. 404. This title shall become effective sixty days after the date of enactment of this Act.

TITLE V—GENERAL PROVISIONS

DECLARATION OF PURPOSE

SEC. 501. The purpose of this title is to provide for the general administration of titles I, II, III, and V of this Act (hereinafter referred to as "this Act"), and to provide for the establishment of certain advisory committees.

DEFINITIONS

SEC. 502. For the purpose of this Act—

(1) "Commission" means the United States Civil Service Commission;

(2) "Federal agency" means an executive department, military department, independent establishment, or agency in the executive branch of the Government of the United States, including Government owned or controlled corporations;

(3) "State" means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and a territory or possession of the United States, and includes interstate and Federal-interstate agencies but does not include the governments of the political subdivisions of a State; and

(4) "local government" means a city, town, county, or other subdivision or district of a State, including agencies, instrumentalities, and authorities of any of the foregoing and any combination of such units or combination of such units and a State. A "general local government" means a city, town, county, or comparable general-purpose political subdivision of a State.

GENERAL ADMINISTRATIVE PROVISIONS

SEC. 503. (a) Unless otherwise specifically provided, the Commission shall administer this Act.

(b) The Commission shall furnish such advice and assistance to State and local governments as may be necessary to carry out the purposes of this Act.

(c) In the performance of, and with respect to, the functions, powers, and duties vested in it by this Act, the Commission may—

(1) issue such standards and regulations as may be necessary to carry out the purposes of this Act;

(2) consent to the modification of any contract entered into pursuant to this Act, such consent being subject to any specific limitations of this Act;

(3) include in any contract made pursuant to this Act such covenants, conditions, or provisions as it deems necessary to assure that the purposes of this Act will be achieved; and

(4) utilize the services and facilities of any Federal agency, any State or local government, and any other public or nonprofit agency or institution, on a reimbursable basis or otherwise, in accordance with agreements between the Commission and the head thereof.

(d) In the performance of, and with respect to the functions, powers, and duties vested in it by this Act, the Commission—

(1) may collect information from time to time with respect to State and local government training programs and personnel administration improvement programs and projects under this Act, and make such information available to interested groups, organizations, or agencies, public or private;

(2) may conduct such research and make such evaluation as needed for the efficient administration of this Act; and

(3) shall include in its annual report, a report of the administration of this Act.

(e) The provisions of this Act are not a limitation on existing authorities under other statutes but are in addition to any such authorities, unless otherwise specifically provided in this Act.

REPORTING REQUIREMENTS

SEC. 504. A State or local government office designated to administer a program or project under this Act shall make reports and evaluations in such form, at such times, and containing such information concerning the status and application of Federal funds and the operation of the approved program or project as the Commission may require, and shall keep and make available such records as may be required by the Commission for the verification of such reports and evaluations.

REVIEW AND AUDIT

SEC. 505. The Commission, the head of the Federal agency concerned, and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access, for the purpose of audit and examination, to any books, documents, papers, and records of a grant recipient that are pertinent to the grant received.

DISTRIBUTION OF GRANTS

SEC. 506. The Commission shall allocate funds for grants among the States, and between State and local governments, on a weighted formula taking into consideration such factors as the size of the population and the number of employees affected.

TERMINATION OF GRANTS

SEC. 507. Whenever the Commission, after giving reasonable notice and opportunity for hearing to the State or general local government concerned, finds—

(1) that a program or project has been so changed that it no longer complies with the provisions of this Act; or

(2) that in the operation of the program or project there is a failure to comply substantially with any such provision;

the Commission shall notify the State or general local government of its findings and no further payments may be made to such government by the Commission until it is satisfied that such noncompliance has been, or will promptly be, corrected. However, the Commission may authorize the continuance of payments to those projects approved under this Act which are not involved in the noncompliance.

ADVISORY COMMITTEES

SEC. 508. (a) The Commission may appoint, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, such advisory committee or committees as it may determine to be necessary to facilitate the administration of this Act.

(b) Members of advisory committees who are not regular full-time employees of the United States, while serving on the business of the committees, including traveltime, are entitled to receive compensation at rates not exceeding the daily rate for GS–18; and while so serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government service employed intermittently.

APPROPRIATION AUTHORIZATION

SEC. 509. To carry out the programs authorized by this Act, there are authorized to be appropriated at any time after its enactment not to exceed $20,000,000 for fiscal year 1968; $30,000,000 for fiscal year 1969; and $40,000,000 for fiscal year 1970.

REVOLVING FUND

SEC. 510. (a) There is established a revolving fund, to be available without fiscal year limitation, for financing training and such other functions as are authorized or required to be performed by the Commission on a reimbursable basis by this Act and such other services as the Commission, with the approval of the Bureau of the Budget, determines may be performed more advantageously through such a fund.

(b) The capital of the fund shall consist of any appropriations made for the purpose of providing capital (which appropriations are hereby authorized), and such unexpended balances of appropriations or funds relating to the activities transferred to the fund and the fair and reasonable value of such stocks of supplies, equipment, and other assets and inventories on order as the Commission may transfer to the fund, less the related liabilities, unpaid obligations, and accrued annual leave of employees who are transferred to the activities financed by the fund at its inception.

(c) The fund shall be credited with—

(1) reimbursements or advance payments from available funds of the Commission, other Federal agencies, State or local governments, or other sources for supplies and services at rates which will approximate the expense of operations, including the accrual of annual leave, the depreciation of equipment, and the net losses on property transferred or donated; and

(2) receipts from sales or exchanges of property and payments for losses or damage to property accounted for under the fund.

(d) Any unobligated and unexpended balance in the fund that the Commission determines to be in excess of amounts needed for its operations shall be deposited in the Treasury as miscellaneous receipts.

LIMITATIONS ON AVAILABILITY OF FUNDS FOR COST SHARING

SEC. 511. Federal funds made available to State or local governments under other programs may not be used by the State or local government for cost-sharing purposes under grant provisions of this Act. State or local government funds used for cost sharing on other federally assisted programs may not be used for cost sharing under grant provisions of this Act.

METHOD OF PAYMENT

SEC. 512. Payments under this Act may be made in installments, and in advance or by way of reimbursement, as the Commission may determine, with necessary adjustments on account of overpayments or underpayments.

EFFECTIVE DATE OF GRANT PROVISIONS

SEC. 513. Grant provisions of this Act shall become effective one hundred and eighty days following the date of enactment of this Act.

The title was amended, so as to read: "A bill to strengthen intergovernmental cooperation and the administration of grant-in-aid programs, to provide grants for improvement of State and local personnel administration, to authorize Federal assistance in training State and local employees, to provide grants to State and local governments for training of their employees, to authorize interstate compacts for personnel and training activities, to facilitate the interchange of Federal, State, and local personnel, and for other purposes."

Mr. MANSFIELD. Mr. President, the Senator from Maine [Mr. MUSKIE] performed an outstanding service by leading the passage of this measure that provides a means to strengthen and enhance intergovernmental cooperation—State, local, and Federal. His long and diligent work in committee, his articulate and persuasive presentation on the floor, assured the Senate's overwhelming approval.

When this proposal is finally enacted into law, it will bear the clear and indelible stamp of Senator MUSKIE. It was his initial interest in developing a strong and effective manpower program to satisfy a vital existing need in local and State governments that will make this program a reality. The Senate is deeply indebted to Senator MUSKIE for again leading the way with his vigorous and highly talented efforts in behalf of a most important legislative measure.

The senior Senator from South Dakota [Mr. MUNDT] is to be commended for his participation in the consideration of this measure. His successful urging of two amendments is highly commendable.

Others joined the discussion and their contributions are greatly appreciated. Notable were the articulate and analytical statements of the senior Senator from New Hampshire [Mr. COTTON], the senior Senator from Florida [Mr. HOLLAND] and the Senator from Michigan [Mr. GRIFFIN]. Their views and the views of many other Senators were, as always most welcome.

Again, to Senator MUSKIE goes our deep appreciation. He and the entire Senate may be proud of taking a step toward the improvement of the efficiency of government at all levels—State, Federal, and local.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1968

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 8569, the District of Columbia appropriations bill. I do this so that the bill will become the pending business.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 8569) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1968, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

ORDER FOR ADJOURNMENT TO 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 o'clock a.m. tomorrow.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 62. An act for the relief of Dr. Pablo E. Tabio;

S. 808. An act for the relief of Dr. Menelio Segundo Diaz Padron;

S. 863. An act for the relief of Dr. Cesar Abad Lugones;

S. 1105. An act for the relief of Dr. G. F. Valdes-Fauli;

S. 1109. An act for the relief of Dr. Ramon E. Oyarzun;

S. 2167. An act for the relief of Dr. Rolando Pozo y Jimenez; and

S. 2192. An act for the relief of Dr. Rafael de la Portilla Lavastida.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 4538) for the relief of Dr. John E. Yannakakis.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H.R. 2757) for the relief of Comdr. Albert G. Berry, Jr.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 6418) to amend the Public Health Service Act to extend and expand the authorizations for grants for comprehensive health planning and services, to broaden and improve the authorization for research and demonstrations relating to the delivery of health services, to improve the performance of clinical laboratories, and to authorize cooperative activities between the Public Health Service hospitals and community facilities, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. STAGGERS, Mr. JARMAN, Mr. ROGERS of Florida, Mr. SPRINGER, and Mr. NELSEN were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 6430) to amend the public health laws relating to mental retardation to extend, expand, and improve them, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. STAGGERS, Mr. JARMAN, Mr. ROGERS of Florida, Mr. SPRINGER, and Mr. NELSEN were appointed managers on the part of the House at the conference.

EXPLANATION OF COMMITTEE ACTION ON H.R. 2

Mr. STENNIS. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief press release in explanation of the action taken today by the Committee on Armed Services regarding H.R. 2, to amend titles 10, 14, 32, and 37, United States Code, to strengthen the reserve components of the armed forces, and clarify the status of National Guard technicians, and for other purposes.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

The Committee on Armed Services voted unanimously to take the following action regarding H.R. 2.

Title I of this legislation will be reported with certain proposed amendments which will be discussed in detail in the Committee report.

With respect to Title II or H.R. 2, the Committee voted unanimously to defer action at this time in order to permit a further review of a number of questions. Senator Stennis emphasized that the nature of the Committee action was not to vote down Title II but to defer it in order to further review the issues involved.

The problems involved in Title II are deeply complicated. It was the consensus of the Committee that action on the technician problem should be completed as soon as possible. The actuarial questions, however, and other problems relating to state retirement systems, possible windfalls, and state-federal relations, which have not been resolved, require additional review. It is hoped that this work can be completed in order to permit committee action relatively early in the next session of the Congress.

Title II of this legislation would convert the National Guard technicians to Federal employees status with recognition for past service for civil service retirement and other employee purposes. Senator Stennis noted that the issue presented by Title II include the following:

(a) The effect of Title II on the federal/State relationship of the National Guard.

(b) The precedent which may be established by Title II with respect to other employee groups now paid wholly or in part from federal funds who may in the future desire inclusion in the civil service retirement system and other federal benefit programs.

(c) The effect of Title II on the employees who might desire to remain within the state retirement system.

(d) the actuarial and cost implications involved in the legislation.

(e) Other possible legislative alternatives for meeting the technician retirement problem.

THE RED MARCH ON THE PENTAGON DURING OCTOBER

Mr. THURMOND. Mr. President, it has always been my contention that the march on the Pentagon, October 21, 1967, was planned by the Communists in the country and was under their direction and control.

While I recognize that many of the participants in this march do not support the Communist Party of the United States, and perhaps did not realize this episode was just another ploy to weaken our military effort in Vietnam, their ignorance of such matters is no excuse.

The very fact that this demonstration coincided with similar Communist demonstrations in other countries of the world is a clear signal that the bloody hands of the international Communist conspiracy were at work.

All of us know that many college students chartered buses and attended this march here, and I hope that the information being revealed by our newspapers, radio and television will reach these young people for there are ways to dissent without serving the ends of our Communist enemies.

I think that it is way past time we call a spade a spade and a Red a Red. As I speak here in the Senate some American fighting men are being cut down in the prime of their youth by Communist guns and shells. We strengthen the leaders and soldiers of our avowed enemies so long as native citizens support or participate in such foul spectacles as the Red march of October 21, 1967.

While once again it seemed that the national news media overplayed this disgraceful exhibition, it has been gratifying to see that so many of our members in the public communications field have recognized the Communist control in the Red march and are calling it to the attention of the public.

Two such articles include an editorial broadcast on October 27, 1967, by WBTV in Charlotte, N.C., entitled "Red March on the Pentagon." The other was an article entitled "Who Was Among the Protest Leaders" which appeared in the November 4, 1967, issue of Human Events, Washington, D.C.

I ask unanimous consent that these two editorials be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Red March on the Pentagon

When Rabbi Richard G. Hirsch, director of the Social Action Center of Reform Judaism, withdrew from last weekend's march on the Pentagon and said it was infiltrated by radical leftists, he revealed again a familiar tactic of Communists.

It is rare that Communists or the Communist Party play an original part in organizing demonstrations or actual insurrections. They stand on the sidelines until a locally inspired disorder gains strength. Then, they move in and capture the leadership of what had been a movement free of Communist influence.

In the United States they are even more cautious. The Communists realize that they are unpopular in this country and that any movement bearing their label would get practically no following among substantial citizens. That's why they infiltrate such activities as the march on the Pentagon and keep their own part in it well under cover.

Happily, Rabbi Hirsch detected this tactic. His organization then refused to have anything to do with the march in Washington this past weekend, though it had exercised its constitutional right to oppose the war in Viet Nam.

But, the Rabbi said, though his group opposes the war on other grounds, they are not prepared to "go along with these people who think that everything the United States does is wrong, and everything Hanoi does is right."

The Rabbi was not alone in condemning this demonstration. The Rev. John Wells, pastor of Mount Vernon Unitarian Church of Alexandria, Va., took some part in earlier discussions of the march; but he withdrew because he had grave misgivings about some of the people who were running the show.

One of those persons was the chief organizer of the march, Dave Dellinger, who has publicly described himself as a non-Soviet Communist. We are still trying to figure out what that is, but if he is any kind of Communist, his sympathies will be with North Viet Nam. Russia and China are almost at each other's throats, so vigorously that a permanent rift between them is confidently predicted. But on the subject of Viet Nam they see eye to eye. Russia supplies the North Vietnamese with all materials of war, and China furnishes a large part of the transportation over its railroads from the Soviet border to Hanoi.

According to United Press International in an article written by its senior editor, Louis Cassels, the march on the Pentagon was planned at a meeting five months ago, which included four high officials of the Communist Party, representatives of the Trotskyite Socialist Workers Party, and other Marxist groups oriented towards Red China.

The march on the Pentagon showed the communist handiwork, and we think the public should be fully aware of it.

[From Human Events, Nov. 4, 1967]

Who Was Among Protest Leaders

Congressional files disclose long records of pro-Communist activity for almost every leader of the Pentagon demonstration. Avowed Marxists, self-proclaimed Black Nationalists, ardent "pacifists," the protest leaders have repeatedly worked with the Communists in the past. For example:

David Dellinger, chairman of the sponsoring National Mobilization Committee to End the War in Viet Nam, is a professional pacifist who has been quoted as describing himself as a "non-Soviet-line Communist." Dellinger, a 52-year-old Yale graduate, has defied U.S. travel bans for trips to Cuba, Red China and North Viet Nam. His passport was revoked last year for an illegal junket to Hanoi in which he conferred with Ho Chi Minh. It was returned when he promised not to return to North Viet Nam. A man of his word, Dellinger showed up in Hanoi this summer.

Jerry Rubin, co-director of the march, is a self-styled revolutionary who has been active in California demonstrations aimed at halting troop trains. Rubin has close ties to the pro-Peking Progressive Labor party, visited Cuba on a PLP-sponsored trip in 1964. He has suggested that "treason, deliberate sabotage of the war machine" may be used as an anti-war tactic.

John Wilson, march co-director, is an official of the militant Student Nonviolent Coordinating Committee. An outspoken black power advocate, he recently conferred with North Vietnamese and Viet Cong representatives in Prague, Czechoslovakia.

Dagmar Wilson, co-chairman of the Mobilization, is founder of Women Strike for Peace. A Washington housewife, she has huddled with top North Vietnamese officials on "peace" strategy, terms the anti-war movement in this country a "second front" in what she calls Viet Nam's fight against U.S. "aggression."

Arnold Johnson, public relations director of the Communist party, worked on the Pentagon protest for months. A member of the party's National Committee, he is known to have been in contact with Lee Harvey Oswald prior to the assassination of President Kennedy.

Walter Teague III, a New York fund-raiser for the Viet Cong, led the Pentagon charge against the troops. Teague, who peddles Viet Cong flags to help make a living is affiliated with the Revolutionary Contingent, a group openly committed to violence in the global struggle against U.S. "imperialism."

Among the groups actively participating in the protest were the Communist Party U.S.A., and its youth front group, the W.E.B. DuBois Clubs, the subversive Socialist Workers party, the Peking-line Progressive Labor party, the Student Nonviolence Coordinating Committee, Former Peace Corps Members for Peace, Students for a Democratic Society, the Iranian Students Association, the Committee for Independent Political Action, Women's International League for Peace and Freedom and Black Mask.

THE 50TH ANNIVERSARY OF RUSSIAN COMMUNISM

Mr. THURMOND. Mr. President, the October 29 issue of the News and Courier newspaper of Charleston, S.C., publishes an article entitled "The Great Soviet Deception." In this commendable article, Mr. Jenkin Lloyd Jones discusses the accomplishments and failures of the Soviet Union after 50 years of communism.

He points out how the Communist leaders control internal revolt through suppression of unrest by purges, assassinations and reeducation camps. They shut off comparisons with the outside world by censorship, incessant propaganda and control of education.

In spite of what appears to be on the surface significant accomplishments of communism, Mr. Jones calls attention to the great rift between the Soviet Union and the Chinese Peoples Republic. Among other indications of its failure is the rising cynicism and disillusionment of Russian youth.

It is particularly interesting to see the author conclude that communism is a great deception and a fraud which celebrates its 50th anniversary but which will not see its centennial.

I ask unanimous consent that this editorial be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Great Soviet Deception

(By Jenkin Lloyd Jones)

November 7 marks the 50th anniversary of the most successful bunco game in the history of human society—the Soviet state.

It is successful—not that it delivered on its promises, not that it came within a country mile of its announced goal of a classless society, not that it accomplished a "withering away of the state" and any degree of freedom from central authority—because it has survived.

It survived by the development of a technique for keeping people under its control from effectively challenging the system and for keeping people not under its control confused and off balance. They represent the twin triumphs of the Soviet system.

These accomplishments, remarkable as they are, are thin and shoddy. They represent not progress, but a rebirth of the ancient Egyptian system in which the Pharaoh, representing the state, owned everything and all worked as his servants. It is a system that has never been able to tolerate an organized opposition. It cannot live with freedom of speech, assembly, press or protest.

As with any system of autocratic control—monarchial, Fascist or Communist—there can be and have been accomplishments. Louis XIV stretched forth his hand and medieval Paris was transformed. Adolf Hitler regimented a nation, and assembly lines were filled even as were the concentration camps. As to the Soviet achievements, perhaps Arthur Schlesinger Jr. said it best:

"The one contribution that communism can theoretically make to economic development is, ironically, the very thing for which Marx condemned laissez faire capitalism of the 19th century: that is, its capacity to accelerate development by grinding the faces of the poor. By holding down mass living standards and depriving the workers of the produce of their labor, communism can sweat investment capital, as it has done in Russia and China, out of the hides of the working class. In parodoxical fact, it is communism which has provided the best means known to history for the exploitation of the proletariat."

How has communism gotten away with it all these years?

To curb internal revolt two obvious devices were used—the suppression of unrest through purges, show trials, assassination and "re-education camps" and the choking off of damaging comparisons with the outside world by censorship, travel restrictions, incessant pro-Communist propaganda and rigid control of education.

But the Soviet leaders understood that the destruction of internal opposition was only half the battle. The primary objective was the expansion of the Communist system to all the world. This required a variety of techniques, chief among which were:

1. The "overawe" treatment. Soviet ships in foreign trade are the best painted and most prosperous looking of all merchant navies. Soviet space achievements are played fortissimo. Soviet exhibits in international fairs and expositions are models of the hard sell. And the "invincibility" of Soviet military might is trumpeted.

2. The double standard of "freedom." All constitutional guarantees in free nations are appealed to keep the Communist-lining professor on the public payroll. But once communism becomes triumphant—as in Cuba—freedom vanishes. The rationale is that ultimate truth, once it has triumphed, does not have to tolerate "error."

3. The paralysis of the "liberals." This is the doctrine that no one belonging to a less-than-perfect society may criticize Communists. Communist-liners in all Western nations continually pluck that string. The argument works wonderfully on some preachers.

4. The marshalling in the Communist interest of discontent from any cause. Communists attempt to provide direction to all dissidents in non-Communist nations, however varied the grievances. The current effort to bend the civil rights movement in America to further Communist policy in Southeast Asia is an example.

In spite of all this, communism is in trouble—deep trouble.

There is, of course, the schism between Moscow and Peking which has shaken the monolithic structure of the movement. Soviet citizens are now wondering out loud what has happened to the delivery wagon. There is rising cynicism and disillusionment among Russian youth. As Eugene Lyons points out in his brilliant new book, "Workers Paradise Lost," all Soviet political heroes since Lenin have been denounced as rascals by their successors.

But most significant was the report to the Party Plenum two years ago by Soviet Premier Alexei Kosygin. He said:

"The forms of industrial management, planning and incentives now in effect no longer conform to present-day technical-economic conditions. Only the supreme criteria of economic activity—profit and profitability—could reflect the real level of work in an enterprise."

The fraud won't see its centennial.

CRIME-CONTROL LEGISLATION

Mr. THURMOND. Mr. President, one of the most serious domestic problems facing our Nation today, if not the most serious, is the breakdown in law and order. I have discussed this matter on numerous occasions both on the Senate floor and elsewhere. Many steps need to be taken to maintain law and order and reinstate respect for the rule of law in our country.

One of the first orders of business of this Congress is to adopt some legislation which would have a two-pronged effect. First, it would show that Congress is concerned about the problem and is determined to take some definite steps to correct it. Second, the substantive provisions of the legislation should be calculated to assist the different law enforcement agencies of the country in the best manner possible.

The Criminal Laws and Procedures Subcommittee of the Senate Committee on the Judiciary has labored long and diligently in an effort to draft legislation to accomplish both of these purposes. The bill, S. 917, the Omnibus Crime Control and Safe Streets Act of 1967, has now been reported to the full Judiciary Committee for further consideration. Without going into great detail on the specific items contained in the bill, it will suffice to say that there are provisions which will be immediately very helpful in combating crime if they are adopted. There are other portions of the bill which must be worked out in the full committee, and the most important of these is the provision concerning the nature of the grants which the Federal Government will make to support local efforts. I firmly and enthusiastically support the block grant concept and hope that this approach will be adopted by the full Judiciary Committee.

On this question, the Governors of the 50 States overwhelmingly support the block grant concept. I have received a letter from the director of the National Governors' Conference concerning this bill and actions taken in connection with this bill at the recently concluded annual meeting of the National Governors' Conference on board the SS *Independence*.

Mr. President, I ask unanimous consent that a copy of the letter from Mr. Charles A. Byrley dated November 6, 1967, be printed in the Record, as well as four resolutions adopted by the Governors at their conference on the subject of crime and anti-crime legislation.

There being no objection, the letter and the resolutions were ordered to be printed in the Record, as follows:

National Governors' Conference,
Washington, D.C., November 6, 1967.

Hon. Strom Thurmond,
Committee on Judiciary, U.S. Senate, New Senate Office Building, Washington, D.C.

Dear Senator Thurmond: In late August, the distinguished Chairman of the Subcommittee on Criminal Laws and Procedures wrote to the fifty Governors inviting their views on the two law enforcement and criminal justice bills then before the Subcommittee (S. 917 and H.R. 5037). The Governors were specifically asked to comment on the House bill provisions for: (1) block grants to the states; (2) a view that unnecessary delay would result if local grants were made through an appropriate state agency after a statewide plan was developed; (3) the establishment of regional institutes for law enforcement; and (4) the provision of $25 million for riot control programs.

The States' Chief Executives welcomed this opportunity to express their views on the currently proposed legislation to strengthen law enforcement and criminal justice. Thirty-five Governors responded directly to the Subcommittee Chairman, while others have expressed their views through resolutions at the recent Governors' Conferences.

Enclosed is a staff summary of these letters (Digest of Governors' Views), and also provided are copies of relevant resolutions. Briefly, the Governors express the following viewpoints: (1) they unanimously favor the block grant provisions of the House-passed bill rather than the project-by-project approach with direct federal-local grants that by-pass the states; (2) agree that there would be no unnecessary delay in implementing the program because of the requirement of a state plan and state approval of local government applications; (3) the majority oppose the regional institute because they feel the need of the hour is to improve state training programs before we start new multi-state regional programs; and (4) expressed reserved judgment on the riot control provision of the House-passed bill because of a lack of sufficient detail in the bill itself on this provision.

Rarely have the views of the Nation's Governors been so complete and so unanimous on a controversial subject such as federal assistance for law enforcement and criminal justice. I sincerely hope these factors will be carefully weighed in your decisions on S. 917 "Omnibus Crime Control and Safe Streets Act of 1967."

Sincerely yours,

Charles A. Byrley.

[Adopted by the National Governors' Conference, 59th annual meeting, SS *Independence,* Oct. 20, 1967]

V. State Coordination of Federal Assistance Programs

Whereas, the geographical areas of major problems facing local governments today go beyond the boundaries of single local jurisdiction; and

Whereas, the States bear the primary responsibility for coordinating all forms of technical and financial programs to insure the optimum final benefits in services and facilities; and

Whereas, there are now more than forty federal assistance programs to local government jurisdictions that provide for no involvement by state governments;

Now, therefore, be it resolved that the National Governors' Conference requests that any new federal-local assistance programs adopted by the Congress be drafted so that the interest and participation of the States be included and that remedial legislation be adopted to give the States a participating interest in existing federal-local assistance programs that by-pass the States.

[Adopted by the National Governors' Conference 59th Annual Meeting, S.S. *Independence,* Oct. 20, 1967]

X. Civil Disorders and Lawlessness

Whereas, during the past two years a tragic series of disorders have plagued our Nation, turning the streets of our cities into battlegrounds and resulting in the loss of life and destruction of property; and

Whereas, the occurrence of crime of all types in the United States is showing a tendency to increase; and

Whereas, one of our colleagues, Governor

Otto Kerner of Illinois, is currently chairman of a committee appointed by the President of the United States to investigate the basic causes of violence and unlawfulness; and

Whereas, this Conference has received and considered the excellent report prepared by the committee headed by Governor John Dempsey of Connnecticut:

Now, therefore, be it resolved that the Governors of the several States meeting in the National Governors' Conference and being fully cognizant of the obligation of the States do hereby affirm that:

1. The enforcement of law and the preservation of order is primarily the responsibility of local and state governments.

2. We will strengthen all efforts at state and municipal levels to prevent incidents of disrespect for law and order.

3. Each State should immediately re-examine its own laws to ascertain if current statutes are adequate to deal with civil disorder and crime and that, where necessary, laws should be strengthened and revised.

4. All Governors should immediately determine as an immediate step that the police forces of the respective States and municipalities and the National Guard are well trained to cope with civil disorder.

5. The first obligation of the state and municipal governments in the event of civil disorder is to restore and maintain peace and order by the use of whatever force is reasonably necessary.

6. While seeking immediate short-range treatment of the symptoms, we pledge ourselves to seek the long-range answers to cure the basic causes of crime and civil disorder so that the malice and hatred which a reckless few would use as a torch to ignite civil disorders amid the wretchedness and squalor of our ghettos and slums would no longer find a foothold in these neighborhoods.

7. We recognize that the most effective long-term answer to problems of lawlessness and disorders lies in education and the providing of employment opportunities to the masses of our people.

8. While the primary obligation for the combatting of crime and the prevention of riots and disorder lies with state and local governments, there are many aspects of the problem which transcend state lines and which require effective treatment by the federal government. We pledge ourselves as Governors to seek effective control by the federal government and effective cooperation by the state and local governments with the federal government in the control of the interstate traffic in narcotics and other contraband material, the interstate operation of criminal syndicates and the interstate movement of those who make a profession of inciting and creating civil strife, disorder and lawlessness.

[Adopted at the 33d annual meeting of the Southern Governors' Conference, Asheville, N.C., Sept. 13, 1967]

RESOLUTION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE

Whereas, the problems of crime and civil disobedience are increasing at an alarming rate; and

Whereas, the prevention and control of crime, the effective operation of law enforcement, and the guarantee of criminal justice are responsibilities that require cooperative efforts among all levels of government; and

Whereas, the United States Congress is now considering the Law Enforcement and Criminal Justice Assistance Act of 1967 (H.R. 5037) and the Safe Streets and Crime Control Act of 1967 (S. 917) which are designed to assist state and local governments in improving their law enforcement and criminal justice programs:

Now, therefore be it resolved that the Southern Governors' Conference calls upon the United States Congress to urgently proceed with their consideration of S. 917 and H.R. 5037 with due regard to the following principles:

1. that the federal government should not by-pass the state in dealing with local governments in urban areas, but rather deal with small and large local governments in the same manner, through an appropriate state agency designated by the Governor; and

2. that the Act provide for a State Advisory Council to be appointed by the Governor, primarily representative of local governments, that will advise and report to the Governor; and

3. that the Act ensure full participation and funding for local government plans and projects in cooperation with the state agency administering the Act.

Be it further resolved that copies of this resolution be transmitted to the President, the United States Attorney General, and members of the United States Congress now considering this legislation.

[Adopted at the Sixth Annual Midwestern Governors' Conference, Lake of the Ozarks, Mo., Aug. 27-30, 1967]

RESOLUTION VII—LAW ENFORCEMENT AND CRIMINAL JUSTICE ASSISTANCE ACT OF 1967

Whereas, the Law Enforcement Assistance and Criminal Justice Act of 1967 (H.R. 5037) is now being considered for passage by the United States Senate; and

Whereas, it is most appropriate that control of the administration of this Act in the States be placed in the Office of the Governor or other executive agency; and

Whereas, the Law Enforcement Assistance and Criminal Justice Act of 1967 would place this control in the State Governor's Office:

Now, therefore, be it resolved that the Midwestern Governors' Conference supports H.R. 5037 and urges Senate passage of this Act as amended and passed by the United States House of Representatives; and

Be it further resolved that all States be encouraged to immediately establish or strengthen an existing program to provide for full and prompt implementation of the Law Enforcement Assistance and Criminal Justice Act of 1967; and

Be it further resolved that copies of this resolution be transmitted to the President, U.S. Attorney General, and all members of the United States Senate.

THE PUBLIC BROADCASTING ACT OF 1967—A JOHNSON LEGACY FOR ALL AMERICANS

Mr. PELL. Mr. President, never has the concern of a President for the spirit of a people been so dramatically highlighted than in the passage and signing of the Public Broadcasting Act of 1967.

Lyndon B. Johnson has bequeathed to the Nation a new instrument of government whose benefits will be felt for generations to come.

The Corporation for Public Broadcasting, established by this act, places the voice of the American people in a productive relationship to the great medium of television.

The new Corporation will assist, help finance and support local educational television stations throughout the land.

It will invest public funds in experimental educational and cultural programs to enlighten each citizen of our country.

It will serve as an educational and social tool of far-reaching consequences in science, in the classroom, in public services, in all those areas which distinguish a progressive civilization from a backward one.

The Congress of the United States which supported this bill almost unanimously deserves the plaudits of all our citizens.

The President who labored for the successful enactment of this measure deserves our thanks for a good job well done.

I ask unanimous consent to insert in the RECORD the remarks made by President Johnson as he signed the Public Broadcasting Act of 1967 at the White House on November 7.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

TEXT OF THE REMARKS OF THE PRESIDENT AT THE SIGNING OF THE PUBLIC BROADCASTING ACT

In 1844, Congress authorized $30,000 for the first telegraph line between Washington and Baltimore. Soon afterward, Samuel Morse sent a stream of dots and dashes over that line to a waiting friend. His message was brief and prophetic. It read: "What hath God wrought?"

Every one of us should feel that same awe and wonderment today. For now, miracles in communication are our daily routine. Every minute, billions of telegraph messages chatter around the world; billions of signals rush over the ocean floor and fly above the clouds. Radio and television fill the air with sound. Satellites hurl messages thousands of miles in an instant.

Today our problem is not making miracles—but managing miracles. We might well ponder a different question: What hath man wrought—and how will man use his inventions?

The law I sign today offers one answer to that question. It announces to the world that our nation wants more than material wealth; more than a "chicken in every pot." We have an appetite for excellence too.

While we work to produce new goods and create new wealth, we want most of all to enrich man's spirit. That is the purpose of this Act.

It will give a wider and stronger voice to educational radio and television by providing new funds for broadcast facilities.

It will launch a major study of television's use in the nation's classrooms.

Finally—and most important—it builds a new institution: the Corporation for Public Broadcasting.

This corporation will assist stations and producers who aim for the best in broadcasting: good music, exciting plays, reports on the whole fascinating range of human activity. It will try to prove that what educates can also be exciting.

It will get part of its support from the government. But it will be carefully guarded from government or party control. It will be free and independent—and it will belong to all the people.

Television is still a young invention. But we have learned already that it has immense—even revolutionary—power to change men's lives. I hope that those who lead the Corporation will direct that power toward great, not trivial purposes.

At its best, public television would help make our nation a replica of the old Greek marketplace, where public affairs took place in full view of the citizens. But in weak or irresponsible hands, it could generate controversy without understanding; it could mislead as well as teach; it could appeal to passions rather than to reason.

If public television is to fulfill our hopes, the Corporation must be representative, responsible—and long on leadership. I intend to nominate men and women of outstanding ability.

What hath man wrought? And how will

man use his miracles? The answer just begins with Public Broadcasting.

In 1862, the Morrill Act set aside land in every state—land which belonged to the people—to build the Land Grant Colleges. Today we rededicate part of the air waves—which belong to the people—for the enlightenment of the people.

I believe the time has come to stake another claim in the name of all the people; a claim upon the combined resources of communications. The time has come to enlist the computer and the satellite, as well as television and radio in the cause of education.

We must consider ways to build a great network for knowledge—not just a broadcast system, but one employing every means of sending and storing information.

Think of the lives it coud change:

The student in a small college could tap the research resources of a great university;

The country doctor could get help from a distant laboratory or teaching hospital;

A scholar in Atlanta might draw instantly on a library in New York;

A famous teacher could reach with ideas and inspiration into a far-off classroom, so that no child need be neglected.

Evenually, this Electronic Knowledge Bank could be at least as valuable as the Federal Reserve Bank. And such a system could involve other nations, too—in a partnership to share knowledge and enrich mankind.

A wild and visionary idea? Not at all. Yesterday's strangest dreams are today's headlines, and change is getting swifter. I have already called upon my advisors to explore the possibility of a network for knowledge—and to draw up a blueprint for achieving it.

In 1844, when Henry Thoreau heard about Mr. Morse's telegraph, he made a sour comment about the race for faster communication. "Perchance," he warned, "the first news which will leak through into the broad, flapping American ear will be that the Princess Adelaide has the whooping cough." I am not such a skeptic. I believe we have important things to say to one another—and the wisdom to match our technical genius. In that spirit, I sign the Public Broadcasting Act of 1967.

A GRIM REMINDER: LIST OF NATIONS WHICH ARE PARTIES TO THE CONVENTION ON THE POLITICAL RIGHTS OF WOMEN

Mr. PROXMIRE. Mr. President, as is common knowledge by now, the Foreign Relations Committee on October 11, voted to table any further consideration of the Convention on the Political Rights of Women.

This action by the committee continues both to puzzle and anger advocates of U.S. ratification of the human rights conventions. The United States, through the inaction of the Foreign Relations Committee, remains in the company of Spain, Yemen, Saudi Arabia, Iran, Iraq, Algeria, Union of South Africa, the United Arab Republic, and Burma, as nations which have refused to ratify the Convention on Political Rights of Women.

Because I believe it would be of great interest to my colleagues and to the American people, I ask unanimous consent that a list of the countries which are parties to the Convention on Political Rights of Women be printed in the Record.

There being no objection, the list was ordered to be printed in the Record, as follows:

Fifty-four Countries Which Are Parties to the Political Rights of Women Convention

Afghanistan, Albania, Argentina, Belgium, Brazil, Bulgaria, Byelorussia, Canada, Central African Republic, China, Congo (Brazzaville) Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador.

Finland, France, Gabon, Ghana, Greece, Guatemala, Haiti, Hungary, Iceland, India, Indonesia, Israel, Jamaica, Japan, Lebanon, Madagascar, Malawi, Mongolia.

Nepal, Nicaragua, Niger, Norway, Pakistan, Philippines, Poland, Republic of Korea, Rumania, Senegal, Sierra Leone, Sweden, Thailand, Trinidad and Tobago, Turkey, Ukraine, USSR, United Kingdom, Yugoslavia.

MILWAUKEE, A GREAT BASEBALL CITY, DESERVES MAJOR LEAGUE CLUB

Mr. PROXMIRE. Mr. President, Milwaukee, the largest city in my home State of Wisconsin, is a truly great baseball town.

From 1955 to 1961, the people of Wisconsin supported our National League team, the Milwaukee Braves, with a loyalty and attendance unmatched by any other city in the league.

In a display of callousness and ingratitude practically unequaled in professional sports, the owners of the Braves began negotiating in 1962 to transfer the team from Milwaukee to Atlanta.

The Braves left Milwaukee bag and baggage after the 1965 season to head for the previously untapped television market on the Southeastern States, Milwaukee, which had been the league's bread and butter town for almost a decade, was treated with total disregard.

The prime argument against a Milwaukee franchise ever since the imminent departure of the Braves became public knowledge has been the lack of a television market in Wisconsin.

The argument ran along these lines: Chicago is only 90 miles to the south, Detroit and Lake Michigan are on the east, the Minnesota Twins have the western frontier all sewed up. There is just no television and radio market for a Milwaukee team.

Mr. President, this specious argument can be put to rest once and for all. Robert A. Uihlein, Jr., president of the Joseph Schlitz Brewing Co., yesterday made a guaranteed offer of $1.1 million annually for 3 years for the television rights for a Milwaukee team.

This offer would put Milwaukee among the top four of the 20 major league teams in this department.

In addition to the guaranteed offer by Schlitz, the Milwaukee County Board has made a tremendously generous rental offer to any major league team which comes to Milwaukee.

Under the county board's proposal, the team would play at Milwaukee County Stadium, which would be enlarged in seating capacity from 45,000 to 55,000, for the annual rental fee of $1 per year for 25 years. The very modest rental charge would be 5 percent of all gross ticket revenue on admissions sold between 1 million and 1.5 million, 7 percent of the ticket revenue between 1.5 million and 2 million, and 10 of all attendance over 2 million.

Furthermore, the Milwaukee team would receive all the revenue from parking at the Milwaukee County Stadium.

The zest and loyalty of Wisconsin baseball fans has been proved time and again. Milwaukee and Wisconsin not only deserve a major league baseball team, but after the offers which were made to major league baseball yesterday by the Milwaukee County Board and the Schlitz Brewing Co., any future unwillingness on the part of organized baseball to grant Milwaukee a franchise is totally indefensible.

ABOLITION OF CAPITAL PUNISHMENT

Mr. HART. Mr. President, for several years now, a number of us have proposed that Congress abolish capital punishment for Federal crimes. "An eye for an eye, a tooth for a tooth" was pretty harrowing reading when first written. It is not the mark of a society that has advanced to the point of ours today.

Crime in the streets is something that is so much a preoccupation—and understandably so—that people caution us about getting up and talking about eliminating capital punishment. They say it is politically dangerous and that it will not sell. I do not agree with either point, actually. I think that we should be reminded, in terms of political implications, that a very recent Gallup poll shows that a very substantial majority of Americans, insofar as a poll can establish it, do accept the notion that we serve not the cause of community stability at all when we keep on our law books the right to put somebody to death, be it by rope or pill or chair.

I was struck by two very recent newspaper comments, and I ask unanimous consent that they may be made a part of the Record at the conclusion of my remarks.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 1.)

Mr. HART. One was an article from the Detroit News of Sunday, November 5, and the second was an editorial from the Washington Post of yesterday, November 6.

The first article reports the happy news from our friendly neighbor to the north, Canada, that Canada is moving slowly, but steadily, toward the abolition of capital punishment for murder.

The second, an editorial, discusses the dilemma which a defendant charged with violation of the Lindbergh Kidnaping Act faces. After analyzing its complications and possible constitutional problems, the Post concludes editorially:

> The best way to correct all the statutes carrying this defect would be to eliminate the death penalty.

That is exactly what the Federal Government should do. That is what we in Congress should do.

We cannot reach the practices of the several States, but the Federal criminal laws provide for capital punishment in a number of instances. We should eliminate them. We are going to sooner or later, and the sooner, the better. Whenever it is, it will be very late by the clock of history.

We know the arguments: How can we justify taking a man's life? We are told that is the way to deter crime. It is a deterrent. Therefore, society is justified in doing it.

Mr. President, you can make statistics play any song you want, but I have seen no statistic that establishes the proposition that capital punishment—the execution of a murderer—stops the next murder. Indeed, Mr. President, you compare the statistics of States which provide for capital punishment against the statistics of States which do not permit capital punishment, and the murder rates in the noncapital States are a shade lower than those in the capital States.

We abolished capital punishment in Michigan 100 years ago. Our neighbor Illinois and our neighbor Ohio have such punishment. Our murder rate is lower than theirs. The figures just do not justify our using the excuse that capital punishment deters murder.

The other reason for sanctions in the law is to rehabilitate the criminal. I have not heard anybody argue that capital punishment rehabilitates the criminal.

There is another sobering factor about this. Some mistakes we make in life we can correct, but we cannot correct the situation that applies if a man has been executed by mistake. And that has happened, too, in our history. That explains why some States got around to abolishing capital punishment. They discovered—and imagine the shock—that they had executed an innocent man.

There are good citizens in this country who are begininng to give voice to these concerns. The very able former Governor of Ohio, who, as the Governor of Ohio, had to face the problem of whether to commute death sentences or not, is the chairman of the National Committee To Abolish the Federal Death Penalty, which is determined to persuade the Congress that we shall eliminate capital punishment for a Federal crime. Michael V. DiSalle, who has played many other useful roles in the past two decades, is now giving voice and leadership to this concern, joined by many other good and distinguished citizens.

As a matter of fact, 73 nations have abolished capital punishment.

Mr. President, you can mark the advance of a society in many ways—how concerned it is for its children; how sensitive and effective it is in responding to the concerns of its elderly. We can get great grades on those tests, if we want to. But if we do all of these things, but fail to correct this business of capital punishment, history's verdict will note it. Quite aside from what history will say about us, it is to our contemporary comfort that we would be infinitely better off to say we understand whatever may have been said for that practice on the frontier, or 2,000 years ago; today we understand each other well enough, our motives, and our emotions, that we would be better off to be rid of this law.

I again appeal to my colleagues that we give thought to this. We are going to do it some day. Let it be as soon as possible.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. HART. I am delighted to yield?

Mr. MUSKIE. I would like to take this opportunity to compliment the distinguished Senator from Michigan upon the case which he has made for the abolishment of capital punishment, based upon the experience of my State, as well as to support the argument which he has so effectively made.

Maine abolished capital punishment back in the 19th century, the early 1870's. Nothing in our experience as a State since that time has caused us to regret that action. Of course, we cannot prove anything negatively, so we cannot prove what would have been our experience had that action not been taken. But I think the case made by the distinguished Senator is irrefutable from my point of view, and I would like to take this opportunity to compliment him upon making that case this afternoon.

Mr. HART. I thank the Senator from Maine, not just for his kind words, but for his cosponsorship of the legislation which is before us that would achieve this objective. With his support and that of others who have supported us, I hope the day is not long down the road when we will act affirmatively.

EXHIBIT 1

[From the Detroit News, Nov. 5, 1967]

END OF THE DEATH PENALTY WEIGHED IN OTTAWA

(By Greg Connolley)

OTTAWA.—Canada is moving slowly but steadily towards abolishing capital punishment for murder.

The latest trend is a proposal by the federal government to limit capital punishment on a five-year experimental basis, to the murder of police officers, sheriffs and prison guards.

In Canada the criminal code is within the jurisdiction of the federal government at Ottawa; the administration of the code rests with the provinces.

The Canadian Parliament determines the punishment for murder and this decision is effective all across Canada.

Presently there are two murder categories in the criminal code—capital and non-capital murder. The first is described as a deliberate act; noncapital covers murders committed in the heat of passion without premeditation. However, the death sentence has not been applied in Canada since the Liberal government of Prime Minister Lester Pearson took office in April, 1963. Thus far the federal cabinet has commuted to life imprisonment the hanging sentences of 27 convicted murderers.

A private member's bill was introduced in the House of Commons last year calling for the abolition of capital punishment.

Pearson voted for it and so did Solicitor-General Larry Pennell, the cabinet minister who makes the recommendation for commutation of death sentences.

But the legislation was defeated 143 to 112—this was a free vote when members of Parliament voted according to conscience and without party discipline.

The reasons for the defeat included concern that abolition of the hanging sentence could mean an open season by hardened criminals on policemen.

A new bill introduced in the House of Commons by Pennell is intended to meet this objection. The long walk to the scaffold will still be in order for anyone killing a policeman or other peace officer.

At the time of the capital punishment debate last year many legislators also voted against abolition because they were perturbed by the prospect of murders with life terms getting out on parole after 10 years or so in a penitentiary.

KIDNAPING LAW

Both Congress and the country ought to watch the outcome of the kidnap case that will come before the Supreme Court for argument this week. The case involving the kidnaping of John J. Brant III—allegedly by Charles Jackson and John A. Walsh Jr.—is before the Supreme Court because a Federal district court held the Federal Kidnaping Act, under which the charges were brought, to be unconstitutional. Congress may find it necessary to rescue this important act by removing its infirmities.

Congress passed this law after the famous Lindbergh kidnaping to provide stiff penalties for abductors who take their victim across state lines. Anyone convicted under the law may be imprisoned for any term of years or for life. The penalty becomes death if the victim is injured or killed and if a jury recommends execution. The lower court ruled that this provision for a more severe penalty if the defendants are tried by a jury has the effect of impairing their right to jury trial. If they should plead guilty, they could not be executed, but if they should insist on a jury trial the result could be capital punishment.

The Department of Justice contends that the predicament of the defendants is not worsened by asking for a jury, that even if they pleaded guilty the judge could then empanel a jury and ask for recommendations for sentencing. It is also argued that the trial judge need not accept a jury's recommendation of capital punishment. Whatever the Supreme Court may decide on grounds of constitutionality, the Government should not ask a man to choose between pleading guilty with a lesser penalty and asking for a jury trial that might lead to his execution. Several other laws on the books pose the same unfortunate alternatives. There should be no point anywhere in the law that a demand for a jury trial may entail heavier punishment.

The best way to correct all the statutes carrying this defect would be to eliminate the death penalty.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Acting President pro tempore (Mr. METCALF):

S. 219. An act to authorize the Secretary of Agriculture to sell certain land in Lander, Wyo., and for other purposes;

S. 423. An act authorizing the use of additional funds to defray certain increased costs associated with the construction of the small-boat harbor at Manele Bay, Lanai, Hawaii, and for other purposes;

S. 1391. An act to cancel certain construction costs and irrigation assessments chargeable against lands of the Fort Peck Indian Reservation, Mont.;

S. 2179. An act to extend for 3 years the special milk programs for the Armed Forces and veterans hospitals; and

S. J. Res. 114. Joint resolution extending the duration of copyright protection in certain cases.

NATIONAL RESOURCE DEVELOPMENT POLICY AND THE DICKEY-LINCOLN SCHOOL PROJECT

Mr. MUSKIE. Mr. President, Wednesday, October 25, the House of Representatives voted to reject a compromise appropriation for the Dickey-Lincoln School project on the upper St. John River in the State of Maine. It was an unfortunate action, which reflected misunderstandings as to the value of the project to Maine and the rest of New England, a departure from our basic national resource development policy, and pressures from a powerful group of lobbyists organized on a national scale.

Earlier I had something to say about the kind of tactics and pressures that have been utilized by the private power lobby over the past 3 years in opposition to this project.

I should like to make the record this afternoon with respect to one of the latest of such efforts exerted by that lobby. What I have to say has to do with the activities, the testimony, and the statements of Mr. Albert A. Cree, who is chairman of the Electric Coordinating Council of New England.

On May 11 of this year, Mr. Cree made a statement to the Subcommittee on Public Works of the Senate Appropriations Committee relating to the economic feasibility of the Dickey-Lincoln School project. The distinguished chairman of that subcommittee requested that the Federal Power Commission, and specifically its Bureau of Power, make an analysis of that statement by Mr. Cree for the benefit of the subcommittee.

Under date of June 12, 1967, the Federal Power Commission submitted to the Senator from Louisiana [Mr. ELLENDER] a memorandum report prepared by the Federal Power Commission's Bureau of Power, analyzing Mr. Cree's statement to the subcommittee. I ask unanimous consent that that memorandum report be printed in the RECORD at this point.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

FEDERAL POWER COMMISSION,
Washington D.C., June 12, 1967.
Hon. ALLEN J. ELLENDER,
Chairman, Subcommittee on Public Works,
Committee on Appropriations,
U.S. Senate, Washington, D.C.

DEAR SENATOR ELLENDER: As requested in your letter of May 13, 1967, we have had our staff analyze the testimony on the Dickey-Lincoln School project presented by Mr. Albert A. Cree, Chairman, Electric Coordinating Council of New England. The staff analysis and comments are included in the enclosed memorandum report. The analysis is based principally on staff studies made in December 1966 for the Survey and Investigation Staff, House Appropriations Committee.

The Commission has previously considered the Dickey-Lincoln School project, and in 1964 reported to the Secretary of the Interior that the proposed development was economically well justified and merited early construction. The current staff studies support this conclusion.

Sincerely,

LEE C. WHITE,
Chairman.

MEMORANDUM REPORT PREPARED BY THE FEDERAL POWER COMMISSION'S BUREAU OF POWER ANALYZING A STATEMENT MADE BY ALBERT A. CREE[1] TO THE SUBCOMMITTEE ON PUBLIC WORKS, SENATE APPROPRIATIONS COMMITTEE, REGARDING APPROPRIATIONS TO COMPLETE STUDIES FOR THE DICKEY-LINCOLN SCHOOL PROJECT, MAINE

This memorandum report has been prepared in response to the request in a letter dated May 13, 1967, from Senator Allen J. Ellender, Chairman, Subcommittee on Public Works, Committee on Appropriations. The letter from Senator Ellender included four attachments as follows:

(1) The Corps of Engineers justification for $1,676,000 to complete pre-construction planning for the Dickey-Lincoln School project in Maine,

(2) A statement to the Subcommittee on Public Works, Committee on Appropriations, United States Senate, dated May 11, 1967, by Mr. Albert A. Cree in opposition to the appropriation of additional funds for the Dickey-Lincoln School project,

(3) A review of Dickey-Lincoln School project, dated December 1966, by the Electric Coordinating Council of New England, and

(4) A report on Power Supply for New England, 1973–1990, dated February 1967 and prepared by Ebasco Services, Inc.

Mr. Cree's statement discusses six points. These are listed below as separate headings. Following each heading we have briefly summarized Mr. Cree's views as expressed in his statement and in the review report of the Electric Coordinating Council of New England. Our comments follow these brief summaries.

Point 1. "A review and appraisal of the completeness and adequacy of the study conducted by the Corps of Engineers and the Department of the Interior on which the report was based recommending the project for authorization."

Mr. Cree contends that a complete and adequate study has not been made of the Dickey-Lincoln School project.

Most of Mr. Cree's comments relate to the August 1964 report on the International Passamaquoddy Tidal Power Project and Upper St. John River Hydroelectric Power Development, the latter being the proposed Dickey-Lincoln School project. While it is true that the 1964 report does not contain some details that are normally included in survey reports by the Corps of Engineers, there have been continuous studies of the Dickey-Lincoln School project since that date. The detailed cost estimates for the Dickey project, as prepared by the Corps of Engineers in 1964 and shown on pages 17–29 of the report by the Electric Coordinating Council, are evidence, however, that considerable study had been made of the project even at that date.

Point 2. "An analysis of the soundness of the cost estimate of $218.7 million."

Mr. Cree expresses to view, based upon studies made by Chas. T. Main, Inc., that the construction cost of the Dickey-Lincoln School project will be at least $284 million, compared to the Corps of Engineers estimate of $218 million, and that an allowance for escalation in the cost of labor and material between 1964 and the 1975 date of construction completion would add approximately $55 million to the construction cost.

We have not attempted to evaluate the separate cost estimates of the Corps of Engineers and Chas. T. Main because such an evaluation could not be made within the time available for the preparation of these comments. We note, however, that the Corps of Engineers has had widespread experience in estimating the costs of reservoir projects throughout the United States. Nevertheless, actual construction costs may differ significantly from estimated costs, either on the high or low side. Several recent bids by contractors to build large reservoir projects for the Corps of Engineers have been less than the Corps' estimates of costs. Examples are the Libby project in Montana, the Dworshak project in Idaho, and the Carters project in Georgia. In March 1967, the contractors who are to build the Libby dam in Montana near the Canadian border bid $82.9 million to construct this project. This is $5.5 million less than the Corps' estimated construction cost of $88.4 million. Due to adverse winter weather conditions the construction season for Libby will be similar to that which would be available for the Dickey-Lincoln School project. We note also that the Corps' more detailed studies of the Dickey-Lincoln School project, made since 1964, have resulted in a decrease in their estimate of construction cost from $218.7 to $212.1 million. In reference to possible escalation in costs of labor and material, the Electric Coordinating Council's review report (page 46) recognizes that a comparable escalation would result in the cost of constructing alternative sources of power.

Point 3. "An analysis of the soundness of the estimated allocation of the annual project benefits to power, flood control and area redevelopment."

Mr. Cree agrees that the allocation of almost 98.5 percent of the project benefits to power and the $40,000 annual benefit to flood control are both reasonable. He states that the allocation of $409,000 (now estimated by the Corps to be $467,000) of annual benefits to area redevelopment should be reviewed in the light of past experience at other locations, particularly in the Massena, New York, area of the large St. Lawrence River Power Development.

Whether or not costs are allocated to area redevelopment is a matter of policy. In the case of the Dickey-Lincoln School project, the amount of the proposed allocation of project costs to this purpose is too small to have a significant effect on the economics of power development.

Point 4. "An appraisal of the plans for the marketing of power including the proposed power rates to be charged and the payout schedule."

Mr. Cree states that there is no evidence that a marketing plan exists for the output of the Dickey-Lincoln School project and that the seven major electric utilities in southern New England would not be interested in purchasing peaking power from the project at a price of $15 per kilowatt per year plus three mills per kilowatt-hour, with availability of approximately two hours per day five days per week.

If the Dickey-Lincoln School project is constructed, the Department of the Interior, under terms of the 1944 Flood Control Act, would have the responsibility for marketing the power output. We are not aware of Interior having specific plans for marketing the project power, but representatives of that Department have suggested that 100,000 kilowatts of capacity at 50 percent annual load factor would be marketed to preference customers in Maine and the remaining capacity would be sold as peaking capacity to major electric utility systems in New England.

Our studies show that a price of approximately $15 per kilowatt-year plus three mills per kilowatt-hour would be required to pay all operation, maintenance, and marketing expenses and to amortize within 50 years all power investment costs, including the cost of transmission facilities.

The assumption that the peaking power would be made available approximately two hours per day five days per week would not provide for the best utilization of the capacity. The large storage capacity that would be available in the Dickey reservoir would permit operation of the project on a seasonal basis so as to provide more hours of operation per day during peak load periods. Also, it is understood that consideration is being given to installing two or more reversible units in the Dickey plant. This would require the purchase of electric energy for pumping but would permit a further increase in the number of hours that peaking capacity could be made available each day.

---

[1] Chairman, Central Vermont Public Service Corporation; President, Vermont Electric Power Company, Inc.; Chairman, Electric Coordinating Council of New England.

As is indicated in our comments under Point 5, we do not agree that the investor-owned utilities could provide alternative capacity at a cost that would be lower than the delivered cost of power from the Dickey-Lincoln School project.

Point 5. "A comparison of the estimated cost of power production under the project with costs under alternative means, including steam plants, nuclear plants, and pumped storage and nuclear combinations."

Mr. Cree contends that the investor-owned utilities in New England, by constructing combinations of nuclear plants and pumped storage hydroelectric plants, could supply power equivalent to the output of the Dickey-Lincoln School project at annual savings of roughly $2.2 million. Computations in support of this conclusion are shown on page 59 of the Electric Coordinating Council's review report. Mr. Cree repeats his argument under Point 2 that the cost estimate of the Dickey-Lincoln School project is too low; states that a realistic interest rate of 4¼ percent would conform more nearly to the requirements of Senate Document No. 97 than the 3⅛ percent used by the Department of the Interior; and contends that a realistic service life of 50 years rather than 100 years should be used for economic analyses to conform to the generally accepted amortization period for Federal projects.

It is our conclusion that the indicated annual savings of $2.2 million is unrealistic for a number of reasons. The comparative analysis upon which Mr. Cree's statement is based assigns no value to the Dickey-Lincoln School project for downstream benefits to hydroelectric plants in Canada. The latter benefits have been estimated to average 350,000,000 kilowatt-hours annually and it is understood that one-half of this amount of energy would be made available by Canada to the United States each year as payment for the benefits to the Canadian plants. The analysis makes no allowance for the greater periods of outages of nuclear plants as compared with those of hydroelectric plants. It assumes that alternative pumped storage plants would be available at a capital cost of $72 per kilowatt, an amount which is considerably less than our estimates. Also, it assumes that all pumping energy required by the pumped storage plants would be low-cost energy available from nuclear plants. Our studies show that such energy would not be available for pumping during the early years of operation of the Dickey-Lincoln School project.

In reference to the interest rate, the rate of 3⅛ percent was furnished by the Treasury Department as being in conformance with the method for determining the interest rate for Federal water resource projects as outlined in Senate Document No. 97.

A period of 100 years or the estimated economic life, whichever is shorter, is normally used in economic analyses of major water resource projects. This is in accord with the provisions in Senate Document No. 97. In financial analyses, made for the purpose of determining repayment requirements, it is customary to assume that all power costs will be amortized within a period of 50 years from the in-service date of the facilities.

Last December the Commission staff furnished information to the Surveys and Investigation Staff, House Appropriations Committee, on the estimated cost of power from sources alternative to the Dickey-Lincoln School development. We believe a summary of this information would be more useful than a step-by-step analysis of the estimates presented in the Electric Coordinating Council's review report. Therefore, we are presenting below our estimates of (a) alternative power costs, (b) our economic evaluation of the Dickey-Lincoln School project, and (c) our determination of the rate that would be required to repay the power costs of the Dickey-Lincoln School project.

(a) Estimated cost of power from sources alternative to Dickey-Lincoln School development

Estimates have been made by the Commissions' staff of the unit costs of power from various sources alternative to the Dickey-Lincoln School development. These unit costs have been derived and converted to at-market values applicable at load centers in Maine and in the Boston area. Alternative costs were estimated on the basis of the cost of power from conventional steam, nuclear steam, and pumped storage developments.

The estimated costs of power from a nuclear steam-electric plant in Maine are based upon the costs of power from a plant located in the Boston area with a portion of the output being transmitted to Maine. It was found that such an arrangement would provide power at lower cost than a plant located in Maine. This is due to the substantial transmission facilities that would be required to market the power if a large nuclear plant were constructed in Maine in the near future. No estimates are included for the cost of a pumped storage development in Maine because such a development would be incapable of supplying load at average system load factor. Therefore, a pumped storage project could not be an alternative to the 100,000 kilowatts of power from Dickey-Lincoln School which, it is assumed, would be marketed at system load factor in Maine.

Fixed charges assure private financing and include the cost of money at 7.0 percent, depreciation, interim replacements, insurance, and taxes based on the experience of utility companies in the area. Operation and maintenance costs, including administrative and general expenses, were based on the latest available information.

The alternative conventional steam-electric plants in the Boston and Portland areas and the alternative nuclear plant in the Boston area were each assumed to be located 15 miles from the existing transmission network. The estimated costs include, therefore, estimates of the cost of transmitting the power output a distance of 15 miles. The estimated cost of nuclear power in Maine includes the cost of transmitting power from a plant in the Boston area to Portland, Maine. Alternative pumped storage developments were assumed to be available an average of 75 miles from Boston. Therefore, the cost of power from such developments includes the cost of 75 miles of transmission facilities.

The three following tables show the derivation of the estimates of the unit cost of power from (1) conventional steam-electric plants, (2) nuclear plants, and (3) pumped storage projects. The resulting costs were converted to at-market power values and these are summarized below:

Type of plant	Estimated at-market power values	
	Massachusetts	Maine
Conventional steam:		
Capacity (dollars per kilowatt-year)	26.50	23.50
Energy (mills per kilowatt-hour)	2.47	2.97
Nuclear steam:		
Capacity (dollars per kilowatt-year)	28.50	33.50
Energy (mills per kilowatt-hour)	1.27	1.37
Pump storage:		
Capacity (dollars per kilowatt-year)	19.50	(1)
Energy (mills per kilowatt-hour)	4.57	(1)

[1] Not estimated.

Some important differences between the staff estimates, as shown in Attachments (1), (2), and (3), and the estimates made by the Electric Coordinating Council are discussed below.

The staff made a capacity value adjustment of ten percent in favor of the Dickey-Lincoln School capacity in the comparison with costs of conventional steam-electric and nuclear power, and an adjustment of five percent in the comparison with pumped storage hydroelectric power. The staff believes that in developing a value for the dependable capacity of a project such as Dickey-Lincoln School, based upon the cost of power from an alternative thermal-electric plant, adjustments must be made to reflect the difference in system reserve requirements, operating flexibility, service availability, and other factors. Most hydroelectric plants, for example, are particularly well adapted for serving peak loads and operating as synchronous condensers or as spinning reserve. Under favorable water conditions they may supply capacity in excess of their dependable capacity, making possible savings in overall system costs. The hydroelectric plant involves the use of rugged machinery operating at low speeds and temperatures, in contrast to the modern thermal-electric plant which is an intricate and complex mechanism involving high-speed, high-pressure, high-temperature equipment. Thus, the thermal-electric plant is subject to more equipment outages for maintenance and repair.

Based upon studies made for the National Power Survey, average forced and scheduled outages for steam-electric units rated at 600 megawatts will range from about 11.0 to 13.5 percent whereas the comparable outage rate for hydroelectric units is about 2.2 percent. Based-load nuclear plants are shut down about once a year for refueling and are inoperative during such periods which usually range from three to five weeks. An additional credit could be assigned to hydroelectric capacity owing to its fast-loading characteristics. Based upon these considerations the staff selected a capacity value adjustment of ten percent in favor of hydroelectric capacity when deriving the value of power based upon the cost of alternative thermal-electric sources. There is, of course, an element of judgment in selecting the adjustment factor which should be used. In a pending application for license to construct a hydroelectric project, a large investor-owned electric utility has submitted an economic analysis to the Commission in which it uses an adjustment of 15 percent in favor of the hydroelectric project. Thus, this is not a factor which is recognized only by the Commission's staff.

A conventional hydroelectric project having a large storage reservoir has certain inherent advantages that would not be available in the average pumped storage project. The Dickey project will have 2.9 million acre-feet of usable power storage and will have a reregulating reservoir to permit peaking operations without restrictions. It can provide almost instantaneous reserve capacity 24 hours a day or it can provide continuous operation at full load for 24 hours or more if needed. In contrast, a pumped storage project must cease operations when its upper reservoir is empty, probably after only a few hours of operation. Also, during the daily pumping cycle the generating units are not available as a source of system reserve capacity. For these important reasons it is considered that a credit should be given to the conventional hydroelectric development. The amount of five percent was selected on the basis of engineering judgment.

The Electric Coordinating Council's review report (page 49) cites three potential pumped storage projects which it indicates can be constructed for costs ranging from $64 to $76 per kilowatt. No details are given in support of these estimates which are much lower than the $95 per kilowatt used by the staff.

Selection of the size and unit cost of alternative pumped storage developments involves some judgment based on information relative to the few projects which have been constructed and estimates for potential developments. The following tabulation, based upon latest information available to the staff, shows the actual and estimated costs of pumped storage projects constructed or under construction under FPC licenses.

Project	Installed capacity (megawatts)	Estimated cost per kilowatt
Taum Sauk, Mo	[1] 408	[2] $113
Yards Creek, N.J	388	[2] 84
Cabin Creek, Colo	300	107
Muddy Run, Pa	800	[3] 92
Kinzua, Pa	355	[3] 106
Salina, Okla	500	[3] 124

[1] The licensee now reports the rating of the 2 generating units in this plant to be 204 megawatts each. However, the total rating of the 2 units as specified in the license is 350 megawatts. Using the latter rating the unit cost is $132 per kilowatt.

[2] Actual.

[3] The lower pool is provided by existing facilities and is not included in this cost estimate.

Estimates for other projects proposed by various interests range from $70 to $140 or more per kilowatt. Unit costs depend upon site conditions, unit and plant sizes, and other factors. Costs may be less when the lower reservoir is already provided, as at Muddy Run and Kinzua, under construction, or at the proposed Cornwall and Northfield Mountain projects.

The Commission staff has made reconnaissance estimates for a number of potential pumped storage developments in the New England area. Sixteen of these with installations of 500 mw or more each would be located within 100 miles of Boston and would provide an aggregate installed capacity of about 10 million kilowatts. The average plant size would be about 600 mw and the weighted average cost was estimated at about $95 per kilowatt.

Consideration of the above led to selection of the alternative pumped storage project of 600 mw capacity costing $95 per kilowatt.

The analysis in the Electric Coordinating Council's report assumes that pumping energy required for pumped storage plants would cost 1.91 mills per kilowatt-hour. The staff assumed such energy would cost 3.0 mills per kilowatt-hour.

Pumping energy must be supplied by plants other than those operating in the base of the load. As nuclear plants are introduced into the power systems, such plants are used to supply base load generation because of their low energy costs. Thus, in the early years of operation of pumped storage plants, the sources of pumping energy would be conventional steam-electric plants. For estimating purposes the incremental costs of generation at such plants may be assumed to be equivalent to the cost of fuel. Such costs for 1964 are shown in the Commission's publication entitled, Steam-Electric Plant Construction Cost and Annual Production Expenses. A review of the fuel costs at plants of 100 mw and more located within a 100-mile radius of Boston shows that fuel costs ranged from 2.97 to 7.18 mills per kilowatt-hour at 18 plants having a total installed capacity of 4,266 mw. The weighted average cost was 3.67 mills per kilowatt-hour. These are at-site costs and do not include any allowance for transmission costs and losses that might be incurred if the energy were transmitted to a pumped storage plant for pumping use. The costs of energy for pumping would decrease as the older conventional plants are retired and today's base load plants are moved higher on the load curve. Eventually, it is expected that nuclear plants would be available to supply energy for pumping purposes but this would be many years in the future, probably not before one half of the total generating capacity is nuclear. Thus, the cost of pumping energy would be expected to decrease over the life of the pumped storage development. Considering all of these factors, the staff estimated 3.0 mills per kilowatt-hour as a reasonable life-time cost of pumping energy.

(*b*) *Economic evaluation of Dickey-Lincoln School project*

In preparing an estimate of the value of power from the Dickey-Lincoln School development, consideration was given to the manner in which the Department of the Interior proposes to market the project power. It is understood that the intent is to sell 100,000 kilowatts of capacity at 50 percent load factor in Maine and to sell the remaining capacity at about 10 percent annual load factor in the Boston area.

Consideration was also given to the proposed use of the United States entitlement to energy gains at Canadian plants resulting from operation of the Dickey reservoir. Under terms of the proposed treaty with Canada, the United States would receive 175,000,000 kilowatt-hours annually, less transmission losses At least one percent of this amount would be returned weekly. On this basis the Department of the Interior expects to market 85,000,000 kilowatt-hours of the annual entitlement as firm energy.

Our studies showed that the lowest cost alternative source of 50 percent load factor power in Maine would be a conventional steam-electric plant. For power at ten percent load factor delivered in the Boston area, the lowest cost source of alternative power would be a pumped storage project. Therefore, in this analysis of the value of power output of the Dickey-Lincoln School project, the value of the portion to be marketed in Maine has been based on the cost of power from a steam-electric plant and the value of the remainder has been based on the cost of power from a pumped storage project

The following table shows the derivation of the at-market value of project power, exclusive of downstream benefits:

Value of power marketed in Maine:	
100,000 kilowatts × $23.50	$2,350,000
353,000,000[1] kilowatt hours × 3.1[2] mills	1,094,300
Subtotal	3,444,300
Value of remaining power marketed in Boston area:	
689,000[3] kilowatts × 90.5 × $19.50	12,159,100
638,000,000[4] kilowatt hours × 92.9 percent × 4.5 mills	2,667,100
Subtotal	14,826,200
Total at-market value	18,270,500

[1] 438,000,000 kwh for 50% load factor operation less 85,000,000 kwh from U.S. entitlement of Canadian downstream benefits.

[2] This is the cost from Attachment 1 without the energy cost adjustment factor. Use of this factor is not appropriate in this case since the power in Maine is to be marketed at 50% load factor.

[3] Total project capacity of 794,000 kw less at-site capacity of 105,000 kw (100,000 kw plus 5,000 kw losses) marketed in Maine.

[4] Total project annual output of 1,010,000,000 kwh less 372,000,000 kwh (353,000,000 kwh plus 19,000,000 kwh losses) marketed in Maine.

The total benefits attributable to the project may be derived by adding to the above power benefits, the downstream power benefits and the non-power benefits as obtained from the Department of the Interior and the Corps of Engineers.

At-market value of project power	$18,270,500
Total downstream benefits to Canadian plants	1,050,000
Flood control benefits	40,000
Area redevelopment benefits	467,000
Total	19,827,500

The capital and annual cost of the Dickey-Lincoln School project and the associated transmission facilities, as estimated by the Corps of Engineers and the Department of the Interior, respectively, are as follows.

Project construction cost	$212,113,000
Transmission construction cost	78,820,000
Interest during construction	20,895,000
Total investment	311,828,000
Annual fixed charges (3⅛% interest and 100-year period of analysis)	10,215,000
Annual operating costs	1,957,400
Total annual costs	12,172,400

On the basis of the foregoing, the benefit-cost ratio of the project would be 1.63 to 1.0.

(*c*) *Rate and repayment analysis of Dickey-Lincoln School project*

Rates for the sale of project power would be based on recovering the costs, including amortization of the investment allocated to power over a 50-year period. The available allocation assigns the following capital and annual costs to power.

Project construction cost	$199,538,000
Transmission construction cost	78,820,000
Interest during construction	19,857,000
Investment allocated to power	298,215,000
Annual fixed charges (3⅛ percent interest and 50-year amortization)	11,866,000
Annual operating costs	1,955,400
Annual costs allocated to power	13,821,400

Should all energy available at the market, including at-site production and the downstream entitlement, be marketed at 3.0 mills per kilowatt-hour the annual revenue would be $3,331,500 (1110.5 million kwh x 3.0 mills). The capacity available at the market (723.5 mw) would then cost $14.50 per kilowatt-year. Allowing $0.50 per kilowatt for annual administrative costs, the resulting rate would be about $15 per kilowatt-year. This is substantially below our estimated cost of capacity from alternative power plants constructed with private financing.

Point 6. *"An overall appraisal of the need and significance of the project in meeting power requirements in the light of the expansion program planned by the New England utilities."*

Mr. Cree states that in view of all that is currently being done in New England for provision of the economical supply of the power needs of the people of the region, there is no need for, and no significance to, the Dickey-Lincoln School project in meeting the future power requirements of New England. He reports that by 1980 the Dickey-Lincoln School project would be capable of supplying less than 2.5 percent of New England's peak load capacity requirements, and less than one percent of New England's annual energy requirements. He concludes that even if the entire output of the Dickey-Lincoln School project were given to New England customers for nothing, it would have no significant effect on the cost of electricity in the region.

The above statements are not very meaningful because they could be applied to any single power source whether it be a conventional hydroelectric development, a pumped storage plant, or a thermal-electric plant. New capacity additions are needed to provide for load growth and to replace existing equipment as it becomes obsolete. The major electric utility systems of New England are to be commended for their long range planning to serve future anticipated loads. The February 1967 report of Ebasco Services Incorporated on Power Supply for New England shows that new generating resources of about 29 million kilowatts will be required in New England between 1973 and 1990. It is proposed in the report that some six million kilowatts of new peaking capacity be provided during this period through the development of pumped storage projects. It is apparent, therefore, that the capacity at Dickey-Lincoln School could be readily utilized in the region and that it would be a relatively small component of the total electric generating capacity in New England. However, the 100,000 kilowatts which would be marketed to preference customers in Maine could provide a substantial reduction in the cost of power to those systems.

From the standpoint of reliability of service, it is desirable that a part of the generating capacity be capable of taking on additional load very quickly. Hydroelectric capacity, both conventional and pumped storage, is best adapted for providing peaking capacity and spinning reserve for load protection. Gas turbines are also used for peaking but require more time for loading. They are, however, capable of being loaded much faster than conventional and nuclear steam-electric capacity. The latter are not suitable for peaking use and load protection because of economic and operating considerations. They have their greatest value in operating as base-load plants and constitute desirable partners of peaking plants.

There are many undeveloped conventional hydroelectric sites in New England but the power potential of most of the sites is small. As a result, the cost of power development may be greater than the cost of power from alternative sources. The proposed Dickey project has, by far, the largest power potential of any of the undeveloped sites. It is apparent that it and several of the potential pumped storage developments in New England will be needed in the foreseeable future.

The Dickey project with its large storage reservoir normally would be operated as a peaking plant, but in case of emergency it would be capable of continuous operation for a considerable period. In contrast, the usual pumped storage development normally would have a small headwater reservoir which would limit the power plant to a few hours of continuous operation. Another factor to consider in planning pumped storage projects as a source of future peaking capacity is the availability of off-peak energy for pumping. A detailed study would be required to determine the maximum amount of pumped storage capacity which could be utilized without encountering limitations in availability of off-peak energy for pumping. A considerable amount of off-peak energy would be required because it takes approximately three kilowatt-hours of pumping energy to produce two kilowatt-hours of on-peak energy by a pumped storage project. This means also that the time required for pumping is about 1.5 times the generating time, assuming operation at full load.

When considering the merits of the Dickey-Lincoln School project, it should be noted that such a development is essential to comprehensive development of the St. John River. The Dickey reservoir will provide seasonal storage for the entire system of plants on the river and will increase the generation at the downstream hydroelectric plants in Canada by an average of about 350 million kilowatt-hours per year. Also, the existence of this project near the Canadian border would enhance the opportunities for coordinating the operation of electric systems in Canada and the United States. Our studies indicate that the project would be a valuable addition to the power supply resources of New England.

ATTACHMENT 1.—ESTIMATED COST OF POWER FROM SOURCES ALTERNATIVE TO DICKEY-LINCOLN SCHOOL DEVELOPMENT

I. CONVENTIONAL STEAM-ELECTRIC PLANT

General data	Massachusetts	Maine
Location	Boston area.	Portland area.
Unit size (megawatts)	600	150.
Fuel	Coal	Oil.
Fuel cost (cents per million B.t.u.'s).	31	34.
Heat rate (B.t.u.'s per kilowatt hour).	8,900	9,600.
Fuel storage (days)	90	90.
Depreciation method	S.F., 30 yr.	S.F., 30 yr.
Capital cost (dollars per kilowatt).	125	115.
At-site capacity cost (dollars per kilowatt-year):		
Fixed charges	18.10	15.15
Fuel storage	.27	.32
Fixed fuel	1.57	1.67
Fixed O. & M. (including A. & G.)	1.74	1.87
Total	21.68	19.01
Associated transmission costs (dollars per kilowatt-year):[1]		
Fixed charges	1.56	1.13
O. & M. (including A. & G.)	.49	.73
Transmission losses	.47	.42
Total	2.52	2.28
At market capacity cost (dollars per kilowatt-year)	24.20	21.29
Hydrosteam capacity value adjustment (10 percent)	2.42	2.13
At-market value of hydro capacity (dollars per kilowatt-year)	26.62	23.42
Use	26.50	23.50
Energy costs (mills per kilowatt-hour):		
Incremental fuel	2.48	2.97
O. & M	.11	.11
Transmission losses	.04	.05
Total	2.63	3.13
Energy cost adjustment factor (mills per kilowatt-hour)[2]	—.20	—.20
At-market value of hydro energy (mills per kilowatt-hour)	2.43	2.93
Use	2.4	2.9

---

[1] Includes step-up substation at steamplant, transmission lines to market distribution center, and stepdown substation.

[2] This adjustment is to compensate for the effect on the production costs of existing thermal plants of adding a peaking hydroplant to the system.

ATTACHMENT 2.—ESTIMATED COST OF POWER FROM SOURCES ALTERNATIVE TO DICKEY-LINCOLN SCHOOL DEVELOPMENT

II. NUCLEAR STEAM-ELECTRIC PLANT

General data	Massachusetts	Maine[1]
Location	Boston area.	
Unit size (megawatts)	600	
Fuel	Nuclear	
Depreciation method	S.F., 30 yr.	
Capital cost of plant (dollars per kilowatt).	125	
Cost of fuel inventory (dollars per kilowatt).	30	
At-site capacity cost (dollars per kilowatt-year):		
Fixed charges	18.53	--------
Annual cost of fuel inventory	2.10	--------
Fixed fuel	.98	--------
Fixed O. & M. (including A. & G.)	1.82	--------
Total	23.43	--------
Associated transmission costs (dollars per kilowatt-year):[3]		
Fixed charges	1.56	4.56
O. & M. (including A. & G.)	.49	.95
Transmission losses	.51	1.45
Total	2.56	6.96
At-market capacity cost (dollars per kilowatt-year)	25.99	30.39
Hydrosteam capacity value adjustment (10 percent)	2.60	3.04
At-market value of hydro capacity (dollars per kilowatt-year)	28.59	33.43
Use	28.50	33.50
Energy costs (mills per killowatt-hour):		
Incremental fuel	1.26	1.26
O. & M	.09	.09
Nuclear insurance	.05	.05
Transmission losses	.02	.05
Total	1.42	1.45
Energy cost adjustment factor (mills per kilowatt-hour)[3]	—.20	—.20
At-market value of hydro energy (mills per kilowatt-hour)	1.22	1.25
Use	1.2	1.3

---

[1] These costs are based upon a plant located in the Boston area with a portion of the output being delivered to Portland, Maine. If it were assumed that the 345-kv. transmission grid planned by the Electric Coordinating Council of New England were in existence and that a nuclear plant in Maine need only be connected to this grid, without sharing in its cost, then the at-market value of nuclear power would be $29 per kilowatt per year plus 1.2 mills per kilowatt-hour. Under this assumption, at 50-percent plant factor, the cost of power would be slightly less than the cost of power from a conventional steam-electric plant.

[2] Includes step-up substation at nuclear plant transmission lines to market distribution centers in Boston and Portland areas, and stepdown substations.

[3] This adjustment is to compensate for the effect on the production costs of existing thermal plants of adding a peaking hydroplant to the system.

ATTACHMENT 3.—ESTIMATED COST OF POWER FROM SOURCES ALTERNATIVE TO DICKEY-LINCOLN SCHOOL DEVELOPMENT

III. PUMPED STORAGE DEVELOPMENT

General data	Massachusetts[1]
Location	General Boston area.
Plant size (megawatts)	600.
Number of units	3.
Depreciation method	S.F., 50 yr.
Capital cost (dollars per kilowatt)	95.
At-site capacity cost (dollars per kilowatt-year):	
Fixed charges	12.69
O. & M. (including A. & G.)	1.50
Transmission losses	.45
Total	14.19
Associated transmission costs (dollars per kilowatt-year):[2]	
Fixed charges	3.08
O. & M. (including A. & G.)	.69
Transmission losses	.45
Total	4.22
At-market capacity cost (dollars per kilowatt-year)	18.41
Capacity value adjustment factor (5 percent)[3]	.92
At-market value of conventional hydro capacity (dollars per kilowatt-year)	19.33
Use	19.50
Energy costs (mills per kilowatt-hour):	
Pumping energy cost	3.0
Cost per kwh generated	4.5
Transmission losses	.05
Total	4.55
At-market value of energy (mills per kilowatt-hour)	
Use	4.5

---

[1] No pumped storage capacity assumed to be constructed or utilized in Maine.

[2] Includes step-up substation at pumped storage plant, transmission lines to distribution center in Boston area, and stepdown substation.

[3] Assigns a value to conventional hydro capacity 5 percent greater than pumped storage capacity.

Mr. MUSKIE. Mr. President, I shall read from that memorandum report just briefly, in order to make a point which will become evident when I get to it.

In the concluding paragraphs of its

memorandum, the Federal Power Commission said this:

> There are many undeveloped conventional hydroelectric sites in New England but the power potential of most of the sites is small. As a result, the cost of power development may be greater than the cost of power from alternative sources. The proposed Dickey project has, by far, the largest power potential of any of the undeveloped sites. It is apparent that it and several of the potential pumped storage developments in New England will be needed in the foreseeable future.

The Commission continued:

> When considering the merits of the Dickey-Lincoln School project, it should be noted that such a development is essential to comprehensive development of the St. John River. The Dickey reservoir will provide seasonal storage for the entire system of plants on the river and will increase the generation at the downstream hydroelectric plants in Canada by an average of about 350 million kilowatt-hours per year. Also, the existence of this project near the Canadian border would enhance the opportunities for coordinating the operation of electric systems in Canada and the United States. Our studies indicate that the project would be a valuable addition to the power supply resources of New England.

As I have stated, Mr. President, that memorandum report was sent by the Federal Power Commission to the distinguished Senator from Louisiana [Mr. ELLENDER] in response to his request.

That did not end the matter. Mr. Cree, as Chairman of the Electric Coordinating Council, was not satisfied to let the record stand at that point; and so, in September of this year, he issued a report on the FPC memorandum from which I have just read; and his report lists the following subheadings as findings of the Federal Power Commission.

Square, if you will, Mr. President, what I am about to read as a description of that report, with the language I have just read from the report itself.

First:

> FPC findings show Dickey-Lincoln would be constructed solely for power purposes.

Second:

> FPC findings show proposed Dickey-Lincoln rate would not recover cost.

Third:

> FPC findings show Dickey-Lincoln a hopelessly inefficient means of producing power.

Fourth:

> FPC findings show Dickey-Lincoln power would exceed equivalent cost of alternative power.

This is the most incredible distortion of the facts and of the findings of a Government agency on a project that I suspect the history of public power projects in our country can disclose. Compare, Mr. President, the language I have just read from the report itself—and especially the last sentence, "Our studies indicate that the project would be a valuable addition to the power supply resources of New England"—with this one from the Electric Coordinating Council, that "FPC finding shows Dickey-Lincoln a hopelessly inefficient means of producing power."

Mr. President, Senators and Members of the House of Representatives have told me—Members who have been around a long time—that they cannot recall a more vicious lobbying campaign against a single project than in the case of Dickey-Lincoln. I have repeated that observation to many people in Maine, and I understand that the power companies challenged this as an unfair accusation. I ask, Mr. President, whether or not that accusation does not stand up by the comparison which I have made this afternoon.

But I shall not stop there. My distinguished colleague [Mrs. SMITH] who has been in the forefront of the fight for this project, also received, as a member of the Public Works Subcommittee of the Appropriations Committee, a copy of the memorandum report, and of the Electric Coordinating Council's report on the memorandum. So she submitted the Electric Coordinating Council report to the Federal Power Commission for comment.

I ask unanimous consent, Mr. President, that the reply and analysis of the Federal Power Commission to Senator SMITH be printed in the RECORD at this point.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). Without objection, it is so ordered.

The reply and analysis were ordered to be printed in the RECORD, as follows:

FEDERAL POWER COMMISSION,
Washington, D.C.

Senator MARGARET CHASE SMITH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR SMITH: This is in response to your request for comments on a report, dated September 1967, prepared by the Electric Coordinating Council of New England and titled, *Federal Power Commission Review Confirms Dickey-Lincoln Project Economically Inefficient, Single-Purpose Power Plant.*

The Federal Power Commission review to which the Council refers is the memorandum report prepared by our Bureau of Power and transmitted to Senator Allen J. Ellender with my letter of June 12, 1967. That letter and report, except for three attachments to the report, are printed in the Senate Hearings on Public Works Appropriations for 1968, pages 3377–3384. I am enclosing for convenient reference a copy of the letter to Senator Ellender and the memorandum report.

The June memorandum report of our Bureau of Power is an analysis of a statement made on May 11, 1967 by Mr. Albert A. Cree, Chairman, Electric Coordinating Council of New England, to the Subcommittee on Public Works, Senate Appropriations Committee, regarding appropriations to complete planning studies for the Dickey-Lincoln School project in Maine. The points covered in that analysis correspond generally to the questions discussed in the Council's September 1967 report. The latter report shows the following as findings of the Federal Power Commission.

I. FPC finding shows Dickey-Lincoln would be constructed solely for power purposes.

II. FPC finding shows proposed Dickey-Lincoln rate would not recover cost.

III. FPC finding shows Dickey-Lincoln a hopelessly inefficient means of producing power.

IV. FPC finding shows Dickey-Lincoln power would exceed equivalent cost of alternative power.

The Federal Power Commission has not made any of the above findings. To the contrary, we reported to Senator Ellender that the then current studies supported the conclusion reported to the Secretary of the Interior in 1964 by the Federal Power Commission that the proposed Dickey-Lincoln School development was well justified and merited early construction. Our staff advises that it has no new information that would warrant a change in this conclusion.

Our staff's June 1967 report was based upon estimates by the Corps of Engineers that the Dickey-Lincoln School project would cost $212.1 million for construction, $17.2 million for interest during construction, and $82.5 million for transmission facilities, a total investment of $311.8 million. We understand the Corps of Engineers has reviewed these estimates and has presented testimony in support of them, and has concluded that no changes are warranted. The Council in its September report estimates the total investment cost of the project to be $380 million.

The Council has made a number of modifications of material in our staff's June report, including use of the $380 million cost estimate, to reach different conclusions which it reports as FPC findings. Within the limits of time and available data, our staff's analyses of the modifications made by the Council do not support those changes. Analysis of the modifications by the Council shows they rely largely upon anticipated construction cost increases. They do not employ similar increases for alternative facilities that would be constructed in lieu of the Dickey-Lincoln School project.

Our staff has reviewed the Council's September report and a copy of its analysis is enclosed.

Sincerely,

LEE C. WHITE,
Chairman.

REVIEW BY THE FEDERAL POWER COMMISSION STAFF OF A STATEMENT BY THE ELECTRIC COORDINATING COUNCIL OF NEW ENGLAND, SEPTEMBER 1967, ENTITLED "FEDERAL POWER COMMISSION CONFIRMS DICKEY-LINCOLN PROJECT ECONOMICALLY INEFFICIENT, SINGLE-PURPOSE POWER PLANT"

The subject report by the Electric Coordinating Council of New England makes a number of changes in material furnished with the Federal Power Commission's letter of June 12, 1967, to Senator Ellender on the Dickey-Lincoln School project, Maine. On the basis of the modified material the report states that the Commission has confirmed that Dickey-Lincoln School is an economically inefficient single-purpose project. As shown in the following analysis, the changes made by the Council are unwarranted and the conclusion that the Commission has confirmed the economic inefficiency of the project is not proper.

The material furnished with the Commission's June 12, 1967, letter was prepared in response to a request from the Chairman of the Subcommittee on Public Works of the Senate Committee on Appropriations. The letter and enclosures were printed, beginning at page 3377, in the Senate Hearings on the 1968 Public Works Appropriations bill. A copy of the letter is attached hereto for ready reference.

The following analysis of the Council's September 1967 report follows the headings in that report.

I. FPC FINDINGS SHOWS DICKEY-LINCOLN WOULD BE CONSTRUCTED SOLELY FOR POWER PURPOSES

As shown in all previous reports and studies, the benefits ascribable to Dickey-Lincoln School include those for power, flood control, and area redevelopment. Although the largest share of monetary benefits would accrue from power development, the project is multiple-purpose in character and it is not proposed to be constructed solely for power.

II. FPC FINDING SHOWS PROPOSED DICKEY-LINCOLN RATE WOULD NOT RECOVER COST

With regard to the Corps' estimated construction cost of Dickey-Lincoln School, Point 2 in the material furnished with the Commission's letter of June 12, 1967, includes comments on this subject. It points out that the Council's report then under review recognized that any escalation of Dickey-Lincoln School costs would be accompanied by a comparable escalation in the cost of constructing alternative sources of power. The Corps has presented testimony in both the House and Senate Committee Hearings on the 1968 Appropriation supporting its current estimated construction cost of $212 million. Including estimated transmission costs and interest during construction, the resulting project investment would be about $312 million. The FPC economic and revenue analyses were based on that amount and no different basis would now be used. It is believed that the Council's $380 million estimated investment cost has not been supported.

The FPC analysis showed that rates of $15 per kilowatt-year for capacity plus 3.0 mills per kilowatt-hour for energy would be sufficient to recover the Dickey-Lincoln School project investment allocated to power over a 50-year period. Such a repayment schedule would meet the requirements of the Flood Control Act of 1944.

The Council notes that the above rates would apply to power delivered to the low voltage side of substations near load centers. Additional transmission or wheeling costs could be required to bring the project power to distribution systems. However, such additional costs would also apply to any alternative power supplied to the same users. The fact that the indicated "rates" were lower than the FPC estimate of the cost of power supplied from utility sources to the same points clearly indicates that the Dickey-Lincoln School power development would be financially feasible.

III. FPC FINDING SHOWS DICKEY-LINCOLN A HOPELESSLY INEFFICIENT MEANS OF PRODUCING POWER

The FPC analyses did not include a comparison of Dickey-Lincoln School project costs with the cost of power from Federally financed alternative plants. However, the Corps of Engineers did prepare such an analysis based on FPC's estimated cost of Federally financed alternative plants. That analysis, presented on page 3374 of the Senate Committee Hearings, shows a "comparability ratio" of 1.12. Also, material prepared by the Department of the Interior and shown on page 439 of the House Committee Hearings indicates that the cost of Dickey-Lincoln power would be lower than the cost of power from Federally financed alternative power sources.

The Council's corresponding analysis was based on the use of its higher capital costs for Dickey-Lincoln School, a 50-year rather than a 100-year period of analysis as used by the Corps and Interior, and apparently a neglect of the non-profit benefits. The result was an unfavorable "comparability ratio." Such a finding should not be attributed to the Federal Power Commission.

IV. FPC FINDING SHOWS DICKEY-LINCOLN POWER WOULD EXCEED EQUIVALENT COST OF ALTERNATIVE POWER

The FPC estimate of the cost of power from sources alternative to Dickey-Lincoln School and its economic evaluation of the project based on the use of such alternative costs are covered in Point 5 of the material furnished with the June 12, 1967 letter. The results are summarized below:

Annual value of power marketed in Maine	$3,444,300
Annual value of power marketed in Boston area	14,826,200
Annual downstream power benefits[1]	1,050,000
Annual nonpower benefits	507,000
Total annual project benefits	19,827,500
Annual cost of Dickey-Lincoln project	12,172,400
Benefit-cost ratio	1.63

[1] Total benefits to Canadian plants, of which one-half would be returned to the United States.

There appear to be no valid reasons for basic modifications of the above FPC analysis. However, by modifying the Dickey-Lincoln School project cost and by making lower estimates of alternative power costs, the Council derived an unfavorable comparison for the project. Among the reasons for the unfavorable finding are the Council's higher estimated cost of Dickey-Lincoln School, its much lower estimate of transmission costs associated with alternative power sources, and its use of the low-cost Northfield Mountain pumped storage development as the basis for alternative peaking power in the Boston area.

The latter point above was discussed in some detail in Point 5 of the June 12 material. The low Northfield Mountain project cost of $72 per kilowatt results in part from the fact that the lower pool is an existing development. Although there is little actual experience with pumped storage costs, those now existing or under construction range in costs from $84 to $124 per kilowatt. The staff reconnaissance showed an average cost of about $95 per kilowatt for a number of potential sites within 100 miles of Boston. The FPC staff was of the opinion that power values for a potential water resource development should not be based on a single low cost plant but a cost that might be realized at a number of sites. Thus, the analysis was based on use of $95 per kilowatt for a pumped storage peaking plant to serve in the Boston area. Such an estimate appears reasonable, pending further construction experience with such projects.

V. GOVERNMENT TAX LOSS SHOULD BE CONSIDERED IN DETERMINING GOVERNMENT COST OF DICKEY-LINCOLN POWER

As pointed out in the Council's report, Senate Document 97 provides that "taxes foregone" are not to be included in the cost of Federally constructed projects. Therefore, the FPC analyses did not include such tax costs.

In reporting to the Congress on the possible recapture of privately owned licensed projects at the end of the license terms, the Commission does include an indication of the taxes that would be lost as a result of Federal operation. In these cases, there is a question of actually foregoing Federal, State, and local taxes that have been collected over the license term. In the case of Dickey-Lincoln School, there is no question of actually foregoing a previously collected amount of taxes.

Incidentally, the FPC economic analysis given under IV above shows an excess of benefits over project costs of about $7.7 million per year. Thus, the inclusion of $3 to $5 million of "taxes foregone" as an economic cost, as suggested in the Council report, would still leave Dickey-Lincoln School as an economic project.

VI. EXCLUDING TRANSMISSION, DICKEY-LINCOLN POWER WOULD COST MORE THAN ALTERNATIVE POWER

As shown in item IV above, the FPC analysis based on a comparison of the cost of the Dickey-Lincoln School project with the cost of power from alternative sources shows a benefit-cost ratio of about 1.6 to 1.0. Deducting the cost of transmission from both the project costs and the alternative costs would, according to the FPC analysis, still show a favorable economic ratio. This would be true even with the inclusion of an item of "taxes foregone" in costs.

VII. IF BUILT, DICKEY-LINCOLN WOULD PROVIDE HIGH COST POWER

The above conclusion of the Council is based largely on the premise that the project cost would be substantially greater than now estimated. As previously noted, if the project costs escalate materially, it would be expected that alternative power costs would also increase. As noted by the Council, the power would need to be sold at rates sufficient to recover project costs allocated to power over a 50-year period. The FPC analysis shows that the indicated rates needed to repay the cost of project power would be lower than the presently estimated cost of power from alternative sources expected to be available. Under such conditions, it would be expected that the construction of Dickey-Lincoln School would contribute to the lowering of the cost of power in New England as forecast by the National Power Survey.

Mr. MUSKIE. The four findings that the Electric Coordinating Council purported to describe the FPC as making, were commented upon in the letter to Senator SMITH as follows:

The Federal Power Commission has not made any of the above findings. To the contrary, we reported to Senator Ellender that the then current studies supported the conclusion reported to the Secretary of the Interior in 1964 by the Federal Power Commission that the proposed Dickey-Lincoln School development was well justified and merited early construction. Our staff advises that it has no new information that would warrant a change in this conclusion.

Mr. METCALF. Will the Senator from Maine yield at that point?

Mr. MUSKIE. I am happy to yield to the distinguished Senator from Montana.

Mr. METCALF. The Senator from Maine comes from an area where the power rates are probably the highest in America. He also comes from an area which thus far has failed to have the benefit of Federal development.

The Dickey-Lincoln project is one of the most feasible projects remaining in North America for power, for water resource conservation, for all the things that we take into consideration when we build one of these Federal projects. It is one of the last remaining undeveloped highly feasible programs. I compliment the Senator from Maine, his colleague [Mrs. SMITH], and his colleagues in the House of Representatives, all of whom have strongly supported this project.

I do not know whether he is suffering from the most vicious attack that I have ever experienced. I can recall our experience in the Hells Canyon project in Idaho and the Knowles project in my State of Montana. The same things were said about those programs.

I do want to say to the Senator from Maine that it seems to me that, in the public interest, one of the last remaining great feasible projects should be built also in the interest of that region of New England. The Federal Government should go in and build a project for a yardstick program, as they have built projects in Montana, in the Northwest, in the case of the TVA, and in the Southwest, so that the New England section of the country, which has an opportunity for the development of a great water resource development program, should have the same opportunity we had in our area to bring our power rates down to compare with the power rates in various other areas of the United States.

I can understand how utilities have fought so hard, because they want to have the benefit of the overcharges of $5, $6, $7 a month for every residential consumer in Maine and New Hampshire and Vermont. And they do not want this yardstick to apply to their power rates for New England or the Consolidated Edison in New York City or any of the other areas.

I want to say to the people of America that the Senator from Maine [Mr. MUSKIE] and his colleague, the senior Senator from Maine [Mrs. SMITH] have made a significant report to the people of America in an effort to bring power rates down in their area and they have made a significant contribution by this effort.

I compliment them on their effort, and I compliment them on joining the club of the Northwest and the Southwest and the Southeast in trying to get a feasible and effective power project in their area.

Mr. MUSKIE. Mr. President, if the Senator will bear with me a moment, I would like to show him a map. I know that we do not have much of an audience here at the present time, but I show him a map on which the Army Engineers have identified by black dots every Federal power project that has been authorized or constructed or is under construction in our country at the present time.

The Senator will notice that in the Northwest and in the Southwest and the South and the Southeast, the map is literally covered by these black dots. However, if the Senator will look at my section of the country, from Virginia north, he will see not a single public power project. The Dickey-Lincoln School meets the same tests of feasibility, the same guidelines of public policy that have been created on all of these Federal power projects to the benefit of the consumers of those areas, to the end result that we in New England pay higher rates than any other area in the country, and that is no mystery when one looks at the map.

Mr. METCALF. I suggest that in the Northwest, in Tacoma and Seattle, the residential rate is about $5 per month. Down in this area of the map in which there are so many Federal power projects, in the Southeast, the rate is about the same as in the Northwest, $5 per month.

In the area of the country from which the Senator comes, where there are no Federal power projects to make a yardstick, the rate is $11 or $12, so that if one is a residential owner and buyer power in Tacoma or Seattle or in another area of the country in which there are so many Federal power projects, for 500 kilowatts per month a person will pay a residential bill that amounts to approximately one-third of the bill that a residential consumer will pay in the State of Maine. And as one who has benefited in the State of Montana from the Federal power projects represented by these black dots, at Hungry Horse, and Yellow Tail, and Fort Peck, and so forth, as well as being the beneficiary of these downstream dams on the Columbia, I say to the people in Maine and New England that a good way to bring their cost of living down is to have the Dickey-Lee project authorized.

Mr. MUSKIE. These dots represent more than 170 Federal projects built in other areas of the country. And it is because they have been built that we experience the wide gap between rates in New England and other parts of the country.

Mr. METCALF. The Senator is exactly correct.

Mr. MUSKIE. All we can ask for here is the same kind of treatment, the same kind of public power yardstick that the Congress of the United States has made available to other areas of the country.

This is the record up to date, and I personally, as a member of the Committee on Public Works, have participated in the committee action resulting in the authorization of 28 Federal public power projects across the country. And of the 28, 25 had lower benefit-cost ratios than Dickey. And not one of those 25 has been attacked as a single item as this one has in the House of Representatives.

In my committee work I supported resource development with Federal dollars because I believed it to be right. I believed it to be in the interest of the country as a whole. And it never occurred to me in 9 years of such service that we had one policy for the rest of the country and a different and discriminating policy for New England.

I have said this in letters to Members of the House of Representatives. And not one of them has challenged me on the merits of this project. Those who have replied have assured me that they believe in a policy that benefits all areas of the country alike. And yet the result in the other House is vote after vote against the Dickey-Lincoln School.

This cannot conceivably be on the basis of the merits, because as I have said, Dickey meets every test that has been required in any other Federal power project, including all of those which have been built.

I suggest that the best proof and the strongest proof of the feasibility of Dickey-Lincoln is in the viciousness of the private power lobbying effort against it. If this project were as worthless as the private power companies argue that it is, what do they have to fear from it? What is there in it that causes them to exert this effort, this coast-to-coast effort, against this project? What are they fearful of? And why do they have to attack it by means of pressure and the kinds of distortion and misrepresentation that I have placed in the RECORD this afternoon, if they were not fearful of it on its merits? They do not want the test of the public power yardstick applied, and they will fight it to their last resource.

The people of my State understand this. I have just come back from a weekend in Maine. And let me tell the Senator that they understand what the issues are here. They know who their enemy is. They know what the merits of this case are, and they want this project.

We have said to the House of Representatives in every way that we know that we want this project, that it deserves support, that it meets every test that every other project has met. And the only reason that we are not getting the kind of action we ought to have is this private power lobby.

It is for that reason that I supplemented my earlier remarks with his record which I have gone into in some detail of the kind of gross and untruthful distortions that the private power lobby uses to defeat this project.

Now, Mr. President, I wish to review our national resource development policy, point out the salient facts about the values of the Dickey-Lincoln School project, and encourage my colleagues to insist on the Senate position that the Dickey-Lincoln School project planning funds be provided for fiscal year 1968.

Since 1959, I have been a member of the Public Works Committee, where the bulk of our resource development projects are reviewed and evaluated. In the 7½ years I have worked with my colleagues on hundreds of projects, I have followed a simple rule: A project should be evaluated on its merits—without reference to the region in which it is located—and approved, if it meets the tests of being in the public interest, if it contributes to the welfare of the area in which it is located, and if it is economically feasible. These are the tests the Public Works Committee and the Senate have applied.

When it is examined objectively, Dickey-Lincoln School meets all of these tests.

The project is the product of a long series of studies beginning with the New England-New York Interagency study of the late 1940's and early 1950's, coupled with the earlier Passamaquoddy tidal power project, advocated by President Franklin D. Roosevelt.

In 1959, the Joint Engineering Board of the International Joint Commission—United States and Canada—recommended the construction of the Passamaquoddy tidal power project, coupled with the construction of a high dam on the upper St. John River at Rankin Rapids. The Rankin Rapids project was designed to provide low-cost flexible hydroelectric energy to smooth out the peaks and valleys in power production at the tidal generating station. It would have flooded the upper St. John and the Allagash Rivers.

The engineering report was referred to the International Joint Commission for review and evaluation. In April 1961, the Commission rejected the proposed Passamaquoddy tidal power project, but suggested possible development of the Upper St. John, which is an international river, rising in Quebec Province, flowing through Maine, forming part of the boundary between Maine and New Brunswick and flowing through New Brunswick to the sea.

In the meantime, the National Park Service of the United States had proposed the protection of the Allagash

River as a free-flowing wilderness waterway.

I recommended to President Kennedy that the Department of the Interior be assigned the responsibility of reviewing the recommendations of the Joint Engineering Board, the findings of the International Joint Commission, and the recommendations of the National Park Service for the purpose of recommending a balanced development of the resources of northern and eastern Maine.

In July 1963, after 2 years of study, Secretary of the Interor Udall recommended to the President the development of the Dickey-Lincoln School project on the Upper St. John as a flood control and hydroelectric program, designed to provide 100,000 kilowatts of low-cost firm energy, and 650,000 kilowatts of low-cost peaking power. The project would consist of a high dam on the upper St. John, above the confluence of the St. John River and the Allagash River in the town of Dickey, and a low, reregulating dam below the confluence of the two rivers at the site of Lincoln School. The project, which would fit into the power requirements of Maine and New England, was hailed by conservationists because of the protection it provided the Allagash River.

This past year the State of Maine and the Department of the Interior entered into an agreement under which the State of Maine is acquiring title to land on both sides of the Allagash and protecting this beautiful river in its primitive State. The Federal Government and the State are sharing in the costs of the project.

The 1963 proposal contained an additional recommendation that the Passamaquoddy project should receive continuing study, particularly with reference to technological advances.

I want to underscore the fact, Mr. President, that the 1963 proposal, which is the foundation for the present project, was based on the concept of a generating station designed to produce the bulk of its energy as peaking power which is absolutely essential to a soundly balanced power system in which there are very large thermal plants—fueled either by fossil fuels or nuclear energy. Dickey-Lincoln School is not an alternative to thermal plants; it is an essential complement to them.

Thermal powerplants—whether powered by coal, oil, or nuclear energy—are efficient only when used to generate at maximum load factor—90 percent or above is considered efficient—24 hours a day. They are neither efficient nor practical as sources of intermittent power requirements. Hydroelectric plants are ideal for this latter purpose. Dickey-Lincoln School is designed to produce peaking power as a hydroelectric plant.

Dickey-Lincoln School is important to New England as a substantial source of low-load factor power which will be available for short periods of peak demand such as rush hours, early evening and early morning—the kind of power the Northeast needed and did not have on November 9, 1965.

Dickey-Lincoln School is an eminently sound project, with a benefit-cost ratio of 1.91 to 1. It would provide wholesale firm energy for Maine communities at rates substantially below those now charged by the private utilities in our area. It would supply essential peaking power to the New England market at rates substantially below current charges and at costs lower than the best alternative proposals made by the private companies.

Since its authorization in 1965, Dickey-Lincoln School has been the subject of the most intensive restudy ever required for a public works project. The staff of the House Committee on Appropriations conducted a special study of the project, including an extensive analysis of the findings of the Corps of Engineers, the Department of the Interior and the Federal Power Commission. They reviewed the allegations made by New England's private utilities. The staff findings sustained the favorable verdict of the Federal agencies and discredited the arguments advanced by the private companies.

The private power companies have claimed that Dickey-Lincoln School would not affect power rates in New England. The fact is that the threat of Dickey-Lincoln has already had an impact on the power companies of my own State.

Between 1946 and 1963 the three privately owned power companies in Maine sought increases—but no reductions—in their rates. Indeed, during my terms as Governor, the public utilities commission was virtually overwhelmed by the onslaught of power company attempts to push their rates higher and higher.

But in 1963, when the Department of the Interior recommended the construction of the Dickey-Lincoln School project, the three companies suddenly discovered it was possible to reduce rates. The reductions were not impressive and they provided almost no benefits for homeowners, but they were reductions. The total reductions, in 18 announcements made by the power companies since the advent of the Dickey-Lincoln proposal, have totaled $4,161,527.

The 1963 applications were as follows: Central Maine Power Co. sought a reduction of $1,000,000, and Bangor Hydroelectric Co. sought a reduction of $10,000, both to take effect September 1. Maine Public Service Co. sought a $100,000 reduction, effective September 18. Secretary Udall's recommendation to President Kennedy was dated July 1, 1963.

In 1964, while the authorization proposal for Dickey-Lincoln School was in the final stages of preparation, and when the project received President Johnson's unqalified endorsement, Maine Public Service—the private company located closest to the project and charging the highest rates in Maine—announced another proposed reduction of $180,000.

In 1965, the legislation authorizing the Dickey-Lincoln School project was introduced.

Between the time Dickey-Lincoln School was reported—June 17—and the time of the final authorization—October 15—Central Maine Power Co. announced three rate reductions: $591,000 to take effect September 1; $15,000 to take effect September 30; and $33,737 to take effect October 1. Bangor Hydro initiated a reduction of $275,000 that year.

In 1966, the rate reduction pattern continued, as the House debated Dickey's second planning appropriation. Central Maine sought reductions of $45,000 for August 1 and $100,000 for September 1. Bangor Hydro sought four reductions: $595,404 for July 1; $26,285 for August 5; $13,000 for October 1; and $16,201 for December 8.

It should be noted that all but one of these six reductions were announced prior to or during the hearings and floor consideration of the Dickey-Lincoln school project.

This year's fight on Dickey-Lincoln School is still going on. So far, Central Maine and Bangor Hydro have sought two reductions apiece, all announced during hearings and consideration of Dickey. Central Maine announced reductions of $200,000 for September 1 and $470,000 for October 1. Bangor Hydro announced reductions of $211,209 for September 1, and $281,668 for November 1.

This record is extraordinary for companies which had not sought reductions and had been busy pushing rates up for the preceding 17 years. This record, plus the record of rate reductions in other areas of the country where publicly owned power projects are located, indicate the desirability of competition in the power business. In Maine we have only had a taste so far.

It should be noted that the rate reductions in Maine did not result in any belt-tightening by the private utilities. A study of the rate of return received by the power companies indicates that during and since the reductions, two of the three utilities involved have been getting returns in excess of the 6 percent normally set by the Maine Public Utilities Commission. As a result of the discussion stimulated by Senator METCALF's book, "Overcharge," the Maine Public Utilities Commission has contracted for a special study of rates of return for Maine utilities.

The Maine overcharge problem is matched in the rest of New England. A study of Federal Power Commission statistics shows that in 1965, for instance, the New England private power monopoly overcharged New England consumers $21,034,000. This estimate is based on the normal rate of return of 6 percent applied to this industry.

A study of 28 New England power companies shows that 14 of them had a rate of return of 7 percent or more. Five had a rate of return of 8 percent or more, and one had a rate of 11.18 percent. At these rates of return, it is not surprising that New England homeowners pay up to 35 percent more for power than the national average.

The private power companies have made one other gesture in the direction of improved operations since the advent of the Dickey-Lincoln school project. Even that is a mixed blessing.

In January 1966, the power companies released a series of advertisements, announcing the establishment of the "Big 11 Power Loop." In and of itself it was a confession of past weaknesses, but it promised an integrated power system for the region, based on large nuclear power plants and larger transmission lines.

Later, one of the power company executives admitted in a Vermont public hearing that planning for the "Big 11" program consisted of preparing the advertisement. The House Public Works Committee could find no evidence of regional planning by utilities, including generation and transmission, except in the advertisements. The staff study concluded that—

> Although representatives of the council advised that they have planned to meet the problems of supplying the power needs of New England on a central coordinated basis, they have not produced any document supporting this central planning with the exception of an advertisement that appeared in the public press in January, 1966.

Recent developments indicate that that the underlying intent of the private companies in promoting the "Big 11" proposal is not so much an improvement in reliability and service as it is another step in their effort to tighten their grip on the New England power market. They have flatly refused to permit the publicly owned utilities to join in a regional transmission system.

As I pointed out earlier, Mr. President, one of the great advantages of the Dickey-Lincoln School project has been its careful planning in terms of conservation of the natural resources of northern Maine. In recent weeks we have received complaints from some conservationists who have apparently forgotten that one of the key features of the project is the preservation of the Allagash as a free-flowing river, protected in a cooperative venture by the U.S. Government and the State of Maine.

Gifford Pinchot, one of our country's greatest conservationists, defined conservation as "the wise use of the earth and its resources for the lasting good of men." He said:

> Conservation is the foresighted utilization, preservation and/or renewal of forests, waters, lands and minerals, for the greatest good of the greatest number for the longest time.

Dickey-Lincoln School is part of a national resource development and protection program which is consistent with the Pinchot definition.

I ask unanimous consent that two letters I have received from the Department of the Interior and the Department of the Army, Corps of Engineers, be printed in the RECORD at this point. One is from Assistant Secretary of the Interior Kenneth Holum, and discusses the conservation considerations which entered into the original decision to recommend Dickey-Lincoln School. The second is from Brig. Gen. Charles C. Noble, Acting Director of Civil Works, Department of the Army. His letter outlines the steps being taken to protect the fish and wildlife habitat of the area.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., October 27, 1967.
Hon. EDMUND S. MUSKIE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MUSKIE: This is in response to your inquiry as to whether the Saint John River has ever been considered for wild river status in connection with proposed wild and scenic rivers legislation. You asked, also, for our comments on the resolution adopted by the Associated Sportsman's Clubs of Cumberland County on July 27, 1967, and the comments of the Natural Resources Council of Maine relating to the planning and construction of the Dickey-Lincoln School Project on the Upper Saint John River.

The Saint John River, in toto, has never been studied or proposed by this Department or considered by the Congress for wild or scenic river status. Confusion on this matter may have arisen from the fact that the Allagash River, a tributary of the Saint John which flows into the Saint John River below the Dickey Dam site and above the low Lincoln School Dam site, was proposed and has been committed to preservation as a free-flowing river. The Department of the Interior first suggested preservation of the Allagash in connection with the New England-New York Inter-Agency Committee survey and the proposal was identified in the Inter-Agency Committee's report issued in 1955. In that report, also, the Department of the Interior proposed that the Dickey-Lincoln School site be considered as an alternate to the Rankin Rapids site in order to avoid flooding the Allagash River and thus destroying the natural character of that stream.

Following the initial proposal around 1955, several studies were made of the Allagash, looking toward its preservation as a free-flowing river. The Department of the Interior fully supported such status and recommended that the area be managed by the State of Maine. In January 1966, the Maine Legislature passed the Allagash Riverway Act, a special act of legislation establishing the Allagash Wilderness Waterway. In November 1966, the people of the State of Maine approved a $1.5 million bond issue to finance the acquisition and protection of the area. Following these actions by the State, the Secretary of the Interior matched the State portion with a $1.5 million grant from the Land and Water Conservation Fund.

A further area of confusion may arise from the fact that the proposed Wild Rivers legislation now under consideration in the Congress contains a provision which would enable the Allagash Wilderness Waterway area to be included as part of the proposed National Wild Scenic Rivers system, although it would remain a State-managed area. This provision would further protect the Allagash from uses and developments noncompatible with the Wild River program.

We would call attention to the fact that the Saint John River down stream from the Lincoln School Dam site becomes the boundary between northern Maine and Canada. For the rest of its length, it flows through Canada. Thus, that portion of the Saint John River which is an international river could not be designated a part of the United States wild or scenic rivers system.

The Department of the Interior's response to the resolution of the Associated Sportsman's Clubs of Cumberland County is the subject of the enclosed copy of our September 21 letter to Mr. Edward T. Allen, Secretary of the organization. You will note that this letter was prepared in coordination with the Corps of Engineers.

It seems to us that both the Maine Natural Resources Council and the Associated Sportsman's Clubs are confusing the question of conservation planning and recreational development with the issue as to whether the Dickey-Lincoln School Project should be built. I want to take this opportunity to again point out that the development of the Upper Saint John River was planned giving the fullest consideration to conservation and proper utilization of our natural resources. As pointed out above, the selection of the Dickey-Lincoln School Project was done in such a manner so as to preserve the Allagash Wilderness Waterway.

In the preconstruction planning for the Dickey-Lincoln School Project, the Fish and Wildlife Service has been preparing necessary studies which will enable them to recommend fish and wildlife measures for incorporation in the over-all plan for the Dickey-Lincoln School Project. We expect the Fish and Wildlife report to indicate specifically those features which will be required to enhance fish and wildlife resources in the area and to compensate for changes in habitat and access. We anticipate that the report of the Fish and Wildlife Service will be available some time before the first of the year.

After the preconstruction planning is completed and the Dickey-Lincoln School Project enters the early construction stage, our Bureau of Outdoor Recreation and Fish and Wildlife Service will be working with the Corps of Engineers and the State and local agencies to prepare an over-all recreation plan. This plan will be incorporated as part of the constructed project.

In summary, let me reiterate, the Saint John River has not been studied or proposed for wild river status; nor has it been included in any of the several bills submitted to establish a wild or scenic rivers system. It should be quite clear that the Corps of Engineers, the responsible agencies of this Department, and Secretary Udall, personally, have given full consideration to the proper planning of the Upper Saint John River development. We can, therefore, again assure you and others that construction of the Dickey-Lincoln School Project does, and will, make the best utilization of the natural resources of the Upper Saint John River basin.

Sincerely yours,

KENNETH HOLUM,
Assistant Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., September 21, 1967.
Mr. EDWARD T. ALLEN,
Associated Sportsman's Club, of Cumberland County, Portland, Maine.

DEAR MR. ALLEN: Thank you for your letter of August 7, 1967, outlining the resolution adopted by the Associated Sportsman's Clubs of Cumberland County, Maine, regarding the Dickey-Lincoln School project.

The Secretary has consistently and vigorously opposed any development of the Saint John River which would flood the Allagash River. The Dickey-Lincoln School project will preserve for future generations, the superb Allagash recreational area, one of the finest wilderness areas in this country.

In collaboration with the Corps of Engineers, we are submitting the following comments which we trust will be helpful to you:

Actually the Dickey impoundment, at maximum power pool elevation 910, would inundate approximately 86,000 acres, or approximately 135 square miles, using a conversion factor of 640 acres per square mile.

The Dickey Reservoir at elevation 910 would inundate approximately 53 miles of the St. John River, 25 miles of the Little Black River, 65 miles of the Big Black River, 7 miles of Pocwock Stream, 4 miles of Chimenticook Stream, and 65 miles of other smaller named streams. The Lincoln School reregulating pool, at elevation 610 would inundate 11 miles of the St. John River.

The report by the U.S. Fish and Wildlife Service on the Rankin Rapids Reservoir, dated October 1, 1959, contains an evaluation of the fish and wildlife resources of the St. John and Allagash River areas. In this report, the Fish and Wildlife Service suggested that investigations be made for development of the Big Rapids-Lincoln School Reservoir in lieu of the Rankin Rapids project, which would have inundated a major portion of the Allagash and St. John Rivers. The Big

Rapids project, which would have been basically the same as the Dickey project except that the damsite would be located farther upstream, was suggested as it would have far less detrimental effects on the fish and wildlife resources of the area.

The report assessed the St. John River and its tributaries as having excellent seasonal trout habitat, with brook trout well dispersed and active during spring, early summer and fall. However, it stated:

"In comparison to the St. John River and its tributaries, trout habitat in the Allagash drainage is superior in both quality and quantity. Water levels are far more stable and the stream channel, in general, is deeper."

The Allagash is also a far greater canoe stream than the St. John. For example, a reconnaissance trip was made of the St. John River early this summer by a civil engineer and a fishery biologist of the New England Division, Corps of Engineers. They floated the river from the southwest branch approximately 110 miles to the Dickey damsite in four days. Both are experienced avid canoeists. Although the trip was very enjoyable and exciting to both, they found the river to be very shallow in many areas requiring them to do much pushing and pulling while walking beside the canoe. The run through the steps at the Big Black Rapids was the highlight of the trip.

The party learned that thirty parties made this trip in 1966 as compared to 2,000 parties on the Allagash in the same period. This year, particularly favorable for canoeing, an estimated 150 parties may make the St. John trip as compared to 3,000 on the Allagash. The Dickey Dam was located above the mouth of the Allagash River expressly to preserve the wilderness canoe trip region of the Allagash, although a dam located farther downstream in the vicinity of Renkin Rapids would be more advantageous as far as power production is concerned.

The statement is correct that the flooded area would destroy deer range including 34 known deer yards and displace countless hundreds of fur bearing animals. In this respect, all possible measures will be taken to minimize the adverse effects of the project on fish and wildlife. Provisions will be made to mitigate to the fullest extent possible any losses of fish and wildlife habitats as recommended by the State and Federal agencies. Mitigation measures that could be provided, if warranted, would be acquisition of suitable land, including proper management, to replace the lost deer yards.

The maximum drawdown of the project would be 40 feet between elevation 910 and 870. However, this would not happen in any one year. The average annual drawdown between April 15 and October 15 would be 10 feet. The heaviest drawdown period would be in the winter months due to the larger power demands in that season. Due to the generally precipitous nature of Dickey Reservoir area, it is not considered that the shoreline areas when exposed would have the graphic features of mudflats.

It is not known how a day would be lost from the Allagash canoe trip. The maximum pool of the Lincoln School project at elevation 610 would back up the Allagash River approximately 2.0 miles and would eliminate the oxbow just above the confluence with the St. John. The most northern limit of the Allagash Wilderness Waterway, as established by State law in 1966, is the confluence of West Twin Brook with the Allagash. This point is 2¼ miles upstream of the 610 contour of the Lincoln School pool.

The Corps of Engineers, in planning a project of this type, always considers the recreational aspects. In the case of Dickey, we have a new lake which, in size, will be about 15 percent larger than the Moosehead. This will have a profound impact on the recreational pattern of the area as time goes on and as Maine continues to develop its recreational appeal to the nation.

The creation of a lake the size of the Dickey Reservoir, adjacent to the Allagash Wilderness Area, will provide tremendous recreational facilities for boating, camping, lake fishing and access by water to areas not now accessible to the general public. Mr. Lawrence Stuart, Director, State Park and Recreation Commission, Augusta, Maine, in a letter dated March 15, 1966, to the Corps of Engineers, stated "It would seem to me only reasonable in connection with this reservoir that there would be a sizable recreation area comparable to a state park facility. . . ."

We recognize the importance of the nonmonetary aspects and that there will be losses to existing fish and wildlife habitat. On the other hand, there will be the gains of lake recreation. Our planning for the provision of lake-type recreational facilities is in itself a major effort and, frankly, we are just beginning. In this we are and will continue to work with State and Federal recreation and Fish and Wildlife agencies.

All possible measures will be taken to minimize the adverse effects of the project on fish and wildlife. Provisions will be made to mitigate to the fullest extent possible any losses of fish and wildlife habitats as recommended by the State and Federal agencies. Mitigation measures that could be provided, if warranted, would be acquisition of suitable land, including proper management, to replace the lost deer yards. A fish hatchery could also be provided to stock the lake with suitable game fish.

The estimated cost of the Dickey-Lincoln School project, including interest during construction, is $235,400,000, not $400,000,000. While it is true that the cost of energy produced by nuclear plants is coming down, they are not suitable to supply the relatively short time peak demands for electricity. Nuclear-fueled plants and conventional fossil-fueled plants operate at maximum efficiency under relatively constant load conditions. Hydro-electric plants, on the other hand, can rapidly adjust to varying load demands and can easily be shut down or started as required. If a source of natural streamflow is not available, pumped storage hydro-electric plants are often used as sources of peaking power. It should be pointed out that pumped-storage plants do not produce energy, but actually consume energy, requiring approximately 3 kilowatt hours of pumping energy for every 2 kilowatts they generate.

In a report by the Federal Power Commission in July of this year on the Northeast power failure of November 9 and 10, 1965, it was stated that where hydro-electric power is readily available, systems are relying upon this source for quick start-up power, and then are arranging circuits for simplified switching in time of need. Systems which had access to hydro-electric power were among the first to restore service on November 9. Nine utilities in the Northeast have made changes in facilities or operating instructions to assure that hydro-electric power can be routed to thermal plants for station service.

Sincerely yours,

KENNETH HOLUM,
Assistant Secretary of the Interior.

DEPARTMENT OF THE ARMY, OFFICE
OF THE CHIEF OF ENGINEERS,
Washington, D.C., October 26, 1967.

Hon. EDMUND S. MUSKIE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MUSKIE: I welcome the opportunity to comment on the letter you received from Mr. Clinton B. Townsend, President, Natural Resources Council of Maine.

Mr. Townsend is concerned only about preserving the natural resources of the Saint John River in their present state. In this form they benefit only the few hardy people who are able to venture into this wilderness area. For example, a reconnaissance party from our New England Division office made the Saint John canoe trip this July. The party learned that thirty (30) parties made this trip in 1966 as compared to two thousand (2,000) parties on the Allagash in the same period. This year, particularly favorable for canoeing, an estimated one hundred fifty parties (150) may make the Saint John trip as compared to three thousand (3,000) on the Allagash. The Dickey Dam was located above the mouth of the Allagash River expressly to preserve the wilderness canoe trip region of the Allagash although a dam located farther downstream in the vicinity of Rankin Rapids would be more advantageous as far as power production is concerned.

Mr. Townsend is correct in his statement that no public hearings have been held in the State of Maine by the Corps of Engineers or by the Department of the Interior. However, much publicity has been given the project in the press and over the radio and television stations of Maine. A meeting, sponsored by the Fort Kent Chamber of Commerce, was held at Fort Kent on April 16, 1964. This was attended by over 500 people of the area. Mr. Kenneth Holum, Assistant Secretary of the Interior, was the principal speaker. Governor Reed, of Maine, and Premier Robichaud, of New Brunswick, also spoke in favor of the project. Mr. John W. Leslie, Chief, Engineering Division, of our New England Division office, presented a paper on the project before an annual meeting of the American Society of Civil Engineers at the University of Maine on November 5, 1965. In March 1966, Mr. Leslie spoke at a dinner party by the Fort Kent Chamber of Commerce before 150 people.

A community meeting, sponsored and arranged by Mr. Thomas C. Sweetser, Extension Agent at Presque Isle, Maine, and Mrs. Marilyn Plissey, Extension Agent at Fort Kent, Maine, was held in the Allagash High School, Allagash, on January 22, 1966. About 50 people attended this meeting at which a representative from the New England Division discussed various aspects of the project as it would affect the local economy. Several meetings have been held with representatives of the timber landowners and Mr. Austin Wilkins, Maine Commissioner of Forest Service. On the 19th of June 1967, Mr. Leslie and Colonel Remi O. Renier, Acting Division Engineer of our New England Division, briefed both Houses of the Maine Legislature on the Dickey-Lincoln School project.

Governor Curtis, as you know, has established a Task Force to develop practical plans for the people of the area as regards their health, education, welfare, housing, and employment. One of the important duties of this Task Force will be to determine the capabilities of the land and water resources so that reasonable use may be made of the available land. The first meeting of this group was held at the State House, Augusta, Maine, on August 31, 1967. An Ad Hoc Committee was established to define all problem areas associated with developments in the area and to determine the means for their resolution.

The Corps of Engineers in planning a project of this type always considers the recreational aspects. In the case of Dickey, we have a new lake which, in size, will be about 15% larger than Moosehead. This will have a profound impact on the recreational pattern of the area as time goes on and as Maine continues to develop its recreational appeal to the nation. The creation of a lake the size of the Dickey reservoir, adjacent to the Allagash Wilderness Area, will provide tremendous recreational facilities for boating, camping, lake fishing, and access by water to areas not now accessible to the general public. Mr. Lawrence Stuart, Director, State Park and Recreation Commission, Augusta, Maine, stated in a letter to this office, March 15, 1966, "It would seem to me only

> reasonable in connection with this reservoir that there would be a sizable recreation area comparable to a state park facility. . . ."
>
> We recognize, along with Mr. Townsend, the importance of the non-monetary aspects and that there will be changes to existing fish and wildlife habitat. On the other hand, there will be the gains of lake recreation. Our planning for the provision of lake-type recreational facilities is in itself a major effort and, frankly, we are just beginning. In this we are and will continue to work with state and federal recreation and fish and wildlife agencies.
>
> Our design effort has been concentrated on those features of the project required to enable construction to start at the earliest possible date. The recreational features of the project, which are not critical to initiation of construction, will be studied in detail with full coordination with the appropriate state and federal agencies.
>
> All possible measures will be taken to minimize any possible effects of the project on fish and wildlife habitats as recommended by the state and federal agencies. Measures that would be provided, if warranted, include acquisition of suitable land, including proper management, to replace the lost deer yards and a fish hatchery to stock the lake with suitable game fish.
>
> The loss of prime timberland is surprisingly small. In fact, a study of the aerial photographs of the area to be inundated by the Dickey reservoir reveals that almost no timbering has been done in the area below the proposed water line. The forest landowners will, of course, be paid the fair market value for their land and any merchantable timber on it and will have the option to remove timber at the time of sale.
>
> With regard to clearing, every effort will be made to coordinate the reservoir clearing operations to the extent that maximum benefit will be derived from the salvage of the useable timber. The vertical limits of reservoir clearing will extend from up to 3 feet above the maximum power pool down to 5 feet below the 10 year frequency drawdown. Under normal projects operations, therefore, no trees or stumps will ever be exposed.
>
> The Division Engineer believes specific recommendations should be developed by additional studies prior to scheduling full scale public hearings. The time required to complete these studies will be governed by the availability of additional planning funds.
>
> Sincerely yours,
>
> CHARLES C. NOBLE,
> *Brigadier General, U.S. Army, Acting Director of Civil Works.*

Mr. MUSKIE. In another effort to detract from Dickey-Lincoln School, the private power companies have attacked the project as a "subsidized" venture while suggesting that they never receive subsidies or any other considerations. The fact is, of course, that the companies benefit from the assured rate of return which is part of the consideration granted a public utility, and in their heavily advertised nuclear powerplants, they have been receiving considerable assistance from the public investment in nuclear technology development and in indirect assistance under the Federal atomic energy program.

I would like to call my colleagues' attention to the subsidies received by the Yankee Atomic Plant at Rowe, Mass., the only operating nuclear power facility in New England.

First. Research and development assistance: $5 million is the cost of AEC assistance in the design, engineering, and fabrication of the reactor portion of the plant.

Second. Waiver of fuel use charge: $3.7 million was the cost of the initial load of fuel in the reactor. This fuel was supplied free of charge by the AEC—enriched uranium from Oak Ridge—as part of the AEC's role due to the experimental nature of the reactor. Subsequent loadings of the reactor have been paid for by the utilities.

Third. Plutonium buyback: $2.1 million. At the time of construction of the Rowe, Mass., plant, there was no private market for uranium and, therefore, had the AEC not agreed to buy back the plutonium, the utilities would have had to dispose of it as waste.

The subsidies I have listed will not be available to the nuclear powerplants being constructed, considered or advertised in the New England area, but the new plants will continue to receive the benefits of nearly $2 billion the Atomic Energy Commission has spent in research and development of the civilian nuclear power program and related reactor technology and safety programs, and the incentives provided by the Price-Anderson Indemnity Act which provides liability protection between the coverage provided by private insurance companies and total liability of $560 million. In the instance of the Connecticut Yankee Atomic Plant, the utility will be able to obtain $486 million worth of liability coverage from the Federal Government at a cost of $44,000 per year, while obtaining only $74 million worth of liability insurance from private sources for $280,000 a year.

I do not object to these incentives, or subsidies. They are designed to accomplish a positive public good. I do object to the doubletalk we get on the subsidy question.

This question was raised frequently before the Joint Atomic Energy Committee during hearings on renewal of that program. The statements by the utility executives speak for themselves:

In response to the following question from Representative HOSMER, Mr. Francis E. Drake, vice president, Rochester Gas & Electric Corp., had an interesting comment:

> Representative HOSMER. In the light of your answer to Mr. Price, how do you view this Price-Anderson thing? A lot of people say this is a big subsidy. Some other people say it is a method, technique, to permit the installation of nuclear electric generating plants in this country. I suppose there are some other variations in concept of its philosophy. What is Rochester's view, yours in particular?"
>
> Mr. DRAKE. My view, Congressman Hosmer, is that the Price-Anderson indemnity provision has been a most effective encouragement to the private industry and also the manufacturing industry to go forward with an industry which is in the public interest. Nuclear power as a source of energy is one that we are all very optimistic about. Without the Price-Anderson Act, I do not think that the progress we have made would have been made and could have been made in the industry. I think it has been very farsighted of the committee and of Congress to have passed the Price-Anderson Act.

Mr. George C. Kinsman, vice president, Florida Power & Light Co., said the following:

> Because of our interest in nuclear power, we are concerned about extension of the Price-Anderson law. The importance of the extension is emphasized by the inclusion in the first proposal we have received on our nuclear project which contains the following statement: "The offer is based on the extension of governmental indemnification authority." This indicates to us that this matter is considered essential by the manufacturing industry.

And adding an interesting colloquy with Representative PRICE on the subject:

> Representative PRICE. Mr. Kinsman, you say in your statement that this matter—the extension of the Price-Anderson Act—is considered essential by the manufacturing industry. Now what about the utility industry and particularly what does your company think about the necessity of extension of this act?
>
> Mr. KINSMAN. We feel the same way, Mr. Price.
>
> Representative PRICE. You think it is essential to the continuation of the nuclear power development program?
>
> Mr. KINSMAN. Yes sir; I do.

Mr. James Davenport, executive vice president, Southern California Edison Co., stated:

> We believe that it would be unwise to remove the aggregate limitation of liability provided by the Price-Anderson Act. The removal of this feature of the Price-Anderson system would result in the exposure to uninsured liability claims which also could be a deterrent to future developments in the nuclear energy field.
>
> We believe that the Price-Anderson program is fully warranted since it is the only means of providing the necessary nuclear liability coverage for the nuclear power industry.

In connection with the subsidy argument, Mr. President, it should be noted that the Dickey-Lincoln School project would repay the entire Federal investment, with interest, in 50 years. It will return to the Federal Treasury nearly $2 for every one of the $227 million in Federal funds invested in the project during that time period. It will continue to pay a substantial return on the public investment many, many years beyond the end of the payback period.

I have yet to hear one private power company offer to reimburse the Federal treasury for the nearly $2 billion Federal investment in the civil nuclear reactor program.

Mr. President, I think the record should be clear that the Dickey-Lincoln School project has met the tests of national interest and economic feasibility. In addition, it has overwhelming support in the State of Maine. Two Maine Governors—one Republican, one Democrat—two Maine Senators—Mrs. SMITH and I—three Maine Congressmen—one Republican and two Democrats—and two Maine Legislatures—one Republican and one Democratic—have supported this project since it was sent to Congress.

In spite of all these factors, a majority of the House of Representatives has opposed the project. In considering the disagreement between the Senate and the House, I hope my colleagues will keep the following facts in mind—in addition to those which I have outlined on the substantive issues:

First, the northeastern area of the United States—and New England in particular—has not received the heavy investment in resource development funds which has been accorded other regions.

From 1960 to 1966, the per capita distribution of public works authorizations showed a consistent pattern of large investments in areas outside the Northeast, as demonstrated in the following table:

Region:	Per Capita
Northeast	$18.98
Midwest	31.17
South	40.84
Southwest	54.06
Far West	51.08

In this year's public works appropriations bill, the pattern is continued:

Region:	Per capita
Northeast	$1.77
Midwest	4.73
South	7.83
Southwest	7.49
Far West	11.81

New England's allocation is only $1.57 per capita.

Second, many of the opponents of the Dickey-Lincoln School project have been inconsistent in their positions on the public works appropriations bill, voting against Dickey-Lincoln School—which has a benefit-cost ratio of 1.91 to 1—while supporting rivers and harbors projects in their own districts which do not measure up to the Maine project.

In the July 25 vote in the House of Representatives, Congressmen representing districts in which 193 projects covered by the bill were located voted against the Dickey-Lincoln School project. 134 of those projects, with appropriations totaling $241,527,000, had no benefit-cost estimate or had a benefit-cost ratio of less than 1.9–1. This represented 24 percent of the total appropriations approved by the Senate for construction and planning of public works projects.

In the October 25 vote in the House, there were a number of individual shifts in connection with the Dickey-Lincoln School project. Of the projects contained in the conference report, 132 having no benefit-cost estimate or a ratio less than 1.9 to 1 are located in the districts of Congressmen who voted against Dickey-Lincoln School on October 25. Appropriations for these projects totaled $234,155,000, or 24 percent of the total recommendation of $968,474,000.

I cite these figures to demonstrate that there is no consistency in the opposition to Dickey-Lincoln School, that the House position threatens a national policy based on the merits and economic feasibility of projects, and that our region is not one to be placed at the top of the list for cutting back on public works projects.

I urge my colleagues to support the Senate position and to insist that the Dickey-Lincoln School project be included in the Public Works Appropriations Act of 1968.

Mr. President, I yield the floor.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1968

The Senate resumed the consideration of the bill (H.R. 8569) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1968, and for other purposes.

Mr. BYRD of West Virginia. Mr. President, the bill before us provides an appropriation of $504,960,100. This represents an increase over the House-passed bill of $41,622,400, and it would be $33,435,100 under the budget estimates.

The amount recommended in this bill is $83,147,200 over the appropriations for 1967.

For operating expenses, the bill provides a total of $381,647,600, which is $5,757,900 over the House-passed bill.

For capital outlay items the bill provides a total of $115,552,500, which represents an increase of $35,894,500 over the House allowance.

The Senate Appropriations Committee has increased the Federal payment to the general fund by $12 million over the House allowance of $56 million, making a total of $68 million in the bill before us. This sum is $2 million under the $70 million authorization.

The bill before us provides a total in Federal loans of $79.2 million. This is $31.1 million above the House allowance of $48.1 million. The increase consists of the restoration of $1.5 million deleted by the House and the approval of $29.6 million of the $40.1 million request contained in supplemental estimates submitted in Senate Document No. 54. The bill adds $25.2 million in loan authority for public building construction over the House figure of $31.8 million and, in addition, allows $5.9 million for higher education capital outlay.

The funds provided for under the bill before us allow for a reserve of $11,057,000 for contingent expenses as follows: $1,042,000 for indefinite appropriations; $1,522,000 for wage board increases for regular employees and food service and laundry workers; $164,000 for salary increases for interns and resident doctors; $3,286,000 for classified pay increases of 4.5 percent estimated to be effective October 1, 1967; $1,642,000 for pay increases of 7.2 percent for policemen and firemen, as estimated, to be effective January 1, 1968; and $3,401,000 for raises of 8.3 percent for schoolteachers, as estimated, to be effective January 1, 1968.

Mr. President, of the $41,622,400 increase over the House allowance, capital outlay items amount to $35,894,500. The increases in operating expenses over the House-passed bill are broken down, in part, as follows: For general operating expenses, $624,700; public safety, $546,700; education, $3,751,900; health and welfare, $1,343,900.

Those, I believe, are the items of greatest interest to the general public.

Mr. President, I ask unanimous consent to have printed at the close of my remarks a table which will provide additional facts concerning operating expenses and capital outlay as well as repayment of loans and interest.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BYRD of West Virginia. The total for the Metropolitan Police Department is $44,870,900, a reduction of $179,700 below the House allocation, resulting only from savings as a result of delay in the passage of the bill. Language is recommended to expend the unobligated balance of $670,000 provided in 1967 appropriations for communications equipment.

Officials in the department advised the committee last week that there were 376 vacant positions in the authorized strength of 3,100.

For the fire department the committee allowed $20,431,700, a reduction of $33,100 below the House allowance, again resulting from savings because of the delay of passage of the bill.

Mr. President, other than the savings that arose as a result of the delay in passage of the bill, the Committee on Appropriations allowed every dime requested by the Metropolitan Police Department.

The committee was very liberal in its recommendations as to appropriations for the courts in the District of Columbia. The bill before us provides for a net increase of $603,300 over the House allowance. This increase will provide 13 positions and related services for the Juvenile Court, including a research analyst, a statistician and secretary to establish a research unit, eight probation officers, and other personnel.

Seventy positions and related services are allowed for the District of Columbia Court of General Sessions, 64 of which were included in the supplemental estimate to the Senate.

The bill provides an increase of $21,300 for the annual retirement pay of a judge of the District of Columbia Court of Appeals and payment for extra work by retired judges.

Eight positions are included to allow for expansion of services of the Legal Aid Agency and three positions for improvement of services in the District of Columbia Bail Agency.

The Committee on Appropriations allowed 415 new teaching positions in the public schools of the District of Columbia, plus certain sums of money for teachers for special assignment purposes, and so forth. I wish to say here again that the Senate Committee on Appropriations allowed every teaching position requested for the public schools in the District of Columbia.

The House of Representatives had approved 362 such positions. This will, therefore, provide a total of 777 positions under supervision and instruction.

Moreover, the Senate committee provided 75 prekindergarten relocatable classrooms and is requiring that the cost of the teachers be paid from impact funds.

The committee approved 25 assistant principals for elementary schools, and 13 elementary school supervisors to meet Board of Education staffing ratios. It provided an assistant principal for senior high schools.

The committee approved the entire request for 257 positions and $1.4 million contained in Senate Document No. 54 to provide staff to plan for the beginning of operations of the Federal City College and the Washington Technical Institute.

A capital outlay item of $5.9 million was provided for these higher education functions.

Increases provided for the Recreation Department would allow five positions and related services for recreation services in the District of Columbia General Hospital Center for the Mentally Retarded, and expansion of the Washington Youth Gardens program, additional positions for a Mental Health Center and Day Camp for the Mentally Retarded, and nine positions and related services for a program for the mentally retarded as proposed in Senate Document No. 54.

An increase of $25,992,500 in capital outlay items for public schools will provide for the following: purchase of sites for two new junior high schools, one junior high school addition, two new elementary schools, one elementary school replacement, and one elementary school addition. It will provide for the purchase of site and plans and specifications for six elementary school additions, five elementary school replacements, and one new elementary school. It will provide for the preparation of plans and specifications for one senior high school addition and one new elementary school. It will provide for plans and specifications, and construction for one senior high school addition and one elementary school addition.

It will provide for plans and specifications, and construction and equipment for one elementary school addition and, of course, for the 75 pre-kindergarten relocatable classrooms to which I have alluded.

Finally, it will provide for one senior high school addition and one junior high school addition.

The bill provides an increase of $181,500 for air conditioning two existing branch libraries—Benning and Tenley-Friendship.

The bill provides for plans and specifications for three playgrounds and one recreation center for the mentally retarded, a site for one playground expansion; plans and specifications, construction and equipment for one community center; and it provides for construction and equipment for one swimming pool, one community center with swimming pool, and one playground.

Funds are allowed in the bill for preliminary survey for a new Receiving Home for Children and construction and equipment for the replacement of the Farm Cottage at the District Training School.

The Senate committee approved funds for a preliminary survey for a new District Court Building and the continuation of the air-conditioning program in various District-owned buildings.

I ask unanimous consent to have printed in the RECORD at the close of my remarks, as exhibit 2, a summary of capital outlay items.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 2.)

Mr. BYRD of West Virginia. Mr. President, I believe it is anticipated that there will be a surplus in the general fund as of next June 30 of $71,000.

Mr. President, this completes my statement concerning the appropriations in the bill now before the Senate. Together with the tables which I am placing in the RECORD, this would seem to present a pretty clear picture of what is contained in the bill making appropriations for the District of Columbia for the fiscal year 1968. The Senate committee delayed bringing the bill to the floor until the revenue bill could be enacted and the supplemental estimates could be submitted. The bill before the Senate includes both the regular and supplemental estimates.

Mr. President, I believe that this is a very good bill. The committee held many days of hearings on it. Senators will note that the hearings consist of three volumes containing more than 3,500 pages.

I especially invite the attention of Senators to certain language in the committee report with reference to crime and court congestion in the District of Columbia. As Senators will recall, the committee conducted a series of hearings into the crime situation during the summer. I believe that those hearings were most productive and useful.

I want to express my gratitude, in closing, to members of the subcommittee and to the members of the full committee for the time and effort contributed by them during the hearings and during the markup of the bill.

Especially do I want to express my genuine and heartfelt thanks to the Senator from Nebraska [Mr. HRUSKA], the ranking minority member. At all times, he was most interested, most active, and most helpful. I have leaned upon him for his help and advice. I am indeed very grateful for the assistance which he gave to me throughout the hearings and especially during the markup of the bill.

I also want to express my appreciation to Mr. Merrick, the very able clerk of the subcommittee, for his invaluable service. Mr. Merrick has been a member of the Appropriations Committee staff for more than two decades. He has had long experience in dealing with this particular bill as well as with the State, Commerce, and Justice appropriation bill. His advice and assistance to me, and to the Senator from Nebraska [Mr. HRUSKA], and other members of the subcommittee, have been of incalculable worth.

I am sure that I could not do the work I have attempted to do as chairman of the subcommittee, close to 8 years now, without the strong right arm which Mr. Merrick, the clerk of the committee, has been to me.

Thus, Mr. President, I feel that Senators can vote for the bill knowing that it is the result of the utmost study, and the most painstaking and meticulous scrutiny on the part of the subcommittee, and that they will be voting for the best appropriation bill ever brought to the Senate during the 8 years in which I have been chairman.

The committee has been extremely lenient, liberal, and sympathetic to the needs of the schools. It has been our view that a dollar invested in education over the long run perhaps brings more beneficial return than will accrue from the expenditure of any other single dollar. The committee has attempted to act according to that belief.

The committee has also given its strong support to the police department. I think that the appropriations year after year have reflected the faith and the confidence which the committee and Congress have in the police of this city who are confronted with an increasingly difficult task.

We feel that the appropriations in the bill now before the Senate reflect a continuation of that strong support.

Mr. President, this completes my statement. If there are questions on tomorrow, I shall be glad to attempt to answer them.

EXHIBIT 1

COMPARATIVE STATEMENT OF APPROPRIATIONS FOR FISCAL YEAR 1967 AND ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1968

Item	Appropriations ,1967	Budget estimates, 1968 (revised	House bill	Senate committee recommendation, 1968	Increase (+) or decrease (−), Senate bill compared with—		
					Appropriations ,1967	Budget estimates, 1968 (revised)	House bill
DISTRICT OF COLUMBIA FUNDS OPERATING EXPENSES							
General operating expenses	$23,213,500	$28,018,000	$25,885,000	$26,509,700	+$3,296,200	−$1,508,300	+$624,700
Public safety	90,392,400	93,433,000	91,995,000	92,541,700	+2,149,300	−891,300	+546,700
Education	85,914,000	102,999,000	93,730,000	97,481,900	+11,567,900	−5,517,100	+3,751,900
Parks and recreation	12,752,200	17,747,000	15,906,000	15,120,900	+2,368,700	−2,626,100	−785,100
Health and welfare	90,522,000	107,615,000	103,439,000	104,782,900	+14,260,900	−2,832,100	+1,343,900
Highways and traffic	15,227,000	16,307,000	16,705,000	16,627,300	+1,400,300	+320,200	−77,700
Sanitary engineering	24,542,500	26,970,000	26,379,000	26,732,500	+2,190,000	−237,500	+353,500
Metropolitan Police (additional municipal services, American Legion convention)	233,000				−233,000		
Metropolitan Police (additional municipal services, Imperial Shrine convention)		237,700	237,700	237,000	+237,700		
Personal services, wage-board employees	1,320,000	1,613,000	1,613,000	1,613,000	+293,000		
Settlement of claims and suits	60,700				−60,700		
Total, operating expenses	344,177,300	394,939,700	375,889,700	381,647,600	+37,470,300	−13,292,100	+5,757,900

EXHIBIT 1—Continued

COMPARATIVE STATEMENT OF APPROPRIATIONS FOR FISCAL YEAR 1967 AND ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1968—Continued

Item	Appropriations, 1967	Budget estimates, 1968 (revised)	House bill	Senate committee recommendation, 1968	Increase (+) or decrease (−), Senate bill compared with— Appropriations, 1967	Budget estimates, 1968 (revised)	House bill
REPAYMENT OF LOANS AND INTEREST							
Reimbursement to the United States	$6,077,600	$7,790,000	$7,790,000	$7,760,000	+$1,632,400	−$30,000	−$30,000
CAPITAL OUTLAY							
Capital outlay	67,030,500	135,665,500	79,658,000	115,552,500	+48,522,000	−20,113,000	+35,894,500
Contribution to rapid rail transit system	4,527,500	....	....	....	....	....	....
Total, capital outlay	71,558,000	135,665,500	79,658,000	115,552,500	+43,994,500	−20,113,000	+35,894,500
Grand total, District of Columbia funds	421,812,900	538,395,200	463,337,700	504,960,100	+83,147,200	−33,435,100	+41,622,400

EXHIBIT 2

SUMMARY OF CAPITAL OUTLAY ITEMS

Item	Revised estimate	House allowance	Amendment requested	Senate recommendation
Repayment of Federal obligations	$1,246,600	$1,246,600	....	$1,246,600
Public building construction:				
Public schools:				
West Elementary School addition, Farragut between 13th and 14th Sts. NW	721,000	....	$721,000	721,000
Tubman Elementary School, 11th and Kenyon Sts. NW	99,000	99,000	....	99,000
Morgan Elementary School replacement, 18th and California Sts. NW	1,410,000	....	1,410,000	1,410,000
Bruce-Monroe Elementary Schools replacement, Girard and Fairmont Sts., between 13th and 14th Sts. NW	1,636,000	....	1,636,000	1,139,000
Harrison Elementary School addition, 13th and V Sts. NW	721,000	....	721,000	625,000
New Elementary School, Lincoln Rd. and Douglas St. NE	1,665,000	1,665,000	....	1,665,000
Brookland Elementary School replacement, 10th and Shepherd Sts. NE	245,000	....	245,000	245,000
Payne Elementary School addition, 15th and C Sts. SE	951,000	905,000	....	905,000
New Elementary School, 17th St. and Independence Ave. SE	1,324,000	....	1,324,000	....
Blow-Pierce Elementary Schools replacement, 20th and Gales Sts. NE	93,000	93,000	....	93,000
New Elementary School, 19th and L Sts. NE	1,699,000	....	1,699,000	....
Blair-Ludlow-Taylor Elementary Schools replacement, 6th and G Sts. NE	98,000	98,000	....	98,000
Peabody-Madison-Hayes Elementary Schools replacement, 9th and C Sts. NE	900,000	....	401,000	....
Lovejoy-Edmonds Elementary Schools replacement, 12th and D Sts. NE	400,000	....	....	....
New elementary school, 12th and C Sts. NE	912,000	....	....	....
Thomas Elementary School addition and alterations, Anacostia Ave. and Grant St. NE	60,000	60,000	....	60,000
New elementary school, 40th St. and Lane Pl., NE	141,000	....	141,000	141,000
Carver Elementary School addition, 45th and Lee Sts. NE	403,000	....	403,000	403,000
Benning Elementary School replacement, Minnesota Ave. between Benning Rd. and Foote St. NE	417,000	....	417,000	417,000
New elementary school, 44th and Foote Sts. NE	704,000	....	704,000	704,000
Burrville Elementary School addition and alterations, Division Ave. and Hayes St. NE	372,000	....	372,000	372,000
Nalle Elementary School addition and alterations, 50th and C Sts. SE	47,000	47,000	....	47,000
Shadd Elementary School addition, 56th and East Capitol Sts. SE	32,000	32,000	....	32,000
Weatherless Elementary School, Fort Chaplin Park SE	82,000	82,000	....	82,000
Weatherless Elementary School addition, Fort Chaplin Park SE	249,000	....	249,000	249,000
Savoy Elementary School replacement, 2427 Nichols Ave. SE	93,000	93,000	....	93,000
Ketcham Elementary School addition, 15th and U Sts. SE	1,050,000	990,000	....	990,000
Turner Elementary School addition, Stanton Rd. and Alabama Ave. SE	756,000	756,000	....	756,000
Birney Elementary School addition Nichols Ave. and Sumner Rd. SE	769,000	769,000	....	769,000
New elementary school, Fort Stanton Park SE	160,000	160,000	....	160,000
New elementary school, Alabama Ave. and Congress St. SE	401,000	....	401,000	401,000
Public building construction—Con.				
Public schools—Continued				
New elementary school, 32d and Bangor Sts. SE	$501,000	....	$501,000	$501,000
Beers Elementary School addition and alterations, Alabama Ave. and 36th Pl. SE	848,000	$848,000	....	848,000
Randle Highlands Elementary School addition, 30th and R Sts. SE	884,000	844,000	....	844,000
Orr Elementary School replacement, 22d and Prout Sts. NE	1,411,000	....	1,411,000	1,411,000
Seaton Elementary School replacement, 10th and P Sts. NW	99,000	99,000	....	99,000
Montgomery Elementary School addition, P St. between 5th St. and New Jersey Ave. NW	828,000	....	828,000	828,000
Gage-Eckington Elementary Schools replacement, 2d and U Sts. NW	1,353,000	....	1,353,000	1,353,000
New elementary school, Nichols Ave. and Chesapeake St. SW	1,431,000	1,355,000	....	1,355,000
Congress Heights Elementary School replacement, 6th St. and Alabama Ave. SE	1,440,000	1,440,000	....	1,440,000
Addition to new elementary school, Nichols Ave. and Chesapeake St. SW	374,000	374,000	....	74,000
Brent Elementary School replacement, 3d and D Sts. SE	65,000	65,000	....	65,000
Lenox Elementary School addition, 5th between G St. and Virginia Ave. SE	459,000	....	459,000	459,000
Takoma Elementary School replacement, Piney Branch Rd. and Dahlia St. NW	1,478,000	1,385,000	....	1,385,000
Shepherd Elementary School addition and alterations, 14th and Kalmia Rd. NW	543,500	543,500	....	550,500
Deal Junior High School addition, Fort Dr. and Nebraska Ave. NW	573,000	573,000	....	573,000
Taft Junior High School addition, 18th and Perry Sts. NE	1,306,000	1,221,000	....	1,221,000
Shaw Junior High School replacement location undetermined	4,720,000	....	....	....
Garnet-Patterson Junior High School addition, 10th and J Sts. NW	1,588,000	....	1,588,000	1,464,000
Hamilton Junior High School, 6th St. and Brentwood Parkway NE	290,000	290,000	....	290,000
Browne Junior High School addition, 24th St. and Benning Rd. NE	1,536,000	....	1,460,000	1,460,000
Randell Junior High School addition, 1st and I Sts. SW	43,000	43,000	....	43,000
Hine Junior High School addition, 7th and C Sts. SE	1,060,000	....	....	....
New junior high school, 51st and D Sts. SE	1,155,000	....	1,074,000	1,074,000
Johnson Junior High School, Bruce and Robinson Sts. SE	290,000	290,000	....	290,000
New junior high school, Oxon Run Parkway between 1st and Chesapeake Sts. SE	423,000	....	421,000	421,000
Wilson Senior High School addition and alterations, Nebraska Ave. and Chesapeake St. NW	1,020,000	....	1,462,000	1,462,000
Roosevelt Senior High School addition, 13th and Upshur Sts. NW	232,000	....	232,000	....
Dunbar Senior High School addition and alterations, 1st and N Sts. NW	5,455,000	....	5,455,000	5,455,000
Spingarn-Phelps Stadium, 24th St. and Benning Rd. NE	504,000	....	504,000	....
Ballou Senior High School addition, 3401 4th St. SE	2,685,000	2,685,000	....	2,685,000
Anacostia Senior High School addition, 16th and R Sts. SE	1,323,000	....	1,323,000	98,000
Sharpe Health School addition, 4300 13th St. NW	771,000	771,000	....	771,000
New school for the severely mentally retarded, Fort Totten Dr. and Hamilton St. NE	1,454,000	1,454,000	....	1,454,000

EXHIBIT 2—Continued

SUMMARY OF CAPITAL OUTLAY ITEMS—Continued

Item	Revised estimate	House allowance	Amendment requested	Senate recommendation
Public building construction—Con.				
Public schools—Continued				
Warehouse addition, 2000 Adams Pl. NE	$387,000		$387,000	
Prekindergarten-relocatable classes (75)	2,212,500		2,212,500	$2,212,500
Permanent improvements to existing buildings	3,736,374	$3,736,374		3,736,374
Adjustment due to change in cost estimates	221,126			
Rounding		226		226
Langdon Elementary School addition, 20th and Franklin Sts. NE			199,000	199,000
Moten Elementary School addition, Morris and Elvans Rds. SE			761,000	761,000
Total, public schools	63,269,500	23,866,100	32,474,500	49,858,600
Higher education: Federal City College and Washington Technical Institute			5,900,000	5,900,000
Public Library:				
New downtown central library, 9th and G Sts. NW	11,950,000	11,950,000		11,950,000
Air conditioning 2 branch library buildings, Benning and Tenley-Friendship branches	181,500		181,500	181,500
Total, Public Library	12,131,500	11,950,000	181,500	12,131,500
Recreation Department:				
Langdon Park (east) playground and swimming pool, 20th and Franklin Sts. NE	346,400	346,400		346,400
Upshur swimming pool and bathhouse, 14th St. and Arkansas Ave. NW	252,500	251,900		251,900
Fort Dupont swimming pool, Fort Dupont Park SE	25,000	25,000	257,000	282,000
Capitol east playground and natatorium, 7th St. and North Carolina Ave. SE	54,000	54,000		54,000
Kenilworth Courts Community Center and swimming pool, Anacostia Ave. extended and Quarles St. NE	50,000	50,000		50,000
Powell playground, 16th and Lamont Sts. NW	130,000	130,000		130,000
Brentwood Park Recreation Center, 6th St. and Brentwood Parkway at Penn St. NE	180,000	180,000		180,000
Chevy Chase Community Center, 5601 Connecticut Ave. NW	1,007,000		1,007,000	1,007,000
North Michigan Park playground, 13th and Emerson Sts. NE	185,000		185,000	185,000
Tot lots-parketts, throughout city where most needed	73,000		73,000	
Langdom Park (west) playground, 20th and Franklin Sts. NE	17,500		17,500	17,500
Park View playground, Warder St. and Princeton Pl. NW	6,000		6,000	6,000
Lincoln-Van Ness recreation center, 5th and L Sts. SE	35,000		35,000	35,000
Bald Eagle playground, Nichols Ave. and Joliet St. SW	16,000		16,000	16,000
Carbarn playground 14th and East Capitol Sts. NE	1,088,000		1,088,000	
Morgan-Happy Hollow playground, 18th St. and Kalorama Rd. NW	873,000		873,000	873,000
Wheatley playground, Montello Ave. and Neal St. NE	5,000	5,000		5,000
Adjustment due to changes in cost estimates	−238,000			
Kenilworth Courts Community Center and swimming pool ,Anacostia Ave. and Quarles St. NE			237,000	237,000
Total, Recreation Department	4,105,400	1,042,300	3,794,500	3,675,800
Police Department: New building and facilities for police training functions, adjacent to fire training school at Blue Plains	2,222,000	2,222,000		2,222,000
Fire Department:				
Engine company No. 6 and truck company No. 4 replacement, New York Ave. between 4th and 5th Sts. NW	49,000	49,000		49,000
Engine company No. 15 replacement, on present site at 14th and V Sts. SE., and additional District-owned adjoining land	5,000			
Total, Fire Department	54,000	49,000		49,000
Licenses and inspections: Rehabilitation of the municipal fish wharf, Maine Ave. SW	193,000			
Public health:				
Northwest community health center, including mental illness and mental retardation, vicinity of Georgia Ave. and W St. NW	400,000	400,000		400,000
Public building construction—Con.				
Public health—Continued				
Reconstruction and consolidation of buildings, District of Columbia General Hospital, 19th and C Sts. SE	$455,000	$455,000		$455,000
Completion of final phase of core building, District of Columbia General Hospital, 19th and C Sts SE	209,000		$209,000	209,000
Warehouse addition, District of Columbia General Hospital, 19th and C Sts. SE	900,000		900,000	
Facility for alcoholics, 19th and C Sts. SE	320,000		320,000	
Total. public health	2,284,000	855,000	1,429,000	1,064,000
Corrections:				
Metropolitan multipurpose correctional complex, Washington, D.C.	200,000		200,000	
Fly-ash control equipment, Reformatory Division	283,200	283,200		283,200
Utility barn replacement, Workhouse Division, Occoquan, Va	70,000			
Renovation of refrigeration unit, Reservation Supply Unit, Reformatory Division, Lorton, Va	2,000	2,000		2,000
Emergency generators, Reformatory and Youth Center heating plants, Reservation Institutions, Lorton, Va	401,000	401,000		401,000
Conversion of auditorium, workhouse, Occoquan, Va	(1)	(1)		
Addition to administration building, workhouse, Occoquan, Va	(1)	(1)		
Renovate 2 dormitories, workhouse, Occoquan, Va	(1)	(1)		
Convert 1 old-style dormitory into classrooms, education office, classification office, chapel, and canteen, Workhouse Division, Occoquan, Va	(1)	(1)		
Renovation of inmate dining hall, Workhouse Division, Occoquan, Va	(1)	(1)		
Adjustment due to change in cost estimates and reprograming	347,500			
Total, corrections	1,303,700	686,200	200,000	686,200
Public welfare:				
New receiving home for children, site undetermined	125,000		125,000	125,000
Replace farm cottages, District Training School, Children's Center, Laurel, Md	405,000		405,000	405,000
Construct 2 cottages for low-grade residents, District Training School, Children's Center, Laurel, Md	2,325,000			
Permanent improvements, various institutions	749,800	749,800		749,800
Total, public welfare	3,604,800	749,800	530,000	1,279,800
Buildings and grounds:				
West administration buildings, preliminary study, are bounded by 6th St., C St., and D St. NW	75,000		75,000	
New court building, preliminary study, site undetermined	100,000		100,000	100,000
Replacement of boilers, National Guard Armory, 2001 East Capitol St	330,000	330,000		330,000
Construct parking area, Southwest Health Center, I St. and Delaware Ave. SW	33,000		33,000	
Replacement of roofing and flashing, various buildings	88,000	88,000		88,000
Air-conditioning program, various buildings	300,000		300,000	300,000
Replace cooling equipment, various buildings	648,000	648,000		648,000
Total, buildings and grounds	1,574,000	1,066,000	508,000	1,466,000
Community renewal: Urban Progress Center			100,000	
Total, public building construction	90,741,900	42,486,400	45,117,500	78,332,900
Department of Highways and Traffic:				
Electrical improvements	568,000	568,000		568,000
Street improvements and extensions	3,211,000	[3] 2,961,000		[3] 2,961,000
Highway planning, programing, and research	400,000	400,000		400,000
Highway beautification	(3)	(3)		(3)
Safety improvements and realinement of streets	202,000	202,000		202,000
Interstate:				
Old 14th St. Bridge replacement	400,000	400,000		400,000
Center leg, Inner Loop Freeway	3,450,000	3,450,000		3,450,000
Northeast-North Central Freeway	2,560,000	2,560,000		2,560,000
Interchange C, inner loop	500,000	500,000		500,000

Footnotes at end of table.

EXHIBIT 2—Continued

SUMMARY OF CAPITAL OUTLAY ITEMS—Continued

Item	Revised estimate	House allowance	Amendment requested	Senate recommendation
Dept. of Highways and Traffic—Con.				
Interstate—Continued				
Potomac River Freeway	$900,000	$900,000		$900,000
East Leg, Inner Loop Freeway	1,500,000	1,500,000		1,500,000
North leg, central section, Inner Loop Freeway	600,000	600,000		600,000
North leg, west section, Inner Loop Freeway	1,500,000	1,500,000		1,500,000
Primary, secondary, and urban:				
Eastern Ave. NE., Quarles St. to Grant St	390,000	390,000		390,000
Southern Ave. SE., East Capitol to South Capitol Sts	460,000	460,000		460,000
New York Ave. NE., 36th Pl. to District of Columbia line	650,000	650,000		650,000
South Capitol St., South Capitol St. Bridge to District of Columbia line	50,000	50,000		50,000
11th St. NW., Irving St. to Park Rd. and Vermont Ave. to Florida Ave.	20,000	20,000		20,000
Emergency communication system, Anacostia Freeway	33,000	33,000		33,000
Randle Circle SE	75,000	75,000		75,000
Cover and heater on Federal-aid streets	352,000	352,000		352,000
Pavement markings, islands, and signs	680,000	680,000		680,000
K St. NE., railroad viaduct	(3)	(3)		(3)
Total, Department of Highways and Traffic	18,501,000	18,251,000		18,251,000
Department of Sanitary Engineering:				
Northwest garage, vicinity of 13th and S Sts. NW	1,572,000	1,572,000		1,572,000
Street-cleaning toolhouses	44,000	44,000		44,000
Sanitary land fill			$48,000	48,000
Stormwater sewers:				
Separation of combined system area	1,500,000	1,500,000		1,500,000
Storm sewer, West Anacostia River	2,400,000	2,400,000		2,400,000
Department of Sanitary Engineering—Continued				
Stormwater sewers—Continued				
Outfall sewer relief (points 17-6; from Poplar Point to junction opposite Hains Point	$500,000	$500,000		$500,000
Storm and relief sewers in advance of local highway paving	200,000	200,000		200,000
Storm sewers:				
East Rock Creek	200,000	200,000		200,000
East Anacostia River	1,200,000	1,200,000		1,200,000
Storm and relief sewers in advance of interstate highway paving	450,000	450,000		450,000
Storm and relief sewers in advance of primary, secondary, and urban highway paving	350,000	350,000		350,000
Storm sewers, West Rock Creek	350,000	350,000		350,000
Sanitary sewers:				
Service sewer extensions	510,000	510,000		510,000
Upper Anacostia main interceptor pumping station replacement	220,000	220,000		220,000
Water pollution control plant additions	4,100,000	4,100,000		4,100,000
Sanitary sewers in advance of local paving and miscellaneous relief and replacement sewers	250,000	250,000		250,000
Rehabilitate boat pier and construct steam cleaning building, 1st and O Sts. SE	45,000	45,000		45,000
Water mains:				
Service water main extensions, fire and public hydrants	675,000	675,000		675,000
Trunk and secondary water mains	400,000	400,000		400,000
Trunk water mains, special projects	1,450,000	1,450,000		1,450,000
Bryant St. warehouse	1,158,000	1,158,000		1,158,000
Total, Department of Sanitary Engineering	17,574,000	17,574,000	$48,000	17,622,000
Washington aqueduct: Shops and storehouses at Dalecarlia	100,000	100,000		100,000
Grand total, capital outlay, District of Columbia funds	128,163,500	79,658,000	45,165,500	115,552,500

---

[1] Authority requested and granted to use funds previously appropriated for project 22-62, a 2-story dormitory at the workhouse.

[2] Authority requested and granted to use $250,000 previously appropriated for minor capital outlay, right-of-way.

[3] 100 percent Federal aid participation.

RESOLUTION ON DEATH OF FORMER VICE PRESIDENT JOHN NANCE GARNER—ADJOURNMENT TO 11 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, on behalf of the majority leader [Mr. MANSFIELD] and the minority leader [Mr. DIRKSEN] I send to the desk a resolution, and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. Is there objection to present consideration of the resolution?

There being no objection, the resolution (S. 183) was considered and unanimously agreed to as follows:

S. RES. 183

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. John Nance Garner, a former Vice President of the United States and President of the Senate.

Resolved, That as a mark of respect to the memory of this distinguished man, whose life was filled with service to the Nation, to his State, and to his fellow men, the Senate do now adjourn until 11 o'clock antemeridian, Wednesday.

Mr. BYRD of West Virginia. Mr. President, as a further mark of respect to the memory of our distinguished former Vice President of the United States and President of the Senate, the Honorable John Nance Garner, and at the request of the majority and minority leaders I move that the Senate do now adjourn, under the previous order, until 11 a.m. tomorrow.

The motion was unanimously agreed to; and (at 6 o'clock and 29 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, November 8, 1967, at 11 a.m.

CONFIRMATION

Executive nominations confirmed by the Senate November 7, 1967:

U.S. TARIFF COMMISSION

Stanley D. Metzger, of the District of Columbia, to be a member of the U.S. Tariff Commission for the term expiring June 16, 1973, vice Paul Kaplowitz.

AMBASSADORS

Walter N. Tobriner, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Jamaica, vice Wilson T. M. Beale, Jr.

Robert G. Miner, of New York, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Sierra Leone.

NATIONAL LABOR RELATIONS BOARD

John Harold Fanning, of Rhode Island, to be a member of the National Labor Relations Board for the term of 5 years expiring December 16, 1972 (reappointment).

U.S. ATTORNEYS

K. Edwin Applegate, of Indiana, to be U.S. attorney for the southern district of Indiana for the term of 4 years, vice Richard P. Stein, resigned.

Asher E. Schroeder, of Iowa, to be U.S. attorney for the northern district of Iowa for the term of 4 years, vice Donald E. O'Brien, resigned.

POSTMASTERS

ALABAMA

Rosa E. Whiddon, Newville.
Edna M. Callaway, Orange Beach.

ARKANSAS

Edward B. Gilbert, Bearden.
Merlin R. Walters, Hartman.
Bunyan W. Matthews, Jr., Magnolia.

CALIFORNIA

Haakon T. Magnussen, Alpine.
Victor E. Legaspi, Calexico.
Margaret R. Patterson, Gazelle.
Constance N. Schroer, Green Valley Lake.
Hugh A. Cassidy, San Rafael.
Richard K. Kintzel, Solvang.
Kenneth W. Stoneburner, Twin Peaks.

COLORADO

Marea T. Deter, Deer Trail.
Sheldon D. Brooks, Greeley.

CONNECTICUT

Edward T. Moore, Georgetown.

FLORIDA

Horace E. Treadwell, Oak Hill.
Merlo Claudio, Opa Locka.
Wendell W. Hunt, Palmetto.
Catherine R. Collins, Plymouth.

GEORGIA

James H. Campbell, Cleveland.
John W. Callaway, Ringgold.
William O. Cummings, Warthen.

IDAHO

Louise K. Gosselink, Mc Call.

IOWA

Wesley T. Ward, Dallas Center.
Dale D. Stupp, Hazelton.
Rose M. Gelhaus, Ledyard.
Myron W. F. Inde, Monona.

KANSAS

Shirley V. Keeler, Assaria.
Ward L. Harold, Beloit.
Jim L. Palmer, Haysville.
Gerald L. Carpenter, Neodesha.
Clyde R. Moore, Wellington.

KENTUCKY

Paul W. Baker, Greenup.
Rose K. Durbin, Nazareth.
William H. Marksberry, Philpot.
Creed Damron, Robinson Creek.
Harold G. Rice, Waco.

LOUISIANA

Maxine H. Morrison, Albany.
Doris L. Bradley, Sondheimer.
Estelle D. Gorman, Tullos.

MARYLAND

Rachel B. Racine, Childs.
J. Hopkins Kolb, Harwood.
George B. Hasson, Perryville.
William D. Beall, Stevenson.

MASSACHUSETTS

Robert L. Carrington, Granby.
John G. Duffy, West Springfield.

MINNESOTA

Francis C. Bohnert, Rosemount.
Benjamin C. Smith, Saint Francis.
Glenn O. Solomonson, Storden.

MISSISSIPPI

Johnnie J. Jones, McCool.

MISSOURI

Robert E. Booth, Cainsville.
Charles L. Lucas, Caledonia.
Kenneth W. Bolton, Chaffee.
Marion E. Bird, Concordia.
Ralph O. Hood, Cosby.
William E. Jenkins, Kahoka.
Robert L. Jackson, Macks Creek.
Fred W. Bargen, Mapaville.

MONTANA

James A. McAndrew, Bigfork.

NEBRASKA

Douglas R. Graul, Carleton.
Frank J. Dietsch, Fordyce.
Betty G. Hoelting, Lawrence.
Helen V. McChesney, Lebanon.
Bernadean R. Strufing, Martell.
Gary L. Boese, Pickrell.

NEW HAMPSHIRE

Laurent J. Ruell, Ashland.
Richard P. Piper, Jr., Holderness.

NEW JERSEY

Geraldine B. Nyce, Califon.
Richard E. Case, Pennington.
Ernest M. Muska, Perth Amboy.
Clifford G. Braack, Pompton Plains.

NEW YORK

Harris A. Kellogg, Altmar.
Edward B. Zunner, Appleton.
Ethel M. Reilly, Esopus.
John L. Martin, Friendship.
Virginia E. Hunt, Greenwood.
Hilliard R. Crane, Livonia.
Jarvis E. Ireland, Panama.
William J. Newham, Sr., Patchogue.
Melva J. Sherman, Shelter Island.

NORTH CAROLINA

Pauline L. Harton, Colon.
Paul E. Peeler, Granite Quarry.
Stanley W. Johnson, Hope Mills.
Robert F. Corbin, Sr., La Grange.
Ross L. Edwards, Jr., Roanoke Rapids.
John F. Wells, Teachey.

OHIO

John W. Schromen, Orrville.
Elmer R. Klinger, West Farmington.

OKLAHOMA

Russel J. Alberty, Haskell.
Kenneth P. Lewis, Quapaw.

OREGON

Gladys M. Mortimore, Mitchell.

PENNSYLVANIA

Dorald E. Clark, Breezewood.
Alvin C. Brady, East McKeesport.
Elizabeth A. Lis, Everson.
Andy F. Sabo, Jefferson.
Eleanor M. Lynch, Little Meadows.
Liberty R. Catherine, Morrisdale.
Robert N. Wagner, Sagamore.
Delbert L. Potts, Saint Petersburg.
Wilford C. Park, Saltillo.
Charles S. S. Reppert, Shoemakersville.
Charles S. Romanoski, Souderton.

RHODE ISLAND

Howard F. Tucker, Jr., Chepachet.
Peter McLaren, Greenville.

SOUTH CAROLINA

Ray M. Head, Salem.

SOUTH DAKOTA

Thomas W. MacKrell, Vale.

TENNESSEE

Robert T. Jacobs, Beechgrove.
Odell J. Trotter, Brighton.
Edna E. Courtner, Butler.
Kenneth W. Overstreet, Celina.
Joseph W. Satterfield, Dandridge.
Robert H. Scates, Henning.
Mary Nell S. Harris, Prospect.
Harry D. Montgomery, Trenton.

TEXAS

Audrey L. Ware, Austwell.
Kenneth R. Hopkins, Crowley.
Cornelious M. Hatch, Hamilton.
Buna M. Taylor, Harleton.
Charles E. Clifford, Jr., Hitchcock.
Wesley E. Coburn, Hunstville.
Mary R. Morris, Mobeetie.

VIRGIN ISLANDS

Rupert R. Abramson, Frederiksted.

VIRGINIA

Robert C. Smith, Jr., Bumpass.
Kendall F. Bailey, Madison Heights.
Joseph H. Clarke, Jr., Martinsville.
Russell R. S. Clem, Staunton.

WASHINGTON

Mary A. Johnson, Beaver.
David P. Watkins, Castle Rock.
Dorothy L. Bluhm, Edison.
Thomas J. O'Connell, Kent.
Mary E. Thomas, Soap Lake.

WEST VIRGINIA

Kenneth Vandevender, Dailey.
Martha W. Kramer, Durbin.
Russell L. Morrow, Smithers.

WISCONSIN

Louis S. Skarda, Coleman.
Richard L. Schwartz, Ixonia.

EXTENSIONS OF REMARKS

Marie Sklodowska Curie: Centennial of Her Birth

EXTENSION OF REMARKS

OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 7, 1967

Mr. PUCINSKI. Mr. Speaker, today is the centennial of Marie Sklodowska Curie's birth.

A daughter of Poland, she was one of the great intellects of history. Her research and discoveries unlocked the door to many of the scientific wonders of our 20th century, wonders which expand and appear infinite each day.

Twice she was awarded the Nobel Prize for her outstanding work. Her scholarship and humanity were acknowledged throughout the world—she was a legend come to life.

Her dedication to science and to uncovering truth and sharing the enormity of her discoveries with her fellow human beings provided an example that has never been surpassed in our history on earth.

A warm and generous human being, a brilliant and original scientist, Marie Curie brought honor to her parents and to her native Poland.

It is a pleasure to join with my colleagues in commemorating the life of this spectacular woman today on this 100th anniversary of her birth.

The Soviet Union: 50 Years Since the Revolution

EXTENSION OF REMARKS

OF

HON. ED REINECKE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 7, 1967

Mr. REINECKE. Mr. Speaker, on November 7, 1917, in the capital city of Petrograd—now Leningrad—the military forces of the Bolsheviks took over the reins and apparatus of the Russian Government. Russia had been in the throes of collapse and revolution for the past year. Moderates had overthrown the czarist regime in March 1917, but had not been able to consolidate forces or to act in a positive way to alleviate the economic dislocation and suffering caused by the country's inability to cope with the prolonged First World War. When on November 7 the Second All-Russian Congress of Soviets convened with a clear Bolshevik majority, it set about immediately to organize a government which would ease the harsh conditions in the country.

Today, 50 years later, it is appropriate that we stop to look at the results of what some have called "the greatest political event of this century." No one can doubt that progress has been made—in education, science, social services, industrialization, urbanization, military power, missile and space technology. In total volume of economic production, Russia has moved up from fifth rank in the world in 1917 to second under that of the United States. However, since the Soviet regime has given first priority to building heavy industry, the general standard of living is sorely behind that of other countries. Soviet leaders have not yet solved the problem of feeding the nearly 234 million people within Soviet borders. Educational facilities in the Soviet Union are improving, but Communist propaganda, censorship, and lack of academic freedom lessen prospects for true education and creativity.

Mr. Speaker, in a country like the United States where the term revolution brings to mind our American Revolution and its emphasis on the necessity for freedom, even in the face of death, we still hope that one day the Russian people will know genuine freedom—of speech, or religious worship, from arrest without due cause. We also must recognize, however, that the Soviet Government is turning more and more to the use of capitalistic incentives to accomplish her goals in the domestic economy.

Fiftieth Anniversary of Bolshevik Revolution

EXTENSION OF REMARKS

OF

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 7, 1967

Mr. COLLIER. Mr. Speaker, today, November 7, 1967, marks the 50th anniversary of the Bolshevik revolution in Russian. It was exactly five decades ago that the Communists overthrew the government, headed by Alexander Kerensky, which had assumed power after the downfall of the Romanoff dynasty.

During the 50 years that have elapsed since the revolution, the Soviet Empire, with the godless philosophy that it represents, have made great advances in some fields, while in others they have failed miserably. While they have done well in the space race, they have not made good on the promises to give the masses of people the better things of life. They have, to a great extent, done a poor job of delivery, even the bare essentials, such as food, clothing, and shelter.

In 1917, the Communists were a little band of conspirators, but today they rule over vast areas of the Old World, including Russia—which absorbed Estonia, Latvia, and Lithuania—China, Poland, Yugoslavia, East Germany, Rumania, Bulgaria, and Czechoslovakia. Many other nations in Europe, Asia, and Africa are under the influence of the Soviet Union and Red China.

Here in the Western Hemisphere, the Communists are firmly entrenched in Cuba and have infiltrated many of the other nations of Latin America. Much of the present turmoil in our own Nation is being aided and abetted by international communism—the breakdown of law and order and the obstruction of America's efforts in Southeast Asia.

During the 50 years that have gone by since the forces of bolshevism took over in Russia, the United States has on several occasions bailed out the Communists when they found themselves in trouble. Thus, in 1921 and 1922 when 7 million Russians died of starvation, it was the United States that sent food supplies and saved many others from a similar fate. In 1933, just as a rival form of socialism was establishing itself in Germany under Adolf Hitler, the United States for the first time gave dignity to the Soviet Union by granting it diplomatic recognition.

The two rival powers, Communist Russia and National Socialist Germany, signed a pact on August 23, 1939, whereby they divided Poland and most of Eastern Europe between them. Having been given the green light by his powerful rival, Hitler invaded Poland 8 days later, thus ushering in World War II.

On June 22, 1941, the Nazi invaded Russia. Had it not been for the $8,800,000 worth of war material that the United States gave the Soviet Union during World War II, it would have been much more difficult for the Red army to turn back the Nazi invaders.

After the end of World War II, the United States gave billions to various Communist nations in the form of foreign aid. Today, when both Red China and Communist Russia are helping North Vietnam to kill American fighting men, many of our leaders talk about increased trade with the Soviet Union, peaceful coexistence, building bridges of understanding, and cultural exchanges. The United Nations organization is headed by a Marxist and a Communist, both of whom receive backing from the United States.

Mr. Speaker, today may well be a day for celebration in Moscow and in its colonies and in the capitols of other Communist nations, but here in the United States it is a day of shame, humiliation, and disgrace. Our soldiers, sailors, marines, and fliers are fighting in Vietnam against an enemy that is allied with Communist Russia and Red China and is receiving considerable help from them.

Let there be no more appeasement, no more talk about increased trade with Communist countries, no more nonsense about peaceful coexistence, no more wishful thinking about building bridges of understanding, no more flights of oratory about cultural exchanges. Let us, instead, get on with the job of defeating our Communist enemies in Vietnam.

Cooperative Photographic and Arts Exhibition

EXTENSION OF REMARKS

OF

HON. ROY A. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 7, 1967

Mr. TAYLOR. Mr. Speaker, North Carolina sent a selection of its excellent crafts and three of its craftsmen to Washington, D.C., during October for the Cooperative Photographic and Arts Exhibition at the Smithsonian Institution.

This display of the real American craftsmanship was one of the Washington activities for Co-op Month 67—an observance sponsored this year by 11 Federal departments and agencies, nine national cooperative organizations, and the Food and Agriculture Organization of the United Nations. The crafts shown were produced by individuals; then their cooperatives and guilds help market and set standards of excellence for their products.

I was highly gratified to see the large number of North Carolina crafts selected by the Smithsonian and the co-op month committee for display. One of the exhibit people pointed to one section of the exhibit and said that they called this their North Carolina wall.

North Carolina had on display handcrafted clocks, wrought iron work, hooked rugs and chair seats, dulcimers, wood pieces, pine needle work, hand-tied hammocks, apple-headed and cornshuck dolls, crewel work bell pulls, and many other items.

I also was glad for the opportunity to visit three people from my district as they displayed their skills as craftsmen—William Crowe, of Cherokee; Glen Hofecker, of Etowah; and Mrs. Mark Reno, of Canton.

Bill Crowe brought his 16-year-old son to Washington's historical sites while he deftly carved his wood animals. Born and reared on the Cherokee Reservation, he and his wife are leaders there. He works for the Bureau of Indian Affairs, but continues his interest in wood carving.

Mr. Crowe helped organize the Qualla Arts and Crafts Cooperative back in 1948 to promote handicrafts produced by Cherokee Indians and help them get better prices for their work. He is now vice president of this co-op.

Mr. Hofecker had three of his clocks on display—a large grandfather's, an Eli Terry, and a Wag on the Wall.

He told me he had just come off the "crafts fair circuit." He and the other two North Carolina exhibitors had spent a week in the Village of Yesteryear at the North Carolina State Fair and then he had gone on to the large craft show at Gatlinburg, Tenn.

Mrs. Reno demonstrated how to make the Christmas wreaths from pine cones and nuts that she had on display. These are her specialty.

North Carolina crafts had a special honor at the opening ceremony for the exhibition—one of its crewel work bell pulls rang the official opening bell. Mrs. L. Herman Sawyer, Elizabeth, had sent in this pull and two others on display.

Cooperatives and others in North Carolina who sponsored the trip of these three people to Washington are to be commended. Mrs. Reno and Mr. Crowe were sponsored through the Farmers Cooperative Council of North Carolina by the State Grange, the Northwestern Bank at Statesville; FCS, Inc., Raleigh; and G. D. Arndt, of Raleigh. Mr. Hofecker was sponsored by the Tarheel Electric Membership Association, Raleigh. He is a member of the Haywood Electric Membership Corp., Waynesville, N.C.

Two extension employees, Mary M. Cornwell, of Waynesvile, and Majorie Shearin, at North Carolina State University, also played a big part in getting these North Carolina people and crafts to Washington. They helped choose both and worked closely with the Washington committee on final selections.

North Carolina has established a fine reputation for the skill and artistry of its craftsmen, many of them recognized as among the best in the Nation. Their selection to participation in the Smithsonian Exhibition is an added achievement.

Denver Great Place To Visit and Live

EXTENSION OF REMARKS

OF

HON. BYRON G. ROGERS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 7, 1967

Mr. ROGERS of Colorado. Mr. Speaker, on November 2, 1967, the Voice of America broadcast to the world a program entitled "Portrait of an American City—Denver, Colorado, USA." The program did, indeed, incisively portray to the world the dynamic story of the city which I have been privileged to represent in Congress for the last 17 years.

The program relates that in 1893, Katherine Lee Bates, a teacher at New England's Wellsley College, accepted an invitation to lecture at the University of Colorado and was spellbound by the grandeur of the countryside. She stood on the eastern slopes of the Continental Divide and faced southward toward the old Spanish valleys of the Rio Grande. Over her right shoulder, majestic Pike's Peak. Over her left shoulder, the fertile lands that enveloped the mushrooming city of Denver. Thus inspired by nature's bold pageantry, Miss Bates wrote a poem which in time became the lyrics of "America the Beautiful", "Oh, beautiful for spacious skies, for amber waves of grain, for purple mountain majesties, above the fruited plain."

The program featured appearances by Denverities from all walks of life, including Fred Mazzula, Denver historian and lawyer who told of the early days of Denver's struggle to become a city, the arrival of the railroad, the gold rush of 1858 with its famous cry "Pike's Peak, or Bust."

The program states:

> Denver is a wonderful city to visit, the people are warm, outgoing and hospitable.
>
> The people of Denver's interest goes far beyond the confines of the city, beyond the State of Colorado, and even beyond the boundaries of the United States. Denver is truly a world-minded city.

The program features Dr. Josef Korbel, former Czechoslovakian Ambassador to Yugoslavia who, for the past 18 years, has been dean of the Graduate School of International Studies at the University of Denver, who says:

> I have travelled throughout the country and I have given hundreds of lectures in various areas and I can say the Denver audience is more responsive to various complex problems of world affairs than any other city between the East and West Coasts.

The program features statements from such distinguished Denver citizens as Palmer Hoyt, editor and publisher of the Denver Post, Mr. Jack Foster, editor of the Rocky Mountain News, Mr. Eugene Cervi, editor and publisher of Cervi's Rocky Mountain Journal, State Senator George Brown, Attorney Richard Young, the volunteer non-paid chairman of the Metropolitan Denver Fair Housing Center, Bill Hosokawa, associate editor of the Denver Post, Charles Kendrick, manager of the Department of General Services for the city of Denver, Peanuts Hucko, world-renowned jazz clarinetist, Johnny Smith, world-famous jazz guitarist, James D. Braman, director of planning for the city and County of Denver, and Thomas G. Currigan, whom the program describes as "the young, aggressive mayor of Denver" and who describes Denver as a "city that cares." "I think perhaps that in using the word 'care' in the truest sense of the word . . . Denver, for the most part, would certainly qualify as a 'city that cares.' "

The Voice of America reporter sums up his personal enthusiasm after his visit to Denver agreeing with the mayor and stating:

> After just a short visit there, I would add my small voice to endorse the Mayor's statement fully. You know, there is a hackneyed expression used when describing some cities . . . "it's a great place to visit, but I wouldn't want to live there." I left Denver with a different feeling. It is not only a great place to visit, but I'd really like to live there.

Mr. Speaker, I join on behalf of all of the citizenry of Denver in thanking the Voice of America, the broadcast arm of our U.S. Information Agency, for the wonderful program "Portrait of a City—Denver, Colo., USA," and invite all not only to visit but, indeed, to come live with us in our beautiful mile-high city.

Window Dedication Exercises at St. Luke's Church in Worcester, Mass., Honoring the Memory of the Late J. Albert Banks, Renowned Cartoonist and Journalist

EXTENSION OF REMARKS

OF

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 7, 1967

Mr. DONOHUE. Mr. Speaker, last Sunday afternoon, November 5, 1967, it was my great personal honor and privilege to deliver the main address at the dedication of a memorial window in St. Luke's Church in Worcester to honor the memory of the late J. Albert Banks who, because of his unique concern for his fellow men and his unsurpassed professional skills, as a cartoonist-journalist, will forever occupy a high and revered place in the minds and hearts of the people in our Worcester, Mass., region and thousands of other friends throughout the country and the world. At this point I should like to include the report of the dedication ceremonies that appeared in the November 6, 1967, issue of the Worcester, Mass., Daily Telegram and the address I delivered at the ceremony:

> BANKS MEMORIAL IS DEDICATED
>
> Persons from all areas of the community—clergy, city and government officials, newspapermen, youth—gathered in St. Luke's Episcopal Church yesterday for dedication of a memorial window to the late J. Albert Banks.
>
> The invited guests were persons who knew Banks personally and professionally. But the presence in spirit of the larger community of persons who knew Al Banx, cartoonist, was also evident.
>
> The Rt. Rev. Robert McHatch, bishop of the Episcopal Diocese of Western Massachusetts, said this in the dedicatory prayers:
>
> "We offer Thee our brimming gratitude for the life of our gay servant, James Albert Banks: For his simplicity, that straight path where those walk who are going to Thee; for his human warmth, which cheered us all; for his candor, which gave solidity to all his relationships; for his flashing humor, which knocked out pretense and lifted the disappointed and defeated from the floor.
>
> BISHOP FLANAGAN
>
> The Most Rev. Bernard J. Flanagan, bishop of Worcester, who spoke for the Roman Catholic community, expressed the same feeling this way:
>
> "There is a deep joy and pleasure so many of us feel in knowing that a man so many of us loved is so fittingly memorialized . . . in an art form he himself used so skillfully in his lifetime . . in stained glass which perpetuates both his colorful personality and the color he brought to other lives . . . the joy of laughter and good fellowship so aptly symbolized."
>
> Bishop Flanagan also paid tribute to Banks "as one of the most ecumenical people I ever knew because he was so at home in any setting."
>
> OF ALL OF US
>
> The bishop said it was two years after he first met Al Banx participating in Catholic activities before "I learned he wasn't 'one of us' as old-time Irish are apt to say" but because "Al excluded no one from his friendship he was one of all of us."
>
> PANELS OF SKETCHES
>
> The window contains panels of Al Banx sketches from the Bible and of Banx cartoon characters.
>
> Orrin E. Skinner, representing Charles Connick Associates, the firm which translated the Banx drawings of the Book of St. Luke into stained glass, said the window "is at the mercy of the light it receives and thus will always be alive and constantly changing in aspects." His statement was dramatically illustrated as the late afternoon sun appeared and disappeared during the dedication service.
>
> The Rev. Edward J. Day, pastor of St. Luke's, led the service of evening prayer assisted by the Rev. David C. Tontonoz, a former member of the parish of which Banks was an active member and Sunday school teacher.
>
> PRAYER FOR POPE
>
> A prayer for the recovery of Pope Paul VI was added to the service by the Rev. Mr. Day. Bishop Flanagan gave the benediction.
>
> After the service, Mrs. Banks and her son, Army Lt. Albert S. Banks, greeted the guests at a reception at the church.
>
> ADDRESS OF CONGRESSMAN HAROLD D. DONOHUE
>
> It is a real privilege for me to join with you in these dedicatory exercises honoring our late and dear friend, Al Banks.
>
> It occurred to me if we could have surprised him in one of his serious moments, I think he might have admitted, a little proudly, to being a journalist by profession.

A journalist, the dictionary tells us is—"A writer who aims at a mass audience." We all know that Al was a uniquely gifted picture-writer with unerring journalistic marksmanship.

His aim was straight; his mark was the minds and hearts and the humorous sense of his neighbors and fellow citizens; his message was the encouragement of brotherhood among men; he impacted a massive audience, indeed.

Through his special talents, he exercised a tremendous influence upon a great number of people.

One of his many exceptional virtues was his recognition that the possession of such wide public influence required the self-imposition of a correspondingly high standard of personal responsibility in its use.

In accord with that high standard, his picture and written reports were projected with absolute accuracy. His observations were interpreted with a clean and wholesome enlightenment. Yes, his persuasive power was governed by noble restraint. He fulfilled all professional obligations without any dilution of his personal principles.

It is commonly held that Al Banks could have accepted the attractive offers from a number of great metropolitan news media and used such high position to seek expanded professional acclaim and larger financial returns. He chose not to do so. We know there is always some private agony in any choice we make involving others, especially our families, and I have no doubt that Al suffered his full share on such occasions. But I think he made a sound, prudent choice for everyone concerned.

He purposely chose a more confined fame for himself and a more limited prosperity for his family for what he felt was an ultimately greater good for his loved ones and himself.

He thoroughly understood the basic tenet, with all its human annoyances, that if you wish to know and love your neighbors, you cannot remain away from and above them—you must constantly live with and walk among them.

And that is what Al Banks did.

I believe that is why he drew without derision; he wrote without distortion; he spoke without disdain; he entertained without extremes; he portrayed without being pernicious; he humorized without harming.

Al Banks did not stand aloof in dictatorial judgment of his neighbors. He walked among them and talked to them with a deep and sincere compassion.

He spent a good deal of his life bringing wholesome pleasure to our community. In the morning he sent us out with a chuckle, to face the dreary world. In the evening he bade us and our families to welcome the night with a smile. He was an intimate member of every household.

And in being and doing all this, he revealed himself as a man of unsurpassed professional skill, of amazing human insight, of unbounded sympathy, of immeasurable warmth, of self-effacing humility, of steadfast friendship, and of a spiritual wisdom that looked beyond the stars.

He was a gallant U.S. Marine in World War I, a combat recipient of the Purple Heart for outstanding courage and bravery; a devoted husband, a dedicated father; a kindly neighbor, and a pre-eminent journalist.

The whole rule of his life may perhaps be summed up in these memorable lines by Sam Walter Foss:

"Let me live in a house by the side of the road,
Where the race of men goes by,
The men who are good and the men who are bad,
As good and as bad as I.
For I would not sit in the scorner's seat,
Nor hurl the cynic's ban.
Let me live in a house by the side of the road and be a friend to man."

This is the simple philosophy that Al Banks infused into all around him.

Is it any wonder, then, that this joyous human being is so sorely missed in our newspapers, at testimonial banquets of all kinds, sporting events, social and civic club meetings, communion breakfasts of all faiths, and by his Sunday School pupils, his professional associates, people in every walk of life, his gracious wife and his bereaved son?

Is it any wonder that you and I, so privileged to call him friend, respected, admired and loved this truly great man, who has been called to his heavenly home?

But blessedly he will never be very far removed from us because of the inspiring example he left behind for us to follow—an example of invincible moral integrity, unyielding principle, unlimited tolerance, complete acceptance of individual responsibility, of intense patriotic loyalty, unswerving family fidelity, and an unwaivering faith in God and his fellowmen.

I think he has characteristically left us this moving example at the precise moment when his friends, his neighbors, his community, and his country need such example more than ever before in our history.

Today our country and our people are at a crossroad of destiny involving our own survival and the world's future. We are beset by external and internal afflictions of frightening challenge and anxiety.

Abroad we are embroiled in an agonizing conflict whose frustrations have developed a dangerous disunity within our ranks.

At home our materially prosperous society is generating great and grievous human weaknesses among its own benefactors.

Let us passingly reflect that in this country we have the greatest material wealth, the mightiest military power, and the highest standard of living of any people in the history of the world.

But ironically and very sadly, we also still have millions of poor people in the midst of our affluence; we have comparatively more crime than anyone else; we have a higher divorce rate; we have more mental illness; we are appalled at the amount of delinquency among our youth; and in too many of our communities, we cannot walk the streets in confident safety.

As we look about our land today, I think you may agree that there are, unfortunately, too many regrettable signs of widespread immorality, indifference to recognized ethical conduct, defiance of constituted authority, and even some thoughtless ridicule of the heroic sacrifices of our young military servicemen abroad.

These are unhappy symptoms of a declining moral character and a depreciation of good will among our citizens.

When we observe these signs and try to assess the whole picture, I think we are all stirred with deepest concern for our people and our country.

We may well ask—How can we save ourselves, our children, and our nation from further and even more dangerous deterioration?

I confess I do not know, nor have I heard of anyone who does know, the exact solution for each one of our varied and complex national problems.

However, I do know that respected spiritual leaders of all faiths, like Bishop Hatch, Bishop Flanagan, and your own Pastor, Dr. Edward Day, have emphasized that unless the solutions we evolve are based upon moral principles and sustained by the moral will of the majority of a God-fearing people, they will not suffice, they will not stand.

In substantiation of these revered Church Directors, we can almost hear an echo from the past, in the pronouncement, long ago, of the father of this country when he warned us that, "Of all the things that lead to political prosperity, religion and morality are indispensable supports."

These essential supports of a truly great society seem to be floundering today upon the same disintegrating sea of eroding ills that have historically undermined and swept into oblivion the prosperous peoples of so many powerful nations in the past.

If we hope to survive this troubled era, we must begin now to shore up these basic pillars of national strength. For without a speedy revival of national belief in the faith of our founders and the practice of the traditional principles that made possible our heritage of freedom, we may well be inviting disaster.

Perhaps you may be reflecting that in your small place in the great scheme of things, you personally cannot do very much in this struggle to save your community and your country.

I do not think that the man whose memory we honor here today would agree. I think his reflections would rather be revealed in the quietly reassuring lines of that great teacher, Mrs. Bonaro Overstreet, when she wrote:

"You may say the little efforts that I make will do no good;
They never will prevail to tip the heavy scale
Where justice hangs in balance.
I do not think I ever thought they would;
But I am prejudiced beyond debate
In favor of my right to choose which side
Shall feel the stubborn ounces of my weight."

The life of Al Banks proves to us how very much one person can influence thousands of people when his character is good, his heart is right, and his faith is strong.

My friends, many and fierce evils are presently scorching our country. Their correction and cure rests upon each one of us.

The critical task of our generation is to forge our mighty material power with an unyielding moral resolve to preserve this nation, undivided, under God, to carry out its mission of leading this bewildered world into a new era of civilized progress and peace.

I hope that all of us will join in this mission and in this crusade. I suggest that our common inspiration to do so should be the life example of our departed friend for whom this special window is a most fitting memorial.

It is colorful, as were his actions; it reflects light, which he gave through sage advice; it represents clarity, as was his teaching; it signifies community concern, as was his interest; it represents tolerance, as was his disposition; it generates wholesomeness, as was his personality; it depicts religious devotion, as was his nature, it expresses charitableness, as was his spirit; it spurs us toward moral good, which was his entire character . . . and perhaps above all, it demonstrates the truth of the prophetic words in St. Luke's Gospel, when he said—"And he who humbles himself, shall be exalted."

And we are further told in the Bible that in a critical period of history when Joshua was chosen to lead the children of Israel into the land of Canaan, he said to his people—"Choose this day whom you will serve. But as for me and my house, we will serve the Lord."

Some years ago, at a critical moment of his career, I believe that Al Banks decided to honorably serve his God and his country, his family and his neighbors, and he carried out that determination through every day of his wonderful life.

I think that you might agree that there would be something very essential lacking in this ceremony today if we did not, with his inspiration and in his memory, silently and prayerfully make a pledge to our departed friend.

Therefore, I suggest that together we solemnly pledge to—"Go, thou, and do likewise"—until, please God, we all meet with Al

Banks again in the House of Resurrection presided over by the Father of us all.

Remarks of Hon. W. R. (Bob) Poage on Basic Issues of Vietnam Conflict

EXTENSION OF REMARKS

OF

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 7, 1967

Mr. PICKLE. Mr. Speaker, my distinguished colleague and fellow Texan, the Honorable W. R. "BOB" POAGE, made an address on November 3 before the United Civic Clubs of Killeen, Tex., in which he ably reviewed the circumstances leading up to our present involvement in Vietnam.

With keen perception he discusses the basic issues at stake in that conflict. With restraint he refers to misguided individuals who have attacked the administration. He reminds us of facts once commonly known but which we are prone now to forget or overlook.

I commend the speech to your reading and include it in the RECORD at this point:

THE VIETNAM WAR

Mr. Chairman, these joint meetings of the Service Clubs of Killeen have, for me, developed into a happy tradition. My friends in Killeen have always been most gracious and courteous. I recognize that I cannot begin to measure up to the confidence you have shown in me. I am, however, appreciative of your friendship and esteem, and so long as I have the opportunity to do so, I shall try as best I can to represent you creditably and honestly. I sincerely thank you for this inspiring reception.

In those years when the progress of the Congress permitted it, it has been my custom to speak at a number of points in our District and to try to, in some manner, review the work of the session. This year the session is running on so long that I fear that I will get in only a very few such reports. I have, therefore, felt it desirable that I should cover specific subjects at each meeting.

I realize that just two years ago, at a meeting of this kind here in Killeen, I discussed the Vietnam War. That war is still with us, and is each day touching more and more American families. I don't want to repeat what has been said so often but in the face of the growing criticism of our efforts, I feel that every American who believes in our traditional way of life and who believes in the type of patriotism which activated George Washington, Sam Houston, Robert E. Lee and Abraham Lincoln, must speak out against these efforts to leave our troops without the moral support of the Home Front. At least I must so speak out and I am going to do so.

I do not intend to say all that I would like to say about those who to me seem to be undermining the very men who are giving their all that these unwashed, long-haired "hippies" may march and demonstrate—that they may destroy property and violate all of the laws of trespass and public assembly. I am not going to recount the disgraceful proceedings in the recent march on Washington. I recognize that these misguided people who tread so close to the brink of treason have a right to their views and a right to express them so long as they do not give aid and comfort to the enemies of our country, although I must confess I feel that a good many have been doing exactly that already. But I have no patience with those ultramodern judges who have sought to excuse any kind of conduct when committed in connection with a "demonstration." Clearly our constitutional protection of the right to speak one's views was never intended to confer the right to interfere with the property of or right of movement of others. But enough about these social seed-ticks who exist only by the work and on the blood of others.

Let us examine the genesis of the Vietnam conflict. Often we find that erroneous views have grown out of an erroneous understanding of history. I think that one of the great misunderstandings of this conflict to the acceptance of the Communist claim that they are fighting a war for "National Liberation." They are fighting no such thing. On the contrary, they are doing their best, or their worst, by murder, bribery, threats and torture to destroy every vestige of local self-developed government. One of their most effective techniques is to mutilate and kill every elected official they can get hold of. This is not the way to establish either democracy or home rule. It is the clear road to anarchy.

There is, of course, a historic background for this. The present war is but a continuation of a war which has been going on ever since the Japanese took Indo-China over from the French. At that time there developed a group of so-called National Freedom Fighters. They had our general support and blessing, as did any group who was fighting our enemies.

After the Japanese surrender there was a very widespread attitude in this country that we should not interfere with anybody who professed to fight for "independence." There was much sympathy for these "Indo-Chinese" when they humiliated the French at Dien Bien Phu, as well as for the Red Chinese when they destroyed the Republic of China on the mainland.

It took us until 1954 to begin to realize that North Vietnam was indeed completely controlled by the Communist apparatus. Then it took us another ten years to realize that if we were in fact going to stop Communism in South Asia, that we were going to have to fight it on its own grounds. General Eisenhower apparently never learned it. President Kennedy never learned it—and Bobby Kennedy hasn't learned it yet.

It was left for President Johnson to recognize and do something about the harsh realities of the situation. His predecessors knew, just as his critics know today, that for us to desert the 17 million people who have relied on us in South Vietnam would plunge that country into the kind of blood bath which has not been seen since Hitler's massacre of the Jews. These critics try to excuse themselves by saying that there are corrupt officials in South Vietnam. Of course, there are, and there are corrupt officials in the United States and we have had 400 years of Anglo-Saxon governmental institutions. They say there are cowards and rascals in the South Vietnam Army. Of course, there are. There was even one who ran out of the Alamo and there were dozens of land speculators who died there. But the fact remains that these people in South Vietnam have done a remarkable job of building both a government and an economy during the most trying times. I doubt that any people have ever done better is so short a time and under such difficulties. I might suggest that even General de Gaulle, who likes to criticize eveyone else, was never able to get such a remarkable effort out of the French people during the German invasion. True, the South Vietnamese have all too many weaknesses. So do we. But those who offer the weakness of these people as an excuse for not supporting them are but seeking excuses—not reasons.

They know, as we all know, that you can't run away with your tail between your legs and come out whole. If you think you can, I suggest that you go down on the Lampasas and walk up to some old timer's house. Probably a pack of dogs will meet you. If you run, they will do to you just what the Communists will do to us if we run.

Then they say, Vietnam is not a battlefield of our choosing. Of course, it is not but, as far as I am concerned, it is a whole lot better battlefield than the Cowhouse Valley. And if we leave Vietnam, do we also desert Thailand, Laos, Cambodia and Malaysia? If we are going to defend these countries, why leave Vietnam? Are we going to return Indonesia to the Communists? And what about the Philippines? For that matter, what about Free China and even Japan? I know that the "Peace at any Price" people say that these nations will not be invaded. Maybe not at once, but does anyone believe for one moment that if we crawl home from Southeast Asia, that any government friendly to the United States could exist for even two years in any of these countries?

The harsh truth is that we are committed and we cannot extricate ourselves except by winning, and I, for one, am happy to see that our efforts to win have been considerably stepped up in the last few days. I believe we can win. We should win, and we will win this war.

I would not try to say that I know better than those who have the direct responsibility for the conduct of the war just how and where we should apply pressure, but I do know that we must apply pressure and continue to apply pressure until we force North Vietnam to the Conference table. And when we get them there, I want them to understand that if they are unwilling to get out of South Vietnam, that we will go right back to destroying whatever is left of their cities and their forces. At the same time let them understand that when they are ready to live in peace and stay out of their neighbor's business that we will help them rebuild but never, never should we agree to stop that pressure unless and until they actually come to the Peace Table. Never give them a cease-fire to use for regrouping and slipping behind our men.

These people have a philosophy quite different from our own. They have been at war for the last 25 years and most of the last 1000 years. They are quite willing to let the war drag on unless we apply intolerable pressure, and even when we are just about to close the pincers almost to the breaking point, they read of some Senator or Republican Governor, or some "moral" leader in America who suggests that we should be about ready to give up, so they tighten their belt and dig in to kill more American boys.

My friends, we all want to end this war, but God help us if we run. Every American would be happy to negotiate—but who with—with whom would the draft dodgers have us negotiate? You can't negotiate with someone who won't talk with you. Apparently, the real question is how do you get Ho Chi Minh to negotiate. President Johnson has repeatedly offered, and he still offers, to meet with the North Vietnamese any time any where. The new President of South Vietnam has offered to negotiate. They are brushed aside, but our timid statesmen say "Just quit and come home, then we are sure that Mr. Ho Chi Minh will be polite and fair." On the other hand, some of us who were not born yesterday believe that only by showing Ho Chi Minh that it will not pay to continue the fighting can we ever win this war, and win it we must.

SENATE

WEDNESDAY, NOVEMBER 8, 1967

The Senate met at 11 a.m., and was called to order by Hon. JOSEPH D. TYDINGS, a Senator from the State of Maryland.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Let us pray.

Our Father God, we come in the assurance not of our feeble hold of Thee but of Thy mighty grasp of us.

Let Thy work appear unto Thy servants and Thy glory unto Thy children.

And let the beauty of the Lord our God be upon us: Yea, the work of our hands establish Thou it.

We would pause at this wayside altar long enough to be reminded that what supremely counts has nothing to do with the appraisals of men or with honors and recognitions for which men contend, but has to do with what causes use us, what powers surge through us, what ideas master us before daylight fades and our little day is over.

Make us ministers of the good will which asks for itself nothing that it does not covet for the whole world, and which will not halt its growing sway until it joins all nations and kindreds and tongues and peoples into one fraternity that belts the globe.

We ask it in the dear Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., November 8, 1967.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOSEPH D. TYDINGS, a Senator from the State of Maryland, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. TYDINGS thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, November 7, 1967, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Is there morning business?

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Government Operations and the Committee on Aeronautical and Space Sciences be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore (Mr. TYDINGS) laid before the Senate the following letters, which were referred as indicated:

REPORT OF EXPORT-IMPORT BANK

A letter from the President, Export-Import Bank of Washington, Washington, D.C., transmitting, pursuant to law, a report of that Bank, for the fiscal year ended June 30, 1967 (with an accompanying report); to the Committee on Banking and Currency.

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a secret report on observations on the U.S. balance-of-payments position (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on observations on the U.S. balance-of-payments position, dated October 1967 (with an accompanying report); to the Committee on Government Operations.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The ACTING PRESIDENT pro tempore appointed Mr. MONRONEY and Mr. CARLSON members of the committee on the part of the Senate.

PETITION

The ACTING PRESIDENT pro tempore laid before the Senate a petition signed by Rev. Milan W. Tonn and Janet Marie Tonn, of Albany, Minn., remonstrating against giving aid to the Communist enemies of the United States, which was referred to the Committee on Foreign Relations.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. RANDOLPH, from the Committee on Public Works, with an amendment:

S. 2484. A bill to authorize the extension of the additional Senate Office Building site (Rept. No. 735).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. RIBICOFF:

S. 2635. A bill to amend the Internal Revenue Code of 1954 to provide that industrial development bonds are not to be considered obligations of States and local governments, the interest on which is exempt from Federal income tax; and

S. 2636. A bill to amend the Internal Revenue Code of 1954 to provide that arbitrage bonds are not to be considered obligations of States and local governments the interest on which is exempt from Federal income tax; to the Committee on Finance.

(See the remarks of Mr. RIBICOFF when he introduced the above bills, which appear under a separate heading.)

By Mr. BOGGS:

S. 2637. A bill for the relief of Avery Franklin Eskridge; to the Committee on the Judiciary.

By Mr. NELSON:

S. 2638. A bill to provide an improved and enforceable procedure for the notification of defects in tires; to the Committee on Commerce.

(See the remarks of Mr. NELSON when he introduced the above bill, which appear under a separate heading.)

By Mr. METCALF:

S. 2639. A bill for the relief of Wai Tsoi, Shui Liu, Muk Cheung, and Leung Kan Sit; to the Committee on the Judiciary.

By Mr. GRUENING:

S. 2640. A bill for the relief of Yik Kam Lai, Ting Sang Yui, Mau Cheuk Hui, Kai Fu Cheng, and Hang Kwun Chan; to the Committee on the Judiciary.

By Mrs. SMITH:

S. 2641. A bill for the relief of John R. Perkins; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey:

S. 2642. A bill for the relief of Ngo Thi Hong Hao (Lynch) and minor child, Sein (Lynch); to the Committee on the Judiciary.

PROPOSED LEGISLATION RELATING TO AMENDMENT OF INTERNAL REVENUE CODE

Mr. RIBICOFF. Mr. President, I introduce for appropriate reference, a bill to amend the Internal Revenue Code of 1954 to provide that industrial development bonds are not to be considered obligations of States and local governments, the interest on which is exempt from Federal income tax, and a bill to amend the Internal Revenue Code to provide that arbitrage bonds are not to be considered obligations of States and local governments, the interest on which is exempt from Federal income tax.

Mr. President, for over 50 years our State and local governments have benefited in financing their governmental functions from the Federal income tax exemption of the interest on their bonds. Because of this exemption investors have been willing to accept a lower rate of interest on school bonds, water and sewer bonds, and other similar State and local obligations, than they would demand if, like the bonds of the Federal Government, our State and local bonds were fully subject to Federal income tax.

However, recent abuses of the tax-exempt borrowing privilege are undermining the usefulness of this method of helping our State and local governments finance their legitimate functions at the lowest possible cost. These abuses, which are becoming more prevalent every day, represent an intolerable waste of our Federal tax dollars and a real and immediate threat to the ability of our State and local governments to borrow funds at reasonable interest rates to meet their expanding obligations.

The most widespread and well-known abuse of the tax-exempt borrowing privilege is the practice of issuing so-called industrial development bonds. These bonds have permitted some of our largest corporations to issue tax-exempt bonds to the detriment of the best interests of both the Federal Government and the State and local governments.

A typical case might involve a municipality which agrees to issue bonds to finance the building of a factory for a private corporation. The corporation in turn agrees to "rent" the factory for the exact amount needed to pay the interest and amortize the principal of the bonds. The bonds are generally revenue bonds payable only out of the rent and the municipality assumes no obligation, direct or indirect, for repayment of either principal or interest on the bonds. Thus, we are really confronted with bonds of a private corporation. But, because the municipality allows its name to appear on the bonds, it claims and passes on to the private corporation the full benefit of the lower interest rate. This rate stems from the Federal tax exemption of interest on legitimate State and local bonds.

These are truly corporate bonds and the local governments' involvement is often little more than a sham. This was graphically demonstrated last year. The 35 eligible voters of one small town were asked to approve a bond issue of $20 million in order to finance a plant for a prominent textile company. Indeed, the largest industrial bond issue ever announced, $140 million for a Japanese aluminum company, is to be issued by Port of Astoria, Oreg.—a town of less than 30,000 people.

The Federal Government's concern is obvious. The benefits received by the private corporation in the form of lower rental payments represent nothing more than an unauthorized Federal subsidy to private industry. The total cost of this subsidy—which is exclusively attributable to the interest exemption intended to help our State and local governments—is borne by other Federal taxpayers. However, viewed as a subsidy, industrial development bonds are totally unjustified. The benefit of such financing frequently goes to private corporations who do nothing different than they would have done without the use of industrial development bonds and in all cases the cost to the Federal Government in lost tax revenues considerably exceeds the financial benefits to the private corporations involved.

Unlike most Federal programs, the Federal expenditure is not a part of the Federal budget, was never passed on by Congress, and is not even subject to review by a Federal agency. The sole decision as to whether a private corporation shall receive the benefits of tax-exempt financing depends upon whether a local government will permit the use of its name on what are in reality corporate bonds. Moreover, because an agreement to permit the use of its name costs a governmental unit nothing, there is no apparent reason why any governmental unit would withhold its approval of any particular bond issue and of any subsidy.

However, the problem presented by industrial development bonds today is far more than just a problem of wasted Federal revenues. It has become a very serious problem for our State and local governments themselves. The benefit our State and local governments receive by the exemption of the interest on their bonds is dependent on the fact that tax-exempt bonds are a unique exception and that most bonds—both corporate and Federal—are fully subject to Federal income tax. As more and more tax-exempt bonds are issued the interest rate on all tax-exempt bonds, including school bonds, water and sewer bonds, will increase in order to make the total supply of exempt bonds attractive to lower bracket taxpayers. Thus, the cost of local government goes up.

Moreover, in recent years some of the largest industrial corporations in the Nation have used industrial development bonds and many of our smaller State and local governments increasingly find themselves handicapped when they are forced to compete for funds in the same limited market against these corporate giants.

For example, in recent years bonds have been issued or announced on behalf of Armco Steel Corp., Firestone Tire & Rubber Co., Litton Industries, Sinclair Oil, and United Fruit Co. The entry of many of our most prominent corporations into the tax-exempt bond market is also reflected by the dramatic increase in the average size of new public issues in recent years as well as in the geometric growth rate of the total of new issues.

In view of this situation one might well ask why our State and local governments continue to tolerate this abuse of a provision which was designed to help them meet their legitimate needs. The answer is that historically these bonds developed in such a manner that today, even though they pose a serious threat to the borrowing ability of our State and local governments, those same State and local governments are virtually powerless to stop them.

This type of financing was originally developed in 1936 in order to attract relatively small industrial concerns to rural areas. Even as late as 1960 only 13 States authorized industrial development bonds and the data available with respect to public issues in that year indicates that only $70 million in such bonds were issued. However, as interest rates rose States that did not authorize this form of financing found themselves at a handicap in retaining or attracting industry and were forced to authorize industrial development bonds as a competitive measure.

Today over 40 States sanction some form of this abuse and new public issues this year are expected to involve over $1 billion. In addition the private placement of such bonds, as to which no reliable date is available, may involve more than twice the amount of publicly sold issues this year.

Connecticut does not authorize industrial development bonds. As a consequence we have seen corporations which by all logic should have built new plants or expanded existing facilities in Connecticut lured to other areas.

The officials in my State recognize that industrial development bonds are a costly abuse of the tax exemption. It is an abuse that runs directly counter to the best interests of all the States in this country. Yet unless some meaningful action is taken soon, Connecticut will probably be forced, as a matter of self defense, to join the other States in authorizing and perpetuating this waste of Federal and local resources.

These facts explain the dilemma confronting all our State and local governments today. On one hand, since a corporation seeking tax-exempt financing has over 40 States to choose from, it is clear that industrial development bonds no longer serve as a method of attracting industry to any particular State. On the other hand, since an agreement by a State or local government to allow a private corporation to use its tax-exempt borrowing privilege costs the State or local government nothing, no governmental unit can afford by itself to end this abuse in its area for fear of losing industry to another locality.

This means that the use of industrial development bonds will continue to grow even though they have lost their advantage to the issuing State and local governments and have in fact become a detriment by driving up the interest costs for providing legitimate State and local services.

Thus we are confronted with the type of ludicrous situation which recently led one State to enact a law authorizing industrial development bonds throughout the State and simultaneously pass a resolution calling upon the Federal Government to deny the tax-exempt status of interest on industrial development bonds.

The rapid increase in industrial development bonds is today reaching crisis proportions. Occurring as it does at a time when our State and local governments are confronted with larger and larger demands to provide services and facilities for their citizens and when our Federal Government is confronted with an ever-increasing need for revenue, the use of industrial development bonds has presented us with a situation that can no longer be tolerated.

The Federal Government and the States must join together in eliminating this situation which threatens to undermine their own best interest. And because no State can be expected to end industrial development financing on its own while other States continue to permit such financing, the responsibility for action lies with Congress as the only body with power to enact legislation that can be uniform and simultaneous throughout the 50 States.

In addition to industrial development bonds, another abuse of the tax exemption afforded State and local bonds has gained prominence within the last few years. I am referring to the so-called arbitrage bonds where a local government invests the proceeds of its tax-exempt issue in U.S. bonds which in turn secure the bonds issued. In effect the investor has a certificate evidencing an interest in Federal bonds, but the suggestion is made that the interest received is exempt because the funds pass through the hands of a local government unit.

The local government seeks to make a profit from the difference in interest rates that would arise, since interest on Federal bonds is taxable and the interest paid by the local government is claimed to be exempt. And this profit is claimed on the sole ground that the local government lends its name to a security—without assuming any risk, or responsibility, or work, or anything else.

It takes but little imagination to see that the unchecked spread of arbitrage bonds would pose as great a threat to the Federal revenues and the financing costs of State and local governments as industrial development bonds. From the investors standpoint arbitrage bonds are as secure as Federal bonds and any municipality in the country, no matter how small, could issue unlimited amounts of arbitrage bonds.

In theory the only limit on the amount of arbitrage bonds that could be added to the normal volume of tax-exempt bonds is determined by the amount of Federal obligations that are outstanding. However, the existence of arbitrage bonds on any sizable scale would drastically increase the cost of State and local government borrowings to finance legitimate governmental functions.

Last year the Internal Revenue Service announced that it would not rule on extending the interest exemption to arbitrage transactions under existing law. I am convinced that this action was correct. In essence, the issuing government which engages in an arbitrage transaction is nothing more than a trustee for the bondbuyers who are purchasing—not the obligations of a State or local government—but the obligation of the Federal Government.

I fail to see how an agreement by a locality to act as a conduit for passing interest on Federal bonds to private individuals can be considered the type of "obligation" of a State arising from the exercise of its borrowing power that is encompassed by existing law. To extend the interest exemption to these bonds seems to be outside both the purpose and the literal language of the law which exempts interest on obligations of a State or local government from tax but does not exempt interest on Federal bonds from tax.

A pertinent point here is that this same rationale also casts doubt on the validity of exempting the interest on industrial development bonds.

An examination of most industrial development issues makes it clear that the only real obligor is the private company for whose benefit the bonds are issued. However, the Internal Revenue Service has, for many years, been issuing rulings holding interest on these bonds tax exempt. That position was adopted when the magnitude of these offerings was small and the problems which now loom so clearly were difficult to perceive. I am sure that if the clock were set back the Service would, knowing what it now knows, rule differently.

On the other hand, facing the industrial development situation as it now exists, I feel a legislative solution to this facet of the problem is preferable to administrative action.

To this end, I am introducing a bill which will put a stop to the costly and self-defeating situation which the proliferation of industrial development bonds has brought about. In addition, even though I believe the Treasury Department's position on arbitrage bonds is correct under existing law, to avoid any misunderstandings I am also introducing a separate bill on this subject.

Mr. President, I ask unanimous consent that there be printed in the RECORD at this point a memorandum on trends in industrial bond financing prepared by the Treasury Department, followed by a letter and material from the Investment Bankers Association of America, a statement by the AFL–CIO executive council, and the text of the bills with a technical explanation of each.

The ACTING PRESIDENT pro tempore. The bills will be received and appropriately referred; and, without objection, the memorandum, letter, material, statement, bills, and technical explanations will be printed in the RECORD.

The items presented by Mr. RIBICOFF are as follows:

TRENDS IN INDUSTRIAL DEVELOPMENT BOND FINANCING

Generally, each industrial development bond issued by a governmental unit serves to finance a single project for a specific corporation. It is therefore possible to discern a trend in the size of firms acquiring facilities financed by these tax-exempt bonds by examining the changes in the average value of industrial development bond issues.

Prior to 1960, the estimated total value of industrial development bond debt outstanding was just above $100 million. In the seven years 1960–66, the dollar value of new industrial development bonds increased by an estimated $1.2 billion.[1] This absolute growth in the volume of industrial development bonds issued since 1960 is partly explained by the increase in the number of states permitting local units to borrow for this purpose. However, the increase in the number of states authorizing industrial development bonds has coincided with a marked rise in the size of projects financed.

Table I shows the estimated value of publicly issued industrial development bonds for the years 1956–66, the number of issues and the average amounts borrowed to finance projects in each year. The number of projects in each year is approximately equivalent to the number of issues shown in Column 2. Between 1956–60, 217 projects were financed and the average issue size ranged between $267,541–$742,797. Since 1961, the average amounts borrowed to finance industrial projects has ranged between $1.0–$3.0 million.

The growth in average value of projects financed since 1961, is due to the sharp increase in the number of large-scale projects financed, that is, projects in excess of $1 million. In Table 2, the number of issues exceeding $1 million since 1956 is shown. Prior to 1961, the largest industrial development bond issue was $9.5 million; however, between 1961–66, 19 single issues in excess of $20.0 million were floated. In 1966 alone the 8 largest issue accounted for $334 million,[2] more than 60 percent of the estimated $500 million in new public issues for that year. Finally, the preliminary 1967 data involving large issues set forth in Table III reveals that new public issues this year can be expected to substantially exceed $1 billion.

TABLE I.—ESTIMATED VALUE OF PUBLICLY ISSUED INDUSTRIAL DEVELOPMENT BONDS[1] BY LOCAL UNITS, NUMBER OF ISSUES REPORTED, AND AVERAGE ISSUE SIZE, 1956–66

Year	Total amount of bonds issued (thousands)	Number of issues	Average size of issue
1956	$6,421	24	267,541
1957	7,328	22	346,000
1958	12,746	47	271,000
1959	22,096	50	458,920
1960	56,383	74	742,797
1961	57,201	42	1,361,900
1962	77,877	64	1,216,800
1963	135,225	67	2,018,300
1964	201,571	82	2,458,200
1965	191,717	78	2,457,900
1966	504,460	133	3,792,932

[1] See, e.g., Bridges, "State and Local Inducements for Industry", 18 National Tax Journal, 7, 8 (1965).

TABLE II.—*Number of industrial development bonds issued in excess of $1 million, 1956–66*

Year:	*Number*
1956	1
1957	1
1958	2
1959	1
1960	9
1961	5
1962	14
1963	16
1964	25
1965	28
1966	46

---

[1] The material discussed in this memorandum is drawn primarily from data involving publicly offered industrial development bonds. In addition, there is a large volume of privately placed industrial development bonds which are not reflected in the above estimates. Commentators have estimated that the actual amount of industrial development bonds outstanding may be two to three times larger than estimates based on public offerings would indicate. See, *e.g.*, Bridges, *State & Local Inducements for Industry*, 18 National Tax Journal. 7. 8 (1965).

[2] The eight issues were: $60 million issued for Skelly Oil and American Can Co., $70 million for United Fruit Co., $85 million for Phoenix Steel Corp., $34.4 million for Armco Steel Corp., $46 million for Nookosa-Edwards Corp., $24 million for Air Reduction Co., and $27 million for Hercules Corp.

TABLE III.—INDUSTRIAL DEVELOPMENT BOND TRANSACTIONS EITHER PENDING OR COMPLETED IN 1967 (LARGE ISSUES ONLY)

Corporation	Municipality	Amount (millions)
Armco Steel	Middletown, Ohio	$82.5
Sinclair Petro-chemicals (subsidiary of Sinclair Oil).	Fort Madison, Iowa	60.0
Firestone Tire	Warren City, Ky	30.0
West Virginia Pulp & Paper	Wickliffe, Ky	80.0
Allied Supermarkets	Livonia, Mich	33.0
Georgia-Pacific	Crossett, Ark	75.0
Wycon Chemical	Cheyenne, Wyo	20.0
Minnesota Mining	Nevada, Mo	25.0
Southwire Co	Hancock City, Ky	90.0
Northwest Aluminum (subsidiary of Bell Intercontinental. Leases granted by Bell Intercontinental and Yawata Iron & Steel Co. of Japan.)	Warrenton, Oreg	140.0
Litton Industries (Shipbuilding)	Pascagoula, Miss	130.0
Hystran Fibers, Inc. (jointly owned by Hercules, Inc. and Farberwerke Hoechst A.G. of Frankfort, West Germany).	Spartanburg City, S.C	75.0
General Dynamics Shipyards	Quincy, Mass	$100.0
U.S. Plywood-Champion	Copeland, Ala	100.0
Boise-Cascade	De Ritter, La	110.0
Swiss Aluminum Ltd	Calcasieu Parish, La	75.0
Hercules	do	[1] 30.0
Do	Iberville Parish, La	[1] 30.0
Copolymer	West Baton Rouge Parish, La	20.0
Meade Corp	Michigan	60.0
Minnesota Mining	Weatherford, Okla	10.0
Ingals Shipyard (Litton Industries)	Lorain, Ohio	30.0
Frontier Refining	Cheyenne, Wyo	25.0
Allied Chemical	Green River, Wyo	20.0
Carrier Corp	Warren City, Tenn	12.5
Olin Mathieson	Bradley City, Tenn	12.0
Total		1,475.0

[1] $60,000,000 authorized.

INVESTMENT BANKERS
ASSOCIATION OF AMERICA,
Washington, D.C., October 6, 1967.

Hon. ABRAHAM RIBICOFF,
Senate Office Building,
Washington, D.C.

DEAR SENATOR RIBICOFF: The Investment Bankers Association of America appreciates your continued interest and concern with the increased use of municipal tax exempt credit by corporations for their own private use, a practice referred to as municipal industrial financing. This practice is increasing at an extremely fast rate with prospects of over a billion dollars of new securities for this year. There is no question in the minds of many market experts that this increased volume is costing municipalities throughout the country higher interest rates. For example, it has been estimated by some investment bankers that the recent $55 million Fairfax County Water Authority Bonds were forced to carry ¼ to ⅜% higher interest rate because they sold during the same week that the Georgia Pacific Corporation sold $75 million tax-exempt securities under the name of Crossett, Arkansas at 5⅝%. Over the life of a bond issue of this size, it would cost the residents of Fairfax County approximately $4 million in excess interest charges.

The enclosed material shows the list of some of the issues coming to sale and one of which would be of particular interest to you is that of Hegeman Electric Co. of Hartford, Connecticut for expansion in Florence, Kentucky.

The members of our Association hope that you will continue to press for a solution to this problem.

Sincerely,

ALVIN V. SHOEMAKER.

[From the Daily Bond Buyer, Oct. 6, 1967]

APPROXIMATELY $12.3 MILLION BONDS TO BENEFIT INDUSTRY FOR FLORENCE, KY.

The City of Florence, Ky., is preparing for the sale of approximately $12,300,000 industrial revenue bonds to finance plant facilities for four industries to be located within the city.

Scheduled for sale on Oct. 24 is a $2,100,000 issue of Hegeman Electric Co., of Hartford, Conn., manufacturer of electrical control apparatus, wiring devices, and other electrical components.

THREE OTHER ISSUES

Three other issues, anticipated for sale in November, are:

Approximately $5,500,000 for the Hewitt-Robins Co., a division of Litton industries, manufacturer of conveyor systems.

Approximately $2,500,000 for the American Book Co., manufacturer of text books, and a subsidiary of Litton.

$2,200,000 for Globe-Union Inc., of Milwaukee, Wis., manufacturer of electronic devices.

Hayden, Stone, Inc., is financial consultant to the city for these four issues. Grafton, Ferguson, Fleischer & Harper are bond counsel.

BOND BUYER INDEX AT 33-YEAR HIGH

The Bond Buyer's 20 bond, 20-year Index touched a 33-year high yesterday when it registered a 4.25 per cent. This represented the tax-exempt market's lowest point since May 1, 1934, when the Index stood at 4.27 per cent, and places the market six basis points below last week's figure of 4.19 per cent.

In confirmation of the market's lower trend, the higher-grade 11-bond average hit a new recent high of 4.15 per cent, up from last week's 4.08 per cent, and the highest since Jan. 1, 1934, when it stood at 4.50 per cent.

[From the New York Times, Oct. 6, 1967]

BOND RATES SET 33-YEAR RECORD—LEVEL FOR MUNICIPAL ISSUES IS HIGHEST SINCE 1934—SOME SALES DELAYED—INDEX CLIMBS TO 4.25 PERCENT—BIG INDUSTRIAL AID OFFERINGS ARE CITED BY DEALERS AS A REASON FOR SPURT

(By John H. Allan)

Interest rates on tax-exempt municipal bonds have reached their highest level in 33 years, inching above the peak set in late summer last year.

The Bond Buyer's index of municipal bond yields, a widely followed weekly compilation, stood at 4.25 per cent yesterday, up from 4.19 a week ago.

Not since May 1, 1934, has the index been higher. Then, when tax-exemption was not quite the advantage to investors it is today, the index was 4.27.

At the peak of the squeeze in the credit markets in late August and early September, 1966, the index rose to 4.24 and stayed there, for two weeks.

SOME SALES DELAYED

Since mid-April, municipal bond prices have been falling, and interest rates rising along with other sectors of the money and capital markets.

Recently, the trend has been accentuated in the municipal bond market by the prospect of a large volume of sales of tax-exempt industrial development bonds. One compilation shows an estimated $825-million of these bonds scheduled for sale throughout the rest of 1967 and early in 1968.

Several cities recently have postponed bond sales because of high interest rates. A Houston sale of $39.8-million of bonds and a $3-million Daytona Beach, Fla., issue were delayed this week, for example.

Investment bankers offering bond issues auctioned in recent weeks have, in several cases permitted the securities to trade in the open market and prices have dropped sharply.

BALANCE OF FAIRFAX ISSUE IS TRADED IN FREE MARKET

The $7.3-million unsold balance of the $55-million Fairfax County, Va., Water Authority was allowed to trade in the free market. Prices dropped enough to raise yields on the bonds 30 basis points or more. When the bonds were originally offered on Sept. 26, they were priced to yield from 4 per cent in 1970 to 5 per cent in 2007.

The unsold balance of the $35.85-million of Washington bonds offered originally Sept. 13 was freed on Wednesday. Yields also rose about 30 basis points.

As a result, tax-exempted bond dealers seem a bit groggy, but not overwhelmed.

Is the municipal bond market veering toward chaos? Several dealers who were asked agreed conditions were confused, but not chaotic. "I find a lot of weakness but that's a lot different from panic," one investment banker said in a comment that seemed typical.

Another remarked that "things have become pretty bloody." A third commented, "This industrial revenue stuff is killing us."

This was a reference to the buildup in prospective sales of tax-exempt bonds to finance facilities to be leased to private industry. One Wall Street source listed the following 18 issues as likely to come to market over the next six months or so.

Beauregard, Miss., $100-million for the Boise Cascade Corporation; Cheyenne, Wyo., $15-million for Frontier Refining Company (in addition to the $20-million for Wycon Chemical Company) and Corbin, Ky., $7-million.

Also, Copeland, Ala., $100-million; Calcasieu, La., $62.7-million; Florence, Ky., $7-million; Hampden Township, Pa., $7-million to $10-million; Hartwell, Ga., $35-million and Iberville Parish, La., $25-million.

CLINTON, IOWA MAPS NEW BOND OFFERINGS

Also, Lafayette County, Miss., $9.5-million; Mentor, Ohio, $9.8-million; State of Mississippi, $100-million; Astoria, Ore., $142-million; Spartansburg, S.C., $75-million; Warren County, Tenn., $12.5-million; Weatherford, Okla., $8.5-million; Baton Rouge, La., $20-million; and Tama, Iowa, $7.5-million.

In addition, Clinton, Iowa, which negotiated a $60-million industrial aid bond issue last year, is now working to sell $30-million to $60-million more if bondholders approve.

The one bright spot in the tax-exempt bond market recently has been sales of small, highly rated issues. Erie County, N.Y. and Minneapolis, Minn., sold such issues yesterday.

A syndicate managed by the First Boston Corporation won Erie County's $5.25-million. It offered them publicly at yields from 3 per cent in 1968 up to 3.80 in 1980—yields little changed from representative triple-A bonds sold a week ago. The bonds were about half sold by late afternoon.

U.S. AND CORPORATE BONDS REGISTER FEW CHANGES

A Harris Trust and Savings Bank syndicate bought the Minneapolis bonds, scaled them to yield from 3.15 in 1968 to 3.90 in 1987 and have sold all but $615,000.

Prices of Government and corporate bonds showed few changes and traders reported activity as light.

In the new-issue market for corporate securities, Columbia Gas System, Inc., sold $25-million of debentures to a syndicate managed by Merrill Lynch, Pierce, Fenner & Smith, Inc., and White, Weld & Co. The group bid 99.409, specifying a 6⅝ per cent rate. It repriced them at 100.304 to yield 6.60 per cent to maturity in 1992. The securities are rated single-A and carry no special call protection. The underwriters estimated the issue about 45 per cent sold late in the day.

SATURN INDUSTRIES OFFERING IS MADE

The 6.60 per cent compares with a return of 6.25 per cent on the Wisconsin Natural Gas Company issue marketed Sept. 12 in the preceding sale of single-A gas company securities. The "Whisky Nats," however, were a smaller issue, are a rarer name in the bond market and carry a call price of 113.

A $10-million offering of Saturn Industries, Inc., 5½ per cent 20-year convertible debentures priced at 100 was made through Hornblower & Weeks-Hemphill, Noyes and Butcher & Sherrerd and their associates. The group also sold 174,000 common shares at $18.25 a share.

In the Eurobond market, the Kredietbank S. A. Luxembourgeoise reported that loans raised in this market in the first nine months of 1967 totaled $1,241,000,000, a 48 per cent rise from the 1966 period. The total for 1967 could approach $2-billion, it predicted, according to Reuters.

In New York, it was reported Kredietbank is readying a unit-of-account loan for Companhia Uniau Fabril, a diversified Portuguese chemical concern. The loan is expected to equal $5-million and be priced as 6¾s at 98. It would mature in 10 years.

STATEMENT BY THE AFL–CIO EXECUTIVE COUNCIL ON THE GROWING MENACE OF INDUSTRIAL BOND FINANCING, FEBRUARY 23, 1967

Across the country a scheme to saddle the public with the cost of building plants for private use—through the misuse of tax-free state and local government bonds—has been rapidly gaining momentum. First conceived in Mississippi in the 1930's and confined until recently to the south, this device has been so successful in luring industry to the communities that resort to it, it now has been sanctioned by over 30 states and the list grows year by year. Yet this misuse of public bonds for private-profit purposes threatens the job security of workers everywhere and the welfare of almost everyone.

This plant-enticing scheme is possible through a deliberate perversion of the privilege enjoyed by states and localities to issue bonds on which interest payments are free of all federal tax. These tax-exempt bonds were intended to provide a federal subsidy to help states and localities finance expanded public services. They were not intended, however, to finance the building of plants for private employers—often specifically to lure them from other communities.

The private-profit advantages that result from this abuse of the public bonding privilege are substantial:

Because local government agencies can sell tax-free bonds at a low interest rate, factory-financing costs are considerably lower than when an employer has to raise the money himself.

Moreover, often the employer buys such bonds himself and then pockets the tax-free interest.

What is more, when the employer moves into the plant—often built to his own specifications—he pays only a minimal rental which also is deductible as a business cost, tax-free.

Finally, because the plant is "publicly" owned, even payment of a local property tax generally is evaded.

Each year, this scandalous misuse of tax-free bonds for private profit spreads, and even some of our corporate giants are now getting into the act. And as a consequence, scores of thousands of American workers already have lost their jobs because of the loophole in the federal tax law that encourages plants piracy via industrial bond financing. Ironically, it is the federal taxes paid by all Americans—even those levied on workers who are the victims of this loophole—that subsidize this misuse of public bonds.

What is more, these industrial-bond-financing schemes also cause a mounting federal revenue loss, they undermine business competitors who financed their own plant construction and they saddle local communities with unwholesome burdens of debt. Finally, this perversion of the state and local tax-free bonding privilege undermines the effort of the federal government itself to aid genuinely distressed areas by legitimate means, and to prevent the creation of new ones.

Because of all of these evils, the AFL–CIO has long urged the Congress to end the malpractice of industrial bond financing. And because of the rapid spread of this menace, important allies recently have emerged. Enlightened business groups, the Advisory Commission on Intergovernmental Relations, the Secretary of the Treasury and many Democrats and Republicans in the Congress have expressed deep concern over the dangers inherent in industrial bond financing.

Only a month ago the President's Council of Economic Advisers warned that "the use of the federal tax code in this fashion is inefficient and inappropriate."

While more states are resorting to this undesirable practice, there is a growing desire among the states for the federal government to eliminate it.

The AFL–CIO Executive Council believes the federal government has an obligation to call a halt to this type of industrial piracy because it not only means a loss of needed revenue to the U.S. Treasury and other levels of government but also means an addition to the already unfair tax burden borne by middle and low-income families. The federal tax statutes are already shot full of special privilege and loopholes for industry and the more affluent. To preserve the progressive features of the federal tax laws that remain, and to prevent state and local tax laws from becoming more regressive, the use of tax-exempt bonds for plant piracy must be prohibited.

Once again, the AFL–CIO calls upon the Administration to close the federal tax loophole that has far too long abetted the menace of industrial bond financing. The time for action to end this evil is now.

The bill (S. 2635) to amend the Internal Revenue Code of 1954 to provide that industrial development bonds are not to be considered obligations of States and local governments, the interest on which is exempt from Federal income tax, introduced by Mr. RIBICOFF, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2635

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 103 of the Internal Revenue Code of 1954 (relating to interest on certain governmental obligations) is amended by relettering subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

"(c) INDUSTRIAL DEVELOPMENT BONDS.—

"(1) Subsection (a)(1) not to apply. Any industrial development bond (as defined in paragraph (2)) issued after December 31, 1967, shall not be considered an obligation described in subsection (a)(1).

"(2) INDUSTRIAL DEVELOPMENT BOND DEFINED.—

"(A) In general.—For the purposes of this subsection, the term 'industrial development bond' means an obligation the payment of the principal or interest on which is—

"(i) secured in whole or in part by a lien, mortgage, pledge, or other security interest in property of a character subject to the allowance for depreciation, or

"(ii) secured in whole or in part by an interest in (or to be derived primarily from) payments to be made in respect of money or property of a character subject to the allowance for depreciation.

which is or will be used, under a lease, sale or loan arrangement, for industrial or commercial purposes.

"(B) Exceptions.—For purposes of subparagraph (A), property shall not be treated as used for industrial or commercial purposes if it is used—

"(i) to provide entertainment (including sporting events) or recreational facilities for the general public;

"(ii) to provide facilities for the holding of a convention, trade show, or similar event;

"(iii) as an airport, dock, wharf, or similar transportation facility;

"(iv) in the furnishing or sale of electric energy, gas, water, or sewage disposal services; or

"(v) in an active trade or business owned and operated by any organization described in subsection (a)(1).

"(3) EXCEPTIONS.—Paragraph (1) shall not apply to any obligation issued before January 1, 1969, for a project assisted by the United States under title I of the Housing Act of 1949 (42 U.S.C., sec. 1450 and following, relating to slum clearance and urban renewal) or under title I or title II of the Public Works and Economic Development Act of 1965 (42 U.S.C., sec. 3131 and following)."

(b) Section 102(g) of the Housing Act of 1949, as amended (42 U.S.C., sec. 1452 (g)), is amended to read as follows:

"(g) Obligations, including interest thereon, other than industrial development bonds (within the meaning of section 103(c) of the Internal Revenue Code of 1954), issued by local public agencies for projects assisted pursuant to this title, and income derived by such agencies from such projects, shall be exempt from all taxation now or hereafter imposed by the United States."

(c) The amendment made by subsection (a) shall apply with respect to taxable years ending after December 31, 1967.

The technical explanation of Senate bill 2635, presented by Mr. RIBICOFF, is as follows:

TECHNICAL EXPLANATION OF PROPOSED AMENDMENT TO SECTION 103 OF THE INTERNAL REVENUE CODE OF 1954 RELATING TO INDUSTRIAL DEVELOPMENT BONDS

The proposed bill amends section 103 of the Internal Revenue Code by adding new subsection (c). Paragraph (1) of subsection (c) provides simply that an industrial development bond issued after December 31, 1967, shall not be considered an obligation of a State or local government the interest on which is exempt from tax. The definitional aspects of the proposed bill contains the major substantive provisions.

Paragraph (2) of new subsection (c) defines the term "industrial development bond" as any obligation the payment of principal and interest on which is either—(1) secured by an interest in property of a character subject to the allowance for depreciation or (2) secured (or to be derived primarily from) payments to be made with respect to money or property of a character subject to the allowance for depreciation—which is or will be used, under a lease, sale or loan arrangement for industrial or commercial purposes. In the case of the typical industrial development bond the issuing governmental unit uses the proceeds to construct a facility for lease to a private corporation and an interest in the property is pledged as security for the rental payments. In other cases a deferred payment sale contract may be used instead of a lease but the substance of the transaction is not otherwise altered. In still other cases the bond proceeds may be loaned directly to the private corporation as a working capital loan, to purchase equipment, or for similar purposes. However, irrespective of whether the transaction takes the form of a loan, sale, or lease, it is normal to secure payment of the bonds by pledging either the specific property involved or the payments to be made under the loan, lease or sale contract. Therefore, subparagraph (A)(i) and (ii) includes within the definition of industrial development bond all obligations the payment of principal or interest on which is secured by either (i) the specific property or (ii) an interest in the payments to be made with respect to money loaned or non-depreciable property leased or sold for industrial or commercial purposes.

The essence of an industrial development bond is that it is a device for passing on the benefits of the interest exemption to a private industrial or commercial enterprise. By limiting the definition to cases in which such an enterprise uses the property under a lease, sale or loan arrangement and by also requiring that the property or payment with respect to such property, be pledged as security for the obligation, the bill carefully delineates those financial transactions which involve bonds issued for the purpose of financing industrial or commercial enterprises. Further, by limiting the property involved to cash loans and depreciable property the bill excepts transactions, such as many industrial parks, which involve unimproved land exclusively. The bill thus recognizes that there may be situations where, if land is to be used, a governmental unit must make initial preparations (such as filling a swamp or installing sewage facilities) that no private entrepreneur would be willing or capable of undertaking. However, if in addition to land depreciable property, such as a factory or department store is involved, and the issue is secured in part by such depreciable property the bonds will constitute industrial development bonds.

In addition, if a local government creates a separate governmental authority to issue industrial development bonds, or if a nonprofit corporation is used with authority to issue bonds on behalf of a local government, it is possible to achieve the effect of a security interest in property without a direct pledge of the property involved. This would be true, for example, where an industrial financing authority was created and its powers limited so that its income was primarily derived from the lease or sale of industrial facilities and its expenditures limited in such a way that most of its income could only be expended on principal and interest payment for issued bonds. Since this situation would be tantamount to a security arrangement, the parenthetical clause of part (ii) of subparagraph (A) includes bonds issued in circumstances which demonstrate that repayment is primarily to be derived from payments on a lease, sale, or loan to a private corporation. This provision does not, of course, extend to obligations of a local government merely because, in addition to performance of its normal governmental functions, the government also owns property which it happens to lease for industrial or commercial purposes.

The phrase "industrial or commercial purposes" is intended to have its customary meaning and is not specifically defined by the bill. Thus, for example, bonds issued to construct a facility for an exempt organization, such as a college dormitory, would not be an industrial development bond. In addition, subparagraph (B) of paragraph (2) provides that leases for certain specified purposes shall not be considered leases for industrial or commercial purposes within the purview of the bill. Specifically enumerated are bonds issued to finance facilities which are leased for the purposes of providing entertainment or recreation; for holding of a convention, trade show or similar event; as an airport, dock, wharf or similar transportation terminal; or in the furnishing or sale of electric energy, gas, water, or sewage disposal services. Thus, for example, bonds issued to finance a stadium run by the municipality and leased to various profit-making enterprises for baseball, football, and other similar events, would not be industrial development bonds.

Subparagraph (B)(v) adds a more general exception to make it clear that bonds issued with respect to property used in active trade or business owned and operated by a governmental unit will not be industrial development bonds. Thus, for example, if a municipality were to issue bonds to finance a large apartment building which was to be leased to a substantial number of different tenants with the length of the leases unrelated to the life of the bonds, the municipality would be engaged in the active conduct of a real estate rental business and the bonds in question would not be industrial development bonds within the meaning of this provision. The present bill is confined to cases where the arrangement involves an attempt by a State or local government to pass on to private commercial enterprises the lower interest rates which result from the exemption of interest on State and local bonds.

In accordance with paragraph (1) of new subsection (c) the bill is applicable to bonds issued after December 31, 1967, and applies with respect to taxable years ending after that date. However, since certain Federally assisted projects may involve the issuance of industrial development bonds, paragraph (3) of new subsection (c) provides as a limited transition rule for such cases that only bonds issued after January 1, 1969, will be considered industrial development bonds. Section (g) of the draft bill makes a conforming change in the Housing Act of 1949.

The bill (S. 2636) to amend the Internal Revenue Code of 1954 to provide that arbitrage bonds are not to be considered obligations of States and local governments the interest on which is exempt from Federal income tax, introduced by Mr. Ribicoff, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 2636

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 103 of the Internal Revenue Code of 1954 (relating to interest on certain governmental obligations) is amended by relettering subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

"(c) Arbitrage Bonds.—

"(1) Subsection (a) (1) not to apply.—Any arbitrage bond (as defined in paragraph (2)) shall not be considered an obligation described in subsection (a)(1).

"(2) Arbitrage bonds defined.—

"(A) In general.—For purposes of this subsection, the term 'arbitrage bond' means any obligation if, under the terms of the obligation or any underlying agreement, any portion of the proceeds of the issue of which the obligation is a part may be invested, directly or indirectly, in any securities (other than obligations the interest on which is excluded from gross income under subsection (a) after the application of this subsection) which yield a higher return (taking into account any discount or any premium) that the obligation being issued, and such securities are required to be held as security for any obligations the interest on which is excluded from gross income under subsection (a) before the application of this subsection.

"(B) Exceptions.—Subparagraph (A) shall not apply to an obligation—

"(i) if under the terms of the obligation or underlying agreement all of such securities (other than those described in (ii) and (iii) below) in which the proceeds may be invested may not be held longer than two years from the date of the issuance of the obligation;

"(ii) if the obligation or an underlying agreement limits the amount of the proceeds which may be invested in such securities as of the beginning of any annual accounting period provided for in the obligation or underlying agreement to not more than the amount of interest and principal payments required to be made with respect to such obligation within such annual accounting period and the accounting period following such annual accounting period;

"(iii) to the extent that the proceeds of such obligation are to be used to construct a facility the actual construction of which (other than acquisition of land) must commence within two years from the date of such issuance if under the terms of the obligation or underlying agreement the portion of the proceeds to be used in connection with such construction may not be invested in such securities for a period in excess of five years from the issuance of such obligation.

"(3) Special series of obligations.—At the request of an organization described in subsection (a)(1), the Secretary is authorized under the Second Liberty Bond Act, as amended (31 U.S.C., sec. 752 and following), to provide for the issuance of a special series of obligations of the United States the yields on which shall not exceed the yields on obligations described in paragraph (2).

(b) The amendment made by subsection (a) shall apply only with respect to interest on bonds issued after the date of the enactment of this Act.

The technical explanation of Senate bill 2636, presented by Mr. Ribicoff, is as follows:

Technical Explanation of Proposed Amendment to Section 103 of the Internal Revenue Code of 1954 Relating to Arbitrage Bonds

The proposed bill amends section 103 of the Internal Revenue Code by adding new subsection (c). Paragraph (1) of Subsection (c) provides that an arbitrage bond shall not be considered an obligation of a State or local government the interest on which is exempt from tax.

Paragraph (1) of new subsection (c) defines the term "arbitrage bond." Subparagraph (A) provides that a bond will only be considered an arbitrage bond (1) if under the terms of the issue, the State or local government may invest the proceeds of the issue in taxable obligations yielding a higher rate of interest than the issue in question, and (2) if the portion of the proceeds so invested is required to be held as security for the payment of the issue in question or any other bond issue the interest payments on which are exempt from Federal income tax.

This definition and the several exceptions discussed below have been drafted in a manner that will permit a prospective purchaser to determine from the terms of the obligation and underlying agreement that a given obligation is not an arbitrage bond. By the same token an issuing governmental unit, by carefully drafting the bond agreement, can insure that a bond will not come within the definition of an arbitrage bond. This aspect of the bill as well as the exceptions contained in subparagraph (B) will allow State and local governments unfettered freedom to engage in any financing arrangement necessary to achieve the basic purpose of a particular bond issue. Subparagraph (B) excludes from the definition of an arbitrage bond certain common situations which may require a limited investment of the proceeds in taxable securities and it is anticipated that these exceptions will render the bill inapplicable to the vast majority of governmental bond issues. It is also recognized, however, that certain abnormal situations may prompt the issuance of bonds which require an investment exceeding the specified limitations. A municipality, confronted with such an abnormal situation, may avoid the provisions of the bill if it confines any investment exceeding the specified limits to securities which do not yield a higher rate of interest than the bonds being issued. Paragraph (3) of the new subsection (c) authorizes the Secretary of the Treasury to provide for the issuance of special federal obligations which will meet this requirement for municipalities which are unable to purchase bonds yielding the same or a lower interest rate as the issue in question on the open market.

For example, municipalities often find it desirable to engage in advance refunding transactions in order to insure an orderly transition between an outstanding issue approaching maturity and a new issue which is to replace the maturing bonds. The municipality will invest the proceeds of the new issue in securities to be held in escrow for the benefit of the outstanding bonds. Subparagraph (B)(i) of the new subsection (c) (3) provides a general two year exception which would exclude advance refunding issues from the definition of an arbitrage bond if the proceeds could not be invested in higher yield taxable securities for longer than two years. The two year limitation contains the investment profit within tolerable limits and insures that any profit that results is primarily a by-product of the transaction rather than its essential purpose.

On the other hand, in certain unusual cases it may be desirable to invest the proceeds of an advance refunding issue for a period exceeding two years. An oft cited example involves revenue bonds which were issued to build a bridge and which contain a restrictive convenant prohibiting the erection of a second bridge in the same area. A municipality may engage in an advance refunding transaction in order to secure a release from the restrictive covenant and simultaneously raise revenues to build a second bridge. If the portion of the proceeds which are to be held in escrow for the outstanding bonds are to be held for a period in excess of two years (because the outstanding bonds are not callable) the newly issued bonds will constitute arbitrage bonds under the bill unless the municipality also agrees that the proceeds will not be invested in bonds yielding a higher rate of interest than the advance refunding bonds once the two year period is past. If it is necessary, to comply with such an agreement, the municipality may request the Secretary of the Treasury to issue a special series of federal bonds whose yields will not exceed the interest on the advance refunding issue. In this way the bill provides maximum flexibility for all state and local government financing needs while limiting the amount of unjustified profit that may be realized through arbitrage trading on the interest differential between taxable and nontaxable obligations.

In addition to a general two year exception, subparagraph (B)(ii) permits a State or local government to set aside out of the proceeds of a new issue and invest an amount equal to that needed to pay the interest and principal (if any) during a two year period after the date of issue of the obligation. The fund so set aside and invested as a debt service reserve must be reduced in future years as bonds are paid off and the interest and principal requirements needed to meet payments during successive two year periods becomes smaller. Part (iii) of subparagraph (B) provides an additional exception for bonds issued to construct new facilities. Under that provision, if construction is to commence within one year of the bond issue, the proceeds borrowed to permit construction may be invested in taxable obligations yielding a higher return for up to five years from the date of the bond issue.

As in the case of the advance refunding bonds, if a municipality finds it necessary to have a larger debt service reserve or to have a longer construction reserve, the bonds will not constitute arbitrage bonds if the municipality confines the investment which exceeds the specified amount or period to securities which do not yield a higher rate of interest than the interest called for by the bonds in question.

DEFECTIVE TIRES MUST BE RECALLED

Mr. NELSON. Mr. President, I introduce, for appropriate reference, a bill to direct the Secretary of Transportation to develop a procedure for the recall of defectively manufactured tires.

The bill would amend the National Traffic Safety Act to require the Secretary of Transportation, within 6 months, to develop procedures under which the tire manufacturers would notify every tire purchaser of potential defects in his tire. The notification—by certified mail—would explain the nature of the suspected defect and an evaluation of the safety hazard as well as measures to be taken to correct the defect.

In recent months I have received increasing numbers of letters from tire users who have experienced multiple failures of new tires. Let me cite a few examples:

A Washington, D.C., motorist wrote:

> In June of this year, I purchased a 1967 ——— equipped with new, wide oval ——— tires. After about 1,500 miles, the tires began to crack, split and peel. By the time the mileage had reached 3,000, the general disintegration of all four tires had reached such an extent that they had to be replaced. The ——— tire dealer assured me that the replacements would not crack, split or peel because the tire had been redesigned.

A Fresno, Calif., widow wrote:

> I took delivery on a new ——— in May of this year, because, having been recently widowed and age 62, I wanted a trouble-free car. One Sunday afternoon, when the speedometer showed 3,290 miles, I found I had a tire almost flat. The station operator found that the fabric inside was literally cut to pieces. The other front tire was found to be the same. The back two tires on examination showed a separation at the inside seams where a finger could be placed between the fabric and the rubber.

A tire executive for 15 years wrote:

> My personal experience with ——— (tire manufacturer) on a new ——— this past year when four of the tires had to be replaced at approximately 5,000 miles is a good illustration of how the tire companies rob the public . . . even when there are admitted defects.

In many of these cases when these tires were returned to the dealers, they were judged by an expert to be "defective." Fortunately, these letter writers have lived to tell their stories. It is impossible to tell how many have not. For in none of these instances, to my knowledge, has there been a public notification—to the tire owner, the dealer and the press—about this safety hazard. Nor has there been a concerted effort to recall these defective products from their owners.

Under the National Traffic Safety Act passed last year, "motor vehicle manufacturers" are required to notify all car owners by certified mail of any possible safety defect in their automobile. These defect notices must also be sent to the National Highway Safety Bureau.

Over 4 million cars have been recalled in the last year under this program. The astonishing response to this law is clear evidence of the need for such a requirement. Certainly motorists deserve the same measure of protection from defective tires as they now receive from defective cars.

In an effort to determine what system the tire companies use to identify and recall possibly defective tires, last August I wrote to 21 major tire manufacturers in the United States and Europe. I specifically asked each company how they notify the consumer that he has a defective tire, how many tires they have recalled over the last 7 years and how effective these recall campaigns have been.

Twenty of the twenty-one companies have now replied. I ask unanimous consent to have these replies along with my original letter and a copy of the bill printed in the RECORD at the conclusion of my remarks.

These letters document an urgent need for a tire recall program to protect the consumer from defective and dangerous tires. The replies point out clearly that:

Serious quality control problems do exist in the tire industry as in every other manufacturing process. Eleven companies conceded that despite elaborate inspection systems, they continually experience quality control problems.

A number of defective tires are reaching the marketplace, and this number is quite probably much larger than any figures reveal. Six companies replied that they have recalled a total of more than 125,200 tires in the last 7 years for inspection of defects.

Despite the fact that defective tires are reaching the consumer, there has never been a systematic recall of such tires from the consumer. In all cases related, the tires were recalled from warehouses or dealers. Because most tire companies have no system for keeping track of their product after it leaves the factory, they contend that it is impossible for them to locate the owners of defective tires.

The consumer is clearly not being reached under the present system.

It surprised me that some tire manufacturers simply refused to answer the important questions posed in my letter. This refusal in itself indicates a lack of regard for public safety.

Furthermore, several tire companies refused to acknowledge their responsibility for potentially defective tires and placed all the burden for discovering such defects on the consumer. Instead of openly discussing the problems of quality control and defective tires, some tire companies hid behind the old cliche of "customer abuse and wear" as the only reason for tire failure, while admitting that there are over a million unsafe tires on the road today.

We have established beyond a shadow of a doubt that a certain number of defective tires are produced, even in the finest of our plants, and fall into the hands of unsuspecting motorists.

Congress has a clear responsibility to require a recall system for these tires, just as we now require the recall of all potentially defective automobiles. It is high time we put the responsibility for defective tires on the tire manufacturer, where it legally and rightfully belongs.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and letters will be printed in the RECORD.

The bill (S. 2638) to provide an improved and enforceable procedure for the notification of defects in tires, introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 2638

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title II of the National Traffic and Motor Vehicle Safety Act of 1966 is amended by adding at the end thereof the following new section:

"SEC. 206. (a) In addition to the requirements of section 113 of this Act, relating to notification of defects, not later than 6 months after the enactment of this section, the Secretary shall establish procedures under which every manufacturer of tires shall be required to furnish notification of any defect in any tire produced by such manufacturer which the manufacturer determines, in good faith, relates to motor vehicle safety, to the last purchaser of such tire known to the manufacturer, within a reasonable time after such manufacturer has discovered such defect.

"(b) The procedures established pursuant to this section shall provide—

"(1) a method of notice to each tire manufacturer of the names and addresses of the purchasers of the tires of such manufacturer;

"(2) for notification (A) by certified mail to tire purchasers other than dealers of tire manufacturers to whom tires were delivered, (B) by certified mail or other more expeditious means to dealers of tire manufacturers to whom tires were delivered, and (C) by such other means as the Secretary deems will assist in carrying out the purposes of this Act; and

"(3) coordination of the requirements of this section with the requirements of section 113 of this Act so as to avoid unnecessary duplication of notification of tire defects while assuring the greatest probability of notification to the user of a tire as to a defect therein as soon as possible.

"(c) The notification required by this section shall contain a clear description of such defect, an evaluation of the risk to traffic safety reasonably related to such defect, and a statement of the measures to be taken to repair such defect or to replace, if necessary, any tire with such a defect.

"(d) Every manufacturer of tires shall furnish to the Secretary a true or representative copy of all notices, bulletins, and other communications to the dealers of such manufacturer or purchasers of tires of such manufacturer regarding any defect in such tires sold or serviced by such dealer. The Secretary shall disclose so much of the information contained in such notice to the public as he deems will assist in carrying out the purposes of this Act, but he shall not disclose any information which contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code unless he determines that it is necessary to carry out the purposes of this Act.

"(e) If through testing, inspection, investigation, or research carried out pursuant to this title, or examination of reports pursuant to subsection (d) of this section, or otherwise, the Secretary determines that tires of any class or description—

"(1) do not comply with an applicable Federal motor vehicle safety standard prescribed pursuant to this Act; or

"(2) contain a defect which relates to motor vehicle safety;

then he shall immediately notify the manufacturer of tires of such class or description of such defect or failure to comply. The notice shall contain the findings of the Secretary and shall include all information upon which the findings are based. The Secretary shall afford such manufacturer an opportunity to present his views and evidence in support thereof, to establish that there is no failure of compliance or that the alleged defect does not affect motor vehicle safety. If after such presentation by the manufacturer the Secretary determines that tires of such class or description do not comply with applicable Federal motor vehicle safety standards, or contain a defect which relates to motor vehicle safety, the Secretary shall direct the manufacturer to furnish the notification specified in subsection (c) of this section to the purchaser of any such tire as provided in subsections (a) and (b) of this section.

"(f) For the purpose of this section the term 'manufacturer of tires' includes the retreader in the case of retreaded tires."

SEC. 2. Section 108(a)(4) of the National Traffic and Motor Vehicle Safety Act of 1966 is amended by inserting "or section 206" immediately after "section 113".

The letters presented by Mr. NELSON are as follows:

WASHINGTON, D.C.—Senator Gaylord Nelson of Wisconsin sent the following letter to 18 domestic and 3 European tire manufacturers:

"Over the past several years, I have received hundreds of letters from dissatisfied tire owners. Their complaints are varied. But in rereading these letters now I am struck by the number which refer to multiple failures of new tires, sometimes four out of four, and in a few shocking cases eight out of eight. In many of these instances, when the tire was returned to the dealer, it was judged by an expert to be defective.

"Let me cite a few examples.

"A man from Appleton, Wisconsin wrote:

"'My 1966 ——— came equipped with ——— tires. At 16,000 miles these tires literally fell apart. After some conversation with the tire company, these tires were replaced with a like tire. The local dealer agreed that the tires were defective. Now the replacement tires are following the same route, this time after approximately 10,000 miles. Again the local dealer agrees that the tires are defective. These tires were used only 9 months and I am assured they are a first line tire costing in the neighborhood of $45 each.'

"A doctor from Kentucky wrote:

"'On April 18, 1967 we purchased four ——— tires with the verbal understanding that they had the usual guarantee against any defect in the manufacturing of the tire. On June 26, 1967 we had to have three of the tires replaced and the fourth was replaced three days later. They came apart at the red line. The four new tires are again coming apart after two weeks. The gas station that we do business with has had other customers who are having the same trouble with this same tire. A tire that cost $40.00 and is that poorly made should not be offered to the public.'

"Fortunately, these people lived to tell their story. It is hard to tell how many have not. For in none of these instances, to my knowledge, has there been a public notification—to the tire owner, the dealer and the press—about this safety hazard. Nor has there been a concerted effort to recall these defective products from these owners. Yet it is clear that quality control problems do persist in tire manufacturing, as in automobile manufacturing, and that patently defective tires do on occasion reach the unsuspecting consumer.

"A particularly disturbing case of failure of public notification came to my attention this spring. A special "safety" tire, which has a list price of $125.00 each, failed to pass a tire industry safety test. As a result, the Rubber Manufacturers Association removed the tire from its list of approved tires. It was reported that chunks of the tire broke off when it was put under extra heavy loads and tested at high speeds. (The tire, incidentally, is made especially for heavy high-powered cars such as the Cadillac.) The response of the tire company involved was frighteningly unconcerned. ". . . we have no intention of recalling any tires," the president said.

"The Senate Commerce Committee hearings on tire standards in 1965 produced another example. According to a committee witness, the New York Automobile Club purchased new premium tires for twenty of their staff cars. These tires were made by a large U.S. tire manufacturer and were advertised as the safest in the world with a retail price above $50.00 each. It was soon noticed by the Club officials that these tires had much poorer traction than lower priced tires. After being notified of this situation, the manufacturers replaced the entire group of tires. The trouble stemmed from a rubber compounding error. Other similar tires were not recalled from other car owners.

"Both cases are serious violations of the public's trust in these tire manufacturers. If there is reason to believe that a tire is defective and a potential safety hazard, the tire company has an obligation to inform the customer of this fact. Whether a person has paid $500 to equip his car with 'extra-safe' tires or $80 for adequate tires, or whether a delicate public relations problem is involved is irrelevant.

"Every effort must be made to get this life-saving information out to the people whose lives are endangered—the people who are riding on unsafe tires. The tire companies have the resources at hand to do the job.

"As you know, under the National Traffic Safety Act passed last year, 'motor vehicle manufacturers' are required to notify all car owners by certified mail of any possible safety defect in their automobile. These defect notifications must also be sent to the National Highway Safety Bureau. It is impossible to estimate how many lives have been saved or how many accidents and injuries prevented as a result of this public notification and recall campaign. But the fact that over two million cars have been recalled so far indicates the need for such a program.

"As Congress continues to evaluate the national traffic safety program, I think it would be very helpful to have a thorough and detailed review of the tire industry's notification and recall campaigns since 1960, such as the automobile industry provided last year. Comprehensive information dealing with your corporate policy on recalls and corrections, the nature of your feedback alert system to detect defective tires and actual recall campaigns would be very useful. In regard to the actual recall campaigns since 1960, I would appreciate having the following breakdown:

"(a) a list of recalled or modified tires by number, type and size

"(b) the date of recall

"(c) the nature of the defect

"(d) the length of time between the first marketing date and the discovery of the defect

"(e) the date of the initial discovery which led to the recall campaign

"(f) the efficiency of recall campaigns at stated dates and in terms of numbers located and recalled

"(g) parties from whom tires were recalled—wholesalers, dealers or final consumers

"(h) whether the tires were sold or leased

"(i) data on defective tires not recalled

"(j) copies of recall or modification letters or other notifications to wholesalers, dealers and consumers

"In addition, it would be useful to know what kind of a system has been devised by which tires which are found not to comply with the new federal tire safety standards can be located and recalled.

"I appreciate your cooperation in this important matter and look forward to hearing from you.

"Sincerely yours,

"GAYLORD NELSON,
"U.S. Senator."

THE B. F. GOODRICH CO.,
Akron, Ohio, August 22, 1967.

Hon. GAYLORD NELSON,
U.S. Senate,
Select Committee on Small Business,
Washington, D.C.

DEAR SENATOR NELSON: Your letter of August 12 has been referred by Mr. J. W. Keener to me for reply.

You cite examples where allegedly defective tires were purchased by several persons in different parts of the country. We are unable to identify any of these as being our tires and, consequently, cannot comment upon the examples.

Upon the subject of tire safety and related matters, as you know, there have been a number of investigations over the past several years by the Federal Trade Commission, the Interstate and Foreign Commerce Committee of the House of Representatives, and the Commerce Committee of the United States Senate. We have participated and cooperated fully in these investigations and hearings.

Considerably before the adoption of any federal legislation dealing with automotive and tire safety, B. F. Goodrich took a leading part in having The Rubber Manufacturers Association adopt the voluntary tire safety standards referred to in your letter.

Also, on January 6, 1966, in response to your letter, we wrote you commenting upon misconceptions and misstatements contained in an article dealing with tires which had appeared in a magazine. Our letter and the enclosures comprised about twenty-one pages.

Further, as a result of the adoption of the National Traffic and Motor Vehicle Safety Act of 1966, which among other things deals with tire safety, we have spent considerable time with the Department of Transportation which has the responsibility for the preparation of safety standards for motor vehicle tires. That Department, after many conferences with public as well as industry representatives, prepared safety standards for pneumatic tires and these were recently revised as the result of comments from all interested parties.

On August 18 our Mr. Keener sent a letter to Dr. William Haddon, Jr., Director, National Highway Safety Bureau, commenting in detail upon Initial Federal Motor Vehicle Safety Standards No. 109 and No. 110. These comments, of course, were the result of careful study and consideration of the proposed standards. Further, the National Motor Vehicle Safety Advisory Council to the Secretary of Transportation is in Akron today and tomorrow seeking information and advice from our company and others regarding motor vehicle tires and tire safety. In short, we are cooperating fully with the Department of Transportation and its Advisory Committee.

We are not aware that the Select Committee on Small Business of the Senate, of which you are a member, is conducting any investigation of motor vehicle tire safety. Since the Department of Transportation now has the responsibility for tire safety at the federal level, we feel that our efforts in this area should be directed toward being of assistance to that Department.

Sincerely yours,

R. G. JETER.

THE ARMSTRONG RUBBER CO.,
West Haven, Conn., October 17, 1967.

Hon. GAYLORD NELSON,
U.S. Senate,
Committee on Interior and Insular Affairs,
Washington, D.C.

DEAR SENATOR NELSON: I apologize for the delay in responding to your recent correspondence concerning tire recall programs and procedures used by various tire manufacturers. We have used the time to thoroughly re-examine our experience, existing policies, and procedures although, of course, tire quality and reliability have always been a continuing, daily concern.

With reference to your comments regarding quality control, we agree that quality assurance is the key to insuring the safety of tires offered for sale to the public. We have what we believe is the most modern, comprehensive Quality Assurance Program in the industry and, in our opinion and experience, there have been only rare isolated instances when a tire of our manufacture, having a defect in workmanship or material, was sold to the ultimate consumer. Furthermore, in such isolated instances, such defects resulted in "reduced quality" rather than "hazardous risk." Under our Quality Assurance Program, we have established raw materials and in-process controls at every strategic point in the manufacturing operations. In addition, our program includes the certification of major raw material suppliers and the random selection and examination of tires in our finished goods warehouses. The philosophy underlying our program is to eliminate and prevent defective merchandise, hazardous or not, from reaching ultimate consumer.

It has been, and continues to be, our consistent practice to take whatever action we consider necessary to eliminate and correct problems related to the quality of our products. In one instance in 1965, we found it necessary to recall a small number of truck tires due to quality deficiencies unrelated to safety. It is our experience that the great majority of consumer tire complaints can be attributed directly to product abuse by the consumer or to vehicle mechanical deficiencies.

Upon detection of a possible defect which in our opinion might result in a safety hazard to the consumer, it would be our policy to take appropriate measures. This, of course, would vary with the facts and circumstances of the particular situation. Fortunately, due to our excellent Quality Assurance Program it has not been necessary for us to institute any such action with respect to passenger car tires. However, in the event that such action becomes necessary, we can, through our product identification system, determine the particular lot of tires involved and through our Field Engineering staff and Distribution System take effective action to adequately protect the consumer.

Senator, we are particularly proud of our Quality Assurance Program and the safety of our products which results from this control system. I extend to you a cordial invitation to visit one of our plants for the purpose of reviewing and familiarizing yourself with our Quality Assurance Program.

Sincerely yours,

F. L. DWYER.

COOPER TIRE & RUBBER CO.,
Findlay, Ohio, September 25, 1967.

Hon. GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: Concerning your letter of August 12, 1967 requesting "Comprehensive information dealing with your corporate policy on recalls and corrections . . .

To the best of my knowledge Cooper has not used a consumer recall program such as you describe or suggest in your letter. We have no corporate policy which would prohibit our conducting such a recall should it become necessary in the interest of public safety, but it is a remote possibility that we should need to contemplate such a step.

Let me explain in detail.

You point out in your letter that quality control problems persist in tire manufacturing as they do in automobile manufacturing, that in the auto industry over two million cars have been recalled for modification and this has undoubtedly saved lives.

We cannot debate this point. Quality control problems do exist in the tire industry—as they do in every industry—yet these problems are dissimilar to those which exist in the auto industry, and the solution cannot be the same.

The automobile is a complicated device. By comparison, the tire is much simpler.

Despite advances in automation over the years, there remains considerable hand labor in the preparation of components and the assembly and curing of a tire. This has its advantages and its drawbacks. The chief advantage is that a dimensional design error, should one occur, is likely to be observed by a worker and production halted before any product is delivered to a customer. The chief disadvantage is that workers are human and subject to human errors. Random defects can occur because of momentary carelessness on the part of a worker.

To guard against errors in design, extensive pre-testing of a product line is utilized. To guard against random errors, extensive quality control checks are employed during production.

We have established a most elaborate defense against faulty materials. Inspection procedures have been installed at critical areas all along the manufacturing process. For instance, every batch of rubber mixed is sampled and tested before it is even permitted to be removed from the mixing area. The processing of tire cord is constantly monitored on our calenders by a device we call "Accuray" which warns of even the slightest variation in the process.

Our problem, therefore, is really centered around the "random" defect. We make every possible effort to eliminate these with 100 percent inspection of the finished product, testing at critical production points and many random checks throughout the entire manufacturing process.

Although theoretically possible, it is extremely unlikely that a complete production run of tires could be faulty. It is for this reason that we have no established recall system and anticipate no need for one.

Tires do fail in service. But drivers are human, too, and they are at times careless in observing the rules for safe operation of their vehicles and care of their tires. Tires are designed to operate under certain conditions of load, temperature and inflation pressure. Overloading tires and/or operating them without proper inflation pressures increases temperatures drastically, contributing to failure of the tire. Rough road surfaces, or off-the-road operation or impact with sharp objects or the reduction of a tire's non-skid through wear are all hazards requiring (but frequently not receiving) the continuing vigilance of the driver.

I think the record of our industry regarding quality and safety shows that we are constantly closing this gap between the mean and the ultimate. Despite bigger cars with more powerful engines, which we drive at consistently higher speeds, tire mileage is improving. Independent studies in California and Illinois indicate that relatively few accidents are tire related and that fewer involve defective tires.

It is, perhaps, a compliment to tire technology that the modern driver pays so little attention to his tires and yet he has so little tire trouble. But, as you pointed out, every effort must be made to warn people who may be riding on unsafe tires.

They must stop taking their tires for granted.

They must look for, and know how to recognize, unsafe tires whether these unsafe conditions come about from road hazards, abuse or normal wear. In this regard, I believe carefully conceived vehicle inspection laws can make an important contribution toward getting unsafe tires off our highways.

I am sure that by this time you have amassed a great deal of general information about tire manufacturing and quality control programs. We at Cooper are always anxious to cooperate at any time with anyone who is genuinely concerned with safety particularly as it may concern our industry or our product. If I may provide any additional information in this regard, or if you would like to visit one of our tire making facilities, please let me know.

Sincerely,

WAYNE B. BREWER.

CORDUROY RUBBER CO.,
Grand Rapids, Mich., August 22, 1967.

Hon. GAYLORD NELSON,
U.S. Senate,
Select Committee on Small Business,
Washington, D.C.

DEAR SENATOR NELSON: I wish to apologize for not answering your letter of August 12th at an earlier date, but I was out of town when this letter arrived.

After reading your letter, which explains the reasons you are seeking certain information regarding recall of so-called known defective tires, I will attempt to answer the questions listed on Page 3 as specifically as possible.

In regard to actual recall campaigns since 1960, the answers are as follows:

(a) A list of recalled or modified tires by number, type, and size—we have not had reason by any experience with a defective and/or lots of defective tires to make any such recall.

(b) Date of recall—none.

(c) Nature of the defect—none experienced.

(d) Length of time between the first marketing date and discovery of the defect—none applicable.

(e) Date of initial discovery which led to the recall campaign—not applicable.

(f) Efficiency of recall campaigns at stated dates and in terms of numbers located and recalled—not applicable.

(g) Parties from whom tires were recalled—wholesalers, dealers or final customers—not applicable.

(h) Whether the tires were sold or leased—all our tires are sold; none leased.

(i) Data on defective tires not recalled—not applicable.

(j) Copies of recall or modification letters or other notifications to wholesalers, dealers and consumers—not applicable.

In an attempt to give you information regarding the next to the last paragraph of your letter, regarding a system that we might have devised to locate and recall tires that do not meet federal tire standards, I will say that we have not seen the necessity and consequently we do not have a formal program developed. However, we do keep a complete record of manufacturing dates of all our tires by serial number, a different serial number for each tire, which are kept in sequence. As we are a small manufacturer and deal directly with our customers, we are in close contact with all of our dealers, both through our home office and through our field sales force.

We manufacture tires only under the name of Corduroy, and they carry a complete guarantee in writing against normal road hazards, workmanship and materials. For your information we are enclosing a copy of this guarantee.

We have a very thorough Quality Control program within our tire manufacturing facility and feel that any general defective situation is discovered before any tires are released for shipment. We do not market tires in the "seconds" classification. We do sell tires at a discount in what we call a "blemished" classification, but these carry the same full guarantee as our regular tires. "Blemished" to us is an appearance defect.

We do have an adjustment program, as anyone with any guaranteed product would have. Our adjustment percentages is small, and the major portion of our tires that are adjusted are for road hazards. No honest person would say there are not, however, some defective tires due to workmanship or other causes that get out. However, as for a general defective condition, we feel fortunate that, because of our close control, we have not had any such experience.

We trust this will give you the information you are seeking.

Yours very truly,

C. E. MILLS,
President and General Manager.

DENMAN RUBBER MANUFACTURING CO.,
Warren, Ohio, October 3, 1967.

Hon. GAYLORD NELSON,
U.S. Senate,
Committee on Interior and Insular Affairs,
Washington, D.C.

MY DEAR SENATOR NELSON: I apologize for not replying to your August 12th letter regarding dissatisfied tire owners. Frankly, I have been on an extended vacation and have just returned and received your follow-up letter of September 26th.

As you know, we are one of the smallest producers of pneumatic tires in the United States. Factually, our dollar volume and tonnage represents about 3/10th of 1% of the industry. That being so, it is somewhat less painful for us to earmark tires in the field than companies who are doing business with original equipment, company owned stores and chains, in addition to independent tire dealers. Our distribution is strictly through the independent tire dealer and is primarily directed to the South and Southeast.

We have all of the modern adequate controls that are required to identify tires with defects and, of course, we also have modern testing equipment that is in constant use.

In the past 15 years there have been two occasions whereby we did recall some tires. One involved a special snow tire that we manufactured known as the "Penetred". This is a tire that has wire imbedded in the tire rib which breaks open and improves the traction qualities on snow and ice. We received a bad shipment of wire that did not have the proper tensiles or the proper crimping and, as a result, the wire had a tendency to walk out of the rib. If my memory serves me correctly, at that time we recalled about 600 tires.

The other occasion involved the recall of about 3,000 tires which were, in our opinion, tires that would give rapid wear but were otherwise perfectly sound. We felt it only fair to our dealers and their customers to recall the tires rather than give unsatisfactory tread mileage.

As I pointed out in the beginning of my letter, this recall procedure does not entail much of a problem because of our limited distribution in areas close to our operation. We have no branches or warehouses and all tires sold are shipped directly from our factory warehouse.

I can assure you that our industry, as well as our company, makes every effort, through indoor, fleet and company-owned vehicle testing, to manufacture tires that are free of defects in material, workmanship and quality.

I realize that I have not answered all of the questions you raised in your original letter, but due to the nature of our operation you can see quite a few of your questions do not apply. I trust, however, that the information I have supplied is sufficient for you to fairly evaluate and form conclusions insofar as our operation is concerned.

Yours very truly,

H. J. STEINER,
President.

DUNLOP TIRE & RUBBER CORP.,
Buffalo, N.Y., August 30, 1967.

Hon. GAYLORD NELSON,
U.S. Senate,
Select Committee on Small Business,
Washington, D.C.

DEAR SENATOR NELSON: This will acknowledge your letter of August 12 and a letter in the same terms, addressed to the late Lord Baillieu of the Dunlop Rubber Company Limited, London, England.

Our general reply to the questions on Page 3 of this letter is that tires are made and controlled to the individual manufacturer's specification, inspected at key points of the process, and sample production is tested by machine and fleet testing to insure the specifications are satisfactory and meet the conditions of service in the field. All raw materials and components are similarly tested before incorporation in the product, and every reasonable precaution is taken to prevent unsafe tires reaching the consumer.

In the period you mention we have had two occasions when a small quantity of non-specification tires has escaped these controls, and we have taken measures to recall them as soon as the facts came to our knowledge. The details are enclosed in the form you requested.

There is no set system of recording every tire and its whereabouts throughout its life, and because of the nature of the product and the method of its distribution, this is necessarily a difficult problem. Nevertheless, our branches and dealers have good records of customer sales for reasonable periods of time. In the first case quoted we discovered an error seven months after manufacture due to analysis of some tires which had failed in service. The effectiveness of the recall was necessarily much less than in the second, where the trouble was discovered after one week.

Yours sincerely,

J. M. BILLANE,
President.

Enclosure.

Subject: Recall Program on Bead Insulation Error.

The bead insulation problem was very difficult because it was impossible to determine the actual amount of contaminated insulation used by the factory and as a result many types of tires were investigated. The final results as we now know them show that only a small portion of the 7.60–15 size beads were involved, and our report will be limited to our efforts in this area only.

The above recall program will be presented according to Senator Gaylord Nelson's requested breakdown:

(A) 1. GSA Rayon Tubeless White (7.60–15/4)	200
2. Remington Safe Traction Nylon Tubed Blk (7.60–15/4)	129
3. SP–350 Tubed White #44026 (7.60–15/4)	402
4. Unico Power Cushion Tubeless (7.60–15/4)	80
Total	791

(B) 1. 6–23–64.
2. —.
3. 7–2–64.
4. —.

(C) An error in the mixing of the insulation rubber which caused an improper cure in the bead area of the tire.

(D) Approximately 7 months.

(E) 6–12–64.

(F) 1. 7–24–64—29% located and destroyed; 8–14–64—33% located and destroyed.

2. 6–16–64—67% located and destroyed; 7–24–64—80% located and destroyed.

3. 6–16–64—5% located and destroyed; 7–24–64—16% located and destroyed; 8–14–64—17% located and destroyed.

4. 6–16–64—85% located and destroyed.

(G) Warehouses and Wholesalers.

(H) Sold.

(I) Using the records available today, we conclude that actual tires which failed in the field amounted to .6% of tires which were suspect and subject to recall.

(J) Telephoned warehouses and distributors concerned.

Subject: Recall Program on 8.25–14/4 Remington Society NT 3W for Broken Drill Defect.

(A) 243 Society Nylon Tubeless Triple White, 8.25–14/4 Ply.

(B) 3–21–67.

(C) Broken drill left in Buff Bar vent in Mold #5679 which caused a small hole in the tire sidewall. The defect was too small to be seen by final inspectors on un-inflated tire.

(D) 13 days.

(E) 3–20–67.

(F) 3–23–67 66% located and destroyed or repaired; 5–7–67 87% located and destroyed or repaired; 7–31–67 94% located and destroyed or repaired.

(G) All Warehouses and Wholesalers.

(H) Sold.

(I) All tires recalled.

(J) All people concerned immediately telephoned regardless of location in the United States.

THE FIRESTONE TIRE & RUBBER CO.,
Akron, Ohio, August 28, 1967.
Senator GAYLORD NELSON,
U.S. Senate, Select Committee on Small Business, Washington, D.C.

DEAR SENATOR NELSON: Your letter of August 12 raises some very significant questions regarding the role of tires in highway safety. Because of Firestone's deep concern with the subject of safety I welcome this opportunity to discuss those questions in some detail.

There are unsafe tires on the highway today and in tragically large numbers. But only an infinitesimal fraction of them are unsafe because of factory defects, with which your letter is primarily concerned. Virtually all of them have become unsafe through abuse and wear in service.

1. Abuse and Wear.

In many respects tires are unlike any other product used in highway transportation. Modern tires are of extremely rugged construction and are able to withstand severe punishment. Nevertheless it is in the nature of a tire that it, perhaps more than any other critical item of vehicle equipment, is vulnerable to abuse and wear.

In the first place, even though a tire is perfectly designed and manufactured it can be destroyed in a relatively short time by being operated at high speed in an overdeflected condition. Overdeflection, which is the result of overloading or underinflation or a combination of both is a matter which is entirely within the control of the tire owner or operator and with proper attention can be completely avoided. Nevertheless it is our sad experience that overdeflection has destroyed more tires than any other avoidable circumstance and as a cause of tire destruction ranks second only to road hazards.

Secondly, tires are the only item of automotive equipment intended in ordinary service to come into contact with a solid object in the surrounding environment—namely the highway surface. In a sense, tires are operated in continuous collision with the highway. That contact produces two effects related to safety: tread wear and road hazard damage.

Tread wear is inevitable. Every tire, regardless of construction, will be worn smooth if run long enough. As you may know, the most important single function of tread design is to provide wet pavement traction by giving road surface water some place to go so that it will not form a lubricating layer between the tire and the road. A smooth tire cannot provide adequate wet pavement traction.

In a recent study conducted by the State of California of some 60,000 vehicle accidents less than one percent were reported as having involved tires. It is significant that in 57 of the accidents which did involve tires the tread depth of the tires had been worn to less than 2/32nds of an inch and in 22% the tread was worn to the cords.

The distressing point about these statistics is that dangerously worn tires can readily be detected by simple visual inspection, and yet a shockingly large number of drivers are not taking the trouble to inspect their tires.

In order to warn a vehicle owner even more clearly that tread wear is approaching the danger point, all tires designed for original equipment on 1968 and later model automobiles will have tread wear indicators which will present a distinctive pattern when tires are worn to 2/32nds of an inch of remaining tread depth. As you may know, the Federal Highway Administrator has proposed tire standards which would require such indicators on all passenger car tires. While we heartily approve of this step, there is no reason to suppose that the indicators will make the average driver any more conscientious concerning dangerously worn tires than he is at present.

In addition to tread wear, contact with the highway produces all types of road hazard damage to tires. Frost heaves, chuck holes and the like cause impact stresses that weaken the body integrity of tires. Foreign objects on the highway cause cuts, snags and punctures. Even if such casualties do not produce an immediate loss of inflation pressure, they may cause slow leaks and underinflation or may lead to progressive internal breakdown of body construction or increased vulnerability to subsequent impact. Most of this type of damage can also be readily detected by visual inspection and the tire failure which would otherwise ensue can be prevented by timely repair of the damage or removal of the tire from service.

Finally, tires also suffer abuse and wear as a result of faults in the vehicle on which they are installed. Poor front end alignment can cause lack of adequate steering control and excessive tire wear. We have even seen cases in which maladjusted brakes have produced sufficient friction heat to char the rubber and fabric of tire beads to the point of destroying the tire.

2. Need for Compulsory Periodic Vehicle Inspection.

Although I have not attempted to catalog all of the types of abuses and wear to which tires are subjected, my principal point in describing some of them to you in detail is to emphasize the fact that virtually all types of tire abuse and wear which could lead to unsafe tire conditions can be prevented by proper maintenance, inspection and timely corrective action. We believe it essential in this day of high speed, long distance, super highway travel that legislation be adopted to require compulsory periodic vehicle inspection including careful examination of tires.

According to our information, as of January 1, 1967, only twenty-one states and the District of Columbia required periodic vehicle inspection. In other states there are various types of voluntary inspection programs. Because of Firestone's deep concern with safety it has for many years provided free vehicle inspections under such programs. Those voluntary programs, while better than nothing at all, are not a satisfactory substitute for systematic universal inspections. Not only do the voluntary programs miss the overwhelming majority of vehicles but the vehicles which are submitted voluntarily to inspection are more likely to be the ones owned by careful drivers who maintain their cars properly.

Of 3,363,288 vehicles inspected in voluntary programs in the United States in 1966, 35,938 failed to pass inspection as a result of unsatisfactory tires. Those results would indicate that at least a million vehicles on the highway today are operating on tires which have become unsafe. But we believe that the number is actually much higher, not only because careful drivers are the only ones who submit to voluntary inspections but also because many of the inspection programs do not require a sufficiently rigorous examination of tires, with the result that many vehicles pass which should be rejected for unsafe tires.

To repeat the point with which I began, we know that virtually all unsafe tires in service today are unsafe not because of factory defects but because of abuse and wear after they left the factory. We believe the only truly effective way to deal with this problem is to require adequate periodic inspection of every vehicle using the public highways.

3. Customer Complaints.

Your letter refers to complaints you have received from tire owners. As a producer of several tens of millions of tires a year, Firestone inevitably receives numbers of such complaints. We endeavor to investigate every one of them.

I am constantly surprised at the extremely small percent of the complaints investigated which actually involve any defect in the tire. There are several possible explanations for this.

In the first place, it is common for automobile owners to assume that failure of any part of an automobile indicates that the part was defective. While this is probably not 100% true of any part of a motor vehicle, it is perhaps true to a substantial degree with respect to many. In the case of tires, however, the contrary is true. As pointed out above, the overwhelming majority of tire failures are due not to any factory defect but are due to service conditions. Nevertheless, the average tire consumer is not conditioned to recognize the unique nature of tires in this respect and accordingly makes the easy but incorrect equation between tire failure and tire defect.

In addition, I believe that the tire industry's broad warranties and lavish adjustment programs contribute to the grossly exaggerated numbers of customer complaints based on supposedly defective tires. As you know, every tire manufacturer has some sort of tire warranty covering a broad range of tire conditions, only part of which relate to tire defects. I know of no other consumer product which carries so broad a guarantee against circumstances which are not the fault of the manufacturer. Although I believe that these warranties are not a healthy thing for our industry, they have been adopted primarily for commercial reasons as a result of the high degree of competition in the industry.

The Firestone guarantee, for example, covers not only manufacturing defects but also casualties due to road hazards. Firestone adjusts far more tires under its warranty program as a result of road hazard damage than it does by reason of manufacturing defect. But I am sure that this distinction is lost on many of Firestone's customers, who are used to product guarantees which may be invoked only if the product is defective. It is understandable, therefore, that so many customers believe that a tire replaced in accordance with a guarantee of this type is defective whether or not it in fact contains a defect.

It is of continuing concern to Firestone that sales personnel in retail tire outlets frequently and wrongly give customers reason to believe that a tire is being replaced under the Firestone warranty because it is defective. As mentioned above the warranty is primarily a commercial program, and it does not make much commercial difference to a tire dealer whether the customer is right or wrong in believing that the replaced tire was defective. It is frequently easier for a salesman to agree with a customer that a tire is defective when he knows it is not.

Most frequently a tire salesman simply does not know whether a tire brought in for adjustment failed because of defect or abuse. Examination by a tire expert is usually required in order to determine whether a tire is defective. Tire dealers and salesmen are not experts in analyzing and determining the causes of tire casualties and their comments to customers in the course of commercial transactions are unreliable regarding the presence or absence of tire defects.

While on the subject of tire warranties, I should like to point out that even in the case of tires adjusted for manufacturing defects many of them are in no sense unsafe. Many tires are adjusted for weathering, discoloration or other appearance defects, or balance or other conditions which are of an aesthetic nature only. Very few factory defects are in any way safety-related.

Although there is no substitute for thorough investigation of customer complaints in order to determine the true basis for such complaints, I should like to comment on the complaints referred to in your letter involving multiple failures of new tires. Our experience indicates that the most likely explanation for such failures is not a defect in the tires but rather some common abusive operating condition to which they are all subjected. A typical case is one in which underinflated tires are installed on a severely overloaded station wagon or camper which is then driven on a family vacation trip through the southwest in the height of the summer. The combination of underinflation, overloading, desert temperatures and high-speed, non-stop driving punishes all of the tires beyond endurance.

Our experience with customer complaints confirms that they are not statistically significant and are frequently not reliable in substance. We have also found, incidentally, that police accident reports are not much more reliable in analyzing the role played by tires in accidents. This is understandable in light of the pressure under which officers must work at accident scenes and the fact that they are not generally technically qualified to make such analyses. We believe there is a need for an objective and analytical in-depth study of vehicle accident causation based on investigations performed by teams of technical experts, each of whom should be fully qualified in a different scientific discipline. As you are aware, such studies are used in connection with airplane accidents and have produced significant improvements in aviation safety. Such a study would fill a significant gap in the body of public knowledge on the subject of highway safety and would provide a basis for more informed legislative and administrative action to promote highway safety. Firestone commends such a study to you for your thoughtful consideration.

In summary, it has been our experience that only a minute fraction of customer complaints regarding tires are based on any safety-related factory defect. I am confident that the results of your investigation of the complaints you have received will be similar to our own.

4. Factory Defects.

In discussing factory defects it is important to understand the nature of tire manufacture. Tires are not produced in a completely mechanical assembly line. They are constructed and cured one at a time. Visitors to our plants are frequently surprised at the large manual element involved in the manufacture of tires.

Under these circumstances it is inevitable that occasional manufacturing mistakes will occur, but it is typical of them that they do not occur in any pattern from which it can be determined that other tires are likely to have the same defect. In order words, factory defects in tires are random rather than systematic and their occurrence cannot be predicted.

To take an extreme example, if during inspection of a tire before it leaves the factory a foreign object is found to have been inadvertently vulcanized into the tire, that fact does not in any way indicate that other tires of the same production run or of the same type and size might have the same defect. Thus, it would serve absolutely no purpose to recall other tires on the basis of discovering such a defect.

The best protection against marketing tires which contain factory defects of this type is not a recall program but rather a most rigorous system of quality control. Firestone has such a system and, although it is extremely effective, Firestone is constantly striving to improve it. The system involves more than 250 tests, inspections and checks at virtually every step of manufacturing, including the manufacture and compounding of the materials which go into the tire. Every tire manufactured by Firestone is individually and thoroughly inspected at least twice by highly trained and experienced specialists, once before curing and once before leaving the factory.

Most manufacturing mistakes are self-revealing, partly as a result of the manufacturing process itself. If they have not been discovered earlier, internal defects in tire construction almost invariably become evident as a result of the curing process in the last stage of manufacture and are readily detected in the final inspection of the tire.

Although it is theoretically possible for a type of tire to be defectively designed, in which case a recall program should be considered. Firestone tests new tire designs so thoroughly before adopting them for commercial production that we know of no safety-related defect in design of tires manufactured during the period of your inquiry. Accordingly, we have not had any occasion to believe that any production run or type or group of tires contains any safety-related defect and have not had any occasion to consider a recall program.

We are extremely proud of our quality control program and will be happy to give you a thorough presentation of it if you wish us to do so.

5. Highway Safety.

Although not directly pertinent to your inquiry, I should like to refer briefly to the major cause of highway accidents—the driver. In virtually every study of causation of highway accidents, the primary cause of the overwhelming majority of accidents is identified as driver error. It is ironic that in Firestone's home state of Ohio compulsory periodic vehicle inspection was defeated this year largely because of a study reported to the legislature which showed that more than half of the accidents in Ohio were due not to defective vehicles but to drivers who had been drinking. While we deplore the action of the legislature in defeating compulsory periodic vehicle inspection, we cannot quarrel with the conclusion that defective vehicles, although a major cause of accidents, are secondary to driver error in that regard.

In a most revealing in-depth study of 40% of all of the victims of fatal traffic accidents in Bexar County, Texas over a period of ten years, it was discovered that 76% of the driver-victims in one-car accidents, 57% of the driver victims in two-car accidents and 60% of the pedestrian-victims in pedestrian-car accidents had been drinking. Although no special effort was made to test for the presence of drugs, certain individuals had a history implying drug intake and subsequent chemical tests confirmed the presence of drugs. Drugs caused at least three fatal accidents in which alcohol did not play a role.

Although it is not directly related to our business, Firestone has, because of its deep concern with highway safety, for many years supported driver training programs through the 4-H Club organization, the National Education Association and otherwise. We believe these programs do much to reduce the staggering toll of highway accidents but, as in the case of voluntary vehicle inspection, they miss the drivers who most need the training they provide. While we see no easy solution to this problem and have no concrete proposal to offer in that regard, we believe much more must be done in the area of training and qualifying drivers and in dealing positively with those who abuse the privilege of driving and imperil themselves and the public at large.

Although we recognize the difficulties in reducing driver error, the principal cause of highway accidents, we can see no excuse for delay in adopting the obvious course to reduce the number of unsafe vehicles on the highways, including vehicles with unsafe tires. We believe that compulsory vehicle inspection should be just as universal and as much a part of annual routine as vehicle registration.

I hope that I have answered to your satisfaction the questions raised in your letter concerning tires which contain factory defects. But more importantly I hope that you will give the most earnest consideration and add your support to the steps that can be taken now to reduce the unacceptably large number of unsafe tires on the highway today, virtually all of which have become unsafe since the time of manufacture.

Very truly yours,

E. B. HATHAWAY, *President.*

THE GATES RUBBER CO.,

Denver, Colo., September 1, 1967.

HON. GAYLORD NELSON,

U.S. Senate,

Washington, D.C.

DEAR SENATOR NELSON: The Gates Rubber Company is sincerely anxious to assist you in accordance with your request of information in your letter of August 11, 1967. It is felt that this sincerity has been amply demonstrated by the degree of cooperation rendered by the efforts of this Company to formulate standards with The Federal Trade Commission, with The National Highway Safety Bureau and others to assure the sales of safe tires.

It should be noted first that automobile tires are basically a hand made item as contrasted to many other products that are produced by means employing automatic machine operations. Such machine operations are less subject to human error but more prone to produce a related series, lot, or consecutive group of off specification products when an error does occur. In tire manufacturing, off specification products usually occur as individual instances as a result of operator deficiencies in a specific stage on part of the numerous manual operations by different individual people involved in the material preparation and assembly of an automobile tire. Off specification products do not occur as consecutive easily identifiable groups, series or lots but as individuals within a large population making easy identification and removal virtually impossible to achieve.

In order to protect against possible faulty basic design, material, or fabrication procedures that would result in an overall deficiency in performance as distinct from the usual individual isolated instances noted above, The Gates Rubber Company conducts a comprehensive testing program on new designs, materials, processes and procedures as well as a constant statistically controlled testing program on regular production tires of all types, designs and brands.

The Gates Rubber Company has vigorously pursued a very comprehensive adjustment policy. These records are constantly reviewed, studied and analyzed in order to obtain guidance as to methods, materials and designs leading to products having improved performance characteristics. The Gates Rubber Company has persistently pursued a continuing improvement of product performance whenever information indicates methods of accomplishing this. It was by virtue of this policy that it was possible to give so much assistance to the formulation of safety standards with The National Highway Safety Bureau.

With this information it is obvious that The Gates Rubber Company is interested in tire safety and that we have taken steps to justify the public's trust in the inherent safety of the product they purchase and use. We will continue to cooperate and assist in all avenues of attack on the problem of improved safety and product performance of automobile tires.

Yours very truly,

THE GATES RUBBER CO.,
C. P. MULLEN,
Vice President.

THE GENERAL TIRE & RUBBER CO.,
Akron, Ohio, August 25, 1967.

Hon. GAYLORD NELSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR NELSON: I received a copy of your letter of August 12, 1967, intended for Mr. Charles C. Gates, Jr., President of The Gates Rubber Company of Denver, but addressed to me. I sent it on to Mr. Gates and later his office forwarded my copy to me.

Your concern about tire safety is fully shared by The General Tire & Rubber Company. For more than fifty years our company has grown as a result of a reputation for designing and building quality tires that have contributed to improved safety over the changing conditions of that entire time.

Currently we are working with the Department of Transportation to which, as you know, Congress assigned the task of studying this specific subject. This coordinated program of the Department of Transportation and the Rubber Industry is a time-consuming project. This major effort, in the interest of the consumer, requires our attention over all other inquiries at this time.

As a manufacturer, we have always accepted our responsibilities for basic tire quality and will continue to cooperate in all practical ways to reduce hazards over which we have some control.

Sincerely yours,

M. G. O'NEIL.

THE MANSFIELD TIRE & RUBBER CO.,
Mansfield, Ohio, October 5, 1967.

Hon. GAYLORD NELSON,
Select Committee on Small Business,
U.S. Senate, Washington, D.C.

MY DEAR MR. NELSON: I regret to advise that our company's method of record keeping does not lend itself readily to furnish you the information with respect to tire recalls which you have requested. We have not found it desirable to keep a separate record of recalled tires from other tires returned for various reasons such as credit and inventory balance programs usually worked out with customers and the like.

Our thorough testing program previous to introduction of a new line of tires has been quite helpful in minimizing our problem in respect to unsatisfactory tires, particularly when followed up as we do with a careful quality assurance program.

Such recalls as we have made result from our continuing surveillance of our adjustment records, field reports from our Service Department, and reports from customers. We have no record of defective production of any group of tires where the defect was of a nature to endanger the consumer. The principal items we have recalled are those which appear to be giving less than the full measure of satisfaction that we believe the public is entitled to when they buy our product.

In connection with the Rubber Industry Certification Program, it was determined that two items of our manufacture did not fully conform. In both cases the production was less than 5,000 tires a year and the distribution limited. In one case the defect was a very minor undersize condition and the other an open sidewall splice. While we do not consider either of these defects hazardous, we advised the purchasing wholesalers and dealers and offered to replace all tires. Our returns were quite normal. Since we sell very few tires to consumers direct, any recall of tires from consumers would have to be carried on by those who buy tires from us.

In the absence of any clear definition in the regulations with respect to recall of tires which are found not to comply with new Federal Safety Standards, we woud use a similar program of advising our customers in respect to the failure to comply and offer to replace all tires which they might return. This would include any which they obtained from their customers and returned.

If we should ever have the misfortune to find ourselves manufacturing any of our tire items generally in a way that they were hazardous, we would consider it most desirable to institute promptly a vigorous campaign to get as many back as possible, not because of any Federal regulations, but because of our realization that our good reputation is very important and the further realization that all tires of our manufacture which we sell carry the implied warranty that they are suitable for the purpose for which we have manufactured and sold them.

I trust that this information will be sufficient for your purposes, particularly in view of our relatively small size in the industry and the more readily available information from other larger companies.

Yours very truly,

JAMES H. HOFFMAN,
President.

THE KELLY-SPRINGFIELD TIRE CO.,
Cumberland, Md., September 18, 1967.

Hon. GAYLORD NELSON,
U.S. Senate, Washington, D.C.

DEAR SENATOR NELSON: This letter is in response to your letter of August 12, 1967, concerning safety of automobile tires. Your letter requested information about our policy with respect to recalls and the nature of any system which would advise us of below-standard tires in the hands of customers.

We strive to design and manufacture tires that assure complete safety to the motoring public. The detection system to assure that our tires meet this safety standard is an integral part of our tire guarantee and is monitored by our Service Department which is constantly reviewing claims under the Kelly-Springfield guarantee and any complaints which may be received from the users of our tires. This information is correlated and relayed to our Development Department.

The broad scope of the Kelly-Springfield quality control program and customer guarantee assures a continuous and effective method of reporting and objectively assessing our efforts to sustain our high quality standards; and, based thereon, we have not to date encountered the necessity of recalling a production run of automobile tires. Obviously, as with any manufactured product, there are instances where our high standards for quality have not been met to the degree which we would like, but the instances of below-standard tires have been isolated, and individual adjustments and replacements have been made.

The scientific and engineering work which goes into the design and development of our tires affords the ultimate user the greatest degree of protection. The most modern scientific equipment available is used by our engineers. New designs are subjected to careful screening by engineers before they are approved for obtaining experimental test molds. Tires from the molds are then subjected to abusive laboratory tests, as well as tests on specially designed tracks which subject the tire to every type of use and abuse well beyond that which it will experience when used by the ultimate purchasers. If, in these extensive tests, any weakness of design is revealed, changes are made. As mentioned above, these tests cover not only the normal use of the tire, but abnormal use and abuse. When the tire meets all standards, it is ready for production and marketing.

The quality control program encompasses every phase of the manufacture of the product. Raw materials and components are continuously inspected and tested in every stage of processing. Numerous inspections are made of the final product. In addition, random tires are selected for testing on the resiliometer and on the road. Continuous daily checks are made at the test facilities in our plants to assure that the standards which have been established are being maintained.

The final judge of our efforts is the ultimate user of our tires. As I mentioned above, our broad guarantee assures us a quick response where, in an isolated case, our product has not given satisfactory service; and the continued follow-up through our Service Department and our Development Department quickly detects and, if necessary, corrects any slight deviation from our high standards. We welcome response from our users and make necessary adjustments or replacements.

In our opinion, the response from our customers is an effective method of checking on our product. The reports from our customers permit us to keep at an absolute minimum the instances where our tires do not meet our standards for quality.

We have consistently supported the efforts of all individuals and private and governmental agencies in the development of a meaningful and workable program for highway safety. This certainly includes the education of the driver, not only in the operation of vehicle, but in the proper maintenance of safe equipment. We also support compulsory vehicle inspection laws.

Very truly yours,

G. B. NEWMAN,
President.

U.S. RUBBER TIRE CO.,
New York, N.Y., September 15, 1967.
Hon. GAYLORD NELSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR NELSON: Your letter of August 12th has received our most thoughtful consideration. As Divisional President of U.S. Rubber Tire Company, with responsibility for Uniroyal tire operations, I have been asked to reply. In accordance with our acknowledgement of August 22nd, we have reviewed our practices and performance in the areas in which you have expressed concern. We share your interest in tire safety and the letters from tire consumers to which you refer.

First, we think it would be helpful to note that in our experience we have found that most letters of complaint are not a reliable basis for judging product failure, without thorough investigation and inspection of the tires by one who has been trained and qualified to perform this function. The distinction between failure from a factory defect and failure from other causes is a technical judgment which requires a high level of skill in the interpretation of the evidence available from examination.

As you know, we receive letters of complaint from users of our tires. Each such complaint is investigated thoroughly. As a result of such investigations by our tire service engineers, we know that a relatively small percentage of these complaints involve manufacturing defects. A very large share relates to tires which have been worn out, abused or damaged through consumer neglect or improper usage. Another large share relates to damage from road hazards such as chuck holes, running over broken glass or other objects on the highways. Also, such investigations reveal that terms such as "blowout" and "disintegration" are used indiscriminately by many complainants when referring to a variety of tire conditions which do not result in sudden deflation.

To grow in a competitive industry, we must constantly search for ways and means to improve the performance of our tires by compounding changes, design changes, improved types of synthetic rubber, improved types of tire cord, improved manufacturing procedures, and the like. To this end, we maintain a staff of over 2,000 scientists and engineers for the development of improvements in product, processing, testing and maintenance of uniform quality in regular production.

When innovations show promise of improved tire performance, as judged by laboratory screening tests, tires made with these new constructions are subjected to exhaustive testing at our Laredo Proving Ground, then in auxiliary road testing, then in limited production, before full adoption for regular production. Tire design engineers and compounders are exceedingly cautious not to make any changes without thorough testing and evaluation under a wide variety of conditions extending over a period of time.

Because of this extreme caution and care, any tire specification which we adopt for regular production will produce a satisfactory tire, provided the tire is made in accordance with the specification prescribed and provided the tire is properly used and maintained.

It is recognized in industry that any manufacturing process involves variations in raw materials, variations in equipment, variations in process conditions, and human error. In order to control and minimize these variations, we have developed over the years a number of testing and inspection procedures. These procedures are under constant review and we devote considerable effort to refining and improving them. Currently, our procedures include these steps at all plants:

Thorough inspection and testing of all raw materials;

Use of special beta-ray control equipment to insure that cords are uniformly coated with rubber;

Automatic curing with time and temperature recorders on each curing cycle;

Automatic temperature, time and pressure control on all production equipment wherever pertinent;

Prompt laboratory dissection and testing of finished tires selected hourly at random from the production lines, with immediate reporting to permit retrieval of any defective tires before they get into distribution channels;

Examination of every tire by specially trained inspectors to screen out any defects which can be detected by sight or touch, plus selective tests using non-destructive testing devices;

Road testing at our 6,900 acre proving grounds in Laredo, Texas, of random samples of finished tires taken from regular production;

Road testing of random samples on our auxiliary test fleets which are scattered throughout the country to obtain data under varying climatic and road conditions;

Experience gained from field service engineers throughout the country, who examine every tire offered for adjustment, whether a factory defect or road hazard damage.

In 1966, our comprehensive testing program included 14 million miles on laboratory test wheels, 40 million tire miles at the proving grounds in Laredo, and 400 million tire miles on auxiliary road tests.

To cite an example of the operation of the system, several months ago we had developed an improved construction which showed promise. In accordance with practice, we had run lots of 20 tires, 40 tires and 100 tires with satisfactory tests on all three experimental runs. At that point, we started to produce 20,000 for limited distribution. However, the laboratory wheel test on random tires from the product on line disclosed that the bead performance was not going to be adequate. At this point, approximately 4,000 had been produced but they were still within our control. After careful inspection, 2,974 of them were destroyed.

However, in spite of automation and new improved machinery and manufacturing systems, the high level performance of our people is still a major factor in the quality of production, and the exposure to human error continues to exist. Thus, variations from standards may occur in individual tires, or even in a very few tires in sequence at some one particular building or curing station. However, at the end of the production line, they would be random, not in any sequence or according to any consistent or recurring pattern.

With our inspection and control systems, we believe that any exposure to defective tires in the distribution system is limited to those occasional tires related to human error, which defect cannot be detected by sight, touch or non-destructive testing devices at the inspection station.

Under these conditions, we feel that a recall system similar to that established for automobiles and various appliances would not be applicable. Such products are assemblies of parts which are visible and discrete in nature and can be removed and replaced. A tire is a chemical fusion of materials and components into an integrated product in which the component parts can no longer be separated and replaced. The fact that an individual tire may have a defect in its construction does not mean that other tires produced at or about the same time will contain a similar defect. Thus, there is no basis or reason for recalling tires.

You referred to reports of multiple failures, and we have received a few reports of a similar nature. However, we believe that such failures do not relate to the specifications or processing. If faulty specifications were involved such reports would be far more numerous. Also, any variations in processing would not come to the end of the production line in sequence.

Investigation of reported multiple failures by our tire service engineers has usually revealed a pattern of customer misuse or abuse. When tires are overloaded or under inflated, permanent damage to the carcass of all tires on the vehicle may develop after a relatively few miles of high speed driving. After such damage results in the first tire failure, then all the remaining tires which were so damaged are also likely to fail within a short time, even though load and inflation have in the meantime been restored to safe levels.

In response to your specific question, all tires of our manufacture will be tested carefully and continually against the new Federal Tire Standards when they are issued. Our specification and testing procedures will provide tires of safe performance in full compliance with those standards.

From our field experience, we believe that the best opportunity for substantial and quick improvement in safety lies in mandatory tire inspection, with appropriate police power to remove those vehicles from the highways which are operating on tires which are clearly unsafe by visual inspection, because they are run smooth or show cuts or bruises.

As you know, we have a large tire plant in your home state at Eau Claire. Perhaps you would like to visit this plant, where we could show you better than words can explain the procedures we use to detect, control and eliminate defects in tires we manufacture. If so, we shall be glad to make arrangements for your visit at your convenience.

Please be assured of our primary interest in tire safety and in the development of any practical program which offers a potentially significant contribution to it. We know that safety is the first consideration in the purchase of tires. Therefore, we are keenly aware that the success of our business is based on our providing tires to the public which offer the maximum possible assurance that each and every one will perform safely.

Sincerely,

H. N. BARRETT,
Divisional President

THE SEIBERLING TIRE & RUBBER CO.,
Akron, Ohio, October 4, 1967.
Hon. GAYLORD NELSON,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: Your letter of September 26 addressed to Mr. Schrank requests that Seiberling respond to your letter of August 11. We have not received the August 11 letter, but from your description of it I assume that its contents are similar to those of a letter dated August 12 which The Firestone Tire & Rubber Company received from you.

The Seiberling Tire & Rubber Company has been a division of Firestone since February 1965, when Firestone acquired it from the former Seiberling Rubber Company. During that period our experience has been as reported to you by Mr. E. B. Hathaway, President of Firestone, in his reply of August 28 to your August 12 letter. Accordingly, I should be grateful if you would consider Mr. Hathaway's reply to have been made on behalf of Seiberling as well as Firestone.

Very truly yours,

J. L. CUMMING,
President.

THE GOODYEAR TIRE & RUBBER CO.,
Akron, Ohio, September 2, 1967.
Hon. GAYLORD NELSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR NELSON: This is in response to your letter of August 12, 1967, requesting information about our policies and practices to insure that the public is driving on safe tires.

Specifically, you request from us "comprehensive information dealing with your corporate policy on recalls and corrections, the nature of your feed-back alert system to detect defective tires, and actual recall campaigns."

Our corporate policy has for many years been that of designing tires of high quality and safety, employing the most modern manufacturing and quality control methods, and monitoring their performance through an extensive feed-back alert system.

The detection system we employ grows out of the Goodyear guarantee which provides a continuing, comprehensive feed-back of actual product performance in the hands of users and enables us to improve and modify the design of the tire to meet changing conditions of use.

This system of monitoring does reveal isolated deviations from our usual quality standard. It has not, however, revealed instances of any widespread product problem which would prompt us to recall tires en masse from the cars of users. Rather, we have made individual adjustments and replacements to correct these isolated instances.

There have been a few instances, in recent years, in which tire product quality has justified recall. These include the following:

1. 107,099 tires were recalled in March, 1965, from our warehouses before being sold to the public. All of these tires were thoroughly reinspected and checked and 13,603 were destroyed. These were tubeless tires which had questionable soft beads that could affect air retention.

2. 125 tires were recalled from an original equipment manufacturer in April, 1965. This was because they had missed the post-cure operation which prestretches the cured tire for minimum growth in service.

3. 1620 radial ply tires were recalled in September, 1966, from an original equipment manufacturer. These were returned at the request of the car manufacturer because they did not meet its severe test specifications. Even though these tires in all tests for durability met existing criteria for safety and performance, we accepted the tires for return.

Our experience indicates that only in isolated instances have tires found their way into use by the ultimate consumer because of our effective safeguards. These include:

1. *Intensive research, development,* and *testing* to insure that the specifications to which our tires are built exceed desired safety standards.

2. A *quality control program* starting with raw materials and extending *through 100 per cent inspection of tires during and after production.*

3. An extensive *feed-back alert system* which monitors the performance of our tires in actual highway service and is the basis for continuing improvement and modification to meet changing conditions of service.

The design and development of our product is the foundation of our whole quality control program. Our research and development staffs have been provided with the most modern scientific tools. The use of beta ray gauges, radioisotopes, computer analyses, etc., has enabled our tire engineers to make significant advances in tire performance.

Before a new tire is approved for production in our plants, it has been subjected to millions of miles of exhaustive tests conducted over many months. Hundreds of tires are involved with punishing exposure to extremes of overloads, excessive speeds, under-inflation, and high temperatures. Tests are run deliberately with abnormally severe conditions intended to result in tire failures as a means of evaluating margins of durability beyond those encountered in normal conditions.

In the year 1966, this testing amounted to over 31,700,000 miles on Goodyear-owned and operated test cars and specialized laboratory test dynamometers. Testing such as this provides the best assurance possible that the design and specification of every one of our tires is such as to be cmpletely safe in the service for which it is intended.

It is not until a new product has been thoroughly tested and proven that Goodyear management releases the specification for tires to be manufactured and offered for sale to the public.

The next step in our quality control program is to insure that all tires manufactured in our plants are built to the rigid production specifications.

Our extensive plant quality control system is designed and operated so that only high quality, safe tires are manufactured. The most effective means we have found to insure high quality, safe tires is the incorporation of quality control checks at every step in the manufacturing process. The task of maintaining the quality of Goodyear products is the responsibility of the research and development, manufacturing, and quality control divisions.

As an added safeguard, quality control does not report to the manufacturing organization.

Our quality control network begins with testing of every lot of incoming material, rubbers, compounds, fabrics, and bead wire. It continues with frequent control checkpoints throughout the individual operations, utilizing inspection by machines, humans, and highly sophisticated electronic detection gear.

(See Exhibit attached which constitutes Pages 4 and 5 of November 4, 1965, issue of the Wingfoot Clan, a Goodyear Tire & Rubber Company employee publication.) [Not printed in RECORD.]

The numerous inspections of preassembly components are conducted with 100 per cent inspection of each assembled tire before it is cured; and, again, after it has been cured. Thus each tire receives two thorough inspections immediately before it is released to shipping departments.

Our performance proof testing does not stop after approval of the specifications for production tires. All manufacturing plants have their own test wheel resiliometers and use them continuously for testing samples selected from daily production. During the year 1966 an additional two million tire miles were run on these test wheels under accelerated conditions more extreme than those encountered in regular service. This provides the best assurance possible that tires we manufacture will provide completely safe and satisfactory performance in the service for which they have been designed.

We have long recognized that even this rigorous testing and quality control within our organization is not the final proof of product performance. The ultimate test is how the tire performs in the hands of the customer.

That is why we maintain an extensive feed-back alert system to tell us how our tires perform in actual use.

This starts with our consumer guarantee program. Every one of our 70,000 tire outlets is authorized to honor our guarantee. These retailers, in turn, report to our extensive service organization specific information about product performance. Very few performance problems actually relate to safety—rather, they are concerned with economic factors and esthetic factors such as wear, ride, and handling. These performance data are carefully analyzed and provide the basis for constant improvement in the design of the product.

Clearly, in this way we accomplish two important objectives:

First, it gives us comprehensive and meaningful information about the nature of product performance which enables us to improve and modify the design of the tire to meet changing conditions of use.

Secondly, it provides a motivation and incentive for improving the quality of the tires because tires which do not live up to their guarantee jeopardize our good name and reputation.

There is a great amount of automation in tire manufacturing, although there necessarily are certain operations which involve individual skills. Tires are built one at a time by individual tire builders, and their quality is highly dependent on the procedure and skills of each individual builder. It is for this reason that the tire which may perform below standard in the field is an exception.

Your continuing interest in tire safety is one which we share. It is for this reason that we, the Rubber Manufacturers Association, and other members of the Industry, have renewed our efforts to educate drivers on the importance of proper maintenance and inspection of tires.

Our experience shows the principal cause of tire difficulty on the highway is excessively worn, damaged, and improperly maintained tires. Widespread dissemination of information such as contained in the enclosed booklet will do much to help reduce this problem. (See attached.)

We strongly support the efforts of the National Safety Bureau to establish compulsory vehicle inspection, including tires. We are concerned that the proposed budget for such programs may be cut by Congress. We hope, Senator Nelson, that you will use your substantial influence to secure the appropriations required to continue these programs of education and regulation.

Let me assure you, Senator, that improving highway safety has always been a subject of prime concern to our company, and it will continue to receive the highest priority in all of our programs.

Very truly yours,

VICTOR HOLT, Jr.

SCHENUIT INDUSTRIES, INC.,
Baltimore, Md., September 13, 1967.

Hon. GAYLORD NELSON,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR NELSON: In reply to your letter and the requested information, Schenuit does not manufacture passenger, bus or truck tires. We are a small specialty manufacturer producing lawn and garden, industrial and aircraft tires. We do market a limited line of passenger and truck tires which are produced for us by the Dayton Tire and Rubber Company, a subsidiary of the Firestone Tire and Rubber Company. (Our unit sales for passenger and truck tires would be less than two-tenths of one percent of total industry sales).

To date, our experience with these automotive and truck tires has been excellent. We have had no product problems of a wholesale or epidemic nature. Our only adjustments have been an individual nature covered under our standard warranty or road hazard guarantee and *we have never had a recall of tires by group or category.*

I trust this will answer your letter satisfactorily and clarify Schenuit's position in the industry.

Very truly yours,

OLIVER S. TRAVERS, Jr.,
President.

THE DAYTON TIRE & RUBBER CO.,
Dayton, Ohio, September 18, 1967.

Senator GAYLORD NELSON,
U.S. Senate,
Select Committee on Small Business,
Washington, D.C.

DEAR SENATOR NELSON: Your August 12, 1967 letter covered a subject which is of great concern to us at The Dayton Tire & Rubber Company.

You may be interested to know that we are a Division of The Firestone Tire & Rubber Company, and we have been given the opportunity to review Mr. E. B. Hathaway's August 28, 1967 letter to you. Our observations have been similar to those of Firestone's as outlined by Mr. Hathaway and, therefore, you may accept the information in Mr. Hathaway's letter as our response to your inquiry.

Very truly yours,

C. M. Barnes,
President.

Lee Tire & Rubber Co.,
Conshohocken, Pa., September 13, 1967.

Hon. Gaylord Nelson,
U.S. Senate,
Washington, D.C.

My Dear Senator Nelson: I have your letter of August 12 relative to the tire experience of various people as it has been brought to your attention.

I would like to preface my remarks by advising you that the Lee Tire & Rubber Company was formed in the spring of 1965 and began the manufacture of Lee tires in July, 1965. Although the origin of the Lee name goes back many years, the name was acquired by our company from Lee National Corporation in the spring of 1965.

We, too, are keenly interested in automotive safety and the important safety functions performed by the tire on a vehicle.

Quality control is a pertinent part of each step in our manufacturing process. Beginning with a carefully devised specification, with emphasis on safety and durability, the preparation of materials is checked repeatedly and the finished product inspected carefully for compliance with the specification. Only those tires which meet the specification are released for sale to the public.

It has been my experience over many years in the tire business that the greatest cause of tire failure is abuse. Running tires underinflated is typical of the kind of abuse I have reference to. The air pressure in a tire must be maintained at the proper level if the tire is to give safe and satisfactory service.

A tire is not indestructible. It requires care and attention the same as any other quality product. You can liken air in a tire to oil in an engine.

My point in citing the foregoing is to suggest, taking first things first, that thought be given to a program of public education in the care of tires and how essential it is to their driving safety.

I personally am aware of a comprehensive effort being made to improve the driving habits of the public—urging the motorist to drive at sensible speeds—stop for a brief respite on the turnpike or interstate highway—learn to drive defensively, etc. As part of these public education efforts, the proper care and maintenance of tires could well be included in the interest of safer driving.

I appreciate that this letter does not give you precisely the information that you requested. However, my own feeling is that the industry through RMA has already taken steps through the institution of safety standards to protect the public. The logical next step, in my opinion, should be a combined effort of the industry and government to inform the public of what they should do to keep their tires in safe operating condition.

Yours very truly,

W. O. Green,
President.

Pirelli,
Milan, September 26, 1967.

Senator Gaylord Nelson,
U.S. Senate,
Select Committee on Small Business,
Washington, D.C.

Dear Senator Nelson: Your letter of August 12th addressed to my Father, has been referred to me for action.

As you are perhaps aware, our Company has been actively exporting Pirelli tyres to the USA since 1960. They are sold to a specialized public of knowledgeable motorists who are particularly appreciating their high performance levels. Pirelli tyres are normally included in the "premium" price category.

I am pleased to report that, since the very beginning of our sales activity in the USA, it was not necessary to recall a single tyre for reasons that would have affected the safety of their users. Because we believe that the questions listed in your letter refer particularly to safety considerations, it would be possible for us to limit our answers to the above information.

However, since there were some tyres recalled to Italy in 1965 and 1966, for minor quality problems such as unusually rapid tread wear, we have thought it advisable to give you the information listed in attachments (a) and (b).

I hope that my answer is fully respondent to both the spirit and the letter of your request.

Sincerely,

Leopoldo Pirelli.

[From Pirelli Sales, Inc.]

Attachment A

(a) A list of recalled or modified tires by number, type and size:

6.00S–13, Sempione "S", Tubel.
6.00S–13, Sempione "S", Tubel., WSW.
6.50S–13, Sempione "S", Tubel.
6.50S–13, Sempione "S", Tubel., WSW.
7.00S–13, Sempione "S", Tubel., WSW.
6.50S–14, Sempione "S", Tubel., WSW.
7.00S–14, Sempione "S", Tubel.
7.00S–14, Sempione "S", Tubel., WSW.
7.50S–14, Sempione "S", Tubel.
7.50S–14, Sempione "S", Tubel., WSW.
8.00S–14, Sempione "S", Tubel.
8.00S–14, Sempione "S", Tubel., WSW.
8.50S–14, Sempione "S", Tubel.
8.50S–14, Sempione "S", Tubel., WSW.
6.00S–15, Sempione "S", Tubel.
6.00S–15, Sempione "S", Tubel., WSW.
6.70S–15, Sempione "S", Tubel.
6.70S–15, Sempione "S", Tubel., WSW.
7.60S–15, Sempione "S", Tubel.
7.60S–15, Sempione "S", Tubel., WSW.

(b) The date of recall: 1248 units returned to Milan, Italy, 5–19–66; 1945 units retured to Milan, Italy, 7–12–66.

(c) The nature of the defect:

Tread wearing out more rapidly than usually expected (error in rubber compound not affecting safety). Tires otherwise of the very best quality.

(d) The length of time between the first marketing date and discovery of the defect: Approximately 6 months.

(e) The date of the initial discovery which led to the recall campaign: September, 1965.

(f) The efficiency of recall campaigns at stated dates and in terms of numbers located and recalled: Decision to re-purchase made in March, 1966. Shipments to Milan made in May and July, 1966.

(g) Parties from whom tires were recalled—wholesalers, dealers or final customers: Wholesalers and retailers.

(h) Whether the tires were sold or leased: Sold.

(i) Data on defective tires not recalled: All known cases were either re-purchased or adjusted.

(j) Copies of recall or modification letters or other notifications to wholesalers, dealers and consumers: Verbal authorization given to return tires to Pirelli Sales, Inc.

[From Pirelli Sales, Inc.]

Attachment B

(a) A list of recalled or modified tires by number, type and size:

6.00–13, Inverno Tubeless.
6.40–13, Inverno Tubeless.
6.50–13, Inverno Tubeless.
6.50–13, Inverno Tubeless, WSW.
6.50–14, Inverno Tubeless.
7.00–13, Inverno Tubeless.
7.00–13, Inverno Tubeless, WSW.
7.00–14, Inverno Tubeless.
7.00–14, Inverno Tubeless, WSW.
7.50–14, Inverno Tubeless.
7.50–14, Inverno Tubeless, WSW
8.00–14, Inverno Tubeless.
8.00–14, Inverno Tubeless, WSW.
6.70–15, Inverno Tubeless.
6.70–13, Inverno Tube Type.
6.40–15, Inverno Tube Type.
6.70–15, Inverno Tube Type.

(b) The date of recall: Two thousand nine hundred ninety-seven units returned to Milan, Italy, July 12, 1966; one hundred sixty-seven units returned to Milan, Italy, October 28, 1966.

(c) The nature of the defect: Occasional stripping of tread block edges.

(d) The length of time between the first marketing date and discovery of the defect: 6 months.

(e) The date of the initial discovery which led to the recall campaign: Approximately 6 months to interruption of sales.

(f) The efficiency of recall campaigns at stated dates and in terms of numbers located and recalled: Approximately 18 months to actual shipment to Milan.

(g) Parties from whom tires were recalled—wholesalers, dealers or final customers: Wholesalers and retailers.

(h) Whether the tires were sold or leased: Sold.

(i) Data on defective tires not recalled: All known cases were either re-purchased or adjusted.

(j) Copies of recall or modification letters or other notifications to wholesalers, dealers and consumers: Verbal authorization given to return tires to Pirelli Sales, Inc.

McCreary Tire & Rubber Co.,
Indiana, Pa., October 3, 1967.

Senator Gaylord Nelson,
U.S. Senate,
Washington, D.C.

Dear Senator Nelson: In January, 1963, our company took a public stand in favor of some kind of minimum performance standards for tires. At that time, everyone else was saying that this represented a "blow to free enterprise" or that it was "much too complex a subject for standardization" or that it would "elimnate competition", etc., etc. In short, they all agreed that it was "impossible" to set meaningful performance standards for tires.

Frankly, I must admit that there were times when I was sure that we were a voice crying in the wilderness, that no one was listening at all. But we felt so strongly about the whole neglected subject of tire safety that we refused to keep quiet; we kept on talking in spite of the fact that we were sure no one was listening.

Fortunately, we were wrong. Someone was listening.

A handful of legislators, both state and federal, began to realize that the vast subject of automotive safety had been almost completely ignored, and that it was now time for legislative action. The final result was the passage of the National Traffic Safety Act, in 1966.

If I may modestly say so, I feel that our company's pioneering stand on tire performance standards had a great deal to do with the ultimate passage of the National Traffic Safety Act. Someone was listening, indeed.

This brief background now brings me to the question raised in your letter concerning the recall of defective tires. I think we must first answer the question, "What constitutes a defective tire?"

Our feeling on this question is simply that a defective tire is one which is subject to sudden and unannounced catastrophic failure . . . a "blow-out." Anything less than this is not a "defective" tire, but is rather a tire which may deliver less-than-normal service. For example, tire manufacturers are plagued from time to time by tires whose treads wear out sooner than normal, or tires which develop separations between plies, or white sidewalls which turn distressingly brown, etc. But these tires are not subject to blow-outs. Their owners may not be happy with the service they are getting, but at least they're alive and complaining.

We are not going to claim that we never made a bad tire; and I don't think that there is a tire manufacturer in this country who would make such a ridiculous claim. Like all tire manufacturers, we've had our share of "problem children" and I suppose we'll have some more of them at some unknown time in the future. But these "problem children" were not prone to blow-outs. There may have been some wear-outs, sag-outs and brown-cuts in the group, but there weren't any blow-outs.

The exhaustive road-testing and test-wheel testing which precedes the introduction of any new tire line precludes the possibility of an inherently defective line of tires ever getting to the market-place. After a new design has been approved, the first comment is usually, "It looks good . . . but how will it run?" We attempt to answer this first by running the new tire on an indoor test wheel, gradually building up the load on the tire until it is considerably higher than normal highway usage. If there are any blow-out tendencies in Our New Hope for the Future, they will show up on the test wheel, because internal tire temperatures get much hotter here than they do on the highway.

The test wheel does not tell us how *far* the tire will run. It merely answers the question, "Will it run *at all* at maximum load?" If it will, the next step is to road-test it and the road test answers the question, "How *far* will the tire run?" The problem of blowouts is simply not a factor in the road test, because the tire has already passed the indoor-test-wheel phase. As a matter of fact, as the tire wears more and more of its tread off in the road test, it runs cooler and cooler, and is *less* likely to blow out than a brand-new tire.

Tires *do* blow out; but it's usually because they have been worn beyond the point where they should have been replaced, or because they have hit a sharp obstacle and been ruptured, or because they have been subjected to overloads for which they were not designed.

All this is merely to support our contention that no tire manufacturer in his right mind would ever let a blow-out-prone tire on the market. The test-wheel probing for this defect is: (1) quick, and (2) cheap. If it cost a million dollars and took six months to test for a tire's blow-out resistance, we could understand why a manufacturer might be tempted to save all that time and money, cross his corporate fingers and hope for the best as his New Offering hit the market. But because using an indoor test wheel to test for a tire's resistance to blow-outs is quick and relatively inexpensive, a tire manufacturer would have to be literally out of his mind to cut this particular corner.

It is for this reason that we feel that it is extremely unlikely that a truly "defective" tire has ever been offered to the American public. We have never had to recall any "defective" tires for the simple reason that we have never sold any tires which were "defective", i.e.: subject to sudden and unannounced catastrophic failure.

We can also truthfully say that we do not know of any competitor who has sold any "defective" tires.

In view of the points made above, I hope you will agree that any further comment by us on the subject of a recall program for new tires would be superfluous.

Very truly,

HARRY C. MCCREARY,
President.

THE MOHAWK RUBBER CO.,
Akron, Ohio, October 6, 1967.

HON. GAYLORD NELSON,
U.S. Senate,
Washington, D.C.

DEAR SIR: We are in receipt of your recent letter requesting information dealing with the recall, since 1960, of our Company's products due to design or manufacturing defects.

First, I would like to state that we have studied the examples set forth in your letter and none of them, to the best of our knowledge, pertain to our products.

You, I am sure, are aware of the method of manufacturing tires, the large and diversified number of raw materials that make a tire and the fact that many of these materials lose their individual identity in the finished product. For these reasons we have, over many years, developed an extensive quality control system within both our Technical Department and each of our tire manufacturing plants. All incoming raw materials are checked by shipment or batch number and, of course, during the various stages of manufacturing, quality control men are making continuous checks to insure that our product meets all the specifications established for it. We are most proud of the quality of Mohawk products over the years.

In the area of tire design, we have a capable, highly trained staff of men who are qualified to design tires which will meet, in every way, the service demands put on tires today. In addition, we carry on extensive tire testing programs prior to marketing any new product, as well as for changes in our existing line. We feel expenditures in this area are of the utmost importance.

As a result of our quality control system and development programs, we have had no occasion where a complete production line of tires has been returned from service. We have returned tires from the retail trade in order to determine quality checks made in our plant. I believe that the answers to your questions will be found in the appropriate order. I hasten to add, even of this minimal number of tires returned, it was purely precautionary.

(a) 436 10.00-20-12 PR Ultimiler heavy truck tires.

(b) The tires were returned in the first half of 1967.

(c) Tires received for adjustment were suspected to have an incorrect compound in the tire.

(d) The tires were marketed between January and April 1967.

(e) The initial discovery of a possible defect was discovered in early 1967.

(f) Completely effective, no need for further precautions.

(g) Tires sold to wholesalers and dealers, not the final customers.

(h) The tires were sold.

(i) We know of no defective tires in service.

(j) Handled through technical people, order department and field sales personnel by telephone.

It has long been of concern to us that many drivers, both abuse their tires and are seemingly unconcerned when their tire tread is gone. To the best of our knowledge and experience, all but a small fraction of the accidents which are attributed to tires are the result of abuse of tires and/or tires in use which an inspection would have indicated should have been replaced. Tire inspection should, and must, be a responsibility of the person driving and we are very much in favor of legislation which will make tire inspection (and, where necessary, replacement of the tire) mandatory and would also hope that such legislation would provide law enforcement personnel with adequate powers to enforce such laws.

Very truly yours,

HENRY M. FAWCETT, *President.*

ADDITIONAL COSPONSOR OF BILL AND JOINT RESOLUTION

Mr. BYRD of West Virginia. Mr. President, on behalf of the junior Senator from Georgia [Mr. TALMADGE], I ask unanimous consent that, at its next printing, the name of the junior Senator from South Carolina [Mr. HOLLINGS] be added as a cosponsor of (S. 2074) a bill to amend title XVIII of the Social Security Act and related provisions of other acts to permit individuals insured for benefits under part A of such title to receive, for a limited period, certain payments with respect to inpatient hospital services and outpatient hospital diagnostic services furnished to them by certain hospitals not participating in the program established by such part A, and to permit individuals so insured to receive certain payments with respect to emergency hospital services furnished to them by certain hospitals which are licensed under State law but which are not authorized to be paid under such part A for services provided by them.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCARTHY. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Maine [Mr. MUSKIE] be added as a cosponsor of the joint resolution (S.J. Res. 54) proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, November 8, 1967, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 219. An act to authorize the Secretary of Agriculture to sell certain land in Lander, Wyo., and for other purposes;

S. 423. An act authorizing the use of additional funds to defray certain increased costs associated with the construction of the small-boat harbor at Manele Bay, Lanai, Hawaii, and for other purposes;

S. 1391. An act to cancel certain construction costs and irrigation assessments chargeable against lands of the Fort Peck Indian Reservation, Mont.;

S. 2179. An act to extend for 3 years the special milk programs for the Armed Forces and veterans hospitals; and

S.J. Res. 114. Joint resolution extending the duration of copyright protection in certain cases.

NOTICE OF HEARINGS ON NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. McCLELLAN. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for

Wednesday, November 15, 1967, at 10:30 a.m., in room 2228, New Senate Office Building, on the following nominations:

James M. Carter, of California, to be U.S. circuit judge, ninth circuit, vice Gilbert H. Jertberg, retired.

Herbert N. Maletz, of Virginia, to be judge of the U.S. Customs Court, vice Philip Nichols, Jr., elevated.

At the indicated time and place persons interested in the above nominations may make such representations as may be pertinent.

The subcommittee consists of the Senator from Mississippi [Mr. EASTLAND], chairman, myself, and the Senator from Nebraska [Mr. HRUSKA].

THE HIGHWAY AS CATALYST—IMPORTANT HEARINGS ARE TO BE HELD BY THE SENATE PUBLIC WORKS COMMITTEE ON HIGHWAY PLANNING POLICIES

Mr. RANDOLPH. Mr. President, the Committee on Public Works will begin a series of policy review hearings on Tuesday, November 14, dealing with the opportunities and problems related to the planning, design and impact of the highway program in urban areas. We expect these hearings to continue for several weeks.

Urban highways are a basic element in the transportation skeleton of the city. As such, they affect the growth and development of the urban area and the life within it. The concept of providing efficient transportation within and between the urban areas of our Nation is basic to the Interstate Highway System. The urban highways are vital segments of this integrated, unified national network. The Congress has placed itself clearly on the record as considering the urban highway fundamental to the national roads program.

In many of the cities of our country, great controversy has developed over the route location and design of segments of urban highways. Experience in New Orleans, San Francisco, New York, Chicago, Seattle, San Antonio, Memphis, Minneapolis, and elsewhere indicates either that the laws are inadequate to encourage the full utilization of the opportunities presented by the highway or that the legislative intent to do so is not fully being realized in the highway planning process. Baltimore and Philadelphia, on the other hand, have developed innovative solutions, which together with other governmental programs, are utilizing the highway for positive planning and development.

If out of these controversies new methods and suggested governmental structural revisions emerge, we will strengthen the use of highway planning as a tool for positive urban development.

It is the intention of the Committee on Public Works to reexamine the broad local and national needs such urban highways should serve and to examine policy alternatives relative to achieving those goals.

The highway will be examined as an important opportunity-creating element of urban development. The urban highway does affect the environment of the city. Highway planning must take into account the social, economic, ecological, demographic, esthetic, and the other factors which constitute the total environment of the city. Highway planning must be coordinated with all planning activities in the city.

We will be concerned with the role of the urban highway as an instrument of urban policy. The interrelation of governmental functions concerning highway planning and design and more broadly based planning functions will be examined in this context. Central to this examination must be a concern for the interrelation between and the adequacy of, the Federal, State, regional, and local decisionmaking bodies, and the effects of their interaction on the positive goals sought to be achieved.

This examination will necessitate the accumulation of more information concerning the impact of the highway on the city, and on the opportunities that a highway can present. The residents of urban neighborhoods as well as the suburbanite and the businessman all have a deep stake in the impact of the highway on the urban environment. The opportunities for air rights utilization, open spaces, urban renewal, and control of urban growth should be more fully explored. Innovative approaches to highway planning and design, and the adequacy of the structure of the governmental bodies charged with such responsibilities, will be examined by the committee members who are always seeking to improve the usefulness and value of the highway program. The potential presented through close cooperation with other governmental programs, such as housing, education, and various transportation modes is indeed great.

While the policy intent, as reflected by the various Federal Aid Highway Act, is to achieve maximum direct and indirect utilization of the highway program, the implementation of these policy decisions, experience shows, has not always had the desired effects. The committee will be studying the effectiveness of the administrative implementation of these policies; for example, section 134 of title 23 provides for a "continuing comprehensive transportation planning process" and section 128 provides for hearings to be conducted by the State highway department. We will be seeking ways to make these provisions more significant. Various alternative governmental structures will be examined with the intent of making more effective use of the highway planning and hearing processes and procedures.

During the hearings we will receive testimony from at least five categories of witnesses:

First, we expect to hear from people who can describe the general problems of the city. The great unrest of the urban dweller, the shifts of population within the urban area, and the decentralization of the business district, which are all affected by the urban transportation structure, increase the impact of urban highway planning and design. Our examination of the goals of urban transportation requires a continuing understanding of the background problems and opportunities of the city itself. Transportation policy decisions must be made in the context of the needs of the urban area and its inhabitants.

The second group will be people who have a deep involvement with the broad solutions to urban problems. It is through an appreciation of the many resources and approaches being brought to bear on the multitude of urban problems that the committee can best understand the range of factors to be considered in highway planning. The committee will be hearing from a broad base of specialties and disciplines that are contributing to make life in the city more habitable. These are people who are students of the different factors comprising the health and vitality of the cities. As specialists in the particular fields of human behavior that are components of urban life, they can help define the goals and policy that transportation should serve.

The third group will be those who have the political responsibility for decisions at the local level. The practical considerations of resolving the sometimes conflicting interests within the city form an integral part of this series of hearings. It is at the local level that these decisions concerning the life and growth of the cities must be made. It is on this level that the most immediate benefits of general transportation and highway planning will be realized. Members of the committee will be seeking the views of local decisionmakers as to their experiences, and as to the adequacy of the various administrative structures concerned with life in the metropolis and the growth of the city.

Those people concerned with the execution of the highway program at the urban level will be the fourth category of witnesses to be heard by the committee. Those at the State, regional, county, and city levels who have the continuing responsibilities for administering the program, and building safe and efficient highways can contribute an appreciation for the practical problems encountered. The development of urban highway transportation policy, and the desire to utilize all of the opportunities available must be realistically conceived to be viable. The people with the practical responsibilities for these programs will contribute to the committee's study some insight into why the conflicts and controversies develop, and where the structures and procedures can be modified to achieve better results.

As a conclusion to this series of hearings into the broad goals and policies of the highway as urban catalyst, the committee will seek the advice and counsel of the major Federal departments concerned with life in the urban area, with urban planning and with urban transportation. We will solicit the aid of these Federal departments in examining urban policy and more specifically in developing urban transportation policy.

The committee is concerned also with how the effects of the transportation structure on the city are being considered in the design and planning of the urban highway. How much is known about the impact of these programs on the life of the urban resident and on the dynamics of the city, and how is this knowledge brought to bear on the practical considerations of building useful, safe, and well-designed roads? The committee will want to know more about how the government departments are structured to meet their broad responsibilities and if this structure is adequate to best utilize the program as a positive tool of urban development. The practices of these agencies in administering the basic Federal laws will be explored.

We will desire to know how the policy of the Congress relative to the opportunities presented by these programs in the urban areas is being implemented. The Departments will be called last so that we can have the benefit of their comments on the matters discussed by the preceding witnesses.

As I said in my speech before the American Association of State Highway Officials, "Our World Changes as We Walk and Ride on It":

> Our Nation is not the same demographically as it was in 1947 when the system was first begun. It is not even close to what it was in 1956 when the program was accelerated. The most profound social and economic changes that our Country has experienced in the past 100 years have taken place in the past two decades. Our economy today has soared beyond the expectation of the most optimistic post-World War II forecasters. These changes have had their effect and their impact on the highway program. We have been subjected to substantial increases in the cost of construction. The competition for materials and men and money from other public programs and from private efforts has intensified. But most importantly, we have only recently come to the full awareness of the impact of highways themselves.

URBAN HIGHWAY HEARINGS

Mr. COOPER. Mr. President, I am glad to join with Senator RANDOLPH, the chairman of the Senate Committee on Public Works, in calling attention to the hearings scheduled by the committee, beginning next week, to review policies affecting urban highway planning, location and design. I believe these hearings can have great significance, not only as the urban portions of the Interstate System move toward completion, but especially as we look toward the highway programs which will continue, and which may follow the interstate program.

Transportation around, into, and within cities has the most profound effect upon nearly every activity there—upon the changing character of cities, and upon the development or decay or growth of areas within and surrounding urban centers. It affects the daily lives and future plans of all who live or work in the area.

Mass transportation, interstate routes, freeways, primary roads, the network of streets, parking and service facilities, are all involved in the complex structure which supports the movement of persons and goods, and therefore affects the total activity of these densely settled areas and the quality of urban life.

The practical problems of planning and constructing highways designed to serve major urban centers are widely known—and often by specific examples having acute problems. When the Federal-aid highway programs began, competing interests were usually evident, seeking the location of farm-market roads and the advantages of high-service highways through rural areas. But within cities, it is commonplace that the alternatives for location of transportation routes all involve dislocations and disadvantages—and have social, economic, and development consequences of a kind and order of magnitude quite different from those of routes serving rural areas or between the Nation's centers of urban activity.

For example, urban segments will constitute only 15 percent of the total mileage of the Interstate System. But it is estimated that when completed, they will carry one-half of the volume of traffic on the system, and will account for 50 percent of the cost of the Interstate System. In a number of cities these vital links in the Interstate System, which are meant to serve equally local needs and interstate commerce, have met with difficulties and unresolved problems remain. We know, too, that in the years ahead urban freeways and distribution roads, and the improvement of traffic flow on existing networks, must be given a higher priority.

I think it most appropriate that the Senate Committee on Public Works should receive views at this time from those who understand the complex and interrelated problems of the city, from those experienced in urban planning, from officials who have local responsibility, and from interested Federal agencies—as well as from those primarily concerned with execution of the existing highway programs.

We know that the challenges and opportunities for areawide planning—including transportation—are the subject of increasing attention and new effort by many agencies and thoughtful officials, including those in the Departments of Transportation and Housing and Urban Development. Governors, mayors, and State highway officials are also increasingly concerned, and the Subcommittee on Roads will have the benefit of their views.

It seems to me that this is a field of great opportunity. For the very mobility of people today, and the activity which we call "traffic," exerts a pervasive influence—an influence which will bring about changes in any event, but which with purpose may be guided to constructive effect. Ignored or misunderstood, these forces could contribute to disorder and chaotic development, and to the deterioration of urban life.

I am pleased that the hearings will seek a broad range of testimony. While they are not directed to specific legislation, I believe that the exploration of this subject holds promise in encouraging creative thought and innovative ideas, in the wider adaption of successful methods, and finally toward the development of better policies and the kind of coordinated effort required. If they will better define the problems we face, help give order to the goals we seek, and add to our understanding of the means available, these hearings can have a part in bringing about a fuller contribution by improved transportation to the Nation's growth and life.

ANNOUNCEMENT OF HEARINGS BY SENATOR WILLIAM B. SPONG, JR., CHAIRMAN OF THE FISCAL AFFAIRS SUBCOMMITTEE OF THE SENATE COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. SPONG. Mr. President, the Fiscal Affairs Subcommittee of the Senate District Committee has scheduled 2 days of hearings for next week. On Wednesday, November 15, the subcommittee will hold hearings on S. 1511 and S. 2102, which deal with District police and firemen's pay and certain other benefits, and on S. 1229—H.R. 831—which would permit members of the District of Columbia Fire Department, the U.S. Park Police, and the White House Police to participate in the Metropolitan Police Department bond.

On Thursday, November 16, the subcommittee will hold hearings on S. 317—H.R. 12505—the Teachers' Retirement Act Amendments, on H.R. 5709, amendments to the District of Columbia Teachers' Leave Act; on S. 1225—H.R. 827—amendments to the Presidential Inaugural Ceremonies Act, and on H.R. 8715, amendments to the District of Columbia Alcoholic Beverage Control Act.

Hearings will begin at 10 a.m. in room 6226, New Senate Office Building. Those wishing to testify should contact Mr. Chester H. Smith, staff director of the Senate District Committee, on extension 4161.

INDIAN HISTORY ON MAPS

Mr. MANSFIELD. Mr. President, recently my good friend, John Woodenlegs, president of the Northern Cheyenne Indians, sent me a fine reproduction of a pen and ink hand drawn map of the Northern Cheyenne Indian Reservation in southeastern Montana. The man responsible for the map is Ralph Shane, a road engineer for the Bureau of Indian Affairs in Billings, Mont. The mapwork is a hobby, but one of the most imaginative I have seen in a long time. The maps are accurate topographically and highlighted with sketches of events and places of importance to each Indian Reservation.

Mr. Shane has completed maps for three of Montana's seven reservations and is planning the artwork for the remainder. These maps are the product of a very talented and accomplished artist and a man who has a sincere interest in the history of our first citizens, the American Indians.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks in the CONGRESSIONAL RECORD a feature story which appeared in the Billings Gazette on October 29, 1967.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Billings (Mont.) Gazette, Oct. 29, 1967]

INDIAN HISTORY ON MAPS: DOODLER'S HOBBY

(By Dick Gilluly and Kathryn Wright)

"You can work better with people if you understand their backgrounds and history."

That's the philosophy behind the map-making hobby pursued by Ralph Shane of Billings, Bureau of Indian Affairs area road engineer.

Shane, whose dark hair is touched with silver at the temples, makes maps of Indian reservations, illustrating them with meticulously detailed pen and ink drawings of events important in the tribes' histories. He has just completed maps of the Northern Cheyenne and Blackfeet Indian reservations.

"Nope," Shane leaned back in his office chair, eyes twinkling behind his glasses. "I never had any art lessons. Just call me a doodler. I work from photographs of historical events and people."

Map-making is strictly a hobby. Shane earns no money from it, although it takes him eight or nine months per map, including an average of six months' research.

But—goals he sets himself in this hobby are as stringent as if he earned his living at map-making.

"I want them to be attractive enough," he says, "to interest those who see them.

"Brief enough so they can be read effortlessly.

"And complete enough and frank enough to make the reader pause and reflect on the Indians' hardships."

Research involves studying books, records, historical magazines and photos. "I talk with people who've had long acquaintance with the Indians," Shane says. "For instance, the Rev. C. A. Bentley of Billings was a great help. He's spent 40 years on the Crow Reservation.

"And," the map-maker cautions, "don't say the Crow map is finished. That's just a research sketch. I'm still working on the final product."

Shane's office walls in the Federal Building are filled with his sketches of Indians and pen and ink portraits of the prominent—JFK and LBJ, for example. But he does little work on his hobby in the office. The hobby is strictly on his own time and at home, 932 Alderson Ave., where his two daughters, Shannon 13, and Erin, 9, and his wife, a quarter-blood Sioux, frequently watch over his shoulder as a map takes form.

Shane's first map, Standing Rock Reservation in the Dakotas, was made in 1944 when he was stationed at Standing Rock Agency, Fort Yates, N.D. He met his wife there and they were married in July, 1944, at Bismarck, N.D. Besides the daughters, they have a son, Ralph Shane Jr. of Billings.

"I didn't get this map-making idea until I'd been with BIA eight years," Shane says. "But I've always been interested in history, as a boy in Pipestone, Minn., all through grade and high school and at South Dakota School of Mines in Rapid City."

The Shanes have been in Billings 10 years, but Montana wasn't new to him then. Shane's first assignment was as a surveyor with BIA roads to Fort Peck in 1937.

From there he went to the BIA in Sacramento, Calif., then to Fort Belknap in 1941–42. From 1955 to 1957 he owned and edited a weekly newspaper in Newtown, N.D., on the Fort Berthold Reservation.

Since his first map 23 years ago, Shane has completed maps of reservations in Minnesota, Oregon, North Dakota and a state map of North Dakota.

He gives negatives of the maps to tribal councils. They reproduce them and sell them in museums, use them in schools and in tribal offices and halls. BIA presents them to dignitaries.

Shane sometimes hand colors the maps for special purposes, and colored maps of the Cheyenne and Blackfeet reservations are in BIA Area Director James F. Canan's outer office in the Federal building.

Shane draws the maps on tracing paper so they can be reproduced easily. Also, negatives are made for offset printing in large batches.

He recently presented the history-conscious Northern Cheyennes with their map. Legend on the map calls them "The Morning Star People."

This is the way they like to think of themselves—a tribe with a bright future, despite unhappy early history so artfully depicted on the map.

FEDERAL ASSISTANCE WITHHELD FROM SAVANNAH YMCA BECAUSE THE "C" STANDS FOR "CHRISTIAN"

Mr. TALMADGE. Mr. President, the managing editor of the Savannah, Ga., Evening Press wrote last Saturday in an editorial column:

> It is simply impossible to understand the federal government.

We witness many things, on many occasions, that make it easy to understand how this newspaper editor can feel the way he does. Some of these things make no sense whatsoever.

I was shocked and amazed last week to learn that the Department of Housing and Urban Development was withholding Federal assistance from a Savannah YMCA because the "C" stands for "Christian." Judging from what I have been able to determine, the West Broad Street YMCA in Savannah is qualified in every respect for a neighborhood facility grant of some $250,000 to partly pay for the construction of a youth center in an underprivilegd part of the city in order to take needy children off the streets and give them a place to work and play.

The YMCA apparently met every prerequisite for the grant and had in fact secured approval of its application—until some bureaucrat found out that the name of the new youth center was going to contain the word "Christian." Then the Savannah people were promptly notified that the Federal grant would be forthcoming, but only if the word "Christian" was omitted in naming the youth center.

Presumably, it is acceptable to grant Federal funds to radical outfits which preach and teach racial hatred and civil insurrection, and where morality is scorned and flouted. But somebody decided that it is not all right to make a Federal grant to an old and respected organization dedicated to humanitarianism, fellowship, and character building, such as this YMCA.

I submit that this is the height of absurdity, but it is about par for the course these days in some branches of our Federal Government.

When I learned of this matter I contacted the Secretary of the Department of Housing and Urban Devolpment to register my strong protest. I was even more appalled to learn that there was not even a written policy or directive governing a decision of this type. This action was taken, not on the basis of some well-defined, reasonable policy or guidelines, but because of something apparently cooked up in somebody's head.

As I stated in a letter to Secretary Weaver, I fail to see how requiring this YMCA to omit the word "Christian" from the name of the youth center would in any way affect its eligibility for Federal assistance. Neither this YMCA nor any other, so far as I have been able to determine, has been operated for members of a particular religion to the exclusion of others, and it has no intentions of doing so.

I cannot help regarding this as just another outrageous example of an aversion in some Federal circles today to mixing God and government, and a blatant attempt to drive religion from the lives of the American people.

Because I think this matter is worthy of the attention of the Senate, I ask unanimous consent to have printed in the RECORD my letter to Secretary Weaver and editorial columns from Savannah newspapers.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the office of U.S. Senator HERMAN E. TALMADGE]

NOVEMBER 1, 1967.

The SECRETARY,
Department of Housing and Urban Development, Washington, D.C.

DEAR MR. SECRETARY: I am enclosing herewith an editorial from the Savannah Evening Press of October 24, which is self-explanatory. I have been in contact with officials in your Department, and based on the information that I have been able to compile, the situation as set forth in this editorial is substantially correct.

Naturally, members of the Board of Directors of this Y.M.C.A., as well as its Director Dr. Joseph Jenkins, are very much alarmed that its eligibility for a neighborhood facility grant would be contingent upon removal of the word "Christian" from the proposed name of the project, when apparently all other criteria have been met in every respect. In other words, the West Broad Street Y.M.C.A. in Savannah is qualified to receive the grant for a neighborhood youth center and a grant in the amount of $244,856 has in fact been approved. But now the Y.M.C.A. is led to believe that these federal matching funds will not be forthcoming unless the word "Christian" is dropped from the name of the new facility. Ground has been broken for the project, and it presently is under construction.

In an effort to investigate the circumstances involved, my office contacted Congressional Liaison officers of your Department, who stated that this action was in keeping with the Department's policy of "non-sectarianism" in making such grants. This policy, which I was told had been in effect for "a month or two," was outlined thus: (1) there should be no religious functions in the building; (2) there should be no religious symbols in the building; and (3) the name of the center cannot connote any particular religious group. I requested a copy of the regulation defining this policy and/or a copy of the departmental directive which promulgated this policy. I was subsequently informed that this policy is not a written one, but that it is now being put into writing—apparently as a result of my inquiries.

I was further advised by your Congressional Liaison that the underlying philosophy was that of "separation of church and state," as specified by the First Amendment to the Constitution. I fail to see how requiring an organization or agency to change its name would alter its eligibility for federal assistance. This is especially true of a worldwide organization with the old and honorable name of the Young Men's Christian Association. It appears to me that the function and purpose of the applicant or operating agency should be the principal considerations in determining whether or not allocating public funds to it would be in violation of the separation doctrine.

Inasmuch as the grant was approved prior to the decision concerning the name change, I judge that this Y.M.C.A. met all necessary criteria as an operating agency. On the basis of the approval of the grant, I can only assume that it is qualified to receive neighborhood facility funds. The name of the facility in no way has any bearing on its plans to offer community health, recreational and social services to benefit all young people in this area. There has been no religious sectarianism connected with the operation of this Y.M.C.A., or any other "Y" anywhere so far as I have been able to determine, and there is none contemplated for this new facility. Well-known and respected members of the Jewish faith in Savannah have served on the Board of Directors of this Y.M.C.A., and traditionally its facilities have not been operated for members of a particular religion to the exclusion of others and no such separation is intended.

Moreover, I think it is significant and to the point that the membership of the Young Men's Christian Association in Jerusalem is 95 per cent Jewish. I bring to your attention this quotation from the Encyclopedia Americana concerning the Young Men's Christian Association:

"The Christian orientation of the 'Y' is intended to define its purposes and the influence it seeks to exert, *not to exclude* any who share its ideals or who wish to participate in its activities. Composition of the membership varies from country to country, according to the national pattern, whether Protestant, Roman Catholic, Orthodox Eastern, or other. In the United States the members are predominantly of Protestant affiliation or background, but include substantial numbers of Roman Catholics, members of the Orthodox Christian churches, Jews, and persons of other or no religious affiliation."

I regret very much that there is a threat that this grant will be withheld or rescinded on the basis of an unwritten and apparently ill-defined policy that, in any event, is not applicable to this immediate situation. I deem this action to be both unecessary and unwarranted.

I earnestly request that the Department of Housing and Urban Development reconsider and reject its edict that the name of this facility be changed so as to erase all identity with the West Broad Street Young Men's Christian Association. I hope that I may hear from you soon about this matter.

With every good wish, I am,

Sincerely,

HERMAN E. TALMADGE.

[From the Savannah (Ga.) Evening Press, Oct. 24, 1967]

WE CALL IT DEPLORABLE

Our federal regulations have reached a new low when they dictate that the word Christian be taken out of the name of a Young Men's Christian Assn. facility if it is to be eligible for a $270,000 grant from the U.S. Department of Housing and Urban Development.

It happened right here in Savannah—to the West Broad Street YMCA. To please the federal government, the westside organization will have to change the name of its planned new facility to West Broad Street Neighborhood Center or something similar.

This is ridiculous. The YMCA has a long and honored history and performs a service to the citizens of our nation. Its doors are open to all Americans. The word Christian in connection with the YMCA organization, denotes the good intent of the "Y" programs.

This latest federal action makes us wonder what's going to happen to Christmas and other names with special meanings. Will we be forced to call Christmas the "annual holiday"?

We would hope that the YMCA incident doesn't go unnoticed by Rep. Elliott Hagan and U.S. Sens. Richard B. Russell and Herman E. Talmadge. It is in their province to send sharply critical letters to the Housing and Urban Development Department and to call the situation to the attention of their fellow congressmen.

Such federal regulations are going too far. If left unchecked, there is no telling how far such rules will be taken. We could vacillate into a nation of people without goals or creeds—something like the godless conditions found in Russia.

[From the Savannah (Ga.) Evening Press, Nov. 4, 1967]

POLICY ON YMCA'S GRANT ABOUT SILLIEST THING YET

(By Tom Coffey)

I am beginning to believe what they've been telling me for years—that it is simply impossible to understand the federal government.

The government has been howling that something has to be done to reach the people in the ghettos. So, when Savannah's West Broad Street YMCA comes along with a plan to build a fine neighborhood center in a predominantly Negro section, the government balks at a $270,000 grant for that purpose because the "C" in YMCA stands for Christian.

Now, if I thought for one minute that a new West Broad Street YMCA built with federal money would rock the foundations of the church-and-state-separation principle, you'd see me first in line protesting the federal grant. That constitutional principle never was intended to mean anything more than a guarantee against a state church. People who belonged to my church were among the leaders in framing the Constitution.

America is so divided in religious denominations and sects that even if an attempt were made to establish a state church it would be almost impossible to settle on any specific sect.

The silly thing about the government's attitude toward the YMCA, however, is that the "Y" is, by no stretch of the imagination, sectarian in the sense that it's Baptist, Methodist, Episcopalian, Roman Catholic or River Brethren. It's simply an organization founded on Christian principles, which embody love, understanding, fellowship. Membership, as far back as I can recall, has never been restricted to any sect, denomination or even to Christians. One of the Savannah YMCA's best handball players for years was a Jew, and when he died his obituary stated that he was on the boards of both the YMCA and the Jewish Educational Alliance.

Suddenly, though, the federal government sees a bad connotation in the word Christian. It says that the grant will be made if YMCA is taken from the title and assurance is given that no religious programs will be held there. I guess there's something bad about religious services, too, since the government didn't ask for assurance against other activities, such as marijuana parties, drinking bouts and roulette games.

It's all right to sin, I suppose, but don't anyone dare pray, or acknowledge the existence of The Almighty—at least, not on property where federal money is involved.

I just can't understand how Congress gets by with a daily prayer, or how the U.S. marshal is allowed to cry the court and say "God save the United States and this honorable court." Federal property, you know. And our money! I distinctly read "In God We Trust" on a dollar bill. Illegal, I suppose. Maybe counterfeit.

All I can say is an administration that seemingly wants to reach people who need reaching, especially the poorer Negroes, should see that a neighborhood YMCA center can do more to "keep 'em off the street" and provide wholesome outlets than five times $270,000 worth of the so-called poverty program.

From what Sen. Herman Talmadge has been able to dig up, this "policy" with regard to the YMCA is something brand new, dreamed up by some bureaucrats and not even reduced to writing until after it was orally enunciated. Exhibit "A" in the case of "It's Impossible to Understand the Federal Government."

Even with ground already broken and a strong dependence upon the $270,000 grant since the project has progressed thus far, it's too bad the YMCA board doesn't tell the government never mind. If I were a millionaire, I'd write them a check for the full amount . . . just so they could.

[From the Savannah (Ga.) Morning News, Nov. 5, 1967]

THE SENATOR DIGS IN

Seldom one to bite his tongue when disturbed by the red tape and nonsensical workings of the federal government, Sen. Herman Talmadge lost no time in letting the Dept. of Housing and Urban Development know his feelings on the senseless delay of a grant to finance a new West Broad Street YMCA facility here.

"Unnecessary and unwarranted" were the words the Georgia senator used to describe the federal agency's demand that the word "Christian" be taken from the official title of the Young Men's Christian Assn., lest the public suspect that sectarianism governed the decision to make the grant.

The senator is a practical man, therefore we would have expected him to express alarm over the furor that has arisen over the YMCA request for money to construct a worthwhile and badly needed neighborhood facility in a predominantly Negro section of Savannah.

What the senator has done, though, is to discover that the policy outlined by the HUD wasn't even contained in the department's written regulations. The senator asked for a copy of the regulation governing this case and was told that the policy "is now being put into writing," apparently as a result of the senator's inquiry.

What kind of agency is it that can make policy orally as it moves along and even before regulations are written? The government's many and varied "guidelines" in many and varied areas have been disturbing for a long time . . . but this just about tops everything for sheer irresponsibility.

We note that since the furor arose statements have come from both the government and YMCA officials indicating that the matter will be ironed out. We feel sure that the senator's inquiry might have had a catalytic effect on the Washington end.

The senator pointedly emphasized the nonsectarianism of the YMCA, its ecumenicity, its aims and purposes. Moreover, he pointed out that the name of the facility "in no way has any bearing on its plans to offer community health, recreational and social services" to the community.

We thank the senator for prodding where prodding was needed. We trust that the nonsense over the name of the YMCA will cease and that the new facility will be built as scheduled and financed as planned with both federal money and local money.

PRIORITIES AND THE WAR IN VIETNAM

Mr. FULBRIGHT. Mr. President, many of us have said on the floor of the Senate—and elsewhere—that this Nation should rearrange its priorities, that the war in Vietnam was not serving but disserving our national interests by costing more in American lives and American wealth than it is worth and that, as a result, our military involvement abroad is weakening our society at home. A most articulate letter on this subject was published in the November 5 issue of the New York Times. I was particularly intrigued because it was written by a permanent member of the Institute for Defense Analyses.

Mr. President, I ask unanimous consent that the letter written by Mr. James Simons and dated October 25, 1967, be inserted in the Record at this point.

There being no objection, the letter to the editor was ordered to be printed in the Record, as follows:

[From the New York Times, Nov. 5, 1967]

Expenditures for Peace

To the Editor:

In recent books and articles on the subject of Vietnam, Gen. Maxwell Taylor has made very clear that he supports vigorous prosecution of the war. General Taylor is the president of the Institute for Defense analyses, and his feelings may be shared by many of the people there. However, some of us at that institution have a different view.

My own belief is that any political gains stemming from a military victory cannot possibly be offset by the enormous economic, intellectual and moral investment which we are continuing to place in this venture. The ultimate effect of the war will be to diminish our security rather than to bolster it. The only available course consistent with a rational defense policy is to withdraw with the greatest possible dispatch.

The foundation of our security is not our military power, but the strength and health of our society. By diverting so large a portion of our economic capabilities away from essential domestic projects, by involving so many of our intellectuals in military affairs and at the same time alienating others to the point where they will undertake no Government activity, and by replacing the traditional American atmosphere of hope and confidence with an attitude of fear and uncertainty, the Vietnamese war is very seriously eroding this foundation.

It would make us a stronger country to rebuild Watts than it would to bomb Hanoi. It would make us stronger to construct decent transportation on our East Coast than it would to destroy all the bridges in Vietnam. It would make us stronger to find ways to feed those people in our own country who haven't enough to eat than it would to develop methods to defoliate the farmlands of North Vietnam.

The Institute for Defense Analyses was created by several universities to enable scientists and academicians to contribute directly to the problems of United States defense. Since that word "defense" has been stretched so far as to include our adventures in Southeast Asia, it would perhaps be appropriate to stretch it a bit in the other direction to include other activities which directly benefit the strength of our country.

With that understanding of the word, the most significant contribution an organization like I.D.A. could make to the defense of the United States might well be to direct a substantial portion of its technical and intellectual resources away from the area of military defense and toward some of the truly important problems currently facing our nation.

James Simons,
Permanent Member, Institute for Defense Analyses.

Princeton, N.J., *October 25, 1967.*

SUPPORT FOR U.S. ARMED FORCES IN VIETNAM

Mr. TALMADGE. Mr. President, in recognition of the fact that it is the duty and responsibility of every American citizen to support their Government, the Junior Chamber of Commerce of Augusta, Ga., recently adopted a resolution expressing support of U.S. Armed Forces in Vietnam.

It is my strong feeling that this very fine organization of young men, as well as other similar groups throughout the country, are the real voice of the young people of America regarding the U.S. involvement in Southeast Asia.

Unfortunately, however, it is the hippies, the beatniks, and the draftcard burners who get the publicity, thereby blowing their significance way out of proportion.

I commend the Jaycees for their outstanding expression of Americanism and ask unanimous consent that the resolution be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Whereas, in the days immediately preceding World War II, the United States Junior Chamber of Commerce found it necessary to assume a position of leadership in expressing the feelings and beliefs of this great country's young men; and

Whereas, in those troubled days, the Junior Chamber adopted a resolution endorsing the Selective Training and Service Act of 1940; and

Whereas, the United States of America is once again faced with the grim reality of a distant and complex war; and

Whereas, the true feelings and beliefs of the vast majority of America's young men have not been adequately or accurately expressed; and

Whereas, a small but vocal minority is purporting to represent the majority of said young Americans, and, in so doing, is receiving an inordinate amount of publicity by their actions; and

Whereas, the Augusta Jaycees is an organization composed of young men, the great majority of whom are subject to military duty; and

Whereas, the Augusta Jaycees are desirous of once again assuming a position of leadership as did their predecessors twenty-five years ago;

Now, therefore, be it resolved this 24th day of October, 1967, that the Augusta Jaycees do hereby affirmatively express their unqualified support for the following:

1. The Universal Military Training and Service Act and particularly that section of said Act making it a criminal offense to knowingly mutilate or destroy so called draft cards; and

2. The continued presence of United States Armed Forces in Southeast Asia until such time as a just and equitable peaceful solution to the present conflict is reached, or until such time as ultimate victory is achieved by said forces.

WHEAT AND THE NATIONAL ECONOMY

Mr. CARLSON. Mr. President, the latest figures from the Food and Agriculture Organization of the United Nations show that half of the world's population is undernourished. World agriculture and particularly the agriculture industry in the United States must make an all-out effort to mount a concerted attack on the problem of hunger and malnutrition.

Today, I should like to underscore the importance of the wheat industry in helping to meet this world food crisis and the fact wheat plays a major role in our economy. An in-depth study entitled "Wheat and the National Economy" has been released through my office that illustrates how wheat serves as a humanitarian foreign policy tool and its importance in our economy.

Mr. President, I ask unanimous consent that this study entitled "Wheat and the National Economy" be printed in the Record.

There being no objection, the study was ordered to be printed in the Record, as follows:

Wheat and the National Economy

SUMMARY

In 1966, wheat in all phases from production through processing, transportation, storage and distribution, involved some 895,000 man-years of employment, or 1.2 percent of total civilian employment in the United States.

Wheat production accounted for 137,000 man-years—approximately 96,000 on the farm and 41,000 in the supplying industries, such as fertilizer and machinery.

Wheat processing involved about 353,000 man-years of employment, primarily in the baking industry. Storage, transportation and distribution accounted for some 397,000 man-years, a large part of which was involved in retailing products to the consumer.

Federal government programs represent the equivalent of about 7,200 man-years of employment, primarily in the operations of the wheat diversion program and grading and inspection of wheat by ASCS and C&MS respectively. State Agricultural Experiment Stations provide about 300 man-years of employment in wheat research.

LIMITATIONS OF THE ESTIMATES

1. The employment data derived are very rough approximations. It is virtually impossible to isolate the influence of an individual commodity in our complex economy with complete confidence in the results. The basic statistical materials at hand cover entire industries in which wheat is only one of many commodities involved. Considerable judgment is involved in allocating that part of employment attributable to wheat and its products. These data do however indicate the general magnitude of the employment involved. Notes are attached describing the procedure used.

2. The figures represent full-time equivalent man-years of employment. This understates very substantially the actual number of workers involved part-time in the various stages of wheat production, processing, etc. For example, the latest estimates indicate that about 740,000 farms produce wheat, compared with the 96,000 man-years of full-time employment on the farm allocated to wheat production. Similarly, in the other stages, such as transportation and retailing, wheat and its products represent only a small fraction of the wide range of commodities handled.

3. The estimates cover employment directly concerned with wheat and its products. It should be noted that employment and purchasing power generated by activity related to wheat provides employment and purchasing power in still other industries, such as the automobile industry. We have not been able to measure all such indirect effects, but some rather tenuous estimates indicate additional employment indirectly related to wheat production only, amounted to about 70,000 jobs.

4. The data are for the Nation as a whole. It should be noted that in some States, such as North Dakota, Montana, Kansas, Oklahoma and Washington where wheat accounts for nearly one-fifth or more of total cash farm receipts, the impact of wheat on the local economies is much greater than for the United States as a whole.

Background materials

In 1966, wheat farmers marketed an estimated 1,239 million bushels of wheat valued at over $2 billion. Receipts from wheat constituted 4.7 percent of total cash receipts by farmers from the sale of all farm products. Wheat ranked seventh among all farm products in receipts from marketings, being exceeded by beef cattle 24.1%, dairy products 12.7%, hogs 9.5%, corn 5.9%, soybeans 5.8% and eggs 4.9%. In the principal wheat producing states, receipts from the sale of wheat are substantially larger relative to total receipts from farm products, accounting for 35 percent of all cash receipts in North Dakota, 28 percent in Montana, 21 percent in Kansas, and 20 percent and 19 percent respectively in Oklahoma and Washington. (Table 1.)

Consumers in the United States spent about $10 billion in 1966 on wheat products, some 11 percent of total consumer expenditures for food. In our normal diet, wheat flour and cereal products, as now enriched, contribute 21 percent of the calories, 19 percent of the protein, 28 percent of iron, 24 percent of niacin, and 35 percent of the thiamine.

During calendar year 1966, some 900 million bushels of wheat in the form of wheat and flour were exported, 73 percent of the total marketed by farmers. The value of wheat and wheat products moving into final use either domestically or abroad totaled over $11.5 billion, a little more than 1.5 percent of the gross national product. Thus, the share of wheat and wheat products in our national economy measured on a value or dollar basis is approximately the same as on an employment basis.

Employment associated with wheat production

Employment associated with the production of wheat, that is, before it moves into the various channels of distribution consists of the direct labor of farm operators, family workers, and hired workers who perform the various operations on the farm, and the labor used to produce and distribute supplies and services used in the production of wheat. In 1966, an estimated 96,000 man-years of labor were employed directly in the production of wheat (Table 2.). Another 41,000 man-years of employment were estimated to be required in industries producing fertilizer, insecticides, tractors and other farm machinery and parts, fuel and other goods and services used in the production of wheat.

Employment associated with the processing

From the farm, wheat moves into the various broad marketing channels shown in Chart I. [Charts do not appear in RECORD.] The activities of storing, processing, and distribution require substantial labor inputs to move the wheat or products made from wheat through the channels of trade and into the hands of final users.

Employment associated with the processing of wheat or wheat products in 1966 is estimated at about 353,000 man-years. The bulk of such employment, 306,000, was in the manufacture of bread and related products, biscuits and crackers and flour and meal (Table 3).

Employment associated with storage, transportation, and distribution

The functions of storing, transporting, exporting, and distributing wheat and wheat products required an estimated 397,000 man-years of employment in the United States in 1966. Employment in retail trade-retail bakeries, grocery stores, and eating places accounted for about 291,000, or nearly three-fourths of the total (Table 4).

Employment associated with Federal Government activities

Activities of the Federal Government provide about 7,200 man-years of employment directly related with wheat. Wheat research, which includes pest and disease control, biological, production, and marketing efficiency, provides about 600 man-years; wheat diversion and price support programs provide about 3,550 man-years; grading and inspection provide 2,800 man-years, and Federal crop insurance on wheat provides 270 man-years. In addition to Federal employment, State agricultural experiment stations devote about 300 man-years to wheat research.

Notes on sources of data and methods used

1. Employment associated with wheat production

The estimated man-hours of farm labor used in the production of wheat are from unpublished estimates of the Production Resources Branch, ERS. Estimated employment in supply industries is based on data obtained from the 1958 Census of Manufacturers and unpublished reports of the Agricultural-Industrial Relations Study, 1958, ERS.

Direct labor requirements for the production of wheat in 1959 were obtained by applying estimated average man-hour requirements for preharvest and harvest operations to estimated acres of wheat planted and harvested, as reported by the Statistical Reporting Service. Estimated man-hour requirements per acre were obtained from studies made by various Federal and State agencies. The 1959 estimate was extrapolated to 1966 on the basis of the change in total man-hours of farm labor used in the production of wheat.

TABLE 1.—CASH RECEIPTS FROM MARKETINGS OF WHEAT, BY STATES, 1966

[Dollar amounts in millions]

State	Cash receipts from sale of wheat[1]	Percent of total cash receipts from farm marketings
Kansas	$325.5	21.2
North Dakota	256.9	35.1
Oklahoma	167.0	19.6
Nebraska	146.2	8.7
Montana	140.1	27.8
Washington	138.7	19.1
Texas	118.2	4.4
Illinois	97.0	3.5
Ohio	72.4	5.6
Indiana	66.1	4.5
Missouri	64.7	4.7
South Dakota	61.0	6.9
Idaho	59.1	10.9
Colorado	50.4	6.1
Michigan	45.7	5.2
Oregon	40.7	7.9
Minnesota	33.1	1.8
Pennsylvania	17.1	1.9
Arkansas	17.0	1.8
California	11.1	.3
Mississippi	11.0	1.4
New York	10.5	1.0
Utah	9.0	4.8
Kentucky	8.0	1.1
New Mexico	7.8	2.7
Wyoming	6.3	3.1
North Carolina	6.2	.5
Maryland	6.0	1.8
Tennessee	5.9	1.0
Virginia	5.1	1.0
Iowa	2.6	.1
Georgia	2.5	.2
New Jersey	2.4	.9
South Carolina	2.4	.6
Alabama	2.2	.3
Louisiana	2.2	.4
Wisconsin	2.1	.1
Arizona	1.4	.3
Nevada	1.2	1.9
Delaware	1.0	.8
Florida	.9	.1
West Virginia	.3	.3

[1] Includes loans made or guaranteed by CCC and purchases under price-support programs.

TABLE 2.—*Employment provided by wheat production, 1966*

Industry	*Estimated employment (man-years)*
Farming (direct labor)	96,000
Supply and service industries:	
Chemicals, fertilizer, pesticides	5,300
Machinery parts, fuel and electric energy	2,300
Miscellaneous repair services and maintenance construction	9,600
Wholesale, retail trade, railroad and truck transportation	13,600
New machinery (tractor, trucks, other)	6,900
New construction	3,500
Total	41,200
Total number of employees dependent on wheat directly on farms and in the supplying industries	137,200

TABLE 3.—*Employment associated with processing of wheat and wheat products, 1966*

Industry:	*Estimated employment (man-years)*
Biscuits and crackers	41,900
Bread and related products	238,400
Macaroni and spaghetti	7,300
Cereal breakfast foods	3,500
Flour and meal	25,700
Flour mixes	7,200
Meat animals	3,900
Poultry and eggs	19,300
Prepared mill feed	5,500
Total	352,700

TABLE 4.—*Employment associated with storing, transporting, and distributing wheat and wheat products, 1966*

Function:	*Estimated employment (man-years)*
Country elevators, terminal elevators, and public warehousing	12,100
Transportation (including exports in American ships)	52,600
Wholesaling (wheat products)	33,500
Retailing (grocery, restaurant and retail bakery)	291,000
Other (building)	8,100
Total	397,300

The producers' value of inputs from the major supplying industries into wheat farms in 1958 as obtained from the Agricultural-Industrial Relations Study were converted to total inputs in terms of man-years of employment on the basis of the ratio of total employment to the value of output in these industries as reported in the 1958 Census of Manufacturers. These were then extrapolated to 1966 using indexes of productivity changes in the wheat sector and the supplying sectors and indexes of changes in the acreage and production of wheat.

2. Employment Associated With Processing Wheat

Estimated employment in 1966 in the major industries processing wheat was obtained from Employment and Earnings Statistics for the United States, 1909–66, BLS, October 1966. Employment in the meat animals and poultry and eggs industries in 1959 was extrapolated to 1966 on the basis of changes in production and production per man hour reported for these industries in Changes in Farm Production and Efficiency, 1967, Statistical Bulletin No. 233, USDA. For biscuits and crackers, bread and bakery products, macaroni and spaghetti, and flour mixes, 100 percent of reported employment was assumed to be dependent on wheat. Employment in other industries allocable to wheat was based on the estimated ratio of value of wheat inputs to total grain and other miscellaneous crop inputs into these industries as indicated by unpublished estimates of the 1958 Interindustry Relations Study.

3. Employment Associated With Storage, Transportation and Distribution

A. Country elevators, terminal elevators, and public warehousing:—Total employment in these facilities as reported in the 1963 Census of Business was extrapolated to a 1966 level based on trends in employment in these businesses as shown in Employment and Earnings Statistics for the United States, 1909–66, BLS, October 1966. Wheat related employment in country and terminal elevators and public warehousing is assumed to be proportional to the ratio of wheat to total grain marketings from farms. Quantity of wheat and other grain marketings is from unpublished data from the Farm Income Branch of ERS.

B. Construction:—Construction related employment in the wheat and wheat product processing industries was obtained by extrapolating the 1959 estimate on the basis of the change in new capital expenditures between 1958 and 1963 and then adjusting for increasing labor efficiency. New capital expenditures are shown in the 1963 Census of Manufactures and indexes of output per man hour in the private nonfarm economy are from the 1967 Economic Report of the President.

Estimates of employees engaged in construction of new storage facilities in 1966 represented only about 300 full-time jobs and is based on estimates of net changes of off-farm grain storage capacity from SRS.

C. Transportation:—Estimates of employees engaged in transportation of wheat were based on tonnages of wheat and wheat products shipped as reported in (1) Freight Commodity Statistics of Class I Railroads for 1958 and 1965 by the Interstate Commerce Commission, (2) Waterborne Commerce of the U.S. for 1958 and 1965 by the Department of the Army, Corps of Engineers and (3) a study of Changes in Transportation Used by Country Elevators in North Central Region 1958 and 1965, Marketing Research Report No. 724, Economic Research Service.

In general, total employment attributable to domestic transportation of wheat by rail and water was derived by applying an estimate of the ratio of wheat tonnage to total tonnage of all shipments, to the estimated total number of employees engaged in rail and water transportation.

Employment in trucking was based on an estimate of the ratio of truck movement of wheat to rail movement as indicated by the study of transportation of wheat in the North Central Region.

Employment associated with the transportation of wheat to foreign ports in U.S. flag vessels was based on the volume of wheat and wheat products exported, the number of ships required for this volume and the average number of seamen and loading service workers per ship.

D. Wholesale Trade:—Estimated employment for wholesale trade in industries associated with wheat is based on the number of employees reported in the 1963 Census of Business for merchant wholesalers and manufacturers sales branches, wholesaling bread and bakery products and flour. Benchmark totals for 1963 were extrapolated to 1966 on the basis of the change in employment for wholesalers of groceries and related products as shown in Employment and Earnings Statistics for the United States, 1909–66, BLS, October 1966.

E. Retail Trade:—Total employment in retail establishments depending on wheat and related products was based on employment data reported in the 1963 Census of Business. Employment in retail businesses was extrapolated to a 1966 level based on changes from 1963 to 1966 shown in Employment and Earnings Statistics for the United States, 1909–66, BLS, October 1966. The total number of employees estimated for retail bakeries was assumed to be completely dependent on wheat. For grocery stores, an estimated percent of all employees was allocated to wheat and wheat products, based on the assumption that wheat related employment was proportional to sales of wheat and wheat products in retail grocery stores. Wheat related employment in eating and drinking places is based on ratios of wheat product costs to total food costs, food sales to all sales, and food sales to food costs, as reported by the National Restaurant Association and the 1963 Census of Business. Employment in hay, feed and grain stores related to wheat and its products is derived on the basis of the ratio of the value of wheat and wheat products purchased to total materials purchased by such establishments, as shown by the 1947 BLS Interindustry Relations Study.

RESOLUTIONS ADOPTED BY THE NATIONAL GOVERNORS CONFERENCE

Mr. BROOKE. Mr. President, at the National Governors' Conference held last month aboard the SS *Independence*, the chief executives of the States considered and agreed upon a number of subjects which will surely be of interest to the American people.

I ask unanimous consent that the text of the resolutions which they adopted, and the names of the members of the newly elected executive committee, of which the Governor of the Commonwealth of Massachusetts and my longtime friend, the Honorable John A. Volpe, is chairman, be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

THE NEW EXECUTIVE COMMITTEE ELECTED OCTOBER 20, 1967

Governor John A. Volpe, Massachusetts, *Chairman.*
Governor Calvin L. Rampton, Utah.
Governor Mills E. Godwin, Jr., Virginia.
Governor Buford Ellington, Tennessee.
Governor Otto Kerner, Illinois.
Governor John W. King, New Hampshire.
Governor Walter J. Hickel, Alaska.
Governor Nils A. Boe, South Dakota.
Governor Spiro T. Agnew, Maryland.

RESOLUTIONS ADOPTED BY THE NATIONAL GOVERNOR'S CONFERENCE, OCTOBER 20, 1967

I. Public lands.
II. Reaffirming States' jurisdiction over fish and wildlife management.
III. Advance Federal planning for future highway programs.
IV. World Governors' Conference.
V. State coordination of Federal assistance programs.
VI. Implementation of part I of the report of the Committee on State and Local Revenue.
VII. Highway trust fund allocations.
VIII. Forest fire fighting.
IX. National Guard.
X. Civil disorders and lawlessness.
XI. Constitutional revision and governmental reorganization.
XII. Regional and interstate cooperation.
XIII. State-Urban Relations Committee.
XIV. Retiring Governors.
XV. Governor Lurleen B. Wallace.
XVI. Appreciation.

I. PUBLIC LANDS

Whereas, the public lands of the United States in the aggregate amount to approximately one-third of the land area of the United States; and

Whereas, the public lands of the United States and their resources constitute assets of inestimable value; and

Whereas, these assets belong to all the people of the United States; and

Whereas, the United States Public Land Law Review Commission is engaged in a comprehensive study of laws, regulations, practices, and procedures pertaining to the public lands; and

Whereas, the Commission has developed a study program providing intensive examination of each of the commodities found in or produced on the public lands and additional subjects affecting the public lands, including many of direct interest to the several States:

Now, therefore, be it resolved by the 1967 Annual Meeting of the National Governors' Conference, October, 1967, that the program undertaken by the Public Land Law Review Commission warrants the support of the people of the United States towards the end that the completion of an objective study enhances the probability of agreement on and implementation of recommendations concerning the future retention and management or disposition of the public lands so as to assure, in the words of the statute establishing the Commission, "that the public lands of the United States shall be (a) retained and managed or (b) disposed of, all in a manner to provide the maximum benefit for the general public"; and

Be it further resolved that the Public Land Law Review Commission be and it is hereby memorialized to continue to pursue its program of obtaining the views of the people of the United States concerning retention and management, or disposition, of the public lands and their resources.

II. REAFFIRMING STATES' JURISDICTION OVER FISH AND WILDLIFE MANAGEMENT

Whereas since colonial times in this country, the ownership of wildlife, by law, history and tradition, has been separated from the ownership of the land, in contrast to the European system in which the landowner owns the game thereon; and

Whereas it has been held by the U.S. Supreme Court that all species of wildlife are held in trust by the individual States for the people of each State, the principal exception to this rule arising under the treaty-making power of the United States which makes the migratory bird treaties and federal legislation dealing with migratory birds pursuant to and limited by said treaties the supreme law of the land and

Whereas contrary to Supreme Court decisions and dictates of sound unified fish and game management policies, the Solicitor of the Department of the Interior has held, and the Secretary of the Interior, Stewart L. Udall, has concurred therewith, that the federal government has full and exclusive power and control over both migratory and resident wildlife on all federally-owned land:

Now, therefore, be it resolved that the National Governors' Conference reaffirms the basic right of the States to conserve, manage and regulate the use and harvest of resident species of fish and game on all lands, including those lands owned by the federal government, within each individual State on which said jurisdiction has not been relinquished to the federal government; and

Be it further resolved that, to prevent further encroachment upon the States' responsibilities in the management of wildlife and fish resources, the following basic policies be adopted; the federal government, through existing international treaties and agreements, bears direct responsibility and jurisdiction over specified migratory birds, certain endangered species, basic research, certain oceanic resources, and fauna of certain territorial lands beyond the continental United States, and fish and resident species of wildlife are and should remain state resources under the direct jurisdiction and responsibility of the individual States; and

Be it further resolved that the National Governors' Conference supports the basic tenets of H.R. 8377, introduced in the First Session of the 90th Congress, which purports to declare and determine the policy by the Congress, with respect to the primary authority of the several States to control, regulate and manage fish and wildlife within their territorial limits.

III. Advance Federal Planning for Future Highway Programs

Whereas, the National System of Interstate and Defense Highways is now more than 60% completed and is providing this nation with the safest and most convenient highway network ever developed; and

Whereas, current progress on the interstate system indicates that it will be essentially completed by 1972; and

Whereas, there is widespread recognition by state highway administrators, federal highway administrators, and the general public of the need for a continuing highway program to augment the complete interstate system; and

Whereas, the planning and development of such a supplemental system will require many years of lead time; and

Whereas, the several state highway departments have submitted to the Department of Transportation their plans both for the completion of the interstate system and the supplemental highway system after the interstate system is completed; and

Whereas, the Governors of this Nation's States recognize the urgency for obtaining federal guidance relative to the future highway program:

Now, therefore, be it resolved that the Congress be urged to enact at the earliest possible moment such legislation as will provide the necessary guidelines for future highway planning, construction and maintenance, and will provide for the supplementation of the National System of Interstate and Defense Highways beyond the currently authorized program to meet the future highway needs of this Nation; and

Be it further resolved that copies of this Resolution be submitted to the Congress, to the Secretary of the Department of Transportation, the Federal Highway Administrator, and the state highway executives of the several States.

IV. World Governors' Conference

Whereas for the past six years the National Governors' Conference has conducted a series of highly successful exchange visits with members of the Japanese Governors' Conference, to the mutual advantage of both groups of Governors; and

Whereas during the past decade there have also been visits to other countries under the auspices of the National Governors' Conference including Argentina, Brazil and Mexico; and

Whereas these person-to-person contacts at the gubernatorial level have a significant influence in bringing about better understanding among the peoples of the world and in fostering international amity; and

Whereas Governor John Connally "HemisFair 1968" and the San Antonio Chamber of Commerce have graciously indicated their willingness to serve as hosts to a World Governors' Conference at San Antonio during the course of "HemisFair 1968":

Now, therefore be it resolved by the National Governors' Conference that such a World Governors' Conference be held under its auspices in San Antonio, Texas, in the month of May 1968; and

Be it further resolved that the newly-elected Executive Committee and the staff be instructed to implement this resolution in cooperation with Governor Connally the officials of "HemisFair 1968" and the San Antonio Chamber of Commerce.

V. State Coordination of Federal Assistance Programs

Whereas, the geographical areas of major problems facing local governments today go beyond the boundaries of single local jurisdiction; and

Whereas, the States bear the primary responsibility for coordinating all forms of technical and financial programs to insure the optimum final benefits in services and facilities; and

Whereas, there are now more than forty federal assistance programs to local government jurisdictions that provide for no involvement by state governments:

Now, therefore, be it resolved that the National Governors' Conference requests that any new federal-local assistance programs adopted by the Congress be drafted so that the interest and participation of the States be included and that remedial legislation be adopted to give the States a participating interest in existing federal-local assistance programs that by-pass the States.

VI. Implementation of Part I of the Report of the Committee on State and Local Revenue

Be it resolved by the National Governors' Conference that:

1. The Joint Funding Simplification Act introduced August 28, 1967 should be enacted without delay.

2. Authorizations for federal support of planning in States and communities should be increased to facilitate comprehensive planning over the spectrum of state and local governmental activities. Grants should be made not to specified state or single "planning" agencies, but as determined by the Governors.

3. The more than two hundred demonstration or innovational grants now authorized should be consolidated into a single demonstration grant authority for each department and independent agency of the national government having substantial intergovernmental programs.

4. The U.S. Bureau of the Budget should develop general guidelines for the specifications of grant-in-aid formulas and their matching ratios.

5. A detailed study should be made of the existing major grant programs with a view to (a) simplification of present grant provisions; (b) elimination of grant program standards and requirements which are outmoded or unduly restrictive; (c) authorization for consolidation of state plans for closely related programs where several such plans are required as a condition of aid.

a. We also recommend that the national government undertake, in cooperation with the National Governors' Conference, a study of present public welfare programs.

b. We propose a joint study of educational needs and finances by the Education Commission of the States and the U.S. Department of Health, Education, and Welfare.

c. We recommend that forthright steps be taken to correct overlaps and conflicts between existing federal programs for water supplies and liquid waste disposal.

d. We recommend elimination of all categorization and earmarking from the vocational education programs, to provide in effect a single vocational education grant.

6. The Committee recommends a further study of categorical aid programs to determine if there are some that are no longer necessary for the national purpose, and that might properly be replaced by block grants or a general support grant in the interest of greater efficiency, economy and local determination.

VII. Highway Trust Fund Allocations

Whereas, the federal aid highway system is vital to the defense of our Nation and its economic development in terms of transportation of goods and materials and insuring a mobile society, as conceived by the executive branch of government in 1956 and supported by both Democratic and Republican members of Congress to end the haphazard planning of road construction and proceed on a regularly scheduled and orderly basis; and

Whereas, it is essential to the national defense and the overall economy of each State and the Nation as a whole that the federal aid highway program be allowed to continue as originally conceived; and

Whereas, every State in the Nation has geared its overall planning and appropriations according to the anticipated apportionments previously announced in good faith; and

Whereas, any delays in scheduled releases of federal funds for this program increases the overall cost of the highway system to both the federal government and the respective States, and adversely affects the economy of our States and the Nation; and

Whereas, the Congress did establish a special trust fund composed of the annual receipts from the Federal Gas Tax and other taxes to finance the interstate and defense highways systems; and

Whereas, the Secretary of Transportation on October 8th announced that it may become necessary to impose reduced ceilings on the federal aid highway program in the immediate future; and

Whereas, the Secretary of Transportation, on the other hand, as recently as August 31, 1967, announced a warranted increase in the apportionment of federal aid highway funds for fiscal 1969 of $4.8 billion, up from the $4.4 billion announced for fiscal 1963:

Now, therefore, be it resolved that the National Governors' Conference urge the President to exhaust all alternative remedies to attack the problems of inflation, high interest rates and unbalanced federal budgeting before any reduction of Highway Trust Funds be considered.

VIII. Forest Fire Fighting

Whereas, in most instances and in most years the several States have been able to handle their fire fighting problems adequately; and

Whereas, in major emergency years such as 1967, the resources of the States, particularly in the sparsely populated areas of the West, become quickly exhausted both in manpower and money; and

Whereas, the federal government, which is the majority landowner in most Western States, has vastly superior resources for use in times of emergencies; and

Whereas, the Corps of Engineers under Public Law 84-99 has rendered invaluable services to the States in times of flood crisis; and

Whereas, these same services are vitally needed by the States from the Bureau of Land Management and the U.S. Forest Service in times of fire crisis:

Now, therefore, be it resolved by the 1967 National Governors' Conference that the U.S. Congress should enact legislation before the 1968 fire season, to provide a law similar to P.L. 84-99 which would make available to the States the services and resources of the BLM and Forest Service when fires become beyond the control of the abilities and resources of the States to handle adequately; and

Be it further resolved that copies of this resolution be sent to the President of the United States, members of Congress, the Secretaries of Agriculture and Interior, and all other persons concerned with enactment of this proposed legislation.

IX. NATIONAL GUARD

Whereas, it is the desire of this National Governors' Conference to reaffirm the responsiveness of the National Guard to a primary Federal Mobilization mission, while, at the same time, recognizing the traditional and historic dual mission of the National Guard to maintain internal security and protect the lives and property of our citizens during either natural or man-made disasters in which capacity the National Guard has rendered outstanding service; and

Whereas, the Department of the Army has made a troop allocation for the reorganization of the National Guard, now approved by the United States Congress, which will eliminate 30 per cent of the company sized units in the present Army National Guard; and

Whereas, this approved plan will culminate in a cumulative reduction since 1958 of 50 per cent of the units and substantially reduce command capabilities and effectiveness of the National Guard in each State:

Now, therefore, be it resolved by the 1967 National Governors' Conference that the Congress be memorialized to give full consideration, consultation and hearing to the States in the next appropriations, and that these now severed National Guard units and combat brigades be restored to the National Guard of the respective States; and

Be it further resolved by the 1967 National Governors' Conference that the Congress consult the States before any future changes in size and organization of the National Guard will be made.

X. CIVIL DISORDERS AND LAWLESSNESS

Whereas, during the past two years a tragic series of disorders have plagued our Nation, turning the streets of our cities into battlegrounds and resulting in the loss of life and destruction of property; and

Whereas, the occurrence of crime of all types in the United States is showing a tendency to increase; and

Whereas, one of our colleagues, Governor Otto Kerner of Illinois, is currently chairman of a committee appointed by the President of the United States to investigate the basic causes of violence and unlawfulness; and

Whereas, this Conference has received and considered the excellent report prepared by the committee headed by Governor John Dempsey of Connecticut:

Now, therefore, be it resolved that the Governors of the several States meeting in the National Governors' Conference and being fully cognizant of the obligation of the States do hereby affirm that:

1. The enforcement of law and the preservation of order is primarily the responsibility of local and state governments.

2. We will strengthen all efforts at state and municipal levels to prevent incidents of disrespect for law and order.

3. Each State should immediately re-examine its own laws to ascertain if current statutes are adequate to deal with civil disorder and crime and that, where necessary, laws should be strengthened and revised.

4. All Governors should immediately determine as an immediate step that the police forces of the respective States and municipalities and the National Guard are well trained to cope with civil disorder.

5. The first obligation of the state and municipal governments in the event of civil disorder is to restore and maintain peace and order by the use of whatever force is reasonably necessary.

6. While seeking immediate short-range treatment of the symptoms, we pledge ourselves to seek the long-range answers to cure the basic causes of crime and civil disorder so that the malice and hatred which a reckless few would use as a torch to ignite civil disorders amid the wretchedness and squalor of our ghettos and slums would no longer find a foothold in these neighborhoods.

7. We recognize that the most effective long-term answer to problems of lawlessness and disorders lies in education and the providing of employment opportunities to the masses of our people.

8. While the primary obligation for the combatting of crime and the prevention of riots and disorder lies with state and local governments, there are many aspects of the problem which transcend state lines and which require effective treatment by the federal government. We pledge ourselves as Governors to seek effective control by the federal government and effective cooperation by the state and local governments with the federal government in the control of the interstate traffic in narcotics and other contraband material, the interstate operation of criminal syndicates and the interstate movement of those who make a profession of inciting and creating civil strife, disorder and lawlessness.

XI. CONSTITUTIONAL REVISION AND GOVERNMENTAL REORGANIZATION

Whereas, the genius of the American form of government has been our federal system; and

Whereas, there is now a determination on the part of all state governments to strengthen the federal system and respond to the problems within the States; and

Whereas, in order for the States to maintain their proper position in the federal system and provide the necessary services to their citizens it is vital that both their constitutions and governmental organization be adequate; and

Whereas, the Study Committee of the National Governors' Conference on Constitutional Revision and Governmental Reorganization has submitted a report which sets forth current developments in constitutional revision and governmental reorganization and sets guidelines for action; and

Whereas, it is desirable that there be further study of state constitutional revision and governmental reorganization by the National Governors' Conference, particularly in the area of the executive article and executive organization:

Now, therefore, be it resolved that the Study Committee on Constitutional Revision and Governmental Reorganization be continued; that it particularly study a model state constitutional executive article and model state executive department organization for both large and small States and the most effective means for accomplishing these ends; and

Be it further resolved that this Study Committee submit a written report to the next annual meeting of the National Governors' Conference.

XII. REGIONAL AND INTERSTATE COOPERATION

Whereas, the report of the Committee on Regional and Interstate Cooperation has drawn attention to the wide variety of cooperative mechanisms, for achieving better program coordination among and between the States, and the Committee also has suggested many useful and innovative applications of these mechanisms in several fields of major concern to state government; and

Whereas, the work accomplished by this Committee during the past year underscores the opportunities and challenges which exist for the States to sustain a role of imaginative leadership in identifying opportunities for creative utilization of the tools for intergovernmental cooperation available to us within the federal system:

Now, therefore, be it resolved that the National Governors' Conference approves the exploratory work of our Committee on Regional and Interstate Cooperation and urges the Executive Committee to continue this study, by special committee or otherwise, exploring the full range of opportunities for cooperation across state lines.

XIII. STATE-URBAN RELATIONS COMMITTEE

Be it resolved by the National Governors' Conference that the Report of the State-Urban Relations Committee be approved, and that implementation of the Committee's recommendations, including continuation of the Committee for another year, be considered by the newly-elected Executive Committee.

XIV. RETIRING GOVERNORS

The National Governors' Conference pays tribute to its distinguished colleagues, Governor Edward T. Breathitt of Kentucky and Governor Paul B. Johnson of Mississippi, who, because of constitutional limitations on gubernatorial succession, will not be in office at the time of our 1968 annual meeting.

We salute Ned and Paul for their significant contributions to the National Governors' Conference and extend to them our very best wishes.

XV. GOV. LURLEEN WALLACE

Be it resolved by the National Governors' Conference that those members in attendance at this 59th Annual Meeting express their sincere regret that the illness of Governor Lurleen B. Wallace prevented her attendance at the Conference and that we send our best wishes and hopes for her early and complete recovery.

XVI. APPRECIATION

Whereas, the National Governors' Conference has been privileged to hold its 59th Annual Meeting aboard the S.S. Independence and in the Virgin Islands during the commemoration of the Islands' 50th Anniversary under the flag of the United States; and

Whereas, the Governors' 1967 Annual Meeting has been particularly outstanding, both substantively and socially—a result of unmatched Conference planning and coordinating efforts on the part of the Virgin Islands' Host Committee and numerous other individuals and organizations:

Now, therefore, be it resolved that the Governors and their official parties, guests, who have had this unique opportunity to participate in a highly rewarding business program and to visit the delightful Emerald Isles, express their deep appreciation for this memorable occasion:

A very special tribute is extended to our colleague, Governor Ralph M. Paiewonsky and his charming First Lady and to the Host Committee. We are grateful for the fine support of the Virgin Islands' Legislature, and we express our genuine appreciation to the people of the United States Virgin Islands for their warm welcome and gracious hospitality.

We wish to record our sincere appreciation to officials and staff of the American Export Isbrandtsen Lines and to the personnel of the S.S. Independence who have labored diligently in caring for our needs.

The National Governors' Conference salutes its retiring Chairman, Governor William L. Guy, and his Executive Committee for their outstanding leadership and guidance during the Conference year 1966–67.

We also wish to acknowledge the exceptional fine work accomplished this past year by our study committees, and express our gratitude to the Carnegie Corporation and to the Ford Foundation for their financial support of special research efforts of the National Governors' Conference.

The communications facilities, so essential to us at a conference of this nature, were ably provided; and we are grateful to RCA Communications, Inc., ITT, the Virgin Islands Telephone Company, Xerox Corporation, International Business Machines, and the Royal Typewriter Company for their services.

And we convey thanks to our news media friends for their fine work and attention to the 59th Annual Meeting of the National Governors' Conference.

SUPPORT BY THE AERONAUTICAL MACHINISTS FOR THE ARMED FORCES

Mr. TALMADGE. Mr. President, most Americans were outraged recently when about 55,000 demonstrators descended on Washington and virtually stormed the Pentagon in protest of our involvement in Vietnam.

There can be no doubt that because of this shameful display of anti-Americanism, our enemies were given aid and comfort and the war was prolonged. Recently my attention was called to a splendid resolution adopted by the Aeronautical Machinists Lodge No. 709, of Marietta, Ga., expressing support for our Armed Forces in Vietnam and denouncing people and movements which would undermine our Government.

I bring this very fine resolution to the attention of the Senate and ask unanimous consent that it be printed in the RECORD.

There being no objection the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION

Whereas, our troops are scattered over the globe in order to defend this Nation, and

Whereas, our sons, brothers, kinsmen, friends and neighbors are facing grievous injury and death daily in Vietnam in defense of this Nation, and

Whereas, highly publicized group efforts to undermine the position of our troops must necessarily give aid and comfort to the enemies of this Nation,

With full understanding that the right of legal dissent, must be protected in order to preserve the rights of all, be it hereby

Resolved that Local Lodge 709 of the International Association of Machinists and Aerospace Workers is in positive and unalterable opposition to all individual and group efforts to undermine, weaken or reduce the effectiveness of our Armed Forces in Vietnam and/or our Armed Forces in all other parts of the world. Be it further

Resolved that Local Lodge 709 fully supports our Armed Forces in Vietnam and our Armed Forces in all other parts of the world.

PRESIDENT GIVES NEW DIRECTION TO WAR ON WORLD HUNGER

Mr. McGOVERN. President Johnson's report to Congress on America's food aid program for 1966 underscores the depth of our commitments to eliminating the scourge of world hunger.

As the President stated in his message to Congress, America's war on hunger "has meant the difference between life and death for millions all around the world."

The productivity of America's farmers and the generosity of our people have provided the staff of life to people in 116 countries containing almost half the world's population.

Yet, despite our efforts over the past 12 years, hunger still faces much of the world each morning. To reverse the trend in the race between population and food supply, President Johnson gave new direction to our food aid program in 1966.

Emphasis was placed on self-help by recipient nations. Help was provided to nations desiring population control programs. The food aid program was carefully integrated into our overall assistance program. Self-sufficiency was stressed. And the common effort of the world community was enlisted to meet a common challenge.

I have been especially pleased that restrictions on our food use abroad have recently been lifted.

Our program gives us reasons to hope, along with President Johnson, that "working together with rich nations and poor, all equally determined that mankind will conquer its oldest enemy, we will win the war on hunger."

I ask unanimous consent to insert into the RECORD the President's message transmitting his report to Congress on our food aid programs during 1966.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

To the Congress of the United States:

I am pleased to transmit to the Congress a report of our food aid programs during calendar year 1966.

This report marks a year in which the productivity of American agriculture and the generosity of the American people have done much to help others to help themselves.

Food and fiber valued at $1.5 billion were provided to needy people in more than one hundred countries. Since 1954 the United States has provided almost $16 billion in farm products to 116 countries which together contain almost half of the world's population.

To millions of human beings, this sharing has meant survival in the face of drought or other natural disaster. To countless children it has meant freedom from the weakness, disease, and mental retardation which are the tragic consequences of malnutrition.

In 1966, however, United States food aid programs entered a new and more critical stage. The world's food problem was growing—not diminishing. Despite our efforts, serious food shortages threatened many countries. The problem of feeding rapidly growing populations was compounded by serious drought in India and Pakistan—the worst drought on the South Asian subcontinent in this century.

The world faced two related problems:

To stimulate agricultural production in the food-deficit countries so that they will eventually be able to grow their own food, or to buy it through the normal channels of world commerce; and

To provide direct food shipments sufficient to ward off starvation and severe malnutrition during the interim period until the deficit countries achieve self-sufficiency.

After a long and careful study, the United States undertook to carry its share of the burden in a worldwide War on Hunger. I sent to the Congress a special message proposing that the United States lead an all-out effort to reverse the dire trend in the race between world population and world food supply. The response of the Congress gave us the tools to wage that war.

There are *six* main elements of the new strategy.

Emphasis on self-help. The War on Hunger must be fought and won within the countries where hunger exists. Our food aid and other forms of assistance must go primarily to those who do the most to help themselves. The key to victory over hunger is self-help.

Policy for a non-surplus era. In the past, our food aid programs have been based on the existence of food surpluses in the United States. These surpluses are gone. Until the less-developed countries are able to provide for themselves, our domestic farm programs must be geared to ensure that we produce enough to meet pressing foreign needs as well as the demand here at home.

Population programs. Rapid population growth can make the dream of plenty a nightmare of famine. This is an enormous problem. It is clearly a matter for the conscience of each family and each nation. We will never dictate an answer, nor intrude on the decision others must make for themselves. But many countries have voluntarily decided that the time has come to confront the population challenge. We stand ready to respond to the requests for help from these nations in formulating and carrying out effective programs.

Integration of all U.S. assistance programs. Relief from immediate suffering is only part of the War on Hunger. It gives precious time and strength for a large task. The developing countries must use this time to gather the resources and skills to improve their agricultural production so that they can ultimately stand on their own feet. This is the goal of our technical and economic assistance. Clearly, our food aid must be closely related to these other forms of help in a single, carefully integrated approach to the entire food problem.

Increased private investment. There is no easy or simple answer to the scourge of poverty and hunger. No single program, no single plan, and no single government holds the key. We must marshal the sum of our experience. We must bring to bear more and more the capital and know-how of private enterprise—both in the United States and in the developing nations themselves.

A multi-national effort. The food deficit is a world problem. Developed nations must join in an international undertaking to combat hunger and modernize agriculture. The United States cannot shoulder this responsibility alone. In meeting the world's food needs, the common interest lies in common effort. In sum, we propose to enlist the very best talent—private and public, of all nations, rich and poor.

As I have stressed, our own food aid is only a part of a wider attack on the causes of hunger. We made effective use of this new approach in the Sales agreements signed in 1966. In the program with India, for example, our food assistance complements India's own strenuous measures to increase agricultural production. We also made a special effort to encourage help to India from other developed nations.

We seek new agreements with other countries in the same spirit. Our goal is to achieve both self-help in the developing countries and close integration of our own aid with the assistance of other wealthy countries.

The developing nations are helping themselves. Given a critical margin of capital, technical skill, and interim food shipments from the advanced countries, the threat of mass hunger will eventually diminish. Over the past twelve years, PL 480 has meant the difference between life and death for millions all around the world. That challenge and that momentous obligation are still with us.

I know that Americans have the dedication, the patience, the skills, and the wisdom to see the job through. Working together with rich nations and poor, all equally determined that mankind will conquer its oldest enemy, we will win the war on hunger.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *November 6, 1967.*

CRIMINALITY AGAINST LITHUANIA POINTS UP NEED TO RATIFY GENOCIDE CONVENTION

Mr. PROXMIRE. Mr. President, a number of my constituents in Wisconsin are Lithuanians who today breathe the air of freedom in America but recall with deep sadness the tragedy of the Soviet-planned genocide of their tiny Republic.

These wonderful Lithuanian people, now making contributions to the United States in culture, science, business, and other fields, still hope and pray for the liberation of their homeland from the subjugation of the Communists. They ask our support in this just cause of freedom for all nations and all people.

As World War I was ending, and coincidental with President Woodrow Wilson's proclamation of the right of all nations to self-determination, the Lithuanian National Council, as the representative body of the Lithuanian nation, on February 16, 1918, proclaimed Lithuania a free and independent democratic Republic.

These dedicated people quickly went to work to rebuild their ancient, war-ravaged land. They established land reform measures and modern ideas for agriculture and the tiny Baltic nation began to prosper.

Despite the plight of a country pillaged by 120 years of czarist rule, the hardy Lithuanians cheerfully went to work to rebuild a happier life for themselves and their children. The country's agricultural production figures rose steadily as formerly landless peasants became farmowners through land reform. The Government gave its people full assistance and complete encouragement.

The move toward unprecedented achievements was ground to a halt as Nazi Germany and Soviet Russia began taking political steps toward the ultimate division of Lithuania and other neighboring states.

Tragedy struck on June 15, 1940, when the Soviet Red armies invaded and occupied Lithuania, throwing into jail the lawful government and substituting a puppet regime. The proud nation was "sovietized" and absorbed into the Soviet Union—all without the consent and against the will of the Lithuanian people.

On July 23, 1940, the United States issued a strong worded denunciation of the "devious processes" employed by Soviet Russia to overpower and seize its smaller neighbors.

Our country has never recognized the Soviet seizure of Lithuania and continues to recognize independent Lithuania as an existing state temporarily under foreign duress.

Communism in its crudest form is being forced on the people of Lithuania by the Reds. There is abject poverty with deprivation of hard-earned land and property, isolation from the free world because of the Iron Curtain, and servitude with no personal rights in this Soviet colonial empire.

The Lithuanian nation lost a sizable portion of its population as a result of this Soviet-planned genocide.

The Soviet slew some 285,000 Lithuanians. They seized approximately 400,000 men, women, and children in a series of raids and horrifying deportations to Siberia and the innards of Russia. Records show, covering 1944 to 1953, that more than 100,000 freedom fighters perished in the struggle with Russia's military forces.

From 1940 until the present, the Communists exterminated approximately 1 million Lithuanians. That is a dreadful genocide executed by the Russians against one small nation.

Lithuania had enjoyed a growing international trade during her independence. The Soviet occupation reduced this nation to the status of a foreign colony within its empire. All land, enterprise, and property were swallowed up by renationalization by the Soviet state. Some 300,000 Lithuanian farms were lumped into 2,000 "kochazes" and "sovchazes" which became nothing but estates operated by the Red masters.

The result? Agricultural production, stifled by the lack of individual initiative, dropped swiftly. Farm and livestock production tumbled disastrously. Whatever production remains is marked for shipment to Russia. The industry and private enterprise, also changed by nationalization, brought the opposite of desired results.

Lithuania still looks to the free world for support in demanding the complete withdrawal of Soviet armed forces, police, administrative apparatus, and personnel. It cannot oppose the might of the Communist forces.

We do a great disservice by our continuing failure to ratify the Convention on Genocide which has been in the Committee on Foreign Relations for 18 years.

The people of Lithuania have still not lost faith in America. We must meet that faith.

THE MAINTENANCE OF LAW AND ORDER

Mr. TALMADGE. Mr. President, the current edition of the Prosecuter, the journal of the National District Attorneys Association, contains an excellent discussion of the rioting during the past summer in numerous American cities. One of the participants in the forum was Lewis R. Slaton, the solicitor general for the Atlanta Judicial Circuit.

Mr. Slaton, who has gained widespread recognition and respect for the outstanding law enforcement work he is doing in Atlanta and Fulton County, laid his finger on what I believe to be our principal concern right now. Mr. Slaton said:

> The first order of business for government is to maintain law and order. . . . It is as equally important that those who violate the laws in the riotous disturbances be prosecuted to the full extent of the law, both to impress upon them that they have violated a law and to demonstrate to the public that there is not safety in numbers in the violation of our laws.

Mr. Slaton said he had determined that the predominant cause of these riots is the lack of respect for law and order among vast groups of citizens. I share this view, and I believe it is generally held throughout the ranks of our many fine law enforcement officers in this country.

I bring Mr. Salton's excellent discussion to the attention of the Senate and ask unanimous consent that it be printed in the RECORD.

There being no objection, the discussion was ordered to be printed in the RECORD, as follows:

REMARKS OF LEWIS R. SLATON

In the past two years there have been three "spontaneous" riots in Atlanta and one planned riot that was quelled at its inception. In 1966 two of the riots occurred within one week's time. As a result of the 1966 riots, 131 persons were arrested, charged with various violations of the law. Twenty nine of these were indicted for the offense of Riot under the Georgia law and now await trial. Riot is a misdemeanor in the State of Georgia with a penalty of twelve months in the penitentiary and a $1,000 fine as a maximum punishment. After the 29 people were ordered held for the Grand Jury, one of those brought suit in Federal Court, seeking to have certain Georgia laws and the disorderly conduct ordinance of the City of Atlanta declared unconstitutional, and seeking further to have certain officials restrained from actions alleged to have a "chilling effect" on plaintiffs' activities in exercising their fundamental rights. He brought this suit for himself and for the organization known as SNCC which is headquartered in Atlanta, as a class action. It was alleged that there was a plan or scheme to deny plaintiffs the right to eliminate all forms of racial segregation. The style of the case was Stokely Carmichael and Student Non-Violent Coordinating Committee, Plaintiffs, vs. Ivan Allen, Jr., Mayor of the City of Atlanta; Herbert T. Jenkins, Chief of Police; Lewis R. Slaton, Solicitor General, etc. The plaintiffs relied principally upon *Dumbrowski v. Pfister*, 380 U.S. 749, as to the "chilling effect upon the exercising of First Amendment rights", and *Herndon v. Lowry*, 301 U.S. 732, and *Wright v. Georgia*, 373 U.S. 284, to seek to declare vague and unconstitutional the unlawful assembly statute, the insurrection statute, and the circulating insurrectionary papers statute. No temporary injunction was issued, and while the matter was awaiting a hearing the Grand Jury returned indictments of "Riot" against Plaintiff Carmichael and 28 others, including several members of the Student Non-Violent Coordinating Committee. After a 3-day hearing in Federal Court before a 3-Judge panel, the Court took the case under advisement and three months later issued a judgment declaring all of the aforesaid statutes unconstitutional except the Riot statute. Georgia's riot statute reads as follows:

"Riot . . . Any two or more persons who shall do an unlawful act of violence of any other act in a violent and tumultuous manner, shall be guilty of riot and punished as for a misdemeanor."

The Court in its opinion said in part, as to the riot statute, the following: "Plaintiffs content that this statute is void on its face and thus deprives them of liberty without due process of law if sought to be enforced in a criminal case, because it is too vague and uncertain to set any ascertainable standard of guilt. The argument is that even if the Legislature could properly define the crime of riot so as to reach "any two or more persons who shall do an unlawful act of violence", the Legislature could not make guilty of the crime of riot those who might fall within the remaining language of the section "or any other (presumably legal) act in a violent and tumultuous manner." They say that the Legislature simply has not the power to punish a *lawful* act done in a violent and tumultuous manner. "It is not difficult to imagine a number of lawful acts done in a 'violent and tumultuous manner' that would obviously be beyond the proper reach of such a statute . . ." ". . . It also follows from the fact that the acts charged in the indictments before the Court, regardless of whether these indictments ultimately result in conviction or acquittal, describe the 'hard core' conduct that would obviously be prohibited under a limiting construction of the riot statute, and one hereafter to be made by the Georgia Courts . . . It is apparent that the actual indictments against the named plaintiffs and the others said to arise out of the occurrence on September 6 and 10 came within the first part of the riot statute in 'two or more persons who shall do an unlawful act of violence'. There is little doubt that in the long history of riot as a common law crime, the conduct charged would come within a possible permissible constitutional construction of the statute by the State Court. We, therefore, abstain from any determination as to the constitutionality of this section of the Georgia criminal code."

Plaintiffs have filed a notice to appeal to the United States Supreme Court, which notice was thereafter dismissed in June of 1967.

While the case was still pending, the Georgia General Assembly passed an "Incite to Riot" statute drafted by this office, to make it a misdemeanor offense for any person who, with intent to cause a riot, does an act or engages in conduct which urges, counsels or advises others, at a time, place and under circumstances which produce a clear and present danger of a riot. Since at the time this statute was passed, the riot statute was on appeal and only called for misdemeanor punishment, it was thought advisable to make "Incite to Riot" a misdemeanor also. We expect the General Assembly in January to make both Riot and Incite to Riot a felony in the State of Georgia.

The above has been called to your attention because a strict construction of some of the riot statutes in the country will probably fall as did a portion of that of the State of Georgia. However, when these indictments were prepared, the weakness of the portion of the riot statute which called for "or any other act in a violent and tumultuous manner" was recognized, and actual unlawful acts were specified in the indictment.

In 1967 we had another riot and another planned riotous disturbance. By moving in promptly the disturbance was stopped immediately and the riot caused very little damage other than to City vehicles. The property damage in the September 1966 riots was held to a minimum and there were no deaths that ensued during the several days of disturbances. A policeman shooting a fleeing fugitive started the September 6th riot. The rumors were voiced over the radio and through sound trucks that the policeman had killed the fugitive, which was not true. The fugitive was later prosecuted and sent to prison. The September 10th riot was started by a white man killing a Negro youth a few blocks from the scene of the first riot. This white man was later prosecuted and sent to prison for life. The 1967 riot was started by objections to arrest by police officers. One person was killed during this riot. The only property damage suffered was to police vehicles. All of the above riots could easily have resulted in a great amount of property damage and great loss of life, because at the scene of each there were many known instigators to feed the fires of mob action.

Atlanta is in the forefront in its efforts to eliminate slum conditions and in its efforts to decrease the so-called unemployment rate. None of the above disturbances took place in our worst slum areas and our unemployment rate is negligible as evidenced by the fact that we now have a program to allow misdemeanor prisoners to work during the day and we do not have enough eligible misdemeanor prisoners to support the demands from employers. Any able-bodied person in Atlanta who wishes to work can find employment. However, we have many of our people who do not wish to work or who wish to work only part-time and desire to spend their leisure time hanging around corners to look for trouble.

It is not my purpose to dwell on the causes of riots in detail, but I have determined to my own satisfaction that the predominant cause is the lack of respect for law and order among vast groups of citizens. These groups resent authority in any form and the police being objects of authority are beleaguered with charges of police brutality in making arrests or enforcing the law and hindered and handicapped in every manner possible by this segment of our population. In this field we are trying to alleviate this feeling as rapidly as possible. The Atlanta Police Department has established a Crime Prevention Bureau, assigning certain police personnel to the Economic Opportunity Centers in poverty communities, who work partly as job counselors and advisors and as social workers, then as law enforcement officers if necessary. They investigate complaints of malicious mischief, petty larceny, missing persons, stolen vehicles and all juvenile cases. They try to find a solution without an arrest whenever possible and have taken a page out of the Juvenile Court Manual by making this bureau a correctional agency rather than a punitive one. Their vehicles are equipped with loudspeakers, record players and sprinkler heads. They can close off a street to vehicular traffic, and hook up a sprinkler head to a fireplug and turn on a shower for the children.

There are several groups of citizens in our riot-prone areas who have formed into committees and are working with public officials to keep down disturbances and to provide a forum for the communication of ideas. Recently a group of young men who have been involved in difficulties with the law on previous occasions have banded together and passed out circulars in the Atlanta Stadium area, advising their friends to desist from riotous acts. Part of one of their circulars reads as follows:

"Keep Cool When the Heat's On

"Say Man . . .

"Who Gets Hurt By Riots?

"The Answer: We do!!!

"Riots Hurt You and Me, Baby. We live here. In the last month more than 50 Negroes have died in riots, over 3,000 injured, thousands put in jail. Riots hurt the people in the neighborhood most.

"Our Homes get Burned

"Our Kids get Hurt

"Our friends get locked up

"We are the ones who get killed.

"Outside instigators don't get hurt in riots—they bug out before the action starts. Don't listen to these people—listen to us. Stay out of riots . . . we don't want them."

This circular is signed by several young men, who as stated, have previously had trouble with the law. These people have taken an interest in assisting law and order to assist themselves.

At the same time it is recognized that there are no excuses for participating in group disorder in a violent manner. There are opportunities for dissent and demonstration by dissatisfied citizens, but it must be within the confines of the law and there can be no exceptions. The Atlanta Police Department and the other law officers in Metropolitan Atlanta have been drilled and trained to avoid what has been termed police brutality and to provide equal protection and service to all its citizens and visitors. We have a specially trained and equipped task force of police officers who move in wherever there is a disturbance with authorization to use whatever force is necessary to enforce the law and maintain the peace. Our Governor, our Mayor and Chief of Police and other officials have expressed themselves on the subject of maintaining law and order and the police have authority to protect themselves while enforcing the law and are not subjected to being shot at and having bottles and bricks thrown at them without being able to take appropriate action. They are authorized to use immediately all necessary force to quell any disturbance and the public is aware that they have such authorization.

Sometimes the argument is used that the use of tear gas injures innocent people. Being aware of this, our officers first give the command to clear the streets before tear gas is utilized.

Atlanta has the largest Negro population percentage-wise of any of the 25 largest cities, other than Washington, D.C. We have been blessed with good and strong leadership among our Negro citizens and are represented in the State Legislature by several Negroes; we have a Negro Police Court Magistrate and a Negro alderman. The lines of communication have been kept open, and generally the race relations are probably unequalled elsewhere. However, there is a segment of the populace who are not reached by the leaders of either race, and this is the group we are attempting to reach.

The first order of business for government is to maintain law and order. Mob action is disastrous as it takes along with it many fringe people, those who would not become involved if there were not a crowd already creating a disturbance. It is important that the public be aware that reasonable force is going to be used to quell disturbances. Too often people feel that no one can arrest or prosecute them because they would have to arrest or prosecute too many people, and that there is safety in numbers. It is equally important that those who violate the laws in the riotous disturbances be prosecuted to the full extent of the law, both to impress upon them that they have violated a law and to demonstrate to the public that there is *not* safety in numbers in the violation of our laws.

PRESIDENT JOHNSON AND THE CONGRESS STRIKE A BLOW AGAINST CRIME AND THE OBSTRUCTION OF JUSTICE

Mr. CLARK. Mr. President, last week President Johnson signed a bill which will serve as one of the Nation's bulwarks in the war against crime—the Obstruction of Justice Act.

This measure makes it a serious crime to obstruct a Federal criminal investigation through bribery, intimidation, force, or threats of force.

It will protect those innocent citizens who help their Government ferret out criminals.

The chief impact of this new law will fall on organized crime. But it will not end organized crime, nor will it end crime in the streets.

For that the President's total crime-fighting package is needed.

The Congress must act on the strong gun control bill now before it.

We must pass the Safe Streets and Crime Control Act which strengthens local police forces and local law enforcement agencies.

We must get final action on the historic poverty bill which helps eliminate the conditions on which crime and violence breed.

I congratulate the President for this strong step forward on behalf of the lives and property of our citizens. I ask unanimous consent to have printed in the RECORD the President's statement on the signing of S. 676, the obstruction of justice bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE PRESIDENT UPON SIGNING S. 676, THE OBSTRUCTION OF JUSTICE BILL

Organized crime is the shame of a modern nation.

It mocks every concept of an ordered and just society.

It is a disgrace that hobbles our progress, as its influence spreads into businesses and threatens the home of private citizens.

The files of our federal law enforcement agencies document a series of incidents which should shock all Americans:

Citizens brutally beaten with baseball bats.

Men and women burned and maimed by blow torches.

Families terrorized, homes invaded, and lives threatened.

Why?

Because these citizens gave federal officials information to expose suspected criminals.

These outrages obstruct our system of federal criminal justice.

They frustrate our efforts to root out the underworld.

But because the federal government did not have the necessary federal law, the government has been powerless to act.

Today there are strict federal penalties for those who coerce, intimidate, harass, or attack a witness once court action has begun.

But it is not a federal crime to commit these same brutal acts during the investigation preceding trial.

Last February, in my Message on Crime in America, I urged the Congress to promptly correct this omission in our laws.

The bill I signed last night—S. 676—corrects this omission and closes that loophole.

Now, for the first time, it will be a serious crime to obstruct a federal criminal investigation through bribery, intimidation, force, or threats of force.

This measure will impose strict sanctions against all who hamper the work of federal law enforcement.

But its chief impact will fall on organized crime—those corporations of greed and corruption that infect our society.

This bill will not banish organized crime.

That will not happen until all Americans roll up their sleeves in righteous anger, determined to remove this blot from our midst.

But this bill will help.

It will help break the racketeer's grip of fear which forces citizens to remain silent and permits crime to go unpunished.

S. 676 is an important part of our continuing work to improve the machinery of law enforcement.

This vital work will be furthered when the Congress enacts two other bills I proposed last February in my Crime Message. These measures are essential to the control of crime in America. I again urge the Congress to join me in the war against crime by making these bills the law of the land.

They are:

The Safe Streets and Crime Control Act—the most comprehensive measure ever devised to strengthen the power of local communities across America in enforcing the law and administering criminal justice. For in our system law enforcement has always been—and must remain—a local responsibility.

The State Firearms Control Assistance Act—to keep deadly and dangerous weapons out of the wrong hands so that our homes and families and children can be protected.

Violations of law and order—in whatever form—erode the roots of society.

All Americans must recognize that it is not enough to complain about the fact of crime, or lament its statistics.

For we know that crime will yield not to cries of woe—but to responsible action.

The work of fighting crime ranks as one of the most pressing responsibilities of the nation's communities.

We are committed to the cause of preventing crime where it can be prevented.

We are committed no less to the task of bringing to justice—fairly and swiftly—those who break the law.

The measure I signed helps move us closer to these goals.

JOHN NANCE GARNER

Mr. GRUENING. Mr. President, I have a warm feeling toward John Nance Garner, Vice President during the 8 years of President Franklin Delano Roosevelt's first two terms in the Presidency. One reason for this feeling is his prompt acceptance of my invitation to him back in 1949 to be one of a nationwide committee of 100 that I was organizing to help Alaska fight its battle for statehood.

At that time, supporters of the Alaska statehood cause south of the Mason-Dixon line were scarce. I might say in passing that one of those from the Deep South who was most helpful from the very beginning was our able and distinguished colleague from Florida, SPESSARD HOLLAND. Being not only from the Deep South but generally considered a conservative, his support of statehood was particularly valuable.

To go back to Texas and this nationwide committee, there were altogether four Texans, three besides John Nance Garner who accepted my invitation. They were Oveta Culp Hobby, editor and publisher of the Houston Post and subsequently as we know, Secretary of Health, Education, and Welfare in President Eisenhower's Cabinet; Jessie Holmes Jones, distinguished financier, head of the Reconstruction Finance Corporation, and one of the outstanding Texans of his time. The other was Adm. Chester W. Nimitz, five-star admiral, who so brilliantly commanded the Pacific Fleet in our war with Japan. These renowned names helped Alaska's statehood cause greatly.

When the vote came in the House, it brought the support of four members of the Texas delegation—James C. Wright, still in Congress, representing the 12th District which is located at Fort Worth. His was one of the most brilliant speeches for statehood made during the course of the debate—and it was made extemporaneously. Two of the others, Lindley Beckworth, who unfortunately is no longer in Congress and regrettably, neither is Clark Thompson; and last but most important was the late and beloved Speaker of the House, Sam Rayburn, whose conversion to the statehood cause was of supreme importance since it was his overruling of various points of order raised against the Alaska statehood bill which preceded its passage in the House in the spring of 1958.

So I want to express this gratitude on behalf of myself and my fellow Alaskans to this great Texan who has just gone, John Nance Garner.

I ask unanimous consent that an editorial on John Nance Garner from this morning's New York Times, entitled "Son of the House," as well as a biographical sketch from the same issue of the New York Times, be printed at this point in my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Nov. 8, 1967]

SON OF THE HOUSE

John Nance Garner was a true son of the House of Representatives. He was "a thirty-year man," as House veterans call themselves. He knew and loved the House and its unique ways, and was a keen judge of its moods. When he was elected Speaker in 1931, his career reached its peak—or so he always thought, and few members of the House would disagree.

He gave up the Speakership the following year to run for Vice President on the ticket headed by Franklin D. Roosevelt. By releasing his delegates from Texas and California, he had made Roosevelt's nomination possible and opened the way for strong national leadership in a time of crisis.

Mr. Garner's willingness to strike an honorable bargain was in the best Congressional tradition. Like every master legislator, he knew that sooner or later personal ambitions, partisan passions and regional interests have to yield to some reasonable accommodation. It is such men who have made the American constitutional system work successfully for nearly two hundred years.

Mr. Garner made more skillful use of the Vice-Presidency than most occupants of that honorable but powerless office. For the first several years of the Roosevelt Administration he was a shrewd, effective worker behind the scenes in the Senate in putting through major pieces of social legislation.

Disapproving of a third term and in disagreement on other issues, Mr. Garner broke with President Roosevelt and retired from public life in 1940. His dignified years in retirement were a model of good humor and good sense.

The nation has reason to be grateful for the character and the disinterested devotion of John Nance Garner. Speaking to a young reporter several years ago, Mr. Garner said, "Remember, our Government is not run by ugly men." As passions rise over the war in Vietnam and as another political campaign approaches, Americans of every political veiwpoint would do well to recall a wise old man's homely truth.

[From the New York Times, Nov. 8, 1967]

UVALDE, TEX., November 7.—John Nance Garner, Vice President of the United States under President Franklin D. Roosevelt, died in his home here this morning. He would have been 99 years old on Nov. 22.

Mr. Garner was Vice President during Mr. Roosevelt's first two terms as President. He broke with the President, however, over Mr. Roosevelt's controversial plan to enlarge the United States Supreme Court.

Mr. Garner developed a fever yesterday and went into a coma during the night. His son, Tully, who was his only child, was at his bedside when he died. He is also survived by a granddaughter, Mrs. John J. Currie of Amarillo, and three great-grandchildren.

A funeral service will be held in Uvalde on Thursday.

INFLUENTIAL IN NEW DEAL

(By Alden Whitman)

The Texan who was the 32d Vice President of the United States was never fully happy in the eight years he spent in that office, from 1933 to 1941.

More accustomed to the Congressional committee room and the small gatherings of influential legislators, he frequently said that he had been just "a spare tire of the Government" in the first two terms of President Franklin D. Roosevelt's New Deal.

"Worst damn-fool mistake I ever made was letting myself be elected Vice President of the United States," he remarked after he had left office. "Should have stuck with my old chores as Speaker of the House. I gave up the second most important job in the Government for one that didn't amount to a hill of beans."

Although Mr. Garner disparaged his job, he was nonetheless one of the most influential men on Capitol Hill in the first years of the New Deal. Having been in the House of Representatives since 1903 and a member of its powerful Ways and Means Committee for many years, he was practiced, as few legislators were, in the intricate and offstage business of getting bills through Congress.

As presiding officer of the Senate and as Mr. Roosevelt's designated "Mr. Common Sense," Mr. Garner put his political knowledge to work in obtaining passage of New Deal legislation. He was more conservative than his President and he did not wholeheartedly approve of much of the legislation he promoted, yet personal friendship, Mr. Roosevelt and he played poker together, and party loyalty persuaded him to help gather the necessary votes and to direct legislative strategy.

BOURBON IN THE CHAMBER

Mr. Garner did most of his wheeling and dealing in a private office in the rear of the Senate chamber, to which he quietly invited key legislators to join him in what he called "striking a blow for liberty." The Vice President's excellent bonded bourbon and his persuasive, often sarcastic tongue succeeded in persuading his guests to vote his way.

However, after the election of 1936, Mr. Garner found himself increasingly out of step with Mr. Roosevelt. Their political differences reached a breaking point over the President's proposal to enlarge the Supreme Court to obtain judicial approval of New Deal statutes. The Vice President was against the plan, and when he knew how the votes were tending he told the President.

"How do you find the Court situation, Jack?" Mr. Roosevelt asked.

"Do you want it with the bark on or off, Cap'n?" Mr. Garner countered.

"The rough way," Mr. Roosevelt replied.

"All right, you are beat," Mr. Garner said. "You haven't got the votes."

Mr. Roosevelt then agreed to drop his proposal and commissioned Mr. Garner to patch up as best he could the party feuds that the Court plan had engendered.

Although the two men remained friendly, Mr. Garner was dropped from the circle of White House intimates and from the list of those who lunched with the President at his desk.

The Vice President was persuaded by his conservative friends to harbor ambitions for the White House, but these were effectively frustrated by his lack of touch with organized labor, especially its militant leaders in the Congress of Industrial Organizations.

The mark of labor's disenchantment was stamped on Mr. Garner by John L. Lewis, head of the C.I.O., in a memorable display of his phrase-coining talents.

The occasion was a hearing on July 28, 1939, before the House Labor Committee that was considering liberalizing changes in the Wage-Hours Act, which Mr. Garner opposed. Referring to this, Mr. Lewis labeled the Vice President "a poker-playing, whiskey-drinking, labor-baiting, evil old man."

STAYED WEST OF POTOMAC

The description hurt Mr. Garner politically and so did his opposition to a third term for President Roosevelt. They added to the sourness with which he left Washington in 1941 for his home in Uvalde. He vowed never again to come east of the Potomac, and he never did.

In his Washington years, Mr. Garner was a man of striking appearance. He was somewhat under average height, but his ruddy complexion, white hair, and slanting blue eyes under shaggy eyebrows made him difficult to forget.

He was not given to speeches (he boasted that he had not made a single formal speech as Vice President) but he was an industrious and powerful member of the House.

The nickname Cactus Jack, given to him because he came from an infertile area of Texas, remained with him all his life.

Although he became a millionaire from business interests in his home state, he lived simply in Washington. For many years his wife, the former Ettie Rheiner, whom he married in 1895, performed all his secretarial duties and prepared their lunch on a gas range in his Congressional office. Because he spent so penuriously, Mr. Garner had a wide reputation as a tightwad, which he did nothing to dispel.

Apart from baseball, pecan-growing and farming (he raised fowl), Mr. Garner's chief avocation was poker. He was so adept at the game that his winnings in some sessions of Congress exceeded his pay of $10,000 a year.

FATHER A CONFEDERATE TROOPER

A product of the rugged frontier, John Nance Garner was born Nov. 22, 1868, in a mud-chinked cabin near Detroit, Tex. His father, John Nance Garner 3d, had been a Confederate cavalry trooper who had migrated to Texas from Tennessee.

The boy's education was so sketchy that he had trouble keeping up with his classmates when he went to Vanderbilt University. Returning home, he read law with a lawyer in Clarksville, was admitted to the bar at the age of 22, moved to Uvalde, near the Mexican border, and joined a law firm that eventually became Clark, Fuller & Garner.

When he acquired a newspaper, The Uvalde Leader, as part of a legal fee, he made his name known and was elected county judge of Uvalde County, a post corresponding to county executive in other states.

From county judge, Mr. Garner moved to the Texas Legislature, which he entered in 1898. In his two terms he fought railroad interests in behalf of his Populist-minded small-farmer constituents, who sent him to Congress in the election of 1902.

"When I entered Congress," Mr. Garner once reminisced, "the autocratic leaders of the [Democratic] party thought I was just another cow thief from Texas. They 'rolled' me on committees, giving me minor assignments. I kicked until they put me on the Foreign Affairs Committee. Being the newest Democrat, I sat beside Nicholas Longworth, the junior Republican. That was how we struck up our friendship.

"It was darned peculiar that a silver-spoon aristocrat like him and one of the common people like me should hit it off, but we tried to outsmart each other for 30 years."

Over the years Mr. Garner formed friendships with men who exerted great influence in national affairs—Joseph T. Robinson of Arkansas, Carter Glass of Virginia, James F. Byrnes of South Carolina, Sam Rayburn of Texas, George W. Norris of Nebraska, Andrew W. Volstead of Minnesota and William Randolph Hearst, the publisher.

Increasingly, the Texan was admitted to the inner circles of the House leadership, those who frequented a Capital hideaway and were known collectively as "the Board of Education."

Mr. Garner, a party stalwart except in international affairs, moved into the national spotlight in 1928, when he was elected House minority leader. As such he was active in the election of 1930, in which the Republican majority in the House was cut almost to the vanishing point.

In those days a new Congress did not organize until 13 months after an election, and by the time the House met in December, 1931, the Republican majority has disappeared, owing to deaths, including that of Speaker Longworth.

Mr. Garner was elected Speaker by three votes, a margin that obliged him to exercise his skill as a politician to obtain the legislative results sought by his party.

In the jousting for the Democratic nomination for President in 1932, Mr. Garner was Texas's favorite son. He was also, because of his conservative and isolationist views, the choice of Mr. Hearst, a major force in the party, who had, most improbably, won the California delegation for Mr. Garner.

On the first convention ballot in Chicago, Mr. Roosevelt had 666 votes of the 770 needed for nomination. Alfred E. Smith, the former New York Governor and the candidate in 1928, was second, and Mr. Garner was a poor third.

By the third ballot, Mr. Roosevelt had gained only 16 votes and James A. Farley, his campaign manager, was fearful that on the next ballot delegates would slip away to Mr. Smith or to Newton D. Baker, an internationalist who had been President Woodrow Wilson's Secretary of War.

Thus it came down to Mr. Hearst and Mr. Garner's 86 votes, 44 of them from California. At first Mr. Hearst refused to listen to Mr. Farley's entreaties until he received assurances, in phone calls from San Simeon, his California castle, that Mr. Roosevelt would eschew internationalist policies.

Then Mr. Hearst made his decision. Although he did not particularly care for Mr. Roosevelt, he cared far less for Mr. Smith and not at all for Mr. Baker. Through an intermediary, the publisher got in touch with Mr. Garner in Washington.

According to "Citizen Hearst," W. A. Swanberg's authoritative biography: "Garner knew that he owed Hearst the strength that he had. He thought it over and agreed [to deliver his California votes to Mr. Roosevelt]."

Although there have been denials, it has been widely accepted that the quid pro quo was the Vice-Presidential nomination for Mr. Garner. In any event, Mr. Roosevelt was nominated on the fourth ballot and Mr. Garner was chosen as his running mate without significant opposition.

In the election Mr. Garner's homespun manner and conservative fiscal views added strength to Mr. Roosevelt's appeal among those who regarded the New Yorker with skepticism.

As Vice President Mr. Garner adhered to the then current tradition—to be seen very little and not to be heard at all. Instead, he confined himself to the task he liked (and knew) best—maneuvering legislation through Congress.

He liked to joke about himself in this respect. One day a circus clown met him in the Senate Office Building and said by way of introduction:

"I am head clown in the circus."

"And I am Vice President of the United States," Mr. Garner replied solemnly. "You'd better stick around here a while—you might pick up some new ideas."

When Mr. Garner, at the age of 72, retired to his house in Uvalde, set among live oaks and pecan trees, he said that he wanted to live in quiet until he was 93. If he attained that age, he explained, he could say that he had spent half his life in public office and half as a private citizen.

TENDED TO FINANCES

He passed much of his time looking after his ranch holdings, real estate and banking interests.

He rejected offers for his memoirs, and, it was said, he burned his letters and other material bearing on his service in Washington.

When his wife died in 1948, he moved out of the main house into a smaller frame building nearby. He was generally known among his neighbors as Judge Garner, the title he had held in his first office. He read a bit, mostly history, and celebrated his birthdays with a special cake and a modest party.

Several years ago he gave up whisky on his physician's suggestion and cut down smoking the strong Mexican cigars, to which he had been addicted for scores of years.

Starting in 1961, he made gifts that eventually totaled $1 million to Southwest Texas Junior College, an institution on the outskirts of Uvalde. Pressed as to the reasons for his philanthropy, he said:

"I don't want these kids around here to have to suck on the hind teat when it comes to getting a good education. I can't explain my time schedule on what I've given to the college except to say that when you get in your nineties you can't afford to be a mañana man."

Although Mr. Garner only dressed in what he called his "store clothes" for such occasions as his birthday, he was the object of some attention and curiosity by visitors to Uvalde.

"People come by here to see me," he once explained. "They want to see what a former Vice President looks like. They expect to see some big imposing man, and it's me. I'm just a little old Democrat."

JOHNSON LEADS TRIBUTES

WASHINGTON, November 7.—President Johnson paid tribute today to former Vice President Garner as a man who inspired many generations of Americans.

In a statement issued by the White House, the President said:

"John Nance Garner would have been 99 years old on the 22d of this month.

"Few are given so long a time, and fewer still have used their years to such advantage. Few men in history had more experience in government nor more respect from his colleagues during his long career in public service.

"The nation joins with the people of his beloved Uvalde in mourning the loss of one whose determination and joy of life were an inspiration to so many generations of Americans."

Former President Harry S. Truman described Mr. Garner as "a vital force for several generations on the American scene as Speaker of the House and Vice President."

Informed of Mr. Garner's death at his home in Independence, Mo., Mr. Truman said:

"He enjoyed the respect of all Americans as the spokesman for the rugged and practical individualism that played such an important role in the building and growth of this nation.

"He was my friend and I was his. Mrs. Truman joins me in sincere sympathy to his family."

James A. Farley, Postmaster General during Mr. Garner's terms as Vice President, said in part: "The passing of former Vice President John Nance Garner marks the end of one of the greatest eras in the history of this country. I know of no man who made a greater contribution to his country."

John L. Lewis, the old labor leader who was Mr. Garner's adversary in the nineteen-thirties, was asked to comment but declined.

PRIME MINISTER SOUVANNA PHOUMA OF LAOS GRATEFUL FOR AMERICAN PRESENCE IN ASIA

Mr. BREWSTER. Mr. President, Prime Minister Souvanna Phouma's recent visit with President Johnson marks the great importance Asian nations attach to America's presence in Vietnam.

The Prime Minister of Laos recognized the contribution to Asian freedom made by the American presence in Vietnam. He expressed free Asia's gratitude by telling President Johnson:

> We are grateful that you came to Indo-China to help us survive. If it weren't for your presence, Laos and, indeed, all of Southeast Asia, would fall under Communist influence.

The Prime Minister leads a brave nation—beset by armed indigenous Communists and invading North Vietnamese regulars. Yet Laos held democratic elections for their National Assembly in the midst of their strife—because it is democracy for which they fight.

Other nations of Asia wish, like Laos, to mark out their own destinies free of Communist coercion. It is our high purpose in Vietnam to assure them this right.

Prime Minister Souvanna Phouma has spoken for the troubled neighbors of Vietnam—even for those whose silence bespeaks fear of Chinese repression rather than disagreement with American policy—in recognizing that Vietnam is the testing ground for Maoist revolutions.

As Souvanna Phouma said:

> If tomorrow South Vietnam became Communist, all that would be left for us to do would be simply to pack up and go.

We must not—and we will not—allow this to happen to Laos or its sister states.

I applaud Prime Minister Souvanna Phouma and President Johnson for their continuing efforts to bring peace to troubled Asia.

PRESIDENT'S ADDRESS ON INTERNATIONAL EDUCATION PRAISED

Mr. HARRIS. Mr. President, in his recent speech to an international education conference in Williamsburg, Va., President Johnson challenged the nations of the world to give every child on this planet "as much education as he needs and can absorb."

Worldwide illiteracy—40 percent on a global basis—presents one of the greatest barriers to social and economic progress in many areas of the world.

Its curse leaves shallow spirits, warped minds, frustrated human beings. It is the fuel upon which violence feeds.

President Johnson has challenged the world's educators to tap the vast potentials of modern technology for a frontal attack on poverty of the mind. As President Johnson stated:

> There is no reason why modern technology cannot, for example, permit the best professor in the world to teach students all over the world.

Through satellite communications, educational television on a global basis, and sharing of educational resources the President's vision can become a reality.

Modern technology must be our servant for good not our master for evil. This was the President's message to the world's educators. This is the challenge the world must accept.

Ours must be an age of education for all mankind.

I ask unanimous consent that two editorials—from the Washington Evening Star and Washington Daily News—complimenting the President on his address be inserted into the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Evening Star, Oct. 13, 1967]

AGE OF EDUCATION

In his Williamsburg speech the other day President Johnson dwelt on a thought which fully deserved his attention. Educators, the President said, have barely begun to tap the vast potentials of modern technology to improve teaching methods and to attack the worldwide dilemma of illiteracy.

Johnson's remarks were aimed mainly at the global dimensions of the problem. With the advent of satellite communications, he speculated, such new media as educational television invite the possibility of applying basic education on a mass basis even in those areas where illiteracy rates range as high as 80 percent. "There is no reason," he said, "why modern technology cannot, for example, permit the best professor in the world to teach students all over the world."

Nor, of course, would the remote areas of the world be the only beneficiaries. Some strides in this direction already are being made in the United States. Most of our progressive colleges, and a good many school systems, are experimenting with various forms of electronic or computerized aides to classroom instruction. But the President is quite right in his reminder that in this area "every nation, including this one, is still a developing country."

In this regard, incidentally, Washington's new Federal City College will offer unparalleled opportunity as a laboratory. Its goal—a higher education opportunity for every District high school graduate who desires it—is enormously ambitious. While the details have not been fully formulated, the intention is to offer, beyond baccalaureate degrees, various terminal courses of shorter duration. The possibilities of sharing educational resources through the use of technological devices might well produce vital economies as well as invaluable instructional aides.

President Johnson already has made clear an intention that Washington should become a "model city" in other respects. A similar degree of support from the administration could help to make the Federal City College a model for the sorts of teaching breakthroughs required if the President is to realize his hope that these years will be called the "age of education" in America.

[From the Washington Daily News, Oct. 14, 1967]

L. B. J.'S CALL FOR EDUCATION

At a recent conference on education in Williamsburg, Va., President Johnson laid out a far-off goal which he urged the delegates from 52 nations to shoot for.

The goal: To give every child in the world "as much education as he needs and can absorb."

An ideal, as Mr. Johnson said, which is urgent and compelling. And none could be more necessary or productive.

On a global basis, he said four of 10 adults cannot read or write, and in some regions the ratio is eight of 10.

"Shame on the world," he cried, "and shame on its leaders!"

And shameful it is.

gree of support from the administration went on, the peoples of the world have spent "literally trillions of dollars" on war, on preparations for war, and 100 million have died because of wars.

No doubt.

If all of these enormous sums had been spent on education and other betterments for human welfare, it would be possible at last to call the world civilized. It is a sorry reflection on mortal intelligence in general that it has not been that way.

But it doesn't follow that if only every man were literate there would be no wars.

"Shame" on the world's leaders, the President said.

But the world's leaders have not been uneducated. Unprincipled perhaps. Greedy perhaps. Overly ambitious perhaps. Even stupid, perhaps. But not illiterate.

Education, then, for all the high priority it deserves in the affairs of humankind, is not the solution to the plague of war.

Something more is needed. It could be understanding. Or an ability for co-operation. Or a heart for fellow humans. Or some kind of purity of soul. Whatever it is—despite education, despite religion, despite every other so-called civilized development—it has been missing in this century of war and slaughter.

Education yes, all that can be absorbed; but with it a prayer for the wisdom that will provide the mysterious key to what should be the simplest of all human purposes—living in peace and tolerance with each other.

GEN. OMAR BRADLEY'S VISIT TO VIETNAM

Mr. McGEE. Mr. President, for those who, perhaps, have not done so, I recommend a reading of Gen. Omar Bradley's account of his visit to Vietnam in the edition of Look magazine now on the newsstands.

General Bradley's report is a hopeful one. He has found no stalemate. Further, he has found that we are fighting this war "at the right place, at the right time and with the right enemy." This conviction comes as the Evening Star pointed out in an editorial yesterday, from a general who, at the time of Korea, advised against carrying the war to Red China by crossing the Yalu River. Obviously, he is not indifferent to the often-quoted dangers of a major land war in Asia. But he is convinced that Vietnam is the place where we must stand, just as we have before in Berlin, Greece, Cuba, and Korea.

Mr. President, I ask unanimous consent that General Bradley's report on his visit to Vietnam, published in the November 14 issue of Look magazine, and the Washington Evening Star editorial of November 7, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Evening Star, Nov. 7, 1967]

A GENERAL'S JUDGMENT

General Omar N. Bradley wears five stars. He was a World War II commander and chairman of the Joint Chiefs of Staff during the Korean war. He is the highest ranking officer to have visited the fighting fronts in South Vietnam. And his report of his findings, which appears in the current issue of Look, is a decidedly hopeful one.

No one, we suppose, will say that General Bradley was brainwashed by the diplomats or the soldiers. So it should carry some weight when he says he is convinced that the war in Vietnam is "a war at the right place, at the right time and with the right enemy—the Communists."

After talking with the men in the foxholes, the junior officers and the commanders, General Bradley was convinced that we are making progress. "We are gaining, often dramatically, in the military struggle," he says, "and in the even more difficult task of healing the social ills on which the Communists feed." A stalemate? Not when "the other side is getting weaker and we are getting stronger."

Why fight in Vietnam? This is his answer: "If we fight in Vietnam, and win, it is *possible* we may have to repeat our effort elsewhere. If we pull out it is *certain* that we will face more and tougher Vietnams."

Why does Hanoi keep fighting? "Ho Chi Minh's one hope is to hang on in the expectation that the American public, inadequately informed about the true situation and sickened by the loss in lives and money, will force the United States to give up and pull out."

How will the antiwar extremists respond to this? They can hardly attack General Bradley on the ground that he is a mindless military man, for it was he who said in 1951 that to carry the Korean war to Red China by crossing the Yalu "would involve us in the wrong war, at the wrong place, at the wrong time, and with the wrong enemy." It would be absurd to say that he is indifferent to the dangers of a major land war in Asia.

But he does believe this: "History will judge that, alongside Berlin, Greece, Cuba and Korea, Vietnam was one of our finest hours. We did not flinch. Or it will say that the Communists are right, and History will belong to them."

Rhetoric? Perhaps. The truth? We think so.

[From Look, Nov. 14, 1967]

MY VISIT TO VIETNAM

(NOTE.—In 1915, when Cadet Bradley was graduated, the West Point yearbook predicted: "If he keeps up the clip . . . some of us some day will be bragging . . . 'Sure, General Bradley was a classmate of mine!' " He kept up the clip in Africa, Sicily, Normandy and the sweep to Berlin in World War II, as Veterans Affairs Administrator, Army Chief of Staff, Joint Chiefs Chairman thereafter. He is the last, along with classmate Dwight D. Eisenhower, of nine men to be honored with five-star rank.)

(By General of the Army Omar N. Bradley with Mrs. Bradley)

History will give high marks to the United States for its responsible behavior since World War II. Never has a nation of such power been so sorely and so systematically tried. The Communists, disciples of a doctrine that no people ever willingly embraced, have sought domination by attacking a supposed weak spot through trickery, propaganda, bluster and violence. Each time, the United States has reacted and, with the help of allies, blocked them from achieving an easy victory. And always we have done it without resorting to that horror of horrors, all-out total war.

The Communists tried blockade in Berlin, terrorism in Greece, conventional warfare in Korea. In each instance, we stopped them. In Cuba, they tested us to see if we were prepared to go to nuclear war and found we were. Now we are being tested again. As with Berlin, Greece, Korea and Cuba, Vietnam is a proving ground. This is no simple civil war fought solely by patriots, although there certainly are patriots on both sides. It is, in essence, a laboratory experiment, executed with callous disregard for human life by those in Hanoi and Peking who want to see if the "protracted war" theories of Mao Tse-tung will work. If these theories hold in Vietnam, they unquestionably will be applied elsewhere, and we shall have to confront them again and again. The Communists have spelled it all out for us. In statements as blunt as Hitler's *Mein Kampf*, they have assured us time and again it is their intention to impose their form of government upon the world.

In May of 1951, testifying before two Senate committees as chairman of the Joint Chiefs of Staff, I opposed enlarging the Korean War to include the China mainland. I was referring solely to the crossing of the Yalu River, although in ensuing years, I frequently have been misquoted as opposing the action in Korea, which I actually supported. I said that a "limited war" with Red China then "would involve us in the wrong war, at the wrong place, at the wrong time, and with the wrong enemy."

The Soviet Union had a mutual defense treaty with Red China providing that each would treat any attack on the other as an attack on itself. Furthermore, the Russians were furnishing most of the war supplies used by North Korea. If we had wanted to stop the flow of those supplies by strategic bombing or other means, our attack should have been directed against Russia. In my view now, as then, Red China was the wrong enemy.

Maybe, as some critics claim, Vietnam is the wrong war too, in the sense that we should have avoided getting involved so deeply in it. I don't know. Playing armchair general is much easier than bearing the responsibility and rendering the decisions at the moment of crisis, and history does not reveal the results of untried alternatives. It is fruitless to dwell upon what-might-have-been when faced with the screaming realities of the here and now. After tramping throughout the length and width of South Vietnam, going wherever I wanted to go and talking to whomever I wanted to talk, I am convinced that this is a war at the right place, at the right time and with the right enemy—the Communists.

My wife Kitty brought the trip about. She sensed my growing conviction that I had to go and see Vietnam for myself. She knew I had always believed there is no substitute for talking to the men in the field. The deterrent to taking a trip like this was a bothersome cartilage in my right knee, torn while playing football at West Point. I did not want to go into a war zone and then wind up a nonbattle casualty. Recent surgery removed the entire kneecap and made it possible for me to walk once again without limp or pain. Kitty was with me during a postsurgical checkup in late July, when the doctor pronounced the knee "as close as it ever will be to God's work." In the car en route home, she turned to me and softly said, "You've been aching to go, and now you can." I nodded and had to admit, "An old soldier never really fades away."

Kitty had no objection to my going to Vietnam. She just didn't want me to go without her. We both knew that as a general officer on active duty, I could officially request permission to visit Vietnam, but she would have to stay behind.

My wife is a quiet, determined woman. Less than a week after the knee checkup, she had arranged with Look to accompany me to Vitenam as a correspondent, with the stipulation that all payment for this article be turned over to the United States Organizations for distribution to the USO facilities serving our men in Vietnam.

Kitty was invaluable on the trip. A professional writer for more than 20 years, she is a trained observer and, in the evenings, when we mulled over where we had been and what we had seen, I found she had often picked up details that I had missed. She was great for morale, particularly in hospitals, where she paused for unhurried chats with the wounded, and at isolated outposts in the boondocks. Kitty felt she wanted to do something special to justify her presence. She decided that upon our return, she would communicate with the family of every serviceman to whom she talked in Vietnam. Whenever she volunteered to give a personal message to the folks back home, she was surrounded by the homesick, and at last count, she had telephoned or written a personal letter to 917 families.

Those fine young men out there did something for our morale too. One night at Pleiku, after an exhausting day in the central highlands and after a sobering but otherwise uneventful oil-line failure while helicoptering over Vietcong territory, we talked quietly about the brave men and how selflessly they worked, the gruesome scars of war all around, the now-familiar grumbling of nearby artillery, the Vietcong mortar bursts on a motor pool at Saigon's Tan Son Nhut Airport as we were landing. And Kitty, who had never before been this close to battle, said: "If something should happen, and we should die, at least we are in good company—each other's and these wonderful men fighting here." I agreed.

Gen. William C. Westmoreland, our commanding general in Vietnam, met us at the airport when we arrived August 17. I had known him as Cadet Westmoreland 32 years ago, when I was on the West Point faculty, and our paths have crossed several times since. He looked fit. We later were told that he gets out into the field with his men several times a week. I know that wherever we went, there was nothing but praise and affection for him. "Westy's been carrying this responsibility for three and a half years," one man said, "but he always has the drive and enthusiasm of a second lieutenant who arrived only yesterday."

From that day until August 30, when we left Vietnam, we stayed constantly on the go, traversing the country from one end to the other, keeping a schedule of 14 to 16 hours daily. We saw thousands of Americans—soldiers, sailors, marines, airmen, Seabees. We went to them where they live and fight—aboard a carrier, a fleet oiler, a hospital ship, a "Riverine" ship; in trenches, foxholes, dugouts, jeeps, tanks; at artillery positions, radar posts on hilltops, montagnard villages in the highlands, Special Forces camps on the South China Sea coast and in the waterlogged paddies of the Mekong Delta. We visited allied units—the South Vietnamese, Koreans, Filipinos and others. Everywhere, they seemed glad to see us and somehow managed to have a five-star flag or plate to greet us.

We mingled with villagers who have known nothing but war for a generation. At Plei Bong Hiot, a montagnard hamlet in the central highlands, all 376 inhabitants turned out to greet us. A montagnard band playing gongs scaled in size from saucers to manhole covers beat out an eerie tune, over and over, as we sipped rice wine from a communal jar through communal straws to become honorary members of the Bahnar tribe. The straws were plastic fuel tubes borrowed from our helicopters. Because the plastic tubes were transparent, the hamlet leaders could see whether we really drank or simulated drinking. My wife tried to fudge, but she got caught and there was no make-believe the second time. She said the rice wine tasted like a mixture of sake, tequila and helicopter fuel. At Edap Enang, a montagnard village in the same general area, we saw some 7,800 people who had been relocated because of military operations near the Cambodian border, where they formerly lived. These families are comfortably housed, and each has its own vegetable patch. Some had run away at first, but when their crops sprouted, the runaways returned and began to take root in their new homes.

The noncombatant Philippine Civic Action Group was working closely with another village, made up of 491 refugee families. The Filipinos, doing what amounts to Peace Corps work under occasional fire, proudly showed us a new school where 1,000 children were being educated. Brig. Gen. Gaudencio V. Tobias, the Philippine commander, demonstrated to us the self-government, sanitation and hygiene techniques his command is teaching the people.

Ambassador Ellsworth Bunker and General Westmoreland abided by my request to spend most of the time in the field. They arranged for two days of orientation briefings in Saigon, after which we flew north to Da Nang. Throughout our travels in Vietnam, we were cloaked by the code name "Burma Road" for security reasons. Wherever we went, we were cordially received by the various commanders, who saw to it that we spent much of our time in no-holds-barred talking with their junior officers and enlisted men. We asked hard questions and got direct answers. They showed us the bad with the good and left it to us to decide how things stood on balance.

From Da Nang, we flew out to sea to the U.S.S. *Constellation.* She was circling with two other carriers in the Gulf of Tonkin, far north of the 17th Parallel dividing the two Vietnams. In the two days aboard, we questioned crew members, visited fliers in their ready rooms and saw several strikes launched against targets in the Hanoi area and elsewhere in North Vietnam. On one strike, one of our aircraft was shot down, but quick work by rescue helicopters plucked the two-man crew from jungle highlands. When we learned they were being returned to the carrier, Kitty begged to wait to see for herself that they were safe. We delayed our departure and were able to congratulate Cdr. Robin McGlohn of Balboa Beach, Calif., and Lt. (jg) James M. McIlrath of San Diego.

I never heard a pilot aboard the *Constellation* question the usefulness of what he was doing. One senior officer estimated that 100 times as much ammunition was being expended against our planes in the North as against our ground troops in the South. "That's a plus in itself," he said.

Back in Da Nang—after a stop at a field hospital to fix a tooth my wife broke in the jolt of the catapulted takeoff from the carrier—we were shown to our billets by Marine Maj. Charles Edwards of Raleigh, N.C. He casually mentioned that according to our Intelligence, the enemy might fire rockets at the base at any time, as they had done in July. He showed us the bunker in which we were to take cover if that happened. Kitty assured the major she has no sense of direction and wondered if in the event of a rocket attack, he could come and lead the way. "Yes ma'am, if I'm alive," he replied earnestly. "I just wanted to show you in case a rocket gets to me first."

At my request, the marines helicoptered us to a forward base for an open discussion with junior officers and enlisted men. About 25 assembled in a rattan hut that served as their mess hall. One of them, Cpl. Lester W. Shell, Jr., of Chesapeake, Va., a gangling 23-year-old, said the hardest job was identifying the Vietcong. They mingled with the rice farmers until dusk, and after dark, slipped into black pajamas, took up hidden weapons "and turned into VC's." Corporal Shell assured us that things were getting better because more farmers were reporting VC operatives as they developed trust in the marines. "When I arrived 11 months ago, we had to send out patrols in company size, about 160 men, and now we go on squad patrols, 12 to 15 men. That right there is progress."

Another member of this group, a sniper, showed us his weapon, a civilian rifle with a telescopic sight. He said: "Sometimes, we find a seat in a tree or a hole in the ground and just sit down and wait. Quite often, someone shows up. We're doing better. We're learning patience."

In Da Nang harbor, we went aboard the U.S.S. *Repose,* one of two hospital ships in the area. We had visited two general hospitals near Saigon, and we would go to field hospitals elsewhere, but the *Repose* offered prime insight into how quickly the wounded are treated. The speed is amazing. The secret is helicopters. The *Repose* has a heli-pad on its deck, just as the hospitals ashore have them on their grounds. The wounded go directly from the battlefield to the hospital. Rarely is ground transportation necessary. This means that except in very few cases, no man in the country is more than 30 minutes away from complete, expert medical care. Only 2.5 percent of the wounded admitted to a medical facility die. More than 40 percent of the wounded return to duty without being admitted to a medical facility. And over 80 percent of all wounded admitted to a medical facility are returned to their units. The effect on morale is evident. Kitty and I found most of the patients we visited in a cheerful bantering mood, and anxious to get back to their units and their work.

Wherever we ate, whether with officers or enlisted men, the chow was good. In my 56 years in the Army, I have never seen better fed men, in peace or war. Ninety percent of the meals served to American personnel in Vietnam are hot. It is commonplace, according to some men I talked with, to have a helicopter hover over an embattled unit and lower what my wife termed "a businessman's breakfast"—fruit juice, two soft-boiled eggs, buttered toast, marmalade and hot coffee.

At China Beach, near Da Nang, we visited with men enjoying a three-day respite from all duty. Kitty took on a couple of the GI's in Ping-Pong to put them at ease and encourage them to talk freely. We learned that like all servicemen, however dedicated, they count the days until they go home. In this war, except for key officers, they know exactly how long that will be. Our men go over for a one-year tour of duty unless they voluntarily extend. I asked one fellow how long he had to go, and he quickly replied, "Seventy-six days and a wake-up." Not 77 days, but 76 and a wake-up—a little autopsychology, like setting a clock ahead, because it sounds shorter that way. But many found themselves irresistibly drawn back, like John Paul Vann of Littleton, Colo. He had served a military tour in Vietnam, gone home, left the service and signed on with Revolutionary Development. Marine M/Sgt. George A. Mitchell had been there for 2½ years, and when we asked him why, he said simply, "I want to see the job finished."

As times goes on, the steady flow of returning Vietnam veterans, currently at the rate of 50,000 a month, may give Americans a better picture of Vietnam. The quality of these young men, tempered by their travail and the ringside knowledge of the plight of those they fought to help, cannot but improve the quality of American society.

As we worked our way south from Da Nang, we spent most of a day with the South Korean forces headed by Lt. Gen. Chae Myung Shin. He commands more than 49,000 men and, from all reports, they are doing a superb job. One of his staff officers gave us an excellent briefing, winding up with the assurance that ROK forces are pleased to fight by our sides to repay in some small measure all that the Americans did for their country when it faced a similar threat. The Koreans seem to have a special zest for their mission and a particular talent for keeping the highway open and driving the VC out of the coastal area in the central part of the country.

Here, as elsewhere, a strengthened effort is being made in Revolutionary Development, the program to provide a new life for villagers formerly under VC control. We visited one such village, where all the people turned out to meet us. They showed us what they were building—an infirmary, a bridge, a concrete road. This is the new concept, involving the villagers more deeply in the things they need. Foremost is security, provided by the villages' own Popular Forces.

At Nha Trang, we watched South Vietnamese soldiers training at the Noncommissioned Officers Academy. I was interested because the high caliber of our own military forces today is the result of such schools. I witnessed two combat problems conducted with live ammunition. They were impressive. Not only are the Vietnamese learning to defend themselves by fighting alongside our troops, but gradually they are adopting our methods.

In the heavily populated Mekong Delta, traffic is by water, and so is the war. Our Army and Navy have combined operations there, in the Riverine Force. Soldiers live aboard ship when not slogging the paddies and swamps, and sailors called "Seals" fight like the green-bereted Special Forces. These men are effectively hampering the movement of VC units and supplies. Navy personnel, accompanied by South Vietnamese civil officers, stop and search between 1,500 and 2,000 boats a day. Sometimes, they are fired on from the banks, but quite often our boats pull away without returning the fire to avoid hitting innocent civilians in the area.

I had heard complaints that we were killing innocent people in Vietnam. I am not sure how those who make such complaints define "innocent." If they mean civilians as distinguished from men in uniform, it should be pointed out that since 1958, the Vietcong have assassinated an estimated 11,798 South Vietnamese civilians and have kidnapped 41,177. This toll includes 1,000 civilian officials killed and 1,500 kidnapped. Anyone in a combat area is apt to become a casualty, as we found when we landed in Normandy during World War II. Wherever possible, people are moved out of a battle zone, which is what we are doing in Vietnam today. As careful as we are modern weapons make it difficult to confine casualties to the fighting men. But there is no such excuse for the deliberate, premeditated, selective killings by the VC.

In the Delta, far from the source of men and materials in the North, the enemy seems to be having considerable trouble. One unit I visited reported capturing 10 VC. Two were 12 years old and one was 13. These children said they were told that unless they joined the VC, their families would be killed. One Riverine Force reported the enemy they were chasing simply melted away after burying their guns. I saw 43 of these arms, including three automatic weapons, displayed on the deck of one of our ships.

On our last afternoon in Vietnam (we had that day and a wake-up to go), we met with Ambassador Bunker, General Westmoreland and a team of American officials who are setting up an agency modeled along the lines of our own Veterans Administration, of which I was administrator for more than two years following World War II. Already they are planning the postwar future of South Vietnam's veterans.

As we climbed abroad the jetliner taking us back to the States, my head was bursting with information, and my heart with pride. What a paradox this war is. The morale of the men in the foxholes is higher than that of many people safely at home. The fighting men know why they are in Vietnam. It is a pity their understanding, patience, fortitude and enthusiasm cannot be transmitted to the home front.

As Kitty turned to look back at Saigon fading from our view, she murmured half to herself, "I don't believe anybody can fly into Vietnam a dove, and fly out a dove."

We are in Vietnam because we cannot long remain the leader of the free world if we do not stand by our promises to help the smaller nations threatened by Communist engulfment. Vietnam is an historical necessity, not because we said so but because the Communists want it that way. On September 2, 1965, the Red Chinese Defense Minister Lin Piao declared in Peking that Vietnam was the "testing ground" for the worldwide application of Mao Tse-tung's military-revolutionary strategy. This strategy, used by Mao in China and by Ho Chi Minh in Southeast Asia, starts with a peasant base and gradually encircles, throttles and captures the cities. Marshal Lin likened underdeveloped countries such as South Vietnam to the peasants and described the capitalist countries as the "cities of the world." We are on notice then that this is the challenge.

If we fight on in Vietnam and win, it is *possible* we may have to repeat our effort elsewhere. If we pull out, it is *certain* we will face more and tougher Vietnams. History repeatedly has taught us that appeasement is at best a temporary measure and inevitably leads to war.

Wherever we went, I asked the question: Are we making progress? And, as a Missouri native, I added: Show me. From Ambassador Bunker, General Westmoreland and their top subordinates, from the Korean and other Free World Force units, from the South Vietnamese, from our men at all levels and from what I could see with my own eyes, the answer was clear; Yes. And I could not help but wonder why this was not clear to the American people. Perhaps it is because, as a people, we have appetites that lean toward the extraordinary in the news. Too often, we are disinterested in the 99 percent that is right and focus our attention on the one percent that is wrong.

How do you measure progress? To me, it is progress when things are better than they were previously. From what I saw and heard, things are better than they were three or six months or a year ago. We are making progress in Vietnam. We are gaining, often dramatically, in the military struggles and in the even more difficult task of healing the social ills on which the Communists feed.

As we traveled, I became increasingly aware that we are slowly but inexorably rolling the enemy back from the cities and the seacoast. His movement in areas he used to own is now severely restricted. Main force units inside the country, except up north near the Demilitarized Zone, generally stay under cover and keep shifting their bases to avoid detection and contact. The enemy's supply and communication routes, especially around Saigon and in the Mekong Delta, are being interdicted with improved efficiency. Because of his logistics problems in the midlands and down south, he has had to concentrate activity up north near the DMZ. There, the supply route is shorter. Except for that area and a few others, his regiments and battalions are splitting into small groups. "I can't find a fight," complained one American commander whose unit six months ago was battling for its life. One reason we invite attack is because we can react so quickly; in one Delta area, the VC assaults, usually limited to mortar fire, last no more than five minutes because by then our planes and artillery start pounding them. This is a far cry from early 1965, when North Vietnamese regulars and hard-core Vietcong sought to cut the country in two and, in the opinion of many observers, were dangerously close to succeeding.

Intelligence is the key. It seems to be improving as more captives and defectors appear. I have a hunch the other side is hurting a good deal more than it lets on. It may be, as I was told, that the enemy has reached the "crossover point" at which he is losing men through death, wounds, capture and defection at a faster rate than he can replace them by recruitment and infiltration. It seems unlikely that Hanoi can meet such manpower requirements for any protracted length of time. Ho Chi Minh's one hope is to hang on in the expectation that the American public, inadequately informed about the true situation and sickened by the loss in lives and money, will force the United States to give up and pull out.

A North Vietnamese captured this year told interrogators that anti-war demonstrations help sustain the morale of his people and the troops. This man Nguyen Huu Nghia, who speaks Russian and holds a Ph.D. degree in psychology, described demonstrations as "very effective" encouragement for the North Vietnamese. He compared the situation to that of France during the Indochina War. He said an anti-war movement in France started slowly, gained momentum and influenced the final outcome—French capitulation.

If the French pattern should be repeated, it would be a stigma the American people would have to bear forever. Pulling out now would break faith with those who have died there, with the families of those who have died there and with those who after much suffering are on the threshold of success. The Communists assuredly would take revenge against the South Vietnamese who cast their lot with us.

Neighboring nations like Thailand, which recently sent a regiment to fight and from whose territory most of the air strikes against the North are launched, would immediately face Communist infiltration and aggression. American influence would wane, not only in the Far East, but around the globe. Our integrity as a nation would be gravely questioned.

In Hanoi, there is no free press, radio or television to give uncensored sustained reports of what goes on behind the smoke screen of propaganda. But word leaks out. The port of Haiphong has become more a bottleneck than a distribution point. Haiphong's docks and streets are piled high with supplies requiring transshipment because the railroad to Hanoi is unserviceable. Trucks on the Hanoi-Haiphong route now average less than ten miles an hour because the highway is so torn up. U.S. bombing is paralyzing North Vietnam.

The Navy pilots my wife and I watched fly off the U.S.S. *Constellation*, as well as the Air Force crews that fly out of Thailand, have developed electronic gear and aerial tactics to escape antiaircraft fire, including Soviet-built surface-to-air missiles (SAM's). When we visited the carrier, the last full week's tally reported 128 SAM's fired; only one of them hit a plane.

"Stalemate" was a much-used word when we went to Vietnam. I don't call it stalemate when almost everywhere, the enemy is avoiding contact and our troops are progressively digging him out and pushing him back. I don't call it stalemate when, by every measurement, the other side is getting weaker and we are getting stronger. This war is like no other in my experience. There are no great wall maps on which to draw lines and say, "Here is the front." The front is everywhere.

Captured prisoners tell a story of constant attrition. One man, taken in his first battle, said he had started out from Hanoi in a 300-man unit, but only 30 survived the six-week trek. Other prisoners said North Vietnamese soldiers sent south are told they are "mop-up troops" because the war is virtually won. Instead, infiltrators find they must live in the jungle, harassed by bombs, artillery and patrols, and soon they realize their mission is near-suicidal. Enemy defections under South Vietnam's *Chieu Hoi*, or "Open Arms," policy are stepping up. All these things tell a story, not of stalemate, but of an enemy that is hard pressed.

There was criticism, too, that we had little progress to show for the 13 years we have been in Vietnam. Actually, we only started building strength there two and a half years ago, and did not reach current force level until this year.

General Westmoreland first had to concentrate on building a logistics base. Once this base was laid down, he was able to take the initiative. He could begin rooting out and pushing back the Communists, while the South Vietnamese, learning to fight by our side, simultaneously developed a nation with a government more responsive to the needs and the will of the people.

In the process of creating logistical support for our troops, we have invested in South Vietnam's future. A short while ago, Saigon was the only major seaport, and there were only three airfields capable of handling jet aircraft. There are now six ports and eight jet fields, several with two runways. These tremendous resources back up more than the U.S. forces. They support allied troops, the South Vietnamese military effort, American civilians and the South Vietnamese economy. When the war is over, this nation will have a floor on which to build.

Flying over Camranh Bay, once little more than sand and water and now a teeming complex of American power, I was struck by a thought: What if the other side could see what it is up against? Why not invite Ho Chi Minh down south and grant him immunity and every possible protection? Let him see the dug-in magnitude of our effort. If Ho would take the trip I took, he would realize the futility of continuing the war.

Before we went to Vietnam we heard critics say that Hanoi would agree to truce talks if we would stop the bombing. Maybe. I do know that previous bombing halts did not have this result. The mud-spattered GI's in the central highlands near Dragon Mountain and the marines up at the DMZ know that the tons of ammunition being expended against our planes would be coming down the trail to be fired at them. They know the vast manpower kept occupied by the raids would be free for use against them. It is not academic up where the fighting is.

Two weeks in Vietnam do not make me an expert. But I have seen battlefields before. What this war needs more than anything else I believe is home-front understanding. I would like to see the people at home more deeply involved in Vietnam. Even those opposed to the war cannot be opposed to the men fighting it. My wife Kitty has suggested that women's clubs take a few minutes off from their bridge sessions to write letters to our men in the field. Marines in Vietnam receive 150 pounds of cookies every month from 231 citizens of little Dayton, Wyo.; they demolish the cookies but their gratitude to Dayton is indestructible. Other Americans are shipping soap for the war refugees. These are relatively small in themselves but as symbols of an America that cares they are important. What we do does not matter as much as that we do it.

On our last evening in Saigon Ambassador Bunker showed Kitty a definition of Freedom I wrote many years ago: "Freedom—No word was ever spoken that has held out greater hope, demanded greater sacrifice, needed more to be nurtured, blessed more the giver, damned more its destroyer, or came closer to being God's will on earth. May Americans ever be its protector."

We are a free people, a learning people. As pilgrims, we learned to farm. As colonists, we learned to govern. As immigrants, we learned new ways. As pioneers, we learned the wilderness. As victors, we learned that the end of a great war does not mean peace.

History, I believe, will judge that, alongside Berlin, Greece Cuba and Korea Vietnam was one of our finest hours. We did not flinch. Or it will say that the Communists are right and History will belong to them.

THE SUCCESS OF MEDICARE

Mr. METCALF. Mr. President, in just its first year of operation, the success of the medicare has been demonstrated most dramatically. But as we all knew from the beginning, unforeseen problems would require constant evaluation and adjustments to keep the program sound and effective. Just such a problem now confronts us in the sharp rise of medical fees charged older Americans who are participating in medicare. An editorial in a recent issue of the AFL–CIO News warns that unless doctors voluntarily abandon the present whatever-the-traffic-will-bear system, controls may be necessary to protect the public interest in an efficient and effective medicare program.

I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Doctor Gouge

The medicare program completed its first year with tributes to its successful beginnings in bringing hospital and doctors' care to the nation's elderly.

The basic legislative defects that labor had pointed up at the time of congressional passage were still there—co-insurance, deductibles and exclusions. But now a new factor has surfaced, the increasing costs of the program triggered by rising hospital costs and a skyrocketing of doctors' fees.

As a result, the government is seriously considering an increase in the monthly cost to the elderly of the supplemental medical insurance program—an increase that could range as high as 33⅓ percent.

The unprecedented rise in doctors' fees is the major factor in the proposed increase in cost to the elderly. For the year ending June 1967 the boost in physicians' fees was nearly three times the rise in the overall Consumer Price Index.

Their incomes, estimated to be averaging in the $35,000–$40,000 a year bracket, have gone up even more sharply as they receive full fees from many medicare and medicaid patients who previously were treated at reduced rates.

For the year 1966 doctors' fees jumped 7.8 percent; for the 12 months ending August 1967 they spurted up at a rate of 8.9 percent.

Part of the spectacular increase is tied to the demand for doctors' services and the number of doctors available. The demand for services is expected to increase by one-third by 1975 while the supply of doctors is expected to increase only 17 percent—and most of these will be specialists. With demand running ahead of supply, fees are being geared to a tight market.

If the medicare program is to continue to operate effectively and efficiently, physicians must bring their fees into line and drop a system tied to whatever the traffic will bear. The alternative is a control system to protect the public interest.

STATEMENT BY THE NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS

Mr. HARRIS. Mr. President, in order that Senators may not be misled by some erroneous press reports concerning the work of the National Advisory Commission on Civil Disorders, I ask unanimous consent that a press release by the Commission, dated November 2, 1967, be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by the National Advisory Commission on Civil Disorders, November 2, 1967

Reports have been published in the press over recent days describing the Commission as planning, in its interim report, to "lay major blame for last summer's riots on unresponsive city governments." The Commission has arrived at no such conclusion.

The Commission has heard many points of view, from more than 100 witnesses, during the last two and a half months. It has received voluminous other information from its staff and from other sources, which also represent many points of view.

Until all of the available evidence is in, the Commission intends to reserve judgment on all the issues involved.

The Commission has not singled out any individual, any group, any level of government, or any officials of government for criticism or for praise.

Regardless of what may be reported by persons who are—or who profess to be—familiar with the operations of the Commission, the facts are these:

The Commission is still receiving testimony and its staff is still gathering information, all of which will be weighed in consideration of its interim report.

The Commission has voted on, and agreed upon, only two recommendations, both of which already have been announced. Those are the recommendations (1) concerning the National Guard and (2) a federally-sponsored series of seminars for local officials on law enforcement and police-community relations.

The Commission has neither voted upon, nor approved, any other finding or recommendation. Any report to the contrary is untrue.

Any prediction about what the Commission will or will not include in its report is speculative and premature.

The Commission disassociates itself from such speculation.

HIGH NOON FOR TWO CALIFORNIA CO-OPS

Mr. METCALF. Mr. President, a drama worthy of Cecil B. de Mille is unfolding in the desert of southern California. Two Davids face Goliaths. Both Davids are down to pebbles.

I refer to the attempts of Anza Electric Cooperative at Anza, southeast of Los Angeles, and Mountain Empire Rural Electric Cooperative at Campo, on the Mexican border, to receive electric power to which they are entitled.

They have an allocation of power from the Bureau of Reclamation. They do not have the transmission line with which to receive the power. The two large investor-owned utilities in the area have so far refused to transmit the power to them. Instead, the two big companies, Southern California Edison and San Diego Gas & Electric, sell these "captive" customers power at exorbitant rates. The co-ops would pay a fair price for the Bureau power, and the two companies would get a fair profit for transmitting it. But they will not, unless forced, preferring to overcharge for their own power instead.

Thus, we have another example, similar to those which I have referred to in the past, of large investor-owned utilities using their monopoly position to gouge small customer-owned systems, in the hope that the small systems will be forced to sell out to the big ones. Here is another situation deserving of action by the Antitrust Division of the Department of Justice, whose attention was called to the Mountain Empire Electric case last summer. It is my intention to ask the Department this week to expedite action in both of these two cases.

Another aspect of these cases illustrates the difficulty faced so often by persons or groups who seek information on utility matters. Utilities are supposed to file agreements regarding purchase and sale of energy with the Federal Power Commission. Some of them do not. One which did not was San Diego Gas & Electric. The Federal Power Commission had to make a special request to receive a copy of the agreement between the company and the Imperial Irrigation District, the type of document which should be readily and conveniently available. This agreement when finally produced, showed that the Imperial Irrigation District, which has facilities to bring power part of the way to Mountain Empire Electric Cooperative, was prohibited from doing so under the terms of the contract.

Many of us are interested in electric power reliability, economical use of our technology of transmission, and saving money for taxpayers and ratepayers alike through use of existing lines, rather than construction of duplicating facilities. Restrictive language such as that in the agreement cited, and a similar restriction in the contract between other California power companies and utility or irrigation districts, warrant review, in my opinion, by the Senate Commerce Committee and the Federal Power Commission, in connection with S. 1934, the proposed Electric Power Reliability Act.

Mr. President, I ask unanimous consent to have printed in the RECORD three documents which detail this subject. One is the June 30, 1967, letter to Assistant Attorney General Donald F. Turner from John F. O'Laughlin, an attorney with the firm representing Mountain Empire Electric Cooperative. The second is the agreement of purchase and sale between the Imperial Irrigation District and San Diego Gas & Electric. The third is an article, "Year of Decision," by William Murray, which appeared in the August 1967 issue of Rural Electrification.

When the last-mentioned article was written the Secretary of Interior was still considering the request of the general manager of the National Rural Electric Cooperative Association that contracts with the big utilities not be signed until the co-ops received the power to which they were entitled by law. Subsequently, the Secretary of Interior signed the contracts. The co-ops still do not have their share of the power.

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

SHEELA, O'LAUGHLIN, HUGHES & CASTRO,
San Diego, Calif., June 30, 1967.

Hon. DONALD F. TURNER,
Assistant Attorney General,
Antitrust Division,
Justice Department,
Washington, D.C.

DEAR SIR: This office represents Mountain Empire Electric Cooperative, Inc., a rural electric financed cooperative. Since its inception in November 1938 it has been buying its power from the San Diego Gas & Electric Company, a privately owned utility. The main offices of Mountain Empire Electric Cooperative, Inc., are located at Campo, California, approximately 60 to 65 miles due east from San Diego and in close proximity to the Mexican border.

Because of the fact that we are paying approximately twice the national average for our power supply, we have found it necessary to attempt to get out from under the necessity of purchasing our power from San Diego Gas & Electric Company. We now have made arrangements with the Bureau of Reclamation and they have allocated an amount of electric energy that will satisfy our needs. However, to bring this power from Boulder Dam to our members it will be necessary for us to construct 72 miles of line which brings into focus an Agreement between the San Diego Gas & Electric Company and the Imperial Irrigation District, dated April 23, 1946, a copy of which is enclosed. You will notice that Article 3(a) and (b) indicates that the District (Imperial Irrigation District) will not directly or indirectly sell or distribute electric power or energy in any of the areas in San Diego County lying westerly of a line hereinafter described in paragraph (a), or sell or distribute electric energy or power in any other area for transmission into, for use, resale or consumption within any or all of said areas in San Diego County lying westerly of said line. The line is then described and the Mountain Empire service area is westerly of that line. Because of this fact the Imperial Irrigation District will not wheel the power that we are to receive from the Bureau of Reclamation. This will necessitate the building of 22 miles of additional line at a cost of approximately $10,000 per mile. It is my thinking, and I am passing this on for your decision to determine whether or not this is a horizontal territorial limitation within *White Motor Coach* v. *U.S.* 372 U.S. 253, or *Greylines* v. *Greyline Sightseeing,* 246 F. Supp. 495. It is my understanding that your division is undertaking an examination of the utility interest at (1) the seeming elimination of competition in areas served in combination gas and electric utilities; (2) questionable promotional practices by utilities; and (3) the possible exclusion of municipal and cooperative systems from pooling and interconnection agreements.

I am also forwarding a copy of this letter and Agreement to Mr. Edwin Miller who is the U.S. Attorney here in San Diego, as well as to Stanley Disney who is with your Division in Los Angeles.

I would appreciate your views and comments as to whether or not this Agreement violates the Sherman or Clayton Anti-Trust Acts.

Any consideration that you can give to us in this matter will be greatly appreciated not only by the undersigned, but by each and every member of our Electric Cooperative.

Sincerely yours,

JOHN F. O'LAUGHLIN.

AGREEMENT OF PURCHASE AND SALE BETWEEN IMPERIAL IRRIGATION DISTRICT AND SAN DIEGO GAS & ELECTRIC CO.

This agreement made this 23 day of April, 1946, by and between Imperial Irrigation District, a State Agency, organized and operating under the laws of the State of California as an irrigation district, herein called District, First Party, and San Diego Gas & Electric Company, a corporation, organized and operating under the laws of the State of California as a public utility hereinafter called Company, Second Party, Witnesseth:

RECITALS

District owns in addition to its irrigation system and as a part of its electric power system a certain transmission line and appurtenances hereinafter described for the transmission and distribution of electric energy in San Diego County, which transmission line and appurtenances thereto was acquired by District under its agreement with California Electric Power Company, dated October 15, 1943.

Company owns and operates within San Diego and Orange Counties certain plants and transmission and distribution lines for the generation, transmission and distribution of electric power and energy and is actively engaged as a public utility in the distribution within portions of said counties of electric power and energy to the public, and desires to acquire from District that part of the transmission line and appurtenances thereto hereinafter referred to.

District desires to sell and grant to Company and Company desires to purchase a portion of the said electric transmission line and appurtenances in San Diego County, and the parties desire thereafter to have their respective service areas segregated, limited and defined and conditions pertaining thereto approved by public authority so as to remove and prevent destructive and uneconomic competition and also to make other provisions relative to the future relations between said parties, all as set forth in this Agreement.

Orders have been issued by such Federal and State Agencies as have jurisdiction over the subject matter hereof or over the parties hereto authorizing the parties to this Agreement to consummate the transaction herein contemplated and as herein set forth.

AGREEMENTS

Now, therefore, in consideration of the premises and of the terms, conditions, agreements and covenants herein set forth said parties do and each of them does hereby agree as follows, to wit:

Article I. Sale and purchase of properties and rights

District hereby assigns, sells, transfers, grants, conveys and delivers to Company and Company hereby purchases from District for the consideration of one hundred forty thousand dollars ($140,000.00) lawful money of the United States of America, which sum is to be paid by Company to District, all of the real and personal property and rights hereinafter in this Article I described, and possession of said properties and rights has been taken by the Company under the terms of a Preliminary Agreement, dated October 16, 1945, which Preliminary Agreement shall terminate concurrently with the execution and delivery of this Agreement and the payment of said purchase money.

Said properties and rights are described as follows, to wit:

a. Portion "R" Transmission Line and Appurtenances:

That portion of District's "R" transmission line extending from Rincon Substation of California Electric Power Company in Lot 1 of Section 23, T. 10 S., R. 1 W., S. B. B. and M., in San Diego County the point of severance being the point of attachment of conductors of said transmission line to the easterly side of the air break switch in said line at said Rincon Substation; thence southeasterly across Section 23, T. 10 S., R. 1 W.; Rancho Pauma; Sections 19 and 20, T. 10 S., R. 1 E.; Rancho Cuca; Sections 27, 26, 25 and 36, T. 10 S., R. 1 E.; Sections 31 and 32, T. 10 S., R. 2 E.; Sections 5, 4, 9, 10, and 3, T. 11 S., R. 2 E.; Section 34, T. 10 S., R. 2 E.; Rancho Valle de San Jose; Sections 22, 23, 26, 25 and 36, T. 11 S., R. 4 E.; Section 1, T. 12 S., R. 4 E.; Sections 6, 5, 4, 9, 10, 11 and 12, T. 12 S., R. 5 E.; Sections 7, 8, 9, 16, 10, 15, 14 and 13, T. 12 S., R. 6 E.; and to a point in Section 7, T. 12 S., R. 7 E., S. B. B. and M., which point is approximately at the junction of California Highway 78 and the county road leading from the said State highway to Borego Valley and more particularly described as structure No. A 639 of said transmission line; and also that certain operating telephone line of District approximately paralleling said transmission line from said Rincon Substation to said county road in said Section 7, the point of severance of said telephone line at said Rincon Substation being at Structure 2197 in said telephone line in said Rancho Pauma approximately one-half mile north of said Rincon Substation and the point of severance in said Section 7 being the point of attachment of the conductors of said telephone line to structure T 1211 in said line.

b. Grapevine Patrol Station:

That Portion of the N. ½ of Section 36, T. 11 S., R. 4 E., S. B. B. and M., in San Diego County, described as follows: Beginning at a point whence the northwest corner of said Section 36 bears north 64°43′ west a distance of 2894.4 feet; running thence south 3°38′ west 150 feet; thence south 86°22′ east 170 feet; thence north 3°38′ east 150 feet; thence north 86°22′ west 170 feet to the point of beginning. Also all of the right, title and interest of the District in and to the south 200 feet of the north 1450 feet of the east 200 feet of the northwest quarter of said Section 36.

c. Federal Power Commission Licenses:

All rights of District in, to and under that certain license for Project No. 544 (El Centro-Rincon Transmission Line and Telephone Line, Imperial and San Diego Counties, California), issued by Federal Power Commission under date of August 24, 1925, and transferred to District under date of October 15, 1943, so far and only so far as such license covers or applies to that portion of said "R" transmission line and telephone line described in Paragraph a above; provided that, in the event said Federal Power Commission refuses to transfer to either District or Company the portions of said license for Project No. 544 applying to the respective portions of said "R" transmission line and telephone line retained by each, then if requested by District so to do, Company agrees to a joint license with District for said lines, each party to have and maintain exclusive control over the respective portions of the lines retained by them under such joint license, and Company shall have the right to request cancellation by the Federal Power Commission of that part of said license for Project No. 544, covering the part of said "R" transmission line and telephone line acquired by Company hereunder.

d. Improvements:

All buildings, structures, improvements and appurtenances of District located in or upon the lands hereinabove described.

e. Rights of Way or Easements

Any and all rights of District, acquired by grant, conveyance, or use, over private properties or by license or permit to use or occupy public lands for power lines or other electric power and telephone purposes within that portion of the County of San Diego within which District, as described in the Agreement, agrees that it will not render service to the public, including, within such rights, all rights of way and easements used, occupied or had by District in said portion of said County, but not including any of said "R" transmission line and telephone line retained by District.

f. Other rights. Data and records:

All other properties and rights appertaining to the hereinabove described properties acquired by Company hereunder, whether or not herein expressly described, belonging to District within said portion of San Diego County within which District agrees not to render service to the public and all privileges passing to District, such as the privilege and right to have data and records pertaining to said portion of the transmission line and its appurtenances of the kind and character described in Article VIII of the Agreement dated October 15, 1943, between District and the said California Electric Power Company and not applying to the portion of said "R" transmission line and telephone line retained by District.

Article II. Undertaking of the parties with respect to mutual and dependent rights of operation

1. The transmission line owned by District of which the portion hereinabove described is sold and conveyed to Company extends as one continuous line into the Imperial Valley and to the City of El Centro located in Imperial County and both District and Company agree that for a period of two years from and after the 1st day of November, 1945, or until the execution of this Agreement, whichever is the longer time, said transmission line, (that portion sold to Company as well as the portion retained by District) shall be maintained in operating condition by District and by Company, respectively, as to their separate portions thereof at a nominal voltage of 88 kv and that no change shall be made by either party in said line or other facilities, except as required for maintenance and minor additions, which would interfere with service to or over said line for the use and benefit of either of the parties hereto. Normally, said line shall be kept energized by Company to the El Centro Substation of District.

2. Company shall provide and maintain a suitable switch in said "R" transmission line at the point of severance in Section 7, Township 12 South, Range 7 East or in the event Company locates the connection of the line which it proposes to build to Borego Valley at some point other than at said point of severance, Company may, in that event, locate and maintain said switch in said "R" transmission line on the El Centro side of said connection. The point of severance hereinabove described as Structure No. A639 consisting of a two-pole structure, fixtures and insulators shall be the property of District.

3. Company and District mutually agree to assist each other in case of emergency. Should District have an emergency and desire service from Company, District shall notify Company of that fact, and if Company has capacity and is able to supply District with energy requested, Company shall do so. The same applies in the event Company requires emergency service from District. For energy so furnished by one to the other, the charge therefor shall be the cost of the energy to the supplier plus an amount equal to 15 per cent of said cost. Meters required for the purpose of measuring energy furnished by one party to the other as an emergency service shall be installed at such place or places as may be mutually agreed by the parties. In the event Company is not able to furnish such emergency power to District from its own sources of supply, but power is available from other interconnected sources, then Company shall buy such power for resale to District, subject at all times to Company's prior rights to such power for its own customers, and provided also that the transmission of such power to District will not interfere with service to the customers of Company.

Article III. Limitation of areas within which district and company respectively may distribute electric power or energy

(a) For and during the period of twenty-five (25) years from and after the date of this Agreement, District, except to Company, shall not directly or indirectly sell or distribute electric power or energy in any or all of the areas in San Diego County lying westerly of a line hereinafter in this Paragraph (a) described, or sell or distribute electric power or energy in any other area for transmission into or for use, re-sale or consumption within any or all of said areas in San Diego County lying westerly of said line; said line is described as follows and all references hereinafter are to San Bernardino Base and Meridian.

Beginning at a point on the boundary line between San Diego and Riverside Counties in the State of California, which point is the Northeast corner of Section 2, Township 9 South, Range 7 East; thence South along the East line of Sections 2, 11, 14, 23, 26 and 35, Township 9 South, Range 7 East, the East line of Sections 2, 11, 14, 23, 26, and 35, Township 10 South, Range 7 East, and the East line of Sections 2, 11, and 14 in Township 11 South, Range 7 East, to the Southeast corner of said Section 14; thence from the Southeast corner of said Section 14 Southwesterly in a direct line to the Southeast corner of Section 32, Township 11 South, Range 7 East, which is also the Northeast corner of Section 5, Township 12 South, Range 7 East; thence West along the North line of said Section 5 to the Northwest corner of said Section 5, Township 12 South, Range 7 East; thence South along the West line of Sections 5, 8, 17, 20, 29, and 32 to the Southwest corner of said Section 32, Township 12 South, Range 7 East, which is also a point in the north line of Section 4, Township 13 South, Range 7 East; thence west from said point in the north line of said Section 4 to the northwest corner of said Section 4; thence South along the West line of Sections 4, 9, and 16 in Township 13 South, Range 7 East, to the Southwest corner of said Section 16; thence Southeasterly in a direct line to the Northwest corner of Section 2, Township 15 South, Range 8 East; thence South along the West line of Sections 2, 11, 14, 23, 26 and 35, Township 15 South, Range 8 East, to the Southwest corner of said Section 35; thence East along the South line of said Section 35 and Section 36 in Township 15 South, Range 8 East, to the Southeast corner of said Section 36, Township 15 South, Range 8 East, which said Southeast corner of said Section 36, Township 15 South, Range 8 East, is a point on the Easterly boundary line of said San Diego County; and thence South along the Easterly boundary line of said San Diego County to the intersection of said Easterly boundary line of said San Diego County with the International Boundary Line between the United States and Mexico.

(b) For and during said period of twenty-five (25) years from and after the date of this Agreement, Company, except for use by District, shall not directly or indirectly sell or distribute electric power or energy in any or all of the areas in San Diego and Imperial Counties lying easterly of the line as hereinabove described in Paragraph (a) of this Article, or sell or distribute electric power or energy in any other area for transmission into or for use, re-sale or consumption within any or all of the said areas lying easterly of said line.

Article IV. Further execution of documents

If the execution of other instruments or conveyances, whether in this Agreement specifically referred to and provided for or not, is necessary or desirable to carry out the intent and purpose of this agreement, District will at any and all times do, execute and deliver or will cause to be done, executed, acknowledged and delivered any and all further acts, deeds, transfers and assurances for the better assuring, conveying and confirming to Company all and singular the properties hereby conveyed or intended to be conveyed to Company as shall reasonably be required for the better accomplishing of the provisions and purposes of this Agreement.

Article V. Title

With respect to the properties of District herein agreed to be sold and conveyed to Company, insofar as the same consist of rights-of-way or easements, or licenses, or permits for the use and occupancy of public lands, it is understood that District is not to convey any greater title than District has and in that respect any provision in any agreement between District and Company the use of the term "grant" or other similar term shall not be construed to impose upon District any obligation to convey any better title than District has.

Article VI. Successors and assigns

This Agreement shall inure to the benefit of and be binding upon the successors and assigns of District and Company.

In witness whereof, the parties hereto have caused these presents to be executed in eight counterparts in their respective names by their officers for that purpose duly authorized by resolutions of their respective Boards of Directors the day and year in this Agreement first above written.

IMPERIAL IRRIGATION DISTRICT,

By ______________________________

President of the Board of Directors.

ATTEST:

____

Secretary.

SAN DIEGO GAS & ELECTRIC CO.

By ______________________________

President.

ATTEST:

____

Secretary.

YEAR OF DECISION

(By William Murray, special assistant to the NRECA general manager)

(EDITOR'S NOTE.—In recent months Mr. Murray has spent much of his time in providing advice and assistance to the management and members of these two cooperatives. He is particularly well-qualified to discuss their problems and prospects.)

Two tiny rural electric cooperatives in sunny California are in a fight for survival. The question of whether they live or die could well be determined in the next 12 months.

They are Anza Electric Cooperative, at Anza to the southeast of Los Angeles, and Mountain Empire Rural Electric Cooperative at Campo, to the east of San Diego. Their adversaries are Southern California Edison Company, ready, willing, but not yet able to take over Anza, and San Diego Gas & Electric Company, which wants to "merge" with Mountain Empire.

BATTLE FAR FROM OVER

In recent months the prospects of the cooperatives surviving the attacks have improved. But the battle still rages, and is far from over.

Whether the cooperatives will survive depends in great measure on their getting wholesale power at rates considerably cheaper than they are getting it now from the power companies. The long-range related question is whether these consumer-owned utilities are going to benefit from the giant Northwest-Southwest Intertie now being put together in the states along the Pacific Coast.

Almost as important to the long-range future of the cooperatives is whether their membership stands together or continues to be fragmented, thus giving the power companies the opportunity to pick up the pieces.

BOARD SEATS CONTESTED

Both cooperatives held annual meetings in June, at which a portion of the members of their boards of directors were to be elected. It was plain before the meeting that these seats would be contested, for in each co-op dissident members had formed committees to promote the proposals of the power companies and each committee was promoting a slate of candidates.

At Anza it was known as the "Rate Reduction Committee." At Mountain Empire it was the "Citizens' Committee for Electric Service Information." Both committees had the same lawyer.

The extent of the disaffection these committees had been able to arouse among the membership was apparent in the votes. Approximately 400 of Anza's 600 members attended the meeting or voted by proxy. The three-member pro-sellout slate lost, but only by margins ranging from 27 to 41 votes. At Mountain Empire, however, two candidates committed to "considering" the company offer defeated two incumbent board members opposed to selling-out to San Diego Gas & Electric. The two new members, however, are still a minority on a board of seven.

"LOWER RATES" COMPANY PITCH

Helping the pro-sell-out forces to arouse dissatisfaction at both cooperatives are high rates, a direct consequence of the fact that the two power companies charge the cooperatives a wholesale rate of better than one cent per kwh—10. 2-mills to Anza, 12.6-mills to Mountain Empire.

"We'll lower your rates" was the smooth pitch the companies were able to make.

What the companies left unsaid, however, is that they will get the tremendous benefit of low-cost Federal power when the Intertie is completed. The wholesale rates the companies are charging Anza and Mountain Empire are, to put it bluntly, gouging.

When negotiations were held in 1964 between the Federal government and these and other private power companies, agreement seemed to be reached that cooperatives and municipal systems, as preference customers under precedents that extend back to the time of President Theodore Roosevelt, would receive a share of the benefits.

WHEELING AGREEMENT NECESSARY

But it took strenuous protests by NRECA General Manager Clyde Ellis in recent months to get Interior Department to agree to allocating Intertie power to the two cooperatives.

Anza in particular is in a vulnerable position, since the only foreseeable way at present that it will be able to get Intertie power will be through a wheeling agreement with Southern California Edison. NRECA General Manager Ellis has asked Interior Secretary Stewart Udall not to sign the Intertie contracts with Southern California Edison or San Diego G&E until both co-ops are receiving the benefits of Intertie power to which they are entitled and which the Secretary promised they would receive. Cheaper power and greatly increased use of electricity predicted for the Anza coopertative by REA power requirements studies should enable the co-op to lower its retail rates substantially.

SOME "WEEKENDERS" CUSTOMERS

Most of Anza's customers are ranchers and farmers. However, about a third of the members consist of "weekenders" from Los Angeles who spend a limited amount of time out where the air is cleaner and the traffic is less.

Mountain Empire is in a better position. With an REA-approved loan, the cooperative is planning to build a 71-mile transmission line eastward to connect with the Bureau of Reclamation system in the Imperial Valley.

The co-op must obtain approval of the California Public Utilities Commission before it can build the line. San Diego G&E is expected to lead the fight against approval. A great deal hinges on the California PUC's action. Unless the co-op can get permission to build the line, it will have no other choice at present but to continue to buy from San Diego at high rates. And, as a result, little hope of lowering rates to members. This would aid the power company's campaign to gobble up the co-op.

IMPROVE MEMBER RELATIONS

The recent board elections seem to have impressed upon the directors and management of the two cooperatives the absolute necessity for an effective member relations program, which neither co-op has had in the past.

It is likely that the showdown in these sell-out battles will come at next June's annual meetings. This is a year of decision for these two rural electric systems.

DECLARATION OF 50,000 AMERICANS AGAINST THE CRIME OF SILENCE

Mr. GRUENING. Mr. President, the New York Times on November 8, 1967, published an advertisement containing a declaration which 50,000 Americans have already signed against the "Crime of Silence."

The individuals who have already signed this declaration are to be highly commended.

For more than 3½ years I have been speaking out against the illegal and immoral military involvement of the United States in Vietnam. I am glad to be joined by the many thousands who have declared against the "Crime of Silence," who are "appalled and angered by the conduct of our country in Vietnam," and who feel that they must speak out because of their own deep "democratic traditions" and their "dedication to the ideal of human decency among men."

I ask unanimous consent that the advertisement be printed in the Record.

There being no objection, the advertisement was ordered to be printed in the Record, as follows:

INDIVIDUALS AGAINST THE CRIME OF SILENCE

(Note.—50,000 Americans have signed the declaration below. Our goal is 5,000,000. Your signature does have power. Sign this declaration and mail it today.)

A Declaration To Our Fellow Citizens Of The United States, To The Peoples Of The World, And To Future Generations:

1. We are appalled and angered by the conduct of our country in Vietnam.

2. In the name of liberty, we have unleashed the awesome arsenal of the greatest military power in the world upon a small-agricultural nation, killing, burning and mutilating its people. In the name of peace, we are creating a desert. In the name of security, we are inviting world conflagration.

3. We, the signers of this declaration, believe this war to be immoral. We believe it to be illegal. We must oppose it.

4. At Nuremberg, after World War II, we tried, convicted and executed men for the crime of Obeying their government, when that government demanded of them crimes against humanity. Millions more, who were not tried, were still guilty of The Crime of Silence.

5. We have a commitment to the laws and principles we carefully forged in the American Constitution, at the Nuremberg Trials, and in the United Nations Charter. And our own deep democratic traditions and our dedication to the ideal of human decency among men demand that we speak out.

We Therefore wish to declare our names to the office of the Secretary General of the United Nations, both as permanent witness to our opposition to the war in Vietnam and as a demonstration that the conscience of America is not dead.

On September 23, 1965, a Memorandum of Law was incorporated in the Congressional Record of the 89th Congress of the United States of America, in which eighty leading American attorneys, after careful analysis of our position and actions in the Vietnam War, came to the conclusion that we are violating the following accords: The Charter of the United Nations, The Geneva Accords of 1954, the United States Constitution.

To Protest—To Object—To Dissent has long been an American tradition. The following are a few among the many who have signed this declaration to be on permanent record.

Abe Ajay, James Baldwin, (Father) J. E. Bamberger, M.D., OCSO, Daniel Berrigan, S.J., Rev. Phillip Berrigan, S.S.J., Ray Bradbury, Robert McAffee Brown, Rev. William H. DuBay, James Farmer, W. H. Ferry, Dr. Jerome D. Frank, Rev. Stephen H. Fritchman, Ben Gazzara, Dr. Fred Goldstein, Naomi L. Goldstein.

Dr. Ralph R. Greenson, Prof. Abraham J. Heschel, Brig. General H. S. Hester, Ret., Dr. Stanley Hoffman, Teressa B. Hoffman, Charles H. Hubbel, Sander L. Johnson, Esq., Prof. Donald Kalish, Edward M. Keating, Phil Kerby, Ring Lardner Jr., Rabbi Richard N. Levy, Louis Licht, Esq., Dr. Robert E. Litman, Victor Ludwig.

Herbert D. Magidson, Shirley Magidson, Norman Mailer, Thomas Merton, Sidney Meyer, Eason Monroe, Prof. Hans J. Morgenthau, Henry E. Niles, Dr. Mark F. Orfirer, Ava Helen Pauling, Dr. Linus Pauling, Bishop James A. Pike, Richard M. Powell, Carl Reiner, Janice Rule.

Robert Ryan, David Schoenbrun, Lorry Sherman, Prof. Robert Simmons, Dr. Benjamin Spock, Fred H. Steinmetz, Esq., Dr. Norman Tabachnick, D. Ian Thiermann. Bryna Ivens Untermeyer, Louis Untermeyer, Dick Van Dyke, Robert Vaughn, Dr. Maurice N. Walsh, Dr. Harvey Wheeler, A. L. Wirin, Esq.

I wish to sign my name to the above Declaration to the United Nations and want to go on record with this Declaration of the Individuals Against the Crime of Silence.

Signature ______________________________
(For clarity, also print your name after your signature)
Address ______________________ date ______
city ________________ state _______ zip _____

Sign, complete and mail to P.O. Box 69960, Los Angeles, Calif. 90069. The office of the Individuals Against the Crime of Silence will then forward the information to the United Nations.

Should you also wish to support additional publishings and communications, send $1 or more in cash or by check made payable to Individuals Against Crime of Silence. This donation entitles you to the lapel emblem and the wallet-sized registration card. Money is needed to speed our progress.

The strength of our numbers will regularly and effectively be made known. Your signature does have power.

Murray Abowitz, M.D., Peter Amacher, James A. Anderson, Ph.D., Barbara Avedon, Anita Altman, Aris Anagnos, Wesley Bilson, Mrs. Wesley Bilson, Harold Bloom, Lester E. Buhai, Frances E. Bloom, Ruth Berlin, Ted Berlin, Jay R. Bergman, Blanch Berkow, Charles Berkow.

Peter F. Brussard, Louise Burr, David Brod, Harriet Buhai, Viola Brown, Lenore Breslauer, Gerald Breslauer, Whitney Blake, Frederic Bradlee, Lloyd Burlingame, Peggy Brooks, John Benson Brooks, Lucille Banta.

Carolyn Bloomberg, Erma Bley, Paul Bickart, Lewis Beyman, Bernard Baumrin, Ruth Blank, Mary Ellen Cyrus, Rose Chernin, Valerie C. Chase, Marlene Clever, Marion Clever, Ruth Cowan, Jean G. Colvin, John Caccavale, Joe Caldwell, Remy Charlip.

Kingsland Camp, James Chickos, Jack K. Cohen, Edward R. Carroll, Irving Centor, Daniel J. Cook, Admiral Dawson, T. F. Daiell, Florence Daiell, Ray Doyle, William Dawson, David A. Dumas, Lloyd DeKay, Harold Dreyfuss, John Desmond, Martin Duberman, Jack Diether.

Ben Ettin, Edith Ettin, Bruce Ehrlich, Albert M. Eisner, Phyllis Edgecombe, Ronnie Elliott, Ise Erythropel, Martin Eisenberg, Anthony Econom, William Eustace, Molly Edmundson, Barbara Frank, Alan E. Flanigan.

Betty Field, Selma B. Feldman, Esther Friedman, Hy Fontwit, Elsie Fontwit, Robert Gates Folk, III, Mike B. Friden, Daniel Frumkes, Carol Frumkes, Rose Fields, Henry Forman, James L. Fry, Leon Forer.

Samuel Fishman, Mitchell Goodman, Marion Greenstone, Myron Greenstone, Cecile Glayt, Rod Gorney, MD, Jeffrey Gillman, A. L. Gillett, Selma Gillett, Kerri Gillett, Frank Gibson, Shirley Gibbs, Lilliam Glick, Edward Groth, III, Jan Green, Marlene Gilbert, E. Robert Gluck, Audrey Gluck, Charlotte E. Gluck, Lila Garrett.

Myrtle Gustin, Robert Grodsky, Paul Goldstein, Mel Grizer, John Hellman, Michael Hirsh, Jay D. Hinds, Katharine Hinds, Steve Hellman, Milly Hellman, Dr. George E. Hlavka, Joan Hersh, Ronald R. Hoy, Joanna T. Hanawalt, Philip C. Hanawalt, Dr. Stanley H. Hoffman, Teressa B. Hoffman, Esther Hovey, D. Hyman, Linda Holland, Dave Howell.

April Hallat, Michael E. Hanson, Doreen Hanson, Darryl F. Hersh, James Leo Herlihy, Joseph Hardy, John Clellan Holmes, Lynne Holcomb, Hershl Hartman, Del Hanley, Anne Harvey, James Hynes, Phyllis Horing, Manuel Infante, Maitland Jones, Jr., Mary B. (Boots) Jones, Everett L. Jones, John Jacobus, Benjamin Jaffe, Dr. Murray Krim.

Pauline Kramer, Wilma Keller, Stanley L. Keller, Marion Krupin, Seymour Kern, Jean Kover, H. B. Kern, Toni Kimmel, Anna Karen, Eugene H. Kramer, Samuel Katz, Certa Katz, James Kirkwood, Joseph M. Kling, Dennis N. Krakow, Lee Levey, Robert Levey, Irmgard Lenel, Eileen Levine, Walter G. Levine, Alma Lasher, Edward A. Lasher, Robert E. Litman, Martin L. Levy, Mark Lester, Denise Levertow, Townley Lawrence.

Phil Leshin, Robert A. Lewis, Gale Levy, Roslyn Lacks, Harmon Levenback, J. Roger Morris, Phyllis Marusak, Seymour Mandel, Diana Miles, Dr. Alex Miles, Marcia D. Margolin, Harold F. Margolin, Donald J. McLarty, Toni Michels, Lou Michels, Rita Marsh, Robert Carter McDaniel, Allan Manings, Evelyn N. Miller, Katherine Martinet, Donald March, Jean Merrill, Diane March.

Carla A. Moore, Dr. Howard L. Millman, Mrs. Howard L. Millman, John P. Mills, Br. Jos. P. McMorrow, FMS, Helen Mears, Gerald Melnick, Pent MacDougall, Paul Mundschenk, Dianne Mundschenk, Louis Miano, Kurt Mislow, Hugh Martin, Harvey Mayes, Janet Mayes, Sherle North, Ellen Neiman, Mark Nickerson, Betty Nilsen, Elisabeth Olson, John C. Olden, Prof. Homer Price.

Walter N. Pharr, Jr., Pauline C. Pharr, William Pierce, Betty Pierce, Louis H. Pignolet, Felix Padilla, William Oscar Player, Michael A. Parzanese, Susan Plotkin, Frank S. Pestana, Barbara G. Pease, Gerald E. Pease, Maureen E. Pirtle, J. Stanley Pirtle, Leonard D. Petty, Joseph Raffael, Helen M. Rueben, Janine Rosales, Jack Rosales, LeVonne A. Rowley, William E. Rowley, Sr., Dorothy Richner.

Betsy Rich, Dr. Arthur J. Rich, Mrs. Arthur J. Rich, Stuart H. Rubenstein, James Rubin, Chuck Rothbaum, Donald Righter, Samuel Rosenwein, Dr. E. Mark Stern, Virginia Fraser Stern, Baird Searles, Burt Supree, Sucha Sierra, Robert E. Schultz, Ronni Solbert, Lois C. Schwartz, Sahl Swarz, John E. Spears, Robert Spears, Warren L. Siegel, Peter J. Stang.

Paul Schleyer, Daniel J. Sandman, Benedicta Schwager, Sidney Schwager, Norma Schwartz, Rosemary Salimbene, Paula Schraeter, Karsten J. Struhl, Paula Rothenberg Struhl, Stephen M. Spielman, Lewis M. Schwartz, Jill Hoffman Schwartz, Israel Schechter, Eric Sherman, David Shapiro, Larry Steinberg, Evelyn Stern, Beverly Singer, Rose Selesnick, H. A. Steingart, Allen I. Selverston, Carlene Schmidkunz.

Meredith Schuytin, Lillian P. Schuman, Martin M. Shapero, Joyce L. Stone, Jan Shutan, Robert Shutan, David Tillotson, Victoria Tillotson, Harold Thomas, Priscilla Todd, Donald Tucker, Jack Temkin, Shirley N. Taylor, Rita Tomkin, Ian Theirmann, Jane Thiermann, Evelyn Tabachnick, Florence Temkin, Gail Title, Bertha Thomas, Philip Thomas, Vicki Temkin, Rich Toberoff, Cavin Tondre, Marleen Tondre.

Pearl Tondre, Valerie Vreeland, Lillian Vogel, Harriette Williams, Gerald Walker, John Wulp, Anna L. Weissberger, Rosalind Wells, Charles Weiss, Michael L. B. Weil, Brian Wester, Sonya M. Weil, James E. Williams, Jr., Arnold M. Weiss, Jerome Weinblatt, Barbara Weinblatt, Ruth Weinblatt, Richard Willis, Art Warren, Sylvia Wolf.

Leo Wolf, George Willett, Henry A. Waxman, Atheline Wold, W. T. White, O. C. Wilson, Nicki Wilson, Katherine J. Wilson, John H. Winkelman, Harriet Wendell, Donald M. Wilson, Nancy A. Wilson, Ron Weiss, Brian D. White, Marvin L. Wiseley, Jan Wilson, Louise W. Wilkins, Lois Yudovin, Josemario Zayas, Allen Zak, Richard Zumwinkle.

(Above is a partial list of signers who have contributed to the cost of this ad)

TRIBUTE TO SENATOR MONRONEY

Mr. HARRIS. Mr. President, since 1951 my distinguished senior colleague, the Senator from Oklahoma [Mr. Monroney], has been working effectively in the U.S. Senate for the best interests of his State and Nation. Much of this work has to do with perfecting legislation, and is done quietly in committee without fanfare or publicity, so that the public sometimes does not realize the full extent of his contribution to good government.

I am pleased that more and more members of the Oklahoma press are taking close, careful looks at the operations of this body, and are telling their readers about the excellent job Senator Monroney is doing. Examples of this are an editorial in the October 31, 1967, issue of the Duncan Banner entitled "Burdensome Rules Prevented," and a column by Milt Phillips entitled "Depletion Tax Benefit Target" in the September 29, 1967, issue of the Seminole Producer. Both the column and the editorial outline Senator Monroney's effective efforts in behalf of the oil industry, so vital to Oklahoma's economy and to the welfare of this Nation.

I ask that the Duncan Banner editorial and Mr. Phillips' column be placed in the Record at this point:

There being no objection, the editorial and article were ordered to be printed in the Record, as follows:

[From the Duncan (Okla.) Banner, Oct. 31, 1967]

Burdensome Rules Prevented

Sen. Mike Monroney again has shown knowledge of and demonstrated his effectiveness in holding the line on regulations that would have been burdensome to the oil and gas industry.

Monroney's latest contribution to the welfare of the industry was made last week when he succeeded in getting the Senate Commerce Committee to accept an amendment to a pipeline transportation bill which exempts natural gas gathering lines from regulatory standards imposed on the long distance systems. He presented to the committee the logical facts which impressed his colleagues that gathering lines are not subject to the operating hazards of main lines which carry natural gas from one end of the country to the other.

Oil and gas operators in the Duncan area, as well as in every other section of the state, regulations due to Monroney's stand to exempt them from the provisions of the proposed transportation act. It will be remembered that Oklahoma's senior United States senator led the fight that resulted in passage of a bill which would have exempted all natural gas production and gathering operations, including sales, from jurisdiction of the Federal Power Commission. That measure, for reasons which could not be justified, was vetoed by President Eisenhower.

The bloc of senators and congressmen seeking to eliminate or reduce the tax depletion rate on oil and gas is getting larger each session. Monroney has been effective in helping to kill such legislation during the years he has served in Congress and the Senate. He has made his influence felt for the welfare of Oklahoma and its industries.

[From the Seminole Producer, Sept. 29, 1967]

Depletion Tax Benefit Target

(By Milt Phillips)

Informed Washington sources report President Johnson will eventually get most or all of the tax increase he is seeking this year. But most such sources say a half dozen major tax "reforms" are due the most forceful support any such proposals have received in many years. Top among the so-called "loopholes" is the 27½ percent oil depletion allowance. Down the list a ways is the tax-free municipal, county and state industrial bond. Both of these tax incentives are of vital importance to Oklahomans. Those oil operator beneficiaries of the oil depletion allowance and those industrialists who likewise are beneficiaries of the tax free industrial bonds had better be giving second thoughts to removing such stalwart defenders of these tax incentives as Mike Monroney, Tom Steed and Carl Albert. Issue-dodgers like ex-governor Bellmon and those who, like him, have been tried as legislators and served without distinction, would be of questionable value in Washington when the tax battles that lay ahead must be fought and won if Oklahomans and Oklahoma is to be protected from economic difficulties.

Oklahomans in the business of producing oil, and those with mineral rights and oil production income, would be severely hurt if the depletion allowance should be materially reduced or eliminated. But though these would be hurt the most, all Oklahomans would be injured because venture capital would not be attracted to the drilling of new wells and job opportunities in the drilling and producing business would be reduced. In direct proportion, other related industry and the economy which lives on the search for and production of oil would be severely damaged. Even though many of Oklahoma's oilmen are stupid, politically, surely they are not stupid enough to replace the effective and influential team which has saved them in this oil depletion allowance field so many times in the past—and is now the only hope they have of staving off an aggressive drive by those who will use the tax increase as the major lever to smash the tax allowance and tax incentives which help the oilmen and all Oklahomans.

WASTE TREATMENT PRACTICES AT FEDERAL INSTALLATIONS IN MONTANA

Mr. METCALF. Mr. President, my interest in protecting and cleaning up our Nation's water resources dates back to boyhood and swimming in the clear waters of the Bitterroot River near my home. This interest has been sharpened by work on the appropriate committees in both Houses of Congress.

I have cosponsored and worked on behalf of legislation under which we can require that private industry take care of the pollution it creates. I feel deeply that we can expect no less of Federal agencies.

Recently I asked the Federal Water Pollution Control Administration for a report on waste treatment practices at Federal installations in Montana.

That report shows that, of 35 Federal installations polluting public water supplies in Montana, only five have taken positive action to clean up the mess they are making. The rest, in the words of the report, are planning, or recommending, or considering, or proposing, or surveying, or evaluating, or studying, or reviewing proposals to do the job.

The report covers seven Federal agencies—the Air Force, Bureau of Indian Affairs, Forest Service, Park Service, General Services Administration, Bureau of Sport Fisheries and Wildlife, and the Corps of Engineers. Pollution sources ranged in size from a major Strategic Air Command base to a border patrol station on the United States-Canadian border.

The report lists five installations in Montana where work is in progress. There are two which are the responsibility of the Bureau of Indian Affairs, and one each for the Forest Service, National Park Service, and the Bureau of Sport Fisheries and Wildlife. By agency, type of pollution, and action being taken, they are:

Bureau of Indian Affairs: Fort Belknap Agency, Blaine County; lagoon effluent enters Milk River above water supply intake; relocation of effluent line should be completed this fiscal year. Ranger station and residence, Flathead Agency, Hot Springs; septic tank effluent overflows to surface disposal; new tile field to be completed during fiscal year 1968.

Forest Service: Lodgepole Campground, Deerlodge National Forest; construction of waterborne sewage treatment facility during summer of 1968.

National Park Service: McKinley Dormitory, Many Glacier Area, Glacier National Park; cesspool overflow eventually reaches Lake Sherburne; connection to existing adequate sewage treatment facility to be made in fiscal 1968 or early in fiscal year 1969.

Bureau of Sport Fisheries and Wildlife: Medicine Lake National Wildlife Refuge, Sheridan County; septic tank and pit privies discharge effluent to Medicine Lake; adequate tile fields and vault privies should be completed this fiscal year.

Mr. President, Congress has acted responsibly and in the public interest. We have turned the administration of legislation aimed at clean water over to those we taxpayers have hired to transact our public business for us. We expect them to apply the same standards to public installations that they do to private business.

The record of performance, if that is what you want to call it, is not good enough. I have gone back to each of the Federal agencies involved for a report on what they propose to do about the pollution that is their responsibility, when they propose to do it, how much it will cost, whether they have asked or will ask for the money to do it, how the degree of sewage treatment they propose will compare with that of the area in which the Federal facility is located, and their plans for coordinating their work with that of nearby communities.

Because I feel deeply that clean water is everybody's business, I wish to share this report on Montana with the Senate. I ask unanimous consent that the report be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

[From the U.S. Department of the Interior, Federal Water Pollution Control Administration, Federal Activities Coordination Division]

SUMMARY OF WASTE TREATMENT PRACTICES AT FEDERAL INSTALLATIONS IN MONTANA

Installation and location	*Type of pollution*	*Action being taken*
	U.S. AIR FORCE	
Kalispell Air Force Station, Lakeside, Flathead County.	Inadequately treated waste from imhoff tank and lagoon discharged directly to Stoner Creek, a direct tributary of Flathead Lake.	Subsequent to State and County complaint action this station was visited. Corrective measures recommended to restore system and preclude any effluent to Stoner Creek were reviewed September 28, 1967. Present funding status unknown.
Malmstrom Air Force Base, Cascade County.	Effluent from primary sewage treatment plant enters Missouri River.	Secondary treatment plant planned for FY '68. Connection to City of Great Falls sewage system under consideration.
Havre Air Force Station, Hill County.	Overloaded lagoon discharges inadequately treated sewage.	Additional treatment facilities planned for FY '69. Capacity of existing facilities to be increased.
Opheim Air Force Station, Valley County.	Existing lagoons discharge inadequately treated sanitary sewage to poorly defined water course.	Additional lagoon area planned for FY '70.
	BUREAU OF INDIAN AFFAIRS	
Fort Belknap Agency, Blaine County.	Lagoon effluent enters Milk River above water supply intake.	Relocation of effluent line should be completed this fiscal year.
Ranger Station and Residence, Flathead Agency, Hot Springs, Sanders County.	Septic tank effluent overflows to surface disposal.	New tile field to be completed FY '68.
Kicking Horse Job Corps Center, Flathead Agency, Sanders County.	Lagoon effluent to surface disposal.	Proposed modification to include overflow structure and drainline. Chlorination recommended. Funding status not known. Plans reviewed by FWPCA September 12, 1967.
	U.S. FOREST SERVICE	
Missoula Aerial Fire Depot, Missoula County.	Septic tank effluent discharged to Bitterroot River.	Lift station and two-cell lagoon system proposed.
Seeley Lake Campground, Missoula County.	Existing pit toilets pose pollution threat to lake.	Collection system, septic tank, and drainfield proposed.
Lolo Ranger Station, Missoula County.	Septic tank effluent discharges to Lolo Creek.	Two-cell lagoon system proposed.
Pattee Creek Picnic Area, Missoula County.	Area served by 19 pit toilets. Waste discharged to Pattee Creek during high water stage.	Collection system, septic tank and drainfield proposed for FY '69.

SUMMARY OF WASTE TREATMENT PRACTICES AT FEDERAL INSTALLATIONS IN MONTANA—Continued

Installation and location	*Type of pollution*	*Action being taken*
	U.S. FOREST SERVICE—Continued	
Lookout Pass Ski Area, Coeur d'Alene Forest, Idaho, Lolo Nat'l Forest, Montana.	Potential pollution of St. Regis River, Montana, and South Fork Coeur d'Alene River, Idaho.	This permittee operation on USFS properties to be surveyed and evaluated to determine corrective needs.
Seeley Lake Ranger Station, Lolo National Forest.	Septic tank effluent discharges to Seeley Lake.	Relocate septic tanks and install drainage fields as necessary to prevent discharge to surface waters.
Superior Ranger Station, Lolo National Forest.	Raw sewage discharged to Clark Fork River.	Relocate septic tanks and install drainage fields as necessary to prevent discharge to surface waters.
Seeley Lake Ranger Station, Lolo National Forest.	Inoperative drainfields and cesspools contributing to groundwater pollution.	Lagoon in planning stage.
West Fork Ranger Station, Bitterroot National Forest.	Septic tank effluent discharged to creek and ultimately to the West Fork, Bitterroot River.	Relocate septic tanks and install drainage fields as necessary to prevent discharge to surface waters.
Condon Ranger Station, Flathead National Forest.	Septic tank effluent discharged to Swan River.	Relocate septic tanks and install drainage fields as necessary to prevent discharge to surface waters.
Noxon Ranger Station, Kaniksu National Forest.	Septic tank effluent discharged to Clark Fork River.	Relocate septic tanks and install drainage fields as necessary to prevent discharge to surface waters.
Upper Ford Work Center, Kootenai National Forest.	Seepage pit overflow enters Yaak River.	Relocate septic tanks and install drainage fields as necessary to prevent discharge to surface waters.
Troy Ranger Station, Kootenai National Forest.	Old septic tank and seepage system in need of replacement, polluting Kootenai River.	New septic tank and disposal field in planning stage.
Sylvanite Ranger Station, Kootenai National Forest.	Old septic tank and seepage system in need of replacement, polluting Yaak River.	Relocate septic tanks and install drainage fields as necessary to prevent discharge to surface waters.
Raven Ranger Station, Kootenai National Forest.	Old septic tank and seepage system in need of replacement, polluting Fisher River.	Relocate septic tanks and install drainage fields as necessary to prevent discharge to surface waters.
Aspen Grove Campground, Helena National Forest.	Pit toilets discharge to water table adjacent to Blackfoot River.	Relocate septic tanks and install drainage fields as necessary to prevent discharge to surface water
Blackfoot Campground, Helena National Forest.	Pit toilets discharge to water table adjacent to Blackfoot River.	Relocate septic tanks and install drainage fields as necessary to prevent discharge to surface waters.
Lincoln Ranger Stations, Helena National Forest.	Existing drainfield in groundwater table polluting Blackfoot River.	Relocated drainfield in planning stage.
Lodgepole Campground, Deerlodge National, Forest.	Not known.	Construction of waterborne sewage treatment facility, evapotranspiration, during summer of 1968.
	NATIONAL PARK SERVICE	
Lake McDonald Lodge, Glacier National Park.	Inadequately treated effluent discharged to Snyder Creek.	Under study by National Park Service.
Sperry Chalet, Glacier National Park.	Septic tank effluent discharged to ground surface.	Under study by National Park Service.
Avalanche Creek Campground, Glacier National Park.	Defective drainfield discharges septic tank effluent to McDonald Creek.	New drainfield, etc. to be accomplished as a maintenance item.
Kintla Lake Campground and Ranger Station, Glacier National Park.	Present pit privies overloaded.	NPS proposes to install septic tank and subsurface seepage system in distant future.
McKinley Dormitory, Many Glacier Area, Glacier National Park.	Cesspool overflow eventually reaches Lake Sheburne.	Connection to existing adequate sewage treatment facility to be made in FY '68 or early FY '69.
Logan Pass, Glacier National Park.	Septic tank effluent eventually enters Swiftcurrent Creek.	Improvements recently recommended by Missouri Basin Regional Office, FWPCA, under consideration by National Park Service.
	GENERAL SERVICES ADMINISTRATION	
Babb-Piegan Border Station, Glacier County.	Failure of subsurface soil-absorption causing discharge of small amounts of septic tank effluent to surface.	Needed improvements will be based on study of difficult soil conditions which is now in progress.
	U.S. DEPARTMENT OF THE INTERIOR, BUREAU OF SPORT FISHERIES AND WILDLIFE	
Medicine Lake National Wildlife Refuge, Sheridan County.	Septic tank and pit privies discharge effluent to Medicine Lake.	Adequate tile fields and vault privies should be completed this fiscal year.
	CORPS OF ENGINEERS	
Libby Dam Project, Trego Elementary School.	Surface disposal of septic tank effluent.	Proposal reviewed April 11, 1967, for new septic tank and underground disposal system. Final Review July 11, 1967.

Report prepared October 18, 1967.

DISSENT OVER CONDUCT OF WAR IN VIETNAM

Mr. McGEE. Mr. President, given our free and democratic society, dissent is to be expected and, always, to be tolerated. That we have dissented, of course, is obvious. That this dissent over the conduct of the war in Vietnam gives encouragement to our enemies is often denied by the dissenters. But on the basis of propaganda outpourings from Hanoi and Peking, it cannot be effectively denied any longer.

Crosby S. Noyes, writing in the Washington Evening Star of November 7, comments upon this fact, suggesting that the leaders in Hanoi are influenced in their calculations by the critics of our Government's policies here at home. I ask unanimous consent that his column, entitled "Peking, Hanoi Count Heavily on U.S. Dissent," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PEKING, HANOI COUNT HEAVILY ON U.S. DISSENT

Nothing, of course, infuriates critics of President Johnson's Vietnam policies quite so much as the suggestion that these critics may be giving encouragement to the Communists in Hanoi and Peking.

Yet, in fact, there is almost no aspect of the war in Vietnam that is more easily documented than this one. Johnson's suggestion that the American public might pay a bit more attention to the reactions of Hanoi to some of the things being said in this country is very much to the point.

Consider, for example, the announcement by Radio Hanoi on October 17 of the formation of "The South Vietnam People's Committee for Solidarity with the American People."

The prime objective of this committee, according to the official communique, is "to unite and coordinate with the American people in the struggle for peace, justice, freedom, democracy and civil rights and in demanding that the U.S. government put an end to its aggressive war in Vietnam."

To accomplish this, the committee proposes "to establish relations with and contact all progressive organizations and individuals in the Untied States . . . who want to acquaint themselves with the situation in Vietnam and to join the Vietnamese people" in demanding an end to the war.

In several thousand well-chosen words, the new committee hails the plans of the "American People's Movement" to demonstrate throughout the United States.

"Our struggle will certainly grow more powerful," the statement concludes, "and in coordination with your struggle, it will certainly be capable of compelling the U.S. government to put an end to its aggressive war in Vietnam."

Throughout the following week, daily broadcasts and statements in Hanoi and Peking paid glowing tribute to the riots and demonstrations in American cities. Of the march on the Pentagon, the New China News Agency commented:

"Johnson himself was so seized with fear that he stayed in the White House all day. This fully showed up the Johnson administration's fear of the people and its true color as a paper tiger."

Communist propaganda differentiates sharply, of course, between what it describes as "people's" protest movements against the war and President Johnson's political opposition. There is a tendency to assume that Republican and Democratic doves—regardless of what they may say—are in fact committed to the war.

The Communists apparently have some trouble swallowing the idea of serious dissent within the Congress or the major political parties—an idea which is hard to square with the stereotype of entrenched and viciously reactionary "ruling circles' in the United States.

Nevertheless, the finer points of the administration's political situation are not lost on the leaders in Hanoi and Peking. There is hardly a statement made, a poll taken, an editorial written, a vote in Congress or the United Nations that is not turned to use as grist for the Communist propaganda mill.

Thus Defense Secretary McNamara himself is duly misquoted in North Vietnam's Nhan Dan on November 1 as saying that "Americans had no grounds to believe that an indiscriminate bombing campaign would shatter the North Vietnam people's determination or shake the spirit of their leaders."

The New York Times is cited as authority for the claim that "more and more people in American political circles realize the Johnson clique's failure in Vietnam." The UPI is credited with the discovery that "the number of those opposing the war in the United States has nearly doubled in the past two years." And columnist Clayton Fritchey is quoted as opining that the elections in South Vietnam "have not so much resolved old problems but have introduced new ones."

Even such random and fragmentary quotes as these suggest that the leaders in Hanoi do in fact derive substantial encouragement on a day-to-day basis from the critics of the war in the United States. Given a free and democratic society it is, indeed, inevitable that this should be so. To pretend that it isn't may possibly ease the conscience of the critics. But it will not change the fact that dissent in the United States is a very important factor in the calculations being made today in Peking and Hanoi.

POLICY OF CONTINUED BOMBING OF NORTH VIETNAM IS A TRAGIC FAILURE

Mr. YOUNG of Ohio. Mr. President, in February 1965, the administration made the fateful decision to turn a civil war in Vietnam into an American air and ground war. This decision was marked first by the bombing of North Vietnam, and second, by the rapid escalation of American ground forces in South Vietnam to the point where today we have more than 500,000 young Americans fighting there—more than we had in Korea at the height of the Korean war; more than we have committed to any war in our history except for the Civil War and World Wars I and II.

The justification for this tragic turn of events was the hope that relentless intensification of military pressure would end the war and force the Hanoi Government to the negotiating table. This policy has proven a tragic failure.

Twenty-four hundred years ago Sophocles in his play Antigone wrote:

> Think: all men make mistakes, but a good man yields when he knows his course is wrong, and repairs the evil.

Mr. President, the cost in priceless lives of young Americans and the loss of aircraft far exceed any gains resulting from the bombing of north Vietnam. The time is long past due for an announcement by our President that we will unconditionally cease the bombing of north Vietnam, hoping that there will then be a conference leading to an armistice and cease-fire. A way to the peace table must be found before the point of no return is reached. We must pick up the pieces of our misguided Vietnam policy and make a new start toward peace.

When the decision was made 32 months ago to maintain constant and widespread bombing of North Vietnam, Gen. Maxwell Taylor stated:

> The objective of our air campaign is to change the will of the enemy leadership.

It has failed dismally. If the bombing has brought about any change in the will of the North Vietnamese, it has been to stiffen their resolve to continue fighting and to fight harder. Even Secretary of Defense McNamara in testifying before the Senate Preparedness Investigating Subcommittee last August admitted:

> There is no basis to believe that any bombing campaign, short of one which had population as its target, would by itself force Ho Chi Minh's regime into submission . . . As to breaking their will, I have seen no evidence in any of the many intelligence reports that would lead me to believe that a less selective bombing campaign would change the resolve of North Vietnam's leaders or deprive them of the support of the North Vietnamese people.

The reaction by the North Vietnamese to the bombing is identical to the reaction of the British people during the battle of Britain in the dark days following the fall of France in World War II. The Luftwaffe not only failed to break the will of the English people, but by the indiscriminate bombing of civilian targets the Nazis strengthened the resolve of the English to fight to the end.

The bombing of North Vietnam has not only failed to force the Hanoi government to the conference table. It also has in itself prevented any negotiations whatever. Officials of the North Vietnamese Government have made it abundantly clear that they will never negotiate so long as the bombing continues.

Every escalation of the war on our part has been made on the assumption that the North Vietnamese and the Vietcong would not make a reciprocal gesture. In every instance this assumption has been proven false. While our bombing may have increased the cost of infiltration from North Vietnam to the south, it has at the same time increased the number of infiltrators and the quality of enemy arms. According to officials of our own Department of Defense, in March 1965, there were only 400 regular North Vietnamese troops in South Vietnam. Today there are 50,000. In March 1965, the Vietcong were fighting with small arms and mortars. Today, following our huge buildup of men and equipment, the Russians have supplied them with increasingly more sophisticated and effective weapons. The infiltration of men and supplies has not stopped. As Secretary McNamara has pointed out, the Vietcong requires significantly under 100 tons a day of materiel, other than food, a quantity that can be transported by only a few trucks or a few hundred bicycles. He further stated:

> I don't believe that bombing up to the present has significantly reduced, nor any bombing that I could contemplate in the future would significantly reduce, the actual flow of men and materiel to the south.

Some administration warhawks, notably Secretary of State Rusk, have contemptibly suggested that those Americans who oppose the continued bombing of North Vietnam do not consider the fact that a halt in the bombing would result in the deaths of thousands of young Americans. They ignore the fact that more than half the Americans killed in the entire Vietnam war from 1961 to the present have been killed since the beginning of this year, the period of the most intense escalation of the war. Statistics further reveal the number of American deaths declined during the bombing pause last February. The Secretary of Defense has himself expressed doubt that reduction of the bombing would bring a marked increase in American casualties in South Vietnam, as claimed by the warhawk generals.

In April 1965 President Johnson stated that our increased involvement in the Vietnamese civil war would strengthen the Government of South Vietnam and the will of the South Vietnamese people to continue fighting. Let us face the facts. The government now in power in Saigon would not last a week were it not for the presence of our Armed Forces and operatives of the Central Intelligence Agency. President Thieu and Vice President Ky received less than 35 percent of the vote in the election held on September 3—an election in which the two most formidable opposition candidates, Au Troung Thanh, the former Minister of

Finance, and Gen. Duong Van Minh, were disqualified from running. Even at that, the constituent assembly in Saigon was induced to confirm the results of this election by a vote of only 58 to 43.

Furthermore, the so-called friendly forces of South Vietnam have proven much too friendly, indeed. For all practical purposes they have ceased to fight. They have even failed in their now primary duty of helping to pacify the countryside. There are nearly 700,000 men in the South Vietnamese Army. They are miserably paid and miserably led. Of the officers with the rank of lieutenant colonel or higher, only two fought against the French in the war for Vietnamese independence. That fact is not startling when we consider that nine of the 10 generals in the ruling junta in Saigon, a group which still retains real power there, fought with the French against their fellow Vietnamese fighting for their nation's independence.

The more we fight, the less the South Vietnamese fight. Today our casualty figures far exceed theirs. During the month of October more than 900 young Americans were killed in combat in Vietnam. Contrast this with the fact that only 684 South Vietnamese soldiers lost their lives during the same period. The fact is that now this is our war, not theirs. We have allowed ourselves to become mired in a land war in Southeast Asia with no end in sight.

Secretary of State Rusk has raised the specter of a billion Chinese armed with nuclear weapons overwhelming Asia as a justification for our sending thousands of additional soldiers into South Vietnam and continuing the bombing of North Vietnam, destroying that nation which forms a natural barrier against Chinese aggression. The Vietnamese for years have feared the Chinese colossus to their north. Monuments commemorating victories of the past over Chinese aggressors are evident throughout Vietnam. Ho Chi Minh himself was a prisoner in a Chinese dungeon in 1944.

There is no reason to suppose that Asian communism is a unified, centralized movement. Certainly there is no evidence that North Vietnam has been or is a puppet of Communist China. The fact is that North Vietnam with support from the Soviet Union would be inclined to resist Communist Chinese expansionism and to do so much more effectively than the parade of puppet regimes which we have sponsored in Saigon. In the long run, it will not be our intervention that will prevent Communist Chinese expansion in Asia, but local nationalism.

Secretary Rusk ignores the fact that the Vietcong is a nationalist movement as well as a Communist movement, more nationalist than Communist. The Vietnamese have been fighting for their independence for 27 years, first against the Japanese, then against their French colonial oppressors, and now many of them against the United States, which they feel has replaced the French presence in Vietnam. Apparently, Secretary Rusk cannot comprehend we are fighting Vietnamese nationalism which, far from opening the door to Communist Chinese conquest, really offers the best hope of erecting political and cultural barriers to such conquest. The war in Vietnam is making the containment of China harder, not easier.

On numerous occasions, administration officials have stated that if we do not keep our so-called and very "iffy" commitments in Vietnam, then no nation can ever trust our word in the future. The fact is that our intervention in Vietnam has caused many of our allies to turn against us. Very few nations in the world support our involvement in the civil war. Heads of state of practically every nation in the world have called for us to stop the bombing of North Vietnam and to extricate ourselves from that conflict. Except for South Korea, which is in reality a client state of ours, no nation in the world has given us any meaningful support. For the first time in this century, we are going it alone.

In addition, the escalation policy has set in motion throughout the Nation a basic questioning about the whole idea of our military, economic, and political commitments to other nations. It has been the greatest stimulus to American isolationism in the last 30 years. It can very well prevent us in the future from taking action in a country where our national interests are vitally involved and our military presence urgently required. Our involvement in Vietnam has been a monumental diplomatic failure.

Mr. President, the warhawk Joint Chiefs of Staff and other admirals and generals consistently urge further escalation of the war in spite of the fact that their advice to date has proven to be abysmally wrong. The views of such outstanding military leaders as Gen. James M. Gavin, Matthew Ridgway, and David M. Shoup, who have urged deescalation of the war, cessation of the bombing, and eventual withdrawal to our coastal enclaves under the protection of our airpower and our 1st and 7th Fleets, have been ignored.

The patriots who wrote our Constitution provided that civilian authority in our Nation must always be supreme over military authority. Unfortunately, the fact is that with over more than a half a million troops better trained and equipped than any troops in our history, with 700,000 South Vietnamese soldiers, with 45,000 South Koreans, with total command of the air and sea, we have been brought to a standstill by 280,000 Vietnamese armed, until recently, with only rifles and mortars. The inescapable conclusion is that our military leaders have grossly misjudged and misconceived the character of this war.

Their constant answer to past failures is more men and more bombing. If they are going to continue seeking to destroy a nation and to kill off thousands and thousands of civilian men, women, and children, in addition to the 150,000 civilians we have already killed and maimed with our artillery and napalm bombing, then those in power in the Defense Department and the administration should tell the truth to the American people. They should tell them that it is going to require the participation of more than 1 million American soldiers and marines. Let us hope that the administration will come to its sense before we are committed to such a tragic course of action.

The first step that must be taken is an announcement by our President that we will cease the bombing of North Vietnam unconditionally in the hope that this will bring the North Vietnamese and the Vietcong to the negotiating table where a cease-fire and an armistice can be formulated. Along with this our President should announce that we will withdraw to our coastal enclaves once negotiations begin, providing of course that the Vietcong cease offensive action during that period.

Mr. President, we must seek to neutralize Vietnam and end the bloodletting there. Otherwise, the future holds forth for us indefinite involvement in that wartorn land. Even more compelling is the fact that to continue our present tragic course is likely to lead to a third world war.

We are ravaging a small country which presents no threat to our interest or security. For this we are paying a price which more and more Americans regard as far, far too high.

UNEMPLOYMENT INCREASE TO 4.3 PERCENT TORPEDOES CASE FOR TAX INCREASE

Mr. PROXMIRE. Mr. President, rumors persist that the political case for the tax increase is improving and that some kind of coalition of Democratic and Republican leaders will put together a package that can pass both bodies of Congress and become law. But the economic case for the tax increase is getting weaker and weaker.

Yesterday I called the Senate's attention to the fact that new factory orders—perhaps the best single indicator of the future of industrial production—have fallen for the third consecutive month and that they fell by a whopping billion dollars in the latest reporting month.

Now the Bureau of Labor Statistics has just revealed that unemployment increased last month from 4.1 to 4.3 percent after a jump from 3.8 to 4.1 percent in September. This constitutes the largest 2-month increase in unemployment in 7 years.

It means that unemployment is now far above the 3.5-percent target level for unemployment unanimously agreed upon by the Republican and Democratic members of the Joint Economic Committee in January.

Certainly any argument that it is an overall shortage of available manpower that is responsible for inflation should evaporate in the light of these figures which show, when analyzed, an increase in joblessness among adult men as well as others.

Certainly a tax increase under these circumstances would be cruel indeed for the 2,951,000 Americans who are seeking work and cannot find it. The tax increase would make it more difficult than it is now to find work.

Mr. President, unless economic conditions change by the time a tax increase bill comes to the floor of the Senate I would certainly feel impelled to make the most strenuous case I know how against it. I cannot believe that a majority of Senators would favor such action if they fully considered all the economic facts involved.

I ask unanimous consent that an analysis by the staff of the Joint Economic Committee, the release from the U.S. Department of Labor reporting the employment situation in October, and tables A–1, A–2, A–3, A–4, A–5, and A–6 be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

ANALYSIS BY STAFF OF JOINT ECONOMIC COMMITTEE: UNEMPLOYMENT RISE STRONG EVIDENCE AGAINST A TAX INCREASE

Yesterday the Bureau of Labor Statistics reported that unemployment rose to 4.3 percent of the labor force during October. This second straight monthly rise has brought the unemployment rate to its highest level in two years. Coupled with recent declines in industrial production, capacity utilization and durable goods orders, this new evidence of sluggishness in the private economy further nullifies the case for a tax increase. Enactment of a tax increase now would place the health of the economy in serious jeopardy.

The latest statistics on the employment situation indicate that there is certainly no general labor shortage. Indeed, they give cause for renewed concern about the hardship brought about by higher unemployment. The substantial rise in the number of unemployed workers in the past two months has resulted from the fact that employment failed to increase, while the civilian labor force increased substantially. It is not enough for employment to hold steady, since the normal trend of the labor force is an increase of approximately 1.8 percent annually. And, the relatively short workweek is an additional indication of unused labor resources.

UNEMPLOYMENT

Nor is this rise in unemployment a temporary aberration in an otherwise favorable trend. During 1966 and the first half of 1967, the unemployment rate fluctuated in a relatively narrow band of from 3.5 to 4.0 percent. Since August, it has increased one-half percentage point. The number of persons unemployed was approximately 3 million—up half a million from October a year ago. The September increase was somewhat ambiguous due to problems of seasonal adjustment which clouded the interpretation of the sharp rise in the female unemployment rate. On the other hand, the October data indicate that the brunt of the rising unemployment is being borne by those in lower-paying, less-skilled work, especially nonwhite workers and teenagers.

The unemployment rate for nonwhite workers for October was 8.8 percent—up substantially from 7.9 percent in September and 6.9 percent in August. One must go back to February 1965 to find the nonwhite rate this high. The unemployment problem is perhaps most severe for nonwhite teenagers, whose unemployment rate in the first nine months of 1967 amounted to 26½ percent. Their unemployment rate was 2½ times the rate for white teenagers.

By occupation of last employment, the unemployment rate in October increased most in the case of less-skilled workers. Although the rate for white-collar workers was unchanged from September, it was 2.5 percent compared to 2.1 percent a year ago. Unemployment among blue-collar workers increased to 4.9 percent from 4.4 percent in August and 4.0 percent in October 1966. The rate for nonfarm laborers was 9.2 percent—up substantially from 6.8 percent in October 1966. The unemployment rate for service workers was 5½ percent—up from 4.6 percent in October 1966.

By major industry of last employment, the seasonally adjusted unemployment rate in October was 7.2 percent in construction compared to 5.4 percent in September. In manufacturing, the unemployment rate held steady, but was more than 1 percentage point above October 1966.

EMPLOYMENT, PAYROLLS, AND HOURS

The level of civilian employment, on a seasonally adjusted basis, was approximately unchanged in October compared to the September level and down about 100,000 from August. Employment increased 2.0 percent from October 1966 to October 1967 and 2.3 percent from October 1965 to October 1966. Employment, after reaching 74.3 million in January 1967, was relatively soft during the February to May period, but then increased significantly from May to August to a level of 74.6 million. Thus, the latest October to October period encompassed periods of weaknesses, recovery, and then the present weakness.

The number of employees on nonfarm payrolls rose in October by 120,000. The increase was concentrated in Government and trade. Payrolls were up slightly in manufacturing but down in construction, mining, and transportation and utilities.

Average weekly hours of production or nonsupervisory workers on private nonagricultural payrolls amounted to 38.1 in October—down .2 hours from September and .6 from October 1966. The seasonally adjusted work week in manufacturing was 40.7 hours—down from the cyclical peak of 41.6 in February 1966 but up from the low of 41.0 in December 1966 and January 1967.

THE EMPLOYMENT SITUATION: OCTOBER 1967

The unemployment rate rose in October for the second consecutive month, and at 4.3 percent was up 0.2 percent from September, the U.S. Department of Labor's Bureau of Labor Statistics reported today. The rise in the jobless rate was occasioned by a larger than usual labor force increase rather than reductions in employment. The increased joblessness in October occurred among teenagers and adult men. After advancing in September, unemployment among adult women was virtually unchanged in October.

Total employment, at 74.6 million seasonally adjusted, was about the same in October as in September, and was up 1.4 million from October 1966. The civilian labor force, however, has increased more rapidly; at 78.0 million seasonally adjusted, it was up by 200,000 over the month and 1.9 million from October 1966.

UNEMPLOYMENT

The number of unemployed persons totaled 2,951,000 in October, up nearly 200,000 from September after seasonal adjustment. The total was 500,000 higher than in October 1966, when the unemployment rate was 3.8 percent.

Unemployment rates for adult men and married men, at 2.5 and 1.9 percent in October 1967, were not significantly changed from a year earlier and were close to their average levels in the past 12 months. Similarly, the rate for workers insured under State unemployment insurance programs, who tend to have a firm labor force attachment, was unchanged over the month at 2.4 percent.

Rates of unemployment among both whites and nonwhites were up over the month to 3.8 and 8.8 percent, respectively. Both were at their highest points since 1965.

The bulk of the increase in unemployment over the year has been concentrated among women and teenagers; unemployment among both groups was up about one-fourth. In October 1967, the jobless rate was 4.8 percent for women and 15.1 percent for teenagers. Reflecting the substantial unemployment increase among adult women which occurred in September, medium-term unemployment (5 to 14 weeks) rose to 884,000 in October. Long-term unemployment—which lags behind changes in the economic situation—remained below a year ago levels, though up somewhat from summer averages.

Unemployment rates have moved up for workers in occupations requiring less skill and in those in which women are concentrated. The rate for operatives was up from 4.1 to 5.3 percent over the year, and for nonfarm laborers from 6.8 to 9.2 percent. For workers whose last job was in a clerical occupation, the rate increased from 3.2 to 3.9 percent over the year. The rate for sales workers moved from 2.2 to 3.4 percent, and for service workers from 4.6 to 5.5 percent.

LABOR FORCE AND TOTAL EMPLOYMENT

In October 1967, the civilian labor force was up 1.9 million from October 1966. Total employment rose 1.4 million and unemployment increased 500,000 over the year. This large year-to-year increase in unemployment—which includes 275,000 women, 175,000 16 to 19 year-olds and 50,000 adult men—developed almost entirely in the last few months along with the unusually large labor force increases.

PAYROLL EMPLOYMENT, HOURS, AND EARNINGS

The number of employees on nonfarm payrolls rose in October by 120,000 (seasonally adjusted) to 66.2 million. The increase was concentrated in State and local government and trade, with the return to work of teachers previously involved in labor disputes accounting for about 60,000 of the gain in government. The increase in trade (40,000) was for the most part confined to retail trade, reflecting the modest but continued growth in retail sales.

Manufacturing employment was unchanged between September and October. Employment totaled 19.2 million (seasonally adjusted) in October, 400,000 less than the all time high of January 1967. For the past few months, factory employment has varied within the narrow range of 19.2 to 19.3 million. To some extent these recent developments reflect the lower level of new orders for durable goods and the effects of the Ford strike. Strikers, who are not on payrolls, are not counted in the payroll employment statistics, although in the household survey they are considered to be employed but not at work.

Over-the-month employment changes in mining, contract construction, transportation and public utilities, finance industries, and miscellaneous services were small and for the most part in line with seasonal expectations.

Over the year, payroll employment has risen by 1.5 million. The entire increase was a result of employment growth in the service-producing industries, notably government (670,000), miscellaneous services (500,000) and trade (400,000). Manufacturing employment was 260,000 lower in October 1967 than a year ago; much of the reduction was accounted for by an over-the-year increase in the number of striking workers off payrolls. After large employment gains in the 1965–66 period, manufacturing employment has shown little change this year.

HOURS AND EARNINGS

Average hourly earnings for rank and file employees on private nonfarm payrolls were $2.72 in October—up 1-percent from September and 12-cents from October 1966. Their workweek averaged 38.1 hours, down 0.6 hour from a year ago.

The workweek for manufacturing production workers edged down 0.1 hour in October to 40.7 hours (seasonally adjusted). Average weekly hours declined in 14 of the 21 manufacturing industries. Over the past three months, the workweek has averaged 40.7 hours, 0.3 hour more than in the February–July period, but still down more than one-half hour from last October.

TABLE A-1.—EMPLOYMENT STATUS OF THE NONINSTITUTIONAL POPULATION BY AGE AND SEX

[In thousands]

Employment status, age, and sex	October 1967	September 1967	October 1966	Seasonally adjusted: October 1967	September 1967	August 1967	July 1967	June 1967
Total:								
Total labor force	81,595	80,982	79,488	81,460	81,259	81,160	80,954	80,681
Civilian labor force	78,132	77,526	76,209	77,997	77,803	77,701	77,505	77,237
Employed	75,181	74,631	73,744	74,630	74,625	74,718	74,489	74,147
Agriculture	40,033	3,931	4,114	3,707	3,676	3,992	3,856	3,727
Nonagricultural industries	71,148	70,700	69,630	70,923	70,949	70,726	70,633	70,420
On part time for economic reasons	1,687	1,883	1,451	1,813	1,977	1,855	2,011	1,939
Usually work full time	922	1,073	811	949	1,081	992	1,058	1,072
Usually work part time	765	810	640	864	896	863	953	867
Unemployed	2,951	2,895	2,466	3,367	3,178	2,983	3,016	3,090
Men, 20 years and over:								
Civilian labor force	45,606	45,600	44,828	45,513	45,476	45,559	45,433	45,314
Employed	44,714	44,761	43,989	44,375	44,435	44,479	44,338	44,156
Agriculture	2,922	2,924	2,932	2,791	2,806	2,835	2,791	2,726
Nonagricultural industries	41,792	41,837	41,058	41,584	41,629	41,644	41,547	41,430
Unemployed	893	839	839	1,138	1,041	1,080	1,095	1,158
Women, 20 years and over:								
Civilian labor force	26,398	25,903	25,197	26,092	26,051	25,557	25,516	25,177
Employed	25,167	24,615	24,231	24,827	24,781	24,558	24,421	24,094
Agriculture	736	638	770	567	512	705	624	581
Nonagricultural industries	24,430	23,978	23,461	24,260	24,269	23,853	23,797	23,513
Unemployed	1,231	1,287	966	1,265	1,270	999	1,095	1,083
Both sexes, 16 to 19 years:								
Civilian labor force	6,128	6,024	6,183	6,392	6,276	6,585	6,556	6,746
Employed	5,300	5,254	5,523	5,428	5,409	5,681	5,730	5,897
Agriculture	374	369	411	349	358	452	441	420
Nonagricultural industries	4,926	4,886	5,111	5,079	5,051	5,229	5,289	5,477
Unemployed	828	769	660	964	867	904	826	849

TABLE A-2.—UNEMPLOYED PERSONS 16 YEARS AND OVER BY DURATION OF UNEMPLOYMENT

[In thousands]

Duration of unemployment	October 1967	September 1967	October 1966	Seasonally adjusted: October 1967	September 1967	August 1967	July 1967	June 1967
Less than 5 weeks	1,653	1,810	1,368	1,847	1,889	1,660	1,805	1,649
5 to 14 weeks	884	715	663	1,153	945	946	876	919
15 weeks and over	415	370	435	489	437	441	435	444
15 to 26 weeks	259	226	235	313	278	231	265	298
27 weeks and over	156	144	199	176	159	210	170	146

TABLE A-3.—MAJOR UNEMPLOYMENT INDICATORS

[Persons 16 years and over]

Selected categories	Thousands of persons unemployed: October 1967	October 1966	Seasonally adjusted rates of unemployment: October 1967	September 1967	August 1967	July 1967	June 1967	October 1966
Total (all civilian workers)	2,951	2,466	4.3	4.1	3.8	3.9	4.0	3.8
Men, 20 years and over	893	839	2.5	2.3	2.4	2.4	2.6	2.4
Women, 20 years and over	1,231	966	4.8	4.9	3.9	4.3	4.3	4.0
Both sexes, 16 to 19 years	828	660	15.1	13.8	13.7	12.6	12.6	12.7
White	2,305	1,942	3.8	3.6	3.5	3.5	3.5	3.4
Nonwhite	647	523	8.8	7.9	6.9	7.2	7.8	7.4
Married men	564	537	1.9	1.8	2.0	1.8	2.0	1.9
Full-time workers	2,108	1,885	3.9	3.8	3.6	3.6	3.9	3.4
Unemployed 15 weeks and over	415	435	.6	.6	.6	.6	.6	.7
State insured [1]	901	752	2.4	2.4	2.7	2.8	2.6	2.1
Labor force time lost [2]	.....	.....	4.7	4.6	4.3	4.3	4.5	4.1
Occupation:								
White-collar workers	837	681	2.5	2.5	2.2	2.2	2.2	2.1
Professional and managerial	193	192	1.2	1.3	1.1	1.2	1.2	1.3
Clerical workers	496	393	3.9	3.7	3.4	3.2	3.2	3.2
Sales workers	148	96	3.4	4.1	3.2	3.7	3.8	2.2
Blue-collar workers	1,160	929	4.9	4.6	4.4	4.7	4.7	4.0
Craftsmen and foremen	218	222	2.8	2.2	2.4	2.3	2.8	2.9
Operatives	656	507	5.3	5.4	4.8	5.4	5.1	4.1
Nonfarm laborers	286	200	9.2	8.1	7.8	8.0	7.8	6.8
Service workers	484	402	5.5	5.1	4.1	4.5	4.3	4.6
Industry:								
Private wage and salary workers [3]	2,186	1,771	4.4	4.2	3.9	4.1	4.0	3.8
Construction	170	206	7.2	5.4	7.1	7.6	8.6	8.8
Manufacturing	766	545	4.1	4.1	3.8	4.0	3.9	3.0
Durable goods	400	273	3.6	3.7	3.4	4.1	3.6	2.5
Nondurable goods	366	272	4.8	4.5	4.5	4.0	4.3	3.6
Transportation and public utilities	86	56	2.6	2.4	2.6	2.4	2.9	1.7
Wholesale and retail trade	571	648	5.0	5.1	4.2	4.4	4.1	4.3
Finance and service industries	571	479	4.2	4.0	3.5	3.5	3.3	3.7
Government wage and salary workers	221	173	2.2	2.1	1.5	1.7	2.1	1.9
Agricultural wage and salary workers	89	71	8.6	11.1	7.1	7.2	7.8	7.3

[1] Insured unemployment under State programs as a percent of average covered employment.

[2] Man-hours lost by the unemployed and persons on part time for economic reasons as a percent of potentially available labor force man-hours.

[3] Includes mining, not shown separately.

TABLE A-4.—FULL- AND PART-TIME STATUS OF THE CIVILIAN LABOR FORCE

Full- and part-time employment status	Total	Men, 20 and over	Women, 20 and over	Both sexes, 16 to 19 years
Full time:				
Civilian labor force	67,309	43,581	20,773	2,956
Employed:				
Full-time schedules	63,267	41,898	19,011	2,358
Part time for economic reasons	1,934	887	845	201
Unemployed, looking for full-time work	2,108	796	916	397
Unemployment rate	3.1	1.8	4.4	13.4
Part time:				
Civilian labor force	10,823	2,025	5,625	3,173
Employed (voluntary part time)	9,980	1,929	5,310	2,741
Unemployed, looking for part-time work	843	97	315	431
Unemployment rate	7.8	4.8	5.6	13.6

TABLE A-5.—EMPLOYED PERSONS BY AGE AND SEX

[In thousands

Age and sex	October 1967	September 1967	October 1966	Seasonally adjusted				
				October 1967	September 1967	August 1967	July 1967	June 1967
Total, 36 years and over	75,181	74,361	73,744	74,630	74,625	74,718	74,489	74,147
16 to 19 years	5,300	5,254	5,543	5,428	5,409	5,681	5,730	5,897
16 and 17 years	2,237	2,113	2,183	2,288	2,246	2,341	3,322	2,363
18 and 19 years	3,063	3,141	3,340	3,106	3,148	3,331	3,404	3,491
20 to 24 years	8,525	8,491	7,990	8,514	8,522	8,612	8,604	8,571
25 years and over	63,355	60,885	60,230	60,738	60,724	60,393	60,128	59,678
25 to 54 years	47,510	47,090	46,768	46,876	46,768	46,709	46,471	46,062
55 years and over	13,845	13,795	13,462	13,712	13,698	13,632	13,563	13,627
Males, 16 years and over	47,624	47,705	47,016	47,425	47,479	47,712	47,555	47,448
16 to 19 years	2,910	2,944	3,027	3,050	3,044	3,233	3,217	3,292
16 and 17 years	1,330	1,291	1,301	1,400	1,409	1,436	1,399	1,403
18 and 19 years	1,580	1,653	1,726	1,639	1,653	1,786	1,810	1,856
20 to 24 years	4,787	4,861	4,567	4,806	4,849	4,891	4,856	4,881
25 years and over	39,926	39,900	39,422	39,588	39,589	39,566	39,468	39,266
25 to 54 years	30,913	30,905	30,585	30,637	30,648	30,638	30,584	30,424
55 years and over	9,014	8,996	8,837	8,915	8,898	8,889	8,860	8,870
Females, 16 years and over	27,557	26,925	26,728	27,205	27,146	27,006	26,934	26,669
16 to 19 years	2,390	2,310	2,496	2,378	2,365	2,448	2,513	2,605
16 and 17 years	907	822	882	888	837	905	923	960
18 and 19 years	1,483	1,488	1,614	1,467	1,495	1,545	1,592	1,635
20 to 24 years	3,738	3,630	3,423	3,708	3,673	3,721	3,748	3,690
25 years and over	21,429	20,985	20,808	21,130	21,135	20,827	20,660	20,412
25 to 54 years	16,598	16,186	16,183	16,239	16,120	16,071	15,887	15,638
55 years and over	4,832	4,800	4,625	4,797	4,800	4,743	4,703	4,757

Note: Due to the independent seasonal adjustment of several of the series, detail will not necessarily add to totals.

TABLE A-6.—UNEMPLOYED PERSONS BY AGE AND SEX

Age and sex	Thousands		Percent looking for full-time work, October 1967	Seasonally adjusted unemployment rates					
	October 1967	September 1967		October 1967	September 1967	August 1967	July 1967	June 1967	October 1966
Total, 16 years and over	2,951	2,895	71.4	4.3	4.1	3.8	3.9	4.0	3.8
16 to 19 years	828	769	47.9	15.1	13.8	13.7	12.6	12.6	12.7
16 and 17 years	373	345	22.3	16.5	15.6	15.3	14.4	14.0	14.7
18 and 19 years	455	424	68.8	13.9	12.6	12.7	11.4	11.3	11.4
20 to 24 years	521	569	80.8	6.5	6.6	5.5	6.2	5.8	5.4
25 years and over	1,602	1,557	80.6	2.9	2.7	2.5	2.6	2.8	2.6
25 to 54 years	1,293	1,267	82.1	3.0	2.8	2.6	2.7	2.9	2.6
55 years and over	309	290	74.4	2.5	2.3	2.5	2.3	2.3	2.5
Males, 16 years and over	1,324	1,214	73.8	3.4	3.0	3.1	3.1	3.3	3.1
16 to 19 years	431	375	42.0	15.0	12.4	12.4	11.6	12.3	11.7
16 and 17 years	238	188	23.1	17.3	13.2	15.3	14.5	14.2	14.1
18 and 19 years	194	187	64.9	12.9	11.4	10.2	9.2	10.3	9.9
20 to 24 years	206	206	83.0	5.3	4.9	5.0	5.0	5.1	4.3
25 years and over	686	633	91.0	2.1	1.9	2.0	2.1	2.2	2.1
25 to 54 years	490	481	95.3	2.0	1.9	2.0	2.0	2.1	1.9
55 years and over	196	152	80.6	2.5	2.0	2.4	2.3	2.5	2.1
Females, 16 years and over	1,627	1,681	69.5	5.8	5.9	5.1	5.3	5.2	5.0
16 to 19 years	397	394	54.2	15.1	15.6	15.4	13.8	13.0	13.9
16 and 17 years	135	157	20.7	15.3	19.3	15.4	14.3	13.8	15.7
18 and 19 years	261	237	71.6	15.1	13.8	15.4	13.8	12.4	13.0
20 to 24 years	315	363	79.4	8.0	8.8	6.1	7.6	6.8	6.9
25 years and over	916	924	72.7	4.3	4.1	3.5	3.7	3.9	3.5
25 to 54 years	802	787	74.1	5.0	4.5	3.7	4.1	4.5	3.9
55 years and over	113	137	64.6	2.6	2.9	2.7	2.2	1.7	3.1

SMALL BUSINESS DEVELOPMENT IN SOUTH DAKOTA

Mr. McGOVERN. Mr. President, the State of South Dakota occupies a favorable position in the center of the rapidly developing Northern Plains area of the United States.

It is a natural gateway for tourists traveling in any direction across the plains, and for established trade routes of commerce and industry.

South Dakota's fine highways, favorable climate, abundance of pure water, ample power, and ready supply of labor are basic resources that promote industrial development.

However, it is the people of the Northern Plains that give the area its special appeal. They are of a basic stock who radiate the pioneer spirit and possess the driving energy of their forebears. Their self-reliance and progressiveness stems from the fact that they, like most Americans of an earlier generation, are close to the soil.

The economy of South Dakota is predominately agricultural, and it is on that solid foundation that its people are developing food processing, meatpacking, and allied industries. Characteristically, in an area where there are no great metropolitan centers, much of the drive for diversification comes from small business enterprises.

It is this drive, sparked by small businesses, that is a basic fact of South Dakota today, as it is of the other States of the Northern Plains.

If anyone doubts that South Dakota is making forward strides they have but to visit the rapidly developing water playground and recreation areas that stretch for 200 miles along the Missouri River Valley, ranging to the west and north of Yankton to include much of the central part of the State.

The many thousands of visitors who every year seek recreation in South Dakota attest to the fact that it is a rapidly growing recreation area for millions of people of the Midwest. And like all developing areas, it offers many attractions and opportunities for the small businessman.

The importance of small business to the growing economy of South Dakota becomes apparent when one considers that during the 5 years I have served in the U.S. Senate, the Small Business Administration has helped some 1,200 individual small businesses in the State with long-term loans totaling $36 million.

These loans have, for the most part, been made with bank participation, and in many cases they have enabled local development companies to provide facilities for new enterprises that have brought jobs and small industries to their areas.

What kind of small businesses have received help from the Small Business Administration? They range all across the spectrum, from retail establishments such as shoe stores and clothing stores and farm implement dealers to fishing and hunting resorts and grain elevators, potato processors and other industrial enterprises.

The size of SBA loans varies with the enterprise but most of them are small, averaging $40,000. They provide financing that the small firm cannot obtain from any other source and enable him to contribute to the growing economy.

Last year alone the Small Business Administration made nearly $7 million in long-term loans to aid 167 small businesses in South Dakota. In each case it was help from SBA that gave them the chance to survive and prosper.

In addition to business loans, the Small Business Administration also approved last year 34 economic opportunity loans totaling $540,000. These loans went to low income or disadvantaged small businessmen and potential small businessmen to help them get a start in a small business of their own, or to help them expand an existing small enterprise. They went to aid people who cannot normally qualify for bank credit and who, except for help extended by SBA, would have little hope of succeeding in a business of their own.

SBA last year also approved two loans to aid small South Dakota firms that had been forced to relocate because of highway or urban renewal projects. SBA approved five loans totaling $7,000 to aid persons whose property had been damaged by floods, windstorms, or other natural disasters.

And during the year SBA also approved 11 loans totaling $2,275,000 to aid local development companies. These companies were formed by public-spirited citizens who wished to bring in new businesses or to help existing businesses expand. They are an important part of South Dakota's drive to diversify its economy and create jobs that will keep the young people at home.

It is significant, I think, that in the 5 years that I have served in the U.S. Senate, the Small Business Administration has approved 29 loans totaling $4.4 million to aid local development projects in South Dakota.

To finance these projects the local citizens raised nearly $1 million of their own funds and banks provided another $230,000. The small businesses aided by these projects hired nearly 600 people to fill newly created jobs, and many of these firms have steadily increased their employment since.

The local development companies the Small Business Administration aided last year were located in Salem, Mitchell, Pine Ridge, Armour, Big Stone City, Britton, Huron, Arlington, Bryant, Watertown, and Timber Lake. One of the largest loans was $305,600 to build a cheese factory at Big Stone City, where more than 100 people are employed.

Because the SBA's local development company program offers so much to the future economic development of South Dakota, I should like to point out what the creation of new jobs can mean to a community.

For every 100 new factory workers, a community can expect a 75-percent increase in employment, in trade and services, with a corresponding increase in population, number of households, school attendance, and personal income.

This, of course, is just the immediate impact on the community. Actually, the impact is continuous, it multiplies. This is so because he gets a job and he rents or buys a home for his family; his paycheck is spent in the community; the merchants prosper; the new employee buys a car, sends his children to school.

It is this type of dynamic growth that the Small Business Administration is helping finance in South Dakota today.

Speaking of rural America, President Johnson has said:

> Local leadership and initiative are necessary if rural development is to keep pace with the needs of the people. But the government can and should provide information as well as technical and financial assistance which will speed progress.

Under its new Administrator, Robert C. Moot, the Small Business Administration is doing its part to help small business lead the way to increased diversification of South Dakota's economy.

The future of South Dakota and indeed of the North Plains area depends upon diversification of its industries. And it is the small businessman who is leading the way.

UNDER SECRETARY WOOD SPEAKS OUT IN SUPPORT OF TAX INCREASE AND VIETNAM CONFLICT AS VITAL TO INTERESTS OF URBAN AMERICA

Mr. McINTYRE. Mr. President, Robert C. Wood, Under Secretary, Department of Housing and Urban Development, delivered a most important address to the Iowa Home Builders Association on November 3, 1967. He put in perspective for the homebuilders how the President's proposal for a tax increase and how the President's efforts in Vietnam would affect our efforts in rebuilding American cities.

He called upon the homebuilders to support the President's surtax proposal as a "program of temporary fiscal restraint—if we are to preserve a healthy and balanced economy—if we are to begin the massive job of rebuilding our cities and housing the less fortunate—if we are to continue a conflict which threatens the stability of the entire world."

He pointed out that many have decried our involvement in Vietnam and have said:

> Give this money to our cities—take it from the rice fields of Southeast Asia and put it in the streets of America.

But Under Secretary Wood correctly noted:

> However attractive this cry is to those engaged in the massive tasks of rebuilding our cities—they have to ask themselves how lasting a victory? How lasting a victory if we break treaty obligations to allies? How lasting a victory if we withdraw to a "Fortress America."

In his speech, he reminded us of the words of an illustrious French leader after France fell to the Nazis:

> Our spirit of enjoyment was greater than our spirit of sacrifice. We wanted to have . . . more than we wanted to give. We spared effort, and we met disaster.

Under Secretary Wood noted that this administration has "a spirit of sacrifice when necessary to meet aggression, a willingness to give for freedom." And he said that "we shall spare no efforts and we shall not meet disaster."

Mr. Speaker, I commend Under Secretary Wood for his forthright discussion of the tax increase and of the Vietnam conflict as they relate to the task of rebuilding our cities. It was excellent.

So that my colleagues might read the full context of Dr. Wood's speech, I would like to include it in the CONGRESSIONAL RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

FOUNDATIONS FOR URBAN AMERICA

(Remarks by Robert C. Wood, Under Secretary, Department of Housing and Urban Development, before the Iowa Home Builders Association, November 3, 1967)

Thank you for your invitation that lets me come back again to the Nation's heartland and for your warm welcome.

I have spent the morning with some of your leaders here in Sioux City learning of the opportunities, the progress and the problems of your state. I have been received with hospitality and great courtesy and I have had the chance to see first hand visible, tangible evidence of a community going forward with confidence.

So the temptation is strong to continue in the spirit of good will and good fellowship to accentuate the positive, to tell a few stories of bizarre life in Washington and to say goodbye.

It would be easy and comfortable simply to acknowledge with pleasure the calibre of the NAHB leadership with whom I've worked across the past two years. Larry Blackmon and Leon Weiner have represented your interests with vigor, with eloquence and with a strong sense of responsibility. Most of the major legislative and policy battles have found NAHB and the Administration on the same side of the fence. We have welcomed your support—and when we have differed, I believe we have done so openly, honorably and with mutual respect. I look forward to the same effective professional relationship and friendly personal relationship with NAHB's next president.

It would be easy and comfortable as well, simply to indulge in expressions of self-pity and recriminations over the course of the money market and the fate of homebuilding in the recent past. It would be easy and comfortable to point fingers, identify devils, accuse, berate and adjourn.

Although we are in generally rich and prosperous times in America these days, we are not in easy and comfortable times. It would ill serve your interest or mine to speak in platitudes.

So, if I may this afternoon, I would like to talk of reality—most specifically to express my concern over the future of our urban programs working within economic and social restraints of a total society.

My propositions in simplest form are these.

First, during the past three years we have begun to develop a capability of response to pressing urban problems—a model cities program, a rent supplements program, an expanded research and development program—in effect, an urban strategy. And the tally sheets on these efforts are just beginning to come in.

Second, in an effort to make workable this urban strategy, we have to recognize better than we do today that our strongest ally is a growing economy and a healthy nation. Only in this climate can urban programs flourish and take their rightful place at the council of concerns.

Third, the program of temporary fiscal restraint proposed by the President is imperative—if we are to preserve a healthy and balanced economy—if we are to begin the massive job of rebuilding our cities and housing the less fortunate—if we are to continue a conflict which threatens the stability of the entire world.

Reflect for a moment on our experience in 1966 when, by most standards, we were a prosperous nation. And the housing industry should have been claiming its share of prosperity: population trends pointed toward a moderate rise in the demand for housing; personal income was increasing at a rate of almost 3.7 percent; unemployment remained below the magical 4 percent mark and more than 1.3 million new workers were being absorbed into the civilian work force; materials were in adequate supply and costs rising only at moderate rates.

But the housing industry was not sharing in this unprecedented prosperity. Instead, it was trapped in a "tight credit" syndrome—credit demands running strong, supplies limited, interest rates on open market paper continuing to rise, withdrawal of funds from thrift institutions, direct investments by individuals in high-rate paper, order backlogs mounting, delivery delays growing longer, prices increasing, credit expansion reaching unsustainable proportions.

This "tight money market" put the homebuilding industry through the wringer. Residential construction bore the brunt as housing starts plummeted 52 percent—a twenty year low.

We have, during 1967, seen a revival in the homebuilding industry. This year, traditional market lenders experienced record inflows of money. Some of it has gone to rebuilding depleted liquidity, but the availability of mortgage funds has also improved greatly.

But with the 1966 experience fresh in mind, there is no room for complacency. Early this spring disturbing signs began to surface—rising interest rates on corporate securities attracted some funds from thrift institutions into securities and away from mortgages. Rises in short-term rates showed potential for pulling savings funds directly out of the thrift institutions.

Equally disturbing were mounting increases in the Federal deficit. Adding together the increases in Treasury debt, Federal agency debt and participation certificates, we could anticipate an increase in outstanding obligations of some $20 to $21 billion. I need not spell out the pressures the borrowing requirements of such a deficit could exert on the money and credit markets.

To prevent a repeat of 1966, or possibly worse, President Johnson proposed a temporary surcharge of 10 percent of tax liability to be placed on corporations and those individuals with tax liability above the exemption level. For purposes of clarity, this proposed tax would not be ten percent of income, but ten percent of the tax on the income—a tax on a tax—equal to about one cent on the dollar.

I can assure you the President did not make this proposal just before an election year in a carefree and jovial spirit. Indeed, the surtax recommendations ran counter to three previous steps the Administration had taken that were saving taxpayers $24.2 billion this year: the 1962 investment tax credit; the 1964 reductions in personal and corporate income taxes, the greatest in history; the 1965 excise taxes that removed over two hundred items from the taxable list.

President Johnson reminded us:

"If Americans today still paid taxes at the rates in effect when I became President, a little over three years ago, they would be paying this year over $23 billion more than they are paying now."

Thus, the enactment of the President's proposed surcharge would temporarily take tax rates less than one-half the way up to 1963 levels.

This is a small price to ask of a nation that spends annually almost $13 billion for alcoholic beverages, over $8 billion for tobacco, $3 billion for jewelry, $58 million for electric blenders, $60 million for electric can openers, $41 million for electric toothbrushes and almost $4 billion on television sets.

Support for tax increases comes from the nation's leading businessmen and labor leaders, economists, industrialists, bankers and financial leaders. Foremost is the strong endorsement of the National Association of Homebuilders. Your president, Mr. Weiner, has said:

"We recognize that a very large Federal deficit is looming for fiscal 1968. This presents a prospect of heavy Federal borrowing, which would create even worse chaos in the money markets than occurred last year so far as housing is concerned.

"We recognize, of course, that a tax surcharge may inhibit somewhat our ability to sell the homes which we construct. But we are convinced this is a far less evil to face than what will occur if the Government must resort totally to borrowing to handle the estimated budget deficit."

Mr. Weiner's testimony has been reaffirmed by the vast majority of knowledgeable and responsible leaders:

Henry Ford, joined by numerous well-known members of the business community issued a statement supporting a tax increase.

George Meany, President of the AFL–CIO noted before a Congressional Committee that organized labor backs higher taxes under current circumstances in both principle and practice.

Twenty-four leading businessmen, headed by Howard Boyd, Chairman of the Board of El Paso Natural Gas Company told a Congressional Committee that the tax surcharge is "vitally necessary to the continued economic health and well-being of the Nation." Those joining Mr. Boyd included J. Peter Grace, President of W. R. Grace and Company; Edgar F. Kaiser, President of Kaiser Industries Corporation, and James A. Linen, President of Time, Inc.

Leading business and financial organizations have unanimously supported the call for a tax increase and reduced expenditures.

Included are the Committee for Economic Development, the National Association of Manufacturers, the American Bankers Association, the U.S. Savings and Loan League, the Investment Bankers Association, the Life Insurance Association and the National League of Insured Savings Association.

A group of 260 academic economists signed a statement circulated by Walter Heller, former Chairman of the Council of Economic Advisers.

Every man who served as Chairman of the Council of Economic Advisers under Presidents Eisenhower, Kennedy and Johnson lined up in favor of the tax increase.

William H. Chartener, Vice-President of the National Association of Business Economists, said a poll of the group revealed that three out of four economists employed by major U.S. business firms favor an increase in income tax rates immediately or in the near future.

These are but samples of the responsible and growing consensus supporting the tax surcharge. Among all—businessmen, financial leaders, homebuilders, economists—there is a singular recognition that the alternatives to a tax increase is an economy in shambles.

The alternatives facing the President in his recommendation are just not acceptable.

First, we could allow the economy to continue unchecked on its perilous course—borrowing more and more to make up deficits.

But a large volume of Federal borrowing in the lending market will produce still higher interest rates and tighter conditions of credit availability. Further, high Federal demands might coincide with an increasing build-up in private demands that would revive inflationary pressures.

And spiraling inflation would take its toll on all families and businesses—but most of all on millions of low-income families. For example, a family of four with an annual income of $5,000 will pay, we estimate, $147 a year in a period of spiraling inflation—but nothing under the surcharge proposal. Inflation also levies an unjust depreciation of income on those who are elderly and retired and must live on fixed incomes—with no prospects of increased earnings.

Moreover, following every excessive boom period is the inevitable recession years. In 1954 and 1958 over a million jobs a year disappeared in sharp contrast to years beginning in 1962 when more than a million new civilian jobs were created annually.

Certainly the tax surcharge is not being promoted as the answer to all the ills of the mortgage market nor the homebuilding industry. Alone it will not cut interest rates immediately nor sharply. But it will reduce the size of the Federal deficit and the size of the Federal borrowing needs. It will reassure borrowers and lenders that there is no need for a renewed scramble for funds of run-up of interest rates. And it could well turn the tide in the credit markets, calm down precautionary borrowing and produce freer flows of funds at more reasonable rates of interest.

Secondly, the President might turn away from grievous domestic issues and sacrifice his programs to aid the urban poor. Precisely this is the objective of those opposing the surcharge—as they call for crippling reductions in urban programs.

President Johnson rejected this course of action in his proposal for increased revenue, when he said: "The nation's unfinished agenda here at home must be pursued. The poor must be lifted from the prisons of poverty, cities must be made safe and livable, sick and undernourished bodies must be restored, and air and water must be kept clean, every hour of our future must see new opportunities unfold."

Your associates are well represented in the highest urban policy councils of this Administration. Leon Weiner, your President, serves on the President's Committee to Rebuild America's Slums. Alex Fineberg, Counsel for the New Jersey Homebuilders sits on the National Commission on Urban Problems. They know the urgency of the nation's unfinished agenda. And they know we have a great stake in the President's decision not to sacrifice his urban domestic programs.

Almost $10 billion of Federal aid will, this year, be channeled into urban areas. Cities and their Mayors are pressing for the Model Cities program to begin the massive job of rebuilding our slum and dilapidated areas. Desperately needed is the Rent Supplement program to continue providing decent, privately developed housing for the elderly and the disadvantaged. Also, if we are to sharpen our response capabilities by bringing coherence to urban programs we must increase our research and development tools.

In addition, urban areas need the full funding of the $2 billion for the Office of Economic Opportunity program, and the programs for manpower and job training, reduction of disease and the many other problems festering in our urban slums.

This is not to suggest that the President will stand fast for no cuts in Federal expenditures. He merely asks that they be made in terms of national priorities. Indeed, in his Tax Message of August 3, 1967, he pledged to the country and to Congress that he will make every possible expenditure reduction—civilian and military—short of jeopardizing the nation's security and well being.

The *third* alternative to a tax increase is abandoning our commitments in Southeast Asia. Special costs of Vietnam are now being incurred at a rate—in excess of $22 billion—that calls for additional revenues to meet a portion of these costs.

Many have decried this involvement, and have said: "Give this money to our cities—take it from the rice fields of Southeast Asia and put in the streets of America."

However attractive this cry is to those engaged in the massive tasks of rebuilding our cities—they have to ask themselves how lasting a victory?

How lasting a victory if we break treaty obligations to our allies? How lasting a victory if we withdraw to a "Fortress America"?

Granted, the questions surrounding our involvement in Vietnam are many. We ask—Is it worth it? What are the stakes? Should we stick or get out? These are questions that every American must answer to his own satisfaction.

For myself, I believe we continue in Vietnam, to affirm as we did in Korea and in Cuba, the proposition that aggression, however presented, however complex, will not be tolerated.

In Korea we established the principle that open aggression across a physical boundary line would not be accepted. In Cuba we established the principle that the subversion of a satellite nation could not extend to creation of military basis capable of offensive action.

In Vietnam, holding in mind the lessons learned in Greece and Czechoslovakia a generation ago, we tackle more subtle conditions. But we advance the same sort of principle that we will not accept violence as a means of domestic politics.

Lessons of unchecked aggression are written on the pages of every history book. We have in our time, seen such aggression. From 1945 to 1949 we watched Eastern Europe—first Romania, then Bulgaria, Albania, Hungary, Czechoslovakia and finally Poland—fall under the iron hands of communist aggression. And I remind you that these "civil conflicts" were pursued under the cloak of "people's liberation." *Many now question our complacency.*

All too current was Eastern Europe when, in the early fifties, we encountered aggression and watched the principles of self-determination being destroyed in South Korea—again in the name of "people's liberation." While that land war in Asia went on, domestic critics were both numerous and vocal. Some wanted out; some wanted total war; and few could find reason or value in what we did. Now South Korea is free today, politically responsible, economically resurgent and able to play a leading role in Asian affairs. *Few today question this involvement.*

Then in 1962, the threat no longer remained thousands of miles away. It came within 90 miles of our shores. Blatant aggression in Cuba was affronted by a determined United States. *Few today denounce our course of action.*

Now once again we face armed aggression. Once again we face the question of whether small nations can retain their independence—choose their own social, economic and political systems—and do so without military pressures from external powers.

And once again we are reminded of President Kennedy's warning to America as we entered the sixties:

> "Basically they believe that the United States lacks the nerve, the will and the determination for a long, hard fight. It is one thing to stand up to a military invasion, it is one thing to go to war and defeat the Japanese and Hitler. It is quite another thing, year after year, decade after decade, to be engaged in struggles all around the world, in countries which we did not know anything about ten years ago, but where we and the communists are now locked in deadly embrace."

President Johnson is heedful of this warning. He recognizes our commitment to supporting self-determination in Southeast Asia—through the SEATO Treaty and through the voices of three Presidents. Our purpose has been made amply clear by former Deputy Secretary of Defense, Cyrus Vance:

> ". . . a promise kept in one place, gives integrity to promises made in other places. Aggression halted in one place, discourages aggression in other places. And what happens anywhere is known everywhere in the modern world of swift transport and rapid communication."

President Johnson is painfully aware of the high price we are paying for the principle of self-determination in South Vietnam—it is a costly conflict and one with no clear prospect of an early ending. But he is also aware that it is a temporary cost and that it will terminate when the enemies of freedom conclude that the price of aggression is too high.

The President is determined to see these hostilities end—but only under conditions consonant with a future for peace and freedom that offers no reward for communist aggression or its cult of violence and subversion.

To those who responsibly seek a purpose in our Mission in Vietnam, I remind you of the advice offered by an illustrious French leader after France fell to the Nazis:

> "Our spirit of enjoyment was greater than our spirit of sacrifice. We wanted to have . . . more than we wanted to give. We spared effort, and we met disaster."

This Administration has a spirit of sacrifice when necessary to meet aggression, a willingness to give for freedom. We shall spare no efforts and we shall not meet disaster.

And while we undertake to establish the shield of our Republic abroad, we will continue the challenge of city building at home.

We will go forward with the Model Cities program.

We will demonstrate to a still dubious Congress the potential and the promise of the Rent Supplement Program.

We will work to stabilize the conditions of home finance.

We will work to reduce the cost of land and land development for housing.

We will work to bring the full power of technology to bear on the problem of the costs of homes—so that all Americans can acquire them.

So I come to you today to ask your continuous support in the President's efforts to sustain a nation powerful abroad and effective at home.

As an industry committed to building homes for all American families, your goals, ambitions, and purposes can be thwarted by a spiraling economy and a tight money market.

As an industry deeply committed to rebuilding our cities you know the irreparable damage that can come to the elderly and our disadvantaged if urban programs are sacrificed or if these citizens must, through inflation, bear the brunt of increased costs.

As an industry commmitted to building a strong nation, you understand so well that a temporary tax increase is, indeed, a small price to pay for halting aggression which, in the final analysis, threatens us all.

But given such commitment and common effort the America of the 21st Century can offer its urbanites greater hope than the newly urbanized nation entering the 20th Century offered earlier generations.

This nation will have come to peaceful terms with the urban destiny that it now no longer refuses to acknowledge. It will have arrived at the time the President pictured when he said; "Those who came to this land sought to build more than just a new country. They sought a new world. . . . Let us from this moment begin our work so that in the future men will look back and say, 'It was then, after a long and weary way, that man turned the exploits of his genius to the full enrichment of his life.'"

TO FURTHER WORLD TRADE

Mr. WILLIAMS of New Jersey. Mr. President, the traffic of world trade has yet to encounter a rush-hour problem. The need to ever expand world trade markets and, indeed, to make the ocean a two-way street remains with the farsighted.

These farsighted include a group of 13 steamship companies who comprise an organization known as the Committee of American Steamship Lines—CASL. Under the capable administration of trade expansion director Robert W. Barrie, a great American, and executive director Ralph K. James, CASL has discovered new markets for products ranging from fabrics to fish.

In order to acquaint a potential firm with the committee's program, workshops are set up in various areas of the country with representatives of the steamship lines on hand to answer any inquiries concerning overseas marketing. I am pleased to note that two of these workshops have taken place in the State of New Jersey at Trenton and Newark. Sixteen others have been held across the country in major cities such as Portland, Oreg., and St. Louis, Mo.

The effect of these workshops, plus a periodic world trade newsletter to many thousand businessmen, has been to spur interest in the form of 25,000 inquiries from 4,500 firms.

The Sunday Star on October 29 published a noteworthy article describing the valuable efforts of the CASL. Because of the far-reaching importance that such an organization has on world trade, I ask unanimous consent that this article be reprinted in the Record and strongly commend its reading to my colleagues of the Senate.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Sunday Star, Oct. 29, 1967]

FOREIGN TRADE WORKSHOPS REALLY STIR UP MELTING POT

(By Charles Covell)

Ice cream for the Viennese, dresses for South Africa, lawn sprinklers for Scotland, fiberglass boats for Britain, canned hearts of palm and mahi-mahi fish for the United States.

These are some of the markets turned up by the Committee of American Steamship Lines in its 2-year-old foreign trade expansion drive, now entering the third year with "workshops in various parts of the country."

Some of the markets are plain oddities, like the ice cream, because Vienna is supposed to be as well known abroad for its ice cream as for its waltzes. Scotland's green valleys didn't need the lawn sprinklers but they've proven useful in spraying liquid fertilizer.

The fiberglass boats went to Dartmouth, Devonshire, itself a noted boat building center. The hearts of palm are familiar to gourmets but the mahi-mahi fish? They went to Polynesian-style restaurants in the United States.

CASL's program to expand world markets for exporters and importers and, incidentally, to beef up business for its 13 member steamship companies, got going again this fall with workshops in Portland, Oreg., Seattle, Wash., and St. Louis.

Others are planned for Memphis, Denver, Atlanta, Baltimore, Boston and Hartford, Conn.

WORKSHOP VISITS

Under the direction of CASL's trade expansion director, Robert W. Barrie, the one and two-day workshops give area manufacturers an opportunity to visit with top management of the steamship lines, ready to answer questions about overseas marketing.

In addition, a world trade news letter is distributed periodically to about 75,000 businessmen. To date, says retired Navy Rear Admiral Ralph K. James, executive director of CASL, the trade expansion program has resulted in 25,000 inquiries from 4,500 United States firms.

The inquiries are processed at CASL headquarters in Washington and by the various shipping lines and then forwarded to a world-wide network of 1,300 CASL line marketing representatives in major ports.

The ice cream deal came out of a query by Sealtest Foods about marketing U.S. ice cream abroad. Vienna ice cream was transported to the United States by an American passenger ship for Sealtest food engineers to break down and analyze. Then Sealtest ice cream was introduced at a Vienna frozen food show and made an instant hit.

A distributing arrangement between Sealtest and a Vienna chain store followed. Small air shipments of Sealtest ice cream were made and now 20,000 pounds of American ice cream are going abroad periodically in a refrigerated American ship.

The dresses for South Africa came about through a CASL trade expansion lead. CASL's Dallas representative alerted Loom Treasures, a suburban firm, that a textile agent in South Africa had outlets for American dress materials.

A sample order of $200 was sent to Cape Town where the textile agent, John E. Massey, a cousin of actor Raymond Massey, immediately asked for more. Today, Loom Treasures has added $80,000 to its revenues.

The mahi-mahi imports came about through a request from a Taiwan fish exporter about finding a market in the United States for his exotic specialty. One of the CASL lines carried frozen mahi-mahi samples to the United States and circulated them. As a result, $50,000 worth have been imported.

QUERY IN BRAZIL

Another example of how the ocean can be made a two-way street was the search by a canning company in Sao Paulo, Brazil, for a U.S. distributor for its canned hearts of palm. The company took the question to a CASL member line and within 60 days negotiations were underway with a large Chicago firm.

The Chicago distributor placed an order for 1,000 cases with the understanding that the order probably would be repeated every 60 days.

A CASL member company also received a query from Hart en de Zwaan, a Dutch supplier of quality paint and printing ink, asking for help in finding a U.S. producer of special ingredients that go into top-notch paint.

During a workshop at Newark, an executive with U.S. Bronze Powders, Inc. of Flemington, N.J., which produces the special ingredients, asked about outlets abroad. He was put in touch with the Dutch firm and both are now profiting.

CASL companies participating in the program are the Farrell Lines, Grace Line, Moore-McCormack Lines, Prudential Lines, United States Lines, Delta Steamship Lines, Gulf & South American Steamship Co., Lykes Bros. Steamship Co., American Mail Line, American President Lines, Pacific Far East Line, States Steamship Co. and the Oceanic Steamship Co.

MINERAL KING

Mr. MOSS. Mr. President, the senior Senator from California [Mr. KUCHEL] recently wrote an engaging article entitled "Mineral King: The Opportunity That Should Not Be Lost," which appeared in the October issue of a magazine known as Western Ski Time.

Even though the State of Utah has what we call the greatest snow on earth, I recognize the continuing need to develop additional winter recreation areas to serve a growing population in the Western States.

The article by the Senator from California makes clear the need for more ski area development in his State of California and in the West.

Accordingly, I ask unanimous consent that the text of his article be printed in full in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MINERAL KING: THE OPPORTUNITY THAT SHOULD NOT BE LOST

(By Senator THOMAS H. KUCHEL)

Mineral King is a beautiful alpine valley of about 15,500 acres in the Sequoia National Forest. The Sierra Mountain peaks surrounding the valley floor rise to heights of 10,000 to 12,000 feet. It is midway between San Francisco and Los Angeles and is bounded on three sides by the Sequoia National Park.

The spectacular beauty of Mineral King has been enjoyed for years by those who have vacationed in their valley homes or who have camped and picnicked in the surrounding mountains. It is a major take-off point to the rugged undeveloped high country around it. Activity in Mineral King, however, has been restricted to the warm summer months. With the first snow, the access road is closed for the winter. In my view, it is time for Mineral King to be opened up as a major skiing and winter sports area for the enjoyment of all.

Just five years ago the Outdoor Recreation Resources Review Commission, under the leadership of the distinguished conservation leader Laurence Rockefeller, submitted its report to the President and discussed America's future recreational needs. The report said:

"Compared to 63 percent in 1960, about 73 percent of the people will be living in metropolitan areas by the year 2000. There will be more young people. The proportion of those in the 15–24 age bracket—the most active of all—will go from the current 13 percent of the total to about 17 percent by 1976.

"Incomes, for one thing, will be higher. With a projected annual growth rate of gross national product of 3.5 percent, disposable consumer income is expected to rise from $354 billion in 1960, to $706 billion by 1976, and to $1,437 billion by 2000. More people will be moving into the higher income brackets. In 1957, about 14 percent of the consumer units had incomes of $10,000 and over; by 1976, it is estimated the proportion will be up to 40 percent and by 2000 to 60 percent (in constant 1959 dollars).

"People will have more free time. By 1976, it is estimated that the standard scheduled workweek will average 36 hours for the entire industrial work force versus 39 hours in 1960. And by 2000 it may be down to 32 hours. Much of the extra time will go to recreation; at least one-fifth of free time goes into outdoor recreation today, and we may expect at least this much in the future."

The Commission's projections dramatize the urgency for action today to meet the demands of tomorrow. The development of Mineral King is the kind of timely action needed to meet the demands foreseen by the Commission.

With a vertical rise second only to the famed Chamonix Area in the Alps, it can become a famous international winter sports area, attracting the world's best skiers. Its varied terrain would provide enjoyment to skiers of all ages and all levels of proficiency. The potential of Mineral King for development as a year-round vacation spot has been recognized and studied by Federal officials for over 20 years. Forest Service officials have worked closely with National Park officials to insure that the eventual development would harmonize with the adjoining Sequoia National Park.

The Forest Service first invited proposals to develop Mineral King in 1949, but the cost of constructing a year-round road proved too great an obstacle.

By 1965 the demand for recreational opportunities had grown to such an extent that the Forest Service again invited proposals for the valley's development. After careful consideration of a number of excellent proposals, the proposal submitted by Walt Disney Productions was selected, and a preliminary three-year permit was awarded the company to study, and plan the detailed development of the area.

As could have been expected, the Disney proposal is an imaginative one. It provides for a central alpine village. Automobiles would not be permitted to invade the valley; they would be parked at the valley entrance. Continuous transportation by a new system, esthetically compatible with the alpine setting, would move people in and out of the valley. Ski lifts and tramways would take summer and winter vacationers to eight major alpine bowls above the valley floor. Under Forest Service supervision, prices would be held at a level assuring that food and lodging would be available at reasonable cost for families and tourists.

Since early 1966, the Walt Disney and Forest Service planners have worked together in developing the final detailed plan. The State of California Highway Commission began the surveys and studies necessary to locate and plan a yearlong access road. Following detailed on-the-ground studies, technical experts of the National Park Service, the Forest Service, and the State of California have agreed that a two-lane road would be adequate to meet the needs for the Mineral King development, and that it can be built without jeopardy to any of the area's unique natural values.

Opponents of Mineral King raise a legitimate question of whether the valley's present wilderness-like condition is a more important public resource than would be the recreation opportunities resulting from its development. With our nation's wilderness ever shrinking, we have a solemn duty to consider this question whenever it is proposed that the character of wilderness be altered. As a cosponsor of the Wilderness Act of 1964, and as the Senate author of the first addition to our nation's wilderness system under that Act, I am especially sensitive to that obligation.

Mineral King is virtually surrounded by wilderness-like country, but it does not qualify as wilderness itself. There is a road into its very heart. A mining road into Mineral King was built in the 1920's. It has since been improved to serve dozens of summer homes, an old resort and other improvements in the valley. The existing road alone disqualifies Mineral King for inclusion in the Wilderness System under the 1964 Act.

The possibility of adding Mineral King to Sequoia National Park was studied when the boundaries were expanded in 1926. However, Mineral King was not proposed for inclusion in the park because mining and improvements in the valley were inconsistent with National Park objectives.

The demand for suitable winter sports sites has increased dramatically during the last few years and will continue to grow. But areas suitable for winter sports development are extremely limited. Most have already been developed. This need is particularly critical in California where, according to a recent study, 35 percent of all skiers in the nine western states now live.

We must make balanced judgments on whether any given resource should be developed commercially, developed for recreation, or maintained in its natural state. These are difficult judgments for which there are all too few guideposts. But if we fail to allocate a balanced portion of our total resources to each of these needs, sheer economic and demographic pressures will lay waste to the remaining wilderness we possess.

People will continue to go to the mountains. There is no way to stop them. Indeed, why should we try to stop them? Is it not far better for their government to help set aside specific and suitable areas for their enjoyment and recreation? If we fail to develop selected areas, such as Mineral King, the 50 million people who will be in California before the end of this century will spill over the sides of the coastal cities and ravage the Sierra with unplanned and undirected enthusiasm for the vanishing outdoors.

The best assurance that we will permanently protect portions of our natural heritage lies in orderly development to accommodate the demands of our growing population to be near nature.

In Mineral King, California has an outstanding opportunity that should not be lost. It is a spectacularly unique area which, if carefully planned, can be developed into one of the finest recreation complexes of the world.

A CLOSER LOOK AT THE PROBLEMS OF RETIRED PEOPLE

Mr. WILLIAMS of New Jersey. Mr. President, the U.S. News & World Report of October 16, 1967, carried an informative story describing the increasing interest demonstrated by Members of Congress in problems faced by increasing numbers of retired Americans.

As the story points out, there is a growing realization that this Nation is now in the midst of a retirement revolution, in terms of population affected and in terms of added length to the average period of retirement.

Many of the problems that arise because of the new dimensions of retirement are being studied by the U.S. Senate Special Committee on Aging, and as chairman of that comittee I believe that the Congress has a clear responsibility to give full information about such problems to the Congress and to the public.

But such problems will be understood only if they are related to the institution of retirement itself, as it now is and as it will become.

For that reason, I believe that Senator WALTER MONDALE, of Minnesota, is performing a great service for the committee and for Congress as chairman of the Subcommittee on Retirement and the Individual. He has already conducted productive hearings in Washington, D.C., and in Ann Arbor, Mich., and I know that he plans to continue his inquiry with his characteristic energy and incisiveness.

Mr. President, the U.S. News & World Report article reported on many of the major points already made by witnesses before the Mondale subcommittee. I ask unanimous consent that the article be reprinted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A CLOSER LOOK AT THE PROBLEMS OF RETIRED PEOPLE

(NOTE.—New concern is centering on the elderly. The White House has a job program. Congress is digging into retirement problems. Business, too, is surveying the impact of a retirement revolution.)

The country's "older Americans" are popping back into the national spotlight.

Not since the passage of medicare in mid-1965 has there been such a flurry of attention given to the elderly.

The White House, in the closing days of September, gave the go-ahead for a big step-up in spending on an employment program for people aged 60 and over. They will be paid for jobs ranging from highway beautification to care of foster children.

Congress, for its part, is exploring the broad range of problems that older persons face—from a skimpy pension to forced retirement. New laws of importance to business and to people young and old could emerge.

A REVOLUTION

Behind all the activity is a growing realization that this nation is now in the midst of a retirement revolution.

Americans 65 and over now number nearly 19 million. By 1980, there will be 23 million in that age group.

Science and improved medical care, all the while, keep stretching the life span. Health and vigor now are retained by more and more people into their seventies and beyond.

Retirement age, however, keeps getting lower under the pressure of automation and technology.

Result: a growing army of the elderly who feel that they have been put on the shelf prematurely. They complain of the pinch of poverty, the pangs of loneliness.

What is it really like to retire? The question is pertinent for working people. Of the 78 million Americans who are now employed, about 13 million will reach retirement time within the next 10 years.

HOW AUTHORITIES FEEL

Experts in many fields in recent weeks have testified on today's retirement revolution before various committees of Congress. Here is the picture that emerges—

Poverty. The link between poverty and old age is an ancient one. Experts say that link has not yet been broken for many older people.

Sociologist Abram Jaffe, of Columbia University, testified that three fourths of all unmarried pensioners are living in poverty—on incomes of less than $2,000 annually.

Says Mr. Jaffe:

"Retire and go broke. Pension incomes are far too low. Pensioners' economic position in society is steadily deteriorating."

Retirement usually means that a person must get along on half or less of his working-time income. Inflation, year after year, eats into the buying power of the pension check.

Very few companies increase pensions for people already retired to help meet higher living costs. Social Security payments are increased from time to time for those already retired, but the fatter benefits usually lag behind the rise in prices.

Proposals are being made to raise income of pensioners by granting automatic increases in line with rising prices—putting Social Security pensions on a cost-of-living escalator. Other proposals would go even further. For example: Columbia's Mr. Jaffe wants to put Social Security on an escalator that would keep pension payments at not less than 75 per cent of wages prevailing for people on their jobs.

Retirement age

Aging is an exceedingly individual experience. Yet the trend in the U.S. is toward blanket retirement policies.

Automatic retirement at 65 is found to be the general rule.

Companies are said to favor that approach because it does away with arguments over the merits of keeping one employe and not another after a certain age has been reached.

Retirement age keeps dropping. Men and women can stop working and draw reduced Social Security at 62. A widow can get Social Security retirement benefits at 60. Workers in some key industries—autos, steel, farm equipment, for example—can take early retirement at the age of 55.

Yet people are retaining their "youth" longer.

Augustus Kinzel, president of the Salk Institute for Biological Studies, stressed the vigor and health of today's older people and made this prediction:

"By 1980 . . . the man of 65 to 75 years of age . . . will have that health and vigor . . . which he had at 45 to 55 years of age."

With longer lives, and earlier retirement, the time is coming, say the experts, when most Americans will live as long after they have stopped working as before.

Question raised: Will this vast amount of time be used constructively or in aimless boredom?

Finding jobs

Manpower experts told the lawmakers that jobs for older people are hard to get and to keep.

The accent in business and industry is on youth. Getting a job after the age of 45 is often very difficult. Obtaining one at 65 is even tougher.

Older people in large numbers want to work beyond retirement age. Often, though, they are let go "to make room for the young ones."

One expert estimated that 3 out of 4 reaching the age of 65 in good health retire involuntarily.

Efforts to make jobs for older people have had only limited success. Mrs. Walter W. Walker, chairman of the Minnesota Governor's Citizens Council on Aging, testified that older people in her State are acting as "foster grandparents" for mentally retarded adults and children in State and church institutions. The program has aided both the helper and the patient. The trouble is only 138 have been lucky enough to get jobs as "foster grandparents"—and the State has 400,000 aged people.

Retirement "shock"

Workers all across the U.S. are found to be ill-prepared for retirement and the big changes it brings. For thousands each year, say the experts, retirement becomes a personal crisis—a time of emptiness, depression and helplessness.

Listen to Edward L. Bortz, a doctor at Lankenau Hospital in Philadelphia:

"There is a clinical syndrome known as retirement shock. This is well known to doctors and laymen alike. Physicians come face to face with anxiety neuroses, depression and despair, and, at times, self-destruction, if the retired one, shut off from fellow workmen and associates, is unable to face the ogre of loss of status and isolation."

One expert in the field of health is quoted this way in pointing out the problems faced on retirement:

"You know, one day you are sought after by all of your colleagues, your associates and citizens for advice, counsel and assistance and for your participation and involvement. The next day nobody wants you at all. You are the same person that you were the day before. What's the difference? You are one day older; you've had your birthday; you are 65!"

Senator Walter F. Mondale (Dem.), of Minnesota, chairman of a subcommittee on retirement and the individual, says:

"We are not ready in terms of understanding the subtle, yet profound, changes with which the individual must cope when he retires—voluntarily or otherwise—from his job in this work-oriented society of ours.

"There is a tendency to downgrade those who are no longer engaged in productive labor, and, as a result, retirement to many becomes a time of being shunted aside and being made to feel useless, indeed even worthless."

Senator Mondale is pushing for more pre-retirement preparation and counseling for today's workers.

John W. Gardner, Secretary of the Department of Health, Education and Welfare, thinks an answer to retirement shock may be clinics run by the nation's businesses. He says:

"I would like to see the time come when many employing organizations will sponsor mid-career clinics to which men and women can go to re-examine the goals of their working life and consider changes in direction.

"Schools, universities, unions and other organizations could have similar clinics."

But what would mid-career clinics have to do with retirement? Answers Secretary Gardner:

"A great deal. If the individual reaching retirement is fully alive and accustomed to thinking constructively about life's transitions, he will be far better fitted for that next stage of the journey.

"All too often the man reaching age 65 has spent much of his work career in a routine or a blind-alley job, has been denied the opportunity to think actively and constructively about the use of his abilities and has learned no new skills or interests for years. Then we plunge him into one of life's toughest adjustments and expect him to make it easily."

PROBLEMS . . . CONTENTMENT

Attention now being given to the nation's "older Americans" by Congress and the White House centers on the problems of getting old.

Not all the elderly fit into that group. Millions of retired people have ample funds to live on. Millions more are happy to be able to ignore the alarm clock and never work again. About all some retired persons miss about their jobs is the money. Yet, for millions of other retired people, as brought out in hearings in Congress, the "golden years" hold no glitter. Retirement becomes a barren, unproductive period between working years and death.

"NEED TO BE NEEDED"

Says Secretary Gardner: "Like everyone else, older people need to be needed.

"They need to have something to occupy their hands and minds and hearts."

As the retirement revolution gathers momentum, the nation's "older Americans" are going to be pressing more and more for that "something" Secretary Gardner is talking about.

VIETNAM

Mr. HARTKE. Mr. President, the November 13 issue of Newsweek magazine contains a most interesting article entitled "Whose Benefit?—Whose Doubt?" which relates to what the magazine describes as "the growing split between the U.S. administration and the press in Vietnam." The article observes:

> On one side General Westmoreland and embassy chiefs Ellsworth Bunker and Eugene Locke argue the war is inexorably being won by the United States and South Vietnamese forces.

The article goes on to state:

> On the other side, the senior correspondents among the 500 or so newsmen covering Vietnam appear to be reporting another war.

The article points out an interesting reversal of the usual complaint made by the administration about its critics—that only those who have been in Vietnam for a considerable period of time can really understand the situation. Newsweek comments:

> A few years ago, the official complaint was that the reporters were green young newsmen—the Saigon commandos—out to make a quick reputation by knocking everything. Now the complaint is that, as one U.S. official in Saigon put it last week: "There is such a thing as being around too long."
>
> Saigon newsmen argue that the "old hands" in Vietnam are the only ones who really know what *is* going on. Unlike fresh recruits and occasional visitors, they are not likely to be captivated by the excitement of combat or impressed by the official line of high-ranking spokesmen. They have been around long enough to see for themselves what is happening and have cultivated sources that do not pipe the "official" view.

Mr. President, I ask unanimous consent that the article referred to above be inserted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHOSE BENEFIT? WHOSE DOUBT?

Vice President Humphrey, weary and sunburned after a day in the field with U.S. troops in Vietnam last week, faced some 30 American correspondents at Chu Lai and asked them a favor: "When you speak to the American people give the benefit of the doubt to our side. I don't think that's asking too much. We're in this together."

Back in the ranks one veteran newsman grumbled: "Benefit of the doubt? Hell, what do they think we've been doing for the past six years?"

These two points of view dramatize the growing split between the U.S. Administration and the press in Vietnam. On one side General Westmoreland and embassy chiefs Ellsworth Bunker and Eugene Locke argue the war is inexorably being won by the U.S., and South Vietnamese forces. As evidence they point to such statistics as the increasing number of roads that are open to safe travel, the amount of land under government control, the fact that planes now land unscathed at Tan Son Nhut airport and the number of Viet Cong who are deserting. "In World War II you could clearly see the light at the end of the tunnel when the tide was turned," says a U.S. spokesman. "Here the signs of progress are little things."

On the other side, the senior correspondents among the 500 or so newsmen covering Vietnam appear to be reporting another war:

R. W. Apple Jr., who heads the three-man New York Times bureau in Saigon, argued in August: "In the opinion of most disinterested observers, the war is not going well. Victory is not close at hand. It may be beyond reach."

Robert Shaplen, The New Yorker's Far East correspondent, wrote on Sept. 29: "The assumption—primarily an American one—that the Vietnamese elections . . . have had, or are likely to have, any salutary effect on the war or on the internal political situation here is regarded by most Vietnamese as unwarranted and unrealistic."

Peter Arnett, the Associated Press's Pulitzer Prize winner, wrote in mid-September: "The dispirited Vietnamese Army, shot through with inefficiency, often lacks the will for combat and is increasingly prone to let Americans do the fighting . . . The loss of American lives traceable to Vietnamese inaction or incompetence is expected to rise . . ."

Merton D. Perry, a Newsweek correspondent in Saigon, added in a report last month: "The South Vietnamese Army, in short, is sick. Like the society which created it, it is riddled with factionalism, nepotism, corruption, inefficiency, incompetence and cowardice."

Such coverage out of Vietnam about the progress—or what the correspondents consider the lack of progress—is of genuine concern to the Administration. As one observer puts it: "The people get their information through the press filter and how the war is reported could seriously affect the views of the American people." Indeed, newsmen in Saigon have the distinct impression that they are regarded by Washington as "a problem second only to the Viet Cong."

This estimate may be overinflated. Nevertheless, the Administration has reason to be concerned. The latest Gallup poll indicates that 70 per cent of the American people think the Administration isn't giving them all the facts about the war. Increasingly, newspapers are breaking with the President and calling for a pause in the bombing. The White House, to provide Administration spokesmen with material to counteract these views, recently set up a Vietnam-war information center—cynically dubbed by some newsmen the Viet Prop group—under Harold Kaplan, a onetime press deputy at the U.S. Embassy in Vietnam. Its first document, a ten-page memo from Saigon, was aimed at refuting critics who claim the war is a stalemate. One point: enemy troop strength has dropped from a total of 126,000 in August, 1966 (the peak) to 118,000.

SOMETHING POSITIVE

The Administration argues that only the government—by necessity—has the "big picture" of the war. It also argues that the newsmen, particularly the TV men, are under pressure from headquarters for exclusive stuff which seeks out the dramatic. When CBS newsman Jack Laurence trekked to Con Thien in early September to film the shelling of the marines by the North Vietnamese just south of the Demilitarized Zone, he set off a chain reaction of coverage that soured some military men. "The enemy firing 200 rounds of artillery at Con Thien doesn't mean a rat's nest tactically," claims Col. Roger Bankson, director of defense information, "but that's what gets the headlines while no one writes about the fact that villages that could only bring in 15 per cent of their rice crop a year ago can bring in 50 per cent this year because their area has been pacified." And in the same vein, a visiting official from Washington complained to a newsman in Saigon recently; "There's discouragement in the U.S. over our progress in Vietnam because you reporters are only writing about negative things. Why don't you write something positive?"

Not all observers, of course, are negative. Look magazine last week offered Gen. Omar Bradley's impressions of the two weeks he spent in Vietnam last summer. Concluded the retired five-star general: "History, I believe, will judge that, alongside Berlin, Greece, Cuba and Korea, Vietnam was one of our finest hours." And columnist Joseph Alsop, who has been visiting Vietnam twice a year since 1964, has been consistently sanguine. "There is no stalemate here," Alsop wrote from Saigon late last month. "Gen. William C. Westmoreland at last has the other side over a barrel." Such reports delight the Pentagon. Says Bankson: "It's like grandma coming for a visit and looking at your son and saying 'my, how he's grown' when you hardly realized it."

Military historian Gen. S. L. A. Marshall also defends the Administration's position. "The great difficulty over there," he says, "is with the old hands who made up their minds some years ago that we were wrong in getting into the fight and wrong to pursue it, and they'll maintain that position at all costs."

TOO LONG

This charge is one of the ironies in the tangle of ironies that abound in Vietnam. A few years ago, the official complaint was that the reporters were green young newsmen—the Saigon commandoes—out to make a quick reputation by knocking everything. Now the complaint is that, as one U.S. official in Saigon put it last week: "There is such a thing as being around too long."

Saigon newsmen argue that the "old hands" in Vietnam are the only ones who really know what is going on. Unlike fresh recruits and occasional visitors, they are not likely to be captivated by the excitement of combat or impressed by the official line of high-ranking spokesmen. They have been around long enough to see for themselves what is happening and have cultivated sources that do not pipe the "official" view.

As for the so-called "big picture," Saigon newsmen argue it is sadly out of focus. The government bases its optimism about the war on battle reports, statistics, and the great military information-collection machine fed by reports from all over the country. Against this behemoth, newsmen have to rely on their own battlefield observations and intuitive sense. "Anybody who has been in the field," says William Tuohy, correspondent for The Los Angeles Times, "knows that in 95 out of 100 cases there is literally no such thing as a body count. All you get is the estimate of the local commander—and how many guys are going to admit failure in an official report?"

This critical stance has come as a surprise to many military men, who thought they could count on the press's "loyalty." "A lot of generals," says Arnett, "got used to having press coverage that was all praise during World War II."

The appeal to loyalty is a familiar one in Saigon. In 1963 when The New York Times's David Halberstam, the UPI's Neil Sheehan and the AP's Malcolm Browne were critical of the Diem regime, one frustrated visiting commander told Browne: "Get on the team."

OPTIMISM

During 1964 and 1965 the big news was the U.S. troop buildup. As long as newsmen focused on the military's search-and-destroy missions—rather than the upheavals in Vietnamese society—friction was relatively light. Even through 1966 reporters were moderately receptive to the government's insistent claim that it "could see the light at the end of the tunnel." Says one newsman, a veteran of four years: "Last fall we had a real optimistic period out here. With operations in War Zone C and Cedar Falls, a good number of correspondents thought we were making headway in the main-force war."

But this spring the enemy sent troops across the DMZ. It became obvious U.S. forces were not just fighting a mopping-up operation. American troop losses rose above those of the South Vietnamese Army (ARVN). Westmoreland called for more American soldiers and newsmen began probing to find out what the ARVN was doing to fight the war.

Officially, the U.S. military insisted the main problem with the ARVN was simply the bad press it was getting. At the daily 4:45 briefings in Saigon (referred to by newsmen as "the follies"), the military began ticking off ARVN victories—and ignored ARVN failures.

Such omissions discredited the credibility of the big picture. Even peripheral issues have chipped away at the U.S. mission's reputation. Claims that marijuana was smoked widely by U.S. troops in Vietnam were dismissed by Brig. Gen. Winant Sidle, MACV information chief in Saigon. But newsmen interviewed the Army's Provost Marshal in Vietnam, who said that marijuana was not only a problem, it was one of the Army's most serious problems.

COBRAS

When Washington reads Vietnam's "bad press," it often rockets its disapproval to officials in Saigon and demands to know why such downbeat stories are being filed. As a result, military and civilian aides in Vietnam are often caught in a cross fire between Washington and the press. Says the AP's John Wheeler: "Lately, the information officers in many units look at us as if we were a basketful of cobras."

Perhaps the factor that contributes most to the government-press split is the recurrent claim that the corner has been turned. "I've been hearing that since 1961," says one seven-year veteran. "The strategic hamlets set the stage; the first helicopters were going to make the difference; Ngo Dinh Diem was going to do the job; "Big Minh" was going to make the change; then it was Gen. Nguyen Khanh; then U.S. troops, then the revised pacification programs, then the reorganization of the civilian aid programs. Now it is the new government and the reorganization of pacification under the military."

One U.S. mission spokesman admits victory claims have been continuously overstated in the past. "We've cried 'wolf' once too often," he confesses. "Yet we see the start of solutions to lots of problems. The congestion in the port of Saigon is an example. When the reporters were writing about how bad it was, we said that we saw the light at the end of this particular tunnel. Now the port is actually functioning smoothly, but the reporters have lost interest in it."

IN CONCRETE

Barry Zorthian, head of the Joint United States Public Affairs Office in Saigon, has subdued some of the conflicts between the press and the government. "I wouldn't charge the press with deliberate blindness or distortion," he says, "but it does tend to look for the critical to keep the government on the straight and narrow. The Vietnamese are measured against high standards, but there is progress. Once an impression is set it is hard to dislodge. The impression about the ARVN, for example, is set in concrete."

Will relations between the government and the press become still more bitter? Some reporters argue that they will. They believe that when the U.S. election campaign heats up next year, Washington will put more and more pressure on Saigon officials to show progress in the war and to produce a "good press." If the war news just isn't good, these reporters believe, the press and the government will be at one another's throats. And even if the war news does take a decided turn for the better, there is still the problem of whether the officials can get the story across. Such is the legacy of past mistakes.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is concluded.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1968

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 8569) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1968, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate resumed the consideration of the bill.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc, and that the bill, as thus amended, be regarded for purposes of amendment as original text, provided that no point of order shall be considered to have been waived by reason of agreement to the request.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

On page 2, line 1, after the word "and", strike out "$56,000,000" and insert "$68,000,000"; in line 22, after the word "appropriated", strike out "$48,100,000" and insert "$79,200,000"; and, on page 3, line 3, after the words "general fund", strike out "$31,800,000" and insert "$62,900,000".

On page 3, line 14, after the word "Commissioners", strike out "$25,885,000" and insert "$26,509,700".

On page 4, line 20, after the word "purposes", strike out "$91,995,000" and insert "$92,541,700"; at the beginning of line 21, strike out "$248,000" and insert "$288,400"; on page 5, line 13, after the word "exceed", strike out "$15,000" and insert "$25,000"; and, in line 15, after the word "each", insert a colon and "*Provided further*, That the Metropolitan Police Department is authorized to expend in fiscal year 1968 the unobligated balance of $670,000 provided in 1967 appropriations for communications equipment".

On page 6, line 1, after the word "amended", strike out "$93,730,000" and insert "$97,481,900".

On page 6, line 11, after the word "Park", strike out "$15,906,000" and insert "$15,120,900"; and, in line 12, after the word "fund", insert a colon and "Provided, That this appropriation shall be available for the purchase of four passenger motor vehicles".

On page 6, line 21, after the word "Health", strike out "$103,439,000" and insert "$104,782,900".

On page 8, line 10, after the word "of", strike out "fifty-five" and insert "fifty-six"; in line 11, after the word "only", strike out "$16,705,000" and insert "$16,627,300"; and, in line 12, after the word "which", strike out "$11,184,800" and insert "$11,108,700".

On page 8, line 19, after the word "only", strike out "$26,379,000" and insert "$26,732,500"; in line 20, after the word "which", strike out "$8,078,600" and insert "$8,086,700"; and, in line 21, after the word "fund", strike out "$5,314,000" and insert "$5,318,900".

On page 10, line 8, after the word "thereby", strike out "$7,790,000" and insert "$7,760,000".

On page 10, line 25, after the word "Southeast", insert "West Elementary School addition, Morgan Elementary School replacement, Bruce-Monroe Elementary Schools replacement, new elementary school in the vicinity of 40th Street and Lane Place, Northeast, Carver Elementary School addition, Benning Elementary School replacement, new elementary school in the vicinity of 44th and Foote Streets, Northeast, Burrville Elementary School addition, Orr Elementary School replacement, Montgomery Elementary School addition, Gage-Eckington Elementary Schools replacement, Lenox Elementary School addition, Langdon Elementary School addition, Anacostia Senior High School addition,"; on page 11, line 16, after the word "Reformatory", insert "institutions for higher learning, new Receiving Home for Children, and the new District Court Building"; on page 12, line 9, after the word "retarded", insert "Moten Elementary School addition, Weatherless Elementary School addition, Browne Junior High School addition, Wilson Senior High School addition, Dunbar Senior High School addition, prekindergarten relocatable classroom buildings, air conditioning of Tenley-Friendship and Benning branch libraries, Chevy Chase community center, replacement of the farm cottage at District Training School, Fort Dupont Swimming Pool,"; in line 23, after the word "plant", strike out "$1,766,000" and insert "$1,966,500"; in line 25, after the word "expended", strike out "$79,658,000" and insert "$115,552,500"; on page 13, line 1, after the word "which", strike out "$15,617,400" and insert "$22,781,400"; and, in line 5, after the word "and", strike out "$1,528,800" and insert "$3,893,300".

On page 17, after line 7, insert a new section, as follows:

"Sec. 16. Appropriations in this Act shall not be used for the assignment or transportation of students to public schools in the District of Columbia in order to overcome racial imbalance."

On page 17, after line 11, insert a new section, as follows:

"Sec. 17. The cost of living allowance annualized in the appropriation for the Department of Welfare shall be limited to the 'net payment' in computing the assistance payments for recipients in the five regular categories of public assistance."

On page 17, after line 16, insert a new section, as follows:

"Sec. 18. The joint resolution of October 5, 1967 (Public Law 90–102) is hereby amended by striking out 'October 23, 1967' and inserting in lieu thereof 'November 9, 1967'."

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistance legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DRAFT CARD BURNINGS AND STREET DEMONSTRATIONS CONCERNING THE VIETNAM WAR

Mr. ERVIN. Mr. President, on October 24, 1967, WBTV of Charlotte, N.C., telecast an editorial entitled "Same Old Tactics," which contains some trenchant remarks concerning the current wave of draft card burnings and street demonstrations against the war in Vietnam. This editorial merits wide dissemination, and for this reason I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Same Old Tactics

The current anti-war sentiment, draft card burnings and street demonstrations, make us wish that the people who participate would review the history of the communist tactics that drove the French out of Viet Nam.

The Vietnamese Communists knew they could not win against the French in conventional warfare. Therefore, they decided to defeat the French at home, on the streets and boulevards of Paris, in the newspapers and magazines, and on the radio.

Every criticism of how the war was being conducted, every demand for a change of tactics was magnified by the Communist Party in France and by the world-wide radio network and advertised as a sign of deep division among the French people.

This propaganda made the war so unpopular that, as Sen. Hollings of South Carolina recalled last week, the dead and wounded from Indochina, as it was then called, had to be returned home under cover of darkness to avoid demonstrations and riots.

To anyone familiar with propaganda techniques, it is plain that Ho Chi Minh is using the same tactics against the United States.

Ho has rejected all of the two-score or more of offers that President Johnson has made to negotiate an end of the war. The Viet Cong boss has read American newspapers, listened to American broadcasts, and received reports from his spies in the United States, that the American people are so divided that it is not necessary for him to negotiate. He will, he believes, defeat the Americans at home just as he did the French. He reasons that if he can only hold out until the United States election in 1968, the peace-at-any-price supporters will defeat President Johnson and put one of their own in the White House. Then negotiations can begin on North Viet Nam's terms. South Viet Nam will be handed over to him, and the Americans will go home, leaving Ho free to make war on the next southeast Asia country, Thailand.

He thinks he can hold out that long, even though his country may be reduced to rubble by United States bombers, because the Soviet Union has promised him all the war material he needs to keep the war going. In Viet Nam our real enemy is not Ho Chi Minh, but the Soviet Union. That country, a specialist in proxy wars, is fighting the second one against the United States right now in Viet Nam. If we allow ourselves to be brainwashed, Russia's next proxy war will be in Thailand.

We agree with Speaker McCormack: If we were among those advocating surrender and defeat that would plunge us into still another proxy war, our conscience would disturb us for the rest of our lives.

PRIVATE PENSION PLANS AND PUBLIC POLICY

Mr. ERVIN. Mr. President, on September 13, 1967, Mr. Robert C. Tyson, chairman of the finance committee of the United States Steel Corp., made an exceedingly thoughtful address entitled "Private Pension Plans and Public Policy," before the Council of State Chambers of Commerce in New York City. This thoughtful address merits wide dissemination, and for this reason I ask unanimous consent that it be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Private Pension Plans and Public Policy

(An Address by Robert C. Tyson, chairman, finance committee, United States Steel Corp., before the Council of State Chambers of Commerce, New York, N.Y., September 13, 1967)

I am honored to speak before the Council of State Chambers of Commerce. Your outstanding organization, founded in 1932, has long rendered fine public service in exploring issues and problems involved in your three main areas of concern—Social Security, labor-management relations, and Federal spending and taxation. Appropriately, my topic today of private pension plans and public policy is very much involved in all three areas as well as in, I may add, our heritage of free enterprise and limited government.

My message to you in these remarks is, I trust, simple and to the point: Now is the time for all good men in private and public life to preserve and promote America's dual retirement system. For I believe that the drift of public policy is endangering that duality and jeopardizing the future of private pensions—the very pensions to which millions of workers and their families are looking to provide more adequate retirement security.

All of us, I am sure, accept the role of Social Security in supplyingg retirement income. But all of us should accept the role of private pension plans in also supplying retirement income. Yet even these two parts do not necessarily add up to the whole of retirement security. For workers in our free society seek to build security with still such other retirement blocks as savings accounts, common stocks, bonds, real property, insurance policies and annuities.

Certainly this highly individualistic security-building—this nest-egg-building—differing as it does worker by worker, family by family, is part of the American dream. It is part of that heritage of free enterprise and limited government to which I just referred. For let it not be forgotten that this heritage is primarily responsible for the world's highest standard of living. And let it not be forgotten that income—private or public, retirement or pre-retirement—originates solely from production, from our free enterprise system. Finally, let it not be forgotten that this marvelous free enterprise engine of production is built and expanded by investment, and sparked and guided by profit.

Now consider some revealing trends in private and public pensions. Aggregate employee-employer taxes for Old Age and Survivors Insurance started out in 1937 modestly enough (at least by today's standards), with a total of $576 million, equivalent to 1.4% of total private compensation of employees. There was little change in that effective tax rate until 1950, when it rose to 2.0%. By 1966, however, these taxes, reflecting wider coverage plus Medicare, totaled over $25 billion, or 7.3% of aggregate private compensation. Meanwhile, employer contributions to private pension funds have risen from around $2 billion or about 1.6% of total compensation in 1950 to around $8 billion or about 2.4% of compensation in 1966. From a benefit standpoint, total private pensions have increased about eightfold since 1950, while total Social Security benefits have increased about twentyfold, or more than twice as fast.

Thus, as I see it, the future of our private pension plans is in jeopardy, even though private pension plans are an integral part of the free enterprise system, even though they have distinctive advantages in furnishing a voluntary system, in financing retirement security, in providing retirement flexibility, in providing incentives, in promoting savings and capital formation, and in coping with inflation.

The jeopardy comes from the drift of public policy in two directions. In one direction sharply rising Social Security costs and benefits threaten to put the private pension system out of business. In the other direction, under a smog of misunderstanding and misinterpretation about the facts and nature of private pension plans, proposed restrictive legislation similarly threatens the private system.

Let us explore each of these threats, beginning with the threat of runaway Social Security. Social Security is becoming more and more costly, perhaps prohibitively so. While its benefits have more than doubled in the past 18 years, the combined employe-employer maximum tax has increased from $60 per employe in 1949 to $581 today, and is scheduled to go to $746 by 1987, quite apart from the even higher taxes scheduled in the Social Security bill passed last month by the House of Representatives. And while today's Social Security recipients will receive benefits far greater than they and their employers paid in, many of today's newcomers to the labor force might just be better off if Social Security taxes could be diverted to private annuities.

So we see why there is growing talk in Congress that Social Security may be reaching the end of the road as a self-supporting payroll tax system. Both employe and employer are beginning to wince. Does this wincing preclude further cost and benefits escalation? Admittedly, the bill passed by the House scaled down the Administration's recommendations for further Social Security escalation. Still, some in Congress are talking of dipping into general revenues to finance the difference between Social Security taxes and expanding benefits. For example, last year one senator proposed that the amount coming from general revenues to finance Social Security would progressively increase until it would reach 60% of the combined employe-employer tax.

The danger to private pension plans from such a proposal is clear. Once Social Security has ceased to be work-related, once it is freed of directly taxing employe and employer, benefits would no longer be restricted to the limit of payroll taxation. Then private pension plans could hardly compete with such a welfare system because of accelerating benefits—and accelerating income taxes required to finance them, which would in turn impair corporate ability to finance future private pensions. At that point, private pension plans could well be on their way to the dustbin of history.

Again, while the word "insurance" still clings to the public system of old age benefits, the fact is that it is no such thing. It is a tax on today's productive workers to pay benefits to those who are no longer productive. It is threatening to become another welfare system. It is on a compulsory basis. It is dependent on future legislative disposition. And it discourages enterprise: The man between 65 and 72 years of age who is regularly employed and earns more than a minor monthly stipend foregoes part or all of his public pension.

On these scores note how private pension plans stand in sharp contrast: They are adaptable to individual personnel needs and company situations; they are heavily funded, almost completely actuarially determined, entirely on a voluntary basis and entirely on a contractual basis between the employer and employe, or his agent.

Fortunately, the employes' stake in private pension plans is heavy and the number of workers participating in these plans is large. While Social Security now covers about 86 million persons and has about $23 billion in reserves, private pension plans have grown more rapidly on both counts. Take 1950 as a benchmark. Then such plans covered about ten million employes and had reserves of about $12 billion; now they cover almost 30 million employes and have reserves approaching $100 billion. Based upon this growth, I think it fair to say that all employes have much to lose in any falling-behind of private pension plans.

Let us see why this is so before we discuss the other threat to private pension plans from excessive regulation. First, I think it behooves us to remind ourselves that while Social Security funds are entirely "invested" in U.S. Government securities, private pension funds are mainly invested in free enterprise activities through such vehicles as corporate securities and real estate mortgages. Hence, while Social Security reserves are practically immediately spent in all the pursuits of the Federal Government, private pension reserves are generally adding to capital formation and therefore to the economic growth of the nation. So we see that private pension funds serve as a means of accumulating private savings and investment. And, since one new job requires a capital investment of up to as much as $100,000 or more, these savings provide a source of job creation and wage improvement as well as of retirement security.

There are other important advantages of private pension plans to employes. While Social Security must ever remain a monolithic uniformity, private pensions can be tailor-made to meet differing situations and conditions. Thus, there is not "one private pension plan" but literally thousands, each one adapted to meet the conditions of specific employee-employer relationships—relationships that differ with each company, industry, location, time of installation, time of operation and specific requirements of specific personnel. In view of the infinite variety of such changing conditions across our land, private pension plans offer abundant opportunities for evolutionary experiments and dynamic innovations.

And, perhaps most important of all, private pension plans tie in with the free enterprise precept of incentives. Being pretty fully work-related, private pensions recognize the importance of individual incentives to produce more and save more—the social need for retirement incomes to differ from one individual to another in accordance with each individual's employment contributions to society.

So much for the threat to private pension plans from runaway Social Security.

Now let us explore the other threat to private plans—excessive and restrictive Federal regulations. Already too many Washington monkey wrenches are poking into the private pension motor. Consider some of the high-powered Government committees that have been studying or investigating private pension plans. Among them are the President's Committee on Corporate Pension Funds and Other Retirement and Welfare Programs including its Interagency Staff Committee, the Senate Subcommittee on Employment and Retirement Incomes of the Special Committee on Aging, the Senate Permanent Subcommittee on Investigations, and the Subcommittee on Fiscal Policy of the Joint Economic Committee. One upshot: In this session of Congress alone more than 30 bills have been introduced to restrict or regulate private pension plans.

The nub of these studies and investigations to date seems to be a general charge of inadequate public control of private pension plans, frequently coupled with charges that the plans are recipients of tax subsidies. The thrust of these bills is, hopefully, to render more adequate protection to the employe and thereby to the public interest. But if these bills were passed, would not the employe be more hurt than protected?

For instance, the charge of tax subsidy reflects the premise that the Government tends to control that which it subsidizes. I do not here question the premise, but I do question the subsidy and hereby submit that there is none. To be sure, the employer obtains tax deductibility for his contributions to a qualified pension trust fund. In addition, pension trust fund income in such forms as dividends on common stocks and interest on loans and mortgages is not taxable until disbursed as retirement payments to pensioners. Similarly, employees do not have to pay taxes on their pension credits until they retire when very likely their benefits will be taxed at lower rates.

I fail to see any subsidy in these arrangements. Tax deductibility for pension fund contributions is no different from tax deductibility allowed for any other form of deductible employe compensation. Indeed, pension costs are simply another ordinary and necessary cost of doing business. Again, payment of taxes by the pensioner when he receives his pension is not tax exemption but only a matter of tax timing. For in the case of compensation in wages or salaries, the employe is the recipient of highly spendable—and taxable—cash income. In the case of employer contributions to the pension fund, however, the employe receives concurrently no such spendable—or taxable—income. It is true that when he retires his income bracket is generally lower, but this situation in no way obviates a cardinal principle of income taxation—namely, that a tax is not incurred until income is received.

In fact, it is my considered opinion that over the full pension cycle—from the active service years through the retirement period—the Government can be better off financially from present funding arrangements and tax treatment than it would be from non-funded pay-as-you-go plans, and that there is no tax subsidy whatsoever.

So much for the charge of tax subsidy, which I further submit is a myth intended as an attempt to justify Government control of private pension plans.

The charge of inadequate public control of private pension plans also calls for a rebuttal. This charge should be considered in the light of all the compliance already required by agencies checking on private pension plans—agencies such as the Labor Department, Securities and Exchange Commission, and Internal Revenue Service.

The charge frequently details such allegations as inadequate vesting and funding, and insufficient disclosure and fiduciary responsibility. On this latter point, let me say that I firmly believe in the principle of fiduciary responsibility. And, in my judgment, virtually all of the established plans are exercising full fiduciary responsibility and are managing pension fund investments as would a prudent man with his own funds. Look at the record. Cases of irresponsible fiduciary management turned up so far are few in number, minor in extent, and most if not all of these cases are in welfare plans—not pension plans.

Thus the wording and implementation of the fiduciary responsibility section in any private pension bill before the Congress should be closely watched. For talk of fiduciary responsibility may imply fiduciary irresponsibility which, although unfounded, tends to undermine confidence in the private pension system.

On the other allegations of inadequate vesting, funding and disclosure, I have even stronger reservations.

On vesting, we see further attempts on the part of the Government to impose arbitrary vesting standards—standards as to eligibility, age and years of service, etc. Here, again, the necessarily great variety of plans to meet different needs throughout our complex economy seems to have been ignored.

Without any mandate from Government, the actuality is that various vesting provisions have increasingly been incorporated into private pension plans. U.S. Department of Labor surveys of 300 large plans, for example, indicated that 25% of the plans in 1952 already had some vesting provisions; in 1958 the percentage had climbed to almost 60%; the percentage is probably much higher today. As a matter of fact, a more recent Labor Department study of a greater number of plans found that some two-thirds carried vesting provisions.

But advocates of compulsory vesting argue, why not raise the percentage of 100%? The answer is simple. Priorities and voluntary choices are involved: Vesting is not inexpensive—the broader and sooner the vesting, the greater its preemption of other forms of employe compensation improvement perhaps more desired by employes and employers. More desired improvements, for example, could take the form of higher wages, shorter hours, greater vacation time, better incentive payments, other fringe benefits, or even other pension benefits. Overruling such desire by law strikes me as being neither democratic nor economic.

Critics of private pension plans also argue that non-vested or inadequately vested plans impede labor mobility—the ability to switch from one job to another. These critics charge that the employe's private pension credits serve as an impediment to his free choice to take another job. This charge of being "locked in" by pension credits, however, does not stand under scrutiny. According to a 1964 study published by the Bureau of Labor Statistics, seniority rights and other employment practices may be greater impediments to labor mobility. Also, the very service-required vesting rights sought by private pension plan critics may themselves impede mobility. Moreover, private pension plans serve as a way to compete for experienced skilled employes. Lastly, these plans are a voluntary arrangement, a matter of employe and employer choice and accommodation.

Or take the allegation of inadequate funding. Being against adequate funding is like being against motherhood or morality. But adequacy has to be correlated with feasibility, and on feasibility reasonable men can differ. Yet clearly whatever the funding requirement—if indeed any fixed requirement can really be imposed by law—it could only be done by a rigid and highly restrictive rule, which could not possibly take into account the vast variety of pension plans, vesting provisions and actuarial methods in use.

Flexibility is the key. The present Internal Revenue rule for qualified plans requires, as a minimum, funding equal to current service costs plus interest on the unfunded cost of past service. But stipulating funding beyond this involves the danger of slowing down pension plan improvements, discouraging new plans from coming into existence, or driving old plans out of business.

On the allegation of inadequate disclosure, I believe private pension plans already operate in a goldfish bowl. But even goldfish need a degree of privacy. For I believe there is need to distinguish between a fishing expedition and meaningful disclosure. Disclosure through current reporting requirements is already very heavy. Further requirements would further bulge the Government's already bulging files—burdening Government, business and hence taxpayers generally, without providing, in my judgment, any real benefit to the pension plan participants themselves—and might, in fact, even reduce benefits.

Moreover, some disclosure proposals would call for financial information that is inherently confidential and competitive. Such information also could tend to generate unfair hindsight criticism in Washington and elsewhere of financial practices and particular investments by pension fund trustees. Moreover, information on pension cost determination and investment portfolios could fall into the hands of competing companies. Pension costs are just as much a part of production costs as any other cost. Similarly, disclosure to others of a long-range investment program by any fund could force up the market price of the investment before completion of the program; or disclosure of portfolio changes could be misconstrued as an expression of confidence or lack of confidence in particular companies or industries. In all these cases the employes participating in the plan could be hurt instead of helped.

So I hope that it is evident that fast and easy demands for restrictive legislation and control of private pension plans may well not be in the public interest, that they can bring about a state of affairs less satisfactory to the pension plan participants than exists today, that they can interfere with employe and employer choices and accommodations on how the production pie is to be cut. For let the record show that there is just so much pie to be cut no matter how you slice it—and not just for employes, but also for consumers, suppliers, governments and investors. In the problem of private pension determinations—including public pensions—we must ever keep our eye on expanding the pie of production.

And let the record also show that private pension plans have come a long way toward meeting retirement security in America. U. S. Steel's plan, I believe for one, has been fairly and equitably administered, has flexibly met particular pension needs, has maintained the work-related principle of pension credits, has improved steadily over the years, has fully informed employes of their benefits, has kept promises made to employes, has been adequately funded, and has various vesting and early retirement provisions; also, its funding costs have been actuarially determined; its trustee has acted in a proper fiduciary capacity in all respects; and its fund is yearly audited and reported upon by independent public accountants. This is true of the U. S. Steel Fund; I am sure it is equally true of most other funds.

The private part of our dual retirement system has proved its worth, and we would be derelict in our duty if we did not protest against its being placed in a straitjacket of controls. Yet both private and public parts of the dual retirement system are being short-changed by that artful silent thief, inflation. Inflation robs those who can afford it least—low income groups, those living on fixed or relatively fixed incomes and, perhaps most pertinent to our discussion today, pensioners under private pension plans and Social Security. To be sure, private pension plans, unlike their public counterpart, may cope with inflation to some extent by investments in common stocks and real estate, which in their market values may hedge against inflation.

Now can it be that the same Government calling for Social Security escalation and tighter controls over private pension plans is the same Government whose inflationary policies are hurting both private and public pensions? I say, it can be, and is, public policies are contributing to demand-pull and cost-push inflation—inflation via nondefense expenditure acceleration and excessive expansion of the money supply, via wage-pushes far beyond productivity and tax increases further pyramiding costs.

Permit me to expand on the last point. For all the talk about the deflationary effects of the tax increase now under consideration, I wonder if sufficient consideration has been given to the inflationary potential of a tax increase. I cite three reasons for this potential. First, the increase may encourage the Parkinsonian spending tendencies of Government (recall Parkinson's Second Law: expenditures rise to meet income). Second, it may add to cost-push inflation as labor leaders seek to maintain take-home pay levels and as businesses seek to recoup tax costs. Third, it may have a negative impact on the anti-inflationary incentives to save and invest. In addition, let me suggest that present tax rates are already oppressive, that Congress and the Administration should redouble the effort to reduce or defer nondefense and unessential defense spending, and that a tax increase be authorized only if the remaining deficit is of unmanageable proportions and if the increase is uniformly distributed over all taxpayers, individual and corporate.

To sum up: Destructive public policy can snuff out private pension plans through overregulation and runaway Social Security; it can also erode private and public pensions by inflation. Constructive public policy will seek to avoid inflation and will recognize and safeguard the dual nature of our private and public retirement system. Thus I would hope that the role of Government would be limited to fostering a climate for the fulfillment of private pension promises made and not to specifying what those promises should be nor how they should be fulfilled.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESTORING AND RETURNING TO THE UNITED STATES THE LAST SURVIVING AMERICAN SQUARE-RIGGED MERCHANT SHIP, THE "KAIULANI"

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 714, Senate Joint Resolution 101.

The ACTING PRESIDENT pro tempore. The joint resolution will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A joint resolution (S.J. Res. 101) amending title XI of the Merchant Marine Act, 1936, to authorize the Secretary of Commerce to guarantee certain loans made to the National Maritime Historical Society for the purpose of restoring and returning to the United States the last surviving American square-rigged merchant ship, the *Kaiulani*, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from West Virginia?

There being no objection, the Senate proceeded to consider the joint resolution which had been reported from the Committee on Commerce, with an amendment, strike out all after the enacting clause and insert:

That title XI of the Merchant Marine Act, 1936, is amended by adding at the end thereof the following new section:

"Sec. 1112. (a) Notwithstanding any other provision of law including sections 1101(f), 1104(a)(2), and 1104(a)(8) of this Act, the Secretary of Commerce is hereby authorized to insure all or any part of the principal of and interest on any mortgage made, within the three-year period beginning on the date of enactment of this section, by the National Maritime Historical Society of the District of Columbia for the purpose of restoring and returning to the United States the vessel, Kaiulani, the last surviving American-built, square-rigged merchant ship presented as a gift to the people of the United States from the people of the Philippines.

"(b) An insurance contract issued under this section shall be made only with respect to a mortgage which, in the opinion of the Secretary of Commerce, is economically sound and such contract and the related mortgage shall be subject to such reasonable terms and conditions as he may deem necessary to protect the interests of the United States.

"(c) The Secretary of Commerce is authorized to make commitments to insure a mortgage under this section.

"(d) The aggregate unpaid principal amount of any mortgage insured under this section shall not exceed $500,000.

"(e) The faith of the United States is solemnly pledged to the payment of interest on and the unpaid balance of the principal amount of each mortgage insured under this section.

"(f) Notwithstanding any other provision of law, the vessel Kaiulani shall be entitled to be registered or enrolled under the laws of the United States at any time, and shall be exempt from all United States customs duties and tonnage taxes, if any, upon her return to the United States.

"(g) Such of the provisions of this title as the Secretary of Commerce determines, shall apply to the insurance granted under this section."

The ACTING PRESIDENT pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The ACTING PRESIDENT pro tempore. The question is on the engrossment and third reading of the joint resolution.

The joint resolution (S.J. Res. 101) was ordered to be engrossed for a third reading, was read the third time, and passed.

The preamble was agreed to.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 73), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE RESOLUTION

The purpose of this resolution, as hereby reported, is to amend title XI of the Merchant Marine Act, 1936, to authorize the Secretary of Commerce, subject to such reasonable terms and conditions as he may deem necessary to protect the interests of the United States, to insure certain mortgages, not to exceed an aggregate unpaid principal amount of $500,000, made to the National Maritime Historical Society of the District of Columbia for the purpose of restoring and returning to the United States the vessel *Kaiulani*, the last surviving American-built, square-rigged merchant ship, which was presented as a gift to the people of the United States from the people of the Philippines; provided, that in the opinion of the Secretary of Commerce such mortgages are economically sound; to provide for the U.S. documentation of the vessel *Kaiulani;* and to exempt the vessel *Kaiulani* from the payment of any U.S. customs duties and tonnage taxes upon her return to the United States.

BACKGROUND OF THE LEGISLATION

The vessel *Kaiulani* is the last surviving American-built, square-rigged merchant ship. Maritime historians have estimated that during the course of American history, approximately 17,000 square-rigged merchant ships have been built in the United States. The *Kaiulani,* the only survivor, ended her working career as a log barge in the Philippines hauling Philippine mahogany logs from Mindanao to Manila under the flag of the Madrigal Shipping Co.

The Madrigal Shipping Co., Inc., of Manila, P.I., and the family of Don Vicente Madrigal recognized the *Kaiulani's* historical and sentimental importance to the United States, and in 1964 offered the vessel to then Philippine President Diosdado Macapagal to present to the people of the United States as a gift from the people of the Philippines.

On October 5, 1964, during the course of his state visit to the United States, President Macapagal presented the *Kaiulani* to the American people at a White House ceremony. In "returning the *Kaiulani* to her native land," President Macapagal expressed the hope that the *Kaiulani* would serve not just as a reminder of the proud traditions of America's maritime heritage, but as a "constant and unchanging symbol" of the "good will and friendship" between the Philippines and the United States.

The gift was evidenced by execution of a deed of absolute donation on September 18, 1964, by the Madrigal Shipping Co., Inc., and the family of Don Vicente Madrigal on behalf of the people of the Republic of the Philippines to the Maritime Historical Society of the District of Columbia (since January 25, 1965, known as the National Maritime Historical Society) for the benefit and enjoyment of the American people. The gift was consummated on November 18, 1964, by the execution of a deed of acceptance on behalf of the society.

In a statement dated November 13, 1964, President Johnson recognized that the society as trustee for the American people, had undertaken to restore the vessel, return it to the United States and convert it to a maritime museum in the Nation's Capital.

The vessel's Philippine registry was canceled on November 17, 1964, and the vessel is now moored at the ship repair facility of the Philippine Navy at Cavite City, Philippines.

The National Maritime Historical Society undertook a comprehensive and exhaustive campaign, both in the United States and the Philippines, to raise funds on a voluntary donation basis to restore the *Kaiulani.* The society raised about $100,000 and received excellent cooperation from the navies of the United States and the Philippines on towing, drydocking, and use of shipyard repair facilities. Material and tools were donated by many Philippine firms and individuals. The incumbent President of the Philippines, Ferdinand Marcos, has expressed his deep interest in the project and serves as honorary chairman of the National Maritime Historical Society.

Substantial progress was made in restoring the *Kaiulani's* steel hull, but unfortunately, the campaign to restore the *Kaiulani* by public donations has not been a complete success and funds which were collected have been exhausted. Prospects of additional public donations sufficient to complete the restoration are rated poor.

The *Kaiulani* fundraising campaign has received congressional recognition and support. On June 22, 1966, Senator E. L. Bartlett, chairman of the Merchant Marine and Fisheries Subcommittee of the Committee on Commerce, introduced Senate Resolution 275, expressing the sense of the Senate that the *Kaiulani* project deserves the full support of the American people, and particularly, the full support of the American merchant marine. A companion resolution was introduced in the House by Representative Edward Garmatz, chairman of the Committee on Merchant Marine and Fisheries.

Upon her return to the United States, the *Kaiulani* will be berthed on the Maine Avenue waterfront in Washington, D.C., and converted into a nonprofit maritime museum. The society has a resolution from the Board of Directors of the District of Columbia Redevelopment Land Agency stating everything possible will be done to facilitate the berthing of the *Kaiulani* on the Maine Avenue waterfront. Nominal admission fees will be charged to defray operating expenses. Based on the earnings of a similar square-rigged museum ship on the San Francisco waterfront, the *Balclutha,* it appears the *Kaiulani* can earn enough not only to defray her operating expenses but could earn enough to repay the costs of her own restoration and return to the United States.

The National Maritime Historical Society thoroughly explored the possibilities of commercial financing for the restoration of the *Kaiulani.* Commercial financing for American merchant vessels engaged in trade is normally only available when Federal ship mortgage insurance is available under title XI, Merchant Marine Act, 1936. Without such a Federal mortgage guarantee, commercial financing for the restoration of the *Kaiulani* was unavailable.

The members of the Committee on Commerce and other Senators recognized not only the historic importance of preserving the *Kaiulani* for the American people, but also the disappointment, or possibly even an affront, to the Philippines, and especially those Filipinos, including two Presidents, whose participation, along with that of President Johnson, have given the *Kaiulani* project the character of an expression of the good will and friendship between the two countries.

Thus, on August 4, 1967, Senators Bartlett, Muskie, and Fong introduced Senate Joint Resolution 101 to amend title XI, Merchant Marine Act, 1936, to authorize the Secretary of Commerce to insure such loans. Senators Magnuson, Hartke, and Cotton subsequently joined as cosponsors of the resolution.

HEARINGS

A hearing was held on September 28, 1967, on the resolution. J. M. Gulick, Acting Maritime Administrator, accompanied by John R. Tankard, Chief, Division of Mortgage and Marine Insurance of the Maritime Administration, appeared on behalf of the Secretary of Commerce. Mr. Gulick proposed several amendments of a technical nature to facilitate the granting of the insurance under title XI, and with the proposed amendments, recommended favorable consideration of the joint resolution.

Witnesses on behalf of the National Maritime Historical Society included: Alan D. Hutchison, president; Karl Kortum, director for the San Francisco Maritime Museum and a trustee of the society; and M. Belmont Ver Standig, a retired advertising and marketing executive and a trustee of the society. Mr. Hutchison told the history of the *Kaiulani* and the restoration project and outlined in great detail the steps taken to obtain donations. Mr. Kortum testified on the historic significance of the *Kaiulani* and described the economic aspects of the square-rigged museum ship *Balclutha,* operated by the San Francisco Maritime Museum, which strongly supported the economic feasibility of the *Kaiulani* project. Mr. Ver Standig devoted his testimony entirely to the economic aspects of the *Kaiulani* project to establish the feasibility of granting the title XI guarantee with every reasonable expectation that the principal and interest could be readily repaid.

The final witness, Hoyt S. Haddock, executive secretary of the AFL-CIO Maritime Committee, strongly supported the resolution.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Subcommittee on Constitutional Amendments of the Committee on the Judiciary be permitted to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Subcommittee on Housing and Urban Affairs of the Committee on Banking and Currency be permitted to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

REDISTRICTING

Mr. LAUSCHE. Mr. President, it is my understanding that this afternoon the bill dealing with the redistricting of areas in which Congressmen are candidates will be considered. The conferees have reported a bill with which I am in complete agreement. The bill that will come before us does not provide at present for permanent redistricting procedures. It seeks to establish a temporary measure to be effective until reliable population figures are available after the Federal decennial census in 1970. That means that the permanent redistricting bill will be sought to be made effective for the 1970 elections.

The courts have consistently held that the only reliable figures now in existence on which redistricting could be built are those contained in the 1960 Federal census. In other words, those figures are 7 years old. They are not reliable. The reliable figures will come into existence when the census of 1970 is completed.

I shall support the bill as it is recommended by the conferees because I believe it would be unwise to require the States now to go into the expense and the difficulties involved when the redistricting would have to be built upon the inaccurate figures of 1960. The 1960 figures are obsolete. The 1970 census figures will be reflective of the true status of the population. For that reason I believe it would be unwise and it would not justify the expenditures to presently establish the permanent redistricting formula. Congressman EMANUEL CELLER of New York has recommended the adoption of the conference report. He is certainly a liberal. I shall support the report of the conferees. I commend the Senator from Nebraska for his able presentation of the subject on the floor of the Senate several days ago.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1968

The Senate resumed the consideration of the bill (H.R. 8569) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1968, and for other purposes.

Mr. BYRD of West Virginia. Mr. President, on last evening, I made my opening statement in explanation of the bill making appropriations for the District of Columbia for the fiscal year 1968.

I have few further comments to make at this time other than to say again that it is a very good bill. It perhaps should be repeated that the committee was fully sympathetic to the needs of public schools in the District of Columbia, and its actions have reflected this sympathetic appreciation of those needs.

All of the teaching positions were allowed. The Senate allowed 415 new teaching positions, making a total of 777 under supervision and instruction.

The committee was sympathetic also to the need for additional capital outlay projects in the school system and allowed 26 out of the 28 capital outlay items requested.

The committee, fully cognizant of the increasingly difficult problems facing the police department in the District of Columbia, allowed every penny requested for the police department and made only those reductions which resulted from the delay in consideration and markup of the bill.

Parenthetically, let me say that that delay was caused by the unclear revenue picture. It was the consensus of opinion between the House and Senate Subcommittees on Appropriations for the District of Columbia that we should wait until the revenue bill was enacted and signed by the President before we on the Senate side proceeded to mark up the bill.

In considering the regular budget estimates for fiscal year 1968, the Appropriations Subcommittee has also considered the supplemental estimates, so that the bill before us includes both the regular and supplemental estimates.

I invite particular attention to the language in the committee report dealing with crime and court congestion in the District of Columbia.

In my judgment, the subcommittee has held the most fruitful, the most useful, the most enlightening, the most productive hearings on crime and court congestion in the District of Columbia ever held by the subcommittee.

Certainly, that is true with regard to the 7 years during which I have served as chairman of the subcommittee. I call attention, with pride, to the invaluable service of the committee staff, Paul Cotter, Harold Merrick, and Joseph McDonnell, and to the fine cooperation which was rendered in the course of the crime hearings particularly, and in general throughout the entire hearings, by the distinguished Senator from Nebraska [Mr. HRUSKA], who is the ranking minority member of the subcommittee.

Without that Senator's help, the hearings would not have been so productive as, I think, they were productive. Without his advice, guidance, cooperation, and support, I could not have performed my task as well as I think I was able to do it.

I invite the attention of the appropriate legislative committees, which have jurisdiction over legislation dealing with crime, to the excellent hearings in volume 3 of the printed volumes before us.

I feel that it would be very productive for the legislative committees to have their staffs carefully study the crime hearings in volume 3, and also consider very carefully the points—I believe they are seven in number—enumerated in the committee report dealing with crime and court congestion in the District of Columbia.

Mr. President, as I indicated last evening, the Federal payment as envisioned in the bill before us would amount to $68 million, which is $12 million over the House allowance, and $2 million under the authorization. The total appropriation in the bill is approximately $505 million.

I feel that when Senators take note of the fact that there are three volumes of hearings totaling 3,708 pages, and when they have carefully studied the committee report, they will agree, I believe, generally speaking, that this is a very good bill; one which is responsive to the growing and modern needs of the District of Columbia, and one which reflects painstaking, meticulous, thorough, and comprehensive effort and study on the part of the subcommittee.

Again, I wish to express my gratitude for the able support which has been given to me by the truly distinguished and able Senator from Nebraska. As I was thinking, the other night, on my way home, I thank God that there are men like ROMAN HRUSKA in the Senate of the United States. I am grateful for his participation in this combined effort which I think has resulted in an excellent bill.

Mr. HRUSKA. Mr. President, the generous remarks of the Senator from West Virginia are noted with gratitude. He is most generous. He is a most able chairman with whom to work.

The bill before the Senate today is the eighth product of the chairmanship of the Senator from West Virginia [Mr. BYRD] as chairman of the Subcommittee on the District of Columbia Appropriations.

Each one of his previous bills has been a work of art. Each has been the result of a great deal of detail and, in some instances, tedious proceedings. This one, I think, compares favorably with any of the rest of them. In my judgment, it has many marks of superiority to any of the previous bills.

The Senator from West Virginia [Mr. BYRD] has very vast knowledge and skill and know-how in this field, which has been achieved over the years. He applies this knowledge and this skill he has with great dedication and with a great deal of time devoted to the work.

Mr. President, my remarks will be brief. The bill provides for appropriations that are $41 million in excess of the amount the House appropriated for the District of Columbia.

There is an increase of $83 million over the amount appropriated for fiscal year 1967. These figures, of course, will be scanned by a great many people, and I should like to make brief reference to how these increases are accounted for.

First, the increase of $41 million over the House figure is readily explained. The bill before the Senate today includes not only the regular budget requests but also the supplemental request of the District. The bill before the Senate today is based upon the enactment of a new loan authority and the new revenue measure applying to the District of Columbia. Neither of these acts was in existence when the other body acted upon this bill, and consequently, the House did not take them into consideration.

The $83 million increase for this fiscal year over 1967 is likewise readily and, I think, justifiably explained. It was gratifying to the Senator from Nebraska that the thrust of the increase was in education, police, and the courts.

An example of that is to be found in the fact that of the $83 million difference between this fiscal year and last year, $32 million goes into the actual construction of schoolbuildings, including $6 million for the new Federal City College. Allowances are also made for additional teachers, commensurate with the increase in staff of some of the present schools. That is gratifying to those of us who know what the situation has been.

Another item included in the proposed increase of $83 million is the $11 million reserve that has been placed in the bill as against the pay increase which is being contemplated and which will very likely be enacted soon.

When we take those gross figures into consideration, we can see that this budget is very much in line with the budgets of previous years, and yet it makes room for all those areas that are admittedly of high priority, such as the schools, the police system, the court system, the prosecuting system, and so on, of the District of Columbia. Therefore, I think the increase is well justified and should be approved without difficulty.

As to the rest of the bill and the line items in it, each of them has been processed with great care. The chairman and the staff are to be commended for that result. I add my commendations and my gratitude to the members of the staff: Mr. Merrick, professional staff member, and clerk of the subcommittee; Mr. McDonnell; Mr. Cotter; and, of course, Mr. Robert B. Clark—all of whom have been so helpful in this whole process.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. COOPER. May I say first that I believe the District of Columbia and the Senate are very fortunate in having as chairman and ranking Republican member of this subcommittee the Senator from West Virginia [Mr. BYRD] and the Senator from Nebraska [Mr. HRUSKA].

There have been many articles in the newspapers about the critical crime situation in the District of Columbia, and there have been other articles pointing out that it is not noticeably more critical than it is in many other cities.

I note that the Senator from West Virginia, a few moments ago, spoke of the work of the committee in respect of the courts, recommendations for the courts, to deal with the matter of congestion of cases. I note that the Senator from Nebraska also referred briefly to the work of the committee in this field.

For the record, could the Senator say something to the Senate of the problem, as the committee saw it, regarding crime in the District of Columbia and what the committee did with respect to the courts, police, and so forth, in trying to give greater protection to the people of the District of Columbia, and also any long-term, affirmative steps the committee took to resolve, hopefully, this situation in the District of Columbia?

Mr. HRUSKA. I shall be happy to respond; however, the chairman of the subcommittee would be much more able to do so, and I hope he will supplement my remarks.

The detailed hearings had on the subject treating of crime in the District of Columbia have been very illuminating. I think reference in the report only characterizes the subject. Only a reading of the testimony in volume 3 will convince one of the very bad situation in the District of Columbia. It is characterized in the report language, at page 6, which reads, in part, as follows:

> The testimony was overwhelming that the Bail Reform Act and the Criminal Justice Act, as they are operating in concert in the District of Columbia, permit persons charged with serious crimes to remain on the street pending trial, regardless of their danger to the community, and contribute to a wide range of devices to delay the disposition of their criminal cases. This is considered to be a major factor in the rising crime rate and the overburdened court dockets. In the light of testimony received, it is recommended that the Congressional Judiciary Committees make an early reexamination, particularly of the relatively new Bail Reform Act, with a view to affording greater protection to the public from criminal recidivists.

Therein lies an explanation for the crowded state of the criminal docket. The docket not only has a heavy backlog, but is actually having added to it 40 cases a month. The subcommittee believes that has taken place under some of the practices that have grown up, and until those practices have been brought into line by legislation, the backlog will grow.

In the District of Columbia, there are more police per capita than there are in any other major city in the United States. The fact is that one of our big troubles here in the District of Columbia is the recruitment of policemen. I forget exactly how many positions are still vacant. The number had been less than it is now, I am informed by a member of the staff. There are 380 positions on the police force that are vacant now. That represents an increase from the figure obtained, when we had hearings 3 months ago, from the police department as a justification for the budget.

Mr. COOPER. To what does the Senator ascribe the difficulty in filling those positions?

Mr. HRUSKA. The recruitment of police officers is a difficult problem in all large cities, because the position of a law enforcement officer is not a very attractive one. It is often made more difficult by lack of support of law enforcement on the part of the public in general and the courts in particular. Those conditions make consideration of a policeman's life a very dim one in the mind of a young man who wants to go into some line of work. It is a difficult problem. The authorities are working for solutions to this grave problem.

Mr. COOPER. What about the adequacy of the courts, the number of judges?

Mr. HRUSKA. The number of judges is established by law, of course.

Mr. COOPER. Yes.

Mr. HRUSKA. A backlog exists. Perhaps the chairman of the subcommittee would like to elaborate on that. The courts seem to be very active in the consideration and disposition of cases, but the input always seems to be greater than the disposition.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. HRUSKA. I am happy to yield.

Mr. BYRD of West Virginia. I call the attention of the senior Senator from Kentucky to page 6 of the committee report (No. 729), paragraph 2, wherein it is stated:

> The U.S. district court has assigned 12 of its 14 regular judges to its criminal calendar in an effort to reduce the lapse of approximately 1 year between arrest and trial of persons charged with serious crimes. However, even with the substantial assistance of the senior district court judges in the trial of civil cases and motions, it cannot for long continue to assign such a large proportion of its judge power to criminal matters, unless it receives assistance from the judges of the U.S. Circuit Court of Appeals for the District of Columbia, the calendar of which is current, and from visiting judges from other judicial districts. The emergency would seem to demand the immediate and fullest cooperation of both the local U.S. court of appeals and the Federal judicial system until some longer range solution can be found. Adequate supporting personnel for this crash operation has been promised by the Department of Justice and the Administrative Office of the U.S. Courts.
>
> Further, it is imperative that the vacancy on the U.S. district court, which has existed since November 1966, be filled forthwith, and that appointments to fill existing vacancies on the U.S. court of appeals and the court of general sessions also be expedited.

I have read the committee report language, so as to call attention to the need for the prompt filling of existing vacancies in judgeships in the District of Columbia. The Senator from Kentucky [Mr. COOPER] has properly put his finger on an area of increasing concern, and I hope that action will be taken to comply with the committee's recommendations.

Mr. MANSFIELD. Mr. President, will the Senator yield?

The ACTING PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Montana?

Mr. HRUSKA. Mr. President, I yield the floor.

Mr. MANSFIELD. Mr. President, I should like to ask some questions, if I may, of the distinguished chairman of the subcommittee, the manager of the bill now before us. My questions have to do with the item on page 5 of the report under the title "Transfer of Activities." It reads as follows:

> The committee directs that before any transfers of activities provided for in this act are effected, prior approval of the Appropriations Committees shall be obtained as heretofore the practice.

Is it the committee's intention, may I ask the distinguished chairman of the subcommittee, to invite the mayor to advise and consult with the Appropriations Committees of Congress as to major future transfers of activities within the District of Columbia government?

Mr. BYRD of West Virginia. Perhaps, in response to that question, I should briefly allude to the background practice which has prevailed heretofore.

In the past, if there were any unobligated balances, any consolidations or eliminations or transfers of funds, any reprograming of funds, the Commissioners consulted with, by letter, by telephone, and/or by personal contact, the chairmen of the Senate and House Appropriations Subcommittees, Mr. NATCHER and myself.

The practice has worked very well. Often, after an appropriation bill had passed, and perhaps months before the next appropriation bill was scheduled to be considered, some reprograming of funds was necessary, or some change in the overall picture, which was not apparent at the time the appropriations bill passed, became obvious; and so it was deemed necessary, on the part of the Commissioners and various agency heads, to make concomitant changes in the application of funds.

Such matters were brought to the attention of the two subcommittee chairmen, and were given careful, positive, and responsible consideration, and we either approved, disapproved, or offered certain suggestions, which usually met, I think, with the general approval of the District government operation.

I think the practice was good. As I say, it worked well. The Appropriations Committee was able to maintain control over expenditures in this way, and it is felt by the chairman of the subcommittee and the members of the subcommittee generally—and I am sure that the ranking minority member of the subcommittee supports me in this statement—that Congress ought to continue to maintain this oversight function over the fiscal affairs of the District.

When the reorganization bill came before Congress, as I understood it and as I understand it now, it was necessary to accept the reorganization plan in its entirety or to reject it in its entirety. Congress had a certain number of days in which to approve or reject the proposal; and so it was impossible to amend the proposal.

In that proposed reorganization plan was section 304, which reads in part as follows:

> With respect to personnel, property, records, and unexpended balances of appropriations, allocations and other funds, available or to be made available, relating to functions transferred by the provisions of this reorganization plan, the Commissioner may from time to time effect such transfers between the agencies of the Corporation (including transfers between the Commissioner and any other agency of the Corporation) as he may deem necessary in order to carry out the provisions of this reorganization plan.

Mr. President, this language, to a considerable degree at least, takes away from the Appropriations Committees the vital instrument of oversight function which we have heretofore had, and, as we view it, if something is not done by way of changing the law or by way of committee report language, the Commissioner would be under no obligation to come back to Congress after we have appropriated moneys; he would be under no constraints or compulsions, he could go ahead and transfer the funds, and the committees, therefore, would lose control over that particular appropriation.

So the language in the report is merely to require that the Commissioner come back to the Appropriations Committees, as has heretofore been the practice, and he will certainly receive the utmost cooperation and responsible attention to whatever requests he may deem necessary. This language merely leaves in our hands, as Members of Congress—and I feel that under the Constitution it should remain in our hands—the control of the purse strings, because that is the one great and effective instrumentality of oversight function which Congress still possesses.

I believe that if everyone concerned can realize that the Appropriations subcommittee chairmen will act responsibly, as they have in the past—always sympathetic to the needs of the District of Columbia and with an ear to the justifications that are presented in connection with those needs—it will be agreed that this is right and proper; and I believe, in truth, that the new Commissioner, Mr. Washington, is himself given some protection by this language.

This has been, perhaps, a long and desultory response to the question of the majority leader; but I thought we ought to have that background in the RECORD.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. Yes, indeed.

Mr. HRUSKA. Mr. President, the language to which the Senator from Montana refers was the subject of a great deal of debate, informally among the members in the subcommittee and in the full committee.

First of all, we ought to realize that the language calls for a continuance of a practice that has heretofore existed.

The inclusion of this language was deemed necessary because in the reorganization bill pertaining to the District of Columbia, there this was absolute veto of power vested in the Commissioner-Mayor Washington.

It is not the desire of the chairman of the House or Senate committee, nor of the committees themselves, to have a veto power over any of the activities of the mayor in connection with reorganization or the function of the District government. It is not in the nature of veto power, because language in the report cannot supersede a statute.

We wanted, however, to indicate something in the report and something in our appropriation bills here to the effect that we are not surrendering or abdicating the power of the purse which Congress holds.

The practice that has been engaged in up to now is not being changed rather what we are doing is by way of a constructive effort to perhaps prevent a buildup of tremendous hostilities to some of the changes that might be engaged in. Some of the reprograming that might be achieved would cause a big buildup of hostility and resentment within the committees and Congress. This hostility could then result in legislation which would undo the effectiveness of the reorganization.

By reference to the reprograming request on the part of the Commissioners heretofore and the mayor hereafter, it is meant that suggestions are to be made such as: "You will run into trouble if you pursue this course. Would you consider modifying it in a given way which will still give you the net result that you desire? However, you should do it in a different way."

I do believe it will avoid a lot of trouble if this were done.

There was considerable sentiment to the effect that this language should not only be in the report, but also in the bill, which would be tantamount to an amendment of the Reorganization Act.

There are some who contend: "You say that you give us self-rule in the District, and then you take it away because you have Congress riding herd on us."

First, we have a responsibility here because: $68 million of Federal funds are paid out of Congress into the treasury of the District of Columbia. We expect to check into that to see that it is properly used. We of Congress owe that obligation to the taxpayers of America.

Second, it is difficult to conceive of self-rule as meaning absolute rule. There is no agency of Government, no official in the Government, which has absolute power. There is always some governing authority, some check and balance exercised by somebody else, and certainly on the score the office of mayor of this Capital City will be better managed and will proceed to a better result if there is proper guidance forthcoming there from the Congress.

So, it is on that basis that we did forego the consideration of putting this into the statute at this time. It was felt that a reminder in the report language that we would like to have this practice continue as it did in the past should be given a chance to work.

We hope that there will be a good faith response in that respect, and if there is such a response on the part of the committees of the two Houses of Congress, we will not have any trouble, and the achievement and result will be an advance in Government on a cooperative basis.

On the other hand, if the committees get obstreperous or if the other end of the avenue gets a little out of line, I venture to say that in the next session of Congress we will have a proposal to put this language in the statute and not merely have the language in the report.

Mr. MANSFIELD. Mr. President, I am happy that the language is not in the bill itself and is merely carried in the report.

I would assume, on the basis of the explanations given by the manager of the bill and by the ranking minority member of the subcommittee that the committee does not intend to stand in the way of reorganization and strengthening of the local government pursuant to the reorganization plan, but would, indeed, encourage such strengthening, maintaining at the same time a legislative oversight function which ties in with the passage of legislation and the appropriating of money, and that the committee does not intend to limit the rightful executive responsibility of Mayor Washington. Is that correct?

Mr. BYRD of West Virginia. Mr. President, I think the majority leader has stated precisely the position of the subcommittee intent which is back of this language.

Mr. HRUSKA. It certainly comports with my understanding of the discussions and thinking we had on the subject.

Mr. MANSFIELD. I would assume further that the committee and the Congress have an interest in being informed where major changes in organization or financing plans are contemplated. Such information will afford the committee an opportunity to give constructive suggestions to the mayor or to initiate helpful mutual exchanges of views. Would that be a correct statement?

Mr. HRUSKA. It certainly would be, and it is reflective of the remark I made a little while ago along that line. It is in accord with the discussion and thought had in the committee and the subcommittee.

Mr. BYRD of West Virginia. Mr. President, if I may supplement what the Senator from Nebraska has said, I would not want any misunderstanding to arise concerning the word "major." There may be some difference of opinion as to what constitutes major changes.

I do not want, by anything I say, to surrender any of the constitutional prerogatives or powers that are reposed in the Appropriations Committee or any constitutional duties that devolve upon it. So I would not want to bind the committees by any misinterpretation of the word "major."

In the past, however, the subcommittee chairmen have been taken into consideration and they have been kept informed of any reprograming, transfer of funds, reorganization, and so forth.

This is what we are asking. We want to be kept informed of everything. And if we, in our honest judgment, and acting in good faith, feel that whatever proposals are sent to us are for the benefit and upbuilding and improving of the District of Columbia, and constitute wise expenditures of funds we will have no objections. We Members of Congress are just as interested in upbuilding this city and we are just as proud of our Nation's Capital as is any newly appointed official in the District of Columbia or anyone at the other end of Pennsylvania Avenue or anyone who has ever served as an appointive official of the District government.

So I want to emphasize that I for one do not want to bind the Appropriations Committees by a colloquy which leaves only so-called major changes subject to congressional approval when there can be a wide variation of interpretations as to what constitutes major changes. I do not mean to be evasive, nor do I want to appear to be unyielding or difficult.

I want the Appropriations Subcommittees to be informed of all such transactions, as they have been in the past. And, as far as I am concerned, that is what the language means.

I hope that I have been properly responsive to the majority leader.

Mr. MANSFIELD. Mr. President, the chairman has been responsive.

May I say that the word "major" is subject to interpretation. It cannot be considered in its broad meaning, ipso facto. Perhaps it might be better to say changes of consequence. But anyway, the idea in general is understood.

Mr. HRUSKA. Not in this budget, but in future budgets, the mayor and Council will be aware of this when they make justifications of each of these line items.

Mr. MANSFIELD. Which has not been the case up to this time.

Mr. HRUSKA. The Commissioners have always appeared.

Mr. MANSFIELD. But I mean with respect to the mayor of the city.

Mr. HRUSKA. The Senator is correct. If they do appear before us and say: "This money is to be used on project X," and they then come along 20 or 30 days later and say: "Let us scrap that project and use that money for project F," how are we then to accord good faith to them in the future?

If they think it is wiser and better to use the money for one project than for another, and they wish to make a change, the least they can do is to inform us.

The chairman of the subcommittee has displayed to me a number of letters and communications from the Commissioners heretofore calling attention to the fact that they would like a reprograming or a change in this or that program.

I do not know that I would have approved many of them with as great facility as did Representative NATCHER and the Senator from West Virginia. But I accord them a superior knowledge in the field, and I have no objection to that. However, it has been my observation that the consent has been given with great liberality and also with great constructiveness.

Mr. BYRD of West Virginia. And will be in the future.

Mr. HRUSKA. And will be in the future because, again, it is an exercise of good faith.

Mr. MANSFIELD. I would assume, on the basis of what the senior members of the Appropriations Committee have just said, that the purpose is to carry out the intent of Congress in a reasonable and, if necessary, flexible manner if changes of value are brought to the attention of the committee. Of course, there has to be an oversight function, in my opinion, so far as all committees of Congress are concerned, if the intent of Congress is to be carried out and if the appropriations are, by and large, to be spent as stated by the Appropriations Committees.

So I would assume, on the basis of what has been said this morning, that the committee expects to have good relations with Mayor Washington and will be in a position to be helpful, through the maintenance of close communications on all sides.

Mr. BYRD of West Virginia. That is certainly my desire, and I believe that the majority leader has indicated and displayed a very deep concern, and rightly so, with regard to the committee report language. I believe that this discussion will have clarified, as well as it can be clarified, the intent of the committee and the position of the subcommittee chairman and the ranking minority member.

I certainly wish to thank the majority leader for his questions, and I trust that my answers and the answers of my colleague, the Senator from Nebraska, not only have been responsive but also have been helpful and enlightening.

Mr. MANSFIELD. They have been responsive and responsible.

Mr. HRUSKA. It is true that a great deal of responsibility will rest upon the Appropriations Committee in the House and in the Senate. It is also true that great responsibility for good faith will rest upon the mayor and the Council and the administration there. Under the Reorganization Act, they have absolute power to transfer wherever they wish. The effect of it, strictly applied, would be that Congress appropriates $505 million, and they may spend it in any of the activities of the District they choose.

So that there is a corresponding responsibility that there will not be capricious or arbitrary, or whimsical decisions which will not be in the interests of the District. So there is that countervailing responsibility, of which I am sure the administrators of the District of Columbia will be well aware; and if not, there will be some people who will remind them.

Mr. MANSFIELD. I have no doubt that Mayor Washington will take his job most seriously and most responsibly, and will be happy to work with the appropriate committees having to do with the affairs of the District; and this could be helpful on both sides and protective as well.

I thank both Senators.

Mr. PROXMIRE. Mr. President, I rise to speak on the same point that has been made so well by the distinguished majority leader; and I wish to go into some detail on this point because I believe it is of the greatest importance, and exactly what has been done should be clearly understood in the RECORD.

I believe there have been very substantial misinterpretations of what can be done in committee report language and what cannot be done, and it should be tied down.

The committee report language on page 5 reads:

> The committee directs that before any transfers of activities provided for in this Act are effected, prior approval of the Appropriations Committees shall be obtained as heretofore the practice.

I believe this is an important action by the committee, and it is controversial. It goes to the heart of President Johnson's message on the Reorganization Act that provided for a beginning of self-government in the District of Columbia. I shall quote briefly from that act, because the President put great emphasis on the capacity of the new Commissioner and his Council to be able to use some judgment and to make these changes.

The President said:

> The plan I submit today is more than a matter of routine reorganization. Its vital

> purpose is to bring Twentieth Century government to the Capital of this Nation: to strengthen and modernize the government of the District of Columbia; to make it as efficient and effective as possible.
>
> The machinery designed more than 90 years ago to govern a small community is now obsolete. The commission form of government—unorthodox when the Congress accepted it as a temporary measure in 1874—provides neither effective nor efficient government for the Nation's Capital. That form of government has long since been abandoned by the few cities which adopted it around the turn of the century. Today none of the Nation's 27 largest cities and only two of the country's 47 cities with populations exceeding 300,000 have a government of divided authority.

So the thrust of the President's Reorganization Act was that there should be changes, and substantial changes, and those changes should be effected by people who have responsibility and who were appointed by him.

The President continued:

> The reorganization plan I propose would remedy these deficiencies in the present form of government. It would—
>
> Unify executive and administrative authority.
>
> Eliminate competing and sometimes conflicting assignments of responsibility—

That, as I understand, is exactly what the new mayor would try to do, and he should not be limited in trying to accomplish it—

> Provide for the informed exercise of quasi-legislative functions through a Council which would be bipartisan and representative of the community.

Mr. President, I believe this is an important point, because we must recognize that the President did not only appoint one Commissioner; he appointed a quasi-legislative body which should be given some capacity to use its judgment and not be required to run up here on virtually every matter that it feels should be modified and changed, if it is going to have any power worthy of the name.

The President continued:

> Permit the single Commissioner to organize the District government to provide effective day-to-day administration.

Mr. President, let me quote the key sections of this Reorganization Act. The following are the key sections:

> SEC. 303. Establishment of other new offices. There are hereby established in the Corporation so many agencies and offices, with such names or titles, as the Commissioner shall from time to time determine. The said offices shall be filled by appointment by, or under the authority of, the Commissioner. Each officer so appointed shall perform the functions delegated or otherwise assigned to him in pursuance of this reorganization plan and shall receive compensation to be fixed in accordance with the classification laws as amended from time to time.

The next one is even more crucial:

> SEC. 304. Transfer of personnel, property, records, and funds. With respect to personnel, property, records, and unexpended balances of appropriations, allocations and other funds, available or to be made available, relating to functions transferred by the provisions of this reorganization plan, the Commissioner may from time to time effect such transfers between the agencies of the Corporation (including transfers between the Commissioner and any other agency of the Corporation) as he may deem necessary in order to carry out the provisions of this reorganization plan.

The point is that this is the basic act. It has not been repealed. It is still on the books. This power to transfer is still vested in the Commissioner. The House acted on it. The Senate acted on it. The President signed the bill. It became law. We cannot repeal this. As the Senator from Nebraska said so well, we cannot veto it with language in a committee report—language which, of course, is not susceptible to any action by the Senate or the House, because we cannot amend the committee report.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. JAVITS. As a member of the Appropriations Committee, I should like to identify myself with the position now being taken by the Senator from Wisconsin and to express my agreement with his interpretation of the statutory effect of the reorganization plan as contrasted with the statement made in the report. Also, I wish to express my satisfaction that, as I understand—I was not in the Chamber at the time—the manager of the bill and the ranking minority member of the committee have now indicated that this represents the attitude of our committee, undoubtedly correct as to a majority of the committee; and that whatever implications that has in the life of Washington, it has, but it certainly has no statutory effect. The only statutorily effective mandate is the one just read by the Senator from the reorganization plan.

Mr. PROXMIRE. The Senator from New York is correct, and I believe this is a point that has to be understood and recognized by Mayor Washington, by the Council, and by Members of Congress.

The House Government Operations Committee in its report knew what it was doing. This was not done inadvertently. In reporting favorably the Reorganization Plan the House Government Operations Committee said:

> We consider Sections 303 and 304 to be both proper and necessary if an effective reorganization is to be made.
>
> "These sections provide the authority to the (Mayor) to establish offices and agencies within the municipal corporation and to transfer personnel and funds as necessary to carry out the reorganization plan." The Committee continued, "This authority is similar to that already granted most department and agency heads within the federal government.

I do not wholly agree with the House Government Operations Committee in that statement because I have checked the power that the various departments have, and with the exception of the Department of Defense, they do not have this kind of power. But this is not a common department.

This is a new, quasi-autonomous body. It is new; and with it a new department has been created, as this new Mayor and City Council have been created, Congress has provided this kind of power to reorganize. For example, the new Department of Transportation was given the kind of power which the House Government Operations Committee provided.

The House Government Operations Committee report continues and states as follows:

> It is a necessary attendant of executive responsibility. The Congress expects the (mayor) to use his authority as an aid in the elimination of waste, of overlapping and duplicating structures and to bring much-needed efficiency to the day-to-day operation of the District Government.

As we know, the mayor appointed 21 urban experts. They are supposed to act as promptly as possible and submit proposals for reorganizing, and for the transfer of personnel, I suppose. That should not be limited by the notion that they are unable to act until we have an appropriation bill in the fall of 1968. They should be free to make recommendations, and the mayor should be free to put these recommendations into effect with considerable promptness.

Mr. President, I am so exercised about this matter because the language in the committee report provides that we should follow the previous practice. If we were to follow the previous practice it could be disastrous.

The language of the report of the Committee on Appropriations on District of Columbia Appropriations reads as follows:

> The Committee directs that before any transfers of activities provided for in this Act are affected, prior approval of the Appropriation Committees shall be obtained as heretofore the practice.

In the most recent past the former District Government has had to seek the approval of the Senate and House Appropriation Committees for the following items: One, to change the designing of an incinerator for the District from the authorized 800-ton-per-day incinerator to a 1,500-ton-per-day incinerator.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. BYRD of West Virginia. What was the amount of money involved in the change?

Mr. PROXMIRE. There was, as I understand it, planning—

Mr. BYRD of West Virginia. How much money was involved?

Mr. PROXMIRE. About $25,000.

They have also had to seek approval to increase the impact funds for the folding partitions of Tubman School. A total of $5,000 was involved.

Mr. BYRD of West Virginia. Mr. President, will the Senator further yield?

Mr. PROXMIRE. I yield.

Mr. BYRD of West Virginia. Will the Senator also indicate whether that item was approved?

Mr. PROXMIRE. Yes. These items were approved. They came up. I wish to establish some legislative history on what approval means and who has to approve under the present law, as it now stands. In my judgment, approval does not lie in the Committee on Appropriations, and that should be made clear for the record.

The third matter for which they had to seek approval was the use of $600,000 for mobile schools in the District of Columbia. That was approved. A fourth instance was that in order for the Board of Higher Education to receive $80,000 from the Board of Education to proceed with the Board of Higher Education's authorized efforts in establishing city colleges, the approval of both the House and the Senate District Committees had to be obtained.

What I am trying to establish is not that there should not be consultation, for there must be consultation. I am sure that the mayor would consult with the committee whether we have this language or not. The Senator from West Virginia [Mr. BYRD] who has done such a magnificent job for so long as a member of the Subcommittee on District of Columbia appropriations, will be making that decision, and Representative NATCHER will be making that decision in the other body in cooperation with the ranking minority member of the subcommittee, the distinguished Senator from Nebraska [Mr. HRUSKA] who also is very able in the field.

Under those circumstances, the mayor is not going to go hog wild and do something that would result in retribution when the matter comes up the following year. If he were to do that, he would suffer.

I wish to establish now, by colloquy with the chairman of the committee, what this language does mean. Before I ask my first question, I refer once again to the language in the committee report which provides:

> The committee directs that before any transfers of activities provided for in this act are effected, prior approval of the Appropriations Committees shall be obtained as heretofore the practice.

But on the other hand, in the law, section 304, it is provided that the transfer of personnel, records, and funds with respect to personnel shall be vested in the mayor.

I wish to ask the distinguished Senator from West Virginia the following question:

Under these circumstances, if the Commissioner, or mayor, wishes to shift funds from one category to another, what, if any, legal compulsion is there on him to secure the approval of Representative NATCHER, or the Senator from West Virginia [Mr. BYRD], or the Senator from Nebraska [Mr. HRUSKA], or the ranking minority member in the House? What legal compulsion is there?

Mr. BYRD of West Virginia. I beg the Senator's pardon. Would the Senator please repeat his question?

Mr. PROXMIRE. Certainly.

If the Commissioner, or mayor, wishes to shift funds from one category to another, what legal compulsion is there on him to secure the approval of Representative NATCHER or the Senator from West Virginia of the House and Senate Appropriations Committees, respectively?

Mr. BYRD of West Virginia. There is none.

Mr. PROXMIRE. I agree with the Senator wholeheartedly.

In the second place, in the event the mayor chooses to consult with the Appropriations Committees' subcommittee chairmen and does not secure their approval, what legal compulsion, if any, is there for him to abide by their desires and not transfer funds from one department to another?

Mr. BYRD of West Virginia. There is none.

Mr. PROXMIRE. On the assumption that the mayor does consult with the Appropriations Committees chairmen, and they specifically disapprove his request, what legal compulsion is there for the mayor to abide by their decision and not transfer funds from one department to another?

Mr. BYRD of West Virginia. There is none.

Mr. PROXMIRE. I am happy to get that response from the Senator from West Virginia. I expected to have that response.

I think it is important to recognize, as the Senator from Nebraska said—and, unfortunately, this has been obscured because of some discussion—that the basic law is the Reorganization Act, which gives the mayor the authority to transfer funds.

This language is an instruction from the Appropriations Committee which the mayor would be wise to recognize and he would be wise to consult on these transfers. But when he does so he has the legal authority and the right to accept or not to accept Appropriations Committee decisions. No longer is there a provision for approval or disapproval by the Appropriations Committee unless we decide to change the law in the future.

The mayor has the power to shift personnel or functions from department to department. He has been asked to consult with the appropriate members of the Appropriations Committees. He is free under the law to accept or reject the recommendations of the Appropriations subcommittees chairmen.

Mr. President, once again I apologize for having labored this point, I think it is important. I wish to put the matter in proper context.

This is an excellent Appropriations bill. It is as good a bill as I have seen for the District of Columbia, although I disagree with some of its policy implications. It provides everything the Board of Education asks for on behalf of the taxpayers, it provides for all the teachers requested and for almost all requested buildings and construction of schoolrooms, and it provides what is needed for the Police Department, the Fire Department, and the courts. The Senator from Nebraska and the Senator from West Virginia deserve a great deal of credit.

I feel certain the Senator from Nebraska would join me in saying that the work of Senator BYRD of West Virginia is unparalleled. I commend the Senator for a fine job.

Mr. BYRD of West Virginia. Mr. President, I wish to express appreciation to the Senator from Wisconsin for his able support, his efforts, and hard work in the subcommittee. I value that support. I appreciate the kind comments he has made on the floor of the Senate today.

While it is true that the committee report language is not legally binding, this does not mean that it can be lightly disregarded.

I think it should be pointed out that this budget is largely a line-by-line item budget, and the House and Senate subcommittees meticulously examine each item line by line. Such careful scrutiny would be for naught if, after the enactment of an appropriations bill, the officials of the new government were allowed complete authority to shift and change and transfer and reprogram those items at will.

We may as well give them the $505 million in the bill before us, with no strings attached, and say "spend it as you like." This would be a clear abdication of our congressional responsibility under the Constitution, and we do not intend to so abdicate our responsibilities. After all, as the Senator from Nebraska [Mr. HRUSKA] has pointed out, this is the Federal City, there is an appropriation of $68 million in Federal money in this bill, to say nothing of the $174 million in Federal grants which are estimated to be made to the District of Columbia in fiscal year 1968, and the Appropriation Committees have a clear and unquestioned responsibility to exercise a surveillance function over the expenditure of these moneys.

Mr. KENNEDY of New York. Mr. President, I rise to express my concern at a potentially damaging blow to the hope that the new District of Columbia government will be an effective force for change.

All of us are encouraged at the energy shown thus far by newly organized District government. Led by Walter Washington and Thomas Fletcher, and with the guidance of the newly appointed City Council, the reorganized government offers to the citizens of Washington the promise of a concerned and committed government—eager to be responsive to the wishes of those it serves, and dedicated to resolving the dilemmas which this city faces.

A major share of the promise of this new government is based upon its announced determination to accomplish whatever internal reorganization of the District Government is necessary to meet contemporary problems. This requires broad, flexible, executive authority to restructure the existing administration of District government.

Congress recognized this need when it approved the reorganization plan 3 months ago—it gave the mayor statutory authority to reshape the city administration, consolidating departments, and transferring personnel where their abilities and skills were most vitally needed.

This power—internal government reorganization, including the shifting of funds and personnel—was explicitly granted in section 303 and 304 of the reorganization plan. In approving this concept, the House Government Operations Committee noted:

> We consider [this authority] to be both proper and necessary if an effective reorganization is to be made. . . . This authority is similar to that already granted most department and agency heads within the Federal Government.

Yet this power is questioned by language in the report of the Senate Appropriations Committee. Page 5 of this report notes:

> The Committee directs that before any transfers of activities provided for in this

> act are effected, prior approval of the Appropriations Committee shall be obtained as heretofore the practice.

In my judgment, this limitation—not offered as any part of the legislative process—shall not be taken to affect the power of the new government under the reorganization plan. The essence of reorganization is that the antiquated District government is to be swiftly and effectively remolded to the needs of this city. One committee of Congress cannot by report language undo what Congress did by law 3 months ago.

As a member of the Committee on the District, I find it significant that this limit was not part of the District of Columbia reorganization plan—nor was any effort made to specifically add this limit as part of the appropriation. Instead, the Appropriations Committee would undercut reform by a committee report on which the Senate itself has no opportunity to vote.

The report clearly has no legal effect, since it is inconsistent with statutory law. Nevertheless, we in Congress must also make clear that we shall support the new government of the District in exercising its statutory powers to give Washington an effective, modern city administration. That is why I speak today.

Mr. LAUSCHE. Mr. President, I contemplate voting for the recommendations made by the committee and set forth in the bill which is pending before us.

I wish to address certain questions to the Senator from West Virginia with the objective of learning what the total cost of the government of the District of Columbia will be, what part of that total cost is contributed by the U.S. Government, and what part of it is contributed through the collection of revenues in the District of Columbia.

Do I correctly understand that the Senate has recommended the appropriation of $504,960,100 for fiscal year 1968?

Mr. BYRD of West Virginia. The Senator is correct.

(At this point Mr. MONTOYA took the chair as Presiding Officer.)

Mr. LAUSCHE. In addition to the $504-million-plus, there is available to the District of Columbia the sum of $174 million granted to it by the United States?

Mr. BYRD of West Virginia. Yes.

Mr. LAUSCHE. Do I correctly understand that if we add the $505 million to the figure of $173 million, which will make $678 million, we will have achieved the figure which embraces the total cost of running the government of the District of Columbia?

Mr. BYRD of West Virginia. Well, there are, in addition to this figure, certain private contributions which are made into the District, such as the Agnes Meyer Fund, for example; but I think that the Senator from Ohio has, in referring to the Federal grants, and to the appropriations in the bill, pretty well summed up the total as being something like $678 million.

Mr. LAUSCHE. As I understand, the $505 million which Congress has appropriated involves 3 items; namely, one for $71 million, in round numbers, which the U.S. Government contributes to the general fund—

Mr. BYRD of West Virginia. No, no—of which $68 million is to the general fund.

Mr. LAUSCHE. $68 million to the general fund, yes. The balance goes to the water and sanitary sewerage funds making a total of $71 million.

Mr. BYRD of West Virginia. That is correct.

Mr. LAUSCHE. The authorization in the appropriation bill also authorizes the loan to the District of Columbia by the U.S. Government for certain purposes of the sum of $79 million.

Mr. BYRD of West Virginia. That is correct. This is at the going interest rate.

Mr. LAUSCHE. According to the figures contained in the report, the Federal Government puts up $71 million plus $173 million, which totals $244 million.

Mr. BYRD of West Virginia. That is correct.

Mr. LAUSCHE. So it would appear, then, that the District of Columbia expends of its own money the difference between the $244 million which the Federal Government turns over to it and the sum of $678 million which is the total amount of money which it spends outside of the special contributions which it gets, making a total expenditure by District of Columbia taxpayers of $434 million.

Mr. BYRD of West Virginia. Will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. BYRD of West Virginia. Yes. I might put it this way: Aside from the $173 million in grants which is not in this bill, approximately 83, 84, or 85 percent of the $505 million being appropriated here today is District money, money paid by the District of Columbia taxpayers.

Mr. LAUSCHE. A final question. We have already covered this, but the total cost of operating the District government in fiscal year 1968, exclusive of the moneys received through contributions, is $505 million plus $173 million, making a total of $678 million; is that not correct?

Mr. BYRD of West Virginia. I think that is a pretty fair statement.

Mr. LAUSCHE. Is that correct?

Mr. BYRD of West Virginia. There may be funds that were appropriated in a previous year which could not be spent in the same year, resulting in obligated balances coming over to the current year.

Mr. LAUSCHE. But the amount is at least $678 million?

Mr. BYRD of West Virginia. That is correct.

Mr. LAUSCHE. I thank the Senator.

Mr. JAVITS. Mr. President, there are some profound questions which arise from the bill. They may lead to my proposing amendments. I would not wish Senators to believe that this is a nice, simple appropriation bill that we are going to pass quietly and let it go at that. I say that for the benefit of Senators who may be thinking of doing other things today—not that I intend to take any inordinate length of time, but I do feel that these issues have to be raised.

First, I should like to raise what I consider to be the simpler of two issues, the provision of the bill which occurs on page 17, lines 10 and 11:

> Appropriations in this Act shall not be used for the assignment or transportation of students to public schools in the District of Columbia in order to overcome racial imbalance.

I invite the attention of the Senator from West Virginia, the manager of the bill, to the colloquy that occurred with respect to very much the same matter when the Senate was considering the appropriation for the Department of Health, Education, and Welfare. It occurs at page 21001 of the RECORD of August 2, 1967. At that time, I asked the Senator from West Virginia the meaning of roughly a similar clause in another bill, and he made an explanation. I merely desire to be certain that the legislative record is the same with respect to the pending bill. I quote from the Senator's statement:

> I do not object, of course, to the busing of students to relieve overcrowding in the public school system. I do object to deliberate, planned busing of public school students calculated to eliminate racial imbalance in public schools.

Would the Senator from West Virginia object to including that whole colloquy in the debate on the pending bill, so that the Senate may clearly understand that the fundamental point made is, as the Senator from West Virginia himself puts it, "deliberate, planned busing of public school students calculated to eliminate racial imbalance in public schools," and therefore would not apply to busing designed to eliminate overcrowding, which I understand is the problem in the District of Columbia schools, or perhaps to deal with other problems of school administration which are not "deliberate, planned busing of public school students calculated to eliminate racial imbalance in public schools"?

Mr. BYRD of West Virginia. I certainly do not object to the inclusion of the statement, which was with regard to language in the committee report on the Department of Health, Education, and Welfare fiscal year 1968 appropriation bill.

However, I feel that I am perfectly able, at this time, to make eminently clear my own position concerning what I think is the intent of the committee with regard to the language.

It is not my intention, it has not been, nor will it be, so far as I can see, to oppose the assignment or transportation of students attending public schools in the District of Columbia or anywhere else in the country for the bona fide purpose of relieving overcrowded school conditions. I do strenuously object to the assignment or the transportation of pupils who attend public schools in the District of Columbia or anywhere else when that purpose is to overcome so-called racial imbalance. The language here in this bill is, I think, very clear; and I am glad that the distinguished senior Senator from New York has raised the question, so that there can be no ambiguity as to the legislative intent. The intent is that there be no assignment or transportation of students in the public schools in the District of Columbia to overcome racial imbalance. And, of course, the language directs its thrust to the appropriations in this act.

Mr. JAVITS. I hope the Senator will forgive me for again making the request. He and I came pretty well together—and I think it is very much in accord with the policy which he has in mind—on this categorism, which I quote:

> I do object to deliberate, planned busing of public school students calculated to eliminate racial imbalance in public schools.

May we adopt that—because it seems to be a very clear statement of policy—as the policy to be attached to the meaning of the words as they apply in this act?

Mr. BYRD of West Virginia. Almost, but not exactly. I used the words, which the Senator has just read in floor colloquy earlier this year during debate on the HEW appropriation bill. At that time, I used the word "eliminate," but I think more precisely the word should be "overcome."

Mr. JAVITS. I will accept that. So it would then read, for the purpose of this bill:

> I do object to deliberate, planned busing of public school students calculated to overcome racial imbalance in public schools.

Mr. BYRD of West Virginia. Mr. President, may we have order?

The PRESIDING OFFICER. Let us have order in the Senate.

Mr. JAVITS. May I read it again, so we can agree upon what will be the language with reference to the bill:

> I do object to deliberate, planned busing of public school students calculated to overcome racial imbalance in public schools.

I substituted the word "overcome" for the word "eliminate."

Mr. BYRD of West Virginia. I do not want to be trapped by words I have used in floor colloquy heretofore. I do not know that either of the words, "calculated" or "deliberate," or the word "planned," could cause trouble in the future, but I point out to the Senate, and to the Senator from New York, most respectfully, that the words in the amendment, section 16, which appears on page 17 of the bill before us, were taken from the 1964 Civil Rights Act.

Title IV of the Civil Rights Act of 1964, Public Law 88-352, section 401, paragraph (b), reads as follows:

> "Desegregation" means the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin, but "desegregation" shall not mean the assignment of students to public schools in order to overcome racial imbalance.

And so, in drafting this language in the bill under present consideration, I merely sought to pull out of an existing statute language which I think should be complied with in the District of Columbia. Now, I added the words "or transportation" because I am not absolutely sure that "assignment" in itself carries the connotation of transportation. I think it does, but I added the words "or transportation" simply because the issue had arisen in recent days involving transportation of students in the District of Columbia.

The issue, as I understand it, is not whether students may be transported to relieve overcrowding—I have no objection to that—but whether or not they may be transported to schools outside their neighborhoods for the purpose of overcoming racial imbalance.

In my judgment, that is in clear violation of the 1964 act. I did not vote for that act. There are some parts of it I could have voted for. Some parts I could not support. But it is the law, and I have never advocated violating a Federal statute. The statute should be complied with. And so I feel that this language in the bill before us merely comports with the language and the intent of the paragraph which I have just read from title IV, "Desegregation of Public Education," as it was written in Public Law 88-352.

I hope that I have been responsive to the Senator's question.

Mr. JAVITS. Well, I would say to the Senator that the words "in order to overcome racial imbalance" mean that the basic purpose of busing must be in order to overcome racial imbalance; but if the the basic purpose of busing is for some other reason, such as overcrowding, and the incidental fallout of that busing may result in overcoming racial imbalance, that would not violate the law.

The only reason I ask this question of the Senator—he knows my strong feeling in this and I know his relative to agreeing to a policy—is that we can agree to what the language means. That is very important to the administrative officials. I would not have questioned the Senator at all; I would have taken my chances with the Corporation Counsel of the District of Columbia had we not come to some meeting of the minds relative to a previous situation in a measure which had exactly the same language. But I am willing to leave the colloquy where it is. I do not think either one of us can change the law by colloquy. I have stated my willingness to accept as a proper interpretation of the language—and I speak as a lawyer as well as a Senator—the construction put on it by myself and the Senator from West Virginia on another occasion. That is the only thing I wanted to clarify. I am satisfied that it has been. I am willing to rest the matter at this point.

Mr. BYRD of West Virginia. Mr. President, I am not tying the legislative intent in the statute which is before us to any previous colloquy on the floor. I was addressing myself at that point several months ago to language in a committee report on the HEW appropriation bill. Today I am addressing myself to language in a bill making appropriations for the District of Columbia.

My feelings at that time were the same as they are now. The only question I raise as to the colloquy that day is that I do not think it was pertinent, in the first place, to the matter now before us, and in the second place I did not respond, in that instance, after having given as much considered judgment as I have given to the amendment that is in the bill before us.

If the school officials can justify the transfer of students to overcome bona fide overcrowded conditions in the schools, I have absolutely no objection to the relief of such over crowding.

Mr. JAVITS. I thank the Senator very much for his cooperation, as always, in engaging in colloquy of this character.

Mr. BYRD of West Virginia. But, if I may continue, any request for moneys of this subcommittee for transporting students in the public school system of the District of Columbia will have to be justified on that basis; and I shall go into the request very thoroughly, so that I am perfectly satisfied, in my own mind, that the justification is on that basis and that basis alone, that overcrowded conditions do exist, and that those overcrowded conditions cannot be relieved except in the way recommended by the public school officials.

I simply want to make sure that there is not any devious action under the pretext of relieving overcrowding. I am not attempting to say that anyone would act in a devious manner; but the subcommittee will have to be satisfied that that is the sole purpose of transporting the students. We will go into it thoroughly.

I wish to call to the attention of Senators that students in the District of Columbia are presently being transported from east of Rock Creek Park to west of Rock Creek Park. I believe, 1,300 elementary school students are being transported from east of Rock Creek Park to west of Rock Creek Park; and, additionally, some 400 students from secondary schools east of Rock Creek Park have been offered bus tickets, if they wish to transfer to underpopulated schools west of Rock Creek Park.

I call attention to the fact that there exist, east of Rock Creek Park, several hundred spaces in underpopulated secondary schools, to which those same secondary students in overcrowded schools east of the park could go, and which they could fill without any cost to the Board of Education.

So I ask the question, why should students in the secondary schools east of Rock Creek Park be given bus tickets to attend schools west of the park, at a cost to the public school system of the District of Columbia, when those same students can go to underpopulated schools east of the park without any cost to the Board of Education?

That, in my judgment, is not a transfer of students solely for the purpose of relieving overcrowding in the schools. The plain purpose of that transfer is to overcome so-called racial imbalance, and to bring about a higher degree of racial mix in the schools of the District of Columbia.

Almost 93 percent of the school population in the District of Columbia is Negro. I think we are kidding ourselves if we think that we can appropriate enough money to bring about an even blend, or an even mix across the board, of the remaining 7 percent of the school population which is white. I maintain that the attempted forcing of white students into schools out of their neighborhoods, and the attempted forcing of Negro students into schools out of their neighborhoods, will not work, will be inordinately expensive, and will provide an impetus to the exodus of white students from the District of Columbia. What will be done to bring about the integration of schools in the District of

Columbia when there are no white students left in the District of Columbia?

The busing is being done, Mr. President, at a cost of $200 per student. The cost of transporting these students from east of the park to west of the park is approximately $400,000 a year—$200 per student, with approximately 2,000 students being transferred or provided bus tickets.

I feel that this is a waste of money, a waste of time, and a waste of energy. I do not believe that Negro parents in the District of Columbia—the majority of them, at least—are interested so much in forced integration as they are in the education of their children. Furthermore, I do not think that the average Negro parent relishes the idea of his child being used as a guinea pig in an experiment in folly, by having that child transported all the way across town, arriving late at class, arriving late back home, en route perhaps 30 minutes, 1 hour, or one hour and a half, depending upon the traffic and the weather, and being confronted with the hazards of snow and ice, when that child can be put into a vacant space on the east side of the park, in his own neighborhood and nearer home.

Congress may not, in the past, have lived up to its responsibility of providing adequate school facilities in the District of Columbia. But I do not believe that the program of forced transportation and forced integration is likely to relieve that problem. I think it is up to us to provide adequate facilities for the children in the District of Columbia, Negro and white; and whatever integration results, in the normal course of things, is perfectly all right.

If Negro children wish to go to school with white children, and vice versa, and their parents want it that way, I have no objection. But I am against forced segregation and against forced integration; and I am certainly against the wasteful and inexcusable expenditure of the taxpayers' money in such an activity which cannot and will not result in better education of or benefit to the children.

I hesitate to believe that the average Negro parent is as much concerned with whether his child has rubbed elbows with some white student on a football team as he—the parent—is with the proper education of his child in the fields of reading and writing and mathematics and science and arts and music, and so forth. Those are the things that will really count toward that child's benefit in the years to come when he goes out into the school of hard knocks and has to compete with other people in the labor and professional market.

This subcommittee, of course, has no control over Federal moneys, but we are going to maintain a close scrutiny over the expenditure of moneys requested in the bills that come through this subcommittee. It will not be my purpose to obstruct or to impede or to resist any bona fide effort to relieve overcrowding.

I want to see overcrowding relieved, and I have been fully cognizant in the past of busing that was being carried on in the District of Columbia for the purpose of relieving overcrowding.

Dr. Hansen, upon numerous occasions when he came before my subcommittee, was asked the question as to whether there was any money contained in the bill for busing and whether there was any busing going on and, if so, for what purposes.

Dr. Hansen repeatedly stated that such busing as was being carried on was for the sole purpose of relieving overcrowding in the schools and that when that overcrowding was relieved and the need for busing no longer existed, there would be no further busing.

I have no objection to that, and will not have in the future. But I will object to any busing to overcome racial imbalance in the public schools of the District of Columbia if it is on that pretext or if it is done on any other pretext, but with that purpose in mind.

Mr. President, I hope I have not detained the Senate too long, but I thought it necessary to state what I have said.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JAVITS. Mr. President, do I still have the floor?

The PRESIDING OFFICER. The Senator from New York has the floor.

Mr. JAVITS. Mr. President, I have heard the Senator from West Virginia with the greatest of interest, and I am happy to hear his point of view, which I respect. But it starts from a premise which is not mine.

I am against forced segregation in public schools under any pretext, and it is the national policy today to be against the forced segregation of any school. And it may well be—and I say this with the greatest of respect and friendship which the Senator knows I have for him—that what I might consider to be a legitimate use of force for the purpose of overcoming overcrowding would appear to the Senator from West Virginia a contrivance.

So, very fortunately I think, the authorities ought to have this in mind as well as the strong statement of the Senator from West Virginia on the subject. There are six members of the subcommittee, of which I am one, and there are 26 members of the whole committee, of which I have the honor to be one. And we will just have to judge it that way. That is exactly right and fair. And I do not think the authorities ought to have any impression that one of our most distinguished, valued, and important members represents the point of view of the whole committee or of the whole Senate.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. JAVITS. I will yield in a minute. All I was trying to do was to put in focus the meaning of these words.

The Senator from West Virginia has made a great study of the Government of the District of Columbia. I would not dream of trying to rival him in that field.

I think it is wonderful that our Members do make specialties of particular things, as the Senator from West Virginia has done in this respect, but I do think that the authorities who administer the Federal Government sometimes get a somewhat exaggerated view as to how absolutely decisive may be the views of a single Member. That is all I am addressing myself to.

I am happy to yield to the Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President, I merely stated my views, as is the right of every other Senator on the committee, on the subcommittee, and in the Senate.

I think what the authorities do have to consider is the language in the pending bill. And it would appear to me that there should be no difficulty whatsoever in understanding and interpreting the intent of the legislative body from reading this language. So, as far as I am concerned, let the language of the bill on its face speak for itself. And also let it be remembered that the use of Federal resources to assign students in the public schools to overcome racial imbalance clearly flies in the face of the legislative intent back of the 1964 Civil Rights Act.

Mr. President, I ask unanimous consent to insert excerpts from the floor colloquy as it appeared in the Congressional Record of June 4, 1964, during the debate on the 1964 Civil Rights Act.

There being no objection the excerpts were ordered to be printed in the Record, as follows:

> Mr. Byrd of West Virginia. Can the Senator from Minnesota assure the Senator from West Virginia that under title VI schoolchildren may not be bussed from one end of the community to another end of the community at the taxpayers' expense to relieve so-called racial imbalance in the schools?
>
> Mr. Humphrey. I do.
>
> Mr. Byrd of West Virginia. Will the Senator from Minnesota cite the language in title VI which would give the Senator from West Virginia such assurance?
>
> Mr. Humphrey. That language is to be found in another title of the bill, in addition to the assurances to be gained from a careful reading of title VI itself.
>
> Mr. Byrd of West Virginia. In title IV?
>
> Mr. Humphrey. In title IV of the bill.
>
> Mr. Byrd of West Virginia. But would the Senator from Minnesota also indicate whether the words (in title IV) would preclude the Office of Education, under section 602, of title VI, from establishing a requirement that school boards and school districts shall take action to relieve racial imbalance wherever it may be deemed to exist?
>
> Mr. Humphrey. Yes. I do not believe in duplicity. I believe that if we include the language in title IV, it must apply throughout the act.

Mr. BYRD of West Virginia. So, Mr. President, the legislative intent, as expressed by the then U.S. Senator Hubert H. Humphrey, floor manager of the 1964 Civil Rights Act, was clearly against assignment of students in public schools to overcome racial imbalance. I stand for compliance with the legislative statute.

Additionally, Mr. President, the U.S. Supreme Court has never ruled against racial imbalance in the schools as long as that imbalance is not the result of State action of a discriminatory nature. It has only ruled against State-enforced segregation.

I ask unanimous consent to insert in the Record at this point the communications I have received from District of Columbia residents referring to my statement in last week's hearings expressing opposition to busing for the purpose of overcoming racial imbalance in the District of Columbia public schools.

There being no objection, the communications were ordered to be printed in the Record, as follows:

November 2, 1967.

Hon. Robert C. Byrd,
U.S. Senate,
Washington, D.C.

Dear Senator Byrd: I would like to applaud your decision to withhold federal funds fated to be used for school bussing as a result of Judge Wright's ruling.

Respectfully yours,

W. N. R.

November 3, 1967.

Hon. Robert C. Byrd,
U.S. Senate,
Washington, D.C.

Dear Senator Byrd: I wish to congratulate you on your stand with regard to the busing of school children across the District simply to more effectively achieve integration.

It is high time someone with sufficient weight to have his views felt spoke out against this stupidity, the decision of Judge Wright to the contrary notwithstanding. Be assured you have the support of a great number of people who feel as you do.

Sincerely yours,

E. M. P.

Washington, D.C.,
November 3, 1967.

Hon. Robert C. Byrd,
U.S. Senator,
Senate Office Building,
Washington, D.C.

Dear Senator Byrd: Congratulations on your firm stand against the spending of tax money to bus school children here in the District.

I am personally familiar with the damage that has resulted from Judge Wright's unfortunate decision.

As an example, the Amidon School which was once a model of integrated quality education is now in a shambles—it is now not much more than a slum all-Negro school, with a rapidly sinking quality of education.

Most middle class Negro families and most whites have placed their children in private schools, or have fled from the southwest, as a result of the tinkering that has taken place with our schools.

Keep up your good work in countering the deleterious effects of Judge Wright's terrible decision. On a positive note, we need to return to the concept of the neighborhood school, and concentrate on making that school a good one.

Faithfully,

D. E. D.

Washington, D.C.,
November 3, 1967.

Senator Robert C. Byrd,
Senate Office Building,
Washington, D.C.

Dear Sir: Thank God that somebody is with us. Let us bus Judge J. S. Wright from his segregated area of Westmoreland Hills, Maryland to the Adams Morgan Area which he seems to favor.

Respectfully yours,

T. W. S.

Washington, D.C.,
November 3, 1967.

Hon. Robert C. Byrd,
Senate Office Building,
Washington, D.C.

Dear Senator Byrd: Congratulations on your courageous and intelligent stand on the subject. What earthly motive, other than to waste taxpayers money and harass and waste our children's time, can be accomplished in a mass movement of children around the District. With a school population of over 90% Negro there are not enough White children to go around. Messrs. Wright and Hobson, I am informed, send their children to private schools so of course their ox is not being gored in what they so hypocritically endorse. In fact, both have caused irreparable harm to all District children, Black and White. The tragedy of our time is that we give so much news space to these publicity hungry men who are sacrificing our children's best interests and future on the altar of their egos. It is long past the time for both Congress and the voter to wake up to the fact that our liberal approach to the problems of our nation have created a climate in which the very future of our nation is now imperiled.

I write as a former liberal Democrat, I regret to say I was one of the original members of the A.D.A., who believes in the public school system but who violently opposes the utterly devious, dishonest and dastardly manner in which we as a nation have approached this problem. It is time we returned to the basic moral and ethical philosophy of our forebears.

Keep up the fight—you are on the side of justice and humanity.

Sincerely,

J. K. E.

November 3, 1967.

Senator Byrd.

Dear Sir: In reading the paper my husband and myself are for you all the way in this busing of children for integration only. For over crowding is fine.

With the social security payments going up and maybe taxes we just can't afford it. It isn't necessary to spend more money for busing just to spend money. My husband makes less than $9000.00 a year and all of these things are making it hard on us as he is getting near retirement age.

We hope you stand firm and we are behind you.

Yours truly

Mr. and Mrs. W. R. M.

Washington, D.C.
November 3, 1967.

Dear Senator: I wish to thank you for your courage to express your opinion against the ridiculous spending of thousands of dollars to bus children crosstown. That despicable Shelly Wright should pay for it as you said. Since the godless U.S. Supreme Ct. with their rulings, we now have nothing but riots, civil disobedience—no respect for law and only the criminals, murderers, etc. have all the rights and we elderly, such as I, decent law abiding tax paying citizens get robbed, beaten, etc., and our police get murdered. Only police brutality is heard. I strongly urge a law for gun control also.

Am against Foreign Aid also. All we get is hate in return. Also against this ridiculous poverty program of billions that Shriver wastes. We elderly who don't riot get no subsidized rents and as I'm in my 83rd year cannot afford a Rest Home but I have pride and manage on a very limited income and never on relief.

Miss R.

Washington, D.C.,
November 3, 1967.

My Dear Senator Byrd: I was delighted to read in the Star last night and the Post this morning your decision to bar use of tax money to force integration by busing.

But, we are not getting at the real root of the problem. The cuckoo is famous for laying its eggs in the nests of other birds to escape the responsibility of rearing them. Countless negroes in the U.S. are laying their illegitimate babies on your doorstep to raise by means of welfare, just like the cuckoo bird. Until a means is found to stop this annual influx of hungry black mouths into our midst we will have more riots and burning and destruction.

Yours is a start in the right direction but only a start. I'm proud that we have men like you who refuse to let one biased judge upset the standards of the whole U.S. by his stupid ruling. I wish you'd run for president so I could vote for you.

Sincerely,

A. E. S.

Washington, D.C.,
November 3, 1967.

Senator Robert C. Byrd,
Old Senate Office Building,
Washington, D.C.:

As resident and taxpayers of the District of Columbia we commend you for your firm stand on the busing of school children from one area to another.

Mr. and Mrs. E. W. M.

November 3, 1967.

Senator Robert C. Byrd,
U.S. Senate,
Washington, D.C.

Dear Senator Byrd: Thank you so much for your opinion and stand against this farce of busing between schools to increase pupil integration. You have our support in this matter and we are writing our state congressmen to let them also know our views. I think the matter of welfare with so many jobs available plus the A.D.C. program primarily for illegitimate children should be investigated and measures taken. I also think the factor of "free speech" is being taken too literally and denial made of any so called "peace marches."

God bless you and help you.

Mr. and Mrs. R. C.

Washington, D.C.,
November 6, 1967.

Hon. Robert C. Byrd,
Senate Office Building,
Washington, D.C.

Dear Mr. Senator: I was pleased to read in the Washington papers of the actions taken by your office to prevent the wasting of funds incurred by the busing of school children.

It is hard to understand a person of Judge Wright's education and background when he diverts public funds from so many needfull causes. He must not realize that people still have the right to move. The Capitol Beltway will soon be our main street.

Enclosed is an article on busing from the Washington Post.

Thank you for your many efforts on behalf of our city.

Sincerely yours,

E. R.

November 3, 1967.

Senator Robert C. Byrd,
Senate Office Building,
Washington, D.C.

Dear Senator Byrd: We wish to congratulate you for your courage and for the great service to your country because of your efforts to block the misuse of tax payers' money in "busing" children to achieve a so-called racial mix. Someone must, by one means or another, over turn that Skelly Wright decision, which is another clear violation of our Constitution.

As you know, there is much more to this than just the absurb "liberal" ideology to mix the races. It is another gross usurpation of the power of the peoples Representatives by Federally appointed judiciary.

It is by such illegal and unconstitutional means that socialist infiltrators are able to defy the clear wishes of the majority of our citizens, forcing on American their ideological policies, which can only result in the destruction of our Republic. A good and recent example of this was the manipulation that resulted in de facto "home rule" for the District, which was overwhelmingly opposed by most Members of Congress and their constituencies. The liberal Washington Press even calls that presidential appointee "Mayor" Walter Washington!

Sir if you will stick by your guns and actually succeed in preventing use of school funds for this absured "busing," you will have an issue which will not only make headlines across the Nation, but will be a real turning point wherein the Congress starts to reassert its authority under the Constitution. It takes a brave Senator and an especially brave Congressman to defy the "arm twisting" and virtual blackmail that the Executive Branch habitually applies to force compliance often against the interest of the Nation and against the conscience of the Representative. Good luck, sir.

Respectfully yours,

T. H. S.

WASHINGTON, D.C.,
November 3, 1967.

Hon. ROBERT C. BYRD,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR BYRD: My purpose in writing this letter is to commend your eminent good sense and statesmanlike conduct as displayed yesterday when you forbade the indefensible use of tax monies for the fruitless busing of children from their neighborhood schools. In these trying times when belt-tightening is all too appropriate, it is encouraging to have a man on the District Committee who is capable of separating wheat from chaff.

Please be assured that I have no animus against the improvement of D.C. educational facilities and programs. However, as an owner of real estate in the District of Columbia who has just had his residential taxes increased by $13.00 per month, I am delighted that my additional taxes will be used for essential purposes only.

I regret that the local press chooses to distort your motives and I apologize for their lack of perspective. Yours, is a thankless task. However, I feel that you should know that there are those of us who deeply appreciate your efforts. In time, I feel sure that there will be yet another addition to "Profiles on Courage."

Sincerely yours,

R. E. L.

WASHINGTON, D.C.,
November 6, 1967.

Hon. ROBERT C. BYRD,
U.S. Senate, Washington, D.C.

DEAR SIR: Your stand against busing school children has my full support. According to this morning's Post forced integration has little if any effect in raising the achievement scores for children in the lower IQ brackets. Those with higher IQ's don't need the busing.

White children are afraid to go to Negro schools. The black children beat them up because that's one sure way they can excel. Furthermore some white children omit lunch because they can't stand the odor.

Black children in a mixed class monopolize the teachers' attention.

Did you know Negro children may attend practically any school they wish but white children in D.C. may not? If you have any doubt of this, call the principal at Wilson High School. White children pay their own transportation costs but even then they do not have the same privileges in choosing a school as a black child has.

The Negroes object to racial imbalance in the school so I suggest that no more than 50% of the enrollment in any school in a white neighborhood be black.

I further suggest that all busing be outlawed and that the money saved be used to improve the teaching all over the city.

The only thing that matters in education is the quality of the teaching. I taught children of foreign born who lived in small log houses, who had very little money, and who spoke a foreign language at home and everywhere but at school. Those children walked miles to and from school through deep snow in −40 degree Northern Minnesota weather. Their fathers worked in gravel pits or logging camps in bitter weather below zero.

The schools were frame buildings with some kind of metal on the walls. A huge wood stove was our "central" heating and the plumbing was outside. I carried a pail of water to school every day. I taught eight grades in one room. The beginners did not speak English. In four months they not only spoke it but they could read it as well. The children in the upper grades are now teachers, engineers, business men, etc.

Not one of those families ever was on welfare; they exerted themselves and succeeded through effort.

I sincerely hope you stick to your guns. I am a Minnesota voter but my income tax money is going for busing. I don't approve of it but I wasn't asked.

All it is is an expensive experiment that is failing. Judge Wright is only one man, and I don't think he should have so much power. I hope you are successful in curbing him and Hobson so some white people can stay in the District.

In any case, there's enough traffic without crowding the streets with huge buses to satisfy black egos.

Have you ever read the story "The Man Who Would Be King?" Some day the Negroes with their constant demands will want to be God and they will find themselves back where they started from.

I'm glad you have courage.

Very truly,

E. P.

NOVEMBER 3, 1967.

Hon. ROBERT C. BYRD,
Senate Office Building,
Washington, D.C.

DEAR SIR: Although not a constituent of yours, I would like to commend you on your very sensible opinion concerning busing of students. As an experiment in Harlem has shown, what the poor need is better schools, not just integrated ones.

In this age of racial blackmail, it is good to see one man stand firm with a no-nonsense attitude.

If you ever decide to move to Virginia, I will pound pavement for you any day of the week.

Good show, sir!

S. T.

Senator ROBERT BYRD,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: I wholeheartedly approve your "bussing" position with regard to D.C.—or any—school.

Sincerely,

E. M. C.

NOVEMBER 5, 1967.

Hon. ROBERT BYRD,
U.S. Senate, Washington, D.C.

MY DEAR SENATOR BYRD: I enclose a clipping from last night's "Star," which shows to one and all, the fruits of coddling the Negro lawbreakers, and not punishing them for their criminal acts over the past several years.

Now they are completely out of hand! When, as described in the enclosure, Negro youths will attack D.C. firemen at work in their line of duty and even try to get hooks and axes off of the fire truck to continue the assault on them, then the time is long-overdue for a crackdown. Not only firemen, but policemen are considered fair game and yet no voice on high seems to be particularly concerned about it.

The writer cannot understand why the city should be interested in pouring more money into projects for a race which has proven it has no gratitude.

Your recent statements about not making money available for the bussing of Negro children into white NW schools brought a cheer from many white parents of my acquaintance. The white citizen and parent appears to have no "civil rights", nowadays.

I am glad you took the stand you did, for I fear that Judge Wright's ruling is just a "first step." It would not be surprising if a little later he should decide that white children should be bused into Negro center-city schools, or that suburban children should be bused into Washington, or vice-versa.

The fixed determination of Judge Wright to effect integration of the races at any cost, should be brought up short, now. The chief sufferers in all this are the children. There are many angles to this, including considerations of health and cleanliness and the very basic right of a child to go to his neighborhood school.

Please continue to speak out for the children—there are so few, nowadays, who think of their wellbeing.

Gratefully yours,

M. E. G.

Senator ROBERT C. BYRD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BYRD: I have intended writing you on several occasions to commend you for your stand on matters pertaining to the District of Columbia.

You seem to be about the only Member of Congress who has any concern for the taxpayer in the District. I think you are completely right on the question of bussing school children across the city. I could write a long list of grievances which have come upon the taxpaying citizens of Washington, but you are well aware of what goes on. The Nation's Capital has been turned into a shambles.

Now that Congress has passed laws or regulations to provide protection for themselves on Capitol Hill, maybe they could do something to protect the women of Washington who are afraid to go out in their own backyards for fear of being attacked. This has occurred a dozen times in the Chevy Chase, D.C. area and the criminal is still at large.

Please continue in your efforts to protect the people of this community. This city was intended to be a Federal City and this so-called Commission and Council are not the answer, especially when the quality of the membership is considered.

Sincerely yours,

(Miss) A. E. P.

P.S.: Please don't bother to answer this, as I know you must receive so many letters.

WASHINGTON, D.C.,
November 6, 1967.

Hon. ROBERT C. BYRD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BYRD: The ——— Association wishes to express its appreciation to you for your firm and sensible stand against the dissipation of District funds in hauling school children needlessly across the city for no purpose related to their education. Such an activity would produce no results other than the diversion of funds needed for education, the disruption of class schedules, and expenditures of time and energy which could be better used for study.

Regardless of Judge Wright's fantastic decision and related orders to the school system, we question the legality of using money appropriated for educational purposes for social experimentation in racial mixing instead.

Particularly in view of pending efforts to appeal the Wright decision. We believe that the Board of Education acted improperly in attempting to implement all elements of the decision thereby confronting the community with a fait accompli in the face of the prospective appeal.

We hope that the community can be spared from the disastrous effects of the Wright decision either through legislative action such as yours, or by judicial review. Pending the latter, your stand in the busing issue is a valuable service to public education and to the city.

Respectfully,

A. S. T.

Senator ROBERT BYRD,
Senate Office Building,
Washington, D.C.:

Congratulations on your stand concerning the bussing of pupils across the city. It is not only an inconvenience to the families involved, but is an unnecessary burden on the taxpayers. Absolutely nothing is free. Someone had to pay for the service that is afforded the recipient.

Mr. and Mrs. P. R.

NOVEMBER 3, 1967.

Senator ROBERT C. BYRD,
Senate Office Building,
U.S. Capitol,
Washington, D.C.

DEAR SENATOR BYRD: Congratulations on your outspoken stand on the bussing problem. It is doubly good to hear your opposition expressed in language both expressive and accurate. It is time the tyranny of the political courts is called just that. A case in point is screaming from this morning's headlines. A woman is sentenced to three years in prison for speeding. She had no previous record. But criminals with records a mile long get a pat on the wrist for treason!

I regret I am not in your state so I could support you with my vote. But I look forward to the time when I can vote for you for national office. That time will surely come.

Please don't waste your staff's time answering this letter. And may the good Lord give you strength to continue your crusade for a return to common sense in the land.

Yours sincerely,

L. E. S.

NOVEMBER 3, 1967.

Hon. ROBERT C. BYRD,
U.S. Senate.

DEAR SENATOR: It is a rare occasion that I would write to a man in Congress to say I admire him for his stand on questions that take character and common sense.

So your stand against busing children all over the city to different schools. Especially those juniors to high.

In Boston, if I am not correct at this time one can go to any school they want to, from West Roxbury to Charleston high but pay for the tickets on the bus.

Of course this city will not get like Boston was in the 1930 era. Pay a sum to get a teaching job even though you were qualified.

Good health to you.

Very truly yours,

J. D.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD a story which appeared in the November 6 issue of the Washington Post, by J. W. Anderson, entitled "Achievement Unchanged, No Real Effect Found in New York Negro Busing."

There being no objection, the news article was ordered to be printed in the RECORD, as follows:

NO REAL EFFECT FOUND IN NEW YORK NEGRO BUSING

(By J. W. Anderson)

Busing Negro children out of New York's ghettos to predominantly white schools has had no visible effect on their achievement scores, a study reported yesterday.

New York's voluntary busing program appears to skim off the ablest and most ambitious children from the slum schools, the study found.

Prof. David J. Fox of the City University of New York wrote the report for the Center for Urban Education, a research group which is surveying Federally aided school programs for New York City's Board of Education.

Busing is now an issue in nearly every large city with segregated Negro neighborhoods. Congress has been churning over the question ever since U.S. Commissioner of Education Harold Howe II last year termed busing "helpful in some situations" and urged cities to apply for Federal aid for busing.

Fox's findings raised new questions about the Coleman Report, the massive statistical survey published last year by the U.S. Office of Education.

The Coleman Report found that Negro children in predominantly white classes reach higher levels of achievement than Negro children in predominantly Negro classes.

Many scholars hailed the Coleman Report as solid evidence that Negro children learn better and faster in integrated schools.

But Fox offers another explanation: that integrated schools attract more of the best Negro students.

Achievement scores show that the Negro students being bused under New York's Open Enrollment program generally work at higher levels than the average in the slum neighborhood schools they leave behind, Fox wrote.

But when the bused children are matched with children of similar ability and background who stay in the slum schools, Fox added, there is no significant difference in progress.

"Of 212 matched pairs," he found, "the child who entered OE (Open Enrollment busing) showed the greater gain 89 times, whereas the child who remained in the sending school showed the greater gain 114 times, with no difference for the remaining nine pairs."

Fox headed a team of two dozen educators who observed and graded both sending and receiving schools. They reported that the quality of teaching was no different between sending and receiving schools at the elementary levels. But at the junior high school level, they found the quality of teaching to be much higher in the receiving schools.

One effect of busing is that children are directed toward better secondary schools, the report noted.

The bused children "gain in terms of classroom functioning, particularly in terms of participation and verbal fluency," Fox wrote.

But, he added, "there was no evidence of steady long-term improvement in reading level."

But he also found that busing did no harm to the quality of education in the receiving school.

Meanwhile, the Stanford Research Institute last week published a study of busing in San Francisco. It also found that busing had no measurable effect on reading scores.

San Francisco's school system has been busing about 600 children out of slum schools to middle-class neighborhoods for the past year and a half.

"In this period of time, nothing major has happened," said Thomas C. Thomas, who with Philip H. Sorensen wrote the Stanford Research report. Thomas described its conclusions as "very tentative."

While the New York program buses only children who volunteer, the San Francisco program buses whole grades out of certain schools.

That gives special significance to the San Francisco results, because they involve typical groups of children, chosen at random without the factor of self-selection found among the New York volunteers.

But New York's busing program remains the most important in the Nation. With 40,000 children involved, it is the Nation's biggest. Running since 1960, it is the only one with data on the same children over a long period of time. And New York has incomparably the best staff of any big American city.

Fox and his team of observers also wrote the recent Center for Urban Education study of New York City's More Effective Schools program. MES, as it is called, is an experiment in small class size and high expenditure.

Fox and the Center concluded that MES was not producing significant results in reading achievement. MES in one of the country's largest efforts to raise achievement levels in schools serving slums.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD a story which appeared in the Washington Evening Star of November 4, 1967, which carried the headline "White Exodus Continues at District of Columbia Schools."

There being no objection the article was ordered to be printed in the RECORD, as follows:

WHITE EXODUS CONTINUES AT DISTRICT OF COLUMBIA SCHOOLS

District schools west of Rock Creek Park are more fully integrated than last year, but the exodus of white students from the school system continues, figures released yesterday by school officials show.

Negroes make up 92.3 percent of the enrollment in the District's elementary, secondary and vocational schools this year, compared to 91.3 percent last year.

In a year, 4,784 additional Negro students have entered the schools, and there has been a net loss of 1,796 white students, as the total enrollment for all divisions of the system rose from 148,149 to 151,677.

The report shows that predominantly white schools which have received pupils bused in from overcrowded schools by order of Judge J. Skelly Wright, have substantially larger Negro enrollments.

The Jackson School, which last year had three times as many white pupils as Negroes, now has a student body of 102 Negroes and 24 white. Mann last year had five Negro children in its student body of 219, compared to 57 Negroes among 262 this year.

In 10 elementary schools west of the park the enrollment of Negroes has grown from 281 in 1966 to 696 this year.

The Tri-schools in the Southwest area are apparently losing the campaign to maintain racially integrated classrooms and attract more middle-class involvement.

Bowen, Syphax and Amidon schools have a Negro enrollment of 1,869, virtually unchanged since last year, but the white enrollment has dropped from 190 to 145.

On the secondary level Western High School has 177 more Negroes and 36 fewer whites than last year, and Wilson has 8 more whites and 139 Negroes.

There are 74 more Negroes and 21 fewer whites at Deal Junior High, and at Gordon Junior High white enrollment dropped by 132 and there was a gain of 6 Negroes.

Mr. JAVITS. I thank my colleague. I think he very properly and adequately explored the subject. I am grateful for his cooperation.

Mr. President, with respect to section 18 of the bill I would like to propound a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JAVITS. Is the provision which is contained in this section amendable?

The PRESIDING OFFICER. It is open to amendment.

Mr. JAVITS. I asked the Chair if it is amendable, or is an amendment to this provision subject to a point of order?

The PRESIDING OFFICER. The provision is amendable, and it is also subject to a point of order.

Mr. JAVITS. That is, the whole provision?

The PRESIDING OFFICER. The original provision.

Mr. JAVITS. I see.

Mr. President, I have a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JAVITS. Is an amendment to the provision subject to a point of order?

The PRESIDING OFFICER. It would be subject to a point of order.

Mr. JAVITS. As would the original provision?

The PRESIDING OFFICER. The Senator is correct.

Mr. JAVITS. I thank the Chair.

We passed a continuing resolution here to extend the operations of Government departments and agencies—which departments and agencies have not received appropriations—to November 15, 1967. That measure is now locked in conference. It is very well known that a titanic struggle is taking place on that matter.

Why do we have a continuing resolution in this case, in effect, until November 9, 1967? Why did we not use the same date, November 15, 1967?

I must apologize to the Senator from West Virginia for my absence yesterday when I could have learned all of this information in the committee. However, I was in New York necessarily because it was election day. It was a very unfortunate day for some of us to have our full Appropriations Committee meeting. But, nonetheless, that is no excuse for not being present, but it is an explanation.

I beg the Senator to enlighten me on this matter.

Mr. BYRD of West Virginia. The Senator was justified in being absent yesterday, and he explained that matter to me one day this week. The Senator from New York indicated that he would not be able to be present on election day. It was fully understood. The Senator is quite justified in raising all of the points he has raised today, and not merely this point.

Seeing the distinguished senior Senator from Florida present on the floor, I will ask the Senator from New York to yield to the senior Senator from Florida, so that the Senator from Florida might address himself to the question.

Mr. HOLLAND. Mr. President, I will be glad to address myself to the question, but I would prefer to have the Senator from New York address questions to me that bother him, and I will attempt to answer them and give him the full background of the matter as best I can.

Mr. JAVITS. Mr. President, I have already asked the Senator from West Virginia the question, but I will repeat it.

My question is, Why did we insert the date November 9, 1967—which is tomorrow—in what is for all practical purposes a continuing resolution for all appropriations which are as yet unmade, as they are contained in the pending bill? There is no assurance whatever that the bill will be signed by the President tomorrow. Since we had the date of November 15, 1967, in the other continuing resolution, a matter which is now in conference, why did we not use the same date?

Mr. BYRD of West Virginia. Mr. President, if the Senator will allow me, I want to say, especially in view of the fact the senior Senator from Florida has been a key participant in the conference on the continuing resolution, he would certainly be in a much better position than would I to respond to the question of the distinguished Senator from New York.

Mr. HOLLAND. If the Senator will yield to me, I will be happy to explain the situation as I understand it.

Mr. JAVITS. I yield.

Mr. HOLLAND. The continuing resolution to which the Senator refers is House Joint Resolution 888. That is in conference, and it is one of the most difficult conferences that we have ever had with the conferees from the other body; because it does not relate solely to the continuation of the earlier continuing resolution, but it also relates to numerous other matters.

Four amendments are attached to that continuing resolution, one of which is known as the Whitten amendment, with which the distinguished Senator is familiar. The second is known as the Bow amendment, and I am sure the Senator is familiar with that, also. The other two, with which he may or may not be familiar, are the amendments that are called the Broyhill amendment and the Passman amendment.

The first two I have mentioned have to do with a determined effort made in the other body, based upon amendments that were offered on the House floor, to force cuts in the expenditure budget, as differentiated from the appropriation budget, in large amounts which are uncertain and indefinite and really were not established in the debate in the other body and for a long time have not been established in the conference.

The conference has met, I believe, four times already, and will meet again this afternoon at 2 o'clock, and will run into very difficult questions, in the effort, first, to try to define what the other body wants done—and we have come nearer, I believe, to the point where we will know what they are shooting at; and, in the second instance, to defend, of course, the position of the Senate in continuing the existing extension resolution for a term of days ending November 15.

The Senator from Florida, as one of the conferees, made certain proposals to the House conferees with reference to the Broyhill amendment and the Passman amendment. The Broyhill amendment is really an extension amendment, but applicable only to the OEO for a date, and had a limitation expressed in it. The Passman amendment is an extension amendment applicable only to AID, or to the foreign aid program, applicable as to a certain date and certain limitations of expenditures, which need not be mentioned here.

The Senator from Florida, realizing that payday will soon be here on which the many thousands of employees of OEO and AID would be entitled to receive their pay, and having been advised by the Bureau of the Budget that there was no money now with which to pay them, requested the House conferees to agree, if they would, to our attaching those two amendments to the District of Columbia bill, which we already knew would be the first appropriation bill to come up in the Senate.

There was some little discussion of that question, after which the House conferees stated that they were not willing for that to be done, because they feared it might weaken their position in the conference already underway. We found, after we had gone into this matter at some length, that paydays are coming very soon for five activities which do not have funds with which to meet their payrolls. They are these: AID, November 14; Peace Corps, November 14; OEO, November 14; the program for migrants and refugees, November 16; the Export-Import Bank, November 17.

So the Senator from Florida was not the one who offered this amendment. The distinguished Senator from Arizona [Mr. HAYDEN], having been advised, after a full check of the situation, that these five payrolls were coming up in the immediate future, and having discovered from the attitude of the House conferees that they did not want the Broyhill and Passman amendments to be incorporated in this bill, figured out what would be the latest date that could be stated that would still take care of these five payrolls—the earliest date or the date which would not interfere with the pending conference. The chairman [Mr. HAYDEN] discovered that the date of November 9 would not interfere, or would interfere to a minimum, with the proceedings of the conference already underway. He also discovered that a conference on this particular bill, if it is passed today, is set for tomorrow, November 9, and that we would be in the position to state to the House—or, the Senate conferees on this bill would be in such position—we are simply trying to take care of the responsibilities of meeting these payrolls, which will be due on the dates I have indicated and have been obligated already, prior to November 9. And we are attempting in no wise to interfere with the pending conference in any greater way than to simply make sure that these five payrolls, involving thousands of employees, will be met, rather than dishonored, on the dates I have indicated.

The Senator from Arizona [Mr. HAYDEN] explained this matter in some detail to all members of the Appropriations Committee who attended the markup of the District of Columbia bill; and we were all of the opinion that we should take the smallest action that we could in this matter to assure the meeting of these payrolls and to show to conferees of the other body that we were not trying to disturb the conference already underway.

Now, this is the minimum step which could be taken to assure the payment of the payrolls of these five agencies, which will fall due in the immediate future, as

I have already indicated. It was for that reason, and in proper deference to the attitude of the conferees of the other body, already made known to us, that this particular amendment was put in the bill. This is the least that will take care of these five payrolls and at the same time it is not broad enough in covering anything other than these payrolls. We hope it is not broad enough to irritate the conferees of the other body on the continuing resolution on which the conference is now pending. We do not want to irritate them. We do not want to do anything but to honor the obligations of the Federal Government to the thousands of employees who will expect to receive their pay on the dates I have indicated. This is the least step we could take to make sure that that objective would be realized.

If the Senator has additional questions, I hope he will address them to me. I have attempted to make the situation clear.

Mr. JAVITS. I believe I understand the situation very well, and I am grateful to the Senator from Florida and the Senator from West Virginia for explaining it. However, I can hardly say that I am satisfied, and for this reason: It seems to me that we are shouldering the burden which belongs properly to the other body.

We have moved in a timely way by passing a continuing resolution to November 15, to see that poverty programs throughout the country did not fold, with untold distress to tens of thousands of Americans, with complete uncertainty to hundreds of thousands of workers, Federal and otherwise, and the other body has just been sitting tight and letting us stew and letting the country stew.

I think it is a pretty close question as to whether or not they should be faced with the consequences of their action. Let us see how strongly they feel about it and whether they really want Federal employees to go unpaid. They obviously are perfectly satisfied to see all kinds of programs folded up because they are funded too late to do any good, even if we fund them now. I make my suggestion, rather than for us to bail them out again by doing what is considered minimal in this bill, which is fixing a date of November 9, which is tomorrow.

The other point is that there is no assurance the other body will go along with this. They can hang it up, as they have hung up, as I understand it, by their strong feelings—and I respect them—the continuing resolution.

I do not see why we, at least, cannot be consistent about this matter. Even if we are going to act in this way, we should stand by our position and stand by our guns, as we have no assurance they will take this. Why not stand by our guns and say the 15th, or at least not permit this bill to be deadlocked in conference by providing this continuing resolution, so much as contained in this bill, shall be in effect until the day of enactment of this act?

But if they do not agree in conference on this bill, which would be the minimal measure, let them, rather than us, carry the responsibility for it. It seems to me that without any agreement or without any real knowledge as to whether they will take it or not, for us to decide the very basic minimum is not good strategy or policy.

I raise the question, not in any sense of troubling Federal employees, and so forth. I think everybody knows that is the last thing in my mind. I raise it because when people take important decisions and feel that they are taking very important decisions on the basis of high principle, they should be faced with the consequences of those decisions.

I know the Senator from Florida remembers the session on the continuing resolution as I remember it, and it was quite a compromise. Or I would like to ask the Senator from West Virginia what he would think of striking "the ninth" and inserting "the date of enactment of this Act."

That much, it seems to me, would be an inducement to the other body to come to some agreement tomorrow or tonight on this particular bill without leaving the whole responsibility with us by cutting it off at the very minimal point, to wit, tomorrow.

Mr. BYRD of West Virginia. I hope this bill will be enacted tomorrow.

Mr. JAVITS. I know, but may I point out that we are now deadlocked in conference on the continuing resolution. We have no premium to induce the other body to come to a speedy agreement on the bill unless we change the date. Then they might have a premium for a quick agreement.

Mr. BYRD of West Virginia. I do not intend to jeopardize the passage of this bill or delay it as a result of this amendment that has been tacked on as a rider. This is just an attempt to give the House of Representatives an opportunity to act in such a way as to pay employees who have performed their work and their duties. It is putting it up to the House. If the House does not want to yield on this point, I do not intend to be in conference very long, because the District of Columbia appropriation bill has been held up too long already.

My subcommittee held its last day of hearings on this bill on Thursday, a week ago tomorrow.

I hope this bill will be gotten out of conference tomorrow, that both Houses can act on the conference report tomorrow, and that the bill will be on the way to the White House tomorrow.

We are going to make a sincere effort to uphold the Senate's position, vis-a-vis this language, but I do not intend to wrestle with the House into next week on the matter, because the House has had its chance, and I want to give it one more opportunity. If it is unyielding, I do not intend to take much time on the matter.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HOLLAND. I am not surprised that the Senator from West Virginia has stated his position as he has, although I had no prior knowledge what his position would be.

It seems to me that it would be appropriate for him and the other conferees on this bill, if the House is unwilling to accept this amendment, to let them accept the responsibility for withholding payroll payments for these five important activities and the many thousands of employees involved.

In other words, if the House will not accept these amendments I feel our conferees should recede. I am stating that now. But at least we are doing our best, and all the members of the Appropriations Committee present in the markup of the bill felt we should do our best to see that the commitment of the Federal Government to pay its employees is honored, and to do it in a way that least disturbed the conference already underway.

The Senate is clearly on record covering all the activities of Government that are affected by the continuing resolution, House Joint Resolution 888, which is now in conference. That is going to continue until it is settled one way or the other. This effort, as I have stated, is a minimal one which will take care of these payroll payments.

We believe the House will prove to be as interested as is the Senate in seeing that the solemn obligations of the Federal Government to pay its employees are not disregarded, and that instead they are met. That is all that would be involved in the House accepting this payment amendment.

The other resolution shows the much larger attitude of the Senate toward the whole question. The Senate will remember that we struck all four of these amendments, the Whitten amendment, the Bow amendment, the Broyhill amendment, and the Passman amendment, and simply made our resolution a continuing resolution of existing law, changing the date, however, from November 23, which was the date in the House resolution, to November 15.

But essentially we made the continuing resolution simply that for the period covered, and affecting all agencies of the Government with respect to which there had been no appropriation bills passed.

We think that the Senate will have done its full duty in holding out this method by inclusion of this amendment in the District of Columbia bill, this method of meeting all of these payrolls on the dates as indicated, and that the House will probably agree with us that those payrolls should be met. I cannot conceive of their taking a different position because the conference on the resolution will already be underway and continue underway and grind on to whatever conclusion can be reached regardless of this action.

But this is the only appropriation bill which is coming up. We know the conference is planned for tomorrow. The Senator from Arizona [Mr. HAYDEN] suggested the date to be put in this bill would be the date on which the conferees were meeting. Certainly our conferees could say, "All we are trying to do is to see that obligations incurred prior to the date we are meeting will not be ignored but met."

Personally, I agreed with the opinion of all members of the Committee on Appropriations who were present that the suggestion of Senator HAYDEN was a good one and that we should incorporate this amendment in the bill. If it does not meet with the approval of the House of Representatives I feel that the Senate Committee on Appropriations and the Senate itself will have clearly shown its desire that these payrolls be met.

The other body can assume full responsibility for taking the opposite position.

Mr. JAVITS. Why, therefore, would it not be fully in accordance with the Senator's logic to insert "November 15" here, which means that we stand by our guns? Let the House decide how much of that it wants to take and give them the option. In other words, it is not tied into the continuing resolution. It stands by itself in this bill.

The Senator from West Virginia states that he will recede anyhow, if they object. At least, let us stick by our guns and be consistent with what we have done before. But, if in conference they say they will take the responsibility, that is the end of it. That is the deal. If in conference, they will not take it all, then he will recede. Why should we walk downhill before we have any arrangement with them whatever, or any assurance whatever is given that they will do anything?

Mr. BYRD of West Virginia. I do not want the Senator from New York to misunderstand what I said to indicate that I would merely walk over to the Old Supreme Court Chamber and sign the conference report and then walk back and say that we have yielded to the House. I am going to ask the Senator from Florida to be named as one of the conferees on the bill because I think he, more than any of the rest of us on the subcommittee, is certainly far more conversant with this subject than we are and I want him as a conferee. I do not think we want to go over there and recede ipso facto. I think we will be putting up, in all good conscience, a good-faith fight. Yet, I do not intend to go on for 2 or 3 days over this question when we need to get the District of Columbia appropriation down to the President for his signature.

Mr. HOLLAND. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. HOLLAND. I appreciate the attitude of the Senator from West Virginia to put a little more load on the shoulders of the Senator from Florida.

I want to remind my good friend from New York that we have not even talked about receding in the conference which is underway. There has not been the slightest suggestion on the part of the Senate conferees that they would recede. That question is open and pending. What we are trying to do is to get a minimal arrangement which, on the face of it, will not interfere with the questions being so heavily debated in the conference on the continuing resolution, House Joint Resolution 888, but will take care of only a single objective; namely, of paying Government employees in those agencies whose payroll date comes in the immediate future and for which obligations have already been made prior to November 9.

We would very much like to have this November 9 date remain because it happens to be the date the conference has already set up, as I understand it, and it happens to interfere least with any question which is pending before the conferees on H.J. Res. 888.

I hope that my dear friend from New York will take my word for it that this is one of the roughest conferences this Senator has ever been confronted with in the 21 years that I have been in the Senate, and that we will not do anything to interfere with that conference. We are showing here, by this RECORD, that what we are trying to do is to do the least possible to take care of the payrolls and the most possible to avoid any disturbance of the questions pending before the other conference.

Mr. JAVITS. Let me ask the Senator from West Virginia a direct question: Would the Senator have any objection to letting the Senate vote on whether, in lieu of the words "November 9," we include the words "date of enactment of this bill"?

Mr. HOLLAND. Mr. President, will the Senator from New York yield on that point?

Mr. BYRD of West Virginia. I yield to the Senator from Florida.

Mr. HOLLAND. Will the Senator from New York yield to me for that purpose?

Mr. JAVITS. I yield.

Mr. HOLLAND. Mr. President, I would object to that strongly, because I think it would be calculated to give us more trouble with the House conferees in the other matter. That is the main show. That is the place where the real argument is going on. It is a very difficult and complex argument. We are trying to show good faith. The Senator from Florida stated in the conference that he would not be a party to offering the Broyhill or the Passman amendments, because the House conferees said that they would not agree to that. The changing of this date to the 15th, or the 23d, or to some other indefinite date, is much more likely an approach to the Passman and Broyhill amendments than what the Senator from Arizona [Mr. HAYDEN] has worked out here, which is a minimal approach. I hope that the distinguished Senator realizes that the present conference is a very rough one and we should not do anything to make more trouble, either for our conferees or for the House conferees on that matter.

Mr. JAVITS. I should like to point out to the Senator from Florida that that is not quite a two-way street. The Senator from Florida can, let us say, make a point of order against the amendments. He could make a point of order against the provision.

Mr. HOLLAND. I have not done that.

Mr. JAVITS. But I am very——

Mr. HOLLAND. I did not say that I would raise a point of order. I said that I would object.

Mr. JAVITS. Objecting—that is another matter.

Mr. HOLLAND. The Senator in charge of the bill would have to decide whether to raise a point of order. I simply know the difficulties which are now confronting the conferees in the major conference, and I do not want to do anything to increase those difficulties.

Mr. JAVITS. Well, Mr. President, the difficulties which face the conference are very real, but the difficulties which face the country are even more real. We read in the newspapers every day reports of withholding programs, especially in the antipoverty field, in which the poor themselves are involved in the management, by our invitation, and they have become frustrated by the reverses and rebuffs to the very things that we promised them we would do. If Congress decides differently on the law or the appropriations, that is one matter, but here they are just caught with inaction. It seems to me in so sensitive a field as the antipoverty field, that such inaction is, really, inexcusable.

Yet, that is exactly what we are faced with. Indeed, even the November 15 date now would appear to be a date which is far too limited in order to bring about action and an opportunity to do the things that need to be done. By constantly making the date retroactive—that is all we are doing here, if we make it as of November 9—so that we are, for all practical purposes, cutting off the opportunity for the OEO to take any action even under its previous legislation, because that would be effectively the result of taking the date of November 9.

We are not children. We understand that. All it will do will be to make sure of certain payrolls. It will not continue the authority which is granted in previous appropriation acts, or in previous enabling legislation. Yet that is exactly the purpose and intent of the continuing resolution. So that we are faced with a very serious Hobson's choice on an appropriation bill of this character. I realize what the Senator from West Virginia has said, that we probably cannot win this anyhow, because he is not going to let this appropriation bill die in conference—and my guess is that the other conferees would probably go along with him—on account of this continuing item; but I do think that it is time to lay bare to the country—as I am trying to do today—pointing out that there is another appropriation bill to come up on Friday—the military construction bill—which is 1 day after the conference on this one, and which may not, therefore, be subject to the same matter of foresight. I am very much minded to raise the same thing there at this time, giving notice for a suspension of the rules and the necessary action on that ground, so that we are not faced with the question of points of order.

I have no desire to do things which are vain or useless. I should like to know, if I may, from the Senator from West Virginia, whether he would feel constrained to make the point of order against an amendment to this resolution. If he felt so constrained—as I know he already would like—I tell him in advance that I will not offer it, but I do think that we should at least lay the situation clean and bare and forthrightly before the country as to exactly what is happening here, what is happening to the country, and what is happening in the Senate, and who is responsible. We are not responsible. I think it should be made crystal clear to the country that the Members of the other body are responsible and that they should answer to that responsibility. If that means that people do not get paid, perhaps that would be a good thing because sometimes loud and important voices are the only things which turn people to an understanding that a decision of yes or no is a decision which must be made even though it may be adverse to people who feel as I do. Still, a decision is important and vital, nonetheless, and in time.

The difficulty here is that this decision is being delayed. If we said to the poor, "we are going to cut off your program," then they would fight and struggle and go to their States and cities and do something about it. But to be cut off so that no one knows what the end result will be, and to dismantle structures that many people have spent months and months putting together, I do not think is right. As one Senator, I want to do what I can about it.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JAVITS. Let me yield first to the Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President, the language in question, of course, is subject to a point of order. I fully appreciate and am sympathetic to the viewpoint expressed by the Senator from New York, but in view of the increasing difficulties which would confront the conferees, among whom is the senior Senator from Florida [Mr. HOLLAND], I would be constrained to make a point of order against the amendment if the Senator from New York insisted on offering the amendment.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JAVITS. Mr. President, would the Senator allow me to respond to the Senator from West Virginia? I appreciate his refreshing frankness. I will not offer the amendment. I will not be responsible for cutting off the pay of any Federal employee by offering such an amendment. The fact that we may be threatening one class, to wit, the poor, does not mean that all should suffer. However, I think it is critically important to make this clear. We will have another chance. This conference will take place tomorrow. It is critically important to point out where the responsibility lies, so the country is not confused about where the responsibility lies and who wants to do what about this vexing and critical question.

The Senate of the United States finds itself in a bind momentarily, today, because it wants to work out this matter in good faith. It is in conference to get some kind of a continuing resolution. Mr. President, the patience may be endless, but the situation is not endless. I really, think, in all honesty and sincerity, that there is a grave duty devolving upon us, if we can, to break the deadlock.

I am trying to do two things today. One is to show where the responsibility lies. It lies in the other body. Second, it is to show that this deadlock can be broken. It can be broken if the Senate says, "All right, House of Representatives, if that is the way you want it, then people will not be paid." We cannot penalize all and bail out some. That, it seems to me, is unfair. Right now it is plain that the poor are being discriminated against.

I yield now to the Senator from Florida [Mr. HOLLAND].

Mr. HOLLAND. Mr. President, I want to say that I am completely in sympathy with the feelings of the distinguished Senator from New York. Yet I am trying to be practical about this matter. I want to remind him that the reason we are in trouble on the other resolution is that after a resolution had come out of the House Appropriations Committee—a quite large body—the House, on the floor, in effect substituted or added four troublemaking amendments which are pending in the existing conference. I would not like to see us do something of that same sort here. After all, there were 16 members of the Appropriations Committee present when the bill was marked up. After hearing the explanation of what the Senator from Arizona was trying to do, we unanimously agreed that it was a wise course and the course most apt to bring about a favorable result.

I appreciate the statement of the distinguished Senator from New York that he will not offer his amendment at this time, because, after all, by Friday we will know what will happen on this bill. I do appreciate his statement. I think he is following a wise course. I do believe that the House, because they want to have the Government's obligations honored as well as we do, will agree to this minimal approach to see that the men and women who expect to receive their paychecks on November 14 up to the 17th will get paid in accordance with the Government's obligation. I thank the Senator for his willingness not to insist on offering the amendment.

Mr. JAVITS. The only reason I am not doing it is that, if the point of order were not sustained, it would strike out the whole provision, which would be equally irresponsible on my part. I reserve the right, as a member of the Appropriations Committee and as a Member of the Senate, to act on any other appropriation bill. There will be one here on Friday.

What is more important than what any individual Senator does is that the country should be aware that, if the bill passes, the Government employees are going to be paid, but the poor will be allowed to languish. Let the responsibility for that lie where it belongs. This is not an action that is taken in camera. The people of the country have an impact on every Member of the House and the Senate. It is time they felt it and were responsive to it, and not stand apart if, for deep ideas of economy in this or that, we fail to come to a resolution of the problem. I am not urging any Member of this body to suborn his conscience by acting one way or the other. But this cliff-hanging piecemeal extension which covers some and leaves others without funds is a way of dissolving people in a sea of jelly—and tears. I do not think it is right. There will be a tomorrow. We are going to have a poverty bill and a poverty appropriation. We will be weeping bitter tears over the fact that what has been dismantled will have to be restructured and it will cost us a great deal more money to do it that way.

Mr. President, I have made my point. As far as I am concerned, the bill can be passed now.

Mr. BYRD of West Virginia. Mr. President, the Senator from New York is an able and conscientious Senator. He is also a responsible Senator. I am glad he has decided not to try to change the language written into the bill by the Appropriations Committee. I thank him for it. And let us not be too sure, at this point, that Senate conferees will yield. Mr. NATCHER and the House conferees have always been reasonable men, and they will be again. The Senate's position may yet be upheld.

Mr. BROOKE. Mr. President, the District of Columbia Committee has reported to the Senate a bill which is commendable in many ways. It provides a total appropriation to the District government of $504,960,100. This is $83 million more than the appropriation for fiscal 1967, and nearly $42 million more than the amount approved by the House of Representatives.

The funds approved for the District government this year will go far toward meeting some of the outstanding needs of the city. Under this appropriation, the salaries of firemen and policemen will be increased. New classrooms will be constructed. An elementary school and a new senior high school will be built. Plans will be initiated for new playgrounds and recreation centers, and present facilities will be expanded. All of these measures deserve the full support of this body.

However, the committee in its final report included one provision which places a severe limitation upon the authority of the newly created government of the District of Columbia. The reorganization plan which was put into effect this year was designed to give the people of Washington and their government greater control over their own affairs. Washington is a city of close to 800,000 people. Because it is also the seat of the Federal Government, it has been denied the popularly elected form of government which is the right of every other city and town in this Nation. But with the adoption of the new plan for city government, and the placing of the control of that government in the hands of a single mayor advised by a city council, it was intended that the District of Columbia would assume more control over its own affairs.

We cannot know what problems may arise in the city of Washington in the course of the next year. We do not know now what needs may increase and what needs may decrease, what departments and agencies of city government may require more funds, and what branches of the Government may prove capable of managing with less than the designated amount. The mayor of Washington, assisted by his city council, should be given the opportunity to shift funds from one branch of government to another as the need arises. No other city in the country, no one of the 50 States, not even the President himself is so limited in his discretionary power as is the mayor of Washington by this expressed intention of the Committee on the District of Columbia.

This is not a matter which can be brought to a vote. The wording of the committee's final report cannot now be changed. But the committee's insistence that its intentions be observed can be modified. And its suggestion that this provision may be written into law in the years to come can and should be opposed.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 8569) was passed.

Mr. BYRD of West Virginia. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. HOLLAND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BYRD of West Virginia. Mr. President, I move that the Senate insist on its amendments and request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. MONTOYA in the chair) appointed Mr. BYRD of West Virgina, Mr. HOLLAND, Mr. PROXMIRE, Mr. YARBOROUGH, Mr. SPONG, Mr. HRUSKA, and Mr. JAVITS conferees on the part of the Senate.

Mr. MANSFIELD. Mr. President, it is always a pleasure to be in the Senate Chamber when the District of Columbia appropriation measure is being considered. I say this because the efforts of the Senator from West Virginia [Mr. BYRD] in bringing to the floor a funding bill that meets the overall support of the Senate have always been successful. It is a great tribute to Senator BYRD, to his unfailing devotion, and to his keen diligence. He has again performed an outstanding service as the chairman of the District of Columbia Appropriations Subcommittee.

The Senator from Nebraska [Mr. HRUSKA] also contributed immensely to the overwhelming success of this measure. As the ranking minority member of the subcommittee, he too has demonstrated an abiding devotion to the task of reporting a funding bill that is assured of receiving ready acceptance. Other Senators joined the discussion of this measure and I particularly wish to note the exemplary contributions of the Senator from Wisconsin [Mr. PROXMIRE] and the Senator from New York [Mr. JAVITS]. They demonstrated first of all a broad understanding of the problems and the needs that face the people of the District of Columbia as well as its new government. Their articulate statements exhibited a great deal of insight on District operations and future development.

The Senate is grateful to them and to others for enabling a thoughtful and meaningful discussion. Again, to Senator BYRD and Senator HRUSKA, and to the entire Senate, goes the sincere appreciation of the leadership for disposing of this matter swiftly and with full regard for the views of all Members.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, communicated to the Senate the intelligence of the death of Hon. John Nance Garner, formerly Speaker of the House of Representatives and Vice President of the United States, and transmitted the resolutions of the House thereon.

The message announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 1556. An act for the relief of Dr. Orlando O. Lopez; and

S. 2168. An act for the relief of Dr. Pedro Pina y Gill.

The message also announced that the House had passed the bill (S. 1552) to amend the Highway Safety Act of 1966, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1592. An act for the relief of Dr. Rene Jose Triay;

H.R. 1705. An act for the relief of Sophie Stathacopulos;

H.R. 2688. An act for the relief of the estate of Charles C. Beaury;

H.R. 3031. An act for the relief of Mr. and Mrs. Christos Photinos-Svoronos;

H.R. 3032. An act for the relief of Mrs. Karen Wood Davila;

H.R. 3516. An act for the relief of Andres Mauricio Candela, M.D.;

H.R. 3525. An act for the relief of Israel Mizrahy, M.D.;

H.R. 3865. An act for the relief of Mauritz A. Sterner;

H.R. 3866. An act for the relief of Dr. Eduardo Enrique Ramos;

H.R. 4974. An act for the relief of Dr. Manuel A. Turbat;

H.R. 5186. An act for the relief of Dr. Armando Cobelo;

H.R. 5187. An act for the relief of Dr. Hector Alfredo E. Planas-Pina;

H.R. 5575. An act for the relief of Panagiotis Paulus;

H.R. 5853. An act for the relief of Raymond E. Grail;

H.R. 6088. An act for the relief of Dr. Manuel Jose Coto;

H.R. 6326. An act for the relief of Chrisanthe Savas Karatapanis;

H.R. 6670. An act for the relief of Dr. Virgilio A. Ganganelli Valle;

H.R. 6766. An act for the relief of Dr. Raul Gustavo Fors Docal;

H.R. 7431. An act for the relief of Gilmer County, Ga.;

H.R. 7890. An act for the relief of Dr. Josefina Quintos Marcelo;

H.R. 7896. An act for the relief of Dr. Jose A. Rico Fernandez;

H.R. 7898. An act for the relief of Dr. Nemesio Vazquez Fernandez;

H.R. 8256. An act for the relief of Dr. Hermes Q. Cuervo;

H.R. 8258. An act for the relief of Jorge Gabriel Lazcano, M.D.;

H.R. 8407. An act for the relief of Dr. Raquel Maria Cruz-Flores;

H.R. 8738. An act for the relief of Guillermo Ramon Palacio Sela;

H.R. 9081. An act for the relief of Dr. Josefina Esther Kouri-Barreto de Pelleya;

H.R. 9568. An act for the relief of Lucien A. Murzyn;

H.R. 9574. An act for the relief of Joseph J. Wojcik;

H.R. 10449. An act for the relief of Camille Anita Dobson;

H.R. 10058. An act for the relief of Mrs. Esther D. Borda;

H.R. 11254. An act for the relief of Jack L. Good; and

H.R. 11565. An act to amend section 358 of the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of peanut acreage allotments.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 62. An act for the relief of Dr. Pablo E. Tabio;

S. 808. An act for the relief of Dr. Menelio Segundo Diaz Padron;

S. 863. An act for the relief of Dr. Cesar Abad Lugones;

S. 1105. An act for the relief of Dr. G. F. Valdes-Fauli;

S. 1109. An act for the relief of Dr. Ramon E. Oyarzun;

S. 2167. An act for the relief of Dr. Rolando Pozo y Jimenez; and

S. 2192. An act for the relief of Dr. Rafael de la Portilla Lavastida.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 1592. An act for the relief of Dr. Rene Jose Triay;

H.R. 1705. An act for the relief of Sophie Stathacopulos;

H.R. 2688. An act for the relief of the estate of Charles C. Beaury;

H.R. 3031. An act for the relief of Mr. and Mrs. Christos Photinos-Svoronos;

H.R. 3032. An act for the relief of Mrs. Karen Wood Davila;

H.R. 3516. An act for the relief of Andres Mauricio Candela, M.D.;

H.R. 3525. An act for the relief of Israel Mizrahy, M.D.;

H.R. 3865. An act for the relief of Mauritz A. Sterner;

H.R. 3866. An act for the relief of Dr. Eduardo Enrique Ramos;

H.R. 4974. An act for the relief of Dr. Manuel A. Tabat;

H.R. 5186. An act for the relief of Dr. Armando Cobelo;

H.R. 5187. An act for the relief of Dr. Hector Alfredo E. Planas-Pina;

H.R. 5575. An act for the relief of Panagiotis Paulus;

H.R. 5853. An act for the relief of Raymond E. Grail;

H.R. 6088. An act for the relief of Dr. Manuel Jose Coto;

H.R. 6326. An act for the relief of Chrisanthe Savas Karatapanis;

H.R. 6670. An act for the relief of Dr. Virgilio A. Ganganelli Valle;

H.R. 6766. An act for the relief of Dr. Raul Gustavo Fors Docal;

H.R. 7431. An act for the relief of Gilmer County, Ga.;

H.R. 7890. An act for the relief of Dr. Josefina Quintos Marcelo;

H.R. 7896. An act for the relief of Dr. Jose A. Rico Fernandez;

H.R. 7898. An act for the relief of Dr. Nemesio Vazquez Fernandez;

H.R. 8256. An act for the relief of Dr. Hermes Q. Cuervo;

H.R. 8258. An act for the relief of Jorge Gabriel Lazcano, M.D.;

H.R. 8407. An act for the relief of Dr. Raquel Maria Cruz-Flores;

H.R. 8738. An act for the relief of Guillermo Ramon Palacio Sela;

H.R. 9081. An act for the relief of Dr. Josefina Esther Kouri-Barreto de Pelleya;

H.R. 9568. An act for the relief of Lucien A. Murzyn;

H.R. 9574. An act for the relief of Joseph J. Wojcik;

H.R. 10449. An act for the relief of Camille Anita Dobson;

H.R. 10058. An act for the relief of Mrs. Esther D. Borda; and

H.R. 11254. An act for the relief of Jack L. Good; to the Committee on the Judiciary.

H.R. 11565. An act to amend section 358 of the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of peanut acreage allotments; to the Committee on Agriculture and Forestry.

RESERVE FORCES BILL OF RIGHTS AND VITALIZATION ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 716, H.R. 2.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 2) to amend titles 10, 14, 32, and 37, United States Code, to strengthen the Reserve components of the Armed Forces and clarify the status of National Guard technicians, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services with an amendment to strike out all after the enacting clause and insert:

That this Act may be cited as the "Reserve Forces Bill of Rights and Vitalization Act."

SEC. 2. Title 10, United States Code, is amended as follows:

(1) Section 136(b) is amended by inserting below the first sentence the following: "One of the Assistant Secretaries shall be the Assistant Secretary of Defense for Manpower and Reserve Affairs. He shall have as his principal duty the overall supervision of manpower and reserve component affairs of the Department of Defense."

(2) Section 136 is amended by adding at the end thereof a new subsection as follows:

"(f) Within the Office of the Assistant Secretary of Defense for Manpower and Reserve Affairs there shall be a Deputy Assistant Secretary of Defense for Reserve Affairs who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate. Subject to the supervision and control of the Assistant Secretary of Defense for Manpower and Reserve Affairs, the Deputy Assistant Secretary shall be responsible for all matters relating to reserve affairs within the Office of the Assistant Secretary of Defense for Manpower and Reserve Affairs."

(3) Section 175(a)(2) is amended to read as follows:

"(2) the Assistant Secretary of the Army for Manpower and Reserve Affairs, the Assistant Secretary of the Navy for Manpower and Reserve Affairs, and the Assistant Secretary of the Air Force for Manpower and Reserve Affairs;".

(4) Section 175 is amended by striking out subsections (b), (c), (d), and (e), and inserting in lieu thereof the following:

"(b) Whenever the Coast Guard is not operating as a service in the Navy, the Secretary of Transportation may designate an officer of the Regular Coast Guard or the Coast Guard Reserve to serve as a voting member of the Board.

"(c) The Board, acting through the Assistant Secretary of Defense for Manpower and Reserve Affairs is the principal policy adviser to the Secretary of Defense on matters relating to the reserve components.

"(d) This section does not affect the committees on reserve policies prescribed by section 3033, 5251, 5252, or 8033 of this title.

"(e) A member of a committee or board prescribed under a section listed in subsection (d) may, if otherwise eligible, be a member of the Reserve Forces Policy Board.

"(f) The Board shall act on those matters referred to it by the Chairman and, in addition, on any matter raised by a member of the Board."

(5) Section 262 is amended by striking out "the reserve components" and inserting "each reserve component" in place thereof.

(6) Section 264 is amended to read as follows:

"§ 264. Reserve affairs: designation of general or flag officer of each military department; personnel and logistic support for reserves; reports to Congress

"(a) The Secretary concerned may designate a general or flag officer of the armed force under his jurisdiction to be directly responsible for reserve affairs to the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, the Commandant of the Marine Corps, or the Commandant of the Coast Guard, as the case may be. This subsection does not affect the functions of the Chief of the National Guard Bureau, the Chief, Office of Army Reserve, or the Chief, Office of Air Force Reserve.

"(b) The Secretary concerned is responsible for providing the personnel, equipment, facilities, and other general logistic support necessary to enable units and Reserves in the Ready Reserve of the Reserve components under his jurisdiction to satisfy the training requirements and mobilization readiness requirements for those units and Reserves as recommended by the Secretary concerned and by the Joint Chiefs of Staff and approved by the Secretary of Defense, and as recommended by the Commandant of the Coast Guard and approved by the Secretary of Transportation when the Coast Guard is not operated as a service of the Navy.

"(c) The Secretary concerned shall submit a written report to the Committees on Armed Services of the Senate and the House of Representatives each year regarding the extent to which units and Reserves in the Ready Reserve of the Reserve components under his jurisdiction have satisfied the training and mobilization readiness requirements pursuant to subsection (b) of this section for the year with respect to which such report was submitted. Reports under this subsection shall be made on a fiscal year basis and the report for any fiscal year shall be submitted within 60 days after the end of the fiscal year for which it is submitted."

(7) The section analysis at the beginning of chapter 11 is amended by striking out

"264. Reserve affairs: responsibility for.".

and inserting in lieu thereof

"264. Reserve affairs: designation of general or flag officers of each military department; personnel and logistic support for reserve; reports to Congress.".

(8) Section 268 is amended by inserting the designation "(a)" at the beginning thereof and by adding the following new subsections:

"(b) Within the Ready Reserve of each of the Reserve components defined in section 261 of this title, there is a Selected Reserve, consisting of units, and, as designated by the Secretary concerned, of Reserves, trained as prescribed in section 270(a)(1) of this title or section 502(a) of title 32, United States Code, as appropriate.

"(c) The organization and unit structure of the Selected Reserve shall be approved—

"(1) in the case of the Coast Guard Reserve, by the Secretary of Transportation upon the recommendation of the Commandant of the Coast Guard, and

"(2) in the case of all other Reserve components, by the Secretary of Defense based upon recommendations from the military departments as approved by the Joint Chiefs of Staff in accordance with contingency and war plans."

(9) Section 269(e) (1)–(6) is amended to read as follows:

"(1) he served on active duty (other than for training) in the armed forces for an aggregate of at least five years; or

"(2) he served on active duty (other than for training) in the armed forces for an aggregate of less than five years, but satisfactorily participated, as determined by the Secretary concerned, in an accredited training program in the Ready Reserve for a period which, when added to his period of active duty (other than for training), totals at least five years, or such shorter period as the Secretary concerned, with the approval of the Secretary of Defense in the case of a Secretary of a military department, may prescribe for satisfactory participation in an accredited training program designated by the Secretary concerned."

(10) Section 270(a)(1) is amended to read as follows:

"(1) participate in at least 48 scheduled drills or training periods during each year and serve on active duty for training of not less than 14 days (exclusive of traveltime) during each year;".

(11) Section 511(d) is amended to read as follows:

"(d) Under regulations to be prescribed by the Secretary of Defense, or the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy, a non-prior-service person who is under 26 years of age, who is qualified for induction for active duty in an armed force, and who is not under orders to report for induction into an armed force under the Military Selective Service Act of 1967 (50 App. U.S.C. 451–473), except as provided in section 6(c)(2)(A) (ii) and (iii) of such Act, may be enlisted in the Army National Guard or the Air National Guard, or as a Reserve for service in the Army Reserve, Naval Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard Reserve, for a term of six years. Each person enlisted under this subsection shall perform an initial period of active duty for training of not less than four months to commence insofar as practicable within 180 days after the date of that enlistment."

(12) The text of section 3013 is amended to read as follows:

"There are an Under Secretary of the Army and four Assistant Secretaries of the Army in the Department of the Army. They shall be appointed from civilian life by the President, by and with the advice and consent of the Senate. One of the Assistant Secretaries shall be the Assistant Secretary of the Army for Manpower and Reserve Affairs. He shall have as his principal duty the overall supervision of manpower and reserve component affairs of the Department of the Army."

(13) The first sentence of section 5034(a) is amended by striking out "three" and inserting in lieu thereof "four".

(14) Section 5034(b) is amended by adding at the end thereof the following: "One of the Assistant Secretaries shall be the Assistant

Secretary of the Navy for Manpower and Reserve Affairs. He shall have as his principal duty the overall supervision of manpower and reserve component affairs of the Department of the Navy."

(15) The text of section 8013 is amended to read as follows:

"There are an Under Secretary of the Air Force and four Assistant Secretaries of the Air Force in the Department of the Air Force. They shall be appointed from civilian life by the President, by and with the advice and consent of the Senate. One of the Assistant Secretaries shall be the Assistant Secretary of the Air Force for Manpower and Reserve Affairs. He shall have as his principal duty the overall supervision of manpower and reserve component affairs of the Department of the Air Force."

(16) Chapter 303 is amended by adding at the end thereof a new section 3019 as follows:

"§ 3019. Office of Army Reserve: appointment of Chief

"(a) There is in the executive part of the Department of the Army an Office of the Army Reserve which is headed by a chief who is the adviser to the Chief of Staff on Army Reserve matters.

"(b) The President, by and with the advice and consent of the Senate, shall appoint the Chief, Office of Army Reserve from officers of the Army Reserve not on active duty, or on active duty under section 265 of this title, who—

"(1) have had at least 10 years of commissioned service in the Army Reserve;

"(2) are in grade of brigadier general and above; and

"(3) have been recommended by the Secretary of the Army.

"(c) The Chief, Office of Army Reserve, holds office for four years but may be removed for cause at any time. He is eligible to succeed himself. If he holds a lower reserve grade, he shall be appointed in the grade of major general for service in the Army Reserve.

(17) The following new item is added to the analysis of chapter 303:

"3019. Office of Army Reserve: appointment of Chief."

(18) The text of section 3033 is amended to read as follows:

"(a) There is in the office of the Secretary of the Army an Army Reserve Forces Policy Committee which shall review and comment upon major policy matters directly affecting the reserve components of the Army, and the Committee's comments on such policy matters shall accompany the final report regarding any such matters submitted to the Chief of Staff and the Assistant Secretary responsible for reserve affairs.

"(b) The Committee consists of officers in the grade of colonel or above, as follows:

"(1) five members of the Regular Army on duty with the Army General Staff;

"(2) five members of the Army National Guard of the United States not on active duty; and

"(3) five members of the Army Reserve not on active duty.

"(c) The members of the Committe shall select the Chairman from among the members on the Committee not on active duty.

"(d) A majority of the members of the Committee shall act whenever matters affecting both the Army National Guard of the United States and Army Reserve are being considered. However, when any matter solely affecting one of the reserve components of the Army is being considered, it shall be acted upon only by the Subcommittee on Army National Guard Policy or the Subcommittee on Army Reserve Policy, as appropriate.

"(e) The Subcommittee on Army National Guard Policy consists of the members of the Committee other than the Army Reserve members.

"(f) The Subcommittee on Army Reserve Policy consists of the members of the Committee other than the Army National Guard members.

"(g) Membership on the Committee is determined by the Secretary of the Army and is for a minimum period of three years. Except in the case of members of the Committee from the Regular Army, the Secretary of the Army, when appointing new members, shall insure that among the officers of each component on the Committee there will at all times be two or more members with more than one year of continuous service on the Committee.

"(h) There shall be not less than 10 officers of the Army National Guard of the United States and the Army Reserve on duty with the Army General Staff, one-half of whom shall be from each of those components. These officers shall be considered as additional members of the Army General Staff while on that duty."

(19) Chapter 803 is amended by adding at the end thereof a new section 8019 as follows:

"§ 8019. Office of Air Force Reserve: appointment of Chief

"(a) There is in the executive part of the Department of the Air Force an Office of Air Force Reserve which is headed by a chief who is the adviser to the Chief of Staff, on Air Force Reserve matters.

"(b) The President, by and with the advice and consent of the Senate, shall appoint the Chief of Air Force Reserve from officers of the Air Force Reserve not on active duty, or on active duty under section 265 of this title, who—

"(1) have had at least 10 years of commissioned service in the Air Force;

"(2) are in grade of brigadier general and above; and

"(3) have been recommended by the Secretary of the Air Force.

"(c) The Chief of Air Force Reserve holds office for four years, but may be removed for cause at any time. He is eligible to succeed himself. If he holds a lower reserve grade, he shall be appointed in the grade of major general for service in the Air Force Reserve."

(20) The following new item is added to the analysis of chapter 803:

"8019. Office of Air Force Reserve: appointment of Chief."

(21) The text of section 8033 is amended to read as follows:

"(a) There is in the Office of the Secretary of the Air Force an Air Reserve Forces Policy Committee on Air National Guard and Air Force Reserve Policy which shall review and comment upon major policy matters directly affecting the reserve components of the Air Force and the Committee's comments on such policy matters shall accompany the final report regarding any such matters submitted to the Chief of Staff, and the Assistant Secretary responsible for reserve affairs.

"(b) The Committee consists of officers in the grade of colonel or above, as follows:

"(1) five members of the Regular Air Force on duty with the Air Staff;

"(2) five members of the Air National Guard of the United States not on active duty;

"(3) five members of the Air Force Reserve not on active duty.

"(c) The members of the Committee shall select the Chairman from among the members on the Committee not on active duty.

"(d) A majority of the members of the Committee shall act whenever matters affecting both the Air National Guard of the United States and Air Force Reserve are being considered. However, when any matter solely affecting one of the Air Force Reserve components is being considered, it shall be acted upon only by the Subcommittee on Air National Guard Policy or the Subcommittee on Air Force Reserve Policy, as appropriate.

"(e) The Subcommittee on Air National Guard Policy consists of the members of the Committee other than the Air Force Reserve members.

"(f) The Subcommittee on Air Force Reserve Policy consists of the members of the Committee other than the Air National Guard members.

"(g) Membership on the Air Staff Committee is determined by the Secretary of the Air Force and is for a minimum period of three years. Except in the case of members of the Committee from the Regular Air Force, the Secretary of the Air Force, when appointing new members, shall insure that among the officers of each component on the Committee there will at all times be two or more members with more than one year of continuous service on the Committee.

"(h) There shall be not less than 10 officers of the Air National Guard of the United States and the Air Force Reserve on duty with the Air Staff, one-half of whom shall be from each of those components. These officers shall be considered as additional members of the Air Staff while on that duty."

(22) Section 8850 is amended by inserting before the period at the end of the first sentence "and who are not assigned to a unit organized to serve as a unit."

SEC. 3. Section 404(a) of title 37, United States Code, is amended by striking out "and" at the end of clause (2), striking out the period at the end of clause (3) and inserting in place thereof "; and", and adding the following new clause:

"(4) when away from home to perform duty, including duty by a member of the Army National Guard of the United States or the Air National Guard of the United States, as the case may be, in his status as a member of the National Guard, for which he is entitled to, or has waived, pay under this title."

SEC. 4. The last sentence of section 502(b) of title 32, United States Code, is amended to read as follows: "However, to have a series of formations credited as an assembly for drill and instruction, all parts of the unit must be included in the series within 30 consecutive days."

SEC. 5. Section 412 of Public Law 86-149, as amended, is amended by adding at the end thereof a new subsection as follows:

"(c) Beginning with the fiscal year which begins July 1, 1968, and for each fiscal year thereafter, the Congress shall authorize the personnel strength of the Selected Reserve of each Reserve component of the Armed Forces; and no funds may be appropriated for any fiscal year beginning on or after such date for the pay and allowances of members of any Reserve component of the Armed Forces unless the personnel strength of the Selected Reserve of such Reserve component for such fiscal year has been authorized by law."

SEC. 6. The provisions of this Act shall become effective on the first day of the first calendar month following the date of enactment.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS—UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, following the disposition of H.R. 2, which is now the pending business, the next order of business will be the conference report on the congressional redistricting bill. After speaking with the interested Senators, I ask unanimous consent that debate on the report be limited to 2 hours, the time to be equally divided between the distinguished Senator from Tennessee [Mr. Baker] and the distinguished Senator from North Carolina [Mr. Ervin].

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO SENATOR BYRD OF WEST VIRGINIA FOR HIS EXCELLENT WORK ON THE DISTRICT OF COLUMBIA APPROPRIATIONS BILL

Mr. YARBOROUGH. Mr. President, I commend the distinguished Senator from West Virginia for his work on the District of Columbia appropriation bill to restore previously eliminated funds that would have provided the department with real services involving pesticide examinations.

The record shows that in the District of Columbia there had been only 223 specimens examined last year from milk programs, when the District of Columbia requires the examination of at least 5,000 specimens of milk, water, food, and soil. There is virtually no inspection of pesticides for health purposes in this District.

There is no other great city in America that affords as little protection for people by virtue of such a small examination of specimens of milk, water, food, and soil.

The appropriation for that item was cut entirely out of the House bill. In the subcommittee, on which I serve with the distinguished Senator from West Virginia, I have worked for years to get the pesticide residue program inserted in the city program and included in the funds.

We find in the slipsheets at page 87 that it would take the restoration of the request of $100,761 to cover the program for a full year. Half of that amount was restored for the remaining half of the year.

This amount would allow the employment of one GS-13 chemist, one GS-12 chemist, two GS-11 chemists, two GS-9 chemists, one GS-4 physical science aide, and one GS-4 clerk-typist, as well as providing for the required physical facilities.

This is one of the most needed programs to protect the health of the people in the city of Washington. We have a very tight budgetary situation, and everyone serving on the Appropriations Committee knows how difficult it is to restore anything that has been cut out, and how difficult it is to hold an item in conference.

Despite that, the Senator from West Virginia accepted my amendment to restore the funds for a real program to protect the health of the people of the city of Washington. Under the leadership of the distinguished Senator from West Virginia, that item was restored.

I commend the Senator and express the hope that this item can be held in conference with the House despite the fact that the House has removed this provision.

Unless it is held in conference, many people in Washington will be virtually without the protection that it derived from an inspection of specimens from milk, water, food, and soil—a protection that people of this great city need with respect to their milk and food supply.

Mr. BYRD of West Virginia. Mr. President, the Senator from Texas [Mr. Yarborough] has been diligent in his attention to this matter. And over the years he has pursued the matter tenaciously. The subcommittee has repeatedly put the item in the bill, largely at the behest of the Senator from Texas because we have confidence in his knowledge of the subject and the need for the positions and for the funds. So the committee again was very agreeable to including the item this year at the request of the Senator.

The Senator from Texas will be a conferee, and I know that he will do everything he possibly can to maintain the position of the Senate in conference. I shall do the same.

I thank the Senator for his kind references to my part in the matter, but I salute him for his leadership in the field.

The fact that the item is in the bill is more because of his study and his insistence in that regard than because of anything I have done.

Mr. YARBOROUGH. Mr. President, the distinguished Senator from West Virginia, with his usual modesty, disclaims credit to which he is entitled. He is the man who heard the testimony day after day. We have three large volumes of testimony here.

I thank the Senator for his work.

TRIBUTE TO SENATOR BYRD OF WEST VIRGINIA FOR HIS EXCELLENT WORK IN RESTORING TEACHING POSITIONS FOR THE DISTRICT OF COLUMBIA

Mr. YARBOROUGH. Mr. President, as a member of the Education Subcommittee for the last 9 years, I have learned something of the education needs of the District and the Nation.

It was under the leadership of the distinguished Senator from West Virginia [Mr. Byrd] that restoration of funds was made for hundreds of schoolteacher positions that had been cut out of the bill. One of the great needs in the District is for better education.

The Senator from West Virginia worked that matter out and brought it before the Subcommittee on Education so that funds would be restored for the hiring of hundreds of additional teachers, needed in Washington to help build up the kind of school system that the Capital of the Nation will be proud of.

I thank the Senator for his leadership in restoring those hundreds of positions to the Washington school system. This is very badly needed because of overcrowded schoolrooms.

Mr. BYRD of West Virginia. Mr. President, I had the close support of the Senator from Texas, and, if the subcommittee had not included the teaching positions, he would have insisted upon it.

I say with all seriousness that the Senator from Texas was very interested in these teaching positions. I knew of his support and wishes in this regard, and certainly in this respect our thoughts concur. He repeatedly urged that the positions be allowed, and he brought to the attention of the subcommittee the written expressions of support from various interested individuals and groups.

Mr. YARBOROUGH. Mr. President, I thank the Senator.

RESERVE FORCES BILL OF RIGHTS AND VITALIZATION ACT

The Senate resumed the consideration of the bill (H.R. 2) to amend titles 10, 14, 32, and 37, United States Code, to strengthen the Reserve components of the Armed Forces, and clarify the status of National Guard technicians, and for other purposes.

Mr. STENNIS. Mr. President, for the information of the Senate, H.R. 2 is legislation that deals with the Reserve components of the Armed Forces. It is of considerable interest to the Members of the Senate.

Title II of the bill as it passed the House deals with the National Guard technicians. Even though title II was recommended by the committee to be deferred for action for further review, I nevertheless will discuss it to some extent because of the broad general interest in it, and I will indicate what the committee did and why, and what we expect to do in pursuing this matter further as soon as additional material can be obtained and considered.

Mr. President, at the proper time I shall ask for the yeas and nays on the pending bill because of its importance. And further, by way of introductory remarks, this is the bill that, if it becomes law, will create by statute a Selected Reserve in each of the Ready Reserve components. This means that the Selected Reserve cannot be abolished by administrative order. Such was about to happen to the Army Reserve some 3 years ago until opposition of a very vigorous kind arose in Congress.

The delay and the lack of attention to the Army Reserve during this 3-year intervening period is almost intolerable and is justification within itself for the passing of a bill by Congress that makes it mandatory law, representing the judgment of Congress.

Mr. President, the pending bill, H.R. 2, is a highly significant legislative item for our Reserve components.

The various amendments will affect the Reserve in a number of different ways. The common objective, however, of the entire bill is to provide for a number of organizational changes which should enable our Reserves to more effectively fulfill their role as a part of our national defense.

I shall discuss now briefly some of the major elements of the legislation and then try to respond to questions.

First is the creation of a Selected Reserve with the requirement of annual strength authorization. The bill would create within the Ready Reserve of each of our seven statutory Reserve components a Selected Reserve.

This legislative designation will provide a statutory basis for that portion of our Reserve components which will be given the highest priority in terms of personnel training and equipment. It will be the Selected Reserves which will have the highest priority Reserve role in meeting our defense mission.

The bill does not prescribe the composition of the Selected Reserves in terms of types of unit. The matter of organization and structure of these Reserve Forces will be determined within the Department of Defense.

The committee, however, added a significant amendment which provides that beginning with the next fiscal year, 1969, Congress will authorize the personnel strengths of these Selected Reserves for each fiscal year. Furthermore, this authorization must be enacted annually before any funds may be appropriated for the pay and allowances of the Reserves generally. In this way, the Committee on Armed Services of the House and the Senate will recommend each year a strength for the Selected Reserves. This will be a part of the general authorization legislation now required in connection with the annual appropriations for aircraft, naval vessels, missiles, and the research and development program.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. YARBOROUGH. I am reluctant to ask the distinguished Senator from Mississippi to yield in the middle of his explanatory statement.

Mr. STENNIS. I assume the Senator has an emergency of some type.

Mr. YARBOROUGH. We have an emergency meeting of the Post Office and Civil Service Committee, and we are trying to finish the pay bill. Otherwise, I would not interrupt at this point.

Mr. STENNIS. I understand.

Mr. YARBOROUGH. The report on the bill is not yet available.

Mr. STENNIS. The Senator may proceed with his questions.

Mr. YARBOROUGH. My question deals with a point that the Senator from Mississippi has not yet reached, and that is the status of National Guard technicians. My State has two very old divisions of the National Guard. One has a history going back to participation in the Battle of San Jacinto in 1836. The people of my State are interested in the situation of the National Guard technicians. I understand that that matter has been deferred for further study.

Mr. STENNIS. That is correct.

Mr. YARBOROUGH. That matter was not changed in this measure?

Mr. STENNIS. No.

Mr. YARBOROUGH. I am sure that, with his great knowledge of the structure of our Armed Forces, the Senator is thoroughly conversant with that problem.

Mr. STENNIS. The Senator has raised a very serious question. It is covered in my formal statement and in the report.

For the information of the Senator from Texas and other Senators, the high point is this: Title II proposed to make all the technicians of the National Guard and the Air National Guard—they are approximately 40,000 in number and are scheduled to be 42,000 by next year—Federal employees, with full rights in the Federal civil service retirement system. One of the main rubs at that point involves the question of what that may do to the State National Guard as a State institution. Many of those who are working for the State National Guard and the officers in the Guard are Federal employees.

This also raised a serious question of financing, because if they are all made Federal employees, that will immediately create a future responsibility of the Federal Government of $1,500 million in retirement funds for those who are now employed.

To start with, it would mean latching on to the annual retirement fund that much of a liability. In addition, each year approximately $30 million would have to be appropriated to keep it going. Of course, if we appropriated it all in one lump sum—which we would not do, I assume—it would not be that much, because it would earn an estimated 3½ percent interest. That is a sizable sum of money, even if it is $750 million. That would be giving them credit now, even though they had not paid into the fund themselves for the full years of their prior employment in this role.

That matter requires much analysis, and we must know more about the facts. But we did not kill that title, did not vote it down, did not table it. We merely deferred it until we could get a review and would be able to know exactly what the effect of it would be.

We hope and expect—our report so indicates—to bring this matter up again in early 1968 and try to move it along in some form. The committee did not pledge itself to any particular form.

There is a great deal of interest in this matter. The committee's vote on the action it took was unanimous, which indicates that the need for this study is necessary.

Mr. YARBOROUGH. I thank the distinguished Senator from Mississippi for the explanation.

The report on the bill has now arrived from the Document Room. I will read the report in full.

It has been noted that the committee vote was unanimous, and it seems to me that will be the action of the Senate.

I commend the committee on its determination to study this matter by next year. We realize it is very late in the year and that to study it now might delay action on the bill.

Mr. STENNIS. Frankly, we had considerable time to study it before now, and we did study it. The more you study it, the deeper you get down into the well. We could not arrive at any solution on which we could stand, and we decided that it was necessary to defer it.

Mr. YARBOROUGH. I thank the Senator for yielding to me.

Mr. BURDICK. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. BURDICK. I have just entered the Chamber, and I heard the Senator from Mississippi discussing the subject of technicians with the Senator from Texas.

Mr. STENNIS. Yes.

Mr. BURDICK. This matter will be considered by the committee again next year, in the next session of Congress?

Mr. STENNIS. Yes, without a doubt. We did not defeat the matter or table it, but were just overwhelmed with the necessity of having further facts and further review, in an attempt to work out some plan of an affirmative nature, which would still protect the States in their authority with respect to the technicians, and also to determine what the cost of such a plan would be.

Mr. BURDICK. I, too, thank the Senator from Mississippi for the consideration he will give the technicians next year.

Mr. STENNIS. We are all interested in this problem, and it must be solved one way or the other.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Iowa, who is a member of our committee. He is very well versed in this matter and expressed a very constructive viewpoint about it at the committee meeting when the bill was marked up.

Mr. MILLER. I thank the Senator.

So long as the matter of the technicians has been raised, it seems to me that I should add to what the Senator from Mississippi has already said. During the hearings on title II, the representatives of the Guard technicians and the National Guard, I thought, were eminently fair in making it clear to the committee that they were not seeking action which would lead to any windfalls on the part of any of the technicians.

I believe that testimony and research have developed that a substantial number of the some 35,000 or 40,000 Guard technicians would—under the House-passed version of title II—receive windfalls. This would not be fair to their brother technicians, nor would it be fair to other members of the civil service retirement system.

Another aspect of this matter concerns me considerably, because Iowa is one of the some 20-odd States which have a retirement program into which the Guard technicians have been paying down through the years. Some of the other States—most of the other States—do not have such a retirement program; therefore, the Guard technicians in those States have not been paying anything at all. Add to this the fact that those who are in the civil service retirement system today have been paying out of each paycheck a portion of their salary into the civil service retirement program, and if we are going to integrate these technicians into the same program, equity must be done with respect to them.

The net result was, I thought, that the position of those representing the technicians was that they were not asking for any windfall, but they would like to have those people integrated into the civil service retirement system.

I think the Senator from Mississippi would agree that the consensus of the opinion is that we want to do this but it is the mechanics of doing the job and getting the job done which thus far has made it very difficult for us to arrive at a decision.

Mr. STENNIS. I could not say I think the majority of the committee were then in favor of making them Federal employees.

That is one route it could go. Another route it could go would be to cover the State employees with certain supplemental funds and retirement benefits.

However, all members of the committee wanted this problem dealt with in an affirmative way and to work out a better plan, if I may use that word, for these technicians.

I think everyone is free to go whichever way he wishes to go on these two systems.

Mr. MILLER. The Senator is correct. There was no consensus of how we were going to do it but there was strong feeling among members of the committee that we should do something.

Mr. STENNIS. It was unanimous that we should do something. I thank the Senator.

Mr. President, for the record, I am going to cover the history of this entire matter, and I am going to cover all of it and have printed in the RECORD excerpts from the report, because there is much interest in this matter at the State level.

I should note, Mr. President, that the Senate committee deleted from the House version language which would have established minimum strengths as a matter of permanent law for the Selected Reserves. The Senate committee did not think it was wise to establish minimum strengths in the form of permanent law. In view of the ever-changing requirements and conditions, the size of the Selected Reserves, just as in the case of the Active Forces, should be determined on an annual basis by the Congress in the manner we have provided in the amended bill.

These are covered. We are adopting a system that will give them a statutory status, and each year, just as we authorize aircraft, naval vessels, missiles, and research and development programs in the early part of the session, we will have as a part of that bill an annual figure to establish for the strength of the various Selected Reserves.

STATUTORY MANDATE FOR EQUIPPING RESERVES

Mr. President, there is no existing provision of law specifically requiring the military departments to provide the necessary material and support for our Reserve components. Neither, I should add, is there any such provision relating to the Active Forces.

The bill before us contains a statutory mandate making each of the Secretaries having Ready Reserve forces within their department responsible for the personnel, equipment, facilities, and logistic support necessary to satisfy the training and mobilization requirements for the elements of the Ready Reserve within their department. In this way, Mr. President, there will be no doubt that it is the intent of the Congress that the civilian Secretaries must take all the steps necessary within their departments to insure that the Reserve components satisfy the training and mobilization requirements. Among other things, Mr. President, this means that the Secretaries are charged with making sufficient appropriation requests to satisfy these requirements.

I would add, at that point, that the final responsibility is with Congress, because we are the ones who appropriate the money. We did not require that these facilities or this equipment and everything for the battalions and divisions be earmarked, or that a separate appropriation bill be made therefor. That would encumber the military departments unnecessarily and make it appear that all equipment had to be separately earmarked and could not be exchanged, transferred, or used in an emergency. We made it direct, positive, and clearly spelled out that it was the duty of each Secretary to provide for this equipment and the things to go with it; that is, assuming Congress appropriates the money. This gives us a chance to follow up and see that the law is observed. It has been neglected in the past. The Army Guard and others have been neglected and they have gotten what is left.

Frequently, it was division of the dollar. That is what it came down to. The Regular Forces have to be provided for, but in many instances they require too much themselves. We decided to ask Congress to nail it down.

The first fact is that we shall have these Selected Reserves. They cannot be abolished. Second, there shall be a floor which Congress shall set. Third, there shall be the responsibility for equipment. I think that is as far as we can go in hard, cold language and have a workable system. We intend to go all the way to get results.

Everyone who comes before us to get money is going to be asked, "What have you done about Reserve equipment and the Guard? Here is the law. What have you done to carry it out?"

In addition, the committee added language requiring an annual report from the Secretaries regarding the extent to which Ready Reserves are meeting their training and mobilization requirements.

It might be observed that the committee did delete from the House version a provision to earmark equipment solely for the Reserves. The committee was of the opinion there should be greater flexibility with regard to the Reserve operation; that is, flexibility as might be needed in day-to-day management but not in the basic requirements.

CHANGES IN STATUTORY ORGANIZATION

Mr. President, the bill contains a number of statutory changes aimed at improving the organization of the Department of Defense as it relates to our Reserve components. I shall outline briefly these changes as recommended in the bill.

(At this point, Mr. HOLLINGS assumed the chair.)

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. LAUSCHE. Mr. President, so that the Senator from Ohio may understand what the Senator from Mississippi is talking about, the Senator used the terms "Ready Reserves" and "Selected Reserves." What is covered in each?

Mr. STENNIS. The Selected Reserve is a special group, kind of the elite corps, within the Ready Reserve. The Ready Reserve covers the broader categories, defined by law, which are subject to call by the President. They include persons both in units and others in the general reserve pool. Finally, there is the Standby Reserve which has a lower priority in terms of readiness and priority for recall. For instance, if a man has served for 2 years and in Vietnam under the Selective Service Act, when he gets home he is placed in the Standby Reserve, although he can go voluntarily into a Ready Reserve unit.

Mr. LAUSCHE. In the Ready Reserve, is the National Guard included?

Mr STENNIS. Yes; they are included as a matter of law. That is a good question.

DEPUTY ASSISTANT SECRETARY

The bill would create the Office of Deputy Assistant Secretary of Defense for Reserve Affairs. This Office would exist within the Office of the Assistant Secretary of Defense for Manpower and Reserves. The Deputy Assistant Secretary would be appointed by the President from civilian life with the advice and consent of the Senate, and would be responsible for matters relating specifically to Reserve affairs within the Office of the Assistant Secretary.

The committee deleted the proposal in the House bill which would have created a separate Assistant Secretary of Defense for Reserve Affairs. Under the Senate version, there would remain one Assistant Secretary responsible for all manpower matters, including Reserves, but within this Office there will be a statutory deputy responsible solely for Reserve matters within the Department of Defense.

We did not propose as many new offices as the House version did, but we did add this Office of Deputy Assistant Secretary. This person is specifically charged with the responsibility for the Reserves. He has to be taken from civilian life. He has to be appointed by the President, and he has to be confirmed by the Senate. When his confirmation comes up, there would be an opportunity to lay down patterns and get his idea of what the law means and what he is going to do about it.

The confirmation process has a rather salutary effect upon officials. It might keep high officials who want to cut off that authority from giving such a narrow interpretation. Thus, we think that will meet the situation. But, also, we deleted the proposal in the House bill which would have created a separate Assistant Secretary of Defense for Reserve Affairs and made the substitution. Under the Senate version, there would remain one Assistant Secretary responsible for all manpower matters, including Reserves, but within this Office there would be a statutory deputy responsible solely for Reserve matters.

The bill increases the number of Assistant Secretaries in the military departments—meaning, of course, the Army, Navy, and Air Force—from three to four, and creates a new Assistant Secretary for Manpower and Reserve Affairs.

Each of these three officers will serve in the same manner at the departmental level as the Assistant Secretary of Defense for Manpower and Reserves, and also will have to be appointed by the President and confirmed by the Senate, with the same influences working there.

The bill would create a military chief of the Army Reserves and chief of Air Force Reserves—these are military officers. This office would be headed by a Reserve major general who would be appointed by the President, confirmed by the Senate for a 4-year term. This office will serve to provide the Army and Air Force Reserves with an arrangement similar to that now existing for the chief of the National Guard Bureau.

I emphasize, at this point, that the Senate committee deleted the House version which would have created a statutory staff for the chief of the Army and Air Force Reserves. There is ample authority under existing law to employ the necessary staff. The present system has been satisfactory for the National Guard Bureau. It is an internal management matter. They have always had sufficient staff and we believe that these Reserve officers will have sufficient staff. If they do not get it, why, we would consider mandatory language.

The bill provides for minor changes with respect to the Reserve Forces Policy Board along with certain language changes for the Reserve Policy Committee within the Army and Air Force. The membership of these latter committees is reduced to 15 from the present number of 18 in the Air Force and 21 in the Army. These committees by law will comment on all major policies affecting Reserve matters and will submit their recommendations to their respective chiefs of staff.

In other words, we do not leave the Reserves dependent upon what may have been recommended by the regular service.

I should like to outline now the highlights of the provisions of this bill as reported by the committee.

The committee report is available, which speaks for itself.

The special word "technicians" has already been mentioned in several ways, but I have a special statement to make about technicians which, I have said, is the subject of considerable interest. There are other provisions in the bill, but title II deserves special comment.

The committee deferred action on title II at this time. Title II related solely to the matter of National Guard technicians. That word "technicians" as used here is somewhat of a misnomer, because technicians includes nontechnical personnel such as secretaries, clerks, and administrative persons. The military ranks range from private to general officer, who number about 25.

Most of them, however, are in the category of noncommissioned officers. Then there are the other so-called lower grade officers, such as lieutenants, captains, majors, lieutenant colonels—it includes pilots in the Air National Guard and even to the unit commanders. So we are dealing now not just with technicians—those who deal with electricity and mechanics—but a variety of occupations. About 95 percent of them are military members of the National Guard and perform their military responsibility on weekends. The civilian responsibility is performed during the week. Most of the technicians are required to hold a military status in the Guard as a condition for their civilian technician employment.

We now have a law under which the Federal Government pays 6.5 percent of their pay as the employer's share to the State retirement system in States that will permit them to join. That covers everyone employed within the categories I have mentioned. In the State system, the retirement age is different and the benefits are not so liberal as they are in the Federal system. Generally, the Federal system is much more liberal. Under title II as written, it would have made them full-fledged Federal employees, subject to the 40-hour week, subject to time and a half for overtime, subject to double time on Sunday, to hospital benefits and related matters. They would also have the right of appeal—that is, if some order were given to them which they did not like, such as would be the case for regular civil service employees. Frankly, it never has been clear to me how we could have an effective military unit if a lot of the key men in it are at the full status of a Federal employee under the civil service system.

I think that we could put in some safeguards to protect the States, the Governors, and their adjutants general having some authority. Certainly, it presents a problem.

Now a word regarding costs. There are a little over 40,000 of them now. Placing them on the Federal civil service retirement rolls and giving them credit for all the years they have already served—and that is what title II proposes to do—the ultimate cost to the Federal civil service retirement system, if the money were appropriated when retirement is paid and assuming the current pay pattern for the future would be $1½ billion. I did not say $1½ million—I said $1½ billion. Now that is one thing on which the committee choked. It did not recommend it in title II at this time.

Mr. LAUSCHE. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I shall be glad to yield in a moment.

The tables show the figures based on the actuary, submitted by the Department of Defense. Another point is, one of the columns shows that the liability incurred on passage of the bill would be $752 million. But that is on the assumption that we pay all that money into the civil service retirement system now, and let it go in there at the interest rate of 3½ percent per year. Then that would be the outlay required. But we do not follow that system now. I think it is just theoretical even to talk about it. The actual ultimate cost would be $1½ billion if we increase salaries in the present pattern during those intervening years and if we keep the age retirement at 60. There would be some retirements at 55 which would run the cost up that much more.

Now I am glad to yield to the Senator from Ohio.

Mr. LAUSCHE. The Senator from Mississippi spoke about 40,000 technicians.

Mr. STENNIS. That is correct.

Mr. LAUSCHE. Employed as civilians in State National Guards.

Mr. STENNIS. That would be a proper description of the situation.

Mr. LAUSCHE. Those civilian technicians employed in State National Guards would develop retirement rights as State employees, would they not?

Mr. STENNIS. Under present law, there are about 20 States that permit them to come in. There are about 30 States that do not let that group come in. So they have only the social security and such military retirement as they earn.

Mr. LAUSCHE. These 40,000 technicians have been recommended to be taken over under the civil service requirements of the Federal Government. Is that correct?

Mr. STENNIS. That provision was in the bill as passed by the House. I speak with all deference of the House. It was supported by the Department of Defense. The figures, though, the Department of Defense had, were of a lesser sum than those which I have related.

Mr. LAUSCHE. What would become of the rights of these civil service technicians to retirement pay under State retirement systems if they were taken over by the Federal system?

Mr. STENNIS. There is provision in title II which states that the technician will have a right to select whether he would stay in the State system or come under the Federal system. That sounds good, but when we go into the State systems, there are some that provide that they are taken in as a group if they stay in as a group. If the State fails to add new ones when some have left, then, under that system, they are all out of it. That matter has to be worked out. That is a complication, and a very serious one.

Mr. LAUSCHE. What happens to the money that has been paid in by the technicians to the State retirement system in the event they are taken over by the Federal system?

Mr. STENNIS. I think that would depend entirely on the State system. That is something we cannot control. Some of the States might pay this technician the amount he had paid in. Some of them provide that, if the technicians went out for any reason, they would forfeit what they had paid. That is something we do not know. We are going to write to every State to find out.

Mr. LAUSCHE. It is because of these complications and unsettled conditions that the committee voted unanimously to defer action on the technician matter, in order to permit further review of a number of questions?

Mr. STENNIS. That is exactly right. Another question here is what kind of precedent the Congress is going to set by putting in this group under the Federal system? What is Congress going to say when some other group that is paid in part by a State or by Federal funds wants to be treated the same way? All kinds of questions like that have not been resolved, because the facts are not known.

Mr. LAUSCHE. Will the Senator from Mississippi restate the cost of including those technicians under the Federal system, as estimated by the staff member?

Mr. STENNIS. Assuming there are 40,000 of them—and that is approximately correct—and having checked into the approximate time they have served, if title II should pass as written, and further assuming the retirement age stays at 60, and further assuming that there are no more salary increases, two figures emerge from these assumptions. One is $376 million cost, to start with. That would apply if we appropriated the money and put it in a fund and let it start earning an estimated 3.5 percent interest every year, which, under the current practice, we would not do. Instead, we would pay it as it became due each year and, on this assumption, the cost would be $732 million. On the assumption that the age of retirement will average 60 and we will have a future pay pattern similar to the past, it would cost $1.5 billion. In addition, the current service cost would be about $27 million a year to maintain at the present 40,000 level.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from North Carolina.

Mr. ERVIN. Would it not be correct to say that this bill increases the statutory standing of the Reserve components of the Army over the previous law and is more in keeping with the importance of the tasks they perform for our country?

Mr. STENNIS. Yes. The Senator is referring to the whole Reserve system?

Mr. ERVIN. Yes.

Mr. STENNIS. Yes. It gives statutory recognition and mandates in the law to the effect that they have to be maintained, and equipped.

Mr. ERVIN. It gives a greater power to the Reserve components in what we might call the hierarchy of our national defense system. Does it not?

Mr. STENNIS. It does. It gives them some recognition in that way, and a better voice in the affairs, and a somewhat better place at the table, too.

Mr. ERVIN. I would like to ask the Senator, with respect to the question of National Guard technicians, if the members of the Senate Armed Services Committee did not come to the conclusion that the committee needed further information before it could legislate intelligently in this field, and if this was not the reason why the committee deferred action in respect to the National Guard technicians.

Mr. STENNIS. Yes; the Senator is correct. That is the sole major reason. We did not have the facts as to the amount involved. We did not have an accurate measurement as to the change in the Federal and State relationship that we would be causing; the extent of power of the State government which would be left and how much would be taken away. We had not worked out the meaning of the provision that the individual could elect to stay in the State system if he wished, because it was not known what the rights were in the 50 States.

There was the further complication shown that, under present law, some of the people would have retirement benefits under four different systems. There would be about 4,500 of them—about 10 percent—who would come under State retirement, civil service retirement, Federal, and they would have their military retirement for service in the military Reserve for the time they did serve, and they would have social security.

About 20,000 of them would have social security, Federal civil service, and military retirement pay. So there would be three sources for 20,000 of them.

There would be four sources for 4,500 of them.

There would have to be some adjustment of the equities before we could bring before the Senate a bill on which we could give an answer to the American people and to those who are members of the civil service retirement system.

Mr. ERVIN. Did not the Senator from Mississippi gather the impression, which the Senator from North Carolina gathered, that the members of the Senate Committee on Armed Services are very sympathetic to the situation of the National Guard technicians and are anxious and desirous to work out, as soon as possible, after the necessary information is obtained, a bill which will be fair to them as well as do justice to the country?

Mr. STENNIS. The Senator is exactly correct. It was the unanimous feeling of the committee, as the vote on this question was unanimous, that for the time being we would defer it and we would move into the question early next year. There is no way to say just what date, but early in 1968. We would come back and try to move on some fair and equitable bill that would meet the situation. Some may prefer the State system. We could just appropriate money and say it is up to the State, or they could go the Federal route.

Mr. ERVIN. I thank the Senator for yielding, and I also would like to take this occasion to commend the Senator from Mississippi for the fine work he has done on this proposal.

Mr. STENNIS. I thank the Senator. Many other Senators have worked on it. The Senator from Georgia [Mr. RUSSELL] is in the Chamber. He is chairman of the full committee. He has brought to this proposal great interest, zeal, and a fine knowledge of this problem. I know he will contribute in the future. The Senator from Maine [Mrs. SMITH] is the ranking Republican member of our committee. The Senator from South Carolina [Mr. THURMOND] is well versed in this matter. The Senator from Washington [Mr. JACKSON], the Senator from Missouri [Mr. SYMINGTON], and many other members of the committee have likewise contributed.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Ohio.

Mr. LAUSCHE. I merely wish to state, Mr. President, that I am glad to hear the Senator's statement that deferring action on this issue does not mean that the committee has yet reached any definite conclusion except that of intent to be fair and just with the 40,000 technicians involved.

Mr. STENNIS. That is correct. We expect to recommend some affirmative action of some kind on this policy early next year. But no one is now committed irrevocably to any particular plan.

Mr. LAUSCHE. I thank the Senator.

Mr. STENNIS. Mr. President, while this subject has been covered fairly thoroughly by questions, I think that I should cover it further, in the sequence that I have it here in the statement.

I was speaking of those who are included as National Guard technicians. These are the persons who are paid from Federal funds and employed as civilians by the adjutants general in connection with administration, training, and maintenance of equipment for the National Guard. Most of this group also hold a dual status as military members of the National Guard.

I can say here that I personally know that this group represents some of the finest mechanics, electricians, and electronics people, as well as those who fly the planes. They are as fine a group as may be found anywhere in the entire Nation.

As Senators may know, title II would have converted the technicians to Federal employees and would provide for credit for all past technician service for civil service retirement and other Federal employee purposes.

Due to the many complexities involved in this problem the committee did not feel it was in a position to act at this time. I should like to emphasize, however, that the failure to report legislation on the technician matter should not be construed as any intention on the part of the committee to kill any legislation on the technician problem.

Due to the interest in this matter I shall briefly discuss some of the problems involved in terms of figures.

There are involved here about 40,000 of these persons. Over 90 percent are presently covered by social security for retirement purposes and about 16,000 covered under State retirement systems. They will also be entitled to the usual military reserve retired pay at age 60. They generally feel, however, that the present retirement and fringe benefit system is insufficient since about 60 percent are covered only for social security and their military reserve retirement.

I shall just touch briefly on some of the issues involved in converting these people to a Federal employee status, with recognition for all past service.

There is the question that arises as to whether by making these people Federal employees we would be changing in some degree the Federal-State relationship of the National Guard. Many of us look upon the National Guard as a semimilitary organization of the various States. When many of the key members of the State Guard become Federal employees with all the rights which go along with Federal employee status, there does arise the fundamental question of whether the State character of the Guard is being maintained.

There is also the question of whether an undesirable precedent would be created by recognizing the past non-Federal service for civil service retirement and other Federal purposes. There are many other employee groups paid wholly or in part from Federal funds who desire inclusion in the civil service retirement system and other Federal benefit programs. I should add that for many years and at the present time legislation has been introduced or pending before the Congress along these lines.

Moreover, Mr. President, I do not think that the cost implications of bringing the technicians into the civil service retirement system can be completely ignored. I should like to add that there would be a minimum added deficit to the civil service retirement fund because of the recognition of the past technician service of $752 million. This is on the conservative assumption that the technicians would retire at an average age of 60 and not earlier, and that there are no future statutory pay increases.

Of course, those things are not going to happen that way. There will be additional statutory pay increases, and the retirement age will not average 60; it will average less than 60. Therefore, the average person will draw more years of benefits. So $752 million is not an accurate figure; it is just a starting point.

The sum I have mentioned would become an added cost at the time the bill would be approved even though it would not be paid out until the technicians who have past service would be gradually retired. Mr. President, the amount of the liability would be greatly increased if we wish to assume a future pay increase pattern along the lines that have occurred in the last few years. Instead of being $752 million the added cost would be $1,500 million, and even here we are assuming an average retirement age of 60, and not earlier.

Mr. President, I have here a table entitled "H.R. 2, Title II, Committee Print Table on Comparative Past Service Costs." I ask unanimous consent that this table be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

COMPARATIVE PAST SERVICE COSTS—ESTIMATED PAST SERVICE COSTS FOR NATIONAL GUARD TECHNICIANS UNDER THE CIVIL SERVICE RETIREMENT ACT, BY AVERAGE AGE AT RETIREMENT (AS OF JAN. 1, 1967)

FULL CREDIT FOR MILITARY SERVICE AND FULL CREDIT FOR TECHNICIAN SERVICE

[Excludes District of Columbia National Guard]

	Assuming no future pay or price index increases		Assuming future pay and price index increases [1]	
	If appropriated to CSR fund immediately (A)	If appropriated as retirement is paid [2] (B)	If appropriated to CSR fund immediately (C)	If appropriated as retirement is paid [2] (D)
Average age at retirement:				
50	$573,000,000	$1,146,000,000	$1,146,000,000	$2,292,000,000
51	560,000,000	1,120,000,000	1,120,000,000	2,240,000,000
52	546,000,000	1,092,000,000	1,092,000,000	2,184,000,000
53	531,000,000	1,062,000,000	1,062,000,000	2,124,000,000
54	516,000,000	1,032,000,000	1,032,000,000	2,064,000,000
55	500,000,000	1,000,000,000	1,000,000,000	2,000,000,000
56	474,000,000	948,000,000	948,000,000	1,896,000,000
57	449,000,000	898,000,000	898,000,000	1,796,000,000
58	424,000,000	848,000,000	848,000,000	1,696,000,000
59	400,000,000	800,000,000	800,000,000	1,600,000,000
60	376,000,000	752,000,000	752,000,000	1,504,000,000
Based on present civil service age pattern of retirements	330,000,000	660,000,000	660,000,000	1,320,000,000

[1] Assumed future pay increases at 3½ percent annually and price index increases at 1½ percent annually.

[2] This represents that portion of the lifetime retired pay attributable to service performed in the past.

Mr. STENNIS. Mr. President, I do not make any attempt to debate all aspects of the technician matter which are highly complicated, but I did want to bring to the attention of the Senate some of the issues which I feel are involved.

In that connection, Mr. President, page 6 of the committee report on this bill contains a section under the heading "Committee Action on Title II, H.R. 2, Relating to National Guard Technicians."

I ask unanimous consent that the portion of the report so designated be printed in the RECORD at this point.

There being no objection, the excerpt from the report (No. 732) was ordered to be printed in the RECORD, as follows:

COMMITTEE ACTION ON TITLE II, H.R. 2, RELATING TO NATIONAL GUARD TECHNICIANS

Title II of H.R. 2 as passed by the House related to the civilian technicians who are employed by the National Guard in connection with the administration, training, and the maintenance of supplies for the National Guard. These persons, now numbering about 40,000, are non-Federal employees except for those in the District of Columbia. They are considered State employees although all States do not recognize them as such.

The principal purpose of title II was to convert the guard technicians to Federal employee status with the technicians becoming Federal employees. All past technician service would be recognized in full for the various Federal benefits including civil service retirement.

The committee voted unanimously to defer action on the technician matter in order to permit further review of a number of questions. The issues involved in converting the technician program to Federal employee status are complicated. The actuarial questions and other problems relating to State retirement systems, possible windfalls, State/Federal relations which have not been resolved require additional review. It was the consensus of the committee, however, that further action on the technician problem should be completed as soon as feasible. It is hoped that the additional work can be completed in order to permit Committee consideration relatively early in the next session of Congress.

Some of the issues presented by title II with respect to the technician program include the following:

(*a*) The effect of title II on the Federal/State relationship of the National Guard.

(*b*) The precedent which may be established by title II with respect to other employee groups now paid wholly or in part from Federal funds who may in the future desire inclusion in the civil service retirement system and other Federal benefit programs.

(*c*) The effect of title II on the employees who might desire to remain within the State retirement system.

(*d*) The actuarial and cost implications involved in the legislation.

(*e*) Other possible legislative alternatives for meeting the technician retirement problem.

Mr. STENNIS. Furthermore, I think that one of the additional issues involved is whether there are not some other alternatives which could meet the technician retirement and fringe benefit problem other than making them Federal employees.

Finally, I wish to note that the action of the Committee on Armed Services in deferring the technician matter was by unanimous vote.

I repeat, this was done with the understanding that the entire matter, with all its problems, would be further reviewed by the committee, and that the matter would be taken up for disposition in the early months of 1968.

Mr. President, that concludes my formal statement.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Ohio.

Mr. LAUSCHE. I have a letter from the Ohio National Guard Association, discussing the reorganization plan which has been mentioned here for several years.

This letter asks me to submit to Congress a measure providing for the attachment of a rider to the legislative bill now desired by the administration, which would prevent the implementation of the reorganization plan until after the 90th Congress reconvenes.

My question is, Was there before the committee any proposal that the reorganization of the National Guard be delayed until there is an opportunity, in the second session, to have a full discussion of the item?

Mr. STENNIS. In the first place, this reorganization to which the Senator refers is an administrative matter. There is nothing in this bill that would affect that. We would have the power, however, to pass legislation to prevent or delay it, as the Senator points out.

No one fully approves of this reorganization plan. However, the problem has been gone over many times in the last few years, and strong objections were made at the congressional level to some of those proposed plans.

In my own State, they took a division and split it up. We did not like that at all. However, by and large and as a whole, it was generally thought to be the best plan that we could get, even though the plan did not meet with the approval of all.

That is the reason why we did not oppose the matter more vigorously.

Mr. LAUSCHE. The committee has considered the subject.

Mr. STENNIS. The Senator is correct.

Mr. LAUSCHE. The committee concluded that it could not take the action which this letter suggests that I take, to offer an amendment to stop the administration from reorganizing the National Guard.

Mr. STENNIS. I am sure I cannot speak for anybody except myself, but what I have said is the way I see it. And I think that is the way most of us who are familiar with the problem finally concluded, that the proposal was not altogether acceptable, but that it was better than many that had been submitted, and that something had to be done.

We decided as a general proposition not to try to have any statutory stoppage of this plan.

Mr. LAUSCHE. Has information come from practically all of the States representing one view or another on the administration's proposed plan of reorganization?

Mr. STENNIS. They have all been heard, I am sure, and the plan has to be submitted back to them. None of them were totally happy about it, as I recall.

The Governor is left in that position. He can disapprove of the plan and it will not go into effect if he does. However, still he has to go ahead and approve some plan finally.

We just decided, with everything considered, that it was about six of one and half a dozen of another.

Mr. LAUSCHE. And therefore the committee allowed it to stand as it is.

Mr. STENNIS. The Senator is correct. We considered the matter fully and discussed it at all levels. We finally decided not to do anything.

Mr. LAUSCHE. It would seem to me that to carry into effect the request of the Ohio National Guard to offer an amendment would not meet with the approval of the committee in view of what the committee has done in the past.

Mr. STENNIS. The committee would have to oppose the amendment. And I do not know how the matter would affect Ohio, but I know that in my State we had to take a lot that was not favorable to us.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. STENNIS. Mr. President, I yield to the Senator from Colorado for a question. The Senator is a member of the committee and is interested in this matter. He has made a contribution to the solution of the problem.

Mr. DOMINICK. Mr. President, I thank the Senator.

I congratulate the Senator from Mississippi for his excellent handling of a very complex and difficult problem. I know that the Senator is as interested in getting legislation as I am and as most of the committee members are, particularly with respect to the issue involving some type of control over manpower levels of both the National Guard and the Reserve, which the Senator so ably put in the bill.

It is obvious that we will have to have a conference with the House. We are also interested in getting this thing through as rapidly as possible.

Would it be in the ballpark to ask the Senator if he has had conversations with the House leaders on this situation and the possibility of working out an acceptable conference bill?

Mr. STENNIS. I have not had a chance to talk to the House Members on this matter since the Senate acted on the bill. However, before the Senate acted on the bill, the subject was discussed many times with them. The Senator from Georgia [Mr. RUSSELL] and I met with some Members of the House of Representatives 3 weeks ago, and we anticipated a lot of these problems.

I think the House will readily agree on assurances given that we are not trying to kill title 2, but that we need a further review of it. That is my judgment on the matter.

I feel almost certain that they will agree to these adjustments we have made in title 1. I feel that we will get on mutual ground there very easily.

Mr. DOMINICK. Mr. President, I thank the Senator.

Mr. STENNIS. Mr. President, I hope the bill will move along rapidly and become law.

Mrs. SMITH. Mr. President, as the ranking minority member of the Committee on Armed Services I would reiterate the unanimous nature of the committee action on H.R. 2.

The bill as reported will provide for significant improvement in the organization of our Reserve components. The creation of the selected Reserves, together with the requirement of an annual authorization for their personnel strength will provide a much better method for the Congress to judge the state of readiness of our reserve forces. In an era of ever changing requirements, this is a matter which should be the subject of annual review.

The provision in the bill providing for a statutory mandate for the service secretaries to provide the needed equipment in order for our Reserve components to maintain the necessary degree of mobilization readiness is a provision that has long been needed.

The provision of the bill providing for a Deputy Assistant of Defense for Affairs, for three new assistant secretaries in the military departments who will have responsibility for all manpower, including reserve matters, together with the creation of a military Chief of Reserves in the Army and the Air Force represent statutory recognition of the importance of our Reserve components and should lead to improvement in the administration of the reserve forces. At the same time, Mr. President, the deletion made by the committee of the House bill on various organizational questions leaves it clear that the Reserve components are an integral part of our total defense establishment. Any organization of the Reserves must be closely intertwined with the operation of our active forces.

Lastly, Mr. President, I am in complete accord with the position of the committee with respect to the deferment of any action at this time on converting the National Guard technician program to a Federal employee status. The numerous issues involved in this matter justify a reasonable delay.

Mr. President, I urge the Senate to act favorably on H.R. 2 as reported by the Committee on Armed Services.

Mr. MONRONEY. Mr. President, this bill we have before us represents a major step forward in improving policies relating to the Reserve components of our armed services. even though it will not accomplish a number of vital objectives, including the much needed conversion of National Guard technicians to Federal employment benefits.

The Committee on Armed Services has given all of these matters very thorough study, and the provisions that are incorporated in H.R. 2, as now before the Senate, reflect the committee's detailed analysis and good judgment. I particularly commend the Senator from Mississippi, who has once again demonstrated superb leadership and incisive and effective draftsmanship in the preparation of the committee's new language.

We must remember that this measure is being considered at a time when our armed services are heavily committed on battlefields far from our shores. These are not ordinary times and this, therefore, cannot be considered the final and complete legislative answer to long-range requirements of the military Reserve components.

The committee wisely provided that the strength of the selected Reserves will be established legislatively on an annual basis. This will make it possible for Congress to adjust both authorizations and appropriations according to defense needs. Hopefully we will eventually reach a period of stabilization in foreign affairs which will permit a gradual reduction in our military commitments both at home and overseas. This bill provides the flexibility in respect to the strength of the Reserves of each branch of the armed services.

I am pleased to see the statutory position of Deputy Assistant Secretary of Defense for Reserves added to the bill. Although this does not put the position at the status which the House had established when it voted to provide for an eighth Assistant Secretary of Defense, it is a reasonable compromise.

The person assigned to this newly created post would have the benefit of a provision included in this bill assigning to the Assistant Secretary of Defense for Manpower and Reserve Affairs the overall supervision of manpower needs affecting Reserve components.

But for the overriding demands of the Vietnam war, I would not favor postponement of the provisions which were included in title II of this bill as it passed the House. The Department of Defense endorsed these provisions, mainly because of serious manpower problems existing in National Guard organizations across the Nation due to inadequate personnel provisions. Admittedly it is a complicated matter to convert 40,000 Guard employees to full Federal civil service status. This will be a costly item at the beginning, but it is fully justified both from the standpoint of the individuals who now are disadvantaged and from the standpoint of Guard efficiency. The longer we delay this matter, the more difficult it will be to find qualified employees for these vital technical positions.

I have in the past suggested to the Armed Services Committee certain amendments which would reduce the liability against the civil service retirement fund. I urge this committee to follow through as it has indicated in its report it will do and consider the technician matter as early next year as possible.

I thank the distinguished Senator from Mississippi for this opportunity to join in this discussion at this time.

Mr. STENNIS. I am glad to see the distinguished Senator from South Carolina on the floor. I know of his great interest in this matter. The Senator has contributed much work on this matter over many months and in the meeting when we wrote the bill up.

Mr. THURMOND. Mr. President, I thank the Senator from Mississippi. I congratulate the distinguished Senator from Mississippi for his fine work on H.R. 2.

The title of the bill is "The Reserve Forces Bill of Rights and Vitalization Act."

The purpose of the bill originally, aside from part 2, was to enable all of the Reserve components to more effectively meet their mobilization role in accordance with military war plans.

I feel that the pending bill is going to assist the Reserves in the performance of their duties.

As I stated in the committee, we are not getting everything that I would have preferred. For instance, the House included a provision that would prohibit the transfer of funds appropriated for the Reserve unless such transfers were specifically authorized by subsequent legislation.

I realize that right now, due to the war in Vietnam, it may be necessary to make these transfers. We have to give priority to the war in Vietnam. And I realize that this is important.

I want to say, however, that if we are going to have a Reserve at all, we ought to have a first-class Reserve. There is no use in deceiving the American people and making them think that we have a strong Reserve when the Reserve has not had adequate training or does not have adequate equipment.

If a Reserve is worth being a Reserve, and a part of the total Army or the total defense force, it ought to be equipped and trained and ready to take the field. It ought to be combat ready.

I think that eventually the Pentagon must recognize that if we are going to maintain the kind of Reserve that the people of this Nation want and will ultimately demand, this equipment must be provided.

The funds have got to be provided.

Another thing that I think is important and that we should ultimately obtain, is a provision which was contained in the House bill. This would provide for an increase in the number of Assistant Secretaries of Defense from 7 to 8 to create a new Assistant Secretary of Defense for Reserve Affairs.

In my judgment, we are never going to obtain the status that the Reserves deserve and should have until this has been done.

I think we have to have a man at a high level in the Pentagon who can speak for the Reserves and see that they are not discriminated against and that they receive adequate training and equipment and proper direction.

Mr. President, I feel that we need an Assistant Secretary of Defense for that purpose. However, I think that what was done in the committee is helpful.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. THURMOND. I yield.

Mr. STENNIS. Mr. President, I ask for the yeas and nays on the bill.

The yeas and nays were ordered.

Mr. STENNIS. Mr. President, I thank the Senator for yielding.

Mr. THURMOND. Mr. President, the Senate bill does provide for creating the statutory provision of Deputy Assistant Secretary of Defense for Reserve Affairs within the Office of the Assistant Secretary of Defense for Manpower and Reserve Affairs.

That will help. That will give some status, but it will not do what I think is necessary. This will be a deputy under the Assistant Secretary of Defense for Manpower and Reserves.

I believe we must have an Assistant Secretary of Defense for the Reserves, if the Reserves are to be accorded the treatment I believe they need in order to be prepared to render this country the service that will be required in time of emergency. I hope that this can be done in the future. I realize that you cannot get everything at one time, and I believe that Congress has shown its interest in the Reserves and Congress has done its part in trying to do whatever it can to build a strong Reserve. However, too often in the Pentagon the will of Congress has been thwarted, and in my judgment statutory provisions may be required in order to accomplish the necessary result.

I believe that the passage of H.R. 2 would improve the Reserves and would improve our entire defense posture, and I believe it is very worth while. I supported the measure very strongly, and I urge the Senate to support it and pass it.

With respect to title II, Mr. President, I wish to point out that the National Guard technicians perform a vital service to our national defense. It is a very complex matter. The Senator from Mississippi has gone into the matter in great detail; and with the able assistance of Mr. Ed Braswell, a very competent member of our staff, a study has been made and the statistics which have been prepared are available. I hope it will not be very long—it is my desire that it can be done in the early spring—before a hearing will be held to allow the technicians, through their spokesmen in the respective States, to come to Washington and express their views, and that in the meantime the study can continue so that we can solve this problem.

Some people feel that it is entirely a Federal problem, since the National Guard is a vital part of our national defense. On the other hand, the National Guard is commanded by the Governor of the State, under the direction of the Adjutant General, and some people feel it is a State problem. These matters must be and can be thrashed out, and the sooner the better.

The National Guard technicians are rendering a fine service. It is not so much a question of the country giving them something; it is a question, I believe, of whether we will be able to retain these National Guard technicians. Many of them can make larger salaries in other places. Many of them can earn more money in civilian life, because they are civilians on weekdays and they are soldiers on weekends. They wear two hats. They perform a dual role.

It is my sincere desire to see an adequate, a complete, a fair, a just, and an equitable study of this subject, so that we can do justice to these people, who are rendering such a fine service to our country.

Again I express my admiration and appreciation to the distinguished Senator from Mississippi for all he has done with respect to H.R. 2.

Mr. STENNIS. I thank the Senator from South Carolina for his remarks. I also thank him for his very valuable assistance and untiring efforts in connection with this subject.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. CANNON], the Senator from Tennessee [Mr. GORE], the Senator from North Carolina [Mr. JORDAN], the Senator from Oregon [Mr. MORSE], and the Senator from Ohio [Mr. LAUSCHE] are absent on official business.

I also announce that the Senator from Connecticut [Mr. DODD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Washington [Mr. MAGNUSON], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Nevada [Mr. CANNON], the Senator from Connecticut [Mr. DODD], the Senator from Tennessee [Mr. GORE], the Senator from North Carolina [Mr. JORDAN], the Senator from Washington [Mr. MAGNUSON], the Senator from Florida [Mr. SMATHERS], and the Senator from Ohio [Mr. LAUSCHE] would each vote yea.

Mrs. SMITH. I announce that the Senator from Colorado [Mr. Allott], the Senator from Illinois [Mr. Dirksen], the Senator from Oregon [Mr. Hatfield], the Senator from Iowa [Mr. Hickenlooper], the Senators from California [Mr. Kuchel and Mr. Murphy], the Senator from Pennsylvania [Mr. Scott] and the Senator from North Dakota [Mr. Young] are necessarily absent.

If present and voting, the Senator from Colorado [Mr. Allott], the Senator from Illinois [Mr. Dirksen], the Senator from Oregon [Mr. Hatfield], the Senators from California [Mr. Kuchel and Mr. Murphy], the Senator from Pennsylvania [Mr. Scott] and the Senator from North Dakota [Mr. Young] would each vote "yea."

The result was announced—yeas 83, nays 0, as follows:

[No. 312 Leg.]

YEAS—83

Aiken
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dominick
Ellender
Ervin
Fannin
Fong
Fulbright
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hayden
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Long, La.
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morton
Moss
Mundt
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NAYS—0

NOT VOTING—17

Allott
Cannon
Dirksen
Dodd
Eastland
Gore
Hatfield
Hickenlooper
Jordan, N.C.
Kuchel
Lausche
Magnuson
Morse
Murphy
Scott
Smathers
Young, N. Dak.

So the bill (H.R. 2) was passed.

The title was amended so as to read: "To amend titles 10, 32, and 37, United States Code, to strengthen the Reserve components of the Armed Forces, and for other purposes."

Mr. STENNIS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. PEARSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STENNIS. Mr. President, I move that the Senate insist upon its amendments and request a conference thereon with the House of Representatives, and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Russell, Mr. Stennis, Mr. Symington, Mr. Jackson, Mrs. Smith, and Mr. Thurmond conferees on the part of the Senate.

Mr. MANSFIELD. Mr. President, the Senator from Mississippi [Mr. Stennis] is to be highly commended for his handling of this measure which involves a reorganization of our Reserve forces and National Guard. More than anything, his outstanding presentation was responsible for its unanimous approval by the Senate. Of course the Senator from Georgia [Mr. Russell], the distinguished chairman of the Armed Services Committee, deserves the Senate's high praise for his strong efforts and deep interest in this legislative proposal.

We are thankful also for the support of the senior Senator from Maine [Mrs. Smith], who has consistently made outstanding contributions as the ranking minority member of the committee. Her efforts on this measure were no exception. The Senator from South Carolina [Mr. Thurmond] similarly is to be thanked. The fact that the Senate voted unanimously for this proposal clearly demonstrates the superior manner in which it was handled by the committee—all of its members are accordingly to be commended.

CONGRESSIONAL REDISTRICTING STANDARDS—CONFERENCE REPORT

Mr. MANSFIELD. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2508) to require the establishment on the basis of the 18th and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of Oct. 26, 1967, p. 30240, Congressional Record.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

MODIFICATION OF UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, as the Senate knows, there has been a 2-hour limitation agreement, the time to be equally divided between the proponents and the opponents on this conference report.

With the full approval of the distinguished junior Senator from Tennessee [Mr. Baker], I ask unanimous consent that half the time be allocated to the distinguished Senator from Massachusetts [Mr. Kennedy], and the other half to the distinguished Senator from North Carolina [Mr. Ervin].

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ERVIN. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. ERVIN. Mr. President, after the passage in June of the Senate substitute to H.R. 2508, the Senate conference committee met eight times in a diligent effort to arrive at a proper solution to the very difficult problems posed by congressional redistricting.

The compromise bill that finally emerged from the conference committee is certainly not a solution to all congressional redistricting problems but it does solve all of the immediate and pressing problems for the benefit of those who are running for the House of Representatives and it leaves the question of permanent legislation to be determined at a more convenient and less pressing time.

The compromise bill, which was proposed in conference by a House Member and passed the House by a vote of 241 to 105, contains two provisions: First, there can be no Members elected at-large for the 91st and 92d Congresses except in the States of New Mexico and Hawaii, and second, no State shall be compelled to redistrict prior to 1970 Federal census unless an updated special census is available.

The main area of disagreement in the conference was on the issue of allowing the courts to construct district boundaries. In other words, the Senate conferees were not willing to give the Federal courts authority to be the final judge as to the size and shape of every congressional district in the United States. Even though a provision allowing this was contained in the Senate substitute to H.R. 2508, from my analysis of the Senate vote, there was little debate on this issue of the compactness of congressional districts and the main reason the Senate accepted the substitute was, I feel, because it felt a strong disagreement with the 35-percent temporary provision in the bill we were considering.

Because there was lack of agreement by the conferees on the issue of allowing the courts to construct district boundaries, we decided to limit the bill to those matters of agreement which the House considered necessary. The House conferees felt very strongly that at-large elections should be prohibited for the next two elections. Also, 1960 census figures were considered so hopelessly out of date that it would not be practical or equitable to require the States to redistrict using these outmoded figures for the 1968 and 1970 congressional elections.

Mr. President, I feel very strongly that in order to comply with the one-man, one-vote doctrine there must be reliable statistics with which to work. The 1960 figures are so archaic that if the courts continue to use these figures to redistrict prior to the next decennial census, the one-man, one-vote doctrine will be defeated. To illustrate this we only have to look at the extreme population shifts in many of the States in which court proceedings have been started or threatened. For example, in California since 1960 there has been a resident population change of 22 percent; in Florida 21 percent, Connecticut 15 percent, and in Nebraska 15 percent. These examples illustrate the problems encountered by Judge Sobeloff when he said in the Maryland Citizens Committee for Fair Congressional Redistricting, Inc., against Tawes:

> Even if a district plan initially comports with the one-to-one formula, discrepancies

> may be expected to arise with changing conditions. Such discrepancies are unavoidable and must be tolerated for a time, till the next census, but in initial districting the aim should be to come as closely as possible to a one-to-one ratio . . .
>
> A difficulty encountered by anyone who undertakes in 1966 to draw district lines with a view to achieving substantial population equality, is that the only accurate figures available are those from the 1960 census. The dilemma presents two possible choices: to accept the 1960 census figures which are not up to date, or to attempt to make estimates of changes in population figures since that date. Neither choice is a happy one, but we have concluded that it is better to adhere to the census figures than to engage in speculative estimates or projections which vary widely with the estimators and the manner in which they handle the figures available to them from various sources. The alternative we have rejected would indeed lead into a mathematical thicket.

Judge Sobeloff indicated that it was unfair for States to be forced to redistrict using the 1960 census figures. Of course, he and his colleagues did redistrict. But, if Judge Sobeloff was reluctant to use 1960 census figures to redistrict in Maryland in 1966, I think you will all agree that it would be intolerable for States such as California and Florida, which have had extreme population shifts, to be required to redistrict 2 years later in 1968.

I feel there is no doubt that the conference report of H.R. 2508 would be upheld by the Supreme Court. Congress is charged by the Constitution with the duty of judging the elections and the qualifications of its Members. Because of the above fact and the presumed constitutionality and reasonable conclusions of the bill, H.R. 2508 will certainly be constitional legislation.

H.R. 2508 is needed and desired by the House Members and I hope the Senate will support it.

Mr. President, to recapitulate, the bill would do two things. It would provide that no State can be compelled to redistrict prior to the 1970 census unless it has available a special Federal census showing the current population of the State. That is a reasonable requirement because, due to population shifts since 1960, it would be unreasonable, indeed, and I submit, it would be unconstitutional, to require States to redistrict in 1968 on the basis of the 1960 census.

Many States are in jeopardy at this hour in this respect. It is less than 1 year until the next Congress is to be elected. Congressmen now are in a state of uncertainty even as to the districts in which they are to run. For this reason, the Senate ought not to insist on rejection of a proposal which has met a 2-to-1 favorable response in the House of Representatives, whose Members are primarily concerned with this question.

In the second place, the conference report contains one other additional provision, and that is that there must be elections at large in all of the States for the next two Congresses, except in the States of New Mexico and Hawaii, where they now elect their Representatives at large.

This conference report is a stopgap measure. It does not attempt to deal permanently with the difficulties of congressional redistricting. It merely enables the present Congressmen to know in what districts they are going to have to run, instead of being left in a state of uncertainty.

Mr. CURTIS. Mr. President, will the Senator yield me 2 minutes?

Mr. ERVIN. I yield 3 minutes to the Senator from Nebraska.

Mr. CURTIS. Mr. President, it is clear that a congressional redistricting bill should be enacted. The meeting of the requirements of the Constitution for representation according to population should be met in an orderly manner. Order is the prime concern of government.

Without legislation concerning the manner in which the States shall comply with existing Supreme Court decisions on congressional representation, the situation will be chaotic. If this conference report is adopted and it is signed into law, no State shall be forced to redistrict prior to the 1970 census. This measure will not, however, prevent any State from redistricting at any time prior thereto but no compulsion is placed upon the State.

Following the 1960 census the Legislature of Nebraska did an excellent job in redistricting. The legislature was diligent in getting the best information possible. When everything is considered, it must be stated that Nebraska's Redistricting Act of 1961 was a good one and served its purpose for this decade. It should not be disturbed prior to the next census and with the passage of this measure it will not be.

I want to commend my colleague, the distinguished senior Senator from Nebraska [Mr. HRUSKA], for his part in this legislation. I concur with him that this conference report should be adopted. In some respects this bill is a disappointment. For instance, I do not agree with the way the State of Hawaii has been treated. The alternative to this measure is no legislation at all. Therefore, the conference report should be approved and the proposal enacted.

I thank the distinguished Senator from North Carolina for yielding. I yield back the remainder of my time.

Mr. KENNEDY of Massachusetts. Mr. President, I yield myself 7 minutes.

Mr. President, a conference report normally merits the respect and support of all of the Members of each House of Congress. Certainly, in the time I have been in the U.S. Senate, I have seen, time and time again, the Members of this body go to conference with our colleagues in the House of Representatives, there to try to work out some reasonable kind of compromise, which may not be agreeable to all Members, but which nevertheless we realize it is our legislative function to go along with and vote for.

I think every Member of this body would like to support a compromise which accommodates the House of Representatives, the body which this legislation most dramatically affects. The bill before us, however, can in no way be considered a compromise with our friends in the House of Representatives. As a matter of fact, I think every Member of this body who looks at what happened on the floor of the House of Representatives when this bill was debated, will recognize that even the Members of that body had serious doubts about this measure.

We know that the first redistricting bill this year had only 60 Members of the House of Representatives in opposition. Yet on the final conference report, there were in excess of 100 Members of that body who voted against it, and for very sound and fundamental reasons.

First of all, I believe that there is absolutely no question that this legislation is unconstitutional. I believe that it is poorly drafted. I believe it opens itself to a great variety of interpretations. It states, on the one hand, that no Federal court will be able to require a State legislature to redistrict unless it has available a special census to supplement the 1960 census. Even though it says that, there is nothing in this legislation which prohibits that very legislature from using the 1960 census figures for redistricting it, nor, under the interpretation of the manager of the bill in the House, is there anything to prevent the court itself from redistricting the State using only the 1960 census.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. KENNEDY of Massachusetts. I yield.

Mr. ERVIN. Is the Senator talking about the House or Senate manager?

Mr. KENNEDY of Massachusetts. The House manager.

Mr. ERVIN. The Senate manager thinks it is constitutional.

Mr. KENNEDY of Massachusetts. The Senator might think it is constitutional, but I remember when that very question was asked of the distinguished Representative from New York [Mr. CELLER], who was the chairman of the conference committee. He was asked if this conference report was constitutional. He said, as shown in the CONGRESSIONAL RECORD, "That is a very sticky question."

When we have one of the principal architects of the measure, one of the principal proponents of it, saying that its validity is a "sticky question," and when we give this question the kind of study that many of us have, I do not think it is difficult to reach the clear decision that it is unconstitutional. Certainly, any measure is unconstitutional when it violates completely the clear mandate of the Supreme Court in the Wesberry case. If we passed legislation which said that under no circumstances, could a court enforce the mandate of the Wesberry case, which affirmed the principle of one man, one vote in congressional redistricting cases, we know it would be unconstitutional. Yet this is what the conference report seeks to accomplish. It tries to prohibit and proscribe any court from requiring that there be redistricting, using only the 1960 census.

The language of this conference report admits to all kinds of interpretations. It seems to permit any legislature, by voluntary action, to use the 1960 census. It would be interesting to hear why the proponents say the 1960 census, which they think is unrealistic, can be used by the legislatures, and can be used by the courts themselves, by the interpretation of the House proponents, but can be used by a court ordering a legislature. If it is so bad in one case, why is it not just as bad in the other? We cannot have it both ways.

I think what this conference report quite clearly does is violate the clear mandate of the Supreme Court in Wesberry against Sanders. In effect, it says there will be no redistricting between now and 1972, in States which prefer not to redistrict.

If we clearly put forward that kind of proposal to the Members of the Senate, it would be overwhelmingly defeated. Nevertheless, under the kind of draftsmanship in this bill, we have verbiage that smokes up and fouls the issue in ways are extremely confusing and unfathomable; and I am sure the Members of this body are going to repudiate it.

Mr. President, I wish to make my formal statement at this time.

Ordinarily the report of a conference committee deserves and receives the highest respect and regard of the Members of both Houses of Congress. A conference report carries with it a presumption of merit, for it normally represents the good-faith efforts of Members of each House, who have supported respective versions of a measure, to design a common bill which follows the parent bills insofar as they are consistent, and affords a compromise between them insofar as they conflict.

No one regrets more than I the fact that House Report No. 795, the conference report on the congressional redistricting bill, does not meet these criteria, and that the presumption of merit does not apply. For while the Senate bill was more workable and more effective than the House bill, the two bills had enough in common and enough leeway for compromise, so that any one of a number of conference bills might have met our responsibility to provide election guidelines and to implement the constitutional principle of one man, one vote. Both bills contained temporary, as well as permanent, standards for congressional districting. Both treated the problem of gerrymandering. Both recognized the practical necessity of using the 1960 census as a guide to population for the rest of this decade.

Yet the present bill not only contains none of these features, it attempts instead to protect those States which have disobeyed the constitutional mandate, and it attempts to deprive their citizens of equal representation in Congress for another 5 years.

As difficult as it is to understand how a conference committee could produce such an anomalous result, we need not address that question now. For the future guidance of this body, it may be sufficient to note that five of the six Senate conferees voted against the bill passed by the Senate.

But whatever the reasons, we now have before us a bill which is unconstitutional, unconscionable, unclear, unworkable, and unresponsive. This is especially unfortunate in view of the great amount of time and effort many members of both Houses have invested in this subject over the past 6 months. And it is surely unfortunate in light of the fine work the Senate has done in this area. For in early June we took a House measure of doubtful validity and effectiveness, and transformed it into a comprehensive and workable redistricting bill. And later in June, when the conference reported out a bill which undid our work, we were prepared, according to all reports, to reject the bill and reassert our desire for vindication, not evasion, of the one-man, one-vote rule. Now, once again, it is the Members of the Senate who are left with the responsibility of rejecting a serious challenge to the Constitution and to the rights of millions of Americans.

It may be of interest to the Members of the Senate that, whereas only about 60 Members of the House voted against the original version of H.R. 2508 which we subsequently rejected, almost twice that many Congressmen voted against the report now before us. Considering the nature of the bill, the size of this negative House vote on a conference report is indeed telling.

THE CONSTITUTION, THE COURTS, AND THE CONFERENCE REPORT

It is ironic that in a time when strong voices are pleading for strict obedience to law, and when most people—and certainly most politicians—totally reject the doctrine of civil disobedience to laws with which one disagrees, we are being asked to reward and encourage disobedience to the Constitution and to court decrees.

For the simple fact is that the Supreme Court held in early 1964 that the Constitution requires congressional districts that are as nearly equal in population as practicable. Once that holding was issued, it was the responsibility of every State to move quickly and in good faith to comply. Compliance in time for the 1965 elections would in fact have been extremely difficult. Compliance in time for the 1966 elections would have been easy, and was required if the rule of law was to prevail. Many States complied by 1966. They adopted fair redistricting plans based on the 1960 census which placed their citizens in as good a position as they would have been in if there had been a constitutional districting in 1961. The new districts would govern three out of the five elections to be held between the 1960 and 1970 census years.

Some States, however, continued to resist. Either they refused to redistrict or redistricted improperly. Their disobedience and obstruction and delay allowed them to go through the 1966 election still out of compliance with the Constitution. And now, having deprived their citizens of a basic right for half of a decade, they ask us to become a party to continuing this deprivation for the other half. They ask us to relieve them of an obligation which was part of the Constitution adopted 180 years ago, which for 50 years was directly mandated in Federal statutes, which for nearly 4 years has been explicitly enforceable in the courts of the Nation, and which State after State has complied with during those 4 years.

Let there be no mistake about the intent of those who framed the language now before us. We would not pause for a moment to consider their work if the bill said plainly, "Wesberry against Sanders is hereby reversed," or, "The constitutional rights described in Wesberry against Sanders are hereby denied for 5 years." Yet this is the clear intent of the conference bill's drafters. They would have us do by indirection what we would not for one moment consider doing directly. They are attempting and hoping to give each State the option of whether or not to comply with the Constitution between now and 1972.

The bill is not so heavyhanded as to display openly even this obvious intent. Instead its method is to prevent a State from being required to redistrict unless it has available a special Federal census. But, it is well known by now that such a census is expensive to the State and, for a State of any size, requires an extended time for completion. Thus under a simple reading of the bill, if a State does not or cannot make a special census available for the 1968 or 1970 election, it could avoid the necessity to redistrict before 1972 no matter how unconstitutional its districts are. As we shall see, this reading is neither the only nor the most logical one, but this is the reading proposed by the bill's drafters.

Their rationalization for this result is specious, illogical, and incredible. They would ask us to sympathize with the plight of the "unfortunate" States which find themselves required to redistrict for 1968, although they will have to redistrict again for 1972, and which find themselves required to use the 1960 census. The lack of any cause for sympathy with them, or special dispensation for them, is obvious.

First, they face these prospects only because of their own delay and their own disobedience of the law. If they had moved expeditiously after Wesberry, they, too, would have had stable and constitutional districts for three out of this decade's five elections. They can still have proper districts for two of the five, and this goal is certainly worth achieving.

Second, if they had districted constitutionally in 1961, they would have used the 1960 census, and the districts so established would have been valid until 1972. The fact that population changes may, during a decade between censuses, dilute the equality of representation both among and within States is a fact we have traditionally accepted as a practical necessity. But it is not a fact which relieves a State of the initial obligation to district in accord with the Constitution, even if that obligation is belatedly fulfilled. There is a vast difference between having one's vote diluted by the accident of an influx of new neighbors, and by the conscious design of a politically motivated legislature.

Third, the effect of population shifts on the total districting picture in any particular State is purely speculative while the effect of the initial inequality in a districting plan is clear and observable. A State which starts with a 95-percent disparity in districts in 1961 is not likely to have equal districts in 1967. In fact it is very likely to have 150- to 200-percent disparity currently. If that State is now redistricted equally on a 1960 basis, the inequalities induced by population changes are, as we have seen, constitutionally unobjectionable, but in any event they are unlikely to be anything like the disparity which now actually exists.

Moreover, as a matter of fact, if a State does have some idea of its population shifts, it can anticipate these in any 1960-based redistricting done now, by placing the fastest growing areas in somewhat smaller than average districts, and stable population areas in slightly larger districts, although the permissible tolerance would be very small. In Nebraska, for example, which had a 31-percent 1960 disparity, it is possible to shift just three counties and get a districting with a maximum disparity of about 7½ percent based on the 1960 census and about 10 percent based on some available—but disputed—1966 estimates. In short, a State can now place itself in an even better current position than it could if it had districted properly in 1961.

Fourth, both Houses of Congress, many State legislatures, and courts at every level have found it proper, practical, and, in fact, necessary to use the 1960 census as the basis for delayed redistrictings. Both H.R. 2508 as it passed the House and the Senate substitute allowed courts to base new districting decisions on the 1960 census. Almost all the acceptable districting plans adopted by the State since 1964 have used the 1960 census as their base, including my own State of Massachusetts, and others like Mississippi and North Carolina.

But the decisions of the courts are most dispositive. They remove the need for speculation on the constitutional significance of the arguments made above. For the assertion that the obsolescence of the 1960 census justifies delay in fair districting until new figures are available has been made to the courts and rejected by them as constitutionally unsound.

The Supreme Court itself has set a strict standard for promptness in voting-district cases. In *Swann* v. *Adams* (383 U.S. 210, 1966), for example, it made clear that it would brook no delay in effectuating the one-man, one-vote rule. And even after the 1966 elections it has continued to order redistricting despite the lapse of time since the 1960 census. Other courts have followed suit. In California, one of the States most directly interested in the legislation before us, the State supreme court specifically reviewed the arguments for waiting until 1970, and felt constitutionally bound to reject them.

Having found a disparity of 97 percent between the largest and smallest districts, this court, one of the most highly regarded State courts in the Nation said:

> If the departures from equally populous districts were substantially less than they are, it might be Constitutionally permissible to defer reapportionment until after the 1970 census. The United States Supreme Court has made it clear, however, that the practical difficulties necessarily resulting from reapportioning cannot justify perpetuating an unconstitutional apportionment. (Citing *Swann* and *Reynolds*.)

And the court added:

> Except in those few districts where by chance uneven growth may have corrected an inequality created at the time of the 1961 apportionment, reapportionment pursuant to the 1960 census will not create population-shift inequalities that do not already exist under the present apportionment.

The court found that "time is of the essence," and stated that it would adopt a redistricting plan this December if the State legislature does not do so first. The legislature is now in special session for this purpose.

Now I ask, do we have some better basis for decision than the seven members of the State supreme court? Have we received any briefs or testimony or information they did not have, which indicates that planned disparity of 97 percent can somehow be constitutional? I think not, and I think we would be deceiving ourselves if we thought there could be any valid basis for sustaining, even for one more election, a situation like that. The simple fact is that if we reject this report, California will be redistricted by its legislature or by its court, within 1 month. California's Congressmen and citizens will know where they stand once and for all without delay and without confusion.

The same goes for New York. A three-judge district court found New York's plan unconstitutional last May. It recognized that population shifts since 1960 might affect the accuracy of a new plan based on the last census, and suggested that where such changes were massive they might be taken into account. But regardless of imperfections, redistricting for the 1968 elections was ruled to be constitutionally required. The court said:

> The 1968 and 1970 Congressional elections ought to be held in districts far more equalized than they are at present. There are enough changes which can be superimposed on the present districts to cure the most flagrant inequalities . . .
>
> Therefore, although not unmindful of the risks and disturbances attendant to change, the court assumes this risk. . . . Even if perfection cannot be achieved between now and 1973, improvement is worth the effort.

Thus New York, too, will have constitutional districts in 1968 unless we interfere.

The same goes for Nebraska, as I have said, where the three districts can be brought into line just by changing two or three counties, an action which the court will surely order unless we muddy the waters, and will probably order no matter what we do. In fact even the Nebraska Congressman who would be most directly hurt by such an order—who happens to be a Republican—has agreed that the bill before us is probably unconstitutional, and he voted against it in the House.

The clear fact is that the Constitution requires these States to redistrict. Their present districts are constitutionally invalid, and cannot be used. The courts will have available two means of enforcing this requirement if the conference report is adopted. The first would be to declare the bill unconstitutional. Since as we shall see, its provisions are so interlocking, and interdependent, and since there is no severability clause, the entire measure would fall, including the one-member district provision which is of great concern to some House Members. The result will be that sometime after the first of the year, the courts and legislatures will find themselves right where they are now, only with much less time until primary day. Candidates will not know who their voters are, and vice versa, until the last minute. If the delays are extended enough, at-large elections will be the only solution. What we will have passed will be less than a nullity; it will have been an invitation to further delay, an excuse for more obstruction, and a cause of exactly the result our colleagues in the House want most to avoid.

TRYING TO INTERPRET THE CONFERENCE BILL

The second course open to the courts would be to intrepret the bill in such a way that the demands of the Constitution will be met. This requires ignoring the intent of the bill's drafters, but if the choice is either to follow their intent and invalidate the bill, or to ignore their intent and save the bill, some courts may choose the latter. In fact the language of the bill is rich and pregnant with meanings of such variety and subtlety as to be a law student's dream and a judge's nightmare.

The most simple rereading probably fails in cloaking the bill with constitutionality, but clearly indicates the range of possible results. Since a special census must be available for use before a redistricting is ordered, a court might merely order the State to obtain a special census before redistricting. In some small States, like Nebraska, this might be possible even in time for 1968, although it would be a colossal waste of State money, since even under the conference bill, by redistricting voluntarily, the State can use the 1960 census. In larger States the special census would be available only for the 1970 election, requiring at-large, or court-drawn, or voluntary 1960-based districts, for 1968, and new "permanent" census-based districts in 1970, just in time for the decennial census.

The next reading is that expounded upon at length by the chairman of the House Judiciary Committee on the floor of the House 2 weeks ago. He argued that the bill merely says "no State shall be required to redistrict" without a special census meaning that a court cannot require a legislature to redistrict; but he pointed out that the bill does not prevent a court from itself redistricting the State on the court's own initiative, using whatever figure it wants. This magnificent exegesis practically reads the special census requirement out of the bill, since a court can use 1960 figures if it redistricts, and the State can still also do so if it "voluntarily" redistricts. Thus, for example, under this reading of the bill, the courts in Nebraska and California could, and probably would, adopt their own redistricting plans if the State refuses to redistrict, although they could not order the State to do so.

Under a third reading, however, the present court order to the California Legislature to redistrict might be perfectly appropriate. For during the floor debate on the original bill in the House last April, it was made clear by Chairman

CELLER that for the purposes of these bills a State court would be considered part of the same State government as the State legislature, so that any action taken by the State legislature on order of the State court would be considered "voluntary" State action not subject to the conference bill. Thus a State court order to use the 1960 census to redistrict is equivalent to voluntary use of that census by the State legislature, and is proper even under this bill.

A fourth reading affects the status of at-large elections. The first sentence of the bill requires a State to redistrict so as to have one district for each Congressman. However, the second sentence says that no State is required to redistrict until it has a special census available. The logical construction is that the second sentence operates as a limitation on the first, so that a State is not required to redistrict into one-member districts until it has a special census. Under this reading, Indiana, for example, while it could not be required to run at large because of the third sentence of the bill, could not be required to redistrict to avoid an at-large election until it had a special census.

I could go on in this vein, but I think my message is clear enough already. To make this legislation valid the courts would have to read away major parts of it. The trouble is that different courts would read away different parts. Different States would be happy with different readings. In general, the result might be that we would find the courts doing almost exactly what they would have done without the bill, with such minor distortions as adopting redistricting plans instead of ordering them, or allowing choice between "voluntary" at-large elections and "voluntary" redistrictings, neither one of which could be ordered. But in the meanwhile we would have total confusion, lengthy delays, clogged courts, stymied legislatures, and hundreds of Congressmen who do not know where their next district is coming from.

That state of affairs would not be fair to the courts; it would not be fair to our colleagues in the House; and most of all it would not be fair to the Americans whom we in the Senate also represent. We cannot in good faith send to the President a bill which we know is either going to be found unconstitutional or is going to be construed in so many different ways that its impact is totally unpredictable. It is said that the principal motivation of our colleagues in the House was the avoidance of at-large elections. But if the bill is voided, or construed in certain ways, even this goal will not be achieved. If it is a worthwhile goal, it must be met in other ways.

Our responsibility is clear and simple. We must not establish precedent that meaningless and retrogressive legislation can pass if its backers just keep trying over and over. Persistence is no substitute for substance.

We must not yield to those who seek to reverse every decision of the Supreme Court with which they disagree. We must not reverse the trend toward more effective voting set in motion by the abolition of the poll tax and the passage of the Voting Rights Act. We cannot dilute the promise of the Constitution that each man's vote shall be "as nearly as practicable" equal to every other man's—not perfectly equal, but as equal as practicable. We must, therefore, reject this conference report.

I yield to the Senator from Tennessee such time as he may require.

Mr. BAKER. I thank the Senator for yielding. I shall require about 7 minutes.

Mr. President, with all due deference to the conference committee, I am opposed to the report of the Senate-House conference on congressional redistricting. I will vote against acceptance of it, and I earnestly hope that a majority of the Senate also will vote to reject it.

The issue which the report presents is essentially the same issue with which this body dealt definitively and, in my judgment, properly, during the debate on congressional redistricting in May and June of this year; that is, whether the Congress may validly, or should desirably, enact a law which would in 18 States, which include 259 Congressmen, delay for 5 years the enforcement of the clear constitutional mandate that each man's vote for his Congressman counts as much as the next man's vote.

The American people are familiar with the nature of this mandate and with the brief history of its swift implementation by the courts and the State legislatures. The constitutional basis for fair districting begins with the U.S. Supreme Court's 1964 decision in Wesberry against Sanders, which established that the Constitution's plain objective is that of making "equal representation for equal numbers of people the fundamental goal of the House of Representatives"—376 U.S. 1, 18. The Court held that:

> The command of Art. I, sec. 2, that Representatives be chosen "by the People of the several states" means that as nearly as is practicable one man's vote in a congressional election is to be worth as much as another's. Id. at 8.

Language in the Court's later holding in *Reynolds* v. *Sims* (377 U.S. 533, 578 (1964)) made clear the suggestion in Wesberry that there is a more exacting standard of equality required in congressional districting than in State legislative election districts.

Perhaps because population is so clearly the central, and probably exclusive, factor of importance in congressional redistricting, the Supreme Court has moved more swiftly than in State legislative redistricting toward requiring near exactness of population equality among the districts within a State. The Court's latest decisions indicate that a State's district lines do not conform to the requirements of the Constitution if any district's population deviates more than 10 percent above or below the State's average district population. See ***Duddleston*** v. ***Grills*** (385 U.S. 455 (1967)); ***Kirkpatrick*** v. ***Preisler*** (385 U.S. 450 (1967)).

These landmark decisions have worked extraordinary changes in the quality of the Nation's representative Government. Since the Wesberry decision, district lines have been reshaped in 33 States. Many States redistricted voluntarily; some only with the encouragement of a court's order; and, in a few States where the legislatures could not agree, the courts themselves redrew the lines.

The magnitude of the importance of the decision is dramatically demonstrated by the fact that between 1964 and 1966 lines in 158 congressional districts were redrawn, in response to the requirements set down in the Wesberry decision and others, and in response to the requirement of the Constitution for equal representation in the House of Representatives.

The conclusion one draws from these events in inescapable: the determined implementation of the principle of the Wesberry decision during the past 2½ years has been the backbone of the movement toward fair districting in the Nation; any weakening or avoidance of that principle or delaying of its implementation would seriously undermine pending and future efforts at fulfillment of these important constitutional rights.

And let there be no doubt that much remains to be done. There are today 18 States with congressional districts which have been declared unconstitutional by the courts—California, Indiana, and New Jersey—or in which court challenges are pending—Texas, Missouri, Ohio, New York, and Florida—or in which district lines are vulnerable to attack under constitutional standards—Colorado, Connecticut, Georgia, Iowa, Louisiana, Minnesota, Nebraska, Pennsylvania, Washington, and West Virginia.

There is also the question of gerrymandering—which will not be dealt with today—but with which the Senate did deal firmly in June. The outlawing of this shoddy practice—which has been employed to discriminate against minority parties, interests, groups, and races—is essential to a completion of the task of assuring fair representation for all Americans in the U.S. Congress.

I should like to emphasize at this point that my motives in my actions today do not spring from any narrow, local interest. The State of Tennessee has no districting problem of which I am aware; its lines were redrawn only this summer by court order, after extensive consideration of the views of all parties affected, and to the seeming satisfaction of all parties.

Neither am I motivated by partisan political interests. While it is true that in some States the Republican Party has been disadvantaged by unfair districting, it is equally true that in other States unfair drawing of district lines has worked against the Democrats.

And I have not succumbed, I hope—despite my lawyerlike inclination in that direction—to a detached entrancement with the manipulation of barren legalisms in an attempt to justify my position or prove my point.

Instead I am concerned about each individual's right in this democracy to the most perfect form of representative government possible under the Federal Constitution. This concern is based upon the proposition that the House of Representatives is the keystone of our Nation's representative form of self-government. The process of electing Congressmen is the most effective means the majority of the people have of regularly imposing their will upon the Central Government, which in our federal system is the dominant Government.

The primary means of determining what set of beliefs will be imposed upon the Central Government is, of course, our traditional system of partisan political competition in which two national parties contend for the right to express the ambitions, desires, aspirations, and dissent of all Americans.

Our Nation comes closest to true representative government expressed through political party competition when each man's vote counts as much as the next man's.

If a man has only a part of a vote, the candidate of his political party has only a part of a fair opportunity to compete for the right to speak for him in the House of Representatives, and his Nation has a Government which represents a part of the people more adequately than it does the rest.

Acting upon these principles and this belief, the Senate, on June 8, passed by a convincing margin, 55 to 28, legislation which would have set definite legislative standards implementing and fully consistent with the Federal Constitution's strict one-man, one-vote requirement. That legislation would have prohibited the gerrymandering of congressional districts and would have permitted a population variance of only 10 percent between the smallest and largest districts in a State beginning with the 1968 elections.

The Senate action came in the form of an amendment to a House-passed bill, and the debate focused upon the same issue upon which we focus today. The House version, H.R. 2508, would have permitted a population variance of 30 percent between the largest and the smallest districts in the States—a variance that clearly exceeded the limits permitted by the Constitution. The House also would have left the question of gerrymandering to the States—or, in other words, would have left the question of gerrymandering where it is today. Finally, the House bill prohibited at-large elections for House members, except in Hawaii and New Mexico, beginning with the 1968 elections.

Although the distinguished chairman of the House Judiciary Committee [Mr. CELLER] began as early as 1951 to gain enactment of sound legislative standards for redistricting, the measure that came to the Senate this year from the House had not felt the scrutiny of careful public hearings. Indeed, the first real public attention to the bill was drawn briefly during the limited House debate—largely through the efforts of the Congressman from Michigan [Mr. CONYERS]—and during a more extended discussion in this body.

Following the debate, the Senate rejected the attempt by the House to fashion legislation that would avoid the one-man, one-vote decision, amended the bill to establish sound constitutional legislative standards for redistricting, and there was a conference.

The conference, despite diligent efforts, could not agree on the gerrymandering question and on the question of temporary and permanent standards governing population variance between districts.

Finally, on October 19, the conference filed its report with the House of Representatives. There was nothing in the report that was included in the Senate's amendment. Instead, the House reported one provision which was in the House bill as it originally came to the Senate, and one new provision which had been in neither the House nor the Senate version.

The part of the report extracted from the House version, and later agreed to by the Senate, made illegal at-large elections for House Members, except in Hawaii and New Mexico, for the 1968 and 1970 elections.

This provision reflected a widespread, and justifiable, I think, concern among House Members that a Federal court faced with a recalcitrant State legislature might simply order all members of that State's delegation to run at large in the 1968 or 1970 elections.

Such a result would be an unwelcome distortion of the political process. A strength of the House is that its Members represent narrowly defined groups of people. In all but the smallest States, a Member elected from a district can pay closer attention to the needs and problems of individual constituents than can a Senator or a Representative at large who must represent many more individuals.

The desirability of Congress acting promptly and definitively to remove the possibility of at-large elections in all States with more than one district is clear. And no one doubts that Congress may properly enact such a provision pursuant to its constitutional power under article I, section 4, to alter regulations governing the times, places, and manner of holding elections for Senators and Representatives.

The problem with the at-large prohibition contained in the conference report is that the prohibition is inseparably connected to another provision regarding special Federal censuses which, I am convinced and as I will explain in a moment, is unconstitutional.

If the courts declare the one part unconstitutional, the at-large prohibition will also fall, for there is no severability clause contained in the report.

The result will be, if this report is enacted and then found unconstitutional, to heighten the possibility of at-large elections in 1968 for the 259 Members of Congress in those 18 States which are now under court order to redistrict, or in which court challenges are pending, or in which district lines are vulnerable under constitutional standards.

This is so because, given the usual delays in the legislative and judicial process, it may be next spring before the Supreme Court provides a definitive answer on the constitutionality of this proposed legislation. Until that time, the judicial and legislative endeavors in many of these 18 States probably will grind to a halt awaiting the Court's decision. After that decision, there may not be time to convene the legislature in order to redistrict. The courts could then either draw the lines themselves—which has only happened in Arizona, Illinois, Maryland, Montana, and Tennessee—or order at-large elections.

Therefore, I think it fair to say that a vote to accept this conference report is a vote for increasing the possibility of at-large elections for House Members in 1968. From the point of view of those concerned about at-large elections, no bill is better than this bill.

The most effective way to prohibit at-large elections will be to pass separate legislation, unclouded by doubts of constitutionality, that immediately and finally bans at-large elections in all States. I have indicated my firm intention to attach to some pending business in the Senate an amendment that will do exactly this. I reiterate my intention to do so. I feel confident that both the Senate and the House will accept such an amendment.

Therefore, for those Senators concerned about at-large elections, I submit that the most effective method of prohibiting such elections is to vote against acceptance of this conference report—which heightens the possibility of at-large elections—and to vote for my amendment to ban such elections.

I am hopeful that this suggested treatment of the at-large elections issue should satisfy those with qualms about voting against a report containing an at-large election prohibition, and that the remainder of the debate might focus upon the question whether the special census provision is unconstitutional and bad policy and whether therefore the report should be rejected by the Senate.

The second sentence of the conference report provides that no State shall be required to redistrict prior to the Nineteenth Federal Decennial Census unless the results of a special Federal census conducted pursuant to the act of August 26, 1954, as amended, are available for use.

The justification for this provision, according to the House managers of the bill, is that:

> Changes that have occurred in the structure of the U.S. population since 1960 are too vast in many instances to permit any reasonable degree of accuracy in establishing district lines on the basis of the 1960 census data.
>
> The expense and effort involved in congressional redistricting should not be devoted to an enterprise that necessarily in many states must be so inaccurate as to be unreasonable when based on 1960 census data. It is preferable to wait until the 19th decennial data is available if updated special census data is not available.

I should like to respond in the following way to the arguments in favor of this new provision which was in neither the original House bill nor the original Senate amendment to the House bill, but was developed in the conference.

First, if this provision is saying to the courts, "You cannot order a State to redistrict unless that State voluntarily agrees to pay for and provide a special Federal census," then the legislation is unconstitutional because it permits a State the option of declining to redistrict by refusing to authorize and pay for a special Federal census. There is no question that Congress can act, as the Senate did in June, to establish more defined standards within the limits set by the Constitution.

There is equally no doubt in my mind that congressional action which attempts, as this special census provision does, to limit the Supreme Court's definition of the Constitution will be ruled repugnant to the Constitution.

This provision is repugnant to the Constitution because it permits the State the option to withdraw from the court's jurisdiction over implementation of the one-man, one-vote principle.

But it has been suggested by proponents of the report that because the legislation has a presumption of constitutionality, we should interpret the special census provision in a way that might be constitutional.

It has been pointed out that nothing in the bill prohibits a State from voluntarily redistricting on the basis of 1960 census figures. It has also been suggested that a Federal court could itself redraw the State's lines on the basis of the 1960 census figures.

Finally, it is suggested that even if there is some unconstitutional aspect to the legislation, that this legislation serves only as an admonition to the courts.

Such arguments certainly create confusion about the justification for the special census provision. If the purpose of the provision is to establish a congressional policy against the use of 1960 census figures, then why should the 1960 figures be bad only when Federal courts order a State legislature to draw new district lines? Why are 1960 figures also not outdated when Federal courts themselves redraw district lines, or when a State decides to redistrict, or even when a State court—as in the California situation—has ordered a legislature to redistrict? One must conclude that there must be some reason other than the inaccuracy of 1960 census figures to justify our acceptance of this special census provision.

The only other interpretation is that the Congress is either admonishing or ordering the courts not to require any State to redistrict until the 1972 elections unless it voluntarily agrees to do so.

This interpretation is suggested in the remarks of the distinguished Senator from Nebraska [Mr. HRUSKA], made on the Senate floor on October 31, RECORD, page 30635, where he says:

> The language of the conference report is simple and direct. It accomplished its objective very well. In short, no state shall be forced to redistrict prior to the 1970 census; however, a state can voluntarily redistrict at any time. It also prohibits at-large elections except for the states of Hawaii and New Mexico. This and nothing more is the intent of the bill.

In short, the Senator seems to be saying that this bill is designed to delay redistricting in all States which do not voluntarily decide to redistrict until after the 1970 census is completed.

Mr. President, after the congressional redistricting bill was sent to conference and returned, first to the House of Representatives and then to the Senate, I find, upon close examination, that not one provision of the amended Senate version of this bill was retained in conference. The House provision against running at-large was eliminated in the Senate form, but restored in conference. The provision against gerrymandering in the Senate form was eliminated in conference. The provision dealing with the permanent limitation of not more than 10 percent variation between districts was eliminated in conference; and we are presented, Mr. President, with a conference report which is, in fact and deed, a complete innovation of that committee, and which has the practical effect of doing two things, in my judgment: First, depriving the Federal judiciary of any effective right to review the inadequacies of redistricting prior to 1972; and second, heightening the possibility and advancing the probability that this Nation may be faced with at-large elections in many of our States in 1968.

The reason for that, Mr. President, in my judgment, is that a close reading of the conference version of the bill will disclose that there is no severability clause to establish the independence of the provision which defers redistricting until 1972 from the provision which prohibits at-large elections.

If the courts find, and I feel they will find, that this conference report is unconstitutional, if any part of the bill fails, the entire bill will fail, and we will have no prohibition against at-large elections.

In conclusion, it therefore seems to me that there is no way to interpret the bill in a way that is both reasonable and consistent with the Constitution. It must be read either to be unconstitutional or to mean nothing. It does not establish a congressional policy against the use of the 1960 census figures: First, because it unreasonably permits the figures to be used in all types of situations but one; and second, because it could not establish such a policy since the courts have repeatedly ruled that, whatever the inaccuracies of those figures, there will continue to be court-ordered redistricting and it will be done on the basis of 1960 figures. If the justification for the special census provision is to delay redistricting until 1972 unless a State voluntarily elects to do so, it is clearly unconstitutional. If the justification for it is to "admonish" the courts to delay redistricting until 1972, the legislation is either suggesting that the courts overrule themselves, which is not likely, or it means nothing.

So, Mr. President, as I stated earlier, I shall vote against this conference report, for I feel that in this instance, no bill is better than this bill.

The PRESIDING OFFICER. The Senator's 7 minutes have expired.

Mr. BAKER. I ask for 1 additional minute.

The PRESIDING OFFICER. The Senator has control of the time.

Mr. BAKER. I believe I yielded control of the entire time in opposition to the conference report to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Tennessee got half, and the Senator from Massachusetts got half.

Mr. BAKER. I understand.

As I say, Mr. President, I feel that no bill is better than this bill, for these reasons:

Because of the heightened possibility of at-large elections.

Because of the iniquitous possibility of deferring any sort of redress for inequalities of congressional districts for 5 full years.

And because I feel that this body, and the Congress, have another alternative. While it is true that under the rules of the Senate, the conference report cannot be amended, I would respectfully urge and hope that my fellow Senators will vote down the conference report, vote no, vote against it, and then, at a subsequent time, I shall propose simple legislation which would directly, explicitly, and very clearly prohibit elections at large, thus accomplishing what we must do if we are to avoid one of the serious risks and dangers that I believe are presented and heightened by the pending legislation in its present state.

Mr. President, I have previously stated on this floor that I intended to introduce such legislation as an amendment to appropriate pending legislation. If the Senate does concur in disapproval of this conference report, then I propose to amend accordingly the first and convenient and appropriate piece of legislation, so that the Senate will have an opportunity to vote on a straightforward prohibition against at-large elections, without having to run the risks that this conference report presents, and without having to saddle the country with congressional districting inequality until 1972.

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY of Massachusetts. Mr. President, I yield 5 minutes to the Senator from Maryland.

The PRESIDING OFFICER. The Senator from Maryland is recognized for 5 minutes.

Mr. TYDINGS. Mr. President, I take this opportunity to support the position taken by the Senator from Massachusetts [Mr. KENNEDY] and the Senator from Tennessee [Mr. BAKER].

Mr. President, last May the Senate took historic action in approving a bill which provided valuable guidelines for State legislatures to follow in drawing congressional districts. The bill would have allowed no more than a 10-percent population deviation between the largest and smallest congressional districts in a State, and would have provided safeguards against gerrymandering of district lines. The bill approved by the Senate, in short, supported the constitutional principle of one man, one vote, and gave State legislatures and the courts a proper blueprint for implementing the mandate of the Constitution.

I deeply regret that this excellent Senate bill was not approved in conference. For many months, the conference labored in attempting to resolve differences between the Senate and House bills, but finally it was determined that the differences ran too deeply and that no meeting of the minds was possible on the key issues of population variances or gerrymandering.

There were, however, two matters on which a majority of the conferees were able to agree—that, except for Hawaii and New Mexico, Representatives in Congress shall be elected from single-member districts and not at large, and that no State shall be required to redistrict until after the 1970 census, unless a special census is taken earlier in that State to update the 1960 population figures.

I believe that this second provision—placing an embargo on congressional districting for at least two congressional elections, until after the results of the 1970 census are known—is, at best, of dubious constitutionality. Although proponents of the bill may argue that the 1960 census figures are so outdated that they cannot be reliable guides for implementing the one-man, one-vote principle, I believe it is even less reasonable to acquiesce in an apportionment which was made without any attempt whatsoever to conform to this principle. Obviously, it would be desirable to have congressional districting based on current population figures. But the absence of current data cannot be a ground for wholly ignoring the Constitution's mandate. If we do not have current data, we must use the best that is available. To do otherwise is to flout the Constitution.

In my judgment, if Congress approves this bill, we will spawn vast confusion in the State legislatures and more controversy in the courts. State legislatures already under court orders to redistrict will take this congressional act as an excuse to disregard the orders. And those of us who have served in State legislatures know that they do not need much excuse. Litigation will ensue which ultimately can only be resolved in the Supreme Court, and the course of litigation will take well into 1968.

In May or June of 1968—with a congressional election looming around the corner—I believe it most likely that the Supreme Court will declare this embargo on reapportionment unconstitutional. At that point, no Congressmen in the challenged States will know where he stands. No citizen in those States will know who will be representing his district, or whose record he should be evaluating for purposes of casting his vote. In short, the political processes of a great number of States will be thrown into considerable disarray. This situation can and should be avoided. The confusion will not be the fault of the courts. It will not be the fault of the one-man, one-vote principle. The confusion will have been created by the Congress of the United States which will have led the State legislatures down an improper, constitutionally impermissible path.

The confusion will have been created by the Congress of the United States in adopting a conference committee report which the junior Senator from Massachusetts has characterized as unclear, unconstitutional, and unconscionable.

This situation can and should be avoided.

We can avoid this situation easily, directly, and firmly by rejecting the conference committee report.

I urge the Senate to take this action.

Mr. President, I yield the floor.

Mr. KENNEDY of Massachusetts. Mr. President, I yield 5 minutes to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 5 minutes.

Mr. CLARK. Mr. President, the pending bill is a bad bill. It is one of the worst bills that I think has been brought to the floor of the Senate during the years in which I have been here.

I hope the conference report will be rejected. However, I shall leave to others, the Senator from Maryland [Mr. TYDINGS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Tennessee [Mr. BAKER], and the Senator from Michigan [Mr. GRIFFIN] the detailed arguments as to why the pending bill is a bad bill.

I would rather turn to a discussion of a parliamentary procedure which I think has been violated in a most unfortunate way in connection with the appointment of conferees to the pending bill.

Since the time of Jefferson, the principle has been acknowledged that the majority of conferees from a given House should represent the prevailing view of that body on the bill to be considered.

The current manual states that this is Senate practice. There is no rule which establishes this practice. It is merely established by a long series of precedents.

When the issue has been raised that a majority of the Senate conferees had voted against the position of the Senate, on numerous occasions the conferees have in good conscience resigned of their own will—because they were gentlemen of honor—in order to assure that a majority of the conferees going into conference with the House should support the views of the Senate.

I yield to no man in my admiration and, indeed, my respect for the conferees who undertook to represent the Senate in this matter. They are men of honor. I would never suggest otherwise.

I doubt whether this matter was appropriately called to their attention.

Let me call the roll.

Senator EASTLAND, a conferee, voted "no" on the Senate bill.

Senator ERVIN, a conferee, voted "no" on the Senate bill.

Senator MCCLELLAN, a conferee, voted "no" on the Senate bill.

Senator HRUSKA, a conferee, voted "no" on the Senate bill.

Senator DIRKSEN, a conferee, voted "no" on the Senate bill.

The only conferee who was prepared by his vote to support the position of the Senate was the Senator from Massachusetts [Mr. KENNEDY], and he went into that conference with five of his colleagues who had opposed him in his successful and victorious effort to persuade the Senate to adopt a good reapportionment bill. What chance did he have? Obviously none, as this conference bill indicates.

I think that we ought to reject the conference report and that in good conscience five of the six Senate conferees should resign, and that conferees who believe in fair and equitable apportionment of Members of the House of Representatives should be appointed in their stead. We should go back to conference and do what we can, with these new conferees who believe in what the Senate believes in, to bring back a bill which we can conscientiously support.

I will vote against the conference report.

Mr. President, I yield back the remainder of my time.

Mr. KENNEDY of Massachusetts. Mr. President, I yield 5 minutes to the Senator from Michigan.

The PRESIDING OFFICER. The Senator from Michigan is recognized for 5 minutes.

Mr. GRIFFIN. Mr. President, when it comes to selecting Members of the U.S. House of Representatives, one man's vote should be worth as much as anothers. This principle was established in the Constitution, and the Supreme Court has sought to give meaning to the principle through its decision in *Wesberry* v. *Sanders* (376 U.S. 1, 8 (1964)).

Although Congress has the opportunity and the responsibility, under the Constitution, to implement this fundamental principle by enacting appropriate legislation, the conference report before us does not achieve that worthy purpose.

The legislation proposed in the conference agreement is inadequate and unacceptable from a policy standpoint. Furthermore, the legislation is unconstitutional, in my opinion; and I find it necessary, therefore, to oppose it.

In April, the House of Representatives passed H.R. 2508, a bill which purported to establish standards for congressional redistricting.

In June, the Senate passed a much better substitute measure which included a 10-percent limit on the permissible population variation between the largest and smallest congressional districts in a State; a provision to guard against gerrymandering; a requirement that necessary redistricting be completed in time for the 1968 elections; and an assurance that no State would hold at-large congressional elections to select more than one Representative.

Ordinarily, a conference agreement reflects compromise between House and Senate versions of legislation. But, in this instance, the agreement does not represent middle ground. Instead, it is a departure, in important respects, from both bills.

The Senate bill provided for a 10-percent allowance for population variation; the House bill provided for 30 percent. The conference report sets no limit whatsoever.

Both bills would have established permanent limitations as to population variation; but the bills differed as to whether the limitations would become effective in 1968 or in 1972. The conference report provides for no permanent standards whatsoever as to population variation.

The conference agreement purports to bar at-large elections—but then it proceeds to except Hawaii and New Mexico. On its face, it seems to me that this is ridiculous and should be unconstitutional. If Hawaii and New Mexico, each of which has two Members of the House, can elect their representatives in at-large elections, then on what possible basis can we constitutionally declare that other States, such as Idaho, Montana, and

New Hampshire, for example, may not do so?

Mr. President, it strikes me that the Nation would be better off with no legislation than would be the case if Congress should adopt this conference report.

The legislation which it proposes does not establish a 10-percent ceiling—or any other ceiling—on population variation.

It does not deal at all with the gerrymandering problem.

After two elections—which will select Members of the 91st and 92d Congresses, for which no redistricting would be required—this legislation would expire.

Mr. President, this proposal would not be operative soon enough nor long enough—and during its brief life it would accomplish little or nothing. However, it would create considerable confusion.

The conference report implies that Congress, by enacting this legislation, could somehow suspend or postpone a constitutional right, or the power of the Federal judiciary to enforce that right. It is difficult to believe that any constitutional lawyer could seriously advance such a proposition in light of recent decisions of the Supreme Court in this field.

I am certain that Michigan voters who elected me in 1966 to the U.S. Senate did not do so with the expectation that I would postpone my responsibilities as a Senator until 1970 or 1972. Congress should not postpone or duck its responsibilities. And certainly we would be unwise to enact legislation which would give rise only to a 5-year hiatus.

Mr. President, because two issues which are totally different are often confused and interwoven in the minds of many people, I wish to draw a distinction that is important to bear in mind.

Although the Supreme Court correctly interpreted article I of the Constitution by applying the one-man, one-vote principle to congressional districting, I wish to emphasize my view that the Supreme Court erred when it interpreted the 14th amendment to require that both houses of a State legislature be apportioned strictly on a population basis regardless of the wishes of the people in the State.

The Supreme Court went too far, in my view, when it ruled in *Lucas* v. *Colorado* (377 U.S. 713), that the people of a State do not have the power to establish one house of a bicameral legislature on a basis other than population—even when such a system is overwhelmingly adopted in a referendum by the people—voting one man, one vote.

Because I believe the Supreme Court went too far in Sims and Lucas, I have consistently supported the call by Senator DIRKSEN for a constitutional amendment to reverse the Court on this point.

Under our Federal system, of course, only one House of Congress is apportioned on the basis of population. And the business now before the Senate is to make sure that representation in that one House will, in fact, be based on population.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. GRIFFIN. I ask that I be permitted to proceed for 2 additional minutes.

Mr. KENNEDY of Massachusetts. I yield 2 additional minutes to the Senator from Michigan.

Mr. GRIFFIN. Mr. President, I believe the Supreme Court reached far beyond the intent of the Constitution's framers when it ruled that both houses of a State legislature must necessarily be apportioned solely on a population basis. There is nothing in the Constitution or in the history of the constitutional debates which should interfere with the right of the people in a State to establish a legislative system similar to the Federal system, particularly if they choose to do so by a referendum, voting one man, one vote.

Mr. President, the constitutional principles involved in apportioning the U.S. House of Representatives are not identical to those which govern establishment of a bicameral State legislature. I have chosen to focus briefly on this matter because there seems to be considerable confusion and an unfortunate tendency in the minds of many to equate the two situations.

I am proud that the State of Michigan ranks fourth among the 50 States in the effort to give meaning to the one-man, one-vote principle as it applies to apportionment of seats in the House of Representatives. In Michigan, the percentage by which the population of the largest House district exceeds the population of the smallest House district is only 3.4 percent—which is clearly within any reasonable guideline or limitation.

As a Republican, I am also glad to know, as the distinguished junior senator from Tennessee [Mr. BAKER] has pointed out, that Republicans provided leadership in Tennessee in advancing the cause which finally culminated in the landmark decision of Baker against Carr.

But the constitutional right of equal representation in the U.S. House of Representatives is not a State issue or a party issue—it is a national issue. It is a right which should not and cannot be postponed until 1972.

Mr. President, I join the distinguished Senator from Massachusetts and the distinguished junior Senator from Tennessee in appealing for rejection of the conference report.

Mr. HRUSKA. Mr. President, I ask the Senator from North Carolina to yield me 10 minutes.

Mr. ERVIN. I yield 10 minutes to the distinguished Senator from Nebraska.

Mr. HRUSKA. I thank the Senator.

Mr. President, whether a bill is good or bad depends, to a great extent, upon the circumstances which exist at the time the decision on that bill is made.

In my opinion, this conference report is as good as we could obtain under the existing circumstances. The alternative that has been pointed out many times today, is no bill at all.

As one of the conferees who attended all conference meetings, I can assure everyone that a genuine and sincere effort was made to reconcile the House and the Senate bills.

The conferees acted in good faith, but on many points we were unable to reach agreement. In this connection, attention should be directed to the fact that on June 27, 1967, the conference committee reported a compromise measure. It was a much more comprehensive report than the one now being considered, but when it reached the floor of the House, unanimous consent was obtained to recommit it to the conference committee. The report before us is a much different proposal than the agreement in the June 27 report.

This fact is overlooked when it is charged that there was no bona fide attempt to reconcile the House and Senate versions. There was such an effort. And it was made in good faith. The result of this good faith effort is the conference report we now have before us. It is brief; nevertheless, it embodies the only agreement that could be obtained.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield on my time, or would he prefer that I wait?

Mr. HRUSKA. I am happy to yield for a question.

Mr. KENNEDY of Massachusetts. On the question of compromise, Mr. President, I think it is important——

Mr. HRUSKA. I yield for a question. If the Senator wishes to make a statement, he should make it on his own time.

Mr. KENNEDY of Massachusetts. I am willing to make it on my own time. Mr. President, is the Senator from Nebraska familiar with the remarks made by Representative MATHIAS of Maryland, one of the conferees, in the House debate? I shall read a brief excerpt, and ask the Senator whether he is familiar with it.

Mr. MATHIAS said:

> It is no secret that the House conferees had agreed to accept the House interim provisions and the Senate permanent provisions for congressional districts. This would have been an honest compromise.

Then, in response to an inquiry, Representative MATHIAS of Maryland continued:

> If the gentleman is interested in those subjects, the thing to do is to send the report back to the other body as written, to let the other body give instructions to its conferees, because that is where the trouble is on those questions.

I am wondering if the Senator from Nebraska is familiar with those questions that were raised by a Member of the House conferees, who is one of the architects of what appeared to many of us—both those who supported the proposal in the House and myself—as a reasonable compromise.

Mr. HRUSKA. Yes; I am familiar with those questions. I will point out, however, it was also the gentleman from Maryland [Mr. MATHIAS] who said in debate in the House that he would vote for the conference report since it was the best we could do.

Mr. President, the vote in the other body on passage of this conference report was 241 to 105. It is a matter primarily affecting the other body, and the report is a reasonable compromise; therefore, comity should be extended by the Senate to accommodate the preference of the other body.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator yield?

Mr. HRUSKA. I would prefer to yield after I have finished developing a point.

Mr. President, much has been said about one man, one vote. It is asserted repeatedly that one man's vote should be worth as much as the vote of another man. I subscribe to that theory, but with certain limitations. An example of such a limitation was mentioned by the Senator from Michigan when he stated that the 14th amendment was wrongfully construed when the Supreme Court made it applicable to both houses of State legislatures. It must be remembered, however, that one man, one vote will not be achieved by the rejection of this report.

The 1960 population figures are obsolete, and to use them would be to magnify the very disparity among congressional districts. Since 1960 there has been a great population shift. This shift has been among the several States and among congressional districts within each State.

Mr. President, I ask unanimous consent to have printed in the RECORD a chart showing the population differences from 1960 to 1967 of 16 States.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

TOTAL RESIDENT POPULATION CHANGES IN SELECTED STATES 1960-67

[In millions]

State	1960 census (Apr. 1)	1967 estimate (July 1)	Change 1960-67	
			Number	Percent
California	15.7	19.1	+3.4	+21.9
Colorado	1.754	1.975	+.221	+12.6
Connecticut	2.535	2.925	+.390	+15.4
Florida	4.952	5.996	+1.045	+21.1
Georgia	3.943	4.511	+.568	+14.4
Indiana	4.662	4.999	+.337	+7.2
Iowa	2.758	2.753	−.005	−.2
Minnesota	3.414	3.582	+.168	+4.9
Missouri	4.320	4.605	+.285	+6.6
Nebraska	1.411	1.435	+.024	+1.7
New Jersey	6.067	7.004	+.937	+15.4
New York	16.7	18.3	+1.552	+9.2
Ohio	9.706	10.462	+.756	+7.8
Pennsylvania	11.3	11.6	+.307	+2.7
Washington	2.853	3.089	+.236	+8.3
West Virginia	1.860	1.798	−.063	−3.4

Source: Bureau of Census Population Estimates, Sept. 5, 1967.

Mr. HRUSKA. Mr. President, it will be noted from this chart that California had an increase in population of 3.4 million from 1960 to 1967. There was a shift of population in Colorado of a quarter of a million; in Florida, over a million; Georgia, 500,000; New York, 1.5 million; New Jersey, 900,000; and Ohio, 700,000.

By the same token, while there is an estimate by the Bureau of the Census as to the number of people gained or lost by a State, there are no comparable estimates available as to the population shifts in the respective districts.

If this conference report is rejected, we would be forcing upon the courts the admittedly impossible task of trying to divine in some way the respective populations of these congressional districts. In California, where estimates of county population are not even available, or in New York where a similar situation exists, this alternative is beyond comprehension.

Under these circumstances it is submitted that the one-man, one-vote rule cannot be achieved by assigning to the courts the task of trying to guess population figures. Rejection of the conference report would mean a hasty and imperfect determination of population, by the court, in each district involved. Of course, this would magnify the problems and create new injustices rather than correct old ones.

Mr. President, the one-man, one-vote rule is an important principle, but it is not the only one to consider. The Representative from Maryland, Mr. MATHIAS, called this point to the attention of the House of Representatives. He said, among other things, that one of the most important principles is to achieve representative government. Other elements also are needed, such as the stability of political institutions, the familiarity of voters with the candidate and his opponent, and their respective records, promises, views, and temperaments.

In addition, it is important that the candidates be familiar with the various aspects of their districts. They must know who they represent. They must know the characteristics of the population, its desires, and its different economic, social, and other attributes. How can that be achieved if a redistricting is ordered prior to the next Congress; a redistricting that will be patently and necessarily inaccurate and violative of the one-man, one-vote rule?

Certainly, elections at large are not conducive to representative government and should be stricken. This conference report would accomplish this with the exception of Hawaii and New Mexico. I was not in sympathy with the exception given to those two States. I am in sympathy, however, with the thoughts of the Senator from Michigan that it may be an unconstitutional exception.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The time of the Senator has expired.

Mr. HRUSKA. Mr. President, I ask unanimous consent that I may proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HRUSKA. Mr. President, the solution is not to condemn the entire conference report. The portion of the report that deals with Hawaii and New Mexico is separable from the remainder of the bill. There is no separability clause in the conference report. There does not have to be. An elementary rule is that if part of an act is unconstitutional, and part is constitutional, then the provisions shall be separated if they are not inextricably connected, and the constitutional provision will stand.

In the eagerness to achieve storybook purity and perfection in terms of the one-man, one-vote rule, let me caution that if the conference report is rejected, there will be new inequities, new injustices, and additional obstacles to the achievement of effective government.

The report should be approved. It will provide stability. It would not be necessary for the courts to undertake an admittedly impossible task to order redistricting without the facts. No violence would be done to the spirit of good representative government and attempts to achieve it. The Supreme Court virtually has asked for some indication from Congress in this matter. Anything that is reasonable, I am sure, would be favorably considered by the Supreme Court.

There have been many bland statement to the effect that this report is unconstitutional. I do not know where that facility of clairvoyance arises, since so many people say that the Supreme Court does not know itself, from day to day, where it stands on various problems.

I would say that the Supreme Court would welcome this report, as an indication of congressional preference as to how this difficult problem should be resolved. There are many inequities one way, and there are many more inequities and injustices the other way. On balance, Congress is seeking to be of assistance and say, "We choose this way. Here it is."

We should approve the conference report and at a future date tie it into permanent standards for congressional redistricting.

It is my earnest hope that there will be a favorable vote on this conference report.

Mr. FONG. Mr. President, will the Senator from Massachusetts yield me 10 minutes?

Mr. KENNEDY of Massachusetts. Mr. President, how much time remains now?

The PRESIDING OFFICER. The Senator from Massachusetts has 24 minutes remaining.

Mr. KENNEDY of Massachusetts. I thank the Chair. I am happy to yield 10 minutes to the Senator from Hawaii.

Mr. FONG. I thank the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Hawaii is recognized for 10 minutes.

Mr. FONG. Mr. President, I wish to associate myself with the remarks of my distinguished colleagues from Massachusetts, Tennessee, and Michigan, and to ask all Senators to join us in voting down the conference report.

Mr. President, the conference committee on the congressional redistricting bill (H.R. 2508) has reported a bill containing the following provisions:

First. All States entitled to more than one Representative during the 91st and 92d Congresses are required to establish single-Member districts—except that the States of Hawaii and New Mexico may continue to elect Representatives on an at-large basis.

Second. No State is required to redistrict prior to the 1970 decennial census, unless there is conducted a special Federal census, and no State is required to elect its Representatives at large prior to that 1970 census.

Mr. President, I am extremely disappointed with this conference agreement.

Although authorities on constitutional law agree that the Congress may properly establish standards for State legislatures to follow in the creation of congressional districts—under article I, section 4, of the Constitution—I respectfully submit that the conference agreement will very likely be declared unconstitutional on two grounds.

First, I believe that the second section of the conference agreement may well be unconstitutional.

It would permit any State not to redistrict by not having a special Federal census before the 1970 Federal census is taken. This would permit the States to withdraw unilaterally from the Court's jurisdiction over congressional redistricting.

This, I am convinced, the Congress may not do, for there appears to be no constitutional basis for this delegation of authority.

Moreover, the conference agreement would have the effect of delaying until the 1972 elections any Federal judicial enforcement of its one-man, one-vote ruling in congressional redistricting. Aside from the large number of States affected—18 States represented by 259 Congressmen, more than half the membership of the House of Representatives—or the enormous cost involved which the 18 States must pay—one estimate is that it would cost these States some $35 million for special Federal censuses—it is highly dubious that the Federal courts would tolerate such a delay in compliance with the Supreme Court's ruling on fair congressional districting.

The second ground on which I believe the conference agreement to be unconstitutional is that a State may not elect its Members of the House of Representatives on an at-large basis. Therefore, I believe that the exemption of the States of Hawaii and New Mexico from the requirement to elect Representatives on a single-district basis is clearly unconstitutional.

The principle of electing Representatives by single-Member districts is firmly established in our constitutional traditions.

The question of representation in a national legislative body was debated at great length during the Constitutional Convention of 1787. Some of the eminent men who went to the Convention conceived a National Government as a league of States, each having equal representation at the national level.

Other delegates, disagreeing strongly with this approach, thought the National Government ought to be very close to the people, a personal government in which small areas—each one comprising a small settlement—would send a representative to the National Government.

After extensive deliberation on these questions, the Convention agreed to a settlement which has been called the great compromise. A bicameral national legislative body was established. The upper House, the Senate, would be made up of Members elected to represent States for 6-year terms, staggered so that one-third of the membership would be elected every 2 years.

The lower House, the House of Representatives, would be made up of Members elected every 2 years directly by the people and, constitutional traditions show, from smaller political subdivisions of the States.

As James Madison pointed out in his classical work, "The Federalist," No. 52, Cooke edition, at page 355:

> As it is essential to liberty that the government in general, should have a common interest with the people; so it is particularly essential that the branch (lower House) of it under consideration should have an immediate dependence on, and intimate sympathy with the people.

The Convention thus conceived of Senators, representing entire States, as being the more remote of the two Houses from the electorate, while Members of the House of Representatives, representing small constituencies, would be the more personal representatives of the people and more intimately acquainted with the needs of their particular area and group. Thus, as part of this great compromise, article I, section 2 of the Constitution provided that Members of the House should be chosen "by the People of the several States" and should be "apportioned among the several States according to their respective Numbers."

The delegates to the Convention, concerned that State legislatures might apportion House seats unequally and unfairly, provided in article I, section 4, that while the "Times, Places and Manner of holding Elections" may be left to the States, the Federal Government was to have the last word: "the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators."

All of this historic data was taken primarily from three classical works of American history, as follows: James Madison "The Federalist"; Alexis de Tocqueville, "Democracy in America," volume 1; Max Farrand, "The Records of the Federal Convention of 1787," volume 1.

Following ratification of the Constitution, each State set about to find a method which would secure to the people that best representation.

In 1842, when the Congress decided to review these methods of election, it was found that only 17 of the 26 States had established single-Member Representative districts, and that the remaining nine States allowed their Representatives to run at large.

Seeking to end the practice of these nine States of electing Congressmen at large rather than from single-Member districts, and deciding that this practice gave undue power to the majority political party in the State, Congress passed the Apportionment Act of June 25, 1842 (5 Stat. 491)—the first time it had ever exercised its power under article I, section 4 of the Constitution to regulate election of Members of the House.

That law apportioned Representatives among the several States according to the Sixth Decennial Census, and provided that—

> In every case where a State is entitled to more than one Representative, the number to which each State shall be entitled under this apportionment shall be elected by districts composed of contiguous territory equal in number to the number of Representatives to which said State may be entitled, no one district electing more than one Representative.

With the enactment of this law, the Congress clearly intended to reassert the wishes of the framers of the Constitution that the Members of the House of Representatives represent smaller, more intimate constituencies.

In 1862, Congress reiterated its desire for single-Member districts in the Reapportionment Act of that year (12 Stat. 572), and, in 1872, Congress added a requirement that districts should contain "as nearly as practicable" equal numbers of inhabitants (17 Stat. 28).

The requirement that districts be composed of "compact territory" was added in 1901 (31 Stat. 733), and all three requirements were restated in 1911 (37 Stat. 13).

There was no apportionment act following the 1920 census, but the 1929 legislation (46 Stat. 26) and the 1941 law (55 Stat. 761) failed to repeat these requirements; so that since 1929 apportionment acts have contained none of the requirements for single-Member or compact districts, or districts having nearly equal numbers of inhabitants.

For the past 38 years, then, since 1929, the Congress has failed to fill the role which the framers of the Constitution envisioned for it.

Nevertheless, for more than 87 years, each State having more than one Representative was required to elect them from single-Member districts.

The principle of electing Representatives by single-Member districts—called by President Truman in 1951 a "basic policy of our Government"—House Document No. 36, 82d Congress, first session—was therefore established more than a century ago in our constitutional law.

The provision of the conference bill exempting Hawaii appears to me to fly in the face of well-established constitutional law.

I consider the Hawaii exemption particularly unreasonable, unfair, indefensible, and unconstitutional. The conference agreement is therefore quite unacceptable to me.

I have steadfastly opposed such an exemption—during the Judiciary Committee's consideration of H.R. 2508, and during the Senate debate on the bill earlier this year.

Although the committee agreed with me and adopted my amendment to strike the Hawaii exemption, and the bill as passed by the Senate on June 8 did not contain the Hawaii exemption, I regret and deplore its inclusion in the conference bill.

From my study of the debate which took place in the House when the bill was considered on April 27, it is clear to me that the Hawaii exemption provision was approved hastily and only after perfunctory debate.

Full consideration of all the factors involved plainly shows that the Hawaii exemption should not have been included in the conference bill.

I strongly believe, Mr. President, that what is applicable to 48 other States of the Union should be equally applicable to Hawaii.

It is my understanding that the purposes of H.R. 2508 are: First, to require that States establish districts for the election of Representatives in Congress, and second, to provide that congressional redistricting be based on the 1970 census or an up-to-date special Federal census, and thus implement the one man, one vote doctrine of *Wesberry* v. *Sanders* (376 U.S. 1, 18 (1964)).

If these are the reasons for the enactment of this bill, then why not have them applicable to all States? Why did the House exempt Hawaii?

One reason advanced during the House debate on the Hawaii exemption was that the geography of the State of Hawaii renders it difficult to draw district lines.

This is absolutely untrue.

Ever since Hawaii's annexation to the United States in 1898 and the election of the first Territorial Legislature in 1900, territorial senators and representatives were elected to the bicameral legislature according to senatorial and representative districts, Hawaii Organic Act of April 30, 1900.

In fact we have only recently reapportioned both houses of our State legislature—so that district lines had to be redrawn for both the senate, in 1966, with eight senatorial districts, and for the house, in 1959, with 18 representative districts.

Having this long history and experience in drawing district lines among the eight major islands of the Hawaiian archipelago, there is no reason to believe that congressional district lines could not also be drawn, in conformity with the requirements of H.R. 2508.

Another reason cited during House debate on the Hawaii exemption and, I understand, during the conference committee's deliberations, is that never in the history of the State have congressional district lines been drawn. This is true. But we became a State only in 1959.

Hawaii's population at the time she entered the Union in 1959 was determined on the basis of the decennial census of 1950. At that time, in 1950, Hawaii's population was 499,794, which entitled the State to only one Congressman.

The 1960 decennial census, however, showed that Hawaii's population rose to 632,722. This new figure entitled Hawaii to a second seat in the House.

Thus, only since 1960 has Hawaii elected her Representatives to the National House on an at-large basis.

One apparent purpose of the conference bill's provision that no State is required to elect its Representatives at large for the 91st and 92d Congresses was to afford a transition period to some 22 States which have not yet reapportioned their legislatures.

The State of Hawaii, however, has already reapportioned its legislature.

In accordance with a decision of the Hawaii Federal District Court of March 9, 1965, and the U.S. Supreme Court case of Burns against Richardson, handed down April 25, 1966, the Hawaii Legislature reapportioned the State senate. Elections under this new apportionment were held in November 1966, and the legislature, including the newly apportioned senate, has completed its 1967 session.

Hawaii, then, does not require a transition period provided by the conference bill. Having already gone to court, and, under court order, having reapportioned the legislature, Hawaii is now prepared to proceed to implement the Wesberry ruling of the U.S. Supreme Court and draw congressional district lines. And this can be done when the State legislature meets for its 1968 session next February.

Another apparent purpose of the conference bill's provision, that no State is required to elect its Representatives at large for the next two Congresses, was to afford relief to the State of Indiana, which is the only State now under court order to elect all of its 11 Representatives on an at-large basis.

Why, Mr. President, should a ban on at-large elections be enacted to benefit especially and only one State of the Union? Why should the ban be made applicable only to 48 States, and not to all 50? Why should at-large elections be permitted in only two States of the Union, and not in the other 48?

Is it not a fact that the conferees felt that by exempting the State of Hawaii from mandatorily drawing congressional district lines, this would insure the continuation of the present political complexion of our congressional delegation?

The **PRESIDING OFFICER.** The time of the Senator has expired.

Mr. **FONG.** May I ask for 2 more minutes?

Mr. **KENNEDY** of Massachusetts. I yield 2 additional minutes to the Senator from Hawaii.

Mr. **FONG.** Is it not also a fact that by banning at-large elections in the other 48 States, which would force the State of Indiana to redistrict, this would insure benefits to a certain political party?

Is it reasonable to conclude that party politics was a motivating factor in exempting Hawaii and in banning at-large elections in 48 States?

Mr. President, in terms of size of population, Hawaii ranks 40th among the 50 States, 11th from the bottom, according to the Census Bureau's 1965 estimates.

Of the 10 States with smaller populations than that of Hawaii, five States are entitled to two seats in the House of Representatives. These five States are Idaho, Montana, New Hampshire, North Dakota, and South Dakota.

If Hawaii is to be exempted from the provisions of section 2 of the bill, it is only fair that these five States also be exempted.

There appear to be absolutely no grounds on which the exemption of Hawaii from the requirement of single-Member districts may be justified: not in terms of geography; not because of any longstanding tradition; not because of the necessity for a transition period or for relief from a court order; not in terms of population size.

Indeed, the exemption seems to me to be clearly unconstitutional.

I therefore say, Mr. President, that any State electing its Congressmen at large is doing so unconstitutionally.

For this reason, I will urge an early court test of the constitutionality of this bill if the conference report is approved by the Senate. I am very hopeful that the courts will sustain my view and strike down the exemption provision as unconstitutional.

Mr. President, because the conference report contains a proposal which I strongly believe to be unconstitutional, unfair, and unreasonable, I will vote against its approval.

For all the reasons I have cited, I urge my colleagues to vote down the conference report.

Mr. **BAYH.** Mr. President, I would like to ask the Senator from North Carolina to yield me 3 or 4 minutes in order that I may ask some questions, one question in particular.

The **PRESIDING OFFICER.** Does the Senator from North Carolina yield?

Mr. **ERVIN.** Yes, for whatever time the Senator and I consume in this colloquy.

Mr. **BAYH.** I think the Senator from North Carolina and the Senator from Massachusetts both know that I am in a somewhat torn position on this question, particularly being concerned about one part of the conference report, and yet feeling very strongly about the other.

Inasmuch as there has been considerable discussion about the constitutionality of this conference report, and inasmuch as I do not suppose any one of us here has the infinite wisdom to predict with absolute certainty what the Supreme Court is going to do, I would like to ask the Senator from North Carolina, inasmuch as he is chairman of the Senate conferees, what would be his judgment concerning the severability of these two provisions. In other words, if the Supreme Court were to rule that it is unconstitutional to prohibit redistricting, would the requirement of single-Member congressional districts still stand?

Mr. **ERVIN.** As the Senator from Nebraska stated a moment ago, in determining the severability of the provisions of an act, the Court looks to see whether a provision would stand by itself and be enforceable. On that basis, the provision providing that there shall be no redistricting prior to the 1970 census without a special Federal census is, in my opinion, clearly constitutional, and would stand, regardless of what the Court might say on the other questions.

I would say the same thing as to the other question. I think they are two separate things. I think either of them could stand by itself.

I might state to the Senator that I have no doubt in my mind—as the Senator from Indiana stated, a person would be foolhardy nowadays to predict what the Supreme Court will decide—if the Supreme Court observes the provisions of article III of the Constitution, it will certainly sustain as valid the provision stating that no State shall be required to redistrict prior to the 1970 census in the absence of a special Federal census. That is so because section 1 of article III of the Constitution states:

> The judicial Power of the United States, shall be vested in one supreme Court and in such inferior Courts as the Congress may from time to time ordain and establish.

With respect to the jurisdiction of inferior courts, it is established that these are not constitutional courts and have no jurisdiction whatsoever except such jurisdiction as the Congress gives them.

So, under this provision, if it were approved, Congress would deprive them of the jurisdiction to order a redistricting in the absence of a special Federal census.

Congress has the power to enact that requirement of a special Federal census, because Congress has the power to establish rules of evidence for the governance of Federal courts.

It is certainly a reasonable thing to say that we are not going to enforce the one-man, one-vote principle unless we have the best evidence of a violation of it by a State, and the best evidence is a current census of the population of a district.

With reference to the other question, I have no difficulty with that.

Section 2 of article III of the Constitution states that "the judicial Power" of the United States "shall extend" and enumerates the specific cases. Then it states, in next to the closing paragraph of section 2:

> In all cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the Supreme Court shall have original Jurisdiction.

That is all the jurisdiction the Supreme Court has of an original nature.

Then it states:

> In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

So the Congress can state what appellate jurisdiction the Supreme Court will have. It can restrict it. That is what it does in this provision of the act.

Now, with reference to the other matter——

Mr. BAYH. I appreciate the Senator's full explanation. As he knows, I have discussed this matter with him many times. I am not fully convinced of the correctness of his analysis of what the Supreme Court will do to part of it, but I am relieved——

Mr. ERVIN. I do not attempt to say what the Supreme Court will do. I am just saying what the Constitution says.

Mr. BAYH. The main reason I appreciate his dealing so forthrightly with this issue is that he thus makes his position abundantly clear, as did the Senator from Nebraska. I wish the Senator from North Carolina would repeat what he said about this severability aspect, because their interpretations will have significant weight, I am sure, if this matter comes before a court for determination.

I thank the Senator.

Mr. ERVIN. Mr. President, let me make these few observations:

We worked very hard on this conference. The Senator from Pennsylvania undertook to take some of the conferees to task because they happened to disagree with him; but I made various suggestions about all of the provisions of the report, in trying to reconcile the positions of the two Houses. That is, after all, the function of conferees.

We could not, at any time, obtain a consensus on anything except the provisions of this present conference report.

Of course, it would be fine if this were a perfect world, and we could get perfect legislation; but we are confronted with the fact that 435 Members of the House of Representatives have to run, be nominated, and then be elected to office within less than 12 months; and we shall face chaos and confusion in the absence of the adoption of this conference report. On behalf of those 435 Representatives and their constituents, I urge the Senate to agree to the conference report, and not look for some "pie in the sky by and by" that may be perfect according to some people's ideas.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator from North Carolina yield for a question?

Mr. ERVIN. I am happy to yield.

Mr. KENNEDY of Massachusetts. I understand, Mr. President, that I have only 10 minutes remaining. I wonder if it would be agreeable with the Senator from North Carolina that my question go on my time.

Mr. ERVIN. I am happy to let it go on any time remaining to me.

Mr. KENNEDY of Massachusetts. I appreciate the courtesy of the Senator from North Carolina.

I direct the Senator's attention to the specific language of the conference report. I read now from the congressional redistricting conference report itself, beginning about 4 or 5 lines from the bottom of the first page:

> *No State shall be required to redistrict prior to the 19th Federal decennial census unless the results of a special Federal census conducted pursuant to the provisions of the Act of August 26, 1954, as amended (68 Stat. 1013; 71 Stat. 481; 13 U.S.C. 8), are available for use therein.*

I wonder whether the Senator would elaborate on his interpretation of those words, "No State shall be required to redistrict." In the Senator's interpretation, does that language pertain to redistricting by State legislatures, or by the courts, or by both?

Mr. ERVIN. A State legislature could voluntarily redistrict, if it saw fit. But I do not think any other power on the face of the earth could require a State to redistrict, under that language. It is a restriction upon the jurisdiction of the court. The court can require redistricting, under this provision, if they have a special Federal census showing the current population.

I think, if the court were to require them to redistrict now under the 1960 census, for example, the court would be violating the one-man, one-vote principle; for, in most cases, that census is now very unreliable evidence, totally outmoded. If the Constitution requires the one-man, one-vote doctrine to be implemented in 1962 on the basis of the 1960 census, then it requires it to be done in 1964, in 1966, in 1968, and on and on until the last lingering echo of Gabriel's trumpet trembles into ultimate silence. It would require redistricting every 2 years—every election year.

Mr. KENNEDY of Massachusetts. As I understand the response of the Senator from North Carolina, it is that no State legislature will be required to redistrict unless there is a special census, and that there is also a prohibition against the courts themselves redistricting; is that the response of the Senator?

Mr. ERVIN. Yes. A State legislature, on its own voluntary action, can redistrict if it sees fit.

Mr. KENNEDY of Massachusetts. That is correct.

Mr. ERVIN. But no State can be required by the courts to redistrict, unless there is a special Federal census showing the current population.

Mr. KENNEDY of Massachusetts. Then, as I understand your position, that means that no State legislature can be required by the courts to redistrict and, as well, that no court itself can redistrict a State. Does the Senator include the courts as well?

Mr. ERVIN. I do not know how anyone can require a court to do anything.

Mr. KENNEDY of Massachusetts. I ask the Senator from North Carolina does he interpret this language to permit State courts as well as Federal courts to adopt new redistricting plans, if they find that the current districts violate the Wesberry decision?

Mr. ERVIN. As I understand it, no power on earth can require States to redistrict under any circumstances, except either a Federal or a State court. However, this bill would limit the power of a Federal or a State court to require a State to redistrict to those special cases where they have available a special Federal census.

Mr. KENNEDY of Massachusetts. Then as I understand the interpretation that has been placed upon the matter by the distinguished Senator from North Carolina, he believes that this bill not only prevents a court from ordering a legislature to redistrict, but also prevents a court from itself redistricting a State.

In this connection, I think it is interesting to note the colloquy which occurred on the floor of the House of Representatives on October 26. I direct the attention of the Senator from North Carolina to that colloquy.

Mr. ERVIN. I would call the attention of the Senator from Massachusetts to what the House manager, Representative CELLER, said.

Mr. KENNEDY of Massachusetts. That is what I am referring to. I refer to page 30242 of the RECORD, to a series of questions that he posed to himself and then answered.

He said:

> Question: How is the conference report intended to affect court cases where districts are challenged?
>
> Answer: The conference report provides guidance to the courts. It is anticipated that the courts would follow the conference report and require the results of a special census to be available before it would order a State to be redistricted. If, however, a court found that existing districts in fact were contrary to the Constitution, the court of its own order could draw new district lines. They have in a number of cases drawn new district lines. In event districts were found to be unconstitutional, the conference report intends that the court could draw new district lines.

On the same page, we read:

> The Court may draw new lines if it finds it necessary for compliance with the requirements of the Constitution.

I am still wondering whether the Senator from North Carolina interpreted the language of the conference report this way, because this issue poses a genuine problem to those of us who have serious reservations about the bill. There seems to be an ambivalence in the interpretation that can be placed on the language. I feel that the interpretation that has been placed on the language by the Senator from North Carolina——

Mr. ERVIN. I have no ambivalence about my interpretation. Representative CELLER, whom I respect highly, stated, on page 30242 of the RECORD of October 26, 1967:

> I personally—and my colleagues in the majority on the conference—deemed this report to be constitutional.

Mr. KENNEDY of Massachusetts. The Senator is correct, but Mr. CELLER reached that conclusion only on the basis of his interpretation of the bill, with which the Senator from North Carolina appears to disagree.

Mr. ERVIN. Representative CELLER did not think that the Supreme Court would hold it unconstitutional.

Mr. KENNEDY of Massachusetts. I respect the interpretation that has been placed on the language of the conference report by the Senator from North Carolina. But what troubles many of us who have reservations about the report is the duality of interpretation of the report. The interpretation that has been placed on it by the Senator from North Carolina runs quite contrary to the interpretation placed on it by the manager of the bill in the House of Representatives on this one point.

Mr. ERVIN. I shall have to disagree with the Senator from Massachusetts on that point, because Representative CELLER said:

> I personally—and my colleagues in the majority on the conference—deemed this report to be constitutional.

Of course, Representative CELLER said the Supreme Court might hold it unconstitutional, but he also said that, in his opinion, the report was constitutional.

Mr. KENNEDY of Massachusetts. What I was inviting the Senator's attention to was the language in the conference report. The reference made by the Senator from North Carolina to the statement by Representative CELLER is certainly appropriate. Although Mr. CELLER did say he thought the question of constitutionality was a rather sticky question, I believe that Representative CELLER does feel the language is constitutional. But what the Senator from North Carolina and the Representative from New York differ on is the power of the courts themselves to redistrict under the language of the conference report. The Senator from North Carolina this afternoon expressed reservations as to whether the courts themselves would be able to redistrict under this provision of the conference report.

As I understand it, the interpretation of the House managers is that the courts would be able to redistrict. If I have misinterpreted the comment of the Senator from North Carolina, I wish he would correct me.

Mr. ERVIN. Mr. President, this language does not need any interpretation:

> No State shall be required to redistrict prior to the 19th Federal decennial census unless the results of a special Federal census conducted pursuant to the provisions of the act of August 26, 1954, as amended, are available for use therein.

That, to my mind, is so clear that it is not susceptible of misinterpretation. It means exactly what it says, no more, and no less.

Mr. BAKER. Mr. President, will the Senator yield?

Mr. KENNEDY of Massachusetts. I yield.

Mr. BAKER. Mr. President, if I might, I shall question my friend, the Senator from North Carolina, to make sure that I fully understand his interpretation of the conference report.

Does the Senator interpret the provision of section 2 which states that "no State shall be required to redistrict prior to the Nineteenth Federal Decennial Census unless the results of a special Federal census conducted pursuant to the provisions of the act of August 26, 1954, as amended, are available for use therein," to mean that unless there is a special census, the Federal courts cannot require a State legislature to redistrict?

Mr. ERVIN. That is exactly what I mean. That is exactly what it says. That is exactly what it was intended for.

Mr. BAKER. Does the Senator from North Carolina understand the fair intent of the conference report to be that a State legislature, if it chooses to do so, could voluntarily redistrict?

Mr. ERVIN. Absolutely. The Senator is correct. What the conference report would prohibit would be compulsory action by the courts to compel the legislature to redistrict. However, it would not prevent the State legislature from acting voluntarily.

Mr. BAKER. Is there any provision which could require or compel any State legislature to conduct a special census?

Mr. ERVIN. None whatever. It would involve no political entity but the State legislature itself.

Mr. BAKER. So, is it not necessarily true that the overall impact of the conference report is to give State legislatures the veto power over the Federal judiciary prior to the 1970 census on the question of whether the court can exercise jurisdiction in this field?

Mr. ERVIN. If the legislature does not want to redistrict and has not obtained or made provision for a special Federal census, then the State legislature would have control under this measure.

Mr. BAKER. But there is no provision in the conference report that would require a State to have a special census, and a special census is, under this version, a condition precedent to any action by the Federal judiciary prior to 1972.

Mr. ERVIN. The Senator is correct, and it is a wise condition precedent, because it is the only way we can get accurate information as to whether a State is malapportioned and whether it should be redistricted. The 1960 census is out of date, outmoded, and unreliable.

Mr. BAKER. Mr. President, much has been said by the distinguished Senator from Nebraska [Mr. HRUSKA] and by the distinguished Senator from North Carolina [Mr. ERVIN] concerning the fact that one of the underlying reasons for this deferral until 1972 is that the 1960 census figures are old, and are outmoded.

What is the justification for permitting a State legislature to apportion on the basis of the 1960 figures if we do not permit the Federal judiciary to do so?

Mr. ERVIN. Fundamentally, the power to redistrict belongs to the State.

Mr. BAKER. I inquire then if my colleague, the Senator from North Carolina, will agree that the basic conflict in our viewpoints in this respect is whether under article I, section 4 of the Constitution, this basic right which a State clearly has is subject to the review and jurisdiction and supervision of the Federal judiciary under article I, section 4, as exemplified in the language in the Wesberry decision.

Mr. ERVIN. The Wesberry decision is a new invention. That was the first such decision. On previous occasions, the Supreme Court said they would not enter that political thicket. And from the time the Constitution of the United States became law in 1789, down to the time of the Wesberry decision, it was held that the question of whether a congressional district was malapportioned was a political question and not a court question.

Mr. BAKER. What is the rationale for permitting a State legislature to use the 1960 census figures on the one hand, but denying that right to the Federal judiciary?

Mr. ERVIN. I do not know that any State legislatures have threatened to redistrict. It is not necessary to restrict them.

The thing that was causing the perplexity was the danger of going into the Federal courts and getting a decree based upon the 1960 census which contains some very unfair and unreliable statistics.

There is no use in trying to keep somebody from doing something they do not propose to do.

Mr. BAKER. I ask the Senator from North Carolina whether in his judgment under the language of the proposal it might be possible for a legislature of a State which is now equitably apportioned to convene and reapportion in an inequitable manner and whether under this proposal the Federal judiciary would be powerless to do anything about this situation until 1972.

Mr. ERVIN. I think that is about as unlikely a proposition as my being admitted into the kingdom of heaven without having obtained forgiveness of my sins.

Mr. BAKER. Mr. President, I agree that it is unlikely, but I ask if that is not possible under the pending legislation.

Mr. ERVIN. I think it is so remote a possibility that we do not need to be troubled by it.

Mr. BAKER. Mr. President, speaking as a lawyer, would not my colleague agree that it would be at least theoretically and legally possible within the framework of the language of the pending legislation?

Mr. ERVIN. I think we are talking about a hypothetical situation that will not come into existence.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ERVIN. I yield to the distinguished senior Senator from Florida whatever time I have remaining to the extent that he desires to use it.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. HOLLAND. Mr. President, my attention has been called to the fact that some States have State censuses, and that all States have a right to have a State census and might have one as a special measure prior to redistricting the State legislature.

Does not the provision which has been brought into question by my distinguished friend, the Senator from Tennessee, simply recognize that a State that does have a State census is not precluded from proceeding on the strength of the facts shown, or a State that wants a special State census, knowing that its apportionment of its congressional delegation is not as sound as it should be, might want to have a special State census and then proceed in the legislature to redistrict?

Mr. ERVIN. This merely proceeded upon the theory that the legislature would act as reasonable men should act, and that if it had reliable figures that would show that it was malapportioned, it could be given permission by this conference report to correct the situation.

Mr. HOLLAND. And Congress, therefore, is taking notice of the fact that some States—and there are a good many States—already have State censuses at the period midway between the decennial censuses, and others can have them as a special guide for more appropriate redistricting, if they wish to have them and pay for them. Is that correct?

Mr. ERVIN. That is correct.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HART. Mr. President, I rise to support the distinguished Senators from Massachusets and Tennessee in their efforts to defeat the conference report (H. Rept. 795) on congressional redistricting.

Mr. President, this conference report clearly violates the one-man, one-vote principle so consistently enunciated by the Supreme Court since 1964.

Specifically, the conference committee bill presently before the Senate suffers from two glaring defects.

First, it sets no standards, temporary or permanent, for congressional districting; and second, it allows States to continue in noncompliance with the Constitution for another 5 years.

Mr. President, at this point I ask unanimous consent to insert in the RECORD today's Washington Post editorial urging Senate rejection of this conference report on redistricting.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE SENATE WAS BETRAYED

Much is at stake in the Senate's vote today on the conference committee's badly botched substitute for the redistricting standards bill. No doubt the Senate will concern itself, first of all, with the committee's unprincipled sabotage of the measure which the Senate itself passed. As Sen. Edward M. Kennedy has pointed out, the strange measure concocted by his fellow conferees "bears no relationship to either house's version or to any logical compromise."

Both the Senate and House bills would have required the states to create congressional districts (after the 1970 census) with no more than 10 percent variation in population. That wise provision was completely thrown out by the conference committee. Both bills had differing antigerrymandering provisions that could have been readily reconciled. These too were discarded. The two houses approved varying equal-representation standards that would have been applicable in the next two elections. These were also thrown out lock, stock and barrel.

Senator Kennedy was the only conferee who stood by the excellent bill which the Senate had passed. The other Senate conferees scandalously betrayed their trust and ought to be rebuked for it. The principal question before the Senate is whether a handful of willful men can flout the will of the Senate with impunity.

The other question that must be answered is whether there is any shred of merit in the substitute which the conferees brought forth. We can find none. The bill started out as an effort to instruct the states as to how they must draw congressional districts in fairness to all voters and ended as a shabby attempt to hamstring the courts in ordering the states to redistrict on constitutional grounds. Its constitutionality is open to grave question. Instead of giving a clear mandate to the states, it would plunge them into confusion.

We find it difficult to believe that the Senate will become a party to such a fiasco. Its best course would be to reject the conference report and send the bill back to conference, with provision for new conferees who will stand by the Senate bill or agree to a rational compromise.

Mr. KENNEDY of New York. Mr. President, I rise to oppose the conference report on the congressional redistricting bill. I do so with genuine regret. The bill which the Senate passed last June was constructive and progressive and I had hoped that this report would reflect the spirit of compromise and accommodation which House and Senate conferees usually bring to legislation.

But the result of the conference is unacceptable, in my judgment. It conforms neither to the Constitution nor to the demands of sound public policy; neither to the dictates of common sense nor to the traditions of the legislative process.

The original purpose of this legislation is simple—it is to give legislative content to the constitutional principle that congressional districts, like those of the States, must be substantially equal in population. The Supreme Court found, in Wesberry against Sanders, that according to the Constitution—specifically, article I, section 2—"as nearly as is practicable, one man's vote in a congressional election is to be worth as much as another's."

This requirement is as vital as it is simple. As the Court in Wesberry said.

> No right is more precious in a free country than that of having a voice in the election of those who make the laws under which, as good citizens, we must live. Other rights, even the most basic, are illusory if the right vote is undermined. Our Constitution leaves no room for classification of people in a way that necessarily abridges this right.

This is the principle for which we argued in the Supreme Court when I was Attorney General—a principle which finds reflection throughout our constitutional history and in the needs of the future. For it is the regions most underrepresented in the Congress—the growing metropolitan centers of America—which face the most critical challenges, and the greatest needs. To perpetuate malapportionment, then, is to deny these regions their just representation in the body which will decide how their needs will be met.

Last June, we faced one proposed legislative response to this principle—the original redistricting bill passed by the House. This bill would have permitted a 35-percent variation in the size of congressional districts. This body last spring rejected the House bill, and instead passed a bill which hewed far closer to the mandate of the Constitution, and to basic fairness. Under the Senate proposal, no more than a 10-percent variation in congressional districts was allowed—and contiguity of districts was required.

The Senate thus spoke, clearly and unmistakably, last June. It said that the principle of equal representation was to become a substantial reality—and that the delays invited by the House bill, the long, weary rounds of litigation, appeal, and delay, were at direct variance with the principle of equal representation.

We in the Senate had a right to expect that the conference report would reflect an accommodation between the divergent views of the two Houses concerning the implementation of equal representation. Many of us would have insisted—rightfully—that the stricter bill be given special consideration, the Senate bill, in our judgment, was based not merely on legislative policy, but also on constitutional necessity.

Yet the conference report did not fulfill this basic tradition of the Congress. It ignored the wishes of the Senate—and the House as well—by rewriting the districting bill according to hazy, ill-defined standards, which even the report's supporters cannot fully clarify.

I do not believe it would serve any useful purpose to review the confused, contradictory interpretations to which this proposal is subject. The exhaustive and persuasive statement of the Senator from Massachusetts has covered this subject fully. I wish to add only these points.

First, this report sanctions a 5-year delay before most States would be required to meet the constitutional principle of equal congressional districts. There is no argument that these States have been trapped into noncompliance. Since Wesberry against Sanders, the States have had ample time, whether through legislative or judicial machinery, to meet these constitutional standards. There are no awesome challenges, no deep-seated community emotions to overcome, as with school desegregation. These States do not lack the machinery to implement a simple standard of substantial equality. Those States which are not now in compliance have simply chosen to ignore the Supreme Court—and to ignore its ruling which adversely affects millions of American citizens in the exercise of a basic constitutional right.

Would anyone in this body—would anyone in the Congress—argue that the franchise could be suspended for 5 years? Would anyone argue that one man's vote could, for the next half decade, be counted twice as heavily as his neighbor's?

This is the unavoidable result of the conference report. Without a special census, says this report, a State need not redistrict for 5 years. Yet this requirement is a subterfuge—the plain intent is to permit those States which have not complied with the mandate of the Constitution to continue their noncompliance. The simple mechanism of the 1960 census—which has been used by courts and legislatures alike over the period of the last 4 years—is ignored; and a specious special census test adopted instead—as if to reward the indifferent or hostile States for their delay.

Moreover—and almost incredibly—the conference report's authorization of this delay stems from neither the House nor the Senate bill. It is a proposal written from the desires of the conferees themselves, without authorization or approval by either legislative body. With all deference, I submit that this is not the function of a House-Senate conference. To what proposal is this bill a response? What conflict does this bill resolve? What overwhelming legislative intent is reflected by this denial of equality for the next two congressional elections?

In my judgment, there is only one alternative open to this body. That is to reject this conference report, and leave the matter of redistricting where it is now—in the hands of the legislatures and the courts.

This is hardly a satisfactory solution. But what would the consequences be should we pass this bill? The courts could interpret the bill to permit judicial redistricting immediately. But, as the Senator from Massachusetts has noted, this would require a twisted reading of the bill, and would render it all but senseless. But it would at least leave to the courts the same powers to implement the Constitution they have now.

Or, the courts could strike down the entire bill. Let us remember, we are dealing not with ordinary legislation, but with constitutional requirements. Should a Federal court be faced with a bill permitting two more malapportioned elections, it would have little choice but to strike this bill down. And we will have accomplished nothing—except more delay, more confusion, and more interference with an orderly adjustment to equal congressional districts.

We also owe it to the citizens of our Nation not to undercut their constitutional guarantees. We owe it to them to reject legislation which will confuse the elective process. So I conclude—we owe it to them not to accept this aberration. I urge, therefore, that the report be rejected. Let us not put our stamp of approval on this ill-considered, unresponsive, unconstitutional legislation.

Mr. KENNEDY of Massachusetts. Mr. President, I do not know what the wish of the Senator from North Carolina is. I understand that the Senator from North Carolina has 10 to 12 minutes remaining. I have 10 minutes remaining.

If it is agreeable with the Senator from Tennessee, I will take approximately 1 minute and yield back the remainder of my time.

Mr. ERVIN. The Senator from Ohio wishes to ask me one question, and I will agree to that proposal as soon as he does so.

Mr. LAUSCHE. The conference report contains the signature, among a number of others, of Representative EMANUEL CELLER, of New York.

Mr. ERVIN. That is correct.

Mr. LAUSCHE. Does Representative CELLER recommend the adoption of the bill suggested by the conferees?

Mr. ERVIN. He did, in signing the conference report, and also on the floor of the House. He voted for the conference report, and the conference report was adopted in the House by a vote of 2 to 1.

Mr. LAUSCHE. What was the argument of Representative CELLER in supporting the measure?

Mr. ERVIN. The argument of Representative CELLER was fundamentally the same argument I make: That we have met in conference eight times, we have discussed this matter at great length, and this is the only consensus we could reach.

Mr. LAUSCHE. Is the WILLIAM M. MCCULLOCH, whose name is subscribed to the report, from Ohio?

Mr. ERVIN. He is one of the ranking Republicans on the House Judiciary Committee, and he is a Representative from Ohio. He also recommended the adoption of this report.

Mr. LAUSCHE. Did Representative EMANUEL CELLER at any time urge the rejection of the report?

Mr. ERVIN. No, not this report.

Mr. President, I am willing to yield back the remainder of my time.

Mr. KENNEDY of Massachusetts. I do not know whether the Senator from Tennessee desires any time. Mr. President, I yield myself 1½ minutes.

There has been much discussion about what has been the attitude of Representative CELLER on this question. Representative CELLER, when asked about the constitutionality of this conference report, said it is a rather sticky question; but also, in a series of responses to questions which were suggested to him, he did recognize the continuing competency of the courts to redistrict any of the States that the courts themselves would find have unconstitutional districts.

I refer to a portion of the debate in which he said:

> But we cannot dictate to a court of competent jurisdiction what they shall do under circumstances where they have declared lines to be unconstitutionally drawn . . .

So he has recognized that the courts themselves have the jurisdiction even under this bill to redraw what they consider to be unconstitutional districts. That is why he finds this measure to be constitutional. But I cannot agree that if Representative CELLER were to assume that the bill places the restriction suggested by the Senator from North Carolina on the ability of the courts themselves to redraw these congressional districts, he would find the bill constitutional.

Mr. President, this issue has been fully debated. It has been debated in the Senate on other occasions, and it has been debated in the House of Representatives. The conflict in philosophies is apparent and should be resolved here once and for all. I believe we can reach a solution, if this conference report is rejected, to meet the critical problem facing some Members of the House and their constituents, who do not want to contend with at-large elections, which really deprive citizens of the kind of representation the Constitution envisions.

Mr. President, I am prepared to vote. I believe that the case has been made. I believe the Senate went on record in June in favor of the vindication of the one-man, one-vote principle, by a vote of 44 to 39. I am hopeful that we can today reaffirm our dedication to the Constitution, to the right of equal representation, and to the rule of law, by rejecting this conference report.

I yield back the remainder of my time.

Mr. ERVIN. I yield back the remainder of my time.

The VICE PRESIDENT. The question is on the adoption of the conference report. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. RANDOLPH (after having voted in the negative). On this vote I have a pair with the distinguished Senator from Mississippi [Mr. EASTLAND]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." Therefore, I withdraw my vote.

Mr. BYRD of West Virginia (after having voted in the affirmative). On this vote I have a live pair with the Senator from Oregon [Mr. MORSE]. If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I withdraw my vote.

Mr. LAUSCHE (after having voted in the affirmative). On this vote I have a live pair with the Senator from Washington [Mr. MAGNUSON]. If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I withdraw my vote.

Mr. YOUNG of Ohio (after having voted in the negative). On this vote I have a pair with the Senator from North Carolina [Mr. JORDAN]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. CANNON], the Senator from Tennessee [Mr. GORE], the Senator from North Carolina [Mr. JORDAN], and the Senator from Oregon [Mr. MORSE], are absent on official business.

I also announce that the Senator from Connecticut [Mr. DODD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], and the Senator from Washington [Mr. MAGNUSON], are necessarily absent.

I further announce that, if present and voting, the Senator from Connecticut [Mr. DODD] and the Senator from Nevada [Mr. CANNON] would each vote "nay."

On this vote, the Senator from Louisiana [Mr. ELLENDER] is paired with the Senator from Tennessee [Mr. GORE]. If present and voting, the Senator from Louisiana would vote "yea," and the Senator from Tennessee would vote "nay."

Mrs. SMITH. I announce that the Senator from Colorado [Mr. Allott], the Senator from Illinois [Mr. Dirksen], the Senator from Oregon [Mr. Hatfield], the Senator from Iowa [Mr. Hickenlooper], the Senators from California [Mr. Kuchel and Mr. Murphy], the Senator from Pennsylvania [Mr. Scott] and the Senator from North Dakota [Mr. Young] are necessarily absent.

The Senator from Wyoming [Mr. Hansen] and the Senator from Kentucky [Mr. Morton] are detained on official business.

If present and voting, the Senator from Wyoming [Mr. Hansen], the Senator from Oregon [Mr. Hatfield] and the Senator from Pennsylvania [Mr. Scott] would each vote "nay."

The pair of the Senator from Illinois [Mr. Dirksen] has been previously announced.

On this vote, the Senator from North Dakota [Mr. Young] is paired with the Senator from California [Mr. Kuchel]. If present and voting, the Senator from North Dakota would vote "yea" and the Senator from California would vote "nay."

On this vote, the Senator from California [Mr. Murphy] is paired with the Senator from Colorado [Mr. Allott]. If present and voting, the Senator from Califorina would vote "yea" and the Senator from Colorado would vote "nay."

The result was announced—yeas 22, nays 55, as follows:

[No. 313 Leg.]

YEAS—22

Anderson
Bayh
Bennett
Bible
Byrd, Va.
Curtis
Ervin
Fannin
Fulbright
Hartke
Hill
Holland
Hollings
Hruska
Long, La.
McClellan
Montoya
Russell
Smathers
Sparkman
Stennis
Talmadge

NAYS—55

Aiken
Baker
Bartlett
Boggs
Brewster
Brooke
Burdick
Carlson
Case
Church
Clark
Cooper
Cotton
Dominick
Fong
Griffin
Gruening
Harris
Hart
Hayden
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
McCarthy
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Moss
Mundt
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Ribicoff
Smith
Spong
Symington
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough

NOT VOTING—23

Allott
Byrd, W. Va.
Cannon
Dirksen
Dodd
Eastland
Ellender
Gore
Hansen
Hatfield
Hickenlooper
Jordan, N.C.
Kuchel
Lausche
Magnuson
Mansfield
Morse
Morton
Murphy
Randolph
Scott
Young, N. Dak.
Young, Ohio

So the conference report was rejected.

Mr. MANSFIELD. Mr. President, I wish to express the appreciation of the Senate to the senior Senator from North Carolina [Mr. Ervin] for the tireless efforts he demonstrated in attempting first to reach an agreement that was satisfactory to most of the conferees on this redistricting matter and also for the exemplary manner in which he presented that report to the Senate today.

The fact that the Senate voted not to adopt the conference report does not in any way reflect on the sincere devotion of Senator Ervin and the other conferees to obtain a reasonable settlement of the issues in dispute. Senator Ervin performed a most difficult task and he accomplished it with the same dedication that characterizes all of his efforts and many achievements in the service of the Nation.

The senior Senator from Massachusetts [Mr. Kennedy] is to be commended for successfully urging his position on this matter. His deep understanding of the issues involved, coupled with his highly articulate presentation on the floor today, served to assure the success of that position. The junior Senator from Tennessee [Mr. Baker] is equally to be commended for his strong efforts and articulate presentation. He too urged what ultimately proved to be the prevailing view of the Senate and his efforts were certainly indispensable to that result.

Many other Senators joined to make the discussion lively and highly thoughtful. The Senator from Nebraska [Mr. Hruska] offered his clear and, as always, persuasive arguments, as did the Senators from Pennsylvania [Mr. Clark] and Hawaii [Mr. Fong]. The leadership is particularly pleased that the Senate cooperated to dispose of this conference report with dispatch and yet with full consideration for the views of each Member.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1872) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

REPORT OF SURGEON GENERAL ON REGIONAL MEDICAL PROGRAMS—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 181)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

I am happy to send to you the Surgeon General's first report on regional medical programs, as required by the Heart Disease, Cancer, and Stroke Amendments of 1965.

Because the law and the idea behind it are new, and the problem is so vast, the program is just emerging from the planning stage. But this report gives encouraging evidence of progress—and it promises great advances in speeding research knowledge to the patient's bedside.

In 49 regions covering 91 percent of our population, regional alliances have been formed between medical schools, hospitals, and local doctors. Twenty-four million dollars in Federal planning money has been awarded. By early 1968, we hope to have programs underway covering 98 percent of the Nation's population.

Most important, the imagination, knowledge, and energy to operate these programs will come from the local level. More than 1,600 local health leaders—physicians, officials of medical centers, hospital administrators, teachers, and other health workers—are active as members of regional advisory groups.

In five regions, cooperative medical programs are already operating, with the help of $7.3 million in Federal grants:

The Albany region, covering northeastern New York, and portions of southern Vermont and western Massachusetts;

The intermountain region, covering Utah and parts of Colorado, Idaho, Montana, Nevada, and Wyoming;

The States of Kansas, Missouri, and Wisconsin.

These areas are reporting important results already.

In the intermountain region, for example, physicians in community hospitals are now linked by special radio and television networks with experts at the University of Utah Medical Center in Salt Lake City.

In Wisconsin, doctors are making special studies of uterine cancer patients, with the hope of improving and standardizing treatment methods.

The Missouri region is pioneering new services in the Smithville area, where doctors and patients benefit from computer-assisted X-ray diagnosis and other advanced techniques which may some day be available in the entire region.

Progress is being made and I believe these programs will help us overcome the dreaded killer diseases—heart, cancer, and stroke. And they will put us further along the road to our goal of modern medical care for every American citizen.

Lyndon B. Johnson.

The White House, *November 8, 1967.*

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Post Office and Civil Service.

(For nominations this day received, see the end of Senate proceedings.)

FOREIGN ASSISTANCE ACT OF 1967—CONFERENCE REPORT

Mr. MANSFIELD. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1872) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes. I ask unanimous consent for the present consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

Mr. MANSFIELD. Mr. President, I ask that the Chamber be cleared of all persons except attachés who have business in the Chamber, and that Senators take their seats.

The VICE PRESIDENT. All staff members not necessary to business in this Chamber will please leave the Chamber. All Senators will please take their respective chairs.

Mr. FULBRIGHT obtained the floor.

Mr. FULBRIGHT. Mr. President, has the conference report been laid down?

The VICE PRESIDENT. No; it has not. The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of today.)

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. FULBRIGHT. Mr. President, for the RECORD, I only wish to say that the conference report was not signed by all the conferees of both Houses. The Senator from Oregon [Mr. MORSE] did not sign it, and I believe that Representative ADAIR did not.

The VICE PRESIDENT. The statement of the Senator from Arkansas is correct. It was signed by a majority of the conferees.

Mr. FULBRIGHT. Mr. President, I believe that this conference report approaches more closely the action of the Senate than at any other time since I have handled the foreign aid bill.

Many conferences were held on it. I believe we met 12 times over a period of 6 or 7 weeks.

For various reasons, the House was agreeable, this year and the conference report reflects those principles which the Senate decided by majority vote after vigorous debate.

I do not know that there is any need for me to make a full speech at this time. I would be perfectly willing to answer any questions. This topic has been discussed at such great length during the past several months that I do not feel it necessary to take the time of the Senate to make a speech. However, I have prepared a thorough statement, which I should like to place in the RECORD, and then answer any questions, if that would be agreeable to the Senate, in the interests of conserving time.

Mr. MUNDT. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. MUNDT. I think that it would be in the interests of conserving the time of the Senate and expediting its business if the Senator would simply relate briefly those areas where the Senate's position did not prevail or what was substantially modified. Can we know what we did on the Senate side that would give us a chance to evaluate the report?

(At this point Mr. BYRD of West Virginia took the chair as Presiding Officer.)

Mr. FULBRIGHT. Well, there are no areas which were substantially modified. For example, the Senate bill provided for the liquidation of the foreign military credit sales revolving fund as of December 31, 1967, and the conference report provides for liquidation June 30, 1968. I would not call that, really, a very substantial change. The same would apply, I believe, to the guarantee authority which is allied with exactly the same program.

The purpose, in both cases, was to slow down this burgeoning arms-sales program to underdeveloped countries. The total amount of money is almost the same as in the Senate bill. The Senate bill authorized $2.6 billion for fiscal year 1968; $2.1 billion for economic aid; $475 million for military aid. This was $682 million below the appropriation request.

The House voted a total of $2.8 billion, not including the NATO infrastructure, a difference of $187 million. The conference agreed to a total of $2.67 billion, of which $2.1 billion is for economic aid and $510 million for military assistance.

Please notice that the total of the Senate bill was $2.63 billion. In the conference report it was $2.67 billion. There is only a $40 million difference between the Senate bill and the conference. This is the first time we have not more or less split the difference.

So, both with respect to amounts, and with respect to the principle of restricting military sales and use of the revolving fund, the conference report is practically the Senate bill, except for a slight extension of time on the military guaranty authority and provision for orderly liquidation of the revolving fund.

On the subject of limitation of arms sales to Africa—which does not affect the total amount; it was merely a ceiling—we were seeking to avoid the start of an arms race in Africa, particularly the sub-Sahara countries, the new African countries. We have set a ceiling on total sales and grants to Africa. It was set at $25 million in our bill; we compromised it at $40 million, including the training program. That is simply a ceiling. It does not add to the total amount.

I am perfectly willing to go into the details.

Mr. MUNDT. Mr. President, I wondered if there were any changes or alterations in the amendments added in committee or on the floor, or whether the Senator has told us the full story of the meaningful changes.

Mr. FULBRIGHT. I do not think of any change of principle, only of degree. We did accept a quite extensive policy statement. The House felt they wanted it in. The Senate had deleted all policy statements. That is a change in principle. We established the principle of no policy statements, but we accepted the House's statement as part of the compromise.

Mr. MUNDT. They simply put the preamble in.

Mr. FULBRIGHT. Yes. We did not like it. The committee voted against it, and it was sustained in the Senate.

There was that difference. The final thing we accepted was their policy statement.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. JAVITS. I merely inquire as to the order of magnitude and the amounts for economic aid authorized by the Senate.

Mr. FULBRIGHT. The Senator refers to the items?

Mr. JAVITS. Yes.

Mr. FULBRIGHT. I gave the totals, which are very similar.

Mr. JAVITS. In other words, was there a basic internal shift in the allocation of the aggregate funds?

Mr. FULBRIGHT. There was no substantial shift. The difference between the House and the Senate, for example, on the Development Loan Fund, was $50 million. The Senate voted $500 million. The House voted $450 million. The Senate accepted the House figure. That is a major point.

On supporting assistance, there is a difference of $60 million from the Senate bill.

On partners for the Alliance, there was an item of $714,000.

Mr. JAVITS. Is that figure which was agreed upon less than the Senate figure?

Mr. FULBRIGHT. That was not in the Senate bill. The House put in an item of $714,000 for that. We accepted it.

Mr. JAVITS. I was speaking of the last two items, the Development Loan Fund and the $60 million difference. Was that the difference between the House and Senate figures, or is that the way it came out of the compromise?

Mr. FULBRIGHT. On the item of supporting assistance, the Senate figure was $600 million. The House figure was $720 million. We compromised on $660 million.

Mr. JAVITS. The same is true as to the Development Loan Fund, $50 million?

Mr. FULBRIGHT. We took the House figure on the Development Loan Fund. It was not a split figure. The House figure was less than the Senate figure.

Mr. President, I ask unanimous consent that there may be printed in the RECORD my full prepared statement. I do not wish to deny any Senator the opportunity to ask questions.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

I take a greater measure of satisfaction than is usually the case each year in presenting the conference report on foreign aid for the Senate's consideration. When the foreign aid bill passed the Senate I promised that I would ". . . let the bill languish in conference indefinitely if we cannot reach a satisfactory agreement on the major proposals." This conference report, I believe, sustains the Senate position on all basic issues, and, in particular, its position on arms sales.

But this agreement did not come easy. There were 89 points of difference between the Senate and the House when the conferees began meeting on September 14. It took two months, twelve meetings, and an attempted end run by another committee to resolve them. Let me discuss briefly some of the more significant differences and how they were resolved.

First, the question of amounts. The Senate bill authorized a total of $2.6 billion in foreign aid for the 1968 fiscal year—$2.1 billion for economic aid and $475 million for military aid, including funds for international military headquarters and the NATO infrastructure. This was $682 million below the appropriation request. The House voted a total of $2.8 billion, not including the NATO infrastructure item, a difference of $187 million from the Senate amount. The conference agreed to a total of $2.67 billion, of which $2.1 billion is for economic aid and $510 million is for military assistance. The $60 million item in the Senate bill for the NATO infrastructure was deleted but the funds for United States contributions to international military headquarters were retained.

There were only two economic assistance items of any significance in dispute. For development loans the House had $50 million less than the Senate and $120 million more for supporting assistance. The Senate agreed to the lower figure for development loans and the conferees compromised the item for supporting assistance in the middle. In view of the mounting fiscal dilemma facing the government because of the war, I would like to have held the total authorization to the Senate level but, as Senators know, we can never get 100% in a conference. Under the circumstances, I believe that the compromise on amounts is reasonable and, on the whole, favorable to the Senate's position of holding the line on foreign aid.

On the issue of limiting the number of countries which can be furnished aid, I point out that the Senate voted fixed ceilings which could be increased only if the Congress passed a concurrent resolution. According to executive branch plans presented to the Congress earlier this year, some ninety-five countries were slated to receive foreign assistance this fiscal year—economic, military, or commodity aid under Public Law 480. Some type of assistance was planned for practically every non-Communist nation except Canada, Japan, Australia, New Zealand, and those of Western Europe. The Committee felt very strongly that the bilateral aid program should be retrenched and that more of our aid should be channeled through multilateral agencies. It, therefore, set these limits on the number of countries which could be given *bilateral* aid—10 for development loans, 40 for technical assistance, and 10 for supporting assistance. These limits on the development loan and technical assistance programs did not apply to Latin America.

The principle approved by the Senate was adopted by the conference committee and for the first time fixed limits, with no escape clause, will be imposed. Under the conference agreement a ceiling of 20 countries was set for development loans, 12 for supporting assistance, and 40 for technical assistance, except that a total of $600,000 can be used in additional countries on self-help projects. Although the limits are not as strict as the Senate would like, the adoption of these ceilings is a benchmark in bringing about a more rational approach to foreign aid. Hopefully, it will result in the channeling of more of our aid through multilateral agencies, and in reducing the American "aid presence" in many countries.

Many Senators have been interested in the growing population crisis and in how the foreign aid program could be made more effective in helping to meet this problem. The conference reached what I believe is a satisfactory compromise on the differences between the two bodies on new and more specific Congressional guidelines for assistance on population matters. Under the agreement $35 million of appropriations for economic aid will be earmarked for use on population growth programs. This action will insure that proper emphasis is placed at last on this important activity.

During the debate on the foreign aid bill in the Senate some concern was expressed over the Committee's actions relating to the investment guaranty program. The agreement reached in conference on authorizations for this program should help to relieve Senators who feared that there would not be sufficient authority to meet demands for guaranties. Under the conference agreement the ceiling on all guaranty programs would be increased. The Committee expects to take a close look at the investment guaranty program next year.

The conference agreed, with slight modification, to the amendment of the Senior Senator from Missouri which prohibits aid to countries which divert our aid, or their own resources, to military purposes to the extent that economic development is impaired. This is a very significant amendment which, if used effectively by executive branch officials, should act as a restraint on useless military spending by aid recipients. It is also intended to restrain our bureaucracy who, all too often, whet the arms appetites of foreign generals and admirals. Recent developments concerning the advent of supersonic jets in Latin America, where our flip-flop policy left much to be desired, point up quite vividly the need for greater leverage through use of our aid, and for firm Congressional guidelines against pouring tax dollars into countries where sound development is stifled by unnecessary military spending. In too many countries our economic aid goes in one pocket and comes out the other in the form of sophisticated—but useless—weapons, often bought from the United States. I am not at all sure that the threat to cut off aid will be effective in bringing about changes in military spending in countries we aid, but I am convinced that we should try and that this new authority should be used where necessary. The Committee on Foreign Relations did not write the prohibition into the bill merely for it to be an idle threat on paper. The Committee expects it to be put into action in appropriate cases.

Finally, I come to the point which was most troublesome in conference—the amendment of the Senior Senator from Idaho, adopted by a two-to-one margin in Committee, which repealed the Department of Defense's authority to finance long-term credit sales to underdeveloped countries through a revolving fund. As I said in the Senate during debate on the amendment, I could not have supported the bill if the Committee's action had not been upheld by the Senate. And I could not have supported a conference agreement which did not carry out the intent of the Committee and the Senate. In a statement in the Senate on October 31, I described the negotiations in the conference on this issue and made it clear that I believed the public interest would be better served by not having a foreign aid bill at all this year than by allowing continuation of the current policy of arming poor and underdeveloped countries.

I can assure the Senate that the conference agreement upholds the Senate's position. Instead of terminating the revolving fund on December 31, 1967, as in the Senate bill, the agreement would extend its life to June 30, 1968, primarily in order to eliminate the need for additional appropriations this year. The authority to guarantee credit for arms sales extended by the Export-Import Bank or private banks would be permitted to continue until the end of this fiscal year instead of being terminated immediately as provided in the Senate bill, with a ceiling of $190 million on guarantees that can be issued before the authority expires. The Senate conferees reluctantly agreed to this extension of the life of the guaranty program in order to allow for a more orderly liquidation of it and to give some flexibility in enabling certain outstanding commitments to be met. Thus, the practical effect of the compromise is to phase-out the guaranty program over the next eight months rather than terminate it immediately.

I believe that the repeal of the guaranty program and the abolition of the revolving fund are important steps toward bringing about a foreign policy designed to meet our long-range interests of building a more stable and peaceful world. The true interests of America are not served by a program which puts sophisticated weapons in the hands of poor people around the world while giving lip service to stopping arms races. The repeal of this arms sales authority will do much to make the officials in the executive branch practice what they preach.

I think that, from the Senate's standpoint, this conference has produced a bill which lays the foundation for a more effective foreign aid program. Although much remains to be done to get the aid program on the right track, this is a good start and is probably as much as one could expect under the emotional climate which exists in the Congress today. The Committee will review the entire program next year and I hope that we can, at that time, build on the foundation we have laid by passage of this bill.

I urge the adoption of the conference report.

Mr. DOMINICK. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield.

Mr. DOMINICK. It was my recollection—I just want to be sure for the record—that the increase in interest rates which the Senate voted was also included in the House bill. It stayed in the bill?

Mr. FULBRIGHT. That is right. That item was not in conference.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The question is on adoption of the conference report.

The conference report was agreed to.

Mr. FULBRIGHT. Mr. President, I wish to make a very brief statement. I did not want to delay the vote. However, I feel bound to say a word, in particular, about the contribution on the Senator from Idaho [Mr. CHURCH] to the foreign aid bill.

The Senator from Idaho was the principal sponsor and supporter and did all the work on what came to be known as the Church amendment, which dealt with the very troublesome problem of the utilization of the revolving fund and the Export-Import Bank in the sale of arms.

I think the Senator from Idaho deserves great credit and the gratitude of the Senate and of the country. Without his help, and without his initiative, it could not have been done. He really initiated and sponsored that particular aspect of the bill, which turned out to be the principal policy action in the bill. It was debated at length on the floor. Senators will recall that we had a vigorous debate on it and a close vote. The Senator was on the conference committee.

I feel he deserves special commendation for his contributions to this bill.

I must also say that other Members of the Senate did a great deal of work.

The staff as usual, particularly Mr. Holt and Mr. Jones, who are our specialists on foreign aid, deserve commendation. It is a very complicated bill. They did a very magnificent job in counseling the committee and the conferees.

I believe this bill was, certainly from the Senate's point of view, one of the best bills since I have been having anything to do with it.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. AIKEN. I should like to endorse what the chairman [Mr. FULBRIGHT] has said about the work of the Senator from Idaho. The people of his State can well be proud of the part that he has played in bringing this legislation to what appears to be a successful conclusion.

I also wish to say that the steadfastness of the chairman had a great deal to do with bringing this foreign aid authorization bill to what appears now to be a successful conclusion. I am not sure but that we should extend a vote of thanks to the House Appropriations Commitee for what they have done on this legislation up to now.

Mr. FULBRIGHT. I shall have to join with the Senator from Vermont in saying that we got very substantial assistance from the Committee on Appropriations of the House.

I wish to add one further word concerning the matter of the sales of military equipment, on the background of that matter. While the Senator from Idaho deserves credit for the amendment, there were two other Senators who held hearings on that matter in their own subcommittees; namely, the Senator from Tennessee [Mr. GORE] and the Senator from Missouri [Mr. SYMINGTON]. They held extensive hearings in their subcommittees on the question of arms sales to other countries, and I think the Senator from Missouri particularly, because he was active in the debate, was of indispensable assistance in obtaining a favorable result on the floor of the Senate.

He and the Senator from Tennessee did a great deal of independent work in their subcommittees, developing the basic facts in a most complicated field. This was the material that was necessary to support the amendment offered by the Senator from Idaho.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. Mr. President, I join the distinguished chairman of the Committee on Foreign Relations, the Senator from Arkansas [Mr. FULBRIGHT], and the senior Senator from Vermont [Mr. AIKEN] in what they have stated about the fine work done in bringing this particular legislation covering the field of foreign aid to fruition this year.

The efforts of the distinguished Senator from Idaho [Mr. CHURCH], the distinguished Senator from Missouri [Mr. SYMINGTON], the distinguished Senator from Tennessee [Mr. GORE], and the others who supported them, represented a long, hard fight; and it was no easy victory, but I think it was a victory worth while, and much credit is due them, all the way around, so far as the Senate is concerned.

Several Senators addressed the Chair.

Mr. FULBRIGHT. I yield to the Senator from Alaska.

Mr. GRUENING. Mr. President, I wish to add my congratulations to the chairman of the Foreign Relations Committee and the conferees. For many years, wise amendments, it has seemed to us in the Senate, have been added by us to the foreign aid bills, in attempting to introduce a little sanity and life into them; and those amendments, as a rule, have been lost in conference, through pressure of the House conferees.

Now, for the first time, we have a situation where the Senate has largely had its way; and I think we owe the conferees our congratulations.

Mr. FULBRIGHT. I thank the Senator. As I say, we had some very powerful forces going with us this time, which I think is why we succeeded.

Mr. GRUENING. While our domestic programs are being drastically cut—vital programs legislated with such great enthusiasm in the previous Congress—it would be unreasonable for us to expect not to cut down on the foreign aid program.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. JAVITS. I extend my congratulations to the chairman of the committee and the conferees on the action taken on extended risk guarantees, about which we had considerable trouble in the Senate, both as to the amount set up, and on the provision extending authority through 1970.

I do not think anyone ought to delude himself as to the sufficiency of this program. It represents a distinct contraction from what we have been doing in the foreign assistance field, and it also shows the tremendous problems which will result in trying to fill in the gaps which are created by virtue of our contraction. This should be done, without any question, by the private sector and by other nations.

Mr. FULBRIGHT. And through multilateral agencies.

Mr. JAVITS. That is right. But we must still do our full part in this regard.

First I wish to express my satisfaction and appreciation to the Senator from Arkansas, because he was not thoroughly convinced on the extended risk matter, and yet he has worked out an agreement which I think is very satisfactory.

Mr. FULBRIGHT. I appreciate what the Senator from New York has said, but there are many other circumstances which have contributed to this situation, as he is well aware.

For example, we are making some progress toward shifting this burden from a direct unilateral responsibility of the U.S. Government to multilateral agencies. I remind the Senator that we recently authorized $900 million for the Inter-American Bank. We have a bill, which I hope in due time—there are very great difficulties at the moment, because of other matters—will be acted upon, on the Asian Bank. This is the direction in which I think this gap should be filled, and I hope it will be. I am prepared to support that kind of direction. But I am very much disillusioned about our bilateral aid.

Mr. JAVITS. If the Senator will yield further very briefly, I call his attention to the fact of the needs of the world in the interests of peace, and the contraction which we have had for that reason; but we should not delude ourselves into thinking that this can be accomplished by default or with no further effort. Something else has to be done.

Mr. FULBRIGHT. That is right.

Mr. JAVITS. I join the Senator in the expectation that we will be taking further steps, as he mentions we have already in connection with the Inter-American Development Bank.

"PATRIOTISM"—ADDRESS BY FORMER SENATOR A. WILLIS ROBERTSON

Mr. STENNIS. Mr. President, this morning the Senate breakfast group heard a splendid address, entitled "Patriotism," by a former Member of the Senate who is loved and greatly esteemed by every Member, the Honorable A. Willis Robertson, of Virginia. Senator Robertson personifies true patriotism in its highest and best form; he is a Bible scholar as well as a man of strong convictions.

He values and reflects in his daily living the highest spiritual values.

I ask unanimous consent that his remarks appear in the RECORD at this point in order that they may be shared with the people of the Nation.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

PATRIOTISM

(Address by A. Willis Robertson, meeting of the Senate breakfast group, November 8, 1967)

I have been asked to talk about patriotism and the vital force of spiritual values.

Being concerned by those who burn draft cards and participate in anti-war demonstrations, the distinguished and beloved chairman of our breakfast group cast around for a leader who would make a patriotic talk to commemorate Armistice Day. Based in part upon the fact that I was serving in the Army when the Armistice was signed in 1918 but primarily, I am sure, because of the lack of first-team volunteers, the assignment came to me. To speak to this group of distinguished dedicated Senators is a privilege I have always coveted but never exercised without a feeling of trepidation. I know enough about the Bible to realize how little I do know of the greatest book in the world and I understand only too well what is meant by "falling short of the mark for the prize of the high calling of God"—my best assurance therefore is that I am among friends who share my philosophy that "man's reach should exceed his grasp, or what's a heaven for—."

Webster's Dictionary defines a patriot as "one who loves his country and zealously supports its authority and interests." Because of the importance of the discussion period I shall briefly outline my belief that patriotism and religion are related and then ask for your views. Students of our form of government know that it is based upon the teachings of the Bible. Our Founding Fathers proclaimed that rights were "God given" and that man was "endowed by his Creator". We sing in our national anthem—"Then conquer we must, for our cause is just, and this be our motto: 'In God is our trust' " and we stamp the same motto on our coins. In our national hymn we sing "Protect us by Thy might, great God—our King."

While the number of those who neither love nor zealously support our Government is disturbing, it is my feeling that their lack of patriotism is due primarily to their ignorance of the Bible or to a repudiation of its teachings. We know that a deep and abiding religious faith characterized the patriots of the Revolutionary period. During a long and bitter struggle for independence and personal freedom our Continental Army faced heavy odds. Creasy lists Saratoga as one of the decisive battles of history because it influenced France to give the colonies vital and much needed help. But our Founding Fathers believed that God was on their side and they gave the credit to Him.

Our relatively new nation was torn asunder and almost wrecked by a civil war which statesmanship could and should have prevented. Daniel Webster urged a peaceful solution of the issue of slavery. Pleading against a resort to force, he said: "When mine eyes are turned to behold for the last time the sun in heaven may I not see it shining upon the broken and dishonored fragments of a once glorious Union; upon a land torn by civil strife, and drenched perhaps, in fraternal blood!" Yet both North and South claimed God to be on their side.

It took a long time to justify the hope of Oliver Wendell Holmes: "One flag, one land, one heart, one hand, one nation, evermore!" But when the call came to carry our flag for the first time on a European battlefield patriotism was at high-tide—a half century of industrial growth had repaired the ravages of war and time had healed its wounds. When an imperialistic war in Europe threatened the survival of democracy, patriots accepted the battle cry of our Commander-in-Chief that we would fight for the protection of freedom. What a thrill our nation got when the Southern "grey" and the Northern "blue" were blended in the "dough-boy khaki" of 1917 and became the emblem of victory in our first global war. National unity, patriotism and faith in God were expressed in this appeal to victory:

"Here's to the sons of the windswept North
When they meet on the fields of France
May the spirit of Grant be with them all
As the sons of the North advance.

"Here's to the sons of the sunny South
When they meet on the fields of France
May the spirit of Lee be with them all
As the sons of the South advance.

"Here's to the blue and the grey as one
When they meet on the fields of France
May the spirit of God be with them all
As the sons of the flag advance."

Unfortunately, the Christian spirit and unselfish patriotism which had characterized our participation in World War I didn't last. We elected a President whose Chib boleth was a "return to normalcy". Idealism was succeeded by materialism and international cooperation by isolationism. Heartbroken by that trend, our World War I leader and author of an international covenant to prevent future wars said: "If our civilization is to survive materially it must be redeemed spiritually. It can be saved," said he, "only by becoming imbued with the spirit of Christ and made free and happy by the practices which spring from that spirit."

Since that warning was given we have fought two wars and are now engaged in a third one; we have military installations in 48 nations and a military budget of nearly 70 billion dollars. The primary responsibility of handling that vast program has fallen upon the shoulders of our breakfast group leader—Senator Stennis. He believes, as I believe, that there is a connection between the brotherly love and good neighbor teachings of the Bible and unselfish patriotism. He believes, as I believe, that God governs in the affairs of men and for a just cause we can call upon Him for aid. But in recent years these beliefs have been so widely and seriously challenged it becomes the duty of those whose faith has not wavered to hold aloft the torch of patriotism allied with religion.

We have never fought a war of aggression. We have resorted to war only for the protection of freedom. Some challenge the claim that we are now fighting in Vietnam in defense of freedom and there is a difference of opinion on how that war should be fought. Those are issues on which patriots may differ. But that cannot be said of draft-card burners—they are law violators; nor can it be said of most participants in anti-war demonstrations—they are protesting in an unpatriotic way against our entire social order. Some are even Communist who would rejoice in the destruction of our Government and democratic institutions. Those are groups which know not the Bible or who have repudiated God.

Knowing that patriots in our revolution who fought for freedom and patriots who fought for the preservation of one nation under God had appealed to him for help and that their prayers were answered, why should patriots doubt the power of God to help us in our present crisis.

I challenge the claim that draft-card burners and the anti-war demonstrators are speaking for the majority of the present generation. Heads of five large universities recently said that they have never had finer students. Military leaders who have seen our men in action in Vietnam say that their patriotism, their morale, their undaunted courage has never been surpassed. And what do the chaplains say. Never in their experience have those in military service been more eager to hear about God and the saving grace of Jesus Christ. In a tough war, and one in which our Nation is not united, men of the present generation in military service have met, and will continue to meet, the acid test of patriotism. But standing on the brink of eternity they want the help of God.

Without minimizing the danger of another world war which could, as the historian H. G. Wells said, leave a remnant of civilization cowering behind a wind-brake or in the disease soaked ruins of a slum, I feel that the lack of patriotism evidenced by the appalling increase in crime is an equally serious threat to the perpetuity of our cherished institutions. "None can doubt" says a former president of the American Bar Association "that America faces a crisis of lawlessness with the gravest potential for disaster." Nor can this warning of half a century ago by Theodore Roosevelt be successfully challenged: "No nation ever yet retained its freedom for any length of time after losing its respect for the law, after losing the law-abiding spirit, the spirit that really makes orderly liberty." Human nature has not changed since the days of anarchy in Israel recorded in the Book of Judges when, "There was no king in Israel: every man and that which was right in his own eyes." In his "Decline and Fall of the Roman Empire" Gibbon referred to the moral degeneracy that characterized Rome before its destruction and said that patriotism fell to such a low point mercenaries were employed for the city's defense.

It is not a mere coincidence that our criminals who are without a moral code have no patriotism. Billy Graham in commenting on the fact that Japan has the lowest crime rate in the world says that the Japanese, some Buddhists some Shintoists, are very religious and they are responding by unprecedented thousands to his message of the one true God.

While the method of dealing with criminals in Japan indicates that prompt punishment commensurate with the crime is a deterring influence, Dr. Graham feels that the good citizenship of the Japanese—their love of country and desire to promote its interest—are outward evidences of spiritual values. Patriotism cannot be bought nor criminals reformed by force. We need to reach the hearts of men through the power of the living God. In Chronicles, He gives us this positive assurance "If My people who are called by My name will humble themselves and pray and seek My face and turn from their wicked ways, then will I hear from Heaven and will forgive their sin and will heal their land."

JOHN NANCE GARNER

Mr. TOWER. Mr. President, I rise today to mourn the passing of one of the grand men of Texas politics, John Nance Garner. In him was embodied the epitome of the Texas politician, tough, taciturn, and always fighting for his principles and his beloved Texas. In a remarkable career that spanned all the way from the county courthouse to the U.S. Congress, to the Speaker of that body, and finally to the Vice-Presidency of the United States, John Nance Garner was always the same, his own man. He was humble. He never forgot the past or the promise of the future.

Vice President Garner was born in a log cabin in Red River County in 1868 and was brought up there in the rugged frontier of that day. In 1902, he was first elected to Congress and served there until he became Vice President in 1933. One of the highlights of his career was his election as Speaker of the House in 1931, and in 1932 there was much talk of his being the Democratic nominee for President.

His main concern was to see that the House worked vigorously to tackle the challenge of the great depression that concerned all Americans. As Vice President, Mr. Garner served his country with candor. His views of this office were well known, but not once did he shirk the many duties that were required of him. He always served his President and his country.

After two terms in the Vice-Presidency, Mr. Garner elected to return to his beloved Texas cattle country in Uvalde, believing that the tradition of George Washington should be followed. This was Mr. Garner's farewell to politics, and in the ensuing years, he spent much time enjoying his native State, meeting her native sons, and enjoying her history. A few years ago, he turned his home into a museum of Texas history as a gift to his hometown of Uvalde, and moved into smaller quarters in the rear of the home. He continued to supervise the museums operations and remained quite active until the day that he passed on.

Mr. President, the service and the career of John Nance Garner should be an inspiration to us all. It is certainly to be wished that we could everywhere in the Nation possess his sense of duty to country and to principle. Texas has lost a beloved son and the Nation one of its most loyal citizens.

NATIONAL MEATPACKERS ESTABLISH INTRASTATE OPERATIONS TO AVOID FEDERAL INSPECTION

Mr. MONDALE. Mr. President, the plot thickens on the meat inspection issue now before the Senate Agriculture Committee. This morning's Des Moines Register and Minneapolis Tribune carry a story by Mr. Nick Kotz disclosing that Agriculture Department investigators found improper conditions at six plants operated by Swift & Co., which is the Nation's largest meatpacking firm. These plants are wholly owned subsidiaries which limit their sales to intrastate markets and thus under the highly technical jurisdictional rules of meat inspection are beyond the reach of Federal inspectors. The abuses reported were derived from inspections made in 1962 and again in 1967.

Despite the fact that the Congress is trying to determine what policy it should pursue in protecting the public against unsanitary and unwholesome meat, the Nation's largest meatpacking firm has refused to disclose how many of its plants are exempt from Federal inspection, either in response to inquiries from Members of Congress or similar inquiries from newsmen.

It would appear that Swift & Co. is pursuing its policy of owning subsidiaries which operate in a fashion to escape Federal inspection so that they might better compete with nonfederally inspected meatpacking plants. This practice apparently permits them to resort to practices which save them money and which would never be tolerated if they were under Federal inspection. The losers, of course, are the American consumers who buy unwholesome meat or meat stuffed with cheap additives, such as water, cheap meats, or other inexpensive fillers, which are at best worthless to the consumer.

This disclosure, in my opinion, obliterates the argument that the only thing that prevents States from adopting adequate standards and appropriating sufficient funds for adequate State inspection is the mere absence of financial resources. It is now quite apparent that some of the largest meat packing firms in the country purchase or establish intrastate meat plants to avoid Federal inspection and thereby reduce costs for what they regard to be important competitive reasons. Thus, it becomes perfectly apparent that while we should offer to help the States by sharing the costs of adequate inspection, we must also insist that standards comparable to those of Federal inspection be required for all meat sold to consumers of this Nation.

I have been advised that the Swift Co. has declined the opportunity to testify before the Senate Agriculture Committee. I hope they will reconsider. It is now apparent that we must shape a measure in the Senate Agriculture Committee to assure that all meat sold to the American consumer is wholesome and unadulterated.

Mr. President, I ask unanimous consent that the article by Nick Kotz, referred to above, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Cite Poor Conditions in Swift Plants—Six Insanitary Facilities Named in 1962—Faults Eliminated, Firm Says—Meat Industry Shows Signs of Willingness To Accept a Stronger Meat-Inspection Bill

(By Nick Kotz)

WASHINGTON, D.C.—Agriculture Department investigators have reported finding improper conditions in at least six plants operated by Swift & Co., the nation's largest meat packing firm. None operated under federal inspection.

The reports were contained in 1962 and 1967 nationwide surveys made to determine conditions in some of the 14,000 meat packing plants that are not under federal inspection.

Swift, which reportedly handles 4 billion pounds of meat annually, operates 61 federally inspected plants and an undetermined number of intrastate plants not subject to federal inspection.

SWIFT SILENT

Swift officials have declined to tell either The Register or Representatives Neal Smith (Dem., Ia.) and Thomas Foley (Dem., Wash.) how many of its plants are exempt from federal inspection because they do not sell across state lines. The Agriculture Department also declines to reveal this information.

Swift officials have said only that 98 per cent of the firm's slaughtering and 90 per cent of its processing are under federal inspection.

The department's 1962 and 1967 reports are being cited by congressmen pushing for expanded federal meat inspection or improved state inspection.

In the department's 1962 survey, five of Swift's intrastate plants were cited for improper conditions, mainly relating to sanitation. They were located in San Antonio, Tex.; New Orleans, La.; Richmond, Va.; Orlando, Fla., and Jacksonville, Fla. The Jacksonville plant has since been closed.

A Swift & Co. spokesman declined to comment Tuesday on whether the inspectors had accurately described conditions existing in the plants at the time of the inspections. He also declined to reveal the number of locations of Swift plants not under federal inspection.

The Swift spokesman, informed of the plants to be referred to in this story, issued the following statement:

"Swift and Co. thinks it both unfair and less than factual to base a news story and/or a plea for current legislation on conditions alleged to have existed five years ago in its meat packing units, when such conditions no longer exist.

"According to this story, unsatisfactory conditions were reported in 1952 in five Swift and Co. units, yet every one of these units has been greatly modified in the last five to eight years through the company's continuing program of upgrading facilities and installation of new and efficient equipment.

"For example, completely new sales units were built in both Jacksonville and Orlando, Fla. Furthermore, no meat processing is done in the Richmond, Va. unit.

"The only current government inspection report referred to in the story is the Swift Phoenix sales units, which was just built and equipped in 1966. While the inspector might have been critical of a few housekeeping matters, this facility is modern in all respects."

YEAR 1967 SURVEY

The Agriculture Department did not release to the press or to Congress names of the plants cited in the 1967 survey. However, informed sources have identified one plant in Phoenix, Ariz., as being operated by Swift.

W. F. Bonilla, the Agriculture Department investigator who made the inspection, wrote of the Swift plant, in a July 31, 1967, report:

"This plant is a wholesale meat jobber and conducts smoking of hams. It is under the state of Arizona meat inspection system. The building is new, but facilities are inadequate. Working areas are crowded.

"General sanitation is poor throughout. Smokehouse area is cluttered with storage of boxes, paper, bags, etc. Over-all sanitation could be greatly improved. No sterilizers in the working areas. Wooden tables are in use. Equipment is inadequate(ly) sanitized."

The Agriculture Department did not begin to make public the 1962 reports until last summer.

RICHMOND PLANT

In a September, 1962, report, the USDA inspectors reported on a Swift plant in Richmond, Va., which cuts and grinds meat, smokes cured pork parts and manufactures sausage. (The plant now only distributes meat.)

The report stated, in part:

"The meat grinder bearings had much encrusted putrid material which would readily result in bacterial contamination of the ground meat. Sausage was hung on unclean aluminum smoke sticks and no attempt was made to clean the sausage mixer.

"Some beef cuts hanging in the cooler showed evidence of soilage while in transit and had not been reconditioned by removing soiled portions. Other insanitary conditions noted were ceilings with leaks dripping on exposed meat causing serious contamination.

"Some cockroaches were observed in the curing cellar where exposed meat is handled and stored."

In a September, 1962, report on a Swift plant in New Orleans, La., the federal inspector noted "there is no control over trichina" and no control in the use of such "restricted items" such as nitrite and aureomicyn.

RUSTY BARRELS

The inspector also noted "rusty barrels" used to hold meat products and meat boning boards that "were old and caked with fats and meat juices, cracks and deep knife marks."

In a September, 1962, report on the Swift plant at Orlando, Fla., the inspector noted that a loading dock door was covered with green mold, even though the plant was newly constructed. He also described the freezer as being "overcrowded, without proper aisles."

In another 1962 report, the inspectors devoted four pages of remarks to conditions in a large Swift plant at San Antonio which the inspectors said slaughters 640 animals in an eight-hour day.

Among conditions noted were:

"As a result of inadequate (handwashing) facilities, we noticed in the bacon slicing room after a girl picked up the product off the floor, she then handled edible product without washing her hands.

". . . On the killing floor, the hands of the hog brisket splitter and hogheaders were heavily contaminated with blood and hair due to infrequent washing of hands.

MEAT CONTAMINATED

"Numerous carcasses and tubs of meat were observed to be contaminated with drippings from the ceiling. Paint, scale, rust and plaster were scalding down from the walls and ceiling on the product through the plant.

"At least 50 hogs split and headed with no attempt made on the part of the house employes to clean their hands and knives from the contamination of blood and hair.

"Improper work-up of offal—upon inspection the offal was found to be grossly contaminated with fecal material, metal filings, hair, hide, dirt, etc. . . He [the state inspector] felt that all of the offal should be condemned; however, he took no action.

"Inspectional procedures were inadequate. Although we were told that all diseased animals were suspected (marked with a suspect tag) . . . upon visiting the pens, it was noted that two animals with epitheliomas had not been suspected. Head inspection was done in a haphazard manner.

"A majority of the hogs contained a great number of 'beater, wounds' on them which were grossly contaminated with tub water and hair. Other hog carcasses were found to have large chronic wounds on them.

HAM DEPARTMENT

". . . In the ham processing department, the inspector had no way of determining whether or not hams came back to 'green weight' after pumping and smoking.

". . . Condemned product was not tanked under supervision.

". . . In general, the plant was operating beyond capacity. In all departments, products were stacked on tables so high that at times they fell on the floor."

A number of other large national firms also operate both federally and non-federally-inspected meat packing plants. In a Register survey several months ago, all the largest national firms except Swift were willing to discuss the number of and location of their intrastate plants.

Several sources in the meat packing industry have explained that some of the national firms feel they have to operate some non-federally-inspected plants to meet strong local competitors in particular states.

The national firms were publicly united in opposing a bill that would have expanded federal inspection to cover the 6,000 now exempt plants which gross more than $250,000 annually.

WEAKER BILL

After first opposing any legislation, the major meat packing association decided to support a weaker bill, which offers federal aid to states willing to improve their own inspection system.

The weaker bill passed the House and is now in the Senate. The strong bill, sponsored by Foley and Representative Neal Smith (Dem., Ia.), was defeated.

DR. RICARDO VALLEJO SAMALA

Mr. MANSFIELD. Mr. President, I am about to ask that the Senate turn to the consideration of Calendar No. 665, H.R. 2275, and at that time it is the leadership's intention to ask that there be a time limitation of one-half hour on the bill and all amendments thereto.

Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calender No. 665.

The PRESIDING OFFICER. The clerk will state the bill by title.

The Assistant Legislative Clerk. A bill (H.R. 2275) for the relief of Dr. Ricardo Vallejo Samala.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President I ask unanimous consent that there be a time limitation of a half hour on the bill and all amendments thereto, the time to be equally divided and controlled between the majority and minority leaders or whomever they may designate, and that the usual rules apply.

The PRESIDING OFFICER (Mr. Mondale in the chair). Is there objection? The Chair hears none, and it is so ordered.

Who yields time?

Mr. MANSFIELD. Who has the first amendment?

Mr. BAYH. Mr. President, I have an amendment.

The PRESIDING OFFICER. How much time does the Senator yield?

Mr. MANSFIELD. I yield all the time on this side to the distinguished Senator from Indiana [Mr. Bayh].

Mr. BAYH. Mr. President, I send to the desk an amendment and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 1, after line 6, it is proposed to insert the following new section:

"Sec. 2. (a) In each State (other than the States of New Mexico and Hawaii) which is entitled in the Ninety-first Congress or in any subsequent Congress thereafter to more than one Representative under an apportionment made pursuant to the provisions of subsection (a) of section 22 of the Act of June 18, 1929, entitled 'An Act to provide for apportionment of Representatives' (46 Stat. 26, as amended; 2 U.S.C. 2), there shall be established a number of districts equal to the number of Representatives to which such State is so entitled, and Representatives shall be elected only from districts so established, no district to elect more than one Representative.

"(b) When such districts have been so established within any such State in accordance with the decennial census of the United States taken in 1960, such districts shall not be altered before the results of the decennial census of the United States taken in 1970 are available unless alteration thereof is required by a statewide special census of the United States conducted before 1970 pursuant to the provisions of the Act of August 26, 1954 (71 Stat. 481, as amended; 13 U.S.C. 8)."

The PRESIDING OFFICER. How much time does the Senator yield himself?

Mr. KENNEDY of Massachusetts. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Massachusetts will state it.

Mr. KENNEDY of Massachusetts. As I understand, the unanimous-consent request applied to a certain bill. As I understand, the request has now been changed. I have not seen the proposal, and I may have some objection to the unanimous-consent agreement. I should like to have the Chair state what the agreement is.

The PRESIDING OFFICER. The Parliamentarian advises the Chair that the request for unanimous consent was for one-half hour on the bill itself and all amendments thereto, the time to be equally divided.

Mr. KENNEDY of Massachusetts. And any amendments thereto?

The PRESIDING OFFICER. And any amendments thereto.

Mr. BAKER. Mr. President, I offer as an amendment in the nature of a substitute amendment No. 436, which is at the desk. I ask that the amendment be read.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

At the end of the bill, it is proposed to insert the following:

"In each State entitled in the Ninety-first Congress or in any subsequent Congress thereafter to more than one Representative under an apportionment made pursuant to the provisions of subsection (a) of section 22 of the Act of June 18, 1929, entitled 'An Act to provide for apportionment of Representatives' (46 Stat. 26), as amended, there shall be established by law a number of districts equal to the number of Representatives to which such State is so entitled, and Representatives shall be elected only from districts so established, no district to elect more than one Representative."

The PRESIDING OFFICER. Is the Senator from Tennessee offering his amendment as a substitute for the pending amendment offered by the Senator from Indiana?

Mr. BAKER. It is my intention to offer the amendment as a substitute for the amendment of the Senator from Indiana.

The PRESIDING OFFICER. Who yields time?

Mr. BAKER. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. BAKER. Mr. President, the purpose of my amendment in the nature of a substitute is straightforward and simple. It is to adopt the language of the original, amended Senate version of the redistricting bill relating to the prohibition against election of Representatives to the U.S. House of Representatives at large.

The measure makes no other provision. It has nothing to do with gerrymandering. It has nothing to do with compactness. It has nothing to do with census. It strictly provides in a straightforward manner that when there is more than one Member of the House of Representatives from a State, the State must be districted, and that the Members may not run at large.

This, as I said previously, is the language of the Senate version adopted in June of this year. This, I am told, is essentially the language which was proposed by Representative Celler, chairman of the House Judiciary Committee as long ago as 1951. This is substantially the language that was adopted by Congresses dated from 1842 until very recently.

Mr. President, this measure makes no exceptions. The conference report, if one recalls, excepted from the provision which prohibited elections at large the States of New Mexico and Hawaii. This measure does not exclude any State, and therefore, of course, does include New Mexico, Hawaii, and all of the other States.

My amendment differs in material respects from the amendment offered by the Senator from Indiana [Mr. Bayh] in that, as I understand it, Senator Bayh's amendment has certain restrictions on how frequently the State legislature may reapportion.

I believe that my amendment is the most straightforward and direct and simple way to get at the most urgent need in the entire field of redistricting, and that is to prevent the several States of the Union from being under the threat of having their Representatives to the U.S. House of Representatives stand for election at large.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. BAKER. I yield.

Mr. HRUSKA. Mr. President, is it not true that it was this point which stood in the way of approval of the conference report which was agreed upon on June 28 of this year and referred to the House? It was found that it did not include a prohibition on election at large, and it was that point which caused the recommital of the full conference report to the conference so that they could rework it to include that point.

Mr. BAKER. I believe that to be entirely correct. And obviously the House of Representatives is very sensitive indeed to the proposition of having to run at large in the various States.

Mr. HRUSKA. The Senator is correct. I commend the Senator for having offered his amendment. I will support it and vote for it.

Mr. FONG. Mr. President, will the Senator yield?

Mr. BAKER. I yield.

Mr. FONG. Mr. President, as I understand, one provision of the Bayh amendment would exempt the States of Hawaii and New Mexico from the single-Member-district requirement.

Mr. BAKER. The Senator is correct.

Mr. FONG. And the substitute amendment of the Senator from Tennessee would require that every State elect its Representatives from single-Member-Representative districts.

Mr. BAKER. The Senator is correct.

Mr. FONG. This requirement would apply to all 50 States of the Union, including the States of Hawaii and New Mexico.

Mr. BAKER. There would be no exception relating to New Mexico or Hawaii.

Mr. FONG. Mr. President, there is no doubt in my mind that the amendment offered by the distinguished Senator from Indiana is clearly unconstitutional. If we could exempt two States, why could we not exempt 50 States? If we could pass a bill containing the pending amendment and say that it is constitutional, why could we not say that 25 of the States may redistrict, and the other 25 of the States may not? Why could we not say that the Members of the House of Representatives from 25 of the States are required to run at large, and that the Members of the House of Representatives from 25 other States must run by single-Member congressional districts?

There is absolutely no reason why the State of Hawaii should be so exempted. We have not asked for that privilege. We have not asked for that exemption. Rather, we ask that Hawaii be placed on exactly the same footing with her sister States.

Surely the State of Hawaii has been entitled to two Representatives since the 1960 Decennial Census, and we have elected them on an at-large basis since that time. But this is no justification to exempt Hawaii.

If Hawaii is exempted, then so should the five States having smaller populations than Hawaii and entitled to two Representatives also be exempted. But under the Bayh amendment, they are not.

The only conceivable reason for the Hawaii exemption was that if the Representatives from Hawaii were to run from single-Member congressional districts, the political complexion of our congressional delegation would be changed.

Mr. President, because of that and because of the unconstitutionality of the Bayh amendment, I ask Senators to support the amendment offered by the distinguished Senator from Tennessee.

Mr. BAKER. Mr. President, I thank my friend, the Senator from Hawaii.

The PRESIDING OFFICER. Who yields time?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum for 1 minute and ask unanimous consent that the time be taken out of the time of the Senator from Indiana.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, has the minute expired?

The PRESIDING OFFICER. The minute has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAYH. Mr. President, I yield myself 4 or 5 minutes in which I hope I can be at least as eloquent as I was in the last 1 minute which was also charged to my time.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. BAYH. Mr. President, we have been dealing with the problem of congressional redistricting for a long, long, time. I do not know of anything that is fraught with more controversy and disagreement within the Senate and, indeed, within the House of Representatives.

What I have tried to do is to take that part of the conference report over which there was no dispute, or a minimal amount of dispute, and attach that part to the bill which is now the pending business.

The question has been raised as to why New Mexico and Hawaii should be included in the exemption. There are only four good reasons why New Mexico and Hawaii should be included in the exemption. The reason is that the two Congressmen from both of those States wanted them to be exempt.

Theoretically, this may not be a good idea. But if we are trying to get something passed with a minimum amount of dispute, or at least get it passed, it seems to me that we can maintain the same provisions that were approved by the other body. It is for that reason that those two exceptions are included; because we know that if they are excluded from the overall coverage, it can pass the House and we can get a prohibition of at-large elections, which we all believe is necessary.

Subsection (b) would provide one thing, and only one thing, if there has been a constitutionally recognized reapportionment which the court holds constitutional based on the 1960 census. In other words, if some of the 17 States that are required to reapportion—reapportion next year—it seems to me that it would be a fallacy to try to have them reapportion again in 1969.

Subsection (b) would direct that once that reapportionment has taken effect, another reapportionment could not be enacted until you get the 1970 census. That is what it would do—no more, no less.

I should like to ask the Senator from Tennessee one question, if I may, on my time.

Mr. BAKER. Yes.

Mr. BAYH. I note that my friend and colleague, the Senator from Tennessee, mentions, on line 6, "as amended, there shall be established by law." I would interpret "by law" to mean if the reapportionment is done either by the State legislatures or by the court. I should like to know whether the Senator from Tennessee agrees with that interpretation.

Mr. BAKER. Mr. President, in the ordinary course of events, it is clearly the province of the State legislature to establish the number, the size, and the location of congressional districts. It would be only if State legislatures failed in their performance of that duty that there would be any derivative right of the judiciary, Federal or State, to intervene. So, in answer to the question, this language would imply, to me, without equivocation, that it would be the duty of the State legislature by law to create these districts.

Mr. BAYH. I am not making myself clear. Suppose a State legislature does not do it. Does the Senator not think that, to be consistent, we should say that the Federal court should not be permitted to reapportion a State and let all the legislators run at large?

Mr. BAKER. With respectful deference to my colleague, I think not; because I believe that you are then running afoul of the very problem that is created by occasional failure of State legislatures to adhere to the provisions of article I of the Constitution.

It seems to me that the only thing we need to do or that properly should be done at this point is to provide that legislative districts shall be created. The law already exists to direct that the State legislature shall do it, and I see no reason to go any further nor to make any elaboration or extension of that language.

Mr. BAYH. Let me rephrase the question. Take a hypothetical situation in which the State legislature has been ordered by the court to reapportion, and the State legislature, for reasons which I believe all of us who have sat through this discussion during the past several months can understand, would not come to agreement. Then the court would take it upon itself to do one of two things—to carve up the districts or to say that the Congressmen shall run at large.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BAYH. I yield myself 5 additional minutes, or however much time I have remaining.

If we are going to be sincere about this matter, if it is bad government for the legislature to say that Congressmen should run at large, then it is bad government for the court to have an entire group of Congressmen running at large in a State.

Mr. BAKER. In response to that point, I agree, and I would point to my own situation in Tennessee, where the legislature was not able to agree on redistricting, and the Federal judiciary undertook to redistrict, did so, established boundaries by counties, and designated the areas from which Members would run.

If we should fall on those unhappy circumstances, I would greatly prefer that the judiciary, State or Federal, designate individual single-Member districts; running at large never really accommodates the principle of equal representation. It never really accommodates the idea that the House of Representatives is properly made up of Representatives of districts of varying interests.

Mr. BAYH. Perhaps I was not clear in the first question. Let me rephrase the question in light of the colloquy.

When we say "as amended, there shall be established by law a number of districts equal to the number of Representatives to which such State is so entitled, and Representatives shall be elected only from districts so established, no district to elect more than one Representative," we are talking about either of two situations—whether the legislature reapportions or whether the court reapportions.

Mr. BAKER. The Senator is correct.

Mr. MANSFIELD. Mr. President, will the Senator yield back the remainder of his time, except for 1 minute?

Mr. BAYH. I yield back the remainder of my time, except for 1 minute.

Mr. BAKER. I yield back the remainder of my time.

Mr. MANSFIELD. Mr. President, the colloquy this afternoon between the distinguished Senators from Indiana and Tennessee has been most enlightening as well as heartening. I believe much of the confusion has been eliminated. A great deal of credit must go to the distinguished Senator from Indiana for offering his amendment. Above all, it demonstrates his deep devotion to the people of his State and to the cause of fair and better government. And to the distinguished Senator from Tennessee goes our appreciation for offering a method to assure the success of this matter and perhaps make possible a better understanding of this vital question. It can be resolved now in a better way than before. The Senator from Indiana and the Senator from Tennessee also are to be commended for the cooperation each of them displayed. It certainly credited them highly. The Senate is grateful to them both.

The PRESIDING OFFICER. The question is on agreeing to the substitute amendment offered by the Senator from Tennessee.

The substitute amendment was agreed to.

Mr. MANSFIELD. I ask for third reading, Mr. President.

The PRESIDING OFFICER. The question now is on agreeing to the amendment of the Senator from Indiana as amended by the amendment of the Senator from Tennessee.

Mr. FONG. Mr. President, I ask unanimous consent that my name be joined as a cosponsor with that of the distinguished Senator from Tennessee on the substitute amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAYH. Mr. President, is discussion permitted on this amendment?

The PRESIDING OFFICER. All time has been yielded back.

Mr. BAYH. Mr. President, in light of the colloquy, permit me to ask one question of the Senator from Tennessee. I ask unanimous consent that I may proceed for 2 minutes.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that despite the unanimous-consent agreement entered into, the distinguished Senator from Indiana may be allowed 2 additional minutes, at the conclusion of which a vote will be had.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAYH. Mr. President, I appreciate very much the effort the Senator from Tennessee has made in this matter. I am not completely in accord with the final result, but I believe it will make considerable progress. I just wish to make one brief comment in summary, in light of the colloquy.

This will make it mandatory for all Congressmen to be elected by single-Member districts, whether the reapportionment is done by State legislatures or by a Federal court.

Mr. BAKER. That is my understanding.

Mr. BAYH. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Indiana, as amended.

The amendment as amended was agreed to.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. DOMINICK. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 2275) was read a third time, and was passed.

Mr. BAKER. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. DOMINICK. I move to lay that motion on the table.

Tre motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I ask that the title be appropriately amended.

The title was amended, so as to read: "An act for the relief of Dr. Ricardo Vallejo Samala, and to provide for congressional redistricting."

* * *

SAFETY REGULATIONS FOR TRANSPORTATION OF NATURAL GAS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 718, S. 1166. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be read by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 1166) to authorize the Secretary of Transportation to prescribe safety regulations for the transportation of natural gas by pipeline, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, with an amendment, to strike out all after the enacting clause and insert:

This Act may be cited as "the Natural Gas Pipeline Safety Act of 1967".

DEFINITIONS

SEC. 2. As used in this Act—

(1) "Person" means any individual, firm, joint venture, partnership, corporation, association, State municipality, cooperative association, or joint stock association, and includes any trustee, receiver, assignee, or personal representative thereof;

(2) "Gas" means natural gas, flammable gas, or nonflammable hazardous gas;

(3) "Transportation of gas" means the transmission or distribution of gas by pipeline or its storage in or affecting interstate or foreign commerce;

(4) "Pipeline facilities" includes, without limitation, new and existing pipe, rights-of-way, and any equipment, facility, or building used in the transportation of gas or the treatment of gas, but "rights-of-way" as used in this Act does not authorize the Secretary to prescribe the location or routing of any pipeline facility;

(5) "State" includes each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico;

(6) "Municipality" means a city, county, or any other political subdivison of a State;

(7) "National organization of the State commissions" means the national organization of the State commissions referred to in part II of the Interstate Commerce Act;

(8) "Adversely affected" includes exposure to personal injury or property damage;

(9) "Interstate transmission facilities" means pipeline facilities used in the transportation of gas which are subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act; and

(10) "Secretary" means the Secretary of Transportation.

STANDARDS ESTABLISHED

SEC. 3. (a) As soon as practicable but not later than three months after the enactment of this Act, the Secretary shall, by order, adopt as interim minimum Federal safety standards for pipeline facilities and the transportation of gas in each State the State standards regulating pipeline facilities and the transportation of gas within such State on the date of enactment of this Act. In any State in which no such standards are in effect, the Secretary shall, by order, establish interim Federal safety standards for pipeline facilities and the transportation of gas in such State which shall be such standards as are common to a majority of States having safety standards for the transportation of gas and pipeline facilities on such date. Interim standards shall remain in effect until amended or revoked pursuant to this section. Any State may adopt such additional or more stringent standards for pipeline facilities and the transportation of gas not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act as are not incompatible with the Federal minimum standards, but may not adopt or continue in force after the interim standards provided for above become effective any such standards applicable to interstate transmission facilities.

(b) Not later than twenty-four months after the enactment of this Act, and from time to time thereafter, the Secretary shall, by order, establish minimum Federal safety standards for the transportation of gas and pipeline facilities. Such standards may apply to the design, installation, inspection, testing, construction, extension, operation, replacement, and maintenance of pipeline facilities. Standards affecting the design, installation, construction, initial inspection, and initial testing shall not be applicable to pipeline facilities in existence on the date such standards are adopted, unless the Secretary finds that a potentially hazardous situation exists, in which case he may by order require compliance with any such standards. Such Federal safety standards shall be practicable and designed to meet the need for pipeline safety. In prescribing such standards, the Secretary shall consider—

(1) relevant available pipeline safety data;

(2) whether such standards are appropriate for the particular type of guideline transportation;

(3) the reasonableness of any proposed standards; and

(4) the extent to which such standards will contribute to public safety.

(c) Any standards prescribed under this section, and amendments thereto, shall become effective thirty days after the date of issuance of such standards unless the Secretary, for good cause recited, determines an earlier or later effective date is required as a result of the period reasonably necessary for compliance.

(d) The provisions of subchapter II of chapter 5 of title 5 of the United States Code shall apply to all orders establishing, amending, revoking, or waiving compliance with, any standard established under this Act. The Secretary shall afford interested persons an opportunity to participate fully in the establishment of such safety standards through submission of written data, views, or arguments with opportunity to present oral testimony and argument.

(e) Upon application by any person engaged in the transportation of gas or the operation of pipeline facilities, the Secretary may, after notice and opportunity for hearing and under such terms and conditions and to such extent as he deems appropriate, waive in whole or in part compliance with any standard established under this Act, if he determines that a waiver of compliance with such standard is not inconsistent with gas pipeline safety. The Secretary shall state his reasons for any such waiver. A State agency, with which an agreement is in effect pursuant to section 5(a), may waive compliance with a safety standard in the same manner as the Secretary, provided such State agency gives the Secretary written notice at least sixty days prior to the effective date of the waiver. If, before the effective date of a waiver to be granted by a State agency, the Secretary objects in writing to the granting of the waiver, any State action granting the waiver will be stayed. After notifying such State agency of his objection, the Secretary shall afford such agency a prompt opportunity to present its request for waiver, with opportunity for hearing, and the Secretary shall determine finally whether the requested waiver may be granted.

(f) Not later than one year after the date of enactment of this Act, the Secretary shall report to the Congress on the need for Federal safety standards for gathering lines for the transportation of gas, together with such recommendations as he deems advisable.

TECHNICAL PIPELINE SAFETY STANDARDS COMMITTEE

SEC. 4. (a) The Secretary shall establish a Technical Pipeline Safety Standards Committee. The Committee shall be appointed by the Secretary, after consultation with public and private agencies concerned with the technical aspect of the transportation of gas or the operation of pipeline facilities, and shall be composed of fifteen members each of whom shall be technically qualified by training and experience in one or more fields of engineering applied in the transportation of gas or the operation of pipeline facilities to evaluate gas pipeline safety standards as follows:

(1) Five members shall be selected from governmental agencies, including State and Federal Governments, one of whom, after consultation with representatives of the national organization of State commissions, shall be a State commissioner;

(2) Five members shall be selected from the natural gas industry after consultation with industry representatives, not less than three of whom shall be currently engaged in the active operation of natural gas pipelines; and

(3) Five members shall be selected from the general public.

(b) The Secretary shall submit to the Committee all proposed standards and amendments to such standards and afford such Committee a reasonable opportunity, not to exceed ninety days, unless extended by the Secretary, to prepare a report on the technical feasibility, reasonableness, and practicability of each such proposal. Each report by the Committee, including any minority views, shall be published by the Secretary and form a part of the proceedings for the promulgation of standards. In the event that the Secretary rejects the conclusions of the majority of the Committee, he shall not be bound by such conclusions but shall publish his reasons for rejection thereof. The Committee may propose safety standards for pipeline facilities and the transportation of gas to the Secretary for his consideration. All proceedings of the Committee shall be recorded and the record of each such proceeding shall be available for public inspection.

(c) Members of the Committee other than Federal employees may be compensated at a rate to be fixed by the Secretary not to exceed $100 per diem (including travel time) when engaged in the actual duties of the Committee. All members, while away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently. Payments under this section shall not render members of the Committee employees or officials of the United States for any purpose.

AGREEMENTS WITH STATE AGENCIES

SEC. 5. (a) Subject to the provisions of this section, the Secretary is authorized by written agreement with an appropriate State agency to exempt from the Federal safety standards pipeline facilities and the transportation of gas not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act, under which agreement such State agency—

(1) adopts each Federal safety standard applicable to such transportation of gas and pipeline facilities and any amendment to each such standard, established under this Act;

(2) undertakes a program satisfactory to the Secretary, designed to achieve adequate compliance with such standards and with the plans of inspection and maintenance required by section 11; and

(3) agrees to cooperate fully in a system of Federal monitoring of such compliance program and reporting under regulations prescribed by the Secretary.

No such agreement may be concluded with any State agency which does not have the authority (i) to impose the sanctions provided under sections 9 and 10, (ii) to require record maintenance, reporting, and inspection responsibilities substantially the same as are provided under section 12, and (iii) to require the filing for approval of plans of inspection and maintenance described in section 11.

(b) With respect to any State agency with which the Secretary determines that he cannot enter into an agreement under subsection (a) of this section, the Secretary is authorized by agreement to authorize such agency to assume responsibility for, and carry out on behalf of the Secretary as it relates to pipeline facilities and the transportation of gas not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act the necessary actions to—

(1) establish an adequate program for record maintenance, reporting, and inspection designed to assist compliance with such standards;

(2) establish procedures for approval of plans of inspection and maintenance substantially the same as are required under section 11;

(3) to implement a compliance program acceptable to the Secretary including provision for inspection of pipeline facilities used in such transportation of gas; and

(4) to cooperate fully in a system of Federal monitoring of such compliance program and reporting under regulations prescribed by the Secretary.

Any agreement executed pursuant to this subsection shall require the State to promptly notify the Secretary of any violation or probable violation of a Federal safety standard which it discovers as a result of its program.

(c) (1) Upon an application submitted not later than September 30 in any calendar year, the Secretary is authorized to pay out of funds appropriated pursuant to section 15(a) up to 50 per centum of the cost of the personnel, equipment, and activities of a State agency reasonably required to carry out such agreement during the following calendar year. No such payment may be made unless the State agency making application under this subsection gives assurances satisfactory to the Secretary that the State agency will provide the remaining cost of such an agreement.

(2) Upon application by the national organization of State commissions, the Secretary is authorized to pay out of the funds appropriated pursuant to section 15(a) the sum of $20,000, plus such additional sums as he deems justified, to such national organization to pay the reasonable cost of coordinating the activities of the State commissions, to assist them in the maintenance and improvement of gas pipeline safety programs and to render technical assistance to such commissions in other regulatory matters.

(3) Payments under this section may be made in installments, in advance or by way of reimbursement, with necessary adjustments on account of overpayments and underpayments.

(4) The Secretary may, by regulation, provide for the form and manner of filing of applications under this section, and for such reporting and fiscal procedures as he deems necessary to assure the proper accounting for Federal funds.

(d) Where an exemption from Federal standards for pipeline facilities or the transportation of gas is in effect under subsection (a) of this section the provisions of sections 8(a)(1), 8(a)(2), 9, and 10 of this Act, shall not apply. Any such exemption shall remain in effect until a new or amended Federal safety standard for pipeline facilities or the transportation of gas not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act is established pursuant to this Act, and such exemption shall not apply to any such new standard or amendment until the State has adopted such new standard or amendment pursuant to the provisions of subsection (a) of this section. The provisions of this Act shall apply to such standard until such adoption has become effective.

(e) Any agreement under this section may be terminated by the Secretary if, after notice and opportunity for a hearing, he finds that the State agency has failed to comply with any provision of such agreement. Such finding and termination shall be published in the Federal Register, and shall become effective no sooner than fifteen days after the date of publication.

JUDICIAL REVIEW ORDERS

SEC. 6. (a) Any person who is or will be adversely affected or aggrieved by any order issued under this Act may at any time prior to the sixtieth day after such order is issued file a petition for a judicial review with the United States Court of Appeals for the District of Columbia or for the circuit wherein such petitioner is located or has his principal place of business. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary or other officer designated by him for that purpose.

(b) Upon the filing of the petition referred to in subsection (a), the court shall have jurisdiction to review the order in accordance with chapter 7 of title 5 of the United States Code and to grant appropriate relief as provided in such chapter.

(c) The judgment of the court affirming or setting aside, in whole or in part, any such order of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28 of the United States Code.

(d) Any action instituted under this section shall survive, notwithstanding any change in the person occupying the office of Secretary or any vacancy in such office.

(e) The remedies provided for in this section shall be in addition to and not in substitution for any other remedies provided by law.

COOPERATION WITH FEDERAL POWER COMMISSION AND STATE COMMISSIONS

SEC. 7. Whenever the establishment of a standard or action upon application for waiver under the provisions of this Act, would affect continuity of any gas services, the Secretary shall consult with and advise the Federal Power Commission or State commission having jurisdiction over the affected pipeline facility before establishing the standard or acting on the waiver application and shall defer the effective date until the Federal Power Commission or any such commission has had reasonable opportunity to grant the authorization it deems necessary. In any proceedings under section 7 of the Natural Gas Act (15 U.S.C. 717f) for authority to establish, construct, operate, or extend a gas pipeline which is or will be subject to Federal or other applicable safety standards, any applicant shall certify that it will design, install, inspect, test, construct, operate, replace, and maintain the pipeline facilities in accordance with Federal and other applicable safety standards and plans for maintenance and inspection. Such certification shall be binding and conclusive upon the Commission unless the relevant enforcement agency has timely advised the Commission in writing that the applicant has violated safety standards established pursuant to this Act.

COMPLIANCE

SEC. 8. (a) Any person engaged in the transportation of gas shall—

(1) at all times after the date any applicable safety standard established under this Act takes effect comply with the requirements of such standards; and

(2) file and comply with a plan of inspection and maintenance required by section 12; and

(3) permit access to or copying of records, and make reports or provide information, and permit entry or inspection, as required under section 13.

(b) Nothing in this Act shall affect the common law or statutory tort liability of any person.

CIVIL PENALTY

SEC. 9. (a) Any person who violates any provision of section 8(a), or any regulation issued under this Act, shall be subject to a civil penalty of not to exceed $1,000 for each such violation for each day that such violation persists, except that the maximum civil penalty shall not exceed $400,000 for any related series of violations.

(b) Any such civil penalty may be compromised by the Secretary. In determining the amount of such penalty, or the amount agreed upon in compromise, the appropriateness of such penalty to the size of the business of the person charged, the gravity of the violation, and the good faith of the person charged in attempting to achieve compliance, after notification of a violation, shall be considered. The amount of such penalty, when finally determined, or the amount agreed upon in compromise, may be deducted from any sums owing by the United States to the person charged or may be recovered in a civil action in the United States district courts.

INJUNCTION AND JURISDICTION

SEC. 10. (a) The United States district courts shall have jurisdiction, subject to the provisions of rule 65 (a) and (b) of the Federal Rules of Civil Procedure, to restrain violations of this Act (including the restraint of transportation of gas or the operation of a pipeline facility) or to enforce standards established hereunder upon petition by the appropriate United States attorney or the Attorney General on behalf of the United States. Whenever practicable, the Secretary shall give notice to any person against whom an action for injunctive relief is contemplated and afford him an opportunity to present his views, and, except in the case of a knowing and willful violation, shall afford him reasonable opportunity to achieve compliance. However, the failure to give such notice and afford such opportunity shall not preclude the granting of appropriate relief.

(b) In any proceeding for criminal contempt for violation of an injunction or restraining order issued under this section, which violation also constitutes a violation of this Act, trial shall be by the court or, upon demand of the accused, by a jury. Such trial shall be conducted in accordance with the practice and procedure applicable in the case of proceedings subject to the provisions of rule 42(b) of the Federal Rules of Criminal Procedure.

(c) Actions under subsection (a) of this section and section 9 may be brought in the district wherein any act or transaction constituting the violation occurred, or in the district wherein the defendant is found or is an inhabitant or transacts business, and process in such cases may be served in any other district of which the defendant is an inhabitant or transacts business or wherever the defendant may be found.

(d) In any action brought under subsection (a) of this section and section 9, subpenas for witnesses who are required to attend a United States district court may run into any other district.

INSPECTION AND MAINTENANCE PLANS

SEC. 11. Each person who owns or operates any pipeline facility used in the transportation of gas not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act shall file with the Secretary or, where an agreement pursuant to section 5 is in effect, with the State agency, a plan for inspection and maintenance of each such pipeline facility owned or operated by such person, and any changes in such plan, in accordance with regulations prescribed by the Secretary or appropriate State agency. The Secretary may, by regulation, also require persons who own or operate pipeline facilities subject to the provisions of this Act to file such plans for approval. If at any time the agency with responsibility for enforcement of compliance with the standards established under this Act finds that such plan is inadequate to achieve safe operation, such agency may, after notice and oppportunity for a hearing, require such plan to be revised. The plan required by the agency shall be practicable and designed to meet the need for pipeline safety. In determining the adequacy of any such plan, such agency shall consider—

(1) relevant available pipeline safety data;

(2) whether the plan is appropriate for the particular type of pipeline transportation;

(3) the reasonableness of the plan; and

(4) the extent to which such plan will contribute to public safety.

RECORDS, REPORTS, AND INSPECTION FOR COMPLIANCE

SEC. 12. (a) Every person engaged in the transportation of gas or the operation of pipeline facilities shall establish and maintain such records, make such reports, and provide such information as the Secretary may reasonably require to enable him to determine whether such person has acted or is acting in compliance with this Act and the standards established under this Act. Each such person shall, upon request of an officer, employee, or agent authorized by the Secretary, permit such officer, employee, or agent to inspect books, papers, records, and documents relevant to determining whether such person has acted or is acting in compliance with this Act and the standards established pursuant to this Act.

(b) The Secretary is authorized to conduct such monitoring of State enforcement practices and such other inspection and investigation as may be necessary to aid in the enforcement of the provisions of this Act and the standards established pursuant to this Act. He shall furnish the Attorney General any information obtained indicating noncompliance with such standards for appropriate action. For purposes of enforcement of this Act, officers, employees, or agents authorized by the Secretary, upon presenting appropriate credentials to the individual in charge, are authorized (1) to enter upon, at reasonable times, pipeline facilities, and (2) to inspect, at reasonable times and within reasonable limits and in a reasonable manner, such facilities. Each such inspection shall be commenced and completed with reasonable promptness.

(c) Accident reports made by any officer, employee, or agent of the Department of Transportation shall be available for use in any civil, criminal, or other judicial proceeding arising out of such accident. Any such officer, employee, or agent may be required to testify in such proceedings as to the facts developed in such investigations. Any such report shall be made available to the public in a manner which need not identify individuals. All reports on research projects, demonstration projects, and other related activities shall be public information.

(d) All information reported to or otherwise obtained by the Secretary or his representative pursuant to subsection (a), (b), or (c) which information contains or relates to a trade secret referred to in section 1905 of title 18 of the United States Code shall be considered confidential for the purpose of that section, except that such information may be disclosed to other officers or employees concerned with carrying out this Act or when relevant in any proceeding under this Act. Nothing in this section shall authorize the withholding of information by the Secretary or any officer, employee, or agent under his control, from the duly authorized committees of the Congress.

ADMINISTRATION

SEC. 13. (a) The Secretary shall conduct research, testing, development, and training necessary to carry out the provisions of this Act. The Secretary is authorized to carry out the provisions of this section by contract, or by grants to individuals, States, and nonprofit institutions.

(b) Upon request, the Secretary shall furnish to the Federal Power Commission any information he has concerning the safety of any materials, operations, devices, or processes relating to the transportation of gas or the operation of pipeline facilities.

(c) The Secretary is authorized to advise, assist, and cooperate with other Federal departments and agencies and State and other interested public and private agencies and persons, in the planning and development of (1) Federal safety standards, and (2) methods for inspecting and testing to determine compliance with Federal safety standards.

REPORTS

SEC. 14. (a) The Secretary shall prepare and submit to the President for transmittal to the Congress on March 17 of each year a comprehensive report on the administration of this Act for the preceding calendar year. Such report shall include—

(1) a thorough compilation of the accidents and casualties occurring in such year with a statement of cause whenever investigated and determined by the National Transportation Safety Board;

(2) a list of Federal gas pipeline safety standards established or in effect in such year with identification of standards newly established during such year;

(3) a summary of the reasons for each waiver granted under section 3(e) during such year;

(4) an evaluation of the degree of observance of applicable safety standards for the transportation of gas and pipeline facilities including a list of enforcement actions, and compromises of alleged violations by location and company name;

(5) a summary of outstanding problems confronting the administration of this Act in order of priority;

(6) an analysis and evaluation of research activities, including the policy implications thereof, completed as a result of Government and private sponsorship and technological progress for safety achieved during such year;

(7) a list, with a brief statement of the issues, of completed or pending judicial actions under the Act; and

(8) the extent to which technical information was disseminated to the scientific community and consumer-oriented information was made available to the public.

(b) The report required by subsection (a) shall contain such recommendations for additional legislation as the Secretary deems necessary to promote cooperation among the several States in the improvement of gas pipeline safety and to strengthen the national gas pipeline safety program.

APPROPRIATIONS AUTHORIZED

SEC. 15. (a) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

(b) To help defray the expenses of Federal inspection and enforcement under this Act, the Secretary may require the payment of a reasonable annual fee to him by all persons engaged in the transportation of gas.

DR. PEDRO PINA Y GIL

Mr. BYRD of West Virginia. Mr. President, I ask that the Chair lay before the Senate a message from the House on S. 2168.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2168) for the relief of Dr. Pedro Pina y Gil which was, in line 6, strike out "February 28, 1962" and insert "March 2, 1962."

Mr. BYRD of West Virginia. Mr. President, I move that the Senate concur in the amendment of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

PROTECTIONISM

Mr. KENNEDY of New York. Mr. President, the Under Secretary of State, Nicholas deB. Katzenbach, gave a thoughtful address last week about the new wave of protectionism which has arisen in Congress. His arguments are cogent and persuasive, and deserve the attention of all of us. I ask unanimous consent, therefore, that his speech be placed in the RECORD at the close of my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

PROTECTIONISM: A POLICY OF RETREAT

(Address by the Honorable Nicholas deB. Katzenbach, Under Secretary of State, before the 54th National Foreign Trade Convention, New York City, October 30, 1967)

There is an old Talmudic story about the disciple who asks of a famous rabbi: "How does one become wise?" The rabbi responds: "One studies and works hard."

"But," the disciple asks, "Many study and work hard and are not wise."

"Then," says the rabbi, "I suppose one studies, works hard, and has experience."

"Yes," responds the disciple, "but many persons study, work hard, and have experience, and still are not wise."

"But then one needs good judgment," says the rabbi.

"But how does one get good judgment?" the disciple pleads.

"By having *bad* experience," is the response.

Those of us who remember the creeping protectionism of the early part of this century, culminating in the Smoot-Hawley Tariff Act of 1930, know something about bad experience. And the lessons of that experience are worth remembering today.

What started out as an attempt to raise tariffs on a limited range of agricultural goods ended up, before the Congress was through, with tariff increases on more than 800 rates—including a wide variety of industrial as well as agricultural products.

And what did Smoot-Hawley accomplish? Little or nothing for those it sought to help; great damage to the economy of the United States and our trading partners.

Those of us who lived through the Depression know how Smoot-Hawley became part of a world-wide spiral of retaliatory and defensive trade and exchange restrictions. The largest trading nation in the world made the disastrous mistake of concluding that it could defend its own economy against depression by drastic tightening of import restrictions. The smaller and more vulnerable national economies had little choice but to follow our lead.

The lesson of that experience was simply that our economic health is inseparable from that of our trading partners, as theirs is from ours. The facts of modern economic life have been recognized and acted upon by Presidents Roosevelt, Truman, Eisenhower, Kennedy, and Johnson. Since the mid-1930s we have seen that we have a tremendous stake—politically and economically—in a liberal trade policy, and acknowledgment of that truth has led to a series of imaginative initiatives, culminating in the recent successful conclusion of the Kennedy Round.

Today that policy is challenged by powerful forces in this country. There are those who are determined, it would seem, to prove Santayana's gloomy prediction right—that every generation is condemned to repeat history.

Legislation now before the Congress and supported by a significant number of Senators and Congressmen, would not only undo the past four years of hard negotiations in Geneva, but would reverse in large part 30 years of success. Should these proposals become law, the spiral of retaliation and protectionism unleashed by our unilateral act would rock the free world and its trading system to its foundations.

Let me summarize the scope and dimensions of this blatant, frontal attack on our trade policy.

First, the proposed restrictions would apply, in one form or another, to a very substantial share of our total trade. We aren't talking about a relatively isolated escape clause action. We are talking about the guts of our whole policy. These restrictions would cover imports that reached $6.4 billion last year. They would apply to one third of all our imports subject to duty.

But that is the modest proposal. There is also a proposal for a general quota system which, through an elaborate series of trigger points, would set limits to the market share of imports. If it became law, coverage would rise to over $12 billion, almost 80 percent of all United States dutiable imports.

Second, these proposals all take the form of import quotas—the method universally acknowledged to be most disruptive to international trade and specifically outlawed under the GATT. To put it bluntly, these bills propose to dispense altogether with the price mechanism as the regulator of international trade for the range of commodities affected.

Third, the implications for existing statutes and commitments: The bills would set aside existing procedures of inquiry designed to ensure that claims for relief from import competition receive impartial review. And they would violate international commitments and agreements undertaken under authority expressly given by the Congress.

That any such legislation on our part would result in a spiral of retaliation by others is scarcely open to doubt. The United States has already been formally put on notice by some forty countries that they strongly oppose the proposed legislation.

Not only have the European Six protested, but the Commission, the executive arm of the Common Market, is reported to have already begun a study of retaliatory actions.

The four Scandinavian countries have sent a collective protest, as have the governments of the United Kingdom, Canada, and Japan.

Twenty-one Latin American countries in a joint letter have conveyed their concern, and President Diaz Ordaz of Mexico last Friday eloquently reminded a Joint Session of Congress of the consequences for the world of a resurgence of American protectionism.

Under GATT rules of reciprocity other countries are entitled to retaliate. The scope of the proposed restrictions make it impractical for us seriously to consider the possibility of compensation through equivalent concessions on other products. Other nations would select American exports representing an equivalent amount of our trade and impose restrictions upon them.

No one can say precisely the nature of such retaliation. But it would be a safe bet that other countries would select from among our exports those which have the greatest growth potential in their markets and represent the greatest competitive threat to their industries.

We can get some notion of the damage to our export industries which these bills would cause by looking at the effect they would have on the exports of our major trading partners.

The more modest proposal would impose quota restrictions on one-fourth of our imports from the EEC, one-half of our imports from Australia and Japan, and one-third of our imports from Argentina. The more general quota bill would probably more than double the figures.

Therefore, between $1 and $2 billion of the $5 billion of U.S. exports to the EEC would become subject to retaliation; so would at least one-half—and probably more—of the $2.4 billion of U.S. exports to Japan.

Who are the prime candidates for such retaliation?

Possibilities in the industrial field would include chemicals, farm equipment, industrial machinery, electronic equipment, computers and office machinery. In agriculture, wheat, feed grains, soy beans, fruit and vegetables, and tobacco would seem to be likely targets.

Now, I don't believe that we are doomed to repeat history. But I am afraid we *are* doomed to hear endless repetition of the same tired old protectionist arguments.

Argument number one: Because of its higher wage standards, our economy needs protection; it can not compete against economies where wages are one-third, one-half—or less—the going U.S. rate.

Answer: Our high wage rates reflect the high productivity of our labor force and our economy. The record shows that the United States is and continues to be competitive in world markets. Last year our exports rose by more than 10% to a new high of over $30 billion. Increases were concentrated in Japan, the EEC and the EFTA countries—the same countries that would be hardest hit by the protectionist bills now before the Congress.

Argument number two: With our continental economy and vast resources we are far less dependent upon foreign trade than other countries.

Answer: While it is true that we are less dependent upon foreign trade than our major trading partners—foreign trade is a relatively smaller segment of our total economy—our dependence is, nevertheless, very real. Any examination of key sectors of our economy shows how dependent is their prosperity—sometimes even their very existence—on the possibility of export.

For example, we export 17% of our soy bean oil products, 26% of our cotton and 46% of our rice. We export one-fifth of our soft coal and synthetic rubber production; one-fourth of our total output of machine tools, textile machinery, and lubricating oils; and 35% of our output of construction and mining equipment.

I could go on. The list is long. And virtually all of these industries are prime candidates for retaliation in a trade war set off by the United States. They have to be. Because our trading partners could not take the balance of payments consequences of inaction.

These industries happen to be large employers. Last year our exports provided 3,000,000 jobs in various industries. Almost half of these were located in manufacturing, with machinery, transportation equipment, and primary metals heading the list.

For example, in the field of mining and construction equipment some 50,000 workers are directly dependent on exports.

Wages in these industries, which are leaders in productivity, were 10% to 30% higher than average weekly earnings for manufacturing as a whole.

It is these jobs and business opportunities—the expanding part of our economy—which protectionists would be willing to sacrifice. And it is these jobs and opportunities which the Kennedy Round would expand.

Indeed, the reasons for implementing the tariff reductions of the Kennedy Round are today even more compelling than they were in 1962.

The EEC is now a going concern. American exports are meeting ever increasing competition in Western Europe and will suffer if the Community's external tariffs are not reduced.

The United Kingdom and other EFTA countries are again pressing for membership in the European Economic Community.

Japan has continued in these five years its remarkable economic growth, and is on its way to becoming the third strongest economic power in the world.

Under the agreements negotiated at Geneva the common external tariff of the European Economic Community will be reduced on more than $10 billion of the Community's worldwide imports, including almost 90% of its dutiable imports from the United States. The average reduction of tariffs on industrial products will be 33 percent. Comparable reductions will be put into effect by Canada, the EFTA countries, and Japan.

To preserve our position in the world economy, the United States must be able to compete on more equal terms. We must break down—not build up—trade barriers.

Argument number three: We must restrict imports to improve our balance of payments.

Answer: Exactly the opposite is true. The way to improve our balance of payments is to expand our exports more rapidly than our imports. For this, American business needs more—not less—access to foreign markets. The proposed import quotas would drastically reverse the improvement of our trade balance.

In addition to the certain retaliation by other countries, there are at least two other reasons why import quotas would adversely affect our efforts to increase exports.

First, there is the so-called "feed back" effect of our imports on our exports. When we import we put dollars into the hands of foreign countries which are likely to use the bulk of them directly or indirectly to purchase United States goods and services or United States long-term investments.

Second, lower imports would encourage higher domestic prices. To argue for import restrictions is really to argue for inflation.

But inflation is only one of the costs which the American economy would have to bear. We must never forget that competitive imports make a genuine contribution to our way of life and the strength of our economy—by expanding the variety of goods available to the consumer—by exerting pressure on producers at home to maintain efficiency—and by providing raw materials and semimanufactured supplies to our industries at reasonable prices. The fundamental strength of this economy of ours, both at home and abroad, is in its ability to compete. And, believe me, we can and do and will compete. Our free economy is not about to be buried by foreign competition. Nor, I hope, is it about to commit suicide.

None of this is to say that we should be callous or indifferent to the difficulties of individual firms and workers competing against imports.

But we believe that industries or firms which are injured by import competition resulting from tariff reductions can avail themselves of existing safeguards in the Trade Expansion Act. The Tariff Commission is available to give impartial judgment. Only one of the industries now seeking legislative relief has in fact ever been willing to submit its claim to objective review by the Commission. Yet none—to the best of my knowledge—has ever accused the Members of the Commission of bias, impropriety, or prejudice. I have never understood what there is to fear in impartial judgment if the facts support the argument.

Let me say, however, that in one respect the law should be modified. The adjustment provisions of the Trade Expansion Act are, I believe, drawn too tightly. Legitimate claimants have been unable to qualify. We need a more liberal adjustment assistance statute. But we don't need to penalize efficiency to protect the inefficient, to moderate competition to protect the non-competitive.

In 1962 President Kennedy said:

"If we are to retain our leadership, the initiative is up to us. The revolutionary changes which are occurring will not wait for us to make up our minds. The United States has encouraged sweeping changes in Free World economic patterns in order to strengthen the forces of freedom. But we cannot ourselves stand still. If we are to lead, we must act. We must adapt our own economy to the imperatives of a changing world, and once more assert our leadership."

Under President Johnson we have done so. "We have," the President said less than a week ago, "an enormous stake in keeping and extending the benefits of 30 years of constructive trade policy."

A reversion to protectionism would have major political consequences. A spiral of trade restrictions would create dissension and disunity in the Western Alliance. It would turn our allies inward—it would stimulate economic and political isolationism both here and abroad. And, most cruelly, it would undermine the efforts of developing countries to expand their exports, to substitute trade for aid, to earn by their own efforts an increasing share of the imports they require for development.

It does not require a very vivid imagination to visualize the dismal ramifications of such a policy for the world.

It was only yesterday—in the frame of world history—that the advanced countries of the free world sought to put internecine struggle behind them and began to apply their immense capacity to help others have a decent life. The great breeding ground of strife and instability for the coming generations lies precisely in the unmet needs—and aspirations—of the bulk of humanity still living in poverty. The possibilities of helping them help themselves through trade is only beginning to be understood by them and by us.

But there is that beginning. And, if we are wise—and if we lift our eyes to see beyond the problems of the hour—we can nurture those hopes into realities.

And so I think we have the judgment—and the wisdom—of experience, good and bad. And I think we have the vision and the stamina of a people still willing and able to cross new frontiers, to build a great society. But that society won't be built in an isolation born of timidity and fear. Its essential is freedom—of people, of ideas, of trade.

THE WAR ON POVERTY

Mr. HART. Mr. President, even those of us who have most actively supported the war on poverty have not always fully appreciated its values.

One of the difficulties of our job is that we so often deal, not with people, but with abstractions, with statistics, with national patterns.

People, too often, are represented in these Halls in terms of charts and graphs, census figures and unemployment rates, school populations and racial breakdowns.

Last week, in 4 days of travel through several major Michigan cities, I spent a number of hours talking with those most directly concerned with the war on poverty—workers in the field and the people they are trying to help.

In Grand Rapids and surrounding Kent County, in Battle Creek and surrounding Calhoun County, in Pontiac and surrounding Oakland County, in Detroit and Wayne County, the cry was the same.

Basically it was this message, directed to Congress: "If only you knew what you were doing, you wouldn't cut back."

I have long believed that the war on poverty was a magnificent fight which, after years of promises, is finally giving the weak and the poor their chance to shape a better future.

In Grand Rapids, one worker in the Upward Bound program told quietly of how the poor in one neighborhood searched among themselves to find boys who could be urged to go to college.

One did go and now his younger brother tells those who will listen, "My brother is in college."

The whole spirit of the neighborhood was lifted, this worker told me and she added—this time the quiet going out of her voice: "Knock that down? No one would have any business knocking that down."

That is a story, I am sure, that could be multiplied across the country.

I talked briefly to a white, middle-aged school principal who had had occasion to stop by at the OEO-supported Sheldon Complex Center in Grand Rapids.

> I sat in the reception room for 45 minutes—

He said—

> and saw 37 people come in and find help.

And he added:

> You know, the "establishment," the people who run this town are well-meaning enough but they don't really understand what the problems and attitudes are down here. Neither did I until recently
>
> But this Center is in touch. It's where the action is.

This, perhaps, points up one of the unrecognized benefits of the war on poverty: its effectiveness as a device to allow better understanding among classes that really understand each other very little.

One of the most eroding of all attitudes is distrust. Should we propose to choke off a program that is promoting trust even a little?

And have any of us considered how much distrust would be generated if successful programs offering genuine help were now to be throttled back or cut off altogether?

At one of the meetings I spoke of there was handed to me a letter that voices concern and dismay at this prospect. It is not written in gentle language and I hesitated for a time before deciding to present it to readers of the Record.

Even the writer worried whether it might do more to hurt than to help the cause she was pleading, as her note enclosing the letter describes. Yet, I think perhaps we would be the better for reading it because it does voice a tone of shock, alarm, and dismay.

The letter is not from a Negro American in poverty or some other disadvantaged group but rather from a white professional nurse who has volunteered in the poverty struggle.

I ask unanimous consent that the letter and the note be printed at this point in my remarks.

There being no objection, the material was ordered to be printed in the Record, as follows:

November 2, 1967.

Dear Senator Hart: I give you the enclosed letter by hand because I dont know what else to do with it.

It was written this week as an Open letter to Congress. It expresses my feelings about the OEO Program, and the apparent callousness of politicans and the power structure in general in even considering the weakening of the total attack on the problems of the poor and the Negro in America.

I have been in active contact with the problems of social justice for over twenty-five years and have worked in many ways involving the white problem in regard to his disdain and oppression of his negro neighbor. I have *been* desperately poor; I have lived through many of the ills that I now try to help heal.

The total range of the Anti-Poverty Program is all dear to my heart; and the Community Action Program (in which I have been actively involved on a volunteer basis since it started) is a Key program which coordinates and inspires and draws into itself both the poor from the inner city, and the agencies and individuals from the wider community who have never really had close contact with problems of poverty and discrimination.

I showed the enclosed "letter to Congress" to my parents—who are in their 70's, active and intelligent and educated people. They urged me not to mail this letter as I had planned—strictly on the basis that it would only alienate Congress further. But they *believed* in the letter! Their disillusionment only echoes my own. They advised me not to write—because the program is too important to take a chance on angering somebody who might have voted for it. And we need support.

(I also asked some of my friends who whole-heartedly agree with me and *they* said: "Are you sure you can't get arrested for that!")

So, even though it didn't get mailed, I would like to give it to you personally. Because it is not going to alienate *you*—I believe that you do stand firmly in favor of these programs.

But this paper does express a view! And it is not my view alone. And it is something *I* think the Congress should be aware of. The Senate has given us a good bill. (Altho some skeptics have said that some voted for it to be strong—to be sure it *wouldn't* get through the House.)

If you can find any use for this enclosed paper, please use it. For example, this *is* the kind of thing that is going to be said openly at Election time.

I tremble because I have read History—where promises were made to the poor, and then broken or not followed through. We have studied the French Revolution and the Russian Revolution and others . . . and still we say . . . "It cannot happen here."

But most of all I grieve for the poor and the negro—because it looks like no matter what happens, they will get the short end of the stick. Broken promises, shattered hopes, the scattering of leadership and constructive impact; the loss of communication with the outer community—and in the end violence—and exploitation by whatever group takes over the power vacuum that will be formed.

I am glad of the opportunity to meet you.

I hope you will give consideration to my opinion, and share it with those who do not believe this shade of opinion exists—among educated middle-aged professional white people, as well as among those labelled as Black Revolutionaries.

Sincerely yours,

Dorothy Hoogterp, R.N.

Grand Rapids, Mich.

An Open Letter

October 31, 1967.

To the Members of Congress of the United States

Gentlemen: You have been chosen by us, the people of the United States, because we sincerely hoped and trusted that you would do as all our public officials swear to do: Uphold the Constitution . . . which holds its whole heart in the words "to form a more perfect union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity."

This above all is your task—delegated to you by your people.

I accuse you of betraying your people in a hundred ways.

To be sure this betrayal is not always intentional, nor is it total. Some of you I am sure are only taking the path of least resistance in not studying out all the issues yourselves. Some indeed are honestly confused. Some of you, less experienced than others in the unusual ethics of American Congressional Maneuvers, may be misled into believing that you are truly doing the will of at least a portion of the American People. But even if you were doing the will of the majority, that is *not* what you are pledged to do. The promise is *to promote general welfare.* It is to work for the Common Good of us, your people!

As a nation we have been trying to rebuild our society as a great democratic nation; completely dedicated to the ideals of our founding fathers: the dignity of man, the worth of the individual, the freedom of many children under God our one Father. To this end President Johnson (and President Kennedy before him) followed the paths of other great American Statesmen of all parties and have initiated programs to help solve our domestic problems.

In this age of global crisis, in spite of the pressures of a heartbreaking and unbearable foreign war, a broad constructive program has been set forth to attack our domestic problems of racism, illiteracy, unemployment, hunger, sickness, delinquency, despair, and violence.

For two years now these small efforts, all over the nation, have been functioning night and day: making mistakes; making progress: learning by trial and error. OEO Programs have united local communities in cooperative approaches to local programs in ways that have not existed in our social structure since the days of the Town Meeting. Religious, civil, and government-sponsored groups have joined hands—both to study duplications, and to iron out conflicts. New unmet needs have been discovered, and attempts have been made to meet them. Old ways have been re-examined and (where they seem to have failed) new approaches have been tried.

Our high schools and colleges are filled with youngsters who are more interested and better informed about their country's problems than any previous generation. Their demonstrations may have been noisy, colorful, contradictory, and a bit shocking. But has not youth always been like this? This generation is not playing; it is participating; it is trying to lead.

It seems to me that you as our leaders are betraying these teen-agers and young adults when you shout communism whenever they demonstrate over their own sincere concerns. You should smile when their antics amuse you. But our youth should be praised for their determination to participate, to express their concerns, to lead.

I believe that you, our leaders, are betraying the very businessmen and industrialists whom you profess to serve: when you consider tearing out by the roots the newly planted programs visioned by the Great Society. Our affluent powerful society, of which you are so proud, cannot stand on a foundation of sand: the pitiful struggles of the poor and the Negro and the Puerto Rican and the Indian and the Latin-American and the Oriental-American are the sands on which the edifice of American Power is built; and these sands are being eroded and washed away (more and more rapidly) by the undercurrents of hopelessness, mistrust of national leadership, and personal despair.

The end-result of Despair is violence. What is the meaning of violence to the man who has reached the point of suicide? When you have completely taken away the meaning of life in America for a substantial portion of her people, you have driven them into a frame of mind in which suicidal violence will be their only way out!

This kind of violence will not respond to repressive measures, for the suicide cannot be threatened by death.

This kind of violence will not respond to pleas or Reason from any leadership in the world—because the suicide has let go his connection with life. He has no leader. He is alone.

Members of Congress, you are all educated men! You understand human nature, human passions, human pain. And yet you increase the pressures on the desperate.

It is for this reason that I accuse some of you of actually desiring the suicide of the poor, the disadvantaged, the foreigner, and especially the negro!

For the past few months you as a body have been studying the causes of the violence in the summer of 1967.

Why did you study? Was it only to learn how to exploit the agonies of the dispossessed.

In your present large-scale effort to destroy President Johnson's entire Domestic Program, I can see no response to what you have learned. No attempt to cure.

For this reason I accuse the Congress, insofar as it attempts to undo all that the Anti-Poverty programs have done, of inciting to riot. There have been some harsh remarks made in Congress about those who incite to riot!

The Community Action Programs are gaining strength and popular support within local community structures. Leaders of all faiths are meeting with OEO representatives to ask how they can help run broader programs.

The poor and the Negro are learning to take part in their own government and in their own restructuring of the decaying segment of American Life that is their portion. The Poor are becoming articulate; and are learning to communicate with each other. They are beginning to dream dreams. They are even beginning to trust (a little bit) the Outer Community which they have only seen from the outside.

Is the Congress of the United States *really* willing to sabotage their dreams: to raise social injustice to an all-time high: to go back on all its high-sounding promises; and to turn the destinies of the common people back into a political football!

I do not understand political reasoning.

Can it be so important that rural communities' Congressmen must turn their backs on the tragedies of our inner cities?

Can it really be important, so that it matters more than the common good, that Republicans must sabotage programs originated by Democrats *because* they were so sponsored.

Is it necessary, is it reasonable, is it important to politics, that congressmen of every age and shade of political opinion should vent their personal spleen at a hard-working and heavily-burdened President: so that they will willingly destroy his programs for the people of the U.S. simply for the personal satisfaction of slapping their president in the face!

The leaders of the Anti-Poverty Programs are trapped in this fight to which they have given their time and their labors and their love. They cannot use tax-payers money to defend the programs which are trying to save society for the tax-payer! They cannot use government time to try to save these government programs on which so much is at stake. These actions would be prosecuted as unethical and illegal.

In effect this entire new leadership group, with two years experience in the untried fields which are now under fire, is bound and gagged and left for dead. These leaders have steadfastly taken the criticism and fire from every direction. But to actively defend themselves is unethical.

I do not get paid by any Federal Program—as a Volunteer I am free to protest to you the destroying of your own people and our programs.

I accuse you of hypocrisy in these rules of OEO ethics also. How can the Congress of the United States stand up and call anybody unethical—and refuse to form a Code of Ethics for itself!

Every Sunday of the year, in every Church in the land, Christians and Jews pray for you, our leaders. They pray that you may be given strength and wisdom and courage above that of lesser men. When you fall beneath these standards, do you not betray them, and dishonor their prayers?

In threatening to destroy the OEO programs, you are setting up a nationwide situation which you know well may lead to widespread violence, disorder, and social disorganization.

The evidence forces me to believe that for many members of Congress this is the real reason for destroying the Anti-Poverty Program . . . to precipitate violence and so to split the American community once again. To alienate the white community; to break down established Negro leadership; to reinstate an atmosphere of fear and hatred. Why? Except that society can again be manipulated by those presently in power, for their own personal whims, goals, and ambitions!

But those who are actively enemies of the Program could not alone defeat it.

Therefore I also seriously accuse those who are passive: who think that they should be spared blame: Because they have done nothing!

Exactly by doing nothing (except straddle political fences) these neutralists have left to a very few, the total burden of rebuilding the American Dream.

There is something grossly unethical and dishonest in being paid by the people of the United States to deliberately do nothing! Pilate washed his hands over the crucifixion of Christ, but the shadow of his guilt has hung over him through the ages. In the same sense the Do-nothing congressmen will never be free of the guilt of crucifying a people.

When the dispossessed rise up to express their despair; or to demonstrate their disappointment; or to plead for the reinstatement of these bridges to their rightful place in society, The establishment will label this as rioting and it will be put down with violence. The American Public will be brainwashed with new scare stories about Communism; and new atrocity stories devised to convince the unthinking that the Negro and the others who are dispossessed with him are not *really* human beings: Not really *worthy* of their share in this society which has always laid such heavy burdens upon them.

If this is a letter to the entire Congress, I must also speak to the dearly beloved leaders who *have* labored so tirelessly for the rights of the bottom quarter of our society.

If I would *accuse* you also, it must only be because you have not been supermen: that for all your efforts, the voice of truth has not yet come through strongly enough, often enough, and passionately enough to be heard throughout the nation and the world.

Perhaps the reason is very simple: you have been working so hard for our welfare that you have had no time to play the game of Politics as it is played.

Last of all, let me accuse us—the people who believe and work in the Anti-Poverty Programs—because maybe we haven't been articulate enough in our support of the leadership which *does* believe that every man is a first class citizen . . . and that Lincoln's dream is still our dream . . . that government is of the people, by the people, and for the people . . . and it must not perish from the earth!

Members of Congress. The issues are before you at this moment. Give to the Negro and the Inner City Dweller and the Poor your attention and your leadership. Vote to continue and enlarge all the creative new programs. Continue and strengthen the OEO. These struggling ones are your people too—give them a chance to prove what great citizens they can be.

Members of Congress, I have accused you of not caring!

Please Prove me wrong!

Sincerely yours,

Dorothy Hoogterp.

Grand Rapids, Mich.

Mr. HART. Mr. President, across the Nation, there are many other indications of anguish at the prospect of the war on poverty going down the drain.

The Washington Post on Sunday carried a story about VISTA workers staying on the job without pay. That brief report is worth reading.

I also have Marquis Child's Monday column in the Washington Post. I think many would be interested in a portion of another Washington Post story on poverty—the portion dealing with the united reaction of prominent clergy.

I ask unanimous consent that these articles be printed at this point in my remarks.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, Nov. 5, 1967]

Unpaid VISTA Staff To Stay

Washington Vista volunteers are prepared to stay on their jobs and community members are prepared to feed and shelter them, while Congress decides whether to continue their program, a survey here indicated yesterday.

Francis Luzzatto, an assistant director of the Capital Head Start program, to which 14 volunteers are assigned, said parents of students in the program, teachers and teachers' aides have agreed to help tide the volunteers over.

Lillian Wright, of 1103 Stephens rd, se., one of whose children was in the program last year, has been providing meals for Vista volunteer Lynn Severance.

"She ate just like my family," said Mrs. Wright. "They do a wonderful job in the community."

Luzzatto said that most of the volunteers had last been paid two weeks ago. So far, they had not yet faced severe financial hardship, he said, adding, however, that many would be in trouble if they are not paid soon.

"When funds really run out," he said, "then the neighbors will have to put them up and feed them three meals a day. Right now it's just beginning."

Isabelle Wiener of 719 E st. se., one of the Vista Volunteers, said, "We're going to stick to our jobs. This means a lot to us. As long as we can manage, we'll stay."

Two other volunteers who have no money

for their rent are now living in the apartment shared by Miss Wiener and volunteer Marian Sternat.

"We've been very upset," said volunteer Larry Holcomb, "because it looks like Vista is down the drain."

"It's heartening to know there are people who will help us get along," he said, "But I don't relish taking things from people who have very little for themselves."

[From the Washington (D.C.) Post, Nov. 6, 1967]

Deep Discontents: The OEO Struggle

(By Marquis Childs)

For the Office of Economic Opportunity Halloween is coming late this year, and the rule is all tricks and no treats. As the House is in a shambles of disorder and leaderless confusion prepares to take up the poverty program, anything can happen, not excluding the possibility that OEO will be tossed out.

It is not hard to find reasons why this should be so. A voting coalition of Republicans and Southern Democrats shattered the Johnson consensus, and OEO is a principal victim because of the deep discontent of white middle-class America. The riots, crime in the streets, the threat of even more radical and violent change—all this hardens resistance to any change at all. And the voting coalition represents, insofar as it is representative, the stubborn stand of the white suburbs and the Deep South.

The tricks began even before Halloween. In the snarl in the House over economy versus a tax cut, funds for OEO were shut off along with money for several other agencies. Oct. 31 was OEO's last payday. Across the country projects such as Head Start are being suspended unless workers stay on as volunteers without pay. Unless Senate and House agree on a resolution to continue the agency's funds at current levels, and no one is sure this will happen, the headquarters staff will be payless.

By special amendment to the Federal payraise bill congressional hostility to the antipoverty workers was demonstrated when they were specifically excluded from the general salary increase. In the battle of budget cuts as against new taxes the House cut the rate of OEO spending $400,000,000 below that of 1967.

The contradiction of this deeply embedded hostility is the fact that unlike another program in serious trouble—foreign aid—OEO has a wide and articulate following in the country. Few voters will fight, bleed and die to give tractors to farmers in Brazil or Thailand. But in the slums there is evidence of a growing understanding of what the poverty program can mean.

And not only in the slums, since at the state and city level those struggling with the rising tide of disaffection and violence look on the Federal poverty program as shoring up their efforts. In this number are many Republican mayors and governors.

That Republicans in Congress should oppose hard-pressed Republicans on the urban firing line is the paradox of this troubled and uncertain moment in the Nation's life. It was illustrated in Wisconsin where Gov. Warren Knowles, a Republican, wrote to OEO Director Sargent Shriver supporting, with some qualifications, the poverty program and calling for a larger appropriation at the community action level.

This drew down on Knowles the wrath of Republican members of the House. What did he mean, they demanded, by calling for more money when the Republican bloc was for slashing the budget?

Republicans in the House have not all favored dumping the poverty programs. Early in the session Reps. Charles Goodell of New York and Albert Quie of Minnesota put forward a substitute Opportunity Crusade which would have turned most of the antipoverty war over to Health, Education and Welfare. Goodell and Quie are now sponsoring an amendment to "restore true involvement of the poor in the Community Action Program."

They mean this to counteract the move of Rep. Edith Green (D-Ore.) who succeeded with a proposal in committee which would give authority to mayors and county officials. That, in Goodell's words, means that a so-called Community Action Board would be completely subservient to local political machines.

In the brawl expected on the floor it is not impossible that the Goodell-Quie Opportunity Crusade will be put forward as an amendment to what at the eleventh hour came out of the Education and Labor Committee. Nor is it excluded that such an amendment will in the end be adopted as a substitute. One of the ardent supporters of OEO speaking of the Goodell-Quie team said, "With friends like that you don't need enemies."

At times the struggle over OEO seems to be a battle among the bureaucrats, with the poor, the jobless, the hungry, the dispossessed merely pawns in a political chess game. They have little reality in the rhetoric of friend or foe. Yet almost everyone will concede that unless action is taken on a far larger scale than now contemplated the urban explosion of next summer threatens to make Newark and Detroit hardly more than a Fourth of July salute.

[From the Washington (D.C.) Post]

* * * * *

In other action, leading Washington clergymen called on Congress yesterday to fulfill its "moral commitment" to the Nation's poor through strong antipoverty legislation.

In strongly worded letters sent to all House members, the Interreligious Committee on Race Relations, headed by Methodist Bishop John Wesley Lord, said abandonment of the war on poverty would smash the hopes of the poor and lead to strife, bitterness and despair.

"In the midst of unprecedented national prosperity, none of us can afford the shame of continued crippling poverty," the Committee said.

Bishop Lord was flanked by Patrick Cardinal O'Boyle, archbishop of the Catholic Archdiocese of Washington; the Right Rev. William F. Creighton, bishop of the Episcopal Diocese of Washington, and Dr. Isaac Franck of the Jewish Community Council as he announced the Committee action to a news conference.

The religious leaders called for a minimum of $2.06 billion in antipoverty appropriations and for retention of the U.S. Office of Economic Opportunity as the top Federal antipoverty agency. They asked maximum participation of the poor without political domination in their programs and elimination of local, cash-matching fund requirements.

"You don't talk the better life to people who are hungry," Cardinal O'Boyle declared.

Mr. HART. Mr. President, I also ask to have printed in the RECORD a brief summary of work done at the various centers in Kent County, Mich., during the past year.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

The following is a summary of the number of people served from November 1966–October 1967 in various education, training, and social service programs financed with OEO funds:

COMMUNITY CENTER PROGRAMS

1. Ten thousand plus people were provided outreach, counselling, referral or other services through the Sheldon Complex Center.[1]

2. Seven thousand plus people were provided outreach, counselling, referral or other services through the Franklin Hall Complex Center.[1]

3. Four thousand plus people were provided outreach, counselling, referral or other services through the West Side Complex Center.[1]

4. Four thousand, four hundred and forty individuals obtained legal counseling through Legal Aid.[1]

5. Seven hundred and fifty-six women obtained family planning services through Planned Parenthood.[2]

JOB DEVELOPMENT AND TRAINING PROGRAMS

6. Six hundred adults obtained jobs through the Job Development Program.

7. Three hundred adults obtained jobs through Project 1003.

8. Seventy-six adults obtained jobs through on-the-job training.

9. Three hundred and twenty-five youth aged 16–21 obtained pre-job training through out-of-school Neighborhood Youth Corps; one hundred and twenty-five of these youth obtained jobs through this program.

10. One hundred and fifty youth aged 16–21 obtained pre-job training through Job Corps.

11. Three hundred and thirty heads of households obtained education and job training through title V work experience and training program; two hundred and two household heads were placed on jobs and thus off public welfare through this program.

EDUCATIONAL PROGRAMS

12. Seven hundred and five children obtained pre-school training through Head Start.

13. Three hundred and fifty-six high school youth obtained pre-college training through Upward Bound.

14. Two hundred and forty adults obtained literacy training through Adult Basic Education.

15. Five hundred and forty high school youth were provided work experience and training through In-School Neighborhood Youth Corps.

OTHER PROGRAMS

16. Three hundred and sixty-one children were served by 256 Big Brother and Big Sister Volunteers.

17. Three hundred and fifty-two volunteers (in addition to above) have given 12,000 hours of their time to 20 specific projects through Community Action Volunteers.

18. Six hundred and eighty youth were enrolled in special summer educational, enrichment, and recreation programs through Project Summer.

19. Twenty-four urban agents and other non-professional OEO program staff members have been motivated to begin college training as a result of their involvement with OEO programs.

These are partial results of one year of operation of the OEO War on Poverty in Kent County. Many other kinds of self-help community education and rehabilitation programs were operated throughout the year. This kind of positive self-help action must be continued if we are to solve the problems of unemployment and poverty in our community.

Mr. HART. Mr. President, I returned a few days ago from 3 days in Michigan, where I talked to men and women who are waging the war on poverty and also some of those who will be beneficiaries.

A few years ago we decided we would conquer space. We had developed the means or we were approaching the breakthrough that would permit us to do it. We now operate in outer space, not because somebody sat around here and wished that we could get into space. We made up our minds that we would.

---

[1] These are conservative estimates based on three months experience with the new intake data control system.

[2] This is the total for 18 months program experience under CAP.

More recently we decided we would land a man on the moon. I doubt if there is a person here who doubts we will put a man on the moon. He will not get there because we wished he would get there or because we hoped it. He will get there because we decided we had the means and knowledge to put him there, if we decide that is what we want to do.

In the last 2 years we have discovered the means that will assist millions of Americans to have lifted from their spirits and bodies the curse of poverty. We know we can do it. The war on poverty has proved it. Will we? We will if we make the same decision that we shall win that war on poverty, that we shall remove the curse of poverty from those Americans, that we made with respect to getting a man operating in outer space and the day after tomorrow on the moon.

That is what the fight in Congress this week is all about: Whether a government that discovered a means for eliminating a curse that man thought once upon a time would never be possible to be removed, will abandon the effort or will continue.

No one has to be a Ph. D. in psychology to understand the reaction that will occur if those persons who live in the centers of our cities and have seen the successful ventures that make up the war on poverty now see us abandon it. I ask Senators to put themselves in their shoes. What would you do? Let us not put them to that task. Let us make the commitment that we are going to carry out this war because it is a war we can win, and we have never been engaged in a war where it was more essential that we not lose it.

DANIEL CAPLIN

Mr. KENNEDY of New York. Mr. President, 2 weeks ago New York City and the Nation lost a great citizen. He was not a famous man. He was a dedicated, competent teacher and school administrator who worked for 40 years in the New York City schools and was respected and revered by all who knew him. His name was Daniel Caplin. He had a commendable career, and his family and friends were justly proud of him. One member of his family, of whom I know he was especially proud, is known to many of us—Mortimer Caplin, who taught at the Virginia Law School, and was then Commissioner of Internal Revenue. Let us join Mort Caplin, then, and the other members of his father's family and circle of friends, in remembering Dan Caplin. I ask unanimous consent that the testimonial read at Dan Caplin's funeral be placed in the RECORD at the close of my remarks.

There being no objection, the testimonial was ordered to be printed in the RECORD, as follows:

DANIEL CAPLIN: MARCH 4, 1893 TO OCTOBER 25, 1967

Dan Caplin had a full and rich life. He was a happy man, most of whose dreams came true. He came very close to realizing everything he hoped for—far more than most of us achieve.

Dan had a great capacity for joy and living. Everything he did was a fresh experience to him: he seemed to squeeze the most and best out of each day. Those about him basked in his enthusiasm and frequent satisfactions. He had that rare quality of spreading good cheer and gaining the affection of all who knew him. He had many friends—old schoolmates, former students, teachers and colleagues in the Board of Education, members of the sporting world, businessmen, politicians, people from all walks of life. You could see their eyes light up when they saw him. "Danny, Danny Caplin"—was a typical greeting, quickly to be followed by a warm handclasp and often a hug.

Dan Caplin could have been anything he wanted to be. He was interested in politics from an early age and often said that he might have become a lawyer. He took great pleasure in his son's practice of law and enjoyed leading him into discussions of some of the technicalities of legal cases.

Dan might have had a career on the stage, too. He loved to dance and sing and to play his favorite old tunes on the piano. Only a few weeks ago he visited his family in Washington and gave a good sampling of his full repertoire, to the delight and applause of his grandchildren. He was a splendid storyteller and enjoyed reciting some of the old poems and stories—with dialect and gestures, as only he could do.

On the occasion of Dan's appointment as Assistant Director of Health Education of the City of New York, his friends honored him at a dinner at a Brooklyn hotel. Many splendid things were said about him and his career, and it soon came time for him to say a few words. He did this gracefully, but the hundreds of people there didn't let him stop at that. "A song and dance, Dan" they shouted. And he did exactly that, Irish jig and all. This was probably the only time in recorded history that a formal response at a testimonial dinner was given in this manner—to the cheers of all in attendance, including his young son.

Dan Caplin devoted most of his life to education and teaching, to the benefit of thousands of students and colleagues. At the age of eighteen he had his first teaching assignment in Puerto Rico, with the illustrious title—as he liked to tell with a chuckle—of "Professor of English". The illness of his mother brought him back to the States where he attended the Savage School of Physical Education and began his long career in the New York school system. Dan went back to Columbia University later to take the additional courses to qualify him for the high administrative post he finally achieved. He derived great satisfaction from his years with the Board of Education, particularly his pioneering efforts to test hard-of-hearing children throughout New York City.

His life was always a busy one. As a young man, while teaching, he served for many years as Director of the Rutgers Street Gymnasium. A good athlete himself, he enjoyed coaching and training young men in a wide variety of sports. It was here, in the East Side of New York, that he found some promising young boxers who later won worldwide acclaim in the professional ring.

So much more could be said about Dan Caplin—his compassion, his love of his fellow man, his willingness always to give someone a helping hand: a student entering school, or a teacher needing a summer job, or someone trying to get into a hospital or home for the aged, or a young man seeking a letter of introduction. No matter what it was, Dan was there—reaching out, without reward other than the personal satisfaction of helping another human being. The underdog never had a more constant supporter.

Dan looked for the best in people, and was quick to go out on a limb for those he knew. If he took your case, he became your champion. He saw only the good side and ignored the blemishes, although he had his share of disappointments. Someone said: "Dan was a true believer." He believed in people and causes and rarely had a bad word for anyone.

Dan was continuously the optimist, searching for the bright side. In the hospital he still was talking about new business prospects, his plans for a trip to Florida, and another visit with his children and grandchildren.

How he loved his family! His wife, Josie, his daughter and son, his six grandchildren, his brothers. His grandchildren, of course, were on the tip of his tongue all the time. You could always be sure to make "Grandpa" happy by recounting their day-to-day activities. No accomplishment of theirs was too small to be recognized and complimented. Every incident filled him with pride—gave him new joy. The mere mention of any of their names would bring that bright sparkle to his eyes and his wonderful smile.

Dan Caplin leaves much to his grandchildren, children, wife, brothers and friends. His deep love, his humor, his warmth, his eternal optimism, his joy of all aspects of life—an automobile drive, a walk in the park, a view of a country lake, a new motel, a good dinner, a visit with his family and friends. The thought of Dan will come often—and, each time, it will evoke in everyone who was fortunate to know him an inner glow, a warm smile, a fond recollection of a remarkable and wonderful human being.

AN ACT DECLARING A PORTION OF BAYOU LAFOURCHE, LA., A NONNAVIGABLE WATERWAY OF THE UNITED STATES

Mr. BYRD of West Virginia. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 6692.

The PRESIDING OFFICER laid before the Senate H.R. 6692, declaring a portion of Bayou Lafourche, La., a nonnavigable waterway of the United States, which was read twice by its title.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The bill was ordered to a third reading, was read the third time, and passed.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move that the Senate stand in adjournment until 12 noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 15 minutes p.m.) the Senate adjourned until tomorrow, Thursday, November 9, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate November 8, 1967:

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Malcolm D. Graham, Courtland, Ala., in place of E. R. Todd, retired.

CALIFORNIA

Rowenah P. Harmon, Avery, Calif., in place of L. H. Biskeborn, resigned.

Carl Sidner, Montague, Calif., in place of E. M. Martin, transferred.

CONNECTICUT

Joseph A. Doyle, Ansonia, Conn., in place of D. J. McCarthy, retired.

IDAHO

Leroy P. Walters, Moyle Springs, Idaho, in place of B. R. Teer, retired.

IOWA

Bobby D. Hough, Eddyville, Iowa, in place of A. E. Newell, retired.

Daniel J. Doyle, Neola, Iowa, in place of M. C. Burns, retired.

Pearl M. Hailey, Shannon City, Iowa, in place of G. G. Ayers, retired.

KANSAS

Charles O. Gelino, Morganville, Kans., in place of J. A. Trudell, retired.

KENTUCKY

William C. Preston, Olive Hill, Ky., in place of C. M. Crawford, resigned.

MISSISSIPPI

Edwin P. Connolly, Laurel, Miss., in place of H. H. McRae, retired.

Messena F. Jones, Vaughan, Miss., in place of D. L. Doty, retired.

NEBRASKA

Robert E. Koinzan, Davenport, Nebr., in place of H. H. Row, retired.

NEW YORK

Joseph R. White, Holmes, N.Y., in place of H. R. Ballard, retired.

Dorman R. Youmans, Nanuet, N.Y., in place of H. M. Fisher, Jr., retired.

NORTH CAROLINA

William J. McCall, Penrose, N.C., in place of I. T. Rustin, retired.

NORTH DAKOTA

Ernest S. Johnson, Hankinson, N. Dak., in place of E. W. Green, retired.

Berniece M. M. Maley, Verona, N. Dak., in place of D. A. Supler, deceased.

OHIO

Gerald I. Borer, New Bavaria, Ohio, in place of C. S. Wolf, retired.

Eloise L. Moore, Savannah, Ohio, in place of J. M. Gibson, retired.

OREGON

Robert W. Thompson, Glendale, Oreg., in place of H. T. Edson, retired.

Clifford J. Driscoll, Grants Pass, Oreg., in place of H. G. Prestel, retired.

Clarence A. Williams, Jacksonville, Oreg., in place of L. H. Valentine, retired.

Mary E. Sinclair, Monroe, Oreg., in place of E. R. Stewart, retired.

Robert F. Landers, Silverton, Oreg., in place of Henry Alm, retired.

PENNSYLVANIA

Anthony J. Marcolivio, Ridgway, Pa., in place of M. F. MacDonald, retired.

William E. Start, Sewickley, Pa., in place of C. S. Borem, retired.

Wilson U. Allebach, Worcester, Pa., in place of H. C. Allebach, retired.

TENNESSEE

Albert M. Daniel, Bean Station, Tenn., in place of M. E. Leedy, retired.

James H. Wheeler, Bloomington Springs, Tenn., in place of R. J. Way, retired.

VIRGINIA

Mercer V. Hogge, Jr., Yorktown, Va., in place of Joseph Schmidt, retired.

WASHINGTON

Mildred M. Agnew, Rock Island, Wash., in place of A. M. Ensley, resigned.

WISCONSIN

Warren M. Johnson, Drummond, Wis., in place of W. L. Lee, retired.

HOUSE OF REPRESENTATIVES

WEDNESDAY, NOVEMBER 8, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

I am ready for anything through the strength of the One who lives within me.—Philippians 4:13.

O God, our Father, who gives us the day for work and the night for rest, grant us health of body, cleanness of mind, and courage of spirit that we may do our work this day with all our might. Deliver us from the bitterness that blights our lives, from the fears that frustrate our faith, and from the ill will which dampens our upward struggle.

Make us one in Thee that we may be hospitable to the highest in life and thus be ready with new strength for a new day.

May we walk in straight paths until Thy glory shall be revealed in our efforts to make the world a better place in which men can learn to live together and to work together and to pray together. To this end may Thy will be done in us and in all men, through Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 13165. An act to extend the period during which Secret Service protection may be furnished to a widow and minor children of a former President.

The message also announced that the Senate agrees to the amendments of the House to a joint resolution of the Senate of the following title:

S.J. Res. 33. Joint resolution to establish a National Commission on Product Safety.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11641) entitled "An act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, Interstate Commission on the Potomac River Basin, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1968, and for other purposes."

The message also announced that the Senate agreed to the amendment of the House to the amendment of the Senate No. 2 with an amendment, and receded from its amendment No. 13 to the above entitled bill.

The message also announced that the Senate insists upon its amendment to the amendments of the House to the bill (S. 1788) entitled "An act to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments," agree to conference requested by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. ANDERSON, and Mr. KUCHEL to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 448. An act to authorize the Secretary of the Interior to use appropriated funds for the payment of medical care of temporary and seasonal employees and employees located in isolated areas who become disabled because of injury or illness not attributable to official work, and for other purposes;

S. 699. An act to strengthen intergovernmental cooperation and the administration of grant-in-aid programs, to provide grants for improvement of State and local personnel administration, to authorize Federal assistance in training State and local employees, to provide grants to State and local governments for training of their employees, to authorize interstate compacts for personnel and training activities, to facilitate the interchange of Federal, State, and local personnel, and for other purposes;

S. 1306. An act to assist cities and States by amending section 5136 of the Revised Statutes, as amended, with respect to the authority of national banks to underwrite and deal in securities issued by State and local governments, and for other purposes, and

S. 2211. An act to amend section 509 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1159) to provide for construction aid for certain vessels operating on the inland rivers and waterways.

THE HONORABLE HALE BOGGS

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, we notice this morning a very pleasant sight; namely, back in his seat, after a period of illness, the majority whip of the House of Representatives, HALE BOGGS. We all are pleased that he is back on the job—well on the way to complete recovery. We have missed him during his absence.

We welcome the distinguished gentleman back in our midst again this morning.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman.

Mr. ALBERT. Mr. Speaker, I join personally and wholeheartedly, and in doing so I know I express, as the gentleman from Illinois has just done, the views of all the Members of the House.

We are so happy that our distinguished majority whip is back on duty today, looking fine and trim, and we hope and pray, and I think we are sure that his recovery will be complete and speedy. I have missed him during his absence not only because I love and admire him but because I have needed his wise counsel and great skill in the performance of my duties in the House.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the distinguished Speaker of the House.

Mr. McCORMACK. Mr. Speaker, I join with my friends, the gentleman from Illinois and the gentleman from Oklahoma, in welcoming back to the House our dear friend and colleague, the distinguished majority whip, the gentleman from Louisiana [Mr. BOGGS].

The friendship that exists for our distinguished friend on both sides of the aisle is a universal one. While he was in the hospital each and every one of us thought of him and prayed for his successful operation and early recovery. As the Speaker, I missed him very much while he was in the hospital, and while we are all glad to see him back, for myself personally, I am particularly glad to see him back because he and the majority leader are my "right arms" in these difficult days that we are undergoing during this session of the Congress. So, HALE, we are glad to welcome you back.

Mr. ARENDS. In conclusion, I might add "Amen" to what the Speaker has said.

Also permit me as minority whip on this side of the aisle to say to the gentleman from Louisiana that we made no real effort to take advantage of him, votewise, during his absence.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Louisiana.

Mr. BOGGS. I would like to thank the gentleman from Illinois, the Speaker, and the majority leader for their warm words of welcome. I would like especially to thank them for their thoughtfulness while I was in the hospital. Not only them, but so many other Members of this great body, on both sides of the aisle.

I must say that I missed being here. I felt very much like a fish out of water. This House has been my life since I was a very young man.

I lost about 15 pounds. It is a hard way to lose weight, and I do not recommend it to anyone.

It is good to be back with my friends. Thank all of you very much.

SECRETARY RUSK'S TOAST TO SOVIET RUSSIA

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ABERNETHY. Mr. Speaker, the North Vietnamese are fighting their war of aggression with the support of the Communist revolutionary Russian Government. The arms with which the North Vietnamese are fighting this war, that is, the bulk of them, are being provided by Soviet Russia. These Soviet made and supplied weapons are being used each day to wound and kill our American sons who are fighting for freedom in South Vietnam. Soviet Russia is the one nation which is responsible for Communist aggression throughout the world.

The present Government of Soviet Russia came into being 50 years ago yesterday as a result of a bloody revolution. It is a shameful government. It is beastly, selfish, and cruel. It is unfortunate that a government of this kind exists in the world.

I was tremendously shocked when I picked up a copy of the morning newspaper and saw on the front page of a section thereof a photograph of the Secretary of State of our great and free country drinking a toast in the Russian Embassy to the revolutionary Government of Soviet Russia. It was shameful and disgraceful.

SAN FRANCISCO VOTE INDICATES AMERICAN PEOPLE SUPPORT PRESIDENT JOHNSON'S POLICY ON VIETNAM

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, I am sure it must be a source of great comfort and strength to President Johnson that the people of San Francisco in yesterday's plebiscite rejected a proposal that the United States withdraw our troops from Vietnam before victory is secured.

A public policy proposition was submitted to the voters with the following language:

DECLARATION OF POLICY

> Shall it be the policy of the people of the city and county of San Francisco that there be an immediate cease fire and withdrawal of U.S. troops from Vietnam so that the Vietnamese people can settle their own problems?

The people of San Francisco voted "no" on that proposal by a margin of 2 to 1. In that way the people of San Francisco indicated their support for the policies and efforts of President Johnson to protect the institution of freedom in Southeast Asia and to pursue the war until the Communists are persuaded that the free world will not tolerate their aggression and subversion.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, in connection with what the gentleman from Illinois has been saying, I note on the ticker tape that the final count from all 1,341 precincts gave 132,406 votes against cease-fire and U.S. withdrawal from Vietnam, and 76,632 in favor.

I might say to my friend that a sideline, and very interesting and important one, is that a nonpartisan municipal election, a Democratic mayor was overwhelmingly elected.

Mr. PUCINSKI. Mr. Speaker, I believe the vote in San Francisco to be the best answer we can find to those who continuously raise the question here in Congress as to whether or not the American people are standing behind the President in his search for a lasting peace. I know the American people want peace in Vietnam. There is no question about that. The President of the United States also wants peace in Vietnam. But we all want peace with honor.

I certainly congratulate the people in San Francisco on their difficult but wise decision yesterday.

SUPPORT FOR DEMOCRATS

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, it was my privilege to be back in my district the last few days. We had an election in Ohio yesterday. Because of the extremely reliable polls that the newspapers run showing so few Democrats left in the country, I thought I ought to go out and stand beside the few of them that were left in my district in this municipal election.

I am pleased to report we did not lose a single mayor we had, and we picked up some from the other side, including that brilliant gentleman in a little town out there who tried to make a political issue out of my going 30 miles an hour in a 25-mile-an-hour speed zone. He was defeated substantially, and I really rejoice in the good judgment of the people in Uhrichsville.

CALL OF THE HOUSE

Mr. DEVINE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 373]

Anderson, Ill.
Annunzio
Broomfield
Brown, Ohio
Button
Celler
Collier
Derwinski
Dole
Dow
Edwards, Ala.
Everett
Fountain
Green, Oreg.
Hagan
Halleck
Hanna
Hébert
Herlong
Hosmer
Jones, Mo.
Macdonald, Mass.
Mathias, Calif.
Mathias, Md.
Miller, Calif.
O'Neill, Mass.
Pelly
Pettis
Resnick
St. Onge
Scott
Smith, Calif.
Stratton
Teague, Tex.
Utt
Wampler
Watts
Williams, Miss.
Willis
Wright

The SPEAKER. On this rollcall 390 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE LATE HONORABLE JOHN NANCE GARNER

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DE LA GARZA. Mr. Speaker, an American landmark fell yesterday with the passing of John Nance Garner of Uvalde, Tex.

Mr. Garner was only 2 weeks short of 99 years of age, having been born November 22, 1868. His life was devoted to public service from the time he was elected judge of Uvalde County in 1893.

He served 4 years in the Texas House of Representatives before coming to this body on March 4, 1903, as Representative of the 15th Congressional District of Texas. This is the district, greatly changed in geographical area, which I now have the honor of representing.

Mr. Garner served in Congress for 30 years. He was minority floor leader in the 71st Congress and Speaker of the House in the 72d Congress. On November 3, 1933, he was reelected to the 73d Congress and on that same day was elected Vice President of the United States on the ticket headed by Franklin D. Roosevelt. He served in the latter office from March 4, 1933, to January 20, 1941, retiring then to private life on his ranch near Uvalde.

Although John Nance Garner had the benefit of only scant formal education, he was a wise and seasoned man whose counsel was eagerly sought and carefully heeded in governmental circles. He was a Democrat of the old school whose sturdy faith in the basic principles of his party never faltered. He served his country long and well. It is with pride that I join in paying tribute to a great Texan and a great American.

VISTA FUNDS PROMISED FROM PRIVATE SOURCE

Mr. GUDE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GUDE. Mr. Speaker, I bring to the attention of the Members of this body today an article from the Baltimore Sun. This story exemplifies the approval of private industry for the very important VISTA program that is part of the OEO legislation which we have under consideration in the House this week.

The New York corporations that have decided to sustain the VISTA program by their contributions are to be commended for their concern and initiative and foresight. In examining the OEO program this week, I feel we should keep in mind the faith which these businessmen have shown in a very basic part of the program.

The newspaper article follows:

VISTA FUNDS PROMISED FROM PRIVATE SOURCE

NEW YORK, November 6.—Twenty-five New York corporations were reported today to have agreed to bankroll the domestic peace corps with $100,000 in hopes Congress eventually will restore anti-poverty funds.

The funds were cut October 23 and 230 New York corps workers, members of Volunteers in Service to America, found themselves without money for food and lodging.

Encouraging VISTA workers to stay on the job, William H. Crook, the director, said he hoped Congress will restore the funds retroactive to October 24.

The corporation heads pledged $54,000 needed to maintain New York workers for a month. The remaining $46,000 was made available to VISTA workers elsewhere in the nation.

FOREIGN ASSISTANCE ACT OF 1967—CONFERENCE REPORT

Mr. MORGAN. Mr. Speaker, I call up the conference report on the bill (S. 1872) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 892)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1872) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: That this Act may be cited as the "Foreign Assistance Act of 1967".

PART I

CHAPTER 1—POLICY

SEC. 101. Section 102 of the Foreign Assistance Act of 1961, as amended, which relates to the statement of policy, is amended to read as follows:

"SEC. 102. STATEMENT OF POLICY.—The Congress declares that the freedom, security, and prosperity of the United States are best sustained in a community of free, secure, and prospering nations. In particular, the Congress recognizes the threat to world peace posed by aggression and subversion wherever they occur, and that ignorance, want, and despair breed the extremism and violence which lead to aggression and subversion. The Congress declares therefore that it is not only expressive of our sense of freedom, justice, and compassion but also important to our national security that the United States, through private as well as public efforts, assist the people of less developed countries in their efforts to acquire the knowledge and resources essential for development and to build the economic, political, and social institutions which will meet their aspirations for a better life, with freedom, and in peace.

"In addition, the Congress declares that it is the policy of the United States to support the principles of increased economic cooperation and trade among countries, freedom of the press, information, and religion, freedom of navigation in international waterways, and recognition of the right of all private persons to travel and pursue their lawful activities without discrimination as to race or religion. The Congress further declares that any distinction made by foreign nations between American citizens because of race, color, or religion in the granting of, or the exercise of, personal or other rights available to American citizens is repugnant to our principles.

"The Congress further declares that to achieve the objectives of this Act, programs authorized by this Act should be carried out in accordance with the following principles:

"First, development is primarily the responsibility of the people of the less developed countries themselves. Assistance from the United States shall be used in support of, rather than substitution for, the self-help efforts that are essential to successful development programs, and shall be concentrated in those countries that take positive steps to help themselves. Maximum effort shall be made, in the administration of this Act, to stimulate the involvement of the people in the development process through the encouragement of democratic participation in private and local governmental activities and institution-building appropriate to the requirements of the recipient nations.

"Second, the tasks of successful development in some instances require the active involvement and cooperation of many countries on a multilateral basis. Therefore, to the maximum extent practicable, other countries shall be encouraged to increase their contributions to development programs and projects so that the cost of such common undertakings, which are for the benefit of all, may be shared equitably by all.

"Third, assistance shall be utilized to encourage regional cooperation by less developed countries in the solution of common problems and the development of shared resources.

"Fourth, the first objects of assistance shall be to support the efforts of less developed countries to meet the fundamental needs of their peoples for sufficient food, good health, home ownership and decent housing, and the opportunity to gain the basic knowledge and skills required to make their own way forward to a brighter future. In supporting these objectives, particular emphasis shall be placed on utilization of resources for food production and voluntary family planning.

"Fifth, assistance shall wherever practicable be constituted of United States commodities and services furnished in a manner consistent with other efforts of the United States to improve its balance of payments position.

"Sixth, assistance shall be furnished in such a manner as to promote efficiency and economy in operations so that the United States obtains maximum possible effectiveness for each dollar spent.

"Seventh, to the maximum extent practicable, the furnishing of agricultural commodities, disposal of excess property, and United States payments to international lending institutions, undertaken pursuant to this or any other Act, shall complement and be coordinated with assistance provided under this part.

"It is the sense of the Congress that every effort must be made to obtain a permanent peace in the Middle East. To help promote that objective, the United States should encourage, as part of pacific settlement, direct talks among the parties concerned, using such third party or United Nations assistance as they may wish. To this end, the President should undertake immediately (1) a thorough review of the needs of the several countries of that area, and (2) a reevaluation of United States policies aimed at helping meet those needs and securing a permanent peace in the area.

"It is further the sense of the Congress that in any case in which any foreign country has severed diplomatic relations with the United States, the President should suspend assistance to such country under this or any other Act, including any program designed to complement assistance under this Act (such as sales of agricultural commodities under the Agricultural Trade Development and Assistance Act of 1954). When diplomatic relations are resumed, a further study should be made on a country-by-country basis to determine whether United States foreign policy objectives would be served by extending assistance under this or any other Act, including any program designed to complement such assistance."

CHAPTER 2—DEVELOPMENT ASSISTANCE

TITLE I—DEVELOPMENT LOAN FUND

SEC. 102. Title I of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to the Development Loan Fund, is amended as follows:

(a) Section 201(b), which relates to general authority, is amended by striking out the last sentence and inserting in lieu thereof: "Funds made available under this title, except funds made available pursuant to section 205, shall not be used to make loans in more than twenty countries in any fiscal year."

(b) Section 201(d), which relates to rates of interest, is amended by striking out "1964" and substituting "1967" and by striking out "1 per centum" and substituting "2 per centum".

(c) Section 202(a), which relates to authorization, is amended (1) by striking out "and $750,000,000 for each of the fiscal years 1968 and 1969" and substituting "and $450,000,000 for the fiscal year 1968", and (2) by striking out "June 30, 1969" and substituting "June 30, 1968".

(d) Section 205, which relates to transfers to international lending institutions, is amended as follows:

(1) Strike out "only".

(2) Strike out "or the International Finance Corporation" and substitute "the International Finance Corporation, or the Asian Development Bank".

(e) At the end of such title I, add the following new sections:

"SEC. 207. PURPOSES OF DEVELOPMENT ASSISTANCE.—In furnishing development assistance under this chapter the President shall place appropriate emphasis on—

"(a) assuring maximum participation in the task of economic development by the people of less developed countries through the encouragement of strong economic, political, and social institutions needed for a progressive democratic society;

"(b) programs directed at enabling a country to meet the food needs of its people from its own resources, including the furnishing of technical knowledge and of resources necessary to increase agricultural productivity; assistant for improved storage, transportation, marketing, and credit facilities (including provision for foreign currency loans to small farmers), cooperatives, water conservation programs, and adaptive research programs; and technological advice: *Provided,* That relief from the immediate threat of famine, hunger, and malnutrition may be provided by the United States and other countries, and that assistance provided under the Agricultural Trade Development and Assistance Act of 1954, as amended, should complement assistance furnished under this Act;

"(c) assisting recipient countries in their efforts to meet increasing needs for trained manpower in their development efforts by improving education planning and research, training teachers and administrators, developing and constructing educational institutions, and using modern educational technology;

"(d) developing programs to combat malnutrition, to control and eradicate disease, to clear slums, and to provide adequate and safe drinking water, adequate sewage disposal systems, overall health education, maternal and child care, and voluntary family planning services, which shall, where feasible, be included as part of programs of maternal and child care, and other public health assistance; and

"(e) other important development activities including assistance for programs to assist industrial development; the growth of free labor unions, cooperatives, and voluntary agencies; improvement of transportation and communication systems; development of capabilities for sound economic planning and public administration; urban development; and modernization of existing laws to facilitate economic development.

"SEC. 208. SELF-HELP CRITERIA.—In determining whether and to what extent the United States should furnish development assistance to a country under this chapter the President shall take into account—

"(a) the extent to which the country is taking such measures as may be appropriate to its needs and capabilities to increase food production and improve the means for storage and distribution of food;

"(b) the extent to which the country is creating a favorable climate for private enterprise and investment, both domestic and foreign;

"(c) the extent to which the government of the country is increasing the role of the people in the developmental process;

"(d) the extent to which the country's governmental expenditures are allocated to key developmental areas, including agriculture, health, and education, and not diverted for unnecessary military purposes or to intervention in the affairs of other free and independent nations;

"(e) the extent to which the country is willing to make contributions of its own to the projects and programs for which the assistance is provided;

"(f) the extent to which the country is making economic, social, and political reforms, such as tax collection improvements and changes in land tenure arrangements, that will enable it to achieve developmental objectives more efficiently and justly; and

"(g) the extent to which the country is otherwise showing a responsiveness to the vital economic, political, and social concerns of its people, and demonstrating a clear determination to take effective self-help measures.

"SEC. 209. MULTILATERAL AND REGIONAL PROGRAMS.—(a) MULTILATERAL PROGRAMS.—The Congress recognizes that planning and administration of development assistance by, or under the sponsorship of, multilateral lending institutions and other international organizations may, in some instances contribute to the efficiency and effectiveness of that assistance through participation of other donors in the development effort, improved coordination of policies and programs, pooling of knowledge, avoidance of duplication of facilities and manpower, and greater encouragement of self-help performance.

"(b) REGIONAL PROGRAMS.—It is further the sense of the Congress (1) that where problems or opportunities are common to two or more countries in a region, in such fields as agriculture, education, transportation, communications, power, watershed development, disease control, and establishment of development banks, these countries often can more effectively resolve such problems and exploit such opportunities by joining together in regional organizations or working together on regional programs, (2) that assistance often can be utilized more efficiently in regional programs than in separate country programs, and (3) that to the maximum extent practicable consistent with the purposes of this Act assistance under this Act should be furnished so as to encourage less developed countries to cooperate with each other in regional development programs."

TITLE II—TECHNICAL COOPERATION AND DEVELOPMENT GRANTS

SEC. 103. Title II of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to technical cooperation and development grants, is amended as follows:

(a) Section 211(a), which relates to general authority, is amended by striking out all after "fiscal year," in the last sentence and substituting "except that up to $600,000 may be used for self-help projects in additional countries during such fiscal year.".

(b) Section 212, which relates to authorization, is amended to read as follows:

"SEC. 212. AUTHORIZATION.—To carry out the purposes of section 211, there is authorized to be appropriated to the President $210,000,000 for the fiscal year 1968, which amounts are authorized to remain available until expended."

(c) Section 214, which relates to American schools and hospitals abroad, is amended as follows:

(1) In subsection (c) strike out "1967, $10,989,000" and substitute "1968, $14,000,000".

(2) In subsection (d) strike out "1967, $1,000,000" and substitute "1968, $2,986,000".

(d) At the end of such title II of chapter 2, add the following new section:

"SEC. 218. FISH AND OTHER PROTEIN CONCENTRATES.—(a) The President is authorized to conduct a program designed to demonstrate the potential and to encourage the use of fish and other protein concentrates as a practical means of reducing nutritional deficiencies in less developed countries and areas. This program shall include—

"(1) studies and activities relating to food technology;

"(2) development of suitable marketing techniques;

"(3) development of consumer acceptance programs; and

"(4) feeding programs designed to demonstrate the nutritional value of fish and other protein concentrates as a diet supplement.

In carrying out his functions under this section, the President shall consult with the National Council on Marine Resources and Engineering Development, appropriate Government agencies and other such technical groups or agencies as may be helpful with such activities. In accordance with section 601(b) of this Act, the President shall encourage full participation in such program by United States private enterprise.

"(b) The President is authorized to use funds made available under this part for the purposes of this section, and is urged to use at least $2,500,000 of such funds for such purposes."

TITLE III—INVESTMENT GUARANTIES

SEC. 104. Title III of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to investment guaranties, is amended as follows:

(a) Section 221(b), which relates to general authority for investment guaranties, is amended as follows:

(1) In paragraph (1), amend the proviso by striking out "$7,000,000,000" and substituting "$8,000,000,000".

(2) Paragraph (2) is amended to read as follows:

"(2) where the President determines such action to be important in the furtherance of the purposes of this title, assuring against loss, due to such risks and upon such terms and conditions as the President may determine, of—

"(A) any loan investment for housing projects with appropriate participation by the private investor in the loan risk.

"(B) any loan investment for credit unions where the loan investment is made by a credit union, or an association of credit unions, which is an eligible United States investor, or

"(C) not to exceed 75 per centum of any other investment:

Provided, That guaranties issued under this paragraph (2) shall emphasize economic development projects furthering social progress and the development of small independent business enterprises: *Provided further*, That no payment may be made under this paragraph (2) for any loss of equity investment arising out of fraud or misconduct for which the investor is responsible, or for any loss of loan investment arising out of fraud or misrepresentation for which the investor is responsible: *Provided further*, That the total face amount of the guaranties issued under this paragraph (2) outstanding at any one time shall not exceed $475,000,000, guaranties issued under this paragraph (2) for other than housing projects similar to those insured by the Department of Housing and Urban Development, shall not exceed $315,000,000, and guaranties issued under this paragraph (2) for credit unions shall not exceed $1,000,000: *Provided further*, That this authority shall continue until June 30, 1970."

(b) Section 222, which relates to general provisions for investment guaranties, is amended as follows:

(1) In subsection (b), after the words "shall be available for meeting" insert the words "necessary administrative and operating expenses of carrying out the provisions of sections 221, 224, and 231 (including, but not limited to, expenses pertaining to personnel, supplies, and printing) subject to such limitations as may be imposed in annual appropriation Acts, for meeting".

(2) In subsection (d), after the words "in section 222(b)" insert the following: "(excluding fees required for purposes other than the discharge of liabilities under guaranties)".

(3) At the end of subsection (h) add the following new sentence: "The allowable rate of interest under this subsection shall be prescribed by the Administrator as of the date the project covered by the investment is officially authorized by him and, prior to the execution of the contract, he may amend such rate at his discretion, consistent with the provisions of this subsection."

(c) Section 223, which relates to definitions, is amended as follows:

(1) In paragraph (a), after the words "services pursuant to a" insert the words "lease or".

(2) Paragraph (c) is amended by striking out the period at the end thereof and inserting a colon and the following: "*Provided further*, That in the case of any loan investment a final determination of eligibility may be made at the time the guaranty is issued; in all other cases, the investor must be eligible at the time a claim arises as well as at the time the guaranty is issued."

(d) Section 224(c), which relates to housing projects in Latin American countries, is amended (1) by striking out "$450,000,000" and "$300,000,000" and substituting "$500,000,000" and "$325,000,000", respectively, (2) by striking out "misconduct" and substituting "misrepresentation", and (3) by striking out "1969" and substituting "1971".

TITLE IV—SURVEYS OF INVESTMENT OPPORTUNITIES

SEC. 105. Section 232 of title IV of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to surveys of investment opportunities, is amended by striking out "1965" and substituting "1968".

TITLE VI—ALLIANCE FOR PROGRESS

SEC. 106. Title VI of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to the Alliance for Progress, is amended as follows:

(a) Section 251(h) of the Foreign Assistance Act of 1961, as amended, which relates to transfers to international lending institutions, is amended as follows:

(1) Immediately after "named in section 205" insert "(other than the Asian Development Bank)".

(2) Immediately after "for use" insert "in Latin America".

(b) Section 252, which relates to authorization, is amended as follows:

(1) In the first sentence strike out "and for each of the fiscal years 1968 and 1969, $750,000,000" and substitute "and for the fiscal year 1968, $578,000,000".

(2) The second sentence is hereby repealed.

(3) In the third sentence strike out "June 30, 1969" and substitute "June 30, 1968".

(4) Insert "(a)" immediately after "SEC. 252. AUTHORIZATION.—" and at the end thereof add the following new subsection:

"(b) There is hereby authorized to be appropriated to the President for the fiscal year 1968, $714,000 for grants to carry out programs and activities of the Partners of the Alliance in accordance with the purposes of this title."

TITLE VIII—SOUTHEAST ASIA MULTILATERAL AND REGIONAL PROGRAMS

SEC. 107. Title VIII of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to Southeast Asia multilateral and regional programs, is amended by striking out section 273.

TITLE IX—UTILIZATION OF DEMOCRATIC INSTITUTIONS IN DEVELOPMENT

SEC. 108. Section 281 of title IX of the Foreign Assistance Act of 1961, as amended, which relates to utilization of democratic institutions in development, is amended by inserting "(a)" immediately after "SEC. 281." and by adding at the end thereof the following new subsections:

"(b) In order to carry out the purposes of this title, programs under this chapter shall—

"(1) recognize the differing needs, desires, and capacities of the people of the respective developing countries and areas;

"(2) use the intellectual resources of such countries and areas in conjunction with assistance provided under this Act so as to encourage the development of indigenous institutions that meet their particular requirements for sustained economic and social progress; and

"(3) support civic education and training in skills required for effective participation in governmental and political processes essential to self-government.

"(c) In the allocation of funds for research under this chapter, emphasis shall be given to research designed to examine the political, social, and related obstacles to development in countries receiving assistance under part I of this Act.

"(d) Emphasis shall also be given to the evaluation of relevant past and current programs under part I of this Act and to applying this experience so as to strengthen their effectiveness in implementing the objectives of this title."

TITLE X—PROGRAMS RELATING TO POPULATION GROWTH

SEC. 109. Chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, is amended by adding at the end thereof the following new titles:

"TITLE X—PROGRAMS RELATING TO POPULATION GROWTH

"SEC. 291. GENERAL PROVISIONS.—(a) It is the sense of the Congress that, while every nation is and should be free to determine its own policies and procedures with respect to problems of population growth and family planning within its own boundaries, nevertheless, voluntary family planning programs to provide individual couples with the knowledge and medical facilities to plan their family size in accordance with their own moral convictions and the latest medical information, can make a substantial contribution to improve health, family stability, greater individual opportunity, economic development, a sufficiency of food, and a higher standard of living.

"(b) To carry out the intent of Congress as expressed in subsection (a), the President is authorized to provide assistance for programs relating to population growth in friendly foreign countries and areas, on such terms and conditions as he shall determine, to foreign governments, the United Nations, its specialized agencies, and other international organizations and programs, United States and foreign nonprofit organizations, universities, hospitals, accredited health institutions, and voluntary health or other qualified organizations.

"(c) In carrying out programs authorized in this title, the President shall establish reasonable procedures to insure, whenever family-planning assistance from the United States is involved, that no individual will be coerced to practice methods of family planning inconsistent with his or her moral, philosophical, or religious beliefs.

"(d) As used in this title, the term 'programs relating to population growth' includes but is not limited to demographic studies, medical, psychological, and sociological research, and voluntary family planning programs, including personnel training, the construction and staffing of clinics and rural health centers, specialized training of doctors and paramedical personnel, the manufacture of medical supplies, and the dissemination of family-planning information, and provision of medical assistance and supplies.

"SEC. 292. AUTHORIZATION.—Of the funds provided to carry out the provisions of part I of this Act for the fiscal year 1968, $35,000,000 shall be available only to carry out the purposes of this title and, notwithstanding any other provision of this Act, funds used for such purposes may be used on a loan or grant basis.

"TITLE XI—FOOD PRODUCTION TARGETS AND REPORTS

"SEC. 295. FOOD PRODUCTION TARGETS AND REPORTS.—In making his recommendations to the Congress for programs for the fiscal year 1969 and each fiscal year thereafter, wherever appropriate, the President shall, for each country receiving assistance under this Act which he finds has a substantial food deficit, include—

"(1) descriptions of proposed programs, if any, in the areas of food production, storage, and distribution, and voluntary family planning;

"(2) information on achievement targets in food production, storage, and distribution, and their relationship to expected changes in total population; and

"(3) a detailed report on progress with respect to food production, storage, and distribution, and the relationship of this progress to population."

CHAPTER 3—INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 110. Chapter 3 of part I of the Foreign Assistance Act of 1961, as amended, which relates to international organizations and programs, is amended as follows:

(a) Section 301, which relates to general authority, is amended by adding at the end thereof the following new subsection:

"(d) In any case in which a fund established solely by United States contributions under this or any other Act is administered by an international organization under the terms of an agreement between the United States and such international organization, such agreement shall provide that the Comptroller General of the United States shall conduct such audits as are necessary to assure that such fund is administered in accordance with such agreement. The President shall undertake to modify any existing agreement entered into before the date of enactment of this subsection to conform to the requirements of the preceding sentence."

(b) Section 302, which relates to authorization, is amended as follows:

(1) In subsection (a) strike out all after "for such purposes," and substitute "for the fiscal year 1968, $141,000,000."

(2) Subsection (b) is amended to read as follows:

"(b) There is authorized to be appropriated to the President for loans for Indus Basin Development to carry out the purposes of this section, in addition to funds available under this or any other Act for such purposes, for use beginning in the fiscal year 1969, $51,220,000. Such amounts are authorized to remain available until expended."

(c) Immediately after section 303, add the following new section:

"SEC 304. UNITED NATIONS PEACEKEEPING.—It is the sense of the Congress that the cause of international order and peace can be enhanced by the establishment, within the United Nations Organization, of improved arrangements for standby forces being maintained by United Nations members for United Nations peacekeeping purposes in accordance with the United Nations Charter. The President is therefore requested to explore through the United States Representative to the United Nations, and in cooperation with other members of the United Nations and the United Nations Secretariat, both the means and the prospects of establishing such peacekeeping arrangements. The President shall submit to the Congress not later than March 31, 1968, a report upon the outcome of his initiatives, together with such recommendations as he may deem appropriate."

CHAPTER 4—SUPPORTING ASSISTANCE

SEC. 111. Chapter 4 of part I of the Foreign Assistance Act of 1961, as amended, which relates to supporting assistance, is amended as follows:

(a) Section 401, which relates to general authority, is amended (1) by striking out all after "political stability" and substituting a period, and (2) by adding at the end therof a new sentence as follows: "The authority of this chapter shall not be used to furnish assistance to more than twelve countries in any fiscal year."

(b) Section 402, which relates to authorization, is amended (1) by striking out "1967" and substituting "1968", and (2) by striking out "$715,000,000" and substituting "$660,000,000".

(c) At the end of such chapter 4 add the following new section:

"SEC. 403. UNITED STATES REFUND CLAIMS.—It is the sense of the Congress that the President should seek the agreement of the Government of Vietnam to the establishment and maintenance of a separate special account of United States dollars, which account shall be available solely for withdrawals by the United States, at such times and in such amounts as the President may determine, in satisfaction of United States dollar refund claims against the Government of Vietnam arising out of operations conducted under this Act. Such account should be established in an amount not less than $10,000,000 and maintained thereafter at a level sufficient to cover United States refund claims as they arise."

CHAPTER 5—CONTINGENCY FUND

SEC. 112. Section 451 of the Foreign Assistance Act of 1961, as amended which relates to the contingency fund, is amended by striking out "1967" and "$110,000,000" and substituting "1968" and "$50,000,000", respectively.

CHAPTER 6—ASSISTANCE TO COUNTRIES HAVING AGRARIAN ECONOMIES

SEC. 113. Section 461 of chapter 6 of the Foreign Assistance Act of 1961, as amended, which relates to assistance to countries having agrarian economies, is amended by inserting "(a)" immediately before "Wherever" and by adding at the end thereof the following new subsection:

"(b) In presenting proposals to the Congress for fiscal year 1969 the President shall include recommendations for improving and establishing agricultural research and training facilities in tropical and subtropical regions of Latin America, Africa, and Asia. These recommendations shall be developed after consultation with the Department of Agriculture, land-grant colleges of agriculture, and other appropriate institutions and organizations, including those in the regions concerned."

PART II

MILITARY ASSISTANCE AND SALES

SEC. 201. Part II of the Foreign Assistance Act of 1961, as amended, which relates to military assistance and sales, is amended as follows:

(a) Section 502, which relates to statement of policy, is amended as follows:

(1) Section 502 is redesignated as section 501.

(2) In such new section 501, immediately before the last paragraph insert the following new paragraph:

"It is the sense of the Congress that in the administration of this part priority shall be given to the needs of those countries in danger of becoming victims of active Communist or Communist-supported aggression or those countries in which the internal security is threatened by Communist-inspired or Communist-supported internal subversion."

(b) Section 503, which relates to general authority, is amended as follows:

(1) Subsection (a) is amended by striking out ", lease, sale, exchange, grant, or any other means" and substituting "or grant".

(2) Subsection (d) is amended by striking out "; and" and substituting a period.

(3) Subsection (e) is amended as follows:

(A) Subsection (e) is redesignated as section 525.

(B) In such new section 525, strike out "guarantying, insuring, coinsuring, and reinsuring" and substitute "GUARANTIES.—(a) Until June 30, 1968, the President may guarantee, insure, coinsure, and reinsure".

(C) In such new section 525(a), strike out "such" the second place it appears and substitute "any".

(c) Section 504(a), which relates to authorizations, is amended as follows:

(1) Strike out all of the first sentence up to, but excluding, the colon and the proviso, and substitute "There is authorized to be appropriated to the President to carry out the purposes of this part not to exceed $510,000,000 for the fiscal year 1968".

(2) Immediately after the first sentence, insert the following: "Of the amount appropriated pursuant to this subsection for the fiscal year 1968, $24,100,000 shall be available solely for cost-sharing expenses of United States participation in the international military headquarters and related agencies program. No part of any funds made available under any other provision of law shall be used for the cost-sharing expenses referred to in the preceding sentence.".

(d) Section 505(a), which relates to utilization of assistance, is amended as follows:

(1) Subsection (a) is redesignated as section 502.

(2) At the beginning of such new section 502, strike out "UTILIZATION OF ASSISTANCE.—(a) Military assistance" and substitute "UTILIZATION OF DEFENSE ARTICLES AND DEFENSE SERVICES.—Defense articles and defense services".

(e) Section 506, which relates to conditions of eligibility, is redesignated as section 505.

(f) Section 507(a), which relates to sales, is amended as follows:

(1) Section (a) is redesignated as section 522.

(2) In such new section 522, strike out "SALES" as the section caption and substitute "SALES FROM STOCK".

(3) In such new section 522, strike out "subsection" each place it appears and substitute in each such place "section".

(g) Section 507(b), which relates to sales, is amended as follows:

(1) Subsection (b) is redesignated as section 523.

(2) In such new section 523, insert "PROCUREMENT FOR SALES—" as the section caption.

(3) In the third sentence of such new section 523, strike out "credited to the account established under section 508" and substitute "transferred to the general fund of the Treasury".

(4) Strike out "subsection" in the last sentence and substitute "section".

(h) Section 508, which relates to reimbursements, is amended as follows:

(1) Section 508 is redesignated as section 524.

(2) In such new section 524, insert "(a)" immediately after "REIMBURSEMENTS.—"

(3) Insert the following new subsection at the end of such new section 524:

"(b)(1) The special fund account established under subsection (a) of this section shall terminate as of the end of June 30, 1968, or on such earlier date as may be selected by the President.

"(2) Upon the termination of such fund account pursuant to paragraph (1), all of the assets of such fund account (including loans and other payments receivable) shall be transferred to a special account in the Treasury, which special account shall be available solely for the purpose of discharging outstanding liabilities and obligations of the United States arising out of credit sales agreements entered into, and guaranties issued under this part, prior to June 30, 1968. Any moneys in such special account in excess of the aggregate United States dollar amount of such liabilities and obligations shall be transferred from time to time to the general fund of the Treasury.

"(3) After the termination of such fund account pursuant to paragraph (1), the President may finance sales of defense articles and defense services to foreign countries and international organizations only from appropriations made available pursuant to section 504 to carry out this part and only if such countries or international organizations agree to pay not less than the value thereof in United States dollars. All payments of principal and interest on account of such sales shall be transferred to the general fund of the Treasury: *Provided*, That the limitations of this paragraph shall not apply to sales made pursuant to sections 522 and 523."

(i) Section 509, which relates to exchanges and guaranties, is amended as follows:

(1) Subsection (a) is hereby repealed.

(2) Subsection (b) is redesignated as section 525(b) and is amended by adding at the end thereof the following: "The total face amount of contracts of guaranty, insurance, coinsurance, and reinsurance (including contracts with any agency of the United States Government) issued in the fiscal year 1968 shall not exceed $190,000,000."

(j) Section 510 which relates to special authority, is amended as follows:

(1) Section 510 is redesignated as section 506.

(2) Strike out "1967" each place it appears and substitute in each such place "1968".

(k) Section 511, which relates to restrictions on military aid to Latin America, is amended as follows:

(1) Section 511 is redesignated as section 507.

(2) In subsection (a), strike out "section 507" and substitute "chapter 3"; and strike out the colon and the proviso.

(l) Section 505(b), which relates to utilization of assistance, is redesignated as subsection (c) of such new section 507.

(m) Section 512, which relates to restrictions on military aid to Africa, is amended as follows:

(1) Section 512 is redesignated as section 508.

(2) Strike out "shall be furnished on a grant basis" in the first sentence and substitute "or sales shall be furnished under this Act".

(3) Strike out "The value of grant programs of defense articles" in the second sentence and substitute "The total value of military assistance and sales".

(4) Strike out "other than section 507" in the second sentence.

(5) Strike out "$25,000,000" and substitute "$40,000,000".

(n) Section 513, which relates to the certification of recipient's capability, is amended as follows:

(1) Section 513 is redesignated as section 509.

(2) In subsection (a), strike out "section 507" and substitute "chapter 3".

(o) Section 514, which relates to administration of sales and exchange programs involving defense articles and services, is amended as follows:

(1) Section 514 is redesignated as section 521.

(2) Insert the following new chapter heading before such new section 521:

"Chapter 3—Foreign Military Sales".

(3) In the section caption strike out "and Exchange".

(4) In subsection (a), strike out "or exchange".

(5) At the end of subsection (a), add the following: "It is the purpose of this chapter to authorize measures consonant with that objective to enable allied and other friendly foreign countries, having sufficient wealth to develop and maintain their defense capacities without undue burden to their economies, to acquire defense articles and defense services on a reimbursable basis. In carrying out this chapter, special emphasis shall be placed on procurement in the United States, but consideration shall also be given to co-production or licensed production outside the United States of defense articles of United States origin when such production best serves the foreign policy, national security, and economy of the United States. In evaluating any sale proposed to be made pursuant to this chapter, there shall be taken into consideration (1) the extent to which the proposed sale damages or infringes upon licensing arrangements whereby United States entities have granted licenses for the manufacture of the defense articles selected by the purchasing country to entities located in friendly foreign countries, which licenses result in financial returns to the United States, and (2) the portion of the defense articles so manufactured which is of United States origin."

(6) Subsection (b) is amended as follows:

(A) Strike out "section 511(a)" and substitute "section 507(a)".

(B) Strike out "$85,000,000" and substitute "$75,000,000".

(C) Strike out the colon and the proviso.

(7) Add the following new subsection:

"(c) No defense article or defense service shall be furnished under this chapter to any country or international organization unless (1) the President finds that the furnishing of defense articles and defense services to such country or international organization will strengthen the security of the United States and promote world peace, (2) the country or international organization shall have agreed not to transfer title to, or possession of, any defense article so furnished to it to any other person, organization, or government, unless the consent of the President has first been obtained, and (3) the country or international organization is otherwise eligible to receive defense articles or defense services. The President shall promptly submit a report to the Speaker of the House of Representatives and to the Committee on Foreign Relations of the Senate on the implementation of each agreement entered into pursuant to clause (2) of this subsection."

PART III

Chapter 1—General Provisions

Sec. 301. Chapter 1 of part III of the Foreign Assistance Act of 1961, as amended, which relates to general provisions, is amended as follows:

(a) Section 601(c)(3), which relates to an International Private Investment Advisory Council on Foreign Aid, is amended by striking out "5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2)" and substituting "5703 of title 5 of the United States Code".

(b) Section 608(a), which relates to acquisition and use of excess property, is amended by inserting immediately before the first sentence the following: "It is the sense of the Congress that in furnishing assistance under part I excess personal property shall be utilized wherever practicable in lieu of the procurement of new items for United States-assisted projects and programs."

(c) Section 610(b), which relates to transfers between accounts, is amended (1) by striking out "510" and substituting "506", and (2) by striking out "$5,000,000" and substituting "$9,000,000".

"(d) Section 611, which relates to completion of plans and cost estimates, is amended by adding at the end thereof the following new subsection:

"(e) In addition to any other requirements of this section, no assistance authorized under titles I, II, or VI of chapter 2 or chapter 4 of part I of this Act shall be furnished with respect to any capital assistance project estimated to cost in excess of $1,000,000 until the head of the agency primarily responsible for administering part I of the Act has received and taken into consideration a certification from the principal officer of such agency in the country in which the project is located as to the capability of the country (both financial and human resources) to effectively maintain and utilize the project taking into account among other things the maintenance and utilization of projects in such country previously financed or assisted by the United States."

(e) Section 614(a), which relates to special authorities, is amended by striking out "510" and substituting "506".

(f) Section 620, which relates to prohibitions against furnishing assistance, is amended as follows:

(1) Subsection (j) is amended to read as follows:

"(j) The President shall consider terminating assistance under this or any other Act to any country which permits, or fails to take adequate measures to prevent, the damage or destruction by mob action of United States property within such country, and fails to take appropriate measures to prevent a recurrence thereof and to provide adequate compensation for such damage or destruction."

(2) Subsection (k) is amended by striking out "510" and substituting "506".

(3) Subsection (n) is amended to read as follows:

(n) No loans, credits, guaranties, or grants or other assistance shall be furnished under this or any other Act, and no sales shall be made under the Agricultural Trade Development and Assistance Act of 1954, to any country which sells or furnishes to North Vietnam, or which permits ships or aircraft under its registry to transport to or from North Vietnam, any equipment, materials, or commodities, so long as the regime in North Vietnam gives support to hostilities in South Vietnam."

(4) At the end of section 620, add the following new subsections:

"(s) In furnishing development assistance under this Act, and in making sales under the Agricultural Trade Development and Assistance Act of 1954, as amended, the President shall take into account (1) the percentage of the recipient or purchasing country's budget which is devoted to military purposes, and (2) the degree to which the recipient or purchasing country is using its foreign exchange resources to acquire military equipment. When the President finds that development assistance under this Act, or sales under the Agricultural Trade Development and Assistance Act of 1954, as amended, are being diverted to military expenditures, or a recipient or purchasing country is diverting its own resources to unnecessary military expenditures, to a degree which materially interferes with its development, the President shall terminate such assistance and sales until he is assured that such diversion will no longer take place. No other provision of this Act shall be construed to authorize the President to waive the provisions of this subsection.

"(t) No assistance shall be furnished under this or any other Act, and no sales shall be made under the Agricultural Trade Development and Assistance Act of 1954, in or to any country which has severed or hereafter severs diplomatic relations with the United States or with which the United States has severed or hereafter severs diplomatic relations, unless (1) diplomatic relations have been resumed with such country and (2) agreements for the furnishing of such assistance or the making of such sales, as the case may be, have been negotiated and entered into after the resumption of diplomatic relations with such country.

"(u) In any decision to provide or continue to provide any program of assistance to any country under the Foreign Assistance Act of 1961, as amended, there shall be taken into account the status of the country with respect to its dues, assessments, and other obligations to the United Nations; and where such country is delinquent with respect to any such obligations for the purposes of the first sentence of Article 19 of the United Nations Charter, the President shall furnish the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives a report setting forth the assurance given by the government of the country concerned of paying all of its arrearages and of placing its payments of such obligations on a current basis, or a full explanation of the unusual or exceptional circumstances which render it economically incapable of giving such assurance."

Chapter 2—Administrative Provisions

Sec. 302. Chapter 2 of part III of the Foreign Assistance Act of 1961, as amended, which relates to administrative provisions, is amended as follows:

(a) Section 624(d)(2)(B), which relates to statutory officers, is amended by striking out "of assistance" each place it appears.

(b) Section 625(b), which relates to employment of personnel, is amended as follows:

(1) Strike out "the Classification Act of 1949, as amended (5 U.S.C. 1071 et seq.)" and

substitute "section 5332 of title 5 of the United States Code".

(2) Strike out "505 of the Classification Act of 1949, as amended" and substitute "5108 of title 5 of the United States Code".

(c) Section 625(c), which relates to compensation of personnel, is amended as follows:

(1) Strike out "the Classification Act of 1949, as amended," and substitute "section 5332 of title 5 of the United States Code".

(2) Strike out "505 of the Classification Act of 1949, as amended" and substitute "5108 of title 5 of the United States Code".

(d) Section 625(d)(2), third proviso, which relates to initial assignment in the United States of Foreign Service Reserve officers, is amended by striking out "forty" and substituting "fifty".

(e) Section 626, which relates to employment of experts, consultants, and retired officers, is amended as follows:

(1) In subsection (a), strike out "15 of the Act of August 2, 1946, as amended (5 U.S.C. 55a)" and substitute "3109 of title 5 of the United States Code".

(2) In subsection (b)—

(A) strike out "section 13 of the Civil Service Retirement Act, as amended (5 U.S.C. 2263)" and substitute "sections 3323(a) and 8344 of title 5 of the United States Code"; and

(B) strike out "201 of the Dual Compensation Act" and substitute "5532 of title 5 of the United States Code".

(f) Section 629(b), which relates to status of personnel detailed to foreign governments or international organizations, is amended by striking out "1765 of the Revised Statutes (5 U.S.C. 70)" and substituting "5536 of title 5 of the United States Code".

(g) Section 632(d), which relates to allocation and reimbursement among agencies, is amended by striking out "507 and 510" and substituting "506, 522, and 523".

(h) Section 634, which relates to reports and information, is amended as follows:

(1) Subsection (d) is amended as follows:

(A) Immediately preceding the first sentence insert the following: "When requests are presented to the Congress for appropriations for fiscal year 1969 to carry out programs under this Act, the programs to be carried out with the funds appropriated for that fiscal year shall also be presented to the Committee on Foreign Relations of the Senate, if requested by the chairman of that committee, and to the Committee on Foreign Affairs of the House of Representatives, if requested by the chairman of that committee."

(B) Immediately preceding the last sentence insert the following: "Any such presentation material shall also include (1) a chart showing on a country-by-country basis the full extent of all United States assistance planned or expected for each such country for the next fiscal year, including economic assistance and military grants and sales under this Act and sales under the Agricultural Trade Development and Assistance Act of 1954, as amended, (2) details of proposed contributions by the United States to multilateral financial agencies, for the next fiscal year, and (3) a statement of projects, on a country-by-country basis, for which financing was supplied during the last fiscal year through the Export-Import Bank."

(C) In the last sentence, immediately preceding the period, insert the following: "and of any finding, including his reasons therefor, under section 503 or 521(c)".

(2) Add the following new subsections at the end thereof:

"(g) The Secretary of State shall transmit to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate semiannual reports of all exports during the preceding six months of significant defense articles on the United States Munitions List to any foreign government, international organization, or other foreign recipient or purchaser, by the United States Government under this Act or any other authority, or by any individual, corporation, partnership, or other association doing business in the United States. Such reports shall include, but not be limited to, full information as to the particular defense articles so exported, the particular recipient or purchaser, the terms of the export, including its selling price, if any, and such other information as may be appropriate to enable the Congress to evaluate the distribution of United States defense articles abroad. In preparing such reports the Secretary of State is authorized to utilize the latest statistics and information available in the various departments and agencies of the Government.

"(h) The background documents transmitted to Congress in each fiscal year supporting requests for new authorizations and appropriations to carry out the programs under part II of this Act shall contain information concerning the proposed funding levels for military assistance and sales to South Vietnam, Thailand, and Laos."

(i) Section 635, which relates to general authorities, is amended as follows:

(1) Subsection (e) is amended (A) by inserting, immediately preceding the first word, a paragraph designation "(1)", and (B) by adding at the end the following new paragraph:

"(2) Any agency of the United States Government is authorized to pay the cost of health and accident insurance for foreign employees of that agency while those employees are absent from their place of employment abroad for purposes of training or other official duties."

(2) Subsection (g) is amended by striking out "and sales". This paragraph shall take effect on June 30, 1968.

(j) Section 636(a)(5), which relates to purchase and hire of motor vehicles, is amended as follows:

(1) Strike out "(5 U.S.C. 78(c)(2))" and substitute "(31 U.S.C. 638a(c)(2)),".

(2) Strike out "(5 U.S.C. 78a-1)" and substitute "(31 U.S.C. 638c)".

(k) Section 636(a)(16), which relates to services of certain commissioned officers, is amended by striking out "Coast and Geodetic Survey" each place it appears and substituting "Environmental Science Services Administration" in each such place.

(l) Section 636(d), which relates to assistance for dependents' schools abroad, is amended by striking out "$1,500,000" and substituting "$2,500,000".

(m) Section 636(e), which relates to training of Foreign Service personnel, is amended by striking out "301 of the Dual Compensation Act (5 U.S.C. 3105)" and substituting "5533 of title 5 of the United States Code".

(n) Section 636(g), which relates to expenditures of military assistance funds, is amended by striking out "3 of the Travel Expense Act of 1949, as amended (5 U.S.C. 836)," and substituting "5702(c) of title 5 of the United States Code".

(o) Section 636, which relates to provisions on uses of funds, is amended by adding at the end thereof the following new subsection:

"(l) Notwithstanding section 640 or any other provision of this Act, none of the funds made available to carry out this Act shall be used to finance the purchase, sale, long-term lease, exchange, or guaranty of a sale of motor vehicles unless such motor vehicles are manufactured in the United States: *Provided*, That where special circumstances exist the President is authorized to waive the provisions of this section in order to carry out the purposes of this Act."

(p) Section 637(a), which authorizes appropriations for administrative expenses of the agency administering part I, is amended by striking out "1967 not to exceed $55,813,500" and substituting "1968, $55,814,000,".

(q) Section 640, which relates to military sales, is amended (1) by striking out ", exchange, or the guaranty of a sale,", (2) by striking out "503" and substituting "521", and (3) by striking out "assisting of" and substituting "furnishing of defense articles and defense services to".

CHAPTER 3—MISCELLANEOUS PROVISIONS

SEC. 303. Chapter 3 of part III of the Foreign Assistance Act of 1961, as amended, which relates to miscellaneous provisions, is amended as follows:

(a) Section 644, which relates to definitions, is amended as follows:

(1) In subsection (d), insert "production facilities, utilization facilities," between "special nuclear material," and "or atomic weapons", and add "or articles involving Restricted Data" before the period at the end of the subsection.

(2) In subsection (e), strike out "and formerly Restricted Data" and, immediately before the period at the end thereof insert the following: ", and data removed from the Restricted Data category under section 142d of that Act".

(3) Subsection (f) is amended as follows:

(A) Strike out "including orientation, training aid" and "including the transfer of limited quantities of defense articles for test, evaluation, or standardization purposes,".

(B) Add the following new second sentence: "'Training' includes formal or informal instruction of foreign students in the United States or overseas by officers or employees of the United States, contract technicians, contractors (including instruction at civilian institutions), or by correspondence courses, technical, educational, or information publications and media of all kinds, training aid, orientation, training exercise, and military advice to foreign military units and forces."

(b) At the end of such chapter insert a new section as follows:

"SEC. 650. USE OF UNITED STATES ARMED FORCES.—The furnishing of economic, military, or other assistance under this Act shall not be construed as creating a new commitment or as affecting any existing commitment to use Armed Forces of the United States for the defense of any foreign country."

PART IV

AMENDMENTS TO OTHER ACTS

SEC. 401. (a) The Joint Resolution entitled "Joint Resolution to authorize participation by the United States in parliamentary conferences of the North Atlantic Treaty Organization", approved July 11, 1956 (22 U.S.C. 1928a–1928d, inclusive), is amended as follows:

(1) Section 2 of such Joint Resolution (22 U.S.C. 1928b) is amended by striking out "North Atlantic Treaty Organization Parliamentary Conference" and substituting "North Atlantic Assembly".

(2) Sections 2, 3, and 4 of such Joint Resolution (22 U.S.C. 1928b, 1928c, and 1928d) are amended by striking out "North Atlantic Treaty Parliamentary Conference" each place it appears and substituting in each such place "North Atlantic Assembly".

(3) Section 2 of such Joint Resolution (22 U.S.C. 1928b) is further amended by striking out "such Conference" each place it appears and substituting in each such place "such Assembly".

(b) Section 105(b) of the Legislative Branch Appropriation Act, 1961 (22 U.S.C. 276c–1), is amended by striking out "the NATO parliamentarian's Conference" and substituting "the North Atlantic Assembly".

SEC. 402. The first section of the Act entitled "An Act to authorize participation by the United States in the Interparliamentary Union", approved June 28, 1935 (22 U.S.C. 276), is amended by striking out "$50,000" and "$23,100" and substituting "$53,550" and "$26,650", respectively.

SEC. 403. The second sentence of subsection

(b) of section 414 of the Mutual Security Act of 1954 (22 U.S.C. 1934), which relates to munitions control, is amended by inserting immediately after "the United States and its allies" the following: "or for any State or local law enforcement agency".

And the House agree to the same.

THOMAS E. MORGAN,
CLEMENT J. ZABLOCKI,
EDNA F. KELLY,
WAYNE L. HAYS,
W. S. MAILLIARD,
PETER H. B. FRELINGHUYSEN,
Managers on the Part of the House.

J. W. FULBRIGHT,
JOHN SPARKMAN,
MIKE MANSFIELD,
ALBERT GORE,
FRANK J. LAUSCHE,
FRANK CHURCH,
B. B. HICKENLOOPER,
GEORGE D. AIKEN,
FRANK CARLSON,
JOHN J. WILLIAMS,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1872) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment struck out all of the Senate bill after the enacting clause and inserted a substitute text.

The committee of conference recommends that the Senate recede from its disagreement to the amendment of the House with an amendment, which is a substitute for both the text of the Senate bill and the text of the House amendment, and that the House agree to the same.

Except for conforming clerical changes and minor drafting changes, the differences between the House amendment and the substitute agreed to in conference are noted below:

AUTHORIZATION OF FUNDS

FOREIGN ASSISTANCE ACT OF 1967 (FISCAL YEAR 1968)

Program	Senate (1)	House (2)	Conference (3)	Difference (H=House; S=Senate) (4)
Development loan fund	[1] ($500,000,000)	[1] ($450,000,000)	[1] ($450,000,000)	(S−$50,000,000)
Technical cooperation and development grants	210,000,000	210,000,000	210,000,000	
American schools and hospitals abroad	14,000,000	14,000,000	14,000,000	
Local currency	2,986,000	1,000,000	2,986,000	H+1,986,000
Survey of investment opportunities	[3] 2,100,000	[2] 4,880,000	2,100,000	H−2,780,000
Alliance for Progress:				
Loans	(478,000,000)	(478,000,000)	(478,000,000)	
Grants	(100,000,000)	(100,000,000)	(100,000,000)	
Partners of the Alliance		714,000	714,000	S+714,000
International organizations and programs	[3] 140,483,000	141,000,000	141,000,000	S+517,000
Indus Basin	(4)		(4)	(4)
Supporting assistance:				
General	600,000,000	170,000,000	660,000,000	−60,000,000
Vietnam		550,000,000		S+60,000,000
Contingency fund	50,000,000	50,000,000	50,000,000	
Administrative expenses:				
Agency for International Development	55,813,500	55,814,000	55,814,000	S+500
State Department	(5)	(5)	(5)	
Total, economic assistance	1,075,382,500	1,197,408,000	1,136,614,000	H−60,794,000 S+61,231,500
Plus sums previously authorized (shown in parentheses above)	1,078,000,000	1,028,000,000	1,028,000,000	S−50,000,000
Total	2,153,382,500	2,225,408,000	2,164,614,000	S+11,231,500 [4] H−60,794,000
Military assistance	391,000,000	565,900,000	485,900,000	S+94,900,000 H−80,000,000
NATO:				
International headquarters	24,100,000	24,100,000	24,100,000	
Infrastructure	60,000,000			S−60,000,000
Total, military	475,100,000	590,000,000	510,000,000	S+34,900,000 H−80,000,000
Total	2,628,482,500	2,815,408,000	2,674,614,000	S+46,132,000 [4] H−140,794,000

[1] Existing law authorizes the appropriation in fiscal year 1968 of unused authorization from the fiscal year 1967 development loan fund. This amounts to $185,000,000 in addition to the new authorization for fiscal year 1968.

[2] For use beginning in fiscal year 1968.

[3] The same amount was also recommended for fiscal year 1969.

[4] The Executive requested and the Senate included an authorization of $51,220,000 for use beginning in fiscal 1969 for loans for the Indus Basin development. The conferees agreed to the Senate provision. This was an increase of $51,220,000 over the amount recommended by the House.

[5] Existing law contains permanent authorization of such amounts as may be necessary.

NEW SECTION 2

Limitation on Fiscal Year Authorization (House—Sec. 2)

The House bill added a new section 2 of the Act providing that, notwithstanding any other provision in the Act, nothing in the Act shall authorize appropriations for fiscal year 1969. The effect of this new section was to negate fiscal year 1969 authorizations for five specific programs that appeared later in the House bill.

The Senate bill contained no authorizations for fiscal year 1969 except those for contributions to international organizations and for loans for the Indus Basin development.

The committee of conference agreed on a 1-year authorization for all items in the bill. In accepting this agreement, the House conferees receded on the fiscal year 1969 authorization for the Indus Basin development contained in the Senate bill. The Senate conferees receded on the authorization for contributions to international organizations for fiscal year 1969 and accepted the House sum of $141,000,000 for fiscal year 1968 in lieu of $140,483,000 contained in the Senate bill.

PART I

Chapter 1—Policy

Statement of Policy (House and Senate—Sec. 101)

The House bill repealed the existing statement of policy for part I of the Act and adopted a revised statement, setting forth the basic objectives of the economic assistance program.

The Senate bill repealed the existing statement of policy but did not contain a new policy statement.

The managers on the part of the Senate receded and accepted the House language with an amendment. The amendment deleted language in the statement that referred to the promotion of adjudication of controversial issues on the part of countries friendly to the United States. It was the judgment of the conferees that the principle contained in this expression was so fundamental to all our international efforts that it needed no special reference in the Act.

Chapter 2—Development assistance

Title I—Development Loan Fund

Limitation on number of countries receiving development loans (House and Senate—Sec. 102(a))

The Senate bill amended section 201(b) of the Act to limit to 15 the number of countries in which development loans could be made in any fiscal year, except through international lending organizations pursuant to section 205 of the Act, unless the President has submitted to the Committee on Foreign Relations of the Senate and the Speaker of the House a report detailing the justification for a loan in any additional country and the Congress agrees to a concurrent resolution approving the making of the loan.

The House bill amended section 201(b) of the Act by deleting the provision which limits to 10 the number of countries in which development loans may be made in any fiscal year and which provides that such loans may be made in any additional country after at least 30 days have elapsed following submission by the President to the Committee on Foreign Relations and the Speaker of the House of a report stating that the making of a loan in any additional country is in the national interest and giving his reasons therefor.

The committee of conference accepted a limitation of 20 on the number of countries receiving development loans and deleted the language permitting loans to additional countries upon the passage of a concurrent resolution. Agreement upon the figure 20 will permit the Agency for International Development to make loans which it has justified to congressional committees.

Encouragement of private enterprise (Senate—Sec. 102(c)(2); Senate—Sec. 106(b)(3))

The Senate bill amended section 202(a) of the Act relating to the Development Loan Fund and section 252 of the Act relating to the Alliance for Progress. In each case the purpose of the amendment was to cut back from the end of fiscal year 1969 to the end of fiscal year 1968 the existing requirement that not less than 50 percent of the funds authorized for these programs be available to encourage economic development through private enterprise.

The House bill contained no comparable provisions.

The managers on the part of the House accepted the Senate amendments as consistent with a one-year authorization for development loans and for the Alliance for Progress.

Title II—Technical Cooperation and Development Grants

Limitation on number of countries receiving technical assistance (House and Senate—Sec. 103(a))

The Senate bill retained in section 211(a) of the Act the limit of 40 on the number of countries which may receive technical assistance in any fiscal year. It amended the section, however, to provide that technical assistance may be furnished to additional countries if, following submission of a report by the President to the Committee on Foreign Relations and the Speaker of the House detailing the justification for such additional assistance, the Congress shall approve such additional assistance by concurrent resolution.

The House bill amended section 211(a) of the Act by striking the proviso which states that (1) technical assistance shall not be furnished to more than 40 countries in any fiscal year, and (2) such assistance may be furnished to any additional country only after at least 30 days have elapsed following the submission by the President to the Committee on Foreign Relations and the Speaker of the House of a report that the furnishing of such assistance is in the national interest, and giving his reasons therefor.

The managers on the part of the House accepted with an amendment the Senate limitation of 40 countries that may receive technical assistance in any fiscal year and deleted the language permitting assistance to additional countries upon the passage of a concurrent resolution. The amendment provides that up to $600,000 may be used in any fiscal year for self-help projects for additional countries. Such additional countries will not be counted against the limitation of 40. In several small African countries U.S. assistance is limited to the financing of small projects. The administration of the funds for these projects is entrusted to our Embassy staff and no AID personnel are assigned to the country. It is the understanding of the committee of conference that these self-help projects will average $75,000 per country.

U.S. educational and research institutions (House—Sec. 103(b))

The House bill amended section 211(d) of the Act to authorize the use of $20 million of technical assistance and of Alliance for Progress grant funds in fiscal years 1968 and 1969 to strengthen the capacity of U.S. educational and research institutions to develop and carry out programs concerned with economic and social development.

The Senate bill left unchanged the existing ceiling of $10 million.

The managers on the part of the House receded. The existing ceiling of $10 million is sufficient for this program through fiscal year 1968 and thus is consistent with a one-year authorization.

Foreign currency authorization for schools abroad (House—Sec. 103(e); Senate—Sec. 103(c)(2))

The Senate bill amended section 214(d) of the Act to authorize the appropriation of $2,986,000 equivalent of excess local currency for fiscal year 1968 for the purposes of section 214(b) of the Act. Although the bill did not specify the particular country or institutions to be assisted by this authorization, the report of the Senate Committee on Foreign Relations stated that such funds were to be used to assist the Or-Hachayim Girls College of Israel in Bnei-Brak, Israel, and a school sponsored by the Israel Training Institute for Boys, Limited.

The House bill amended section 214(d) of the Act to authorize only the appropriation of $1 million equivalent of excess local currency for fiscal year 1968 for assistance to the Girls College of Israel.

The managers on the part of the House accepted the Senate language based upon the understanding that the excess foreign currencies would be available for the Girls College of Israel and a school sponsored by the Israel Training Institute for Boys, Limited, provided these schools meet the requirements of section 214(a) of the Act.

Title III—Investment Guaranties

50-percent equity guaranty authority (House—Sec. 104(a)(1)–(3))

The House bill amended section 221(b)(1) of the Act to add to the existing specific risk guaranty authorities a separate authority for extended risk guaranties against loss of equity investment, with compensation limited to 50 percent of realized loss. The amount of outstanding guaranties issued under this authority was to be charged against the overall specific risk guaranty ceiling and limited to $125 million.

The Senate bill did not contain a comparable provision.

The managers on the part of the House agreed to the deletion of this provision in view of the fact that the existing authority with respect to extended risk guaranties is applicable to equity investments and makes available significant coverage for such investors.

Specific risk guaranty ceiling (House—Sec. 104(a)(4))

The House bill amended section 221(b)(1) of the Act to increase the ceiling on outstanding specific risk guaranties from $7 billion to $9 billion.

The Senate bill did not increase the existing ceiling of $7 billion.

The managers on the part of the House agreed to a ceiling of $8 billion which is estimated to be adequate to cover requirements during fiscal year 1968.

Guaranties of investments in credit unions (House—Sec. 104(a)(5))

The House bill amended section 221(b)(2) of the Act to authorize the issuance of extended risk guaranties of up to 100 percent of loan investments in credit unions or organizations of credit unions in the less developed countries. The total amount of guaranties outstanding could not exceed $1 million.

The Senate bill did not contain a comparable provision.

The committee of conference accepted the House provision with an amendment to make clear that this authority applied only to investments made by a credit union or an association of credit unions which is an eligible U.S. investor.

Aggregate investment in the project (House—Sec. 104(a)(5))

The House bill amended section 221(b)(2) of the Act to specify that the 75-percent limitation on coverage for extended risk investment guaranties relates to the aggregate investment in the project rather than only to the investment of the guaranteed investor.

The Senate bill did not contain a comparable provision.

The managers on the part of the House accepted the deletion of this provision and agreed to leave the language of existing law unchanged. They concurred in the position of the Senate that since this authority was sought to confirm AID's present interpretation of existing law, it was unnecessary, and that if this language was intended to broaden that interpretation, there did not appear to be compelling reasons for an extension of this authority under present circumstances.

Extended risk guaranty ceiling and termination date (House—Sec. 104(a)(5); Senate—Sec. 104(a))

The House bill amended section 221(b)(2) of the Act to increase from $215 million to $415 million the ceiling on nonhousing extended risk guaranties and to increase accordingly the overall extended risk ceiling by an equal amount from $375 million to $575 million. It also extended the termination date of extended risk authority from June 30, 1969, to June 30, 1971.

The Senate bill retained the existing ceilings and extended the termination date to June 30, 1970.

In view of the fact that the ceilings contained in the House bill were intended to be sufficient to take care of operations during both fiscal years 1968 and 1969, the managers on the part of the House agreed to an overall ceiling of $475 million for extended risk guaranties, a ceiling of $315 million on nonhousing extended risk guaranties, and to a continuation of the authority to make such guaranties only through June 30, 1970.

Eligible investors (House—Sec. 104(c)(2))

The House bill amended the definition of eligible investors in section 223(c) of the Act to include specifically nonprofit association and voluntary agencies created under the laws of the United States.

The managers on the part of the House agreed to the deletion of this provision in view of the position taken by the Senate conferees that the nature of the voluntary agencies and of their overseas operations were not such as to justify their being included in the investment guaranty program.

Increase of Latin American housing guaranty ceiling (House—Sec. 104(d))

The House bill amended section 224(c) of the Act to increase the issuing authority for the Latin American housing program from $450 million to $600 million and to increase the amount earmarked for pilot housing projects from $300 million to $350 million.

The Senate bill retained the existing issuing authority.

The committee of conference agreed on a ceiling of $500 million for the Latin American housing program, an increase of $50 million, and the earmarking of $325 million for pilot housing projects, an increase of $25 million.

The managers on the part of the House accepted the argument that these increases would be adequate to take care of operations during fiscal year 1968 even if the Agency for International Development accelerates the operation of these programs. The managers on the part of the Senate expressed their concurrence in the position of the House that pilot housing projects in Latin America have not been given a high enough priority by the Agency for International Development and that operations could and should be expedited.

Title IV—Surveys of Investment Opportunities

Authorization for surveys of investment opportunities (House—Sec. 105(a); Senate—Sec. 105)

The House bill authorized the appropriation of $4,880,000 for surveys of investment opportunities.

The Senate bill authorized the appropriation of $2.1 million.

Both were without limitation as to any fiscal year.

The managers on the part of the House accepted the Senate figure since it represents the estimated requirements for the next fiscal year and is consistent with the one-year authorization contained in the bill.

33⅓ percent U.S. beneficial ownership for investment survey eligibility—(House—Sec. 105(b))

The House bill amended section 233 of the act to allow entities which are at least 33⅓ percent beneficially owned by U.S. citizens to participate in the investment survey program. The Act now requires that participants be "substantially beneficially owned" by U.S. citizens, a phrase that was construed to require 50 percent beneficial ownership.

The Senate bill contained no comparable provision.

The House receded in view of the Senate insistence that U.S. assistance to private firms, even for making investment surveys, should be limited to concerns substantially beneficially owned by U.S. citizens.

Title VI—Alliance for Progress

Presentation of Alliance for Progress program to the Congress (Senate—Sec. 106(b)(2)

The Senate bill amended section 252 of the Act to delete the requirement that, in presenting requests to the Congress for authorization for appropriations to carry out other programs under the Act for fiscal years in which no Alliance authorization is sought, the proposed Alliance program for that fiscal year also be presented.

The House bill did not contain a comparable provision.

In view of the fact that the bill passed by the House included an authorization of funds for the Alliance for Progress for only one year, the managers on the part of the House agreed to the deletion of this requirement.

New Title X

Title X—Programs relating to population growth (House—Sec. 109; Senate—Sec. 108)

The Senate bill added to the Act a new title X entitled "Programs Relating to Population Growth" which—

(*a*) Authorized the President to provide population program assistance to foreign governments, the United Nations, its specialized agencies, and other international organizations and programs, nonprofit organizations, universities, hospitals, accredited health institutions, and voluntary health or other qualified organizations;

(*b*) Required the President to establish reasonable procedures to insure that no individual will be coerced to practice methods of family planning inconsistent with his or her beliefs;

(*c*) Included in assistance programs authorized by the title demographic studies, research, personnel training, construction and staffing of clinics, manufacture of supplies, dissemination of information, and provision of medical assistance and supplies;

(*d*) Authorized the use for the purposes of the title of up to $50 million in any fiscal year of funds appropriated for part I of the Act, and, notwithstanding any other provision in the Act, permits the use of the funds on a loan or grant basis; and

(*e*) Established an Advisory Council on Population Growth, which was to consist of not more than nine members selected by the President and which would have the responsibility of carrying out studies and making recommendations for achieving medically, socially, and economically effective family planning programs in foreign countries.

The House bill added a new title X entitled "Voluntary Family Planning Programs," which—

(*a*) Contained the same provisions as the Senate version in respect to (*a*), (*b*), and (*c*) above, except that it (1) limited assistance to countries where population was outpacing food production, and (2) did not specifically include the United Nations and "other international organizations" in addition to United Nations specialized agencies as eligible recipients of assistance;

(*b*) Stated that for fiscal year 1968 $20 million of funds appropriated for part I of the Act could be used only for the purposes of the title and limited to $30 million the amount of excess foreign currencies which might be used in fiscal year 1968 under the provisions of section 612(c), making such currencies available for family planning purposes; and

(*c*) Prohibited the direct use of AID funds for any program involving the use of abortion, sterilization, or euthanasia as a method of population control.

The managers on the part of the House accepted the section of the Senate bill relating to general provisions as being somewhat more precise than the House provision relating to general authority. There was no significant difference in substance.

The House conferees also accepted the deletion of the provision prohibiting the use of U.S. funds to finance programs of abortion, sterilization, or euthanasia as a method of population control. In the committee report on the Foreign Assistance Act of 1967, it was recognized (H. Rept. 551, p. 31) that some countries might include such methods as abortion and sterilization in their family planning programs and that the provisions related to the use of U.S. funds rather than to the nature of the programs which the various countries might undertake.

The managers on the part of the House accepted the contention of the Senate conferees that since it was intended that each country was to assume responsibility for the scope and nature of its program, this provision might be misinterpreted.

The committee of conference agreed on a figure of $35 million to be available only for purposes of population control and family planning, and deleted the ceiling of $30 million on the use of excess foreign currencies for this purpose.

The point was made that in those few countries where excess currencies were available and where family planning programs were contemplated, the availability of such currencies in most instances far exceeded any known requirement in the foreseeable future so that there was no reason to establish any limitation.

The managers on the part of the House accepted the language in the Senate bill, permitting both grant and loan funds to be drawn on for grants for family planning purposes in order to provide flexibility in view of the substantial cuts which have been made in the funds authorized.

The provision in the Senate bill authorizing the establishment of an Advisory Council on Population Growth was deleted.

Chapter 3—International organizations and programs

General Accounting Office audit of special funds of international organizations (House—Sec. 110(a))

The House bill added a new subsection (d) to section 301 of the Act, which required that in any case where a fund established solely by the United States under the Foreign Assistance Act or any other act is administered by an international organization, the agreement between the international organization and the United States shall provide for a General Accounting Office audit of the fund, and directed the President to modify existing agreements to provide for this audit.

The Senate bill did not contain a comparable provision.

The committee of conference accepted the House provision with an amendment, substituting for the language in the House bill requiring that the President "shall take such steps as may be necessary" to modify existing agreements concerning such funds so as to provide for such audits the requirement that the President "undertake" to modify existing agreements so as to accomplish this purpose.

This provision has immediate application to the Social Progress Trust Fund, which consists of $525 million contributed entirely by the United States and administered by the Inter-American Development Bank. This is a revolving fund, and although the original amount has been fully committed, repayments of principal are available for new loans.

The managers on the part of the House recognize that a modification of the existing agreement governing the operation of the Social Progress Trust Fund will have to be made in order to provide for the audit by the Comptroller General.

The House conferees have noted that under the Trust Fund agreement "any assets remaining in the Fund at the time of termination, including outstanding loans, shall revert to the United States * * *." Should it prove impossible to reach agreement with the Inter-American Development Bank for such audits, it will be necessary to consider appropriate action by the United States with respect to the continued operation of the Fund.

Chapter 4—Supporting assistance

Limitation on number of countries receiving supporting assistance (House—Sec. 111(a); Senate—Sec. 110(a))

The Senate bill amended section 401 of the Act to limit to 10 the number of countries which may receive supporting assistance in any fiscal year, except that such assistance may be furnished to any additional country if, following a report by the President to the Speaker of the House and the Foreign Relations Committee detailing the justification for the furnishing of assistance to such additional country during such fiscal year, the Congress approves such assistance by concurrent resolution.

The House bill amended section 401 of the Act by deleting the present provision relating to a country limitation for supporting assistance, which limits to 13 the number of countries which may receive supporting assistance in any fiscal year, unless the President determines that it is in the national interest of the United States to furnish such assistance to an additional country or countries and reports such determination, together with the reasons therefor, to the Foreign Relations Committee and the Speaker of the House.

The committee of conference agreed to accept a limitation of such assistance to 12 countries and to eliminate the requirement that assistance to additional countries could be provided only if the Congress expressed its approval by concurrent resolution.

In view of the fact that supporting assistance is made available to countries where the United States has immediate foreign policy interests, the managers on the part of the House recognize that it may become necessary for the President to provide assistance to additional countries should circumstances arise when such action would make a significant contribution to the implementation of U.S. foreign policy.

Supporting assistance authorization (House—Sec. 111(b); Senate—Sec. 110(b))

The House bill authorized the appropriation for fiscal year 1968 of $550 million for use in Vietnam and $170 million for use elsewhere.

The Senate bill authorized the appropriation for fiscal year 1968 of $600 million, without distinction between use in Vietnam and use elsewhere.

The managers on the part of the House agreed to an authorization of $660 million for supporting assistance, including Vietnam, splitting the difference between the combined total of $720 million in the House bill and the Senate figure for supporting assistance for Vietnam and for other countries.

The managers on the part of the House were convinced that in view of the reduction in the funds authorized, it would be desirable to give the President discretion as to the allocation to Vietnam and to other countries.

PART II

Military assistance and sales

Military credit sales, guaranties, leases, and exchanges (House—Sec. 201(b)(1), (3), (h)(2), 201(r); Senate—Sec. 201(b)(1), 201(b)(4), 201(g), 201(h)(3), 201(1), 302(g)(2); 302(j))

The Senate bill included a series of amendments to the Act terminating the authority to issue guaranties against risks of nonpayment in the case of sales of defense articles and services on credit, terminating the revolving fund by means of which funds received in payment for credit sales could be used to finance additional sales on credit, and terminating the authority to lease or exchange defense articles or services.

The House amendment left intact the provisions of existing law relating to the revolving fund, guaranties, leases, and exchanges, but struck out the basic authority to make credit sales.

The committee of conference agreed to a compromise providing for authority to make credit sales and for the continuation of the guaranty authority during the current fiscal year, until June 30, 1968, but imposing a limit of $190 million on the total face amount of guaranties issued during the fiscal year 1968. The revolving fund is closed out after June 30, 1968. The provisions of the Senate bill terminating authority to lease and exchange defense articles and services were accepted by the managers on the part of the House.

The committee of conference agreed to language which, after the termination of the revolving fund, makes available funds derived from payments received under credit sales agreements or guaranties issued prior to June 30, 1968, to discharge outstanding liabilities and obligations of the United States. Any such payments not needed to discharge such liabilities are to be transferred from time to time to the general fund of the Treasury.

It was the understanding of the committee of conference that those payments received would be available to pay off obligations to agencies of the United States, including the Export-Import Bank and the U.S. military departments as well as nongovernmental suppliers of defense articles and services, including payments and obligations resulting from the sale of evidences of indebtedness prior to June 30, 1968.

In accepting this compromise, the managers on the part of the House took the position that the continuation of the credit sales guaranty program was an essential element in the military assistance program and should be continued. They agreed, however, that this program should be subject to annual authorization as are investment guaranties under the economic assistance program.

The managers on the part of the Senate indicated their belief that, although they agreed to the continuation of such guaranties through fiscal year 1968, the guaranty of credit sales should be terminated.

40-country limitation (House and Senate—Sec. 201(c))

The Senate bill retained the ceiling established last year, contained in section 504(a) of the Foreign Assistance Act, which limits to 40 the number of countries which may receive military assistance other than training in the United States.

The House bill did not contain a comparable limitation.

The managers on the part of the House agreed to the retention of the limitation in existing law, which establishes a ceiling of 40 countries not including those receiving only training in the United States.

The managers on the part of the House took the position that they could not accept a limitation on the number of countries to which military assistance could be provided if such a limitation would prevent the President from providing such assistance to any country where, in his judgment, it was to the advantage of the United States to provide assistance.

The ceiling of 40 countries appears to be sufficiently above the number of countries for which programs are currently contemplated to allow an ample margin of safety.

Military assistance authorization (House and Senate—Sec. 201(c))

The Senate bill authorized $475,100,000 for fiscal year 1968 and, within that amount, earmarked $84,100,000 for infrastructure and international military headquarters.

The House bill authorized $590 million for fiscal year 1968 and, within that amount, earmarked $24,100,000 for international military headquarters.

The committee of conference agreed upon $510 million, of which $24,100,000 is earmarked for international military headquarters. Thus, the amount available for military grant aid is $485,900,000. The inclusion of $60 million for infrastructure was deleted since that item was already included in the military construction bill.

Special authority for fiscal year 1969 (House and Senate—Sec. 201(j))

The Senate bill limited the value of orders for defense articles under the special authority of section 510 of the Act to not more than $300 million for fiscal year 1968.

The House bill provided an identical limitation for each of fiscal years 1968 and 1969.

The managers on the part of the House accepted the Senate language as consistent with a one-year authorization contained in the bill.

Restrictions on military aid to Latin America (House—Sec. 201(k) and 201(q)(4)(B); Senate—Sec. 201(k), 201(l) and 201(o)(5)(C))

The Senate bill included—

(1) a provision that all military assistance and sales programs to the Central American Republics in excess of $1.5 million may be provided only for the support of the regional integration of Central American forces;

(2) an amendment to section 511(b) of the Act which reduced the ceiling from $85 to $50 million on all military grants and sales to Latin America except training; and

(3) the repeal of section 511(a) of the Act which limited to $55 million the value of grant programs of defense articles for Latin America.

The House bill contained no provisions comparable to items (1) and (3) above. It raised the ceiling from $85 to $100 million on all military grants and sales to Latin America except training and within that sum retained the limitation of $55 million on grant aid.

The managers on the part of the Senate receded from their position on items (1) and (3) above. The managers on the part of the House accepted a ceiling of $75 million on all military grants and sales to Latin America except training.

Limitations on military assistance to Africa (House and Senate—Sec. 201(m))

The House bill retained the ceiling of $25 million on grants of defense articles to Africa. It is also retained the existing limitation on grant military assistance to Africa for the purposes of internal security and civic action, except as otherwise determined by the President.

The Senate bill expanded the ceiling of $25 million to cover the total value of all grants (including training and services) and sales to Africa. It also limited sales as well as grants to internal security and civic action purposes, except as otherwise determined by the President.

The committee of conference agreed upon $40 million for military assistance to Africa. This sum includes sales, grants, training, and services. The managers on the part of the House indicated their concern that adequate authority be available to implement the military sales and grant programs for those African countries where military installations used by the United States are located as well as for those countries threatened by the Soviet arms buildup in that area.

Restriction on training of certain foreign nationals (House—Sec. 201 (o) and (p))

The House bill added a new section to the Act which barred military training of the nationals of a foreign country in any case in which diplomatic relations between the United States and that country were severed. It also required immediate cessation of the training programs for Iraq and Sudan upon passage of the Act.

The Senate bill contained no comparable provisions.

The managers on the part of the House receded. With respect to the Iraqi and Sudanese military students, training has already been terminated. With respect to new military students, Senate section 620(t) and House section 620(s) bar all assistance to any country which has severed or hereafter severs relations until diplomatic relations have been resumed and necessary agreements have been negotiated following that resumption. These sections would not affect assistance to American-sponsored educational institutions abroad.

Findings for defense articles and services (House—Sec. 201(q)(5); Senate—Sec. 201(o)(6))

The House bill (1) required the President to find that the furnishing of defense articles and services will strengthen U.S. security and promote world peace and (2) required that the recipient be otherwise eligible to receive defense articles and services.

The Senate bill included the House provisions, together with the additional requirements that the recipient agree not to transfer the articles sold without the consent of the President and that the President promptly report to the Speaker of the House and to the Committee on Foreign Relations on the implementation of each agreement to which the President has consented.

The managers on the part of the House accepted the Senate language since the requirement of Presidential consent to the subsequent transfer of military equipment which had been sold to a foreign country appeared to be reasonable and reports to the Congress of such action by the President would be useful.

Sales eligibility (House—Sec. 201(q)(2))

The House bill added new language to section 521(a) of the Act on sales policy, providing that special emphasis should be placed on procurement in the United States but consideration should also be given to coproduction or licensed production outside the United States. The added language also established policy for quid pro quo arrangements applicable to countries making large-scale purchasing in the United States.

The Senate bill did not include a similar provision.

The committee of conference accepted the House provision with amendments striking out the reference to guaranties and a statement concerning overseas procurement.

The basic language requiring that the Department of Defense give consideration in its procurement of military equipment to arrangements under which U.S. companies have granted licenses to concerns located in friendly countries to manufacture such equipment was retained.

PART III

Chapter 1—General provisions

Transfer authority for Vietnam administrative expenses (House and Senate—Sec. 301(c)(2))

The Senate bill amended section 610(b) of the Act to increase from $5 million to $7 million the amount of supporting assistance funds which may be transferred to meet administrative expenses incurred in connection with the expanded Vietnam program.

The House bill permitted $11 million to be transferred for this purpose.

The committee of conference agreed upon a sum of $9 million that may be transferred from supporting assistance funds for this purpose.

Capital projects over $1 million (House—Sec. 301(d))

The House bill added a new subsection (e) to section 611, which prohibited assistance to any capital assistance project estimated to cost over $1 million until the Administrator of the Agency for International Development has received and taken into consideration—

(1) A report by the AID Controller, with such assistance from other parts of AID as

he may request, on the adequacy of the justification, feasibility studies, and prospect for effective use of the project; and

(2) A certification from the principal AID officer in the country in which the project is located as to the capability of the country to maintain and use the project effectively, taking into account among other things the maintenance and use of projects previously financed or assisted by the United States in that country. The Senate bill did not contain a comparable provision.

The committee of conference accepted the House provision with an amendment, eliminating the requirement for certification by the AID Controller with respect to the feasibility of each project.

The managers on the part of the House accepted the argument that the primary objective was to require certification by a responsible and informed officer located in the country where each project was located, and that requiring by law that the Controller assume such a responsibility might make necessary changes in personnel and procedures which would not be justified in terms of improved effectiveness.

Excessive military expenditures (Senate—Sec. 301(e)(3))

The Senate bill added a new subsection to section 620 of the Act that required the President, in furnishing assistance under the Act and making sales under Public Law 480, to take into account—

(1) the percentage of the country's budget devoted to military purposes and

(2) the degree to which the country's foreign exchange is used to acquire military equipment.

When assistance or sales are being diverted or permit the diversion of other resources to military expenditures to a degree which interferes with economic development or is likely to cause an increase in the arms race, the President shall suspend assistance and sales until the President reports to the Congress that such military expenditures are no longer interfering with economic development or contributing to the arms race, and Congress, by concurrent resolution or amendment to the Act, authorizes a resumption of assistance and sales. The President is not authorized to waive the provisions of this subsection.

The House bill did not contain a comparable provision.

The managers on the part of the House agreed with the intent of the Senate amendment. It was agreed, however, that the provision should not apply to military assistance or to supporting assistance which is frequently furnished to enable a recipient country such as Vietnam or Korea to have an unusually large defense budget to meet an external threat. The committee of conference accordingly modified the language to make it applicable only to development assistance. In accordance with other provisions of the Act that give the President the authority to start or to stop aid programs the language accepted by the conferees gives the President authority to determine the resumption of aid under this provision. The agreed text also retains the provision in the Senate amendment that the President may not waive the provisions of this subsection.

Provision of defense articles and services to a Communist country (House—Sec. 301(g)(1))

The House bill amended section 620(f) of the Act to require that "no defense articles or defense services shall be provided to any Communist country," thus making the prohibition on assistance to Communist countries applicable to military sales.

The Senate bill did not contain a comparable change.

The managers on the part of the House agreed to the deletion of this provision in view of the insistence by the Senate that this limitation would at present affect only U.S. military sales to Yugoslavia, which during the first 9 months of fiscal year 1967 have amounted to only $53,000, and that such sales, as well as the awareness that procurement from the United States is possible, have been important factors in reducing the reliance of the Yugoslav armed forces on Soviet equipment since such procurement permits the continued operation of U.S. equipment supplied on a grant basis a decade ago.

Prohibition of assistance to countries engaged in North Vietnam trade (House—Sec. 301(g)(4))

The House bill amended section 620(n) of the Act which prohibits assistance under the Act to countries which permit ships or aircraft under their registry to carry goods to or from North Vietnam, as follows:

(1) To extend the prohibition to all assistance, whether under this Act or any other Act;

(2) To extend the prohibition to countries that sell or furnish goods to North Vietnam; and

(3) To prohibit any military sales to or military purchases from any country engaged in any of the prohibited activities. The amendment also provided that the President should not have the power to waive the prohibitions contained in the revised section 620(n).

The Senate bill contained no comparable provision.

The managers on the part of the Senate accepted the House language with an amendment which deleted the points contained in item (3) above and limited the applicability of the prohibitions in the amendment so long as North Vietnam gives support to hostilities in South Vietnam. The impact of the amendment upon our military and economic relations with other countries as well as upon our balance-of-payments position raised problems that were not discussed when the amendment was adopted. One matter of particular concern was whether U.S. forces stationed in a country that permitted its ships to trade with North Vietnam would have to be withdrawn since day-to-day operations of our installations in that country required the local procurement of essential troop support articles and defense services. It was the position of the committee of conference that these and related problems merited more thorough analysis.

Admission to U.S. ports (House—Sec. 301(g)(6))

The House bill added a new subsection to section 620 of the Act which bars from U.S. ports ships which have transported goods or personnel to or from North Vietnam or Cuba and captains who have, as captain, taken a ship into North Vietnam or Cuba, so long as either is governed by a Communist regime.

The Senate bill did not contain a comparable provision.

The managers on the part of the House receded.

The managers on the part of the Senate raised a number of questions relating to such issues as the effect of this provision on the shipping clauses contained in some 30 treaties to which the United States is a party, and whether or not refusal of a ship's captain to obey the owner's orders with respect to visiting Cuba or North Vietnam would constitute barratry.

The managers on the part of the House concluded that this provision had sufficiently far-reaching consequences to justify more careful consideration than had been possible at the time of its approval by the House.

Chapter 2—Administrative provisions

Strengthened management practices (House—Sec. 302(a))

The House bill added a new section 621(a) to the Act which—

(*a*) expresses the belief that U.S. foreign aid funds could be utilized more effectively by the application of advanced management decisionmaking, information, and analysis techniques such as systems analysis, automatic data processing, benefit-cost studies, and information retrieval;

(*b*) indicates that, to meet this need, the President shall establish a management system that includes the definition of objectives and programs for U.S. foreign assistance, the development of quantitative indicators of progress toward these objectives, the orderly consideration of alternative means for accomplishing such objectives, and the adoption of methods for comparing actual results, and that would provide information to AID and to Congress relating agency resources, expenditures, and budget projections to such objectives and results in order to assist in the evaluation of program performance, the review of budgetary requests, and the setting of program priorities; and

(*c*) provides that the President shall report to the Congress annually on the specific steps that have been taken, including an evaluation of progress in the implementation of this subsection.

The Senate bill contained no comparable provision.

The managers on the part of the House receded. Under Presidential direction the Bureau of the Budget is developing guidelines on a Government-wide basis that would include many of the objectives and techniques included in the language in the House bill.

Presentation materials on U.S. assistance (Senate—Sec. 302(f)(2)(B))

The Senate bill amended section 634(d) of the Act to require the presentation material to include (1) all U.S. aid and military sales, by country, planned or expected for the next fiscal year; (2) details of proposed U.S. contributions to multilateral financial agencies for the next fiscal year; and (3) economic development projects for the next fiscal year, by country, which the Export-Import Bank can reasonably be expected to finance.

The House bill contained no comparable provision.

The managers on the part of the House accepted the Senate language with an amendment. The purpose of the new language is to bring together in one place the essential financial details of a variety of assistance programs that are acted upon by Congress at different times and often before different committees of Congress. The conferees recognized that the Export-Import Bank has no program objectives and no desired levels of activity in any country. Hence any projection of the Bank's operations for the next fiscal year is not possible. Accordingly, the House conferees accepted an amendment that will require a presentation on a country basis of the projects financed by the Bank for the past fiscal year.

Report of Presidential findings (Senate—Sec. 302(f)(2)(C))

The Senate bill amended section 634(d) to require that the Congress be notified promptly of any finding by the President under section 503 (for grants) and new section 521(b) (for sales), justifying military assistance or sales to a country on the ground that such action would strengthen the security of the United States and promote world peace.

The House bill did not contain a comparable provision.

The managers on the part of the House accepted the Senate provision since they could see no objection to informing the Congress of the findings which the President is required to make.

Reports to Congress on arms exports (Senate—Sec. 302(f)(3))

The Senate bill added a new subsection (g) to section 634 of the Act that requires the Secretary of State to submit semiannual reports to the Congress on all exports of significant defense articles, whether under government or private auspices. The report is required to identify the recipients and describe the terms of the exports.

The House bill did not contain a comparable provision.

The managers on the part of the House accepted the Senate provision in the belief that the requirement would result in the presentation to Congress of information which would enable it to better discharge its legislative responsibilities.

Funding levels for military assistance and sales to South Vietnam, Thailand, and Laos (Senate—Sec. 302(f)(3))

The Senate bill added a new subsection (h) to section 634 of the Act, requiring that "the background documents transmitted to Congress in each fiscal year supporting requests for new authorizations and appropriations to carry out the programs under part II of this Act shall contain information concerning the proposed funding levels for military assistance and sales to South Vietnam, Thailand, and Laos."

The House bill did not contain a comparable provision.

The managers on the part of the House agreed to this provision in the belief that such information should be available to the foreign affairs committees of the Congress in view of the close relationship of the situation in those countries to the foreign policy of the United States.

Purchase of motor vehicles (House—Sec. 302(p))

The House bill added a new subsection 636(i) to the Act, providing that none of the funds made available under the Act shall be used for the purchase, sale, or lease of motor vehicles unless the vehicles are manufactured in the United States or in the recipient foreign country by a company owned and operated by nationals of that country. The amendment included a proviso that, where special circumstances exist wherein the purposes of the Act could not be carried out by strict construction of the amendment, the President is authorized to waive the amendment.

The Senate bill did not contain a comparable provision.

The managers on the part of the House accepted an amendment eliminating the language relating to overseas procurement from foreign-owned companies.

The Senate conferees raised a number of questions relating to the impact of this provision on U.S.-owned automobile manufacturers operating abroad and on the United States-Canadian automotive agreement, which in the opinion of the managers on the part of the House should receive further and more detailed consideration by the Congress.

The committee of conference was in agreement that motor vehicles manufactured in the United States should be procured, except where there are emergency or special situations such as a need for right-hand drive or other types of vehicles not produced in the United States.

Chapter 3—Miscellaneous provisions

Use of U.S. Armed Forces (Senate—Sec. 303(b))

The Senate bill added a new section 650 to the Act, entitled "Use of United States Armed Forces". The new section states that the furnishing of economic, military, or other assistance under the Act does not create a new commitment or affect any existing commitment to use the Armed Forces of the United States for the defense of any foreign country.

The House bill did not contain a comparable provision.

The managers on the part of the House accepted the Senate language which is identical with language incorporated in the statement of policy of the Act last year. In adopting the language last year the House conferees noted that they had "proceeded in the knowledge that such military commitments as the United States has undertaken abroad for the defense of another country have been based upon treaties and other international agreements apart from the Foreign Assistance Act." Its inclusion in the operative part of the Act may again allay the uncertainties on the part of others that such is not the case.

Suspension of most-favored-nation treatment for Poland (House—Sec. 304)

The House bill added a new subsection (c) to section 402 of the Foreign Assistance Act of 1963 which suspends most-favored-nation treatment for Poland until the termination of combat in Vietnam or until the President determines that Poland has stopped supplying arms to North Vietnam and reports to Congress that he has received assurances that such shipments will not be resumed.

The Senate bill did not contain a comparable provision.

The managers on the part of the House agreed to the deletion of this provision.

The managers on the part of the Senate insisted that this provision had far-reaching implications, both in the field of U.S. foreign policy and with respect to U.S. business, and that the issues involved should receive detailed consideration by other committees of the House and Senate in addition to the Committees on Foreign Relations and Foreign Affairs.

PART IV—AMENDMENTS TO OTHER ACTS

Return to United States of MAP-furnished firearms and ammunition (House—Sec. 403)

The House bill amended section 414 of the Mutual Security Act of 1954 to permit return to the United States, for purchase by State or local law enforcement agencies or officials, of firearms or ammunition sent abroad under foreign assistance programs.

The Senate bill did not contain a comparable provision.

The committee of conference accepted the House provision with an amendment, striking out the reference to "law enforcement official."

The managers on the part of the House accepted the argument of the Senate that although purchase by State and local law enforcement agencies was desirable, the consequences of permitting sales to individual law enforcement officers might be such as to justify further study.

PART V—ELIGIBILITY OF CERTAIN PARTICIPANTS IN FUTURE FOREIGN AID PROGRAMS

Eligibility of certain participants in future foreign aid programs (House—Sec. 502)

The House bill provided that any individual, firm, or entity participating in any transactions financed with foreign assistance funds who had been found by the Inspector General, Foreign Assistance, to have attempted, aided, assisted, or engaged in bribery or other illegal or fraudulent payments or credits in connection with such transaction should not be permitted to participate in any program or operation financed under the act.

The Senate bill contained no comparable provision.

The managers on the part of the Senate objected to certain provisions of this section, including the apparent lack of the usual safeguards concerning notice and hearing which are applied to Government regulations, and an implied permanent debarment since no time limit was established for ineligibility.

The managers on the part of the House agreed that, in view of the questions raised, this provision should receive further consideration by the Congress.

THOMAS E. MORGAN,
CLEMENT J. ZABLOCKI,
EDNA F. KELLY,
WAYNE L. HAYS,
W. S. MAILLIARD,
PETER H. B. FRELINGHUYSEN,
Managers on the Part of the House.

Mr. MORGAN (during the reading). Mr. Speaker, I ask unanimous consent that the statement of the managers on the part of the House be considered as read.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER. The gentleman from Pennsylvania is recognized for 1 hour.

Mr. MORGAN. Mr. Speaker, the conference on the Foreign Assistance Act of 1967 has been long drawn out and frustrating. The managers on the part of the House found themselves in disagreement with the representatives of the Senate on fundamental issues. There were 89 points of differences.

Under the circumstances, it was very difficult to establish a basis for reaching agreement on important provisions of the legislation.

Since the time is limited, I would like to complete my summary of what happened before responding to questions.

We have brought back from conference a total authorization of $2,674,614,000. This is a reduction of $140,794,000 below the figure approved by the House and an increase of $46,132,000 over the amount authorized by the Senate.

The Senate accepted the House figure of $450,000,000 for development loans and agreed to the elimination of the set aside of $60,000,000 for NATO infrastructure.

On supporting assistance, most of which goes to maintain the economy of South Vietnam, we split the difference between the two bills and agreed on a figure of $660,000,000.

After long discussion, agreement was finally reached on $510,000,000 for military assistance, a reduction of $80,000,000 below the House figure and an increase of $34,900,000 above the amount in the Senate bill.

The most difficult and time-consuming issue which the conference had to deal with involved sales of military equipment on credit terms and the authority for the Defense Department to guarantee such credits.

The Senate conferees took the position that the guaranty program existed primarily to encourage the governments of the undeveloped countries to spend money for military equipment they could not afford.

The House managers maintained, as we have ever since we approved the establishment of the guaranty program several years ago, that many undeveloped countries needed military equipment to defend themselves against subversion, and that it was in the interest of the United States to help them obtain such equipment in limited amounts in accordance with mutually agreed upon programs.

It has always seemed to us that we should never put ourselves in the position where we would say to a country, "We will give you equipment free but we won't let you pay for it," or where the Pentagon would find it easier or more attractive to make grants than to negotiate credit sales.

The managers on the part of the House insisted that if the Pentagon were pushing credit sales too aggressively and encouraging the less developed countries to buy more than they should, the solution was to put an overall limit on such sales.

If there were such a limit, there would be no purpose in destroying the mechanism for operating a credit sales program.

I regret to say that neither side succeeded in converting the other on these issues. We did, however, reach a compromise which appears to be the best that could be worked out under the circumstances.

We accepted a ceiling of $190,000,000 on sales made under the guaranty program for the fiscal year ending June 30, 1968. The estimated program of such sales for fiscal 1968 had been $292,000,000 and such sales last year—fiscal 1967—were $354,000,000.

Everyone will have to agree that military credit sales to the less developed countries will be substantially reduced this year.

After long discussion, the Senate finally accepted an extension of the authority to guarantee credit sales until June 30, 1968. The Senate conferees insist that the entire program should be closed out at that time. We insist that the program should continue but that it will be subject to review and approval in the annual foreign assistance authorizations.

The House managers found themselves unable to refute arguments made by the Senate in opposition to certain provisions of the House bill which had been adopted during floor consideration of the bill. When we were asked about the implications or consequences of some of this language, we had to admit that these matters had not been explored in detail by the committee or by the House, and that we did not know all of the answers.

One such case was the amendment of the gentleman from Florida [Mr. PEPPER] which barred captains who had commanded ships carrying cargo to North Vietnam as well as any ships carrying such cargo from U.S. ports.

When we were asked whether the refusal of a ship's captain to follow the owner's orders to carry cargo to North Vietnam would constitute barratry and what the consequences would be, we had to confess that we did not have the answers.

Neither did we know what effect this provision would have on the shipping clauses in some 30 treaties to which the United States is a party. Let me point out that the Executive now forbids shipping of U.S. cargo on any ship that has visited North Vietnam, but this approach has much less far-reaching implications than to bar such ships from entering our ports.

Under the circumstances, we did not feel that we could persuade the Senate to recede.

The conference faced a somewhat similar problem with the provision suspending most-favored-nation treatment for Poland, sponsored by the gentleman from Illinois [Mr. FINDLEY].

Let me say at the beginning that I do not think that there are very many here this afternoon who believe that denying the Vietcong arms from the Polish munitions industry will have any significant effect on the progress of the war in Vietnam.

Each of us has to judge for himself also whether terminating most-favored-nation treatment to Poland will cause the shipment of the weapons to which the gentleman has referred to be cut off.

Any realistic appraisal indicates that this provision does not make any significant contribution to winning the war in Vietnam.

Apart from that, it relates primarily to U.S. trade policy and involves important issues that are under the jurisdiction of the Committee on Ways and Means. The House conferees were not able to convince the representatives of the Senate that we had the answers to their questions or the facts to counter their objections. We receded because we felt that the House ought to have the guidance of the Committee on Ways and Means in passing on the issues involved.

We were confronted with the same sort of situation with respect to the amendment of the gentleman from Iowa [Mr. GROSS] which provided that "no defense articles or defense services shall be acquired from or provided to" any country which permits its ships to trade with North Vietnam.

You will note this language apparently forbids the United States to acquire articles and services from a country permitting its ships to trade with North Vietnam.

We were asked whether this would mean that the United States would have to close down its airfields in England because we could not make local procurement of the commodities and services necessary to operate them.

We have to move some of our Air Force units to England from France as a result of what De Gaulle has done to us, and these British bases are important to our defense.

The problem is that neither the conference committee, the House, nor the Committee on Foreign Affairs has explored the full implications of this provision.

The Senate insisted that this provision involved complex matters that were important and that the Congress should give it further study.

Mr. Speaker, I have heard reports that several Members who have supported foreign assistance legislation in the past intend to vote against the conference for a variety of different and somewhat conflicting reasons.

I just want to say that if this bill is sent back to conference, any bill that we might bring back is not likely to satisfy very many of the critics.

We have been through a long and difficult conference. I am sure that the Senate will insist on a pound of flesh in return for any additional concessions they make. I do not believe that sending this bill back to conference will produce a better or more acceptable bill than the one before us this afternoon.

Mr. ZABLOCKI. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. I thank the chairman for yielding.

Mr. Speaker, I desire to compliment the chairman and to underscore the chairman's statement. The House conferees have worked hard and long to retain as much as we have of the House provisions. I repeat, we have worked hard and long, and I fear that if the bill should be referred back to conference we would not be able to obtain Senate agreement. Because of the determined, diligent, and unstinting efforts of our chairman, I submit the House conferees are reporting a compromise which by far favors the House version. Again I want to compliment the chairman on the results of the conference.

Mr. MORGAN. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. FINDLEY].

Mr. FINDLEY. Mr. Speaker, I thank the gentleman.

I too appreciate the diligence with which the chairman of the House conferees worked to keep the Findley amendment, so-called, respecting most-favored-nations treatment for Poland in the bill. However, the recommittal motion does present an opportunity to the House to express itself once more on this as well as other matters.

It is my understanding that the most-favored-nation amendment which was in the House version will be a part of the motion to recommit that may be offered by the gentleman from Iowa [Mr. GROSS].

So long as American men in uniform are under fire in Vietnam we should use every economic tool to back them. The recommittal to be offered by the gentleman from Iowa [Mr. GROSS] is an important step in that direction. It would help to notify the world that at long last the war is receiving top priority in our national life. I support it.

Nations which help our enemy should get no favors.

One provision suspends most-favored-nation status from Poland until the President determines that Poland is no longer supplying arms to our enemy. Poland is the only nation so supplying arms which enjoys MFN status.

As recently as July, Polish officials bragged about the effectiveness of Polish arms in Vietnam. The Defense Minister said some of these were World War II weapons. On October 16, U.S. newspapers published photos of U.S. lend-lease weapons from World War II captured from Communists in Vietnam. No doubt they were part of the weapons supplied by Poland.

The conference report suggests that this amendment probably jeopardizes some U.S. commercial trade in Poland. This may be true because higher tariffs would temporarily result. To me, this counting-house argument is totally empty compared with the jeopardy to U.S. lives caused by weapons from Poland.

The SPEAKER. The time of the gentleman has expired.

Mr. MORGAN. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I want to thank the gentleman from Pennsylvania, the chairman of the House Committee on Foreign Affairs, for yielding me this time.

In response to the gentleman from Wisconsin [Mr. ZABLOCKI], as to the long and hard work on the part of the conferees, I would make this observation: I am sure the House conferees worked hard, but I am not at all sure they had an opportunity to give this conference the consideration it deserved. It is my understanding that the Members of the other body were unavailable to go into conference on many, many of the days that have elapsed since the authorization bill passed the House and Senate.

Mr. ZABLOCKI. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman very briefly.

Mr. ZABLOCKI. It is true the House conferees have not been able to meet as many hours or days in conference because some of the conferees of the other body were unavailable. I do want to assure the gentleman, however, that in all my experience in the past as a conferee, never have we worked as hard and as long on the House version, including the gentleman's amendment.

Mr. GROSS. I will concede that you worked hard—while you worked—but there were many days, if not weeks, which were not spent in conference.

Mr. FRELINGHUYSEN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield briefly to the gentleman.

Mr. FRELINGHUYSEN. For the record, the conferees met over a 7-week period and for 3 of those weeks there were no meetings between the Senate and House conferees which, I might say, left 4 weeks for considerable discussion of the points of difference.

Regarding this issue of the 7-week process, in 3 of the weeks there were no meetings because of the absence of certain Members of the other body and I might say the House conferees were ready each week to meet daily.

Mr. GROSS. I appreciate the statement made by the gentleman, which substantiates the point I was trying to make.

Mr. Speaker, I have taken this time to announce that I propose to offer a motion to recommit the conference report with the amendment which I offered and which was adopted when the authorization bill was before the House. It was stricken in conference. It provides that no defense articles may be sold to or purchased from any nation which supplies the Vietcong enemy in North Vietnam.

The committee retained only this much of my original amendment:

> No loans, credits, guarantees, or grants or other assistance shall be furnished under this or any other Act, and no sales shall be made under the Agricultural Trade Development and Assistance Act of 1954, to any country which sells or furnishes to North Vietnam, or which permits ships or aircraft under its registry to transport to or from North Vietnam, any equipment, materials, or commodities, so long as the regime in North Vietnam gives support to the hostilities in South Vietnam.

This is fine as far as it goes but it is meaningless without the remainder of my amendment for the provision of law to which the above would apply leaves it discretionary with the President to put it into effect. Up to this point President Johnson has refused to take any meaningful action to stop the tens of thousands of tons of supplies our so-called foreign friends have made available to the North Vietnamese enemy.

To put a stop to this perfidious business, the remainder of my amendment, which was stricken in conference, must be adopted. It leaves no discretion to the President. It reads as follows:

> Notwithstanding section 640 of this Act, no defense articles or defense services shall be acquired from, or provided to, any such country by any means under this or any other Act.
>
> Nothing in this or any other Act shall be construed to authorize the President to waive the provisions of this subsection.

Without this language, I say to Members of the House, the amendment that is in the bill is meaningless because it can be ignored as has been done in the past.

Mr. FRELINGHUYSEN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman briefly.

Mr. FRELINGHUYSEN. The gentleman has stated as a fact that the amendment offered by the gentleman during the debate was accepted by a substantial vote. It is my recollection that there was no vote—that is, it was a voice vote. How you determine that it was accepted by a substantial vote under those circumstances is not quite clear to me.

Mr. GROSS. It was substantial because you who opposed the amendment—or those who opposed it——

Mr. FRELINGHUYSEN. You can include me.

Mr. GROSS. How do I know it was substanital? I will tell you.

If you had thought you could defeat it, there would have been a vote. It is unbelievable, absolutely unbelievable, with more than 100,000 casualties in Vietnam, including 14,000 dead, that nothing has been done to stop this flow of supplies. How many of these casualties resulted from equipment shipped into the port of Haiphong, the docks of which have never been touched? How can the U.S. Government tolerate and do business with so-called friendly nations that supply arms or any other sinews of war to the Communists of North Vietnam and still look our servicemen in the face, those who are still alive and fighting over there? What do we say to the dead, who lost their lives because of the supplies that have gone into Haiphong from profiteering foreign nations which pose as our friends?

Mr. Speaker, I would not know how to answer those I have the honor to represent in Congress if I made no attempt to penalize those who glibly claim to be opposed to communism, who claim to be our friends, yet line their pockets with profits by supporting those who are killing and maiming Americans by the thousands.

I will not have it on my conscience that I stood by and permitted this Government to be used as a doormat. I will not be a party to the degrading spectacle of Americans supporting foreign governments which permit their ships and suppliers to profit on the blood of Americans.

Mr. MORGAN. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana [Mr. ADAIR].

Mr. ADAIR. Mr. Speaker, although retaining my longstanding objections to the foreign aid bill, there are several points that I think need to be made. The first has already been very well made on this floor that the managers on the part of the House worked long and diligently, and were prepared to have worked even harder and longer had there been a greater degree of cooperation from Members of the other body.

Second, it is my considered opinion that, given the circumstances under which we met, this is the best possible conference report that can be brought to this floor today. I share the view of previous speakers that of the conferences in which I have participated, there has never been one that was more difficult because of the intransigent position taken by Members of the other body.

Therefore, Mr. Speaker, I would say that in voting upon this report today, Members should search their consciences and certainly vote as they deem best, but at the same time have in mind that out of a period of great effort and toil, I for one am convinced that this is the best report possible now to bring to this House.

There are many provisions in this report which would become a part of the law and would be helpful. In my judgment an appropriation measure is not a proper vehicle for changing the ground rules under which our foreign assistance program should be conducted.

Mr. MORGAN. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. MAILLIARD].

Mr. MAILLIARD. Mr. Speaker, I appreciate the chairman granting me this brief time. I simply wish to comment on the motion to recommit which the gentleman from Iowa has indicated he is going to offer, and to urge the Members of the House, whether they are for or against the foreign aid program, to reject this motion to recommit.

The gentleman made a very stirring speech about our duty to the boys in Vietnam. I will take a back seat to no one in my support of them. But when you look at the wording of his amendment and then try to say that all it does is stop those who are trading with North Vietnam from enjoying any benefits under this and other aid acts, this is a dangerous oversimplification.

Let us consider the shining example of vessels operating under British registry from Hong Kong, on long-term charter to Chinese Communists over which the British Government has no control, and which Government would, in fact, have to change its own laws in order to prevent them from flying the British flag. The amendment would prevent us from buying food in Britain for the support of our troops that are stationed there.

This is the height of absurdity. It seems to me Members should not be misled that this is merely going to stop those who are supplying North Vietnam from having any benefits under these laws. It goes much further than that.

Mr. MORGAN. Mr. Speaker, I yield 4 minutes to the gentleman from Ohio [Mr. Hays].

Mr. HAYS. Mr. Speaker, I have not been completely happy with the foreign aid program or with this bill, but I agree with the gentleman from Indiana [Mr. Adair], and others who have spoken, that I think this is the best we could get under the circumstances.

I pay tribute to the chairman for his patience and his diligence and his stick-to-itiveness in this conference. I agree it is the most difficult one I have ever been in.

I can say to the gentleman from Iowa [Mr. Gross] that there were 3 weeks when Members of the other body were not available to meet with us. But I would ask the House to support the conference report.

I speak particularly to the section that the gentleman from Iowa [Mr. Gross] has talked about and point out to the Members that, by conversations with our friends and allies, we have drastically reduced the number of ships which are calling at the port of Haiphong. As the gentleman from California [Mr. Mailliard] pointed out, the few ships flying the British flag, which are registered in Hong Kong, and which do call at Haiphong, have been under charter for a long period of time to the Chinese Communists.

This is a far-reaching amendment, and, as the gentleman from California has pointed out, if it were adopted we could not even buy gasoline or a piece of bread or a pound of butter or anything else from the British for our troops which are stationed in Great Britain. That is where most of our Air Force which is stationed in Europe is located. What we would really be doing is saying that we cannot have these bases. They are valuable to us.

It would be just as reasonable, in my opinion, for somebody to offer an amendment to some bill and say that the United States should be punished because Americans own tankers which are registered in Panama, out of our control, and because they do certain things.

This seems to be a simple amendment on the face of it, but it is not quite that simple.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, of course, the House adopted this amendment when the authorization bill was approved. The House adopted this amendment.

Mr. HAYS. I am very well aware, I will say to the gentleman, that the House adopted this amendment, and we went to the conference and tried very hard to get the House language adopted. But I will point out to the gentleman—I am sure he knows—when we go to conference, we have to give something to get something. The Senate was very adamant on this.

I do not mind telling the gentleman it was not too hard for me to give, because I thought it was a bad amendment, but our chairman stood there for a long time on this, and would not give an inch.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. HAYS. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, the committee states in the report on the conference that it was the thought of conferees on the part of the House that these problems merit more analysis. How much analysis, in the name of the Lord, do we need to tell us that these so-called foreign friends are shipping the sinews of war into North Vietnam to kill and maim Americans?

Mr. HAYS. I will tell the gentleman how much more analysis we need. We need more analysis than an emotional speech or two in the height of debate on the floor of the House. I tried to point out to the gentleman, in all fairness, what he says is one thing, and how far this amendment goes is another thing.

I will point out to the House further than that, this amendment does not really punish the people who are trading or whose ships—a few of them which are nominally under their registry—are trading, but it punishes the United States of America and it punishes the troops of the United States who are stationed in these foreign countries.

Mr. MAILLIARD. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from California.

Mr. MAILLIARD. Mr. Speaker, I think the idea that we have in the conference report, that this merits more thorough investigation, can be assumed from the fact that it was adopted about 2 o'clock in the morning, and it was very difficult to evaluate the full effect of it at the time it was adopted.

Mr. HAYS. I will say there is no question about that.

I will say to the gentleman from Ohio, I have no objection if we can do something to provide a penalty, in line with the number of ships that are trading.

When one says that because seven ships called there in a month—and they were little ships and under Hong Kong registry—that we have to wipe Great Britain off the map so far as the United States is concerned, I say that is about like, if I may use a sort of personal experience, sending a man to jail for life for exceeding the speed limit by 5 miles an hour. As Gilbert & Sullivan say in the "Mikado" we must make the punishment fit the crime.

Mr. MORGAN. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. Reuss].

Mr. REUSS. Mr. Speaker, for some 20 years now, since Marshall plan days, I have been a supporter of foreign aid. Indeed, I suppose this is only common justice, because back 20 years ago I was for about a year a functionary of the Marshall plan, so since foreign aid supported me it is only fair that I support foreign aid.

When I came to the floor a few minutes ago, however, I was faced with the decision, which I regretted, that I was going to have to oppose the authorization for foreign aid contained in the conference report today. That was so because within the past few weeks the State Department, in an apparent switch of position, let it be known that it intended to sell or make available sophisticated supersonic jet aircraft to some of the Latin American countries. Peru, Brazil, Chile, and several others were mentioned.

This seemed to me and to a number of my colleagues a great mistake. It could lead to an unnecessary arms race. Over and above everything else, it could substantially detract from the resources—and there are precious few resources—these countries have at home and abroad for their peaceful economic development.

Accordingly, I and a number of colleagues wrote the Secretary of State on October 25 urging that he reconsider his proposed program, and pointing out that we would otherwise have to reevaluate our traditional support of foreign aid.

On November 4, last Saturday, a letter of reply to us was written by the Secretary of State, which is contained in the Record for Monday at page 31383. The net of the letter was that the State Department was going right ahead, and felt the sensitivities of these Latin American countries was such we could not interfere with their judgment that F-5 jet warplanes were the best way they could spend their money.

I then announced with much regret that I would have to withdraw my support from the foreign aid bill, because it seemed to me we were making of our foreign aid program simply a device to make countries whole for the money they wasted on unnecessary implements of war.

This was my view when I came to the floor a few minutes ago.

I am happy to say, Mr. Speaker, that the distinguished chairman of the Committee on Foreign Affairs, the gentleman from Pennsylvania [Mr. Morgan], has shown me a letter which reached his hand just a few minutes ago from the Secretary of State, addressed to him, which deals with this very problem.

At this time, Mr. Speaker, I ask unanimous consent that the letter be printed in the Record at this point.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The letter is as follows:

November 7, 1967.

Hon. Thomas E. Morgan,
Chairman, Committee on Foreign Affairs, House of Representatives.

Dear Mr. Chairman: The deep interest of your Committee and of many other Members in our Military Assistance Programs, and in

> particular in the sales of military equipment to underdeveloped countries, has on several occasions afforded a useful opportunity for me and other Representatives of the Administration to discuss this subject with interested Members. Although the record will show that we fully share the concern of Congress on this subject, the furnishing of military assistance to certain underdeveloped countries is being related by some Members to the passage of the AID authorization bill.
>
> I am informed that the views of Congress on this subject will be reflected in a new Section 620(S) of the AID bill, as reported out by the Conference Committee. As we understand it, this amendment to the Act would direct the President to take into account foreign exchange and other resources which an aid recipient nation is devoting to the acquisition of military equipment, the possible diversion of US PL-480 or economic assistance to military expenditures, and whether, by diverting its own resources to unnecessary military expenditures, a recipient nation is significantly sacrificing its economic and social development.
>
> The purpose of this letter is to make it clear to you, Mr. Chairman, and through you, to other interested Members of the House, that the Department of State and the Agency for International Development would take such an amendment very seriously, as, I am sure, would all other agencies of the Government. We would review all pertinent programs to assure full compliance with such an amendment.
>
> Bearing in mind the symmetry of views between the legislative and executive branches on this subject, I trust you and your colleagues in the House will agree that the national interest strongly advises the early passage of the AID authorization bill, without further restrictive amendments, and that the amendment before referred to would be fully adequate to meet the concern which the Department shares with the Congress regarding the diversion of development resources for military purposes.
>
> Sincerely yours,
>
> Dean Rusk.

Mr. REUSS. Mr. Speaker, I should like to read one paragraph from it.

> The purpose of this letter is to make it clear to you, Mr. Chairman, and through you, to other interested Members of the House, that the Department of State and the Agency for International Development would take such an amendment—

Here is a reference to section 620(S), which expresses our disapproval of military expenditures by a recipient country which so diverts its resources as to materially interfere with its development—

> very seriously, as, I am sure, would all other agencies of the Government. We would review all pertinent programs to assure full compliance with such an amendment.

This I find most reassuring, because until this moment the position of the State Department apparently was that it could go ahead and sell F-5's or other sophisticated instruments of war without any consideration of the effect on the economic development of a country.

I want to thank the gentleman from Pennsylvania [Mr. Morgan] for his constructive role in reducing the swelling, which I can assure Members was very real in my case.

I would ask the distinguished chairman if my understanding is correct, and if it is his view, as well as his interpretation of the view of the State Department, that our Government will not in years to come sell F-5's or any other military weapons to developing countries when it will materially interfere with their economic development, and that in each case an independent and honest determination will be made of the facts?

Mr. MORGAN. The Secretary has stated in his letter very definitely that he will follow section 620(S) as it has been agreed to in conference and which is part of the conference report before us this afternoon. The paragraph that the gentleman quoted from the Secretary's letter specifically states just that.

Mr. REUSS. I thank the chairman. I am delighted to say, Mr. Speaker, I intend to support the conference report on the foreign aid authorization.

Mr. MORGAN. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. Ryan].

Mr. RYAN. Mr. Speaker, I should like to comment briefly on the statements of the gentleman from Wisconsin [Mr. Reuss] and the distinguished chairman of the Committee on Foreign Affairs.

As one of those who signed the October 25 letter to the Secretary of State to which Mr. Reuss referred, and who met with Under Secretary of State Katzenbach, and the U.S. Coordinator for the Alliance for Progress, Covey T. Oliver, on October 26, I feel very strongly that the United States should not be selling supersonic jets to Latin American countries because of the diversion of resources needed for their own economic development and the buildup of an arms race.

The gentleman from Wisconsin [Mr. Reuss] has read a letter addressed to the chairman which states that the State Department will now honor the language in the conference report, section 620(s), and reevaluate the decision approving sales of supersonic jets and other sophisticated military equipment to Latin American countries.

Mr. CONYERS. Mr. Speaker, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from Michigan.

Mr. CONYERS. May I ask the gentleman from New York if he is satisfied on the strength of that letter that all of those results are going to follow?

Mr. RYAN. I think it is clear——

Mr. CONYERS. It is not clear to me.

Mr. RYAN. Let me finish—that the intent of the letter is to say to the Members of Congress that the language in section 620(s) will be complied with. That is what the Secretary of State says, and we have the assurance of the distinguished chairman of the Committee on Foreign Affairs that it will be.

Mr. Speaker, as a longtime supporter of foreign economic assistance, I strongly disagreed with the State Department's decision to approve the sale of U.S. F-5 supersonic aircraft to Latin American countries. On October 20, 1967, I said on the floor of the House that if foreign aid funds to underdeveloped Latin American countries were to be used to purchase expensive American supersonic aircraft, then the basis for my support for foreign aid should be reevaluated.

In our letter to Secretary of State Rusk, which 20 Members of the House signed on October 25, 1967, we termed the U.S. willingness to sell F-5's a position which makes our foreign aid program "largely a device for telling developing countries, which squander their resources in an unnecessary arms race, that we will fill in the holes this leaves in their economic programs with foreign aid."

In spite of our strong representations, Secretary of State Rusk replied on November 4 that the State Department intended to go ahead with its plans to authorize the sale.

No one is suggesting that the United States interfere with the sovereignty of our Latin American neighbors, as Secretary Rusk and others maintain, but I am concerned that American aid not be used to underwrite an arms race among countries which can ill afford it—economically or politically. These countries are perfectly free to purchase all the arms they desire—and to decline our aid.

This is the intent of the conference report on S. 1872. In his letter to the chairman of the Foreign Affairs Committee, dated November 7, 1967, and just made available to us Secretary of State Rusk states in reference to section 620 (s), "we would review all pertinent programs to assure full compliance with such an amendment."

I quote from section 620(s):

> When the President finds that development assistance under this Act, or sales under the Agricultural Trade Development and Assistance Act of 1954, as amended, are being diverted to military expenditures, or a recipient or purchasing country is diverting its own resources to unnecessary military expenditures, to a degree which materially interferes with its development, the President shall terminate such assistance and sales until he is assured that such diversion will no longer take place.

The language of the Senate committee report, which refers to a similar provision in the bill as it passed the Senate, is likewise clear:

> The amendment is aimed not only at aid recipients who buy arms from third countries, but at those who buy from the United States—and at United States officials who sell them. . . . The Committee expects that this amendment will be implemented when necessary and that it will not be permitted to become an idle paper threat through disuse.

I am pleased to note that the State Department has changed its position and has expressed through the letter from the Secretary of State to the Chairman of the Foreign Affairs Committee its decision to comply with the intention of Congress as set forth in section 620(s) that United States aid shall not be used to faciliate military expenditures of this nature either directly or indirectly by freeing foreign exchange.

If the State Department fails to implement this provision and permits the sale of F-5 jets in the face of this legislative history, then it will surely cause the disaffection of the stanchest supporters of the foreign aid program.

Mr. Speaker, I was also pleased to see that S. 1872 as it comes from conference requires the termination of the revolving fund for arms sales to underdeveloped countries as of June 30, 1968.

The bill before us emphasizes economic aid; it terminates the revolving fund for arms sales; it makes clear the intent of Congress with respect to the diversion of aid funds for arms purchases.

In view of the letter from the Secretary of State and the assurances of the distinguished chairman of the Foreign Affairs Committee, I will vote for the conference report on S. 1872.

Mr. MORGAN. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. WOLFF].

Mr. WOLFF. Mr. Speaker, foreign aid efficiently administered is a necessary part of the American foreign policy. Properly handled, our AID program can be a most potent weapon in our arsenal of democracy and is perhaps the best phrophylaxis that you could find to halt the spread of communism. However, I am not satisfied with the foreign aid program as it is presently programed or administered. I believe a number of changes need to be made in the program. A case in point is a situation that exists in Vietnam at the present time. Recently, I visited Vietnam and while there I investigated information that was brought to this Nation's attention about 6 months ago, relative to the sale of pharmaceuticals to AID recipients in Vietnam. It was revealed at that time a certain Vietnamese pharmacist was charged with receiving about $900,000 in commissions on the sale of American products to the Vietnamese Government under our AID program. These commissions were accumulated over a period of time. After this information was confirmed, proceedings were initiated and it was established that a number of pharmaceutical firms in the United States where guilty of wrongdoing. When I visited Vietnam last month, I spoke to our AID people there to learn if these firms who had been found guilty were still doing business with the U.S. Government in Vietnam. None of the personnel at the mission seemed to know whether or not we were still doing business with these firms. Finally, after much investigation, it was determined that AID and the U.S. Government are still "doing business as usual" with some of these U.S. firms.

Upon my return to the United States, I made known this fact to Mr. Grant during an interview I had with him. I think it is disgraceful that we continue to do business with these firms who have been declared guilty of misdeeds.

In the House foreign aid bill there was a provision inserted into the bill that provided:

> Any individual entity, or organization participating in any transaction financed with foreign assistance funds who have been found by the Inspector General, Foreign Assistance, to have attempted, aided, assisted, or engaged in bribery or other illegal or fraudulent payments or credits in connection with such transactions should not be permitted to participate in any program or operation financed under the Act.

It appears that the managers on the part of the Senate objected to certain provisions of this section and the managers on the part of the House agreed that they would give further consideration to it also. It now appears to be dropped completely from the conference report. I think this is wrong and I would hope that we can take steps immediately to have this portion of the act reinstated to prevent a recurrence of such misdeeds and also to prevent these firms guilty of wrongdoing from further business activities in connection with Government programs.

Mr. MORGAN. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey [Mr. FRELINGHUYSEN].

Mr. FRELINGHUYSEN. Mr. Speaker, I would like to comment briefly on the colloquy which has just taken place with respect to section 620(s) and the letter written yesterday by the Secretary of State to the chairman of the Committee on Foreign Affairs. It seems to me important that we emphasize the actual language of section 620(s) and the degree to which it will provide firm guidance to the executive branch of the Government. The Secretary's letter and the language of section 620(s) do not mean that there will be no possibility of making sales of military planes to certain countries. I would certainly hope that there would be no prohibition on such sales.

If I may, let me read the language, which appears on page 15 of the conference report. It reads as follows:

> In furnishing development assistance under this Act, and in making sales under the Agricultural Trade Development and Assistance Act of 1954, as amended, the President shall take into account (1) the percentage of the recipient or purchasing country's budget which is devoted to military purposes, and (2) the degree to which the recipient or purchasing country is using its foreign exchange resources to acquire military equipment. When the President finds that development assistance under this Act, or sales under the Agricultural Trade Development and Assistance Act of 1954, as amended, are being diverted to military expenditures, or a recipient or purchasing country is diverting its own resources to unnecessary military expenditures, to a degree which materially interferes with its development, the President shall terminate such assistance and sales until he is assured that such diversion will no longer take place. No other provision of this Act shall be construed to authorize the President to waive the provisions of this subsection.

Mr. Speaker, that language is a clear indication to the President of the United States that we are concerned about military purchases and the degree to which resources of certain countries may be unwisely or unnecessarily diverted. It is not, however, a prohibition. It does not prevent the Executive from taking action with respect to those sales, if he feels it is in the national interest.

Mr. Speaker, I would like also to rise in strong support of this conference report, and in strong opposition to the proposal to recommit it to the conference committee.

Mr. Speaker, as has been indicated in the discussion already, the conferees have met over a 7-week period of time. We actually met for only 4 of the 7 weeks, but during that period of time we did have head-on confrontations over a series of differences between the conferees on the part of the House in support of the bill as passed by the House, and the conferees supporting the bill as passed by the other body.

Therefore, Mr. Speaker, I earnestly hope at this stage of the session, that we are not going to be required to go back and seek further concessions from the other body.

Mr. Speaker, I should like to point out that it really should not be necessary to have any further language with respect to those who are trading with North Vietnam. Section 620(n) provides as the distinguished gentleman from Iowa [Mr. GROSS] himself has already pointed out, strong language with respect to activities in that area.

Mr. Speaker, I would like to read to the Members of the House that language:

> No loans, credits, guaranties, or grants or other assistance shall be furnished under this or any other Act, and no sales shall be made under the Agricultural Trade Development and Assistance Act of 1954; to any country which sells or furnishes to North Vietnam, or which permits ships or aircraft under its registry to transport to or from North Vietnam, any equipment, materials, or commodities, so long as the regime in North Vietnam gives support to hostilities in South Vietnam.

Mr. Speaker, this language should represent a sufficient indication of our concern, and as the distinguished gentleman from Iowa has pointed out, it does give the Executive some leeway. In my opinion this is entirely appropriate.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FRELINGHUYSEN. I shall be glad to yield to the gentleman from Iowa.

Mr. GROSS. It gives the President all the leeway in the world to put a stop to this business, but he has not used it. Unless the provisions contained in the amendment that I will offer in the recommittal motion are adopted and become the law, these perfidious so-called friends will continue to supply those who are killing Americans.

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, I rise in opposition to the conference report on the foreign aid authorization bill for fiscal 1968. When this bill was originally before us, the House decisively expressed its renewed determination to stop free world ships from carrying goods to North Vietnam. This conference report, however, abandons these efforts and seeks to ignore the expressed will of the Members of this House.

On October 24 I pointed out in remarks appearing on pages 29870 and 29871 that, according to the most recent information provided me by the Department of Defense, this year there has been little or no progress in reducing the level of free world ship traffic to North Vietnam. I have just been advised that during October six more free world vessels, all flying the British flag, arrived in North Vietnam representing a cargo capability of 43,000 tons. This brings the total for the first 10 months of 1967 to 63 free world flag arrivals, 53 of which flew the British flag, representing a cargo capability of over 427,000 tons.

Mr. Speaker, the Times of London carried a story September 25, 1967, headlined "Why That Red Duster Flutters at Haiphong," purporting to explain and depreciate the "nature, extent, and value" of British trade with North Vietnam, the purpose being to try to discredit the recent action taken by this body in approving an amendment, offered by the gentleman from Iowa [Mr. Gross], to the foreign aid authorization bill prohibiting the buying or selling of defense materials with any country who trades or permits vessels under its registry to carry goods to or from North Vietnam.

We are indebted to the Times for the information that it has assembled. Nevertheless, it must be pointed out that this article not only contains errors of fact and a somewhat less than profound understanding of the legislative situation, but as well decidedly misses the point about the reprehensible nature of this trade. The article in fact never does get around to really forthrightly answering the question, "Why That Red Duster Flutters at Haiphong?"

The Times argues that British trade to North Vietnam is "miniscule" amounting, during 1966, to approximately $255,000 worth of imports from and $92,000 worth of exports to the Hanoi regime. The level of trade during 1967 appears to be about the same, it is reported. In addition, it is argued that no "strategic goods" are permitted to be exported from the United Kingdom to North Vietnam. On this basis it is concluded that this trade is irrelevant to the Communist war effort.

In this regard I would simply point out that what is at issue here is not simply the nature and monetary value of the goods in this trade but more importantly the moral question of carrying on "business-as-usual" with a country whose policy of aggression and subversion presently constitutes the greatest threat to international peace and security, and which the young men of its greatest friend and ally are daily sacrificing their lives to defend the freedom of not only South Vietnam but in larger measure of that of all the non-Communist world. If, I submit, the British consider this trade of such trifling economic importance they should have no difficulty in eliminating it entirely. To do so, they as much as concede, would constitute no great sacrifice on their part. Why do they, then, insist on continuing this trade? Merely for a few pieces of silver?

Traditional British concern for free trade has not prevented London from urging on the United Nations stronger economic sanctions on Rhodesia than it applies to its own trade with North Vietnam. For example, the Times story makes light of the sale of 25 British cars to North Vietnam saying "there have been no recent reports of Vietcong Commandoes raiding South Vietnam in Morris 1,000's, however, or even Jaguars." The U.N. sanctions, however, specifically prohibit the supplying to Southern Rhodesia of motor vehicles and parts or even the transporting of such vehicles or ships flying the flag of the United Nations members. I am not aware that the prohibitions about selling automobiles to Rhodesia was included in the U.N. resolution out of a fear that these vehicles would be used in warfare. These sanctions were instituted, according to the United Nations resolutions because "the present situation in Southern Rhodesia constitutes a threat to international peace and security." I would simply ask the British Government, Do you consider North Vietnam any less of a threat to peace?

The Times article contains another curious statement. It says:

> Ships under the British flag continue to appear in reconnaissance photographs of Haiphong. These vessels are not registered in Britain but in Malta, Cyprus, and Hong Kong.

Now, perhaps it has escaped the attention of the Times, but I was under the decided impression that ships registered in Malta and in Cyprus fly the flag of their respective countries rather than the British "red duster." Be that as it may, let us look at the facts of this trade. During the first 8 months of 1967 a total of 50 vessels flying free world flags arrived in North Vietnam, representing a cumulative deadweight tonnage of 333,370. Of these 50, 41 flew the British flag. These vessels are owned by Hong Kong companies and are under charter to various Communist countries. Nonetheless, the fact remains that they fly the British flag and are registered in accordance with British law, and for this reason, are presumably barred from transporting "strategic" materials to North Vietnam. Now let us look at this question of strategic goods a little closer. The Times article says that the British list of strategic goods is "more or less a carbon copy of the American strategic goods list." This is perhaps true. However, there is at least one difference: the British consider only aviation fuel as "strategic," while we consider petroleum products for trucks, tanks, and other equipment to be of strategic importance as well. Now during this past August one of the four British-flag ships arriving in North Vietnam was a tanker by the name of *Taipieng*. It is not the first time this year that such a British-flag vessel has been there. While the nature of these cargoes is classified, one need not speculate for long about their contents.

Now, I do not think I would have to wonder very long what would be the reaction of the British Government if the *Taipieng* was headed for Rhodesia with a cargo of crude oil. In the past the British Government has moved to intercept on the high seas such shipments being carried by vessels flying the flags other than their own. Yet I do not recall any instance in which the British Government has moved to halt on the high seas any British-flag ships heading for Haiphong.

The Times article contends that the Gross amendment would "wreck British defense policy." That, I submit, is not the intention of the amendment. If the British wish to wreck their defense policy in order to continue its "miniscule" trade with North Vietnam, that is their privilege. It is indeed regrettable that the American Congress has to take such firm measures to elicit the kind of support from those from whom we would assume it to be voluntarily forthcoming. Our Government has supported the British policy in Rhodesia. It does not seem to me asking too much for the British to support the struggle against Communist aggression in Vietnam by eliminating all its trade with North Vietnam and by taking the necessary steps to insure that the "red duster" will no longer flutter at Haiphong.

The Times article follows:

Why That Red Duster Flutters at Haiphong

An amendment to the United States Foreign Aid Bill tabled by Representative Howard Gross and passed by the House of Representatives, which comes up for discussion in the Senate this week, would if adopted stop all American arms sales to countries trading with North Vietnam.

The country that would be most seriously affected is the United Kingdom, which has orders outstanding for American arms worth several hundred million pounds, including 50 F-111 swing-wing aircraft, hundreds of Phantom jets, and missiles for nuclear submarines.

Because the acceptance of the Gross amendment would wreck British defense policy (and inconvenience several powerful American manufacturers) the News Team has investigated the precise nature, extent and value of British trade with Hanoi. It has established just what it is Congressman Gross wants to stop by means of a swinging and costly embargo.

Exports from Britain to North Vietnam show every sign of breaking all recent records this year. In the first seven months of 1967 goods worth £54,000 were sold to the Hanoi regime, against £39,000 worth imported from there.

According to the Board of Trade, the figures for the whole of 1966 were: imports from North Vietnam, £91,368; exports to North Vietnam, £32,634 (1965 figures; imports £119,000; exports £72,000).

FIGURES CONTRASTED

To put these figures in perspective: Britain's total exports to all countries exceed £5000m. a year; so do her total imports.

Thus, in 1966, for every £1 earned from exports to North Vietnam, Britain earned £151,515 from elsewhere; and for every £1 spent on imports from North Vietnam, Britain spent £55,000 elsewhere.

There is nonetheless much disapproval to be found in most American circles of the fact that Britain allows even this miniscule amount of trade to go on with North Vietnam, and that ships' flying the "red duster" are often seen in Haiphong, principal port of North Vietnam.

The British Government's official attitude to this trade is quite straight-forward. A Board of Trade official said: "Applications for export licenses are treated on their merits."

STRATEGIC EMBARGO

A number of angry Americans have put forward the view that Britain, by trading with Hanoi at all, is assisting the Vietcong to kill American troops. In view of the smallness of the figures, this surely can be only an emotion argument which loses much of its force in the face of a rational evaluation of the trade itself.

Not only is the volume of trade so small that all the year's imports and exports between North Vietnam and Britain could hardly fill a small tramp steamer's holds; it is also specifically subject to a strict embargo on the export of all goods definable as strategic.

The Board of Trade says that its strategic goods list applicable to this trade is more or less a carbon copy of the American strategic goods list.

Apart from the strategic exports ban, the British Government's attitude for some time has been to "discourage" ships registered in the United Kingdom from carrying any goods, British or foreign, to and from North Vietnam; a "discouragement" which has been scrupulously observed by Britain's shipowners, and possibly encouraged by the fact that a ship flying the British flag (though not from Britain) was shot up during a United States bombing, strafing raid on Haiphong in April.

BIGGEST ITEM

At the request of the News Team, the Customs and Excise statistics office combed through tens of thousands of trade records and came up with a definitive list of all the types of goods involved in Britain's trade with North Vietnam since January 1, 1965. The list is remarkable in variety and also its irrelevance to the Communist war effort.

The biggest export item in 1965 was £30,000 worth of textile yarn and thread ("of regenerated—artificial fibers, continuous, not put up for retail sale", to quote H.M. Customs), followed by £13,000 worth of dyeing, tanning and colouring materials.

Somewhat lower down the list for the same year is £5 worth of zinc (unwrought), and lower still £1 worth of trade catalogues. Even North Vietnam found a little money for Britain's most famous export—whisky, of which she bought 948 gallons, worth £2,689, in 1965.

In 1966, North Vietnam spent a total of £5 on "old clothing, and other textile articles, rags, clothing, clothing accessories, traveling rugs and blankets, household linen and furnishing articles, textile materials, footwear and headgear . . . showing signs of appreciable wear and exported in bulk or in bales, sacks or similar bulk packings", from Britain.

SOAP AND PENICILLIN

But she spent a great deal more—£1,856—on "appliances, apparatus, accessories and requisites for gymnastics or athletics or for sports, &c."—to wit, 1,100 dozen tennis balls.

The list of exports for 1966 is as innocuous as that for 1965, except perhaps for the sale of 25 British cars and one lorry, together worth about £11,500. There have been no recent reports of Vietcong commandoes raiding South Vietnam in Morris 1000s, however, or even Jaguars.

Similarly, the £18 worth of soap and £8 in screws (metal) in the returns can have had only a marginal effect on the communist war effort.

It is not known whether Americans opposing this trade object to the export of £1,969 worth of penicillin, £200 in medical instruments, and £31 in adhesive dressings.

Ships under the British flag continue to appear in reconnaissance photographs of Haiphong. These vessels are not registered in Britain but in Malta, Cyprus and Hong Kong. There is no doubt that some of the Hongkong ships are chartered by agents acting for China. The Dartford, shot up at Haiphong on April 25, is owned by Peninsula Shipping Co. Ltd., and managed by Ocean Tramping Co. Ltd., of Hongkong, where she is registered, according to details given in Lloyd's Register.

SENATORS' CHALLENGE

The bulk of Britain's imports from North Vietnam comes in the form of coffee, light fittings, "worked horn, coral and other animal carving materials, &c," and more than £26,000 worth of basketwork so far this year.

Surprising though it may sound, the foregoing is as representative as any other selection could be of the nature of British trade with North Vietnam.

It is for the sake of this minute commercial activity, the stopping of which would make no difference either to Britain's balance of payments or Hanoi's war effort, that Congressman Gross wants to call off several thousand million dollars' worth of American arms exports in the next decade. Mr. Gross, who is 68, appears to want to use a Polaris missile to crack a nut.

Fortunately for Britain, it appears that Senator Robert Kennedy and some other influential Senators are going to oppose the Gross amendment when it comes up this week.

Mr. MORGAN. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. HAYS].

Mr. HAYS. Mr. Speaker, I asked for this additional minute because I was having a check made with reference to the trade which has been carried on with North Vietnam by some of our allies, and I did not have the figures on such trade when I spoke earlier.

Mr. Speaker, the amendment which was offered by the gentleman from Iowa [Mr. GROSS] purportedly restricts only those nations which receive aid. But, as I pointed out earlier, it would apply to Great Britain which is not receiving aid and it would seriously cripple our efforts there.

Mr. Speaker, the facts are that in the last 3 months on which we have figures available, there were 15 free world ships which called at North Vietnam ports in that period of time, and none of them—and get this, in view of what the amendment is supposed to do—none of them belonged to a country receiving aid from the United States.

So, the point is that the amendment which has been offered by the gentleman from Iowa [Mr. GROSS] does need further study, because it does not do what the gentleman intends it to do, to penalize those countries to which we are extending aid. On the other hand, it handicaps, as I stated earlier, the United States of America in its stationing of troops, and so forth. Again, I pointed out the fact that Great Britain, really, is an innocent party in this, since these ships are registered in Hong Kong.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HAYS. Of course I yield to the gentleman from Iowa; I must do so.

Mr. GROSS. This applies to all nations that trade with North Vietnam, and why all of this concentration on the British? But if you want to emphasize the British, all they have to do is to stop trading with North Vietnam and the same is true with reference to any other nation which is receiving aid.

The SPEAKER pro tempore (Mr. NATCHER). The time of the gentleman from Ohio has expired.

Mr. MORGAN. Mr. Speaker, I yield 1 additional minute to the gentleman from Ohio [Mr. HAYS].

Mr. HAYS. I thank the gentleman for yielding this additional time.

Mr. Speaker, I would again point out to the gentleman that although these ships are registered under the British flag, they are registered out of the British colony of Hong Kong, and the number of ships involved is so small that I cannot for the life of me believe that the gentleman would want the British, who are not capable of holding Hong Kong from the Chinese Communists, if they decide to take it over, to risk this important strategic area which is important to us, over his matter.

That is why I say that the gentleman's amendment goes way beyond what he said that he wants it to do. I am willing to negotiate with him, and I am willing to give it further study, and I am willing to vote for an amendment which will penalize governments getting foreign aid, but Great Britain does not.

Mr. GALLAGHER. Mr. Speaker, will the gentleman yield?

Mr. HAYS. Yes.

Mr. GALLAGHER. Is it not a fact that Great Britain is not trading with the North Vietnamese?

Mr. HAYS. That is right.

Mr. GALLAGHER. And what it is that they do have is a long-term contract with ships that fly the British flag over which they have no control?

Mr. HAYS. That is correct.

The SPEAKER. The time of the gentleman has expired.

Mr. MORGAN. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. CHAMBERLAIN].

Mr. CHAMBERLAIN. Mr. Speaker, I would like to point out to my colleagues that so far this year there have been 63 free-world-flag ships arrive in North Vietnam, 53 of which were flying the British flag.

We can say all we want to about their long-term registration with the Communists, but in the final analysis the facts are that the British are renting their flag to those who are supporting our enemies; that is what it boils down to.

There have been 10 vessels flying other than British flags—Cyprus, Malta, and Italy—calling in North Vietnam so far this year, and with the British this make a total of 63 free world ships since January 1, 1967.

Now, if we go back the last 2 years, since June 1965 there have been 932 vessels, from all countries, calling at North Vietnam. I am told by the Defense Department that of these 932 vessels, 239 of them have been free world ships. This means that about 25 percent of all the shipping into North Vietnam, since June 1965 has been under free world flags. I believe it is time that the Members of this House put the world on notice that we are serious about the war in Vietnam and that this shipping has to stop.

Mr. MORGAN. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey [Mr. GALLAGHER].

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Speaker, I thank the gentleman for yielding.

I do not know where the gentleman from Michigan gets his figures, but the figures I have indicate that the number of ships trading there has been decidedly curtailed. I believe the gentleman might just as well get as indignant as he did about Great Britain about the number of U.S. ships. I know the British are renting their flag, and we are renting our dollars.

How many ships do we have registered in Panama that are substantially and wholly owned by U.S. investors, and who do they trade with, and what do they do?

The ship that was wrecked off the south coast of Great Britain—and in my opinion they are going to get home free—which polluted the whole south coast of England, was a wholly owned U.S. ship flying a free world flag. It did irreparable damage to the south coast of England,

and I did not hear a single speech in the British Parliament blaming the United States for it.

I do not know whether that is a sign of their immaturity and our maturity, or what it is, but the facts are there.

Mr. CHAMBERLAIN. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I do not have control of the time, the gentleman from New Jersey does.

Mr. GROSS. Will the gentleman from New Jersey yield?

Mr. GALLAGHER. I yield to the gentleman from Iowa.

Mr. GROSS. I do not know what oil along the British coast has to do with tankers that are supplying the Communists in North Vietnam who are killing Americans by the thousands.

Mr. GALLAGHER. I would say in reply to the gentleman that it is the oil that is being poured into this bill that matters. The fact is that these British-flag ships are on long-term contracts, and our concept of the long-term contracts is the same as the British. It is based on the British common law, and it is because there are long-term contracts on British-flag ships out of Hong Kong who are under long-term contract and leased to the Communists, and there are a considerable number of Chinese Communists in Hong Kong, that this puts the British in an untenable position. But that is no reason why the United States should not be able to buy goods that our troops need in England to supply our forces in NATO.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. GALLAGHER. I yield to the gentleman from Iowa.

Mr. GROSS. Let me ask the gentleman a question. Can the gentleman conceive that in World War II U.S. military forces would have permitted a ship of any country to land supplies in Germany, or in any other nation with which we were at war?

Mr. GALLAGHER. The fact of the matter is that we are not talking about World War II.

Mr. GROSS. We are talking about a war in which more than 100,000 Americans have been killed and wounded.

Mr. GALLAGHER. That was a time when there were unique conditions which were set as to the terms on which ships that were coming to the United States to buy supplies and there were some abuses engaged in when the British were still under the Neutrality Act. The fact is that the contracts will not allow them to do anything unless they are going to tear apart the whole structure of the law, that is, the established law of the United Kingdom.

Mr. WRIGHT. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman.

Mr. WRIGHT. I think a comparable situation might be considered as having occurred a decade ago when Great Britain during the Suez Canal controversy was at war with Egypt. We not only supported Egypt in that situation—and perhaps foolishly—but we required the British to withdraw their troops. I do not recall that that precipitated a major controversy with this Nation. If we have a friend in the world that has been consistently on balance, our friend, it is Great Britain.

Mr. GALLAGHER. Let me say that the United Kingdom supports the United States better than most other nations.

I repeat that the United Kingdom supports our policy in Vietnam far better than most other countries in the world, and that ought to be the central issue.

Mr. FINDLEY. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman.

Mr. FINDLEY. Will not the gentleman agree with me that if the British Government has lost control of its own flag to the extent indicated by this contract arrangement, the British Government is in rather sad shape?

Mr. GALLAGHER. Well, if that is the gentleman's view of it—they are in sad shape—but the fact is that Great Britain is still a country of law and is not a developing nation. The law is well established and if the ships are on long-term contracts, there is not very much they can do if we are going to abide by the law of contracts.

Mr. FINDLEY. I heard the British Ambassador state not too long ago that the British-flag trade with North Vietnam was insignificant. Well, if it is really insignificant, I am sure Great Britain can find a way to terminate that flag arrangement so as to give us a little better cooperation so far as Vietnam is concerned.

Mr. GALLAGHER. Certainly; but not by burning up their established law. That is not going to help us or give us any assistance. If the gentleman wants to look into this, I am sure he will find that is what they told us—that the fact is the British are not trading with North Vietnam.

Mr. FULTON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman.

Mr. FULTON of Pennsylvania. The question has come up as to the figures and as to the nationality of vessels going into Haiphong, North Vietnam.

As a matter of fact, the U.S. Department of Defense did not issue the correct figures to the public, nor for that matter, to certain individual Congressmen who were given these figures. Mr. Arthur Sylvester former Assistant Secretary of Defense in charge of public relations stated facts on Vietnam that have been open to real question. It should have been obvious that they were not going to release the full or correct figures on this shipping phase to North Vietnam, when Mr. Sylvester insisted, and still affirms that the Government has the right to lie.

I looked into the Haiphong shipping figures sometime ago and found two sets of Department of Defense figures—one for the public and a different secret set that was given to the State Department, who gave me their figure. I noted at the time the figures supplied by the U.S. Department of Defense to the gentleman from Michigan which he inserted in the CONGRESSIONAL RECORD were clearly and palpably not accurate. Our opponents in North Vietnam must have felt the U.S. Government was missing a lot or worse, by not telling the whole story, were actually deceiving the American people on Vietnam.

Mr. GALLAGHER. The fact might be that you might disagree with the figures. But the fact is the United Kingdom is not trading with North Vietnam and I think that that is what should be the issue. I would like to include an article from the Economist dated October 14, 1967, which sets this question into its proper perspective. It might help illuminate the issue of this debate:

VIETNAM TRADE—WHOSE RED DUSTER?

HONGKONG.—The move to tighten sanctions on Britain for allowing British registered ships to trade with North Vietnam is still going through the mill of the United States Congress. After American representations last year, no more ships registered in the United Kingdom are now trading direct with North Vietnam, and the number of Hongkong registered ships on the run has fallen steadily. It was down to 48 last year (from 91 in 1964) and it is thought to have dropped further since then.

Most (though not all) the Hongkong registered ships left on the Haiphong run are effectively owned by the Peking government and these are likely to stay in the business. There is very little to stop them. Anyone can set up a private company in Hongkong provided a born or naturalized British subject can be found to serve on the board. And since there are plenty of Hongkong Chinese who qualify, the Chinese government has no difficulty setting up companies in the colony.

Among Hongkong shipping companies that own or operate ships on long-term charter to China are Far East Enterprising Co., Ltd.; Ocean Tramping Co., Ltd.; China Merchant Steam Navigation Company; Dah Lien Shipping Company; Hemisphere Shipping Co., Ltd.; Nanyang Steamship and Enterprises, Ltd.; and Peninsular Shipping Co., Ltd. Some of the directors of these companies are also involved in other kinds of enterprise for the Peking government, including banking and import/export business. Their ships are blacklisted by the American government (and thus disbarred from carrying United States government cargoes). Moreover, many of the directors of these companies are on the United States Treasury's list of "designated" persons disbarred from trading with any official American organisation. But although such sanctions have dissuaded a number of shippers from the Haiphong trade, they are unlikely to cut much ice with those companies that are owned by Peking, and neither has the British government or the Hongkong government any power to restrict their activities. On the contrary, the freedom such companies enjoy is the quid pro quo for Hongkong's existence, which seems more important than the few goods carried in a few Hongkong registered ships to North Vietnam.

There is no lack of evidence about the Chinese ties of some of the Hongkong registered ships still trading with North Vietnam. For instance, there is Ocean Tramping, which owns about 20 ships on long-term charter to China, and which also charters a good many tramp ships for the Peking government. Cargo manifests and loading instructions for these ships come direct from Peking. Deck and engine-room crews come mostly from the Chinese mainland. The handful of British and Hongkong Chinese officers on these ships are attracted by exceptional wages plus "war" bonuses on ships trading with North Vietnam.

Yet even the Chinese-owned Hongkong registered ships seem to avoid carrying to Haiphong cargoes on America's strategic embargo list (mostly transported in Russian and Polish ships). The Hongkong registered ships mostly carry goods less directly valuable for North Vietnam's war effort—cement, concrete reinforcing bars, timber, cotton, irrigation pumps and generators. And very little of the cargo carried even by these ships, under the British flag, is British in origin: the total value of trade between Britain and North Vietnam last year was a miniscule £124,000. The bulk of the cargo shipped to North Vietnam by Hongkong registered vessels originates elsewhere—China mostly.

By far the biggest share of this and other cargo for North Vietnam is carried in Russian and Polish ships. But a good deal also goes in Greek, Cypriot and Maltese vessels.

Mr. MORGAN. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. ZABLOCKI].

Mr. ZABLOCKI. Mr. Speaker, I take this time to again call attention to the situation with which the House conferees were faced, so succinctly presented by the distinguished chairman, the gentleman from Pennsylvania [Mr. MORGAN], in his report. The House managers found themselves unable to refute arguments made by the Senate conferees in opposition to certain provisions of the House bill. In particular the amendments to the House bill which had been adopted in the late hours during floor consideration of the bill. Included of course was the amendment of the gentleman from Iowa to section 620(n) of the act—section 301(g)(4) of the House bill. The gentleman's amendment would have far-reaching ramifications. The managers on the part of the other body raised a number of questions relating to such issues as to the effect of his provision. There were questions raised by the Senate conferees as well on the amendment of the gentleman from Florida [Mr. PEPPER] which would bar captains who had commanded ships carrying cargo to North Vietnam from entering U.S. ports. The shipping clause contained in some 30 treaties to which the United States is a party and whether or not the refusal of a ship's captain to obey the owner's orders with respect to visiting Cuba or North Vietnam would constitute barratry was raised by the conferees.

That is why we have on pages 34 and 35 of the conference report clearly stated that these amendments including the amendment of the gentleman from Iowa would have far-reaching consequences and justify more consideration.

It is my understanding that the gentleman from Iowa will instruct in the recommital motion that his amendment to section 620(n) and the proposal of the gentleman from Illinois [Mr. FINDLEY] to suspend the most-favored-nation treatment for Poland be reinstated. The Senate conferees were adamant in their position on these proposals. It would be useless to pursue the matter further. Therefore, I do hope that the recommital motion will not prevail.

The SPEAKER. The time of the gentleman has expired.

Mr. WYMAN. Mr. Speaker, voting continued foreign aid giveaway when our country has a terrible debt and is operating in the red by nearly $30 billion for this fiscal year alone, is an abuse of the responsibility of representation in this Congress. There is no justification at this time for taking money from our citizens in taxes and then giving it away to foreign governments while we go further into debt at home.

The people of this country are entitled to protection, not to continued reckless profligacy urged to be needed as some kind of foreign policy. If we continue to undermine our currency we destroy our strength to deter and defend against aggression in the world, nor can we be an effective ally.

Our foreign aid program ought to end all giveaways until our budget is in balance and then only to the extent that it is in balance. The concept of foreign aid funding on a giveaway basis ought to be ended permanently as a part of U.S. foreign policy.

What should replace it is an intelligent program of loans on a selective basis, demanding appropriate collateral from an applicant nation. This can be done either by AID or by an agency set up as an international bank.

In the meantime, by way of example, I would point out that there is about $1.4 billion in the present bill of actual giveaway, whether it is for military or economic aid makes little difference. In addition to this there is about $700 million in loans that are not really loans at all but are handouts deceiving the people with promises to repay that for the most part will never be honored. For that matter, in some instances can never be honored, and this is known when these spurious loans are made.

Mr. Speaker, why on earth are we building roads and schools and bridges and dams—or to use the language of the more extreme examples, buying yachts, paving streets, and so forth—in foreign lands when we need these things at home? It just does not make sense.

If a country wants these things and wants dollars with which to build them or procure them, let us lend them to that country with appropriate security. No country in the world has any security to offer. Iceland has fishing rights, South Africa has diamonds, Indonesia has tin, Brazil has rubber and coffee. If they want dollars let them borrow them with an appropriate pledge of adequate security, which will become our property if they fail to repay their borrowings.

Giveaway foreign aid is contrary to the best interest of this Nation no matter how many hearts may bleed or State Department palates tremble with diplomatic palsy. The voters of this country want this foolishness ended and now, not next year nor the year after. The feeling is strong in revulsion against this continued giveaway, across the length and breadth of this Nation.

Mr. COHELAN. Mr. Speaker, one of the most serious prospects facing the world today is the looming threat of a renewed arms race.

This urge to newer, more destructive, and more expensive weapons is seen in its most tragic form in the several lesser developed nations where proposed military purchases threaten to deprive the people of these countries of desperately needed social and economic progress.

Where per capita income is only a few hundred dollars a year, most of the people are living at the bare subsistence level. Governments of these countries are able to command only very limited resources from their meager economies. Under these circumstances, the purchase of expensive sophisticated weapons is a most difficult burden. In fact the burden is so heavy and the resources so scarce, that military expenditures necessarily reduce the resources available for improving agriculture, industry, housing, health care, or the myriad other necessary items which governments are called on to provide.

It is clear to me that the United States should not be contributing to the arms race in these impoverished countries. We should not be helping to take resources from the urgent tasks of reform and economic betterment. We should not be adding to the strain on small budgets which even without military expenditures are not capable of meeting the needs of their people.

Thus Mr. Speaker, the United States should not be selling F–5 aircraft to a certain well known Latin American country.

Therefore Mr. Speaker, I was gratified to learn that the Secretary of State has recognized the strong opposition of this body to the sale of F–5 aircraft to Peru and the sale of other unneeded and expensive weapons to other countries receiving our economic aid.

Under the circumstances, I am pleased to cast my vote today for the conference foreign aid bill.

Mr. MORGAN. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

MOTION TO RECOMMIT

Mr. GROSS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore (Mr. NATCHER). Is the gentleman opposed to the conference report?

Mr. GROSS. I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. GROSS moves to recommit the conference report on the bill (S. 1872) to the committee of conference with instructions to the managers on the part of the House to insist on that portion of the language of section 301(g)(4) of the House amendment which reads as follows:

"Notwithstanding section 640 of this Act, no defense articles or defense services shall be acquired from, or provided to, any such country by any means under this or any other Act. Nothing in this or any other Act shall be construed to authorize the President to waive the provisions of this subsection."

And also to insist on that part which reads as follows:

"SEC. 304. Section 402 of the Foreign Assistance Act of 1963 is amended by adding at the end thereof the following new subsection:

"'(c) The application of section 231(b) of the Trade Expansion Act of 1962, as added by subsection (b) of this section, is hereby suspended with respect to the products of Poland imported after the date of enactment of this subsection. Such suspension shall continue—

"'(1) until the date designated by the President by Executive order (for the purposes of section 112 of the Internal Revenue Code of 1954) as the date of the termination of combatant activities in Vietnam and waters adjacent thereto; or

"'(2) until the President determines that Poland is no longer supplying to North Vietnam any items which are, for the the purposes of title I of the Mutual Defense Assistance Control Act of 1951, as amended, arms, ammunition, or implements of war, and he reports to the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives that he has received assurances satisfactory to him that the supplying of such items to North Vietnam will not be renewed by Poland;

whichever first occurs.'"

The **SPEAKER** pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The **SPEAKER** pro tempore. The question is on the motion to recommit.

Mr. **GROSS**. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 196, nays 200, not voting 36, as follows:

[Roll No. 374]

YEAS—196

Abbitt
Abernethy
Adair
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Ayres
Baring
Battin
Belcher
Bell
Bennett
Berry
Betts
Bevill
Biester
Blackburn
Blanton
Bow
Bray
Brinkley
Brock
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burton, Utah
Bush
Carter
Casey
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Colmer
Conyers
Corbett
Cowger
Cramer
Cunningham
Curtis
Davis, Ga.
Davis, Wis.
Denney
Devine
Dickinson
Dorn
Dowdy
Downing
Duncan
Edwards, La.
Esch
Eshleman
Evins, Tenn.
Feighan
Findley
Fino
Fisher

Flynt
Ford, Gerald R.
Fulton, Pa.
Fuqua
Galifianakis
Gardner
Gathings
Goodling
Gross
Grover
Gubser
Gurney
Haley
Hall
Hammerschmidt
Hansen, Idaho
Harrison
Harsha
Harvey
Heckler, Mass.
Henderson
Hull
Hunt
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jonas
Jones, N.C.
King, N.Y.
Kleppe
Kornegay
Kuykendall
Kyl
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Lukens
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McMillan
Marsh
Martin
May
Meskill
Michel
Miller, Ohio
Mills
Minshall
Montgomery
Moore
Morton
Myers
Natcher
Nelsen
Nichols
O'Konski

O'Neal, Ga.
Passman
Poage
Poff
Pollock
Pool
Price, Tex.
Quillen
Railsback
Randall
Rarick
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Riegle
Rivers
Rogers, Fla.
Roth
Roudebush
Roush
Ruppe
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Skubitz
Smith, Okla.
Snyder
Springer
Stanton
Steiger, Ariz.
Steiger, Wis.
Stephens
Stuckey
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Tuck
Vander Jagt
Waggonner
Walker
Watkins
Watson
Whalley
Whitener
Whitten
Wiggins
Williams, Pa.
Wilson, Bob
Winn
Wydler
Wylie
Wyman
Zion
Zwach

NAYS—200

Adams
Addabbo
Albert
Anderson, Tenn.
Ashley
Aspinall
Barrett
Bates
Bingham
Blatnik
Boggs
Boland
Bolling
Bolton
Brademas
Brasco
Brooks
Brown, Calif.
Burke, Mass.
Burleson
Burton, Calif.
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Celler
Clark
Cohelan
Conable
Conte
Corman
Culver
Daddario
Daniels
Dawson
de la Garza
Delaney
Dellenback
Dent
Diggs
Dingell
Donohue
Dow
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Eilberg
Evans, Colo.
Fallon
Farbstein
Fascell
Flood
Foley
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Tenn.
Gallagher
Garmatz
Gettys
Giaimo
Gibbons

Gilbert
Gonzalez
Goodell
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gude
Halpern
Hamilton
Hanley
Hansen, Wash.
Hardy
Hathaway
Hawkins
Hays
Hechler, W. Va.
Helstoski
Hicks
Holifield
Holland
Horton
Howard
Hungate
Irwin
Jacobs
Joelson
Johnson, Calif.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, Calif.
Kirwan
Kluczynski
Kupferman
Kyros
Leggett
Long, Md.
McCarthy
McEwen
McFall
MacGregor
Machen
Madden
Mahon
Mailliard
Matsunaga
Mayne
Meeds
Minish
Mink
Mize
Monagan
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Nedzi

Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Price, Ill.
Pryor
Pucinski
Purcell
Quie
Rees
Reid, N.Y.
Reuss
Rhodes, Pa.
Roberts
Robison
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Rumsfeld
Ryan
St Germain
Scheuer
Sisk
Slack
Smith, Iowa
Smith, N.Y.
Stafford
Staggers
Steed
Stubblefield
Sullivan
Taft
Tenzer
Thompson, N.J.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waldie
Whalen
White
Widnall
Wilson, Charles H.
Wolff
Wright
Wyatt
Yates
Young
Zablocki

NOT VOTING—36

Anderson, Ill.
Annunzio
Broomfield
Button
Collier
Derwinski
Dole
Edwards, Ala.
Erlenborn
Everett
Fountain
Hagan
Halleck

Hanna
Hébert
Herlong
Hosmer
Jones, Mo.
Macdonald, Mass.
Mathias, Calif.
Mathias, Md.
Miller, Calif.
O'Neill, Mass.
Pelly
Pettis

Resnick
St. Onge
Sikes
Smith, Calif.
Stratton
Teague, Tex.
Utt
Wampler
Watts
Williams, Miss.
Willis

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. O'Neill of Massachusetts against.

Mr. Williams of Mississippi for, with Mr. Annunzio against.

Mr. Sikes for, with Mr. Macdonald of Massachusetts against.

Mr. Hagan for, with Mr. Hanna against.

Mr. Fountain for, with Mr. Mathias of Maryland against.

Mr. Collier for, with Mr. Button against.

Mr. Utt for, with Mr. Teague of Texas against.

Mr. Smith of California for, with Mr. Resnick against.

Mr. Dole for, with Mr. Broomfield against.

Mr. Mathias of California for, with Mr. St. Onge against.

Mr. Pelly for, with Mr. Miller of California against.

Mr. Herlong for, with Mr. Willis against.

Until further notice:

Mr. Everett with Mr. Anderson of Illinois.

Mr. Stratton with Mr. Pettis.

Mr. Watts with Mr. Halleck.

Mrs. **HECKLER** of Massachusetts changed her vote from "nay" to "yea."

Mr. **ZION** changed his vote from "nay" to "yea."

Mr. **BROYHILL** of Virginia changed his vote from "nay" to "yea."

Mr. **QUIE** changed his vote from "yea" to "nay."

Mr. **LEGGETT** changed his vote from "yea" to "nay."

Mr. **GETTYS** changed his vote from "yea" to "nay."

Mr. **WHITE** changed his vote from "yea" to "nay."

Mr. **WOLFF** changed his vote from "yea" to "nay."

Mr. **ANDERSON** of Tennessee changed his vote from "yea" to "nay."

Mr. **MORTON** changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The **SPEAKER**. The question is on the conference report.

Mr. **GERALD R. FORD**. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 205, nays 188, not voting 39, as follows:

[Roll No. 375]

YEAS—205

Adams
Addabbo
Albert
Anderson, Tenn.
Arends
Ashley
Aspinall
Ayres
Barrett
Bates
Bell
Biester
Bingham
Blatnik
Boggs
Bolling
Bolton
Brademas
Brasco
Brooks
Brotzman
Burke, Mass.
Burton, Calif.
Bush
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Celler
Clark
Cleveland
Cohelan
Conable
Conte
Corbett
Corman
Culver
Daddario
Daniels
Dawson
Delaney
Dellenback
Dent

Diggs
Dingell
Donohue
Downing
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Eilberg
Erlenborn
Esch
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Flood
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gude
Halpern
Hamilton
Hanley
Hansen, Wash.
Hardy
Hathaway
Hawkins
Hays

Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Holifield
Holland
Horton
Howard
Irwin
Jacobs
Joelson
Johnson, Calif.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, Calif.
Kirwan
Kluczynski
Kupferman
Kyros
Leggett
Lloyd
McCarthy
McDade
McFall
MacGregor
Machen
Madden
Mahon
Mailliard
Matsunaga
Mayne
Minish
Mink
Monagan
Moorhead
Morgan
Morse, Mass.
Moss
Multer

Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Price, Ill.
Pucinski
Purcell
Quie
Railsback
Rees
Reid, N.Y.
Reuss
Rhodes, Pa.
Roberts
Robison
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Ryan
St Germain
Scheuer
Schneebeli
Schweiker
Schwengel
Selden
Sisk
Slack
Smith, Iowa
Smith, N.Y.
Springer
Stafford
Steed
Sullivan
Taft
Teague, Calif.
Tenzer
Thompson, N.J.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waldie
Whalen
White
Widnall
Wilson, Charles H.
Wolff
Wright
Wydler
Yates
Young
Zablocki

NAYS—188

Abbitt
Abernethy
Adair
Andrews, Ala.
Andrews, N. Dak.
Ashbrook
Ashmore
Baring
Battin
Belcher
Bennett
Berry
Betts
Bevill
Blackburn
Blanton
Bow
Bray
Brinkley
Brock
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson
Burton, Utah
Carter
Casey
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Colmer
Conyers
Cowger
Cramer
Cunningham
Curtis
Davis, Ga.
Davis, Wis.
de la Garza
Denney
Devine
Dickinson
Dorn
Dowdy
Duncan
Edwards, La.
Eshleman
Evins, Tenn.
Findley
Fino
Fisher
Flynt
Foley
Fuqua
Galifianakis
Gardner
Gathings
Gettys
Goodling
Gross
Grover
Gubser
Gurney
Haley
Hall
Hammerschmidt
Hansen, Idaho
Harrison
Harsha
Harvey
Henderson
Hull
Hungate
Hunt
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jonas
Jones, N.C.
King, N.Y.
Kleppe
Kornegay
Kuykendall
Kyl
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Long, La.
Long, Md.
Lukens
McClory
McClure
McCulloch
McDonald, Mich.
McEwen
McMillan
Marsh
Martin
May
Meskill
Michel
Miller, Ohio
Mills
Minshall
Mize
Montgomery
Moore
Morris, N. Mex.
Morton
Mosher
Myers
Natcher
Nelsen
Nichols
O'Konski
O'Neal, Ga.
Passman
Poage
Poff
Pollock
Pool
Price, Tex.
Pryor
Quillen
Randall
Rarick
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Riegle
Rivers
Rogers, Fla.
Roth
Roudebush
Roush
Rumsfeld
Ruppe
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Scott
Shipley
Shriver
Skubitz
Smith, Okla.
Snyder
Staggers
Stanton
Steiger, Ariz.
Steiger, Wis.
Stephens
Stubblefield
Stuckey
Talcott
Taylor
Thompson, Ga.
Thomson, Wis.
Tuck
Vander Jagt
Waggonner
Walker
Watkins
Watson
Whalley
Whitener
Whitten
Wiggins
Williams, Pa.
Wilson, Bob
Winn
Wyatt
Wylie
Wyman
Zion
Zwach

NOT VOTING—39

Anderson, Ill.
Annunzio
Boland
Broomfield
Button
Collier
Derwinski
Dole
Dow
Edwards, Ala.
Everett
Fountain
Goodell
Hagan
Halleck
Hanna
Hébert
Herlong
Hosmer
Jones, Mo.
Macdonald, Mass.
Mathias, Calif.
Mathias, Md.
Meeds
Miller, Calif.
O'Neill, Mass.
Pelly
Pettis
Resnick
St. Onge
Sikes
Smith, Calif.
Stratton
Teague, Tex.
Utt
Wampler
Watts
Williams, Miss.
Willis

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Annunzio for, with Mr. Hébert against.

Mr. Teague of Texas for, with Mr. Fountain against.

Mr. Boland for, with Mr. Sikes against.

Mr. Hanna for, with Mr. Hagan against.

Mr. Resnick for, with Mr. Willis against.

Mr. St. Onge for, with Mr. Utt against.

Mr. Miller of California for, with Mr. Smith of California against.

Mr. Stratton for, with Mr. Collier against.

Mr. Broomfield for, with Mr. Dole against.

Mr. Mathias of Maryland for, with Mr. Edwards of Alabama against.

Mr. Button for, with Mr. Herlong against.

Mr. O'Neill of Massachusetts for, with Mr. Pettis against.

Mr. Goodell for, with Mr. Anderson of Illinois against.

Mr. Dow for, with Mr. Wampler against.

Mr. Macdonald of Massachusetts for, with Mr. Williams of Mississippi against.

Mr. Meeds for, with Mr. Watts against.

Until further notice:

Mr. Everett with Mr. Halleck.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the conference report just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I have asked for this time for the purpose of asking the distinguished majority leader if he could give Members any indication or guidelines concerning the program for the rest of the week including the consideration of the poverty program and the possibility of business on Friday.

Mr. ALBERT. Mr. Speaker, will the distinguished minority leader yield to me to reply to this inquiry?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. ALBERT. Mr. Speaker, we will begin now the reconsideration of the OEO bill. Tomorrow we have to consider a conference report, I think it is the conference report on the public works appropriation bill which will be the first order of business tomorrow. Then we will return to the consideration of the OEO bill.

It is our purpose, and the distinguished gentleman and I have discussed this matter, and discussed it with the Speaker, that if we do not finish the poverty bill by tomorow evening to put over further consideration of that bill until Monday next.

Mr. GERALD R. FORD. I thank the gentleman.

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. GOODELL. I think one of the critical questions being asked is whether we are going to reach a point tomorrow or today, when we have finished the general debate, and will start reading the bill for amendment. It would appear that with the two conference reports, one which we have completed, and another one before us, and with almost 3 hours of general debate, if we are going to do that we are going into the evening hours and it would help a great deal if the Members could have some concept as to whether you plan to start reading the bill for amendments.

Mr. ALBERT. I am not in a position at this hour to advise the gentleman as to when we are going to start reading the bill for amendment. But, of course, the leadership will be governed this evening by the leadership of the committee on both sides of the aisle.

Mr. GOODELL. Is there any particular concept at this point as to when the committee will rise today?

Mr. ALBERT. I should say that we should rise at a normal hour today. But I am making that statement on my own responsibility.

I am going to confer with the distinguished chairman of the committee and the distinguished ranking Member and with the distinguished minority leader and the distinguished Speaker with reference to that. But I see no reason not to make it just a normal day—and I say that, as I said, speaking for myself.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 8569. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1968, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 8569) entitled "An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1968, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD of West Virginia, Mr. HOLLAND, Mr. PROXMIRE, Mr. YARBOROUGH, Mr. SPONG, Mr. HRUSKA, and Mr. JAVITS to be the conferees on the part of the Senate.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1967

Mr. PERKINS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (S. 2388) to provide an improved Economic Opportunity Act, to authorize funds for the continued operation of economic opportunity programs, to authorize an Emergency Employment Act, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Kentucky.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill S. 2388, with Mr. ROONEY of New York in the chair.

Mr. ROONEY of New York. When the Committee rose on yesterday, the distinguished gentleman from Kentucky [Mr. PERKINS] had 1 hour and 40 minutes remaining, and the distinguished gentleman from Ohio [Mr. AYRES] had 1 hour and 11 minutes remaining.

The Chair now recognizes the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey [Mr. THOMPSON].

Mr. THOMPSON of New Jersey. Mr. Chairman, I am enthusiastically in favor of the entire program, but I shall address myself in particular to title VIII of the bill at this moment. Subsequently I shall have an amendment relating to section 406 which would assign responsibilities which, in my judgment, properly belong to the Small Business Administration, back to them.

Mr. Chairman, title VIII of the Economic Opportunity Act, as presented to the House in this bill, amends, improves, and strengthens one of the strongest and least controversial parts of the entire poverty effort—the VISTA program.

As in the Peace Corps, which is probably the most widely praised part of all our Nation's efforts abroad, so in the VISTA program, the basic willingness of Americans to ask what they can do for their fellow human beings, has been demonstrated from one end of this Nation to another. Americans of all ages, of all walks of life, have left the comfort of their homes, the security of their classrooms or their retirement cottages and have gone where they had to go, where their compassion and their need to serve have insisted they go.

I say that, Mr. Chairman, because, in a sense I agree with those who contend that the VISTA volunteers are not truly volunteers. The VISTA worker who has gone to live in a slum or on an Indian reservation, or in an Appalachian valley or an Eskimo village, is not moved by his own whims. He is not doing this for kicks, Mr. Chairman. He has been drafted by an authority from which there is no appeal—he has been forced into this kind of work by his own conscience, the most difficult force any of us can ever have to resist. Paul Claudel tells us:

> Youth is made for heroism, not for pleasure.

The quiet, unglamorous heroism of the VISTA volunteer is the final and irrefutable answer to those who would try to persuade us that this generation of young Americans are a bunch of irresponsible, self-serving beatniks. The hippie may get the headlines, the New Left may get the television coverage, but the young people—and not only the young but the middle-aged and the elderly people, too, Mr. Chairman—are far better represented by the VISTA volunteer than by the Dupont Circle dropouts.

Let us take a look, Mr. Chairman, at some of the VISTA volunteers:

In Delray Beach, Fla., 21-year-old Jim Hall of Everett, Wash., has organized a tutoring program for the children of migratory farmworkers. He has recruited something like 300 education majors at Florida Atlantic University who work as tutors in 10 migrant camps, at no expense to the taxpayers. Although Jim Hall has completed his VISTA service, the tutoring project remains a part of the curriculum at Florida Atlantic.

Fletcher Low, a 73-year-old former college professor, once a pitcher for the Boston Braves and very recently a Republican member of the New Hampshire State Legislature, is tutoring Job Corpsmen at Tremont Job Corps Center in Townsend, Tenn., in math and English.

Jim Rayburn, of Charlotte, N.C., is 24 years old. He was assigned to work in Houston, Tex., in an area known as the Bottom. To prosperous, bustling Houston, the Bottom was the home of 800 apathetic poor Mexican-Americans and Negroes. The population has not changed that much since Jim Rayburn came there, but apathy has fled.

Jim was one of the chief influences in founding the People's Civic Club, a neighborhood group which is working to improve the neighborhood. The club obtained playground equipment, collected food for the neighborhood's neediest residents at Christmas, and sponsored a clean-up campaign.

Last January, Mayor Louie Welch of Houston announced "Project Partner," in which the city and the Civic Club are working together to help the people of the Bottom do for themselves what needs to be done. Mayor Welch's assistant gives VISTA great credit for bringing the partners together. Jim may hail from North Carolina, Mr. Chairman, but in this case, once again, the name Rayburn stands for service to the State of Texas and to America.

Arlene Isaacson, of Beverly, Mass., has been working with the Valley Migrant League in West Stayton, Oreg. With other VISTA volunteers, Arlene persuaded the Marion County Health Association to hire two doctors for a free clinic for crop pickers, many of whom had never seen a doctor before in their lives. The clinic, financed under the Migrant Health Act, has provided medical services for hundreds of migrant workers.

Not content with this, Arlene and her fellow volunteers also persuaded optometry students at Pacific University to provide eye examinations for an entire migrant camp. When many children and adults in the camp were found to be in need of glasses, the volunteers found them for a nominal fee.

Dr. Catherine Nutterville, of Roseburg, Oreg., is working here in the District of Columbia to teach young slum dwellers their rights and their responsibilities under the law. Dr. Nutterville, a retired teacher and clinical psychologist, at the age of 79 has begun a new career of bringing her knowledge and abilities to the service of her fellow men, and our neighbors in this Capital City.

There are others, Mr. Chairman. There are a long list of Americans, young and old, from rich homes, from middle-class homes, and yes, some from the poor communities as well, who have answered the call to service which VISTA has extended.

A great grandson of President Theodore Roosevelt, the son of a Member of this body, the daughter of one and the niece of another Republican Senator, the son of a member of President Eisenhower's cabinet, the nephew of a prominent Republican Governor—these are some of the young people from famous American families who have gone into VISTA. There is an interesting footnote on this, Mr. Chairman. I have not named these volunteers, not because their parents are not proud of them, indeed they are, but because these volunteers, in so many cases, have asked that their family connections not be publicized simply because they want to do what they are doing and make the contribution they are making, on the strength of their own ability and dedication.

These kids are not publicity seekers or thrill seekers. They are not, I reiterate, VISTA volunteers because it is fashionable. They are in this service because their conscience demands it.

These are the men and women who have answered the challenge to service in the VISTA program. Their country is in their debt.

I do not believe, Mr. Chairman, that there will be many amendments offered to title VIII, the VISTA sections of this bill. The bill before us makes some amendments to existing law, and makes them with the enthusiastic support of both majority and minority members of the committee.

The major changes are to be found in part B of the title, which expands VISTA's authority to mobilize auxiliary, part-time and special volunteers, either working part of each day, or for short periods of full-time service, and working for the most part in or near the communities of which they are residents. This is not a new concept, but this year's bill gives it a firmer legislative base.

Our colleagues on the minority side, and particularly the able gentleman from Minnesota [Mr. QUIE] claim, and indeed deserve, great credit for the major part they have played in the furthering of this concept. Not every American whose conscience demands from him a contribution to the war on poverty is able to leave his home for a year. But there are dark corners of our society in every city, in every State, within walking distance of every well-kept suburb. The home town VISTA concept is one which will enable us to tap this rich vein of sacrifice that underlies the American character in even greater profusion than we have done with the full-time volunteer program thus far.

The volunteers themselves are an impressive tribute to the program. But let us look, also, at the impact which VISTA has had in various parts of the country. In West Virginia, VISTA volunteers working with a statewide mental health program have saved the State and the taxpayers of the State, an estimated $486,000 by working with mental hospitals and in communities. That figure, Mr. Chairman, is the informed estimate of Dr. H. Mitchell Bateman, director of the West Virginia Department of Mental Health, and it was made last June 10. In this letter in which he set forth this estimate, Dr. Bateman said:

> A most significant result of VISTA service in the Department of Mental Health in West Virginia is that we are now planning a three-year program to recruit and train local workers from the poverty level who will be employed to render the same kinds of services VISTA's give today.

In VISTA's rural Santa Clara project, in California, it is reliably estimated that VISTA workers have generated a direct benefit to the community of $1.8 million.

In New Hampshire, 33 VISTA volunteers have spent 29,500 hours and reached 16,000 people—80 percent of whom have become active participants in such activities as Headstart, Upward Bound, NYC, Senior Citizens' Clubs, and the like. To the net income in New Hampshire, $243,600 annually has been added.

In Arizona, 2,000 migrant children have been enrolled in VISTA preschool programs.

In Pittsburgh, VISTA has assisted 5,000 residents of a poverty area in establishing a credit union.

In Texas, 11,000 seasonal workers have been interviewed by VISTA volunteers, 5,000 TB examinations administered, and 600 children given care in VISTA-manned clinics.

In California, 2,000 youths and adults participate in 100 VISTA-run recreation programs.

A Las Vegas slum now boasts a 5,000 volume library established by VISTA volunteers.

In North Carolina, more than 1,000 children participated in summer-long tutorial programs organized by VISTA in six communities. The average daily attendance at these programs was 661 children, and the tutoring was offered by 496 North Carolinians who offered their time to the VISTA-organized project without cost. This project's total cost added up to 72 cents per child per day.

The States of California, Maryland, Pennsylvania and Florida have VISTA bail bond projects, in which volunteers undertook the heavy case load of interviewing prisoners. It is estimated that these four projects alone saved these States in excess of $2 million.

I could go on like this. I could mention VISTA programs in 49 of the 50 States, and in every State, I could quote from citizens and public officials who will praise VISTA to the skies.

Let me quote just a few. The Governor of North Carolina, Hon. Dan K. Moore, says:

> The contribution being made by VISTA Volunteers to the people of North Carolina is deeply appreciated.

The Governor of Montana, Hon. Tim Babcock:

> I do hereby salute these unselfish Volunteers in Service to America.

The mayor of Richmond, Va., Hon. Morrill M. Crowe:

> In recognition of the sacrificial work and inspirational leadership of VISTA, I urge the citizens of Richmond to catch the idealism of these gifted and dedicated people, to cooperate with them in their noble endeavors to serve the poor and the unfortunate.

The mayor of Davenport, Iowa, Hon. John H. Jebens:

> The efforts of individuals who live and work with the poor is one of the most effective means of combating poverty.

The mayor of Detroit, Hon. Jerome Cavanagh:

> The potential inherent in the Volunteers in Service to America program certainly was realized in Detroit following our recent riot.
>
> Even before the rioting had ended, some of the almost 200 VISTA workers assigned to Detroit began arriving.
>
> During the emergency, the volunteers helped in practically all phases of recovery. They assisted in emergency food distribution. They helped with the basic clean-up necessary throughout the inner city. They drove trucks removing rubble from the inner city and bringing emergency supplies back into the troubled area. They helped with legal services provided those involved in the rioting and assisted the courts in the processing of cases arising from the disturbance. They gave emergency assistance at Detroit General Hospital where most riot injury cases were taken. And they formed a large part of the post-riot Rat Patrol, mixing and placing rat poison in areas of widespread destruction where the danger of rats had increased.
>
> One of the most important post-riot tasks was handled almost exclusively by the VISTA workers. This was a door-to-door census of the riot area in an attempt to identify victims of the riot and their problems. This information was organized by Detroit's Community Action Agency, the Mayor's Committee for Human Resources Development (HRD), which sent its workers to assist those persons in need.
>
> The volunteers were hard-working, energetic, dedicated and, without exception, they were a credit to their program.
>
> Again I thank you and each of the volunteers who helped.

One further observation, Mr. Chairman. In this Congress in particular, cost and cost effectiveness is a major consideration whenever we take up a bill. On no program has the question of cost been more persistently, and, indeed more properly, raised than on the poverty program.

VISTA's record in this respect has been a proud one. Over the past 3 years, there has been a steady reduction in the per unit cost of recruiting, training, and supporting a VISTA volunteer in the field.

In 1966, the per unit cost—the entire VISTA budget divided by the yearend volunteer strength—was $8,520. In 1967, the per unit cost was reduced to $6,995, an 18 percent reduction. And in 1968, the per unit cost is expected to go down by another 10 percent to $6,288.

In my judgment $6,288 is a very small price to pay for the kind of service the people of this Nation receive from a VISTA volunteer. By way of comparison, we might examine what it really costs to employ and backstop a teacher or a social worker.

The Office of Education advises that the average teachers' salary is $6,820 per year for 9 months service. But to recruit, to train, to pay the administrative backup expense that the hiring of one teacher commits a community to, costs an additional $5,000. In one large Western city, which is justly proud of its educational system, the per unit cost of a school teacher, if calculated the same way I have just calculated the per unit cost of a VISTA volunteer, would be $14,000 for 9 months service—more than twice what it costs for the 12 months' service of a volunteer.

If we want to turn to professional social workers, the average salary is $8,200 per year. Adding in the other costs, the per unit cost of professional social work is $12,240 per year—not quite twice the cost of a VISTA volunteer.

I do not say this to downgrade teachers or social workers or indicate that I think they are overpaid. On the contrary, I think there is no competent teacher in this country who is, or even could be paid adequately for the incredibly important task we give them. And few if any are adequately paid even by the normal standards of the market place. I point to these contrasts simply to suggest what a fantastic bargain you and I and every American taxpayer is getting when we invest $6,200 in a VISTA volunteer.

Mr. Chairman, the VISTA program hardly needs defense on this floor. In every part of this country, it has fervent defenders. It has advocates and eager customers among the Nation's mayors and Governors. It has the support of Republicans and Democrats, of conservatives and liberals. It is defended, if defense is needed—let me say rather, Mr. Chairman, it is exemplified—by the best of America's young people.

Mr. AYRES. Mr. Chairman, I yield 10 minutes to the gentleman from Oregon [Mr. DELLENBACK].

Mr. DELLENBACK. Mr. Chairman, my respected colleague from Oregon yesterday stated that many of our people are caught in the eye of a social hurricane. My only quarrel with her statement is that it falls short of recognizing the breadth of America's present predicament. All of America lies in the path of the devastating winds that have begun to blow—I have no fear whether America will survive the blasts that are beginning to blow. But I do fear for the changes that we will find when the winds abate—for the destruction that will have been wrought, not just to property, but to the relationships between Americans.

And if we do not somehow reach the winds at their source—if we do not, while we still can, separate and divert and calm the winds of unequal education and insufficient job opportunities and inadequate housing that blow on much of America, these winds will converge and join together. And all of us, whatever our politics and whatever the color of our skin and whatever the level of our education or the size of our bank accounts, all of us will be in the path of the resulting blast and will be injured—perhaps not fatally, but certainly seriously.

The Economic Opportunity Act was not conceived as a panacea for all of America's ills—even for all of the ills of the poor. It was originally intended as an act to create exactly what its name implies—economic opportunities for the poor. It was not intended as a shotgun, to reach with inadequate aid and insufficient force all of America's social problems. It was intended as a rifle that would zero in on the target of lack of jobs for the poor and try to strike that target with adequate aid and sufficient force to have a real effect. It has failed to do so in large part because the original purpose of the act has been lost in a broad-scale dream that, perhaps understandably, sought to make of the act a different caliber weapon than the blueprints called for it to be and sought to change its target, and ended by rendering it ineffective to do even that which it was capable of doing really well.

If you listened to certain of those who spoke during debate yesterday, you would think that on one side were the forces of good attacking the causes of poverty, and on the other side the forces of evil attacking the war on poverty. That obviously is not true.

Both sides agree there is a problem. The real question is whether all of the present law's expensive, ineffective programs are going to be continued as is, or whether we are going to succeed in making some meaningful and badly needed improvements in applicable present law.

The gentleman from Florida [Mr. GIBBONS] yesterday indicated that there were at issue before us only two questions—one, the amount of money to be authorized, and two, the so-called Green amendment. These are points at issue, but they involve only two of the changes which we feel should be made in the bill before us.

In addition, we propose a number of other amendments which will serve to improve and redirect the aim of the poverty program. They include:

First. A material increase in involvement of all aspects of our free enterprise economy.

Second. A reduction in Federal fund appropriations, coupled with change in application of such funds to serve as seed money so that total funds devoted to restructured programs will increase.

Third. An increase in State involvement, both in planning and in implementation.

Fourth. A restructuring of community action programs to place increased emphasis on jobs and improved training therefor for people who want to work.

Fifth. A phasing over of Job Corps into vocational education, including residential centers, with resulting drastic reduction in unit costs.

Sixth. A transfer of basic responsibility for educational programs like Headstart to the Department of HEW, with retention of parent involvement and of tie to local community.

Seventh. A restructuring of community action agency boards to retain involvement of the poor and to increase involvement of local government, industry, labor, and community agencies.

Eighth. An elimination of political activities by community action agencies.

Ninth. Some allocation of funds between programs for urban poor and programs for rural poor.

Tenth. The creation of a Council of Economic Advisers to the President.

Eleventh. The creation of a military career training program.

Mr. Chairman, there was discussion yesterday by members of the committee of the so-called Green amendment, to sections 210 and 211. May I just in passing comment briefly on a couple of the aspects thereof. May I comment on two of the impacts in the city of New York that would arise from this particular amendment. One, the 51-person limit on community action boards would seriously cripple some of the 15 community action agencies that have already been established in that city.

Second, the flat requirement for one-third public official membership on each of these boards will, again, serve to seriously cripple most of these boards in New York City which have already been established.

In addition, this amendment proposes control of the community action agencies by local officials. The program which we propose would provide for increased involvement of local officials, but without absolute control on the part of local officials.

Mr. Chairman, those of us who sat through the committee hearings on this particular measure are aware of the fact that witness after witness after witness testified that one of the great advantages that came from the OEO was innovation. And it is our deep concern that if there be not only involvement of local officials, but if active control of community action be handed over to local officials, we will be destroying, or going a long way toward destroying, this innovation which has been so effective up until this point.

Mr. Chairman, I am deeply concerned about the supposed bypassing feature of the Green amendment. At the proper time when we can go into the details of this amendment, I propose that we examine very carefully the particular provisions of sections 210 (a) and (d). The question should be raised as to what would happen if a State had submitted a plan and it had been approved and reviewed, and that State refused or failed to move forward under that plan. What then would happen insofar as bypassing this particular State is concerned?

Permit me to say this, as I draw toward the conclusion of my remarks. The restructuring of community action provided for in the opportunity crusade is more than a change of language.

We are here talking about basically redirecting this program in the direction of jobs. We have inserted a provision for the creation of job opportunity boards; we have inserted a provision for the creation of an independent Youth Corps; we have provided that there must be a certain percentage of the money involved in community action devoted not to peripheral problems, but zeroed in upon the primary purpose of jobs, job training, and job placement.

Mr. Chairman, it is imperative that the Congress not only be aware that there are special problems faced by both the urban poor and the rural poor in America, but that the Congress also demonstrate its capacity and deep desire to propose soundly conceived programs in order to help in the elimination of the problems which cause such poverty. We seek support from both sides of the aisle as we attempt in amendments here on the floor to correct the weaknesses and improve the effectiveness of this phase of our national struggle with the problems of our disadvantaged.

Mr. PERKINS. Mr. Chairman, I yield such time as he may consume to the gentleman from Montana [Mr. OLSEN].

Mr. OLSEN. Mr. Chairman, there are over 4,000 Volunteers in Service to America living in poverty neighborhoods around the country. On October 23 those VISTA volunteers were issued their last paycheck. That paycheck, a very meager one, pays for their food and their rent. Unless Congress acts, they will receive no more money.

We see today a situation where the very people who were to help America's poor must now be helped by those same poor. Across the country, VISTA's are being taken in by the people in the neighborhoods they serve. They are being provided with food and lodging by the very people they were sent to help.

The VISTA's have not left those neighborhoods. Hundreds of telegrams and letters have affirmed their desire to remain where they are to continue to work for the poor. I myself received a letter from a 79-year-old woman who until recently was a VISTA volunteer. Dr. Catherine Nutterville spent her life working in teaching and in clinical psychology. She chose not to retire but to volunteer her services to help others. While assigned to the neighborhood legal services project here in the District, she prepared a booklet entitled "How To Make Rights and Responsibilities Meaningful to the Poor."

The book contains programs which will teach slum children their legal and human rights. It also teaches them their responsibilities to the law. The ideas in that booklet were used in a program for sixth-grade students at the Nichols Elementary school in the spring of 1966. The program was so successful that it was expanded to include six additional schools in the District.

The services of people like Dr. Nutterville are valuable to our country. And yet today those people must rely on the goodwill of their neighbors to survive. I would like to read you the letter that Dr. Nutterville sent to me. It shows how people who have dedicated their service to our country feel about that service being lightly thrown away:

Neighborhood Legal Services Project,
Washington, D.C., November 7, 1967.
Hon. Arnold Olsen,
House of Representatives
Washington, D.C.

Dear Arnold: I am deeply distressed about the status of the VISTA workers in Washington. As you know, for two years I was one of them. I cannot be comfortable knowing that those VISTA workers are cut off from their very meager living allowances.

All of them are from other parts of the United States and do not have the security of depending either upon relatives or friends in a crisis where their very existence is challenged.

My first reaction this morning was to attempt to call one of them and ask her to consider my meager apartment her home during this crisis; this would be only a "drop-in-the-bucket." My next idea was to start a fund that would meet, in part, this immediate crisis. That I may still do. I have an appointment tomorrow that may bring about plans for such a "passing of the hat."

I am dismayed that these volunteers who have come into this program seriously dedicated to the needs of the poor should find themselves in such a position as that described in the morning Washington Post. I am sure that the American people will not accede to such treatment of the VISTA Volunteers.

I am taking this drastic method of getting this message to you immediately. I shall not go into detail but you will know by the time you read it what I have done.

I shall be in my office all of this afternoon and if there is any message you wish to convey to me do not hesitate to have someone call me. I know that you are "in session" now.

With my fullest confidence, I am always,
Sincerely yours,
Catherine Nutterville,
Volunteers In Service To America, Veteran 1965–67.

Mr. PERKINS. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from New Jersey [Mr. Daniels].

Mr. DANIELS. Mr. Chairman, I rise in support of S. 2388, the Economic Opportunity Act of 1967. As all of my colleagues know, I have been a strong supporter of the war on poverty because I felt in my heart that it was good for this Nation. It is for this same reason that I have voted in this House for programs which benefited parts of this Nation far removed from the 14th Congressional District of New Jersey. Today, however, for the first time in my career I take this floor to plead with my colleagues to aid my friends and neighbors in my native Jersey City, where I have lived for all of my 59 years.

Mr. Chairman, I am sure every Member of this House has read the lead editorial in this morning's Washington Post entitled "The War Against the Poverty War."

I think that this editorial points out the desperate situation in Jersey City where CANDO, our community action program, is now totally out of funds. As the editorial points out, by Thanksgiving some 35 other community action programs will be in the same shape as we are in Jersey City.

Mr. Chairman, the poverty program is going on in Jersey City with antipoverty workers continuing in the jobs because they believe in the Congress of the United States—because they believe that this great House will do its duty to America's poor. The poor in Jersey City do not believe that this House will be blind to their needs. I hope that their faith and the hopes of the 10,000 families in Jersey City are not going to be dashed on the shoals of partisan politics and indifference.

Mr. Chairman, this program is not perfect—no program ever enacted was or can be perfect—but it is, despite any shortcomings, a good program and it is one which has performed notable work, not just in Jersey City, but all over the State of New Jersey and throughout each of these United States.

Through the Office of Economic Opportunity we have served more than a quarter million persons in my own State.

Mr. Chairman, I would like to give you some of the impact this program has had in New Jersey. At this time, Mr. Chairman, each of New Jersey's 21 counties have community action programs. Six counties have VISTA volunteer programs. Three counties have Job Corps camps. Nineteen counties have Neighborhood Youth Corps programs. All of our counties had Headstart programs during the summers of 1965, 1966, and 1967. Nineteen counties had adult basic education programs. Seven counties have work experience projects. Five counties have small business loan programs. Seventeen counties have rural loan programs.

New Jersey has a vital share in this program, and this despite the fact that we are in the upper quarter of the States in terms of per capita income. Our State is unique in that we have both great pockets of wealth and areas where dismal poverty is a fact of life. Every Member has had impressed upon him just how bad conditions can be in the pockets of poverty which exist within the State of New Jersey.

Mr. Chairman, I know from my own personal experience that our antipoverty efforts in New Jersey are reaching the poor and the disadvantaged. I know also it is a great spurt of help and encouragement to many who have been deprived of the good things of this life because of prejudice, lack of opportunity, or unfamiliarity with the English language. I am now making my appeal to those Members of this House who may have honest doubts about this program but who will look at this program objectively. I can assure each of you that this program is vitally needed in our great urban areas. I cannot urge upon you too strongly the need to support the committee bill.

Mr. PERKINS. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. Hawkins].

Mr. HAWKINS. Mr. Chairman, it is not a pleasant feeling to oppose the majority views of my committee which has labored faithfully and diligently to recommend a bill which might be both workable and approvable. In two areas, however, serious changes have been made which, while not improving the chances for final passage, would wipe out great gains we have made in the war against poverty. These are referred to as the Green amendment on community action structures, and the Gibbons amendment to require 20-percent non-Federal financial participation, one-half of which must be in cash.

The Green amendment wipes out involvement of the poor in policymaking; the Gibbons amendment eliminates them in program operation. With such friendly amendments little room is left for bad ones except in reducing the already inadequate authorized appropriations. Such amendments will lengthen the seasons of the long hot summers.

The Green amendment seeks in an antipoverty bill not to improve the position of the poor but to protect elected officials who themselves are not seeking such protection.

First, the Green amendment changes selection of representatives of the poor by the residents of poverty areas—page 89 of the report—to their selection by elected officials although the language vaguely makes reference to "democratic selection procedures"—page 174, S. 2388.

Already the poor have been too long deceived for us not to clearly spell out precisely what they may expect. If we do not intend for them to name their own representatives, let us not delude them into believing so while making them subservient at the same time to elected officials.

Second, the Green amendment—section 211(c), page 175, S. 2388—goes far beyond the official community action governing board in requiring that even community boards or councils that advise on policy or administration of programs shall also include one-third public officials. For public officials already overworked this might well become known as the tired blood amendment. Policywise it is an invasion of the autonomous and indigenous character that should remain with community groups seeking self-help and self-determination.

The Green amendment also violates sound public policy on separation of legislative and administrative duties. Busy and sincere public officials might better leave to others membership on antipoverty boards. Politically they would be wise to do so.

The October 31 issue of the Washington Post carried an article entitled "U.S. Riots Blamed on Cities." The article indicated that the Presidential Commission on Civil Disorders in its interim report expected about January 1, 1968, "will put primary emphasis on realining and improving municipal government" as a result of its findings that "the lack of responsiveness of most city administrations to the problems of ghetto residents" was a major cause for last summer's "riots."

I do not believe local government alone should be blamed but if these disorders in 107 cities last summer were caused to any substantial extent by the reaction "of an alienated community to unresponsive city government," then we should carefully reevaluate the role of cities under the Economic Opportunity Act before changing the law in a way that may further alienate the poor from their elected officials.

Poverty is a critical national problem which demands something more than the casual attention of local governments that out of necessity often subordinate problems affecting the poor to other interests backed by strongly organized groups. Hopefully, such cities as Chicago, St. Louis, and Pittsburgh have done an excellent job.

But most of our cities are already overburdened with noise, growth, congestion, pollution, crime, tax, and school problems. Operating an antipoverty program is a full-time activity of its own that demands something more than overburdened cities can now provide in time and leadership.

Perhaps this is why the cities themselves did not seek this new agency responsibility of the Green amendment even though they had available over 26 days of public hearings. Actually the U.S. Conference of Mayors opposed "requiring local CAP's being either units of government or private nonprofit corporations." In other words, they want the flexibility of existing law so that they can move ahead with programs already developed by broadly based community action agencies.

It seems that local public officials are wiser than are we in resisting a restructuring at this time that will not only result in confusion and delays but which also are likely to produce reactions of social disorders and even more violence.

The amendment referred to follows:

Amendment to S. 2388 offered by Mr. HAWKINS: Beginning with line 5 on page 171, strike out everything down through line 9 on page 172, and insert in lieu thereof the following:

"COMMUNITY ACTION PROGRAMS

"SEC. 210. (a) A 'community action program' is a program which—

"(1) mobilizes and utilizes in an attack on poverty resources, public or private, of any community;

"(2) provides services, assistance, and other activities of sufficient scope and size to give promise of progress toward elimination of poverty or a cause or causes of poverty through developing employment opportunities, improving human performance, motivation, and productivity, or bettering the conditions under which people live, learn, and work;

"(3) is developed, conducted, and administered with maximum feasible participation of residents of the areas and members of the group served; and

"(4) is conducted, administered, or coordinated by a public or private nonprofit agency (other than a political party) or a combination thereof (hereinafter referred to as a 'community action agency').

On page 173, strike out lines 4 through 17 and insert in lieu thereof the following:

"(d)(1) The Director shall not approve or continue to fund a community action program which is conducted, administered, or coordinated by a board which contains representatives of various geographical areas in the community unless such representatives are required to live in the area they represent.

"(2) The Director shall not approve, or continue to fund a community action program which is conducted, administered, or coordinated by a board on which representatives of the poor do not comprise at least one-third of the membership. The representatives of the poor shall be selected by the residents in areas of concentration of poverty, with special emphasis on participation by the residents of the area who are poor. In communities where substantial numbers of the poor reside outside of areas of concentration of poverty, provision shall be made for selection of representatives of such poor through a process, such as neighborhood meetings, in which the poor participate to the greatest possible degree."

Beginning with line 1 on page 174, strike out everything down through line 15 on page 176.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield 7 minutes to the gentleman from New York [Mr. REID].

Mr. REID of New York. Mr. Chairman, we must bear constantly in mind, I believe, during these deliberations, that this Nation is facing its most serious domestic crisis since the Civil War. It is a crisis that, more than hot summers and cities in turmoil, involves rights and opportunities of 30 million Americans too long deferred.

Any cutback in funds below the $2 billion request of the OEO would attest to the poverty of this House's commitment. It would break faith and it would dash a solemn commitment and a solemn promise made to America's poor; our defenseless, disadvantaged, and poverty ravaged.

Rather than making coherent progress toward solving their consuming problems, our cities' plight daily grows more grave. The fact is that our unemployment rate is up for the second consecutive month and that more than 8 million wage earners are employed at jobs that do not maximize their earning potential—if they are employed at all. There are still, and I repeat, 30 million Americans living in poverty—and data released last week by the President indicates that the percentage of those nonwhite slum families with incomes below the poverty level has remained constant at about 36 percent over the last 6 years. In New York City, however, that percentage increased from 28 percent in 1960 to 35 percent today.

Clearly, our principal need is for more job opportunities—employment of permanence and substance, based on meaningful on-the-job training programs that not only upgrade skills but, as well, identify potential, so that an individual may climb the ladder of increased skills until he is realizing the full measure of that potential. The significance of this need is made even more poignant—lest there be any doubt—by figures just released by the Department of Labor which indicate that in September and October there was a decline of 88,000 in the number of jobs available and yet an increase of 300,000 in the number of those actively seeking work.

Our urgent task is to bring these figures more nearly into balance and to reach those now without those necessary skills and without hope.

The poverty program has made progress in a number of areas—and has the potential and the creativity of approach, given improvement, to make further strides.

We must not subject to destructive debate the already totally inadequate authorization for this program. Nor can we give serious consideration to amendments that may well cripple the operation of this program. A spirit of innovation and a capacity for creativity has characterized several of the endeavors undertaken through the antipoverty program, and we must permit these to go forward:

Headstart has changed the future for more than 2 million youngsters.

The legal services program has assured the poor the right to equal justice which more fortunate Americans have so long enjoyed.

Neighborhood health centers have helped to break the vicious cycle of poor health and poverty for residents of 35 low-income areas.

Upward Bound has opened the doors of a higher education to some 27,000 young men and women whose potential might not otherwise have been recognized and encouraged.

The 700 neighborhood centers established by community action agencies as a multiservice unit have brought a large reservoir of heretofore untapped manpower and services to bear on the total needs of individuals and families.

The Follow Through program, which seeks to provide services of the type offered in Headstart programs to youngsters who have moved on to kindergarten and first grade, is now underway on an experimental basis for some 190,000 children, and holds promise as a meaningful addition to the regular curriculum of educationally deprived children in public schools.

Also, we should recall that there are over 300,000 Americans today providing at least 1 day a week in support of antipoverty efforts. We should not forget that the conscience of America has been tapped and has been touched, and we should support it.

Mr. Chairman, there are two committee amendments in the bill right now that may well do incalculable damage to the antipoverty program, and particularly to the successful enterprises that I have just mentioned. To bring privately operated community action programs directly under the control of public officials would place the responsibility for innovation with city hall, a place which usually does not radiate creativity and progress, with several exceptions, notably, of course, New York City. Private agencies should be free to pioneer in a whole range of innovations.

Further, the amendment requiring that one-half of the local share be cash—amounting to 10 percent—will effectively rule out participation of many communities whose financial situation precludes or whose officials choose not to obligate tax funds for this purpose. Many of those, no doubt, will be the localities whose residents most need the help and training in community action agencies which CAP could provide.

Yet, no matter how serious, even these could pale in importance if we further reduce the too limited authorization for this bill. To cut back the program to $1.4 billion—or $1.2 billion—in the face of the clear need and in the face of our too little honored commitment will demonstrate that this Congress has again turned its back on the cities and that this Congress cares little about the Americans to whom we have made too many unfulfilled promises. As the New York Times has stated:

> A retreat now would be a fresh insult to those who have been victims and losers too often.

Let us resolve in this debate to recapture the initiative and press forward in a quest—founded on commitment—to right the wrongs which have too long obtained.

Mr. HORTON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Chairman, I am pleased and proud to support the very fine statement of my colleague from New York [Mr. Reid], and to urge my colleagues to ponder the compelling logic and necessity of giving full support to the antipoverty funds authorized under S. 2388.

Since 1964, at the inception of the Office of Economic Opportunity and its antipoverty programs, I have supported each and every poverty authorization and appropriation bill to come before this body. Each one of these bills has been met with cries of "mismanagement and inefficiency" in the antipoverty effort, but as the programs have developed, their administration and efficiency have improved.

I certainly agree that the program, even as set out in the bill before us, is not perfect, but as we learn more about the problems of poverty, joblessness, and lack of education, we are improving our approach to solving them.

An example is the Job Corps program, which after its first year of operation was widely criticized for extravagance and mismanagement. I can proudly stand before this body today and say that great strides have been made in the Job Corps—both in its costs and its program success. I have seen firsthand the Job Corps centers in Breckinridge, Ky., and Huntington, W. Va., which are run by my constituent corporations, Graflex and Xerox. Both of these contractors have demonstrated at their respective centers that job orientation of deprived and impoverished men and women can be accomplished at reasonable cost.

By its very nature, the economic opportunity program is the type of effort which cannot be expected to produce dramatic results in the short run. Each of the many facets of this war on poverty is directed toward changing a fundamental aspect of life for some significant portion of our population. The Headstart program, which has been strikingly successful in both Monroe and Wayne Counties, N.Y., which I represent, is intended to arouse the interest of both the child and his parents in the educational process. When Headstart is successful, it is usually the first time that such interest has been aroused in the household. It, therefore, is unrealistic to expect that Headstart would instill in its "graduates" an immediate and unquenchable thirst for knowledge. What may realistically be expected, and what in fact has been achieved in my district and elsewhere, is that the combination of the Headstart and Followthrough programs will enable the educationally deprived to gain the maximum benefit from our educational system.

There are two areas in the bill before us which deserve special mention. First, is the provision under title II which would take from nonprofit, private agencies the direction of community action agencies. I will be the first to admit that there are growing pains, sometimes serious, involved in providing a meaningful role for the poor in the operation of these programs. But despite blunders and difficulties in administration, we cannot throw up our hands and turn the direction of community action agencies over to city hall. By doing this we remove the independent antipoverty force from a place of influence and prominence in the community, and we make community action agencies more susceptible to political involvement.

The second point is the provision in the committee bill which would require greater cash contributions on the part of localities. As it stands now, local governments can make up a large part of their contribution to the poverty effort in kind, by providing office space and other needed facilities. Every one of my colleagues knows that local tax revenues are stretched to the limit. Many local tax dollars are, in fact, spent as contributions to other Federal programs such as the war against pollution. To require 50 percent of the local share in cash serves only to risk the life of the antipoverty program in localities which are already having difficulty providing the necessary funds.

I know my colleagues will review with care the proposals that are before us. But whatever criticisms are voiced, whatever charges are levied against this effort—none will erase the fact of poverty—both urban and rural—in every region of our land; and none can explain away our responsibility to provide hope, funds, and guidance toward a longrun solution to the presence of poverty.

The specter of last summer's disturbances should turn the head of every Member of Congress toward the realities of poverty in the United States. Sadly, three in every 20 Americans lives in poverty as we meet today. In many millions of impoverished families, the cycle of deprivation, undereducation, and joblessness will persist for at least another generation—because a large percentage of these Americans have not yet been reached by either public or private antipoverty job and education programs.

The Federal antipoverty program, directed by OEO, has focused for the most part on youth—and rightly so. If we are to arrest the cycle of poverty we must prepare the children of the poor for a positive, productive, and self-sufficient role in our abundant society. Through job-orientation programs, through Headstart, Followthrough and other OEO-funded programs, we are doing just that. But let no one be misled into thinking that OEO has reached out and afforded adequate economic and educational opportunity to all of our poor. Many of the local programs have barely scratched the surface of filling the need for attention to impoverished people. It has taken time to find and equip skilled people to staff and execute these programs, and it will take additional funds to extend them to the poor.

We are at a crucial stage in the poverty program. The urban riots of last summer have laid bare the roots of deprivation and indirection of the urban poor. But we have in OEO a structure which, if sufficiently and wisely nourished, can, by providing help and concern where it is needed, help to snip off these roots, and replant them as roots of productivity and accomplishment more in keeping with the mainstream of America.

It may well be that a few years from now, when the antipoverty effort has matured, and hopefully when the dire need for attention and action on this problem has diminished, we can look toward turning over some of OEO's program functions to long-established Federal agencies. I think it would be a serious mistake to sacrifice the OEO structure at this point. OEO is geared to concentrate, to specialize in problems of the poor. More than ever before, we need the capacity to focus directly on poverty, and to snuff it out. Other larger and longer established agencies have many-faceted responsibilities beyond the problem of poverty. Let us not turn over to the builders the job of rebuilding until after the firemen have put out the fire. OEO's independence in the war on poverty is essential to program success; OEO was built to quench the fire of poverty, and if provided with the tools and money it needs, it can do the job.

It is also appropriate to take this opportunity to note the increased responsibility for the economically deprived which private industry has assumed since the inception of OEO. Industry is to be commended for the initiative it has shown in joining forces with the Federal Government to combat poverty and its consequences. Rochester Jobs, Inc., a nonprofit organization sponsored by some 40 of Rochester, N.Y., leading employers, has made significant progress in placing previously unemployed or underemployed residents of the inner in productive jobs. This example, which can be duplicated many times across the Nation, should be a source of much encouragement to all Americans.

The $2.06 billion authorized under this bill is only a modest increase in the funding level over last year. We can provide no less, unless we choose to turn our heads from the squalor and misery in our own midst.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield 10 minutes to the gentlewoman from Ohio [Mrs. Bolton].

Mrs. BOLTON. Mr. Chairman, I would say at the outset that I have spent many hours on deep consideration of this bill. I have noted with dismay the large expenditure of moneys and the seemingly small results as the program got underway. Of course, I have not been able to study each program but I seem to have reached a point where I can look at the overall of mistakes and successes from a new vantage point: What is being accomplished in the matter of human values. Let me remind you here that new ventures almost always go through a period of errors of judgment both financially and in the personnel field.

Many years ago a group with which I was associated proposed to establish a magazine for teenage girls. There was not any such thing in existence at the time. The professionals who studied the field advised us we would have to plan for at least 5 years of functioning in the red before the project began to break even and actually pay. Five years. That was considered a very short period, dealing with a new area.

We have not been operating anywhere near 5 years on the poverty program yet. The so-called poverty bill came into being in 1964. It opened the door to a new world—a world of deep desire to put an end to poverty. I am sure that many people found a Bible phrase echoing in their minds that gave them a sort of alibi: "The poor ye have always with you." Yes, probably they will be with us as long as even the youngest Member now in this House lives. But is that a valid reason to fail to try to lift the youngsters out of the quagmires and the deserts of their lives today? For myself, I do not think it is.

This does not mean that I accept the money wastes and the inadequately prepared personnel as necessary. No, indeed. But I do believe that much has been learned in these some 36 months that will make the going easier. And I believe we should give the whole idea a longer time for what is really an experimental period.

Some of you, I know, are working with youngsters. Have you not found that the one thing you have to do first is prove to them that you care about them and for them? Only then do they listen to your words and watch your actions, absorbing the realities of the examples you become to them.

As a matter of fact, is it not possible that this bill is the result of a guilt consciousness we have been carrying not only for years, but even for centuries? Perhaps the impact of a new sense of responsibility as citizens of a free country has made us attack the problem too emotionally. We seem to have felt that money could be made to answer all needs. But have we not found that it does not answer? We are too impatient to achieve results and try to reach goals with the cold metal of money. How long will it take us to believe that caring, that loving is what is needed, that is the essential ingredient that must be used if we are to help people, both the deprived and the depraved?

How much money have we put into this so-called poverty program, in these 36 months?

The first year— approximately $800 to $900 million.

The second year, 1965, $1,500,000,000—Public Law 89–253.

The third year, 1966, $1,612,000,000—Public Law 89–794—with a supplement of $75 million for the summer.

For 1967 we are asked for $2.06 billion. I am not here in this well to say we must give so huge a sum—certainly not before every effort has been made to cut down and do a better job. We should be able to do much more and do better with less. I am here to say that I cannot live with myself if we stop the doing.

When I was a little girl, my father insisted on my reporting to him each week on what I did with the very large sum of 10 cents, which was my weekly allowance. The first time I took it to him, he was as cross as he could be. I said, "What is the matter? Is it not accurate?" "Yes," he said, "it is accurate." I said, "What is the matter?" He said, "You have used it all on yourself—you have done nothing for anyone else."

From that day on I have done all that I knew how to do, with the light I had, for people less fortunate than I. Each of life's experiences has given me more light, the inestimable privilege of membership in this great body most of all. Here I have had to reach out into every area of living. With each new revelation there has come a greater sense of the responsibility carried by those who have had opportunity for those who have not.

How to know which way to go, which decision to make? My New England blood keeps my feet on the ground even when my heart cries out for larger giving. I have learned that one has no right to weaken people by too much and too easy giving.

Character building is the basis for all growth. Discipline is needed. This poverty bill has that still to learn, I believe.

These youngsters are working in the Job Corps. We have put in quite a bit of money for them.

We have provided a lot of money, but without the Job Corps the cost would be $15 million a year in welfare, prison, and other expenses. That is what it would have cost us if they had not gone into the Job Corps.

It is expected that this will produce $5 million a year in tax revenues.

The 1966 amendments to the Economic Opportunity Act place a ceiling of $7,500 as the amount which can be spent on a single enrollee in a center or a camp.

I want to say something about that. This is not just sending children to school. It is not that by any manner of means. Many of these youngsters have no shoes. Most of them do not have adequate clothing, to make it possible for them to go, with their heads in the air, into a new environment or into a new school.

Why do we send them across the country, to go to different places? We know perfectly well that when a child spends his day with us and then goes home, that child reabsorbs at home faster than he absorbs anything from us in the daytime. It is far better to send them across the country. Yes, it costs more; but it does not cost what it would cost, this $15 million a year.

We had a Job Corps center in Cleveland that was a disgrace. It was just too bad. Then they changed the personnel, and the new top administrator, the director, was Zelma George, Dr. George. She has her degrees in social welfare and so on.

This is now called the miracle of Ansel Avenue.

I have spent a day there. It is the most wonderful place I was ever in.

Dr. George's attitude toward those young people, and their attitude toward her, makes me very proud—proud that this should have come as a result of a bill passed by the House. She is never through. If a girl wants her, she is there. If there is a need, she is there.

I believe that a great deal of the difficulty in respect to the Job Corps has been the matter of a lack of understanding on our part, because we have assumed it was just going to school, having schoolbooks, and things like that. No, it is much more than that. These youngsters must have a home. They must have clothing. They must have discipline when they go out and around.

We have extra police, and many things like that, to make the place adequate and safe for the girls, for them to be in that area. It is a very bad area, but so far we have been unable to find any other place to have the center.

There are 350 girls. Seventy percent of them get jobs and keep them. After all, that is pretty good.

I have seen them and I have talked with them. They have done all kinds of things. I have been very proud that this House saw fit to provide that program.

I am not proud of many of the things done as a result of the poverty bill by the poverty people. They have not understood the problem, either. I would just like to shake the ones who have not done well, to put them over my knee and to give them a good firm spanking, because there is no excuse for treating people as some of those youngsters and some of the oldsters have been treated. But we learn, all too slowly, perhaps, but fast enough to be able to feel justified in continuing our effort to share the better things of life with all our increasing ability.

Mr. BROWN of Ohio. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Chairman, as an individual Member of Congress who feels strongly that we have a problem which must be resolved in the area of poverty, I had hoped that the members of the Education and Labor Committee of this body would be able to hammer out generally acceptable amendments to the Economic Opportunity Act so that this legislation could be adopted by the Congress upon the recommendation of those in the House who are most expert in the field.

Unfortunately, the 1967 Economic Opportunity Amendments, as reported by the Education and Labor Committee, have been strongly criticized by both minority and majority members of that committee. And there is even disagreement within the ranks of the members from each party who serve on that committee.

Apparently, therefore, efforts to amend the legislation by which the program is governed must be hammered out on the floor of the House. This is not always the satisfactory way for the Congress to produce good legislation. But it is my hope that we can work out a bill that will be truly in the interest of the poor and will provide disadvantaged young people with a real opportunity to break out of the ghettos and become useful members of our society. For we all know that brilliance can be bred in poverty as well as in affluence.

We have an obligation to recognize and nurture productive citizenship wherever it may be and see that it has an opportunity to develop. The economic growth and prosperity of our Nation and the world require that human talents be given an opportunity to develop in the same way we would attempt to develop our other natural resources.

I feel Republican criticism has made every effort to be constructive in the hope of improving the good points of the war on poverty and correcting or eliminating the bad points, with the ultimate aim of trying to salvage the whole program from the stench of politics and bad administration. Many of my colleagues on the other side of the aisle have also made sincerely constructive suggestions.

Perhaps the best suggestion that has been made thus far was by the Director of the program himself who suggested that he would resign if he did not receive from Congress all that he felt the program should contain. I doubt that this threat from the administrator of the program, which has generally been badly administered, will frighten many Members of Congress away from the exercise of their own good judgment concerning the program.

Personally, I intend to pick and choose very carefully among the many amendments which will be submitted to the House within the next few days, because some of the programs which have received nationwide criticism have worked effectively in communities in my area and some of the programs which have received the widest praise nationally have not been considered as successful or vital in the communities which I represent.

Our primary concern should be how we can break up the hard core of poverty which finds some individuals, some families, or some groups of people in certain localities unable to maintain themselves at economic standards which the rest of society has grown to consider as minimal. We should get down to the business of finding jobs for the poor; and, particularly, we should concentrate on those disadvantaged young people whose lives lie ahead of them. To fail to do so means that the self-sustaining, hardworking American citizen will have to carry the inadequate poor for the rest of their lives.

During the course of this debate, we have frequently heard the Biblical quotation that "the poor are always with us." That may well be true. And there may be a significant segment of our population which we will never be able to reach through self-help programs. But, while most of us are willing to be our brother's keeper, most of us would also like to have our brother be able to keep himself, if at all possible, so that we do not have to carry the added burden. Simply stated, I feel this is what this program is all about. Toward this end, I feel that determination of priorities of community action programs should be made at the local level. After all, where better can the judgments be made about the local needs and opportunities. A program may be most appropriate to the ghetto area of Harlem and highly successful there, but it may be completely inappropriate in the Appalachia area and predictably unsuccessful. I also feel that there should be representation by the poor who have a sincere desire to improve their lot and the lot of others. These poor, who do not want to be poor, can contribute greatly toward better determinations of what programs and priorities in their communities should be.

In the interests of economy and efficiency, I feel that the administration of Headstart and Job Corps programs should be transferred to the Department of Health, Education, and Welfare, and the Neighborhood Youth Corps should be administered by Health, Education, and Welfare and/or the Department of Labor.

But it must be remembered that we are facing the real possibility of a severe economic crisis in this country if we do not reduce Federal spending. We are spending in 1 month in Vietnam the total cost of the 1967 OEO amendments. We must make wise and judicious use of the taxpayers' money and not squander it recklessly. We are going to have to cut back on a number of programs, including the war on poverty. Indeed, we have already done so in many vital and worthy areas.

If the OEO program can be administered more economically and efficiently at a lower cost than the $2.06 billion authorized in the committee bill, then I feel every effort should be made to see that this is done. In my opinion, it would be better to put limited funds into a soundly based program, rather than throw money away on generally unproven or clearly unsuccessful programs and continue to create a bad public reaction to the total OEO program, including some successful and promising areas.

I also feel that the aid and assistance of the private sector of our economy should be enlisted in the war on poverty. For this reason, I have introduced legislation to amend the Internal Revenue Code to allow a credit against income tax to employers for the expenses of providing job-training programs.

I also want to draw attention to the program originated in Philadelphia by Rev. Leon H. Sullivan—Opportunities Industrialization Center (OIC)—in which he thoroughly involved leaders of business and industry. It is a self-help, self-motivated program to train or retrain men and women with untapped talents and unknown skills, who are unemployed or underemployed.

Reverend Sullivan also thoroughly involved the Negro community of Philadelphia in his program and the early financial backing and the ideas came from the people themselves. In the words of Reverend Sullivan:

> All manpower programs do not succeed and they fail because they are handed down from the top and the people never identify with the mechanism of the program. OIC came from the people.

The Philadelphia program prepares trainees for jobs that already exist, and the training is realistic, based on advice from companies where they will be employed. It is considered an unqualified success and similar centers are being established across the country. The U.S. Chamber of Commerce and business and industrial leaders have expressed interest in it. Within the past 2 weeks the national chamber passed a resolution urging chambers of commerce all over the country to establish training programs similar to the OIC program.

We can and must involve more voluntary help from the private sector of our economy in resolving the problems of poverty. This is particularly true because of the needs in the poverty area and the desperate fiscal situation of the Federal Government which makes it unlikely that Federal funds alone can meet these needs. More involvement is also desirable from State and local levels of government.

No, Mr. Chairman, I do not intend to vote to kill the poverty program. Some program in this area of need should be fostered. But neither do I intend to flinch from the logic of eliminating wasteful and unsuccessful portions of the program, nor from the responsibility of reorganizing it for increased efficiency. Nor, Mr. Chairman, will I be reluctant to vote to reduce the amount of Federal funds which should go into this program at this time, because our Nation's fiscal situation requires that exercise of judgment, and to fail to do so could reduce all Americans to desperate economic circumstances. If we are to have a government which can attempt to resolve the problems of the poor, that government must be an economically sound one.

As public servants, we must have a heart and a hand for the needs of the less fortunate, even when these less fortunate may not seem to deserve our full sympathy. But we must also have a head and a backbone to protect the interest of Federal solvency and the American taxpayers—including some who feel that they are poor—who ultimately pay the bills for such programs.

Mr. PERKINS. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. DENT].

Mr. DENT. Mr. Chairman, I do not intend to read a prepared copy of an analysis of the so-called Goodell-Quie substitute. I would rather just say a few words relative to this serious subject.

Poverty is not hard to define. It starts out first as an inconvenience, progresses to a hardship, and ends up as an affliction. Throughout the lifetime of man there has not come forth an economist or a doctor of any kind who has developed a serum either to prevent it or to cure it. The ancient Athenians tried it with their make work programs. The Romans tried to do something about it with their food programs. But throughout the lifetime of man it appears that as civilization has bettered the general lot of people, somehow or other property has increased in the same proportion

Poverty is awfully hard for one to understand who has not brushed closely up against it or, in fact, lived with it. So it goes beyond being a political issue to some of us. Perhaps as legislators we do not see a perfect bill before us or a perfect answer to the question of how best to do that which no other civilized nation has ever attempted to do; namely, to eliminate poverty as a way of life. Oh, nations have tried, yes, to alleviate the miseries of poverty, but in most cases it has been nothing but a program of hand-out relief or some other method of quieting the poverty stricken so that their voices could not be heard. Many of us who have grown up in communities that have died have watched poverty like a creeping paralysis spread over the community and its people. Once prosperous merchants find themselves packing their chattels and leaving the stricken ghost towns. Doctors and lawyers, officeholders. Last are those who have little or nothing to take with them or little or nothing to use or to move out with them or who have no place to go. These become the derelicts who drift into the large urban centers. Then they are identified, because poverty has a way of isolating itself. You do not have to isolate poverty. By its very nature it compels isolation, because we walk past it. If we recognize it, we turn our heads away from it. If we do not recognize it, we go just as happily along. I know that there are going to be many arguments made and many amendments offered. There will be almost as many as there are Members of Congress. I say that because none of us have the answer to poverty as such. We will not believe, either, that anyone else has the answer. This committee does not have the answer, and we would be the first to admit it. I admire the gentlewoman from Ohio [Mrs. BOLTON], who plainly said to this House that all new ventures have problems.

And, there are features of the program as it is now in existence and as there will be, no matter what comes from this action on the part of the House and on the part of the other body, they will be objectionable to many people. But, Mr. Chairman, if in the end we achieve some measure of success in doing that which no nation has succeeded in doing—and we are now near the end of the 20th century of man, and yet there are those who demand on this floor that we do in a decade what mankind has not been able to do in almost 20 centuries. No, Mr. Chairman, we will not cure poverty and its causes, yesterday, nor today, nor tomorrow, because it is a self-breeding institution. But if we can make a start, first, by recognizing the symptoms and the disease, we shall be able to come up with a formula that will give to the future an answer to this problem.

Mr. Chairman, what is the good of the great progress which this Nation has made, progress which has been made more than any other nation in the history of the world, toward a greater prosperity, progress which has been made more than any nation on the face of the earth toward a greater personal wealth and more luxury than was ever conceived to be possible for the ordinary citizen?

Mr. Chairman, what good is all this if we, as the gentleman from New York said, have some 30 million of our people living in poverty? Poverty does not only represent the need and demands of the belly; it is also the needs of the mind.

So, Mr. Chairman, in this program while I myself have had serious doubts as to whether our approach was right and that, perhaps, we ought to do nothing but aim toward a job for each family which is suffering in poverty, I find upon second, third, and fourth thoughts that, perhaps, there has to be more than a job.

Mr. Chairman, I know that insofar as poverty itself is concerned, the matter of the economics of poverty are concerned, that the ills will not be cured until there is an income-producing factor entered into the poverty families. But, Mr. Chairman, I find also that many who are not qualified to be in the poverty area because of the fact that their income must be above the minimal income we have established as a qualification, no less, to be considered in poverty, that amongst these citizens, there are many with incomes far beyond the minimal aim we have set, many who would be described as "poverty families," because they have not had all of the things that make up the complete, as I understand it to be, the complete way of life of those of us in the United States more fortunate and perhaps amongst them, Members of this Congress.

Mr. Chairman, there are those to whom the word "poverty" might bring up some memories, and while today they happen to be treading the great highway of affluence, without any worries about their financial status, their economic well-being, they know that only by a fluke of nature and being at the right place at the right moment, or making the right decision at the right time, they have been denied that great privilege of being counted amongst the poverty-stricken.

Mr. Chairman, there are many in this House who will oppose merely for the sake of opposition. There are those who will sincerely oppose because they believe that we are going down the wrong road. But, there are many who will oppose simply because they believe they can find a political advantage in opposition.

Mr. Chairman, no one can measure the temper of the people to the point that they can establish positively how the people feel about what we are doing in the antipoverty program.

Sure, there are those who have abused the privileges of the positions they have gained under this program, but that you will find right here in the House of Representatives.

Mr. Chairman, I want to just say in closing, before the Members make their final decision, they should just think as they go past one of these slum areas in their district, and think to themselves "There, but for the grace of God, go I."

Mr. Chairman, in the beginning of my remarks I referred to an analysis of the so-called Quie-Goodell substitute. The analysis is as follows:

GOODELL-QUIE SUBSTITUTE FOR TITLE II OF H.R. 13894

If ever there was a case that illustrated the dangers of trying to bring a major legislative proposal directly to the floor of the House without the benefit of Committee consideration, this is it. The measure is a disjointed, badly drafted scheme which raises numerous questions. It seems to have resulted from a marathon Hollywood script conference. Every participant has thrown in his own spur-of-the-moment "zowie" idea.

This proposal won't fly; it won't even get off the ground. It's a mixture of unconnected parts, with no center of gravity, no overall design. As might be imagined the drafting problems are numerous and severe.

Before considering the proposal in its various parts, the major problems should be identified.

INCOHERENT STRUCTURE—CONFLICTING POWERS AND RESPONSIBILITIES AT FOUR LEVELS

The authors could not finally decide whom they wanted to do what under their proposal. Instead, they've provided something for everyone but the end result is likely to be delay and less for the poor.

IRRESPONSIBLE NEIGHBORHOOD COUNCILS

At the lowest level there are Neighborhood Councils and Committees. These neighborhood groups may not only propose programs for their own neighborhoods; they may also veto programs that they don't like, and apparently they can do that even after the programs have started with their blessing. They needn't give any reasons for a change of heart.

Given this absolute power, one would expect the authors to make it very clear who has the responsibility for establishing these councils, what areas they are to serve, when they are to have elections, what is to be done when two factions are in disagreement, and the like. But there isn't one word about any of those things. For all one can tell, a community action agency would be helpless to step in if a neighborhood council or committee collapsed or was seized by one clique or found itself stalemated.

These Job Opportunity Boards deserve separate consideration in their own right, but the first point about them is that apparently the community action agencies have no power to modify or revise the proposals of those highly unrepresentative Boards. At least the proposal gives no basis for claiming such a power.

STATE AGENCIES WITH ONLY THE POWER TO CONFUSE AND DELAY

Under this proposal, the States are given great responsibilities. Yet there is hardly anything they can do that the Federal Government cannot undo or modify as it sees fit. The net result is that they have the power to unscramble the community action agency's eggs, but the Federal Government can rescramble them according to its own liking. What this finally comes down to is the power of the State to delay and confuse a process which is already long and complicated enough.

The States not only define communities and select community action agencies (and/or qualified substitute agencies). They also review and approve or disapprove locally proposed programs, for inclusion in or omission from a State plan. But, again, the Federal Government can disapprove, modify or ignore the plan. Indeed, the Director of OEO can ignore the State agency in which these powers are to be vested and "assume the responsibility of the State agency" in his own right!

No one should think that because the State has final power in these areas, it won't have plenty of political leverage to exert influence over local programs. The ability to delay programs or to disapprove them subject to Federal intervention is in itself a political power. The point is that it is a negative power since the State is not required to contribute one cent of its own resources to community action programs. Irresponsible power is the worst kind. It makes people light-headed and arbitrary.

All responsibility for training, technical assistance, and evaluations in connection with community action programs is placed in the State. Why this should be so is not clear, since States have no special competence in designing or conducting local programs.

On the other hand, the States are not given authority to conduct regional or rural area programs, where everyone concedes that they have a valuable role. The result is that the poorer rural counties are left largely to their own devices.

FEDERAL SUPERVISION—TOO LITTLE AND TOO LATE TO BE MEANINGFUL

Finally, after a simple proposal for a neighborhood center has navigated this long tortuous passage, it reaches the Director—if it isn't already too late to run the program, he can re-examine it and perhaps do the whole thing over. One might well ask why it reaches him, or conversely, why a State agency has been needlessly interposed when it has not been given the power to contribute anything but delay and confusion.

Furthermore under the structure proposed, it would be impossible to delegate programs to other Federal agencies, if at some future time this should be desired.

ENDLESS DELAYS—AN OBSTACLE COURSE TO FUNDING

The substitute proposal will add intolerably to the already lengthy funding process. At present in big cities the preparation, submission, review, approval, and funding of community action programs is nearly a year-round process. In every community it takes at least several months. The substitute proposal adds three more stages which will at least double this time.

Before a community action agency can even approve programs for submission to the State, it must clear them with local neighborhood councils even though those councils are not acting as delegate agencies for the programs. It must also wait for the local Job Opportunities Board to develop manpower programs which may use half or more of the community's allocated funds. At the same time, a qualified substitute agency for the same community may be developing its own proposals, so that neither agency can be sure just how much money is available to it.

The State agency must review the proposed programs and may require modifications. So the whole matter may have to be marched back down the hill again. Moreover, each local program will have to be held up until every other part of the State plan is approved. This is the convoy system where everyone must travel at the rate of the slowest community action agency.

Finally, the proposed program reaches OEO for review. But the Director must review not only several thousand local proposals but 50 different State plans. Moreover, if he disagrees with a State's plan, he must offer it an opportunity to answer his criticism before he decides. And if he finally disapproves a State's plan he must reallocate the money to other States, even though their plans may not anticipate that.

This entire process must be completed before the start of a new fiscal year. This means that the Director must have the manpower to handle an almost incredible traffic jam each spring. He would be unable to space proposals out through 12 months as OEO has tried to do in the past. Assuming that he can do this, the administrative costs will be huge and the time span from local program preparation to final Federal funding will probably be well over 12 months. Moreover, the reallocation authority is really a theoretical one—the funds will have lapsed long before they can be reallocated.

STATE PLANS FOR COMMUNITY ACTION—A CONTRADICTION IN TERMS AND A FALSE ANALOGY

The paradox that State governments should be the arbiters of the specific needs and solutions of local communities would be laughed out of any modern State legislature. It goes squarely against the trend to increasing home rule. It is only in Congress, which has no real responsibility for State-local relations, that such a notion would seriously be proposed.

What does it add to the existing statutory framework of community action? Delay, friction and confusion. Delay, because the State's review of local proposals and formulation (subject to reconsideration at the Federal level) cannot help but add another three or more months to the funding process if the State is to take its responsibilities seriously.

There is bound to be friction because the State is not required to contribute any program resources and community residents are bound to resent being told by someone in the State Capitol that they haven't properly conceived their own local problems and needs. Suppose, for example, the community agency proposes to run a legal services program and the State disapproves because the head of the State community action program thinks family planning is more important.

Confusion is certain, because State governments have no competence to assess grass-roots needs and formulate programs to meet them. The sponsors of this proposal recognized that when they proved that the Director could override all or any portion of a State agency's plan and would even assume the functions of the State agency. In other words, the whole idea is hedged. When someone hasn't got the courage of his convictions, it is time to consider whether they are good convictions.

But if the community action agency can appeal over the head of the State agency to the Federal Government, it still has no certainty about where its program proposals stand until the very end of a long process.

Delay, friction and confusion are only part of the problem. Partisan politics are bound to dominate in any case where the parties in control of City Hall and the State Capitol are different. It is ironic that those who have criticized the poverty program for excessive involvement with politics should put forth a scheme which would make such involvement inevitable in virtually every State.

Moreover, each State is to prepare a State "plan"—this sounds like organization. But what would a State "plan" look like? It would not in any sense be a real plan with interlocking and mutually consistent parts. It would almost certainly end up being simply a list of the approved (as modified) proposals for various local communities within the State. It would not bear any resemblance to the State plans for Federal welfare and educational assistance because the community action program doesn't really resemble them. The entire idea is based on a false analogy, as a moment's thought demonstrates.

In the first place, community action is not a single purpose concept. It runs the range from neighborhood health services to legal services to consumer action to day care to manpower programs. Its variety is limited only by resources, ingenuity and outer legal limits. Indeed the substitute proposal recognizes this. Thus, there is no one State department that can provide guidance. For some types of programs. such as consumer action, there may be no competence at all at the State level.

Moreover, unlike welfare and education there is no tradition of State supervision or of State contribution of tax resources. No such contribution is called for by this proposal. Lastly, health, welfare and education problems affect every community, but other problems which the community action program attacks are not universal at all and, even if they were, the solutions will differ immensely between a rural community and a large city. Take legal services, for example. In a rural area, a circuit rider arrangement or a modification of judicare may be the best solution. In a big city neighborhood law offices are more likely to be needed. The type of caseloads will also be different. In one case the local bar may oppose a solution which is embraced in another place. The poor may respond differently in different areas to the same kinds of programs. Local people best understand these matters.

The State plan is another case of a foolish consistency which can only cause mischief. It takes no account of the changes made by the Committee on Education and Labor to insure a strong voice for local public officials in community action agencies. Nor does it recognize that that bill, with its provisions for Governor's review and State technical assistance, provides plenty of leverage for any State to assist its local communities and secure modification of the occasional proposal that runs counter to basic public policy.

On the other hand, under the substitute proposal the State is not permitted to undertake one vital function for which it clearly does have the best competence that is, to assist sparce rural areas in developing and conducting programs. There is no provision, as in the Committee bill, for the State to serve as a temporary or permanent sponsor of community action in those areas.

CONFUSING FEDERAL-STATE RELATIONSHIPS

Evidently beset by doubts that the States could really discharge the major responsibilities imposed on them under this proposal, the authors have hedged their bets at every point by permitting OEO to overrule, ignore, or bypass the State agency and its plan at every point. Subject to certain procedural requirements, it can—

Disapprove the participation of a State altogether;

Suspend grant to a State agency;

Overrule any action by a State agency;

Assume the responsibilities of a State agency in his own right;

Disapprove in whole or in part a State plan. He can even modify specific local program components or make grants or contracts in disregard of the plan;

Bypass a recognized community action agency and contract with a qualified substitute agency.

What this means primarily is that nothing is ever settled at the State level and the time required to settle it at the Federal level will add substantially to the delays already inherent in the State plan scheme.

It is also a built-in source of friction and uncertainty because it invites second-guessing of the State by the Director and controversy between the two over the standards which the Director is to apply in his review of State plans.

The problem of Federal review is particularly acute because the authors have not done any better in the way of establishing standards for the Director. For all it appears, he can simply second-guess the State, disregard its recommendations, and substitute his own personal standards in doing so. Indeed, his discretion is emphasized at every point in the enumeration of his powers.

It is not uncommon that broad discretion is given to Federal agencies administering grant-in-aid programs, but this is usually in the context of a statute which makes no provision for the State plan. The concept that the State is to have a major responsibility for screening the proposal on which the Federal Government must act implies clear standards and relationships. They are totally lacking here.

MORE MONEY FOR JOB PROGRAMS—BUT WILL THEY HELP PEOPLE GET JOBS

As much as 50% of all title II money would henceforth be available only for manpower programs proposed by the local Job Opportunities Boards. The uncertainty arises from the fact that some part of this money would have to be made available for qualified substitute agencies approved under State plans or by the OEO.

This is a drastic shift in the past uses of title II funds. The money set aside for manpower programs would presumably be in addition to other funds provided expressly for those purposes under other titles of the substitute proposal. Compared to other needs in particular communities, this may be a case of overskill.

In any event, the local Job Opportunities Boards will be grossly unrepresentative both of organized labor and of many other relevant interests within their communities. At least half the membership of those boards must consist of representatives of private employers. The remainder shall be representatives of the poor. In other words, organized labor may be shut out completely from the development of programs which vitally affects its interests. Moreover, there will be no representation of public nonprofit agencies in the community service fields which constitute the second biggest labor market in the country today.

The kinds of programs which Job Opportunities Boards may develop for use of this half of all title II assistance are curious, to say the least. They must be designed to eliminate conditions "which inhibit or prevent the poor from *seeking* full-time jobs." Those conditions are relatively few: discrimination, physical disability, and the problem of mothers with small children. The basic employment obstacles suffered by the poor are those which prevent them from *securing* (rather than seeking) decent jobs. The sponsors of this proposal are apparently not concerned with under-employment, substandard wages, and other obstacles to employability of those who seek employment every day.

They certainly are not concerned with substandard wages because they have made no provisions for a minimum wage rate in these programs.

SPECIAL EMPHASIS PROGRAMS WITH THE WRONG EMPHASIS

This proposal makes hash of some of OEO's most successful special emphasis programs. In some cases, only the name remains the same, and sometimes not even that. "Comprehensive Health Services" has become "Basic Health Services" and in the metamorphosis it loses everything of value. Under the new program, only certain named diseases could be treated—these are the very disease areas in which the Federal, State and local governments are already concentrating their resources. To make it worse—these are not the ailments which most seriously plague the poor.

The concept of the comprehensive health services program is to provide a one-stop, one-door operation which would deliver the full-range of medical services. The project integrates existing sources of funds and OEO funds are used to fill the gaps. The idea is to do away with fragmentation which has become so severe that in most cities there are over 25 different clinics or agencies scattered about, each treating a different disease, some treating only children and not their parents and vice-versa.

This bill fails to provide the kinds of support for medical care that is most needed. Instead, it duplicates existing programs in a way that perpetuates all their widely recognized faults.

In the subsection on day care, the sponsors have added requirements which they failed to think through. First, preference for day care benefits is given to those who are receiving benefits under other specific Federal assistance programs relating to job training or placement. Superficially the idea has merit, but it ignores the fact that there are many women who are not in such programs but are receiving similar non-Federal benefits and there are others who, even without such benefits, could support themselves and their children if their children were in a day care program. For these women, day care is all the leverage needed to escape from poverty. Secondly, it requires that the parent repay the cost of the day care provided while he was in a training program as soon as his financial circumstances improve. Beneficiaries of work-training programs for the needy generally begin to work at salaries not very much above the poverty line. This day care provision gives a person a chance to escape from poverty only to snatch it away again as soon as he starts to work.

The proposal is likely to undercut incentives for the poor to enter training projects. Why should someone study, look for a job, work hard when there is little net gain—and given the costs of day-care in even the most minimal sorts of programs—when he may even emerge less well off than he was before.

The restrictions also make it impossible to coordinate day care with Head Start on a systematic basis and thus reduce the costs and increase the benefits of the child custody.

NO MAINTENANCE OF EFFORT REQUIREMENT—FEDERAL AID MAY BE SUBSTITUTED FOR LOCAL SUPPORT

Ironically, in a proposal to make sure that community action programs assist the States and urban and rural communities . . . to eliminate the principal causes of poverty, the sponsors have omitted any requirement that Federal aid be in addition to rather than instead of previous non-Federal support for the same services.

What that means is that Title II aid can be used to pick up the costs of local programs that have been operated for years and that a portion of the past non-Federal support for those same programs may be accepted as the required 20% matching share. Federal aid thus becomes a form of transfer payment.

The areas in which this omission invites the greatest abuse is in the vaunted bonus program which calls for a 50% non-Federal contribution.

So, whether by inadvertance or by design, the stirring intent stated in the preamble to this substitute Title II, namely, that States and local communities should bear the major responsibility for attacking poverty within their borders, is undercut by the absence of any requirement that they maintain even their past efforts in order to qualify for Federal aid to new efforts.

THE STATE BONUS PLAN—A SNARE AND DELUSION FOR POOR STATES

The most touted innovation of the sponsors of this proposal is the provision that a certain amount of title II funds should be set aside for bonus grants on a 50–50 matching basis to States which come up with plans for supplementary assistance. Since the proponents are advocates of economy, it cannot be assumed that they mean to provide additional money for these bonus plans. What they really mean to do is to cut back on the amount of 80–20 money and require that some of the funds under title II must be matched on a 50–50 basis.

The net result will be a corresponding reduction in the basic community action program assistance, i.e., 80–20 assistance available to each State. But in a peculiar inversion of language, the sponsors treat this as if it were a reward for good conduct.

The other major consequence is equally clear. The poorer States which cannot come up with 50 percent matching contributions will lose their bonus money and the richer States will get it by default. It is the rich States which will be able to raise the additional local money necessary to qualify for the bonus. They will pick up the bonus money at the expense of the areas, such as the Appalachian and Southern States, that need the money most.

The one qualification that must be made to these predictions is the fact that the sponsors have omitted any maintenance-of-effort requirement. It may be, therefore, that any State can automatically get its bonus money by treating its existing programs of aid to the poor as its matching contribution and simply using the bonus money to enlarge those programs or to supplant a part of the non-Federal assistance formerly given to them.

If that can be done, the pieties at the beginning of this substitute for title II are meaningless. On the other hand, if the omission of the maintenance-of-effort requirement is corrected, the result will be that the bonus money will go to those States that cannot afford to do so will lose part of the money that they have been getting under the present law. Either way, the proposal is nothing more than an ill-conceived brainstorm.

MAJOR REALLOCATION OF FUNDS

In a number of ways the sponsors have managed to alter the existing allocations of funds so that virtually everyone is hurt.

1. The States will lose some part of their present CAP allocations for 80–20 assistance because of the 50–50 bonus idea. The idea itself is to describe as a reward what is really a penalty in terms of present allocations, because whatever money is set aside for bonuses will come out of the basic pot of money—unless the sponsors intend to increase the over-all total of Title II by the same amount.

2. Each State will lose about 3 percent more of its present funding entitlement because the amount set aside for Puerto Rico and the Territories will be increased from 2 percent to 5 percent.

3. Within each community, the community action agency will suffer a drastic cut in funds under its control, because at least half of local CAP funds must be set aside for manpower-related programs developed by Job Opportunities Boards and other programs developed by qualified substitute agencies.

4. Other shifts will occur because of the division of each State's allocation into urban and rural portions, which are to be reallotted to other States if they cannot be used for those purposes within the first State of allocation. Assuming that data can be developed on a State-by-State basis, as the sponsors intend, these shifts can be expected to follow the dominance of urban or rural interests in the State administration and legislature.

5. To further complicate matters, certain programs have been chosen for poverty treatment. But what sort of national emphasis can be placed on programs that have little chance of receiving the funding necessary? Of the monies available for community action programs under the state plans, 5% is reserved for Puerto Rico and the territories, and 5% more for the so-called "bonus program" delusion. The State is authorized to take out its cut of 10% to run its State Commission, and must then divide the pot into urban and rural segments. Out of the dwindling monies the community action agency then receives, at least 50% must be set aside for manpower programs, or programs run by "substitute agencies" other than itself. Some monies are needed for administration of community action programs. The funds left will hardly make a ripple—much less enable meaningful progress—in meeting any of the needs singled out for special attention.

A NEW ALLOCATION FORMULA WITH CURIOUS RESULTS BUT NO REAL HELP FOR THE RURAL POOR

The proposal to divide each State's title II allotment into urban and rural portions introduces a new formula and an element of rigidity without getting at the real reasons why the rural poor have not been getting their fair share of those funds.

The real reasons are that the poor rural areas haven't been able to develop their own community action agencies and they haven't the resources to provide the required matching non-Federal share under title II. The Education and Labor Committee's bill would start to remedy both problems by encouraging the States to serve as community action agencies in those poorer areas.

The substitute proposal makes no attempt to solve the problem. It does not contemplate that States will serve as community action agencies in rural areas. Yet it requires each

State to spend its title II money proportionately on its rural poor or else lose the money to another State. The inevitable result of that will be to penalize the big cities, reward the wealthier farm areas, and leave the poorest rural areas not much better off than they have been because they will not be able to utilize the funds theoretically available to them.

In some States where OEO has made special efforts to help the rural poor, it is even possible that rural communities will be worse off because of this rigid bifurcation of urban and rural poverty. For example, in terms of the needs of its poor, Mississippi's money would be better spent in meaningful grants to the rural areas, rather than spent proportionately in cities such as Jackson and Biloxi which have relatively better resources to attack local poverty.

There are other anomalies in this feature of the substitute proposal. It permits the definitions of urban and rural poverty to vary from State to State, yet the Director of OEO has the last word. While he is expected to consult with the State agencies, he alone makes the decision. Yet, here if anywhere one would expect the authors of the substitute to have chosen to let the States make a binding decision.

The substitute also provides that any unused money in the urban portion of a State's allotment must be reallocated to other States only for urban uses; the same rule would govern each State's rural portion. One effect of this split arrangement is likely to be that money which might at least indirectly aid some of the poorer rural areas if it were spent in nearby urban and market centers of the same States will go by default to rural areas of wealthier States. Another consequence is that funds which were set aside but never used for the farm areas of one State (e.g., communities of 2500 or less) will be reallocated to towns and small cities in another State (e.g., communities of 25,000 or less) because of different definitions of rural poverty in the two States.

Lastly, under this proposal the reallocation problems will be made more difficult in any case because of the end-of-the-fiscal-year timing for approval of State plans, but they will be doubly acute if at the last minute the Federal Government must fit reallocated funds into the urban and rural portions of other States' plans.

NO PROVISION FOR PROGRAM TRAINING AND TECHNICAL ASSISTANCE UNLESS THE STATES PROVIDE THEM

If a State failed to discharge its training and technical assistance responsibilities, the local community action agencies and the Federal Government would have no authority or funds to remedy the deficiency.

Given the fact that State governments have little or no competence in many types of CAP programs (e.g., legal services and consumer action) it can safely be predicted that many communities will simply limp along without adequate help.

Of course, it would be possible for a State government which was hostile to a local agency simply to starve it out by not providing adequate training or technical assistance. If the Director concluded that the State agency was not doing its job, he could take over its functions, but it is extremely unlikely that he would or could do that because of failure adequately to serve specific communities.

DISCOURAGEMENT OF NEW DELEGATE AGENCIES

If ever a program needed to be open to new groups with new ideas, it is the community action program with its emphasis on a wide range of services, mobilization of local resources, and program innovation.

It is surprising, therefore, that the only agencies other than neighborhood councils and committes, that can qualify under this proposal to conduct local programs as delegate agencies of community action agencies are those that have "had experience in administration of similar programs." This limitation is as inexplicable as it is self-defeating. It makes a "clique" out of community action, keeping out newcomers in favor of the established agencies. If it had been adopted in 1964, many of the most successful local programs today would never have been started.

It works an especial hardship in rural and small-town communities where there are few, if any, established agencies. It would prevent the formation of any new legal services programs in areas where there was no existing legal aid society and the local bar association was either unable or unwilling to serve as a delegate agency. Only the Planned Parenthood Association would be eligible to run a family planning program in many communities.

STATE AND FEDERAL DICTATION OF LOCAL PERSONNEL AND PAY STANDARDS

It is surprising that those who protest most strongly their concern for local determination of programs should propose to leave community action agencies as powerless as they would be under the substitute version of title II. The most glaring case is the requirement that those agencies abide by personnel and pay standards which would be set by the Federal and State governments. Suppose the community action agency was a city or county agency subject to its local civil service requirements. Or suppose some Federal and State bureaucrats set a salary scale that was either higher or lower than necessary to secure capable personnel for a particular community. The result would be waste in one case and stultification in the other.

A SWITCH IN SIGNALS WITHOUT ANY TIME TO ADJUST

The last major problem with this new approach is that it changes virtually every major feature of the present law without allowing any time for an orderly transition. The result will be major disruptions and chaos at every level. It is as if the sponsors had set out to cause as much confusion as possible. Even though no one doubts their good intentions and sincerity, the result will be the same.

Consider just a few of the major changes that would be necessary under this proposal:

First, each state would have to reconstitute its present Economic Opportunity Act agency, to provide for greatly enlarged functions and a board representing a great variety of interests and groups throughout the state. It would also have to establish personnel and pay standards for all CAP agencies within the state.

Next, the state agency would have to divide the state into communities. In the process many existing communities would lose funds and others would have to adjust their boundaries.

Local community action agencies would have to designate job opportunities boards.

Neighborhoods would have to establish their own councils or committees if they have not already done so.

Funds within each State would have to be divided into urban and rural portions.

Community action agencies which are now on one refunding cycle would have to shift to another in order to satisfy the requirement that a State plan be submitted to the Director of OEO before the beginning of each new fiscal year, beginning now.

Communities would have to close down many programs in order to set aside money for manpower programs.

Ongoing special emphasis programs might need adjustment because of new statutory requirements. For instance, non-qualifying families in day care programs would have to be terminated.

Procedures for Federal review of State plans, including hearing procedures would have to be established.

These are merely some of the drastic changes required under this proposal. It can safely be predicted that more than one year would be required to accomplish all of them without the most serious disruptions. Meanwhile, the changes themselves will impose substantial hardship on the poor in whose name they are proposed. No business could possibly run satisfactorily if it were subject to preemptory reorganizations on this scale.

Mr. PERKINS. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. WILLIAM D. FORD].

Mr. WILLIAM D. FORD. Mr. Chairman, I rise to support the bill brought to the floor by the Committee on Education and Labor. This has not been the easiest bill to fashion for a presentation on the floor or that I have seen pass through that committee in my short 3 years here. There has been a great deal of compromise and there has been, as always in that committee—which is a very volatile group of people—a great difference of opinion with regard to certain parts of this legislation, and there are differences that still exist. However, I feel that the overriding importance of the Economic Opportunity Act to the people of this country—to whom promises have been repeatedly made and repeatedly broken by both political parties represented in this body—is such that my personal apprehensions about some portions of the bill are overridden by my feeling that I must support it. I hope that we can induce those who see here an opportunity for a short-term political gain by opposition to the bill, to see the light and come our way. I have no doubt that even in my own congressional district there would be short-term political mileage to be made by getting up here and tearing into this bill; or by talking about waste, talking about highly paid employees, and all the other shibboleths that we have heard for the last 3 years with regard to this legislation.

But, Mr. Chairman, I am not tempted in the least to this kind of action, because I strongly feel that the American people are beginning to awaken in terms of recognition of what this program is. We who support this legislation have said from the beginning that it is a program, to make taxpayers out of tax users, which rewards no one for just "being," but rewards them only for ambition and "doing."

I rise particularly today to speak in favor of the Job Corps. I am so very pleased to associate myself with the remarks of the gentlewoman from Ohio. I believe she has very eloquently pointed out the humanitarian reasons for continuation of this very worthwhile program, and also the sound economic reasons for continuing the program. I believe we can demonstrate that any attempts to cut the Job Corps will really be a cut in the future of this country, both in human resources and—for those who like to measure it in this fashion—in dollars and cents.

I am extremely hopeful that other members of the Committee on both sides of the aisle will, as I have, examine the importance of the real issue here. That being, whether we shall continue the

OEO programs as a successful experiment in human relations, or whether we should not continue them. I hope each of them will determine to suport the committee bill as it now stands. To join forces here as a group of people with some differences of opinion on specific aspects of the legislation but with no difference of opinion as to the importance of the ultimate passage of this bill, and that we may work together toward that end.

I am hopeful that there will be no severe cut, or any cut at all, in the really very limited amount of money that we are asking for. I believe that it is nothing short of shameful that we have to come to this Congress at this very important time in the history of this country—and I believe the gentlewoman from Oregon [Mrs. GREEN] defined it very well when she said that we are in the eye of a social hurricane—with hat in hand, and ask for a literally barebones program. Even if it were financed fully by this Congress, this bill would not begin to meet the needs that we have already recognized and which can no longer be ignored.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM D. FORD. I yield to the gentleman.

Mr. CONYERS. I thank the gentleman for yielding.

Mr. Chairman, I commend the gentleman because in the last couple of days the gentleman is the first member of this committee to admit that this is a barebones program—a bare minimum—even if we got everything we were asking for. In that statement, I agree with my colleague completely.

Mr. WILLIAM D. FORD. Mr. Chairman, as I have said, I rise to give my enthusiastic and unqualified support for the Job Corps program.

It has been charged that the Job Corps has been a "tragic failure." Let me say that the Job Corps record of accomplishments does not sound like that of a failure. It sounds much more like an outstanding success.

The Job Corps has taken nearly 150,000 youngsters from city slums and rural backwaters and given them things that most Americans take for granted—things like clothing that fits, three decent meals a day, adequate medical care, proper education and job training to prepare them for a satisfying adult career.

Of the estimated 109,000 youngsters who have already been helped by Job Corps, nearly 60,000 are known to be employed, another 9,000 have returned to school, and another 8,000 are in military service. Of the other 30,000 most of them did not complete their courses, and probably half of them face poor job prospects in the future. But even these 30,000 who were not placed in jobs have been inspired and motivated to at least improve their position in life.

Two significant statistics help attest to the improved success of Job Corps. First, the dropout rate—resignations during the first 30 days—has been cut from 30 percent in fiscal 1966 to 19 percent last year; and, second, youngsters who have completed Job Corps training are now earning an average of $1.70 an hour.

This second figure gives a key to the benefits of Job Corps. A recent study shows that for every $1 invested in Job Corps, $1.18 in benefits is returned to the young men and women in the program. This is a conservative estimate that does not take into account the intangible benefits that cannot be measured in dollars and cents. How can you measure the costs to society if these youths were not working? You would have to include the negative factors such as costs of welfare payments, unemployment compensation; losses due to crime, violence and vandalism, the cost of social rehabilitation for problem youths, and the cost of prison for those who graduate from delinquency to crime.

These are the facts and figures to keep in mind when Job Corps opponents contend that the program is too costly and that the results do not justify the investment.

Of course there were problems as Job Corps was developed. This is true in any new program which is created to meet an emergency. But these problems and weaknesses have been discovered and corrected. The result has been lower costs, tighter discipline, and better assistance for the youngsters. For example, the annual per enrollee cost of operating Job Corps Centers has been reduced from $8,470 in fiscal 1966, to $7,025 in 1967. This figure can and will be reduced even further, to perhaps $6,700.

But any thought of cutting the per-enrollee cost beneath $6,700 is utterly unrealistic. It would negate the entire concept of human renewal which is the very basis of Job Corps success. It would mean scrapping such things as medical and dental care, counseling, and education. It would mean sacrificing more than 12,500 poverty youths who would remain functional illiterates and who would be denied the opportunity for identity with society and the opportunity to assume roles as responsible and responsive young citizens.

There is no reason for such a sacrifice. Job Corps is not only financially self-sustaining; it is financially profitable to this Nation.

Assume that Job Corpsmen continue to earn $1.71 an hour for the rest of their working lifetimes, for 40 years, he would pay back to the Government a total of $11,200 in income taxes. If only 26,500 Job Corps graduates—less than a third of this year's output—continue to work for 40 years, they will pay back in taxes nearly $300,000,000—a figure higher than the Job Corps' requested budget of $295 million for the coming year.

Job Corps is successful. It is a new and different approach to an old problem. Those who would transfer it to HEW or the Labor Department are demonstrating that they completely misunderstand the objectives of the Job Corps and have no perception of its accomplishments. The simple fact is that one either believes in the program, or he does not.

One either believes in the rightness of education, counseling, medical care, job training, or one does not. Those of us who believe in Job Corps accept the fact that these things cost money. Those who do not believe in Job Corps cannot justify any cost, no matter how low it might be cut.

There is one group of Americans who do believe in Job Corps—those who have directly benefited from the program. These are youngsters who previously were qualified only for such menial tasks as carwashers or babysitters. Today they are auto mechanics or office workers or salesmen. Their average pay before Job Corps was $700 a year; now it is about $3,600. And they have learned more than just the bare essentials of their jobs—they have learned respect, punctuality, dependability and how to get along with their coworkers.

Some critics complain that corpsmen are not placed in jobs for which they were trained. This may be true in some instances, but these auxiliary skills that they have learned will help them to success in any vocational field.

Job Corps opponents have reached deep into the barrel to find ammunition for criticism. They have come up with the failure of the program for nonresidential employees. It is true that this aspect of Job Corps has been a disappointment. Job Corps experimented with some 600 nonresidential enrollees. These youths continued to live at home, and were transported by bus to and from the Job Corps Center each morning and night.

These nonresidents received the same clothing, medical and dental treatment, the same allowances and services that the resident enrollees received, but there was one big difference. The nonresident did not enjoy the evening advantages—movies, the hobby shop, live entertainment, group discussion and after-hours counseling. Instead, he returned each night to the "losing" environment of broken homes, families on welfare, unemployed males and working females. Too often, the dope peddler or pickpocket was the only successful male in sight.

But the success of the residential Job Corps program remains as a bright light that no amount of criticism can diminish.

There are still two basic problems facing Job Corps today—a pathetic lack of unanimous support right here in Congress, and the fact that the Job Corps program is still far too small to meet the tremendous need that exists.

These are two problems that cannot be solved anywhere but here in this Congress, and in the minds and consciences of those who will decide the future of Job Corps.

In closing I would ask that you look very closely at the "opportunity charade"—and I am not misspeaking myself because I think for far too long the semantics game has been played with the so-called opportunity crusade. I think that correct semantics would dictate that it should be recognized for what it is—an "opportunity charade." It has been for 3 years a thinly veiled bomb used exclusively for the purpose of blowing this program out of the water. It is dressed up in a little fancier covering this time than ever before, but it is still a charade and will always remain that way.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield 7 minutes to the gentleman from Illinois [Mr. ERLENBORN].

Mr. MICHEL. Mr. Chairman, will the gentleman yield?

Mr. ERLENBORN. I am happy to yield to the gentleman.

Mr. MICHEL. Mr. Chairman, we have heard time and time again of these so-called Poverty Warriors engaging in partisan political activity in clear violation of the Hatch Act.

In yesterday's local elections just across the river in Virginia we witnessed the executive director of the United Planning Organization of Arlington County for the second consecutive year working the polls in Glebe precinct.

Mr. John Robinson, field supervisor for the Arlington community action program at an annual salary of $6,396, was not only openly representing the Democratic Party, but he was handing out Democratic ticket sample ballots and verbally instructing Negro voters of this precinct that this was how they should vote.

Mr. Chairman, these voters were bused to the polls, their names were written down—which incidentally is not the general practice in Arlington—they were given a Democratic sample ballot and told to vote according to the ballot.

This is a clear-cut violation of the Hatch Act by a Federal employee and we have witnesses to prove it.

I just hope that when we get to reading this bill for amendment we will write in some strong prohibitive language closing the door to this illegal electioneering activity.

Mr. Chairman, I thank the gentleman for yielding to me to make this observation.

Mr. ERLENBORN. Mr. Chairman, I thank the gentleman for his contribution.

I certainly hope that now that he has made this revelation that some action will be taken.

Mr. Chairman, we are here today to consider what should be done at this point in history with the problems of the poor in this Nation.

A few years ago politically—cynically, politically conceived was the so-called war on poverty. For several years it has been administered in a cynical, political manner.

I say this, Mr. Chairman, because we have any number of instances such as the gentleman from Illinois has just revealed where community action programs have been used for political activities.

Any number of my colleagues on this side of the aisle can tell you of instances where the person who has been his opponent in a political campaign, or his predecessor in office—if he happened to defeat an incumbent—have wound up as employees of the war on poverty in one place or another.

In my own instance, for example, in 1964 my Democratic opponent within a few short months after being defeated wound up as the director of a Job Corps camp. He did not last very long because a few months after that there were riots at that camp and he subsequently was relieved of his employment as director of that Job Corps camp.

Only too often we have seen positions in this war on poverty used to reward the Democratic faithful—and this has been documented time after time.

Mr. Chairman, the question now is: Are we going to continue a program that has as its basis a theory that the ills of this country can be solved with a program conceived in Washington, financed almost solely with Federal funds, and directed from Washington?

For my own part, I think this is folly, to think that we could have the resources solely at the Federal level, either financial, moral, or manpowerwise, to solve the poverty that exists across the Nation. That is why the opportunity crusade has been designed to mobilize the resources at State and local level and, most important, the resources available to us in the private sector of our economy.

Take the Neighborhood Youth Corps as just one example. Here we have a program that involves either employment in public agencies or employment with Federal funds. As contrasted to this is the Industry Youth Corps that is provided for in the opportunity crusade, which would involve the active participation of the private sector. What could be more sensible than to have the employers who need the skills of these youths and these underprivileged, undereducated, underskilled, determine what skills are needed, and to provide the training so that these people can be useful in the places where the employment is available?

The Job Corps, at least up until recently—and I would hope that if the committee bill passes there might be some change in this—but the Job Corps throughout its history, at least until recently, has not at all been job-oriented. It has been taking youths out of their environment and putting them in residential training schools, teaching them skills, giving them a diploma, and sending them home. There has not been any job relation. If there is anything that will be a final answer to the problem of the poor, it is meaningful employment; not training, and retraining that leads to a dead end.

The opportunity crusade is job-oriented. In the community action program it would require that at least 50 percent of the funds allocated to community action would go toward programs that were job-oriented. It would require that the community action agencies would, in seeking funds and in mounting programs in the neighborhoods, form job opportunity boards involving industry, involving the business community in that neighborhood, and I think, therefore, leading to meaningful employment.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. ERLENBORN. I yield to the gentleman from Missouri.

Mr. CURTIS. I appreciate very much the point that you are now making that in order to do an adequate job of job training—I do not care whether it is the Job Corps, the Manpower Training Act, or whatever it is—we need certain tools, and I think it is time that the House of Representatives zeroed in on the fact that we still have not developed the jobs-available statistics which were not only recommended but were required in the Manpower Training Act. This administration did not even submit a request again this year for the cost of $2.5 million. How in the name of Heaven can you conduct any job training without this essential tool?

The Subcommittee on Economic Statistics of the Joint Economic Committee 2 years ago held hearings to be certain that we were not in error in thinking that jobs-available statistics were feasible and were really of this great need. The witnesses without exception, save one person, Mr. Goldfinger of the AFL-CIO, testified that these statistics were feasible and just as necessary as I am trying to express here in an intelligent training program. The reason given by Mr. Goldfinger—and his testimony, incidentally, ought to be read by as many as possible in the House and throughout the country—was that, if you develop these statistics, they would be misused to try to create the impression that there was not a problem in the field of unemployment.

Granted, any statistics can be misused, but I think it is a crying shame that for the past years and at the present time, for the lack of $2.5 million, or the concern of this administration and Secretary Wirtz, the Secretary of Labor—for the lack of $2.5 million—all of our job-training programs, whether in the private sector, Government, or whatever, have been badly hampered. The gentleman has put his finger right on a crucial point. I thank the gentleman.

Mr. ERLENBORN. I thank the gentleman for his contribution. I agree with him wholeheartedly. We cannot have any meaningful program when we do not know what jobs are available and what to train these people for.

I would like very quickly just to make two additional points. The Green of Oregon amendment, which was adopted in the committee, was adopted without any testimony from those who are affected. I just wonder about it, and I hope this debate will bring out answers to a few of the questions in my mind. I wonder how many States can qualify as community action agencies when under the Green of Oregon amendment they must qualify to be channels for these funds. I think many will be legally prohibited by their constitutions from being legally the action agencies. Let me quote the provisions on page 218 of section 603(b) of the act, as amended, and this is being added to the act:

> *Provided*, That the Director may issue such regulations as are appropriate to insure that each person seeking benefits under this Act has made a reasonable effort to become a registered voter according to the laws of the State of his residence.

In other words, you had better be ready and able to show you can deliver your vote, or you cannot get the benefits of this act. I would like to have those who drafted this bill give some rationale for language such as this in the act.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ERLENBORN. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I have the following telegram:

> Urge your approval of S. 2300, Economic Opportunity Amendments providing greater State involvement in OEO programs. Hope you will resist any attempt to reduce proposed $2.6 billion authorization.

That is signed by Harold E. Hughes, the Governor of Iowa.

Evidently the Governor does not know the bill number is S. 2388.

My response to the Governor is this:

> You express hope in your telegram that I "will resist any attempt to reduce proposed $2.6 billion authorization" for economic opportunity program. In view of financial crisis with which we are faced, I am shocked you would recommend an authorization which exceeds by more than one-half billion dollars amount recommended by President Johnson and House Education and Labor Committee, and which exceeds by almost one billion dollars the amount spent last year.
>
> In so doing, I can only assume you have not had access to the documented evidence of waste and extremely high administrative costs in poverty program; evidence which is too overwhelming to permit me to support the administration's request, let alone the higher amount you recommend.

Mr. PERKINS. Mr. Chairman, I yield 5 minutes to the gentleman from Maine [Mr. HATHAWAY].

Mr. HATHAWAY. Mr. Chairman, the swirling controversy about OEO; the conflicting statistics, charges, and countercharges may obscure what OEO represents.

It is a new awareness, attitude, and approach to poverty.

In the Bible, the Four Horsemen of the Apocalypse threaten to scourge mankind. There are, however, four ways of thinking about poverty that are as destructive to the future of mankind as any Biblical prophecy.

The first way of thinking about poverty is not to. To deny its very existence, Michael Harrington's book "The Other America" revealed the extent of this society's blindness to its own disease. Society's inability to check its own health is not new. The roaring twenties were for many people a wonderful time. Unfortunately, they were followed by the great depression and the grim thirties. All the factors—economic imbalance—uncontrolled speculation—the worsening state of the farmers that caused the depression were easily discernible in the twenties.

The second delusive way of thinking about poverty is that it is isolated and temporary. This attitude is reinforced by the self-made egotist who asserts "I was born in a slum and look at me now." Without challenging his premise that he made this miraculous transubstantiation unassisted and emerged unscarred by his experience, the fact is that fewer and fewer people are escaping from poverty on their own.

Third, there is still a vestige of the feeling that a poor person is somehow personally at fault. We are all conditioned by our environment and most poor people are born poor. For the philosophical purist, I can only say that to assist people who need help is not to deny free will.

Finally, there is an inane way of nonthinking, that assistance to the poor only creates more poverty: that people love squalor so much that if given financial assistance they will create other people to enjoy their poverty.

Fortunately and none too early, OEO is a rejection of these pernicious attitudes and a recognition of the extent and the challenges of poverty.

Of course, poverty is not new. The traditional way of handling the poor was to provide distraction and the dole. OEO is a legislative determination that while poverty has long been a fact of life it need not be on inevitable part of life. Such an attitude seems consistent with our American ideal and our belief in the perfectability of man.

While poverty is not new, poverty in the 20th century creates new dangers. The steady increase in population means that an increasing number of people were poor. These people were becoming alienated from our society, a dangerous condition for any society but particularly dangerous for a democracy that assumes that its citizens are able and will participate in its government, but poverty destroys people's mental and physical ability to participate in democracy. If you assume that every citizen should have a vote in his government, then we must insure that every citizen's vote is meaningful.

This is merely another example of democracy being a more costly form of government than totalitarian governments which are not dependent on the mental well-being of its citizens. Instead of considering cutting appropriations for this program, we should increase funds for OEO. The United States has a tradition of combining ambitious ideals with an unwillingness to pay for them. The juvenile court system, public education available to all and yet maintaining quality, even democracy itself are failing because of our inability to commit our resources in a manner consistent with our ideals.

OEO is also a new approach to poverty. It is a concentration of services to remedy poverty. Traditional institutions were not only apathetic to the special needs of the poor but were not structured to handle them. The teacher could not follow the student into his home, the social worker could not, for the most part, change the child's environment; the doctor could not enter the classroom. Basic services were fragmented and scattered. The inability to recognize the difference in OEO's approach as for example the Job Corps and the community health serivce centers and the present attempt to dismantle the Office of Economic Opportunity is the inability of many to admit or recognize that pat solutions do not always work; that sending a boy to school does not always result in that boy being a productive member of society.

The Job Corps has been a victim of this kind of thinking. Critics have brilliantly noted that a boy could be sent to Harvard for less money or that one could receive vocational training as an automobile mechanic for less money. These critics apparently cannot see that these comparisons are invalid because the job corps is not a college or vocational education institute. In short, it is not a traditional institute. Like most of OEO programs it is a panoply of desperately needed services from dental care to social adjustment.

Critics of the job corps while denying its problems, demand instant success. Figures of its cost have been bantered about proving only the willingness of some people to believe. The truth is that the Job Corps is a well-managed, and closely supervised organization. Its costs are steadily being lowered and it is engaged in a consistant evaluation of its performances and methods; a willingness to criticize and check on its own operations that is not matched by any of our traditional institutions.

Another OEO program that is frequently criticized is the community action programs. Let us be honest with ourselves. For the most part, community action programs have earned their critics. Community action programs are an attempt to make the poor a part of the community. To change the poor from alienated to active. This, of course, challenges the status quo and those who want conditions to remain as they are. When people with a vested interest in the status quo complain, it usually means that community action programs are doing their job. They are putting the idea of democracy into action. They are stimulating ideas and creating new solutions to old community problems. The growth of the Federal Government in the last 30 years was due in part to the failure of communities to solve or even to recognize their problems. For the community action programs are an attempt to make democracy relevant to the conditions of the 20th century. An attempt that is long overdue.

Some maintain that this attempt to make democracy meaningful at the local level is revolutionary. If this be revolution, let us achieve it peacefully.

Last summer suggests the alternative. What has Congress done about the riots? It tried to pin the blame on one political party or another, introduced a spate of bills requesting millions for law enforcement, indulged in pious cries for law and order, and done nothing. OEO and the civil rights movement preceded and exists independent of riots. OEO recognized the anarchy in our society before it was revealed in the streets of Newark and Cleveland.

In conclusion I can only quote a recent Look magazine editorial entitled "We Can't Quit Now":

> It is up to the Office of Economic Opportunity, not only to cope with the problems of poverty, but to argue the just demands of the poor from within the Government . . . We must make up our minds to do the whole job. It will be costly. It can't be done overnight. Business as much as Government must help. But we can end welfare waste, earn back our investment from the taxes and increased production of millions of new consumers. We have promised to let the poor in—and we can't quit now.

Mr. Chairman, let me go on and particularize about a program in my district about which I am particularly proud.

It has been said that "When you teach a man, you teach an individual: When you teach a woman, you teach a family." There is a great deal of sense to this expression, and I think it represents one of the main arguments for the continuation of such programs as the Women's Job Corps.

There are about a half million young girls growing into womanhood in this country who will multiply the economic and spiritual poverty of their own lives in their children—unless they can be imbued with a will and spirit that reaches out for the benefits of American society. The Women's Job Corps is not merely a program to train women for jobs: it is a preparation for a life that is self-fulfilling—a life that will influence and guide a family. It is the means through which an educationally, socially, and economically deprived young woman can find the security, the motivation, and the basic equipment to be capable of achievement in this world. It is one of the few and best weapons she has against the unjust and arbitrary contingencies of the life into which she was born.

The Women's Job Corps program is an entirely new educational experiment aimed at a renewal of the total human being. Eligible for this program are young women between the ages of 16 and 22 who are out of school, unable to find an adequate job, and in need of a change of environment in order to become useful and productive citizens. They come from broken homes, from poor schools and economically deprived communities—they have no skill, but have normal and often above average intelligence.

Because young women who enter the Job Corps have derived little benefit from conventional schooling, contractors operating women's centers are encouraged to develop new approaches, methods, and materials to provide the necessary education and work skills for the enrollees to become self-sufficient and responsible citizens. The basic skills prerequisite to all other learning—such as remedial, intermediate, and developmental reading, writing, speech and conversation, mathematics, social studies, and elementary science—are taught by qualified instructors in small classes.

Optimum opportunities are also made available to the corpswomen for self-teaching and continual learning processes through audiovisual materials, programed study courses, libraries, special tutoring, and group activity at the center and in the community.

Mr. Chairman, one of the best examples of the Women's Job Corps program in action is the Poland Spring Center located in my home district in southwestern Maine.

I have spoken before about the accomplishments of this project and about the public recognition and community support for these young Job Corps women. On the Poland Spring grounds, where Presidents Theodore Roosevelt, Taft, Wilson, Harding, and Coolidge once relaxed, young women from all sections of the country are now learning social amenities, sports and a vocation. In the building where Gene Tunney trained for his fight with Harry Greb in 1923 and Sonny Liston trained for his ill-fated battle with Cassius Clay 40 years later, typing, shorthand, and office management is now being studied.

Locally run, locally controlled, and mutually beneficial to both the area residents and the trainees, the Poland Spring Center is an excellent example of local success. An indication of the confidence that American industries have placed in the quality of Job Corps training is evident in the list of employers of Poland Spring graduates. Among the many respected names appear those of IBM, Blue Cross, the Federal Bureau of Investigation, the Veteran's Administration, Liberty Mutual Insurance Co., the First National Bank of New York, the Department of Mental Hygiene of the State of New York, Avco, the New York Telephone Co., Sanders Associates, and the Microwave Corp. In hiring Job Corps youngsters, these industries—perhaps the best judges of any training program in the final analysis—have expressed a vote of confidence in the Job Corps program. I have already read to you the remarks of several of these employers on the satisfaction they feel over the work that these Job Corps women are now doing. I should like to add to this support my own vote of confidence and my determination that the Job Corps program be continued as an integral part of the total war on poverty.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield 4 minutes to the gentleman from Michigan [Mr. ESCH].

Mr. ESCH. Mr. Chairman, this week and next, in this Chamber, the House will work its will reflecting the general attitude of the American citizen. This House, by its actions will give direction to its intent regarding the war on poverty.

There are two major facts that should not be overlooked here. First, there is the matter of continuing appropriations. By reducing the appropriation of the Office of Economic Opportunity from $1.4 to $1.2 billion, the House membership overwhelmingly indicated its lack of faith in the present system, and its desire to reexamine, redefine, and restructure the so-called war on poverty. But the greater significance of the House action dealing with the Office of Economic Opportunity was that it did not reject the poor and the war on poverty en toto—as many administration charges would have you believe. The truth is that Members stated their willingness to retain a major portion of the war on poverty by their vote for the retention of $1.2 billion.

Certainly public reports should emphasize equally the fact that this membership went on record in support of such a program. What remains now for Congress is the major task to forge in the next 10 days a redirected, improved program reaching out to break the no-education, no-employment, no-housing, false-hope, lawbreaking, riot cycle. Let us not allow a doctrinaire approach to obstruct the most basic need of this country—that of facing up to the social ills of our cities.

It is within this framework that we must expand the alternatives:

First. Do we desire to have the community action programs controlled by unresponsible political structures, or do we wish to have a balanced group involving community agencies, local officials, and the poor in decisionmaking? Clearly and objectively the latter is more desirable.

Second. Just how high a priority should the poverty program give to emphasizing technical and cooperative training programs for the unemployed and underemployed? While the committee's bill indeed places more emphasis in this area, clearly the thrust is inadequate. We must develop a more efficient structure involving private industry. The substitute will do this.

Third. To what degree and in what way can this body give emphasis to special programs—such as the essential family planning program? Both the committee bill and the substitute recognize this need and include provisions for it.

Fourth. Should we reexamine the administration of these programs toward a more efficient operation of the war on poverty? The committee bill allows much inefficiency to continue—the minority bill strikes out against inefficient administration.

These are but a few of the major issues.

Let the issues, not emotions, prevail in the next 10 days. Let us not be so unreasoning as to think that any one of the over 80 committee amendments was an "improvement"—while any one of the amendments presented on the floor by the minority is an attempt to dismantle, to destroy, to kill the program. Let us forge an effective and efficient program to help the poor and then let us have the courage to fund it—not at the $1.6 billion level as proposed by the majority member, chairman of the Appropriations Committee, but at a figure approaching the $2 billion level.

If we are to set priorities in this Congress, let us give the highest domestic priority to our Nation's No. 1 problem—that of solving the social ills of our cities.

Mr. Chairman, together with a number of my colleagues, we have prepared an analysis of the differences between the two approaches, which I append as an extension of my remarks.

Mr. Chairman, we favor a fundamental redirection of the war on poverty to meet the needs of our fellow citizens who are trapped in poverty.

America today desperately needs an effective program to help the poor in a meaningful way. Our proposals would provide for proper administration of major segments of the existing antipoverty programs while redirecting the remainder strongly toward overcoming unemployment and dependency. It would use Federal funds in large part as seed money to help enlist the enormous resources of our free enterprise economy and to increase the scope of State participation.

Our opportunity crusade proposals, for example, would authorize an annual Federal expenditure of less than $1.4 billion, but would generate a total investment of public and private funds well over $3 billion. The resultant revitalization of the program is impossible to calculate in dollars.

COMMITTEE BILL IS WINDOW DRESSING

The Democratic majority rejected out of hand all major proposals for progressive changes in the present program. The majority tinkered with various window-dressing changes that would cure none of the basic problems with the programs. Then they came to the section on community action, and responded to the most regressive demands of members of their party who apparently have little sympathy for the concept of involvement of the poor. They carved the very heart out of community action in an attempt to pick up enough votes to pass this bill.

We have long proposed that State and local governments be involved in community action in a truly meaningful way. The majority, having utterly ignored such suggestions for 3 years, overacted, and now propose to turn the whole program over to city hall.

Other than this, and an unfortunate dilution of the residential character of the Job Corps by the additional of a nonresidential component, the committee bill would not substantially change the faltering "war on poverty."

OPPORTUNITY CRUSADE CHARTS A NEW COURSE

The proposal rejected by the majority would chart a new course for the war on poverty and give new hope that the problems of poverty in America can indeed be solved without bitter and interminable dissension and without squandering tax moneys in a time of fiscal crisis.

We would make the following basic changes:

First. Community action programs would be continued but would be reoriented in a major degree toward helping the poor obtain decent jobs; agencies would continue to be independent with a strong representation of the poor, but there would be an effective mechanism for the participation of State governments and an assured role for local governments.

Second. The taint of politics and of political manipulation—which characterizes the program at all levels of administration and which would be institutionalized by the committee bill—would be removed.

Third. New initiatives—such as the establishment of an Industry Youth Corps and the automation of job opportunity data—would be taken to strengthen employment opportunities and to involve the enormous capabilities of the private economy in providing training and jobs.

Fourth. Education programs—such as Headstart, Job Corps, Upward Bound, and in-school Neighborhood Youth Corps—would be transferred to the Secretary of Health, Education, and Welfare; programs having a basic manpower orientation, such as the out-of-school NYC, would be transferred to the Secretary of Labor to be conducted in conjunction with manpower development and training;

Fifth. The Job Corps would be phased into the State vocational education system to provide residential vocational education for young people who need it, and to strengthen our national efforts in vocational education.

Sixth. The States would be given a key role in Headstart while retaining parental and nonpublic agency participation, and Followthrough would be expanded into an early years program to include elementary children who have not had the advantage of Headstart experience, but who need extra educational, social, health, and nutritional services in the early elementary grades.

COMMITTEE BILL LEADS TO A DEAD END

The committee bill continues the dead-end approach of doing everything with Federal dollars; even in a time of fiscal crisis it ignores the many possibilities to generate private investment in meeting the problems of the poor. This approach leads to a dead end, because, unless private industry is involved in these programs, employment will continue to be of the make-work variety.

The committee bill leads to a dead end in other respects, as well. It is perfectly apparent that the Office of Economic Opportunity has neither the competence nor the structure to administer educational and job training programs, yet the committee bill leaves it with this power. We believe that there is at least a role for the OEO in administering a community action program with greater State participation, and in serving as a coordinating agency. We would leave it with these functions in the hope that once unburdened of tasks it is not equipped to perform the agency might do an effective job.

Even most of the majority members have acknowledged that the functions we propose to transfer should be "spun off" to other agencies charged with responsibility in these fields, but "at a later date." We think that the time is now to start putting together an effective war on poverty.

We shall attempt to offer a legislative package which will carry out the objectives outlined in these views.

POVERTY PROGRAM IN DEEP TROUBLE

The war on poverty is in deep trouble, a situation which has very little connection with the stringencies of the present crisis of the budget. It is in trouble because of its failure to meet the real needs of the unemployed and underemployed poor for decent jobs; because all over the country it has been mired in partisan politics and factionalism; because a very large part of the funds appropriated to help the poor has been spent for grossly inflated administrative expenses and high salaries; because its management has been incredibly inept; because programs such as the Job Corps have produced dismal results at enormous costs when administered by a Federal agency having no competence in education; and because it has failed to involve the resources of either private industry or the States in any meaningful way. Fundamentally, American taxpayers are no longer willing to tolerate such a shoddy performance.

DISCUSSION OF MAJOR ISSUES

The foregoing comments point up the deep divisions within the committee on the fundamental issues that will, in turn, be decided on the floor of the House of Representatives. These issues tend to fall into three major categories: The future role and structure of the community action program; the administration at the Federal level of programs which are primarily educational or training for employment; and the extent of the involvement of private and other non-Federal resources in meeting the needs of the poor.

We hope that the following discussion will be helpful to both Members of Congress and the general public in putting these issues in perspective and understanding the crucial differences between our proposal and the committee bill.

THE COMMUNITY ACTION PROGRAM

Despite all of the justified and well-documented criticisms of the community action program, it does—in our judgment—hold a great, though largely unrealized, potential for helping to break the cycle of poverty at critical points. There are, however, some absolutely essential conditions for the success of this program:

First. It must represent the felt needs of the poor through a genuine and effective representation in the decisionmaking process;

Second. It must operate through independent agencies in which local public officials have a strong voice and with which the State can participate in a stronger role in the program;

Third. It must be disengaged so thoroughly from local political struggles, both partisan and nonpartisan, that it can become neither the instrument nor the target of political factionalism; and

Fourth. It must be redirected toward giving the highest priority to overcoming the unemployment, underemployment, and hopeless dependence upon welfare which lies at the heart of the condition of poverty.

The committee bill fails so miserably as a measure to do any of these things that it offends both those who have been the strongest defenders and those who have been the most vigorous opponents of CAP. The bill fails most of all in its abandonment of the concept of an independent CAP in which the poor themselves can have an effective voice.

The committee bill provides that "community action agencies shall be a State or a political subdivision of a State" and all else that follows about participation of the poor is thereby rendered largely meaningless. In attempting to remedy the administrative vagaries and operating excesses of the program, the committee has reversed itself 180 degrees and turned the entire program over to city hall politicians—not as a partner with the poor and with business, labor, and social organizations but as the dominant and controlling power.

The consequences of this action are all too obvious. Where city hall is unsympathetic to the needs of the poor or to this program, the CAP is dead without the decency of a burial; where city hall seizes upon CAP as an instrument for political power, it will become just that and nothing more; where city hall is sympathetic to the needs of the poor and too scrupulous to use the program for political advantage, it will nevertheless dominate it to such an extent that effective participation of the poor—particularly when it becomes abrasive—cannot be realized. In short, CAP would be the creature of the dominant political organization.

If this is the price paid to "save" the community action program in the House of Representatives, the program seems hardly worth the effort.

The true intent of the majority with respect to CAP was further illuminated by their action on an amendment—proposed by Mr. GARDNER—to absolutely forbid the use of the program for political purposes. In place of a positive requirement of law, they substituted a much weaker provision leaving it up to the Director of OEO to issue regulations and impose requirements. Considering the history of the OEO operation—which is notorious as a highly paid refuge for Democratic politicians and political managers between political engagements—this is like leaving the cat at home to watch the bird.

Having turned the CAP program over to city hall and having empowered the OEO Director to define and enforce restrictions against political activity in the program, the majority has created a bonanza for political patronage.

There are effective and constructive ways to assure a voice for State and local government in the operation of community action programs and to involve the positive contribution of State and local resources. Our proposals—which were casually dismissed in toto by the majority—provided for State involvement through a State bonus community action program which would give financial assistance to the States to involve State government in assisting community action and other antipoverty programs and in coordinating State, local, and Federal programs. At the local level, we provided for the representation of local public officials on community action boards.

But our proposals—unlike the committee bill—would preserve the CAP agencies as independent entities. Without this crucial factor, the program loses its very reason for existence.

Finally, despite all the evidence that CAP has failed to reach the poor in a meaningful way, the committee bill proposes no basic redirection of the elements of the program, as opposed to its administrative structure. Our contention is that the basic thrust of community action programs should be toward eliminating the fundamental conditions of poverty—hard core unemployment and underemployment.

We have proposed that the major concern of community action should be the elimination of unemployment—including sporadic employment in low-wage jobs requiring no training. With unemployment running up to 40 percent of the work force in the inner city ghettos—and just as high in areas of Appalachia—jobs should be the first order of business for any antipoverty effort.

There are many, many constructive tasks in this field that could best be carried out by an independent, alert community action agency. Merely locating the unemployed and informing them of training opportunities is a major task not fulfilled by any governmental agency, and it is one best undertaken by those who have the confidence of or at least some contact with, the poor. The positive involvement of employers and labor unions in training and other employment programs should be a part of every community action program. When these things are done the further possibilities for effective action are limited only by the imagination and ingenuity of people working together within a community. Transportation problems could be attacked; day care centers should be established for the children of employed mothers; health and vocational rehabilitation services could be made available to those who are unaware of their existence; and a wide variety of special training programs could be established.

The committee bill fails to give this emphasis to the fundamental cause of poverty. It thereby perpetuates the past failures of the community action programs.

In originally offering the Opportunity Crusade, we sought a more effective kind of community action. During 7 weeks of committee hearings and 3 weeks of markup, we have been refining and sharpening our proposals to concentrate even more an creating employment opportunities in a free enterprise economy, and we have sought the advice of a wide spectrum of organizations and individuals for this purpose.

Accordingly, we are prepared to offer a far more effective community action program than the one contained in S. 2388 as amended by the committee majority.

TRANSFER OF HEADSTART

If the community action program is the most controversial part of the war on poverty, the Headstart component—accounting for nearly one-half of the CAP funds for fiscal 1967—is easily the most accepted part. Yet so little was preschool education considered by the planners of the Economic Opportunity Act that Republican members of this committee had to call the only expert witness on child problems heard during the 1964 hearings. This was consistent with the view—advanced by minority members long before 1964—that preschool programs are a key to interrupting the cycle of educational failure, unemployment, and poverty.

We support the Headstart program and, moreover, believe that it contains important features not generally found in regular school programs, such as the involvement of parents, provisions for dealing with health, nutrition, and family problems, and the utilization of the resources of private agencies and organizations. We propose to retain these features in a continuation of the program.

Headstart, despite its comparative success, has suffered unnecessarily from the administrative weaknesses of the Office of Economic Opportunity and its operations. Approval and funding of projects has been subject to long delays and in many areas to interminable disputes between the CAP and the public schools, or between contending private groups. There has also been inadequate coordination between Headstart and similar preschool programs funded under title I of the Elementary-Secondary Education Act. Weaknesses have developed further in the failure to follow up on Headstart children when they reach the regular schools, a problem that is unlikely to be cured by the initiation of a follow-through program delegated to a Federal agency other than the one administering Headstart. Our proposed early years program—which is expanded to include both Headstart children and needy children who have not had the advantage of Headstart—would be administered as an extension of Headstart and designed to serve both public and private schoolchildren.

There also exists in all too many instances a lack of professional qualifications in the personnel selected to conduct the Headstart program, and a tendency to treat the program as one being designed primarily to employ the poor rather than to prepare children for learning. As a result of all these factors, even Headstart has lagged far behind its potential. Accordingly, we propose that the Secretary of Health, Education, and Welfare administer both Headstart and the early years program in close coordination with other educational programs—and provided with a stronger component of health, nutritional, and social services, as well.

We have proposed a method for accomplishing this transfer that would not result in losing the benefits of parental involvement or participation of community action agencies and private organizations. On the contrary, our proposal would continue this valuable nonpublic-school involvement while assuring far closer statewide coordination with preschool programs conducted under the complete management of the schools.

We propose to establish State commissions broadly representative of community action agencies, public and private education, and other health and social welfare agencies and organizations—analogous to the State commissions which smoothly administer the Higher Education Facilities Act and related programs—which would plan and administer Headstart and early years programs in the States and approve projects to be funded by the Secretary of Health, Education, and Welfare. Local projects might be conducted by the public schools with the approval of local CAP agencies, or by private schools, or by special Headstart agencies. In any event, they would be coordinated with other preschool programs, keyed to the overall needs of the State, and assured a high degree of professionalism in their conduct.

There have been many suggestions that the early years program be placed completely under the U.S. Office of Education and run through the public school system. This is the intent of an amendment adopted in the Senate. While we are sympathetic to a change in administration at the Federal level we see great benefit in tying these projects closely to Headstart and retaining a high degree of community and private agency participation. Moreover, the early years projects should also contain as a major element health, nutritional, and social services which could best be assured through administration at the departmental level, bringing to the programs the combined expertise of education, public health, and Children's Bureau programs.

Our proposal has taken into consideration the possibility that some States might be slow to establish a suitable commission, or that State plans might not be operative for a period of time, or that they might not comply with the requirements of the act, and we have provided a "bypass"—similar to that in school lunch and title II of ESEA—to enable the Secretary to fund programs directly in any of these circumstances.

UPWARD BOUND

The Upward Bound program of OEO is designed to assist able, but needy and educationally deprived high school students to prepare for college. It, therefore, fits precisely the objective of the educational opportunity grant program authorized by the Higher Education Act of 1965, and should be administered as a part of that program so as to complement and augment it.

PHASING JOB CORPS INTO VOCATIONAL EDUCATION

The Job Corps has been as tragic a failure as anything attempted under the Economic Opportunity Act. It has fundamental weakness in concept which have been painfully magnified by weak and often unqualified administration. The real tragedy is that, properly handled, a program of residential vocational education could be a vital element in a national vocational program for disadvantaged young people.

This history of this provision is instructive. In 1963 the Congress, and this committee, did some of its finest work in reshaping the National Vocational Education Act. The new act directed federally supported vocational programs toward training for employment; it authorized area and regional vocational-technical programs; it freed the administration of the program from the inflexible and traditional categories of training; it modernized the legislative definition of vocational agriculture; and it authorized sufficient funding to revitalize vocational education.

Had section 14 been implemented we could now have a splendid residential vocational program in most, perhaps all, States. But the Johnson administration, in typical fashion, wanted a huge and dramatic effort as a part of its war on poverty. The result was the Job Corps—a hasty revival of the CCC program of the 1930's—and instructions that it was to have maximum impact prior to the 1964 elections. The effect has not been without drama; it has been a dramatic flop with overtones of classical tragedy.

We propose now to implement section 14. We would transfer the Job Corps to the Secretary of Health, Education, and Welfare, with instructions to proceed to implement it through or in close conjunction with the 1963 Vocational Education Act. This would require a period of transition in order to permit continued operation of existing Job Corps facilities until they could be phased out or phased into State vocational systems. In this way, there would be no disruption of training programs for current trainees, arrangements would be made to accommodate trainees who would not have access to a residential facility in their State, and the substantial investment in Job Corps facilities would not be thrown away.

It is imperative that this transition be started immediately. Our first concern is for the young men and women who are not receiving either adequate training or adequate placement help from the existing Job Corps operation. Our second concern is for the long-range future of vocational education, which in every State should include residential components for area vocational-technical schools in order to meet the educational needs of all young men and women; ultimately this will result in a far greater training capacity than could otherwise be realized, and with a consequent strengthening of the entire vocational system. Finally, we are deeply concerned that the entire concept of residential training may be lost in a public revulsion against enormously high costs and pitifully low performance in terms of results. In our considered judgment, the Job Corps has no future at all in its existing structure.

Amendments adopted by the committee give additional urgency to the proposed transfer. S. 2388, as amended, authorizes the Director to provide for both residential and nonresidential training in the facilities, and for their utilization in programs for the Neighborhood Youth Corps. It also authorizes an expanded program of educational research. Thus, the Job Corps is being converted into a structure that would parallel the regular vocational educational system and duplicate existing educational research and demonstration programs. If the residential character of the Job Corps is to be thus eroded and this was the primary rationale for its creation, then there is all the more reason to have it administered under vocational education.

An additional strength of administration through State vocational systems is that the program should not be exclusively residential, but according to all the expert advice we have received on the matter, could most profitably be conducted in connection with area vocational and vocational-technical schools. In this manner, the residential trainees would not be isolated from the general educational structure—or socially isolated, for that matter—but would be a part of an educational complex combining all the strengths of residential and nonresidential training, with greatly increased administrative flexibility in meeting individual needs and far greater cost effectiveness.

The only way all of these objectives can be met is by phasing the Jobs Corps program into the State systems of vocational education to be operated as residential vocational education centers in conjunction with area vocational schools.

We would leave open the question of whether the Secretary of Health, Education, and Welfare might continue the operation of a limited number of conservation camps under delegation to the Departments of Agriculture or the Interior. He would have to assess the needs for such training and the employment prospects for graduates, as well as the possibility of State operation.

TRANSFER OF NEIGHBORHOOD YOUTH CORPS

The Neighborhood Youth Corps is supposed to be a combination of in-school work-study programs—similar or identical to the 1963 Vocational Education Act work-study program and out-of-school work-training programs. On the whole, only the in-school portion of the program has had any success, and this due to management by school authorities.

The out-of-school program, typically, has consisted of make-work projects having absolutely no value as training. Both of these programs were plagued initially by considerable scandal, including payroll padding and flagrant political abuse. Mere delegation of authority to the Department of Labor to run the program, with OEO calling the tune, has not proved a satisfactory solution to the problem.

We propose to transfer the in-school part of NYC to the Secretary of Health, Education, and Welfare to be conducted as a work-study program in the schools and closely tied to the administration of the Vocational Education Act, among others. It simply does not make good sense—even if OEO could provide competent administration—to scatter education programs among agencies having no responsibility for education. Indeed, one could well argue that if this were a proper responsibility of OEO large parts of existing education programs, such as title I of ESEA and the education opportunity grants, should be transferred to that agency. We might end up with one federally financed school system for poor children and another locally controlled system for more fortunate children. We regard movements in this direction as tragically and absurdly wrong.

At the same time, we believe with equal conviction that the place for a national manpower program is the Department of Labor. Accordingly, we would transfer the out-of-school portion of NYC to that Department, to be administered in close conjunction with the Manpower Development and Training Act. Young men and women who are out of school and out of work desperately need solid training to fit them for useful and remunerative employment in the private economy; they do not need a make-work program euphemistically described as "work experience."

Fortunately, the entire Neighborhood Youth Corps program fits perfectly into the programs and responsibilities of these two departments, and there is neither a defensible rationale nor a public purpose for leaving it under the auspices of OEO.

A REVIEW ON THE WAR ON POVERTY

A. JOB CORPS

When the Job Corps began 3 years ago, apparently Mr. Shriver felt it so necessary to get off to a crash beginning that OEO officials failed, or did not have the time, to make the necessary preparations for a successful program. No provision was made for program evaluation, placement of graduates in jobs, or followup studies, to mention just a few neglected areas. Ever since this hasty beginning, both performance and reputation of the Job Corps have suffered greatly.

Two years too late an evaluation system has finally been placed in operation by which the Job Corps can evaluate the accomplishments of corpsmen and effectiveness of centers and the programs in general. As noted in a report published by the U.S. Chamber of Commerce, this comes "after more than $486 million has been spent on 60,000 enrollees who have already left the Job Corps and who, for the purposes of evaluation, are lost."

Because of Job Corps complete inability to evaluate their program in mid-

1966 private polling firms were contracted to survey terminated corpsmen for followup information. Through these surveys and other private surveys and analyses, we are fortunate to have available data on which to base some judgment of the effectiveness of the Job Corps program in fulfilling the purposes of title I, part A, of the Economic Opportunity Act. A few of the major conclusions which concern us greatly include:

DROPOUTS

It is clearly indicated that the degree of success of a corpsman is closely related to the length of stay in the Job Corps program. Studies indicate and Job Corps officials themselves estimate that a minimum of 6 months' educational and skill training within the center is required to make any significant impact upon a youth's employability. With this in mind, we are alarmed to note that in fiscal 1967, more than 40 percent of enrollees terminated in less than 3 months and another 24 percent terminated in less than 6 months, for a total of 67 percent of the enrollees who in the Job Corps own words do not stay long enough to make a significant impact on their status.

TRAINING

Only a small percent of corpsmen are working in the job for which they were trained. One study concludes 23 percent of all enrollees are in any way using their Job Corps training in their employment. One of the reasons for this appears to be inadequate training. According to Louis Harris & Associates, while 65 percent of all corpsmen—43 percent of graduates—felt their training was helpful, only one-quarter thought they had received enough training to get a job in that field. It is interesting to note that several "graduates" responded to one survey they had not "completed their course" and another survey noted that only 60 percent of urban graduates and only 31 percent of conservation center graduates cite "course completion" as a reason for leaving.

PLACEMENT

The Job Corps has made little attempt to place its enrollees. Approximately one out of 10 enrollees receives any placement assistance and these tend to be the most employable youths. Few dropouts receive any assistance. Our concern in this area is for the many youths who are either unemployed or not utilizing their training which could be properly placed with organized Job Corps assistance. At a cost of $8,046 per enrollee, we feel the Job Corps should make a concerted effort to place all enrollees in employment in which they can utilize and further the training they have received.

MEANINGFUL GAINS

Job Corps officials proclaim success with 53 percent of enrollees employed. However, since 58 percent were working when they enrolled this does not represent to us any meaningful gain. We are further concerned because most enrollees do not remain with their jobs for any length of time and reasons for leaving employment indicate that not enough emphasis is given in their training to attitudinal or character development and many cases reflect inadequate skill training.

Based on a thorough review of all studies available we can only come to the conclusion that the Job Corps has not been meeting the needs of these youths who so desperately need a second chance.

COSTS

From the very beginning a major criticism of the Job Corps has been the extremely high cost, commonly referred to in a cost-per-enrollee figure. In past years, Job Corps officials have repeatedly denied the $11,000 and $15,000 per enrollee figures which have been estimated. Now they are admitting to these high cost figures in the past but are saying the "new Job Corps" operating costs are very low. We tend to believe the costs have been reduced but still feel the OEO figures do not present a true picture of costs.

In their congressional presentation this past June, Job Corps officials claim centers are operating under the $7,500-cost-per-enrollee limit placed on direct operating costs by Congress in 1966 amendments to the act. In reviewing OEO's statistics furnished, we find however, they have interpreted this limitation not as a limit for each center, but collectively, and in actuality only one men's urban center and one women's center are operating below the $7,500 limitation in fiscal 1967. The 88 conservation centers are, according to OEO, operating at $6,122 per enrollee level. This, however, as revealed in a study by Sar A. Levitan for a Senate subcommittee, does not include the $854 per enrollee cost for materials used in training in conservation work. Neither do any of the figures provided for fiscal 1967—conservation, $6,122; women's $8,642; men's urban, $7,630—include $600 per enrollee cost for amortization of capital investment or $603 per enrollee cost for recruitment, screening, placement and Job Corps headquarters and regional expenses. An accurate picture should include these items and would produce an average per enrollee figure of $8,076 per enrollee, broken down as $8,664 for enrollees in men's urban centers; $9,735 for enrollees in women's centers; and $7,315 for those enrollees in conservation centers. It should be noted here that these figures are for those centers which have been in operation 9 months or more and do not represent startup expenses.

The Job Corps Division justifies this high cost per enrollee figure by saying these youths would all be on welfare and make no contribution to society but for their Job Corps' experience. This argument does not hold up in view of the high dropout rates, short length of stay in camps, and meager training these youths are receiving. In addition, a survey of those youths who applied for Job Corps but did not show for various reasons indicates that 60 percent of these youths are working and 14 percent have returned to school. The survey concludes the status of the "no-shows" is about the same as the status of the dropouts and discharges who account for two-thirds of all enrollees. Then we are to understand that two-thirds of all Job Corps enrollees, at $8,076 per enrollee, are no better off than those who did not go to the Job Corps.

SUCCESSES

The receipt of the following letter from the father of a Job Corps "success" with 28 months of Job Corps' training at an estimated total expenditure of $25,000, however, can only cause us to ask "How many Job Corps successes are really successes?"

> DEAR SIRS: Request your consideration for a waiver of time and allow my son, Gary James Thompson to enter the manpower program in Oklahoma City, Okla.
>
> According to your statistics, and verbally authenticated by Mr. Daniel Lagunas and Mr. Wayne Wallace—Gary has graduated from the Job Corps. In fact, I am informed that he graduated from both basic and advanced electronics.
>
> Attached is a certificate of participation attesting to the fact that he did attend classes in electronics for 5 months.
>
> I must admit and compliment those that have contributed to my son's development as a young man. The corps has contributed measurably and without hesitation I admit that I am very proud of him.
>
> I do take exception however to the end result in training and education. Gary had achieved a very low education level and certainly was not equipped to pursue a course in electronics. Further, the exigencies of the Job Corps in his being moved from one place to another. This did nothing to help his advancement.
>
> First let us eliminate the moving around. He signed into Poplar Bluff, Mo., on January 30, 1965 (no electronics were offered there, this may be the place he should have stayed). He was transferred to Tongue Point, Oreg., on February 20, 1966, and on closing of that center, transferred to San Marcos, Tex., January 20, 1967. He was released May 29, 1967.
>
> Gary is still ill-equipped to take his place in society. Uneducated and untrained. We waited for the school year to start, only to find that not one credit can be obtained for his 23 months in the corps.
>
> A 19-year-old boy cannot fit into a freshman class in high school, and education is the greatest desire of his heart.
>
> Through this thorough evaluation I have learned one important thing. The boy has a good ability and if I can find the right approach, he will progress rapidly. In taking the Air Force entrance exams he scored 65 on electronics, 55 on mechanical, 45 on administration, and 60 in the general area. However, with a 56 on the Armed Forces qualifying exam he cannot enlist in the Air Force as he is not a high school graduate. (As a category 4, non-high-school graduate he must score less than 30 on the Armed Forces exam.)
>
> At the moment, Gary is going to the adult study center high school. However, it will take at least 3 years to obtain a high school diploma in this way. He will undoubtedly be drafted before completion.
>
> To reiterate, I believe that Gary could qualify for a high school diploma with his current night school studies and the manpower program in less than a year. Respectfully request a waiver to enter him into his retraining program at the earliest possible date.
>
> Sincerely,
>
> CARL T. THOMPSON.

Perhaps the explanation for this situation is that centers which this youth attended provided a training program similar to the one at the Albuquerque, N. Mex., Women's Job Corps Center. "Job Corps Girls Are Angry—And Not Busy." This newspaper headline appeared during the controversy at the Albuquerque center in February 1967, when four counselors resigned their positions with the center charging, among other things, that the educational program at the center was badly organized, and the girls were not learning anything that would be of practical help to them. They also complained that class schedules for enrollees called for only one, two, three, or four classes a day involving from 45 minutes to less than 4 hours a day.

One counselor said:

> Too many girls stay in bed all morning and loll around all afternoon. By night, they're raring to go.

Records of the center substantiate that there were only from 1 to 4 classes scheduled each day, with classes beginning late in the morning and only running through early afternoon. No classes were held on Saturday or Sunday and only driver's education classes were scheduled in the evenings. Average class time reflected on the schedules was approximately 9 to 12 hours a week, with some as low as 6 hours a week. A few interesting schedules are noted:

Enrollee A

Date of entry: May 19, 1966; vocation: Not indicated.

Schedule:	*Per week*
Creative writing	2'15"
Photography	4'30"
Driver's education	8'
Total	14'45"

Enrollee B

Date of entry: Sept. 13, 1966; vocation: Not indicated.

Schedule:	*Per week*
Language arts	1'30"
Science	1'30"
Math	1'30"
Physical improvement	1'30"
Total	6'

Enrollee C

Date of entry: Aug. 9, 1966; vocation: NA (nurses aid), LPN (licensed practical nurse). (It is noted there is no LPN program at the center.)

Schedule:	*Per week*
First aid	2'15"
Citizenship	2'15"
English	2'15"
Math	3'45"
Total	10'30"

Enrollee D

Date of entry: Dec. 27, 1966; vocation: Not indicated.

Schedule:	*Per week*
Reading	2'15"
Basic science	1'30"
Citizenship	1'30"
Study skills	1'30"
Total	6'45"

(Note: Cost per enrollee: $12,658.)

Job Corps officials in a review of the center's program at this time noted the following regarding the vocational program:

> The vocational program needs to be strengthened and reevaluated. It needs to be upgraded * * *.
>
> There is little evidence of any evaluative analyses of the Corpswomen's individual program and progress in a vocational skill. She should be kept informed of her progress and of her ability. She should know at what level she is at a given time. Corpswomen apparently do not know. There is a great need for vocational guidance at the center. At this moment there is none.

These girls have enrolled in Job Corps because they had a very weak educational background and felt this was a second chance to obtain the educational and vocational training they badly needed. With flimsy curriculum and weak educational programing such as that exhibited at the Albuquerque center, the Job Corps is letting these girls down.

FAKE CURRICULUM

In November, the OEO sent out a survey and review team to the center for an investigation, after which the survey and review team reported that Albuquerque was one of the best Job Corps centers for women in the country. This led us to believe that, at a cost to the Federal Government of $12,658 per girl per year, an intensified training program was being provided which would enable these girls to go on to meaningful remunerative employment.

Yet in February, less than 3 months after the "excellent" rating of the survey and review team, fraudulently prepared schedules were brought to light, girls were found to be in classes only 6 hours of the total week, and OEO saw to it that the director and assistant director at the Albuquerque center were allowed to "resign."

From what we can learn, the programs of most Job Corps centers are similar to the one at the Pleasanton, Calif., Camp Parks Center, as to which a study of the General Accounting Office noted:

> The effectivenes of the program appears to be adversely influenced by a training day that provides only 5 hours of classroom and laboratory work. The balance of the day is free for counseling and avocational activities. The effectiveness of the program is also adversely influenced by an absentee rate which in some sections has reached 20 percent.
>
> No standards have been applied to govern entrance into various programs, and an individual's lack of aptitude, as indicated by test scores, is not a controlling factor for entry into the more difficult programs. No studies had been made to show what factors were involved or necessary to successfully complete a program.

CAMP PARKS—ONE OF THE BEST

Job Corps officials have long praised Camp Parks as "one of the best" centers in operation. Thanks to a study conducted by the General Accounting Office on the entire operation at Parks, we are fortunate to have an insight into the actual operations of one of the Job Corps' "best" camps. The following quoted conclusions from this study we think are most revealing:

> While the contractor has reported that a number (enrollees) have been successfully trained and placed, an even larger number have left without completing a training program. Information has not been prepared to show the gains made by individuals during their stay at the center.
>
> The contractor's initial estimated program costs have been far exceeded in operations, and while positive results have been obtained with some enrollees, we are of the opinion that some costs have been unnecessarily incurred, that disciplinary matters have been laxly and inconsistently handled, and that managerial control of the center's operations can be significantly improved while simultaneously reducing costs.
>
> Although the center had been in operation for over 18 months at Pleasanton, Calif., the contractor has yet to establish adequate records to provide systematic and centralized information and evaluations showing the progress of enrollees and the effectiveness of the various courses.
>
> By its very nature, an experimental program to develop new and unique methods to train persons who had previously failed, requires continuous review of each individual's activity to evaluate the effectiveness of existing methods and to ascertain whether different teaching and control techniques are needed. However, this has not been done by the contractor and we found no evidence that OEO has done such work. Development of information on successful techniques and procedures and dissemination to all centers significantly reduce the number of times the same problem is solved at Government expense.
>
> The contractor has permitted some individuals with recognized behavior problems to remain in the program * * * the continued presence of such persons has been extremely disrupting to other enrollees. The potential benefits of rehabilitating a few problem individuals may be far outweighed by the loss of many enrollees who have left the center citing disciplinary problems as their reason. * * * Application of various aspects of employer-employee relationships, including a system for giving or withholding monetary allowances, including the readjustment allowance, could be of particular value.
>
> We also believe that some of the techniques employed by the Army in their training program have merit and should be considered for use at the center. * * * Army officials advised that their schedule minimizes behavior problems since there is little idle time. Again, the center permits enrollees to enter any vocation they desire, while the Army permits the trainee to enter only those courses in which he can reasonably be expected to succeed.
>
> We recommend that the Job Corps act to assure the contractor continue, and expand his efforts to improve enrollee records and program evaluations, and that this data be used by management to effect program improvements. We also recommend that in order to improve control of enrollee behavior that the Job Corps require the center to establish and publish rules of conduct which will provide appropriate procedures to engender conformance.

We recommend that the Job Corps require the center to make a detailed analysis of the instructional television installation and other special equipment, texts, and group tutorials. This analysis should compare the costs involved with the benefits attainable. If the center cannot adequately justify use of these items, they should be made available to other Government activities and the Litton material should be returned for full credit.

ROSY PICTURE

This past June, Job Corps officials provided members of the Education and Labor Committee with two large volumes filled with testimony relating glowing reports and statistics which paint a rosy picture of the Job Corps. They say problems of community relations and discipline which have plagued them in the past, are no longer. If we are to believe the Job Corps' version then we must discount as false and nonexistent the following problems which we know to plague the Job Corps:

DISCIPLINE

Even though the officials may be able to discount the 150-student disturbance just short of a riot occurring inside the Poland Springs, Maine, women's center in April or later disturbances in Tomah, Wis., and Evansville, Ind., which resulted in enrollees from nearby centers being temporarily barred from those cities, as insignificant, they cannot overlook the 2-hour disturbance in New Bedford, Mass., on July 3, 1967, when approximately 200 angry corpsmen were attempting to batter down the gate of the Rodman Center and throwing rocks at police cars and policemen. Before this activity ceased, women and children were evacuated from neighboring residences, for fear of their safety. Again on October 6, 1967, approximately 100 corpsmen and six policemen were involved in a "scuffle of near-riot proportions" which resulted in the New Bedford City Council passing the following resolution:

RESOLUTION OF THE NEW BEDFORD, MASS., CITY COUNCIL, OCTOBER 9, 1967 (ADOPTED BY A 9 TO 0 VOTE)

Resolved, that a communication be sent to Mr. Theodore Nelson, Fort Rodman Job Corps Center requesting he discontinue the policy of the Job Corps Center allowing Job Corps students to leave the confines of the Rodman Center without responsible supervision until such time as a Federal police force, provided and paid for by the Federal Government, is made available to exercise the necessary control over Job Corps students while in the city and also at Fort Rodman for the balance of the time the Job Corps is located in New Bedford. . . .

An August disturbance with distinct racial overtones at Camp McCook in Nebraska resulted in 12 corpsmen being fired and 51 more quitting. The Omaha, Nebr., Evening World Herald account of August 3 follows:

SIXTY-THREE CORPSMEN AGREE TO LEAVE McCOOK CAMP

ACTION IS PROMISED AGAINST THE "GUILTY" IN VIOLENCE

McCOOK, NEBR.—Officials of the Job Corps Conservation Camp here announced Thursday that 63 corpsmen will leave the camp as a result of a disturbance which had racial overtones Sunday night.

Twenty-nine are Negroes and 34 are white youths. Twelve of the Negroes were discharged. And the other 51 corpsmen agreed to leave voluntarily, officials said.

Camp Director Clem Griffin promised that action would be taken against "all who are guilty."

The camp had an enrollment of 158 before the disturbances began. Center officials said up to 55 percent of the trainees were Negro.

The incident brought three Job Corps officials from Washington to investigate the camp. One of the three was Bernie Diamond, Job Corps Community Relations Director.

Mr. Diamond said he was directed to visit the camp to "see what the problem areas are." He said he learned after arrival that the problem was not "as great as indicated."

THE SECOND

Mr. Griffin said the trouble occurred Sunday night when "about a dozen Negro and white boys became involved in a fight in front of the camp's administration building."

Mr. Griffin first said the incident was "just a little misunderstanding." He later said the disturbance was "most definitely motivated by rioting in cities around the country."

After the incident, Red Willow County Attorney Dallas Wood, Jr., said several white corpsmen told him they were "afraid to remain at the camp."

The incident was the second flareup at the camp within 16 months.

In March 1966 eight trainees were arrested and subsequently expelled after a fight in the messhall.

Mr. Griffin said at that time that the fracas was apparently triggered by racial prejudice.

In July 1966 about 50 of the camp's Negro trainees were transferred.

Job Corps officials said the transfers were a move to break up cliques, boost morale, improve racial balance and bring about an enrollment more representative of McCook's population.

AT OLD BASE

"With no Negro families in McCook, the lack of social outlets frustrates the corpsmen," officals said then.

The camp, sponsored by the Bureau of Reclamation, opened in December 1965. It is one of two Federal Job Corps conservation camps in Nebraska. The other is near Chadron.

Located at the old McCook bomber base, the camp trains 16-to-21-years-olds who are out of work, out of school, and from poor families.

Trainees work on access roads, recreational facilities, tree planting, and other projects near the four major dam reservoirs in southwest Nebraska. Basic education is also provided.

WHITE JOB CORPSMEN "AFRAID TO GO BACK"

(By Bill Billotte)

McCOOK, NEBR.—In the living room of the home of a McCook taxicab driver, four former members of the Jobs Corps Conservation Camp 10 miles northwest of here described a night of terror they experienced.

Two said they were beaten Sunday night when the camp erupted in violence after bitter words had been exchanged at an afternoon swimming party at Butler Lake in Frontier County.

Two, who were with the swimming party, said that the argument continued between Negro and white corpsmen on a bus returning them to camp.

They said the violence occurred at about 9:30 p.m. with some of the corps officials attempting to break it up.

One youth said he was beaten unconscious. Another showed a cut in his hand, inflicted, he said, by a razor blade.

One said that he saw a white corpsman beaten to the floor with mopsticks and pool cues and dragged into the hall outside the honor dormitory.

The fourth youth said he was saved from a beating by friendly Negro corpsmen.

But he said he could not escape during the night because "they were sitting on all the steps with broomsticks and razor blades when I tried to figure a way to sneak out."

The corpsmen interviewed and their time of service:

Robert Queen, 17, Akron, Ohio, 10 months; Tommy Edward James, 16, Axson, Ga., 3 months; George Russell, 17, Omaha, 7 months,, and Bruce Dobson, 17, Cold Springs, Tex., 9 months.

One of the youths said, and the others agreed, that they had not been treated unfairly by Job Corps authorities at the camp—that "the authorities are doing the best job they can with the problems they have."

The corpsmen also said that the tensions had been building up since "about Christmas" *and that the chief resentment among Negroes seemed to be that the Negroes did not have girls of their own race to date.*

The four youths said that the disturbance almost got out of control and that others were beaten more severely than they.

A young Job Corps instructor interviewed at the Red Willow County Fair said a reporter could depend on anything that Bruce Dobson could tell him about the corps.

OUTSTANDING

The instructor said that Bruce had been outstanding, having been chosen "corpsman of the month" for his performance in education, work, group living, and leadership.

The instructor said that it was also his opinion that the lack of female companionship for Negro corpsmen was one of the major causes of unrest.

"I don't believe it had anything to do with the rioting in the cities," he said, "although I am sure all are fully informed on what is going on."

Young James said he was talking with a girl by telephone in an outdoor booth Sunday evening when the swimmers' bus arrived. He said a Negro banged on the door of the booth and said to "open the door before I kill you."

He said the Negro ripped open the door and "beat me down."

"Several staff members," he said, "pulled him off me and in a daze, I staggered over to a picnic table."

He said he then had his back to the crowd as he sat on the bench.

"That's the last thing I remembered," he said.

Young James was placed in the camp dispensary until Monday afternoon. Then, with two others, he was taken to a McCook clinic.

After two hours of examination and treatment he was taken to the police station where he told authorities he didn't want to return to the camp.

GET OUT

Young Russell, the Omaha youth, said that he had just returned from a 72-hour pass and was packing his clothes to go to Enders Lake where corpsmen do reclamation work during the week. He said he had finished and went to watch television when a friend yelled: "George, get out, there's going to be a riot."

Young Russell said he ran for the door but it was blocked by Negroes. He said he was punched in the temple and told: "We're going to get you after bed check."

He said he ran through the door, getting his hands cut by a razor in the process, and got away from the base, spending the night under a tractor a quarter mile from the camp.

He said that he and another corpsman walked into the police station the next morning and said they were afraid to return.

Young Dodson, the honor corpsman, said the violence started as he returned to his dormitory after being gone on a 72-hour pass.

"A bunch started after me but some of my Negro friends stepped in and stopped them," he said.

He said that as the night wore on it became evident that his friends would not be able to protect him again. He tried to sneak out.

"But I couldn't make it. They were on all the steps with broom handles, mops, and razor blades," he said.

Young Dodson said he went to town the next afternoon.

GRADUATE

He said that because of the incident he has been permitted to leave the camp as a "graduate" although he is still short several subjects.

The youth said one of the officials told several corpsmen: "If anyone wants to leave, I won't try stop you."

Young Queen said he witnessed another corpsman being beaten and dragged into the hall in the honor-dorm by about 30 Negroes.

He said he was not hurt during the night but heard discussions about beating him up if he stayed. He said he had requested permission to leave the camp but was told that he would be considered absent without leave and it would go against his record.

Young Queen said he told authorities he was worried more about his physical welfare.

Recently, officials at the Tongue Point Job Corps Center for Women at Astoria, Oreg., declared that center off limits to the Fort Simcoe Job Corps Center of

Yakima, Wash., as a result of a recent disturbance.

The following letters and comments from ex-corpsmen and employees reveal more of the problems existing within these centers:

Christopher Weeks, former Job Corps Administrator:

> The kid is told when he joins that this is a last ditch attempt to salvage him. So in his first day at camp, he's beaten up; his stuff is swiped the second day; after 10 days he goes home. The Corps has reinforced a failure.

Remarks placed in the Congressional Record of April 13, 1967, by Congressman Gubser:

> Mr. Gubser. Mr. Speaker, much has been said regarding the inadequate supervision of Job Corps trainees, and many serious cases of violence, crime, and wrongdoing have been exposed. I have not drawn a conclusion which condemns the Job Corps on the basis of these reports. However, they have become so numerous and appear so authentic that I believe the time has come for a candid investigation and report from the Director of the Office of Economic Opportunity.
>
> I have recently received a letter from a mother of a Job Corps trainee at Camp Park in California who informs me that her son observed dope addiction and thievery, and lived in constant fear of harm from hoodlums enrolled at the camp. She has authorized me to place her letter in the Congressional Record but has asked that her name be withheld. I now submit her communication, with my request that the Office of Economic Opportunity thoroughly investigate the situation. The letter follows:
>
> "Mr. Congressmen Gubser: I am writing this letter in regards of the horrible situation at Parks Job Corps Center at Pleasanton, Calif.
>
> "My son joined the Job Corps and was sent to Parks * * * looking forward to taking a 2-year electronics course, but under some terrifying circumstances he was forced to come back home the following Monday morning, early, determined never to return to this place until it is thoroughly free of dope addicts, thieves, and hoodlums.
>
> "He said the last 2 nights he spent there, he was in constant fear, as there is not enough adult supervision for protection to help the few decent boys who are there. A place like this that is supported and run by our Government, and a place like this that is so highly recommended on TV, should be a decent place for the boys who are interested in the education and training they would and could get if it wasn't for the dope addicts and hoodlums who somehow manage to go there.
>
> "As a mother of a boy who has experienced the situation at Parks Job Corps and as a taxpayer, I would like you to arrange a Government investigation and make Parks a nice, clean, and *safe* place for our boys to go and take advantage of this, as it is a very good thing for young people to advance themselves for the future. I would be the last person to ask that it be discontinued, but it should definitely be investigated and made a more proper place for decent boys.
>
> "I am aware of the fact that some boys have made it through this training with very little trouble, but I am also aware of the fact that some of our boys get back from Vietnam and others are not so lucky. I know I should not compare the two situations, but if my son is killed by another boy or man, I would rather know he was fighting for his country and not killed by some boy who would do this to him for a pack of cigarettes or what little money he had on him.
>
> "Please take this into consideration and have the Government investigation as I am sure my son would like to return and so would many more who were forced to leave because of the lack of adult supervision and protection.
>
> "I could tell you much more about this place, but I can't seem to have the right words to put it on paper.
>
> "I'm sure my son would be more than happy to tell you all he knows if you are interested, so feel free to call any time after 4 p.m. as I work.
>
> "Thank you,
>
> "_____ _____."

The disciplinary problems which exist at various centers may be in part due to the degree of discipline demanded by the center authorities. One conclusion arrived at in the Government agency report on Parks was:

> A significant number of the Parks' enrollees have cited these (violence and discipline) reasons for leaving the program. Absenteeism also has been identified as a discipline problem at Parks . . . no centerwide standards of conduct and penalties have been established and enrollees may not be aware of what is expected of them or the consequences of improper behavior.
>
> Furthermore, to accustom the enrollee to the employee-employer relationship that he will eventually encounter, failure of individuals to comply with reasonable standards of attendance and behavior should result in appropriate reduction of pay and allowances. This is an especially critical area since a basic objective of the Job Corps program is to prepare enrollees for employment and since a number of former enrollees have been fired for poor attendance or other disciplinary reasons.

ALBUQUERQUE JOB CORPS CENTER

The Albuquerque Job Corps Center for Women was placed in the national spotlight last February when four counselors resigned their positions leveling charges of poor discipline, employment of a narcotics "pusher" at the center who was responsible for a number of girls becoming pregnant, and poor staff morale and conflicts. These charges resulted in Congresswoman Edith Green, Congressman Thomas G. Morris, and Senator Clinton Anderson demanding an investigation of the Albuquerque Center.

Although OEO public information people promptly "kissed-off" reports of trouble by saying:

> The charges were a lot of loose talk * * * 99 percent of these things never happened.

OEO dispatched an investigative team to the Albuquerque Center which did in its report establish that the majority of the charges were true. Job Corps officials admitted to lax discipline, the employment of a narcotics "pusher" who was believed to be responsible for the pregnancy of one girl, and a serious problem of dissention and conflict among the staff which was considered detrimental to the corpswomen.

COEXISTENCE

Poor judgment in location of numerous Job Corps centers, particularly those conservation centers in remote areas, has created many of the problems realized in discipline and community relations. One comment of corpsmen during the McCook disturbance was the "chief resentment among Negroes seemed to be that the Negroes did not have girls of their own race to date," or in the word of another McCook corpsman, "The biggest flaw in the camp routine from the standpoint of the Negro corpsman stems from its location." Regarding the Price Job Corps Center in Price, Utah, which has reached 60-percent Negro enrollment at times, Price Mayor Murray Mathis commented: "We must be realistic, the town has no Negro population." The plea of Job Corps officials in April 1967 for 80 white girls to attend the Saturday night dances at McCoy Job Corps Center, suggests that the remote location of these centers create problems for all enrollees. This problem of isolation affects the operation of approximately 80 percent of all Job Corps centers.

HURTING BUSINESS COMMUNITY

Job Corps went to the opposite extreme and located several women's centers in the downtown business districts of a number of large cities. Complaints are being voiced by businessmen that the location of these centers is hurting the business community. One businessman in Albuquerque, N. Mex., commented:

> The Job Corps is a noble dream but in operation it has certainly hurt Albuquerque downtown business.

Business leaders in Omaha, Nebr., have similar sentiments regarding their two Job Corps establishments in the downtown Regis and Paxton Hotels, as noted in the following article which appeared in the Omaha Morning World-Herald on October 12, 1967:

Omaha Business Leaders Decide Job Corps Is Hurting Downtown

(By Arnold Garson)

> Two Omaha business leaders called Wednesday for the transfer of the Women's Job Corps Center from the city's downtown area.
>
> George T. Wruck, general manager of the Associated Retailers of Omaha, said the Federal Job training program has hurt the city's image and economy.
>
> Alfred C. Kennedy, chairman of the Central Omaha Committee, said the Job Corps has been "harmful to downtown."
>
> Their comments came in separate interviews after Mayor Sorensen said it "probably was a mistake" to locate the center downtown. The mayor voiced that opinion Tuesday in response to question raised at a Junior League of Omaha luncheon.
>
> CORPS SILENT
>
> Job Corps officials declined to comment on the situation until after a meeting with "community leaders," possibly next week.
>
> Mr. Wruck said it was a mistake to have "this much of a concentration of Job Corps girls" downtown.
>
> "I think Omaha has made a great sacrifice. It has caused problems and we're uncomfortable about it," Mr. Wruck said.
>
> He said many callers have complained that they have had to walk through large groups of Job Corps girls and the boys they attract.
>
> There are about 800 Job Corps girls living at the former Paxton and Regis Hotels. Sixty percent of the enrollees are Negro; 24 percent are white, and 16 percent are Spanish-American, Indian, or oriental, corps officials said.
>
> Some downtown businessmen reportedly have complained that Negro enrollees on the streets and young men congregating around the hotels have discouraged shoppers from coming downtown.
>
> MAY OR MAY NOT
>
> Mr. Wruck said businessmen who must work late now try to park as close to their offices as possible because "there are dangers in coming into the area."
>
> He said businessmen have "sensed these dangers within the last year, and that they may or may not be directly related to the Job Corps."
>
> In addition, the loss of two hotels has "handicapped the city in accommodating visitors," he said.

"We're getting a disturbing reputation as a city, nationally," as a result of the Job Corps' downtown location, he said.

Mr. Wruck said he would like the program moved to a location outside the downtown area. "If we could solve some of these discomforts, it would be a better program," he said.

Mr. Kennedy said the Job Corps has "very definitely been harmful to business conditions downtown."

NOT DESIRABLE

"The type of girl who enrolls in the Job Corps and the type of person she attracts are not desirable for a downtown district," Mr. Kennedy said.

He added that he would be "indifferent as to whether the center remained in Omaha."

The Job Corps program is for unemployed, out-of-school 16 to 21-year-olds. The Omaha Center is operated under Federal contract by the Burroughs Corp.

Mayor Sorenson said he suggested last week that Center Director Robert W. Anderson set up a meeting to discuss the problem caused by having the Job Corps downtown.

Leo Armatis, Job Corps public relations official, said there has been talk of such a meeting for the last week or 10 days, and that he understands the meeting will be early next week, although Job Corps officials did not set it up.

Mr. Wruck said his association "sees no reason to hold a meeting on the subject at this time."

TRY FOR SOLUTION

Mr. Armatis said: "We have known for some time that retailers are upset about groups of youths on the street and we are trying to work out a solution."

In an interview Tuesday, Mayor Sorenson said enrollees "need more open areas where they can enjoy the out of doors. If they go out of doors now, they are on a main business street."

Mr. Sorenson said he would not start or support any effort to have the Job Corps moved out of the downtown hotels.

"Foot traffic has increased tremendously in the downtown area and businessmen are very concerned about it," the mayor said.

Mr. Sorenson said he asked Mr. Anderson to reduce the foot traffic. The mayor said he suggested staggering free time given enrollees and "encouraging the girls to use recreation facilities in the hotels."

Prior to his meeting with Mr. Anderson, the mayor said, the Job Corps had begun providing buses for enrollees going about three blocks between the hotels and had hired more police officers.

"The Job Corps has been very cooperative," Mr. Sorenson added.

LOCATION "USUAL"

The Omaha Center is one of six urban centers located in a dowtown business district, according to Richard C. Gilliland, of Kansas City, Mo., acting regional Job Corps administrator.

Mr. Gilliland, in a telephone interview, said women's Job Corps centers need to be "near libraries and the urban social atmosphere."

In a survey of former corpsmen contracted by the Job Corps, it is noted only 56 percent of the corpsmen felt their chances to meet people in the community were good. Although in some instances there has been a wholehearted acceptance and welcoming of the corpsmen into the community, we feel for the most part, it is merely a matter of coexistence.

While we listen to the Job Corps officials paint their pretty picture during their testimony before the committee, we are very irritated because, as the gentlewoman from Oregon [Mrs. Green] so aptly said it:

> As one member of the committee I get a little bit leery when I get a snow job that everything is great * * * if we are going to have successful hearings and if we are going to do anything constructive as far as our time is concerned it seems to me that we ought to know the weaknesses as well as the strengths of the program and then see how we could tighten it up to do the best job possible.

CREDIBILITY GAP

The credibility gap created by the two widely varying versions of the Job Corps story is further widened by the charges of Mr. James Tice, former manager of student information services for the Guthrie, Okla., Job Corps Center, who advised that early in June this year, regional OEO officials, Austin, Tex., instructed the Guthrie Job Corps Center officials to falsify daily reports reflecting the "on-board strength" of corpswomen. He explained that, as corpswomen resigned or were given disciplinary discharges from the center, they were not reported to OEO until the end of fiscal 1967—June 30, 1967.

A review of the situation reveals Mr. Tice said the center director requested the site representative—OEO—to have these instructions put in writing by regional OEO; however, OEO refused to put the instructions in writing and reportedly told the center director, if they—Philco-Ford—wanted to retain the contract, they had better comply. Mr. Tice said he was not formerly told why the records had to be falsified, but it was the impression of center officials that OEO wanted to build the total of Job Corps enrollees to 41,000 in time for the OEO congressional presentation in order to justify retention of all Job Corps Centers at current funding levels.

Among the material Mr. Tice furnished were copies of "termination requests" from the center reflecting that 22 enrollees who were terminated in June were not reported until July 3, 1967.

The following observations were set out in an investigative report of the Guthrie matter and were later established in ad hoc subcommittee hearings:

It is the observation of the investigator that the procedure of placing dropouts and dischargees in an administrative leave status after they had departed the center and for the remainder of the month of June resulted in the following:

First. Since the on-board strength for the days in June after the dropouts had left the center included those in an administrative leave status, the final computations of corpswomen days, 13,148, and corpswomen months, 438, were inflated and this resulted in a lower operating cost per corpswoman for the month of June.

Second. Carrying the corpswomen in an administrative leave status after they had returned to their homes resulted in the delay of severance pay being forwarded to the girls. This may have caused some hardships. It is noted that several of the youths had to wait 2 months or 9 weeks for their separation pay.

When additional letters are received, such as this sent to Congressman Smith from Oklahoma, questions are presented regarding the statistics furnished by OEO:

Mountain Park, Okla.,
October 4, 1967.

Hon. James V. Smith,
House of Representatives,
Washington, D.C.

Dear Mr. Smith: I wish to congratulate you on your recent announcement of a discovery of irregularities in enrollment records at Guthrie Job Corps Center for Women.

As a resident of your district, I wish to encourage you to further investigate the Jobs Corps. I resigned on June 1, 1967, after spending 2 years as principal and teacher with the Job Corps at Ouachita Job Corps Center, Royal, Ark. I assure you that what was discovered at Guthrie is not limited to that center, but has been done at all centers by direction of OEO. Enrollment records have long been manipulated by OEO officials. Several times during my tenure with the Job Corps, orders were received from OEO, directing centers not to release names of corpsmen who would be leaving the center until a certain date. At times orders were sent to centers directing center officials not to send any corpsmen home until after a certain date.

A method used to cover up dropout rates is that of considering all corpsmen as enrollees for the first 30 days. If corpsmen drop out during that time, no dropout is recorded.

One important facet of Job Corps' statistics is the number of graduates reported. Only a very small percentage of Job Corps graduates have actually completed the program and truly bettered themselves. Corpsmen leaving after a stay of only 5, 6, or 8 weeks are generally considered graduates for record purposes. Many times corpsmen go AWOL and are recorded as graduates.

During the 2 years I spent at Ouachita Job Corps Center, out of over 500 enrollees, only 1 percent could actually be considered graduates of the program. The others merely spent time there.

I feel I can speak with some authority when I say that the Job Corps is a program of much deceit and waste. Unless the program is radically changed, I feel that it should be abolished.

I will be happy to provide you with any help you might desire should you decide to continue your inquest into the Job Corps.

Sincerely,

Richard L. Deeds.

B. NEIGHBORHOOD YOUTH CORPS

The long-range answer to the employment problems of the disadvantaged cannot reside in a program to be simply an "aging vat," providing youths with some income and work during their early years in the labor force. It must reside in a well-developed program based on providing participants with a thorough knowledge and skill in a particular field that will provide permanence.

We oppose the indefinite funding of Neighborhood Youth Corps—NYC—and urge that steps be taken toward a permanent training program for youth—a program that will lead to more than "make work," a program that will lead to a better standard of living for the participants.

Last year one of our major criticisms of the NYC was the small percentage of enrollees who were receiving any form of remedial education or vocational training. The Office of Education testified at the 1966 House hearings that only 20 percent of all enrollees and only 10 percent of out-of-school enrollees were receiving any such education or training assistance. Secretary of Labor Willard Wirtz confirmed this and admitted he was not satisfied. Since the intent of the

Congress in legislating the out-of-school program was to enable high school dropouts to return to school or to provide them with meaningful vocational training on which to build a career, we are, like Mr. Wirtz, totally dissatisfied. It was felt much of the problem was created by the Economic Opportunity Act itself, which barred the participation of private, profitmaking firms, leaving the enrollees to be placed in make work jobs with local governments or nonprofit agencies. For this reason, Congress last year amended NYC legislation to permit private, profitmaking employers to participate in the NYC.

ONE YEAR LATER

We returned to the 1967 House hearings eager to see how this amendment and employment with private firms had improved the status of high school dropouts and the NYC's figures, but were told that only four projects involving private employers had been approved, which included a mere 164 enrollees out of 25,000 total enrollment. So we again asked, "How many enrollees were receiving any remedial education or vocational training during fiscal 1967?" Mr. Jack Howard, Administrator of the Bureau of Works program, responded that now 30 percent of out-of-school enrollees were receiving remedial or vocational education training. A closer look at this statement reveals to us that 70 percent of all out-of-school NYC enrollees, at $2,930 apiece, are still in "make-work" jobs and receiving no remedial education or vocational training.

MEASUREMENT OF SUCCESS

A reduction in the high school dropout rates and the placement of former enrollees in jobs are the final measures of success of the NYC. So we looked to the Labor Department for the followup records of past enrollees by which we could evaluate the program—but found no such regular system of information is maintained. A few samples of program results have been conducted by Labor Department and projected as being typical of what is happening nationally. These projections would indicate the in-school program has resulted in a noticeable decline in high school dropout rates and possibly a reduction in juvenile delinquency rates.

Like Job Corps, NYC officials, to fill the gap, have contracted with a few private firms to make studies of the NYC program. These and other private studies which are available to us indicate that approximately one-third of the enrollees are known to have returned to school, received additional training or obtained employment upon leaving the program. The studies also indicate that, while in training, nearly five of every six enrollees thought that they would need additional education or training to meet their occupational goals. Also, when seeking employment, nearly two of every five who found jobs did not use the NYC as a reference.

In view of the above type of results, we consider it vital that more detailed information be developed by the NYC about the program so that an informed evaluation can be made.

C. COMMUNITY ACTION

Community Action, under the misdirection of OEO administrators, has done more to impede the war on poverty than any other component. From the beginning it was obvious that OEO read things into the Economic Opportunity Act that were never intended by the Congress. The concept of social reform by force and development of abrasive relations between community action agencies on the one hand and public officials and established agencies on the other was developed and propounded by the OEO in Washington and by regional OEO representatives.

Community action agency personnel have organized and directed confrontations and demonstrations against public officials to a degree where tensions have mounted and complete community disruption has resulted. Too frequently these displays of hostility have been coincident with racial unrest and have polarized the Negro and white communities.

The lack of coordination and cooperation between community action agencies on one hand and school officials, welfare agencies, housing authorities, and representatives of private enterprise on the other, have brought about total alienation of these community leaders from antipoverty programs. Until these malfunctions are corrected, it is unlikely that community action will be able to bring about changes to improve conditions which contribute to poverty.

Community action agencies have become so deeply involved in voter registration drives and subsequent elections that the role of paid antipoverty workers in "politics" has been clearly identified and established. Elected officials and candidates, especially in urban areas consider community action agencies as a most powerful base in local political arenas.

Community reaction to the excessive political and organizational aspects of community action has developed an atmosphere of conflict and bitterness.

Irresponsible handling of large sums of money and lack of fiscal accountability continue to plague community action programs.

There is little indication that community action is reaching a significant number of poor or that the poverty striken are being assisted in tangible or visible ways. It is likely that the heavy emphasis on organization and political and demonstration activity have detracted from the performance of community action agencies in these regards.

COMMUNITY DISRUPTION

Investigation by this committee in 1965 and 1967 revealed that community action in Newark, N.J., has developed bitterness and conflict between the poor and public officials of that city.

Community action personnel during early summer 1967, organized and participated in demonstrations of protest against the mayor and the Newark School Board. At public meetings antipoverty personnel made numerous inflammatory public speeches advocating violence. On July 13, 1967, antipoverty workers distributed announcements of a police brutality rally to be held at a Newark police station. Later that evening antipoverty workers organized the demonstration which was attended by several hundred demonstrators. The Newark riots started at this rally.

Although public officials are reluctant to express their views publicly concerning community action there has been ample evidence that hostility and conflict has existed between antipoverty agencies on one hand and elected officials and community agencies on the other in Syracuse, N.Y.; Rochester, N.Y.; San Francisco, Calif.; Houston, Tex.; Elgin, Ill.; Durham, N.C.; and many other cities.

Community action leaders seem to have overlooked their responsibility to "mobilize and utilize" resources, public or private, of a community in an attack on poverty. Rather, the contrary appears to be true, the resources of the community action agency—80 or 90 percent Federal funds—have been literally utilized in attacks on mayors, police departments, welfare and housing agencies, school authorities, and at times private individuals and firms. The abrasive relations existing between CAA's and other community agencies can only lead to failure of programs and eventual collapse of the community action agency involved.

We feel the responsibility for much of the disruptive and destructive activities of community action programs lies with the Office of Economic Opportunity. The concept that public officials and traditional services agencies are to be considered adversaries of the poor is popular among community action officials. It is shared and at times propounded by OEO administrators. This is illustrated in an exchange of letters between the mayor of Houston, Tex., and the Office of Economic Opportunity in May and July 1967:

OFFICE OF THE MAYOR,
City of Houston, Tex.

The attached constitutes a series of questions that this office feels it can no longer delay in raising. The questions are of both a conceptual and specific nature concerning the poverty program on the national level and on the local level.

It seems particularly imperative for this information to be given careful scrutiny at this time and for answers to be obtained to the questions raised. As the OEO in both Washington and Austin knows, there has been deep concern about the poverty program in the Houston area for some time but it has only been in the last few weeks that the problem has reached a point where this office must bring the sort of information and questions contained in the attached to the attention of those in authority on a national level.

LOUIE WELCH, *Mayor.*

A. CONCEPTUAL

1. National level

(*a*) According to the Community Action Program Guide, volume 1, October 1965, the purpose of "Federal assistance to community action programs is to help urban and rural communities to mobilize their resources to combat poverty * * * A vital feature of every Community Action program is the involvement of the poor themselves—the residents of the areas and members of the groups to be served—in planning, policymaking, and operation of the program * * * The long-range objective of every Community Action program is to effect a permanent increase in the capacity of individuals, groups, and communities afflicted by poverty to deal effectively with their own problems so that they need no further assistance" (p. 7).

(*b*) According to President Lyndon B. Johnson's state of the Union message, 1965, "* * * the central problem is to protect and restore man's satisfaction in belonging to a community where he can find security and significance."

Question. What is the Washington OEO's position as to whether the above purposes can be accomplished and the problems alleviated by local CAP agencies working with and taking advantage of the resources of local government?

Question. What is the Washington OEO's position on whether local CAP employees should encourage and promote conflict with local government when remedies through mediation and negotiation have not been exhausted?

2. *Local level*

(*a*) In the attempts between the Houston-Harris County Economic Opportunity Organization to merge with the Houston Action for Youth, the following statements were contained in HHCEOO material outlining their philosophy and approach.

(1) In contrasting the EOO approach with HAY's approach, this position was taken by EOO: "Their (HAY) approach is directed toward leadership development, direct services, and cultural enrichment. They are not, however, intent on rapid social change and do not employ the concept of power in their social theory. Given the political structures of our day, their approach is of little significance in forming a large power base of the poor" (p. 4, "Operation Discovery," spring 1967).

Question. The most rapid social change is revolution. Is revolution the goal of EOO?

Question. Does the EOO consider the "political structures of our day" so inflexible that the voices of the poor cannot be heard and the poor cannot obtain programs they initiate without confrontation and conflict with "the establishment?"

(2) "* * * It is only in this manner that Houston's largest concentrations of inner city poor can be organized into the large power organization which would force its way into the center of the decisionmaking processes which control the city" (p. 5, Operation Discovery).

Question. What is meant by "force?" Is it felt that the "decisionmaking processes" have no interest in including the poor, who are constituents in a community just as much as people with greater means? Does the EOO mean that "force" is the only way the poor can be included or does the EOO really mean this is the EOO's opinion?

(3) In "action phase I" of the EOO's approach in the community, this description is given of the organizer's job: "It is up to the organizer to determine which of the problems should be selected to act upon first. Once this is done the community organizer seeks out a situation which will dramatize the problem. This situation becomes the "gut issue" around which the community organinizer rallies the people (HHCEOO community organization component proposal).

Question. What does it mean to "seek out" a dramatic situation? In Houston, EOO used a case in which county deputy constables were involved in Settegast to bring two busloads to city hall to protest "police brutality." What elaboration can be given on the "gut issue" approach—is it one designed to stir people up to the point that their emotions can be used by EOO workers to "force" the poor into "decisionmaking processes?"

Question. Since it appears that the EOO program is based, at least in part, on that used by the Woodlawn Organization initiated by Saul Alinsky, is it the opinion of the OEO that confrontation and conflict are the only means by which the poor can be heard by "the power structure" and mediation of problems is a method not open to the impoverished?

B. SPECIFIC

1. Activities of employees of Houston-Harris County Economic Opportunity Organization (now part of the Harris County Community Action Association).

(*a*) What is—and was—the role of EOO employees in the following type situations?

(1) At Texas Southern University:

(*a*) On the night of Tuesday, May 16, and early morning of Wednesday, May 17, when a gun battle occurred between dormitory students at TSU and police, an EOO employee named Roosevelt "Rudy" Huffpower stated that he had been in the dormitory where students had guns and were firing them. Was he there to dissuade them from firing or to encourage them? What was his function?

Earl Allen, director of community organization for EOO, also appeared and his offer to accompany other "dissuaders" to the dormitory was accepted. Any report that has been submitted saying Allen's help was solicited by the mayor's office or police is not correct. He claims to have rapport with TSU students and thus his offer to go to the dormitory with three other Negro "leaders" was accepted. The "leaders" failed to dissuade the students from shooting. The main question in connection with Allen and TSU is that reports have been picked up that he and other EOO workers have claimed that they have "kept the situation down" at TSU and if it hadn't been for them, trouble would have come sooner. Such is not true. A second question is: What has any attempt at intervention at TSU have to do with the poverty program? Certainly, in a crisis such as Tuesday night, help from any quarter would be welcomed. But the claim has been made since March that EOO workers have been "helping keep the situation down" at TSU and, until Tuesday night they were at the college strictly on their own initiative. (More discussion on this point will follow.)

(*b*) Reports have been picked up that EOO workers have stated that they knew students had 17 weapons in the dormitories and could have "disarmed" them. If EOO workers were so anxious to "keep the situation down" at TSU, why didn't they turn such information over to proper authorities. And why didn't they "disarm" the students on the night of the shooting, if they could, since Huffpower himself said he was in the dormitory where the guns were?

(c) In connection with the frequent claims that EOO workers have contributed to holding the TSU situation down, the following questions need to be answered:

On the night of Saturday, April 22, when 24 cars were damaged by bricks and rocks thrown from the TSU campus at passing motorists, injuring six of them (two seriously), where were the EOO "mediators"? The mayor's office assistant in race relations was in Dallas and didn't return until Sunday.

On the night of Sunday, April 23, when the mayor's aide was back in town, he was told by Dean of Students J. B. Jones that the situation was as explosive as ever and bricks would probably again be thrown. The mayor's aide persuaded the head of the Student Nonviolent Coordinating Committee, who had not been involved in the brick throwing, to go to the campus and try to dispel some 200 students who had gathered. He did so. Where were the EOO "mediators"?

On Monday night, April 24, the same situation repeated itself and the same assistance was provided by the mayor's office. None came from the EOO workers.

On Tuesday night, April 25, the mayor's office aide conferred with SNCC leaders on a "campus policing" routine to keep disorders down. SNCC agreed to take on the job. EOO was not involved.

Until Wednesday, April 26, Wheeler Street was having to be blocked off regularly and from 100 to 300 policemen stationed three blocks away for possible intervention on the campus.

(*d*) All these details are furnished to dispel rumors that EOO workers have helped keep order at TSU. They have not.

(*e*) On Monday, May 22, an EOO worker identified as Pluria Marshall, who was given a leave of absence after being at the scene of TSU street-blocking demonstrations in April, was seen passing out inflammatory material on the trouble at TSU May 16. A copy of the material has been obtained. Marshall is back on the EOO payroll.

Question. Is this a legitimate function of a war on poverty worker and, if it is, what relationship does it have to creating or executing programs helping the poor? The distribution of the material was being made in the 3000 block of Rosedale, six blocks from TSU, a section known as Riverside, where homes in the area sell for $14,000 to $20,000.

(2) At the Holmes Road dump—preachers in the area have led a series of street blockings to keep garbage trucks from using the dump. Arrests have followed.

(*a*) On Saturday, May 20, three EOO workers were at the church where Rev. O. L. Hughes was organizing a new group of people to block the street to the dump.

(*b*) According to Francis Williams, board chairman of the merged Harris County Community Action Association, their assignment was to keep people from "becoming wrought up" and "doing anything impulsive" since there was tension in the city from the May 17 disturbance at TSU.

(*c*) Paraphrased, these are the kind of statements the three EOO workers made to a mayor's office assistant in the presence of neighborhood people who gathered around for the discussion:

When is your racist mayor going to wake up to the fact that this town is going to burn if he doesn't do something?

The shooting by students at TSU was justified because the white man has been oppressing the Negro for 300 years and now it is the black man's turn.

Don't you know this town is going to burn and there are people just waiting to loot the stores?

Question. Are such statements, made outside an organizational meeting for a demonstration, designed to "keep people from getting wrought up?" The statements came from Roosevelt "Rudy" Huffpower, Bertain English, and Robert Becnel. Huffpower had been issued 3 days before, at the request of EOO Executive Director Charles Kelly, a "special representative of mayor's" card to enable him to cross police lines such as at TSU. Huffpower was the EOO worker who was loudly branding the mayor a "racist" at the Holmes Road meeting site. Kelly was asked May 23 to return all mayor's cards.

Question. Has the Washington OEO agency been receiving reports that Houston is "going to burn" and the EOO workers are the ones who are keeping things under control? Reports picked up locally are that Earl Allen has repeatedly used "the town is going to burn" theme to indicate that only himself and his people have the power to keep things under control.

(3) *In northeast Houston*

(*a*) On the evening of Tuesday, May 16, before any shooting at TSU, EOO workers appeared at the homes in the area where there was tension over picketing and arrests at the nearby Northwood Junior High School.

Question. Why did these people intervene in an area where the Scenic Woods homes are all brick, costing from $10,000 to $15,000, and there is no indication of poverty?

(*b*) On the same evening, *after* the TSU shooting started, the mayor's office was informed that Francis Williams, EOO board chairman had made his staff available to keep people from going to the streets in other areas of the city or creating disorder not in the interest of community peace. EOO workers Larry Thomas, Robert Benjamin and Warren Fincke were "assigned" to the Northeast area.

(*c*) On the night of Thursday, May 18, Larry Thomas signed a letter, which was delivered by Fincke, for four to six parents in the northeast area wanting a meeting with the superintendent at noon the next day. The parents would not sign or deliver the letter themselves. The superintendent wanted to know what business the EOO had in the affair, which concerned suspensions of students who were children of the four to six parents.

(*d*) On the morning of Thursday, May 18, a former employer of one of the parents of a suspended student at Northwood Junior High School received a call from the parent saying that "agitators" had moved into his home and were "dangerous." He identified a "Larry Thomas" and said he feared these people might try to do "something like blow up the school."

(*e*) Reports have picked up locally that EOO workers are blaming Sam Price, Earl Allen's counterpart at HAY, for telling police where a suspect in the TSU trouble was staying.

Question. Has the OEO agency in Washington received this report and does it consider that a man's life may be in danger as a result?

(*f*) Tuesday, May 23, without intervention from either EOO or HAY workers (now both members of the Harris County Community Action Association), arrangements were made through a representative of the mayor's office for dissident parents in Northeast Houston to meet with the school superintendent, with the result that all but two students were reinstated in Northwood Junior High School. This was accomplished through mediation, without use of the confrontation-conflict technique advocated in such situations by the local EOO and without need of further picketing or demonstrations by the suspended students, their parents or outside "help" from TSU students.

Such reinstatement should not be interpreted to mean there will not be any more trouble in the Northeast Houston area or at the Northwood Junior High School. It simply means that any reports the Washington OEO agency may have received about the critical nature of the situation has been negated, as far as problems from dissident parents are concerned.

(*b*) Questions on Charles Kelly, EOO executive director, and sources of "city in crisis" rumors:

(1) In December 1966, Kelly told a mayor's office aide of a report that there would be "a burning" in the third ward during the Christmas holiday and that "the CIA was working on it."

(2) In March 1967, Kelly said that the controversy in Settegast between residents and EOO workers was being handled right by EOO and was a "gut issue."

(3) Repeated reports have come from EOO workers in the past week that Houston is "about to burn" and only they can save the situation.

2. Activities of James M. Simons, whose "card of introduction" identifies him as with the Office of Economic Opportunity, 314 West 11th Street, Austin, Tex.

(*a*) What is his role and function?

(1) Sam Price, head of neighborhood organization for Houston Action for Youth, said Simons originally identified himself as assigned to OEO Office of Inspector, under Ed Terrones, but working for the U.S. Department of Justice.

(2) Price said Simons first came to Houston approximately 1 month ago to investigate the participation of EOO workers in civil rights demonstrations.

(3) To this date, Simons has never paid a visit to the mayor's office to obtain information it might have on any EOO worker leaving his assigned area to work with the poor and appearing at TSU and other areas to encourage or participate in demonstrations. On Thursday, May 18, a mayor's assistant, who happened to be at Houston Action for Youth for a meeting of the merged group, was introduced to Simons, who also was at HAY. After visiting TSU, Simons came back and had approximately 5 minutes of conversation with the mayor's assistant and asked for some "off the record" opinions.

(*b*) What is the nature of the reports Simons has been sending in?

(1) From reports in Houston, Simons has gained a reputation as a completely naive, inexperienced young man who has been taken in by the Earl Allen group in EOO on the need for militant participation by EOO in "civil rights" activities.

(2) As Simons was leaving HAY headquarters, he was told by a member of the Student Nonviolent Coordinating Committee who had been with him to read a certain book the SNCC member had recommended. The SNCC member said it would indoctrinate Simons. Simons said he was already indoctrinated.

(3) It is believed that Simons also obtained information, mostly from the EOO faction, on the situation in northeast Houston and has reported that it is explosive. It is doubtful he made any mention of the arrangements, made through the mayor's office, that resulted Tuesday in reinstatement of all but two students.

Question. If Simons is meant to investigate the participation of EOO in Houston in demonstrations and TSU disturbances, has he given any indication of covering "both sides," and interviewing people who are not in favor of the EOO activities as well as those who are?

3. Acceptance of the poor of the antipoverty program in Houston:

(*a*) Since July 1966, a survey team of Negro interviewers has conducted interviews in all Negro neighborhoods of Houston, asking opinions on various problems and issues, including attitudes toward the "War on Poverty."

(*b*) These interviews were conducted among low-income Negroes, those included in the poverty bracket. Neighborhoods covered included those from Sunnyside to Settegast.

(*c*) Low-income Negroes themselves have not been found to have positive opinions toward the war on poverty. The results to date are:

51 percent say the war on poverty had done a fair job in terms of results.

31 percent say it has done a bad job.

12 percent say it has done a good job.

6 percent say they have never heard of the program.

(*d*) In addition to asking low-income Negroes their opinion about the poverty program in Houston, the interview subjects also were asked such open-ended questions as: "What are the causes of racial tension in Houston?"

(Random comments have included negative comments about the poverty program. An example, from the last survey: "People are bitter because the so-called poverty program hasn't done no good.")

OFFICE OF ECONOMIC OPPORTUNITY,
SOUTHWEST REGION,
Austin, Tex., July 21, 1967

Hon. LOUIE WELCH,
Mayor of Houston,
Houston, Tex.

DEAR MAYOR WELCH: Sargent Shriver has asked me to answer your communcation to him of May 25, 1967, concerning the poverty program nationally and in Houston.

First, allow me to deal generally with the conceptual questions you have raised. I do not find the same implication in the use of the word "force" which your questionnaire quoted from an HHCEOO document called "Operation Discovery," nor do I find that revolution in its popular sense is implied in the document. This document was prepared by the community organization staff of the former HHCEOO organization's community developemnt component which our office funded in June. The program will be discussed later in this letter.

I am convinced that OEO and the legislation which provides its mandate have already "forced" new types of decisionmaking structures all over this Nation. In countless communities, the people to be served are sitting for the first time in governing bodies which are deciding their destinies. It is most essential that these new voices join with the traditional governmental, agency based, and general community representatives to frame programs and strategies which will eliminate the obstacles to their fullest economic and cultural opportunities. Without the most extensive participation of the major local governments, these plans will be doomed from the beginning.

The record of interest and concern of both the metropolitan governments and the county government of Harris County in all phases of the attack on poverty has proved the willingness of the political leaders there to use their resources to the maximum extent. This is in the best tradition of OEO which is revolutionary only in the sense that existing structures are mobilized in new ways to do the job of providing new economic opportunities through making it possible for the poor to help themselves. I feel certain that the restructured Community Action Agency in Harris County, even though it is no mere extension of governmental agencies, will involve all public officials in an integral way in the anti-poverty decisions which only Harris County's citizens can make.

On the other hand, we have discovered that because the poor have been so long a voiceless segment of our communities, they may view the traditional public and private policymaking bodies as obstacles to their full development. Anyone can expect, during the poverty war's infancy, a measure of conflict between the traditional responsible elements of a community and those who, in many cases, are being introduced to civic responsibility for the first time. The community action agencies are placed in the dilemma of being the advocate for the poor, their chief reason for being, and the mobilizers of support from groups which the poor may at times criticize. In view of this, OEO must support the necessity for all CAA's to enable the poor to express their grievances at all times in an orderly manner using first the traditional tools of petition and hearing and only then, that failing, their constitutional right to assemble peacefully to demonstrate publicly the wrongs they seek to redress.

The CAA and its staff should not promote conflict in any instance, yet it should never discourage the use of orderly methods in effecting necessary change. It is, in fact, remiss when it is not actively involved in helping to order these expressions but it is also remiss when it or its staff seeks to participate actively in these efforts to the extent that the initiative and participation of the poor would be replaced. The CAA must always enable the poor to speak effectively and forcefully, but it must not become a substitute for their voice. Also, I do not believe it is accurate to impute to the poverty program those frustrations and aggressions which find their impetus in the uneven struggles of racial minorities for community recognition of age-old grievances.

Violence of any type is not an acceptable means of developing community organizations. On the contrary, it has been our official and well-publicized position that such activity will not be countenanced under the poverty program. Those few individuals who have been unable to operate within the program under this constraint have been asked to leave. Others were fired upon the presentation of proof that they were engaged in encouraging or fomenting violent acts. Far from encouraging violence, the poverty program has provided the poor, including minority poor, with a legitimate framework, encompassing community resources, for expressing grievances through nonviolent means. In my opinion, this endeavor in almost every instance has been singularly successful.

This regional office has recently approved applications from the newly merged community action agency in Harris County which include a community development component. The methodology described in this program includes the organization of poverty residents around the central issues of their concern. These are called gut issues, and they refer to needs for normal community services and facilities.

There is no hint in this proposal that issues and solutions will be emotionally based; rather, it is planned that the development staff will conduct extensive surveys and profiles of the community and that they will follow this discovery of immediate needs with a carefully planned strategy to seek the satisfaction of these needs. This strategy is to be determined by the residents themselves. Conflict is not inherent in this plan; however, confrontation is, in the sense that the fullest expression of these needs should enable the policymaking community organizations to become more directly sensitive and responsive to the problems of daily life in the poverty areas.

The poor do not need to be forced into the decisionmaking process in Harris County. They are already there, through their own duly elected representatives and through those sympathetic representatives of the governmental bodies and the community at large. The goals of community development are to enable poverty residents to speak with clarity and with strength to the problems they know best, thus increasing the effectiveness of all of their advocates on the CAA board and on other policy bodies in Harris County.

It must be added that, in my opinion, the degree of success in building effective neighborhood voice through such community development projects will determine the degree of Harris County's success in arresting the tensions that occur when that voice is not able to be heard. This is not to say that, in Harris County, public officials have not been ready to listen; rather it is to say that the expressions of concern from the poor have been fragmented, disjointed, and scattered and therefore ineffective. It is the role of the CAA to reform these expressions and aid all local decisionmakers to meet the problems head on. This is what I mean by confrontation.

The role of the neighborhood organization staffs in the two former Harris County Community Action Agencies has been spotty and uneven. We are apprised of incidents in which staff members have exceeded the roles they serve. This must not continue to occur. I believe that under the leadership of a newly united board, neighborhood organizers will be able to become much more aware of their assignments and goals as well as their limitations. We have been encouraged by the initiative shown by the new board chairman, Mr. Francis Williams, in supervising the utilization of staff members during the recent tensions in Harris County.

Mr. Williams has offered to you the HCAA staff insofar as it can be helpful in resolving the conflicts that have occurred. It has been charged to effect the role of observer in these tensions. Some effective work has been done, and when either of the two neighborhood staffs (HAY and HHCEOO) worked at cross-purposes or exceeded their assignments, Mr. Williams dealt with each issue, and conflict with authority and fairness. He has seen fit to make difficult decisions regarding staff assignments in the midst of disputes over methods of approach. We believe that his actions signify a more positively directed neighborhood staff and that the newly-unified operation in Harris County will enable the CAA to implement and evaluate better the goals and direction toward those goals of neighborhood organization.

The local CAA will always have to decide case by case whether or not neighborhood conflict is related to the conditions of poverty in the community and whether or not the conflict has a direct bearing on ongoing CAA efforts. However, when the CAA can clearly show that it has a stake in the issue at hand, I am prepared to support its involvement within the limitations I have stated.

OEO both regionally and nationally is constantly evaluating the role of CAAs and their staff in neighborhood affairs especially when tensions flare. It is under this necessity to discover and interpret the facts that it recently sent to Houston both Mr. Ray Reusche and Mr. Jim Simons from its Office of Inspection. Both of these men have presented us with full and unbiased reports regarding staff involvement. Mr. Reusche worked primarily with public officials and CAA staff, and Mr. Simons worked primarily with the officials and staffs of both HAY and HHCEOO plus city, county, and university officials and neighborhood residents.

Mr. Simons has worked especially close with our office's field representatives, and they have commented favorably on the thoroughness of his work as well as Mrs. Reusche's. Based on Mr. Reusche's and Mr. Simons' reports, in no instance have we discovered any intent or act designed to stir up violence or conflict on the part of CAA staff members, even though many have become closely involved in the areas to which they have been assigned and with those people who would use grievances as a source for inflammatory action.

Our investigations are not at an end, and we will continue to seek to discover the facts behind the problems and the issues that involve CAA members.

Sincerely,

WALTER H. RICHTER,
Director, Southwest Region.

OFFICE OF ECONOMIC OPPORTUNITY,
SOUTHWEST REGION,
Austin, Tex., July 21, 1967.

Hon. LOUIE WELCH,
Mayor of Houston.

DEAR MAYOR WELCH: I appreciate very much having had the opportunity to meet with you briefly yesterday, and I hope to make an effort to keep in touch with you more closely in the future.

Enclosed is my official written response to your letter of May 25, something I drafted and forwarded to the central office shortly after being informed of your inquiry. At a meeting in Washington in late June, I learned that this information had not been forwarded to you and was assured that something would be done. About 10 days ago I had one of my staff people check on it and received further assurances.

Before I left Houston yesterday I called my man in our Austin office to tell him to get some action, and he informed me that yesterday morning he had had a call from Washington advising that the copy of the letter had been mailed. It arrived with a letter of transmittal from Bert Harding dated June 22 with a handwritten note signed by Don Baker, an OEO attorney, which read: "It's all my fault—I had wanted to edit it—but each day was exhausted by crises and some time passed. So here it is! As was!"

I dislike elaborating on excuses when the whole thing is inexcusable, but I wanted you to understand that the ball dropping was essentially the fault of one guy and certainly does not reflect the manner in which Mr. Shriver or Mr. Harding normally handle their important correspondence.

Regarding the absence of direct comment on a number of questions which you posed about activities of the local OEO-funded operations. I have first a statement and then a suggestion.

My statement has, admittedly, dealt with your conceptual questions, because in almost every specific instance cited the official OEO stance is explained by this statement of policy and philosophy. To have tried to establish an objective, documented investigation of each happening and situation referred to would have been a mammoth and almost impossible undertaking.

This probably relates to your comment about not having been consulted in an "investigation" since there was none based on the specifics in your inquiry. The inquiries I referred to were extensive inspection and factfinding efforts, mainly by several teams from the central office and supported in some instances by our own staff. These certainly should have included considerable contacts with you and other city officials.

Because I want in no way to shirk our responsibility in responding to specific circumstances and situations referred to in your letter, I should like to make the following suggestion. If possible on August 3 and 4, since these are the first days available for our staff people concerned, I would like for Frank Moffitt and Fred Holt of our staff to meet with Dr. Justice, Mr. Fairchild, and possibly others of your staff and Francis Williams for the purpose of reviewing item by item the questions you have raised in the light of the OEO position as reflected in my response to you. Also, I would want the review procedure to cover a person-by-person review of instances in which your office feels that prior criminal involvements constitute cause for dismissal.

As I mentioned yesterday, the area of responsibility of the Southwest region (representing the Federal Government) for involvement in local problem areas is a delicate and sensitive matter, but I would hope that the individuals assembled could reach agreement on most of the situations and problems under review.

My suggestion further is that in those instances when there is not a clear understanding of the OEO position at our level I be brought into the picture, preferably in a conference with you, so that I could make a final policy judgment.

I hope you will agree with this suggestion and that I may hear from you either approving the August 3 or 4 dates for the preliminary meeting or suggesting an alternate date.

I just talked to Bert Harding on the telephone a few minutes ago. He asked me to give you his personal regards and to express his deep regret over the woefully inadequate manner in which your inquiry was handled.

Sincerely,

WALTER H. RICHTER,
Director, Southwest Region.

Urban rioting and "rotten politics" have seriously undermined congressional support for poverty war legislation, Congressman PHIL M. LANDRUM said in August:

> I have about reached the conclusion that the Community Action programs are hopeless. So much local responsibility is required for them, and there is so little judgment in what they do. * * * One group of extremists has wanted to use Community Action for Civil rights, another for politics—

POLITICS AND POWER—THE NAME OF THE GAME

Despite a 1966 amendment which the Congress hoped would take politics out of the war on poverty, the OEO continues to allow the most obvious political abuses to flourish in antipoverty programs.

In Durham, N.C., this year, Operation Breakthrough—the community action agency—with the advice and consent of OEO officials, developed a highly professional vote delivering apparatus.

For 3 months, January to March, antipoverty workers pored over voter registration books, copying registration lists and other political data.

In April, using poverty-financed vehicles, Operation Breakthrough employees transported hundreds of Durham residents to polling places for registration.

In May, antipoverty workers, serving as checkers at the polls and using personally owned cars, delivered citizens to the polls during the Durham municipal general election.

All of this, according to the Director of OEO did not violate any laws. Whether or not laws were broken, it was apparent to all that the Durham antipoverty agency was in the political arena in a very big way.

PARTISAN POLITICS?

An investigation of the General Accounting Office revealed that in Palm Beach County, Fla., in the fall of 1966, two antipoverty workers, serving as voting registrars and conducting "on the spot" registration of migrant workers, signed up 686 voters, 680 of whom registered Democrat.

HAVEN FOR POLITICIANS

In Newark, N.J., according to the city's mayor, Hugh Addonizio, the $6 million antipoverty agency, United Community Corporation, is a haven for defeated political candidates and aspirants to public office.

POWER PLAY

In Syracuse, N.Y., 3 years of community action has seen two community action agencies fold up after prolonged power struggles with that city's administration.

VOTER REGISTRATION—A POWERFUL POLITICAL WEAPON

In September 1967, U.S. Senator EVERETT DIRKSEN, protesting voter registration drives in Gary, Ind., warned that voter-registration drives by poverty-war workers, viewed on a national scale, could become a potent political weapon in the hands of the administration.

THEY MADE THEIR QUOTAS

Early this year in Houston, Tex., antipoverty workers signed up thousands of Harris County residents in a voter-registration drive. When four of the poverty warriors failed to meet their quotas, they resorted to apartment house lists, trailer camp directories, and nameplates on mailboxes, filled out registration forms, and within days had more than met their quotas.

A subsequent $25,000 investigation of voter registration in Houston revealed that an estimated 8,000 were phony.

EARMARKING OF PROGRAMS

During debate on the Economic Opportunity Act in 1966 we warned that earmarking of funds under title II–A would impair the effectiveness of community action programs. Despite our pleas a bill was passed which provided that 60 percent of the funds—$486.5 million—be allocated to specific, prepackaged programs. As we predicted, this formula resulted in priorities of programs at local levels which contrasted with the needs of respective communities.

The following statements of community action directors, 6 months after the bill was passed, reflect the feeling of knowledgeable antipoverty administrators:

> Too often we are told by the OEO what to plan, in fact, given the plan and told to "sign here."
>
> The long arm of Washington is reaching in with funds and telling us what to do.
>
> Community Action programs have reached the turning point in whether they will live or die. There are those who say Community Action programs will not work and that local authority is being usurped by the earmarking of funds.
>
> The key to the success of such programs is that they be geared to specific needs and that we maintain the local concept.
>
> Mr. Clark said he would like to remind regional officials that St. Paul is not Chicago, not Detroit, or Omaha, but has its own unique problems and cannot be fitted into a mold.
>
> "But we must also maintain the grassroots level. We have shown that it works and must continue our efforts to keep local autonomy," said Carlson.
>
> We should be free within broad policy lines to determine our own needs and perhaps even make our own mistakes.
>
> The OEO seems to have overlooked the fact that many communities—including St. Paul—have interwoven networks of agencies, many of which have pioneered efforts to abolish poverty.

TESTIMONY BEFORE THE COMMITTEE ON EDUCATION AND LABOR, JULY 12, 1967

> Shirley Tannenbaum, Director, Frederick County, Md., CAP, stated:
>
> "Shortly after assuming the role of CAP Director (1966) the national picture began to change. Not only did Congress begin to cut appropriations, but it also began deciding what the funds should be used for (i.e., Headstart, Upward Bound, Legal Aid, etc.).
>
> "This seems to me to be a direct contradiction to the philosophy put forth by OEO and the original law which required maximum feasible participation of the poor and local determination of priorities.
>
> "It is conceivable that none including Headstart of the so-called canned programs may be applicable or seen as necessary by the poor themselves in some localities. * * *
>
> "We were told that homemakers programs were low priority. Low priority to whom? In Frederick County it was high priority.
>
> "It seems to me that if the legislators want to earmark funds and decide on a national level what programs will get funds they should also eliminate the hyprocrisy of getting representation of the poor. Why bother to ask them what they need and then say you can't have it because there are no funds allocated for that?
>
> "If this alternative is chosen, then OEO will become another dispenser of programs and services. Another bureaucratic empire will be built. But it will not eliminate poverty."

Mr. Chairman, again this year we find the Senate bill, S. 2388, earmarks 50 percent of the funds authorized for community action programs. We intend to oppose this provision of the Senate's bill and leave the funds free for local communities to establish their own priorities.

HEADSTART

Although Sargent Shriver has described Headstart as "OEO's greatest, single, measurable success," it has experienced continuous turmoil created by last-minute funding, constantly changing policies, and dual funding through the OEO and Office of Education.

We have, in the past, criticized the circumstance of funding by two separate agencies, which is in part responsible for much of the confusion and delay in funding. Numerous applications are shuttled from agency to agency while each claims the other should fund them. A chamber of commerce study on Headstart programs also criticizes the coordination between the two agencies, stating:

> OEO does not consider the role of the Office of Education when making projections of future Headstart program needs. They do not even maintain information on how many projects they are funding jointly with the Office of Education.

Hundreds of administrators of Headstart programs complain about funding problems. As an example, here is the lament of the director of the Detroit program in the summer of 1966:

> We were funded on Friday and had to open 400 classes for 6,210 children on the following Monday. This made innumerable problems concerning personnel, recruiting, and equipment. We could not officially hire aids, doctors, and so forth, until we were sure that the funds were available.

THE TOO-LATE HEADSTART

The administrative OEO machinery is largely responsible for these problems. An evaluation of summer, 1966, Headstart projects of Lake County, Ind., by Drs. Harold A. Gram and Leon J. Tolle of Valparaiso University, clearly illustrates the problems experienced by that program:

Briefly, the evaluators found plans and proposals were submitted to the regional office about March 18; however, the regional office did not respond until June 7, the date the program was to have begun. On that day, OEO regional personnel began making corrections and revision of contracts with the delegate agencies. According to the evaluators, these revisions were "communicated to the delegate agencies on June 14, 1966, and were apparently made without any communication or coordination with Lake County OEO or the delegate agencies. Furthermore, they were neither consistent or logical." First funds were not made available until June 27, 1966.

The effect of this timing and lack of coordination in the planning stages had two general results:

First, it created an atmosphere of confusion, frustration, and uncertainty which was not really overcome in some districts until the program was underway if at all. This atmosphere lowered morale in the Headstart program which obviously depends heavily on enthusiasm and commitment of its participating people. The damage caused by this poor administration of planning was diminished fortunately by the presence of dedicated and experienced personnel who were able to tolerate and to some extent overcome the confusion.

Second, the delays and intransigence in early planning phases caused delays and ineffectiveness in subordinate plans, notably in recruiting and orientation of personnel, in purchasing and procurement of supplies, and in the establishment of effective policies and control procedures at the county and district levels.

The study attributes the poor planning to three conditions: "ineffective and inexperienced personnel in regional OEO; a lack of clear, comprehensive directives and guidelines at any level; and understaffing and personnel turnover at the county OEO office."

The evaluators were likewise critical of the lack of policy formulation and commented that "after 1 year's experience, a greater maturity and stability than was found should be expected." They commented specifically that "policy was lacking on personnel qualifications and records; on child-family eligibility; on type, limits and tolerance on budget expenditures; on required program content; on closed-down and on followup policies."

They go on to say "perhaps more important, however, was the lack of clarity and conciseness which burdens most of the OEO literature. Important directives and guidelines are buried in masses of fancy rhetoric and vocabulary. The result is frequent oversight and misunderstanding of what is to be done."

Regarding assistance from the regional offices, the report indicates that—

> The Lake County OEO Office relied materially on five area coordinators to coordinate its several programs. It was beyond the scope of our study to determine the overall effectiveness of this group, but it was clearly apparent that they did relatively little for Headstart. Several of them were barely aware of the program and had not visited it while it was in progress.

Regarding controls—

> A major complaint about the previous year's program (1965) was the large amount of reporting which had to be done. The 1966 session of Headstart apparently was swung to the opposite extreme.

Among Dr. Gram's and Dr. Tolle's conclusions were the points that—

> Formulation with OEO policy must achieve greater consistency and stability. This is especially true with regional OEO levels where ex post facto policy formulation must be avoided.

MORE REDTAPE

These problems continued to exist last fall as illustrated by the complaints of officials at the Hayward United School District of Hayward, Calif., who said their program "may be dumped because of a Federal redtape snarl." Their application for a year-round program was submitted in April 1966, and 5 months later, one-half week before the program was to have begun, officials received word that the regional OEO had reviewed the application and made changes. Superintendent William Cunningham blamed officials at San Francisco regional office for not keeping them informed of changes in guidelines and said:

> Frankly, I am getting completely disenchanted with the redtape we've been fighting for the past few months with that office.

In late May 1967, at a time when all plans, funds, and programs should be ready to begin, officials were again complaining over last-minute changes in guidelines and no funds. The last week in May, the Christian County school system, Kentucky, announced it would "pull out of the Headstart program this summer unless Federal funds are approved by tomorrow."

Although the program did finally take place, Dr. Guy S. Potts of the Fayette County school system announced on May 20 their school system had dropped the 1967 summer Headstart program, citing funding problems, late notification by the Federal Government, and "bureaucratic bungling" as reasons. The target date for the Government's approval of this Headstart grant was February 28, but a copy of the approved budget did not reach Dr. Potts until the last week in May. In light of "confused" directions from Washington transmitted by "memoranda, letters, guidelines, telephone calls, various verbal information, and training sessions," Dr. Potts said he felt it was impossible to clearly understand conditions.

Officials in Atlanta, Cleveland, and other cities and counties throughout the country have suffered through the same experience this summer and will continue to each year until they finally decide to forget about the Federal grant and develop their own programs, using whatever local funds they can find, as East Cleveland decided to do this summer.

OEO—THE GREAT BUREAUCRACY

Placing OEO in the Executive Office of the President was to have provided the leverage OEO needed to coordinate the efforts of Cabinet-level departments. Unfortunately, due to a lack of interest and backing on the part of the President and antagonism between the OEO Director and other department heads, this has failed to have any effect. As James L. Sundquist notes in his study of OEO coordinative efforts for the Senate Subcommittee on Employment, Manpower and Poverty:

> The other agencies of Government do not look upon OEO staff members as Presidential agents speaking for the President and exercising his authority, like staff members of the White House, the Budget Bureau, or the Council of Economic Advisers, OEO is looked upon, and acts as, another operating agency on a par with the Cabinet departments—not on an organizational level above them. Its staff role is ancillary to its operating role in much the same sense as are the Presidential staff roles of the Secretaries of HUD, Labor, and the other departments.

COORDINATOR OF ITS OWN PROGRAMS

We would at least expect that OEO, in its administration of Job Corps, community action, and VISTA, would attempt to coordinate with other agencies who are administering like programs or with other levels of Government which are attempting to coordinate programs within their States. We are sorry to see very little evidence of such coordination by OEO.

One example of this lack of coordination is in the area of Indian programs. "A Comprehensive Evaluation of OEO Community Action Programs on Six Selected American Indian Reservations" by Human Science Research, Inc., concluded:

> As indicated in the descriptions of a number of problems, coordination between such Federal agencies as OEO, EDI, BIA, PHS, and PHA, not to mention State and local agencies, school boards, law enforcement agencies and the like * * * would be of inestimable value in launching programs which could strike at the roots of Indian poverty. The economic development, housing and other construction provisions of CAP component space and of any other aspects of the War on Poverty would be facilitated were such cooperaiton the rule rather than the exception.
>
> A number of instances have been reported of surveys being conducted under OEO auspices to gather information already collected by local BIA agencies. Considerable expense and time would have been saved had there been any mechanization in existence to acquaint either or both of these agencies with the other's activities.

STATE TECHNICAL ASSISTANCE

OEO professes to maintain a satisfactory degree of coordination with the States through their grants to State agencies for technical assistance programs. In actual operation, however, the expertise and valuable knowledge of most States offices are wasted except for the small role they play in providing technical assistance to community action agencies.

Directors of State technical assistance agencies—STA's—held a conference in Washington this summer at which a position paper was drawn up and signed by all but two of the directors present. Some suggestions in this position paper were:

> 1. That the State agencies should be permitted to submit an annual State plan for expenditure of funds in concert with the Federal, regional, and local OEO, and consultation between State and regional or national OEO should take place before funds are granted or approved in any State; and
>
> 2. STA's should be included in OEO's checkpoint procedures relating to all OEO programs and that the STA's be involved with the OEO, regional and community action agencies in developing evaluation procedures.

Voluminous testimony at the hearings and numerous letters and comments from STA directors indicate the present State role is not great enough, that State agencies presently have no say in the allocation of funds within a State. The regional offices of OEO make such allocations taking no effort either to provide an equitable distribution of the money to the poor over the State or to concentrate it in the areas where most needed.

VIEWS FROM THE STATE

One State director commented on the problem of coordination of various programs within the State:

> The linkage between community action programs and work programs is tenuous at best, especially in the rural areas. The Office of Economic Opportunity has to be given muscle to effectively coordinate these programs with its own. Likewise, the State officials should be a critical point for this function, and it should be spelled out in the law.

Former Connecticut OEO Director Joseph P. Dyer stated before our committee this summer:

> Under the terms of the present Economic Opportunity Act, a STA director has little muscle to impose regulations, has no responsibility for evaluating results, and is considered as an afterthought by most OEO Washington and regional office personnel.

He also notes:

> Sole strength we have to control local poverty spending is a Governor's veto—which can be overridden by the national director—and the public information media.

E. R. Rankin, Jr., director, North Carolina Department of Administration, likewise complained that:

> Federal antipoverty programs are usually prepared without any knowledge of the Governor and are submitted for the approval or disapproval of the Governor after public announcement in Washington that the OEO has approved the grant, or other Federal assistance.

Further concerned with the lack of coordination, Mr. Rankin states:

> The well-known OEO policy of ignoring and bypassing existing State and local governmental agencies has certainly not assisted in North Carolina's efforts to improve poverty and poverty conditions. Any long-term improvement in local community conditions must involve the existing agencies and local leadership in these agencies.

Another State director notes the nearly complete exclusion of the State from proposal review, and the lack of program evaluation by OEO:

> Presently, a proposal, when submitted by the CAA to the regional office, is reviewed by a regional analyst, who has the authority to add or delete from the component. This practice in almost all cases goes on without consultation with the State TA. The local community, thus sensing that the ultimate responsibility for the success of their proposal rests with a regional analyst, turns to the regional office for assistance. In all too many instances, the analyst encourages the local community to obviate the STA. This dual service leads inevitably to confusion and mistrust.
>
> At present, the evaluation of funded programs is not required. Thus, proposals are refunded without a knowledge on the part of the reviewer if the program was effective and meaningful to the lives of the disadvantaged. It is conceivable that good money is supporting ineffective program.

The following letter to Congressman Quie from Governor LeVander of Minnesota not only provides an excellent statement of the plight of the States under present policies of OEO, but also furnishes realistic alternatives that we think would immeasurably strengthen community action and other poverty programs:

> State of Minnesota,
> Office of the Governor,
> *St. Paul, Minn., April 18, 1967.*
>
> Hon. Albert H. Quie,
> *House of Representatives,*
> *Washington, D.C.*
>
> Dear Al: I am most grateful for your letter of April 13 and the copy of the news release outlining your proposed "Republican Opportunity Crusade" to inject new life into the faltering poverty program.
>
> Public reaction to your proposed changes is generally quite favorable, and even enthusiastic in some quarters. However, there are many who are confused—and have been led to believe that your plan for new direction and new vitality in the program is really an effort to discontinue Federal programs for the poor. This is unfortunate, and you might consider another release stressing your concern for redirection and realistic administration of antipoverty programs in order to restore confidence and respect of the American public and those who should be benefiting from these expenditures.
>
> Of particular importance is the development of sound administration, new direction, and new vitality for the poverty programs and the establishment of sound management and direction so desperately needed by the local CAP councils.
>
> Actually, here in Minnesota, the Governor's office of economic opportunity is the "Governor's" in name only. The State OEO office "dangles" haplessly, between the local CAP councils and the regional office, doing housekeeping chores, providing routine assistance to CAP councils, with no real authority to act. Only out-State (rural) OEO programs in Minnesota are under the Governor's OEO office. As you know, metropolitan programs in the Twin Cities, Indian programs on reservations, and special service programs funded with earmarked moneys require my approval (waiver). As Governor, I have neither control nor authority over the programs once they are operational. Similarly, programs of local community action councils require executive approval (waiver), but regulations provide no real basis for authority by the State over the council actions once the funds and the projects have had approval from the regional office.
>
> As part of your proposal for reestablishment and rejuvenation of these programs for the poor through the opportunity crusade concept, there is great need to strengthen the State's position in administration of the programs and in allocation of funds. Ideally, allocation and utilization of funds should be handled by a designated State office responsible to the Governor. This office, operating with a combination of State and Federal funds, and working with local communities and community action councils would make determination of programs and projects based on local needs, with specific goals and purpose.
>
> There is, as your proposal indicates, need to lift the philosophy and attitudes of the program and the people involved to a "positive" rather than negative approach.
>
> There is need for more imaginative programs keyed to local needs. With funding approval centered in a regional office by people who have no familiarity with an area or its problems, it becomes almost impossible to get acceptance of a special, imaginative program that is different than the standard. This, in itself, defeats the purpose of the community action concept and results in the sameness of programs throughout the State.
>
> Under present administrative procedures, the regional office in Chicago now handles the function of funding and approving programs, completely bypassing the State office. It certainly would be desirable to amend the act and/or regulations to allow funds for administration and programs to be granted directly to the State. With the funds, there should also be requirement that local CAP councils meet minimum standards in administrative procedures, bookkeeping, management and other criteria to insure proper utilization of funds in keeping with the intent of the law. States desiring to administer the programs should be required to meet certain criteria such as:
>
> (1) A demonstrated knowledge of the goals and philosophy of the act based on past performance;
>
> (2) Full compliance with civil rights legislation;
>
> (3) Adequate staff to give technical assistance to CAP councils;
>
> (4) A demonstrated ability to write, suggest, and evaluate programs to meet specific needs;
>
> (5) A continuous evidence of interest in helping low-income people improve their position;
>
> (6) A demonstrated understanding and willingness to have liaison with the programs of other State and Federal agencies, so as to avoid costly overlapping, duplicating effort;
>
> (7) A willingness to communicate and furnish public information to the community, the State, and Federal agencies pursuant to the operation of the Technical Assistance Office and/or any CAP council under its jurisdiction.
>
> It is to the best interests of the Governors of all States that the community action programs which go on in their States be more responsive to the needs within the State. It is unfair to ask a Governor to agree to participation in a program, to whatever limits, without his having any authority in the matter. The various State technical assistance offices at present, along with the various Governors' offices, are in the middle and with the planning outlined above, this could all be changed for the good of the program in the State involved.
>
> Similarly, antipoverty programs on Indian reservations are inadequately supervised and potentially explosive. The programs on Indian reservations are funded directly from the Indian Desk in Washington, but I hold the responsibility of approval or disapproval—not really knowing precisely what is being approved. The Bureau of Indian Affairs and the Governor's Office of Economic Opportunity both stand on the sidelines with no actual authority over the programs or administration of the CAP councils on Indian reservations * * *. Modifications in the act or regulations to provide each Governor greater jurisdiction over the anti-poverty programs on Indian reservations in his State is imperative toward accomplishing the goals outlined in your "Opportunity Crusade" proposal.
>
> As of mid-March, Minnesota had received $40,497,212 in antipoverty funds since the initial grants were made to Hennepin and Ramsey Counties in December 1964. The seven Indian reservations in Minnesota have received $5,908,130 since the start of these OEO programs for Indians.
>
> There is great need for guidance in the development of meaningful programs on the reservations which will result in better utilization of these funds, and to provide programs of a more lasting effect than most of the projects now being funded.
>
> Please accept my good wishes that your proposals for a new "Opportunity Crusade" will result in new and vigorous programs that are both meaningful and effective.
>
> Kindest personal regards,
> Cordially,
> Harold LeVander, *Governor.*

RECORD OF ADMINISTRATION

By now, due to the tireless efforts of those in charge to obfuscate, confuse, and delay, OEO must have gained the reputation of being the "black sheep" of all departments and agencies in Washington, D.C. This is certainly true with most Members of Congress. Numerous Members have complained on the floor of the House and otherwise that any dealings with OEO are a drawnout, frustrating experience. Congressman James M. Hanley, of New York, gained the sympathy of every Member of Congress when he read into the record:

> ### Buckpassing by the Office of Economic Opportunity
>
> Mr. CABELL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Hanley] may extend his remarks at this point in the Record and include extraneous matter.
>
> The SPEAKER. Is there objection to the request of the gentleman from Texas?
>
> There was no objection.
>
> Mr. Hanley. Mr. Speaker, I have the great privilege of representing Onondaga County in the House of Representatives. It is a thriving area, full of the bustle traditional to any American community on the move. It is also full of the anxieties and pressures which confront an American community trying to adjust to the temperament of the 1960's.
>
> The city of Syracuse is located in Onondaga County, and it is to this fact and its ramifications that I wish to address the attention of my colleagues this afternoon.
>
> In 1964, the city of Syracuse established as a grantee agency the mayor's commission for youth designed as a vehicle for distribution of funds under the President's Commis-

sion on Juvenile Delinquency. As you will recall, Congress in the summer of 1964, enacted the Economic Opportunity Act whose purposes were, first to provide an umbrella operation for then existing programs such as the President's Commission on Juvenile Delinquency; and second, to expand economic and social opportunities to those to whom these words had been empty and meaningless.

The Economic Opportunity Act represented a brandnew conceptual approach to the problems of cyclical poverty. Its preamble held that more than welfare and the dole were necessary to root out the social malaise which had afflicted the lower economic classes of our Nation for generations. It held that a massive program of self-help was not only possible but absolutely necessary.

While not a Member of this body at the time EOA was enacted. I did do my part as an interested citizen to engender support for its enactment and proper implementation.

Fortunately, despite a few initial, temporary setbacks and despite constant sniper attacks, the Office of Economic Opportunity did get off the ground. Equally as fortunate was the fact that my own hometown of Syracuse became one of the initial participants in the war on poverty.

I suspect that no other agency of the Federal Government had more significant hurdles to overcome than OEO, if for no other reason than the herculean nature of the task handed to it. Any agency dealing with the emotional fabric of our society, with the stridency of deep rooted passions and with the societal barnacles of myth, has its work cut out for it. But there were those of us in whose breast beliefs and confidence ran high—belief that cyclical poverty could be licked and confidence that our society had lost neither its taste nor its capacity for adjustment.

Since no new program can be expected to attain perfection in a short period of time, if in fact, considering the elements of human frailty, it ever can, we were well counseled to accept the reality of slow progress toward our professed goals in the poverty war.

To be certain, no one, not even the most optimistic, believed that we could win the war only with injections of good faith and money. Hard decisions both at the local level and at the national administrative level had to be made. This item, Mr. Speaker, brings me to the main thrust of my remarks this afternoon.

The poverty program in Syracuse, N.Y., is in the throes of desperation. I will not attempt to recount the bitterness which has rooted its way into the foundations of the Syracuse agency. Suffice it to say, without any blameful attributions, that a Mexican standoff has been effected between opposing elements intimately involved with the program in Syracuse. I said I would make no blameful attributions because the air is rife with charges and countercharges each of which has been brought bluntly and forcefully to the attention of the highest echelon of the Office of Economic Opportunity during the last month.

Mr. Speaker, the funds for the war on poverty in Syracuse are due to expire tomorrow evening at midnight and no decision on the part of OEO has as yet been forthcoming on the future of that program. The decision is beyond the pale of local resolution. It is now even beyond the reach of the OEO regional office in New York City. It is squarely, as it has been for a week, in the hands of OEO headquarters in downtown Washington.

I have supported the aims of the war on poverty and in all likelihood I will continue to support them. But I can guarantee that the authorization of new funds will provide one of the hottest debates this Chamber has ever had.

In my 3 years in Congress, I have witnessed mountains of bureaucratic indecision and gobbledygook. I have seen bureaucracit vacillation that would have shaken less stable governments; I have been the recipient of conflicting reports which might drive some men onto a diet of sasparilla and strychnine, but never in my congressional tenure, Mr. Speaker, have I seen a more blundering mishmash of indecision than that served up to me by OEO during the last month.

I used to think in my greener days, that the semicomic portrayal of bureaucratic operations was something one only read about in the columns of crusading journalists—but now I have become a believer. During the last month either I or a member of my staff has talked with just about every warm body in the OEO establishment. I have pled, cajoled, begged, demanded, and otherwise sought some decision out of that administrative monstrosity only to have my pleading, cajolery, begging, and demands fall on deaf ears. I have been plugged into more telephone connections at OEO than any operator on their switchboard. It seems to me that the only decision anyone down there is capable of making is that someone else is making the decisions.

Mr. Speaker, I suggest the Congress order a carload of medals for buckpassing struck and then direct that the carload be delivered en masse to the Office of Economic Opportunity.

Congressman ALBERT H. QUIE has experienced such delay and confusion since OEO's inception. This spring, when OEO attempted to outdo its previous record of delay in answering letters, the following chain of correspondence ensued:

AN ANSWER FROM MR. SHRIVER

Mr. STANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. QUIE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. QUIE. Mr. Speaker, for over 18 months I have been attempting, without much success, to get certain vital information from the Office of Economic Opportunity and its Director, Mr. R. Sargent Shriver. I am today inserting in the Congressional Record a series of letters and one telegram to illustrate how difficult it is to elicit even a reply from Mr. Shriver.

The opening letter is dated January 12, 1967, to which no reply was received. On March 2, 1967, I again wrote to Mr. Shriver. A third letter was sent on April 6, 1967. I waited until April 13, 1967, at which time I sent a telegram to Mr. Shriver which contained this phrase:

"Unless you advise me to the contrary, staff investigators, House Education and Labor Committee, will be at your office, nine a.m., Monday, April 17, 1967, to commence four-week investigation at OEO headquarters."

The telegram, at last, galvanized Mr. Shriver into an answer, which is also incuded, dated April 14, 1967. I am also including my reply to Mr. Shriver of April 17, 1967.

I believe a careful reading of the letters and telegram illustrates a serious administrative defect in the operations of OEO. As I wrote in my letter of April 17, 1967:

"A review of our correspondence reflects that it takes an average of from four to six weeks to receive a reply from the Office of Economic Opportunity, I am still waiting for a reply to my inquiry of January 12, (1967), concerning bonus payments for recruitment of Job Corps enrollees. I find replies to reasonable inquiries of the Office of Economic Opportunity are delayed for a longer period than in any other government agency."

Mr. Speaker, it would appear to me that OEO already has enough problems without compounding them by refusing to answer a reasonable request from a Member of Congress.

As Members of Congress know, I am not out to eliminate the poverty programs. With my colleague, Mr. Goodell, I have worked hard to prepare a substitute for the administration's war on poverty, called the opportunity crusade. The opportunity crusade would transfer the programs of the Economic Opportunity Act from OEO to existing agencies and would provide for the involvement of States and private industry in an effort to make meaningful studies toward eliminating poverty.

The purpose of many contacts with OEO is to make the faltering war on poverty a successful opportunity crusade.

Mr. Speaker, I trust my colleagues will take note of this exchange of letters, and Mr. Shriver's belated reply. To vote intelligently we must have more facts. I hope Mr. Shriver and his associates will in the future be more cooperative when a Member of Congress makes a reasonable request for information.

The letters and telegram follow:

JANUARY 12, 1967.

Mr. R. SARGENT SHRIVER,
Director, Office of Economic Opportunity,
Washington, D.C.

DEAR MR. SHRIVER: The December 20, 1966, issue of the Omaha, Nebraska, *World Herald* carried an article captioned "GOCA Given Bonus Offer—Job Corps Prospects Worth $25 Each." The Director of the Greater Omaha Community Action agency reported he had been asked to participate in a "bonus" program to attract more male youths into the Job Corps. He said the Community Action agency would receive $25 for each youth it recruited and sent to the State Employment Service where screening and testing is done. GOCA reportedly would be paid whether or not the youth entered the Corps.

On January 10, 1967, Mr. Kenneth E. Shearer, Director, Greater Omaha Community Action, confirmed the above and stated this bonus program had been set up in many states because of "some difficulties in recruiting youngsters."

On January 10, 1967, Mr. Don Thomasson, Regional Director of OEO, Kansas City, Missouri, advised a staff investigator of the House Education and Labor Committee that the above program was conceived early in December and all Regional Offices of OEO had been encouraged to participate.

Perhaps you will recall that during the Senate debate of the 1965 Amendments to the Economic Opportunity Act, there was some criticism of OEO for paying amounts up to $80 to the United States Employment Service and private organizations for recruiting Job Corps prospects. The 1965 Amendments to the Economic Opportunity Act, Section 103(e) provided "that the Director shall make no payments to any individual or to any organization solely as compensation for the service of referring the names of candidates for enrollment in the corps."

It seems to me that a plan to reimburse another anti-poverty agency for recruiting or referring Job Corps prospects is contrary to the spirit, if not the letter, of the Economic Opportunity Act as amended. Further, I would expect that the recruitment and counseling of prospects for Job Corps would receive high priority in community action programs and that these activities are provided for in funds granted community action agencies for conduct and administration.

I would appreciate your comments regarding the above matter.

With every best wish, I am,

Sincerely yours,

ALBERT H. QUIE,
Member of Congress.

MARCH 2, 1967.

Mr. R. SARGENT SHRIVER,
Director, Office of Economic Opportunity,
Washington, D.C.

DEAR MR. SHRIVER: The Sunday, December 11, 1966, issue of the *San Francisco* (California) *Examiner* carried a front-page story exposing fiscal irregularities in the operation of the Economic Opportunity Council (EOC), San Francisco's Community Action Agency. The Examiner's story was based on an Office of Economic Opportunity audit report released by the Western Regional Director of the Office of Economic Opportunity. Concerning the release of the OEO audit report, the Regional OEO Director said it was a public document open to inspection by anyone.

I was somewhat surprised to learn that OEO considers audit reports public documents. During the past eighteen months, there has been considerable publicity resulting from alleged improper expenditures of War on Poverty funds. To my knowledge, neither the Congress nor the public have been given the results of audits of programs where scandals have occurred and in most instances have not learned of the ultimate disposition of these matters.

I know you are aware of my deep interest in anti-poverty legislation and the development of anti-poverty programs across the country. In order that the Congress can be apprised of the results of official OEO audits of programs having alleged fiscal difficulties, please forward to me OEO audit reports regarding the following matters:

1) Interim and final audit reports concerning Haryou-Act during the 1965–1966 period.

2) Interim and final audit reports concerning EYOA, the Los Angeles Community Action Agency, audited early in 1966. (You will recall that during the 1966 War on Poverty hearings, the Chairman of the House Education and Labor Committee ordered that these reports be submitted for the record. The record does not include the Los Angeles audit reports.)

3) Interim and final audit reports concerning the ABCD, Boston's Community Action Agency, which was involved in difficulties late in 1965 and early 1966;

4) Interim and final audit reports regarding CDGM, Mississippi's Head Start sponsor much of which has been publicized;

5) Audit reports concerning EOC, San Francisco's Community Action Agency, which were released to the press in December, 1966;

6) Audit reports reflecting the results of an investigation in Newark, New Jersey, which culminated in the conviction of Phillip Thigpen, an NYC administrator, and his assistant;

7) Inspection reports regarding the Rhode Island Neighborhood Youth Corps programs which received widespread publicity late in 1965;

8) Audit and inspection reports of the Camp Atterbury, Indiana, Job Corps Center prior to change of sponsor in 1966;

9) Audit and inspection reports of the Camp Breckenridge, Ky., Job Corps Center prior to the change of sponsor in 1966;

10) Audit reports concerning the Cleveland Action for Youth program where, prior to September, 1966, $1,632 admittedly was paid to a fictitious employee;

11) Audit reports regarding Cleveland's (Ohio) Neighborhood Youth Corps where in September, 1966, alleged payroll padding scandals were exposed;

12) Audit reports of the Suncoast Progress (Florida) antipoverty programs. It was reported in July, 1966, that U.S. Representative Sam Gibbons had requested OEO to make a "top-to-bottom" re-examination of the Suncoast poverty war; and

13) Any audit or inspection reports of the Mingo, West Virginia, County Community Action Agency.

An early reply to the above request will be appreciated very much.

With every best wish, I am,

Sincerely yours,

Albert H. Quie,
Member of Congress.

April 6, 1967.

Mr. R. Sargent Shriver,
Director, Office of Economic Opportunity,
Washington, D.C.

Dear Mr. Shriver: I am told that on the Easter Sunday "Meet the Press" program you stated you would welcome a long, hard look, at the antipoverty program by the Congress. I find this invitation most interesting and particularly appropriate at this time. I am hopeful that in the near future the House Education and Labor Committee will be considering anti-poverty legislation. It is my feeling that the Committee would find most useful data that the Office of Economic Opportunity has been gathering for the past year. I have noted that several million dollars have been spent by the OEO to study and evaluate a variety of its programs.

It would be appreciated if you will agree to make OEO records available to staff investigators of the House Education and Labor Committee at the OEO Headquarters during the period April 17—May 12, 1967. I would like your assurance that investigators will be permitted access to personnel and administrative records, Inspector General's reports of OEO investigations, all fiscal records including OEO audit reports, all OEO contracts and memorandum and reports concerning studies and evaluations of War on Poverty programs. It is likely that copies of selected data will be requested for review by the Committee. Further, it would be most helpful if you would make members of your staff available, their schedules permitting, for interviews.

I would appreciate an early reply in order that the necessary arrangements can be made.

With every best wish, I am,

Sincerely yours,

Albert H. Quie.

R. Sargent Shriver,
Director, OEO,
Washington, D.C.:

Reference my letter April 6, 1967. Unless you advise me to the contrary, staff investigators. House Education and Labor Committee will be at your office, 9 a.m., Monday, April 17, 1967, to commence 4-week investigation at OEO headquarters.

Regards,

Albert H. Quie,
Member of Congress.

Office of Economic Opportunity,
Washington, D.C.

Hon. Albert H. Quie,
House of Representatives,
Washington, D.C.

Dear Congressman Quie: Your telegram of April 13 and your letter of April 6 have been the subject of a discussion between myself and the Chairman of the House Committee on Education and Labor. Chairman Perkins indicated that he would shortly inform me of his Committee's desires with respect to the handling of this year's poverty bill.

I assured the Chairman that I would welcome a long hard look at the anti-poverty programs by his Committee, that this agency was fully prepared to comply with any appropriate requests for information from his Committee, and that we were ready to cooperate in every possible way to facilitate the deliberations of his Committee.

I am prepared to answer any questions that you or any other Member of Congress may have with respect to this agency's operations. Members of my staff are prepared at any time, their schedules permitting, to answer any questions you or any other Member of Congress may wish to present to them.

I don't think that my attitude with respect to Congressional examination of Economic Opportunity Act programs differs significantly from those of the heads of other agencies in connection with their requests for funds and legislation. I am, therefore, somewhat surprised that what I have said on this point should give rise to the suggestion that your staff should be permitted to range at will through the files and records of this agency—a request that, so far as I know, is completely unprecedented.

The files of this agency, like those of others, contain a variety of material that bears on internal decision-making processes, upon the private affairs of many thousands of individuals, and upon possible or alleged but as yet undetermined violations of law or regulations on the part of specific individuals and organizations. I am certain you will recognize that much of this material is traditionally protected and not of the nature that any agency head could be expected to make available on the terms you suggest.

Apart from questions of law or basic propriety, I would also point out that what you suggest would most certainly interfere with operations of this agency at the busiest time of the year. It would also most certainly interfere with the grant process and inhibit our own efforts to prepare and assemble our justification materials for the Congress in an orderly and efficient manner.

The evaluation reports of OEO programs, as we have previously indicated, are available at any time. They are voluminous and we have them in a special library that is open to the public and certainly would be available to any of your staff who would like to review them. They may contact Dr. Levine (Government Code 128–6021) and they will be permitted access to the reports.

In response to your letter of March 2 with respect to certain audit reports, neither this agency nor any other in the Federal Government considers such reports automatically public documents. The fact that one report was issued prematurely is not a justification for considering all such reports public information.

The report of the auditors is but one step in an over-all auditing process that may involve a good many internal staff communications of the kind that are not normally available even in litigation with an agency. An audit report, moreover, may well lead to or become a part of an administrative or court proceeding. It is clear that premature release of this kind of document can be wholly subversive of the purpose for which those documents are prepared. Obviously the Federal interest could not be protected by the disclosure of every potential claim, charge, or action while it is under discussion. Public disclosure would, in fact, jeopardize in many instances the Federal case if the matter eventually results in a formal proceeding or a criminal prosecution.

Most of the audits on which you requested reports have not as yet been brought to final resolution. The audit report of the 1965 summer program of Haryou, for instance, was completed early this year. It was followed by a response on the part of the grantee which resolved some of the problems. That response has been reviewed by lawyers, accountants, and program people who have made recommendations to the regional director. He is now consulting further with Haryou on the basis of the recommendations made by the reviewing staff. Should his determinations be accepted by Haryou, a final order bringing the matter to a conclusion will be prepared. If not, Haryou will be entitled to an administrative or judicial hearing.

There follows a status report on the other matters on which you requested information.

1. EYOA (The Los Angeles Community Action Agency)—The audit report has been completed and a response has been made by the grantee. This response is being evaluated and no final determinations have been made.

2. ABCD (Boston's Community Action Agency)—A series of audits have been completed. The grantee has responded and the process is moving forward. One or two elements are being evaluated by the Justice Department.

3. CDGM—1965 Summer Head Start Program—Audit process has been completed. A

substantial amount of money was recovered. A report on this matter will be provided to you shortly. An interim audit by Ernst and Ernst of the 1966 CDGM Head Start Program is being evaluated as a basis for final audit by OEO staff.

4. EOC (San Francisco's Community Action Agency)—The report was completed. The response of the grantee is now being evaluated.

5. Your requests relating to the Neighborhood Youth Corps programs of ABCD in Boston, and Newark, New Jersey, the Rhode Island Neighborhood Youth Corps, Cleveland Action for Youth, and the Cleveland Neighborhood Youth Corps, I have referred to Jack Howard who will respond to your inquiry.

6. The audits of Camp Atterbury and Camp Breckenridge Job Corps Centers are now in process. When they are completed, the Contracting Officer will make his decisions and a close-out voucher will be submitted.

7. The audits of the Suncoast Progress (Florida) are being wound up. Information disclosed by the auditors has already resulted in the conviction of one individual for the misappropriation of funds.

8. Mingo County (West Virginia)—An audit is underway.

I stand ready, of course, to answer any specific question you may have with respect to any grant or contract made by this agency. I am also prepared to provide you with the final determination of the audit process as each is completed.

The General Accounting Office, an arm of the Congress, has automatic access to the reports of our audits and continuously scrutinizes our auditing process. If you have genuine doubts as to how this agency is handling the audits of its programs, you might want to request GAO for an evaluation of our efforts either generally or with respect to particular matters. People at the GAO are experienced and competent to carry out such work. Their experience and objectivity would preclude the misinterpretation and confusion that might result from superficial scrutiny by inexperienced personnel of material in audit reports generally. As for the reports of our Office of Inspection, they are not and never have been public information. These reports are prepared for investigatory purposes and for law enforcement. They are internal communications directed to me as Director of this agency, most frequently at my specific request, giving advisory interpretations of specific fact situations. They almost invariably contain information given in confidence and material which if publicly disclosed would constitute an invasion of personal privacy. By their very nature, they must be protected for public disclosure if they are to serve the purpose for which they are intended.

Your vigilant concern for the problems local anti-poverty programs have met in the past is well known to all of us. I believe that most of these problems, now more than a year behind us, have been resolved. I sincerely trust that as our new legislation goes forward you will be as vigilant in maintaining the OEO programs which have proven so vital to the continued progress of America's poor.

Sincerely,

SARGENT SHRIVER,
Director.

APRIL 17, 1967.

Mr. R. SARGENT SHRIVER,
Director, Office of Economic Opportunity,
Washington, D.C.

DEAR MR. SHRIVER: Thank you for your letter of April 14, 1967. I was pleased to note the communication did not reflect the hostility which was conveyed by Saturday morning's *Washington Post's* account of it. I read the *Post's* article first.

As the time for the House Education and Labor Committee's hearings on the anti-poverty program rapidly approaches, I am most anxious to see that valid, objective data bearing upon the progress, or lack of it, of War on Poverty programs is presented properly to the Committee. Perhaps you will recall that a substantial part of the testimony at last year's hearings on the Economic Opportunity Act was provided by representatives of Federal agencies. My efforts to have sixty-seven witnesses called were ignored. It was my feeling that these individuals, a cross section of proponents and dissidents and all knowledgeable regarding specific aspects of the War on Poverty, could have furnished information of value for the legislative deliberations of the Committee.

Misappropriation and diversion of anti-poverty funds are of vital concern to the Congress and the taxpayers. We in the Congress have been rather patient, I think, waiting for reliable reports of fiscal scandals that broke in the news media eighteen months ago. If disposition of the audits I requested on March 2nd isn't available for this year's hearings, when will it be? Why is it that the Comptroller of the City of New York can release his report on the Haryou situation and the Congress must remain in the dark concerning OEO's findings in this matter.

At last year's hearings you will recall a discussion of the Los Angeles Community Action Agency's audit by the OEO. At that time the Chairman ordered this report be placed in the record and it was not done. Now, one year later, you tell me no final determinations have been made. Are there no administrative devices to expedite these important matters?

Your reasons for denying Congressional examinations of OEO audit reports and reports of your Office of Inspection appear to be substantial; however, I'm not convinced the reasons take precedence over the need for the Congress to know their contents.

Why was OEO's audit report of San Francisco's Community Action Agency released to the press in December, 1966, and what basis did your Regional Director have for stating the audit report was a public document open to inspection by anyone? It seems to me there may have been a compelling reason to release the San Francisco report, if your attitude regarding audit reports was the same then as it is now.

You suggest I might want to request the General Accounting Office to evaluate the handling of OEO audits. I reject this suggestion since it would constitute duplication of the process that your auditors have performed. At this point I have no quarrel with your auditing procedures. It is the findings of the audits that would be of interest to the Congress, the House Education and Labor Committee, and the general public.

I would take exception to your feeling that "misinterpretation and confusion might result from superficial scrutiny by inexperienced personnel of material in audit reports generally" by Congressional staff investigators. I can assure you that the minority investigators of the House Education and Labor Committee are experienced, competent and thorough and would be capable of a completely objective review of your agency's records.

What did you mean when you said on the March 26th, nationally televised, "Meet the Press" program when you stated, "We would welcome, as I've said many times, a close scrutiny of all parts of the War against Poverty?" It is my view that any close scrutiny of the War on Poverty must include an examination of the OEO Headquarters' operations, the very heart of the problems that plague anti-poverty efforts.

Naturally, I would prefer that any investigation of OEO Headquarters or examination of OEO records be scheduled with your approval and cooperation. If at some future date I still feel the need of Congress to be apprised of the results of OEO audits and inspection reports, I intend to explore the possibilities of examining OEO records under the provisions of legislation enacted by the Congress last year (Public Law 89–487, Public Information, Availability).

A review of our correspondence reflects that it takes an average of from four to six weeks to receive a reply from the Office of Economic Opportunity. I am still waiting for a reply to my inquiry of January 12, concerning bonus payments for recruitment of Job Corps enrollees. I find replies to responsible inquiries of the Office of Economic Opportunity are delayed for a longer period than in any other government agency. When irate taxpayers and responsible representatives of the news media request information from me concerning antipoverty programs, I do not expect they should be kept waiting for periods of months for answers to their inquiries. Any steps you can take to expedite responses will be greatly appreciated. I might add this view is shared by a large number of my colleagues.

Your invitation to my staff to review evaluation reports of OEO programs at your library is appreciated. I would appreciate it if you will forward the following reports to me so that I might look them over in my office prior to this year's anti-poverty hearings:

Two reports prepared by the Louis Harris Associates concerning surveys of Job Corps graduates and dropouts.

The evaluation report of neighborhood centers prepared by Kirschuer Associates of Albuquerque, New Mexico.

Report of the study made by Dr. Max Wolff, Senior Research Sociologist for the Center of Urban Education at the University of New York City, on the Head Start program.

410-page report prepared by the Human Sciences Research, Inc., McLean, Virginia, resulting from a study of six Indian reservations.

310-page report on the jobs for the poor in Baltimore, Boston, Philadelphia, and Rochester, prepared by the National Committee on Employment of Youth under contract to OEO.

Report on Camp Atterbury prepared by Booz, Allen and Hamilton, Inc., in late 1965.

With every best wish, I am,

Sincerely yours,

ALBERT H. QUIE,
Member of Congress.

Mr. Chairman, many proponents of the OEO and its programs feel about the programs as Representative PHIL M. LANDRUM, one responsible for the initial legislation, when he said:

> I still feel strongly that the so-called poverty program is sound in concept and designed to go after these problems on a long-range basis of education and training. But I am saddened that the administration of the program has been so poorly carried out and that so many bad judgements have been made.

REGIONAL OFFICES

Since the decentralization of OEO most of the decisions and policies affecting individual programs are established within the six regional offices. A study by McKinsey & Co., Inc., in April 1967, entitled "Strengthening the Organization and Process of the CAP Regional Offices," thoroughly reviewed the operation of the regional offices and contained the following major conclusions:

> Headquarters imposes an excessive number of information demands on the regional offices * * *. We identified several examples of inquiries from two or more headquarters offices about the same problem on the same day. While we have not conducted a detailed * * * (one) underlying cause: A lack of understanding on the part of headquarters personnel of the role headquarters is to play in the management process, and an un-

> willingness to function within the boundaries of that role.
>
> The regional offices frequently receive detailed direction from a multitude of headquarters personnel. * * * This problem grows out of a lack of understanding at headquarters of line authority and of the functional and advisory authorities of the various staff units.
>
> Personnel at each level must develop and instill in subordinates a greater degree of discipline than has heretofore existed in CAP. By "organizational discipline," we mean the frame of mind with which individuals carry out their assigned responsibilities without dissipating time in nonessential meetings or veering off into areas of responsibility outside their own.
>
> The lack of adequate headquarters discipline is a problem to the regional offices because of the excessive information requests that have been imposed, the management improvement projects that have been launched but have not been completed, and the needed actions that were delayed when decisions were not properly coordinated or when unauthorized persons intervened.
>
> CAP critically needs to be able to apportion work and assign responsibilities in a logical manner so that each person fulfills his responsibilities without drifting into another's area of responsibility.
>
> However, CAP has been hampered by an excessively high turnover in personnel that has undermined efforts to develop a fully experienced and effective staff. The magnitude of this problem is indicated by the following findings:
>
> a. The rate of turnover among regional analysts has been 52 percent per year. The average length of service for analysts is only 10.6 months.
>
> b. Every top-level position at CAP headquarters and at OEO, with the exception of the Director of OEO, has had at least two occupants during the past 2½ years, some positions have had three or four occupants.
>
> * * * Some of the reasons for this situation were identified through interviews and through questionnaires completed by regional analysts. Low morale and general dissatisfaction were mentioned frequently in five of the seven regional offices.
>
> Regional analysts are frustrated by the confusion, time demands, and lack of support under which they must work. * * * indicated substantial frustration due to the "confused paperwork maze" in which they must function. * * * The average analyst spends only 2.2 days per month in the field, and some have never visited their grantees.

A review of programs in the northeastern and southeastern regions conducted for the Senate Subcommittee on Employment, Manpower, and Poverty this year contained several criticisms and suggestions, some of which were:

> NORTHEASTERN REGIONAL OFFICE
>
> Yet we are convinced that the Federal regional role needs adjustment. OEO/New York needs more emissaries in the field and fewer "desk man" in the regional office. More personal and continuous contact is needed between the communities and OEO, and the point of contact should be the field staff of the OEO regional office. Preferably, the New Jersey, upstate New York, and New England field teams should be physically located in the communities they serve. And should operate as articulate spokesmen of the Federal stake in community action programs. Without these local contacts, there is little advantage in locating a regional office on Madison Avenue rather than in Washington where the field services for Puerto Rico and the Virgin Islands remain.
>
> The field staff and, on occasion, the regional director and his deputies could help communities to resolve interagency or interpersonal squabbles. Indeed, they have played this role but one suspects not as often as needed.
>
> SOUTHEASTERN REGIONAL OFFICE
>
> The Southeastern regional office has served more in the role of control and review than in leadership in program development and evaluation. Apparently the resources of the regional office have been limited to the extent that its efforts have had to be directed more toward the review of applications and the determination of compliance than to helpful guidance and direction. All agencies expressed regret that regional representatives could not spend more time in their communities to understand their programs and to help them in program evaluation.
>
> * * * It would appear that stronger coordination at the State and Federal level of all related programs is mandatory. The State agency should be given more clearly defined responsibility to effect such coordination at the local level, particularly where State-controlled programs are operating in the local community.

One State technical assistant director has commented "probably the most important difficulty results from exasperating and seemingly arbitrary actions by national and regional OEO in the realm of policies and procedures."

PROGRAM EVALUATION

Another complaint of various State technical assistant directors is that OEO policies do not include as one of the criteria for renewing funds for any program any proof of effectiveness through the form of evaluation to determine the extent to which the program has contributed to the alleviation of poverty or its causes. This is a very serious deficiency and can result in millions of dollars of antipoverty funds being spent on ineffective and wasteful programs.

Mrs. Shirley Tannebaum, director of the Frederick County, Md., Community Action program, testified during hearings before our committee to her frustrating experiences with regional OEO:

> Upon presenting this program package to OEO, we began a long series of negotiations which if it were not so serious could be called a comedy of errors. The day after presenting our proposals to regional office, the program analyst for my county resigned.
>
> Since then I have had six program analysts. Every time I have had to go through these programs again, explaining and describing once again. This particular process went on for about a year.
>
> Never was I told that the program was bad. The proposals were not rejected. They simply never were funded.

ACTIONS SPEAK LOUDER THAN WORDS

Probably the most effective and efficient administrative effort in the entire OEO is in the area of public relations. A budget of $2.4 million is utilized in a furious churning out of beautiful brochures and tons of press releases which tell what a grand and glorious job OEO is doing to lift the poverty stricken up by the boot straps. OEO pays great attention to the press, and whenever articles are written which are favorable to OEO they are reproduced and sent to Members of Congress as well as countless others.

Many problems facing OEO today have been created from overselling a program which has in no way been able to fulfill the promises made.

OEO public relations efforts include the technique of swiftly issuing press releases rebutting any and all criticisms of the program, regardless of the facts. Such "rebuttals" in the past have ranged from casting aspersions on a congressional report—as in the press release criticizing the minority views of this committee on the 1966 amendment to the Economic Opportunity Act—to a complete denial of facts previously established. Consider the case of the Liberation Hate School in Nashville, Tenn., brought to light in the testimony of Capt. John A. Sorace of the Nashville Police Department before the Senate Judiciary Committee in early August of this year. Captain Sorace testified that OEO funds had been issued to support a liberation school connected with the North Nashville summer project at St. Anselm's Episcopal Church in Nashville at which, under the direction of the Student Nonviolent Coordinating Committee affiliated employments, children were being taught to "hate whitey." After a denial of such support by Rev. Dr. Paschell Davis the following day before the committee, Dr. Davis sent a telegram to the committee in which he restated the case and admitted that some expenses of the school had been or would be borne by the metropolitan action commission, the antipoverty agency funded under the OEO appropriation.

The following letter published in several southeastern newspapers on and around August 25, 3 weeks after use of OEO funds for the liberation hate school was firmly established, contains a denial in one form or another in every paragraph, and leaves one with the impression that OEO funds were not in any way involved. Although the release is carefully worded and numerous denials as stated are correct, the general denial that "not one dime of Federal funds has been used in the controversial liberation school" is contrary to the established and true facts:

> [From the Atlanta (Ga.) Constitution, Aug. 25, 1967]
>
> PULSE OF THE PUBLIC—FREEDOM SCHOOL NOT OEO'S
>
> ATLANTA.—A wire service story out of Nashville August 17 reported on some controversial classes at the liberation school, connected with the North Nashville summer project of St. Anselm's Episcopal Church. Unfortunately, the news report identified these activities, skits acting out the slaughter of white plantation owners in the Nat Turner slave rebellion of over a century ago, as being paid from Federal funds provided by OEO. This is definitely not the case, and we regret that some newsmen have failed to note the repeated and emphatic denials of any participation by our agency in that project.
>
> Not one dime of Federal funds has been used in the controversial liberation school, and that fact has been thoroughly documented and publicly presented on several conspicuous occasions during the past 2 weeks. Sargent Shriver, Director of the Office of Economic Opportunity, stated flatly that none of our funds have ever been used in that project.
>
> The Reverend Dr. Paschall Davis, chairman of the metropolitan action commission, our community-action agency in Nashville, testified before the Senate Judiciary Committee that no Federal expenditures have ever been made in that project.
>
> Several others connected with our agency, and with the various relationships it has in Nashville, Tenn., have all stated publicly that absolutely no OEO funds have ever been used by the liberation school.

> In spite of the latest erroneous reports, sensationalizing the unfortunate events in Nashville, we trust that your readers understand that the school in question is definitely not supported by the funds from OEO.
>
> Thank you for your kindness in making this clarification for us.
>
> DuPree Jordan,
> *Director of Public Affairs, Southeast Regional Office, Office of Economic Opportunity.*

We would suggest to OEO that if its high-powered public relations staff were put to work straightening out the administrative confusions in the poverty programs, the time, money, and energy would be better spent.

LOBBYING

A serious matter of congressional lobbying was brought to the attention of Minority Leader Gerald R. Ford by Mayor Wallace Johnson of Berkeley, Calif., and later substantiated by other mayors. Following is Mayor Johnson's letter:

> City of Berkeley, Calif.,
> *October 3, 1967.*
>
> Hon. Gerald R. Ford,
> *House Office Building,*
> *Washington, D.C.*
>
> Dear Representative Ford: Today, long distance collect from Washington, an assistant of Sargent Shriver, Lewis Ritter, telephoned me to secure my commendation of the OEO program. He went on to explain that, with the approval of Mayor Neal S. Blaisdell, of Honolulu, he was calling the Republican mayors of this country to solicit their support of OEO. If I were favorably disposed to append my name to a petition or statement in support of OEO, Mr. Ritter explained, he would send me a copy of the text of such a statement.
>
> I asked him what was the general content of the statement. He responded that it included the thought that the OEO program in the local communities was working well and effectively, and that furthermore I, as a Republican mayor, endorsed it. I promptly advised this man that I was not enthusiastic about the OEO program, and could see no evidence that it was attaining its objectives.
>
> My purpose in writing to you is to tell you that as a citizen, a public servant, and a fellow Republican, I resent Sargent Shriver and his aides using public funds and facilities to, in effect, lobby among local Republican officials in an effort to put pressure on Gerald Ford and Everett Dirksen. Mr. Ritter quite candidly stated that the purpose of his endeavor was to prepare a message endorsed by a large number of Republican mayors, and then to confront you with it.
>
> I have written a book on politics, "Responsible Individualism," which will be published later this month by Devin-Adair. A chapter of this book, "Bureaucracy—the 4th Arm of Government," describes the growing power of nonelected officials and the importance of keeping the power and prerogatives of administrative staff in their proper subordinate role. Here is a flagrant example of staff lobbying against legislators. You can count on my full cooperation to help correct this abuse.
>
> Sincerely yours,
> Wallace Johnson, *Mayor.*

The efforts of Mr. Ritter did result in a telegram signed by 22 Republican mayors being sent to Minority Leaders Everett Dirksen and Gerald Ford urging the minority leaders "to encourage Members of Congress to support the OEO budget so that these dynamic and imaginative programs may be carried on in a successful manner."

Congressman Goodell responded with the following release reminding OEO of the criminal lobbying law:

> Congressman Charles E. Goodell, a ranking Republican on the House committee writing poverty legislation and a member of the House Republican leadership, today charged OEO with violation of Federal criminal law prohibiting Government employees from lobbying Congress at the taxpayers' expense. The charge leveled by Congressman Goodell involved solicitation by OEO employees of favorable comments from Republican mayors with reference to the war on poverty.
>
> "Information has come to me from several Republican mayors that they resented pressure from OEO officials to whom they must apply for funds," Congressman Goodell asserted "All mayors of major cities in this country face fiscal problems and they want as much Federal money to come to their cities as is possible, however poorly written and poorly administered the Federal laws may be. They acknowledge that they do not have information about suggested improvements or redirection of the war on poverty. When they are called or contacted by mail, the context inevitably is: 'You want us to make money available to your community, now you do something for us. Urge congressional leadership to expand the war on poverty and to carry it on in its present form.'
>
> "This is a very serious matter. Letters are going out from OEO every day and wires are burning with OEO employees urging public officials, labor unions, business groups, and other organizations to bring pressure to bear on Members of Congress. Unfortunately, these people being solicited are getting only one side of the story. They are told: 'Members of Congress are trying to kill the poverty war. If you want to save it and keep getting some money in your community, go to work on your Congressman.' They are not told about the Opportunity Crusade or other proposals to improve and redirect the program."

Congressman Goodell cited title 18 of the United States Code, section 913, which provides as follows:

> "No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress.
>
> "Whoever, being an officer or employee of the United States or of any department or agency thereof, violates or attempts to violate this section, shall be fined not more than $500 or imprisoned not more than 1 year, or both."
>
> Exceptions are provided in the law for direct communications between Federal agencies and Members of Congress. Those exceptions are not involved in the cases in question, Congressman Goodell stated.
>
> Congress provided this safeguard to protect the people and the representatives of the people from the overwhelming lobbying power of Federal employees using the taxpayers' money to perpetuate and promote the programs understandably supported by the people who administer those programs. This is a particularly dangerous practice when organizations or public officials solicited receive large amounts of Federal money from the very administrators who are soliciting them. OEO employees have been flagrant in their abuse of the intent of these criminal provisions. These abuses must cease immediately.
>
> It is quite possible that some officials favor continuation of the present war on poverty without change. If so, they don't need to be influenced or pressured by OEO to make their opinions felt in Congress. Congressmen welcome unpressured opinions from all citizens with reference to the legislative problems we face.
>
> I am referring the clear violations that have come to my attention in this instance to the Department of Justice and the General Accounting Office for investigation and appropriate prosecution.

OEO in conjunction with other departments initiated a concentrated employment program in 19 of the larger cities and two rural areas throughout the country early in June, but in their usual fashion—with all the administrative bungling, fast approval of programs without thought, without planning, or the waste involved. This crash effort was considered by many merely as an attempt to keep the cities "cool" this summer and was criticized widely:

James Banks, former UPO director here in Washington, said:

> The Government's whole method of approaching summer is a crazy, illogical, emotional response to a problem which deserves more serious consideration. There is something rather immoral about it. The Government's response is "Let us keep down riots and violence" rather than let us eliminate the causes of riots and violence.

Mitchell Sviridoff, former director of the New York City Human Resources Administration, likewise commented:

> In my opinion, the concentrated employment program is one of the most promising manpower efforts ever initiated by the Department of Labor. I enthusiastically support it. I also support summer programs. It's just that I do not believe that, in themselves, summer programs are enough.

After the mad rush in May and June to get the program underway, the EYOA in Los Angeles received a 1-year allocation to fund a concentrated employment program, effective July 1. It is unbelievable that as of September 14 not one person had been employed. As noted in a letter Supervisor Kenneth Hahn sent to Mr. Shriver criticizing the concentrated employment program and the antipoverty administration in Washington:

> Although the effective date of this program was July 1, 1967, when 2,100 persons were to go on the payroll, as of this date not one person has been actually employed.

Mr. Hahn has further commented the concentrated employment program is "so snarled in redtape that it is hurting—not helping—existing work and training programs in county government."

Even Zane Meckler, San Francisco acting regional manager of community action programs, indicated his disapproval of this type of administration when he said:

> The crash program approach to several recent Federal projects has caught my office on the wrong foot, too. We are exceedingly embarrassed by last-minute release of funds, which we know will cause nothing but havoc. Programs which allow local agencies only a few weeks or days to organize local projects and apply for funds have obvious drawbacks.

URBAN BIAS

Studies and hearings have been conducted during the past year into the problem of poverty in rural America, regarding what is being done to check it and what needs to be done. Two facts have been established that are of concern to us: One-half of the Nation's poor live in rural America, but only 31 percent of antipoverty community action funds are going to agencies serving the rural poor.

Because the cities were able to organize, apply, get funded and move quickly, it is understandable that a greater percentage of the funds went to urban programs in the beginning. Such is not the situation now as there are more than 1,050 community action programs in operation and, according to OEO officials, with the planned creation of 40 new agencies, all rural counties which fall into the "concentrated poverty" bracket will be covered by a community action agency. These agencies are ready, willing and asking for funds needed to assist the rural poor, but OEO plans for fiscal 1968 will continue to give a disproportionately large share of funds to urban communities.

Dr. James Bonnen, an economist at Michigan State University, who recently spent 2 years on the President's Council of Economic Advisers, bluntly explains the oversight:

> An administrator of national programs is under the gun to get the biggest bang for the buck. So he doesn't operate in areas where he encounters the highest cost per unit of program output. In other words, there is a concentration of poor in the cities while the rural poor are dotted here and there over thousands of square miles. It takes more money and effort to even reach them, much less help them.

State OEO directors, community action agency directors, and many groups concerned with the rural poor strongly oppose this inequity in funding and so testified before our committee this summer. Mrs. Shirley Tannenbaum, director of the Frederick, Md., community action agency, said:

> In the mid-Atlantic region the rural areas with smaller and less skilled staffs must compete with such cities as Philadelphia, Pittsburgh, Baltimore, and Washington. The result is that there is not much left to be distributed to rural community action programs.

HOW YOU GOING TO KEEP THEM DOWN ON THE FARM?

Although the President is urging an increase in Federal aid programs which will help the poor stay in rural America, top thinkers at OEO disagree. According to Nick Kotz, correspondent for the Minneapolis Tribune, Robert A. Levine, Assistant Director of OEO, "has actively opposed programs to establish housing, job training and economic development designed to help the hard-core rural poor stay where they are. He believes these programs are doomed to failure and that migration to the city is inevitable." Mr. Kotz claims the Minneapolis Tribune has obtained a series of confidential government memorandums which reveal a fundamental disagreement in the Government over what to do about rural poverty.

Thomas Karter, who resigned as Director of OEO's migrant and seasonal farmworkers program, has protested:

> Rural programs are not being properly funded. It's not fair to expect people to stay in rural areas when money is not forthcoming to help them toward a better life there. The philosophy Levine is expressing represents the actual policy and programs not only of OEO but of several other Federal agencies.

RESEARCH

Under OEO's authority to conduct or contract for research into the problems of poverty and evaluation of its programs, a total of $70 million has been spent. Of course, research into all aspects of poverty is necessary, but so is proper administration of research efforts, including coordination with other agencies and organizations, whether Federal, State, or local, to avoid duplication, and to obtain subsequent full utilization of the findings of such studies. Otherwise, such funds spent on research are "poured down the drain."

Unfortunately, OEO has in the past approached research into poverty as if no effort had ever been made in this field. We are told that prior to 1964, when OEO was legislated, the Department of Health, Education, and Welfare had contracted for or conducted approximately 300 studies into the problems of poverty. In response to an inquiry from the House Subcommittee on Research and Technical Programs of the Government Operations Committee, in connection with their study on "The Use of Social Research in Federal Domestic Programs," Mr. Joseph A. Kershaw, former Director of OEO Research, commented regarding coordination:

> There was never any organized system for doing this and perhaps the agencies ought to have some kind of regularized exchange developed between them.

During "markup" of the poverty bill last week, Congressman John Dent made reference to an OEO contract with Princeton University for an evaluation of technical and training schools in six States. He also noted that he had been advised by a representative of the Pennsylvania Department of Public Information that this information is available and "they can get it for a 5 cent stamp if they wrote for it."

A large percentage of research funds are spent evaluating the anti-poverty programs' administration by OEO or other agencies under authority of the Economic Opportunity Act. Since OEO is able to provide realistic evaluation of its own programs, such contracting with private scholars in desirable; however, those knowledgeable with the administration in the Research Division of OEO are highly critical of the effect these evaluations and other research studies have on policies and decisionmaking. Dr. Oscar A. Ornati of New York University contends:

> Too few of the senior administrators are familiar with them; there is little systematic analysis of the reports and no routinized way for the findings to be distributed either to the Community Action agencies that administer the programs or to the regional offices of OEO that increasingly pass on fund applications.

SECRECY AS A POLICY

Also of concern to us is the policy of OEO to write into some research contracts language which forbids the contractor to "publish, permit to be published, or distribute for public consumption, any information concerning the objectives, results, or conclusions without the prior written consent of the contracting officer." This restriction has applied to 88 OEO grants totaling over $12 million during fiscal 1965 and 1966.

Dr. Sar A. Levitan, George Washington University, also concerned over this practice, has said:

> An increasingly dangerous practice is Government contracting with private consulting firms and academic institutions for survey and evaluation of public programs. The products of the outside experts become the property of the contracting agency and are not frequently published.
>
> Thus far, the product of the OEO research staff remains largely in the files of the "Poverty House". * * * All that we know about this significant work is based on sketchy newspaper reports or the result of some "leaks," inadvertent or perhaps contrived. It is very doubtful that the product of OEO research and conclusions will ever become public property, unless the recommendations are adopted as official Government policy—an unlikely event. Neither Congress nor the public, therefore, may ever have an opportunity to assess knowledgeably the merits of the proposed multibillion-dollar programs.
>
> There is, however, an urgent need in a free society for the public and Congress to be better informed than they are about the operations of publicly funded programs. At the very minimum, the public is entitled to frank discussion and interpretations of program operations prepared by detached experts without vested interests.
>
> The product of the research must be freely available, and the researcher must be independent of thought controls.

Congressmen QUIE and GOODELL, as well as countless others interested in the war on poverty, have experienced great difficulty in the past in obtaining copies of research and evaluation reports. Congressman HENRY REUSS, chairman of the subcommittee making the above study, urged the OEO to change their "secrecy policies" after which he was assured new policies would be forthcoming soon. Following a couple of months of silence and no change in policies by OEO officials, Congressman REUSS made a public release criticizing OEO's release of information policies:

> Unless the Office of Economic Opportunity changes its information policy, the public will believe that OEO permits its contractors to release only those facts it wants the public to know.
>
> My subcommittee was told that the OEO policy of restricting the release of contract research findings would be changed in the middle of November, but it is the third week of January and nothing has yet been done. Until these restrictions are lifted, Congress will believe that OEO is playing politics with its research funds, rather than conducting a dispassionate research for the truth, letting the facts fall as they may.
>
> The war on poverty has enough trouble from its enemies. It should not get into trouble with its friends over this issue.
>
> OEO policy of prohibiting the release of certain research results came to my attention in an inquiry into federally financed social research conducted by the Research and Technical Programs Subcommittee, * * *

F. UNPOPULARITY POLLS

The responses to surveys conducted by Members of the Congress reflect the unpopularity of the war on poverty and overwhelming dissatisfaction with antipoverty programs. The following release sets out the results of 19 congressional polls:

QUIE SAYS DEMOCRATIC AND REPUBLICAN POLLS REVEAL WIDESPREAD DISSATISFACTION WITH WAR ON POVERTY PROGRAM

WASHINGTON, D.C.—Minnesota Congressman Albert H. Quie said today (Friday) 19 recent polls by Members of Congress reflect widespread dissatisfaction with the administration's war on poverty program. Representative Quie, Republican of Minnesota, pointed out that the four Democratic polls were as negative as the 15 Republican polls.

He said the polls, placed in the Congressional Record between January 10 and July 10, included every poll that contained a question about the war on poverty. "This, I believe, is a fair sample of what the American people think," he said.

Quie cited the question from Representative O. C. Fisher, Democrat of Texas: "Do you feel the war on poverty has been worth the money?" The "Yes" answers totaled only 6 percent while 87.5 percent answered "No." The poll of another Democrat, Representative Charles E. Bennett, of Florida, gave the war on poverty program only a 12-percent affirmative vote and an 85-percent negative rating.

Representative Quie said Representative Jerome L. Waldie, Democrat of California, asked: "Should we transfer proven programs from the Office of Economic Opportunity to regular Federal agencies; e.g., Operation Headstart to HEW, not thereby reducing expenditures, but perhaps increasing efficiency?" The answers were 79 percent "Yes" and only 9 percent "No."

Quie said this only confirms what sponsors of the Opportunity Crusade have been saying all along, that to be truly effective, programs such as Headstart should be transferred to HEW.

He also said the poll results illustrate that the antipoverty program must be revamped and redirected along the lines proposed in the Republican alternative, the Opportunity Crusade. The Opportunity Crusade, he said, is gaining more and more support from Democrats.

QUESTIONS AND ANSWERS FROM THE 19 POLLS

Representative Charlotte T. Reid, Republican of Illinois: "Do you think that the majority of the war on poverty programs have been effective?" Yes, 10 percent; no, 84 percent; no answer, 6 percent.

Representative Delbert L. Latta, Republican of Ohio: "Do you believe the administration's poverty program is making progress toward the elimination of poverty?" Yes, 11 percent; no, 89 percent.

Representative Edward Hutchinson, Republican of Michigan: "The various war on poverty programs have been in effect for nearly 2 years. Thus far, do you think they have been successful in moving toward the ultimate goal of improving the lot of the poor?" Yes, 11.73 percent; no, 82.40 percent; no answer, 5.87 percent.

Representative Henry P. Smith, Republican of New York: "On balance, do you believe the administration's war on poverty has been successful?" Yes, 12.4 percent; no, 79.9 percent; no opinion, 7.7 percent.

Representative Railsback, Republican of Illinois: "Do you think the war on poverty has been (*a*) very successful, 2 percent; (*b*) slightly successful, 31.5 percent; (*c*) unsuccessful, 64.5 percent; (*d*) no answer, 2 percent.

Representative Dave Martin, Republican of Nebraska: "We are spending this year $1,500 million on the war on poverty. Do you feel this program has been successful?" Yes, 4.8 percent; no, 84 percent; undecided, 11.2 percent.

Representative John M. Ashbrook, Republican of Ohio: "Do you believe the $2 billion war on poverty has been succssful?" Yes, 7 percent; no, 89 percent.

Representative O. C. Fisher, Democrat of Texas: "Do you feel the war on poverty has been worth the money?" Yes, 6 percent; no, 87.5 percent.

Representative John J. Duncan, Republican of Tennessee: "Do you think we should continue our spending on the war on poverty?" Yes, 25 percent; no, 69 percent; no opinion, 6 percent.

Representative Dan Kuykendall, Republican of Tennessee: "Do you think the war on poverty has been worth the cost?" Yes, 5.7 percent; no, 94.3 percent.

Representative William L. Scott, Republican of Virginia: "Should Government spending be cut? If so, what areas? Poverty programs?" Yes, 80 percent; no, 20 percent.

Representative Charles E. Bennett, Democrat of Florida: "Should your Congressman vote to continue the poverty program under present circumstances?" Yes, 12 percent; no 85 percent.

Representative William L. Hungate, Democrat of Missouri: "Do you think the poverty program is worthy of being continued?" Yes, 20 percent; no, 75 percent; no opinion, 5 percent.

Representative Samuel L. Devine, Republican of Ohio: "Do you favor continuation of Great Society war on poverty?" Yes, 18 percent; no, 80 percent; no opinion, 2 percent.

Representative Charles E. Chamberlain, Republican of Michigan: "How do you rate the war on poverty as a whole?" Good, 5 percent; fair, 19 percent; poor, 63 percent; blank, 13 percent.

Representative Jerome L. Waldie, Democrat of California: "This year's budget proposes to spend $1.9 billion on this program (poverty), about the cost of 3 weeks of the Vietnam war. Do you believe (*a*) We should abolish the entire war on poverty" yes, 36 percent; no, 56 percent; undecided, 8 percent; (*b*) "We should transfer proven programs from the Office of Economic Opportunity to regular Federal agencies, e.g., Operation Headstart to HEW, not thereby reducing expenditures, but perhaps increasing efficiency?" Yes, 79 percent; no, 9 percent; undecided, 12 percent; (*c*) "Do you believe we should materially reduce the War on Poverty program?" Yes, 49 percent; no, 41 percent; undecided, 10 percent.

Representative Tim Carter, Republican of Kentucky: (Should we) "Continue the war on poverty, especially the 'Happy Pappy' program?" Yes, 36.8 percent; no, 53.7 percent; undecided, 9.3 percent; "Keep VISTA and Appalachian volunteers?" Yes, 30.6 percent; no, 52.4 percent; undecided, 16.9 percent.

Representative Donald Rumsfeld, Republican of Illinois: "Do you favor an expansion of the Headstart program?" Yes, 50 percent; no, 38 percent; no answer, 12 percent.

Representative George Bush, Republican of Texas: "What should we do about the war on poverty?" (*a*) Increase expenditures, 3 percent; (*b*) Reorganize program to make it more responsive to local needs, 52 percent; (*c*) Eliminate program, 45 percent.

A SUMMARY OF PROGRAMS, AUTHORIZATIONS, AND PROJECTIONS OF TOTAL FUNDS GENERATED FROM ALL SOURCES IN ACCORDANCE WITH THE REVISED PROPOSALS OF THE OPPORTUNITY CRUSADE

[In thousands of dollars]

Proposals	Total funds	Opportunity crusade authorization	Description
1. Council of Economic Opportunity advisers to the President (new initiative).	2.50	2.5	Create in the Executive Office of the President, a council to assist the President in overall coordination of Federal antipoverty programs. The council would gather information, appraise various antipoverty programs, develop policies of coordination, make reports and recommendations to the President and to the Congress.
2. Residential vocational training program (new initiative)	190.00	190.0	Assist the States to plan, develop, and conduct, at residential centers, a program of basic education, vocational training, job experience, counseling, and placement for jobs, for disadvantaged youth who require a substantial change of environment as a precondition to meaningful training experience.
3. Military career training program (new initiative)	(1)	(1)	Provide training and education in residential military career centers administered by the Secretary of Defense for needy youth who would not otherwise qualify for military service.
4. Secondary school work-study program (revamped Neighborhood Youth Corps).	133.30	100.0	Provide work opportunities with public or private nonprofit agencies for students who need extra income to stay in school. The Secretary of Health, Education, and Welfare will administer in conjunction with other educationally oriented programs. The Federal share of the wages paid would be 75 percent); the employer's share is 25 percent. The Federal expenditure ($100,000,000) would result in 1 additional dollar for every 3 Federal dollars spent, for a total of $33,333,333 in funds generated under the program.
5. In-school counselor program (new initiative)	1,165.00	20.0	Provide work opportunities with private, profitmaking employers through efforts of counselors located in schools or school systems who interview, assess the skills of and place needy high school youth with willing employers. Federal funds will pay for no more than ½ the salary of such counselors; non-Federal funds supply the balance. Private employers pay the full amount of wages to such student employees. $40,000,000 will pay the salaries of 5,000 counselors earning an average of $8,000 per year. If we may assume that each counselor can place an average o- 200 students in part-time jobs locally, 1,000,000 needy youth will be assisted. To compute the earning power of such youth is, of course, a matter for speculation. However, it is not unreasonable to assume that such students will work approximately 15 hours weekly for a period of at least a year, and be paid a wage of $1.50 per hour. If so, each student would earn, on the average, $1,125 per year. The total impact of private dollars then becomes $1,125,000,000 in addition to the $20,000,000 paid to match the Federal dollars to hire such counselors. The Secretary of HEW will administer the program.
6. Work-training program (continuation of the out-of-school Neighborhood Youth Corps).	40.00	30.0	Provide work opportunities with public or private nonprofit employers for needy youth who have terminated their formal education. The Secretary of Labor will continue to administer the program because of its manpower thrust. The Federal share of the wages paid would be 75 percent; the employer's share is 25 percent. The Federal expenditure ($30,000,000) would result in 1 additional dollar for every 3 Federal dollars spent, for a total of $10,000,000 in non-Federal funds generated under this program.

See footnote at end of table.

A SUMMARY OF PROGRAMS, AUTHORIZATIONS, AND PROJECTIONS OF TOTAL FUNDS GENERATED FROM ALL SOURCES IN ACCORDANCE WITH THE REVISED PROPOSALS OF THE OPPORTUNITY CRUSADE—Continued

[In thousands of dollars]

Proposals	Total funds	Opportunity crusade authorization	Description
7. Industry Youth Corps program (new initiative)	280.00	70.0	Provide on-the-job training and job opportunities with private, profitmaking enterprises willing to train needy youth who have terminated their formal education by reimbursing the employers for the cash value of the productivity gap between such youth and other employees performing similar work. (Not to exceed the equivalent of 25 percent of the wages paid such youth.) Each Federal dollar should generate 3 private dollars, for a total of $210,000,000 in private funds resulting from a $70,000,000 expenditure.
8. Urban and rural community action programs (revamped)	466.25	380.0	Stimulate the creation of new and imaginative programs to fight poverty through assistance to local community action boards without earmarking of funds. Continue the involvement of the poor in the design and operation of such programs, and enlarge the role and responsibility of the States for review of programs, determination of statewide needs and priorities, and assistance to local agencies. Versatile funds may be used for planning, conduct and administration of local programs. (Separate allotments will be made within each State for urban and rural programs, based upon the respective numbers of urban and rural poor in each.) Technical assistance funds will be provided for setting up community action programs and training personnel. An estimated 10 percent of the versatile funds ($38,000,000) would be used for technical assistance, without any requirement of matching funds. The balance of the versatile funds ($342,000,000) would be provided on an 80–20 matching basis, generating $85,500,000 in non-Federal funds. Community action would continue to be administered nationally by the Office of Economic Opportunity, but with stringent prohibitions against engaging in or assisting political activities, whether partisan or nonpartisan.
9. State bonus program in community action (new initiative)	40.00	20.0	Enable the States to work in partnership with the Federal Government to develop community action programs locally. Federal dollars must be matched by State contribution, and may be used for State studies, or to supplement funding of local agencies as appropriate.
10. Vista (revamped)	26.00	26.0	Encourage and train volunteers to work in combating poverty. Federal funds may be used to recruit, select, train, refer, and maintain volunteers. Initiate a new "Hometown" program for local assignments.
11. Headstart and Early Years programs (revamped)	462.50	375.0	Provide educational and supportive services for needy children with poor social/educational backgrounds, both at preschool and early elementary stages of development. Funds will be provided on an 80–20 matching basis for planning, development, and conduct of such programs, under the administration of the Secretary of Health, Education, and Welfare nationally, and community action agencies locally. States will be required to designate a Headstart agency to prepare plans and programs for Early Years as well as Headstart programs. Children who did not participate in Headstart but whose families satisfy eligibility criteria will be allowed to participate in Early Years programs. $92,500,000 in non-Federal funds will be generated under these programs.
12. State bonus grants program (new initiative)	70.00	35.0	Provide assistance to States willing to make an extra effort in Headstart and Early Years. $35,000,000 in Federal assistance for the States under this program must be matched by State contributions, for a total of $70,000,000 in additional Headstart and Early Years funding.
13. Rural loan program (continuation)	16.00	16.0	Appropriation will be added to the revolving fund established under the Economic Opportunity Act of 1964 for loans to low-income rural families and local cooperative associations.
14. Migrant and seasonal workers program (continuation)	27.00	27.0	Provide special assistance for migrant and other seasonally employed agricultural workers.
15. Special small business loans and incentives (continuation)	------------	------------	Strengthen small business concerns owned by individuals who qualify under poverty standards for loans and guidance and counseling. Costs are paid by the Small Business Administration from a revolving fund administered by it. It is anticipated that $60,000,000 will be committed to this program during fiscal year 1968.
16. Automation of job opportunity data (new initiative)	25.00	25.0	The Secretary of Labor is directed to use automated, high-speed data and communication systems, in order to (a) compile, and make available information regarding job opportunities, skill requirements, labor supply and other data, and (b) establish a nationwide program in the U.S. Employment Service to match job opportunities with available and qualified workers and enable the referral of individuals to places with job openings.
17. Work experience program (continuation)	70.00	70.0	Provide work experience for adults as presently authorized under title V of the Economic Opportunity Act.
Total	3,013.50	1,386.5	

[1] To be funded by the Secretary of Defense from DOD appropriations.

Note: The foregoing summary excludes estimated administrative cost of $5,500,000 for the Office of Economic Opportunity.

CONCLUSION

Despite the foregoing history of 3 years of frustrations under the Economic Opportunity Act, we are convinced that these programs could be shaped to accomplish their objectives. All of our efforts have been to this end: the development of programs which offer a real hope of success in eliminating the causes of poverty.

It is a matter of deep regret that these efforts have been turned aside by the majority at a time when the entire antipoverty program faces the distinct possibility of defeat in the House of Representatives. We made every effort to produce a bill which, with bipartisan support, would have an excellent chance to pass the House. The committee bill represents a total rejection of that opportunity. It is worse than present law.

If this entire program dies, it will be because those who profess to be the champions of a "war on poverty"—confronted with the failings of an act that was hastily and sloppily put together and then mutilated by the most inept administration in the history of American Government—would not give an inch to correct past mistakes.

For our part, we would rather see the beginning of a successful attack on poverty in America than the end to the hopes that were kindled by this legislation. It was in this spirit that we did our best to improve the act during the long committee sessions on this bill. The effort was not productive; the committee bill is unacceptable.

There is still time to redirect the "war on poverty" in a manner that would save it from extinction. The time is very short, but we shall keep trying. The American people will be the final judges in this matter.

Mrs. GREEN of Oregon. Mr. Chairman, I yield 5 minutes to the distinguished gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK. Mr. Chairman, standing in the well of the House to be an advocate, to persuade, to debate the issue, is usually an uplifting experience. Today it is my well of despair.

Mr. Chairman, I rise not to urge but to plead for your compassion for the poor; yet I know that they would not want only your compassion for they stoop not at the corner with a tin cup but stand firm in the belief that America means more than just charity.

Some talk as though poverty were just a thing or a nomenclature—I am here to remind you that poverty are the conditions under which people live in America—that the poor are people, entitled to your first and paramount attention, that in your constituency programs have been in operation to help them nurture and incubate their hopes and dreams and aspirations for a brighter future.

Last night I received a phone call from a young constituent of mine working in Baltimore as a VISTA volunteer. He challenged me to stand in this well today and by sheer force of logic persuade this House to see that we as a nation cannot turn our backs now on the poor.

Sometimes the obvious is not discernible—and neither is logic persuasive—and so it is engulfed by superficial antagonisms, beleaguered from its infancy with loud and petty attacks which hampered its great potential for growth and development, crippled by lack of funds, demoralized by lack of support, but despite all this the record will indelibly show that millions of our young children and our unemployed citizens have been shown that they can breathe a little deeper and that hope can become their American creeds.

Millions of Americans are watching and waiting to see whether this Congress will falter or continue in its efforts against the strangulation and despair of the slums and ghettos. It is a little bewildering to me how so many who profess to be for the poor to make it in this world, are not so eager to help provide the means by which this can be accomplished.

Given the necessity to save the taxpayer's dollars and to balance the budget without excessive deficits, it seems to me that the last place we should search for cuts is in a domestic program for the neediest of our fellow citizens who face this world without any promises except hope, and if this program is cut will be left shattered and without faith. Let us not tear asunder that which is not perfect, for no institution can claim that degree of immunity from human error.

Your mail may be misdelivered upon occasions; but none would suggest that this gravamen warrants a dismantling of the post office system. A spaceship burns on the launching pad and three of our most gallant astronauts are killed; yet none out of this catastrophe has suggested that the space program should be overhauled and disjointed at the seams. Faulty controls in defense procurement costing the Government untold dollars; yet no one has suggested that the Defense Department be decentralized and all purchasing ordered by General Services Administration.

Yet with the poverty program, only 3 years old, we are told we must do better, more efficiently, for more people, at less cost and the way to do this is by completely decapitating and dismembering this fledgling creature whose survival will then be only as a statutory funnel for block grants to the State Houses.

Tarred and feathered, badly maligned, humiliated by exclusion from the recent pay raise bill, crippled by lack of funds, the Office of Economic Opportunity continues today its dedicated mission for the poor. As my closing today I want to pay special commendation to all those OEO workers, volunteers, and enrollees who have continued about their business without any diminished effort or zeal throughout all the recent oratory, confident that this Congress will keep up the momentum which has been begun in this truly remarkable program of conscience and compassion to alleviate the suffering of our fellow citizens, and to enlarge their vision of hope for the future.

The CHAIRMAN. The Committee will rise informally in order that the House may receive a message.

MESSAGE FROM THE PRESIDENT

The SPEAKER resumed the chair.

The SPEAKER. The Chair will receive a message.

A message in writing from the President of the United States, was communicated to the House by Mr. Geisler, one of his secretaries.

The SPEAKER. The Committee will resume its sitting.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1967

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentlewoman from Oregon. [Mrs. GREEN].

Mrs. GREEN of Oregon. Mr. Chairman, I ask unanimous consent that the gentleman from New Jersey [Mr. MINISH] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mr. MINISH. Mr. Chairman, I urge passage of the Economic Opportunity Amendments of 1967, without crippling amendments so that we may move ahead with the tremendous effort to get our impoverished citizens into a self-respecting productive role in society. Despite the carping criticism and condemnation of the war on poverty, it is evident that real progress has been made and great success lies ahead. Despite some failures and shortcomings, the poverty war has given unprecedented opportunity and hope to our Nation's poor. We dare not retreat nor give ground in this war for, as President Kennedy said:

> If a free society cannot help the many who are poor, it cannot save the few who are rich.

The legislation before the House will help us to meet this national challenge.

The accomplishments of the Office of Economic Opportunity and cooperating private and public groups across the country are indeed impressive. The Headstart program has already provided educational and other benefits to more than 1.3 million children. Nearly 70,000 men and women have graduated from Job Corps centers and most have embarked upon worthwhile and constructive careers. At least a quarter of a million poor persons have received guidance in civil affairs through the legal services program. Thirty thousand talented high school students are now participating in the Upward Bound project which will help to give them the incentive to complete high school and continue on to college. Almost 1 million boys and girls have obtained useful employment in the Neighborhood Youth Corps programs.

Mr. Chairman, we are all aware that there have been problems or soft spots in each of these programs. Overall, however, they have been successful and offer much potential for even greater success in the future.

The Education and Labor Committee has performed its assigned task with admirable dedication and thoroughness. The members have made an exhaustive review of the operations of the entire program in an effort to produce a bill which will move the antipoverty effort forward to even greater victories. I would ask my colleagues in the House to follow this example. Patience is the foremost requirement. We cannot expect to correct all of our social and economic ills overnight. We must learn from and build upon the mistakes of the past—not scuttle or destroy a basically sound and hopeful program because of relatively minor problems. It is inevitable that such a complex measure could not wholly satisfy any of us who believe in a meaningful and effective antipoverty program. Each of us is no doubt critical of some aspect or another of the measure before us, but, in my opinion, the whole is worthy of our full support.

Mr. Chairman, our Nation has made a commitment to break the vicious cycle leading from lack of opportunity to poverty to deprivation and to despair. This is a difficult task, but surely is not beyond the capacity of the richest, strongest nation on earth. Let us fulfill this commitment to the poor and disadvantaged in the spirit of justice and compassion that has marked the American character.

Mrs. GREEN of Oregon. Mr. Chairman, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mr. RODINO. Mr. Chairman, the Democratic Party has earned its name as the party of action. The Economic Opportunity Act, which the party conceived and initiated, is further evidence that the party continues to deserve its name. It is now time for the party to unite in support of this important legislation designed to create for all Americans a life of dignity and prosperity.

The Nation has approved many programs to alleviate poverty among us. From the emergency days of the 1930's to the present, we Democrats have led in the struggle to provide each American with the job each American needs. And the great benefit of the Economic Opportunity Act is that it attacks poverty at just this point. It is not welfare given by the fortunate to the unfortunate. It is not a dole, a handout by which the wealthy may soothe their consciences. It is a sound approach based on the understanding that one of our basic freedoms is the freedom one gains by reason of being productive, and thus, economically independent. The Economic Opportunity Act intends to achieve and has begun to achieve that high purpose.

I hear on the floor of the House and from other sources that this bill is in difficulty, that this bill, after many months of hearings in committee, may die for lack of votes on the floor. If these rumblings are related to reality, then the only excuse we have is that we have misunderstood the bill as amended in committee. Arguments against the committee bill center on errors and waste in its execution. But the bill before us has considered past errors and corrected them. Perhaps we would like to change the past. However, it is false logic to punish the present and the future for past error. This bill is aimed, not at our ancestors but at people alive now, people who live in conditions we all abhor, people who need the chance we can give them through passage of this legislation. And I am convinced that the committee bill, carefully drawn and tightly reasoned, is the best instrument available to assure that the people who need opportunity the most will receive the intended benefits of OEO funds.

I am particularly pleased that the bill before us calls for a new emphasis on opportunities for older Americans, emergency food and medical services, and day care provisions. The House Education and Labor Committee has given us a bill reflecting not only the Democratic Party's commitment to action but also a realistic bill of vision, a bill that has weighed error and has set its face against it. To Chairman PERKINS and his committee this House owes its gratitude. And if this House will demonstrate its concern with error to the same degree as the committee, we will vote overwhelmingly to pass this bill.

The future is ours if we shape it. This bill is a lever on the future.

Mrs. GREEN of Oregon. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from New York [Mr. SCHEUER].

Mr. SCHEUER. Mr. Chairman, the measure that we have before us is really not an operational program that meets a clear need. Rather, it is a promise, a good faith token, an evidence of bona fide concern by this Congress with the problem of endemic, inherited, structured poverty in America. If anything, it is a marginal program in terms of resources. Scarcely 10 percent of the people living in poverty in the United States have been impacted directly by this program in over 3 years.

To talk of reduction of the administration's requested authorization of $2 billion to me is as bizarre as it is absurd if we mean to keep faith with the American people. And the American people are looking to us today with foreboding in their hearts.

Last summer 107 American communities suffered grievous harm to their social fabric through violence, and ugly, unruly riots, civil disturbances. According to the experts on the President's antiriot commission there was one common factor in virtually all of these 107 communities, lack of willingness or lack of capacity on the part of the political and civic leaders in the community to receive grievances from the poor, to turn on their hearing aids so to speak, to establish channels of communication with the poor, and an accompanying lack of capacity to respond to those grievances—not necessarily with the full measure of resources necessary to meet the problem of poverty and urban blight in all its enormity, but to respond with some degree of responsiveness and responsibility to the felt needs of the poor.

In many hundreds of other American communities, we did not have riots and civil disturbances. We did not have violence in the streets. I am proud to say that was true in my own city of New York.

In these communities, too, there was one overriding factor present—namely, an unexpressed but clearly sensed feeling by the poor that the power structure of those communities did identify with their problems—that the power structure was turned on, was listening and communicating and wanted to hear them and try to solve the grievous and desperate problems of the poor with sensitivity and responsibility.

Now we have heard a great deal of talk about backlash, Mr. Chairman. Yesterday the American people gave us some evidence of a frontlash when they responded to the needs and demands of the poor in Cleveland, Ohio; Gary, Ind.; and Boston, Mass., with a magnificent display of decency and commitment. Urban Americans selected public officials of competence and dedication who were in every sense tuned in on the needs and aspirations of the poor, talented individuals who are determined to solve the problems of our cities on the basis of decency, justice, equity, and reason.

So, Mr. Chairman, I say let us get on with the job of passing this bill. Let us not indulge for days on end in an orgy of recrimination that can only be interpreted by Americans across the country as a clear signal that we are really not concerned with poverty—that we are grasping for reasons not to do the job that needs to be done.

I would point out that in the years that we have had the poverty program, from 1964 to 1967—in those 3 years we spent somewhere between $4 billion and $4.5 billion. We have subjected this rather modest level of expenditures to persistent and merciless scrutiny in the press and on this floor; the pitiless searchlight of publicity has flashed and glared of seemingly on each and every Job Corps trainee—on each Headstart child, on each foster grandpappy.

In the same period of time we spent $77 billion in our public works, military construction, space and agriculture subsidy programs, all programs which inherently were more than susceptible to pruning and "stretchout" treatment. I have not noticed any overriding concern on the part of Members of this body to put the meat ax or bludgeon to these programs. I have not noticed any predilection on the part of Members of this House to engage in an orgy of incriminations or soul searching as to the cost effectiveness of every last dime spent on these programs.

Secretary McNamara recently testified before the Joint Economic Committee that:

> All too often, large-scale weapon-system developments, and even production programs, have been undertaken before we had clearly defined what was wanted or whether they would work.

In the last few years in just five or six programs about $4.5 billion worth of military hardware programs were abandoned:

Dynasoar (glide bomber from orbit) abandoned	$1,000,000,000
Skybolt (air to ground missile) abandoned	2,000,000,000
Manned aircraft nuclear propulsion program, abandoned	1,000,000,000
PM6 (jet propelled mine laying seaplane) abandoned	450,000,000
Pluto project (Nuclear ramjet missile) abandoned for "lack of a stated military requirement"	200,000,000
Abandoned	4,600,000,000

These were experimental, innovative, sophisticated programs, and I am sure not a single Member of this House would point the finger of guilt at such research and development programs or the administrators responsible for them because they had some failures among their many successes.

I only hope, Mr. Chairman, that there will be some comparable evidence of charity, concern, and conviction forthcoming in the next few days, as we face up to continuing uncrippled and undiminished, equally experimental, innovative, and sophisticated programs to end poverty in our land.

The Members of this House know in their hearts that in the cities and towns and hamlets of urban and rural America this program is performing miracles of human reconstruction and rehabilitation.

Mr. Chairman, let us validate the faith and commitment of the American people as they went to the polls yesterday. Let us pass the splendid administration program intact, and continue with unabated momentum and forward thrust, with increased experience, sensitivity, and know-how to meet and solve the appalling problem of poverty amidst plenty in America.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield 9 minutes to the gentleman from North Carolina [Mr. GARDNER].

Mr. GARDNER. Mr. Chairman, I know of no one in this body today, or any member of our Education and Labor Committee, who is not deeply concerned about the problems of poverty. We heard the statement made before this body that everyone is concerned about poverty, and I think this is a very true statement. However, there is an honest and basic difference in how we should approach the methods and the effectiveness of being able to eliminate poverty in America.

As a member of the Committee on Education and Labor, I had an opportunity to sit and listen at great length to what I consider was a Broadway production staged by the Office of Economic Opportunity, telling us day after day of the wonderful merits of this program. But during these very long weeks of hearings we heard very few people who came before this committee to testify as to the faults in this program. And yet I know throughout America in each city there are many people who have seen firsthand the ineffectiveness of the OEO and the OEO employees.

I think it is quite legitimate as we come before this body that we do have debate today to discuss the pros and cons of the best method that we can possibly have to eliminate poverty throughout America.

We have heard many discussions already today—and I will not dwell on them any more. I only wish to talk quite briefly about an area that I am very deeply concerned about, and that is the political activities that are now so deeply entrenched in our poverty program.

It was said just recently by my colleague in the well that we have spent over $4 billion in the war on poverty. I say that too much of this money and too much of the time spent by the Office of Economic Opportunity has been politically motivated and politically thought out by those in Washington. I can list city after city where massive voter registration drives have been conducted for some time: Durham, N.C.; Houston, Tex.; Cincinnati, Ohio; Memphis, Tenn.; Syracuse, N.Y.; Gary, Ind.; Atlanta, Ga.; Reading, Pa.; and the list goes on and on and on. And when I speak of voter registration drives, let me give this body an example of what happened in Durham, N.C.

An antipoverty agency in Durham, through three of its employees, spent over 3 months copying the registration books in the city of Durham. They went out in a nonpartisan election and carried people to the polling places to register. They then carried them back on election day, and provided them with marked ballots telling them exactly which candidates to vote for. In this city election, this nonpartisan election of the city of Durham, N.C., in an election that the mayor won by a 2-to-1 majority, these precincts in which the OEO workers were deeply involved carried for the opposite number by as much as 10 to 1.

I feel—and I have never had anyone to be able to convince me otherwise—that massive voter registration programs will in no way help the poor or bring up their level of living. I think everyone in this House knows that we have many honorable groups who are making a major effort to impress on every American citizen that they have a right and a responsibility to participate in local governments, the Junior Chambers of Commerce, and many, many other agencies that spend many long hours trying to get people to go out to register and to vote. But I think we tread on very thin ice, and we are setting a very dangerous precedent, when we have a Federal agency, sponsored by the American taxpayers' dollar, out conducting massive voter registration drives.

In the city of Houston, Tex., it has been told that OEO agencies there have registered over 50,000 voters. And I would only point out to this House that if we had another national election like 1960, the Office of Economic Opportunity could very easily control the political destiny of America.

This brings me to another very dangerous precedent that I think the Office of Economic Opportunity and the war on poverty has been engaged in, and this is massive protest movements and picketing that employees financed by the American taxpayer have been doing in far too many cases. I have brought here today stacks of material that came out of newspapers, not only in North Carolina, but throughout every section of America, and I would only take a brief time to read you a few.

This is from the Baltimore paper, entitled "Top U.S. Official Backs VISTA Group Picketing."

It says:

> George Lord, National Field Representative of Volunteers in Service to America said VISTA workers in Baltimore broke no rules in organizing a picket against a citizen and taxpayer.

One of our own Members of Congress, speaking in California, was heckled and interrupted numerous times during a speech by OEO employees.

In Pittsburgh, Pa., we find OEO employees staging a massive downtown demonstration that disrupted business and traffic.

We go back again to VISTA and we find the regional director, James Cox in Austin, Tex., said:

> VISTA volunteers here can participate in marches and demonstrations . . .

We go back again to Houston and find testimony by the Houston police chief, who testified that riot attempts by OEO employees had been attempted and set a dangerous precedent.

Mr. ECKHARDT. Mr. Chairman, will the gentleman yield?

The gentleman again mentioned my district. Will the gentleman yield?

Mr. GARDNER. Mr. Chairman, I will yield if the gentleman will allow me to finish.

Again I quote from a letter I received on November 3, 1967, from two members of the Newark, N.J., City Council. I am quoting certain parts and I will put the entire letter in the Record.

> The United Community Corporation took a public stand against the proposed medical center in the City of Newark after conducting two surveys . . . which showed that the people wanted the center.

They also went into descriptions of how the area board of UCC demonstrated in picketing against a local grocery store, and that because of this, this man was forced to go out of business.

The letter referred to follows:

> Newark Municipal Council,
> *Newark, N.J., November 3, 1967.*
>
> Hon. James C. Gardner,
> *Longworth Building,*
> *Washington, D.C.*
>
> Dear Congressman Gardner: If what happened within the Poverty Program of the City of Newark is in relation to political activities is similar in other cities and communities across this nation, then it is imperative that amendments to prohibit political action by O. E. O. formed agencies and its employees be enacted.
>
> 1. Many militant individuals have used the Poverty Program in the City of Newark to further their own political ambitions and foment unrest. James Kennedy who is a Community Researcher of Area Board 2 of the United Community Corporation called a mass meeting in front of the Fourth Precinct Police Headquarters after he was advised that such a meeting could set off trouble in the City of Newark. He disregarded the advice. The meeting was held on July 13, 1967 and the riots ensued. All printed matter subsequent to this event was printed by his poverty board. Mr. Kennedy's statements were on television and can be verified through C. B. S., Channel 2.
>
> 2. Kenneth Gibson, a Vice President of the United Community Corporation, used the Poverty Program as a means of obtaining political projection and then ran for Mayor of the City of Newark on a so-called negro ticket with the help of Poverty Program officials.
>
> 3. George C. Richardson, a very active Trustee of the Poverty Program, used the program as a means of obtaining projection and ran for Councilman in the Central Ward in the City of Newark. Mr. Richardson who opposed the creation of a medical center in the City of Newark fought the City Administration again using Poverty Program staff and distributions. Mr. Richardson is presently running for Assembly in the state of New Jersey and is using the Poverty staff to mimeograph his campaign literature.
>
> 4. Earl Harris, a member of the Trustees Board and presently Co-Chairman of the Personnel Committee of the United Community Corporation, ran for Councilman in the City of Newark and used the Poverty Program as a means of projection and used the printing facilities of Area Board 3 to print literature.
>
> 5. William Payne, a member of the Board of Trustees and the Poverty Program, used the program to gain projection and ran for Councilman in the City of Newark.
>
> 6. The United Community Corporation took a public stand against the proposed medical center in the City of Newark after conducting two surveys (using the Poverty Program staff) which showed that the people wanted the center. They used the mimeograph equipment to circularize the community and try to incite the people to protest the medical center. When this failed, they brought people in from New York City and other communities to load the hearing room and protest the center. On the attempted appointment of a new Secretary to the Board of Education, they used the mimeograph machine to cause social unrest in the City of Newark.
>
> 7. The U. C. C. voted to grant amnesty to all those arrested during the riots in Newark.
>
> 8. U. C. C. through its Legal Aid Program supplied lawyers free to defend the rioters.
>
> 9. The U. C. C. staff has involved itself in every business action taken by the Council, example K–9 Corps, rent control.
>
> 10. Area Board 3 of the U. C. C. is dominated by Students for Democratic Society. They decided a local grocery store merchant was overcharging his customers and they picketed him out of business. Ironically, at the same time eight negroes lost their employment and many people who depended upon this merchant for credit lost this source of help.
>
> 11. Area Board 3 has gone out of its way to provide any and all welfare information to prospective welfare clients to aid them in getting every possible dime "due them." They encourage welfare.
>
> 12. Area Board 3 has set up a Corporative Food Program to compete against the same grocery stores in the neighborhood which ironically are now primarily negro operated.
>
> 13. Small business administrations under the Poverty Program sent individuals around; to help the merchants. Instead, they tried to organize the merchants at a $10.00 membership charge contrary to O. E. O. intent. Thurmand Smith was the paid staff man involved.
>
> 14. Play Street Program has been accused of sending children to camps that have Communist ties. Funds were cut off by O. E. O. for this aspect of the Play Street Program this summer, apparently for this reason.
>
> If you desire any further information or personal presentation, we will be happy to appear in Washington.
>
> Cordially,
>
> Lee Bernstein,
> *Councilman South Ward.*
> Frank Addonizio,
> *Councilman West Ward.*

Mr. GARDNER. I go again to our own committee report, prepared by the majority and minority investigators, who went in, and on section 5 they said:

> Whatever the intention, the facts concerning the role of UCC personnel in publicizing and organizing a "Police Brutality Mass Rally" at #4 precinct the evening of July 13th did significantly contribute to the volatile climate which prevailed.

I have a copy, before us today, of the literature that was passed out by poverty workers, printed at poverty headquarters, which says:

> Stop police brutality. Come out and Join us at the Mass Rally Tonite at 7:30 p.m. 4th Precinct, Located on 17th Avenue and Livingston Street.

From this mass rally the riots in Newark, N.J., were sparked and started.

At the appropriate time I plan to introduce amendments I feel are absolutely necessary if we are to remove poverty workers in the future from voter registration, from picketing, and protesting, areas I feel they have absolutely no business in. I hope by doing this we will be able to help redirect this program so the people living in the poverty areas will be able to better their conditions.

Mr. ECKHARDT. Mr. Chairman, will the gentleman yield?

Mr. GARDNER. I yield now to the gentleman from Texas.

Mr. ECKHARDT. Mr. Chairman, is it the gentleman's position that enlargement of voter registration among the electorate in some way undermines democracy in the South?

Mr. GARDNER. Mr. Chairman, my position is clear. I feel OEO, financed by the American taxpayer, has no job or responsibility whatsoever in going out and registering large numbers of voters.

Mr. ECKHARDT. In my portion of the South, we welcome enlargement of the electorate as an aid to democratic process.

Mr. GARDNER. Financed by the American taxpayer?

Mr. PERKINS. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. MEEDS].

Mr. MEEDS. Mr. Chairman, in 1966, we passed, on the floor of this House, after 4 hours of general debate and without amendment, a welfare authorization of over $4 billion. We did it because we recognized that there are, in this Nation of affluence, some 30 million Americans who need assistance just to sustain themselves. I voted for it, and will doubtless do so again.

But, Mr. Chairman, it seems ironic to me that, in the same year, we passed, after 10 hours of debate and several days of amendments, the Economic Opportunity Amendments of 1966, and authorized somewhat over $1.5 billion. I sat through the entire debate and heard every argument conceivable against a welfare program.

But, the war on poverty is not a welfare program.

There is no section of this law that simply gives people money and asks nothing in return. This is an act that says to people: "Here is a chance to learn. Here is a chance to earn. Here is a chance to train. Here is a chance to help yourself." This is no handout. It is an investment in human renewal.

And, yet, it is an act which has had more abuse heaped on it—has had more criticism than any I have seen since I have been in Congress. Why?

First, let me say that not all the criticism was undeserved. This program is not perfect. There have been mistakes, and there will be more. But, therein lies one of the great problems. The friends of this program expect too much. The critics expect too little.

To expect this program to cure all the accumulated social ills overnight is to expect too much. Yet, to expect that improvement can be made in the lives of the poor without reforms that sometimes shake the establishment is to expect too little.

But, whether we expect too much or too little, it seems to me that it is a tribute to Congress and to this Nation that, in our affluence we have directed our efforts to a concerted attack on poverty, and that is precisely what it is, a concerted attack.

True, the old-line agencies have been combating the causes for poverty one at a time for years. Each one has done a relatively good job. But, the great strength of this program comes from a final recognition that there is not just one reason or two reasons for poverty, but many reasons. Under this act, we are attacking, for the first time, all of them.

To do this, it is necessary to involve the persons afflicted with the multiple causes of poverty. It is necessary to have community action programs where the local residents undertake an entire effort against what they believe to be problems in their communities.

JOB CORPS

It is necessary to have a Job Corps where young people receive not only basic education but also vocational training, medical services, counseling, discipline, and a chance to build self-esteem. I never cease to be amazed at the number of well-meaning people who feel you can take the type of young person we have in Job Corps today and just find him a job, or just improve his education, or just provide discipline and all will be well with him. You can do this, they say, at half the cost.

Just doing any one of these things will help, but it will not do the job of reclaiming and redirecting that young person. And, that must be done if he or she is to completely break out of the cocoon which is poverty.

HEADSTART

Headstart is a perfect example of the total approach which must be made. At the outset, many of us conceived it to be an educational program. It is that. But, it is also many other things. It is involvement of parents, medical and dental care, a trip to the zoo, sharing experiences, meeting other youngsters, eating a wholesome lunch, involvement of brothers and sisters, and many other things.

Basically, the effect of the program is to involve people in solutions to their own and their communities' problems.

MIGRANT WORKERS

Let me cite for you the efforts of some interested citizens in one of my own counties. Skagit County, Wash., has the second largest migrant population in the State. Yet, prior to this act, there had been no significant effort to alleviate the plight of the migrant workers who annually descended on the area. These citizens, with the help of an OEO-sponsored migrant programs. have set up a center and are operating it themselves. It provides medical and dental care, and education for children who, without it, would be locked in cars or watched by older brothers and sisters. It provides adult basic education for the adult migrants.

The people of Skagit County had been concerned for years, and had long wanted to do something. This act made it possible.

Why is it so important that the plight of the migrant be relieved? Aside from the human values involved, this Nation has a stake in their well-being. Stoop labor is fast being replaced by mechanization. What are we to do with a group whose average income is less than $2,000 per family, whose children have less than 8 weeks of formal schooling per year, whose medical and dental needs are not being met? We can play ostrich, stick our heads in the sand and forget it. But if we do, we will regret it.

Alternatively, we can do as we are doing under OEO-sponsored migrant programs all over this Nation; we can face up to the problem and do something about it.

THE COST, THE PROFIT

"At what cost," we are asked.

In Oregon, the Valley Migrant League sponsored welding classes under title III–B of this act. The total cost of operating the class was $1,015. Of the 10 graduates from the class, six went to work in Portland earning $3.79 per hour. Within 7 weeks, these six men alone paid a total of $1,130 in withholding tax payments.

In Arizona in 1966, 121 adult migrants passed high school equivalency tests after completing adult education classes sponsored under this act. Latest studies indicate a high school diploma is estimated at $60,000 in lifetime income. This represents about $9,000 in Federal tax alone. The course cost $200 per person.

Who wants to play ostrich with alternatives like that?

INDIAN CAP PROJECTS

While the plight of the migrant is bad, the poorest Americans are the first Americans—the American Indians. Seventy percent of the families living on reservations are living in poverty. Seventy percent of them are living in substandard homes, and their children are dropping out of school at rates exceeding twice the national average.

There are those who say that this is a good illustration of what happens when the Federal Government provides for people: They lose their incentive, drive, and desire to achieve for themselves. I agree. We have provided meager doles and programs with the paternalistic care of a mildly interested father who insists that only he knows what the child needs. These people are not children, and it is time we stopped treating them as such.

OEO-sponsored community action programs have broken the paternalistic concept, and are operating on Indian reservations, involving the Indians in their planning and execution.

The Indians on the reservations in my district recognize this departure from traditional paternalism, and, believe me, they appreciate it. In speaking about traditional agencies, one young Indian said: "You haven't reached us; you haven't touched us; you haven't moved us." Now that tribe is being reached, touched, and moved by their own community action program under this act.

But, to believe that the deep-rooted problems of the American Indians are going to be solved overnight and by the meager funds under this act would be a mistake. Much more must be done in housing, education, and in tribal economic development.

LEGAL SERVICES

Mr. Chairman, let me now turn to one of the most encouraging programs under this act: The national emphasis program of legal services. Here is a program which provides the alternative of justice in the courts to riots in the streets.

A noted journalist once referred to the law as "the bastard daughter of justice." I am afraid that this has been all too true for the poor. Too often the law to them means only garnishment of their wages, eviction from their tenement, arrest for crime, the friend of the "organization." Too often, to them the law is their enemy because they simply have not the money needed to get the law to work for them as well.

Mr. Chairman, to get equal justice, persons must have equal access to competent attorneys. That costs money. But, there is another way now.

While we have a long way to go, the legal services program is providing the alternative. It is essential that this program continue at least at the funding suggested in this act. And, it is essential that the program continue as a legal service program with the ability to provide the same legal services that people who can afford counsel can obtain.

I am not saying that legal services programs alone can prevent riots. I am suggesting that providing a legal remedy to real injustices is a giant stride in that direction. We can provide this alternative with a small fraction of the sums lost in the riot-torn cities of last summer.

Mr. Chairman, I have spoken at length on some aspects of this bill. That I have spent less time on others does not mean they are less important. They are all important, because, in sum, they constitute a concerted and comprehensive attack on the multitude of causes for poverty. It is important that they be directed from a unified source and continued as total commitment to the total problem. There are those who feel we should spin off the various functions of OEO to the traditional agencies.

To do so at this time, I feel, would be disastrous because it would fragment our commitment and leave us with little better than we had when we undertook the concerted attack that has done so much in 3 short years.

LOOKING AT THE BILL

On balance, Mr. Chairman, I feel this legislation constitutes a significant improvement and will better enable us to wage a successful fight. But, I cannot say I agree with all we have done.

I feel the changes we have made in the authorization of community action agencies is a backward step. When this legislation was first enacted, it was subjected to severe criticism as being susceptible to use as a tool of the establishment—a way to further entrench city hall. I feel much of this criticism was unjustified, but I must say that, in my opinion, the amendments before us today contain that potential as never before. I agree that there should be more direction and participation by States and political subdivisions. I agree that they should have more responsibility for local antipoverty efforts. But, I think in a zealous effort to do this, we have gone too far. We have placed in jeopardy the role of the private, nonprofit agencies which today compose 80 percent of the community action agencies. I feel we could have the involvement and direction of the State and local officials we desire by the change in section 211(b)—by simply requiring the one-third participation of public officials required in that section. As the legislation before us now reads, private nonprofit agencies can be community action agencies only when so designated by a State or political subdivision. I am hopeful, if adopted in this form, the provision will not cause undue disruption. But, I fear that the seed of abuse is planted therein—a seed which may later grow to haunt us.

Mr. Chairman, the main thrust of this act is toward the involvement of people in the solution of their own problems. It seems to me that an amendment adopted in committee to section 223(c) detracts substantially from this worthy purpose. Under the law as it now exists, community action agencies and special emphasis programs can make up the nonfederal share by in-kind contributions. By and large, this has meant the involvement of local citizens and the utilization of local facilities. But, in committee, we amended this section to require that at least 50 percent of the local share be made up of cash. This means that involvement of money replaces involvement of people. Additionally, the burden becomes almost insurmountable to those areas which have had the most difficulty in raising the matching money. And, those are the areas which need this program most.

With these exceptions, Mr. Chairman, I think this is a good bill. A good bill, because it strengthens and renews the pledge this Congress made to the American people when it enacted this legislation.

Before this act was passed, we tried to meet the problems of the poor and underprivileged with what was basically a dole. Our motivation was essentially humanitarian and to that extent our efforts were on the side of the angels. But, we were only treating the symptoms of poverty.

In passing this act, we committed ourselves to a more fundamental and effective approach. We are no longer interested in simply deadening the pain of poverty. We want to eliminate it. There is still the strong strain of humanitarian motivation behind the effort. But, we are also doing it because it makes sense. It is the reasonable, logical thing to do.

Mr. Chairman, I urge my colleagues to consider it in that light.

THE NEED FOR LEGAL SERVICES: ITS DIMENSIONS AND URGENCY

Anyone who doubts that the poor have legal problems should visit one of the neighborhood legal services offices funded through the legal services program of the Office of Economic Opportunity. The waiting rooms are crowded with people in need of immediate assistance.

One man's truck has been taken from his premises in the dead of the night by a repossessor of cars employed by a California bank which had a lien on it. He had some valuable tools in the pickup and the repossessor tore down part of the building while taking the truck.

Another man was being evicted from his apartment. He had reported housing code violations to the public housing authority and his landlord had then instituted eviction proceedings. The notice of the court hearing had never been delivered and the man had been evicted as the result of a default judgment.

A woman with four children has been taken off the welfare rolls without notice and without a hearing. An investigator during a midnight search found a pair of men's shoes underneath her bed. The woman explained that the shoes belonged to her 17-year-old son who was living away from home, but the authorities had refused to believe her. She had no other means of support.

These and many other kinds of problems constantly plague the poor of our Nation—some 30 million Americans. The American Bar Foundation in a preliminary study concluded that those 30 million poverty-stricken Americans experienced probably more than 5 million legal problems a year.

The American Bar Foundation minimum estimates may prove overly modest. The combined records of the neighborhood legal services program and the Washington Legal Aid Society show that they actually handled almost 28 legal aid cases per thousand of population. If this ratio were applied to the rest of the Nation, there would be more than 5½ million legal problems which would be handled by legal aid attorneys. And it should be noted, that Mr. Julian Dugas, director of the neighborhood legal services program, said that the number of cases handled by his 31 attorneys last year almost crushed his staff and he estimates that the demands will increase fivefold in the next few years. It should be further noted that some of the OEO rural legal assistance programs have been reporting that they handle 48 to 60 cases per thousand of population. This projects to a national level of 12 million cases per year. And other estimates of the total need for legal services to the poor have ranged as high as 20 million legal problems a year—all requiring the assistance of a lawyer. During the last 6 months of 1966 the projects funded through OEO reported they handled 92,000 cases. In the first 3 months of 1967, they handled 93,000 cases. Thus they handled more cases in 3 months than they had the previous 6 months—a doubling of the annual rate. Then in the following 3 months they handled almost 120,000 cases, another 25-percent increase in just a 3-month period.

By the end of fiscal year 1967 the legal services program was handling cases at an annual rate of almost 500,000 cases per year. That is an enormous feat. But remember, at best this means that 10 percent of the need was being met. And it may be as little as 2 or 3 percent of the actual need was being met at the end of fiscal year 1967.

If the legal services program were to be sufficiently expanded to meet just one-half of the minimum estimated total need for legal assistance, the program would need over $150 million. Last year the legal services office at OEO was allotted only $30 million and they are included in the administrative bill for $47 million this coming fiscal year. And yet these modest baby steps toward solution of this immense need are now threatened by the actions of this legislative body. If the OEO budget is cut as some Members of this House of Representatives have suggested the legal services program would be required to eliminate at least 320 of its 850 presently funded law offices, to eliminate 750 of its 2,000 attorneys. This budget cut would mean that 300,000 fewer cases could be handled in fiscal year 1968 than would otherwise be handled. In simple language, gentlemen, we would be denying justice to 300,000 poor families who have been caught up in some legal crisis this year.

The expansion and the continuance of this program is absolutely essential for the maintenance of our democratic society. When the problems of the poor are not uncovered and channeled into the legal system for peaceful and equitable settlement, when there have been no educational programs informing people of their legal rights and responsibilities, when there has been no visible demonstration that the legal process can solve many problems permanently and effectively, the result is the kind of deplorable violence witnessed in Watts, Harlem, Hough, and in other urban ghettos across the Nation. The legal services program is one of the most promising and successful methods which has been formulated to meet the social crises of the 1960's. We should, we must be talking about ways to expand it dramatically so that it can fulfill its purpose and its promise—its purpose of equal justice for all and its promise of peace in our streets.

A statistical profile follows:

STATISTICAL PROFILE OF LEGAL SERVICES PROGRAMS

I.

Total number of programs: 299.

Annualized cost of programs: $44,525,234.

The average number of attorneys: 1,400.

The average salary: $9,530.

The average indigency standard: $2,240 per single person; $3,610 per family of four.

Average cost per case: $48.39.

II.

Highlights of results from fiscal year 1967 as reported by 270 operating programs.

A

Total number of cases handled—290,934.

Not accepted 51,640 making a total of 342,574 clients who sought service.

B. Types of cases handled

	Percent
Family problems	34
Juvenile	33
Welfare	7
Consumer	20
Housing	8

C. Handling of cases

	Percent
Received advice only	35
Client represented but not in court	25
Client represented in court	25
Clent represented in appellate actions	1

D. Success of representations

Welfare assistance: 61 percent of 833 welfare cut-off cases resulted in restoration.

Eviction actions: 88 percent of the 1,094 evictions sought were averted or stayed.

Court cases: won almost ¾ of the trials they have participated in and won 60% of the appeals.

31,433 out of the 53,093 cases referred were referred to private attorneys. The others were refered to social agencies and other poverty programs. 62,726 cases were referred from private attorneys. 834 groups were represented.

CONCLUSION

The lawyers on the average handled 500 new cases per year and it is expected that this percentage will rise. In the last six months of calendar 1966 Legal Services Projects handled 92,000 families in legal difficulties. In the first three months of calendar 1967 they handled 93,000 families with legal difficulties. In other words they handled more in those last three months than in the prior six months and the volume is still climbing.

LEGAL SERVICES, 1967

Legal problems, by type	Accepted	Not accepted
1. Total consumer and employment problems	52,579	9,508
A. Sales contracts	11,388	2,365
B. Garnishment and attachment	8,589	1,101
C. Wage claims	3,199	517
D. Bankruptcy	6,018	2,631
E. Other	15,164	2,592
2. Total administrative problems	20,722	2,459
A. State and local welfare	7,238	453
B. Social security	3,232	181
C. Workman's compensation	1,319	708
D. Veterans' Administration	954	110
E. Unemployment insurance	749	164
F. Other	4,993	812
3. Total housing problems	23,536	3,409
A. Private landlord and tenant	12,143	1,670
B. Housing code violations	762	72
C. Public housing	1,902	145
D. Other	4,490	1,121
4. Total family problems	102,581	21,950
A. Divorce and annulment	46,670	13,468
B. Separation	4,080	1,408
C. Nonsupport	16,510	2,576
D. Custody and guardianship	7,732	1,446
E. Paternity	3,472	451
F. Adoption	2,546	599
G. Other	13,140	2,021
5. Total miscellaneous problems	93,332	11,674
A. Torts	5,267	2,600
B. Juvenile	10,494	496
C. School cases	468	67
D. Misdemeanors	19,549	1,785
E. Other criminal	24,538	1,876
F. Commitment procedures	1,111	134
G. Other	27,262	4,531
Total problems	290,934	51,640

NATIONAL EMPHASIS PROGRAM SUPPLEMENT—LEGAL SERVICES PROGRAM INFORMATION

Program information	Results
1. Total services rendered	236,486
A. Total receiving advice only	95,608
B. Total referred	53,093
(1) Number of lawyer referrals	31,433
(2) Number of other grantee programs	3,123
(3) Number of social agencies	9,359
(4) Number of other referrals	11,309
C. Total represented, but not in litigation	87,331
D. Total in litigation	58,603
(1) Number of court proceedings	40,566
a. Number of plaintiffs	21,694
b. Number of defendants	18,967
(2) Number of administrative proceedings	2,803
(3) Number of appeals	608
2. Evaluation of closed cases:	
A. Number of cases not litigated; client objective obtained	49,143
B. Results of court cases:	
(1) Money claims against client	111,990
a. Total amount sought against client	$1,716,130
b. Total amount recovered	$431,988
c. Total saved client	$958,672
(2) Eviction actions	1,599
a. Number of evictions sought	1,904
b. Number of evictions averted/stayed	1,635
(3) Juvenile offender cases	8,164
a. Number dismissed	729
b. Number pleadings involved	1,299
c. Number found involved by court	2,055
d. Number found not involved by court	241
(4) Criminal cases	23,419
a. Number dismissed	5,408
b. Number pleading guilty to lesser charge	1,025
c. Number pleading guilty to charge	4,360
d. Number found guilty	8,175
e. Number found not guilty	2,081
(5) Divorces and annulments:	
a. Divorces and annulment sought	10,809
b. Divorces and annulment received	6,186
(6) Bankruptices:	
a. Bankruptices sought	1,742
b. Bankruptices received	1,172
(7) Total litigated cases (including above)	38,608
a. Number won	21,122
b. Number lost	9,036
c. Number settled	3,429
C. Total appeals	384
(1) Number won	141
(2) Number lost	87
D. Administrative cases:	
(1) Total number of welfare cases	4,198
a. New applications sought	1,377
b. New applicants received	1,081
c. Restorations sought	833
d. Restorations received	514
e. Increases sought	548
f. Increases received	340
(2) Total other administration cases	3,203
(3) Total administration cases	4,740
a. Number won	1,635
b. Number lost	438
c. Number settled	857
3. Caseload summary:	
A. Number cases brought forward from previous period	107,191
B. Number cases reopened	6,794
C. Number new cases	267,039
D. Number cases closed	199,248
E. Number cases withdrawn	7,026
F. Number cases pending at end of period	153,423

NATIONAL EMPHASIS PROGRAM SUPPLEMENT—LEGAL SERVICES PROGRAM INFORMATION—Continued

Program information	Results
4. Sources of participants:	
A. Number legal referral	62,726
B. Number outreached (by grantee)	28,620
C. Number referred by another party	25,195
D. Number previously served	25,015
E. Number through publicity	47,104
F. Number, other	90,597
5. Participant characteristics:	
A. Number participants employed	84,969
B. Number of 1st-time attorney-participant contacts	81,781
C. Number of groups seeking service	1,488
D. Number of groups served	834

Mr. MEEDS. Mr. Chairman, I ask unanimous consent that the gentlewoman from Washington [Mrs. HANSEN] may extend her remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mrs. HANSEN of Washington. Mr. Chairman, because there has been so much discussion on the Job Corps program, I think it is important today to read into the RECORD here discussions held before the Interior Subcommittee of Appropriations at varying times during the early part of this year and again a little over a month ago.

On page 1046 you will find that Mr. John A. Baker, Assistant Secretary of Agriculture, on March 14, testified as follows:

I would like to comment on our part of the Job Corps program. We are quite pleased with the overall progress to date. Our Centers are now in full swing, even though the job of getting them established turned out to be larger and to take longer than we expected. Much of the work, such as landscaping, sidewalks, roadways, and utility buildings was accomplished by the corpsmen.

Administration of the Centers is settling down into a more routine operation. Corpsmen incidents are fewer. Community acceptance appears to be on the upswing. About 113 Job Corps graduates have been employed by the Forest Service in such positions as engineer aid, fire control aid, resident worker, cook helper, and forest worker. Corpsmen graduates are consistently being placed in better jobs than those they previously held, enlisting in the military or entering school. In most cases, by the time an enrollee becomes a corpsman, he is making significant personal improvement. On January 31, 1967, there were 7,287 corpsmen in centers administered by the Forest Service.

I have asked Mr. Cliff to comment briefly on a few significant accomplishments during the past fiscal year. He and his staff will be glad to answer any questions that you may have.

JOB CORPS

Mr. BAKER. One final word with respect to our part of the Job Corps. The program has pretty well shaken down. We are quite proud of the education and personal achievements of the enrollees, the corpsmen, and most of the camps now used have been built, they are in use, and on January 31, 1967, there were 7,287 corpsmen in the centers administered by the Forest Service. About 113 of the Job Corps graduates have qualified for full-time jobs with the Forest Service. Many others have gotten jobs for the first time in their lives in manufacturing plants and elsewhere. Others have returned to school or gone into the military services.

The number of incidents involving corpsmen is falling all the time as we get shaken down in the camp directors and other personnel—as they learn how to operate it.

In addition to Mr. Baker's statement, here is the following record from the committee that Members of this Congress should review, for unfortunately I doubt that each Member reads the hearings of an Appropriations Subcommittee.

On page 1049, Mr. Hendee of the Forest Service replied to my question asking about a lesser degree of interest in forest camps than in other types:

Mr. HENDEE. Mrs. Hansen, this is true, the main reason being that the conservation centers run by Interior and the Forest Service are smaller centers. We have as many as 220-some in the larger centers down to 120-some in the smaller centers. This allows us to have more personal contact with individual corpsmen than is the case in the urban centers where they have several hundred to several thousand. I think you have a right to expect closer control and less incidents due to the environment where our centers are, plus the fact that we have them tied into both the education and work programs.

Mr. BAKER. I would like to add one thing to that: There is a lot to be said for the rural environment in which the Interior and Department of Agriculture centers are located. Among other things, it provides a greater leeway of just geographic space for the boys and for the communities to associate with each other, instead of their being stacked up somewhere in a concrete canyon with asphalt all around them. There is a better psychological atmosphere, as the world's renowned scholars are now discovering. They feel it is a better way for civilized people to live.

OFFICE OF ECONOMIC OPPORTUNITY (JOB CORPS)

TRANSFERS TO FOREST SERVICE

	Available, 1966		Estimate, 1967		Estimate, 1968	
	Number of permanent positions	Amount (in thousands)	Number of permanent positions	Amount (in thousands)	Number of permanent positions	Amount (in thousands)
Center construction and equipment		$21,862		$2,075		$2,000
Center operation	1,763	30,191	2,123	42,967	2,123	43,000
Program direction and training	154	1,899	154	2,120	154	2,200
Total	1,917	53,952	2,277	47,162	2,277	47,200

LOCATION AND ECONOMICS OF JOB CORPS CAMPS

Mrs. HANSEN. On page 12 of the justifications you indicate a transfer from the Office of Economic Opportunity of $47.2 million for the Job Corps program with a total of 2,277 positions.

Please place in the record at this point a listing of the locations of the Job Corps camps throughout the Nation indicating the employment, funding, and principal type of work being performed.

In addition, I think the members of the committee would be interested in knowing what the cost is per Job Corps enrollee at each of the camps.

We would also like to know the level of their income after they leave the Corps so that we may measure the returns from our investment in the Job Corps.

I think it would also be well for you to place in the record the value of the work they did for the Forest Service, and for the United States.

Mr. CLIFF. We will be very glad to do that, Mrs. Hansen.

(The information follows:)

"JOB CORPS CONSERVATION CENTERS ADMINISTERED BY FOREST SERVICE

"Center and location	Number of center staff [1]	Number of corpsmen [2]	Total operational cost [3]	Cost per man-year [4]	Types conservation work accomplished
Anaconda, Anaconda, Mont	52	180	$537,071	$6,713	Range improvement, road and trail construction, recreation development.
Cedar Flats, Kooskia, Idaho	52	203	559,515	4,132	Recreation development, phone line construction, road and trail construction.
Cottonwood, Cottonwood, Idaho	51	197	604,298	4,827	Road and trail construction, phone line construction, building construction.
Curlew, Curlew, Wash	49	181	556,966	5,542	Range and wildlife improvements, recreation development, road construction.
Dickinson, Dickinson, N. Dak	52	172	546,882	5,258	Range improvements and recreation development.
Trapper Creek, Darby, Mont	52	193	542,111	6,260	Road and trail constructions, timber stand improvement, recreation development.
Boxelder, Nemo, S. Dak	52	184	625,944	5,382	Range and wildlife improvements, watershed restoration, hazard reduction.
Pagosa Springs, Pagosa Springs, Colo	32	109	403,437	5,847	Recreation development, range improvement, timber stand improvement road and trail construction.
Pine Ridge, Chadron, Nebr	32	111	336,491	4,807	Range improvement, recreation development, timber stand improvement.
Alpine, Alpine, Ariz	32	120	412,803	5,326	Road construction, range improvement, timber stand improvement.
Grants, Grants, N. Mex	52	215	653,499	4,877	Range improvement, recreation development, timber stand improvement.
Heber, Heber, Ariz	50	212	678,872	5,190	Range and wildlife improvement, road construction, hazard reduction, recreation development.
Luna, Las Vegas, N. Mex	51	213	475,045	[4]7,059	Range improvement, road and trail construction, watershed restoration.
Mountainair, Mountainair, N. Mex	49	191	580,780	5,969	Range improvement, recreation development, timber stand improvement, road and trail construction.
Clear Creek, Carson City, Nev	52	199	662,940	5,946	Range improvement, building construction, recreation development.
Alder Springs, Elk Creek, Calif	50	204	674,876	4,048	Trail construction, recreation development, brush eradication.
Fenner Canyon, Valyerno, Calif	28	119	456,884	6,078	Trail construction, recreation development, building construction.
Five Mile, Sonora, Calif	46	152	516,617	5,277	Timber stand improvement, recreation development, building construction.
Los Pinos, Elsinore, Calif	48	231	778,400	5,493	Recreation development, road construction, bridge construction.
Sly Park, Pollock Pines, Calif	32	122	410,847	5,181	Do.
Angell, Yachats, Oreg	32	129	364,949	5,471	Trail construction, recreation development, fence construction.
Cispus, Randle, Wash	52	217	653,355	4,634	Recreation development, wildlife improvement, sanitation improvement, timber stand improvement.

See footnotes at end of table.

"JOB CORPS CONSERVATION CENTERS ADMINISTERED BY FOREST SERVICE—Continued

"Center and location	Number of center staff [1]	Number of corpsmen [2]	Total operational cost [3]	Cost per man-year [4]	Types conservation work accomplished
Timberlake, Estacada, Oreg	52	221	$683,824	$5,021	Road and trail construction, water system improvement, building construction.
Wolf Creek, Glide, Oreg	52	198	609,920	4,511	Road and trail construction, recreation development, building construction.
Arrowood, Franklin, N.C	32	108	410,349	6,161	Road construction, wildlife habitat, building construction, recreation development.
Cajss, Ozark, Ark	32	110	403,230	5,810	Recreation improvement, beautification, trail construction.
Fatwoods, Coeburn, Va	45	113	425,634	5,903	Recreation improvement, timber stand improvement, stream improvement, roads.
Frenchburg, Frenchburg, Ky	32	115	355,266	4,997	Stream improvement, trail construction, wildlife improvement.
Hodgens, Hodgens, Okla	41	121	424,291	5,627	Recreation improvement, wildlife habitat, beautification.
Jacobs Creek, Bristol, Tenn	37	104	418,294	6,080	Road construction, beautification, recreation improvement.
New Waverly, New Waverly, Tex	52	203	410,705	4,705	Recreation improvement, wildlife habitat, land line location.
Ouachita, Royal, Ark	32	123	429,171	5,625	Recreation improvement, wildlife habitat, building construction.
Pine Knot, Pine Knot, Ky	64	244	633,345	3,946	Road construction, wildlife habitat, beautification.
Schenck, Pisgah Forest, N.C	52	205	601,067	4,641	Road construction, recreation improvement, building improvement.
Anthony, Neola, W. Va	41	166	476,513	5,783	Recreation improvement, roads, land line location, beautification.
Blackwell, Laona, Wis	52	186	571,171	4,768	Recreation improvement, fish habitat, building improvement, beautification.
Blue Jay, Marienville, Pa	32	125	342,660	4,557	Recreation improvement, beautification, building improvement.
Branchville, Branchville, Ind	32	113	340,164	4,698	Recreation improvement and beautification.
Clam Lake, Clam Lake, Wis	52	197	726,530	5,762	Fish habitat, building improvement, roads.
Golconda, Golconda, Ill	52	223	602,735	4,591	Recreation improvement and building construction.
Hoxey, Cadillac, Mich	32	110	398,568	5,661	Recreation improvement, wildlife habitat, beautification.
Isabella, Finland, Minn	52	202	692,186	5,549	Recreation improvement, roads, beautification.
Lydick Lake, Cass Lake, Minn	50	218	752,289	6,096	Recreation improvement, wildlife habitat, timber stand improvement.
Ojibway, Marenisco, Mich	49	208	682,573	5,175	Recreation improvement, fish habitat, roads.
Poplar Bluff, Poplar Bluff, Mo	50	223	546,357	4,686	Recreation improvement, roads, beautification.
Ripton, Ripton, Vt	31	136	308,090	[6] 6,939	Building improvement and beautification.
Vesuvius, Pedro, Ohio	32	110	389,702	5,648	Recreation improvement, building construction, beautification.

"[1] Staff on rolls Mar. 13, 1967.
"[2] Corpsmen on board Mar. 13, 1967.
"[3] Total net obligations July 1, 1966–Feb. 28, 1967.
"[4] Based on total man-years earned July 1, 1966–Feb. 28, 1967.
"[5] Opened Sept. 27, 1966.
"[6] Opened July 7, 1966.

"One hundred thirteen Job Corps Conservation Center graduates have been hired by the Forest Service. The weighted average Nationwide hourly rate paid is $2.10 or about $4,400 per year.

"The Conservation Centers work programs are on a 'backlog' of projects not financed with regular programs. This is in accord with requirements of the law that Job Corps projects will not displace any local employment. From inception of program to December 31, 1966, the appraised values:

"Conservation oriented	$5,131,000
Center oriented	5,123,000
Community oriented	104,000
Total	10,358,000"

Mr. Cliff. The work of the Job Corps can be fully assessed only by comparing what a young man's life might cost society if he didn't have this chance for training. Most of these boys, when we get them, are already school dropouts; they have had very little chance. They are on their own way to becoming public wards, or worse, and if we can reclaim these young men and give them a chance to become useful citizens and earn incomes rather than absorb incomes from other sources and to become taxpayers over the length of their life, we can make assets out of them rather than liabilities and this is the real measure—this, plus the human benefits that derive from this program.

Mrs. Hansen. This, the committee completely understands, but we do think we should have for the record a measurement on the economic side of the ledger too.

It is very interesting, when one compares the figures of the average State cost for penal institutions, against some of the other costs, but I think also there are those who are interested in knowing what the income level is that the trainees are able to achieve.

EMPLOYEE-ENROLLEE RATIO

Mr. McDade. When those figures are being supplied for the record, I think I am correct in saying that the ratio of employees to enrollees is now 7 to 2, is that right? Seven thousand enrollees and 2,000, roughly, employees, is that correct?

Mr. Hendee. On Friday I got the figures as of March 9, which would have been last Thursday. At that time we had 8,013 corpsmen in our 47 centers, which is up quite a few hundred. We had anticipated this as a result of recruiting that was done in January and February.

We have a roughly 2,200 employees for the 8,000.

Mr. McDade. That is a considerable improvement over what it was, and I am glad to see it.

Is there an optimum ratio figure, given by anybody, of employees to enrollees, either OEO, Bureau of the Budget, or anybody?

Mr. Hendee. There has been considerable discussion from the early part of the program. Early in the program you will recall we started out with a much lower staff. Many of us were very concerned about the proper ratio of staffing to enrollees. I think that the success in the program bears out the staffing ratios established. Comparison with other organizations staffing that are handling youth shows reasonable relationships. Admittedly some of the comparisons were very difficult to make.

Mr. McDade. Have you an optimum ratio and, if so, what is it?

Mr. Hendee. This particular staffing that is set up of 32 for a 100-man center and 52 for a 220-man center is working out very well. There are some areas where we still are unable to give the total supervision that we would like, even though the averaging does look high. Nevertheless, the judgment on staffing for this particular program is a result of the success we are having and in recent months it would seem to indicate that we have a pretty good ratio right now. The experience in recent months of giving employment and being able to move Job Corpsmen along quite rapidly in teaching them the world of work and improving their reading and their arithmetic and other skills along with the work habits has really been quite satisfactory.

Mr. McDade. I am sure it is. I just want to get the guidelines that have been established and have them furnished for the record if you haven't already done so.

Mr. Hendee. We will be very glad to do this.

(The information follows:)

"The Forest Service has not been furnished an optimum ratio figure of employees to enrollees. The 32 employee staff for the 100-man center, and 52 employee staff for the 220-man center, were provided by OEO-Job Corps and approved by the Bureau of the Budget. An interdepartmental task force is being formed to determine if the present staffing is sufficient to perform and satisfy program requirements."

VISIT TO FENNER CANYON CAMP

Mr. Reifel. When I visited the Angeles National Forest I was taken down to the camp.

Mr. Hendee. Fenner Canyon?

Mr. Reifel. Yes. The type of individuals they are reaching are persons that no one else would touch, I guess, or are being helped by any other educational effort. There was one boy who had been there almost a year. This was late in the evening. He was poring over a book of some very elemental sentences in English. I said, "What are you doing?"

He said, "I am taking an examination."

I thought he was getting ready to graduate from the camp. After questioning him some more, I discovered he was trying to graduate from one level in the program to get into the next one. He was applying himself in a manner that I have seen few human beings trying to improve themselves.

As I left the building, I ran across a young man who had just come from Los Angeles. As I understand it now, you are able to take people within the general area.

Mr. Hendee. This is true, Mr. Reifel.

Mr. Reifel. He had just been there for a day.

I said, "How are you going to like it here?"

He said, "Well, I think all right."

I said, "When you divide 4 by 2, what do you get?"

He said, "Sir, I just don't know."

I have some concern about the successes and lack of successes at the Job Corps camps. As you have indicated, I think they are more successful in the Forest Service and the Park Service and other places in the Interior Department where they are being established.

I mention these two instances to indicate the need for something like this. These are young men who, if you could get them to use their hands and apply whatever mentality they have, could develop to a point where they would be useful and can be worth much more than what is invested in them.

That was the only Job Corps camp I ever visited, but that is the impression I got.

EMPLOYMENT OF JOB CORPS GRADUATES

Mr. Cliff. We have a standing offer from Boeing Aircraft that they will take any of our graduates as fast as we can put them out. We have placed a number of employees with Boeing, with logging and lumber firms. There is a standing order in this camp and others for the graduates when they move out of the Job Corps to go into fairly well paying jobs.

TRAINING AND EDUCATING ENROLLEES

Mr. Reifel. Coming from, as you know, an Indian reservation and having been reared there and not having left it until I was 19 when I went away to high school, probably being a continuous dropout from the time I started to school when I was 5, I appreciate the necessity for some kind of intense person-to-person relationship in trying to lift individuals out of the treadmill they are in.

Sometimes if they can step into a program like this it will be worth whatever we put into it. I do hope that it can be gotten onto a level of operation that will get the support of the country.

I saw an article the other day that wasn't too encouraging. It was in one of the Washington papers. These kinds of boys—and, I may say, girls, wherever they have them in these programs—are certainly in need of it. I know most of you have indicated—such as Dresser, the supervisor, and the extra hours he is putting in, and the woman who was the cook at Fenner Canyon working with boys was a motherly type who works with these boys in the kitchen, helping them to understand what is important about cleaning dishes so as to provide a sanitary plate and cup and knife and fork—the kind of thing that I suppose some of those boys had never experienced in all their lives before they came there.

Mrs. Hansen. At one of our camps they had a class in cookery taught by very practical down-to-earth women. There were jobs waiting for all the boys taking it when they had learned to read the recipes.

I saw classes in driver training. They were handicapped because they could not read the road signs.

You wonder sometimes at the cost of the Job Corps camps, but they have to have the teachers for the first-grade level, second-grade level, third-grade level, this type of thing.

And speaking of the other parts of the country, I am sympathetic with the problem, but yet about 40 percent of the trainees in that camp were from the east coast and were boys who had no opportunity in their own communities. They were moved into the West where there is not much feeling about status and so on, and they had found themselves.

There was a young man from Richmond who was a high school graduate. He was the supervisor of the office. Until he went to the Job Corps camp he had no chance for a job at all. It was a fine experience to watch him.

The day that I was there, nine of the boys had just been employed by one of the biggest timber companies. You know what their contribution in taxes will be because the minimum wage I believe in those lumber camps is $2.60 an hour. So they went from nothing to $2.60 as a base and undoubtedly they went higher.

I saw them learning carpentry. They had a practical construction man as supervisor, and each of them was handling some phase of the building of their own gymnasium.

I saw the boys who were interested in the Forest Service—the construction of trails, fire trails, and construction of bridges. It was a fine example of the best kind of a work training program.

I was interested in another way they were teaching them. They were not spending one-half day in the forest and then doing a half-day in the school. The schoolwork was set aside in a special grouping for 1 or 2 days, and then they would do the forest work. They could retain their scholastic interest and their training and then do the forest work. It was a very interesting experience and I want to commend the Forest Service for this splendid camp.

ENROLLEES IN ARMED SERVICES

A number of their young people have gone into the armed services that could not possibly have done so without this training. They could not read and write, they could not pass, in some instances, the physicals because of defects that were correctable. No one had taken the time, or they had not had the money to correct the deficiencies. Certainly they could not have passed the mental test at that time because they simply lacked the education.

* * * * *

EMPLOYEE-ENROLLEE RATIO IN JOB CORPS CAMPS

Mr. McDade. Last year when I raised the question about the number of Federal employees relative to the number of enrollees in the Job Corps camps—I think at that time it was a ratio of about 1 to 1—and there was assurance that as the program got going it would expand, the ratio would grow higher, and my recollection is that in last year's hearings you said it would be somewhere around 7 to 2, or maybe 8 to 2, and that is exactly what you have done. Sometimes that doesn't quite happen that way, so I want to compliment you for living up to what you said you were going to do last year.

That is all, Madam Chairman.

Mrs. Hansen. Thank you, Mr. McDade.

PACIFIC NORTHWEST FOREST FIRES

Mrs. Hansen. And also due to the length of the fire season out there. It is still continuing.

Mr. Cliff. That is very true. We have fires out of control right now again in Idaho and Montana.

Mrs. Hansen. It was 94° there yesterday.

Mr. Cliff. Ninety degree weather plus low humidities. We have had a half dozen bad fires on our hands the past few days.

Mrs. Hansen. I am not asking for concrete figures but I was in the Northwest during August and earlier this month. You had several fires raging all over the Northwest. I noticed in one Idaho fire they brought the Eskimo people down from Alaska and the Job Corps people were utilized. I noticed one fire in my own area which did not last very long, and they utilized the Job Corps there. You will have substantial fire costs in the supplemental estimate, will you not?

SUPPLEMENTAL FUNDS FOR FIGHTING FOREST FIRES

Mr. Cliff. That is correct. This fire season, from the standpoint of costs, will be one of the most expensive we have ever gone through.

* * * * *

RETURNS FROM FIRE RESEARCH

Mrs. Hansen. The investment that this committee has made to provide equipment and to provide more fire research, and so on, has paid off.

Mr. Cliff. That is correct. I think it has been a remarkable response.

Mr. Nelson. There is no question about that. The type of the fire season and the types of fires we have had through lightning this year compares with our big 1910 season where we lost pretty near 3 million acres this Idaho-Montana area. The efficiency, the types of things this committee has allowed us to move forward in, the use of aircraft being one example, the infrared detection system, the smokejumpers, the interregional crews—these are very efficient crews that move fast from one area to another—all of these have had a great deal to do with holding a great many of our fires to less than 100 acres. Without this added attention to fire control the losses and cost would have been greater.

Mrs. Hansen. Have the Job Corps people been useful?

Mr. Cliff. Very much so; particularly in support services to the fire crews.

In conclusion, I urge support of our Job Corps and its programs. Yes, there are failures, but there are successes.

Mr. PERKINS. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. Pickle].

Mr. PICKLE. Mr. Chairman, as the Representative of the district containing the largest urban Job Corps center in the country, I would like to make a few comments on Job Corps, and on several other of the poverty programs.

The Camp Gary Job Corps Training Center in San Marcos, Tex., has been put under the spotlight ever since the program began. Hundreds of visitors, reporters and educators have seen the camp in operation and so far as I know, nearly everyone has made a favorable report on the results he saw there.

To begin with, the San Marcos Record on the second anniversary of Gary, back in March of this year said:

> With two years under its belt, Gary has shown remarkable progress. Many call it the best Job Corps Center in the nation. It has served 6,957 boys, including the more than 3,000 presently enrolled. The boys must like it, for the relatively low 20-percent dropout rate of the first half of lessened to 13-percent for the last 18 months.
>
> Gary has done the job that was intended—to help potential welfare cases learn to pull their weight in today's economy. Of the 3,009 who have been placed, most are at work while 133 are enrolled in colleges or other schools and 302 are in the military.

The San Antonio Express, in an editorial of March 1967, stated that Gary is "a diversified, well-operated vocational and technical training center with a record of success that would do credit to any institution."

Late last year, Chesly Manly, of the Chicago Tribune, wrote a comprehensive report on Camp Gary and concluded that it is doing an outstanding job. Later, the editorial staff of the Tribune endorsed the Manly report, and indicated that:

> While the Tribune has been skeptical of some manifestations of the "war on poverty" and has been critical of waste and corruption in parts of the program, we are glad that our reporter has been able to find and acknowledge an experiment which is generally successful.

Finally, the Dallas Morning News, an acknowledged conservative newspaper, ran a full-page spread on July 15, 1967, commending the work that has been accomplished at Gary, and citing many good examples of how work they have done leads to permanent successes.

Mr. Chairman, I have in my hands dozens of other clippings from newspapers from all over the State and Nation, and I invite your inspection of them.

The successes of Gary as reported by these papers have also been of favorable effect on the expenses needed to operate the center. The national average for 12 months of training has been cited at $6,950, though that amount is still dropping as the Job Corps program becomes more tightly organized. But at Gary, it was recently announced that the average annual operating cost per trainee has dropped to $4,344. I believe the figures speak for themselves: The money being invested in Job Corps, and particularly in Camp Gary, are producing good results, and the cost prospects for the future are bright. I might add another point here—Gary last year deobligated a considerable amount of money, I believe in the neighborhood of $1 million. They had been allotted this money, but found it was not needed and turned it back to the national office. To my knowledge, Gary was the only center to have done this.

Over the past few months, some Members have criticized the teacher hiring and pay practices being conducted at Camp Gary. The inference is that Gary has raided the neighboring school districts by inflating the salaries paid to the Gary instructors. This simply is not true.

When the figures are compared on an equal base—that is, when both sets of figures are either on a 9-month or a 12-month period—it is evident that the teachers at Gary lowest in experience and training are making only about $61 a month more than those in selected average Texas cities. For the more experienced, the records actually show that teachers in the neighboring public school districts make more than those at Gary.

The salaries of Gary teachers are set by the Texas Educational Foundation, a nonprofit group selected by the Governor, and the procedure today is that hiring is done in cooperation with surrounding school districts. Due to pay increases for all Texas teachers in the past 2 years, the difference is slowly closing, with the result that teachers are leaving Gary, rather than flocking to it.

Finally on the teacher pay issue, I would say that the Texas Educational Foundation has many special considerations it must take in account in setting Gary teachers salaries. There is not the security or retirement given under the Texas teachers system, as enjoyed by teachers in adjoining districts; the classes at the center present unique teaching problems and challenges, and qualified, motivated teachers must be found to keep the operation moving; and finally, there is the additional problem of relocation and commuting. All of the items indicate that Gary teachers deserve slightly higher salaries.

Overall, the expenses of Camp Gary, in my opinion, reflect sound, prudent administration. Of course, I understand that part of the economies are due to the fact that Gary is the largest center of its kind; that the facility was ready for use at the time Job Corps first moved into the camp; and that there has been good cooperation with the State largely through the support of our Governor, the Honorable John B. Connally.

Mr. Chairman, we have heard some criticism of the Job Corps, to the effect that the location of a camp in a particular area causes problems of crime and disturbances. The Gary corpsmen have never been involved in any kind of demonstration or riot, and the incidents there have been minor indeed.

Contrary to the reports of the critics, the Gary corpsmen appear to be among the most civic minded young men of the community. My files are filled with news clippings from the newspapers of surrounding towns commending the corpsmen on their efforts. There are countless episodes of Gary corpsmen giving blood, searching for lost children, fighting forest or pasture fires, and raising funds for local charities. Only last month in the midst of Hurricane Beulah, more than 100 Gary corpsmen were cited by the San Antonio Salvation Army for their help in loading hurricane and flood supplies for the evacuated. The corpsmen also worked in the kitchens set up for Beulah victims by the Red Cross and the civil defense agencies.

Generally, the center can look with pride on the relatively low crime record they have. The San Marcos police chief is quoted in the Waco, Tex., Daily News Tribune as saying that the trainees seldom get into trouble, and when they do, the incidents are not likely to be more serious than drunkenness or an occasional fight.

I have here a letter from the mayor of San Marcos, Ellis Serur, dated only a few days ago, saying, and I quote:

> The City of San Marcos is proud to have the Center as our neighbor. We have always enjoyed excellent Center-Community relations, and hope to continue.

Mr. Chairman, the Gary center has inspired many of the businessmen in my district to become active in the efforts to give training and guidance to the young people. Some 40 of Texas largest business corporations formed a group known as Opportunities, Inc., to provide professional advice and assistance in getting Gary on its feet. They sent their top people—without cost to the Government—to Gary to help them lay out the shops, select equipment, and plan the courses of study. Also, they have a standing invitation to all Gary graduates to make application for jobs after graduation. In this way, they are actually partners in the program, and not merely on the sidelines criticizing.

Gary now trains over 3,000 young men at a time in 37 vocational classes and shops. After 30 months of operation, the center has turned out some 11,000 youths with new trades and new attitudes toward life. The training given ranges from bricklaying to commercial art—from underwater welding to heavy equipment repair.

And the demand for the young graduates is tremendous. The center's placement office receives up to 400 requests a month from businesses seeking graduates of the training programs—a demand 17 times greater than the center currently can fill. Officials there indicate that they could easily broaden the demand for Corps graduates simply by widening their mailout of new graduates. The jobs are at good wages, too—ranging from $1.12 an hour for a tailor to $4.72 an hour for a welder.

The very success of the program, and its eager acceptance by the business community, has been one of its drawbacks. Presently, most of the corpsmen complete only the first phase of their training rather than staying on for advance courses. The average stay at Gary is just over 9 months. After that time, the skills learned by the young men are marketable and they are anxious to join the working force and take advantage of those new skills.

If they could be convinced to stay on, they would not only reap the benefits of better training, but they also would advantage from the basic education courses. When corpsmen enter Gary they have, on the average, an eighth-grade education with fifth-grade competency in reading and math. The Gary staff has developed two separate programs to correct these deficiencies and both have proven extremely successful. The so-called kinesthetic approach is used in both reading and math, and the materials used have been developed for the most part by Gary personnel. Corpsmen are tested by the Stanford Achievement Test and the average gain being shown in the math program is 1.7 years per month and for the reading program, 1.2 years' gain per month. Also, many corpsmen are able to complete high school equivalency exams after receiving this education.

Mr. Chairman, I also would like to say a few words on other facets of the poverty program in my district. In Austin, we have a community action agency known as the Human Opportunities Commission, an arm of the community council. Human opportunities is governed by a 35-man board comprised of representatives of the poor, businessmen, lawyers, doctors, civic leaders, and educators. It represents a good cross section of the community, and already satisfies the committee amendment which would require representation of one-third, one-third, and one-third for the poor, the local government, and local businesses and groups. Under any of the plans for operation, it is well-established and ready to continue its work. I hope they will be afforded the funds to do this.

Likewise, the VISTA program has met with success and in fact, 10 VISTA volunteers on assignment in my hometown of Austin have indicated they do not intend to give up simply because Congress has been late in providing them food and living allowance.

After VISTA's able national director, Bill Crook, wrote them on November 3 to notify that they may not be paid their food and living allowance because of the time lapse in the continuing resolution, they fired a telegram back to Washington, which read, and I quote:

> Austin VISTA volunteers met today to discuss loss of living allowance. We agree among ourselves that our commitment is such that there is no retreat. We will stay to serve the poor.

This was the first of more than 150 telegrams to be received by Crook.

This is not an isolated case, I might add. There have been reports of this same attitude among VISTA people in several major cities including Washington, D.C., where volunteers are moving in with families in neighborhoods where they are serving.

It seems that volunteers are more than justifying their eloquent statements of faith and I am hopeful that this body can display the confidence these people have in their commitment to the poor.

From listening over the past few days to the debate here in the House, I take it that most of the opposition is not against Job Corps as such—though we must continue to make improvements. It appears that the main amendment to the program will be in the form of attempts to transfer Job Corps to the Office of Education. I am not prepared to say this would not work, but I do know that no other Federal agency once entered this area of effort prior to the creation of the Office of Economic Opportunity. The problems Job Corps attempts to solve are the very ones that our educators have not solved. They are doing something that, heretofore, no one would touch.

We can speculate on how the program would work under a different agency, but I am afraid that it would slowly become watered down to the days when very little was done. Job Corps is just now coming out of the woods. We have learned a lot in the past 3 years, and a transfer at this time would greatly harm the progress. No one has given facts as to how this proposed transfer would work, and it is my opinion that the suggestion is inspired by politics more than by facts.

Mr. Chairman, I believe the record amply supports the conclusion that at least two of the poverty programs; namely, Job Corps and Community Action, can and will do a good job. The measure of success of any human endeavor is not taken solely in terms of dollars and cents or of jobs filled and training completed. It is also made on the basis of renewed thinking and revised goals. I believe that on both sets of criteria, the Camp Gary Job Corps Center and the Austin Community Action project stand the test. I think it shows that this approach will work and that it will work with notable success.

It is my hope that this House will act reasonably and prudently in considering these programs and that it will weigh carefully the individual successes witnessed under them.

Mr. GONZALEZ. Mr. Chairman, will the gentleman yield?

Mr. PICKLE. I am glad to yield to the gentleman from Texas.

Mr. GONZALEZ. Mr. Chairman, I wish to commend my distinguished colleague, the distinguished gentleman from Texas [Mr. PICKLE], for the remarks that he has made here for our information, all of which I can vouch for because I have had the privilege and pleasure to visit Camp Gary upon more than one occasion and have been very much impressed with its operations. It represents an activity of which any Member of this House who has visited it could not help but be favorably impressed.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. PERKINS. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. GONZALEZ. Mr. Chairman, will the gentleman yield further?

Mr. PICKLE. I yield further to the gentleman from Texas.

Mr. GONZALEZ. I can only confirm this with letters and statements from the officials and from the members of the chamber of commerce proving that they desire to obtain in San Antonio many of these graduates from Camp Gary.

Mr. PICKLE. The gentleman is correct. Both San Antonio and the city of Houston have organized committees to help these young men and their cooperation with reference to helping these young men has grown. They have further stated that these young people have not been the cause of any disturbance, but have been of assistance in keeping down, any element of disturbance.

As a matter of fact, they are well received.

I would like to point out just one more thing to the House: At Camp Gary we have what we call the "Opportunities, Incorporated." This is a committee consisting of about 40 of the big businesses in Texas, the largest business cooperation we have. These men sent their top technicians down to the camp, and they helped lay out the programs and establish the courses. They said to these boys, "If you stay and graduate we will see that you get jobs."

And that is one reason why we have over 400 more requests each month now for placement than the Camp Gary Job Corps Center can develop. I believe that is proof of the program in itself.

In other respects, in the city of Austin our community action program is working with a group of 35 people who are balanced off one-third, one-third, and one-third and the VISTA program is working well, and we have not had any real difficulty. Our difficulty has been success instead of not success.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield 8 minutes to the gentleman from Kentucky [Mr. CARTER].

Mr. CARTER. Mr. Chairman, 22 of the 24 counties of my congressional district are in the Appalachian region. I have been extremely interested in the poverty program. I strongly support its purpose. I have been in a position to observe the results of this program.

Again, it has been my avowed purpose to see that the program be made to work for the poor people of my district.

It is with extreme regret that I must say that the program has never been as effective as hoped for. At best, only parts of it have been helpful. No dramatic effect in lightening of the load of poverty has been made, although the law went into effect in October of 1964.

One part of this program has caused resentment and has resulted in much dissension. It is the role of the Appalachian and VISTA volunteers. I must state that some of the VISTAS have been dedicated young people. But most of these people have made it plain that they are in Appalachia for breaking down what they call the "power structure."

The power structure actually is the local government and its supporters. This, of course, has caused resentment toward the Appalachian and VISTA Volunteers, and toward the entire program by all officeholders who have, in most cases, the same feeling for the poor that we have, and who desire just as much as we do that the bonds of poverty be eradicated. Breaking down the power structure means removal of duly-elected officials and people in positions of prominence. This, in a sense, would mean anarchy.

The idea, in many cases, which is presented to the people of this section is that they have been discriminated against by officeholders and that they, the people, have not been given their just dues—roads, jobs, and wealth—when this is far beyond the capacity and ability of the officeholders to accomplish.

This portion of the program may be remedied by employing native, vocationally-trained people as directors. The purpose is economic improvement—advancement of political ideas should not be associated with the poverty program as it has been.

I shall do all in my power to help the poor in my area. However, under this program, far too much is paid for administration and far too little filters down to the poor. The basic purposes of this program, it seems to me, are to train and educate so that these unfortunate poor may obtain worthwhile jobs. No one has a greater feeling of satisfaction than an individual who is successfully employed in a job productive of good. I believe this is the goal toward which we should strive.

Housing is a great problem in this area. Of course, the Appalachian Act has some provisions for housing. If, Mr. Chairman, the Members could see the houses in which many of these people live, they would be shocked. A program to build houses in which the poor themselves could contribute in labor, money, or kind, loans for which should be guaranteed by the Federal Government, is a program which would be greatly beneficial to the poor. Whenever these people or any people have even a small equity in a home or a piece of ground, they become loyal citizens. Therefore, Mr. Chairman, I commend this to the Members for their consideration.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. CARTER. I yield briefly to the gentleman for a question only.

Mr. EDMONDSON. I did not have any question in mind. I merely want to tell the gentleman that I think a very successful program along the lines he is talking about which permits people of low incomes to make a capital contribution to a housing program is being conducted right now among the Cherokee Indian people in eastern Oklahoma. They are putting their time and the work of their family and the work of their neighbors into the job of building homes. It has proved to be a very fine new approach and a healthy innovation in meeting our housing problem in eastern Oklahoma.

I think the gentleman is making a suggestion that has a great deal of merit in terms of meeting the housing needs of the country.

Mr. CARTER. I thank the distinguished gentleman for his remarks. I certainly would like to see a like approach used in other areas.

The Headstart program has, it seems, been quite successful. In most cases, it has been administered by the county boards of education; and I feel that it should continue to be administered in this manner.

The work-experience and training program so-called happy pappy—has been helpful in that the children of these employees have had better food, clothing, and medical care. It could be improved by requiring these employees to attend vocational schools where, again, they could obtain skills useful in securing productive jobs.

The working time of these employees has been consumed, in many cases, in such tasks as cutting weeds, picking up paper, and janitorial services. I have talked with many of these men and they desire to improve themselves by vocational training so that they can depend upon themselves. I strongly recommend this latter course.

The in-school Neighborhood Youth Corps has been helpful for many poor children who otherwise could not have remained in school. I recommend its continuance. Again, there has not been sufficient supervision in many cases; little if any work has been required of them. The parents of these children state they desire that they work for their money. Otherwise, as they stated, when the children become of age and seek jobs they will think they should draw their money without working. I strongly recommend that these young people receive in-school training in vocational education—mechanics, stenography, secretarial work, and other vocations. Direction, supervision, and administration must be improved.

The community action program in many areas of the Fifth Congressional District of Kentucky has been controversial. It seems the county councils and the district councils are composed of so many members of different trends of thought that arguments, much vituperation, and bitter factional fights occur—with very little help for the poor.

Since I wanted very much to see how much of the money being spent in my area was of benefit to the poor, I asked the General Accounting Office to make a survey. In one county of my district, I quote from their report:

> From the receipt of the first grant in December, 1964 through November, 1966, expenditures for execution of the county's community action program amounted to about $1.1 million. On the basis of our analysis, we estimate that about $295,000 of the $1.1 million expended for the program was in the nature of direct benefits to the poor. Travel over this period of time by council employees amounted to more than $97,000, almost one-third of the amount of funds that supposedly went directly to the poor.

Mr. Chairman, with so much spent for administration and so little going to the poor, is it any wonder that the poor themselves are disenchanted with this program?

In another county in my district, the GAO report revealed that the local antipoverty organization, with the approval of the Office of Economic Opportunity, entered into an agreement with an Ohio firm to rent a portable building at a daily rental of $97, or $33,000 a year, to house its medical clinic for the poor. This building, which I have visited, could have been constructed for about $15,000 or less. The auditors found that no competitive bids had been taken on construction of the building to which the contractor retained title.

It was stated at the beginning of this debate that a bundle of money was thrown at Sargent Shriver and he was told to start fighting poverty. With this statement I am inclined to agree. This is exactly the way the program was started and the way it has been executed. It appears that Mr. Shriver has thrown money all over the country, most of which has gone to white-collared workers, with only a small amount trickling down to the poor. Cost of the administration of this program has been beyond reason. The purpose of this program is to help the poor. Direction and administration must be improved if we are to accomplish this purpose, and this must be done.

Mention was made on the floor here yesterday that many of the poverty workers are ready to quit if poverty funds are reduced. I cannot agree with this statement. Firing one of these workers would be like weaning a 1-year-old bull calf. Once they get on such a sugartit, it is an awful job to get them off.

Mr. Chairman, my area in Appalachia could benefit by the poverty program if it were properly programed, wisely directed and effectively administered. I ask that all Members work toward improvement of this program.

Mr. Wallace J. Coomer, superintendent of Adair County schools, Columbia, Ky., commented:

> We have had no direct contact with Appalachian and VISTA Volunteers. But I have talked to school people who advised me to keep them out of my county if at all possible. It is the Superintendent and local boards' feeling that we can run a better Headstart Program with a minimum of Federal control.

Harold Murphy, superintendent of Casey County schools, Liberty, Ky., comments:

> We do not have the Appalachian and VISTA Volunteers in our county. But it seems as though they cause a lot of unrest in the Eastern part of the State.

Mrs. Mallie Bledsoe, superintendent of Clay County schools, Manchester, Ky., comments:

> The VISTA Program has never been successful in our county. The OEO Programs are nearly impossible to cooperate with. The Appalachian Volunteer Program is most objectionable. We do not want Appalachian Volunteers nor VISTAS.

Waymond Huddleston, superintendent of Cumberland County schools, Burkesville, Ky., comments:

> We have not had a Youth Corps Project in Cumberland County. But I have been told that one small factory nearby has had trouble with those who were enrollees of a Youth Corps Project in high school. In fact, the manager made the remark that all the workers he had had to dismiss had worked on a Youth Corps Project in their high school. These students had received their checks but had not worked very much for them.

Lucille Guthrie, superintendent of Green County schools, Greensburg, Ky., comments:

> I wish the Headstart Program would be taken away from OEO. We would like to have a Headstart Program, but not under OEO.

James A. Cawood, superintendent of Harlan County schools, Harlan, Ky., comments:

> I feel that the AV's and VISTAS are strychnine in a very well prepared diet for relieving poverty. Frustration, confusion, and ill will, it appears, is what they believe.

Bill Forester, attendance officer, Harlan, Ky., comments:

> The Appalachian Volunteers and VISTAS are a bunch of misfits and dropouts who are actually being used to instigate a revolution against our county.

Ruby Carter, assistant superintendent, Harlan County schools, Harlan, Ky., comments:

> We have two programs for which I feel the money would be just as well dumped in the Atlantic Ocean. They are the VISTA and Appalachian Volunteer Programs. Also, the Teacher Corps. VISTA workers have turned neighbors against each other, antagonized the community, and, on the whole, it seems to me, would be better off in Vietnam.

Sylvia Burnette, Harlan, Ky., comments:

> The VISTA and AV Programs are totally unjustified. Even though the original intent may have been good, people who display communistic actions have infiltrated these organizations.

Mary E. Carter, Harlan, Ky., comments:

> My contacts with the VISTA worker and Appalachian Volunteers have been very distasteful. In any area in which these workers have been, there has been strife and turmoil, nothing else.

Marie Everidge, Harlan County schools supervisor, Harlan, Ky., comments:

> The Appalachian Volunteers and VISTA workers have done everything they can to undermine the schools of our county. They are antagonistic, belligerent, and totally untruthful.

Mildred Rowland, assistant superintendent, Harlan County schools, Harlan, Ky., comments:

> The Appalachian Volunteers and VISTA workers have caused more trouble than we can live down. Many of them fit the description of well-trained communists.

Jesse D. Lay, superintendent of Knox County schools, Barbourville, Ky., comments:

> If any part of the Poverty Program is to be reduced or cut out, I would like to recommend reduction or elimination of the Community Action part.

Hayward Gilliam, superintendent of Laurel County schools, London, Ky., comments:

> From discussion that I have had with officials of surrounding areas where Appalachian and VISTA workers are present, I do not feel that we would want these people in this county.

Hayes Lewis, superintendent of Leslie County schools, Hyden, Ky., comments:

> The In-School Youth Corps Program has made it possible for many youngsters to remain in school who otherwise would have dropped out. The Unemployed Fathers Program should be continued for the needy, but they should be required to attend vocational schools. The AV's and VISTA workers are a nuisance to society. They create strife within communities. They go dirty, unclean and as far as sexual morals are concerned, they are on the animal level.

Patrick Bell, superintendent of McCreary County schools, Whitley City, Ky., comments:

> In this county, Headstart is an educational program. It should and in this country will continue to be run for that purpose. We are in the third year of our Youth Corps Program. It is the best one in which we participate. Our program is living testimony that teen-agers will work if it is made clear what is expected of them.

Robert Barker, publisher, Irvine Times, Irvine, Ky., comments:

> We have an OEO office in Ravenna, with a highly paid staff, but nobody seems to understand what they are trying to do. At least, the results of their efforts are not visible. If the program should be eliminated here, this office would not be missed. Most people feel that the program is useless.

John L. Crawford, publisher, Corbin Times-Tribune, Corbin, Ky., comments:

> The Poverty Program in this area is still a question mark. The idea is all right—but its administration leaves a lot to be desired. Some of these paid volunteers, rushing into the area to tell folks what to do, are preaching what I consider anarchy. We could do without the AV's and the VISTAS.

Maurice K. Henry, publisher, Middlesboro Daily News, Middlesboro, Ky., comments:

> As time passed, the VISTA workers gradually began to work against what they called the 'power structure.' The power structure was not just people in elected office, but everyone who had a good position, status in community, or an individual who had influence. Unfortunately, the Happy Pappy Program has increased the popularity of being unemployed. The percentage of former Happy Pappy participants now holding jobs must be very low.

Clarence H. Bates, superintendent of Wayne County schools, Monticello, Ky., comments:

> Our county has had no Appalachian or VISTA Volunteers, and from what we have heard about them from others, we do not want any.

Mrs. Neurel Miracle, superintendent of Rockcastle County schools, Mount Vernon, Ky., comments:

> The Appalachian and VISTA Volunteers, if continued, will disrupt our nation. At first, we accepted them with great faith, but now we are very sorry. They cause class hatred and try to overthrow local government. They are causing our people to lose confidence in our leaders in Washington.

Othello Gaskin, superintendent of Russell County schools, Jamestown, Ky., comments:

> The Headstart Program could be cut out. The amount of learning taking place in six weeks is very little. More bother than worth with present set-up.

Mr. GURNEY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GURNEY. Mr. Chairman, the poverty war, otherwise known as the Office of Economic Opportunity, was conceived and born in politics in the year 1964, as President Johnson's own idea and personal domestic reelection program. The poverty war has never been able to get out of the stigma of this political birth and has been up to its eyebrows in politics ever since.

Never in the history of our Government, at least in our time, has a program been so fraught with incompetent mismanagement, colossal waste, political infighting, and great lack of achievement. Paraphrasing Winston Churchill's famous words, "Never has so much money been spent to accomplish so little."

The voluminous hearings held this year and previous years contain a wealth of material proving countless different ways and instances how the program has not worked.

Polls taken by Members of Congress reveal that constituents are overwhelmingly of the opinion that the poverty war is a failure, in every conceivable kind of community, big city, small city, and out in the country.

News media, the length and breadth of our Nation have cited in their news columns example after example of the waste, inefficiency, and failure of the program.

In my own congressional district the poverty war has been a constant political football, with various groups struggling to get in power and use it for their own political ends.

I brought before the Committee on Education and Labor as a witness at our hearings, Dr. Paul F. Douglass, who is a professor of government and director of the Center for Practical Politics at Rollins College. The Center for Practical Politics has performed outstanding work over the years in studies of politics and government in action in Florida. Their most recent project was a study in depth on the war on poverty in Orange County, Fla. Dr. Douglass was at the time and still is a member of the board of directors of the Orange County Economic Opportunity, Inc., the local community action board.

Some of the substance of his testimony was that the poverty war program was "deeply embroiled in politics"; that it has been ineffective and operated by people "unconcerned with the situation of the poor."

In Orange County, Fla., as in many other places, enormous expectations were built up in the minds of the poor by the poverty war propaganda efforts, with almost no accomplishment to help the poor. This prompted Dr. Douglass to testify:

> To frustrate the expectations of the poor is both bad business and bad politics.

Dr. Douglass stated that the study of his Center for Practical Politics revealed that the community action process of the Office of Economic Opportunity in Orange County, Fla., afforded the opportunity "for a new species of political interloper and associated staff," who for the most part "generated confusion, animosity, and heat but no light," and that—

> Community action further provided a ponderous and complicated net of professed public purpose and private political connivance.

He pointed out that for the most part the people in the program are untrained and not competent to handle their responsibilities.

The Headstart program is generally recognized as one of the more worthwhile programs in OEO. But here also the experience has been poor in my home district.

One of the local churches lent its facilities to be used by the Headstart people this summer, 1967. The church staff sent me detailed and careful evaluation of the program. Their conclusion was that the program was pretty much of a failure, except that it did provide the children enrolled with some good food and with some medical attention.

As their report put it:

> The program at All Saints' did not do anything but feed the children. They needed to be taught basic things such as how to communicate with one another, respect for one another and for the teacher, respect for the property of others, how to eat properly: also, they needed to be taught that there is a time to go to the bathroom, to the drinking fountain: a time to have fun and a time to be quiet and just listen. From observation, it would seem that these children, at least very few if any of them, learned any of these things. There seemed to be continuing chaos and confusion at this center but even though this condition existed the feeling that the children gained some good from the program is still present albeit they did not gain what they might have if the planning and execution of the program had been more thoughtful and thorough by the local Office of Economic Opportunity.
>
> The downstairs classrooms in which these children met received extreme use during this eight weeks' period. It took a great deal of hard work and one week after the center closed to get the rooms to look orderly and neat again. In a majority of the rooms the classes were chaotic, the rooms were filthy, and much of the equipment that was of a portable nature was damaged, the tables where some of the children ate were heaped above and below with garbage after every meal and the lavatories were unspeakable messes.
>
> Three of the chalk boards in the downstairs classrooms have been damaged by the fact that crayons were used on them several different times depositing a coat of wax which is difficult to get off, and in the process of getting it off has not made the chalk boards any better. If anything, they are worse. Two or three of the cork bulletin boards have had some kind of a greasy substance put on them which is impossible to get out and therefore they are permanently damaged. The exterior walls have dirt on them, as a result of the program, which will not come off with washing.
>
> At their two week orientation period, the teachers were told they had to give the children a taste of art, music, nature study, science, etc. There seems to be much at stake in the Headstart program. Giving these children help is a task which must be done: There is no choice in the matter, if we are to call ourselves civilized. It is our responsibility if we are to call ourselves Christians to help with this work. "It was the children themselves who should have been the primary concern of all and they were not. At times they seemed to be little pawns in the games of do-gooders, of politicians, of self-assertive members of the various races, and of people who wanted nothing more than fat salary checks. The Federal Government should not direct this work. It cannot possibly be aware of the real personal needs of these people. By its very nature, it imposes rule: It does not answer particular needs." An indication by a representative of the poverty program from Washington was that the concern was not primarily to help children or to alleviate poverty but to deal with the issue of integration.
>
> The rector, in a letter to the Office of Economic Opportunity in Washington, copies of which went to Senator Smathers and to Representative Gurney, said: "We are delighted to have any persons of any race or background as members of our congregation or participants in the school, but when it becomes necessary to take 4 and 5 year old children and subject them to as much confusion and changing in their little lives as happened during the first three weeks of this program here, I seriously question its value. More important, I seriously question

the value of the guidelines insofar as they appear not to be guidelines but rigid rules. Making pawns of children to satisfy an unrealistic, racial-political issue is not only unbecoming but is cruel. The routine line that we hear from the local office is that it is the Government's desire that this become a completely local operation. As far as I am concerned, I have grave doubts that it will ever function in terms of the value it seeks to establish and goals it seeks to fulfill until such time as the guidelines are modified and the program is, indeed, left up to local individuals. I regret that such a high ideal and objective is so botched up as to appear to be hurting little children and setting the program back instead of moving it forward."

There was undue and excess interference by Federal personnel both from Washington and Atlanta and from the local OEO who came to make observations and to initiate changes that seemed to be detrimental to the children who were trying to be helped through this program. The adage that "too many cooks spoil the stew" certainly applied to the administration of this summer Headstart program. Those in positions of administrative authority on every level flaunted that authority to those who were working at this center.

The food was a plus factor in the summer Headstart program. There was an abundance of it, and it was carefully and well prepared each day.

During the summer program at All Saints', a doctor and a nurse came about every 10 days to administer certain shots to the children and to give the examinations. This unquestionably was of value—another "plus" factor.

Our facilities at All Saints' do not permit for adequate recreational area. The courtyard is far too small and the parking lot too hot for the children to play games. The playground which used to be at the Park Avenue School, which has now been completely taken over by Rollins College, is still there but the equipment is gone thereby minimizing its desirability and its use. This lack of recreational area and the lack of recreational facilities should be considered when thinking again of a program of this nature.

The teaching personnel were a prime factor in the administration and success of this center or its lack of success. There did not seem to be much control over the students and it was the feeling of most of the staff of All Saints' that the reason for this was that the teachers were too young and inexperienced. It has been expressed that the teachers should be older and should have a minimum of 5 years' experience with preschool children; that they must teach them how to behave in a group, how to take orders, how to treat one another, how to sit at a table, etc., etc. The head teacher should not have to teach a class as well as do the routine paper work which is required by the Government or OEO. As the days passed and the work proceeded here at All Saints' Headstart center, two things regarding the teachers became obvious: the best teachers were Negroes who were experienced and had had experience teaching young children.

The white teachers who were not experienced did not discipline and they did not teach. They appeared afraid of hurting the children's feelings or of giving them inferiority complexes. The Negro teachers on the other hand disciplined and corrected the children. They were "hard" on them. They taught them the things they will have to know to be accepted in public school. These children walked in tidy and obedient lines. You could pick out the tables at which they had eaten because the tables were cleaner, the rooms they used were cleaner and put in order at the end of the day. Their equipment was not damaged. If this work is to be done well, if these children are to be given what they must be given, the teachers should be carefully chosen. They should not indulge the children just because they are under-privileged; they should understand the children well enough to know what the children can do and what can be done for them and they should love the children enough to be hard on them. Headstart must be a school where children can *learn* to *go* to school.

Of course, this is the experience of only one county in Florida. I have confined my remarks to it because I am personally acquainted with the failure of the poverty war here. However, I think it is fair to say from the evidence amassed, that our situation locally is not an exception, but the general run of things as far as the poverty war programs are concerned.

Probably the best thing that could be done to the poverty war, certainly the best thing which could be done for long-suffering taxpayers, would be to abolish the Office of Economic Opportunity. Get the poverty war out of politics, and put the portions of it that might be worthwhile, if properly administered, under competent leadership. For example, Headstart and similar educational programs ought to be put under local school direction. There should be much greater emphasis on job training and then follow up in finding jobs.

However, I predict attempts to do this will meet with the charge by proponents of this legislation, and especially the administration, that opponents of the poverty war are against the poor, playing politics with poverty and all the rest of the accusations that have been hurled around.

Perhaps the only sensible thing that can be done this year is to let the program stay as it is, but cut back the funding rather drastically. This will force the poverty war people to drastically revise their operation, get rid of their topheavy staff structure, revise salaries, sharpen up their operation, and hopefully salvage some good out of the whole sorry affair. I hope the Committee is able to take this course.

Mr. PERKINS. Mr. Chairman, I yield such time as he may require to the Resident Commissioner of Puerto Rico, Mr. SANTIAGO POLANCO-ABREU.

Mr. POLANCO-ABREU. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Puerto Rico?

There was no objection.

Mr. POLANCO-ABREU. Mr. Chairman, I have been disturbed by the threat to the Nation's needy in the economy move to slash funds from the Office of Economic Opportunity. My fear for essential programs for the poor is shared throughout Puerto Rico. I have been receiving many cablegrams from Commonwealth legislators, educators, community action officers, mayors, public and private organizations, and private citizens.

Without exception, these messages urge the full funding of the OEO so as not to jeopardize essential work on behalf of those who most need the help provided by these programs.

Essential antipoverty programs in Puerto Rico will be in severe danger of dismemberment and discontinuance if the amendments to cut OEO funds below this year's levels prevail. The voices which reach me through the communications that I have received also oppose, without exception, the requirements calling for contributions on the local level, because this money simply cannot be raised in Puerto Rico. Many of the recipient organizations are nonprofit institutions supported only by donations and subsidies.

If we discontinue or slacken our efforts against poverty at this time, we will find ourselves that much farther behind when again we give full heart to this fight. Our problems then will be compounded, more difficult, and more expensive.

I hope that the Congress in its wisdom will recognize this truth and, despite the obvious need for economy at this time, put appropriations where they are the most needed by our public and can do the greatest good for the most people.

Mr. PERKINS. Mr. Chairman, I yield 3 minutes to the gentleman from Louisiana [Mr. WAGGONNER].

Mr. WAGGONNER. Mr. Chairman, I think that it can truthfully be said that the Office of Economic Opportunity and the programs administered by this Office are easily at this point the most controversial of any of our federally-sponsored Government programs. The Congress, to some extent, must share some of the blame for the shortcomings of the Office of Economic Opportunity, because it was this Congress, not the 90th Congress, but the Congress itself, which thrust upon the Office of Economic Opportunity the almost impossible task of spending huge sums of money without proper preparation and without proper planning. It is because of this haste and lack of planning that the Office of Economic Opportunity has made at least some of the mistakes that they have made.

I think it can as well be said that the Office of Economic Opportunity to some degree, to one extent or the other, can justifiably be criticized, as they have been, by almost every Member of Congress, to my knowledge, and I number myself among those who have been critical of the Office of Economic Opportunity.

The gentlewoman from Oregon [Mrs. GREEN] yesterday made what, to me, amounts to a profound statement, when she said it was not the intent of the Congress in creating the Office of Economic Opportunity to interpose or create another level of government, as has come to be the case with the Office of Economic Opportunity and community action programs. It surely was not the intent of Congress to create another level of government such as this monster without responsibility to account for their actions.

The gentleman from Florida [Mr. GIBBONS] made another observation which I think is equally true, and that is that there are two points in real question: money and its amount, and community action programs. I am told, and I believe that the gentleman from Ohio [Mr. AYRES] still plans to offer a substitute, which will be in the form of a continuing resolution, to allow the Office of Economic Opportunity to continue to operate under existing rules and regulations, but with reduced funds, until sometime next year.

It is a little difficult for me to see the wisdom of continuing to operate the Office of Economic Opportunity under existing rules and regulations when there is not a man in this House who agrees with the rules and regulations that the Office of Economic Opportunity presently operates under.

If we are truly believers that some change must be made in this basic legislation, then we should face the issue squarely and not pass a simple continuing resolution and continue to operate under existing rules or regulations. I know there are a number of economy-minded people in the House—and I am one of them. I doubt if there are any here who would dare call me a big spender—but I say there is something more important to be considered in this legislation this year than mere dollars alone. The perspective of this legislation must be changed. Responsibility must be achieved.

I feel very sincerely that what the committee has done in adopting the Green amendment is the salvation of this program, if indeed it can be saved. A number of people on the committee have insisted upon it, and I am told they are going to insist upon it through conference. If we can maintain this feature of the bill, a new structure of community action agencies, then this is easily the most revolutionary and important part of this legislative proposal.

As far as I am concerned, I am willing this year to spend a little bit more money if we can inject new criteria for the Office of Economic Opportunity to abide by, in defining for them what a community action agency is. The committee bill says that a community action agency will be a State of a political subdivision. They are talking about elected public officials. Agencies will be represented, the poor will be represented.

I say, as sincerely as I possibly can, if we are going to correct what is more apparently wrong with this bill than any other feature, then we are going to have to start with this new level of government we are all critical of, that is going to rise up in ever-increasing degrees to haunt us all. Even though I might like a little additional wordage, what the committee has done and what the committee recommends in turning over to States and political subdivisions the community action program, I believe we must do if we are ever going to get anything out of this program. It is totally irresponsible now.

So I say to every Member of this House, if the Members really want to put some responsible people—and I am not critical of everybody who is associated with OEO or community action programs as being irresponsible—but if we want to make this program responsible, then we must give the operation and the administration at the community level to people who have to account to voters, to elected officials like you and me. Let us retain this feature in this bill. If we do not, the time is going to come when this program is going to fall of its own weight—and that would make a lot of people happy, I know. But I say, if we do want to make a going business out of the community action programs by turning their responsibility over to responsible local elected officials, I predict it will not be many years when legislation such as this will pass this House with ease.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield 8 minutes to the gentleman from Indiana [Mr. ZION].

Mr. ZION. Mr. Chairman, we have an opportunity before us that is unparalleled in the history of the world. We can, if we have the courage, enact legislation for our young people that will significantly reduce the tragic specter of illiteracy, disease, and poverty.

We in this country, with more than 50 percent of the world's wealth, are rapidly losing our most valuable asset, that is, the capacity of our young people to contribute to their future and to the future of their country.

Every day brings another group of dependents to the Nation's welfare table, and away from the ranks of production. We must reverse this trend if we are to continue the progress that has made this the greatest nation in the world. This can be done.

It is a three-step approach:

First, abolish the Office of Economic Opportunity as it now exists.

Second, extract those education and training programs that are the confused, conflicting concoctions of the Great Society now being administered by the Department of Labor and the Department of Health, Education, and Welfare.

Third, give substantial guidance, and substantial financial support to our local educational systems, so that they can expand their facilities to administer preschool indoctrination, vocational education, on-the-job training, part-time employment, and so forth.

I am not suggesting that we take these programs away from the national bureaucrats and put them under the bureaucrats in city hall.

I am suggesting that we already have dedicated school boards, competent administrators and educators in local communities who can do the job, if given the help they need.

Now as to point No. 1: We here in the Congress are trying to hack away at the branches of this OEO problem when we should be digging it up by the roots. We should recognize that we cannot carve rotten wood. You cannot dress up a skunk and pretend it is an Angora cat. You can not take elements of the OEO, rearrange them and pretend that they are something new.

In response to a questionnaire I recently distributed throughout my district, 85 percent of those responding indicated they did not feel the OEO had been effective in getting at the real causes of poverty. These constituents may strongly approve of a given project in the war on poverty. They may have good words for a Headstart program, or Upward Bound, or Green Thumb—but many are seriously worried at the internal mismanagement of these programs. They are alarmed at watching what could be highly beneficial programs becoming hamstrung, and weighted down by a fumbling bureaucracy not attuned to the people they are supposed to serve.

Perhaps even more amazing are the comments from poverty officials themselves. I have had letters and phone calls from distressed men and women who are called upon to operate programs at a local level, while strange policy decisions in Washington and Chicago are delaying operating funds. Vouchers are lost. Checks mismailed. Applications disappear. It is no wonder that a great majority of those capable people who originally joined the OEO have resigned.

One poverty program director stated to me:

> Sometimes I get so angry, I want to explode. We're waiting for money to start our program—we have hired persons and have begun to train them to supervise the program. All we need is money . . . so instead of money, we get telegrams, and these aren't properly addressed.

He goes on to say:

> I could certainly tell you what I think of the way these programs are run from the top—redtape and mix-ups. I'm disgusted.

Another poverty official related:

> There is so much confusion in the national and regional O.E.O. offices that very little of the money ever filters down to where it can be used for the people. Power-hungry officials at the top are too busy empire-building to provide us with a program down here that we can responsibly execute.

Another director wrote me:

> I don't really care how they want us to do our work, I'll just be glad when they stop making directional changes long enough to let us get something done down here.

When the OEO becomes hopelessly snarled in its own redtape, it starts looking for a scapegoat. During one of the "lost check" episodes in my district, the regional office put out the story that the program could not be funded until the Congressman had "announced" the project. This colossal bit of ballyhoo had wide circulation in southern Indiana.

I have observed that propaganda is a major product of the OEO. Recently, a flock of mail supporting certain poverty programs contained a large number of letters written on stationery bearing the Federal watermark. Does this suggest a spontaneous expression of unbiased people?

Many of my correspondents are concerned with recent revelations that upwards of 70 percent of OEO expenditures go for salaries. The little people on the other end suffer when bureaucracy has managed to siphon off such a large portion.

There are some outstanding poverty programs in existence. I want to help save them from destruction at the hands of an outraged public that will eventually bring the OEO "house of cards" down. It is imperative that bureaucratic interference in local programs be reduced. It is also imperative that politics be kept out of the picture.

A DUAL SYSTEM OF EDUCATION?

It is a regrettable situation that we are spending so much time and energy developing a dual system of education in this country. Headstart is a good example of this.

If the fine features of Headstart could be incorporated into good existing school systems which are responsive to local need, it would represent a tremendous savings to the overburdened taxpayer.

Headstart, Neighborhood Youth Corps, Upward Bound, Job Corps, on-the-job training, manpower development—all of these have their areas of merit, and yet collectively they form tentacles on the poverty octopus that gobbles funds and talents and regurgitates very little for the people.

OEO mismanages several of these—still others function through the Department of Labor or Health, Education, and Welfare. Too many of them are Washington oriented or regionally oriented, and not community oriented.

Too many of these programs rob funds, facilities, and faculty from our regular educational system and, at tremendous expense to the taxpayers, divert these funds to the perpetuation of another bureaucracy.

I cannot, in conscience, condone a continuation of the OEO.

Programs designed to provide education and job-oriented training for the poor can be incorporated into existing school systems where they have the guidance of the many dedicated and capable teachers who can greatly improve and expand our total educational environment. Each program could then be funded at much less expense and performed with much greater efficiency in a vastly broadened educational system. America's teachers might then be paid as they deserve, and could teach in facilities worthy of a country whose technology leads the world.

Perpetuation of a national bureaucracy such as OEO serves only to create a costly, competing program of education.

I hope this 90th Congress will seize the initiative in the war on poverty. Let us close the ill-run poverty campaign of the OEO once and for all, and begin effectively to eradicate poverty at its sources.

Mr. PERKINS. Mr. Chairman, on this side we have two more 3-minute speeches and then I expect to move that the Committee rise, unless there is objection on the other side.

Mr. STEIGER of Wisconsin. Mr. Chairman, there is one request for a 2-minute speech on this side.

Mr. PERKINS. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. HANLEY].

Mr. HANLEY. Mr. Chairman, it would be much easier for me to support a continued war on poverty if I could point to the evidence of sound progress in my own community. My belief that Syracuse can have a good poverty program must necessarily be tempered by the weight of our past performance. However, I know that our low-income citizens want a better life for themselves and for their children, and so I shall again support this legislation to provide them this opportunity.

The elements we look for in a sound community action program are not to be found in Syracuse. I believe that the Congress envisioned a community action agency as an organization having the capacity to mobilize all of the resources of the community to wage an effective war on poverty. We have had a great deal of strife in Syracuse, but there has not been that effective merging together of the purposes and the resources of all individuals and agencies, public and private, for the common effort.

Attitudes have changed a great deal in Syracuse since the initial skirmishes of the war on poverty. One can perceive a general willingness on the part of most of the public and private entities which are concerned with the manifestations and the causes of poverty to participate in the common effort. This general willingness, however, has not been effectively utilized.

The low-income people of Syracuse are now actively aware of the purposes of the Economic Opportunity Act; but the poor, both Negro and white, have not yet discovered the consistent or continuing leadership they need to fight poverty within the framework, the meaning, and the requirements of the Economic Opportunity Act.

Syracuse has experienced entirely too much conflict. Distrust and bitterness have prevented the birth of that total community effort. We have many underemployed and unemployable people. Over 30 percent of our public high school students never graduate. However, we have many businesses and industries which desperately need additional employees. Yet we have been unable to launch the total community effort which should bring the unemployed and the waiting jobs together.

Even now, the Office of Economic Opportunity is attempting to create a new community action agency in Syracuse. The old agency, the crusade for opportunity, was defeated in a protracted conflict with the Office of Economic Opportunity. The crusade violated many OEO guidelines, regulations, and suggestions. The crusade did not assume the responsibility to effectively and efficiently manage and administer the program grants awarded by OEO. But most of all, the old community action agency failed to mobilize all of the resources of the community to wage an effective war on poverty. Many battles were fought, but few were against poverty.

I am pleased with what the Education and Labor Committee has proposed in its community action amendments. These changes, hopefully, will provide the new foundations for a poverty program in Syracuse. I deeply regret that some of my colleagues can see only the dangers of greater involvement by local government. I happen to feel that the attitude and the degree of participation of local government are key elements. I welcome the committee's clarification of the composition of the community action agency's governing board. Of even greater benefit is the strengthening of the powers and responsibilities of the governing board. One of the problems which contributed to the collapse of the community action program in Syracuse stemmed from the fact that the board of directors was unable to exercise effective control over the poverty program. The unwillingness of the crusade for opportunity to vest in its board of directors the power and the responsibility to run an effective program contributed to the OEO decision to withdraw support from the crusade.

I believe that the Education and Labor Committee makes a strong case for greater participation of community government in community action. Syracuse has made great progress in mobilizing low-income people to participate in the poverty program. This progress has not been complemented with a similar mobilization of local government, private agencies, community leadership, and all citizens of good will who are concerned about poverty. The Economic Opportunity Act, and the funds we provide for its purposes, cannot possibly be viewed as the sum total of the war on poverty. A community action agency cannot by itself mount an effective and continuing campaign to prepare and place jobless persons in gainful employment. We do not have to create jobs in Syracuse; we have to create workers. An effective employment program demands full participation of the State employment service, the public employment training entity, and above all, private industrial and commercial concerns. A community action agency can guarantee that the special problems of the hard-core unemployed are recognized in the formulation and management of an employment program. Such an agency, because of its special relationship with low-income people, can create and strengthen the willingness of an unemployed person to participate. Such an agency can supply the additional funds needed to make the program meaningful in the sense that the program will be really effective for the hard-core unemployed.

The success of a community action program depends greatly on its capacity to create a peaceful and working relationship with the local educational agency. How best can the poverty program and the local educational agency work together to see that the children of the poor finish a high school education? How best can they cooperate to foster adult basic education? How best can they work together for even more effective manpower development and training programs? How best can they work together to create maximum benefits from the Elementary and Secondary Education Act. If these amendments to the community action program will stimulate a closer relationship between the poor and the various agencies of local government, much good will come of it.

A community action agency cannot singlehandedly set out to conquer the problem of poor housing. The financial base of a community action agency is completely inadequate. The local public housing agency must be either stimulated or permitted to participate, depending on local circumstances. The local urban renewal agency, the municipal officials charged with zoning and code enforcement all must participate. I believe it is both dangerous and destructive for community action agencies to have as their principal operating assumption the belief that no agency of local government will ever care about low-income people.

If a community action agency is not concerned about jobs, housing, and education, it is wasting its time and our funds. It is true that we hope that the evolution of a working relationship between local government entities and the community action program will create a continuing attitude of concern. We hope that this will be true also in the desired working relationship with private service and humanitarian agencies. Hopefully, community action programs will develop this common attitude of concern and the habit of broad partnership in the pursuit of common aims. I think it is foolish to expect more from community action than this.

Congress wants the community action program to stimulate and work toward a wider path for all into the mainstream of American economic and social life. It will not happen overnight. It will not happen if we permit this program to be used for new barriers of distrust and unrest even as we seek to tear down the old ones.

I support the recommendations of our Committee on Education and Labor, and I urge the passage of this poverty bill. The city of Syracuse is in the process of refitting itself in order to fight poverty. This legislation will aid in the avoidance of past mistakes. It will strengthen our chances of achieving total community participation and mobilization.

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. CAHILL].

Mr. CAHILL. Mr. Chairman, the entire poverty program has been discussed on the floor of this House for the past several days in great depth, and it would serve no useful purpose for me to repeat many of the statements and to allude to many of the facts that have been so thoroughly discussed.

Every Member of this House must recognize the enormity of the challenge which the Congress accepted 3 years ago when it enacted the original Economic Opportunity Act of 1964. The objectives sought were desirable, the aims were lofty, and the belief that the job could be done was, I am certain, sincere. Now after 3 years and some $4 billion of expenditures, there are many who question the success of the program and the justification for its continuance.

I would merely point out to the House that in this program, as in all others, there are both successes and failures. As in most instances, failures are usually more widely publicized than successes. It is, therefore, not surprising that the failures of this program have been well documented and that they have received wide publicity. I join those critical of those failures and I join those who insist that the abuses so fully discussed here on the floor be completely eliminated. One of the outrages of this program has been the partisan, political participation by many of the poverty employees. Another outstanding and glaring failure has been the allocation of almost 70 percent of the funds to administration and executive salaries. The direction of the program from the top to the bottom leaves a great deal to be desired. I have also been particularly disturbed by the diversion by OEO of large amounts of money which should be used for the immediate needs of the poor, to visionary and costly research projects. I was amazed to learn that a grant in excess of $500,000 given to the University of Wisconsin was subcontracted to a corporation in New Jersey to do research among a thousand families to determine the effect of a guaranteed annual income.

Without going into the merits or the philosophy or the justification for such a research program, I find it impossible to understand why OEO would be involved in this type of activity. This is but one of a score of similar activities which have brought justifiable criticism on the directors and the administrators of this program. The record is replete with an itemization of the failures, and no words of mine are required to embellish that sad record. However, Mr. Chairman, we must not forget in our hurry to criticize, the thousands of men and women, boys and girls, who 3½ years ago had little or no hope of participating in the prosperity of the American economy and who now have aspirations, hopes, and dreams for decent lives. We must not forget the hundreds, if not thousands, of dedicated men and women who have devoted their every energy in an honest effort to carry out the lofty ideals and objectives of this program and who have in truth and in fact brought help and hope to many of the poor of our Nation.

While the OEO has not expended very much money in the district that I represent, I have personally met and have been tremendously impressed by the highly motivated efforts of the responsible people actively associated with this program who have achieved by their efforts a great many worthwhile successes. I have been particularly impressed with the progress of Headstart, Followthrough, and the Neighborhood Youth Corps. I know that this has been a contributing factor in reducing the tensions and the despair in certain areas in my State. I commend all who have devoted themselves in the spirit of the program and who have unselfishly given of themselves to assist the less fortunate among us. Once again, it seems to me that adequate leaders, proper direction, and the elimination of the abuse and misuse in the program could accomplish a great deal more and most certainly shorten the war on poverty.

While I realize that we are at war in Vietnam and that we must reduce spending on a Federal level, I also recognize that we are, in fact, spending hundreds of millions of dollars on refugee programs in foreign lands and in our own land for the victims of Communist aggression in Cuba. Certainly, we cannot do less for our own than we are doing for strangers. Certainly, within the sphere of fiscal responsibility, we must provide sufficient funds to aid the poor, to bring hope to the hopeless, and to minimize, if not completely eliminate, poverty in the United States.

Mr. STEIGER of Wisconsin. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **CHAIRMAN.** Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. STEIGER of Wisconsin. Mr. Chairman, early in this debate, comments were made to the effect that vocational educators are not equipped to teach and train the disadvantaged youth of this Nation.

At this time I would like to bring to the attention of my colleagues some of the testimony before our committee regarding successful programs being operated by vocational educators and training the same disadvantaged youth as the Job Corps:

MAHONING VALLEY RESIDENTIAL VOCATIONAL SCHOOL

Mr. Don Watson, director, Trumbull County Vocational School, Vienna, Ohio, information regarding the Mahoning Valley residential vocational school, Ohio, which serves the disadvantaged youth:

> Placements are verified to exceeding 80% of our graduates.
>
> The cost per year (per student) includes operating costs, subsistence, training allowance, every cost, capital outlay—remodeling, equipment—$4,573. This cost is being reduced this year because we have most of our equipment.
>
> We do not believe we have to have a student a full year or even two full years to help him. Our purpose is to train people to the point that they can go out and become employed. If we can do this in a period of three or four months, we do this and we encourage them if they feel they are solid enough to remain employed and not end up back in the same boat.
>
> Our enrollment would include 50 percent high school drop-outs and the other half would have completed high school, but were still considered unemployed or unemployable because of lack of vocational skill.
>
> The average reading level of our students has been running fifth or sixth grade level.

Mr. Watson also testified that the Mahoning daily training program ran 8 and 9 hours a day with many youths returning for 2 hours in the evenings.

He boasts a placement rate of 70 percent overall, and over 80 percent for graduates, and commented that many youths receive five and six offers.

Mr. Watson also testified they had no recruitment problem at Mahoning Valley and generally had a full complement.

Our committee chairman [Mr. PERKINS] was impressed, as we were, with the Mahoning Valley School and commented at that time:

> I am particularly proud of the school in Vienna, Ohio. I think this is a great institution and I just wish that more states had inaugurated residential schools years ago.

Mr. Watson concluded with a final thought:

> I would like to mention just one more thing to the committee as far as using the existing structures to operate a network of residential centers.
>
> I think if each state were given responsibility, I think there would develop a friendly

> competition there that would make every state want to do the job and do it well, provided they had funds to do it, and I think this network, with the leadership that is available now at the Federal and State level, that this network could be put into effect pretty quickly and effectively, and I think there would be a great deal to be said for the state being so actively controlled and actually responsible for taking care of problems in their State, and I think the State and local people would have a better view, knowing exactly what the problems are, where they are, and what has to be done about these problems.

MILWAUKEE VOCATIONAL TECHNICAL AND ADULT SCHOOLS

Mr. George A. Parkinson, director, the Milwaukee Vocational Technical and Adult Schools (not residential), during hearings on antipoverty legislation before the House Committee on Education and Labor testified regarding their efforts and experiences with disadvantaged youth:

> We are operating a Continuation School, or dropout school, in which we have approximately 650 students. Slightly less than half of these are Negroes. I would like to add that approximately 500 of the 650 are currently on parole from various disciplinary institutions.
>
> Currently our programs for disadvantaged youth involve: Automobile mechanics, clerk and general office training at various levels, machine operator training (male and female), power sewing machine operators (male and female), welders, certified laboratory assistants (male and female), clothing alteration women, cooks and countermen, industrial electricians, janitors or custodial workers, mechanical draftsmen, small engine repair, waitresses, gas engine repair maintenance, and nurses aides; special programs for older workers (for example, teaching them to take the examination for postal employees), machine molders, sales clerks, and a host of students who are slotted into our various regular programs, of which we have approximately 1500 different classes, courses —that is, not programs—but 132 programs.
>
> In addition to this, all of those who lack basic education are given an opportunity to at least acquire functional literacy; that is, reading and comprehension at the sixth grade level, and the use of simple arithmetic in actual operational practice, in these programs.
>
> A year ago last June we graduated about 50 students, and every student except one had a job before he walked across the stage and got his diploma. This year we were about 98 percent of placement.
>
> I think it (Residential Vocational School) would run us between $3,500 and $4,000 per equivalent fulltime student per year (precluding capital costs which would add approximately $1,000 to $1,500). That is a thumbnail thing, and that has not been refined, Congressman, because until you sit down and actually develop your costs sheets, you can't tell. But I made a preliminary estimate for our board.
>
> I think we can operate (a Residential School) for $2,500 or $3,000 (per student) less than Job Corps.
>
> About 80 percent of those who complete, and we follow those up, and we find out that of the 80 percent who are placed in entry jobs in the area for which they are trained, a year later about 80 or 85 percent of those are still working in that area, though not necessarily at that same job.
>
> . . . if you can train ten students in a school like mine, where you can train one student, maybe, in the Job Corps, for the same money, the need is so great in your great metropolitan areas that I think it is foolish to waste the money on the other side.
>
> Many people running Job Corps are amateurs—they have spent more money than I think you have to spend to attain the object.

Mr. Parkinson has estimated the cost for the Milwaukee Vocational School to run a residential program would be approximately $3,500 to $4,000 direct operating cost or a total of approximately $5,000, including capital outlay.

Mr. Watson of Mahoning Valley testified that their residential operation costs are $4,573 per student, which included everything the Job Corps figures include, except some medical provision which was taken care of by another public agency.

These figures should be compared with the price tags on different Job Corps centers, a few of the highest examples being:

Centers in existence over 9 months

Rodman	$10, 517
Parks	9, 091
Albuquerque	12, 658
Clinton	10, 298
Omaha	+9, 000
Cleveland	+9, 000

Centers in existence under 9 months

Guthrie	$13, 238
St. Louis	12, 203
McCoy	17, 395
Clearfield	16. 299
Lincoln	18, 516

We would like to note also that the cost figures above for these centers were furnished by OEO to Congress and do not include $600 per enrollee for capital costs or $603 per enrollee for overhead—headquarters and regional expenses, screening, and some direct enrollee fees.

Among other testimony on vocational education, the gentleman from Pennsylvania, Congressman JOHN DENT, commented:

> At this time, I would also like to ask you another question. There is a great deal of flak surrounding my proposal that the Job Training Corps be tied directly to the vocational and trade school training program. I believe we are missing a golden opportunity in the job training programs under OEO by not having them directly tied to vocational training schools. We are blessed in Pennsylvania with the greatest number of well-trained experts in the trade school training program.

Dave Hill, director, Pittsburgh, Pa., antipoverty program stated:

> It does make sense to have the Job Corps Centers tied to specific vocational centers, and this is projected as part of our need in our industrial complex. I think it also makes a lot of sense for projected vocational training in conjunction with this very same effort.
>
> One of the problems we find as far as the Job Corps is concerned, there is a great deal of slippage between when the person finishes the program and referral to a State Employment Office for employment. We very often get the information a little late. Sometimes the youngster is back in the neighborhood for a week or two or a month or two before we know he is there. I would like to see a closer tie in between the Job Corps Center and the employment service's referral of that youngster back to the neighborhood so we will know what kinds of skills he has and what he has been trained to do so that we can immediately start finding jobs for that youngster, promoting that youngster, so to speak, before he bets back.

When testifying before the Senate this year, Dr. John M. Lumley, spokesman for the National Education Association, said it would be the position of that association "that the Job Corps should be under the control or under the direction of educators in vocational education. In other words as far as the Job Corps operation in California, it should be operated under the direction of whoever is the director of vocational education for the State of California—the thing that we are greatly concerned about is that the commonplace expression among people that are noneducators is that educators have failed and that the States have failed. This is untrue."

Miss Cynthia Parsons, author of a series of articles on vocational education that appeared in the Christian Science Monitor in the summer of 1967, testified before the House Education and Labor Committee regarding the events taking place in the field of vocational education:

> There is a great interest in an entirely new type of facility, and that is called the Area Vocational School, and Somerset, Kentucky, has an area vocational school.
>
> It serves counties—I think it is three—and something like 11 school districts. The longest distance any student comes is something like 60 miles, and the director of the school has found approved lodging in town so in a sense it is almost residential for some of the students who come a long distance..
>
> Pinta County, Ohio, has gone into vocational education—Pinta County High School; there is no county named Pinta—Pinta means 5—it serves five counties south of Toledo. It serves many high schools. The students in those high schools continue to have their identity in that school. They are a Fulton County High School student who rides the bus every day over to the Pinta County Vocational School, and returns in the afternoon to Fulton County High School where he joins in the athletic program, extra curricular, or whatever, and when he gets his high school degree, he gets it from his own school, not from the area vocational school.
>
> The Somerset area vocational school is one of a different variety, slightly different in that it does grant a degree. It is a high school; it has a high school program of its own.
>
> Both kinds of these vocational schools operate on a six or seven days a week, 17 to 21 hours a day basis every day out of the year.
>
> It (the Las Vegas vocational school) is the most beautiful vocational school in the country. It has wall-to-wall carpeting. I was treated to frogs legs provencal, and asked where the school got the fronts, and was told the school had gotten a grant to get rare fish delicacies in order to teach the foods they would be cooking if they got jobs at the fine casinos and hotels in Las Vegas.
>
> The school has unbelievable equipment, and for two years in the planning stage, it is a completely comprehensive school.
>
> It has closed circuit television, it is wall-less—as a magnificent place, really.
>
> Its programs are very exciting. One very kind of interesting thing in its secretarial training is that girls generally—boys are supposed to have, for auto mechanics, live production work to make the work interesting and to make it realistic, instead of working on mounted engines.
>
> Girls have had traditionally dead work to do. They copied letters that weren't going anywhere, and wrote finger exercises on the typewriter that also weren't going anywhere.
>
> Each girl in this school sits at a station and there is a switchboard, and someone in town who may want a letter, a lawyer or doctor or businessesman, can call and ask to dictate a letter, the phone hookup goes to one of the instructors and the students. She then writes the letter, it is corrected by the supervisor and is then sent downtown to the doctor, lawyer, or whoever,. for his signature, et cetera.

I went deliberately to schools that were doing what they felt was a very good job, and at all of them that offered this provision, they were all very, very complimentary about it, and that was to allow into the classes with high school students, older students, who had dropped out of school. They all were very complimentary about the effect this had if they could control the numbers, if they had six or eight young adults who were particularly interested in getting a certain training, and they put them in the classes with the high school students, that this worked out very well.

* * * * *

The ones (area vocational school) in existence now are not being terribly effective, and the interest by the Federal Government is not in them, so the money is not going there, and the local communities don't seem to be doing much about them.

* * * * *

Yes, there seems to be very clear evidence that the stronger the vocational offering and the wider the vocational offering, the more students will stay in school. The Pennsylvania State study showed that quite clearly, and I didn't talk to anyone who didn't believe it, who did not say if they had a good, strong program—the Las Vegas school, which has only been operating now a year, the area vocational school already has earmarked over 150 students who were classified ready to be dropouts who said in order to go to the area vocational school, and, interestingly enough, they must get themselves there, and it is up on a mesa.

I visited both of those (Milwaukee, Wis., and Portland, Me.). The Portland school is special in that it combines in one facility some of the most outstanding students in the city determined by their intelligence quotient as well as their achievement level in Math and Science.

They are not allowed to go to visit Polytech in the eighth grade unless they are two or three years ahead and—on standard achievement scores.

They have technical programs that have sent them on to be, presumably, engineers, and go to Cal Tech and MIT and Purdue and the other fine technical institutions.

The other half of the student body at Vincent Polytechnic are those below the average in achievement.

When they finish the eighth grade, and who are thought could benefit from a terminal vocational program. These boys are sent to Vincent Polytechnic. The onus of being a dumping ground is thus avoided.

The school has an extremely fine training program, and I was especially impressed with the fact that geometry, for instance, which is taught, the finest and the newest geometry and the best new math geometry is taught to the summer students, but at the same time the students who are going to be the tool and diemakers are taught a special geometry whereby they have to solve geometric problems on their lathes and in their pattern-making, and the school designed this course themselves.

Mr. QUIE. I would like to have her finish with Milwaukee, but I will be glad to yield then.

Miss PARSONS. In the Milwaukee facility is probably the finest vocational technical school in the world. It has got 1,800 courses, and that wouldn't be good unless the courses were good, and they are—they are pretty good.

I spent oh, most of my time, in the printing department, not feeling that I knew more about printing than anything else, but they have decided to combine—they no longer can teach a boy or girl just to run a linotype, or if he chooses just to be in graphic arts, or if he chooses to be in photography—they have hooked up a linotype to a computer, and have insisted that the boys learn that.

They are taught in the printshops by their own people.

They learn to run offset presses as well as hot type. They learn to work, not only with old photoengraving equipment, but with the newest, which does almost all the work for you, where you have to be more skilled in the design of what you put on the plate, and the acid man dipping the plate.

I won't go into the process, but photoengraving has moved from the 18th Century to the 21st Century with no spaces in between, and most schools haven't gotten to the 21st.

The presses, there are new presses that run off a computer-run linotype. That is, you can even go one step further. If my newspaper were that modern, and it is not, I could call on the telephone a story. The telephone would translate it into a magnetic tape, which would be fed into the linotype, which would set the type, it would be corrected by a computer and go directly into a special press and come out in the paper without having had to be handled at any of those points in between, and suddenly the printer no longer has to be able to work a linotype, but he has to be able to keep the tape running through the machine and understands whether it is working properly.

He becomes a mechanic.

(In response to the question:)

What do you think of such a proposal connecting with the area school, in line with the Opportunity Crusade, in which we recommend a residential vocational school concept?

Miss PARSONS. Almost all the area vocational people are interested in this, and especially those who are willing to takeout on the dropout, the young man or woman who dropped out of school.

Personally, I am strongly in favor of the residential facility, especially for the ghetto, even the city child. I can't think of anything better for a child from the Roxbury area of Boston to be able to put into a dormitory situation with some sort of counselor-type arrangement in connection with a strong vocational and academic program.

I didn't talk with a vocational educator who wasn't interested in doing this, running a vocational school. The man in Boulder, Colorado, is especially keen to do so, and he sees this as solving a distance problem, and Dr. Stirmer of Las Vegas is the same way. What they really want is to be able to—well, I have to use the educator's terminology and make it "environment control," but what they are talking about, if you are really going to retool someone who has dropped out, he has dropped out of a lot of things. He hasn't just dropped out of the welding, or automechanics or beauty school, he has dropped out of a belief in adults and out of a belief in the strength in the American way and so forth.

So if you create for him a place where there is human dignity as well as in which hand skills can be developed, then you have a really strong authority.

Let me briefly explain a program that Las Vegas has which is very good. Las Vegas made a study of its community needs. One of the things they turned up was that there were two hundred gasoline service stations in the Las Vegas area and the people manning those service stations felt that they badly needed boys who had some training in salesmanship, in a little bit of auto mechanics, knowing the differences between the compositions of various tires and things. In other words, were trained not only to be good handlers of the money and that area of the gas station but really when somebody came in and wanted a new tire, to be able to describe to them the differences in the kinds of tires. So they have built a course of study around service station attendants. The students are taught their chemistry, their physics, what they need, their English, bookkeeping, various things, and then do a work study at a service station until they have completed their high school so that they are actually at a service station, they get paid for some of their work, they are at school all day long learning to be a good service station attendant. At the same time the door is not closed for them when they finish, if they decide (a) that they want to become the owner of a gasoline station, and would like to come back to this vocational school and get the kind of business training that you need to run a small business, or (b) if they decide they really would like to specialize in body work, they may come back to the school and take a course in body work or auto-mechanics.

COUNSELOR

Mr. Chairman, the "counselor" proposal which is in the opportunity crusade will expand to many more needy youths the opportunity to obtain part-time employment on a work-study basis and enable them to finish school.

Congressman BURT TALCOTT inserted into the RECORD earlier this year an excellent example of how such a program is operating in Salinas, Calif.:

Mr. TALCOTT. Mr. Speaker, we hear much these days of programs to improve the lot of school dropouts and others in our society who for one reason or another are not equipped to compete effectively from an economic standpoint.

Regrettably, such efforts have shown all too few signs of success.

The ultimate answer to the dropout problem, purely and simply, must be to eliminate it—by keeping our young sufficiently interested in, and challenged by, their schooling.

A program being conducted by the Salinas Union High School District, Salinas, Calif., suggests that one means of maintaining student interest in educational pursuits is to integrate their studies with practical work experience opportunities offered by private business firms in the community.

Not every community or school district has such a competent and dedicated program director as Gordon Ray, of Salinas, but the work experience program he administers could be emulated by other school districts with immeasurable benefits.

Staff Writer Eric Brazil, of the Salinas Californian, described the vocational work experience program of Salinas High School at some length in an article appearing in the November 28, 1966, edition of the newspaper as follows:

"SPECIAL ASSIGNMENT: SUHS DISTRICT WORK EXPERIENCE PROGRAM GROWS IN POPULARITY

"(By Eric Brazil, Californian Staff Writer)

"The course which is growing fastest in popularity with students in the Salinas Union High School District is work.

"It is as if the district built a better mousetrap. Vocational Work Experience began as a 22-student pilot program last February, and it now has an enrollment of more than 180.

"Student demand to enroll in the course, which uses Salinas' entire commercial community as its classroom, presently exceeds the supply of jobs for it.

"Vocational Work Experience is but one facet, albeit the largest one, of the district's increasingly comprehensive work experience education program.

"Other facets

"That program includes the Vocational Education Act (25 students) and Neighborhood Youth Corps (65 students) projects, both of which receive federal financial assistance, as well as work training (35 students), a 100 per cent private enterprise project for training mentally retarded youngsters.

"Gordon Ray coordinates the district's work experience from a tiny office in the music wing at Salinas High School. But he doesn't warm the office chair much. He is a man on the go.

"Ray has been selling the program hard, and the business community, as well as the students, seem to be buying it. One hundred sixty employers are participating in the work experience program, and more are coming in.

"Vocational Work Experience is open to junior and senior students over 15. Students work three to five hours a day at a minimum wage of $1.30 an hour. They receive five academic credits for each bloc of 180 hours of work.

"Trainee jobs fall into a variety of fields, but the clerical and sales fields predominate.

"Students are referred to the work experience program by vocational counselors at each of the district's three high schools. And some of them just find out about the program on their own and inquire about it at Ray's office.

" 'Typical' trainee

"Ray finds that the typical student enrolling in work experience 'has not had a great deal of academic success,' despite average school attendance. And 'he's searching for some way to achieve status. He thinks that if we can find the right job for him, he'll achieve success.'

"Ray attempts to fit students into jobs that will put them on the road to their ultimate vocational goals.

"One particularly good fit has North Salinas High School junior Paul Lewis learning the electronic technician's trade at Kane & Zech Television and Appliances on Main Street.

"Young Lewis plans to be an electronics technician after he graduates from high school and finishes military service. Right now he finds himself busy as the proverbial bird dog checking out TV sets and phonographs, making service calls, deliveries, etc. And he finds the whole work experience 'a lot of fun.'

"They're doing fine

"Lewis' boss, Fred Kassing, who also supervises another young work experience trainee, Paul Molinari, says that 'as far as I'm concerned, they're doing fine . . . They haven't missed a day of work yet.' Kassing believes that by the end of their high school training period the two boys will be well on their way toward becoming first-rate technicians.

"Harry Wardwell, a principal in Kane & Zech, says he is 'real tickled' with the program so far. One of the really serious problems facing the television and appliance business today is an acute shortage of qualified technicians, he says. And the work experience program is helping its firm to grow its own, so to speak.

" 'The two boys between them are almost filling the job for one person—a man I couldn't find,' he says.

"Ray views the job as 'a classroom away from school teaching material we can't duplicate at school. And the employer is the instructor in this class.'

"How, for example, could the schools go about duplicating a doctor's office classroom? Couldn't be done. Therefore, Miss Georgia Flamos, a Salinas High School senior who has 'always wanted to work in a doctor's office,' is a work experience trainee in the office of optometrist Dr. Tracey O. Beagle. She is the receptionist now, and Dr. Beagle is planning to train her as a nurse's assistant.

"FEW FLUNK OUT

"Of all the work experience trainees Ray has placed in jobs so far, only four—count 'em—four have flunked out on the job. (Two of those have since been given a second chance on other jobs.) Ray says that 'we haven't had a single youngster drop school since we started this program,' although the preprogram dropout potential among the trainees was quite high.

"The J. C. Penney Co. employs three work experience trainees at its Valley Center store, and assistant manager Joe Montgomery is one of the program's big boosters. (In fact he is a member of the high school district's 16-man work experience education lay advisory committee.) 'We think this program is excellent. As a matter of fact, we'd like to see it expanded,' Montgomery says.

"TEACHING ATTITUDE

" 'We're happy to be the classroom if the kids really want to learn. But we won't have any truck with a kid who doesn't really want to put his heart into it,' Montgomery says. 'Our first responsibility to these kids—even before we teach them any kind of skill—is to teach them responsibility and a good attitude toward holding a job.'

"Ray believes that the full potential of the work experience program has not yet been attained. If the jobs materialize, 'there could easily be 500 kids in the program next year,' he says.

"Besides, he says, 'I feel that 90 percent of the kids in high school need some kind of work experience, whether it's in our program or a job they find on their own.' "

Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from New York [Mr. FINO].

Mr. FINO. Mr. Chairman, I am opposed to this bill which will continue the so-called war against poverty because time and experience has proven it to be a very expensive and dangerous experiment.

We are all interested in helping to eradicate poverty, but, in our desire to help the poor, we must not allow ourselves to be blinded by the vast deficiencies of this wasteful program.

A bad program can be worse than no program at all because it generates hopes which cannot be fulfilled, spends moneys which cannot be spared unless they are used constructively, and subverts the normal desires of the poor to help themselves into cravings for handouts and revenge against those who are more successful in life.

In my judgment, the poverty program, as presently administered, has definitely proved itself unfit to help the poor. There is little doubt that the Office of Economic Opportunity has been at the bottom of much of the rioting and troublemaking which we have sadly witnessed in the past few years throughout this country. It has ignored the activities of poverty workers in fomenting riots, encouraging black power, supporting partisan political candidates and issues, and generally doing more to arouse the unfortunate ignorant than to help the poor help themselves.

The records will show that the Office of Economic Opportunity has hired muggers and criminals. It has subsidized revolution and social agitation. It has provided tax dollars for the dissemination of what can only be called—hard as it is to believe—Communist propaganda.

In my own city of New York, more than $100,000 was given to LeRoi Jones, the black nationalist playwright whose contempt for the white people is evident in his plays which portray white people as degenerates and homosexuals. When the New York City police raided his theater last year, they found an arsenal of shotguns, crossbows, and meat cleavers, presumably bought with our tax dollars. I know that New York City is supposed to be "fun city" but this is carrying "fun" a little too far.

As if black nationalists were not enough, the New York City "war on poverty" also included a sprinkling of Communists. This September, I pinpointed Robert Schrank, now an assistant commissioner of the New York City poverty war, as a onetime, card-carrying Communist. Mayor Lindsay's spokesman admitted that Schrank had been a Communist for 15 years, leaving the party only 3 or 4 years ago. Nevertheless, the mayor called Schrank a "distinguished public servant." I do not see why the American taxpayer should have to put up with this stupidity.

It seems that there are two types of people that make up the bulk of the staff of the Office of Economic Opportunity: First, there are the hard-core social troublemakers who always delight in the chance to use Federal tax dollars to undermine and warp the national social fabric. Then, there are the do-gooders who think fighting poverty is romantic. Because all of these people are getting fat salaries, they have also found that fighting poverty is a profitable business. The poor may not be getting much out of the fight, but every half-baked sociologist in the United States has made a fortune "consulting" with the various sections of the poverty program.

Efforts to improve the poverty program through amendments in 1965 and 1966 have been largely unsuccessful. And further attempts here today to improve this wasteful program will be just as ineffectual.

There are many aspects of the so-called war against poverty which have basic merit—for example, the Headstart program. This program which is aimed at helping preschool disadvantaged children, appears to have some good results. But Headstart no longer belongs in OEO, for it is basically an educational program and should be put in the hands of a responsible agency where it can do a better job at a much lesser cost.

There is also some useful work being done in job retraining which should be transferred to the Department of Labor where the program can be better administered and at less cost to the taxpayers.

As this House knows, I have been a firm opponent of the phony war against poverty. I am 100 percent against spending billions of taxpayers' dollars to support all the sociology consultants and antipoverty generals who are getting rich by milking the poverty of the slums.

I am 100 percent for programs to train little kids for school, to help young mothers find work, to retrain unemployed workers, to provide adult education, and so forth, but I do not like the idea of hiring six Ivy League sociologists at $15,000 a year each to supervise 10 kids. This is what makes the poverty war such a phony. It is principally a gravy train for the social planning establishment. A lot of worthless bleeding hearts are getting rich with taxpayers' dollars to the detriment of the poor.

When the New York City comptroller recently did an audit of the Haryou Act program, he found that of the $14 million spent, about $9 million had been spent for salaries, travel, and consultants' fees. About one-half million dollars was directly spent on the poor. What a waste.

I wonder how many of the Ivy League bleeding heart liberals would care about the poor if they were getting $3,500 a year instead of $15,000? I remember back during the depression, the WPA hired people at $15 to $30 a week and it was a great thing. We needed it. But it is 30 years later now. The people the poverty program hires do not need handouts and they do not deserve $15,000 a year for talking about poverty at cocktail parties.

Of course, as part of the poverty program ideology, all the $15,000 a year Ivy Leaguers run around talking about the "deprived" and "black revolution." This has helped to stir up the riots. Indeed, as I stated earlier, I believe that the poverty program is partly responsible for the riots, and I do not mean just because a lot of poverty workers were leading the riots. I mean because the antipoverty generals have been stirring up all kinds of wild expectations even while taking most of the antipoverty money for their own fat salaries.

The nerve center of all these Ivy League planners and well-heeled cocktail party poverty generals is the Office of Economic Opportunity. If Congress breaks up this group of parasites who are making fat salaries while the poor go hungry, then perhaps the war on poverty will start to get results. Besides, if we can get rid of the Office of Economic Opportunity, then the sound parts of the antipoverty program can be transferred to the regular departments of the Federal Government, where they will be administered by sensible civil servants, not hordes of overpaid dreamers. It is also fair to say that the Federal line departments will not send their employees into slums fomenting revolution and engaging in partisan political activity.

I think it is extremely important to break up the clique of overpaid poverty generals at the Office of Economic Opportunity if we are to give the poverty program a chance to succeed. For my own part, I am more than willing to support sound job rehabilitation and preschool training programs, but I will not support OEO's war on middle-class morality, nor will I support OEO's community action and riot-agitation program.

I would like to point out to the Members of this House that even the poor are getting sick of the endless studies of the social planners. Let me read you a quotation from the New York Times concerning New York City slumdweller disenchantment with the demonstration cities program, which is another social planner gravy train. In expressing disappointment, he said:

> We're beginning to feel like laboratory animals. We've been surveyed and studied to death. You don't have to draw any more maps. There are maps downtown that say we're supposed to get six garbage collections a day, but you don't see those cats out there.

Of course. Who can imagine a poverty general caring about a humdrum thing like garbage collection? They only care about fancy things like black power, community action, and racial balance. Now some people will say that the social planners care about rats and that Congress does not. I can answer this one, because I have not only introduced a rat extermination bill, but I have introduced legislation for garbage collection, street lighting, and fire hazard elimination grant-in-aid programs. So let me tell you about the social planners and the rat bill. The administration bill set up a rat bureaucracy at an estimated cost of $6 per dead rat. Most of this would have gone for studies and salaries, of that you can be sure. Fortunately, the new rat bill is a good bill. It would not sponsor a new HUD payroll.

I have made these observations because they go to the root of the Great Society and the war on poverty alike—there is much too much money being spent on agitation and social planning and too little on things like garbage collection and job retraining.

One of the first things we can do is to get rid of the Office of Economic Opportunity, which has warped the war on poverty into a gravy train for agitators, social planners, and even Communists. If we disestablish the Office of Economic Opportunity and farm the good programs back to reliable agencies, we will have gone a long way toward getting the antipoverty war back on the right track, but I know that I for one cannot see my way clear to vote for any program which is to be still run by the Office of Economic Opportunity.

The American taxpayer deserves his money's worth and it is incumbent upon us here in Congress to see that his tax dollar is not wasted in unsuccessful and dangerous experiments. It is time for Congress to act and scrap this ill-conceived and badly administered program.

Mr. QUIE. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. QUIE. Mr. Chairman, I have found myself in a peculiar position every time the poverty issue comes up. I strongly believe in Federal programs to help individuals caught in poverty.

The Federal Government was spending some $30 billion a year for the alleviation of poverty before the Economic Opportunity Act was enacted 3 years ago. I believe strongly that the Office of Economic Opportunity has not effectively administered the program to alleviate poverty.

A reading of the minority views for the past 3 years reveals that we predicted the shortcomings and failures of the poverty program which are now well documented, especially by the news media of the Nation.

Mr. Chairman, I would like to see an agency with Cabinet-level status or even higher status, to coordinate the activities of the Federal Government to alleviate poverty. I would like to see operating programs which complement the operating programs of longer duration, to be placed in the traditional agencies, rather than to continue the fragmented programs of the past 3 years.

I have been striving hard to see that the poor were assured of an adequate voice in the poverty program. I have tried to involve the States in an acceptable and effective way. I have tried to see to it that private industry is involved in a much more direct way.

Therefore, it is ridiculous for anyone to accuse me of trying to kill the poverty program, a rumor which must have been circulated by the administration.

My Republican colleagues and myself, in offering the opportunity crusade, are not trying to kill the poverty program. We are trying to strengthen and improve it.

The opportunity crusade would provide $1.4 billion in Federal funding this year, compared to the current funding of $1.6 billion and the administration's proposal to spend $2.06 billion this year. But more important, the Republican bill will release $3 billion from Federal, State, local, and private industry sources, while the committee and administration bill only releases $2.4 billion from these sources. We placed the total Federal funds in the opportunity crusade at $1.4 billion since it appears that that is all the House will accept at this time.

The disillusionment with the war on poverty, as operated by Sargent Shriver's Office of Economic Opportunity—OEO—is so deep and widespread that even the large Democratic majority cannot assure passage of this committee bill.

So unpopular has the present mismanaged poverty operation become among Members of Congress that the Democratic leadership stalled bringing the bill to the House floor all summer and into the fall. They knew they did not have the votes. I do not believe they have the votes today to pass this bill.

Now we are informed that the bill will be carried over into next week. This is added proof that the leadership does not have the votes.

I categorically deny that I or my Republican colleagues who have worked with me want to kill the war on poverty. We want to strengthen it. We want to make the kind of changes that will make it function better to correct the mistakes which have been glaringly visible, and we would not destroy the voice of the poor as the Democratic bill has done, either. If the bill is killed in the House, it will be at the hands of the Democrats, who enjoy a substantial majority.

Mr. Chairman, there are a multitude of reasons why I have not supported antipoverty legislation since 1964; many of these were concerned with inadequate and loosely drawn legislation, and others with poor administration and mismanagement of war on poverty programs.

POVERTY PLUNDER

Mr. Chairman, despite a 1966 amendment requiring regular audits of antipoverty funds, the past year has produced a series of fiscal irregularities in antipoverty programs which have reached alarming proportions. These situations suggest that the Office of Economic Opportunity has not tightened fiscal policies. Until that agency faces up to its responsibilities in overseeing grants of Federal funds, it appears we can look forward to more chicanery and diversion of money during the coming year. I cite the following examples of abuse of Federal funds:

LOS ANGELES, CALIF.

In October of this year, suspected check forgeries and kickbacks from employed youths were uncovered in Project Job Power, a summer program operated by Westminster Neighborhood Association, a Watts antipoverty agency. The matter is currently under investigation by the Los Angeles district attorney's office.

SUFFOLK COUNTY, N.Y.

In October 1967, an Amityville, N.Y., neighborhood opportunity center employee was arrested and charged with having pocketed more than $5,000 by filing false reports on former Neighborhood Youth Corps workers.

According to a district attorney's report, the antipoverty employee had filed almost 100 false time reports for Youth Corpsmen. When the checks were received at the center, the employee cashed them by forging the Corpsmen's signatures. Investigators estimated up to 99 checks amounting to $5,500 were involved.

Curiously, the antipoverty warrior involved had been fired a year before from the Suffolk County, N.Y., Neighborhood Youth Corps for having recruited 60 ineligible youths and for suspected irregularities in connection with check forgers.

BROOKLYN, N.Y.

In August of this year, the director of the older teenagers summer program, an East New York antipoverty program, was arrested and charged with demanding and accepting kickbacks from antipoverty employees who did no work.

SYRACUSE, N.Y.

In October of this year, funds for crusade for opportunity, the Syracuse antipoverty agency, were cut off when auditors received unsatisfactory explanations for $200,000 to $300,000 in war on poverty spending. After spending several million dollars in war on poverty funds, and two separate community action agencies having failed in Syracuse, it is interesting to note the Office of Economic Opportunity is tooling up a third prospect for community action in that city.

NEWARK, N.J.

In September 1967, it was reported that Federal investigators were unable to account for an undetermined amount of money expended by the United Community Corp., Newark's community action agency. Interestingly, the UCC director accused the Office of Economic Opportunity of failing to monitor the funds of UCC.

BRONX, N.Y.

In March of this year, a Bronx, N.Y., minister was indicted for stealing over $20,000 in antipoverty funds. The minister, director of a summer antipoverty project, who was accused of demanding and accepting kickbacks, had been paying himself $200 a week; his father $150 a week, his mother $100 a week; and his sister $175 a week. This director paid out a total of $3,125 in salaries to himself and family over a 5-week period.

Mr. Chairman, can we be expected to believe that the poor are benefiting from this kind of antipoverty program?

SHREVEPORT, LA.

In September 1967, an audit of the Community Action Program of Caddo and Bossier Parishes, Inc., La., disclosed $101,016 in costs were termed "questionable." The audit disclosed the following:

First. Personnel files were not kept by the agency during the period of the audit.

Second. Inadequate accounting and safeguarding of funds.

Third. Inadequate documentation of payroll costs and property.

Fourth. Failure to use prescribed contracts for consultant and professional services.

Fifth. Failure to keep time and attendance records for some employees.

NORFOLK, VA.

In September 1967, the FBI in Norfolk, Va., commenced an investigation of shortages of about $10,000 in war on poverty funds of the Southeastern Tidewater Opportunity Project—STOP—in Norfolk, Va. The director of the Headstart program involved had refused to turn over his books for audit for several weeks prior to his resignation.

NEW YORK CITY

In August 1967, it was announced that the New York City controller's office would again look into the tangled fiscal operations of Haryou-Act. A previous report found Haryou-Act owed the Federal Government $199,732 plus interest in unpaid withholding taxes, and that $600,764 was owed to commercial creditors.

Mr. Chairman, I have summarized some of the cases of boondoggling and diversion of antipoverty funds that have come to my attention. These are instances that have been detected. I cannot help but wonder how many countless others continue to siphon off taxpayers' money that was intended for the poor.

NEIGHBORHOOD YOUTH CORPS

Sar Levitan, in a consultant report prepared for the U.S. Senate Subcommittee on Employment, Manpower, and Poverty—August 1967—included the following regarding the Neighborhood Youth Corps program:

> The requirement that sponsors contribute only 10 percent of costs which may be made in kind presents a serious problem about the effectiveness of the program, particularly in connection with out-of-school projects. Agencies which provide jobs—work stations or work opportunities in the parlance of the program—secured the NYC labor at minimal or no cost and have little incentive to provide productive or meaningful work. They may therefore offer only marginal employment opportunities. This appears significant in connection with the out-of-school projects. On the other hand, it is not at all clear that NYC would be in a position to find a sufficient number of sponsors if the latter would have to share significantly in the actual costs of running the projects. The fact that NYC labor is for all practical purposes free labor to the sponsors and the cooperating agencies may be a serious impediment to achieving a major goal of the program, requiring that "meaningful" work be given to the enrollees.
>
> The crucial test of the effectiveness of the in-school program is whether it provides sufficient incentives so that enrollees complete their high school education. Thus far no conclusive data have been developed on this point.
>
> A sample study by NYC showed that the bulk of the 1966 summer enrollees (98 percent) attended school prior to enrolling for a summer project and that 96 percent of the participants returned to school in the fall. The extent to which enrollment in NYC projects influenced return to school is not known. The study observed that "counseling and remedial education were largely ineffectual or nonexisting in many projects visited." The survey also suggested that "the NYC summer program still is not an effective vehicle for attracting young dropouts back to school." The same study showed that one of every four enrollees dropped out of the project before completion. But the same proportion of this group returned to school as those who stayed with their projects until termination.
>
> The goal of developing new careers and equipping disadvantaged youth who missed the opportunity at school is noble and in line with our democratic traditions. However, the more pressing need of these youth is to secure a job which would provide them at least minimum support. The out-of-school NYC program fulfills for many enrollees this immediate need, but it is misleading to claim that it does more than that. NYC performs a more useful function as an "aging vat," helping youths when it is most difficult for them to find employment. The rationale of NYC as an "aging vat" is based on the fact that unemployment rates among youths decline as they mature from teenagers into adulthood. There is room, therefore, for a program which would provide youth with some income and work during their early years in the labor force.
>
> The positive reaction of former enrollees must be weighed against the early departure of the majority and the fact that nearly 2 of every 5 who found jobs did not use NYC as a reference. In addition, nearly 5 of every 6 enrollees thought that they would need additional education or training to meet their occupational goals. Whether they possess the ability and motivation to realize their goals is not known, but if they are to have a chance it will be necessary to develop the institutional arrangements and adequate support to help them fulfill their goals.

A Neighborhood Youth Corps—NYC—sponsor included in his testimony before the House hearings descriptions of work classifications for NYC enrollees. This list included library aides, custodian aides, playground attendants, remedial education aides, Headstart aides, and indicated these jobs were for in-school and out-of-school youth. From the description provided, some of these sound like very useful and helpful jobs for in-school youth to learn to take on responsibilities, but do not provide any potential impact on the status of out-of-school youths who need to have skill training for meaningful jobs.

Sar Levitan testified regarding make-work jobs at the hearings:

> A major problem of NYC has been that most enrollees were assigned to "make work" projects. The public and nonprofit agencies that sponsor the vast majority of programs contribute only 10 percent of the cost of a project which can be made in kind. In most cases, NYC labor is free labor. As a result, it is not surprising that NYC enrollees are frequently assigned to perform only marginal work. Requiring public and nonprofit agency sponsors to increase their contributions in hard cash might improve the situation. I am not at all sure, however, that many areas which need NYC the most could or would raise more funds to finance NYC projects.

A study of National Analysts, Inc., of the NYC, which involved interviews of NYC and non-NYC youths, found that among those youths of NYC age and eligibility, except those who were currently enrolled—

> The attitudes toward the NYC are grossly negative, primarily because the salary is seen as too low and the status of the jobs they perform is very low.

Mr. Wirtz testified that 32 percent of the out-of-school enrollees have been filling education and clerical aide jobs; 8 percent health occupations; and 22 percent working to increase recreation facilities and conserve our natural resources.

The U.S. Chamber of Commerce, in an evaluation of the NYC, found several deficiencies in the program:

> A reduction in high school dropout rates and job placement of former enrollees will be the final measure of success of the NYC. As of this date, neither the Labor Department nor the OEO maintain regular follow-up records of past enrollees . . . Follow-up is conducted as long and as well as the sponsor is financially able—which in most cases means not at all.
>
> Even with the little follow-up information available, it is evident, by the Labor Department's own admission, that NYC is not measuring up to the final yardstick of attaining jobs and providing the training leading to jobs. The main reason is that the work does not normally provide enrollees with salable skills and, therefore, does little to increase the youths' chances for employment. Equally important is the need to couple meaningful work with basic education.

The chamber of commerce concluded:

> It appears that the in-school program has functioned well towards accomplishing its goal of giving disadvantaged youths the means by which they can continue their education. Out-of-school programs has suffered, by the Labor Department's own admission, from a failure to provide enough remedial education and direct training in job skills.

IN THE PAST

Last year one of our major criticisms of the NYC was the small percentage of enrollees receiving any form of remedial education or vocational training. The Office of Education testified at the 1966 House hearings that only 20 percent of all enrollees and only 10 percent of out-of-school enrollees were receiving any such education or training assistance. Secretary of Labor Willard Wirtz confirmed this and admitted he was not satisfied. Since the intent of the Congress in legislating the out-of-school program was to enable high school dropouts to return to school or to provide them with meaningful vocational training on which to build a career, we are, like Mr. Wirtz, totally dissatisfied. It was felt much of the problem was created by the Economic Opportunity Act itself, which barred the participation of private, profitmaking firms, leaving the enrollees to be placed in make-work jobs with local governments or nonprofit agencies. For this reason, Congress last year amended NYC legislation to permit private, profitmaking employers to participate in the NYC.

We returned to the 1967 House hearings and we were disappointed to learn that only four projects involving private employers had been approved, which included a mere 164 enrollees out of 25,000 total enrollment. And when asked again this year, "How many enrollees were receiving any remedial education or vocational training during fiscal 1967?" Mr. Wirtz said that 30 percent of out-of-school enrollees were receiving remedial or vocational education training. So it appears that 70 percent of all out-of-school NYC enrollees, at $2,930 apiece, are still in make-work jobs and receiving no remedial education or vocational training.

COSTS AND NEEDS: OUT-OF-SCHOOL NEIGHBORHOOD YOUTH CORPS

The cost per enrollee in the out-of-school NYC program is estimated by the Labor Department for fiscal 1968 to be $3,050. The Labor Department has also estimated the universal need for this program or the total youths who are eligible as 660,000. They have also stated the projection for fiscal 1968 will only cover 10 percent of this need for the program.

If the Industry Youth Corps were adopted with private industry paying three-fourths of the wage, the number of youths who could be reached would more than triple and for the same amount of money approximately 225,000 or roughly one-third of the estimated need for this program could be filled.

There are numerous signs that private business and industry are ready and willing to take on training programs and to help train and upgrade unemployables. A recent Business Week article says that in the wake of the summer riots, companies are accelerating current programs, initiating new ones, and revising hiring policies. William F. X. Flynn, head of the National Association of Manufacturers—NAM—said that after this summer "we found companies impatient to move faster." For example, in Detroit, between 7,000 and 10,000 ghetto residents were hired by auto companies since the riots. In Baltimore, over 1,000 ghetto residents have trained in a crash employment program initiated by area companies last August. Ford Motor Co. has even created a top-level department of urban affairs.

An official of the U.S. Gypsum Co., presently involved in a rehabilitation project, says:

> We're going along, not with the expectation of a great profit, but to demonstrate that private industry does have a role and responsibility. We are beginning to feel a deep-seated involvement that can't be measured in return to stockholders.

The article also notes that many companies have begun hiring people who cannot begin to compete with whites. Many realize the old rules and practices may be screening out potentially competent people. Numerous Government officials likewise see the need for private participation.

I could list indefinitely some of the excellent training programs which are being operated by private firms without the help of Federal funds. A few of these programs are:

In Manhattan, the Chase Manhattan Bank has launched a training program for potential high school dropouts. Trainees receive individual counseling, attend lectures, take field trips to banking and investment institutions, and work 3 hours a day at $1.86 an hour for as long as 21 months. Most of the students who have completed the course are now full-time employees.

In Chicago, Carson Pirie Scott, the big department store, is conducting another education-training program for actual or would-be dropouts. Two students fill a single job: while one works, the other attends school. Since 1961, when the program began, the work-study idea has spread to 31 Chicago companies.

In Racine, the J. I. Case Co. is helping dozens of potential dropouts to finish high school by employing them as part-time trainees in a wide variety of fields.

In Rochester, N.Y., the Xerox Corp. last year launched a 19-week training program for unemployed men, many of whom had police records and were not more than functionally literate. Trainees are given classroom instruction, informal counseling, remedial reading, arithmetic, and job training.

In Wilmington, Del., Du Pont has been training workers in 14 job categories from carpenter to chemical operator. Since 1959, 15,000 employees have completed more than 45,000 courses and Du Pont now is offering its series of 110 programed courses to other companies as well.

It has been estimated that private industry spent between $4.5 and $20 billion a year just on job training alone. If this resource could be tapped adequately, this country would be well on the road to removing from poverty all of those except the disabled and aged.

Further examples of private training programs extend to the Yellow Cab Co., in Chicago; the National Cash Register Co.; the American Machine & Foundry Co., in York, Pa.; Monogram Industries of Los Angeles; Eastern Airlines; Sears, Roebuck & Co.; the New York Telephone Co., and endless others.

The companies I have listed are large firms with hundreds and thousands of employees. These firms can well afford to hire disadvantaged and unemployable youths and upgrade them "out of the goodness of their heart"; but there is a vast area in the business world of those employers who do not hire so many employees and cannot afford great risks or cannot afford the loss that would come about by taking on the training of such youths. It is for this reason that we propose a 25-percent wage subsidy to these employers who would be able to contract with the local community action agencies with a minimum of redtape for the training and employment of these youngsters.

A Chrisian Science Monitor article on August 16, 1967, indicated hundreds of letters had been received by the Secretary of Commerce giving reasons why medium-sized and smaller companies did not desire to take part in summer employment programs this year. The article stated that largely these people complained about new labor legislation, especially the increase in minimum wage from $1.25 to $1.40 and to the hard line insistence of the Government that the summer employees be paid the minimum wage. Some examples are:

From an Oklahoma manufacturer:

> With your government regulation indicating a minimum of $1.40 per hour it is ridiculous for us to consider such a program. On one hand you ask us to hire a youth opportunity worker and on the other hand you tell us we would have to pay $1.40 per hour for work that would not be worth more than $.50 per hour. Therefore, to us your program is impractical and ridiculous.

From a construction company in Wisconsin:

> We are very sorry that we cannot support this campaign for one of many reasons. The laws are such that it is almost impossible to teach the youth to help themselves. . . . I think your Youth Opportunity Campaign would be overwhelming if you would also add to it a youth opportunity campaign to give young Americans a chance to work with various companies such as ours and others at the minimum wage which would give them an incentive and an interest to prove their ability that they could help themselves.

From a motion picture theater owner in Arkansas:

> You are asking for work—we are begging for workers. Something must be wrong. Last year high-school students, working part time for us in the spring, quit in the summer to take government "hand out jobs"—because they "got paid more money and had to do nothing," as they told us.

Vice President HUMPHREY recently called for the partnership between free enterprise and Government in meeting any public needs, and said profit incentives should be used to the maximum possible extent to involve private enterprise in the solution of urban problems. He has also stated:

> The Federal Government was not omniscient, omnipotent, omnipresent enough to meet the challenges of the war against racial discrimination, unemployment, and inadequate training. The challenge cannot be met efficiently or adequately without the initiative, the investment, creative imagination, the flexibility, the capacity to work out details of specific problems that are the hallmark of a free enterprise system.

Mr. Don Hummel, Assistant Secretary of Housing and Urban Development, has commented:

> Government can urge, stimulate and offer opportunities, but only if we involve the dynamic forces of our civic and commercial organizations can we expect to make the progress that our cities so urgently require.

Secretary of the Department of Health, Education, and Welfare John Gardner suggested at a Business Council meeting in Hot Springs, Va., recently that tax concessions and grants from the Government as inducement to business to apply itself to the war on poverty.

Mitchell Ginsberg, head of the New York City poverty program, at the same time suggested subsidies for employers who train the poor; for example, making up the difference in worth and salary.

Testimony on Industry Youth Corps—House Hearings on poverty program:

> Dr. SAR LEVITAN. I also think that H.R. 10682 would strengthen the Neighborhood Youth Corps by subsidizing private employers to hire disadvantaged youth, providing 25 percent of the enrollees wages. The 1966 amendment permitted private employers to sponsor NYC projects, but would only reimburse them for training costs to NYC youths. H.R. 10682 would provide a further subsidization.
>
> Extending NYC to private employers should help. As long as a private employer must pay at least 75 percent of the youths' wages, it is unlikely that he would hire NYC youth unless he has use for their services. The proposal in H.R. 10682 should help to provide enrollees with "meaningful work," a major objective of the legislation. The 25 percent wage subsidization to the employer is not necessarily a gift. Hiring and keeping deficiently educated workers involves extra expenses to the employer, and the reimbursement would assist responsible employers to defray the added costs of employing youths qualified for NYC help.
>
> As I suggested earlier, placing NYC enrollees with private employers who would pay at least 75 percent of total wages is more likely to provide useful work than the present sponsors. Five years of experience with MDTA and other manpower programs have provided Government officials with adequate expertise to monitor projects supported by the Government in private businesses.

Mr. Joseph Dyer, former director of Connecticut State OEO:

> Mr. QUIE. What about the involvement of private industry? In opportunity crusade we recommend an Industrial Youth Corps. Presently the Neighborhood Youth Corps is available only from private or nonprofit organizations or institutions.
>
> We propose similar to the on-the-job training that the Industry Youth Corps would function so that the young people would find employment and training in business establishments themselves, and as an incentive the Federal Government would give 25 percent of the wage, as compared to 90 percent in the case of the Neighborhood Youth Corps.
>
> How do you feel such a program could function?
>
> Mr. DYER. I am a great believer that the answer we need is pay power. That is one good way of getting it, that industry might properly be subsidized as it is on-the-job training for the training of workers. That is where we want then, on a real paying job and not on a public roll.
>
> Mr. QUIE. In this case, do you feel that the Community Action agencies could play a role in bringing the needy poor from the ghettoes, those 16 to 22 years of age that would be in the Industry Youth Corps, and bus these together?
>
> Mr. DYER. Definitely. I think it is wonderful. I can give an example, too, of something like that.
>
> The Urban League in Hartford went to the chamber of commerce and the Community Renewal team, which is the poverty agency, and said: "Let us get together and do something about summer jobs." The community renewal team with the Urban League, which does some of its manpower, got with the chamber of commerce, and there are 200 young people in Hartford this summer working because of the cooperation of community action groups with the chamber of commerce.
>
> Mr. QUIE. So they actually worked right in private industry?
>
> Mr. DYER. That is correct. It is tremendous.

Mayor J. D. Braman, of Seattle, testified:

> Mr. QUIE. The Opportunity Crusade provides the added assistance to the employer of paying the salary of the youth for 1 year at a period of time when the youth is not capable of fulfilling or doing work which would be worth the full amount of the wage.
>
> How do you feel about this program in Seattle?
>
> Mr. BRAMAN. I think it would work very well in Seattle. It has been my feeling that the best way to achieve training is to put a man on the job where he has the dignity of working and earning a wage but at the same time is learning.
>
> As a longtime employer myself I recognize that we cannot expect employing units, most of whom are operating these days on rather narrow margins, to reduce the present efficiency of their work force and take on people who produce less than the value of the stipend they receive without some kind of compensation.

Louise Kapp, the editor of the American Child quarterly, after a thorough study of the Neighborhood Youth Corps, commented:

> There is an undisputed need to involve more private employers in the program, both in training and in employing the enrollees.

Dr. Kenneth B. Clark, psychologist-educator-humanitarian, has said:

> Business should be provided by the government with incentives for realistic participation of private capital investment.

MR. ROBIE

Mr. Edward Robie, vice president, Equitable Life Assurance Society of New York, testified before our committee on behalf of the Industry Youth Corps and told us about a program which his company has been operating for some time. Mr. Robie said in their current project they have hired 20 dropouts for lowest level jobs, such as messengers, Xerox operators, et cetera. They arranged through contract with the board of fundamental education for two instructors to teach classes 2 hours a night, 4 nights a week, at a cost of approximately $700 per year. Their goal was to achieve high school equivalency. Eleven of the 20 stuck it out and will have reasonably good careers with the company. Mr. Robie stated the dropouts of this group compared with the turnover of a random sampling of high school graduates.

Mr. Robie said Equitable found the girl dropouts needed less fundamental education than the boys did, and they could put these girls into their regular typing and steno training, and noted Equitable trains most of their typists and stenos themselves. He said the toughest problem in the ghettos is on the part of the boys.

Mr. Robie stated the problem with hiring these youths was they could not produce enough to warrant the minimum salary. Such hiring would result in all financial loss and no incentive. Mr. Robie estimated the cost for the supplemental education in the Industry Youth Corps program would be approximately $700 each, or about 25 percent of the wage level. He also said there was not enough in it to get competitive advantage.

Mr. Robie thought it would cost any employer a little something, even with the subsidy, but he said most employers want to help, they are proud of their communities and want to better them. He mentioned others doing this or similar experimentation are Prudential, Connecticut General of Hartford, Eastman Kodak, Xerox, and Owens of Illinois. However, he felt there was a need to get smaller business people involved because the big employers have fewer and fewer of these jobs as they are automating these positions out of existence. He said he thinks the jobs and work in smaller business are there and this avenue has a good chance opening it up.

EMPLOYEE BASIC EDUCATION PROGRAM

Program Dynamics Associates, of Houston, Tex., has developed an in-plant employee basic education program with the cooperation of Diamond Alkali Co. in Houston. This program is being used widely and is recommended by NAM. NAM has also come up with a programed instruction course known as MIND, which has had outstanding results. In a stenographic course in New York using the MIND technique, after 6 weeks all of those enrolled had gained a typing speed of 65 words per minute, all of them had jobs, and it cost NAM only $25 each to make them employable.

COORDINATION WITH STATES

Directors of State technical assistance agencies—STA's—held a conference in Washington this summer at which a position paper was drawn up and signed by all but two of the directors present. Some suggestions in this position paper were:

First. That the State agencies should be permitted to submit an annual State plan for expenditure of funds in concert with the Federal, regional, and local OEO, and consultation between State and regional or national OEO should take place before funds are granted or approved in any State.

Second. STA's should be included in OEO's checkpoint procedures relating to all OEO programs and that the STA's be involved with the OEO, regional and community action agencies in developing evaluation procedures.

Voluminous testimony at the hearings and numerous letters and comments from STA directors indicate the present State role is not great enough, that State agencies presently have no say in the allocation of funds within a State. The regional offices of OEO make such allocations taking no effort either to provide an equitable distribution of the money to the poor over the State or to concentrate it in the areas where most needed.

I shall relate some of this excellent testimony at the hearings:

Statement of Joseph P. Dyer, Former Director of Economic Opportunity, State of Connecticut

I am a 33-month veteran of the Poverty War, appointed by Governor John N. Dempsey, with a mandate to insure that federal poverty dollars coming into Connecticut were properly spent. I have attempted, with a staff of four, to play watch-dog on funds coming to individual communities, agencies and institutions, amounting to nearly 33 million dollars.

I am known as a curmudgeon within the OEO, and it is to their credit I have been tolerated. However, I am like the pebble that is an irritant to the oyster, but which results in making a pearl.

This is internal criticism—they are the words of one dedicated to what OEO has stood for these past three years—if it was not for the ramrod efforts of this fledgling agency. It has been creative—it has been stimulating to traditional agencies—it has probed deeply what has been hidden for so very long.

My criticism, coming from the inside, should be recognized as an honest effort to prevent its dissolution from the outside.

Under the terms of the present Economic Opportunity Act, a State Technical Assistance Officer has little muscle to impose regulations, has no responsibility for evaluating results, and is considered as an afterthought by most OEO Washington and Regional Office personnel.

Mark this: There has never been a formal calling together of the 50 State Technical Assistance Directors; despite the pleas of many of the directors in New England, we have never been called together in the Region I Office in New York.

The sole strength we have to control local poverty spending is a Governor's veto (which can be over-ridden by the National Director) and the public informational media. I say: Thank God for the public press. It has enabled us to somewhat control those who wish only to wage a sham battle instead of a war. It has enabled us to disclose those with a lukewarm approach to a cancerous poverty monster that is eating at the vitals of our state and nation; the press has enabled us in Connecticut to thwart those who would downgrade politics by seeking control of poverty positions; it has drawn attention to the salary schedules which this Congres thankfully limited with its amendments at the last session.

The Connecticut press has been laudatory when the occasion demanded; it has helped us by being constructively critical when we were attempting to prevent boondoggling.

As you can see, to operate with only this kind of authority is to invite overpowering by those who know how palpably weak we are.

I urge you to consider thoughtfully the strengthening of the State's hand in this attempt to eliminate poverty; I urge you to make true the words of President Johnson, who, in a directive to the former Governor of Florida, Faris Bryant, his present director of the Office of Emergency Planning, said this: "To the fullest practical extent I want you to take steps to afford representatives of the Chief Executives of state and local government the opportunity to advise and consult in the development and execution of programs which directly affect the conduct of state and local affairs. The present OEO operation is far afield of the President's directive. For example, no contact was made with any Connecticut state official regarding the allocation of Connecticut's share of the $75 million is special money this Congress appropriated in May for special summer programs. Our state was accorded $235,000 in five locations. This same allocation, in our opinion, to a large number of localities might have more properly attained the ends you seek.

The following colloquy took place after Mr. Dyer's testimony:

Mr. Quie. I understand from your testimony, Mr. Dyer, that you are concerned about the fact that you and the State office are not informed about community action grants that have been approved in Community Action agencies throughout the State of Connecticut. Is that right?

Mr. Dyer. Not that we have not been informed that they have grants, but that we are not consulted by the regional office in regard to grants.

Mr. Quie. You say that no contact was made with any Connecticut official regarding the allocation of $75 million which Congress appropriated for the special summer program——

Mr. Dyer. That is correct.

Mr. Quie. You are not involved in the coordination of the expenditure of this money in the State of Connecticut?

Mr. Dyer. That is correct. The first notice we had was that they wanted advance approval by the Governor. The Governor does not like to give advanced approval unless he has seen what he is approving.

We immediately informed New York that this was the first we knew of it and that until we had the papers in our hands that had been submitted to them and could look at them and make sure that they were all right, we would not give advance approval.

So, then, eventually we got the papers in our hands. We had no say either as to which cities in Connecticut should be given special funds.

It is my personal opinion that if we had been consulted, we might have distributed the same amount of money to a larger number of communities than the way it was distributed.

Mr. Quie. What about distribution to the areas of greatest need? Have you been able to evaluate after the grants were made whether they actually went to the areas of greatest need, in your estimation?

Mr. Dyer. We have repeatedly given information to the regional office in New York of areas that we think should have more money.

Chairman Perkins. Will the gentleman from Minnesota yield? I want to make sure I understand the response to the question.

Mr. Quie. I yield.

Chairman Perkins. Did I understand the question you put to the witness is as to whether they were trying to scatter it evenly around the State, or in the areas of greatest need, and you asked the witness just how the disbursements were being made from the Office of Economic Opportunity? He has not answered that question.

Mr. Quie. The question was that he suggested if they had been given some jurisdiction or coordination, they may have been able to be spread more, and more areas would have been reached.

My question is, really, Must there be more to it than reaching the areas of greatest need?

Mr. Dyer. What I am saying is that I have repeatedly advised the New York regional office on areas that I feel should be given more attention.

I cannot say that the advice has been followed, because they make a predetermined listing versatile CAP funds without consultation with the State.

Mr. Robert Neal Smith, Wisconsin State OEO director, responded to Mr. Steiger of Wisconsin:

Mr. Steiger. On page 6 of your testimony, you touch on the relationship of your office in the State with OEO and make the recommendation that the regional office give greater emphasis to prior recommendations by the State's technical assistance agency.

I concur and I am happy to see that in your statement. I think that is important. Would you generally say that there could be a greater effort underway to involve the TA's throughout the country to a much greater extent than they are now in this whole Federal-State-local partnership operation in the war on poverty?

Mr. Smith. Yes. Generally speaking, over the past several years the regional Office of Economic Opportunity has exercised its own judgments by and large regarding any local CAP or single-purpose agency request. All too often the Governor's office is informed of a program that is being seriously considered or certain amendments to the contract or revisions in the proposals have been made, and we are then at the last moment via this telephone call expected to pass judgment almost immediately and approve the project application.

I think to the credit of OEO, this difficulty is not as bad as it was in previous fiscal years. However, I think a vast improvement could be made in this process. I must say that the present regional OEO Director has invited me and the other State directors in the Great Lakes region to a meeting on Monday and Tuesday, at which time we will discuss some of these priorities.

The regional OEO office has often directed the operations of the antipoverty program in Wisconsin at variance with State advice. The regional OEO sitting in judgment upon CAP activities and developments in Wiscon-

> sin has not expressed the practical judgments needed to carry out a higher level of performance in our State.
>
> At this point, all too often, the only information the Governor has on a project at the time he is asked to waive his 30-day review period is a telephone call. We believe in the OEO and its general administration of the Economic Opportunity Act.
>
> Therefore, it is our advice that the funding of projects through the regional office pay greater emphasis to prior recommendations by the State TA agencies. The State TA is rarely asked to assist in planning new fiscal year approaches to the campaign against poverty. Priorities are similarly neglected. Also, State TA's should be funded on a formula basis.
>
> I further believe the States and the Federal Government should require either through statute, Executive order, or Federal regulation that multipurpose physical, economic, and human resources planning and development agencies be established in nonmetropolitan areas. I believe the Federal Government should provide grants and conditions so each State can divide its counties into logical single or multicounty areas.
>
> Some counties in Wisconsin have already organized physical planning commissions with from five to seven counties within their geographical boundaries. How much better it would be if the entire State were organized with governing bodies, technical staff, and facilities to provide a comprehensive set of services for physical and social economic planning and development. Wisconsin intends to do much more along these lines.

VIEWS FROM THE STATES

One State director commented on the problem of coordination of various programs within the State:

> The linkage between community action programs and work programs is tenuous at best, especially in the rural areas. The Office of Economic Opportunity has to be given muscle to effectively coordinate these programs with its own. Likewise, the State officials should be a critical point for this function, and it should be spelled out in the law.

E. R. Rankin, Jr., director, North Carolina Department of Administration, likewise complained that:

> Federal antipoverty programs are usually prepared without any knowledge of the Governor and are submitted for the approval or disapproval of the Governor after public announcement in Washington that the OEO has approved the grant, or other Federal assistance.

Further concerned with the lack of coordination with the States, Mr. Rankin states:

> The well-known OEO policy of ignoring and bypassing existing State and local governmental agencies has certainly not assisted in North Carolina's efforts to improve poverty and poverty conditions. Any long-term improvement in local community conditions must involve the existing agencies and local leadership in these agencies.

Another State director notes the nearly complete exclusion of the State from proposal review, and the lack of program evaluation by OEO:

> Presently, a proposal, when submitted by the CAA to the regional office, is reviewed by a regional analyst, who has the authority to add or delete from the component. This practice in almost all cases goes on without consultation with the State TA. The local community, thus sensing that the ultimate responsibility for the success of their proposal rests with a regional analyst, turns to the regional office for assistance. In all too many instances, the analyst encourages the local community to obviate the STA. This dual service leads inevitably to confusion and mistrust.
>
> At present, the evaluation of funded programs is not required. Thus, proposals are refunded without a knowledge on the part of the reviewer if the program was effective and meaningful to the lives of the disadvantaged. It is conceivable that good money is supporting ineffective programs.

The following letter from Governor LeVander of Minnesota not only provides an excellent statement of the plight of the States under present policies of OEO, but also furnishes realistic alternatives that we think would immeasurably strengthen community action and other poverty programs:

> STATE OF MINNESOTA,
> OFFICE OF THE GOVERNOR,
> *St. Paul, Minn., April 18, 1967.*
>
> Hon. ALBERT H. QUIE,
> *House of Representatives,*
> *Washington, D.C.*
>
> DEAR AL: I am most grateful for your letter of April 13 and the copy of the news release outlining your proposed "Republican Opportunity Crusade" to inject new life into the faltering poverty program.
>
> Public reaction to your proposed changes is generally quite favorable, and even enthusiastic in some quarters. However, there are many who are confused—and have been led to believe that your plan for new direction and new vitality in the program is really an effort to discontinue Federal programs for the poor. This is unfortunate, and you might consider another release stressing your concern for redirection and realistic administration of antipoverty programs in order to restore confidence and respect of the American public and those who should be benefiting from these expenditures.
>
> Of particular importance is the development of sound administration, new direction, and new vitality for the poverty programs and the establishment of sound management and direction so desperately needed by the local CAP councils.
>
> Actually, here in Minnesota, the Governor's office of economic opportunity is the "Governor's" in name only. The State OEO office "dangles" haplessly, between the local CAP councils and the regional office, doing housekeeping chores, providing routine assistance to CAP councils, with no real authority to act. Only out-State (rural) OEO programs in Minnesota are under the Governor's OEO office. As you know, metropolitan programs in the Twin Cities, Indian programs on reservations, and special service programs funded with earmarked moneys require my approval (waiver). As Governor, I have neither control nor authority over the programs once they are operational. Similarly, programs of local community action councils require executive approval (waiver), but regulations provide no real basis for authority by the State over the council actions once the funds and the projects have had approval from the regional office.
>
> As part of your proposal for reestablishment and rejuvenation of these programs for the poor through the opportunity crusade concept, there is great need to strengthen the State's position in administration of the programs and in allocation of funds. Ideally, allocation and utilization of funds should be handled by a designated State office responsible to the Governor. This office, operating with a combination of State and Federal funds, and working with local communities and community action councils would make determination of programs and projects based on local needs, with specific goals and purpose.
>
> There is, as your proposal indicates, need to lift the philosophy and attitudes of the program and the people involved to a "positive" rather than negative approach.
>
> There is need for more imaginative programs keyed to local needs. With funding approval centered in a regional office by people who have no familiarity with an area or its problems, it becomes almost impossible to get acceptance of a special, imaginative program that is different than the standard. This, in itself, defeats the purpose of the community action concept and results in the sameness of programs throughout the State.
>
> Under present administrative procedures, the regional office in Chicago now handles the function of funding and approving programs, completely bypassing the State office. It certainly would be desirable to amend the act and/or regulations to allow funds for administration and programs to be granted directly to the State. With the funds, there should also be requirement that local CAP councils meet minimum standards in administrative procedures, bookkeeping, management and other criteria to insure proper utilization of funds in keeping with the intent of the law. States desiring to administer the programs should be required to meet certain criteria such as:
>
> (1) A demonstrated knowledge of the goals and philosophy of the act based on past performance;
>
> (2) Full compliance with civil rights legislation;
>
> (3) Adequate staff to give technical assistance to CAP councils;
>
> (4) A demonstrated ability to write, suggest, and evaluate programs to meet specific needs;
>
> (5) A continuous evidence of interest in helping low-income people improve their position;
>
> (6) A demonstrated understanding and willingness to have liaison with the programs of other State and Federal agencies, so as to avoid costly overlapping, duplicating effort;
>
> (7) A willingness to communicate and furnish public information to the community, the State, and Federal agencies pursuant to the operation of the Technical Assistance Office and/or any CAP council under its jurisdiction.
>
> It is to the best interests of the Governors of all States that the community action programs which go on in their States be more responsive to the needs within the State. It is unfair to ask a Governor to agree to participation in a program, to whatever limits, without his having any authority in the matter. The various State technical assistance offices at present, along with the various Governors' offices, are in the middle and with the planning outlined above, this could all be changed for the good of the program in the State involved.
>
> Similarly, antipoverty programs on Indian reservations are inadequately supervised and potentially explosive. The programs on Indian reservations are funded directly from the Indian Desk in Washington, but I hold the responsibility of approval or disapproval—not really knowing precisely what is being approved. The Bureau of Indian Affairs and the Governor's Office of Economic Opportunity both stand on the sidelines with no actual authority over the programs or administration of the CAP councils on Indian reservations * * *. Modifications in the act or regulations to provide each Governor greater jurisdiction over the antipoverty programs on Indian reservations in his State is imperative toward accomplishing the goals outlined in your "Opportunity Crusade" proposal.
>
> As of mid-March, Minnesota had received $40,497,212 in antipoverty funds since the initial grants were made to Hennepin and Ramsey Counties in December 1964. The seven Indian reservations in Minnesota have received $5,908,130 since the start of these OEO programs for Indians.
>
> There is great need for guidance in the development of meaningful programs on the reservations which will result in better utilization of these funds, and to provide programs of a more lasting effect than most of the projects now being funded.

Please accept my good wishes that your proposals for a new "Opportunity Crusade" will result in new and vigorous programs that are both meaningful and effective.

Kindest personal regards,

Cordially,

HAROLD LEVANDER,
Governor.

EFFECTIVENESS OF CAP

The newspapers daily reveal to us that the community action programs need new direction if they are to make a dent in the basic problems of the poor.

Following are samplings of various articles which have appeared concerning the effectiveness of poverty programs:

CHICAGO.—"It just seems to keep growing and growing, but nobody outside of the CCUO (Chicago Committee on Urban Opportunity) office knows what's going on. The efficiency of the poverty program is in doubt because of the whole obscurity of what they are doing."—Ald. Jack Sperling.

LAREDO.—An OEO, Austin, program analyst stated that regional OEO had determined "the poor are not getting their money's worth."

MILWAUKEE.—The director of an inner city development project commented: "The project is doing many fine things. But the root causes of poverty—we're not scratching the surface."

CINCINNATI.—Father William A. Sicking, during a congressional hearing concerning the Cincinnati antipoverty program said: "The poor laugh at the poverty programs, consider them 'pie in the sky' efforts and feel that they accomplish little real good."

DENVER.—John J. Herrera, board chairman of SER (Service, Employment, Redevelopment) wrote to Michael C. Moore, DO (Denver Opportunity, Inc.): "It is not so much the $20,000 that we have asked in our last three proposals since December of 1966, but the principle of not being able to negotiate with you, so powerful, way up in your ivory tower." Herrera said: "We don't feel that Moore is working with our people. We haven't had the communications we feel we should get."

COLUMBUS.—Monsignor Hugh Murphy, a leader in Joint Organization for Inner-City Needs (JOIN) took CMACAO (Columbus Metropolitan Community Action Organization) to task for "senseless duplication of already existing programs." He stated, "Aside from the one obvious benefit of providing for the CMACAO staff, the poor in Columbus find little evidence of any effective antipoverty program."

INDIANAPOLIS.—An evaluation report of the local CAAP program charged that the program is: "Uncertain about its goals, fails to be democratic. Has board and staff members who are confused in their attitudes and uninformed about the program. Has an executive director in whom many have lost confidence. Noting that the report is 'direct and sometimes harsh,' in its evaluation of the program the firm added, 'To be less than candid would hardly be a service to those residents of Indianapolis who live in poverty.' CAAP does possess the 'imagination, the capacity and the commitment' to develop effective community action in the poverty war, the report said."

DETROIT.—Paul Masseron, who directed a report on the Wayne County OEO by Urban Research Coordinators, Inc., said the report was not optimistic. "Serious problems have existed at every step of the development of the Wayne County OEO programs."

BUFFALO.—"The Federal Government has provided $327,290 in antipoverty funds into Orleans County in little over a year, but only 15 percent of the 3,100 poor, including migrant labor, have benefited from it."

Dr. Kenneth B. Clark, in his in-depth study of 12 community action agencies, which included exploratory research in 53 other cities, noted that in the first 2 years of their work, "Most programs studied were either partly or wholly ineffective" in terms of the criteria which he felt characterized an effective community action agency. He found that—

> Most programs were not directed to community action at all, but to traditional social service welfare benevolence alleviating some of the conditions of poverty but not addressing themselves to the abolition of poverty itself.

Mr. Clark finally concluded:

> Federally financed community action programs have so far not resulted in many observable changes in the predicament of the poor and indeed that the programs generally are likely to reinforce the dependency and the powerlessness of the poor. In no case has effectiveness of program or change in the conditions of the poor been applied as a criterion for Federal support.

The following newspaper account relates the results of Kirschner Associates' evaluation of community action programs in various cities:

POOREST NOT BEING REACHED: SPECIAL SURVEY HITS 16 POVERTY CENTERS

(By Douglas Eldridge)

A special survey has found that neighborhood antipoverty centers in Newark and 16 other communities have largely failed to reach or help the hard-core poor.

The unpublished study, made by a private consulting firm for the U.S. Office of Economic Opportunity (OEO), is the first national evaluation of the neighborhood centers—a key feature of antipoverty activity here and in many cities.

The researchers found that the centers do provide new jobs and expanded social services, but conceded "most of the poor have no involvement whatsoever" in the antipoverty outposts.

SUCCESS SMALL

The report also declares:

"Success is very small in terms of the total numbers of persons to be reached, the quality of these contacts and the extent to which hard-core poor are being drawn to center operations."

And the survey team also claims it found "very skimpy" evidence that the centers are making any headway toward their two major goals—coordination of scattered social services and organization of the poor for basic social change.

It was learned from the OEO in Washington that the 70-page report is based on research last summer in Newark, Phillipsburg and 15 communities in other states. The report was prepared by Kirschner Associates of Albuquerque, N.M., after inspection of 20 centers and interviews with more than 500 officials and poor people across the country.

GENERAL TERMS

However, all the findings in the Kirschner report are in general terms. There is no mention of Newark or other cities, and no comparison of specific centers.

An OEO spokesman said cities and centers of various sizes and types were chosen for the survey. They are not named in the report, he said, because OEO wanted "an assessment of a national program . . . not a long, drawn-out debate" over the performance of individual agencies.

The Kirschner researchers examined Area Board 2 (Operation We Care) of the United Community Corp. at 415 Springfield Ave., and the Phillipsburg center of Northwest New Jersey Community Action Program, Inc., a tri-county agency.

INDEPENDENT AGENCIES URGED

The Kirschner firm says the neighborhood centers should be retained, but developed into independent agencies. As long as the centers are controlled by a citywide organization, says the report, neighborhood residents will have little real voice or interest in their programs.

In Newark, the UCC has been planning for some time to turn its eight area boards into separate, independent corporations.

Kirschner's other findings may have broad implications for UCC, which earlier this month decided to channel half of all future federal aid into the neighborhood centers. This means the area boards in Newark will get about $1 million this year alone—about four times more than last year.

The researchers said many of the centers are too new or their records too spotty for any final judgment on their worth. But the report offers these observations:

INCOMPATIBLES

Most of the centers have been unable to combine two "mutually incompatible" tasks—mobilizing the poor to demand social change while assembling traditional employment, education, health, welfare and recreation services under one roof.

The centers have given help and fresh hope to some of the ablest of the poor. But those worst off "appear to be almost completely uninvolved as active participants in center programs."

Employment and other agencies have extended and improved their work through the centers, but "the result has not yet been an effective integration of effort to solve the problem of neighborhood poverty."

Many of the centers suffer from "internal disorganization and lack of an adequately trained staff." But those which are most businesslike and efficient have the least success in attracting the poor.

Employment of the poor at the centers is "well advanced and largely successful." But most of the poor people serving on staffs and boards were already active in the community before the War on Poverty.

Most of the centers are dominated either by the government-social agency "establishment" or by civil rights groups. In both situations the poor are discouraged from playing any role in making policy.

"REASONABLE COST"

In spite of all these misgivings, however, the research team concludes that a neighborhood center is still "an effective organizational device for reaching out to the poor, for engaging the participation of other neighborhood groups and local residents, and for changing existing organizations. For the most part these functions are being achieved at reasonable cost."

And the report claims the centers have made "a significant beginning in reaching at least one stratum of the poverty group."

While it does not refer to specific centers, the report criticizes those which put top priority on community organization—such as the UCC's area boards have done. Says Kirschner:

"Where community action is emphasized, a good deal of effort has been expended for what appear to be relatively minor results in the way of resident participation."

ISSUES AND INTEREST

Centers in big cities have had trouble finding issues and sustaining interest for any long-term protest campaign, the report says. It notes that the centers "can blunt the aggressive impulses of the poor" by providing additional services and hiring some of the most outspoken leaders.

The result, it says, has been "a potpourri of rather fitful actions which are often ill timed and ill planned."

Kirschner researchers also found that all the centers in small communities—including, presumably, Phillipsburg—are "utterly devoid of anything resembling collective action" to change conditions.

But the report says the smaller centers sometimes offer a wider range of social serv-

> ices, and are often more inviting to the poor than the larger ones.
>
> ### CONFUSION ON EMPHASIS
>
> The report says there is "confusion at all levels" over whether the neighborhood units should stress social services or social action. "It is extremely rare to find both aggressive community action and well executed service programs within the same center," the report says.
>
> It was also found that most of the poor who serve on neighborhood boards have been "inarticulate and ineffective," mainly because they lack the experience or the authority to deal with complex meetings and projects. Most of the board members find their work "unrewarding . . . futile and circumscribed," the report adds.
>
> Some 80 per cent of those who use the centers want help with specific problems. Only 20 per cent are concerned with organizing to improve the community, the report found.
>
> ### POOR POLLED
>
> The Kirschner group also found that 46 per cent of those who used the center said they got nothing from them, while 15 per cent obtained jobs and 30 per cent received various services. Most of those who used the centers had learned of them from neighbors or door-to-door canvassers.
>
> Donald Wortman, deputy assistant director of planning and research for the OEO in Washington, said the Kirschner report is considered important, but its effects are uncertain. The study is still being reviewed by OEO planners, he said.
>
> The report was authorized by the federal agency last March at a cost of $75,000. The research was done by three staff members of the consulting firm and 18 experts from various universities.
>
> ### UCC REACTION
>
> Officials of the UCC said they had talked with the researchers last summer, but have not seen the report. James Blair, program director and former head of community action for the Newark agency, said he agreed that the centers have not yet become fully effective.
>
> Other communities in the survey include Chicago, Detroit, Cleveland, Los Angeles, St. Louis, Washington, Houston, Tampa, Wichita and Chester, Pa.

LACK OF COORDINATION

During testimony before antipoverty hearings of the Education and Labor Committee, various comments were made concerning the lack of coordination in local CAP's, both in its own organization and with other agencies at a local level, probably one of the major reasons why CAP's are not effective. Some of these remarks follow:

Whitney M. Young, head of the Urban League, stated:

> The attitude of the local CAP agency toward local existing agencies is also a factor frequently cited by Urban League executives as an obstacle to greater achievement in the War on Poverty. CAP programs are very often seen as shutting out existing agencies and refusing to delegate programs to them. In some instances, CAP duplicates what existing agencies do, rather than buttressing independent efforts. There is a feeling, particularly in smaller communities, that the CAP program does not encourage participation by other community agencies.

Joseph Dyer, former director of the Connecticut State OEO, said:

> We have been dismayed concerning the failure of Community Action groups to coordinate and cooperate with hundreds of volunteer groups in our state.
>
> To attempt to fight poverty by ignoring the efforts of the many thousands of volunteers associated with church groups, youth groups, fraternal and civic organizations and the business sector has proved to be the greatest weakness of current Community Action in Connecticut. Proper use of volunteers will reduce costs and greatly enhance the spirit of dedication of paid staff members.

City Councilman John Held, of Cincinnati, asked permission to read a letter dated July 1967 from Lewis H. Evans, area manager of the Ohio State Employment Service, to the city manager of the city of Cincinnati. Mr. Held stated he wanted to show the lack of coordination or to indicate it, the lack of coordination between programs particularly manpower programs in the city of Cincinnati. The letter read:

> Dear Mr. Wichman: You are no doubt aware of a public announcement appearing on Friday, July 7th, concerning the establishment of a "temporary labor exchange" involving cooperation of several job finding agencies which is to begin Monday at the Community Action Commission. The release indicated that plans have been worked out among four agencies, including the Ohio State Employment Service and contained a plea to all employers who have summer job openings to contact the Community Action Commission.
>
> Our office was completely unaware of this arrangement prior to reading the announcement and did not participate in the planning.
>
> The Cincinnati office of OSES, including the Youth Opportunity Center, began planning early this spring to participate in the President's campaign to secure summer employment for youths which was spearheaded by Vice President Humphrey. Much publicity attended the initiation of this campaign and included the mailing of hundreds of letters to local employers to solicit their active participation in the program and encourage them to list all their summer job openings with OSES. The program has been pursued diligently and, of course, is still in progress at the present time. We are also heavily involved in a permanent program of Human Resources Development (HRD), in which the full cooperation of other agencies and groups is not only heartily welcome but is mandatory if the desired results are to be achieved.
>
> We are not in a position to delegate the responsibility assigned to our agency by the President of the United States and we consider the "temporary labor exchange" as a dilution of this nation-wide effort, a situation which we have constantly tried to avoid in Cincinnati and which surely can only work to the disadvantage of those whom we are obligated to serve.

The following letter was sent by Congressman Goodell to the Labor Department after receipt of a letter from a president of a Florida firm who cited his problems with local antipoverty officials:

> September 8, 1967.
>
> Mr. Robert Goodwin,
> *Administrator,*
> *Bureau of Employment Security,*
> *U.S. Department of Labor,*
> *Washington, D.C.*
>
> Dear Mr. Goodwin: On September 6, 1967, Mr. Douglas P. Cone, President, Florida Prestressed Concrete Co., Inc., 6301 N. 56th Street, Tampa, Florida, furnished the following information to a staff investigator of the House Education and Labor Committee:
>
> Florida Prestressed Concrete Co., Inc., and related companies are manufacturers of precast and prestressed concrete products in the State of Florida. The companies involved maintain a work force of 1300–1800. Generally the starting wage is $1.60 per hour with automatic raises provided after a period of probation. Mr. Cone estimates an availability of 50 jobs per month for the Florida Prestressed Concrete Co., Inc.
>
> Since early June of this year, Mr. Cone has attempted to set up with anti-poverty officials in the Tampa, Florida, area an arrangement that would coordinate efforts to provide prospective employees and trainees for his industry. To date, no satisfactory procedures have been developed.
>
> It is disturbing to me and other members of the Congress to learn of the above situation and others similar to it. We are reminded daily that unemployment is one of the most pressing domestic problems and yet we hear frequently from prospective employers that are unable to find employees to fill job slots.
>
> It will be appreciated if you will arrange for a responsible Labor Department representative to confer with Mr Cone in the near future. I would further appreciate hearing from you when the matter has been assessed and provisions made to link up unemployed with job availabilities in Mr. Cone's companies.
>
> With kindest regards, I am,
> Very truly yours,
> Charles E. Goodell.

In a study for the U.S. Senate Subcommittee on Employment, Manpower, and Poverty, Marshall Kaplan, a San Francisco economic and planning consultant, says:

> Even if the local war on poverty had all the money in the world, they themselves could still not make a dent in needs of the poor without help from existing agencies.

The report criticized tension between the central office and target area boards jealous of their prerogatives:

> Such tension is mostly responsible for the lack of a sorely needed program evaluation system.

According to an article in the October 10, 1967, issue of the Des Moines, Iowa, Register:

> Local poverty officials are under federal pressure to improve working relationships with other agencies in the community.

Donald McKenzie, executive director, told the Executive Committee of the Polk County Community Action Council:

> When we started out we were a knight in shining armor coming to slay all the dragons. Now we are becoming another agency that has to fit in with the other agencies. We are getting away from the period of reckless abandon and into more co-operation.

It is absolutely apparent the community action agencies must cooperate and coordinate with all agencies and sectors, especially the private business sector.

Joseph Dyer, former director, Connecticut State OEO, also sees this great need and testified before our committee:

> Community Action boards working as a team should work more closely with the business community which has much to offer in the elimination of poverty. The emphasis of every Community Action group should be to achieve "paypower" for unemployed and underemployed. To operate without the cooperation of community business firms and labor unions is akin to working in a vacuum.

Dr. Frank Russman:

> I would like to add on that that there are a number of firms now in the private sector that are quite interested in careerizing their operations. For example Shoprite Supermarkets are now developing a plan whereby a person can begin at the entry position and they are producing some new entry job positions and move up through on the job train-

ing and various kinds of other training mentioned by Dr. Fishman to move within the supermarket business to develop a whole career there.

I think this very much compliments the points you were making about this that there is no reason why this should remain in the public service sector.

EARMARKING OF PROGRAMS

During debate on the Economic Opportunity Act in 1966 we warned that earmarking of funds under title II–A would impair the effectiveness of community action programs. Despite our pleas a bill was passed which provided that 60 percent of the funds—$486.5 million—be allocated to specific, prepackaged programs. As we predicted, this formula resulted in priorities of programs at local levels which contrasted with the needs of respective communities.

The following statements of community action directors, 6 months after the bill was passed, reflect the feeling of knowledgeable antipoverty administrators:

Too often we are told by the OEO what to plan, in fact, given the plan and told to "sign here."

The long arm of Washington is reaching in with funds and telling us what to do.

Community Action programs have reached the turning point in whether they will live or die. There are those who say Community Action programs will not work and that local authority is being usurped by the earmarking of funds.

The key to the success of such programs is that they be geared to specific needs and that we maintain the local concept.

Mr. Clark said he would like to remind regional officials that St. Paul is not Chicago, not Detroit, or Omaha, but has its own unique problems and cannot be fitted into a mold.

"But we must also maintain the grassroots level. We have shown that it works and must continue our efforts to keep local autonomy," said Carlson.

We should be free within board policy lines to determine our own needs and perhaps, even make our own mistakes.

The OEO seems to have overlooked the fact that many communities—including St. Paul—have interwoven networks of agencies, many of which have pioneered efforts to abolish poverty.

In testimony before the Committee on Education and Labor, July 12, 1967, Shirley Tannenbaum, director, Frederick County, Md., CAP, stated:

Shortly after assuming the role of CAP Director (1966) the national picture began to change. Not only did Congress begin to cut appropriations, but it also began deciding what the funds should be used for (i.e., Headstart, Upward Bound, Legal Aid, etc.).

This seems to me to be a direct contradiction to the philosophy put forth by OEO and the original law which required maximum feasible participation of the poor and local determination of priorities.

It is conceivable that none including Headstart of the so-called canned programs may be applicable or seen as necessary by the poor themselves in some localities. * * *

We were told that homemakers programs were low priority. Low priority to whom? In Frederick County it was high priority.

It seems to me that if the legislators want to earmark funds and decide on a national level what programs will get funds they should also eliminate the hypocrisy of getting representation of the poor. Why bother to ask them what they need and then say you can't have it because there are no funds allocated for that?

If this alternative is chosen, then OEO will become another dispenser of programs and services. Another bureaucratic empire will be built. But it will not eliminate poverty.

Despite a 1966 amendment which the Congress hoped would take politics out of the war on poverty, the OEO continues to allow the most obvious political abuses to flourish in antipoverty programs.

In Durham, N.C., this year, Operation Breakthrough—the community action agency—with the advice and consent of OEO officials, developed a highly professional vote delivering apparatus.

Again this year we find the Senate bill (S. 2388) earmarks 50 percent of the funds authorized for community action programs. We intend to oppose this provision of the Senate's bill and leave the funds free for local communities to establish their own priorities.

I include the following letters:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 2, 1967.

DEAR COLLEAGUE: During recent weeks, many of you have received a large number of letters complaining about the cutback of funds for community action agencies under Title II–A of the Economic Opportunity Act. The usual complaint points out that the Office of Economic Opportunity requires that money for the current fiscal year be used for specific programs such as Head Start, Scheuer-Nelson training programs, narcotics, and legal services, leaving little or no funds for on-going programs which have been well received in the respective communities. Fore example, Community Action funds for the States of Minnesota, Wisconsin and Indiana were divided as follows: Head Start—54%; Scheuer-Nelson training—18%; and versatile (unearmarked)—28%.

During the debate on the Economic Opportunity Act last session, the Office of Economic Opportunity quietly generated a campaign urging community action directors to wire and write members of Congress requesting support of the Administration's bill. Members of the 89th Congress received a large volume of these communications which also asked for the rejection of Republican amendments to the bill. Republicans offered thirty-six amendments which would have changed significantly the direction of the faltering and confused War on Poverty. Twenty-four of these were rejected, largely along party lines. Few of the amendments accepted resulted in significant improvements.

Late in November last year, the Director of the Office of Economic Opportunity called a press conference and blamed the Congress explicitly for the reduction of funds. He said, "This impact will be great and grave."

You may recall that the Republicans, both in committe and on the floor of the House, consistently opposed the wholesale earmarking of Community Action funds for narcotics, legal services, the Kennedy-Javits program and the Nelson-Scheuer program for the very reasons that have resulted in the difficulties confronting community action agencies at this time.

The Republican "Opportunity Crusade," offered as a complete substitute for the War on Poverty, would have doubled the money in Community Action without earmarking. This would have put the money and the control where they belong at the community action board level, so that they themselves could determine local priorities. The Opportunity Crusade was rejected on the floor of the House by only twenty-eight votes despite a 2 to 1 Democratic majority.

WISCONSIN COMMUNITY ACTION
PROGRAM DIRECTORS,
Madison, Wis., March 27, 1967.
WISCONSIN CONGRESSIONAL DELEGATION,
Washington, D.C.

GENTLEMEN: The directors of the Wisconsin community action programs of the Office of Economic Opportunity would like to call to your attention the original purpose of community actions programs:

"The purpose of federal assistance to community action programs is to help urban and rural communities to mobilize their resources to combat poverty. Because community needs and resources differ widely, considerable latitude is allowed in the development and conduction of a community action program." (CAP Guide Volume I, page 7.)

During the early days of the War on Poverty the establishment of rural CAP programs was slow in getting started, primarily because of the difficulty of organizing rural people. After a year of work in rural Wisconsin, community action directors have laid the groundwork for carrying out the purpose of community action. It was at this time that Congress voted to curtail funds for community action programs. In addition, "versatile" funds (those which allowed the rural CAPs to carry out the purpose of community action) were reduced, further hampering our efforts. These "versatile" funds are important to rural CAP's in that local needs can best be met through programs designed by local community action agencies.

The community action directors of Wisconsin ask your help in supporting the restoration of community action program funds to the Office of Economic Opportunity budget for the 1968 fiscal year, and, particularly, the "versatile" funds which can do so much for Wisconsin poverty conditions.

Mr. Robert Smith, Wisconsin OEO, testified at House hearings concerning the earmarking of community action programs:

By and large, most of our Wisconsin standard CAA's have barely gotten through their program development grants and are being funded for so-called conduct and administration—outreach grants. The shortage of unearmarked funds for title II severely limits operational programs for Wisconsin's poor.

Mr. J. D. Brown, also testified at the hearings.

Mr. Mitchell Ginsberg, testifying for the National Association of Social Workers before the House committee, had the following comments about "canned" programs. He recommended:

RETAIN CAP FLEXIBILITY

Against this background we are concerned that so many of the amendments seem to reduce the flexibility of operations of the Office of Economic Opportunity and its programs particularly CAP operations. A number of these amendments essentially propose to put into law a number of present rules and regulations. We feel there would be little to gain in the resulting administrative inflexibility. Furthermore, several of the amendments place a construction on the purposes of the program about which we are seriously concerned.

Thus, the first purpose of the Community Action Program, Page 36, lines 20–25 of H.R. 8311, places emphasis on planning and coordination, and seems to downgrade "maximum feasible participation" and establish it as an instrument primarily for program and project developments.

That funds be made available to local Community Action Programs without specific earmarking established nationally in order to permit the local community to establish its own priorities based on its study of specific needs in that community.

I think of one community, which I will not name, which tried very hard to get approval of a program which had been designed by the poor themselves. Most of us looking at it would see a lot of things wrong with the program; but there were a lot of good things about it, too, and there were weaknesses.

They were unable to get this program approved by the local community CAP. I think we have many instances where essentially this has been true. The programs increasingly now are handed down rather than evolving up or out of or with.

Further testimony on earmarking of CAP funds by Mr. Richard Boone, Citizens' Crusade Against Poverty:

> Greatly increased versatile funds need to be appropriated for the hub of all anti-poverty efforts—the Community Action Program. Congress should continue to support the local community's right to determine the shape of a community's anti-poverty program. While there are many common problems in dealing with the elimination of poverty, availability of local talent, resources and desires make the solution of poverty in each community a unique undertaking.

Mayor Barr for U.S. Conference of Mayors:

> We sincerely suggest that what we don't need are more categorical programs; rigidly drawn legislation which attempts to specify every approach to the problems of poverty can hamstring the national effort to find solutions.
>
> At the present time, the funds for local use at local discretion are severely limited.

Mr. Alfred Alexander of the Kentucky State OEO:

> We in Kentucky feel that many of the very frustrating restrictions Congress has placed on the agency should be loosened. Localities must be given more freedom in deciding their priorities, to pick Community Action representatives, and to give OEO more coordinating powers, especially at the State level.

[From the St. Paul (Minn.) Pioneer Press, Sept. 19, 1967]

Ramsey's Antipoverty Administrator Resigns—Over Federal Redtape

(By Dorothy Lewis)

William R. Carter Jr., administrator of the Ramsey County Citizens' Commitee for Economic Opportunity, submitted his resignation to the citizens' committee board of directors Monday. He asked that it be effective Oct. 31.

Carter, who joined the program as its coordinator in April, 1965, said his resignation was "a personal decision based on changes taking place in the program planning and execution."

"What was at the start an effort on the local level to develop various programs and techniques is becoming a situation of having imposed on us nonlocal concepts, programs, techniques, methods and relationships," he said.

Carter is the second member of the antipoverty group's staff to leave in the past month and a half. Robert Tuttle, Carter's assistant, left Aug. 1.

Other members of the committee have complained about the increasing number of federal regulations and standardized formulas for the various community action programs.

Much of the dissatisfaction has arisen since Congress began specific earmarking of funds for particular programs.

Ross Sweum, chairman of the antipoverty committee, said the executive committee already has started searching to find replacements for Carter and Tuttle, and hopes to have both posts filled before Carter leaves Oct. 31.

As to program planning, Sweum admitted, "We have a difficult job to do."

Sweum, also manager of the Minnesota State Employment Service, said programs the committee submitted to the Chicago OEO regional office were returned with certain conditions imposed which are difficult to meet but necessary if those programs are to continue.

He said the council's various task forces will report progress being made to meet federal regulations at a general membership meeting at 7 p.m. Thursday in the YWCA, Kellogg Blvd. and Minnesota Street.

[From the Spokane (Wash.) Spokesman Review, Aug. 31, 1967]

Poverty War Chief Wants Local Option

Missoula, Mont.—The director of the War on Poverty in Missoula and Mineral counties complained Wednesday the local agencies get "canned" programs from Washington, D.C.

Paul Carpino, staff director for the two county Human Resources, Inc., made the criticism of the federal poverty program in a talk to the Missoula Rotary Club Wednesday noon.

He said local agencies should have more to say in determining how local programs are to be run, rather than getting prepackaged, preplanned programs from 2,000 miles away.

At the same time, Carpino was high in his praise of some accomplishments in the local war on poverty, citing the preschool Head Start program in particular.

Mr. PERKINS. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Illinois [Mr. O'Hara].

Mr. O'HARA of Illinois. Mr. Chairman, how many little children went hungry to bed last night and woke this morning to another day of want, I do not know. If there were but five, it would be five too many in the great rich land that is ours.

How many boys and girls growing up are bereft of the means of schooling for the very serious and necessary job of making a living and of building within themselves the foundations of an enduring contentment, I do not know. But if there were but one child in all this rich land of ours on whom was slammed the door of a promising tomorrow because of the bleakness of the today, it would be one child too many.

If our country, rich, powerful, and great in its potential as the builder of a finer and nobler world were to win a dozen wars in Vietnam but should lose the war on poverty, the United States would have failed in its mission and would have missed her destiny.

Mr. Chairman, I am speaking deeply from my heart. When one has lived as long a life as have I, when one has witnessed his countrymen and has participated with them in the sunshine of prosperity and in the storm of depression, in the gladsome years of peace and in the grievous years of war, for over eight and a half decades, one cannot fail to acquire a sense of evaluation.

Mr. Chairman, this is the bill of transcending importance in the first session of the 90th Congress. We may increase the income tax to raise more money to fight a war and to maintain our programs of peace, or that we may not do. But the effect of raising the tax or a failing to do so will not determine the future of this country as a continuing world power. We can fail to do other things that should be done and the effects, however regretable, at the worst will be temporary. But, Mr. Chairman, if we fail in the war on poverty because we have grown faint of heart and have lost our courage, we have started to write for future historians the final chapter of the story of the rise and fall of the American Republic.

Mr. Chairman, I speak with emotion and with a deep conviction. There is nothing in poverty that is glamorous. There is nothing in the story of a child going to bed at night hungry or the story of a child growing up in the slums with no chance of being prepared ever to meet other children, grown up, on a plane of equality—there is nothing in all of this that is glamorous.

These are incidents in the tragical failure of you and me and our predecessors in this great and historic Congress of ours to make the laws that would forever end in a rich land the poverty that never could have been in God's vision for any of His children.

We have made the start, and it has been a good start. The first steps in the life of any legislative program of a new and novel design are like the first steps of a child learning to walk. Shame upon us, as grownup men and women serving in the Congress of the United States, if we should end the war on poverty or curtail its resources because a few of the steps of a newborn program have been no more sturdy than the first steps of a recently born baby learning to walk.

Mr. Chairman, I am not a member of this great committee and as my colleagues know, I have seldom spoken in general debate on a bill that came from a committee of which I was not a member. But on the bill we are now discussing, there is in the district that I represent a deep and a personal feeling. I represent many neighborhoods in the great city of Chicago—Hyde Park, Kenwood, Woodlawn, part of north Kenwood and all of South Chicago, with its great steel mills, and Roseland with its many churches, more than in any area of similar size in the Nation, Pullman, Calumet, and Thornton.

But, Mr. Chairman, also among my constituents are those who suffer from undeserved poverty. I put emphasis on what I have said, undeserved poverty. I would not wish to remain in this body another day if I should fail these constituents of mine who are the victims of an undeserved poverty. If I were not to lift my voice for them, humble though my voice might be, and they were left unrepresented during this debate, I should have a feeling that representative government had failed, at least in their case. I am glad to say, and I say it with pride in my district and in my constituents, that on this bill we are considering today, this bill to continue undiminished the war on poverty, I have received more letters, more telephone calls, more telegrams from my constituents than on any other legislative proposal that has come before the 90th Congress. I would mention the noble wife of Dr. Hans Morganthau, famed member of the faculty of the University of Chicago, and Mrs. Frank Herlihy of the League of Women Voters as typical of the many, many who have written me, telephoned me at their own expense, wired me from the Second District of Illinois.

Mr. Chairman, I close by reading this letter from Mrs. Robert J. Stuart, the esteemed president of the League of Women Voters of the United States:

Dear Mr. O'Hara: The members of the League of Women Voters are becoming more deeply concerned about the fate of the antipoverty bill, and specifically about the future of the Community Action Programs, in view of the House Committee amendments to the present Title II of the Economic Opportunity Act.

Since its beginning in 1964, League members throughout all 50 states have followed the growth of the self-help approach to poverty erosion, and many have been directly involved in the programs in their communities. They have been encouraged by how well this concept has been accepted by the disadvantaged, and how its implementation is increasing. For example, our Boulder, Colorado, League writes: "There is a freshness of approach in helping the poor to help themselves, and we think that the small portion of the national budget which goes into this program is well worth giving these ideas a chance for fruition. The program is very young—it must have an opportunity to go on to further successes."

We know that this program has enabled many people to attempt to solve their own problems and to plan their own lives. It has given them an important role in defining their needs, and in developing ways to meet them. By offering these disadvantaged people an opportunity to develop their leadership abilities, community action has added a vital and constructive new element to the local scene in many urban as well as rural areas.

We of the League believe that the expectations of the poor and disadvantaged, if opportunities promised are now withheld, will certainly not diminish, but rather through frustration may be diverted from constructive to destructive ends.

Therefore, we must reiterate our concern for what may happen when the Economic Opportunity Act comes to the floor of the House of Representatives. We believe the Committee amendments will change the self-help concept of community action. Particularly, we oppose those which change the structure and funding procedures for the Community Action Programs.

While we believe that all levels of government—local, state and national—have a responsibility in providing equality of opportunity for all citizens, we think that the procedures for establishing and running community action programs should be left flexible in order to meet the needs of the wide variety of situations around the country. Too, the funding requirements should be left flexible so that those communities with very limited resources could be eligible for assistance through the Community Action Program.

Further, we object to any decrease in funding for the Economic Opportunity Act for 1967. It is our firm conviction that cuts should not be made at the expense of those least able to help themselves.

We hope you will keep our concern for this important piece of legislation in mind when it comes to the floor of the House.

Sincerely,

Mrs. Robert J. Stuart,
President.

Mr. OTTINGER. Mr. Chairman, Charles Dickens once said of 19th-century England, "Few, save the poor, feel for the poor." I never thought that assertion could properly be applied to the United States. Certainly, the landmark social legislation passed in the 88th and 89th Congresses indicated a national commitment to break the vicious cycle of poverty and deprivation that has been such a scar on our national scene. However, statements made in this House in recent days lead me to believe that there are powerful forces at work to renege on that commitment.

Three decades ago, President Roosevelt spoke about one-third of a nation that was economically afflicted. Today, we estimate that the impoverished represent one-fifth of the Nation, about 35 million Americans. But our progress is reflected not so much in numbers, but more significantly in the fact that in the past 3 years we have launched a concerted and comprehensive war against poverty—a war that has many fronts and many campaigns. It is a war against one of the greatest evils of our time.

In just 3 years, the war on poverty has grown from a concept and a piece of legislation, to a program that is reaching out to help more than 9 million persons in 3,000 counties.

I am convinced that attempts in this House to kill the Office of Economic Opportunity and its programs do not represent the feelings of the people and community leaders of this Nation. I present for inclusion in the Record some of the letters I have received from those involved in community action programs in my congressional district:

Tappan Zee
Mental Health Center, Inc.,
North Tarrytown, N.Y., November 6, 1967.

Mr. Richard Ottinger,
House of Representatives,
Washington, D.C.

Dear Mr. Ottinger: As a director of a community mental health center, I am concerned and involved with other community agencies which have an impact on the wellbeing of the communities we serve. One agency with which we have been working is the Community Opportunity Center of the Tarrytowns.

It is well known that Congressional action in the very near future may limit or eliminate completely the support for the Community Opportunity Center of the Tarrytowns. I wish to make known to you my opinion that the Community Opportunity Center of the Tarrytowns is performing a most useful function in the community and more significantly is performing it in such a manner as to be very deserving of continued support.

We hope and are confident that you will make every effort to insure that the Community Opportunity Center of the Tarrytowns can continue to serve its community.

Yours very truly,

J. Magda Polenz, M.D.,
Acting Medical Director.

Tarrytown, N.Y.,
November 6, 1967.

Hon. Senators and Representatives, *U.S. Congress, Washington, D.C.*

Gentlemen: As a volunteer teacher and youth worker with our deprived citizens through the Community Opportunity Center of Tarrytown, N.Y. and as an officer of the C.A.P. Board, I plead with you not to curtail our very essential anti-poverty work by any further cuts in appropriations. This is *not a program;* these are *peoples' lives* and *human dignity* we are dealing with.

If we volunteer workers, who are trying to restore a sense of worth and belonging to these alienated people, are not backed up by paid administrators, rented buildings, purchased education materials, we will have to discontinue our work. Our nation, our local communities, our poor citizens will be the losers. We cannot afford such a loss unless we are willing to see our society disintegrate.

People are more important than the moon!

Sincerely,

Elizabeth S. Lenz.

The Negro Community Club
of the Tarrytowns,
Tarrytown, N.Y., November 6, 1967.

House of Representatives,
Washington, D.C.

My Dear Sir: We, the members of The Negro Community Club of the Tarrytowns, ask that you as our Representative, voice our vehement opposition to the proposed cut back of funds to Neighborhood Community Opportunity Programs (Anti-Poverty Projects.)

Our membership has made various contributions to the Community Opportunity Center of the Tarrytowns so that it may continue to serve the youth of our villages. We feel that a government cut-back of funds would cause our center and our youth to suffer dire consequences. For many children this center, and others like it in many other communities, is what keeps the youth involved in worthwhile activities and keeps them off the streets and out of trouble.

We sincerely request that you voice our concern about this matter.

Yours truly,

Mrs. William N. Burnette,
Corresponding Secretary, The Negro Community Club of the Tarrytowns.

Greenburgh School District No. 8,
Hartsdale, N.Y., November 6, 1967.

The House of Representatives,
Congress of the United States of America,
Washington, D.C.

Dear Sirs: The Open Door Community Center, 391 Tarrytown Road, White Plains, N.Y., supported by OEO funds administered by the Westchester Community Action Program, is a most effective community action program. It is serving families in the poverty areas of the Town of Greenburgh in an efficient and effective manner in a number of areas, particularly in housing, legal aid and advice.

I strongly support this program and urge that funds be made available for its continuance and possible expansion. The Center provides competent services for a large number of families who have no other means of obtaining them.

Respectfully yours,

George E. Fitch,
Supervising Principal.

Irvington, N.Y.,
November 6, 1967.

Hon. Richard Ottinger,
House of Representatives,
Washington, D.C.

Dear Sir: I am deeply concerned about the proposed cutbacks in the funding for the Office of Economic Opportunity Programs. As a volunteer art instructor at the Community Opportunity Center of the Tarrytowns, I have had a chance to see the tremendous benefits of this type of program. If the center were to have to close its doors or to curtail its activities, youngsters who can now spend fruitful afternoons and evenings would again be forced to return to the streets. At a time like this, how can one let so many young people down by cutting funds?

I would urge you strongly to put every effort behind continuing, if not increasing OEO programs.

Very truly yours,

Renata Rainer.

Marymount College,
Tarrytown, N.Y., November 6, 1967.

To the Members of the House of Representatives:

As a member of the Marymount College faculty and a volunteer worker at the Tarrytown Opportunity Center, I would like to express my concern about any attempt to cut government funds for this particular program. The funds that have already been given have been put to very good use and have done a lot for the neighborhood community. We are trying to assist all age groups especially in the area of education and providing activities that will keep people usefully occupied. Marymount College students do volunteer work there such as tutoring, teaching cooking, sewing, etc.

Any money that can be given to this project, I think, is a very worthwhile expenditure and I urge you to continue the appropriation. Thank you for considering this request.

Sincerely,

Sister Margaret Ellen.

The Tuckahoe Public Library,
Tuckahoe, N.Y., November 1, 1967.

Eastchester Community Action,
Tuckahoe, N.Y.

Dear Mr. Kendig: I wish to congratulate you and Mr. Suppa on the attention and guidance your program has provided so many Tuckahoe students. The girls who have worked in the library have benefited greatly by your emphasis on positive values and greater achievements. I hope you have continued support for continuing success with this most important program.

Sincerely yours,

Anne Self,
Acting Director.

Village of Tuckahoe,
Westchester County, N.Y.,
November 6, 1967.

Mr. David Kendig,
Community Action Program,
Tuckahoe, N.Y.

Dear Mr. Kendig: I wish to thank you on behalf of the Village Board for the work that the Community Action Program has done and is doing for the residents of the Village of Tuckahoe.

Through the efforts of the Community Action Program Committee, great strides have been made especially in the area of the lower income group.

Personally, I wholeheartedly support the principles on which the idea of the Community Action Program was based, and as Mayor I will do everything my position permits to assist and support all worthwhile programs which will benefit our Village and its residents. As evidenced recently by your Committee's request to the Village of Tuckahoe to provide the necessary property for the erection of a Child Day Care Center to which the Board of Trustees agreed. Cooperation of this type, between the Community Action Program and the communities it serves, is proof that progress can be made to provide more benefits for our fellow citizens who cannot alone improve their circumstances.

With the continued joint efforts of your Committee and the Village officials, I am confident that the Community Action Program will continue to make great strides in the years ahead.

Very truly yours,

Robert D'Agostino,
Mayor.

Christ Church,
Bronxville, N.Y., November 6, 1967.

To Whom It May Concern:

I am personally familiar with the work that has been carried on at the Eastchester Community Action Project in Tuckahoe and am convinced that it has proven its usefulness to the community. It would be tragic if this work were to be curtailed or stopped altogether because of inadequate funds.

Faithfully yours,

(Rev.) Raymond T. Ferris,
Rector of Christ Church.

The Reformed Church,
Bronxville, N.Y., November 6, 1967.

To Whom It May Concern:

I am well acquainted with the work of the Eastchester Community Action Program and the contribution it has made to the life of this community. I would be greatly distressed if their program was throttled or curtailed for I have seen first hand the vital services it performs which are not provided by any other agency. Eastchester CAP is the one bright spot on a pretty dismal landscape, and we will all be the poorer if it is not able to continue its' important work.

James A. Stackpole.

Public Health Nursing Organization of Eastchester, Inc.,
Tuckahoe, N.Y., November 6, 1967.

Community Action Program,
Tuckahoe, N.Y.
Attention: Mr. Kendig.

Gentlemen: This is a letter of appreciation for your many activities in the village of Tuckahoe and for your efforts to alleviate many of the problems within our lower income families.

We hope that you will be able to continue your work in this community.

Sincerely,

Lillian M. Snellman,
Director.

The Methodist Church of
the Tarrytowns,
November 6, 1967.

The House of Representatives,
Washington, D.C.

Gentlemen: I am writing on behalf of the community opportunity center of the Tarrytowns.

This organization has achieved genuine community involvement by providing a well-run, much needed service for Underhill residents in both Tarrytown and North Tarrytown.

This past summer when the program was jeopardized by a cut back in funds, local organizations such as the service clubs and churches, and private citizens responded by raising $4000 in cash contributions within a 30 day period. Earlier in the spring, through the work of local citizens, a baseball field, a basketball court and a children's playground were constructed on a vacant urban renewal site adjacent to the center. Sisters from Marymount College lived in the center during the summer and carried on an effective program. Local government is also involved and have graciously provided the building to house the center, plus paying the utilities.

It is most heartening to see O.E.O. funds augmented by private capital. The work of local citizens and the support of local government has been an effective combination. Best of all, this community involvement and a bound program has developed needed leaders and leadership from within the group to show the center ministers.

To cut back on funds at this point would not only endanger the center's program, but would also seriously discourage the newly emerging leadership.

Unfortunately, local organizations, private citizens and village officials can not sustain the project without outside help. They have all demonstrated their willingness to share responsibility.

Would you please use your good offices to encourage rather than discourage what has been so well started.

Sincerely,

William W. Holman,
Pastor.

Tarrytown, N.Y.,
November 5, 1967.

Members of the House of Representatives,
House of Representatives, Washington, D.C.

Dear Sirs: Here in the Tarrytown where I represent the Warner Public Library every week day afternoon at the Community Opportunity Center, a key part of the "War on Poverty" locally, I see how personal needs are being met by the Center's activities. The leading staff members, Mr. John Keels and Mrs. Blanche Miller, coordinate the total program including the Youth Corps in such a way that the Center means a great deal in helping young people and children, particularly, have more creative lives. Any cut in the funds necessary to continue the Center and the Youth Corps locally would be "cutting off one's nose to spite one's face."

Should not our aim be that each individual in the "poverty" category throughout the country be reached and helped to stand on his or her own feet. Our government's effort to meet the poverty situation here at home should be strengthened, not lessened, the total society will benefit.

Best wishes for your important work.

Sincerely,

Ruth Neueudorffer.

November 6, 1967.

To Whom It May Concern:

During the past year I have become aware of the Eastchester Community Action Program and the work it is doing in the poverty area of Tuckahoe. I have been quite impressed with what they have accomplished and would be greatly concerned by any turn of events which would jeopardize the program.

James M. Jones, M.D.

Bronxville Public School,
Bronxville, N.Y., November 6, 1967.

To Whom It May Concern:

It has been my privilege to work with the Community Action Program of Eastchester since its inception, and its influence has been greatly felt in the community. The variety of programs which it has been instrumental in organizing has served not only the youth of the community but the adults and families as well.

To lose this program would be a great tragedy for Eastchester and the adjoining communities. I hope that it will be possible for this very desirable activity to be funded through aid from the Federal Government.

Sincerely,

Louis H. Braun,
Superintendent of Schools.

Mr. FASCELL. Mr. Chairman, I rise in support of S. 2388, the 1967 Economic Opportunity Act Amendments as reported by the committee.

It is obvious that Democrats and Republicans share support for the poverty program and for making funds for the program available. There is, however, a serious difference of opinion in the approach best suited to solving the problems of poverty. I feel that the diverse programs must remain under the central administration of the Office of Economic Opportunity and the capable leadership of Sargent Shriver.

In the past few days I have received overwhelming evidence of the absolute necessity for continuation and support of the poverty program in its present form. Literally hundreds of citizens in my district in south Florida have written, giving personal examples of the benefits each has experienced as a result of the OEO-sponsored programs. Their pleas are indeed forceful, and clearly indicate the vital need for our wholehearted support of the poverty program.

It is significant, too, that this indication of nonpartisan support has come not only from the direct beneficiaries, but also from State legislative leaders, city, and county officials, key community leaders, education leaders, civic organizations, the press, college and university professors, and clergy throughout the 12th district.

There has been rarely in my 13 years in the Congress such a unanimous demonstration of popular support for a Federal program.

As dramatic proof of the vital importance of this program, I would like to read excerpts from only a few of the letters I received from participants in OEO-sponsored programs in Dade County, Fla.

From Emma Allen of Florida City:

The money helps a lot of people that can't get their medicine supplies.

Mrs. Norris of Florida City writes:

The EOPI Center have done some wonderful things toward the poor people.

Lillie Mae Reid of Florida City:

For the first time in history that I now a adult can go to school to help get them some education to help thim self to get a better job and help take care their family.

Ella Mae Williams of Florida City:

This program is life to people of our community.

From Mrs. Zehna Williams of Florida City:

The EOPI center was and is the greatest thing that ever happen down here.

Mary Nell Rogers of Florida City says:

Our boys and girls have been given a second chance to further their education. It's has aided the poverty stricken families to an extent that they too are able to meet the minimum living standard code . . . [They are helped through programs such as] 1. Job Development 2. Legal Services 3. Home Management 4. Housing Specialist and 5. Hardship.

Georgia Marshall writes:

It has done a great dill for me and my children. It have help to in Medical care and food, clothing, and they have a day care center to keep my children when I go to work.

From Mrs. Wright of Homestead:

The EOPI has been a wonderful thing to me it help me get the hospital and to get my surplus food. It put my grandchildren in the Day Care center. Please don't close the EOPI program down. Please don't.

E. Varn Moody of Homestead:

I have a son who has been working in the bean field for two year and he is only 16 years old. He has signed up for the N.Y.C. program and has hopes to be hired. But if it is demolished his hopes will be destroyed. Please don't take his hopes away.

Annetha Butler of South Miami:

We need the EOPI. Please don't let them close down. I needed help so long and I didn't know what way to turn until those people showed me the way.

Gwendolyn Hudson, a teenager from Homestead, writes:

Legal help, home management, better education, better housing, food, jobs and a number of other services at the local center has contributed to the present advancement in my city.

Lonnie Williams of South Miami, writes:

I am 84 years old. Have no one to see about me. The workers from the E.O.P.I. Center have worked with me for about a year. And have helped me in many ways. I'm asking you all to please keep the E.O.P.I. in South Miami.

From Evelyn Miller, South Miami:

I cannot understand why anyone would want to close the E.O.P.I. Centers. The center here in So. Miami has done so much for the people since its been here I cannot begin to tell you. I found employment through them several times.

Catherine Jones of South Miami, says:

The EOPI center has been a great help to many peoples I don't make enough money to pay someone to take care of my little my husband makes a very little salary and I have four children to support I am not able to give my child snacks sometime I can't even give her milk every day the EOPI is a great help so please try to keep our day care I don't know what I will do if it will close.

From LeRoy Ancrum of South Miami:

The E.O.P.I. has done a lot for the people and me and my wife we the people needs the program to help us out of being poor so help us!

Josh Knight of South Miami:

The E.O.P.I. program has made a big change in the South Miami area. People that was doing real bad is now doing much better . . .

Mrs. Lessie Mae Lane of Miami, writes:

Please keep the EOPI office open in Dade County because it really have help me and my eleven children very much if it haven't been for it I really would not know what to do.

From Cyril Baen of Miami:

Why is everybody trying to do away with the poverty program. So many mothers have been helped to train for better jobs and have been able to go to work because they have a place to leave their children.

From Eva Asberry of South Miami:

When I didn't have know about papers that had to be filled out or sign by me I could always get help from the center. I hope it never closes.

Twenty-two-year-old James Hannah of South Miami, says:

The EOPI program has stop teenage children from hanging on street.

Mrs. Merriam Miller of Perrine, writes:

I could not work before to help support them [her nine children] but now I am able to work with some one keeping my baby.

Mr. Chairman, I think it is also important to include, as a part of the permanent Record of this significant debate, the following letters and telegrams from responsible State and local officials and leaders who have indicated their support for the program:

November 7, 1967.

Hon. Dante Fascell,
House Office Building,
Washington, D.C.:

For sake of our community, urge you to do everything in your power to resist efforts to curb President's antipoverty program.

Sincerely,
Hon. Gerald R. Lewis,
State Representative, Florida.

Metropolitan Dade County, Fla.
Community Relations Board,
November 1, 1967.

Hon. Dante Fascell,
U.S. Congress,
Rayburn House Office Building,
Washington, D.C.

Dear Dante: The enclosure appeared on the front page of the Miami News this afternoon. In assuming that Paul Wyche has related the Legislative situation rather accurately, I must be anxious to offer a considered view. Should you need any supporting documentation, I can easily and would gladly provide it.

Because of my involvement in this community, there has been pressing reason for me to closely follow the accomplishments, disappointments and failures of the Office of Economic Opportunity since it began to become operational here in November of 1964. When considered in their entirety, it must be my judgment that the local OEO programs are succeeding in improving the health, welfare, job, and educational opportunities for our large poverty population which they endeavor to serve.

Several accomplishments, of the many which might be cited, seem deserving of emphasis:

1. You probably know that in recent years I have worked with Congressional and community leaders in advancing the public's knowledge and information about family planning. In the last year or two the OEO, in cooperation with the Dade County Department of Public Health, established a program to provide birth control data and services to that segment of our population which has been historically and almost totally uninformed. No program has ever benefited the people it touches more rapidly. The OEO has provided the funds with which the Public Health Department administers six clinics within OEO neighborhood centers. The return on this investment, for the betterment of our collective future, has been tremendous. The need, however, will not be adequately met until in time there are scores of clinics. It sounds incredible, but large numbers among the poor and the ignorant have no knowledge whatsoever about the processes of birth and how to proceed as a free-choice decision to control the size of one's family. In this area, the OEO is making possible the exercise of enlightened leadership and guidance.

2. Four years ago, the CRB was created by the Dade County Board of Commissioners. It was established to learn to speak as the conscience of our community. Its membership consists of the finest lay and religious leaders to be gathered anywhere. It works constantly to minimize the reasons for tensions, misunderstandings, and difficulties between races. To this point the Greater Miami area has not erupted into those tragic instances of violence and turmoil which have troubled and injured other communities. As a spokesman for the CRB, I want to make clear that the OEO, particularly in the just concluded "long hot summer", has made some significant contributions toward keeping Greater Miami "cool". Participation by the poor in OEO community action programs has provided a means for the poor to seek redress for their grievances before local public boards which might not otherwise have been sufficiently in close touch with the problems and frustrations of the disadvantaged segment within our people. Here again, the OEO has earned impressive dividends from its investment in plans, patience, cooperation, and money.

3. As a citizen who has been a Miami businessman for the past decade, it appears to me to be a valuable and sensible investment to provide, as is being done through the OEO, job training programs which have the dual advantage of adding to our supply of skilled manpower and, at the same time, enabling

families previously supported by tax funds to become wage earners and self-respecting taxpayers. Obviously the progress made has been extremely limited, but of the greatest importance, there has been progress.

These several observations only nibble at what the OEO is attempting to achieve by battling against poverty on many fronts. These include providing assistance for the legal, health, housing, and educational dilemmas of the poor.

I take for granted that many mistakes have been made. But intelligent policy makers and administrators, on the National and local levels, must be struggling constantly for workable corrective measures. My fundamental conviction is that demonstrable and refreshing improvements are being attained in areas of human activity which have not until recently been of National concern. The more we become urbanized, the more self evident is the need for an enlarged National concern and participation.

I can give you no advice about the guns and butter argument. But I believe it to be true that hoped-for military victories in far-off places will come back to haunt us if we are so preoccupied with waging war that we fail to devote a sizeable portion of our Nation's intelligence and resources to finding remedies for the neglect of domestic matters in years gone by.

In all sincerity, I beg to remain,

Cordially,

HARRY P. CAIN.

BOARD OF COUNTY COMMISSIONERS,
METROPOLITAN DADE COUNTY, FLA.,
Miami, Fla., November 1, 1967.

Hon. DANTE D. FASCELL,
House of Representatives,
Old House Office Building,
Washington, D.C.

DEAR DANTE: I am sure you are well aware of my interest in the Poverty Program and am therefore quite concerned over the difficulties that this Program has been encountering in Congress.

I have worked closely with the local poverty program, Economic Opportunity Program, Incorporated, and have found the services that this program has rendered thus far to be excellent in meeting the needs of those less fortunate citizens.

I therefore urge you to exert every effort possible to support OEO requests now pending before Congress.

Sincerely yours,

CHUCK HALL,
Mayor.

CITY OF MIAMI, FLA.,
October 31, 1967.

Hon. DANTE FASCELL,
House of Representatives,
Washington, D.C.

DEAR DANTE: I am writing to you at this time to express my support for the fine accomplishments of the Economic Opportunity Program in the City of Miami, as I understand that this program is facing serious opposition in the House. I know you are aware of some of the specific accomplishments in terms of the thousands of poor families who have found jobs, job training, better housing, and good day care and educational programs for their children. Many more thousands of youngsters were helped also this summer through the EOPI sponsored recreation program in which the City of Miami played a major part as one of the operating agencies. Beyond the help to specific families and individuals it is a fact that this program has been a major factor in combating the kinds of racial tension and unrest which has led in other communities to senseless and costly outbreaks of violence. Any cut back in this program would be a serious blow to our continual efforts to make Miami a better community for all its citizens.

One of the amendments to the House Committee bill provides for a 10% cash contribution to the local program. In Dade County this would mean that approximately One Million Dollars would have to be found to provide for the continuation of the anti-poverty program at its present level. It is not very likely that this would happen in view of the ever increasing burden on the local taxpayer. The result of this amendment would probably be to put this program out of business in Miami and Dade County.

I know you will continue to do anything in your power to see that this program is continued. Please let me know if I can be of any assistance.

Sincerely yours,

STEPHEN P. CLARK,
Mayor, City of Miami.

METROPOLITAN DADE COUNTY, FLA.,
Miami, Fla., November 1, 1967.

Hon. DANTE B. FASCELL,
Old House Office Building,
Washington, D.C.

DEAR CONGRESSMAN FASCELL: We have, quite naturally, been concerned with the difficulty the Poverty Program has been encountering in Congress.

The local Poverty Program, Economic Opportunity Program, Incorporated, has generally done a fine job in providing many services to our less fortunate citizens; and we have enjoyed a close working relationship on a number of projects of benefit to our community.

I would urge you to to exert every effort possible to support the OEO requests now pending before Congress.

Sincerely,

P. W. HOMER,
County Manager.

CITY OF SOUTH MIAMI, FLA.,
November 1, 1967.

Hon. DANTE B. FASCELL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FASCELL: I wish to register my firm support for the work of the Economic Opportunity Program, Inc., in South Miami. The City of South Maimi administration has maintained a very excellent and very close working relationship with the local office. They have cooperated with us in neighborhood clean-up campaigns, recreation and beautification programs. The Neighborhood Center has provided a means of motivating some of our disadvantaged citizens to become active in the affairs of their community. Beyond this has been the day to day work of the Neighborhood Center in providing high quality care for children of working mothers, assistance in getting birth control services and assistance in finding jobs.

Despite the hard work of those people working in the program, there still remains much work to be done. It is our hope that resources might be provided to serve even more of the families in our community who can benefit from the kinds of opportunities provided by this program.

Yours truly,

CLYDE M. TAYLOR,
Mayor.

CITY OF HOMESTEAD, FLA.,
November 3, 1967.

Hon. DANTE FASCELL,
House of Representatives,
Washington, D.C.

DEAR MR. FASCELL: We in the South end of the county frequently feel that we are the last to receive the benefits of many programs which are initiated in other parts of the County.

This has been the case also with the anti-poverty program in that the neighborhood center and the day care center down here were among the last to be established, however, the Neighborhood Center program has now been in operation almost two years and the day care center for more than six months. Both of these programs have demonstrated their value to the Homestead Community.

For Example, this past summer we were able to get additional funds through the E.O.P.I. to expand our recreational program, thus reaching a lot more people than would have otherwise been possible. We have worked closely with the center and its Advisory Committee on a number of community problems, such as in efforts to improve housing, cleaning up neighborhoods and to promote better relations between the races.

It would definitely be a step backward in our efforts to improve the community if this program were to be abolished or otherwise curtailed. On the contrary, we would like this program to be expanded so as to serve more people rather than less.

Sincerely yours,

WILLIAM F. DICKINSON,
Mayor.

DADE COUNTY PUBLIC SCHOOLS,
Miami, Fla., November 2, 1967.

Hon. DANTE FASCELL,
House of Representatives,
Washington, D.C.

DEAR DANTE: In view of the continuing discussion in Congress related to the funding of programs supporting education and other services to the poor, it may be helpful to you if I express my thoughts on the matter. I am *addressing similar letters to other members of our Florida Congressional delegation.*

A quick review of the joint efforts of Economic Opportunity Program, Inc. and our school system indicates that significant progress has been made in developing programs of value.

From our point of view, the combination of the Child Opportunity Program and Head Start Program holds the most promise. At the present time we have 2,420 five-year-old children enrolled in a Head Start program. The facilities were provided with funds from Title I of PL 89–10 and program costs are supported by Head Start funds. In addition to the benefits of direct services to children, nearly 250 residents of low-income communities have found employment in this program and significant strides have been made in training them for added responsibilities.

The Child Opportunity Program operated by EOPI with Head Start funds is the first concentrated effort to provide day care and establish an educational program for pre-school children under five. Indications are that we need to begin the educational process at a very early age and this program could well become the most significant of all the efforts to eliminate poverty.

We have approximately 850 young people enrolled in an in-school Neighborhood Youth Corps. In addition to the obvious financial benefits to the enrollees, the early training for the world of work should be of even greater worth to them.

The Neighborhood Centers operated by EOPI seem to be effective in moving people to be concerned with the problems of their community. They often demonstrate this concern by appearing before the Board of Public Instruction or in conference with other school officials. The dialogues generated are often not comfortable for either party but the solution to many problems can come only through direct involvement of the people concerned.

Dade County has one of the Follow-Through pilot centers and planning for this project was done by school and EOPI personnel working together. The Community Resources Division of EOPI has recruited, trained, and helped to place a large number of volunteers in schools within low-income areas. The Upward Bound program at the University of Miami has been of considerable benefit to a number of our high school students.

Programs for migrants, health programs, and adult education programs, have all been significant in the lives of children and their families. I know that VISTA volunteers have helped in some difficult situations.

I would be less than honest if I indicated the path to community cooperation has always been smooth. However, I feel Dade County has made great progress and I would urge your continued support of programs which have such tremendous potential for our citizens most in need.

Sincerely,

Joe Hall,
Superintendent.

Holcomb & Holcomb,
Miami, Fla., November 3, 1967.

Hon. **Dante B. Fascell,**
House of Representatives,
Washington, D.C.

Dear Dante: I am deeply disturbed by newspaper reports that the local "war on poverty" has reached a point where it is without adequate funds to continue current operations. I am particularly concerned about the Economic Opportunity Legal Services Program, Inc. which is a component part of EOPI, and which was created through the efforts of the Dade County Bar Association and other concerned groups to assure justice to those who are otherwise unable to retain legal counsel.

This letter is to ask that you do whatever is possible to support the continued operation of EOPI and EOLSPI, with appropriations adequate to these purposes.

Sincerely,

Lyle D. Holcomb, Jr.

Miami, Fla.

Hon. **Dante Fascell,**
House of Representatives,
Washington, D.C.

Dear Mr. Fascell: I feel very strongly that the poverty bill should not be defeated. While I am certain that there have been wastes in administering the program, I feel the benefits have been enormous and will be increasingly so in the future.

Sincerely,

Mrs. Henry King Stanford.

Coral Gables, Fla.,
November 3, 1967.

Hon. **Dante A. Fascell,**
House of Representatives,
Washington, D.C.:

We the chaplains of the University of Miami view with deep concern the curtailing of projects under the OEO in Dade County and elsewhere in the United States as reported today in the Miami Herald. Such action can only result in bitter disillusionment on the part of the poor and the poverty workers alike and much hardship to the former. Some 50 students of this university are volunteers in these programs. We urge you to use your office in influencing Congress to provide funds necessary for the continuance of this work. We also plea that your considerable influence be brought to bear on the OEO to provide emergency funds for the support of these programs pending the action of Congress.

George A. Boyle.
Polly L. Cook.
Richard Graf, Jr.
Frank McCollough.
Henry N. F. Minich.
Donald M. Michelson.
Louis C. Roberts.
Farley W. Snell.

Miami, Fla.,
November 4, 1967.

Representative **Dante Fascell,**
Washington, D.C.:

Headstart day care shouldn't die. EOPI needs your support. The future Miami will thank you.

Dr. Paul Wohlford,
Department of Psychology,
University of Miami.

League of Women Voters
of Metropolitan Dade County,
Miami, Fla., November 3, 1967.

Hon. **Dante Fascell,**
House Office Building,
Washington, D.C.

Dear Mr. Fascell: We appreciate the strong positions you have taken in support of the Economic Opportunity programs and hope you will be successful in influencing other members of the House during the current debate.

The League is particularly concerned with proposed changes in Title 11-Community Action Programs. We feel the change in the structure may put the programs in the hands of local political groups, which could be very damaging in certain areas.

We are most apprehensive about the 10% cash requirement from local sources. As you know, there has been good cooperation between Dade County and EOPI in local contributions but it is exceedingly unlikely we have the cash to meet a 10% cash requirement. In addition, the local budgets have already been established.

The doors have been partially opened. The people are beginning to see some possibility of hope for the future and to trust the assurances of interest and help. We believe the program has been meaningful and significant in its short, experimental history and this is certainly not the time to reduce its effectiveness.

It is gratifying to know that you support these programs as strongly as we do. Your continued efforts are deeply appreciated.

Sincerely,

Elizabeth Metcalf
Mrs. George Metcalf,
President.

Miami, Fla.,
November 5, 1967.

Hon. **Dante B. Fascell,**
House of Representatives,
Washington, D.C.

Dear Mr. Fascell: Thank you for all you have done and are doing to help the Economic Opportunity Program in Dade County. I hope that you will continue to do all you can to preserve what is of worth in the War on Poverty during this week of debate and decision.

As a member of the Development of Human Resources Committee for our League of Women Voters, I have studied the Economic Opportunity Act and its application through OEO and our local EOPI in depth for the last four years. We have been fully aware of the problems and shortcomings of some of the programs in this initial period of trial and error. But I am deeply convinced that the need is vast, that our government should share in the solution, and that much has been accomplished but much more remains to be done.

For one and a half years I have been visiting girls in homes of poverty in West Perrine, Goulds, even some in Cutler Ridge, South Miami Heights and Richmond Heights, as a volunteer with the Women in Community Service, interviewing them for the Women's Job Corps. I have seen many of these girls return transformed. I am grateful that my government has made it possible for me to offer them this chance to help themselves. Other programs that are particularly effective in this area are Child Opportunity Centers, Headstart, and Legal Aid.

Please vote to keep these and other worth while programs going.

Sincerely,

Mrs. Durbin Tabb.

Miami, Fla.,
November 3, 1967.

Hon. **Dante Fascell,**
Washington, D.C.

Dear Dante: I have seen a lot of worthwhile benefits resulting from some of the poverty programs.

Of course, in any area of many and varied activities you are bound to have some goof offs and mistakes.

By and large if we can cut down the cycle of poverty and give folks useful education and employable skills all of us will benefit.

I would hope that you will do your best to continue the poverty program. I am.

With kindest personal regards.

Yours very sincerely,

Abe Gurevitz.

Greater St. Paul A.M.E. Church,
Miami, Fla., October 31, 1967.

Hon. **Dante Fascell,**
Member of Congress,
Washington, D.C.

Dear Congressman Fascell: I am a member of the Board of Directors of the Dade County Economic Opportunity Program, Inc., having been designated in that position by the Advisory Board of the State Department of Public Welfare, District No. 9.

The public welfare program is a very necessary effort. However, it is not enough to simply provide a meager subsistence for poor families without providing opportunities for these families to remove themselves from the welfare rolls and become productive citizens where this is possible.

The opportunity for families to better their conditions of life have been provided through the anti-poverty program, and I can tell you that many of our families are taking full advantage of these opportunities. I have had the chance, myself, to observe, personally, many individuals, particularly in the Coconut Grove area, who have been helped to find jobs, to receive job training, or increased educational benefits for their children. In Coconut Grove the program has made it possible for the St. Albans Day Nursery to take in many more children from poverty stricken families enabling the mothers to go to work.

The Neighborhood Center provides a whole range of other services and has in the relatively short time it has been in existence had a major effect on the Coconut Grove area.

I am hopeful that you will continue your fine efforts to support this program.

Respectfully yours,

Temperance E. Wright.

Christ Episcopal Church,
Miami, Fla., October 31, 1967.

Hon. **Dante Fascell,**
House of Representatives,
Washington, D.C.

Dear Congressman Fascell: I wanted to let you know about my concern about reports that the anti-poverty program may be cutback or in other ways restricted. For those of us who have worked for sometime to provide opportunities for the poor, this is saddening to hear. Our program has just gotten into full swing during the past year and has demonstrated that we can with a combination of local initiative and federal sources provide the kinds of opportunities that enable the poor in large numbers to lift themselves out of poverty. If anything, we need to be thinking about how this program can be vastly expanded rather than reduced.

I have had the privilege of serving as Chairman of the Advisory Committee to the Coconut Grove EOPI Neighborhood Center, as a member of the Board of Directors of EOPI, and as Chairman of a special committee investigating the work of the agency. I am, therefore, in a good position to know the kind of work that is being done. I can assure you that if this program is reduced at this time, it will be a great tragedy for all of us living in Dade County.

Sincerely yours,

THEO. R. GIBSON,
Rector.

NOVEMBER 3, 1967.

Congressman DANTE FASCELL,
Rayburn Building,
Washington, D.C.

DEAR SIR: I am writing to you to plead with you to help us continue the existing E.O.P.I. program in Miami.

These programs have helped the poverty-stricken people in Miami in many ways. It is giving people with poor education a chance to raise their level of living through retraining programs and by providing over 800 jobs.

It has enabled mothers to go to work and raise their family's income level. It has relieved the welfare rolls of many people.

E.O.P.I. has given over 1,000 children medical and dental care that their parents could not have afforded to give them. We have taken these children to places they would never have seen otherwise, thus enriching their lives. We have taught them to recognize the various community helpers and what they do. We taught them to recognize their colors and the names of the foods they eat.

Some children never knew their legal names until E.O.P.I. teachers and aides taught them their first and last names.

Other children never knew what it felt like to wear clean clothes and shoes. Others were rarely given baths or had their hair washed.

Some of our children are now in first grade. They read better than their older brothers and sisters because of past experiences we were able to give them.

These children and their parents need the services of E.O.P.I. if they are ever to break the poverty barrier.

Please help them by passing the bill giving Miami the funds necessary to continue the program as in the past.

If the amendment requiring Miami to provide 10% of the funds in cash, we will probably not be able to raise it and thus the programs will be forced to close. Defeat this amendment and let us continue as in the past by providing 20% of the total amount in in-kind contributions.

Sincerely,

JUDITH R. KARP.

HOMESTEAD, FLA.
November 1, 1967.

DEAR MR. FASCELL: The John F. Kennedy Neighborhood Center, in Homestead, Florida is one of the most wonderful things that could happen to any community.

The Center is well on its way to progress and it's very much appreciated by the Community.

They are always there in the time of need. Some of the mothers in the community can't furnish transportation for their children, and they send someone to pick them up, and also bring them from the Day Care Center. This kind of a problem a working mother, without transportation can appreciate.

They are doing a very well in finding jobs for the unemployed.

The J.F.K. Center is the most outstanding center in Dade County. The reason for this, the workers are very much interested in their work and progress of our center. To prove it, they make sure the community know what's going on by send fliers, pamphlets, letter and other things to notify the community of what's going on in the center.

The ideal of The Neighborhood Center can be marked as: "Mission Accomplished".

However I hope the government will continue to give Federal Fund for this purpose.

Thank you.

Sincerely,

MRS. J. E. COLLIER.

Mr. Chairman, I also feel that the support of the major newspapers in Miami, both editorially and in numerous articles is quite significant, and I would like several of the key editorials to also be made part of the permanent RECORD:

[From the Miami Herald, Nov. 8, 1967]

THE POVERTY PROGRAM AND A QUESTION OF SIZE

"Mutiny on the Bounty" someone called it years ago when relief clients went on strike against the WPA. That would not apply to anti-poverty Director, Sargent Shriver, who threatens to quit if Congress cuts his budget to tatters, but it does revive the real issue of the jobless.

In certain respects, Mr. Shriver is correct. The poverty program which we see as a substitute for the endless cycle of public relief ought to be workable or it ought to be abandoned. The appropriation which can make it thus has a crucial, critical size in dollars.

The Johnson administration has been told that the House Appropriations Committee will not approve more than $1.6 billion. The Office of Economic Opportunity had asked for $2.06 billion. Some House Members are talking of a cut to $1.2 billion. At this figure programs which Congress itself has conceded are worthwhile and working would have to be eliminated and not simply curtailed. Of the Job Corps, the Committee majority said: "The Job Corps is making a significant contribution toward the eradication of poverty."

If the OEO lives, then, with the recommended $1.6 billion maximum appropriation, it should strive to do so in good faith.

The fiscal situation of the U.S. demands some trimming of public expenditures. All the job training in the world would be useless in a country overrun by rampant inflation and headed for depression.

Within responsible fiscal limits and with sound administrative practices, the country should make every effort here and now to break the poverty cycle and rehabilitate people who can be producers. The record of public welfare is full of stories of families which have lived in idleness at great public expense over three generations.

The war on poverty cannot be won with political spending by vote minded politicians. But neither can it be won in the name of humanity and the national economy by political indifference. It's time to pass the ammunition—in the right size.

[From the Miami News, Nov. 2, 1967]

SHELLING THE POVERTY WAR

The effort among Republican and conservative Democratic congressmen to kill off the War on Poverty could, if successful, develop into an American tragedy.

Federal support for the poverty war is little enough as it stands. The bill under consideration would provide about $2 billion for the fiscal year. Even when you add to this a few related housing and welfare measures, the total comes nowhere near the $25–$30 billion we are spending in Vietnam.

Now, the House Education and Labor Committee has tacked on a provision which, if it becomes law, could put many local programs out of business, including our own in Dade County. The provision would require local programs to come up with half rather than 20 per cent of the total budget. And the local contribution would have to be in cash instead of services.

Richard Weatherley, director of Dade's Economic Opportunity Program, Inc., doubts that the program could long continue under these provisions. In fact Mr. Weatherley, who is not given to alarmist statements, says the impact of such a law would be "devastating."

Reps. Dante Fascell and Claude Pepper must make it clear to the House when this measure reaches the floor that the poverty effort is essential in Florida, and especially in Dade County, where it has operated successfully for three years. We shudder to think of the state of our ghettos, bad as they are now, if it had not been for the EOPI.

Unfortunately, of the 12 representatives from our state, only Reps. Pepper, Fascell and Sam Gibbons (D., Tampa) have given the program much help.

We hope the House returns to reality when the time comes for a final vote on this measure.

Mr. BROYHILL of Virginia. Mr. Chairman, the American people are demanding that Congress stop the wasteful spending which has forced us to the brink of disaster with a $29-billion deficit. They want a good bargain for every dime we spend in their behalf.

So where do we cut, Mr. Chairman? The school lunch program? The highway construction program? The postal service?

No. We must cut where the waste is, with the OEO.

The Office of Economic Opportunity as it is constructed and operated today is a bad bargain for America. It is a bad bargain for the poor and a bad bargain for the taxpayer.

It has been infested with a cancer that cannot be cured. It has generated a philosophy that cannot be endured. It does not belong on the floor of this House as a subject to be debated.

The OEO and its web of agencies spinning off into every community in Americe under its leadership is rapidly becoming a creature of black power and roistering radicalism that will hurt this Nation for generations unless we stamp it out.

You would have difficulty getting a commission in the Army with a series of minor offenses, but you can have an arrest record as long as your right arm and still be on an OEO payroll at $15,000 or more.

You cannot keep a job with a Government agency if your debt record is bad, but you can work for the OEO in a position of responsibility if you are a bad-check artist or an advocate of untrammeled illegitimate births by teenagers.

You cannot get a pay raise in the civil service unless your record is pristine with innocence and devotion to duty, but you can get on the OEO dole and agitate for higher salaries even if you are a narcotics addict or a refugee from a criminal asylum.

The Washington, D.C., poverty agency, UPO, has been for many months in the hands of men with long records of agitation for leftwing and black power causes.

Its employees have used their days at UPO to plan evening and weekend marches around Washington, threatening police in Washington and nearby jurisdictions, and defying local ordinances as if they did not exist.

Their youth program is being directed by an uneducated hoodlum, who is being paid nearly $10,000 to lead 13- and 14-year-old boys through the alleys of Washington picking up trash. He is a paroled felon who came to their attention when he led sit-ins and protest marches against the District government after the shooting of another felon by a policeman. In the few short months since they found him, he has been involved in an incident in which a television set was thrown through a window; another during which his boys harassed the Washington Redskin Band at a home game forcing the band to leave the game under police guard. Then there was a fire at a dime store when he ran along the line of firemen yelling "burn, baby, burn, if you need more fire we will get for you." Just this weekend, he led his boys in an illegal march on the White House, and last week he just happened to be at the Coliseum with his boys when trouble broke out there.

I am not talking ifs, ands, or buts, Mr. Chairman. These are facts. The papers are full of them; the television screens livid with them.

We are not debating legislation here, Mr. Chairman, but a way of life.

Each evil and diseased mind, put in a position of trust and leadership by any branch of the Federal Government breeds and spawns a hundred more who will be on the street corners of America tomorrow unless we stop them.

What do you think we are breeding into the bloodstream and mentality of our nation when we continue to tolerate the handpicking of criminals, crooks, and radicals to fight the poverty war for decent Americans?

The answer is obvious. We are gutting our own future.

Some of my colleagues say lay off, let the police handle it, let the FBI investigate it, let the President's Commission ponder it. One of our most esteemed colleagues on my side of the aisle told me he hoped that we can revise this program so as to make it work, so we would not be charged with killing it.

My people in the 10th District do not feel this way, Mr. Chairman. They want me to echo their alarm, and I do with all that I have to offer in reason and concern.

We can cure poverty, and we will. But we cannot cure the OEO by doctoring it, pampering it, or ignoring it. We can eliminate it. And we should do so with the same dispatch with which it was created.

We must look at poverty and unemployment at the same time. We must look at the countless thousands of jobs going begging in this country—the Board of Trade estimates that we have 50,000 in the District of Columbia alone. Then we must help the unemployed find employment, and those who are unemployable learn skills.

OEO is a creature of this Congress, Mr. Chairman. So are its mistakes, its flaws, its dangers. The consequences of its risks will also be a creature of this Congress. OEO has not and will not seek to cure poverty, except in its public utterances. It seeks to manipulate poverty and in the process the will and acts of this Congress and this Nation.

OEO is sinking into an abyss of radicalism as rapidly as it can close the basement doors where the planners gather. It will only dig deeper into the mainstream of America if we let it survive. And the deeper it goes, the more malicious its activities will become.

The OEO has made its own record so far. Let us conclude it while we have the monster that record reveals before us now.

We know, Mr. Chairman, that permissiveness has allowed the radical and criminal element to be injected into the leadership of our antipoverty programs.

We are spending some $35 billion for our State and Federal antipoverty programs overall, while stacking on top of this an annual crime debt costing each adult citizen an estimated $574 in annual losses.

We ought to be getting more for our money, Mr. Chairman. Certainly those in dire need of help ought to be benefiting more from this vast sum being spent to alleviate their plight.

Far too often, Mr. Chairman, money from the OEO is wasted by agitators instead of finding its way into the pockets of the poor.

The Office of Economic Opportunity, in an internal report issued last March and commented on in at least one instance in the press, envisions, and I quote "more money—much more, beyond any current wild dreams."

> Public decisions in the U.S., whether Federal, State or local—

It continues—

> are arrived at in a large measure by a political bargaining process. And one reason for the lack of services of all sorts to the poor has been the weakness in this bargaining process. As the bureaucracy hardens with age the bargaining power of the clientele—the poor themselves—will increase.

Apparently some OEO officials consider the $35 billion now being spent to help the poor little more than a temporary handout. Waste does not seem to concern them, nor is there to be any curtailment on the purse strings and radical and leftwing elements concentrate their efforts on pursuing their own programs within the OEO framework.

Saturation spending seems to be the goal of OEO, Mr. Chairman.

And the way to reach this goal, according to the vision of the OEO officials, is to constantly demand more control of the funds by the poor.

This is a fiction, Mr. Chairman. It is not the poor who are constantly being given more control of poverty funds, but the radical and loud spokesmen for the poor.

We see this pattern unfolding in our streets and in our newspapers every day. If the Congress wants to deliberate and select a wise and equitable spending of the money it is accused of neglect of the poor and the very hallways of Congress are subjected to physical assaults disrupting the deliberations of elected officials.

If the objective is to let the poor run the show, why is there a need for a Sargent Shriver of the OEO? Why not just start the printing presses rolling, turning out millions of Government checks—OEO estimates there are 30 million who can qualify as being poor?

Why not pay off the noisy, the radicals, the rioters—buy their silence and eliminate the nuisance of their actions with cash?

The reason is, Mr. Chairman, that the American people do not want their money spent this way. They are tired and troubled with waste in the use of their funds.

If the goal is to make the poor rich and the rich poor, then the poverty warriors are asking us to adopt the goal of every socialistic government that has ever existed. And we stand about as much chance of accomplishing the goal as the record of socialist failures throughout the world indicates.

The decent people of America are concerned about the problems of poverty and are willing to make whatever sacrifices are really necessary to solve them. So are the decent Members of this Congress and the Federal and State governments.

But the job cannot be done with endless funding, endlessly wasted. It must be done by careful planning and consistent control of the funds allocated to the various programs. This would not include the use of funds either directly or indirectly by employing agitators and rioters on the OEO payroll, who then have access to cash and prestige in laying out policies in direct contravention of the wishes of Congress or the good sense of the American people.

It does not take a Phi Beta Kappa to discern what is taking place. One radical employed by OEO in a position to employ others will load the payroll with those who think and act as he does.

In the District of Columbia an almost endless roll can be called of those who are using OEO as a springboard for promoting radicalism and un-American standards to what they want to accomplish—not what needs to be done to alleviate the plight of the poor.

Rehabilitation of wayward citizens is a laudable goal. But giving them positions of influence and power far behind their means to handle it and influence others in the pursuit of equity for all Americans is not the way to get the job done.

The Washington Star on December 11, 1966, described the actions and organization of activists in opposition to a commonsense approach to antipoverty efforts in Washington as a militant underground. Included in the list of the so-called underground were almost every activist member of the UPO organization.

A deputy director of UPO has run the gamut of leftwing organizations from Fair Play for Cuba to close association with known members of the Communist Party. He has a police record.

One $50-a-day consultant at UPO makes speeches to Communist Party groups. He, too, has a police record plus a record of agitation against policemen and enforcement agencies of the Government.

All of us know Stokely Carmichael and H. Rap Brown, whose antics and interests are interwoven with UPO activity here. Mr. Brown was a neighborhood worker for UPO just before taking over the SNCC chairmanship from Carmichael.

One UPO employee was quoted extensively in local papers advocating that teenagers not be dissuaded from engaging in sexual promiscuity.

Another advocated clemency for the atom spies, Julius and Ethel Rosenberg.

A number of others whose activities are funded by OEO have advocated doing away with public schools. One, a paid consultant, stated that what is needed in the Washington area is more violence.

The head of a UPO-financed school was arrested and indicted on 10 charges of violating the Narcotics Act. He was found not guilty by reason of insanity and after a short confinement in a mental hospital was freed to commit another offense which is still pending against him.

Many others, taking antipoverty funds in one form or another, spend much of their time arranging demonstrations, participating in demonstrations, and goading on the demonstrators to violate the law. They are almost too numerous to mention.

Collectively, however, they set a pattern for activity and favoritism of employment that is clear to anyone taking the time to look into the backgrounds of those in the forefront of agitation in this area.

It is not accidental. It is, instead, the direct consequence of intent and dedication to disrupt and destroy the peaceful activities we are undertaking as a government to help the poor.

No Federal funds, no State funds, nor local funds in any manner, shape or form should go to those dedicated to the destruction of this Nation, whether they are serious about the game they are playing or simply playing it for kicks. The same rule should apply and be enforced against those whose activities reveal a pattern of law violations.

We face enough hazards, Mr. Chairman, in our efforts today, without risking those which are spawned by irrational minds or from criminal intentions.

If we are to face a continuous long summer in seeking an equitable solution to our poverty programs, let us be armed with an adequate leverage to enforce the standards of justice and decency for all of our people. The reduction of our way of life to the disorder and fear of riotous militance will solve nothing.

When a Government agency creates more problems than it solves it is high time the Congress has a long and introspective look at what is going on. The need was never more vital than it is concerning the problem we are deliberating today.

Mr. ST GERMAIN. Mr. Chairman, it is with a special sense of pride and satisfaction that I include in the RECORD an article about VISTA—the Office of Economic Opportunity's volunteer program—which appeared in the Providence Sunday Journal magazine, the Rhode Islander.

This article features the work of Miss Kathy Swan, who is the daughter of Mr. and Mrs. Frank H. Swan, Jr., of Barrington, R.I. Miss Swan is serving very effectively as a VISTA volunteer among the poor in Kansas City, Mo.

Mr. Chairman, I commend to my colleagues' attention this excellent article about the work Miss Swan and other dedicated young people are providing in the Office of Economic Opportunity's VISTA program.

[From the Providence Sunday Journal Rhode Islander magazine, Oct. 22, 1967]

A VIEW FROM VISTA

(By Kathy Zihlman)

Small refrigerators that leaked gas and didn't chill the food; rents that fluctuated from month to month, frequently above the advertised maximum; rats and roaches; a missing master key to every apartment; vandalism; no public transportation; small stores that charged 20 per cent more than inaccessible supermarkets. . . .

These were the conditions that faced thousands of tenants in seven Kansas City, Missouri, public housing projects in the fall of 1966—and that also faced a newly-arrived young Rhode Island woman.

For Kathy Swan, 24, was a VISTA, a Volunteer In Service To America, assigned to work a year with the Human Resources Corporation, a social service agency. She is the daughter of Mr. and Mrs. Frank H. Swan, Jr., of Adams Point Road, Barrington.

She met the public housing tenants and learned of their problems shortly after her arrival. She discovered that the housing projects were managed by the city housing authority, a five-man board which held closed meetings to set housing policies for the projects.

"Five men were deciding how these people should live," said Miss Swan, "and only one of these five had ever been in a public housing project."

Complaints were handled in management-called meetings, she said, describing them as "regularly scheduled occurrences where people got up and made a lot of noise, let off some verbal steam, and left highly dissatisfied, knowing that nothing would happen."

Miss Swan and several other VISTAs began knocking on doors in one of the projects, discussing complaints with the residents and holding small meetings in apartments. One man invited her in and showed her a kitchen cupboard swarming with roaches. "He called it 'Their Room'," said Miss Swan. "Only one apartment is exterminated at a time, so the roaches leave and then come back. Even in the very clean apartments, we saw roaches running up walls."

The smaller meetings led to a meeting of all the tenants in one of the seven projects. During the session, the VISTAs informed them of results tenant organizations across the country had achieved. The tenants decided to form a similar organization, and elected officers at once.

Encouraged by Miss Swan and the other VISTAs, members of the tenant association decided to present their grievances directly to the housing authority, and contacted the six other housing projects for a joint meeting.

"It was the first time representatives from all the projects had gotten together," said Miss Swan. "They decided to form a council and elect a president to speak to the housing authority. Representatives from each project would accompany him."

Subsequently, the council took a survey of the tenants in all seven projects to determine the most prevalent grievances. Then, wtih the help of an attorney, the council drew up a new lease which provided for correction of the problems. The council elected a four-man team to negotiate with the housing authority.

Tenant associations also proved themselves in other ways, said Miss Swan. "One association took a petition to City Hall and succeeded in having stop signs put up on streets within their housing project. The housing authority replaced locks in a project where the master key was stolen. The tenants have obtained better security measures for their apartments. The housing authority went on an intensive rat control campaign and the rats were virtually eliminated in one project."

Two of the most common complaints—lack of public transportation and high grocery prices—have yet to be appreciably solved.

Though housing authority recognition of the council was slow in coming, the authority now corresponds regularly with the council, giving advance notice on policy changes. "This is unusual," said Miss Swan. "Before, the changes were announced after they had already been put into effect."

Mr. WATKINS. Mr. Chairman, no matter what it is called, no matter what fancy terms are applied to it by the social planners and economists, the Office of Economic Opportunity is just a fancy name for the biggest giveaway, welfare program ever foisted on the American taxpayer.

This seems to be the only thing the OEO can do better than any other agency—dream up fancy names for projects, not one of which is really new, just more expensive.

The latest one to come to my attention is something the OEO calls the "negative income tax." It is to be tested in New Jersey and is boomed by the social planners and economists as an incentive for the recipients to work. Now, let us cut out the fancy words and see just what will happen. It is very simple. Some 800 New Jersey families already on welfare will be handed about $100 more a month in welfare payments for 3 years. It will cost the taxpayers over $4 million, but only $2.8 million will actually get into the hands of the poor. The rest will go to pay the expenses of travel, salaries, and evaluation of OEO officials and a private research firm. These figures mean simply that over 25 percent of the taxpayers' money OEO claims is going to lick poverty will never reach the poverty-stricken, instead being siphoned off for high salaries and extensive expense accounts. And, I think I can give them the answer they seek without spending $4 million. Anyone already on welfare who is given even more money without working for it, just will not seek employment. Why bother working if the Government will give you even more funds than you now receive for not working?

In my own district there are two agencies through which OEO funds are funneled. In Delaware County it is the Greater Chester Movement, with 1,018 people being paid $1½ million during the year ending in August. In Chester County it is the Community Action Board, with 102 employees and funds totaling $233,412 during the same period.

What have they accomplished that could not be done by another agency besides putting a total of 1,120 people on their own combined payrolls? I say nothing. And I base this on information supplied me by the professional staffs of the two organizations. Let us look at Chester County first. There only two programs have been operated, yet it takes five employees at a cost of $77,308 to supervise them. One is called a "residential participation program" operated by six employees out of two offices. The other is Operation Headstart. While carried on the books as an OEO project, it has actually been operated during the past year by the county board of school directors. It did serve 400 children, but it could have served just as many had it been funded through the Department of Health, Education, and Welfare, and the high cost of administration at CAB would have been eliminated.

I cannot tell you what the residential participation program accomplished, or did not accomplish, since the two assistant directors of CAB my staff conferred with could not, or would not, I do not know which, provide the answers.

But, let us assume that it operated like the Neighborhood Action Centers maintained by the GCM. What did those four centers with a staff of 25 accomplish. GCM claims they helped 500 people obtain jobs. Very good, but the same sort of help, and on a higher professional basis, is already available through the Chester office of the Pennsylvania State Employment Office.

Make no mistake about it, GCM is a big business, with 25 full-time employees in central administration. Now here is what they administer, besides the fancy-named Neighborhood Action Centers: Neighborhood Youth Corps, 131 employed to provide work training for 577; Headstart, 112 employed to service 1,285 children; Opportunity Center, 50 employees, with 355 students in prevocational training, but not one trained well enough to be placed in the trade taught, and 577 in basic education classes, of which only 12 were given high school equivalency diplomas.

Let me pause here to discuss this part in more detail. The so-called GCM schools are not certified by the Pennsylvania Department of Public Instruction and as such their diplomas are meaningless. At the same time, the Chester School District, which is certified, has available every course, plus many more, offered by GCM, and offers them day and night for everyone. It offers tuition-free adult evening classes in just about any subject you can mention, and it also operates vocational training courses under the Manpower Retraining and Development Act. The latter program provided training during the last year for 443 students in 10 different trades and 358 obtained employment in private industry, while the rest were still undergoing training. Compare that record to the record of GCM.

Of the 1,018 GCM employees, some 200 were employed during the summer under another label, "summer impact program." This included such things as door-to-door distributors of OEO literature, some recreation workers, and something called area youth workers. The latter were simply teenage gang leaders who were paid $60 weekly not to cause rumbles. And, what was offered in the way of programs for these gangs? On August 2, a GCM official said a course in karate was to start for these gangs. I do not know what was planned next—perhaps lessons in how to make zip guns.

There were another half dozen programs, but the ones I mentioned are typical examples and the principal programs offered by GCM.

I think there is a definite need for educational help for the underprivileged and job training for the unemployed and underemployed. But I do not think the answer lies with the Office of Economic Opportunity. These programs should be conducted through the appropriate existing Cabinet-level departments already in existence. The only jobs the OEO has actually provided are those on its own Federal payroll.

The OEO was born in haste as an expensive publicity effort to buy the support of the poor for the Johnson administration. I think it should now be buried in equal haste and let the Congress turn to constructive, well-thought-out programs to aid those who need help through already existing departments.

Mr. HELSTOSKI. Mr. Chairman, yesterday the prestigious New York Times published a classic editorial placing the blame squarely on Republicans and their reactionary allies in this Congress for the attempted mutilation of the national antipoverty program.

The Times said bluntly:

> Because of Congressional irresponsibility the work of the Office of Economic Opportunity has been seriously disorganized. Projects are stopped and started, funds slashed arbitrarily, hopes raised and dashed. The agency's employees are becoming demoralized . . . and the unorganized poor are increasingly disheartened. It is a shameless performance.

Truer words were never written.

The leaders of the Republican Party and its so-called opportunity crusaders will have to bear a heavy responsibility if this program dies.

They will have to bear the responsibility for an end to Project Headstart and its help to 2 million poor children; for the dissolution of the Job Corps, whose thousands of enrollees will be denied training and education; for the end of VISTA; for the paralysis of day care centers, for the collapse of one of the most enlightened social programs ever put forward by any administration.

We must not let this happen to one of the finest Johnson programs ever conceived.

The Congress cannot stand by helpless as backward men try to undo what so many have worked so hard to create.

I hope the people of the cities, the poor, the minorities, and all those who seek justice and opportunity, keep this act of destruction in mind when November 1968 rolls around.

I think that the friends of justice should be rewarded and the enemies of progress punished at the ballot box.

We have not seen the end of this controversy. I hope it will result in a change of conscience in this House. But if it does not, let the blame rest with those who have shown their cold disdain for the poor and the needy.

I ask consent to insert in the RECORD the November 7 editorial from the New York Times entitled, "Whose Opportunity Crusade."

WHOSE OPPORTUNITY CRUSADE

"Tragically weak . . . reckless waste . . . ineffective." The words ring forth in the statements of Representative Ford of Michigan, the House Republican leader, as he denounces the antipoverty program.

It is strange that Congressmen who would not dare break faith with cotton and tobacco farmers over price supports or with the Rivers and Harbors Congress over a navigation project have no compunction over breaking faith with the nation's poor.

Because of Congressional irresponsibility, the work of the Office of Economic Opportunity has been seriously disorganized. Projects are stopped and started, funds slashed arbitrarily, hopes raised and then dashed. The agency's employes are becoming demoralized and its politically feeble clients—the unorganized poor—are increasingly disheartened. It is a shameless performance.

Because Congress has not acted on this year's appropriation and has allowed the temporary continuing resolution to expire, OEO has had to cut off the $30 a month paid to each Job Corps member. The 4,000 VISTA volunteers are deprived of their pittance of $50 a month. Community action programs that run day-care centers for working mothers and provide legal and health services have folded. The Head Start program for preschool youngsters cannot be made into a year-round program. The Follow Through program which was intended to capitalize on the achievements of Head Start now looks like a budgetary casualty.

Bitterness and social unrest in the urban ghettos and the rural slums can be the only consequences. Those who are guilty of this planned disaster are Representative Ford, his senior Republican colleagues in the House, and their allies, the reactionary Southern Democrats. They are guilty of killing the continuing resolution that is shutting down antipoverty programs across the country as funds run out. They are guilty of the political guerrilla warfare against the antipoverty program which is now underway in the House.

Representatives Goodell of New York and Quie of Minnesota, the principal Republican spokesmen on the antipoverty bill, insist they are all for the aims of the program but just want to improve it. But their voting record makes their substitute "Opportunity Crusade bill" look suspect.

In every year since the antipoverty program started in 1964, Messrs. Goodell and Quie have voted against final passage, for recommittal, and for every crippling amendment. The weight of their influence is not to improve or strengthen the program. They are willing to kill it but not accept the responsibility. The "opportunity" they are seeking is their own political advantage. It takes a lot of gall to vote against the poor and then call it a "crusade," but many a gentleman in Congress is brave when it comes to defeating the defenseless.

Mr. HUNT. Mr. Chairman, with the consideration of the Economic Opportunity Amendments of 1967 now before the House, I have occasion to call attention to the Members of this House a timely review of a community-developed summer school program which might well be compared with the Headstart program under the Office of Economic Opportunity.

This program was initiated by the Westville, N.J., public schools, in cooperation with the Westville Borough Council, when it was felt that greater use should be made of the school facilities during the summer. Here is a town, which I proudly represent, with a population of approximately 6,000 people listing an elementary school enrollment of 435 students during the regular school year. The summer program is open to public and private school elementary students, grades 1 through 6, living in Westville. During its first summer of operation, 1967, 373 students were enrolled, or in other words, almost 86 percent of the total enrollment during the regular school year.

Under the 4-week summer school program, the students may chose two hour-long academic courses and two half-hour recreational courses to fill their 3-hour morning at the school. Among the academic classes offered are courses in reading, modern math, arts and crafts, and band. A remedial reading course is also offered.

Recreational courses include music, outdoor sports, library, gymnastics, music appreciation, and tennis. This portion of the program was previously administered as a separate activity by the borough council, which accounts for its 35-percent participation under the new program.

The school superintendent, Mr. Carl E. Sheetz, attributes the program's obvious success to the liberal mixture of academic and recreational experiences.

Fourteen teachers, not including helpers, worked on the program teaching graded classes of different sizes, ranging from six in a remedial reading class, for example, to an arts and crafts class of 25.

The pride of the program, Mr. Chairman, is the fact that the ideas, the program, and the money came solely from the community.

With reference to costs, the figures for the 1967 summer school have been compiled showing a payroll of $4,392.50 for teachers and helpers, and a cost for supplies of $599.89 for a total expense of $4,992.39. These figures, therefore, represent a cost of $13.38 per enrollee.

Mr. Chairman, for the sake of a cost comparison, figures confirmed by OEO for the 1967 Headstart summer program, 8 weeks duration, showed an enrollment of 456,981 and a total program cost of $101,311,630. This represents a cost per enrollee of $221.70. If this figure were to be divided by 2 to arrive at an approximate cost per enrollee for 4 weeks, it would be $110.85, although certain fixed costs could raise this figure higher.

I realize that Headstart is essentially a preschool program for disadvantaged children which is designed "to offset the 'progressive retardation' observed in deprived children during their years of schooling." I am also aware that the Headstart program may be somewhat broader in scope in that certain medical and dental services are provided.

I submit, Mr. Chairman, that the Headstart program has demonstrated the greatest merit and potential of all the poverty programs. However, I commend communities such as Westville that have developed programs through their own initiative, and whose efforts bring to light a more fundamental question—How can the objectives of preschool and followup programs, both summer and full year, be most effectively realized?

It is already a fact that a number of preschool, followup, summer, and full year programs can be and are funded under title I of the Elementary and Secondary Education Act. The appealing feature of funding under the Education Act is the fact that such programs remain under the administration and control of public educational agencies.

This, Mr. Chairman, I believe to be the heart of the matter. Thousands of communities are genuinely interested in these programs, but it is quite evident that a substantial number of communities could not implement preschool programs where they are most needed without Federal assistance. The Office of Education is unquestionably the most logical and professional agency to insure that maximum benefit is derived from the Federal Government's participation, and the most responsible approach to avoid the inherent wastefulness of duplicated resources and effort.

Mr. GALLAGHER. Mr. Chairman, the initial success of the war on poverty is the one fact that cannot be overcome by those who would cut deeply into the poverty bill today. That success has cast an indelible mark on the face of America through a commitment to help those who by fate and circumstance have been overlooked in all of our past societal makeups. All of the insincere polemics and substitutions cannot obscure the very basic fact that the poverty program has worked in the past, is now working, even though severely strained by lack of funds, and it promises to work in the future with, perhaps, greater impact on the world in which we live.

The war on poverty is a commitment fostered by President John Kennedy and carried into visible truth by President Lyndon Johnson. The war on poverty brought promise to the promised land and some measure of hope to the hopeless. Our commitment has seen fruition in raising a Job Corpsman's average pay from a little over $1 per hour to almost $2 per hour, in bringing a Headstart child from the oblivion of the slum to some understanding of and care for the outside world, in training a man to work in dignity and self-respect to raise his children as decent, law-abiding citizens of this great land we are so fortunate to inhabit. The poverty programs have not brought a miraculous end to the scourge of disease, slums, and crime. Perhaps, if anything, the war on poverty has shown us a deeper realization and recognition that these do exist in America today and many of our fellow citizens suffer because those circumstances do exist.

I would like to look for 1 minute to the very particularized impact of the war on poverty on the 13th Congressional District of New Jersey. Since early 1966, the 13th District has received over $8.4 million in Federal funds for the war on poverty. Of this total, $1.6 million was spent on Neighborhood Youth Corps projects involving almost 1,900 participants. The Office of Economic Opportunity ran Headstart programs in the 13th District which involved almost 1,000 prekindergarten children and their parents. Two hundred and seventy men and women benefited from a poverty grant of $17,483 for adult basic education. Three hundred and forty-eight people participated in work-training programs at a cost to the Federal Government of $318,663. The 13th District is fortunate in having a Women's Job Corps center involving, when completed, over 600 young women, at a cost of $4,013,125. Over $2 million is being used to run community action agencies in the 13th District.

Mr. Chairman, the war on poverty in the 13th District of New Jersey has a direct impact on almost 3,300 people in Headstart, Job Corps, Neighborhood Youth Corps, and other direct action projects. In addition, the CAP agency centers throughout the district provide family services, job counseling, health services, day care centers, special educational programs, consumer education programs and miscellaneous services which cannot be adequately categorized because they are designed in response to local needs by the local CAP agency.

Mr. Chairman, the overwhelming evidence presented to the committee indicated that these services were reaching and helping the poor. The community action agencies in the 13th District reach additional thousands of poor people and families through these various indigenous programs and services.

Mr. Chairman, the programs of the OEO have had a tremendous impact on the 13th Congressional District. I have received over the last few days, hundreds of letters and postcards from poor people, from middle class people, and even from the well-to-do asking that I vote to continue the war on poverty. These are the people who know that the war on poverty programs are succeeding; these are the people who can see first hand the good these programs are doing.

Last summer and the summer before, this Nation saw many of its cities turned into battlegrounds of hate and fear, of lawlessness and frustration. The 13th District has seen the beginnings of riot, but has escaped because of the understanding and responsibility of the people who live in the district, and the public officials and police who serve on the local level. The people of the 13th District know what the ugly word "riot" means, because we are separated from the city of Newark by only a short expanse of marsh.

Mr. Chairman, voices were quickly raised during the summer saying that we cannot tolerate violence and we should not reward those who would flout the law. And we cannot tolerate lawless violence, but neither can we tolerate the conditions that lead to violence in our streets. We cannot afford to tolerate the spark of discontent that lies now under the fabric of the society in the slums of America. It is a spark fanned by the slum landlord and the oppressive credit account. It is the discontent brought by the increasing realization that there are two standards of justice, health and convenience in America—one standard for the poor and one for the rest of America. The underlying discontent is just, and it brings with it a moral responsibility, wrought by political realism and economic necessity, to provide a lone standard for American society. It will only be through programs and intelligent policies, like the war on poverty, that we can have in America an equality of opportunity for all citizens.

Mr. Chairman, the recommendations of the Education and Labor Committee will tighten and streamline the OEO and its programs. The changes we are considering achieve this not by dismantling OEO, as many advocate, not by changing the original purpose of OEO, but by recognizing that no program is perfect, yet realizing that the basic philosophy and basic precepts are valid and valuable. The worst thing we could do today is to destroy the war on poverty by failing to see its successes and trying to drastically change the programs to eradicate a few shortcomings that affect only a small portion of the overall effort.

Mr. Chairman, Jersey City, N.J., is one of the 35 communities in which Community Action efforts will go broke this month unless we meet our clear responsibility with regard to this legislation and a corresponding appropriation. As the Washington Post, in its lead editorial, pointed out this morning, the Cando program in Jersey City is "completely out of money, with workers on a volunteer basis, and forced to borrow or beg to continue aid to some 10,000 families." So crucial to our city is the Cando program that the Jersey City Council, which, of course, already bears a maximum financial burden, has assumed the responsibility of temporarily supporting Cando until Federal action can be assured. But this extra burden simply cannot be borne by the city for more than a short time, and we must act without further delay if disaster is to be avoided in Jersey City and many other communities across the Nation.

Mr. Chairman, I urge that we accept the bill as reported by the committee. By our acceptance we will reaffirm our concern for our fellow men and we will assure to this Nation its continued health and prosperity. The editorial follows:

[From the Washington (D.C.) Post, Nov. 8, 1967]

THE WAR AGAINST THE POVERTY WAR

Only because there are so many more rich people than poor people in this country, and because the poor are clustered in small pockets of abject poverty, is it possible for so many members of the House of Representatives to mount so cruel and reckless an attack on the war against poverty. If their assault prevails in the voting that begins today, they may find some comfort in the damage this will do to President Johnson's Great Society. But it will be a cold kind of comfort. For, in the words of OEO Director Sargent Shriver, they will be engaging in both a "deduction . . . and a fraud."

It will be a cruel delusion for the poverty-stricken who had come to believe that help in increasing quantities was on the way. And it will be a highly dangerous fraud. For there is at home, as Adlai Stevenson once said of the less developed world, a "revolution of rising expectations" which will almost certainly be translated into wider violence and greater disorder if reasonable expectations are denied.

The Administration is seeking $2 billion in poverty funds, an increase from the $1.6 billion it received last year for such projects as the Job Corps, Community Action Programs, and Head Start. The Senate has approved this, and a bit more. But a motley coalition of Republicans and Southern Democrats in the House is trying to slash this year's appropriation down to $1.2 billion, a figure that OEO believes would cripple its activities—cripple them in real terms and in terms of the psychological impact such a cut would have on the hopes and aspirations of the poor.

There was, at an earlier stage, some rational quality about the House attack on OEO, some sense that the program wasn't working well and ought to be overhauled or even scrapped, with its projects turned over to regular Government agencies.

A logical case can be made for conducting the poverty war differently; the art is not all that far advanced. But only three, of some 700 witnesses who have appeared before Senate and House hearings, were prepared to advocate dismantling of OEO. The vast majority recommended more funds, not less. None suggested the sort of senseless hacking which now threatens the poverty bill. Only the worst sort of partisan politics, on the part of many Republicans, and sheer indifference on the part of many Southern Democrats can explain the kind of irrationality which led the House to exempt OEO from Federal pay increases and which has left much of the poverty war without funds since Oct. 23 for failure to pass normally routine appropriations to maintain present programs until the larger appropriation question is resolved.

By Nov. 23, some 35 Community Action Programs will be in much the same shape as the project in Jersey City is in right now—completely out of money, with workers on a volunteer basis, and forced to borrow or beg to continue aid to some 10,000 families.

A belated move was made yesterday to appropriate money for the OEO payroll through Nov. 9, by tacking this on as a rider to the District Appropriation bill. But this is only a brief stop-gap. The point, very simply, is whether there is to be an effective poverty program, or not. A cut to the $1.2 billion level would not be effective. In the District, for instance, it would mean $20 million in poverty funds, compared with the $35.8 million which would be provided under the President's request for this fiscal year, and almost $30 million last year. This is not just robbing the poor of help. It is robbing them of hope. Those who conspire to do so may find political comfort. But they will deserve the country's condemnation and contempt.

Mr. NIX. Mr. Chairman, in a few days the House will act on the antipoverty bill. I rise to affirm my support for this bill, to urge the Members to support the bill as reported by the Committee on Education and Labor, and to discuss my strong belief that the war on poverty has been effective and must be continued.

The original Economic Opportunity Act represented a daring and historically unprecedented attack on poverty. In that act, Congress acknowledged that the existence of widespread poverty in our rich land was wrong. The existence of this poverty was morally wrong, because this Nation had promised to the world that all Americans have an equal opportunity to better their lives. It was economically wrong, because 32 million poor Americans stunt our national economic growth and cause us to spend our resources to alleviate the effects of poverty. It was socially and politically wrong, because the existence of such widespread poverty taints the quality of all our lives and mocks our claims to greatness.

In 1964 the Congress faced up to these hard facts. It determined to wage a war not merely to palliate the effects of poverty, but to eradicate poverty itself.

No informed person thought this would be a quick or easy task. The size of the problem was staggering: An estimated 32 million Americans were desperately poor. The scope of the problem defied neat solutions, for poverty means many things besides not having money. Poor Americans live in inferior housing; they do not have the education or skills to get good jobs; their health care is inadequate; they do not get equal justice; their children get inferior educations; their neighborhoods are disintegrating. There are poor youngsters, poor adolescents, poor adults, poor older citizens. There is urban poverty and rural poverty. There are poor white Americans, poor Negro Americans, poor Puerto Rican Americans, poor Mexican Americans. The only common denominator among impoverished Americans is that they all face the future with little hope and little faith. The Congress realized that if the war against poverty was to be effective, it would have to attack the causes of all these different manifestations of poverty, and offer hope to all of the different impoverished groups. The original economic opportunity act wisely and bravely did just this.

In this legislation the Congress commissioned the Office of Economic Opportunity to attack poverty in all forms and on all fronts. The OEO has done just this, and has done it well.

Project Headstart was devised to provide poor children at an early age with supplemental education, so that these children would have a fighting chance to break the vicious poverty cycle which would otherwise surely claim them. This past summer some 500,000 poor children got a headstart through OEO summer programs; over 200,000 children will have a full year's headstart during fiscal 1968. This program has been universally acclaimed, even by persons critical of other OEO activities, because it is impossible to consign 4-year-olds to a wasted life and sleep easily at night. But let us not forget that an estimated 2.5 million poor children in this country would benefit from Project Headstart, but do not have the opportunity to participate in it.

Project Upward Bound seeks to help the deprived secondary school students in our cities. It seeks to salvage promising young people before it is too late. An estimated 25,000 young people have been touched by this program, but there are an estimated 760,000 poor youth who need this special attention. The Neighborhood Youth Corps has as its target disadvantaged 12- to 20-year-olds. It offers special counseling, supplementary and remedial education, and full- or part-time work experience. In its 2 years of operation over 900,000 young people have participated in Neighborhood Youth Corps activities. One mark of the success of this human reclamation project was the presence of these young people "cooling off" our troubled cities this past summer. But an estimated 2.7 million young poor could be helped by Neighborhood Youth Corps projects.

Mr. Chairman, I could go on and on documenting the record of these early antipoverty successes. Sixty-nine thousand three hundred and twelve enrollees in the Job Corps learning marketable skills; 675,000 people receiving medical attention from antipoverty health centers in fiscal 1967; 300,000 poor clients learning from legal services lawyers that the law is not always their enemy. But these statistics soon begin to numb the mind, and they obscure the very important fact that helping the poor to help themselves is not a numbers game. Whether 300,000 or 200,000 poor citizens were able to protect their legal rights through access to a legal services lawyer is not important; what is important is that until 1964 justice to many poor people was something only wealthy Americans enjoyed. Likewise, whether there are 2.7 or 2.5 or 1.5 million poor young people who could benefit from a Neighborhood Youth Corps project is not important: what we must remember is that even with the antipoverty program's auspicious beginning, there is much still to do. Each digit in these statistics represents a human being who, through no personal fault, has been forced to live desperately in a world he never made. We in this Congress must assume the responsibility for continuing the programs which now offer hope to these fellow citizens.

If the 32 million Americans who are poor cannot be provided with the opportunity to better their lives, then the other 165 million of us are sitting on a social powder keg with a short fuse. We may stave off an explosion by underwriting the social and economic costs of poverty—swollen welfare rolls, rising crime rates, close to 20 percent of our fellow citizens living unproductive lives and contributing nothing to our national strength. If we choose to live with this uneasy and wasteful condition, and if we succeed in preventing a massive social explosion, then we need only worry about our national conscience. But turning our backs on the desperate needs of so many Americans may lead to explosion. For let us be very clear about our present domestic situation. President Kennedy, in his first state of the Union message, put the issue bluntly:

> We shall have to test anew whether a nation organized and governed such as ours can endure.

There are now strident, often hateful, voices proclaiming that the American system, so carefully created and nurtured by our ancestors, cannot solve the urgent problems which confront many Americans today.

Traditional democratic tools have failed, these voices say, and, if change is to come, it must come violently. It is too easy and too dangerous to shrug off such voices as coming from misguided sources. Their message is falling on ears made receptive by lives of frustration, on ears which have heard America's promises. The purveyors of this message of violence often find ready audiences whose lives bear tragic witness to the unconscious betrayal of these sacred promises. And so, America must test anew whether its Government can meet these new challenges and retain its commitment to freedom. The antipoverty program is one of the most hopeful answers to this new challenge. Its message is both traditional and revolutionary. It is traditional because the antipoverty program provides an alternative to violence as it offers hope for the future. It is an attempt to redeem America's promises by helping the poor to help themselves. It is not a "handout," but rather a device to give the tools to the poor to better their own lives.

I am sure the Members are aware that during this summer's disorders in our cities the antipoverty workers often were instrumental in helping to restore law and order. In many cities Neighborhood Youth Corpsmen put on white hats and walked the streets all night cooling hotheads. In Newark, the legal services lawyers played a key role as honest brokers between an angry citizenry and local officials. Such acts were totally unexpected but in retrospect were quite predictable. Those who have become involved in the antipoverty program recognize that the program offers a peaceful channel for high emotions, and those in the ghettos recognize that these neighbors can be trusted because they know the terrible conditions and frustrations which lead to violence.

The antipoverty program is also traditional because its essence is the involvement of local groups to solve local problems. Local industry, local church groups, local government authorities, local bar associations, local medical associations—all have joined with the local people to fashion antipoverty programs to meet the local problems. This strategy of local involvement, stimulated by the OEO, has insured that antipoverty projects will be truly responsive to local needs.

And yet the antipoverty program has also been revolutionary. As remarked earlier, the entire philosophy of the program is without historical precedent. No other society has ever committed itself to eradicate poverty itself. But the execution of this commitment has been as revolutionary as its philosophy. The OEO is, to my knowledge, the first national agency whose sole clientele is the poor. The existence of an independent agency to speak for the poor has been invaluable. Only such an independent agency could insure that the war on poverty is directed energetically and creatively. Only such an independent agency could serve as America's undiluted conscience, to remind us constantly of the terrible needs of so many of our citizens. The hearings before the Committee on Education and Labor made clear that any move to break up the OEO and transfer its functions to other Government agencies had virtually no support among the many groups and organizations which are most concerned with our country's welfare. This consensus results from a realization that the OEO has done an effective job, and that the poor need an independent voice in the highest councils of our Government. I hope the House will again recognize the value of this independent advocacy, and will reject any move to break up the OEO.

Mr. Chairman, it is my fervent prayer that this House will not turn its back on the poor. The antipoverty bill which we will consider is not perfect, nor in my judgment is it adequate to meet the desperate needs of the poor. But it is basically a good bill because it reaffirms our national commitment to help the poor to help themselves. The OEO has in its brief existence effectively implemented its commission from Congress and has made measurable progress in solving the staggering problems of poverty. Millions of trapped Americans have felt its presence and have been helped out of their tragic plight. Many millions more remain to be helped. It would be a tragedy if partisan or parochial interests impaired the work of the OEO or stopped the war on poverty. The war on poverty offers the poor opportunity, to be sure. But it also offers the Nation the opportunity to redeem its pledge, made in 1776, that all men are created equal, and endowed by their Creator with the unalienable rights to life, liberty, and the pursuit of happiness. I urge this House to remember this pledge, and to enact the committee-reported antipoverty bill.

Mr. ST. ONGE. Mr. Chairman, it is most extraordinary that at a time when we still have huge pockets of poverty in our country certain forces are determined to kill or effectively dismember the Office of Economic Opportunity. This is the agency that has been in the forefront of conducting the war on poverty and to help the unfortunate among us, our own fellow Americans, who live in poverty and deprivation.

It is now the fifth month since the beginning of the new fiscal year on July 1 and as yet the operating funds for this agency have not been provided. On October 23 the continuing resolution which provided temporary funds for OEO was allowed to expire and since then the agency has technically been deprived of funds to operate its various programs, pay the salaries of its employees, or meet its other commitments.

By withholding the necessary funds and attempting to dismantle the agency, those who are pursuing such a course of action are striking directly at the poor and the disadvantaged. It is a stab at the heart of our effort to combat poverty and to give the poor an opportunity to lift themselves out of the rut of impoverishment to which they seemed to be doomed.

While the antipoverty organization may have certain shortcomings, these can be corrected where there is serious concern for the welfare of the poor. The American public by this time is well aware of the extent of poverty in many parts of the land and is eager to help in alleviating this situation. The poverty program has wide support in the country among all elements of the population and it should be continued with modifications where necessary. To cut it completely or to drastically decrease the funds required for this purpose is, to my mind, both shortsighted and detrimental to the welfare of our Nation.

I am deeply concerned over the efforts to kill or eliminate this program. The Congress has a responsibility and a commitment to the poor, and these must be fulfilled. Already vast damage has been done by delaying action and withholding the needed funds for the various antipoverty programs, so that in many communities throughout the country today some of these programs are at a standstill and others are on the verge of being shut down completely.

In my own district of eastern Connecticut we had several very fine projects going, among them such programs as Headstart, Neighborhood Youth Corps, community action, legal aid for the poor, foster grandparents, adult basic education, training for unemployed, and others which have become very popular and quite successful in numerous instances.

Today the value of these programs are widely recognized by many civic groups, businessmen, educators, labor unions, church groups, and countless numbers of individuals.

Mr. Chairman, let me cite specifically one example of the suffering caused in my district by the failure of Congress to provide funds for the antipoverty program. The Seaside Regional Center at Waterford, Conn., provides residential and day-care services for the mentally retarded in New London and Middlesex Counties, regardless of age and severity of retardation. Among those benefiting from these services are some 200 retarded children. Through the Thames Valley Council for Community Action, which handles OEO funds for the area, a foster grandparents program was started at the center about a year and a half ago and this program proved most successful.

Last week the large number of elderly people who have been participating in this program by providing loving care for these 200 children were informed that the funds have been exhausted and the program would cease on November 1. There are about 115 elderly people who work with these children and provide them with individual care 5 days a week, 4 hours per day, at the rate of $1.50 per hour. In most instances this is their only source of income for these elderly widows and grandmothers, outside of social security.

The cost of this program is about $5,000 a week or approximately a quarter of a million dollars annually. This is certainly a most worthwhile program for all concerned, the children, the foster grandparents, the institution, and the community as a whole. Fortunately, some private sources and the State of Connecticut have made available some funds which will enable the program to continue for several weeks in the hope that by that time Congress will have provided the funds.

The fact remains, however, that this is a deplorable situation and that it should never have reached these proportions. We have an obligation to the poor and we should refrain at all times from exploiting their misery for political purposes. During the riots in our cities last summer many of us pledged to exert our best efforts to alleviate the conditions that breed frustration, despair and violence. By curtailing or eliminating the OEO and all its antipoverty programs we are not alleviating these conditions, but are only encouraging them to a greater extent.

Mr. Chairman, in the last few days I have received a large number of letters and telegrams from people in my district regarding the OEO program in general and the foster grandparents project in particular. From these I have selected only a few which represent a cross section of the views expressed. I am pleased to insert these at this point:

THAMES VALLEY COUNCIL FOR COMMUNITY ACTION, INC.,
Norwich, Conn., November 3, 1967.

Hon. WILLIAM L. ST. ONGE,
House of Representatives,
Washington, D.C.

DEAR BILL: As a consequence of the present Congressional impasse regarding the anti-poverty program, Thames Valley Council will be forced to shut down its Foster Grandparents Program on or around November 17. As a consequence, 115 elderly persons with incomes below $1,500 per year will lose a valuable employment opportunity. More importantly, the established relationship of a year's duration between Foster Grandparents and retarded children will be severed.

Our Council will attempt to secure all local funding and state funding for this program we can in order to continue it. In addition, our Council will ask the Foster Grandparents themselves to remain on the job on a volunteer basis with the hope of being repaid at a later date when and if the antipoverty bill is passed. Our Council is well aware of the support you have given to the antipoverty program; nevertheless, we beseech you and your office to take whatever steps are within your power to secure the passage of this Bill and the continuation of the Foster Grandparents program.

Sincerely yours,
RICHARD O. BROOKS.

NORWICH, CONN.,
November 4, 1967.

Hon. WILLIAM L. ST. ONGE,
House Office Building,
Washington, D.C.

SIR: As a foster grandparent I feel it my duty to write to you in hopes that the Foster Grandparent Plan will live on.

As you are well aware, this pilot program has a twofold purpose. This program is not only beneficial to a retarded child, but it makes me feel like a more useful and independent citizen. Where or how else could women my age find a fulfilling job such as this?

Please do not let a program such as this which is so beneficial to so many die. Anything that you can do in your capacity as U.S. Representative will be greatly appreciated by many.

Very truly yours,
MRS. LYDIA YERRINGTON.

WATERFORD, CONN.,
November 3, 1967.

Hon. WILLIAM L. ST. ONGE,
Washington, D.C.:

The parents of retarded children in southeastern Connecticut are exceedingly distressed at the loss of the tender loving care provided by foster grandparents to their children at the Seaside Regional Center in Waterford, Conn., because of lack of funding to the Office of Economic Opportunity. We were notified that this very worthwhile program is to be terminated immediately and we seek your help. Please take whatever actions indicated to move the appropriations bill affecting this program to speedy and successful passage.

SEASIDE ASSOCIATION OF PARENTS AND FRIENDS.

NEW LONDON, CONN.,
November 4, 1967.

Hon. WILLIAM L. ST. ONGE,
Longworth House Office Building,
Washington, D.C.

SIR: I am writing to urge you to exert every possible effort at your command toward restoring the fund for the Foster Grand-parent Program of the Thames Valley Council for Community Action, Inc., Norwich, Connecticut, of the Office of Economic Opportunity. It's cancellation will not only prevent the self-sustaining supplements to the inadequate monthly Social Security payments, but will result in irreparable setbacks to the very excellent progressive aid to the mentally retarded persons under the supervision and care of the now famous Seaside Regional Center for the Mentally Retarded at Waterford, Connecticut.

As an active citizen of seventy-two years of age, I know of no *more valuable* humanitarian service than that administered by this program.

Your prompt and sympathetic consideration will be greatly appreciated by all concerned.

Very truly yours,
MRS. LEMPI RIMPILA.

NORWICH, CONN.,
November 6, 1967.

Hon. WILLIAM L. ST. ONGE.

DEAR SIR: This is tragic news and we grandmothers are very upset. We shall miss the children very much and I am sure they will miss us. Also the loss of this financial help will leave us stranded.

Perhaps the greatest loss will be to the retarded children, whom we have learned to love.

I know you will use your influence in our behalf. Thank you.

Sincerely,
MRS. MAUDE GOODBODY,
Foster Grandmother.

NEW LONDON, CONN.,
November 3, 1967.

Mr. WILLIAM L. ST. ONGE,
Washington, D.C.

DEAR SIR: The news that our Foster Grandparents' program is threatened has come as a great shock.

We are gravely concerned because of the sudden shift from an opportunity to earn what we receive without asking for charity relief, and above all, are concerned for the children under our care.

We have witnessed the amazing results of our presence among them, and glory in our achievements.

We need not be modest about declaring that there is no question of our beneficial influence.

The limited time in which we may contact you does not permit a lengthy description of "near miracle" accomplishments.

Suffice to say the program has been highly effective and it is our sincere wish that it be continued for the benefit of all concerned.

It has been an experience which has enriched our lives and without which we would indeed have been impoverished.

Your plea on our behalf will be deeply appreciated.

Sincerely,
MRS. ANNE M. SMITH.

NORWICH, CONN.,
November 4, 1967.

Hon. Mr. WILLIAM L. ST. ONGE,
Longworth House Office Building,
Washington, D.C.

DEAR SIR: I am writing this letter to you in the interest of the Anti-Poverty Program, especially the Foster Grandparent Program. We foster grandparents have been with these children for over a year now and seen them grow much more normal and educable. When we took over some of these children couldn't walk or talk and didn't communicate with other people too well. We have grown to love these little children dearly and have seen them become very responsive to others, as well as starting to walk and talk.

It is love within my heart and tears in my eyes that I beg you to do all in your power to prevent this Foster Grandparent program from being abolished.

Thank you for your continued interest in our problems, and hoping for success in continuing the Program.

Very sincerely yours,
MARY G. PURDON,
Foster Grandparent.

NORWICH, CONN.,
November 3, 1967.

DEAR MR. ST. ONGE: This is in reference to the funding of the Anti-Poverty Program presently being held up in Congress.

As a foster grandparent I am particularly concerned with this part of the program.

From experience with mentally retarded children I have witnessed a remarkable improvement in their well being. I feel it necessary to continue our efforts in helping these children learn to live a more useful and productive life.

Kindly do whatever possible to keep the program active.

Thank you for your cooperation.

Respectfully yours,

Mrs. Nelida Landry,
Foster Grandparent.

Norwich, Conn.,
November 3, 1967.

Hon. William St. Onge,
Longworth House Office Building,
Washington, D.C.

Dear Representative St. Onge: Isn't there anything you can do to assist in the Foster Grandparents-Retarded Children Program at the Seaside Regional Center in Waterford, Connecticut?

This program is on the verge of being terminated and it is one of the most worthy programs ever undertaken in the State of Connecticut. Not only does it provide inspiration to the Foster Grandparents, filling up their lonely and empty days, providing an opportunity for them to earn a little money, but at this period of their lives, they need to be needed, and what greater way could they serve God and mankind but to help retarded children—children who *desperately* need all the love, help and understanding that honestly only these Foster Grandparents can give.

The great majority of the parents of these children tend to reject them—won't even admit to their relationship, and some never even pay them a visit.

Human lives are being considered here! Don't let these retarded children be deprived of the one thing that has brought a little happiness, love and, yes, hope, into their lives—their Foster Grandparents. My mother is a Foster Grandmother (her picture is in the October 31, 1967 issue of Look Magazine, page 103) and she has told me many many times how the children that she has worked with respond, how she has got them to say a few words when their speech is one of their many problems, how they hug her and call her "mama", how they look for her each day. I shudder to think what their lives will be if suddenly these Foster Grandparents are taken away. Put yourself in their position—how would you feel if something very important to you was snatched away?

If you have not already read the article in Look Magazine, I urge you to take a couple of minutes of your time and do so. And most important to do all you can to help restore this program at Seaside. Help them with all your heart. The Foster Grandparents need your help; the retarded children need it more! Please help!!

Sincerely yours,

Mrs. Edwin R. Krodel.

Waterford, Conn.,
November 3, 1967.

Hon. William L. St. Onge,
House of Representatives,
Washington, D.C.

Dear Congressman St. Onge: You have given your support to anti-poverty legislation in the past and have assisted us, locally, in funding problems that have occurred with OEO.

I ask now that you use your good and considerable influence on your colleagues in Congress to save the present legislation for the war on poverty, which you know has only just begun.

We cannot allow the hopes and aspirations of the disadvantaged to be scuttled. America must face up to its responsibilities and continue and expand programs that will assist the poor.

I know you can help.

Sincerely,

Leslie Secora.

Mystic, Conn.,
November 6, 1967.

Hon. William L. St. Onge,
Longworth Office Building,
Washington, D.C.

Dear Mr. St. Onge: News reports of imminent House action on the poverty bill makes this letter overdue. Because of your fine record in support of OEO programs in our area and your hard work in behalf of the Thames Valley Council for Community Action, we in the Groton League feel secure in Second Congressional District representation of our human resources program goals. We are dismayed by the fact that members of the House of Representatives from many other areas lack confidence in anti-poverty efforts.

We are proud of the initiative and innovative courage of our regional anti-poverty group and, in spite of problems during the course of its operation, the League is firm in its conviction that TVCCA demonstrates a successful thrust in attacking the economic and social ills which confront the poor in our community.

Mrs. John Wedicka is chairman of the Groton League's human resources committee. She is also secretary of Groton Resources Organized, the local arm of TVCCA. She and the League are gratified by the successful initiation of a day care program in the Fort Hill section of Town and point to this accomplishment as a concrete example of the effectiveness of community action programs as provided for under the Office of Economic Opportunity.

The League feels that the House Committee on Education and Labor amendments to Title II of H.R. 8311 are ill-advised and would seriously weaken the strength of community action programs. The specific changes we refer to are 1) the proposal to place community action agencies under control of state or local, city or county governments and 2) the proposal to double the local contribution rate and require that one-half of it must be in cash.

The success of the Thames Valley Council for Community Action as a private nonprofit organization speaks for our concern on the first change. The League considers it very unwise to force CAPs at this time to become an arm of government. An increase of the local share of funds to 20% would create a strain on CAPs which some programs might not be able to survive. The League believes community action nationwide has shown significant strides. We hope for a climate which will continue to nurture its health and development. We believe the Committee amendments are harrassing tactics which defeat this hope.

We know you share our anxiety for the Foster Grandparents program at Seaside. We know also that unsettled Congressional opinion is inextricably entwined with the problem of securing the necessary funds. The temper of Congress in regard to evaluation of the poverty bill concerns us deeply. Any effort on your part to influence your Congressional colleagues at this critical time will be most appreciated.

Sincerely yours,

Edith Fairgrieve,
President, League of Women Voters of Groton.

Mr. ROSENTHAL. Mr. Chairman, there is a ghetto saying now popular, which asks:

Are you going to talk the talk, or walk the walk? We have been talking the talk so long on the poverty program that important elements of it are slowly dying.

More important, the sense of confidence is disappearing, among antipoverty workers and the citizens they work with, that this country is concerned about inequalities and means to act. Replacing it is an ugly mood in Congress and in the Nation which suggests the antipoverty program is the cause of poverty and if we abolish the agency we solve the problem. Actually this vital program serves rather to remind us that the poor do exist, that they exist, not from their own design, or from sloth or from simple inactivity, but rather from basic injustices for which we in Congress share responsibility.

Mr. Chairman, this is the week for us to walk the walk with the poor whom our society has disabled. This is the time for us to show we will do more than talk the talk.

I support this bill and the Education and Labor Committee which, under its able chairman, has worked out, in a difficult climate, a solid accomplishment. I recognize many areas of compromise, some of which are doubtful to my judgment.

The appearance, for example, of taking power from the poor to solve their own problems by limiting their representation to one-third of community action boards is a serious vote of a lack of confidence, even if the Committee did not intend this interpretation. A telegram from my district, on this point, said:

> There would be strong community reaction to the proposed change, not only because it requires radical surgery in structures the community built with great effort, but because it would appear that Congress is taking power away from the poor only a few short years after it granted it. It can lead only to cynicism, mistrust and bitterness among the poor who would see their independence curtailed just as they were developing new strengths.

Another amendment, approved by the committee, to require a doubling of the local contribution to community action programs, including Headstart, poses a different kind of problem. What do we prove by squeezing 87 million more dollars out of local sponsors of programs like Headstart, for this is the amount which this amendment would mean nationally and annually? Are we concerned about money or principle? In money, this $87 million is what 21 hours of war costs. If principle, what do we prove by demanding a sticky dime from the poor before we give 90 cents?

Mr. Chairman, despite these reservations, I support this bill and will work to strengthen it by proposing an amendment to help the poor get more for their money and thus, help us get more for our OEO dollar.

This amendment will encourage the poor consumer to organize for better buying, comparative shopping, joint savings, and other self-help programs. It is based on my conviction, as chairman of the consumer inquiry of the Government Operations Committee, that the poor pay more for everything.

The text of this amendment, which I will present at the appropriate time, is printed below:

Amend title II, section 222(a), by adding thereto a new paragraph (10):

"(10) A 'comprehensive consumer action program' to develop and support projects which focus on the needs of poor people as consumers of goods, services and credit. The program shall emphasize the broadening of capabilities of existing institutions and the creation of new institutions to redress marketplace inequities and which will provide the poor consumer with means for proper economic judgments and consumer self-sufficiency."

Projects under this program shall—

"(a) provide the opportunity for the poor consumer to articulate his needs, assemble buying information, and compile comparative shopping data through the creation of a variety of consumer institutions and associations designed to meet these needs;

"(b) stimulate and develop the capability for capital accumulation among residents of low income areas, as well as attract outside capital from the private and independent sector; and promote the use of such capital in self-help enterprises which will develop leadership among low income residents while meeting their needs as consumers;

"(c) include programs of technical assistance, consumer and credit counseling, and training local consumer specialists to encourage imaginative use of collective buying power coupled with sound business practices, and which will help to develop the skills and expertise needed for personal and group financial success.

"The Director shall appoint for each of the OEO Regional Offices a Consumer Action Specialist whose role shall be to coordinate other OEO, State, and Federal programs within the Region with programs and projects developed under sub-paragraph (a), (b), and (c) above, and to provide assistance and support to consumer action activities within the region. Funds for financial assistance under this paragraph shall be allotted according to need and the ability of applicants to secure the maximum involvement of low income residents in programs which show promise of economic self-sufficiency. Funds may pay the full costs of programs of technical assistance and training, as provided in paragraph (c).

"With regard to other projects and programs under this paragraph, the requirement of non-Federal contribution in Sec. 223 (c) shall be waived wherever there is the investment or binding pledge of investment by private and independent sources in enterprises created or expanded as part of funded projects of an amount equivalent to that which would otherwise be required as the non-Federal contribution; or by the investment or pledge of investment of such an equivalent amount in shares of a credit union or other cooperative enterprise by its members."

Mr. Chairman, the purpose of this amendment is to encourage the poor to protect themselves and their limited dollars by group self-help. It will establish, as a national emphasis program, a system of organizing the poor consumer to both articulate his needs and satisfy them by acquiring the experience and practical education of a careful, trained and intelligent shopper.

This self-education will come, under this amendment, in multipurpose, local institutions which either exist already in some form, like credit unions or cooperatives, or which can be created to fill these needs. In addition to their original purposes, like encouraging thrift or assembling buying power, these multipurpose institutions will be able to offer credit counseling, comparative shopping information, compilation and presentation of price survey data, and other important elements for a consumer to their members.

These organizations, as envisaged by this proposal, can also help finance other self-help community groups like buying cooperatives, consumer protection associations and other groups which will combine buying and credit power for mutual protection and assistance.

There is no single answer to any important social problem, including the poverty of our 40 million Americans. My amendment will not solve their problem. Even if it works, as I hope and believe it will, it only works in that small but important area of reassuring the poor consumer that he has a chance to win.

But at this point, Mr. Chairman, I believe that a vote for the self-confidence and self-respect of these victims of a system they never created may be the most important act of confidence we can make.

Mr. VANIK. Mr. Chairman, I wish to rise in support of the continuation of the economic opportunity program and the amendments which we consider today to strengthen and extend the life of this important program.

Many times during the brief life of this important program in my city, I have risen on the House floor to indicate the forthright support which the Office of Economic Opportunity has received from a broadly based group of grassroots and community leaders in my city of Cleveland, Ohio, and in Cuyahoga County in which Cleveland is located. Today, I wish to insert a telegram which reiterates clearly this broad case of support from the majority of community leaders in my city, including the chief representatives of the business and industrial community, educational and religious leaders, county and city officials, judges on the county and municipal benches, and grassroots leaders, as well as organized labor. Their telegram, which urges support of the Office of Economic Opportunity, requests funding at the $2.06 billion level, urges defeat of the 10-percent cash requirement, as has been proposed, and urges that the Office of Economic Opportunity remain intact rather than be spun off to various Federal agencies, thus to diffuse the important work which National OEO has so well carried out during its brief 3-year history. The telegram and list of supporters is as follows:

Cleveland, Ohio,
November 7, 1967.

Hon. Charles Vanik,
House of Representatives,
Washington, D.C.:

We, the following, from the greater Cleveland community know the local OEO programs as useful, necessary and vital to resolving Cleveland's critical urban problems.

We fully support the Economic Opportunity Act of 1964 and as amended in 1966.

We urge your support of the House bill's request of $2.06 billion.

We urge defeat of the 10% local cash share which would seriously curtail and eliminate valuable local programs.

The serious urban problems facing greater Cleveland make mandatory OEO's continued assistance. Without spinning off its coordinating programs.

SIGNERS

Ralph S. Locher, mayor.

Ralph Besse, president, Illuminating Co.

William O. Walker, director, Department of Industrial Relations, State of Ohio.

Rev. Bruce Whittemore, director, Council of Churches.

Lawrence Evert, director, Businessmen Interracial Committee.

John Kellogg, councilman, city of Cleveland.

Paul Briggs, superintendent, Cleveland Public Schools.

Judge Perry B. Jackson, common pleas court.

Dr. Robert H. Courtney, president, Council of Churches.

Charles H. Loeb, Call & Post.

Attorney Paul Walters, president, YMCA.

George Dobrea, president, Cleveland Board of Education.

Sherman Titens, president, Junior Chamber of Commerce.

Wendell Erwin, president, NAACP.

Dr. James Norton, director, Associated Foundation.

Robert Carr, president, Urban League.

David N. Myers, president, Jewish Community Federation.

Judge George McMonagle, common pleas court.

Mrs. Frank Zack, president, Cuyahoga County League of Women Voters.

Tom Boardman, editor, Cleveland Press.

Herman Sanford, executive director, Foreign Language Publications.

Judge Albert Woldman, juvenile court.

Judge John Toner, juvenile court.

Judge A. J. Gagliardo, juvenile court.

Judge Walter Whitlatch, juvenile court.

Sam Brooks, councilman, city of Cleveland.

Msgr. Richard McHale, Catholic Board of Education.

Mr. Sabastian Lupica, executive secretary, AFL–CIO.

Msgr. Casimir S. Ciolek, director, Catholic Charities.

Pat Day, president, county commissioners.

Frank Gorman, county commissioner.

Wm. Speeth, county commissioner.

Eugene Burns, director, county welfare department.

Harold Boehm, vice president, Towmotor.

Mr. Carl Fazio, Sr., chairman, Fisher-Fazio-Costa Foods.

Mr. Stuart Buchanan, vice president, Marschalk Co., Inc.

Mr. John S. Mills, chancellor, Case-Western Reserve University.

Mr. Arthur A. Watson, vice president and general manager, WKYZ TV.

Mr. Charles E. Chapman, president, Cuyahoga Community College.

Dr. Harold L. Enarson, president, Cleveland State University.

W. C. McCulloch, executive secretary, Cleveland Welfare Federation.

I wish to also insert a very strongly worded telegram of support for the legal aid program which has been operating with maximum effectiveness in the Cleveland area from Mr. James C. Davis, a highly respected attorney and president of the Cleveland Bar Association. The telegram is as follows:

Cleveland, Ohio,
November 7, 1967.

Hon. Charles A. Vanik,
Member of Congress,
Washington, D.C.:

The Cleveland Bar Association strongly supports the local legal aid program which is largely dependent upon current O.E.O. financing. I sincerely hope the Congress will take no action which will adversely affect the ability of our legal aid efforts to meet crucial Cleveland inner city problems.

James C. Davis,
President, the Cleveland Bar Association.

In addition, I wish to insert into the Record a telegram I received from the Cuyahoga County League of Women Voters presidents who add their support to the war on poverty and request full funding at the $2.06 billion level. The telegram is as follows:

Cleveland, Ohio,
November 7, 1967.

Hon. Charles Vanik,
House of Representatives,
Washington, D.C.:

The League of Women Voters county presidents strongly urge your support of war on poverty House bills request of 2.06 billion. We urge support of OEO as planning, coordinating and funding source without spinning off its programs.

We urge defeat of 10% local cash share. This would curtail and eliminate valuable local programs.

SIGNERS

Mrs. Frank Zack, president, Cuyahoga County.
Mrs. Charles Mealy, president, Fairview Park.
Mrs. Brent Martson, president, Bay Village.
Mrs. Fredick Lyman, president, Lakewood.
Mrs. R. J. Smith, president, Beria & Southwest Area.
Mrs. Clifford Moore, president, Parma.
Mrs. Richard Taylor, president, Cleveland.
Mrs. Philip Gibbs, president, Rocky River.
Mrs. Herbert Borstein, president, Cleveland University Heights.
Mrs. Alexander Orfleer, president, Shaker Heights.
Mrs. Alvin Hart, president, East Cleveland.
Mrs. Clifford Sobol, president, South Euclid Lyndhurst.
Mrs. David Garland, president, Euclid.
Mrs. Donald Cohrs, president, Westlake North Olmsted.

In addition, I wish to insert a telegram from Rev. J. Robert Sandman, Department of Public Affairs, Ohio Council of Churches, which also adds strong support of this religious organization representing churches throughout the State of Ohio. The telegram is as follows:

Columbus, Ohio,
November 7, 1967.

Charles A. Vanik,
House of Representatives,
Washington, D.C.:

We urge passage of anti-poverty bill retaining at least $2.06 billion funding and preserving participation of the poor free from local political domination. We urge deletion of local funding requirement of 10% cash. From every indication in Ohio this is crucial to continued well-being of our society.

Department of Public
Affairs, Ohio Council of Churches,
Rev. J. Robert Sandman,
Chairman.

These strong voices of support at this critical time are only a slight indication of the well of support which I have found throughout my community for the continuation of the important work being carried out by the people who live daily with the problems of poverty in my city of Cleveland.

The programs which we consider today are not expendable. We cannot overlook the millions of children and young people who have been given a ray of hope because of the Headstart program, the Neighborhood Youth Corps, the Job Corps, or a first-time experience in summer camp life.

The legal aid service has provided equal treatment under the law for many thousands not so privileged before this program was initiated throughout the country. Additionally, the implementation of the concept of "maximum feasible participation" in title II of the present law has provided the opportunity for so many people in the neighborhoods to realize the importance of community participation.

The antipoverty program has experienced some mistakes and errors. The program has operated on front stage-center—under the hostile klieg lights of criticism—criticism by many who never believed in its purpose—criticism by many who prayed for its demise. Under the face of this bitter attack, the good of the program and its high purposes cannot be overlooked.

The antipoverty program, established under President Johnson's leadership and ably administered by Sargent Shriver, may represent the greatest governmental development of this decade. Just as the Peace Corps remains as one of the permanent objectives of our Government, so must the antipoverty program remain as an instrument of necessary service to a large and needy segment of our population. The antipoverty program is no longer an experimental program. It can take its place in the governmental fabric of essential public service.

I stand by the antipoverty program as an essential public service which cannot be suspended or reduced. I hope that this body will stand firm to preserve it.

Mr. ASHBROOK. Mr. Chairman, I submit today the minority views of myself and my colleague, Representative James Gardner, on the war on poverty. These views are in addition to those presented by other Republican members of the Education and Labor Committee.

The important area of helping the poor of our Nation must not be left in the hands of those who take three times as much for themselves as they allocate to actually help the poor. There must be a realistic, serious appraisal of the poverty program so the good may be continued, the bad improved, the waste cut, and the unnecessary totally eliminated.

The politically motivated war on poverty may be the tragedy of the decade unless severe measures are taken to insure that stop the cheating of both the poor and the taxpayers.

The views follow:

Separate Minority Views of Representatives John M. Ashbrook and James C. Gardner

Although we agree with much of the analysis and many of the recommendations expressed in the foregoing minority views, we feel that additional points must be made concerning the entire operation of the so-called war on poverty.

A POLITICAL WAR FROM THE BEGINNING

The Johnson administration initiated this ill-conceived mess as a political move for the 1964 election; the "war on poverty" was to be a dominant theme and slogan for that campaign. The original legislation was hastily and badly drafted at the White House, virtually without the participation and at times almost over the dead bodies of responsible Cabinet officials. It was then rammed down the throat of a Congress which exercised so little legislative function that scarcely a line was changed in the White House draft. Minority members of this committee at that time forcefully and fully pointed out the grave mistakes in the legislation and accurately predicted that it would be a colossal failure.

The partisan political use of the "war on poverty" has been unremitting since 1964. In community after community, all across this Nation, the list of highly paid officials of the poverty war reads like a rollcall of professional Democratic politicians. The political use to which this program has been devoted is acknowledged even in the majority report of this committee—although the majority will do nothing effective to prohibit such use.

OFFICE OF ECONOMIC OPPORTUNITIES

At the heart of this political boondoggle is OEO, which might best be named the "office of economic opportunists." It is the highest paid, worst managed, most incompetently staffed agency in the history of the Federal Government. One out of every 42.3 of its employees is paid over $20,000 a year; nearly one-half are paid $10,000 a year or more. The budget of the United States lists 416 positions in OEO with pay in excess of $15,000 a year.

The budget also estimates that 2,800 permanent Federal employees are required to run OEO, and that another 4,772 permanent positions are required in other Federal agencies to run programs funded through OEO. These 7,572 permanent Federal positions required to run the war on poverty from Washington—according to the budget estimate—cost the hard-pressed American taxpayers a cool $60 million for salaries alone this year.

That is only the cream skimmed off the top. At least 75 percent of the community action funds go for "administrative costs"—almost entirely in high salaries. "Community Action," according to the majority report, "employes" 95,000 persons and has cost $1,800 million to date. It is interesting to note that less than half of the people employed by CAP are classified as poor persons—that even in this activity, the poor come off second best.

The unbelievably high costs of the Job Corps has been covered in the other minority views, but here again we note that a very large part of these costs are for administrative salaries—and that these salaries notoriously run far higher than the public schools can pay instructors and administrators of vocational education.

We do not believe that the American people—including millions of poor people who work at hard jobs for a small income from which Federal taxes are deducted—should be asked to continue to support this bloated bonanza for bureaucrats.

COMMUNITY ACTION FOR WHAT?

There are thousands of good citizens who serve on CAP boards, teach Headstart classes, or otherwise attempt in good faith to assist the antipoverty programs. But in city after city across this Nation such selfless efforts are lost in the welter of politics, factionalism, and radical intrigue which is being passed off as "community action." In city after city "community action" has been little more than radical agitation, including, as in Newark, N.J., the organization of demonstrations, protest meetings, and inflammatory incitements which led directly to a tragic riot and the mindless destruction of property and human life.

We ask "community action for what?" It has not been action to produce jobs (except for paid employees of the program), or to train unemployed people for jobs, or to make any difference in the environment of poverty. In terms of having any real effect upon the condition of poverty, community action has been a $1.8 billion bust.

Even the Democratic members of our committee acknowledge the excesses of this program publicly. Here are just two of the many remarks made in the open sessions to mark up the bill.

Mr. Pucinski, for example, said of the community action program:

"It has not worked in many communities of America, and I tell you that in many communities it has been a catastrophic flop * * *."

He also observed of Community Action that:

"This program is in disrepute today because fly-by-night outfits formed overnight have come down here to Washington and because they had friends in the OEO got millions of dollars to carry on all sorts of programs and the legitimate organizations in your communities * * * (were by-passed)."

Mr. Carey had this observation:

"If I wanted to sack this program I could load the record with the excess and the waste and the mismanagement, if you will, the nepotism that has been practiced in some of these agencies * * *. I could be a vandal in this regard and damage beyond all repair the image of community action agencies which have expended millions of dollars not for the benefit of the poor but to set up hierarchies of staff and clerical personnel, travel, and all sorts of designs and features which were never, never contemplated in the passage of this legislation."

We respectfully disagree with our colleague, Mr. Carey, that disclosing the true operation of this program is an act of "vandalism." We think it is a matter of public duty. For example, he gave a vivid account of a group of "Peaceniks" getting into one community action program and, in the course of their demonstrations, financed by decent American wage earners, desecrating a church. When brought into court, according to the account of Mr. Carey, they were defended by community action neighborhood legal services—again at the expense of the taxpayer. We agree with our colleague that Congress never intended so bizarre a use of tax funds. But this sort of thing runs rampant through the poverty program.

LET'S ACT INTELLIGENTLY AGAINST POVERTY

It is time to call a halt to this whole business, and turn our attention to serious efforts to assist the unemployed poor to find jobs, to strengthen our system of vocational education, and to help our schools overcome the educational handicaps of children from a background of poverty.

According to former Secretary of Health, Education, and Welfare, Anthony Celebrezze, the Federal Government alone in 1964 was spending over $30 billion a year to combat poverty. Since then we have committed hundreds of millions. If these billions are not doing the job, we should find out why and redirect the programs to reach the hard-core unemployed poor. This would have been the sensible approach in the beginning. This would have been the approach of a rational administration intent upon anything other than politics.

The poor—to say nothing of the taxpayers—deserve something better than the "war on poverty."

Mr. RYAN. Mr. Chairman, yesterday and today the House has debated the Economic Opportunity Amendments of 1967. This debate as well as previous actions of the House earlier in this session demonstrate that the antipoverty program is in jeopardy. It is threatened by the prospect of inadequate funding. All over the country present programs are coming to a standstill because of the refusal of the House to approve a continuing resolution until funds for the fiscal year 1968 have been authorized and appropriated. It is threatened by the prospect of domination by local governments, many of which are hostile to its purpose.

The Green amendment makes community action agencies a State or a political subdivision of a State, or a public or private nonprofit agency which has been designated by a State or a political subdivision. In other words, another State or local veto is proposed. In addition, the composition of community action boards and community action governing boards will result in control by local public officials who shall have one-third of the representation and undoubtedly will be in a position to strongly influence the designation of the balance of the board.

In my opinion the Green amendment will adversely affect the involvement of the indigenous poor in planning programs for their own communities. This is the unique feature of community action, and it should not be scuttled. I hope that sections 210 and 211 will be amended, and I intend to support the amendment to be offered by our colleague, the gentleman from California [Mr. HAWKINS], which will strike the Green amendment.

I think it would be useful for all Members of the House to consider the effect of the Green amendment on communities which have already set up their community action programs. Today members of the New York City congressional delegation met with representatives of New York City and representatives of the various communities where community action has created new hope. They expressed understandable dismay at the idea of being required to restructure local community action boards.

The Reverend H. Carl McCall, chairman of the New York City Council Against Poverty, and George Nicolau, commissioner of the New York City Community Development Agency, presented the following statement which I call to the attention of my colleagues:

Statement by the New York City Council Against Poverty to the New York City Congressional Delegation, November 8

We have come today to talk with you about the critical effect the anti-poverty legislation now before the House of Representatives could have on our city's community action program.

As members of the Council Against Poverty and representatives of local community groups and city-wide civic, business, religious and social welfare organizations, we are involved daily with New York's anti-poverty projects and the people they serve.

We want to discuss both the likely results of a cut in funds and the effects of Section 211(c) which would radically alter the nature and structure of the community action program.

Unless additional funds are made available immediately through a continuing resolution or a new appropriation, New York City will be unable to continue its community action programs past the third week in November. Such a shut-down would affect hundreds of thousands of people served by over 250 agencies.

Even if an appropriation is approved, unless Congress votes for at least the $2.06 billion appropriation approved by the House Committee rather than the $1.2 billion many House members appear to favor, New York City will be faced with a drastic cutback of up to 30 or 40 percent.

This would gut our program. Community action programs now operating at a level of $17.5 million could be cut by as much as $6 or $7 million, affecting many thousands of people involved in neighborhood service center programs, remedial and tutorial education, training and employment programs and a host of others.

Section 211(c) could throw New York City's community action structure into chaos. For over a year, people in fifteen poverty areas have worked to establish Community Corporations to plan, approve and coordinate anti-poverty programs, and they have elected the governing boards for all but one of them.

None of the boards meets the requirements of Section 211(c). In each case, members were selected in community-wide, democratic elections open to all residents, and a ruling that the boards must now be scrapped would lead to cynicism and disillusionment among the people who have worked to make the Corporations a success.

We are not alone in our attempts to preserve an anti-poverty program that is more than an empty shell. A group of twenty-four business, civic and religious leaders, including Time-Life Publisher Andrew Heiskell, Central Labor Council Chairman Harry Van Arsdale, Board of Education President Alfred Giardino and New York's Episcopal Bishop Horace Donegan, joined in a statement this week calling on the House to pass a bill "which deals honestly with the poor and gives them a significant role in shaping their own destiny." They said, "We implore the House to act courageously and in its best traditions."

We came here today to make that same plea. The New York City delegation is probably the most enlightened one in the country, and we appreciate the support its members have given to many pieces of social legislation through the years. We are calling upon you now not only to continue in that tradition, but to do everything in your power to convince your colleagues that the future of our cities and of our nation depends on our ability to solve the problems of poverty that have been built into the birthright of millions of our citizens. If we fail in this task, the costs will be far, far greater in the economic and human waste we will be condemned to suffer.

Mr. Chairman, I also include a statement issued November 6 by New York City business, labor, civic, and religious leaders in support of the antipoverty program.

Statement by New York City Business, Labor, Civic and Religious Leaders in Support of the Antipoverty Program

This week the House of Representatives weighs the fate of millions of Americans; indeed, of us all. Its actions on the Anti-Poverty bill can determine the course of our society for years to come—whether there will be continued hope or renewed despair, a growing belief in the credibility of America or rekindled frustration, made more bitter by what may seem and may well be a vengeful abandonment of concern.

For the Congress to refuse to commit resources equal to the task is to postpone to a time perhaps too late those issues which we must face now. For the Congress to now cut anti-poverty funds, given the urgent need in our cities, would be most unwise. For the

Congress to reduce the participation of the poor in the institutions they have created to deal with their own problems is to turn its back on the bright beginnings of the last three years.

America needs an Anti-Poverty Act which deals honestly with the gathering crisis of our urban centers. It needs an act which deals honestly with the poor and gives them a significant role in shaping their own destiny. We implore the House to act courageously and in its best traditions.

It is not resources that limit America's decisions; it is our decisions that make resources. America has the capacity to deal with its problems. It must have the will. Simple justice requires no less.

SIGNERS OF STATEMENT IN SUPPORT OF ANTI-POVERTY PROGRAM

Rev. Eugene Callender, executive director of the New York City Urban League.

Bishop Terrence J. Cooke, vicar general of the Archdiocese of New York.

Bishop Horace Donegan, Episcopal Bishop of New York.

James Fogarty, executive director of the Community Council of Greater New York.

Alfred Giardino, president of the New York City Board of Education.

Mrs. Milton Gordon, president of the Citizens Committee for Children.

Victor Gotbaum, president of District Council 37, American Federation of State, County, and Municipal Employees.

Mrs. Helen Harris, executive director of the United Neighborhood Houses..

Andrew Heiskell, publisher of Time, Inc.

Christian Herter, Jr., chairman of the New York City Urban Coalition.

Mrs. Minneola Ingersoll, president of the Women's City Club.

Floyd McKissick, chairman of the Congress of Racial Equality.

Rev. Leo McLaughlin, president of Fordham University.

John H. Niemeyer, president of the Bank Street College of Education.

Dr. David Salten, executive director of the Federation of Jewish Philanthropies.

Mrs. Irwin Toback, president of the League of Women Voters.

Harry Van Arsdale, chairman of the New York City Central Trades and Labor Council.

Roy Wilkins, executive director of the NAACP.

Whitney Young, executive director of the National Urban League.

Rt. Rev. Jonathan G. Sherman, Episcopal Bishop of Brooklyn and Long Island.

Dr. Gardner Taylor, pastor of the Concord Baptist Church in Brooklyn.

Bishop Richard B. Martin, suffragan bishop of the Episcopal Diocese of Brooklyn and Long Island.

Msgr. Francis Mugavero, secretary to the bishop for charity of the Archdiocese of Brooklyn.

Rabbi Harold Gordon, executive vice president of the New York Board of Rabbis.

Mr. PERKINS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ROONEY of New York, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 2388) to provide an improved Economic Opportunity Act, to authorize funds for the continued operation of economic opportunity programs, to authorize an Emergency Employment Act, and for other purposes, had come to no resolution thereon.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1968

Mr. NATCHER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 8569) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1968, and for other purposes, with amendments of the Senate thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. NATCHER]?

The Chair hears none and appoints the following conferees: Messrs. NATCHER, GIAIMO, PATTEN, PRYOR, MAHON, DAVIS of Wisconsin, McDADE, RIEGLE, and BOW.

PROTECTIONISM AND FOREIGN POLICY

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, on October 30 the House passed H.R. 10915, a bill which would reduce the world quota of extra-long-staple cotton by the amount of the quotas assigned to countries with respect to which diplomatic relations with the United States have been broken—the United Arab Republic and the Sudan—and permanently transfer their portions of the quota to domestic producers in the Southwestern States.

The purpose was protectionism—pure and simple—although the sponsors tried to disguise it by taking advantage of our fully justified feeling of outrage toward Nasser.

The fact that the Agriculture Committee was motivated by a desire to protect the special interest of domestic cotton producers and not the least bit interested in using the foreign quotas diplomatically to influence the situation in the Middle East was revealed when the committee voted down amendments which would have suspended the quotas until diplomatic relations were resumed and until the President found that it was not contrary to the interest of the United States and in the interest of peace in the Middle East to restore the quotas.

If the President were given this discretion and flexibility, the foreign cotton quotas might serve as leverage to help achieve stability in the Middle East. But the committee's bill makes this impossible. In fact, it completely disregards the possibility that hopefully someday there will be a new regime in Egypt which will be willing to live in peace with its neighbors.

Editorials in both the New York Post of November 1 and the New York Times of November 2 point out the protectionist purpose of this mischievous legislation and how it was presented as a pro- or anti-Nasser matter which it obviously was not. Free trade was the issue, and the administration's opposition to the bill was in the interest of a liberal trade policy.

The editorials follow:

[From the New York Post, Nov. 1, 1967]

COTTON POLITICS AND FOREIGN POLICY

Employing diversionary arguments largely made up out of whole cloth, the House has hastily run up a bill cutting off all imports of cotton from Egypt and the Sudan. It is one of the cheapest pieces of legislative goods ever made in Congress.

Its protectionist sponsors, many from rural districts, attracted considerable support from some urban, if not urbane, members who were so incautious as to accept the measure as a form of justified economic retaliation against Cairo for cutting diplomatic ties with Washington.

But any member who seeks political credit for supporting the cotton bill on the grounds that it is either an anti-Nasser or a pro-Israel gesture is deluding either himself or his constituents. It is patently a special-interest measure, and the special interests are the cotton farmers of west Texas, Arizona, New Mexico and California. They would be awarded the cotton quotas stripped from Egypt and the Sudan, a gift enabling them to double their current production.

The protectionist drive has already invited serious retaliation from abroad: restriction of foreign markets. But such considerations carry little weight in the House, where the cotton bill vote reflects the greed and shortsightedness which make protectionism so sterile a doctrine. The Senate's Agriculture and Forestry Committee has the immediate duty of rescuing responsibility by killing the indefensible cotton bill.

[From the New York Times, Nov. 2, 1967]

AGAIN, THE PROTECTIONISTS

At the very moment when a broad counterattack seemed to be making headway against the protectionist tide in Congress, the House has again gone off the track by voting to eliminate cotton imports from the United Arab Republic.

An unusual coalition of members from cotton-growing states of the Southwest, chronic protectionists and big-city Congressmen engineered this result. The lopsided (274-to-64) vote showed that even members who usually support freer trade were unwilling to take a stand that might be construed as assisting Gamal Abdel Nasser.

This is not the issue, though if it were it would be worth considering whether the fall of Nasser at this stage would be likely to produce in Cairo a regime even more hostile to the interests of the United States and of peace in the Middle East.

What is really at stake is the attitude of Congress and the country toward trade barriers in general and the limited but substantial tariff reductions of the Kennedy Round in particular. If it persists on the course of the House action, Congress will not merely damage relations with many other countries; it will call into serious general question the good faith of the United States in the Kennedy Round negotiations.

If producers of extra-long staple cotton get added protection from imports, what about producers of commodities ranging from steel to strawberries, from mink furs to olives? The span of goods for which import quotas are being demanded is even wider than this list indicates.

Instead of spiting President Nasser, Congress would do far better to recall the words spoken on Capitol Hill last week by a friend and neighbor, President Diaz Ordaz of Mexico: "Before you act, it might be well to stop and consider just what effects your action would have on the rest of the world." President Diaz might have added, "and on yourselves, as well." For foreign retaliation against any protectionist binge by Congress will be swift and widespread. Every American exporter will be a victim, and so, as Senator Percy reminded his colleagues the other day, will every consumer.

It will be up to the Senate to knock out the House ban on imports of Egyptian cotton; but meanwhile representatives of business, consumers and labor might adopt the suggestion of Senator Javits that they form an "emergency coalition" to battle the protectionists and hold the line for a liberal trade policy that has served this country well.

PERMISSION TO COMMITTEE ON DISTRICT OF COLUMBIA TO FILE CERTAIN REPORTS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia may have until midnight Saturday, November 11, to file certain reports.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

Mr. HALL. Mr. Speaker, reserving the right to object, is this the expected conference report on the District of Columbia?

Mr. ALBERT. No, these are bills to be reported out of the District of Columbia Commitee which the gentleman from South Carolina [Mr. McMILLAN] asked me to request permission that they might have until Saturday night to file.

Mr. HALL. Does the distinguished majority leader know if action has been completed and the reports are available to the Members?

Mr. ALBERT. On these bills?

Mr. HALL. Yes.

Mr. ALBERT. I am not able to advise the gentleman.

Mr. HALL. When does the distinguished gentleman intend to program them?

Mr. ALBERT. Perhaps next week, but not during the first part of the week.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

MESSAGE FROM THE PRESIDENT

The **SPEAKER.** The Chair lays before the House a message from the President of the United States.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, Members should be present to hear the message, and I make the point of order that a quorum is not present.

The **SPEAKER.** Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 376]

Anderson, Ill.
Annunzio
Ashley
Bolling
Broomfield
Button
Celler
Davis, Ga.
Diggs
Dow
Edwards, Calif.
Everett
Fountain
Hagan
Halleck
Hanna
Hébert
Herlong
Holland
Howard
Jones, Mo.
Laird
Lipscomb
Long, Md.
McClory
Macdonald, Mass.
Mathias, Calif.
Mathias, Md.
Miller, Calif.
O'Neill, Mass.
Pelly
Pettis
Pool
Purcell
Resnick
Rivers
St. Onge
Sikes
Sisk
Smith, Calif.
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Ullman
Utt
Wampler
Watts
Williams, Miss.
Willis

The **SPEAKER** pro tempore (Mr. ALBERT). On this rollcall 382 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SURGEON GENERAL'S FIRST REPORT ON REGIONAL MEDICAL PROGRAMS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 181)

The **SPEAKER** pro tempore (Mr. ALBERT). The Clerk will read the message from the President of the United States.

The following message from the President of the United States was read and, together with the accompanying papers, without objection, referred by the Speaker pro tempore (Mr. ALBERT) to the Committee on Interstate and Foreign Commerce and ordered to be printed with illustrations:

To the Congress of the United States:

I am happy to send to you the Surgeon General's first report on regional medical programs, as required by the Heart Disease, Cancer, and Stroke Amendments of 1965.

Because the law and the idea behind it are new, and the problem is so vast, the program is just emerging from the planning stage. But this report gives encouraging evidence of progress—and it promises great advances in speeding research knowledge to the patient's bedside.

In 49 regions covering 91 percent of our population, regional alliances have been formed between medical schools, hospitals, and local doctors; $24 million in Federal planning money has been awarded. By early 1968, we hope to have programs underway covering 98 percent of the Nation's population.

Most important, the imagination, knowledge, and energy to operate these programs will come from the local level. More than 1,600 local health leaders—physicians, officials of medical centers, hospital administrators, teachers, and other health workers—are active as members of regional advisory groups.

In five regions, cooperative medical programs are already operating, with the help of $7.3 million in Federal grants:

The Albany region, covering northeastern New York, and portions of southern Vermont and western Massachusetts;

The Intermountain region, covering Utah and parts of Colorado, Idaho, Montana, Nevada, and Wyoming;

The States of Kansas, Missouri, and Wisconsin.

These areas are reporting important results already.

In the Intermountain region, for example, physicians in community hospitals are now linked by special radio and television networks with experts at the University of Utah Medical Center in Salt Lake City.

In Wisconsin, doctors are making special studies of uterine cancer patients, with the hope of improving and standardizing treatment methods.

The Missouri region is pioneering new services in the Smithville area, where doctors and patients benefit from computer-assisted X-ray diagnosis and other advanced techniques which may some day be available in the entire region.

Progress is being made and I believe these programs will help us overcome the dreaded killer diseases—heart, cancer, and stroke. And they will put us farther along the road to our goal of modern medical care for every American citizen.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *November 8, 1967.*

GEN. WILLIAM C. WESTMORELAND

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS. Mr. Speaker, no military commander in modern history has ever faced greater difficulties with such steadfastness, and with the overwhelming support of his troops from the lowest rank to the highest grade, than the brilliant, dedicated general from South Carolina, William C. Westmoreland.

Every responsible Member of the Congress has continually given General Westmoreland all the support possible. To do anything else would be a disservice to our country. It gives me great pleasure to note that the Secretary of Defense has stated publicly that—

> General Westmoreland has the absolute confidence of the President, of me, and of the entire members of the Joint Chiefs of Staff.

I am sure that in this respect Mr. McNamara reflects the feeling of the House of Representatives.

CONGRESSIONAL VIEWS REGARDING OUR POLICY IN THE VIETNAM WAR

Mr. HICKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HICKS. Mr. Speaker, a leading Pacific Northwest newspaper asked Washington State's two Senators and seven Congressmen for their views regarding seven points of policy in the Vietnam war.

The points covered were: First, the present policy for bombing of North Vietnam; second, enlarging, widening, or changing the bombing targets; third, invading North Vietnam; fourth, a bombing pause; fifth, withdrawing; sixth, pulling back to enclaves as proposed by Gen. James Gavin; seventh, what minimum terms the United States should insist on in peace negotiations.

The results of their survey were published on October 29, 1967.

For the information of my colleagues, I should like to present my responses.

My answers to most of these questions are made against the background of my opposition to further escalation on our part, with a view to encouraging greater participation by the South Vietnamese.

First. Present bombing policy. There seems to be no doubt that the bombing is badly hurting the North Vietnamese or the worldwide Communist propaganda machine would not be complaining so vociferously and demanding a cessation. I subscribe to keeping pressure on the north through bombing.

Second. Enlarging targets. Enlarging or widening the bombing is escalation and I oppose such action. As for changing targets, this must be done as the changing conditions, military and political, dictate.

Third. Invasion. No.

Fourth. Bombing pause. We must continue our military pressure, including bombing pressure, as long as it helps lessen the enemy's effectiveness against our troops. It might be practical to announce and attempt a program that has been suggested; that is, reduction of bombing in graduated stages. If the north meets the first-stage reduction with some kind of reciprocal deescalation, we would move to the next stage and so on. But I oppose an unconditional bombing pause that would give the enemy all the advantage and us none.

Fifth. Withdrawing. Our major objective continues to be containment of communism's expansion by force and we have drawn the line at the 17th parallel. We have said also that we will abide by South Vietnam's choice of government, if it is, in fact, a free choice. We are admittedly gambling: Should South Vietnam choose communism in a free election, we lose. After the people of South Vietnam have freely established a viable and working government, if that government invites us to continue to assist them, we should do so within reason; if it invites us to leave, we should leave. South Vietnam is not yet in a position to defend itself, so we cannot just pack up and leave.

Sixth. Enclaves. In effect, we are in a modified enclave posture now, holding strong points and sending our search-and-destroy missions to keep the enemy off balance and prevent his grouping for major attack. If an enclave operation is defined as static defense and holding only what we now occupy in force, my answer is "No."

Seventh. Peace terms. A cease fire, during which all other conditions for peace can be negotiated by representatives of the participants in the war.

THE PRESIDENT "COMMANDS," AND THE PEOPLE RESPOND?

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, a few days ago the President went on national television in a breathless appeal to the American people to write their Congressman and help his tax increase. I am happy to advise the House that there has been an overwhelming response to the President's plea. My morning mail has brought me many letters on the subject, but it seems as though the people got the message "confused," for all the letters I have received urge me to stand firm in opposition to a tax increase.

I might point out that the citizens of southwest Missouri do not need to be told that they have a right, in fact a responsibility, to petition their Congressman on any matter. We urge same constantly as the basis of a representative republic. The following are copies of my most recent letters since the President's appeal:

November 6, 1967.

Representative Durward G. Hall,
Washington, D.C.

Dear Dr. Hall: Several times in the past—I have considered writing you in regard to current issues, but never have. However, this time a most impelling urge is felt to express local feelings in regard to current issues of deep importance.

Recently, President Johnson urged the citizens to express their approval of the proposed tax increase, saying such a tax increase is necessary for a healthy economy. This family, and the great majority of the people of this Ozark area are not in favor of any higher taxation of any form, or of any future surtax. We feel it is high time the Government of this great nation stopped listening to so many "fiscal experts" for advise on how to keep the economy healthy, and started implementing some financial management based on old fashioned thrift and above all, horse-sense.

In other words, the government should start being the example in setting up sound fiscal policies that will bring the economy into balance, instead of tapping more of the diminishing dollar from personal income.

We are falling apart from within, as a nation, and it is becoming more apparent by the day.

It is sincerely hoped that the near future will see more responsible policies and leadership demonstrated, before the United States finds it too late to mend her fences that once stood straight and tight, but not sag badly.

Most respectfully,

John L. Follis.

Ava, Mo.

Shunk's Plastic Shop,
Joplin, Mo., November 4, 1967.

Congressman Durward G. Hall,
Washington, D.C.

Dear Sir: I feel the time is right to reassure you in your stand against fiscally irresponsible government.

President Johnson is using every immoral means at his command to force our legislative bodies to do his bidding.

May God grant you the power to stand fast.

Sincerely,

Charles L. Shunk.

November 3, 1967.

Dear Mr. Hall: This Congress has gone blindly along with everything President Johnson has asked for including the "Rat Control", and "Rent subsidy bill".

Now President Johnson wants us to write our representatives in Congress to urge them to pass the increased income tax.

I urge you *not* to pass this tax but to slash those stupid domestic socialistic bills that are making slaves of hard working citizens and parasites of millions who would rather live on dole than honest labor. We, the citizens, and I talk to many each day are fed up and the next election will tell a story.

Sincerely,

Lester R. Kern.

St. Charles, Mo.

October 30, 1967.

Dear Congressman Hall: I am firmly opposed to a tax increase in any form. I will vote accordingly in 1968.

I want to see government spending cut to the bone especially foreign aid. (*Not* just *token* publicity cuts!)

It's not the money it's just that I am fed up with supporting people and causes,—that I don't believe in.

In my opinion the present administration consistently distorts the truth and whitewashes the facts for political gain.

Decisions are based on political expedience not on how much the country as a whole will benefit.

I would like to see all out war against North Vietnam or get out of South Vietnam completely.

I am fed up with supporting people who won't work at *all* levels in this country and overseas. Most foreign aid simply enriches the wealthy in poor countries and big business at home.

I think that it's apparent our own county needs some things corrected before we wander around the world neighborhood like a rich frustrated woman who's trying to justify her existence.

Sincerely,

L. Riddle.

Joplin, Mo.

MERCENARIES IN THE CONGO

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, by unanimous consent I am extending my remarks to include a dispatch from the Congo in the New York Times that I respectfully call to the attention of my colleagues who are interested in the development of the new nations of Africa and concerned over mercenary activities. The article follows:

Foreign Affairs: The Third Illusion

(By C. L. Sulzberger)

Kinshasa, Congo.—The illusion that the Congo can be chopped up and recolonized by white men belongs with those other famous illusions of our time: "I can do business with the Chinese" and "martinis don't affect me." Progress in Africa can't be repealed, and decolonialism is here to stay.

BEHIND THE ATTACKS

President Mobutu is positive Portugal is behind the latest mercenary attacks on the Congo just as Nigeria's President Gowon is convinced Portugal encourages a rebellion in Biafra. General Mobutu says the Portuguese use their colony of Angola to supply and reinforce mercenaries. General Gowon says the

Portuguese use their offshore island of São Tomé for similar purposes in Nigeria.

Lisbon piously denies these charges, but so much evidence has accrued that it is hard to credit denials. There is no doubt the last mercenaries entering Katanga came into the Congo from Angola, whence they brought their supplies and whither their radio beams information to some coordinating center.

"Portugal is obviously in this affair," says Mobutu, sitting in his garden and gazing gloomily at the Congo rapids. "Portugal is an aggressor and we provoked no one." He contends the whole affair is part of a long-range plot cooked up by Belgium's Union Minière Trust, which once owned Katanga's fabulous mines and whose properties Mobutu nationalized. "They will never pardon us for that," he continues. "But we were an economic colony, despite our political independence, and we had to take our freedom."

According to Mobutu a strategic plan to disintegrate the Congo was conceived at Union Minière's behest by a Belgian named Col. Felix van de Waelle, former military counselor to Moise Tshombe. Tshombe was sentenced to death *in absentia* here and is now imprisoned in Algeria after being kidnapped.

Mobutu claims that van de Waelle, commanding the Arlon Staff School in Belgium, devised a strategic operation code-named "Kerilis," which foresaw separate mercenary thrusts. One group under the Belgian planter Schramme would entice Congolese Army detachments to the eastern region around Bukavu. Then other groups would invade the west from Angola.

Mobutu says French, German and Belgian mercenaries were hired in Europe and sent through Portugal to Angola. He doesn't yet have confirmed knowledge about their number or command but believes the western column is between 250 and 300 strong. There are rumors they are under a French "colonel," Robert Denard. Schramme's Bukavu group was made up of 100 white mercenaries plus several hundred former Tshombe gendarmes.

Justice Bomboko, the plump, smiling Foreign Minister and Mobutu's closest aide, insists the scheme hopes ultimately to reconquer Union Minière's properties in Katanga later dismembering the Congo and seizing control of all this vast but anarchic land. Bomboko thinks the robber baron aspirations he attributes to Union Minière harmonize with Portuguese aspirations to smash the larger black African countries, like Congo and Nigeria.

NEW COLONIALISM IS OUT

Whatever the goals, this is a most dangerous venture. It is plumb silly that anyone should imagine the world will sit by idly while a handful of thugs starts a new colonial era. The United States has already reacted by making transport aircraft available so Mobutu can shift his troops. Other lands are bound to help if requested.

Indeed, on Nov. 2 some of Mobutu's associates complained that he relies too heavily on the West, "where mercenaries came from." Kishasa has no relations with Moscow, but next day the Soviet Ambassador in Brazzaville came over to offer military assistance.

Russia promised MIG jets with fifteen Congolese pilots who had trained six years in the U.S.S.R. "But those are Gizenga men," protested Bomboko. (Gizenga is a leftist Congolese now in Cairo.) "I'd be their first target."

THE BRUTAL GAME

There is a real threat that if mercenary intrusions aren't stamped out quickly the Congo may again be brought into the outer world's cold war. The brutal game now being played here with shadowy overseas encouragement is the most dangerous game imaginable for all concerned.

Nobody will permit the Congo to be carved into feudal mercenary fiefs. If Union Minière is truly involved, it will lose all chance of compensation for nationalized properties. The Portuguese are simply adding fuel to the fires that threaten to consume them. As for the unhappy Congo—"We are the innocent victim," says Mobutu.

LETTER FROM W. G. WALLEY, JR., DISTINGUISHED BEAUMONT, TEX., ATTORNEY

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROOKS. Mr. Speaker, frequently we here in Washington tend to get a distorted view of the problems that beset our Nation. It is at times like this when it is most helpful to receive the benefit of the views of the people we represent back home in our congressional districts.

As we all know, congressional correspondence can quite frequently bring added work and sometimes even problems; however, we all recognize the value and importance of our letters from home. Recently I received such a letter from a distinguished Beaumont attorney, W. G. Walley, Jr.

While his letter was primarily concerned with a matter affecting his son, Stephen, I found it most heartening and would like to read an excerpt from it to my colleagues:

> From news reports, I conclude that reports of "opinion" poll takers and greatly publicized criticism of the American stand in Vietnam are discouraging to the President. I hope that, with all of the great burdens of his office and concern with facing present and future crises, he will not forget the lessons I am certain he learned in Sunday School and public schools.
>
> I hope he will remember that the popularity of Moses is recorded as having fallen to nothing as he was leading his people out of slavery to liberty. I hope that he will remember that during Valley Forge, General Washington barely retained courtesy from the Continental Congress. I pray that he will recall the early months of 1863 when there was actually a movement towards impeachment proceedings against President Lincoln. I hope he does not forget that it was on the eve of San Jacinto that loud cries went up to remove General Houston as commander of the forces opposing Mexican tyranny because of his supposed "disgraceful retreat." These Biblical and historical leaders were, no doubt, discouraged. Each moved forward resolutely through the discouragement to a place in history.
>
> Your support in the Congress of the President's determination to contain communist aggression has my complete approval. It is my belief that it has the complete approval of a great majority of the American people, including young men who are most directly affected.

These sentiments are particularly heartwarming in that they come from an individual who has had a son serve in Vietnam and presently has a younger son in Marine Corps boot camp. He is justly proud of these young men and makes a point that they are representative of the millions of young people in our country, rather than those youthful caricatures who are constantly in the public eye, primarily because of their irresponsible conduct.

Mr. Speaker, I would like to include the complete text of Mr. Walley's letter and suggest that my colleagues might enjoy reading it as I did.

The letter follows:

> BEAUMONT, TEX.,
> *November 2, 1967.*
>
> Congressman JACK BROOKS,
> *U.S. Congress,*
> *House Office Building,*
> *Washington, D. C.*
>
> MY DEAR CONGRESSMAN: Thank you very much for authorizing my son, Stephen, to take examinations to compete for appointment to the Military Academy. Stephen voluntarily enlisted in the Marine Corps on August 31st. He is completing his "boot" training and will be home for his first leave around December 7.
>
> Stephen could have obtained a student deferment. He's a bright young man. His general classification test score (or so they were called during World War II) was 133. He is the second of my three sons to voluntarily enlist in the Marine Corps for duty in time of need for his services by our country. The youngest has not enlisted only because he cannot be accepted—he's only ten.
>
> It is hoped, Congressman, that the attitude of Gail, III, who served four years in the Marine Corps, a part of which tour was in Vietnam, and Stephen, will afford you and our President some assurance that American youths today, for the most part, are as patriotic as have been any generation in the past. The Gails and Stephens do not make front page news. They quietly go about doing their duty. I am convinced there are ten thousand of them, however, to each publicity grabbing, morally irresponsible draft card burner.
>
> From news reports, I conclude that reports of "opinion" poll takers and greatly publicized criticism of the American stand in Vietnam are discouraging to the President. I hope that, with all of the great burdens of his office and concern with facing present and future crises, he will not forget the lessons I am certain he learned in Sunday School and public schools.
>
> I hope he will remember that the popularity of Moses is recorded as having fallen to nothing as he was leading his people out of slavery to liberty. I hope that he will remember that during Valley Forge, General Washington barely retained courtesy from the Continental Congress. I pray that he will recall the early months of 1863 when there was actually a movement towards impeachment proceedings against President Lincoln. I hope he does not forget that it was on the eve of San Jacinto that loud cries went up to remove General Houston as commander of the forces opposing Mexican tyranny because of his supposed "disgraceful retreat". These Biblical and historical leaders were, no doubt, discouraged. Each moved forward resolutely through the discouragement to a place in history.
>
> Your support in the Congress of the President's determination to contain communist aggression has my complete approval. It is my belief that it has the complete approval of a great majority of the American people, including young men who are most directly affected.
>
> With kindest personal regards, I am,
> Your friend,
>
> W. G. WALLEY, JR.

PROTECT FARMERS' INVESTMENT

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, I think it is worthy of notice that whereas no one has, to any widespread extent, been able to do anything about the weather insofar as it attacks farmers' crops cruelly without warning at least one agency of the U.S. Department of Agriculture has been able to offset this capriciousness of weather with a program to protect farmers' investment costs.

That agency is the Federal Crop Insurance Corporation, established in 1938 by act of Congress to give farmers the means of self-help protection against weather disaster to their crops. It operates under direction of the U.S. Department of Agriculture, and provides it voluntary protection program in some 1,400 counties of 37 States.

To understand just what the Federal Crop Insurance Corporation faces in studying its risks and setting its rates and coverages for protection—most of which is all-risk against everything from insects to flood, and from freeze to drought—we should consider the weather extremes which plague our farm areas almost daily.

For example: You do not remember 1964 as being particularly phenomenal in weather, do you? And it was not, particularly. But in northwestern Montana it was the wettest year of record, in Sault Ste. Marie, Mich., they had a record snowfall, same at Fort Worth, Tex., the alltime coldest winter was at Port Arthur, Tex., and at Pendleton, Oreg., it was the driest season since 1890, at many northeastern places it was the driest year of record, but a little bit farther south they had the alltime wettest month at Charleston, S.C.

You can duplicate this sort of thing every month of every year. FCIC files are full of statistics on how they paid millions of dollars in loss payments in all States and for more than 120 separate causes of loss over the Corporation's 28 years of operation—and in practically no case was the loss predictable.

In fact, in a great majority of cases farmers who received loss payments had at some time or other remarked that "we just do not have that kind of weather losses around here"—ony to be proved wrong.

I congratulate USDA on its foresight in realizing, in its fostering and encouragement of this important insurance help for our farmers, that in these days of highest-risks our farmers stand to lose tremendous amounts of investment capital on weather damage "that just does not happen around here."

Mr. Speaker, I am pleased to call to the attention of our colleagues that we have a Government agency doing something about the weather—it is offering farmers crop insurance against it.

THE ELECTION OF CARL STOKES

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, while the headlines of the Nation's news media are full of the fact that Negroes have apparently been elected as mayors of Cleveland, in my own State of Ohio, and Gary, in our neighboring State of Indiana, I feel obliged to take the floor and point out an historical fact.

It is true that Cleveland now has become the largest city in the United States to elect a Negro mayor and Carl Stokes deserves congratulations for this political achievement. He has an unparalleled opportunity to accomplish a great deal for the improvement of the city of Cleveland and for relations between the races there and nationally.

But the first city in Ohio to elect a Negro mayor was in my own congressional district, where, in the November election of 1965, Republican Robert C. Henry led the ticket in reelection to the Springfield City Commission and, thereby, became the chief executive of this community of 85,000. At that time, Springfield was the largest city in the United States ever to have elected a Negro mayor.

As Cleveland is the ninth largest city in the United States, so Springfield is the 10th largest city in the State of Ohio.

Mayor Henry has served with honor and distinction in his community during the past 2 years. He has also won a nationwide reputation as a forceful speaker in the cause of civil rights and equal opportunity. He has also spoken often and well in the interest of the Republican Party throughout the Nation. But he is a popular speaker with all ethnic and political groups because of his eloquence and the basic commonsense of his views of Americanism.

In the Seventh Ohio Congressional District, which I have the honor to represent in Congress, we have a long tradition of electing Negroes to public office. And I hasten to point out that this is in a population mix which includes only about 6 percent nonwhite and no great metropolitan centers.

For instance, Republican James Henry has served for 14 years as an elected member of the city commission of Xenia, population, 25,420. In 1964, the voters of Greene County elected Republican James Ford as county commissioner. Both are present incumbents, and Commissioner Ford has recently completed a term as president of the county commission in this county of 118,108.

A number of other communities in my district are now being served by Negro public officials, as they have been for some years past. Bellefontaine, 12,156, yesterday elected Louis Ratleff, a two-term member of the city council, as council president. My hometown of Urbana, 11,102, yesterday reelected Wendell Stokes as second ward councilman for his sixth consecutive 2-year term. Three other Negroes were elected for the first time to local office in my district yesterday. In Springfield, Republican Douglas Gardner was elected to the city board of education; Republican Clifford Brown was elected to village council in Marysville, 4,952; and Republican Allen J. Freeman was elected to city council in London, 7,065.

So it was, then, last August, when I had the opportunity to deliver the commencement address at Central State University in my district and Carl Stokes was the recipient of an honorary degree, I advised him that should he be successful, he and Cleveland would not be the first.

In my middle-class moderately conservative district, made up of rural and suburban areas and small- to medium-sized cities, we have been selecting our officeholders on the basis of their quality as men and women and not on skin color for a number of years. When it comes to public service, we think that it is what is in a man's head and heart that counts.

Therefore, while I congratulate Cleveland and Mr. Stokes, Gary and Mr. Hatcher, I do not salute them as firsts. I merely welcome them to the fulfillment of an American tradition which has been observed by the voters of my district for many years.

WE OUGHT TO HAVE COURAGE TO TELL THE AMERICAN PEOPLE THE TRUTH

Mr. DORN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, this is no time for political demagoguery or partisan politics. There is never a time to play politics with national security. It might sound good to be against all taxes and all spending, but such a policy is not in the interest of our country. If a tax increase is needed to preserve this Nation and meet our country's commitments, then we ought to have the courage to tell the American people the truth and act accordingly.

Mr. Speaker, we are in a financial crisis. We might as well face it. It will not go away. As much as the Congress might wish things were different and that some miracle would happen, the truth is it is our responsibility to act now. We cannot afford to drift along until the situation becomes critical. We cannot afford to wish and hope until the evil of inflation destroys the purchasing power of the American people.

There is no recession or depression more dangerous to the economy of a nation than inflation. It is particularly hard on the small-salaried people, those struggling to educate their children and those drawing little pensions, social security, and annuities.

Mr. Speaker, the question, in its real essence, is whether or not we should raise taxes a little or permit inflation to rob our people.

Mr. Speaker, I believe that a citizen making a hundred dollars a week when confronted with the facts would prefer to have his taxes increased a dollar a week than to lose $5 per week through spiraling inflation.

I voted with much enthusiasm for the tax decrease in 1963. Previously to that time I contacted President Kennedy urging a decrease in taxes when the Wall Street Stock Market slid drastically. The tax decease we provided for the American people accomplished its purpose. Business improved. National income skyrocketed. More revenue poured in and unemployment dropped.

Today we are faced with a different situation. We are in a major war in South Vietnam, resulting in inflation and deficit financing. The time to act is now—curb Federal spending and have a modest tax increase. This will restore financial stability and fiscal responsibility. Now is the time to put the welfare of our country first.

Mr. Speaker, I commend our colleague, the distinguished minority leader of the other body, Senator EVERETT DIRKSEN, for suggesting a compromise tax increase and spending cut proposal. Whether this plan is the President's proposal to Senator DIRKSEN, or Senator DIRKSEN's proposal to the President is of no real consequence. It is another manifestaton of Senator DIRKSEN's statesmanship and placing the welfare of his country above political consideration. Senator DIRKSEN well knows that it would be politically expedient to oppose any tax increase, but again Senator DIRKSEN, as in his support of the President on Vietnam, is supporting fiscal responsibility and placing the welfare of his country above partisan politics. The Senator Dirksen-President Johnson proposal of a $4 billion dollar tax boost with a $4 billion spending cut is worthy of consideration.

THE 100TH ANNIVERSARY OF MADAM CURIE'S BIRTH

Mr. SMITH of Oklahoma. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, yesterday was the 100th anniversary of the birth of Madam Marie Sklodowska-Curie. I direct the attention of the Members to the following biography of Madam Curie, prepared by the Polish American Congress, which tells of her many accomplishments. I also insert an article written by Dr. Edward C. Rozanski, director of the Polish American Museum.

SKLODOWSKA-CURIE CENTENNIAL

In June of 1921, the then President of Harvard University, A. Laurence Lowell, spoke during a scholarly convocation of three outstanding scientific discoveries of all times:—the Copernican theory of heliocentric universe, the Newtonian law of gravitation, and the discovery of radium by Madame Marie Sklodowska-Curie. Thus, he stated, up to that time, two of the three discoveries that changed the course of scientific thought were made by scientists of Polish birth.

This year the Polish nation together with scientific communities throughout the world will observe the hundredth anniversary of the birth of Mme. Sklodowska-Curie.

Poland's contribution to the knowledge and use of physics is personified in two geniuses who unlocked the secrets of macrocosm and microcosm.

Mikolaj Kepernik (Copernicus) founded modern astronomy when he "stopped the sun and set the earth in motion."

Marie Sklodowska-Curie discovered and defined the fundamental properties of atom. In the words of Soddy:

"The brilliant generalization, at once clarifying and simplifying the whole subject, was made quite early, in the face of much apparent evidence to the contrary. . . . In spite of discovery of new phenomena, at first sight, quite out of keeping with it, it has survived and remains the central pivot on which the whole science turns."

As early as 1900 Sklodowska suggested that, if the energy evidence by the radiation did not come from an external source, it must result from the breakdown of the atom, since radioactivity is an atomic property.

In 1903, Rutherford and Soddy announced their theory of atomic disintegration, thus giving corroboration to the theory advanced by Sklodowska-Curie.

Marie Sklodowska-Curie, one of the greatest scientists of all time, was born in Warsaw, Poland, on November 7, 1867, the youngest of the five children of Wladyslaw and Bronislawa (nee Boguska) Sklodowska.

Her childhood destined her for scientific research; she spent much time in the laboratory of her father, who was a professor of physics. At the age of nine she lost her mother.

The Sklodowskas suffered many tribulations under the Russian tyranny. Young Marie, like other Polish youth of her time, followed intellectual pursuits in the firm belief that through hard work and cultural eminence rather than through futile fight against the overwhelming force of the occupying power they would gain victory.

Completing her early education in the schools of Warsaw, she graduated from Gymnasium at the age of 15. She earned a very modest living doing private teaching, while preparing herself for the University by self-instruction.

In 1891 she was finally able to undertake the study at Sorbonne, thus realizing one of the fondest dreams of her youth.

In 1893 she graduated with first rank as "licenciee es sciences physiques," and the following year with second rank as "licenciee es sciences matematique."

In her own words, these were the years "entirely absorbed in the joy of learning and understanding." Poverty was of no concern.

"It was a familiar experience of many Polish students whom I knew," she wrote in later years. "The room I lived in was a garret, very cold in winter, for it was insufficiently heated by a small stove."

There was a time when she became ill through lack of food.

Marie Sklodowska was 24 when she went to study in Paris.

In 1894 she met Pierre Curie, a very promising physicist, Professor of Physics in the School of Physics and Chemistry in Paris. Their mutual scientific interests drew them together. In the following year they were married—she at the age of 28, he at 36.

Those were the years of pioneering discoveries in physics.

In 1895, Roentgen discovered the now familiar X-rays. In 1896 Becquerel discovered that a compound of uranium affected a photographic plate in the same manner when it had been kept in dark as it did after it had been exposed to the sunlight. Thus radioactivity had been discovered though not yet defined or named.

In 1897, Madame Curie determined to make a study of the phenomenon and had chosen radioactivity as the subject of her doctoral thesis. Professor Curie followed suit, abandoned his study of crystals and joined his wife in the new pursuit, the completion of which was to bring them world-wide recognition and lasting fame.

Using a variety of compounds of uranium, Madame Curie ascertained that they emit the same rays and the intensity of radiation depended only on the quantity of the uranium in the compound. From these observations she reasoned that the radioactivity in the uranium compound was a fundamental property of the uranium atom.

For further investigations, the Curies chose an ore of uranium known as pitchblende. With the progress of purification, the chemical identity of pitchblende components became apparent.

In July, 1898 the Curies announced the existence of Polonium, named for Marie's native Poland, and a search of the second new element was pressed. In December of 1899, the existence of Radium had been announced.

Evidences for these two elements were conclusive but it still remained to separate them from bismuth and barium and to obtain them in free forms.

This was accomplished in a shed with a leaky roof and the most primitive equipment.

"Yet it was in this miserable old shed that passed the best and happiest years of our life, devoting our entire days to our work. I shall never be able to express the joy of untroubled quietness of this atmosphere of research and the excitement of actual progress with the confident hope of still better results," wrote Mme. Curie in her memoirs.

In 1900, Pierre and Marie made a general report on Polonium and Radium to the Congress of Physics in Paris.

In 1902 Mme. Curie succeeded in preparing a decigram of pure uranium and in 1903 she completed her doctoral thesis on this subject.

In 1903 the Curies jointly with Henri Bequerel received the Nobel prize in Physics.

During these years of research, two children were born to the Curies—Irene in 1897 and Eve in 1904.

In 1906 Pierre Curie died in a traffic accident.

In tribute to his memory and in recognition of his scientific status, Prof. Curie's chair at the Sorbonne was offered to his wife. Thus Marie Sklodowska-Curie had been honored as the first woman in history to hold the chair of Professor of Physics at the Sorbonne. However, the full Professorship was not granted to her until 1908.

In 1912 Marie was again awarded the Nobel prize, this time alone, for her preparation of pure uranium and defining its atomic weight. That same year a Radium Institute had been established in her honor in Warsaw and in 1913 Marie returned to her homeland to receive a heroine's welcome.

A similar institute had been founded that same year in Paris and Madame Sklodowska-Curie devoted much time to its direction and organization.

During World War I she and her daughter Irene worked tirelessly in setting up radiological ambulances for the purpose of taking x-rays of the wounded.

Although she never lived in Poland after 1891, her interest in her beloved native land never flagged and she rejoiced that she lived to see her dream of a united and free Poland come true. Her loyalty and her love for the land of her origin were deep and abiding.

In 1921, Madame Sklodowska-Curie came to the United States and American women presented her with a gram of radium and with a fund for her private use. Marie used the money for the rental of another gram of radium for the laboratory in Warsaw. When she visited the United States again in 1929, to dedicate the Hepburn Hall of Chemistry at St. Lawrence University, American friends presented her with money to purchase the gram of radium for Warsaw, thus freeing the original fund for her use.

In 1932 she paid her last visit to her beloved Poland to attend the dedication of the Radium Institute of Warsaw.

Marie Sklodowska-Curie died on July 4, 1934, in Paris.

Marie Sklodowska-Curie is one of several women Nobel laureates. But she is the sole recipient of these highest rewards for her attainment in two disciplines—chemistry and physics. Other great honors came to her from all parts of the world—from learned societies, universities and colleges.

It is somewhat ironic that she was refused admission to the French Academy of Science solely because she was a woman. And the medical faculty in Paris hesitated for a long time to nominate her Professor of Physics because she was not a Frenchwoman by birth.

A deeply moving and forever memorable tribute to this great scientist and humanitarian was paid by President Sykes of St. Lawrence University when he conferred the honorary degree of Doctor of Science on her. He spoke of Mme. Sklodowska-Curie:

"Self-effaced and devoted scientist, teacher and author, exemplar of the art of living while directing to beneficent ends powerful forces of nature, single and persistent in purpose, triumphant in research, hastening the march of civilization by the discovery of radium, inspired and inspiring idealist, practical dreamer."

POLONIA: THE ONLY FREE THOUGHT SPOKESMAN OF THE POLISH PEOPLE

(By Dr. Edward C. Rozanski, director, Polish Museum of America and member State of Illinois American Heritage Commission)

The current year has been replete in great anniversaries: The 50th anniversary of the organization of Gen. Haller's Blue Army; the centennial of the birth of Marshal Pilsudski, leader of the Polish Legions; the centennial of Marie Curie-Sklodowska, who gained world fame in the scientific field and the sesquicentennial of the death of Thaddeus Kosciuszko.

All these anniversaries have a common bond: they emphasize the strong ties that have bound the Polish exile and emigre with the Polish people—a bond which is still very vital today.

When the conflagration of World War I enveloped Poland it enabled her to organize, once again, armed resistance against her western and eastern foes. In this effort Polonia came forward to aid her brothers beyond the Vistula, organizing first in Canada and finally on French soil a strong army ready to strike a decisive blow for Polish freedom. When Marshal Pilsudski was forced to defend this hard won freedom from another invasion from the East—it was the Blue Army organized by the American Polonia that arrived in Poland at this crucial moment. The bayonets of this Blue Army of patriots helped stem the onrushing tide of Budienny's army.

In another sphere the great link between Polonia and Poland was emphasized by the scientific discoveries of Marie Curie Sklodowska. Unable to develop her talents in Russian dominated Poland, she left her country for France, where she once again lifted the flaming torch of Polish thought and knowledge. Sklodowska emulated thousands of other Polish exiles and emigrees who in lesser or greater measure from the downfall of Kosciuszko's Insurrection, kept alive Poland's quest for freedom in other lands. That quest continues to this very day!

We well know that today's Poland still does not enjoy the full freedom of thought, spirit and religion.

That situation places upon Polonia a special obligation of which we are more deeply reminded during these anniversaries—particularly such a manifestation as the great "Call to Arms" of fifty years ago.

We must continue to strengthen our bonds with our Polish brethren across the seas and aid those whose thought, genius and deeds proclaim to all the world the great legacy Poland has given to world civilization.

We must and shall find the roads which lead to the unification of the Polish people.

Mr. Speaker, my specific reason for directing this to the attention of the Members is the fact that there is a proposal pending before the Citizens' Stamp Advisory Committee to authorize the issuance of a special commemorative stamp honoring Madam Curie. A number of Members have joined me in introducing bills supporting the issuance of this stamp and I certainly urge that the committee thoughtfully review the meritorious service of Madam Curie and act favorably on this proposal.

THE POLISH GOVERNMENT IN EXILE

Mr. SMITH of Oklahoma. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, on numerous occasions I make it a point to remind the Members of the existence in London of the Polish Government in exile and its role as a legitimate spokesman of Poles throughout the world and the silent millions held captive in Poland. President Zaleski, on October 28, 1967, inaugurated the ninth session of the Council of the Republic of Poland. I ask leave to insert his remarks at this point in the Record:

[From the Polish Government in Exile, Ministry of Foreign Affairs, London, S.W. 1, Oct. 1967]

PRESIDENT ZALESKI INAUGURATES IX SESSION OF THE COUNCIL OF THE REPUBLIC OF POLAND

(Caxton Hall, London, October 28, 1967)

His Excellency August Zaleski, President in Exile of the Polish Republic, on October 28, 1967 opened the IX session of the Council of the Republic of Poland, a body which functions as a parliament in exile. The session was held in Caxton Hall, London and President Zaleski's address is given below:

"According to news received from Poland, the economic position of the country has improved to some extent though only very slightly. This turn for the better is an outcome of the ever firmer resistance of the nation to communization. The Polish farmers have succeeded in resisting the establishment of collective farms which were to be formed upon the areas of consolidated small holdings and of some nationalized major country-estates. Thus, it is now estimated that 85 per cent of the agricultural land is tilled by private owners. Nonetheless, Poland is unable to raise enough food for her inhabitants: these have multiplied so relatively swiftly during the last twenty years or so that they now number thirty-two million, half of whom are under twenty-four years of age and of these, eight million are under sixteen.

"The Communist regime in Poland has to find employment for 750,000 school-leavers this year. The great majority of these youngsters, despite the efforts of the régime, by no means regard the present state of affairs uncritically. They cannot but perceive the state into which their country has been thrust and know full well that it is due to the domination of Russian influence, without which the Communist regime in Poland would not endure for a moment. Thus, they resolutely cling to the religion of their fathers, cherish the national traditions, and long for the day when the rule of Law and Justice shall prevail in the world.

Unfortunately, there is little hope of this happening in the near future. On the contrary, examining the present state of international relations, we cannot but note that, though the Second World War ended in victory for our war-time allies, Russia—always one of the most imperialistic Powers in the world—was accepted as one of them. The constellation of the Powers has also been transformed. Some of them have waxed in strength whilst others have weakened. Thus, apart from the prewar Great Powers, we now also have two Super-Powers.

There are many who imagine that these Super-Powers may arrive at an understanding which will enable them to exercise a joint hegemony over the world. It should, however, be realized that the differences between them are so great that, from the nature of things, any such accord could be only temporary and possess very restricted scope.

Whilst the United States is a democratic country peopled by a nation for whom liberty and justice are essential conditions, Russia has always been under an autocracy with her inhabitants accustomed for long centuries to life under a totalitarian system—whether Tsarist or Communist. It is quite evident that Russia still strives to impose her influence wherever possible.

For the sake of example, it suffices to indicate Russian policy in Vietnam and in the Middle East, apart from the large-scale propaganda developed wherever she hopes to strengthen her influences by evoking social upheavals. Since many persons are deluded regarding Russia's role in international affairs today, it is our duty—as people whose homeland is under what is an actual Russian occupation despite the will of the Polish nation—to appeal that the task of embodying the ideals of the rule of Law and Justice in relations between the nations be resumed as soon as possible.

Mr. Speaker, I hope the Members will note the thoughtful comparison made between the United States and the Soviet Union and the very penetrating analysis of international issues that this statement reflects.

STATEMENTS CONCERNING VIETNAM

Mr. SMITH of Oklahoma. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Wyman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WYMAN. Mr. Speaker, hawk or dove, it is less than helpful for Members of Congress to make public statements that undermine the morale of our fighting men in Vietnam. Certainly a majority of Members are agreed that this is a tragically unfortunate war being fought in an undesirable locale; that it is fantastically expensive in blood and money; that it ought to be honorably ended as soon as possible. This, however, ought not to sanction public positions that give aid and comfort to the enemy in Hanoi or suggest that if they hold on long enough we will turn tail and run.

We are in this thing 500,000 men and tens of billions of dollars strong. We are past the point of no return by more than 13,000 dead American boys and nearly 100,000 casualties of one kind or another. We cannot retreat in this situation or the cost to us in the long run would vastly exceed whatever temporary lull might be thought to be gained.

In this connection, I strongly recommend thoughtful reading of an editorial by David Lawrence appearing in U.S. News & World Report issue of November 13, 1967, entitled "Appeasement Never Pays."

Appeasement Never Pays

(By David Lawrence)

It is politically popular nowadays for many members of Congress to demand, in effect, that the United States make peace at any price in Vietnam. But the Hanoi Government refuses even to enter into peace negotiations. It looks forward to the time when the United States will of its own accord throw in the sponge.

The theory behind the protest movement in this country at present is that America should mind its own business and let the rest of the world take care of itself. The United States, of course, could withdraw its forces and get out of the Vietnam "mess." This would satisfy the short-sighted persons who are considering only the convenience of the moment—not the long-range peril that is threatened if the Communists take over more of Asia.

Appeasement leads to war. Vacillation before World War I and before World War II helped to involve us in those two terrible conflicts. No better authority on what appeasement has meant in bringing on war could be cited than Winston Churchill. In his book, "The Gathering Storm," published in 1948, he gave a penetrating review of some of the events of 1938 and 1939 which led to the fighting of World War II under the most disadvantageous conditions. The tragic chronology prior to the outbreak of the second world war is narrated by Mr. Churchill as follows:

"In this sad tale of wrong judgments formed by well-meaning and capable people, we now reach our climax. That we should all have come to this pass makes those responsible, however honourable their motives, blameworthy before history.

"Look back and see what we had successively accepted or thrown away:

"1. A Germany disarmed by solemn treaty; a Germany rearmed in violation of a solemn treaty.

"2. Air superiority or even air parity cast away.

"3. The Rhineland (demilitarized by treaty) forcibly occupied and the Siegfried Line built or building.

"4. The Berlin-Rome Axis established.

"5. Austria devoured and digested by the Germans.

"6. Czechoslovakia deserted and ruined by the Munich Pact; its fortress line in German hands; its mighty arsenal of Skoda henceforward making munitions for the German armies.

"7. President Roosevelt's effort to stabilize or bring to a head the European situation by the intervention of the United States waved aside with one hand, and Soviet Russia's undoubted willingness to join the Western Powers and go all lengths to save Czechoslovakia ignored on the other.

"8. The services of thirty-five Czech divisions against the still unripened German Army cast away, when Great Britain could herself supply only two to strengthen the front in France—all gone with the wind.

"And now, when every one of these aids and advantages has been squandered and thrown away, Great Britain advances, leading France by the hand, to guarantee the integrity of Poland—of that very Poland which with hyena appetite had only six months before joined in the pillage and destruction of the Czechoslovak State.

"There was sense in fighting for Czechoslovakia in 1938 when the German Army could scarcely put half a dozen trained divisions on the Western Front, when the French with nearly sixty or seventy divisions could most certainly have rolled forward across the Rhine or into the Ruhr (Western Germany).

"But this had been judged unreasonable, rash, below the level of modern intellectual thought and morality. Yet now at last the two Western Democracies declared themselves ready to stake their lives upon the territorial integrity of Poland.

"History, which we are told is mainly the record of the crimes, follies, and miseries of mankind, may be scoured and ransacked to find a parallel to this sudden and complete reversal of five or six years' policy of easy-going placatory appeasement, and its transformation almost overnight into a readiness to accept an obviously imminent war on far worse conditions and on the greatest scale. . . .

"Here is a line of milestones to disaster. Here is a catalogue of surrenders, at first when all was easy and later when things were harder, to the ever-growing German power. But now at last was the end of British and French submission. Here was decision at last taken at the worst possible moment and on the least satisfactory ground, which must surely lead to the slaughter of tens of millions of people. Here was the righteous cause deliberately and with a refinement of inverted artistry committed to mortal battle afer its assets and advantages had been so improvidently squandered.

"Still, if you will not fight for the right when you can easily win without bloodshed; if you will not fight when your victory will be sure and not too costly; you may come to the moment when you will have to fight with all the odds against you and only a precarious chance of survival.

"There may even be a worse case. You may have to fight when there is no hope of victory, because it is better to perish than live as slaves."

CONGRESSIONAL REFORM

Mr. SMITH of Oklahoma. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. CURTIS. Mr. Speaker, today I introduced a House concurrent resolution (H. Con. Res. 578) to extend the life of the Joint Committee on the Organization of the Congress which, under current authorizations, is due to expire December 31, 1967. My colleagues, Representatives Hall and Cleveland, cosponsor this resolution.

The resolution will continue the joint committee through the remainder of this Congress and authorize expenditures not to exceed $100,000 to be paid from the contingent fund of the House on vouchers signed by the House cochairman of the joint committee. That would be Representative Ray Madden, of Indiana. The committee, of course, would go out of existence shortly after the enactment of legislative reorganization.

The Joint Committee on the Organization of the Congress, established March 11, 1965, by the adoption of Senate Concurrent Resolution 2, up to this time has been financed from the contingent fund of the Senate on vouchers signed by Cochairman Monroney. The Senate completed its major work on congressional reform March 7, 1967, when it passed S. 355 by a vote of 75 to 9. Since the House has been unable to complete action on the measure, it seems appropriate that the House finance the joint committee from this time forward.

Mr. Speaker, action on this concurrent resolution will be a test of the intentions of the House with respect to congressional reform. I hope the House, and all its Members, will be given an opportunity to make that decision and that it will not be made by the Democratic leadership and the Democratic members of the Rules Committee alone by refusing to report this resolution to the House.

Mr. Speaker, I know there are some concentrated in the center of power of the majority in the House who do not wish to make congressional changes. The Senate and the House, both unanimously, in the adoption of Senate Concurrent Resolution 2 in March 1965, expressed the opinion that the Congress needed reform in its procedures and its structure. Thus, the effort to prevent House consideration of congressional reform flouts the clearly and unanimously expressed will of the Congress.

Those who oppose change hope this issue will just quietly fade away. But, for my part, Mr. Speaker, and I believe there are many of my colleagues who are of the same mind, I do not propose to permit the killing of S. 355 to go unnoticed. In my judgment, failure to act on the concurrent resolution to continue the Joint Committee on the Organization of the Congress would be the death blow to congressional reform.

Mr. Speaker, I regret that it is necessary to ask for an extension of the life of the joint committee. Action should have been taken long ago to complete legislative reorganization. Throughout the life of this bill I have done my best, as have my colleagues on the Joint Committee on the Organization of the Congress, to get action on meaningful congressional reform.

Anticipating that the Senate-passed bill might possibly be referred to some committee in the House, probably the Rules Committee, I sought in a colloquy with the cochairman of our committee, the Honorable Ray Madden, at the time of the reactivation of the Joint Committee on the Organization of the Congress in the 90th Congress, to anticipate possible reference of the Senate-passed reorganization bill and endeavored to obtain a commitment that the procedure followed in the enactment of the Legislative Reorganization Act of 1946 would be adopted with respect to the current bill. In this colloquy, I incorporated the chronology of the legislative steps in the enactment of Public Law 601, 79th Congress. The colloquy appears upon page 2082 of the Congressional Record of January 31, 1967.

The important point is that in 1946, S. 2177, the Senate-passed reorganization bill, was held on the Speaker's desk and changes in the Senate-passed bill were agreed upon informally between the Leadership and the House Members of the Joint Committee on the Organization of the Congress without the bill being referred to any committee.

My efforts in this regard were of no avail and on March 9, 1967, the bill was referred to the Rules Committee, where it still remains. Only one day of hearings was held—on April 11, 1967. Only one witness was heard and even his testimony was not completed.

Mr. Speaker, in my opinion, it was a mistake to refer S. 355 to the Rules Committee. S. 355 is an omnibus bill and deals with a great variety of matters concerning the Congress and its operations. True, parts of the bill affect the rules of the House and that subject matter, of course, is within the jurisdiction of the Rules Committee. But there are many provisions concerning housekeeping matters, which lie within the jurisdiction of the Committee on House Administration. There are provisions relating to fiscal controls and the Comptroller General, which lie within the jurisdiction of the Committee on Government Operations. There are criminal provisions, particularly in title V relating to lobbying, which are within the jurisdiction of the Judiciary Committee. Provisions relating to the appropriations process fall within the jurisdiction of the Appropriations Committee. There are other provisions which could be appropriately referred to other standing committees of the House. In other words, Mr. Speaker, this omnibus bill cuts across the jurisdiction of so many committees that, if it were to be referred to any committee at all, it should have been referred to a special committee composed of the House members of the Joint Committee on the Organization of the Congress with instructions to hear objections of House Members and the general public to the provisions of the Senate-passed bill, to consider those objections, to work out an acceptable compromise and report a bill to the House and seek a rule from the Rules Committee.

It has been my personal view that the Rules Committee ought to limit itself to the consideration of the changes in the bill made on the floor of the Senate which had not received the study and endorsement of the 12 members of the Joint Committee on the Organization of the Congress, and no more.

Mr. Speaker, there is another reason why this bill should not have been referred to the Rules Committee and I believe that, aside from the lack of enthusiasm for congressional reform on the part of the Democratic leadership, this is perhaps the most important reason for the inordinate delay in action by the Rules Committee; and that is that the Rules Committee simply is not constituted to deal with this long and complicated bill. It does not have the staff, it does not have the time; it does not have the inclination to sit day after day and listen to objections to phraseology and, then, to sit in executive session making policy decisions with respect to the provisions of the bill.

For my part, Mr. Speaker, I am willing to trust the Members of the House of Representatives, each one of whom is an expert in his own right on congressional structure and procedures, to work their will on this measure in the form that it passed the Senate. I am fully aware that many amendments would be offered; that many provisions of the Senate-passed bill would be debated heatedly; and that a product might emerge which would not please the leadership, but, Mr. Speaker, I have faith that my colleagues can act responsibly and devote the necessary time and thought to produce meaningful congressional reform. I would like to see this happen before the adjournment of this session of the Congress. If the House cannot act responsibly on this measure, then the people of the country are entitled to know it and, if the Democratic leadership is determined to prevent the House from working its will on congressional reform, the people of the country are entitled to know that.

It has been suggested that the killing of congressional reorganization by the Democrats would be an issue in the 1968 congressional campaign. I have no doubt that it will be, if it happens. But, Mr. Speaker, I am one of those who would rather have congressional reform than a political issue, and I am pragmatic enough to know that there will be no opportunity for the House to act on this measure before adjournment. I am also realistic enough to appreciate, as I believe the people in the country will appreciate, that killing the Joint Committee on the Organization of the Congress—the parent of congressional reform—is the equivalent of killing congressional reform itself.

It is for these reasons that I now suggest that this legislation remain in status quo through adjournment of the first session by the continuation of the joint committee into the second session of the 90th Congress; that the Rules Committee, early in the next session in January, determine whether it wishes to hold hearings on legislative reorganization and mark up the bill itself; and, if it considers this task too formidable, that it then consider referring S. 355 and similar bills, and communications with respect thereto, to a special committee composed of the House members of the Joint Committee on the Organization of the Congress to hold hearings, hammer out an acceptable congressional reform bill, report it to the House, and request a rule for its consideration from the Rules Committee.

I hope the House leadership and the members of the Rules Committee will agree with me.

RESULTS OF POLL ANNOUNCED BY NATIONAL FEDERATION OF INDEPENDENT BUSINESS

Mr. SMITH of Oklahoma. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. Snyder] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SNYDER. Mr. Speaker, I would like to call the attention of my colleagues to the results of a recent poll conducted by the National Federation of Independent Business on House Resolution 476 now pending before the 90th Congress. The poll was taken of the organization's membership of over 240,000.

This resolution along with H.R. 9966 was introduced as a legislative package by the gentleman from Nebraska, Bob Denney, along with Congressmen Hunt and Brotzman on May 15 of this year, and was entitled the "Accuracy in Business Act."

Mr. Speaker, so that my colleagues can be further advised of the legislation and the results of the poll in their respective States, I submit for the Record the federation's news release of November 6, 1967:

> If "truth in packaging" and "truth in lending" are valid national objectives, then many businessmen believe that "truth in pricing legislation" is desirable. A majority of independent business owners believe that if every measure introduced before the House of Representatives contained a "price tag" showing its cost to the government, then Congressmen might vote with more concern for economy.
>
> This novel approach to legislative bookkeeping was proposed by Congressman Robert Denney of Nebraska. He would like to see twice-a-month tabulations on the cumulative cost of all bills and resolutions introduced, and a similar total for all legislation passed by the House of Representatives.
>
> Put to a vote of independent business proprietors by the National Federation of Independent Business, 82 per cent registered approval of the idea, 12 per cent were opposed and 6 per cent were undecided.
>
> The businessmen, usually outspoken on the subject of government spending, apparently believe the Denney proposal would be a worthwhile step toward money management during the complex legislative process.
>
> Aside from appropriation bills, many measures presented to Congress authorize government services and projects without any mention of costs which will result. The costs usually show up later in department appropriation bills.
>
> Congressman Denney's measure would require that estimates of the cost for both the current fiscal year and the next fiscal year be written into each piece of proposed legislation. The Clerk of the House would publish in the Congressional Record the cumulative cost figures for (1) bills and resolutions introduced, and (2) legislation passed, on the 1st and 15th of each month.
>
> While some deficiencies may be acknowledged—an "estimate" might be far off the actual cost, and amendments could drastically alter expenditures—most businessmen would like to see the innovation.
>
> State tabulation follows:

STATE BREAKDOWN FIGURES—A BILL TO REQUIRE EACH PUBLIC BILL OR RESOLUTION IN THE HOUSE TO CONTAIN AN ESTIMATE OF ITS COST

State	Percent in favor	Percent against	Percent undecided
Alabama	87	8	5
Alaska	80	13	7
Arizona	82	13	5
Arkansas	84	11	5
California	79	14	7
Colorado	84	9	7
Connecticut	88	7	5
Delaware	89	6	5
Florida	85	9	6
Georgia	87	5	8
Hawaii	....	....	....
Idaho	77	17	6
Illinois	82	13	5
Indiana	78	15	7
Iowa	83	12	5
Kansas	82	14	4
Kentucky	75	21	4
Louisiana	92	5	3
Maine	83	15	2
Maryland [1]	....	....	....
Massachusetts	95	3	2
Michigan	69	22	9
Minnesota	86	10	4
Mississippi	85	11	4
Missouri	89	6	5
Montana	84	11	5
Nebraska	92	5	3
Nevada	87	7	6
New Hampshire	86	14	....
New Jersey	88	6	6
New Mexico	86	5	9
New York	74	20	6
North Carolina	85	7	8
North Dakota	83	8	9
Ohio	78	16	6
Oklahoma	87	8	5
Oregon	81	10	9
Pennsylvania	79	14	7
Rhode Island [1]	....	....	....
South Carolina	91	7	2
South Dakota	77	14	9
Tennessee	79	10	11
Texas	83	13	4
Utah	82	12	6
Vermont [1]	....	....	....
Virginia	61	22	17
Washington	81	16	3
Washington, D.C. [1]	....	....	....
West Virginia	100	....	....
Wisconsin	80	16	4
Wyoming	85	15	....

[1] Returns incomplete for these States.

HOUSE REPUBLICAN POLICY COMMITTEE URGES PROMPT CONSIDERATION OF CLEAN ELECTIONS LEGISLATION

Mr. SMITH of Oklahoma. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. RHODES] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, clean elections legislation must not be sidetracked for another year. On June 27, 1967, a bipartisan election reform bill, H.R. 11233, was reported by a subcommittee of the House Administration Committee. This legislation contains the basic reforms advocated and supported by President Johnson and the Republican congressional leadership. It is similar in content to the legislation that died in committee after it was favorably reported by the subcommittee in the closing weeks of the last Congress. The next presidential and congressional elections are less than 1 year away. Congressional action cannot be delayed if this legislation is to be in effect and operative during the 1968 campaigns.

For some time, there has been general agreement that the laws dealing with election campaigns should be revised and updated. The Federal Corrupt Practices Act was enacted in 1925. The Hatch Act was passed 27 years ago. Recent studies such as the 1962 report of President Kennedy's Commission on Campaign Costs reveal that present laws invite evasion and are filled with loopholes. There is grave concern that unless there is basic reform, public confidence in the election process will be impaired.

In response to mounting public demand for election reform legislation, President Johnson pledged in his 1966 state of the Union message:

> I will submit legislation to revise the present unrealistic restrictions on contributions—to prohibit the endless proliferation of committees, bringing local and state committees under the act—and to attach strong teeth and severe penalties to the requirement of full disclosure of contributions.

In May of 1966, both the President and the House Republican policy committee urged the enactment of election reform legislation and specific proposals were introduced. In calling for this legislation, the Republican policy committee noted:

> Reform in this area is long overdue. Legislation that will correct the defects in the law and permit vigorous enforcement must be enacted.

The 1967 Republican state of the Union appraisal stated:

> Congress must also move ahead on the President's year-old pledge for a Clean Election law. Such a law must be on the books before 1968.

At the start of the 90th Congress, the policy committee urged the House leadership to schedule the Election Reform Act as one of the first pieces of legislation to receive floor consideration.

And in May of this year, President Johnson stated:

> A sweeping overhaul of the laws governing election campaigns should no longer be delayed.

The bipartisan election reform bill, H.R. 11233, that has been reported by the subcommittee of the House Administration Committee is sound legislation. Through the incorporation of the following major Republican provisions, honest reporting of campaign contributions and expenditures and streamlined enforcement procedures would be insured:

First. A five-member bipartisan Federal Election Commission is established to receive reports and statements regarding campaign contributions and expenditures.

Second. The Commission has been granted full and complete authority to enforce the provisions of the act. It is also authorized to make reports and statements available for public inspection and to prepare and publish summaries and reports.

Third. Candidates for Federal office and political committees supporting such candidates that accept contributions or make expenditures exceeding $1,000 in any calendar year, are required to report contributions and expenditures.

Fourth. Donations by an individual of more than $5,000 to any candidate or any committee supporting such candidate in any calendar year are prohibited.

Fifth. Campaign contributions by political action committees financially supported by a corporation, trade association or labor organization are regulated.

Sixth. Conventions, primaries, and party caucuses have been placed under the reporting and disclosure provisions of the bill.

Seventh. The disclosure of gifts or honorariums of more than $100 is required of candidates for the House and Senate, as well as incumbents.

In view of the urgency of this legislation and the President's early support, we are surprised and dismayed that the election reform bill does not now appear on the administration's list of must legislation. To be enacted this year, the election reform bill must have the continued and enthusiastic support of President Johnson. The American public demands and deserves an election process that commands respect and confidence. Moreover, clean elections must be practiced at home as well as preached abroad.

HUNT-WESSON CONTRACTS TO DEPARTMENT OF DEFENSE

Mr. MORSE of Massachusetts. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FINDLEY. Mr. Speaker, I asked Secretary of Defense Robert S. McNamara in a telegram dated November 2, 1967, to investigate the possibility that the Department of Defense may inadvertently be purchasing Soviet vegetable oil for shipment to U.S. and allied forces in Southeast Asia.

The Hunt-Wesson Foods Co., of Fullerton, Calif.—manufacturers of Wesson Oil—have received 13,575,143 pounds of Soviet vegetable oil since last March.

Although Hunt-Wesson canceled an additional shipment of 20 million pounds which was scheduled to dock in New Orleans on or about Friday, November 3, the possibility of commingling Soviet and domestic vegetable oil supplies still remains.

The problem is clearly seen when one reviews the extent of Defense Department contracts for vegetable oil with Hunt-Wesson since that firm began receiving Soviet vegetable oil supplies. The following table illustrates the enormous volume of refined vegetable oil contracts awarded by the Defense Department to the Hunt-Wesson Co. since April 6, 1967:

DEFENSE SUPPLY AGENCY CONTRACT AWARDS TO HUNT-WESSON FOODS FOR SALAD OIL, "TYPE B" FROM APR. 6 TO NOV. 8, 1967

[Federal Specification JJJ-S-30b, dated May 4, 1964, and amendment 2]

Date awarded	Contract number	Quantity (gallons)	Dollar value
Apr. 6	DSA1307C540A1	142,560	$220,963.60
Apr. 11	DSA1307C504A3	36,432	56,469.60
Apr. 20	DSA1307C33231	39,600	61,578.00
May 4	DSA1307C529A5	135,168	209,902.88
May 9	DSA1307C529A7	62,304	97,028.80
May 11	DSA1307C33261	34,848	55,834.24
May 19	DSA1307C33283	64,416	100,867.36
May 26	DSA1307C529A8	147,840	235,319.92
June 14	DSA1307C33811	17,424	27,733.20
June 19	DSA1307C33820	71,442	136,374.84
June 26	DSA1307C33835	286,884	497,637.12
Aug. 10	DSA1307C039A4	80,154	126,830.64
Aug. 11	DSA1307C23006	71,442	133,675.92
Sept. 8	DSA1307C23008	19,008	30,191.04
Sept. 22	DSA1307C23014	42,282	80,241.84
Total, 15 contracts		1,251,804	2,070,649.00

I have asked Secretary McNamara, in light of this new information, to redouble his demands for complete proof that none of the 13 million pounds of Soviet vegetable oil already received by Hunt-Wesson has been commingled with domestic supplies in the fulfillment of Defense Supply Agency contracts.

It would be ironic indeed if U.S. soldiers in Vietnam wounded by Soviet weapons were fed Soviet vegetable oil purchased, in effect, by U.S. taxpayers.

The text of my letter to Secretary McNamara follows:

NOVEMBER 8, 1967.

Hon. ROBERT S. MCNAMARA,
Secretary of Defense,
Washington, D.C.

DEAR SECRETARY MCNAMARA: In further reference to contracts which Hunt-Wesson Foods Company has with the Defense Supply Agency for vegetable oils, I have received today a listing of all vegetable oil contracts with Hunt-Wesson since April 6, 1967—about the time Hunt-Wesson received its first shipment of vegetable oil from the Soviet Union.

I find that the Department of Defense has contracted with the firm in fifteen awards for 1,251,804 gallons of vegetable oil at a cost of $2,070,649.00.

The Hunt-Wesson Company has cancelled delivery of 20 million pounds of Soviet cottonseed oil, which had been expected to arrive at New Orleans Friday, November 3. However, in view of the size of these contracts, the provisions that products supplied must be U.S. end products, and the statements of Hunt-Wesson that it used "no supplies of foreign origin", it is even more reasonable for the Department of Defense to demand complete proof that none of the 13 million pounds of Soviet vegetable oil has been commingled with domestic supplies in the fulfilling of Defense Supply Agency contracts.

Specifically, the Defense Department should ask the Hunt-Wesson Company what specific actions it undertook to prevent commingling of Soviet and domestic vegetable oil supplies, and if that company can prove the absence of commingling.

I am sure that you share my concern in this matter. Thanks for the response of November 6 from Mr. Thomas D. Morris, your Assistant Secretary for Installations and Logistics. Looking forward to a further report.

Sincerely yours,

PAUL FINDLEY,
Member of Congress.

Text of letter of Thomas D. Morris, Assistant Secretary of Defense, Installations and Logistics, follows:

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., November 6, 1967.

Hon. PAUL FINDLEY,
House of Representatives,
Washington, D.C.

DEAR MR. FINDLEY: Secretary McNamara has asked that I reply to your telegram of 2 November 1967, concerning the use of Soviet vegetable oil for our U.S. military forces in Vietnam. This is an interim reply to acknowledge your inquiry and to provide some preliminary information.

The Defense Contracts Administration Services Regional Office (DCASR) in Los Angeles is charged with the responsibility for administering the terms of this specific contract. As you stated, the Hunt-Wesson Company did furnish a written statement that no supply of foreign origin oil was used. This was confirmed by telephone conversation with the Hunt-Wesson Quality Representative on 3 November 1967, during which DCASR, Los Angeles, was advised that the oils used to fill DSA contracts were made from seeds grown in the United States, which were processed into crude oil and finally processed by the Fullerton, California, plant.

Although I have no reason to believe otherwise, I have requested DCASR, Los Angeles, to physically verify the above information and to provide satisfactory evidence to that effect. This evidence will be forwarded to you as soon as it is received.

As I anticipate that this information will be provided prior to November 15th, I do not consider it prudent to suspend the contracts on the basis of current information.

I appreciate your interest in the procurements of food products for U.S. military forces.

Sincerely,

THOMAS D. MORRIS,
Assistant Secretary of Defense,
Installations and Logistics.

SUPREME COURT ON VIETNAM WAR

Mr. SMITH of Oklahoma. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FINDLEY. Mr. Speaker, on November 4 the U.S. Supreme Court rejected a writ of certiorari in the case of Mora and others against McNamara and others, in which three soldiers had challenged the legality of the U.S. participation in the Vietnam war.

The press reported extracts from dissenting opinions of Justices Stewart and Douglas. Because they deal with the war-making responsibility of the Congress, and raise grave questions about the scope and effect of the SEATO Treaty and the Tonkin Gulf resolution, I present in full the texts:

[Supreme Court of the United States, No. 401, October term, 1967]

MORA ET AL. *v.* MCNAMARA, SECRETARY OF DEFENSE, ET AL.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

[Decided November 6, 1967]

MR. JUSTICE STEWART, with whom MR. JUSTICE DOUGLAS joins, dissenting.

The petitioners were drafted into the United States Army in late 1965, and six months later were ordered to a West Coast replacement station for shipment to Vietnam. They brought this suit to prevent the Secretary of Defense and the Secretary of the Army from carrying out those orders, and requested a declaratory judgment that the present United States military activity in Vietnam is "illegal." The District Court dismissed the suit,[1] and the Court of Appeals affirmed.[2]

There exist in this case questions of great magnitude. Some are akin to those referred to by MR. JUSTICE DOUGLAS in *Mitchell* v. *United States,* 386 U.S. 972. But there are others:

I. Is the present United States military activity in Vietnam a "war" within the meaning of Article I, Section 8, Clause 11 of the Constitution?

II. If so, may the Executive constitutionally order the petitioners to participate in that military activity, when no war has been declared by the Congress?

III. Of what relevance to Question II are the present treaty obligations of the United States?

IV. Of what relevance to Question II is the joint Congressional ("Tonkin Bay") Resolution of August 10, 1964?

(a) Do present United States military operations fall within the terms of the Joint Resolution?

(b) If the Joint Resolution purports to give the Chief Executive authority to commit United States forces to armed conflict limited in scope only by his own absolute discretion, is the Resolution a constitutionally impermissible delegation of all or part of Congress' power to declare war?

These are large and deeply troubling questions. Whether the Court would ultimately reach them depends, of course, upon the resolution of serious preliminary issues of justiciability. We cannot make these problems go away simply by refusing to hear the case of three obscure Army privates. I intimate not even tentative views upon any of these matters, but I think the Court should squarely face them by granting certiorari and setting this case for oral argument.

[Supreme Court of the United States, No. 401, October term, 1967]

MORA ET AL. *v.* MCNAMARA, SECRETARY OF DEFENSE, ET AL.

On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

[Decided November 6, 1967]

MR. JUSTICE DOUGLAS, with whom MR. JUSTICE STEWART concurs, dissenting.

The questions posed by MR. JUSTICE STEWART cover the wide range of problems which the Senate Committee on Foreign Relations recently explored,[1] in connection with the SEATO Treaty of February 19, 1955,[2] and the Tonkin Gulf Resolution.[3]

Mr. Katzenbach, representing the Administration, testified that he did not regard the Tonkin Gulf Resolution to be "a declaration of war"[4] and that while the Resolution was not "constitutionally necessary" it was "politically, from an international viewpoint and from a domestic viewpoint, extremely important."[5] He added:[6]

"The use of the phrase 'to declare war' as it was used in the Constitution of the United States had a particular meaning in terms of the events and the practices which existed at the time it was adopted . . . .

---

[1] — F. Supp. — (D. D. C. 1966).

[2] U.S. App. D. C. —. — F. 2d —.

[1] Hearings on S. Res. No. 151, 90th Cong., 1st Sess. (1967).

[2] [1955] 6 U.S.T. 81, T.I.A.S. No. 3170.

[3] 78 Stat. 384.

[4] Hearings, on S. Res. 151, *supra,* n. 1, at 145.

[5] *Id.,* at 145.

[6] *Id.,* at 80–81.

"[I]t was recognized by the Founding Fathers that the President might have to take emergency action to protect the security of the United States, but that if there was going to be another use of the armed forces of the United States, that was a decision which Congress should check the Executive on, which Congress should support. It was for that reason that the phrase was inserted in the Constitution.

"Now, over a long period of time . . . there have been many uses of the military forces of the United States for a variety of purposes without a congressional declaration of war. But it would be fair to say that most of these were relatively minor uses of force. . . .

"A declaration of war would not, I think, correctly reflect the very limited objectives of the United States with respect to Vietnam. It would not correctly reflect our effort there, what we are trying to do, the reasons why we are there, to use an outmoded phraseology, to declare war."

The view that Congress was intended to play a more active role in the initiation and conduct of war than the above statements might suggest has been espoused by Senator Fulbright (Cong., Rec. Oct. 11, 1967, p. 28590–28597), quoting Thomas Jefferson who said: [7]

"We have already given in example one effectual check to the Dog of war by transferring the power of letting him loose from the Executive to the Legislative body, from those who are to spend to those who are to pay."

These opposed views are reflected in the *Prize Cases,* 2 Black 635, a five-to-four decision rendered in 1863. Mr. Justice Grier, writing for the majority, emphasized the arguments for strong presidential powers. Justice Nelson, writing for the minority of four, read the Constitution more strictly, emphasizing that what is war in actuality may not constitute war in the constitutional sense. During all subsequent periods in our history—through the Spanish-American War, the Boxer Rebellion, two World Wars, Korea, and now Vietnam—the two points of view urged in the *Prize Cases* have continued to be voiced.

A host of problems is raised. Does the President's authority to repel invasions and quiet insurrections, his powers in foreign relations and his duty to execute faithfully the laws of the United States, including its treaties, justify what has been threatened of petitioners? What is the relevancy of the Gulf of Tonkin Resolution and the yearly appropriations in support of the Vietnam effort?

The London Treaty (59 Stat. 1546), the SEATO Treaty (6 U.S. T. 81, 1955), the Kellogg-Briand Pact (46 Stat. 2343), and Article 39 of Chapter VII of the UN Charter deal with various aspects of wars of "aggression."

Do any of them embrace hostilities in Vietnam, or give rights to individuals affected to complain, or in other respects give rise to justiciable controversies?

There are other treaties or declarations that could be cited. Perhaps all of them are wide of the mark. There are sentences in our opinions which, detached from their context, indicate that what is happening is none of our business:

"Certainly it is not the function of the Judiciary to entertain private litigation—even by a citizen—which challenges the legality, the wisdom, or the propriety of the Commander-in-Chief in sending our armed forces abroad or to any particular region." *Johnson* v. *Eisentrager,* 339 U.S. 763, 789.

We do not, of course, sit as a committee of oversight or supervision. What resolutions the President asks and what the Congress provides are not our concern. With respect to the Federal Government, we sit only to decide actual cases or controversies within judicial cognizance that arise as a result of what the Congress or the President or a judge does or attempts to do to a person or his property.

In *Ex parte Milligan,* 4 Wall. 1, the Court relieved a person of the death penalty imposed by a military tribunal, holding that only a civilian court had power to try him for the offense charged. Speaking of the purpose of the Founders in providing constitutional guarantees, the Court said:

"They knew . . . the nation they were founding, be its existence short or long, would be involved in war; how often or how long continued, human foresight could not tell; and that unlimited power, wherever lodged at such a time, was especially hazardous to freemen. For this, and other equally weighty reasons, they secured the inheritance they had fought to maintain, by incorporating in a written constitution the safeguards which *time* had proved were essential to its preservation. Not one of these safeguards can the President, or Congress, or the Judiciary disturb, except the one concerning the writ of *habeas corpus." Id.,* 125.

The fact that the political branches are responsible for the threat to petitioners' liberty is not decisive. As Mr. Justice Holmes said in *Nixon* v. *Herndon,* 273 U.S. 536, 540:

"The objection that the subject matter of the suit is political is little more than a play upon words. Of course the petition concerns political action but it alleges and seeks to recover for private damage. That private damage may be caused by such political action and may be recovered for in a suit at law hardly has been doubted for over two hundred years, since *Ashby* v. *White,* 2 Ld. Raym. 938, 3 *id.* 320, and has been recognized by this Court."

These petitioners should be told whether their case is beyond judicial cognizance. If it is not, we should then reach the merits of their claims, on which I intimate no views whatsoever.

BUSINESSMEN START HELP FOR JOBLESS

Mr. SMITH of Oklahoma. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. ESCH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ESCH. Mr. Speaker, the debate in this body during the past 2 days on the Economic Opportunity Act of 1967 has highlighted once again the tremendous problems faced by our Nation in combating poverty. Surely the difficulties caused by unemployment are among the most immediate and pressing and deserve our greatest concentration.

It is clear that the efforts to find jobs for unemployed workers cannot, and must not, be solely a Government function. Indeed, the most encouraging signs in our Nation today are the evidences of great interest on the part of the industrial and business community in assisting the unemployed and the untrained to acquire gainful employment. Such action on their part obviously redounds to the benefits of not only the individuals who are enabled to find employment and their families but to the business community and the economy as a whole.

It is therefore with a great deal of pride that I call the attention of the House of Representatives to the efforts of the Ypsilanti, Mich., businessmen to aid persons in finding jobs. Their job opportunity committee has just started its work and I am confident that it will be a most successful effort. I insert the Ypsilanti Press description of this important initiative at this point in the RECORD:

BUSINESSMEN START HELP FOR JOBLESS

A program by businessmen to find jobs for hard-core unemployed in Ypsilanti was launched today.

A Job Opportunity Committee modeled after Detroit's recent successful anti-poverty campaign, has been formed to study local unemployment and aid persons in getting jobs, it was announced.

Officers of the Business and Professional League, a local Negro organization, and the Chamber of Commerce jointly announced the formation of the group and appointment of eight members today.

The committee plans first to conduct a survey of unemployed persons in the Ypsilanti area—bounded by the US–23 Freeway on the west, the Wayne County line on the east and including the city and Augusta, Ypsilanti and Superior Townships.

A questionnaire available at the C of C office and appearing in The Press today on Page 5 should be filled out by persons desiring either full or part-time employment, the committee said.

The questionnaires ask the job seeker to state his or her name, address, telephone number, sex, age and special skills, and ask whether transportation is available and whether full or part-time work is desired.

The committee also plans to conduct a survey of unfilled jobs, asking employers to notify the committee at the Chamber office of vacant positions.

Committee members also have agreed to meet with other community groups with the hope of channeling job placement in one direction, a committee spokesman said.

Chairman of the employment group is Dan T. Quirk, president of the Peninsula Paper Co.

Other members are Jesse A. Rutherford, assistant director of the city parks and recreation department; Vanzetti M. Hamilton, attorney; Joseph A. Butcko, president of the Chamber and president of the Crescive Die & Tool, Inc.; C. Eugene Beatty, director of the Ypsilanti School District's community school program; Herbert W. Francois, real estate dealer; Dr. Ray B. Loeschner, vice president for academic affairs at Eastern Michigan University, and Thomas H. Brooks of Brooks Food Market.

ECONOMIC OPPORTUNITY AMENDMENTS

Mr. SMITH of Oklahoma. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GURNEY] may extend his remarks at this point in the RECORD and include extraneous matter.

---

[7] 15 papers of Jefferson 397 (Boyd ed., Princeton 1955). In the Federalist No. 69, at 465 (Cooke ed. 1961), Hamilton stated:

"The President is to be Commander in Chief of the army and navy of the United States. In this respect his authority would be nominally the same with that of the King of Great Britain, but in substance much inferior to it. It would amount to nothing more than the supreme command and direction of the military and naval forces, as first General and Admiral of the Confederacy; while that of the British King extends to the *declaring* of war and to the *raising* and *regulating* of fleets and armies; all which by the Constitution under consideration would appertain to the Legislature."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GURNEY. Mr. Speaker, I oppose the present provisions of section 406 of the Economic Opportunity Amendments of 1967 which we will be debating today in the Committee of the Whole.

I intend to offer an amendment at the appropriate time to keep the provisions of section 406 under the jurisdiction of the Small Business Administration.

Section 406 is an attempt to foist upon the Department of Commerce the procurement and management assistance functions now exercised by the Small Business Administration.

This is not to say that the Department of Commerce needs this legislation for it already has most of the powers set forth in section 406 by virtue of the Public Works and Economic Development Act of 1965—Public Law 89–136, 79 Stat. 552; 42 United States Code 3121. Under this act, the Economic Development Agency of the Department of Commerce has both loan functions and management assistance functions. In fact, Mr. Rodney L. Borum, Administrator, Business and Defense Services of the Department of Commerce, conceded during hearings before the House Appropriations Subcommittee, held only a few months ago, on April 13, 1967, that in organizing "entrepreneurial training for the young people in the minority groups, the Department of Commerce is duplicating the activities of the Small Business Administration." See "Hearings Before a Subcommittee on Appropriations, House of Representatives," 90th Congress, first session, part III, page 435.

Thus, section 406 of the bill herein under discussion is not needed by the Department of Commerce. All the proponents of section 406 are attempting to accomplish is to add, via section 406, a great many more dollars to the half billion dollars EDA has requested for fiscal year 1968.

If you want to see how effectively EDA carries out its functions with the half billion dollars it had during fiscal year 1967, look at the twelve and a half million dollars it poured into a Maine cane sugar refinery which has not the slightest chances of success and was characterized by the gentleman from Alabama [Mr. GEORGE W. ANDREWS] as "an adventure in fantasy land." See "Hearings Before a Subcommittee on Appropriations, House of Representatives," 90th Congress, first session, part III, page 248.

Or, look at the $127,000 EDA has poured into a fishmeal plant in the inland State of Tennessee, a venture classed under the heading "Recreation and tourism."

The proponents of section 406 are claiming, in justification of this authorization to EDA to duplicate SBA functions, that "SBA is not equipped to handle this kind of program." Yet, EDA itself has demonstrated that it does not have the necessary capability. For EDA has gone to SBA to get the following assistance and expertise:

Assistance in the preapplication counseling of business loan projects by performing such technical services as financial, aviation, engineering, and legal;

Field investigation;

Support in loan closing through fact-finding and furnishing advice in areas of technical services;

Support in loan disbursements by furnishing financial, engineering, and legal services;

Principal-agent relationship basis for the loan servicing functions, including billing accounts and collection of repayments; and

Liquidation of loans upon referral from EDA. See "Hearings Before a Subcommittee on Appropriations, House of Representatives," 90th Congress, second session, part III, page 336.

This shows a lack of capability and competence, Mr. Speaker, notwithstanding the fact that EDA is spending close to $23 million a year for administrative costs alone. See "Hearings Before a Subcommittee on Appropriations, House of Representatives," 90th Congress, second session, part III, page 185.

I am not alone concerned with what EDA will do with the funds which are about to be handed to it by the proponents of this bill. The entire business community, both large and small, is equally concerned.

Allow me to read to you what one of the country's most prestigious business publications has to say about the effect which this bill will have upon this Nation. I quote from Communique dated October 30, 1967:

> An out and out grab for power has been launched by "war on poverty" forces that may have far-reaching effects on all prime and subcontractors—toss a monkey wrench into the gears of existing procurement machinery.
>
> The adverse impact on contractor dealings with Government arises out of provisions contained in little-noted sections of legislative proposals that are touted as making improvements in the basic Economic Opportunities Act (poverty war).
>
> The version (S. 2388) sponsored by Senator Jacob K. Javits (R–NY) already has cleared the Senate. The companion bill (H.R. 8311) has been reported out of the House Education and Labor Committee and, after clearing the Rules Committee, is expected to go to the House floor for a vote in early November.
>
> "We've taken an analytical look at the sections of the proposed legislation which are supposed to induce prime and subcontractors to provide employment for residents of slum and depressed areas. After cutting through the legal verbiage, all we find is a plan to create *confusion, dissension and waste.*
>
> The proposal would tear the guts out of the Small Business Administration (SBA) by setting up *duplicating and overlapping programs* in the Office of Economic Opportunity (OEO) and the Commerce Department's Economic Development Administration (EDA). Both OEO and EDA would be able to dangle bundles of lucre before the eyes of "cooperative" contractors who agree to locate plants in areas of unemployment. Well, you say, that doesn't sound so bad! OK, let's take a closer look—see how it would work out in practice.
>
> In the first place, SBA—within the limits of its budget—is doing just the sort of work some solons want to see turned over to OEO and Commerce. SBA *already* has an Office of Procurement Assistance and administers a number of programs specifically designed to funnel business into distressed locales.
>
> Now comes OEO with cash sticking out of its hip pocket. "Here's the deal," OEO says to a contractor, "You build a plant in such and such a place and hire people from our neighborhood and we'll give you this and that." "Hang on a minute," says EDA sidling up and pulling out its wallet, "We've got a nice little project we're working on that we think you'll be interested in." SBA walks up. The group notes its lean look and moves on down the street.
>
> If that little vignette seems a little farfetched, consider this. Both OEO and EDA, under the proposed ground rules, will have authority and cash with which to *out-bid each other for furtherance of their own pet projects.* SBA has *no* authority to offer financial "rewards" to firms that play ball.
>
> In short, sections 151, 153, and 406 embodied in H.R. 8311, *undercut* the work now being performed by SBA—allow OEO and EDA to "bribe" primes and subs away from programs SBA has developed out of 15 years of expertise.
>
> It seems ironic to us that the proposal to booby trap paths leading to SBA follows so closely recent congressional action which restored procurement center representatives (see 67–15 CQE 4) to make certain that small firms received a fair share of defense contracts. *Question:* How will OEO and EDA handle this? Will government contractors be required to deal with three separate sets of PCR's? That certainly wouldn't be advantageous to any businessman.
>
> *Another point:* SBA now issues certificates of competency after a review of a firm's background and records. Neither OEO or EDA have the authority to issue them. Is it to be assumed that the proposed new "SBA's" will let contracts to Tom, Dick, and Harry who just seem to be pretty nice fellows?
>
> Most surely, two new "SBA's" would pose problems for government co's as "clients" from the rival groups start submitting their bids. Who would have what priority? Primes too would be in a pickle—have to sort out all sorts of bids from the new competitive "SBA's" Each side may well get irritated whenever a prime "cooperated" too extensively with the "opposition."
>
> It could develop into a real dilemma for primes as the factions struggle for predominance. There's no doubt in our mind at all that *factionalism* will be the end result, as the second and third "SBA's" vie for power.
>
> At the outset, OEO (and to a lesser extent EDA) starts off with two strikes against it. It has neither the background or people with experience to deal with contracting matters—has to build up its organization from scratch.
>
> For it goes without saying that if OEO is going to get into the contracting arena, it will have to have *qualified personnel* who understand the language. And it also goes without saying that *time* will be needed to assemble a group that is versed in the ramifications of contract work. An extended period of time will be essential to recruit and train those who'll administer programs.
>
> Most surely, a competent staff couldn't be gathered together and trained in less than a year—unless men are pirated from other agencies. Strikes us that the hue and cry raised by some legislators for swift enactment of this proposal doesn't merit hasty consideration On the one hand, they cite the urgent need to beef up the war on poverty, and on the other hand turn away from the agency (SBA) which has the experience to marshal the troops now.
>
> Legislation *already* on the books in the Small Business Act could be used to do the very things that are called for in the proposed legislation—instead of that, the proposal would nullify efforts of S.B.A. which currently is giving priority to programs aimed at assisting ghetto areas.
>
> At the time S.B.A. was established by Congress, section 12 of the enabling act provided that all the functions, duties, and powers of

any (then) existing Government departments bearing on small business should be transferred to S.B.A.—including records, property, and necessary personnel. Now we seem to have a reversal of this in the making—a conflict in the law and the proposal.

From where we sit, we see the makings of a *hodgepodge program*—each new group striving for dominance—uncoordinated, working at cross-purposes.

Consequently, when the proponents of section 406 state that "what is now proposed in title IV is the creation of an entirely new program, a program now currently in existence" I must say that they are right.

If I were to sum up what EDA has done with the half billion dollars which it received in fiscal year 1967, expressly for the purpose of attacking the "problems of low income and unemployment in those areas which lag behind the rest of the United States in economic growth," I would have to say that EDA has woefully failed. If EDA, with its expenditure of $23 million for administration had done its job properly, or at all, we would not be faced now with emergency legislation.

If, as the facts indicate, EDA must come to the SBA for the services I just enumerated, how, I ask, will EDA, without the know-how in procurement or management assistance, and without experienced personnel carry out the additional functions which section 406 seeks to bestow upon it?

If this legislation is indeed, as necessary and urgent as it is made out to be, how will the poor, the unemployed, bridge the protracted period EDA will require for organization, recruitment, and training of personnel necessary to carry out the purposes and intent of section 406?

By assigning these additional functions to the doc we would, I submit, deliberately frustrate the programs with which we claim to be so greatly concerned.

Logic, therefore, requires that the functions described in section 406 be carried out by SBA, which is already carrying them out pursuant to its existing statutory authority, and with limited funds.

Yes, let us help the unemployed and the poor. But let SBA do the job.

Give SBA the authority and the moneys it needs to utilize its know-how and its expertise, acquired over a period of 15 years, and the job will be done.

To do so, let section 406 be amended by substituting for the words "Secretary of Commerce," the words "the Small Business Administration."

SMALL BUSINESS ADMINISTRATION

Mr. SMITH of Oklahoma. Mr. Speaker, I ask unanimous consent that the gentleman from Utah [Mr. Burton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BURTON of Utah. Mr. Speaker, for more than a decade now, the Small Business Administration has created and nurtured a partnership with the Nation's small business community.

In towns and cities across the Nation—in large urban areas and in small rural areas, small businessmen look to the SBA not only as a source of help in maintaining their competitive position in our rapidly changing economy but also as an advocate in the Halls of Congress.

The SBA which Congress created to "aid, counsel, assist, and protect, insofar as possible, the interests of small business concerns in order to preserve free competitive enterprise" has been executing its congressional mandate with increasing vigor and effectiveness. Today it is meeting the needs of small business and also meeting its responsibility to Congress.

The programs which SBA is undertaking and operating today are clearly pointed at community involvement—in enlisting the cooperation and support of the chambers of commerce, the banks, the business organizations, the planners, and the civic groups in cities large and small in an effort to develop the economic potential of these communities through upgrading and strengthening small firms.

The people and the organizations in these communities recognize the SBA as an increasingly effective force in community economic development. They know of SBA's programs, know its employees who have been directed by the Administrator to go into the community and learn what the needs are, what the community's plans are, and to determine what SBA can do to mesh its programs and efforts with those of the community in creating job opportunities, in revitalizing struggling businesses, in helping establish new industry and new businesses. They recognize and they respect SBA and its people.

I can think of no organization whether it be local, State, or Federal that is more intimately concerned, more directly involved, nor more readily recognized by the small business community as a partner in its effort to preserve our free enterprise system, than the Small Business Administration.

Now we are about to endanger a good relationship by throwing other agencies at the small businessman. Section 406 of title IV of the poverty bill, which we will soon be considering on the floor, would transfer from SBA to the Department of Commerce some of the most vital functions now being carried out by SBA. That this section would authorize the Secretary of Commerce to compete against SBA with monetary incentives could prove to be a most dangerous innovation, not to mention a costly one at a time when the cry for Government economy is heard from all directions. Such an innovation could leave lasting scars upon the small business community, and upon the Small Business Administration, if permitted to become operative even for a short time. In the light of the above, I would recommend that a forceful stand be made for a substitution of the words "the Secretary of Commerce" with the words "the Small Business Administrator," throughout section 406.

If we are to provide additional help to small business, let us keep it in the right channel, which is SBA.

ECONOMIC OPPORTUNITY ACT

Mr. SMITH of Oklahoma. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Scherle] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SCHERLE. Mr. Speaker, following my earlier remarks concerning proposals to amend the Economic Opportunity Act, a Member of this body suggested that my comments were based upon secondhand sources, as opposed to personal observations.

I wish to point out to my colleagues that at the time the antipoverty hearings were commenced, and throughout the entire period that our committee was evaluating this program, minority members requested that the Committee on Education and Labor conduct a series of onsite inspections to see if the poor were receiving their rightful benefits under this program. Time after time, our requests were denied. Why, I do not know, but I was forced to conclude that those in a position to authorize such inspections did not wish us to look too closely at the program.

These refusals did not prevent us from making personal visits on our own time and spending our own money. On my own part, I have visited the Omaha Job Corps Center several times, and I have visited Neighborhood Youth Corps projects, self-help centers, Headstart programs, and various CAP programs.

In doing so, I have seen many situations which demand correction. However, a Member of Congress cannot evaluate such a vast far-reaching program as the one we are discussing here today without also reviewing the problems which have developed and will continue to develop in other parts of the country. We do this in many ways, sometimes through the news media.

In my previous remarks I made several references to situations in which the poverty program had failed. Because of the number of requests from my colleagues for additional information I wish to further develop that aspect of our evaluation. The Job Corps has all too frequently found itself in a position of embarrassment. For example:

The McCook, Nebr., Job Corps Center had a race riot of its own. As a consequence, 63 corpsmen will leave the camp out of a total enrollment of 158. The center has a staff of 48.

The battle which featured razor blades, mopsticks, and pool cues caused several enrollees who escaped the camp to ask that they not be forced to return. Some even asked to be permitted to spend the night in jail.

When the county attorney and the State OEO director went to the camp to investigate, they were told that they were on Government property and were not allowed to investigate.

Secrecy and attempts to cover up mistakes in the program are not going to help anyone.

An 18-year-old enrollee at the Albuquerque Women's Job Corps Center was stabbed to death in a parking lot fight. At the time the incident was reported, police were holding a former Job Corps center enrollee.

This is not the only problem that has been uncovered at the Albuquerque center.

The following eye openers were charged by a resigning staff member at that center; That among 320 enrollees, 13 pregnancies were discovered during a single week in February; that some of the girls are using narcotics but center officials are doing nothing about it; that a staff member is pushing heroine in the center; and that an enrollee's pregnancy was created by a staff member.

In Clinton, Iowa, a Job Corps center guard was bitten on the hand during a disturbance and a Clinton policeman was hit over the head. Things are so bad in Clinton that one of the candidates for mayor in that community said:

> If I am elected mayor, my first duty will be to provide adequate police protection in the Lyons area around the Job Corps Center. The girls at the Job Corps have attracted a lawless, undesirable element to the north end.

These same Clinton center girls have been going to dinner at the taxpayers' expense, in some of the fanciest supper clubs in the area. The excuse given for this type of programing is that these girls need this "learning experience." I suspect that there are many other so-called learning experiences they could use that would be a lot more worthwhile and less expensive than lobster tail or steak.

Three enrollees at the Omaha Women's Job Corps Center were arrested for stealing 18 checks from the center, totaling $275. Most of them were cashed through the use of forged signatures. The Job Corps has refused to press charges.

One of the favorite pastimes of the girls at the Omaha Job Corps Center appears to be that of roaming the streets. These girls, and the males they attract, have become such a problem that the mayor of that city was recently forced to concede that it "was probably a mistake" to locate the center downtown. Personally, I think "probably" is the understatement of the year. I have seen this parade myself. As long as this type of thing continues, the war on poverty cannot hope to have the support of the people.

With the OEO as directionless as it appears to be, I suppose it is understandable that others outside the program also have difficulty keeping it in proper perspective. A prime example was the referral by the District of Columbia juvenile court probationary department of teenage delinquent cases to the Job Corps for rehabilitation work. If the Job Corps is to be a glorified reform school of some sort, it seems to me we will destroy what chance we have to help those who are in the program for reasons other than as an alternative to "punishment" of some type.

The Office of Economic Opportunity has had difficulties keeping personnel in line other than at Job Corps centers. But in each case, it seems to me, one is left with this unavoidable impression: The OEO, from top to bottom, has failed to impress the program leaders of the responsibility that accompanies official connection with this effort.

If this job had been done, I do not think we would today find the Senate Permanent Investigating Subcommittee trying to determine the extent of involvement of antipoverty officials in this summer's tragic riots. I do not feel we would have a situation like that which occurred in Newark, where, shortly after the riot there, a militant member of the United Community Corporation Board, urged slumdwellers to arm themselves. Similarly, we would not have had to read about the arrest of a city board counselor and four employees of Government-funded antipoverty groups on charges of burglarly and possession of stolen goods in New York City.

Although there have been countless examples of this type, I will conclude with this one additional reference. If poverty program officials had the proper direction, the property-control manager of the Harris County Community Action Association in Houston would probably not have placed his requisition for seven telescopic rifle sights during the peak of last summer's rioting.

Only this week, as we meet here to decide whether to increase the authorization for the war on poverty, the mayor of Nashville, Tenn., has informed investigators from the other body that applicants for posts with the Federal antipoverty agency in his city had been advised to fabricate experience records to justify hiring them for jobs and salaries for which they could not qualify.

Mr. Speaker, I do not recount these abuses in an attempt to "wreck a good thing," as some would suggest. I do so, in the hope that it will help point the way to "correcting a program whose faults outnumber its contributions."

The poor and the underprivileged in this country need help. I believe that as sincerely as any man. But, I cannot go along with any old scheme which is served on a platter labeled "take it or leave it, but don't alter it."

This Nation's poor need an equal opportunity to earn a living for themselves, and to acquire the human dignity which accompanies success—in each man's own eyes.

What this Nation must do to aid the poor is to see that each person has the opportunity to receive an education. This is especially true of the young people. This is basic. For those who are older and can no longer spend their time in the classrooms we should provide job training or retraining; for the incapacitated we should provide rehabilitation and encourage maximum possible participation.

Finally, we should not train a person for a job that does not exist; or a field which is already overcrowded. We must not provide false hope for individuals. We must concentrate on meaningful jobs that will provide the personal satisfaction of accomplishment. Anything less will provide the causes for hopelessness, despair and frustration.

If that simple guide had been used when this program was initiated, we would not be engaged in this debate today. I cannot support legislation that "promises" but fails to "deliver."

SOCIAL SECURITY VALUE WEIGHED FOR WORKER

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. DENT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. DENT. Mr. Speaker, one of my friends has asked me to put the attached Sylvia Porter column on social security in the RECORD.

After reading the item, I agree with Robert Baron, coordinator for the United Steelworkers of America Pensioners Association, District 15.

It will be helpful to Members who are not always able to keep abreast of all changes in administration and rules and regulations of this important subject.

The column entitled "Your Money's Worth" follows:

SOCIAL SECURITY VALUE WEIGHED FOR WORKER

(By Sylvia Porter)

Will you, the young American worker who is now contributing the maximum Social Security tax, get back your money's worth in Social Security benefits when you retire?

Or, as has been charged repeatedly in the past few months, will you lose on the deal by paying a bigger tax total than your expected future benefits?

Take, for instance, a young worker who began working last year at age 21. Assume he has been paying and will continue to pay, the maximum Social Security tax until he retires at age 65 in the year 2010. Under today's law, the total value of this worker's contributions over his working lifetime, including interest on the contributions accumulating at the rate of 3½ per cent, would amount to $31,692. Yet the total "value" of his retirement benefits over his expected lifetime would be only $19,761—$11,931 less than the total value of his contributions.

This worker, who is typical of millions now pouring into the labor force, is on the surface getting an abominable deal in Social Security.

DISABILITY PROTECTION

But consider the fact that in addition to his retirement benefits, he will be protected against disability throughout all but five of his 44 working years. Consider also that his wife and children will be eligible for survivors' benefits in the event of his death before he retires. The value of this additional protection is estimated by chief Social Security actuary Robert J. Myers at many thousands of dollars.

Moreover, today, a man retiring at age 65 has an 81 per cent chance of having a wife and the total value of a retired worker and wife's combined benefits, including widow's benefits, is figured at $34,023. This is in addition to disability benefits and to benefits payable to survivors if the breadwinner dies before 65.

If this worker became totally disabled sometime in the next few years, he would get back many times the amount of his Social Security tax contributions in disability benefits alone. If this worker died at a young age, leaving a widow and several young children, his survivors might get as much as $30,000 to $40,000 in survivors' benefits.

On average, says Myers, today's young

worker will contribute 80-85 per cent of the total value of his benefit protection, counting the interest that would accumulate on his contributions. The average young worker just entering the labor force could not possibly buy, for his Social Security contributions, a private annuity that would pay as much as his expected Social Security benefits.

Myers concedes that the higher income worker who begins working in 1973 or later, when maximum Social Security contribution rates under present law take effect, will "no more than just about pay for the value of his protection." But this, he adds, does not take into account the certainty that Social Security benefits will continue to be increased in the years ahead.

DIFFERENT FOR ELDERLY

Far different is the situation of the elderly worker who reached retirement age at the beginning of 1967 and who had paid maximum Social Security taxes since they were first deducted from his paycheck in January 1937. He is way ahead. He has contributed a total of $3,355, including interest, his benefits will amount to many times this.

In sum, you, the young American worker, will get at least your money's worth in protection before and after you retire.

You, the older worker who is due to retire soon, will get a lot more than your money's worth.

And you, the employer, are by your contributions, helping to make it possible for millions of older Americans to avoid dependency and destitution, and you are thereby guaranteeing a huge and stable market for your production of goods and services.

CONGRESSMAN DOMINICK V. DANIELS HAILS MAYOR WILLIAM V. MUSTO OF UNION CITY, N.J.

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. DANIELS. Mr. Speaker, because I believe strongly in the concept of creative federalism, which rests basically upon the effectiveness of government at the local level, I think it is well for Members of this House to be made aware of contributions being made at this level of government.

For many years, one of the truly dynamic figures in the political life of the State of New Jersey has been the Honorable William V. Musto, who serves brilliantly as both mayor of Union City and as a member of the Senate of the State of New Jersey.

Union City is a small city in area but it has all of the problems which face other American cities, small and large alike. The problems which Mayor Musto handles daily would cause almost any other mayor of a city to throw up his hands and say, What is the use? Mayor Musto, however, is not that kind of man and he apparently thrives on solving problems. His tenure in city hall has seen a renaissance for the city and I think all Members of the House should be made aware of what one man with vision, courage, and energy can do to revitalize his city.

Mr. Speaker, I insert at this point in the RECORD an editorial from the respected Jersey Journal which was published on November 4, 1967. It points out just one of the many things that the mayor is doing to make a better Union City.

The editorial follows:

GETTING ON ITS FEET

Union City business is on the upswing.

The good news was reported at a meeting of the city's energetic Operation Rehabilitation Committee. According to Mayor William V. Musto, all stores in major business districts are occupied and doing business.

This has been accomplished through an admirable partnership of city officials and merchant groups, all deeply concerned about the future of the community. Many factors have brought about the much-needed shot in the arm for business.

The rehabilitation of areas off Bergenline and Summit Avenues, the city's two principal shopping districts, certainly is among the reasons. New homes and apartments on once rundown city blocks have brought quick occupancy.

Gradual disappearance of "eyesores" in business areas has helped the city in its business resurgence. Yet much remains to be done, to be sure.

Probably Union City's biggest challenge will be the development of its air rights over the Lincoln Tunnel highway cut. With the continued cooperative spirit among those who are deeply interested in the city's future, that challenge can be met successfully too.

FISK BOARD CHOSE WISELY

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, on November 3, 1967, the board of trust of Fisk University in Nashville, Tenn., elected Dr. James Raymond Lawson president of that important institution. Dr. Lawson had been serving as acting president of the university for the past 18 months, since the resignation of his eminent predecessor, Dr. Stephen J. Wright, who left Fisk to head the United Negro College Fund.

Dr. Lawson's appointment has been widely acclaimed by our community. He has served in a difficult capacity over the last year and a half and served with distinction during some difficult times.

Mr. Speaker, both Nashville newspapers, the Nashville Tennessean and the Nashville Banner, welcomed the announcement of Dr. Lawson's election with editorial comment, and I include these editorials in the RECORD at this point:

[From the Nashville Tennessean, Nov. 6, 1967]

DR. LAWSON DUE CONGRATULATIONS

The Fisk board of trustees has chosen well in naming Dr. James R. Lawson as president of the university. He has been acting president since the resignation of Dr. Stephen Wright and has the job well in hand.

Before being told of the board's decision, Dr. Lawson had announced some broad plans for the university, including expansion of its graduate and undergraduate programs.

Dr. Lawson is a Fisk graduate and his family has long been associated with the university. Certainly his dedication to the school is evident, as is his popularity with students. The student government, in a statement, called him a fine administrator and said, "We have watched him grow with the office . . ."

The period during which he has served as acting president there have been some difficult times. Under trying circumstances, as in good times, he has been active and effective.

This, and the many qualities of leadership that Dr. Lawson possesses, is assurance that a proud university is in good hands. He deserves the full support of Fisk students and alumni and of the total community.

[From the Nashville Banner, Nov. 4, 1967]

CONGRATULATIONS, DR. LAWSON—FISK BOARD CHOSE WISELY

The Fisk University Board of Trustees made a logical and distinguished choice in electing Dr. James R. Lawson as president of that institution—the office he has filled on a pro tem basis since retirement of Dr. Stephen Wright in June, 1966.

His background of long association with Fisk—a family connection spanning two generations—supplies a tie of mutual respect and innate interest further bespoken by his record of service to the university. His stature of academic leadership is requisite to responsibility for high faculty standards. His administrative ability was the ultimate factor of decision imparting this assignment.

Institutional responsibilities weigh heavily on such a post, among them the application and treatment of policies carefully determined for maximum fulfillment of a university's role, which is education—a term embracing development of mind along with refining influences in the shaping of character. That is the motive of true leadership in its behalf at institutions of higher learning—public or private, large or small—and the just incentive of investments providing and maintaining them.

That Dr. Lawson is possessed of these qualities is a fact of record—illustrated in his successful exercise of duties in this important office to date; and justifying the choice now officially announced.

It was a selection bestowing recognition; an honor earned.

To him, congratulations. To President Lawson and Fisk University, best wishes for a tenure of distinction in every aspect of responsible institutional service.

AGRICULTURAL EXPORT GAINS

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. ANDERSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ANDERSON of Tennessee. Mr. Speaker, I am sure most know that our agricultural exports are now at a record high level of $6.8 billion a year. We are today exporting the output of one in every four harvested acres.

When we look at particular commodities, the portion which moves into export is even more remarkable. In fiscal year 1967, for instance, 67 percent of our farm sales of rice were for export. Export of wheat, hides and skins, cotton, grain sorghums, and tallow accounted for from 45 to 54 percent of the sales of those commodities. And the export percentages of corn, tobacco, and soybeans ranged from 24 to 38 percent.

It is particularly pleasing to note that nearly one-third of our imposing agricultural export total is accounted for by two commodities—soybeans and feed grains. These drops are relative newcomers in foreign trade, yet in the current fiscal year, the Foreign Agricultural Service of the U.S. Department of Agriculture expects that each will account for more than $1 billion in export sales.

Both soybeans and feed grains are important to the rising living standards and better diets being enjoyed in many parts of the world today. That is one reason why exports have grown so phenomenally. These commodities have also benefited by strong and effective promotion programs carried out jointly by the Department of Agriculture and industry.

It is important, too, that while our agricultural exports have been rising so dramatically during the 1960's, our overall imports of agricultural products have increased relatively little. We continue to have problems relative to the import of beef and dairy products but the contribution of agriculture to the country's overall trade balance has risen steadily.

In fiscal year 1960, agriculture contributed only a half billion dollars to the total national trade balance; by fiscal year 1967 it had risen to $2.3 billion.

In other words, in fiscal year 1967, agricultural products accounted for one-fifth of our total exports, yet they accounted for more than half of the country's favorable trade balance.

Mr. Speaker, this is a record of which the Nation's agriculture can be justly proud. It reinforces a conviction which I have long held—that the American farmer constitutes the backbone, not only of our domestic economy, but our international balance of trade as well.

Whether we are Democrats or Republicans, whether we represent big cities or rural areas, let us all be mindful of that important fact.

LEGISLATIVE OVERSIGHT OF PROGRESS IN VETERANS' AFFAIRS

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HAMILTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HAMILTON. Mr. Speaker, as part of my continuing efforts to review the administration of legislation passed by the Congress as it operates in the Indiana Ninth Congressional District, I called a meeting on October 7, 1967, in Seymour, Ind., of veterans' affairs leaders. This meeting, as with others called to review legislation concerning education, health, and poverty, was extremely valuable to me because it provided a better understanding of constituent problems and suggested specific areas that need improvement. I trust this meeting was likewise valuable for the others participating.

Representatives of every veterans' organization were present. Their attitude and cooperation were excellent, and we had a very informal, candid, and helpful exchange of views. I found them to be well-informed, concerned with the welfare of their membership, and constructive in their approach. Their comments and recommendations were objective and aimed at solving mutual problems in a positive and cooperative manner. I present the highlights of our meeting in this report to the Congress as a reflection of their evaluation of veterans' legislation and how it is being administered.

The report is divided into two main sections. The first presents the various problems being encountered by the veterans in the district. The second presents my recommendations for seeking solutions to these problems based on the suggestions made at the meeting.

All present were very aware of the continuing efforts made in providing better treatment of those who have given of themselves in defense of the United States and the free world. There was also recognition of the fact that benefits provided now and those projected for the future must be related to the total spectrum of national priorities, particularly during our present involvement in Southeast Asia. The importance of veterans' legislation cannot be ignored. Today there are about 94 million Americans affected by it—about one out of every two persons in the Nation.

RECENT VETERANS' BENEFITS

To open the meeting, I briefly reviewed recent veterans' legislation. Veterans benefits between 1964 and 1967 for compensation and pension payments went to more than 4,500,000 disabled veterans, dependent parents, widows and orphans in the amount of $12.2 billion. Fiscal year 1968 requests for all veterans' benefits are for $6.6 billion, highest in history, excepting two peak years following World War II.

Recent legislation in the 89th and 90th Congresses has provided increased veterans' benefits. In late August of this year, the Congress passed Public Law 90–77, the Veterans' Pension and Readjustment Assistance Act of 1967. The President signed the bill into law on August 31, with an effective date of October 1, 1967.

The new law grants additional benefits to millions of veterans at a first year cost of $286 million. It places Vietnam era veterans on a benefit par with older veterans, increases pensions payable to 2,000,000 disabled veterans and widows by an average of 5.4 percent. Widows and widows with children, in the lowest income brackets, are now receiving an average 8½-percent increase in benefits.

A veteran with no dependents with an income of $600 would now receive $104 per month. A veteran with two dependents and an income of $1,000 would now receive $114 per month. A widow with one child and an income of $1,000 would now receive $86 per month.

The law also provides higher educational allowances. Educational benefits for veterans and war orphans have been raised very significantly. A full-time student in an institution of higher learning with no dependents would receive $130 per month, up from $100 per month. A full-time student with two dependents would receive $175 per month, up from $150 per month.

Since last June, when the new GI bill went into effect, more than 500,000 returned veterans have applied for education and training allowances. Thousands more are applying for these benefits every week. Right now over 250,000 returned veterans are attending institutions of higher learning. This number should increase to well over a half million by July 1, 1968.

The outstanding response to and success of 1966 GI bill educational provisions shows the wisdom of investing even more in our returning veterans, as does the GI bill of 1967. The contributions the returning veterans will make to American leadership and society cannot be measured in dollars, though even there we will gain more than we give. As a result of GI educational benefits since World War II, it is estimated the country gained 180,000 doctors, dentists and nurses, 450,000 engineers, 360,000 teachers, 150,000 scientists, 243,000 accountants, 138,000 electricians, and 700,000 businessmen. It has also been estimated that because of the help provided for their education, these veterans are now contributing about $1 billion a year in additional taxes. The program has, indeed, paid off in many ways. But the real value is improving directly the quality of the lives of millions of Americans and, indirectly, all Americans.

Those present at the meeting were aware not only of the general benefits of veterans' legislation, but also knew of many specific cases of Ninth District resident-veterans receiving benefits and participating in various programs.

Figures provided by the Veterans' Administration estimate that for the first full year of operation 4,380 veterans and related beneficiaries will receive benefits directly related to the GI bill of 1967 under title I. The dollar amount is $246,560. Title I deals with pension benefits.

Under title II of the 1967 bill, 144 will benefit in the amount of $33,450 for the first full year of operation. Title II deals with additional veteran readjustment benefits such as specially equipped automobiles for the handicapped and for other aids and therapeutic devices.

Title III will provide 14,500 beneficiaries with over $374,000. This title includes miscellaneous provisions such as burial flags, special assistance for the educationally disadvantaged and increased benefits for educational assistance.

It is always heartening to me to see legislation passed by the Congress, legislation that I supported, being used by people to better their own lives and to strengthen this country. I do not know of any more rewarding part of my job than to hear, for example, as I did at this meeting, that a veteran has taken advantage of the education benefits under this legislation and is studying to be a teacher.

PROBLEMS AND COMMENTARY

The problems encountered by the veteran and communicated to me by their various representatives, while not representing fatal flaws in the legislation or its administration, do indicate difficulties that should be looked into and corrected, if at all possible.

The order of presentation of these problems and recommendations does not indicate any priority. They are all matters of concern to individual veterans, and should be of concern to those in government charged with drafting and administering veterans' legislation.

First, administrative problems. Delay and redtape were frequently cited by those making their first claim and those already receiving benefits. One of the most acute problems involves the severely handicapped when they are first discharged. It takes about 90 days to process their Veterans' Administration claims. During this 3-month delay, they frequently are left with nothing to live on. This presents not only a difficulty in day-to-day living but makes impossible any financial arrangements that may be necessary immediately after discharge. This includes conversion of life insurance policies and providing travel funds so they can be near their families during this very difficult time of physical and psychological readjustment.

There should be no compounding the already difficult problem a newly handicapped veteran faces. Everything should be done to ease his readjustment.

The delay between the time a veteran applies for educational benefits and actually receives them causes great personal inconvenience. Frequently it takes 4 months to receive funds. If the time is short between discharge and the beginning of an academic period, this long delay could and does result in individuals missing a semester. A loss of 6 months or so can necessitate changes in personal plans that can conceivably result in the veteran not taking advantage of his benefit rights. This obviously entails a serious loss to him and to society.

Paperwork requirements present a problem to aged veterans in nursing homes or in a financial condition that is relatively stable. These veterans are now required to file yearly financial statements. For a good number of them this represents a real difficulty. Men and women in their late seventies and eighties have extreme difficulty in completing complicated Government forms.

Second, concern over merger of veterans' benefits with social security. There is concern over possible serious consideration of merging the social security benefits and veterans' benefits. Veterans' representatives voiced strong opposition to such a move. They feel that to put the two systems together would result in dilution of both programs and subsequent inequity to both social security and veterans' beneficiaries. They also cite adverse public reaction to the size of the combined appropriation and resentment over tampering with the social security trust fund. They feel that workers paying into the fund would not want to see a merger with veterans' benefits that could result in lower benefits and a sharing of funds they justly feel are a personal investment in their own security.

Third, establishment of Veterans' Affairs Committee in Senate. All present favored the establishment of a VA Committee in the Senate. I pointed out that this was within the jurisdiction of the Senate to determine, and reported on Senate passage by a vote of 79 to 5 on March 7, 1967, of the Legislative Reorganization Act, which bill includes the creation of the Veterans' Affairs Committee. By tradition, neither House rejects or amends provisions in legislation that pertain solely to the other House.

Fourth, national cemeteries. Concern was expressed that it is becoming more difficult for veterans to be buried in the national cemetery of their choice. They cited recent regulation changes making burial in Arlington National Cemetery impossible for those not on active duty or not having a relative buried there.

This action would seem to be symptomatic of conditions across the Nation. There is not enough being done to either expand present national cemeteries or acquire land for new ones. The time is approaching when it will not be possible for a veteran to exercise his right to burial in a national cemetery. I was particularly impressed by the intensity of the concern the veterans reflected on this problem of burial plots in national cemeteries.

While there is no active legislation before the Congress for the expansion or acquisition of cemetery property, the recent removal of national cemeteries from the jurisdiction of the House Interior Committee, and placing it with the House Veterans' Affairs Committee is indicative of the realization on the part of Congress that something must be done about the present situation. Placing cemetery jurisdiction with the Veterans' Committee indicates action will be forthcoming.

Fifth, inequities in benefits and determination of benefit eligibility. The veterans felt the earnings limitation is far too low. The present limit is particularly hard on the single veteran or the married veteran with limited resources. For a single veteran to live on $1,800, which is his earnings limitation, is obviously impossible. If the single veteran earns this amount, he receives no pension whatsoever. For the married veteran with dependents the limitation on earnings is $3,000. This type of limitation is "legislated poverty." No family should be expected to subsist in this manner.

This and the social security limitation present the same picture: capital gains and other assets not being defined as income is an implicit discrimination against the veteran with limited resources. The veterans felt that greater incentives should be provided to the veteran and pointed out that the active and productive participation of a veteran in the economy benefits not only the individual and his family, but provides impetus to general economic growth and an increase in Federal revenues.

Another inequity, in the view of the veterans with whom I met, is the failure to grant those servicemen disabled in peacetime, or in a noncombat zone, the same disability percentages granted those wounded overseas. The disabled individual has no choice as to time or place of service. The injury is just as disabling whether it results from a bullet or an automobile accident. To discriminate against one because of time and place is unjust. Disability payments should be equal and there should be no 80-percent provision for those not disabled in a war zone.

Perhaps the greatest worry of the veterans' representatives was the possibility that increases in social security payments would result in cuts in veterans' pensions or removal from the rolls. This concern was mitigated by the information included in House Report No. 554, 90th Congress, first session, dated August 14, 1967, as follows:

> The conferees wish to make clear that it is their intention to take the necessary action that any increase in social security payments which might result from enactment of H.R. 12080 will not result in a reduction of combined income from V.A. pension, dependency and indemnity compensation, and social security or in removal of any person from the V.A. pension or dependency and indemnity compensation rolls. The effective date of the reduction or discontinuance of pension shall be the last day of the calendar year in which the change occurred. This provision provides ample time for the Congress to act in the event a social security rate increase is enacted. The Committee is well aware of this problem and when the Congress has decided as to the level of increase in social security payments, we expect to make appropriate adjustments in the veterans' pension program.

From this statement by the House Committee on Veterans' Affairs it is obvious that the Congress intends to take corrective action on veterans' pensions, as required by increases in social security benefits.

One concern remains, however, and that is: time is running short. This session has yet to see a social security bill sent to the President. In view of the "last day of the calendar year" provision, it is imperative that speedy action be forthcoming to insure adjustment before the end of this session of the Congress.

All present further felt that there should be studies initiated to explore the following matters: First, the possibility of a GI bill for Vietnam widows; second, comparability of benefits received by veterans of World War I and Spanish-American War veterans. This should include an explanation of any discrepancies; and third, possibility of the existence of gaps in veterans' pensions and other benefit coverages.

It was felt that close study of these proposed areas would result in correction of inequities now felt to exist. The results of these studies should be made known to all veterans.

Sixth, life insurance. GI life insurance limitations, the veterans pointed out, disclose a serious lag through denial of the opportunity of active duty military and veterans to increase their coverage; $10,000 is not sufficient today and this should be substantially increased. As much of this increase as possible should be accomplished within the present premium schedule with no increase in cost to the active duty military or veterans. The Government should also absorb a portion of any premium increase necessary to secure $20,000 or $25,000 insurance coverage.

Also of concern is the fact that some severely disabled veterans have been refused life insurance coverage. Those with lesser disabilities have had no trouble, but those most in need have been rejected by insurance companies.

Seventh, Veterans' Administration hospitals. Veterans' Administration hospitals were also an area of concern. The veterans complained generally of service and staff attitudes in the Indianapolis, Cincinnati, and Louisville, VA hospitals. Also many complaints were received that veterans were being turned away because all available time had been allotted to examinations of Peace Corps applicants and Job Corpsmen. The reports were that the veterans could not get in for medical or dental care but the various corpsmen could.

If correct, this is a gross distortion of the purposes for which these hospitals were built and staffed and should not be tolerated. It would be understandable if these various corpsmen were taken on an availability basis. I have asked the VA to cooperate in an investigation of this situation. I have also asked the VA to provide two reserved parking spaces for veterans' service officers at VA hospitals. The importance of their work does not permit wasting of their time to hunt for a parking place, frequently at some distance from the hospital.

Eighth, veterans' service officers. The veterans pointed out that they would be better served if there were appointed a veterans' service officer for each county. The appointment should be without reference to politics and based upon proven ability to perform the duties involved.

Ninth, Veterans' Advisory Panel. Great interest was evidenced by all in the purpose and membership of the Veterans' Advisory Panel. They were pleased that half of the Panel membership are leaders of veterans' organizations who serve to assure that the best interests of all veterans are safeguarded and well represented. They were also gratified that the Panel had held meetings across the Nation to get grassroots points of view on problems facing veterans.

RECOMMENDATIONS

As a result of these problems brought to my attention by the veterans' representatives, I am making the following recommendations:

First, administrative problems:

Efforts should be made to expedite the processing of claims of the newly disabled. If necessary, there should also be funds provided to see the veteran through unavoidable delay.

Aged veterans in nursing homes or in a relatively stable financial condition should not have to file a yearly financial statement if the first two submitted are identical or do not represent any change in benefit level. If this cannot be done, there should be a shortened form stating there is no significant change in the financial status of the veteran.

Expedite the processing of educational allowance claims.

Second, merger of veterans' benefits with social security. I recommend against merging veterans' benefits with the social security system.

Third, Veterans' Affairs Committee in the Senate. I urge the establishment of a Veterans' Affairs Committee in the Senate.

Fourth, national cemeteries. Action must be forthcoming to expand and acquire national cemetery properties. It is hoped that transfer of cemetery jurisdiction to the House Veterans' Affairs Committee will facilitate this.

Fifth, inequities in benefits and determinations of benefit eligibility:

There should be a substantial raising of the earnings limitation imposed on those receiving pensions.

All disabled veterans should receive the same relative benefits. Time or place of injury should not control.

There should be swift action on the part of Congress after passage of the social security bill to adjust veterans' benefits so there is no loss of income nor removal from the rolls. The Congress must insure that no veteran will have his pension reduced or removed as a result of increases in Federal benefits, such as social security.

The following areas of concern should be studied: The possibility of a GI bill for Vietnam widows; comparability of benefits received by World War I and Spanish-American War veterans; and possibility of the existence of gaps in veterans' pensions and other benefit coverage.

The results of these studies should be widely distributed to veterans.

Sixth, life insurance:

Life insurance limitation should be raised from $10,000 to $20,000 or $25,000.

There should be an investigation by VA of instances where severely disabled veterans were refused insurance.

In this area, I should like to go one step further and recommend that today's younger veteran be given the opportunity to "convert in" in the same way veterans of World War II and the Korean war were permitted. This again should be given to the newer veteran as it was to his father or uncle after previous wars.

Seventh, Veterans' Administration hospitals:

Recommend VA investigate reports of veterans being refused examination and treatment at VA hospitals because all available time was allotted to Peace and Job Corpsmen or applicants.

Request VA provide two parking spaces for veterans' service officers.

Eighth, veterans' service officers. Request VA report on the feasibility of appointing a veterans' service officer for each county—the appointment being mandatory for each county and strictly on merits of appointee.

Ninth, Veterans' Advisory Panel. As the report of the Veterans' Advisory Panel has not yet been made, the hope is expressed here that their work will result in a continuation of the fine tradition of caring for those who have given of themselves in defending this country and its interests.

SUMMARY

Mr. Speaker, this overview of the problems and concerns of Ninth District veterans on veterans' legislation and its administration will be helpful, I trust, to the Congress, the Veterans' Administration, veterans' organizations, and others concerned with veterans' affairs.

I feel that candid expression of problems by men of reason and good will as expressed in the forum I have described today cannot but help improve the dialog between Government and those individuals the Government is serving. This dialog and cooperation should be the basis for a harmonious and beneficial relationship.

The recommendations made here are simply a specific way of saying to those who served and fought in defense of freedom that we will not let them down.

We need to remember the words of President Theodore Roosevelt:

> No other citizen deserves so well of the Republic as the veteran. They did the one deed if left undone would have meant all else in our history went for nothing. But for their steadfast promise all our annals would be meaningless and our great experience in popular freedom and self-government would be a gloomy failure.

POEM FROM VIETNAM

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. NICHOLS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. NICHOLS. Mr. Speaker, during the recent demonstrations at the Pentagon and elsewhere throughout the country, many of us wondered just what the fighting men in Vietnam thought about what was going on here at home. One young soldier summed up his views on the home situation through a poem he wrote. His poem was published in the Talladega, Ala., Daily Home, recently, and I would like to include it in the RECORD at this point:

DISGUSTED

The leaves of the palms seem to hang in sorrow,
As if they won't see a coming tomorrow.
The big guns are still, the flares do not shine,
Off in the distance, a lonely dog whines.

I sit here on guard, so lonely and blue,
But remember, America, I'm thinking of you.
It's a shame that the people of America can't see
What it's like in a country where you can't be free.

I read in the paper only last night
That Americans at home are starting to fight.
They kill and they rob, for reasons unknown;
Do I have this to look forward to when I come home?
So you see, America, I can't understand
Why I'm fighting for freedom in a foreign land,
It's true, there's a purpose for being here,
But what about America; is there a purpose there?
Yes, America is there, so brilliant and great,
But sometimes I wonder if it isn't all fake.
These people in America that fight and kill
Should be over here, on this lonely hill.
For if they were here to take part in this fight,
Perhaps they could see what freedom is like.
I was sent here by chance, not choice of my own,
But I am glad that I'm here for I've learned to love home.

Home isn't Washington, Alasaka or New Jersey,
Home is America, the land that is free.
I hope these Americans will wake up and see
What it's really like, to live in a land that's free.

POLICYMAKING AT THE GRASS-ROOTS LEVEL?

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RESNICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. RESNICK. Mr. Speaker, the American Farm Bureau Federation boasts that it has evolved through a grassroots movement of American farmers, that its policy is formulated at the local level, and that its national officers do no more than endorse this policy at the annual meetings. If this is the case, I find it very difficult to understand why the Farm Bureau lobbies for pieces of legislation which are sometimes antagonistic to, and frequently irrelevant to, the needs of the American farmer. In recent years it has come out in favor of prices at 50-percent parity, it has supported the oil depletion allowance for Texas millionaires, and it has taken positions on urban renewal, rent supplements and right-to-work laws.

Could anyone honestly say that these policies are the handiwork of the grassroots farmer? I have no doubts that Farm Bureau members would be surprised to see what they are supposed to have initiated at their local meetings.

The truth of the matter is that the Farm Bureau does not represent its members, that local meetings are nothing but hollow forums which have no effect on national policy, and that unpopular ideas expressed at local meetings may lead to censure and expulsion.

Mr. Speaker, I respectfully request that the following letters be inserted in the RECORD. They describe how the Farm Bureau confuses the trappings of the democratic process with its substance.

The first shows that county Farm Bureaus do poll those members who attend the one meeting a year, but that the results of the poll are ignored at the national level. Perhaps this explains the disappointing attendance at the local meetings; members know full well what their opinions are really worth to the big boys.

The second shows how the Farm Bureau uses the dubious rationale of "conflict of interest" to silence the views of an outspoken member. If Mr. Holiway's affiliations involve a "conflict of interest," I am at a loss to explain what Mr. Charles Shuman's activities involve. Perhaps the Minnehaha County Farm Bureau does not know that in addition to holding the presidency of the American Farm Bureau Federation, Mr. Shuman serves as president of the National Food Conference, a group of the Nation's largest food processors which do their best to keep farm prices as low as possible. Regardless, the trumped-up charge is just one more example of Farm Bureau frustration of the democratic process.

K & R LIME CO., INC.,
Fairbury, Nebr., August 4, 1967.

HON. JOSEPH Y. RESNICK,
Congressman from New York, U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSMAN RESNICK: Your investigation of the Farm Bureau is long overdue. It is the creature of the U.S. Chamber of Commerce. It does not represent farmers or their interests. It is not interested in the welfare of farmers.

As a former farmer member of the Farm Bureau I would like to give you just one example of Farm Bureau operation. The year I belonged I attended every unit meeting, read all the publications, and attended the annual county meeting. The annual meeting was called for 8:00 PM. At 8:45 PM the meeting was called to order and a talent contest was held. Remember this was the only meeting during the year to pass policy resolutions. It was about 10:00 PM before the main business was begun. All grass roots resolutions were quickly tabled (killed). Because of the way the meeting was run the attendance was not very good and the resolutions formulated at the top were quickly passed. My membership was during the year when farmers were brought under Social Security. Since I do not believe in Social Security I presented arguments against. When the vote came, it was 68 to 1. I was the only one who voted against Social Security. The National Farm Bureau also opposed Social Security. At the State convention Social Security was *opposed* unanimously. Even though mine was the only vote against Social Security in Boone County, the Boone County delegates (Farm Bureau insurance agents) voted with the national policy.

For your investigation to be successful you will have to line up farmers and nonfarmers to become members in numerous county Farm Bureau organizations. They should attend all meetings and read all the literature. This is the only way you will get the information you need to expose them. As you have found its power is awesome. If you picture yourself as David, you are up against an overgrown Goliath that has nothing to do with farming.

I wish you luck because the farmers very much need to be delivered from this burden. It is ironic that you from New York should have to fight the farmer's battle but the farmer is in a bad situation and needs your help. Best of luck!!

Sincerely yours,

FRED REESE.

GARRETSON, S. DAK.,
October 31, 1962.

Mr. WILLIAM HOLIWAY,
Humboldt, S. Dak.

DEAR MR. HOLIWAY: We understand you are a member of two other Farm Organizations, consequently, it is a decision of the Minnehaha County Farm Bureau Board, that you be replaced as a delegate, since there would be a conflict of interest, for you to represent Farm Bureau policies as a delegate to the Farm Bureau State Convention at Huron.

We find it necessary to replace you as a delegate, however, if you are not a member of these other farm organizations, please advise immediately.

Wesley Smith was also replaced by similar Board action.

May we have your considered continued interest.

Yours truly,

DONALD BURKMAN,
President, Minnehaha County Farm Bureau.

HUMBOLDT, S. DAK.,
November 4, 1962.

DEAR MR. BURKMAN: I am a member not only of two other farm organizations as you refer, but of several other farm organizations, including South Dakota Livestock Expansion Foundation, Minnehaha Soil and Water Conservation District, member Board of Directors, Eastern South Dakota Soil and Water Research Farm and several farmer-owned cooperatives. All of the farm organizations of which I am a member definitely represent the interests of the Minnehaha County, South Dakota and American farmer and stand for a better American agriculture and higher standard of living for the American farmer. These are my interests.

Since you definitely state in your letter "since there would be a conflict of interest", I can only conclude the aforementioned are not the interests of the Minnehaha County Farm Bureau.

I was appalled at the apparent lack of interest evidenced by the lack of attendance at the annual meeting. Upon receipt of your letter dated October 31, this is no longer any mystery to me. It is quite apparent that the Board of Directors of the Minnehaha County Farm Bureau does not want to hear the voice of the membership and that my "considered continued interest" is "not welcome", nor "compatible" to said Board of Directors, or whoever formulates Farm Bureau policy.

Yours in the interests of the American farmer,

W. E. HOLIWAY.

NOVEMBER 4, 1962.

Mr. Burkman, since you were present at the annual meeting of the Minnehaha County Farm Bureau, you will recall I was elected to serve as delegate to the State Convention of the South Dakota Farm Bureau by the members present at said meeting.

I do challenge the right of the Farm Bureau Board of Directors to overrule the will of the membership.

The Board of Directors has, in effect, indicted, tried, convicted and condemned me in my absence and without my knowledge.

These tactics are unbecoming to the Minnehaha County Farm Bureau and are certainly not in keeping with our constitutional form of government in South Dakota and the U.S.A.

I doubt if any organization which has bylaws and/or articles of incorporation that permits such action, would be permitted to long exist anywhere in the U.S.A. America.

These tactics are only permitted to exist in tyranny.

My voice at the county meeting was for and supporting the resolution supporting the *Soil & Water Conservation Districts* of South Dakota and for the resolution supporting the *Farmer "Owned" Electric Cooperatives* of *South Dakota.*

I demand to, and am entitled to know for which of these two, indictments was brought against me.

These are the only two areas where my ideas, interests, and opinions conflict with existing Farm Bureau policy. And I was, of course, erroneously informed and under the impression that Farm Bureau policy was "established by" and hence could be "changed by" the *members* of the *organization.*

Mr. Burkman, I challenge you to read your letter to me and this reply to a full and open meeting of the Farm Bureau members.

W. E. HOLIWAY.

THE WASTEFUL AND ILLEGAL PRACTICE OF GOVERNMENT PROCUREMENT OF PERSONAL SERVICES UNDER CONTRACT

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. HENDERSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HENDERSON. Mr. Speaker, all around us much is being said about disobedience of the law and the need to effect economies. My comments today concern an opportunity to get greater compliance with the law and to effect some savings.

In February 1965, the general counsel of the Civil Service Commission rendered an opinion that the procurement of certain personal services by the Government under contract with private industry violated the Civil Service Act, the Veterans'

Preference Act, the Classification Act, and a number of other laws. This opinion, which was concurred in by decision of the Comptroller General, under date of March 4, 1965, concerned an Air Force acquisition of personnel from a contractor at the Ground Electronics Engineering Installation Agency, Fuchu Air Force Base, Japan, to work alongside and under the supervision of Government employees.

The Department of Defense immediately took steps to correct the practice of obtaining such personal services under contract. To date over 8,000 contract technicians have been replaced by civil service employees in the military services at savings in excess of $30 million.

As a result of inquiries by and information reported to the Subcommittee on Manpower and Civil Service, our attention turned to the National Aeronautics and Space Administration. Under date of November 29, 1965, I urged the Administrator, Hon. James E. Webb, to reappraise NASA's contracting policies as to compliance with the letter and spirit of the decision. To this, his reply was:

> We feel that NASA's policies are in complete consonance with the law. We intend that implementation of these policies shall be likewise.

The Civil Service Commission initiated its own on-the-spot investigation of contracting for personal services and performance by contractor-furnished personnel at NASA's Goddard Space Flight Center.

We are now in receipt of an extensive opinion by the Commission's general counsel to the effect that the contracts examined and services performed at Goddard Space Flight Center and all like them, violate a number of laws. The Comptroller General also concurred in this opinion, under date of November 1, 1967.

The General Counsel is certainly to be commended for his clear and strong position in this important issue, an issue that has implications reaching into the very preservation of the integrity of the civil service system.

I quote from this recent Civil Service Commission report:

> It has been the Civil Service Commission's experience that the procurement and use of personnel by unauthorized contracting practices has an adverse impact upon the civil service system and tends to frustate the purposes and national policies expressed by personnel laws. The extensive use of contractor-supplied personnel for the performance of Government missions poses issues of critical importance to our system of Government, to any meaningful concept of "public service" and to the continuing vitality of the civil service system.

Mr. Speaker, in view of this decision by the General Counsel of the Civil Service Commission, I wrote to Mr. Webb at NASA on November 1, 1967, asking that he reappraise NASA's contracts for personal services. I am awaiting his current appraisal.

The General Accounting Office in recent months reviewed operations under some personal service contracts at two NASA field activities: namely, the Marshall Space Flight Center and the Goddard Space Flight Center. The General Accounting Office report, dated June 9, 1967, which was directed to the Speaker of the House of Representatives and the President of the Senate has this to say:

> We believe that the results of our review clearly indicate that savings of some significance can be achieved at Marshall Space Flight Center and Goddard Space Flight Center if the services covered by our review are carried out by civil service employees rather than contractor personnel.

This General Accounting Office review of a limited number of contracts reported that savings of $4.8 million at Marshall, and $1.5 million at Goddard could be made by using Government rather than contractor personnel.

Mr. Speaker, I am not talking about putting the Government into competition with private industry but rather than the Federal Government's departments and agencies should comply with applicable laws concerning the procurement of personal services as clearly distinguished from the purchase of a product or a complete service performed by contractor personnel under contractor direction.

Everywhere today there is a cry for economy. Here is an opportunity to effect some savings as well as obtain compliance with the law.

MARIE SKLODOWSKA CURIE

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HELSTOSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HELSTOSKI. Mr. Speaker, yesterday the scientific world celebrated the 100th anniversary of the birth of one of its greatest scientists, Marie Sklodowska Curie.

Marie Sklodowska, youngest of the five children of Wladyslaw and Bronislawa Sklodowska, was born in Warsaw on November 7, 1867, and died at Sancellemoz, France, on July 4, 1934. The families of her mother and father, who were Roman Catholics of purely Polish stock, were among the small landed proprietors, a class notable for its intellectual interests. True to this tradition, Mme. Curie's paternal grandfather directed the management of his own lands and at the same time was president of the gimnazjum of Lublin. Both her father and mother were distinguished educators in Warsaw. In 1895 she married Pierre Curie, professor of physics in the School of Physics and Chemistry of the city of Paris. They had two children, Irene, born in 1897, and Eve Denise, born in 1904.

Mme. Curie received her early education in the schools of Warsaw, which were subject to the oppression and restrictions imposed by Russian domination. She graduated at the age of 15 at the head of her class. While doing private teaching she continued her preparation for university work by self-instruction. In 1891 she was finally able to undertake the study at the Sorbonne of which she had dreamed. For 4 years she lived in a garret room, practicing the utmost economy but happy in her independence and "entirely absorbed in the joy of learning and understanding." In 1893 she graduated with first rank as "licenciée ès sciences physiques" and in 1894 with second rank as "licensiée ès sciences mathématiques."

After her marriage, while working in the laboratory with her husband, she continued to prepare for the examination for the certificate to teach in schools for young girls; in 1896 she obtained first place in this examination. In 1897 she completed and published a piece of research on the magnetic properties of steel. Professor and Mme. Curie announced the existence of polonium in July 1898 and in the following December that of radium.

In 1903 the Nobel Prize in physics was awarded to M. and Mme. Curie and to M. Becquerel for the discovery of radioactivity and the new radioactive elements; in 1911 Mme. Curie was awarded the Nobel Prize in chemistry. Other honors and recognitions came to her from all parts of the world, honorary degrees from colleges and universities, honorary membership in academies of science, medals of great distinction from learned societies, and the homage and admiration of the whole scientific world.

The award of the Nobel Prize in chemistry in 1911, this time to her alone, brought to Mme. Curie the unique honor of having received this prize twice.

Although she lived the greater part of her life in France, Mme. Curie never lost her love for the land of her birth. Brought up under the bitter burden of Russian oppression, she had as a child dreamed of the reestablishment of the Polish nation. As a young girl, employed as governess in a family in the country, she had shown her interest in the betterment of others and her fearless and independent spirit by organizing classes for the village children who were denied the privilege of education under the Russian Government.

Although she never lived in Poland after 1891 her interest never flagged and she rejoiced that she had lived to see her dream of a united Poland come true. Her loyalty to her native land and affection for it were deep and abiding. Her learning and ability were always at its service. In 1912, although unable to leave France, she gave great assistance to the Scientific Society of Warsaw in the establishment of a radium laboratory and of the courses in it. She used the fund given her for her private use by the women of the United States, when they presented her with a gram of radium in 1921, toward the rental of another gram of radium for the laboratory in Warsaw. When she visited the United States again in 1929 to dedicate the Hepburn Hall of Chemistry at St. Lawrence University, at the door of which is a beautiful bas-relief of Madam Curie, American friends presented her with money to purchase the gram of radium for Warsaw, thus freeing the original fund for her use. In 1932 she paid her last visit to her beloved Poland to attend the dedication of the Radium Institute of Warsaw, the cornerstone of which she had assisted in laying in 1925. On each occasion she was received with great acclaim and rejoicing. It seems eminently appropriate that she was elected a foreign member of the Academy of Science of Poland and was appointed honorary professor in the University of Warsaw.

Madam Curie's discovery of radium has led to our advances in science and has permitted us to utilize the products of her discovery in the furtherance of mankind's constant battle to combat man's many illnesses, primarily in the field of cancer research.

Madame Curie hastened the march of civilization by the discovery of radium and all of humanity should pay her homage on this, the 100th anniversary of her birth.

FREER TRADE BRINGS BETTER BUYS FOR AMERICAN CONSUMERS

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. HALEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ASHLEY. Mr. Speaker, day by day it becomes increasingly clear that more and more people realize the folly of trying to reverse the trend toward freer trade among nations. The damage that would be done to grocery, drug, and department employers and employees, and, most important, to their customers—we the people—is pointed up in this cogent letter I just received from the Ohio State Council of Retail Merchants. The letter follows:

THE OHIO STATE COUNCIL OF
RETAIL MERCHANTS,
Columbus, Ohio, November 3, 1967.

Hon. THOMAS LUDLOW ASHLEY,
Member of Congress,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN: At our recent annual meeting, the Board of the Council considered the pending so-called "protectionist" legislation designed, apparently, to build additional barriers to world trade. Our members, whose primary concern is to provide the consumer with needed merchandise at prices she can afford to pay, are alarmed. They believe strongly that the proposed legislation will not only fail to "protect" the very people who are strongest for the legislation, but that it will hurt all Americans.

As merchants, we have learned not to fight with our customers if we wish to stay in business. An important part of America's business is to sell the merchandise it produces to other countries; last year we exported $4 billion more than we imported, and indications are that this year our export surplus will exceed that amount. It therefore seems obvious to us that if we put on import quotas and raise trade tariffs or bar products of other nations, we hurt only ourselves.

A more provincial, but certain effect of this legislation would be serious harm to Governor Rhodes' wide ranging efforts to promote the sale of Ohio made products abroad.

For these reasons, we urge that you oppose the legislation now before the Congress to hike trade barriers and reverse the trend toward free trade among the nations of the world.

Sincerely,

GEO. B. HAMMOND.

MIAMI HOUSING GAINS IMPRESS U.S. EXPERT

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, Dr. Robert C. Wood, Under Secretary of the Department of Housing and Urban Development, recently visited Miami and toured the urban renewal and public housing sites with county officials. He expressed a belief that if Miami would continue its present level of progress that it could be on the forefront of urban development.

Also Under Secretary Wood commented on the riots that rocked so many cities during the past four summers. He viewed with impatience the "simplistic" solutions offered by "those who view the rebuilding of the American city as a morality play by Government organizations." Instead he felt that the real solution "is essentially a building job, part renewal and part rehabilitation." And he noted that the building will be part private and part public with no hard lines separating the two.

So that my colleagues might read this article from the Miami Herald regarding Dr. Wood's trip to Miami, I would like to include it in the CONGRESSIONAL RECORD:

[From the Miami Herald, Nov. 1, 1967]

MIAMI HOUSING GAINS IMPRESS U.S. EXPERT

(By Juanita Greene)

The second biggest man in the big Federal department that worries about cities took a look at Miami Tuesday and said he was impressed.

"If you can keep up with the progress made up to now you will be one of the areas in the forefront," said Robert C. Wood after a tour of urban renewal and public housing sites with county officials.

But he did not get specific, nor give any hints about where the local area stands in the lineup of communities waiting for federal funds to start new programs, like Model Cities.

Wood is a native Floridian who worked his way up the urban affairs route to become Undersecretary of the Department of Housing and Urban Development.

One problem with cities, he said, is that there are many important things about them that are still unknown. Another, he added, is that there are many things still undecided.

"We are not yet at the point where we have an open urban policy," he reported. "We have not asked where we want to locate the 100 million persons who will join us before 1998."

They don't all have to be crowded into our rapidly growing metropolitan areas, he reported.

"Do we want Palatka to rise again?" he asked (referring to a small town in North Florida).

The trend today, he reported, is for population to continue rapid concentration along coastal areas and in metropolitan areas of a half-million or more population.

How to handle migrants who leave the farms and small towns for the big cities continues to be a big problem, said Wood, because 100,000 farm hands a year stop farming.

Here he thinks Miami could produce some answers, because of its experience in handling the involuntary influx of Cubans.

Wood said he was not surprised by the summer riots which have rocked so many of the nation's cities the past four years.

But he expressed impatience with "simplistic" solutions offered by "those who view the rebuilding of the American city as a morality play by government organizations."

The real solution, as he views it, "is essentially a building job, part renewal and part rehabilitation."

To accomplish the task, he said, the nation must find the means to build better and faster.

In providing more and better housing for low-income groups, he said, "the name of the game is going to be volume."

"I think we are going to see a major escalation in production figures," he said.

The building will be part public and part private with no hard and fast line separating the two, he predicted.

"We probably are going to end up the way we built defense and space projects, as a mixed enterprise," he said.

Wood is in Miami to address a luncheon session today of the National Association of Independent Insurers, meeting at the Americana hotel.

ALLENTOWN-BETHLEHEM-EASTON AIRPORT

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, Allegheny Airlines inaugurated air service at Allentown-Bethlehem-Easton Airport this past October 1. In the first 23 days, the local service carrier enplaned and deplaned 2,426 passengers, an average of 105 persons per day or 26 persons per flight.

This is not a bad record for an opener, and it far surpasses the Civil Aeronautics Board's predictions.

Last March 20 when the Civil Aeronautics Board issued a show-cause order to replace Trans World Airlines' service by Allegheny at Allentown-Bethlehem-Easton Airport, the Board said:

> It is estimated that Allegheny will carry an additional 27,806 passengers annually and provide markedly improved services for A-B-E in the Pittsburgh-New York/New England markets.

There can be no question that CAB's judgment was sound—the services for Lehigh Valley have improved, and the passenger load factor is 37.4 percent greater than what had been anticipated. With the pace that is being set, it could mean that Allegheny will carry over 38,000 persons into and out of Allentown-Bethlehem-Easton in a year.

The CAB action last March was reported "in harmony with our policy to act affirmatively in situations which hold promise for route strengthening for local service carriers where it appears that the public will benefit substantially."

This airport activity at Allentown-Bethlehem-Easton appears to be strong evidence that the CAB in serving its regulatory mission also is carrying out its promotional role, and without bogging down in regulatory proceedings.

We who are interested in the continued growth of the Lehigh Valley area are just as convinced that the Federal Aviation Administration will recognize the importance of the Allentown-Bethlehem-Easton Airport and provide that facility with the necessary radar equipment that is required to operate an airport of major importance to the entire Eastern seaboard. There is no question that at this very moment Allentown-Bethlehem-Easton Airport is a satellite to New York's Kennedy and La Guardia Airports as well as Philadelphia International Airport.

STATEMENT BY THE PRESIDENT ON THE INDEPENDENT OFFICES AND HUD APPROPRIATIONS ACT FOR FISCAL 1968

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, at the signing of the Independent Offices and HUD Appropriations Act for fiscal year 1968, President Johnson reminded that he signed the act "not with a full sense of achievement, but with determination." He termed the act not so much a "legislative victory" as a "legislative miracle."

Such limited appropriations, he noted, could not be called a "victory" for: 200 American cities that submitted model cities applications when the program reduced by $350 million; 30,000 poor families that will be denied decent housing because only $10 million, not $40 million, was provided for rent supplements; and tens of thousands of commuters when the urban mass transit appropriation was reduced by $55 million.

Nevertheless, the President pledged that these programs would not be allowed to falter because of limited funds. He directed Secretary Weaver to speed up the processing time that these programs might reach the people faster; to spend each dollar wisely and effectively; and to encourage maximum involvement of the private sector through the new turnkey concept.

I urge all my colleagues to read carefully the remarks of President Johnson in signing this Appropriations Act. It puts in perspective the needs of our cities versus the meager amounts granted to fulfill these needs. It brings a message of reserve and apprehension but also a message of determination. I would like to include this full text of the President's message in the CONGRESSIONAL RECORD.

STATEMENT BY THE PRESIDENT ON THE INDEPENDENT OFFICES AND HUD APPROPRIATIONS ACT FOR FISCAL 1968

I am today signing the Independent Offices and HUD Appropriations Act for Fiscal Year 1968.

This measure represents a cut from the budget request of January of more than $600 million. More than $500 million of that has been slashed from the Department of Housing and Urban Development.

Some have called the passage of this Act a legislative victory. It might better be called a legislative miracle—the opposition was that strong. Ninety-three percent of House Republicans voted to recommit and kill Rent Supplements. Eighty percent voted to recommit and delete all funds for Model Cities. Despite the effective opposition of so many Republicans, the lives of both these vital programs—Rent Supplements and Model Cities—have now been extended.

But it was no victory for the 200 American cities which have already submitted Model Cities applications. For them the reduction this year of $350 million alone in Model Cities funds comes as a bitter blow.

It was no victory for the 30,000 poor families who will be denied and deprived of decent housing built and operated by private industry because the Rent Supplement program was cut from $40 million to $10 million.

It was no victory for more than 500 thousand needy city dwellers who could have been reached by the new "one-stop" neighborhood centers which this measure eliminated.

It was no victory for tens of thousands of suburbanites and commuters around our congested cities when next year's Urban Mass Transit appropriation was reduced by $55 million.

Last August, I wrote to Senate Majority Leader Mansfield urging that Congress appropriate the full funds for our city programs. I said we can no longer be satisfied with "business as usual."

"These problems," I noted, "demand the best that an enlightened nation can plan, and the most that an affluent nation can afford."

The Senate responded by approving virtually all of the budget requests with some Republican Senators voting to help.

But in the end, the familiar old voices of reaction and status quo prevailed in the conference with the House. They prevailed even after the Nation's leading private insurance executives came to the White House and promised me to make an investment of $1 billion in our cities—to work hand in hand with our Federal programs. They prevailed even after last summer's agony when Congress cut the budget request for housing and urban development by more than 25% while reducing everything else in this $10 billion appropriations bill by a total of less than 1%. This represents a disordered sense of priorities and a blindness to human needs. And, in the process our American cities and the American people have been shortchanged.

Despite these setbacks, however, we will not allow the programs to falter, although they are much smaller than we would like them to be. I have directed Secretary Weaver operating with these reduced funds:

To speed processing time so that these programs can get to people faster;

To spend every taxpayer's dollar carefully, wisely, and effectively;

To encourage the maximum involvement of the private sector through the new "Turnkey" concept.

So I sign this measure, not with a full sense of achievement, but with the determination to move ahead, to fulfill a pledge I made nearly four years ago: "A decent home in a decent neighborhood for every American citizen."

MAJ. ARCH E. ROBERTS, U.S. ARMY, RETIRED, "VICTORY DENIED"

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. RARICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. RARICK. Mr. Speaker, of the great wealth possessed by these United States nothing can surpass our dedicated military minds and strategists.

While it is unfortunate that tradition forbids our military leaders from becoming politically oriented, there are many brilliant exceptions, such as retired Maj. Arch E. Roberts, author of "Victory Denied," who is still fighting for his country and people.

Major Roberts takes the story and impact of war without victory to the American people and offers a constructive solution by restoring the power of government to the American people through their State governments.

The Houston Tribune of Houston, Tex., recently carried a four-part condensation of Major Roberts' book. Under unanimous consent I insert the four-article condensation in the RECORD for our colleagues' attention and perusal:

[From the Houston Tribune, Sept. 21, 1967]

WHY DON'T WE WIN IN VIETNAM? "VICTORY DENIED" GIVES ANSWER

(This is the first in a series of four articles on "Victory Denied," by Maj. Arch Roberts.)

Today one of the most universally asked questions is why the United States does not win the war in Vietnam.

An answer—some say the answer—is in Maj. Arch E. Roberts' recently published book, "Victory Denied." It's a long answer—300 pages. He not only spells out reasons, he details a solution and he sets up an organization to achieve this solution.

The organization is entitled The Committee for the Constitution, Inc. and chapters are being formed throughout the nation. Texas Committee officers are: Col. H. W. Mathews, president; Vernon C. McRee, treasurer; Mrs. Marie Mitchell, secretary; and directors: Gen. Richard E. Moran of Kerrville, Albert Smith of Lubbock, Capt. Kenneth W. Ryker of Fort Worth, J. C. Phillips of Borger, W. H. Kellogg of Huntsville, Margine Laidlaw of El Paso, Mrs. Roy A. Adkins of San Antonio, Roy Mulling of Longview, Sidney Beauford of Corpus Christi, and Alfred W. Hindee, Dr. S. P. R. Hutchins, John C. Williams, George J. Polk, Eugene Silver, H. O. Capps, and Rex Garrett, all of Houston.

MORAL ISSUE

Maj. Roberts is the author of the "Pro-Blue" program that was used for a time to teach American servicemen basic Americanism and inform them of the communist conspiracy and its dangers.

He explains in his book how he became personally involved in exposing the fact that "our soldiers are under United Nation command" and that as long as this is so, we will be fighting "no win" wars. Having taken his soldier's oath to defend the Constitution "against all enemies, foreign and domestic" he could not stay silent without violating that oath after he realized that the United Nations treaty supersedes the Constitution, he says.

Still another reason for his not being able to abide the United Nations superiority over his country, he said, springs from the fact that he felt he would not be true to his ancestors who fought for this nation's freedom since the American Revolution.

RED CHARTER AUTHORS

The book begins with detailing the fact that the authors of the United Nations Charter have been identified as communists or as having associated with communists. The principal author of the first draft of the UN Charter was Alger Hiss, later identified as a Soviet espionage agent and convicted of perjury for denying under oath his communist activities.

Almost as important as Hiss—and perhaps even more so—in writing the UN Charter was Leo Pasvolsky, born in Russia of communist revolutionary parents and who became a key official in our State Department. Time magazine's revelation after his death in 1953 that Pasvolsky was the "architect" of the charter may explain why much of the document is copied directly from the Soviet constitution.

Another was Phillip C. Jessup, assistant secretary general of the UNRRA Conference in 1943 and a former head of the Institute of Pacific Relations, found to be "a vehicle used by the communists to orient American Far Eastern policy toward communist objectives." He is now U.S. representative on the UN World Court. Several others who had a hand in the UN charter are of the same stripe.

BY ANY MEANS

According to Maj. Roberts the UN is not a debating society or a world peace keeping organization. Instead it is "what the articles of the UN charter say it is: An agency for imposing one-world government on the nations of the world; by peaceful means if possible; by force and violence if necessary."

"In order to ensure prompt and effective action by the United Nations," states Article 24, "its Members confer on the Security Council primary responsibility for the maintenance of international peace and security."

The scope of this "responsibility" is unlimited. It provides, under Article 42, for UN military action "by air, sea or land forces as may be necessary, to maintain or restore international peace and security," as in Korea, Katanga, the Dominican Republic and now Vietnam.

The Charter irrevocably binds the signatory nations and their citizens to the decisions of the Security Council. "The members of the UN," directs Article 25, "agree to accept and carry out the decisions of the Security Council in accordance with the present charter."

RUSSIAN COMMAND

And who commands these UN military forces? A Russian. All UN military operations such as those in Korea and in Vietnam are reported to a commander-in-chief known as the UN Undersecretary for Political and Security Affairs. This office has been held by Russians since 1946, with the exception of the period from 1955 to 1957 when Yugoslavian communist, Dragoslav Protich, held the position.

Maj. Roberts points out that the regional security arrangements into which this country has entered are subsidiary to the United Nations.

Thus, the North Atlantic Treaty provides that all (military) measures "shall immediately be reported to the Security Council." Similarly with SEATO, under which treaty the United States is fighting in South Vietnam. The Soviet general who is undersecretary for political and security affairs knows exactly what we are doing, where, and in what force.

Maj. Roberts writes: "Although Americans appear to be unmoved by the fact that their sons serve under the command of a Soviet communist, this complacency is not due to lack of information. The New York Times, dated May 22, 1963, wrote: 'The post for political and security council affairs traditionally has been held by a Soviet national.' "

And this is the post Maj. Roberts says directed the "American defeat in Korea, the rape of Katanga and our military and economic hemorrhage in Vietnam."

SENATE ABDICATED

Article 47 reveals that the Congress of the United States has abdicated its constitutional responsibility. The U.S. Constitution, in section eight, Article 1, directs that ". . . Congress shall have the Power To declare War." Yet the U.S. Senate has admitted officially that the U.S. Constitution was ignored in the Korean action.

Maj. Roberts continues: "The communist-dominated U.N. Security Council is the supreme military headquarters which even now directs a limited war in Vietnam. And it is the same authority which cost us 157,350 casualties in a no-win stalemate in Korea."

Turning to the military articles of the U.N. Charter, Maj. Roberts shows that under Article 43, Chapter VII is found the basic treaty law for establishing an armed United Nations, the intent of which is to provide the U.N. with unlimited war-making powers. Article 43 wipes national boundaries off the map and "creates an international army chaining the people of the world to the wheel of a military juggernaut."

WORLD POWER

"Absolute, monolithic world military power is the concealed objective of the United Nations," he writes.

This objective must be accomplished through gradualism accompanied by brainwashing. He cites as an illustration the issuing on Sept. 1, 1961 by the U.S. Government of a document titled: Freedom from War: The United States Program for General and Complete Disarmament in a Peaceful World. Known as State Department Publication Number 7277, it shows steps toward disarming the United States and the establishment of a UN army. But there was no outraged cry from the American people at the time.

Interestingly enough, in his gigantic book "Rise and Fall of the Third Reich," William L. Shirer, wrote many times throughout the book that the German people at certain places in Hitler's career gave "no cry of outrage."

[From the Houston Tribune, Sept. 28, 1967]

"VICTORY DENIED": CASE OF GEN. EDWIN WALKER

(This is the second in a series of four articles on "Victory Denied," by Major Arch Roberts.)

Conversion to the kind of one worldism blueprinted in the United Nations charter is not an overnight operation.

Maj. Arch E. Roberts in his book, "Victory Denied," which charges that United Nations domination does not allow an American victory in Vietnam, initially points to the UN charter to define how its structure sets up one world government.

But the propaganda phase is also given attention because without making the peoples of the earth ready for it, one-world government could not come to pass.

Maj. Roberts quotes, for example, from an address by the late Congressman Usher L. Burdick who said: "To bring this country into line to accept world government many things must be done by the United Nations and her agencies, such as UNESCO. First of all, love of country on the part of the people of the United States is found by these conspirators to be very deep and hard to destroy.

UNESCO'S ROLE

"Here, UNESCO comes in to play and out it goes among the school children of the United States with specially trained teachers from Columbia University who teach these children that love of country interferes with loyalty to a world organization; that they must be fitted, educationally, and temperamentally, to forget love of their own country and transfer their loyalty to the world organization."

Further developing his theme, in the second chapter of his book Maj. Roberts writes:

"The following factors will be disclosed as having a material bearing on the abuse of American fighting forces and the undermining of the United States Constitution:

"a. The United Nations Organization is the product of internationalists whose objective is Soviet-style control over the world's people and resources.

"b. A prime requisite for the achievement of one-world government under the U.N. flag is United Nations command of U.S. military forces.

THE TECHNIQUES

"c. Techniques for achieving U.N. command of the U.S. military establishment include U.N. manipulation of United States government agencies, establishment of interlocking propaganda media, and the establishment of politically-oriented agents who are in sympathy with one-world government policy . . .

"Of course, the Planners tell us that the United Nations is the hope of the world.

"But we know that the United Nations is not what U.N. propagandists say it is.

"The United Nations is what the articles of the U.N. Charter say it is:

"The United Nations is an agency for imposing a one-world government on the nations of the world; by peaceful means if possible; by force and violence if necessary."

CASE OF GEN. WALKER

In "Victory Denied" Maj. Roberts deals at some length with the celebrated case of Gen. Edwin A. Walker, who was relieved of his command of the 24th Infantry Division in Germany by personal order of the late President Kennedy.

Walker was teaching pro-Americanism to his troops and informing them of the worldwide threat of communism. This greatly excited Gus Hall, the head of the Communist Party U.S.A. and also the "Overseas Weekly," leftish-slanted publication which our soldiers called the "Oversexed Weekly".

It also excited Sen. William J. Fulbright of Arkansas and Walter Reuther, head of the United Auto Workers, each of whom wrote a memorandum assailing the Walker program and the alleged dangers to the nation posed by right-wing military men.

WALKER VINDICATED

After a lengthy Senate investigation of the "muzzling" of military officers who, like Walker, attempted to implement the National Security Council Directive on "Cold War" education, Walker was vindicated.

However, few Americans realize that fact to this day because the report on the Senate probe was held up for some time and was released at the height of the Cuban crisis of 1962 when it attracted little readership since national attention was fixed on the threat of war with Russia over Cuba. The report was, in the words of Chicago Tribune writer William Edwards, a "stinging repudiation" of the Fulbright views.

Maj. Roberts also was separated from active duty by order of the secretary of the Army. He had written the material Gen. Walker used in his troop indoctrination program. He brought suit against the secretary and won. He was restored to active duty and paid back pay in the amount of $34,000.

[From the Houston Tribune, Oct. 5, 1967]

FREE WORLD IS DEFEATED—ONLY UNITED STATES CAN RETRIEVE IT

(This is the third in a series of four articles on "Victory Denied" by Major Arch Roberts.)

The free world is defeated, already, and only the United States Constitution can retrieve it.

This is the contention of Maj. Arch E. Roberts in his book, "Victory Denied," in which he charges the United Nations is a subversive organization that must be called what it is and repudiated.

In his campaign to put this matter before state legislatures, which he maintains are the only bodies with constitutional authority to free this country from the United Nations, he first submitted his proposals before the Colorado legislature. Assisting in making the appeal was Prince Michel Sturdza, former Rumanian foreign minister.

Maj. Roberts said he included the prince's statements because of his knowledge gained after the "international convulsion which destroyed his country."

Sturdza declared, "The Western Powers have let themselves get so deeply involved in the chessboard of the United Nations that they could not pull out even if they wanted to without giving the Soviets a wonderful opportunity for accusing them of . . . aggressive intention."

DISARMAMENT

He asserted, "Disarming the Free World, beginning at the present level of armament and troops and the present lines of demarcation, would be disarming an already disarmed and defeated world."

"It is in the United Nations Organization that resides the constitutional lie, the Master Imposter by which the Western Civilization is imperceptibly dying," the Prince continued.

Then he asked, "Indeed, how could Soviet Russia be a member of an organization purported to be the champion of liberty, justice, and human rights and to promote goodwill among nations, (when it is) the bloodiest and most inhuman of tyrannies . . . and if its constant purpose is the ruin of the nations' community?"

ENDURANCE LIMITED

Prince Sturdza asserted that "What stops the Soviets, and can stop them only as long as it exists, is the menace of a simultaneous and unanimous upheaval behind the battle lines in the event of a new armed conflict"—meaning a revolt of the 130 million subjugated people in the East European satellite states and possibly also an uprising of the Russian people themselves against their rulers.

But human endurance has its limits, and ultimately those peoples "will submit to attrition and terror or, maddened by them, will rebel without direction or organization," a rebellion doomed in advance. That is what will happen at last if those subjugated people become convinced that they have been forgotten by America.

INCONCEIVABLE

"It is inconceivable for any responsible government to accept the idea of sharing leadership of a United Nations transformed into a world government with a partner who has sworn to bury you," the prince pointed out.

"There is something more amazing than the cynical frankness of the World Government conspiracy, a frankness which shows how confident they are of victory; it is the apathy with which public opinion has accepted its purposeful and far-reaching machinations. Not that the alarm has not been sounded in the free press."

He concluded that the real weapon of the communist empire is the United Nations and prompt action is necessary if Western Civilization is to be saved before the consummation of the invisible surrender.

Maj. Roberts says that although frequent demands have been made upon the Senate of the United States to review the United Nations Charter, it has failed to comply with these demands.

Citizen action, through the respective state legislatures is "the last practicable means (excepting revolution) remaining to the people for the correction of constitution abuse."

Maj. Roberts detailed the legality of his recommended procedure, giving as authority the U.S. Constitution itself, adding "no federal agent has the power or the authority to modify or to dissolve the Constitutional Compact." And he added that, as Martin Van Buren, eighth president of the United States said, "each state is a party to the Constitutional Compact."

AROUSE ACTION

However, when the state fails to repudiate the unauthorized acts of its agents, a presumption arises that the state has approved.

Thus 50 state legislatures appear to have given approval. Maj. Roberts' campaign is "to arouse meaningful constitutional action in the respective sovereign state legislatures; the objective of this effort being to generate legislative investigations of the United Nations Treaty agreement and enactment of statutes which will enforce the limits of the U.S. Constitution."

[From the Houston Tribune, Oct. 12, 1967]

How Author Proposes States Can Enforce U.S. Constitution

(This is the last in a series of four articles on "Victory Denied" by Major Arch E. Roberts.)

Working from the premise laid down by a nationally recognized authority on constitutional law, Maj. Arch E. Roberts in his book "Victory Denied" claims that only the state legislatures can enforce the U.S. Constitution and thereby "undo" the treaties with which he says the United Nations organization is geared to destroy the United States.

He outlines the manner in which he asserts state legislatures may do this and suggests organization of state-wide citizen-groups to prod the legislatures into action.

In explaining his premise, he quotes T. David Horton, national authority on the Constitution and a member of the U.S. 9th Circuit Court of Appeals.

UP TO THE STATES

Using this authority, Maj. Roberts writes "A treaty cannot authorize what the Constitution forbids. No federal agent has the power or authority to modify or to dissolve the Constitutional Compact . . . the Supreme Court cannot declare a statute of Congress unconstitutional. The court can exercise only the judicial power conferred upon it by the Constitution. It can no more unmake a legislative act than it can make one.

"To strike down a legislative act requires legislative power. No court has such power. Only a state acting in its highest sovereign capacity can repudiate unauthorized acts of its agents.

"Therefore, the proper party to now challenge the validity of the United Nations Treaty agreement is a party to the Constitutional Compact, a sovereign state."

Horton simplified the legal basis for states' authority to rectify the unauthorized acts of their federal agent this way: "The farmer who sends his hired hand to market to sell part of his potato crop is in the same position when the hired hand sells the team and wagon. Other hired hands can deplore his conduct but they are powerless to correct it. Only the farmer, the principal, can correct the excess of his agent. He must do this by his affirmative act of repudiation. If he acquiesces in the unauthorized act of his agent, he will be bound by it. It is not his agent's act, but his own that makes it binding upon him. If he either does nothing or affirmatively ratifies the agent's act, then he is bound by what the agent did. Only an affirmative repudiation of the agent's act can correct the situation."

Maj. Roberts stresses the "reason the people of each state have been burdened with the acts of federal agents in their surrender of the powers of government to the United Nations is because the State has not repudiated the attempts of its agents to act beyond their authority."

ACTIVE IN SEVERAL STATES

Thus, state wide organizations must be formed by the people to have legislative action taken. In addition to Texas, other State Committees for the Constitution are now organized in Alabama, Arizona, California, Connecticut, Florida, Georgia, Illinois, Louisiana, Massachusetts, Minnesota, Mississippi, New Jersey, and New York.

States in which patriotic organizations or citizens groups have indicated interest in forming committees are: Iowa, Maryland, Nevada, Oklahoma, Oregon, Pennsylvania, Tennessee, Washington, Michigan, Nebraska, North Carolina, Kansas and Ohio.

Maj. Roberts suggests that the presentation to the legislatures should first call for a U.N. study and then for laws to be written prohibiting the enforcement of any U.N. treaties or agreements within the borders of their states. He asks that the legislation specify that "any person who shall commit an act in violation of the provisions of this statute shall be guilty of a felony and upon conviction thereof shall be fined not more than $100,000, or be confined in that state penitentiary not more than 20 years, or both."

Maj. Roberts' book was published in March, 1966.

ALABAMA FIRST

Alabama is the first state to complete an official investigation of the origins and purposes of the world body. The study was printed in August, 1967. Alabama also is the first state in which the proposed bill has been drawn up for legislative consideration. It is expected a special session will be called soon to take up this legislation.

In Florida where a new state constitution is now being written, Maj. Roberts has been advised the state legislature is polling its members as to their wishes for inclusion of an amendment to the new constitution covering his proposal.

Recently Maj. Roberts invited U.S. Ambassador to the United Nations Goldberg to a debate. His public affairs officer answered: "Although we can provide speakers for discussions on various topics concerning the United Nations, we have never found it effective to participate in actual debates and have, therefore, made it our policy not to do so."

HAWAII TEACHER CORPS PROGRAM ATTRACTS DEDICATED TRAINEES

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. Matsunaga] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, as we continue our debate on the Economic Opportunity Amendments of 1967, with perfect timeliness the very able and respected director of the Hawaii Teacher Corps, Dr. Cecil Dotts, of the University of Hawaii, has brought to my attention the fact that interns of the Island State's first formal Teacher Corps training program will complete their preservice training on November 27, 1967. I take pleasure in commending the excellence of these 27 members of the Teacher Corps who are dedicating their lives to the education of disadvantaged children and youth.

A very interesting report by Star-Bulletin writer Hildegaard Verploegen, describing the activities of the Hawaii Teacher Corps trainees as they prepare for their special projects, appeared in a recent issue of the Honolulu Star-Bulletin. The article pointed out that Hawaii is pioneering to help "find a way among the uncharted shoals of training teachers for this special job"—the job of reaching out to understand and to help solve the problems of the disadvantaged child in our society.

The practical benefit to the Nation from this program, which affords the opportunity for a personal expression of idealism in our effort to improve the education of disadvantaged youth, cannot be overemphasized.

Although the Teacher Corps program is not affected by the Economic Opportunity Amendments of 1967, because of the great stake the American people have in programs designed to help in the war on poverty, I believe my colleagues in Congress will find of particular interest this special report on the Teacher Corps program in Hawaii. I am pleased, therefore, to insert in the RECORD the article entitled "Teacher Corps of 27 in Training To Fight Poverty," which appeared in the October 26, 1967, issue of the Honolulu Star-Bulletin:

TEACHER CORPS OF 27 IN TRAINING TO FIGHT POVERTY

(By Hildegaard Verploegen)

"Okay, I want all of you who raised your hands to stand up and swear a blue streak."

The face and voice of the University professor were serious.

The 27 adults facing him were startled, speechless, and unable to comply.

Suddenly knowing smiles lighted their faces.

About a dozen of the soon-to-be-teachers were very red-faced. They were the ones who had just assured the professor with nods and raised hands that they came from somewhat culturally, socially and economically deprived backgrounds and certainly did understand the problems of the disadvantaged child.

The professor challenged their claims with a grim nod, the instruction to stand up and swear, and then wrapped up the lesson with, "you can't do it, but they can. Swearing isn't foreign to the kids you're going to teach."

Those kids are the children the President's War on Poverty is intended to reach and the Teacher Corps is designed to teach.

The idea for the Teacher Corps is buttressed by records—the records of youngsters who drop out of school, the records of police and courts, the records of generation after generation who retain a place on welfare or seldom move far from that niche.

SPECIAL TRAINING

With these records goes the reasoning that traditional education and traditionally trained teachers are not being effective with these so-called disadvantaged youngsters. Regular teachers haven't been trained to handle the special situations.

If the disadvantaged youngster is a special kind of person who needs a special education and a specially trained teacher, how do you train that teacher?

Hawaii, like Mainland states, is pioneering in this, trying to find a way among the uncharted shoals of training teachers for this special job.

The 50th State did have several Teacher Corpsmen working last year but these did not have a special training program.

The State's first formal training program began in August, when 27 men and women signed up for two years at $75 per week. (There's a $15 stipend for each dependent.)

Each has a bachelor's degree in such things as home economics, social work, liberal arts, government, speech therapy, drama, English. Education degrees are lacking—deliberately.

The 27 cover the ethnic complexion of Hawaii.

In the group are June graduates, housewives, and a long-time construction worker.

For these would-be teachers, each day is different.

Sometimes they're taking university courses—but not at the university. Their course headquarters is Kaiulani School, 783 N. King St., in an area which gives them first hand knowledge of the streets, the shops, the sights, sounds and smells of the neighborhoods in which they'll work. It's also a location which gives them ready knowledge of what actually happens in a school.

LEARN BY SEEING

At other times, individually or in groups, they are out in the community to observe the myriad welfare, custodial and community sponsored organizations in action—from work in housing to tutoring.

At other times they're at their schools, Farrington High, Kalakaua Intermediate, Kalihi Elementary, Pope Elementary and Waimanalo Elementary, working with team leaders. The team leaders are teachers who've had at least five years teaching experience at that school.

Dr. Cecil Dotts directs the program for the University of Hawaii and Dr. Clarence Masumotoya handles the Department of Education aspects.

On a recent morning, William Wiley, instructor in educational communication at the University of Hawaii, came to speak to the group, jarring all to attention with, "why are you here; were you failures at your other jobs? I don't know anything about this Teacher Corps program but I'd say it's baloney."

A chorus of voices and hands responded with, "we want to help."

"But why, why help, help whom?" Wiley persisted.

"Well most of us have been raised in the missionary ethic to help . . . well, it used to be the missionary ethic, now, it's well, the Peace Corps VISTA. . . ."

"My plea to you," responded Wiley, "is don't get into a rut.

"We learn everything, including how to feel. We all have a set of values. We're all caught up in how we were taught in a particular grade . . . the way Miss So and So taught us."

Wiley begs the group "to look with a critical eye" and consider "scientific things about how people learn."

He shows a movie to demonstrate learning—by pigeons, by firemen, by people crossing the street.

On the screen the pigeon by slow, repeated processes and rewards learns which bell means food and which light or sound mean no food.

The same movie shows the fireman reacting to sound and speeding into orderly action.

In educational language this is spelled out as seven phases: easy steps, actual response, reinforcement, specific objectives, orderly sequence, student-paced, and revision for feed-back.

Wiley winds it up with the tale of a flounder separated from the minnows by a sheet of glass.

After repeatedly bashing himself against the glass wall while trying to catch his food, the flounder learns to stop trying. The glass sheet is removed but the flounder has learned the lesson and despite access to the minnows, starves.

"Like the flounder who dies, the learning behavior of the disadvantaged child has been extinguished," said Wiley.

He challenged the teachers to break down the learning situation for the children so that they never fail.

"He may have so many wrongs, he doesn't know what right means. It doesn't do any good to say, 'that's a good boy, that's right,' because he doesn't understand what you're talking about," Wiley concluded.

Members of Hawaii's Teacher Corps will complete their present pre-service training on Nov. 27. For the following 18 months they'll be working in their schools, and continuing university-level courses.

Instead of replacing classroom instructors, they'll supplement the work of the teachers, giving special attention to individuals or small groups and working on neighborhood projects.

PERMIT FREE ENTRY OF TRUST TERRITORY CITIZENS INTO UNITED STATES

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. MATSUNAGA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, citizens of the Trust Territory of the Pacific Islands would be granted the right of free entry into the United States under the provisions of a bill I introduced on October 30, 1967.

Under existing law, citizens of the Trust Territory, like other aliens, may enter the United States only if a visa is first obtained. My bill, H.R. 13747, would revise this procedure for trust territory citizens and require only that they present an identity permit issued by the High Commissioner in order to be admitted into the United States. Particular provisions of section 212 of the immigration law, however, would remain operative so as to exclude subversives and other undesirables.

Mr. Speaker, over 20 years ago the United Nations confidently placed the Micronesian Islands under the trusteeship of the United States. Numerous reliable reports during recent months indicate that America's stewardship has not been exemplary, and that much remains to be done in such fields as education, health, transportation, and industry. This concern over the manner in which we have administered this trust was expressed by the distinguished majority leader of the Senate, Mr. MANSFIELD, in his remarks on the floor of the Senate on October 31, 1967. His concern apparently is shared by our own able chairman of the Subcommittee on Asian and Pacific Affairs, the gentleman from Wisconsin [Mr. ZABLOCKI], who recently introduced a joint resolution providing for the establishment of a commission to study the status of the trust territory.

I believe that the free admission of the territorial citizens into the United States, although an effortless measure, would help tremendously to compensate for a long period of neglect. The territorial citizens have the utmost esteem for the United States. Any recognition by this Nation that they deserve a status better than that of absolute aliens would be greatly cherished by them. Many of their young men, although under no compulsion whatsoever, have volunteered for service in our Armed Forces.

The enactment of the bill I have introduced would bring to the trust territory citizens well-deserved recognition from the country to which they look for protection, and to which they have constantly demonstrated loyalty. I urge my colleagues to support this timely measure.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Pepper, for the balance of the week, on account of official business.

Mr. Aspinall, from November 13, 1967, to November 17, 1967, both inclusive, on account of official business of Committee on Interior and Insular Affairs.

Mr. Hagan (at the request of Mr. Flynt), for the week of November 6, on account of official business.

Mrs. May (at the request of Mr. Gerald R. Ford), for November 9 and 10, 1967, on account of official business.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. Bray (at the request of Mr. Smith of Oklahoma), for 30 minutes, on Monday, November 13; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Tenzer.

Mrs. Hansen of Washington (at the request of Mr. Meeds) to include tables in her remarks on S. 2388.

Mr. Gallagher (at the request of Mr. Haley) to revise and extend his remarks and include extraneous matter in remarks made today in consideration of the foreign-aid authorization conference report.

(The following Members (at the request of Mr. Haley) and to include extraneous matter:)

Mr. Kee.

Mr. Fuqua.

Mr. Gathings.

Mr. Downing.

Mr. Evins of Tennessee.

Mr. Wolff.

Mr. Meeds during general debate on OEO and to include charts and tables.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 448. An act to authorize the Secretary of the Interior to use appropriated funds for the payment of medical care of temporary and seasonal employees and employees located in isolated areas who become disabled because of injury or illness not attributable to official work, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 699. An act to strengthen intergovernmental cooperation and administration of grant-in-aid programs, to provide grants for improvement of State and local personnel administration, to authorize Federal assistance in training State and local employees, to provide grants to State and local governments for training of their employees, to authorize interstate compacts for personnel and training activities, to facilitate the interchange of Federal, State, and local personnel, and for other purposes; to the Committee on Education and Labor.

S. 1306. An act to assist cities and States by amending section 5136 of the Revised Statutes, as amended, with respect to the authority of national banks to underwrite and deal in securities issued by State and local governments, and for other purposes; to the Committee on Banking and Commerce.

S. 2211. An act to amend section 509 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1159) to provide for construction aid for certain vessels operating on the inland rivers and waterways; to the Committee on Merchant Marine and Fisheries.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 62. An act for the relief of Dr. Pablo E. Tabio;

S. 808. An act for the relief of Dr. Menelio Segundo Diaz Padron;

S. 863. An act for the relief of Dr. Cesar Abad Lugones;

S. 1105. An act for the relief of Dr. G. F. Valdes-Fauli;

S. 1109. An act for the relief of Dr. Ramon E. Oyarzun;

S. 2167. An act for the relief of Dr. Rolando Pozo y Jimenez; and

S. 2192. An act for the relief of Dr. Rafael de la Portilla Lavastida.

ADJOURNMENT

Mr. HALEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 31 minutes p.m.) the House adjourned until tomorrow, Thursday, November 9, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1207. A letter from the Acting Director of Civil Defense, Department of the Army, transmitting the report of Federal contributions program equipment and facilities for the quarter ending September 30, 1967, pursuant to the provisions of subsection 201(i) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

1208. A letter from the Comptroller General of the United States, transmitting a report of review of selected program activities at the Parks Job Corps Center, Office of Economic Opportunity; to the Committee on Government Operations.

1209. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal, pursuant to the provisions of 63 Stat. 377; to the Committee on House Administration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POAGE: Committee on Agriculture. H.R. 10864. A bill to authorize the Secretary of Agriculture to convey certain lands in Saline County, Ark., to the Dierks Forest, Inc. and for other purposes (Rept. No. 897). Referred to the Committee of the Whole House.

Mr. McMILLAN: Committee on the District of Columbia. S. 764. An act to amend section 6 of the District of Columbia Traffic Act, 1925, as amended, and to amend section 6 of the act approved July 2, 1940, as amended, to eliminate requirements that applications for motor vehicle title certificates and certain lien information related thereto be submitted under oath (Rept. No. 898). Referred to the House Calendar.

Mr. McMILLAN: Committee on the District of Columbia. S. 770. A bill to amend an act to provide for the establishment of a public crematorium in the District of Columbia (Rept. No. 899). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 10337. A bill to amend the District of Columbia Minimum Wage Act to authorize the computation of overtime compensation for hospital employees on the basis of a 14-day work period (Rept. No. 900). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 9606. A bill to exempt from taxation certain property of the National Society of the Colonial Dames of America in the District of Columbia; with amendment (Rept. No. 901). Referred to the Committee of the Whole House.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 12019. A bill to exempt from taxation certain property of the B'nai B'rith Henry Monsky Foundation in the District of Columbia; with amendment (Rept. No. 902). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLACKBURN:

H.R. 13917. A bill to mesh the combined efforts of government at all levels with private endeavors to provide jobs and dignity for the poor; to the Committee on Education and Labor.

By Mr. BUTTON:

H.R. 13918. A bill to provide for the payment of a transportation allowance to permit a member of the immediate family of a serviceman hospitalized in the United States from a combat wound or illness to visit such serviceman, and for other purposes; to the Committee on Armed Services.

By Mr. DINGELL:

H.R. 13919. A bill to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulations, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MINISH:

H.R. 13920. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DADDARIO:

H.R. 13921. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. FALLON (by request):

H.R. 13922. A bill to amend the act entitled "An act to provide better facilities for the enforcement of the customs and immigration laws," to increase the amount authorized to be expended, and for other purposes; to the Committee on Public Works.

H.R. 13923. A bill to amend the Federal Water Pollution Control Act, as amended, to control pollution from vessels within the navigable waters of the United States; to the Committee on Public Works.

By Mr. GILBERT:

H.R. 13924. A bill to amend the tariff schedules of the United States with respect to the classification of certain parts for fuel injection pumps for compression-ignition engines; to the Committee on Ways and Means.

By Mr. DANIELS (by request):

H.R. 13925. A bill to authorize retirement credit for certain alien employees of the Foreign Service during breaks in diplomatic relations, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FRASER:

H.R. 13926. A bill to share Federal revenues with State and local governments; to the Committee on Ways and Means.

By Mr. STAGGERS:

H.R. 13927. A bill to amend section 17 of the Interstate Commerce Act to provide for judicial review of orders of the Interstate Commerce Commission, and for other purposes, to the Committee on Interstate and Foreign Commerce.

By Mr. DENT:

H.J. Res. 922. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. CURTIS (for himself, Mr. HALL, and Mr. CLEVELAND):

H. Con. Res. 578. Concurrent resolution relating to the continuance of the Joint Committee on the Organization of the Congress; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR:

H.R. 13928. A bill for the relief of Vu Lu Uyen; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 13929. A bill for the relief of Virgine Kaspar Tatarian; to the Committee on the Judiciary.

By Mr. McCARTHY:

H.R. 13930. A bill for the relief of Mohamed Salah Ibraham Migahed (Meghad); to the Committee on the Judiciary.

By Mr. MESKILL:

H.R. 13931. A bill for the relief of Joseph Giardina; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 13932. A bill for the relief of Giuseppe Sarcona; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

The Kee Report: Russian Revolution

EXTENSION OF REMARKS

OF

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 8, 1967

Mr. KEE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include last week's public service radio and television newscast, "The Kee Report." The subject discussed in this report is the Russian revolution.

The report follows:

This is Jim Kee, bringing you the Kee Report.

A few days from now, official ceremonies will commence to mark one of the most tragic events in human history. That event was the coming to power of the Communist Government in Russia 50 years ago.

The best way to assess the value of our Democratic institutions here at home is to review what happened in Russia. The uprising against the Czar in the Spring of 1917 was a genuine revolution. Its sponsors believed in Democracy. A constituent assembly was called to form a permanent Government, based upon the popular will.

Then came one of the most cynical acts in history. On the eve of the first assembly meeting, a group of conspirators seized control of the Government. Their first act was to dissolve the duly-elected assembly. Next, they announced publicly that they were compelled to take over the Government in order to protect the rights of the Russian worker and the Russian peasant.

Let us see how well they redeemed that sacred pledge. The Communists, or Bolsheviks, as they were known then, pretended to favor popular rule. Yet, within hours of taking over, they abolished freedom of the press. The public was assured that this was only a temporary measure but it was never repealed and never will be. The Communists then set up a bureau of secret police that was even more efficient and deadlier than the secret police force of the Czar. By these two measures, the Communists established a rigid system of thought control throughout all of Russia which exists to this day.

What about the pledge to guard the rights of the workers and peasants?

One of the first acts of the Communist regime was to outlaw labor unions. The result was a vicious form of enforced servitude. When workers are forbidden the right to strike, they are helpless to protect their basic rights. Naturally, the ban on strikes was labelled a temporary measure, but it has never been lifted.

The laborer in Russia today works where he is told to work. His wages and working conditions are fixed by bureaucrats, and if he rebels against this tyranny, he is subject to the most serious reprisals. In the last half century, the free world has made wonderful strides in raising the living standards of those who toil for a living. Wages have gone up and the hours of labor shortened. The worker enjoys better food, better transportation, and better housing than he ever did before. In addition, a hundred innovations have been made to make life easier for the mass of citizens.

What about Russia? In 50 years of power, the Communist regime has failed to initiate a single measure designed to improve the lot of those who toil with their hands. On the contrary, the Moscow planners have plowed the substance of Russia into military weapons intended to convert the whole world into a Communist prison.

The farmer in Russia has fared no better than the laborer. Promised the land for themselves, the peasants have been herded on to collective farms where they remain prisoners at the will of the Government. As a result, the Communists have made a ghastly failure of agriculture because they fail to understand that free men work better than slaves.

The Communists betrayed the Russian people 50 years ago. Since then, they have betrayed the whole human race by turning the world into an armed camp.

Thank you for listening.

National Grange Celebrates 100th Anniversary

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 8, 1967

Mr. EVINS of Tennessee. Mr. Speaker, this year marks the 100th anniversary of America's oldest farm organization—the National Grange. Certainly this great organization is deserving of our tribute as it convenes its centennial session and celebration in Syracuse, N.Y., November 13 next.

Mr. Speaker, the development of the National Grange has paralleled the growth and progress of agriculture in the United States since 1867, and the progress being made in rural America today is attributable in large part to the work of the Grange and other farm organizations.

I want to commend and congratulate the Grange, its master, Mr. Herschel D. Newsom, and leadership, and its thousand of members throughout the United States for their great work and contribution to the growth and development of rural America.

Eighteenth Anniversary of the Telephone Loan Program

EXTENSION OF REMARKS

OF

HON. E. C. GATHINGS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 8, 1967

Mr. GATHINGS. Mr. Speaker, I rise to salute the Rural Electrification Administration on the 18th anniversary of its telephone loan program. In particular, I would like to cite the tremendous contribution made by REA engineers toward reducing construction costs so that more people may enjoy telephone service. I commend the gentleman from Texas [Mr. POAGE], chairman of the House Agriculture Committee, for his splendid leadership in being the author and moving force behind REA telephone legislation in 1949.

During the 18 years since the REA telephone loan program was launched, the cost of nearly everything from wages, to raw materials, to manufactured products has risen. Yet, the cost of constructing a circuit mile of rural telephone line has actually gone down.

Credit for this achievement goes almost entirely to engineering breakthroughs in equipment design and construction advances of REA engineers working in close cooperation with the telephone industry.

Rural people enjoy a quality of telephone service almost undreamed of 18 years ago.

Today, the crank telephone has all but been replaced in rural homes. Modern dial telephones provide instant communication anywhere in the world at a minimum of inconvenience.

Overhead telephone lines are being placed underground at a rapid rate, helping to beautify the general area and provide better systems—free from the hazards of weather. And, through newly developed techniques pioneered by REA engineers, the cost of these and other changes is consistently being lowered.

For example, voice frequency designed to meet REA engineering standards boost the strength of signals going over rural telephone lines and allow rural systems to use less expensive cables in new construction. Last year more than 30 percent of all circuits constructed by REA borrowers used this smaller wire and saved as much as $38 on each circuit mile of line constructed.

The cost of these repeaters has also been brought down. Today, three manufacturers, by following REA engineering specifications, are producing repeaters at half the cost of previous models.

REA borrowers make further savings by utilizing existing construction to serve new subscribers rather than build new lines. Low-cost subscriber carrier equipment designed to REA engineering specifications is now being used throughout the telephone industry. Embodying the latest concepts in electronic design, this equipment is simple to install and maintain. The wire formerly used to serve one subscriber can now serve up to six rural households simultaneously.

By using finer gage cable and changing existing equipment REA borrowers were able to save more than $6 million last year alone.

Engineering achievements in the REA telephone program have contributed substantially toward realization of two long-term objectives of REA—area coverage and telephone service for rural people comparable in quality and rates to what people in adjacent urban centers enjoy. Lower construction costs contribute greatly to the ability of the systems to reach out and serve less populated areas.

In this brief summary, I have touched on only a few of the engineering advances. Others include the design and testing of plastic pipe that will reduce the cost of this type of underground construction by nearly two-thirds; the virtual elimination of costly and sometimes scarce copper in many phases of telephone system construction releases this vital metal for defense and other purposes. Advances in design of central office equipment, it is believed, will permit rural systems to extend their radius of operation by more than 30 percent.

On this, the 18th birthday of the REA telephone program, I feel that we should recognize that the REA engineering advances have contributed greatly to the success of this program and were made possible by the excellent cooperation the agency has received from all segments of the telephone industry.

While the REA telephone program has been a success in bringing service to areas that would not have received this service, we should not overlook the great work of the gentleman from Texas, Hon. BOB POAGE, who fought tirelessly for the enactment of his bill which created and authorized the REA telephone system.

Outstanding Mason: Bill Hollis

EXTENSION OF REMARKS

OF

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 8, 1967

Mr. FUQUA. Mr. Speaker, Scottish Rite Masons in Florida have a new sovereign grand inspector general.

In naming William M. Hollis to this office, the supreme council of the Scottish Rite for the southern jurisdiction selected a quiet and modest man who typifies the finest ideals of the Masonic fraternity.

In this position, Bill Hollis will direct the activities of the present 12 Scottish Rite consistories or any new consistories in the State of Florida for life. Those of us who know him best are convinced that his record will be outstanding.

We know that his record will be outstanding because he has distinguished himself in every task he has ever been called upon to perform, whether it be public service, business, or the Masonic fraternity.

He served as grand master of Masons in Florida in 1966–67, and it was one of the finest years in the history of our grand lodge. I took personal pride and interest in his work which set another high-water mark for the Masons of my State.

Since becoming a master Mason in Lakeland, Fla., Lodge No. 91, on April 8, 1935, Bill Hollis has carved an exceptional record. He served as worshipful master of his lodge in 1942.

The following year he served as district deputy grand master of the grand lodge, serving in that post again in 1944. In 1947, he was named senior grand deacon and has held a host of difficult committee posts in grand lodge. His selection as grand master was a mark of the respect the Masons of Florida have for his ability and hard work.

In business life he is vice president and director of Publix Super Markets with headquarters in Lakeland, Fla. He is active in civic affairs in the State and gives tireless service as a member of the Southside Baptist Church.

He served as mayor of Lakeland as well as a city commissioner, and for 13 years was on the board of trustees of the public schools.

Born in Georgia, he moved to Florida in 1928—a move which befits a man of intelligence—and, since 1930, has resided in Lakeland.

He and his charming wife, Nina, have three children: William Mercer, Junior, Mark C., and Marjorie Ann—and take particular pride in their three grandchildren.

The passing of Frank H. Thompson, who was like a father to Bill Hollis, left the post of sovereign grand inspector general vacant. He had served as personal deputy at large to the late revered Mr. Thompson, who would have taken great personal pride in his successor.

In addition to many other Masonic honors, Bill Hollis is a member of the York Rite, the Shrine, the Red Cross of Constantine, the Royal Order of Scotland, and the Eastern Star.

The 32 members of the supreme council direct the activities of Scottish Rite Masonry in the southern jurisdiction—the area south of the Mason-Dixon line and west of the Mississippi—along with Japan, the Canal Zone, Puerto Rico, Taiwan, and Okinawa.

It is no small task.

Few people realize the good works of the Scottish Rite as an organization through its charities and endeavors. Needless to say, this Nation is richer for their contribution.

My purpose here is to pay tribute to a great man and a good friend.

I cherish my membership in the Masonic fraternity.

I take great pride in having Bill Hollis for a friend.

His selection was not a matter to be taken lightly. A sovereign grand inspector general is elected for life.

For Bill Hollis it will be a life of service. In everything he has done, service to his fellow man has been uppermost. He has a quiet humility that endears him to the great and the lowly. Few men have been so liked and admired as was Bill Hollis when he served as grand master.

I predict that the same will be true of his new position.

Some men make big footprints on the road of life. Bill Hollis makes some very big ones.

Scottish Rite Masons are proud that he was named to serve as their leader. I take pride in his selection and predict that the future will prove this to have been a wise decision.

When Bill Hollis tackles a job, he is outstanding. Scottish Rite Masonry and this Nation will be richer for his having served.

Carrier Adm. J. J. "Jocko" Clark

EXTENSION OF REMARKS

OF

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 8, 1967

Mr. WOLFF. Mr. Speaker, I wish to take this opportunity to call to the attention of my colleagues a book that has recently been released entitled "Carrier Admiral," written by a great naval hero of this Nation, Adm. J. J. "Jocko" Clark USN, retired. In his book Adm. "Jocko" Clark states that he endeavors to "call the shots as he sees them" and may I say he did just that. Adm. Arthur W. Radford was quoted as saying:

> I can think of no living naval officer more qualified to discuss the qualities of combat leadership than "Jocko" Clark.

Another great American, Gen. Mark Clark, was also quoted as saying:

> If I were to order my friend "Jocko" Clark to take his flagship the U.S.S. *Missouri* up the Yalu River his answer would be: "Aye Aye, sir."

I recommend this book to any student of naval airpower and I applaud Admiral Clark for bringing this important subject so factually to the attention of the American public.

A Resolution for a Citation to Prof. William Munford Tuck

EXTENSION OF REMARKS

OF

HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 8, 1967

Mr. DOWNING. Mr. Speaker, several weeks ago on October 19 while we in both Houses were engaged with the many problems which beset a nation in conflict, there was commemorated in my district of Virginia the concluding effort of the conflict which brought independence to our Nation. This was the 186th anniversary of the victory at Yorktown of the Continental forces and their allies under the leadership of Gen. George Washington.

As is its patriotic custom, the Thomas Nelson, Jr., Chapter, Sons of the American Revolution, singled out a great living American for special honor. The honor is annually bestowed to a present-day patriot whose devotion to the principles of liberty have made him a true and noble descendent of the Founding Fathers of the Republic.

We in this great House were honored this year by the selection of the Honorable WILLIAM MUNFORD TUCK, the distinguished Representative of the Fifth District of Virginia and a former Governor of the Commonwealth. Congressman TUCK was the recipient of the Thomas Nelson, Jr., medal presented in memory of that distinguished Member of the Continental Congress, signer of the Declaration of Independence, and likewise Governor of Virginia.

October 19, 1967, was a great day at Yorktown when Representative TUCK received the award, responding in his time-honored fashion which has both thrilled and delighted us in this House on so many occasions. It was by reflection a great day here in Washington because Representative TUCK is the third Member of the Congress to be so honored. The late Senator Harry Flood Byrd and the Honorable Howard Worth Smith, the former dean of the Virginia delegation, were previous recipients.

We of the Virginia delegation take exceptional pride in this tribute to "the Governor," the title by which we shall always know and respect our esteemed colleague, and on behalf of the other Representatives of our great Commonwealth I take particular pleasure in including in the RECORD the citation to Representative TUCK and his response in which he rededicated himself to the principles of American liberty:

A RESOLUTION FOR A CITATION TO REPRESENTATIVE WILLIAM MUNFORD TUCK

(By The Thomas Nelson Jr. Chapter, Sons of the American Revolution)

Who: in a life of devoted service to his beloved Commonwealth, early forged the fundamental principles that would guide him through forty-six years of unswerving dedication to the esteemed values of the Founding Fathers: and thereupon set a course which would take him to the House of Delegates, the State Senate, the Lieutenant-Governorship, the Governorship, and the Congress of the United States.

Who: personifying the axiom that responsibilities gravitate to those who best can direct them, implacably steered the Commonwealth through the wrenching changes in political directions by eschewing opportunism and by hewing to the solid doctrines of The Constitution.

Who: while devoting the latter years of his public life to bulwarking the rights and privileges of the individual, comported himself throughout with an engagingly frank good humor while agonizing over the ever-increasing encroachment of the federal establishment.

And who: through this dedication to the American tradition of man's dignity, best exemplifies the Sterling Virtues of Thomas Nelson, Jr.

Who: served in the Virginia House of Delegates, was a member of the first General Convention, signed the Declaration of Independence, was Governor of Virginia and led Virginia's forces in the Battle of Yorktown and whose patriotism led him to pledge his own credit in raising funds for the Revolution since it was a surer guarantee than that of the National Government: advocate of sound government and of strong national defense, and devoted Patriot.

ACCEPTANCE REMARKS OF CONGRESSMAN WM. M. TUCK AT "SURRENDER DAY" CEREMONIES AT YORKTOWN, VA., OCTOBER 19

You have paid me a great honor today. To be chosen as exemplar of the sterling characteristics of Thomas Nelson, Jr., is a distinction indeed to be cherished. I do not consider myself worthy of such, and I do not find words to express adequately my appreciation for this honor which you bestow upon me.

However, I can assure you of my deep gratitude to the Virginia Society of the Sons of the American Revolution for such recognition. I understand that it is the third award of its kind that the organization has made and that the two previous recipients were my friends, the late Senator Harry F. Byrd, Sr., and the Honorable Howard W. Smith, gentlemen for whom I have always had the highest admiration.

In accepting this presentation of the tribute expressed in your citation and so fittingly symbolized in the medal you have struck, I recognize the occasion as one for rededication to the great American principles for which Nelson fought and for which the Sons of the American Revolution stand.

Thomas Nelson, who as the third Governor of Virginia succeeded Thomas Jefferson in that office, perhaps gave more of his time, talent and wealth to his state and country than any other man in history. He gave so much of himself that his health was broken; he gave so much of his wealth that he was threatened with poverty. In fact, he gave so much that, as you know, the epitaph on his tomb here at Yorktown reads: "He gave all for liberty."

He was a statesman, a soldier, and a benefactor in the cause of American freedom. History has shown him to be a man of selfless patriotism, a gentleman with the highest order of personal integrity.

He it was who introduced the Virginia Resolutions of 1776 calling upon the Continental Congress to declare the Colonies free and independent. He was one of the immortal signers of the Declaration of Independence. He served in the House of Burgesses and in the Continental Congress. He raised troops for the Continental Army and he served as commander of the Virginia Militia. The fact that he ordered the bombing of his own home in the Battle of Yorktown is a clear demonstration of his patriotism.

In view of this Virginia patriot's completely admirable qualities, no award could be more appropriately named. It serves as a pledge on the part of all of us to preserve and protect free constitutional government.

The Sons and Daughters of the American Revolution have always supported and defended the fundamentals and principles of our form of government, the very essential foundations which have made this country great. Thus I shall ever cherish and appreciate the citation and the high honor which you have bestowed upon me today. I hope and trust that I may always be worthy.

The War on Crime

EXTENSION OF REMARKS

OF

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 8, 1967

Mr. TENZER. Mr. Speaker, while looking for complicated solutions to combat crime, we sometimes overlook the most direct and most meaningful.

Law enforcement is only as strong as the strength of the local police force and the effectiveness of the individual policeman. If he is not given the tools and the incentive with which to do a good job, it is the law-abiding public that ultimately suffers.

Therefore, it is interesting to learn the thoughts of Attorney General Ramsey Clark along these lines in a Parade magazine article by Jack Anderson that appeared on November 5, 1967. In it, Mr. Clark states:

> Never have good police been so important to people.

He goes on to say that money is desperately needed to pay policemen adequate salaries, to give them intensive training, to provide them with modern equipment and to reorganized the antiquated local police system.

Mr. Clark is also quoted as warning that "as long as the public is willing to spend only $4.2 billion for police, prisons and prosecutions, as contrasted with $12 billion for alcohol, the streets and parks will continue to remain unsafe at night."

This is sage advice, and I commend its meaning.

As the first session of the 90th Congress draws to a close, I urge my colleagues to assign a high priority to the proposed Law Enforcement and Criminal Justice Assistance Act. This legislation will not only aid local communities in the fight against crime—but it will serve notice that the Federal Government will not tolerate efforts to undermine the law and order upon which our society is founded.

This bill will not in and of itself put an end to criminal activities in the United States. It will, however, aid in the development of the skills and manpower necessary to reduce crime in our streets—to increase respect for law and order—by better equipping and making our police more effective.

The legislation allocates Federal funds to States and units of local government for the continuation and innovation of programs to deal with crime. In so doing, it retains where it properly belongs—the responsibility for action, namely on the States and political subdivisions, which are charged under State law with the responsibility for law enforcement.

The House has passed a crime bill. In the closing weeks of the Congress. I hope the Senate will act favorably on this important legislation.

HOUSE OF REPRESENTATIVES

Thursday, November 9, 1967

The House met at 12 o'clock noon.

His Excellency Most Reverend Torkom Manoogian, D.D., primate of the Armenian Church of America, New York, N.Y., offered the following prayer:

In the name of the Father and the Son and the Holy Spirit. Amen.

O Lord, Almighty God, whose kingdom is everlasting and whose power is infinite; we humbly beseech you for the peace of the world and stability of your people. Most Gracious Father, from whom comes every good and perfect gift, have mercy upon the people of the United States, and in your love look upon their Representatives here assembled.

Fill them with Your Holy Spirit that in these times of crisis and confusion they may speak boldly and act courageously, to secure life, liberty, and happiness for all citizens of this land.

May they continue united in the democratic principles upon which this Nation was founded that they may uphold a sense of moral responsibility and a vision of peace and brotherhood to the American people.

So rule their hearts that their work may brighten the beacon of freedom and diminish the shadows of evil everywhere. Direct and prosper all their deliberations that all things may be so ordered and settled by their endeavors that peace and happiness, truth and justice, beauty and love may be established firmly among all peoples whereby men everywhere may come to bless and praise You, now and forever.

Blessed is the name of the Father, and of the Son, and of the Holy Spirit. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 6692. An act declaring a portion of Bayou Lafourche, La., a nonnavigable waterway of the United States.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2. An act to amend titles 10, 14, 32, and 37, United States Code, to strengthen the Reserve components of the Armed Forces, and clarify the status of National Guard technicians, and for other purposes; and

H.R. 2275. An act for the relief of Dr. Ricardo Vallejo Samala.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 2) entitled "An act to amend titles 10, 14, 32, and 37, United States Code, to strengthen the Reserve components of the Armed Forces, and clarify the status of National Guard technicians, and for other purposes"; request a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Russell, Mr. Stennis, Mr. Symington, Mr. Jackson, Mrs. Smith, and Mr. Thurmond to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1872) entitled "An act to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 2168. An act for the relief of Dr. Pedro Pina y Gil.

The message also announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res. 101. Joint resolution amending title XI of the Merchant Marine Act, 1936, to authorize the Secretary of Commerce to guarantee certain loans made to the National Maritime Historical Society for the purpose of restoring and returning to the United States the last surviving American square-rigged merchant ship, the *Kaiulani*, and for other purposes.

The message announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 78th Congress, entitled "An act to provide for the disposal of certain records of the U.S. Government," appointed Mr. Monroney and Mr. Carlson members of the Joint Select Committee on the part of the Senate for the Disposition of Executive Papers referred to in the report of the Archivist of the United States numbered 68–6.

FINANCING FOR ANTIPOVERTY PROGRAM

Mr. HAWKINS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HAWKINS. Mr. Speaker, immediate action in funding antipoverty programs is essential to prevent a serious crisis and militant revolution in our country. Yesterday, 1,000 antipoverty workers and their friends began picketing our Federal building in Los Angeles. They are but a small number of concerned people in this country of ours who protest the failure of this Congress to act on legislation vital to the welfare and survival of our people.

Although this session of Congress is almost 11 months old we have not yet passed a bill to continue the war against poverty, the major issue facing the Nation.

Instead there is under consideration a resolution which, if passed, will result in my own city of Los Angeles, for example, suffering a 40-percent cut in the antipoverty program which already is critically underfinanced.

Perhaps some of us can wait for our paychecks, but I submit, Mr. Speaker, millions of our fellow citizens face days of suffering, starvation, and misery because of our failure to pass an adequate antipoverty program. And why?

Because there are those among us who refuse to vote the appropriate funds for this vital program under the false slogan of "economy" and the "malicious charge of maladministration."

These wreckers would have us beat a panicky retreat to 17th-century welfare practices and the economy days of the Harding-Hoover era merely to help them take over control of this Congress in 1968.

In the passage of the Economic Opportunity Act in 1964, we made a commitment to the American people—more solemn than any made in Vietnam—that we would seek to end poverty. We wisely built into that legislation the machinery for the poor themselves to participate in self-help programs as well as the decisions that affected their own destiny. All of this was in the best American tradition of individual initiative and self-determination.

But that now seems a long time ago. In this session, there are those Members who, while voting $2½ billion a month to fight the war in Vietnam, refuse to spend $2 billion a year to fight poverty in America. In holding back the much-needed money, they seek to force us into deals that will make meaningless such ideas as the poor on community action boards, operation of programs by the residents of poverty areas, community action, legal services for indigents, or the participation of parents and volunteers in neighborhood projects.

But, Mr. Speaker, the voices of the poor and those of us who really care will not be silenced. Those Members of Congress who use this crisis to play politics will eventually be exposed. It is, however, our immediate responsibility to break the terrible delay in antipoverty funds. To that end, I urge that we stay in session without recess until we can report a workable and adequate program to the American people. Surely the inconvenience we suffer is small as compared with those who wait on us to act.

ANTIPOVERTY PROGRAM

Mr. CAREY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CAREY. Mr. Speaker, I have a message from the man whom many Republicans would like to have as the next President of the United States. The message reads as follows:

> I am deeply concerned regarding the uncertainty and confusion which now exist because of failure to fund the Federal antipoverty program. Since July 1, 1967, this program has been operating under continuing resolution authority which expired October 23, 1967.
>
> Both those responsible for operating antipoverty programs and those serviced by them are being penalized by this uncertain and demoralizing situation.
>
> I urgently request that the Steering Committee with the support of the New York State congressional delegation take prompt action to seek to resolve this situation and to assure that present programs can continue pending congressional action on the basic legislation.
>
> NELSON A. ROCKEFELLER.

I have responded as follows:

> NOVEMBER 9, 1967.
>
> Hon. NELSON ROCKEFELLER,
> *Governor,*
> *Albany, N.Y.*
>
> As senior New York member of the Education and Labor Committee charged with poverty legislation I appreciate your interest and concern for this vital program. Must advise there is no need for Steering Committee meeting to undo mischief of cutting and crippling action of House Republicans. F.Y. 1967–68 poverty authorization bill now before the House all New York Democrats now and throughout its history have supported this bill. Only two or three of sixteen Republicans have given any aid. Suggest you advise as soon as possible how many members of New York State and other Republican delegations can be counted on to support committee bill and vote down Republican substitutes aimed at maiming or killing President Johnson's program.
>
> HUGH L. CAREY,
> *Member of Congress.*

LEGISLATION BY INTIMIDATION

Mr. DEVINE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DEVINE. Mr. Speaker, if Martin Luther King thinks he can intimidate the Congress of the United States into voting billions of dollars, at his bidding, under threat of winter riots and increased-intensity summer riots, he is more irresponsible than previously believed.

This Nation will not be blackmailed into hurriedly and frantically doling out billions of U.S. taxpayers' dollars, to satisfy the mouthings of demagogs, dedicated to self-perpetuation, adulation, and fundraising publicity.

In some recent election contests, there were veiled suggestions, if not direct threats, that unless the Negro candidates were elected, unrest and riots would result.

Riots are unlawful, and criminal syndicalism is unlawful. Those who promote anarchy and insurrection, under whatever name, violate the law. Trying to shift the blame or responsibility to Congress because it refuses to be stampeded under threats of violence is shallow subterfuge.

I call upon the Attorney General of the United States to take official notice of the publicly televised threat of King and others, to determine whether there has been a violation of the Federal statutes and take appropriate action.

VIETNAM TRIP TO EVALUATE PROBLEMS THERE

Mr. SCHWENGEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, the gentleman from Kentucky, Congressman WILLIAM COWGER, and I are leaving on a trip to inspect and evaluate the programs and problems of Vietnam Thursday afternoon, November 16. We will be returning the end of the month. Because we are going as Members of Congress who desire to enhance our understanding of the situation and to gather the hard facts of our involvement and to confirm our successes and failures in this wartorn area, I wish to be excused from the Congress during that period.

Mr. Speaker, we are going at nontaxpayer's expense. Mr. COWGER and myself are paying our own traveling expenses and from funds that have been donated, we are paying part of the expenses of all members and all of the expenses of some of our group who will be traveling with us. These people are private citizens of high caliber and are specialists in areas we think need probing and more consideration. With us will be Allan Schimmel, Dr. Ernest Griffith, Mrs. Harold Day, Rev. Heinz Grabia, Vernon Shephard, John Baccarini, and Rev. Louis H. Valbracht. There may be one or two others who may join us. They are being considered now.

Mr. Speaker, upon our return, we will make a report to the President, State Department, the House of Representatives, and all others who share our concern and interest in the challenge that is presented in that area. Hopefully, we can point to some other and better answers to the problems of our involvement there.

YEARBOOK OF AGRICULTURE

Mr. TAFT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TAFT. Mr. Speaker, do we have a new type of crop being planted by the Agriculture Department, at public expense? That thought occurs as one thumbs through the 1967 Yearbook of Agriculture, "Outdoors USA."

If you care to, you can find a photo of Mrs. Lady Bird Johnson, planting a tree on page 3; daughter Lynda Bird Johnson, admiring a Great Northern Pike on page 19, and in a bid for bicanine support, Lassie, the Capitol, and a "Keep America Beautiful" sign appear on page 252.

Of course, 1968 is a year with special "yield" problems. The 1966 Yearbook of Agriculture, contained neither photo nor mention of any of the President's family.

A COMMENT ON STEEL QUOTAS

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, in recognition of the threat to domestic industry and workers involved in the growing amount of imports in steel and related industries from foreign low-wage areas, and of the fact that much of this industry has been built up since World War II, subsidized by American dollars taxed in part from American steelworkers and steel companies, and in further recognition of the many policies of other countries which tend to restrict or eliminate imports of steel and steel products from the United States, a number of us have joined in the introduction of legislation calling for import quotas.

A good contribution to the controversy surrounding this legislation has been made by Editor Gene Beaudet of The Iron Age, which I submit herewith and call to the attention of my colleagues:

QUOTAS ON STEEL: WILL THE REACTION BE ALL THAT BAD?

> The U.S. Congress is now taking a more serious view of the steel import problem.
>
> Senators Dirksen and Hartke have cosponsored a bill calling for import quotas. And the Senate Finance Committee will soon issue a report generally sympathetic to the steel industry's position on exports and imports.
>
> The Administration, so far, is dead set against any further protection for the U.S. steel industry.
>
> New restrictions on steel imports, it believes, will damage the whole movement for freer world trade.
>
> It fears massive retaliations from those with whom we do business throughout the world. The long-argued, carefully-woven

agreements reached in GATT negotiations will be ripped apart.

Finally, our political alliances will be shaken.

In short, any move to put restrictions on steel imports will mean the U.S. is going against the Free World.

This is not necessarily true.

The United States is far from alone in its steel import problems. Every country in the world that makes steel has them. And every country in the world wants to do something about them.

In visits to steel producers in Belgium, England, France and Germany the questions of overcapacity, overproduction, market deterioration and burdensome fixed costs are brought up again and again.

Steelmakers outside the U.S. are just as much concerned about steel export and import problems as their U.S. counterparts are.

Perhaps more so, they have more of them. They know, as U.S. producers know, that there just cannot be—or continue to be—anarchy in the steel markets of the world.

No steel producer—or country—anywhere goes for this kind of thinking. They know better. Steel is too basic, too vital to national economies.

Naturally, no one abroad wants to be entirely or partially deprived of sharing in this country's great consuming markets. And protests against any kind of import limitations are to be expected.

It would be surprising if protests were not made. Just as surprising, say, as if the U.S. steel industry did not protest what it considers unfair steel trade practices.

Privately, producers abroad appreciate the problem more than they like to say publicly.

They recognize that voluntary restraints, no matter how well intended just don't work or won't work. More than once, they themselves have gone to restrictive import measures when the going got too tough.

They know that harmony must be reached in world steel markets—somehow.

This is not the kind of climate conducive to massive trade retaliations, a ripping apart of GATT agreements or a weakening of political ties.

Of course, no steel producer abroad is going to stand up and cheer over import quotas or any other import restriction imposed by the U.S. But they are not going to pull the house down, either.

Neither, we guess, will the U.S. government, steel producers and their supporters act that way here.

DICKEY-LINCOLN SCHOOL PROJECT

Mr. HATHAWAY. Mr. Speaker, I ask unanimous consent to address the House for I minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, this afternoon the Dickey-Lincoln School project is coming up for consideration again, and I understand that the previous question will be ordered immediately after the motions in regard to this project are made, which will not give any of us any time for debate.

Therefore I take this opportunity to briefly reiterate the arguments in favor of this worthwhile project, and urge my colleagues to support my preferential motion to recede and concur with the other body.

This project has a favorable benefit-cost ratio of 1.9 to 1. This certainly establishes it on its merits. The amount of money requested is $875,000. The total amount is $4.7 billion. The Dickey-Lincoln appropriation does not even amount to one one-hundredth of 1 percent of the total. So there is no real economy in deleting this appropriation.

I call the attention of the Members to the map which I have displayed in the Speaker's lobby which shows there are 170 Federal power projects in the United States, 75 percent of these have a lower benefit-cost ratio than the Dickey-Lincoln School project.

I call the particular attention of the Members to the fact that there is not one Federal power project in New England—not even one in the whole northeast area.

The Dickey-Lincoln School project has been approved in accordance with the same standards as these 170 projects. If we are going to establish comparable electric rates throughout the country, and thus put New England on a competitive basis with the rest of the Nation, then we should endorse the Dickey-Lincoln School project.

DICKEY-LINCOLN SCHOOL PROJECT

Mr. MACDONALD of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MACDONALD of Massachusetts. Mr. Speaker, I followed the gentleman from Maine for just one reason, and that is that it has been said many times here in the House that if the people of the region do not want a project, then the people from the other regions of the country should not go along with that project.

I say, and I have made this statement many times before, here on the floor of the House, that the people—the people of New England want and need this project in Maine because it will help not just Maine but it will help all of New England.

I say to you, anyone who tells you that the people of northern New England do not want this project are telling you something that is just not true because we have the highest rates for utilities in the United States.

I will also say that most of the Members from the New England States have voted, perhaps on every project, to help to lower rates for utilities throughout the United States.

I do not quite understand the powers behind this thrust to make this such a hard issue, and which makes this Lincoln-Dickey project a thing that for some reason should not be done. We of Massachusetts—the people of Massachusetts, and several Members from Massachusetts want it. Vermont wants it. New Hampshire wants it. I can just tell you—we need it—because we do have the highest utility rates in the United States. Certainly, this project which has been studied enough to qualify one for a Ph. D. degree in study, should now not become a study, but it should be passed.

Mr. Speaker, I urge all our friends, like the people of Massachusetts and New England, to vote for it.

DICKEY-LINCOLN PROJECT

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, I take this time to join with Maine and Massachusetts to support the Dickey-Lincoln project. I think the people here in the House can understand that our electric rates in the sparsely settled area of Montana would be terribly high and they, indeed, would be terribly high were it not for the Federal investment in the development of our rivers.

I hope that the House will endorse and support the Dickey-Lincoln project and bring to New England the benefits that Federal investment have brought to Montana and, indeed, to the entire West.

Without this investment from the industrial East in our sparsely settled areas, we could not have developed as well as we have. So I take this time to pledge my support for better and cheaper electric power in New England.

Mr. Speaker, I hope the rest of the House representing those places in the United States, and by that I mean every place in the United States—north, south, east, and west—will support the measure to bring to New England the same benefits that we have had in my State of Montana.

DICKEY-LINCOLN PROJECT

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, I support the motion to recede and concur with the position of the other body. The conference report of the Appropriations Subcommittee on Public Works that was adopted by this House on October 25 was accepted in toto by the other body with the exception of the one project with which we are now concerned. That project is the Dickey-Lincoln School dam and reservoirs project in Maine. The other body is insisting on its position to provide $875,000 to continue with the planning of Dickey-Lincoln.

I know the House has spoken twice, on rollcall, on this matter. I have been here long enough to know the practical difficulties that face the proponents of this project today. I will not burden this body with any discussion or arguments on this matter. The RECORD is filled with arguments—pro and con.

I merely reiterate my unqualified support for this project. My position is predicated on the staff study made by the Subcommittee on Public Works. That study and investigation clearly indicated that this project is feasible and should be constructed.

I do take this time, Mr. Speaker, to commend the Members of this body from Maine, Congressmen HATHAWAY and

KYROS for their constant attention to and their efforts to get this body to approve this project. That they have not done so is no reflection on them. They have done a magnificent job under very difficult circumstances. I commend them for their efforts. Their constituents have a right to be proud of them. The odds against them have been considerable but this has not deterred them in the least from doing what they believe is in the best interest of their State and their region. I single out our colleague Congressman BILL HATHAWAY because he has had to carry the load a little longer than his own colleague from Maine, PETER KYROS. Congressman HATHAWAY's 3 years in this body have been model for others to follow in matters directly affecting their districts and their States. He has been patient, considerate, knowledgeable, and persuasive in this matter. He has spent untold hours in preparing his arguments for the RECORD and talking to the Members of this body. I commend him for his herculean efforts in this regard. Certainly his head is not and should not be bowed—a little bloody perhaps but unbowed. I salute him as a great legislator.

THE DICKEY-LINCOLN SCHOOL PROJECT

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. TIERNAN. Mr. Speaker, today we have another opportunity to restore funds for the Dickey-Lincoln School project. The arguments on the cost figures involved in this project have been exhausting and redundant. There is no question as to the feasibility of this project. The Corps of Engineers, the Federal Power Commission—particularly, the Bureau of Power—and the Appropriations Committees of both Chambers have endorsed Dickey-Lincoln.

Essentially, the private power companies fear that if Dickey-Lincoln is constructed, it would provide a yardstick by which to measure power rates. This basically is the reason why the lobbyists against this meritorious project have been relentless, unyielding and unethical in their fight to stop public power from coming to New England.

I think that we in the House should reexamine our position on this project in view of longstanding national policy with respect to the merits and feasibility of public works projects. The provincial thinking of the opposition to this project goes against the long-established pattern in the assignment of resource development funds that have been appropriated by the Congress.

I for one do not take and have not taken in my short time here in the House a selfish attitude to projects outside of my State and my area. All the projects in this bill have come under the close scrutiny of the Appropriations Committee and I am willing to accept its recommendations.

I want to point out, however, that 24 percent of the projects in this bill either have a ratio less than the 1.9 to 1 assigned to Dickey-Lincoln or have no benefit-cost estimate at all. I only state this fact to illustrate a glaring inconsistency on the part of those who oppose Dickey-Lincoln. Some Members who have voted against Dickey-Lincoln have projects in their districts that are included in the 24-percent category just mentioned.

Mr. Speaker, we in New England pay more for our electric power than in any other section of this country. We also do not have a single Federal power producing project in any of the six New England States. Despite what some have said about Dickey-Lincoln, it has the grassroots support of the people of New England and I think this is essentially what counts when we seek to find out whether or not proposals of this type have public merit.

Mr. Speaker, without objection, I include as part of my remarks three recent news articles from the Providence Journal Bulletin:

NARRAGANSETT ELECTRIC COSTS ARE HIGH: INEFFICIENT GENERATING PLANTS LIVE ON

(First of a series)

(By Wallace I. Roberts)

The generating plants of the Narragansett Electric Co. are so inefficient that the company must buy cheaper power from other companies, even though it could produce in Providence all the power it needs.

This is acknowledged by its officials.

NELCO sold a total of 1.8 billion kilowatt hours to all its customers in Rhode Island last year. Of that total, it generated 1.2 billion Kwhr, about two-thirds, in the Manchester Street and South Street plants.

One kilowatt hour is the amount of electricity used by a 100-watt light bulb burning for 10 hours.

NELCO purchased another 868 million Kwhr from its affiliate, the New England Power Co. which has plants in Somerset and Salem, Mass. The 200-million Kwhr difference between the total sold by NELCO and the total generated and purchased was "lost" in transmission and distribution, a normal occurrence.

Part of the Manchester Street plant, which has a higher overall efficiency rating, was in use every hour of every day of the year. South Street's operations were shut down completely for a total of 124 hours during the year for maintenance, about the customary amount.

There are four operating generators in the South Street plant with a total capability of 188,625 kilowatts. This means that if they were run at full capacity for one hour, the generators would produce 188,625 Kwhr. The largest generator, 110,000 kilowatts, is also the newest one the company owns. It was installed in 1955, and it presumably is in operation nearly all the time. The three others were installed in 1918, 1921 and 1926.

There are three generating units in the Manchester Street plant with a total capability of 132,000 kilowatts, and they were installed in 1941, 1947 and 1949 and are roughly the same size.

Together the plants, if all generators were run all year long, could produce 2.8 billion Kwhr, about a billion more than NELCO's customers needed last year. The reason NELCO purchased 868 million Kwhr when it had the ability to generate more than it needed is that the cost of the purchased electricity was less than the cost of generating the same amount at either NELCO plant.

If NEPCO did not have plants that are much more efficient than those at Manchester and South Streets, the electricity sold by NELCO would be much more expensive than it is.

The electricity that actually reached Rhode Island homes and businesses serviced by NELCO is a mixture of power produced in many places, some as far away as Niagara Falls, but most of it is a combination of NELCO-VEPCO power with a corresponding price that is somewhere in between.

PRODUCTION COSTS

The cost of producing power at NEPCO's Brayton Point (Somerset) plant is about 3.52 mills a KWHR (10 mils is one cent) and 4.61 mills a KWHR at its 15-year-old plant, in Salem, Mass. Cost of power at Manchester Street is 7.41 mills a KWHR and 8.04 mills a KWHR at South Street.

NELCO sold electricity at an average price of 3.2 cents or 32 mills, KWHR last year. Its average residential customer used about 3,400 KWHR for an average bi-monthly bill of $18.11. If four mills are taken as the rough difference between the cost of power at the NELCO and NEPCO plants, the use of the cheaper NEPCO power alone would mean a savings of about $13.60 on an annual bill of about $108, about $2 a bill, for the average homeowner.

However, the savings would not all be reflected in the bills because NELCO's customers already receive some of the benefits of NEPCO's cheap power.

The reason NELCO keeps the older and less efficient generator units at Manchester and South Streets in running condition, even though it hardly ever uses them, is that it must use them on some days when there is a peak demand for electricity.

John I. Ahern, a vice president of the New England Electric System, the parent company which owns NELCO, described the problem this way:

"If we're going to produce the most economical overall kind of power, we have to have a mixture of different kinds of plants. If we make all our expansion on base-load plants, we can get unbalanced. There is a place for plants that can start and stop readily."

A base plant is one that runs all day and all night and is closed down only for maintenance. A peak-load plant, such as Mr. Ahern described, is used only when necessary, and even though these plants are less efficient than base-load plants, it is more efficient to use them than to use a new, efficient plant only part of the time.

There is some question, however, as to whether NELCO's plants can be considered as peak-load plants as Mr. Ahern implied because they supply about two-thirds of the company's requirements and operate at about 42 percent of their capacity.

A recent engineering study done for a group of large NEPCO customers contends that if NELCO and another affiliate, the Massachusetts Electric Co., were to scrap their generating plants, wholesale electric rates could be reduced at least 13 million dollars and possibly as much as 15 million dollars.

If the reduction were passed on to the average homeowner, it would mean a savings of about $9 a year on his electric bill.

The study was done by Van Scoyoc & Wiscup and R. W. Beck & Associates for the Massachusetts Electric Municipal Association, whose members are public power companies that buy wholesale power from NEPCO for retail distribution in their towns.

The details of the study were announced in connection with a request by NEPCO to the Federal Power Commission to combine, for bookkeeping purposes, the values of the generating plants of NEPCO, NELCO and

Massachusetts Electric. The company claimed that such a move would mean lower wholesale rates for NEPCO's customers.

The municipal electric association claimed, however, that even greater reductions could be obtained if NELCO and Massachusetts Electric were to scrap entirely "their hopelessly obsolete and inefficient" plants.

The association asked the FPC to delay granting the request until a full investigation could be made by the commission, but the FPC ruled two weeks ago that NEPCO could proceed with its plan.

The corporate structure of the New England Electric System is complex. Listed below are the corporate officers for the parent company and its three major operating electric companies and the interconnections between them.

NEES has a chairman and chief executive officer, a vice chairman, a president, six vice presidents, a treasurer and assistant secretary, a secretary, an assistant treasurer, an assistant secretary and 15 members of the board of directors.

The New England Power Co., the largest operating company with a net operating income in 1966 of $19,117,000, has a chairman, vice chairman, president, 11 vice presidents, a treasurer, three assistant treasurers, and 11 members of the board of directors.

Massachusetts Electric Co., which in 1966 had a net operating income of $13,432,000, has a chairman, a president, four vice presidents, two assistant vice presidents, a treasurer, four assistant treasurers, a clerk and 20 members of the board of directors.

The Narragansett Electric Co. had a net operating income last year of $7,838,000 and has a president, two vice presidents, two treasurers, an auditor, an assistant secretary and 12 members of the board of directors.

Four officers hold positions as executives or board members or both on three or more of the companies.

William Webster is the chairman and chief executive officer and a member of the board of NEES, chairman and a board member of Massachusetts Electric, chairman and a board member of NEPCO, and a board member of NELCO.

Robert F. Krause is president and a board member of NEES, NEPCO and Massachusetts Electric Co.

Irwin L. Moore is vice chairman of NEES and a board member and vice chairman of NEPCO.

R. L. FitzGerald is financial vice president and a board member of both NEPCO and Massachusetts Eletric and financial vice President of NEES.

[From the Providence Evening Bulletin, Nov. 6, 1967]

Utility Tries To Reduce It—Old Plants: Pollution

(Second of a series)

(By Wallace I. Roberts)

The age and low efficiency of generating plants of the Narragansett Electric Co. not only cost the company's customers more money, they also contribute heavily to the pollution of Rhode Island's air.

NELCO's Manchester Street and South Street plants require more heat to produce each kilowatt hour of electricity, and this means more coal and oil has to be burned. More fuel in boilers that do not burn as completely as newer models means that more pollutants enter the atmosphere.

A report released by the U.S. Public Health Service in March showed that there was enough sulfur dioxide in the city's air to cause increased respiratory illness and that the amount is close to the level that will cause high death rates among persons suffering from heart and respiratory diseases.

Sulfur dioxide, a gas that smells like rotten eggs when concentrated, is produced mainly by burning fossil fuels—coal, oil and natural gas, but officials at the Rhode Island Division of Air Pollution say they have no way of knowing how much of the sulfur dioxide in the city's air is produced by NELCO's plants, the only sizeable generators in the state.

However, a study of 1963 reported that for the nation as a whole, the burning of coal to generate electricity produced about 41 per cent of the sulfur dioxide in the air and the burning of coal for other purposes contributed another 19 per cent.

The burning of petroleum products accounted for another 20 per cent of the sulfur dioxide, with most of it coming from residual oil used for generating power or heating large industrial, institutional and apartment buildings.

The sulfur dioxide pollution in Providence's air is serious but not as critical as it is in larger cities. There is also some hope that the amount will be reduced because NELCO recently took several steps to comply with the state's new Clean Air Act.

The most important step concerns the company's Manchester Street plant, which, although it is more efficient than the South Street plant, has few pollution safeguards.

Under a five-year contract recently signed with the Providence Gas Co. the electric company next year will burn natural gas in its Manchester Street plant whenever it can be supplied in large quantities during the summer months, when there is less demand for gas to heat homes.

Natural gas contains less sulfur dioxide than coal or oil, but it is more expensive. However, NELCO officials said its use will not increase electric rates.

The Manchester Street plant was chosen for the use of gas because it has only a mechanical filter for trapping fly ash in the smoke. The South Street plant has, as do nearly all new coal plants, an electrostatic filter or precipitator, as it is called, in addition to the mechanical filter.

Mechanical precipitators eliminate about 80 per cent of the fly ash, and the electrostatic precipitator at South Street removes about another 10 per cent. The newer electrostatic precipitators at the New England Power Company's Brayton Point plant in Somerset remove about 99 per cent of the ash.

In 1959, during one of the rounds in the city's air pollution battle with NELCO, Austin C. Daley, former air pollution control chief for the city who now holds that title in the state government, estimated that an electrostatic device on the Manchester Street plant would remove nine of the 10 tons of ash being dumped daily into the city's air.

At the time, company officials contended that the problem was not serious. It was also estimated that an electrostatic filter would cost about $2,000,000 to install in Manchester Street.

NELCO is now not only going to burn gas during some months of the year to avoid installing a filter, but it is also going to burn only oil the rest of the year, virtually eliminating the problem of fly ash from the Manchester stacks.

Another problem caused by coal is the dust that blows from the storage piles. This too will be controlled under the Clean Air Act, for the company recently has sprayed the piles with an asphalt emulsion that hardens into a crust.

This step also was resisted by NELCO at the time the city attempted to impose similar requirements in 1950 that are now state law.

[From the Providence Evening Bulletin, Nov. 7, 1967]

No State Audit for Narragansett Electric

(By Wallace I. Roberts)

Narragansett Electric Co. may have been overcharging its customers for the last four years because the state regulatory agency has not audited the company's books since 1963.

However, Frank L. Nunes, state public utilities administrator, said in a recent interview that the possibility of NELCO overcharging its customers because its books have not been audited was "about the same as the possibility of an earthquake in Providence tomorrow."

Mr. Nunes, who is head of the division of public utilities in the state Department of Business Regulation, said his division has not made more than superficial checks of the company's financial records since NELCO applied for permission to borrow $10,000,000 four years ago.

He said his agency "does not have the staff or the budget" to keep a constant check on the electric utilities in the state and that it was "impossible" to do more than look over the annual financial reports submitted by the company. These reports contain the information upon which electric rates are determined.

"It is possible the rates are too high," he said, "because we have not audited their books, but it's highly improbable."

Electric rates are based on two factors—operating expenses and the value of a company's buildings and equipment. Operating expenses are much more important in determining rates, but the value on buildings and equipment, called net plant investment, is very important in determining the size of a company's profit.

Mr. Nunes said that if there were any errors in the figures claimed by NELCO for its net plant investment, "they would have to be severe to affect rates, and glaring errors would be caught in our spot checks of their annual reports."

If NELCO has placed too high a figure on its claims for its net plant investment during the last four years, it has been earning too large a profit, even though the company's actual profit rate for three of those four years has actually been slightly lower than the limit set by the division of public utilities.

The profit rate or rate of return is a fixed percentage of a company's net plant investment. In other words, the way the division of public utilities determines how large a profit an electric utility may make is to multiply its net plant investment by a fixed percentage.

Six per cent is considered to be a fair or reasonable rate of return in the power industry.

The permitted rates in many states range from five to seven per cent. In Rhode Island, a rate of return of 5.83 per cent was set in 1958.

ACTUAL PROFIT RATE

NELCO's figure for its net plant investment in 1966 was $131,827,752. Multiplying that by 5.83 per cent means a profit of $7,685,457 which is NELCO's theoretical profit for last year. Its actual profit was $7,838,827, according to the reports it files with the Federal Power Commission. Its actual rate of return last year was 5.9 per cent.

NELCO's surplus profit of more than $153,000 above the legal limit is the first time in at least six years the company has been above the limit. In 1960 it was a full percentage point below this year's actual rate of return but the rate has climbed steadily since then.

Even though the amount of money involved is small NELCO would appear to be in at least technical violation of state law with its $153,000 in excess profits last year.

The state's public utilities act states clearly that "The rate, toll or charge made by any public utility for any light or power produced, transmitted or delivered shall be reasonable and just and every unjust or unreasonable charge for such service is prohibited and declared unlawful."

By its own definition, the division of public utilities has set 5.83 per cent as a reasonable profit rate, and it seems clear that rates which produce profit ratios higher than that can reasonably be described as unreasonable and unjust.

OTHER EXCESS PROFITS

However, NELCO is not alone among the state's public utilities in making profits in excess of the legal limit. Blackstone Valley Electric Co., which serves the Pawtucket-Woonsocket area, has made profits ranging from 8.8 per cent to 13.6 per cent over the last six years.

In 1966 and 1965 the company's profit ratio was 9.3 per cent. In 1964 it was 8.8 per cent, and in 1963 it was 11.1 per cent, one of the three highest in the nation. The 1962 figure was 11 per cent and the 1962 rate was 13.6 per cent.

When Mr. Nunes was recently asked what his division was doing to lower Blackstone Valley's rates to bring its profit ratio within the legal limit, he said, "Negotiate. We try to solve these problems by negotiating with the companies concerned."

State law allows the public utilities division to investigate and hold public hearings, on its own initiative, on what it believes to be unreasonable or unjust rates, and to fix lower rates if it finds they are unreasonable or unjust.

When Mr. Nunes was asked why the division had not availed itself of these procedures, he said he tried "to work with the companies to secure lower rates but my primary concern is not with lowering rates but ensuring reliable service so we won't have another Northeast power blackout."

ACCURATE FIGURES?

What is more important about NELCO, however, is that no audit was made last year of the net plant investment figure, $131,685,457. If that figure is accurate, the excess profits amount to only the $153,000 overcharge, about 75 cents a customer a year.

If, however, the net plant investment figure is just one per cent too high, $1,318,277, this adds another $76,000 excess profits. For every percentage point that the net plant investment figure is too high, the company has been making $76,000 more than it should.

If, on the other hand, the net plant investment figure is too low, the company will not be earning what it is entitled to. However, the probability of a company claiming low values on its equipment is very small.

NELCO is in the position of a used car salesman. To make as much profit as he can, the salesman places as high a price on his car as he thinks can be justified. The division of public utilities is in the position of the used car buyer—to him a car should have less value.

NELCO's profit is just one part of the picture. The division of public utilities, by not auditing NELCO's books, has also not thoroughly checked out its claims for operating expenses, and reimbursement for operating expenses accounts for about 84 per cent of company's revenues.

ANNUAL AUDITS

In 1966, NELCO's operating expenses were $39,429,518, and its total revenues were operating expenses plus profit—$47,268,345. It is this last figure upon which the rates are determined.

It is standard practice in regulating agencies in many other states to check the books of electric utilities each year to see that the operating expenses are justified and that the claims for plant investment are accurate.

Some companies, for instance, make large donations to charity or political groups and try to claim the expense is necessary to generate electricity.

Some regulatory agencies in other states allow such expenses to be charged off to operating expenses in which case the customer actually does the donating; other state agencies do not allow the companies to claim donations as operating expenses and they must be taken from the dividends that are distributed to stockholders.

Only an auditing of the company books can determine whether NELCO's operating expenses are justified. But in some respects this alone will not provide sufficient information.

Because NELCO is a subsidiary of the New England Electric System, a Massachusetts-based company, there are no expenses listed in certain categories in its annual reports because they are performed by another subsidiary of NEES, the New England Power Service Corp., also based in Massachusetts.

The power service company charges NELCO only the cost of the services it performs for the affiliate, and NELCO lists this lump sum in its annual report to the Rhode Island agency.

Some of the services performed by the power service company include certain kinds of advertising. Some of the advertising done by NEES last year consisted of lobbying against a proposed federal hydroelectric power project in Maine, the Dickey-Lincoln dam, which is designed to bring cheaper electricity to much of New England.

Because the Rhode Island division of public utilities has not audited NELCO's books for the last four years, and because it does not require that NELCO's affiliates file reports detailing expenses of services it performs for NELCO, it cannot be determined if the customers of NELCO were actually paying to fight a public power project.

Heavy Task for 15 Workers: Nunes' Division Understaffed

The state division of public utilities has a budget of $156,000 this fiscal year and currently employs 15 people, including Frank L. Nunes, its director.

These 15 people, five of whom are secretaries, are required by law to regulate 11 different types of businesses in the state, including electric utilities, railroads, trucks, taxis, gas companies, buses and telephones.

The functions of the division are primarily to establish safety and service standards and to set rates.

For this job they have four field investigators, one highway freight carrier examiner, one senior accountant, one engineer, a deputy administrator, and, as of a few weeks ago, another accountant who will fill a vacancy that has existed for about five months.

Three of the secretaries and three of the office staff spend all their time on trucks, and George F. McLaughlin, the deputy administrator, has been spending nearly all his time recently with the problems of the New Haven Railroad.

"We're desperate to get some work done around here," Mr. Nunes said recently. "We need additional accountants and a clerk to do the casual checks of the annual reports so our boys can go out and make audits."

Mr. Nunes' position as public utilities administrator is unique among state regulatory agencies. All others except Rhode Island and Oregon have public utilities commissions, and in all states except Rhode Island, the commission members and Oregon's administrator are appointed by the governor or elected.

Mr. Nunes was appointed by Robert M. Schacht, director of the state Department of Business Regulation, in which the division of public utilities operates. Mr. Schacht, in turn, was appointed by Governor Chafee.

Oregon and Rhode Island have another unusual characteristic in the offices of their public utilities administrators—the terms of appointment are indefinite. In all other states the members of the commissions serve terms ranging from three to 10 years.

One final singular characteristic of Rhode Island's public utilities regulation is that 45 per cent of the expenses of the division are assessed among all public utilities in the state and the revenues go into the state's general fund.

All other states which require the utilities to pay part or all of the cost of regulating them turn over the money directly to the public utilities commission.

HALTING FLOW OF SUPPLIES TO NORTH VIETNAM

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, yesterday was a red letter day for the Communists of North Vietnam, for on November 8 the House of Representatives refused to take effective action to halt the flow of supplies that are being made available to the Communist enemy by our perfidious so-called foreign friends.

Mr. Speaker, according to the gentleman from Michigan [Mr. CHAMBERLAIN] no less than 63 so-called free world ships with a cargo capacity of more than 427,000 tons, docked in North Vietnam during the first 10 months of this year. This supplying of an enemy who has already killed more than 14,000 Americans and wounded another 90,000 borders on treason. The least that can be said is that it is international moral degradation at its worst.

The amendment which I offered yesterday to the foreign aid bill provided that the United States would neither buy nor sell nor provide aid of any kind—loans, grants, guarantees—to any government whose ships or planes carry supplies to the enemy. It gave no delegated power to the President or his minions in Foggy Bottom to waive this penalty.

Mr. Speaker, yesterday's action in the House of Representatives, attended with another exhibition of armtwisting to obtain the four votes necessary to defeat the amendment, will not be recognized as a red letter day by our fighting men in Vietnam. They can only view it as another sad commentary on the failure to recognize this as a total war. For more than 14,000 Americans, this war has been total and with alleged friends helping supply the enemy it will be total for many more.

The day after tomorrow is dedicated as Veterans Day. Let those who refuse to stop the undermining of our fighting men make the welkin ring in their behalf.

EULOGIES FOR THE LATE CLARE E. HOFFMAN

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HUTCHINSON. Mr. Speaker, I have discussed with the Speaker a suitable time for eulogies for the late Clare E. Hoffman, long a Member of this body. If I am recognized on Monday next, I shall eulogize my predecessor and will invite Members of the House to join me in that task.

SOUND LEGISLATION FOR DEALING WITH NORTH VIETNAM

Mr. MIZE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. MIZE. Mr. Speaker, I have the highest regard for and I love dearly my friend from Iowa, but I was among the Republicans yesterday who voted against the motion of the gentleman to recommit. My arm was not twisted and never has been or can be. I do not think it fair to imply I—and those who voted as I did—are unpatriotic. I am a veteran of 5 years in the Second World War, and I will be addressing veterans in Leavenworth, Kans., on Saturday, and I will be doing it proudly.

I am just as violently opposed to communism as is the gentleman from Iowa, and I am just as aware of the Communist conspiracy as my good friend from Iowa.

However, in our zeal to accomplish what I know the gentleman genuinely wants to accomplish, along with all of us—let us, for heaven's sake, develop sound legislation and do it properly, and not get into this matter of emotional accusations, which really is not going to accomplish what the gentleman is trying to do, in developing legislation to deal with this sensitive matter. I feel we must be careful not to do more harm than good. The wording of the gentleman's motion to recommit disturbed many of us on both sides of the aisle.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MIZE. I yield to the gentleman from Iowa.

The SPEAKER. The time of the gentleman from Kansas has expired.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Iowa makes a point of order that a quorum is not present. Will the gentleman withhold that until the Chair recognizes the gentleman from Michigan, the minority leader?

Mr. GROSS. Mr. Speaker, I made the point of order that a quorum is not present, and I insist upon my point of order.

The SPEAKER. Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 377]

Anderson, Ill.
Annunzio
Bolling
Broomfield
Button
Corman
Diggs
Everett
Fisher
Flood
Fountain
Hagan
Halleck
Hanna
Hansen, Idaho
Hardy
Harrison
Hays
Hébert
Herlong
Jones, Mo.
Kleppe
Laird
Long, La.
MacGregor
Mathias, Calif.
Mathias, Md.
May
Miller, Calif.
Pelly
Pepper
Pettis
Pollock
Rivers
St. Onge
Smith, Calif.
Stuckey
Teague, Tex.
Tuck
Ullman
Utt
Williams, Miss.
Willis
Zablocki

The SPEAKER. On this rollcall, 388 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished Speaker if he could give us the plans for the rest of the day and any changes, if any, in the previously announced schedule.

The SPEAKER. The plans for the rest of the day are as follows:

There is the conference report on public works.

There is the Economic Opportunity Amendments of 1967, a continuation of the OEO.

Then there is a conference report on the District of Columbia appropriation bill. I understand that the conferees have agreed or are about to agree, and we are hopeful that we will get unanimous consent so that that conference report can be brought up. If it is ready by the time the conference report on the public works measure is disposed of, that will be the next order of business.

The importance of that is that there is a continuing resolution which will enable the payment of salaries, as I understand. I notice the gentleman from Kentucky, the chairman of the Appropriations Subcommittee, is present. I would appreciate it if he would participate in the colloquy that might take place on this subject. It is imperative that we act on that resolution in order that the employees may receive their salaries. I am hopeful that we can get it up by unanimous consent. In any event, I am hopeful that we get it up today.

I might say that if the situation should develop so that we cannot get it up today, I certainly would not take the responsibility of adjourning over until Monday, with such an important matter to countless hundreds of thousands of employees involved.

I am glad the gentleman from Michigan made his inquiry so I could advise the House and take the House into my complete confidence. In other words, if we dispose of that matter today, then we will go over until Monday, and the antipoverty bill will continue on Monday. But I feel it is imperative that some action be taken today in connection with the limited continuing resolution that the other body passed.

I would appreciate it if the gentleman from Kentucky [Mr. NATCHER] would advise the House as to the exact provisions of the continuing resolution.

I might say that that resolution would not supersede the resolution that is now in conference. The resolution now in conference covers the whole field, and the resolution to which I have referred covers only a limited field. The continuing resolution would not in any way supersede the one that is in conference.

Mr. GERALD R. FORD. The Speaker has answered one of the principal questions that I wished to ask him. I am glad the Speaker concurs that this continuing resolution, which is a proposed part of the District of Columbia appropriation conference report, would not in any way supsersede, obviate or undermine the other continuing resolution involving the expenditure limitation which is still in conference.

The SPEAKER. That is correct.

Mr. NATCHER. Mr. Speaker, will the gentleman yield?

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Kentucky, and then I will yield to the gentleman from Missouri.

Mr. NATCHER. Mr. Speaker, the minority leader is exactly correct. It will not supersede the conference that is now being held on the continuing resolution. It would only provide for operation of programs and agencies such as foreign assistance, Office of Economic Opportunity, military construction, public works, and Appalachia. As the minority leader and the Speaker know, all of the other appropriation bills have been enacted and signed into law.

That is the sole purpose of it, and I do hope, Mr. Speaker, that when this is called up, the Members will go along with us on it, and let us agree to this conference report. We are bringing back a good bill.

Mr. GERALD R. FORD. I yield now to the gentleman from Missouri [Mr HALL].

Mr. HALL. Mr. Speaker, I thank the minority leader for yielding.

I submit it is a matter of speculation as to whether or not this would undermine the continuing resolution for appriations that is lodged, and has been lodged for some time, in the other body. I, for one, submit that it could do nothing else but undermine that.

Second, this is not an appropriation bill for District of Columbia employees only, but as the gentleman from Kentucky said, it involves the pay of many including Appalachia, foreign aid, the antipoverty warriors, and others. The important thing is that the corollary of this colloquy is that had the continuing resolution on appropriations received a fair show on the part of the other body, this entire problem would long since have been solved.

If the gentleman will yield further, I would like to ask a very succinct question. On October 25 of this year we had colloquy on the floor of this House, which we had under consideration a similar unanimous consent request for the conference report on appropriations for Labor and HEW, page 29945; and notice was served that we would not by unanimous consent consider any additional conference reports unless the conference was indeed completed, and the report was ready for the Members to study in advance. Has the report been printed? May the Members see the findings of the two bodies conferees before we are asked by unanimous consent to concur in what is well represented as good position on the part of the managers of the House and the gentleman from Kentucky? I am sure it is. But has the report been printed?

Mr. GERALD R. FORD. I yield to the gentleman from Kentucky.

Mr. NATCHER. Mr. Speaker, I say to the distinguished gentleman from Missouri that the conference with the other body has been concluded. We concluded the conference just prior to the noon hour, but the report has not been printed.

Mr. HALL. The conferees are in agreement?

Mr. NATCHER. They are in agreement. Attending that conference was the ranking Republican member on the Appropriations Committee, the gentleman from Ohio [Mr. Bow], and the chairman of our committee, the gentleman from Texas [Mr. MAHON]. The conferees were unanimous on the provision placed in the bill by the other body carrying this through November 9. I do hope that the gentleman will not object.

Mr. HALL. I understand that, and I have the highest respect for them all and for the urgency of this situation, but I think each individual Member of this House of Representatives represents his own constituency and has not only the privilege but the obligation to see a report of this importance, before it is acted on by unanimous consent.

Mr. DAVIS of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Wisconsin [Mr. DAVIS].

Mr. DAVIS of Wisconsin. Mr. Speaker, I thank the distinguished minority leader for yielding.

I say to my colleagues on this side that we did not, as conferees, undertake simply as members of the District of Columbia Subcommittee the responsibility for agreeing with the continuing resolution through today. This is a matter which had been discussed in advance with the distinguished ranking member of the full committee on the minority side, the gentleman from Ohio [Mr. Bow], and with the leaders here. We felt that it was the proper thing for us to do, to agree with this continuing resolution, which obviously transcends the appropriations for the District of Columbia.

It simply does take us through today, and it does prevent what I feel will be a real injustice to the employees of this government, who have performed a service in behalf of the public, and who are going to find themselves without a paycheck unless we take this kind of responsible action today.

If I have any influence on this side at all, I would plead with my colleagues that they not object to bringing this matter up this afternoon at a later hour.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. Mr. Speaker, I yield to the gentleman from Ohio [Mr. Bow].

Mr. BOW. Mr. Speaker, so far as I have been concerned in this matter, I feel that those people who have worked are entitled to their paychecks. This brings us up through November 9. I do not believe it affects the position we have taken on expenditure limitation. But I would hope that we would make sure that the people who have worked—the secretaries, those in the offices, and the other people who have labored—all these last few weeks will receive their paychecks.

I have approved this. I do not believe it affects our position, or the position I have taken on the continuing resolution. I believe we are coming to where we may have some agreement on this position.

I would hope we would adopt this conference report.

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. I thank the gentleman for yielding.

Could the distinguished Speaker indicate to us how late he plans to have the House meet today on the OEO debate? As I understand it, we have 20 minutes of general debate remaining. Is it the gentleman's intention to start reading the bill for amendment? If so, how long does he expect the House to be in session?

Mr. SPEAKER. I would think a reasonable hour, about 5 or 6 o'clock. As a matter of fact, if the press will take it off the record, Mrs. McCormack asked me that this morning. She wanted to know whether we would have dinner at the House restaurant. I said, "My dear, I do not think we will today."

Mr. GOODELL. I might say to the Speaker, that is very reassuring.

Mr. GERALD R. FORD. Is it the intention at the present time to ask unanimous consent?

Mr. SPEAKER. I would think, in view of the statement made by our friend from Missouri, that the unanimous-consent request might be made a little later. The gentleman said he would like to have the opportunity of seeing the conference report. He did not necessarily press the point of it being printed, but he wanted to see it.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Missouri.

Mr. HALL. I will say to the distinguished Speaker, as eloquent and profound as he is, and as great as his wit and his way of wielding the word with the press—on and off the record—and as great as his power in this body—he still cannot put words in my mouth.

Mr. SPEAKER. I did not undertake to.

Mr. HALL. I said to the distinguished Speaker and to the other gentleman yielding that I thought every Member should have an opportunity to see the report—and I include any report—before there was a unanimous-consent action.

Mr. SPEAKER. There are two ways of seeing. Some Members might take confidence in the conferees and have such confidence in them that they know they are seeing without actually reading.

My understanding was the gentleman from Missouri said he should see it. He did not go as far as he might have.

I might say, for one Member, it is not necessary for me to see it. I am sure the conferees will arrange to show it to any Member who wants to see it.

I believe that interpretation is most favorable to the state of mind of my friend from Missouri.

At this time I do not believe there should be a unanimous-consent request. Later in the afternoon when we know the conference report is filed, the request will be made. If objection is made, I would be constrained to go to the Rules Committee and to ask for a rule.

I am going to do everything I can. It is imperative to get this through. I am going to do everything I can to let the Members have tomorrow, which is a holiday, and to carry out the understanding which existed between the leadership and the Members of the House. I am going to do everything I can to bring it up.

I hope there will be no objection to the unanimous-consent request.

PERMISSION FOR JOINT COMMITTEE ON ATOMIC ENERGY TO FILE A REPORT UNTIL MIDNIGHT TONIGHT

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that the Joint Committee on Atomic Energy have until midnight tonight to file a report.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

SIDELIGHTS ON AN ELECTION

Mr. MULTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, ordinarily modesty would dictate that I make no comment about my election to the New York State Supreme Court on Tuesday of this week.

The vote of confidence of the overwhelming majority of the electorate of Brooklyn and Staten Island is more than gratifying. This is particularly so in view of the unwarranted and scurrilous attacks leveled against me by two of New York City's dailies.

I take this moment to comment upon the fact that this election was another indication that the vast majority of Americans are supporting President Johnson's program and policies in Vietnam and at home. Traditionally contests for election to judicial office are removed from partisan political considerations.

Despite the fact that all of the candidates for judicial office in this election avoided discussion of such matters, the issue was injected into my contest, not by me nor for that matter by the gentlemen who were nominated by the other parties. The opposition to my candidacy was engendered by my firm support of President Johnson, based not on the fact that he is President of the United States nor on the fact that he is the titular leader of my party, but based upon my strong conviction that he is right.

The issue was injected into this campaign by those partisans who call themselves "reform Democrats." They are neither reformers nor Democrats. Their only issue was that I refused to go along with them in urging withdrawal of American troops from Vietnam. My position, like that of President Johnson, was and is that we will negotiate for peace at any time or place with anyone and without conditions, but that we will not stop the fighting nor the bombing unilaterally while the enemy continues the fighting. I dare say that many a voter indicated his or her support of that position when they rejected the urgings of these ill-advised people and voted for me.

My thanks go out to my legion of supporters.

SELECTIVE SERVICE SYSTEM POLICIES

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, General Hershey's letter of October 26 to members of the Selective Service System regarding the reclassification of registrants raises grave constitutional issues. His position is that local draft boards should consider evidence of illegal activities in reclassifying registrants. I am profoundly disturbed that the local draft boards would be used as a vehicle for law enforcement and to make what should be judicial determinations under our system of law.

To constitute local draft boards in this manner as kangaroo courts violates the American concept of due process. Only a court of law should decide who has violated the law and prescribe appropriate penalties. General Hershey's directive flies in the face of Federal policy enunciated last year by Assistant Attorney General Fred M. Vinson, Jr., in a letter to Senator HART. In that letter Mr. Vinson declared that the Selective Service Act could not be used as an instrument to stifle constitutionally protected expression of views; further that, if no transgression of law has occurred, then no sanctions can be imposed; and that, if a transgression has occurred, sanctions under the law which has been violated are the only ones that should be imposed.

Mr. Speaker, I call upon Attorney General Ramsey Clark at this time to reaffirm the position of the administration in this important matter.

I include at this point in the RECORD an editorial from today's New York Times.

[From the New York Times, Nov. 9, 1967]

CRACKDOWN ON DRAFT PROTESTERS

Rushing protesters against the Vietnam war into the armed services is the apparent purpose of Selective Service Director Hershey's new order to local draft boards to "live up to the letter of the laws." We can think of no worse way to encourage respect either for the draft or the armed forces.

General Hershey is right in insisting that all who violate the law in expressing their opposition to the war should be prosecuted. But the penalties should take the form of imprisonment or fines, and should be uniform for all who are convicted whether or not they are subject to the draft. To make induction into the military a counterpart of incarceration in a penal institution demeans the uniform and all the men who wear it.

CIVIL FUNCTIONS APPROPRIATION BILL, 1968

Mr. KIRWAN. Mr. Speaker, I call up the bill (H.R. 11641), making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, Interstate Commission on the Potomac River Basin, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1968, and for other purposes; with Senate amendment No. 2 thereon, and ask for its immediate consideration.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out "$967,599,000" and insert "$968,474,000".

MOTION OFFERED BY MR. KIRWAN

Mr. KIRWAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. KIRWAN moves that the House disagree to the amendment of the Senate to the House amendment to Senate amendment No. 2.

PREFERENTIAL MOTION OFFERED BY MR. HATHAWAY

Mr. HATHAWAY. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. HATHAWAY moves that the House concur in the amendment of the Senate to the House amendment to Senate amendment No. 2.

The SPEAKER. The gentleman from Ohio [Mr. KIRWAN] is recognized for 1 hour.

Mr. KIRWAN. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Speaker, as I understand the preferential motion offered by the distinguished gentleman from Maine [Mr. HATHAWAY], his motion, if adopted, would accept the position of the other body which restores $875,000 to this public works appropriation bill.

Specifically, with reference to the Dickey-Lincoln School Dam and Reservoir project, a vote in favor of the motion to recede and concur would, in effect, be an affirmative vote, an "aye" vote, for the Dickey-Lincoln project; is that correct?

Mr. KIRWAN. That is correct.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. KIRWAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. HATHAWAY. Mr. Speaker, in addition to the remarks I made under the 1-minute rule, I would like to point out to the Members that the opponents of the Dickey-Lincoln School power project have been continually distorting the facts, and I am referring particularly to the privately owned power companies which have been lobbying against this project extensively since its inception, and I am referring more particularly to the Electric Coordinating Committee of New England which is a group of privately owned power companies.

This organization recently made the following accusations against the project charging not that these were the coordinating committee's findings but that the following were the findings made by the Federal Power Commission. These so-called findings were distributed to many Members of Congress and portrayed as being the gospel truth. The allegations are as follows:

First. FPC findings show Dickey-Lincoln would be constructed solely for power purposes.

Second. FPC findings show proposed Dickey-Lincoln rate would not recover cost.

Third. FPC findings show Dickey-Lincoln a hopelessly inefficient means of producing power.

Fourth. FPC findings show Dickey-Lincoln power would exceed equivalent cost of alternative.

These statements were referred to the Federal Power Commission for comment and the following statement was made on behalf of the Commission:

> The Federal Power Commission has not made any of the above findings. To the contrary, we reported to Senator Ellender that the then current studies supported the conclusion reported to the Secretary of the Interior in 1964 by the Federal Power Commission that the proposed Dickey-Lincoln School development was well justified and merited early construction. Our staff advises that it has no new information that would warrant a change in this conclusion.

Furthermore, Mr. Speaker, I would like to call the attention of the membership to the fact that from 1960 to 1966, the per capita distribution of public works authorizations showed a consistent pattern of large investments in areas outside the Northeast, as demonstrated in the following table:

Region:	Per capita
Northeast	$18.98
Midwest	31.17
South	40.84
Far West	51.08
Southwest	54.06

In this year's public works appropriation bill, the pattern is continued:

Region:	Per capita
Northeast	$1.77
Midwest	4.73
South	7.83
Southwest	7.49
Far West	11.81

New England's allocation is only $1.57 per capita.

These figures clearly show that the New England area has been shortchanged with respect to public works investment. An investment such as the Dickey-Lincoln School power project would go a long way toward alleviating the relatively poor economic picture of this area, and I indicated in my remarks under the 1-minute rule such a power project would put New England on an equitable basis with the rest of the country with respect to cost of electricity.

Mr. Speaker, permit me at this time to review briefly the history of this project, making a few additional comments with respect to this project's merit.

The Dickey-Lincoln School hydroelectric project has become a battle-scarred veteran of the Congress.

On July 12, 1965, President Johnson sent to the 89th Congress his recommendation that the Dickey-Lincoln School hydroelectric project be authorized. Shortly thereafter the project was authorized and in that same year an appropriation of $800,000 was made by Congress to get the project underway. Last year an additional $1.1 million was appropriated for further planning. This year, the administration requested and the House Appropriations Committee approved an appropriation in the amount of $1.676 million. This money was designed for planning. The House rejected this amount. The other body accepted that amount and the matter went to conference. The matter came back from conference with a compromise figure of $875,000. This amount was rejected by the House but the other body insisted upon this amount. That is why the matter is before us today. Despite the fact that this is the third appropriation there continues to be strenuous opposition to the project, and you may well ask why this continued harassment.

I believe that the opponents of the project fall into two categories. First, there are those who adhere to the philosophy that all power generation and distribution should be handled by investor-owned companies. Although I respect those who hold to this philosophy, I believe that this attitude is both unsound and outdated.

I believe it is unsound because it overlooks the fact that the production and distribution of electricity is really in the public domain. In order to produce and distribute electricity the public has licensed various private companies. In exchange the public has through public utilities commissions in the various States guaranteed to these utilities a reasonable return on their investment. So private utilities are simply agents of the public carrying out the public's desires and receiving for this a guarantee of a profit.

What the public can do through agents, the public is certainly entitled to do by itself and this is exactly what the public is doing when it authorizes the construction of Federal projects such as the Dickey-Lincoln School hydroelectric project.

Realistically the public utility commissions governing the rates of private utilities throughout the United States have not been very effective in bringing about rate reductions. First, because many of the members of such commissions are political appointees who often know very little about rate structures; and second, because the legal and accounting staffs of such commissions are grossly inadequate to cope with the task of examining the rate structures of the electric utilities. So in order that the public may get the benefit of the lowest possible electric rates, the public occasionally must take the initiative and produce its own electricity as a yardstick to indicate the lower cost that electricity can be produced and distributed for.

Furthermore, it is obvious in the year 1967 that the private power philosophy is outdated. We already have in almost every section of the country except the northeast gigantic Federal electric projects which have brought about electric rate reductions in the areas where they exist. In fact there are 170 Federal power projects in the Nation. New England is considerably disadvantaged by not having such a project to bring its rates, the highest in the country, in line with the rest of the Nation. Industry has been lost and it is difficult to attract new industry when industry can go elsewhere and receive much more favorable treatment electricitywise.

The argument is advanced that the Dickey-Lincoln School hydroelectric project will only produce a very small portion of the power in New England so therefore, how can it possibly bring about rate reductions. In every other section of the country where Federal hydroelectric projects have been installed and produced only a small portion of the total amount of electricity, rate reductions have come about, and the private utilities operating in those areas have made more money than they ever made before. Such rate reductions come about because with the advent of a Federal installation in an area, the public becomes aware of the fact that electricity can be produced and sold at a much lower cost and this in turn brings pressure on private utilities to reexamine their costs and bring about innovations that would lower electric rates.

This has already been the case with respect to utilities in Maine just since the Dickey project has appeared to have some chance of success. Soon after hearings on the project began in August of 1965, every private utility in Maine applied for and was granted at least one rate reduction. Furthermore, the New England Electric Coordinating Council which is an organization composed of all the private utilities in New England and which is very artfully described in the Appropriations Committee staff study report as a group that was organized in 1947 for "the pretended purpose of lowering electric rates in New England," has advertised at great length about plans for an 11-station powerloop throughout New England and has constantly barraged the public with facts and figures to show that they have elaborate plans to bring about lower electric rates. But you can bet your bottom dollar that if the appropriation is struck from the appropriations bill that all these elaborate plans will go out the window and the utilities of New England will settle back into the comfortable status they enjoyed before the advent of this project.

The second category of people who oppose this project are those who are doubtful about its merits. In an effort to resolve finally any lingering doubts about its merits, the Appropriations Committee last year called for an independent study to be conducted by the committee's investigative staff.

On October 11, 1966, speaking here on the floor of the House a number of Dickey's opponents expressed satisfaction that the investigation would be conducted. They said that should the investigative staff report favorably on the project, their doubts would be resolved and they would cease to oppose it.

The study of the Appropriations Committee investigative staff has been completed. The committee staff emphatically supports the Dickey project. The staff study shows: First, that there has been a thorough study by the Corps of Engineers, the Department of the Interior and other agencies involved in the Dickey project. Second, that the project is economically and engineeringly feasible. Third, that there is and shall be an adequate market for the power the project will generate. Fourth, that it will produce and distribute electricity at a lower rate than any private utility alternative including nuclear power and pumped storage. Fifth, that the estimated cost of the project made by the Corps of Engineers is sound; that is, the project will cost $229,313,000 which includes interest of $17 million; and sixth, the study report indicates that the estimated project allocation for benefits to power, flood control, and area redevelopment are not only sound but conservative.

Furthermore, if you turn to page 48 of the House committee report on this bill you will find that the committee endorses the economic feasibility based on the committee staff study and states that the benefit-to-cost ratio is 1.9 to 1 which means that for every dollar invested there will be returned to the Government $1.90. This benefit-to-cost ratio is greater than 75 percent of all the 170 Federal power projects in the country.

The staff study benefit-to-cost ratio alone should convince even the severest skeptic of the merits of this project.

Mr. SAYLOR. Mr. Speaker, gratifying as the vote was to those of us who have urged rejection of the Dickey-Lincoln School project, we saw today another action which should strengthen our belief in representative government. I believe we should commend the chairman of the Public Works Appropriation Subcommittee, MICHAEL KIRWAN, for urging insistence upon the House's previous decision on Dickey-Lincoln—despite his personal feelings.

MIKE KIRWAN's support for that project—for reasons best known only to himself—was well known; but, nevertheless, he put aside those personal feelings to uphold the position taken by the majority of his colleagues on two previous occasions. The prerogatives and position of the House have been overwhelmingly upheld, and for this we should all be appreciative.

Today, MIKE KIRWAN proved himself to be not only an able representative of the people of the 19th Congressional District of Ohio but on this issue proved himself to be a statesman on behalf of the people of the Nation.

I think we will all agree that our good friend, MIKE KIRWAN, fully deserves my small attempt at paying him tribute.

Mr. KIRWAN. Mr. Speaker, the Senate has amended the House figure for construction by the Corps of Engineers to add $875,000 for additional planning on the Dickey-Lincoln School project. This is the only item in the bill which is now in disagreement.

The Senate has receded from its disagreement to the House figure of $203 million for grants for waste treatment plants under the Federal Water Pollution Control Administration program. The item is now the same as the budget request instead of the $225 million which has been proposed by the Senate.

Although I have fully supported the Dickey-Lincoln project, the House has twice by record votes decisively voted down funds to continue planning on the project. On July 25, 1967, by a record vote of 233 to 169, a margin of 64, the House turned down funds for the project and again on October 25, by a record vote of 236 to 162, a margin of 74, the House again denied funds to continue planning on the project.

As I indicated on each of these occasions, I fully support the project for I feel it is well justified and should be built. However, in light of the action by the House, I feel it is now my responsibility to recommend that we defer further action on this project this year and pass the bill as expeditiously as possible in order that the essential programs covered by the bill may have funds to carry on their daily operations in a businesslike manner.

I am greatly concerned that this bill is still before us on November 9, 1967, more than 4 months after the beginning of the fiscal year. The record will show that our committee has made every effort to expedite the bill. We brought it to the House floor for consideration on July 25, which was actually 1 day before the President signed the authorization bill covering the Atomic Energy Commission's program.

Although the Senate did not pass the bill until October 10 we expedited the conference action and brought it to the House floor for approval on October 25. The Senate did not consider the conference report until November 7 and I have brought it back to the floor for further consideration at the earliest moment possible. Without a continuing resolution, the agencies covered by the bill, including AEC, are placed in a serious financial situation and I hope, with the cooperation of the Senate, that this bill can be on its way to the President for his signature by tonight.

I plan for our committee to again consider the Dickey-Lincoln School project in connection with next year's bill and I hope by that time there will be a better understanding of the justification for the project and the House will favorably approve funds for the resumption of planning. I now feel it is essential, however, that we pass this bill without further delay and therefore recommend that the House vote down the motion to recede and concur in the Senate amendment and approve my motion to disagree to the Senate amendment.

I do not believe that anything would be gained by further discussion of the project which has been extensively debated here on the House floor, and I therefore move the previous question.

Mr. Speaker, I move the previous question on the preferential motion offered by the gentleman from Maine [Mr. HATHAWAY].

The previous question was ordered.

The SPEAKER pro tempore (Mr. PRICE of Illinois). The question is on the preferential motion offered by the gentleman from Maine [Mr. HATHAWAY] that the House concur in the amendment of the Senate to the House amendment to Senate amendment No. 2.

Mr. KIRWAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 118, nays 263, not voting 51, as follows:

[Roll No. 378]

YEAS—118

Albert
Anderson, Tenn.
Ashley
Aspinall
Baring
Barrett
Bingham
Blanton
Boggs
Boland
Brademas
Brasco
Brown, Calif.
Burton, Calif.
Byrne, Pa.
Carey
Celler
Cohelan
Conyers
Culver
Daniels
Davis, Ga.
Diggs
Dingell
Dow
Dulski
Eckhardt
Edwards, Calif.
Edwards, La.
Eilberg
Evans, Colo.
Farbstein
Fascell
Foley
Ford William D.
Fraser
Friedel
Fulton, Tenn.
Gallagher
Gibbons
Gilbert
Gonzalez
Green, Pa.
Halpern
Hamilton
Hanley
Hathaway
Hawkins
Hechler, W. Va.
Helstoski
Hicks
Holifield
Holland
Howard
Hungate
Jacobs
Johnson, Calif.
Jones, Ala.
Jones, N.C.
Karsten
Kastenmeier
Kazen
Kelly
Kupferman
Kyros
Long, La.
McFall
Macdonald, Mass.
Madden
Matsunaga
Meeds
Mink
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
Ottinger
Patten
Price, Ill.
Pucinski
Rees
Reid, N.Y.
Resnick
Reuss
Ronan
Rooney, N.Y.
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
St Germain
Scheuer
Sisk
Smith, Iowa
Stafford
Stephens
Stuckey
Sullivan
Tenzer
Thompson, N.J.
Tiernan
Tunney
Van Deerlin
Vander Jagt
Vigorito
Waggonner
Waldie
Walker
Wilson, Charles H.
Wright
Yates

NAYS—263

Abbitt
Abernethy
Adair
Addabbo
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Ayres
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bevill
Biester
Blackburn
Blatnik
Bow
Bray
Brinkley
Brock
Brooks
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Utah
Bush
Byrnes, Wis.
Cabell
Cahill
Carter
Casey
Cederberg
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Conte
Corbett
Cowger
Cramer
Cunningham
Curtis
Daddario
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Denney
Dent
Derwinski
Devine
Dickinson
Dole
Donohue
Dorn
Dowdy
Downing
Duncan
Dwyer
Edmondson
Edwards, Ala.
Erlenborn
Esch
Eshleman
Evins, Tenn.
Fallon
Feighan
Findley
Fino
Flynt
Ford, Gerald R.
Frelinghuysen
Fulton, Pa.
Fuqua
Galifianakis
Gardner
Garmatz
Giaimo
Goodell
Goodling
Gray
Green, Oreg.
Griffiths
Gross
Grover
Gubser
Gude
Gurney
Haley
Hall
Hammerschmidt
Hardy
Harsha
Harvey
Heckler, Mass.
Henderson
Horton
Hosmer
Hull
Hunt
Hutchinson
Ichord
Irwin
Jarman
Joelson
Johnson, Pa.
Jonas
Karth
Kee
Keith
King, Calif.
King, N.Y.
Kirwan
Kluczynski
Kornegay
Kuykendall
Kyl
Landrum
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, Md.
Lukens
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McMillan
MacGregor
Machen
Mahon
Mailliard
Marsh
Mayne
Meskill
Michel
Miller, Ohio
Mills
Minish
Minshall
Mize
Monagan
Montgomery
Moore
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Myers
Natcher
Nedzi
Nelsen
Nichols
Passman
Perkins
Philbin
Pickle
Pirnie
Poage
Poff
Pool
Price, Tex.
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, Pa.
Roth
Roudebush
Rumsfeld
Ruppe
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shriver
Sikes
Skubitz
Slack
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stratton
Stubblefield
Taft
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Udall
Vanik
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Wilson, Bob
Winn
Wolff
Wyatt
Wydler
Wylie
Wyman
Young
Zion

NOT VOTING—51

Adams
Annunzio
Bolling
Bolton
Broomfield
Button
Corman
Everett
Fisher
Flood
Fountain
Gathings
Gettys
Hagan
Halleck
Hanna
Hansen, Idaho
Hansen, Wash.
Harrison
Hays
Hébert
Herlong
Jones, Mo.
Kleppe
Laird
Leggett
Martin
Mathias, Calif.
Mathias, Md.
May
Miller, Calif.
O'Neill, Mass.
Patman
Pelly
Pepper
Pettis
Pike
Pollock
Pryor

St. Onge
Shipley
Smith, Calif.
Staggers
Teague, Tex.
Tuck
Ullman
Utt
Williams, Miss.
Willis
Zablocki

So the preferential motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Adams for, with Mr. Tuck against.
Mr. Annunzio for, with Mr. Hagan against.
Mr. Corman for, with Mr. Fountain against.
Mr. Patman for, with Mr. Gathings against.
Mr. Pepper for, with Mrs. Hansen of Washington against.
Mr. Leggett for, with Mr. Halleck against.
Mr. Miller of California for, with Mrs. Bolton against.
Mr. Hanna for, with Mr. Martin against.
Mr. Pryor for, with Mr. Smith of California against.
Mr. Hébert for, with Mr. O'Neill of Massachusetts against.
Mr. Willis for, with Mr. Harrison against.
Mr. Zablocki for, with Mrs. May against.
Mr. Ullman for, with Mr. Laird against.

Until further notice:

Mr. Staggers with Mr. Pollock.
Mr. St. Onge with Mrs. May.
Mr. Shipley with Mr. Mathias of Maryland.
Mr. Hagan with Mr. Broomfield.
Mr. Everett with Mr. Hansen of Idaho.
Mr. Gettys with Mr. Pelly.
Mr. Fisher with Mr. Kleppe.
Mr. Pike with Mr. Utt.
Mr. Flood with Mr. Button.
Mr. Hays with Mr. Herlong.
Mr. Williams of Mississippi with Mr. Teague of Texas.

Messrs. BYRNE of Pennsylvania and NIX changed their votes from "nay" to "yea."

Mr. BURKE of Massachusetts changed his vote from "yea" to "nay."

Mr. GATHINGS. Mr. Speaker, I do not qualify. If I had been present, I would have voted "nay."

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. (Mr. PRICE of Illinois). The question now is on the motion of the gentleman from Ohio [Mr. KIRWAN] that the House disagree to the amendment of the Senate to the House amendment to Senate amendment No. 2.

The motion was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. KIRWAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the matter just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

CALL OF THE HOUSE

Mr. AYRES. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 379]

Adams
Annunzio
Bolling
Broomfield
Bush
Button
Cormau
Cowger
Dingell
Downing
Dulski
Everett
Fisher
Fountain
Green, Oreg.
Hagan
Halleck
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Harrison
Harsha
Hawkins
Hays
Hébert
Herlong
Irwin
Jones, Mo.
Kleppe
Laird
Mathias, Calif.
Mathias, Md.
May
Miller, Calif.
Pelly
Pepper
Pettis
Pike
Pollock
Resnick
Rivers
St. Onge
Smith, Calif.
Steiger, Ariz.
Teague, Tex.
Tuck
Ullman
Utt
Williams, Miss.
Willis
Zablocki

The SPEAKER. On this rollcall 379 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1968—CONFERENCE REPORT

Mr. NATCHER submitted the following conference report and statement on the bill (H.R. 8569) making appropriations for the government of the District of Columbia and other activities chargeable in the whole or in part against the revenues of said District for the fiscal year ending June 30, 1968, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 903)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8569) "making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1968, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 45 and 46.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 6, 7, 10, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 47, 49 and 50; and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$63,979,200"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$26,434,700"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$92,522,200"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$97,331,900"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$104,670,600"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$111,903,500"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 8, 11, 51, 52, and 53.

WILLIAM H. NATCHER,
ROBERT N. GIAIMO,
EDWARD J. PATTEN,
DAVID PRYOR,
GEORGE MAHON,
GLENN R. DAVIS,
JOSEPH M. McDADE,
DONALD W. RIEGLE,
FRANK T. BOW,
Managers on the Part of the House.

ROBERT C. BYRD,
SPESSARD L. HOLLAND,
WILLIAM PROXMIRE,
RALPH YARBOROUGH,
WILLIAM B. SPONG, Jr.,
ROMAN L. HRUSKA,
JACOB K. JAVITS,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8569) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1968, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

FEDERAL PAYMENT TO DISTRICT OF COLUMBIA

Amendment No. 1—Appropriates $63,979,200 instead of $56,000,000 as proposed by the House and $68,000,000 as proposed by the Senate.

Amendment No. 2—Provides loan appropriations of $79,200,000 as proposed by the Senate instead of $48,100,000 as proposed by the House.

Amendment No. 3—Provides that $62,900,000 of loan appropriations shall be advanced to the general fund as proposed by the Senate instead of $31,800,000 as proposed by the House.

OPERATING EXPENSES

Amendment No. 4—*General operating expenses:* Appropriates $26,434,700 instead of $25,885,000 as proposed by the House and $26,509,700 as proposed by the Senate.

Amendments Nos. 5, 6, and 7—*Public safety:* Appropriate $92,522,200 instead of $91,995,000 as proposed by the House and $92,541,700 as proposed by the Senate; provide $288,400 for the Legal Aid Agency as proposed by the Senate instead of $248,000 as proposed by the House; and provide that $25,000 shall be available for settlement of claims not in excess of $250 each as proposed by the Senate instead of $15,000 as proposed by the House.

Amendment No. 8—*Public Safety:* Reported in technical disagreement. The managers on the part of the House will offer a motion to reappropriate $670,000 as proposed by the Senate.

Amendment No. 9—*Education:* Appropriates $97,331,900 instead of $93,730,000 as proposed by the House and $97,481,900 as proposed by the Senate.

Amendment No. 10—*Parks and recreation:* Appropriates $15,120,900 as proposed by the Senate instead of $15,906,600 as proposed by the House.

Amendment No. 11—*Parks and recreation:* Reported in technical disagreement. The managers on the part of the House will offer a motion making this appropriation available for the purchase of four passenger motor vehicles as proposed by the Senate.

Amendment No. 12—*Health and welfare:* Appropriates $104,670,600 instead of $103,439,000 as proposed by the House and $104,782,900 as proposed by the Senate.

Amendments Nos. 13, 14, and 15—*Highways and traffic:* Appropriate $16,627,300 of which $11,108,700 shall be payable from the highway fund as proposed by the Senate instead of $16,705,000 of which $11,184,800 shall be payable from the highway fund as proposed by the House; and provide for the purchase of fifty-six passenger motor vehicles as proposed by the Senate instead of fifty-five as proposed by the House.

Amendments Nos. 16, 17, and 18—*Sanitary engineering:* Appropriate $26,732,500, of which $8,086,700 shall be payable from the water fund and $5,318,900 shall be payable from the sanitary sewage works fund as proposed by the Senate instead of $26,379,000 of which $8,078,600 shall be payable from the water fund and $5,314,000 shall be payable from the sanitary sewage works fund, as proposed by the House.

REPAYMENT OF LOANS AND INTEREST

Amendment No. 19—Appropriates $7,760,000 as proposed by the Senate instead of $7,790,000 as proposed by the House.

CAPITAL OUTLAY

Amendment No. 20—Inserts proposal of the Senate for West Elementary School addition.

Amendment No. 21—Inserts proposal of the Senate for Morgan Elementary School replacement.

Amendment No. 22—Inserts proposal of the Senate for Bruce-Monroe Elementary Schools replacement.

Amendment No. 23—Inserts proposal of the Senate for new elementary school in the vicinity of 40th Street and Lane Place, Northeast.

Amendment No. 24—Inserts proposal of the Senate for Carver Elementary School addition.

Amendment No. 25—Inserts proposal of the Senate for Benning Elementary School replacement.

Amendment No. 26—Inserts proposal of the Senate for new elementary school in vicinity of 44th and Foote Streets, Northeast.

Amendment No. 27—Inserts proposal of the Senate for Burrville Elementary School addition.

Amendment No. 28—Inserts proposal of the Senate for Orr Elementary School replacement.

Amendment No. 29—Inserts proposal of the Senate for Montgomery School addition.

Amendment No. 30—Inserts proposal of the Senate for Gage-Eckington Elementary Schools replacement.

Amendment No. 31—Inserts proposal of the Senate for Lenox Elementary School addition.

Amendment No. 32—Inserts proposal of the Senate for Langdon Elementary School addition.

Amendment No. 33—Inserts proposal of the Senate for Anacostia Senior High School addition.

Amendment No. 34—Inserts proposal of the Senate for institutions for higher learning.

Amendment No. 35—Inserts proposal of the Senate for new Receiving Home for children.

Amendment No. 36—Inserts proposal of the Senate for the new District Court Building.

Amendment No. 37—Inserts proposal of the Senate for Moten Elementary School addition.

Amendment No. 38—Inserts proposal of the Senate for Weatherless Elementary School addition.

Amendment No. 39—Inserts proposal of the Senate for Browne Junior High School addition.

Amendment No. 40—Inserts proposal of the Senate for Wilson Senior High School addition.

Amendment No. 41—Inserts proposal of the Senate for Dunbar Senior High School addition.

Amendment No. 42—Inserts proposal of the Senate for prekindergarten relocatable classroom buildings.

Amendment No. 43—Inserts proposal of the Senate for air conditioning of Tenley—Friendship and Benning branch libraries.

Amendment No. 44—Inserts proposal of the Senate for Chevy Chase community center.

Amendment No. 45—Deletes proposal of the Senate for replacement of the farm cottage at District Training School.

Amendment No. 46—Deletes proposal of the Senate for Fort Dupont Swimming Pool.

Amendment No. 47—Provides $1,966,500 for the purchase of school equipment for new school buildings as proposed by the Senate instead of $1,766,000 as proposed by the House.

Amendment No. 48—Appropriates $111,903,500 instead of $79,658,000 as proposed by the House, and $115,552,500 as proposed by the Senate.

Amendment No. 49—Provides $22,781,400 shall not be available for expenditure until July 1, 1968 as proposed by the Senate instead of $15,617,400 as proposed by the House.

Amendment No. 50—Provides $3,893,300 shall be available for construction services as proposed by the Senate instead of $1,528,800 as proposed by the House.

GENERAL PROVISIONS

Amendment No. 51—Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the proposal of the Senate prohibiting the use of appropriations for the assignment or transportation of students to public schools in the District of Columbia in order to overcome racial imbalance.

Amendment No. 52—Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the proposal of the Senate regarding welfare assistance payments.

Amendment No. 53—Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the proposal of the Senate to amend the joint resolution of October 5, 1967 (Public Law 90–102) by striking out "October 23, 1967" and inserting in lieu thereof "November 9, 1967".

TRANSFER OF ACTIVITIES

The conferees reiterate the directive in the Senate report that before any transfers of activities or funds in the District of Columbia Appropriation Act, 1968 are effected, prior approval of the Appropriations Committees shall be obtained as heretofore the practice.

WILLIAM H. NATCHER,
ROBERT N. GIAIMO,
EDWARD J. PATTEN,
DAVID PRYOR,
GEORGE MAHON,
GLENN R. DAVIS,
JOSEPH M. MCDADE,
DONALD W. RIEGLE, Jr.,
FRANK T. BOW,
Managers on the Part of the House.

Mr. NATCHER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H.R. 8569) making appropriations for the Government of the District of Columbia and other activities chargeable in whole or in part against the revenues of the said District for the fiscal year ending June 30, 1968, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. HALL. Mr. Speaker, reserving the right to object, I must say that the committee headed by the distinguished gentleman from Kentucky has been most cooperative in providing information and even the rough-draft copy of the conference report which has just now been filed for printing.

It is understood and admitted by all concerned that this could not be available for the various Members to study and to consider, as to how they might work their will, until tomorrow at the earliest, in view of the big load as we "rush" toward final adjournment. This maneuver is a perennial.

However, Mr. Speaker, inasmuch as this bill is $79,141,400 over the appropriation for 1967, I do object.

Mr. NATCHER. Mr. Speaker, will the gentleman withhold that objection for a moment?

Mr. HALL. Gladly, Mr. Speaker.

Mr. NATCHER. I would like to say to the distinguished gentleman from Missouri that this bill, as he has stated, is larger than the bill presented for the fiscal year 1967.

Mr. Speaker, under this bill the Senate provided for the amount of $504,960,100. The bill which the committee brings back is $500,954,000. At the time we had the bill up in the House for final passage, April 18 of this year, the legislative bill from the District of Columbia Committee in the House and in the Senate had not cleared. At that time the budget exceeded the revenue estimates by $62 million. The distinguished gentleman from Missouri knows that the House Committee on Appropriations had to reduce the bill $62 million to bring receipts in line with expenditures. Subsequent to the passage of the bill by the House, Mr. Speaker, the legislative committees in the House and in the Senate brought in the legislative bill. The Commissioners raised the real estate tax $8 million. The Federal payment ceiling was raised. Borrowing authority was raised. Now we put in some additional items. I say to the gentleman that we did right. The gentleman is correct as far as the amount is concerned, but we did reduce the Federal payment. Neither the Senate nor the House recommended this bill up to the top amount requested by the Bureau of the Budget for the fiscal year 1968. I would like to say to my friend from Missouri—and he is my friend—that your committee in the House and the committee in the Senate have done a good job on this bill. I wish the gentleman would withhold his objection and let us bring up this conference report.

Mr. HALL. I certainly appreciate the pleading of my distinguished friend. It rends my heart. I understand the pressure of his eloquence. I understand the panoply and the charade that was played on the floor earlier this afternoon concerning this. I also understand that we have increased the House-passed version, perhaps, because of the additional legislation since that time, by $37,616,600, which is said to be for good and sufficient purpose. I would trust the Lord above and I would trust the Speaker and I would trust the members of this committee, but the fact remains that the Members of the House individually elected have a right to see this report and to see the areas in disagreement and in technical disagreement, before by unanimous consent they cast this vote and allow this to happen. The odium for not passing it is not on this body but on those who are holding up the continuing resolution for appropriations.

Now, Mr. Speaker, I am delighted to yield to the distinguished chairman of the Committee on Rules.

Mr. COLMER. I thank my friend for yielding to me.

I just want to suggest to him the proposition that the gentleman does not insist on his point of order or, rather, his disagreement or objection to the unanimous-consent request, because as a practical matter—and, of course, the gentleman has been around here for a long time—the Committee on Rules will be convened and the votes are there to bring out a rule.

Personally, Mr. Speaker, I am anxious to get out of this House and get this Congress adjourned. This, I say to my friends, will contribute to that end.

Now, Mr. Speaker, I have great respect for the gentleman from Missouri, as the gentleman well knows. It is my opinion that the gentleman serves a wonderful purpose in this House of Representatives. However, as a practical matter, I just feel that there really will not be much gained by this maneuver, if anything is gained.

Mr. HALL. Mr. Speaker, those articulate and charming words stated by the distinguished gentleman from Mississippi, the gentleman from the South, again rend my heart. I, again, submit that there are certain provisions of this bill which should be considered by the House. For instance, we might insist upon a position opposed to the "busing" amendment as contained in this bill, as well as other things, in which the gentleman from Mississippi has particular interest and which are in technical disagreement.

And, Mr. Speaker, let us truly let the House of Representatives work its will under the rules of the House, subject to any points of order which may be raised on the part of the House of Representatives, other than the expedition of the consideration of this conference report by the various Members of this body who have not even seen the report. Expediting the business of the Congress is one thing in an emergency, to be sure; doing it blindly is another.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Minnesota.

Mr. NELSEN. Mr. Speaker, I wish to join with the gentleman from Kentucky, the chairman of the subcommittee [Mr. Natcher], in bringing in what I consider to be a very fair report on the District of Columbia legislation.

Mr. Speaker, the members of the committee will recall that when the Committee on Appropriations was considering the problems of the District of Columbia, legislation authorizing adequate funds for the District of Columbia had not passed. Present authorization would not adequately meet the needs of the District.

Mr. Speaker, the distinguished gentleman from South Carolina [Mr. McMillan] and I met with Mr. Hansen of the School Board, and were in full agreement that adequate funds were not available.

Mr. Speaker, the Congress in the last session passed a "liberal arts college bill." We passed the "technical school bill," also. These items will require $4 million to $5 million. Therefore, I know the distinguished gentleman from Kentucky [Mr. Natcher] has examined this thoroughly as I know he has, I am willing to accept his good judgment to the effect that this represents a fair appropriation with which to meet the needs of the District of Columbia.

Mr. Speaker, I just want to make that observation, because in my judgment it is fully justified.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. HALL. Mr. Speaker, I appreciate the gentleman's contribution, but I object.

The SPEAKER. Objection is heard.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1967

Mr. PERKINS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (S. 2388) to provide an improved Economic Opportunity Act, to authorize funds for the continued operation of economic opportunity programs, to authorize an Emergency Employment Act, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Kentucky.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill S. 2388, with Mr. Rooney of New York in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the gentleman from Kentucky [Mr. Perkins] had 16 minutes remaining and the gentleman from Ohio [Mr. Ayres] had 4 minutes remaining.

The Chair now recognizes the gentleman from Kentucky [Mr. Perkins].

Mr. PERKINS. Mr. Chairman, I yield 14 minutes to the distinguished minority leader, the gentleman from Oklahoma [Mr. Albert].

Mr. ALBERT. Mr. Chairman, first of all, may I take just a moment to state that I wish to compliment the distinguished chairman of this committee, the gentleman from Kentucky [Mr. Per- the gentleman has put into this bill, on the patience he has shown, on his un- kins], on the conscientious effort which tiring efforts to bring this matter before the House of Representatives in a form that would be acceptable to the House. Mr. Chairman, I also commend all the members of the committee for the long weeks of work and effort which they have put into this measure.

I commend all the members of the committee and others who have joined in the debate on this bill and who are responsible for its high quality.

Mr. Chairman, about 3 years ago the Congress began vigorous and determined action to improve the lot of the poor. We believed then—and I think we believe now—that this Nation is big enough and strong enough and rich enough to give some 30 million of our fellow citizens an opportunity to share in our unprecedented prosperity. I believe they should have the right to share as independent, contributing, weight-lifting equals, and not as perpetual recipients of handouts and relief.

Now, what is the situation today? We have heard criticisms of this program. Some of these criticisms undoubtedly are just. It is human to err, but the gentlewoman from Oregon gave my answer to this argument early in the debate when she said that we did not stop the Apollo program after a mistake that cost the lives of three of our most heroic and valuable citizens.

Mistakes have been made by military commanders in the field that have cost thousands of lives, but no one has suggested that, as a consequence, we should abolish the Army, the Navy, the Air Force, or the Marine Corps.

This program should not be judged by its mistakes alone. This program should be judged mainly, in my opinion, by the overall, immeasurable contributions it has made, and will make, in bringing new opportunities to the impoverished citizens of our land.

In my judgment, the benefits of this program outnumber the mistakes a thousandfold. Hundreds of thousands of Americans have had a new start in life because of this program; 109,000 young men and women have been funneled into the Job Corps in an effort to upgrade their skills, and many of them have moved into the labor market; 7,600 have been upgraded to the point where they have been able to pass the induction tests of our military services. Tens of thousands of little children 3 to 5 years of age have benefited, both figuratively and literally, from the Headstart program. Over 1.3 million poor boys and girls have been given jobs to help them stay in school, or to return to school.

In the Upward Bound program 27,000 young people are now on their way to a college education.

Yet, Mr. Chairman, there are many people who are opposed to this program. There are some who are opposed to the very concept of this program.

But, Mr. Chairman, millions of Americans in every walk of life favor this program. Scores of mayors from cities in practically every section of this country favor this program. Great religious organizations support this program because they believe that it activates the golden rule, and the doctrine of the brotherhood of man.

Above all, Mr. Chairman, I am convinced beyond the shadow of a doubt that this program has the overwhelming support of the inarticulate masses of this country.

A few months ago I received a number of letters criticizing this program. During the Labor Day recess I went into one of the poorest counties in my congressional district, and I saw young people at work in the National Youth Corps.

I saw them in schools and in offices. They were from some of the poorest families in my district—but they were proud. They were neatly dressed. They were grateful that their country had given them a new opportunity. Had it not been for the help they received under the National Youth Corps, they would not have been, as they told me, neatly or decently dressed, and they would have been ashamed to go to school. People who do not know what abject poverty means to a child cannot begin to comprehend its effect upon that child.

I told some of these youngsters that all the mail I had received up to that time had been against this program. They were amazed. They thought it was one of the finest programs our Government had ever inaugurated.

Word got out that I had made that statement—and the mail started pouring in. When I returned to Washington I received letters favorable to the program. These letters were not manufactured letters—written on mimeograph machines or typewriters—they were letters written with a pencil on ruled paper, by people who know what this program has done for them. They were letters written in the language of people who have benefited from this program and who appreciate its opportunities.

Mr. Chairman, we are in a fight on behalf of the poorest people in our land. This, in reality, is the age-old battle that America has fought over and over again—the fight to improve the lot of the downtrodden and the oppressed. It is the age-old struggle between need and greed.

What is our choice? What is America's choice? I think we have answered that question repeatedly in the glorious history of this great Republic.

We answered it in the Declaration of Independence and in the Constitution of the United States.

We answered it when slavery was abolished.

We answered it when we eliminated child labor.

We answered it when we enacted the social security laws and the wage-and-hour laws.

We are answering it in our fight against disease and discrimination.

We are called upon today to answer it again in a war against poverty.

Some people may say that we cannot afford this program. I say we cannot afford not to continue this program.

Let us not put the dollar sign on the conscience of America.

Many people are involved here, but the biggest issue involved, is a child—an American child—a hungry, helpless, hopeless American child.

This is the issue. This is our choice. Will we choose the dollar—or will we choose the child?

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from Oklahoma yields back 4 minutes.

Mr. AYRES. Mr. Chairman, may I inquire as to the time remaining on both sides?

The CHAIRMAN. The gentleman from Kentucky [Mr. PERKINS] has 6 minutes remaining and the gentleman from Ohio [Mr. AYRES] has 4 minutes remaining.

Mr. AYRES. Mr. Chairman, since we have only one speaker on this side, I defer to the gentleman from Kentucky [Mr. PERKINS], if he wishes to yield time on his side now.

Mr. PERKINS. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. FARBSTEIN].

Mr. FARBSTEIN. Mr. Chairman, we have before us today what I believe to be perhaps the most important piece of legislation of the session. I use those words carefully, without seeking to exaggerate or to shock. I say it because they involve a commitment. We hear a great deal about commitment these days. The committee has recommended that we expend some $2 billion in the coming year for the war on poverty. Did we not make a commitment to our own people? Did we as a nation not tell our fellow Americans that we would not rest until we abolished poverty? Did we not tell Americans that they could replace despair with hope, because we were determined to end poverty in our midst? We, in this Congress, take commitments to our fellow Americans very seriously, Mr. Chairman. So how dare we treat this legislation to which our credibility and our honor are attached in cavalier fashion? We have a duty to redeem our pledge to the Nation's poor. That pledge is in this bill. That is why I consider its passage so vital.

I have seen in my own district, Mr. Chairman, among my own constituents, what the war on poverty can do. It has taken young people who might be pressed into lives of crime and given them a chance to make themselves into decent citizens. It has taken illiterates and enabled them to read. It has given responsibility to those who have never before made decisions, and it has demonstrated that the poor can plan for themselves. It has prepared the chronically unemployed for jobs and made them productive members of our society. I do not claim that this vast program has been without fault. But, I do claim that, given its brief period of trial, it has been a great success. I grieve at the possibility that it may be reduced to an empty shell.

Mr. Chairman, I do not agree with every provision of this bill. I object very strenuously to the provision which requires that antipoverty boards, both at the community and the neighborhood levels, be composed of one-third city officials, at least one-third representatives of the poor, and the remainder prominent citizens. I regard that formula as unduly rigid. More important, there are communities throughout the country that have established satisfactory antipoverty machinery, using the looser formula of the 1966 Economic Opportunity Act. New York, for instance, has an elected antipoverty structure that functions well. Are we in this body going to demand that New York—and dozens of other communities throughout the country—dismantle their antipoverty machinery and rebuild it on the basis of an arbitrary formula we devise here? The Members of this body who decry Federal regimentation have never, I am sure, encountered a more egregious proposal for Federal control. But, Mr. Chairman, it is possible that some communities will like the new formula.

I object, Mr. Chairman, to the provision of this bill which requires the localities to double their contributions to the antipoverty program and which requires at the same time, that they pay this added exaction in cash, not in services or kind. This provision will burden only poor communities. Is it not senseless for an antipoverty program to put added burdens on poor communities, while rich communities will scarcely feel the change? By definition, the communities with the most extensive antipoverty programs are poor. The Economic Opportunity Act was designed to help them. Now, in this amendment, we are taxing them cruelly. I cannot support this provision of the bill before us.

Finally, Mr. Chairman, let me say that I am aware of the plans of the minority, in league with some Members on this side of the aisle, to cut the authorization for this measure in drastic fashion. We are told the Nation cannot afford some $2 billion for the war on poverty. Mr. Chairman, I say cut out the tax loopholes, eliminate the supersonic transport subsidy, cut down the space budget. These are the dispensible programs. But leave the war on poverty alone. Do not make the poor pay the price for our current financial crisis. It is unjust. We Americans are seeking to give peoples all over the world an example of a just society. We are trying to show that a democracy can conduct its affairs with compassion. We are saying that a nation must conduct its affairs with compassion if it is to survive. Mr. Chairman, the challenge is before us. I entreat my colleagues to press on with the war on poverty. There is nothing, I believe, more important to our country.

Unless we pass the committee bill calling for an authorization of $2,060,000,000, we will rekindle the frustrations existing among our underprivileged, now perhaps somewhat dormant in some areas because of our efforts to aid these poverty stricken.

For the Congress to refuse to commit resources equal to the task before us is to postpone to a time perhaps too late those issues which we must face now.

Even if an appropriation is approved, unless Congress votes for at least the $2.06 billion appropriation approved by the House committee rather than the $1.2 billion many House Members appear to favor, New York City will be faced with a drastic cutback of up to 30 or 40 percent.

This would gut our program. Community action programs now operating at a level of $17.5 million could be cut by as much as $6 or $7 million, affecting many thousands of people involved in neighborhood service center programs, remedial and tutorial education, training and employment programs, and a host of others.

Let us hope that we will not deny the prayers of those throughout the Nation who have come to us for assistance by passing this legislation.

Mr. PERKINS. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, 3 years ago President Johnson summoned America to an "unconditional war on poverty." He said, "It will not be a short or easy struggle." But he expressed the determination to rescue from the outskirts of hope those Americans, some 35 million Americans—of whatever race or color—who live in poverty in the midst of plenty.

Today, after kindling hope, arousing aspirations, providing dignity, and, yes, involving the invisible poor in shaping their own destiny, there are those who would dash hope, sink aspirations, deny dignity, and lock the poor out of the decisionmaking process.

This attitude has been reflected in actions on the floor of the House in recent weeks—in the amendment to the Juvenile Delinquency Prevention and Control Act, in the deliberate exclusion of employees of the Office of Economic Opportunity from the pay increase bill, in the astounding refusal to pass a continuing resolution which has brought the antipoverty program to the verge of starvation.

What has happened to America? Are our priorities so out of order that $73 billion for the military, $4.5 billion for space are almost routinely approved, and yet $2 billion for human renewal, for rescuing people from the despair of deprivation produces a reaction in tune with a bygone century—not in harmony with modern America?

How long, Mr. Chairman, will ignorance, poverty, and disease be permitted to persist?

How long will the unmet needs of our cities be ignored?

Overcoming poverty in America is an enormous task, because, as was so widely remarked 3 years ago, the poor in the United States are a minority. Politically as well as economically, they tend to be "invisible." For these reasons, the declaration of the war on poverty was an achievement—one which stands to President Johnson's everlasting credit.

Adopting a program to redeem the American ideal of equal opportunity took political courage. There was no powerful interest group waiting to become the beneficiary of the new program, only the unheard, the unrepresented and the conscience of America. The Office of Economic Opportunity is a political first. It has no politically powerful constituency backing up its programs. Not surprisingly, with the unique absence of a powerful lobby and the growing voice of the poor disturbing traditional comfortable patterns of local politics, the poverty program has come under increasing attack.

A growing chorus of voices calls for its dismantling. First, because it has not been effective enough. It is hardly astounding that the meager expenditure of $3.8 billion over 3 years has not wiped out the effects of generations of poverty—nor can it. Second, the poverty program has been criticized because it has been too effective. It has, for the first time, given the poor a small voice. Poverty action groups have taken their place along side of labor, business, and religious groups as voices in the community. This is essential to dispel the apathy and hopelessness that accompanies grinding poverty, and to provide the political basis for overcoming poverty.

The status quo is unnerved—not because OEO has failed to eliminate poverty overnight, but because it has stimulated a new consciousness—as well it had to do. The voices of complacency which so consistently opposed any poverty program from the very outset, which so willingly supported weakening amendments and recommittal motions, would now substitute their own opportunity crusade, the heart of which would eliminate OEO as a focal point for the concerns of the poor. These same voices, which are so outraged at the urban unrest in America, would frustrate the hopes which have been raised, and thereby make themselves the surest accomplices in further unrest. What could be more cynical than complaining when a program does not work wonders, and screaming in pain when it does?

Mr. Chairman, when Congress decided 3 years ago to open opportunity which has been denied for generations to groups of Americans, we raised hopes, and we made a commitment to follow through, and we must keep faith with that commitment.

A program with the ambitious goal of eradicating poverty must inevitably cause some disruption. Persons who have lived their lives in degrading and frustrating poverty are not going to be smoothly amalgamated into the middle class overnight. Can we possibly ease these conditions, can we possibly expect less disruption if we turn our backs on the promise that was made 3 years ago?

The first stage of a revolution involves the awareness that one's condition is not inevitably ordained, but is capable of change. We encouraged this revolution 3 years ago when we pledged to eradicate poverty in the United States. Perhaps we now find that this task is harder than we anticipated, but the revolution is here. We have a choice: we can welcome it and continue our efforts to bring the American dream to all Americans, or we can witness the nightmare, as it tears America apart.

The accomplishments of the poverty program have not been inconsequential. Thirty-five million Americans are poor. Nearly 12 million have in one way or another benefited from OEO programs. Twelve months ago that figure was 8 million.

As the committee report states, Job Corps enrollees are making an outstanding contribution in the work they perform. Their educational levels increase while they are members of the Corps more than twice as fast as comparable youths who are in school. After they leave the Corps, their average wage is one third higher than when they entered.

Of course, there have been incidents and individual cases of failure. Given the background of the Corpsmen, there would be something wrong if there were not. The Job Corps should not be compared to a summer camp. Critics should consider where these youths would be, what problems they would be creating for themselves and society if they were back on the streets.

The educational programs of OEO have made a major contribution, which must be continued and expanded; 2,014,412 children have benefited from Headstart. "Followthrough" must be expanded so that children who are aided in their earliest years are not lost. Upward Bound, which has assisted students from poverty backgrounds in going to college, should be enlarged.

The other "special emphasis" programs, which S. 2388 more closely ties to the community action programs, have also had noted success.

In my district the comprehensive health services program should make a significant contribution to the welfare of the community.

The legal services program helps bridge the gap between constitutional rights and social realities. Poor people are frequently unable to secure the little which is rightfully theirs because they cannot afford legal assistance. The celebrated and criticized "California rural legal assistance" program, which has managed to step on a lot of privileged toes in the process of defending the rights of migrant farm workers, is another example of how the poverty program is damned if it does and damned if it does not.

The achievements of VISTA in bringing the talents of Americans from all social backgrounds to bear in the fight against poverty are also noteworthy.

The Neighborhood Youth Corps has provided in-school and out-of-school job opportunities—1,318,829 poor youths have benefited. The existing limitation on funds means that many students who had summer jobs through the Neighborhood Youth Corps are unable to get needed part time jobs during the school year. Some of the pay scales for part time jobs are below minimum wage.

While there have been criticisms of performance in specific instances, these programs have generally been acclaimed. Clearly, help for children from deprived backgrounds must not end with Headstart or Headstart will be a failure. The Job Corps must not be a 2-year interval for youths who return to their slums with low level skills to find opportunities closed to them, or the Job Corps will be a failure. But these programs have made a beginning, and we owe it to the American promise of opportunity limited only by a man's capacity that they be continued and expanded.

The community action program is another story. The idea of providing a mechanism to involve directly poor people in the solution of their problems through community action was a revolutionary one—perhaps more revolutionary than its sponsors realized. Contemporary poverty is based on hopelessness and powerlessness. The bureaucracy, be it in Washington or city hall, is distant and immovable. Community action helps overcome this. Community action is the heart of the war on poverty. Embodied in over one thousand urban and rural antipoverty agencies, reaching 10 million persons, it has become the catalyst of community renewal.

The guiding spirit of the community action program is faith in the idea of community—that people can work together to serve common problems.

There are currently 1,050 community action agencies. Over 80 percent of these are private, nonprofit groups. These agencies are organized in a variety of ways to meet a variety of local problems. As the committee report states:

> The 1,000-plus organizations have created an awareness and a concern for the 30 million Americans who live in poverty, and a commitment to do something about their plight. They are helping to create opportunities for millions of the disadvantaged who are leaving the ranks of taxconsumers to become taxpayers.

In requiring that community action agencies either be State or local governmental bodies or a public or private nonprofit agency designated by them, the report states that:

> An unwholesome situation has arisen in many communities where responsible public officials have not actively participated in the decision-making process with regard to community action programs in their communities.

I would ask, unwholesome to whom? This is a polite way of saying that these community action groups have not been beholden to city hall, and this is as it should be. To give control of these efforts to city and State governments, many of which have never had the interests of the poor at heart, would make a travesty of the program. In any situation of conflict, the city government would be expected to favor those interests to which it has been traditionally responsive, and the poor would be left out in the cold, as usual. The uniqueness of community action is the concept of "maximum feasible participation" of the poor through independent agencies which are not controlled by powerful local interests—either the established political group or the established social welfare agencies.

In most cases, these programs represent the first direct involvement of the poor in responsible projects to improve the lot of their community. Certainly, much more than community action programs will be required to alleviate many of the conditions—inadequate housing, poor health, unemployment, and lack of education. Nevertheless, there is a growing faith among poor people that the community action programs represent one of the most important vehicles through which they can take action and be heard.

It is precisely the failure of city governments that necessitated the community action programs in the first place The importance of the community action programs is that they have given poor people, for the first time, the capacity to "fight city hall" where necessary, and to pursue their own programs of community renewal.

Mr. Chairman, since the inception of the antipoverty program there has been a basic difference in philosophy between those who believe that it should be simply another social welfare program under local governmental control and those who believe that it should be an innovative, fresh approach to the problem of poverty which neither local government nor established welfare agencies have been able to solve.

This difference in philosophy was reflected in the effort to provide in the legislation that representatives of the poor selected by the poor serve on community action boards in order to involve the poor in a meaningful way in the decisionmaking process and in the administration of local community action programs.

In 1965 I offered an amendment which was intended to accomplish this purpose. It was then opposed by the committee. A year later an amendment offered by the gentleman from Minnesota [Mr. QUIE] was accepted, and we wrote into the law a requirement that at least one-third of a community action board be representative of the poor selected by the residents in areas of concentration of poverty.

What I said on July 21, 1965, in offering my amendment is still appropriate:

> I believe very strongly that there should be a real involvement of people in the area affected, that what we are concerned with as much as poverty, in terms of economic poverty, is also the poverty of power. People in the ghetto communities are powerless. One way to overcome this poverty of power is to provide a process whereby representatives of the community are elected to local Community Action boards.

This difference in philosophy is reflected in the debate over the so-called Green amendment, sections 210 and 211 of the bill before us. Since the inception of the antipoverty program, I have been concerned that city hall domination would stifle the program. Therefore, I urged the Office of Economic Opportunity, as early as April 1965, when the effect of city hall domination was apparent in New York City, to provide a substantial amount of direct Federal funding to local community action programs in order to achieve diversity as well as a balance between the city and private nonprofit agencies.

In 1966 we wrote into the bill a new section to make 20 percent of the funds available to carry out community action programs independently of an overall umbrella agency. I believe that is sound policy. The Green amendment makes independent funding almost impossible by creating another local government veto.

The Green amendment also—sections 210 and 211—places effective control in the local government by the composition of the boards.

One-third are to be public officials who either are automatically members or are in some way designated by the chief elected official.

One-third are to be members of business, industry, labor, religious, welfare, education or other groups. The bill is deliberately silent on how they are to be selected, but it is reasonable to assume that either the chief elected official or the one-third public officials will strongly influence their selection.

The remaining one-third are to be "persons chosen in accordance with democratic selection procedures adequate to assure that they are representative of the poor in the area served."

It is certainly not clear how they will be selected. However, since the committee has abandoned the requirement of the present law—section 202(c)(3)—that "the representatives of the poor shall be selected by the residents in areas of concentration of poverty with special emphasis in participation by the residents of the area who are poor," it is safe to assume that it will not be necessary for them to be elected by the poor.

This all adds up to stacking the community action board or community governing board against the very people who should in the language of the present law "have maximum feasible participation" in the planning and administration of local community action programs. Moreover, this requirement for board composition applies not only to an overall umbrella agency but to delegate or subsidiary neighborhood agencies. See section 211(c).

Then there is the question of the extent of the powers of the community action board through which a State or local governmental community action agency administers its program.

The committee report on page 47 states that the bill "does not specify the powers to be delegated to 'community action boards' when the State or political subdivision itself has been designated as the community action agency." On the other hand, section 211(e) specifies administrative and fiscal powers for community action governing boards of designated public or private nonprofit community action agencies.

If the involvement of the poor in helping themselves is to be a meaningful concept, then the poor should not be denied an effective voice in the decisionmaking process. I hope that the House will agree to the amendment which will be offered by our colleague, the gentleman from California [Mr. HAWKINS] to retain the language of the present law.

Many of the committee's amendments are useful and necessary. I refer to the addition of day care programs and new ways to involve the elderly. A tightening of auditing procedures is also useful.

I regret, however, that the committee has altered the unique character of the community action program.

I also regret the addition of the requirement that 50 percent of the local contribution be in cash. The committee give no justification of this action; it will only hurt the very areas that need assistance most.

Expenditures for the war on poverty are well below those projected when the program began. The committee has recommended the minimum necessary for the continuation of these efforts. Every dollar cut from the poverty budget means the denial of jobs for needy youth, loss of legal and medical services to poor families, denial of education to deprived children and, concommitantly, new frustrations to those whose hopes have been raised.

This is not the time to turn our backs on the needs of the poor. The very existance of OEO as a distinct agency is a symbol of our concern. It must be retained. The availability of funds for independent community action programs is a means to turn the apathy and hopelessness of poverty into self-help for the community. Independent community action programs need to be continued.

The whole range of antipoverty efforts are now running on borrowed time and borrowed funds. We owe it to not only the Nation's poor, but to the Nation's promise that the poverty program be continued with maximum funding and a sense of urgency.

President Kennedy was fond of quoting lines by Robert Frost, "For I have promises to keep and miles to go before I sleep." We also have promises to keep.

Mr. AYRES. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. Mr. Chairman, we are about to begin the process of amending the bill. I must take one moment to answer the remarks of the majority leader, with most of which I have no dispute, and most of which the Members on both sides of the aisle would not dispute.

The question before us is not a question of dollar signs or money. The question is how we can enact an effective, realistic program that will truly help the less fortunate in our society.

We intend on this side—and we hope we will have bipartisan support—to offer throughout the reading of this bill constructive amendments that will begin to make the Job Corps effective, which will put the Job Corps under the administration of the experienced people in the Office of Vocational Education, which will not destroy the Job Corps itself, which will keep all of the Job Corps centers in operation which, in the opinion of the Director of Vocational Education, are necessary and useful and are working. The Director will have full authority to keep them all open if he so desires.

But we will begin to move in a phaseover to put the Job Corps centers into integrated facilities, community facilities with existing technical institutions and vocational education, so we will not drop the Job Corps youngsters at the end of their time in a Job Corps center, as now occurs.

We will offer amendments to place Headstart in the Office of Education, administered in Washington, but the money will not go into the public school systems as such. It will go through a State commission, broadly representative, and be allocated to local community action boards, who, in turn, can contract with private or public schools or handle Headstart themselves.

We would place the early years program in combination with Headstart. Why transfer Headstart? Because we already have an existing program in the Office of Education that overlaps and, in some instances, conflicts with the Headstart program, the preschool and early school years program of the ESE Act.

We will offer an amendment that puts proper controls in community action, which brings the States in as partners, but which also brings local government in partnership without making community action boards subservient to these governments. It would preserve the true concept of involvement of the poor with proper balance of community action boards, and an independent community action board.

We would institute a variety of programs to get private enterprise involved in providing jobs for these poor and in helping to train them.

The Industry Youth Corps would help by subsidizing wages for up to a year and provide training while these people, 16 to 22 years of age, are employed in private employment, with most of the wages paid by private employers. We would encourage private enterprise jobs, bringing States and local governments into a balanced partnership in an opportunity crusade.

Our total figure of expenditure by Federal Government would be $1.4 billion, but that $1.4 billion would, by involving all elements of our society, generate over $3 billion going to the poor. This is the kind of program we need to help the poor. The majority leader talked about our long experience in helping the poor. It is time we did something truly effective to help the poor.

Mr. PERKINS. Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri [Mr. RANDALL].

Mr. RANDALL. Mr. Chairman, I thank the distinguished chairman of the Education and Labor Committee for yielding to me. I shall be very brief. It is my opinion that there are many Members who do not have their mind made up irrevocably over what they intend to do, either in support of or in opposition to S. 2388. In my judgment, the decision of many Members will not be made until all of the amendments have been considered and acted upon, and when the bill has been finally read in its entirety for amendment and the House has worked its will, then, and only then, will the decision be made for many. I can assure you and my colleagues that such is my position at this time.

Three years ago, in 1964, when the program was first proposed, I supported the first authorization and appropriations. In the months and years that have followed there has been such a deluge of complaints that unless I remained deaf and oblivious to these hundreds of serious complaints from my constituents—which I am glad to report concerned conditions mostly outside of our congressional district—I had no recourse either in 1965 or in 1966 but to oppose the program.

As I have repeatedly stated to my correspondents and my constituents, this year I am trying to keep an open mind. I am not going to prejudge this measure until I can see its final form after all amendments have been introduced and acted upon.

It has been asked whether I happen to be opposed to the concept of the war on poverty. Certainly no one can oppose the principle of the elimination of poverty. On the other hand, one certainly has a right to be critical if there has been poor administration of the program and if costs of particular projects have been far out of proportion to the results produced. I am sure there are few Members who oppose the program in its entirety. While it has been expensive, Headstart has been a novel approach in education that has been of great assistance to our 3-, 4-, and 5-year-old children who might otherwise have been without this opportunity. On the other side of the coin there have been quite a few less praiseworthy projects, particularly at some Job Corps installations. Also questions have been raised about the activities of many community action programs.

As I mentioned earlier, complaints against the operation of the program have been numerous and frequent over the last 3 years from our constituents who write to our office. As I also mentioned earlier, I am glad to be able to report most of these complaints concern projects not in our congressional district.

As I discussed this bill the other day with a fellow Member, he asked me how could it be possible that complaints against the operation of the program can continue to be received uninterrupted month after month and week after week for 3 years and then all at once, everything seems to be all right, and it is a good program without any faults or failures. To a somewhat lesser extent than was my friend's question, is the situation in our office. There was a long dry spell in which there seemed to be little or no mail in support or praise of the program and now when debate is underway, there is a deluge of correspondence as well as a big batch of telegrams and a considerable number of long-distance telephone calls that assure me all has been well all along.

Mr. Chairman, I have not had any reason to inquire into the interest of those who have been writing lately, but in some instances I know that they are either employees of the program or are recipients, directly or indirectly. Of course, there is nothing wrong with these people expressing their viewpoint. I am glad to have it, but it would be more persuasive if some of those who had written in complaint in the months gone by would write and say that they had changed their viewpoint and believe the program should continue.

Before I neglect to make the point, once again, as in former years, I wish to compliment and praise the work of the regional office of Economic Opportunity in Kansas City, Mo., and in particular its fine director, Don Thomason, as well as the excellent staff. This office covers a wide area of several States and from my own personal knowledge I know that it is not topheavy in numbers of personnel. There are not a lot of unneeded employees in this regional headquarters. His is a big job over a wide area to answer the countless complaints of the misdoings of all of the thousands of individual projects within this wide area. So far as I can determine, he and his staff have done a heroic job to try to improve or better the program. I mention this only to point out that all is not bad about the poverty program. There are those in the program who are working sincerely to improve its overall operation.

Mr. Chairman, before I can make up my mind to support this bill there must be some better assurance that rural areas will get a more equitable share of community action programs. I think it should be made clear there have been very few complaints against the operation of the poverty program in the rural areas of our district. Those complaining against it are in the cities or our populated areas.

At the appropriate time I intend to seek recognition to offer an amendment which will assure the rural areas of the equitable treatment that the law is now supposed to provide for them. I am not a member of the Education and Labor Committee and it may well be some member of the committee may be entitled under the rules to earlier recognition and in effect preempt my proposed amendment or render it unnecessary and surplusage. If some member on the committee beats me to this improvement then I shall be happy as long as the purpose or objective has been accomplished.

It is my considered opinion that rural America has been short changed in the poverty program and frankly unless there are stronger directives, rural areas will continue to have to be satisfied with less than 25 percent of the program.

The intention was clear in 1965, but apparently there is quite considerable question whether Congress' intent has been followed by the Office of Economic Opportunity and it would seem therefore there must be some enforced equitable distribution between urban and rural areas.

My amendment will simply provide that when the proper ratio of assistance is determined on the basis of need in the rural areas to lag behind by 10 percent or more of the equitable distribution provided in the present law, then the Director of the Office of Economic Opportunity shall have the discretion to reduce the matching or non-Federal assistance in order to encourage the continued and increased participation in rural programs.

Before I conclude my remarks, I must point out the combined effect of the Green amendment which would require representation in the management of certain programs by the political subdivisions of local government, and also the Gibbons amendment which would require a 20-percent contribution, with half of it in cash, will have the effect of putting out of business a number of community action agencies in the rural areas which I represent. It may be possible for an urban area to make a contribution, part of it in cash, but it is quite another story for four or five counties in the rural areas as well as a number of smaller towns to negotiate an agreement to commingle their tax moneys into a nonprofit community action program, particularly if some of these counties have a problem to raise cash because they themselves are at the limit of their taxable levy. While the pooling of this money is difficult, the politics is even more difficult. Why is it we cannot go ahead with an "in-kind" contribution such as to contribute the use of public buildings, public equipment and public personnel and services? If this kind of contribution can continue, then a real joint effort can be continued in the rural areas. If not, I submit that many of the rural programs will be killed because of the cash contribution provision.

When the appropriate time comes I hope to be able to make some comments about the importance of arresting the present trend of movement of our population from the rural areas to the cities. The problems of our cities can never be solved by making them more congested. If we are able to prevent further movement of rural migrants to urban areas by an equitable distribution of the funds under this program, then we will have accomplished quite a lot by providing the options for rural citizens to remain in rural America.

Mr. BUCHANAN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BUCHANAN. Mr. Chairman, recently I received from their Southeast Regional office one of OEO's many public relations documents entitled, "Myths and Facts About OEO." Appropriately enough the article began by stating:

> Myths tend to grow around any great undertaking like parasitic vines on a tree. It may be useful to strip off a few parasitic myths to see what the Office of Economic Opportunity is really doing.

To be sure, I would welcome a complete demytholization of the OEO to enable us to see what the Office of Economic Opportunity is really doing. With the recurring reports pouring in from all parts of this country, there can be little about that parasitic vines have wrapped themselves around the antipoverty program. Charges linking OEO personnel with riots, partisan politics, subversive activity, "hate schools," school boycotts have been of grave concern to many of us.

In the wake of this past summer's riots, police and municipal officials have complained in city after city that poverty war money and personnel have been used to produce a climate of hatred leading to the most serious race riots in this Nation's history.

The mayor and three other officials of Newark, N.J., testified that antipoverty workers made significant contributions to the riots, that a left wing group known as Students for a Democratic Society controls two of the city's eight war-on-poverty areas, and that another possible new left group, the Newark Community Union Project, also controls an antipoverty program and holds that the United States is a "warmongering, racist society."[1]

In an appearance before the Senate Judiciary Committee in August, Newark jailer Leonard F. Kowalewski, president of a policemen's fraternal order, charged that "antipoverty workers helped bring about the riots in the city."[2] In his statement Mr. Kowalewski cited Robert Curvin of CORE as one of the riot leaders and charged that he was also a director in the United Community Corporation, a Newark agency funded by OEO.

Another official in the United Community Corporation, Newark's antipoverty agency, one Willie Wright urged slum dwellers to arm themselves and keep their arms until rioting started again. Even though Wright was ordered suspended temporarily, the OEO in Washington said that, as a board member and an elected official, he could not be fired. A spokesman for Sargent Shriver said, "Mr. Shriver was . . . resigned to the fact that he was 'legally powerless' to force Mr. Wright's suspension because he was an elected official."[3]

The mayor of Jersey City said:

> We have a man—whom I could name to a Congressional Committee—who . . . invited to an Episcopalian church on the night of Monday, July 17, a man by the name of Rap Brown. And that night—the Newark riot was still going on—Brown told the congregation that they should . . . go out and burn Jersey City down. In the case I have cited, the man is on an antipoverty program payroll.[4]

According to Senator STROM THURMOND of South Carolina,[5] still another Newark official, Jesse Allen, a member of an area antipoverty liaison, traveled this past spring to Puerto Rico to participate in Communist-led agitation for Puerto Rican independence. It is reported that Allen's trip was financed by the Tricontinental Information Center of New York, a revolutionary propaganda center sponsored by U.S. Communists.

Last August I called for an investigation into the recurring reports of involvement of antipoverty workers paid with Federal funds in the civil disorders in our cities. I would still like to know how much Federal money granted through OEO is being used by pressure groups advocating civil disorders and anarchy in this country. It would appear that through OEO the American taxpayer may well have found a way to finance his own destruction.

It has become increasingly apparent that parasites like Rap Brown, Stokeley Carmichael, and Leroi Jones have exploited the ghetto residents of the country and the programs of the Great Society itself as a means to accomplish their revolutionary ends.

One of the most shocking incidents to hit the news in this Nation was the revelation that an OEO program in Nashville, Tenn., was sponsoring a liberation hate school in a local church. Nashville police Capt. John A. Sarace testified before the Senate Judiciary Committee that OEO funds had been issued to support this liberation school connected with the north Nashville summer project at St. Anselm's Episcopal Church at which, under the direction of SNCC, children were being taught to "hate whitey." The leader was identified as Fred Brooks, chairman of the Nashville unit of SNCC.

---

[1] "Subsidized Riots?" The Chicago *Tribune*, August 10, 1967.

[2] New York *Times*, August 8, 1967.

[3] New York *Times*, August 18, 1967, p. 19.

[4] Chicago *Tribune*, August 10, 1967.

[5] "Poverty In Perspective," Strom Thurmond Reports to the People, October 9, 1967.

According to the Washington Post,[6] Brooks was driving a 1967 white Ford station wagon leased by OEO. The charges were denied both by OEO here in Washington and the Rev. J. Paschall Davis, chairman of the Nashville Metropolitan Action Commission, in an appearance before Senate Judiciary. However, once arriving back in Nashville, Rev. Davis admitted in a telegram to Senator EASTLAND that his testimony was not exactly correct. He reported that even though the grant from OEO for $5,846 had been approved but not finalized his agency was committed to pay $20 per week to house four young women working at the liberation school, one of whom was a member of SNCC.

On August 11, the Liberation School was suspended by the Metropolitan Action Commission of Nashville and the Right Reverend John W. Vander Horst, Episcopal bishop of Tennessee, ordered the school ousted from St. Anslem's Chapel Episcopal Center and denounced the school as teaching a concept "quite contrary to our Christian heritage." [7]

Last spring a riot occurred on the campus of Texas Southern University in Houston in which one policeman was killed and two were wounded in a gun battle that broke out on the campus May 16. James B. Jones, former dean of the college, estimated that 125 of the university's 4,500 students supported the shooting in his testimony before the Senate Permanent Investigations Subcommittee.

Houston Mayor Louie Welsh testified that he complained last May to the Office of Economic Opportunity that local antipoverty workers were fomenting racial unrest.[8] The mayor said he received no answer until July 21, 2 months after the riot.

Or consider the southwest Alabama Farmer's Cooperative—SWAFCA—of Selma, Ala., which the OEO recently funded in the amount of a $400,000 demonstration grant after overriding the Governor's veto and turning a deaf ear to the pleas of the entire Alabama delegation, local officials, local and regional OEO agencies, and the report by OEO investigators that the project was economically unfeasible. Among the leaders of this unlikely enterprise were Shirley Mesher and John Zippert. According to those who have investigated [9] the personalities involved in the project, Shirley Mesher, the coordinator, first appeared on the Alabama scene in early 1965 to join the Selma-Montgomery civil rights march. She participated in that march as a "marshal" for the Southern Christian Leadership Conference and is a close associate of one Dian Bevel, who recently returned from an unauthorized trip to Hanoi, and is wife of Black Panther advocate James Bevel of Chicago.

John Zippert, former president of the student body at City College of New York, was a fieldworker for CORE. In 1965 Zippert was a member of the American Youth Festival Committee in New York and assisted in involving participants in the Ninth Communist World Youth Festival in Algiers. A writeup of Zippert and his activities with the Youth Festival group appeared in the Worker, April 11, 1965, page 4. Among his other "credentials" Zippert can claim participation in a "teach-in" at City College of New York on April 13, 1965, along with Herbert Aptheker. The purpose of the teach-in was to oppose American efforts in Vietnam.

As though this were not enough, our colleague, Mr. FINO, of New York, on September 27, charged that a man who was named by the Federal Government and the then Attorney General, ROBERT F. KENNEDY, in 1962 as a card-carrying Communist, is the head of a war on poverty agency in New York City. Mr. FINO quite understandably demanded that Robert Schrank be removed from his post as director of work experience programs under the Neighborhood Youth Corps. In a description of Schrank's record of subversion, he said:

> During the late 1940's, he was an official of the International Association of Machinists, but he was expelled from the union in 1948 for parroting the Communist line. The Machinists, like most American labor unions, have an excellent record of cleaning out subversives the moment they show themselves. I wish we could say the same for the antipoverty program, where coddling of leftwingers has been made into an ideology.
>
> In 1952, according to the files of the House Un-American Activities Committee, Mr. Schrank was the chairman of a conference held in New York City to repeal the Smith Act. He was then employed as an international representative of the Mine, Mill & Smelter Workers Union, which had been expelled by the AFL–CIO in 1950 as a Communist-dominated front. By this time, it was apparent that Mr. Schrank was a hardcore Communist sympathizer—and presumably a card-carrying Communist. He stayed with the International Mine, Mill & Smelter Workers until 1955, at which time House Un-American Activities Committee records lost track of him.
>
> Later in 1962, Mr. Schrank was listed among those former officials of the International Mine, Mill & Smelter Workers Union who were shown to have been members of the Communist Party. He was so cited by the Federal Subversive Activities Control Board in 1962. The case in question is *Kennedy* v. *International Mine, Mill & Smelter Workers*, May 4, 1962, Docket No. 116–56.
>
> In July 1966 Mr. Schrank was hired as director of work experience for the New York City Neighborhood Youth Corps. He has received several salary hikes, and is now a full-fledged over-paid poverty commissar to the tune of $20,500 a year.[10]

Mr. Chairman, evidence would indicate that OEO is also involved in financing activities in three other areas outside its legal jurisdiction. I refer to school boycotts, voter registration, and unionizing.

In Barron's National Business and Financial Weekly of May 8, 1967, it was reported that Mobilization for Youth employees aided community organizations which conducted the school boycott of 1964 in New York and made MFY facilities and equipment available to them. The Rev. Milton A. Galamison, a member of the New York City Poverty Board, was the leader of the boycott.

Another boycott leader, according to Barron's, was Preston Wilcox, Assistant Professor at the School of Social Work at Columbia University which is the recipient of $300,000 from OEO to train VISTA workers and an additional $93,000 to evaluate the effectiveness of the workers it has trained. Besides his association with Columbia University, Mr. Wilcox is on the antipoverty payroll as a paid consultant to OEO for the upward bound program and a consultant to the Community Association of East Harlem Triangle, Inc.—CAEHT—which receives Federal antipoverty funds.

Mr. Wilcox said to Barron's interviewer:

> I wish we had more Stokely Carmichaels.[11]

A quick glance at others involved in the New York boycotts turns up one antipoverty worker after another. Says one official who has been intimately concerned because of the involvement of antipoverty workers in the boycotts:

> I am sure that the boycotts never would have occurred without the war on poverty.[12]

Another interesting use of poverty funds is for federally financed union organizers. On May 30, the General Accounting Office reported that it had found "extensive evidence that Federal antipoverty funds were used in efforts to unionize farm workers in Florida last year." [13]

The GAO advised the OEO to recover the funds from Community Action Fund, Inc., and the American Friends Service Committee which administered two migrant projects financed by OEO. The GAO charged that Community Action Fund, Inc., officials met last June with AFL–CIO officials and discussed CAF's role in the efforts to organize farm workers. GAO further charged that the wife of the CAF president was an AFL–CIO employee under her maiden name. According to GAO employees of CAF and AFSC engaged in political and union activities and received Federal funds as reimbursement for travel expenses.

In a similar charge, Representative GUBSER, of California, on February 27 and March 22 pointed out the possibility that the California Self-Help Service Corps, financed by poverty funds, could be using their funds for the training of labor organizers.[14]

There is even evidence that OEO funds may be used to train pickets. Nation's Business reports that in Fresno, Calif., 50 pickets showed up at all four entrances of a Fresno store carrying signs proclaiming, "Black Power says, 'Strike, Baby, Strike,'" while their leaders, paid from Federal funds, egged them on with "Let's hear it! Sound off!" [15]

These pickets, it seems, were trying to get the department store to take some items off its shelves—listed on an AFL–CIO boycott list. Sixteen of the pickets had come up from a federally-supported training center in the Watts section of Los Angeles and joined hands with union members as a part of their official "war on poverty" training.

---

[6] The Washington *Post*, August 9, 1967, pp. A1, A4.

[7] New York *Times*, August 12, 1967, p. 20.

[8] The Washington *Post*, November 4, 1967, p. A4.

[9] Alabama Legislative Commission To Preserve the Peace, Montgomery.

[10] Paul A. Fino, Congressional Record, September 27, 1967, 27005.

[11] Shirley Scheiba, "Suffer Little Children," *Barron's National Business and Financial Weekly*, May 8, 1967.

[12] *Ibid.*

[13] The Washington *Post*, May 30, p. A5.

[14] *Congressional Record*, February 27, 1967; March 22, 1967.

[15] *Nation's Business*, March, 1967.

The California Center of Community Development—CCCD—which cosponsors the Watts Social Action Training Center—SATC—said that the Fresno picketing was part of the trainees' instruction in "nonviolent means to make economic gains," [16] Six SATC staffers are supplied by the CCCD which, in turn, is supported by $280,000 in war on poverty money and located in Del Ray, Calif.

In an interview with Rich Freeland, reporter for Fresno's KFRE radio and TV stations, CCCD director, Edward P. Dulton admitted:

> We work with people to get unionized if that is what they decide they need. Our first commitment is with people; a smaller commitment is with the funding agency.[17]

Other implications have been made that OEO is involved in partisan politics. Representative FLETCHER THOMPSON, of Georgia, charged on Tuesday, October 17, that Atlantans were forced to register to vote before they could participate in certain antipoverty activities. He further charged the Office of Economic Opportunity—Atlanta, which administers Federal antipoverty funds, admitted organizing voters on a block-by-block basis and the requiring of voter registration for all participants in the antipoverty programs.[18]

On June 8, Mr. GUBSER, of California, called the attention of the House to a voter registration drive among the poor by the Santa Clara County Economic Opportunity Commission.[19]

On June 14 and 22, Mr. GARDNER, of North Carolina, speaking on the floor of the House advised us of the political involvement of OEO through "Operation Breakthrough," a community action program in Durham, N.C.

In his remarks, the gentleman from North Carolina said:

> Operation Breakthrough employees, for a period of 3 months from December to March 28, 1967, 5 days per week during working hours, researched registration and voters lists for 10 precincts in Durham. In addition, their same employees contacted unregistered voters and persuaded them to register and used Operation Breakthrough automobiles to transport them to the polls to register. Then on election day Operation Breakthrough employees using their own cars, contacted and delivered voters to the polls and furnished them with sample ballots telling them how to vote.[20]

The foregoing evidence to the contrary not withstanding the OEO document referred to at the beginning of my remarks classifies as a myth the statement that "Poverty funds for Community Action are often used to cause troubles in the community" and classifies as a fact its own rebuttal as follows:

> The administration proposed 1967 legislation prohibits the use of funds for illegal "picketing, protest, or other direct action." OEO funds have never been used to train pickets or to conduct classes in how to strike . . . It is only those who take the unfair and unlawful advantage of the poor that need to be threatened by Community Action programs.[21]

It would seem, Mr. Chairman, that OEO may be having difficulty differentiating between myth and fact.

On Monday of this week I received a letter from a constituent, a former assistant to the director of a community action agency and a former assistant director of a VISTA project. She is a college graduate with majors in psychology and sociology. She wrote, in part:

> I resigned from the job with the local community agency because I was convinced that the bright, new, shiny words that had been used to describe the antipoverty program had become tarnished. The program had become a "hot bed" for political and civil rights activities. Helping the poor became secondary to other objectives and purposes . . . I believe the seeds of the 1966 riots were planted by ill-conceived concepts without the vision to see and plan for the results of frustrated people with too high expectations being led to believe the road up would be easy. . . And we wonder who is to blame. I admit my part and would like to see a change.

And in view of the conflicting, contrasting, and contradictory evidence, I should like to make this proposal: Will the real OEO please stand up?

Mr. TENZER. Mr. Chairman, I was privileged today to transmit to my colleagues a message from representatives of agencies and organizations with millions of members in all sections of the country. I want to read the message at this point so that it may become a part of the record of the debate on this important legislation:

A MESSAGE TO MEMBERS OF CONGRESS

As representatives of agencies and organizations with millions of members in all sections of the country, we call upon the House of Representatives to reject any efforts to cripple the anti-poverty program by cutting the authorization below $2.06 billion annually or by accepting disabling amendments or substitutions.

The debate now going on in the House of Representatives must not result in abandonment or emasculation of the anti-poverty program.

By enacting the Economic Opportunity Act, our government and the American people gave its citizen poor a solid basis for hope and opportunity. Today we stand at the crossroads of our moral commitment to eliminate poverty from our society. Our nation has the resources. We call upon Congress to keep faith with its past commitments.

Failure to move forward vigorously will bring disenchantment and despair to the poor and will lead to further agitation and social unrest.

With this appeal we pledge our continuing support to an aggressive national effort to achieve full opportunity and social justice for all our people.

The above statement was adopted by the following national agencies and organizations November 9, 1967 at a meeting in the Hotel America, Washington, D.C.

Interreligious Committee Against Poverty; League of Women Voters; United Church Women; National Council of Catholic Women; National Association for Community Development; American Federation of Labor-Congress of Industrial Organizations; Citizens' Crusade Against Poverty; Industrial Union Division–AFL–CIO.

Mr. Chairman, the message I have just read is the combined voice of the representatives of the three great religious faiths in America—the League of Women Voters—and the AFL–CIO. It is a united cry for justice on behalf of the poor and appeal for full opportunity and social justice for all people.

The Members of Congress should not be found wanting in answering this appeal to conscience. The cry for justice in behalf of the poor, the underprivileged, the undereducated, the socially deprived must not go unanswered.

Mr. HALPERN. Mr. Chairman, 3 years ago this Nation declared war on poverty. With that declaration came a commitment, a commitment which pledged the resources of this Nation to lift 35 million persons into the mainstream of American life. Three years ago, affluent America was called upon to take a searching look at the "other America," the one which did not share in its abundance. It is indeed our shame that in a country of such wealth we have children who today will still go hungry, who today will still sleep in substandard housing, and who perhaps still will not be able to attend school because they lack adequate clothing.

With the passage of the Economic Opportunity Act in 1964, we served notice to the other America. We sorrowfully, but trustfully, recognized the existence of poverty in our midst, and organized ourselves to attack the problem.

The American people mandated the Office of Economic Opportunity to provide the central thrust in this attack. It was to be, and rightfully is, the focus of all efforts on the Federal level aimed at hard core poverty. The Office of Economic Opportunity was not only to operate new programs for the poor, but it was also to survey the fabric of Federal Government and devise a plan which would encompass all Government programs, as well as private efforts.

Through the poverty program, the poor acquired a voice. No longer would they stand indicted as immoral, shiftless, or lazy. Over and over they have demonstrated their willingness, and their capacity to become full participants in this society, and not just its wards.

Three years ago, Mr. Chairman, we asked the Office of Economic Opportunity to innovate, and it did. It demonstrated to the whole country the benefits of its imaginative and successful programs: Headstart, Upward Bound, the Neighborhood Youth Corps, the Neighborhood Health Centers, and Legal Services. It can now claim almost unanimous support of school systems, and medical and bar associations.

Statistics and computers cannot measure the hope provided by a second chance. For the first time, a high school dropout does not have to be lost to society, but has the option of combining school with work experience. For the first time, a head of the family can recapture his sense of dignity as well as provide economic security for himself and his family. This is what job training programs are all about. For the first time, many Americans have access to a doctor in their neighborhoods, or they may have the chance to partake in our legal process and discover that justice does not apply to the rich alone.

---

[16] *Ibid.*

[17] *Ibid.*

[18] United Press International—188, October 17, 1967.

[19] *Congressional Record,* June 8, 1967.

[20] *Congressional Record,* June 22, 1967.

[21] Myths and Facts About OEO, p. 3.

In New York, through Headstart, the poverty program has narrowed the gap for 83,000 pre-school youngsters. It has made it possible for over 108,500 enrollees of the Neighborhood Youth Corps to either stay in school, and get that high school diploma, or to gain a job skill. It has encouraged small businesses with over 500 loans. It has made it possible for over 24,000 adults to participate in adult basic education courses. Over 600 rural families have been granted loans to improve their agricultural techniques.

This is the promise of the poverty program. It has given meaning to this Nation's assertion of equal opportunity for every citizen.

Today we are at a crossroads in this search for equal opportunity. There are many paths before us, each offering something of merit. There are, obviously, many differences of opinion as to which path will most effectively lead to the realization of the goals we set for ourselves in 1964.

The choosing is difficult, but not impossible. I can only urge my colleagues to choose with wisdom and discretion. A too hasty or emotional choice might do serious damage to some of the delicately balanced coalitions which have been erected in many areas, and in my own city of New York in particular. The Nation, from the crowded corners of the city ghettos to the general stores of the farming communities, must have confidence in what we do. We must continue to provide a viable framework for innovative measures while guarding constantly against signs of directionless change. We must continue to provide both the material and nonmaterial tools to the poor to enable them to stake out a meaningful share in this society while guarding against mere condescending charity. And when, as it has now, a crisis arises, we must continue to employ to the fullest the wisdom of this body in order to reconcile the differences which might appear in the search for the most meaningful path to these goals.

Yes, Mr. Chairman, we must continue to provide the framework for innovation. We must give the weightiest consideration to such imaginative proposals as day care centers which might enable mothers who are heads of households to break out of the welfare cycle by becoming self-supporting while giving their children the social and educational background which will permit them to achieve for themselves, as they grow, the personal integrity necessary for a meaningful involvement in this society's benefits.

We must also give the weightiest consideration to an area in which I have had a special interest—the plight of our older citizens. The experience and the wisdom of these people must not be allowed to dissipate because they can think only of subsistence. A program to identify and meet the needs of deserving persons over 55 I feel is most necessary. We must provide these senior opportunities and services in order to reintegrate these valuable human resources into our increasing youthful society.

In order to provide economic opportunity for all, Mr. Chairman, sound community-based organizations must be constructed. As I mentioned previously, my own city of New York has labored for over a year to create these viable, valuable organizations. In a letter to me concerning the amendments before us, Mayor Lindsay of New York said that "to require a juggling in mid-stream of the delicately balanced coalitions, which were often so difficult to create, can only invite a major disruption in much of what is now being achieved. Community confidence is not easily obtained. The reorganization of community corporations required in the bill as reported can only serve to imperil that confidence." I must share Mayor Lindsay's sense of foreboding if we rashly destroy these fragile, yet workable, structures.

It is my fervent wish, Mr. Chairman, that this body produce a bill on which we can all agree. The issues, as is obvious, are most vital. Both parties agree that we need a bill and these problems must be solved as soon as practicable. A promise was made with the inception of the poverty program. To now renege on this promise to a group of Americans, until so recently without hope, would reflect the belief that nothing further can be done. Surely our experience in the past 3 years belies this conclusion. We must continue to strive for successes, however small—for even small successes can grow large if they are nurtured by our continuing support for the ideas and programs which make them possible.

Mr. CELLER. Mr. Chairman, it is a privilege to rise in support of S. 2388, the Economic Opportunity Act, as amended, and in support of the fine work being done by the Office of Economic Opportunity.

Some 2,500 years ago, the prophet warned his people that their destruction would surely come not from an alien foe, but from within their very gates. I am no prophet but as a reasonable man of long experience in public affairs, I would transmit that prophetic warning to my colleagues in this Chamber. Economic and social inequities have bred alienation and discontent throughout America; if we do not undertake to remedy the seemingly hopeless plight of one-sixth of our population, the ancient prophecy may, alas, be fulfilled in our time.

The Economic Opportunity Act of 1967 is our opportunity to be humane, compassionate, intelligent, responsible, and in some way, responsive to the sorest needs of this body politic. Three years ago we became the trustees of America's disinherited because we recognized that their disinheritance was our disgrace. We took, as President Kennedy would have it, the first step in our thousand-mile journey toward the achievment of equal opportunity in employment and education; with modest means, we lit a small candle to illumine the darkness of the urban ghettos and the rural wastelands. For the most part, our efforts in this area have borne good fruit; therefore, as President Johnson urges, "let us continue"; let us not desert our trust; let us not flee before the craven bookkeepers whose cries of "extravagance" would, if heeded, punish the disadvantaged for being disadvantaged, the poor for being poor.

As chairman of the Committee on the Judiciary, I am deeply concerned, as you all know, with the preservation of law and order, with the maintenance of a balance between individual liberties and social cohesion under the standard of due process as announced in our Constitution; but today, that very balance hangs in the balance; it is idle to speak of equal justice before the law if there is no justice in the hiring halls, in the marketplaces, in the classrooms of America.

I have often gone on record as an ardent supporter of responsible dissent, but I recognize that responsibility depends upon education in the concept of responsibility; by the same token, respect for law and order depends largely upon self-respect; how, I ask, can a man who is systematically deprived of equal opportunities in education and employment begin to comprehend the values which have made America great?

Mr. Chairman, it is somewhat late in the day for anyone to defend the ethos of compassion against the attacks of social Darwinism, but I do not blush to do so. Our existence as a nation is at stake. Only if we are good, can we exist.

Now I do not suppose that the legislation before us is a panacea for all the ills to which it is addressed, but it does represent a continuation of the enlightened approach already taken. It will give the poor, through maximum feasible participation at the local level, a chance to contribute to the national life and to share in the national dream; the extremists and demagogs, who pander to their anguish, will in time be banished from their midst. In view of such great gain, who would oppose this bill? Some point self-righteously to a history of administrative error as an excuse for their opposition. There is a fly in every ointment, but the fly and the ointment are not inseparable; the part does not vitiate the whole. Small mistakes in a new venture may be inevitable, but the venture itself is not therefore mistaken. On the whole, the work of the Office of Economic Opportunity has been highly commendable and it should be encouraged to persevere by our mandate, namely, the enactment of S. 2388.

Finally, Mr. Chairman, I insert in the RECORD a statement by the Leadership Conference on Civil Rights issued on November 7, 1967. The statement, entitled "America Cannot Afford To Lose the War on Poverty" and signed by such prominent leaders as A. Phillip Randolph, Roy Wilkins, and Whitney Young, Jr., documents the extreme urgency of the legislation before us today:

AMERICA CANNOT AFFORD TO LOSE THE WAR ON POVERTY: A JOINT STATEMENT BY NATIONAL CIVIL RIGHTS LEADERS, ISSUED NOVEMBER 7, 1967

America is a Nation in crisis.

This crisis is rooted in the despair and growing anger of more than 30 million of our fellow Americans—black and white, in the city slums and on the eroded back countryside—who are still trapped in poverty which does not give them the opportunity to help themselves.

There has been much talk of a revolution of rising expectations. That revolution exists. Its growth is inevitable. But its demand is simple. The demand is for the equality of opportunity that is at the core of the American tradition and is spelled out in the Declaration of Independence and the Constitution. The demand is to participate—to be allowed to compete—in the mainstream of American life.

In 1964 the President and the Congress of the United States declared an unconditional war on poverty. They made a solemn promise to all Americans, and especially to those trapped in poverty that the conditions which condemn the poor to inequality of economic opportunity and which deny them any chance to participate in American life would not be allowed to prevail.

As a result of that commitment the first faint signs of progress are appearing in the slums of our cities, in the bleak valleys of Appalachia, in migrant camps, and on Indian Reservations.

But now, only three years after this National commitment was made, there are those who hope to discard or break it. This National crisis is being used by some as grist for partisan mills and treated by others as a mere political annoyance.

We, the undersigned give solemn warning now that to break the National promise of three years ago would be to invite National disaster. Doubt, discontent, sickness and cynicism are all integral elements of the life of the poor. They will grow in volume if Congress should tell the poor: "Forget it. We didn't mean it. Stop bothering us."

The President's budget for the Economic Opportunity Act of 1967 is minimal. If an amount less than the budget is appropriated, the poor will interpret it as Congress saying "We didn't mean it,"—and they will be right.

The Office of Economic Opportunity is central to the War on Poverty. It is the only Federal agency solely concerned with the problems of the poor. It is the only agency that has given the poor National visibility and has championed their plea for the opportunity to become Americans as the rest of us know the word. If OEO programs are scattered to the bureaucratic winds, the poor will interpret it as Congress saying "We didn't mean it," and they will be right.

The passage of the Economic Opportunity Act of 1967 and the appropriation of the minimal funds to carry it out are vital if a National crisis is not to become a National disaster. We urge our Congressmen to put aside partisanship and to come to grips and with one of the *most* urgent problems in America today.

A. Philip Randolph, Brotherhood of Sleeping Car Porters; Roy Wilkins, National Association for the Advancement of Colored People; Whitney Young, Jr., National Urban League; Dorothy Height, National Council of Negro Women; Clarence Mitchell, Leadership Conference on Civil Rights; Jack Wood, National Committee on Discrimination in Housing; Berkeley Burrell, National Business League; Bayard Rustin, A. Philip Randolph Institute; John Murphy, National Publishers Association; Marvin Caplan, Leadership Conference on Civil Rights.

Mr. ALBERT. Mr. Chairman, I want to call the attention of the House to the following telegrams, supporting the Office of Economic Opportunity, that have been sent to the mayor of Providence, R.I., Joseph Doorley. Mayor Doorley, on learning of the opposition confronting the passage of the OEO legislation, took it upon himself to come to Washington and urge other mayors from throughout the country to join him in support of this legislation so vital to the future of our Nation. Among the cities that Mayor Doorley has thus far received responses from, are the mayors of: Kansas City, Mo.; Yuma, Ariz.; St. Louis, Mo.; Chicopee, Mass.; Rutland, Vt.; Butte, Mont.; Glasgow, Ky.; Jackson, Mich.; Worcester, Mass.; Syracuse, N.Y.; Portland, Oreg.; Yonkers, N.Y.; Chicago, Ill.; Monroe, Mich.; and Woonsocket, R.I.

Mr. Chairman, I insert at this point in the RECORD copies of telegrams from these mayors throughout the country strongly endorsing the OEO legislation. I congratulate Mayor Doorley upon his initiative and commend the mayors from throughout the country who have joined him in urging the Congress to promptly enact meaningful legislation to help the poor people of not only our cities, but indeed of all America.

The telegrams follow:

KANSAS CITY, MO.,
November 8, 1967.

Mayor JOSEPH DOORLEY,
Washington, D.C.:

In my opinion, the poverty program of the Office of Economic Opportunity has been of major assistance in Kansas City in alleviating need in the worst areas of our city. Its Headstart programs, its recreation programs, its programs for young people and people in need of employment have been received well and are in the finest spirit of America in helping the helpless to help themselves. It would be a major calamity at this time in our history for Congress to turn its back on the needs of the poor in this country.

I urge you as part of the conference of mayors and on behalf of this city to take such steps as you can to see to it that the basic programs initiated by OEO are continued and enlarged. This is no time for the Congress of the United States to tell the poor of the United States that they can "eat cake," while it cuts off the basic programs which could help the poor help themselves.

ILUS V. DAVIS,
Mayor of Kansas City, Mo.

YUMA, ARIZ.,
November 8, 1967.

Mayor JOSEPH A. DOORLEY, Jr.,
Washington, D.C.

Sorry I can't be with you at the bullfights, but will be backing you all the way. Have strongly urged our congressional delegations support.

THOMAS F. ALT,
Mayor of the City of Yuma, Ariz.

ST. LOUIS, MO.,
November 8, 1967.

Hon. JOSEPH A. DOORLEY, Jr.,
Mayor, City of Providence, R.I.:

Members of Congress who represent St. Louis have given me their personal assurance that they will support the authorization bill for the Office of Economic Opportunity.

Their previous support of this legislation would indicate favorable action on their part. A telegram has been sent to Congressman Hungate who represents an area immediately north of St. Louis. He has been asked to give the authorization bill his complete support.

ALFONSO J. CERVANTES,
Mayor, City of St. Louis.

CHICOPEE, MASS.,
November 7, 1967.

Mayor JOSEPH A. DOORLEY, Jr.
Washington, D.C.:

Count on our full support in your efforts to restore funds for the economic opportunity program. I have already contacted Senators Edward Kennedy, Edward Brooke and Congressman Boland for their support in this effort. Our local superintendent of schools, Dr. George Mefbring has already contacted Secretary Wirtz and recorded his protest in the cutting of funds for the various neighboring programs. If at all possible I will attempt to be in Washington on Thursday, Nov. 9th to give local support to your efforts.

RICHARD H. DEMERS,
Mayor of city of Chicopee.

RUTLAND, VT.,
November 3, 1967.

Mayor JOSEPH A. DOORLEY, Jr.
City of Providence, R.I.

DEAR MAYOR DOORLEY: I have your letter dated November 2, 1967 regarding the $2,060,000,000 authorization bill for the Office of Economic Opportunity.

I have already contacted our Representative in Congress from the State of Vermont and I am sure that he will do all possible to retain as much money as possible for the Office of Economic Opportunity.

Sincerely,

HAROLD J. NICHOLS,
Mayor.

BUTTE, MONT.,
November 7, 1967.

Hon. JOSEPH A. DOORLEY, Jr.,
Washington, D.C.:

We have contacted Chairman Perkins of the House Education and Labor Committee and also our own Congressman Arnold Olsen. Wholeheartedly supporting your efforts to save the urban monies. As the President of the Montana Municipal League, I have spoken at least for the larger cities of this organization. Sorry I cannot join you personally.

Mayor TOM POWERS.

GLASGOW, KY., *November 7, 1967.*

Mayor JOSEPH A. DOORLEY, Jr.,
Washington, D.C.:

May I commend you for your efforts in regard to retaining requested funds for community action.

This program should and can become most meaningful in the up-lifting of our less fortunate, in communities that are ready to do their part.

Glasgow, Kentucky will do its part.

We endorse retaining the program in full.

R. A. LESSENBERRY,
Mayor, City of Glasgow Ky.

CITY OF JACKSON, MICH.,
November 6, 1967.

Hon. JOSEPH A. DOORLEY, Jr.,
Mayor of Providence,
Providence, R.I.

DEAR JOE: It is impossible for me to get to Washington just now. I am finishing a strenuous campaign for re-election. But I wish you success in your efforts to stem the "blood letting" of the OEO authorization bill and hope that enough mayors will join you to make an impression on the Congress.

Congress must be made to understand the serious trouble that is caused by starting programs which cannot be completed for lack of funds, or promising programs which never materialize.

I should think the National Advisory Committee on Civil Disorders might put in a word on this matter.

Sincerely yours,

MARY ALBERTA BENNETT,
Mayor of Jackson.

City of Worcester, Mass.,
November 6, 1967.

Mayor Joseph A. Doorley, Jr.,
Executive Department,
Providence, R.I.

Dear Mayor Doorley: Your letter of November 2, 1967 is appreciated.

I am pleased to advise that I have communicated with our Congressman Harold D. Donohue and requested his favorable action on the $2,060,000,000 bill for the Office of Economic Opportunity.

Thank you for your interest in this matter.

Sincerely yours,
Francis J. McGrath,
City Manager.

Syracuse, N.Y.,
November 6, 1967.

Hon. Joseph A. Doorley, Jr.,
Office of the Mayor,
Providence, R.I.

Poverty program in Syracuse is being reorganized we have not lost faith in this program and we urge Congress to appropriate sufficient funds to carry on a meaningful fight against all facets of poverty of paramount importance is that local share of these continued programs not exceed ten per cent grants in aid and cash otherwise local Governments will not be able to continue financial support of these badly needed programs.

William F. Walsh,
Mayor of Syracuse.

Portland, Oreg.,
November 8, 1967.

Joseph A. Doorley,
Mayor—City of Providence.

Urge consider adequate funding OEO especially in light of limits on local tax load to otherwise continue existing programs.

Stanley W. Earl,
Acting Mayor, City of Portland, Oreg.

City of Woonsocket, R.I.
November 3, 1967.

Hon. John W. McCormack,
Speaker of the House of Representatives,
Washington, D.C.

Sir: As Mayor of the City of Woonsocket, Rhode Island, may I express my opposition to any reductions of funding for Community Action Programs to a $600,000,000 level as opposed to the requested fiscal year funding of $1,022,000,000, as requested by President Johnson.

The City of Woonsocket, Rhode Island has been conducting a Community Action Program for two years. It is partially funded by the Office of Economic Opportunity with an annual grant of $137,206 to conduct four neighborhood multi-service centers, a comprehensive manpower program, and Headstart program.

Cutbacks in funding would necessitate the discontinuance of the following listed local programs:

1. Closing *half* our Neighborhood Centers with additional termination of other programs such as child care, home economics, consumer education, health education and referral.
2. Termination of Headstart and Manpower Programs.
3. There will be no funding for Neighborhood Youth Corps program for twenty school drop outs, a Legal Service Program and a youth center.

Any cutbacks in funding for the Office of Economic Opportunity is destructive to the concepts of community action and to programs initiated to meet local needs in providing opportunities for our unfortunate citizens.

If we are to protect and restore man's satisfaction in belonging to community where he can find security, we must move forward by providing the necessary monies.

Very truly yours,
A. Edgar Lussier,
Mayor.

Yonkers, N.Y.,
November 6, 1967.

Hon. Joseph A. Doorley, Jr.,
Mayor, City of Providence, R.I.

Dear Mayor Doorley: I have read, with great interest and concern, your letter of November 2nd, 1967, regarding the Economic Opportunity Program.

Please be assured of our continued support for this Program. I concur with you that it would have a devastating impact on the two (2,000) thousand communities which have the Head Start, legal services, health centers, neighborhood centers, and many other worthwhile programs designed to meet the needs of the poor. I trust that the outcome on November 7th, 1967, will be, indeed, favorable.

Best regards.
Sincerely yours,
James F. X. O'Rouke, M.D.,
Mayor.

City of Chicago,
November 3, 1967.

Hon. Joseph A. Doorley, Jr.,
Mayor, City of Providence, R.I.

Dear Mayor Doorley: Thanks for your letter relative to the legislation affecting the Office of Economic Opportunity. Be assured, Mayor, that I am doing everything I possibly can to be of help and assistance in impressing upon Congress that the plight of the cities is urgent and that every possible aid should be granted to them in order to carry out the various programs for the good of all of our people.

Best regards.
Sincerely,
Richard J. Daley,
Mayor.

City of Monroe, Mich.,
November 1, 1967.

Joseph A. Doorley, Jr.,
Mayor of Providence, R.I.

Dear Mayor Doorley: This will acknowledge receipt of your letter of October 28. I totally concur with your opinion and have forwarded these sentiments to Representative Marvin Esch this date.

Very truly yours,
Morton R. Cohn, *Mayor.*

Mr. PERKINS. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time has expired.

Pursuant to the rule, the Clerk will read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Economic Opportunity Amendments of 1967".

Mr. GOODELL (during the reading). Mr. Chairman, I ask unanimous consent that section 2 be passed over and be read for amendment at the conclusion of the reading of the remainder of the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. O'HARA of Michigan. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. GOODELL. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The Chair will state the second section has not as yet been read. The Clerk will read.

The Clerk read as follows:

AUTHORIZATION OF APPROPRIATIONS

Sec. 2. For the purpose of carrying out programs under the Economic Opportunity Act of 1964 (other than part C of title I of such Act), there is hereby authorized to be appropriated for the fiscal year ending June 30, 1968, the sum of $2,060,000,000, of which, subject to the provisions of section 616 of such Act, the amounts appropriated or made available by appropriation Act shall not exceed $874,000,000 for the purpose of carrying out the provisions of title I of such Act, $1,022,000,000 for the purpose of carrying out title II, $47,000,000 for the purpose of carrying out title III, $70,000,000 for the purpose of carrying out title V, $16,000,000 for the purpose of carrying out title VI, and $31,000,000 for the purpose of carrying out title VIII. For the purpose of carrying out programs under the Economic Opportunity Act of 1964 (other than part C of title I of such Act) there is hereby authorized to be appropriated for the fiscal year ending June 30, 1969, such sums as may be necessary, so long as such appropriation does not exceed the amount authorized to be appropriated for the fiscal year ending June 30, 1968.

Mr. GERALD R. FORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. GERALD R. FORD. The Chair may or may not recollect that earlier in this session, if my memory is accurate, on the NASA authorization bill, we had under consideration an authorization bill as to which there might have been some similarity with respect to the situation we now face, in that once a figure was changed, as I recall, in the subportion, we could not subsequently revise the larger figure. I ask at this time if that is the case in this instance?

The CHAIRMAN. The Chair believes the gentleman from Michigan is correct.

AMENDMENT OFFERED BY MR. GOODELL

Mr. GOODELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Goodell: On page 128, line 6, strike out "$2,060,000,000" and insert "$1,400,000,000"; line 8, strike out "$874,000,000" and insert "$421,500,000"; line 10, strike out "$1,022,000,000" and insert "$825,000,000"; line 13, strike out "$16,000,000" and insert "$10,500,000"; and on line 14 strike out "$31,000,000" and insert "$26,000,000".

Mr. GOODELL. Mr. Chairman, I regret the circumstance which requires us to proceed in what I consider to be a disorderly manner, because this bill is written with all of the authorizations in the very first section of the bill. We are faced with the necessity of determining how much money we are going to put in the overall bill and how much money will be put in each of the titles of the bill right at the outset, and we do not know what the will of this House will be with reference to the specific sections.

We may be authorizing overall appropriations for programs that will be deleted in the wisdom of this House. We may be accepting new programs, in the course of the amendment process, without any authorization for those programs possible.

This is unfortunate. It is the reason why I asked unanimous consent to consider this section at the very end of the reading of the bill. That unanimous-consent request was objected to, so I have no alternative, as was made clear by the inquiry of the minority leader, other than to offer the amendment to the authorization section which would provide the amount of money which we feel is necessary to implement the opportunity crusade, $1.4 billion.

I would emphasize that if the other changes are made in the bill that we propose to make, this would generate more than $3 billion in money going into the pockets of the poor.

It would do this through the process of involving private enterprise. Instead of the Federal Government in each instance paying 100 percent, in effect, for the wages of all those who are to be aided, the Federal Government would use its money as seed money in order to try to help individuals over the hump of getting employment and keeping them in employment for a period of time when they may be less than fully productive. These are such programs as the Industry Youth Corps where a subsidy of the wage would be paid through local administrators. In private employment private employers would pay three-quarters of the wage. In effect, this brings private employers into this program as partners. They have employees who are productive and they are able to train them on the job. We have found that employers are the best trainers. It is much better than sending individuals off to institutions or schools. A variety of other proposals are in the opportunity crusade to involve private enterprise. We believe $1.4 billion would fully fund the good programs in the present war on poverty. For instance, there is more money in the opportunity crusade for Headstart than there is in the committee bill. We have more money unearmarked for community action in the opportunity crusade than there is in the committee bill. We would eliminate the earmarking of those special categorical programs which exist in the present law; $1.4 billion can galvanize our country and our society, bringing in all elements of the community as partners, really to involve the poor themselves and really help them with productive and meaningful jobs—not dead-end make-work public jobs.

Mr. Chairman, I hope that this House will agree to the $1.4 billion level of expenditures, but I hope further that we will not stop there. I hope we will go on to implement some of the proposals offered in a bipartisan or unpartisan way—constructive proposals that will redirect the war on poverty in a more meaningful way. If we do this, we can truly begin to bridge the gulf that now exists between the affluent and the poor in our country. This is an imperative. I urge my colleagues to vote for the amendment to cut the authorization to $1.4 billion, which is $660 million less than the committee bill and $660 million less than the President budgeted, but would make more than $3 billion available to help the poor.

Some of my colleagues on the other side of the aisle simply refuse to recognize that this program is so far from being a success it is not funny, especially not to the taxpayer footing the bill, or the disillusioned poor. The war on poverty has been criticized in one respect or another by the whole American society, including U.S. Senators and even VISTA volunteers. I would like to add that this criticism has not been generated by my Republican colleagues and myself, as some of the support for the OEO and its programs has been generated through the lobbying and similar efforts of the OEO.

Some recent criticisms have been contributed by my Democratic colleagues:

Mr. PUCINSKI, for example, said of the community action program:

> It has not worked in many communities of America, and I tell you that in many communities it has been a catastrophic flop.

He also observed of community action that—

> This program is in disrepute today because fly-by-night outfits formed overnight have come down here to Washington and because they had friends in the OEO got millions of dollars to carry on all sorts of programs and the legitimate organizations in your communities . . . were by-passed.

Senator JOSEPH MONTOYA, the gentleman from New Mexico, calls the war on poverty programs "lots of cavier, but no beans."

Congressman JOE POOL, the gentleman from Texas, has stated:

> It's time to put an end to these giveaway programs like the War on Poverty anyway.

Congressman PHIL LANDRUM, the gentleman from Georgia, even goes so far as to criticize the OEO administration directly:

> I still feel strongly that the so-called poverty program is sound in concept and designed to go after these problems on a long range basis of education and training. But I am saddened that the administration of the program has been so poorly carried out and that so many bad judgments have been made.

Mr. Landrum said he thought there was "stupidity right here in Washington in Sargent Shriver's office."

I will not repeat at this time, but refer you to the minority views on this bill, for the speech of Congressman JAMES M. HANLEY on the floor of the House, in which he complained "never in my congressional tenure have I seen a more blundering mishmash of indecision than that served up to me by OEO during the last month," and he suggested "the Congress order a carload of medals for buck-passing struck and then direct that carload be delivered en masse to the Office of Economic Opportunity."

Some of the witnesses before our Education and Labor Committee this summer related their unhappiness with the administration of this program.

Mr. Blue Carstenson, National Farmers Union, stated:

> *Community Action.* We have not been happy with some of the administration and policies of OEO. Most of this Committee is aware of our feelings and of the examples of these problems. We can share the views of many of you for the need for improving these policies and practices. If it is desirable to put OEO closer to existing agencies to cut interagency warfare and improve administration, it could be possible to move the entire OEO to the Department of Health, Education and Welfare, for example, keeping it as an Office of Economic Opportunity with the same status as the U.S. Office of Education.

The annual report of the Fond du Lac, Wis., Economic Opportunity Committee, Inc., as presented to the committee by Mr. Don Flanders, representing that committee, related:

> The most serious problem of our office is, has always been and no doubt will continue to be, the erratically managed and administration of the Office of Economic Opportunity. The concept of economic opportunity that human resources cannot be wasted, that the local community must gear itself to meet the needs of the poor on a continuing basis in America, these are ideas that must be implemented. But the execution of these concepts gets bogged down in constantly changing guidelines and congressional ups and downs in response to criticism.

Mr. Joseph Dyer, at that time director of the Connecticut State OEO, commented:

> At the present time Community Action Boards receive no direct instructions from OEO, have no motivating guidelines, are spoon fed the information they do get from paid staff members and most of the board members have no knowledge it is their responsibility to be a multivoice.

Mrs. Shirley Tannenbaum, director of the Frederick County, Md., CAP told her frustrating experience:

> However, upon presenting this program package to OEO, we began a long series of negotiations which if it were not so serious could be called a comedy of errors. The day after presenting our proposals to regional office, the program analyst for my county resigned.
>
> Since then I have had six program analysts. Every time I have had to go through these programs again, explaining and describing once again. This particular process went on for about a year.
>
> Never was I told that the program was bad. The proposals were not rejected. They simply never were funded.
>
> The end of this story is that finally, through the Bureau of Work Programs, we did get the programs funded.
>
> We have been able to begin them July 10 of this year. However, this is not a completely happy ending to the story. During that year disillusionment set in among the people who were enthusiastic about the new opportunities about to be theirs. Now they find it difficult to believe that something is really going to be done. We have lost the faith of the poor in community action programs.

One State technical assistance director, who I shall leave unnamed, commented that when OEO decentralized much of its decisionmaking process to the regional offices, hope sprang anew that conditions would improve—but they did not. He also commented that "probably the most important difficulty results from exasperating and seemingly arbitrary actions by national and regional OEO in the realm of policies and procedures."

A study by McKinsey & Co., Inc., in April 1967, entitled "Strengthening the CAP Processes in the Regional Offices," contained numerous criticisms:

> Headquarters imposes an excessive number of information demands on the regional offices * * *. We identified several examples of inquiries from two or more headquarters

> offices about the same problem on the same day. While we have not conducted a detailed analysis * * * (one) underlying cause: A lack of understanding on the part of headquarters personnel of the role headquarters is to play in the management process, and an unwillingness to function within the boundaries of that role.
>
> The regional offices frequently receive detailed direction from a multitude of headquarters personnel. * * * This problem grows out of a lack of understanding at headquarters of line authority and of the functional and advisory authorities of the various staff units.
>
> Personnel at each level must develop and instill in subordinates a greater degree of discipline than has heretofore existed in CAP. By "organizational discipline," we mean the frame of mind with which individuals carry out their assigned responsibilities without dissipating time in nonessential meetings or veering off into areas of responsibility outside their own.
>
> The lack of adequate headquarters discipline is a problem to the regional offices because of the excessive information requests that have been imposed, the management improvement projects that have been launched but have not been completed, and the needed actions that were delayed when decisions were not properly coordinated or when unauthorized persons intervened.
>
> CAP critically needs to be able to apportion work and assign responsibilities in a logical manner so that each person fulfills his responsibilities without drifting into another's area of responsibility.
>
> However, CAP has been hampered by an excessively high turnover in personnel that has undermined efforts to develop a fully experienced and effective staff. The magnitude of this problem is indicated by the following findings:
>
> a. The rate of turnover among regional analysts has been 52 percent per year. The average length of service for analysts is only 10.6 months.
>
> b. Every top-level position at CAP headquarters and at OEO, with the exception of the Director of OEO, has had at least two occupants during the past 2½ years, some positions have had three or four occupants.
>
> Some of the reasons for this situation were identified through interviews and through questionnaires completed by regional analysts. Low morale and general dissatisfaction were mentioned frequently in five of the seven regional offices.
>
> Regional analysts are frustrated by the confusion, time demands, and lack of support under which they must work. * * * indicated substantial frustration due to the "confused paperwork maze" in which they must function. * * * The average analyst spends only 2.2 days per month in the field, and some have never visited their grantees.

The following newspaper articles cite a couple of instances of how this administrative "mass confusion" comes out at the local level:

[From the Indianapolis (Ind.) Star, Oct. 15, 1967]

PAPERWORK FOULS UP A "WAR"

For the last two years the city's anti-poverty agency has been sending the regional Office of Economic Opportunity (OEO) in Chicago ever increasing reams of paper.

Stacks of reports, budgets, proposals, requests and communiques have flowed like a paper Wabash into the regional office to become lost in dark filing cabinets and bureaucratic labyrinths.

Lost. That is the word that William F. Stafford, CAAP executive director, received last week from Chicago. The Indianapolis file has disappeared.

And the dammed flow means proposals stop being processed there with a good possibility that proposals and a lot of other work may have to be duplicated here.

Stafford said: "It sounds impossible, doesn't it?"

[From the Detroit (Mich.) News, Oct. 14, 1967]

POOR WAIT A YEAR FOR CARE AS DENTAL TOOLS LIE IDLE

(By Lawrence J. Green)

Thousands of dollars worth of dental equipment, purchased through the federal poverty program to provide dental care to inner city residents, still rests in unopened crates a year after its delivery.

Dr. T. Aden Cockburn, director of health services for the poor, said the equipment remains unpacked and unused because the federal government failed to follow up with funds to install it. Or hire dentists and technicians to operate it.

The equipment, which he values at $60,000, was purchased in August, 1966, and is stored in poverty health centers at 6061 Grand River, 5149 St. Jean and at Mt. Elliott and Charlevoix.

At least $21,000 in additional funds would be required to set the equipment up in the centers, he said. The high installation cost results from the age of buildings.

Another $20,000 in dental equipment, delivered at the same time, was only installed recently in another health center in a wing of the old Providence Hospital.

Dr. Cockburn said he expects to get that center in operation next week because he has found a dentist willing to work in it on a part-time basis.

Even now, he said, he does not know how much money will be available to set up the other equipment. Congress is still studying budget items for the Office of Economic Opportunity, the administering agency for the poverty program.

If the money is allocated, Dr. Cockburn added, it would require three to four months to set up the equipment and put it into operation.

Beyond that, he said, is the problem of recruiting dentists and hygienists for the centers.

He is authorized to pay dentists only $5.50 an hour and hygienists not more than $6,500 a year.

It is nearly impossible to get people to work for that kind of pay, he said.

The city council will review the rate structure next week.

Cockburn said dental care "is one of the most serious medical problems in the core city."

The present situation leaves him helpless, he added, even though the citizens advisory committee to the poverty program, when polled, listed dental aid as one of the major needs.

Last year, the health service of the poverty program gave examinations and treatments to 66,000 adults and children.

One of my many criticisms of the haphazard administration of the OEO lies in the area of evaluation. There is no OEO procedure to evaluate the success or worth of any CAP program prior to its being refunded.

Mr. Frank Ferro, director of the New York regional office of the OEO, recently commented on this subject:

> At first we let communities try anything. Now it's time to start concentrating on the programs that have proven they can work . . . In the past, it's always been on a catch-as-catch-can basis. How can we help if we can't evaluate what has been done?

Because OEO has not been able to effectively administer the many programs under its authority, and holds out little hope to the future of improvement, we have proposed the transfer of training and education programs to the Department of Health, Education, and Welfare and the Department of Labor.

James L. Sundquist, of the Brookings Institution, in a consultant report prepared for the U.S. Senate Subcommittee on Employment, Manpower, and Poverty—September 1967—noted that the Economic Opportunity Act provided "a statutory basis for OEO's role as Government-wide coordinator of antipoverty efforts."

Some of Mr. Sundquist's comments on the status of OEO and the problem of coordination are:

> OEO has a status distinct from the other coordinating agencies in only one respect—it is located in the Executive Office of the President. But this difference is little more than a paper distinction. The other agencies of government do not look upon OEO staff members as presidential agents speaking for the President and exercising his authority, like staff members of the White House, the Budget Bureau, or the Council of Economic Advisers. OEO is looked upon, and acts as, another operating agency on a par with the Cabinet departments—not on an organizational level above them. Its staff role is ancillary to its operating role in much the same sense as are the Presidential staff roles of the Secretaries of HUD, Labor, and the other departments.
>
> The truism that only the President—personally or through presidential staff—can coordinate the Cabinet departments and independent agencies was recognized originally, as noted, when OEO was placed in the Executive Office of the President. Theoretically this design, which was vitiated when OEO was given its heavy operational load, could now be restored simply by divesting OEO of its operating responsibilities and leaving it only its staff functions as an element of the Executive Office of the President.

Dr. Sundquist noted that to improve coordination utilizing existing structures, he would recommend the alteration of the Economic Opportunity Council to a body similar to the National Security Council, the designation of the President as Chairman of the Council, with the Presidential staff serving the Council.

He felt such a staff, presumably, could be developed by the President into a coordinating unit with duties extending beyond those of the Economic Opportunity Council and the war on poverty to encompass, ultimately, as many of the other related problems of coordination as the President might wish to assign to it. In this manner, the strengthening of the Executive Office that is sought by the advocates of reorganization could be achieved through a Presidentially guided evolution rather than a congressionally imposed revolution.

We are proposing the establishment of a Council of Economic Opportunity Advisers in the Office of the President to chart a long-range course for the elimination of poverty, to undertake appropriate research studies, to evaluate existing programs and to recommend reorganization to eliminate waste and duplication.

Rather than divest OEO of all operating responsibilities to act solely as a coordinating body, we have chosen to propose that the OEO continue administering the community action program, which is ideally supposed to be a coordinating body of antipoverty programs in the local communities. We would also leave the VISTA program with OEO, which, because of its very nature, should be closely tied to the community action program.

Dr. Kenneth Marshall, vice president of Metropolitan Applied Research Center, Inc , New York, N.Y., endorsed our proposal at the hearings:

> Mr. GOODELL. The suggestions you make in your presentation, I think, are extremely to the point. You are suggesting, in effect—if I understand you correctly—that if all OEO is going to do is what it now has under its administration, you could eliminate OEO and there would be no great loss.
>
> You are suggesting that OEO should take on these new assignments that you are advancing and then it might have a valuable function. Is that a fair summary?
>
> Mr. MARSHALL. Yes.
>
> Mr. GOODELL. The existing programs that OEO is administering, you feel, could be transferred without damage to programs in the existing agencies?
>
> Mr. MARSHALL. Those that are already stabilized; yes, sir. I believe there is a great vital role in the innovative programs and nurturing them until such time as they become traditional and stabilized programs.
>
> Mr. GOODELL. Since you were the originator of the idea originally, could you give your views as to why you feel something similar to the Council of Economic Advisers should be set up in this area, such as a Council of Economic Opportunity Advisers?
>
> Mr. MARSHALL. Some $30-odd billion touches upon the lives of the poor and are in some way related to this poverty problem. There is a need for a high-level council that would be directly talking to and advising with the President—a high-level council of persons who had power to clout, who could look at all of these programs which are here, there, and everywhere, from the point of view of the total impact and the coordination to bring about a greater impact to make for a more effective and efficient use of these dollars which are presumably and allegedly affecting the lives of the poor.
>
> Mr. GOODELL. You are not suggesting anything like an advisory committee or some of these large groups we now have?
>
> Mr. MARSHALL. No, this would be a small and tough one and I would say one with power. Without the power from the President it would be a futile body, but it would be a small and very toughminded group of persons with a very efficient staff who could look at all of these programs and specify from the point of view how they are or are not affecting the lives of the poor people.
>
> Mr. GOODELL. This would be a full-time council something like the three-man Council of Economic Advisers with a full staff of top professionals who, in effect, would be looking at all of the Federal programs, to eliminate poverty in this country; how we can improve and innovate with new programs and eliminate some which are not working.
>
> Is that what you are saying?
>
> Mr. MARSHALL. Precisely.

REDIRECTION—JOB OPPORTUNITY BOARDS

In city after city across the Nation it appears that the poverty programs are not lifting the poor out of poverty but merely making them comfortable in it, if even that.

A few of the many criticisms made throughout the country regarding the effectiveness of local antipoverty programs are:

Phoenix: The Arizona Republic's findings indicate that most people in the target area are completely unaware of a poverty war.

Those who have been touched in one way or another by the dozens of programs in operation there generally are not touched enough to cause any significant changes in their social or economic statuses.

Many—responsible minority-group citizens—have told the Arizona Republic that at the poverty level there is considerable animosity expressed against "Anglos" who have, on the one hand, encouraged them to work for their own betterment but, on the other hand, have failed to deliver the goods that will help them up the ladder.

Cincinnati: Rev. William Sicking, Cincinnati poverty war member, said during hearings on that city's program:

> I have found very few programs encouraged and approved by the CAC that attack the problem of poverty at home plate. It seems to me that the CAC-approved neighborhood services tend to promise more than can be produced. Grass-roots poor people laugh at the anti-poverty program.
>
> CAC? Never heard of it, they say. Those who have heard of it call them "big shots" who are telling us to raise ourselves by our own bootstraps, only we don't have any boots.
>
> If it weren't for us poor people, those guys wouldn't have a job and be pulling down those fancy salaries.

New York: A survey by the Westchester Council of Social Agencies revealed that "The local war on poverty—Eastchester—is backed strongly by the majority of the poor but there appears to be little understanding of what is being attacked and what the programs are trying to do, especially in areas of employment, legal services and racial bias. Very few of those interviewed associated antipoverty programs with providing help with basic problems of employment, housing and legal rights."

San Antonio: County Commissioner A. J. Ploch declared the antipoverty program as a whole is "a complete joke," and a waste of the taxpayers' money.

San Francisco: An audit of the San Francisco program found the following deficiencies—

No clear delineation of the nature of work and responsibility to be carried out by each entity.

Serious separation of authority from responsibility, resulting in organizational diffusion, indecision and interference with coordination and control.

Lack of coordinated programs covering personnel and financial management and administrative procedures and services.

Lack of adequate performance measurement techniques and related program reviews, including staffing criteria and other cost analysis.

A study of that city's poverty program revealed:

> There are wasteful practices, duplicated efforts, and a lack of coordination, leadership and financial control in San Francisco's war on poverty. . . . Hundreds of public and private agencies, most staffed with earnest men and women, attack the multiple problems on their own—ignoring the existence of the others.

Louisville: A report prepared by the University of Louisville Urban Studies Center concerning Louisville's program stated:

> About 45,000 of Louisville's 70,000 poor have been involved in the local poverty war, but very few of them have been raised from poverty as a result of the program.

Cincinnati: Congressman CLANCY testified at House hearings concerning the response to a questionnaire he circulated in his district which asked "Do you believe that the war on poverty program has been successful to date in improving conditions for the poor?" Congressman CLANCY said:

> I tried to work that as objectively as possibly I could. We have had over 22,000 returns on that questionnaire. Of those who answered that question, 78.9 have said no, 10.9 have said yes, and the other percentage was no answer.

A major redirection is required in the community action programs if there is to be any economic impact on the poor. This redirection must involve the private business and volunteer resources of the community, which to date have been largely untapped, in job training and placement in meaningful jobs. Therefore, we have proposed in the opportunity crusade the creation of job opportunity boards which will bring together the business leaders and the poor of the community in a joint effort to close the gap that lies between the thousands of unemployed and underemployed and the thousands of jobs in private business that are begging to be filled.

During the past year several communities have enlisted business and industries in job development programs:

In Los Angeles, Calif., the Management Council for Merit Employment, Training and Research, which is composed of leaders of business and industry has in cooperation with private companies and public agencies succeeded in placing 20,000 disadvantaged in jobs. A recent study conducted by the University of Southern California has established that practically all of them remained in their original jobs.

In Rochester, N.Y., during the past summer, more than 50 local businesses pledged their support to a new community organization, Rochester Jobs, Inc., which was formed by leaders from business, community organizations, and clergy. Since August of this year, Rochester Jobs, Inc., has successfully placed 866 individuals in jobs. It is noted that Rochester Jobs, Inc., is funded by local industries and operates without Federal money.

In Hempstead, Long Island, N.Y., the Job Development Corporation, formed by community businessmen without Federal, State, or local financial assistance, has placed 550 individuals in permanent jobs and currently is training 300 additional prospects.

Recently officials of the Los Angeles, Rochester, and Hempstead programs were interviewed and they advised that it was their feeling that results in job development and placement could be more readily accomplished by privately financed agencies where programs could be implemented without the confusion, redtape, and contradictory guidelines that have prevailed in Federal antipoverty programs.

In St. Louis, Mo., the Community Action Agency—Human Resources Corporation—in October 1966, enlisted the aid of businessmen and community leaders in the Work Opportunities Unlimited program, which has served as the job development arm for the antipoverty agency. This program, which was financed 20 percent by St. Louis businessmen, has developed 7,359 jobs of which 2,699 have been filled. Work Opportunities Unlimited, by utilizing a maximum amount of business and industrial cooperation, has been successful in developing jobs at a 300 percent to 400 percent over quota ratio.

An example of one of the many imaginative approaches which could be developed through such a Job Opportunity Board is seen in the program of the Committee for Employment Opportunity in Indianapolis, Ind.:

COMMITTEE FOR EMPLOYMENT OPPORTUNITY

The Committee For Employment Opportunity was established in Indianapolis, Indiana in the fall of 1965 under the sponsorship of the Indianapolis Chamber of Commerce. Its creation effectively marked the entrance of local business and industry into the social problem solving field. Two significant factors which made this activation possible were the managerial manpower and financial support of the Center For Independent Action in New York, and the wholehearted cooperation of the Indianapolis business community through the loan of key executives to the program for specified periods of time. The effort was so successful that 334 companies are now participating in this ongoing effort.

The Committee's reason for existence is based on a paradox of modern American society . . . why are numbers of people unemployed while may jobs remain unfilled? In assessing the problem much study and effort went into a number of activities which explored the best approaches to use in putting people to work. Basic to any effort of the Committee was a determination to apply sound principles of business management to this enterprise to insure efficiency and practicality.

From this beginning has evolved a program which places primary emphasis on helping unskilled unemployed persons prepare for, find, and adjust to gainful employment. The task is not easy. In addition to being not only unskilled and unemployed the people receiving assistance are non-high school graduates who interview and test poorly for jobs and who have highly unstable work histories.

On-the-spot research showed that the unskilled job seeker's frustration and lack of motivation to find work is caused primarily by poor job focus, personal problems, a history of poor interviews, and a resulting lack of self-confidence. By the same token his lack of good work attitudes is caused by poor understanding of his personal responsibilities to an employer, over-sensitivity and defensiveness with supervisors, and a generalized hostility to business and industry whom he views incorrectly as the source of his troubles.

The unskilled and unemployed person does not circle statically in an unchanging condition . . . he is on an ever-descending spiral of frustration and defeat with all that this represents socially. The Committee For Employment Opportunity saw as its task the reversal of this process by putting the person to work, giving him the self-respect of being self-supporting, and starting on the upward spiral of success rather than the downward spiral of failure.

The approach used to reverse this process is an intensely personal one featuring volunteers recruited from business and industry, church groups, and non-sectarian associations, to serve on a one-to-one basis in counseling and working with unemployed persons. Volunteers are recruited on a short range basis, trained in two sessions, and given responsibility for a single unemployed person.

The typical volunteer is twenty to forty-five years old, male, married, has twelve to fourteen years of schooling, $6,000 to $10,000 annual income and is employed continuously. He becomes a volunteer because:

He sees the employment problem of the hard core person as solvable; he can see the effectiveness of his work; the work is within his competence to perform; the activity is short term with an option for continued involvement; the program within which he works is businesslike and practical in orientation; and the volunteer has professional support.

Since the beginning of this year we have conducted 70 recruiting campaigns in Indianapolis resulting in 239 trained volunteers. After being assigned an unemployed person the volunteer:

Contacts the job seeker; arranges a meeting with him at the job seeker's home; obtains personal data and work history; uncovers the job seeker's personal problems.

In a minimum of seven more home visits the volunteer:

Helps the job seeker assess his work potential; prepares the job seeker for work interviews; arranges for a public service evaluation of the job seeker's work potential; assists the job seeker to improve in the weak areas indicated by the evaluation; refers the job seeker to job opportunities.

One of the volunteer's most important jobs comes after the job seeker has found work. It is to help him adjust to the new work situation and ease him over the rough spots.

There are four basic principles underlying the Committee For Employment Opportunity program:

The CEO works only with unsuccessful job seekers. It does not provide work for persons who are not actively seeking it; the job seeker who becomes a job holder motivates others in his sphere of influence to become job holders; the unskilled job seeker undergoes an attitudinal change through a personal relationship with a successful person who cares about him; the middle income volunteer who assists the unskilled job seeker to get work undergoes a personal change of attitude toward unemployed persons which favorably affects his own socio-economic group in their attitude toward unskilled personnel.

In addition to encouraging recruitment of Voluntary Advisers from their respective firms, business and industry provide valuable assistance to the Committee For Employment Opportunity by:

An identification system comprised of 26 personnel offices of Indianapolis firms which screens out lowskilled and unskilled job seekers and refers these job seekers to the employment program for assistance; professional evaluations on a public service basis (22 companies are involved) or job seeker's work skills; listing job openings for the unskilled; entry-level and on-the-job training programs.

For 1967 the Committee For Employment Opportunity's project goals are:

1. to help twelve hundred unskilled and lowskilled job seekers to prepare for, find, and adjust to jobs.

2. to recruit, train, and supervise twelve hundred voluntary advisers. These voluntary advisers will be recruited from business and industry, church groups, non-sectarian associations, and people referred by voluntary advisers.

3. to increase the load of business and industry, specifically in the areas of job seekers referral, work potential evaluation, medical examinations, job listing, and on-the-job education programs.

The Indianapolis Employment Program is being prepared for transfer to other cities.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it is very evident that the gentleman intends piece by piece to try to write into the bill the so-called opportunity crusade. The first amendment verifies that fact. This cut to $1.4 billion would, for all intents and purposes, destroy thousands of worthy programs and literally yank thousands upon thousands of young people from preschool classrooms, from training opportunities, from college classrooms and many more of the needy from participation in health and other essential services.

I just want to tell you first how much it would cut back the Job Corps. From the authorization of $295 million that we have in the committee-reported bill, it will cut the Job Corps back to 31,000 enrollees. Where we expect to serve some 80,000 during the next fiscal year, with a 41,000 enrollment at all times, it cuts it back to 31,000. This is just one effect of the cut to $1.4 billion.

Now, Mr. Chairman, with reference to the Neighborhood Youth Corps——

Mr. GERALD R. FORD. Mr. Chairman, would the gentleman yield?

Mr. PERKINS. Not at this time.

Mr. Chairman, with reference to the Neighborhood Youth Corps and the in-school NYC, the amendment cuts it back from 106,000 down to 62,000. And, let me call your attention to one thing in this so-called opportunity crusade. If the members of the committee will look at the language that is contained in that proposal, you would not have out-of-school—out-of-school NYC programs—in the opportunity crusade.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. Yes, I yield briefly to the gentleman from New York. However, I wish to get along with my statement. I do not have much time.

Mr. GOODELL. The gentleman asked a question and I will answer it.

The out-of-school program would not be eliminated. A portion of the Neighborhood Youth Corps out-of-school money would be used to fund the Industry Youth Corps.

Mr. PERKINS. Mr. Chairman, I do not yield further. The gentleman's bill does not make any provision for an out-of-school Neighborhood Youth Corps.

Mr. GOODELL. The gentleman from Kentucky is incorrect.

Mr. PERKINS. Mr. Chairman, with reference to the audit manpower training programs under title I, part 1(b), and title V, enrollment levels would be cut by more than one-third. Again, you see we are not simply just cutting people out of training opportunities, we also would be destroying the worthy programs that we have in existence at the present time by the reckless shifts in the nature of the programs.

Mr. Chairman, community action programs would be cut to pieces.

As to neighborhood centers, in our

bill, we provide for reaching about 3.5 million of the poor. Under this proposed cut you will deny services to almost 1½ million people.

Mr. Chairman, under the title II manpower programs operated by community action agencies in the Committee bill you have 117,000 persons to be served. However, under the alternative situation offered by the gentleman from New York, 117,000 participants would be cut by 24,000 people.

Now, Mr. Chairman, with reference to remedial reading, remedial education, let us just take that under consideration for a moment.

Mr. ESCH. Mr. Chairman, will the gentleman yield to me?

Mr. PERKINS. I do not have much time to yield further, but I do yield to the gentleman.

Mr. ESCH. Mr. Chairman, just as a point of reference and of information, what figure is the gentleman using? Is the gentleman using the $1.6 billion figure?

Mr. PERKINS. I am using the $1.4 billion figure as contrasted with the $2.06 billion figure.

Mr. ESCH. Mr. Chairman, if the gentleman will yield further, the gentleman is not contrasting that with the $1.6 billion, which the distinguished gentleman from Texas [Mr. Mahon] stated that he was going to support?

Mr. PERKINS. I am not contrasting that with $1.6 billion. My contrast is $1.4 with $2.06 billion.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. PERKINS. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PERKINS. Mr. Chairman, with reference to remedial education, under community action tutorial programs, 4,520 children would be cut out by this amendment.

Twenty thousand people would be cut out of adult education.

The housing programs from 55,000 possible families down to about 25,000. Nonprofessional employees would be cut about 25,000.

I believe this is a good illustration: for the full year under our bill we propose to serve 209,000 Headstart children the full year. Under this amendment 50,000 children will be cut out of the program.

These are some of the things that I believe should be pointed out to let the members of the Committee know that this opportunity crusade will just cut this so-called antipoverty program to pieces, and it will totally cripple community action agencies. The amendment is completely unrealistic. The series of crusade amendments of which this amendment is just one part has been thought up in a very hasty manner. It will not serve the people. And the amount of money that they propose to fund their substitute program on certainly would render any program—no matter how well conceived—ineffective in meeting needs that are even now being effectively dealt with under existing law.

This amendment should be defeated, and should not receive the support of any individual in this Committee who is interested in doing something about poverty. It certainly will not do the job. I hope that this Committee will waste no time in voting down an amendment that will completely disrupt the whole present operation of the OEO, and all the community action agencies throughout America, and will certainly do harm to hundreds and hundreds of thousands of poor people in this Nation.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. I agree thoroughly with the presentation made by the Chairman. In addition to the cuts in community action programs, and the fact of the complete absence of an out-of-school program, among other things, this would cut the Volunteers In Service To America, VISTA, by some 21 million to 26 million, and would do irreparable damage just in that one area, not to mention the others.

Mr. PERKINS. That is correct.

Mr. THOMPSON of New Jersey. Because in my considered judgment it is utterly superficial, and I believe this was well characterized yesterday by the gentleman from Michigan [Mr. William D. Ford] who said it really is not the opportunity crusade, it is the opportunity charade.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Chairman, I would ask the gentleman, he knows the figure, does he not, of funding of VISTA for this fiscal year?

Mr. PERKINS. My recollection is $25 or $26 million.

Mr. QUIE. So we have the same figure as is presently the case for VISTA, leaving them at the present level. That hardly cuts the program.

Mr. PERKINS. The gentleman from Minnesota is an expert to a great degree in this area, and he knows that this will disrupt all of our programs today in America.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ERLENBORN. Mr. Chairman, I move to strike out the last word and rise in support of the amendment.

Mr. Chairman, I think it is unfortunate that we find ourselves in the parliamentary situation that we have here at the present time. We are now going to determine in this situation the amount of funds to be spent on a program and we have not yet an opportunity to determine what it will be, and what it is going to look like when the amendment process is completed.

I am happy that the chairman of the committee did not see fit to object to the unanimous-consent request but I am unhappy that the gentleman from Michigan [Mr. O'Hara] did.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. ERLENBORN. I yield to the gentleman.

Mr. PERKINS. I did not object myself. I had an understanding with the gentleman from New York when we talked about this. I had not discussed passing over this section with other members of the committee.

Mr. ERLENBORN. I thank the gentleman for his contribution. I was at the moment complimenting the chairman on not objecting to the unanimous-consent request.

As the House, or this Committee should be aware, after the parliamentary inquiry of the minority leader, what we do with this amendment is irrevocable in this Committee of the Whole.

What we do with this amendment will establish, without any opportunity to later change our minds, the total funds to be spent in the war on poverty in the next year or two and the allocation of those funds, title by title.

It is unfortunate, as I say, that we cannot put this off until the end of the amending process when we will know at that time what amendments will have been adopted and what this program is going to look like.

The amendment offered by the gentleman from New York establishes the authorization figures in accordance with the opportunity crusade. All Members will have an opportunity to see what kind of a program that can fund, by reading the bill, H.R. 13894, which incorporates the total opportunity crusade, that at some time during the amending process I expect we will have offered as a substitute.

Mr. Chairman, I would like to talk for just a moment about some of the comparisons that the gentleman from Kentucky, the chairman of the Committee on Education and Labor made.

He was comparing, in the Job Corps for instance, the authorization in the present bill with the authorization that is contained in the opportunity crusade—rather than comparing it with the present authorization of the program that is in existence.

He talked about the cutting back of programs. As a matter of fact, this authorization of $190 million in the Job Corps area or the residential vocational and educational area—the authorization of $190 million contained in the amendment offered by the gentleman from New York will not require any reduction in the number of those now being served.

The Job Corps presently does have a figure of about 40,000 established. The opportunity crusade does not establish the number to be served. Certainly, it is to be hoped and expected—and I would be surprised if the facts do not bear us out—when the opportunity crusade is adopted and put into operation—the $190 million authorized by this amendment will be able to aid considerably more young people than the $211 million in the 1967 authorization and limitation under which the Job Corps is now being operated.

I think this will be true title by title.

You cannot compare the authorization of the amendment offered by the gentleman from New York and say that since it is less than the committee bill that we are cutting back on programs. By the same token, neither can you say that since there are less Federal dollars involved in this authorization that fewer people will be aided by the bill, because the whole thrust of the opportunity crusade is to mobilize additional resources. Whereas the entire thrust of the committee bill is to rely entirely on the Federal Treasury to support the so-called war on poverty.

I hope there will be at the time that this amendment is voted on a good representation of the membership of this House, because this is a crucial vote.

As I pointed out when I first took the floor, this is a crucial vote that will determine irrevocably the amount of money that can be spent in the next 2 years in this war on poverty.

Mr. SMITH of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. ERLENBORN. I yield to the gentleman.

Mr. SMITH of Oklahoma. Mr. Chairman, on April 11 of this year I delivered my address to this distinguished body on a subject which I stated then was, in my opinion, one of the most distressing problems of the 1960's, the tragedy of the poor of America, and the methods implemented to help solve their problems.

My opinion is still the same. I am still persuaded that it is no disgrace to be poor; but I said then, and I say now, that if one desires to improve himself, then I think that America can help fulfill that desire and continue to offer the opportunity of advancement to every individual.

There is compassion in the heart of every American, and the desire to alleviate the plight of the poor and of those who have suffered misfortune in life. There is no one in this distinguished body who does not care about that happens to the child in the next block, or on the other side of town, or in any section of our Nation. I would not dare charge that there is anyone within the sound of my voice who is so callous as to look upon the jobless, the economically broken, or the deprived child, as being the target for political opportunism.

The Headstart program for deprived children has become easily the most accepted part of OEO's community action programs. Education is the key to interrupting the cycle of educational failure, unemployment, and poverty. Because of the administrative weaknesses of OEO and the long delays in funding, this important program has suffered, but it could expand and become viable if transferred to the experts in the Department of Health, Education, and Welfare.

The stark tragedy in all this is that the public, the poor, and even some officials, of OEO, have lost faith in the concept and program which has been presented as the means to eradicate poverty in this great country. The bureaucratic befuddlement of the Office of Economic Opportunity, the quick and exaggerated denials of any criticism by its public relations machine, the political partisanship of some of its workers, and the loss of control of its programs has brought the indignation of many responsible citizens.

The true believers in the war on poverty now consider themselves betrayed, for the performance has not been as splendid as the promise.

Outside of this building, all over this country, there are Americans who have not been able to break down the barriers to full economic participation in the life of our Nation. I have cosponsored the opportunity crusade because I believe that the Office of Economic Opportunity has not proven to be successful.

I believe that the opportunity crusade can be the blitzkrieg of the war on poverty. This crusade would involve private industry and the several States in a partnership for the poor. This crusade is a new approach, built on the solid foundation of a free enterprise economy.

I support the opportunity crusade because I believe that the war on poverty is in desperate need of major redirection. Local knowledge and private resources must be adequately utilized, instead of cast aside by those Federal planners who do not believe in the concept that each man is his brother's keeper, but only in "big-brotherism."

The poor of this country cannot eat good intentions. They cannot wear programs which never reach their doorstep. They cannot live in hollow hopes offered but not achieved. We cannot destroy the hope of those who want to better themselves, without destroying as well, our country's greatness.

I am supporting the opportunity crusade because I believe that the Office of Economic Opportunity has lost its way in the credibility gap. Evidence of this very serious mistake by OEO came to light in my own State of Oklahoma just recently at the Guthrie Women's Job Corps Center, when it was discovered that the Washington office of OEO, in what appeared to be a plan to inflate Job Corps enrollment figures and reduce the per capita cost figures, asking the Guthrie officials to withhold information on June dropouts until after the close of fiscal 1967. The initial charges were loudly denied by OEO officials, but during subsequent committee hearings it was admitted that the cost per enrollee figures were inflated as a result of the practice used, and that hardship resulted to terminated enrollees because they did not receive their termination checks until months later.

The record of this debate is already full of references to the failures of the Job Corps to either train enrollees, or to find them jobs by which to sustain themselves after graduation.

The Job Corps program has produced dismal results at enormous costs. It is as tragic a failure as anything attempted under the Economic Opportunity Act.

Under the opportunity crusade, the Job Corps would be transferred to the Secretary of Health, Education, and Welfare. The Corps would be phased into the highly successful State vocational education system to provide residential vocational education for young people who need it.

In a consultant report dated August 1967, Sar Levitan prepared for the U.S. Senate Subcommittee on Employment, Manpower, and Poverty, the following observations of the Job Corps program, which I would like to insert into the RECORD at this point:

JOB CORPS

In 1966 there were about one million out-of-school unmarried youths from poor families, most of whom were eligible to enroll in the Job Corps.

During its first two and one half years, the Job Corps had to maintain a continuous promotional effort to fill the available facilities, which by mid 1967 could accommodate some 42,000 youths.

Based on the experience during the first 10 months in fiscal 1967, the total average annual cost per enrollee of operating established centers (in operation more than 9 months) averaged $8,100, ranging from $7,300 for conservation centers to $9,700 for women's centers. Although the average exceeded the statutory limitation by nearly $600 per year, the Job Corps did not ignore the limitation imposed by Congress. The law excluded from the $7,500 limitation, overhead costs—enrollee recruitment, screening, placement, and Job Corps headquarters and regional expenses—which averaged $600 a year per enrollee; the cost of amortizing the $141 million capital investment ($600 per enrollee); and the cost of materials expended on conservation work ($854 per conservation center enrollee).

A great many of the difficulties were caused by the OEO. Even before opening its first center, the Job Corps embarked on an extensive national advertising campaign to interest young people. Concerned that the Job Corps could not attract an adequate number of enrollees and that the potential clientele would have to be sold on the idea, interested youths were invited to complete opportunity cards indicating an interest. The response of about a quarter of a million was better than the most enthusiastic advocates had hoped. Though many of those who responded were neither qualified nor really interested in the Job Corps, a large proportion were potential candidates. It took the Job Corps months to respond to the deluge of inquiries, some of which were never acknowledged. When the campaign started, the Job Corps had facilities for only a few hundred.

Under the circumstances, it is hard to understand the need for the extensive advance publicity. Indeed, knowledgeable advisers cautioned Shriver not to embark upon the campaign. In this manner the Job Corps disappointed many potential clients even before it opened for business. The performance also antagonized some of the program's best friends. For example, Congressman William F. Ryan, Democrat of New York, a consistent advocate of the antipoverty war, complained publicly that as of June 1, 1967, 1,600 New York youths had applied but only two had been selected for the Job Corps.

Nevertheless, the data clearly revealed the major problem of the Job Corps—the inability to keep enrollees in the centers for an adequate length of time to affect their future employability. Even in the Harris sample, one-third of all respondents (or interviewees) departed from the centers in less than 3 months; the actual number, as was suggested earlier, probably exceeded 40 percent. Another third of the Job Corps population stayed between 3 and 6 months.

Six months represents the crucial cutoff period needed to make the Job Corps experience a success. This judgment is based upon a comparison of the labor force status and hourly rate for former corpsmen compared with the control group of "no shows"—accepted applicants who did not go to a training center. Since the "no shows" displayed characteristics similar to those of youths who actually entered the Job Corps, it is reasonable to consider them an appropriate control group. Only former corpsmen who stayed in centers longer than 6 months had a better employment record and received a higher hourly rate of pay than the "no shows."

Both the "no shows" and former corpsmen improved their employability, reflecting possibly their increased age—since the employability of youths increases as they mature. Indeed, some might speculate upon an examination of the preemployment record of former corpsmen that youths who remained in the Job Corps for 6 months or longer could possibly have made it on their own, without the aid of the Job Corps. Fifty-two percent of this group was employed prior to entering the Job Corps and 26 percent were unemployed; while of those who stayed less than 3 months, 37 percent were employed prior to entering the Job Corps, and an identical percentage was unemployed.

Regrettably, it must be inferred that no conclusive case has yet been established to justify the Job Corps on the basis of past performance. The issue is not whether participants require aid. Their high unemployment rates, low wages and deficient education offer ample evidence that Job Corps enrollees need help. However, alternative, less costly, programs are available. There is a need therefore for more convincing data to prove that the expensive Job Corps program is justified.

VIABILITY OF JOB CORPS

The experience of the Job Corps is reminiscent of the little girl with the curl: "When she was good, she was very, very good; when she was bad, she was horrid." For youths who stayed long enough to complete an assigned course of study, the experience has been meaningful and has helped them to gain employment at a higher wage level than they might have anticipated otherwise. But too few corpsmen remain in centers long enough so that the education and training they receive is meaningful in the outside world. Despite the current vogue of "the culture of poverty," studies have indicated that the aspirations of corpsmen are not very different from those of middle-class youth. Four of every five corpsmen stated that they enrolled in a center to learn a trade, and more than half said they wanted to get an education. Based on his extensive studies of aspirations by youths from impoverished homes, Dr. David Gottlieb concluded that: ". . . lower income youth do in fact seek a better life, a life which has the dimensions of what we come to identify with the middle class." Not surprisingly, he found that poor youths discover this goal illusive.

The Job Corps is one institution with the potential of helping poor youth to bridge the gap between aspirations and reality. The harsh fact is that it has helped only a minority of those who sought its aid, despite the relatively ample resources that were allocated to it. The future of the Job Corps as a viable institution therefore remains in doubt. It will depend upon its ability to perform the Herculean tasks of operating efficiently residential centers where poor youths will remain long enough to gain an experience meaningful to their future, and of persuading the dominant sectors of the population that the effort is worth the investment.

Mr. WILLIAM D. FORD. Mr. Chairman, I rise in opposition to the amendment. A quick look at the several deep slashes taken by the meat ax wielded by the gentleman from New York [Mr. GOODELL] will indicate that lying deep in the bloody gashes left behind on his rampage, one of the programs most terribly mutilated would be the Job Corps. His amendment would cut to about $421 million the funds authorized for title I, and cut the Job Corps by one-third of current operating costs, a slash of $105 million.

Looking at the latest copy of the opportunity "charade," which I have before me I find that the proposal of the gentleman from New York is to allocate those funds in such a manner as to provide the Job Corps $190 million. However, one of the strange paradoxes of this allocation is that at the same time the proposed legislation, which I assume will be the amendment upon which his fund cut is predicated, would propose to take the Job Corps centers that are now operated by private industry away from those contractors and turn them over to some supposedly existing group of ready and waiting State vocational education agencies.

In fact, the gentleman knows as well as I do, because we both serve on the General Education Subcommittee of this committee, that we have been working hard and long in that committee to assist the State vocational education agencies in tooling up to do the meager job that they are now trying very hard to do. Such agencies, even where they exist, are in no way equipped to take over this program now being operated largely by private enterprise.

It strikes me as very strange indeed, that after having said so many times on the floor of the House and in the RECORD of the proceedings of this House that the substitute that he presents would bring private enterprise more fully into the poverty program than ever before, that one of the very first cuts that he now proposes would drive them out.

It is true—and I am sure he will point it out—that his legislation does not spell out specifically that private contractors are excluded from the program. What it states, however, is that if there is any kind of State agency, regardless of its competence to take over the programs and operate them, that that State agency shall have priority in award of contracts, and it terminates all the existing contracts with private corporations at the end of the current contract year.

Who are we talking about? A bunch of small companies that are getting rich off the poverty program? No. We are talking about Westinghouse Electric, Graflex, Inc., Thiokol, U.S. Industries, RCA, Philco, Ford, Packard-Bell, Burroughs Corp., IBM, Litton Industries, Federal Electric, and Xerox, just to name a few. We pay these private corporations an average of 4.7 percent overhead to run the urban Job Corps centers, and the proposal that the gentleman is trying to sell to this House will drive more than half of those people out of this program the first year and the balance of them within the next year or so. Instead of going toward participation by private enterprise, we will be going directly away from participation by private enterprise.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM D. FORD. I now yield to the gentleman from New York for a question.

Mr. GOODELL. I appreciate the gentleman yielding. His comments are not directed to what is in our bill. Our bill provides for the continuation of existing centers. It provides for contracts with private profitmaking employers and corporations. If the director of vocational education wishes to continue those contracts—and it would be likely that he would because the Job Corps centers that have been run the best are those that have been run by the private corporations—there would be no change whatsoever made in the opportunity crusade with reference to those points.

Mr. WILLIAM D. FORD. I think the gentleman states the position quite accurately, but the only problem is the inflection he places on the word "if." The way the gentleman states it, the "if" leaves the door wide open. If we will take the time to look at the portion of his proposal which has been mostly recently circulated to the House, we will discover that is a tremendously large "if." As a matter of fact, if we take a little bit more time and inquire of the people on this side of the aisle, who have spent time trying to develop greater vocational educational activities in this country, we will discover that "if" is not an "if" at all, but it becomes a mandatory "shall" direction.

The revised opportunity "charade" bill would not completely prohibit the operation of centers by private contractors, but it would make such operation unlikely. First priority would be given to centers operated by State vocational education boards. Only if the States had no interest in operating such centers, or for some reason were unable to do so, would the use of private contractors be a probability.

This would be a bad mistake. The United States is the home of free enterprise, and the active participation of industry in the effort to end poverty may be uniquely American. We should be proud of it, and seek new ways to harness the great ingenuity of American industry for our common purpose, not downgrade or reject its contributions. It may well take Government and industry working together toward elimination of poverty to reach this goal. We cannot afford to turn down the assistance of industry.

This is more than a theoretical argument. Industry has, in fact, made a valuable contribution to the Job Corps, and they have done so without asking the kind of financial return which is normal in Government contracts. The fee paid for management services has been approximately 4.7 percent, which is a third less than the same companies usually charge on other Government contracts. Nevertheless, many of the most successful Job Corps centers are operated under contract with private, profitmaking companies.

The experience of industry is particularly valuable in the area of vocational training. Most of Job Corps trainees will eventually seek jobs in industry, rather than Government. They can, therefore, profit greatly from direct contact with industry representatives who know in a way the Government may only guess what degree of skill is actually required in apprentice workers. Moreover, private contractors can convey to enrollees what industry standards are for reliability, promptness, good grooming, motivation, and related factors in a way that Government can only report secondhand.

This amendment should be rejected so that Government and industry can continue to work and learn together toward the elimination of poverty.

Mr. REID of New York. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise to try to make clear that there are some Members on our side of the aisle and, indeed, a number of mayors across the country of both parties, who support full funding for this program. Indeed, there are some who feel the existing amount as reported by the committee, $2,060,000,000, is largely inadequate, if not totally inadequate.

I think one could debate here today provisions in both the Goodell-Quie substitute and in the committee bill—and I have been one of those who have said there are some good things in the Goodell-Quie substitute, such as the Data Bank and the greater emphasis on job orientation—but the point that I think is before the House very simply and very sharply is this: We have made a commitment now in three Congresses to the American people. We have made a commitment that we cannot, in my opinion, honor if we cut one-third or one-half of the funds that will be available.

There is no way that we can do the job that we must to help some 30 million Americans gain necessary skills, help the Job Corps, help the Neighborhood Youth Corps, continue and expand Community Action and its national emphasis programs, and do it by cutting $500 or $600 or $700 million from the authorization.

I would urge in the strongest terms that we debate as thoughtfully as we can the merits of the bill, improve it if we can, but let us not try to cut the basic funding. The bill is already meager in certain areas, and it is absolutely necessary, in my judgment, that if the poverty of this House and its commitment is not to be made manifest for all to see, we must support full funding and make it as effective as possible in order to uphold our commitment.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. REID of New York. I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, I thank the gentleman in the well, the gentleman from New York [Mr. REID], for making some of the aspirations for debating this bill in a bipartisan fashion come true. We have had a great deal of talk along that line, but I think the gentleman in the well, not only by his efforts on the committee, but over the years with respect to a reasonable and meaningful antipoverty program, has demonstrated this kind of program can be debated in a nonpartisan or in a bipartisan fashion.

I join a number of Members on this side of the aisle in commending the gentleman for his stand, and I hope some of his colleagues on his side of the aisle will follow his real statesmanship today.

Mr. REID of New York. Mr. Chairman, I thank the gentleman.

I would state again I hope this bill today is not caught up in any kind of politics, that it can be addressed solely on its merits, and that we recognize our commitment to the cities of America, to the young men and women whose future rests in large part with this bill, to the ghettos where there is fear and hopelessness and despair today. If we seriously cut this program, no matter what the amendment is, there will be a conviction throughout America that the Congress has broken faith with its commitment.

If we cut the amount by $400 million, $500 million, or $600 million, it would be a disastrous action. Above all, it would show the hollowness of our commitment.

I hope the bill will enjoy bipartisan support in the interest of necessary and full funding.

Mr. GIBBONS. Mr. Chairman, I rise in opposition to the amendment and move to strike the requisite number of words.

Mr. Chairman, I know the debate may be interpreted here today at $2.06 billion versus $1.4 billion. The headlines will say that some people over here urge economy and some people over here want to be big spenders.

Really, what are we talking about? I believe we call this proposal the great charade or sometimes, the opportunity charade. All we are talking about at this time is how we are going to spend the money that the Congress will finally appropriate. Let us face this.

The chairman of the Appropriations Committee and the members on the Appropriations Committee have already let the Congress know how much they are going to agree to when an appropriation comes up for this program, for us to vote on. I believe that all of us in this Chamber are realists enough to know that we are going to adopt the figure which the Appropriations Committee brings in.

What figure are they talking about? They are talking about $1.6 billion.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. GIBBONS. Not at this time. I will yield later.

So let us cut out the great charade and let us talk about how we are going to control this program.

What is the issue, really, right now? The issue is, whether we are going to abandon the very carefully thought out and very carefully processed bill that has been presented here by the committee which includes the Green of Oregon amendment. On the other hand we are talking about whether we are going to spin all these programs out into the other agencies and hide them over there where no one can figure out what is going on, in all the other budgets of the other old agencies, or whether we are going to keep the Economic Opportunity Act together and the program together so that it can be appraised and worked on by the Congress.

That is all that is at issue here. It is not an economy versus spending vote.

The issue is, How are we going to control this program and how are we going to run the program?

The issue here is, are we going to adopt the Green of Oregon amendment, or are we going to adopt the Quie-Goodell substitute known as the opportunity crusade? That is all it really amounts to, because all of us know, if we are realists at all, that the only amount of money we are ever going to appropriate or put in this program is the amount those 50 members of the Appropriations Committee bring in here for us to finally vote on.

I do not believe the great debate that is taking place here right now is properly focused, unless we realize this is the issue here. The issue is whether we are going to spin these programs out, whether we are going to abolish the Office of Economic Opportunity, in effect; whether we are going to follow the Quie-Goodell proposal, or follow the carefully thought out and carefully worked out bill adopted almost on a bipartisan basis in our committee, with much bipartisan support. The issue is whether we are going to destroy the fine work of the people who worked with the gentlewoman from Oregon [Mrs. GREEN].

That is really the issue.

I am glad to yield now to the gentleman from New York.

Mr. GOODELL. Mr. Chairman, unfortunately and tragically, our committee was dealing in a fantasyland throughout its deliberations. It was ignoring the complete lack of confidence of the Members of the House and I believe of the American people generally as to the way this program has been operated.

Had we come to the floor with a major new direction, with some new realism in this program, with the good programs expanded and with the bad programs eliminated, then I believe we would have had a much better case to go before our Appropriations Committee and before the American people for more money.

Until this program is redirected we have no hope of getting the kind of money into the poverty program, the opportunity crusade, or whatever it is called, that can be justified and which is necessary to eliminate poverty. The first thing is to get this whole program on the right track. Then perhaps we will have what should have been from the very beginning a bipartisan approach that will put the amount of money in this kind of program that is necessary.

An authorization of $1.6 billion was never mentioned, to my knowledge, in the committee. We have heard that figure mentioned by the chairman of the Committee on Appropriations. I do not know what the ultimate figure will be, but I can tell the gentleman that I will go forward and fight for additional money if we have a good, realistic program and new hope that the program is structured to do the job.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GIBBONS. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GIBBONS. Mr. Chairman, I think the gentleman from New York [Mr. Goodell] has agreed with me. We are really not talking about money here but are talking about a method of control. I would urge my colleagues to reject Mr. Goodell's motion here, because if you adopt the motion, you are, in effect, adopting the principle that he stands for, which is, in effect, to spin this program out to the old line agencies. I urge you to be realists. I think all of us here are realists. The money cut in this program—and I am sure a cut is going to take place—is going to take place finally in the Committee on Appropriations. The Committee on Appropriations has already said that they are going to reduce this substantially. What we are debating here now is whether we will follow the Quie-Goodell method of controlling and handling the program or whether we will follow the program that the committee came out with, almost unanimously in some instances, and which revolves primarily around the amendment that the gentlewoman from Oregon is sponsoring and which is a part of this bill. I would urge my colleagues that the committee approach is the better approach and the wiser one for us to follow at this time.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. GIBBONS. I yield to the gentleman from Michigan.

Mr. CONYERS. I thank the gentleman.

He suggests two courses are open to the members of this Committee. I happen to think there might be another, because the Green amendment and the Gibbons amendment seem to me to have a very definite effect on the future of the antipoverty program. So I suggest to the gentleman that perhaps there is a third course which would eliminate those two amendments from the bill that has been before the House.

Mr. GIBBONS. I will have to let the Committee work its will and its wisdom on the Green amendment and my amendment to the bill. I am willing to abide by that, of course, but I think this is not a debate over money but over the technique of how you will control the spending of this money. I happen to favor the committee's approach and I happen to favor the principle that has been most clearly enunciated by our colleague, the gentlewoman from Oregon [Mrs. Green], and I am urging my colleagues to follow that.

Mr. CONYERS. Mr. Chairman, will the gentleman yield further on that?

Mr. GIBBONS. I would rather not. I have received 3 additional minutes to speak under unanimous consent. If the gentleman would like to speak on his own time, I am sure he will have plenty of time to speak.

Mr. CONYERS. Mr. Chairman, I rise to strike the last word.

I would like to point out to my colleagues that there is a question of money involved in this bill. I do not see how anyone in this Congress can come to the well of the House of Representatives and say that there is not.

Mr. Chairman, there are a number of people on the committee and in this body who seem to feel that there is not enough money going into an antipoverty program.

Mr. Chairman, neither of the amendments which have been offered are adequate. I have heard no one on this committee yet speak to the problems as to how many millions of Americans are living in poverty, Americans who are not benefiting from any of the programs, and who will not benefit from any of the programs that have been brought forth in this legislation.

Mr. REID of New York. Mr. Chairman, will the gentleman yield to me at this point?

Mr. CONYERS. I shall be glad to yield to the distinguished gentleman from New York.

Mr. REID of New York. I think the point which the gentleman from Michigan is making is well taken. The best figures I have seen indicate that there are some 8 million Americans who are either unemployed or are underemployed. Our closest estimate indicates that we have not reached many more than 500,000 of these and many not in sufficient depth.

I would say to the gentleman from Michigan, and I believe he shares this view, that we are facing the most serious domestic crisis in this country since the Civil War. Further, I would point out to the gentleman that the other body came within one or two votes of authorizing an additional $2 billion for a job training program alone—including training and employment in both the public and private sectors.

The problem in the House of Representatives is frankly the fact that our sights have been set too low. We are not really recognizing the magnitude of the problem. The fact that there are millions of Americans who are not being reached either by private enterprise, local government, State government, or through any of the antipoverty programs is most pronounced.

So, Mr. Chairman, I hope we can raise our sights high today.

Mr. CONYERS. I thank the distinguished gentleman from New York and it is my opinion that the gentleman is expressing the view of what may be a minority of the Members of the House of Representatives, but who nevertheless feel strongly that these views ought to be aired during this debate.

Mr. Chairman, I do not understand how we can come here, with our social fabric being ripped in a number of serious places, and have people go into the well and suggest that $2 billion for the antipoverty program is going to do the job.

Mr. Chairman, I do not care how much more efficiency we work into this program, it is not going to be adequate, no matter how we slice it, no matter how we parcel out the use of the funds involved, and no matter how we patch it up and no matter how we approach it.

Mr. Chairman, I am just a little disturbed today about the fact that some of the members of the committee who have always been talking about more financing, are now switching their position to support economy and more efficiency. The problems which exist in American slums and the disorders we are faced with are not going to be solved by the kind of supposed solution which we expected to find in the so-called opportunity charade, or in these amendments that are going to turn the poverty program over to local politicians.

Mr. Chairman, I deplore this kind of activity and I hope someone on the committee will help begin to make real the kind of promise that was originally inherent in the antipoverty program.

Mr. GOODELL. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from New York.

Mr. GOODELL. Mr. Chairman, I would like to say that with reference to the last portion of what the gentleman from Michigan said, I agree completely, that we should not turn this program over to the politicians. And, I hope that the distinguished gentleman from Michigan will join me when we come to that portion of the bill to reverse the regressive action which was taken in the committee.

Mr. CONYERS. Mr. Chairman, I shall be delighted to join with the gentleman from New York in his efforts at that point.

Mr. GOODELL. Mr. Chairman, will the gentleman yield further?

Mr. CONYERS. I yield further to the gentleman from New York.

Mr. GOODELL. I would agree that the amount of money we can spend is not sufficient and cannot solve the real problem involved here. We are expending some $40 billion in poverty-oriented programs today. There must be something wrong with the manner in which we are expending that money, in my opinion. There must be a great deal of misconceived spending. First, we cannot say that the expenditure of $2 billion, $3 billion, $4 billion, $5 billion or $10 billion is going to solve this problem.

The answer is to get some realistic program into operation and get our feet on the ground in this operation that will provide meaningful jobs for the people involved in these programs.

Mr. CONYERS. It is just that kind of approach that has been compromising the antipoverty program right out of existence every year when the time approaches for the House to work our will on this bill. We are not talking about spending $40 billion, and the gentleman from New York knows it. We are here today to talk about whether that sum is to be $2 billion or some other sum totally inadequate to meet the needs of this program.

Mr. Chairman, the answer to the question as to whether we can simply resolve this problem with money is, of course, that it cannot be resolved with money alone, but without adequate financing, there is no way to continue the modest beginning in this vital effort to eradicate poverty in America.

But many of us know in our hearts we are crippling the program through inadequate financing from the beginning, and that crippling will never, never help the program get to where it ought to be.

The CHAIRMAN. The time of the gentleman has expired.

Mr. AYRES. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the debate here in the Committee comes as no surprise to many of us. I was disappointed when the gentleman from Michigan objected to considering the moneys at the end of the bill because it was very apparent that there would be a considerable number of amendments offered in the committee, and it would be literally impossible to know exactly what moneys would be needed until the committee had worked its will as to what type of poverty legislation this was going to be.

Now, this never came up in the committee, probably because the chairman of the Committee on Appropriations, Mr. Mahon, had not stipulated that in all probability $1.6 billion would be the top figure that the Committee on Appropriations would possibly appropriate for this program.

We had storm warnings sent up by the House while the committee was considering this bill. The Members will recall that on one occasion an amendment passed this House overwhelmingly regarding the increase in the Federal pay scale for our Federal workers wherein the OEO employees were eliminated from that consideration. Then we had another amendment on the continuing resolution that stipulated that the authorization would be prorated on the basis of $1.2 billion a year, or $100 million a month.

So, as I say, it came as no surprise to me to notice that there would be considerable support for a reduction in the total figure. Whether or not this is the proper figure no one at this point can actually determine, because we do not know just what the final legislation will be. However, I must say that the work of Congressman Goodell and Congressman Quie in this general field over the last 3 years has convinced many Members that a very constructive program that will really help the poor can be operated at the $1.4 billion per year figure.

I presume that further consideration of this will be postponed, Mr. Chairman, until there can be real serious thought as to what should be done in the days ahead on the discussion of this proposal, but I would hope that the Members on the other side will realize that the Members on the Republican side are just as anxious to help the poor, but they want the poor to be really helped. We all know that there has been considerable waste in this program.

Mr. Chairman, I would not be at all surprised to see, after we go all through the debate, that even a lower figure will be agreed to.

There is one thing that I agree with Mr. Gibbons on—we must be realistic regardless of what we do here, because this bill is finally going to be written in conference. I do not care what goes over to the conference, because it will be written by the conference, and after the conference report is brought in, then we will vote it up or down, and then, assuming it passes, the reworking is going to be done by the Committee on Appropriations.

Mr. Mahon has said that 1.6 is the most that we are going to get. In talking to some of the Members of the Committee on Appropriations they seem to feel that 1.4 is going to be the figure.

So when we come back next week to continue the debate, I hope that we will be able to control our tempers and be logical, but in the final analysis I would say to the Members that they should remember they are going to have about 1.4 billion which they will be voting on out of the Committee on Appropriations. So relax over the weekend.

Mr. SCHEUER. Mr. Chairman, I move to strike the last word and rise in opposition to the amendment.

Mr. Chairman, I am depressed by the empty defeatism of our domestic doves who seek a unilateral withdrawal from the war against poverty—a withdrawal in the face of an enemy whose battalions are composed of joblessness, hunger, illiteracy, and desperation.

Instead of poverty being the enemy, they appear to regard the poor as the enemy. I believe that there ought to be more domestic hawks on the floor of this Committee—and I am proud to be one.

We have heard complaints that we are spending $30 or $40 billion on poverty in this country, so what does this $2 billion mean?

The whole key to the matter is that the $30 or $40 billion we are spending—and I have never seen that figure verified—has been through agencies of Government at the Federal, State, and local levels, that have not historically been concerned with the poor and that have not made an impact on the poor.

The whole purpose of this $2 billion poverty program, which is really a research and demonstration program, is to show where and how we can invest dollars in education and job training that will have an impact on the poor.

Virtually the entire gamut of the corporate leadership in our country has been involved in the poverty program.

Of the $212 million allowed for Job Corps centers for the fiscal year 1967, $147 million is fed into private industry by direct contract arrangement.

The poverty program is the machinery for galvanizing the energies and talents of the private sector and focusing them on the problems of the poor.

This is done in the Neighborhood Youth Corps, the Job Corps, and the new careers program.

A whole gamut of poverty programs is run by the talent of private industry, by mobilizing the talents of individuals and groups like IBM's chairman, Thomas Watson; Litton's chairman, Tex Thorton, and Vice President John Rubel; Hotel Corp. of America's President Sonnebend; Cleveland Electric Illuminating's president, Ralph Besse; Olin Mathieson's executive committee chairman, Thomas Nichols; Detroit Edison's chairman, Walter Cisler; and Michigan Bell Telephone's assistant general counsel, William Patrick, and dozens and dozens of major industries in America.

Mr. Chairman, the reason the Federal Government is in the business of bringing the resources of private industry into the poverty program is because local groups and localities do not have the funds to do it themselves.

The States of North Carolina, South Carolina, and Mississippi all have a better than 56-percent rejection rate of young people in the Armed Forces mental test and better than a 80-percent rejection rate on young Negro Americans—again on the Armed Forces mental test. But every single one of these three States is doing as well as or better than New York State, my State, in the percentage of their personal incomes which they devote to education programs and they are all doing better than the national average.

Nobody can point the finger of scorn or shame at those States. We can only point the finger of shame at ourselves for not having helped these States to contend with their impoverished population, both urban and rural, and to do the job that they simply do not have the resources to do.

Mr. Chairman, this is a national problem and it must be a national responsibility.

The $2 billion program that we are talking about today has had an impact on barely 10 percent of the poor in our Nation.

What this program needs is building up and not tearing down.

Of the 2.5 million kids in our country who ought to be in a full year Headstart program, only 213,000, less than 10 percent, are involved.

Of the kids who ought to be in a Followthrough program to help them to make a success of their elementary school years, less than 15 percent are involved.

Of the kids who ought to be in the Upward Bound program so that they can make a go of it and go to college, less than 4 percent are involved.

Of the adults who ought to be in the MDTA, the manpower development and training programs, virtually all of which are run by private industry, less than 4 percent are involved.

Is this a program, I ask my colleagues, involving the talents and energy and dynamism of private industry that ought to be built up or should it be torn down by an act of defeatism and despair and by a rejection of the hopes and aspirations of our poor?

SUCCESS OF APOLLO 4

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield so that I might make an announcement out of order?

Mr. SCHEUER. I am happy to yield to my colleague, the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Mr. Chairman, I ask unanimous consent that I may speak out of order.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. FULTON of Pennsylvania. Mr. Chairman, we have received some very wonderful news. The Apollo 4 has now splashed down 9 miles west of its target and 6 miles from the carrier *Bennington*. So it is a complete success.

Mr. SCHEUER. Mr. Chairman, I ask unanimous consent to proceed for an additional 3 minutes.

The CHAIRMAN. Is there objection

to the request of the gentleman from New York?

There was no objection.

Mr. SCHEUER. Mr. Chairman, I think the point ought to be made that despite all the dust, smoke, and sound that has been created, despite all the obfuscation, there is one point that comes over with extreme clarity, and that is that the American people want the poverty program. They feel that it has worked. They feel that Headstart has worked. They feel that the Neighborhood Youth Corps has worked. They feel that the Job Corps has worked. They feel that the follow-through program has worked. I have not heard a member of this committee say that from the States and cities across the country they have heard statements that the programs are not wanted. The failures of the programs have been conjured up in the minds of the opponents of the programs who are blind to success and who are reaching and grasping to find some shreds of evidence of failure, when the programs demonstrably have succeeded.

The question is, Can we afford this modest program of $2 billion as a demonstration program on how we can erase the shame and the virus of poverty from our midst?

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. SCHEUER. I yield to my colleague from New York.

Mr. CAREY. I trust the gentleman in the well received, as I did, a wire from the Governor of the State of New York in the last 24 hours asking that the New York delegation do all in its power to continue funding this program at a level which would not mean cutting off payments to those who are doing their best to help the poor. You did receive such a wire, did you not?

Mr. SCHEUER. I thank my colleague for reminding our colleagues on both sides of the aisle, particularly the Republican delegation from New York, of that important message from our distinguished Governor.

Mr. CAREY. Mr. Chairman, will the gentleman yield further?

Mr. SCHEUER. I yield to the gentleman from New York.

Mr. CAREY. Is it not true that what we are seeking now in the committee bill really is a vote of confidence in the program from the House that we should continue this program and continue to improve it?

Mr. SCHEUER. We are asking for a vote of confidence in the community leaders, the civic leaders, the business leaders, and the church leaders across the face of the land—of every race, color, and creed, who have been creating, administering, and directing the local programs, and who feel that it is the only answer to rural and urban poverty in our midst. It is the grassroots leadership at the local, municipal, county, and State levels that we are asking to have validated.

Mr. CAREY. Mr. Chairman, will the gentleman yield further?

Mr. SCHEUER. I am happy to yield to my distinguished colleague.

Mr. CAREY. Is it not true that what we would like to do would be to go to the Senate and talk to our colleagues in the other body and go to our colleagues on the Appropriations Committee with the kind of justifications that they are going to seek from us to continue this program at an adequate funding level? We have heard from the distinguished chairman of the Appropriations Committee that in that great and august committee they are willing to talk about a figure which is $200 million in excess of the limitation which is now being suggested by our colleague from New York.

In a sense, they are cutting below what even the august Committee on Appropriations is willing to consider in the event that we come to them with justifications. Is that not correct?

Mr. SCHEUER. There is no question about that.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. SCHEUER. I yield to the gentleman from Illinois for a question.

Mr. PUCINSKI. Does the gentleman know whether the Governor of the State of New York is aware of the fact that the gentleman from New York [Mr. GOODELL] is leading the fight to cut this program?

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. PERKINS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ROONEY of New York, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 2388) to provide an improved Economic Opportunity Act, to authorize funds for the continued operation of economic opportunity programs, to authorize an Emergency Employment Act, and for other purposes, had come to no resolution thereon.

PROVIDING FOR CONSIDERATION OF THE CONFERENCE REPORT ON H.R. 8569, DISTRICT OF COLUMBIA APPROPRIATIONS, 1968

Mr. SISK, from the Committee on Rules, reported the following privileged resolution (H. Res. 973, Rept. No. 904), which was referred to the House Calendar and ordered to be printed:

H. RES. 973

Resolved, That it shall be in order to consider a conference report on the bill (H.R. 8569) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1968, and for other purposes, the same day reported notwithstanding the provisions of clause 2, rule XXVIII.

Mr. SISK. Mr. Speaker, I call up House Resolution 973 and ask for its immediate consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read the resolution.

The SPEAKER. The question is, will the House now consider House Resolution 973?

The question was taken; and (two-thirds having voted in favor thereof), the House agreed to consider House Resolution 973.

The SPEAKER. The gentleman from California [Mr. SISK] is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. LATTA], pending which I yield myself such time as I may consume.

Mr. Speaker, the reading of the resolution is self-explanatory. This resolution is brought here in order to expedite the business of the House and to make possible the moving along of an important appropriation conference report with as much rapidity as is possible.

Mr. Speaker, I urge the adoption of the resolution and reserve the balance of my time.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to my colleague, the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, do I understand that points of order are waived in this resolution?

Mr. SISK. Mr. Speaker, I do not have a copy of the resolution in front of me. There is no waiver of points of order that I know anything about.

This resolution, if I may say to my colleague from Iowa, simply makes in order today the consideration of the conference report on the District of Columbia appropriations bill.

Mr. GROSS. Mr. Speaker, when was the original House appropriations bill sent to the other body? Does the gentleman remember?

Mr. SISK. I believe it was sent over on the 18th of April. It is my understanding that the House passed the District of Columbia appropriations bill, completed action on it on the 18th of April last.

Mr. GROSS. That was nearly 7 months ago. Is that correct?

Mr. SISK. The gentleman is correct.

Mr. GROSS. Yet we are called upon here, without having anything before us now, to pass upon a conference report. We have no material whatever with respect to this conference between the House and Senate.

Mr. SISK. Let me say to my colleague, I am sure that he, along with the majority of us, is cognizant of some of the problems that have occurred and some of the reasons which have been holding up and causing delay with reference to certain reorganizations, and the tax bill, and providing for raising of revenue in the District of Columbia which has also been causing some of the delay in action.

I believe the bill has passed the House and has passed the Senate, and we are generally familiar with what has been done.

What we are proposing to do here, on this occasion, is to give the chairman of the Appropriations Subcommittee on the District of Columbia the opportunity to explain such differences as may have been agreed to in conference, that would be different from the bill as adopted in the House.

I do not feel it is something which is arbitrary. My colleague, I am sure, is as interested as I am in getting the House to adjourn sine die.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. SISK. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, if I thought the precipitate action being taken now would expedite the business of the House, this would somewhat put a different color on it, but I do not think the gentleman thinks we are going to be out of here before the early part of December at the earliest.

The gentleman really does not believe this House is going to adjourn sine die before that time, does he?

Mr. SISK. I would say to my colleague, I hesitate even to speculate. I am sure the gentleman is anxious, as we are all anxious, to bring to a conclusion as rapidly as possible the business with which Congress is concerned. It does seem to me this will expedite that action.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. SISK. I am glad to yield to the distinguished chairman of my committee, the gentleman from Mississippi.

Mr. COLMER. In response to the gentleman from Iowa, who I am sure is just as anxious as the gentleman from California and I to adjourn this Congress, let me say that the Committee on Rules has taken this rather unusual action for the purpose the gentleman from California stated, namely, to try to get the Congress moving to a sine die adjournment.

In furtherance of that, the Committee on Rules has taken action, and the chairmen of the various legislative committees are being notified that there will be only one additional meeting of the Rules Committee, to wit, on November 21, a week after the regular meeting day next Tuesday. That is when the committee will meet, and it will be the final meeting for the consideration of legislation, in the absence of any urgent nature. Legislation will not be considered by the Rules Committee after the date of November 21, except in procedural matters such as the one that has just arisen.

I hope the gentleman from Iowa will feel that he should applaud the Committee on Rules for having taken this action.

Mr. GROSS. Mr. Speaker, will my friend from California yield?

Mr. SISK. I yield to the gentleman from Iowa.

Mr. GROSS. I will be brief. I see no reason to applaud the Rules Committee in this particular situation, and I have every respect for Chaiman COLMER and the members of the committee.

The other body has sat on this bill for almost 7 months. It is sitting on the continuing resolution now, and has been for about 3 weeks. Correct me if I am wrong.

Mr. SISK. If the gentleman will permit me to comment there, I am not here necessarily to uphold actions of the other body. I disagree very vigorously with some of the things they do.

On the other hand, I believe in justice to the other body. As to the subject under consideration here, and I refer now to the District of Columbia appropriation bill, there has been a matter of certain revenue legislation, with which I am sure my colleague from Iowa is familiar, which was tending to hold this up. That has now moved along. We are now in a position to go ahead and accept the conference report on the bill.

This will be subject, of course, to our vote in the House, after the gentleman from Kentucky and his minority colleague have explained the bill. We will have a right to vote up or down on the issues before us at that time.

I know that my colleague from Iowa is interested in getting out. We would hope we might move along as quickly as possible.

Mr. GROSS. Of course, there are a few of us—more than a few—who would like to know what we are voting on. We will not have any opportunity to do so, insofar as any printed material is concerned.

Mr. SISK. I would hope that we could give these gentlemen an opportunity to explain. They will be explaining it shortly, if we can adopt this resolution.

Mr. Speaker, I reserve the remainder of my time.

Mr. LATTA. Mr. Speaker, at the outset I want to agree with the statement made by the gentleman from California that we who serve on the Rules Committee are attempting to expedite the adjournment of this Congress. That is one reason why we met at 3 o'clock, on about a 30-minute notice from our chairman, so that this resolution could be brought up today.

As he pointed out, this resolution only makes it in order to consider this conference report today notwithstanding the provisions of clause 2, Rule XXVIII, of the House. If the Members are not familiar with this rule, it reads as follows:

> It shall not be in order to consider the report of a committee of conference until such report and the accompanying statement shall have been printed in the RECORD, except on either of the six days preceding the end of a session.

Now, it might just be that we are in the 6-day period before the end of the session. I hope so. That would really be optimistic, of course. However, I want to point out we are not waiving anything but merely making it in order for us to consider this matter now without letting it lay over so that it can be printed in the RECORD.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I yield to the gentleman from Iowa.

Mr. GROSS. It has been said that this precipitate action is necessary in order to hasten adjournment.

Mr. LATTA. I hope that is true.

Mr. GROSS. If we are in a headlong rush toward adjournment, why are we not meeting tomorrow?

Mr. LATTA. Not being the Speaker of this House, I cannot answer that question, but somebody just indicated that tomorrow is a legal holiday and Federal employees are off tomorrow. That might be one of the reasons why we are not meeting tomorrow.

Mr. Speaker, absolutely no one appeared before the Committee on Rules in opposition to the resolution. This conference report was agreed upon unanimously. It is $31 million under the budget request.

Mr. FULTON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I am very happy to yield to the gentleman from Pennsylvania [Mr. FULTON.]

Mr. FULTON of Pennsylvania. In order to follow up on the announcement on the Apollo IV capsule, this is the Saturn V. It has flotation gear on it. It is 2,000 yards off the carrier *Bennington*. Divers are in the water and they have the flotation gear attached to it. They will be trying to get it attached to a helicopter. It landed one minute early 9 miles west of the target area and 6 miles from the U.S. carrier *Bennington*. It is 600 miles northwest of Hawaii. We really owe these fellows a big hand. They have done a wonderful job. NASA has come through and has done a magnificent job all through. It looks good for the moon program and the moon landing.

Mr. LATTA. Mr. Speaker, getting back to the matter of this resolution, I want to say that if any Member of the House would like to see the statement of the managers on the part of the House, I have a copy here supplied to the members of the Committee on Rules. Along with it we have a complete breakdown of the dollars involved in this bill as compared to previous years.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I will be very happy to yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding.

As he will notice and as the Members of the House will notice, I did not oppose a move to suspend the rules and consider this under a suspension of the rules which would have required two-thirds voting in the affirmative. I think we are now undergoing due process according to the rules of the House. As I understand the situation this rule that has been voted out of the Committee on Rules, in a hastily called session of which no notice was given to any of the members. Therefore, when he says that absolutely no one attended the meeting of the Committee on Rules, I do not see how they could have even if they wished since we had not been notified of it and we are considering another matter in general debate in the Committee as a whole. We can consider and debate this or vote down the question on the conference report as usual. I compliment the Committee on Rules for making it in order and for following a normal process without waiver of points of order. I do not think that the remark about people not appearing before the Committee on Rules when the House was in Committee of the Whole and without due notice, is pertinent. The same applies to the Committee on Rules as previously applied to the conference—that is, no reports or resolution to work from.

Mr. LATTA. May I inquire? Are you telling the House that you did not know the Committee on Rules was meeting?

Mr. HALL. That is correct, and I doubt that all the members did.

Mr. LATTA. I thought you knew when we met.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1968—CONFERENCE REPORT

Mr. NATCHER. Mr. Speaker, I call up the conference report on the bill (H.R. 8569) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1968, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of today, pp. 31881–31882.)

The SPEAKER. The gentleman from Kentucky [Mr. NATCHER] is recognized for 1 hour.

Mr. NATCHER. Mr. Speaker, at the time the District of Columbia budget for fiscal year 1968 was presented to the House, we recommended the total sum of $463,337,700. At the time this particular budget was presented it was out of balance approximately $62,000,000.

In order to bring receipts in line with expenditures we recommended to the House that the overall amount requested by the Bureau of the Budget for the operation of this Capital City be reduced by $62,719,500.

Subsequent to that time, Mr. Speaker, the legislative committees in the House and in the Senate passed a revenue bill—and it was a good revenue bill—which provided that the ceiling, as far as the Federal payment was concerned, would be $70 million instead of $60 million. In addition, the borrowing authority of the District of Columbia would be increased from $290 million in steps over a 3-year period up to $392.3 million.

Therefore, at the time the Senate passed the bill, they operated under the new revenue measure which gave them additional money.

I want all the Members of this House to know that if we had been provided with the additional revenue at the time we presented our bill, certainly we would have added more schools, more classrooms, more teachers, and more necessary and essential employees.

This bill, Mr. Speaker, as we bring it back in this conference report, provides for an overall amount of $500,954,300. The amount as it passed the Senate was $504,960,100.

We met in conference this morning. We explained to the Members on the other side that we could not bring the bill back in the amount as it passed in that body. In the conference, Mr. Speaker, we reduced the Federal payment $4,020,800 which provides $63,979,200 instead of $68 million as passed the Senate.

This is an adequate Federal payment.

I want to call one matter to the attention of the House. The other body provided for a reserve of over $11 million. Assuming that measures are enacted providing various salary increases, District officials will not have to come back in a supplemental and ask for an additional Federal payment.

Their request in a supplemental which will have to be approved by the House and Senate will be drawn from the money that is set up in this reserve.

I want you, ladies and gentlemen of the House, to know that this is good procedure, one we have followed in this committee for a number of years.

Mr. Speaker, so far as the overall amount requested by the Bureau of the Budget is concerned, which was $532,196,200, the bill as presented in this conference report is below that amount by $31,241,900.

As my distinguished friend, the gentleman from Missouri, pointed out a few minutes ago, this does exceed the amount we appropriated for the fiscal year 1968; the gentleman is exactly right. But I think these matters ought to be called to the attention of the House. There is one other thing, Mr. Speaker, that I think all Members should know.

From time to time you hear that the Federal payment for the Capital City—and the statement now will be made—will only be $63,979,200.

In addition to this budget of $500,954,300 the District of Columbia will receive $173,353,324 in Federal grants that go to many of the agencies of the District of Columbia.

For instance, the public schools will receive $18,314,062. The District of Columbia receives these funds on the same basis as the other 50 States and they are not incorporated in this budget. They are not under the control of the Congress so far as this particular budget is concerned.

So, in addition to the Federal payment of $63,979,200 to the general fund the District of Columbia will receive $173,353,324 in Federal grants during the fiscal year. The bill also provides $2,205,000 payable to the water fund, $1,294,000 to the sanitary sewage works fund as well as loan appropriations totaling $79,200,000.

Under permission to revise my remarks and include a tabulation I will insert a summary table showing action on the bill during the various stages of enactment.

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1968 (H.R. 8569)

Item	Appropriations, 1967	Budget estimates, 1968 (revised) [1]	Passed House	Passed Senate	Conference action	Conference action compared with—			
						Appropriations, 1967	Budget estimates, 1968	House	Senate
FEDERAL FUNDS									
FEDERAL PAYMENT TO DISTRICT OF COLUMBIA									
General fund	$58,000,000	$70,000,000	$56,000,000	$68,000,000	$63,979,200	+$5,979,200	−$6,020,800	+$7,979,200	−$4,020,800
Water fund	2,146,000	2,205,000	2,205,000	2,205,000	2,205,000	+59,000			
Sanitary sewage works fund	1,248,000	1,294,000	1,294,000	1,294,000	1,294,000	+46,000			
Total, Federal payment to District of Columbia	61,394,000	73,499,000	59,499,000	71,499,000	67,478,200	+6,084,200	−6,020,800	+7,979,200	−4,020,800
LOANS TO DISTRICT OF COLUMBIA FOR CAPITAL OUTLAY (FROM THE U.S. TREASURY)									
General fund	31,073,500	73,400,000	31,800,000	62,900,000	62,900,000	+31,826,500	−10,500,000	+31,100,000	
Highway fund	12,000,000	14,300,000	14,300,000	14,300,000	14,300,000	+2,300,000			
Water fund	500,000	2,000,000	2,000,000	2,000,000	2,000,000	+1,500,000			
Total, loan appropriation to District of Columbia	43,573,500	89,700,000	48,100,000	79,200,000	79,200,000	+35,626,500	−10,500,000	+31,100,000	
Grand total, Federal funds	104,967,500	163,199,000	107,599,000	150,699,000	146,678,200	+41,710,700	−16,520,800	+39,079,200	−4,020,800
DISTRICT OF COLUMBIA FUNDS									
OPERATING EXPENSES									
General operating expenses	23,213,500	28,018,000	25,885,000	26,509,700	26,434,700	+3,221,200	−1,583,300	+549,700	−75,000
Public safety	90,392,400	93,433,000	91,995,000	92,541,700	92,522,200	+2,129,800	−910,800	+527,200	−19,500
Education	85,914,000	102,999,000	93,730,000	97,481,900	97,331,900	+11,417,900	−5,667,100	+3,601,900	−150,000
Parks and recreation	12,752,200	17,747,000	15,906,000	15,120,900	15,120,900	+2,368,700	−2,626,100	−785,100	
Health and welfare	90,522,000	107,615,000	103,439,000	104,782,900	104,670,600	+14,148,600	−2,944,400	+1,231,600	−112,300
Highways and traffic	15,227,000	16,307,000	16,705,000	16,627,300	16,627,300	+1,400,300	+320,300	−77,700	
Sanitary engineering	24,542,500	26,970,000	26,379,000	26,732,500	26,732,500	+2,190,000	−237,500	+353,500	
Metropolitan Police (additional municipal services, American Legion convention)	233,000					−233,000			
Metropolitan Police (additional municipal services, Imperial Shrine convention)		237,700	237,700	237,700	237,700	+237,700			
Personal services, wage-board employees	1,320,000	1,613,000	1,613,000	1,613,000	1,613,000	+293,000			
Settlement of claims and suits	60,700					−60,700			
Total, operating expenses	344,177,300	394,939,700	375,889,700	381,647,600	381,290,800	+37,113,500	−13,648,900	+5,401,100	−356,800

See footnote at end of table.

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1968 (H.R. 8569)—Continued

Item	Appropriations, 1967	Budge estimates, 1968 (revised)[1]	Passed House	Passed Senate	Conference action	Conference action compared with— Appropriations, 1967	Budget estimates, 1968	House	Senate
REPAYMENT OF LOANS AND INTEREST									
Reimbursement to the United States	$6,077,600	$7,790,000	$7,790,000	$7,760,000	$7,760,000	+$1,682,400	−$30,000	−$30,000	
CAPITAL OUTLAY									
Capital outlay	67,030,500	129,466,500	79,658,000	115,552,500	111,903,500	+44,873,000	−17,563,000	+32,245,500	−$3,649,000
Contribution to rapid rail transit system	4,527,500					−4,527,500			
Total, capital outlay	71,558,000	129,466,500	79,658,000	115,552,500	111,903,500	+40,345,500	−17,563,000	+32,245,500	−3,649,000
Grand total, District of Columbia funds	421,812,900	532,196,200	463,337,700	504,960,100	500,954,300	+79,141,400	−31,241,900	+37,616,600	−4,005,800

[1] Includes supplemental estimates in S. Doc. 54.

Mr. Speaker, all of the conferees in this conference have tried very carefully to carry out the wishes of the House. I say that to you frankly. We went over and explained the position that we were in from the standpoint of a continuing resolution and the expenditure of Federal funds.

I want to call to the attention of the House the provision in the bill which extends the continuing resolution until November 9.

The last paragraph in the bill, Mr. Speaker, provides: "The joint resolution of October 5, 1967—Public Law 91-102—is hereby amended by striking out 'October 23, 1967' and inserting in lieu thereof 'November 9, 1967'."

My distinguished friend, the ranking member of our committee, the gentleman from Ohio [Mr. Bow] was one of the conferees. My chairman of the Committee on Appropriations, the distinguished gentleman from Texas [Mr. MAHON] was also one of our conferees. We all agreed, Mr. Speaker, on the extension of the continuing resolution to November 9 that was placed in the bill by the other body. Let me make this statement to the Members of the House: The continuing resolution makes provision for foreign assistance, the OEO, military construction, public works, and the Appalachian program.

The Congress of the United States has enacted into law, and the President has signed, all the other appropriation bills. Certainly the employees of the departments I have named who have worked should be paid. That is the honorable way to operate our Government. The continuing resolution carrying the authorization up to November 9 is proper in every respect, and we ought to stand by it and agree to it. We had no objection to it in the conference.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. NATCHER. I yield to my distinguished friend from Iowa.

Mr. GROSS. I thank the gentleman from Kentucky for yielding. That simply means, then, that you would legalize the paychecks of Federal employees on a one-shot basis. Is that correct?

Mr. NATCHER. Up to November 9. But let me point out to the gentleman that, as far as the continuing resolution which is still in conference is concerned, the legislation before the House today would not supersede it or set it aside. That conference will continue. I know my friend, the distinguished gentleman from Ohio who sits across the aisle, will confirm that statement.

Mr. GROSS. So if the Congress is still in session later this month or at the end of this month, some kind of continuing resolution will be necessary then. Is that correct?

Mr. NATCHER. The gentleman is absolutely correct.

Mr. GROSS. In order to legalize the pay of Federal employees and other expenditures of the Federal Government.

Mr. NATCHER. The gentleman is correct.

Mr. GROSS. I thank the gentleman. I have one or two additional questions. Would this measure in any way increase the interest payment of this "white elephant" stadium to be found out east of town?

Mr. NATCHER. It would not increase the interest payment. The measure provides $30,000 less than the $800,026 requested for this year.

I want the distinguished gentleman to know this: I was sitting on the floor of the House when the bill providing for the erection of that stadium passed, and I remember when the gentleman from Iowa stood up and asked the question, "How much will it cost?"

The answer was, "Between $6 and $7 million."

The gentleman knows that the stadium cost $20 million.

Mr. GROSS. Correct.

Mr. NATCHER. And it requires $863,000 a year just to pay the interest. As far as interest is concerned, in this measure we have $770,026 which is $30,000 less than was originally requested for this year. The balance is being paid from receipts.

Mr. GROSS. May I ask the gentleman—and I think I know the answer—is it not true that not a dollar has been paid on the principal of the bonds that were issued, the $19 or $20 million worth of bonds?

Mr. NATCHER. The gentleman is exactly correct.

Mr. GROSS. I thank the gentleman. One additional question: Did you have to buy new automobiles for the new Mayor and the City Council of the District of Columbia?

Mr. NATCHER. I want the gentleman to know that the new Commissioner and the Assistant Commissioner are operating automobiles that were used by two of the other three Commissioners, which are rented vehicles. Mr. Speaker, I believe it costs approximately $750 a year to run these cars.

Mr. GROSS. So there is no bill here to equip the so-called new city government of the District of Columbia with new vehicles?

Mr. NATCHER. The announcement that we received, I will say to the gentleman, was to the effect that the Commissioner and the Assistant Commissioner will use two of the the vehicles used by the previous Commissioners.

Mr. GROSS. I thank the gentleman.

Mr. BROYHILL of Virginia. Mr. Speaker, will the gentleman yield?

Mr. NATCHER. I yield to my distinguished friend, the gentleman from Virginia.

Mr. BROYHILL of Virginia. The gentleman knows that the reorganization plan which the House recently approved gives the District Commissioner authority to abandon departments and various jobs and transfer funds without the approval of Congress. It is my understanding that the Appropriations Committee of the other body put language in its report which would, I believe, request the Commissioners to come back to the Appropriations Committee before any of these agencies were abolished or any of these funds were transferred. Do the House conferees share that feeling and believe that the Commissioners should come back to the Congress with such plans for approval?

Mr. NATCHER. I will say to my distinguished friend from Virginia, the other body put such a statement in their committee report. We incorporated the same statement in the statement of the managers on the part of the House on the conference report, which reads:

> The conferees reiterate the directive in the Senate report that before any transfers of activities or funds in the District of Columbia Appropriation Act, 1968, are effected, prior approval of the Appropriations Committees shall be obtained as heretofore the practice.

Over the years, since I have been on the committee, we have had requests for the approval of the transfer of funds that amounted to several million dollars. For instance, in the year 1964, they requested $22,000, and another $15,000, and another $1,750,000, and another $500,100. That was for the transfer of funds in 1 year. I have the figures on down through the years. In most instances, the House and Senate Committees on Appropriations have gone along with the transfers as well as proposed reorganizations of certain departments and agencies. The District Commissioners have never asked us to make transfers that were not necessary, essential, or important.

But I do not think the Congress of the United States has the right to waive the legislative rights as provided for in the law of this country.

Mr. BROYHILL of Virginia. If the gentleman will yield further, I thoroughly agree with the gentleman, and I so stated when we were considering the reorganization plan, but the only way we could prevent that delegation of authority was to vote down the plan in its entirety. We voted that in 1962, when Congress in its wisdom through the Appropriation Act did deny through a rider that authority to transfer funds and shift jobs.

I hope the Committee on Appropriations may favorably consider a similar rider the next time they consider a bill for the District of Columbia, so it will have the authority of law rather than just a request to the Commissioners for them to get higher authority before they transfer funds.

Mr. NATCHER. I thank the gentleman.

The occasion which the gentleman from Virginia referred to took place in 1963. I know a number of members of the committee have this same concern. As a matter of establishing a record, I want the gentleman to know this. When requests are made for the transfer of funds or activities, certainly every consideration will be given to each request. I want the House to know we will be fair and reasonable and honorable about it.

I want to say this, that as far as the transfer of agencies is concerned, the other body did not take this action to stop the new commissioner or the assistant commissioner from operating our Capital City as we want it to be operated and as it should be operated. It was not placed in there for that purpose.

I think some of the plans they may bring forward for consolidation of certain departments agencies will be good, and I favor this. This language is not in for that purpose. It was put in solely for the reason that we did not have the right to waive this provision.

I yield now to the gentleman from Minnesota.

Mr. FRASER. Mr. Speaker, I thank the gentleman for yielding.

As has been the practice in the past, the gentleman and his conferees have done a first-rate job on behalf of this bill. I recognize the problem with respect to transfer of funds, and I appreciate the committee's obviously having an oversight function, and this has been exercised with regard to the interests of the District of Columbia.

The only thing that concerns me—and I am sure it concerns the gentleman—is that the new government of the District of Columbia not be too tightly tied and restricted in its efforts to rebuild the government and make it effective.

I should like to add, while I have the floor, I am also concerned about the provision which puts a ban on the use of money to bus students to various schools in the District of Columbia in compliance with the judgment of the Federal District court.

I do not happen to have any views on the merits of that kind of busing, but I do believe we have a school board charged with responsibility of running the schools, and I think it would be better if we left this matter to the school board, just as every other school board in the country has the right to make these kinds of decisions. I do not think there is much to be done about it now, but it seems to me this does raise a question whether we want to interpose our judgment in a matter that is primarily the responsibility of the local school board.

I believe it ought to remain with them.

I thank the gentleman. I believe he has done an excellent job. I fully appreciate the context in which these decisions were reached.

Mr. NATCHER. I thank my friend for his statement. Certainly, Mr. Speaker, we appreciate the gentleman's help and his interest in the affairs of the District of Columbia government. I have known of his interest ever since he has been in the Congress.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. NATCHER. I yield to my distinguished friend from Minnesota [Mr. NELSEN].

Mr. NELSEN. I thank the gentleman for yielding.

I wish to congratulate the members of the conference committee for the report which has been presented. I am sure if the latitude had prevailed by authorization from the District of Columbia Committee at the time the Appropriations Committee of the House considered the budget, the figures which now prevail very likely would have prevailed in the House bill.

I also mention that in the conference on the authorization bill between the Senate and House conferees, the House conferees held tightly to the figure of the House. The Senate wanted a larger figure on the Federal payment, but we were aware of the attitude of the House, and held fast to the House figure. I believe the conferees on the appropriation bill likewise have taken into account the feeling of the House that every dollar should be fully justified.

I do feel that the report which has now come from the conference is fully justified, and I hope the House will adopt the conference report.

Mr. NATCHER. Mr. Speaker, I thank my distinguished friend not only for his statement but also for the long hours he has spent on District of Columbia matters. We certainly appreciate it.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. NATCHER. I yield to my distinguished friend from Missouri.

Mr. HALL. I appreciate the gentleman's yielding.

As a result of the gentleman's cooperation and helpfulness, and as a result of the rule, under these unusual circumstances, and the information provided at the minority desk, I now discern, as the gentleman has remarked before and as we said in previous colloquy, we are almost $80 million more than the House passed. The gentleman has explained the reason for that.

I also understand the gentleman said we saved some $4 million in round figures. Is it not true that most of that is a savings over the $68 million which the other body put in as our allocated portion for support of the District of Columbia, and that actually the Committee on Conference has yielded on most of the other demands, some of which are perfectly legitimate, including the new schools, as the gentleman has adequately explained to my satisfaction?

The fact remains we are still $38 million in round figures over that action taken by the House.

In other words, the $4 million saving is simply and largely in round figures again a result of that which we saved from the $68 million required by the other body for our support and sustenance of the District of Columbia.

Mr. NATCHER. The gentleman is correct.

Mr. Speaker, in the conference report it will be noted that the House recedes on a number of occasions. As the gentleman has pointed out, most of those are for the new school buildings. We added 30 school projects after the revenue bill passed. I want the gentleman to know that they are all necessary.

Mr. HALL. Would the gentleman not agree with me that not even though we saved $4 million it still is, in round figures, $8 million more than the House passed allocation for the District of Columbia, which was $56 million.

Mr. NATCHER. The gentleman from Missouri is exactly correct, Mr. Speaker.

As I stated a few moments ago, after the revenue bill passed which was presented to this body and the other body increasing the Federal payment from $60 million to $70 million, this action followed.

Mr. HALL. Mr. Speaker, I wonder if the gentleman will tell us, in view of the fact that most of the other questions have been answered that we needed to see in this conference report, about the 57 cars, I believe, that were purchased in one area for the Park Service and maybe also for the police an additional seven passenger cars. I am not referring to the previous colloquy with the gentleman from Kentucky or the gentleman from Iowa, But I notice that there is an unusually large number of passenger cars. Is this an accumulation of time and prior cutbacks that caught up with us, like the school buildings are, or what in the opinion of the conferees and the distinguished chairman of the Subcommittee on Appropriations is the justification for this?

Mr. NATCHER. This pertains mainly to the replacement of vehicles which are necessary and on the basis practiced throughout the Federal Government. We have a number of vehicles in here for the new programs which have heretofore been approved by the Congress. We had to authorize the vehicles for them.

Mr. HALL. Mr. Speaker, I am sure I do not need again to advise the gentleman that this is the year of the tight belt in many areas and it must apply in the District and in our supervision over the appropriations for it as well as in many other areas.

I have one final word, and then I shall desist.

I notice the swimming pools. Are those needed for training and instructional purposes? Are they in less advantaged areas? Or what would be the comment and the justification of the distinguished gentleman for those in a time of austerity?

Mr. NATCHER. The reason why we approved these swimming pools is because they are going into sections where they are absolutely needed. They are in sections of the city where it is necessary that we do as much as we can to help those less advantaged people. These sites were carefully selected.

Mr. HALL. I thank the gentleman.

Mr. NATCHER. I want to thank my friend.

At this time, Mr. Speaker, I yield 3 minutes to the distinguished ranking minority member of our committee, the gentleman from Ohio [Mr. Bow].

Mr. BOW. Mr. Speaker, I take this time to discuss briefly the continuing resolution. The continuing resolution which is in this bill expires today. This will make it possible for those who have worked to be paid. I think it is only proper that because of the differences between the House and the Senate those who have continued working, people like stenographers, clerks, and other people, who depend on their salary checks from week to week, should receive them. However, I want to point out to the House that this does not mean we have relented one iota on the question of a spending limitation on the main continuing resolution. This House has instructed its committee on three occasions by rollcall votes that there should be a spending limitation in the Federal Government. I sometimes wonder just why we have done this, but I took a look the other day and refreshed my memory a little bit. May I say before I refresh your memories I think perhaps we are making some progress as of yesterday. I hope we are.

Mr. Speaker, I had some feeling for awhile that there was a good bit of stalling going on. However, in my opinion we are making some progress and that, perhaps, we shall be able to come in with an expenditure limitation.

Mr. Speaker, may I point out some figures to the Members of the House as to why we need a spending limitation?

Mr. Speaker, when I came to the Congress in 1951 the fiscal year expenditures were $43 billion. That year we had a $3 billion surplus.

Mr. Speaker, the last Eisenhower year we spent $81 billion, and in that year we had a $3 billion deficit. This year spending is not limited, and we are spending today at the rate of $143 billion to $146 billion. Further, Mr. Speaker, we face a possible $30 billion deficit. Our Government spending has been doubled every 10 years.

Mr. Speaker, in 1930 Federal expenditures were $3 billion. In 1940, expenditures were $9 billion; in 1950 expenditures were $40 billion; in 1960 expenditures were $80 billion.

And, Mr. Speaker, I would estimate that unless we do something about enacting a spending limitation, it will be $160 billion for 1970. We have got to put the brakes on. The spending limitation is the way in which to do it.

Further, Mr. Speaker, interest on that debt which cost us very dearly in 1951, when I came to the Congress, the interest on the national debt was $5 billion. In 1961 when the Eisenhower administration ended it was $9 billion. This year it will be $14.7 billion.

In other words, Mr. Speaker, every time the minute hand goes around on that clock we will be spending $28,000 in interest alone on the national debt.

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. NATCHER. Mr. Speaker, I yield 3 additional minutes to the distinguished gentleman from Ohio.

Mr. BOW. Now, Mr. Speaker, we might not complain about all of this if we could afford it. But, we just cannot afford it, and it is my opinion that everyone knows it.

Now, let us look at the national debt. In 1930 it was $19 billion; in 1940 it was $43 billion; in 1950 it was $257 billion and in 1960, the last year of the Eisenhower administration, it was $285 billion. Today it is $340 billion.

Now, Mr. Speaker, there are those who would like to have us believe that the wars have caused this debt; that this is all because of the war in Vietnam, and other wars which we have had and that they have all resulted in this spending. It is not so. In the past 7 years since the Eisenhower administration, the civilian population has grown by 10 percent. Civilian Government employees have increased to the extent of 25 percent. The cost of those employees has increased by 75 percent while the civilian population has increased by only 10 percent.

The cost of employees is up now by 75 percent, and Government spending has increased by 20 percent. However, defense spending has only gone up 68 percent. It is the nondefense spending which is involved and which has gone up to the extent of 97 percent since that date.

And, Mr. Speaker, may I point out the fact that although many of the Members of the House favor the expenditure of money for health and welfare programs—and we have been talking about the OEO and some of the others in the last few days—welfare and health spending has grown 210 percent. In other words, 42 million people are now receiving Government checks every month.

That is the reason, my colleagues, why I am going to follow your instructions upon three rollcall votes where you directed your conferees on a continuing resolution to bring forward a spending limitation, and I shall not compromise that position. We shall try to bring out a proper one. But I assure you that we must have some sort of limitation upon spending or it will continue and the sky is the limit.

Mr. BROYHILL of Virginia. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the distinguished gentleman from Virginia [Mr. BROYHILL].

Mr. BROYHILL of Virginia. Mr. Speaker, there are many ramifications to the question of poverty in our legislating on the issue as it confronts us today.

Constantly in recent years we have been confronted with judicial usurpation of more and more of the traditional determinations and functions of the legislative body.

A case in point, Mr. Speaker, which should give us pause in our deliberations at this time, is the most recent U.S. district court ruling by a three-judge panel that strikes down the residency requirement of relief customers in the District of Columbia.

Aside from the fact, Mr. Speaker, that only the poor will suffer from this most recent court ruling, the question automatically arises as to whether or not we are deliberating in a vacuum, not knowing from one legislative day to the next which of our own determinations may or may not fall to the judicial ax now being wielded by the third branch of this Government.

What residency requirements shall we have as to eligibility for funds, Mr. Speaker, those we used in the social security legislation providing benefits for needy families with children, when we determined that a 1-year residency requirement was equitable—or the court determination today in which we are told there shall be none?

From a practical standpoint, Mr. Speaker, does the court ruling on welfare residency and the implications it has for the legislation before us, lift all restrictions in respect to welfare or poverty safeguards, rules, regulations, and standards?

If it does, we will be forced from a standpoint of fiscal sanity to lower the welfare payments in the District of Columbia, or rename the Potomac the River Jordan and become the promised land for every ne'er-do-well within the borders of this Nation.

Either that, or do we comply with the court's legislative reasoning which intrudes the appropriations functions of the Congress, and supply under judicial edict the millions more that will be required to finance the influx of indigents from the States with lower standards and lower welfare payments. This will be a hardship, an unfair hardship, on the taxpayers of the Federal City, and an unequal burden of justification on the Congress which will have to tax all citizens to meet the welfare needs growing out of the court's generosity in respect to the Federal City.

I repeat, Mr. Speaker, only the poor will suffer. Because we will have to face soon the determination of how much we must lower our own welfare payments to equalize them with those paid elsewhere. Any State or community with more liberal benefits will be risking financial disaster if it dares to continue them at a higher rate without the ability to impose some residency restrictions.

Another issue which we must face in our deliberations today is the assistance or lack of it we may rely on in the future from the Attorney General of the United States.

In relation to the current court ruling on welfare he was signally bashful about injecting his high office in the litigation. The Assistant Attorney General, in response to a direct request that the Justice Department intervene, responded that—

> Since district court cases are often disposed of on grounds other than constitutionality, intervention . . . appears unnecessary at this stage.

He did not mention the fact that the attack made by the plaintiffs on the statute was wholly on constitutional grounds; that the judge who reversed an earlier dismissal had stated that there was a "substantial Federal question" which required convening of a special three-judge Federal court; and that it is difficult to see how the court could have disposed of the case on less than constitutional grounds.

Well, Mr. Speaker, not one but several constitutional questions are involved, as the court ruling plainly states. Are residency requirements for voting out the windows? for jury duty? automobile licensing?

I raise these points, Mr. Speaker, because they are related to the whole question of antipoverty legislation. In view of the court's decision of yesterday we appear to be legislating in the dark, not knowing what standards will be constitutional today and not tomorrow; not knowing whether judicial reasoning will be based on the emotions of the judges involved or will be left to the legislature and those assigned to administer the laws we pass.

Why argue about dollars and cents, Mr. Speaker, if the courts are stepping into the arena of eligibility and standards? Our legal efforts are moot, Mr. Speaker, if we ignore the problem the court handed us in its welfare ruling.

If we continue to deliberate blindly we will become a community and a Congress of welcome wagon drivers, hurrying to the District line, loaded with welfare checks for our new homesteaders.

Mr. NATCHER. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Wisconsin [Mr. DAVIS].

Mr. DAVIS of Wisconsin. Mr. Speaker, I shall not deal with amendment No. 53, the one which has been referred to as the continuing resolution throughout the day. Inasmuch as this does transcend other areas of our Government and not just the District of Columbia, I believe it was appropriate that the chairman of our conference did yield to the ranking minority member of the full committee, the gentleman from Ohio [Mr. BOW], in order to explain our position with respect to that continuing resolution, which is involved in amendment No. 53. This will be the subject of a motion by the gentleman from Kentucky later.

I believe everyone is aware that this conference report does represent a recordbreaking budget for the District of Columbia. For the first time, the appropriations for this unit of government will exceed the half-billion-dollar mark. Also the Federal payment of almost $64 million is a recordbreaking amount.

In addition to that, the Federal grants available to the District of Columbia on the same basis as to the various States and local units of government will account for another almost $170 million more. So that actually the Federal Government is very substantially, either through this Federal payment or through the grants-in-aid to be made available within the District, contributing to the support of the government of the people of this area.

I believe it should be said, however, that even though this is a recordbreaking payment from the Federal Treasury, that the total budget has increased to the point where the percentage of Federal payment to the overall budget remains almost stationary at what it was a year ago. In other words, the Federal payment constitutes between 16 and 17 percent of the total budget.

It should be pointed out on the encouraging side that there have been increases in local taxes, there have been increases in fees in order to provide for a somewhat more adequate contribution by the people of this District itself toward the cost of their governmental operations.

Mr. Speaker, this conference report is a liberal one. I believe that is a fair statement. It is a liberal—even generous—budget with respect to the school system of the District of Columbia—a system which has undergone the throes of great difficulty in the past months, where a dedicated public servant, Dr. Carl Hansen, has been literally forced from his position as Superintendent of Schools here, and a new man has been selected just this week in order to take over here. I suspect that we leaned over backward a bit in our generosity in this area in order that the new man charged with a most difficult task be not handicapped through lack of funds for improving the physical facilities of the District of Columbia schools, and the staffing and teaching facilities connected therewith.

I believe also that it should be said that perhaps we leaned over backward in some other areas of the District government where once again a change in the form of District government in many respects has taken place.

We felt, and I would say that this is true of all of us, that we did not want to put ourselves in a position of handicapping the chances for success of this new government by attempting to pinpoint too many areas of clamping down on funds that are available.

Some mention was made here of transferability.

With respect to the transferability of funds, there of course needs to be a certain amount of leeway because of the different agencies and the different ways of doing things that are inherent in the new government that has been established here.

I think what amounts to a compromise in this conference report is adequate to protect the interest of the Members of Congress and yet does provide for sufficient flexibility.

Rather than providing that all of these funds would need to be reappropriated by the entire Congress, a system that compares to reprograming in the Defense Establishment and in military construction and in other areas, has been set up. They must come back to the Committees on Appropriations in order to get approval for the changes from one agency to a new agency or to a new department of government.

I hope that you will not consider me as being overly technical or picayunish in mentioning this, but the chairman of our conferees referred to the increase of funds that have become available since this bill originally passed the House. This bill continues to be referred to as a revenue measure. I think it is erroneous to refer to it in that way because it did not and does not raise a single additional dollar of revenue. It simply provides that the District of Columbia can borrow more money out of the Federal Treasury and it provides for an increase in the Federal payment to the District of Columbia. If that is raising any revenue, then the word has a different connotation from what it always has had so far as I am concerned.

In spite of what might be considered overgenerosity in some areas, I support the conference report as do all of the conferees who sat in the conference on this side of the aisle.

I think any criticism that might come, as to inadequacy, would be completely invalid. This conference report provides funds for the District of Columbia that are adequate in every instance and is even generous in some areas.

Yet, because of the flux of the school system and the flux so far as the form of government is concerned, I think we must err on the side of generosity in this particular instance and I hope with the cooperation of the new school superintendent and the new officials of the District of Columbia government that we can do better in pinpointing necessary reductions for the next fiscal year.

Mr. NATCHER. Mr. Speaker, I yield to the distinguished gentleman from Maryland [Mr. GUDE].

Mr. GUDE. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I would like to commend the gentleman for his hard work and interest in the District of Columbia and also for the concern which he has shown for a balanced system of both rapid transit and freeways for the District of Columbia and metropolitan area transportation systems.

In reference to remarks made by the gentleman from Wisconsin with regard to transferability of funds, I am pleased to note if I understand the remarks of the gentleman from Kentucky correctly, that he does not translate any language in the Senate committee report referring to transferability of funds as license for a weapon to be used in harassing the new city government.

Congress and the District of Columbia citizens have been pleased by the manner in which the Mayor and the Council have approached and begun their new tasks. Evidently the gentleman from Kentucky is in accord with these views and therefore the new government should be able to continue in the manner they have begun work on their very difficult tasks, without being harassed by the committees on appropriations and the Congress.

Mr. GALLAGHER. Mr. Speaker, the amendment to the District of Columbia appropriations bill which we are considering today will allow community action agencies throughout the country to function at the same level as last year.

At the present time, some CAP programs have run out of money. In Jersey City, N.J., as an example, the community action for neighborhood development organization—CAN-DO—has been without funds for almost a month. The professional staff members have been working without pay and trying to scrape up sufficient funds to carry on their various programs at a minimal level. I understand that, by November 28, 35 CAP agencies throughout the country will be in the same boat as Jersey City's CAN-DO.

Mr. Speaker, we are overlooking the human element in the poverty program. While we talk about political control and local cash share, the hundreds of thousands of poor people who are being helped by the poverty programs throughout the country hang in the balance. While we sit here and debate the poverty bill, people—human beings—are on the verge of having their lives disrupted by a cessation of vitally needed services provided by their local CAP agencies. And this stoppage is not a result of action by the Congress, but rather the oversight of inaction by the Congress.

Early last week I introduced a continuing resolution on the House to prevent this catastrophe. Fortunately, the Senate has added this continuing resolution for CAP agencies as an amendment to this bill. Mr. Speaker, this resolution does not authorize an extension of the poverty program into 1968, it does not circumvent the congressional authorization-appropriation process. What it does do is to allow community action programs, the heart of the war on poverty, to continue functioning until some affirmative action is taken by the Congress. Mr. Speaker, this legislation only extends the CAP agencies' authority to spend, at last year's level, until November 23 of this year. It extends this authority for 13 days. Is this too much to ask?

This conference report will allow funding of the community action programs up to the present and I urge its adoption. I hope, however, that we can meet the needs of tomorrow with dispatch. We cannot now give up or abandon the war on poverty at the point where people now have a share in hope which previously was denied them.

Mr. NATCHER. Further, I would like to say at this time that, as far as our committee is concerned, we believe that we must have a balanced system of transportation in our Capital City, and any effort that is made at this time to kill the freeway system will be a serious mistake.

Mr. Speaker, you will recall distinctly that 2 years ago that question was presented to the House and, on a rollcall vote of 320 to 3, this House spoke and spoke loud enough, I hope, for those in authority to hear it and remember.

Mr. Speaker, I move the previous question.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the conference report.

The question was taken.

Mr. ASHBROOK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 354, nays 6, answered "present" 1, not voting 71, as follows:

[Roll No. 380]

YEAS—354

Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashley
Ashmore
Aspinall
Ayres
Baring
Barrett
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bevill
Biester
Bingham
Blackburn
Blatnik
Boggs
Boland
Bolton
Bow
Brademas
Brasco
Brinkley
Brock
Brooks
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Cederberg
Chamberlain
Clancy
Clark
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Conyers
Corbett
Corman
Cowger
Culver
Cunningham
Curtis
Daddario
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Denney
Derwinski
Dickinson
Diggs
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Findley
Fino
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fuqua
Galifianakis
Gallagher
Gardner
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gubser
Gude
Gurney
Haley
Halpern
Hamilton
Hansen, Wash.
Hardy
Harsha
Harvey
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Holifield
Holland
Horton
Hosmer
Hull
Hunt
Hutchinson
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kornegay
Kupferman
Kuykendall
Kyros
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Lukens
McCarthy
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Matsunaga
Mayne
Meeds
Meskill
Michel
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moore
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neill, Mass.
Ottinger
Passman
Patten
Perkins
Philbin
Pickle
Pike
Poage
Poff
Pool
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rosenthal
Rostenkowski
Roth
Roudebush
Roush
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Tenzer
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tuck
Tunney
Udall
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Watkins
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Wilson, Bob
Winn
Wolff
Wright
Wydler
Yates
Young
Zion
Zwach

NAYS—6

Abbitt
Ashbrook
Gross
Hall
O'Neal, Ga.
Rarick

ANSWERED "PRESENT"—1

Hungate

NOT VOTING—71

Anderson, Tenn.
Annunzio
Blanton
Bolling
Bray
Broomfield
Casey
Celler
Clausen, Don H.
Clawson, Del
Cramer
Daniels
Dellenback
Dent
Devine
Everett
Evins, Tenn.
Fisher
Fountain
Fulton, Pa.
Fulton, Tenn.
Garmatz
Hagan
Halleck
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Harrison
Hays
Hébert
Herlong
Howard
Ichord
Jones, Mo.
Kleppe
Kluczynski
Kyl
Laird
Long, La.
Long, Md.
McClory
Martin
Mathias, Calif.
Mathias, Md.
May
Miller, Calif.
Mosher
Patman
Pelly
Pepper
Pettis
Pirnie
Pollock
Rivers
Rooney, Pa.
St. Onge
Smith, Calif.
Stephens
Teague, Tex.
Ullman
Utt
Van Deerlin
Watson
Williams, Miss.
Willis
Wilson, Charles H.
Wyatt
Wylie
Wyman
Zablocki

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Celler with Mr. Halleck.

Mr. Patman with Mr. Fulton of Pennsylvania.

Mr. Hays with Mr. Smith of California.

Mr. Rivers with Mr. Pollock.

Mr. Hébert with Mr. Watson.

Mr. Teague of Texas with Mrs. May.

Mr. Williams of Mississippi with Mr. Hammerschmidt.

Mr. Anderson of Tennessee with Mr. Wyatt.

Mr. Pepper with Mr. Cramer.

Mr. Hagan with Mr. Dellenback.

Mr. Fountain with Mr. Utt.

Mr. Annunzio with Mr. Bray.

Mr. Rooney of Pennsylvania with Mr. Pirnie.

Mr. Herlong with Mr. Pettis.

Mr. Miller of California with Mr. Devine.

Mr. Casey with Mr. Wylie.

Mr. Kluczynski with Mr. Pelly.

Mr. Howard with Mr. Mosher.
Mr. Zablocki with Mr. Broomfield.
Mr. Charles H. Wilson with Mr. Hansen of Idaho.
Mr. Blanton with Mr. Martin.
Mr. Hanley with Mr. Wyman.
Mr. Long of Maryland with Mr. Del Clawson.
Mr. Willis with Mr. Mathias of Maryland.
Mr. Everett with Mr. Harrison.
Mr. Hanna with Mr. McClory.
Mr. Fulton of Tennessee with Mr. Kleppe.
Mr. Dent with Mr. Don H. Clausen.
Mr. Ichord with Mr. Mathias of California.
Mr. St. Onge with Mr. Kyl.
Mr. Long of Louisiana with Mr. Laird.
Mr. Garmatz with Mr. Van Deerlin.
Mr. Daniels with Mr. Fisher.
Mr. Ullman with Mr. Evins of Tennessee.

The result of the vote was announced as above recorded.

The doors were opened.

AMENDMENTS IN DISAGREEMENT

The **SPEAKER**. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

> Senate amendment No. 8, on page 5, line 15, insert ": *Provided further*, That the Metropolitan Police Department is authorized to expend in fiscal year 1968 the unobligated balance of $670,000 provided in 1967 appropriations for communications equipment."

MOTION OFFERED BY MR. NATCHER

Mr. **NATCHER**. Mr. Speaker, I offer a motion.

The Clerk read as follows:

> Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 8 and concur therein.

The **SPEAKER**. The Chair recognizes the gentleman from Kentucky [Mr. NATCHER].

Mr. **NATCHER**. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. RYAN].

Mr. **RYAN**. Mr. Speaker, I address my remarks to the third amendment in disagreement, section 16, on page 17 of the bill, which states:

> Appropriations in this Act shall not be used for the assignment or transportation of students to public schools in the District of Columbia in order to overcome racial imbalance.

Mr. Speaker, let me simply say that I disagree with the Senate amendment, and feel very strongly that the House should insist upon its disagreement with that Senate amendment. If de facto segregation is to be overcome in the public schools of the District of Columbia, the school system must be free to use whatever methods and techniques it feels necessary and proper to achieve that result.

Under the President's District of Columbia Reorganization Plan the District now has an able mayor and a nine-member City Council. The House has approved a bill creating a locally elected 11-member school board. A new Superintendent of Schools has been selected. All of these officials will have the responsibility of raising the level of the local schools to insure quality integrated education. They should not be handcuffed by the Congress. If the District is to enjoy at least part of the substance of home rule, then this restriction on the use of funds should be defeated. Congress is apparently still unwilling to permit local officials to make their own decisions.

Moreover, this amendment represents an effort to render ineffective the decree of Federal Judge J. Skelly Wright requiring the transportation and assignment of pupils to eliminate racial discrimination.

Congress is attempting to strike down a ruling of the Federal judiciary over which it has no jurisdiction.

I urge the defeat of the motion to agree to the Senate amendment.

The **SPEAKER**. The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER].

The motion was agreed to.

The **SPEAKER**. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

> Senate amendment No. 11, on page 6, line 12, after the word "fund" insert ": *Provided*, That this appropriation shall be available for the purchase of four passenger motor vehicles."

MOTION OFFERED BY MR. NATCHER

Mr. **NATCHER**. Mr. Speaker, I offer a motion.

The Clerk read as follows:

> Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 11 and concur therein.

The motion was agreed to.

The **SPEAKER**. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

> Senate amendment No. 51, on page 17, line 13, insert:
>
> "SEC. 16. Appropriations in this Act shall not be used for the assignment of transportation of students to public schools in the District of Columbia in order to overcome racial imbalance."

MOTION OFFERED BY MR. NATCHER

Mr. **NATCHER**. Mr. Speaker, I offer a motion.

The Clerk read as follows:

> Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 51 and concur therein.

The motion was agreed to.

The **SPEAKER**. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

> Senate amendment No. 52, on page 17, line 17, insert:
>
> "SEC. 17. The cost of living allowance annualized in the appropriation for the Department of Welfare shall be limited to the 'net payment' in computing the assistance payments for recipients in the five regular categories of public assistance."

MOTION OFFERED BY MR. NATCHER

Mr. **NATCHER**. Mr. Speaker, I offer a motion.

The Clerk read as follows:

> Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 52 and concur therein.

The motion was agreed to.

The **SPEAKER**. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

> Senate amendment No. 53, on page 17, line 22, insert:
>
> "SEC. 18. The joint resolution of October 5, 1967 (Public Law 90-102) is hereby amended by striking out 'October 23, 1967' and inserting in lieu thereof 'November 9, 1967.'"

MOTION OFFERED BY MR. NATCHER

Mr. **NATCHER**. Mr. Speaker, I offer a motion.

The Clerk read as follows:

> Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 53 and concur therein.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and on the several motions was laid on the table.

Mr. **NATCHER**. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include a tabulation.

The **SPEAKER**. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

GENERAL LEAVE TO EXTEND REMARKS

Mr. **NATCHER**. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to extend their remarks on the conference report just approved.

The **SPEAKER**. Without objection, it is so ordered.

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 162, MASTERS' LIEN

Mr. **DOWNING**. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 162) to grant the masters of certain U.S. vessels a lien on those vessels for their wages and for certain disbursements, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The **SPEAKER**. Is there objection to the request of the gentleman from Virginia? The Chair hears none, and appoints the following conferees: Messrs. GARMATZ, ASHLEY, DOWNING, MAILLIARD, and PELLY.

LEGISLATIVE PROGRAM

Mr. **GERALD R. FORD**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER**. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. **GERALD R. FORD**. Mr. Speaker, I have asked for this time for the purpose of asking the distinguished majority leader about the program for the remainder of this week and the program for next week.

Mr. **ALBERT**. Mr. Speaker, will the gentleman yield?

Mr. **GERALD R. FORD**. I yield to the gentleman.

Mr. **ALBERT**. Mr. Speaker, in response to the inquiry of the distinguished minority leader, we have finished the legislative business for the week.

The program for next week is as follows:

Monday is District day. There are no District bills.

For Monday and the balance of the

week, we have the bill, S. 2388, the Economic Opportunity Amendments of 1967, to continue consideration of that bill.

We expect to follow with H.R. 13893, the foreign assistance and related agencies appropriation bill for the fiscal year 1968; and H.R. 8, the obstruction of Armed Forces, on which we have had a rule for some time, and which the distinguished chairman of the Committee on Rules has requested to be programed next week. It will be taken up under an open rule with 2 hours for general debate.

This announcement is made subject to the usual reservation that conference reports may be brought up at any time and any further program may be announced later.

Mr. GERALD R. FORD. Would the distinguished majority leader reaffirm what I understand is the intention of the House, that when we convene on Monday we will start with the further consideration of the poverty bill and we will work on that on Monday and Tuesday and until we finish it before we take up any other business; that is, other than conference reports?

Mr. ALBERT. The gentleman is correct.

ADJOURNMENT OVER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DISPENSING WITH BUSINESS IN ORDER ON CALENDAR WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule on Wednesday next be dispensed with.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AUTHORIZING CLERK TO RECEIVE MESSAGES AND AUTHORIZING THE SPEAKER TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until Monday next, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DROPOUTS ANONYMOUS

Mr. SISK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SISK. Mr. Speaker, I would like to take this opportunity to call to the attention of my colleagues a unique and imaginative program of community action in my district, which has helped thousands of individuals to stay in school or resume their education. The program known as Dropouts Anonymous, was conceived and carried out by Mr. Guy Farnsworth, community relations director of KFRE radio and television in Fresno, Calif., as a means of broadcaster support for President Johnson's 1966 youth opportunity/stay in school campaign.

Briefly, the program works like this: Potential dropouts, and actual dropouts are encouraged through constant radio and television announcements to phone Dropouts Anonymous where a person sympathetic to their problem encourages them to complete their education. The organization committee is composed of volunteer civic leaders especially trained to counsel in this area of social problems. The appeal of the program is much like Alcoholics Anonymous, where a potential dropout can dial a special number so that he might talk privately and without embarrassment with someone just like himself, members of a minority group, who have themselves faced the same problems and who are eager to serve their own people. This is a 24-hour help and information service and committee members are on call around the clock to answer responses from persons in need.

Since the program was launched by KFRE in February 1966, it has been adopted by other Fresno media in a citywide effort involving all broadcast outlets. In addition to providing aid and moral support to those contemplating dropping out of school, the program has expanded to help needy high school students find jobs so that they might stay in school. Volunteers in the Fresno program found that many individuals seeking help from Dropouts Anonymous felt they must quit school because of economic problems. A few extra dollars could mean the difference between staying in school or being forced to quit.

Because of the tremendous success of Dropouts Anonymous in Fresno, Triangle Publications, Inc., with the cooperation and support of the Vice President, is distributing 3,000 Dropouts Anonymous "how-to-do-it" handbooks without charge to radio and television stations throughout the Nation to assist them in starting a similar project.

Mr. Speaker, as we all know, the demands of automation have decreased the need for unskilled labor, while the demand for educated and trained workers is ever increasing. Every effort is needed to encourage youngsters to stay in school. The contribution of KFRE and other broadcast media in Fresno cannot be sufficiently praised, but I am sure that no one is more aware of the vital importance of Dropouts Anonymous than the thousands of potential dropouts and needy youngsters it has helped.

May I respectfully urge my colleagues to encourage such worthwhile projects in their communities. I can assure you that it will prove to be a tremendous benefit to the individual and the community, and an important contribution to the welfare of our country.

AMERICAN MERCHANT MARINE

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GARMATZ. Mr. Speaker, I have today introduced for myself, Mrs. SULLIVAN, Mr. CLARK, Mr. ASHLEY, Mr. DINGELL, Mr. DOWNING, Mr. BYRNE of Pennsylvania, Mr. ROGERS of Florida, Mr. STUBBLEFIELD, Mr. MURPHY of New York, Mr. DOW, Mr. KARTH, Mr. HATHAWAY, Mr. JONES of North Carolina, Mr. FRIEDEL, Mr. FALLON, and Mr. HELSTOSKI, for appropriate reference a bill to amend the Merchant Marine Act of 1936 and other statutes to provide a new maritime program.

This is a vital area which unfortunately has been neglected for a number of years.

In recent years there have been gratifying indications within the maritime industry of outstanding technological advances and a readiness to move forward.

Yet our maritime posture is deteriorating.

The ingredient that has been lacking has been Government appreciation of the role that merchant shipping plays in national destiny and the leadership that is essential to the creation and maintenance of a well-balanced American merchant marine.

The existence of the problem has been recognized by all.

But the nature of the problem, arising, as it does, out of the unique exposure of our ships in foreign trade to direct and constant confrontation with the lower costs of construction and operation of the fleets of all other maritime nations requires Government assistance to place our shipping on a parity with our foreign competitors.

The problem has been with us a long time.

And when it has become acute enough we meet it.

In recent years there have been numerous studies of the problem and how to meet it.

Within the past 3 years special emphasis and effort have been directed to the search for consensus which would lead the way to a new policy and a new program to meet our growing national needs—to fulfill our essential existence as a world seapower.

Such a seapower we must be if we are to support and fulfill our global security commitments, and sustain our expanding economy.

The Congress, the Executive, and the maritime industry have been studying this problem devotedly for a long time.

And now we should study no more for awhile—but rather tackle the situation directly.

On June 18 of this year, Senator Warren G. Magnuson, of the State of Washington; Senator E. L. Bartlett, of Alaska; and I, joined in a statement in which we said:

> Equally obvious is the fact that such is not at hand.
>
> Even though the maritime strength of this country may not be imposing there is a solid base upon which timely action can build a merchant fleet truly characteristic of our international preeminence.
>
> The 90th Congress must seek a resolution of this weakness threatening the economy, welfare and defense of the United States.
>
> Each passing day, each new crisis makes it increasingly obvious that our country must have a modern, well-balanced merchant marine and related industry components.

That statement was made approximately 2½ years after the President announced his intention to recommend a new maritime policy.

It was approximately 6 months after the very able Secretary of the New Department of Transportation began conscientiously to seek to find a formula for a viable maritime program which would have the widest possible acceptance and at least mark a beginning to the revitalization of our national posture on the sealanes of the world.

Following that statement, we proceeded to implement the position expressed as our joint position.

We sought assistance and collaboration from the executive branch.

We had many friendly and cooperative discussions and arrived at understandings and accommodations of viewpoints which seemed to afford a rational basis for developing a new program to carry forward our long established basic policies.

The bill I have introduced today reflects the basic understandings which we in Congress and the leaders in the administration had tentatively arrived at as a reasonable vehicle for the modernization of our maritime programs and policies.

I recognize, as do those who join with me in its sponsorship, that the accomplishment of the objectives of this bill will be costly.

And that therefore it is disturbing to contemplate at this time in the face of the other heavy demands on our national resources.

But we sincerely believe that further indecision and delay in proceeding toward those objectives will be vastly more costly to our national welfare.

We cannot wait longer to correct the neglect and piecemeal approaches of the past 20 years.

The Congress must examine the requirements of the situation.

Mr. Speaker, under unanimous consent I place a section-by-section analysis of the bill in the Record at this point.

Text of the section-by-section analysis is as follows:

Section-by-Section Analysis of the Bill "To Amend the Merchant Marine Act, 1936, and Other Statutes To Provide a New Maritime Program"

Section 1 would amend section 209(b) of the Merchant Marine Act, 1936, to authorize appropriations for each of the fiscal years 1969 through 1973 in the amount of $300,000,000 per year for construction-differential subsidy, cost of national defense features and acquisition of used ships, and $25,000,000 per year for research and development. It would also authorize appropriations for the fiscal year 1969 in the amount of $30,000,000 to reconstruct the reserve fleet.

Section 2 would amend section 211 to add contract vessels to the category of vessels for which the Secretary is to determine requirements, and to add contract operations to the category of operations for which the Secretary is to determine the relative costs of operating U.S. vessels and vessels of foreign countries operating in competition with them.

Section 3 would amend section 501(a) of the Act to include privately-owned shipyards as eligible applicants for construction-differential subsidy, while retaining the proposed shipowners as eligible applicants.

Section 4 would substitute the words "proposed shipowner" for applicant in section 502(a). This is necessary because the provisions of this section are not intended to be applicable to a shipyard applicant. Where the shipyard is the applicant the procedures of section 504, as amended by the draft bill, would be utilized.

Section 5 would amend section 502(b) by providing a new method for determining construction-differential subsidy. Under present law, the subsidy paid is the excess of the lowest responsible bid for a particular vessel over the estimate of the foreign cost of building that vessel, up to a ceiling of 55 percent. The amendment would discontinue computing subsidy on an individual ship basis. Instead, subsidy rates for each type of vessel would be developed by estimating for each type the domestic and foreign construction costs. The rate for each type of vessel would be periodically redetermined but not more frequently than once each year. The ceiling of 55 percent would remain in effect for three years. Under present law this rate would revert to 50 percent on July 1, 1968.

Section 6 would amend section 504 by designating the present text as subsection (a), by limiting its applicability to the situation where the proposed shipowner is the applicant for construction-differential subsidy and by authorizing the shipowner to negotiate a price with the shipyard as an alternative to competitive bidding. The section is also amended by adding a new subsection under which the shipyard could be the applicant for subsidy based either on competitive bidding or negotiated pricing.

Section 7 would amend the definition of "obsolete vessel" in section 510 so as to eliminate the requirement for a finding that the vessel, in the judgment of the Secretary, is obsolete or inadequate for successful operation in foreign or domestic trade, and to substitute a requirement for a finding that the vessel should be replaced in the public interest. This would conform the required finding under this section to that required under section 605(b) to permit payment of operating subsidy for operation of a vessel that is beyond its statutory age. This amendment avoids the situation of finding under one section that a vessel of a given type and age is obsolete or inadequate for successful operation and finding under another section that it is to the public interest to subsidize another vessel of that type and age.

Section 8 would make applicable to the new title XIII (Experimental Operating Subsidy) the provisions of section 801 which permit the Secretary to prescribe the method to be used by the operator in keeping books and records.

Section 9 would make applicable to the new title XIII of the provisions of section 804 which prohibit operators who receive operating subsidy, and their affiliates, from owning, chartering, acting as broker or agent for, or operating any foreign flag ship which competes with an American flag ship on an essential trade route, without the permission of the Secretary.

Section 10 would apply to title XIII the provisions of 805(a) which prohibit payment of operating subsidy to any contractor if such contractor or an affiliate owns or operates any vessel engaged in the coastwise or intercoastal trade without the consent of the Secretary. Section 12 would also amend section 805 by repealing subsection (c) which limits to $25,000 the amount of any one person's salary which will be taken into account for subsidy accounting purposes.

Section 11 would release existing operators from the provisions of their contracts inserted pursuant to section 805(c).

Section 12 would make applicable to title XIII the provisions of section 810 which prohibit any operator receiving operating subsidy from being a party to any agreement with other carriers which unjustly discriminates against any American flag carrier on an essential trade route.

Section 13 would amend section 905 to apply that section's definition of "citizen of the United States" to title XIII.

Section 14 would provide a new title X which would authorize aid in the development and construction of nuclear-powered ships. The most subsidy that could be granted under the title for a ship to be operated in the foreign trade or the non-contiguous domestic trade would be an amount that would give the operator the nuclear ship at the price of constructing a comparable conventional ship. If the ship is to be operated in any other part of the domestic trade, the most subsidy allowable would be an amount that would give the operator the ship at the price of building a comparable conventional ship in the United States.

Section 15 would amend the Atomic Energy Act of 1954 to vest in the Atomic Energy Commission any invention or discovery useful in the production or utilization of atomic energy which is conceived under any contract entered into under the new title X of the Merchant Marine Act, 1936.

Section 16 would amend the Atomic Energy Act of 1954 to authorize the Atomic Energy Commission to grant the same indemnity with respect to nuclear vessels constructed under the new title X of the 1936 Act as it can grant with respect to the SAVANNAH.

Section 17 would amend section 607(b) of the Merchant Marine Act to permit capital reserve funds to be used in the purchase of new nuclear fuel cores.

Section 18 would amend section 1104(a) (5) of the Act to remove the six percent limit on loans that can be insured under title XI and to substitute therefor a limit on interest at a rate determined by the Secretary of Commerce to be reasonable, taking into account the range of interest rates prevailing in the private market for similar loans and the risks assumed by the Department.

Section 19 would amend section 1106(2) of the Act to allow refinancing of insured mortgages so as to include new nuclear fuel cores.

Section 20 would create a new title XIII in the Act which would authorize five-year experimental operating subsidy contracts with operators of liner vessels and with owners of dry bulk vessels built after enactment of the title. The purpose is to explore new subsidy concepts which contain incentives sufficient to reduce unit costs of subsidy in the future.

Section 21 would provide for the establishment of a Commission on American Shipbuilding to study the private shipbuilding industry and to report to the President and Congress within three years as to the extent to which Federal assistance is necessary to preserve the competitive position of the shipbuilding industry and to preserve a national shipbuilding capability.

Section 22 would allow merchant vessel and fishing vessel owners to contract with the Secretary of Commerce and Secretary of the Interior respectively for the establishment of vessel replacement funds. Monies deposited into such funds would be treated as tax deferred but only if used for the purpose of replacing and modernizing vessels.

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MURPHY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, today I am cosponsoring, with Chairman GARMATZ of the House Merchant Marine Committee, a bill to provide a new maritime program.

This program is long overdue. Since World War II this Nation has experienced a steady decline in its maritime position; today our fleet is old and inadequate and our shipbuilding output is almost nonexistent. In contrast, many other nations, including the Soviet Union, have developed long-range plans to construct large fleets of modern vessels. For example, today 80 percent of the Soviet fleet is less than 10 years old, while 80 percent of our own fleet is more than 20 years old.

Just recently, in response to our weak maritime position, the House voted to establish an independent Maritime Administration; if enacted into law, this new agency will provide a strong, independent voice which would represent the many maritime interests now spread over more than 20 separate Federal agencies.

But this alone is not enough to revitalize our merchant marine; we need a strong program to put our merchant marine back into its former position of strength in the world. The bill I am cosponsoring today would provide such a program. Briefly, it would authorize appropriations over a 5-year period for construction-differential subsidies, cost of national defense features, and acquisition of used ships. It would also authorize a continuing program of research and development, including a program for the development and construction of nuclear-powered ships.

This new maritime program is essential if the United States is to regain its former position of strength as a maritime nation. Without it, we will become increasingly dependent on foreign nations for our shipping needs, a dependence which not only aggravates our balance-of-payments problems, but which has serious implications for our own national defense in time of war.

I urge my colleagues to join in support of this bill.

A section-by-section analysis and the text of the bill follows:

SECTION BY SECTION ANALYSIS OF THE BILL "TO AMEND THE MERCHANT MARINE ACT, 1936, AND OTHER STATUTES TO PROVIDE A NEW MARITIME PROGRAM"

Section 1 would amend section 209(b) of the Merchant Marine Act, 1936, to authorize appropriations for each of the fiscal years 1969 through 1973 in the amount of $300,000,000 per year for construction-differential subsidy, cost of national defense features and acquisition of used ships, and $25,000,000 per year for research and development. It would also authorize appropriations for the fiscal year 1969 in the amount of $30,000,000 to reconstruct the reserve fleet.

Section 2 would amend section 211 to add contract vessels to the category of vessels for which the Secretary is to determine requirements, and to add contract operations to the category of operations for which the Secretary is to determine the relative costs of operating U.S. vessels and vessels of foreign countries operating in competition with them.

Section 3 would amend section 501(a) of the Act to include privately-owned shipyards as eligible applicants for construction-differential subsidy, while retraining the proposed shipowners as eligible applicants.

Section 4 would substitute the words "proposed shipowner" for applicant in section 502(a). This is necessary because the provisions of this section are not intended to be applicable to a shipyard applicant. Where the shipyard is the applicant the procedures of section 504, as amended by the draft bill, would be utilized.

Section 5 would amend section 502(b) by providing a new method for determining construction-differential subsidy. Under present law, the subsidy paid is the excess of the lowest responsible bid for a particular vessel over the estimate of the foreign cost of building that vessel, up to a ceiling of 55 percent. The amendment would discontinue computing subsidy on an individual ship basis. Instead, subsidy rates for each type of vessel would be developed by estimating for each type the domestic and foreign construction costs. The rate for each type of vessel would be periodically redetermined but not more frequently than once each year. The ceiling of 55 percent would remain in effect for three years. Under present law this rate would revert to 50 percent on July 1, 1968.

Section 6 would amend section 504 by designating the present text as subsection (a), by limiting its applicability to the situation where the proposed shipowner is the applicant for construction-differential subsidy, and by authorizing the shipowner to negotiate a price with the shipyard as an alternative to competitive bidding. The section is also amended by adding a new subsection under which the shipyard could be the applicant for subsidy based either on competitive bidding or negotiated pricing.

Section 7 would amend the definition of "obsolete vessel" in section 510 so as to eliminate the requirement for a finding that the vessel, in the judgment of the Secretary, is obsolete or inadequate for successful operation in foreign or domestic trade, and to substitute a requirement for a finding that the vessel should be replaced in the public interest. This would conform the required finding under this section to that required under section 605(b) to permit payment of operating subsidy for operation of a vessel that is beyond its statutory age. This amendment avoids the situation of finding under one section that a vessel of a given type and age is obsolete or inadequate for successful operation and finding under another section that it is to the public interest to subsidize another vessel of that type and age.

Section 8 would make applicable to the new title XIII (Experimental Operating Subsidy) the provisions of section 801 which permit the Secretary to prescribe the method to be used by the operator in keeping books and records.

Section 9 would make applicable to the new title XIII of the provisions of section 804 which prohibit operators who receive operating subsidy, and their affiliates, from owning, chartering, acting as broker or agent for, or operating any foreign flag ship which competes with an American flag ship on an essential trade route, without the permission of the Secretary.

Section 10 would apply to title XIII the provisions of 805(a) which prohibit payment of operating subsidy to any contractor if such contractor or an affiliate owns or operates any vessel engaged in the coastwise or intercoastal trade without the consent of the Secretary. Section 12 would also amend section 805 by repealing subsection (c) which limits to $25,000 the amount of any one person's salary which will be taken into account for subsidy accounting purposes.

Section 11 would release existing operators from the provisions of their contracts inserted pursuant to section 805(c).

Section 12 would make applicable to title XIII the provisions of section 810 which prohibit any operator receiving operating subsidy from being a party to any agreement with other carriers which unjustly discriminates against any American flag carrier on an essential trade route.

Section 13 would amend section 905 to apply that section's definition of "citizen of the United States" to title XIII.

Section 14 would provide a new title X which would authorize aid in the development and construction of nuclear-powered ships. The most subsidy that could be granted under the title for a ship to be operated in the foreign trade or the non-contiguous domestic trade would be an amount that would give the operator the nuclear ship at the price of constructing a comparable conventional ship. If the ship is to be operated in any other part of the domestic trade, the most subsidy allowable would be an amount that would give the operator the ship at the price of building a comparable conventional ship in the United States.

Section 15 would amend the Atomic Energy Act of 1954 to vest in the Atomic Energy Commission any invention or discovery useful in the production or utilization of atomic energy which is conceived under any contract entered into under the new title X of the Merchant Marine Act, 1936.

Section 16 would amend the Atomic Energy Act of 1954 to authorize the Atomic Energy Commission to grant the same indemnity with respect to nuclear vessels constructed under the new title X of the 1936 Act as it can grant with respect to the Savannah.

Section 17 would amend section 607(b) of the Merchant Marine Act to permit capital reserve funds to be used in the purchase of new nuclear fuel cores.

Section 18 would amend section 1104(a)(5) of the Act to remove the six percent limit on loans that can be insured under title XI and to substitute therefor a limit on interest at a rate determined by the Secretary of Commerce to be reasonable, taking into account the range of interest rates prevailing in the private market for similar loans and the risks assumed by the Department.

Section 19 would amend section 1106(2) of the Act to allow refinancing of insured mortgages so as to include new nuclear fuel cores.

Section 20 would create a new title XIII in the Act which would authorize five-year experimental operating subsidy contracts with operators of liner vessels and with owners of dry bulk vessels built after enactment of the title. The purpose is to explore new subsidy concepts which contain incentives sufficient to reduce unit costs of subsidy in the future.

Section 21 would provide for the establishment of a Commission on American Shipbuilding to study the private shipbuilding industry and to report to the President and Congress within three years as to the extent to which Federal assistance is necessary to preserve the competitive position of the shipbuilding industry and to preserve a national shipbuilding capability.

Section 22 would allow merchant vessel and fishing vessel owners to contract with the Secretary of Commerce and Secretary of the Interior respectively for the establishment of vessel replacement funds. Monies deposited into such funds would be treated as tax deferred but only if used for the purpose of replacing and modernizing vessels.

H.R. 13940

A bill to amend the Merchant Marine Act, 1936, and other statutes to provide a new maritime program

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 209(b) of the Merchant Marine Act, 1936 (46 U.S.C. 1119(b)), is amended by inserting before the period at the end thereof a colon and the following: *"Provided, however,* That for each of the fiscal years 1969 through 1973, there is authorized to be appropriated (1) for construction-differential subsidy and the cost of national defense features incident to construction, reconstruction, or reconditioning of ships for operation in foreign or noncontiguous domestic commerce, and for the acquisition of used ships pursuant to section 510 of this Act, $300,000,000, to remain available until expended; and (2) for research and development, $25,000,000 to remain available until expended. For fiscal year 1969, there is also authorized to be appropriated for reconstruction of the reserve fleet, $30,000,000, to remain available until expended."

Sec. 2. Section 211 of the Merchant Marine Act, 1936 (46 U.S.C. 1121), is amended as follows:

(1) Subsection (b) is amended by inserting at the end thereof, immediately before the semi-colon, a comma and the words "or which should be employed as contract carriers."

(2) Subsection (d) is amended by inserting after the words "services, routes, and lines" a comma and the words "or as contract carriers" and a comma, and by inserting after the words "service, route, or line" a comma and the words "or contract carrier".

Sec. 3. Section 501 of the Merchant Marine Act, 1936 (46 U.S.C. 1151), is amended as follows:

(1) By striking the first sentence of subsection (a) and inserting in lieu thereof the following: "Any privately-owned shipyard or proposed shipowner who is a citizen of the United States may make application to the Secretary of Commerce for a construction-differential subsidy to aid in the construction of a new vessel to be documented under the laws of the United States and to be used in the foreign commerce of the United States."

(2) By striking out of the second sentence of subsection (a) the words "the applicant" and inserting in lieu thereof the words "the proposed owner of the vessel is a citizen of the United States and".

Sec. 4. Section 502(a) of the Merchant Marine Act, 1936 (46 U.S.C. 1152(a)), is amended by striking the word "applicant" wherever it appears and inserting in lieu thereof the words "proposed shipowner".

Sec. 5. Section 502(b) of the Merchant Marine Act, 1936 (46 U.S.C. 1152(b)), is amended as follows:

(1) By striking the first sentence and inserting in lieu thereof the following: "The amount of the reduction in selling price which is herein termed 'construction-differential subsidy' shall be computed by taking the excess of the fair and reasonable estimate, as determined by the Secretary, of the cost of constructing a type of vessel in United States shipyards (excluding the cost of any features incorporated in the vessel for national defense uses, which shall be paid by the Secretary in addition to the subsidy), over the fair and reasonable estimate of cost, as determined by the Secretary, of the construction of that type vessel (excluding national defense features as above provided) in a foreign shipbuilding center which is deemed by the Secretary to furnish a fair and representative example of the determination of the estimated foreign cost of construction of vessels of the type proposed to be constructed, and expressing the result as a percentage of the fair and reasonable estimate, as determined by the Secretary, of the cost of construction of that type vessel in United States shipyards, and applying such percentage to the lowest responsible bid. Subsidy rates shall be computed separately for different types of vessels and shall be periodically recomputed but not more frequently than once each year. In making his foreign cost estimate, the Secretary shall review and consider any foreign cost estimates and substantiating information submitted by operators, shipyards, or his staff."

(2) By striking the date "June 30, 1968" and inserting in lieu thereof the words "the expiration of three years from the date of enactment of this amendment".

Sec. 6. Section 504 of the Merchant Marine Act, 1936 (46 U.S.C. 1154), is amended as follows:

(1) By inserting the designation "(a)" after the section number.

(2) By striking the word "applicant" wherever it appears in the first sentence and inserting in lieu thereof the words "proposed shipowner".

(3) By striking in the second sentence thereof the word "bid" wherever it appears and inserting in lieu thereof the words "bid or negotiated price".

(4) By inserting at the end of the third sentence thereof before the period a comma and the words "or the negotiated price".

(5) By inserting after the first sentence thereof the following new sentence: "Alternatively, the Secretary may, in accordance with terms and conditions to be prescribed by him, permit the proposed shipowner to submit a negotiated price together with backup cost details and evidence that the price is fair and reasonable."

(6) By inserting a new subsection (b) to read as follows:

"(b) Where a shipyard is the applicant, it may, in accordance with terms and conditions prescribed by the Secretary, request construction-differential subsidy based upon a price which has been negotiated with the proposed shipowner. If the Secretary considers the negotiated price to be fair and reasonable, he may become a party to a contract between the shipyard and the shipowner and agree to pay the cost of national defense features and construction-differential subsidy computed under section 502(b) of this Act. If the Secretary determines that the negotiated price is not fair and reasonable, he may request renegotiation in an efford to arrive at a fair and reasonable price. As an alternative to accepting a negotiated price, the Secretary may, with the consent of the shipyard applicant, request competitive bids on the proposal, in which case, the applicant shipyard may be a bidder. In this event, the Secretary may become a party to a contract between the lowest competitive bidder and the proposed shipowner."

Sec. 7. Subsection (1) of section 510(a) of the Merchant Marine Act, 1936 (46 U.S.C. 1160(a)), is amended to read as follows:

"(1) The term 'obsolete vessel' means a vessel or vessels each of which is of not less than one thousand three hundred and fifty gross tons; which has been owned by a citizen or citizens of the United States for at least three years immediately prior to the date of acquisition hereunder; and which in the judgment of the Secretary should be replaced in the public interest."

Sec. 8. Section 801 of the Merchant Marine Act, 1936 (46 U.S.C. 1211), is amended by striking "titles VI or VII" and inserting in lieu thereof "titles VI, VII, or XIII".

Sec. 9. Section 804 of the Merchant Marine Act, 1936 (46 U.S.C. 1222), is amended by striking the words "operating-differential subsidy under title VI" and inserting in lieu thereof the words "operating subsidy under titles VI or XIII".

Sec. 10. Section 805 of the Merchant Marine Act, 1936 (46 U.S.C. 1223), is amended as follows:

(1) Subsection (a) is amended by inserting after the words "title VI" the words "or title XIII".

(2) Subsection (c) is repealed.

(3) Subsection (d) is amended by inserting "under titles VI or XIII of this Act" following the word "contractor" in the last sentence.

Sec. 11. Contractors with the United States are released from the provisions of their contracts which were inserted pursuant to the provisions of section 805(c) of the Merchant Marine Act, 1936 (46 U.S.C. 1223(c)).

Sec. 12. Section 810 of the Merchant Marine Act, 1936 (46 U.S.C. 1227), is amended by striking the words "operating-differential" and inserting in lieu thereof the word "operating", and by striking the words "title VI" and inserting in lieu thereof the words "titles VI or XIII".

Sec. 13. Section 905 of the Merchant Marine Act, 1936 (46 U.S.C. 1244(c)), is amended as follows:

By striking in subsection (c) the words "under title VI" and inserting in lieu thereof the words "under titles VI or XIII".

Sec. 14. The Merchant Marine Act, 1936, is amended by inserting a new title X to read as follows:

"TITLE X—AID IN DEVELOPING, CONSTRUCTING AND OPERATING PRIVATELY-OWNED NUCLEAR-POWERED MERCHANT SHIPS

"Sec. 1001. The purpose of this title is to further implement the policy declared in section 101 of this Act, by fostering at the least cost to the United States the development, construction, and operation of privately-owned nuclear-powered merchant ships whose designs embody significant departures from the designs of existing nuclear-powered merchant ships which may lead to reduction of the cost of constructing and operating future nuclear-powered merchant ships.

"Sec. 1002. The Secretary of Commerce is authorized to invite from citizens of the United States proposals for the development and construction of nuclear-powered merchant ships for operation in the domestic or foreign commerce of the United States, including trade on the Great Lakes. Proposals shall be invited only for the development and construction of nuclear-powered merchant ships (1) of types and general specifications (whether dry-cargo, liquid bulk carrier, or other) determined by the Secretary of Commerce, and (2) with nuclear propulsion systems of general types and conceptual designs which the Atomic Energy Commission has determined could reasonably be expected to accomplish nuclear power base development program objectives more quickly, more effectively, or at lower cost than other nuclear propulsion systems (these would include, without limitation, objectives of dependability, reliability, operability, and the acquisition of data that would be of value to the future development of merchant marine nuclear propulsion systems). Each proposal shall include a detailed description of the proposed ship or ships; their contemplated use in commerce; the proposed development, construction and operating programs; the technical justification and detailed estimate of development, construction and operating costs; the amount of aid applied for itemized separately for the development, construction and operating programs; and such other information as the Secretary directs.

"Sec. 1003. The Secretary, in cooperation with the Atomic Energy Commission, shall evaluate all proposals determined to be responsive to the invitation and shall select from them the proposal or proposals which will most closely carry out the purposes of this title. If the Secretary determines that the person who submitted a selected proposal, although such person may have had no experience in the operation of nuclear-powered ships, possesses the ability, experience, financial resources, and other qualifications necessary to enable him to operate and maintain ships in that area of the domestic or foreign commerce of the United States (including trade on the Great Lakes) in which he proposes to operate the proposed ship or ships, the Secretary may negotiate the award of a contract with such person (hereafter called the applicant) for the development and construction of the proposed ship or ships. The Secretary may require such modifications in the proposed ship or ships as he deems desirable, taking into account the views of the Atomic Energy Commission with respect to modifications of the nuclear propulsion system, and the views of the Secretary of Defense with respect to national defense features. The Secretary may agree to provide so much of the aid authorized by section 1004 of this title as he determines is necessary to carry out the purposes of this title, taking into consideration the financial risk to the applicant, and the contribution which the development, construction and operation of the proposed ship or ships may make toward carrying out the purposes of this title.

"Sec. 1004. (a)(1) In connection with the develpment and construction of vessels proposed and selected pursuant to section 1003, the Secretary may offer the following assistance:

"(A) With the scientific and engineering advice of the Atomic Energy Commission, he may assist in negotiating the award of and become a party to contracts between the applicant and the developer for the development of the proposed nuclear-powered merchant ship or ships, including the first fuel cores. He may agree in such contracts to pay the developer all of, or part of, the excess of the cost of developing the proposed ship or ships, including national defense features and the first fuel cores, over the estimated fair and reasonable cost of developing a comparable conventional ship or ships without national defense features.

"(B) He may become a party to contracts between the applicant and the builder for the construction of the proposed nuclear-powered merchant ship or ships, and may agree in such contracts to pay the builder all of, or part of, the excess of the cost of constructing in the United States the proposed ship or ships, including national defense features and the first fuel cores, over the estimated average weighted fair and reasonable foreign cost of constructing a comparable conventional ship or ships without national defense features: *Provided, however*, That if the ship or ships are to be operated in the domestic trade (except the non-contiguous domestic trade) aid under this paragraph is limited to the excess of the cost of constructing in the United States the proposed ship or ships, including national defense features and the first fuel cores, over the estimated fair and reasonable cost of constructing a comparable conventional ship without national defense features in the United States.

"(2) The Secretary may also assist in training crews for the ships; plan and design or assist in planning and designing appropriate shore facilities to service the ships; make available to the applicant, with the consent of the Atomic Energy Commission, appropriate classified information; provide research and development in Government laboratories which have facilities, personnel, or equipment not available in private laboratories, with the consent of the department or agency which operates the laboratory, and with or without charge to the applicant; and provide, without charge, design review services, ship construction inspection services and ship operation advisory services.

"(3) If, under section 184 of the Atomic Energy Act of 1954 (42 U.S.C. 2234), the Atomic Energy Commission consents to the creation of a mortgage or lien on the nuclear-powered merchant ship, and if the loan and mortgage are eligible for insurance under title XI of this Act, the Secretary may insure under that title the interest on and the unpaid balance of the principal amount of the loan and mortgage. In determining the applicant's eligibility, the Secretary is not required to make the finding required by subsection (c) of section 1004 of this Act. The Secretary may make the findings required by subsection (a)(1) and (b)(1) of section 1104 even though the applicant has had no experience in the operation of nuclear-powered merchant ships. The applicability of section 184 of the Atomic Energy Act of 1954 to the ship shall not prevent a mortgage on the ship from being a preferred mortgage under the Ship Mortgage Act, 1920.

"(b) In providing the aid specified in subsection (a) of this section, the Secretary may, upon payment of the costs, and with the consent of the department or agency concerned, avail himself of the use of licenses, information, services, facilities, offices, and employees of any executive department, independent establishment, or other agency of the Government, including any field service thereof.

"(c) Section 505(a) of this Act shall apply to all ships whose construction is aided under this title.

"Sec. 1005. Each applicant for aid under this title shall agree that if the ship, after its construction is completed, cannot at any time be operated for a period of more than 30 days because of an inter-union dispute in which the fact that the ship is nuclear-powered is an important element, the owner will, if so directed by the Secretary of Commerce, place the vessel up for sale at competitive bidding, with a minimum price in the amount that would be paid if the vessel were requisitioned for title, and on such other terms and conditions as the Secretary of Commerce determines will be conducive to the continued operation of the ship. This obligation shall run with the title to the vessel.

"Sec. 1006. Any ship developed and constructed with aid under this title shall be documented under the laws of the United States and shall remain so documented for 25 years or so long as it is propelled by nuclear propulsion, whichever is longer.

"Sec. 1007. Ships whose construction is aided under this title are eligible to receive operating-differential subsidy under whatever system is in force when the ships go into operation if the applicant qualifies under the statute.

"Sec. 1008. There are authorized to be appropriated to the Secretary such sums as may be necessary, to remain available until expended, to carry out the provisions of this title.

"Sec. 1009. Authority to contract for the development or construction of ships under this title expires at midnight on the last day of the sixtieth month following the month in which this title is enacted."

Sec. 15. Section 152 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2182), is amended as follows: (1) By inserting in the first sentence thereof immediately after the words "with or for the benefit of the Commission" a comma and the following: "or with the Secretary of Commerce under the authority of title X of the Merchant Marine Act, 1936, as amended". (2) By striking the words "by the Commission" in the first sentence and inserting the words "by the Commission or the Secretary".

Sec. 16. Subsection (1) of section 170 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2210(1)), is amended by inserting in the first sentence thereof immediately before the period a comma and the following: "or any ship whose development or construction is aided under title X of the Merchant Marine Act, 1936, as amended".

Sec. 17. The second sentence of the second paragraph of section 607(b) of the Merchant Marine Act, 1936 (46 U.S.C. 1177(b)), is amended by inserting after the words "authorized under section 613 of this title" a comma and the words "or new nuclear fuel cores for vesels" and a comma.

Sec. 18. Section 1104(a)(5) of the Merchant Marine Act, 1936 (46 U.S.C. 1274(a)(5)), is amended to read as follows:

"(5) shall secure bonds, notes or other obligations bearing interest (exclusive of premium charges for insurance, and service charges, if any) at rates not to exceed such per centum per annum on the principal obligation outstanding as the Secretary of Commerce determines to be reasonable, taking into account the range of interest rates prevailing in the private market for similar loans and the risks assumed by the Department of Commerce;"

Sec. 19. Section 1106(2) of the Merchant Marine Act, 1936 (46 U.S.C. 1276(2)), is amended by inserting after the words "for reconditioning or reconstructing the mortgaged property" the words "or to provide a new nuclear fuel core for the mortgaged property".

Sec. 20. The Merchant Marine Act, 1936, is amended by inserting a new title XIII to read as follows:

"TITLE XIII—EXPERIMENTAL OPERATING SUBSIDY

"Sec. 1301. The Secretary of Commerce is authorized to enter into five-year experimental contracts with liner operators for the payment of operating subsidy for the operation of liner vessels in the foreign commerce of the United States and with owners of dry bulk vessels built after the enactment of this title for operation as contract carriers in the foreign commerce of the United States, subject to such terms and conditions as the Secretary may determine.

"Sec. 1302. A subsidy contract may be awarded on any service which the Secretary, in his discretion, without public hearing, determines is not adequately served. Applicants for such contracts must meet the eligibility requirements of section 601 of this Act. The Secretary, in his discretion, may apply the provisions of sections 605(a) and (b), 606(5)(6)(7), 607(a)(b)(c)(d)(e)(f)(g), 608, 609, 610, and 611 of this Act, or any of them, to contracts entered into under this title. He may also, in his discretion, apply the provisions of section 607(h) to contracts entered into under this title with liner operators.

"Sec. 1303. The amount payable during the first year of the subsidy contract shall not exceed the difference between the costs incurred in operating the ship for insurance, wages, maintenance and repair, and the cost of such items incurred in the operation of a comparable ship under the flag of a foreign country whose ships are substantial competitors of the subsidized ship. During the subsequent years of the contract, the amount of subsidy shall be computed in such manner as the Secretary in his discretion may determine. In developing any new system the Secretary shall be guided by the overriding principle that the system must contain incentives which can be reasonably expected to reduce unit costs of subsidy in the future. Such incentives may include the use of an objective index or indices to govern the annual change in costs eligible for subsidy, the use of a formula or formulae reasonably relating the amount of subsidy payable to the performance or production of subsidized service, or the use of such other reasonable approaches to the determination of the amount of subsidy as the Secretary may in his discretion establish.

"SEC. 1304. Such contracts shall provide that upon their termination the operator shall have the option of receiving a contract for the operation of his vessels under whatever subsidy system is in force at that time, or of selling his ships to the Government for a price not to exceed their depreciated book value."

SEC. 21. (1) There is hereby established a Commission to be known as the Commission on American Shipbuilding (hereinafter referred to as the "Commission"). The Commission shall be composed of six members, appointed by the President. At least one member shall be from the United States shipbuilding industry. Members of the Commission shall be appointed for the life of the Commission. The President shall designate one of the members of the Commission as Chairman. Four members of the Commission shall constitute a quorum.

(2) Members of the Commission shall each be entitled to receive $100 per diem when engaged in the actual performance of duties vested in the Commission, including traveltime, and while away from their homes or regular places of business may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by title 5 of the United States Code for persons in the Government service employed intermittently.

(3) The Commission shall meet at the call of the Chairman or at the call of a majority of the members thereof.

(4) The Commission shall have the power to appoint and fix the compensation of such personnel, as it deems advisable, subject to the civil service laws and the Classification Act of 1949, as amended.

(5) The Commission may procure, in accordance with the provisions of title 5 of the United States Code, the temporary or intermittent services of experts or consultants; individuals so employed shall receive compensation at a rate to be fixed by the Commission, but not in excess of $100 per diem, including traveltime, and while away from their homes or regular places of business may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by title 5 of the United States Code for persons in the Government service employed intermittently.

(6) The Commission shall conduct a study of the extent to which Federal assistance to the private shipbuilding industry in the United States is necessary to preserve the competitive position of such industry and to preserve a national capability for the building and repair of United States merchant and United States naval ships.

(7) The Commission shall not later than three years after the date of enactment of this Act submit a comprehensive report of its findings and recommendations to the President and to the Congress, and thereafter shall cease to exist.

SEC. 22. The Merchant Marine Act, 1936, is amended by inserting a new title XIV to read as follows:

"TITLE XIV—REPLACEMENT AND EXPANSION OF UNITED STATES NONSUBSIDIZED MERCHANT AND FISHING FLEETS

"SEC. 1401. AUTHORITY TO NEGOTIATE CONTRACTS—

"(a) For the purpose of promoting the construction or acquisition of new merchant vessels or the substantial reconstruction of existing merchant vessels and for other purposes authorized by this Act, the Secretary of Commerce may enter into contracts not to exceed twenty years with any person who is a citizen of the United States if the Secretary determines the person possesses the ability, experience, financial resources, and other qualifications necessary to enable him to conduct the proposed operations of the merchant vessels as to meet competitive conditions and promote United States domestic or foreign commerce.

"(b) For the purpose of promoting the construction of new fishing vessels, the Secretary of the Interior may enter into contracts not to exceed twenty years with any person who is a citizen of the United States if the Secretary determines the person possesses the ability, experience, financial resources, and other qualifications necessary to enable him to conduct the proposed operations of the fishing vessel to meet competitive conditions and promote the utilization of fishery resources.

"SEC. 1402. TERMS AND CONDITIONS OF CONTRACT.—The Secretary shall include in each contract a provision—

"(a) that any new vessel constructed under a contract will be built in a shipyard in the United States under a contract with a shipbuilder entered into after the effective date of this Act;

"(b) that any new vessel acquired under a contract will be one that was built in a shipyard in the United States for the United States Government under a contract with a shipbuilder entered into after the effective date of this act;

"(c) that any vessel substantially reconstructed under a contract will be one that was built in a shipyard in the United States and will be substantially reconstructed in a shipyard in the United States under a contract with a shipbuilder entered into after the effective date of this Act;

"(d) that any vessel constructed, acquired, or substantially reconstructed under a contract will be of a type, size, and speed that the Secretary determines to be suitable for use on the high seas or Great Lakes;

"(e) that any vessel constructed, acquired or substantially reconstructed under a contract negotiated under section 1(a) will be of a type which the Secretary of the Navy certifies is suitable for economical and speedy conversion into a naval auxiliary or otherwise suitable for use by the United States in the event of war or national emergency;

"(f) for the creation and maintenance of a capital reserve fund;

"(g) for the approximate number and type of vessels which the contractor will construct, acquire, or substantially reconstruct subject to modifications and extensions upon a showing to the satisfaction of the Secretary of acceptable reasons for modifications or extensions.

"(h) for additional terms and conditions consistent with this Act, that the Secretary determines to be necessary to protect the interest of the United States;

"(i) for the early replacement of any warbuilt vessel used in the movement of cargo under section 901(b), Merchant Marine Act, 1936, as amended;

"(j) that each contractor agrees not to incur any purchase money indebtedness with respect to any vessel constructed, acquired, or substantially reconstructed under a contract without the prior consent of the Secretary;

"(k) that upon failure of the contractor to construct, acquire, or substantially reconstruct any vessel as provided in the contract as modified or extended, all deposits of the contractor will be withdrawn from the fund with the same tax consequences as result from withdrawals from the funds created by section 607, Merchant Marine Act, 1936, as amended, and for further deposits may be made by the contractor until a new contract is negotiated; and

"(l) that the contractor agrees that any vessel constructed or acquired under a contract will remain documented under the laws of the United States for twenty-five years from the date of its delivery by the shipbuilder and any vessel reconstructed under a contract will remain documented under the laws of the United States for the remainder of its economic life as determined by the Secretary.

"SEC. 1403. CREATION AND MAINTENANCE OF CAPITAL RESERVE FUND.—(a) Each contractor shall create and maintain for the duration of the contract, in depositories approved by the Secretary, a capital reserve fund under the joint control of the operator and the Secretary.

"(b) Each contractor shall deposit in the capital reserve fund as is required to be deposited by subsidized operators under section 607, Merchant Marine Act, 1936, as amended, the proceeds of sales of vessels, the proceeds of insurance and indemnities, the depreciation charges, as earned, and the earnings made on deposits in the capital reserve fund, and shall annually deposit any percentage of differential payments received on the movement of cargo under section 901(b), Merchant Marine Act, 1936, as amended, that the Secretary determines is from profits and is necessary to fulfill the contractor's obligation under the contract.

"(c) The contractor may deposit in the fund other earnings from his vessel operations.

"SEC. 1404. TAX DEFERMENT OF DEPOSITS IN THE FUND.—

"(a) Deposits of capital gains into the fund are taxed in the same manner as deposits of capital gains by subsidized operators under section 607, Merchant Marine Act, 1936, as amended.

"(b) Deposits of earnings and differential payments into the fund are taxed in the same manner as deposits of earnings of subsidized operators under section 607, Merchant Marine Act, 1936, as amended.

"SEC. 1405. WITHDRAWALS FROM THE FUND.—Contractors may withdraw deposits from the fund with the same restriction and limitation, under the same conditions and with the same tax consequences as deposits may be withdrawn from the capital reserve fund by subsidized operators under section 607, Merchant Marine Act, 1936, as amended.

"SEC. 1406. INVESTMENT OF THE FUND.—Contractors may invest deposits in the fund under the conditions and with the same restriction as deposits of subsidized operators under section 607, Merchant Marine Act, 1936, as amended.

"SEC. 1407. DISCONTINUANCE OF DIFFERENTIAL PAYMENTS.—

"No operator of a nonsubsidized vessel may receive any differential payments for cargo moved by such vessel under section 901(b), Merchant Marine Act, 1936, as amended, unless the operator has concluded a contract with the Secretary under this Act before January 1, 1968.

"SEC. 1408. DEFINITIONS.—In this Act—

"(a) 'Contract' means a vessel construction, acquisition, or reconstruction contract authorized by this Act.

"(b) 'Differential payments' means the payments made by the United States Government to operators of United States-flag merchant vessels for the movement of cargo under section 901(b), Merchant Marine Act, 1936, as amended, at rates in excess of world market rates.

"(c) 'Documented' includes enrolled.

"(d) 'Earnings from the operation of vessels' includes hire from bareboat charters.

"(e) 'Earnings made on deposits' means earnings on funds deposited as well as earnings on accumulated earnings and gains made on sale of securities.

"(f) 'Fund' means the capital reserve fund authorized by this Act.

"(g) 'Nonsubsidized vessel' means any vessel not included in an operating differential subsidy contract under the Merchant Marine Act, 1936, as amended.

"(h) 'Person' includes corporation.

"(i) 'Reconstruction' means the substantial reconstruction and major modernization of a vessel if the Secretary determines that the objectives of this Act will be promoted by such reconstruction.

"(j) 'Secretary' means the Secretary of Commerce in reference to powers and duties relating to contracts for the construction, acquisition, or substantial reconstruction of merchant vessels and means the Secretary of the Interior in reference to powers and duties relating to contracts for the construction of fishing vessels.

"(k) 'Subsidized operators' means persons who have an operating differential subsidy contract under the Merchant Marine Act, 1936, as amended.

"(l) 'Vessel' includes non-self-propelled vessels, cargo containers, cargo vans, and other related equipment.

"(m) 'War-built vessel' means a vessel as defined in section 3, Merchant Ship Sales Act, 1946."

NEW MARITIME PROGRAM

Mr. DOWNING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. DOWNING. Mr. Speaker, today may go down in the annals of maritime history as one of its most historic occasions.

Today may also mark the beginning of a vibrant, strong merchant marine for our great country.

Every knowledgeable American has viewed with deep concern the decline and demise of our present merchant marine.

Our present American-flag ships are obsolete and outdated, and even these are dwindling in number. The Vietnam sealift of military men and supplies has strained our meager supply of ships almost to the breaking point.

Something has to be done to restore this historic fourth arm of our national defense, and something will be done today. I hope it will receive enthusiastic support.

Today, ranking members of the Senate Commerce Committee and of the House Merchant Marine and Fisheries Committee are introducing a bill which will give the Nation a maritime program.

We are late, but there is still time.

The bill is a modest one by most standards, but it will give us a start. It will provide for the construction of 30 to 35 ships for a period of 5 years. These ships will be built in American yards by Americans. Our American shipyards can and will meet the challenge.

It also includes the construction of several nuclear-powered vessels. It is imperative that we exploit our initial development of this new, exciting source of power. We cannot afford not to push forward in this field.

Sums of money are also to be provided for research and development. Hopefully our merchant marine can become more efficient and more competitive with the foreign-flag fleets.

These are the basic provisions of the bill which we will offer. They will be modified and improved as hearings are held and will be in the best shape possible when we bring the bill to the House for approval.

This is the start of our Nation's new maritime program. My only regret is that it is so late in coming.

INCREASING ACTIVITY IN FOREIGN ENDEAVORS BY THE UNIVERSITY OF MINNESOTA

Mr. KARTH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KARTH. Mr. Speaker, the University of Minnesota has been increasingly active in foreign endeavors. Some time ago they established an office of international programs that coordinates efforts among various disciplines and with many foreign educational institutions.

Mr. Speaker, I wish to call to the attention of my colleagues a letter from the president of the University of Minnesota, Dr. Malcolm Moos, concerning counterpart funds and their impact upon U.S. higher educational efforts abroad.

In his letter, President Moos expressed his alarm at recent actions taken during hearings held by the House Appropriations Committee with regard to future use of counterpart currencies to support international education. In these hearings, it seems that HEW and Department of State requests for funds payable in Indian and other foreign currencies were stricken by the committee.

Dr. Moos points out that, if the committee's action should stand, the result for international education programs would be disastrous—this at a time when the need for world cooperation and understanding is paramount.

But President Moos clearly points out that the real irony of the committee's action is that there are absolutely no savings to U.S. taxpayers in eliminating or reducing the use of counterpart funds for educational purposes. He points out, for example, in India alone some $570 million is currently available for U.S. uses, and that this amount is increasing as the result of interest from U.S. loans.

Mr. Speaker, none of this money so accumulated in India, or any other foreign state having counterpart funds, comes from taxation in the United States. These moneys simply accumulate and remain unused except as Congress approves.

Therefore, Mr. Speaker, while all of us are vitally concerned with the need for economy in government, it is apparent that no savings to U.S. taxpayers will result from the House Appropriations Committee's recent action. In fact, I would submit that a tragic loss to international relations and international education will result if this decision is left to stand. Accordingly, I would urge all Members to do everything possible to restore these funds.

Finally, Mr. Speaker, under unanimous consent, I insert the letter of President Moos in the Record at this point:

University of Minnesota,
Minneapolis, Minn., November 1, 1967.
Hon. Joseph E. Karth,
Rayburn House Office Building,
Washington, D.C.

Dear Representative Karth: As you know, the U.S. Government provides a significant contribution to international education through the use of counterpart currency held in a number of countries around the world, particularly in India. With these funds, many institutions are able to support important work of U.S. scholars who add to the stock of knowledge of other cultures and provide most valuable feedback to our own students.

It was with considerable alarm that I became aware of the results of recent Congressional Appropriations Committee hearings concerning the future use of counterpart currencies to support international education. In these hearings the Health, Education and Welfare request for funds payable in Indian (and other foreign) currencies was stricken by the House Appropriation Committee, while in the Department of State request the total amount for foreign educational and cultural affairs in India and elsewhere has been seriously reduced. At a time when more, not less, attention must be devoted to international education, such action is incomprehensible. If the Appropriations Committee's actions should stand, the effect of these reductions would be disastrous for the continued operations of government-sponsored international education operations in India and other countries.

The need for further international education is critical. The U.S. Government is in the enviable position of being able to support an important segment of this work, if it chooses to do so, without calling upon dollar resources. The need for close scrutiny of appropriation requests and the utilization of available resources for highest priority needs is fully understood and appreciated. However, there is no apparent financial savings to the U.S. Government in eliminating or reducing the use of counterpart funds for educational purposes. I understand that in India alone the amount of currency available for U.S. uses (as distinguished from the sum available by agreement with the Government of India for that Government's own uses) was $570 million in equivalent rupees on June 30, 1967, and is constantly increasing from interest paid to the U.S. Government on loans which it has made to India. None of the money so accumulated comes from taxation in the United States. It simply accumulates in India to lie there unused except as Congress approves.

Thus, I sincerely hope that you will lend your support to the Departments of State and Health, Education, and Welfare and urge a restoration of the use of counterpart funds for continued support of international education operations.

Regards and esteem,

Malcolm Moos,
President.

VIETNAM SUPPORT

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, a significant note from Tuesday's voting is the fact that San Francisco voters have rejected a proposal for an immediate cease fire in Vietnam and the withdrawal of U.S. troops. Even more important is the fact that the vote was 2 to 1.

There had been concern about the outcome. San Francisco has its vociferous elements who confused the issue, but not the outcome. Score one for patriotism.

I am convinced the result would be the same if there were a nationwide vote on this question. The administration's handling of the war is intended to bring victory without undue risk of involving Red China and Russia. Some of us are impatient that more pressure has not been brought against the enemy to speed victory for our forces. Nevertheless, attrition is bearing heavily on the North Vietnamese and the Vietcong. The bombing is taking a heavy toll in the north. There are signs, despite recent heavy fighting by the Communist forces, that victory for our forces may be nearer than had been anticipated.

I can think of no better time than this for the President and his spokesmen to stress the need for patriotic support for the war effort. Americans have been subjected to a continuing barrage of antiwar propaganda. The peaceniks have been much more vocal than those who recognize the reasons for U.S. involvement in Vietnam. Consequently, a great many people are confused about the real issues. They will respond when reason and need are shown. A war which is fought on a part-time basis with assurances to the people that they can have both guns and butter does not in itself stimulate patriotism. Emphasis constantly has been on negotiation rather than victory and this, too, is foreign to American thinking.

Support for a war in which America's young men are fighting is inherent in our people. Show them reasons for rallying behind the flag and they will do so. It is time for an appeal for patriotism and for widespread suppport of the war effort. It is time to talk victory and to plan victory. Show the troops now that the people back home are supporting them wholeheartedly. Let the other side do the worrying about negotiations. This is the American way.

THREE SISTERS BRIDGE

Mr. MACHEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MACHEN. Mr. Speaker, an incredible situation appears to be developing in the Department of Transportation with regard to the Three Sisters Bridge and the entire freeway and balanced transportation program for the District.

On the same day, Wednesday, November 8, 1967, the four metropolitan area Congressmen received a letter from Transportation Secretary Alan S. Boyd in reply to our request that he meet with us on the Three Sisters Bridge. Secretary Boyd's letter was as informative as any I have seen from his office to date and I include the text at this point in the RECORD:

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., November 7, 1967.
Hon. HERVEY G. MACHEN,
House of Representatives,
Washington, D.C.

DEAR MR. MACHEN: I am writing in response to your telegram dealing with questions concerning a decision on the construction of the Three Sisters Bridge.

As has been indicated in previous correspondence to you, the Department of Transportation is at work on this matter and will have a decision at the earliest possible date. I have said publicly within the last few days that we anticipate that the Department will be prepared to provide advice on the issues presented for its consideration by approximately the middle of November. You may be assured that I will transmit copies of the information to you as soon as it is available.

Sincerely yours,
ALAN S. BOYD.

At the same time, we read in the Washington Post that Secretary Boyd appears to have decided that the Three Sisters Bridge "is out." This same newspaper, in a related editorial, very correctly characterized his apparent decision as threatening the generally agreed upon balanced transportation system for the District and suggested that—

> The Department of Transportation ought to take its proposals back to the drawing boards. It cannot stop the growth of the area, arrest the rising demands of traffic or enforce an order compelling all citizens to ride a transit system not yet built.

Mr. Speaker, this is sage advice and I recommend that Secretary Boyd start taking some advice from those of us who have more than a vague inkling of the transportation needs of the metropolitan area. Mr. Boyd was not elected by the residents of the metropolitan area. He does not represent their interests as commuters and wage-earners here. Those of us who are elected from the metropolitan area are in virtual agreement on the feasibility and desirability of a balanced transportation system and on construction of the Three Sisters Bridge.

We have tried repeatedly to meet with either Secretary Boyd or his designated representative on this matter. Our efforts have been entirely fruitless. In response to our letters, which are quite candid and forthright, we get from him the most inane and assinine replies imaginable from a Cabinet officer.

Mr. Speaker, this is just the latest chapter in the continuing story of the Three Sisters Bridge. I would hate to think that the Secretary of the Department of Transportation is going to write an unhappy ending for this bridge.

Certainly if what we read in the Washington Post is in fact the Secretary's decision on the Three Sisters Bridge and the entire transportation system here, the Secretary is on a dangerous collision course with a number of Members of Congress and I would not predict that he and his plans will prevail. This type of situation does not have to occur. We in Congress did not seek a conflict. But if these unilateral decisions which adversely affect the future of the area's balanced transportation system in the District and Department of Transportation continue to occur, conflict will also ensue.

SHOCK AND AMAZEMENT AT PLANS TO ABANDON THE THREE SISTERS BRIDGE

Mr. BROYHILL of Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BROYHILL of Virginia. Mr. Speaker, I am seriously concerned and, in fact, was shocked, as well as others of my colleagues from the metropolitan area of Washington, at the report of the Secretary of the Department of Transportation in which was contained the recommendation to abandon the plans for an additional Potomac River bridge as well as several highways and freeway projects here in the District of Columbia.

Mr. Speaker, if the Secretary of the Department of Transportation had come forward in his report with a recommendation for constructive alternatives, we would have to consider it. But to suggest that further highways, freeways, and river crossings are not needed, and that we would have to rely upon rapid transit in lieu of these projects borders upon stupidity, particularly when the construction and completion of area transit is in the distant future.

Mr. Speaker, we have been studying these projects for many years, during the course of which all highway engineers with whom I am familiar agree that these projects are needed. In fact we have received the recommendations and support of engineers and experts from all over the United States. The only opposition we have had has come from this source and from so called conservationists and members of the National Capital Planning Commission. Now they are using him, the Secretary of the Department of Transportation, as a fall guy to rubberstamp the proposition that they have been putting forth for many years.

Mr. Speaker, if this course of action is followed, a course of action which in my opinion will create utter chaos, then the Congress of the United States is going to have to step into the picture and do the job that the Planning Commission, the Department of Transportation and others in the executive branch of government obviously are not capable of doing.

I regret, therefore, to learn that the Secretary of Transportation has decided upon a course which will result in further stalling and delay over the decision which ultimately must be made to go ahead with the inner loop in the District and another Potomac River crossing to Virginia.

It appears this decision was not made recently, Mr. Speaker, but back in May when the National Capital Planning Commission turned the question over to the Secretary. It seems to have been rigged from the beginning for Mr. Boyd to decide to scrap the careful planning of many highway experts in favor of a ridiculous set of "possibilities," many of which were evaluated years ago and discarded as unworkable.

Surely the Secretary and his advisers are aware of the fact that the Appropriations Subcommittee refuses to release funds for our much needed subway system until the inner loop and Interstate System in the District has been settled once and for all. As recently as today the chairman advised me that his position in this regard has not changed.

This decision concerns me greatly, because not only is our highway system endangered, but the subway is threatened as well.

Mr. Boyd's ill-conceived decision will result in transportation chaos throughout the Washington area.

THE INCREDIBLE PERFORMANCE OF THE FEDERAL AGENCIES RESPONSIBLE FOR STALLING TRANSPORTATION IN THE WASHINGTON AREA DESERVES A HARD LOOK BY THIS BODY

Mr. GUDE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GUDE. Mr. Speaker, the incredible performance of the Federal agencies responsible for stalling transportation in the Washington area deserves a hard look by this body. First, we have a direct responsibility for the National Capital. Second, the attitude of the Department of Transportation toward freeways in and around the District of Columbia—if it represents a trend in Federal transportation policy—ought to give pause to every Member representing an urban area. The administration has pledged to make Washington a "showcase for the world." I fear it will be a showcase with a wall around it. One wonders whose city will get the showcase treatment next. And third, the Department has ignored responsible local officials, elected and appointed, making it incumbent on Congress to exert its responsibility over executive agencies that seem to have forgotten what a representative government is all about.

In brief, the Secretary of Transportation, Alan S. Boyd, was requested by the National Capital Planning Commission to report on the number of lanes needed for the Three Sisters Bridge and the best location for such an additional Potomac River crossing. Unfortunately, for the cause of public understanding, the dispute has centered about the bridge alone, whereas the main issue at stake has been the entire freeway system for the metropolitan area. This is why the bridge has become the focus of attack by antifreeway forces. Thus it is no coincidence that Secretary Boyd, in recommending against the bridge, took the occasion to call for a cutback in the entire proposed system including one of the most vitally needed facets in the State of Maryland—extension of the North Central Freeway into a densely developed area of Montgomery County.

The result: no freeways whatever, into the Maryland suburbs adjoining Northwest Washington. An alternate suggestion, that the George Washington Memorial Parkway be extended into the District and connect with new roads along the Potomac, is nothing but a sop; that ought to be done anyway. The only consolation that can be drawn here would be, if this is the final decision then at least one road can go ahead.

The Department is doing this, furthermore, without due consultation with the District, Maryland, or Virginia officials whose interests are vitally at stake. Regional implications are totally overlooked. The DOT proposals are running directly contrary to countless engineering studies and reliable forecasts of traffic volumes. They violate a formal agreement that launched a mass transit program for the region with the approval of Congress; they repudiate the Bureau of Public Roads' own long standing position on freeways; they break faith with the citizens of the region who need a balanced system of both freeways and transit.

On the subject of local cooperation required by law, the Department particularly has ignored highway officials. It stalled on a simple factual decision for 6 months and then dumped a radically altered plan on the new District government. I fail to find that timing accidental. To be sure, Mayor Washington and the District Council are to be "consulted" and are being urged to accept the Department's recommendations. This strikes me as being about as mutually cooperative as a friendly suggestion from the only banker in town.

It is ironic that at the same time, the Bureau of Public Roads wants State highway officials to hold not one, but two public hearings for federally aided highway projects to afford the public an opportunity to speak.

Consider the consequences, Mr. Speaker. The suburbs will then develop more independently, giving greater emphasis to lateral road facilities. Job opportunities will grow there, possibly at the expense of the central city; at the same time, access to them will be further reduced. This is already a serious problem. There may be rising resentment against mass transit by suburban commuters, who can only conclude that they are being blackjacked into riding transit—in the 1970's—by an administration that is denying them needed roads.

These are the same taxpayers who generate highway funds through Federal user taxes, and are being called upon to support mass transit which many could never conceivably use. This aspect might be of interest to other cities considering mass transit. Such a result would be disastrous. The area needs both freeways and transit, as I have said, and the system currently proposed is considered complementary by all concerned.

Secretary Boyd has been recommending greater use of express buses on freeways. In the name of sanity, What freeways, Mr. Boyd?

It is another irony that some of the most persuasive data in support of freeways and additional river crossings has been generated by studies of rapid rail transit. And the Transit Authority's representative on the NUPC has consistently favored intelligent freeway plans.

Consequences in the District will be equally severe. I have already mentioned job mobility. An experimental air rights housing project is already endangered. Surface street congestion will continue to grow unabated. Massive opportunities for strategically located parking over and under freeways will be lost, as well as public and private facilities proposed for air rights construction. Potential gains in tax base will likewise disappear.

Secretary Boyd has proclaimed himself no enemy of freeways, and he argues persuasively for local solutions to transportation problems. I can only conclude that he is acting on the basis of faculty information in thinking what can only be described as a totally unrealistic position opposing area freeways.

I suggest that he take a long and realistic look at the region's transportation problems, and genuinely consult with area officials on the regional problems and adopt a more constructive approach. And I most seriously suggest that the responsible committees of the Congress closely monitor the process. Our duties demand no less.

Mr. Speaker, I wish to include in my my remarks the following editorial from the Washington Post and an article from the Evening Star:

[From the Washington Post, Nov. 8, 1967]

HIGHWAY ROBBERY

District highway proposals now being considered at the Department of Transportation threaten the precarious "treaty" which was perfected when freeway and transit backers got together to pass the transit authority act. They would tear that settlement apart by abandoning the Three Sisters Bridge, the South Leg of the Inner Loop, the North Leg of the Inner Loop and the section of 70S planned for the Baltimore and Ohio Railway corridor.

These are spectacular modifications of earlier plans behind which a painfully wrought consensus had gathered. Affirmative changes would extend the George Washington Parkway, reshape the Georgetown waterfront (including the Whitehurst Freeway) and a tunnel-type link between the Roosevelt Bridge and the North Central Freeway, somewhere between Independence Avenue and G Street. Roosevelt Bridge would be opened to truck traffic.

A notable shortcoming is the failure to make any provision for limited access routes into the city from the North. There would be no main artery in the whole section from Interstate 95 in Maryland, westward to George Washington Parkway. Passenger traffic would have to use the parkway and commercial trucks and buses would have to filter through residential streets.

At the moment it looks as though the Transportation Department had gone almost all the way back to the Stolzenbach plan, which quite frankly contemplated substituting mass transit for the freeway system. It seems to have embraced very conservative estimates of future traffic requirements, particularly with reference to need for Potomac crossings.

The Transportation Department ought to take its proposals back to the drawing boards. It cannot stop the growth of the area, arrest the rising demands of traffic or enforce an order compelling all citizens to ride a transit system not yet built.

[From the Washington Evening Star, Nov. 9, 1967]

UNITED STATES SEEKS TO ABANDON BRIDGE, INNER LOOP PLAN—PROPOSAL WOULD DROP THREE SISTERS SPAN, CHANNEL ROUTE 66 TRAFFIC TO ROOSEVELT

The Department of Transportation is seeking the new District government's concurrence on a proposal to kill several major Washington freeways and abandon the long-planned concept of an inner-loop highway network within the central city.

The department plan would rule out a Three Sister Bridge across the Potomac and require that traffic from Virginia's new interstate Route 66 rely almost wholly on the existing Roosevelt Bridge.

The proposal's other major modifications in the city's longstanding and frequently approved freeway system include:

1. Elimination of the freeway tunnel under the Tidal Basin between the Lincoln Memorial and 14th Street, plans for which already are well advanced. This route was to comprise the southern portion of the inner loop.

2. Elimination of a north leg for the inner loop, initially planned in the general vicinity of Florida Avenue NW.

3. A single east-west arterial through the city from the Roosevelt Bridge, probably making use of the already projected extension of the E Street Expressway in a tunnel beneath the Ellipse and proceeding to connect with the center-leg freeway now being built near Third Street NW. An alternate possibility is to build this connection along K Street NW.

4. Abandonment of the so-called Route 70–S portion of the North Central Freeway, which was to extend roughly from Riggs Road NE to the Capital Beltway in Maryland and serve as the sole freeway route from the western suburbs to downtown Washington.

5. The new proposal would designate the George Washington Memorial Parkway along the Maryland shores of the Potomac—already built from the Capital Beltway to Chain Bridge—as Maryland's Route 70–S connection to the District, with its use, however, probably banned to trucks. From Chain Bridge this route would be extended along the Georgetown waterfront with the limited design standards of a parkway—rather than with the higher capacity expressway standards previously planned.

The precise details of several of these proposals apparently are still to be developed. It was understood also that Secretary of Transportation Alan S. Boyd's endorsement of the proposal is subject to change—specifically if revisions are requested by the new city government.

The department's position, it was understood, is that the determination of the freeway system which the District should have is essentially a local decision which should be made by the mayor and the new City Council.

In essence, however, the department's proposals constitute the freeway package which Boyd is telling the local government his agency is willing to finance if the city government buys the proposition. If the new local leaders should disagree, the matter presumably would be open to further negotiation.

Mayor Washington flatly declined to comment on the situation. This sudden turn of events, however, confronts him with an immensely difficult new problem during his first days in office.

Ironically, Boyd's intervention in the freeway controversy was sought last May by the National Capital Planning Commission solely in terms of the Three Sisters Bridge. The secretary was asked first whether he considered that additional river-crossing lanes were needed. In the event of an affirmative reply, he was asked whether he favored a bridge or a tunnel in the Three Sisters area.

CONCEPT CALLED WRONG

Actually, the secretary responded that he favored a bridge if any crossing were to be built. After six months of deliberation, however, his department apparently has decided not only that another crossing is not justified by the traffic projections, but that the entire concept of the freeway system is wrong.

The Transportation officials reportedly feel that the scaled-down freeway version would be satisfactory if a major rail-transit system comes into being—and if various other alternative forms of moving people are put into effect. Among studies under way within the Transportation Department, it was understood, are the possibilities of making bus service more effective and attractive within existing street systems and the wider use of commuter trains.

As to transit, the new development is certain to stir repercussions on Capitol Hill. Representative William H. Natcher (D–Ky.), who controls District finances in the House, has warned forcefully on several occasions that rail-transit funds will be in jeopardy if a satisfactory freeway system does not proceed. Apart from transit, moreover, several Washington area congressmen have been persistently pressing Boyd for a decision on the Three Sisters Bridge which would permit freeway construction to move ahead.

EXTENDED DELAY LIKELY

One conclusion appears certain: The freeway program faces further delay—perhaps an extremely lengthy delay.

The suggestion that a parkway-type road along the Potomac River should serve as western Maryland's major traffic artery to the city revives a proposal first advanced under the Eisenhower administration in 1955, and later discarded as inadequate.

As to the south-leg freeway beyond the Lincoln Memorial in West Potomac Park, the concept of tunneling this route, at considerable expense in order to preserve park values, had been advocated by Interior Secretary Stewart Udall, and was agreed on by Rex Whitton, the previous federal highway administrator. All of Whitton's highway agencies were absorbed, however, with the creation of the new Department of Transportation.

The possibility of extending the present truncated E Street Expressway in a tunnel beneath the Ellipse and eastward of the Treasury Department has long been advocated by the President's Temporary Commission on Pennsylvania Avenue as a means of distributing traffic to this section of the city. The possibility of considering this route as the sole east-west freeway in central Washington, however, had never before been advanced.

Ironically, the DOT proposal comes just after the most recently completed traffic study for the Washington area showed that most of the long-planned for highways were needed.

The study was done for the Washington Metropolitan Area, Transit Authority, which said last month the Washington area should build a 96-mile regional rapid transit system.

The Alan M. Voorhees consulting firm, taking into account the most recent traffic studies, assumed that a 150-mile rapid transit system would be in place in 1990. Then it took the highway system approved by the National Capital Planning Commission in June, 1966, which included the controversial bridge, Tidal Basin tunnel, complete North Central Freeway and a six-lane K Street tunnel.

The result was an estimate by computers that in the peak hour in 1990, an estimated 141,000 persons would use the 150-mile rapid transit system. Another 25,000 persons were expected to use busses.

But even with the extra 60 miles of rapid transit system, the computers said 453,000 persons would use only autos to make trips in the rush hour.

The Voorhees study further predicted that the 14th Street bridges would be badly overcrowded in the rush hour and could not handle any overflow of traffic from the Three Sisters Bridge area. Also, the study said that highways in corridor leading to the bridge also would be slightly overcrowded at the Arlington County-Falls Church area.

SMALL BUSINESS ADMINISTRATION

Mr. KLUCZYNSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. KLUCZYNSKI. Mr. Speaker, in the CONGRESSIONAL RECORD for October 26, I stated, Mr. Speaker, "that section 406 of title IV, if passed, into law, would accomplish through a back-door approach that which it has not been possible to accomplish openly; namely, it would transfer to the Department of Commerce certain vital functions currently being carried out by SBA."

I added that "transferring SBA's functions to another agency would be about the same as transferring the agency itself."

Congress expressly provided in section 4A of the Small Business Administration Act that the agency "shall not be affiliated with or be within any other agency or department of the Federal Government."

I referred at that time to the responsiveness of the Small Business Administration to the needs and desires of the people.

Each month for the past 4 months, July through October, an average of 1,000 men and women have made their way to the Chicago regional office of the SBA. I have personally arranged appointments for many of my constituents. The personnel in the SBA regional office have always proved helpful.

But the SBA people in Chicago do not wait for the people to visit them. Each month for the past 2 years a financial officer or management specialist and sometimes both have spent a full day in Peoria, Ill., where the local chamber of commerce makes facilities available.

In addition SBA people are now carrying their services to the Champaign-Urbana, Ill., area the second Thursday of every month.

The fourth Thursday of every month the citizens of the Rock Island-Moline area and also the Springfield area are able to make appointments and see a financial or management man in their county building or chamber of commerce from the Chicago regional office of the SBA.

Last week there were so many appointments in the Rock Island-Moline area that two men had to be sent there to meet locally with the people.

Three years ago the Chicago regional office carried 200 loans on their books. Today they have 743. Approximately 200 economic opportunity loans have been made totaling $2 million.

But not everyone who goes to the Chicago regional office gets a loan. Financial help is sometimes only a symptom for a management need which is more basic to the success of a small business. The goal of every man in the Chicago office is to provide each person who comes in with the maximum of SBA services to suit the individual's specific needs and to do this in as short a time as possible.

Some of the people who come in are encouraged and counseled as to ways in which they might develop their business so as to become eligible for a loan through a bank or through the agency.

Some of the people who come in are encouraged to attend one of the free workshops in business management given each month in the Federal building. Some are encouraged to attend courses cosponsored by the Small Business Administration with chambers of commerce, service clubs, high schools, and universities.

These services are made available to all citizens regardless of race, color, creed, national origin, or sex. Just last Sunday the William L. Dawson Free School of Business Management and the Small Business Administration graduated 153 men and women from an 8-week course, two nights a week. A large number of these graduates were from the heart of Chicago's South and West Side. More than 2,000 men and women have been graduated since this school began 5 years ago.

Next week 1-day workshops are being conducted in Rock Island and Freeport, Ill. Small business provides a broad economic base from which big business can develop and by which big business can be judged competitively.

Each of the thousands who come into the Chicago regional office of the Small Business Administration every month can be a part of the American dream, a part of the producing segment of our economy which can continue to keep this country in the forefront of those making possible a good life and an equal opportunity for all.

No, SBA does not make loans to everybody. But more loans are on its books today than ever before in its history. These loans are not the kind that add to inflationary pressures—making already high prices higher and contributing to short supply.

These loans are to the little man. They help him produce; help him contribute to lower prices, and help contribute to the broad base of the economy.

Whether it is financial assistance or financial counsel, management assistance on a one-to-one basis or management assistance through workshops and conferences, procurement assistance—more than $6.6 billion was subcontracted to small business firms in fiscal year 1967—whichever service is provided, SBA is where the action is.

The agency needs support by this House in many areas, but at this time I ask my colleagues to join me in strengthening, not weakening the agency.

PATENT LAW REVISION

Mr. POFF. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. POFF. Mr. Speaker, I have today introduced a bill proposing major revisions in the Nation's patent laws.

Based on the research, study, and recommendations of the Patent Section of the American Bar Association, my bill is designed to explore the possibility of a middle course between that proposed by the administration's Patent Reform Act, H.R. 5924, and those proposed by such bills as H.R. 7454 and H.R. 10006.

Although few will dispute that American's patent laws are and have always been superior to those of other nations, most inventors, large and small, most practitioners of the law, and most jurists skilled in the law agree that there is room for further improvement. Both substantive and procedural changes can be made which will enhance the value of patent rights, stimulate the inventive genius of the people and promote the vigorous progress of the American free enterprise system.

I do not introduce this bill with the notion that it is the perfect answer. Indeed, in some of its parts it may be later demonstrated to be imperfect or inadvisable. I introduce the bill primarily to lay the predicate for a meaningful dialog which hopefully will focus public attention upon the several ingredients of the total issue. Since I am privileged to sit as a member of the subcommittee which next year will resume hearings on the question, I prefer to maintain a posture of neutrality and intellectual flexibility until hearings have been completed and the legislation has been maturely considered in executive session by the subcommittee.

By way of brief explanation some of the changes in present law my bill would make are those which would:

First. Authorize a research program so the Patent Office may take advantage of technological advances to facilitate processing and examining of patent applications—section 12;

Second. Define more precisely the prior art used in determing the scope of a patent grant—section 100;

Third. Permit owners of inventions as well as inventors to file applications for patent—section 111;

Fourth. Relieve the Patent Office of the load of examining applications for "defensive" patents by authorizing voluntary publication of patent applications—section 123—and preserve defensive rights even though the application is abandoned—section 107;

Fifth. Provide a period after allowance of a patent application during which the public may present additional prior art to the Patent Office for consideration—section 136;

Sixth. Insure uniform interpretation of the patent laws by consolidating all review of Patent Office decisions in the Court of Customs and Patent Appeals—chapter 13;

Seventh. Encourage applicants to expedite prosecution of their pending applications by computing the term of the patent as 20 years from its filing date—section 154;

Eighth. Relax some of the rigid requirements concerning licenses necessary for filing applications in foreign countries without affecting measures necessary for the security of the United States—sections 184 and 185;

Ninth. Implement the recommendation of the President's Commission that the rule of reason apply to the transfer and licensing of patents and inventions—section 236;

Tenth. Protect processes patented in the United States by prohibiting importation of products made in other countries according to the patented process—section 271; and

Eleventh. Enlarge both the jurisdiction and the number of judges of the Court of Customs and Patent Appeals to provide a panel of judges experienced in patent law to assist other courts in handling the heavy load of complex and frequently protracted patent cases where the chief judge of the other court requests such assistance.

As indicated earlier, this bill attempts a compromise. The compromise would lie between what has come to be known as the "first-to-file system" proposed in the administration bill and the "first-to-invent system" which has been and now is the patent law of the land. Under my bill, the patent would be issued to the person who files first. Yet, it would preserve to the first inventor the right himself to obtain a patent by producing satisfactory proof of inventorship.

THE NEED FOR IMPORT CONTROL AND QUOTAS

Mr. WYMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. WYMAN. Mr. Speaker, I simply do not understand the complacent attitude of the Johnson administration regarding the very real problem confronting many domestic businesses in that increasing imports of cheaply made foreign goods have caused substantial losses in profits and necessitated employee layoffs. Time and again I have spoken about this situation here in the House, as have several other Members—and the problem continues to grow.

Two weeks ago, this House passed H.R. 478. This action was gratifying because it was at least a step—a first step—in the right direction. But this is not the final answer. What is needed is action on the orderly marketing bills which are presently dying a slow death in committee without any action being taken or scheduled.

Mr. Speaker, let me cite an example of what imports can do and are doing to our own local businesses. Only last weekend New Hampshire Ball Bearings, Inc., with plants in Peterborough and Laconia, N.H., announced that it would be necessary to lay off nearly 500 employees for a minimum of 60 days. Why? Because imports continue to take a larger and larger share of the domestic market. These are precision-made bearings not a type simply and cheaply thrown together.

I am in receipt of information indicating that the Department of Defense is buying heavily, but outside the United States, because it is cheaper. Current usage of precision ball bearings is more than 50 percent military and Japanese and Canadian products are priced between 15 and 40 percent below the U.S. market.

The competition is not coming from some undeveloped nation toward which a present obligation to extend foreign aid could be asserted. These are highly industrial competitive nations.

As a measure of the effect of the adverse impact of this unrestricted foreign competition, New Hampshire Ball Bearings had a gross value of orders for the quarter ending June 1966 of $5,537,000 compared with the quarter ending June 1967 of $2,270,000—less than half.

Mr. Speaker, this situation is serious. How much longer can we stand back and do nothing, while hoping that the situation will improve, if we leave it alone? Action is needed by this Congress and this action is needed now. I cannot urge too strongly that the Committee on Ways and Means consider an orderly marketing bill and report it favorably at the earliest possible moment.

MAJ. MARIE L. RODGERS

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, in ceremonies yesterday at the White House the President of the United States presented the Bronze Star Medal to Maj. Marie L. Rodgers, Army Nurse Corps, U.S. Army. The medal was presented to Major Rodgers for distinguishing herself by outstanding meritorious service in connection with ground operations against a hostile force in the Republic of Vietnam.

Major Rodgers is a native of Birmingham, Ala., and her city shares with her family their deep pride in her achievement and her service to our country.

In a release concerning the presentation ceremony, the Army said of her:

> Major Rodgers volunteered for duty in Vietnam and was assigned to the 24th Evacuation Hospital in Long Binh where she served as Operating Room Supervisor. A model nurse, leader, and administrator, she worked tirelessly to insure the finest possible nursing support for the great number of combat casualties treated. The citation accompanying the award recognized Major Rodgers' selflessness, compassion and genuine concern for human medical welfare which are the true hallmarks of a professional nurse . . .
>
> Major Rodgers entered the Army Nurse Corps February 7, 1952 and has served overseas in Puerto Rico, Europe, and Korea and in five major Army hospitals in the United States.

Maj. Marie L. Rodgers, Army Nurse Corps, was born September 24, 1926, in Birmingham, Ala., where her father Mr. Christopher R. Rodgers now resides. Upon graduation from high school in Birmingham. Major Rodgers enrolled in the Homer G. Phillips Hospital School of Nursing in St. Louis, Mo. After graduation from nursing school in 1947, Major Rodgers traveled to California to work as a staff nurse in the Los Angeles area until her entry on active duty with the Army Nurse Corps on February 7, 1952.

Following the Medical Service women's officer course at Fort Sam, Houston, Tex., Major Rodgers was assigned as a general duty nurse to the U.S. Army hospital, Fort Custer, Mich., for 5 months. In August 1952, she was reassigned to her first overseas assignment where she began her career as an operating room nurse at Rodriguez Army Hospital in Puerto Rico. At the completion of her overseas tour in August 1955, Major Rodgers was selected to attend the operating room nursing and administration course at Letterman General Hospital, San Francisco, Calif. Her next duty station was Madigan General Hospital, Tacoma, Wash. In March 1958 Major Rodgers departed for Europe where she served with the 42d Field Hospital. Upon returning to the United States in 1960, she joined the operating room staff at Fitzsimons General Hospital in Denver, Colo. To further her education and training in the clinical field of operating room nursing, Major Rodgers attended the advanced operating room course in 1964 at Walter Reed General Hospital, Washington, D.C. Major Rodgers' third overseas tour began in June 1965 with the U.S. Support Group for Korea Dependent Housing. Knowing the need for Army Nurse Corps officers to assist in the care of our fighting men in Vietnam, Major Rodgers volunteered to be reassigned to Vietnam in September 1966. Major Rodgers was assigned to the 24th Evacuation Hospital where she continued to contribute to the Medical Service Team with her outstanding nursing ability. Major Rodgers returned to the United States in September 1967 and is now on the operating room staff at Walter Reed General Hospital.

The first woman to win the Bronze Star Medal, Major Rodgers received the following citation in the presentation ceremony:

> CITATION
>
> By direction of the President, the Bronze Star Medal is presented to Maj. Marie L. Rodgers, N2654, Army Nurse Corps, United States Army, for distinguishing herself by outstanding meritorious service in connection with ground operations against a hostile force in the Republic of Vietnam during the period October 1966 to September 1967. Fully aware of the innumerable dangers and sacrifices which make up a greater part of everyday life in a combat zone, Major Rodgers volunteered for duty in Vietnam and was assigned to the 24th Evacuation Hospital in Long Binh where she served as Operating Room Supervisor. A model nurse, leader and administrator, she worked tirelessly to insure the finest possible nursing support for the great number of combat casualties treated at the 24th Evacuation Hospital, and she immediately became one of the most valuable and respected members of the hospital's patient-care team. She provided brilliant supervision in the planning, organizing and equipping of the operating room suite as well as the central materiel section to insure the finest surgical nursing support at this hospital when it began receiving patients in January 1967. The 24th Evacuation Hospital was designated as the neurosurgical and maxillofacial surgical treatment center for Vietnam in March 1967, and it bore the brunt of the patient load in these highly specialized categories. During her entire tour of duty in Vietnam, Major Rodgers exhibited the selflessness, compassion and genuine concern for human medical welfare which are the true hallmarks of a professional nurse, and she served as an ideal representative of the Army Nurse Corps in action. Through her dedicated efforts, she contributed significantly to the success of the Army Medical Service in providing outstanding medical support to American forces engaged in combat. Major Rodgers' performance of duty throughout this period was in keeping with the most cherished traditions of the military service and reflects great credit upon herself and the United States Army.

IN SUPPORT OF AUTHORITY FOR OVERSEAS STUDY BY HOUSE POST OFFICE AND CIVIL SERVICE COMMITTEE OF POSTAL FACILITIES AND OPERATIONS OVERSEAS

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, today Representative Nix, chairman of the Subcommittee on Postal Operations, and I, as chairman of the Subcommittee on Postal Rates, have cosponsored a resolution authorizing members of the House Post Office and Civil Service Committee to study the U.S. postal operations overseas and the postal facilities and operations of certain Far Eastern and Western European countries.

The Committee on Post Office and Civil Service, at our regular meeting last week on November 2, authorized me and Mr. Nix to initiate action by the House authorizing this study. The staff work on the study will begin at once and overseas study by the Members will be arranged either late this year after the session has adjourned, or early next year.

Previous studies of our domestic postal operations overseas provided the basis for the introduction and enactment of three separate legislative proposals designed both to improve the dispatch and expedite the delivery of the vast quantity of official Government and personal mail moving to and from the members of our Armed Forces and their dependents stationed overseas. These objectives have been accomplished with, at the same time, a substantial reduction in overall cost to the Federal Government.

Due to the rapid expansion of air transportation, the nations of the free world are now closer together than were the States of the Union during the early days of our Nation. This community of nations has brought with it new problems for each in the handling of an ever-expanding volume of mail, the solution of which lies, to an extent, in an exchange of information in a number of areas such as:

First. Modernization and mechanization: A number of nations, including the United States, have made rapid strides in the past few years in the development of sorting machines, canceling machines and optical scanning devices. Some of these are designed for use with special types of inks or sophisticated types or figurations. If maximum benefits are to result, the nations should work in unison so that such machines will handle both domestic and foreign mail. It is believed that it would be fruitful for members of the Committee to view the progress made by other countries and acquaint them with the progress being made by the United States.

Second. Dimensional standardization of the mail: The United States Post Office Department feels strongly the the need for limiting dimensional sizes of the various classes of mail. This matter was given serious consideration by the committee, but it was the consensus of opinion that the problem was much too complex to resolve without benefit of extensive study and public hearings. In this, as in other areas, maximum benefits will result if there is concerted effort by other nations, as well as our own, toward a common objective. It is timely that the committee ascertain the feeling of other nations in this respect. It would do little good for our country to impose restrictions and find that our mail was being clogged with mail from the rest of the world that did not comply with our regulations.

Third. Coding of mail: This country has embarked on a system of five-digit coding. Other nations have either adopted or have under consideration similar plans for expediting mail. Coordination of methods in this respect would be beneficial to all concerned.

Fourth. The postal system as a corporation: The Postmaster General has recommended that the Post Office Department be converted to a corporate structure. The Committee is aware that some nations operate all communication systems, including postal, telephone and telegraph, under a corporate structure. It would be helpful to discuss the problems involved with officials of other countries who have had experience under such a setup.

The U.S. Post Office is a $6 billion-a-year operation. The legislative committees of the Congress concerned with the operation of postal system are, in effect, the board of directors of the operation. They can discharge their responsibilities effectively only if they are familiar with the complexity of the problems involved. For this and other reasons, a trip of the kind indicated is merited and necessary.

ADDRESS BY CONGRESSMAN PICKLE AT PRAHA, TEX., MEMORIAL SERVICE

Mr. KAZEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. KAZEN. Mr. Speaker, on Sunday, November 5, 1967, our colleague from Texas, Hon. J. J. Pickle, delivered an address at memorial services in the community of Praha, Tex., which is located in Fayette County, Tex., and adjacent to my district.

A large crowd turned out to participate in the occasion and to hear the stirring message brought by the gentleman from Texas [Mr. Pickle]. His message was so forceful and delivered in such an eloquent manner that all who heard him were deeply touched.

In order that all of us may have the benefit of that speech, I insert it in the Record:

Remarks of Congressman J. J. Pickle at Memorial Services, Praha, Tex., November 5, 1967

It is a solemn and sacred occasion that draws us here today in the quaint and beautiful countryside of Praha.

All around us are the graves of those who have left foreign shores because of oppression and the desire for better opportunities and the graves of those who have defended the beliefs that this country has given them.

Perhaps more than any community in Texas, Praha represents the freedom and dedication that is our American heritage.

The ancestors of many of you have known what it is to feel the tyrant's boot and to have freedom taken away.

You know also of the hope, painstaking labor and dedication it has taken to build a new life in a new country. This is reflected in this community possibly more than in any other country, by the pride and patriotism that is evident in your hearts and on your lips.

It was for these reasons that I was proud to have been with you last year. It was for these reasons that I was honored to travel with our First Lady, Mrs. Lyndon B. Johnson, into your community this summer. And it is for these reasons that I am humbled to be here today.

As we gather here in tribute to the veterans of our land, I believe that our observance will gain a great deal more meaning if we ask ourselves why we pause from our daily lives.

It is not enough to turn glibly to statistics, and point out that every fifth adult in the nation at this time is a veteran. Or that the veterans of America number more than 26 million. Or that the families and dependents of veterans make up almost fifty percent of our nation's population.

Or even that this is a time to remember the dead—the men and women who have sacrificed their lives when our country was in peril.

Are we here to comfort those who the dead have left behind—the widows, the children or grieving parents?

Or are we here to salute the young man in his twenties, just back from the steamy jungles of Viet Nam, or the older man in his sixties or seventies, who saw tragedy and sorrow during World War I.

Do we come to salute those scarred in the battlefields that were purchased with blood and sacrifice—the Marne, the Bulge, Heartbreak Ridge, to mention a few.

Yes, it is all of this. It is for those that have risked their lives and for those that have given their lives that you and I and our children and our children's children might be free.

Yet, it is so much more.

It is a time to take a fresh and appreciative look at the freedom which is part of America, and it is a time to thank our Lord for the blessings of freedom which we too often accept as our just due.

It is also a time to remind ourselves anew that the precious freedom we hold did not come lightly. It was forged and tempered on the burning-red anvil of war, and it was purchased by American bravery, sacrifice, conviction and even death.

Freedom involves sacrifice and vigilance and an unshakable belief in our destiny as free men.

Once again these aims, ideals and convictions are being tested. Once again, our nation is pledging its treasure, its young men, in resisting aggression. We are waging a struggle against Communist tyranny in Southeast Asia.

The peace of the world is threatened in Viet Nam, and I want to talk to you today about the most awesome challenge we have had to meet since World War II in our effort to prevent World War III.

Can the mind imagine what kind of world we would be living in if the sweep of Asian Communism should include all of Southeast Asia with its millions of people and its vast resources?

The entire power structure of the world would be distorted and drastically changed.

So, my friends, we are in Viet Nam not only because of the SEATO treaty of 1954, not only because a small nation is being set upon by an aggressive force but also because of our stake in freedom.

Recently, on the floor of Congress, I heard a small group of men lament the war in Viet Nam. They complained about its length, what it has cost Americans in lives and money and our general involvement.

Nowhere in their remarks did they say that we became involved in this conflict because we were bound by treaty, and we were acting in good faith to keep our word to free nations of the world.

Nowhere did they mention that we are winning the war—on the military level—and through pacification programs.

Nowhere did they mention that there was nearly a 100 percent unity in the goals of this conflict when the country entered into battle.

There lies the irony. The mere fact that violent criticism would be heaped on the President, the State Department and the Defense Department during the very hour that they were winning the victory that we set out to achieve!

In a speech recently, Vice President Humphrey said there are inter-related reasons for American presence in Southeast Asia. Quoting, he said:

"We are there in the interest of our own security.

"We are there to increase the possibilities of a stable and peaceful world."

Americans have proven in Europe that resistance to aggression—the containment of communistic power—serves the cause of peace and our own security. The simple fact is that the threat to the peace is now Asia.

And, don't think, my friends, that Viet Nam is some far away country beyond our sphere of concern. Don't forget that one of our states, Alaska, is adjacent to Russia and Hawaii lies far in the Pacific.

We also have protectorates and territories in Guam, Okinawa and in the Mariannas, to name a few, and close ties with the Republics of China in Taiwan.

The Pacific Ocean is very much a part of our orbital defense. If we lose one place, we might lose all.

For the most part, fulfillment of our commitment in Viet Nam is gaining friends. Witness the growing peaceful relationship with the Philippines and realize what we have done to save Indonesia from communism.

And take great pride in knowing that our closest of all Allies—Australia—is depending on our strength and resolve.

The threat to our security is in Asia. We are defending the cause of peace in Viet Nam when we fight not only for the Vietnamese but for ourselves and the future of our country and the world.

Your government did not involve American men and materiel in this war because we thought it would be short, dramatic or cheap.

We are in Vietnam simply because as Americans, we believe that Communist aggression cannot go unchecked and that human decency demands human dignity for all.

And, whether or not you believe in the "domino theory," it is evident that our victories in Southeast Asia are victories not only for the right of self-determination for Asians, but victories for Americans and those of the free world.

There can be little doubt that Communist China has failed in its attempt to over-run Southeast Asia because we are there meeting the challenge before us.

This challenge has been borne by three Presidents—President Eisenhower, President Kennedy and President Johnson. It has been their judgment, with the advice and counsel of sincere and knowledgeable men, that it is in the interest of our country and the cause of freedom and peace that we fight communist aggression in Southeast Asia.

This has been no easy course to follow, particularly for a generation that vividly remembers Hitler's pillage to Poland, Holland and Czechoslovakia, the horror of nuclear bombs in the Japanese Isles and the human-wave assaults along the frozen ridges of Korea.

This responsibility and this challenge, however, is not the President's alone to bear. You and I have important and responsible roles in your home communities.

And, I might add, we do not fulfill these responsibilities—as some critics advocate—by civil disobedience, by mockery of our laws and institutions and by hateful demonstrations and acts of violence, and vilification of our President.

What we need is more faith in our country, more support of our President and more pride in the knowledge that what we are doing is right.

He said, "If we can manifest on the home front the same courage, same stability, and the same good judgment" the fighting men in Viet Nam are showing.

"I have no doubt that we will find the solution—and find it much earlier united than we will divided."

Honest dissent is one thing, but to decry one's own country and to withdraw support of our men in battle, in my opinion, approaches anarchy.

Two weeks ago, we witnessed thousands of marchers converge on the Pentagon in Washington.

What a disgraceful display of "patriotism" compared to this enriching soul-satisfying observance today.

We will not find peace in Viet Nam by pursuing the goals of anarchy. We will not bring home your sons, grandsons and husbands by giving encouragement to the enemy.

We cannot allow the reckless and irresponsible to cause division, to cause uncertainty and frustration in our minds at a time when American blood is being spilled on the soggy, swampy jungle floors of Viet Nam.

To allow ourselves the pleasure of closing our eyes and hope this struggle will go away is as much a betrayal of American fighting men as to advocate disunity.

We cannot choose withdrawal without accomplishing an honorable peace nor can we advocate escalation that could bring the horrible destruction that atomic warfare can deal.

We must follow a necessary and difficult course. We must be firm in our resolve, but we must maintain our limited aims.

We must take an approach to maintain limited military aims—meet and defeat the enemy forces, which we are doing.

We must take an approach politically—provide the guidelines for stable, democratic government in Viet Nam, which we are doing.

And, we must take a limited approach in diplomacy—hold steadfast and tirelessly to honorable negotiation, which we are doing.

We cannot afford to allow disunity to foster an "appeasement at Munich" in Southeast Asia.

Nor can we allow our anxieties to allow us to seek to destroy North Viet Nam. We did not set out to bring the North to its knees, or to wipe it off the face of the map.

We set out to contain the Viet Cong, and we have accomplished this, and we continue to accomplish this.

In essence, we must take the difficult course to preserve and maintain a sacred heritage of freedom. We must support our President and pray to God for strength not to get impatient and say we don't like the events of Southeast Asia.

It is a difficult task. But it is a task that must be accomplished unless you are ready to say you do not want freedom, and you do not want peace.

It is also a victory that can be accomplished through courage, patience, confidence and hope. Your country is winning this war. Your country wants peace. Your country is willing to negotiate for peace today.

A philosopher said once, "Man is born free."

That is no guarantee he will remain free. Freedom involves sacrifice and vigilance and an unshakable belief in our destiny as free men.

Our veterans know this. Our veterans know the value of freedom, a value sometimes greater than life itself. They know the inner meaning of why we are here today.

Pray God, that our hearts be filled with the true and lasting meaning and that freedom and peace triumph.

ILLINOIS LABOR UNANIMOUSLY ENDORSES PRESIDENT JOHNSON IN 1968

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous material.

The **SPEAKER**. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, the Illinois AFL–CIO has become the first State labor federation in the country to endorse unanimously the Johnson-Humphrey team for reelection in 1968.

This is merely a portent of things to come for labor groups all over the country. We are going to see labor endorsements of L. B. J. from north and south, east and west.

More than any segment of our population, organized labor knows and has shared the benefits brought to this Nation by every democratic administration from Franklin D. Roosevelt to Lyndon B. Johnson.

Labor will not turn its back on those who have never turned their backs on the American workingman.

The record of the Johnson administration on labor matters is public.

The worker has shared in a spectacular 81 months of sustained economic prosperity.

The workingman has shared in the new educational benefits of 36 Federal laws passed since 1963 to schoolchildren and college students.

The workingman and his family have shared in the benefits of medicare, 30 new public health laws championed by Lyndon B. Johnson, air and water pollution control measures, highway safety laws, and the overall effort of the Johnson administration to raise the quality of life in our cities.

The workingman knows that the Democratic Party is the party of working citizens.

He knows that the Democratic Party is the party which protected the workingman's right to bargain collectively.

In this election year which we enter, I know that labor groups in the trades and industry, white collar and blue collar, of every race and creed and background are going to go all out for Lyndon Johnson to win. And he is going to win whatever the polls say and whatever our Republican colleagues say.

Mr. Speaker, I would like to make a prediction that President Johnson will be reelected by a bigger vote than he has ever received, and I do not know whether we will have any Republicans in this body in the 91st Congress. There may be a few—perhaps a half dozen, Mr. Speaker, but I think you can look forward with complete confidence to your reelection as Speaker of the 91st Congress.

There will be a Democrat in the White House in 1969, and his name will be Lyndon Johnson. And organized labor will have the pleasure of helping to put him there again.

By unanimous consent I am extending my remarks to include an article from the Chicago Daily News which describes Illinois labor's endorsement of our President.

The article is as follows:

First in Nation: Illinois Labor Endorses L. B. J.

(By Robert M. Lewin)

The Illinois AFL–CIO is the nation's first state labor federation to endorse President Johnson for re-election in 1968.

The federation's executive board, which also constitutes the executive board of the Illinois Committee on Political Education (COPE), voted unanimous support for Mr. Johnson.

The 20-member board, representing 1,100,000 Illinois AFL–CIO members, met Thursday at federation headquarters in Marina City, 300 N. State.

The COPE is the AFL–CIO's national and state political action arm.

Reuben G. Soderstrom, Illinois AFL–CIO president and COPE chairman, said the organizations would not endorse Sen. Everett M. Dirksen (R-Ill.) for re-election next year.

No decision has been made on who would get labor's support, he added.

Special emphasis will be placed on registration and get-out-the-vote campaigns in suburbs because so many union members have moved out of the cities, Soderstrom said.

The board's action presages overwhelming AFL–CIO support for Mr. Johnson.

Alexander E. Barkan, Washington, national COPE director, said Mr. Johnson's re-election would be assured if he could carry the following 12 states, which have a total of 263 electoral votes:

Illinois (26); California (40); Indiana (13); Massachusetts (14); Michigan (21); Minnesota (10); Missouri (12); New Jersey (17); New York (43); Ohio (26); Pennsylvania (20) and Wisconsin (12).

Barkan said that if Mr. Johnson could carry those states the President would have no trouble picking up the total of 270 electoral votes needed for re-election.

"We are going to work in all 50 states, but we'll give the 12 states special attention," Barkan said.

Soderstrom said 68 of the largest AFL–CIO unions are to turn their membership lists and addresses over to the national federation for a computerized operation for circularizing members and their families to vote for Mr. Johnson and AFL–CIO supported candidates.

Some 1,800 Chicago area union officials will attend a $50-a-plate All-Chicago Labor Committee dinner at 6:30 p.m. Tuesday in the Conrad Hilton Hotel.

The proceeds will be used for state, county and local political education and action in the 1968 campaign.

WOMEN IN ARMED FORCES GAIN EQUAL RIGHTS

Mrs. **GREEN** of Oregon. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. **GREEN** of Oregon. Mr. Speaker, during the last decade this country has made great progress in insuring equal rights for all Americans. But one direction of this effort has attracted too little attention, and that is the effort toward women's equality—equality of employment, equality in salaries, equality of opportunity. The struggle began with the ratification of the 19th amendment. And it has not ended yet. But significant steps have been taken during President Johnson's administration, and among them was the signing yesterday of H.R. 5894, which removes restrictions on promotion and career tenure opportunities of women officers in the U.S. Armed Forces.

This new law, together with laws requiring equal pay for equal work has contributed greatly toward the achievement of equal opportunities for women.

When there are laws which place legal barriers in the way of justified ambition, the immediate effect is to discourage any attempt to develop personal potential. The "limit of expectations" exacts its own cruel price toward individual achievement. Society then becomes the loser.

No nation can truly pride itself on being an open society until each individual member has the full opportunity to develop his or her capacities to the fullest. The first step toward this ideal must be the elimination of legal barriers. Each time we are successful in removing one of these, we also come closer to our goal of a genuinely open society wherein the only restrictions on just aspirations are those imposed by individual limitations.

Some important inequities afflicting women in the Armed Forces were removed by this new law. Before yesterday, the woman could, as the President said, "* * * expect to do her job with fewer promotions and, therefore, with less pay than a man who was doing the same type of work. Furthermore, she had only about 10 percent as much chance of being promoted above the grade of major—and she had no chance at all of being promoted above the grade of colonel, * * * this bill will give the career woman of our Armed Forces no special privileges. But it does relieve them from some very special handicaps."

President Johnson has signed another law to bring about the equal opportunities of which he spoke so eloquently when he became President. The women of the country are grateful and the country itself is the beneficiary.

Mr. Speaker, I include the full text of the President's remarks upon signing this bill into law:

REMARKS OF THE PRESIDENT UPON SIGNING H.R. 5894, THE WOMEN'S OFFICERS LEGISLATION

Mr. Vice President, distinguished members of the Secretariate and the Armed Forces, members of the Congress, Mrs. Hobby, Governor Hughes, ladies and gentlemen:

We have come here this morning to strike another blow for women's rights. At long last we are going to give the dedicated women of our Armed Forces the equal treatment and the equal opportunity that they should have had from the very beginning.

We took the precaution this morning of asking the ladies to supply the Honor Guard. That is in case there are still some diehard traditionalists who do not approve of our action.

As our good friends Senator Margaret Smith and Congresswoman Bolton, Mrs. Hobby, and many others can testify, women in uniform have had to fight on more than the battlefield of war. I well recall when one of my male colleagues in the House of Representatives, back in 1942 when we were debating the bill to create the WAAC, had this to say:

"I think it is a reflection upon the courageous manhood of the country to pass a law inviting women to join the Armed Forces in order to win a battle.

"Take the women into the armed service, who then will do the cooking, the washing, the mending, the humble homey tasks to which every woman has devoted herself?

"Think of the humiliation! What has become of the manhood of America?"

But the ladies won their battle—the manhood of America has survived. Colonel Hobby got her women's Army Auxiliary Corps and the school opened in Fort Des Moines, Iowa. All of you who may have been there will remember what she said on that day:

"You have a debt to democracy, a date with destiny." I think history has recorded how magnificently our American women have lived up to that obligation and have kept that date. They are still keeping it.

There are more than a thousand women in our Armed Forces in Vietnam today. There are some here this morning to witness this ceremony who have returned from Vietnam.

I think you would like to see them, express your appreciation to them, and give them a hand. If they will stand up, I will appreciate it.

Our Armed Forces literally could not operate effectively or efficiently without our women. Yet, we nearly lost them at the end of the Second World War. In 1948 the House Armed Services Committee voted to retire the WACs and the WAVES to the Reserves. There was to be no place for them in the Regular Services.

But that action was reversed. The ladies of Congress—and perhaps a few female allies in the Press Gallery—changed that action.

Our gallant ladies were assured permanent status in the military services. But they even then were not assured equal opportunity. From that day to this day women choosing a military career could expect to do her job with fewer promotions and therefore, with less pay than a man who was doing the same type of work. Furthermore, she had only about 10 percent as much chance of being promoted above the grade of Major—and she had no chance at all of being promoted above the grade of Colonel.

With the signing of this bill this morning, we are going to end that inequity.

This bill will give the career women of our Armed Forces no special privileges. But it does relieve them from some very special handicaps.

The bill does not create any female Generals or female Admirals—but it does make it possible. There is no reason why we should not some day have a female Chief of Staff or even a female Commander-in-Chief.

I realize that a few of our gentlemen officers may not be too enthusiastic about this possibility. And I can understand why: As Dr. Samuel Johnson once observed, "Nature has given women so much power that the law has very wisely given them little."

But from now on, the officers and men of our Armed Forces will just have to take their chances in open competition along with the rest of us.

This is a free country. This is a democratic country. I think the time has now passed when opportunity can be denied to anyone.

We gave the women the vote and somehow the country survived. In this Administration we have passed laws that provide that women in industry must receive equal pay for equal work. The economy seems to continue to prosper.

We have brought women to ever higher and more influential positions throughout the land—and Government has improved. Women are leaders and doers today in our Congress and throughout our Government.

So here today in the East Room of the White House we will end the last vestage of discrimination—I hope—in our Armed Forces.

So both as President and as the Commander-in-Chief I am very pleased and very proud to have this measure sent to me by the Congress.

I can think of no better company in which to sign it. For in a very real sense that law belongs to every one of you who are here in this room this morning.

It is also a great pleasure before I engage in the signing ceremony to take this opportunity in the presence of this very distinguished audience from the Congress, Government services and the country to honor two very brave ladies of our Armed Forces for very outstanding service in connection with the conflict in which our Nation is engaged in Vietnam.

To Air Force Nurse Colonel Ethel A. Hoefly we are going to award this morning the Legion of Merit. And to Army Nurse Major Marie L. Rodgers, we are going to award the Bronze Star.

Colonel Kobach and Colonel Hayes will read the Citations.

Our Vice President has just spent 11 days in Southeast Asia and has just completed a report to the National Security Council, the Cabinet, and the appropriate leaders in the Congress in connection with his observations on that trip.

The one outstanding thing, and the most important of all that I know will give all of you great pride, was his observation that the military leaders in that area—the best men that we have been able to produce—feel that we never had a better trained, or better equipped fighting force and we have never had better morale found anywhere in the uniform of the United States than in those men and women who are holding high our flag in Vietnam today.

I know you join me in expressing gratitude—thanks to all of them and to the Vice President.

JURISDICTION OVER THE SEABED AND THE OCEAN FLOOR, AND OCEAN RESOURCES

Mr. **FASCELL**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. **FASCELL**. Mr. Speaker, some of the most valuable and least-known resources of the world are to be found on the beds of the deep oceans. Lying beyond the jurisdiction of nations, apparently existing in a legal no-man's land, these resources await discovery and exploitation.

Appearing on the agenda of the 22d General Assembly of the United Nations is an item, "Examination of the question of the reservation exclusively for peaceful purposes of the seabed and the ocean floor, and the subsoil thereof, underlying the high seas beyond the limits of present national jurisdiction and the use of the resources in the interest of mankind."

This is a matter which should be of interest to every Member of Congress. Our representative to the United Nations, Ambassador Goldberg, addressed himself to this topic yesterday. Because of the timeliness of the subject and the importance of Ambassador Goldberg's speech, I am incorporating the full text of his remarks at this point:

Statement by Ambassador Arthur J. Goldberg, U.S. Representative to the United Nations, in Committee I, on the Question of the Reservation Exclusively for Peaceful Purposes of the Sea-Bed and the Ocean Floor, November 8, 1967

Mr. Chairman, this is my first opportunity to speak before the First Committee at this Session. And I wish to use it to express the pleasure and satisfaction of the United States Delegation at your unanimous election as our presiding officer.

From time to time in the past, you served as Chairman in an acting capacity. On those occasions, the entire Committee was impressed by the objectivity, decisiveness and integrity you brought to your work. We are grateful, but hardly surprised, that you have continued to display these same characteristics since your election this year—and confident you will continue to guide the Committee's work in the same spirit throughout this Session.

With its consideration of the Maltese Item concerning the Seabeds and Ocean Floor, the General Assembly has responded to the increasing awareness that one of man's oldest environments, the ocean, is also his newest and perhaps most valuable frontier. I would like to express my Delegation's gratitude to Ambassador Pardo for bringing this important question to the attention of the General Assembly.

My Delegation believes that mankind's expanding activities in the ocean depths call for new efforts for international cooperation, both in promoting the exploration and use of the deep ocean and its floor, and in the development of the general principles which might usefully guide man's activities in this new realm.

The premise on which the United States bases its position concerning a future legal regime for the deep ocean floor is straightforward. It was stated by President Johnson on July 13, 1966: "Under no circumstances, we believe, must we ever allow the prospects of rich harvest and mineral wealth to create a new form of colonial competition among the maritime nations. We must be careful to avoid a race to grab and to hold the lands under the high seas. We must ensure that the deep seas and the ocean bottoms are and remain, the legacy of all human beings."

This means, in our view, that the deep ocean floor should not be the stage for competing claims of national sovereignty. Whatever legal regime for the use of the deep ocean floor may eventually be agreed upon, it should ensure that the deep ocean floor will be open to exploration and use by all states, without discrimination.

United Nations interest in the problems of the seas is not new; we are not writing on a clean slate in considering how the General Assembly can best deal with the question which has been brought before us. In the fifties, after extended work by the United Nations International Law Commission, a number of important Law of the Sea Conventions were adopted at a conference held in Geneva in 1958. One of these, the Convention on the Continental Shelf, is of particular interest to us in considering legal arrangements which might apply to the deep ocean floor. Under these conventions, the General Assembly was assigned the responsibility of deciding what steps should be taken with respect to requests for revision of the conventions.

A number of bodies in the United Nations have also given careful attention to other marine problems. Through the Intergovernmental Oceanographic Commission, UNESCO has actively encouraged scientific activities in the field of oceanography; the Food and Agriculture Organization has been concerned with the development and conservation of fisheries; the World Meteorological Organization is studying the influence of the oceans on weather; and the Intergovernmental Maritime Consultative Organization has done invaluable work in safety at sea.

The General Assembly last December endorsed a study of the present state of knowledge of marine resources requested by the Economic and Social Council, and asked the Secretary General to undertake, in addition, a survey of activities in marine science and technology. The Secretary General was also directed, as part of this study, to formulate proposals for expanding international cooperation and for improved marine education and training. In recognition of the complexity of the subject, the Secretary General was given until 1968 to report the results of his study and his recommendations.

Through its past activities, the United Nations has already built a solid record of accomplishment in dealing with questions concerning the oceans. It has been responsive to the needs of nations and has dealt effectively with problems as they arose.

The immediate question before the Assembly today is this: How can the General Assembly, in the light of the continuing advance of marine technology, best act to encourage the exploration and use of the ocean and its floor for the benefit of all mankind?

This is a very complex matter, and any decisions we make must recognize the full complexity of the problems involved. A hasty approach would be imprudent. But all deliberate speed and not indefinite delay is what is called for.

What this Assembly needs is an instrument which would enable it to deal with both the scientific and the legal questions involved. Recalling the work and accomplishments of the Outer Space Committee, my Delegation proposes that the General Assembly take action this session to establish a Committee on the Oceans. This Committee would:

Act as a servant of the General Assembly in considering all proposals placed before the Assembly on marine questions, and make recommendations on such proposals to the Assembly for action;

Assist the General Assembly in promoting long-term international cooperation in marine science; and

Assist the General Assembly in considering questions of law, including such matters as rights of use and exploration, arms control, and problems of pollution.

Such a committee would work with existing United Nations agencies and the ENDC, as appropriate, drawing upon their experience and their resources. The General Assembly should ask the Committee, as part of its initial work program, to make recommendations for action by the 23rd and subsequent General Assemblies to stimulate and support international cooperation and exchange in the exploration of the ocean floor.

Any extensive program for international cooperation in the exploration of the ocean floor would necessarily be a long-term effort and would require the careful harmonization of national programs and of the efforts of the specialized agencies. Under the Marine Resources Act of 1966, the United States has already begun to establish a coordinated long-range program in marine science, and we stand ready to do our share in developing a comprehensive program of international cooperation.

As part of its first report, the Committee might provide the Assembly with its views on the recommendations developed by the Secretary General in his study requested by last year's General Assembly, of activities in marine science and technology.

Finally, Mr. Chairman, my Delegation believes that the General Assembly, through the new Committee on Oceans, should begin immediately to develop general standards and principles to guide states and their nationals in the exploration and use of the deep ocean floor. All of our knowledge about the deep ocean floor and all of our technological skill in exploiting its resources could prove of little value, if man's lawmaking faculty does not keep pace.

Acting as the servant of the Assembly, the new Committee could study how states might best conduct their activities on the deep ocean floor so as to maintain international peace and security and promote international cooperation, scientific knowledge, and economic development. It could also consider what principles might be agreed upon to help conserve the living resources of the seas, to prevent pollution, and to avoid disturbance of the biological, chemical and physical balances of the seas.

I do not wish to imply that the task of

> developing legal principles for the deep ocean floor will be simple. The question of definition of the deep ocean floor will have to be considered. The work will have to take into account existing treaties, including the Convention on the Continental Shelf. These treaties confer rights which are valued and retained by the signatories.
>
> Questions of arms control must also be an essential part of our consideration of the oceans. Complex as these questions are, they must be taken into consideration if we are to develop meaningful principles to govern future state behavior. The United States Delegation believes that we must seek effective arms control measures as part of the evolving law of the deep ocean floor and that their development should also come under the mandate of the Oceans Committee.
>
> While my Delegation believes that it is too early to take any final decisions on proposals for a comprehensive legal regime for the deep ocean floor, such as suggested by Ambassador Pardo, we would participate energetically in the studies which will be needed before such decisions can be made.
>
> Mr. Chairman, the program I have suggested would represent an ambitious undertaking for the Assembly. The problems ahead are vast. Yet the opportunities are equally vast.
>
> A Committee on Oceans, building on the present efforts of member states and the United Nations, could serve as the focal point within the General Assembly for study and development of the next steps which the nations must take together in this field. In creating this Committee, and directing it toward the tasks ahead, we would take effective action to enhance our knowledge of the ocean and its floor—and to use it for the long-term benefit of the human family.

Mr. Speaker, the Foreign Affairs Subcommittee on International Organizations and Movements of which I have the honor to be chairman, has over the past several weeks held extensive hearings on this most important subject—important to the United States; important to the free world; and indeed, important to all living persons. The ocean bottoms offer a great potential for natural resources useful to an expanding world population.

The representative of Malta at the United Nations, Ambassador Pardo, in his request to have this subject placed on the agenda of the United Nations General Assembly, attached a memorandum that suggests that title to the ocean bottom be vested in an international agency.

The Subcommittee on International Organizations and Movements in its recent report took the position that "it would be precipitate, unwise, and possibly injurious to the objectives which both the United States and the United Nations have in common, to reach a decision at this time regarding a matter which so vitally affects the welfare of future generation," and further, that "hasty action in this field can create more problems than it will solve or avert."

This matter requires some further international agreement. But before any specific action is taken, extended study is needed.

I am glad to see that Ambassador Goldberg shares this view in his comments, and that this is the United States position. I think that he has hit on the right solution, the appointment by the General Assembly of a Committee on the Oceans, to study the question and then report its findings.

The Subcommittee on International Organizations and Movements will continue its interest and concern in this subject and undoubtedly hold additional hearings. It will follow with great interest any action taken in the United Nations and the activities of our own Government on this subject.

OPERATION MORALE—A STORY OF AMERICANS WHO CARE

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, in Asia a half million Americans are fighting communism, separated from their homes and loved ones, without the comforts those of us here in this country enjoy.

But they are not forgotten.

There are several large organizations which traditionally have served Americans in battle as a reminder of home.

But there are also, Mr. Speaker, spontaneous groups which come into being in response to the feeling of many that they should do something personally, something above making an annual contribution to a large organization.

There is one such private group in the 36th Congressional District which is an outstanding example of Americans taking the time to put their humanitarianism into action.

I would like to share with you, Mr. Speaker, and with our colleagues, the story of Operation Morale in Rochester, N.Y. I quote from a letter from the originator of Operation Morale, Mrs. Sally Conley, of Harvington Drive, Rochester, N.Y., in which she describes that most praiseworthy group.

> Operation Morale was started shortly before Christmas 1965 by myself and my family—my mother, Mildred Hagaman, my husband, Robert, and our two children, Mark and Becky. I asked the Gannett newspapers to help us find a serviceman stationed in Viet Nam, so we could send him a Christmas package. So many people were demonstrating against the war in Viet Nam, we felt we wanted to do something to boost morale and show our support.
>
> We were not able to have the name of an individual serviceman, but the newspapers printed my request and within five days we had received 500 packages at the Culver Road Armory and at our home. It was great! The Civil Defense trucks took the packages to the Syracuse Air Force Base, and with your help, they became part of Operation Christmas Star that year.
>
> Immediately after Christmas, I received many telephone calls from area citizens asking me to continue sending packages. With the help of the Gannett newspapers, Vince Spezzano, the Civil Defense Department of Monroe County, and *you* we got the ball rolling. I worked with the newspapers to use their Lend-a-Hand List and also print coupons to ask people to send us the names of area servicemen who were stationed in Viet Nam or who were going to be sent to Viet Nam shortly. We received a very good response. We slowly began to organize ourselves, and with the help of Mrs. Carl Nielson of Penfield, were able to make our first group mailing for Easter 1966.
>
> Since then, groups have joined us from throughout Monroe County and surrounding areas, and we send an average of 1,500 packages to Viet Nam four times a year—at Christmas, Easter, July 4th, and October 31st. We are continually growing and now have over 800 workers.
>
> Under the direction of Mrs. Donald Skinner, our groups also send greeting cards and letters to servicemen in hospitals in Viet Nam. We mail an average of 8,000 cards and letters four times a year.

The letterhead of Operation Morale states more succinctly than I could the purpose of this organization:

> Founded in 1965, Dedicated to our Men in Vietnam. Four Seasonal Package Mailings Each Year, A Letter, Greeting Card a Package Will Show Them You Care!

Mr. Speaker, Mrs. Conley and her family are leaving Rochester to live in Hawaii. But the work of Operation Morale will continue because of the interest and enthusiasm she had a large part in developing. Mrs. Carl Nielson of Penfield, N.Y., a Rochester suburb, will be the new chairman of Operation Morale.

I would like to take this opportunity, Mr. Speaker, to express my respect and admiration for Mrs. Conley, Mrs. Skinner, Mrs. Nielson, Mrs. Arthur B. Costello, secretary of Operation Morale, and the other people who have worked with them to bring a reminder to thousands of boys in Vietnam that Americans back home do care, and pray for their safe and speedy return.

FAIR OPPORTUNITY FOR SERVICE WOMEN

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, I was honored to attend the ceremony at the White House yesterday when President Johnson signed into law the bill giving women in the armed services equal opportunity with their male counterparts.

It was a particularly satisfying occasion for me, because the hearings on this bill were conducted by the House Armed Services Subcommittee, of which I have the honor to be chairman. The bill was unanimously recommended by the subcommittee, the full Armed Services Committee under the chairmanship of our valued friend and leader, the distinguished gentleman from South Carolina, Hon. MENDEL RIVERS, and was unanimously passed by the House and later by the other body.

This legislation is long overdue, and I regret that it was not enacted long ago. I have been pressing for this kind of legislation for the wonderful women of our armed services for sometime, and I rejoice that at last some measure of recognition and appreciation has been extended to them by the Congress that will remove some unfortunate restrictions heretofore confronting these dedicated women, and permit them to be considered for promotion to highest rank in the various branches of the service. This is a great step forward because it removes most unfortunate discrimination which prevents many outstanding, highly talented women from reaching the top of their chosen profession in the services.

While I think there is more to be done in order to eradicate the traces of handicap and restriction that confront women in the armed services, nevertheless, this bill is a historic marker in the advancement of a group that has made tremendous contributions to the defense, the security, the protection of this Nation, both in war and in peace.

The signing ceremonies at the White House were extremely impressive and largely attended by contingents of women from the armed services, the Vice President and other high ranking members of the Executive Department, members of the Joint Chiefs, and other great military leaders, and Members of Congress.

The remarks of the President were most appropriate and especially praiseworthy, because he made very generous references to the service of women in the armed services as well as in our American society and daily lives.

To my mind, not enough could be said about the tremendous contributions that women make, not only to our fighting forces, but to our Government, economy, our educational, health, and welfare systems, and above all, to the homes of America where in truth they furnish the leadership guidance and direction that means so much and is indispensable to the building and preservation of the family unit, the bringing up of our children to be strong, loyal, dedicated, patriotic Americans, and in ways too numerous to be cited in which women generally serve humankind so magnificently, so effectively and so nobly.

I know that I speak for the subcommittee, and the Armed Services Committee, when I say that we are proud to have played some part in making this epochal legislation in behalf of women in the armed services possible.

There is no truly adequate way by which we could thank women for their great contributions to us, to the country, to the world and to so many fine, worthy human causes. The least we can do, however, is to show our appreciation to them where we can, for their invaluable role of service and love which they exemplify so wonderfully.

I want to thank all those who helped with this bill and express special recognition and appreciation to our friend, Lt. Col. Zetta Jones, who rendered our committee special help, and I thank and commend her for her long sustained efforts that proved to be so salutary.

As part of my remarks, I include the President's inspiring speech, other remarks, and a newspaper article:

Remarks of the President Upon Signing H.R. 5894, the Women's Officers Legislation

Mr. Vice President, distinguished members of the Secretariate and the Armed Forces, members of the Congress, Mrs. Hobby, Governor Hughes, ladies and gentlemen:

We have come here this morning to strike another blow for women's rights. At long last we are going to give the dedicated women of our Armed Forces the equal treatment and the equal opportunity that they should have had from the very beginning.

We took the precaution this morning of asking the ladies to supply the Honor Guard. That is in case there are still some diehard traditionalists who do not approve of our action.

As our good friends Senator Margaret Smith and Congresswoman Bolton, Mrs. Hobby, and many others can testify, women in uniform have had to fight on more than the battlefield of war. I well recall when one of my male colleagues in the House of Representatives back in 1942 when we were debating the bill to create the WAAC, had this to say:

"I think it is a reflection upon the courageous manhood of the country to pass a law inviting women to join the Armed Forces in order to win a battle.

"Take the women into the armed service, who then will do the cooking, the washing, the mending, the humble homey tasks to which every woman has devoted herself?

"Think of the humiliation! What has become of the manhood of America?"

But the ladies won their battle—the manhood of America has survived. Colonel Hobby got her women's Army Auxiliary Corps and the school opened in Fort Des Moines, Iowa. All of you who may have been there will remember what she said on that day:

"You have a debt to democracy, a date with destiny." I think history has recorded how magnificently our American women have lived up to that obligation and have kept that date. They are still keeping it.

There are more than a thousand women in our Armed Forces in Vietnam today. There are some here this morning to witness this ceremony who have returned from Vietnam.

I think you would like to see them, express your appreciation to them, and give them a hand. If they will stand up, I will appreciate it.

Our Armed Forces literally could not operate effectively or efficiently without our women. Yet, we nearly lost them at the end of the Second World War. In 1948 the House Armed Services Committee voted to retire the WACs and the WAVES to the Reserves. There was to be no place for them in the Regular Services.

But that action was reversed. The ladies of Congress and perhaps a few female allies in the Press Gallery—changed that action.

Our gallant ladies were assured permanent status in the military services. But they even then were not assured equal opportunity. From that day to this day women choosing a military career could expect to do her job with fewer promotions and therefore, with less pay than a man who was going the same type of work. Furthermore, she had only about 10 percent as much chance of being promoted above the grade of major—and she had no chance at all of being promoted above the grade of Colonel.

With the signing of this bill this morning, we are going to end that inequity.

This bill will give the career women of our Armed Forces no special privileges. But it does relieve them from some very special handicaps.

The bill does not create any female Generals or female Admirals—but it does make that possible. There is no reason why we should not some day have a female Chief of Staff or even a female Commander-in-Chief.

I realize that a few of our gentlemen officers may not be too enthusiastic about this possibility. And I can understand why: As Dr. Samuel Johnson once observed, "Nature has given women so much power that the law has very wisely given them little."

But from now on, the officers and men of our Armed Forces will just have to take their chances in open competition along with the rest of us.

This is a free country. This is a democratic country. I think the time has now passed when opportunity can be denied to anyone.

We gave the women the vote and somehow the country survived. In this Administration we have passed laws that provide that women in industry must receive equal pay for equal work. The economy seems to continue to prosper.

We have brought women to ever higher and more influential positions throughout the land—and the Government has improved. Women are leaders and doers today in our Congress and throughout our Government.

So here today in the East Room of the White House we will end the last vestige of discrimination—I hope—in our Armed Forces.

So both as President and as the Commander-in-Chief I am very pleased and very proud to have this measure sent to me by the Congress.

I can think of no better company in which to sign it. For in a very real sense that law belongs to every one of you who are here in this room this morning.

It is also a great pleasure before I engage in the signing ceremony to take this opportunity in the presence of this very distinguished audience from the Congress, Government services and the country to honor two very brave ladies of our Armed Forces for very outstanding service in connection with the conflict in which our Nation is engaged in Vietnam.

To Air Force Nurse Colonel Ethel A. Hoefly we are going to award this morning the Legion of Merit. And to Army Nurse Major Marie L. Rodgers, we are going to award the Bronze Star.

Colonel Kobach and Colonel Hayes will read the Citations.

Our Vice President has just spent 11 days in Southeast Asia and has just completed a report to the National Security Council, the Cabinet, and the appropriate leaders in the Congress in connection with his observations on that trip.

The one outstanding thing, and the most important of all that I know will give all of you great pride, was his observation that the military leaders in that area—the best men that we have been able to produce—feel that we have never had a better trained, or better equipped fighting force and we have never had better morale found anywhere in the uniform of the United States than in those men and women who are holding high our flag in Vietnam today.

I know you join me in expressing gratitude—thanks to all of them and to the Vice President.

Remarks at Signing of Bill Giving Women Equal Opportunity in Armed Forces

In a colorful ceremony in the East Room of the White House, President Johnson today signed into law a bill giving women in the Armed Forces equal opportunity with their male counterparts.

The legislation culminates 25 years of effort to provide equal opportunity to women in the armed services of which there are currently 35,179. It enhances the role of women in uniform in encouraging military careers.

Present at the East Room ceremony were servicewomen and former servicewomen, including directors and former directors of the WAC, WAVES, WAF, Women Marines, the three Nurse Corps, and the three Women's Medical Service Corps. High ranking male officers were there too, including members of the Joint Chiefs of Staff. So were several women Members of Congress.

Members and former members of the entirely civilian Defense Advisory Committee on Women in the Services—prominent business and professional women from all parts of the

United States—came to Washington to witness the ceremony. DACOWITS, as the committee is called, played an important role in urging the passage of the law.

Ever since women have been members of the Armed Forces, laws governing their appointment and promotion have allowed less opportunity for them than for men.

The new law will allow women officers to hold permanent grades up to and including the rank of colonel (Navy captain) and authorizes the Service Secretaries to prescribe strength in permanent grades without regard to artificial restrictions. This will make it possible, for the first time, for promotion of women to be governed by the standards generally applicable to men. The Services have made it clear, however, that passage of the new law will not mean automatic wholesale promotions for women. Servicemen will be promoted—as are men—on the basis of selection of those best qualified to serve in higher grades.

The law also would allow the promotion of women to flag and general rank. In its report on the bill, however, the House Armed Services Committee observed that the new law would not in itself create flag and general billets for women. Assistant Secretary of Defense (Manpower) Thomas D. Morris, testifying before the committee, said: "With regard to general/flag officer rank, we have no special opportunities in view nor can we predict whether or when there may be such an opportunity for a woman. The question of whether a woman officer may achieve this rank will depend entirely on her individual qualifications, and on the availability of a specific position for which she would be best qualified—in the event of such a promotion, the incumbent would hold the rank only while serving in the specific position."

At the East Room this morning, "Hail to the Chief" was played by the 14th U.S. Army Band, the only all-woman official band in the Armed Forces. It is based at the Women's Army Corps Center in Fort McClellan, Alabama. The Marine Band, which normally plays at Presidential ceremonies, relinquished the stage for the occasion. The United States flag and the flags of the various services were carried by a color guard of enlisted women.

The President will enter the East Room through a cordon of fifty women from all branches of the Armed Services.

A male chorus of 20 from Fort Myer will entertain with a medley of songs during a reception following the ceremony in the State Dining Room.

HISTORIC BACKGROUND

The idea of women in the American Armed Services goes back to the American Revolution, when Molly Pitcher and Deborah Sampson went into the field with the Continental Army. During the Civil War, four Sisters of The Order of Holy Cross served aboard the *Red Rover*, a confiscated Confederate steamer which was outfitted by the U.S. Navy as a hospital ship. Ashore, Dorothea Linde Dix and Clara Barton established a women's nursing service to aid the Union Army.

During World War I, the British organized women into their Armed Services to perform a number of non-combatant tasks other than nursing. Their performance so impressed General Pershing that he asked for units of American women to be enlisted into the United States Army for service with the American Expeditionary Force. Laws then covering the Army restricted enlistment to men, so the General's request could not be honored although a number of American women did serve as telephone operators overseas under contract to the Army.

Through a quirk of legislative wording undoubtedly not intended by Congress, the laws governing enlistment in the Navy during this period use the term "persons" instead of "men." Under this broader authority, the Department of the Navy enlisted several thousand women volunteers as Yeoman (Female)—popularly called "Yeomanettes"—during World War I, and a few hundred women as Marine Corps Reservists, or "Marinettes." These Yeomanettes and Marinettes were the first enlisted women in the American Armed Forces. The program was not intended to be permanent, however, and both the Navy and the Marine Corps released these volunteers at the end of the war.

WORLD WAR II

The experience of Great Britain during the early years of World War II convinced U.S. planners that many wartime manpower problems could be solved by using women in a broad range of duties, both in civil life and in the Armed Forces. Where Britain drafted women, both for the Armed Forces and for industry, civilian and military programs for women were voluntary in the United States. In May 1942, Congress authorized formation of the Women's Army Auxiliary Corps, known as the WAAC. Two months later, Congress authorized formation of a women's auxiliary for the Navy. Formally entitled Women Accepted for Volunteer Emergency Service, it immediately became known by the nautical acronym, WAVES. That fall, the Coast Guard followed with its SPARs, whose name was derived from the Latin motto of that service and its English translation—"Semper Paratus, Always Ready." In February 1943, Congress authorized the Women Marines. Also in 1943, the War Department changed the status of the WAAC from an auxiliary of the Army to a component, at the same time changing its name to Women's Army Corps, or WAC.

More than a quarter million women served on active duty in the Armed Forces during World War II, 155,870 in the Army; 93,341 in the Navy; and 18,463 in the Marine Corps. Except for Army and Navy nurses, however, all were members of the reserves. Thus when the Armed Forces rapidly demobilized at the end of the war, only a few thousand WACs and WAVEs and Women Marines were kept on active duty.

POST-WAR PERIOD

In 1947, Congress passed new legislation clarifying the permanent status of the Nurse Corps of both the Army and Navy, and also establishing a permanent Women's Medical Specialist Corps in the Army. At that time, the Defense Department asked Congress for legislation making the other women's branches permanent. Witnesses testifying in favor of this move included General Eisenhower and other top military commanders. In 1948, Congress passed the Women's Armed Services Integration Act, which continued reserve status for women and for the first time made it possible for women to be commissioned or enlisted in the Regular services as well. That act also gave permanent status to the Women in the Air Force—the Air Force just having been created as a separate service. Most members of the newly created WAF were former WACs. Many had served in the original WAAC in the days of World War II.

OCCUPATIONAL SPECIALTIES

In peacetime and in war, women have filled a variety of skilled positions in the Armed Forces. While the early Yeomanettes and Marinettes were basically office clerks, modern WACs, WAVES, WAFs and Women Marines serve as air controllers, electronic technicians, photographers, medical corpsmen, dental technicians, meteorologists, computer technicians, parachute riggers, communication technicians, radio and teletype operators and, in fact, in practically every noncombat specialty also open to men. WAC, WAVES, WAF and Women Marine officers include communication officers, supply officers, general administrators, lawyers, public affairs officers, and many other kinds of specialists.

The Army, Navy and Air Force Women Medical Specialist officers are completely separate from the WAC's, WAVES and WAF's. The Army Women's Medical Specialist Corps was established in 1947. The Navy's Medical Service Corps was established the same year as an all-male organization. Women have been commissioned in this Corps since 1952. Women have been commissioned in the Air Force Medical Specialist Corps since 1945.

Women in the Navy Medical Service Corps and Medical Specialist Corps of the Army and Air Force serve as pharmacists, dietitians, occupational and physical therapists, radiologists, bacteriologists, optometrists, psychologists, parasitologists, public health specialists, and in many other technical fields, as well as in hospital administration and medical supply. Many hold Master's and PhD degrees in their specialities.

NUMBER MOBILIZED

The numbers of women in service have fluctuated as the size of the Defense establishment changed with the world situation. In June 1948, the total had dropped from the wartime peak of more than 266,000 to an all-time low of 14,458. As recruiting picked up under postwar legislative authority, strength grew quickly. In 1952, during the Korean War, strength hit its post-World War II peak of 48,657 for all services. On June 30, 1967, women in the Armed Forces numbered 35,173. Of these, 12,619 were commissioned officers and 22,554 were enlisted. They included 14,483 WAC's, Army Nurses and Army Medical Specialist Corps officers; 8,521 WAVES, Navy Nurses and Navy Medical Service Corps officers; 2,311 Women Marines, and 9,858 WAF's, Air Force Nurses, and Air Force Medical Specialists Corps officers.

AWARDS FOR HEROISM

Servicewomen have performed heroically in time of war, as well as meritoriously in time of peace. During World War I, four Navy nurses were awarded the Navy Cross, a decoration second in rank only to the Medal of Honor. Three of these awards were posthumous, and a destroyer, USS HIGBEE, was named for one of the nurses who gave her life in service. During World War II, members of the WAC earned one Distinguished Service Medal (awarded to the first WAC Director, Colonel Oveta Culp Hobby), 62 Legions of Merit, 10 Soldier's Medals, 562 Bronze Stars, two Air Medals, and 16 Purple Hearts. Army and Navy nurses, WAVES, and Women Marines also earned more than their share of medals and commendations during World War II and in Korea.

Four Navy nurses have been awarded the Purple Heart in Vietnam, two the Vietnamese Medal of Honor, two Navy Commendation Medals, and one a Secretary of the Navy Commendation for Achievement. Army nurses have earned more than a hundred medals in Vietnam, including 39 Bronze Stars, six Legions of Merit, and a Soldier's Medal. Approximately 500 Army nurses now are serving in Vietnam. More than 150 Air Force nurses are stationed in Vietnam, with many more in Thailand and the Philippines where their work supports the Vietnam war. They, too, have earned their share of awards. One Air Force Medical Service Corps and officer and a dozen WACs also have been decorated for service in Vietnam.

The bill which the President signed today realizes a goal for a number of women's and veterans' groups who have supported it, as well as for the women in service whom it benefits. The bill, a Defense Department legislative proposal, was introduced by Representative Mendel Rivers, Chairman of the House Armed Services Committee, and passed by the House of Representatives in 1966. It was not passed by the Senate that year, however, and Mr. Rivers introduced it again this year. Representatives Pike (D–N.Y.), Schweiker (R–Pa.) and Gonzalez (D–Tex.) and Senator Thurmond (D–S.C.) introduced similar bills. The Rivers Bill, HR-5894, passed by the House of Representatives February 21, 1967, and by the Senate October 26, 1967.

Current directors of the Women's services are Col. Elizabeth Hoisington, WAC, Col. Jeanne Holm, WAF, Capt. Rita Lenihan, WAVES, and Col. Barbara Bishop, MARINE.

[From the New York Times, Nov. 9, 1967]

JOHNSON SIGNS BILL FOR WOMEN GENERALS AND PINS MEDALS ON TWO NURSES

WASHINGTON, November 8.—President Johnson signed today a bill he said assured equal opportunity for women in the armed forces and pointed to the day when there might be some female generals or admirals.

Looking on were high-ranking military men and women, members of Congress and Vice President Humphrey. Mr. Johnson said with a smile:

"There is no reason why we should not some day have a female chief of staff or even a commander in chief."

The President marked the occasion by presenting medals to two women military nurses for outstanding services in connection with Vietnam operations. He called them "two very brave ladies."

He pinned the Bronze Star on Maj. Marie L. Rodgers, a native of Birmingham, Ala., and a member of the Army Nurse Corps for 15 years, for her service as an operating room supervisor in the 24th Evacuation Hospital in Longbinh, not far from an area where American were battling hostile forces.

And he gave the Legion of Merit to Col. Ethel A. Hoefly, a native of South Ozone Park, Queens, an Air Force nurse who served as chief nurse in Air Force hospitals in Japan and Okinawa.

The bill Mr. Johnson signed, handing out pens to the nation's top women officers, provides for equal military promotional opportunities for women. Although none now could qualify to be raised in rank to general or admiral, they could some day compete with men for those ranks.

PRESIDENTIAL VILIFICATION IS NOTHING NEW

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MADDEN. Mr. Speaker, I have been intrigued by a recent volume by Joseph Rosner called "The Hater's Handbook."

It is a wide ranging collection of invectives, but what interested me most was the chapter on American Presidents.

When President Johnson reads the attacks upon him, he can take comfort from the fact that abusing Presidents is an old American custom.

For the benefit of those interested, I would like to quote just a few of the choicest observations from the past about our Presidents—and a few rebuttals:

Open letter from Thomas Paine to Washington in 1796:

> And as to you, sir, treacherous in private friendship . . . and a hypocrite in public life, the world will be puzzled to decide whether you are an apostate or an impostor, whether you have abandoned good principles, or whether you ever had any?

In 1807, Jefferson wrote:

> Nothing can now be believed which is seen in the newspaper. Truth itself becomes suspicious by being put into that polluted vehicle. I will add that the man who never looks into a newspaper is better informed than he who reads them . . .

In the long and colorful history of public abuse in America, no President has been subjected to such vile and frequent attack as Abraham Lincoln.

Dr. Orestes Brownson wrote in the New York Post:

> When he hits upon a policy, substantially good in itself, he contrives to belittle it, besmear it in some way to render it mean, contemptible and useless. Even wisdom from him seems but folly. . . .
>
> He is a good sort of man . . . but he is misplaced in the Presidential chair . . . His only fault is, the misfortune of being unconscious of his own unfitness for his place.

The Chicago Times commented on the Gettysburg address:

> An offensive exhibition of boorishness and vulgarity.

Because of attacks such as this, Lincoln was able to believe that—

> If to be head of Hell is as hard as what I have to undergo here, I could find it in my heart to pity Satan himself.

William Cowper Brann, editor of the Iconoclast, described Cleveland:

> Stubborn without courage, persevering without judgment, and greedy without gratitude, these unpleasant characteristics Cleveland and the hog have in common. There are several other points of resemblance; but I have no desire to be hard on the hog. . . .

I could include a number of other remarks about recent Presidents, particularly Woodrow Wilson and Franklin D. Roosevelt, but I think we are all aware of contemporary smears.

What impresses me is that—in the perspective of abuse—there is an amateur quality about attacks on Lyndon Johnson. His enemies try, but they have a long way to go before they hit the Lincoln level.

PUBLIC SENTIMENT ON ANTIPOVERTY

Mr. PICKLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKLE. Mr. Speaker, I am convinced that attempts to scuttle the antipoverty program do not represent the sentiment or feelings of a majority of Americans.

This is particularly true of those who have taken the effort to become involved in community action programs and have learned on a firsthand basis what poverty is all about.

Recently, Bill Hilgers, the chairman of the Human Opportunities Corp., in Austin, Tex., polled a cross section of the community to ascertain whether the community at large is concerned with the problems of the underprivileged.

Specifically, he asked frank opinions to three questions:

First. Is the antipoverty program worthy of public support. Second. Does the antipoverty program deserve continued financial backing in Congress? And, third, do you feel that the antipoverty program represents a waste of public money?

All of the responses were enthusiastic about the importance of the Government's continued support of the antipoverty program.

At this point, I would like to present for inclusion a small sampling of the letters, which speak for themselves, received by Mr. Hilgers, and I urge our colleagues to read what the public is saying:

AUSTIN, TEX.,
November 7, 1967.

Hon. J. J. PICKLE,
Congress of the United States,
House Office Building,
Washington, D.C.

DEAR JAKE: Last week I directed a letter to the Community Council of Austin and Travis County and to the directors of the Human Opportunities Corporation as representative of the community at large in its concern for problems of the underprivileged. In this letter I asked for a frank expression of opinion on 3 questions: (1) Is the Anti-Poverty Program worthy of public support? (2) Does the Anti-Poverty Program deserve continued financial backing of Congress? (3) Do you feel that the Anti-Poverty Program represents a waste of public money?

Enclosed are the letters which I have received to date in response to my request. They are uniformly enthusiastic about the importance of the government's continued support of the Anti-Poverty Program.

All of us are conscious of the great responsibility borne by Congress for the economic well-being of our country. This is a cost that must be borne in one form or another. To assume that by discontinuance of a program which has proven its effectiveness that the cost will end is a false and short-sighted conclusion. If this country is to fulfill its responsibilities to its citizens it must provide opportunity. Failure to appropriate funds for the continuance of the war on poverty is simply to choose the most expensive way of dealing with the problem: that is, the way of increased welfare, increased unemployment and increased ignorance.

Please convey to the Congress the deep concern of the representatives of the community in Travis County for the action which is being considered. We urge you to do all that is possible to continue the war on poverty.

Cordially yours,
WILLIAM B. HILGERS.

NOVEMBER 5, 1967.

MR. WILLIAM B. HILGERS,
Austin, Tex.

DEAR MR. HILGERS: As a graduate of the slums and poverty of Austin, I welcome this opportunity to express my 2c worth views.

Perhaps if Congress had been awake 25 years ago, people would not have lost out on many of the things that are now available.

The anti-poverty program is indeed worthy of public support—to think otherwise takes us back to the stone age.

Yes, it does deserve the continued financial backing of Congress. To lose this support would mean the loss of hope, and loss of hope for the poor is loss of life.

No! It certainly does *not* represent a waste of public money.

RAY N. MONCIVAIS.

THE UNIVERSITY OF TEXAS,
Austin, Tex., November 6, 1967.

MR. WILLIAM B. HILGERS,
President, Human Opportunities Corp., Austin, Tex.

DEAR BILL: I will be as explicit as I can in the answering of the three questions posed in your November 3, 1967, letter.

(1) Is the anti-poverty program worthy of public support?

Yes, in my considered opinion, both as a professor of psychology and as a member of the Human Opportunities Corporation. Poverty is deep-rooted and somewhat refractive to immediate alleviation. The general program as I see it is worthy of public support although I admit as in all programs there is room for improvement. However, this does not negate the general idea that the poverty program should continue to receive support from the public. It is unfortunate that there is somewhat of a backlash against the program. However, you will recall that many programs during the depression were also ridiculed, but in the long term proved to be of extreme worth to the nation as a whole.

(2) Does the anti-poverty program deserve the continued financial backing of Congress?

Yes, in my opinion. To withdraw support or to reduce support at this point would be disasterous. We have after all indicated to many people that there is a way out of their situation. To block this way without an alternative would give rise to justifiable anger, discouragement, and most unpleasant consequences.

(3) Do I feel that the anti-poverty program represents a waste of public money?

The word *waste* has to be defined and there is always a value to be attached to the spending of money. How wasteful is it to drop bombs in Viet Nam? How wasteful is it to invest billions of dollars for weapons which we know will be obsolete in three to four years? In hard factual terms, the dispensing of funds to the poor is never wasted in as much as most of the funds go into the economy. The goals of the anti-poverty program are to help people get into a position where they may not need certain types of public assistance or where they may be able to cope more adequately with their problems. These goals are laudable ones and I believe are being accomplished to some extent. That programs need to be reviewed and that energies have to be perhaps re-focused goes without question. However, I do not think the great bulk of the money is being wasted. I feel it is being used to good purpose and that the results will eventually be worth the expense.

The above are my opinions. I wish to state clearly and unequivocally that I, as a citizen, am proud of what our city and county is accomplishing. The involvement of the community speaks for our concern. We cannot withdraw from the battle against poverty now. If we do, it will cost us severely in later years in terms of money and human potential. I would urge you and our representatives in the Congress to battle mightily for at least a continuation of the poverty program at its present level.

Sincerely,

IRA ISCOE, Ph. D.,
Professor of Psychology and Education.

AUSTIN, TEX.,
November 6, 1967.

Mr. WILLIAM B. HILGERS,
President,
Human Opportunities Corp.,
Austin, Tex.

DEAR MR. HILGERS: In reply to your letter of November 3, I should like to express my concern over the status of the poverty program. Any curtailment of the program at this time would be quite unfortunate for the people who are now receiving benefits from the program.

This program, in my opinion, is certainly worthy of public support, since there are self-help elements built in—such as day care, job-training, and the like. I feel that it deserves the financial backing of Congress, because without this backing it could not continue. Rather than a waste of public money, I think that it could be considered an investment, because people in poverty income bracket are being helped to help themselves, and in the near future, some of these people will be self-supporting, tax-paying citizens, instead of being supported by tax money.

In view of these considerations, I hope that you will be able to add whatever you can in an effort to continue the program as it is, without any curtailment.

Sincerely yours,

MRS. BEULAH TAYLOR.

AUSTIN, TEX.,
November 6, 1967.

Mr. WILLIAM B. HILGERS,
President, Human Opportunities Corp. of Austin and Travis County, Tex.

DEAR MR. HILGERS: It is my understanding that very soon the Congress will be considering the possibility of discontinuing the anti-poverty program as it now stands. The purpose of this letter is to ask you to contact our Senators and Representatives, urging them to re-fund the program and remain in the fight to accomplish this very worthwhile national endeavor.

The poverty programs are just now beginning to show the results of a lot of hard work by many public-spirited individuals interested in aiding the under-privileged. Problems of poverty take time and money to understand and solve—all effort to this point will be wasted if Congress votes to end the program. Congress should be made to understand that money is not the only thing being spent in this effort—but it is a vital portion, if the human element is to have any success at all.

Personally, I feel that the Head Start Program is the most worthy human improvement work ever undertaken by our Government—it should be continued over and above all other federal aid to education of whatever nature. Likewise, the Legal Aid Program and the Child Welfare programs touch the distressed individual in a very tangible way. No other offerings by the national government has ever so directly helped the individual actually needing the assistance as has the current programs.

Poverty is one of our biggest problems. The public must work and pay to help solve that problem. In all areas of public spending, none returns as much to individual people—people who make up the public from whom the funds are derived in the first place.

As a citizen and taxpayer, I think the poverty fight should not only be continued, but expanded. Our Government has moved in the right direction to meet this situation head on, and I hope the movement will be allowed to continue and grow.

Yours very truly,

PAT CARLISLE.

AUSTIN INDEPENDENT SCHOOL DISTRICT,
Austin, Tex., November 4, 1967.

Mr. WILLIAM B. HILGERS,
President, Human Opportunities Corp., of Austin and Travis County, Tex., Austin, Tex.

DEAR MR. HILGERS: This letter is to give you my impressions of the federally supported anti-poverty program as I have observed its operation in Austin.

In my judgment, the anti-poverty program is not only worthy of broad public support, but it deserves the active participation of all persons of good will and the cooperation of all units of government at all levels. For the sake of brevity, I mention only three specific projects and the reasons I think they deserve local, state and national support.

1) The Head Start program gives children from deprived areas a more nearly "even break" with other children in getting an adequate elementary education. This program includes parents in its objectives, and thus helps to create in whole families a more receptive *attitude* toward education as well as the opportunities to receive it.

2) The projects in Law and Justice and Legal Aid have given our underprivileged neighbors the feeling that perhaps, sure enough, "liberty and justice for *all*" is not just a bit of July Fourth oratory, but a valid American dream on its way to fulfillment.

3) The Child Care Centers have given working mothers (so often without husbands in the family) the opportunity to earn the family livelihood, secure in the knowledge that their small children are receiving adequate care and pre-school training. Again, this program offers people a chance to break out of poverty circumstances under conditions of personal respect and pride.

In all of these programs, as well as in others encompassed by the anti-poverty efforts under the aegis of the Office of Economic Opportunity, the emphasis is upon helping people help themselves. This total program is a noble effort to help people break out of conditions of poverty, despair and disillusionment and into conditions of economic security, hope, and confidence in themselves and in the traditional American dream.

Obviously, such objectives are long-range in nature. They cannot be achieved in one, two or three years. They simply take time. No resource of a nation is more deserving of massive investment than its people. From these observations, it is my sincere conclusion that the anti-poverty program deserves the widespread support of the American people; that continued massive financial backing from Congress is absolutely necessary; and that rather than being a wasteful investment, these programs represent the most desirable investment imaginable—in people.

I can think of no more cruel action than to hold hope out to the poverty stricken people of our society, than to snatch it out of their very grasp by our failure to give these programs a chance to work.

Sincerely yours,

CHARLES SANSOM,
Administrative Assistant to the Superintendent.

DEVALLE, TEX.,
November 7, 1967.

Hon. J. J. PICKLE,
Congress of the United States,
Washington, D.C.

DEAR MR. PICKLE: Thank you for attending our last Human Opportunities Corp. meeting. It was a privilege to have you and I believe you now have a better understanding of what the anti-poverty program means to Travis County.

It is cruel to promise the people assistance and not be able to follow through. I believe this program is worthy of public support and deserves the financial backing of Congress.

Some money is probably wasted, over the country, but as a whole, I believe it is wisely used. Our group is trying to use every dollar wisely, to aid the greatest number of people possible.

We will appreciate your continued support of the antipoverty program.

Sincerely,

MRS. J. VERNON GREGG.

TEXAS COUNCIL OF CHURCHES,
Austin, November 7, 1967.

Mr. WILLIAM B. HILGERS,
President, Human Opportunities Corp., of Austin and Travis County, Community Action Agency for the War on Poverty, Austin, Tex.

MY DEAR MR. HILGERS. As a member of the Corporation Board for the past few months, I have had an opportunity to observe many of the very constructive and worthwhile programs operating in this community under OEO auspices. As I listen to the reports of the information and referral centers, I have been struck by the multiplicity of community services which they have rendered. I get the impression that these centers are giving the poor a channel for their feeling that someone cares and for their participation in community life.

The Head Start programs, the basic and vocational education programs for drop-outs or potential drop-outs, legal aid services, and many other substantial programs give me the impression that the war on poverty is beginning to be won in this community.

I am pleased that you are conveying to the Congress our belief that the OEO program deserves their continued support.

Sincerely,

HAROLD KILPATRICK,
Executive Secretary.

NOVEMBER 6, 1967.

Mr. WILLIAM B. HILGERS,
Austin, Tex.

DEAR MR. HILGERS: I welcome this opportunity to express my views on the anti-poverty program.

It is incomprehensible to me that many people who should know better expect instant results from the anti-poverty program.

Ten years ago our country embarked on a massive space program. After ten years of effort by the best minds that our society can produce, and untold billions of dollars we have yet to reach the moon. Why aren't these same critics complaining about the lack of instant results in reaching the moon? With our advanced technology I believe it is easier to reach the moon than to solve poverty problems. By comparison the resources used on the war on poverty pale before those used in the space program.

It is my firm conviction that the anti-poverty program deserves greater support from all levels of government, with the Congress providing funds and imaginative leadership.

I do not feel that the anti-poverty program is a waste of public funds. To allow a large segment of our population to continue in the grip of poverty and deprived of opportunity is a greater and more serious waste of our resources.

The anti-poverty program is still in its infancy. Certainly this program has its shortcomings. I am confident that given sufficient time and support this program can become effective in greatly reducing poverty.

Sincerely yours,

GILBERT M. MARTINEZ.

COMMUNITY COUNCIL OF AUSTIN & TRAVIS COUNTY,
Austin, Tex., November 7, 1967.

Mr. WM. B. HILGERS,
President, Human Opportunities Corp. of Austin and Travis County, Austin, Tex.

DEAR BILL: The needs of deprived people in Austin and Travis County have been well documented. The efforts of the Human Opportunities Corporation to awaken the community to this problem are to be commended while we recognize that the magnitude of the problem prohibits a quick and easy solution.

Your programs under OEO of day care, Head Start, public dental health, family planning, legal aid and Information and Referral are all making an impact on getting people out of poverty.

I am also pleased to hear of your plans to involve the business community in locating jobs for these people.

It is my understanding that terminating OEO at this time would be very harmful to the people who have worked hard to pull themselves out of poverty. This in turn would be hard for our entire community.

I wish that you would convey my thoughts immediately to Jake Pickle so that he might know the views of his District. I also want you to know of my continued interest in the deprived of our community.

Sincerely,

BILL YOUNGBLOOD,
President.

AUSTIN, TEX.,
November 8, 1967.

Hon. J. J. PICKLE,
U.S. Congressman,
Cannon House Office Building,
Washington, D.C.:

Urge your continued full support of the poverty program under the direction of the Office of Economic Opportunity. Next summer's problems in all urban centers must be anticipated now.

Best wishes.

BOB TINSTMAN,
City Manager.

BAPTIST TEMPLE CHURCH,
Austin, Tex.

Mr. WILLIAM B. HILGERS,
President, Human Opportunities Corp.
Austin, Tex.

DEAR MR. HILGERS: The purpose of this letter is to express my views in connection with the anti-poverty program as it affects my community. I have been serving in this poverty-stricken area for six and one-half years—my first real experience with poverty. For four years my time was spent searching for food and clothing but I found that this was not the answer to their total need. When I learned of the O.E.O. program here I wanted to be a part of it and became a volunteer.

Surely the public should be aware that seven out of ten persons who have had the advantage of being a part of the anti-poverty program have been helped to the extent of their total needs and are now on the way toward becoming able to take care of themselves. For this reason I earnestly believe the program to be deserving of full public support.

Inasmuch as the program is just now becoming really effective, to cut its funds at this time would certainly be most harmful to all concerned. I sincerely hope that Congress will continue its support in order that all of the hard-earned benefits, which mean so much to these people, will not be lost.

In the beginning it was my opinion that there was some waste of public funds but this has subsequently been corrected. I believe the money is now being wisely and well spent in behalf of those it was meant to assist. Visible results in the community make me feel proud to be a part of this tremendous effort.

Sincerely,

A. J. CARVER,
Pastor.

THE FALLEN KNIGHT?

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, the distinguished Governor of California, the Honorable Ronald Reagan, recently addressed a huge political fundraising dinner in Coumbia, S.C. Three thousand five hundred people attended this affair, which was advertised as a $100-a-plate dinner. A huge sum was raised, presumably to defeat some of our conservative colleagues here in the House who have never wavered in their support of constitutional government and our private enterprise system.

The "white knight" galloped out of the "Golden West" into the township auditorium. It was reported that there was considerable whooping and hollering and generally a lot of steam. Sponsors of the dinner boasted that the Governor was interrupted time and again by almost thunderous applause.

The Governor, though at one time an extreme liberal, was billed at this particular affair as a great conservative and heir to the illustrious Goldwater mantle—a man of absolute truth, integrity, and principle.

Mr. Speaker, George Washington admitted his indiscretion when he cut down the cherry tree and then went on to become President of the United States. I believe this incident helped the Father of our Country to become President. It has certainly been an inspiration to schoolchildren since that day. It would enhance the Governor's prestige everywhere, including South Carolina, should he follow the example of Washington.

Governor Reagan possesses many admirable qualities. He is personable and attractive. He was superbly trained in the art of acting and when I was a boy, he had my great admiration as an outstanding actor. During his acting career, the Governor was cast in various roles, but usually as a crusader, a hero, and a "white knight."

Mr. Speaker, the Washington Evening Star is a highly respected conservative newspaper. Appearing in the November 7 issue of the Star along with a number of splendid editorials and articles was the following editorial:

[From the Washington Evening Star, Nov. 7, 1967]

The Fallen Knight

Ronald Reagan, the white knight of the GOP presidential hopefuls, has just undergone his first major trial in the journalistic lists and has fallen flat on his face. Whether he can ever restore his armor to its original dazzling shine is very much open to question.

The California governor's unhorsing came when he was asked, during a televised press conference, about a syndicated article by columnist Drew Pearson in which it was stated that two homosexuals had been fired from Reagan's staff. Reagan, the article said, had harbored the two men for months after the scandal became known. Pearson added that Lyn Nofziger, Reagan's press secretary, had told a few reporters during the recent governors conference about the firing and the reasons for it.

Up until the moment of the press conference, Reagan had acted with integrity and propriety. When the rumors started, an investigation was carried out. As a result of that investigation, the two men were quietly dropped from Reagan's staff. The governor's insistence on morality in official life and his personal comparison for tragic human frailty were both well served.

When asked about the matter, it would have been simple—and quite legitimate—for Reagan to present himself in a most favorable light, while making Pearson appear as something of a cad for bringing the whole thing up. Instead he denied that the unfortunate affair had happened, and denied that he or his aides had ever told any members of the press any such thing had taken place.

The fact is that Nofziger, during the governor's cruise aboard the S.S. Independence, did tell a handful of newsmen—The Star's political writer, Paul Hope among them—that two of Reagan's staff members had been fired for homosexual activity.

The black mark on Reagan's record is not that he hired such men, or that he was slow in firing them. Where he stumbled was in his histrionic denial and in calling Drew

Pearson a liar when he must have known that Pearson's article was factually correct. The motivation of this extraordinary performance is not easily discerned.

It was, in any event, a serious error of judgment in Reagan's first real test under pressure. And it must inevitably raise very real doubts about his personal dedication to the truth and his fitness for the high office to which he so obviously aspires.

WELCOME TO SOUTH CAROLINA, SENATOR BROOKE

Mr. DORN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, our colleague, the Honorable EDWARD BROOKE, of Massachusetts, made the principal address to the Citizenship Conference of the Palmetto Medical, Dental, and Pharmaceutical Association in Columbia, S.C. Senator BROOKE was welcomed at the airport by the Honorable Lester Bates, mayor of Columbia, and presented a gold key to the city. Senator BROOKE met with our Governor, the Honorable Robert E. McNair. He spoke at the University of South Carolina, Benedict College, and Allen University. We were honored to have Senator BROOKE visit our State. He made a great impression, and we hope he can visit with us again.

Mr. Speaker, South Carolina has a heritage of tolerance, brotherhood, and understanding. The Honorable Solomon Blatt has been speaker of the South Carolina House of Representatives longer than any man in history—more than 25 years. It is my understanding that he served longer as speaker of the house of representatives than any other speaker of any other State of the Union.

The late Bernard Baruch, a native of South Carolina, once made the remark that he was welcome to any civic club or gathering in South Carolina, but that in his adopted city there were many meetings he could not attend because of his race and religion.

Mr. Speaker, I am proud of my fellow South Carolinians. The following splendid editorial which I commend to the attention of my colleagues and the people of the country appeared in the Columbia Record on November 1, 1967:

WELCOME TO SOUTH CAROLINA, SENATOR BROOKE

When the courtly, universally-respected Leverett Saltonstall decided to step down as U.S. Senator from Massachusetts, a group of Bay State editors was asked by South Carolina newsmen who his successor would be.

"Attorney General Edward Brooke," came back the answer, quickly. "He's the most intelligent politician in the state of Massachusetts."

Since the Eastern editors were Kennedy supporters, the answer was honest and persuasive. Attorney General Edward Brooke was chosen by the people and has rapidly gained the respect of the Senate. He is a Negro. He vastly prefers that he be thought of not with color-consciousness, but with American conscience.

He comes to South Carolina today and will be given the keys to the city by Mayor Bates and will be greeted at the airport by a retinue of officials of his party, the Republicans, led by National Vice-Chairman J. Drake Edens.

Tonight, he will be given an honorary membership in the University of South Carolina's Young Republican Club.

Tomorrow he will speak to a Citizenship Conference and fulfill other engagements before flying back to Washington.

Diligent in his Washington duties, Senator Brooke is a man who has declared himself forthrightly against violence as a means of progress and for Congressional leadership in "the task of securing an equal chance for all our citizens."

"No act of injustice, past or present, no conditions of deprivation, no delay in progress can justify or excuse a breakdown in law and order, the indiscriminate killing of people or the wanton destruction of property. Ours is a government of laws, not men. When the hand of any man is raised against a neighbor or a stranger, it is raised against us all. To defy the law subverts and ultimately ruins the only system of government that can protect free men," he has said.

With equal force, he has declared that "this nation cannot continue to flourish with communities half-prosperous and half-poor, half-free and half less than free." If Congress acts forcefully, he believes, "we will have taken a major step toward abating the grievances that lead to civil disorder."

Senator Brooke comes to a state that, thus far, has avoided major violence because its leaders and the majority of its people are dedicated to two propositions: (1) that justice will be done to all people and that the lot of the most prosperous is injured by the lot of the least prosperous; and (2) that laws, not men and their passing emotions, shall prevail—with absolute equity.

We join with others in welcoming Senator Brooke and hope that his stay in South Carolina will be a pleasant one.

SWEETWATER, TEX., JAYCEES ADOPT 199TH AVIATION COMPANY (LT) STATIONED IN VIETNAM

Mr. BURLESON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURLESON. Mr. Speaker, it is unfortunate that demonstrations for peace in Vietnam at any price by the pacifists, peaceniks, and beatniks get the headlines, but little is heard of the many who support our men in Vietnam.

To repeat what I have said here before, there may be legitimate argument as to whether we should be in Vietnam or not, but this issue has long been academic. We are in Vietnam. We must stay and we must win.

In the meantime, I feel it is next to criminal if we do not do everything possible to protect every boy who is serving his country in this effort.

Mr. Speaker, I get a great inspiration, and I think Members of this House will likewise respond to the action of the junior chamber of commerce in Sweetwater, Tex., which has taken the action described in the following letter. I commend these young men and their wives, the Jaycee-ettes, and hope that it may prompt others to do likewise.

The letter follows:

SWEETWATER, JAYCEES, JAYCEE-ETTES,
Sweetwater, Tex., October 26, 1967.

Hon. OMAR BURLESON,
U.S. House of Representatives,
Washington, D.C.

DEAR SIR: With great concern I am writing to you on behalf of the Sweetwater Jaycees, Sweetwater, Texas, in reproval to the increase of demonstrations toward the United States commitment in Vietnam. It seems that in the past few weeks, the only picture that the boys in Vietnam receive is from the beatniks and pacifists that does not truly represent the thinking of the American public. It is a small minority of the majority, but with our freedom of speech, it reaches many.

To counteract the demonstrations against national policy toward communist Vietnam, the Sweetwater Jaycees are proud to announce of the adoption on April 12, 1967, of the 199th Aviation Company (LT), Advisory Team 53, APO San Francisco, California, 96215. This unit is now stationed with headquarters at Vinh Long, South Vietnam. The commanding officer is Major Samuel Muse. Our objective is to give moral support to the 199th and individual morale to each man. Our project has been titled "Swamp Fox", the name the men of the 199th chose for themselves.

We are quite pleased to have met with many of the men of this unit, as they stopped in our city in route to Vietnam. Their fly-in was pre-arranged on May 28, 1967. We served lunch and presented them with our Texas state flag, followed with fellowship. Our state flag is now flying at the 199th headquarters at Vinh Long.

We also extend our support to you for your policy of waging war against an aggressor and at the same time seeking peace. We are proud to salute every member of America's armed forces and express our gratitude for the priceless heritage they are helping to preserve.

Very truly yours,

RICHARD M. GESIN,
President.

REA PIONEERS IN FIELD OF RURAL AREAS DEVELOPMENT

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, the Honorable Norman M. Clapp, Administrator of the Rural Electrification Administration, recently delivered a most timely message to the 10 regional meetings of the National Rural Electric Cooperative Association. He points out:

> Rural electrification . . . is important because it offers the Nation an essential key to a balanced national development—a better country—a brighter tomorrow—for all Americans, rural and urban alike.

Those of us who are familiar with the rural electric systems financed by REA know that from the beginning of this great program in 1935 these systems have been leaders in helping to make rural America a better place in which to live. Largely cooperatives, these systems are truly the pioneers in the field of rural areas development.

At a time when all of us are seeking

ways to halt the migration of rural people to the overcrowded cities Mr. Clapp says that—

> Rural electrification's broad potential for the diversified economic development of Rural America is emerging. With it comes a necessary recognition of its vital role in developing the rural-urban growth balance which the future welfare of our Nation will require.

Because Mr. Clapp's address is so significant and so timely, I think all Members of Congress will find it of genuine interest and informative. Therefore, I wish to include the text of his speech as part of my remarks, as follows:

ADDRESS BY NORMAN M. CLAPP, ADMINISTRATOR RURAL ELECTRIFICATION ADMINISTRATION

The time has come again for me to report to you on the state of the Nation's rural electrification program in which we share important public responsibilities.

To illustrate the national importance as well as the far-reaching implications of these responsibilities let me tell you a story. It is a true story. It demonstrates the connection between rural electrification and the kind of rural economic development which not only provides greater opportunity in rural America but offers sound and fundamental relief for the Nation's growing urban problems.

In 1957, a man came home to a rural area near Columbia, South Carolina. He had an idea and about $7,000 of capital. He was a man of considerable business experience, but his career had been interrupted twice to serve his country—in World War II and again in Korea.

This time when he came home, he decided to establish a manufacturing business—to manufacture steel building joists—right out in the country where more and more of the local people were being forced to look for new livelihoods because of the changes taking place in modern mechanized agriculture.

To make these metal joists he proposed to use electric welders, and that required electricity. His selected location did not have electric service at the time. The neighboring power company refused to supply service unless he contributed $3,500—almost half of his entire capital—to finance a line to his proposed site. This he could not afford, and if this had been the final word, that business venture would not have been undertaken where it was, out there in the open countryside.

But fortunately that was not the last word. There was also in that general area a cooperative rural electric system, the Tri-County Electric Cooperative, financed by REA for the specific purpose of bringing electric service to rural areas. He visited the cooperative on a Thursday. By the next Monday the cooperative had built more than 3,000 feet of new line, installed a transformer and set a meter, all at no capital cost to this new rural consumer.

This venture, which was started in an open field with 10 employees and has since expanded to the point where it now employs 400 people and provides an annual payroll of $1½ million, has given new economic life to a rural community where the pinch of farm unemployment had been forcing its people to turn to the overcrowded cities in search for employment opportunities.

So today, Congaree, South Carolina, shows the marks of growth—instead of the marks of economic erosion—with 2 new schools and 27 classroom additions to existing schools; 75 new homes bought or built by company employees; 3 new filling stations; a bakery; a small shopping center; 2 laundries; 2 new churches, and several small country stores. Perhaps best of all, some of the young people who had left to find opportunity elsewhere are now returning to fill jobs which have become available in their home community.

And in the light of the festering social problems, the racial tensions, and the explosive congestion in the ghettoes of so many of our cities, aggravated by a mounting migration of displaced rural poor, let me point out that the Congaree Iron and Steel Company's plant is in a rural area where 85 percent of the population is Negro, and 85 percent of the plant's employees are Negro.

The war against poverty and all its social ills must be waged wherever the poor and the underprivileged are found, but the best place is at the source—where they come from. And in the past two decades millions of such people have been cut loose from the land by the mechanization of agriculture. It would be far more effective to provide other opportunities for their employment in their home rural communities rather than force them to migrate to the cities where they only aggravate further the problems of urban congestion.

The war on poverty must be waged with many weapons—physical rehabilitation, better nutrition, sanitation, education and vocational training. The ultimate weapon, however, must be employment—productive, respectable, adequately paid employment.

At the time the Congaree plant was started, the annual wage received by heads of Negro families in that community was about $600. That average wage today is slightly over $3,400 a year. Many of the Negro employees earn as much as $9,000 a year.

The moral of the Congaree story is that it would not have happened if electricity had not been available at this rural location from an alert and responsible REA-financed rural electric cooperative which takes its community responsibilities seriously.

Congaree is not the only story I might cite here. There are many of them, not as dramatic as Congaree in all its aspects, but demonstrating nevertheless the key role of electric service in making economic development and expanding employment possible in Rural America.

I could tell you of the Green River Rural Electric Cooperative Corporation in Kentucky which, at the request of the Governor of the State, stepped into the negotiations with a prospective new industry. After a neighboring power company had failed, this rural electric cooperative brought first an aluminum rolling mill and now an aluminum reduction plant to its rural area. In this case not only was the availability of electric power crucial but equally important was its availability at competitive rates.

I could cite the story of Bedford Rural Electric Cooperative at Bedford, Pennsylvania, which made electricity available for a major ski resort in its service area and thereby gave the area, which had long suffered the ups and downs of strictly summer recreation, the stability of year-round business.

The availability of electricity has opened the way for a tremendous expansion of commercial outdoor recreation in rural areas. Recreation has proved to be one of the fastest growing industries in America today. It is now estimated to have a gross revenue volume of $25 billion annually. It is particularly suited to rural areas because that is where the space, fresh air, natural beauty, and the peace and quiet can be found which the harried city dweller seeks today. It provides employment and income for the development of rural areas and at the same time meets a vital need of our city people for rest and relaxation, but it takes electricity.

It takes electricity to light and power the cottages, the lodges, the motels and the restaurants which cater to the needs of most present-day vacationists and tourists.

I could tell you many stories of the key role of the leadership and initiative of rural electric cooperative management in stimulating the economic development of their respective rural communities. Since the Department of Agriculture's rural areas development program began in mid-1961, at least 182,000 jobs for rural people have been created through 2,000 projects established with the help of REA electric and telephone borrowers.

All this reveals the ever-widening effects of rural electrification on the Nation's welfare. This great technological and social breakthrough of the 1930's caught the public's attention first primarily as the bringer of light to those vast darkened areas of America. Later came a growing understanding of what it meant in terms of more efficient and productive farming.

Rural electrification's broad potential for the diversified economic development of Rural America is emerging and with it comes a necessary recognition of its vital role in developing the rural-urban growth balance which the future welfare of our Nation will require.

This is one of the public responsibilities we share together—you as the active directors and management of going rural electric enterprises and we of the Federal Government in REA. If we are to measure up to this responsibility, the rural electrification program must measure up to its objectives.

First, electric service must be generally available throughout Rural America on an area coverage basis.

Second, it must be available in quality and at a cost comparable to what is available in urban areas.

Third, it must be available through sound, reliable, permanent systems and organizations to which people and business alike can look for continued service on into the future with complete confidence.

These have been the objectives to which REA has given renewed emphasis these past six years it has been my privilege to serve as Administrator. I point with some pride, justifiable pride I hope, to the progress we have made toward the achievement of these objectives, but also with deep appreciation to you for your cooperation where our leadship has been required and for your leadership where our support has been more in order. This has been a joint venture. It must be a joint venture if it is to succeed fully, an enlightened partnership of local enterprise and local people with their Federal Government.

And let me congratulate through you your National Association for its vision in pointing out the vast and fundamental role of rural electrification in our Nation's progress. Let me express my deep and everlasting admiration of Clyde Ellis and his embattled leadership throughout all these years of struggle for the cause of rural electrification. I remember well Clyde Ellis' call to you to take the next "giant step" of rural area development at the 1961 annual meeting of NRECA in Dallas. It was a stirring challenge as Clyde Ellis' challenges always are. It was a vision now proving itself.

In the six years which have followed we have made monumental progress together in all the many diverse but necessarily related aspects of rural electrification—extension and strengthening of distribution systems, improvement of power supply, strengthening of the economic base for rural systems, greater protection for their service areas, better management, lower costs and more reliable service.

Consider well these measures of progress over the last six years:

In our continued drive for full area coverage we have brought service to an estimated 1 million new consumers in the areas served by REA-financed rural systems.

The percentage of farms now served by central station electric service has moved up from 96.5 in 1960 to 98.3 in 1966.

All together this means a total of 5,680,000 meters, or more than 20 million rural people now served.

In our new emphasis on providing parity of electric rates for rural people and rural business expansion the number of rate reductions increased from 14 in fiscal 1961 to 31 in 1962, 77 in 1963, 111 in 1964, 126 in 1965, 151 in 1966 and 92 in fiscal 1967—a total of 602 for a combined annual savings to rural consumers of $19 million.

In building the operating and financial strength of REA-financed rural systems, power sales rose from 27 billion kilowatt-hours in 1960 to nearly 49 billion in 1966.

The average monthly kilowatt-hour consumption by farm and residential consumers on REA-financed lines increased by roughly 158 kilowatt-hours—to an average of 515 kilowatt-hours a month in 1966.

In the diversification of load demand the number of small commercial loads on REA-financed lines increased by more than 50,000 to a total of 332,000.

Large commercial and industrial loads increased by nearly 7,000 to a total number of 19,000.

The percentage of revenues received from commercial and industrial consumers increased from 21.1 percent in 1960 to nearly 25 percent in 1966. This is still far short of the more than 50 percent which Class A and B commercial utilities realize from such loads, but substantial progress nevertheless.

Some degree of legal protection for rural electric cooperative systems and service areas is now provided in 32 states, 14 more than in 1960.

Consumer density has risen from 3.3 per mile of distribution line in 1961 to 3.5 in 1966.

Average distribution plant investment per kilowatt-hour sold has declined from 11.9 cents in 1960 to 9.4 cents in 1966.

The dollar net worth of all REA borrowers has been raised 81 percent in the last six years. As a percentage of total assets it has increased from 19.7 percent to 26.3 percent.

The number of REA borrowers with general fund levels of between 6 and 15 percent of total plant, the level of reserves which is both necessary and fully defensible, has increased from 384 in 1961 to 583 in 1966.

In our determined efforts to improve the cost and terms of wholesale power supply the generating capacity in service of REA-financed systems had more than doubled—from 1.6 million kilowatts at the beginning of 1961 to 3.7 million kilowatts at this time. Add to this REA loans approved for an additional 2½ million kilowatts of capacity not yet constructed.

The percentage of total power needs which REA-financed systems receive from their own and REA-financed generation has increased from 15.6 percent in 1960 to 19.6 percent in 1966.

In 1961 there were 19 companies which had dual rate provisions in 189 contracts with REA-financed systems. Today the number of companies is down to three, and the number of such restrictive contracts has been cut from 189 to 21

The average cost of wholesale power purchased from all sources has been pushed down to a new low of 6.4 mills, from 6.9 mills in 1960.

The average unit size of REA-financed generation facilities has these past six years been more than 3 times the average unit size of the facilities financed the previous six years—117,000 kilowatts as compared with 37,000 kilowatts.

Although REA-financed generating facilities have historically had to face the handicaps of isolated requirements with small units and consequent relatively high production costs, the largest reduction in wholesale power cost these last six years has been in the cost of power from REA-financed power-type borrowers—a reduction from 9.2 mills in 1960 to 8.3 mills in 1966.

All this has taken a record-breaking amount of REA financing. Total electric loans for the six-year period of fiscal years 1962 to 1967 inclusive have amounted to $1,908,000,000. This is an increase of 36 percent over the total for the previous six-year period.

In our accelerated attack on the problems of wholesale power supply total loans for generation and transmission facilities in the past six years have added up to $978,000,000, which is 71 percent greater than the previous six-year period and more than the total of generation and transmission loans in the entire 25-year period of the REA program prior to 1961.

These are hard-earned gains. They did not just happen.

They would not have happened if John Kennedy had not been elected President of the United States in 1960 and his mandate delivered to REA "to get on with its work of providing low-cost electricity and telephones for every American farm family."

They would not have happened without a tremendous amount of doing on your part—as well as on ours—working together toward the important objectives of the rural electrification program.

They would not have happened without a highly effective NRECA and equally important statewide organizations.

They would not have happened without the staunch support of great men and true friends of rural electrification in the Congress.

They would not have happened without the sympathetic understanding and support of many state Governors and many more members of state legislatures.

They would not be happening today if there were not a man in the White House with the deep understanding of, the long association with, and the personal commitment to the cause of rural electrification which President Johnson has repeatedly demonstrated.

These are days of difficult dilemmas and tough decisions for us as a Nation, faced as we are with war and upheaval abroad and deep social unrest at home.

It takes a strong President to uphold our international commitments today in this troubled world, but uphold them we must. Our security in the world depends upon clear understanding, clearly demonstrated, that as a Nation we mean what we say, that we stand by our commitments to our friends and allies and stand with equal firmness behind our warnings to our enemies. Any other course is to invite the all-out disaster of a World War III triggered by an enemy bluff or miscalculation.

There have always been those faint hearts who are forever afraid we cannot afford progress—that we cannot afford to tackle the problems of Rural America, to fight poverty, to build a stronger and greater America.

It takes a strong President to resist the temptation, indeed the active urging of many, to put domestic problems and progress on the shelf until the demands of our international commitments are eased.

But President Johnson is doing both. We are upholding our international commitments. We are maintaining our national security. At the same time we continue to move ahead toward the objectives of the Great Society here at home, developing our resources, providing greater opportunity and justice for all.

In this effort rural electrification has a mission of great and lasting importance to the Nation.

The job of rural electrification is not done. Nor is the struggle over. Make no mistake about that. There are strong organized interests which are actively exploiting every opportunity to restrict the REA program and thus cripple the operation and effectiveness of your rural electric organizations.

There was ample proof of that in the recent defeat of supplemental financing legislation sought and so urgently needed to meet the future growth requirements of the rural electric systems.

As our burdens in Vietnam continue and perhaps even grow, the clamor of criticism can be expected to grow too, and the enemies of rural electrification will be joining the pack.

The opposition does not always launch a frontal attack. It fits its tactics to the situation knowing full well that frequently the greatest damage can be inflicted by the flank attack seemingly directed at other issues. The ultimate objective is, of course, to win the positions of power which can then be used to suit its own purposes.

We are approaching a moment of momentous public decision in 1968. The future of the rural electrification program will be at stake—as it was in 1960 and again in 1964.

Already the dust of controversy over issues charged with deep personal frustrations and strong emotion is filling the air. If ever we needed to see clearly, we need to see clearly now. The values we lose sight of in the confusion of irresponsible controversy at a time of decision such as we now face may be lost forever.

The rural electrification program is in jeopardy.

It must not be crippled or destroyed. We must not let that happen.

I believe deeply in the values of this program. I know you do too. You would not be here today if you did not. You would not have given so freely of your time and energies over all of these years in your dedicated efforts to build this program if you did not believe deeply in its worth.

Rural electrification, however, is not important just because you or I happen to be engaged in it. It is important because it offers the Nation an essential key to a balanced national development—a better country—a brighter tomorrow—for all Americans, rural and urban alike.

If this great program is to accomplish fully its objectives, if its greatest potential for the public good is to be realized, the unique and constructive partnership between you and your Federal Government which has worked so successfully all these years is still necessary.

None of us would challenge any one's right to dissent. It is a fundamental liberty of the individual in a free democratic society. Constructive criticism is an essential element in the decision making of the democratic process. Irresponsible dissent and malicious criticism, however, are subversive of the democratic process. They can stampede unthinking people down the road to serious error and costly defeat. In the highly charged atmosphere of present controversy we need to stop and think. We need to take stock—to seek out the truth, to count our blessings, to weigh carefully the alternatives. If there was ever a time for sober judgment, it is now.

We had to work together to bring the rural electrification program into being. We have had to work together over the years to make it succeed. If we want it to continue, we must continue to work together to preserve it.

PERSONAL ANNOUNCEMENT

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, on Monday, November 6, I was in my district, and am not recorded on rollcall votes Nos. 363, 364, 365, 366, 369, and 370.

If I had been present, I would have voted as follows:

On rollcall No. 363, "yea."
On rollcall No. 364, "yea."
On rollcall No. 365, "yea."
On rollcall No. 366, "yea."
On rollcall No. 369, "yea."
On rollcall No. 370, "yea."

OPINION POLL FROM FIRST DISTRICT OF WISCONSIN

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Schadeberg] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, I recently received the tabulation of results of the public opinion questionnaire which was directed to the voters of the First District of Wisconsin. It was gratifying to note that over 18,000 residents took the time to send in their opinions as to proposed legislation and on the programs administered by the executive branch of the Government.

Results of my query seem to parallel those of the vast majority of Members of this body who have already placed their poll results in the Record. I would note that the residents of the First District certainly reflect the "great cross section of American voters" as has been stated by so many so often. The questions were not designed to favor one view or another, but just to allow me to learn what the consensus of the majority of thought is "back home" on the issues of the day. I am pleased to note that my voting record seems to conform with the wishes of the people to date.

The one answer which was exceptionally close in total percentages and so evenly divided as to warrant extending the computation into fractions was on proposed Federal registration of firearms. I am sorry that I did not break the question into several sections on handguns, rifles, uniform State regulations, and so forth, so that a more meaningful answer would have been supplied by those answering the questionnaire. The results showed 49.9 percent favoring a Federal registration of firearms and 50.1 percent opposed.

The answers to alternative courses versus our present course in Vietnam did reflect the growing concern of the average American with the prospect of a prolonged and bloody war. While almost 80 percent of those who answered the questions on the topic suggested that the Government mount a strategically sound effort for military victory, about one-half of the same group suggested that we withdraw from Vietnam as soon as possible.

Questions on possible Federal laws guaranteeing open housing and providing rent supplements for medium- and low-income families were each opposed by more than 70 percent, while fewer than 30 percent were in favor.

It was clearly shown by First District residents that they cannot agree with economists who tell us we can live with deficit spending. More than 90 percent of the people who replied expressed the view that the Government should tailor its spending to its income.

Proposed East-West trade expansion proved to be unpopular with the vast majority—74 percent—while only 26 percent felt that increased commerce with Communist countries would be to our Nation's best advantage.

Those answering the question, "Do you believe agricultural imports should be reduced?" reflected the Wisconsinites concern for our economy here at home. By the overwhelming margin of 82 to 18 percent they asked the Federal Government to reduce agricultural imports.

By exactly 4 to 1—20 percent yes, 80 percent no—the results showed that the people in my district do not believe the farmer is getting a fair share of the consumer dollar.

A question which asked about an increase in social security benefits even if it meant an increase in social security taxes was beside the point, as action in this area has already been taken. However, the people of the district opposed such action by almost a 2-to-1 margin—34 percent yes, 66 percent no.

It is my sincere hope that within the next year the Congress and the administration will be more responsive to the wishes of the American public, and that a poll of opinion will show a more satisfied feeling among all of our people with the job being done by the congressional leadership and the President and his appointed Cabinet members.

ENCOURAGING HIGH SCHOOL STUDENTS

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Talcott] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. TALCOTT. Mr. Speaker, I recently wrote to a number of high school freshmen in my district to encourage them to stay in school until their graduation. I believe that interest and encouragement are two important ingredients for school success.

My effort was richly rewarded by my first reply. Miss Teri Rahe, a student at Carmel High School, wrote a very thoughtful and astute letter. I insert a copy of her letter at this place in the Record:

Carmel, Calif.,
November 2, 1967.

Congressman Burt Talcott,
Congress of the United States,
Washington, D.C.

Dear Sir: I would like to express my appreciation for your letter sent to all Carmel High School freshmen concerning the value of a good education. Although I am aware of such values, I realize that many people my age are not, and such a letter would deeply impress them even more than it impresses me.

Although we have studied the functions of the different branches of Government, your letter brings this concept closer to home. To tell the truth, I had never thought of a Congressman as representing ME, but rather as a more impersonal being representing the community. Perhaps if more of this type of letter were sent to your constituents, they would realize more fully your function in our government.

To someone my age who had never learned the value of an education or who had never recognized its profits, your letter might start them thinking. Certainly there are some people at Carmel High School who will drop out before they graduate. Perhaps if they thought more of the rewards of an education, they might think twice about this action.

I would like to urge you to continue sending such letters to the freshmen of Carmel High School, as I believe they might be of great value to some individual.

Sincerely,

Teri Rahe.

This is obviously a very special student—a special person who is more interested in her classmates than herself. Her letter to me reaffirmed my belief in our high school students. Her attitude confirms my view that we can discourage dropouts by apprising students of the great present and lifetime value of a high school education and by some positive encouragement.

We in the Congress, must join parents and teachers in a positive effort to encourage students to take every advantage of their unlimited educational opportunities.

JUDGES FOR U.S. COURT OF APPEALS FOR NINTH CIRCUIT

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Talcott] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. TALCOTT. Mr. Speaker, I am pleased to be joined by my distinguished colleagues, the gentleman from California, Hon. Don Clausen, Hon. Charles Gubser, and Hon. William Mailliard, today in cosponsoring a bill to increase the number of circuit judges on the U.S. Court of Appeals for the Ninth Circuit from nine to 13.

This court has served the Ninth District extremely well. It is efficient in the scheduling of cases. However, this situation will not continue to prevail unless additional judges are appointed to the circuit.

In 1954, the Congress increased the size of the court from seven to nine judges. Since that time, no additional judges have been authorized. In the 13 intervening years, the caseload has increased approximately 75 percent. Despite this tremendous increase, the court has been able to hear all cases as soon as they are ready for argument. This has been accomplished by asking a district judge to sit on 80 percent of the cases. If the present trend continues, a district judge will have to sit on every case before the court of appeals.

This does not augur well for good justice. The court of appeals should be authorized that number of judges which will restore a complete bench of circuit court judges on every case.

Since 1954, Alaska and Hawaii have been admitted to this circuit. The population of this circuit has ballooned upwards from 17,205,000 in 1950 to 24,127,000 in 1960, and to an estimated 28,000,000 in 1966. Our citizens deserve an increase in the number of circuit court judges to assure continued prompt measuring of justice.

This proposal to increase membership on the Ninth Circuit Court of Appeals has the support of the Judicial Council of the United States, which recommended this change at its March 1967 meeting.

Mr. Speaker, I urge enactment of this important legislation.

THE 1970 CENSUS

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Bush] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BUSH. Mr. Speaker, in an effort to protect the privacy of the individual, I am today introducing a bill which would limit the categories of questions required to be answered in the decennial census to seven. I can see no reason why the Census Bureau need know more than the name and address, relationship to head of household, sex, date of birth, race or color, marital status, and visitors in the home of each individual. Should the Bureau feel that it does need additional information, they may ask for it on a voluntary basis, but the individual should not be penalized by law for refusing to allow his privacy to be invaded.

In introducing this legislation, I want to pay my respects to our distinguished colleague and my good friend, the gentleman from Ohio, Jackson Betts, who has done so much to bring this problem to the attention of the public.

INCREASED ASSISTANCE TO HOSPITAL DIPLOMA SCHOOLS OF NURSING

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentlewoman from Ohio [Mrs. Bolton] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mrs. BOLTON. Mr. Speaker, as you know so well, I have been vitally concerned about the shortage of nurses for many years. One of the most successful Federal programs to alleviate the shortage was the Cadet Nurse Corps which graduated some 125,000 young nurses to meet the needs of our Nation in the World War II crisis. Following the termination of that program in 1949, no further major nursing programs were enacted until 1956 when Congress passed legislation to provide a limited number of "traineeships" to provide more teachers, administrators, and supervisors. This was helpful in providing more top professional personnel, but it did not get at the real need—thousands of young nurses to serve in bedside care—except in an indirect way. In 1964 an important step was taken when we passed the Nurse Training Act which provided help to all types of nursing schools as well as scholarships for students.

Presently there are three major types of nursing schools. They are those operated within a junior or community college—a 2-year program known as associate degree, the baccalaureate degree—a regular 4-year program, and the diploma school which is a 3-year program usually connected with a hospital. The diploma schools now supply over 75 percent of new nurses, but in spite of their importance more and more of these schools are going out of existence. The high costs of hospital service join with the rising costs of education to make these programs prohibitively expensive to the average individual. Hospitals attempt to defray these tuition and training costs, but they cannot do so much longer.

Today I am introducing a bill to amend the Nurse Training Act of 1964 to provide additional assistance to the hospital diploma schools. Various Members of the Congress are sponsoring this legislation and I am happy to join them to see what we can do to augment the supply of adequately trained bedside nurses. I am hopeful the Committee on Interstate and Foreign Commerce will give early and favorable consideration to this important matter.

A REBUTTAL TO CORPORATE FARMING

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Zwach] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ZWACH. Mr. Speaker, a recent editorial in the Wall Street Journal regarding the farm situation and making reference to corporation farming, has sparked a reply.

The reply came from Mr. Don Kirchner, president of the Peoples Trust & Savings Bank at Riverside, Iowa. This article was reprinted in the Willmar Tribune, Willmar, Minn.

Because of his intimate daily contact with agriculture and with farmers, I am sure that many of my colleagues will want to read it thoroughly, and I therefore include it at this point.

[Reprinted from the Independent Banker in the Willmar (Minn.) Tribune]

What "Outsiders" Say About Agriculture—Corporate Units Are No Answer to Farm Crisis

(Editor's note: A recent Wall Street Journal article extolling the virtues of corporation farming did not please the Agriculture-Rural America Committee of the Independent Bankers Association of America. The committee has worked for years to preserve the family farm by obtaining a fair income for farmers. The Journal article quoted "federal farm planners" to the effect that America needs only 500,000 farmers to produce all of its required food and fiber. This was too much for the committee, recognizing that the vast majority of IBAA member banks are in small, rural communities. Don F. Kirchner, a member of the committee and president and cashier, Peoples Trust and Savings Bank of Riverside, Iowa, volunteered to write a rebuttal to the Journal article. Mr. Kirchner's letter to Journal Editor Vermont Royster follows:)

Your front page article, "Farmer Brown, Inc.," has drawn much attention. Your reporter, John A. Prestbo, obviously is not very familiar with the problems and the ways of the American farm. As a country banker and a member of the Agriculture-Rural America Committee of The Independent Bankers Association of America, I am in close daily contact with farmers and their problems. Neither the facts nor my direct experience substantiate Mr. Prestbo's conclusions.

FARMER IS EFFICIENT

Mr. Prestbo points out that corporate farms, using labor-saving machinery and fertilizers, will produce crops in greater quantity and at lower prices than ever before. Does he think that the American farmer is still using horses to till the land?

The American farmer has been told by his government for many years that he must become mechanized and efficient. He has done this. Each farmer now produces enough food and fiber for himself and 37 others. He has been able to do this only with the use of sophisticated machinery and equipment, fertilizers, and technology. These, together with his willingness to expand the size of his operation, have brought to American agriculture an efficiency that is admired and envied throughout the world.

DROVE PRICES DOWN

In 1950 there were 8 million farms in the United States. Through administration of a government "cheap food policy," by 1960 only 5 million remained, and today there are only 3,176,000 left. In the early 1960's the farmer was told that we had a tremendous surplus of farm products. He was told that before farm prices could be allowed to increase, the surplus would have to be eliminated. By cooperating with the federal government in its farm programs, the surplus of the 1950's was eliminated.

Then in place of letting farm prices rise so that the American farmer could live on the same standard of living as the rest of our people, the government has used every power at its disposal to keep farm prices low. The government has intentionally dumped grain on the markets to lower prices, has allowed increased meat imports to force beef and pork prices down, and has advised consumers not to buy meat products. Also, to top all of this, the government increased 1967 acreages of feed grains and wheat sufficiently to cause another surplus so that prices could again be forced down.

Our government has been very successful. Corn, which two months ago cost the livestock feeder over $1.35 per bushel, is now bringing less than $1.10 on the farm. Soybeans, which were worth $3 per bushel at harvest time last October, are now worth only $2.50 per bushel. Wheat prices have gone the same route.

LOSE FAMILY LABOR

The American farmer has done everything in his power to try to raise his standard of living. He has increased the size of his operation. He has developed management ability. Farming has become a business enterprise, but to no avail. The "cheap food policies" of our government are continually administering prices at a level where the farmer and the rancher are forced to live as second-class citizens. The family farm of today has the entire family working—the farmer, his wife and his children, all trying to make one living.

The corporate farms, which Mr. Prestbo advocates, will have to pay their management and their labor a living wage, and the laborer's wife and children will not be available to work for nothing. This, in itself will increase the cost of production. Today's farm machinery will only do a given amount of work before it is worn out. Machine cost per acre cannot be greatly reduced.

The broiler chicken industry is used in his article to prove that corporate farming is a good thing. It must be pointed out that there is no profit in the broiler industry, as such. These large corporations which grow the broiler chickens are only interested in the profits derived from the sale of their own feed. The same thing has happened in the turkey industry.

Mr. Prestbo also uses the commercial cattle feeding operations as an example. These operations have lost money during the past year as they must pay their labor and management a living wage. They cannot continue to lose money over a long period of time without going out of business, and they will never be able to compete with the "family labor" of the present American farm.

The food chains are circulating prices among themselves daily, which results in control of meat prices. Various cattlemen's associations in the West are now in the process of starting a civil suit against the chains for fixing prices. We have laws that were designed to prevent price fixing, but the Justice Department has not taken action for fear it would tend to raise food prices.

Mr. Prestbo states that "federal farm planners" say that we need only 500,000 farmers to produce all of the food and fiber for our people. I wonder if it occurred to him that the 2½ million farmers that are now to be forced off of the land may include the most efficient and the hardest working farmers? That the 500,000 that will be left may be those with much capital but no desire or incentive to produce farm products?

YOUNG PEOPLE LEAVING FARMS

The average age of the American farmer is now 59 years. There has been no incentive for young people to start farming for almost 20 years. We must have young people enter farming as a profession. We must see that there is sufficient profit incentive in farming so that the American farmer can live on the same standard of living as his city cousin.

We must make every effort to convince government officials that the producers of agricultural products are not receiving a fair share of the consumer's dollar. The farmer's share of the food dollar was 46 cents in 1947, and is estimated to drop to 32 cents in 1967. Farm prices are lower today than they were 20 years ago, yet production costs have increased 35 per cent. Food is a bargain, only 17.6 cents of each dollar of personal income, after taxes, goes for food, compared to 25.7 cents 20 years ago.

Just because the American farm has not become unionized does not mean that it should be trampled out of existence. We must get the food chains and the meat packers out of the feed lots, as they are not interested in farm profits, but only in controlling prices.

Very truly yours,

DON F. KIRCHNER,
President and Cashier, Peoples Trust & Savings Bank, Riverside, Iowa.

OPPOSITION TO MEDICAID

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, upon the request of the town meeting members of Reading, Mass., I include a copy of the resolution adopted by that body on October 16, 1967, in opposition to the medicaid program, title XIX of the Social Security Act, as it is being implemented in the State of Massachusetts.

Inasmuch as the administration of the program is on the State level, falling within the standards set by title XIX, I have asked the Massachusetts Department of Public Welfare to supply me with a complete report on the program as it operates in Massachusetts. The resolution follows:

RESOLUTION BY SPECIAL TOWN MEETING, READING, MASS., OCTOBER 16, 1967

Article 1. On motion of Lawrence Drew, Chairman of the Finance Committee, it was voted that the Town adopt the following Resolution:

Whereas the General Court has enacted legislation, presently permitted and eventually required under Title XIX of the Federal Social Security Act, having to do with the program known as Medicaid; and

Whereas such legislation known in Massachusetts as the Medical Assistance Program commits each city and town to budget and initially appropriate indeterminable amounts of money to carry out a limitless program of medical assistance; and

Whereas under such legislation, local Welfare personnel are prohibited from thorough investigation of each application as to financial eligibility for such assistance and lack control for the disbursement of these funds; now, therefore, be it

Resolved, That the Reading Town Meeting Members assembled at a Special Town Meeting on October 16, 1967, herewith record their opposition to the Medical Assistance Program as now being implemented.

That Frank D. Tanner, the representative of the Town of Reading in the House of Representatives of the Legislature of the Commonwealth of Massachusetts, convey this Resolution to the General Court of Massachusetts, and that copies of this Resolution be forwarded to Senator William L. Saltonstall of the Massachusetts Senate; to Senators Edward M. Kennedy and Edward W. Brooke of the United States Senate, and F. Bradford Morse of the United States House of Representatives, and request said Senators and Representatives to see that same is spread on the Congressional Record forthwith.

Attest: BOYD H. STEWART,
Town Clerk.

THE INSTANT COFFEE PROBLEM—AN EXCEPTION TO THE ADMINISTRATION'S FOREIGN TRADE POLICIES?

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, in view of the strong opposition expressed by the President and various administration officials to protectionist trade legislation, I have been amazed by the unyielding position of the State Department on the problem of instant coffee imports from Brazil.

The Department has based its position on its concern for the integrity of the International Coffee Agreement. It argues that Brazil's exports of instant coffee will lead to destructive price competition which will undermine the agreement. It also contends that as a matter of principle, Brazil must permit all the participants in the International Coffee Agreement equal access to the grade of coffee beans used by Brazil's instant coffee industry.

Although these arguments might have merit as abstract propositions, they are not altogether convincing when we look at the actual facts.

First, the threatened price war has not occurred. In my conferences with State Department officials, they have acknowledged that despite Brazil's instant coffee sales, prices of both green coffee and instant coffee have remained stable. The apparent reason is that Brazil's instant coffee prices are comparable to those for instant coffee made from African robusta beans, its principal competition, and with instant coffee imports from other countries.

Second, the merit of the equal access argument is greatly impaired by the failure of the State Department to seek to apply this principle as well to the consuming members of the International Coffee Agreement. The Common Market countries, for example, now give preferential treatment to coffee imports from African countries at the expense of Brazil and other Latin American producers. Can we justify a one-sided approach to this issue which would compel the producing countries to grant equal access to their raw materials but do nothing to assure equal access for their products in the markets of the consuming countries?

It is most unfortunate that the United States has become Brazil's chief antagonist on this issue in the conferences now being held on the extension of the International Coffee Agreement. Cooperation between Brazil and the United States was largely responsible for the initial agreement and is essential for its continued success. The position of the United States, however, has caused suspicion in Brazil that the State Department is pursuing a protectionist policy. This may make it virtually impossible for us to play any conciliatory role in resolving disputes which might exist between Brazil and its African competitors.

The Department has acknowledged that its position has led to intensified anti-United States sentiments in Brazil. Although it issued awesome warnings of trade retaliation by exporting countries if Congress tampers with the GATT Agreement, the Department seems to have ignored Brazilian concern with the comment that "the problem is a rather complicated one whose implications are not widely understood in Brazil."

There are other serious inconsistencies in the Department's position. For example, it has long been an important part of U.S. foreign policy to encourage underdeveloped countries to diversify and industrialize. This policy was recently strongly reaffirmed at Punta del Este. One may well ask what could be more natural in keeping with these objectives than for Brazil to process some of its major agricultural product into instant coffee?

It also appears that there is a lack of clarity within the Department on the "implications" of the problem. AID has given a substantial financial boost to several of the Brazilian companies which process instant coffee.

Department spokesmen agree that Brazil's exports of instant coffee do not violate the International Coffee Agreement. The agreement does not require a country to impose an export tax on processed coffee. Neither Brazil nor the United States impose such taxes on processed commodities or other manufactured products, and if the United States did press for such a tax, it should be recognized that it could well result in higher prices to U.S. consumers.

There is, as far as I know, nothing in the International Coffee Agreement which requires Brazil to put on the market any grade of green coffee that it did not export before the agreement. In view of our own agricultural policies, are we in a position to insist that any other country must sell its commodities in an open market without restrictions? Moreover, it is of questionable logic for the Department to argue that the coffee price structure which is maintained because of the International Coffee Agreement would be destroyed by price competition to meet the relatively high cost of Brazilian instant coffee and at the same time urge Brazil to put on the international market a grade of green coffee which sells at a significantly lower price than the grades of green coffee which are traditionally exported from both Brazil and Africa.

The International Coffee Agreement contains an express reference to instant coffee and provides a mechanism for dealing with its export. Under its terms, every pound of instant coffee must be accounted for in exactly the same way as is green coffee and its export is chargeable against every producing country's quota at three times the rate of its green coffee exports. The Department has conceded that Brazil's instant coffee exports have complied with these provisions. Could it not be inferred that the present difficulty has arisen from the approach which has been taken by the State Department?

In view of the importance of this subject to the future of the International Coffee Agreement and its relationship to the current controversy over foreign trade legislation, I have asked Secretary Rusk to review the State Department's position. I hope it is not too late for the United States to play a constructive role in resolving any legitimate issues which may exist.

CRIMES AGAINST HUMANITY

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, in all the fanfare over the 50th anniversary of the Soviet October revolution, one of the most appropriate and realistic commemorations of the revolution was the Young Americans for Freedom indictment of the Communist regimes of the world for crimes against humanity. The charges contained in the indictment were selected from various congressional reports and public laws: the Captive Nations resolution, Public Law 86–90 of 1959; the report of the House Select Committee on Communist Aggression of 1954; the Internal Security Act of 1950 and the Communist Control Act of 1954; the reports, "Pictorial Summary of Communism in Action," "Crimes of Khrushchev and the Soviet Showplace Prisons"; all reports by the House Committee on Un-American Activities, and other sources.

Actual summonses were drawn up and attempts were made to serve the various defendant embassies here in Washington on November 7. I understand that the Soviet Embassy here in Washington, in keeping with its 50-year history of rule of law, unceremoniously bounced the process server. The trial, scheduled for January 18, will be held in Minneapolis. As the various parties named in the indictment claim to be the "peace" parties of the world, it would indeed be interesting if the defendants showed up for the trial and tried to explain why the condition of peace necessitates the slaughter of millions of human beings

One thing is certain: the young people of YAF were not fooled one bit by all the propaganda on the 50th anniversary. Their "Indictment for Crimes Against Humanity" indicates a realistic grasp of a worldwide threat which, unhappily, is not realized by some many years their senior. For a brief but true listing of the "accomplishments" of the Soviet October revolution, I wish to insert in the RECORD at this point the "Indictment for Crimes Against Humanity," along with a sample summons to the various Communist parties to answer the charges of the free people of the world:

[In the Court of Public Opinion, Minnesota Division]

INDICTMENT FOR CRIMES AGAINST HUMANITY

Free People of the World v. *the Communist Party of the Soviet Union, the Communist Party of Poland (also known as the Polish United Workers' Party), the Communist Party of Hungary (also known as the Hungarian Workers' Socialist Party), the Communist Party of Czechoslovakia, the Communist Party of Yugoslavia, the Communist Party of Rumania (also known as the Rumanian Workers' Party), the Algerian Communist Party, the Communist Party of the United States of America, the Communist Party of North Korea (also known as the Korean Party of Labor), the Communist Party of North Vietnam (also known as the Vietnam Workers' Party), and the Communist Party of Cuba (also known as the Popular Socialists' Party of Cuba), Defendants.*

The indictment charges:

1. The defendants are the Communist Party of the Soviet Union, the Communist Party of Poland (also known as the Polish United Workers' Party), the Communist Party of Hungary (also known as the Hungarian Workers' Socialist Party), the Communist Party of Czechoslovakia, the Communist Party of Yugoslavia, the Communist Party of Rumania (also known as the Rumanian Workers' Party), the Algerian Communist Party, the Communist Party of the United States of America, the Communist Party of North Korea (also known as the Korean Party of Labor), the Communist Party of North Vietnam (also known as the Vietnam Workers' Party), and the Communist Party of Cuba (also known as the Popular Socialist Party of Cuba), which with their fellow conspirators, the other 85 national Communist parties, comprise the International Communist Conspiracy, in a joint and several campaign of infiltration, espionage, terror, deceit, murder, theft, kidnapping, and all other forms of revolutionary warfare against the peoples of the Free World including the United States.

2. Since 1917, the International Communist Conspiracy has waged a total war upon all peoples, nations, and religions of the Free World; the International Communist Conspiracy redeclared this war in its Moscow Manifesto, issued December 5, 1960, which called for an intensification of the prosecution of this war. The named defendants were represented at this meeting and reaffirmed this Manifesto when they returned to their national Communist organizations.

3. Pursuant to said Moscow Manifesto of December 5, 1960 the defendants and other members of the International Communist Conspiracy have waged overt and covert war against all peoples and nations of the Free World, and the defendants and other members of the International Communist Conspiracy are confronting the Free World with the desperate alternatives of either surrender via thermonuclear blackmail, capture by encirclement and internal subversion, or destruction by thermonuclear weapons.

4. The defendants and their co-conspirators have already destroyed the independence and freedom of many nations including Byelorussia, Cossackia, Azerbaijan, Turkestan, Ukraine, Georgia, White Ruthenia, Idel-Ural, Kazakstan, Armenia, Yugoslavia, Latvia, Estonia, Lithuania, Poland, Albania, Bulgaria, Rumania, Hungary, East Germany, Czechoslovakia, North Korea, mainland China, North Vietnam and Cuba.

5. The defendants and their co-conspirators have murdered some 5 million Russian peasants or kulaks by artificial famine, 10,000 helpless Polish officers in the Katyn Forest, 20,000,000 Chinese landlords or anti-Maoists, 57,559 helpless prisoners of the North Korean Army including 6,113 captured American soldiers, thousands of helpless prisoners of the Viet Cong Army, over 10,000 Cubans, many innocent persons who accidentally enter Iron Curtain territory like Bible book salesman Newcomb Mott of the U.S.A., and thousands of persons selected for assassination by the Department of Wet Blood Affairs of the K.G.B., without even the pretense of a fair trial or any trial at all.

6. The defendants and their co-conspirators have wrongfully seized and imprisoned millions of innocent persons to serve as slave laborers in the Siberian slave labor camps with the annual number of inmates at these slave labor camps estimated to be 15 million and described by the U.S. House of Representatives Select Committee on Communist Aggression and by the few survivors like Elinor Lipper, John Noble, and Father Walter J. Ciszek, S. J. The deportation of innocent people from their homes to these Siberian slave labor camps included 1,692,000 Poles, over a hundred thousand Hungarians, 200,000 Georgians, hundreds of thousands of Byelorussians and Azerbaijanis, 1,000,000 Kalmuks and Crimean Tartars, 500,000 Checken-In-

gush people, more than a million Ukrainians, and hundreds of thousands of inhabitants of the former Baltic Republics. One hundred and forty thousand Balts were deported to Siberia in one year, namely June, 1940 to June, 1941. In clear violation of international law, Moise Tshombe, a distinguished Negro statesman, was kidnapped over international waters of the Mediterranean Sea by agents of the defendant, the Algerian Communist Party, and taken to Algeria where it is reliably reported that he is dying in prison. In most of these deportation crimes against humanity, the families were broken up and never permitted to see each other again.

7. The defendants and their co-conspirators have persecuted all religions, Orthodox, Protestant, Catholic, Jewish, and Moslem. They have arrested, imprisoned, tortured and executed clergymen of all faiths. They have looted, closed and converted into non-religious structures most of the churches and synagogues. The Ukrainian Catholic Church was particularly persecuted. All members of its hierarchy are in jail or dead. Cardinal Josef Slipyi was a prisoner of the Russian Communists for 18 years and then deported. Defendants have refused to permit Cardinal Stefan Wyszynski of Poland to attend the Vatican Council in 1965 or to attend the World Synod meeting of the Catholic bishops held in Rome in October, 1967. The defendants have kept Cardinal Mindszenty a prisoner in the American Embassy in Budapest, Hungary under day and night guard since November, 1956. The defendants tortured and imprisoned Lutheran Minister Richard Wurmbrand for fourteen years before selling him for ransom. The defendants are responsible for a score of livid scars on the body of the Reverend Wurmbrand including holes burnt into his back by Communist torturers. With reference to the Catholic Church alone, the records of the Pontifical Gregorian University in Rome show that defendants and their co-conspirators have closed 31,779 churches, 3,334 seminaries, and 1,600 convents. Churches and seminaries of other creeds have been similarly taken over and closed by the defendants and their co-conspirators. This persecution of religion continues in 1967. The State University of Scientific Atheism in Alma Ata was officially designated by *Kazakstanskaia Pravda* on March 3, 1967 as "the School of Those Who Will Never Make Peace".

8. The defendants and their co-conspirators have acknowledged no limitations upon the nature of their activities or upon their conduct or upon that of their members, and have openly and repeatedly dedicated themselves to the proposition that all of the present governments of the Free World, including the United States, must ultimately be brought to ruin by any available means, including resort to force and violence. The defendants constitute a clear and continuing danger to the security of the United States. They are the means whereby individuals are seduced into the service of the World Communist Movement, trained to do its bidding, and directed and controlled in the conspiratorial performance of their revolutionary services. They and their co-conspirators are the instruments of a conspiracy to overthrow the governments of the Free World.

9. The leaders of Soviet Russia have announced their intention and capability to destroy the governments of the Free World. "Capitalism . . . wants to bury the Socialist system and we want—not only want but have dug—quite a deep hole, and shall exert efforts to dig this hole deeper and bury the capitalist system forever." Khrushchev, Speech in Moscow at the Plenary Meeting of Communist Parties on June 21, 1963. "You know, they say that in order to destroy your country all one needs is six H-bombs, perhaps nine at the most. I have twelve, all set aside just for you." Khrushchev, as reported by Alberto Rouchey in *Russia in the Thaw*, Norton, p. 161. "The quantity of intercontinental and orbital missiles now at Soviet disposal is perfectly sufficient to finish off once and for all any aggressor or group of aggressors." Leonid Brezhnev speech in Moscow on July 3, 1965. The present leader of the Communist Party of the Soviet Union also stated: ". . . a few years ago the Communist Parties drew the conclusion that the balance of forces in the world arena was steadily changing in favor of socialism. This conclusion has been fully confirmed. . . . The progressive forces are on the offensive. . ."

10. The defendants and their co-conspirators have violated every major agreement made with the Free World, including the Kellogg-Briand Pact of August 27, 1928 renouncing war as an instrument of national policy, the non-aggression pacts they signed with Poland, Finland, Latvia, Lithuania, Estonia, etc., the agreements made at Teheran, Yalta, Potsdam, Panmunjom, and Geneva and the Nuclear Test Ban Treaty of 1963. The United Nations Command states that the defendant Communist Party of North Korea has committed 5,300 violations of the Panmunjom Truce Agreement between July 27, 1953 and November 1, 1966. The defendants and their co-conspirators all practice what Lenin, the modern founder of Communism, taught: "Promises are like pie crusts—made to be broken." The Communist principle that agreements are not binding was restated by Stalin as follows: "Good words àre a mask for concealment of bad deeds. Sincere diplomacy is no more possible than dry water or iron wood." In complete violation of the Roosevelt-Litvinov Agreement of November 16, 1933 in which the Union of Soviet Socialist Republics, in exchange for recognition, agreed to religious liberty in Russia and not to intervene in U.S. affairs, Boris Ponomorev, Chief of the Foreign Section of the Central Committee of the Communist Party, U.S.S.R., wrote a pamphlet in November, 1964 for distribution by the Soviet Embassy in Washington which stated: "The Revolution in the United States has begun"; and in furtherance of this revolution, the defendants are continuing to subvert our youth and to obtain our military and other secrets by theft and bribery.

A true bill.

THE GRAND JURY OF THE WORLD'S CONSCIENCE,
By ——— ———,
Foreman.

[In the Court of Public Opinion, Minnesota Division]

INDICTMENT FOR CRIMES AGAINST HUMANITY

Free People of the World v. *the Communist Party of the Soviet Union, the Communist Party of Poland (also known as the Polish United Workers' Party), the Communist Party of Hungary (also known as the Hungarian Workers' Socialist Party), the Communist Party of Czechoslovakia, the Communist Party of Yugoslavia, the Communist Party of Rumania (also known as the Rumanian Workers' Party), the Algerian Communist Party, the Communist Party of the United States of America, the Communist Party of North Korea (also known as the Korean Party of Labor), the Communist Party of North Vietnam (also known as the Vietnam Workers' Party), and the Communist Party of Cuba (also known as the Popular Socialists' Party of Cuba), defendants.*

To the Comunist Party of the Soviet Union, the Communist Party of North Korea, the Communist Party of North Vietnam and the Communist Party of Cuba c/o the Soviet Union Embassy, 1125 16th Street, NW., Washington, D.C. 20036:

You are hereby summoned to appear before the Court of Public Opinion for the State of Minnesota Division in the City of Minneapolis, Minnesota, on the 18th day of January 1968, at 10 o'clock a.m. to answer to the attached Indictment for Crimes Against Humanity.

Dated November 7, 1967.

——— ———,
Clerk of the Court of Public Opinion.

This summons was served by the undersigned at the Soviet Union Embassy in Washington, D.C., on the 7th day of November, 1967.

——— ———,
Process Server.

"QUEEN MARY" SAILS TO LONG BEACH AND HOME

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HOSMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOSMER. Mr. Speaker, the RMS *Queen Mary* is on her final cruise to her new and permanent home. The enterprising city of Long Beach has bought the ship and will use her as a maritime museum, hotel, convention center, and dignified attraction to the city.

Remarkable in many ways is this final voyage of the *Queen Mary* as she sails from Southampton, England, to Long Beach, Calif., with stops at Lisbon, Las Palmas, Rio, Valparaiso, Callao, Balboa, Acapulco, and home.

She is the largest liner ever to sail around Cape Horn. Her skipper, Capt. J. Treasure Jones, is rounding the Horn for the first time, as well as her crew, and with 1,200 passengers, it is the largest group of people in history ever to sail around the Horn. The *Mary* is the first and the last three stacker to make the trip. And in making the voyage to southern California, she is avoiding the scrap pile.

Most remarkable is that the *Queen Mary* will start a whole new life in Long Beach and will reign on for many years to come.

Remarkable and strange, too, is the fact that Europe's leading astrologist, the late Lady Mabel Fortescue-Harrison, predicted of the *Queen Mary* on the day she was launched in 1934:

> Most of this generation will be gone, including myself when this event occurs, however the *Queen Mary* launched today will know its greatest fame and popularity, when she never sails another mile and never carries another paying passenger . . .

There is no doubt that the *Mary* is the most memorable passenger vessel in all of man's going down to the sea in ships. Over her 31 years of voyaging the oceans of the world she has variously been referred to as the True Queen of the Seas, a state of mind, a triumph of British shipbuilding, a symbol of an era, a gallant fighting lady of World War II with Hitler's $250,000 price on her life, a rampart, the inevitable ship and just about the most beautiful craft afloat.

Perhaps the most memorable words spoken of her, as well as her sister ship, *Elizabeth*, were those of Sir Winston Churchill, who said at war's end:

> They challenged the fury of Hitlerism in the Battle of the Atlantic. At a speed never

before realized in war, they carried over a million men to defend the liberties of civilization.

Those war years were when the *Mary* became a little bit of the United States; for she carried more than three-quarters of a million troops—mostly Yanks—at a clip of a 15,000-man division at a time. Over the years, including those before the war, most of the voyagers aboard the *Mary* have been Yanks, which is why New York Mayor John Lindsay said recently, "You don't have to be English to love the *Queen*."

In a sense, then this queen of the seas is going home—home to a regal resting place in the tranquil waters off the city of Long Beach.

What will this retired queen mean to this city, which has been called the Riviera of the West?

Too costly to operate on the trans-Atlantic run in competition with the jets and too large and expensive to sail as a seasonal cruise ship, the *Queen Mary* is truly behemoth of the seas. From the waterline to the top of her stacks, she towers over 145 feet—a wind-sail factor which caused her severe rolling problems until stabilizers were installed.

When she sailed out of Southampton on May 27, 1936, on her maiden voyage to New York, she was the largest vessel man had ever put to sea—1,019½ feet in length, 118 feet wide and weighing 81,237 tons. Not until the early days of the war when the *Queen Elizabeth* took to the waves were these dimensions topped—then only minutely.

In a way, the *Normandie* was a sliver larger but sea buffs discount any French claims—out of sentimental logic.

Queen Mary was for many years the fleetest of the liners in the Atlantic service. She did not really grab the bone in her teeth until she knifed through the waves at 28-plus knots, never needing a convoy during the war years, and only relinquishing her speed title to a smaller and newer U.S. vessel in the 1950's.

The history of the *Mary* is one of preseverance. Plans for her were drawn up in 1929, construction began in 1930 and then work on her stopped for lack of funds on December 11, 1931. Many people never thought she would be completed. Work began again on April 3, 1934 and she was launched September 26, 1934 from the John Brown shipyard to Clydebank, Scotland.

The teeming wolfpacks of the North Atlantic were never able to touch her even though a fortune and an Iron Cross were offered to the submarine skipper who could sink her.

And that same dogged perseverance continues today as she readies herself to float on intact into history.

The only tragic incident involving the *Mary* occurred off Iceland during the war when she rammed and sank a British light cruiser. Three hundred and thirty-eight British sailors were drowned; for the *Mary's* captain, responsible for the safety of 15,000 troops aboard, could not stop because of lurking German U-boats.

Impressive as the *Mary's* seagoing history is, so too are her statistics. She has 27 public rooms, ranging from dancing salons to gyms, an indoor swimming pool, playrooms, libraries, restaurants, and even a dog hotel complete with hot and cold running water, an exercise deck and a leg-lifting post.

It would take 40 miles of freight cars to carry the weight of the *Mary*. She has 3 acres of deck space for recreation, 6 miles of carpeting, 2,000 port holes, and a theater that can seat 200.

The vessel has four propellers, weighing 35 tons each and extending 20 feet tip to tip. So delicately balanced are these props that they can be turned by a touch of the hand.

Some 10 million rivets hold her together. Her rudder alone weighs as much as the good ship *Mayflower* did—140 tons—and has doors in the sides and ladders inside to permit inspection.

Her two anchors weigh 16 tons each and have nearly 1,000 feet of chain. Each link is 2 feet in length. The forward funnel is 70 feet high, 44 by 33 feet across, large enough for three locomotives abreast to pass through it.

Each time the Cunard Line has painted the *Mary* they have used 30 tons of paint.

The *Mary* can generate enough power to light a city of 150,000 people, has 30,000 electric lights, and 4,000 miles of wiring.

Aboard, there are 500,000 pieces of china, glassware, and silver to serve 10,000 meals daily. The linen supply includes 210,000 towels, 30,000 sheets, 31,000 pillow cases, and 21,000 tablecloths.

The main restaurant contains 16,874 square feet and can accommodate 768 people at one sitting.

Now steaming "home" on this final, remarkable voyage, the *Queen Mary* is truly following her destiny as it was predicted in the stars so many years ago, and was also told in the final quatrain of a poem written especially for the launching of the *Mary* by John Masefield, the late poet laureate of England:

May shipwreck and collision, fog and fire,
Rock, shoal and other evils of the sea,
Be kept from you; and may the heart's desire
Of those who speed your launching come to be.

And it was the desire of her owners that she go to Long Beach.

VIETNAM INSPECTION

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. COWGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. COWGER. Mr. Speaker, on next Thursday, November 16, 1967, the gentleman from Iowa, Congressman FRED SCHWENGEL, and I are leaving on a 12-day inspection of South Vietnam. As Members of Congress, we feel it is most important that we become better acquainted with the situation in Southeast Asia. We intend to study our Nation's commitments and visit with both civilian and military personnel. The U.S. Department of State is making arrangements for us to visit several cities in South Vietnam and to visit Bangkok, Thailand. We have also been invited by the Government of the Republic of China to visit Taiwan. Even though we are going at our own expense, we will be, as Congressmen, inspecting our Government's facilities in Vietnam.

We have been working on our plans for over 3 months now and all arrangements have been made. At the time we planned this trip we had some assurance that Congress would be adjourned before Thanksgiving. It appears now that we will miss some of the business coming to the floor of the House. Therefore, we request unanimous consent from our colleagues to be absent from November 16, 1967, through November 28, 1967. Upon our return we will make a full report to our colleagues in the U.S. House of Representatives.

UNFAIR LABOR STANDARDS

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. DOLE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DOLE. Mr. Speaker, each year during the Christmas season, thousands of unskilled persons are given seasonal employment in the retail industry. These persons, during the months of October, November, and December, have an opportunity to learn a skill that can lead to full-time, year-round employment.

Under the Fair Labor Standards Act of 1938, these seasonal employees must be paid the full minimum wage. This requirement, because of the cost involved, will deny thousands of persons employment across the Nation. The retail industry is swamped during the rush season and would undoubtedly employ as many additional persons as necessary to meet the increased customer load—but the added cost will be a limiting factor.

The bill I am introducing today will allow these retail and service firms to hire, for the rush season only, at a rate of 90 percent of the minimum wage as set by the 1966 amendments.

Mr. Speaker, I urge speedy enactment of this or similar legislation, in order to meet immediate needs. Adoption of this legislation will mean more employment and will benefit the retail trade.

H.R. 13938

A bill to amend the Fair Labor Standards Act of 1938 to provide a special minimum wage rate for seasonal employees of retail or service establishments

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 14 of the Fair Labor Standards Act of 1938 (29 U.S.C. 214) is amended by adding at the end the following new subsection:

"(e) The Secretary shall by regulation provide for the employment of seasonal employees by retail or service establishments during the three-month period in each year beginning on October 1 at a minimum wage rate not less than 90 per centum of the minimum wage applicable under section 6. For purposes of this subsection, the term 'seasonal employees' means employees who were not employed by any retail or service establishment during the nine-month period immediately preceding such three-month period."

(b) The center heading for such section is amended by striking out "AND HANDICAPPED WORKERS" and inserting in lieu thereof "HANDICAPPED WORKERS, AND SEASONAL EMPLOYEES".

OEO AND POLITICAL ACTIVITY

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. GARDNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GARDNER. Mr. Speaker, I know of no one in this body today, or any member of our Education and Labor Committee, who is not deeply concerned about the problems of poverty. We heard the statement made before this body that everyone is concerned about poverty, and I think this is a very true statement. However, there is an honest and basic difference in how we should approach the methods and the effectiveness of being able to eliminate poverty in America.

As a member of the Committee on Education and Labor, I had an opportunity to sit and listen at great length to what I consider was a Broadway production staged by the Office of Economic Opportunity, telling us day after day of the wonderful merits of this program. But during these very long weeks of hearings we heard very few people who came before this committee to testify as to the faults in this program. And yet I know throughout America in each city there are many people who have seen firsthand the ineffectiveness of the OEO and the OEO employees.

I think it is quite legitimate as we come before this body that we do have debate today to discuss the pros and cons of the best method that we can possibly have to eliminate poverty throughout America.

We have heard many discussions already today—and I will not dwell on them any more. I only wish to talk quite briefly about an area that I am very deeply concerned about, and that is the political activities that are now so deeply entrenched in our poverty program.

It was said just recently by my colleague in the well that we have spent over $4 billion in the war on poverty. I say that too much of this money and too much of the time spent by the Office of Economic Opportunity has been politically motivated and politically thought out by those in Washington. I can list city after city where massive voter registration drives have been conducted for some time: Durham, N.C.; Houston, Tex.; Cincinnati, Ohio; Memphis, Tenn.; Syracuse, N.Y.; Gary, Ind.; Atlanta, Ga.; Reading, Pa.; and the list goes on and on and on. And when I speak of voter registration drives, let me give this body an example of what happened in Durham, N.C.

An antipoverty agency in Durham, through three of its employees, spent over 3 months copying the registration books in the city of Durham. They went out in a nonpartisan election and carried people to the polling places to register. They then carried them back on election day, and provided them with marked ballots telling them exactly which candidates to vote for. In this city election, this nonpartisan election of the city of Durham, N.C., in an election that the mayor won by a 2-to-1 majority, these precincts in which the OEO workers were deeply involved carried for the opposite number by as much as 10 to 1.

I feel—and I have never had anyone to be able to convince me otherwise—that massive voter registration programs will in no way help the poor or bring up their level of living. I think everyone in this House knows that we have many honorable groups who are making a major effort to impress on every American citizen that they have a right and a responsibility to participate in local governments, the junior chambers of commerce, and many, many other agencies that spend many long hours trying to get people to go out to register and to vote. But I think we tread on very thin ice, and we are setting a very dangerous precedent, when we have a Federal agency, sponsored by the American taxpayers' dollar, out conducting massive voter registration drives.

In the city of Houston, Tex., it has been told that OEO agencies there have registered over 50,000 voters. And I would only point out to this House that if we had another national election like 1960, the Office of Economic Opportunity could very easily control the political destiny of America.

This brings me to another very dangerous precedent that I think the Office of Economic Opportunity and the war on poverty has been engaged in, and this is massive protest movements and picketing that employees financed by the American taxpayer have been doing in far too many cases. I have brought here today stacks of material that came out of newspapers, not only in North Carolina, but throughout every section of America, and I would only take a brief time to read you a few.

This is from the Baltimore paper: "Top U.S. Official Backs VISTA Group Picketing."

It says:

> George Lord, National Field Representative of Volunteers in Service to America said VISTA workers in Baltimore broke no rules in organizing a picket against a citizen and taxpayer.

One of our own Members of Congress, speaking in California, was heckled and interrupted numerous times during a speech by OEO employees.

In Pittsburgh, Pa., we find OEO employees staging a massive downtown demonstration that disrupted business and traffic.

We go back again to VISTA and we find the regional director, James Cox, in Austin, Tex., said:

> VISTA volunteers here can participate in marches and demonstrations.

We go back again to Houston and find testimony by the Houston police chief, who testified riot attempts by OEO employees had been attempted and set a dangerous precedent.

Again I quote from a letter I received on November 3, 1967, from two members of the Newark, N.J., City Council.

I am quoting certain parts and I will put the entire letter in the RECORD.

> The United Community Corporation took a public stand against the proposed medical center in the City of Newark after conducting two surveys . . . which showed that the people wanted the center.

They also went into descriptions of how the area board of UCC demonstrated in picketing against a local grocery store, and that because of this, this man was forced to go out of business.

The letter I referred to follows:

NEWARK MUNICIPAL COUNCIL,
Newark, N.J., November 3, 1967.

Hon. JAMES C. GARDNER,
Longworth Building,
Washington, D.C.

DEAR CONGRESSMAN GARDNER: If what happened within the Poverty Program of the City of Newark in relation to political activities is similar in other cities and communities across this nation, then it is imperative that amendments to prohibit political action by O.E.O. formed agencies and its employees be enacted.

1. Many militant individuals have used the Poverty Program in the City of Newark to further their own political ambitions and foment unrest. James Kennedy who is a Community Researcher of Area Board 2 of the United Community Corporation called a mass meeting in front of the Fourth Precinct Police Headquarters after he was advised that such a meeting could set off trouble in the City of Newark. He disregarded the advice. The meeting was held on July 13, 1967 and the riots ensued. All printed matter subsequent to this event was printed by his poverty board. Mr. Kennedy's statements were on television and can be verified through C.B.S., Channel 2.

2. Kenneth Gibson, a Vice President of the United Community Corporation, used the Poverty Program as a means of obtaining political projection and then ran for Mayor of the City of Newark on a so-called negro ticket with the help of Poverty Program officials.

3. George C. Richardson, a very active Trustee of the Poverty Program, used the program as a means of obtaining projection and ran for Councilman in the Central Ward in the City of Newark. Mr. Richardson who opposed the creation of a medical center in the City of Newark fought the City Administration again using Poverty Program staff and distribution. Mr. Richardson is presently running for Assembly in the state of New Jersey and is using the Poverty staff to mimeograph his campaign literature.

4. Earl Harris, a member of the Trustee Board and presently Co-Chairman of the Personnel Committee of the United Community Corporation, ran for Councilman in the City of Newark and used the Poverty Program as a means of projection and used the printing facilities of Area Board 3 to print literature.

5. William Payne, a member of the Board of Trustees and the Poverty Program, used the program to gain projection and ran for Councilman in the City of Newark.

6. The United Community Corporation took a public stand against the proposed medical center in the City of Newark after

conducting two surveys (using the Poverty Program staff) which showed that the people wanted the center. They used the mimeograph equipment to circularize the community and try to incite the people to protest the medical center. When this failed, they brought people in from New York City and other communities to load the hearing room and protest the center. On the attempted appointment of a new Secretary to the Board of Education, they used the mimeograph machine to cause social unrest in the City of Newark.

7. The U. C. C. voted to grant amnesty to all those arrested during the riots in Newark.

8. U. C. C. through its Legal Aid Program supplied lawyers free to defend the rioters.

9. The U. C. C. staff has involved itself in every business action taken by the Council, example K–9 Corps, rent control.

10. Area Board 3 of the U. C. C. is dominated by Students for Democratic Society. They decided a local grocery store merchant was overcharging his customers and they picketed him out of business. Ironically, at the same time eight negroes lost their employment and many people who depended upon this merchant for credit lost their source of help.

11. Area Board 3 has gone out of its way to provide any and all welfare information to prospective welfare clients to aid them in getting every possible dime "due them." They encourage welfare.

12. Area Board 3 has set up a Corporative Food Program to compete against the same grocery stores in the neighborhood which ironically are now primarily negro operated.

13. Small business administrations under the Poverty Program sent individuals around; to help the merchants. Instead, they tried to organize the merchants at a $10.00 membership charge contrary to O. E. O. intent. Thurmand Smith was the paid staff man involved.

13. Play Street Program has been accused of sending children to camps that have Communist ties. Funds were cut off by O. E. O. for this aspect of the Play Street Program this summer, apparently for this reason.

If you desire any further information or personal presentation, we will be happy to appear in Washington.

Cordially,

LEE BERNSTEIN,
Councilman, South Ward.
FRANK ADDONIZIO,
Councilman, West Ward.

I go again to our committee report, prepared by the majority and minority investigators, who went in, and on section 5 they said:

> Whatever the intention, the facts concerning the role of UCC personnel in publicizing and organizing a "Police Brutality Mass Rally" at #4 precinct the evening of July 13th did significantly contribute to the volatile climate which prevailed.

I have a copy, before us today, of the literature that was passed out by poverty workers, printed at poverty headquarters, which says:

> STOP! POLICE BRUTALITY
>
> Come out and join us at the Mass Rally Tonite at 7:30 p.m., 4th Precinct, Located on 17th Avenue and Livingston Street.

From this mass rally the riots in Newark, N.J., were sparked and started.

At the appropriate time, I plan to introduce amendments I feel are absolutely necessary if we are to remove poverty workers in the future from voter registration, from picketing, and protesting, areas I feel they have absolutely no business in. I hope by doing this we will be able to help redirect this program so the people living in the poverty areas will be able to better their conditions.

ADMINISTRATION ENDORSES A "SOAK THE POOR" POLICY

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CURTIS. Mr. Speaker, I am inserting in the RECORD some remarks I had prepared criticizing the Johnson administration for endorsing a Senate Finance Committee plan to increase the payroll tax about $6 billion above the increases set out in the House-passed social security bill.

In the meantime the Senate Finance Committee—if not the Johnson administration—has backtracked to a considerable degree. However, I think some of the reasons for abandoning the payroll tax increase plan should be set out in the RECORD. Accordingly, I am placing in the RECORD these remarks that I originally had prepared:

TEXT OF PREPARED REMARKS

It is ironic that the same Administration that launched the so-called "war on poverty" now is endorsing a plan which would soak the poor.

No other conclusion can be drawn from HEW Under Secretary Cohen's endorsement of the Social Security bill reportedly approved by the Senate Finance Committee last week. Secretary Cohen is reported to have called the bill "excellent" and "a great job." This endorsement came in spite of the fact that the Senate bill differs substantially from the Administration's original proposals as well as from the House bill, which the Administration had earlier approved.

The benefits under the Senate bill would be increased $5.1 billion in 1968, or nearly 70 percent more than under the House bill, and about 20 percent more than the President's original proposal. The payroll tax increase would also be higher—about $6 billion, or roughly three times greater than provided in the House bill, and substantially in excess of the President's original recommendation for new financing in 1968.

Why the change of heart by the Administration? Why the apparent endorsement of a bill that would provide for a massive increase in the most regressive tax we have—an increase that would go as high as $150 a year for the worker earning $8,800? Even in 1966, as Joseph Pechman of the Brookings Institution has pointed out, the Federal payroll tax was the highest tax paid by at least 25 percent of the nation's income recipients and $350 million was paid by persons officially classified as living below the poverty level.

The answer seems to be that the Administration hopes to get its tax increase via the social security route instead of through the now-dead 10 percent tax surcharge. The Chairman of the Senate Finance Committee said as much following the Committee's action last week. If this is the Administration's intention, it is bad public policy on several grounds.

First, it would not be anti-inflationary. In fact, it might even increase inflationary pressures. The poor—including the 1.4 million that President Johnson promised to lift out of poverty through this legislation—ultimately would suffer the most. Not only would many of the poor be required to pay higher taxes, but they also are least able to protect themselves against inflation.

The benefit increases provided under the Senate bill would almost completely wipe out any anti-inflationary impact of the payroll tax increase. The tax increase would hit those taxpayers who save a portion of their incomes and thus help dampen inflationary pressures. At the same time, those who would receive higher benefits under the bill are the social security recipients who save little or none of their income.

The bill would also contribute to the pressures for higher wages—perhaps our most serious economic problem today—by reducing disposable income of a large segment of the American public. It would also raise business payroll costs directly and thus add to current pressures on profit margins and the temptation by business to increase prices. Whatever one might say about the Senate bill, it cannot be maintained that it would reduce inflationary pressures. The outlook is for price increases of about 4 percent next year in any event, or a reduction of about 25 percent in the purchasing power of the benefit increases approved by the Senate Committee.

Second, the Senate bill is also bad public policy because it is unjust to ask moderate and low-income taxpayers to carry the burden of fighting inflation. The average worker has already been hard-hit by higher taxes, shorter workweeks, and higher prices. The purchasing power of the average worker's weekly paycheck was actually lower this September than it was in September 1966. These are the same individuals who have also been hard-hit by the Administration's high interest rate policy that has sent rates on mortgages to more than 40-year highs.

Third, the Senate bill is also undesirable because the social security system is an inefficient and inequitable device for stabilizing the economy. Social security benefits should be voted on their merits, and the payroll tax should be adjusted to maintain a sound and secure system. The social security system is already required to play a welfare role, for which it was not designed. It is too much to expect that we can maintain a healthy system if it is also required to serve as an economic stabilizer.

Mr. Speaker, if the social security bill is sent to the Senate floor, with the provisions reported in the press, I hope the Administration will reverse the endorsement made by Secretary Cohen. The bill would soak low and moderate income taxpayers without having any anti-inflationary impact. By increasing pressure for wage increases and further squeezing profit margins, it could even add to price pressures. The chief victims, as is always the case, would be the unprotected poor.

OBSERVATIONS ON MY RHODESIAN VISIT

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. UTT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. UTT. Mr. Speaker, a constituent of mine, the Honorable E. Richard Barnes, 78th District assemblyman, representing part of San Diego County, Calif., and a retired Navy captain, recently returned from a tour which included a thousand miles by automobile through Rhodesia, South Africa.

I believe his observations are most interesting, in view of his extensive background, and serve to illustrate that the Honorable Ian Smith is not the black-hearted slavemaster that he is characterized to be by our State Department.

Mr. Speaker, I include his comments to be printed following herewith in the RECORD:

Observations on My Rhodesian Visit

(By Hon. E. Richard Barnes)

I found it necessary to cut short by three weeks my around-the-world trip due to the special session of the California Legislature called by Governor Reagan for 6 November 1967. This necessitated a choice as to my itinerary: "Should I omit my visit to Rhodesia or drop the European portion of the schedule completely?" My wife and I chose to visit Rhodesia, and we are very pleased that we did. We have spent six wonderful days here, traveling by auto through about 1,000 miles of countryside, villages, and the capital city of Salisbury.

We have been really thrilled with our visit to this young vigorous nation. It is a land where the sky is high and wide, natural resources bountiful, the economy dynamic, the people open, friendly and enthusiastic. On all sides there is every evidence of an orderly, peaceful, prosperous program for all Rhodesians, both black and white.

The overseas media which has engaged in painting a distorted picture of Rhodesia as a grim, tense, explosive police state has, by my own observation, perpetrated a massive fraud! Nothing could be further from the truth. The government has placed 413 agitators, bomb throwers and terrorists into detention (the number as of now). I can attest that terror and fear are not known. City streets and country roads, day time or at night, are used by friendly, happy people of both races with absolutely no evidence of fear or trepidation. The white policeman and the African constable with a total of less than 6,000 are very little in evidence, yet you see here an orderly, law-abiding nation of nearly five million people.

I have noted a total absence of racial discrimination in public places. Mrs. Barnes and I, staying in an excellent modern hotel in Salisbury, the Ambassador, found that both white and black hotel guests were living peaceably together in the same hotel. The same is true of restaurants, movie houses and other public facilities.

We attended, as visitors, a session of the 60-member Rhodesian Parliament and found 15 duly elected African members sitting in that legislative body.

Highlighting everything else was my visit with Rhodesia's Prime Minister, the Hon. Ian Smith, a man of quiet dignity, keen mind, deep conviction and complete dedication to the basic fundamentals of Freedom with Responsibility, Justice and Fair Play for all. He and his associates in leadership whom I met, such as His Excellency Mr. C. DuPont, the officer administering the government, Lord Graham, Minister of External Affairs and Defense, and the Hon. I. Lardner-Burk, Minister of Justice, Law and Order, are the outstanding type of statesmen of whom any nation could be proud. They have a clear, factual understanding of their country, its people, economy and situation in relation to the grotesque external pressures being used against them.

They have no intention of permitting Rhodesia to be bulldozed into the cauldron of chaos, murder, rape, bloodshed and tyrannical disaster visited upon other parts of Africa to the north. And something else which is true which the world needs to know is that the 4½ million black African Rhodesians, as well as the 250,000 white African Rhodesians are irrevocably united behind Mr. Smith and the present government. In talking with many, many Rhodesians, both white and black, I found these observations and attitudes everywhere I went.

As an example I cite my visit to the home and headquarters of one of the very great Africans of Rhodesia, Chief Mzumuni Masuku. He is located some 65 miles back country from Bulawayo. Here you have an African leader of great dignity, wisdom and ability. A big man both physically and in leadership qualities, he is Vice-President of the Rhodesian Council of Chiefs of 16 to 20 members. This highest council is chosen by the 600 man Council of Chiefs representing the 4½ million blacks. He speaks quietly but with authority. He and his people are utterly dedicated to law and order, to Rhodesia and its future. They abhor what has happened up north, and they so hate the terrorists and guerrillas who try to sneak into Rhodesia that they track them down and report them as fast as they come across. It can truthfully be said, "There is no place for a terrorist to hide."

Chief Masuku has had two foreign tours with groups of Chiefs. They visited Middle East, Europe, Pakistan and India. While in Europe they met the Pope in Rome, but were refused audience by Prime Minister Wilson in London. They were given a brief interview with Lord Bottomly which treatment Chief Masuku said was resented by the Chiefs. We asked if he would still like to meet Mr. Wilson. He shrugged his shoulders and said, "No thank you, I'm not interested." Chief Masuku's wife is a wonderfully gracious person to meet. She is an active leader of women's activities and has traveled abroad as a delegate to the world convention of women meeting in London.

The following are some quotes from Chief Masuku who speaks excellent English and needs no interpreter:

"Everything is now fine under Mr. Smith."

"We are happy and have peace and progress and no trouble."

"We have little need for police; we expect each man in our tribe to be his own policeman, to be responsible and police himself."

"Through the tribal council system, the chiefs are closer to the people than the African M.P.s in Parliament."

Here I should insert that the High Council of Chiefs is consulted by the Smith government and great weight is given to their advice.

We asked him what the Chiefs thought of Prime Minister Smith. He drew up to his great height (he weighs 280 pounds and looks to be seven feet tall) and with beaming countenance he said, "We like Mr. Smith. He is a real man; he speaks the truth and he keeps his word. He is a great leader."

Chief Masuku showed us the Council House he and his people had built for the Chiefs, and one of the 16 schools in his territory. He hoped to develop more schools especially secondary academic and trade schools. He went on to say in regard to roads, dams, irrigation, etc., "The government should help the tribes in all this, *but after the tribes help themselves*. In this way it will mean more to my people, and they keep their own pride."

I asked him what message I should take back to America from him. He immediately replied, "We are good friends to America. We need America; we want to trade and be friends! America is a big powerful country; we are small, but proud of Rhodesia. This is our land; it is a good land. Do not throw us away like you did that good man, Moise Tshombe of Katanga." (N.B.—This phrase "do not throw us away" has special meaning in African parlance. It has a family connotation, like a son appealing to his father: "Do not throw me away", meaning "Do not turn me out.")

His comments on some other African states and leaders:

Kenneth Kaunda (Zambia): "Nothing but trouble."

Hastings Banda: "The only man."

Moise Tshombe: "A great man."

Congo: "Don't make us like the Congo."

South Africa: "We like South Africa."

And so I leave Rhodesia, laying no claim to being an authority. However, after 40 years in public service, and especially with 20 years in the U.S. Navy, serving in many lands around the world, I believe I can make a fair appraisal and can ascertain the truth.

Rhodesia is the spearhead of sanity and order in an Africa which to the north is torn with irrationality, chaos and wide open to Communist manipulation, and Communist takeover. The time has come for western leaders to betray our enemies for a change not our friends.

PRIVATE GROUPS ARE CONCERNED WITH THE NEED TO ENCOURAGE NEGRO BUSINESSMEN IN BIG CITY SLUMS

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. STEIGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. STEIGER of Wisconsin. Mr. Speaker, fortunately, private groups in our society have been aware of the need for encouraging Negro businessmen in big city slums. I would like to call your attention to the fine attention paid to the subject of encouraging Negro entrepreneurship by the U.S. Chamber of Commerce. In the report published by its Task Force on Economic Growth and Opportunity, entitled "The Disadvantaged Poor," the chamber devotes a chapter to the subject of encouraging Negro small businessmen. I think it would be well for my colleagues to carefully read these remarks:

The Disadvantaged Poor: Education and Employment

NEEDED: ENCOURAGING ENTREPRENEURSHIP

Self-employment—entrepreneurship—must be encouraged among minority Americans. As Nathan Glazer and Daniel P. Moynihan point out, ". . . business is in America the most effective form of social mobility for those who meet prejudice."

For example, the largest American minority group, the Negro, has few Negro-owned businesses in proportion to the total Negro population. Philadelphia, with a 30 percent Negro population and a long tradition of Negro business, had only 4,242 Negro businesses in 1964 or 9 percent of the city's total businesses. And of these more than 4,000 businesses, only 13 were manufacturing concerns. The story is repeated in cities throughout the country. As Dr. Wilford White notes in his paper for the Task Force:

"During the past 50 years or so, Negroes have made lasting contributions in other lines of endeavor; relatively few have chosen business as a means of developing their talents."

The relative absence of Negro businessmen has a negative influence on the Negro American community and the nation. Successful entrepreneurship in the United States is highly regarded and well rewarded. Entrepreneurship in a competitive economy demands and develops energy, initiative, ambition, intelligence, judgment and other qualities. Through successful businesses, people acquire wealth and power as rewards for their contributions. With power, people can act more effectively within the framework of institutions and laws to pursue their interests. But without Negro businessmen, the Negro American community is deprived of a vital source of legitimate power. It deprives the Negro community of an essential symbol of full participation in American life. It blunts motivation. The nation as a whole loses the potential product of Negro entrepreneurs. And the relative absence of business motivation and participation among the Negro American community means that a large segment of our population fails to understand the free enterprise system.

Ingredients that contribute to the making of businessmen are missing for many Negro Americans. A home environment favorable to business and entrepreneurship is always desirable. But for many Negroes, either there is no adult male in the home or the father has no knowledge of business. The high schools of the nation are woefully weak in their training of entrepreneurship. By and large, entrepreneurship is left to the individual student. Few Negro institutions of higher learning have business schools or their equivalent. Many that do emphasize office management, the secretarial sciences, and bookkeeping. In fact, most institutions of higher learning in the country offering business courses provide sound, practical education for entry into big business, but little or no encouragement for entrepreneurship. In terms of parental influence and education the Negro America, for the most part, has less opportunity than the white American to acquire the interest and motivation to become self-employed.

Much can be done to improve the opportunity for Negro Americans to enter the business world as entrepreneurs. To compensate for the lack of family business background, communities should develop effective business courses in high schools and public junior colleges. Local businessmen can cooperate in this by offering to speak before student groups, suggesting course content, opening their doors so that students can see business enterprise at first hand, and taking a general interest in "selling" entrepreneurship in a free market economy.

Colleges and universities could improve their business curriculum. First, more attention could be given to courses in small business management and entrepreneurship at the undergraduate and graduate levels. Second, programs in administrative management could be designed for the owners of smaller business firms.[1] Third, colleges and universities, with the help of private and public grants, could make studies determining the availability of the general market to Negro entrepreneurs in given communities. Not enough is known about market potentials for small Negro enterprises. Getting better information on this subject is most important. According to Dr. White, Negro consumers now buy from places of business owned by non-Negroes. The availability of non-Negro markets for Negro businesses must be determined. Such research could avoid the possibility of "overselling" private business to Negroes and raising expectations beyond reality. This is particularly important if government programs, such as Title IV of the Economic Opportunity Act, are expanded to encourage increasing numbers of Negroes to go into business. Excessive failures due to market limitations could set back any progress that such programs could make to encourage Negro entrepreneurship.

Special programs for small business loans are needed. Negroes, while able to obtain consumer and mortgage financing, have trouble finding commercial financing.

Private and government programs to extend credit at reasonable rates to Negro businessmen should be established. Loan programs could be complemented by effective efforts to provide management education and guidance. Not to do so invites business failures and waste of money, and creates discouragement and loss of incentives for loan recipients. Here again, the local businessman is uniquely qualified to help. An example of such help is the counseling program carried out by the Interracial Council for Business Opportunity. This wholly private venture, although new, has programs in several cities where about 900 successful businessmen help between 1,200 and 1,500 small businessmen each year by advising about management. Counseling includes help in merchandising, purchasing, bookkeeping and the gamut of other skills needed for successful business ventures. Another example is the program being conducted by the Small Business Administration under Title V of the Economic Opportunity Act. Here again, efforts are made to enlist successful businessmen to advise small businessmen who are loan recipients.

RECOMMENDATION

It is to the advantage of the minority community and the nation as a whole for a greater proportion of minority groups to seek entrepreneurship and self-employment in business as a career objective. To help achieve this, high schools, junior colleges and institutions of higher learning should offer business courses oriented toward entrepreneurship and management of small business. Studies ought to be made to determine the availability of the general consumer market to Negro businessmen. Special loan programs coupled with management counselling should be offered by both public and private agencies. Successful businessmen could help by supporting improved educational programs in small business management and by serving as counselors to small businessmen who need management training.

Based upon this report, one of the major committees of the national chamber has adopted a statement encouraging businessmen, chambers of commerce, and trade and professional associations to learn more about efforts to develop entrepreneurial expertise and opportunity among minority groups. Further, they urge that their local businessmen cooperate with local efforts to develop Negro entrepreneurship.

One excellent example of what private sources are doing to aid Negro businessmen is represented by the Interracial Council for Business Opportunity. The ICBO is a nonprofit organization made up of prominent white and Negro businessmen who are dedicated to helping develop a Negro business community and thereby, improving relations between white and Negro businessmen. It addresses itself to three major problems:

First. The lack of understanding of the profit motive in the Negro community.

Second. The lack of business practice know-how.

Third. Of the difficulty Negro businessmen encounter in obtaining credit.

Rodman Rockefeller, Dorr Shary, Harvey Russell and many other prominent people lead the ICBO. The organization is now established in four cities, New York, Newark, Los Angeles, and Washington, D.C. Four hundred volunteer businessmen act as consultants to provide free professional assistance to struggling Negro businessmen. The ICBO has developed high school and college level seminars, has helped arrange small business loans for its clients from private and Government sources and established a private fund to assist Negro college students who are seeking career opportunities in business. Recently, the ICBO received a grant from OEO to develop a program called ACT which will have the specific purpose of developing associations of commerce and trade among selected minority business groups. I believe that further efforts of this type should be encouraged and I am dismayed that the SBA and our present Administration have not seen the value of developing a strong Negro business community to help alleviate our urban problems.

I am sure my colleagues will be interested in reading excerpts from the annual report of the ICBO which describes the work they are undertaking:

THE CHALLENGE

To help establish a dynamic and forceful Negro business community leadership in our major population centers.

New York City, with a Negro population of about 1,100,000, has only about a dozen Negro-owned or managed enterprises employing as many as ten persons . . . . The total number of permanent residents of Newark is approximately 400,000, of which more than half are Negroes. There are 12,172 licensed businesses in Newark. A little over 10 percent are Negro-owned . . . . In Los Angeles it has been estimated that there are 600,000 Negroes. Of the total of 131,039 licensed businesses in that city, an almost invisible fraction is owned by the most visible minority, principally in ghetto areas. . . . Some 810,000 people live in Washington, D.C., with non-white citizens now a majority of 63 percent. Yet, of 11,775 businesses in our nation's capital, Negroes own not more than 1,500, or less than 13 percent.

Nationally, the same imbalance of economic opportunity persists everywhere. Recent Department of Labor statistics show that, of the three million self-employed persons in the United States, only 70,000, or less than three percent, are non-white.

Failure of the most vigorous economy the world has ever known to make room for Negro business-ownership is today more pronounced than ever.

According to a Fortune article on the Negro Middle Class (November, 1966) ". . . from 1950 to 1960, there was actually a decline of one-fifth in Negro ownership and operation of business enterprises." And Negroes are starting to slip behind even in the limited business areas in which they have been traditionally engaged. For example, during the decade that ended in 1960, the number of minority-owned restaurants and other eating places declined by one-third. Negro-owned hotels and motels have lost a sizable portion of their clientele. In cosmetic manufacturing, too, Negro firms are losing ground to larger companies which have invaded the field and are producing for the general market.

Two hard facts emerge:

1. Over the years, Negroes have had only the most negligible opportunity to take part in the American economic revolution.

2. Despite some encouraging progress in the advancement of human rights, the Negro with ambitions to succeed in business on his

---

[1] Since the early 1950's, a growing number of colleges and universities, with the cooperation of the Small Business Administration, Distributive Education (DHEW) and the National Council for Small Business Management Development, have offered such programs. However, the number of schools that have interested themselves in this type of adult program for small business is still small. (White, in his paper printed elsewhere in this report.)

own continues to struggle against odds far more formidable than those facing white entrepreneurs.

In the turbulent months of 1967, a third hard truth became evident in the United States: *Violent upheavals will be less likely to occur in communities where the stabilizing influence of a successful Negro business class exists.*

THE NEED

To motivate and expand opportunities for Negro business ownership.

In most American towns and cities, businessmen are community leaders. This is not true in the Negro community. Until now, the Negro small businessman has lacked status among his neighbors. Too often he is seen struggling marginally to make a living. In these circumstances, he becomes a symbol of frustration and hopelessness rather than an example of achievement. As a result, business itself has been downgraded in the eyes of the community with little or no attraction for young people, and Negro parents are likely to discourage their children from pursuing business careers, particularly as entrepreneurs.

In this way, a negative psychology has been created. Very simply, if you are consistently blocked off from participating in a way of life . . . such as that of business enterprise . . . you eventually lose faith in it . . . incentive is eroded and the drive toward energetic participation in commerce drops off. Hence, it should come as no surprise that, with relatively few exceptions, Negroes feel they have a much better chance to move ahead in the arts, sciences and professions than in business.

The Interracial Council was founded with the conviction that, by denying each other, both the Negro community and the American business community are losing a great deal. We believe that the time has come to open up for one-tenth of our national population the opportunity, motivation, and training to compete successfully in the marketplace. To be sure, new employment openings are important, but this is not enough. A strong, stable middle-class in the Negro community must include Negro ownership of business—to begin with, small business.

THE ANSWER

Voluntary assistance in the form of business education, professional counsel, and the development of capital and credit for the Negro businessman.

The Interracial Council for Business Opportunity was formed on October 30, 1963, by a group of New York business and professional people, white and Negro, under the sponsorship of the Urban League of Greater New York and the Metropolitan Council of the American Jewish Congress.

From the beginning, ICBO has had one end in view: to help break through what the Washington Daily News has called "the invisible wall which often blocks (Negroes') entry into the world of business enterprise."

Since 1963, we have founded Local Councils in four cities. Our original pioneering effort has broken new ground, developing a highly-specialized educational and management counseling program. We are now assisting hundreds of minority-group businessmen and women each year and look forward to serving a great many more. Progress has not always come easily. It has taken patience and inventiveness on the part of our volunteer educators and business consultants—and for every client, courage, persistence, and the will to learn.

We know that our program has only started. Here, as we move into ICBO's fourth year, is a brief accounting of advances achieved in 1966 and a projection of the work still to be done.

EDUCATIONAL COUNSELING AND EMPLOYMENT

Many of the prospective businessmen who come to the ICBO have had little or no training in commerce. Special business seminars are proving helpful to many of our clients, but we are also engaged in longer-range planning. The Interracial Council believes that, if a Negro business community is to develop and flourish, training must start earlier at the high school and college levels. This is the background for our move in August, 1966, to sponsor a Harlem branch of the national Junior Achievement organization. Junior Achievement exposes high school students to the atmosphere of business. The students set up their own companies, elect officers, sell stock, manufacture and market a product. ICBO organized student recruiting, secured the office space, provided the operating funds, and has worked with JA to set up two companies at the Harlem Center: J.A.-Tex and Soul Crafts. Forty students have taken part in the current project with upward of 200 expected next year. The *Amsterdam News* described Junior Achievement in Harlem as a "major step," while the New York *Daily News* commented: "It is hard to imagine a better method of starting a lot of bright Negro youngsters on the road to profitably satisfying careers."

Our adult seminar program has been expanded and now provides an extensive curriculum. Since our last report, ICBO councils in four cities have held more than 85 seminars and workshop sessions attended by over 300 clients. These range from down-to-earth instruction in accounting procedures, marketing, tax requirements, and credit criteria, to insurance needs, legal matters, public and customer relations. Among the outstanding new courses introduced in New York last year, for example, were the "Advertising in Action" workshop conducted by the advertising firm of Handman & Sklar, Inc., and seminars in franchising, and on the Fashion Industry. In all ICBO seminars, clients receive specific answers to their individual business problems, and have a chance to discuss these problems with their fellow students under the professional guidance of their instructors.

CONSULTANTS TO SMALL BUSINESS

When a client first comes to an ICBO office, he may be faced with any one of a dozen problems ranging from pricing policies to inventory control. A beginner may not have clearly in mind the sort of enterprise he hopes to launch. He may be going into the wrong business, or the right business in the wrong way (purchasing new equipment, for instance, instead of leasing it). If he lacks experience, it will probably be suggested that he attend ICBO seminars in his field. In any event, an unsentimental, informed appraisal of his chances to succeed must be made by the consulting panel.

Whether the client is a newcomer or already operating a business, an ICBO panel of specialists evaluates his enterprise *in depth*. The counseling group will nearly always include a white or Negro businessman who has made good in the same field. But the ICBO formula for counseling does not stop here. Should a man or woman want to open a dress shop, for example, there will not only be a successful dress shop owner on the panel, but also in many cases an accountant, insurance executive, a lawyer, and if need be, a real estate broker, public relations specialist, or marketing expert. Frequently the consulting team will hold a number of weekly two-hour sessions with the client to explore all areas of his business . . . his accounts, pricing, inventory, approach to sales promotion, etc. This approach brings to bear the creative energy of many specialists on a single project. At the same time, continuity is assured by having the originally-assigned volunteer consultant maintain close contact with the client through the entire period of assistance.

Through this method, ICBO clients obtain counsel and assistance free of charge from the equivalent of a management consulting firm. The service, we believe, is unique in the field of non-profit counseling in that our volunteer specialists are able to offer practical guidance at no charge for almost any type of small business.

BANKING AND CREDIT

Is the minority businessman a "bankable" risk by conventional credit standards? Sometimes, but with depressing frequency the answer turns out to be no. The ICBO experience has established that obtaining funds for clients remains one of the most crucial problems for the Interracial Council. As one ICBO consultant observed: "All the excellent management advice in the world cannot put a businessman in business without money."

During 1966, our affiliates in every city reported difficulty in this regard. In Washington, D.C., where operations were just getting underway, results were negligible. ICBO clients in Newark received loans totaling $20,000; in New York, $105,700; in Los Angeles, $223,100. But considerably greater amounts were needed by other clients—and were not obtainable.

No other problem has engaged the energies of ICBO national and local board members more intensively. Our representatives have been in close touch with the banking community and a growing number of banking executives have become members of ICBO, some of whom have been elected to our boards of directors.

It seems apparent that there may be more than one answer to Negro businessmen's needs for commercial loans: possibly selective relaxation of credit standards, guarantees of loans by private individuals, and the ICBO Fund which we hope will be a major innovation to help spearhead the changes so desperately needed in the traditional pattern of the established financial community's relationship with the Negro businessman.

Many months of hard work have resulted in the development of a unique lending program supported by commercial banking institutions, the ICBO, and a new lending system. The hub of this system will be the ICBO Fund, which is in the process of being established. The fund will be a non-profit entity with the sole purpose of guaranteeing in part loans made by the cooperating commercial banks to Negro businessmen.

The key to this program is that it will enable the ICBO to combine credit with business counseling. Our purpose is to create sound bank loans and to enhance the effectiveness of our consultant services by providing clients with opportunities for financing, without which they cannot derive optimum benefit from ICBO services. An essential aim of this program is to develop a personal, direct, and normal relationship between the lending bank and the borrower. The Fund's assets are to be derived from tax deductible contributions. We are grateful to the Ellis L. Phillips Foundation for making it possible to initiate this Fund with its grant of $50,000 in capital and $15,000 for operating expenses over a three year period. The pilot Fund will be available for minority businessmen in New York City. Hopefully it will serve as a prototype which can be duplicated in other ICBO cities. It may well be that this project will, in due course, establish a new relationship between the Negro business community and the commercial banks of the nation.

POVERTY WARRIORS AND COMMUNITY DISRUPTION

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. AYRES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to

the request of the gentleman from Michigan?

There was no objection.

Mr. AYRES. Mr. Speaker, I received the following letter today and thought it would be of interest to the Members:

Hon. WILLIAM AYRES,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN AYRES: My name is Paul H. Rittle. I am president of Rittle-Rosfeld Company, a real estate and insurance firm on the North Side of the city of Pittsburgh, Pennsylvania, specializing in property management. Last year I served as President of the Greater Pittsburgh Board of Realtors, and I have been active in civic and community betterment for over two decades.

I am addressing you because I would like to enumerate the experiences I have encountered with the local functionaries of the Office of Economic Opportunity, the local Community Action Program, and other persons or organizations supported entirely or partially by federal tax funds. These experiences go back over the past year, and today, my business continues to be harassed in one manner or another by personnel working under O.E.O. direction.

I therefore ask of you the opportunity to be heard, as I am prepared to testify, under oath, regarding the extent to which United States tax-funded or tax-supported agencies and instrumentalities are being used to foment disrespect for the law, contribute to neighborhood unrest, and pursue a course of conduct which I cannot feel is sanctioned by the Congress which enacted legislation governing their activities.

I am prepared to introduce documentary evidence of my allegations, including photographs, identifying O.E.O. functionaries engaged in these dubious activities, circulars prepared and distributed through local O.E.O. or C.A.P. offices, which have the effect of fomenting civil disobedience and appearing to incite disorder by mass demonstration and protest.

In October of 1966, a group of demonstrators picketed my place of business on at least seven occasions, among whom were Richard Ridenour and Barbara Gilbert, both of whom were assistant coordinators of the Community Action Program. These demonstrators assembled in the nearby Community Action Program Office, where they stored picket signs, stacked in full view, and bearing such provocative statements as "Rich Landlords—Poor Homes"—"This Is The Man"—"Slumlords Traffic in Human Misery"—"Would Rittle Live Here?"—all calculated to hold me in contempt and odium among the general public, as well as my office and the profession to which I am dedicated. Pickets were seen assembling and leaving this local office, as well as another nearby Community Action Office, on several occasions, thus leaving the inescapable conclusion that an agency of the federal government was being used as a staging area to create mass demonstrations and to harass and defame an individual businessman, his office, and his colleagues. It was necessary, on each occasion of the demonstrations, to request police protection to prevent outbreaks of disorder, as well as protect our clients and office personnel.

In August of 1967, another incident occurred, when about twenty to thirty youths, again under the direction of Mr. Ridenour, who is now the coordinator of the Community Action Program in this area, (Salary at $17,000.00 per annum) stormed into my place of business, during business hours, and proceeded to shout, employing abusive language and uttering threats, again to the distress of my office staff, with the distinct possibility of fomenting a disorder in the neighborhood. After two requests to leave, they continued to block the front of the office, and after a third and direct appeal to Mr. Ridenour, they refused to leave until a call was made to the Mayor's Office and the City Solicitor, at which time Mr. Ridenour was summoned to the phone and was apparently requested or directed to leave the office, together with his employees. These same youths were being used under the Summer Youth Mobilization Program, under the guise of taking a poverty census, to approach tenants throughout the area citing alleged housing violations, and instructing them to pay their rent into a newly legislated Rent Withholding Fund, in many cases, prior to any recorded violations from either the County Health Department or the Building Inspection Department of the City of Pittsburgh.

Congressman Ayres, I certainly am not opposed to legitimate federal programs to alleviate poverty, even though it is my own belief that the present program is a monstrous fraud. I submit when tax funds are being used by local O.E.O. functionaries for purposes which presumably were never sanctioned by the Congress in setting up these programs, that the citizens have every right to demand redress of grievances from their Congress, and should further insist that an immediate investigation be made as to the extent to which local O.E.O. funds in the intricate and interlocking poverty programs contribute to neighborhood unrest and threats to civil disorder. I fail to understand why my tax money, and that of my associates in the real estate industry in Pittsburgh, as well as my clients, can be legitimately used to foster an assault against our very own business by people and organizations who appear to have no sincere interest in truly ameliorating the plight of the poor people, and who in most instances are inexperienced and seem disposed only to indiscriminate programs of provocation of unrest among heretofore peaceful neighborhoods. I fail to understand why we must continue to endure these continuous assaults on our property, our employees, and even our own mental anguish, where we are constantly at the mercy of radical agitators wherever and whenever their whim so dictates. I cannot believe that it was intended that the tax-supported O.E.O. programs envisioned handbills, pamphlets, or brochures which were patently partisan and which attacked those who legitimately opposed certain governmental programs, and which conversely acted as a mouthpiece for legislation which they favored? This comes pretty close to paid government propaganda.

In sum, I respectfully request an opportunity to appear before your committee or a constituent group thereof, in order that I may present documentary evidence of what I have alleged in this communication. I do not believe an investigation of O.E.O. involvement in local civil disorder would be complete without a detailed account of our experiences in Pittsburgh.

Respectfully yours,

PAUL H. RITTLE,
President.

A TOAST TO THE ENEMY

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. DUNCAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DUNCAN. Mr. Speaker, last night I visited a family of a deceased serviceman from my congressional district prior to his burial at Arlington National Cemetery today. This serviceman, T. Sgt. James C. Krause of Lenoir City, Tenn., was killed when his plane was shot down over North Vietnam by antiaircraft weapons. On my way home from the mortuary I heard on the radio news that three more American planes were shot down yesterday over North Vietnam.

After reaching my home I was shocked to read in the newspaper the message of heartfelt best wishes which the President of our country and our Commander in Chief of our Armed Forces had sent to the Soviet Union in connection with the 50th anniversary of the creation of the Soviet Government. I was also tremendously shocked to see a picture of our Secretary of State drinking a vodka toast to the Government of Soviet Russia.

I wonder how our young men who are fighting and dying in the jungles of Vietnam will react to such best wishes to the enemy, the same enemy who just announced recently a sharp increase in aid to North Vietnam. Russia continues to pour huge amounts of material into Vietnam. Must we condone the fact that Russia is in this war up to her neck? They are supplying, among other things, antiaircraft guns, machineguns, missiles, radar detection equipment, and rifles which are killing American boys in Vietnam. When our own Government sends best wishes and drinks toasts to the enemy how can we expect the American people to realize the seriousness of the war in Vietnam and Russia's involvement? It is a disgrace and an insult to every American fighting man.

ECONOMIC OPPORTUNITY ACT AMENDMENTS

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, it is unfortunate that while the House is debating the Economic Opportunity Act, commonly called the poverty bill, the New York Times should launch a disgraceful and unjustified attack on our colleagues, Congressmen GOODELL and QUIE, who are respected Members of the House.

In its lead editorial of Tuesday, November 7, the New York Times attacked Representatives GOODELL and QUIE for offering crippling amendments and in seeking political advantage in a situation that all Members of both sides of the aisle consider one of deep concern—that is, the presence of poverty in our affluent society.

It is especially distressing because for many years the New York Times has been loud in its criticism of the Republican Party for not offering constructive alternatives which in fact we have done and are doing with increasing regularity. Now, we find that when we do offer these alternatives, we are viciously criticized for attempting to cripple a program which almost everyone agrees can stand a lot of improvement. It is little wonder that meaningful debate is all but dead in this country. To the extent that it is, the New York Times surely qualifies as one of the principal pallbearers.

A constituent of mine sent me the editorial from the Times, expressing his approbation. I enclose the editorial and my answer to my constituent, together with those portions of my two biweekly reports which I called to his attention.

Mr. Speaker, I know that I speak for all Members of this House who resent unjustified criticism of our respected colleagues, Congressmen CHARLES GOODELL and Congressman ALBERT QUIE. In point of fact, 90 percent of my heavy mail on this subject refers to "crippling amendments"—the 10-percent cash donations are—offered and adopted by members of the majority—Democratic—party.

The material referred to follows:

[From the New York Times, Nov. 7, 1967]

WHOSE "OPPORTUNITY CRUSADE"

"Tragically weak . . . reckless waste . . . ineffective." The words ring forth in the statements of Representative Ford of Michigan, the House Republican leader, as he denounces the antipoverty program.

It is strange that Congressmen who would not dare break faith with cotton and tobacco farmers over price supports or with the Rivers and Harbors Congress over a navigation project have no compunction over breaking faith with the nation's poor.

Because of Congressional irresponsibility, the work of the Office of Economic Opportunity has been seriously disorganized. Projects are stopped and started, funds slashed arbitrarily, hopes raised and then dashed. The agency's employes are becoming demoralized and its politically feeble clients—the unorganized poor—are increasingly disheartened. It is a shameless performance.

Because Congress has not acted on this year's appropriation and has allowed the temporary continuing resolution to expire, OEO has had to cut off the $30 a month paid to each Job Corps member. The 4,000 VISTA volunteers are deprived of their pittance of $50 a month. Community action programs that run day-care centers for working mothers and provide legal and health services have folded. The Head Start program for pre-school youngsters cannot be made into a year-round program. The Follow Through program which was intended to capitalize on the achievement of Head Start now looks like a budgetary casualty.

Bitterness and socal unrest in the urban ghettos and the rural slums can be the only consequences. Those who are guilty of this planned disaster are Representative Ford, his senior Republican colleagues in the House, and their allies, the reactionary Southern Democrats. They are guilty of killing the continuing resolution that is shutting down antipoverty programs across the country as funds run out. They are guilty of the political guerrilla warfare against the antipoverty program which is now underway in the House.

Representatives Goodell of New York and Quie of Minnesota, the principal Republican spokesmen on the antipoverty bill, insist they are all for the aims of the program but just want to improve it. But their voting record makes their substitute "Opportunity Crusade bill" look suspect.

In every year since the antipoverty program started in 1964, Messers Goodell and Quie have voted against final passage, for recommittal, and for every crippling amendment. The weight of their influence is not to improve or strengthen the program. They are willing to kill it but not accept the responsibility. The "opportunity" they are seeking is their own political advantage. It takes a lot of gall to vote against the poor and then call it a "crusade," but many a gentleman in Congress is brave when it comes to defeating the defenseless.

DEAR MR. ———: If the editorial from the New York Times which you sent me speaks for you I want to make it clear that you and I are in total disagreement.

That editorial from the New York Times is one of the most shocking and discouraging editorials that I have read and, as you know, coming from New Hampshire, I have read some beauts.

There isn't one person in the United States House of Representatives that questions the sincerity and integrity of Congressman Charles Goodell of New York and Albert Quie of Minnesota. They are dedicated and hardworking Congressmen. They are deeply concerned about the problems of the poor and the problems of our country. They have an unquestioned record for developing constructive alternatives and creating the proper atmosphere for meaningful debate.

People like you and the New York Times should be ashamed of yourselves. You are quick to criticize Republicans for not suggesting constructive alternatives and then when we do you say that we arc playing politics and that our alternatives are simply to "cripple."

You undoubtedly do not read my reports, but I do ask you to read excerpts from two of my recent biweekly reports in which I quote Mr. Moynihan. It appears that you and the New York Times are behind the times and I suggest that you ponder Mr. Moynihan's suggestions.

Sincerely yours,
JAMES C. CLEVELAND,
Member of Congress.

EXCERPTS FROM CONGRESSMAN CLEVELAND'S REPORT NO. 19

FROM A LIBERAL: A SIGNIFICANT CONFESSION

One of the most significant statements that I have recently read was made by Daniel P. Moynihan, of M.I.T., a noted liberal. Speaking to a convention of the Americans for Democratic Action on September 23, Moynihan stated bluntly, and I quote: "Liberals must divest themselves of the notion that the nation, especially the cities of the nation, can be run from agencies in Washington." Moynihan went on to tell his audience of liberals that they must "see more clearly that their essential interest is in the stability of the social order, and that given the present threats to that stability, it is necessary to seek out and make much more effective alliances with political conservatives who share that concern, and who recognize that unyielding rigidity is just as much a threat to the continuity of things as is an anarchic desire for change." Mr. Moynihan was even kind enough to chide his liberal colleagues for having been "too long prisoners of the rhetoric that Republicans don't know anything about the social problems of the Nation, or in any event don't really care."

AT LONG LAST: MEANINGFUL DEBATE?

The reason these remarks are so significant, is they may pave the way here in Washington, and indeed throughout the nation, for some true debate and some meaningful discussion about our social problems. One of my chief disappointments during the past five years has been the lack of real debate and meaningful discussion. On issue after issue when the minority party has come forth with constructive alternatives and carefully documented minority views, they have been almost totally unreported and brushed aside with charges of negativism, obstructionism, etc. Hopefully, we can now debate our problems in a constructive and meaningful manner, and get on with the job of solving them.

EXCERPTS FROM CONGRESSMAN CLEVELAND'S WASHINGTON REPORT NO. 21

PROGRESS REPORT

In my Washington Report No. 19 I commented on what I consider to be a significant confession by a noted liberal, Daniel P. Moynihan, of M.I.T. I quoted his remarks that "liberals must divest themselves of the notion that the nation, especially the cities of the nation, can be run from agencies in Washington." He also warned liberals that they have been "too long prisoners of the rhetoric that Republicans don't know anything about the social problems of the Nation, or in any event don't really care." My reason for feeling these remarks were important was my hope they would pave the way for honest debate and that our questions, suggestions, and alternative proposals would not be brushed aside and ignored simply because Republicans made them. There is now some evidence that my hopes were well founded.

WFBG, ALTOONA, FAVORS COMPENSATION FOR CRIME VICTIMS

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SCHWEIKER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SCHWEIKER. Mr. Speaker, an important television and radio broadcaster in Pennsylvania, WFBG, of Altoona, has recently gone on record as favoring compensation for innocent victims of violent crimes.

In a persuasive editorial aired on both television and radio October 11 and 14, the station has called attention to the "forgotten man in our society, the innocent, law-abiding citizen who becomes the victim of crime."

WFBG wisely urges that while efforts must be made to prevent crime and rehabilitate those convicted of offenses, more should be done by society for those who suffer injuries, medical expense and loss of income due to crime.

I was honored, Mr. Speaker, that WFBG mentioned in its editorial my recent bill, H.R. 13208, which would set up a Federal Violent Crimes Compensation Commission. I include in the RECORD at this point the text of the editorial:

HEY, WHAT ABOUT ME?

We believe in rehabilitating the law violator . . . especially if he's a young one. We know the money, time and effort to put him back on the right track are well spent. We know if we don't rehabilitate him, we'll pay for his support in jail . . . on and off . . . for the rest of his life, and that he'll be a threat to society while he is free. So, we're all for backing every effort to restore him to useful citizenship.

But we're also among those who are getting just a bit fed up with the concentration on the criminal, while we ignore the innocent citizen he victimizes.

We're beginning to hear the protests of, "Hey . . . what about *me?*"

"Who's going to reimburse *me?*" What does he mean, reimburse? It depends. But included are costly medical care, lost earnings, the family that loses its breadwinner through some criminal act of violence. While society houses, feeds, and attempts to rehabilitate the guilty, no one provides for the innocent.

That's why we are in favor of legislation introduced last month by Congressman Dick Schweiker of Pennsylvania's 13th District. His bill provides for up to $25,000 compensation to the victims of violent crime. This particular bill applies only to crimes committed in the District of Columbia and Federal installations, but would serve as a model for states to set up their own compensation plans for crime victims.

In our concentration upon the prevention of crime, and our efforts to turn the criminal from the error of his ways, we have ignored the plight of the "forgotten man" in our society . . . the innocent, law-abiding citizen who becomes the victim of crime.

Isn't it about time to pay some attention to *his* needs?

FRANCIS VANDEVEER KUGHLER AND THE ARTS AND HUMANITIES

Mr. VANDER JAGT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Kupferman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, Francis Vandeveer Kughler, a president of the Salmagundi Club, an outstanding group interested in the arts and humanities in my district, testified on August 15, 1967, before the Special Subcommittee on Arts and Humanities of the Senate Committee on Labor and Public Welfare of the United States, 90th Congress, first session, on S. 2061 to amend the National Foundation on the Arts and the Humanities Act of 1965.

His testimony appears at page 455 of the hearings.

I am pleased to bring his testimony to the attention of my colleagues, because it presents for consideration some sage advice on the program.

The testimony follows:

Prepared Statement of Francis Vandeveer Kughler, American Portrait Painter and Muralist, New York, N.Y.

(Note.—The following statement was submitted by Francis Vandeveer Kughler, American portrait painter and muralist. Mr. Kughler was President of the Salmagundi Club of New York City, the oldest professional art club in the world, from 1964 to 1966. From 1951 to 1954 he was President of the Artists Fellowship, Inc. During his Presidency of the Salmagundi Club, Mr. Kughler headed the United States Navy's Civilian Art Program (NACAL). His work is represented in museums here and abroad. In 1954 he was commissioned to paint fourteen large murals for the Institute of Government, Knapp Building, at the University of North Carolina. He has been commissioned by the Associated Press to paint portraits of their war correspondents killed in action. Mr. Kughler is also a member of the National Arts Club, and has judged art shows throughout the country. He is President of the Hotel Des Artistes, at which he has his studio.)

I would like to thank this Committee and its Chairman, Senator Claiborne Pell, for this opportunity to express my views on this matter of vital national interest.

May I state, first of all, that the case for today's traditional artist has been made most ably by the Council of American Art Societies and by its spokesmen, Michael Werboff and Frank C. Wright. The Council of American Art Societies is a most reputable group which speaks for a great many artists. I know from experience that this is so, for about five years ago I was asked to be an officer of their organization but had to decline because of my duties as President of the Salmagundi Club.

For this record I speak only for myself, although I believe that thousands of artists and many art collectors, museum directors, and a vast majority of the general public share my views.

It is indeed a worthy cause to encourage artists to attain their highest expression. It is, therefore, one that demands the most serious consideration. Many mature artists, as well as young ones, are sorely in need of assistance. Who should get that assistance is naturally a bone of contention. To get to the root of the fundamental problems which you must face, I would like to first go into certain aspects which must concern every artist in a visual medium from the very beginning of his career. It is only by understanding these that one can go into the practical aspects of the grants, themselves.

It has been said that much of the so called "modern art" today is disordered in character because it expressed a disordered state of the world. It is certainly obvious to this distinguished group that disorder and chaos in art is never an expression of anything.

Art is essentially the highest expression of the senses. For that very reason, every art work, no matter what field, must essentially combine both order and sensual quality. Neither can be absent in any fine art expression.

It should be noted that the basic conflict in visual art, over the generations, comes not from transient and superficial causes, but from the elemental fact that each artist must decide technically, what degree of form or light he will express on his canvas. What the painter knows from the experience of his tactile sense and what he sees with his eyes, are continually in conflict. An artist, therefore, must be soundly grounded to deal with this fundamental problem. He must know the elements of his technique just as every writer must know the alphabet. A young artist who hopes to attain a shortcut to success by following the popular mode of the moment is without the background of knowledge to crystallize his own personal vision. He is committing intellectual suicide.

Sincerity and knowledge is absolutely essential to the creation of fine art. Getting rich quick by pandering to the fashion of the moment has become the keynote of our times. This attitude is fostered by individuals and organizations concerned primarily with promoting what is commercial, and, therefore, profitable.

The National Endowment of the Arts has, since its inception two years ago, had a program of grants to encourage artists in various fields.

It is my understanding that $300,000 is being allocated in the field of graphic arts, in the form of sixty $5,000 grants. These, I believe, are being given to encourage promising painters and sculptors who are in need of financial support to continue working in their particular field. It is also my further understanding that the great majority of the money allocated is going to so-called "modern artists" rather than representational artists.

One of the reasons given for the disproportion in the amount is that modern art is what is being shown and sold in the New York art galleries. It is, therefore, the field that more young artists want to go into. The National Endowment may feel that, because of this, it should consider giving grants to artists who are interested in a field which will be commercially profitable, as the artist matures. If this is the case then it is tantamount to saying that the Government should support what is most commercial and not what is most artistic. It is making the market place the arbiter for what is art and the Government the funnel through which money and encouragement may be poured to perpetuate that marketplace. This, even though the public may not agree with the commodity being sold and despite the fact that time may well prove that commodity to be of little lasting importance. That the painting an artist produces will be saleable should never be the reason for Federal funds to be given as a grant. Only the true worth of the artist should determine this, and judges who represent all areas of the art world should be the arbiters of what grants to give, to whom.

It is, therefore, my contention that the greatest of care should be taken in the selection of judges to see that they truly represent a cross-section of sincere art.

Certainly I see no reason that so called modern artists should not be represented. Only do I ask that representational artists receive the same consideration.

At the present time three judges have the task of deciding who shall be the recipients of sixty grants. This is a large order for such a small panel. It is my feeling that the number of judges should be increased to five and also that established professional artists of realistic visual approach, be well represented on the jury.

I further recommend that the National Endowment of the Arts advertise and publicize its grants in all established art societies and groups. These may be found listed in such books as Who's Who In Art. In this way the greatest number of artists, of all persuasions, will be made aware of these grants and have an opportunity to apply for them.

These grants should not be allowed to become the personal property of a small group of men with fixed ideas as to what constitutes fine art. This is the very way to throttle free expression.

In many ways the intellectual security of a nation can be threatened by a controlled or subsidized art. Giving grants to what happens to be momentarily popular to art dealers is insidious government intervention in the true flow of a nation's art spirit. It encourages the artist to compromise his art principles and stifles the initiative of men who are soundly oriented to the enduring in their field of endeavor.

Mr. Michael Werboff, who is an artist of outstanding integrity and accomplishment, should be complimented on taking the public stand that he has, for the benefit of the arts. Let me assure this Committee that there are thousands of other working artists who feel as he, and I, do, about the art principle. Many millions of the art loving and buying public share these same feelings despite high pressure salesmanship and exploitation of the wierd and the unsound.

Let us not mistake eccentricity for originality. Representational art may seem to some to be "old fashioned" because it has been around for a long time. But, it is in good company. Things that stand the test of time are those that are nobly inspired and motivated, and their worth recognized by the generations.

May I thank this Committee again for the honor it has bestowed on me in allowing me to appear before them to express my views on art.

THE THOMASITE TEACHERS IN THE PHILIPPINES

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. Jones] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. JONES of Alabama. Mr. Speaker, this year marks the 66th anniversary of the arrival of the Thomasite teachers in the Philippines. These teachers were in their day precursors of today's Peace Corps.

To those pioneer teachers who left the security of their home shores to embark on a teaching mission of great uncertainty, this Nation and the present-day Republic of the Philippines owe a debt of gratitude.

These brave teachers established the initial foundation for public education which has helped the Philippines become a bastion for democratic government and ideas in the often turbulent South Pacific area. The history of the Thomasite teachers is an interesting example of the worthwhile efforts of our Nation to help others in an earlier day.

At the close of hostilities ending the Spanish-American War, American military authorities laid the groundwork for a public school system in the Philippine Islands.

Under Spanish rule the education system of the Philippines provided training only for a privileged elite and was conducted in the Spanish language. This was changed as the American military authorities moved into the Philippine Islands.

Within 3 weeks of the American occupation, seven large schools in Manila were opened with instruction being provided by American soldiers who had previous teaching experience.

Enlargement of this program of public instruction was an immediate goal of the American Government and the professional American civilian schoolteachers were sought to supply the instruction. With the full support of President William McKinley, an education bill for the Philippines was passed by the Congress as Act No. 74 of the 56th Congress, January 21, 1901. The role of the special Civil Service Commission to carry out the provisions of the act were:

> It will be the duty of the Commission to promote, and as they find occasion, to improve the system of instruction already inaugurated by the military authorities. In doing this, they should regard as of first importance the extension of a system of primary education which shall be free for all and which shall tend to fit the people for duties of citizenship and for the ordinary avocation of a civilized community. This instruction should be given, in the first instance, in every part of the islands in the language of the people. In view of the great number of languages spoken by the different tribes, it is especially important to the prosperity of the islands that a common medium of communication be established and it is obviously desirable that this medium should be the English language.

In carrying out this act, 508 young American teachers were selected by a national competition to establish the new public school system in the Philippine Islands. This group sailed for Manila on July 23, 1901, aboard the U.S. Army transport ship named the *Thomas*. This group became known in the Philippines as the Thomasites and they are still remembered today by that name.

A month later, on August 23, 1901, they arrived in Manila Bay. They soon departed for their posts in cities and villages scattered throughout the Philippine Islands.

The young Thomasite teachers faced many problems in their new life in a tropical country so different from previous experience on the American mainland. Health and medical care were primary problems. Many succumbed to malaria and other tropical diseases and several are buried in the old South Cemetery near Manila.

The Thomasites went into many places where there had been no previous schools or school buildings. They had to rely on their own resources in locating or constructing a suitable schoolhouse and in going about the many community development activities which are associated today with the work of the Peace Corps in underdeveloped areas.

Their activities, much to the surprise and often to the dismay of the natives who thought educated persons should not labor, ranged from the rudiments of family and community sanitation, nutrition and gardening, construction, athletic activities and, of course, teaching school. The teaching itself was to be considered a full-time job by many.

Classes were held for primary grades 5 hours a day, Monday through Friday, and adult education classes were held an hour and a half a day 3 days a week. The Thomasites found it necessary to improvise and prepare their own textbooks and teaching needs.

They succeeded in their endeavors to an extent far greater than was hoped for. The Filipinos had long been divided by use of 87 dialects of their Malayo-Polynesian languages. As a direct result of the Thomasite endeavors in English instruction and in establishing a broad-based public education system, the Filipinos are not united with English as the official language of the Government and the common language of a broad range of social groups.

The Thomasites left behind a heritage of good will which is still kept alive. General Romulo, Secretary of Education and contemporaneously president of the University of the Philippines, the oldest and most important state university in the Philippines and a leader among universities in East Asia, has written:

> The American school teachers joined with us in creating the literature, the knowledge, the self-confidence, and devotion to democracy on which it was possible to establish our Republic.

In an article entitled "From the *Thomas* to Santo Tomas," a Thomasite student, a former Secretary of Education, Dr. Cecilio Putong, wrote of this accumulation of good will for the Thomasites:

> I consider the development of the ideals of democracy, and of high regard for democratic institutions as the best contribution of the early American teachers to Philippine education.

Mr. Pilar Hidalgo Lim, president of Centro Escolar University at Manila, and a veteran social worker, wrote of the Thomasite teachers:

> They carried out the implementation of English language all over the Islands so that the Filipinos could understand each other in spite of all the many dialects.

A former president of the Philippine Federation of Women's Clubs, Mrs. Concepcion M. Henares, wrote the following of the Thomasites:

> They popularized education, which is no longer a privilege of the rich.

A former Associate Justice of the Philippine Supreme Court, the Honorable Alejo Labrador, wrote of the Thomasites:

> They made the school attractive to the students.

The last known surviving member of the original group of 508 Thomasite teachers is Mr. Henry H. Balch, of 512 Eustis Avenue, SE., Huntsville, Ala.

Mr. Balch has pointed out that the work of the Thomasites, like the work of today's Peace Corps volunteers, is also an exercise in international diplomacy. In a letter to the American Embassy in Manila Mr. Balch wrote:

> The Filipinos opposed United States assuming control of the Philippines at the end of Spanish rule in 1898, and fought us bitterly. The Thomasite teachers did much to heal that serious breach between Filipinos and Americans. As we ponder now over Vietnam, it may be well to know that in the end the Filipinos were our friends—not our enemies.

On his arrival in the Philippines, Mr. Balch was assigned to teach mathematics and English at Lucena, Quezon—then Tayabas—Province in southern Luzon, serving also on occasions as substitute music teacher and choir conductor. Among his former students were former Philippine Chief Justice Ricardo Paras, and Mrs. Paz M. Benitez, who recalls that one day toward the end of World War II when she and her family were camped out in a tent, an American Army officer, Capt. Jackson Balch, searched her out on the instructions of his father. The old Thomasite teacher had asked his son to see if there was anything that could be done for his former pupils.

Henry H. Balch will be 91 years old on January 6, 1968. He joined the U.S. Foreign Service in 1913 after 12 years of teaching in the Philippines. He served his country with distinction. In the Philippines and in Foreign Service posts throughout the world he was abroad for more than 40 years. He retired from the Foreign Service after achieving the rank of consul general.

He is dedicated to the memory of the Thomasites and to the spirit which they expressed in service to their native country, as well as to the foreign land to which they were assigned. One of his most treasured possessions today is the original log of the transport Thomas which carried the Thomasites to the Philippines.

Mr. Speaker, I have submitted, for appropriate reference, a resolution to extend the greetings of the U.S. House of Representatives to the Congress of the Philippines in commemoration of the 66th anniversary of the arrival of the Thomasite teachers in the Philippines.

MICRONESIA: THE FORGOTTEN ISLANDS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Bingham] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BINGHAM. Mr. Speaker, on May 24 of this year, I called for congressional action to determine the wishes of the Micronesian people as to the future political status of their islands. At that time I introduced House Joint Resolution 594 to set up a nine-member Commission which would, within 1 year, make a full and complete investigation and study of the ways in which we could best ascertain the views of the Micronesian islanders on their own political status. On July 17, the Micronesian Senate formally approved my resolution and urged its adoption by the U.S. Congress.

I was delighted when Senator Fong, who had already introduced his own resolution dealing with the future relationship of a number of our territorial possessions to the United States, welcomed my approach to this problem. Subsequently, on July 18 the majority leader of the Senate introduced Senate Joint Resolution 96 to create a 15-member Commission for the same purpose.

In a message to the Congress on August 21, the President gave renewed recognition to our obligation to foster the economic, social, and educational advancement of the inhabitants of the trust territory and to promote their development toward self-government and independence. Pointing out that in 1966 the Micronesian Congress had asked the President to create a commission for study of the island's future status, President Johnson submitted a joint resolution to the Congress for creation of a 17-member Commission to study and assess all factors bearing on the future of the trust territory. Under the terms of the President's resolution, the Commission is directed to submit its recommendations to the President and Congress on ways to provide for the free expression of the Micronesians' views on their political future.

I feel strongly that the attention we are now focusing on the Micronesian Islands is overdue. Our mandate stems from the strategic trusteeship agreement executed between the United States and the United Nations in 1947, and, as Senator Mansfield very candidly admitted in a floor speech introducing his resolution, "the American record of administration has not been a good one." Although we were charged with heavy responsibilities for the welfare and progress of these islanders, we did little more at first than maintain the status quo. During the 1960's, we have significantly improved our efforts to promote the advancement of the islanders; and just this year Congress approved the administration's request for a 100-percent increase in authorization from $17.5 million to $35 million.

Recently, Robert Trumbull of the New York Times has written a series of articles summarizing his observations on the situation in Micronesia after several visits to the islands. These articles clearly portray the many problems to be overcome in moving toward self-determination for the Micronesians and also underline the urgent need for beginning what is bound to be a long process.

The articles follow:

Micronesia: 2,141 Islands Forgotten by the United States

(By Robert Trumbull)

Saipan, Marianas Islands.—Leaders among the more than 90,000 Micronesians under United States rule are demonstrating growing disenchantment with the American administration of the United Nations trusteeship.

Peace Corps workers and other Americans—officials as well as visitors—also voice concern at the conditions they find in the great belt of islands in the mid-Pacific.

"Volunteers fresh out of school arrive out here believing in the American dream of the good life and are shocked to find that the dream is far from reality in the Trust Territory," said James Schmitt of Aurora, Ind., director of the Peace Corps in the Palau district of the Western Caroline Islands.

Many in the islands have also expressed fears that stringent economies ordered by President Johnson in all Federal Departments are jeopardizing long-awaited improvement projects and many dissipate the more hopeful atmosphere induced by the appearance of a new High Commissioner, William R. Norwood of Honolulu, and the infusion of hundreds of eager young Peace Corps volunteers.

President Johnson has also urged that a plebiscite be held by 1972 to determine the island's future, and he is supporting legislation to establish a preparatory commission, the Congress of Micronesia. A legislature with limited powers has set up its own study group in the question despite a widespread conviction among islanders that 1972 is far too early for a vote on whether to be associated with the United States or to be independent.

Americans and Micronesians, interviewed in a month-long tour of 4,000 miles to more than two dozen islands in all six administrative districts of the far-flung Trust Territory, believe that there has been too little concern in the United States for an area considered vital to national security.

Older Micronesians compare the United States administration unfavorably with the prewar Japanese rule. "This is not the American Government that I observed and studied in the United States," said Amata Kabua, the political leader of the Marshall Islands. He was educated in Hawaii and is a member of the Congress of Micronesia.

Micronesia means "small islands." There are 2,141 of them, flecks of green in an azure sea, in a broad belt about 2,400 miles from east to west and more than 1,000 miles northward from the Equator.

Dotting an ocean expanse as big as the continental United States, they add up to only 700 square miles of land, about half the area of Rhode Island. Only 96 are inhabited permanently.

MOST ISLES ARE ATOLLS

Some, like nearly all the Marshall Islands, are typical atolls: flat, sandy outcroppings, covered with palm trees, atop a ring of coral where a volcanic crater, it is believed, has sunk beneath the sea. On most of them, a boy standing on the beach with a baseball bat could hit a fly ball to the opposite shore.

In contrast, the high islands of the Marianas and the Caroline archipelagoes rise a thousand feet or more in volcanic peaks cloaked with dense rain forests.

The islands have been held in turn by Spain, Germany, Japan and the United States. Much of the area was a scene of crucial action in the Pacific phase of World War II.

USED FOR ATOM TESTS

In 1947, at the request of the United States, the United Nations designated Micronesia a strategic trusteeship, the only one in the world.

This means that the administering power is entitled to use the islands for military purposes. The United States has exercised the right with nuclear tests at Bikini and current antimissile operations at Kwajalein, both atolls in the Marshall Islands.

The Central Intelligence Agency used part of Saipan Island from 1953 to 1962 to train Chinese Nationalist guerrillas. The well-built administrative and housing structures, on a secluded height now called Capitol Hill, became Trust Territory headquarters when the agency departed.

In contrast, the district administrative centers, at Saipan for the Marianas, Koror and Yap for the Western Carolines, Truk and Ponape for the Eastern Carolines and Majuro for the Marshall Islands, present depressing vistas of rusting Quonset huts and other dilapidated buildings of corrugated metal, abandoned by the armed forces as they left the scene many years ago.

"The most beautiful scrap heap in the world," said Michael Malm of Rochester, N.Y., an official recently arrived at Koror, in describing his initial reaction to the ramshackle tin towns that disfigure some of the most spectacular island landscape on earth.

American officials acknowledge that another major blotch on the record is the lack of roads, attributed to budget limitations.

"With few exceptions," said Secretary of the Interior Stewart L. Udall, whose department is responsible for the islands, "roads in the Trust Territory are generally deplorable, yet our essential programs of education, health and economic development are clearly dependent upon an adequate road system."

Engineers in the Trust Territory have estimated that the cost of resurfacing major roads would be recouped every four years in the saving on vehicle maintenance and replacement.

SEA TRANSPORT SPARSE

In the Yap Islands, usually described as primitive because most villagers prefer their traditional loin cloths or grass skirts to western garb, the rural roads are among the best in the Trust Territory, because the Yapese maintain them themselves with equipment borrowed from the Government.

Sea transportation, in islands dependent upon ships, is so sparse that the Congress of Micronesia petitioned the Government this year to invite a Japanese line to serve the area.

Movements of private commercial ships that run errands for the Trust Territory Government, in return for a subsidy, are heavily influenced by the hard economic necessity of loading and unloading as quickly as possible in island ports. Health services are at the mercy of schedules for loading copra, the dried coconut meat—used in making soap that is Micronesia's principal export.

"The dentists who serve the islands from ships have time only for extractions," said Robert Law, assistant district administrator of the Marshall Islands and a retired naval officer. "Many teeth could have been saved if there had been more time."

Pending a new airline contract now under negotiation, plane travel in the Trust Territory is limited to two DC–4 propeller-driven planes of World War II vintage and two SA–16 Albatross amphibians. The SA–16's are kept in service because only a few of the islands have usable landing strips. Under the Japanese, the area was dotted with military air bases. These have been allowed to revert to jungle.

A German Protestant missionary who was once a pilot in the Luftwaffe plans to institute what may become an airborne medical service.

The Rev. Edmund Kalau, pastor of the Lutheran mission at Yap, is awaiting the delivery of a six-passenger Cessna with a 1,300-mile range that can land and take off on short airstrips. He plans to use it for medical work in the isolated outer islands of the Yap district.

Such private efforts are helpful, but the main problem is money.

Congress had never appropriated more than about $6-million a year until the Kennedy Administration in 1961 authorized $17.5-million. Under President Johnson the figure was increased to $35-million.

But Congress has never appropriated the authorized amount, nor has it funded an Administration program for spending $172-million on capital improvements—roads and other permanent construction—over a five-year period that was to start this year.

The appropriation for the current fiscal year was held to $23.1-million, and President Johnson's freeze order on new construction and hiring in all Federal departments has affected about $8-million of the total budget—"an absolute disaster for planning," said Deputy High Commissioner Martin Mangan.

PEACE CORPS RAISES HOPE

Among the projects listed for postponement under the austerity program are a territorial vocational school. The lack of the school has been criticized by United Nations inspectors and others as a glaring omission in preparing the Micronesians to be more self-reliant.

Other programs presumably delayed are two new hospitals to replace the substandard makeshift institutions at district centers on Ponape Island and Moen Island, Truk.

New power plants and other machinery to replace hand-me-down equipment, in many cases discarded by the military as worn out, may remain unordered.

But the year-old work of the Peace Corps, now 550 strong and soon to reach 700, has brought new hope to the islanders.

"The United States had done nothing on this island before the Peace Corps came," said the head man of Udot Island.

Volunteers are serving on nearly all the permanently inhabited islands, mostly living with—and like—Micronesians.

"They are the only Americans who eat in native restaurants," a touring anthropologist from Seattle said admiringly.

They are also the only Americans who can converse in any of the nine major languages spoken in Micronesia, with the exception of some missionaries and a few dedicated Trust Territory officials, such as Robert Halvorsen, the District Administrator at Ponape, who came to the islands 22 years ago as a naval officer and stayed.

Peace Corps volunteers are involved in virtually every aspect of Micronesian life.

Tom Brunt, a fledging architect from Philadelphia, has nearly completed a coral-block school complex on Wonei Island, Truk, that is becoming known as the only American building project using local materials in an imaginative way suited to the tropical surroundings.

Donald T. Bliss Jr., who plans to join a Manhattan law firm when his Peace Corps term is up, remarked that "New York will be anticlimactic" after two years of tutoring Micronesian lawyers of Ponape in the application of a Trust Territory legal code.

A couple of miles from the tin-roofed courthouse where the young lawyer works, Mike Ezzell of Austin, Tex., was coaching a volleyball team while his wife, Peggy, taught children from Kapingamarangi, a Polynesian island with a different language, how to speak Ponapean.

PERFORM DOUBLE DUTY

The largest number of Peace Corps volunteers are English language instructors, but they are found working also as nurses, X-ray technicians, civil engineers, radio operators, surveyors, recreation directors, business specialists and in community development activities of all kinds.

Peace Corpsmen who came to the Trust Territory from stations in newly independent countries of Africa and Asia were astonished to find the Micronesians almost totally lacking in the fervent nationalism seen in other peoples brought under colonialism.

"We will be ready for a plebiscite on our future status only after the islands have become more developed," said Thomas Remengesau, the Assistant District Administrator in Koror, capital of his native Palau Islands.

"We should remain a trust territory until all six districts decide on a common destiny, which may take 10 or more years," said Petrus Mailo, a hereditary chief and leading politician and businessman of Truk.

Francis Nuuan, who represents his native Yap in the Micronesian Senate, laughed when asked about the general reaction to President Johnson's proposal for a plebiscite by 1972.

"Only the few Micronesians who can read English are even aware of such things," he said.

[From the New York Times, Oct. 31, 1967]

PACIFIC ISLANDERS OFTEN GO HUNGRY—NATIVES, SHIFTED BY UNITED STATES FOR ATOM TESTS, ON TINY ISLETS

(By Robert Trumbull)

MAJURO, MARSHALL ISLANDS.—Many of the natives of Eniwetok and Bikini, evacuated from their homes for the United States atomic tests two decades ago, are now going hungry for weeks at a time.

Their plight is confirmed by American officials here in Majuro, the administrative center of the Marshall Islands in the Trust Territory of the Pacific Islands, a United Nations trusteeship under United States administration.

"Yes, we are often hungry," Naptali, a native of Eniwetok, said in an interview here. A Government construction worker, he lives with his wife and child in a one-room beach shack made of corrugated metal sheeting.

Nearly 300 people of Eniwetok now dwell on the atoll of Ujelang, which has 32 islets with a total land area of about a third of a square mile, not large enough to feed them.

LAGOON IS SMALL

Eniwetok, the atoll from which they were evicted, has 40 islets with a total area of 2.26 square miles. More important, to people who use coral reefs as marine gardens to produce food, the Ujelang lagoon is only about one-sixteenth the size of the 388-square-mile lagoon that they were forced to leave.

The people forced to leave Bikini by the 1946 atomic tests are even worse off. Their new home, a lonely outcropping in the Pacific wastes called Kili, has no lagoon at all. Rough seas have often prevented ships from landing supplies or removing produce for as long as four months, according to official reports.

"As soon as the scientists find that there is no more radioactivity at Bikini, we all want to return," the Rev. Josaia, the Protestant pastor on Kili, told an interviewer.

HANDICRAFT PRACTICED

Meanwhile, the 277 Bikinians on Kili augment their sparse income by handicraft, specializing in a bag of finely woven fiber lined with matting.

The Eniwetok people transplanted to Ujelang are so far off the normal Marshall Islands trade routes that staple food supplies often run out weeks before a ship appears, said Naptali, the Ujelang man now working at Majuro.

"At such times we have had to live on coconuts, fish and arrowroot," he said through an interpreter. "It's no good telling us that our ancestors lived on this kind of diet, for we have been accustomed to imported rice and canned foods in the Marshall Islands for generations," he added.

[From the New York Times, Nov. 1, 1967]

U.S. PRESENCE ON KWAJALEIN ISLE GIVES RISE TO A SOCIAL REVOLUTION

(By Robert Trumbull)

EBEYE, MARSHALL ISLANDS.—American antimissile exercise forces in the Marshall Islands have brought with them the squalor of big-city slums, as well as modern electronic luxuries, to the Micronesian residents of this overcrowded island in the strategic, closely guarded Kwajalein atoll.

The result has been what Dr. William V. Vitarelli of New York calls a "stunning social revolution' among the Marshall Island people.

Dr. Vitarelli is the top representative on Ebeye of the government of the Trust Territory of the Pacific Islands, of which the Marshalls are a part.

Kwajalein, captured from the Japanese in 1944 and included in the United Nations Trusteeship area awarded to United States custody after the war, is where missiles are sent up to shoot down other missiles that have been fired more than 4,000 miles over the Pacific from Vandenberg Air Force Base in California.

MARSHALLESE LEARN QUICKLY

"It is astonishing how quickly the Marshallese learned to want such twentieth-century appliances as electric refrigerators, automatic toasters and tape recorders,' Dr. Vitarelli told a visitor. "And they want them right now," he added.

The Kwajalein Project, where 600 to 700 Micronesians are employed, has become "a huge vocational school" for the Marshall Islanders, Dr. Vitarelli said, developing "a pool of skills" hitherto unknown to the 19,000 people of these remote, sun-drenched atolls.

The less inspiring side of the "social revolution" shown by Dr. Vitarelli in a tour of Ebeye is the overcrowding caused by the lure of high wages paid by the American contractors on Kwajalein.

Workers receive the United States minimum of $1.40 an hour, compared with the minimum of 30 cents an hour in the rest of the Trust Territory.

RESULT IS CROWDING

Attracted by such relative affluence, about 4,500 Marshallese are concentrated on Ebeye in space that, according to official estimates, could accommodate only 2,700 persons "decently," Dr. Vitarelli asserted.

The result has been the growth of a squalid community of makeshift tin hovels described by some authorities as "a slum in paradise."

The United States Army has recently completed, for turning over to the Trust Territory government, a housing project consisting of 318 apartments with sanitary facilities, water and electricity.

Nevertheless, Dr. Vitarelli estimated, at least 1,000 Micronesians on Ebeye, many of whom are unemployed, remain homeless and sleep on the sand.

Against the attraction of American wages, a government effort—"Operation Exodus"—to get the unemployed to return to the islands where they came from has been a failure, Dr. Vitarelli said.

VISITORS STAY ON

A government order closing Ebeye to all but "temporary visitors" hasn't worked either, Dr. Vitarelli said. The "visitors" simply stay.

When an American girl on Kwajalein developed polio and a Marshall's woman contracted the infection from her and took it to Ebeye, the disease gained such headway on the overcrowded island that it threatened to spread throughout the Trust Territory with Marshallese travelers.

The effects are seen in crippled children being treated by the polio rehabilitation center at Majuro, the administrative center of the Marshall Islands.

PANAMA: THE TROUBLED CANAL

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Flood] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. FLOOD. Mr. Speaker, on Sunday, November 12, 1967, Georgetown University Forum will give an important TV program from 12 to 12:30 p.m., on channel 4 on the Panama Canal.

The discussion panel is a most knowledgeable one.

It is hoped that as many Members of the Congress as possible, their families, and friends will listen.

Details of the program, as stated in the Georgetown University Forum press news, follow:

Panama: The Troubled Canal—Part II

Panel: The Hon. Strom Thurmond, United States Senator from South Carolina; Maj. Gen. Thomas A. Lane, USA (Ret.), Public Affairs Columnist and Engineer; Brig. Gen. James D. Hittle, USMC (Ret.), Director, National Security & Foreign Affairs, VFW.

Moderator: Mr. Wallace Fanning, NBC News.

A few months ago, the Georgetown University Forum presented a discussion on the pros and cons of the new Panama Canal treaties presently under negotiation.

In that program there was emphasis on the reasons *for* signing the treaties.

We have been asked to present an additional program, detailing the opposition to the treaties. Accordingly, today's discussion presents three spokesmen who are convinced that the treaties, as proposed, militate against the best interests of the United States.

Audio-tape recorded copies of this broadcast are available.

Radio broadcasting dates: Consult Local Program Listings.

Television schedule in the Washington, D.C., Area: WRC–TV, Channel 4, 12:00–12:30 p.m., e.s.t., Sunday, November 12, 1967; WETA–TV, Channel 26, 10:00–10:30 p.m., e.s.t., Monday, November 13, 1967.

Next week: "The Atlantic Community: Now and Later."

WASHINGTON POST EDITORIAL ON PANAMA CANAL CLARIFIED

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Flood] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. FLOOD. Mr. Speaker, during the years that distinguished Members of the Congress have been attempting to clarify the issues in the interoceanic canal problem, I have observed that, with few exceptions, there has been a virtual blackout in the mass news media of reliable information concerning the canal question. In fact, much of the publicity has been featured by distortions and omissions; and some has been definitely hostile to the best interests of the United States.

Such misuse of the major press for purpose of hostile propaganda had not been limited to the news columns but has included editorials in some of the Nation's leading newspapers, for example, the Washington Post.

The latest example of an uninformed and prejudicial editorial in a Capital newspaper is one on "Disappointment in Panama" in the September 7 issue of the Post. In an effort to show its inadequacies and to bring the canal question into clearer focus, I have written a letter to the editor of the Post summarizing the key questions involved, which, up to this time, has not been published.

In order that the Congress may be fully informed in the premises, I quote the indicated letter to the editor and the editorial, as follows:

October 4, 1967.

The Editor,
Washington Post,
Washington, D.C.

Dear Mr. Editor: The editorial, "Disappointment in Panama", in the September 7 issue of the Washington Post, is significant not only for what it states but also for what it does not say about one of the gravest questions now before the Nation. The Panama Canal, including acquisition of the Canal Zone, its construction, maintenance, operation, sanitation and protection from 1904 to June 30, 1966, represents an investment by U.S. taxpayers of $1,951,600,000. With defense added, the total becomes $4,889,051,000, involving budgets of the Army, Navy and Air Force.

As historically developed, the Isthmian Canal policy of the United States, now embodied in treaty and law, has these objectives: the best site and best type of canal for the transit of vessels of all nations on terms of equality with tolls that are just and equitable and under the exclusive control of the United States. Under this policy our country has full sovereign rights, power and authority over the Canal Zone to the exclusion of the exercise of any such rights, power and authority by Panama as well as ownership through purchase from individual owners of all land and property in the Canal Zone, making this territory a U.S. Government reservation.

Experience has shown that such control is indispensable because Panama is an area of chronic political instability, endemic revolution, and altogether unable to defend either itself or the canal enterprise. Furthermore, it must always be borne in mind that Panama, located on a narrow strategic Isthmus, is a country deeply coveted by predatory powers. Its security absolutely depends on the presence there of United States armed might for defense. Realistic thinking can lead to no other conclusion

In resolving the canal problem the key issues that must be considered are:

(a) Safeguarding our indispensable sovereignty and jurisdiction over the Canal Zone and Canal.

(b) Increasing the capacity and the major operational improvement of the existing canal, on which project some $75,000,000 have been expended, mainly on excavations for larger locks at Gatun on the Atlantic side and Miraflores on the Pacific.

(c) Constructing a new Panama Canal of so-called sea level (tidal lock) design to replace the existing canal.

(d) Building a second canal at a site other than the Canal Zone, including Nicaragua as a possible location.

The so-called Atlantic-Pacific Interoceanic Canal Study Commission, authorized under gag rule legislative procedure in 1964 that precluded adequate debate, is not an independent, broadly-based body that the situation requires but merely a part time consulting board for an inquiry rooted in the Executive Branch of our government and limited by statute to the consideration of one predetermined objective—a so-called sea level project. This undertaking is supported by the manufacturers of heavy earth-moving machinery and related industrial and professional interests and has a glamorous appeal not justified by its inherent merits.

The three mob-incited treaties, recently negotiated between the United States and Panama, are not based upon the relative values of the issues involved but were formulated on the erroneous assumption that the positions taken by the U. S. negotiators are a fait accompli because their main points were in a Presidential pronouncement.

Linking the negotiation of a treaty for the existing canal with treaties for a new canal of so-called sea level design and defense bases has endangered our control over the Canal Zone and present Canal, jeopardizing the security of the Western Hemisphere. Moreover, the chairman of the study group and of the U. S. treaty negotiating team is the same person, Hon. Robert B. Anderson of Texas, who apparently has ignored Clause 2, Section 3, Article IV, of the U. S. Constitution, which gives the Congress (House and Senate) sole jurisdiction over the disposal of "territory or other property belonging to the United States." As a result, some 150 members of the House have supported resolutions opposing the projected giveaway of the Panama Canal and its indispensable protective frame, the Canal Zone.

Thus, the "stall" on the treaties and delay in extending the life of the sea level canal study group are real blessings that have enabled the Congress to go more deeply into the subject while there is still time to avoid tragic error. As to the House being the "seat of hard shell opposition", this is true because many of its members have studied the subject and understand it. The statement that the opposition of the House invites crisis is utterly without foundation.

The additional facilities needed for the Panama Canal are a two-way ship channel across the Isthmus, with ample lock capacity, a summit level anchorage at Pacific end of the canal to match the arrangement at the Atlantic end, the elimination of the locks at Pedro Miguel, and the consolidation of all Pacific locks south of Miraflores.

The two-way ship channel will be completed, according to official estimates, in 1971 and the needed modernization can be supplied by the Terminal Lake-Third Lock Plan. This plan is the obvious, simple, tested and comparatively inexpensive method for increasing capacity and improving operations; and it would leave in tact the great value of the present canal to the economy of Panama. In addition, it requires no new treaty with Panama, which factor has been fully shown to be a paramount consideration.

It is clear that the ultimate goal of the radical elements in Panama is to drive the United States entirely from the Isthmus upon the specious arguments that our presence there invites attack on the Canal and that this danger would be entirely obviated if Panama should come into complete control of the Canal enterprise. Nothing could be farther from the truth.

The history of communism in the Western

Hemisphere, including Panama, clearly shown that only the presence of the United States in Panama today prevents a Red takeover of the Canal as it exists, Panama itself, and, ultimately, and the remainder of Latin Americans. What has taken place in Cuba will certainly repeat itself at Panama. The transcendent issue is not U.S. control over the Canal Zone versus Panamanian but U.S. sovereignty over the Zone versus Communist control.

These are some of the reasons why this response to your editorial is written and it is to be hoped that its publication can be made without change or abridgement.

Sincerely yours,

DANIEL J. FLOOD,
Member of Congress.

[From the Washington Post, Sept. 7, 1967]

DISAPPOINTMENT IN PANAMA

Panama's president, in negotiating new treaty arrangements for the Panama Canal, committed the classical error of getting out too far ahead of his legislature and electorate. The unfortunate result is that the new treaties—for the existing canal, defense, and a new sea-level ditch—in effect are dead until after the Panamanian elections next May and the American elections next November. What the political climate will be in 1969, now seen as the earliest time when ratification could be broached, is beyond forecasting.

The failure to move on the treaties is, if not a disaster, a major disappointment. The United States loses, for the time being, the diplomatic fruits of the enlightenment which led President Johnson in 1964 to agree to abrogate the old unequal treaty and negotiate a fair new one. Panama loses, for now, the opportunity to set straight the central element of its national existence. Both countries lose the specific commercial, financial and military advantages the new treaties were intended to bestow.

The pity of it is multiplied by the apparent fact that Panamanians have voiced no concrete disagreement with the substance of the treaties but rather have enveloped them in a mist of nationalistic bitterness. Personal and political backbiting has added a heavy increment to the inevitable burden of small-country frustration which the treaties have had to bear. Panama now talks of "renegotiating" them. The United States is willing to inspect revisions the Panamanians may have in mind but to "renegotiate" an accord, itself the product of 2½ years of negotiation, is obviously another matter. The United States has proved its good faith. The next move is Panama's.

Although there is little demand for occasion for the United States to do anything now, this country has good reason—in commerce, defense, diplomacy and self-respect—to secure canal arrangements acceptable to Panama. This need exists apart from Panama's own hang-up. To have major interests vulnerable to unsettled and antagonistic currents in another country is not only a danger but a reproach. Over time, the United States must try to encourage Panama's cooperation. It can do this by treating Panama with tact and sympathy and by following wise policies in Latin America as a whole.

The stall on the treaties forces the United States to look harder outside Panama for other possible sites of a sea-level canal. (This necessity is, of course, a form of pressure on Panama to collect itself and come around.) Here the immediate problem is to assure the continued life of the agency planning the new canal; the legislative mandate of the Atlantic-Pacific Interoceanic Canal Study Commission expires next June. The Senate has passed a bill to extend this Commission but the House, seat of the hardshell opposition to the new treaties, has not. It should. To balk a new canal, while the status of the old is uncertain, is to invite crisis.

WOMEN'S JOB CORPS DOUBLES POPULATION OF UPSTATE TOWN

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. FLOOD. Mr. Speaker, it is always a pleasure to hear reports of the successful fulfillment of some of the goals of the war on poverty, and it is especially encouraging to hear of the healthy and strong relations that have been established between the Office of Economic Opportunity projects and the communities in which they operate.

I would like to bring to the attention of my colleagues a story which appeared recently in the Philadelphia Bulletin about the town of Drums, Pa., and the Keystone Women's Job Corps Center in my congressional district. This is an encouraging and wonderful report of the kind of good relations that have grown around the Keystone Center—a report which my colleagues may profit from reviewing. I place this article in the RECORD at this point:

WOMEN'S JOB CORPS DOUBLES POPULATION OF UPSTATE TOWN

(By Doris B. Wiley of the Bulletin Staff)

HAZLETON.—The town of Drums in the coal country upstate has a normal population of 365.

Since March, the population has more than doubled with the arrival of 475 girls at the former industrial school for boys at nearby Kys-Lyn.

The girls, between the ages of 16 and 21, have not only increased the town's size, they have integrated it racially.

And, according to Joseph R. Corcoran, director of the Keystone Job Corps Center for Women, the experience has been a mutually pleasant one.

SEVENTY PERCENT NEGRO

Corcoran explained that 70 percent of the 475 girls at the job center are Negro. Drums, six miles north of Hazleton, is an all-white community.

"The community response has been great," Corcoran said. "Not only have we not had any ugly incidents, it's been quite the opposite.

"Our girls have been invited to private homes, they have been overnight guests, they share in church functions, have helped in a tree-planting program to beautify an industrial park and are working in a number of places."

VARIED JOBS

In Hazleton and in Wilkes-Barre, 22 miles to the north, he said, they hold jobs in hospitals, banks, supermarkets and the county courthouse.

The girls have taken eagerly to the wide-range of vocational and academic courses provided by the center. "They're waiting at the door before classes start," Corcoran said.

The result has been training in productive skills and in some cases a desire to continue their education.

Four of the girls, Corcoran said, have taken examinations given by the Luzerne County Board of Education to earn high school diplomas.

COLLEGE COED

Another girl, who already had her diploma, has enrolled this fall as a freshman at Allegheny College. Still another intends to continue living at the center while she attends classes at Wilkes College in Wilkes-Barre.

"The girls are absorbing classwork surprisingly quickly," Corcoran said. "What we expected to take a year is handled in half that time. They are given a challenge, appreciate it and look for greater challenges."

The dropout rate is 6.2 percent. The biggest reason for dropping out is homesickness occurring in the first few days or weeks.

The trainees come from farmlands in the Deep South, from crowded sections of northern cities and as far away as the Virgin Islands.

GAP IS BRIDGED

"They have to get used to a whole new set of people and a new environment," Corcoran said. "It's quite an adjustment."

He calls the dropout rate "one of the lowest of the centers," and attributes it to the 12 counselors at the center and to the town's Community Relations Council "which bridged the gap between the center and the community."

The council, Corcoran said, is a group of local citizens including the mayors of Hazleton and Cunningham, doctors, clergy and businessmen "all interested in the kind of objectives we are trying to achieve."

He called it "a grand opportunity for the girls" and added, "Most of the people feel it's also a grand opportunity for the town."

THE DAYS OF HIGH IDEALISM

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. ALBERT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. ALBERT. Mr. Speaker, on November 11 the Nation will pause in memory and in honor of the veterans of all our wars who have unselfishly and bravely fought to maintain our independence, preserve our liberty and perpetuate our freedom. At this time, I come before the House with my salute to all American veterans, to express to them my gratitude for the heroic courage with which they fought their country's foes on many a farflung battlefield.

Mr. Speaker, let us turn back the tide of time to our first observance of November 11 in the year 1918. I remember well the day when the 11th minute after the 11th hour of the 11th day of the 11th month marked the end of World War I. All over the earth people went mad with joy. Men everywhere momentarily forsook their tasks. Doctors left the sick, lawyers the courtrooms, students the academic halls, merchants their counters, clerks their desks, workmen their jobs, women their homes—all to flock into the streets of little towns and the avenues of cities everywhere, and there give way to a joyful, carefree carnival of happiness—because the end had come to the most frightful armed conflict which had occurred in the annals of human history.

As I am grateful for the unselfish service of all our veterans, in like manner I can never forget the heroic veterans of World War I. Their day in our history records a time of high idealism. I am proud of the American Legion, the Veterans of Foreign Wars, the AMVETS and other veterans organizations who have kept burning bright the fires of patriotism renewed by the courageous soldiery of World War I—men now grown old in faithful service to their country, men whose feet once in unison quickened to the march, men whose strong hands grasped the rifle and upheld the banner of its cause. They now pass on to the veterans of World War II, Korea, and Vietnam the sacred trust of guarding the sentry post of liberty and of freedom.

Mr. Speaker, such men, the Kaiser thought, would not fight. The teutonic allies deluded themselves by thinking that a supposed frenzy of materialism with dollarmaking as its god had possessed the soul of the United States. They little reckoned that the patriotism first aroused by Patrick Henry, sustained by Daniel Webster, flamed to red-hot heat by Thurston's plea for Cuban liberty, had been outraged by the heartless sinking of the *Lusitania*, and the destruction of American life on the open seas. Germany and Austria were soon to learn how sadly they had miscalculated the spirit of America. Having goaded a peace-loving, but mighty democracy into the conflagration of world war by a submarine blockade unfair and reprehensible, cruel and unmerciful, at a time when the allied armies were exhausted, they found the power of America alined against their monarchical militarism and their tyrannical ambitions of conquest.

As the Colonials under General Washington at Trenton surprised the trained Hessians fighting the battles of a British King, so did the Americans under General Pershing surprise the picked regiments of the German Empire on the battlefields of the world war. With an energy that was both amazing and wonderful, the United States poured its materials and its men into the gigantic struggle. The Allied Nations found new hope. Lloyd George, wartime Premier of Great Britain, declared:

> I rejoice that the advent of the United States into this war gives the final stamp and seal to the conflict as a struggle against military autocracy throughout the world.

The Belgian Minister in the United States rejoiced.

> The entrance of the United States into the war gives us new courage.

Within a period of 6 months after Congress had declared war, the Nation had expanded billions of dollars for guns, weapons, and ammunition. It trained millions of men for the greatest conflict in the history of mankind. Back of this stupendous preparation was the American love of liberty and of free government. President Woodrow Wilson, a great idealist, declared that for us the war was a struggle to make the world safe for democracy. Men everywhere were thrilled by the idealism of the United States when President Wilson declared that we sought only peace, a peace without victory, a Christian peace without revenge or retribution. This superb idealism, this wonderful national altruism united the people in every section of the country. Labor and capital forgot their differences. Democrats and Republicans joined hands. They combined their epithets against the common enemy. Great industries were taken over by the Government. Ammunition, food, clothing, and every necessary supply was furnished by our country to the Allied armies. America's idealism and patriotic energy became the sustaining morale of the Allied Nations at the most critical hour in the awful carnage and conflict.

Our Nation's idealism aroused the citizenry to the defense of their beloved land. That idealism recruited and drafted soldiers from country lanes, from the main streets of little towns, from the metropolitan thoroughfares, avenues and boulevards—thousands, millions of them boarded the railways for the army camps—north, south, east, and west—some of you can see them yet, some of you were among their numbers. As the troop trains were surrounded by the cheering, encouraging crowds of their fellow citizens, they sounded that battle cry: "We won't be back till it's over, over there." It was the idealism which the German had said was dead. Those were the men the Kaiser said would not fight. Yet, their fighting spirit sent 2 million men 3,000 miles across the turbulent waves of a stormy, submarine-infested ocean. That fighting spirit sent regiments from all over the land down the streets of Paris. It put the spring into their step, perfection in their march as they filed past the thousands and thousands of French citizens who raised their voices in the hopeful cry: "The Americans are here." The same fighting spirit, the same idealism, took them into the Argonne forest where Americans fought as their forefathers had fought at Saratoga. Their fighting spirit became a superhuman courage that made possible the heroism of the Battalion of Death. It sent American soldiers to Chateau Thierry where the ability of America's fighting men was tested as an army had not been tested since the days of Thermopylae.

Mr. Speaker, John McCrae immortalized such men by sending the message of their martyred dead to all future generations:

"In Flanders' fields the poppies grow
 Between the crosses, row on row.

* * *

"Take up our quarrel with the foe
 To you from failing hands we throw
  The torch, be yours to hold it high
  If ye break faith with us who die
 We shall not sleep, though poppies grow
  In Flanders fields."

PRESIDENT SIGNS LANDMARK PUBLIC BROADCASTING BILL

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HOWARD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HOWARD. Mr. Speaker, President Johnson has signed into law one of the most significant acts of his Presidency—the historic Public Broadcasting Act which could revolutionize educational broadcasting in America.

The bill creates a Public Television Corporation to strengthen local educational television stations by offering them a wide variety of quality programs, financing help, and the advantages of a national network.

A study of educational radio broadcasting will also be launched.

The public broadcasting bill will offer support for a wide variety of quality, noncommercial programs—ranging from documentaries and plays to sporting events and vocational training programs. Educational television will cut across geographic, cultural, and economic lines to enrich all Americans who come into contact with it.

No longer will time, distance, and money prevent Americans from enriching their cultural lives—for the world's greatest artists will be at their fingertips. And no longer must Americans see their child's education end abruptly with the schoolday—for our young can now discover the wonders of the world in the comfort of their own home.

Passage of this landmark act must be a source of great personal satisfaction to President Johnson—for it was the President who recognized the possibilities of expanded educational television, proposed specific legislation, and championed its passage.

With the signing of this bill, President Johnson and the 90th Congress have left a legacy of excellence which will enrich generations of Americans to come.

I insert into the RECORD the text of the President's remarks upon signing the Public Broadcasting Act of 1967:

TEXT OF THE REMARKS OF THE PRESIDENT AT THE SIGNING OF THE PUBLIC BROADCASTING ACT

In 1844, Congress authorized $30,000 for the first telegraph line between Washington and Baltimore. Soon afterward, Samuel Morse sent a stream of dots and dashes over that line to a waiting friend. His message was brief and prophetic.

It read: "What hath God wrought?"

Every one of us should feel that same awe and wonderment today.

For now, miracles in communication are our daily routine. Every minute, billions of telegraph messages chatter around the world; billions of signals rush over the ocean floor and fly above the clouds. Radio and television fill the air with sound. Satellites hurl messages thousands of miles in an instant.

Today our problem is not making miracles—but managing miracles. We might well ponder a different question: What hath man wrought—and how will man use his inventions?

The law I sign today offers one answer to that question.

It announces to the world that our nation wants more than material wealth; more than a "chicken in every pot." We have an appetite for excellence too.

While we work to produce new goods and create new wealth, we want most of all to enrich man's spirit.

That is the purpose of this Act.

It will give a wider and stronger voice to educational radio and television by providing new funds for broadcast facilities.

It will launch a major study of television's use in the nation's classrooms.

Finally—and most important—it builds a new institution: the Corporation for Public Broadcasting.

This corporation will assist stations and producers who aim for the best in broadcasting: good music, exciting plays, reports on the whole fascinating range of human activity. It will try to prove that what educates can also be exciting.

It will get part of its support from the government. But it will be carefully guarded from government or party control. It will be free and independent—and it will belong to all the people.

Television is still a young invention. But we have learned already that it has immense—even revolutionary—power to change men's lives.

I hope that those who lead the Corporation will direct that power toward great, not trivial, purposes.

At its best, public television would help make our nation a replica of the old Greek marketplace, where public affairs took place in full view of the citizens.

But in weak or irresponsible hands, it could generate controversy without understanding; it could mislead as well as teach; it could appeal to passions rather than to reason.

If public television is to fulfill our hopes, the Corporation must be representative, responsible—and long on leadership.

I intend to nominate men and women of outstanding ability.

What hath man wrought? And how will man use his miracles?

The answer just begins with Public Broadcasting.

In 1862, the Morrill Act set aside lands in every state—land which belonged to the people—to build the Land Grant Colleges.

Today we rededicate part of the air waves—which belong to the people—for the enlightenment of the people.

I believe the time has come to stake another claim in the name of all the people; a claim upon the combined resources of communications. The time has come to enlist the computer and the satellite, as well as television and radio in the cause of education.

We must consider ways to build a great network for knowledge—not just a broadcast system, but one employing every means of sending and storing information.

Think of the lives it could change:

The student in a small college could tap the research resources of a great university;

The country doctor could get help from a distant laboratory or teaching hospital;

A scholar in Atlanta might draw instantly on a library in New York;

A famous teacher could reach with ideas and inspiration into a far-off classroom, so that no child need be neglected.

Eventually, this Electronic Knowledge Bank could be at least as valuable as the Federal Reserve Bank.

And such a system could involve other nations, too—in a partnership to share knowledge and enrich mankind.

A wild and visionary idea? Not at all. Yesterday's strangest dreams are today's headlines, and change is getting swifter.

I have already called upon my advisors to explore the possibility of a network for knowledge—and to draw up a blueprint for achieving it.

In 1844, when Henry Thoreau heard about Mr. Morse's telegraph, he made a sour comment about the race for faster communication. "Perchance," he warned, "the first news which will leak through into the broad, flapping American ear will be that the Princess Adelaide has the whooping cough."

I am not such a skeptic. I believe we have important things to say to one another—and the wisdom to match our technical genius.

In that spirit, I sign the Public Broadcasting Act of 1967.

A MAN CAME HOME

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. Nichols] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. NICHOLS. Mr. Speaker, Saturday is Veteran's Day here in America. Our Nation will pause to salute those men who have risked their lives, or even given their lives, for their country. Special observances are being planned in many towns and cities to honor our veterans.

The editor of the Alabama Farmer's Bulletin has written a very stirring article which I think is most appropriate for Veteran's Day. I would like to share this article entitled "A Man Came Home," written by Mr. Gordon Tucker, of Montgomery, with the Members of the Congress:

A Man Came Home

(By Gordon Tucker)

The following bit of reflection is not intended to whip anyone into a monumental frenzy of "flag-waving" or "glory-whooping". It is to be interpreted and thought upon exactly as presented . . . that is as a little bit of "real" Reality.

A man came home this week.

Note: We said a man. He left as a lad, but not any more.

A man came home this week from Vietnam. He was one of the lucky ones . . . because he did get home . . . and all in one piece. Now he can take up where some others never left off.

You wouldn't recognize him if you met him on a downtown street tomorrow morning, because he is as faceless as a million other humans you have encountered in your wanderings.

He might be captain or corporal . . . private or major; you can't really tell by looking because he has now removed his uniform and is one of "us" again . . . not that he wasn't before . . . just more so now . . . at least there is nothing that one can see which makes him a breed apart . . . and yet, you may decide he *is* before this musing is done . . . an exceptional breed apart.

A man came home this week . . . and when he dropped into his local barbershop for a quick trim, one of the fellows looked up and commented, "Hey Joe! Where ya been???? 'Haven't seen you around for a while'."

Of all the thousands who reside in his hometown, not a hundred even knew he was gone; fewer than fifty *realized* it . . . and perhaps less than a dozen really *cared*. "But he's back safely now", you say, "so what does it matter?"

. . . To which we can only answer: "Would it matter if he were 'yours' . . . *your* son, *your* brother, *your* husband?"

A man came home this week . . . and in the tiny delegation that met him at the station, there was a little brunette wife who uttered a screech of delight and sobbed a tear of pure joy . . . there was a son grown almost beyond recognition . . . . and a two year old daughter he'd never seen before.

There was a mother who carried a few more lines in her face . . . and a father who was now almost totally gray.

But the Mayor wasn't there. His Congressman wasn't in the crowd (of less than ten) . . . Nor his Senator . . . and the diplomats were off somewhere debating and negotiating. Still, it's possible if they all had been there, he might have been able to tell even them a thing or three.

A man came home this week . . . but there was no parade down mainstreet . . . not that he minded. In fact he was a little relieved. After all who wants to celebrate a task he didn't finish . . . or a victory that still must be won; even though he was awarded a medal for trying: "above and beyond the call of duty", as the colonel had put it.

A man came home this week from Vietnam . . . but that doesn't make him any less a hero than those who remain. In the twenty months (give or take a few days) that he slugged and slogged, and darted and dodged through its muck & mire, and criss-crossed its steamy jungle, he became just as hot and muggy, just as beat and tired as any of them . . . and he prayed and cursed just as hard as the best or worst of them.

He missed his home . . . his family, just as much as any one of us might.

And just because he managed to stand and fight and hang on to his position five minutes longer than the enemy out ahead of him . . . and was lucky enough to live through it . . . this doesn't mean for a moment that his stomach wasn't just as "queezy" and as knotted with fear . . . or his heart just as full of courage as his best buddy, whose face was blown completely away not ten feet distant.

Nor did he necessarily want to be there . . . just as he doesn't want to go back there . . . which of course is no crime; it is no crime for any one of US not to want to be there either. But now he can go to bed tonight and drift into sleep with the knowledge that he tried to carry his share of the load . . . that he did his bit to pick up some of the enormous "tab" that is required to keep this country *free* and his family out of leg irons.

He found it infinitely more to his liking to be out there burning enemy command posts and supply dumps than back home burning draft cards and whole city blocks . . . and he'd rather fight the communists in the streets of Saigon and Hanoi than the police in the streets of Chicago and Los Angeles. He'd rather face the enemies of this country on their home ground, than have his son face them on his.

A man came home this week . . . A man came home from Vietnam. He won't be going back . . . but he knows what the guy who took his place is in for.

Nor will he be asking what it's all about over there . . . He knows. He is one who found out for himself . . . first hand . . . and he won't be apathetic about it either, even if he is quickly settling back into the old welcome rut and routine of punching a 9 to 5 o'clock again; and living and loving as in days gone by.

A man came home this week . . . and picked up where others have never left off.

He was one of the lucky ones.

Gordon Tucker.

NATIONAL SHRINE OF OUR LADY OF CZESTOCHOWA

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Nedzi] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. NEDZI. Mr. Speaker, on October 15, 1967, Vice President Humphrey addressed a gathering of distinguished men and women at the first anniversary celebration of the dedication of the National Shrine of Our Lady of Czestochowa in Doylestown, Pa.

I was deeply moved by the thunderous approval which the Vice President received from those present as he spoke of our most pressing national problems. His words, I believe, have special significance not only for Americans of Polish descent who were responsible for the building of this national shrine, but for all Americans who regard their unique heritages as wellsprings of courage and wisdom in dealing with these changing and turbulent times.

Mr. Speaker, I heartily recommend Vice President HUMPHREY's remarks to the attention of my colleagues:

Statement by Vice President Hubert H. Humphrey, at National Shrine of Our Lady of Czestochowa, Doylestown, Pa., October 15, 1967

Vice President HUMPHREY. Most Reverend Bishop, Right Reverend and Reverend Clergy, Monsignor Fronczak and our dearly beloved friend Father Michael Zembrzuski and ladies and gentlemen! I suppose that an appropriate greeting from a midwestern Norwegian would be "drodzy polacy".

My fellow Americans, I'm sure that you must feel as I on this moment, what a magnificent and beautiful scene. How the good Lord has blessed us today with this lovely day. I am sure that you must sense the feeling of inspiration and exhilaration that is mine when I meet your young people dressed in their native costume, bright, attractive, healthy, all that makes for youth. It is, indeed, a wonderful experience for me. Now, I know how President Johnson must have felt just a year ago. Indeed, only last evening, my dear friends, I was with the President and Mrs. Johnson, and was visiting with them about this particular occasion.

GREETINGS FROM THE PRESIDENT

And the President of the United States, Father Michael, wanted me to express to you, to every person gathered here today, and in particular the Most Reverend Bishop, the Right Reverend and Reverend Clergy, and our fellow Americans his heartiest good wishes and greetings. How he wishes he could be here on this hour.

And might I ask that you convey his greetings as well as mine to a great churchman who only recently has been elevated to the high and honored title in office of Cardinal, Cardinal Krol. I know he is in Rome at the Conference of Bishops, but I wanted to say hello to him even at this distance.

When President Johnson helped dedicate this national shrine a year ago, in the year of Poland's Christian millenium, it was a beautiful and splendid thing. All of America heard of it, but now there is new beauty and nobility. There is this magnificent mural, a true reproduction of that priceless treasure of Poland and its fate, the painting of the Blessed Virgin. And there are the great stained glass windows that give vibrant life and color to the east and west walls of the Upper Church. One portrays Poland's thousand years of Christianity and the other the life and the work of the Polish people in the new world.

VISITS WITH HOLY FATHERS

I'm reminded of my visit to Rome this past April, when I had the rare honor of visiting with his Holiness, Pope Paul VI, and discussing with the Holy Father, matters of great concern to church and state. I shall never forget that day in the Basilica of St. Peter, nor how can I forget my experience only a few years past of visiting with that beloved peasant priest who brought so much goodness to the world and brought the peoples of the world so close together in the spirit of the Ecumenical Movement, Pope John XXIII, one of the great spirits of all time.

So there are many happy memories that come to mind today.

POLISH CULTURE

These fine works of art that are here are a reminder that your forefathers brought with them much more than just their indomitable courage, their strength and their will to work. They brought with them one of the oldest and one of the richest cultures in Europe, a culture of excellence in literature, in drama, in music, in painting and as we see before our very eyes, in architecture.

But this is more than a religious shrine and cultural center. It is a monument to freedom, strong, beautiful, imposing, a monument to man's freedom. Devotion to freedom and a belief in the dignity of man have been the undying characteristics of Poles in America and elsewhere since the beginning.

THE LEGACY OF PULASKI

Oh, we have so many great men of Polish descent to remember, we Americans. We have Casimir Pulaski who fought for liberty in the American Revolution. Who can forget him? What boy or girl will not remember that name? Do you remember what this great patriot said? Well, let me remind you once again—because his words of those days of our early American history are so relevant and so meaningful this very hour when America finds herself once again facing powerful forces of oppression. Pulaski said, "Wherever on the globe men are fighting for freedom, it is as if it were our own affair."

This great human being, this dedicated patriot understood that freedom was personal, that freedom belonged to each individual, and wherever freedom was in trouble, man was in trouble.

KOSCIUSKO'S SPIRIT

Now, that was the spirit that brought Kosciusko to our shores. And it is fitting that we remember Kosciusko too, on the one hundred and fiftieth anniversary of his birthday.

Kosciusko was not only a skillful soldier and a devoted patriot, but my dear friends, a compassionate and great hearted humanitarian. He demonstrated in his life that you can be strong, devoted, patriotic, and still, kind and compassionate.

THE BLUE LEGION'S VALOR

And we honor that same spirit as we commemorate another anniversary today. It was fifty years ago this year that the Blue Legion of Polish Freedom Fighters was founded on American soil. Oh, the valiant men of Polish descent who have fought for freedom here and elsewhere in the name of freedom and America—many of them here today with us on this platform.

Starzynski, a founder along with Paderewski of the Blue Army rests here in the lot of honor in your cemetery. What a hallowed place. It is a worthy place, is it not, for a worthy man who so greatly loved both Poland and America. And you know dear friends, you can love both and know that you are loving freedom. How wonderful.

AMERICA'S MANY ORIGINS

This is truly a national shrine, this national shrine of Our Lady of Czestochowa. Beautiful. A shrine in which all Americans can take pride. For we are both one nation and we are many nations. One of our great American authors, Herman Melville wrote, speaking of America, that it was—

"Settled by the people of all nations, all nations may claim her for their own. Our blood is as the flood of the Amazon made up of a thousand noble currents pouring into one. We are not a nation so much as a world."

What a description of America, this pluralistic, mosaic society, the society of many, jet bound together in unity.

It is because they saw America as this land of freedom and opportunity that our forefathers came here from all parts of the world, yours from Poland and mine from Norway and Wales.

My dear, beloved mother was a foreign born girl coming to this country with her parents to seek what men and women for generations have sought. A chance. A new day. A better day. A chance to live in greater freedom.

OPPORTUNITY FOR ALL

We must see to it that America is, indeed, now as in the past, a land of ever widening opportunity. Not just for some Americans. Not just even for most Americans. But a land of opportunity for all Americans. Everyone of us.

I spoke to a high school and junior high school dedication a couple of hours ago, and I ended my visit with that lovely and wonderful audience, with so many fine young people present, by reciting for them the creed of this nation, and I think it so appropriate on every occasion. Just as we sing the national anthems of America and Poland, so we can recite time and again the story of this land, the key to its greatness.

I spoke of all Americans having opportunity. We say, you know, in our schools and elsewhere when we look at our great flag, "One nation under God, indivisible with liberty and justice for all."

That is the story of this land, my dear friends. That is America. One nation of many peoples, but under God. Recognizing our humility, but indivisible and with liberty and justice for all. What a precious presentation of the purpose of this nation.

Each and every American must have the opportunity as we see it to develop his God-given talents to the fullest and to apply them for his own advancement and the welfare of his community.

SELF-RELIANCE

You see, it is an opportunity state, not a welfare state that we're seeking to build in America. We want every American to be able to stand strong and self-reliant on his own two feet, proud in his inheritance, proud of his name, his family, his faith, his church, proud of his state and his nation. That's the kind of America we want. For in the words of your Polish proverb, "From someone else's cart, you have to get off half way." But when it's your cart, when you can have it yourself, it goes with you the full way.

VIOLENCE IN CITIES

We have witnessed recently grave disorders in our cities. You and I know that there can be no room in America for lawlessness and violence. You and I know that it will and must be met by strict and uncompromising enforcement of the law and respect for the law. But you and I know that every thinking American realizes that the violence that we have seen is in part a symptom of deep social problems, of the condition amongst an alienated minority. To them, society has nothing to offer that is worth saving.

It is vital that we maintain law and order because only through that can we obtain progress.

EQUALITY FOR ALL

But it is also important to remember that it is not enough. We need, also, the kind of vision and compassion that the great patriot Kosciusko showed in the well known words of his will. I repeated those words in 1964 in Chicago at the Polish American Congress. I want to repeat them here to you today. Kosciusko wrote these words:

"I will hereby authorize my friend Thomas Jefferson to employ the whole of my property in the United States in purchasing Negro (slaves) and giving them liberty in my name."

What a remarkable testament.

So, I am confident that Americans of Polish descent, true to this great tradition, will join in making the promise of America a reality for all Americans.

AMERICAN AID TO POLAND

But our regard for our fellow man does not stop at the coastline or at the water's edge.

In this fast shrinking world we are all more or less neighbors, and we are all "our brother's keepers." We have not forgotten our friends and relatives in Poland. You can still see at work in Polish factories today the machine tools which were sent there—many of them made by the United States, through the United Nations Relief and Rehabilitation Administration.

And under the Food for Peace Program which you have supported, literally over a half of a billion dollars of American food and fiber have gone to Poland. And much of that food has been distributed in Poland to the Polish people by American voluntary organizations speaking in the name of the American people.

What does this mean in more human terms? It means that hundreds of thousands of little children in school and summer camps now can enjoy a hot and nourishing meal. It means that many thousands of the elderly and the infirm in hospitals and in institutions are better fed. That's what Food for Peace means. It means life for little children. Life for God's children.

"BRIDGES" TO POLAND

Ambassador Gronouski, a distinguished Polish American who serves this nation honorably and well, this spring signed a new agreement with the Polish government for a ten year English language teaching program and a seven year cultural exchange, so that English, the American tongue, will become the second language of the Polish child of tomorrow. What a bond of friendship!

CHILDREN'S HOSPITAL IN POLAND

And as you may know, I have a particular and personal interest in the thoroughly modern research hospital for the children in Krakow, Poland. It was conceived and planned by a good friend of mine, a distinguished architect by the name of Bernacki-Poray. I worked closely with him in making this great dream come true. And I'm happy to say that Senator Joseph Clark who is on this platform with me today from your state helped make this dream come true. I had the privilege of working with the great congressman from the state of Wisconsin, Congressman Zablocki and another great Congressman, John Rooney, to make the dream of this hospital come true. I hope that someday I'll be able to visit that hospital and see those children and bring them your greetings.

This life giving gift of medicine and care of the American people to the children of Poland was dedicated almost two years ago, and it has been in full operation ever since. It has three hundred and twenty beds and they are regularly filled to capacity. Literally thousands of children have come out of it with their health and their strength restored because America cared, because America loved, because America thought of children even before it thought of ideology or politics.

There are many ways that we build bridges of understanding. Bridges of peaceful trade in commerce are being built today. The expansion of trade remains one of the goals of this Administration. Everyone stands to gain by it and no one need lose. For as our late and beloved President Kennedy liked to say, "A rising tide lifts all the boats."

OPENING THE DOOR TO EASTERN EUROPE

In March of this year, I stood at another rostrum in mid-America, at Westminister College in Fulton, Missouri. The same rostrum from which Winston Churchill warned us twenty one years ago as he said:

"From Stettin in the Baltic to Trieste in the Adriatic, an Iron Curtain has descended across the continent of Europe."

That was his famous Iron Curtain speech. I declared on that occasion twenty one years later my belief that we stand on the threshold of an entirely new era in relations with the people of Eastern Europe, a period of peaceful engagement. I stated my conviction then as I do now, that if we do not lose our nerve or our patience, we can look forward with confidence to the replacement of that ugly Iron Curtain by a beautiful open door.

The ties which you and other Americans of central and eastern European descent have maintained with the countries of your forefathers are very important in this respect. For they will help mightily in opening that door and keeping it open so that people can talk to one another, be with one another. This will be a real service to peace in this tormented world. For it is open doors and open hearts, not Iron Curtains and closed minds that means peace in a world where science and technology are making one great neighborhood for all the children of the earth.

THE CHALLENGE OF VIET NAM

But the peace of that world neighborhood today is threatened and torn in Asia. The tragedy of war grips many a family in America and grips a far away place called Viet Nam.

Once again, our nation pours out its treasure and offers the lives of its young men, not for selfish purposes, not for imperial gain, not for trade or commerce, but in resisting aggression, resisting Communist tyranny, this time in Asia.

We are dealing there with a struggle that has been on for years and has been waged not just militarily but above all, politically, economically and psychologically. We struggle hard to fathom and understand. We are dealing with an adversary who according to all of our information still genuinely believes that time is on his side. An enemy who despite his military defeats, defeat after defeat, still believes that we the American people will ultimately tire, give up and withdraw. And that, my dear friends, is why the enemy will not come to the conference table and negotiate a just and honorable peace.

Our hearts cry out at the human and material loss that we see in Southeast Asia, in Viet Nam. All of us pray to God for an end to this struggle.

The hope of victory for the enemy, however, is not in his power, but in our division, in our weariness, in our uncertainty. The road to peace that you want and I want is not in our words but rather in our unity, in our courage, in our steadfastness and in having the enemy know that the United States of America will never give up, will not tire, and will remain there until the job is done.

AMERICAN PERSEVERANCE

We have no choice but to persevere. Choosing neither the reckless and irresponsible choice of massive military escalation that could confront us with greater danger—nor a withdrawal. Choosing to stick with the difficult and necessary course of firm resolve which can and will bring the conflict to a just and honorable peace. I'm talking of a course of action which means keeping at it day by day, defeating the enemy forces, and we are. Of building security and a better standard of living in the Viet Namese countryside, and we are. And of doing what we can to nurture and develop responsible, representative democratic government, and we are. I'm speaking of tirelessly seeking honorable negotiations until one day our adversary realizes that time is not on his side, but time is on the side of the men of freedom who fight for freedom there as you fought for it elsewhere.

PRESIDENT KENNEDY'S INAUGURAL MESSAGE

I stood on the platform in Washington in January, 1961 and heard a brave young President John F. Kennedy say these words:

"Let every nation know whether it wishes us well or ill that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe, to assure the survival and the success of liberty."

Ladies and gentlemen, that is the American creed.

Yes, we must do as he said. For what is at stake in Viet Nam is more than the fate of one little country. It is the fate of a long-standing American involvement in a part of the world where better than half of the children of this earth live. A fate of involvement of Asia that goes back at least to Pearl Harbor and beyond that. It is the fate of free Asia itself. The fate of peace. Our own American security is at stake. That's why we're there.

THE THREAT OF COMMUNIST CHINA

Today, the threat to world peace is militant, aggressive Asian Communism with its headquarters in Peking, China. The aggression of North Viet Nam is but the most current and immediate action of that militant Asian Communism. If it should succeed in its goal of conquest of South Viet Nam, it would add to the strength of Communism in Asia and Europe. And it would stimulate the appetite for more aggression and conquests. It would represent a defeat—not only for America but for freedom everywhere.

NAZI AGGRESSION AGAINST POLAND

I need not tell people of Polish descent what aggression means. I need not tell you of the evils of totalitarianism. I need not tell you of the brutality of Nazism and Communism. You know.

Ladies and gentlemen, had the free nations of the world had the courage that little Poland had in 1939, there would have been no Nazi World War II. What we seek today to do is what the generation before us should have done when Hitler was on the march. Stop him before it was too late. Stop the aggressor before he becomes accustomed to the habit of conquest. And this my friends is what it's all about.

WHY AMERICA IS IN VIET NAM

So, my fellow Americans, remember what General Pulaski said, "Wherever on the globe men are fighting for freedom, it is as if it were our own affair." We are in Viet Nam not only because of the Viet Namese, not only because of a treaty, not only because a small nation has been set upon by a powerful aggressive force. We are there because the United States of America has a stake in freedom and because our own national security is best protected when the enemies of freedom are denied victory anyplace, anywhere in the world.

Now, make no mistake about it, my fellow Americans, it is not the United States and her allies who are failing. To the contrary. Communist China has failed in its attempt to overrun Southeast Asia. Why? Because we are resisting aggression. North Viet Nam has failed in its objective to absorb South Viet Nam in the swamp of Communism. Why? Because we are resisting aggression. It is time that the American people understood that it is the Communists who are losing this war and that victory will crown our efforts if we persevere with the courage that has characterized the Polish people and the Polish nation in a millennium of Christianity.

Three great Presidents, President Eisenhower, President Kennedy and President Johnson, following the best advice that they could find, have concluded that it is in the interests of this nation to check the tide of aggression in Viet Nam. If we fail to do it there, we'll have to meet it someplace else, and later it may be even more difficult and more dangerous.

AMERICA'S LEADERSHIP RESPONSIBILITY

Now, let me leave you with a personal word. I know these are difficult times for America both at home and abroad. It has never been easy, but what a great nation this is, how blessed and how fortunate. No nation more rich, no nation more powerful, President Johnson put it this way:

"This nation is mighty enough, its society is healthy enough, its people are strong enough to pursue our goals in the rest of the world while still building a great society here at home."

I know that's a mighty task, but we dare not do less.

My fellow Americans, if we are not strong enough to stand the test, who is? If we are not—with our wealth—able to pay the cost of freedom and justice, who is? If we, blessed as we are with material abundance, with knowledge, with science and with technology, with good people, if we cannot fulfill the responsibilities of leadership for freedom, who can?

We have no choice. We are leaders. We have a responsibility and a burden to carry, and we're great enough to do it.

But one thing is certain, my friends, with all of the wealth, with all of the prosperity, with all of the power we will not find peace here or abroad, we'll not find peace in Viet Nam, nor will we build better American cities simply by massive applications of money and power. For, if money and power were enough, we would long ago have solved these problems, because no one has known so much money or so much power.

QUALITIES AMERICA NEEDS

No, we shall need other qualities. We shall need the qualities that have always pulled this nation through its dark days when it has been tested and found not wanting. We shall need good old fashioned American courage. We shall need patience and perseverance. We shall need confidence, confidence in ourselves, confidence in the rightness of our cause. As Lincoln put it, "With malice toward none, with charity for all, with firmness in the right as God gives us to see the right."

We're going to need that kind of Lincolnian philosophy and dedication. And we'll need humility and understanding. We shall need, above all, the ever inspiring spirit of hope, and we shall need faith, new faith in old American dreams. We shall need faith in our country, in our fellow citizens, in our capacity to meet whatever comes and to master it. And we shall need faith in God Almighty and His message.

If we have that faith, and I believe we have, then I think the problems of today can be the victories of tomorrow.

THE NEW POLISH MILLENNIUM

It has been an inspiration for me to be with you on this magnificent occasion of Polish-American religious and patriotic devotion.

The millennium of Polish Christianity celebrated last year here and throughout the world was not the end. It was the new beginning of a second millennium.

May God grant that the years ahead will see the fulfillment of the noblest ideals of this magnificent, beautiful, superb shrine.

And may Poland, free, independent and Christian achieve her proudest role in the family of man. Thank you.

REPORT COVERING THE EFFECTIVENESS OF IMPLEMENTATION OF THE GOVERNMENT EMPLOYEES INCENTIVE AWARDS ACT

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. Henderson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HENDERSON. Mr. Speaker, the Federal Government is spending over $40 million annually on a program aimed at improving Government operations; however, the program is frequently not well administered, resulting in undue delays in recognizing employee efforts; and it is often relegated to a minor level in personnel management. These facts are brought out in a report being released today by the Manpower and Civil Service Subcommittee of the House Committee on Post Office and Civil Service, covering the effectiveness of implementation of the Government Employees' Incentive Awards Act of 1954.

This report is the first congressional review of the Government Employees' Incentive Awards Act since it was enacted into law in 1954. The purpose of the review was to determine such items as: First, overall cost of the program; second, employee participation; and third, types of awards being made.

This report, House Report No. 885, reveals such findings as these:

> Program controls and procedures appear excessive, resulting in frequent undue delays in evaluating suggestions.
>
> There are too many awards committees.
>
> Departments and agencies report measurable benefits of some $6 for every $1 spent on the incentive awards program. However, in very few instances did the subcommittee find "saved funds" actually returned to the U.S. Treasury.
>
> The departments and agencies often use a quota system in making awards, instead of the awards being given to employees on the basis of merit.
>
> The Civil Service Commission's monitoring of the program is inadequate.
>
> Several of the departments and agencies—especially the military departments—have two or more duplicating programs aimed at the same general objective—to improve operations.

The subcommittee has made several recommendations in the report aimed at improving the effectiveness of this program. These include: A "more positive and active role" by the Civil Service Commission in monitoring the program; and, the General Accounting Office and Bureau of the Budget should more closely review and audit, according to their separate interests, the financial aspects of the awards program.

HEMISFAIR 1968

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, from April to October, next year, people from around the world will come to San Antonio, Tex., to enjoy the wonders of HemisFair '68, in commemoration of the 250th anniversary of the founding of the city of San Antonio. The theme of HemisFair is: "The Confluence of Civilizations in the Americas." HemisFair is an official international exposition, approved by the Bureau of International Expositions, and accordingly, more than one hundred foreign governments have been invited by the United States to participate in this "Fair of the Americas." In addition to Federal assistance, the city of San Antonio, the State of Texas, and local businessmen and other citizens have made a substantial commitment of funds and resources to help assure the success of HemisFair. Cooperation from interested groups, both public and private, at all levels, has been nothing short of tremendous. For example, the U.S. Travel Service, an agency of the Department of Commerce, has included HemisFair in its promotional efforts to encourage overseas visitors to come to America. Last month, the Travel Service arranged for a presentation and the showing of a movie on HemisFair to a delegation of some 400 American travel agents, meeting in Athens, Greece. With this kind of constructive partnership, there is every reason to hope that HemisFair will rank with the finest international expositions of this century.

ANOTHER FACE OF POVERTY

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, poverty, wherever it exists, is ugly. Its effect on children is hideous. Quite rightly, the desperate plight of slum children has been spotlighted in the search for answers to the urban crisis. But the crush of poverty is just as ugly and just as devasting in some of the less often seen rural areas. This is especially so in the case of the hundreds of thousands of rootless, often hopeless children in the families of migrant farmworkers. A recent editorial in the AFL–CIO News reminds all of us of this other face of poverty. Under unanimous consent I place it at this point in the Record, and recommend it to the consideration of all of our colleagues:

Another Face of Poverty

> Grinding poverty and deprivation has many faces including the quarter of a million children who lead the rootless life of migrant farm workers.
>
> They are members of migratory families that follow the picking season across the nation. They leave school in the spring when seasonal farm labor is on the rise and do not return until two or three months after the regular school term has begun.
>
> The result, according to the Dept. of Agriculture, is "a lower educational attainment than any other group of American children."
>
> Half of all migratory workers were in families with an income below $3,000 a year. The short work year and low wages spell deadend for these mostly white workers.
>
> In the overwhelming concern for solutions to the urban crisis, the migratory farm workers must not be forgotten. Their poverty and the fate of their children call for the same attention as that given those in the slums and ghettos of the cities.

VETERANS DAY, 1967

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentlewoman from New York [Mrs. Kelly] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mrs. KELLY. Mr. Speaker, 49 years ago, on November 11, 1918, the warring nations signed an armistice that ended the fighting in World War I. For many years the anniversary of this date was observed as Armistice Day. More recently we have set aside the day as a day of recognition for all those, living and dead, who have served in our Armed Forces.

Since the birth of our Nation each generation has had to demonstrate its dedication to the ideals of freedom and peace. When necessary, our heritage has been heroically defended on battlefields around the world. This is the price we have had to pay for liberty.

We can never really repay our veterans for the hardships they endured and the sacrifices they made in the service of their country. Those who made the supreme sacrifice are with us today in spirit. Those who are spared have known the horrors of war and starkness of tyranny; they have returned to civilian life determined to build a better world that their comrades may not have died in vain.

Veterans Day, then, is a day when we visit the graves of our heroic veterans and express, in a small way, our gratitude to those who fought in the forces of freedom. It is a day on which we remember with pride their courage, devotion, and sacrifice. It is a day on which we reassert our dedication to the principles that have guided our Nation and reaffirm our determination to continue the struggle to bring freedom and lasting peace to the world.

PAN AMERICAN WORLD AIRWAYS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. Staggers] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. STAGGERS. Mr. Speaker, accomplishments in aeronautics, science, and space occur so frequently and swiftly in our time that we often take these accomplishments for granted. I find it hard to believe, for example, that Pan American World Airways was 40 years old on Saturday, October 28.

Few of us who were old enough paid much attention when a small, lightweight Fokker trimotor slipped into the waters off Key West, Fla., and flew 90 miles to Havana, Cuba. That was the first Pan Am flight, Mr. Speaker, on the 28th of October 1927. Whether skepticism prevailed on the part of prospective passengers, or within the operating organization, will never be known for certain, but beyond its crew of three the plane's manifest consisted of seven bags of mail.

All at once, Mr. Speaker, U.S.-flag international air service was born, and, less than 2 years later, Pan Am had established an air route around South America.

In the last 40 years, it has flown more than 70 million passengers, approximately equal to the combined populations of France, Belgium, the Netherlands, Luxembourg, and Denmark. From its first eight-passenger Fokkers, through the famed ocean-spanning flying boats to today's 575-mile-an-hour jetliners, its clippers have flown more than 2 billion miles. If you got in the family car and traveled at a steady 60 miles an hour, 24 hours a day, it would take you about 3,800 years to cover 2 billion miles.

By the time Pan Am was 20 years old, it had won world fame for its pioneering efforts in spanning the Pacific—1935; the Atlantic—1939; and providing the first round-the-world air service—1947.

In 1958, it introduced to the world scheduled jet air service, and it will be the first airline to use the 747 Superjet, in the fall of 1969. It was also the first airline to order a supersonic airliner—the Anglo-French Concorde—and has placed orders for 15 American-flag SST's to be produced by the Boeing Co.

The Pan American pioneers are to be saluted on their memorable 40th anniversary, Mr. Speaker, and I take pleasure in doing that in my capacity as chairman of the Committee on Interstate and Foreign Commerce. To its chairman and founder, Mr. Juan T. Trippe; to its president and pioneer pilot, Harold E. Gray; and to its 35,000 dedicated employees scattered to the four corners of the world, we say "well done" as we look forward to its next chapter of exciting pioneering.

HON. CLAUDE PEPPER

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. McCormack] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. McCORMACK. Mr. Speaker, it is my deeply felt privilege today to be able to note the absence of the distinguished Member, the gentleman from Florida [Mr. Pepper], and to call the attention of this body to the distinction which is being conferred upon him—and upon us—at this moment in New York.

We are all aware, from our service with him, of the great and unusual qualities of mind and heart which have made him the winner of the Albert Lasker Public Service Award. These qualities have made him a forceful advocate of many major pieces of legislation which have worked and continue to work to improve the life of the people of this great Nation.

In his first year in the Congress—when he took his seat as the 36-year-old junior Senator from Florida—he made one of his great concerns the fight to conquer disease and extend the useful and meaningful span of life. As a new member of the Senate Committee on Labor and Public Welfare and a close friend of our great President Franklin D. Roosevelt, he was an effective cosponsor of the legislation which established the first of our National Institutes of Health—the National Cancer Institute.

Later, in the difficult days of the Second World War, he plunged both his boundless vitality into the task of assessing the wartime health and education of the American people as chairman of a Senate Labor Subcommittee established for that purpose. Out of the mass of information of the shortcomings of our health and education facilities, which was developed under his leadership, the basis was laid for the creation of additional National Institutes of Health in the immediate postwar years. And out of the work of that committee came the national concern for better insurance which led ultimately to the adoption of medicare program upon his return to the Congress as a distinguished Member of this body.

The distinction being conferred upon our colleague at the Albert Lasker Awards luncheon today honors this body and the work on behalf of medical legislation in which so many Members have played an outstanding part. I am sure we are all pleased at this recognition of our colleague's long record of achievement in this vital field of public policy, and I am personally pleased to be able to consider him a loyal and wonderful friend.

PUBLIC BROADCASTING

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Ottinger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. OTTINGER. Mr. Speaker, a New York Times editorial published November 4 contains a paragraph of warning for groups interested in the future of the Public Broadcasting Act signed this week by President Johnson.

The act is a good beginning, the Times says, but then warns that:

> It does not create a noncommercial network. It may not be immune from government as well as indirect commercial network pressure. Here is where citizens' groups may serve a continuing watchdog role.

Mr. Speaker, I think the warning is timely and appropriate. I believe many of us are hopeful, as the Times says:

> TV may yet attain its potential as an instrument of informational, cultural, and educational programming for adult minds and tastes.

I hope that citizens' groups will play an important role in promotion and oversight of public broadcasting. I hope, too, that the private foundations that contributed so much to getting public broadcasting off the ground will retain their financial stake and interest.

I place the editorial in the Record at this point:

Television for Adults

In the eyes of the American TV public, the major development this season is that old

Hollywood films are bigger than ever. These have been enjoyable, though not necessarily educational. Now there are hopeful signs that TV may yet attain its potential as an instrument of informational, cultural and educational programing for adult minds and tastes.

Congress has approved the Public Broadcast Act of 1967 and the President is expected to sign it into law. The act—which covers radio, too—extends funds for the construction of educational broadcasting facilities and orders a major study of instructional television.

Its key title sets up a nonprofit Public Broadcast Corporation with a modest one-year, $9-million authorization. Noncommercial stations will be allowed to take tentative steps toward interconnection for major events, and programing "primarily designed for educational or cultural purposes" will be underwritten as grants—but not produced by the Government corporation itself.

There are some compromises in the act which could seriously affect public broadcasting. For one, the corporation's fifteen-member board, all Presidential appointments with the Senate's consent, includes a balancing section between the political parties; politics should have been left out altogether. For another, there is an ambiguous caution against editorializing which could result in undue timidity.

Two other encouraging developments are the foundation-financed Public Broadcast Laboratory, which begins a two-hour Sunday experimental series on educational stations (Channel 13 here) this Sunday, and the establishment of the private, nonprofit International Broadcast Institute, including distinguished broadcasters from five continents, which will help to promote knowledge about use of satellites and exchange of the many fine programs produced around the world.

The Public Broadcast Act is a good beginning, though it is a far cry from a B.B.C. for the United States. It does not create a noncommercial network. It may not be immune from Government as well as indirect commercial network pressures. Here is where citizens' groups may serve a continuing watchdog role.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1967

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Fraser] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. FRASER. Mr. Speaker, one of the most effective parts of the war on poverty has been the Job Corps program. Yet few elements of the work being done by the Office of Economic Opportunity have been belittled so regularly or so vehemently. I recommended the following article, written by an editorial writer for the Minneapolis Star, to all those who would cut back or eliminate the Job Corps:

On a Job Corps "Campus"

(By Harold Chucker)

Lincoln, Nebr.—It takes six months, in a trade or vocational school, to teach a youngster to become a meat cutter. Here, in the Lincoln Job Corps Center, the same skills are taught in from 20 to 30 teaching days.

The difference is even more striking when the nature of the "student body" is considered. Most of the 1,100 Job Corps trainees at this former Strategic Air Force base are Negroes from urban ghettos or poverty-stricken rural areas. There are smaller numbers of whites, Indians and Spanish-Americans, but all share one thing in common: they are dropouts or push-outs from school, with no technical and few social skills.

That they can learn certain jobs skills swiftly, despite a lack of basic skills and often an initial lack of motivation, is clearly demonstrated at this Job Corps camp. A systems approach to education, plus liberal dosages of "carrots", are being used by Northern Systems Co., a subsidiary of Northern Natural Gas Co., to prove the point.

Northern Systems is one of 10 corporations operating Job Corps camps. Although it was the last to enter the field, it believes its plan of programmed learning makes it the first from the point of speed and thoroughness of training.

The Lincoln center teaches cooking, carpentry, electrical work, bricklaying, heating and air conditioning and automotive mechanics on three "campuses," with vocational training, residential living and general education integrated on each campus.

In the technical training, job skills are broken down into their simplest component parts. On the culinary "campus," for instance, a youth is first introduced to meat cutting knives, and is shown how to hold them and sharpen them. At the next step, or station, he learns how to clean the tools and work area, and even how to wash his hands. At successive stations, he progresses to cutting, weighing, and packaging meats, for supermarket counters or for use in restaurant kitchens, and then on to preparation of food.

Trainees progress from station to station at the rate at which they learn, and can "graduate" into the job world at any place on the line. There is no timetable, and there are few instructors in view. Instead, there are monitors—trainees who have advanced through a number of stations and then are sent back to help others.

Nothing is taught in isolation. Trainees use the same tools all along the line, continually building up their skills. As monitors, the students learn responsibility and how to deal with others, especially those with anti-social attitudes.

Along with the work at the stations are "backup" classes, where instructors—all of them skilled craftsmen rather than teachers—talk each step of the job through with the trainees. The youths are encouraged to talk about the work.

In addition to the technical training, there are visible incentives throughout the camp. Signs at successive training stations, for instance, tell the trainees that "if you have advanced this far, you can get a job paying $1.85 an hour."

There are also certain amenities which are held out as "carrots." When the trainees arrive at the camp, they are assigned to bleak cubicles in the former barracks. As they advance in training, they progress to consistently better living quarters, until as seniors, they find themselves in comfortable, well-decorated rooms comparable to a good motel.

Those who get into trouble, for fighting or destroying property, find themselves in a "readjustment area"—a featureless room with eight cots and little else. After individual counseling, about 85 per cent of these "problem" students return to the "campus." The rest leave the center permanently.

"It's a real world here," Welcome T. Bryant, director of the center, commented. "These kids have been through it all, and now they're getting a chance to make it. They're finding, for the first time, that it doesn't hurt to work with a system."

Bryant, a Negro and a former assistant superintendent of schools in Omaha, enjoys a close rapport with many of the trainees: "You have to be real with them," he said. "You can't be phony, trying to show how much you like them. They don't believe it."

Relations with the communities of Omaha and Lincoln are correct, if somewhat cool. The camp officials have rejected invitations to become involved in teen-age affairs in those cities. Organized social activities for the trainees are restricted mostly to parties with trainees at a Job Corps center for girls in Omaha.

There are attempts, however, to involve the center with the townspeople. Open houses are held frequently. The gymnasium and swimming pool—built by the Air Force when it occupied the base—are opened regularly for children.

"The only people we have trouble with are those who won't come out to take a look," Bryant said.

The Job Corps Center is advantageous for all concerned. Northern Systems operates it at a profit, on a cost plus fixed fee contract with the federal government. Lincoln owns the land on which the camp is located; without the center, the community would have to enter the costly industrial development competition. Gaining most of all are the trainees, who are learning marketable skills.

The systems analysis approach is working so well that Northern Systems is branching out into other areas. It has three contracts to train hard core unemployed adults in Houston, Detroit and Los Angeles.

The company is negotiating with the government of Bolivia to train peasants; with the welfare department in Los Angeles on a project to train welfare recipients for jobs; with officials in Detroit on planning the reconstruction of the riot-destroyed areas, and with California penal officials on a program for training prisoners.

NATIONAL CHILD LABOR COMMITTEE

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Scheuer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. SCHEUER. Mr. Speaker, in 1907 the Congress incorporated the National Child Labor Committee—NCLC—which had been formed 3 years earlier in New York City by a group of distinguished citizens. We directed this voluntary, nonprofit organization to consider and develop "along practical lines such things as might obliterate the evils then arising in the employment of child labor."

Since its incorporation the committee has dedicated itself wholeheartedly to this task. For the occasion of its 60th anniversary, to be celebrated November 16 at the Biltmore Hotel in New York City, it is fitting that we should review and note the accomplishments of this outstanding citizen group. It exemplifies the contributions to social progress that can be made by concerned citizens participating freely in the development of national programs and policies directed toward the solution of major social problems.

Consider the conditions in child labor when the committee came into being in 1907: within a population of 82 million, some 800,000 children between the ages of 10 and 13 were employed. An additional million between the ages of 14 and 15 were also at work. If there were employed children under age 10, which was likely, nobody bothered to count them.

Many of those children worked 10 or 12 hours a day, often in sweat shops.

They rarely breathed fresh air, and were denied the opportunity to play or attend school. Added to these conditions were the rampant dangers of unsafe, primitive industrialism. According to one report of the time: "Not a day passes but that some child is made a helpless cripple."

By 1932, after its first 25 years of activity, the committee could look with justifiable pride to a considerable list of accomplishments. Where only 17 States had prohibited minors under 14 from working in factories when NCLC was founded, a quarter-century later there were 39 States with such laws. The 8-hour day for workers under 16, virtually unheard of in 1904, prevailed in three-fourths of the States. The number of States which banned night factory work for minors under 16 had increased from five to 36. The Federal Government, at the suggestion of the committee, set up the Children's Bureau in 1912.

By 1957, when the committee was 50 years old the list of achievements in which it had had a hand was even more impressive. The Walsh-Healy Act of 1936 contained minimum age standards for employment in the production of goods for the Government. In the following year the Sugar Act made beet growers ineligible for benefits if they failed to observe minimum standards regarding age and hours of work. In 1938, the Fair Labor Standards Act provided comprehensive regulation of child labor in interstate commerce. In the States, there had been additional strengthening of child labor laws.

But by this time, in a rapidly changing industrial climate, the conditions affecting young people in employment had altered markedly. To be sure, violations of child labor laws were and still are a problem. Among migrant farm laborers, children of school age and below were and are employed by the thousands under primitive conditions. However, new priorities involving young workers were appearing on the national scene. School dropouts and juvenile delinquency were emerging as the pressing youth problems of the day.

To the committee, acutely sensitive to the current and approaching problems of young workers, it was apparent that the tremendous increase in the proportion of young people in the population as a result of the "baby boom" that followed World War II would produce teenage unemployment of unprecedented magnitude. Within this group, the problem of minority discrimination in education and employment would be of particular concern.

The National Child Labor Committee responded flexibly and imaginatively to these changed conditions. In 1959 it created the National Committee on Employment of Youth, directed at helping young people get a proper start in work through improved preparation and expanded job opportunity. In 1963 it set up the National Committee on the Education of Migrant Children, which seeks to eliminate the damaging effects of child labor in the migrant farm labor group and to substitute the constructive influence of proper schools and day care centers, and strengthened family life.

Through these agencies the National Child Labor Committee continues to provide critical analysis of policies, programs, and services related to child labor and youth employment. It devises new and better policies and programs for dealing with problems as they arise, and new approaches to dealing with youth problems for conditions it anticipates will become critical. It helps keep the public, as well as the specialists, alert to current and upcoming issues. It assists, where it can with the development of employment, education, and training programs, and development of the personnel needed to staff new programs.

Congress made a wise choice in 1907 in selecting the National Child Labor Committee to "promote the welfare of society with respect to the employment of children in gainful occupations, and thus to aid in securing for them an opportunity for elementary education and physical development sufficient for the demands of citizenship and the requirements of industrial efficiency." The committee's implementation of this mandate, its responsiveness to the changing character of young people's labor problems and the changing needs of a developing industrial nation whose industrialism, as it declared in 1904, "should not be allowed to degrade humanity," is commendable.

We should congratulate the National Child Labor Committee for its 60 years of service to youth—our most valuable natural resource—and wish the committee many more years of success in its important work.

ECONOMIC OPPORTUNITY ACT AMENDMENTS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. SCHEUER. Mr. Speaker, for the past several days, debating the Economic Opportunity Act amendments, we have been barraged and bruised by the empty defeatism and meat ax hyperbole of those who seek a unilateral withdrawal from the war against poverty. These "domestic doves" preach peace and withdrawal in the face of an enemy whose battalions are comprised of joblessness, hunger, illiteracy, and desperation.

Instead of poverty itself, they appear to regard the poor as the enemy.

Yesterday we were entertained by talk of "Ivy League bleeding heart liberals"—talk that rather should have focused on the individuals this legislation is attempting to assist.

This morning I received the following letter from Lucille Murray, president of the 140th Street Block Association in the Bronx. She is doing her utmost in her nonbleeding heart, non-Ivy League way to fight poverty. She does it by giving splendid leadership to a neighborhood program which takes welfare mothers off relief and trains them, and employs the unemployable.

Gentlemen of the opposition, domestic doves, meet your enemy:

THE 140TH STREET BLOCK ASSOCIATION,
Bronx, N.Y., November 8, 1967.

DEAR CONGRESSMAN SCHEUER: I tried to reach you today, but you were in a meeting. I am sure and hope that you were handling the same issue in which I am about to write. That is saving the poverty program or to do all that is in your power to avoid the drastic cut in the programs.

Our organization is very proud of the fact, that summer 1966 we took 15 welfare mothers off of the relief roll by training them as nurses aides. Two of them have gone on to Practical Nursing training.

Summer 1967, we employed neighborhood people that had been unemployed for 16 years. We have had many accomplishments. We are presently operating on an extension, we are the Only Information and Referral Center, that is open from 9 A.M. to 9 P.M. If we are able to continue year round our schedule will include 4 hours on Saturday. We are engaged in quite a number of services to the community. Just think of what this will do to the people of our community. As a resident, a leader in the community, and most of all one of your constituents I appeal to you, do all in your power to save the poverty program. If you need my voice in Washington or a lobby group, call on me will be there.

Very truly yours,
LUCILLE MURRAY,
Director

AIR CONTROL

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. FRIEDEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, an editorial published recently by the Baltimore Sun makes an important point concerning the air quality bill which has been passed by both houses of the Congress.

As Members know, the bill places much responsibility upon the States to set emission standards for air polluters. The bill does not provide for uniform, national emission standards.

This means the Federal Government may move only after it can show that a State has not complied with the intent of the Congress, as expressed in the bill.

I believe that air pollution is a regional problem, and I agree that the States should be required to set emission standards. This may take a little more time, but it is a logical, orderly, governmental process.

Mr. Speaker, I include the Baltimore Sun editorial in the RECORD at this point:

AIR CONTROL

The Air Quality Act of 1967, as passed by the Senate and House, does not give the Johnson Administration what it wanted. The original bill would have permitted the Secretary of Health, Education, and Welfare to set national emission standards for industrial polluters. But that was scrapped and in its place was substituted a provision placing considerable responsibility for establishing emission standards on the states. The Federal Government can move in only after it shows that a state has not lived up to the intent of the act.

This doesn't mean the bill is a failure. On the contrary, Senator Muskie of Maine, perhaps the leading congressional exponent of clean air, argued convincingly that pollution is essentially a regional problem and that uniform national standards, while effective in some areas, might not be effective in others.

Unfortunately the regional approach means that progress will be slow and agonizing—this because of the complicated and time-consuming procedures which must precede Federal action. The redeeming feature is that, ultimately, the standards will have to be as stringent as the Secretary thinks necessary. If he wants to get tough, he can give the nation clean air despite the obstacles Congress has thrown in his path.

REMARKS OF HON. HENRY H. FOWLER

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. HARDY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request, of the gentleman from Arkansas?

There was no objection.

Mr. HARDY. Mr. Speaker, the people of Virginia are proud of the contributions to our national life which Virginians, over the years, have made. We are proud of leaders in many walks of life whose outstanding achievements are recorded in the history of our United States. None of these has served our country with greater integrity and greater dedication than the present Secretary of the Treasury.

His dedication to and his awareness of his country and its problems was again evidenced in his address on October 28 before the honors convocation of his alma mater, Roanoke College. Because of the depth of his remarks and the reality with which he faces our current problems and our future, I include in the RECORD the remarks of the Honorable Henry H. Fowler, Secretary of the Treasury:

REMARKS BY THE HONORABLE HENRY H. FOWLER

As a proud alumnus of Roanoke College, may I congratulate the faculty, Trustees, students, and all those responsible, for the perceptive program marking this 125th Anniversary Celebration of the educational contributions of Roanoke College to the State, the nation and the world.

How fitting—instead of looking back with satisfaction—to look forward to a fuller achievement of the ancient dream of the founders.

Today, in this Honors Convocation the college—this community of intellectuals—does honor to some of an older and passing generation of its alumni for their performance in this work-a-day world.

But our real concern today is that tomorrow's students have the opportunity and equipment to move boldly into the decades ahead. As the program notes, Roanoke College is concerned with "preparing students for the developing world."

For those of us in the older generation who are privileged to participate in this Honors Convocation, we are grateful.

We treasure this mark of your regard.

But, it is a bittersweet moment.

With it comes the reality to be faced—our time is rapidly passing. Soon a new generation will take over. What we now on the topside of fifty think and do will not matter too much for too long. But what this new generation does or does not do will matter terribly for as long as we dare contemplate.

It is my passionate conviction that what the new generation of Americans do and think—particularly those who are university and college trained—will determine the future course of world affairs.

Justice Oliver Wendell Holmes once observed that the only people he despised were those who stayed aloof from the passions of their times.

Because of circumstances beyond their control, the new generation of college trained Americans will be unable to remain aloof from the passions of their times at home or in the world at large. They have an inescapable responsibility to become involved. They will be educated men and women and, because of that, they will have a special responsibility to their community. Because they are Americans, they will have an inescapable responsibility to the world community. This becomes clear as we face the facts of life that surround America's position in the world.

Against this background the 125th Anniversary program aptly chooses as its theme "A New Man for a New Age."

I will not discuss today this theme in the context of responsibility to the pressing problems here in the United States which call for a steady flow of extremely capable people into decision-making roles in our domestic society. The agenda at home for the on-coming generation is long and compelling.

To meet these problems, as my colleague, John Gardner, recently remarked, we need our ablest and most capable young people in the dangerous and strenuous positions of leadership. To use his words:

"We need them as leaders, not just as buttoned-up and buttoned-down professionals living secure and tidy lives. We need them as leaders in business and in education and in every other area of our national life—but most particularly we need them in public life.

"We are producing the most educated, articulate and brilliant sidewalk superintendents the world has ever seen."

Apathy, cynicism, intolerance, self-deception, and an unwillingness on the part of the individual to lend himself to any worthy common purpose can lead to the decay of any civilization—even ours here at home.

The aspect of "A New Man for a New Age" to which I will invite your attention is the inescapable responsibility of the educated American to the world community.

We must ask ourselves several questions. The first—what kind of citizens of the world community are we? This question can be answered. We shall attempt it.

The second question—what kind of people as citizens of the world community should we become—cannot be so easily answered. It is not a matter of individual judgment but of collective decision. And only the future will tell whether we as a people are setting our sights and fixing our goals wisely, realistically and with a vision and courage that measure up to the responsibilities our God-given opportunities have brought to us.

I can only give you one man's view based on one man's observation, experience and participation.

In such a moment—confronted by such a task—one is reluctant to etch even in broad outline his own personal dream and conception of a new man for a new age. For in so doing he will inevitably take a measure of his country and his fellow countrymen.

In New York there is a play called "Man of La Mancha." It is a new version of an old story of Don Quixote. It is notable for one of the lyrics called "The Impossible Dream."

Dare we in envisaging "A New Man for a New Age"—the role of the educated American in a developing world—dare we dream "The Impossible Dream" of an America continuing to lead a community of nations toward peace and security, and toward that development for all men that has been the dream of the poets, the philosophers, and the men of faith down through the ages?

I covet that role for my country and its new generation of educated Americans.

I

Why is the responsibility of the new generation to become involved in the world community inescapable?

A short answer is that this new generation of educated Americans will be leading a nation which in the greatness of its power and wealth and influence no other nation in the world can equal or, indeed, approach.

Our immense power is combined with a growing dedication to a tradition of individual freedom and equal opportunity, self-determination for nations, and an unparalleled material development that promises the large-scale conquest of poverty, illiteracy and disease for the first time in human history. Given this combination of strength and purpose, we bear upon our shoulders the mantle of Free World leadership.

We have not sought that leadership. Indeed, our earliest tradition was isolationist. Under the circumstances then existing, isolationism was both practical and idealistic. Because our country was relatively small in population and wealth, geographically isolated from the main movements of world politics, the educated American of the era of Washington, Jefferson and Madison could realistically satisfy his idealism by seeking to create in America a splendid and inspiring example to all believers in popular government everywhere.

But by the beginning of this century this nation had grown too great to live alone in a world grown so small. We came to learn that any threat to freedom anywhere is a potential threat to our own freedom. In such a world isolation offers only the illusion of security and strength. In reality, it is the course of greatest weakness and greatest danger.

But, for a while we retreated—for a while we refused to accept a share in the responsibility that history was beginning to thrust upon us. International power politics—European style—brought World War I and in its wake Soviet Communism, a new form of imperialism. In the 1920's after the horror of World War I we washed our hands of a world which was not one of our making and not to our liking—we withdrew from an international effort to preserve world order. We left the job of peace, security and economic development to others.

Within two decades we found ourselves embroiled in a world-wide depression and in the far greater horror of World War II.

The cost of the world-wide depression was incalculable. One by-product was an Adolph Hitler and a conviction, fed by appeasement, that free democratic societies would not resist aggression—a view shared by Mussolini and the Japanese war lords. The cost of the resulting war to the world has been estimated at one trillion, one hundred and fifty-four billion dollars—taking no account whatever of any property damage. In that war nearly one hundred million people had died in the resulting maiming and disease and starvation.

In the wake of that war came a new and serious challenge posed by a Soviet Communist imperialism committed at the outset to world conquest—by outright aggression and by subversion backed by threat of aggression. Not far behind was an even newer brand of Chinese Communist imperialism—sometimes competitive and sometimes cooperative with the Russian brand—but always contemptuous in public utterance and act of competitive coexistence with a non-Communist world.

The unleashing of these new forces coincided with the collapse of the colonial system of the European powers. The weakness of old nations and the emergence of 61 new nations was coupled with growing demands and rising expectations of underprivileged peoples everywhere for full and early deliverance from hunger, disease, ignorance and grinding poverty.

Meanwhile, the world has become increasingly interdependent as communication, missiles and the movement of ideas, goods and people make our globe an ever smaller planet. And the Space Age even promises to bring the other planets closer.

In addition to the facts of history and communication, there are some economic facts that place upon the United States an inescapable responsibility in world affairs.

Consider the mighty productive power of the U.S. economy. With a population of less than nine percent of the total Free World population and less than six percent of the total world population, this country enjoys a Gross National Product that amounts to more than 42 percent of the total Free World production and far exceeds the total output of all the Communist areas combined. Or, expressed in different terms, our Gross National Product per person exceeds $3,700 per year, more than twice the average $1,660 for European industrial communities, more than seven times an estimate of less than $500 per person for all the Communist world combined, and more than 20 times an estimate of less than $180 per person for the so-called less developed world.

And recent developments in the pace, pattern and policies of the U.S. economy have added incredibly to our power, wealth and strength. Next month the U.S. economy enters the 81st month of an expansion which began in February 1961 and has continued uninterrupted by recession. This will make the current expansion the longest in our history. Moreover, our rate of economic growth has doubled in the last six years over the pace of the previous six. From 1961 through 1966, income per person after taxes and after correction for price changes has risen by 28 percent.

On a global scale the massive dimensions of our current expansion may best be appreciated by some comparisons. In just six and one-half years the U.S. Gross National Product—that is the value of what we produce each year—has risen by more than $285 billion. This increase in the value of our production in a short span of six years exceeds the total 1966 Gross National Product of France, West Germany and Italy combined. In other words, it is as though since 1961 we had annexed a national increment to our productive power equal in size to the combined production of these three great countries.

There need be no guilt complex about making responsible use of this power and wealth. Surely, a large country, already quite rich, has little to gain from imperialistically exploiting other nations. Yet, there are those who shrink from the responsibility that comes from this power and wealth. Power, they say, corrupts. And they learnedly quote Lord Acton. But the power and wealth of the United States is also a fact. It must and will be used in the world community for good or evil. That is why the responsibility for its use is inescapable.

This brings us back to the world of reality in which "The New Man for a New Age" in the United States must live.

Some Americans of this new generation, if one is to believe all that one reads about the growing Hippie population and the revolt of some intellectuals on some campuses against American foreign policy, would prefer to be citizens of a small and relatively impotent nation, ignoring what happens in the world and acting as though their nation cannot change it. Those who would have us come home from everywhere and mind only what they consider our own business ignore the different measure of responsibilities that attaches to a large and powerful country in contrast with a small and weak one.

This was well put by a recent commentator in the July issue of "Foreign Affairs". He said: "There are a great many people who appear to think that a great power is only the magnification of a small power, and that the principles governing the actions of the latter are simply transferable—perhaps with some modification—to the former. In fact, there is a qualitative difference between the two conditions, and the difference can be summed up as follows: a great power is 'imperial' because what it does *not* do is just as significant and just as consequential, as what it does. Which is to say, a great power does not have the range of freedom of action—derived from the freedom of inaction—that a small power possesses. It is entangled in a web of responsibilities from which there is no hope of escape: and its policy-makers are doomed to a strenuous and unquiet life, with no prospect of ultimate resolution, no hope for an unproblematic existence, no promise of a final contentment. . . . It is no accident that all classical political philosophers, and all depicters of utopia, have agreed that, to be truly happy a human community should be relatively small and as isolated as possible from foreign entanglements."

So here we have the first dimensions of the "new man for a new age." He must expect the strenuous and unquiet life with no prospect of ultimate resolution, no hope for an unproblematic existence and no promise of final contentment.

I would suggest that the young Americans in the Armed Forces who come into our homes on television from far-off Vietnam, or are less dramatically engaged in the far-flung operations of the Peace Corps, or who are diligently preparing themselves for a constructive role in society by pursuing their studies in classroom, dormitory and library rather than cultivating the practice of civil disobedience—these fill out "the new man for a new age" concept. The Hippies and the practitioners of civil disobedience seek an escape from it.

II

In peering ahead to the all-important future for the oncoming generations of Americans in the world community we must ask ourselves what kind of people we have been in the years just past. Continuity and consistency are important. In these times we cannot lead the world to peace, security and development sporadically.

My own assessment is that the American people have a right to be proud of their performance in the world community since World War II.

Of course, mistakes have been made, and hindsight is always better than foresight. But, by and large, our people—young and old, rich and poor, business and labor, Democrat, Republican, or nonpartisan, leaders and rank and file—have met the great and common challenges before us and seized the great and common opportunities.

We have helped mightily in a thousand ways to restore the materially advanced countries which were ravaged by war and did not fall behind the Iron Curtain.

We have sought and struggled for peace within the framework of the United Nations and outside it.

We have lived up to our commitments in providing leadership and standing firm with other like-minded people against Communist aggression and externally supported subversion, supplying with our Allies sufficient force and power to deter such efforts and to demonstrate beyond any doubt that they are far too unrewarding and dangerous to be worth the risk.

We have provided leadership in assisting on a multilateral basis the new nations in their struggle to achieve both essential stability and sufficient progress toward meeting the rising needs and demands of their people.

We have given leadership in promoting the development of an astonishing volume of world trade and investment across international lines and promoted the highest degree of international economic and financial cooperation ever experienced in those countries that make up the Free World, resulting in the greatest era of common prosperity and growth that many have ever enjoyed.

We have helped to counter aggression in many guises—open or concealed—on nearly every continent on the globe, involving the freedom and self-determination of countries great and small—in Iran, in Greece, in Turkey, in Berlin, in Korea, in Lebanon, in Taiwan, in the Congo, in Laos, in India, and now in Vietnam.

But, this has not been a seeking of a "Pax America". We have sought, not to act alone and apart, but to join with other nations in forging effective alliances against aggression—aggression in the Atlantic Community through the North Atlantic Treaty Organization, aggression in Southeast Asia and the Pacific through the Southeast Asia Treaty Organization, aggression in Latin America through the Organization of American States, and aggression anywhere in the world through the United Nations.

In the two decades since the end of World War II, we have spent vast sums of money to maintain our military security and that of the Free World. Our national defense expenditures add up to over $850 billion in the last twenty years.

More significant, the young people of both the generation past and this generation have borne arms on behalf of all of us and the future peace and security of the world in many countries at many battle stations. Some have sealed the sacrifice in blood. More than 33,000 Americans died on the battlefields of Korea and more than 103,000 were wounded. As of a week ago, more than 14,000 Americans had died in Vietnam and more than 47,000 had been wounded.

We have helped organize and encourage the development of great multilateral organizations for peace and development and their accomplishments reflect, in large measure, our leadership and our support—the United Nations, the International Monetary Fund, the World Bank, the Marshall Plan, the Inter-American Development Bank, the Alliance for Progress, and now the Asian Development Bank.

Through these multilateral efforts, through bilateral government aid, and through numerous private channels—such as our private foundations and multinational corporations—we have devoted a substantial share of our wealth, energy and resources to the mutually agreeable and beneficial task of helping others increase their contribution to Free World abundance. In the postwar decades we have contributed in excess of $100 billion of our national wealth to helping better the lives of others and provide a stable world community of free nations through our major government foreign assistance programs.

Indeed, in meeting the great challenges in the world community the American people have not been found wanting. Never in the memory of man has any nation done so much and at such great cost, not to gain dominion over the lives or the resources or the territory of others, but to help others gain full and free dominion over their own destinies.

We have understood—and our accomplishments have proclaimed our understanding—that with might must come maturity, with wealth and riches must come wisdom and responsibility, and with success must come service.

This is more than the history of an era past. It is the living reality of right now. It is a dynamic moving process. The foundations placed by Presidents Truman, Eisenhower and Kennedy are being built upon soundly by President Lyndon Johnson. There is continuity in conception and consistency in achievement.

Look more closely in 1967, which has been a most constructive year for the United States in the world community.

True there is the stubborn refusal of a Ho Chi Minh, abetted by his Soviet and Chinese allies, to accept repeated invitations to unconditional negotiations, looking to a peaceful settlement in Vietnam.

Yet through patient and persistent exchange of views, American diplomacy has achieved agreements and participated in the formulation of meaningful international arrangements that promise much for the future of the world community.

The successful conclusion of the Kennedy Round negotiations to reduce tariffs will—if we have the courage and wisdom to resist current protectionist moves—lower trade barriers to many of the goods produced by the United States and other nations, further stimulating the unparalleled growth of world trade in recent years.

The plan for the deliberate creation of a new world monetary reserve asset to supplement inadequate supplies of gold and relieve reserve currencies from additional strains was recently approved by the member nations of the International Monetary Fund after two years of intensive negotiations.

Other agreements encompass more than Free World cooperation.

The treaty for the peaceful exploration of space has been recently ratified. This treaty, and the draft non-proliferation of nuclear weapons treaty filed jointly with the Soviet Union, constitute giant steps to delimit the threat of nuclear conflict.

The Presidents of the nations of the Western Hemisphere decided this past spring to build a Latin American Common Market during this next decade. The Asian Development Bank became a going institution this year.

Even though there was a sharp and distressing war in the Middle East, the fighting was ended in four days without the great powers being drawn into conflict.

And so, my friends, the old generation does not say to on-coming generations that it has always been successful. But no man and no nation can justly deny what history makes manifest: in the last twenty years we have not been found wanting as citizens of a world community.

My generation has asked certain questions: Is it worthwhile to devote a portion of our human and material resources to the military effort required for the promotion and preservation of peace and freedom in a world in which tyranny cannot be imposed by aggression? Is it worth it to devote a share of our resources to help shape a world that will, year by year, witness nations, new and old, beat back the tides of hunger and disease and illiteracy in an atmosphere of economic and social progress and of political freedom and order? Is it worthwhile to work with other like-minded nations in a wide range of ever-growing economic, financial and cultural cooperation?

For two long decades, under four great Presidents—Harry Truman, Dwight Eisenhower, John Kennedy, and Lyndon Johnson—we have answered these questions in a clear and unqualified affirmative, for that has seemed to us to be the only answer that a truly great nation can and should give in an inter-dependent world.

III

And now we come to the final question which will be answered—like it or not—by both the old and the new generation. That question is: What kind of people as citizens of the world community shall we become in the face of adversity, disappointment and frustration?

There is a choice to be made. And, like most choices in a confused and complicated area, the ultimate choice arises out of some concrete decisions in concrete situations. And the usual array of options is retreat, hold fast or go forward. This choice is being presented to you at this very moment in a new and novel form.

Vice President Humphrey said earlier this week:

"There are growing indications that the coalition of retreat would impose a new isolation—or maybe it is the same 'old isolation'—on America in a shrinking, hungry, troubled and dangerous world."

He cited danger signs in foreign policy—the efforts which would undermine the achievements of the Kennedy Round, the attack on foreign aid which puts in jeopardy our whole constructive postwar work of nation building, and the attack on U. S. policy in Vietnam.

Those who would have America retreat from it world responsibilities point up the difficulties where the going is tough, the problems endless, and the deficiencies of others somehow a moral challenge to quit. Perhaps they have never taken to heart the words of Sir Thomas More in his "Utopia" about the obligation of the true intellectual:

"If evil persons cannot be quite rooted out, and if you cannot correct habitual attitudes as you wish, you must not therefore abandon the Commonwealth . . . you must strive to guide policy indirectly, so that you make the best of things, and what you cannot turn to good, you can at least make less bad. For it is impossible to do all things well unless all men are good, and this I do not expect to see for a long time."

So it is important that we maintain our morale, our faith in ourselves, and our role in the world community regardless of the difficulties, frustrations and disappointments.

The single most acute situation in which our morale, our faith in ourselves, and our role in the world community is being tested is Vietnam.

Heretofore, the danger to America's role of responsibility in the world community has come from an unwillingness to become involved, as in the late Thirties—a withdrawal in the wake of success or victory, as in 1919—an indifference or apathy to a threat not fully perceived, as in Cuba in the late Fifties.

But today a new and more terrifying danger signal sounds. It is the rising cacophony of voices being increasingly heard that urge or suggest that in one way or another the United States contrive a withdrawal from its international commitment—specifically in Vietnam.

Let us be clear about this issue. This is not a debate about whether the United States should enter into a commitment or should have become involved in Vietnam. We are in Vietnam. Our commitment is clear. These are demands, growing increasingly strident, culminating in a disgraceful demonstration last weekend before the Pentagon, that the United States go back on its commitment and, in one way or another, reward aggression by North Vietnam against South Vietnam.

The SEATO Treaty, approved in 1954 with only one dissenting vote by our Senate, declares that:

"Each party recognizes that aggression by means of armed attack in the treaty area . . . would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger."

The fidelity of the United States is not subject to the veto of some other signatory—and five signatories have engaged their forces alongside Korean and South Vietnamese troops.

I wish to join with the eminent and courageous Secretary of State Dean Rusk, who recently told the American people:

"Let me say, as solemnly as I can, that those who would place in question the credibility of the pledged word of the United States under our mutual security treaties would subject this nation to mortal danger. If any who would be our adversary should suppose that our treaties are a bluff, or will be abandoned if the going gets tough, the result can be catastrophe for all mankind."

What is the objective of our treaty commitments? It is the overriding objective of our foreign policy—the establishment of a reliable peace. It is to prevent World War III. It is to stop aggression before it becomes a pattern of international conduct.

Our several alliances in the Pacific reflect our profound interest in peace in the Pacific and in Asia, where live two-thirds of the World's people who are no less vital to our national interests than are the people of our own hemisphere or those of the NATO area.

The so-called "war of national liberation", which is a new phrase for Communist subversion aided and abetted from outside the afflicted country, is not peculiar to South Vietnam. In one form or another it is apparent in Laos and Thailand. There was a major Communist effort in 1965 to take over Indonesia and its more than one hundred million people.

And "wars of national liberation", if successful in achieving Communist domination in Southeast Asia, will not be confined to that area. The spectre of Castro, the adventures of Che Guevara, and recent incidents in other parts of the Western Hemisphere remind us that they can strike nearer home.

The issue on Vietnam is coming into clearer focus as the public debate waxes in the Congress, in the press, on every television set, and on every street corner. It is: shall we fall back, get out, go all out, or stick it out on the course our Commander-in-Chief has chosen?

Eyes and ears all over the world are watching and listening. They are making up their minds about what kind of people we are going to turn out to be.

Of course, Hanoi is listening. They remember that they defeated France in Paris—not Vietnam. They seem determined to turn down all offers to negotiate while their hopes are being raised by the sounds of dissent in the United States.

And Moscow is listening.

And Peking is listening.

For much of their future plans will hinge on the outcome of this debate and the kind of people we Americans turn out to be in the hot crucible of divided opinions.

After all, as recently as this year, to celebrate the 50th anniversary of the Bolshevik Revolution, a Soviet Communist party document was issued in Moscow which stated:

"Imperialism, notably U.S. imperialism, was and continues to be the main enemy of the national liberation movement."

Should that "main enemy" cut and run in Vietnam, how many "national liberation movements" will be mounted in the years to come?

And, yes, there are others listening to this debate in many other capitals—of countries allied to us—of countries uncommitted.

Prime Minister Lee, of the Republic of Singapore, made a most revealing statement on one of the nationwide television networks last Sunday, saying:

"I have no doubt that your President has got resolution, and determination and restraint, and I have also no doubt that your Secretary of State and Secretary of Defense have got it, but what, I think, in your kind of open, democratic society you must demonstrate, and which I have really come here to try and understand better, to watch the proceedings in your presidential elections next year is whether you, as a people, have got that resolution, that stamina, that perseverance and, most important of all, infinite patience and capacity to hold back your desire to settle this quickly and get it over with, because this is a very different kind of war."

A little bit later the Prime Minister made another observation apropos the position of the uncommitted people of Asia, Africa and Latin America. He said:

"And if you want people to take a stand, you have got to demonstrate that as a people you have got what it takes; that Asia does matter to you and does matter to the Free World, as you call it."

So, my good friends, it is not the President of the United States, our Commander-in-Chief, and his principal aides who are on trial in this ordeal. Ho Chi Minh knows where they stand. So do the leaders of the Asian countries who are fighting by our side in South Vietnam. So do the leaders of the uncommitted people. What they are not sure of is where the American people stand because they are confused by the babel of dissent.

Therefore, for one, I welcome the emergence this week of a new voice which I like to believe is the truly authentic voice of my generation. I refer to the organization announcement of the Citizens Committee for Peace in Vietnam, and its statement that:

"We strongly support our commitment in Vietnam and the policy of non-compromising, although limited, resistance to aggression . . . We believe that, in this, we speak for the great 'silent center' of American life, the understanding, independent and responsible men and women who have consistently opposed rewarding international aggressors from Adolf Hitler to Mao Tse-tung. And we believe that the 'silent center' should now be heard."

Signatories to that statement and members of the new, nonpartisan Committee include former President Truman and former President Eisenhower, and I, for one, have no doubt that the spirit of John F. Kennedy approves and appreciates the statement of the Committee, and in particular, these further words:

"We are not supporters of a President or an Administration; we are supporters of the Office of the Presidency."

And so, my friends, in conclusion, my message from an older generation to the "New Man for a New Age" at Roanoke College and its sister institutions concerning his role in the world community is a simple one.

You are inescapably involved in the affairs of the world. Of necessity you will have to be a leader—a leader in the further advance to durable peace, security for all nations, development and opportunity for all people—or a leader in a personal and national retreat from a great tradition that started with the Declaration of Independence and the Constitution and has flowered in a United States foreign policy shaped in the last twenty years by four great Presidents.

The path for continued advance on the course set will not be easy; the problems will be endless. Courage, stamina and vision must match training and skill. You will not be loved in the world—no great power enjoys popularity in world affairs. But upon you falls the duty to be sure the United States is respected.

DRAFT DEFERMENTS FOR POLICE OFFICERS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. KORNEGAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. KORNEGAY. Mr. Speaker, on August 3 I introduced a bill, H.R. 12089, which would recognize the essential nature of police work and which would provide for the deferment of police officers from induction into the Armed Forces until June 30, 1970.

The need for retention of police officers is critical and grows more so as unrest and disorder increase in our Nation.

Just this week I received correspondence from the National League of Cities in support of my proposed legislation. The league's national municipal policy calls for draft deferments for police officers. The league has also filed a petition requesting police draft deferments with the Interagency Advisory Committee on Essential Activities and Critical Occupations.

The petition presents the need for such deferments with supporting statements from police executives throughout the Nation.

I would like to have printed in the RECORD at this point the letter I have received from Mr. Allen E. Pritchard, Jr., assistant executive director of the National League of Cities, and the league's petition:

NATIONAL LEAGUE OF CITIES,
Washington, D.C.

Hon. HORACE KORNEGAY,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN KORNEGAY: The National League of Cities is increasingly concerned about the difficulties our police departments face in hiring and retaining sufficient manpower to meet their growing responsibilities.

Our *National Municipal Policy* calls for draft deferments to be granted to police officers. We, of course, support H.R. 12089 which you have introduced seeking such a deferment.

To achieve a more immediate remedy, we have filed a petition requesting draft deferment for police officers with the Interagency Advisory Committee on Essential Activities and Critical Occupations. Because of your interest in this matter, we are enclosing a copy of our petition.

Sincerely,

ALLEN E. PRITCHARD, Jr.,
Assistant Executive Director.

PETITION OF THE NATIONAL LEAGUE OF CITIES (Submitted to the Interagency Advisory Committee on Essential Activities and Critical Occupations, requesting that law enforcement officers be added to the U.S. Department of Commerce list of currently essential activities and the U.S. Department of Labor list of currently critical occupations)

PETITION BACKGROUND

The National League of Cities, through its affiliated state leagues and direct member cities, represents over 14,300 cities, large and small, in all 50 States. Each year, representatives of these cities meet in an annual Congress of Cities to adopt our National Municipal Policy. The Congress of Cities, meeting in Boston on August 2, 1967, unanimously reaffirmed policy statement requesting that commissioned law enforcement officers be placed on the U.S. Department of Commerce *List of Currently Essential Activities* and the U.S. Department of Labor *List of Currently Critical Occupations.*

There are approximately 384,000 full time law enforcement personnel in the nation, of which approximately 42,000 are civilians.[1] Eighty-three percent of law enforcement employees are employed by local governments, and, of the approximately $2.6 billion spent for law enforcement in 1965, local governments spent in excess of $2 billion.[2] We believe that placing commissioned law enforcement officers on these lists will improve the ability of local governments to recruit and retain high quality enforcement personnel and improve local governments' crime fighting capability.

Our National Municipal Policy states:

"The maintenance of law and order, in periods of peace and in war, is essential for the preservation of life, property, and the democratic institutions that form the cornerstone of this nation. To accomplish this end, every effort must be made to keep the nation's law enforcement agencies as near as possible to their authorized strength. Commissioned peace officers should be included on the U.S. Department of Commerce List of Currently Essential Activities and the U.S. Department of Labor List of Critical Occupations, which lists are used as guides by local Selective Service Boards to classify individual registrants for military service."

To implement this policy in behalf of our over 14,300 member municipalities, we are filing this petition.

JOB DESCRIPTION

We petition for inclusion on the Lists of Currently Essential Activities and Currently Critical Occupations of commissioned law enforcement and peace officers of units of general local government (cities, counties, townships, etc.) the District of Columbia, and the states, while such officers are employed on a regular full time basis, or while they are pursuing an authorized course of training or education in law enforcement on related fields. The job classifications which we request be added to the lists are defined in the *Dictionary of Occupational Titles,* 3rd Edition, 1965. The job classifications are listed under "Occupational Group Arrangement of Titles and Codes," subgroup "Service Occupations," in Category No. 375, "Policemen and detectives: public service." We request that all the job classifications under Category No. 375 be included on the List of Currently Essential Activities and Currently Critical Occupations, with the exception of Subcategory No. 375.588, "Parking enforcement officer."

INFORMATION SOURCES

In preparing this petition, we sent questionnaires to 349 cities to obtain specific data that was not otherwise available. Two hundred five cities, representing a combined population of approximately 37,000,000, replied to the survey. The following chart shows the population distribution of the cities which replied:

City size:	*Cities replying*
Over 250,000	31
100,000–250,000	37
50,000–100,000	71
25,000–50,000	40
Below 25,000	26
Total	205

---

[1] These figures are based upon the *Task Force Report on the Police* of the President's Commission on Law Enforcement and Administration of Justice, which reported 371,000 full time law enforcement employees in 1966 and an average annual growth rate of 3.6%. The civilian figure comes from a task force estimate that 11% of full time law enforcement employees are civilians.

[2] President's Commission on Law Enforcement and Administration of Justice; Task Force Report: The Police; U.S. Government Printing Office, Washington, D.C., 1967, p. 7.

In addition to the survey, other sources of data include:

1. A survey conducted by our organization in early 1966, the results of which were reported in "Municipal Law Enforcement, 1966," an article by Raymond L. Bancroft, which appeared in the February, 1966 issue of our Nation's Cities magazine.

2. The *Task Force Report on the Police*, by the President's Commission on Law Enforcement and Administration of Justice.

3. The *Municipal Yearbook for 1967*, published by the International City Managers' Association.

4. The *Uniform Crime Reports, 1966*, published by the Federal Bureau of Investigation.

IMPORTANCE AND SCOPE OF LAW ENFORCEMENT ACTIVITY

The extent to which our law enforcement agencies successfully perform their duties in the areas of crime prevention, apprehension of offenders, traffic safety, accident prevention and related duties is of vital importance to the defense of the nation and the individual wellbeing of all its citizens. Greater numbers of high quality people must be recruited and retained in professional law enforcement work if the Federal, state, and local governments are to successfully carry out their responsibilities to protect life and property and preserve the peace. In 1966, there were 3¼ million serious crimes reported in the United States. This represented an 11% increase over 1965.[3] At the same time, police solutions of serious crimes declined by 8%.[4] A major factor in this increasing crime rate, and declining clearance rate is the difficulty which police departments have in hiring and retaining high quality personnel.

Laws are made to preserve order in all parts of society, and a substantial share of the burden of enforcing these laws falls on local police officers. A democratic society can exist only where a high degree of law and order is preserved. Local law enforcement activities are vital to national defense in the following ways:

1. A freely moving national transportation system is essential to the national defense effort. Local law enforcement officers play important roles in keeping the highway system moving by regulating traffic movements, enforcing traffic laws, and preventing accidents. Local police officers also provide much of the security for airport operations, railroads, waterways, and our mass transit systems.

2. Law and order is also essential for industry to perform its key role in the civilian economy and the national defense effort. Some industry protection comes from private agencies, but public law enforcement is important to all industry, particularly industries having defense contracts which might subject them to sabotage efforts where effective law enforcement is not maintained.

3. The safety and wellbeing of military personnel and their dependents when away from the base has a direct impact on military effectiveness and morale. As military police do not have the manpower to police all off-base areas frequented by military personnel and dependents, local law enforcement personnel must bear the responsibility for their protection.

4. Local police activities and records play an integral part in national security procedures. Police intelligence units or police officers on regular duty provide a substantial force of personnel, trained in observation practices, which supplements the information gathering functions of Federal security agencies. Also, police records and finger print files can be used by the Federal government in developing security clearances for government employees or key employees of defense contractors.

5. Local police also provide security for Federal government personnel or property in many instances where military personnel are either inadequate or unavailable to do the job or where the use of military personnel might be viewed as inconsistent with our national ideals of a free society. Examples would be parades and other public affairs involving Federal officials and foreign dignitaries, public meetings or demonstrations where Federal property might be involved, and transportation of important military cargoes through cities.

6. When situations develop that surpass the control capabilities of local law enforcement agencies, National Guard or regular Army troops must be called in to supplement the efforts of local agencies in restoring and maintaining order. The calling of troops in such situations diverts manpower and money from the national defense effort. The instances necessitating calling of troops can be minimized by improving law enforcement personnel and techniques at the local level so that incidents can be anticipated and controlled before they reach the stage where calling troops is necessary. Continuation of local law enforcement agencies, in their present undermanned and poorly equipped condition, may necessitate the calling of troops more often with consequent greater strain on manpower and money available for the national defense effort.

The functions law enforcement officers perform are equally essential to civilian activities in the nation that are not related directly to national defense. Law enforcement officers provide the main civilian security force. Primary responsibility rests on them to maintain law and order for the civilian population and the civilian economy. What the minimum civilian requirement for law enforcement services would be is very difficult to judge objectively. Such a judgment would depend on one's personal view as to what is the minimum degree or order acceptable in society. With today's rising crime rate and the increasing traffic problems on our highways, it is difficult to conceive any minimum level of law enforcement capability that is significantly less than that which exists today.

In the event of full mobilization, the availability of sufficient numbers of well-trained and experienced law enforcement officers will be even more crucial to the functioning of the national defense effort and the civilian economy. Because of the increased dangers to law and order and because of the more limited availability of National Guard and regular Army troops to supplement the efforts of local law enforcement agencies in maintaining law and order, local law enforcement agencies will have to assume greater responsibility for protecting persons and property during times of full mobilization. Though the military needs the same high quality young men as required by law enforcement agencies, it would be particularly important in periods of full mobilization that law enforcement agencies be able to retain experienced personnel and recruit high quality young men to meet their increased responsibilities.

MANPOWER DATA

In 1967, there are approximately 384,000 persons employed full time by law enforcement agencies in the country. About 11 percent, or 42,000, of these employees are civilians.[5] According to the *Task Force Report on the Police* of the President's Crime Commission there were 371,000 persons employed full time by law enforcement agencies in 1966 and there is an average annual growth in employment of 3.6%. The U.S. Statistical Abstracts for 1965 and 1964 indicate that there were approximately 356,000 full time police employees in 1965 and 334,000 full time police employees in 1964. The Federal Bureau of Investigation *Uniform Crime Reports: 1966* indicate that last year 6,474 of the larger local law enforcement agencies had 309,579 employees.

Our survey of 205 cities reported 69,454 male police officers for a 1966 estimated population of approximately 37 million people. The number of police officers is slightly higher than the national average of 1.7 per 1,000 population and represents the greater proportion of large cities in our survey.[6] The survey showed the following age distribution for police officers.

Age groups:	*No. of officers*
18–26	13,184
27–35	19,106
35 and older	37,164

The 18–26, or more practically 21–26, age group represents about 19% of the total male police officers of those cities replying to our survey. This percentage increases in the larger cities where the most serious crime problems exist. The large size of the 35 and older category reflects a large number of officers who were hired immediately after World War II and who will soon be eligible for retirement in many departments. One-third of the 652 members of the Oakland, California Police Department will be eligible for retirement by 1972. The retirement eligibility of such large portions of local law enforcement personnel in the next few years adds urgency to the need of these departments to be able to recruit and retain high quality younger men if they are to maintain their effectiveness.

The greatest problem law enforcement agencies face is in obtaining qualified manpower to bring their forces up to adequate strength. The rising crime rate and increasing responsibilities in the field of traffic safety are imposing greater demands on the time of law enforcement personnel, yet many police departments have difficulties maintaining present levels of strength and are well below what is considered their adequate strength. We conducted a survey in late 1965 in which responding departments averaged 5 percent below their authorized strength and 10 percent below what they considered their preferred strength. In that survey 65.5 percent of responding departments indicated that they were below authorized strength. In our survey prepared for this petition, covering many of the same departments, 73.5 percent of those which replied were reported by the *Municipal Year Book* for 1967 to be below authorized strength, 17.7 percent were reported at authorized strength, and data was not available for 8.8 percent. Taking out those departments for which data was not available, the percentage of departments below authorized strength jumps to 80.7. Thus recruiting problems have become considerably more acute since our 1965 survey.

Some cities have shown a marked improvement in their police recruiting programs but most cities are now further below authorized strength than they were in 1965. The City of Chicago reported that it is now at authorized strength where it was 176 men short two years ago. Philadelphia is now 298 men below authorized strength where it needed 1,152 men in 1965. However, Detroit needs 459 men as opposed to 28 in 1965, Houston needs 767 men where it needed 177 men in 1965, Washington, D.C., needs 280 men, as against 192 needed in 1965, and Atlanta needs 50 men now where it was at authorized strength two years ago. In eighteen of our largest cities for which data for both years is available, only five have improved their positions from two years ago, the rest are farther below authorized strength, some of them significantly so. The *Municipal Year Book* for 1967 notes that over 90% of police departments in cities with more than 100,000 population are below authorized strength.[7]

---

[3] Federal Bureau of Investigation; *Uniform Crime Reports: 1966*, U.S. Government Printing Office, Washington, D. C. 1967, p. 4.

[4] *Ibid*, p. 1.

[5] The FBI *Uniform Crime Reports*: 1966 and the President's Crime Commission, *Task Force Report: The Police*, both report that civilian employment averaged 11% of total law enforcement employment in 1966.

[6] Federal Bureau of Investigation, *Uniform Crime Reports: 1966* U. S. Government Printing Office, Washington, D. C. 1967, p. 43.

RECRUITMENT

Police recruiting problems are complicated because the men to whom police service would have the most appeal are those who are most acceptable for military service. Because of the high cost of police training and the added post-training experience necessary to develop an effective law enforcement officer, many law enforcement agencies are understandably reluctant to recruit men who have not satisfied their military obligation, as they are likely to be taken into the military before they have reached their maximum effectiveness and given the city a sufficient return for the costs of training. In reply to our survey, Mayor Henry T. Baker of Rapid City, South Dakota noted:

"Our Department, while it is not large because our city is not large, has experienced considerable difficulty in the recruiting of young men for our Police Department. Also, we have lost some of our men due to the draft.

"I am sure that it is understood that policemen are not trained and made efficient members of a police force in a matter of days or weeks, but that it takes a considerable length of time and training. It is most difficult in this particular type of work to interest the young man in a training program, when he knows that he is subject to draft, and our department knows that he is in a position to be partially trained and then be removed because of the draft. The need of well-trained policemen to carry on the police work at home, is exceedingly important to me. It is work in the public interest of better government and for the protection of society itself.

"Therefore, we believe these requirements of police officers do support the need for a draft deferment police."

Finding qualified recruits to fill vacant positions and replace men who enter military service is difficult because the exacting nature of police work requires a selection process which permits only the highest quality men to enter police service. The *Task Force Report on the Police* of the President's Crime Commission notes a decline in applicant success ratios and cites specific recent instances where Washington, D.C., has been able to accept less than 10 percent of those who applied and where the City of Los Angeles reported acceptance of only 2.8 percent of applicants for police positions. Applicant interest is declining also. A reply to our survey indicated that the City of Bloomington, Minnesota, with a population of 70,000 had failed to produce any applicants for a recent examination to fill vacant police positions.

Generally when a police officer enters military service, the department considers him on leave and does not, or cannot, fill the position which the officer entering military service has temporarily vacated. This adds to the problems of larger departments, but poses particularly critical problems for small departments that are at or near authorized strength. They must leave the position of the officer on leave vacant as long as they are expecting him to return from military service, even if they could recruit other men for the job. Thus, for a small department, the loss of a man to military service may mean that it will remain undermanned for his whole term of service.

The Police Chief of San Leandro, California noted:

"When police officers are drafted into the military service or must fulfill their obligation by enlisting in a reserve group, their military leaves of absence create a scheduling problem for the police administrator, whether for a weekend, a two-week period, or a number of years. This is especially true in a small to medium department where there is not sufficient personnel to cover these vacancies."

Local police forces are intensifying their efforts to recruit and retain high quality men, however, the number of young men police recruiters can pick from will remain somewhat limited as long as young men entering police service will be subject to the draft.

Police recruiting is done, in most cities, by either a special recruiting unit within the police department, or by the city personnel agency. The most popular recruiting methods are listed, with their degree of use in cities of different sizes, in Table No. 1 in Appendix A.

An additional problem which police recruiters face is that, though they are often seeking high school graduates, the minimum age for entrance to most police departments is 21 years. Many high school graduates make other career choices before they reach the age to be eligible for police employment. To meet this problem, some departments have developed programs which hire young men between 18 and 21 to receive police training and perform non-professional tasks before age 21 and then be commissioned police officers when they reach age 21.

Police departments, particularly those of larger cities, are also increasing efforts to recruit members of minority groups. A difficulty in this program is that many young men from minority groups, because of their poor background, fail to meet the educational or physical standards normally required of police officers. Some police departments are developing programs to employ these young men and bring them up to acceptable standards for police work.

New York City's reply to our survey indicates that programs to hire men below the minimum entrance age and to hire minority group members and bring them up to police standards are in effect there:

"The position of Police Trainee presents a new look to modern law enforcement. We have found that the entrance age of 21 years has been somewhat of a handicap in obtaining highly qualified men. By that age, many young men have become established in a field of endeavor which they are reluctant to leave. The Police Trainee program enables the Department to employ them upon graduation from high school, to train them and to retain them for law enforcement.

"The Police Trainees are assigned to nonenforcement duties in precincts and headquarters commands where they assist assigned personnel in the preparation of records, documents, correspondence, reports, filing, typing, operating switchboards, etc.

"This is a trainee class of positions. A Police Trainee will receive a regular appointment as a Patrolman on reaching his 21st birthday, or as shortly thereafter as practicable, without taking any further written or physical examinations, provided he has a satisfactory record as trainee and provided he passes a medical test identical to the one given to Patrolman candidates.

"The Police Cadet Program, established under the auspices of the Manpower Development Training Act, is designed for young men, who because of economic, social and environmental conditions, have not previously been qualified or been able to pass the written or physical examination for Patrolman. This program enables them to obtain a high school equivalency certificate, if they are qualified and have not already obtained one. The program is directed to improve their reading and arithmetic achievement levels. Driving lessons are given to Cadets who need a license (this is a requirement for appointment to the Police Department). Physical training is given to improve their physical ability so they may pass the test. The standards for qualification as a Patrolman have not been changed or lowered. These men are being given special training and preparation to meet the standards."

TRAINING

Most law enforcement agencies have formal recruit training programs. In larger departments, the training period generally lasts from two to four months. The extent of recruit training in jurisdictions of all sizes is indicated by Table No. 2 in Appendix A.

In our survey, 74 departments indicated training periods of longer than 8 weeks, and 23 departments indicated training periods of longer than 14 weeks. After recruit training, a further probationary period of on the job experience is necessary before a police officer can be considered fully effective. The probationary period generally lasts from six months to two years.

The police chief of Lynchburg, Virginia, noted in his reply to our questionnaire:

"After a recruit has been selected, from two or three years are required for practical and school training before he develops sufficiently to rely on his own judgment.

"We do not think these men should be drafted, whereby the department would have to recruit an untrained man to take his place."

And the police chief of St. Louis, Missouri, stated:

"This Department is operating at approximately 10% below authorized strength as established by the State Legislature. We spend several thousand dollars of taxpayers' money in training each officer. Therefore, the loss of a trained officer is costly from a monetary standpoint and substantially reduces the Department's efforts in controlling and preventing crime.

"Since a greater demand is being placed on law enforcement agencies and recruitment of qualified personnel has become increasingly difficult, the retention of trained officers is of utmost importance if law enforcement agencies of today are to successfully meet the challenge of tomorrow."

The cost of training each new recruit is quite significant, and a serious financial loss is imposed on an agency when a new man is drafted and his service lost for at least two years. Additional costs are involved when a man returns from the military, for a retraining period is necessary to up date him on developments in the field such as new statutes, court decisions, procedures and crime fighting techniques.

SALARIES

Local governments are improving police salary scales and fringe benefits to make them more competitive with other fields and attract more young men into law enforcement careers. In the past three years, the six cities with over one million population have increased starting police salaries an average of $1083, the twenty-one cities with populations between one million and 500,000 have increased starting salaries an average of $803, and the twenty-seven cities with populations between 500,000 and 250,000 have increased starting salaries an average of $787.[8]

MORE EFFICIENT TECHNIQUES

Law enforcement agencies are implementing many new techniques and personnel practices to make more efficient use of professional police personnel. The percentage of clerical staff employed by law enforcement agencies is increasing. Law enforcement agencies are also employing greater numbers of non-professional workers in other jobs that do not require professional police skills such as dispatchers, school crossing guards and parking meter attendants. Where practical, police departments employ some women, retired workers and the handicapped in these non-professional positions, but any widespread use of women, older persons or the physically handicapped to perform law enforcement duty is impractical because of the rigorous nature of the work.

---

[7] International City Managers' Association, *The Municipal Year Book*, 1967, Chicago, 1967, p. 441.

[8] These figures were arrived at by comparing salaries for starting police officers listed in the International City Managers' Assoc. *Municipal Year Book, 1967* with salaries for starting police officers listed in the *Municipal Year Book, 1964*.

Law enforcement agencies are also acquiring more sophisticated equipment to allow them to make more efficient uses of professional personnel. New beat assignment procedures are being developed through use of computers and other practices to match beat coverage more closely to need. More departments are using one man patrol cars to improve beat coverage without increases in personnel, and many departments are using machines which permit officers to get information and file reports more quickly. The City of Bakersfield, California, notes the improvements it has made through use of computers and new communications equipment:

"All crime statistics are compiled through use of IBM machines and regular monthly and semi-monthly statistics are obtained through the media. On the basis of this information, the deployment of the assigned personnel may be reassigned to areas where high-frequency crime is predominant.

"Recent purchase of new communications equipment (handi-talkies, transistor belt radios, etc.) has greatly increased the efficiency and communications of officers assigned to foot beats, surveillances, etc."

In service training programs are being expanded by many departments to upgrade law officers basic professional skills and to acquaint them with modern and more efficient crime fighting techniques. The Los Angeles Police Department notes the following range of in service training programs:

"In service training for LAPD officers is not done on an annual basis. After an officer has completed his one year probationary period he returns to the Academy for a two week, 80 hour refresher course. After an officer has completed his fourth year of service he returns for a one week, 40 hour refresher training course. An eight hour seminar is conducted for officers with 7 to 12 years experience and another for officers with 13 or more years experience. Officers are selected to attend these seminars where they discuss Department policy with high ranking representatives of the Patrol, Traffic and Detective Bureaus.

"Specialist in service training schools are also conducted and these include: Sergeants School, Vice School, Detective School, Civil Disturbance-Riot Control School, Special Weapons School, Shotgun Qualification School, Patrol Supervisors Traffic School, Traffic Enforcement School, Accident Investigation School, Armorers School, Vehicle Impound and Appraisal School, Desk Officer's School, Station Officer's School, Probationary Report Writing School and Metropolitan School. The length of each school differs and selection is based on job assignment."

WORKWEEK

Most police departments work a forty hour week, though this figure is deceptive because in many departments, officers must appear in court, participate in training sessions, prepare reports and perform other tasks directly related to their work in what is considered their off duty time.

Replies to our survey indicated near unanimous disapproval for the idea of lengthening the work week in order to improve utilization of existing personnel.

Three reasons seemed to support this general disapproval:

1. A general belief that because of the pressures of police work, there would be a marked decline in the effectiveness of present personnel if the work week were lengthened.

2. The belief that a lengthened work week would make it more difficult to recruit and retain qualified personnel because other jobs, with a shorter work week would become relatively more attractive.

3. The view that the present system with a 40 to 48 hour work week allows the police department a substantial force of off duty officers who can be called on to supply extra manpower when an emergency situation develops. If these men are used on longer and more tiring shifts, this necessary reserve would not exist.

FEDERAL ACTION TO ALLEVIATE MANPOWER PROBLEMS

Through the provisions of the Law Enforcement Assistance Act the Federal Government supports research and demonstration projects to improve the ability of state and local law enforcement agencies to combat crime. Many projects funded by the Office of Law Enforcement Assistance, have resulted in the development of new techniques which will allow more efficient use of professional police personnel through reorganization and reassignment of personnel and the use of new equipment. A much more substantial program of federal aid for state and local law enforcement agencies is currently being considered by Congress.

The Model Cities Program will give some Federal aid for the improvements in local law enforcement agencies where these improvements are carried out as part of a comprehensive plan for improvement of the model neighborhood.

The Highway Safety Act will provide aid to local governments, through state highway safety agencies, for improvements in law enforcement activities relating to traffic safety. This may increase the efficiency of local personnel in dealing with traffic problems.

ADDITIONAL INFORMATION

Though the military draft has always presented a problem for police personnel programs, their problems have become more acute recently because of greatly increased draft calls and the revocation of the draft exemption for married men which prevailed until 1965. Considerable interest within our organization has been expressed in this problem in recent years.

APPENDIX A

TABLE I.—METHODS USED TO PUBLICIZE NEED FOR POLICE OFFICERS[1]

[In percent]

Method	Over 500 (23)	250 to 500 (27)	100 to 250 (81)	50 to 100 (190)	25 to 50 (273)	10 to 25 (565)	All Cities over 10,000 (1,160)
Local newspapers	91	100	94	91	90	86	89
Present officers spread the word among friends and relatives	87	93	91	84	80	74	79
Career days at local high schools and colleges	70	74	49	43	33	20	31
Radio ads	70	63	44	34	27	18	27
Employment agencies	26	33	26	25	30	20	24
Distribution of brochures	87	78	44	28	18	12	21
Recruiting posters	87	63	35	20	15	7	16
Television commercials	65	70	31	16	6	2	10
Other[2]	24	18	12	9	7	4	7

[1] Column heads show population groups, in thousands, with number of cities reporting in parentheses.

[3] Includes newsletters, professional journals, trade papers, etc.

Source: International City Managers' Association; Municipal Year Book, 1967, Chicago, 1967, p. 443.

TABLE II.—PERCENT OF DEPARTMENTS PROVIDING RECRUIT TRAINING BY PROGRAM LENGTH, 1965

Population group	Weeks of training									
	Less than 1	1	2	3	4	5	6	7	8	More than 8
Over 1,000,000	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	80.0	60.0
500,000 to 1,000,000	100.0	100.0	80.0	80.0	80.0	80.0	70.0	70.0	70.0	60.0
250,000 to 500,000	100.0	88.0	84.0	84.0	84.0	80.0	68.0	52.0	52.0	40.0
100,000 to 250,000	100.0	97.7	85.3	77.5	67.4	58.4	46.0	34.8	24.7	14.6
50,000 to 100,000	100.0	91.0	76.1	64.0	53.4	43.9	29.2	12.6	10.5	4.7
25,000 to 50,000	100.0	81.6	69.5	53.5	42.9	34.1	23.8	9.7	6.2	4.5
10,000 to 25,000	100.0	74.2	61.5	48.3	38.6	29.3	21.0	7.6	6.0	2.9
5,000 to 10,000	100.0	63.3	49.4	33.9	26.1	21.3	15.3	5.7	3.8	1.6
Under 5,000	100.0	48.6	39.0	25.3	18.0	14.7	9.6	2.3	1.5	1.0
Percent of agencies	100.0	68.3	56.0	42.0	33.4	27.7	19.0	8.1	6.0	3.5
Percent of total officers	100.0	87.6	76.6	69.0	63.1	57.9	49.5	41.0	34.7	25.9
Number of total officers	16,169	14,178	12,399	11,162	10,203	9,362	8,011	6,632	5,619	4,199

Source: The President's Commission on Law Enforcement and Administration of Justice, Task Force Report: "The Police," U.S. Government Printing Office, Washington, D.C., 1967, p. 11. The table was prepared for the President's Crime Commission by the International Association of Chiefs of Police from a survey of 4,000 law enforcement agencies that had appointed over 16,000 new recruits between July 1964 and June 1965.

In 1966 the Board of Directors of the League of California Cities approved a resolution urging:

"The inclusion of Peace Officers on the U.S. Department of Commerce *List of Currently Essential Activities* and the U.S. Department of Labor *List of Currently Critical Occupations*, for the following reasons:

"(a) Importance of insuring a high standard of law enforcement in the nation.

"(b) Demands for increasing the capacity and ability of Peace Officers in the maintenance of law and order in our nation's communities.

"(c) Difficulty in maintaining levels of authorized strength in the Police Departments of California Cities, many of which are now below authorized strength."

Appendix B contains some general statements discussing the need for a draft deferment for police officers which we received in addition to our survey replies.

Items five through nine of the Petition Guide cannot be directly applied to law enforcement activity.

CONCLUSION

The National League of Cities believes that the inclusion of commissioned law enforcement officers on the *List of Currently Essential Activities* and *Currently Critical Occupations* will be of great service to local law enforcement agencies in helping them to obtain the manpower to meet their increasing responsibilities. Though some draft boards cooperate with local law enforcement agencies in granting deferments on a case by case basis, there is no consistent policy on the matter. Even law enforcement agencies that are successful in seeking deferments from their local boards have increasing difficulty because of the ever greater number of men employed as police officers in locations far removed from their draft boards. A national police statement is needed to enable law enforcement agencies to obtain men of highest quality for police service. We believe the need is urgent and hope that the Interagency Advisory Commission will give our views due consideration.

Respectfully submitted,

Patrick Healy,
Executive Director.

APPENDIX B

"During this period of civil unrest when cities are faced with the most critical policing problems of several decades it appears reasonable to suggest that trained police officers are more valuable to the public in their police positions than they would be in the Federal armed services. Therefore, it is respectfully suggested that draft deferments for police officers be given serious consideration."—(Hugh McKinley, City Manager, Eugene, Oregon.)

"We spend large amounts of money in equipping and training personnel and it is an additional burden upon the tax payer when we lose them through draft or selective service processing. The cost of law enforcement being a major item to the tax payer, we find adds to the difficulty of properly protecting the citizens of the community. The law enforcement on a local level is the first line of defense for the nation and a break-down in that defense system could very well affect us nationally."—(S. D. Knutson, Police Chief, Grand Forks, North Dakota.)

"We agree that there is a need for draft deferments for police officers. There is a great need for police officers as the crime situation throughout the country indicates. We try to recruit high caliber people for police work and there must be incentives to retain these types on the job. We realize that the armed services need many men but so do the various police departments throughout the country to protect the lives and property of our citizens. Draft deferments for police officers would help all departments to recruit more and better types of men for police duty. The lack of respect for law and order and the public apathy which is displayed so much today does not encourage many men to join police work. Undoubtedly, draft deferments would enable us to recruit sorely needed police officers."—(Major Lucien J. Cutrera, Police Department, New Orleans, Louisiana.)

"It is true that it is increasingly difficult to obtain the qualified type of men that are needed by the Law Enforcement agencies.

"There is also a great deal of time and expense given to the training of a qualified police officer. It would prove a great boon to the Law Enforcement profession if some agreement on draft deferment for commissioned police officers could be implemented."—(Alford T. Hennessee, Police Chief, Lawton, Oklahoma.)

"This department has experienced the loss of 3 men within the last 15 months. One of these men was an ID officer (takes about 6 months to make a complete operator, communications, photography, processing of photographs, taking of fingerprints, dusting for latents at crime scene and being able to classify and search fingerprint files).

"Besides losing the experienced man, there is generally a period of time from his departure until applications for the position can be obtained, tests (written and oral), background check, etc., before the actual hiring can be accomplished.

"In this time of spiraling crime increase, this is not a good thing to be faced with, as evèry loss of this type spreads a department that much thinner and affords more opportunity to the criminal."—(Captain J. R. Morin, Police Department, Glendale, Arizona.)

City of Dayton, Ohio,
October 20, 1967.

Mr. Patrick Healy,
Executive Director,
National League of Cities,
Washington, D.C.

Dear Pat: Enclosed is the completed questionnaire which you sent with your memorandum of September 20 on draft deferment for police officers.

We heartily support your efforts to implement this important section of the National Municipal Policy on Public Safety. While we have been generally successful in recruiting new patrolmen, we have lost several to the Armed Forces.

There is no question that police play a vital role in this era of unrest and change in our cities. Without the police to maintain order, to protect individual rights, and to support orderly change, the city would soon become a jungle.

Since there is a growing national commitment to meet the needs and solve the problem of urban life, the commitment might also guarantee the essential manpower to carry out this enormous task. Just as our servicemen help meet our national commitment abroad, policemen are serving their country through their commitment to the needs of the cities. The police are the guardians of domestic peace, while servicemen fight for peace abroad.

I believe a policy of draft deferments for police officers is both necessary and justified, and I wish you every success as you approach the Inter-Agency Advisory Committee on this matter.

Sincerely,

Graham W. Watt,
City Manager.

City of Oakland, Calif.,
October 5, 1967.

Mr. Patrick Healy,
Executive Director,
National League of Cities,
Washington, D.C.

Dear Mr. Healy: Enclosed is your completed questionnaire requesting data on the Oakland Police Department for use in the National League of Cities draft deferment petition.

In our opinion there is a definite need for a draft deferment for police officers because of the retirement attrition rate, the effect of military leaves on police departments, the difficulties of recruiting personnel and the social conditions confronting cities today.

The need for police officers is critical now and will become more so in the next few years as many individuals who joined the Police Department immediately after World War II will become eligible for service retirement. Enclosed is a chart prepared by the Police Department which reflects the critical nature of the police personnel problem: discounting the 4 percent turnover rate experienced in 1966 for resignations from the service, almost one-third of the Department will become eligible for service retirement during the next six-year period (1967–1972).

Seventeen police officers have entered the service during the past 2½ years to fulfill their military commitment. The manpower drain upon the police because of military leaves is demonstrated by the fact that 1,341 man-days were lost in 1966 as the result of all types of such leaves. These figures would be even greater if the Department policy was less stringent as regards the hiring of draft eligible men.

Recruitment of police candidates is an increasingly difficult problem. Oakland's present authorized strength of 686 men is short by 26 in spite of extensive nationwide recruiting.

The experience of the past several years has reinforced the critical nature of the role of the police in preserving the orderly life of the community. If cities cannot maintain adequate police forces our urban areas will face a state of chaos.

Please inform us if further assistance can be provided.

Very truly yours,

C. S. Riley,
Assistant City Manager.

City of Downey, Calif.,
September 26, 1967.

Mr. Patrick Healy,
Executive Director,
National League of Cities,
Washington, D.C.

Dear Sir: This letter is to set forth the urgent need for draft deferment for police officers.

The police officer of today performs duties which are highly specialized and critical to the security of the Continental United States. He is selected for his job through an extensive process of examination. He must first meet minimum standards of good citizenship, physical and medical requirements and education. He then progresses by successfully passing the following examinations: written, oral, psychiatric, polygraph, medical and additionally an extensive background investigation. He must then successfully complete sixteen weeks of intensive police training and then continues on a probationary period for one year.

The police officer must be perpetually trained and educated in order to keep cognizant of the multitude of legislative law changes and higher court decisions which affect his method of operation. This is the only manner that he may assure the protection of the rights of arrested individuals.

For the first six months of his employment the new recruit is not proficient and effective in his job without close supervision and adds little to the effectiveness of the total police agency during this time.

With the internal situation of the country today, resulting in many riots and, in fact insurrection, it becomes extremely critical to provide highly trained experienced police officers to serve and protect all citizens of the jurisdiction in which they are employed.

Recognizing that law enforcement agencies still exist in the country that are not highly selective of their personnel and who provide little training to them, it is my recommendation that the National Board establish a deferment classification for those law enforcement agencies meeting standards of selection and training or at least similar standards as set forth here.

Yours very truly,

I. A. Robinson,
Chief of Police.

JUSTICE FORTAS DEFENDS PRESIDENT JOHNSON'S VIETNAM POLICY

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Gallagher] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, Supreme Court Justice Fortas has done this country a service by placing our involvement in Vietnam in historical perspective, in an excellent speech before the Cheltenham Adult School.

As Mr. Justice Fortas noted, the United States cannot take the easy course of retreating from the problems of the world—for we are the free world's leader. Our commitment to freedom cannot—and never has—ended at our territorial boundaries.

To turn our backs on Communist aggression, to renege on our treaty commitments, to turn a deaf ear to the pleas of an ally, is to betray our own proud heritage. As Justice Fortas stated:

> We will insist on freedom and we will fight to protect it.

Excesses at home against our Vietnam policy are as grave a danger to our freedom as enemy excesses abroad against South Vietnam. Noting this, Mr. Fortas stated:

> These excesses do grave harm to the theory of our society and, I believe, the causes which they are hoping to advance . . . the excesses before us endanger (our freedoms).

History shows that opposition to American involvement in foreign conflicts is not unique—it is, in fact, normal. As Justice Fortas showed, only one-half of the people supported the Revolutionary War; leading Senators declared the Mexican War unconstitutional; Lincoln was besieged with draft riots in the streets opposing his effort to save the Union; and beleaguered President Truman had only minority support in defending Korea against a Communist takeover.

If Presidents had listened to their critics during America's times of crises, the United States would either never have been formed at all; or would have been geographically split between North and South; or would have looked out onto an Asian mainland besieged with hostile communism.

President Johnson—like other strong Presidents during wartime—has been criticized. But he has had the courage to carry on in the conviction that the national interest was more important than transient favor.

Mr. Justice Fortas' speech shows that as history has vindicated the courage of other Presidents it will vindicate President Johnson's firmness in Vietnam.

Under unanimous consent I insert in the Record a newspaper account of Mr. Justice Fortas' excellent address:

Abe Fortas Delivers Pitch for Law at Five-Star Forum

(By Bruce Henderson)

Supreme Court Justice Abe Fortas came off the bench to make a pitch for law and order at the opening program of the Cheltenham Adult School's Five-Star Forum last week. Like Stu Miller, he was not overpowering, but effective.

A more dynamic speaker such as Walter Judd, might have sent the 1300 present out the door waving flags. Fortas didn't. He is very much the sober judge—calm, rational, and not given to flamboyant arm-waving. But he made his points convincingly with an almost folksy manner that kept everyone listening appreciatively to the end, which is something considering that the Supreme Court of late has been perhaps the most maligned group of nine men next to the Phillies.

Among his observations, as he ranged from the basic structure of our democracy to the opposition to wars throughout our history and the current wave of protests and civil disobedience, were:

LOUD AND BIZARRE

"War provides a ready audience for the loud and the bizarre, as well as thoughtful reaction."

"If there had been mass media during the Revolution, we might still be a British outpost."

"The first amendment does not sanction disobedience to law, however picturesque."

"The U.S. must not take the easy course of retreating from the world, yet must fight to protect the right of each individual to protest."

"The duty of citizens in times like these is to think, to consider, to judge . . . to beware of emotion and the appeal of the generalizer . . . to seek facts and to judge on the basis of facts."

"The American President must have a stout heart and strong nerves, and must expect high pitched criticism. The most he can hope for is advice and consent, and while advice is easy to get, consent is a something thing."

"We have a responsibility which does not end at our territorial limits. We will vigorously exercise and protect our freedom within and outside our borders. We will insist on freedom and we will fight to protect it."

NEED FOR REVIEW

Fortas began his talk with a review of the Constitution and the responsibility of both the State and the individual to it, which sounded more like a high school oriented lecture on U.S. Government than an address to an intellectual adult audience. But there is nothing wrong with a simple review of fundamentals—especially at a time when so many seem to have forgotten.

"This is a society of people under law," he said, "not a government under law."

The really basic revolutionary fact about our Constitution, he pointed out, is that every person is entitled to challenge the decisions of the government, just as it may challenge his adherence to law.

TIMES OF TEST

This principal is severely tested during times of crisis, he said, such as the current social revolution or the Vietnam War. Crises set feelings running high and when the government strikes out in new directions in search of answers, it inevitably clashes with opposition, such as occurred when the New Deal was inaugurated to handle the post-Depression problems.

In such crises, he went on, many people commit "outrageous acts" claiming protection of the first amendment, but "these excesses do grave harm to the theory of our society and, I believe, the causes which they are hoping to advance."

He commented: "My role in life has been an advocate of our freedoms, but I'm now afraid that the excesses before us endanger them. And I am here tonight to advocate that we all think hard of the meaning and limits of our freedoms."

WAR OPPOSITION

He then went on to review the opposition to the wars we have been involved in, pointing out that : only half the people supported the Revolutionary War, and many attacked Geeorge Washington; the War of 1812 was blasted as "without justifiable cause"; Congress condemned the Mexican War and Senator Calhoun said it was unconstitutional because it was an undeclared war ("That sounds familiar," Fortas said); Lincoln was badgered by hawks and doves in the Civil War and New York was the site of bloody draft riots that saw over 1,000 killed or wounded; and in the Korean War, after an initial enthusiasm, frustration set in and a Gallup Poll at one point claimed 66 percent were in favor of pulling out and President Truman's popularity fell to 26 percent.

The Korean War was a costly one, he said, "but I believe that we and the world believe that if we had not taken on this defense, no one else would have done so and the Asian world and the rest of the world would have been imperilled by Communism."

WE WILL SURVIVE

The world is still far from universal brotherhood and rule of law and we cannot conduct ourselves as if it were. However, he claimed, "I believe we will come through this trial."

Fortas, the long-time confidant of President Johnson who raised a few eyebrows and some objections with his appointment, was certainly one of the big drawing cards on the Five-Star Forum program which caused it to be sold out shortly after it was announced. As a matter of fact, almost 1,000 requests for tickets had to be returned with regrets. Rows of extra chairs were set up in the auditorium to accommodate the better than 1300 who were fortunate enough to get tickets.

Fortas said he was pleased to see the tremendous turnout, but modestly admitted that he had learned long ago not to attribute big crowds to his own drawing power. The lesson came in 1942 when he was Under Secretary of the Interior and was scheduled to speak in Carnegie Hall. He arrived to find huge crowds outside trying to get in and was immensely flattered—until he found out that a fellow named Frank Sinatra was also appearing in Carnegie Hall.

LIBERATION SCHOOL

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Fulton] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, as most of our colleagues are aware, the Permanent Subcommittee on Investigations of the Government Operations Committee of the U.S. Senate is currently holding hearings on last summer's riots.

This week the subcommittee has been gathering testimony on the racial disorders which occurred in my district, Tennessee's Fifth, Metropolitan Nashville-Davidson County.

During these hearings, much attention has been centered on the controversial Liberation School which has been approved for funding under the Office of Economic Opportunity by the Nashville Metropolitan Action Commission.

I sincerely believe that the entire and true story of this unfortunate episode is being told to Senator McCLELLAN's subcommittee.

However, what is being disclosed of these hearings is giving the public an unclear picture of what was involved in the Liberation School and its proper relationship to the war on poverty in Nashville, the Office of Economic Opportunity, and the Metropolitan Action Commission of Metropolitan Nashville-Davidson county.

In addition, this picture is being used by some in an attempt to destroy our war on poverty and the Office of Economic Opportunity.

In an effort to clarify this situation and put in proper perspective what Senator McCLELLAN's subcommittee is being told, I have sent the following statement to the Senator and asked that it be included in the RECORD of these hearings.

Mr. Speaker, I ask unanimous consent to include my statement in the body of the RECORD at this point:

STATEMENT BY HON. RICHARD H. FULTON, OF TENNESSEE, FOR THE PERMANENT SUBCOMMITTEE ON INVESTIGATION, SENATE GOVERNMENT OPERATIONS COMMITTEE, NOVEMBER 9, 1967

Mr. Chairman, I want to express my appreciation to you Mr. Chairman and to the members of this committee for giving me the opportunity to appear before you to attempt to clarify the picture of our Poverty Program in Nashville, Tennessee which is emerging from these hearings.

I feel compelled to appear here for several reasons.

First, I have been a strong supporter of the Poverty Program since its inception. During my first term in the Congress, I was privileged to co-sponsor the Economic Opportunity Act of 1964 which launched the War on Poverty.

Secondly, I have the privilege and great honor of representing in the Congress every individual involved in and benefiting from the War on Poverty in Metropolitan Nashville Davidson County, Tennessee. I feel it my duty to speak for them when this so-needed program is endangered.

Finally, as a citizen of that community, I realize how important the War on Poverty is to our less fortunate citizens who have not been able to contribute to our community as they would like or to their fullest potential for lack of economic opportunity.

Let me also say that my remarks here today are not intended as a criticism of these hearings, any member of the committee or its staff or of any of the witnesses who have appeared before you.

Let me begin with comment on the "Liberation School." I preface my remarks by saying that this type of operation is not only despicable but totally alien to our concept of Democratic government. The teaching of racial hatred to any child, by any group for any purpose, is reprehensible and within the bounds of our Constitution and Bill of Rights, *immoral*. It cannot be tolerated of any group, black or white, and if there are those who doubt it let this serve as notice to them, as far as I am concerned, that I will spare no effort or instrument to see that these individuals and their philosophies do not prevail in our community.

The so-called Liberation School received nation-wide headlines last summer. It was the subject of discussion by Senator Eastland's committee and it left the impression that the War on Poverty in my community was being run and ruined by a group of black power, black nationalists. This simply is not true. And in this connection I would like to emphasize a number of points.

The Liberation School was just one of a number of special summer programs which Nashville's Metropolitan Action Commission undertook last summer. You will recall that the Congress was late in voting the funds for these programs and we were well into the summer before there was any assurance that there would be funds. It was in this atmosphere that the Metropolitan Action Commission of Nashville considered and approved its Summer Program. It should be pointed out that several components which were proposed for the Program were disapproved by the Metropolitan Action Commission. The Liberation School was not.

This was a mistake and, as it turned out, a regrettable mistake. But it certainly was not an intentional mistake by the full commission as some reports would have us believe. It is inconceivable that the Metropolitan Action Commission, made up of business and professional people, educators and labor leaders, just plain citizens and representatives of the poor, some 45 persons in all, would deliberately approve funding of a component designed to teach hate. I will stand corrected on this if I am mistaken, but I believe that this particular component was approved as a summer day school program for children, black and white, at which, as a part of the program, racial history was to be taught; not white supremacy nor black power, but racial history.

As it turned out those who were running the school apparently defined "racial history" as black power and racial hatred. But this is not the interpretation which any rational individual would place on it and certainly, the good, conscientious and honest members of the Metropolitan Action Commission did not make this interpretation.

However, when it was revealed what was actually taking place at that so-called Liberation School, the program was very shortly terminated. It is as simple as that. Despite the furor that was caused, despite the publicity and headlines and despite the controversy, the program was simply eliminated as a component of the Nashville Summer Program and, let me hasten to add, it would have been eliminated. I am certain, by the Metropolitan Action Commission, regardless of the national furor just as soon as it was brought to the full Commission's attention.

In this connection, I would like to point out the contribution which both Nashville newspapers, the Nashville Banner and the Nashville Tennessean, made in uncovering the facts in this case. By assigning their reporters to this story they were able to come up with important data which could not have been made available so immediately to the public or the members of the Commission.

As a result of all this the Liberation School, involving no more than 30 children out of the hundreds of children served by Nashville's summer program, was eliminated. A mistake had been made and it was corrected.

The impression has been left that the Metropolitan Action Commission has been generally irresponsible and the Commission staff incompetent. And there is no denying there has been at times seemingly endless bickering and in-fighting at Commission meetings. Nor is there any denying that in the past the communication between the Commission and its staff has not been the best. It has also been charged that Mayor Briley, himself, controls or attempts to control the Commission. In connection with this charge against the Mayor, I would like to comment that if he does control the Commission he does a pretty poor job of it because it has been a source of more discomfort than pleasure to him. This charge is often made by those persons who have a genuine concern and interest in the program in Nashville, but feel frustrated because their ideas have not always been accepted by the majority.

Concerning the charges of irresponsibility by the Commission members and incompetency of the staff, it should be pointed out, the Commission members are, for the most part, engaged in full-time pursuits other than the Metropolitan Action Commission. They all have jobs, for the most part and, for the most part, their jobs are more than eight-hour-a-day jobs. They have just so much time to give to the Commission and its work and most give more than what is required at the sacrifice of whatever extra time they might otherwise have.

The Commission has been hesitant at times and moved haltingly at others. This, I suggest, is not entirely the Commission's fault. Every year since enactment of the Economic Opportunity Act of 1964, there have been major changes made in the program, particularly in the Community Action Program. The requirements for Action Commission eligibility have been altered and modified several times. Requirements for components have been altered and all this by act of Congress. Then, when Congress has made these changes, and made them each year, I would remind you, the guidelines for these requirements must be drawn and submitted. In the past we have been amending the Economic Opportunity Act in November and December but the requirements of these amendments often apply to the preceding July, the beginning of that particular fiscal year. By the time the guidelines get to the local action commissions, Congress is considering new amendments and the local commissions, after having submitted their new plans months earlier discover that, what they have done is no longer in compliance with the law or guidelines and must be redone. Is it any wonder that local action commissions are confused as to what is right or are hesitant to act for fear that what they may do, even though it is consistent under the old rules, will be found unacceptable under the new rules, if and when it is learned what those new rules are.

Mr. Chairman, I am sure every member of this committee will agree that no business, Government agency or Community Action Commission can or should be expected to operate at even near peak efficiency under these circumstances.

There is not a member of the Metropolitan Action Commission of Metropolitan Nashville-Davidson County today who does not believe in the War on Poverty and who has not and will not give of himself as required to see that it is successful in our community. There have and will continue to be differences of opinion but they are honest differences and should be encouraged rather than discouraged by seeking some impossible rule by constant consensus.

The staff too, has suffered from the same difficulties encountered by the Commission. The continued alteration of the basic Act and modification of the guidelines make their task ever more difficult. Perhaps there are some on the staff who are not competent. But who is really competent to fight this War on Poverty? The longer we wage this war the more we discover that many of our basic concepts were wrong and that new approaches and new ideas are needed. This is not a weakness in the program, Mr. Chairman, this is ultimately its greatest strength and hope.

Finally, what has three years of War against Poverty accomplished in Nashville, despite the overblown Liberation School, despite the much maligned staff and Commission and despite alleged "control" of the program by Mayor Briley *who aided the Congress so much in preparing the way for passage of the Economic Opportunity Act of 1964?*

Mr. Chairman, I would like the record of these hearings to show that since its inception in Nashville the War on Poverty, through the Office of Economic Opportunity and the Metropolitan Action Commission has served some 138,608 persons in Nashville-Davidson County which has an estimated population of 460,000. As of July 14, 1967 this was accomplished through the programs listed below:

"OFFICE OF ECONOMIC OPPORTUNITY INFORMATION CENTER SUMMARY: CONGRESSIONAL DISTRICT 5, TENNESSEE

"As of 14 July 1967 the following O.E.O. funds benefit this congressional district: 4 conduct and administration grants for $609,598; 1 demonstration grant for a total of $349,247; 2 comprehensive health grants totaling $1,544,844; 1 Headstart, summer 1967 grants totaling $275,665; 2 technical assistance grants for $412,591; CAP total, $958,845. Neighborhood Youth Corps has 1 project for $1,246,640, with 1,839 participants. 14 VISTA volunteers have been requested for this congressional district, and 11 are now in service, $36,850; total Federal funds, $2,242,335.

"This district benefits, in addition to amounts shown above, by programs which affect more than one district. The attached detail report for your district contains complete information on these programs.

"There is 1 work-experience program totaling $25,859 with 22 participants.

"Individual county and/or city programs

"County of Davidson

"Metropolitan Action Commission: CAP, conduct and administration, June 28, 1967, $300,000; CAP, conduct and administration, April 5, 1967, $46,774.

"Senior Citizens, Inc.: CAP, conduct and administration, March 3, 1967, $83,145.

"City of Nashville

"George Peabody College for Teachers: CAP, technical asisstance, section 206, October 21, 1966, $238,089; CAP, technical assistance, section 206, January 6, 1967, $174,502; CAP, demonstration grant, January 6, 1967, $349,247.

"Fisk University: CAP, conduct and administration, February 17, 1967, $179,679.

"Metropolitan Action Commission: VISTA volunteers, urban, 14 requested, 11 in service, $36,850; Neighborhood Youth Corps, 1,839 participants, October 28, 1966, $1,246,640; CAP, comprehensive health program, June 28, 1967, $1,502,469.

"Meharry Medical College: CAP comprehensive health program, April 5, 1967, $42,375.

"Metropolitan Action Commission: Headstart, summer 1967, 75 classes, 1,500 children, May 24, 1967, $275,665.

"This district benefits, in addition to any projects shown above, by programs which affect more than one district. Listed on following pages are those projects.

"Multicounty programs

"Tennessee Department of Public Welfare, work-experience projects, 22 participants, renewal of on-the-job training, Davidson, Robertson, Rutherford, Sumner, Wilson Counties, Districts 4, 5, 6, April 10, 1967, $25,859."

Mr. Chairman, through no intent of your own nor of any member of this committee or its staff, these hearings are being used by a vicious few to attempt to destroy our War on Poverty. It is being done nation-wide and it is being done in my community.

In summary, my purpose in appearing before you is to let it be known that despite our problems in Nashville our War on Poverty is serving the poor. The program can better serve the poor. Nashville is aware of this and endeavoring to do so.

But the Liberation School, an episode involving no more than 30 children, a few irresponsible adults with warped ideas and concepts, and no more than a thousand dollars, is no more than a regrettable incident. It is not representative of the work being done by the Metropolitan Action Commission nor is it in the slightest bit representative of the work, purpose and philosophy of the Economic Opportunity Act and the Office of Economic Opportunity.

It does illustrate that there is an ever present danger, which must be constantly guarded against, misguided persons using this, or any other Federal, State or local program for their own selfish ends.

Mr. Chairman, this is the real import of and relationship to the War on Poverty occupied by the Liberation School and should be viewed in this context and no other.

Thank you.

RECORD PROSPERITY UNDER PRESIDENTS KENNEDY AND JOHNSON CITED

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CAREY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. CAREY. Mr. Speaker, this week is a landmark of American history for it marks the 81st straight month of continued prosperity—the longest recession-free period in our economic history.

During the Kennedy-Johnson years which mark this record prosperity, more than 9 million persons have found productive jobs, consumer income has risen by 40 percent, and the gross national product has risen an average of over 5 percent to almost $800 billion.

These are not merely cold statistics. They measure the enriched lives of millions of people.

These achievements are rightly the envy of the world, for through the prudent and measured economic policies of two great American Presidents an entire nation has moved toward unparalleled prosperity.

I insert into the RECORD an article by Edwin Dale, financial reporter of the New York Times of November 1, 1967, which catalogs this historic period:

U.S. BOOM EQUALS 80-MONTH RECORD—RECESSION-FREE EXPANSION IS EXPECTED TO CONTINUE

(By Edwin L. Dale, Jr.)

WASHINGTON, October 31.—With the ending of the month of October today the United States economy equaled the longest previous recession-free period of expansion in history.

The expansion, which began early in 1961 following the fourth postwar recession, has lasted 80 months, or six and two-thirds years. All signs are that the record will be broken in November, and that the expansion will continue at least into 1968.

The 80-month record equaled today was set in the 1939–45 period before and during World War II. That expansion was terminated by the mild postwar dip of 1945.

Records on the progress of the economy go back 110 years, to the term of President James Buchanan. The present expansion has far surpassed in duration all but the war-related boom of 1939–45.

There have been two pauses in the current long period of prosperity—late 1962 and the beginning of 1963, and again in the early part of 1967. But neither qualified as a recession, which is marked by declining production and rising unemployment.

At present the underlying strength of the expansion is being distorted by the temporary effects of strikes in the automobile and copper industries.

The first four and one-half years of the long expansion were generally free of inflation, with consumer prices rising an average of only 1.3 per cent a year. But starting about two years ago, thanks in part to the war in Vietnam and the steep rise in Federal expenditures accompanying it, price increases became accelerated to a rate of 3.1 per cent a year.

SELF-DISCIPLINE URGED

In a statement issued to The Associated Press today, Gardner Ackley, chairman of the President's Council of Economic Advisers, gave part of the credit for the record duration of the expansion to "a new conception of the task of Federal fiscal and monetary policy"—otherwise known as the "new economics."

But Mr. Ackley added:

"We have learned well enough how to stimulate the economy when it is threatened by slack. We also must show that we have the self-discipline to apply necessary restraint when the economy is threatened by overheating.

"Right now the problem is to avoid inflationary pressures and a financial pinch in the months ahead. The tax increase the President has proposed—roughly 1 per cent of individual income—along with the curtailment of less essential spending, is essential to maintain the balance, and therefore the sustainability, of the expansion."

Mr. Ackley said that in the nearly seven years of rising economic activity "more than 9 million persons have found productive and rewarding jobs; total consumer income after taxes, corrected for price increases, has risen 40 per cent; and over-all output of goods and services—valued at constant prices—has risen at an average rate of 5.2 per cent a year."

This year will see one of the smaller increases in total output, known as the gross national product. After correcting for higher prices, growth this year will be something under 4 per cent.

POLICY INNOVATION CITED

The main innovation in Government policy in the present expansion, and widely accepted as important in keeping the expansion going, was the decision to reduce taxes even though the budget was not balanced. The major income tax cut, proposed by President Kennedy in January, 1963, was enacted by Congress in February, 1964. It was followed by an excise tax reduction in early 1965.

Apart from Government policy, Mr. Ackley said today that part of the explanation for the longevity of the expansion lay in "structural changes in our economy which have tended to make it more resistant to recession."

These include such things as unemployment insurance, the larger portion of the labor force being employed by government and the service industries and the declining importance of the volatile agricultural sector.

PRESIDENT'S REPORT ON NEGRO CONDITIONS PROVIDES NATION VALUABLE INFORMATION

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Resnick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. RESNICK. Mr. Speaker, during the summer of unrest through which the Nation passed, President Johnson directed two Government agencies to report to him on the social and economic condition of the Negro in the United States.

Its findings are enlightening, for it tells the President and the Nation how far we have come during the Johnson years in making a reality of the American dream—and how far we still have to go.

But these figures also graphically portray the growing plight of Negroes left behind by the general upswing. As a Washington Post article observes:

> His plight becomes the more invidious, his attitudes the more hostile, his frustrations the more violent as his numbers diminish.

It is this diminishing number of impoverished which the war on poverty seeks to help. Its success and its continuing challenge are written in the statistics of this report. The job done provides reason for hope; the job left undone leaves no time for self-satisfaction.

This is the meaning of the President's report on the social and economic conditions of Negro Americans. It does the Nation a service.

I include the November 4, 1967, Washington Post article on the report in the Record at this point:

Progress and Poverty

The most encouraging figures in the statistics compiled by the committee on the social and economic conditions of the Negro are those which reflect "substantial improvement in the national averages for Negroes in income, employment, education and housing." The most discouraging are those which disclose that "large numbers are living in areas where conditions are growing worse."

There is also encouragement in the fact that for the last year the gap between white and nonwhite incomes has "significantly narrowed," despite a continuing disparity that is too great to be accepted.

The general picture comports with other studies showing that four out of five Negroes think themselves better off than a year ago.

All available figures point to the crisis of the Negro who is left behind in this progress. His plight becomes the more invidious, his attitudes the more hostile, his frustrations the more violent as his numbers diminish.

Urban slums tend to lose their most successful Negroes and to acquire the least successful rural Negroes. So the life in these crowded communities of the central cities is exposed to a double deterioration. The physical properties are involved in a descending spiral of bad maintenance induced by progressive neglect and overcrowding. And the rapidly degenerating housing facilities are re-filled with successive waves of migrants each less equipped for and less able to cope with urban life.

This phenomena emphasizes the degree to which the problem of the urban Negro slum is a problem of an economic class even more conspicuously than it is a race problem. The deplorable disclosure in the statistical study given the President last week is that while some are getting richer the poorest are getting poorer. It is this class minority of a racial minority that must be the primary objective of the war on poverty.

OPERATION OF FLAMMABLE GAS PIPELINES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. Addabbo] is recognized for 20 minutes.

Mr. ADDABBO. Mr. Speaker, in April I introduced H.R. 9148 to regulate, through the Department of Transportation, the operation of flammable gas pipeline facilities. This bill was referred to the Committee on the Judiciary and no action has been taken.

Running through the countryside and beneath our city streets there lurks the very real danger of a catastrophic explosion. Action must be taken before the catastrophe occurs.

Today, for myself and my colleagues, Jonathan B. Bingham, Frank M. Clark, James J. Delaney, Jacob H. Gilbert, Seymour Halpern, William S. Moorhead, Abraham J. Multer, Benjamin S. Rosenthal, William F. Ryan, and Herbert Tenzer, who share my concern, I am introducing another bill, drafted after further study of the problem. This bill is titled the "Natural Gas Pipeline Safety Act of 1967."

The much-publicized and tragic gas explosion in New York City which is referred to as "the miracle of Friday, the 13th" occurred in my congressional district. Who knows when and where the next explosion will occur and whether or not there will be the "miracle" of last January. We must not let the guilt of inaction be on our conscience if tragedy strikes.

Mr. Speaker, we have pipelines in use today which were built more than 80 years ago, but most have been built since World War II. We have over three quarters of a million miles of gas pipeline in this country today. None of this is subject to uniform safety standards, which are enforced as such.

The pipeline industry, as a whole, has adopted the code of the United States of America Standards Institute for Pressure Piping. This is, however, a voluntary code as to minimum construction safety standards and is neither mandatory nor enforceable. Also, it does not apply to pipeline already underground.

Mr. Speaker, the other body is today considering S. 1166, the gas pipeline safety bill. The Senate bill and my bill are similar. However, my bill includes criminal penalties for willful violations by individuals and brings "gathering" pipelines under its coverage. The absence of these provisions in the Senate bill prompted an editorial which appears in today's Washington Post and which reads, as follows:

Gas Pipeline Safety

The gas pipeline safety bill that comes to a vote in the Senate today needs to be strengthened by the addition of criminal penalties for willful violations by individuals and provisions for covering the so-called "gathering" pipelines.

There is no reasonable defense to be made for the omission of criminal penalties from this legislation. They were written into the petroleum pipeline safety bill that was passed last year, and there are more urgent reasons for following that precedent, where a more combustible substance is involved. Those who knowingly subject gas pipelines to unsafe pressures should be punished as individuals and not merely discommoded by fines that are levied against their corporations. Indeed, an important segment of the gas pipeline industry raised no objection to criminal penalties in the hearing before the Commerce Committee.

The "gathering" lines—the links between well heads and distribution points—were exempted in the bill reported out by the Committee on the mistaken assumption that they are to be found only in very lightly populated rural areas and therefore involve little danger. But in point of fact there are 243 gathering lines in the metropolitan Los Angeles area alone and several that run under the city of Cleveland.

If the Senate is really concerned about protecting the public against gas pipeline explosions and fires, it will strengthen the bill reported out by the Commerce Committee by adding criminal penalties for willful violators and bringing all pipelines under the safety net.

Mr. Speaker, the public safety and interest makes it imperative that uniform and enforceable standards be set. I believe the bill my colleagues and I are today introducing will do the job which must be done.

For the information of all concerned, I include a section-by-section analysis of the bill.

Section-by-Section Analysis, Natural Gas Pipeline Safety Act of 1967

Section 1—Short title.

Section 2 defines the operative terms used in the bill. Among other things, "gas" is defined to include natural and other flammable gas and nonflammable hazardous gas; "pipeline facilities" include rights-of-way and equipment; "transportation of gas" means gathering, transmission, storage, or distribution of gas in or affecting interstate commerce; "municipality" means a city, county, or other political subdivision; and "adversely affected" (relating to the standing of a person to seek review of a standard) includes exposure to personal injury or property damage.

Section 3(a) requires the Secretary of Transportation to establish, within 24 months after enactment, minimum Federal safety standards for pipelines transporting natural or other flammable gas or non-flammable hazardous gas in or affecting interstate or foreign commerce. The standards would cover the design, installation, inspection, testing, construction, extension, operation, replacement and maintenance of pipeline facilities. The standards must be practicable and designed to meet pipeline safety needs, taking into account relevant data, appropriateness for the particular type of pipeline, reasonableness, and the extent to which standards will contribute to public safety. The Federal standards would be preemptive of state standards as to interstate transmission facilities but a state or municipality could prescribe additional or more stringent standards as to gathering and distribution facilities, provided they are not inconsistent with Federal standards. Further, the Secretary must, within 3 months of enactment, establish interim Federal safety standards applicable to states which do not have existing gas pipeline safety standards, based on those standards common to a majority of those states which do have standards.

3(b) provides that the ordinary effective date of a standard, or an amendment, is 30 days after issuance, unless the Secretary selects another date, for good cause, taking into consideration the time reasonably needed for compliance. The Administrative Procedure Act, by this subsection, is made applicable to all orders establishing, amending, revoking or waiving any standard. In the rulemaking process to establish standards, interested persons will be guaranteed the opportunity to submit written data and views and to present oral testimony and argument.

3(c) authorizes the Secretary to waive any safety standard in whole or in part under such terms and conditions and to the extent he deems appropriate. However, a waiver can be granted only after notice and hearing and only upon a finding, with the reasons stated, that it is not inconsistent with the purposes of the Act. Where a state is exercising jurisdiction over gathering and distribution safety pursuant to an agreement with the Secretary (see section 5(a) below), it will have the same waiver authority as the Secretary unless, after being informed of the state's intention, he objects. In that case, the waiver action is stayed and the Secretary must afford the state a hearing on its waiver request before finally determining whether to allow the state waiver to become effective.

Section 4(a) establishes a Technical Pipeline Safety Standards Committee appointed by the Secretary of 15 technically qualified individuals, 10 of whom must be registered engineers.

4(b) specifies the composition of the Committee: five from Federal and State government agencies (one required to be a State Commissioner); five from the natural gas industry (not less than three of whom are currently engaged in active operation of natural gas facilities); and five selected from the general public.

4(c) requires the Secretary to submit to the Committee all proposed standards and revisions, giving the Committee a reasonable opportunity to report on the technical feasibility, reasonableness, and practicability of each proposal. Each report shall be published and made part of the proceedings for promulgation of the standards. The Secretary may reject Committee conclusions and must publish his reasons. The Committee may also propose standards to the Secretary and all Committee proceedings shall be available for public inspection.

4(d) provides for compensation of Committee members when actually engaged in the actual duties of the Committee.

Section 5(a) provides that the Secretary may enter into agreements with any state under which it will be exempt from Federal safety standards as to gas distribution and intrastate transmission where the state:

(1) Has adopted the then existing Federal safety standards for distribution and intrastate transmission as its own minimum standards and that it has provided for the adoption as its own standards of any Federal safety standards for distribution subsequently established by the Secretary;

(2) Has legal authority to impose, as the minimums, the sanctions provided in sections 7, 8 and 9 of the Act and to require the filing for approval of plans of inspection and maintenance (as provided in section 12 of the Act);

(3) Has undertaken to implement an adequate compliance program; and

(4) has agreed to fully cooperate in a Federal monitoring and reporting system designed to provide information on the effectiveness of the safety program of the state or municipality.

5(b) If for any reason, a state cannot conclude an exemption agreement under subsection (a), they may still agree that as to distribution and intrastate transmission facilities the state will assume (on his behalf) responsibility for establishing, record maintenance, reporting, and inspection requirements; implementing a compliance program; approving plans of inspection and maintenance; and cooperating in a Federal monitoring and reporting system. The agreement must include the state's undertaking to promptly inform the Secretary of any violation of a Federal safety standard which it discovers as a result of its program.

5(c) provides that until a state having an agreement under subsection (a) exempting it for Federal distribution standards actually adopts a Federal standard as its own that particular Federal standard will remain effective and applicable as to that state. While the exemption from any Federal safety standard is in effect, the provisions of sections 6, 7, 8 and 9 (establishing violations, penalties and injunction procedures) will not be applicable. The section also authorizes the Secretary to terminate an agreement under subsections (a) and (b) if he finds that any state has failed to comply with any part of its agreement with him. The finding and revocation must be published in the Federal Register, to become effective no sooner than 15 days after publication.

Section 6(a) lists the activities which are prohibited by the Act:

(1) transportation of gas by pipelines in or affecting interstate commerce except in conformity with applicable and effective safety standards;

(2) failure to file or, after approval, failure to comply with a plan of inspection and maintenance; and

(3) failure or refusal of access to or copying of records, failure to make reports or provide information, or failure or refusal to permit entry or inspection, all as required by section 13.

6(b) provides that nothing in the Act shall affect the common law or statutory tort liability of any person.

Section 7(a) establishes civil penalties for violations of the prohibited acts of section 4, or any regulations under the Act, of up to $1,000 for each violation for each day the violation persists not to exceed a total of $400,000 for a related series of violations.

7(b) permits the Secretary to compromise a civil penalty and further provides that in assessing or compromising a penalty he is to consider the appropriateness of the penalty to size of the business of the person charged and the gravity of the violation. The amount of the penalty, as finally determined, may be deducted from monies owing from the Federal Government to the violator, or it may be recovered in a civil action in the Federal district court.

Section 8(a) creates the rights to restrain violations of the Act and the transportation of gas in violation of the Act and to enforce regulations upon petition in the district court by the appropriate U.S. Attorney, or the Attorney General. Where practicable, anyone against whom an injunction is contemplated must be notified and given an opportunity to present his views. Except in the case of knowing or willful violation, the opportunity to achieve compliance, wherever practicable, must be offered.

8(b) provides that in criminal contempt proceedings for violation of a restraining order, where such violation is also a violation of the Act, the accused may demand a jury trial.

8(c) provides that suit for civil penalties or an injunction may be brought in the district where the violation occurred or where the accused is an inhabitant, transacts business, or where he may be found. It also authorizes for the service of process in these cases.

8(d) provides that a subpoena for witnesses required to appear in a district court in actions under subsection (a) of this section and section 7 may run into another district.

Section 9 imposes criminal sanctions of up to $50,000, or a year in jail, or both, on anyone knowingly and willfully violating any provision of section 6 or any applicable regulation. The same penalties would apply to any officer, director, employee, or agent of a corporation who authorized, ordered, or performed any act constituting the whole or part of a violation.

Section 10(a) accords to any person adversely affected the right to petition for judicial review of an order or regulation issued under the Act at any time up to 60 days after the issuance of the order. The petition may be filed in the court of appeals where the petitioner is or has his principal place of business and the clerk of the court will promptly transmit a copy of the petition to the Secretary.

10(b) The court having jurisdiction over any petition authorized in subsection (a) may grant appropriate relief in accordance with the judicial review provisions of the Administrative Procedure Act.

10(c) The judgment of the court of appeals affirming or setting aside an order of the Secretary shall be final subject to review by the Supreme Court in its certiorari practice.

10(d) Any action for review of an order will not be affected by a change or vacancy in the office of the Secretary.

10(e) The remedies provided for in this section are in addition to, rather than in substitution for, other remedies provided by law.

Section 11 provides that the Secretary will consult with the Federal Power Commission and appropriate state commission whenever the establishment of a standard or action on a waiver request would affect continuity of gas services within FPC or state jurisdiction. The Secretary is to defer the effective date of his action until the FPC or state commission has had reasonable opportunity to grant the authorization it believes necessary so that a pipeline activity would not be in violation of its certificate because it complied with a safety requirement properly issued by the Secretary. This section would also make binding on the FPC, in proceedings for new or additional operating authority, the certification of the applicant that it intends to comply with Federal and other applicable safety standards. However, this certification will not be binding if the FPC has received timely notification from a relevant enforcement agency that the applicant has violated Federal or other applicable safety standards.

Section 12 requires each gas distribution pipeline to file for approval with the Secretary or, where an agreement under section 5 is in effect, the appropriate state agency a plan of inspection and maintenance. The Secretary may require a plan of inspection and maintenance to be filed with him covering any gathering, distribution or transmission pipeline also. If the agency having enforcement responsibility for a gathering, transmission, or distribution line, after hearing, disapproves a plan, it may require that an adequate plan be filed. The adequate plan required to be filed must, like standards promulgated under secton 3, be practicable and designed to meet pipeline safety needs, taking into account relevant data, appropriateness for the particular type of pipeline reasonableness and the extent to which standards will contribute to public safety.

Section 13(a) authorizes the Secretary to require regulated pipelines to maintain and permit inspection of such records and reports as will permit him to determine the degree of compliance to the Act.

13(b) authorizes the Federal monitoring of state enforcement practices. This subsection also authorizes Federal employees, duly authorized by the Secretary, to enter upon and inspect pipeline facilities at reasonable times and in a reasonable manner.

13(c) provides that all accident reports made by a Department of Transportation officer, employee or agent shall be available in civil, criminal, and other judicial proceedings arising out of the accidents. Further, such persons may be required to testify in the proceeding. Reports on research and demonstration projects and accident reports are to be public, the latter in a form which need not identify individuals.

13(d) provides that trade secrets disclosed pursuant to the carrying out of the Act are to be kept confidential. Unauthorized disclosure will subject an officer or employee to the provisions of the U.S. criminal code and penalties up to a fine of $1,000, a year in prison, or both.

Section 14 authorizes the Secretary to conduct the research, testing, development and training necessary to carry out the Act.

Section 15 directs the Secretary to furnish the FPC with technical information requested of him.

Section 16 authorizes the Secretary to advise, assist, and cooperate with other Federal departments and agencies, and state and other interested public and private agencies and persons, in the planning and development of Federal safety standards and methods for inspecting and testing to determine compliance with Federal safety standards.

Section 17(a)—authorizes the appropriation of such funds as are necessary to carry out the provisions of the Act and provides that the funds may be used to aid states to develop and enforce safety standards. This section also authorizes the payment out of appropriated funds of up to one-half of the cost of the personnel, equipment, and activities of a state commission (where the state has entered into an agreement with the Secretary under section 5) reasonably required to establish, maintain, and enforce its gas pipeline safety program. The state must make application by September 30 for such grant for the ensuing calendar year and must have appropriated or otherwise provided for payment of the remaining one-half of the cost for the ensuing year. This subsection would also authorize the Secretary out of appropriated funds to pay in advance $20,000 a year (plus such additional amount as he shall deem justified, to the national organization of the state commissions. This payment shall be used to coordinate the activities of the state commissions; to assist them in the maintenance and improvement of a gas pipeline safety program; and to render them technical assistance in other regulatory matters. The application for payment of, and auditing of these funds will be governed by regulations established by the Secretary.

17(b)—the Secretary is authorized to require payment of a reasonable annual fee to him by all persons transporting gas for use in defraying the expenses of Federal inspection and enforcement under the Act.

Section 18—requires the Secretary to submit to the President for transmittal to the Congress on March 17 of each year a comprehensive report on the administration of the Act during the preceding calendar year. This section provides that certain types of information be included in this report.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Laird (at the request of Mr. Gerald R. Ford), for today through Monday, on account of death in family.

Mr. Pollock (at the request of Mr. Gerald R. Ford) on account of official business.

Mr. Harrison (at the request of Mr. Gerald R. Ford) on account of official business.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. Addabbo, for 20 minutes, today; to revise and extend his remarks and to include extraneous material.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Farbstein.

Mr. Sikes.

Mr. Goodell to include extraneous matter as part of his remarks in the debate on S. 2388.

(The following Members (at the request of Mr. Vander Jagt) and to include extraneous matter:)

Mr. McClure.

Mr. Derwinski.

Mr. Rumsfeld.

(The following Members (at the request of Mr. Pryor) and to include extraneous matter:)

Mr. Long of Maryland.

Mr. Nix.

Mr. Evins of Tennessee.

Mr. Edwards of California.

Mr. Rarick in two instances.

Mrs. Hansen of Washington.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 101. Joint resolution amending title XI of the Merchant Marine Act, 1936, to authorize the Secretary of Commerce to guarantee certain loans made to the National Maritime Historical Society for the purpose of restoring and returning to the United States the last surviving American square-rigged merchant ship, the *Kaiulani*, and for other purposes; to the Committee on Merchant Marine and Fisheries.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2757. An act for the relief of Comdr. Albert G. Berry, Jr.;

H.R. 4538. An act for the relief of Dr. John E. Yannakakis;

H.R. 6692. An act declaring a portion of Bayou Lafourche, La., a nonnavigable waterway of the United States;

H.R. 13048. An act to make certain technical amendments to the Library Services and Construction Act; and

H.R. 13165. An act to extend the period during which Secret Service protection may be furnished to a widow and minor children of a former President.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 1872. An act to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes;

S. 2168. An act for the relief of Dr. Pedro Pina y Gil; and

S.J. Res. 33. Joint resolution to establish a National Commission on Product Safety.

ADJOURNMENT

Mr. PRYOR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to accordingly (at 5 o'clock and 49 minutes p.m.), under its previous order, the House adjourned until Monday, November 13, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1210. A letter from the Acting Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Packers and Stockyards Act, 1921, as amended, and for other purposes; to the Committee on Agriculture.

1211. A letter from the President and Chairman, Export-Import Bank of Washington, transmitting the Annual Report of the Export-Import Bank of Washington, for the period July 1, 1966, through June 30, 1967, pursuant to the provisions of the Export-Import Bank Act of 1945, as amended; to the Committee on Banking and Currency.

1212. A letter from the Assistant Secretary of the Interior, transmitting a report of an application for a loan and grant from the Hidalgo and Willacy Counties Water Control and Improvement District No. 1 of Edcouch, Tex., pursuant to the provisions of section 10 of the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular Affairs.

1213. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to extend to savings notes the provisions of the Second Liberty Bond Act relating to the redemption of savings bonds and the payment of losses incurred in connection with such redemption; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. NATCHER: Committee of conference. H.R. 8569. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 903). Ordered to be printed.

Mr. SISK: Committee on Rules. House Resolution 973. Resolution providing for consideration of the conference report on the bill H.R. 8569 (Rept. No. 904). Referred to the House Calendar.

Mr. McMILLAN: Committee on the District of Columbia. S. 1227. An act to provide that a judgment or decree of the U.S. District Court for the District of Columbia shall not constitute a lien until filed and recorded in the office of the Recorder of Deeds of the District of Columbia, and for other purposes; with amendment (Rept. No. 905). Referred to the House Calendar.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 6647. A bill to amend the act entitled "An act to provide for the annual inspection of all motor vehicles in the District of Columbia", approved February 18, 1938, as amended; with amendment (Rept. No. 906). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 13401. A bill to authorize certain foreign governments to proceed with their plans for chanceries in the District of Columbia in accordance with their agreement with the government of the District of Columbia entered into in 1958 (Rept. No. 907). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 13402. A bill authorizing the use of certain buildings in the District of Columbia for chancery purposes; with amendment (Rept. No. 908). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 13403. A bill to amend the act of October 13, 1964, to regulate the location of chanceries and other business offices of foreign governments in the District of Columbia; (Rept. No. 909). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 13480. A bill to make the proof of financial responsibility requirements of section 39(a) of the Motor Vehicle Safety Responsibility Act of the District of Columbia inapplicable in the case of minor traffic violations involving drivers' licenses and motor vehicle registration (Rept. No. 910). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOLIFIELD: Joint Committee on Atomic Energy. H.R. 13934. A bill to amend the Atomic Energy Community Act of 1955, as amended, the Atomic Energy Act of 1954, as amended, and the Euratom Cooperation Act of 1958, as amended (Rept. No. 911). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. S.J. Res. 35. Joint resolution consenting to an extension and renewal of the interstate compact to conserve oil and gas; with amendment (Rept. No. 912). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HOWARD (for himself, Mr. Don H. Clausen, Mr. Cramer, Mr. Denney, Mr. Dorn, Mr. Duncan, Mr. Edwards of Louisiana, Mr. Gray, Mr. Grover, Mr. Hammerschmidt, Mr. Johnson of California, Mr. McDonald of Michigan, Mr. McEwen, Mr. Schadeberg, Mr. Schwengel, Mr. Snyder, Mr. Wright, Mr. McCarthy, Mr. Olsen, and Mr. Zion):

H.R. 13933. A bill to amend section 103 of title 23, United States Code, to authorize modifications or revisions in the Interstate System; to the Committee on Public Works.

By Mr. HOLIFIELD:

H.R. 13934. A bill to amend the Atomic Energy Community Act of 1955, as amended, the Atomic Energy Act of 1954, as amended, and the Euratom Cooperation Act of 1958, as amended; to the Joint Committee on Atomic Energy.

By Mr. BUSH (for himself and Mr. Price of Texas):

H.R. 13935. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ADDABBO (for himself, Mr. Bingham, Mr. Clark, Mr. Delaney, Mr. Gilbert, Mr. Halpern, Mr. Jacobs, Mr. Moorhead, Mr. Multer, Mr. Rosenthal, Mr. Ryan, Mr. Tenzer, and Mr. Vigorito):

H.R. 13936. A bill to authorize the Secretary of Transportation to prescribe safety standards for the transportation of natural and other gas by pipeline, and for other purpose; to the Committee on Intertsate and Foreign Commerce.

By Mrs. BOLTON:

H.R. 13937. A bill to amend the Nurse Training Act of 1964 to provide for increased assistance to hospital diploma schools of nursing; to the Committee on Interstate and Foreign Commerce.

By Mr. DOLE:

H.R. 13938.—A bill to amend the Fair Labor Standards Act of 1938 to provide a special minimum wage rate for seasonal employees of retail or service establishments; to the Committee on Education and Labor.

By Mr. EDWARDS of California:

H.R. 13939. A bill to reduce the depletion allowance for oil and gas; to the Committee on Ways and Means.

By Mr. GARMATZ (for himself, Mrs. Sullivan, Mr. Clark, Mr. Ashley, Mr. Dingell, Mr. Downing, Mr. Byrne of Pennsylvania, Mr. Rogers of Florida, Mr. Stubblefield, Mr. Murphy of New York, Mr. Dow, Mr. Karth, Mr. Hathaway, Mr. Jones of North Carolina, Mr. Helstoski, Mr. Fallon, and Mr. Friedel):

H.R. 13940. A bill to amend the Merchant Marine Act, 1936, and other statutes to provide a new maritime program; to the Committee on Merchant Marine and Fisheries.

By Mr. LENNON:

H.R. 13941. A bill to amend the Merchant Marine Act, 1936, and other statutes to provide a new maritime program; to the Committee on Merchant Marine and Fisheries.

By Mr. TAYLOR:

H.R. 13942. A bill to require persons holding demonstrations on Federal property or in the District of Columbia to post a bond to cover certain costs of such demonstration; to the Committee on Public Works.

By Mr. WATKINS (for himself and Mr. Goodling):

H.R. 13943. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. BINGHAM:

H.R. 13944. A bill to prohibit federally insured banks from making unsolicited commitments to extend credit, and to prohibit the transportation, use, sale, or receipt, for unlawful purposes, of credit cards in interstate or foreign commerce; to the Committee on Banking and Currency.

By Mr. BRASCO:

H.R. 13945. A bill to amend the Social Security Act to provide a guaranteed minimum benefit for individuals with 25 or more years of coverage, to provide widow's insurance benefits for disabled widows at any age, to liberalize the earnings test, and to provide medicare coverage for prescribed drugs, and to allow full income tax deductions for medical expenses of individuals age 65 and over; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 13946. A bill to amend the Internal Revenue Code of 1954 to provide that certain awards in recognition of outstanding achievement in the field of sports shall be excluded from gross income; to the Committee on Ways and Means.

By Mr. SCHEUER:

H.R. 13947. A bill to amend the United States Code to remove the prohibitions against importing, transporting, and mailing in the U.S. mails articles for preventing conception, and advertisements with respect to such articles; to the Committee on Ways and Means.

By Mr. TALCOTT (for himself, Mr. Don H. Clausen, Mr. Gubser, and Mr. Mailliard):

H.R. 13948. A bill to provide for the appointment of additional circuit judges; to the Committee on the Judiciary.

By Mr. JACOBS:

H.R. 13949. A bill to provide for the continuance of certain compensation under the War Claims Act of 1948 and for an increase in the amount of such compensation; to the Committee on Interstate and Foreign Commerce.

By Mr. NIX:

H.R. 13950. A bill to authorize the Secretary of Transportation to prescribe safety standards for the transportation of natural and other gas by pipeline, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. POFF:

H.R. 13951. A bill for the promotion of the progress of the useful arts by the general revision of the patent laws, title 35 of the United States Code, and for other purposes; to the Committee on the Judiciary.

By Mr. RANDALL:

H.R. 13952. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. ROONEY of Pennsylvania (for himself, Mr. Dingell, and Mr. Van Deerlin):

H.R. 13953. A bill to authorize the Secretary of Transportation to prescribe safety standards for the transportation of natural and other gas by pipeline, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHEUER:

H.R. 13954. A bill to provide for the payment of a transportation allowance to permit a member of the immediate family of a serviceman hospitalized in the United States from a combat wound or illness to visit such serviceman, and for other purposes; to the Committee on Armed Services.

By Mr. ANDREWS of North Dakota:

H.R. 13955. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. BIESTER:

H.R. 13956. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. SELDEN:

H.J. Res. 923. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. WATSON:

H.J. Res. 924. Joint resolution to provide for the designation of the second week of May of each year as National School Safety Patrol Week; to the Committee on the Judiciary.

By Mr. BURTON of Utah:

H. Con. Res. 579. Concurrent resolution expressing the sense of Congress that highway trust funds should not be withheld; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H. Con. Res. 580. Concurrent resolution concerning the development of the ocean floor through international cooperation; to the Committee on Foreign Affairs.

By Mr. JONES of Alabama:

H. Res. 970. Resolution to extend the greetings of the U.S. House of Representatives to the Congress of the Philippines in commemoration of the arrival of the Thomasite teachers; to the Committee on Foreign Affairs.

By Mr. OLSEN (for himself and Mr. NIX):

H. Res. 971. Resolution authorizing the Committee on Post Office and Civil Service to conduct studies and investigations relating to certain matters within its jurisdiction; to the Committee on Rules.

H. Res. 972. Resolution authorizing expenses for conducting studies and investigations pursuant to House Resolution 971; to the Committee on House Administration.

By Mr. WILLIAMS of Pennsylvania:

H. Res. 974. Resolution to urge the President to release the highway trust funds; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 13957. A bill for the relief of Mathias C. Cabana; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 13958. A bill for the relief of Leonardo Balistreri, his wife, Rosa Balistrari, and their children, Elvira and Silvana; to the Committee on the Judiciary.

H.R. 13959. A bill for the relief of Phillip Hebbon; to the Committee on the Judiciary.

H.R. 13960. A bill for the relief of Salvatore Lamendola; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 13961. A bill for the relief of Clementine U. Vander Porten; to the Committee on the Judiciary.

By Mr. DINGELL:

H.R. 13962. A bill for the relief of Aldo Lombardo; to the Committee on the Judiciary.

By Mr. GRAY:

H.R. 13963. A bill for the relief of Nasser Padash; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 13964. A bill for the relief of Nadia Canducci; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 13965. A bill for the relief of Giuseppe Di Stefano; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 13966. A bill for the relief of Alfio Grasso; to the Committee on the Judiciary.

H.R. 13967. A bill for the relief of Paolo Rosolia; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 13968. A bill for the relief of Dr. Francisco J. Olazabal; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 13969. A bill for the relief of Lucius Edward Arnold and his wife, Ann Marie Arnold, and their children, Steven Watkins Lucius Arnold and Patricia Diane Marie Arnold; to the Committee on the Judiciary.

SENATE

THURSDAY, NOVEMBER 9, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God, our Father, as we rejoice in the gift of another day, may its hours be made luminous by Thy presence, who art the light of all our seeing.

The circumstances of our times are so appalling and dismaying to the gaze of our finite minds that the resources of our souls are utterly inadequate unless Thou renew them by a strength and power not our own.

In this global contest beyond the light and darkness, make us, as individuals, the kind of persons which Thou canst use as the instruments of Thy purpose for all mankind.

Open our eyes to see a glory in our common life with all its sordid failures, and in the aspirations of men for better things and for a fairer world—and which, at last, must burn away every barrier to human brotherhood as Thy kingdom comes and Thy will is done in all the earth.

We ask in the Redeemer's name. Amen.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 8569) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1968, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. NATCHER, Mr. GIAIMO, Mr. PATTEN, Mr. PRYOR, Mr. MAHON, Mr. DAVIS of Wisconsin, Mr. MCDADE, Mr. RIEGLE, and Mr. BOW were appointed managers on the part of the House at the conference.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, November 8, 1967, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

DWIGHT HALL OWEN, JR.

Mr. PASTORE. Mr. President, as, on the calendar of 1967, we mark the approach of Veterans Day—when a grateful Nation pays tribute to the brave men and women who have served in its Armed Forces—I would like to pay my respects to a young civilian, Dwight Hall Owen, Jr., who on August 31, 1967, laid down his life in the jungles of Vietnam.

Three times Dwight Owen, Jr., had gone to Vietnam. A visitor in 1965, he fell in love with the country and its humble, harassed people. In 1966 he returned for the State Department to help in the refugee program.

Dwight, a student at Stanford University, had his home in Providence and his father is my good friend. Young Dwight came to my office in the summer of 1966 and so enthralled me with his adventures and views on Vietnam that I begged him to write me a report.

This report he finished June 10, 1967. His "Views on Vietnam" cover 37 pages—so timely and thought through that I have made it available to the proper agencies of the Government—and this although Dwight never found time to edit it.

Before he could find that time, he had returned to Vietnam at the request of the Agency for International Development.

He met his death attempting to save a village chief from an ambush by the Vietcong.

The quality of young Owen's report reflects the quality of this young man's mind.

I borrow the words of an associate who was with Dwight when he died. He wrote:

> His active, intelligent and articulate mind was certainly a great loss to his country and to those of us who knew him personally. Had he lived, it is certain that he would have occupied a great, responsible position in public or private American life.

Another associate relates how Dwight, more than any other, persuaded him to go to Vietnam. He tells how "Mr. Tall"—Dwight stood six-foot-five—so won the affection of the natives that upon his death they held "a memorial service of eternal remembrance."

So that our own memories may not be too short, and so that our own Americanism may be refreshed by an awareness of the dedication of some American youth to the cause of humanity, I ask unanimous consent that the thoughts of two associates of Dwight Owen, Jr.—the letter of Kenneth Harrison and the article by Michael Novak—be printed in the RECORD at the conclusion of my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PASTORE. It seems to me that the pages of the RECORD, so often seared in caustic debate, will be sweetened even if saddened by the saga of one who might have lived to serve in these Halls, and, dying, deserves to live forever in an immortal page of our history.

This may be that page.

For we have come to know how often the American page of heroism has been written, not in length of years but in the intensity and inspiration of those who shall remain young for all eternity.

Dwight Owen, Jr., had the courage to choose the path of daring, a path of mortal peril to his country, and the character to follow his choice to the end.

To such heroes, and to the homes

blessed by sons who could live and die so valiantly, America stands in everlasting debt and eternal tribute.

EXHIBIT 1.

DWIGHT HALL OWEN, JR.—THE AMERICAN "MR. TALL" DIES, AMBUSHED IN A LAND HE TRIED TO HELP

(By Michael Novak)

QUANG NGAI, September 1 (By mail).—The tall, lean Stanford man who more than any other persuaded me to come to Vietnam did not live to return with me. Dwight Hall Owen, Jr., 21, died yesterday, trying to save a Vietnamese Revolutionary Development chief from an ambush.

The V.C. hit Quang Ngai in force Wednesday night, Aug. 30. They dropped mortar fire on parts of the city, and then released nearly 1,200 prisoners from the city jail. Many of these prisoners are now believed to be reinforcing the 12 V.C. battalions thought to be operating in the province.

In a sweep of the area to seek the attackers the next day, Mr. Liu, the chief of district Revolutionary Development teams, was traveling toward Tu Binh village, east of Quang Ngai in the direction of Junk Base 16. Meanwhile, intelligence was received in Quang Ngai that two V.C. battalions were in the vicinity.and that a heavy ambush was being set up for Liu and his small force.

A small group of American advisers, including Owen, left Quang Ngai about 10 a.m., Aug. 31, and sped toward Tu Binh to warn Liu. West of the village, they halted their jeeps and hurried by foot, trying to circumvent a possible ambush laid for them.

The small band reached Tu Binh and made contact with Liu. It was returning through rice paddies and cornfields when it made contact with strong enemy forces. A firefight with small arms and automatic weapons broke out.

The V.C. began firing mortar rounds on the Americans and Vietnamese. Vietnamese Regional and Popular forces in the area joined the struggle. Owen and a companion were breaking for fresh cover when a grenade landed between them.

The concussion dropped Owen to the ground. When he rose, he was struck by a bullet. With his companion's help, he was able to run another 100 yards towards the jeeps and possible help. But, he fell, too weak, and died.

Owen first came to Vietnam in the fall of 1965, on a trip around the world after his freshman year at Stanford. He soon grew to love the Vietnamese and to sympathize with their struggle for security and development. He toured the country, making friends with counter-insurgency leaders and becoming involved in actions with the Special Forces and other units.

In February, 1966, Owen first came to Quang Ngai province on a contract with the U.S. State department, to handle logistical problems connected with the refugee program. In the autumn, he returned to Stanford where he spoke often of the problems and complexities of the struggle in Vietnam.

Few Americans are committed to as full and as intelligent a vision of the Vietnamese struggle as Owen was. He was a severe critic of many aspects of American military policy. But he believed passionately and enthusiastically in the will of many Vietnamese to resist V.C. terror and to develop their land in peace. He was convinced that only a guerrilla war, fought with guerrilla techniques in close touch with the people, would be able to bring order to Vietnam.

In June of this year, Owen returned to Vietnam on another State department contract, this time to work directly in counter-insurgency warfare as adviser to several Revolutionary Development cadres.

The idea of such cadre—units of 59 young men in black pajamas trained to live with, work with, teach and defend the people—was virtually born in Quang Ngai province. The program requires patience, labor and time. In Quang Ngai it has encountered many disappointments as well as steady, modest successes.

Owen took pleasure in every new fence put up, well dug, hamlet road opened as "secure," village able to be visited freely.

Owen was an unusually tall young man, standing six-feet-five, and lean as a sapling. Vietnamese who did not know him as Mr. Owen called him "Mr. Tall."

I visited with Owen a total of one week during my month in Vietnam, on two different occasions.

Soon after his return to Vietnam, he told me, he was discouraged by the American emphasis on material, large operations and huge bases, and mania for opening and protecting highways. But the longer he stayed, he told me in our last conversation four days before he died, the more refreshed he felt.

The day before I arrived for my second visit, he said, he had visited a hamlet where people said they had never before seen an American. Owen's height, no doubt, amazed them as it did most Vietnamese. But they told him they were glad to meet an American, since they had heard Americans were trying to make life better for the people. He felt good about the conversation.

"I'm more and more convinced," Owen told me, "that the people don't like the V.C. They're afraid and they need security, but they don't like the V.C."

During his time in Vietnam. Owen wrote many reports urging a modification of American procedures and priorities. He liked to talk about the larger issues of the war. He sympathized with the peace movement, but found many in the movement widely mistaken in their views of what was actually happening in Vietnam.

In essence, he took the view that the U.S. was now committed to Vietnam, and that many Vietnamese desired and needed this commitment. He also believed that the present American response was much too military, impersonal and inappropriate for a guerrilla struggle among the people.

Owen had a contagious enthusiasm and a constant courage. He had been in many firefights. His Vietnamese counterpart, Lieut. Le, was a warm and affectionate friend of two years' standing. Owen often slept at Lieut. Le's quarters in Tu Nghia, his lanky frame extending uncomfortably over the edge of the six-foot cot kept there for his use.

Several Vietnamese friends called in sympathy on Embassy House, where he had lived, and others wrote brief letters of gratitude. The R.D. cadres had a memorial service in his honor two days after his death, beneath a banner to the "eternal remembrance of Dwight Hall Owen, Jr., who has sacrificed his life for the cause of Revolutionary Development."

A month earlier, almost to the day. Owen's Stanford sweetheart had left Quang Ngai after almost a week's visit. At that time, Tu Binh was relatively secure and they would have passed through it on their way to Junk Base 16, where they shared a Sunday picnic. Owen was very happy about that week, and very proud of his girl for coming.

His home was in Providence, R.I.

QUANG NGAI, RVN,
September 15, 1967.

DEAR MR. and MRS. OWEN: I have purposely delayed writing you this letter because I wanted to wait until I was no longer deeply depressed over Dwight's death. I feel a great attachment to Dwight, as if he were a brother. Not only was his death a great personal loss, but it was also mine and many other people's opinion that his death was a great loss to our country. Had he lived it is certain that he would have occupied a great responsible position in public or private American Life. His active, intelligent articulate mind was certainly a great loss to our country and to those of us who knew him personally.

Dwight was having a significant impact on the Vietnamese people and the eventual outcome of the war at the time of his death. He had started a nationwide program to get students and other leaders interested in the Revolutionary Development Program. He had written many valuable suggestions on how to improve our effort here ranging from organization, training, and operation of the ex-VC Armed Propaganda Teams to how to improve the Popular Force Soldiers fighting ability to how to involve the Buddhist Monks in the effort to win the confidence of the people to the Government of Vietnam. These are but a few of the ideas that he had and that were being put into effect. In one and one-half years in Vietnam, I have not seen anyone who had so many sound ideas on how to improve the Vietnamese effort. In addition to having many good ideas about how to improve the Vietnamese effort in Vietnam, Dwight also had the ability to win the respect and trust of the Vietnamese people. He could communicate with them very openly and easily. Because they liked him and trusted him it was very easy for him to influence the Vietnamese. He enjoyed so much success in dealing with the Vietnamese at all levels, older and more experienced Americans often became jealous of him. I say this because I feel it is an indication of his great ability.

I could relate the circumstances surrounding Dwight's death but I do not feel that it is necessary. I feel that it is sufficient to say that he died as a hero. He displayed a great deal of bravery just prior to his death. His Vietnamese interpreter stayed with Dwight even after Dwight had died, the interpreter had no ammunition, and there were many Viet Cong all around. His interpreter did this because of his devotion to Dwight.

The Vietnamese in Quang Ngai held a Memorial Service for Dwight in which the Province Chief and other leaders paid tribute to him. It was a very emotional experience. I am sending you some of the pictures and speeches under separate cover. This service indicated the very closeness of the Vietnamese people to Dwight. This was the first time that I had seen the Vietnamese organize a Memorial Service for an American.

I hope this letter gives you a little better perspective of the circumstances surrounding Dwight's death. The Vietnamese have a saying that when you have many people who are sad, it makes the burden lighter for everyone because there are more people to divide the sadness. There are many people here, Vietnamese and American, who want to share the sorrow and respectfully send their condolence to you in your time of sorrow.

I feel that all the people who have known Dwight will always try harder in their work in order to make up for our loss of Dwight. I also hope that his two brothers will carry on for him in their chosen fields of endeavor and when they marry that they will have large families to help make up for Dwight's heredity that is now lost to our future generations.

Please accept my deepest sympathy.

Sincerely,

KENNETH R. HARRISON.

FOLLY IN VIETNAM: A HERO'S CANDID VIEW

Mr. PELL. Mr. President, on this, the day before Armistice Day, it is particularly important that we recognize the fact that wars today are fought in great part by civilians and in the civilian sector, that the stakes are the minds and hearts of the people; and in Vietnam this civilian facet of war is, I believe, the principal one.

In this connection, I should like to call the attention of the Senate to the achievements and the views of an extraordinary young man from my State who recently lost his life in Vietnam.

His name was Dwight Hall Owen, Jr., and at the time of his death 2 months ago at the age of 21, he was on leave from his studies at Stanford University, serving on his second tour of volunteer duty as a civilian adviser in the combat area. He was not a soldier and although he was in the ROTC program at Stanford, he could have spent his college years in the peace and security of the classroom, had he elected to do so. But he went to Vietnam in the fall of 1965 on a personal tour and was so taken with what he saw that he returned a few months later as an AID representative in Quang Ngai Province. He returned again this year, again under State Department—AID—contract, to serve as adviser in the counterinsurgency movement or, as I prefer to call it, the democratic insurgency movement. It was while serving in this capacity that he was cut down by enemy fire near Quang Ngai on August 31.

Mr. President, that Dwight Owen, Jr., was an extraordinarily capable and dedicated young man was apparent from his achievements and his records. But what made his short life all the more remarkable and significant was the fact he had unusual powers of discernment and judgment, which he brought to bear on the conflict in Vietnam. He visited me in my office here shortly after he returned from his first mission, and I was profoundly impressed by him and what he had to say. He was neither a hawk nor a dove, as we have come to use those trite labels, but rather an independent man who believed in the cause of freedom for South Vietnam, while at the same time harboring some honest doubts and reservations about how his own Government was trying to achieve that objective. In August of 1966, he wrote me a letter in which he said, in part—

> I firmly believe in what we are attempting to do and only disagree in some of our methods.

Since his death, I have been privileged to read a most thoughtful and candid, and, I might say, disturbing report entitled "Views on Vietnam" which Dwight Owen, Jr., wrote last June. In it he spares no detail about how the United States, for all its military might, has been outwitted, outfought, and outpoliticked by the Vietcong. The main point of his observations seem to be that the Vietcong are fighting a totally political war, with extreme flexibility and attention to political consequences, while the United States ponderously pursues a basically military objective, using clumsy military tactics that actually defeat our political objectives.

Dwight Owen's report tells, for example, how the U.S. forces persist in using clumsy outsize vehicles, such as personnel carriers, that chew up rice paddies and wreck irrigation dikes, causing untold hardship and bitterness. The Vietcong, by contrast, go everywhere on foot, enjoying greater flexibility, as a result; they rush in and help rebuild the rice paddies as soon as the mechanized American forces have departed, thus capitalizing on the havoc which our forces created.

Similarly, Mr. Owen's report tells how the Vietcong operating from temporary and expendable bases operate a tireless program of indoctrination and assistance in the hamlets and villages under the cover of darkness. United States and South Vietnamese units meanwhile have retreated to their more elaborate fixed bases, some of which have permanent quarters, television, ice cream and hot meals.

Our policy needs to be changed from "search and destroy" to "clear and hold," Mr. Owen recommended. Our military action should be followed up in each case by intense and continuing political activity that will match the efforts of the Vietcong, point for point, at every step of the way. His conclusion, as of June 1967, was the following warning:

> A defeat is still a real possibility in Vietnam. We may achieve a military victory but fail to provide a government which will attract and hold the allegiance of the population against the Viet Cong. Thus far the political factor has been acknowledged in many speeches but neglected in policy formation and action in the field. We are approaching or may have passed the point at which we can no longer attract the people.

Mr. President, I am grateful indeed to have benefited from this incisive report on the situation in Vietnam, as seen by a clear-eyed young man who had no ax to grind and no cause to serve other than that of peace and freedom. I am impressed with the wisdom of his conclusion, so much so that I am undertaking, in conjunction with my distinguished senior colleague, Senator PASTORE, to circulate the Owen report to persons in Government who might be in a position to act on some of his observations. Dwight Owen's parents and family should take satisfaction not only from the fact that their son gave his life doing what he believed should be done, but also from the fact that his ideas and thoughts have survived him and may in time help to shape the course of the future.

SAWTOOTH NATIONAL RECREATION AREA, IDAHO

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 713, S. 1267.

The PRESIDENT pro tempore. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 1267) to establish the Sawtooth National Recreation Area in the State of Idaho, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 3, line 8, after the word "property", insert "or interests therein"; in line 10, after the word "property", insert "or interests therein"; after line 22, strike out:

> SEC. 5. (a) The authority of the Secretary to acquire an interest in private property by condemnation shall be subject to the provisions of this section.
>
> (b) The Secretary shall make and publish regulations setting standards for the use of privately owned property within the boundaries of the recreation area. Such regulations shall be generally in furtherance of the purposes of this Act and shall have the object of assuring that the use and development of privately owned property is consistent with the purposes of this Act and with the overall general plan of the Sawtooth National Recreational Area. Such regulations shall be as detailed and specific as is reasonably required to accomplish such objective and purpose. Such regulations may differ amongst the several parcels of private land in the boundaries and may from time to time be amended by the Secretary.
>
> All regulations adopted under this Act shall be promulgated in conformity with the provisions of the Administrative Procedure Act: No regulation shall be promulgated for any purpose described in this Act unless a public hearing has been conducted and opportunity for review has been accorded in conformity with the provisions of sections 7 and 8 of the Administrative Procedure Act.

And, in lieu thereof, insert:

> SEC. 5. (a) The authority of the Secretary to acquire an interest in private property within the recreation area without the owner's consent and by means of condemnation shall be limited to—
>
> (1) the acquisition of scenic easements when the private owner fails to use his property in conformance with the standards of a use provided for in subsection (b) of this section, and
>
> (2) the acquisition of easements for access to and utilization of public property: *Provided*, That such acquisition shall not exceed 5 per centum of the total acreage of all private property within the recreation area as of the effective date of this Act.
>
> (b) The Secretary shall make and publish regulations setting standards for the use, subdivision, and development of privately owned property within the boundaries of the recreation area. Such regulations shall be generally in furtherance of the purposes of this Act and shall have the object of assuring that the highest and best private use, subdivision, and development of such privately owned property is consistent with the purposes of this Act and with the overall general plan of the Sawtooth National Recreation Area. Such regulations shall be as detailed and specific as is reasonably required to accomplish such objective and purpose. Such regulations may differ amongst the several parcels of private land in the boundaries and may from time to time be amended by the Secretary. All regulations adopted under this Act shall be promulgated in conformity with the provisions of the Administrative Procedure Act. The United States District Court for the District of Idaho shall have jurisdiction to review such regulations after their effective date, upon a complaint filed by any affected landowner, in an action for a declaratory judgment.

On page 6, line 9, after the word "appropriated", strike out "funds", and insert "funds,"; in line 12, after the word "land", strike out "(including the air space above such land)"; in line 14, after the word "prelude", strike out "any customary or traditional", and insert "the continuation of any"; in line 16, after the word "owner", strike out "prior to the acquisition of the easement.", and insert "as of the date of this Act."; after line 17. strike out:

> (d) Where an owner of private property within the exterior boundaries of the recreation area as of the date of this Act, or his heirs, desires to dispose of such prop-

erty to the Federal Government, the Secretary shall purchase said property at a price that shall include compensation for any decrease in the value thereof that may have resulted from the promulgation of regulations, zoning or scenic easements as a consequence of the establishment of the recreaction area: *Provided, however,* That the provisions of this subsection shall cease to be in effect after a period of ten years from the date of enactment of this Act.

And, in lieu thereof, insert:

(d) Where an owner of private property within the exterior boundaries of the recreation area as of the date of this Act, or his heirs and devisees, desires to dispose of such property to the Federal Government, the Secretary shall purchase said property at a price that shall include compensation for any decrease in the value thereof not previously compensated for under the provisions of this Act that may have resulted from the promulgation of regulations, standards, or other consequences of the establishment of the recreation area. In the event the Secretary and the owner are unable to agree upon the purchase price, and the Secretary declines to complete the purchase, the owner may file a complaint setting out these facts, together with a good and sufficient deed to the property, in the United States District Court for the District of Idaho. After the filing of an answer by the United States, the case shall be treated to the extent possible, in the same manner as an action for the condemnation of property brought by the United States: *Provided, however,* That the provisions of this subsection shall cease to be in effect after a period of ten years from the date of the enactment of this Act.

On page 7, after line 23, strike out:

(e) The limitations hereinabove set forth on the authority to condemn an interest in lands shall not apply to property which the Secretary determines to be needed for easements for access to and utilization of public property: *Provided,* That the acquisition for such purposes shall not exceed 5 per centum of the total acreage of all privately owned property in the recreation area.

On page 8, line 20, after "Sec. 7.", strike out "Recommendations", and insert "Provisions for review, recommendations,"; on page 9, line 18, after the word "the" where it appears the second time, strike out "States" and insert "State"; on page 10, line 6, after the word "There", insert "is"; and in the same line, after the word "appropriated", strike out "such sums as may be necessary", and insert "not more than $27,380,000"; so as to make the bill read:

S. 1267

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to assure the preservation of, and to protect the scenic, historic, pastoral, fish and wildlife, and other recreational values of the Sawtooth Mountains and adjacent valley lands, there is hereby established, subject to valid existing rights, the Sawtooth National Recreation Area.

Sec. 2. The boundaries of the recreation area shall be those shown on the map entitled "Proposed Sawtooth National Recreation Area", dated April 1, 1966, which is on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture. The Secretary of Agriculture (hereinafter called the "Secretary") shall, as soon as practicable after the date this Act takes effect, publish in the Federal Register a notice of the establishment of the Sawtooth National Recreation Area, together with a detailed description and map showing the boundaries thereof.

Sec. 3. The Secretary shall administer the Sawtooth National Recreation Area in such manner as will best provide for (1) the protection and conservation of the salmon and other fisheries, (2) the conservation and development of scenic, historic, pastoral, wildlife, and other values contributing to and available for public enjoyment, including the preservation of sites associated with and typifying the economic and social history of the American West; and (3) on federally owned lands, the management, utilization, and disposal of natural resources, such as lumbering, grazing, and mining, that will not substantially impair the purposes for which the recreation area is established.

Sec. 4. Subject to the limitations hereinafter set forth, the Secretary may acquire by purchase with donated or appropriated funds, by gift, exchange, bequest, or otherwise, such lands or interests therein within the boundaries of the recreation area as he determines to be needed for the purposes of this Act. But any property or interest within the recreation area owned by the State of Idaho or any political subdivision thereof may be acquired under the authority of this Act only with the concurrence of the owner.

In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property or interests therein located within the boundaries of the recreation area and convey to the grantor of such property any federally owned property or interests therein within the State of Idaho under the jurisdiction of the Secretary, notwithstanding any other provision of law. The properties so exchanged shall be approximately equal in fair market value: *Provided,* That the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged.

Notwithstanding any other provision of law, any Federal property located within the recreation area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the purposes of this Act.

Sec. 5. (a) The authority of the Secretary to acquire an interest in private property within the recreation area without the owner's consent and by means of condemnation shall be limited to—

(1) the acquisition of scenic easements when the private owner fails to use his property in conformance with the standards of a use provided in conformance with the standards of a use provided for in subsection (b) of this section, and

(2) the acquisition of easements for access to and utilization of public property: *Provided,* That such acquisition shall not exceed 5 per centum of the total acreage of all private property within the recreation area as of the effective date of this Act.

(b) The Secretary shall make and publish regulations setting standards for the use, subdivision, and development of privately owned property within the boundaries of the recreation area. Such regulations shall be generally in furtherance of the purposes of this Act and shall have the object of assuring that the highest and best private use, subdivision, and development of such privately owned property is consistent with the purposes of this Act and with the overall general plan of the Sawtooth National Recreation Area. Such regulations shall be as detailed and specific as is reasonably required to accomplish such objective and purpose. Such regulations may differ amongst the several parcels of private lands in the boundaries and may from time to time be amended by the Secretary. All regulations adopted under this Act shall be promulgated in conformity with the provisions of the Administrative Procedure Act. The United States District Court for the District of Idaho shall have jurisdiction to review such regulations after their effective date, upon a complaint filed by any affected landowner, in an action for a declaratory judgment.

(c) To assure that private land within the boundaries of the national recreation area is used in a manner which is not detrimental to the purposes of this Act, the Secretary is authorized to procure by gift, purchase with donated or appropriated funds, or otherwise, scenic easements within the boundaries of the recreation area.

As used in this Act the term "scenic easement" means the right to control the use of land in order to protect the esthetic values for the purposes of this Act, but shall not preclude the continuation of any use exercised by the owner as of the date of this Act.

(d) Where an owner of private property within the exterior boundaries of the recreation area as of the date of this Act, or his heirs and devisees, desires to dispose of such property to the Federal Government, the Secretary shall purchase said property at a price that shall include compensation for any decrease in the value thereof not previously compensated for under the provisions of this Act that may have resulted from the promulgation of regulations, standards, or other consequences of the establishment of the recreation area. In the event the Secretary and the owner are unable to agree upon the purchase price, and the Secretary declines to complete the purchase, the owner may file a complaint setting out these facts, together with a good and sufficient deed to the property, in the United States District Court for the District of Idaho. After the filing of an answer by he United States, the case shall be treated to the extent possible, in the same manner as an action for the condemnation of property brought by the United States: *Provided, however,* That the provisions of this subsection shall cease to be in effect after a period of ten years from the date of the enactment of this Act.

Sec. 6. Nothing in this Act shall affect the applicability of the United States mining and mineral leasing laws on the federally owned lands within the recreation area, except that all mining claims located or leases issued after the effective date of this Act shall be subject to regulations the Secretary may prescribe to effectuate the purposes of this Act. Any patent issued on any mining claim located after the effective date of this Act shall recite this limitation and continue to be subject to such regulations. All such regulations shall provide, among other things, for such measures as may be reasonable to protect the scenic and esthetic values of the recreation area and to assure against pollution of the Salmon River and other streams and waters within the recreation area.

Sec. 7. Provisions for review, recommendations, and other procedures of the Wilderness Act of September 3, 1964, shall apply to the Sawtooth Primitive Area and adjacent public lands within the national forests. The Secretary of Agriculture shall comply with the requirements of section 3 of said Act in relation to such primitive area in an expeditious manner.

Sec. 8. The Secretary may cooperate with other Federal agencies, with State and local public agencies, and with private individuals and agencies in the development and operation of facilities and services in the area in furtherance of the purposes of this Act, including, but not limited to, the restoration and maintenance of the historic setting and background of the old mining town of Atlanta and the frontier ranch-type town of Stanley.

Sec. 9. Nothing in this Act shall diminish, enlarge, or modify any right of the State of Idaho, or any political subdivision thereof, to exercise civil and criminal jurisdiction within the recreation area or of rights to tax persons, corporations, franchises, or property.

including mineral or other interests, in or on lands or waters within the recreation area.

SEC. 10. Nothing in this Act shall affect the jurisdiction or responsibilities of the State of Idaho under other provisions of law with respect to hunting and fishing.

SEC. 11. The jurisdiction of the State and the United States over waters of any stream included in the Sawtooth National Recreation Area shall be determined by established principles of law. Under the provisions of this Act, any taking by the United States of water right which is vested under either State or Federal law at the time of enactment of this Act shall entitle the owner thereof to just compensation. Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

SEC. 12. Money appropriated from the land and water conservation funds shall be available for the acquisition of lands and scenic easements for the purposes of this Act. There is hereby authorized to be appropriated not more than $27,380,000 to carry out the provisions of this Act.

Mr. MOSS. Mr. President, the pending bill is S. 1267. I wish to point out that it is rare that one government will cede to another a large block of its territory without a great deal of fanfare or even a modicum of bloodshed. But I would like to call the Senate's attention to the fact that such a phenomenon has occurred.

According to the Daily Digest of the CONGRESSIONAL RECORD for Tuesday, November 7, 1967, Idaho has silently deeded her beautiful Sawtooth Mountain Range to my State of Utah.

Mr. President, I now read from the Daily Digest of Tuesday, November 7, 1967, at page D1001, under "Bills Reported:"

> S. 1267, to establish the Sawtooth National Recreation Area in Utah, with amendments (S. Rept. 730).

Mr. President, I take this opportunity to thank my colleagues, Senator CHURCH and Senator JORDAN of Idaho, for this most generous gift. It will compliment our great Uinta Range and Wasatch Range, our Flaming Gorge and Glen Canyon Recreation Areas. I thank my colleagues.

Mr. CHURCH. Mr. President, I wish to say to the Senator from Utah that I read the Daily Digest of the CONGRESSIONAL RECORD as he does, and I must concede it does indicate the title to the Sawtooth Mountains has been transferred to the State of Utah. However, I emphasize that there was a condition attached to that transfer: It is to be f.o.b. Unless you can remove the mountains from the premises within 24 hours the title reverts to the donor.

I would like to take this moment to point out that no matter what the CONGRESSIONAL RECORD states in the Daily Digest, the Sawtooth Mountains remain the proud possessions of Idaho and hopefully will remain our property for some time to come. So proud are we of the grandeur of the Sawtooths that we would urge hasty and favorable action on the bill that would name this range a national recreation area.

Mr. MOSS. Mr. President, I fully support S. 1267. The Sawtooths in Idaho or Utah are superb, and should be preserved for the enjoyment of all Americans for all time.

Mr. CHURCH. Mr. President, the bill now before us, S. 1267, would establish the Sawtooth National Recreation Area in central Idaho in one of the most magnificent mountain regions of the West.

This is, Mr. President, an area which in the past has been under consideration for a national park. However, field hearings which my distinguished colleague and the cosponsor of the bill [Mr. JORDAN of Idaho] and I arranged and attended in Idaho last year demonstrated overwhelming support for a national recreation area in place of the national park. During 2 days of hearings, we received excellent testimony from a large number of Idaho citizens, including those most familiar with the area. Afterward, we carefully sifted through that testimony and undertook to redraft the bill in the light of the fine recommendations we received. We think the bill, as we consider it today, represents the closest possible reflection of what seemed to be the strong concensus of the people of our State.

The Subcommittee on Parks and Recreation conducted hearings on S. 1267 on August 23 of this year, and subsequently amended and favorably reported the bill to the full Committee on Interior and Insular Affairs on September 25. The committee voted unanimously on October 25 to report the measure to the Senate.

Mr. President, a major purpose of S. 1267 is to preserve the upland of the Sawtooth Mountains—an escarpment that thrusts 42 snowcapped peaks to elevations of more than 10,000 feet. The peaks tower over alpine-type lakes, rushing white water and majestic evergreen forests. The uplands are presently in the Sawtooth primitive area, but it is the intent of S. 1267 to facilitate their inclusion in the national wilderness system.

Another major purpose of the bill is to preserve the attractive lowlands, which include the Sawtooth Valley and Stanley Basin. Here, vast green pastures, grazing livestock, log fences and ranch houses provide an authentically "old western" atmosphere and scenic foreground to the jagged mountain peaks. The bill has been drawn to encourage the continued operation of the livestock ranches, with condemnation only for scenic easement, and provision for regulations by the Secretary of Agriculture to prevent unsightly commercial development.

The size of the recreation area would be approximately 351,000 acres. Of this there is about 195,000 acres in the Sawtooth primitive area, 122,000 in adjoining national forest land, 110,400 unreserved public domain land, 1,600 State-owned land, and 22,400 acres of privately owned land. The recreation area would be administered by the Forest Service.

Mr. President, the influx of the out-of-State visitors to the vast mountain regions of Idaho has mushroomed in recent years. Thousands of people come from throughout the Nation to hunt and fish or boat down our wilderness rivers. Others come to camp out, marvel at the spectacular scenery, or seek the mountain solitudes. The creation of a Sawtooth National Recreation Area will assure the additional facilities needed to accommodate visitors to the area.

The area is located 75 miles east of Boise, Idaho, the State's largest metropolitan center, and 40 miles north of Sun Valley, Idaho, and can be reached by good highways.

Establishment of the recreation area will also make a contribution to the economy of the State and region. Perhaps most importantly, it will guarantee the integrity of the upland wilderness, which for many years has been one of my concerns, as it has been that of many outdoorsmen and conservationists in my State. Not only is the upland important for its beauty and recreation potential, it is also the fountainhead of three great rivers, the Salmon, Payette, and Boise—which are fed by the high mountain snowfields.

The upper branches of the Salmon River constitute the last remaining major nursery of the Pacific Northwest for salmon and steelhead, the anadromous fish which fight their way up from the Pacific Ocean to spawn in the mountain shallows. This bill looks to their protection.

Mr. President, a great deal of work has gone into the preparation of this proposed legislation, and we think it is a very constructive measure. I hope the Senate will give it prompt approval.

Mr. President, I now yield to my distinguished colleague from Idaho.

Mr. JORDAN of Idaho. Mr. President, I appreciate very much the remarks of the distinguished junior Senator from Utah [Mr. MOSS] in trying to claim the Sawtooth National Recreational Area for his own State of Utah. We want to express our appreciation to him for coming to help us at the hearings in Sun Valley, Idaho, on the bill. But, as he knows, there is about as much chance of moving the Sawtooth Mountains into Utah as there is of moving Salt Lake City from Utah into Idaho.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the amendments be considered and agreed to en bloc.

The PRESIDING OFFICER (Mr. PELL in the chair). Without objection, the amendments will be considered en bloc and are agreed to en bloc.

Mr. JORDAN of Idaho. Mr. President, I am pleased to join my distinguished colleague, Senator CHURCH, in urging the Senate to adopt S. 1267, a bill to establish the Sawtooth National Recreational Area in central Idaho.

The Sawtooth Mountains have been a source of attraction ever since the first fur trappers and miners came upon them many years ago. It is difficult to describe their grandeur. They are mountains of a savage and truly awesome natural beauty, dotted with crystalline mountain lakes and green alpine meadows. And there is great charm in the valley approaches to these mountains. Most of this country is little changed from the way it looked when originally settled. One can still capture the flavor of the old West there.

The bill provides a recreation area in the Sawtooth country under the supervision of the U.S. Forest Service. The total area encompassed is about 351,400 acres: 195,000 now in the Sawtooth primitive area; about 22,400 in private ownership; 10,400 public domain land; 1,600 owned by the State and approximately 122,000 acres of Federal forestland available for multiple use.

Included in the boundaries of this area are unspoiled lakes such as Redfish, Stanley, Alturas, and Yellowbelly, and wild reaches of the Salmon, Payette, and Boise Rivers. The area offers exceptionally fine opportunities for hiking, camping, fishing, or just looking in a spectacular mountain and forest environment.

Presently, the beauty and unique western character of this environment is being threatened in some measure by subdivision of the meadows and fields near Highway 93 in the Sawtooth Valley. Some of this development is incompatible with the scenic and historic integrity of the area. To protect this integrity we need regulation of developments and scenic easements.

On the valley lands we believe that grazing, typical ranching facilities, and appropriately located and designed business structures and houses can be harmonized with national recreation area objectives.

The migration of salmon and steelhead trout to the headwaters of the Salmon River reaches into the proposed recreation area. The continuation of this unusual recreation resource is dependent in part on the preservation of the spawning grounds. To maintain the run, we need to protect the spawning beds.

The local economy in the Sawtooth country is dependent to a great extent on the use of commodity-type natural resources—forage, timber, minerals, fish, and game. The limited private ownership in Stanley Basin and Sawtooth Valley is essential to the tax base of rural counties. Public ownership consolidation and development management programs therefore must be geared to serving the maximum public benefit with the least possible negative impact on existing or potential business and on the tax resources of local government.

Under this bill, the land now designated as primitive area would remain primitive and in due course would be presented to Congress for inclusion in the national wilderness system. The lands outside the primitive area would undergo careful, conservation-oriented development to accommodate an increase in recreation pressure. Multiple use of the area including grazing and domestic livestock raising, public hunting and fishing, timber harvesting, and other managed resource utilization would be permitted to the extent these are compatible with the objectives of the complete recreation area program. The development of mineral resources would be authorized with regulation.

Preservation of the rustic western atmosphere would be actively encouraged. Cooperative programs of State, county, and local agencies and groups would be pursued. Scenic easements to protect the lands would be acquired and easements for needed public access roads would be obtained.

Mr. President, this bill is the outgrowth of extensive consultation with concerned local interests, public hearings and liaison with Federal agencies. I believe that it represents a unique approach in its attempt to accommodate the legitimate desires of local residents with the objectives of a national recreation area. I think it is an approach that will work.

Having been a rancher myself for many years, I know what it is to be a working conservationist. And I know how seriously livestock operators take their conservation responsibilities in this day and age.

I am convinced that Idaho's mountain and valley land resources must be managed under the concept of multiple use and continued yield if our State is to develop economically and to prosper. I am equally devoted to the idea that we must preserve and protect our natural heritage. These two necessities, if wisely handled, are not incompatible. I think the establishment of Sawtooth National Recreation Area will show this to be true.

I urge the Senate to approve this bill.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on November 7, 1967, the President had approved and signed the act (S. 1160) to amend the Communications Act of 1934 by extending and improving the provisions thereof relating to grants for construction of educational television broadcasting facilities, by authorizing assistance in the construction of noncommercial educational radio broadcasting facilities, by establishing a nonprofit corporation to assist in establishing innovative educational programs, to facilitate educational program availability, and to aid the operation of educational broadcasting facilities; and to authorize a comprehensive study of instructional television and radio; and for other purposes.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

APPOINTMENT BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, appoints the following Senator to attend the 28th session of the Intergovernmental Committee for European Migration, to be held at Geneva, Switzerland, on November 13 through 17, 1967: Edward M. Kennedy.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

Report of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of selected program activities at the Park Job Corps Center, Office of Economic Opportunity, dated November 1967 (with an accompanying report); to the Committee on Government Operations.

Sixth Report of the Federal Voting Assistance Program

A letter from the Secretary of Defense, transmitting, pursuant to law, the Sixth Report of the Federal Voting Assistance Program covering the period from September 1965 to September 1967 (with an accompanying report); to the Committee on Rules and Administration.

Report of Federal Contributions Program Equipment and Facilities

A letter from the Acting Director of Civil Defense, Department of the Army, Office of the Secretary of the Army, Office of Civil Defense, transmitting, pursuant to law, the report of Federal Contributions Program Equipment and Facilities (Reporting Symbol OCD–CONG(Q)2) for the quarter ended September 30, 1967 (with an accompanying report); to the Committee on Armed Services.

Proposed Amendment of Packers and Stockyards Act, 1921

A letter from the Acting Secretary, Department of Agriculture, transmitting a draft of proposed legislation to amend the Packers and Stockyards Act, 1921 (with accompanying papers); to the Committee on Agriculture and Forestry.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BARTLETT, from the Committee on Commerce, without amendment:

S. 2324. A bill to amend the act prohibiting fishing in the territorial waters of the United States with respect to the penalties provided thereunder (Rept. No. 736).

By Mr. JACKSON, from the Committee on Armed Services, without amendment:

S. 2428. A bill to authorize the Secretary of the Army to convey to the State of Washington certain lands in the counties of Yakima and Kittitas, Wash., in exchange for certain other lands, and for other purposes (Rept. No. 741).

By Mr. SYMINGTON, from the Committee on Armed Services, without amendment:

H.R. 5784. An act to authorize the disposal of molybdenum from the national stockpile (Rept. No. 738);

H.R. 5787. An act to authorize the disposal of rare-earth materials from the national stockpile and the supplemental stockpile (Rept. No. 739); and

H.R. 5788. An act to authorize the disposal of bismuth from the national stockpile and the supplemental stockpile (Rept. No. 737).

By Mr. ERVIN, from the Committee on Armed Services, with an amendment:

S. 320. A bill to authorize the Secretary of the Army to release certain use restrictions on a tract of land in the State of North Carolina in order that such land may be used in connection with a proposed water supply lake, and for other purposes (Rept. No. 740).

By Mr. BIBLE, from the Committee on Appropriations, with amendments:

H.R. 13606. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 742).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. MAGNUSON, from the Committee on Commerce:

Frank W. Lehan, of California, to be an Assistant Secretary of Transportation; and

Donald E. Northrup, and sundry other persons, for permanent appointment in the Environmental Science Services Administration.

Mr. MAGNUSON. Mr. President, from the Committee on Commerce, I report favorably sundry nominations in the Coast Guard. Since these names have previously appeared in the Congressional Record, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Frank M. Sperry, and sundry other officers, to the permanent commissioned officers of the Coast Guard.

Mrs. SMITH. Mr. President, from the Committee on Armed Services I report favorably the nomination of two Air Force general officers, and ask that these names be placed on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordered to be placed on the Executive Calendar, are as follows:

Lt. Gen. Richard L. Bohannon, (major general, Regular Air Force Medical), U.S. Air Force, to be placed on the retired list in the grade of lieutenant general; and

Maj. Gen. Kenneth E. Pletcher, Regular Air Force Medical, for appointment as Surgeon General of the Air Force, in the grade of lieutenant general.

Mrs. SMITH. Mr. President, in addition, I report favorably 342 appointments in the Army in the grade of lieutenant colonel and below, 4,644 promotions in the Navy in the grade of captain and below, and 325 appointments in the Marine Corps in the grade of lieutenant colonel and below. Since these names have already been printed in the Congressional Record, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations ordered to lie on the desk are as follows:

Herman C. Abelein, and sundry other officers, for promotion in the Navy;

Vincent A. Albers, Jr., and sundry other officers, for promotion in the Marine Corps;

John A. Baggett, for appointment in the Regular Army;

Burton S. Boudinot, and sundry other persons, for appointment in the Regular Army of the United States;

Henry Austin III, and sundry other distinguished military and scholarship students, for appointment in the Regular Army of the United States;

William J. Babalis, and sundry other officers, for promotion in the Navy;

Sam R. Baker II, and sundry other staff noncommissioned officers, for appointment in the Marine Corps; and

Jack A. Frost, Marine Corps, for reappointment in the Regular Marine Corps.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, referred as follows:

By Mr. KENNEDY of New York:

S. 2643. A bill to provide that the U.S. District Court for the Eastern District of New York shall be held at Brooklyn, N.Y., and Mineola, N.Y.; to the Committee on the Judiciary.

(See the remarks of Mr. Kennedy of New York when he introduced the above bill, which appear under a separate heading.)

By Mr. PASTORE:

S. 2644. A bill to amend the Atomic Energy Community Act of 1955, as amended, the Atomic Energy Act of 1954, as amended, and the EURATOM Cooperation Act of 1958, as amended; to the Joint Committee on Atomic Energy.

By Mr. HANSEN:

S. 2645. A bill to authorize the distribution of certain funds on deposit in the Treasury of the United States to the credit of the Arapahoe Tribe of the Wind River Reservation; to the Committee on Interior and Insular Affairs.

(See the statement of Mr. Hansen when he introduced the above bill, which appears under a separate heading.)

By Mr. HOLLAND:

S. 2646. A bill to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in certain lands located in the State of Florida to the record owners of such lands; to the Committee on Interior and Insular Affairs.

By Mr. JACKSON:

S. 2647. A bill to provide for the termination of Federal services to members of the Miami Tribe of Oklahoma, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BURDICK (for himself, Mr. Allott, Mr. Bible, Mr. Brooke, Mr. Cannon, Mr. Church, Mr. Fulbright, Mr. Gruening, Mr. Hartke, Mr. Hill, Mr. Holland, Mr. Hollings, Mr. Inouye, Mr. Lausche, Mr. Long of Missouri, Mr. Magnuson, Mr. McCarthy, Mr. McGee, Mr. Metcalf, Mr. Mondale, Mr. Nelson, Mr. Pell, Mr. Proxmire, Mrs. Smith, Mr. Thurmond, Mr. Yarborough, Mr. Young of North Dakota, and Mr. Fannin):

S. 2648. A bill to amend subchapter III of chapter 19 of title 38, United States Code, in order to authorize the Administrator of Veterans' Affairs to pay the total cost of a member's servicemen's group life insurance during any period that such member is serving in a combat zone; to the Committee on Finance.

(See the remarks of Mr. Burdick when he introduced the above bill, which appear under a separate heading.)

By Mr. FANNIN:

S. 2649. A bill to provide for the free entry of one mass spectrometer for the use of Arizona State University; to the Committee on Finance.

By Mr. MAGNUSON (for himself, Mr. Bartlett and Mr. Brewster):

S. 2650. A bill to amend the Merchant Marine Act, 1936, and other statutes to provide a new maritime program; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

EASTERN DISTRICT COURT AT BROOKLYN AND MINEOLA

Mr. KENNEDY of New York. Mr. President, I introduce, for appropriate reference, a bill to meet the growing demand of Long Island residents for adequate access to our Federal court system.

Few communities in the Nation have grown as swiftly as Long Island. Since 1950, the population of Long Island has grown from 950,000 to 2.3 million—an increase of more than 150 percent. Whole towns and cities have been created—and with them, the inevitable growth of litigation.

Yet, at present, the residents of this 100-mile-long island have no reasonable access to Federal courts. Their district—the eastern district of New York State—is centered in Brooklyn. This center made sense when Long Island was a sparsely populated locale. But now, Long Island is a large population center. It requires closer proximity to the Federal court system.

This bill—sponsored in the House by Congressman Tenzer—would permit court for the eastern district to be held at Mineola, Long Island, as well as in Brooklyn. Located in the middle of Nassau County—the center of the island's population growth—a court site at Mineola will make Federal courts more readily available to the island's residents.

This bill has the support of the Judicial Conference of the United States, local bar associations, civic groups, and public officials. And Eugene Nickerson, county executive of Nassau County, has offered the Federal Government rent-free court space in county buildings—an offer which will lower the costs of the bill considerably.

Only 2 days ago, this bill was approved by the House Judiciary Subcommittee; and I am confident that the full committee will give this bill its speedy approval.

It may well be that as Long Island continues to grow in population, further court sites will be needed. But this bill marks an important first step.

In my judgment, this is a sensible, workable proposal to remedy a serious shortcoming in the structure of the eastern district. I urge its swift passage.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2643) to provide that the U.S. District Court for the Eastern District of New York shall be held at Brooklyn, N.Y., and Mineola, N.Y., introduced by Mr. Kennedy of New York, was received, read twice by its title, and referred to the Committee on the Judiciary.

PER CAPITA PAYMENT FOR WYOMING'S ARAPAHOE INDIANS

Mr. HANSEN. Mr. President, I introduce, for appropriate reference, a bill aimed at relieving the financial strain on Wyoming's Arapahoe Indians by providing a $100 lump sum per capita payment from their own moneys held by the Federal Government.

This proposed bill would authorize a payment to each enrolled Arapahoe, and would be taken from their funds, derived largely from reservation oil resources, which are held for the tribe by the Treasury of the United States.

The money belongs to the Arapahoes in the first place, and this proposed legislation is necessary for the payment because of a 1958 law which directs that 85 percent of the tribal funds shall be paid per capita. The one-time, $100 per capita would be paid out of the 15-percent reserve fund, and this proposed legislation is needed to make the payment from the money held in reserve.

I realize this bill is a stopgap measure and is limited in scope. However, much-needed attention will be given to the very serious problems in employment, education, health, and social, economic, and industrial development by congressional committees. I am cognizant of the fact that this means of meeting a poverty problem is not all encompassing or long range, and that the effects, and not the causes, are being fought.

Preliminary inquiries have pointed out that there is a lack of coordination and long-range planning on the part of Federal agencies and State and local leaders in meeting the problems of ever-diminishing natural resources of the Wind River Reservation Indians.

While the immediate needs of the Indian people cannot be ignored, neither can we ignore the need for a meaningful, coordinated effort, by all concerned, in planning for effective use of the talents and resources of the reservation.

This proposed legislation will bridge the gap between today's need and tomorrow's broadened opportunity.

Mr. President, I ask unanimous consent that supplemental material from the Arapahoe Tribe and the tribe's general legal counsel be printed in the RECORD following my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the supplemental material will be printed in the RECORD.

The bill (S. 2645) to authorize the distribution of certain funds on deposit in the Treasury of the United States to the credit of the Arapahoe Tribe of the Wind River Reservation, introduced by Mr. HANSEN, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The supplemental material presented by Mr. HANSEN is as follows:

SHOSHONE & ARAPAHOE TRIBES,
Fort Washakie, Wyo., May 1, 1967.

Senator CLIFFORD P. HANSEN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HANSEN: Economic conditions on the Wind River Reservation have declined steadily over the past few years. They have now reached a serious, if not crisis low. There are few jobs and many applicants. Credit and money are tight and the daily costs of living rise rapidly and constantly, while income declines. To compound matters there has been a reduction in the monthly per capita. Last year the members of the Arapahoe Tribe received a monthly per capita of $49; this year the payment was reduced to $43. While to some this might appear to be an insubstantial decrease, to the members of the Arapahoe Tribe it is of the most significant importance, representing to many approximately 14% of their monthly income.

In many instances the members of the Tribe are living below the minimum level of subsistence, with no prospect of improvement in the near or far future. The situation is a vicious circle for it is one in which tribal members are degraded because of their reduced living, then lose their dignity as human beings, and with it their pride and their hope in the future. The result is that they finally are unable to better themselves. Only by immediate and effective action can this circle be broken. In this case the action needed requires the use of funds, which should be made available to the Arapahoe members immediately, thus permitting them to pay past obligations, to meet current basic living needs and to plan for the future with some relief from the daily pressures of minimum subsistence living.

Recognizing this as the only solution, the Arapahoe Business Council at the direction of the Arapahoe General Council adopted Resolution No. 1656. A copy is enclosed for your consideration. By it, the Arapahoe Tribe seeks an expenditure on a per capita basis of $388,800. This money would be paid over the next twelve months at $12 per individual.

As of February 17, 1967, there was $1,695,426 in what is known as the "Arapahoe 15% Fund". This fund, as you know, is accumulated from mainly oil and gas royalties and held as a reserve to meet administrative needs and emergencies. In addition to that amount, the Tribe had $575,072.73 in outstanding loans, $117,490.27 in depository accounts marked for loans, and an additional $250,000 in the Treasury, for a total of $942,563. The total of these credits and the amount in the 15% fund as of that date was $2,637,989. Resolution No. 1656 requested an expenditure of only $388,800. This is a small amount to take from the reserve fund, a fund set up to meet such emergencies as are now faced by the individual members of the Tribe.

The Resolution requesting this expenditure was disapproved by the Area Director. We have taken an appeal to the Commissioner of Indian Affairs, and the matter is now pending before him.

We solicit your aid in whatever way possible to see that the Commissioner takes favorable action on our appeal. To give you a complete background we are enclosing a copy of the appeal filed on our behalf by our attorneys. If you have any questions or want any additional information, please call on our attorneys or on us and we will respond immediately.

Sincerely yours,
ARAPAHOE BUSINESS COUNCIL,
By JESSE MILLER, *Chairman.*

RESOLUTION 1656

(Resolution of the business council of the Arapahoe Tribe, Wind River Reservation, to aid the health, education, and welfare of the members of the Arapahoe Tribe)

Whereas, it is the duty and obligation of the Business Council of the Arapahoe Tribe to take such steps as it considers necessary to provide for the health, education and welfare of the members of the Arapahoe Tribe; and

Whereas, economic and employment conditions have reached a serious low on the Wind River Reservation, with the result that the average Arapahoe family is surviving on an income well below that considered minimum subsistence; and

Whereas, the immediate prospects for any betterment of the situation are discouraging and the members of the Arapahoe Tribe are caught in a vise of current needs and past obligations incurred to meet the current needs; and

Whereas, Section 613 of Title 25, U.S. Code, recognizes the obligation and authority of the Arapahoe Business Council to utilize available funds deposited in the Treasury of the United States to the credit of the Arapahoe Tribe and referred to as the "15% fund" and provides:

"Notwithstanding any other provision of existing law, the trust funds credited to the . . . Arapahoe Tribe . . . . . under the provisions of Section 611–613 of this title shall be available for expenditure or for advance to the tribes for such purposes as may be requested by the Council of the tribe concerned and approved by the Secretary of the Interior, or such official as may be designated by him . . . ."; and

Whereas, there is presently on deposit in the 15% fund approximately $1,695,462, which amount is drawing interest from the United States at the rate of 4% per annum and which amount is well in excess of the proposed budget for fiscal 1968, which at this time it is estimated will not exceed $330,000.00; and

Whereas, the Arapahoe Tribe has approximately $250,000.00 in the Treasury of the United States available for the tribal loan fund and approximately $120,000 in the local depository for the same purpose, for a total of approximately $370,000.00, plus funds in transit, so that the amount of the 15% fund totals approximately $2,000,000.00;

Now, therefore, be it resolved that the Business Council of the Arapahoe Tribe of the Wind River Reservation hereby requests, pursuant to Section 613 of Title 25, United States Code, in order to alleviate the dire and pressing economic needs of the members of the Arapahoe Tribe, that the Secretary of the Interior or his authorized representative make available for expenditure from tribal funds on deposit in the Treasury of the United States to the credit of the Arapahoe Tribe and referred to as the "15% fund", the amount of $388,800.00, said funds to be distributed equally to each member of the Arapahoe Tribe on a pro-rata basis of $12.00 per month for the twelve months following approval of this resolution by the Secretary of the Interior or his authorized representative.

Done and dated this 5th day of March, 1967, at Fort Washakie, Wyoming, by a vote of five (5) for and none (0) against, Chairman not voting. Chairman authorized to sign in the name of the Tribe.

JESSE MILLER,
Chairman,
Arapahoe Business Council.

Attest:
PHILLIPPENA DENNY,
General Supervisor,
Shoshone & Arapahoe Tribal Office.

WILKINSON, CRAGUN & BARKER,
Washington, D.C., April 4, 1967

Re: Appeal from area director's letter-decision of March 24, 1967, disapproving Arapahoe Business Council Resolution 1656.

Mr. JAMES F. CANAN,
Area Director,
Bureau of Indian Affairs,
Billings, Mont.

DEAR MR. CANAN: On behalf of the Arapahoe Tribe of the Wind River Reservation acting through the Arapahoe Business Council, we hereby appeal to the Commissioner of Indian Affairs from your letter-decision of March 24, 1967, disapproving Resolution 1656, adopted by the Arapahoe Business Council on March 5, 1967, and transmitted to your office by the Superintendent on March 13, 1967. This appeal is filed pursuant to Part II of Title 25 of the Code of Federal Regulations.

Section 613 of Title 25, United States Code, recognizes the obligation and authority of the Arapahoe Business Council to utilize available funds deposited in the Treasury of the United States to the credit of the Arapahoe Tribe, referred to as the "15% fund", and provides:

"Notwithstanding any other provision of existing law, the trust funds credited to the . . . Arapahoe Tribe . . . under the provisions of sections 611–613 of this title shall be available for expenditure or for advance to the . . . [tribe] . . . for such purposes as may be requested by the business council of the tribe concerned and approved by the Secretary of the Interior or such official as may be designated by him: . . . "

The Arapahoe Business Council adopted Resolution 1956 subsequent to a meeting of the Arapahoe General Council held on March 4, 1967. The action of the Arapahoe General Council came after full discussion of the pressing economic needs facing the individual members of the Arapahoe Tribe. Participating in this discussion were members of the Arapahoe Business Council as well as Mr. Baenen and the undersigned of this firm, general counsel for the Arapahoe Tribe.

You base your action in disapproving Resolution No. 1656 on the ground that "dipping into the 15% fund provides . . . [no] solution to the financial problems of the Arapahoe people", and that this "was certainly not the intent of the 1958 Act which generally provided that 85% of the money would be distributed in per-capita payments and 15% would be held for other purposes."

Further, apparently you feel the financial problems of the Arapahoe people can be alleviated by the use of a portion of the 15% fund for economic development, which, in turn, would offer additional employment opportunities to the members of the Tribe and increase tribal income.

Because of the reduction in the Arapahoe per-capita payments from $49 per month to $43 per month, plus the rising cost of living and the tight money and labor market on the Wind River Reservation, the individual members of the Arapahoe Tribe are faced with serious economic problems. These problems exist on a recurring daily basis and must be alleviated by whatever program and funds are available. Certainly, the Business Council and the Tribe are interested in economic development in order to provide a solid base of employment and income to the Tribe and its members. However, such development is a long-term venture and uncertain. The daily needs of the Arapahoe people cannot wait to see if an uncertainty occurs. It is obvious the intent of the 1958 Act was neither to preclude the Business Council from requesting expenditure from the 15% fund nor the Secretary or his authorized representative from approving such expenditure when the facts and circumstances warrant the need. Certainly, the need is present today.

As of February 17, 1967, there was $1,695,426 in the 15% fund. In addition, the Tribe had $575,072.73 outstanding in loans, $117,490.27 in depository accounts marked for loans, and an additional $250,000 in the Treasury, a total of $942,563.00. The total of these credits and the amount in the 15% fund is $2,637,989. Resolution No. 1656 requested an expenditure of only $388,800. The expenditure of this amount will in no way jeopardize the reserve-financial position of the Tribe; and such expenditure of this money, which belongs to the Tribe would aid individual members to meet their daily subsistence needs. Hunger and cold and the fear and uncertainty that are part of those living on or below subsistence, are not alleviated by future dreams of economic development. Relief is needed now.

Sincerely yours,

Wilkinson, Cragun & Barker,
By Glen A. Wilkinson.

U.S. Department of the Interior,
Bureau of Indian Affairs,
Washington, D.C.

Wilkinson, Cragun & Barker,
Attorneys-at-Law,
Washington, D.C.
(Attention: Mr. Glen A. Wilkinson)

Gentlemen: Reference is made to your letter of April 4 to Mr. James F. Canan, Area Director, Bureau of Indian Affairs, 316 N. 26th Street, Billings, Montana 59101, appealing from his decision of March 24, 1967, disapproving Arapahoe Business Council Resolution No. 1656.

The Act of August 8, 1958 (72 Stat. 541) does permit the Secretary to increase the monthly payments for a year to exceed 85 per centum of the actual receipts for that year in order to avoid unnecessary hardships. However, said Act further provides that the excess payments be deducted from the receipts of the following or succeeding years before determining the amount of the monthly payments for such succeeding years.

It is estimated that a continuation of the presently authorized $43 monthly payments for the remainder of this calendar year will result in an over-payment of that stipulated in the Act of August 8, 1958, supra, by approximately $100,000, which actually is an invasion of the 15% fund, and will require adjustment in accordance with the law. To increase the present payments by $12 per month will only serve to enlarge the deficit and prolong the adjustment period. We feel that any further encroachment into the 15% fund would be a disservice to the Indians. We do not anticipate any increase in the tribe's income in the immediate future.

Therefore, the action of the Billings Area Director in connection with Arapahoe Business Council Resolution No. 1656 is affirmed.

Sincerely yours,

T. W. Taylor,
Deputy Commissioner.

Approved, pursuant to 25 CFR 2.21:

Harry R. Anderson,
Assistant Secretary of the Interior.

Shoshone & Arapahoe Tribes,
Fort Washakie, Wyo., May 2, 1967.

Senator Clifford P. Hansen,
U.S. Senate,
Washington, D.C.

Dear Senator Hansen: Enclosed is a copy of Joint Tribal Resolution No. 1670, in which the Tribes ask your support of increasing to 95% the percentage of trust funds distributed per capita.

Sincerely yours,

Lucille McAdams,
Tribal Secretary.

Resolution 1670

(Joint resolution, Shoshone and Arapahoe Tribes, Wind River Indian Reservation, Fort Washakie, Wyo.)

Whereas, H.R. 8681 was introduced to increase to 95% the percentage of trust funds distributed per capita, and,

Whereas, it is the desire of the Shoshone and Arapahoe Tribes of the Wind River Reservation, Wyoming, to increase the per capita distribution.

Now, therefore, be it resolved, that the Shoshone and Arapahoe Tribes favor adoption of H.R. 8681 to increase the 95% the percentage of Trust fund distribution.

Be it further resolved, that the Chairman of the Joint Business Council of the Shoshone and Arapahoe Tribes be authorized to sign this resolution.

CERTIFICATION

We, the undersigned, as Chairmen of the Joint Business Council of the Shoshone and Arapahoe Tribes, hereby certify that the Joint Business Council is composed of twelve (12) members, six (6) members of the Shoshone Tribe and six (6) members of the Arapahoe Tribe, of whom 6 members of the Shoshone Tribe, and 6 members of the Arapahoe Tribe, constituting a quorum, were present at a meeting duly and regularly called, noticed, convened and held this 26th day of April, 1967; that the foregoing resolution was duly adopted by the affirmative vote of 11 members; Chairman not voting, and that the resolution has not been rescinded or amended in any way.

Done at Fort Washakie, Wyoming, this 26th day of April, 1967.

Robert N. Harris, Sr.,
Chairman,
Shoshone Business Council.

Jesse Miller,
Chairman,
Arapahoe Business Council.

Attest:

Lucille McAdams,
Tribal Secretary.

July 3, 1967.

Re: Increase in per capita payments—Resolution 1656.

Mr. Jesse Miller,
Chairman, Arapahoe Business Council,
Arapahoe, Wyo.

Dear Jesse: Enclosed is a copy of a letter from the Deputy Commissioner affirming the action of Area Director Canan in disapproving Resolution No. 1656, requesting an increase in the per-capita payments by $12.00 per month. The Deputy Commissioner's action was by letter of June 2, 1967, and was approved by the Assistant Secretary of the Interior on June 28, 1967. We received the letter on Friday. Pursuant to 25 CFR 2.21, approval by the Secretary of his authorized representative ends the matter, precluding any further appeal.

The alternates available now for trying to obtain an increase in the per capita payment are the special $100 per capita legislation or legislation reducing the 15% reserve fund by 5–10%. As we reported to you at the Business Council meetings in May, Commissioner Bennett told us he personally favored the $100 per capita legislation as opposed to a reduction in the 15% fund. He said he would recommend to the Department that it support the $100 per capita legislation if introduced; however, a recommendation of support by him may not result in support by the Department.

We will take no action on this until we receive directions from the Business Council.

Sincerely yours,

Wilkinson, Cragun & Barker,
By Glen A. Wilkinson.

June 6, 1967.

Arapahoe Tribal Business Council,
Tribal Office,
Fort Washakie, Wyo.

Dear Council Members: I appreciate the opportunity I had recently to attend your council meeting and to listen to your thoughts and opinions concerning your needs and problems, most specifically the increasing of your per capita payments.

As I understand it there are three alternatives:

1. The appeal pending with Commissioner Bennett to increase the per capita payments from $43 to $55, or anywhere in between.
2. A bill to be introduced before Congress for one one-hundred dollar per capita payment.
3. Legislation increasing per capita payments from 85% to 95% of the funds currently held in reserve.

Please advise me of your decision regarding your choice of action and I will be happy to assist you in any possible way.

In addition, I understand the matter of placing the 15% reserve of tribal funds into private investments, rather than in the U.S. Treasury where it is currently earning 4% interest, came up at the general business council meeting. What are your views in this regard?

Again, my thanks for your hospitality during my visit to the reservation.

Sincerely,

CLIFFORD P. HANSEN,
U.S. Senator.

WILKINSON, CRAGUN & BARKER,
Washington, D.C., August 24, 1967.

Re: Arapahoe Tribe—per capita payments.

Hon. CLIFFORD P. HANSEN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HANSEN: Miss Portwood has called to indicate your interest in doing what you can, consistent with prudent use of Arapahoe funds, in providing some increase in income to members of the Arapahoe Tribe. We appreciate your continuing interest. I shall try in this letter to give you an outline of the current situation.

On March 5, 1967, the Arapahoe Business Council, acting pursuant to instructions from the Arapahoe General Council, adopted a resolution requesting that the Secretary of the Interior or his authorized representative make available for expenditure from tribal funds (the 15% fund) the amount of $388,800, "said funds to be distributed equally to each member of the Arapahoe Tribe on a pro rata basis of $12 per month for the twelve months following approval" of the request. This request was disapproved by Area Director James F. Canan on March 24, 1967. Pursuant to instructions from the tribe, we appealed the Area Director's determination to the Commissioner of Indian Affairs on April 4, 1967.

The appeal to the Commissioner of Indian Affairs was accompanied by a request that we be afforded an opportunity to make an oral argument. This request was granted. The Commissioner at that time indicated his view that an increase of $12 per month was not justified considering the current income and prospects for immediate future income, and he also said that he favored an approach whereby a single $100 per capita payment might be made. He emphasized, however, that he was not certain his view on this point would be followed by the Secretary of the Interior. Commissioner Bennett also indicated that he did not favor legislation which would increase the 85% of tribal income now paid in per capita payments to members of the tribe.

Our appeal to the Commissioner of Indian Affairs was denied by the Deputy Commissioner on June 2, 1967. We had hoped that we would have an appeal to the Secretary of the Interior. However, the Deputy Commissioner effectively foreclosed this by having his denial approved by the Secretary of the Interior. This approval was given on June 28, 1967, and was received by us on June 30. A copy of that letter is attached.

We advised the Arapahoe Business Council of this action on July 3, 1967. A copy of our letter to the Arapahoe Business Council is enclosed for your information. We have had no additional instructions from the tribe since July 3. As we understand the tribal position at this time, it has supported the efforts to increase the percentage of income utilized for per capita payments from 85% to 95%, and it has also supported the proposal first conceived over two years ago of a single per capita payment of $100. We believe that these are alternative positions and that the tribe realizes that if it accomplishes one objective, the possibility of accomplishing the other is diminished or eliminated.

In view of the attitude adopted by Commissioner Bennett, we are inclined to urge that you do what you can to obtain favorable action to provide for a single $100 per capita payment. We recommend this in view of the limited time available until Congress adjourns and because we are fully aware that this is the only approach for which you and the Arapahoe Tribe can expect support from the Department of the Interior. We are sending a copy of this letter to the Chairman and Executive Secretary of the Arapahoe Business Council. We ask that they advise you and me promptly if there is any objection to this strategy.

We calculate that the following amounts would be required for the alternative proposals:

$12 per month increase for 12 months	$388, 800
Single $100 per capita payment	270, 000

The above figures are based on total enrollment of 2,700.

As of February 17, 1967, there was a total of $1,695,462 in the Arapahoe 15% fund. A total of $942,563 is involved in the Arapahoe Credit Program. $36,825 was allocated for land purchases. Later information has been requested from BIA but is not yet available.

Respectfully yours,

WILKINSON, CRAGUN & BARKER,
By GLEN A. WILKINSON.

P.S.—The Bureau of Indian Affairs has just advised that the amount in the Arapahoe 15% fund is $1,687,712.84.

G. A. W.

WILKINSON, CRAGUN & BARKER,
Washington, D.C., October 2, 1967.

Re: $100 per capita legislation.

Hon. CLIFFORD P. HANSEN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HANSEN: This will refer to the talks we have had with Miss Portwood of your office respecting introduction of a bill to provide a $100 per capita distribution to members of the Arapahoe Tribe.

You and Miss Portwood have pointed out that you have nothing in writing from the Arapahoe Tribe to indicate that it wishes you to proceed to try to obtain favorable action on a $100 per capita bill. We have advised you that we likewise have nothing in writing from the Arapahoe Business Council, but Mr. Baenen of our office talked with Mrs. McAdams, tribal secretary, some weeks ago. She, in turn, consulted with the Arapahoe Business Council and advised us by telephone that it assumed you would proceed in this direction and requested specifically that you do so.

As you will note, a copy of this letter is going to all members of the Arapahoe Business Council. They should have an opportunity to consider it carefully within the next two or three days. We request, if satisfactory to you, that you introduce the bill so that the legislative process may begin. As indicated above, we understand this is the desire of the Arapahoe Business Council. If we should be mistaken, we will be so advised late this week and you could then refrain from taking the future steps necessary to get favorable action on the bill.

Again, we thank you for your interest in Arapahoe tribal matters.

Respectfully yours,

WILKINSON, CRAGUN & BARKER,
By GLEN A. WILKINSON.

SERVICEMEN'S GROUP LIFE INSURANCE

Mr. BURDICK. Mr. President, I introduce, for appropriate reference, a bill dealing with servicemen's group life insurance.

A little over 2 years ago the servicemen's group life insurance program was enacted. It automatically provided, commencing September 29, 1965, up to $10,000 life insurance to all members of the Armed Forces. Under the program, the serviceman could elect a lower amount of $5,000 coverage or choose not to be insured at all. The premiums for this insurance, including administrative costs, are deducted on a monthly basis from the servicemen's pay. Presently, over 3½ million policies are in force providing essential insurance protection to servicemen with the total amount of group insurance reaching the unprecedented figure of $36 billion.

I am pleased that the genesis of our present group insurance program resulted from a Senate proposal, S. 2127. However, S. 2127, in contrast to a premium deduction plan, would have provided free insurance for those serving in a combat zone after January 1, 1962. In line with this Senate objective and as part of the bill as ultimately enacted, a $5,000 death gratuity was provided for widows, children, or parents of servicemen who died in combat prior to September 29, 1965, which is the date the servicemen's life insurance program commenced.

Previously, during the Korean conflict, a similar need for insurance coverage and protection for our servicemen in combat areas had arisen. In recognition of this need, the Congress responded by providing the servicemen's indemnity program. Under its provisions, $10,000 was payable for the death of a serviceman killed in service, including combat. This protection was provided on a gratuitous basis—no charge was imposed upon our fighting men in Korea.

Mr. President, just recently we recognized, for veteran purposes, that our Vietnam servicemen are engaged in a struggle no less hazardous than those who valiantly fought in the Korean conflict, as well as those who were engaged in prior world wars. Through passage of S. 16, now Public Law 90–77, we provided these brave men with wartime benefits they deserve. But I do not believe that we have gone far enough. In my opinion, the initial purpose of S. 2127 was the correct one; namely, that we should provide free life insurance to servicemen who face the dangers of combat anywhere in the world. This is certainly true of the hot war in Vietnam today; and our servicemen need this vital protection for their loved ones.

While it is recognized that the percentage of servicemen insured under the group program is exteremly high and that a great many men in Vietnam have this protection, unless there is 100-percent participation afforded without charge to every serviceman on Vietnamese soil, the program falls short of its mark. Every GI risks the full danger of life and limb, whether billeted in Saigon or bunkered in Con Thien.

We should not impose a premium on their protection when they are risking their very lives for our protection.

Therefore, to eliminate this imposition and fill the gap left in full wartime benefits for Vietnam servicemen, I am introducing a bill which would amend the servicemen's group life insurance program to provide that henceforth servicemen serving in an area designated by the President as a combat zone would not be required to pay premiums for any insurance coverage under the group program. The total cost of insurance during the period would be borne by the Government. For a little more than $10 million, we can guarantee that any soldier facing combat duty who might have been reluctant to join the program for financial reasons would not have to refuse this vital protection because he lacked the funds.

Further, for those who have either refused this coverage before, or elected the lesser coverage of $5,000 and who may be transferred to Vietnam, it is my understanding that they are presently allowed to reapply for insurance or maximum coverage provided that they are in good health. I would presume that the fact that they receive orders for Vietnam would indicate they are in good health and be reinsured without question. Thus, they would qualify for the indemnity coverage which my bill provides.

Mr. President, by providing free life insurance to those serving in a combat zone, we will keep faith with our fighting GI's in Vietnam, for we will be authorizing insurance protection for this group along the same lines as was afforded those servicemen who served during the Korean conflict. Our Government and our people can do no less for those who are engaged in mortal combat on behalf of the free world.

Mr. President, I ask unanimous consent that the text of this bill be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2648) to amend subchapter III of chapter 19 of title 38, United States Code, in order to authorize the Administrator of Veterans' Affairs to pay the total cost of a member's servicemen's group life insurance during any period that such member is serving a combat zone, introduced by Mr. Burdick (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 2648

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first sentence of section 769(a) of title 38, United States Code, is amended by striking out "During" and inserting in lieu thereof "Except as provided in subsection (e) of this section, during".

(b) Section 769 of such title is further amended by adding at the end thereof a new subsection as follows:

"(e) No deduction for the payment of the cost of insurance purchased by the Administrator under section 766 of this title for any member shall be deducted from the pay of such member for any month or portion of any month in which such member performs service in a combat zone. The total cost of such insurance during any such period shall be borne by the Administrator. As used in this subsection, the term 'combat zone' means any area designated by the President by Executive Order as a combat zone for purposes of section 112 of the Internal Revenue Code of 1954."

Sec. 2. The amendments made by the first section of this Act shall be effective in the case of any member of the uniformed services who serves in a combat zone on or after the first day of the first calendar month which begins after the date of enactment of this Act.

A NEW MERCHANT MARINE PROGRAM

Mr. MAGNUSON. Mr. President, on behalf of myself, the Senator from Alaska [Mr. Bartlett], and the Senator from Maryland [Mr. Brewster], I introduce, for appropriate reference, a bill to amend the Merchant Marine Act, 1936, and other statutes to provide a new maritime program.

This bill—which is the result of many months of careful deliberation—is proposed as an essential prerequisite to revitalizing the American merchant marine. During my years in Congress I have introduced many bills which I believe essential and important to the future of this Nation. But I cannot recall introducing legislation which was so vitally needed to correct a situation so greatly deteriorated.

It is true that there are many issues of grave importance facing the Congress; none, however, is more urgent or more demanding of immediate constructive action than the crisis presented by the present state of our merchant marine. This crisis presents not only a grave danger, but an immediate threat to the well-being of every citizen of the United States.

Without an adequate merchant marine the United States cannot possibly have an adequate defense. Without an adequate merchant marine the United States cannot possibly realize its full potential in foreign trade.

There is no dispute that our merchant marine is woefully inadequate. We are now carrying—and this is a startling figure—under 8 percent of our foreign waterborne trade. The United States has dropped to 16th in the world's shipbuilding statistics. While the world fleet increased by 61 percent in the last 15 years, America's privately owned fleet has decreased by 24.5 percent.

Today only some 871 merchant ships are under the U.S. flag. Approximately only 100 of these vessels can be considered modern or can sustain speeds of 20 knots or more. Have we forgotten that in the first 180 days after the United States entered World War II there were 519 ships sunk by enemy submarines?

We have 1,190 World War II vessels listed on paper as being in our National Defense Reserve Fleet. However, in fact we have only about 200 cargo vessels left in the Reserve Fleet. These same Reserve Fleet ships were described by former Secretary of Defense James Forrestal in 1947 as "makeshift jobs, using practically any kind of propulsion power."

We have had to activate 170 of these old tubs to carry supplies to Vietnam at a cost of approximately $500,000 per vessel. By 1975 most of the ships in the National Defense Reserve Fleet will be 30 to 35 years old, clearly obsolete and in most cases practically useless.

Further, our nonsubsidized tramp fleet cannot replace its World War II built vessels at a cost that makes replacement feasible. As such, 10 years from now we may no longer have a tramp fleet operating even though 70 percent of its total general cargo capacity is presently in Government service carrying supplies to Vietnam.

This is the sad and dangerous position of our merchant marine, at a time when the necessity of a strong fleet is made shockingly clear by the fact that 98 percent of the supplies going to Vietnam is carried by merchant vessels.

Our Vietnam experience is absolute and indisputable proof that the requirement for a strong and modern merchant marine is as valid today as when President Franklin D. Roosevelt stated:

> War has proved to the American people that a strong Merchant Marine is as necessary to the nation as a powerful Army and Navy.

Our national policy is one advocating a strong and adequate merchant marine. Congress, of course, expressed that policy clearly in the Shipping Act of 1916, the Merchant Marine Act of 1920, and the Merchant Marine Act of 1936. Why then, with such clear expressions of policy is our merchant marine on the brink of disaster?

I would suggest that the obvious reason is that a strong merchant marine policy—or any policy—is only effective if it is followed by thoughtful planning, necessary financing, and full implementation.

We must plan, finance, and implement our merchant marine policy immediately—while we still have a merchant fleet. We must be prepared to pay for what we want.

Two years ago President Johnson promised the Nation a new maritime program. The Nation is still waiting, but we in Congress can afford to wait no longer. We must have a meaningful revitalization program enacted into law by this 90th Congress.

As you know, the Subcommittee on Merchant Marine and Fisheries of the Senate Commerce Committee, under the able chairmanship of the Senator from Alaska [Mr. Bartlett], undertook an extensive probe of our maritime needs and policies, beginning in early April of this year and continuing thereafter for some 5 months.

The record compiled presents a clear indictment of the sufficiency of our present Government policies with respect to the merchant marine, and presents a compelling case for immediate action to do what is necessary to assure the United States an adequate and efficient merchant marine.

During the course of our hearings, Secretary of Transportation Alan Boyd advanced his proposals for a new maritime program. Some of his ideas were quite good, but others were not completely persuasive. All of industry and labor then testified and some supported the Secretary of Transportation's proposals, and others did not.

At the conclusion of the Commerce Committee's lengthy hearings on the needs of our merchant marine, there was a complete impasse. The industry was split right down the middle on the issue of whether to allow any foreign building of American-flag vessels without loss of trading privileges.

As you will recall, Secretary Boyd, acting for the administration in the effort to develop a maritime policy, had been advocating strenuously that there must be some level of foreign building. A few weeks ago it became apparent that no one was moving on either side to break the impasse.

That was not good. So I and Senator BARTLETT, with Congressman GARMATZ, chairman of the House Merchant Marine Committee, and Congressman DOWNING, a member of that committee, put our heads together in a series of closed-door meetings and hammered out, word by word and section by section what we thought would be a good merchant marine program. Once we had our program worked out, we had a long talk with the President of the United States. We told him that we believed it essential that we have a new merchant marine program and that Congress was prepared to act on its own to develop and devise such a program if the administration effort continued to be bogged down in an impasse with the industry. As a result of that meeting, the Secretary of Transportation, Mr. Boyd, on behalf of the President, joined Senator BARTLETT, Congressman GARMATZ, Congressman DOWNING, and myself in another series of meetings. I am happy to say that there is a general agreement between all involved in this effort as to most of the provisions of this new program.

This program involves basic changes in the structure of Government support to the merchant marine. There are some revolutionary features in it, and there is the enhancement of those things which have worked well in the past and should be strengthened. I do not believe that the foreign building issue will continue as a matter of concern now that the bill is introduced. I believe we have resolved that issue in a manner that will allow industry to go forward and commit capital without fear of unfair competition from those with low-cost foreign vessels.

This bill makes no change in the present law so far as the legal restrictions which now inhibit the building of foreign vessels for registry under U.S. flag. The reason for this is quite simple: It is our view that American-flag vessels should be built in American shipyards by American shipyard workers and be manned on the seas by American crewmen.

Mr. President, this program would authorize appropriations for each of the fiscal years 1969 through 1973, in the amount of $300 million per year for construction differential subsidy, cost of national defense features, and acquisition of used ships, and $25 million per year for research and development. It would also authorize appropriations for fiscal year 1969 of $30 million for reconstruction of the reserve fleet.

It is our feeling that any effective revitalization program must involve at least a minimum 5-year effort, and that is the reason for the 5-year authorization of funds. Ship construction will be greatly increased—more than doubled from the present situation. We should be able to build 35 to 40 ships a year, with subsidy, depending upon the mix or type of vessels constructed.

There will be a broadening of eligibility for construction subsidy. Our construction subsidy system has worked well. The subsidized liner trade, as you know, carries approximately 30 percent of our water-borne exports and imports now carried by liner service. We are going to expand and increase the application of construction subsidy beyond the liner field. It is the tramp operators that so desperately need help. This is a segment of the industry that has grown fantastically since enactment of the 1936 Merchant Marine Act, but without help it may disappear within the next 10 years. This program would provide construction subsidy for tramp operators in the oceangoing trade, as well as to additional liner operators.

Operating subsidy funds will be increased, and we propose to expand as well the eligibility for this type of subsidy. This bill would authorize 5-year experimental operating subsidy contracts with presently unsubsidized operators of liner vessels and new dry bulk vessels, which should greatly enhance our ability to compete upon the high seas.

Among the provisions of this bill is a section which would authorize aid in the development and construction of nuclear-powered ships. It is vital that we build nuclear-powered merchant vessels. Under the bill subsidy could be given in an amount that would give the operator a nuclear ship at the price of constructing a comparable conventional ship.

We have as well in this bill made substantial changes in the procedures whereby applications are made for construction differential subsidy. Privately owned shipyards, as well as proposed shipowners, would be eligible applicants for construction differential subsidy. Further, construction differential subsidy would no longer be computed on an individual ship basis, but be determined at least once a year for each type of vessel with a ceiling of 55-percent differential in effect for 3 years.

We have also made provision for an extension of the tax deferred capital reserve fund program presently in effect for the subsidized operators to all U.S.-flag operators in the foreign and domestic trades, and operators of fishing vessels as well.

If tax deferred funds may be accumulated but spent only for the purpose of building new vessels, there is an increased incentive to invest capital in new vessels. The availability of such reserve funds will as well tend to decrease the requirements for construction subsidy funds. The Government will not lose money as the depreciation basis of the new vessel is decreased by the amount of tax deferred funds used. There is merely a deferment of taxpayment rather than a loss of taxpayment.

We have spent a good deal of time this year considering the specific problems of the Great Lakes area which, as you know, has very unique transportation problems. So far as the overseas service out of the Great Lakes, something must be done to assure that there is a greater possibility of U.S.-flag ships. You can count on the fingers of my two hands the number of U.S.-flag, oceangoing sailings through the Great Lakes last year. When any one coastal area of the United States becomes that depressed, so far as the ability to attract U.S.-flag, oceangoing trade, then there is something wrong with our development of economic potential. The establishment of tax deferred reserve funds for the purpose of replacing our overage vessels will be of great assistance to the Great Lakes operators as well as to others who will greatly benefit from this change in the law.

I have not fully discussed all the provisions of this proposed new maritime program, but I ask unanimous consent to insert in the RECORD following my remarks a section-by-section analysis of the bill and a comparative text showing the changes in existing law that would be made by this proposed legislation. The bill is lengthy and deals with a variety of matters essential to the health of our merchant marine.

I wish to make one factor, however, absolutely clear. There is no question but that in the vast demands upon the budget dollar there is a keen competition for funds. We are engaged in a conflict in Vietnam which has great repercussions upon Federal expenditures. It is my firm conviction that allocation of funds for the revitalization of the U.S. merchant marine should be of great priority.

It is essential that we solve the problems of our merchant marine. It is vital to the security of the United States, to the economic health of the industry involved, and to the many millions of people throughout the world whose futures, hopes and aspirations are so closely tied to ours—for it is the merchant marine that carries America to them. If we wish to enhance our ability to communicate to the rest of the world the wonderous productivity and superiority of democratic processes, and assure our sovereignty upon the seas, then we must assure this Nation an adequate and efficient merchant marine.

The bill just introduced is, in my opinion, essential legislation. We must fight the battle for necessary appropriations after we have passed this legislation, but surely we cannot at this time neglect to enact these necessary substantive changes which are essential to the future of our merchant fleet.

This bill is the result of many weeks of arduous study and deliberation. We believe it is a sound, realistic and workable program. There may well be changes made before the bill returns to the floor of the Senate, but at the outset we believe it is a sound and effective program in its present form.

In view of the lengthy hearings already held this year by the Subcommittee on Merchant Marine and Fisheries, which explored in depth the needs of our merchant fleet, we anticipate no need for lengthy hearings on this matter. We shall try to move as rapidly as we can while still allowing all concerned to express their views and to make appropriate suggestions.

This bill says not a word about the location of the Maritime Administration within the various departments of Government. That matter is being considered as a separate legislative proposal. I believe that regardless of where the Maritime Administration is located—be it in the Department of Commerce, the Department of Transportation, or established as an independent agency—the most important thing to the merchant marine and this Nation is a realistic and workable program that will allow more ships to be built and operated under the U.S. flag.

In recent years there have been several proposals advanced as suggested maritime programs. Although the provisions of the various programs advanced have differed, they have had one important factor in common: that is each proposal has resulted in bitter splits and divisions within the maritime industry.

Mr. President, I believe this program is one which every segment of the maritime industry—management and labor alike—can support. Surely there must be a realization that the desperate necessity for revitalizing our fleet provides sufficient common ground upon which we can move forward to regain our rightful place upon the seas. We would like the unified support of maritime interests in enacting this revitalization program. We are bound and determined to enact a program with or without that support. The condition of our fleet leaves no alternative.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the section-by-section analysis and comparative text will be printed in the Record.

The bill (S. 2650) to amend the Merchant Marine Act, 1936, and other statutes to provide a new maritime program, introduced by Mr. Magnuson (for himself and other Senators) was received, read twice by its title, and referred to the Committee on Commerce.

The section-by-section analysis and comparative text, presented by Mr. Magnuson, are as follows:

Section-by Section Analysis of the Bill "To Amend the Merchant Marine Act, 1936, and Other Statutes To Provide a New Maritime Program"

Section 1 would amend section 209(b) of the Merchant Marine Act, 1936, to authorize appropriations for each of the fiscal years 1969 through 1973 in the amount of $300,000,000 per year for construction-differential subsidy, cost of national defense features and acquisition of used ships, and $25,000,000 per year for research and development. It would also authorize appropriations for the fiscal year 1969 in the amount of $30,000,000 to reconstruct the reserve fleet.

Section 2 would amend section 211 to add contract vessels to the category of vessels for which the Secretary is to determine requirements, and to add contract operations to the category of operations for which the Secretary is to determine the relative costs of operating U.S. vessels and vessels of foreign countries operating in competition with them.

Section 3 would amend section 501(a) of the Act to include privately-owned shipyards as eligible applicants for construction-differential subsidy, while retaining the proposed shipowners as eligible applicants.

Section 4 would substitute the words "proposed shipowner" for applicant in section 502(a). This is necessary because the provisions of this section are not intended to be applicable to a shipyard applicant. Where the shipyard is the applicant the procedures of section 504, as amended by the draft bill, would be utilized.

Section 5 would amend section 502(a) by providing a new method for determining construction-differential subsidy. Under present law, the subsidy paid is the excess of the lowest responsible bid for a particular vessel over the estimate of the foreign cost of building that vessel, up to a ceiling of 55 percent. The amendment would discontinue computing subsidy on an individual ship basis. Instead, subsidy rates for each type of vessel would be developed by estimating for each type the domestic and foreign construction costs. The rate for each type of vessel would be periodically redetermined but not more frequently than once each year. The ceiling of 55 percent would remain in effect for three years. Under present law this rate would revert to 50 percent on July 1, 1968.

Section 6 would amend section 504 by designating the present text as subsection (a), by limiting its applicability to the situation where the proposed shipowner is the applicant for construction-differential subsidy, and by authorizing the shipowner to negotiate a price with the shipyard as an alternative to competitive bidding. The section is also amended by adding a new subsection under which the shipyard could be the applicant for subsidy based either on competitive bidding or negotiated pricing.

Section 7 would amend the definition of "obsolete vessel" in section 510 so as to eliminate the requirement for a finding that the vessel, in the judgment of the Secretary, is obsolete or inadequate for successful operation in foreign or domestic trade, and to substitute a requirement for a finding that the vessel should be replaced in the public interest. This would conform the required finding under this section to that required under section 605(b) to permit payment of operating subsidy for operation of a vessel that is beyond its statutory age. This amendment avoids the situation of finding under one section that a vessel of a given type and age is obsolete or inadequate for successful operation and finding under another section that it is to the public interest to subsidize another vessel of that type and age.

Section 8 would make applicable to the new title XIII (Experimental Operating Subsidy) the provisions of section 801 which permit the Secretary to prescribe the method to be used by the operator in keeping books and records.

Section 9 would make applicable to the new title XIII of the provisions of section 804 which prohibit operators who receive operating subsidy, and their affiliates, from owning, chartering, acting as broker or agent for, or operating any foreign flag ship which competes with an American flag ship on an essential trade route, without the permission of the Secretary.

Section 10 would apply to title XIII the provisions of 805(a) which prohibit payment of operating subsidy to any contractor if such contractor or an affiliate owns or operates any vessel engaged in the coastwise or intercoastal trade without the consent of the Secretary. Section 12 would also amend section 805 by repealing subsection (c) which limits to $25,000 the amount of any one person's salary which will be taken into account for subsidy accounting purposes.

Section 11 would release existing operators from the provisions of their contracts inserted pursuant to section 805(c).

Section 12 would make applicable to title XIII the provisions of section 810 which prohibit any operator receiving operating subsidy from being a party to any agreement with other carriers which unjustly discriminate against any American flag carrier on an essential trade route.

Section 13 would amend section 905 to apply that section's definition of "citizen of the United States" to title XIII.

Section 14 would provide a new title X which would authorize aid in the development and construction of nuclear powered ships. The most subsidy that could be granted under the title for a ship to be operated in the foreign trade or the non-contiguous domestic trade would be an amount that would give the operator the nuclear ship at the price of constructing a comparable conventional ship. If the ship is to be operated in any other part of the domestic trade, the most subsidy allowable would be an amount that would give the operator the ship at the price of building a comparable conventional ship in the United States.

Section 15 would amend the Atomic Energy Act of 1954 to vest in the Atomic Energy Commission any invention or discovery useful in the production or utilization of atomic energy which is conceived under any contract entered into under the new title X of the Merchant Marine Act, 1936.

Section 16 would amend the Atomic Energy Act of 1954 to authorize the Atomic Energy Commission to grant the same indemnity with respect to nuclear vessels constructed under the new title X of the 1936 Act as it can grant with respect to the SAVANNAH.

Section 17 would amend section 607(b) of the Merchant Marine Act to permit capital reserve funds to be used in the purchase of new nuclear fuel cores.

Section 18 would amend section 1104(a) (5) of the Act to remove the six percent limit on loans that can be insured under title XI and to substitute therefor a limit on interest at a rate determined by the Secretary of Commerce to be reasonable, taking into account the range of interest rates prevailing in the private market for similar loans and the risks assumed by the Department.

Section 19 would amend section 1106(2) of the Act to allow refinancing of insured mortgages so as to include new nuclear fuel cores.

Section 20 would create a new title XIII in the Act which would authorize five-year experimental operating subsidy contracts with operators of liner vessels and with owners of dry bulk vessels built after enactment of the title. The purpose is to explore new subsidy concepts which contain incentives sufficient to reduce unit costs of subsidy in the future.

Section 21 would provide for the establishment of a Commission on American Shipbuilding to study the private shipbuilding industry and to report to the President and Congress within three years as to the extent to which Federal assistance is necessary to preserve the competitive position of the shipbuilding industry and to preserve a national shipbuilding capability.

Section 22 would allow merchant vessel and fishing vessel owners to contract with the Secretary of Commerce and Secretary of the Interior respectively for the establishment of vessel replacement funds. Monies deposited into such funds would be treated as tax deferred but only if used for the purpose of replacing and modernizing vessels.

Comparative Text Showing the Changes in Existing Law That Would Be Made by the Bill "To Amend the Merchant Marine Act, 1936, and Other Statutes To Provide a New Maritime Program"

[Deletions are enclosed in black brackets; new material is shown in italic.]

Sec. 20. (a) Except as provided in subsection (b) of this section, there are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

(b) Notwithstanding any other provisions of this Act or any other law, there are authorized to be appropriated after December 31, 1967, for the use of the Maritime Administration for—

(1) acquisition, construction, or reconstruction of vessels;

(2) construction-differential subsidy and cost of national defense features incident to

the construction, reconstruction or reconditioning of ships;

(3) payment of obligations incurred for operating-differential subsidy;

(4) expenses necessary for research and development activities (including reimbursement of the Vessel Operations Revolving Fund for losses resulting from expenses of experimental ship operations);

(5) reserve fleet expenses;

(6) maritime training at the Merchant Marine Academy at Kings Point, New York;

(7) financial assistance to State Marine Schools; and

(8) the Vessel Operations Revolving Fund; only such sums as the Congress may specifically authorize by law: *Provided, however, That for each of the fiscal years 1969 through 1973, there is authorized to be appropriated (1) for construction-differential subsidy and the cost of national defense features incident to construction, reconstruction, or reconditioning of ships for operation in foreign or non-contiguous domestic commerce, and for the acquisition of used ships pursuant to section 510 of this Act, $300,000,000, to remain available until expended; and (2) for research and development, $25,000,000, to remain available until expended. For fiscal year 1969, there is also authorized to be appropriated for reconstruction of the reserve fleet, $30,000,000, to remain available until expended.*

SEC. 211. The Commission is authorized and directed to investigate, determine, and keep current records of—

(a) The ocean services, routes, and lines from ports in the United States, or in a territory, district, or possession thereof, to foreign markets, which are, or may be determined by the Commission to be essential for the promotion, development, expansion, and maintenance of the foreign commerce of the United States, and in reaching its determination the Commission shall consider and give due weight to the cost of maintaining each of such steamship lines, the probability that any such line cannot be maintained except at a heavy loss disproportionate to the benefit accruing to foreign trade, the number of sailings and types of vessels that should be employed in such lines, and any other facts and conditions that a prudent business man would consider when dealing with his own business, with the added consideration, however, of the intangible benefit the maintenance of any such line may afford to the foreign commerce of the United States and to the national defense;

(b) The type, size, speed, and other requirements of the vessels, including express-liner or super-liner vessels, which should be employed in such services or on such routes or lines, and the frequency and regularity of the sailings of such vessels, with a view to furnishing adequate, regular, certain, and permanent service, *or which should be employed as contract carriers;*

(c) The relative cost of construction of comparable vessels in the United States and in foreign countries;

(d) The relative cost of marine insurance, maintenance, repairs, wages and subsistence of officers and crews, and all other items of expense, in the operation of comparable vessels in particular service routes, and lines, *or as contract carriers,* under the laws, rules, and regulations of the United States and under those of the foreign countries whose vessels are substantial competitors of any such American service, route, or line, *or contract carrier;*

SEC. 501. (a) [Any citizen of the United States may make application to the Commission for a construction-differential subsidy to aid in the construction of a new vessel to be used in the foreign commerce of the United States.] *Any privately-owned shipyard or proposed shipowner who is a citizen of the United States may make application to the Secretary of Commerce for a construction-differential subsidy to aid in the construction of a new vessel to be documented under the laws of the United States and to be used in the foreign commerce of the United States.* No such application shall be approved by the Commission unless it determines that (1) the plans and specifications call for a new vessel which will meet the requirements of the foreign commerce of the United States, will aid in the promotion and development of such commerce, and be suitable for use by the United States for national defense or military purposes in time of war or national emergency; (2) [the applicant] *the proposed owner of the vessel is a citizen of the United States and* possesses the ability, experience, financial resources, and other qualifications necessary to enable it to operate and maintain the proposed new vessel, and (3) the granting of the aid applied for is reasonably calculated to replace worn out or obsolete tonnage with new and modern ships, or otherwise to carry out effectively the purposes and policy of this Act. The contract of sale, and the mortgage given to secure the payment of the unpaid balance of the purchase price shall not restrict the lawful or proper use or operation of the vessel except to the extent expressly required by law.

* * * * *

SEC. 502. (a) If the Secretary of the Navy certifies his approval under section 501(b) of this Act, and the Commission approves the application, it may secure, on behalf of the [applicant] *proposed shipowner,* bids for the construction of the proposed vessel according to the approved plans and specifications. If the bid of the shipbuilder who is the lowest responsible bidder is determined by the Commission to be fair and reasonable. the Commission may approve such bid, and if such approved bid is accepted by the [applicant] *proposed shipowner,* the Commission is authorized to enter into a contract with the successful bidder for the construction, outfitting, and equipment of the proposed vessel, and for the payment by the Commission to the shipbuilder, on terms to be agreed upon in the contract, of the contract price of the vessel, out of the construction fund herein before referred to, or out of other available funds. Concurrently with entering into such contract with the shipbuilder, the Commission is authorized to enter into a contract with the [applicant] *proposed shipowner* for the purchase by him of such vessels upon its completion, at a price corresponding to the estimated cost. as determined by the Commission pursuant to the provisions of this Act, of building such vessel in a foreign shipyard.

(b) [The amount of the reduction in selling price which is herein termed "construction differential subsidy" may equal, but not exceed, the excess of the bid of the shipbuilder constructing the proposed vessel (excluding the cost of any features incorporated in the vessel for national defense uses, which shall be paid by the Secretary in addition to the subsidy), over the fair and reasonable estimate of cost, as determined by the Secretary, of the construction of the proposed vessel if it were constructed under similar plans and specification (excluding national defense features as above provided) in a foreign shipbuilding center which is deemed by the Secretary to furnish a fair and representative example of the determination of the estimated foreign cost of construction of vessels of the type proposed to be constructed.] *The amount of the reduction in selling price which is herein termed "construction-differential subsidy" shall be computed by taking the excess of the fair and reasonable estimate, as determined by the Secretary, of the cost of constructing a type of vessel in United States shipyards (excluding the cost of any features incorporated in the vessel for national defense uses, which shall be paid by the Secretary in addition to the subsidy), over the fair and reasonable estimate of cost, as determined by the Secretary, of the construction of that type vessel (excluding national defense features as above provided) in a foreign shipbuilding center which is deemed by the Secretary to furnish a fair and representative example of the determination of the estimated foreign cost of construction of vessels of the type proposed to be constructed, and expressing the result as a percentage of the fair and reasonable estimate, as determined by the Secretary, of the cost of construction of that type vessel in United States shipyards, and applying such percentage to the lowest responsible bid. Subsidy rates shall be computed separately for different types of vessels and shall be periodically recomputed but not more frequently than once each year. In making his foreign cost estimate, the Secretary shall review and consider any foreign cost estimates and substantiating information submitted by operators, shipyards, or his staff.* The construction differential approved and paid by the Secretary shall not exceed 55 per centum of the construction cost of the vessel, except that in the case of reconstruction or reconditioning of a passenger vessel having the tonnage, speed, passenger accommodations and other characteristics set forth in section 503 of this Act, the construction differential approved and paid shall not exceed 60 per centum of the reconstruction or reconditioning cost (excluding the cost of national defense features as above provided): *Provided, however,* That after [June 30, 1968] *the expiration of three years from the date of enactment of this amendment* the construction differential approved by the Secretary shall not exceed in the case of the construction, reconstruction or reconditioning of any vessel, 50 per centum of such cost. When the Secretary finds that the construction differential in any case exceeds the foregoing applicable percentage of such cost, the Secretary may negotiate and contract on behalf of the applicant to construct, reconstruct, or recondition such vessel in a domestic shipyard at a cost which will reduce the construction differential to such applicable percentages or less. In the event that the Secretary has reason to believe that the bidding in any instance is collusive, he shall report all the evidence on which he acted (1) to the Attorney General of the United States, and (2) to the President of the Senate and to the Speaker of the House of Representatives if the Congress shall be in session or if the Congress shall not be in session, then to the Secretary of the Senate and Clerk of the House, respectively.

* * * * *

SEC. 504. *(a)* Where an eligible [applicant] *proposed shipowner* under the terms of this title desires to finance the construction of a proposed vessel according to approved plans and specifications rather than purchase the same vessel from the Commission as hereinabove authorized, the Commission may permit the [applicant] *proposed shipowner* to obtain and submit to it competitive bids from domestic shipyards for such work. *Alternatively, the Secretary may, in accordance with terms and conditions to be prescribed by him, permit the proposed shipowner to submit a negotiated price together with backup cost details and evidence that the price is fair and reasonable.* If the Commission considers the [bid] *bid or negotiated price* of the shipyard in which the [applicant] *proposed shipowner* desires to have the vessel built fair and reasonable, it may approve such [bid] *bid or negotiated price* and become a party to the contract or contracts or other arrangements for the construction of such proposed vessel and may agree to pay a construction-differential subsidy in an amount determned by the Commission in accordance with section 502 of this title, and for the cost of national-defense features. The construction-differential subsidy and payments for national-defense features shall be based on the lowest responsible domestic bid, *or the negotiated price.* No construction-differential subsidy, as provided in this section, shall be paid unless the said contract or contracts or other arrangements contain such provisions as are provided in this title to protect the interests of the United States as the Commission deems necessary. Such vessel shall be documented under the laws of the United States as provided in section 503 of this title. The contract of sale, and the mortgage given to secure the payment of the unpaid balance of the purchase price, shall not restrict the lawful or proper use or operation of the vessel, except to the extent expressly required by law.

(b) *Where a shipyard is the applicant, it may in accordance with terms and conditions prescribed by the Secretary, request construction-differential subsidy based upon a price which has been negotiated with the proposed shipowner. If the Secretary considers the negotiated price to be fair and reasonable, he may become a party to a contract between the shipyard and the shipowner and agree to pay the cost of national defense features and construction-differential subsidy computed under section 502(b) of this Act. If the Secretary determines that the negotiated price is not fair and reasonable, he may request renegotiation in an effort to arrive at a fair and reasonable price. As an alternative to accepting a negotiated price, the Secretary may, with the consent of the shipyard applicant, request competitive bids on the proposal, in which case, the applicant shipyard may be the bidder. In this event, the Secretary may become a party to a contract between the lowest competitive bidder and the proposed shipowner.*

* * * * *

SEC. 506. Every owner of a vessel for which a construction-differential subsidy has been paid shall agree that the vessel shall be operated exclusively in foreign trade, or on a round-the-world voyage, or on a round voyage from the west coast of the United States to a European port or ports which includes intercoastal ports of the United States, or a round voyage from the Atlantic coast of the United States to the Orient which includes intercoastal ports of the United States, or on a voyage in foreign trade on which the vessel may stop at the State of Hawaii, or an island possession or island territory of the United States, and that if the vessel is operated in the domestic trade on any of the above-enumerated services, he will pay annually to the Commission that proportion of one twenty-fifth of the construction-differential subsidy paid for such vessel as the gross revenue derived from the domestic trade bears to the gross revenue derived from the entire voyages completed during the preceding year. The Commission may consent in writing to the temporary transfer of such vessel to service other than the service covered by such agreement for periods not exceeding six months in any year, whenever the Commission may determine that such transfer is necessary or appropriate to carry out the purposes of this Act. Such consent shall be conditioned upon the agreement by the owner to pay to the Commission, upon such terms and conditions as it may prescribe, an amount which bears the same proportion to the construction-differential subsidy paid by the Commission as such temporary period bears to the entire economic life of the vessel. No operating-differential subsidy shall be paid for the operation of such vessel for such temporary period.

* * * * *

SEC. 509. Any citizen of the United States may make application to the Commission for aid in the construction of a new vessel to be operated in the foreign or domestic trade (excepting vessels engaged solely in the transportation of property on inland rivers and canals exclusively). If such application is approved by the Commission, the vessel may be constructed under the terms and conditions of this title, but no construction-differential subsidy shall be allowed. The Commission shall pay for the cost of national-defense features incorporated in such vessel. In case the vessel is designed to be of not less than three thousand five hundred gross tons and to be capable of sustained speed of not less than fourteen knots, the applicant shall be required to pay the Commission not less than 12½ per centum of the cost of such vessel, and in the case of any other vessel the applicant shall be required to pay the Commission not less than 25 per centum of the cost of such vessel (excluding from such cost, in either case, the cost of national defense features); and the balance of such purchase price shall be paid by the applicant within twenty-five years in not to exceed twenty-five equal annual installments, with interest at 3½ per centum per annum, secured by a preferred mortgage on the vessel sold and otherwise secured as the Commission may determine: *Provided,* That, notwithstanding any other provisions of law, the balance of the purchase price of a passenger vessel constructed under this section which is delivered subsequent to March 8, 1946, and which has the tonnage, speed, passenger accommodations, and other characteristics set forth in section 503 of this Act, may, with the approval of the Commission, be secured as provided in such section, and the obligation of the purchaser of such a vessel shall be satisfied and discharged as provided in such section.

SEC 510. (a) When used in this section—

[(1) The term "obsolete vessel" means a vessel or vessels, each of which (A) is of not less than one thousand three hundred and fifty gross tons, (B) is not less than seventeen years old and, in the judgment of the Commission, is obsolete or inadequate for successful operation in the domestic or foreign trade of the United States, and (C) is owned by a citizen or citizens of the United States and has been owned by such citizen or citizens for at least three years immediately prior to the date of acquisition hereunder: *Provided,* That until June 30, 1964, the term "obsolete vessel" shall mean a vessel or vessels, each of which (A) is of not less than one thousand three hundred and fifty gross tons, (B) is not less than twelve years old, and (C) is owned by a citizen or citizens of the United States and has been owned by such citizen or citizens for at least three years immediately prior to the date of acquisition hereunder.]

(1) The term "obsolete vessel" means a vessel or vessels each of which is of not less than one thousand three hundred and fifty gross tons; which has been owned by a citizen or citizens of the United States for at least three years immediately prior to the date of acquisition hereunder; and which in the judgment of the Secretary should be replaced in the public interest.

* * * * *

(j) Any vessel heretofore or hereafter acquired under this section, or otherwise acquired by the Secretary of Commerce under any other authority shall be placed in the national defense reserve fleet established under authority of section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and shall not be traded out or sold from such reserve fleet, except as provided for in [subsections (g) and (i)] *section (g)* of this section. This limitation shall not affect the rights of the Secretary of Commerce to dispose of a vessel as provided in other sections of this title or in titles VII or XI of this Act.

* * * * *

SEC. 801. Every contract executed by the Commission under the provisions of [titles VI or VII] *titles VI, VII, or XIII* of this Act shall contain provisions requiring (1) that the contractor and every affiliate, domestic agent, subsidiary, or holding company connected with, or directly or indirectly controlling or controlled by, the contractor, to keep its books, records, and accounts, relating to the maintenance, operation, and servicing of the vessels, services, routes, and lines covered by the contract, in such form and under such regulations as may be prescribed by the Commission: *Provided,* That the provisions of this paragraph shall not require the duplication of books, records, and accounts required to be kept in some other form by the Interstate Commerce Commission; (2) that the contractor and every affiliate, domestic agent, subsidiary, or holding company connected with, or directly or indirectly controlling or controlled by the contractor, to file, upon notice from the Commission, balance sheets, profit and loss statements, and such other statements of financial operations, special report, memoranda of any facts and transactions, which in the opinion of the Commission affect the financial results in, the performance of, or transactions or operations under, such contract; (3) that the Commission shall be authorized to examine and audit the books, records, and accounts of all persons referred to in this section whenever it may deem it necessary or desirable; and (4) that upon the willful failure or refusal of any person described in this section to comply with the contract provisions required by this section, the Commission shall have the right to rescind the contract, and upon such rescission the United States shall be relieved of all further liability on such contract.

* * * * *

SEC. 804. It shall be unlawful for any contractor receiving an [operating-differential subsidy under title VI] *operating subsidy under titles VI or XIII* or for any charterer of vessels under title VII of this Act, or any holding company, subsidiary, affiliate, or associate of such contractor or such charterer, or any officer, director, agent, or executive thereof, directly or indirectly to own, charter, act as agent or broker for, or operate any foreign-flag vessel which competes with any American-flag service determined by the Commission to be essential as provided in section 211 of this Act: *Provided, however,* That under special circumstances and for good cause shown the Commission may, in its discretion, waive the provisions of this section as to any contractor, for a specific period of time, by affirmative vote of four of its members, except as otherwise provided in section 201(a).

SEC. 805. (a) It shall be unlawful to award or pay any subsidy to any contractor under authority of title VI *or title XIII* of this Act, or to charter any vessel to any person under title VII of this Act, if said contractor or charterer, or any holding company, subsidiary, affiliate, or associate of such contractor or charterer, or any officer, director, agent, or executive thereof, directly or indirectly, shall own, operate, or charter any vessel or vessels engaged in the domestic intercoastal or coastwise service or own any pecuniary interest, directly or indirectly, in any person or concern that owns, charters, or operates any vessel or vessels in the domestic intercoastal or coastwise service without the written permission of the Commission. Every person, firm, or corporation having any interest in such application shall be permitted to intervene and the Commission shall give a hearing to the applicant and the intervenors. The Commission shall not grant any such application if the Commission finds it will result in unfair competition to any person, firm, or corporation operating exclusively in the coastwise or intercoastal service or that it would be prejudicial to the objects and policy of this Act: *Provided,* That if such contractor or other person above-described or a predecessor in interest was in bona fide operation as a common carrier by water in the domestic, intercoastal, or coastwise trade in 1935 over the route or routes or in the trade or trades for which application is made and has so operated since that time or if engaged in furnishing seasonal service only, was in bona fide operation in 1935 during the season ordinarily covered by its operation, except in either event, as to interruptions of service over which the applicant or its predecessor in interest had no control, the Commission shall grant such permission without requiring further proof that public interest and convenience will be served by such operation, and without further proceedings as to the competition in such route or trade.

If such application be allowed, it shall be unlawful for any of the persons mentioned in this section to divert, directly or indirectly, any moneys, property, or other thing of value, used in foreign-trade operations, for which a subsidy is paid by the United States, into any such coastwise or intercoastal operations; and whosoever shall violate this provision shall be guilty of a misdemeanor.

* * * * *

[(c) In determining the rights and obligations of any contractor under a contract authorized by title VI or title VII of this Act, no salary for personal services in excess of $25,000 per annum paid to a director, officer, or employee by said contractor, its affiliates, subsidiary, or associates, shall be taken into account. The terms "director", "officer", or "employee" shall be construed in the broadest sense. The term "salary" shall include wages and allowances of compensation in any form for personal services which will result in a director, officer, or employee receiving total compensation for his personal services from such sources exceeding in amount or value $25,000 per annum.]

(d) It shall be unlawful, without express written consent of the Commission, for any contractor holding a contract authorized under title VI or VII of this Act to employ any other person or concern as the managing or operating agent of such operator, or to charter any vessel, on which an operating-differential subsidy is to be paid, for operation by another person or concern, and if such charter is made, the person or concern operating the chartered vessel or vessels shall be subject to all the terms and provisions of this Act, including limitations of profits and salaries. No contractor *under titles VI or XIII of this Act* shall receive an operating-differential subsidy for the operation of any chartered vessel save and except during a period of actual emergency determined by the Commission, or except as provided in section 708.

* * * * *

SEC. 810. It shall be unlawful for any contractor receiving an [operating-differential] *operating* subsidy under [title VI] *titles VI or XIII* or for any charterer of vessels under title VII of this Act, to continue as a party to or to conform, to any agreement with another carrier or carriers by water, or to engage in any practice in concert with another carrier or carriers by water, which is unjustly discriminatory or unfair to any other citizen of the United States who operates a common carrier by water exclusively employing vessels registered under the laws of the United States on any established trade route from and to a United States port or ports.

No payment or subsidy of any kind shall be paid directly or indirectly out of funds of the United States or any agency of the United States to any contractor or charterer who shall violate this section. Any person who shall be injured in his business or property by reason of anything forbidden by this section may sue therefor in any district court of the United States in which the defendant resides or is found or has an agent, without respect to the amount in controversy, and shall recover threefold the damages by him sustained, and the cost of suit, including a reasonable attorney's fee.

* * * * *

SEC. 905. * * *

(c) The words "citizen of the United States" include a corporation, partnership, or association only if it is a citizen of the United States within the meaning of section 2 of the Shipping Act, 1916, as amended (U.S.C. title 46, sec. 802), and with respect to a corporation [under title VI] *under titles VI or XIII* of this Act, all directors of the corporation are citizens of the United States, and, in the case of a corporation, partnership, or association operating a vessel on the Great Lakes, or on bays, sounds, rivers, harbors, or inland lakes of the United States the amount of interest required to be owned by a citizen of the United States shall not be less than 75 per centum.

* * * * *

Title X—Aid in developing, constructing, and operating privately owned nuclear-powered merchant ships

Sec. 1001. The purpose of this title is to further implement the policy declared in section 101 of this Act, by fostering at the least cost to the United States the development, construction, and operation of privately owned nuclear-powered merchant ships whose designs embody significant departures from the designs of existing nuclear-powered merchant ships which may lead to reduction of the cost of constructing and operating future nuclear-powered merchant ships.

Sec. 1002. The Secretary of Commerce is authorized to invite from citizens of the United States proposals for the development and construction of nuclear-powered merchant ships for operation in the domestic or foreign commerce of the United States, including trade on the Great Lakes. Proposals shall be invited only for the development and construction of nuclear-powered merchant ships (1) of types and general specifications (whether dry-cargo, liquid bulk carrier, or other) determined by the Secretary of Commerce, and (2) with nuclear propulsion systems of general types and conceptual designs which the Atomic Energy Commission has determined could reasonably be expected to accomplish nuclear power base development program objectives more quickly, more effectively, or at lower cost than other nuclear propulsion systems (these would include, without limitation, objectives of dependability, reliability, operability, and the acquisition of data that would be of value to the future development of merchant marine nuclear propulsion systems). Each proposal shall include a detailed description of the proposed ship or ships; their contemplated use in commerce; the proposed development, construction, and operating programs; the technical justification and detailed estimate of development, construction and operating costs; the amount of aid applied for itemized separately for the development, construction, and operating programs; and such other information as the Secretary directs.

Sec. 1003. The Secretary, in cooperation with the Atomic Energy Commission, shall evaluate all proposals determined to be responsive to the invitation and shall select from them the proposal or proposals which will most closely carry out the purposes of this title. If the Secretary determines that the person who submitted a selected proposal, although such person may have had no experience in the operation of nuclear-powered ships, possesses the ability, experience, financial resources, and other qualifications necessary to enable him to operate and maintain ships in that area of the domestic or foreign commerce of the United States (including trade on the Great Lakes) in which he proposes to operate the proposed ship or ships, the Secretary may negotiate the award of a contract with such person (hereafter called the applicant) for the development and construction of the proposed ship or ships. The Secretary may require such modifications in the proposed ship or ships as he deems desirable, taking into account the views of the Atomic Energy Commission with respect to modifications of the nuclear propulsion system, and the views of the Secretary of Defense with respect to national defense features. The Secretary may agree to provide so much of the aid authorized by section 1004 of this title as he determines is necessary to carry out the purposes of this title, taking into consideration the financial risk to the applicant, and the contribution which the development, construction and operation of the proposed ships or ships may make toward carrying out the purposes of this title.

Sec. 1004. (a)(1) *In connection with the development and construction of vessels proposed and selected pursuant to section 1003, the Secretary may offer the following assistance:*

(A) *With the scientific and engineering advice of the Atomic Energy Commission, he may assist in negotiating the award of and become a party to contracts between the applicant and the developer for the development of the proposed nuclear-powered merchant ship or ships, including the first fuel cores. He may agree in such contracts to pay the developer all of, or part of, the excess of the cost of developing the proposed ship or ships, including national defense features and the first fuel cores, over the estimated fair and reasonable cost of developing a comparable conventional ship or ships without national defense features.*

(B) *He may become a party to contracts between the applicant and the builder for the construction of the proposed nuclear-powered merchant ship or ships, and may agree in such contracts to pay the builder all of, or part of, the excess of the cost of constructing in the United States the proposed ship or ships, including national defense features and the first fuel cores, over the estimated average weighted fair and reasonable foreign cost of constructing a comparable conventional ship or ships without national defense features: Provided, however, That if the ship or ships are to be operated in the domestic trade (except the non-contiguous domestic trade) aid under this paragraph is limited to the excess of the cost of constructing in the United States the proposed ship or ships, including national defense features and the first fuel cores, over the estimated fair and reasonable cost of constructing a comparable conventional ship without national defense features in the United States.*

(2) *The Secretary may also assist in training crews for the ships; plan and design or assist in planning and designing appropriate shore facilities to service the ships; make available to the applicant, with the consent of the Atomic Energy Commission, appropriate classified information; provide research and development in Government laboratories which have facilities, personnel, or equipment not available in private laboratories, with the consent of the department or agency which operates the laboratory, and with or without charge to the applicant; and provide, without charge, design review services, ship construction inspection services and ship operation advisory services.*

(3) *If, under section 184 of the Atomic Energy Act of 1954 (42 U.S.C. 2234), the Atomic Energy Commission consents to the creation of a mortgage or lien on the nuclear-powered merchant ship, and if the loan and mortgage are eligible for insurance under title XI of this Act, the Secretary may insure under that title the interest on and the unpaid balance of the principal amount of the loan and mortgage. In determining the applicant's eligibility, the Secretary is not required to make the finding required by subsection* (c) *of section 1004 of this Act. The Secretary may make the findings required by subsection* (a)(1) *and* (b)(1) *of section 1104 even though the applicant has had no experience in the operation of nu-*

clear-powered merchant ships. The applicability of section 184 of the Atomic Energy Act of 1954 to the ship shall not prevent a mortgage on the ship from being a preferred mortgage under the Ship Mortgage Act, 1920.

(b) In providing the aid specified in subsection (a) of this section, the Secretary may, upon payment of the costs, and with the consent of the department or agency concerned, avail himself of the use of licenses, information, services, facilities, offices, and employees of any executive department, independent establishment, or other agency of the Government, including any field service thereof.

(c) Section 505(a) of this Act shall apply to all ships whose construction is aided under this title.

Sec. 1005. Each applicant for aid under this title shall agree that if the ship, after its construction is completed, cannot at any time be operated for a period of more than 30 days because of an inter-union dispute in which the fact that the ship is nuclear-powered is an important element, the owner will, if so directed by the Secretary of Commerce, place the vessel up for sale at competitive bidding, with a minimum price in the amount that would be paid if the vessel were requisitioned for title, and on such other terms and conditions as the Secretary of Commerce determines will be conducive to the continued operation of the ship. This obligation shall run with the title to the vessel.

Sec. 1006. Any ship developed and constructed with aid under this title shall be documented under the laws of the United States and shall remain so documented for 25 years or so long as it is propelled by nuclear propulsion, whichever is longer.

Sec. 1007. Ships whose construction is aided under this title are eligible to receive operating-differential subsidy under whatever system is in force when the ships go into operation if the applicant qualifies under the statute.

Sec. 1008. There are authorized to be appropriated to the Secretary such sums as may be necessary, to remain available until expended, to carry out the provisions of this title.

Sec. 1009. Authority to contract for the development or construction of ships under this title expires at midnight on the last day of the sixtieth month following the month in which this title is enacted.

THE ATOMIC ENERGY ACT OF 1954

* * * * *

SEC. 152. INVENTIONS MADE OR CONCEIVED DURING COMMISSION CONTRACTS—Any inventions or discovery, useful in the production or utilization of special nuclear material or atomic energy, made or conceived in the course of or under any contract, subcontract, or arrangement entered into with or for the benefit of the Commission, *or with the Secretary of Commerce under the authority of title X of the Merchant Marine Act, 1936, as amended,* regardless of whether the contract, subcontract, or arrangement involved the expenditure of funds [by the Commission] *by the Commission or the Secretary,* shall be vested in, and be the property of, the Commission, except that the Commission may waive its claim to any such invention or discovery under such circumstances as the Commission may deem appropriate, consistent with the policy of this section. No patent for any invention or discovery, useful in the production or utilization of special nuclear material or atomic energy, shall be issued unless the applicant files with the application, or within thirty days after request therefor by the Commissioner of Patents (unless the Commission advices the Commissioner of Patents that its rights have been determined and that accordingly no statement is necessary) a statement under oath setting forth the full facts surrounding the making or conception of the invention or discovery described in the application and whether the invention or discovery was made or conceived in the course of or under any contract, subcontract, or arrangement entered into with or for the benefit of the Commission, regardless of whether the contract, subcontract, or arrangement involved the expenditure of funds by the Commission. The Commissioner of Patents shall as soon as the application is otherwise in condition for allowance forward copies of the application and the statement to the Commission.

The Commissioner of Patents may proceed with the application and issue the patent to the applicant (if the invention or discovery is otherwise patentable) unless the Commission, within ninety days after receipt of copies of the application and statement, directs the Commissioner of Patents to issue the patent to the Commission (if the invention or discovery is otherwise patentable) to be held by the Commission as the agent of and on behalf of the United States.

If the Commission files such a direction with the Commissioner of Patents, and if the applicant's statement claims, and the applicant still believes, that the invention or discovery was not made or conceived in the course of or under any contract, subcontract or arrangement entered into with or for the benefit of the Commission entitling the Commission to the title to the application or the patent the applicant may, within thirty days after notification of the filing of such a direction, request a hearing before a Board of Patent Interferences. The Board shall have the power to hear and determine whether the Commission was entitled to the direction filed with the Commissioner of Patents. The Board shall follow the rules and procedures established for interference cases and an appeal may be taken by either the applicant or the Commission from the final order of the Board to the Court of Customs and Patent Appeals in accordance with the procedures governing the appeals from the Board of Patent Interferences.

If the statement filed by the applicant should thereafter be found to contain false material statements any notification by the Commission that it has no objections to the issuance of a patent to the applicant shall not be deemed in any respect to constitute a waiver of the provisions of this section or of any applicable civil or criminal statute, and the Commission may have the title to the patent transferred to the Commission on the records of the Commissioner of Patents in accordance with the provisions of this section. A determination of rights by the Commission pursuant to a contractual provision or other arrangement prior to the request of the Commissioner of Patents for the statement, shall be final in the absence of false material statements or nondisclosure of material facts by the applicant.

* * * * *

SEC. 170. INDEMNIFICATION AND LIMITATION OF LIABILITY.—

* * * * *

1. The Commission is authorized until August 1, 1977, to enter into an agreement of indemnification with any person engaged in the design, development, construction, operation, repair, and maintenance or use of the nuclear-powered ship authorized by section 716 of the Merchant Marine Act, 1936, and designated the 'nuclear-ship *Savannah*', *or any ship whose development or construction is aided under title X of the Merchant Marine Act, 1936, as amended*. In any such agreement of indemnification the Commission may require such person to provide and maintain financial protection of such a type and in such amounts as the Commission shall determine to be appropriate to cover public liability arising from a nuclear incident in connection with such design, development, construction, operation, repair; maintenance or use and shall indemnify the person indemnified against such claims above the amount of the financial protection required, in the amount of $500,000,000 including the reasonable costs of investigating and settling claims and defending suits for damage in the aggregate for all persons indemnified in connection with each nuclear incident: *Provided,* That this amount of indemnity shall be reduced by the amount that the financial protection required shall exceed $60,000,000.

THE MERCHANT MARINE ACT, 1936

SEC. 607. * * *

(b) * * *

The contractor shall also deposit in the capital reserve fund, from time to time, such percentage of the annual net profits of the contractor's business covered by the contract as the Commission shall determine is necessary to further build up a fund for replacement of contractor's subsidized ships, but the Commission shall not require the contractor to make such deposit of the contractor's net profits in the capital reserve fund unless the cumulative net profits of the contractor, at the time such deposit is to be made, shall be in excess of 10 per centum per annum from the date the contract was executed. From the capital reserve fund so created, the contractor may pay the principal, when due, on all notes secured by mortgage on the subsidized vessels and may make disbursements for the purchase of replacement vessels or reconstruction of vessels or additional vessels to be employed by the contractor on an essential foreign-trade line, route, or service approved by the Commission, and on cruises, if any, authorized under section 613 of this title, *or new nuclear fuel cores for vessels,* but payments from the capital reserve fund shall not be made for any other purpose.

* * * * *

SEC. 1104(a) * * *

(5) shall secure bonds, notes or other obligations bearing interest (exclusive of premium charges for insurance, *and service charges, if any*) at [a rate] *rates* not to exceed [5] *such* per centum per annum on the [amount of the unpaid principal at any time, or not to exceed 6 per centum per annum if the Secretary of Commerce finds that in certain areas or under special circumstances the mortgage or lending market demands it] *principal obligation outstanding as the Secretary of Commerce determines to be reasonable, taking into account the range of interest rates prevailing in the private market for similar loans and the risks assumed by the Department of Commerce;*

SEC. 1106. No provision of this title shall be construed to authorize the Secretary of Commerce to insure a mortgage securing any loan or advance made prior to the enactment of this title, and no mortgage shall be insured for refinancing in whole or in part any existing mortgage indebtedness except as provided in section 1107, or

(1) where a substantial portion of the total amount to be secured by the new mortgage, not to extend beyond twenty-five years from the date of the original mortgage, shall be applied to new construction, reconditioning, or reconstruction of one or more of the mortgaged vessels: *Provided, however,* That the aggregate amount of all mortgages insured under this paragraph and outstanding at any one time shall not exceed $20,000,000, and provided that all of the eligibility requirements of section 1104 (46 U.S.C. 1274) not inconsistent with this paragraph are complied with;

(2) where the Secretary of Commerce has insured a mortgage under the provisions of this title, and the mortgagor thereafter makes application to the mortgagee or another

lender for an additional loan or advance for reconditioning or reconstructing the mortgaged property *or to provide a new nuclear fuel core for the mortgaged property,* the Secretary of Commerce may insure a new mortgage, not to extend beyond twenty-five years from the date of the original mortgage, in the amount of the principal outstanding balance of the original mortgage plus the amount of the additional loan, provided the amount of the additional loan is within the limits of paragraph (2) of subsection (a) of section 1104 (46 U.S.C. 1274) and the new mortgage conforms to the eligibility requirements of all the other paragraphs of said subsection (a);

* * * * *

Title XIII—Experimental operating subsidy

Sec. 1301. The Secretary of Commerce is authorized to enter into five-year experimental contracts with liner operators for the payment of operating subsidy for the operation of liner vessels in the foreign commerce of the United States and with owners of dry bulk vessels built after the enactment of this title for operation as contract carriers in the foreign commerce of the United States, subject to such terms and conditions as the Secretary may determine.

Sec. 1302. A subsidy contract may be awarded on any service which the Secretary, in his discretion, without public hearing, determines is not adequately served. Applicants for such contracts must meet the eligibility requirements of section 601 of this Act. The Secretary, in his discretion, may apply the provisions of sections 605(a) and (b), 606 (5)(6)(7), 607(a)(b)(c)(d)(e)(f)(g), 608, 609, 610, and 611 of this Act, or any of them, to contracts entered into under this title. He may also, in his discretion, apply the provisions of section 607(h) to contracts entered into under this title with liner operators.

Sec. 1303. The amount payable during the first year of the subsidy contract shall not exceed the difference between the costs incurred in operating the ship for insurance, wages, maintenance and repair, and the cost of such items incurred in the operation of a comparable ship under the flag of a foreign country whose ships are substantial competitors of the subsidized ship. During the subsequent years of the contract, the amount of subsidy shall be computed in such manner as the Secretary in his discretion may determine. In developing any new system the Secretary shall be guided by the overriding principal that the system must contain incentives which can be reasonably expected to reduce unit costs of subsidy in the future. Such incentives may include the use of an objective index or indices to govern the annual change in costs eligible for subsidy, the use of a formula or formulae reasonably relating the amount of subsidy payable to the performance or production of subsidized service, or the use of such other reasonable approaches to the determination of the amount of subsidy as the Secretary may in his discretion establish.

Sec. 1304. Such contracts shall provide that upon their termination the operator shall have the option of receiving a contract for the operation of his vessels under whatever subsidy system is in force at that time, or of selling his ships to the Government for a price not to exceed their depreciated book value.

Shipbuilding Commission

(a) There is hereby established a Commission to be known as the Commission on American Shipbuilding (hereinafter referred to as the "Commission"). The Commission shall be composed of six members, appointed by the President. At least one member shall be from the United States shipbuilding industry. Members of the Commission shall be appointed for the life of the Commission. The President shall designate one of the members of the Commission as Chairman. Four members of the Commission shall constitute a quorum.

(b) Members of the Commission shall each be entitled to receive $100 per diem when engaged in the actual performance of duties vested in the Commission, including traveltime, and while away from their homes or regular places of business may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by title 5 of the United States Code for persons in the Government service employed intermittently.

(c) The Commission shall meet at the call of the Chairman or at the call of a majority of the members thereof.

(d) The Commission shall have the power to appoint and fix the compensation of such personnel, as it deems advisable, subject to the civil service laws and the Classification Act of 1949, as amended.

(e) The Commission may procure, in accordance with the provisions of title 5 of the United States Code, the temporary or intermittent services of experts or consultants; individuals so employed shall receive compensation at a rate to be fixed by the Commission, but not in excess of $100 per diem, including traveltime, and while away from their homes or regular places of business may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by title 5 of the United States Code for persons in the Government service employed intermittently.

(f) The Commission shall conduct a study of the extent to which Federal assistance to the private shipbuilding industry in the United States is necessary to preserve the competitive position of such industry and to preserve a national capability for the building and repair of United States merchant and United States naval ships.

(g) The Commission shall not later than three years after the date of enactment of this Act submit a comprehensive report of its findings and recommendations to the President and to the Congress, and thereafter shall cease to exist.

Title XIV—Replacement and expansion of United States nonsubsidized merchant and fishing fleets.

Sec. 1401. Authority To Negotiate Contracts.—(a) For the purpose of promoting the construction or acquisition of new merchant vessels or the substantial reconstruction of existing merchant vessels and for other purposes authorized by this Act, the Secretary of Commerce may enter into contracts not to exceed twenty years with any person who is a citizen of the United States if the Secretary determines the person possesses the ability, experience, financial resources, and other qualifications necessary to enable him to conduct the proposed operations of the merchant vessels as to meet competitive conditions and promote United States domestic or foreign commerce.

(b) For the purpose of promoting the construction of new fishing vessels, the Secretary of the Interior may enter into contracts not to exceed twenty years with any person who is a citizen of the United States if the Secretary determines the person possesses the ability, experience, financial resources, and other qualifications necessary to enable him to conduct the proposed operations of the fishing vessel to meet competitive conditions and promote the utilization of fishery resources.

Sec. 1402. Terms and Conditions of Contract.—The Secretary shall include in each contract a provision—

(a) that any new vessel constructed under a contract will be built in a shipyard in the United States under a contract with a shipbuilder entered into after the effective date of this Act;

(b) that any new vessel acquired under a contract will be one that was built in a shipyard in the United States for the United States Government under a contract with a shipbuilder entered into after the effective date of this Act;

(c) that any vessel substantially reconstructed under a contract will be one that was built in a shipyard in the United States and will be substantially reconstructed in a shipyard in the United States under a contract with a shipbuilder entered into after the effective date of this Act;

(d) that any vessel constructed, acquired, or substantially reconstructed under a contract will be of a type, size, and speed that the Secretary determines to be suitable for use on the high seas or Great Lakes;

(e) that any vessel constructed, acquired, or substantially reconstructed under a contract negotiated under section 1(a) will be of a type which the Secretary of the Navy certifies is suitable for economical and speedy conversion into a naval auxiliary or otherwise suitable for use by the United States in the event of war or national emergency;

(f) for the creation and maintenance of a capital reserve fund;

(g) for the approximate number and type of vessels which the contractor will construct, acquire, or substantially reconstruct subject to modifications and extensions upon a showing to the satisfaction of the Secretary of acceptable reasons for modifications or extensions;

(h) for additional terms and conditions consistent with this Act, that the Secretary determines to be necessary to protect the interest of the United States;

(i) for the early replacement of any warbuilt vessel used in the movement of cargo under section 901(b), Merchant Marine Act, 1936, as amended;

(j) that each contractor agrees not to incur any purchase money indebtedness with respect to any vessel constructed, acquired, or substantially reconstructed under a contract without the prior consent of the Secretary;

(k) that upon failure of the contractor to construct, acquire, or substantially reconstruct any vessel as provided in the contract as modified or extended, all deposits of the contractor will be withdrawn from the fund with the same tax consequences as result from withdrawals from the funds created by section 607, Merchant Marine Act, 1936, as amended, and no further deposits may be made by the contractor until a new contract is negotiated; and

(l) that the contractor agrees that any vessel constructed or acquired under a contract will remain documented under the laws of the United States for twenty-five years from the date of its delivery by the shipbuilder and any vessel reconstructed under a contract will remain documented under the laws of the United States for the remainder of its economic life as determined by the Secretary.

Sec. 1403. Creation and Maintenance of Capital Reserve Fund.—(a) Each contractor shall create and maintain for the duration of the contract, in depositories approved by the Secretary, a capital reserve fund under the joint control of the operator and the Secretary.

(b) Each contractor shall deposit in the capital reserve fund as is required to be deposited by subsidized operators under section 607, Merchant Marine Act, 1936, as amended, the proceeds of sales of vessels, the proceeds of insurance and indemnities, the depreciation charges, as earned, and the earnings made on deposits in the capital reserve fund, and shall annually deposit any percentage of differential payments received on the movement of cargo under section 901(b), Merchant Marine Act, 1936, as amended, that the Secretary determines is from profits and is necessary to fulfill the contractor's obligation under the contract.

(c) The contractor may deposit in the fund other earnings from his vessel operations.

Sec. 1404. Tax Department of Deposits in the Fund.—(a) Deposits of capital gains into the fund are taxed in the same manner as deposits of capital gains by subsidized operators under section 607, Merchant Marine Act, 1936, as amended.

(b) Deposits of earnings and differential payments into the fund are taxed in the same manner as deposits of earnings of subsidized operators under section 607, Merchant Marine Act, 1936, as amended.

Sec. 1404. Withdrawals From the Fund.—Contractors may withdraw deposits from the fund with the same restriction and limitation, under the same conditions and with the same tax consequences as deposits may be withdrawn from the capital reserve fund by subsidized operators under section 607, Merchant Marine Act, 1936, as amended.

Sec. 1405. Investment of the Fund.—Contractors may invest deposits in the fund under the conditions and with the same restriction as deposits of subsidized operators under section 607, Merchant Marine Act, 1936, as amended.

Sec. 1406. Discontinuance of Differential Payments.—No operator of a nonsubsidized vessel may receive any differential payments for cargo moved by such vessel under section 901(b), Merchant Marine Act, 1936, as amended, unless the operator has concluded a contract with the Secretary under this Act before January 1, 1968.

Sec. 1407. Definitions.—In this Act—

(a) "Contract" means a vessel construction, acquisition, or reconstruction contract authorized by this Act.

(b) "Differential payments" means the payments made by the United States Government to operators of United States-flag merchant vessels for the movement of cargo under section 901(b), Merchant Marine Act, 1936, as amended, at rates in excess of world market rates.

(c) "Documented" includes enrolled.

(d) "Earnings from the operation of vessels" includes hire from bareboat charters.

(e) "Earnings made on deposits" means earnings on funds deposited as well as earnings on accumulated earnings and gains made on sale of securities.

(f) "Fund" means the capital reserve fund authorized by this Act.

(g) "Nonsubsidized vessel" means any vessel not included in an operating differential subsidy contract under the Merchant Marine Act, 1936, as amended.

(h) "Person" includes corporation.

(i) "Reconstruction" means the substantial reconstruction and major modernization of a vessel if the Secretary determines that the objectives of this Act will be promoted by such reconstruction.

(j) "Secretary" means the Secretary of Commerce in reference to powers and duties relating to contracts for the construction, acquisition, or substantial reconstruction of merchant vessels and means the Secretary of the Interior in reference to powers and duties relating to contracts for the construction of fishing vessels.

(k) "Subsidized operators" means persons who have an operating differential subsidy contract under the Merchant Marine Act, 1936, as amended.

(l) "Vessel" includes non-self-propelled vessels, cargo containers, cargo vans, and other related equipment.

(m) "War-built vessel" means a vessel as defined in section 3, Merchant Ship Sales Act, 1946.

A HISTORIC MOMENT

Mr. BARTLETT. Mr. President, 11 months ago I gave a speech at a launching of a ship at Pascagoula, Miss.

In that speech I brought up the subject of Congress taking the lead in developing a viable merchant marine if the administration would not.

I concluded that speech by saying:

> Let there be many more christenings. Let there be many more launchings. Let American ships slide from the ways into the water in increasing numbers. Let the American flag fly on ships on all the seas and in all the ports. So it was in the days of old. So it will be in the days to come if we set our minds and hearts to the task.

Since that speech, many persons in Congress, under the skillful leadership of the senior Senator from Washington [Mr. MAGNUSON] have set their minds and hearts to the task.

Today, with the introduction of this bill, we see the results of this commitment to a sound sea policy.

I am proud to have played a part in devising this bill which I consider a historic document, for in truth, if it is enacted, it will at long last make a reality of our Nation's maritime policy as stated in 1916, 1920, and 1936.

Mr. President, this year I held extensive hearings on the present state and future of our merchant marine. There was general agreement that our fleet was sinking fast and if steps were not taken swiftly to reverse the trend, this Nation would, for all intents and purposes, cease to be a maritime power.

Mr. President, I think it is quite clear that we cannot allow this Nation's ships to disappear from the high seas, for if we do, not only will our military effectiveness suffer, but in the competition for new markets for our commerce, in our efforts to help developing nations progress peacefully toward better standards of living, we would be at the mercy of foreign interests, of interests which are not necessarily dedicated to our wellbeing.

As I said, there was agreement that our merchant marine fleet was deteriorating rapidly, but unfortunately, the agreement ended there. Each segment of the industry had its own proposals on how best to rebuild the fleet, and in many instances, these proposals were in conflict with suggestions from other segments of the industry.

As the senior Senator from Washington pointed out, these conflicting positions brought about an impasse which I hope will be resolved with the introduction of this bill today.

I do not expect all segments of the industry to agree with all that is in the program.

However, I do expect all segments of the industry to recognize that this bill represents a sound program which can lead to a modern merchant marine.

In a speech to a meeting of the National Defense Transportation Association this summer, I said that regardless of where it came from, a merchant marine program should be placed before Congress and its fate debated and settled in public. Through such a debate the public could learn if there were those who were more dedicated to exercising power than in working out a sound policy.

Here is the program. Now let us see if everyone who has expressed such great concern about the future of merchant marine is prepared to give a little in order to gain a great deal, in order to gain a modern merchant marine.

I will not review the provisions of this bill. A section-by-section analysis of the bill has been inserted in the RECORD.

I would like to point out that the bill is not entirely restricted to merchant vessels. The bill also includes a provision which extends a tax deferred capital reserve fund program presently in effect for subsidized merchant vessel operators to operators of fishing vessels as well as to presently nonsubsidized merchant vessel operators. Tax deferred funds may be accumulated under this program, but they can be spent only for the construction of new vessels. It is my hope that in a small way this provision will encourage modernization of our fishing fleet as well as our merchant marine.

So it is with the introduction of this bill today Congress is given a challenge for tomorrow, a challenge which may well test our mettle as much as the oceans test the skills and courage of the men who go down to the sea in ships. However, I believe we must face and shall face this challenge successfully, for it is of great importance to our national security, in the broadest sense of the phrase, that we have a modern, competitive merchant marine.

Hearings will be held to give interested parties an opportunity to comment on the program, but as Senator MAGNUSON said, our intention is to move as swiftly as possible. Let us get on with building what has to be built.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO MILITARY CONSTRUCTION APPROPRIATION BILL, 1968

AMENDMENT NO. 437

Mr. JAVITS submitted the following notice in writing:

> In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 13606) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes, the following amendment; namely, at the end of the bill insert the following new section:
>
> "The joint resolution of October 5, 1967 (Public Law 90–102), is hereby amended by striking 'October 23, 1907' and inserting in lieu thereof 'November 30, 1967'."

Mr. JAVITS also submitted an amendment, intended to be proposed by him, to House bill 13606, making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

ADDITIONAL COSPONSORS OF CONCURRENT AND JOINT RESOLUTIONS

Mr. CLARK. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Idaho

[Mr. CHURCH], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], and the Senator from Wisconsin [Mr. NELSON] be added as cosponsors of the concurrent resolution (S. Con. Res. 47) relative to the establishment of a United Nations peacekeeping force.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. **BROOKE.** Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Arizona [Mr. FANNIN], the Senator from Ohio [Mr. LAUSCHE], the Senator from Missouri [Mr. LONG], the Senator from Utah [Mr. MOSS], and the Senator from Vermont [Mr. PROUTY] be added as cosponsors of the joint resolution (S.J. Res. 120) to create a Special Commission on Trade and Tariffs to investigate trading policies.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF AMENDMENTS TO H.R. 12080

Mr. **BYRD** of West Virginia. Mr. President, on behalf of the Senator from New York [Mr. KENNEDY], I ask unanimous consent that at the next printing of amendments Nos. 424 and 425 to H.R. 12080, the name of the Senator from Massachusetts [Mr. BROOKE] be added as a cosponsor.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. **BYRD** of West Virginia. Mr. President, on behalf of the Senator from New York [Mr. KENNEDY], I ask unanimous consent that at the next printing of amendments Nos. 411 and 412 to H.R. 12080, the names of Senators CLARK, MCGEE, INOUYE, KENNEDY of Massachusetts, MCGOVERN, HART, and WILLIAMS of New Jersey be added as cosponsors.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ENROLLED BILL SIGNED

The **PRESIDING OFFICER** announced that on today, November 9, 1967, the President pro tempore signed the enrolled bill (S. 1872) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, which had previously been signed by the Speaker of the House of Representatives.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, November 9, 1967, he presented to the President of the United States the following enrolled bills:

S. 62. An act for the relief of Dr. Pablo E. Tabio;

S. 808. An act for the relief of Dr. Menelio Segundo Diaz Padron;

S. 863. An act for the relief of Dr. Cesar Abad Lugones;

S. 1105. An act for the relief of Dr. G. F. Valdes-Fauli;

S. 1109. An act for the relief of Dr. Ramon E. Pyarzun;

S. 1872. An act to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes;

S. 2167. An act for the relief of Dr. Rolando Pozo y Jimenez; and

S. 2192. An act for the relief of Dr. Rafael de la Portilla.

NOTICE OF HEARINGS—AMENDMENT TO S. 1659

Mr. **McINTYRE.** Mr. President, on Monday, November 13, I plan to offer as an amendment to S. 1659 a proposal which would authorize member banks of the Federal Reserve System, subject to the approval of the Comptroller of the Currency and upon appropriate compliance with the provisions of the Securities Act of 1933 and the Investment Company Act of 1940, to establish and operate commingled management-agency accounts and commingled pension funds authorized under the Smathers-Keogh Act. In addition, the amendment would make clear the power of the Comptroller to authorize national banks to establish and to operate common trust accounts.

Mr. President, I have discussed this with the Senator from Alabama [Mr. SPARKMAN], chairman of the Banking and Currency Committee. He has asked me to announce that the committee will meet in room 5300, New Senate Office Building, 9 a.m., November 16, 1967, to receive testimony on the proposal. Those desiring to appear should get in touch with Mr. Lewis G. Odom, Jr., staff director and general counsel of the committee, extension 3921.

PROGRESS TOWARD HOMEOWNERSHIP FOR LOWER INCOME FAMILIES

Mr. **PERCY.** Mr. President, yesterday morning the Housing and Urban Affairs Subcommittee, after months of patient and diligent effort, agreed to report a new omnibus housing bill to the full Banking and Currency Committee, from which I trust it will be promptly reported to the floor of the Senate.

The central theme of the bill acted upon is homeownership for lower income families. To that end, the omnibus bill will subsidize the monthly payments of lower income families to enable them to own homes and cooperative or condominium apartments of their own. Thus an entirely new option will be available to families now eligible only for public housing or rent supplement. It will provide new authority and encouragement to the Federal Housing Administration to insure properties in presently blighted neighborhoods and for families whose credit record would otherwise disqualify them from obtaining FHA mortgages. It will make possible the conversion of 221 (d)(3) multifamily housing to condominium ownership, and the use of section 221(h) for condominium rehabilitation. The bill provides that the Secretary of Housing and Urban Development shall develop with the private insurance industry a plan for insuring lower income homeowners against untimely foreclosure for reasons beyond their control, and report the joint findings and recommendations for action to Congress within 6 months. It would expand the present provisions authorizing sale of public housing to tenants or tenant cooperatives. And it would charter a nonprofit National Home Ownership Foundation to encourage local housing and homeownership programs for lower income families across the country.

I am particularly grateful to the members of the subcommittee for their long and patient consideration of S. 1592, the National Home Ownership Foundation Act introduced and sponsored by 40 Senators, and their decision to incorporate a modified version of it into this omnibus bill. While the Foundation as proposed in this bill departs in some respects from the Foundation as originally introduced, it is nonetheless an important step toward achieving all those original goals, and I encourage every Member of this body to give the omnibus bill his active support when this legislation comes to floor action.

The housing bill reported by the subcommittee yesterday could not have been possible without the leadership of the chairman of the subcommittee, the Senator from Alabama [Mr. SPARKMAN], and the concerned participation of the ranking minority member of the subcommittee, the Senator from Texas [Mr. TOWER]. Much of the credit for inclusion of the compromise National Home Ownership Foundation section goes to the Senator from Minnesota [Mr. MONDALE], who labored with me for many months to develop a compromise agreement that could receive the unanimous support of the members of the subcommittee. This effort was also joined by the senior Republican of the Banking and Currency Committee [Mr. BENNETT] and by Senators PROXMIRE, MUSKIE, WILLIAMS of New Jersey, and MCINTYRE. To them I express my most sincere thanks for all the time and effort they have put in. I must also commend the Senator from Massachusetts [Mr BROOKE] for his insistence that the FHA insure properties in blighted neighborhoods in order that all Americans can share in the benefits of the FHA program. Nor can I overlook the wise counsel I have received from the outset of the original bill from the distinguished minority leader, my senior colleague from Illinois [Mr. DIRKSEN], and from the chairman of the Republican policy committee, the Senator from Iowa [Mr. HICKENLOOPER].

Mr. President, enactment of this omnibus legislation in whatever final form it may take accentuates the beginning of a new era of congressional interest in advancing the cause of equity ownership of housing by lower income families. That cause has already been pioneered by several Members of the other body. Foremost among them is Congressman WILLIAM B. WIDNALL, of New Jersey, who led 112 Members of the House in introducing the National Home Ownership Foundation Act, and who, for many years, has served with great distinction as ranking minority member of the Committee on Banking and Currency and its Housing Subcommittee. Without his vast knowledge and expertise in the area of housing, much of this legislation might well never have been proposed.

Nor can I overlook other Members of the other body who have championed this cause. The distinguished lady from Missouri [Mrs. SULLIVAN] spearheaded the drive in the 89th Congress to enact present section 221(h). Chairman PATMAN and ranking majority member BARRETT have indicated to me a deep and continuing interest in broadening homeownership to more American families. Congressmen REUSS, ASHLEY, and MOORHEAD have introduced useful and thoughtful legislation this year to advance homeownership as have Senators KENNEDY of New York, RIBICOFF, and TYDINGS in this body.

This bill is not presumed to cure all the evils of the Nation's slums. It will not by itself produce a rebirth of our declining rural areas. It will not of itself stop urban riots. It will not do all of the things that desperately need to be done if the lower income families of this country have the fair chance they deserve to win a stake in this country and to share in the benefits of America's affluence.

It is, however, an important step in several critical areas. Furthermore it is a step originated and acted upon by the Congress itself, which chose to act, to positively initiate, to create and not just respond.

The road we must follow is long and difficult. I fervently hope this omnibus bill will be acted upon swiftly by the Congress. I hope it will be improved and refined by this body and by the Members of the other body, wherever changes can be made to strengthen it and further its purpose. With the momentum it may generate, let us hope much more can be done to meet the problems that today so vex and dismay Americans of all races, colors, and walks of life. Modest a step as it is, by this act alone the dream of America shall become a reality for hundreds of thousands of families within the next 3 years and millions of families within a decade who otherwise would be deprived of the stabilizing influence of homeownership.

U.S. TRADE POLICY

Mr. PERCY. Mr. President, the widening dialog on the subject of "U.S. Trade Policy" could be regarded as having taken a constructive turn if it were true that the threat of floor consideration of the full range of pending quota proposals had abated. I have been extremely gratified by the large number of letters I have received from interested parties on both sides of this issue, who are anxious to make it clear that case-by-case analysis of the quota proposals is much preferable to wholesale consideration. Many express the danger that the dialog will deteriorate into protectionist versus free trade rhetoric which will do no good service to industry nor to the general public.

The philosophic considerations of trade barrier reduction versus protection of domestic industry could dominate this discussion. But the use of the quota device by itself should be as much a matter of enlightened national policy and public concern as are tax deductions and social security benefits. It involves issues as fundamental and intricate as truth in lending and truth in packaging. The wholesale adoption of quotas would have distressing implications. It would indicate a real injury which has not yet been convincingly demonstrated. For these reasons I believe a discussion of the quota device and its effects is necessary.

WHAT IS A QUOTA?

A quota is a limitation by government of the quantity of a commodity that is permitted to be imported within a given time period. These "quantitive" restrictions are usually stated in terms of weight, or number, though they may also be stated in terms of value.

There are three types of quotas: absolute, tariff and mixing quotas.

An absolute quota puts a fixed limit on imports from one or all countries. Imports in excess of the government-fixed quota amount are cut off at the border. Metaphorically, this is described as a "guillotine" quota. The absolute quota is the most restrictive of the three types of quotas and in its operation the most disruptive of trade. It is the type of quota almost unanimously sought by the quota bills now pending in the Senate and the House.

An absolute quota can either be global or allocated. A global quota allows an amount of imports to be entered from any supplying country or countries until the permitted limit is reached. An allocated quota, however, assigns shares of the permitted imports to individual supplying countries.

The steel quota bill, S. 2537, provides an example of an allocated quota. It proposes to fix imports among supplying countries, products, and even ports of entry. It would restrict imports in four different ways. First, it would establish a set relationship between imports and domestic consumption based on a representative past period. Second, it would provide that only our traditional steel supplying countries could share in the permitted quota amount, and that their shares would be constant. Third, the bill would freeze the ratio of imports to consumption for individual items in the steel schedules of the U.S. tariff, obstructing natural movements of imports among the various items. Fourth, the bill contains a vague provision giving the Secretary of Commerce discretionary authority to control the quantity of imports at individual ports.

Though presented by sponsors as an enlightened method of trade control, the absolute quota described above would result in total control over steel imports. Trade would be rigidified, with serious economic effects. Government would control that trade, with resulting dangerous political effects.

While absolute quotas are usually imposed by importing countries, they can also be imposed and regulated by the exporting country. Under the long-term arrangement regarding trade in cotton textiles—which was recently renewed in the Kennedy round for 3 years ending October 1, 1970—exports of cotton textiles from about 20 developing countries into the United States are restrained at a level currently running about 10 percent of domestic consumption.

An absolute quota that an exporting country applies to its own exporters is often called a voluntary quota. The cotton textile quota program, which as noted above is applied by exporting countries, was an outgrowth of a series of voluntary quotas. Almost invariably, however, such quotas are not voluntary. For example, the first postwar Japanese voluntary quotas were adopted in 1956 But they were accepted under direct threat of unilateral restrictive action by the United States.

The tariff quota, the second of the three types of quotas, provides that a fixed amount of imports may enter under one duty rate—perhaps even zero—but that imports above that amount must pay a higher rate. Establishment of a tariff quota can have a liberalizing effect on trade, if it represents a movement away from an absolute quota. In our first bilateral trade negotiations under negotiating authority given the President by Congress in 1934, the United States negotiated a number of tariff quotas.

The mink quota bill, S. 1897, envisions a tariff quota limiting imports to 40 percent of domestic consumption. Imports over that amount would be subjected to a tariff rate of 50 percent. The effect of the additional tariff charge would be that of a virtual embargo. Some critics regard it as having the same practical effect as an absolute quota bill, because imported pelts are for the most part of poorer quality than American pelts. Thus, furriers might find it cheaper to compete in the closed U.S. market for U.S. skins of high quality than to pay the new tariff quota duty on the lower quality imported furs.

The third variety of quota, the mixing quota, typically provides that domestic producers must use a certain percentage of domestic raw materials or manufactured components in their final products.

The mixing quota is a device the advanced countries tolerate in underdeveloped countries as a temporary measure to promote economic development. For example, Brazil requires that a certain percentage of the parts used by Brazil-based auto plants be made in Brazil. This encourages the development of a Brazilian auto parts industry.

Though perhaps defensible from the point of view of the developing country, the defense weakens when the mixing quota is applied by industrial economies, as in the Canada-United States Automotive Products Agreement of 1965.

The chief effect of quotas is to disrupt free market forces. This is true regardless of whether the quota is measured as a percentage of domestic consumption, or is a fixed quantity limit.

ECONOMIC EFFECTS OF QUOTAS

Quotas are advocated by their proponents as the best form of help for industries damaged by imports. Both advocate and opponents agree that quotas have pronounced economic effects on the market for the subject item: First, quotas immediately restrict the supply of the imported article; thus, second, the domestic price of the article under quota can increase; and, third, domestic consumption is reduced by the increased cost of the quota-protected product despite a potentially larger market.

Application of a quota is but one way

to isolate a given product from the world market in order to produce the above effects. A tariff can be so used, though it differs from a quota in important ways.

Other trade regulating devices include a wide variety of measures, such as marking and labelling requirements, government buying practices, customs valuation measures, discriminatory indirect taxes, and inspection requirements. All these can be used with prohibitive effects on trade, similar to the effects of a quota. But a quota is the device most often selected by those who wish to limit trade strictly, because it is so effective and because it can be so selectively applied to changing trade conditions.

Quotas have been aptly described by the noted international economist, Gottfreid Haberler, as "a nonconformable type of interference, a foreign substance, as it were, in the body of the free economy which necessarily leads to dangerous ulcerations and suppurations and threatens to weaken or undermine the individualist economy altogether."

Quotas have special disadvantages. By providing a fixed level of imports quotas place a fixed limit on competition. A quota thus allows domestic industries with monopolistic or oligopolistic tendencies to sell well above the international market without fear of the healthy economic discipline of import competition. Under tariff protection, on the other hand, the protected industry can sell only at the world price plus the tariff and other fixed charges.

Historically, global quotas create a disruption of the marketplace at the beginning of the quota period when there is an artificial incentive for the importer to enter as large a quantity of his product as possible before the guillotine falls. In this competitive rush, the bigger importers tend to get the lion's share.

When an allocated quota is applied, a further disruption of the world market occurs. The disadvantages of this disruption are apparent in the cotton textile quota program. In 1961 Japan had an efficient textile industry. When the textile quota program was instituted in that year, Japan enjoyed a major share of our market which became a vested share under the program. Subsequently—and in part because of this insured market in the United States—Japan has become a relatively high-cost producer in relation to other potential sources such as India and Pakistan. If the free market had been permitted to operate, Japan's share of our market would probably not be as large. Poorer, developing countries to whom we give foreign aid, like India, and Pakistan, would be able to sell more to us and thus be able to buy more of the things from us that they need in order to develop economically, and lessen the need for American foreign aid.

As this allocated quota system discriminated among producing countries, it discriminates among importers as well. Administration of a quota system is often accomplished through issuance of licenses up to the quota limit. The question of who gets the license or which importer gets the business, thus becomes a political one.

Government administrators would no doubt make every effort to allocate the licenses fairly, but no such administrative determinations can possibly match the swift, impartial operation of the marketplace. A licensing system based on a representative past period works an injustice. It discriminates in favor of established importing firms and against growing or new firms which have entered the market since the base period. It prevents competition among the importing firms. Though the importers' long-term interests may be opposition to all trade restraints, under the fixed system he suddenly discovers that he has a vested interest in his share of the allocated market.

This discrimination—among exporting countries and among importing businessmen—is inherently opposed to the longstanding goal of American trade policy that world trade should be conducted on a completely competitive basis. The marketplace should give equal trading opportunity to all comers, so that the efficiencies of competition can be realized.

In terms of internal economic policy, a quota necessarily represents a national decision that the protected producer is exempted from responsibility to compete in world markets.

This discussion of the operating effects is by no means complete. But it should serve to illustrate one final point: whether justified or unjustified, quotas are extremely difficult to dispense with. They are a kind of opiate, which, once indulged, becomes too sweet to deny.

POLITICAL EFFECTS

I have previously described how quotas operate to make products more costly, create economic rigidities, protect the favored recipient, stifle the operation of market forces, and create difficult problems of administration.

There are other effects of quotas that are of significant importance to our system of government. First, because quotas are a special measure from one industry to the exclusion of or at the expense of other industries, there is a natural tendency for them to proliferate. It is difficult to withhold from one industry a special favor that has been extended to another. It is more difficult if the economic merits and attendant policy guidelines do not clearly justify the special restrictive measure. The problem must be approached with the care and discrimination that should attend the conferral of a government subsidy, or a franchise.

Second, one industry's subsidy is often another industry's penalty. For example, the steel industry wants quotas for itself, but it opposes the ferroalloy industry's request for quotas, for the steel industry in its consumer role does not want to pay more for the ferroalloys it uses in making steel.

The petrochemical industry apparently wants quotas to protect the market for the manmade fibers it produces. In its consumer capacity, it vigorously opposes the independent U.S. oil industry's request for statutory quotas on oil, because oil quotas would raise the prices of the oil-derived feedstocks the petrochemical industry needs to keep competitive.

Neither a quota or a tariff insulate an industry from all competition. It still must face competition from competing materials within its own market. Just as manmade fibers compete with cotton fibers, so plastic, fiberglass copper, concrete, and aluminum have already begun seriously to compete with steel. Once seemingly protected in a domestic cocoon by a quota, the steel industry can expect renewed pressure from such competing materials, which would likely take advantage of steel's competitive sluggishness to further erode the domestic steel market.

Third, the burden of government oversight that would accompany a government-administered quota system is at best an unhealthy prospect. Already we have seen clearly demonstrated the increasing readiness of the Federal Government to involve itself in the affairs of industry. Decisions that once were accepted as the sole concern of business and were forbidden to government suasion such as pricing policy and investment, are now subject to more and more control by government. Do businessmen, labor representatives, and farmers really want to accept the demoralizing burden of pleadings and representations to government officials who will administer the special favors they seek?

The history of U.S. legislative action on the tariff is quite clear. After the Smoot-Hawley Act, Congress gave to the President the authority to negotiate tariffs. Tariffs should be lowered reciprocally, or they could be raised in emergency situations, but under strict criteria and carefully spelled out administrative procedures. Quotas could be used only as emergency devices to prevent severe damage to American industry.

The history of U.S. tariff law since 1930 makes clear that Congress chose to take itself out of the business of legislating tariff rates and quotas for specific commodities. Congress itself saw that the results were not clearly in the national interest.

In recent years there have been several serious derogations from this tradition, including the cotton textile quotas begun in 1961 and the meat quotas set in 1964. Once the principle that Congress will legislate special quotas for special industries again becomes established, the potential for abuse of the national interest should give us pause. The question is whether the Congress should involve itself with incessant pleas for trade adjustment through legislated quotas or whether the Congress should continue to examine in a cold light the real problems of industry and reinforce and update the procedural framework for redressing legitimate trade grievances.

AT A NEW CROSSROADS

The President's authority to negotiate tariffs has expired. New trade legislation is clearly needed, and it should come. This legislation studied by Congress in its proper committees can provide the opportunity to set procedures which will help industries which have demonstrated trade adjustment problems.

But the recent climate has not been conducive to such rational consideration. After a long hiatus of silence, the administration at the highest levels has turned its attention to foreign trade policy, although—regrettably—these spokesmen have tended to polarize the issues into black and white, protection and free trade, evil and good.

Such oversimplification obscures reality. Where industries have difficult problems caused by foreign trade and where there is a proper role for constructive Government action it is the obligation of Congress to give these problems its full attention and consideration.

We stand at a historic crossroads in American foreign economic policy. The past 30 years have been marked by the progressive opening of the international marketplace to competition and to increased economic activity that has benefited all countries. The United States has been the leader in this progress. We have been among the leading beneficiaries.

At the same time there has been a slow, parallel growth of the use of quotas as "temporary" trade restrictive measures which threatens to balloon to wholesale proportions. Oddly enough, these quota restraints have been applied by the very administrations that have sought at the same time to reduce tariffs and open international markets. The many quota bills now before the Finance Committee of the Senate would completely reverse the momentum toward a freer international marketplace.

It is not enough for this administration vehemently to oppose the quota proposals now before the Finance Committee. While it must reaffirm once more its dedication to the principles of the marketplace and seek to perpetuate those principles in present foreign economic policy, it must do so with responsible attention to industries which may have legitimate problems of trade adjustment. Ignoring these legitimate problems can only result in increased pressures for improper measures of import restriction—such as quotas.

SAFETY REGULATIONS FOR TRANSPORTATION OF NATURAL GAS

Mr. LAUSCHE. Mr. President, in this morning's Washington Post there is published an editorial on the bill which was laid before the Senate last evening, S. 1166, entitled "Safety Regulations for Transportation of Natural Gas."

The purpose of the bill is to adopt Federal regulations which will require that those transmitting gas by pipeline make certain that the pipes are not corroded or broken down, thus endangering the public safety.

The bill, as submitted to the Committee on Commerce, covered what are known as distribution lines and gathering lines. Distribution lines are laid in areas where gas is sent directly into the homes and business places of consumers. Gathering lines are those pipes which are used by the producers in getting gas from the wells and finally into the distributing lines.

Unexplainably to me, the bill was amended so as to exclude the producers of gas. The bill now applies only to the distributors of gas.

I think that a serious mistake has been made. If we are aiming to provide safety to people on the highways as well as in their homes against the dangers that can come from corroded or broken down pipelines, that safety should be provided not only for those living in the neighborhood of the distribution lines, but also for those living in the neighborhood of the gathering lines.

Now the Washington Post editorial:

> The gas pipeline safety bill that comes to a vote in the Senate today needs to be strengthened by the addition of criminal penalties for willful violations by individuals and provisions for covering the so-called "gathering" pipelines.

Among other things, the editorial states:

> The "gathering" lines—the links between well heads and distribution points—were exempted in the bill reported out by the Committee on the mistaken assumption that they are to be found only in very lightly populated rural areas and therefore involve little danger. But in point of fact there are 243 gathering lines in the metropolitan Los Angeles area alone and several that run under the city of Cleveland.
>
> If the Senate is really concerned about protecting the public against gas pipeline explosions and fires, it will strengthen the bill reported out by the Commerce Committee by adding criminal penalties for willful violators and bringing all pipelines under the safety net.

The PRESIDING OFFICER (Mr. BURDICK in the chair). The time of the Senator has expired.

Mr. LAUSCHE. Mr. President, I ask unanimous consent to have 3 minutes more.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, it is a mysterious situation when 63,000 miles of pipelines operated by producers are exempt from this bill.

A dissenting opinion was filed by me, joined in by Senators CANNON, BREWSTER, and HART. I will, at the appropriate time, offer an amendment to include in the bill the gas producers. If they are exempted from this bill, they will have been given, again, the privilege of such richness as they have enjoyed in the past several decades under the depletion principle of taxation.

In due time, I shall offer that amendment.

COMPLAINTS ABOUT AUTOMOBILE INSURANCE INDUSTRY

Mr. MAGNUSON. Mr. President, last week, Consumer Assembly 1967 met in Washington to pool information and ideas on consumer protection among delegates from numerous consumer organizations across the country.

One of the topics featured in the 2-day program was automobile insurance. The assembly heard from both critics and supporters of the present system of accident loss compensation.

As part of the program, my colleagues on the Consumer Subcommittee of the Committee on Commerce, the distinguished senior Senator from Maryland [Mr. BREWSTER], delivered a summary of the complaints about the auto insurance industry that have become familiar to us all.

Senator BREWSTER's speech does a good job of demonstrating what is wrong with auto insurance, and contains some helpful suggestions as well. In the knowledge that this subject is of great concern to the Senate, I ask unanimous consent that Senator BREWSTER's speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

SPEECH OF SENATOR DANIEL B. BREWSTER BEFORE THE CONSUMER ASSEMBLY 1967, NOVEMBER 3, 1967

Mr. Sharp, panelists, ladies and gentlemen, I am extremely happy to participate in this program today.

Since last February, when I joined Senator Dodd in sponsoring the Federal Motor Vehicle Insurance Guaranty Corporation bill, an increasing amount has been said about the faults in our automobile liability insurance system. Considerable pressure has built up in both the House and Senate for some sort of reform.

This trend is most encouraging. As one who comes from a State where tremendous progress has been made in the fair regulation of the insurance industry, I am convinced not only of the existence of a problem, but also that a remedy eventually can be found.

The automobile insurance industry today involves $9.2 billion in annual premiums, 78 million cars, 98 million licensed drivers, and $12.3 billion in annual accident losses.

Small wonder, then, that concern over the operation of the industry is so widespread. All of us, after all, are potential claimants.

The problem before us today encompasses two issues: The need for Federal regulation, and the need to change the underlying tort system for distributing loss.

First, the complaints that suggest a need for regulation on the Federal level. The most widespread of these is a phenomenal rise in cost of insurance to the consumer. As the automobile insurance study of the House antitrust subcommittee points out, while the consumer price index for all items rose 10 points in the period 1960–1966, automobile insurance costs in many places are 30 percent higher than they were in 1960.

Specifically, in Chicago, a family with an 18-year-old son must pay $137 more a year for liability coverage than they did a decade ago. In Los Angeles, it's $85 more, in Buffalo, $75 more.

High rates for those who can get insurance coverage is one problem; but what about those who cannot get coverage, or whose coverage is cancelled? According to the insurance companies and certain State agencies, approximately 10 percent of registered automobiles are covered by no liability insurance at all.

Many of those without insurance have been subject to arbitrary cancellations or have been flatly denied coverage. Some are on the road today with the mistaken impression that they have insurance when actually they have none.

The insurance companies have stated that only one to two percent of auto insurance policies written in a base period have been cancelled or not renewed.

While at first this figure seems insignificant, I suggest it would be more meaningful to measure cancellations and non-renewals against those policies on which claims are filed or paid. If this were done, I believe the percentage would be much higher, for the irony of the situation is that it is just those who are forced to put their policies to use who often find themselves high and dry.

It is when we have an accident that we need coverage. Often the accident occurs after years of faithful payment of premiums. The automobile insurance system works in such a way, however, that the policyholder is often penalized whenever his insurance company is obliged to pay a claim. Sometimes the penalty is a higher rate; other times it is cancellation or non-renewal.

This system tends to start a vicious circle. When a man is refused coverage from a reputable company, he is forced to seek it from a high-risk, or less reputable firm.

Before getting into the question of high-risk companies, however, it is worth mentioning the aura of discrimination that surrounds the issuance of automobile insurance policies.

The October 15 issue of Forbes Magazine repeated a charge that has been made often in recent months: many minority groups find it extremely difficult to buy standard coverage at any price. Negroes are prominent on the list; in fact, it is suspected that insurance companies have "blackout maps," designating areas—especially urban ghetto areas—where they will refuse to write any insurance at all.

This situation has its comic aspects. Clergymen, for instance, are considered high risks because supposedly, they drive with the attitude that "the Lord will provide."

The problem of shoddy financial practices and bankruptcies in the high-risk segment of the automobile insurance industry is widespread and devastating in its effect.

Since 1960, there have been 78 known failures of companies writing auto insurance. These companies were chartered in 22 states, and half of them did business in states other than their home state.

These companies left over a million policyholders without protection.

Let me illustrate what this can mean to a consumer like you or me. A Marylander, the father of three, was involved in an accident which resulted in death to the other driver. This man's insurance company failed—leaving him to pay $32,000 in damages. He had to sell his house. A lien was attached to his salary. And the family of the deceased driver did not get its full compensation, and won't for a number of years.

There have been over 350,000 victims of automobile accidents who have received only partial settlement of their claims because of the failure of the other driver's insurance companies. More than $300 million in claims has never been paid off.

Recently, my secretary told me that her insurance company had gone out of business—without even informing her. As a result, she drove around for months unaware that she had no insurance at all. Had she suffered an accident during this time, she might be paying damages for the rest of her life.

I have received several letters complaining about another company, National Guild Insurance. One man informs me that he purchased a policy in October, 1965, only to have it cancelled in December, 1965, after he had paid $189. In 1966, the company went bankrupt, and because it was a mutual company, this particular policyholder now is being assessed the amount of $351.55. My secretary is being assessed a like amount, no small sum for the unsuspecting consumer.

By court order, in the State of Maryland, some 40,000 to 60,000 policy holders are being assessed one year's premium over four million dollars—due to the insolvencies of the mutual insurance companies they did business with.

High rates, cancellations, discrimination, inadequate claim service, bankruptcies—these are some of the apparent abuses that deserve regulation. We must recognize, however, that they are the symptoms, not the basic ills of the system we are examining today.

Regulation can be accomplished in part by the establishment of a motor vehicle insurance guaranty corporation, which would provide a guarantee, through an agency similar to the FDIC, for all qualifying insurance companies operating in interstate commerce. The bill I have co-sponsored would empower such a corporation to take a close look at the insurance company before giving it clearance for a guarantee.

Last year, Maryland passed a law establishing a motor vehicle liability security fund, which will pay the claims of third parties against persons whose insurance companies have gone bankrupt. The Federal Guaranty Corporation would go farther than this—it would pay the claims of insurance policyholders, in addition to those of third parties, in the event of a bankruptcy. This is an additional step I believe we must take.

The larger issue of our negligence-claim system will require a far more detailed probe than has been undertaken to date. As Forbes magazine and others have stated, the system is the true villain. It is wasteful and inadequate to the needs of our population.

In view of the magnitude of the insurance industry, we cannot fairly diagnose its faults without embarking on a massive study. It is my hope that such a study will be made at the highest level of government. The Department of Transportation is looking into this right now.

Also, beginning next winter, Congress will hold hearings on the automobile insurance industry, and thereby make a public examination of the many complaints we have received.

There is much we need to know. We need to know more about the effectiveness of existing State regulation; we need to know more about the varieties of abuses that I have spoken of today, and we need to know how the automobile insurance industry can be reformed to serve the needs of the consuming public better than it is doing today.

Thank you.

SELF-HELP FOR DEVELOPING NATIONS

Mr. HART. Mr. President, approximately 10,000 persons died from hunger this year in the state of Bihar, India. Accurate statistics are not available, but reports indicate that between 12 and 35 million Indians are bordering on starvation. India's former Minister of Agriculture, Mr. Subramaniam, in a speech here in Washington on October 17, 1967, said that between 35 and 40 percent of all Indian school-age children suffer some brain damage because of a diet deficient in protein. These are horrible indications that what the experts have been telling the Congress is coming true. For years we have been told that immediate action must be taken to forestall a famine of massive proportions which would affect hundreds of millions, possibly even billions, of persons by the early 1970's.

While these thousands are starving in India, and thousands more throughout the underdeveloped countries of the world, there is an almost unbelievable waste of a natural resource which could meaningfully and almost immediately assist them. In the oil-producing countries of the Mideast, almost 2 trillion cubic feet of natural gas is flared or burned off each year. But modern technology can economically convert this wasted natural resource into ammonia and its derivatives, the basis of a mixed fertilizer.

Recently I visited several countries in Asia. I saw the desperate need of these people. Certainly, I am no expert on the production of fertilizer, but last year on October 12, the Senator from South Dakota [Mr. McGOVERN] directed our attention to the vital necessity of increasing food production, particularly for India. Concurring in his suggestions at that time, I strongly recommended that Congress take action along these lines. On February 6, 1967, Congress received the President's message recommending that steps be taken in an international effort in the war against hunger. He stressed the need for programs which would reduce the level of food aid as self-help measures developed. The President said:

> No single nation or people can fulfill this common obligation. No nation should be expected to do so. Every country must participate to insure the future of all. Every country that makes a determined effort to achieve sufficiency in food will find our government, our technical experts and our people its enthusiastic partners. The United States is prepared to do its share.

This country has demonstrated this willingness over and over. The Marshall plan helped to reestablish a devastated Europe. More recently we have seen remarkable progress and economic stability developed in Taiwan and South Korea. Taiwan has almost been made completely self-sufficient because of the introduction of fertilizer and other self-help programs. Taiwan no longer is dependent on AID funds for its survival. Very soon South Korea will be free of its dependence on AID funds.

The administration is taking steps to assist India and to encourage other nations in the long-range development of a systematic and international approach to the problems of Indian agriculture. The United States also is engaged in an immediate effort to help India with its present needs for food. However, I am disturbed because a full year has gone by and no action has been taken on Senator McGOVERN's proposal.

King Hussein of Jordan is in Washington this week to discuss the problems facing his country and that of the other Arab nations. Clearly this is an opportune time again to suggest a proposal which would have far-reaching effects, both for Jordan and the other Arab nations. In fact, meaningful negotiations to establish a multinational corporation which would produce a mixed fertilizer at a location on the Gulf of Aqaba could aid not only in economic but political stability for the troubled Middle East. Certainly it would be a starting point which would have attractive advantages to all the parties in this distrubed area. Jordan has rich deposits of phosphates and potash, two of the ingredients of fertilizer Israel is mining and developing the phosphates of the Dead Sea. Facilities to convert the natural gas—which is now being burned at a rate in excess of 5 billion cubic feet per day—into ammonia at a location contiguous to the phosphate and potash would bring to India and to all of Asia a vast supply of fertilizer at the most economic price. This program would be attractive to India not only because it would supply the needed fertilizer, but India has manufacturing capabilities which would enable her to produce probably 50 percent of the industrial complex and thereby qualify as a full partner in the multinational development. An even more attractive feature of this proposal is that India has millions of rupees in counterpart funds which could be used to finance her part of the development.

To sum up this proposal, a feasibility study should be made to determine how a major pilot project could be established on the Persian Gulf to convert the natural gas of the oil-producing countries into ammonia. This could be combined with the phosphates and potash of Jordan and Israel and subsequently made available to the developing countries of Asia. The United States must take the lead in such a project by providing financial and technical assistance.

Hunger in the poor nations, long ignored by the rich, is increasing. And the world is getting an early preview right now of the food crisis that was supposed to be two decades off. The time for action is right now. If we took steps to put this proposal into being today, it would be at least 2 years before any meaningful results could be achieved. The longer we wait, the more costly it will be to meet the situation in the 1970's—both in terms of human suffering and in dollars required to help relieve it.

The serious considerations of solutions to the food problem in Asia cannot be shoved aside or delayed. The political and nationalistic antagonisms of the Middle East should certainly be transcended by humanitarian needs. The President very pointedly called attention to this when he said:

> The first obligation of the community of man is to provide food for all of its members. This obligation overrides political differences and differences in social systems.

All of the present plans, efforts, and programs should continue in an effort to reach the long-term objectives. However, this program should be an additional effort undertaken at the earliest possible moment.

The national interest of this Nation, and indeed the national security, will be served by our taking affirmative action to implement the use of these natural resources in the name of humanity. We must not wait until the 1970's to act, for the world by that time could face a more terrible disaster than any in the history of man.

THERE IS MUCH MORE THAT IS RIGHT

Mr. BOGGS. Mr. President, we are so well aware of the problems the Nation faces—of the goals we have yet to reach—that it is easy to forget how far we have come.

Also, we hear so much criticism of our Nation by citizens of other countries that we tend to overlook the fact that we do create favorable impressions on many of those who examine us closely.

This first point is covered in an editorial published on November 2 in the Morning News of Wilmington, Del.

The second is evident from reports I have seen which Irish teachers wrote after participating this past summer in an Irish international teacher development program at the University of Delaware.

These teachers comment favorably on our education system, on our family life, and on the general friendliness of our people.

One teacher wrote:

> Prior to my American trip I was under the impression that in such an affluent society there would be an almost universal unconcern for the poor and deprived people; that human and social problems would be literally "swept under the carpet." How wrong I was! Those with whom I came in contact, and I made it my business to interview a cross section of the community, were very much aware of the plight of their less fortunate countrymen and quite a number of them were actively engaged in trying to alleviate the sufferings of the underprivileged.

Another report noted:

> My previous concepts of American life have been substantially changed. One of the chief popular sources in Ireland of information on American life is the movie and unfortunately the type of life portrayed in these imported movies is generally a superficial and disinteresting one.

My point is that on one hand things are not as dismal as they sometimes seem, and on the other we tend to make a better impression of foreign observers than we would suppose from the amount of American criticism we see and hear.

I ask unanimous consent that the editorial, entitled "There's Much More That's Right," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Wilmington (Del.) Morning News, Nov. 2, 1967]

THERE'S MUCH MORE THAT'S RIGHT

An American sailing for home after a two year sojourn in Europe was reported by the New York Times the other day as a "reluctant" returneee. News dispatches reaching the continent, a disturbing melange of protest, disorder, civil outrage, crime, pickets, poverty and campus carryings on have conveyed an impression that the life in the U.S.A. has reached disaster levels and that our national resources have been dissipated beyond repair.

Well, now. Our traveler, once he has had time to look around, may wonder just how he got any such idea of imminent calamity. A sober look at the facts will offer substantial reassurance. If there is much that needs correction in the U.S., there is much that is right and much for which we can give thanks.

Unemployment has fallen to a new low of 4 per cent and among married heads of families, an astonishing 1.8 per cent. Even the rate for Negro adult males, an area which has caused wide concern, was reported as 3.8, an historic low.

If, after so many years, such accomplishments are taken for granted, let it be remembered that joblessness is the reef on which many nations have foundered and many a free society enslaved. Our industrial establishment is productive, vigorous and endlessly innovative.

Noisy recalcitrants on college campuses to the contrary, the nation now supports the largest student body ever assembled in institutions of higher learning—with a larger proportion of students going to college than was ever believed possible. If teachers cry loudly in some areas for higher pay, millions of kids are attending classes; if here and there we are dissatisfied with educational quality, it still ranks far beyond that offered in most of the world.

If our facilities for medical care have their deficiencies, they are still the best and most extensive in the world and our life expectancy rises continually to levels unheard of a quarter century ago.

The objectionable abuses of traditional public expression, whether at the Pentagon, at Berkeley or elsewhere are after all the work of a miniscule minority. America's saving characteristic in all kinds of rough weather has been its invariable movement toward the center. There is ample evidence that this motion, rejecting extremes and censuring violators is still operative.

America, happily, has been singularly free of the extra-legal approaches which are commonplace in a Europe inured to coups, general strikes and popular uprisings such as that which threatened France in 1958 when De Gaulle came to power. Here the democratic processes prevail and in no other country is government so responsive or so attentive to popular will.

Our traveler will see, as he studies the whole record, that the alarms which dismayed him abroad are in many areas the product of rising aspirations, of goals that can be in sight only because our earlier aims have been so abundantly fulfilled. Others represent the articulated chorus of avowal that is after all an American tradition. And still others are simply the exhibitionistic fringe of the social misfits.

It is unfortunate that the privileges we Americans enjoy distort the image of our national condition. Residents as well as disturbed expatriots will do well to look beyond the shadow into the substance.

TEXANS WRITE ABOUT TAXES

Mr. TOWER. Mr. President, a week ago the President appealed to the people of the United States to write to their Congressmen in support of his desire to place a 10-percent surcharge on income taxes. I can report today that the President's speech certainly did stir up a sizable flow of mail from Texas. And, while that flow is continuing, I think an interim report is in order today.

I have been receiving between 40 and 50 letters about taxes each working day. So far I have received two from Texans who want their Federal taxes increased. I have, however, gotten a total of three from constituents who will accept a tax increase if Federal spending is cut.

To be perfectly fair, I should mention also that I have received more than 150 letters in the last week which oppose a tax increase without mentioning the President's request for letters to Congress. And, through today's mail, I had received 57 anti-tax-increase letters addressing themselves specifically to the President's appeal. I would like to share with the Senate some of the views from those 57 letters:

> "The President has requested that I write you and, as he put it, 'apply pressure'. I'm not sure how I should apply pressure since I don't believe in rioting, looting, burning, sitting-in, lying-in or even loving-in. Just vote no."
>
> "L. B. J. asked me to write you. I feel that reduced Federal spending and not increased taxation is the answer to inflation."
>
> "With reference to the President's plea, I oppose it very strongly."
>
> "A tax increase is merely a stop-gap proposal which fails to get to the heart of the problem."
>
> "This is not answer to our country's financing dilemma."

"It would not help fight inflation, since the government wants to spend the money."

"L. B. J. must think all the people are fools."

"The President wants my feelings expressed to you 'loud and clear.' I'm against it."

"This government by concensus and taxation is not very good."

"Let him cut his spending."

"Do not add to our already heavy tax load."

"I can pay the tax, but I have friends whose take-home pay just will not be adequate."

"I am unalterably opposed, period."

"By all means vote against more taxing of working people."

"Frankly, I am against his proposal."

"Any tax increase not used to retire debt can only add to consumer expenditures, subtract from savings and result in more inflation."

"My views are opposite to his."

"Defeat L. B. J.'s tithe."

"We don't need more taxes. We need less taxes, less waste and less baloney."

"People are taxed to death and are sick and tired of it."

"He shouldn't think the taxpayer is a happy slob content to have his earnings always diluted."

"I was asked to write you. So be it. Vote 'No.'"

CHINESE AGGRESSION: OFT REPEATED MYTHS

Mr. GRUENING. Mr. President, to bolster the ever-increasing U.S. military involvement in Vietnam, administration spokesmen have, from time to time, raised the specter of the aggressive, Communist China, armed with nuclear weapons, determined to conquer and keep under its subjugation the rest of the world.

On April 17, 1965, in his now famous Johns Hopkins speech, President Johnson said:

> Over this war—and all Asia—is another reality: the deepening shadow of Communist China. The rulers in Hanoi are urged on by Peiping. This is a regime which has destroyed freedom in Tibet, which has attacked India, and has been condemned by the United Nations for aggression in Korea. It is a nation which is helping the forces of violence in almost every continent. The contest in Vietnam is part of a wider pattern of aggressive purposes.
>
> Why are these realities our concern? Why are we in South Vietnam?

More recently, at his news conference, Secretary of State Rusk put the yellow menace in the following words:

> Within the next decade or two, there will be a billion Chinese on the Mainland, armed with nuclear weapons, with no certainty about what their attitude toward the rest of Asia will be.
>
> Now the free nations of Asia will make up at least a billion people. They don't want China to overrun them on the basis of a doctrine of the world revolution.

Mr. Oliver M. Lee of the political science department of the University of Hawaii has written a most illuminating article in the Nation for November 6, 1967, entitled "The Myth of Chinese Aggression" in which he totally destroys the image of a militarily aggressive Communist China ready to send its troops across the borders of all the nations of Southeast Asia on a bloody crusade of conquest.

Those supporting the theory of an aggressive Communist China cite four instances of Communist China's military action: Tibet, Korea, and India and the threats to Taiwan.

Mr. Lee analyzes each of these instances and comes to the conclusion that—

> If aggression be defined as the initiation of military attack by one sovereign state against the territorial integrity of another sovereign state, Communist China did not commit aggression or plan aggression in any of the cases just mentioned.

With respect to Tibet, Mr. Lee cites the fact that "for 250 years no government in the world has recognized Tibet as an independent nation" and cites a note sent to the British by the U.S. Government as far back as 1943 in which it was stated:

> The Government of the United States has borne in mind the fact that the Chinese Government has long claimed suzerainty over Tibet and that the Chinese constitution lists Tibet among the areas constituting the territory of the Republic of China. This Government has at no time raised a question regarding either of these claims.

Mr. Lee reminds his readers that Chiang Kai-shek supports Communist China in its claims to sovereignty over Tibet.

As for Korea, Mr. Lee points out that China did not enter that fight until "the United Nations forces under General MacArthur's command were approaching the Chinese border at the Yalu River" and concludes that—

> The circumstances were such that China was acting to avert a serious threat to its national security, and that such action proves absolutely nothing about the existence of territorial ambitions or other expansionist aims.
>
> Taiwan—

Mr. Lee notes—

> has been part of China from 1683 to 1895, when it was ceded to Japan by the defeated and tottering Manchu dynasty. Decades later, at the Cairo Conference of 1943, Roosevelt, Churchill and Chiang Kai-shek agreed that "all the territories Japan has stolen from the Chinese, such as Manchuria, Formosa and the Pescadores, shall be restored to the Republic of China.

Discussing the border dispute between Communist China and India, Mr. Lee notes:

> The disputed areas do not clearly belong to either India or China; but China's claims are at least as good as those of India . . . all official British maps of British, India, prior to 1914, show the presently disputed Himalayan region to be within China. Britain in 1914 unilaterally claimed that region, but not until 1937 did it have the audacity to change its maps accordingly.

It is essential that the people of the United States bear these facts in mind as they seek to evaluate the administration's attempts to link the increased U.S. military involvement in Vietnam as an attempt to offset "the specter of the yellow peril, in Red garb."

I ask unanimous consent that the article by Mr. Oliver M. Lee entitled "The Myth of Chinese Aggression," appearing in the Nation for November 6, 1967, be printed in full in the RECORD at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Nation, Nov. 6, 1967]

THE MYTH OF CHINESE AGGRESSION

(By Oliver M. Lee)

(NOTE.—Mr. Lee, who is a member of the Political Science Department of the University of Hawaii, is completing a book on the general subject of the present essay.)

Unable to defeat the incredibly tenacious guerrillas in South Vietnam, the Johnson Administration in February, 1965, carried the war to North Vietnam through systematic air attacks, on the pretext that the Vietcong were controlled by Hanoi, which therefore was more truly the enemy to be subjugated. But even this enemy's "aggression" was viewed as only the surface manifestation of a much more powerful menace. Specifically, President Johnson in his 1965 Johns Hopkins speech claimed to perceive, hovering over the Vietnamese War and all of Asia, "another reality: the deepening shadow of Communist China." More recently, of course, Secretary of State Dean Rusk has taken the same line.

The image of a ruthless, irrational and aggressive Chinese Communist regime had been peddled in the United States from the beginning, mostly by private and Congressional sources rather than by the Administration. But by 1965, the Administration itself deemed it necessary to fan the flames of anti-Chinese Communist hysteria. The identification of China as the main enemy now serves the same function in the Vietnamese War as our allegations of North Vietnamese aggression had done earlier. In each case the alleged existence of a newer, larger, more real enemy provides an excuse for our inability to crush the initial, smaller enemy. In each case, furthermore, the increasing villainy of the "real" enemy provides a justification for turning our wrath and firepower upon him. In the case of North Vietnam, this has already been done; in the case of China, only time will tell whether the United States will choose that terrifying option.

The specter of the yellow peril, in Red garb, being deemed useful by the Johnson Administration, the publication in September, 1965, of an article by China's Defense Minister Lin Piao titled "Long Live the Victory of the People's War!" was most opportune. Although most of his points had been made by Peking often before, this was the first major foreign policy statement by Lin Piao in his six years as Defense Minister. The article was vitriolic in its condemnation of U.S. imperialism. It repeated some of Mao Tse-tung's vivid phrases, such as "political power grows out of the barrel of a gun" and "all reactionaries are paper tigers," and vigorously encouraged resort to revolutionary violence, people's war, and even world revolution.

It so happens that all of Lin Piao's references to justifiable violence dealt with autonomous and self-reliant revolutionary movements within nations, particularly in Asia, Africa and Latin America. Not a single sentence by Lin Piao can be construed as threatening Chinese military action aimed at the "liberation" of the people of another country. But the American Government was not to be denied its opportunity to hang a picture of an expansionist China on the slender pegs of militant Chinese words twisted and taken out of context. Thus McNamara smeared Lin Piao's article by crisply declaring: "It is a program of aggression. It is a speech that ranks with Hitler's *Mein Kampf.*" Dean Rusk chimed in by allowing that Lin's article "is as candid as Hitler's *Mein Kampf.*" Not content with linking China with the horrors of Nazi aggression in Europe, McNamara went so far as to warn the European members of NATO that "they should plan now to meet a Chinese Communist threat to their own security within five years."

True, some U.S. officials will concede that China's militancy is in support of indigenous revolutions in the underdeveloped world rather than a threat of military invasion. Assistant Secretary of State William Bundy, contradicting his superior, said that "to describe these objectives as deeply expansionist is by no means to paint the picture of another Hitler." Rather, he held, Peking aims at "the instigation and support of movements that can be represented as local movements, designed to subvert and overthrow existing governments." Yet Bundy could not resist prognosticating that China would use conventional military forces in its expansionist efforts "if it were required," and he reminded his audience of China's "threat" against India. He thereby conveyed the idea that old-fashioned military aggression, though not the preferred method, is nonetheless one of the instruments of Chinese foreign policy.

"Aggressive statements" by the Peking leaders, then, are one of Washington's main justifications for expressing concern about the possibility of future Chinese aggression, and for maintaining a policy of containment. "We should take the Chinese Communists at their word," admonishes McNamara. A Defense Department pamphlet for "information and education" puts it in zoological terms: "We *would* not ignore the buzz of a rattlesnake! . . . We *must* not ignore the roar of the dragon!" I shall take up in a moment the content of Peking's militant propaganda.

Another major reason for American fear of the yellow hordes is an alleged record of actual Chinese Communist aggression over the past eighteen years. Specific cases usually cited are those involving military action against Tibet, Korea and the Sino-Indian border, and threatened action against Taiwan. Such extrapolation from a series of past aggressions is sound in principle, but it becomes worthless if the premise of past aggressions is false, which is demonstrably the case.

The truth is that if aggression be defined as the initiation of military attack by one sovereign state against the territorial integrity of another sovereign state, Communist China did not commit aggression or plan aggression in any of the cases just mentioned. I make this assertion on the basis of evidence available but little known in the United States, and by the application of fundamental principles of international law. Following is a brief analysis of each actual or potential crisis.

Tibet. This vast plateau came under Chinese suzerainty in 1720, and in terms of international law has been part of China from that time to the present. This is true despite the fact that between 1911 and 1950 successive Chinese central governments were too weak actually to control Tibet; during those years, it should be recalled, many other regions of China were ruled by warlords who were also independent of the central government. For 250 years, no government in the world has recognized Tibet as an independent nation. As for the United States, in 1943 the State Department succinctly reminded the British that "The Government of the United States has borne in mind the fact that the Chinese Government has long claimed suzerainty over Tibet and that the Chinese constitution lists Tibet among the areas constituting the territory of the Republic of China. This Government has at no time raised a question regarding either of these claims." Even India, the one nation which, besides China, has the greatest reason to be interested in the legal status of Tibet, in 1954 concluded a treaty with Peking on "Trade and Intercourse Between Tibet Region of China and India." It might be added that our Nationalist allies on Taiwan are every bit as adamant as the Communists about China's title to Tibet.

The People's Liberation Army did enter Tibet in 1950 and did use force to put down sporadic rebellion there. There is no doubt that the Peking government has drastically uprooted the feudalistic social and economic structure of Tibet, replacing it with the Socialist system that prevails in the rest of China. Social revolution of such intensity inevitably brings about much dislocation and suffering, and one's judgment of whether such revolution represents progress or whether the progress is worth the price depends on one's value system. But a negative judgment of the revolution does not entitle one to label as military aggression the advent of the Chinese Revolution in a region that has long been internationally recognized as an integral part of China. Federal troops enforcing the Constitution in Mississippi must similarly be absolved from any charge of aggression.

Korea. Five months after the outbreak of the Korean War in 1950, as the United Nations forces under General MacArthur's command were approaching the Chinese border at the Yalu River, 300,000 Chinese troops astounded the world by entering the war. They smashed through the center of MacArthur's line, and in a matter of weeks pushed the UN forces out of North Korea and south of the 38th Parallel. Thereupon the General Assembly, by overwhelming majority vote, declared Communist China an aggressor.

From the legal standpoint, this charge of Chinese aggression would be well founded if—but only if—it could be established that North Korea, the recipient of Chinese assistance, had committed aggression in the first place. This cannot be done. The proposition that North Korea initiated the military action resulting in the Korean War has been widely accepted in the non-Communist world on the assumption that an impartial United Nations commission happened to be on the scene and witnessed the outbreak of the war. In reality, the UN field observers had traveled along the 38th Parallel from June 9 to June 24, returning to the capital one day before the alleged North Korean aggression, which they therefore did not witness. The initial cable from the commission, reporting an attack by North Korean forces, was based purely on allegations by the South Korean government.

In view of South Korean President Syngman Rhee's frequent threats to unify Korea by war, and MacArthur's promise to him in 1949 to "defend South Korea as I would defend the shores of my own native land," the alternative hypothesis of a South Korean military attack with the aim of provoking a strong counterattack is plausible. And what are we to think of John Gunther's report that at MacArthur's headquarters the first words on the war, uttered by an "important" official, had been: "A big story has just broken. The South Koreans have attacked North Korea!"?

Another problem lies in the fact that North and South Korea were legally one nation rather than two, and that therefore any military action between them, initiated by whomever, constituted civil war, to which the concept of international aggression is not applicable. Korea is one nation not only in historic, cultural and ethnic terms but in 1950 was viewed as one nation even by the two Korean regimes and the two postwar military occupation powers (the United States and Russia), and by the UN General Assembly. Each Korean government has claimed to be *the* government of all Korea, the Southern claim being reflected in the fact that in the May, 1950, legislative election in South Korea, one-third of the seats were kept vacant, to be filled by future delegates from the North.

If North Korea cannot be shown to have committed aggression, it follows that China was not an accomplice thereto. But even assuming, for the sake of discussion, that Peking did commit aggression in this case, I submit that the circumstances were such that China was acting to avert a serious threat to its national security, and that such action proves absolutely nothing about the existence of territorial ambitions, or other expansionist aims.

No government worthy of the name would, under similar circumstances, have failed to come to the rescue of a friendly buffer region that was in the process of being eliminated by the most powerful nation on earth—a nation which also contained influential factions extremely hostile toward the government in question. The depth of such hostility in the United States was revealed when Secretary of the Navy Francis Matthews, on August 25, 1950, advocated "instituting a war to compel cooperation for peace. . . . We would become the first aggressors for peace." *The New York Times*'s military analyst reported that Matthews' speech was a "trial balloon" backed by Secretary of Defense Louis Johnson, "who has been selling the same doctrine of preventive war in private conversations around Washington."

It is true that Johnson resigned soon after this report, and that Truman exerted strong influence, both before and after China's crossing of the Yalu, against expanding the war into China. But Peking had no guarantee that in the power struggle in Washington the "hawks" like MacArthur, Dulles and Louis Johnson would not gain control. A Korea unified through American military power, with the supine acquiescence of China, would have constituted a powerful link in the chain of encirclement the United States was engaged in forging against China.

Taiwan. Here the problem is not the waging of actual warfare but Communist China's implied assertion that it has the right to use force to gain control of Taiwan. "By all suitable means at a suitable time" is Peking's way of putting it.

Taiwan has been a part of China from 1683 to 1895, when it was ceded to Japan by the defeated and tottering Manchu dynasty. Decades later, at the Cairo Conference of 1943, Roosevelt, Churchill and Chiang Kai-shek agreed that "all the territories Japan has stolen from the Chinese, such as Manchuria, Formosa and the Pescadores, shall be restored to the Republic of China."

In practice, the island was returned to the Middle Kingdom when Chinese Nationalist troops accepted the surrender of the Japanese garrisons, so that in 1950 Secretary of State Dean Acheson was able to report: "The Chinese have administered Formosa for four years. Neither the United States nor any other ally ever questioned that authority and that occupation." The U.S. officially continues to regard Taiwan as part of China, as does the Chiang Kai-shek government in its vain attempt to play the role of *the* government of China and the protector of its territorial integrity.

If Taiwan is acknowledged to be part of China, it follows that the government of China, on the basis of the principles of national sovereignty and territorial integrity, has the legal right to use force to unify Taiwan with the mainland; whether Peking will actually do so remains an open question. As for those, like the United States Government, who refuse to accept the legitimacy of the Peking government, the only alternative to such acceptance is to regard the Chinese Communists as a rebellious faction trying to replace the legitimate "national" government located on Taiwan. And even such an interpretation cannot be used to bolster a charge of aggression, as there is nothing in international law which prohibits rebellion or revolution, forceful or otherwise.

The Sino-Indian Border. Twenty thousand Chinese troops in October, 1962, poured southward through the Himalayan Mountain passes, and within thirty days penetrated 85 miles behind Indian front-line positions. *The Washington Post*, in an editorial titled "World War III?" ventured that "perhaps no aggression since World War II holds so large a threat to the peace, safety, independence and security of other lands." *The New York Times* feared that the Chinese action "could engulf India and menace all Asia and the world."

Before the ink was dry on that editorial, Peking announced a unilateral cease-fire and promised to pull its troops back to their original positions north of the Himalayan crest. *The New York Times* found this "startling and puzzling in the extreme," as well it might, having twenty-four hours earlier reminded its readers that India was once conquered by Mogul emperors descended from Genghis Khan and Tamerlane, and asserted that "any Communist rule would be far more brutal than theirs."

Did the Chinese military action, temporary though it was, constitute a "brutal invasion," as Nehru cried? A "naked and large-scale aggression," as Defense Minister Krishna Menon asserted? To answer these questions requires some background in the diplomatic history of the border dispute.

The respective claims to the border areas between China and India are of mixed validity. On the basis of old maps, old treaties, administrative history and other technical aspects, the disputed areas do not clearly belong to either India or China; but China's claims are at least as good as those of India. To cite just one type of evidence favoring the Middle Kingdom: all official British maps of British India, prior to 1914, show the presently disputed Himalayan region to be within China. Britain in 1914 unilaterally claimed that region, but not until 1937 did it have the audacity to change its maps accordingly.

Peking's basic position has been that no valid treaties exist for defining the boundaries between the two countries, and that therefore a treaty should be negotiated. U.S. Secretary of State Christian Herter in 1959 tended to support the Chinese in this by saying: "The border, as you know, has been for many years pretty ill defined." India's attitude, in contrast, was that it knew exactly where the boundaries were, that no negotiations were necessary, and that Chinese troops were sitting on part of Indian soil and should remove themselves.

Since the Chinese considered that same area to be theirs, they saw no need to leave, unless as a result of a negotiated border treaty. India thereupon embarked on a prolonged military campaign, in which it boasted of having "reclaimed" 2,500 square miles from the Chinese north of the Karakoram Range. The Indian troops accomplished this by means of marching up to the Chinese frontier posts and occupying them after Mao Tse-tung's troops, in every single case, pulled back without a fight.

It is these facts which led Congressman Sikes of Florida to ask General Maxwell Taylor, then chairman of the Joint Chiefs of Staff, in a Congressional hearing in February, 1963: "Let me talk about the Red China and the Indian operation. Did the Indians actually start this military operations?" To which Taylor replied: "They were edging forward in the disputed area; yes, sir." At this point the testimony was censored out of the public transcript.

The "edging forward" by Indian troops occurred not only in the western corner of India's frontier with China but also in the eastern corner where the New Delhi government asserted the validity of the McMahon Line. Peking, while denying its validity, was willing to respect that line provisionally, pending a negotiated settlement. But Indian troops, in places, penetrated even to the north *that,* on the ground that "blind adherence" to the McMahon Line was not as proper as seeking out a border conforming to the "principles" that Sir Arthur Henry McMahon had in mind when drawing the line in 1914. These two types of penetration, backed up by Nehru's order of October 12 to push the Chinese out of all "Indian territory," constituted the provocations against which China retaliated.

Such, then, has been Communist China's behavior in terms of major military action carried out or contemplated. Its behavior in the propaganda realm, which is also used in an effort to prove Chinese Communist expansion, has likewise been grossly distorted in the non-Communist world, and even in the Soviet orbit.

To revert to Lin Piao's 1965 article, for example, while it is true that he urged the violent overthrow, through "people's war," of explosive systems in Asia, Africa and Latin America, he did not threaten to use Chinese troops to this end. On the contrary he has a section, titled "Adhere to the Policy of Self-Reliance," in which he points out: "The liberation of the masses is accomplished by the masses themselves—this is a basic principle of Marxism-Leninism. Revolution or people's war in any country is the business of the masses in that country and should be carried out primarily by their own efforts; there is no other way." Interestingly enough, McNamara, in his 1966 testimony before the Senate Armed Services Committee, inserted 3 pages of excerpts from Lin Piao's article, but omitted any reference to this self-restricting aspect of Peking's foreign policy.

It is often asserted in the West that the Chinese Communists regard world war to be inevitable. From this it is inferred that Peking is dangerous because it thereby acquires an incentive to choose the right circumstances to set off a world conflagration. The truth is that Peking agrees with Moscow that "the Communists must work untiringly among the masses to prevent underestimation of the possibility of averting a world war." Do the Chinese Communists desire world war, as it is often asserted? Peking says, "No Marxist-Leninist has ever held or ever will hold that revolution must be made through world war."

But, it may be asked, is it not a fact that the Chinese Communists have said in so many words that "wars are inevitable"? So they have, but not world war. What about lesser wars between nations? Peking again agrees with Moscow that "it is possible to combat effectively the local wars started by the imperialists and to stamp out successfully the hotbeds of such wars." But what they do regard as inevitable are revolutionary and counterrevolutionary wars, anti-colonial wars and "imperialist wars of suppression against colonies and semi-colonies," as long as capitalism exists. Among these types of wars, Mao and his colleagues of course favor revolutionary and anticolonial wars, but this in no way represents an announced Chinese policy to expand, to invade, to conquer, to rule or to dominate, either before or after a successful revolutionary or anti-colonial war. What they have announced, instead, with regard to about forty non-Communist nations, is that "it is absolutely impermissible and impossible for countries practicing peaceful coexistence to touch even a hair of each other's social system." With many of these, particularly with the neutralist nations closest to China, and therefore, the most easily "dominated," such as Afghanistan, Pakistan, Nepal, Burma and Cambodia, Peking has in fact signed treaties incorporating the "five principles of peaceful coexistence," thereby committing itself not to interfere with the territorial integrity and sovereignty of the smaller nation. Treaty commitments do not necessarily reflect actual behavior, and Prince Sihanouk's recent charge of "extraordinary interference" by Communist China in Cambodia's affairs bears watching in this regard. But we are dealing here with the allegations that Peking, in a manner as frank as that of Hitler's, has announced a program of aggression, domination, etc. Demonstrably it has not.

One final canard is the charge that rulers of China regard nuclear war as inevitable and indeed desirable, and that they are ignorant of the destructive power of nuclear weapons. What Peking actually says is that "the complete banning and destruction of nuclear weapons is an important task in the struggle to defend world peace." They acknowledge that "nuclear weapons are unprecedentedly destructive." And we have it on the authority of Morton H. Halperin, a foremost American expert on Chinese nuclear strategy, writing in *China and the Bomb,* that "the Chinese have never claimed that nuclear war is inevitable."

Though regarding such a war as avoidable and as highly destructive, have not the Maoists nevertheless boasted of a readiness to start a nuclear war on the ground that, on balance, capitalism would be damaged more than communism? The answer is, again, No. On the occasion of China's first nuclear explosion, in October, 1964, Peking sent a letter to all governments in the world, stating: "The Chinese Government solemnly declares that at no time and in no circumstances will China be the first to use nuclear weapons." Washington, in contrast, has persistently refused to make a similar pledge, and has rejected Peking's call for prohibition of nuclear weapons as a "smoke screen."

In the absence of Chinese Communist threats to use either conventional or nuclear power to impose its domination on any other country, it is nonsense for the Defense Department to invoke the image of "the buzz of a rattlesnake." With the Chinese leaning backward to make legal and political commitments, on a reciprocal basis, to respect the sovereignty and territorial integrity of other nations, conjuring up the image of a roaring dragon is simply another Establishment attempt to brainwash George Romney along with the rest of the American people.

THE NATIONAL GRANGE CENTENNIAL

Mr. CARLSON. Mr. President, the National Grange, the Nation's oldest farm organization, is celebrating 100 years of progress and achievement this month with its centennial session and celebration in Syracuse, N.Y., November 13 to 22.

I should like to pay personal tribute to Herschel D. Newsom, the master of the National Grange; to James W. Ingwerson, master of the Kansas State Grange, from Leroy, Kans.; and to the more than 620,000 Grange members in Kansas and throughout the Nation on this centennial celebration. I extend my sincere congratulations for your continuing efforts in trying to secure an equal and proud place for the American farmer in today's American society.

The story of the National Grange has been a historic story of success in helping to form our great American heritage. The Grange provided the American farmer responsible leadership at times when the very future of American agriculture was at stake. This proud organization was born in the aftermath of the American Civil War and at a time when social and economic change swept over the American farmer and left him and his family in a wake of confusion and despair.

However, through rugged determination, integrity and human concern based upon our religious heritage, the National Grange met the crisis and provided leadership from which the American farm family built a rural heritage of great accomplishment, mutual dignity, and self-pride.

Now our Nation is once again faced with social and economic change that threatens American agriculture and again the National Grange stands ready to meet this challenge and provide the pioneering spirit that, I am sure, will lead rural America into a new era of plenty.

Today the agricultural segment of our economy faces problems that court real disaster. A traditional way of life may be lost to the Nation unless vigorous corrective action is taken. We must provide the economic and social opportunities in our rural areas to end the mass migration to the cities; to once again make rural America an attractive and self-satisfying place in which to live.

Just as the National Grange provided many ideas and programs that gave American agriculture new lifeblood in the past, it today is continuing to seek answers to such problems as the cost-price squeeze and the mass exodus of farmers to the cities.

I am confident the National Grange, with the help of farmers everywhere, will provide the thought, the effort, and the action to face these challenges.

Again, I extend my congratulations to the National Grange on a job well done. Let American farmers continue in the next 100 years to work together to reap the harvest of American agriculture—the national heritage of which we are proud and from which a new and exciting America can face the future with confidence and pride.

RESOLUTIONS OF FEDERATION OF WESTERN OUTDOOR CLUBS

Mr. JACKSON. Mr. President, the Federation of Western Outdoor Clubs is an organization established in 1932 for mutual service and for the promotion of the proper use, enjoyment, and protection of America's scenic, wilderness, and outdoor recreation resources. Eighteen of the member clubs are from my own State of Washington.

At the federation's 1967 meeting, 33 resolutions were adopted. I believe the breadth of interest reflected by these resolutions gives testimony to the public-spirited concern of the federation. For the information of Congress and the Nation, I ask unanimous consent that the resolutions be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

FEDERATION OF WESTERN OUTDOOR CLUBS RESOLUTIONS, 1967

RESOLUTION 1. NORTH CASCADES

In previous years the Federation has passed several resolutions calling the attention of the public to the North Cascades, and urging protection of its superlative scenery in the form of a large national park and several wilderness areas.

This year the Federal Administration has also recognized the scenic and wilderness values of the North Cascades, and has called for protection of portions of the area in a North Cascades National Park and adjacent Recreation Area; a Pasaytan Wilderness; and two small additions to the Glacier Peak Wilderness Area. Legislation to implement these proposals has been introduced in both House and Senate.

The Federation welcomes these proposals and this legislation as a constructive and significant step forward in the drive for full protection of the magnificent North Cascades. However, it notes that the Administration legislation affords protection for only about one-half the park caliber lands which have been proposed for protection by the Federation and other conservation groups. It notes also that legislation has been introduced in the House (H.R. 12139) which would create a North Cascades National Park and National Recreation Area of truly adequate size.

It is therefore resolved that the Federation commends the Administration for its vision and foresight in attempting to obtain park and wilderness protection for some presently unprotected parts of the North Cascades. However, at the same time, it reaffirms its belief that the 1963 proposal of the North Cascades Conservation Council and others, affirmed in Resolution #8 of 1963, and embodied in H.R. 12139, is the best proposal for a North Cascades National Park.

It is further resolved that the Administration legislation, with certain necessary additions, can also form a satisfactory basis for protection. These modifications are: the addition of the valleys of Cascade River and Granite Creek, and the Mt. Baker area to the National Park proposed by the Administration; the Horseshoe Basin and Lightning Creek areas to the proposed Pasayten Wilderness; the Buck Creek, Downey Creek and Sulphur Creek drainages in their entirety, and more lands on the Whitechuck River to the Glacier Peak Wilderness; and immediate dedication of Pickett and Eldorado roadless areas as wilderness.

RESOLUTION 2. OREGON VOLCANIC CASCADES

The Oregon Volcanic Cascades have been shown to contain perhaps the most outstanding assemblage of volcanic forms existing anywhere in the United States and, in addition, an unusual ecological succession, as well as superb scenery combining the two.

The Federation of Western Outdoor Clubs has asked repeatedly of the federal government that better protection be given the scientific, scenic and recreational qualities of the area, particularly that portion between and including Mt. Jefferson and Diamond Peak. To date, the protection of these values, notably in some of the more wooded areas, has been most inadequate.

It is therefore resolved that the Federation of Western Outdoor Clubs reaffirms its Resolution #9 of 1963 that a National Park Service study be made to determine whether the National Park Service could administer any of the Volcanic Cascades area between the Columbia River and Crater Lake National Park so as to provide greater protection to the significant geologic, biological, scenic and recreational features than is being provided by the present management.

RESOLUTION 4. MOUNT ST. HELENS

The Mount St. Helens area contains a rich accumulation of unusual geological features, centering on the spectacular mountain itself and including Spirit Lake (formed only a few hunded years ago) to the north, the Plains of Abraham laval flow area to the east and southeast, and a fine collection of lava caves to the southwest.

Present Forest Service management plans appear uncoordinated. The Mt. St. Helens Scenic Area centered on the mountain is deeply indented by an extension of the Spirit Lake Recreation Area. The Lava Cave Area to the southwest apparently is established to protect the caves without interfering with timber harvest plans. Extensive logging is planned very close to the Mountain. Although a Mt. Margaret Back Country of somewhat over 5000 acres is being set aside for wilderness recreation, it is without dedication under the Wilderness Act. Apparently the remaining land will be subject to the usual logging procedures.

It is therefore resolved that the Federation of Western Outdoor Clubs urges that an integrated plan be developed for the Mt. St. Helens area which would provide recognition of the need for protection and interpretation of the fragile features associated with the caves, and would also manage the forests so as to maintain the scenic values of the country surrounding the mountain. The Mt. Margaret Back Country should also be classified under the Wilderness Act.

It is further resolved that if the Forest Service is unable to develop such a unified plan within the administrative procedures available to it, consideration should be given to establishing this area as a National Monument.

RESOLUTION 5. MOUNT JEFFERSON WILDERNESS AREA BOUNDARIES

Recommendations for size and boundary increases of the proposed Mt. Jefferson Wilderness Area were submitted at the October 1966 Forest Service hearing in Salem, Oregon, by representatives of the Federation of Western Outdoor Clubs and other conservation organizations.

- It is resolved that the Federation of Western Outdoor Clubs urges the speedy enactment by Congress of legislation incorporating these recommendations.

RESOLUTION 3. GLACIER BAY NATIONAL MONUMENT

Glacier Bay National Monument in Alaska is a region of exceptional mountains, ice fields, and sea life, including the only example within the National Park System where glaciers flow to the sea. In its establishment by executive rather than legislative action, it was left without protection against intrusion by mining operations.

It is therefore resolved that the Federation of Western Outdoor Clubs urges that Glacier Bay National Monument be established as a National Park by Act of Congress, and that the Act of establishment provide for withdrawal of the area from mineral entry.

RESOLUTION 9. SOUTHEASTERN ALASKA WILDERNESS FORESTS

Tongass National Forest in Southeastern Alaska encompasses some of the loveliest forested mountain scenery in the United States, interlaced with fjords and narrows from Dixon Entrance to Icy Straits and Lynn Canal. No part of this region has been given formal wilderness classification.

Because of the future need for wilderness forests, wilderness designations in the Tongass National Forest should be made now. What may be a final opportunity to dedicate a substantial portion of virgin forest of primeval beauty has been created by the forfeit of a major timber sale under a fifty-year contract with the U.S. Forest Service.

It is therefore resolved that the Federation of Western Outdoor Clubs urges the Forest Service and Congress to designate areas in Southeastern Alaska for wilderness protection and to withhold further logging and pulp contracts until preservation of adequate portions of the forested islands and fjords is assured.

RESOLUTION 30. UNDERWATER WILDERNESS

The Federation of Western Outdoor Clubs endorses the following recommendations of the Panel on Oceanography of the President's Science Advisory Committee (see sec. 3.0) "Modification of the Ocean Environment" in *Effective Use of the Sea*, June 1966:

"Man's ability to modify and alter marine environment necessitates (1) establishment of a system of marine wilderness reserves; (2) large-scale efforts to restore and maintain the quality of already damaged environments; (3) increased research into possible biological effects of proposed programs that might cause environmental modifications.

"Establishment of a system of marine wilderness preserves (would be) an extension to marine environments of the basic principles established in the Wilderness Act of 1964. . . . In the present context, specific reasons for such preservation include:

"(a) provision of ecological baselines against which to compare modified areas;

"(b) preservation of major types of unmodified habitants for research and education in marine sciences; and

"(c) provision of continuing opportunities for marine wilderness recreation."

RESOLUTION 6. PRIMITIVE AREAS IN IDAHO

Persistent whittling away of sections of Idaho's primitive areas continues.

The Federation of Western Outdoor Clubs deplores such activities and recommends that no additional logging roads be built into or near these areas until a formal decision is made about their wilderness classification. The Federation also recommends that wilderness status be extended to certain areas whose inclusion has been questioned, specifically:

A.) Inclusion of the Magruder Corridor in the proposed Selway-Bitterroot Wilderness is endorsed. The Federation commends Senators Frank Church and Lee Metcalf for their part in opening hearings on the Magruder Corrider and for the thorough report resulting therefrom which emphasizes the important role of recreation and conservation.

B.) Since adequate entry is available to the Bighorn Crags area from Cathedral Rocks road and trail, the Federation asks that a substantial buffer zone be provided to the east of the Crags.

C.) The Sawtooth Primitive Area has been proposed as a National Park, and will also be reviewed for wilderness classification. At present, indifference on the part of both state and federal agencies, and the public as well, threatens its future. Recreational and wilderness values in the adjacent Sawtooth Valley, Stanley Basin, Hanson Lakes, and White Cloud areas are also jeopardized by slothful agencies and public apathy. Accordingly, the Federation asks for immediate action to protect these values.

RESOLUTION 7. TETON CORRIDOR

Three hundred thousand acres of prime wilderness lying close behind the major peaks of the Grand Teton Range have no wilderness protection. This region, designated as the Western Slopes and the Teton Corridor, between Teton Pass on the south and Yellowstone National Park on the north, extends from Grand Teton National Park westward to, for the most part, the Idaho border. It is geologically, geographically, aesthetically, and biologically part of the Teton region.

The section separating Teton and Yellowstone Parks, called the Teton Corridor, is crossed by one primitive road, from Flagg Ranch on the east to Ashton, Idaho. The wilderness qualities of the Corridor are threatened by proposed construction of a modern high-speed highway. In order to maintain the wilderness values of this area.

It is resolved that the Federation of Western Outdoor Clubs recommends the establishment of the area to the south of the existing primitive road as National Forest wilderness the area to its north as wilderness in either the National Forest or the Park, and opposes changes in the character of the road.

RESOLUTION 8. JACK CREEK

The Upper Jack Creek drainage adjacent to the Spanish Peaks Primitive Area in southwestern Montana has been recommended for addition to the proposed Spanish Peaks Wilderness Area. This drainage covers about 30,000 acres and is bounded by the Madison Range on the northeast and east, and Lone Mountain and Fan Mountain on the south and southwest. Except for the corridor of the existing Jack Creek Road, the recommended boundary coincides with that of the Beaverhead National Forest.

The country is covered with forests of lodgepole pine and Douglas fir interspersed with grassy meadows. Existing trails provide outstanding vistas of surrounding snow-capped peaks.

Except for grazing on some lower slopes, the area is undeveloped. Many local ranchers derive considerable economic benefit from recreational use of the area. Presently considered clear-cut logging operations on the deeply weathered shale soils would cause siltation damage to trout fisheries and induce damaging floods at runoff times, with reduced availability of irrigation water during late spring and summer.

It is therefore resolved that the Federation of Western Outdoor Clubs supports local civic groups, ranchers, and businessmen in their efforts to include the Upper Jack Creek drainage in the Spanish Peaks Wilderness Area. The Federation further requests Congress to enact enabling legislation directing the Forest Service to secure private inholdings within the area through exchange of land of comparable value.

It is further resolved that the Federation requests the Forest Service to prohibit use by motorized vehicles on trails in the Jack Creek watershed until final disposition of the area is determined.

RESOLUTION 10. MINARET SUMMIT HIGHWAY

The proposed trans-Sierra route, long known as Mammoth Pass and more recently as the Minaret Summit route, is in the Forest Highway System as Forest Highway 100. Feasibility studies by the Bureau of Public Roads which led to the designation of the Forest Highway have been supplemented by California Division of Highways data which indicate that a highway by this route is not economically advantageous. Such a highway would be closed by snow until well into the summer. The Administrator of the California Resources Agency has declared that it would bisect the John Muir Trail and damage adjacent wilderness. Despite this, local interests continue to press for construction of the road.

It is therefore resolved that the Federation of Western Outdoor Clubs reaffirms its opposition, first stated in 1957, to any trans-Sierra highway between Tioga Pass and Walker Pass as being contrary to the public welfare, and it specifically recommends that proposals for Forest Highway 100 be abandoned.

RESOLUTION 33. TRAIL CONSTRUCTION STANDARDS

A long tradition of forest and wilderness trails is familiar to all of us. In the National Forests of the west, trails built primarily to provide access for fire control, using heavy pack trains, are so standardized that they characterize the entire western mountain landscape. These "wilderness highways" were designed to insure uniform pack-train speed so as to minimize bunching and straggling. Necessarily, therefore, they had limited grades. Hence the familiar switchback of the western mountains, almost unknown in the east.

But the need for pack trains dwindles, for fire control purposes. Entry into National Forests and Wilderness is increasingly by backpackers who need less width, less pavement, and whose concern is not to keep a steady pace but more "how long will it take me?" Under these conditions, current standards for National Forest and Wilderness trails make less and less sense.

It is therefore resolved that the Federation of Western Outdoor Clubs asks that the Forest Service, when setting up standards of grade, surface width and quality, and width of clearing, give more consideration to local terrain and anticipated use, and encourage the building of trails to blend into the hillsides and wind through the trees.

It is further resolved that federal and state agencies be urged to consult with local outdoor clubs before setting standards and alignment for specific areas or trails.

RESOLUTION 11. SAN FRANCISCO BAY

The San Francisco Metropolitan Area fringes one of the world's great bodies of water. The Bay tempers the climate, provides a setting for recreation, nourishes a rich marine life, and provides indispensable winter habitat for migratory waterfowl and shorebirds.

Disturbances of the Bay and its marginal wetlands—diking, draining, filling, building of salt evaporation ponds, and use as a sewer and city dump—have progressively and diversely degraded its extent and quality.

Recently, acceleration of all destructive trends has posed problems which must be solved in the near future.

It is therefore resolved that the Federation of Western Outdoor Clubs urges that legislation to insure that San Francisco Bay suffers no further infringement in extent, in the quality of its water, in its hospitality to wildlife, or in its scenic and aesthetic characteristics, be enacted, and

It is further believed that a long range program of restoration of these attributes must be undertaken.

RESOLUTION 26. NAWAPA

The North American Water & Power Alliance (NAWAPA) is a proposal of continental proportions for the utilitarian management of water. It envisions the entrapment and storage of water in reservoirs in northwestern Canada and Alaska, and the transport, in great conduits, of water southerly as far as Mexico, and easterly into the Mississippi and St. Laurence drainages. Viewed simply as an engineering undertaking which seeks to meet future demands for water based on estimates of population growth and existing patterns of use and disposal, it has attractive qualities. However, its focus is entirely on economic activity, its estimates of the demands which it proposes to fulfill are subjective and self-serving, and its estimate of the pattern of water use and of water quality is that no further changes will occur.

NAWAPA, as proposed, would flood innumerable valleys from Alaska southeastward through British Columbia, Idaho, Montana, down into Utah and Arizona, and by modifying the natural processes of scores of important streams would ruin a large portion of the wild lands of the West.

It is therefore resolved that the Federation of Western Outdoor Clubs opposes this proposal and similar proposals, and suggests to proponents of such schemes that they look carefully at the whole American society before they recommend changes in the American landscape which must be expected to be more disruptive than beneficial.

RESOLUTION 28. POPULATION

The Federation of Western Outdoor Clubs supports efforts to identify and preserve the nation's estuarine areas.

RESOLUTION 12. HELL'S CANYON

The United States Supreme Court has recently ruled that before the Federal Power Commission issues a license for High Mountain Sheep Dam on the Snake River, it should consider not only the economic value of the project but also the impact that construction would have on fish and wildlife, and on the recreational significance of the undammed river. The Supreme Court decision recognizes that the law requires the most careful consideration of wilderness of scenic values before licenses are granted for hydroelectric projects.

Between High Mountain Sheep and Hell's Canyon damsites the Snake River passes through one of the deepest gorges in North America in a wild and beautiful region possessing scenic, geological, wilderness and wildlife resources of primary value to the nation in their present state.

It is therefore resolved that the Federation opposes construction of High Mountain Sheep Dam on the Snake River and urges instead that lower Hell's Canyon and the present Seven Devils Scenic Area be given protection to insure retention of their natural state.

RESOLUTION 16. FINANCING OF NATIONAL OUTDOOR RECREATION FACILITIES

At a time of unprecedented individual prosperity but also of great external commitments, the demand and need for acquisition and development of land for its recreational and scenic benefits outstrip allocations of federal funds. The problem is compounded by inflationary land prices. It has not been relieved by a national program of user fees.

It is therefore resolved that the Federation of Western Outdoor Clubs urges that new sources of income for the Land and Water Conservation Fund be developed to accelerate purchase of inholdings within existing National Parks and Forests, and of land for new parks. The Federation endorses proposals (such as S. 1401, as introduced by Senator Jackson) to include receipts from offshore oil and other federal mineral leases, timber sales, and grazing permits.

It is further resolved that, to maximize benefits, acquisition funds be made available quickly after authorization, and that development be deferred to land acquisition. Bonding, borrowing, advance appropriations to the Fund, or interventions by the Nature Conservancy may be effective aids.

RESOLUTION 13. COLUMBIA GORGE

It is resolved that the Federation of Western Outdoor Clubs urges the Columbia Gorge Commissions of both Oregon and Washington to intensify their efforts to retain the scenery, to develop recreational aspects of the Gorge, and to oppose stoutly the expansion of commercial activities which would degrade the scenic qualities between the mouth of Sandy River and the city of Hood River, Oregon.

RESOLUTION 14. LEADBETTER POINT

Leadbetter Point and the adjoining water area is a major stopping place for migratory birds on the Pacific Coast and is also a nesting area for many species. The associated marsh areas are easily eroded and thus should be open only to controlled foot travel.

It is therefore resolved that the Federation of Western Outdoor Clubs recommends that Leadbetter Point be made part of the Willapa National Wildlife Refuge to assure dedication of the area to protection of the habitat of migratory and nesting birds and other wild life, and supports the pending application by the U.S. Fish & Wildlife Service before the Bureau of Land Management for transfer of this area to its administration.

It is further resolved that the Fish and Wildlife Service and the Washington State Park Department be urged to establish immediately a joint program to exclude vehicular travel, and to build trails only upon evidence of damage from random foot traffic.

RESOLUTION 15. WILLAMETTE GREENWAY

The Oregon Legislature has recently provided a modest sum to be used as a matching fund to assist local governments in efforts to purchase property and recreational easements along the banks of the Willamette River. If the possibilities created by this legislation are implemented, the action will be of steadily increasing importance as the population in this part of the country increases, and as river frontage not covered by recreational easements becomes committed irreversibly to non-conforming uses.

It is therefore resolved that the Federation of Western Outdoor Clubs commends Governor Tom McCall, State Treasurer Robert Straub, the members of the Oregon Legislature, and the many citizens whose interest aided initiation of this program.

It is further resolved that the Federation urges the State of Oregon through its Department of Highways to develop and to actively implement a long range recreational plan for the Willamette Greenway.

RESOLUTION 17. FOREST SERVICE LAND POLICY

The Wilderness Act classification system as implemented by the United States Forest Service has successfully provided wilderness recreation possibilities for persons seeking this type of experience at higher altitudes. Forest Service policies have been notably less successful at providing off-road recreational opportunities at lower altitudes, and at permitting the motoring public the sensation of being on the edge of wild country.

Many low altitude forests must be devoted to timber harvest, but it is not essential that all of them be so utilized. Present Forest Service policy apparently is to develop a tight road network over all land outside of wilderness areas, often with clear cuts over existing trails, thus eliminating most trails on that land. Such a policy greatly restricts opportunities for hiking when the higher country is closed during winter and early spring. This policy also destroys any opportunity to preserve representative undisturbed units of significant size to illustrate a type of forest that once was very common. Boulder River in Mt. Baker National Forest and French Pete Creek in Willamette National Forest are among the very few low altitude watersheds in the Pacific Northwest not yet affected by logging operations.

Present Forest Service policies locate roads almost entirely for purposes of timber harvest and give little consideration to recreational values. Many members of the motoring public who do not wish personally to penetrate into wilderness still appreciate the experience of looking into wilderness. In the whole Pacific Northwest, there is scarcely a Forest Service road leading to a view across dedicated or de facto wilderness in which the immediate foreground is not marred by the clear cut whose sale paid for the road construction.

It is therefore resolved that the Federation of Western Outdoor Clubs requests the Forest Service to construct and maintain a considerable number of low altitude trails through uncut forests for recreational use even after the road network has rendered these trails unnecessary for administrative purposes. The selection and designation of such trails should be made in close cooperation with representatives of local outdoor clubs.

It is further resolved that the Federation urges the Forest Service to select a few representative low altitude valleys to be exempted from logging operations and kept as examples of a type of country generally not found in wilderness areas. Until the Forest Service has made its selections, the Federation specifically requests that no logging operations be initiated in the watersheds of Boulder River and French Pete Creek.

It is also resolved that the Federation recommends that the Forest Service include scenic and recreational values in the location and construction of its road system and that these values be given paramount consideration in those areas warranting it.

RESOLUTION 18. USE OF PUBLIC LAND BY UTILITIES

The increasing tendency of public and private utilities to locate power lines or pipe lines on public land results in the loss of forestry and scenic values.

It is therefore resolved that the Federation of Western Outdoor Clubs urges the Forest Service and other land management agencies to require that careful consideration and full weight be given to aesthetic values as well as to cost and engineering problems in locating utility corridors across public lands.

RESOLUTION 25. SONIC BOOMS

Military aircraft flying at supersonic speeds presently produce sonic boom effects which have proved disturbing to a large number of people. Congress has authorized development of a supersonic transport airplane which, because of its size and the frequency of use, could disturb or seriously disrupt urban and rural life, wild creatures, and delicate geological and archeological features.

It is therefore resolved that the Federation of Western Outdoor Clubs recommends that all aircraft, including supersonic transport planes, which consistently generate sonic booms in excess of those that may be permitted over urban areas, by statute be denied air space over wilderness, scenic and recreational open space, and fragile archeological sites.

RESOLUTION 28. POPULATION

The unprecedented growth of human population in recent centuries has led to increasing concern and study. Only lately has it become clear that continued population growth in the poor lands of the world is leading to imminent crises in food supplies and social instability, and that among poor folk even in affluent societies, the traditional large family is a potent factor in perpetuating poverty.

In the rich land of the United States, the American people are only beginning to see the scenic, aesthetic, recreational, wilderness and wildlife values which enrich the quality of human life can also be impaired by overuse, even though they are not consumed when used.

It is therefore resolved that the Federation of Western Outdoor Clubs commends and joins in the position of the several conservation organizations which have taken the lead by formally recognizing that, even in the richest of lands, continued population growth is incompatible with the objectives of the conservation movement and the maintenance of quality in the human environment.

It is further resolved that the Federation urges those conservation organizations which have not yet taken a position to do so, and urges the American people to manage family size in such a fashion as to lead to an early termination of the growth of the American population.

RESOLUTION 19. HIGHWAYS NEAR SHORELINES

Highways located on or close to shorelines tend to destroy the natural and scenic values of these shorelines, by altering the terrain, removing forests and other natural vegetation, and by intruding the sight and sound of traffic. These undesirable effects can be eliminated or greatly reduced if highways are located at reasonable distances from shores, and if access is provided where needed by stub roads.

A specific controversy involving these effects has recently developed in connection with a proposal to route U.S. Highway 101 along the Oregon Coast between Neskowin and Pacific City. Part of the issue has been resolved by the refusal of Secretary Udall to allow the route to follow the Nestucca sandspit. However, the State Highway Department has ignored the sound principles outlined above in routing the highway along the beach south of the mouth of the Nestucca River.

It is therefore resolved that the Federation of Western Outdoor Clubs urges that major highways be located wherever possible so that they do not interfere with recreational values of the shores of oceans, lakes, rivers, and other bodies of water.

It is further resolved that the Federation commends Oregon Treasurer Robert Straub and Secretary of the Interior Stewart Udall for their efforts in support of a proper routing of U. S. Highway 101 on the Oregon Coast. The Federation also vigorously urges the Oregon Department of Highways to refrain from issuing contracts that violate these principles.

RESOLUTION 22. MOTORIZED TRANSPORT OFF ROADS

Various motorized devices such as jeeps, motorized trail vehicles (totegotes), snowmobiles, etc., permit easy access to unroaded areas not open to ordinary automobile traffic. These vehicles are clearly prohibited from areas dedicated under the Wilderness Act. Even in areas where they are permitted, they are not only a nuisance to pedestrians and horsemen but can be highly dangerous to them if improperly operated. State laws regulating traffic on established roads are often ineffective to control dangerous behavior associated with operation of such vehicles on government-owned land.

It is therefore resolved that the Federation of Western Outdoor Clubs recommends that agencies administering government lands outside Wilderness Areas should prohibit motorized traffic on trails subject to heavy pedestrian or equestrian use, and on trails where motorized traffic leads to significant damage. Separate trails should be provided when parallel motorized travel appears desirable.

It is further resolved that the Federation recommends the establishment of federal laws for the control of motorized traffic on those portions of public land which are open to such traffic.

It is also resolved that the Federation feels that public use of motorized snow vehicles within National Parks and Monuments should be restricted to established roads and developed areas.

RESOLUTION 20. SHALE OIL

The known oil shales of Colorado, Wyoming and Utah are estimated to control 70 times the known national reserves of conventional crude oil. A great deal of this oil shale is on Federal land, and the way in which the resource is developed involves questions of public policy. Many presently employed processes of mineral extraction and refining are highly damaging to the natural environment and can extensively alter huge areas if used indiscriminately.

It is therefore resolved that the Federation of Western Outdoor Clubs recommends that there be no large scale leasing or development of these lands until public policies have been defined regarding the condition to which the land is ultimately to be transformed. Subsequent operations should be required to adhere strictly to the policies so established.

RESOLUTION 21. PESTICIDES AND PREDATOR CONTROL

A basic objective of wilderness management is that only in very rare instances should human activity affect the ecology or cause an area to develop differently than it otherwise might have. Ecological development can be radically affected by distribution of chemicals such as pesticides that, at trace concentration levels, greatly influence the behavior of certain organisms. Likewise, a program of greatly depleting the number of predators in an area can have a profound effect on ecological development. When modifications of this sort occur, the effects may be irreversible and may preclude any return to the original condition of the area.

It is therefore resolved that the Federation of Western Outdoor Clubs urges that no pesticide or predator control program be initiated in any National Park or Wilderness Area until a commission of eminent ecologists has evaluated the specific case and has advised on the need for the proposed control program.

RESOLUTION 31. RESTRICTION OF WILD ANIMAL MIGRATIONS

The fencing of public lands, the construction of elaborate highways, and other restrictions to the movement of wild animals—for example, antelope—have interfered with the ranging, migration, and well-being of these animals.

It is therefore resolved that the Federation of Western Outdoor Clubs encourages efforts of the Bureau of Land Management, the Bureau of Public Roads, and other agencies to provide for the ranging and seasonal migratory needs of wild animals, one of which may be met by the construction of culverts to permit passage of animals under fenced highways.

RESOLUTION 23. ENGINEERING PROJECTS OF FEDERAL AGENCIES

The building of dams, dredging of river mouths, draining of marshlands, filling of tidelands, and other projects of the Corps of Engineers and the Bureau of Reclamation have deeply concerned those who consider many of these projects to be short-sighted and destructive of wildlife, scenic, and other values. In some instances, the projects have led to biological disasters.

Specific examples can be cited: The work of the Corps in Florida has become a national scandal. In Washington state, the project to dredge a deep harbor in the estuarine flats of the Nisqually River would disturb one of the few remaining resting and feeding places for waterfowl on the Pacific Flyway. The proposed three dams on the upper Snoqualmie River, in the interests of alleged flood control, would severely damage wildlife, drown forests, and cause other destruction. The construction of Horse Creek Dam off the Upper McKenzie would be disastrous to wilderness values. The indifference of the Bureau to scenic, biological, and wilderness values in its destruction of the Colorado River is a national disgrace.

The Corps and the Bureau, as mechanical specialists, lack the wider concepts of the humanities and the natural sciences and, for this reason, their proposals should be subject to review in the interests of the general public.

It is therefore resolved that the Federation of Western Outdoor Clubs recommends to Congress the enactment of legislation to subject all construction proposals of the Corps of Engineers and the Bureau of Reclamation to review and approval by an independent federal commission having adequate representation of specialists in ecological, recreational, and wilderness activities. It also notes that recent Supreme Court decisions direct the Federal Power Commission when granting power site licenses to give due consideration to the impact of dams on the quality of the environment.

It is further resolved that the Federation asks that the Corps and the Bureau be required to make public the objectives of all economic and technical feasibility studies when such studies are initiated and, further, to provide ready access to the results of such studies by the public.

RESOLUTION 24. DAMS AND WILDERNESS

Being contrary to the objectives of the Wilderness Act, dams and other structures regulating water flow may not be constructed in Wilderness Areas. Dams outside wilderness areas also violate the intent of the Wilderness Act if the resulting reservoirs intrude within those areas. Such intrusions after ecological conditions by flooding winter range and restricting movement of wildlife and by adding unnatural features to the scene.

It is therefore resolved that the Federation of Western Outdoor Clubs reaffirms its opposition to building of structures that may affect stream flow in wilderness areas and National Parks and Monuments. The Federation specifically opposes Senate Bill 1555 (introduced by Senator Moss) that would rescind the provisions of the Colorado River Storage Act prohibiting dams and reservoirs in National Parks or Monuments. The Federation also opposes the proposed Hooker Dam which would invade the Gila Primitive Area, and the proposed Sun Butte and Castle Reef Dams on the Sun River that would invade the Bob Marshall Wilderness Area.

RESOLUTION 27. LOGGING IN DE FACTO WILDERNESS

One of the most unfortunate sources of misunderstanding between citizen conservation groups and the Forest Service in the Northwest has been that agency's practice of frequently planning and advertising timber sales in de facto wilderness areas which are suitable and desirable for special protection under the Wilderness Act. In some instances, such as Deception Creek and Eight Mile Creek in Snoqualmie and Willamette National Forests, and east of the South Fork of the McKenzie River in Willamette National Forest, the sales have been advertised in areas formally proposed for wilderness protection. In other instances, logging and logging roads have pushed into areas which might logically have been set aside as wilderness, thereby damaging their wilderness values before any inventory of suitability for wilderness has been made.

It is therefore resolved that the Federation of Western Outdoor Clubs deplores the Deception Creek and Eight Mile Creek timber sales, in the proposed Alpine Lakes Wilderness, which were made before Congress has had a chance to consider these valleys for wilderness classification, and urges a moratorium on logging in these areas until Congress has so acted. The recent moratorium near the Mt. Jefferson Primitive Area in the Willamette and Deschutes National Forests is a commendable precedent.

It is further resolved that the Federation urges the Forest Service to undertake an inventory, surveying all remaining roadless non-protected lands under its jurisdiction, and to make proposals either for wilderness status or commitment to multiple use *before* such lands are irrevocably opened to timber harvest. Such proposals should be the subject of public hearings and comment.

It is also resolved that the Federation requests the Forest Service to refrain from logging or other development in any areas formally proposed for wilderness or other special classification by citizen groups until Congress has had an opportunity to consider these proposals.

RESOLUTION 32. PRESERVATION OF UNDERGROUND WILDERNESS

A number of underground caves and caverns are being increasingly affected by the impact of man, both as he enters and as he alters the ground surfaces above in such a way that delicate structures below or even whole cave systems may be destroyed. Almost all of these areas are true wilderness and deserve protection, both above and below.

Several areas in public awareness at this time:

A. Mammoth Cave National Park Kentucky, is the location of a Job Corps Work Center which has disturbed considerable surface area within the Park and which threatens some of the natural phenomena for which the Park was established.

B. The surface and cave features of Guadalupe Ridge, to the west of Carlsbad Caverns, are both rare and fragile. Current proposals to construct a scenic parkway along this ridge and other means of encouraging extensive use of the ridge should be prevented. Addition of this ridge to Carlsbad Caverns National Park would help to provide protection.

C. The Schonchin Lava Flow at Lava Beds National Monument contains a fine collection of lava caves. Protection of the surface area with wilderness status would prevent the physical impact of possible roads and help to assure protection of the subterranean wilderness.

It is therefore resolved that the Federation of Western Outdoor Clubs supports wilderness protection for underground caves, recognizing that wilderness preservation may be valuable underground as well as on the surface. It recommends special attention be given to Mammoth Cave, Guadalupe Ridge near Carlsbad Caverns, and Schonchin Lava Flow in Lava Beds National Monument.

PROF. WILLIAM J. KNUDSEN, JR., REBUTS WALTER LIPPMANN ON U.S. WITHDRAWAL FROM VIETNAM

Mr. McGEE. Mr. President, Prof. William J. Knudsen, Jr., of the College of Law, University of Wyoming, has countered the recent proposal by Walter Lippmann that the United States should withdraw completely from Vietnam and pull back to Australia and New Zealand. The proposal, Knudsen points out in an excellent rebuttal printed in the Open Forum columns of the November 5 Denver Post, is consistent with Mr. Lippmann's longtime reliance on our Nation's "island status." It leaves huge question marks, however. Mr. Knudsen mentions India, Korea, Indonesia, Philippines, and the Southeast Asia Treaty Organization. What of them?

I ask unanimous consent that Professor Knudsen's letter to the Denver Post be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

[From the Denver Post, Nov. 5, 1967]

The Open Forum: Will Lippmann Admit Mistakes?

On Sunday, Oct. 22, I read with interest Walter Lippmann's latest oracular pronouncement, printed in this section, to the effect that the United States should withdraw completely from Vietnam and pull back to Australia and New Zealand, that it was a big "mistake" to be in Vietnam.

As the great oracle of America in mid-20th century he made it clear that this was undisputed fact. And his only reason, as I can see it, is to bring peace to the world. May I add, "in our time" as Mr. Neville Chamberlain did in the late 1930s.

Lippmann says, "I realize how much all of us hate to admit that we have made a mistake." Ah, how true, Mr. Lippmann. How true, indeed. But this I presume is only gospel for lowly mortals, like his readers and, of course, President Lyndon Johnson, to whom his advice was mainly directed. It does not apply to the gods on Mount Olympus, does it?

When he took leave of Washington, D.C., one of his fellow journalists, Howard K. Smith, noted that Lippmann was against involvement in World War II, arguing in fact, as late as 1940 (the year Hitler crushed France), that we in this country should decrease the size of our Army. Concededly, he then, as now, was consistent in relying on our "island status."

Subsequently, he opposed the Truman Doctrine of containing Russia right on her own doorstep. He predicted "either Russia will burst through the barriers which are supposed to contain her, and all Europe will be at her mercy, or, at some point and at some time, the diplomatic war will become a full scale shooting war. In either event, Europe is lost."

Twenty years has passed and, despite his dire predictions Europe is not lost. In fact, it is thriving.

In 1962, we were faced with the Cuban missile crisis. And, once again from those lofty heights we were advised to grant concessions to Russia which even Krushchev had not had the temerity to demand.

If Lippmann had been in error, by his very own words he would have admitted his mistakes by this time. So, I must assume we now should add Johnson's name to this illustrious roster of erring presidents, Roosevelt, Truman and Kennedy.

So much for the past. But what of the future?

If we retreat to Fortress Australia, Vietnam will fall in a few weeks. What then of the rest of Southeast Asia? Whether one agrees with the so-called "domino theory" or not, mustn't one concede that his plan would invite it?

But, Southeast Asia aside, what of India? I presume that in arriving at his proposal Lippmann must have given a great deal of consideration to the possibility of an attack on India in the foreseeable future (say 1975) and decided that no defense of India by the United States should be made.

There are many other points I could raise, e.g., Korea, Indonesia, the Philippines, SEATO, etc., but time does not permit here.

I would, however, like to ask one final question about Lippmann's latest advice. Do you really believe the manager should rely on one who has struck out three times?

William J. Knudsen, Jr.,
Professor, College of Law, University of Wyoming.

Laramie.

CRIME AND COURT CONGESTION IN THE DISTRICT OF COLUMBIA

Mr. BYRD of West Virginia. Mr. President, various Senators have expressed concern about the rising crime rate in the District of Columbia. This concern is shared by members of the Appropriations Subcommittee on the District of Columbia, of which I am the chairman.

During the past summer my subcommittee conducted extensive hearings on the subject of crime and court congestion, and I again wish to suggest—as I suggested yesterday during floor consideration of the fiscal year 1968 appropriations for the District of Columbia—that the legislative committees, which have jurisdiction over legislation pertaining to crime, assign their staffs to conduct a review of the printed hearings prepared by the subcommittee. I believe that such a review will reveal many weaknesses in the areas of parole and probation and will also emphasize the need for additional judges as well as the need for an intensification of effort on the part of all judges to keep abreast of the criminal caseload.

The Senate Appropriations Committee, in its report accompanying H.R. 8569, made some pertinent observations and recommendations dealing with crime and court congestion in the Nation's Capital. These observations and recommendations grew out of the hearings to which I have already referred.

I wish to call special attention to the committee report language, hoping that all Senators and Members of the other body will find the time to consider the facts and points presented therein. Accordingly, I ask unanimous consent to insert that portion of the committee report, dealing with crime and court congestion, in the Record at this point.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Crime and Court Congestion

In view of the critical crime situation in the Nation's Capital, unprecedented delays in criminal trials, and an alarming number of vacancies and resignations in the Police Department, special sessions were conducted incident to the regular appropriations hearings to determine what practical steps might be taken, without delay, to reverse the seeming general breakdown in the District of Columbia's law enforcement machinery.

The testimony relating to crime and related matters is set forth in part III of the subcommittee's hearings, which also includes reports from various agencies and courts concerned as to the changes and progress being made to improve the situation. Accordingly, it is believed sufficient here merely to state that—

(1) The maximum amount budgeted has been recommended for those items which directly contribute to this war on crime.

(2) The U.S. district court has assigned 12 of its 14 regular judges to its criminal calendar in an effort to reduce the lapse of approximately 1 year between arrest and trial of persons charged with serious crimes. However, even with the substantial assistance of the senior district court judges in the trial of civil cases and motions, it cannot for long continue to assign such a large proportion of its judge power to criminal matters, unless it receives assistance from the judges of the U.S. Circuit Court of Appeals for the District of Columbia, the calendar of which is current, and from visiting judges from other judicial districts. The emergency would seem to demand the immediate and fullest cooperation of both the local U.S. court of appeals and the Federal judicial system until some longer range solution can be found. Adequate supporting personnel for this crash operation has been promised by the Department of Justice and the Administrative Office of the U.S. Courts.

Further, it is imperative that the vacancy on the U.S. district court, which has existed since November 1966, be filled forthwith, and that appointments to fill existing vacancies on the U.S. court of appeals and the court of general sessions also be expedited.

(3) The testimony was overwhelming that the Bail Reform Act and the Criminal Justice Act, as they are operating in concert in the District of Columbia, permit persons charged with serious crimes to remain on the street pending trial, regardless of their danger to the community, and contribute to a wide range of devices to delay the disposition of their criminal cases. This is considered to be a major factor in the rising crime rate and the overburdened court dockets. In the light of testimony received, it is recommended that the Congressional Judiciary Committees make an early reexamination, particularly of the relatively new Bail Reform Act, with a view to affording greater protection to the public from criminal recidivists.

(4) The U.S. Parole Board, the D.C. Parole Board, the U.S. district court in conjunction with the U.S. Probation Office for the District of Columbia, the court of general sessions, the juvenile court, and the Department of Public Welfare, following the hearings, have all reportedly adopted changed procedures whereby persons free on parole or probation from previous convictions, when charged with a new serious crime, are arrested forthwith, given a hearing governed by the statutory requirements relating to parole and probation, and if found in violation of the conditions of parole or probation, their parole or probation is revoked and they are returned to custody. Formerly, it was the practice to revoke probation or parole only for technical violations; that is, failing to report, being out late, drunkenness, et cetera, but where a most heinous crime was committed, no action was taken until they were tried and convicted of the new offense and had perfected their appeals, even though under the Bail Reform Act, they were free to engage in still other crimes. The new policy, which according to the law seemingly should always have been the policy, will remove from the streets large numbers of chronic offenders of serious crimes, but the success of this policy will

depend upon the effectiveness with which it is administered. It is strongly urged that the agencies concerned conscientiously administer the new policy and if additional personnel is needed, that budget requests for same be made.

(5) The worst conditions involving crime and the fostering of criminal careers were found in the juvenile court, where it was learned that juveniles were committing as many as 10 or 15 crimes within a year, which, if committed by adults, would have been felonies, before any real corrective action was taken. Many of the juveniles committed a series of atrocious crimes and, for the most part, continued to remain on the street. Ostensibly, this was due to a shortage of judgepower, but it was admitted that the Social Services Division screened all incoming cases and determined whether they should even be referred to the judge, and this is by law. Under the rampant crime conditions which exist with respect to persons under 18 years of age, it is suggested that Congress review the setup of the juvenile court; that in the interim the court improve its administrative procedures; that the Social Services Division be less ponderous and time consuming in developing the case histories of the respective juvenile offenders; and that chronic offenders be treated for what they are, rather than as wayward children. Undoubtedly, this court also needs additional judge-power and administrative personnel.

(6) The court of general sessions has cut down its backlog of criminal cases substantially during the current calendar year, in spite of the number of felony arrests that have been reduced to misdemeanors. As the overwhelming percentage of all criminal arrests are originally brought to this court, the practice of "no papering" (entirely dropping) or reducing felonies to misdemeanors should be scrutinized most carefully by the Department of Justice. There was a suggestion that the practice of "no papering" serious criminal charges and reducing felonies to misdemeanors was, at least in part, resorted to for the purpose of tailoring the criminal caseload to the capacity of the courts.

Another common fault in both the court of general sessions and the U.S. district court is the ease with which a defendant can obtain a continuance. This causes numerous useless appearances by complaining witnesses and police and frequently results in dismissal of serious criminal charges because the witnesses had become tired of appearing in court when the defendants were not there. If the courts are to control the administration of justice, rather than turn it over to the accused, severe steps must be taken to curtail such practices.

(7) While the police have put into effect numerous of the recommendations of the Crime Commission and in other ways have considerably improved their effectiveness, the number of vacancies in the Department still remains at the staggering figure of 370. The effort and resourcefulness which the police and the Civil Service Commission have put into a recruitment drive are most disappointing and, under existing conditions, much more must be done to attract applicants.

(8) It is strongly urged that the new administration in the District of Columbia give top priority to expending the creation of a modern central records system which will adequately reflect the facts and the current status of criminal cases. The present scattered recording systems of the police and the courts are unbelievably disorganized and inadequate.

DEMOCRATIC PARTY LEADERS SPEAK OUT ON WHY PRESIDENT JOHNSON WILL WIN IN 1968

Mr. McGOVERN. Mr. President, the Christian Science Monitor recently conducted a survey of Democratic State chairmen and national committeemen and committeewomen on the political outlook for 1968. The findings, I think, will be of interest to my colleagues on both sides of the aisle.

There was full agreement and support for the candidacy of Lyndon B. Johnson and HUBERT H. HUMPHREY. And there was little doubt that this ticket will bring another Democratic victory in 1968.

Of particular interest, I think, is how these party officials view the current polls. As National Committeeman Tom E. Brown, of New Mexico, commented:

> The President sits in the seat where the buck passing stops. He must make the decisions. None of the other opposition party hopefuls now have that responsibility.
>
> When polls are taken the President is placed on one side, and the opposite side is divided between the various hopefuls who are free to take ever-changing positions without being accountable for the implementation of those decisions.
>
> When the opposition nominates its standard-bearer, then the polls will show that the American people support their President.

And Dr. Mildred Otenasek, national committeewoman from Maryland, had this to say:

> I think President Johnson will win in November 1968. I have been through too many elections where the candidate's popularity the year before the election is low, and then the following year, he wins gloriously.
>
> There is prosperity at home. As far as Vietnam is concerned I am behind the President 100 percent. I remember Munich—too well.

Steve McNichols, the national committeeman from Colorado, commented:

> I feel the President has kept the previous commitments of Eisenhower and Kennedy, and the way to end the war is to support the President fully.

The Ohio State chairman, Morton Neipp, declares:

> The electorate . . . confronted with a choice between President Johnson and the Republican nominees will choose Johnson because of his dedication and ability. And they will favor the incumbent—not a change.

And the national committeewoman from Rhode Island, Mrs. Annette Cusson, sums it up:

> Republican presidential aspirants criticize President Johnson, but they cannot suggest any proposals to solve the Vietnam problem. For them the subject becomes a political football.

These distinguished Democratic Party leaders have spoken forthrightly and in a way in which all Democrats can take heart.

These are difficult and dangerous times. But President Johnson is proving to possess the wisdom and courage to lead the Nation firmly toward a brighter future.

Our party knows this. And so do the majority of the American people. We Democrats can look forward to 1968 with the confidence that unity and accomplishment are on our side.

CONSERVATION WEEK IN CONGRESS

Mr. JACKSON. Mr. President, Secretary of the Interior Stewart L. Udall has described last week as conservation week in the Congress. He referred to enactment by the Senate on succeeding days of legislation to authorize the Redwood National Park in California and the North Cascades National Park and associated recreation and wilderness areas in Washington. Secretary Udall pointed out that the Senate has also approved this year another landmark conservation measure, the scenic rivers bill. The final enactment by the Congress of these three bills alone, he said, would make 1968 a year for conservation legislation comparable to the high watermark we reached in 1964 with the enactment of the wilderness bill and the land and water conservation fund bill.

President Johnson's strong support for these key measures is in keeping with his lifelong efforts for the preservation of the natural beauty of our country. Enactment of this legislation will be another great step forward in the conservation program which the President and the Congress are working together to achieve.

Mr. President, I ask unanimous consent that there be printed in the RECORD at this point editorials which comment on the Senate's conservation achievements of last week.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post,
Nov. 4, 1967]

NATIONAL PARK CONSENSUS

The Senate's passage in rapid succession of bills to create the Redwood and North Cascades National Parks is the best conservation news of the year. It is especially gratifying that the redwoods bill went through by a 77-to-6 vote after the prolonged struggle and seemingly insuperable obstacles. At last a broad consensus has evolved in favor of the Jackson-Kuchel bill.

The North Cascades bill slipped through on a voice vote. It puts the Senate on record for what Senator Jackson called a "scenic masterpiece" consisting of 1.2 million acres of park, wilderness and national recreation areas. Just as the redwoods will bring into the National Park System the most spectacular forests in the United States now in danger of extinction, the North Cascades bill will assure preservation of the finest mountain scenery in America now outside a national park.

The redwoods compromise takes in more than 60,000 acres in two large segments, one in the Mill Creek area and the other in the watershed of the Redwood and Lost man Creeks. These two magnificent forests would be linked together by a scenic strip along the Pacific Coast. It is unfortunate that the entire drainage area in both locations could not be included, but the best of the old-growth redwoods (including three California state parks) will be within the new park. It will be one of the finest additions to the national recreation system.

The sharp controversy over the provision to trade the Forest Service's "northern purchase unit" for redwood land within the park boundary was painful to the Senate as it has been painful to all conservationists interested in the project. This newspaper had expressed the hope that the bill could be passed without this concession to the timber industry, and we still hope that some way of avoiding the transfer can be found. Yet it must be recognized that the loss of 14,500 acres of redwood and Douglas fir land that is now being logged under Forest Service management will be a small price to pay, in conservation terms, for a national park of more than 60,000 acres including the best of the ancient trees. Without this concession, the price on the park (it is now placed at $100 million) might well prove to be prohibitive.

If the new park were merely absorbing this piece of Forest Service land, no serious question would be raised. Nor would any question arise if the Interior Department were merely trading a piece of land under its jurisdiction for another site more appropriate for park purposes. The crucial question that must be asked is whether the country itself will benefit from the transfer, and the answer is very positively in the affirmative. The fact that this 14,500 acres were acquired 30 years ago in an unsuccessful effort to establish a national park should permit the exchange for better park land without creating any precedent detrimental to the national forests.

[From the Washington (D.C.) Star, Nov. 6, 1967]

The Redwoods Park

Senate approval, after years of controversy, of a redwood national park in northern California is a heartening achievement in a generally lackluster session of Congress.

The measure was the product of many compromises. Out of a bewildering maze of proposals, the Senate settled for a park of roughly 64,000 acres which will preserve prime virgin timber. At the same time it will assure the California lumber industry continued employment by a unique swap of federal timberland for park acreage, a move that incidentally will save about $40 million in taxpayers' money.

This is not a perfect bill. Although the Save-the-Redwoods League and the Sierra Club endorsed it, the club originally had pressed for a 90,000-acre park costing some $200 million. Furthermore, it will be up to the State of California to bring the project to fruition by donating a number of state parks—Jed Smith, Del Norte Coast and Prairie Creek—to tie into the national preserve. Judging from Governor Reagan's past statements, the public can only keep its fingers crossed in this matter.

It is too late in 1967 for the House to complete the legislation. But this plan to rescue a dwindling, priceless gift of nature ought to be the first order of business in the House next year. The lumber companies have shown restraint in their cutting during the debate. They cannot be expected to wait indefinitely while Congress argues about the park's final dimensions.

[From the Washington (D.C.) Daily News, Nov. 6, 1967]

A Garland of Redwood

Senators Henry Jackson (D., Wash.) and Thomas Kuchel (R., Calif.) deserve a garland or redwood for piloting their bill to create a 61,600-acre Redwood National Park thru the Senate.

Their bill would protect the finest of old-growth forest in a lovely area 300 miles north of San Francisco. Included would be the 250-foot "tallest trees" discovered in 1964.

They drafted their bill with consideration for the area's lumber economy and for the differing views of the two conservation groups which have worked hard to save the remnants of redwoods which once spread hundreds of miles along the California coast. Both conservation groups now support the bill.

It was unfortunate that the Forest Service tried to mobilize its allies to defeat the Jackson-Kuchel measure. The Senators' plan to swap 14,567 acres of commercial redwoods administered by the Forest Service for the privately owned old-growth timber is a laudable attempt to be fair to all parties. As Jackson said, this would be "an honorable exception" to a general policy not to trade off Federal lands.

The Forest Service's superiors at the Agriculture Department and the White House should end the service's lobbying and throw the Administration's total weight behind the Jackson-Kuchel bill for early House approval.

[From the New York Times, Nov. 5, 1967]

Redwoods Victory

Senate approval of the bill to create a redwood national park in northern California brings this long dreamed of project near to success. House action is not expected until next year, but the decisive success in the Senate encourages supporters to press for an early decision.

The Forest Service is understandably unhappy about the provision in the bill transferring 14,500 acres under its jurisdiction to private lumber companies in exchange for lands to be included in the new park. But there is no reason to suppose that this transfer establishes a decisive precedent. It is a unique transaction just as the redwood is a tree uniquely worthy of protection in a national park.

The Times would have preferred that Congress simply appropriate money to buy the land rather than engage in this exchange, but this was not politically feasible in view of the fiscal pressures of the Vietnam war. The possibility that the lumber companies may cut the best redwoods makes it dangerous to defer action until the war ends.

The House Interior Committee could improve the bill by enlarging the Redwood Creek section of the proposed park. The Senate bill protects some of the best groves of virgin redwoods in that area, but it includes relatively little of the surrounding watershed. Purchase of more watershed land now would be a wise investment for the future of the park.

[From the Los Angeles (Calif.) Times, Nov. 7, 1967]

Compromise on Redwoods Park

Congress may yet reach agreement on a Redwoods National Park before it's too late. The latest of many compromise proposals has cleared the Senate with approval of a 64,000-acre project costing nearly $100 million. But no action will be taken in the House until next year.

Presumably, timber companies will continue their moratorium on the cutting of the stands of virgin trees that would be acquired under the Senate bill. If not, it will be a race between the House and the lumbermen's saws.

By a 77–6 vote, the Senate accepted a compromise that had something for everyone—and consequently a price tag much higher than the original administration proposal. The bill as passed calls for the acquisition of a total of 64,000 acres at an estimated cost of nearly $100 million.

Major objection on the Senate floor was to the exchange of government timberlands for the privately held groves that will become part of the national park. The U.S. Forest Service opposes the swapping of its lands, while the lumber industry prefers that no private property at all be taken.

But determined efforts by Sen. Thomas Kuchel (R-Calif.), long-time champion of the park, and chairman Henry Jackson (D-Wash.) of the Senate Interior Committee, led to a compromise that received the support of Gov. Reagan, the Sierra Club, the Save-the-Redwoods League and the Interior Department.

Reagan's support was accompanied by a plea that the amount of private acreage to be taken be diminished to lessen the economic impact.

Studies made for the Interior Department, however, indicate that the establishment of a national park actually will improve the over-all economy of the affected areas in the years to come.

In addition to the acquisition of land by purchase and trade, three California state parks—Jedediah Smith, Del Norte Coast and Prairie Creek—would become part of the national park complex.

Some further compromise may be possible. But nothing must delay congressional action on the preservation of a priceless and irreplaceable national resource.

[From the Sacramento (Calif.) Bee, Nov. 11, 1967]

Redwoods Bill Is a Victory for Beauty

The passage by the United States Senate of a bill to establish a national redwoods park in Northern California was an event of great historic significance. It firmly pins down the fact citizens of this nation accept the preservation of natural beauty as a true and worthwhile expression of their respect for national heritage.

The overwhelmingly favorable vote of 77 to 6 by which the Senate passed the redwoods bill to the House was a victory of tremendous proportions. It represents an outstanding achievement in the campaign for esthetics, an uplifting of the quality of life in America.

The fine work of Sens. Thomas H. Kuchel, R-Calif., and Henry M. Jackson, D-Wash., who sponsored the proposed 64,000-acre compromise of the conflicting and confusing ideas for a park, is deserving of the highest commendation.

Because it is a compromise—which was necessary to get any congressional action at all—it does not fulfill the fondest wishes of all the people who have sought a national redwoods park for decades. But it is a start, a meaningful start toward making the park a reality.

The Sierra Club, which wanted a much larger area, and the Save-the-Redwoods League, which first proposed the park nearly 50 years ago, threw their support behind the Kuchel-Jackson bill as acts of statesmanship so the progress no longer would be stymied.

It is expected changes in the Kuchel-Jackson bill will be attempted in the House of Representatives. But if any modifications are made, they should be toward expanding the boundaries rather than constricting them. After all, the cash outlay of the Senate proposal would be only $60 million, which is merely as much as is spent on a few miles of freeway every day.

Assemblyman Edwin L. Z'berg of Sacramento County, whose Assembly Committee on Natural Resources, Planning and Public Works has prepared one of the best reports existing on the current redwoods controversy, has commented the American people deserve a national park which meets their aspirations for a "significant" preservation of redwoods.

The House ought not ignore this test of national values.

[From the Seattle (Wash.) Times, Oct. 26, 1967]

North Cascades Park Bill Begins To Move

The North Cascades National Park bill, which Senator Jackson hopes will be approved by the Senate next month, needs to be recognized for what it is in revised form, and studied on the one major controversy it is sure to create.

As the bill was approved this week by a Senate subcommittee, it does not affect either valley logging on the western slopes of the North Cascades or the proposal to establish an open-pit copper mine near Glacier Peak. Park boundaries avoid both areas. While this disappoints preservationists, it give the bill a better chance of approval in the House, where multiple-use advocates have their strength.

It also should be noted that the bill differs in three aspects from the original administration proposal.

Two of the changes should not provoke

much controversy. The preservationists won a point from timber interests when the Horseshoe Basin, in Northern Okanogan County, was included in a wilderness area. The preservationists lost a point when it was proposed that hunting be permitted in the Stehekin Valley.

But the change which will cause controversy lies in the addition of Thunder Creek to the proposed Ross Lake Recreation Area. Removal of the creek from the proposed park opens the door for Seattle City Light to build a 300-foot dam and create a mile-long reservoir in what now is a prime wilderness.

This provision already has met prompt opposition from the North Cascades Conservation Council. This puts City Light on notice that it must justify its proposal, particularly in the light of gathering evidence that nuclear power now provides a practical alternative to construction of more hydroelectric dams.

But regardless how this debatable provision finally is settled, Senator Jackson is right in moving so promptly to a point of decision on this important matter of creating, at last, a North Cascades National Park.

[From the Spokesman Review, Washington, Nov. 3, 1967]

MODIFIED CASCADES PARK PLAN WINS

Without dissent, the United State Senate accepted Thursday the recommendations of its Interior Committee for the establishment of a North Cascades National Park.

The Senate bill (S. 1321) represents a substantial alteration of the park plans proposed in December 1965 by a North Cascades study team appointed by Interior Secretary Udall and Agriculture Secretary Freeman.

Thanks to the efforts initiated by Washington's Gov. Dan Evans, a state-based study committee came up with some suitable recommendations last year. Later, other improvements were incorporated in an administration proposal made to Congress last March.

The Interior Committee headed by Sen. Henry M. Jackson devoted considerable attention to the plans and compromises. In public hearings it listened to conflicting arguments and finally reconciled some major disputes into some major agreements and a few minor differences.

The modified Cascades Park plan as recommended by the committee and accepted by the whole Senate includes some vital concessions to the State of Washington and to some of the economic interests that would be affected by changes in the present jurisdiction over the public lands in the North Cascades.

One major new element would be the creation of Lake Chelan National Recreation area. Another one of importance would provide protections for the proposed North Cross State highway and its potential contributions to accessibility in behalf of the general public.

While there still may be some objections to the authorization bill as passed by the Senate, it does provide a positive base upon which the whole park-wilderness-recreation reservation can be thoroughly and intelligently weighed, pending final action by the House of Representatives sometime next year.

The proposed North Cascades National Park—if the final terms are generally acceptable—could become a great asset to the state and entire Pacific Northwest. The measure should receive a searching, favorable consideration within the coming weeks.

FEDERALLY SUPPORTED REPORT ON ALCOHOLISM IS ILL CONCEIVED

Mr. BENNETT. Mr. President, at a time when problems associated with alcoholism are menacing the social fabric of our Nation more intensely than ever before, I am greatly disturbed over a report of a recent study which was financed by a $1 million grant from the National Institute of Mental Health.

The report, "Alcohol Problems," prepared by the Cooperative Commission on the Study of Alcoholism, ostensibly is intended to discourage drinking in bars, where excessive amounts of liquor are often consumed. On the surface, this sounds like a logical proposition. However, in its effects, it could make the home a bar for many persons.

Published last month, the report recommends "increased emphasis on gregarious social drinking" to replace drinking in bars.

This "gregarious" drinking, as suggested by the report, is to include the serving of alcoholic beverages to young persons at adult sponsored church gatherings, dispensing beer in college cafeterias, and permitting liquor advertisements to show alcohol being consumed by all members of the family, including children, in a family setting.

These suggestions—apparently intended to encourage moderate as opposed to heavy drinking—could be to alcoholism what gasoline is to a fire.

At a time when alcoholism is being more widely recognized as a devastating social, family, and personal problem, it is incredible that suggestions to imbed this menace more deeply into our lives could be seriously proposed.

Legitimate studies to combat alcoholism are badly needed, but it is difficult to understand how the spending of $1 million of the taxpayers' money could be justified for results such as these.

The ill are not helped by the spreading of infection to others. It clearly seems that our objective should be to discourage the taking of that first drink by our young people, and not to foster the growth of alcoholic problems through such methods as this report proposes.

A logical start toward this goal would be the passage of a bill I helped cosponsor recently, S. 2500, which would require a label on beverages containing more than 24 percent of alcohol. The label would read, "Caution: Consumption of alcoholic beverages may be hazardous to your health and may be habit forming."

It is past time that we, as a nation, make an all-out, concerted effort to curb the problem of alcoholism.

THE STATE OF THE ECONOMY

Mr. JORDAN of Idaho. Mr. President, recent economic evidence is casting serious doubt on the wisdom of the President's 10-percent tax surcharge proposal. The inflationary superboom that the tax increase was supposed to prevent clearly is not materializing. In fact, enactment of the tax increase now runs the risk of contributing to slow growth and aggravating the already worsening unemployment picture.

Unemployment in October increased for the second month in a row. The unemployment rate stood at 4.3 percent of the civilian labor force compared to 4.1 percent in September and 3.8 percent in August. This was the largest 2-month increase in 7 years and brings unemployment to its highest level in 2 years.

While unemployment is increasing, the average weekly hours of workers on private nonagricultural payrolls has been dropping. What this means to the average worker is lower pay. The drop in weekly hours and the sharp rise in the cost of living have combined to cut the purchasing power of the factory worker's weekly pay envelope in September of this year to less than it was a year earlier.

At the same time that the average worker's purchasing power is declining, consumers are saving more of their disposable income. Whatever the reason for the jump in savings—the Vietnam war, urban disorders, or uncertainty over economic policy—the effect is to knock the props out from under the administration's argument that a surge in consumer spending would contribute to a booming economy.

The easing of pressures on the labor market is not the only indication that the administration's economic forecast is off base. America's factories are operating at only about 84 percent of capacity, leaving substantial slack before rising demand really begins to exert an inflationary pinch. At the same time, large amounts of new capacity put in place during the recent investment boom are beginning to go into operation.

Other key segments of the economy have also shown less exuberance than expected. New factory orders, a key indicator of future production, have fallen for 3 consecutive months. Capital spending by business on new plant and equipment is expected to rise only slightly, if at all, next year. Spending by the Federal Government—particularly for defense—now appears to have peaked after rising sharply for the past 2 years. And finally, the recovery of residential housing is threatened by the highest long-term interest rates since World War I.

Our key economic problem is not inflation arising from excess demand pressures—as the administration says—but rather large wage increases which are putting pressure on profits and indirectly leading to price increases. Recent wage settlements have been averaging 5 percent a year, and the Ford settlement has broken into even higher ground and set a dangerous precedent for later agreements.

Government action is also contributing to wage pressures. The increase in the minimum wage to $1.60 that will take place on February 1 will mean a boost of 15 percent for over 4 million workers and will put further upward pressure on wages throughout the wage scale. The tragedy is that the sharp boost in the minimum wage will mean loss of employment opportunities for many low-wage workers whose contribution to production is less than the new minimum which they must be paid.

Rather than further cutting the take-home pay of workers by a tax increase, the administration could better contribute to cost-price stability and public confidence by sharply reducing the increase in Federal spending. A modest cut in Federal spending would clearly demonstrate that the administration and the Democratic Congress mean business when they talk about stopping inflation. The surge in Government spending in recent years has been chiefly responsible for the present instability in the economy and is the logical place to begin to correct past mistakes.

GEN. OMAR BRADLEY'S VISIT TO VIETNAM

Mr. THURMOND. Mr. President, the November 14, 1967, issue of Look magazine carries a report entitled "My Visit to Vietnam," which was written by one of our most distinguished soldiers—General of the Army Omar Bradley.

General Bradley visited Vietnam from one end of the country to the other, and saw thousands of Americans—soldiers, sailors, marines, airmen, and Seabees. He went to them where they live and fight—aboard ship, in trenches, foxholes, tanks, artillery positions, and radar posts. He mingled with villagers and talked with civic action groups.

This experienced veteran was proud of what he saw, and was pleased to report favorably on the spirit, morale and competency of our fighting men. He also reported great progress. A short while ago, he said, Saigon was the only seaport and there were only three airfields capable of handling jet aircraft. There are now six ports and eight jet airfields.

The report carried a strong message to the American people about the air war.

> If we halt the bombing—

General Bradley said—

> the mud-spattered GI's in the central highlands near Dragon Mountain and the marines up at the DMZ know that the tons of ammunition being expended against our planes would be coming down the trail to be fired at them. They know the vast manpower kept occupied by the raids would be free for use against them.

In this excellent report the General has done a great service to the American people, who know and trust him to call a spade a spade. I commend it to my colleagues and ask unanimous consent that it be printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MY VISIT TO VIETNAM

History will give high marks to the United States for its responsible behavior since World War II. Never has a nation of such power been so sorely and so systematically tried. The Communists, disciples of a doctrine that no people ever willingly embraced, have sought domination by attacking a supposed weak spot through trickery, propaganda, bluster and violence. Each time, the United States has reacted and, with the help of allies, blocked them from achieving an easy victory. And always we have done it without resorting to that horror of horrors, all-out total war.

The Communists tried blockade in Berlin, terrorism in Greece, conventional warfare in Korea. In each instance, we stopped them. In Cuba, they tested us to see if we were prepared to go to nuclear war and found we were. Now we are being tested again. As with Berlin, Greece, Korea and Cuba, Vietnam is a proving ground. This is no simple civil war fought solely by patriots, although there certainly are patriots on both sides. It is, in essence, a laboratory experiment, executed with callous disregard for human life by those in Hanoi and Peking who want to see if the "protracted war" theories of Mao Tse-tung will work. If these theories hold in Vietnam, they unquestionably will be applied elsewhere, and we shall have to confront them again and again. The Communists have spelled it all out for us. In statements as blunt as Hitler's *Mein Kampf*, they have assured us time and again it is their intention to impose their form of government upon the world.

In May of 1951, testifying before two Senate committees as chairman of the Joint Chiefs of Staff, I opposed enlarging the Korean War to include the China mainland. I was referring solely to the crossing of the Yalu River, although in ensuing years, I frequently have been misquoted as opposing the action in Korea, which I actually supported. I said that a "limited war" with Red China then "would involve us in the wrong war, at the wrong place, at the wrong time, and with the wrong enemy."

The Soviet Union had a mutual defense treaty with Red China providing that each would treat any attack on the other as an attack on itself. Furthermore, the Russians were furnishing most of the war supplies used by North Korea. If we had wanted to stop the flow of those supplies by strategic bombing or other means, our attack should have been directed against Russia. In my view now, as then, Red China was the wrong enemy.

Maybe, as some critics claim, Vietnam is the wrong war too, in the sense that we should have avoided getting involved so deeply in it. I don't know. Playing armchair general is much easier than bearing the responsibility and rendering the decisions at the moment of crisis, and history does not reveal the results of untried alternatives. It is fuitless to dwell upon what-might-have-been when faced with the screaming realities of the here and now. After tramping throughout the length and width of South Vietnam, going wherever I wanted to go and talking to whomever I wanted to talk, I am convinced that this is a war at the right place, at the right time and with the right enemy—the Communists.

My wife Kitty brought the trip about. She sensed my growing conviction that I had to go and see Vietnam for myself. She knew I had always believed there is no substitute for talking to the men in the field. The deterrent to taking a trip like this was a bothersome cartilage in my right knee, torn while playing football at West Point. I did not want to go into a war zone and then wind up a nonbattle casualty. Recent surgery removed the entire kneecap and made it possible for me to walk once again without limp or pain. Kitty was with me during a post-surgical checkup in late July, when the doctor pronounced the knee "as close as it ever will be to God's work." In the car en route home, she turned to me and softly said, "You've been aching to go, and now you can." I nodded and had to admit, "An old soldier never really fades away."

Kitty had no objetcion to my going to Vietnam. She just didn't want me to go without her. We both knew that as a general officer on active duty, I could officially request permission to visit Vietnam, but she would have to stay behind.

My wife is a quiet, determined woman. Less than a week after the knee checkup, she had arranged with LOOK to accompany me to Vietnam as a correspondent, with the stipulation that all payment for this article be turned over to the United Service Organizations for distribution to the USO facilities serving our men in Vietnam.

Kitty was invaluable on the trip. A professional writer for more than 20 years, she is a trained observer and, in the evenings, when we mulled over where we had been and what we had seen, I found she had often picked up details that I had missed. She was great for morale, particularly in hospitals, where she paused for unhurried chats with the wounded, and at isolated outposts in the boondocks. Kitty felt she wanted to do something special to justify her presence. She decided that upon our return, she would communicate with the family of every serviceman to whom she talked in Vietnam. Whenever she volunteered to give a personal message to the folks back home, she was surrounded by the homesick, and at last count, she had telephoned or written a personal letter to 917 families.

Those fine young men out there did something for our morale too. One night at Pleiku, after an exhausting day in the central highlands and after a sobering but otherwise uneventful oil-line failure while helicoptering over Vietcong territory, we talked quietly about the brave men and how selflessly they worked, the gruesome scars of war all around, the now-familiar grumbling of nearby artillery, the Vietcong mortar bursts on a motor pool at Saigon's Tan Son Nhut Airport as we were landing. And Kitty, who had never before been this close to battle, said: "If something should happen, and we should die, at least we are in good company—each other's and these wonderful men fighting here." I agreed.

Gen. William C. Westmoreland, our commanding general in Vietnam, met us at the airport when we arrived August 17. I had known him as Cadet Westmoreland 32 years ago, when I was on the West Point faculty, and our paths have crossed several times since. He looked fit. We later were told that he gets out into the field with his men several times a week. I know that wherever we went, there was nothing but praise and affection for him. "Westy's been carrying this responsibility for three and a half years," one man said, "but he always has the drive and enthusiasm of a second lieutenant who arrived only yesterday."

From that day until August 30, when we left Vietnam, we stayed constantly on the go, traversing the country from one end to the other, keeping a schedule of 14 to 16 hours daily. We saw thousands of Americans—soldiers, sailors, marines, airmen, Seabees. We went to them where they live and fight—aboard a carrier, a fleet oiler, a hospital ship, a "Riverine" ship; in trenches, foxholes, dugouts, jeeps, tanks; at artillery positions, radar posts on hilltops, montagnard villages in the highlands, Special Forces camps on the South China Sea coast and in the waterlogged paddies of the Mekong Delta. We visited allied units—the South Vietnamese, Koreans, Filipinos and others. Everywhere, they seemed glad to see us and somehow managed to have a five-star flag or plate to greet us.

We mingled with villagers who have known nothing but war for a generation. At Plei Bong Hiot, a montagnard hamlet in the central highlands, all 376 inhabitants turned out to greet us. A montagnard band playing gongs scaled in size from saucers to manhole covers beat out an eerie tune, over and over, as we sipped rice wine from a communal jar through communal straws to become honorary members of the Bahnar tribe. The straws were plastic fuel tubes borrowed from our helicopters. Because the plastic tubes were transparent, the hamlet leaders could see whether we really drank or simulated drinking. My wife tried to fudge, but she got caught and there was no make-believe the second time. She said the rice wine tasted like a mixture of sake, tequila and helicopter fuel. At Edap Enang, a montagnard village in the same general area, we saw some 7,800 people who had been relocated because of military operations near the Cambodian border, where they formerly lived. These families are comfortably housed, and each has its own vegetable patch. Some had run away at first, but when their crops sprouted, the runaways returned and began to take root in their new homes.

The noncombatant Philippine Civic Action Group was working closely with another village, made up of 491 refugee families. The Filipinos, doing what amounts to Peace Corps work under occasional fire, proudly showed us a new school where 1,000 children were being educated. Brig. Gen. Guadencio V. Tobias, the Philippine commander, demonstrated to us the self-government, sanitation and hygiene techniques his command is teaching the people.

Ambassador Ellsworth Bunker and General Westmoreland abided by my request to spend most of the time in the field. They arranged for two days of orientation briefings in Saigon, after which we flew north to Da Nang. Througout our travels in Vietnam, we were cloaked by the code name "Burma Road" for security reasons. Wherever we went, we were cordially received by the various commanders, who saw to it that we spent much of our time in no-holds-barred talking with their junior officers and enlisted men. We asked hard questions and got direct answers. They showed us the bad with the good and left it to us to decide how things stood on balance.

From Da Nang, we flew out to sea to the U.S.S. *Constellation*. She was circling with two other carriers in the Gulf of Tonkin, far north of the 17th Parallel dividing the two Vietnams. In the two days aboard, we questioned crew members, visited fliers in their ready rooms and saw several strikes launched against targets in the Hanoi area and elsewhere in North Vietnam. On one strike, one of our aircraft was shot down, but quick work by rescue helicopters plucked the two-man crew from jungle highlands. When we learned they were being returned to the carrier, Kitty begged to wait to see for herself that they were safe. We delayed our departure and were able to congratulate Cdr. Robin McGlohn of Balboa Beach, Calif., and Lt. (jg) James M. McIlrath of San Diego.

I never heard a pilot aboard the *Constellation* question the usefulness of what he is doing. One senior officer estimated that 100 times as much ammunition was being expended against our planes in the North as against our ground troops in the South. "That's a plus in itself," he said.

Back in Da Nang—after a stop at a field hospital to fix a tooth my wife broke in the jolt of the catapulted takeoff from the carrier—we were shown to our billets by Marine Maj. Charles Edwards of Raleigh, N.C. He casually mentioned that according to our Intelligence, the enemy might fire rockets at the base at any time, as they had done in July. He showed us the bunker in which we were to take cover if that happened. Kitty assured the major she has no sense of direction and wondered if in the event of a rocket attack, he could come and lead the way. "Yes, ma'am, if I'm alive," he replied earnestly. "I just wanted to show you, in case a rocket gets to me first."

At my request, the marines helicoptered us to a forward base for an open discussion with junior officers and enlisted men. About 25 assembled in a rattan hut that served as their mess hall. One of them, Cpl. Lester W. Shell, Jr., of Chesapeake, Va., a gangling 23-year-old, said the hardest job was identifying the Vietcong. They mingled with the rice farmers until dusk, and after dark, slipped into black pajamas, took up hidden weapons "and turned into VC's." Corporal Shell assured us that things were getting better because more farmers were reporting VC operatives as they developed trust in the marines. "When I arrived 11 months ago, we had to send out patrols in company size, about 160 men, and now we go on squad patrols, 12 to 15 men. That right there is progress."

Another member of this group, a sniper, showed us his weapon, a civilian rifle with a telescopic sight. He said: "Sometimes, we find a seat in a tree or a hole in the ground and just sit down and wait. Quite often, someone shows up. We're doing better. We're learning patience."

In Da Nang harbor, we went aboard the U.S.S. *Repose*, one of two hospital ships in the area. We had visited two general hospitals near Saigon, and we would go to field hospitals elsewhere, but the *Repose* offered prime insight into how quickly the wounded are treated. The speed is amazing. The secret is helicopters. The *Repose* has a heli-pad on its deck, just as the hospitals ashore have them on their grounds. The wounded go directly from the battlefield to the hospital. Rarely is ground transportation necessary. This means that except in very few cases, no man in the country is more than 30 minutes away from complete, expert medical care. Only 2.5 percent of the wounded admitted to a medical facility die. More than 40 percent of the wounded return to duty without being admitted to a medical facility. And over 80 percent of all wounded admitted to a medical facility are returned to their units. The effect on morale is evident. Kitty and I found most of the patients we visited in a cheerful bantering mood, and anxious to get back to their units and their work.

Wherever we ate, whether with officers or enlisted men, the chow was good. In my 56 years in the Army, I have never seen better fed men, in peace or war. Ninety percent of the meals served to American personnel in Vietnam are hot. It is commonplace, according to some men I talked with, to have a helicopter hover over an embattled unit and lower what my wife termed "a businessman's breakfast"—fruit juice, two soft-boiled eggs, buttered toast, marmalade and hot coffee.

At China Beach, near Da Nang, we visited with men enjoying a three-day respite from all duty. Kitty took on a couple of the GI's in Ping-Pong to put them at ease and encourage them to talk freely. We learned that like all servicemen, however dedicated, they count the days until they go home. In this war, except for key officers, they know exactly how long that will be. Our men go over for a one-year tour of duty unless they voluntarily extend. I asked one fellow how long he had to go, and he quickly replied, "Seventy-six days and a wake-up." Not 77 days, but 76 and a wake-up—a little auto-psychology, like setting a clock ahead, because it sounds shorter that way. But many found themselves irresistibly drawn back, like John Paul Vann of Littleton, Colo. He had served a military tour in Vietnam, gone home, left the service and signed on with Revolutionary Development. Marine M/Sgt. George A. Mitchell had been there for 2½ years, and when we asked him why, he said simply, "I want to see the job finished."

As times goes on, the steady flow of returning Vietnam veterans, currently at the rate of 50,000 a month, may give Americans a better picture of Vietnam. The quality of these young men, tempered by their travail and the ringside knowledge of the plight of those they fought to help, cannot but improve the quality of American society.

As we worked our way south from Da Nang, we spent most of a day with the South Korean forces headed by Lt. Gen. Chae Myung Shin. He commands more than 49,000 men and, from all reports, they are doing a superb job. One of his staff officers gave us an excellent briefing, winding up with the assurance that ROK forces are pleased to fight by our side to repay in some small measure all that the Americans did for their country when it faced a similar threat. The Koreans seem to have a special zest for their mission and a particular talent for keeping the highway open and driving the VC out of the coastal area in the central part of the country.

Here, as elsewhere, a strengthened effort is being made in Revolutionary Development, the program to provide a new life for villagers formerly under VC control. We visited one such village, where all the people turned out to meet us. They showed us what they were building—an infirmary, a bridge, a concrete road. This is the new concept, involving the villagers more deeply in the things they need. Foremost is security, provided by the villages' own Popular Forces.

At Nha Trang, we watched South Vietnamese soldiers training at the Noncommissioned Officers Academy. I was interested because the high caliber of our own military forces today is the result of such schools. I witnessed two combat problems conducted with live ammunition. They were impressive. Not only are the Vietnamese learning to defend themselves by fighting alongside our troops, but gradually they are adopting our methods.

In the heavily populated Mekong Delta, traffic is by water, and so is the war. Our Army and Navy have combined operations there, in the Riverine Force. Soldiers live abroad ship when not slogging the paddies and swamps, and sailors called "Seals" fight like the green-bereted Special Forces. These men are effectively hampering the movement of VC units and supplies. Navy personnel, accompanied by South Vietnamese civil officers, stop and search between 1,500 and 2,000 boats a day. Sometimes, they are fired on from the banks, but quite often our boats pull away without returning the fire to avoid hitting innocent civilians in the area.

As we traveled, I became increasingly aware that we are slowly but inexorably rolling the enemy back from the cities and the seacoast. His movement in areas he used to own is now severely restricted. Main force units inside the country, except up north near the Demilitarized Zone, generally stay under cover and keep shifting their bases to avoid detection and contact. The enemy's supply and communication routes, especially around Saigon and in the Mekong Delta, are being interdicted with improved efficiency. Because of his logistics problems in the midlands and down south, he has had to concentrate activity up north near the DMZ. There, the supply route is shorter. Except for that area and a few others, his regiments and battalions are splitting into small groups. "I can't find a fight," complained one American commander whose unit six months ago was battling for its life. One reason we invite attack is because we can react so quickly; in one Delta area, the VC assaults, usually limited to mortar fire, last no more than five minutes because by then our planes and artillery start pounding them. This is a far cry from early 1965, when North Vietnamese regulars and hard-core Vietcong sought to cut the country in two and, in the opinion of many observers, were dangerously close to succeeding.

Intelligence is the key. It seems to be improving as more captives and defectors appear. I have a hunch the other side is hurting a good deal more than it lets on. It may be, as I was told, that the enemy has reached the "crossover point" at which he is losing men through death, wounds, capture and defection at a faster rate than he can replace them by recruitment and infiltration. It seems unlikely that Hanoi can meet such manpower requirements for any protracted length of time. Ho Chi Minh's one hope is to hang on in the expectation that the American public, inadequately informed about the true situation and sickened by the loss in lives and money, will force the United States to give up and pull out.

A North Vietnamese captured this year told interrogators that anti-war demonstrations help sustain the morale of his people and the troops. This man, Nguyen Huu

Nghia, who speaks Russian and holds a Ph.D. degree in psychology, described demonstrations as "very effective" encouragement for the North Vietnamese. He compared the situation to that of France during the Indochina War. He said an anti-war movement in France started slowly, gained momentum and influenced the final outcome—French capitulation.

If the French pattern should be repeated, it would be a stigma the American people would have to bear forever. Pulling out now would break faith with those who have died there, with the families of those who have died there and with those who after much suffering are on the threshold of success. The Communists assuredly would take revenge against the South Vietnamese who cast their lot with us.

Neighboring nations like Thailand, which recently sent a regiment to fight and from whose territory most of the air strikes against the North are launched, would immediately face Communist infiltration and aggression. American influence would wane, not only in the Far East, but around the globe. Our integrity as a nation would be gravely questioned.

In Hanoi, there is no free press, radio or television to give uncensored sustained reports of what goes on behind the smoke screen of propaganda. But word leaks out. The port of Haiphong has become more a bottleneck than a distribution point. Haiphong's docks and streets are piled high with supplies requiring transshipment because the railroad to Hanoi is unserviceable. Trucks on the Hanoi-Haiphong route now average less than ten miles an hour because the highway is so torn up. U.S. bombing is paralyzing North Vietnam.

The Navy pilots my wife and I watched fly off the U.S.S. *Constellation,* as well as the Air Force crews that fly out of Thailand, have developed electronic gear and aerial tactics to escape antiaircraft fire, including Soviet-built surface-to-air missiles (SAM's). When we visited the carrier, the last full week's tally reported 128 SAM's fired; only one of them hit a plane.

"Stalemate" was a much-used word when we went to Vietnam. I don't call it stalemate when, almost everywhere, the enemy is avoiding contact and our troops are progressively digging him out and pushing him back. I don't call it stalemate when, by every measurement, the other side is getting weaker and we are getting stronger. This war is like no other in my experience. There are no great wall maps on which to draw lines and say, "Here is the front." The front is everywhere.

Captured prisoners tell a story of constant attrition. One man, taken in his first battle, said he had started out from Hanoi in a 300-man unit, but only 30 survived the six-week trek. Other prisoners said North Vietnamese soldiers sent south are told they are "mop-up troops" because the war is virtually won. Instead, infiltrators find they must live in the jungle, harassed by bombs, artillery and patrols, and soon they realize their mission is near-suicidal. Enemy defections under South Vietnam's *Chieu Hoi,* or "Open Arms," policy are stepping up. All these things tell a story, not of stalemate, but of an enemy that is hard pressed.

There was criticism, too, that we had little progress to show for the 13 years we have been in Vietnam. Actually, we only started building strength there two and a half years ago, and did not reach current force level until this year.

General Westmoreland first had to concentrate on building a logistics base. Once this base was laid down, he was able to take the initiative. He could begin rooting out and pushing back the Communists, while the South Vietnamese, learning to fight by our side, simultaneously developed a nation with a government more responsive to the needs and the will of the people.

In the process of creating logistical support for our troops, we have invested in South Vietnam's future. A short while ago, Saigon was the only major seaport, and there were only three airfields capable of handling jet aircraft. There are now six ports and eight jet fields, several with two runways. These tremendous resources back up more than the U.S. forces. They support allied troops, the South Vietnamese military effort, American civilians and the South Vietnamese economy. When the war is over, this nation will have a floor on which to build.

Flying over Camranh Bay, once little more than sand and water and now a teeming complex of American power, I was struck by a thought: What if the other side could see what it is up against? Why not invite Ho Chi Minh down south and grant him immunity and every possible protection? Let him see the dug-in magnitude of our effort. If Ho would take the trip I took, he would realize the futility of continuing the war.

Before we went to Vietnam, we heard critics say that Hanoi would agree to truce talks if we would stop the bombing. Maybe, I do know that previous bombing halts did not have this result. The mud-spattered GI's in the central highlands near Dragon Mountain and the marines up at the DMZ know that the tons of ammunition being expended against our planes would be coming down the trail to be fired at them. They know the vast manpower kept occupied by the raids would be free for use against them. It is not academic, up where the fighting is.

Two weeks in Vietnam do not make me an expert. But I have seen battlefields before. What this war needs more than anything else, I believe, is home-front understanding. I would like to see the people at home more deeply involved in Vietnam. Even those opposed to the war cannot be opposed to the men fighting it. My wife Kitty has suggested that women's clubs take a few minutes off from their bridge sessions to write letters to our men in the field. Marines in Vietnam receive 150 pounds of cookies every month from 231 citizens of little Dayton, Wyo.; they demolish the cookies but their gratitude to Dayton is indestructible. Other Americans are shipping soap for the war refugees. These are relatively small in themselves, but as symbols of an America that cares, they are important. What we do does not matter as much as that we do it.

On our last evening in Saigon, Ambassador Bunker showed Kitty a definition of Freedom I wrote many years ago: "Freedom—No word was ever spoken that has held out greater hope, demanded greater sacrifice, needed more to be nurtured, blessed more the giver, damned more its destroyer, or came closer to being God's will on earth. May Americans ever be its protector."

We are a free people, a learning people. As pilgrims, we learned to farm. As colonists, we learned to govern. As immigrants, we learned new ways. As pioneers, we learned the wilderness. As victors, we learned that the need of a great war does not mean peace.

History, I believe, will judge that, alongside Berlin, Greece, Cuba and Korea, Vietnam was one of our finest hours. We did not flinch. Or it will say that the Communists are right, and History will belong to them.

THE ROLE OF THE STATES IN THE FORMULATION OF A NATIONAL POWER POLICY

Mr. MAGNUSON. Mr. President, the Committee on Commerce is studying S. 1934, the Electric Power Reliability Act. We have held hearings in Washington and will soon commence hearings in the field. In connection with our study I have frequently called on all interested parties to study the bill and give us the benefit of their suggestions. We have been pleased that Chairman Lee C. White, of the Federal Power Commission, has arranged to meet with every interested group to explain and discuss this important measure. We hope, through our field hearings, to secure many constructive ideas for improvements in the bill. I am glad to report, therefore, that the National Association of Railroad and Utilities Commissioners is studying the bill. In a recent speech before the Federal Bar Association, the president of NARUC, the Honorable Frederick N. Allen, reported the appointment of a special committee to study the provisions of S. 1934. He expressed the view that—

> This is not merely any piece of legislation now before the Congress, but . . . can bring up-to-date in 1967 the proper role of our [State and Federal] commissions which, up to now, have been operated on guidelines set down by court and commission cases dating to the misty past of the early 1900's.

Says President Allen:

> Regulation cannot and will not survive unless it has the ability to properly adapt itself to the technological progress which is evident in every type of utility endeavor.

President Allen's speech provocatively suggests that S. 1934 might be oriented more decisively toward a joint Federal-State effort. In order that the suggestion may be widely considered, I ask unanimous consent that the speech be printed in the RECORD at this point.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE ROLE OF THE STATES IN THE FORMULATION OF A NATIONAL POWER POLICY

(By Frederick N. Allen, president, National Association of Railroad and Utilities Commissioners, before the Federal Utility and Power Law Committee, Federal Bar Association, Washington, D.C., October 16, 1967)

Mr. Moderator, distinguished guests, my friends of the Federal Bar Association:

I am indeed delighted to be in Washington this afternoon as a participant on this panel dealing with the formulation of a national power policy and to specifically speak to you for a few minutes of the role which I feel is proper for the State commission to play in this all important area of regulation. Certainly every day and every week which passes in a Nation whose growth is never-ending adds to the many problems in the generation and distribution of electric power, and brings with it greater responsibilities to the regulatory commissions whose duty is to supervise this very fundamental and vital necessity of our economy.

It is needless to say that in the 1960's we are faced with a great challenge in our attempt to formulate, develop, and carry out a policy relating to power which will be adequate to properly serve every city, town and village in the United States. Certainly there is no doubt in my mind that before we can ever hope to achieve a national power policy as such, we must solve two basic fundamental problems.

Number One—the inability of the private and the public electric utilities to work cooperatively together in a common planning effort, and

Number Two—the inability of the Federal Power Commission and the State commissions to agree on mutual guidelines as to their appropriate regulatory function. Unless we solve these two basic problems, we might just as well forget the establishment of a national power policy and a resulting electric grid to serve efficiently and effectively the needs of this Nation. And, with the exception of an adequate supply of water, there is nothing more basic to our survival than is power.

I have no intention of going into detail today in a discussion of our complaints about the jurisdictional takeover by the Federal commissions in the last thirty years of several areas once regulated by State commissions, but I say that now is the time for the Federal and State commissions to review and reconstruct the proper role of each in the regulation of electric energy in this country, and I am glad that we now have before the Congress a proposal by the Federal Power Commission which would add a new Part IV to the Federal Power Act dealing with electric power reliability, for I feel this very broad and comprehensive piece of legislation can be the vehicle by which a proper delineation can be made between the rights and duties of the Federal commission as against those of the commissions of the several States. I say this because even a cursory glance at the Bill would indicate clearly the very sweeping authority it would give to the Federal Power Commission and the virtual absence of any reference to the State commissions, and then only in a general "to be consulted" vein.

This Bill, S. 1934, literally covers the complete field of regulation of the electric industry and as such, even though in its present very broad form is no doubt unpalatable to almost all of us in some degree and in some fashion, it can, nevertheless, be the vehicle by which we can set permanent guidelines at a time when the expanding economy of the Nation demands that the regulatory commissions carry out their functions to the betterment, not to the detriment of our people. I sincerely believe that the regulatory commissions, both Federal and State, by their insistence on carrying out administrative policies of some twenty and thirty years ago, have been a deterrent to the orderly development of all utilities, including the electric industry.

What can the States do in this area and what is being done at the present time?

Last June, Chairman White invited me to bring to Washington a group of commissioners from our State commissions for a briefing on this legislation. As a result of our discussions there and of a very thorough discussion before the NARUC Executive Committee in Seattle in July, I appointed a special committee to study the provisions of S. 1934, feeling, as I have said before, that this is not merely any piece of legislation now before the Congress, but does in fact cover all areas of the regulation of the entire industry, and can bring up-to-date in 1967 the proper role of our commissions which, up to now, has been operated on guidelines set down by court and commission cases dating to the misty past of the early 1900's.

Regulation cannot and will not survive unless it has the ability to properly adapt itself to the technological progress which is evident in every type of utility endeavor. I can think of nothing more appropriate than to quote from the 1966 Annual Report of the Public Service Commission of New York where Chairman James A. Lundy said: "Technological change presents perhaps the clearest example today of the need for updating old approaches."

There is no doubt that we in the State commissions felt we lost an appropriate area of jurisdiction in the decision of the United States Supreme Court in the Colton Case which gave the Federal Power Commission complete jurisdiction over wholesale electric rates. We felt and still do that the regulatory agencies at the State level were in a far better position to approve such filings than was the FPC. This is water over the dam and I would be the last to say that we should moan about the past but that we should look confidently to the future, convinced that there is an area which can properly be handled by the State commissions in the field of electric generation and distribution without in any way reducing the appropriate functions of the Federal Power Commission in its overall responsibilities to the national picture and thus contribute to a national policy.

Our State commissions, in a survey conducted by the NARUC in August of 1967 indicated without exception that they do have appropriate jurisdiction in the field of reliability. And so, I am sure that in the consideration of the State commission position in the formulation of a national power policy, we will take the findings of our task force working now on the electric reliability legislation and from these findings a clearer picture will emerge as to the logical areas of such jurisdiction.

One of the possible avenues of approach to effectively carry out the provisions of the Act might be to set up a Federal-State joint board which would have authority to pass judgment on the establishment and operating procedures of the proposed Regional Councils. As I envision this possibility, there would be representation from the State commission involved within the geographical area encompassed by the Regional Council and, of course, a representative from the Federal Power Commission, who probably would act as chairman of the board.

As you are aware, the joint board theory, although it is obviously modified from this which I propose today, has been used extensively in proceedings of the Interstate Commerce Commission in matters of transportation for many years. Most of our State commissions have enthusiastically participated and almost without exception everyone is agreed, at both the State and Federal levels and in the industry itself, that the joint board procedure has made for fundamentally sound decisions in literally thousands of cases.

This, as I say, in perhaps a very rough sense, is one avenue of approach in integrating the Federal and State responsibilities into the matter of electric reliability.

The history of regulation of the electric industry in the United States basically is no different than the regulation of any other utility or transportation service. Certainly no one will argue but what the local areas concerning rates and appropriate service should be vested under the full control of our State commissions and that the flow of energy across State boundaries in interstate commerce obviously falls properly under the Federal Power Commission.

And so, as we delve into the area of reliability, prodded as we all were by the Northeast Blackout of two years ago, we do find immediately some real soft spots in our assessment of the total picture. In many areas of the country we have private and public utilities not only refusing to cooperate in joint planning or transmission or generating facilities but literally battling each other at swords' point which can only result in a very weak and vulnerable system.

For example, in my own area of New England where the investor owned utilities are admittedly doing an excellent job in the development of nuclear energy plants, they are, nevertheless, involved in a very bitter struggle with the advocates of public power and the municipal co-ops concerning not only the construction of Federal projects such as Dickey-Lincoln, but also concerning the additional atomic plants which are in the planning stage for all six States. There seems to be very little progress being made in the attempts to get the investor owned utilities and the public utility groups together in a realistic way to speed up much needed development of not only generating facilities but adequate transmission lines linking the territory.

In other sections of the country it is, of course, a matter of record that the Northwest Power Pool includes investor owned utilities in Washington and Oregon, for example, working side by side with the public utility districts and other publicly operated generation, transmission and distributing companies. Similarly, of course, since the development of the TVA many years ago, there is perhaps a greater degree of effective planning in that area among the private companies and the government operations.

This is just one more reason why I feel it is extremely important that the guidelines for setting up these Regional Councils under the proposed legislation will require different approaches in different parts of the country, and certainly there is no disinterested party in a better position to play a key role in the setting up of these Regional Councils than the State commission.

What is this national power policy that we are discussing? What does it mean? What should it do? And what should the States' role be in the formulation?

Well, we are right back to the title of my comments this afternoon as assigned to me by your group, and I think we perhaps should find the proper role of the State commissions by examining what they have done in the way of regulation of the electric industry since the first, modern day commissions were established in the early 1900's.

The State commissions, strangely enough in the first instance, were established at the insistence of the electric and gaslight utilities for the very purpose of limiting competition. So, from the beginning the commissions were concerned with local franchises, territory, local rates and local service, and the elimination of competing or duplicating light, gas, and phone companies in the same general area.

From that point, over the years, the commission has been watchdog at the local level to make sure that in return for the monopoly granted it by the State, the utility would properly serve its customers in a given territory with adequate service and reasonable rates; and this, in a simplified and very fundamental way, is what our function must be, whether we are talking about fifty years ago or fifty years hence.

Because of this, and because of the very vital need to keep regulatory control as close to the people as possible, I feel a national power policy must be developed from facts as they are at the local level, not from arbitrary dictates out of Washington which may prove unworkable. And I feel that the National Association of Railroad and Utilities Commissioners, the official organization of our State and Federal commissions, working first on this reliability legislation, S. 1934, and later in a continuing reevaluation of our present day operations, can very materially clear the air as to the relationship of the State and Federal domains and can refine the regulation of the electric industry to the advantage of utility and ratepayer alike.

We are all aware, I believe, that in the field of communications, the NARUC, the telephone industry, and the FCC have been working since the early 1930's on the matter of separations of interstate and intrastate plant, and developed a formal plan as early as 1947 which has been refined from time to time over the last twenty years.

So what has happened since that time? We have worked continuously and cooperatively, the State commission, the Federal commission, and industry, on a job of refining this very basic and necessary data so that there can be a more appropriate and accurate separation of interstate and intrastate telephone plant.

Now, very frankly, gentlemen, I cannot see any reason in the world why the regulation of the electric industry cannot follow the same general lines, and I am convinced that if we all take a cue from the communications regulation over the years, we will arrive at a position of betterment for everyone concerned. I really sincerely believe the State commissions and the FPC, together, must seek a common ground from which it is possible for both to carry out their assigned tasks without either usurping the appropriate role of the other. We cannot expect the industry to cooperate if we in regulation are miles apart in our thinking.

The big investor owned utilities have looked down their noses at the municipals and co-ops and yet, in every State they are the same utilities which have refused to go in and serve sparsely settled territory. The co-ops and the municipals in as just an arbitrary and antagonistic attitude have certainly lambasted privately owned utilities as "big, bad business," with the emphasis on "big" and "bad."

I would say that right now would be an opportune moment for me to give you a little quotation which I read in the Reader's Digest: "The greatness of a man can nearly always be measured by his willingness to be kind." It certainly would appear that we need a little bit more kindness amongst all of us and then things might be a little bit easier, not only in the field of regulation but in the art of living and working together.

And so in these few minutes today, I am sure I have not—but it is because I cannot—indicated to you clearly and concisely a definitive guide as to what the State commissions should be doing in this area, but I do feel that within a year or two, perhaps within a shorter period, we will, with the cooperation of the Federal Power Commission, the Congress, and all segments of the electric industry, be able to delineate, at least to a certain degree, an area where the regulatory function should be carried out by the State, and define more clearly the areas which should be left to the FPC.

I am hopeful the Congress, which has in the past two years shown a bit more sympathy for the capability of our State commissions, has come to realize that we still can be very vital and much needed institutions. The regulatory function of government is more needed today than it was in the years between 1910 and 1920 when most of our State commissions were established. No phase of government, no function of government, can suffer more by having all the shots called from Washington than can the State regulatory agencies. Regulation must, in its most fundamental sense, be close to the people and to their problems.

AMENDMENT OF THE CONSTITUTION BY CONVENTION

Mr. ERVIN. Mr. President, I invite attention to an editorial published in the Washington Post on Wednesday, November 1, 1967, commenting on the hearings held on October 30 and 31, by the Senate Subcommittee on Separation of Powers on the subject of amendment of the Constitution by a national convention called by Congress upon the application of two-thirds of the State legislatures, as provided by article V.

The editorial suggested that the subcommittee should not limit its hearings to a consideration of Senate bill 2307, which would set up guidelines for a possible constitutional convention called by the States, but should also consider the possibility of amending article V to eliminate the convention method of proposing amendments, which, according to the editorial, "was sandwiched into the Constitution as an afterthought." The editorial further suggests that if Congress is unable to delete the constitutional convention provision from article V by amendment, "the second best course would be to interpret it so strictly that the States would be loath to try to use it."

Mr. President, the editorial was constructive in one respect, but shocking in other respects.

It was constructive in suggesting an amendment to article V. Since the convention method of proposing amendments has never been used and so many vexing questions concerning it remain unanswered, there are grave dangers in resorting to it now. It would be helpful, therefore, to clarify the procedure by amendment or, if the provision is adjudged an anomaly, to delete it altogether and rely upon the other method of amendment by congressional proposal and State ratification.

The editorial was shocking in its misstatement of history concerning the framing of article V. Far from being an "afterthought," the method of amendment by State initiation and State ratification was the sole amendment procedure set forth in the version of article V. first adopted by the 1787 Convention. The National Legislature was to be excluded altogether from the amendment process. Upon reconsideration, however, it was urged that Congress be empowered to propose amendments to the States for their approval. The final draft read in terms of alternative methods. Two-thirds of each House of Congress or two-thirds of the State legislatures could propose amendments which, in either case, would require ratification by three-fourths of the States. The debates show clearly that the two methods of proposing amendments were intended by the Framers to operate as parallel procedures, neither more difficult of achievement than the other. Historically, the article has not operated that way, of course, but this should not be taken to suggest that proposal by Congress was felt to be the "regular" method of amendment and proposal by the States an "afterthought."

The editorial was most shocking, however, in its suggestion that, if Congress could not amend article V by the appropriate amendment process, it should in effect do so by enacting "implementing" legislation so restrictive as to preclude the enforcement of the constitutional mandate to call a convention if enough States apply. Such a course would be a flagrant disavowal of the clear language and intent of the article.

As I have pointed out, the convention method of amendment was meant to be an attainable means of constitutional change. It was meant to enable the States to initiate the proposal of amendments deemed necessary to remedy excesses of power in the National Government, since it was considered unlikely that the National Legislature would propose amendments to curb national power. I think that reason is valid still; but if Congress should conclude otherwise, the convention method of amendment should be deleted. Those are the only two honest alternatives, however, to delete the provision from article V by constitutional amendment or, failing that, to make provision for effectuating—not destroying—the constitutional provision for amendment by State action.

The mandate in article V is clear. Congress should not attempt to circumvent its obligation by placing as many hurdles as possible in the way of effective use of this perfectly legitimate amendment procedure.

Mr. President, I ask unanimous consent that the Washington Post editorial to which I have referred be printed in the RECORD following my remarks. I also ask unanimous consent that there be printed in the RECORD at that point a discussion of the history of the adoption of article V written by Prof. Philip B. Kurland, chief consultant to the Subcommittee on Separation of Powers. The discussion appeared as the preface to a chapter, edited by Professor Kurland, on "Article V and the Amending Process" in "An American Primer," University of Chicago Press, 1966, pages 130 to 138.

It should be useful in clarifying the historical misconceptions about article V which apparently are entertained by persons both within Congress and outside it.

There being no objection, the editorial and discussion were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Nov. 1, 1967]

AMENDMENT CONTROVERSY

The Senate Judiciary Subcommittee on the Separation of Powers is quite properly focusing attention on the controversy over how the Constitution may be amended. But it ought not to limit its hearing to the highly dubious Ervin bill intended to set up guidelines for a possible constitutional convention to be called by the states. It would be far more useful to talk about the elimination of this Achilles' heel from the charter of 1787.

The Subcommittee's hearings are timely because 32 states have petitioned Congress to call a constitutional convention to undo the Supreme Court's equal-representation rulings. There are many indications that this movement is already dead because the two additional state petitions needed to make a two-thirds majority are not likely to be forthcoming and some of the existing petitions are likely to be rescinded next year. But if the two additional votes should be obtained Congress would be embarrassed by numerous unanswered questions.

The Constitution says that Congress "shall call a Convention for proposing Amendments" whenever two-thirds of the states request it. Presumably Congress would decide when and where such a convention should be held. But there is nothing to indicate whether Congress could limit the convention to amendments proposed in the petition, whether the petitions would have to be identical, how the convention would vote and so forth. Senator Ervin's bill is an attempt to answer these questions and thus to avoid a period of chaos if two-thirds of the states should ever agree on such a petition, which they have never succeeded in doing in the past. But at least one provision of his bill—that each state in such a convention have but one vote, determined by the majority of its delegates—is a flagrant flouting of democratic principle. Another of his provisions—that Congress could veto amendments proposed by a convention if it should exceed the scope of the mandate given it by Congress—would raise grave questions of constitutionality.

The best thing to do with this alternative method of proposing amendments, which was sandwiched into the Constitution as an afterthought, would be to repeal it. The regular method of having amendments proposed by two-thirds of the Senate and House and ratified by three-fourths of the states has worked well. There is no occasion for deviation from it. Indeed, the idea of changing the Constitution by action of the states alone, with Congress merely arranging details of the meeting, is an absurdity in the present posture of Federal-state relations. If Congress is not ready to wipe out this constitutional defect, the second best course would be to interpret it so strictly that the states would be loath to try to use it.

ARTICLE V AND THE AMENDING PROCESS

(Edited by Philip B. Kurland)

However natural it may now seem for the Constitution to provide for its own amendment, we should remember Holmes' warning against confusing the familiar with the necessary. There are other, more recent, national constitutions that make no such provision. The nature of the political compromises that resulted from the 1787 Convention was reason enough for those present not to tolerate a ready method of undoing what they had done. Article V, like most of the important provisions of the Constitution, must be attributed more to the prevailing spirit of compromise that dominated the Convention than to dedication to principle.

Although the original Virginia Plan provided for a method of amendment, the first essential question resolved by the Convention was whether any method of amendment should be provided. Despite strong opposition from men such as Charles Pinckney of South Carolina, the Convention soon agreed in principle to the desirability of specifying a mode for amendment, with Mason, Randolph, and Madison of Virginia, Gouverneur Morris of Pennsylvania, Elbridge Gerry of Massachusetts, and Hamilton of New York leading the Convention toward accepting the necessity of such a provision.

The Virginia Plan not only specified an amendment process but provided also that the national legislature be excluded from participation in that process. And it was on the question of the proper role of Congress that the second major conflict was fought. When first reported by the Committee of Detail, the provision called for amendment by a convention to be called—apparently as a ministerial action—by the national legislature on application of the legislatures of two-thirds of the states. Although this plan was first approved, the issue was again raised on Gerry's motion for reconsideration, seconded by Hamilton, and supported by Madison.

On reconsideration, Sherman of Connecticut sought to have the power given to the national legislature to propose amendments to the states for their approval. Wilson of Pennsylvania suggested that the approval of two-thirds of the states should be sufficient, and when this proposal was lost he was able to secure consent to a requirement of three-fourths of the States. At this point Madison offered what was in effect a substitute for the Committee of Detail's amended recommendation. It read, as the final draft was to read, in terms of alternative methods. Two-thirds of each house of Congress or two-thirds of the state legislatures could propose amendments. The amendments were to be ratified when approved either by three-fourths of the state legislatures or by conventions in three-fourths of the states. This compromise eventually overcame the second difficulty. By providing for alternative methods of procedures, the Madison proposal also made possible the compromise between those who would, from fear of the reticence of the national legislature to correct its own abuses, utilize the convention as the means of initiating change, and those who, like Mason, wanted the national legislature to be the sole sponsor of amendments.

This compromise did not, however, end the disputes over the content of the amendment article. Rutledge of South Carolina insisted that approval could not be forthcoming if the provisions relating to slavery theretofore approved were to be subject to amendment. Again compromise carried the day and it was decided that these sections of the Constitution were not to be subject to amendment prior to 1808. Having learned that state interests could be protected against amendment, at least for some period of time, Sherman moved that the Constitution should not be subject to amendment to limit the internal authority of the states nor to deprive any of them of their equal representation in the Senate. A different form of compromise was the result of this effort.

Sherman lost in his effort to secure the states against interference with the exercise of their police power, but he won a guaranty that the right of equal representation in the Senate should not be changed. The latter protection, it quickly became apparent, was absolutely necessary to assure approval by the small states that had backed the New Jersey Plan, and it was written into the Constitution without a single objection.

Article V, which resulted from these deliberations, must be attributed largely to Madison, with the obvious active participation of Hamilton.

The Congress, whenever two thirds of both Houses, shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of it's equal Suffrage in the Senate.

RACIAL IMBALANCE IN THE DISTRICT OF COLUMBIA PUBLIC SCHOOLS

Mr. BYRD of West Virginia. Mr. President, last week during hearings by the Subcommittee on Appropriations for the District of Columbia I expressed my opposition to the transportation of students to public schools in the District of Columbia for the purpose of overcoming racial imbalance.

I ask unanimous consent to insert in the RECORD pertinent excerpts from those printed hearings.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

BUSING STUDENTS

Senator BYRD. Yes. All right, now let's talk about the busing of students. You wrote to me on August 31 stating that the total of 1,782 children—let me read the sentence:

"The public schools plan to rent buses to transport a total of 1,782 children from overcrowded to underpopulated schools."

You also stated that the total annual cost of all transportation is estimated to be about $378,338. Do you have any sharper figures now, Mr. Henley?

Mr. HENLEY. We are busing 1,322 elementary school children, approximately. I am not certain on the junior high but approximately 400 junior high school children, and we are supplying bus tickets for a little over 300 secondary school students.

COST OF BUS TRAVEL

Senator BYRD. What is the cost? What will be the annual cost?

Dr. CARROLL. We have not reprojected these costs since our original estimate. We could reproject that and give you a sharper figure. I am thinking about $400,000. It is up slightly.

Senator BYRD. About $400,000.

Dr. CARROLL. Approximately that.

Senator BYRD. This amounts to about $200 per pupil, doesn't it?

Dr. CARROLL. 2,000 pupils, it would run pretty close to that; yes, sir.

Senator BYRD. $200 per pupil.

Dr. CARROLL. Yes.

Senator BYRD. This is a pretty costly venture for an experiment in folly. Where do you propose to get this money?

FUNDS FROM IMPACT AID

Dr. CARROLL. This money is all at the present time out of impact aid, which is the only funds available to the board for this purpose.

Senator BYRD. How long will that last?

Dr. CARROLL. Well, it will last. We have enough money to continue this, and I think the total funds availability will increase to a somewhat higher level next year and the year following so we could probably retain at this level for some time.

HEW REPORT LANGUAGE

Senator BYRD. Are you aware of the language in the HEW Appropriations Committee report?

Dr. CARROLL. I am aware of that. I wasn't aware that this was applying to the provision of Public Law 874 funds to schools.

Senator BYRD. I would like to put that language in the record.

The information follows:

"EXCERPT FROM HEW REPORT

"The committee recommends that no funds herein provided for the Office of Education shall be used for busing of public school students or for any other activities calculated to eliminate racial imbalance in the public schools."

ATTITUDE OF SUBCOMMITTEE ON BUSING

Senator BYRD. You are aware of this subcommittee's opposition to the busing of students.

Dr. CARROLL. Yes.

Senator BYRD. To eliminate racial imbalance.

Dr. CARROLL. Yes, sir.

Senator BYRD. You are aware of the language in the 1964 Civil Rights Act which essentially stated that desegregation was not to mean the elimination of racial imbalance in the public schools, are you not?

Dr. CARROLL. I am not sure that I have read that particular area. I think I have heard discussions on it.

Excerpt from act follows:

"TITLE IV—DESEGREGATION OF PUBLIC EDUCATION

"*Definitions*

"SEC. 401. As used in this title—

"(a) 'Commissioner' means the Commissioner of Education.

"(b) 'Desegregation' means the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin, but 'desegregation' shall not mean the assignment of students to public schools in order to overcome racial imbalance."

EXCERPT FROM SENATE FLOOR COLLOQUY

Excerpts from the floor colloquy during the debate on the 1964 Civil Rights Act, as it appeared in the Congressional Record of June 4, 1964, are reprinted as follows:

"Mr. BYRD of West Virginia. Can the Senator from Minnesota assure the Senator from West Virginia that under title VI schoolchildren may not be bussed from one end of the community to another end of the community at the taxpayers' expense to relieve so-called racial imbalance in the schools?

"Mr. HUMPHREY. I do.

"Mr. Byrd of West Virginia. Will the Senator from Minnesota cite the language in title VI which would give the Senator from West Virginia such assurance?

"Mr. Humphrey. That language is to be found in another title of the bill, in addition to the assurances to be gained from a careful reading of title VI itself.

"Mr. Byrd of West Virginia. In title IV?

"Mr. Humphrey. In title IV of the bill.

"* * * * *

"Mr. Byrd of West Virginia. But would the Senator from Minnesota also indicate whether the words (in title IV) would preclude the Office of Education, under section 602, of title VI, from establishing a requirement that school boards and school districts shall take action to relieve racial imbalance wherever it may be deemed to exist?

"Mr. Humphrey. Yes. I do not believe in duplicity. I believe that if we include the language in title IV, it must apply throughout the act."

FUNDS IN 1969 BUDGET FOR BUSING

Senator Byrd. I think I put this in the record earlier this year. Do you plan to ask for any money in your 1969 budget for the purpose of busing students?

Dr. Carroll. Yes. It has not gone to staff or to the board at the present time, but the present plans are to at least bring it to the board and I am sure that the board will request it.

Senator Byrd. But I am just as sure that this subcommittee will strike it out.

Dr. Carroll. Yes, sir.

Senator Byrd. If I have anything to do with it. As long as I am chairman of this subcommittee, I am going to recommend against the use of public moneys in this bill for the busing of students to eliminate racial imbalance in the schools.

This hasn't been required by any Supreme Court decision. It wasn't required in the *Bolling* v. *Sharpe* case, and it hasn't been required by any congressional statute. As a matter of fact, the Congress has spoken in at least one piece of legislation and in the HEW appropriations committee report in such a way as to indicate its intent that moneys are not to be used for busing students to eliminate racial imbalance.

I think it is simply preposterous to spend $200 per student to bus students to eliminate racial imbalance. I am not opposed to integrated schools *per se*. I am in favor of upgrading our schools, and against forced integration of schools. The U.S. Supreme Court hasn't ruled against racial imbalance. It only ruled against discrimination and against forced segregation. It prohibited governments from fostering and requiring racially segregated public schools.

The case decision follows:

"[Bolling *v.* Sharpe: Syllabus]

"BOLLING ET AL. *V.* SHARPE ET AL., CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

"(No. 8: Argued December 10–11, 1952—Reargued December 8–9, 1953.—Decided May 17, 1954)

" 'Racial segregation in the public schools of the District of Columbia is a denial to Negro children of the due process of law guaranteed by the Fifth Amendment.' Pp. 498–500.

" '(a) Though the Fifth Amendment does not contain an equal protection clause, as does the Fourteenth Amendment which applies only to the States, the concepts of equal protection and due process are not mutually exclusive.' P. 499.

" '(b) Discrimination may be so unjustifiable as to be violative of due process.' P. 499.

" '(c) Segregation in public education is not reasonably related to any proper governmental objective, and thus it imposes on Negro children of the District of Columbia a burden that constitutes an arbitrary deprivation of their liberty in violation of the Due Process Clause.' Pp. 499–500.

" '(d) In view of this Court's decision in *Brown* v. *Board of Education, ante,* p. 483, that the Constitution prohibits the States from maintaining racially segregated public schools, it would be unthinkable that the same Constitution would impose a lesser duty on the Federal Government.' P. 500.

" '(e) The case is restored to the docket for further argument on specified questions relating to the form of the decree.' P. 500.

"*George E. C. Hayes* and *James M. Nabrit, Jr.* argued the cause for petitioners on the original argument and on the reargument. With them on the briefs were *George M. Johnson* and *Herbert O. Reid, Jr. Charles W. Quick* was also on the brief on the reargument.

"*Milton D. Korman* argued the cause for respondents on the original argument and on the reargument. With him on the briefs were *Vernon E. West, Chester H. Gray* and *Lyman J. Umstead.*

"By special leave of Court, *Assistant Attorney General Rankin* argued the cause on the reargument for the United States, as *amicus curiae,* urging reversal. With him on the brief were *Attorney General Brownell, Philip Elman, Leon Ulman, William J. Lamont* and *M. Magdelena Schoch, James P. McGranery,* then Attorney General, and *Philip Elman* filed a brief on the original argument for the United States, as *amicus euriae,* urging reversal.

"Briefs of *amici curiae* supporting petitioners were filed by *S. Walter Shine, Sanford H. Bolz* and *Samuel B. Groner* for the American Council on Human Rights et al.; by *John Ligtenberg* and *Selma M. Borchardt* for the American Federation of Teachers; and by *Phineas Indritz* for the American Veterans Committee, Inc.

"Mr. Chief Justice Warren delivered the opinion of the Court.

"This case challenges the validity of segregation in the public schools of the District of Columbia. The petitioners, minors of the Negro race, allege that such segregation deprives them of due process of law under the Fifth Amendment. They were refused admission to a public school attended by white children solely because of their race. They sought the aid of the District Court for the District of Columbia in obtaining admission. That court dismissed their complaint. The Court granted a writ of certiorari before judgment in the Court of Appeals because of the importance of the constitutional question presented. 344 U.S. 873.

"We have this day held that the Equal Protection Clause of the Fourteenth Amendment prohibits the states from maintaining racially segregated public schools.[1] The legal problem in the District of Columbia is somewhat different, however. The Fifth Amendment, which is applicable in the District of Columbia, does not contain an equal protection clause as does the Fourteenth Amendment which applies only to the states. But the concepts of equal protection and due process, both stemming from our American ideal of fairness, are not mutually exclusive. The 'equal protection of the laws' is a more explicit safeguard of prohibited unfairness than 'due process of law,' and, therefore, we do not imply that the two are always interchangeable phrases. But, as this Court has recognized, discrimination may be so unjustifiable as to be violative of due process.[2]

"Classifications based solely upon race must be scrutinized with particular care, since they are contrary to our traditions and hence constitutionally suspect.[3] As long ago as 1896, this Court declared the principle 'that the Constitution of the United States, in its present form, forbids, so far as civil and political rights are concerned, discrimination by the General Government, or by the States, against any citizen because of his race.'[4] And in *Buchanan* v. *Warley,* 245. U.S. 60, the Court held that a statute which limited the right of a property owner to convey his property to a person of another race was, as an unreasonable discrimination, a denial of due process of law.

"Although the Court has not assumed to define 'liberty' with any great precision, that term is not confined to mere freedom from bodily restraint. Liberty under law extends to the full range of conduct which the individual is free to pursue, and it cannot be restricted except for a proper governmental objective. Segregation in public education is not reasonably related to any proper governmental objective, and thus it imposes on Negro children of the District of Columbia a burden that constitutes an arbitrary deprivation of their liberty in violation of the Due Process Clause.

"In view of our decision that the Constitution prohibits the states from maintaining racially segregated public schools, it would be unthinkable that the same Constitution would impose a lesser duty on the Federal Government.[5] We hold that racial segregation in the public schools of the District of Columbia is a denial of the due process of law guaranteed by the Fifth Amendment to the Constitution.

"For the reasons set out in *Brown* v. *Board of Education,* this case will be restored to the docket for reargument on Questions 4 and 5 previously propounded by the Court 345 U.S. 972.

"It is so ordered."

BUSES TO RELIEVE OVERCROWDING

Dr. Carroll. Some of the funds for the busing is not for the purpose of integration, but have been used to relieve overcrowding.

Senator Byrd. Pardon me?

Dr. Carroll. Have been used only to relieve overcrowding. For example, 400 junior high school students.

Senator Byrd. Yes, I know. Dr. Hansen told me about that.

Dr. Carroll. Yes, sir.

Senator Byrd. You were busing students, I think, to about 18 schools.

Dr. Carroll. Yes, sir; approximately that.

Senator Byrd. To relieve overcrowding.

Dr. Carroll. That was to relieve overcrowding in these cases; yes, sir.

Senator Byrd. Yes, but it is not being done here now under the pretext of simply relieving overcrowding. It is also being done to eliminate so-called racial imbalance, and I think we are kidding ourselves if we think that, with the 10 percent or 8 percent white school population in the District of Columbia, you are ever going to have any even blend across the board, even an 8 percent white blend across the board, without its entailing inordinately high costs. Here is an example of it, $200 per student—a total of $400,000.

COMPARISON OF BUSING COST WITH BUILDING

One of your capital outlay items requested today amounted to what, less than $200,000, wasn't it?

Mr. Woodson. $199,000. Langdon was $199,000.

Dr. Carroll. $200,000, sir.

Senator Byrd. Yes, $200,000.

Dr. Carroll. Yes, sir.

---

[1] *Brown* v. *Board of Education, ante,* p. 483.

[2] *Detroit Bank* v. *United States,* 317 U.S. 329; *Currin* v. *Wallace,* 306 U.S. 1, 13–14; *Steward Machine Co.* v. *Davis,* 301 U.S. 548, 585.

[3] ***Korematsu* v. *United States,* 323 U.S. 214, 216; *Hirabayashi* v. *United States,* 320 U.S. 81, 100.**

[4] ***Gibson* v. *Mississippi,* 162 U.S. 565, 591. Cf. *Steele* v. *Louisville & Nashville R. Co.,* 323 U.S. 192, 198–199.**

[5] **Cf. *Hurd* v. *Hodge,* 334 U.S. 24.**

Senator Byrd. For one capital outlay project. In other words, you could pay for two similar capital outlay items with the cost of busing these students for one school year.

Dr. Carroll. Yes.

Senator Byrd. Extend this over a period of 10 years and you would pay for a considerable number of capital outlay projects, without the inconvenience that is caused these children, taking them all the way across town twice a day, delaying them in reaching their classes, delaying them in getting back home in the evening. I am not attempting to excoriate you, I don't mean to do this. This isn't your fault. It isn't Mr. Woodson's fault. It isn't Mr. Henley's fault.

But I just think it is simply outrageous, and as long as I have anything to do with the judgment that is applied to District of Columbia appropriations for the school system, I am not going to recommend money for busing of students to eliminate racial imbalance. Now if Judge Wright wants to provide the money, he can do it. As far as I am concerned he can pay the cost of busing to eliminate racial imbalance. I have done everything I can do to improve the school system in the District of Columbia. I have championed every dollar that has been requested for feasible programs and projects and necessary personnel for schools in the 7 years that I have been on this subcommittee and I, of course, haven't had my way about all things.

UPGRADING SCHOOLS OBJECTIVE OF COMMITTEE

I have championed some causes in regard to which I lost, and I want to keep on providing the opportunity for a better education. I want to upgrade the schools. I want to provide compensatory education for disadvantaged students. I am all for that. I want to give them preschooling, and I wish we could just find another $100 million somewhere and give it to the schools, if you could feasibly use it in fiscal year 1968. But I am just appalled at this intolerable and inexcusable waste of the taxpayers' money for busing students.

I know you have some overcrowding. Congress has a responsibility to help relieve that overcrowding, and over the years I don't think it has lived up to its full responsibility, and we ought to do something about it as quickly as we can do it. That is my objective in providing additional buildings in neighborhoods where the overcrowding exists.

DIRECTION OF PROJECTED TRANSPORTATION

Now have you been transporting children from west of Rock Creek Park to east of Rock Creek Park?

Mr. Woodson. No, sir.

Senator Byrd. There has been none of that.

Dr. Carroll. It is only from east to west.

Mr. Henley. And east to east.

Senator Byrd. And east to east.

Mr. Henley. Yes.

Dr. Carroll. I believe about 450 elementary students are being bused from east of Rock Creek Park to west of the park at the present time.

Senator Byrd. I will insert in the record at this point, two editorials from the Washington Evening Star.

The editorials follow:

"[From the Washington (D.C.) Evening Star, Sept. 11, 1967]

"WRIGHT'S REVERSAL

"In explanation of his eleventh-hour turnabout decision the other day to permit some 255 District youngsters to remain this fall in the schools they had already been attending, Judge J. Skelly Wright commented that 'the position of the children . . . looms uppermost in my mind.'

"Where was that concern only a week before, however, when the judge ruled that these children, the vast majority of whom are Negro, had to abandon the schools of their choice and move into entirely new and educational environments?

"School administrators had cautioned that such moves would be unsound educationally. And the individual pupils involved—during their angry, dramatic appearance before the school board last week—told precisely why in reciting instance after instance of the unconscionable hardships and disruptions they faced.

"The logical conclusion is that Judge Wright, as a non-professional, did not have the slightest notion of these effects at the time of the initial ruling. And this, of course, is an ideal illustration of why a federal judge who has no competence as an educator has no business whatever trying to run a school system.

"The school board is to be commended for actively seeking the reversal—especially in view of the vehement objections of members John Sessions and Euphemia Haynes. We trust that a majority of the board will be equally responsive to such situations in the future. Sessions' comments that the board's further interest in this case after the initial ruling was a 'cruel hoax,' and that the board was risking a contempt citation, were irresponsible nonsense.

"One aspect of Judge Wright's statement is a little difficult to understand—his indication that his reversal of last week may be temporary, pending an overall review of school assignment policies next January. For if his reasons for not disrupting the lives of these 255 children are valid today, they will surely be even more valid in mid-term four months hence.

"At this stage of the game, however, we choose to look on the brighter side of the picture, and recall another of the Judge's observations last Thursday: His characterization of the 255 children as 'pawns' in an 'unfortunate episode.'

"However he meant that comment, it states the present dilemma precisely. If the judge is really becoming aware of the danger that the flights of social theory he expounded in the Hobson v. Hansen decision could make innocent 'pawns' of countless other children—in countless other 'unfortunate episodes'—maybe we're getting somewhere."

"[From the Washington (D.C.) Evening Star, Sept. 18, 1967]

"SECOND WRIGHT BONER

"Earlier this month Judge J. Skelly Wright modified his original school decree to permit some 255 District youngsters to continue this fall in schools they had already been attending. This was done after Judge Wright had belatedly become aware that his original ruling would work an unconscionable and senseless hardship in the case of those children, most of whom are Negroes.

"District school officials now are trying to decide what to do about a second unfortunate and probably unforeseen consequence of the Wright ruling.

"Judge Wright, with some splendid rhetorical flourishes, ordered the abandonment of the track system on the ground that it discriminated against 'lower class and Negro students.' It turns out, however, that there were some 5,000 'educable retarded' children, most of them colored, in the 'special academic' or basic track. With the track system judicially banned, some other arrangement for grouping these retarded children must be devised unless they are to become educational casualties of the Wright decree and of its interpretation by school officials.

"As a temporary measure the educable retarded children have been placed in regular classes, where they stand little if any chance of keeping up. An article by William Raspberry in The Washington Post told of the unhappy experience of one mother and child.

"The child, a nine-year-old girl, had been making good progress in the basic track at Tyler Elementary School. 'Now she's in a regular third grade class,' said the mother, 'and she comes home crying, telling me she can't understand the lessons. Her reading isn't as good as it was last year.'

"Well, this and other deplorable byproducts of the Wright decision doubtless will be straightened out in due course. But the essential conclusion remains: A Federal judge is no more qualified to undertake a whip-cracking approach to the dictation of educational policy than would a professional educator be qualified to serve on the United States Court of Appeals."

Senator Byrd. Do you have space east of the park?

Dr. Carroll. Yes, we have found space east of the park and have transported into those spaces, and this is our second year actually in that type of transportation.

Senator Byrd. Let me read from Mr. Henley's letter:

"Public schools plan to rent buses to transport a total of 1,782 children from overcrowded to underpopulated schools. Of this total, approximately 418 elementary school students will be transported from overcrowded schools east of Rock Creek Park to underpopulated schools west of the park. In addition, there are approximately 730 openings in the secondary schools west of the park for which volunteering students in overcrowded schools east of the park can receive free D.C. transit bus tickets if they choose to transfer."

I repeat: "* * * 730 openings west of the park in secondary schools for which volunteering students east of the park can receive free D.C. Transit bus tickets * * *."

The letter also states as follows: "There are also available some 1,300 spaces in secondary schools east of the park for which transfer may be requested. However, the school system does not intend to pay for any transportation costs involved in such transfer."

REASONS FOR FREE TRANSPORTATION

Now why provide free bus tickets to secondary schools west of the park when there are spaces east of the park at no cost to the school system?

Dr. Carroll. It is my understanding that they were complying with Judge Wright's directive that we should try to have greater integration and allow students to transfer from east to west of the park.

Senator Byrd. Yes.

Dr. Carroll. And this is the basis for this decision.

Senator Byrd. Yes. While spaces are available east of the park, which would not be at any cost to the District of Columbia school system; is that correct?

Dr. Carroll. I think that is.

Senator Byrd. In other words, students from secondary schools east of the park that are overcrowded could transfer to schools east of the park which are not overcrowded, and wherein spaces exist, at no cost to the school system, but in order to bring about some kind of racial mix, the court decree is requiring you, or at least you feel you are being required by it, to transport secondary school students from east of the park to west of the park through the provision of bus tickets.

Mr. Henley. That is correct.

Senator Byrd. While those same students could go east of the park in spaces available at no cost to the system. It just doesn't make sense.

Dr. Carroll. I think that is the correct interpretation, sir.

Senator Byrd. It doesn't make sense.

EFFORTS TO RELIEVE OVERCROWDING

Mr. Henley. I think in order to be clear, we are paying for the transportation of the children from Hart to Sousa and Evans.

Dr. Carroll. Evans and Roper I believe.

Mr. Henley. That is right.

Dr. Carroll. These were in the original plan. Evans and Roper are both in the general area where they had some severe overcrowding at Hart. We did provide that transportation.

Senator Byrd. Yes. Well, the school system was attempting to make a sincere effort to alleviate overcrowded conditions on a temporary basis.

Dr. Carroll. This was actually in our plans before the Wright decision.

Senator Byrd. Heretofore. Dr. Hansen so indicated, and he stated that when the overcrowding was relieved, the busing would not continue. But here you are being required, as a result of judicial decree, to take actions which are at great cost to the taxpayers, actions which inconvenience the students. Surely the students are inconvenienced by having to be bused across town, when there are spaces next door virtually in their own area which are available to them. As important as money is, and considering its short supply, it would seem to be better spent if we concentrated on providing some more school buildings and additions to school buildings over in the crowded areas. As I say, my criticism is not meant to be delivered to you gentlemen. You are the victims in this comedy of errors.

LOCATION OF RELOCATABLE CLASSROOMS

What about the relocatable classrooms? Are these going to be placed in the overcrowded areas east of the park?

Mr. Woodson. Mr. Chairman, they are all being placed in the Anacostia area, all 36 of these buildings.

Senator Byrd. Yes. What was the cost per pupil with respect to the relocatable classrooms?

Mr. Woodson. I think these buildings are costing us roughly about $14,000 apiece. They each hold 30 students, so that——

Dr. Carroll. Roughly $460 or $470 per pupil. That would include the equipment, I believe, sir.

Senator Byrd. Yes.

Mr. Carroll. That is assuming the $14,000 figure just given.

Senator Byrd. Yes. It would seem to me this would be the way to relieve overcrowding at least temporarily. These could be used time and time again, year in, year out. You have your initial expenditure which would cost only twice as much as the transportation of the student for a single year. If one wanted to make an honest, sincere, and conscientious effort to relieve overcrowding, it seems to me this would be the approach. Since the ruling in *Bolling* v. *Sharpe*, the school system in the District of Columbia has not discriminated against students on the basis of color and of race, has it, in their assignment to the schools?

Mr. Woodson. No, sir.

Dr. Carroll. No.

Senator Byrd. And there is integration all throughout the city, isn't there, in the schools, and where there is resegregation, it is not because of discrimination in assignment of students, is it?

Dr. Carroll. No. We failed to convince Judge Wright of that, however.

Senator Byrd. Yes, I know you did, and it may be that I shall have failed to convince him that I am going to recommend against the paying of this in the budget which comes before this subcommittee. Time will tell. I am just not going to knowingly recommend the insensible expenditure of the taxpayers' money. I just won't. I can state one Senator's viewpoint on this. I want any such request identified in your 1969 budget, so I will know just where to put the red pencil.

Dr. Carroll. Yes, sir.

Senator Byrd. This subcommittee has no control, of course, over your Federal money in grants, and so forth, under other legislation, but I did want to call attention to the language in the HEW appropriations committee report, which does deal with funds provided for the Office of Education. You may want to consider it.

CORRECTION OF DIRECTIVE

Now, Mr. Henley, another question along this line. In your letter of August 31, you stated, and I quote, "One directive on August 14, 1967, erroneously indicated that only Negro children would be transported."

You go on to say that "This directive was corrected in a later directive on August 16, 1967." Was it corrected?

Mr. Henley. Yes, sir.

The letter follows:

Superintendent of Schools,
Franklin Administration Building,
Washington, D.C., August 31, 1967.

Hon. Robert C. Byrd,
Chairman, Subcommittee on the District of Columbia, Committee on Appropriations, U.S. Senate, Washington, D.C.

Dear Senator Byrd: I am pleased to provide the information you requested in your letter of August 23, 1967.

Enclosed are copies of all orders and directives issued by the School Board and the Administration relative to the transportation of children from overcrowded schools east of Rock Creek Park to under-populated schools west of the Park.

These documents are generally self-explanatory. However, one directive issued on August 14, 1967 erroneously indicated that only Negro children would be transported. This resulted from a misinterpretation of the intent of the court decisions in the case of Hobson v. Hansen. The school administration is maintaining close communications with the Corporation Counsel's Office in these matters but a misunderstanding occurred in this case. The directive was corrected in a later directive on August 16, 1967. A press release also was prepared to facilitate public understanding of this matter.

We have made every attempt to develop plans which meet the requirements of this court decision in good faith, which are consistent with good educational practice, and which are within the capabilities of the school system to implement. It is our hope that we are successful in this effort.

You requested specific details concerning plans for transporting students. The public schools plan to rent buses to transport a total of 1782 children from overcrowded to under-populated schools. Of this total, approximately 418 elementary school students will be transported from overcrowded schools east of Rock Creek Park to under-populated schools west of the Park. In addition, there are approximately 730 openings in the secondary schools west of the Park for which volunteering students in overcrowded schools east of the Park can receive free D.C. Transit bus tickets if they choose to transfer. Thus a total of some 1148 elementary and secondary students living east of the Park may be provided either buses or bus tickets to attend schools west of the Park.

It should be pointed out, however, that this east to west transportation represents only a portion of our total transportation plans for this year. Of the 1782 students being transported by rented bus approximately 970 elementary and 394 secondary students (total—1364) will be bused from schools east of the Park to other schools also east of the Park. There are also available some 1300 spaces in secondary schools east of the Park for which transfer may be requested; however, the school system does not intend to pay for any transportation costs involved in such transfer.

Exhibits I and II, attached, list the numbers of students being transported by schools and also indicate the schools to which they are being sent. Exhibit I shows movement from east of the Park to the west of the Park, while Exhibit II shows movement from east of the Park to other schools also east of the Park.

The total annual cost of all transportation is estimated to be about $378,338. The following table itemizes these costs:

Contracts for 35 buses	$195,058
40 bus attendants (to provide supervision on the buses)	157,000
Free D.C. Transit bus tickets for 730 secondary students	26,280
Total	378,338

A word of explanation may help put these statistics into perspective. All students being transported by bus are coming from severely overcrowded schools in the Anacostia area as Exhibits I and II show. A total of 418 of the 1782, or 23.5% of the total being transported by rented bus, are going to schools west of Rock Creek Park. This portion of the transportation is estimated to cost about $82,734. Adding to this figure the $26,280 for free bus tickets for secondary school students gives an estimated total cost for transportation west of the Park of $109,014, or 29% of the total transportation costs. Some additional costs may occur to extend the free lunch program to the schools west of the Park which have not had such a program previously. This cost is not expected to be great.

It should be noted that all enrollment figures and costs are necessarily estimates because school has not yet opened. Because of uncertainty as to what true enrollments will be, the actual resulting figures and costs may vary somewhat from those presented here. Further, all plans are subject to the court's approval and therfore may be altered.

It should also be observed that the District of Columbia Schools transported approximately 700 elementary school children last year in order to relieve overcrowding. Some of these students were sent to schools west of Rock Creek Park. The school administration had planned to continue to transport elementary students and to transport some 400 students from Hart Junior High School as well. All plans for transportation and all school capacities in Exhibit I and II take into account the availability of the 36 relocatable classrooms which your committee authorized this spring.

Bolling Field will provide its own transportation for students coming from that Base as they did last year; thus, their students are not included among the students for whom we are paying transportation.

All the costs of transportation will be paid initially from Impact Aid funds. The Board of Education will consider the possibility of alternative sources of funding for this expense at a meeting in the near future since the cause of this expense is necessitated primarily by lack of school facilities, and to a lesser extent, by court order.

I hope we have provided all the information you require. If you have need for any additional information, I would be pleased to provide it.

Sincerely yours,
Benjamin J. Henley,
Acting Superintendent of Schools.

Senator Byrd. What about the transfer of pupils to undercapacity schools on the west side of Rock Creek Park? Shall it be confined to Negro students from overcapacity schools?

Mr. Henley. No. Any child asking for a transfer from an overcapacity school which is Elementary and Secondary Education Act, title I designated, which would mean that it is the lowest economic area, would have his transfer granted in terms of capacities of the schools.

Senator Byrd. Well, you had referred, to your news release of August 14, had you not?

Mr. Henley. That is right, the first one that we put out.

Senator Byrd. Now in your press release of August 16, you stated—I assume you feel that you struck out that earlier provision which confined the transfers to Negro students.

Mr. Henley. Yes.

Senator Byrd. Did you?

Mr. Henley. That is right.

PLACEMENT IN UNDERCAPACITY SCHOOLS

Senator Byrd. In your press release of August 16 you state that:

"Placement in undercapacity schools will be based on the following criteria:

"1. Priority will be given to transfers which increase racial integration."

Suppose a white student wants to transfer from an overcrowded school to an undercrowded school that is white, or mainly white. Do you discriminate against that white student?

Mr. Henley. No, we do not.

Senator Byrd. He would be permitted to transfer.

Mr. Henley. Yes; I am sure I couldn't name the children, but I am sure that we have children from Ballou who are white going west of the park.

Senator Byrd. And they are going to schools, undercapacity schools, that are predominantly white?

Mr. Henley. If they are going to Wilson. Western, I believe, is about 50/50.

Dr. Carroll. Yes; close to 50 percent.

Mr. Henley. That revision was made on the recommendation of the Corporation Counsel. We had been in error.

LONG-RANGE PUPIL ASSIGNMENT PLAN

Senator Byrd. In your superintendent's circular No. 9, dated August 8, 1967, you set forth your long-range pupil assignment plan, and you indicate as one of the steps to be taken in the development of a long-range plan, a study of school boundaries and enrollments in order to determine what immediate changes can be made to increase economic, social, and racial integration through busing and the establishment of new zones to replace abandoned optional zones.

You go on, on the following page, to include as a possible area requiring study and analysis, in order to formulate recommendations, this item:

"Recruitment of volunteer families west of the park who are willing to have their children bused east to schools where their presence will provide integration to both groups."

Now we are going to send students from west to east.

Mr. Henley. Sir, I am not saying that we will do that.

Senator Byrd. No, I shouldn't say it either, but this was at least going to be considered.

Mr. Henley. Yes.

Senator Byrd. Well, you identify this busing item, if it is in your budget next year. It just would make even less sense to bus students east to west and then bus students west to east.

Mr. Henley. We are under orders to consider a long-range pupil assignment plan.

Senator Byrd. Yes.

Mr. Henley. I think that as we considered this, we put into the plan at that point all the possibilities that might be considered.

Senator Byrd. Yes.

Mr. Henley. And what will come up I don't know.

Senator Byrd. Well, you are between a rock and a hard place.

Mr. Henley. Yes.

Dr. Carroll. Yes, sir.

Senator Byrd. I don't know what you will do to satisfy the decree, but you might keep this hard place in mind.

Mr. Henley. We can't very well forget it.

Dr. Carroll. We will describe our budget accurately, sir.

REQUEST FOR FURTHER INFORMATION ON TRANSPORTATION

Senator Byrd. Provide for the Subcommittee an up-to-date estimate of the cost of transportation.

Mr. Henley. Yes, sir.

Senator Byrd. Also supply the Subcommittee with all circulars, directives, et cetera in implementing the decree, if it is upheld by the Court of Appeals. Keep us supplied with all letters, circulars, directives, future plans, et cetera.

* * * * *

FORCED PUPIL INTEGRATION

Senator Byrd. It is not my purpose to resegregate the schools. I don't want to be misunderstood. And it is not my purpose to defend forced segregation in schools, not at all. I have nothing against integration as long as it is up to the free will of the students. If Negro students freely wish to go to white schools, and vice versa, that is perfectly all right with me. I have no objection to that and couldn't have. But, when it comes to the forced mixing of students against their wills, or against the wills of their parents, many of whom are Negro who are against this, many of whom are white, and both of whom, at least in theory, pay taxes, the white child's parents pay taxes just as does the Negro child's, then it becomes, I think, discrimination in reverse. And forced integration by the State, or by the Federal Government, is just as bad as is forced segregation by government. So it is that which I oppose, forced segregation and forced race mixing.

Just as Congress has no special competency which would qualify it to run the schools administratively, I feel constrained to say that the courts don't have any greater competency. I think these matters should be left to the school officials. And all the decrees in the world can't be enforced if you don't have the money.

Dr. Carroll. Yes, sir.

Senator Byrd. What is going to be the outcome of this impasse if you should request D.C. funds for busing? You have the judiciary saying that you have got to do thus and so, and I suppose implicit in that decree is that you have got to bus, and you are going to have the legislative branch, at least as far as I can bring it about on this subcommittee, and I may fail, but I will refuse to go along with that insofar as providing D.C. funds for busing is concerned. Let Judge Wright take notice. Again I say I have no control over Federal moneys such as impact aid. I can only speak to your city budget which comes before this subcommittee.

TEACHER INTEGRATION

Also in your plan for substantial teacher integration, you state, Mr. Henley, in your news release of August 14 as follows:

"We are assigning new teachers on a color conscious basis. We are transferring teachers needed for the additional children transferred west of Rock Creek Park on a color conscious basis."

How can you do this under the Constitution? The Constitution is colorblind. How can you assign teachers on a color-conscious basis?

Mr. Henley. We had not, as you probably know, been keeping records of the races of our teachers. However, we were ordered to make assignments on a color-conscious basis. The fact is that we didn't know until the 5th of September when our teachers showed up who they were, so we had to make assignments, adjustments in assignments on the basis of teachers whom we had and whom we had assigned prior to that time. It is a dilemma in which we find ourselves.

Senator Byrd. I know.

Mr. Henley. We had never kept, well, for 10 years or more we haven't kept such records. We didn't know until after interviews earlier in the summer whether or not a teacher was white or colored. We couldn't know the race until the first day when teachers reported.

ADJUSTMENTS TOWARD COMPLIANCE

We have made some adjustments since that time, in order to comply. I am not sure that what we have done will be acceptable to the judge in terms of compliance and in terms of the report that we have made to him, but this is an awfully delicate thing.

Senator Byrd. I know it is. Well, there is room for a difference of opinion here. I would imagine that this is going to make your recruitment problem somewhat more difficult, and you may end up with fewer white teachers to transport to the west side of Rock Creek Park.

Mr. Henley. It could well be.

Senator Byrd. And you may end up with fewer white students than the present 8 percent of the population that you have in your elementary schools. So the judge may be cutting off his nose to spite his face. He may be thwarting his objectives.

I think this decree—and I don't want to speak in derogation of a member of the court, and I don't know Judge Wright personally, and what I say is not to reflect on him as an individual—I just think his decree is unwise, unworkable, unsound, and wasteful of time, energy, and money. I believe that the decree will just hasten the exodus of white students from the District of Columbia.

I wouldn't like for my child to be transported all the way across town, running the risk of accidents during the winter, and getting to class an hour later than he would otherwise have to attend, coming home an hour later, being on the bus for an hour and a half each way. I understand some of these children are on buses for an hour and a half, and I wouldn't like this. I assume that other parents, both colored and white generally speaking, have about the same feelings I have about our children.

NEGRO PARENT INTERESTED IN EDUCATION

I believe the average Negro parent is interested rather in the education of his child, than in having that child used as a guinea pig in some wild and senseless experiment. All of what I am saying here is of no moment as to the judge's decree. It is not going to have any impact, of course, on his decision, but it does revolve around this item of appropriation for busing. I am not complaining to you gentlemen, but we may have to meet this issue somewhere down the road.

Whatever integration results in the natural course of things and so forth and so on is one thing, but to spend the taxpayers' money to force something which can't really be forced, in the final analysis doesn't make sense. People just aren't going to be led around by the nose as a result of any decree. I wouldn't stand for it, if I had a child in the District schools—wouldn't stand for it a minute. The sooner I could get away from it, that would be just how soon I would leave, if I were able to do it. Some people perhaps are not able to do it. I have talked with a lot of colored people, I would imagine that the opinion of most of them is that as long as their child isn't mandatorily relegated to a segregated school, as long as the child has the opportunity to go to a white school, as long as there are some white students in the school with it, which is proof that it is not a segregated school, and the colored child has an opportunity to be exposed to them, as long as there is freedom of choice, this is satisfactory and meets the constitutional requirements.

That colored parent is interested in the education of his child, because that is what is going to count most when it gets out into the school of hard knocks. It has to compete with other people. How well it can read and write and solve problems in mathematics is what will count most in the labor and professional market, and not so much that it has rubbed elbows or played football with a half dozen white students in a school which is 50/50 or 90/10 as to racial mix.

SPECIAL PROJECTS INVOLVING BOTH RACES

There is one other item I think I wanted to ask about, Mr. Henley. By the way, why couldn't you have, say 1 day a week, in which students of all races throughout the city could meet at a certain place, say for 2 hours a week? Why couldn't this be done? This would bring about the cross exposure of the races and help children to learn to work together and to know one another, instead of all this ferment, about busing to eliminate racial imbalance? Is any consideration being given to this type of thing?

Mr. Woodson. Senator, my office proposed, and I think it is under study now, that we build a school for the teaching of those subjects which are taken by only a few people in some schools, and offered not at all in certain other schools. I am thinking about the fourth year of language or perhaps some of the rarer languages, Russian, Chinese, Asian, and Indian languages, the advanced science course, and some drama courses, journalism courses, where the enrollment in almost any school is quite low, and in some schools, because the demand is so low, it is not offered at all.

It was my feeling that we might build such a school, and that the children, we would teach all of these relatively rare courses in the curriculum at a single spot. This would provide the course for anybody who wanted it, and this is not the case today.

Dr. Carroll. Yes, sir.

Mr. Woodson. And as a byproduct we would be getting a cultural, social, and economic mix.

Senator Byrd. In the meantime, the District should expedite the building of new and additional structures in the slum areas where there is overcrowding. You would have in the normal course of things some integration in those areas and then you would have 1 day a week on which the students could be brought to a central location and could be taught subjects such as you have outlined.

Mr. Carroll. The Columbia Teacher's College report makes recommendations along this general line of specialty schools too.

BUSING COST'S RELATION TO EQUIPMENT COST

Senator Byrd. How far would $200 a year go in equipping facilities for preschool aid?

Dr. Carroll. Your pre-school-pupil costs, particularly if the program is on a half-day basis, of course, is somewhat smaller than our regular elementary, which is running around $500, so I suppose that—this is very much off the top of my head. I am sure that we could put a child in preschool for almost the cost of busing, but I am not sure of that. I would have to check it.

Senator Byrd. It would seem to me this would be a much better expenditure of money. The child goes across town for 5 years and $1,000 has been spent on that child for bus transportation and he has nothing to show for it but some torn-up bus tickets, and probably some torn-up bus seats, and the same amount of money could be used for preschooling a lot of children, which would be worth something to them throughout their lifetimes.

My remarks this morning do not go to that part of the decree which dealt with the track system. I have always expressed support of the track system as it was explained by Dr. Hansen in his appearances before the subcommittee, and while I am not an educator and do not profess to be one, I have been persuaded to believe that some system of ability grouping is advisable, but that part of the decree was not the object of my comments. This is something beyond the competency of this subcommittee or this chairman.

My remarks simply went to that portion of the decree which implicitly or explicitly required busing of students in order to eliminate racial imbalance, or promote racial balance, in the public schools, the implementation of which would be at an unnecessary and unwarranted cost, in my judgment, to the taxpayers, and a great inconvenience and some hazard to the children.

DIFFICULTIES AT LINCOLN JUNIOR HIGH

In the Washington Post of October 27, 1967, there appeared an editorial entitled "Anarchy at Lincoln." You are familiar with the editorial, I am sure, Mr. Henley. I am going to insert it in the record, together with another story deploring school rowdyism.

The article follow:

"[From the Washington Post, Oct. 27, 1967]

"ANARCHY AT LINCOLN

"An extremely ugly situation has been allowed to develop at the new Abraham Lincoln Junior High School. There have been numerous fights between students, attacks upon teachers, wanton vandalism and other forms of disorder. Recently, this situation was dramatized by the complaints of parents from three East European embassies in the school's neighborhood that their children had been subjected to 'almost daily brutal treatment' by the Negro majority and by a formal request from the Department of State that these children be allowed to transfer to another school.

"We have the warmest sympathy for the victimized children and for their families. Their request for transfer is readily understandable. But so is the refusal of that request by Acting School Superintendent Benjamin Henley. Transfer would breach the principle that children should attend schools in the neighborhoods where they live; and it would also breach the recent ruling by United States Circuit Judge J. Skelly Wright forbidding exceptions to that principle. 'I couldn't legally approve these transfers,' Superintendent Henley said with most creditable candor, 'and I might add I personally think it better not to have any exceptions.'

"The remedy for racial violence or threats of violence, in school or out of school, is not surrender or evasion. It lies in enforcement of the law and maintenance of order. The situation at the Lincoln School is intolerable; and it emphatically does not have to be tolerated. It arises out of inadequate preparation for the school's opening and unsatisfactory administration after it opened. There is need for the most stringent discipline at the school until the students there can be taught reasonable behavior. It would be absurd to say that order cannot be established at Lincoln—or that it can be achieved only by returning to a system of racial segregation.

"The District owes apologies to the diplomats whose children have suffered mistreatment. It owes protection, at whatever expense and effort may be necessary, to all children at its public schools. Mr. Henley has indicated a determination to restore order at Lincoln. He should have all the help he needs from District law enforcement authorities. Order is the indispensable condition of education."

"[From the Washington Daily News, Oct. 25, 1967]

"CRISIS WITHIN A CRISIS HERE—ENVOYS HIT SCHOOL ROWDYISM

"One of the problems of the much-maligned District School system—fighting—has taken on an international flavor.

"The Bulgarian, Polish and Yugoslavian Embassies have complained to the State Department that some of their employes' youngsters have been beaten up going to and from Lincoln Junior High—on a fairly regular basis.

"But school officials have denied the parents' request to have their children transferred because the Wright school decision prohibits such changes.

"Harold Pace, State Department assistant chief of protocol, said yesterday the first complaints were received about a month ago and the last incident allegedly occurred Friday.

" 'We don't know why they are getting picked on,' he said, 'but their parents want them transferred. Evidently there are fights going on among Negro pupils, so we have no reason to believe the foreign pupils are being picked on because they are white.'

"Dropouts

"Mr. Pace said there are 12 Polish, Bulgarian and Yugoslavian pupils—all in their first (and possibly their last) year of school here—going to Lincoln. Some of them have already been pulled out of school by their parents, he said.

"Acting School Supt. Benjamin J. Henley said he had received a letter from the State Department saying 'the children had been struck on the way home from school.'

"No go

"The letter, he said, asked that the children be transferred.

" 'We said no to that,' he said, on the advice of Corporation Counsel, Charles T. Duncan, who felt any transfers could only be made in emergencies, in case of overcrowding or thru pre-arranged busing plans which are already in effect."

Senator Byrd. I would like for you to address yourself to the editorial and indicate what steps have been taken to prevent further similar situations.

PROBLEMS OF ORGANIZING NEW SCHOOL

Mr. Henley. We had difficulties in organizing the Lincoln School. It is a brand new school. The administration of the school is new. The teachers were new. The students coming to the school were all new. This in itself is a problem. We were bringing together three groups of students, Spanish speaking, Negroes and white, which complicated the problem. Then early in the school year the principal of the school became ill and left, and so we didn't have the leadership of the principal there.

Now then, there were incidents on the way to school and from school. There were incidents within the school. You asked what have we done about it.

We have added an additional assistant principal to the school. We have brought in, we have consulted with the recreation department to bring some roving leaders in that area. We have had the Police Department to patrol more frequently in the area. We have rearranged the schedules in the school. We have transferred out about 300 children because the school was overcrowded at the beginning of the school year. We have listened to the people in CHANGE, this is a neighborhood group which is interested in the school, and we have just transferred one additional person as an assistant principal, and we are considering an interim principalship. This would be maybe a 90-day principalship.

The behavior at the school, the decorum at the school, the reorganization of the programs at the school have resulted in a marked change at the school. I consider it in a rather good state, but there needs to be improvement yet. I think what you see in the article there could rightly have been said 3 weeks before, but it was coming up in the newspapers at that time. I have been up there myself on one or two occasions, and the assistant superintendent is on top of it. One of his aides goes to the school everyday there.

It was a difficult thing and it wasn't good when it started. It is much better now.

TIGHTENING DISCIPLINE IN SCHOOL

Senator Byrd. What is being done to tighten up the discipline in the school, Mr. Henley?

Mr. Henley. The teachers——

Senator Byrd. Not only in this school but also in schools throughout the District.

Mr. Henley. I don't know if I can give you really what you are looking for. I think the children in our urban schools reflect the temper of the times. I think that there is some unrest in our schools, and yet I don't believe that the problems that we have in the schools are as serious as sometimes the newspapers indicate.

Senator Byrd. Oh, I think they are far more serious than the newspapers ever reveal. I don't think half has ever been told. Do you remember the old song?

Mr. HENLEY. Yes, I do.

Senator BYRD. "The Half Has Never Yet Been Told"? I don't think the half has ever been told.

Mr. HENLEY. I think you——

SERIOUSNESS OF DISCIPLINE PROBLEM

Senator BYRD. I have been. I know a lot about this situation that you don't think I know. I am not just speaking off the top of my head in this. I get lots of letters from teachers and parents whose children are in schools, and a lot of these are Negro parents and Negro teachers. The public doesn't know the half concerning the disciplinary problems. It is not just in your schools but in other urban communities also. And you say it is the temper of the times. But I think a man has to shape the temper of the times. He just can't glide down the stream of history looking backward over his shoulder. He has got to shape the trend. I certainly hope that something can be done to tighten up on the discipline in the schools. I think it is important to the education of the children. It is certainly important to the attitudes that they have later, and it is important to the mundane matters of recruitment of teachers.

The October 18, 1967, Star carried a story with this heading, "The Week That Was: Miller Junior High Put to Test."

I read an excerpt therefrom:

"On Tuesday, a 17-year-old Negro dropout allegedly entered the building and manhandled a female teacher in front of her class on the third floor.

"A complaint was made to the principal. The white teacher also went over the head of Savoid, a Negro, and complained directly to officials at the Franklin Administration Building."

The story talks about the fire alarm being set off 27 times, stopping classes each time "as students dutifully filed from the room. Discipline all but disappeared."

I will put this item in the record.

The article follows:

["From the Evening Star, Oct. 18, 1967]

"THE WEEK THAT WAS: MILLER JUNIOR HIGH PUT TO TEST

"(By Ernest Holsendolph)

"The District's Kelly Miller Junior High School is a mere 18 years old, a youngster among the city's ancient buildings. But the years have been hard for the Far Northeast School.

"Once severe overcrowding was its hallmark, with its capacity of 1,000 stretched to more than 1,800 as the city threw up one public housing project after another. That problem is waning, but others linger on.

"Broken windows and a vandalized interior—plumbing in one part of the building yesterday was still stopped by a beer can—tell of only one level of the school's present problems.

"Last week, when someone threw a rock through a piece of plastic patching in a window, Miller got one of the District's first windows with a hole in a hole.

"That's the way it has been this semester at Miller, which is at 49th and Brook Streets NE.

"Too many students showed up the first day of school. There were enough rooms this time, but not enough teachers. And there weren't nearly enough books.

"And gone was Mrs. Muriel Alexander, a disciplinarian whose tight rein on the school before her June retirement made her well-known throughout the system.

" 'It was strictly one strike and you're out,' was the way one Miller teacher described 'the old days.'

"Mrs. Alexander's replacement is Othello Savoid, an amiable man who wanted very much to be liked, especially by the students, during the first year as a school principal.

"Free wheeling

"Teachers accounts revealed the following:

"The students sensed the change immediately, and reacted like so many chickens finally free of the coop.

"Students and outsiders wandered the corridors. Students dropped in on classes casually, up to half-an-hour late. Classes were noisy and frequently interrupted. During one free-wheeling day, a student threw a golf ball down a corridor, striking a female teacher in the back.

"Teachers became increasingly bitter about the lack of discipline and lodged complaints with the Washington Teachers Union, their exclusive bargaining agent during present contract negotiations.

"Last week was the most hectic period in the five weeks of school.

"Savoid told a reporter last week the school's fire alarm system had become an increasingly popular toy to the students. Before last week, the alarm had been set off on six occasions.

"The alarm was sounded three times last Monday morning, and that afternoon, during a real fire drill, the students responded poorly, believing the bell signified just another false alarm.

"Teacher manhandled

"On Tuesday, a 17-year-old Negro dropout allegedly entered the building and manhandled a female teacher in front of her class on the third floor.

"A complaint was made to the principal. The white teacher also went over the head of Savoid, a Negro, and complained directly to officials at the Franklin Administration Building. The next morning the suspect was booked and sent to Children's Receiving Home to await a hearing.

"Tuesday afternoon Savoid told the students to shape up and keep their hands off the fire alarm and to respect the rules of the school. At the same all-school assembly, Savoid reportedly told the faculty not to bar pupils from class for coming late. Teachers were very resentful of this and reported it to William H. Simons, president of the union.

"Wednesday was truly fire alarm day. Police report the alarm was set off 27 times, stopping classes each time as students dutifully filed from the rooms. Discipline all but disappeared.

"Acting Superintendent Benjamin J. Henley and John D. Koontz, assistant superintendent in charge of secondary schools, visited the school that afternoon to calm the teachers, some of whom considered resigning.

"Teachers voiced their complaints about lack of discipline that night to parents and residents at a hastily called community meeting. Mrs. Euphemia L. Haynes, a member of the District Board of Education, also attended.

"Mrs. Haynes, for 30 years a teacher at D.C. Teachers College, said she listened to the teachers' complaints, but she was critical of some speakers who 'wanted the right to expel disruptive children.'

" 'From the way they talked, I could sense some of them lacked experience,' Mrs. Haynes said. 'We must educate all children, including those who sometimes are disruptive.'

"Thursday saw the week's second all-school assembly.

"Savoid said he again called for discipline among the students. A succession of teachers spoke, reminding the students of rules of good behavior in various parts of the building, including the hallways and cafeteria. Two police officers from the 14th Precinct and the Youth Aid Division also addressed the assembly at Savoid's request.

"The officers made a show of explaining to the students that fire alarm switches would be dusted with a substance which would leave tell-tale traces on any culprits who caused another untimely fire drill.

" 'I regret that this has gotten such publicity,' Savoid told a reporter. 'I have always believed that school problems could be settled within the school.'

" 'News media seem to use every chance they get to ruin the names of schools in our city,' said Savoid, who taught 10 years at Miller and then left for a stint at Eastern High. 'For the most part we have a normal junior high here—including no overabundance of angels.'

"Koontz said yesterday:

" 'I accept responsibility for the faulty projection of student enrollment at Miller—we make no excuses for that.'

"School officials announced to the student body Oct. 6 that space is available at Gordon Junior High for some Miller students. So far 65 students have transferred.

" 'Those students would have moved even if we did not have the shortage of books and materials here,' Savoid said. 'They are moving mainly because of fickleness and curiosity—many of them will be back.'

"Despite the fact that the school has been short of English, social studies and math books since the first day, school officials moved only last week to make up the shortage by borrowing from other schools.

" 'Miller is a good school,' said Clarence Thompson, a math teacher at the school for 10 years. 'I've seen many young men and women go on from here to win scholarships and do a good job in college.

" 'Did you know we have one of the best junior high school papers in the country?' he asked a reporter.

" 'Yes, we're a good school. Our teachers are dedicated, the school is in good hands, and education will continue.'

" 'I must admit the teachers are completely right,' Koontz said. 'After all, the only thing they ask is that they be allowed to teach—that's what we all want.' "

Senator BYRD. How can students be educated in an atmosphere of unrest and where there is inadequate discipline?

Mr. HENLEY. They can't be.

Senator BYRD. They can't be, can they?

Mr. HENLEY. No, sir.

Senator BYRD. All right. Well, thank you very much, gentlemen.

READER'S DIGEST HAILS GAO AS TAXPAYER'S FRIEND

Mr. PROXMIRE. Mr. President, the General Accounting Office does a superlative watchdog job for Congress and for every American taxpayer. Unfortunately, this difficult, complicated work of investigating the vast Federal Government has been largely unheralded.

Recently, the Reader's Digest published an excellent article entitled "GAO: The Taxpayer's Best Friend," written by Alfred Steinberg. The article concisely spells out some of the achievements of the good right hand of Congress.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GAO: THE TAXPAYER'S BEST FRIEND

(By Alfred Steinberg)

In 1962, a handful of auditors from the U.S. General Accounting Office turned up in Okinawa to look over the 3d Marine Division. Although none of the GAO men claimed military qualifications, they were experts nonetheless. They examined equipment and records with painstaking thoroughness, and checked their findings against a list of essentials the division would need if called into action. The result was a blistering report to

Congress. Typical of the findings was that most of the division's tanks needed repairs and that, until repaired, 38 percent were incapable of performing a combat mission.

But GAO rarely stops at uncovering deficiencies. In this case, it suggested specific remedies, including changing the officers who had allowed the deterioration. The Marine Corps acted promptly, and long before the 3rd Division went into action in Vietnam, it was combat-ready.

This is no isolated incident. GAO is charged with promoting efficiency, effectiveness and economy in government operations. So its auditors probe into all corners of federal spending—and find waste and mismanagement aplenty.

A few years ago, the Agency for International Development (AID) took bows for having prevented a famine in Egypt by rushing in 186,000 metric tons of corn. Had AID checked, said GAO, it would have discovered that Egypt was actually enjoying a bumper corn crop that year and was selling a good part of the AID corn through commercial channels!

In a review, for a Senate subcommittee, of records connected with government-financed nursing homes in Ohio, GAO found overcrowding, poor care and inadequate diet the general rule for all public-welfare patients. GAO noted that the homes receive a fixed payment for each such patient, and thus "the operator has no financial incentive to improve the level of care, but does have an incentive to keep costs as low as possible." A grand-jury investiagtion is now under way in Cleveland.

In earlier years, after its founding in 1921 as Congress' watchdog over federal spending, GAO was forced to limit its work to "green visor" duties. This meant, primarily, checking millions of vouchers from government officials to be sure the addition was correct, and collecting any overpayments. Investigation was sharply limited. But, after 1940, GAO began to wage ceaseless war on fraud and waste through the use of post audits—that is, audits made after federal tax funds have been spent. Today the agency has extended its horizons still further by undertaking the evaluation of government programs in process, and suggesting ways to improve them.

In all, last year, GAO conducted 3000 audits of U.S. government agencies and programs—here and in 43 other nations. These included surveys of local and state governments, universities and other recipients of federal tax funds, as well as government contractors, such as Ford, General Electric, and International Telephone and Telegraph. (The auditors have legal access to records of executive agencies, and to the pertinent records of companies operating under negotiated government contracts.)

GAO gets compliance with its dicta through its close working relationship with the appropriations committees of Congress, which are quick to call agency heads on the matter of GAO recommendations. Additional help comes from the Bureau of the Budget, which orders agencies to implement GAO recommendations within 60 days or give reasons for not doing so.

It is physically impossible to check every activity of every government agency each year—around the world there are an estimated 15,000 U.S.-government installations, manned by 2,600,000 civilian employes, and fewer than 2500 GAO investigators to keep tab on them. Therefore, Comptroller General Elmer B. Staats is selective about the particular jobs that his men take on. His only required annual audits are examinations of the financial management of 20 or so government corporations, such as the Tennessee Valley Authority and the St. Lawrence Seaway Development Corporation. Other targets for microscopic GAO scrutiny develop out of recommendations from both inside and outside the agency. (No believer in "raids," Staats alerts an agency head to a forthcoming GAO visit, but drops no hints as to the activities to be investigated.)

One recommendation from several sources led to discovery of the extent to which U.S. agencies were failing to use available foreign currencies to ease our balance-of-payments problem. In Poland, GAO investigators found that the State Department was paying $33,400 a year for space at the Poznan International Fair, instead of using Polish zlotys that had piled up in U.S. government accounts there. In Brazil, $3,500,000 had been lost when our embassy there failed, for more than a year, to provide a currency-exchange service for U.S. employes, forcing them to buy cruzeiros from Brazilian exchange houses, rather than from the U.S. Treasury. Nearly *half a billion* dollars' worth of unused, U.S.-owned rupees was similarly being ignored in India. All these situations are being corrected.

Congress frequently orders special GAO audits. There was a request from the House Committee on Government Operations to find out just what was being done to collect criminal fines and civil judgments levied by federal judges. GAO auditors invaded the offices of U.S. Attorneys, found that $255 million in fines and judgments was outstanding in September 1966, but that only the palest effort was being made to collect the money. Several cases had been delinquent for more than three years. Last time, GAO recommended that the Attorney General centralize collection activities, keep improved monthly reports.

A tip to GAO from a State Department employe in 1964 revealed that State had backdated nearly 300 expenditures (totaling $513,000) to the previous fiscal year, to use up leftover money which otherwise would have had to be returned to the Treasury. On GAO investigation, the Department stopped the practice. Another tip, from a small typewriter-repair company, indicated that business machines could be serviced for far less than the government was paying to large manufacturers under national repair-and-maintenance contracts. A GAO survey supported the claim, showing a potential annual saving of more than a million dollars, and contracts are now made with local repair firms.

Individuals who are not satisfied with settlement of legitimate claims against government agencies can turn to GAO for a separate ruling. In 1966, the GAO disposed of 8274 such claims (ranging from government-contract matters to retirement pay of military personnel), and ordered the Treasury to pay $52,596,937 to individuals and firms.

Because of its surveillance, both broad and detailed, of government activity, GAO sometimes spots needless duplication. It found, for example, that the Federal Aviation Agency had undertaken a $5-million research study on the aging of pilots, whereas a $4,700,000 Public Health Service project on aging was already underway. FAA agreed to drop its study, with a resulting saving of most of the millions involved.

As a rule, Comptroller General Staats deploys his men where the big dollar is being spent. Thus, almost 50 percent of his accounting staff is assigned to the Department of Defense, which is spending $72 billion of this year's $135-billion federal budget. The hunting is excellent. To cite just a few recent cases:

In checking a transfer of $65-million worth of hand tools and paint from Defense to the General Services Administration, GAO auditors found an additional $4-million worth of material on the warehouse shelves that had never been entered in the books. During the time this stock was "lost," GSA had bought $1.1-million worth of paint and tools identical to some of the unrecorded supplies.

GAO has figured that by consolidating their 3000 separate recruiting stations, the four armed services could save some $21 million a year, and at the same time afford better-located, more attractive quarters. The proposal is being tested in selected areas.

Spot checks of defense contracts totaling $600 million revealed that in only 20 instances were the contractors' cost figures (required under the "Truth in Negotiations Act") actually in the department's files. Probing, GAO found that one company producing bombs had overstated its costs by $957,000. The Army agreed to the company's proposal to refund $450,000; GAO could do no more, since the settlement had been reached through negotiation.

Predictably, GAO is currently giving considerable attention to Vietnam—checking, for example, on deliveries of food, medicine and supplies earmarked for the people under the commercial-import program. GAO agents are studying the port of Saigon, to find ways to break the congestion caused by ships and barges awaiting discharge of cargo, sometimes for months. There are no easy solutions here, but GAO recommendations for faster loading and unloading of trucks at the port and at inland depots have helped speed materiel to consignees.

GAO's biggest job in Vietnam has been the survey of our $1.3-billion building program there. Construction of airfields, troop barracks and other military facilities, auditors found, has in large part been turned over to a combine of four American firms operating under a cost-plus contract. With little incentive to watch costs, the combine was found, in some instances, to be buying by name brands instead of by general requirements, buying some supplies through Singapore brokers at prices reported to be twice those charged by local suppliers, dumping imported goods on the ground indiscriminately to rot or deteriorate or be hauled off by thieves. Fortunately, GAO arrived at a fairly early stage of the building program. Since then, the Defense Department has taken steps to "eliminate imperfections" in the construction operation.

Staats admits ruefully that his agency's job is frequently made more difficult because many officials and private firms dealing with the government tend to look upon its auditors as "the enemy." Nevertheless, GAO does an impressive job in its relentless crusade to make government effective and economical.

THE VISTA VOLUNTEERS IN OKLAHOMA

Mr. HARRIS. Mr. President, VISTA volunteers are doing excellent work throughout the State of Oklahoma. Typical of the creativity and dedication which these young people bring to their task is the work being performed by Martha Donez, who is serving with the Choctaw Indians in a preschool program at Idabel, Okla.

Her hometown newspaper, the Hanford, Calif., Sentinel, has captured most vividly the story of her work in a brief article entitled "County VISTA Volunteer Runs Indian School." I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COUNTY VISTA VOLUNTEER RUNS INDIAN SCHOOL

A young Lemoore girl got practice in mixing cultures during her years on the Texas-Mexico border. Now as a VISTA volunteer with the Choctaw Indians, she's proving that the experience has universal application.

Since February, 19-year-old Spanish-speaking Martha Donez has been running a pre-school for Indian children in Idabel, Okla. She has also, quite naturally, become a part of the small farming community near the Texas-Arkansas border.

"She's got instant rapport," says Don Wilkerson, a supervisor and a Cree Indian. "She's like one of us." Miss Donez, who speaks English with a slight Mexican accent, agrees. "Because of my dark skin they thought I was an Indian and spoke to me in Choctaw. It was hard to convince them I didn't understand a word."

With the exception of the language barrier, Miss Donez considers herself well-qualified to understand the Indian's situation. One of 10 children of a Mexican laborer, she has experienced most of the problems of poverty first-hand. Unable to support all their children, her parents sent her to live in southern Texas with her grandmother.

After graduation from high school there, she returned to live with her mother in Lemoore where she met Mrs. Emma Smyrl, a VISTA in her 60's now serving for her third year.

For several months she accompanied Mrs. Smyrl on her rounds among the migrant workers of Kings County. She saw that the poverty she had experienced was widespread and decided to do something about it. "I knew just what they were going through," she said. "That's why I joined VISTA."

When Miss Donez finished her six weeks training session, she was sent to Idabel, a town of 6,000 where the whites outnumber the Indians three to one and where there is very little communication between the two races.

With a youthful diplomacy born of border living, Miss Donez is attempting to bring about better understanding of the Indian's problems in a white man's world.

When she and another VISTA arrived last winter, they could find nowhere to stay. They moved into the kitchen of the Choctaw Presbyterian Church and slept in sleeping bags until a resident donated a couch. Using the oven for a heater and the kitchen sink for a bath tub, they soon adapted to their public quarters. "There was no door," she remembers. "Luckily for us the church was rarely used."

But not lucky for the people they served. Although the Indians had wanted the church built three years ago, it did not seem to meet the needs of the people.

As the first VISTA's in Idabel, Miss Donez and her companion set out to determine what services would meet the people's needs. By discussing the question with the sheriff, welfare officials, the Bureau of Indian Affairs and the people themselves, they found that what was needed was a pre-school to prepare children to enter the local school.

The Indian children whose families live scattered on the outskirts of town all go to the public schools where they are in the minority. They enter first grade knowing little or no English, and those who are not unusually bright are often lost in the shuffle.

The volunteers presented the pre-school idea to the parents, explaining that it would give the child some of the special equipment and confidence he would need to face the frightening and often defeating experience of public school. Many parents promised to give it a try and send their children the following week.

The girls spent their grocery money on some meager supplies and refreshments, turning the modern one-room community center left there by missionaries into a school house. Miss Donez recalls vividly every carefully considered purchase; one coloring book, a few pencils, a box of broken crayons, one pad of paper, three little books and some orange juice.

But on the first day, despite the promises of the previous week, no one came. When they had waited for an hour, the volunteers packed up the supplies, and hoped for better results the next day.

The following day one youngster arrived and by the end of the week enrollment was up to 12. Soon after word of the preschool spread, the young teachers had another problem. Older children, enrolled in the public school, were coming in to see what was attracting their little brothers and sisters.

Miss Donez is the daughter of Mrs. Mercedes Donez of 625 Fox Street.

SMALL BUSINESS CRIME INSURANCE

Mr. PROXMIRE. Mr. President, the Small Business Subcommittee of the Committee on Banking and Currency has just reported a bill providing crime and riot insurance for small businessmen in crime-stricken areas. The Senator from New Hampshire [Mr. McINTYRE], chairman of the subcommittee, has done an excellent job in bringing this bill forward. I believe the bill will go a long way toward aiding one of our most pressing problems. Following the series of riots last summer in New York, Detroit, and Milwaukee, and elsewhere, it is becoming increasingly difficult for small businesses to survive in the ghetto. This works a hardship not only on the small businessmen but on the residents of the area who are deprived of vital services.

Mr. President, I was pleased that the subcommittee adopted an amendment that the Senator from Illinois [Mr. PERCY] and I submitted which encourages the Small Business Administration to make a greater effort to develop more small business opportunities for ghetto residents. We need to make a much greater effort to encourage ghetto residents to own and operate their own business concerns. This will contribute to a more stable and orderly community and will reduce the rate of crime and violence. At the same time it will eliminate the need for special subsidized crime insurance and thus benefit the taxpayer.

A QUARTER-CENTURY HOMECOMING

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excellent speech delivered by Loren Haarr, of Twodot, Mont., who is president of Associated Students, University of Montana, and a speech delivered by me.

The speeches were delivered at the University of Montana Foundation dinner held at the Civic Center, Helena, Mont., October 14, 1967.

I invite attention to the thought-provoking and well-thought-out remarks of Mr. Haarr, who in his speech gives all of us much to think about.

There being no objection, the speeches were ordered to be printed in the RECORD, as follows:

SPEECH OF LOREN HAARR, PRESIDENT, ASSOCIATED STUDENTS, UNIVERSITY OF MONTANA

The year is 1967. Man has lived with nationalism for several thousand years; the history of which has been war with occasional outbreaks of peace.

Nationalism by nature is a system which tends to amplify the already existing problem of communication. Culture and language differences become barriers which serve to impede communication as effectively as any geographic separation. It has become obvious, I think, that these misunderstandings result in distrust among nations which leads inevitably to war.

Most of man's greatest conflicts of the past have been a macabre-comedy of errors through a lack of communication and understanding, and these same reasons lie at the roots of our present cold war involvements. I speak then for myself and my generation when I salute the Mansfield Lecture Series and those men and women responsible for its inception. Understanding cannot possibly be reached when we rely only on our mass media sources. Even the college classroom cannot possibly provide as much information as can a first-hand confrontation with a person whose life has been devoted to an understanding of the peoples of other nations. The funding and prestige behind this program will place great minds in contact with the students at the University of Montana and for that matter, the citizens of the whole state. If any generalization can be made about my generation, it would be that we seek the truth. Regrettably, in our quest for truth, the impatience of youth leads to an over-zealous search, which is usually interpreted as radicalism. But this is not our aim. We realize that the world has grown too small for understanding and that the consequences of mistrust are too grave for the twentieth century. And may I say further, that you are supporting the most important of educational programs. For in spite of existing values of our contemporary civilization, man's first value as a human being is not to automate everything, but to learn to live together in peace.

For these reasons then, I am honored to express my gratitude to Senator Mansfield and all of you concerning this matter. May we all learn peace.

A QUARTER-CENTURY HOMECOMING

(Statement by Senator MANSFIELD)

Sometimes it is suggested in the Senate that if you want to know what I am thinking listen to what George Aiken is saying. It has never been clear whether this means that my thoughts prompt George Aiken to speak or that his words prompt me to think. In any event, I want to assure you that I did not have anything to do with the comments which he has made although I am grateful for what he has just said.

I am grateful not only for his comments about me, even if they are undeserved, I am also grateful for the kindness and consideration which Senator Aiken has shown to the University and to me personally by coming here with his lovely wife, Lola Aiken, for this occasion.

George Aiken is the Dean of the Senate Republicans. He is a highly valued colleague, a wise counsellor and the warmest of friends. Before all else, he is a great American and a great human being. He comes from one of the smallest states of the union but he looms as a towering figure in the leadership of this nation. There is no man more trusted or more esteemed, nor more deserving of trust and esteem in the government of the United States.

As a friend, wherever George Aiken is, he brings by his very presence the warmth of a glowing fireplace, the freshness of a new fall of snow, and the liveliness of sleighbells. As a member of the Senate, he adds luster and dignity to the institution and he contributes strength, good sense, and human decency to its acts.

George Aiken is the personification of Vermont. He is all that is best in the New England tradition and in American public life. I know that I speak for all Montanans when I say that we are honored and delighted by his visit with us.

For a quarter of a century, it has been my privilege to represent Montana in the Congress of the United States. Along with responsibilities, this public service has brought me deep personal satisfactions. It has also had, I regret to say, one serious drawback. It has compelled me to live and work far from the State. That has not been easy, especially since my heart never left home in the first place.

In 1942, as a new Member of the House of Representatives, I had no idea how long Montanans would want me to stay in Congress. I was persuaded then, as I am now, however, that if I did not forget the people of Montana, they would not forget me. Twenty-five years is a long time but I have not forgotten. The tie which holds me to the State has grown stronger with the passing of time.

Over the years, I have come home to Montana many, many times. Yet it has never seemed often enough, or for long enough. I have come home for reasons political and non-political; to campaign for office, to escort a President, to open a dam, to gauge an earthquake's damage, to measure the depths of a recession or the ravishes of a long and bitter winter.

I have come home to talk with editors and reporters, with teachers, with students, with children. I have come home to talk with businessmen, farmers, and workers in every part of the State. I have come home to talk with long-rooted Montanans, with new arrivals and with wayfarers in the cities and towns, in the mountains and on the plains of the State.

There have been homecomings for a hundred specific reasons and homecomings for no particular reason. Those which I remember best, tonight, are the personal homecomings, the homecomings of any Montanan away who has felt the need to be re-immersed in the beauty of the State, in the sense of its history, and in the warmth of its people and so to be renewed from the deep wellsprings of Montana life.

A few weeks ago I tried to describe this need to friends in Washington who gathered for the same purpose which brings us together tonight. How do you explain to those who are not of this State why it is that Montanans outside Montana are always homesick for Montana?

I tried to tell them of the symphony of color which surrounds us. Of the shades of red and purple on the plains. Of the blue of the big sky as it is reflected in a mountain lake and of the ice blue of a tumbling stream. Of the white of drifting clouds and the white of snow on a mountain peak. Of the infinite variations of green in the valleys and in the great forests. Of the rainbows on the hillsides when the heather, the columbines, the Mariposa lilies, the bitterroot, the Kinnikinnick and a hundred other wild flowers and shrubs are in bloom.

I asked them too,—these friends of Montana in the East—to listen to the symphony of Montana in the unique sounds which our children begin to hear almost as soon as the baby's rattle is put aside. They listened and they heard the music which echoes in the names of mountain ranges like the Beaverhead, the Sapphires, the Rubys, the Bear Paws, the Highwoods, the Crazies, and the Big and Little Belts. They heard it, too, in the rivers and streams which we call the Jefferson, the Madison, the Gallatin, the Milk, the Tongue, the Powder, the Boulder and the like. They heard it as I read the roll of some of our cities and towns—cities and towns with names like Eureka, Chinook, Whitefish, Cut Bank, Circle, Hungry Horse, Absarokee, Butte, Wolf Point and Great Falls. And Lodge Grass, Lame Deer, Deer Lodge, Crow Agency, Bigfork and Twodot.

I tried to tell them, too,—these friends who are not Montanans—something of our history. Of its beginnings with the Indians, with the Crows, the Blackfeet, the Assiniboine, the Flatheads, the Northern Cheyennes, and the Chippewa-Crees and all the rest. Of its modern inception in the Lewis and Clark expeditions and the opening of the fur trade and then the gold rush. I told them of the birth of a ghost town, of Confederate Gulch, of how it grew on gold from population zero to 10,000 in six years and how, in the seventh, the gold was gone and only 64 lonely souls remained. I told them something of our violence—of Henry Plummer, the Sheriff who murdered and plundered 102 of the citizens he was supposed to be protecting before he was hung by the Vigilantes. And I told them something of our decency—of Wesley Van Orsdel—Brother Van—the Methodist Minister who got off a steamer at Fort Benton and went to the Four Deuces saloon which closed the bar for an hour in order that the patrons might hear his sermon.

I mentioned these almost legendary figures of our history and other renowned Montanans who came out of the turbulence of a new State in a young country and left the mark of their fierce convictions on the Federal Government. I told them, for example, of the old master, Charlie Russell, the greatest artist of the West in all the history of the Republic, of Jeanette Rankin who so deeply abhorred violence that she voted against the nation's entry into World War I and then cast the only vote against entry into World War II, of the great Thomas J. Walsh, of James Murray, Joe Dixon, and Burton K. Wheeler.

They heard, too, our friends in Washington a few weeks ago, of the "booms and busts," which were so characteristic of the State's economic history, as the emphasis shifted from gold, to silver and to copper at Butte and Anaconda. They heard of the overloading of the plains of Central and Eastern Montana with sheep and cattle until the cruel winter of 1886–87 turned 90 percent of the animals into frozen grotesques.

They heard of the railroads thundering out across the plains, and of settlers from Scandinavia, Germany, Poland, Yugoslavia, France, Italy, Spain, the United Kingdom, Ireland, and a score of other countries who were drawn by the "milk and honey" of free lands; they came in great droves until the great drought of 1917 left the earth parched and the people stricken.

In short, I tried to give them—these friends in the East—a glimpse of the Montana story, which, in the end, is the story of people. It is the story of a people who heard the siren call of the West and who knew dreams and the collapse of great dreams. It is a story of a people who have lived with fear as well as courage and with cruelty as well as compassion, of a people who have known not only the favor but the fury of a towering nature. It is the story of a people who, blended of what was found here with what was brought here, renewed the dream after each crumbling, a people who persevered and, at last, took distinct and enduring root.

That sense of Montana went with me to Washington a quarter of a century ago. It remains with me tonight. In the intervening years, I have tried to give it expression as one of the representatives of this State, in all of the Congressional confrontations with the issues of our times.

Some of these confrontations come to mind, tonight, as highlights in the sweep of events during the past twenty-five years. There was the war which began for us at Pearl Harbor, a year before I went to Washington, and ended in my second term. It ended, really, in the blinding flash at Hiroshima. In that instant the world threw off, at last, the nightmare of totalitarian violence, not yet realizing that it had entered upon a second nightmare born in the laboratories of science.

Since Hiroshima, we have lived in the shadow of nuclear war. It is twenty-five years later but neither by way of the United Nations or by any other means has it been possible to dispel the shadow.

The United Nations actually came into being almost simultaneously with the first explosion of the nuclear bomb. Even as the latter flashed the danger of an ultimate war, the former lit the hope of mankind for an enduring peace. The hope which burned brightly at first began to flicker as recrimination begat recrimination and quarrel followed quarrel between former allies. Then came the tidal wave of revolution in China and the brutal war in Korea. That war put to final rest the world's expectation of a simple peace, self-generated and automatically maintained.

Postwar disillusionments, as well as a growing American awareness of the realities of the world situation and simple human compassion led us to a Marshall Plan. Afterward, there came the North Atlantic Treaty, and a massive system of aid programs and alliances which have spread the power and resources of the United States over most of the globe. If I may digress, I want to reiterate the view to which I have given expression many times in many years. These programs and alliances have not only spread the nation's power and resources throughout the world. In my judgment, they have seriously overspread them. I have worked for a cautious curtailment of these commitments and it is my intention to continue to work for their curtailment.

After the breakdown of Korea, there began a search for ways to repair the great ruptures in the world. With the help of the United Nations, President Eisenhower negotiated a truce in Korea. Another was devised for Viet Nam and Indo-China by the Geneva Conference of 1954.

Throughout his administration, Mr. Eisenhower pursued a policy of reasonable reconciliation with the Communist countries. In particular, he restored contacts of civility with the Soviet Union by the cultivation of personal cordiality with its leaders.

The spark which was kindled by his predecessor was nurtured by President Kennedy. He brought a youthful energy and imagination into the search for peace and, in its pursuit, he ventured with prudence but without fear into new channels of policy. In the years of the renewal of hope for a durable peace under Presidents Eisenhower, Kennedy and Johnson, progress has been by no means steady or consistent. A tortuous step forward, all too frequently has been followed by a sudden step backward. A Camp David meeting of Eisenhower and Khrushchev and then a U–2 incident; a nuclear test ban treaty and a Cuban missile crisis; a resumption of limited commercial relations with Eastern Europe and an outbreak of severe hostilities in Southeast Asia.

In this fashion, the world has gone through crises after crises. We have been, I regret to say, too often on thin ice during this past quarter of a century. We are on thin ice now. I must tell you in all frankness that the situation which has grown out of the war in Viet Nam, in my judgment is the most serious and complex with which this nation has been confronted since the end of World War II. In a little over two years, the American commitment of manpower has had to be raised from 45,000 to over 450,000. Thirteen thousand young Americans have died in Viet Nam and our total casualties now surpass 100,000.

What has happened so far, moreover, may well be only prelude, unless the war can be brought to an honorable conclusion in the near future. As it is now, there lies ahead only the prospect of a deepening involvement and a further expansion of the conflict in Southeast Asia and, perhaps, a direct confrontation with Communist China. Even now our planes which fly over North Viet Nam bomb less than 30 seconds away from the Chinese border and two have been shot down over the Chinese mainland during the past few months.

In these circumstances, to make light of the danger of war with China would be the height of irresponsibility. To do so, in my judgment, would be to play games with the security of this nation and, perhaps, with the very survival of civilization.

It has been said that foreign relations has been one of the loves of my life. I am not certain that love is the accurate word in view of the gloom with which I have just surrounded the subject. I do know, however, that the changes of the past quarter of a century have made it necessary for all citizens and, certainly, Members of the Senate to school themselves deeply in the circumstances and problems of international life.

The foreign policies of the nation affect in a very direct sense all Americans wherever they live. If there is any doubt about it, note that well over half the budget of the Federal Government—which is covered by your taxes—is consigned to defense expenditures. This year, the cost of military operations in Vietnam alone will run between $25 and $30 billion and military outlays as a whole will be well in excess of $70 billion.

In a very real sense, therefore, the great burden of federal expenditures originates in breakdowns of international peace and in the inability of the nations of the world to build a reliable structure of international order and security. In that sense, therefore, the study of foreign policy is not so much a love as it is an imperative. As a Senator of Montana, it is a responsibility which I owe to this State and to the nation.

I would not wish to leave the impression that, as viewed from Washington, the past twenty-five years have been uniformly grim and gray. On the contrary, we have been participants—all of us—in the marvels which have been wrought by modern education, science and technology in these years of our times. When I was first elected to Congress the nation was producing goods and services at the then astounding rate of $158 billion a year. The current output is at an estimated $780 billion. All sectors of the economy and every geographic region of the country have benefited to some degree from the scientific and technological progress and the immense economic dynamism of the United States during the past quarter of a century.

That includes Montana. In fact, Montana is a good case in point. Great ribbons of modern highways now criss-cross the State. I have already mentioned the dams built and building to curb the headlong rush of Montana's water to the sea. Hundreds of smaller projects aid in this task and also serve to transform once arid lands into productive oases. Power lines, both private and co-operative, cover the State in an ever growing network. Airports dot the landscape. Magnificent federal and State parks put the highway and airport systems to the test by attracting an ever-growing number of tourists. An enormous increase in classrooms and an expanded university complex reflect the addition of 150,000 persons to the State's population as well as a national determination to improve the quality and availability of education for young people.

In these ways and others, the progress which has been made arises from a creative federal-state-local partnership and both public and private initiatives. That is another way of emphasizing that in addition to being citizens of Montana or Pennsylvania or Alaska or Vermont, we are also—all of us—Americans linked in a common national effort and a common national destiny. If I have learned anything in my associations in Washington with people from all parts of the country, it is that "we are all in this together."

It would be my hope that we will bear in mind this essential unity as we move towards the last quarter of the 20th Century. The future of Montana can be found only in a nation with a future, even as the nation's future requires a world with a future.

As Montanans we have unique State problems and unique State assets. They have to do in great part with the conservation of our human endowment no less than with the wise usage of our natural endowment. I refer to the tendency of too many of Montana's young people to go away and to build their lives outside the State. Our great task in the years ahead will be to open within Montana new frontiers of opportunity for young men and women—in education, in science and technology, in industry and in every aspect of modern interest and endeavor. We want and we need our young people here.

As Americans as well as Montanans we also have a responsibility to contribute to the fullest extent possible to the solution of the problems which are crowding in upon the rapidly growing and urbanizing population elsewhere in the nation. Montana's sparse population has spared us many of these difficulties at least for the present. We are not exempt, however, from a share of national responsibility, under the Constitution, for a contribution to the resolution of these difficulties.

Similarly, we have a responsibility to make felt in the foreign policies of this nation what I described as "the sense of Montana." Let me make clear, therefore, that as long as the people of this State ask me to represent them in the Senate, I intend to go on working in every appropriate way in cooperation and in the independent responsibilities of my office for an end to the war in Viet Nam in an honorable peace. I intend to make whatever contribution I can to the lifting of the fear of a cosmic world conflict in order that the immense energies and resources, which are now paid in tribute to that fear, may be redirected one day to the constructive works of a nation at peace in a world at peace.

That is the fundamental task which confronts this nation as it does all nations. Indeed, it gives special meaning to the purpose for which we are gathered tonight, because the lecture series on international relations which is projected can open new channels of understanding between the people of this State and our neighbors on this globe.

I need not tell you that the realization that these lectures will be taking place in my name has given me, if I may use the words, my finest hour. To be able to share it with you tonight fills my heart to the full. It is far more than I ever expected when I went to Washington to represent Montana in the Congress a quarter of a century ago. It is far more than I deserve.

Indeed, I should like this honor to go where it is most due—to the woman who set out with me from Butte so long ago and who has remained a wise counsellor and steadfast inspiration through all these years. Without her, I would not be in the Congress of the United States. Indeed, I should not have reached the University of Montana or for that matter ever receive a high school certificate. A more appropriate title for the lecture series, indeed, would be "The Maureen and Mike Mansfield Lectures."

I would like also to reiterate an earlier suggestion to the sponsors of this enterprise. If it is appropriate, in their judgment, I believe a modest maximum should be established for the capital of the Fund for the lectures on international affairs. If any additional monies should become available beyond that maximum, I should like to see the excess go into scholarship aid at the undergraduate or graduate level for the children of Montana's—and the nation's—first Americans who have not always had benefit in equal measure with the rest of us from Montana's development and the nation's progress. I refer to my friends and brothers—the Northern Cheyennes, the Crows, the Flatheads, the Assiniboines, the Blackfeet, the Chippewa-Crees, the Landless and all the others who live in Montana.

I suggest this procedure because the lecture series by its very nature turns our attention to the world beyond our borders and to the promise of a fruitful future for Montanans and all Americans in a world with a future. It is good that our attention is so directed provided we are also prepared to look inward and backward and so, remember what it is that we are building upon and that progress has its price. In that way we may be able to fill some of the gaps and heal some of the wounds which have been opened in the process of arriving at where we are. In that way, we shall better tie the past into the present and open wider the horizons of the future.

SEVENTY-ONE NATIONS HAVE RATIFIED THE GENOCIDE CONVENTION—UNITED STATES CONSPICUOUSLY ABSENT FROM THE LIST

Mr. PROXMIRE. Mr. President, in 1949, when President Harry Truman submitted the Genocide Convention to the Senate for this body's advice and consent, only five nations had ratified the Genocide Convention.

Now, 18 years later, that list has grown to a total of 71 nations. The Senate has done nothing during the intervening 18 years except to hold subcommittee hearings in 1950.

I think it is particularly worth noting that the following nations have seen fit to ratify an international treaty outlawing the barbaric practice of genocide: Albania, Bulgaria, China, Cuba, Czechoslovakia, Federal Republic of Germany, Hungary, Israel, Italy, Rumania, Poland, U.S.S.R., and Yugoslavia. I think it is both a disgrace to the Senate and a disgrace to the American people that the United States is not included among those members of the family of nations which have ratified this first great human rights convention.

In the hope that it will prompt long-over-due action by the Senate and its Committee on Foreign Relations, I ask unanimous consent that the total list of the 71 nations which have ratified the Genocide Convention be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Countries which are parties to the Genocide Convention:

Afghanistan
Albania
Algeria
Argentina
Australia
Austria
Belgium
Brazil
Bulgaria
Burma
Byelo Russia
Cambodia
Canada
Ceylon
China
Chile
Colombia
Congo (Democratic Republic of)
Costa Rica
Cuba
Czechoslovakia
Denmark
Ecuador
El Salvador
Ethiopia
Federal Republic of Germany
Finland
France
Ghana
Greece
Guatemala
Haiti

Honduras
Hungary
Iceland
India
Iran
Iraq
Israel
Italy
Jordan
Laos
Lebanon
Liberia
Mexico
Monaco
Mongolia
Morocco
Netherlands
Nicaragua
Norway
Pakistan
Panama
Peru
Philippines
Poland
Republic of Korea
Republic of Vietnam
Rumania
Saudi Arabia
Sweden
Syria
Tunisia
Turkey
Ukraine
U.S.S.R.
United Arab Republic
Upper Volta
Uruguay
Venezuela
Yugoslavia

Total: 71.

ADDRESS BY HON. ALLAN SHIVERS AT 50TH ANNUAL MEETING, AMERICAN CHAMBER OF COMMERCE, MEXICO CITY

Mr. TOWER. Mr. President, yesterday in Mexico City, a former Governor of Texas, the Honorable Allan Shivers, delivered a memorable address before the 50th annual meeting of the American Chamber of Commerce in Mexico. Mr. Shivers is now the president of the Chamber of Commerce of the United States.

His speech, entitled "Friends in Progress," deserves the attention of the Senate. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

FRIENDS IN PROGRESS

(By Allan Shivers, president, Chamber of Commerce of the United States, before 50th annual meeting of the American Chamber of Commerce in Mexico, Mexico City, Mexico, November 8, 1967)

Throughout the Free World, where man has won his primary fight for liberty, he tends to concentrate on two goals: personal gain and equal treatment—wealth and justice. Man wants to acquire, and he wants to be dealt with fairly in the pursuit and enjoyment of what he earns. And also in the name of social justice, he endeavors to help the disadvantaged to share in today's better life.

Collectively, these efforts add up to two corresponding national goals: economic growth and social progress. These are the two basic policies of every nation dedicated to serving its people. Communist countries, which hold that people exist to serve the state, care neither for property rights nor human dignity and that's why they fall so short of acceptance in the Free World community.

To you here, who represent both leadership and cooperation among the business interests of two great countries, the point I want to make is that we on both sides of our border, together with free men everywhere, are moving the same way, along the same road, for the same purposes. I think if we will realize more fully how much alike all free people are, and how our objectives and our struggles to attain them correspond, we will do more to make this a friendlier and more abundant world.

Let me offer one glimpse of the growing similarity of our problems. Here are two sentences from a recent sociological report on one of our two countries.

"It has been impossible, physically and financially, for the cities to cope with the flood of migrants . . . . . in cities where growth has been so rapid, low-income families arriving from the rural areas have accentuated the squalor of existing slums."

That happens to have been written about Mexico. But the same thing is being said of the United States every day, in about the same words.

Not only are our main problems alike, but our comprehension of them is developing along the same lines. We are learning more, for example, about the need for economic and social gains to go hand-in-hand. We know that national wealth should not accumulate without careful regard to the needs of all the people, nor should the people's needs dictate remedies that a nation cannot afford, and thus choke off the sources of wealth and improvement. We know that now—most of us do, at least—because we live in a more enlightened age and also because we have seen the results of the right and wrong kinds of progress. But we haven't had this knowledge very long, as history goes.

We in the United States built up a huge industrial economy out of low-cost production before giving serious attention to the needs for social equity. Great Britain and some other European countries did the same thing. Industrialization to us, for a long time, meant low wages and long hours for workers; grime and congestion for plant communities; and want in the midst of plenty for large non-productive groups of our society such as the old, the orphaned and the disabled.

Now, of course, we are engaged in enormous programs to bring social gains into balance with our economic ability. We fight hunger and disease abroad. Our war on poverty at home competes for priorities with our war against Communist aggression in Southeast Asia. Our basic Social Security program has built up moral obligations to pay $400 billion in benefits to persons who are now, or have been, in our work force. That sum, incidentally, is larger than our whole staggering national debt.

At the same time we are by no means relying entirely on government to meet our social obligations.

United States employers voluntarily pay out $75 billion a year in fringe benefits to protect employees and their families against the hazards of old age, sickness, disability and death. This is three times as much as is being collected this year in Social Security taxes, half of which are also paid by employers and it is four times as much as dividends paid to stockholders. Almost $100 billion has accumulated in private pension funds, and employers have put up 85 per cent of it.

Whether we, in the United States, are doing enough, or are doing the right things to overcome social disadvantages, are subjects for arguments that probably will never end. The prospect is, however, that we will keep on doing more as long as our means permit.

Here in Mexico we see our own situation in reverse. In the Revolution of 1910, modern Mexico came into being on the wings of a social reform movement. You, our southern neighbors, are old hands at fighting poverty, illiteracy, disease and lack of skills. You are still improving your social system but you are now building industrialization on top of it. You are developing the means to provide more adequately for social needs.

In a different order, our two countries are trying to bring the same two purposes into balance. And as all of us here are well aware, Mexico is having phenomenal success. Last year the rise in Mexico's real gross national product was almost 7 percent, the largest gain in all Latin America. The United States gain was about 4 per cent. For 20 years, Mexico's manufacturing has averaged a yearly growth of 7.6 per cent, and it is becoming more diversified each year. The government and business community of Mexico deserve great credit for these achievements.

We realize that you of Mexico are not satisfied with this rate of progress. We know the extent of your social problem, of the requirements imposed by your high birth rate and the frustrations you face in planning economic development. But we have no doubts about your future success.

Where the Mexican economy stands today in relation to the United States economy is beside the point. Contrasts are meaningless in history's longer view. Aztec cities flourished here in Mexico, with well-organized trade and political systems, while our North American natives were still completely primitive.

A point of contrast that can be made, I think, is that if we in the United States had not industrialized at the period of history that we did—if we were only now laying our foundation of capital equipment—we would surely be building up our economic and social systems together, instead of putting industry first. The modern view of social responsibility would require this. And our expansion would be with more heart but less speed. That's the way it is in Mexico and so many other countries today.

A still more relevant point, however, and it applies to us all, is that no matter what the present state of our economic development is, if we want to make further progress—or even hold our own—we must allow for the basic requirements of growth. We must provide a good business climate, as reflected in government policies, in the skills and attitudes of the labor force, in marketing prospects and all the other factors that encourage investment. Infringements on management's right to manage and its ability to compete, and on investor's right to profits, are some of the consequences of pushing social reforms too rapidly for the economy to maintain in the course of its normal operations. The strains of rising taxes, and uncertainties and intrusions on management tend to discourage risk-taking investment.

The right to earn should be high on the lists of both social and economic necessities. Man's progress requires a job, and a growing population requires an expanding, job-producing economy. Government leaders practically everywhere understand this, but in political emergencies they sometimes feel compelled to put social concerns first, even if it means taking risks with the economy.

This happens everywhere. It would happen less frequently, I believe, if business leaders all over the Free World were more united in their defense of the basic principles of good economic conduct. By this means they could put up a stronger front in every country, and make their principles better understood. This approach works nationally—as is attested by our chamber of commerce movement—so why shouldn't it work internationally?

One of the chief rallying points for cooperation between our two countries is most surely the American Chamber of Commerce in Mexico. I know also of the fine spirit of partnership in this effort that is enjoyed by the American Embassy and the American Chamber.

Your own Mexico Amcham's BEDEL course is precisely the kind of effort that is needed everywhere. I'm sure there will be no end to the benefits from this method of spreading a better public understanding of the roles played by management, labor and capital. I hope you are letting the rest of the world know of your success with this economic education program.

In fact, as part of my congratulatory wishes to you on your Golden Anniversary, let me say that I hope your future planning includes a definite program for extending your influence abroad, especially through Latin America. You are the largest American chamber outside the United States and the largest foreign chamber in Mexico. Others should know what you do to help existing industries to grow, and how you promote economic and cultural activities that attract more business to Mexico.

We in the United States are hopefully watching the renewed efforts to integrate the diverse economies of Latin America, and we see Mexico in a position to influence the outcome substantially. We are encouraged by the steady, if slow, progress within the Latin American Free Trade Association toward tariff reductions—and, perhaps more importantly—toward industrial rationalization, currency convertibility and political cooperation. We are impressed with the remarkable strides made by the Central American Common Market toward the same goals.

An outward-looking process of economic integration must take place if Latin America is to realize its full potential. And yet we recognize that there are serious obstacles to such integration, in the form of political, social, cultural, geographic and economic traditions of the individual Latin American states. Their stage of economic development ranges from the highly advanced position of Mexico to the disadvantaged condition of some of the Caribbean Islands. These differences must be dealt with in order to arrive at any new mutually beneficial trade arrangements between the United States and Latin America.

One hopeful sign is the attempt of smaller groups of states with relatively compatible economies to integrate on a sub-regional scale. I'm thinking particularly of the so-called "Andean five"—Venezuela, Colombia, Equador, Peru and Chile.

In this total effort Mexico is best equipped in almost every respect to be a leading influence. Everyone knows that the role of leadership is not always a comfortable one. It must be borne with much patience and diplomacy. But the only hope for a better world is that those best able to lead will meet the challenges.

The world is now a neighborhood. We should begin to take an interest in the fellow across the ocean similar to that we have in the man across the street. As it stands today, what the distant person does to improve his economic environment can mean as much to our lives as what the man next door does to spruce up his yard.

All our lives we have heard more about foreign competition than about foreign cooperation. This will not be the case much longer. Nor should it be. In our own communities we work side by side with our competitors in chambers of commerce and other civic groups. We do the same within our national organizations. What's wrong with taking a firm next step on the international path? We all have the same two goals of material and social progress. We are all trying to help the people of our own lands. We can make it an easier and friendly journey by helping each other as free men.

"E" AWARD FOR MILWAUKEE BANK

Mr. NELSON. Mr. President, on Wednesday, November 8, I had the pleasure of witnessing a ceremony in the Office of Secretary of Commerce Alexander B. Trowbridge, at which President Johnson's "E" Award was presented to the First Wisconsin National Bank of Milwaukee for its success in promoting foreign sales of U.S. products. The award was accepted by Mr. Joseph W. Simpson, chairman of the board, on behalf of the bank.

Ordinarily, when we think of export expansion, we think of manufacturing or agricultural enterprises. A bank, however, can contribute to this important national goal through its financing of exports and by providing international banking services. In the case of the First Wisconsin National Bank of Milwaukee, the dollar value of its export financing rose from less than $20 million in 1963 to more than $70 million last year. The actual value of the exports made possible by this financing was substantially larger than the extent of the bank's participation. Export expansion, as we all know, means more jobs, higher profits, and a stronger dollar in terms of our international balance-of-payments position. I should like to share with other Members the text of the citation which accompanied the "E" Award:

> The First Wisconsin National Bank of Milwaukee has undertaken aggressive action to promote exports from Wisconsin through a substantially expanded network of foreign correspondent banks. Also by providing international finance expertise and factoring services, establishment of a foreign exchange trading department, and wide dissemination of export trade opportunities, the Bank has stimulated interest in, and furnished vital tools for, increased foreign trade. These resourceful export promotion efforts reflect credit on the management and staff of First Wisconsin and on the American free enterprise system.

WHITE TIE AND DAGGER

Mr. HARTKE. Mr. President, President Johnson and his administration masterminded a deception of the Communists which held down terrorism in Vietnam during their recent elections, we are told in a new book.

Andrew Tully, the hard-hitting columnist and prolific writer of books about Washington and the Government, has turned out what appears to be another best seller. I have just read "White Tie and Dagger," which purports to be an inside story of activities along the embassies of Washington.

The first chapter tells the fascinating story of how our Government is supposed to have fooled the Communists. Mr. Tully says that the administration, on orders from the President himself, leaked stories that we are something less than pleased with General Ky and that we could not care less how the election turned out.

So deftly was this done, Mr. Tully reports, that the Reds took it to mean that we were prepared for the defeat of our friends in the elections. Thus, the order went out to the Vietcong to hold down terrorism and allow elections in most places to proceed.

It was only a day or so before the election, when Hanoi began getting nervous, that terrorism became the order of the day, says Mr. Tully.

His book carries a flavor of personal knowledge and accurate reporting. If it has some fictional embelishment, it has all the fascination of truth nevertheless. And probably it is true or at least as close as a good reporter can come to it.

Senators who have, after all, wide interest in foreign relations, will find "White Tie and Dagger" good reading on the intrigue of diplomacy.

AN INVALUABLE NATIONAL RESOURCE: BITUMINOUS COAL

Mr. BYRD of West Virginia. Mr. President, the Nation's largest proven source of energy is bituminous coal, of which my State of West Virginia for many years has been the leading producer. But energy to turn the wheels of industry is far from all that can be produced from coal. Locked within this marvelously complex substance are the chemical "building blocks" from which literally thousands of synthetic products of great value to our economy can be derived.

The Office of Coal Research of the Department of the Interior is now engaged in research efforts aimed at making coal an even more valuable national resource. Products as varied as fabrics woven from coal chemicals, gasoline to power our cars, and fly-ash bricks to build our homes are now in the realm of commercial possibility as a result of OCR's activities.

Mr. George Fumich, Jr., Director of OCR, in an address before the Kentucky Coal Association and the Lexington, Ky., Rotary Club on November 2 and 3, spelled out in considerable detail the possibilities that lie ahead for the fullest utilization of our coal resources. I believe that the members of the Senate and House will find this address of considerable value in connection with OCR's good work.

I ask unanimous consent that the text of the address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

DESTINY OF THE BLACK DIAMOND

Thank you for giving me this opportunity to express my views as to the future role of coal in the rapidly growing and rapidly changing national energy picture.

Coal plays a vital role in the economy of Kentucky. Last year more than 93 million tons were produced in your State, a production total second only to that of West Virginia. More than 22,000 miners were employed, and directly and indirectly the coal industry contributed about $300 million to the Kentucky economy. Coal, the "black diamond," has long been important in your State. For many years major steel interests, such as U.S. Steel, Republic, Canadian Steel, and International Harvester have operated metallurgical-grade mines. Noncaptive producers are opening new mines, both in Eastern and Western Kentucky, with surprising rapidity.

The use of energy is growing at an astronomical rate. Look back over the centuries, over a span of nearly 2,000 years, for a perspective as to the growing requirements for energy in this world. During the past 100 years of those centuries, we have used as much coal, petroleum, wood, and agricultural waste as energy as were used in the preceding 1900 years. The Nation's consumption of fuel is expected to double and then redouble before the new century begins.

Today, the United States is responsible for half of the world's energy consumption. Individually, every citizen of our country requires ten times more energy for "the American way of life," than his counterpart elsewhere in the world. To meet these insatiable demands in 1966, we relied upon petroleum for about 40 percent and natural gas for 30 percent; coal provided about 22 percent, and others 8 percent.

Statistically, the application of this energy in the market place worked out something like this in 1965; industry, 23 percent; transportation, 24 percent; space heating and cooling, 22 percent; generation of electricity, the remaining 21 percent.

Thus, the present picture is encouraging. But what is the destiny of the Black Diamond? Why is the Government concerned with its future, and what are we in OCR doing about it?

It is believed that coal production in the United States began about 1820, when 14 tons were reportedly mined. Since that time production increased steadily until about 1907, after which the rate has fluctuated between the extremes of about 400 and 700 million short tons per year. Last year it was 534 million tons.

Our known recoverable coal reserves total about 84 percent of our national supply of fossil-fuel energy. Depending on how we define known recoverable reserves, this figure would vary somewhat and might change slightly if undiscovered recoverable reserves were added, but the over-all picture would remain about the same. In this context coal comprises approximately four times the energy reserve of our total oil, oil shale, ash sands, bituminous rocks, gas, and other fossil fuel supplies. This vast, untouched reserve constitutes mineral wealth that can prove to be of tremendous value to the Nation—in Appalachia in the East, in the Middle West, the Great Plains, and in the Mountain West.

The United States economy is presently fueled and powered by oil, gas, and coal, and these sources will continue to be our major sources of energy for several decades even if the development of nuclear power proceeds as rapidly as recent trends indicate.

The reasons for this are:

(1) Nuclear generation facilities cannot be built and installed rapidly enough to meet both new and current demands. In spite of the current prospects for lower costs from nuclear sources authorities estimate that coal consumption for electric power generation will greatly increase by 1980 and while it may begin to decline after that, it will remain a major source of electric power through the remainder of the century—regardless of the cost differential that may develop between nuclear and coal-fired power.

(2) There is no prospect that the electric power industry—already growing at the rate of 7 percent per year—can grow fast enough to replace gas in less than several decades, even if cost were no object. Keep in mind that gas supplies about 30 percent of our total final demand for energy, whereas electricity furnishes about 20 percent. (Certain experts do believe that electricity may supply approximately 50 percent of the *total* energy market before the end of this century.)

(3) Liquid hydrocarbons are presently indispensable for transportation. Even if the electric automobile were to become economic, there is no prospect that it could replace the combustion engine for many years and the technology for replacing liquid fuels in air travel is not in sight.

For many decades then, the U.S. economy will have to depend on fossil fuels even if other sources of energy become cheaper. With this as a certainty, three major problems evolve: (1) the cost to the consumer of all fossil fuels will increase, in some cases substantially, unless technology of exploration, extraction, and conversion is much advanced; (2) it may be necessary to increasingly supplement petroleum and natural gas with synthetic fuels to avoid cost increases; and (3) atmospheric pollution, a present consequence of the use of some fossil fuels, is becoming unacceptable.

Coal is a vital factor in our future. Not only is it our largest fossil-fuel resource, but it is a possible source of both oil and gas, and it will be an essential source of electric power for many decades. For coal to play this vital role effectively, however, technologic advance is required: (1) to abate air pollution in the generation of electric power, preferably with the dividend of sulfur recovery; (2) to reduce the costs of thermal power; and (3) to provide alternate and cheaper sources of both liquid and gaseous hydrocarbons.

The Office of Coal Research concerns itself with expanding the competitive range of coal, both for energy and nonenergy applications. It is an integral and important part of Governmental activities designed to assure that ample energy resources are available to the Nation in the future.

Approximately 95 percent of U.S. energy is consumed for purposes in which several or all of the primary energy sources are potential substitutes either directly or through conversion. Such substitutions are limited by technology, economics, institutional factors, and consumer preference. Increased flexibility will contribute to the strength of the economy. Conversion of coal to more easily transported and utilized liquid and gaseous forms is the key to meeting these objectives. Success of the OCR program in providing complete energy interchangeability will permit the Nation to completely harness its vast coal reserves, and by so doing guarantee for many, many years the availability of energy in the desired forms across the widest spectrum of our Nation's needs and at the lowest possible cost.

The atom will play an increasingly important role in the expanding energy market, especially in the field of electric power generation. Yet it is vital to the national economy to maintain competition between conventional fuels and atomic power. A monopoly for any single energy source could be costly. Utilization of our vast coal reserves, via complete interchangeability with other fossil fuels and in more efficient power generation, will help to make this competition possible. This interchangeability can be assisted through research and technology. An expanded and interchangeable energy base in the coming years is a strong justification for the sponsorship of such research by the Federal Government. Conversion of coal to liquid and gaseous fuels will also be of importance in the event of a future national emergency.

Federal expenditures for coal research are minimal compared to the value of coal as a resource and as a factor in the national economy. Annual coal sales are of the order of $2.5 billion; directly and indirectly coal generates approximately $10 billion of the gross national product. Some fifteen million people live in areas where coal is produced, and they profit directly or indirectly from the income it generates.

The Destiny of the Black Diamond, our greatest fossil-fuel reserve, is keyed to finding new markets for it and better methods of using it, and this can be accomplished by "unlocking" it from its solid form. As we all know coal can be converted into liquid fuel, gas fuel, chemicals, electricity, and a great many other things. All of this has been done in the past. The trick is to develop more economical and competitive methods to do it again on a large scale in the future.

Now I shall turn to some of the prime areas to which OCR's thrust is directed. We have under contract major programs for the development of processes to produce liquid fuels (petroleum substitutes) from coal, and major programs to develop processes to produce pipeline-quality gas, essentially methane, from coal.

As I have said, known reserves of coal are by far the largest proven energy source available in our Nation. On the other hand, reserves of petroleum and natural gas have been decreasing in relation to demand, and are becoming more expensive to find and develop. If the coal conversion processes we are developing reach their presently projected goals, and the present trends of supply and demand in the petroleum and natural gas industry continue, it seems reasonable to many of us that an appreciable amount of our pipeline gas and liquid fuel will be made from coal within the next ten to fifteen years. We are not alone in this belief; a number of major "energy companies" are putting their money where their belief is.

Of great economic importance to the coal-producing areas, where these coal refineries are going to be located, is the fact that the new technology in making the primary conversion products also promises to provide large quantities of competitively priced by-products.

When these fuel-oriented conversion processes are in commercial operation, producing gasoline or pipeline-quality gas and other by-products, the coal industry will find itself in a situation analogous to that of the petroleum industry before the birth of petro-chemicals. Coal refineries will contain numerous streams of highly purified liquids and gases. Some portion of these streams can and may be diverted for conversion to products other than fuel, such as chemicals. The incremental cost to the refinery of this diversion will be low.

An exactly analogous situation led to the petro-chemical industry. While the tonnage of petro-chemicals is small compared to the tonnage of the major fuel products, and financial details are hard to come by, it is generally conceded that the petro-chemical part of the petroleum refinery complex is highly profitable. For this reason it is predicted that coal refineries will take on some of the aspects of the classical chemical industry—an integrated many-product operation. This development should take place at a much faster rate than it did in petro-chemicals. Petroleum was refined for nearly a century before petro-chemicals became well established. On the other hand the chemistry of coal derivatives has been exhaustively explored during the last century. Indeed, the whole enormous synthetic organic chemical industry was founded on coal. With the availability of ample quantities of low-priced pure product streams at coal refineries, an adjacent integrated coal-chemical industry should develop very quickly.

We all know that any type of fuel (excluding nuclear) and practically every synthetic organic can be made from the complex substance that is coal. There is no real question of technical feasibility. The problem is to produce sufficient supplies of high-quality coal-derived organic building blocks at competitive prices . . . and I believe that we are at the threshold of success.

The other major energy conversion field in which we are active is that of electric power generation. Many of you know that for some time now, the electric utility market has been the largest coal market. We believe that in spite of the possibilities of lower costs from nuclear sources, a strong research thrust in this area could help coal retain a major part of this tremendously expanding market. To date our efforts are centered on the development of new methods of energy conversion from the chemical energy of coal to electric energy, such as fuel cells, electrogasdynamic systems and thermionic topping. These new power generation systems have the potential of reducing the cost of coal-generated electricity through both increased thermal efficiency and reduction in capital investment. More research is required in this general area—in fact all across the spectrum from mining through preparation, transportation, utilization, and disposal of wastes.

Other programs supported by our Office are directly or indirectly related to these areas. Our marketing studies are directed toward improving the efficiency of distribution and enhancing the use of coal as a fuel, as our mining simulation studies do. The selling of flyash brick produced by the OCR process will improve the competitive position of coal as a boiler fuel. We are building a pilot plant to demonstrate the use of coal for sewage treatment. This coal will eventually be burned so that its energy values are not lost.

The Black Diamond may reach its brilliant destiny if current development programs are carried forward to a successful conclusion. It then will be up to private industry to work out systems of integrated production plants.

The processes we are developing are most profitable when several are integrated. Most of the liquid and gas plants produce a by-product char which should be burned in an adjacent power plant boiler. In some instances excess heat energy from the process can best be used to generate electricity. Both the liquid fuel and the pipeline-gas production processes make other hydrocarbons from coal. Generally our objective is to use only coal, air, and water as raw materials.

The linking of these separate industries in a coordinated whole will require substantial amounts of private capital, the unraveling of new legal and financial complexities, as well as imaginative and superior management to plan and coordinate it. This *can* be done. The modern mine-mouth power plant is a first approach to such integrated operations.

Because of time limitations I have only mentioned our main thrust areas in the Black Diamond's destiny. I have not touched upon the coking, industrial, and overseas export markets—so you can see that I have not given you a complete picture. All of these are large and important markets, and although the first two seem to be leveling off in size, the overseas market is another growth area. We believe that stronger research efforts are required in these fields to make coal even more competitive.

All in all, we believe that the Black Diamond will reflect an even more brilliant future with many bright facets. As I've intimated, it may not be long before your brick homes are made of coal flyash brick, and if they are not already heated with coal-produced electricity they may be heated with coal-produced gas. The chances are that the car in your garage will have a "tiger in its tank" made from coal. And finally, we can't leave your beaming wife out of this picture. Why is she beaming? Well, she's just bought a beautiful new wardrobe—made from coal chemicals.

You will be living with the Black Diamond for a long, long time.

UNRESOLVED LEGAL ISSUES RAISED BY VIETNAM CONFLICT POINTED OUT BY DISSENTING SUPREME COURT JUSTICES

Mr. GRUENING. Mr. President, on November 6, 1967, the U.S. Supreme Court denied a writ of certiorari in the case of Mora and others against McNamara, Secretary of Defense, and others, without a written opinion.

The facts of the case as stated by Mr. Justice Stewart were as follows:

> The petitioners were drafted into the United States Army in late 1965, and six months later were ordered to a West Coast replacement station for shipment to Vietnam. They brought this suit to prevent the Secretary of Defense and the Secretary of the Army from carrying out those orders, and requested a declaratory judgment that the present United States military activity in Vietnam is "illegal." The District Court dismissed the suit, and the Court of Appeals affirmed.

While the Court did not state its reasons for denying the writ, both Mr. Justice Stewart and Mr. Justice Douglas rendered separate dissenting opinions, with each concurring in the other's dissenting opinion.

These dissents mark an important event and may serve as far-reaching benchmarks in rectifying the tragic involvement of the United States in an illegal, and immoral war in Vietnam in violation of the Constitution and of the basic international agreements to which the United States is a party.

It is, indeed, unfortunate that the majority of the Supreme Court did not see fit to grant the writ of certiorari and decide the issues raised.

These issues must be decided if the collision course which the United States is following is to be changed.

It is interesting to note that the two dissents were by two Justices who usually hold diverse views.

Mr. Justice Stewart described the issues raised by the appeal as "large and deeply troubling questions" and described them as follows:

> I. Is the present United States military activity in Vietnam a "war" within the meaning of Article I, Section 8, Clause 11 of the Constitution?
>
> II. If so, may the Executive constitutionally order the petitioners to participate in that military activity, when no war has been declared by the Congress?
>
> III. Of what relevance to Question II are the present treaty obligations of the United States?
>
> IV. Of what relevance to Question II is the joint Congressional ("Tonkin Bay") Resolution of August 10, 1964?
>
> (a) Do present United States military operations fall within the terms of the Joint Resolution?
>
> (b) If the Joint Resolution purports to give the Chief Executive authority to commit United States forces to armed conflict limited in scope only by his own absolute discretion, is the Resolution a constitutionally impermissible delegation of all or part of Congress' power to declare war?

Mr. Justice Douglas referred to recent testimony by Under Secretary of State Katzenbach in which he indicated that the passage of time has made the constitutional provision granting Congress the sole authority to declare war "outmoded."

Mr. Katzenbach, at the time, was speaking for the administration and, in that light, what he said has important implications for every citizen of the United States. If the executive branch can unilaterally declare the warmaking restrictions of the Constitution "outmoded," what other provisions of the Constitution restricting the powers of the executive branch does it now consider "obsolete"?

For example, does the executive branch now consider as "obsolete" the provision of the Constitution—article I, section 9, clause 7—stating:

> No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law.

Which provisions of the Bill of Rights does the executive branch now consider "obsolete"?

If the executive branch has now taken upon itself the authority to revise the Constitution by fiat, that assumption of authority should at least be passed upon by the Supreme Court. The sooner the Supreme Court speaks out clearly on this vital issue the better it will be for the Nation and all its citizens.

I ask unanimous consent that the dissenting opinions of Mr. Justice Stewart and Mr. Justice Douglas in the case of Mora et al. against McNamara, Secretary of Defense, et al., issued on November 6, 1967 be printed in the Record.

There being no objection, the dissenting opinions were ordered to be printed in the Record, as follows:

[Supreme Court of the United States, October Term, 1967]

Mora et al. *v.* McNamara, Secretary of Defense, et al., on Petition for Writ of Certiorari to the U.S. Court of Appeals for the District of Columbia Circuit

(No. 401: Decided November 6, 1967)

Mr. Justice Douglas, with whom Mr. Justice Stewart concurs, dissenting.

The questions posed by Mr. Justice Stewart cover the wide range of problems which the Senate Committee on Foreign Relations recently explored,[1] in connection with the SEATO Treaty of February 19, 1955,[2] and the Tonkin Gulf Resolution.[3]

Mr. Katzenbach, representing the Administration, testified that he did not regard the Tonkin Gulf Resolution to be "a declaration of war" [4] and that while the Resolution was not "constitutionally necessary" it was "politically, from an international viewpoint and from a domestic viewpoint, extremely important." [5] He added: [6]

"The use of the phrase 'to declare war' as it was used in the Constitution of the United States had a particular meaning in terms of the events and the practices which existed at the time it was adopted. . . .

"[I]t was recognized by the Founding Fathers that the President might have to take emergency action to protect the security of the United States, but that if there was going to be another use of the armed forces of the United States, that was a decision which Congress should check the Executive on, which Congress should support. It was for that reason that the phrase was inserted in the Constitution.

"Now, over a long period of time, . . . there have been many uses of the military forces of the United States for a variety of purposes without a congressional declaration of war. But it would be fair to say that most of these were relatively minor uses of force. . . .

"A declaration of war would not, I think, correctly reflect the very limited objectives of the United States with respect to Vietnam. It would not correctly reflect our efforts there, what we are trying to do, the reasons why we are there, to use an outmoded phraseology, to declare war."

The view that Congress was intended to play a more active role in the initiation and conduct of war than the above statements might suggest has been espoused by Senator Fulbright (Cong. Rec. Oct. 11, 1967, p. 28590–28597), quoting Thomas Jefferson who said: [7]

"We have already given in example one effectual check to the Dog of war by transferring the power of letting him loose from the Executive to the Legislative body, from those who are to spend to those who are to pay."

---

[1] Hearings on S. Res. No. 151, 90th Cong., 1st Sess. (1967).

[2] [1955] 6 U.S.T. 81, T.I.A.S. No. 3170.

[3] 78 Stat. 384.

[4] Hearings, on S. Res. No. 151, *supra*, n. 1, at 145.

[5] *Id.*, at 145.

[6] *Id.*, at 80–81.

[7] 15 Papers of Jefferson 397 (Boyd ed., Princeton 1955). In the Federalist No. 69, at 465 (Cooke ed. 1961), Hamilton stated:

"The President is to be Commander in Chief of the army and navy of the United States. In this respect his authority would be nominally the same with that of the King of Great Britain, but in substance much inferior to it. It would amount to nothing more than the supreme command and direction of the military and naval forces, as first General and Admiral of the Confederacy; while that of the British King extends to the *declaring* of war and to the *raising* and *regulating* of fleets and armies; all which by the Constitution under consideration would appertain to the Legislature."

These opposed views are reflected in the *Prize Cases*, 2 Black 635, a five-to-four decision rendered in 1863. Mr. Justice Grier, writing for the majority, emphasized the arguments for strong presidential powers. Justice Nelson, writing for the minority of four, read the Constitution more strictly, emphasizing that what is war in actuality may not constitute war in the constitutional sense. During all subsequent periods in our history—through the Spanish-American War, the Boxer Rebellion, two World Wars, Korea, and now Vietnam—the two points of view urged in the *Prize Cases* have continued to be voiced.

A host of problems is raised. Does the President's authority to repel invasions and quiet insurrections, his powers in foreign relations and his duty to execute faithfully the laws of the United States, including its treaties, justify what has been threatened of petitioners? What is the relevancy of the Gulf of Tonkin Resolution and the yearly appropriations in support of the Vietnam effort?

The London Treaty (59 Stat. 1546), the SEATO Treaty (6 U.S.T. 81, 1955), the Kellogg-Briand Pact (46 Stat. 2343), and Article 39 of Chapter VII of the UN Charter deal with various aspects of wars of "aggression."

Do any of them embrace hostilities in Vietnam, or give rights to individuals affected to complain, or in other respects give rise to justiciable controversies?

There are other treaties or declarations that could be cited. Perhaps all of them are wide of the mark. There are sentences in our opinions which, detached from their context, indicate that what is happening is none of our business:

"Certainly it is not the function of the Judiciary to entertain private litigation—even by a citizen—which challenges the legality, the wisdom, or the propriety of the Commander-in-Chief in sending our armed forces abroad or to any particular region." *Johnson* v. *Eisentrager*, 339 U.S. 763, 789.

We do not, of course, sit as a committee of oversight or supervision. What resolutions the President asks and what the Congress provides are not our concern. With respect to the Federal Government, we sit only to decide actual cases or controversies within judicial cognizance that arise as a result of what the Congress or the President or a judge does or attempts to do to a person or his property.

In *Ex parte Milligan*, 4 Wall. 1, the Court relieved a person of the death penalty imposed by a military tribunal, holding that only a civilian court had power to try him for the offense charged. Speaking of the purpose of the Founders in providing constitutional guarantees, the Court said:

"They knew . . . the nation they were founding, be its existence short or long, would be involved in war; how often or how long continued, human foresight could not tell; and that unlimited power, wherever lodged at such a time, was especially hazardous to freemen. For this, and other equally weighty reasons, they secured the inheritance they had fought to maintain, by incorporating in a written constitution the safeguards which *time* had proved were essential to its preservation. Not one of these safeguards can the President, or Congress, or the Judiciary disturb, except the one concerning the writ of *habeas corpus*." *Id.*, 125.

The fact that the political branches are responsible for the threat to petitioners' liberty is not decisive. As Mr. Justice Holmes said in *Nixon* v. *Herndon*, 273 U.S. 536, 540:

"The objection that the subject matter of the suit is political is little more than a play upon words. Of course the petition concerns political action but it alleges and seeks to recover for private damage. That private damage may be caused by such political action and may be recovered for in a suit at law hardly has been doubted for over two hundred years, since *Ashby* v. *White*, 2 Ld. Raym, 938, 3 *id*. 320, and has been recognized by this Court."

These petitioners should be told whether their case is beyond judicial cognizance. If it is not, we should then reach the merits of their claims, on which I intimate no views whatsoever.

[Supreme Court of the United States, October Term, 1967]

MORA ET AL. *v.* MCNAMARA, SECRETARY OF DEFENSE, ET AL., ON PETITION FOR WRIT OF CERTIORARI TO THE U.S. COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

(No. 401: Decided November 6, 1967)

Mr. Justice Steward, with whom Mr. Justice Douglas joins, dissenting.

The petitioners were drafted into the United States Army in late 1965, and six months later were ordered to a West Coast replacement station for shipment to Vietnam. They brought this suit to prevent the Secretary of Defense and the Secretary of the Army from carrying out those orders, and requested a declaratory judgment that the present United States military activity in Vietnam is "illegal." The District Court dismissed the suit,[1] and the Court of Appeals affirmed.[2]

There exist in this case questions of great magnitude. Some are akin to those referred by Mr. Justice Douglas in *Mitchell* v. *United States*, 386 U.S. 972. But there are others:

I. Is the present United States military activity in Vietnam a "war" within the meaning of Article I, Section 8, Clause 11 of the Constitution?

II. If so, may the Executive constitutionally order the petitioners to participate in that military activity, when no war has been declared by the Congress?

III. Of what relevance to Question II are the present treaty obligations of the United States?

IV. Of what relevance to Question II is the joint Congressional ("Tonkin Bay") Resolution of August 10, 1964?

(a) Do present United States military operations fall within the terms of the Joint Resolution?

(b) If the Joint Resolution purports to give the Chief Executive authority to commit United States forces to armed conflict limited in scope only by his own absolute discretion, is the Resolution a constitutionally impermissible delegation of all or part of Congress' power to declare war?

These are large and deeply troubling questions. Whether the Court would ultimately reach them depends, of course, upon the resolution of serious preliminary issues of justiciability. We cannot make these problems go away simply by refusing to hear the case of three obscure Army privates. I intimate not even tentative views upon any of these matters, but I think the Court should squarely face them by granting certiorari and setting this case for oral argument.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

SAFETY REGULATIONS FOR TRANSPORTATION OF NATURAL GAS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1166) to authorize the Secretary of Transportation to prescribe safety regulations for the transportation of natural gas by pipeline, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate resumed the consideration of the bill.

AMENDMENT

Mr. LAUSCHE. Mr. President, I send to the desk an amendment to the committee amendment, the purpose of which is to bring within the purview of this law what is supposed to be a sacred cow—the gatherers of gas.

The PRESIDING OFFICER. The amendment offered by the Senator from Ohio will be stated.

The ASSISTANT LEGISLATIVE CLERK. It is proposed, on page 4, line 10, to insert the following: The word "gathering," before the word "transmission."

On page 8, delete lines 16 through 20, as follows:

(f) Not later than one year after the date of enactment of this Act, the Secretary shall report to the Congress on the need for Federal safety standards for gathering lines for the transportation of gas, together with such recommendations as he deems advisable.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, notwithstanding the provisions of rule VIII, I ask unanimous consent that the distinguished senior Senator from New York be recognized out of order on a nongermane subject.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE LESSONS OF HISTORY AND TODAY'S SECURITY COUNCIL MEETING

Mr. JAVITS. I thank the Senator from West Virginia.

Mr. President, I wish to address the Senate today on the situation with respect to our policy on the Middle East. One of the most profound obstacles to world peace is the continuing danger of international conflict in the Middle East. I feel, Mr. President, that some observations on the subject would be appropriate.

Mr. President, the Security Council of the United Nations is scheduled to meet today on the Middle East. There are indications that it may, at last, adopt a meaningful resolution. The actions and the position of the United States will have a major bearing on the outcome. Indeed, the principal resolution to be considered by the Security Council, or at least one of the principal resolutions, is the one introduced for the United States by Ambassador Goldberg.

---

[1] — F. Supp. — (D. D. C. 1966).

[2] — U.S. App. D.C. —, — F. 2d —.

The lessons of history are most pertinent to the situation we face today. In 1956–57 the United States was the key instrument in getting Israel first to withdraw its forces from the Sinai peninsula and to negotiate afterward, or at least that is what was thought at the time. Promises were made most solemnly to President Eisenhower by President Nasser, but, to the great embarrassment of the United States, they were not kept. The result of that sequence was 10 years of festering tension followed by war again in June of this year.

It will be recalled that in a letter of March 2, 1957, President Eisenhower expressed his conviction to the Israel Prime Minister that Israel "will have no cause to regret" its decision to withdraw from the territory of Egypt it had occupied, on the basis of roundabout assurances concerning Israel's national security.

President Eisenhower is a gentleman so honorable in his own behavior that he believed others would honor their pledges in the same spirit.

A decade ago, Israel agreed to withdraw first and negotiate later. It did so, we know historically, against its own better judgment. We also know that it did so on the basis of assurances that were nebulous but the integrity of which were underwritten by the United States.

The major assurances which Israel was given at that time were two: One was that the United Nations Emergency Force would move into areas evacuated by Israel and remain as a buffer force surveilling the cease-fire. The second was that the Gulf of Aqaba would be opened to Israeli shipping as an international waterway.

In May of this year the whole world saw how durable those assurances were. Emboldened by his Russian-equipped war machine, President Nasser one day told the United Nations Emergency Force to get out. He was not even polite about it—he just ordered it to pack and leave. It is no secret that the whole world was surprised, to say the least, when the United Nations Secretary General meekly complied in record time. But surprise, chagrin, disapproval, or alarm had no effect.

The next step was President Nasser's declaration that the Gulf of Aqaba was closed, notwithstanding the assurances of 1957, thereby blockading Israel's southern maritime approaches. President Nasser was by this time growing bolder each day in his assertions that a "state of war" had never ceased to exist between the Arab States and Israel. The efforts of the United States to organize some international show of force to reassert the principle of free maritime passage was overtaken by events.

Six days of brilliant military action brought a denouncement to the situation which had grown intolerable for the United Nations, the United States, and indeed the whole world outside the Arab States and the Communist blocs.

This brings us to the present date. King Hussein of Jordan has been a guest of our country these past few days. He has given several speeches which have received a great deal of sympathetic attention in our press and on TV. But while King Hussein has expressed himself in a vocabulary of moderation, which indeed we have become unaccustomed to hearing from chiefs of state of Arab countries, and has told us that his implied moderation is shared by President Nasser, history teaches us that such words must be matched by deeds. The U.S. public, and the State Department, must not be seduced by honeyed words. We must base our judgments and our actions on the deeds and not the tantalizing hints and promises of Arab chiefs of state who solicit and receive new, modern, and extensive Soviet arms while calling for peace and reason.

Above all, we must not once again be embarrassed by a formula like that of 1956–57—the formula of withdrawal first and then a promise of negotiations later. This proved to be a formula for disappointment and war.

The U.S. resolution which Ambassador Goldberg has introduced in behalf of our country merits the support of our Nation. There are two dangers, however. One is that we will back away from this excellent charter for a just and durable Middle East peace in our eagerness to see an agreement reached and to show our reasonableness and willingness to compromise. I think President Johnson knows this, Secretary Rusk knows it, and Ambassador Goldberg knows it. A meaningless, allegedly a compromise, watered-down resolution can only lead to grief again as it has before.

Mr. President, the real base of the U.S. resolution in the Security Council is paragraph 1. The elements contained in that paragraph are unexceptionable. However, there is one element of potentially mischievous ambiguity. The language does not specify a sequence in the relationship it establishes between Israeli withdrawal and the reciprocal guarantees of Israeli security and sovereignty.

Mr. President, on last June 28, the Senator from Missouri [Mr. SYMINGTON] and I submitted a resolution (S. Res. 143) on peace in the Middle East which was cosponsored by a total of 63 Senators.

I ask unanimous consent that the text of that resolution be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. JAVITS. The resolution stated that it is the sense of the Senate that—

> Such a peace calls for discussions among the parties concerned, using such third party or United Nations assistance as they may wish, looking toward—
>
> (a) recognized boundaries and other arrangements that will give security against terror, destruction, and war, and the consequent withdrawal and disengagement of armed personnel;

It stated, in other words, that withdrawal and disengagement should be consequent upon recognized boundaries and security. The resolution also called for—as does the U.S. resolution pending before the Security Council—a just and equitable solution to the refugee problem, free maritime passage through international waterways, including the Suez Canal and the Gulf of Aqaba and limits on a wasteful and destructive arms race.

One resolution, indeed, went a little further than the President's resolution before the Security Council and said:

> In a climate of peace, the United States will do its full share to—
>
> (a) Help with a solution for the refugees;
>
> (b) Support regional cooperation; and
>
> (c) See that the peaceful promise of nuclear energy is applied for the critical problem of desalting water.

Mr. President, the resolution from which I have just quoted expressed the clear view of a large majority of the Members of the U.S. Senate on the elements of a stable and durable peace in the Middle East.

It made clear our belief that negotiations should be consequent upon withdrawal, and that the withdrawal should not precede negotiations.

Mr. President, I trust that the views of 63 Senators on this key point will be borne in mind by our representatives when the moment of truth arrives in the Security Council.

Mr. President, as we know, these are delicate and difficult negotiations going on at the United Nations. I believe it only fair to say that the U.S. resolution is infinitely to be preferred to the resolution submitted by India, Malaysia, and Nigeria. The President of the United States is entitled to know and to have more vividly called to his attention the support for the general policy of the United States that is expressed in the resolution cosponsored by almost two-thirds of the Senate of the United States.

I ask unanimous consent that the draft of the resolution tabled by the United States in the United Nations also be printed in the RECORD at the conclusion of my remarks, so that Senators may compare it with the resolution of the Senator from Missouri [Mr. SYMINGTON] and myself, in which a large majority of the Members of the Senate concurred.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

S. RES. 143

Whereas the United States has a vital and historic national interest in a stable and durable peace in the Middle East; and

Whereas the President of the United States has stated the principles upon which our Nation is committed to peace in the area and that every nation in the area has a fundamental right to live and to have this right respected by its neighbors; and

Whereas the peace and security of the nations of the Middle East have been endangered by a wasteful and destructive arms race, threatened by belligerency and have just been shattered by hostilities endangering the peace of the entire world: Therefore be it

Resolved, That it is the sense of the Senate that—

(1) The security and national interests of the United States require that there be a stable and durable peace in the Middle East; and

(2) Such a peace calls for discussions among the parties concerned, using such third party or United Nations assistance as they may wish, looking toward—

(a) recognized boundaries and other arrangements that will give security against terror, destruction, and war, and the consequent withdrawal and disengagement of armed personnel;

(b) a just and equitable solution to the refugee problem;

(c) free maritime passage through international waterways, including the Suez Canal and the Gulf of Aqaba, and

(d) limits on a wasteful and destructive arms race; and

(3) In a climate of peace, the United States will do its full share to—

(a) help with a solution for the refugees;

(b) support regional cooperation; and

(c) see that the peaceful promise of nuclear energy is applied for the critical problem of desalting water; and be it further

Resolved, That the President is requested to pursue these objectives, as reflecting the sense of the Senate, within and outside the United Nations and with all nations similarly minded, as being in the highest national interest of the United States.

EXHIBIT 2

THE TEXT OF THE DRAFT RESOLUTION SUBMITTED BY THE UNITED STATES ON THE MIDDLE EAST, NOVEMBER 7, 1967

The Security Council,

Expressing its continuing concern with the grave situation in the Middle East,

Recalling its Resolution 233 (1967) on the outbreak of fighting which called, as a first step, for an immediate cease-fire and for a cessation of all military activities in the area,

Recalling further General Assembly Resolution 2256 (ES-V),

Emphasizing the urgency of reducing tensions and bringing about a just and lasting peace in which every state in the area can live in security,

Emphasizing further that all Member States in their acceptance of the Charter of the United Nations have undertaken a commitment to act in accordance with Article 2 of the Charter,

1. *Affirms* that the fulfillment of the above Charter principles requires the achievement of a state of just and lasting peace in the Middle East embracing withdrawal of armed forces from occupied territories, termination of claims or states of belligerence, and mutual recognition and respect for the right of every state in the area to sovereign existence, territorial integrity, political independence, secure and recognized boundaries, and freedom from the threat or use of force;

2. *Affirms further* the necessity

a. for guaranteeing freedom of navigation through international waterways in the area;

b. for achieving a just settlement of the refugee problem;

c. for guaranteeing the territorial inviolability and political independence of every state in the area, through measures including the establishment of demilitarized zones;

d. for achieving a limitation of the wasteful and destructive arms race in the area;

3. *Requests* the Secretary General to designate a Special Representative to proceed to the Middle East to establish and maintain contacts with the states concerned with a view to assisting them in the working out of solutions in accordance with the purposes of this resolution and in creating a just and lasting peace in the area;

4. *Requests* the Secretary General to report to the Security Council on the progress of the efforts of the Special Representative as soon as possible.

PRIVATE ENTERPRISE AIDS REDEVELOPMENT—NIAGARA MOHAWK

Mr. JAVITS. Mr. President, last week, with 23 Republican colleagues in the Senate, I introduced legislation to establish an economic opportunity corporation. One of the purposes of that corporation would be to gather and communicate information on ways in which private organizations might assist in antipoverty and community improvement activities. In connection with the introduction of that bill, I stated that there were dozens and perhaps hundreds of examples of ways in which local businesses, labor organizations, and other groups were assisting in home town efforts to fight poverty, and I commented that all interested parties would benefit from having the opportunity to study and learn from those examples.

I would like to bring to the attention of my colleagues today one such example which has developed within my own State. The Niagara Mohawk Power Corp. has for some time worked successfully to attract new industries to upstate New York and to assist local communities with their own industrial development efforts. More recently the corporation has begun work in the field of urban renewal and has published an attractive and highly informative 50-page booklet for New York State communities describing for them the workings of the urban renewal program and detailing methods of application.

Not only has Niagara Mohawk made this information available, however, but it has put its technical expertise to work to consult with and assist local communities in planning and conducting their own projects.

I think that it is interesting to note that Niagara Mohawk developed this assistance program for sound business as well as public interest reasons. They had done a study which showed the company had a vested interest in seeing urban renewal work better. For when buildings were demolished and land cleared, utility services were interrupted, and the longer it took to reestablish homes and businesses in those areas the less power was used.

I would like to give proper credit to some of the people in Niagara Mohawk who made this program possible, including Mr. Earl J. Machold, president of the corporation, Mr. Harry G. Slater, commercial vice president, and Mr. Allan A. Lynch, head of the Area Development Department. Two private consulting firms, Duryea & Wilhelmi of Syracuse, N.Y., and Larry Smith & Associates of New York City, provided important technical assistance, as did Mr. J. Arthur Rath of the Rath Organization of Syracuse, who prepared the publication itself.

This farsighted and public spirited program by Niagara Mohawk deserves to be brought to the attention of my colleagues and is yet another example of ways in which private enterprise—this time a public utility—can devote its talents usefully to redevelopment efforts. Mr. President, I ask unanimous consent that there be inserted in the RECORD at this point an excerpt from the corporation's publication, "Renewal Assistance for New York State Communities," which describes the technical and other assistance which it is making available to New York State communities.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PROFESSIONAL SERVICES FOR COMMUNITIES

Planning. Niagara Mohawk's assistance begins at the planning stage. Community Development specialists will counsel communities on preparing for planning activities such as those described on pages 6 to 13. This includes advice and aid in obtaining citizen support and understanding, liaison with government groups, and guidance in getting comprehensive planning underway—be it of a local, county, or regional nature.

Urban Renewal. On a continuing basis, the company assists with the dissemination of technical knowledge about urban renewal. It maintains personal contacts with key government, urban renewal, and development officials, and can serve as a liaison between all levels of government and the business community.

The company offers advice and assistance to urban renewal staffs in the preparation of project land disposition brochures and advertisements.

As a part of its overall area development promotion, the utility acts as a clearinghouse for publications of each locality. An inventory of such publications is maintained for distribution to prospects expressing an interest in a particular community.

Probably the most important contribution is the company's interest in helping to market and redevelop land within renewal areas. The cornerstones of this land marketing program are the efforts Niagara Mohawk makes to attract prospective redevelopers and the services which are offered to them.

PROFESSIONAL SERVICES FOR REDEVELOPERS

Data on Communities, Projects, and Parcels. To assist developers in appraising communities and gaining familiarity with various projects and parcels, the company offers valuable time-saving aid. Redevelopers do not have to contact all the sources which would normally provide them with information and they are saved the process of wading through documents, since the Department will capsulize this information for them.

Special Market Studies. In cases where the existing project marketability study is not comprehensive enough to suit the needs of a particular redeveloper, the company will subject to some discretion, prepare a special market study.

Referral To Financial Sources. This service is particularly useful to groups of small businessmen associated in a joint venture and to nonprofit sponsors of federally assisted housing programs. The Area Development Department, through its efforts in industrial development financing, has broad contacts with a variety of lending resources including lending institutions within its system, federal agencies, and large institutional lenders.

Procedural Assistance. The Department guides prospective redevelopers lacking substantial previous experience in the urban renewal process through the necessary planning and executing procedures, including applicable statutory and administrative requirements.

Nonprofit Developers. Labor unions, church groups, educational institutions, and community-minded citizens acting as sponsors, borrowers, and mortgagors in the construction or rehabilitation of low and moderate cost housing facilities can receive information from Niagara Mohawk on the nature of programs, applicable administrative procedures, financing requirements, and resources necessary to undertake such a project. The company will arrange meetings among interested parties and local urban renewal officials, appropriate federal officials, and potential financing sources.

Commercial Occupants Displaced by Project. By pooling resources small and medium-size businessmen's groups often create a redevelopment corporation to act as the redeveloper entity. To such groups Niagara Mohawk offers services similar to those outlined for Nonprofit Developers.

Liaison Between Developer and Government. The company takes the role of an interested third party between developer prospects and local renewal directors by consistently helping to keep things moving smoothly toward successful redevelopment projects and providing assistance wherever possible to help solve problems which threaten to delay the process. These procedures are effective through the selection of a developer and execution of a land disposition contract until construction of all proposed improvements has been completed.

Mr. JAVITS. I call especial attention to this matter because it is another evidence of involvement of the private sector in the war on poverty, and it is something which I wish very much to encourage.

One of the things from which we suffer in this country is a failure to exchange information on this subject as to what is being done in place A so that place B may profit. It is for that reason that I have taken this opportunity to convey information to the Senate on this admirable development.

THE NEED FOR A NEW CONSERVATION CRUSADE TO PRESERVE LAND, WATER, AND AIR

Mr. JAVITS. Mr. President, I call attention to a remarkable experiment taking place at Onondaga Lake, contiguous to the city of Syracuse. This is an experiment to develop and clean up the waters of a lake which has been polluted for a century through carelessness and neglect. The restoration of Onondaga Lake would make it a tremendous asset to an American city.

I mention this work on Onondaga Lake in the spirit of calling the attention of my colleagues to pollution abatement and restoration developments, for they are important to the future of many American cities. Many of our cities have attractions such as Lake Onondaga. They look beautiful but, on close inspection, are dirty and polluted almost beyond use.

Mr. President, I ask unanimous consent that the testimony of Harry Marley, chairman of the legislation committee of the Metropolitan Development Association of Syracuse and Onondaga County before the Subcommittee on Natural Resources of the House Committee on Government Operations be printed at this point in the Record.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Testimony of Harry Marley, Chairman, Legislation Committee, Metropolitan Development Association of Syracuse and Onondaga County, Before the Subcommittee on National Resources of the Government Operations Committee of the U.S. House of Representatives, Hotel Syracuse, Syracuse, N.Y., August 19, 1966

My name is Harry Marley and I am Chairman of the Legislation Committee of the Metropolitan Development Association of Syracuse and Onondaga County. I have been a member of the Board of the Association for the last five years and have participated in its activities. The Association consists of 100 men engaged in business and the professions in the Syracuse Metropolitan area who are concerned with the overall development of Syracuse and its environs. Our Association has concentrated its efforts at points of most severe need, has employed top expert advice where necessary, and has sought not only the best possible plans, but with equal effort, their effectuation. Our Association has been concerned with a new water supply for the Syracuse Metropolitan community and participated in the effort to establish the Onondaga County Metropolitan Water district. We have been concerned with the rebuilding of our city center and participated financially and otherwise in the development of a Downtown Plan which has led to some ten existing or announced developments by the Mutual Life Insurance Company of New York, Sibley, Lindsey & Curr, Allied Department Stores and others in the central city area. One of our prime interests is the reclamation and conservation of Onondaga Lake.

Our Association commends our Congressman James Hanley, our distinguished visiting Congressmen, including Congressman Jones and your staffs for your interest in the polluted waters of America. Syracuse welcomes you and we appreciate this opportunity to tell the story of Onondaga Lake and what we hope can be done about it.

Onondaga Lake has had a long and distinguished history, dating back well before the settlement of the central New York region by the white man. Before the first World War the lake constituted a major amusement area for yachtsmen, oarsmen, and picnickers and led to the founding of one of Syracuse's major industries, the Solvay Process Plant which employs the cooling waters of the lake in the manufacture of soda ash.

Since the first World War, Onondaga Lake, like many other bodies of water near cities, has fallen prey to the concomitant ills of urban growth and technological development. Today the vastly expanded population which lives in Syracuse or in communities whose sewage drains into the lake directly, or into tributaries of the lake, contributes to the wealth of the community, but to the pollution of the lake. The challenge of our generation is to recreate an urban lake which can be enjoyed by this larger population and to make it possible for this population to live without destroying the object of their enjoyment.

Today, Onondaga Lake, although attractive from a distance, is unfit or undesirable for yachting, swimming and, of course, drinking. On occasion the Lake can be obnoxious in odor and its utility for industrial purposes is rapidly declining as its pollution grows. Various phases of the lake have been studied and a number of preliminary surveys on one or another phase of the lake's problems have been published. To our knowledge however, no survey in depth as to the long range future of the lake and what steps should be taken to restore its attractiveness have been accomplished.

Other witnesses will tell you of the series of citizen committees which have been concerned as technicians or as potential consumers of the lake's resources. Our Association was involved in a presentation of a possible plan for the shoreline development in 1963. This proposal was presented at the State Fair that year and indicated a possible development of the lake frontage and environs including Onondaga Creek, a major tributary, flowing into the lake through the City of Syracuse. There were a number of earlier studies made on the possible development of the shoreline of the lake. Our interest in this development remains.

In recent years the East shore of the lake has been developed into a handsome park under the leadership of Mr. Crandall Melvin. The existence of this park and other geographic and topographic features of the lake make possible the International Rowing Regatta which is held on Onondaga Lake each June. This was a major and successful effort and above all indicates that the lake has not been desecrated beyond reclamation. The East Shore Park is enjoyed by thousands of Central New York citizens every year. The West shore is in industrial use and open land yet to be reclaimed for recreation purposes. Our Association feels that this lake represents a singular and major challenge to local, State and National Government officials and to citizens. In its current state it approaches a liability to the health and wellbeing of the people of Central New York. In its potential state, situated in the City of Syracuse at the center of a thriving population of three quarters of a million Americans, it can be a priceless civic, and economic asset.

Recently our County Executive, Mr. John Mulroy, appointed a Citizens Committee whose suggestions were accepted and turned over to a Task force of concerned County Department heads under the Superintendent of Construction, Mr. Edward Baylor. This group is vigorously pursuing ways and means of moving towards the reclamation of Onondaga Lake. We applaud Mr. Baylor and his committee. However, the task of reclaiming this lake is too much for local fiscal resources and probably even beyond the State resources which could be allocated to this single area without Federal aid.

Local capabilities to deal with the manifold programs necessary to reclaim the lake will be greatly helped by the multi-billion dollar New York State Constitution at the polls in November, 1965. Under this program New York State will provide 30% of the funds necessary for sewage treatment and other reclamation activities. It is our understanding that the Federal Government is equally concerned and has proposed in legislation now under consideration by the Congress (including HR 15635) and the companion bill introduced by Senator Muskie, that there be Federal assistance for local antiwater pollution activities. We feel this is a most significant recognition by the National Congress of a great national problem which is typified by our lake.

One phase of the legislation which it is important to consider is the contribution of the Federal Government. The Federal Government will contribute, we hope, at least as much as New York State, namely 30%. This will still leave the basic responsibility, amounting to 40% of the cost, as a local responsibility. Federal assistance must be substantial enough to permit the job to be accomplished and by this we mean at least equal the State grant.

Our Association is also particularly concerned with what will happen to the shoreline of the Onondaga Lake in neighboring towns above the shore if reclamation is successful. It will be a tragedy, if millions of public dollars are successful in cleaning up the lake, only to permit garish hamburger stands to adorn the west shore. We believe that land use controls to insure profitable public and private development of the miles of land surrounding the lake are necessary if the potential of the anti-pollution effort is to be realized. For this reason, we propose a multi-purpose program including planning, land use, controls, public open space, new town development on a cooperative basis between local, State, and Federal Governments with maximum opportunity for appropriate private development along the lake and elsewhere. This requires a coordinated public-private-Federal-State-local multi function program.

Our proposal is not to make the shore and neighboring land development of Onondaga Lake exclusively a park, a high cost or a low cost residential development, a site for industry, or any other single use; rather we believe the future attraction of the lake will depend on the best development of different planned uses. We believe for example that industry and houses can be good and mutually advantageous neighbors. We believe that the bold silhouette of the Solvay Plant and the fires of the Crucible Steel mill can be a thrilling sight to the yachtsman on the waters of the lake at night. We believe that residents on the hills to the west of the lake can enjoy the lake without having access to the waterfront itself. The lakeshore can supply sites for marinas, picnic area, motels and swimming areas.

Our request to you therefore Mr. Chairman is this: Please consider that our lake, whose reclamation we so wholeheartedly desire, can be reclaimed with the help of the Federal Government. If it is reclaimed, we will not only have a fine body of water but, if other existing and proposed local, Federal, and State programs can assist local, public and private efforts, our citizens and all New Yorkers and visitors can enjoy the many miles which surround the lake. The total project can become a pride to this part of the State, to New York, and to the ability of the American people to live in the magnificent land which they inherited without ruining it.

Thank you very much.

THE WAR AGAINST THE POVERTY WAR

Mr. CLARK. Mr. President, the other body is presently engaged in debating the fate of the war against poverty. I am hoping against hope that some meaningful and useful legislation will result from that debate.

Yesterday, a splendid lead editorial entitled "The War Against the Poverty War," was published in the Washington Post.

This editorial points out the havoc that will be wrought to the lives of millions and millions of Americans if the House does what some columnists and analysts predict it will do—either kill the war against poverty completely, or so cripple it that it cannot be continued in any meaningful way for the future. I would hope that all Members of the House of Representatives, and, indeed, all Members of the Senate would read this editorial.

I ask unanimous consent to have the editorial printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE WAR AGAINST THE POVERTY WAR

Only because there are so many more rich people than poor people in this country, and because the poor are clustered in small pockets of abject poverty, is it possible for so many members of the House of Representatives to mount so cruel and reckless an attack on the war against poverty. If their assault prevails in the voting that begins today, they may find some comfort in the damage this will do to President Johnson's Great Society. But it will be a cold kind of comfort. For, in the words of OEO Director Sargent Shriver, they will be engaging in both a "delusion . . . and a fraud."

It will be a cruel delusion for the poverty-stricken who had come to believe that help in increasing quantities was on the way. And it will be a highly dangerous fraud. For there is at home, as Adlai Stevenson once said of the less developed world, a "revolution of rising expectations" which will almost certainly be translated into wider violence and greater disorder if reasonable expectations are denied.

The Administration is seeking $2 billion in poverty funds, an increase from the $1.6 billion it received last year for such projects as the Job Corps, Community Action Programs, and Head Start. The Senate has approved this, and a bit more. But a motley coalition of Republicans and Southern Democrats in the House is trying to slash this year's appropriation down to $1.2 billion, a figure that OEO believes would cripple its activities—cripple them in real terms and in terms of the psychological impact such a cut would have on the hopes and aspirations of the poor.

There was, at an earlier stage, some rational quality about the House attack on OEO, some sense that the program wasn't working well and ought to be overhauled or even scrapped, with its projects turned over to regular Government agencies.

A logical case can be made for conducting the poverty war differently; the art is not all that far advanced. But only three, of some 700 witnesses who have appeared before Senate and House hearings, were prepared to advocate dismantling of OEO. The vast majority recommended more funds, not less. None suggested the sort of senseless hacking which now threatens the poverty bill. Only the worst sort of partisan politics, on the part of many Republicans, and sheer indifference on the part of many Southern Democrats can explain the kind of irrationality which led the House to exempt OEO from Federal pay increases and which has left much of the poverty war without funds since Oct. 23 for failure to pass normally routine appropriations to maintain present programs until the large appropriation question is resolved.

By Nov. 23, some 35 Community Action Programs will be in much the same shape as the project in Jersey City is in right now—completely out of money, with workers on a volunteer basis, and forced to borrow or beg to continue aid to some 10,000 families.

A belated move was made yesterday to appropriate money for the OEO payroll through Nov. 9, by tacking this on as a rider to the District Appropriation bill. But this is only a brief stop-gap. The point, very simply, is whether there is to be an effective poverty program, or not. A cut to the $1.2 billion level would not be effective. In the District, for instance, it would mean $20 million in poverty funds, compared with the $35.8 million which would be provided under the President's request for this fiscal year, and almost $30 million last year. This is not just robbing the poor of help. It is robbing them of hope. Those who conspire to do so may find political comfort. But they will deserve the country's condemnation and contempt.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution:

S. 1872. An act to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes;

S. 2168. An act for the relief of Dr. Pedro Pina y Gil;

H.R. 2757. An act for the relief of Comdr. Albert G. Berry, Jr.;

H.R. 4538. An act for the relief of Dr. John E. Yannakakis;

H.R. 6692. An act declaring a portion of Bayou Lafourche, La., a nonnavigable waterway of the United States;

H.R. 13048. An act to make certain technical amendments to the Library Services and Construction Act;

H.R. 13165. An act to extend the period during which Secret Service protection may be furnished to a widow and minor children of a former President; and

S.J. Res. 33. Joint resolution to establish a National Commission on Product Safety.

SAFETY REGULATIONS FOR TRANSPORTATION OF NATURAL GAS

The Senate resumed the consideration of the bill (S. 1166) to authorize the Secretary of Transportation to prescribe safety regulations for the transportation of natural gas by pipeline, and for other purposes.

Mr. MAGNUSON. Mr. President, I want to address myself very briefly to the bill as reported by the Commerce Committee.

Mr. President, with the passage of the Department of Transportation Act, Federal safety regulation of air, water, and land transportation—including pipelines other than natural gas and water—has been centralized in one agency to permit the coordinated and comprehensive improvement of safety in virtually all transportation modes. The only transportation area still excepted from Federal safety regulation is the movement of natural gas, other flammable gases and nonflammable hazardous gases by pipeline.

At our request, the Federal Power Commission in 1965 made a study of the safety of interstate natural gas pipelines. The FPC questioned jurisdictional natural gas companies which accounted for approximately 150,000 of the 224,000 miles of transmission pipe in the country. The companies reported a total of 64 deaths and 225 serious injuries from January 1950 to August 1965 occurring from operational failures on interstate transmission pipelines. The companies also reported a total of 1,268 operational failures during that period, or approximately one every 5 days, somewhere on the interstate pipeline network. A roughly equivalent number of failures during testing were also reported. Most of these failures did not cause death or injury, as most transmission lines are not laid in urban areas. In a majority of cases, the gas did not ignite. Most deaths or injuries are caused when the escaping gas ignites, which occurs when there is human activity in the vicinity to produce some sort of an igniting spark. When the failure is in the vicinity of houses and when it does ignite—a more likely occurrence in populated areas—those in the vicinity are exposed to great danger. For example, the rupture and explosion at Natchitoches, La., in March 1965 gutted a 13-acre area, killed 17 people, burned five houses, and melted cars and even rocks.

Distribution systems have been in existence for many years and much of the original pipe is still in use after 30 or 40 years. In many cases it is not the age of the pipe itself that creates the hazard, but the joints and related connections. There is no readily available information concerning past accidents in distribution systems as there is with transmission pipelines. However, during the first few months of 1967 alone several major accidents occurred in distribution systems.

Most segments of the natural gas industry can take great pride in the substantial technological advances which have made natural gas a reliable and safe fuel. The development of durable large-diameter steel pipe of enormous strength, capable of withstanding high pressures, together with other dynamic new technologies, permits the extension of gas transmission lines from production fields to markets hundreds of miles distant.

The natural gas industry and its suppliers are spending millions of dollars in research directed toward safety improvements in their lines. Again, most segments of the industry have been vigorously concerned with the safe design and operation of pipelines and have accorded safety the highest priority.

There is, within the pipeline industry, informal nonenforceable guidance in the form of an industry code, the United States of America Standards Institute B31.8 code. The dedicated members of the code committee have greatly contributed to the cause of gas pipeline safety. But this code is considerably less than satisfactory, formulated as it has been under procedures by which any substantial segment of the industry, or even one company, can prevent the adoption of a particular safety standard.

Most States have found it necessary and desirable to adopt safety regulations for gas pipelines. Yet, a majority of the States which regulate natural gas pipelines use the USASI Code as a basis because of staff and resources inadequate to develop standards themselves. Many of those States have either added independent safety standards or strengthened some provisions in the industry code, but this has not served to produce uniform, adequate safety standards.

In addition to those States which have not adopted regulations, the regulations of some States do not apply to interstate lines. Most State safety regulations are sharply limited in their application to pipe in existence when the regulations are adopted.

The Federal Power Commission has the authority to investigate pipeline accidents, to gather and analyze statistics on the causes of pipeline accidents, and to report its findings to Congress and the public. While it can impose safety conditions in the certificates it awards, the Commission cannot exercise continuing regulation over all aspects of safe pipeline operation. And, while the Department of Transportation Act has transferred broad transportation safety regulatory powers, including those related to pipelines to the Department, gas pipelines are not within the scope of those powers.

It is estimated that by 1980 gas transmission lines will have increased to 301,000 miles and that distribution lines will have increased to 857,400 miles. As population density increases in many areas of the country, and as the mileage of gaslines increases to meet growing demands, the absence of adequate and effective safety regulation of gas pipelines stands as an unjustifiable exception to the national effort to insure that all modes of transportation will function in a manner which adequately protects the public safety.

FEDERAL SAFETY STANDARDS

The basic tool created by this bill to improve gas pipeline safety is the authority given the Secretary of Transportation in section 3(a) to set minimum Federal safety standards to be observed by all persons engaged in the transportation of gas. This he must do no later than 24 months after enactment; this interval should be sufficient for the Secretary to establish standards based on the best technical information after having considered the views of all sectors of the population which are affected. The standards may extend to all aspects of pipeline facilities, specifically to their design, installation, inspection, testing, construction, extension, operation, replacement, and maintenance.

TECHNICAL STANDARDS COMMITTEE

The hearings on this bill contain a substantial amount of testimony by industry spokesmen as to the highly complicated and technical nature of developing and applying safety standards to gas pipelines. The committee recognizes that the process is not a simple one from a technological standpoint. For this reason, the bill creates a Technical Pipeline Safety Standards Committee from which the Secretary must obtain counsel of a technical nature before he formally proposes establishment of a safety standard.

FEDERAL-STATE RELATIONSHIP

The committee has sought to give the States a primary role in enforcing local pipeline safety standards.

Section 5(a) envisions a series of agreements between the Secretary and the States, substituting State for Federal enforcement for gas distribution and local transmission lines.

To obtain such substitution, the State must adopt the Federal standards as its own; impose the same sanctions as would the Federal Government—including requiring records, reports, inspections, and the filing of plans of inspection—implement an effective compliance program; and agree to cooperate in Federal monitoring of its compliance program.

Mr. President, I ask unanimous consent that an excerpt from the report be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MAGNUSON. Few States now have laws in this area; and compliance is, of course, the key to achieving the objectives we seek in the bill.

Mr. President, I also ask unanimous consent to have printed in the RECORD an address by Carl E. Bagge, Commissioner of the Federal Power Commission, before the Third Annual Pipeline Operation and Maintenance Institute, which will be given today, November 9, 1967, in Liberal, Kans.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. MAGNUSON. Mr. President, I understand that there will be two or three amendments to be proposed. The Senator from Ohio [Mr. LAUSCHE] has an amendment which is now pending. I am sure the Senate will want to hear the amendment which he proposes and his argument in support of his amendment.

Mr. President, this bill represents a great deal of work by members of the Commerce Committee. Most of the portions of the bill were agreed to by most of the members of the committee, and I do not think that any member of the committee opposes the bill, as such, in general terms.

There were two or three sections in the bill which posed difficult technological problems. One section that would fall into this category is that section of the bill dealing with gathering lines. We attempted to cover these lines by requiring that the Secretary report to us within 1 year with his recommendations as to the proper treatment of these lines. We felt he should first establish the permanent regulations on the main pipelines, since that is where pressures are high and great danger may exist, and on the distribution lines, because these are located in heavily populated areas.

The gathering of gas is not entirely in heavily populated areas. Some lines go through populated areas, but I understand that the great majority of them are not in densely populated areas. The distinguished Senator from Oklahoma [Mr. MONRONEY] made a factual presentation to the committee on this point.

We attempted to deal specially with that situation because we wanted to make sure that the Secretary first work out his permanent regulations for the main pipelines. I also feel we have handled the distribution problem very well in the bill.

Personally, I wanted to deal more strongly with gathering lines in this legislation, but after much discussion the committee members decided that it would be more practical and better to have the Secretary report back to us with his recommendations.

I understand that the amendment introduced by the Senator from Ohio would change that section of the bill dealing with gathering lines. When I have heard his presentation, I expect to reply, and I think that my statement will be similar to the argument I made in committee.

However, I wish to reemphasize that there has been no division in committee as to the main objectives of the bill. There were technical complications involved inasmuch as this is a highly complex problem, but we tried to work the matter out as best we could. The bill is long overdue.

I must say that the industry has done a great deal of research in this field. The use of gas is growing by leaps and bounds. I have no doubt that any major pipeline that is being laid today would be much safer than those laid years ago. I am sure the industry would admit that many of the lines now in the ground, some of which are 30 to 40 years old, were not built for many of the pressures that now exist.

The distribution people understand the problem that exists in highly populated areas. We did suggest that compliance in this case be left to the States, when they institute a compliance program because they are right there and they can watch what is happening. Most cities, urban areas, and metropolitan areas do have some regulations now. There are many local codes on safety in connection with the matter of distribution. But these have not proven sufficient. We are hopeful that we are going to make a real beginning now with the bill that is before the Senate to insure pipeline safety for the millions of users of gas in this country.

EXHIBIT 1

PURPOSE OF THE BILL

The purpose of this bill, as amended, is to authorize the Secretary of Transportation to regulate the safety of operation of pipeline facilities which transport natural and other flammable gases and nonflammable gases.

BACKGROUND AND NEED

With the passage of the Department of Transportation Act, Federal safety regulation of air, water and land transportation (including pipelines other than natural gas and water) has been centralized in one agency to permit the coordinated and comprehensive improvement of safety in virtually all transportation modes. The only transportation area still excepted from Federal safety regulation is the movement of natural gas, other flammable gases and nonflammable hazardous gases by pipeline.

There are now over 800,000 miles of gas pipeline in the United States including approximately 63,000 miles of gathering lines, 224,000 miles of transmission lines, and 536,000 miles of distribution lines. These lines range in diameter from less than 1 inch to 42 inches with 48-inch lines under consideration. They vary in condition from old, unprotected lines to new, well-protected pipelines. They suffer in function from low-pressure distribution lines operated at one-fourth pounds per square inches to high-pressure transmission lines operated at 1,300 pounds per square inch, which is equivalent to a force of over 93 tons pushing against the pipeline wall over every square foot. Thus, any failure of a pipe may cause large amounts of gas to be released to the atmosphere in a relatively short period of time. Any gas thus escaping which is mixed with air may ignite; the area affected can be very large depending on such variables as the gas pressure, size of the pipe and the size of the break. When it burns, the gas can reach temperatures up to 2,500° F.

In addition to such factors as the diameter and pressure of the pipe, population density has an important bearing on the potential dangers associated with a pipeline failure. As our cities and towns expand, the problem of population density near transmission and distribution lines grows more acute, since much of this pipe was laid to specifications designed for unpopulated areas. The danger extent of injury or death is patently greater in the more densely populated areas.

Still another factor contributing to the risk of pipeline failure and the danger of death or injury is the age of some of the pipeline throughout the country. This is not because age in itself causes deterioration of the pipe, but because older pipe was not designed, constructed, or protected as well from the effects of corrosion and other deterioration as well as is newer pipe.

At the request of Chairman Magnuson, the Federal Power Commission in 1965 made a study of the safety of interstate natural gas pipelines. The FPC questioned jurisdictional natural gas companies which accounted for approximately 150,000 of the 224,000 miles of transmission pipe in the country. The companies reported a total of 64 deaths and 225 serious injuries from January 1950 to August 1965 occurring from operational failures on interstate transmission pipelines. The companies also reported a total of 1,268 operational failures during that period, or approximately one every 5 days, somewhere on the interstate pipeline network. A roughly equivalent number of failures during testing were also reported. Most of these failures did not cause death or injury, as most transmission lines are not laid in urban areas. In a majority of cases, the gas did not ignite. Most deaths or injuries are caused when the escaping gas ignites, which occurs when there is human activity in the vicinity to produce some sort of an igniting spark. When the failure is in the vicinity of houses and when it does ignite (a more likely occurrence in populated areas), those in the vicinity are exposed to great danger. For example, the rupture and explosion at Natchitoches, La., in March 1965 gutted a 13-acre area; killed 17 people; burned five houses, and melted cars and even rocks.

Distribution systems have been in existence for many years and much of the original pipe is still in use after 30 or 40 years. In many cases it is not the age of the pipe itself that creates the hazard, but the joints and related connections. There is no readily available information concerning past accidents in distribution systems as there is with transmission pipelines. However, during the first few months of 1967 alone several major accidents occurred in distribution systems. A survey jointly undertaken by the Department of Transportation and the National Association of Regulatory Utilities Commissioners, an organization of Federal and State commissions, revealed substantial gaps in the regulation of distribution systems. These systems distribute gas to 38 million consumers located in virtually every city and town throughout the Nation.

Most segments of the natural gas industry can take great pride in the substantial technological advances which have made natural gas a reliable and safe fuel. The development of durable large-diameter steel pipe of enormous strength, capable of withstanding high pressures, together with other dynamic new technologies, permits the extension of gas transmission lines from production fields to markets hundreds of miles distant.

The natural gas industry and its suppliers are spending millions of dollars in research directed toward safety improvements in their lines. Again, most segments of the industry have been vigorously concerned with the safe design and operation of pipelines and have accorded safety the highest priority.

As Secretary of Transportation Boyd has said, the proposed legislation "was not premised on the safety record of the gas industry—which is good, but on the coverage and enforcement gaps in existing regulations." President Johnson has called the natural gas industry "among the most safety conscious in the Nation." Even with the passage of minimum Federal safety standards for pipelines, the committee anticipates that the initiative, innovation, and upgrading of the safety of pipelines will remain, as it has always been, with the industry itself.

There is, within the pipeline industry, informal nonenforceable guidance in the form of an industry code, the United States of America Standards Institute B31.8 code. The dedicated members of the code committee have greatly contributed to the cause of gas pipeline safety. But this code is considerably less than satisfactory, formulated as it has been under procedures by which any substantial segment of the industry, or even one company, can prevent the adoption of a particular safety standard. Secretary of Transportation Boyd submitted to the committee the following summary analysis of the code's deficiencies:

"APPENDIX TO STATEMENT OF ALAN S. BOYD, SECRETARY OF TRANSPORTATION

"Evaluation of USA Standard Code for pressure piping 'gas transmission and distribution piping systems' (B31.8 as revised on about April 14, 1967) as a basis for safety regulations

"The major safety code in use by the natural gas pipeline industry at the present time is the self-imposed code, USASI B31.8. (All future reference in this appendix to USASI B31.8 code will be as 'the code.') The code, as written, is technically sound. However, it is not mandatory, it does not apply to pipeline in the ground, it is not adopted uniformly by the States, and has no provision for enforcement.

"The code does not require a pressure test for upgrading pipeline systems.

"The code mentions use of varying types of construction materials to be used in cold climates, but offers no positive specifications to insure that materials with special properties are used.

"The code does not define welding inspection procedures. Here, the adequacy of inspection methods vary.

"The code requires high pressure pipe to be buried at least 24 inches below ground but this requirement is dropped for low pressure lines if 'external damage to the pipe will not be likely to result.'

"The code does not require the marking of underground lines.

"The code requires only 2 inches clearance between pipelines and other underground objects. This is too little clearance for adequate maintenance and for protection from possible mechanical damage or corrosion due to proximity of the pipe to the other structure.

"The code does not specify uniform construction specifications for new pipeline.

"The code suggests inspection during various stages of high pressure pipeline construction: Similar inspections are not required for low pressure lines.

"The code allows gas to be used as a pressure testing substance. However, a length of time for all types of testing is not prescribed. Individual companies use varied procedures in the length of time for these tests. Also, the code does not require retesting a pipeline failure discovered during the initial test.

"While the code requires that companies have a plan for pipeline maintenance, it does not specify the extent, thoroughness, or any specific points of such a plan.

"The code offers no standards for abandoning transmission lines when the extent of leaks and other failures render the line unfeasible to repair or replacement.

"The code establishes stress requirements for pipelines according to location, whether it be rural, urban, etc. But it does not provide a method for changing these requirements as population density changes. Consequently, we now have suburban homes, office buildings and shopping centers in close proximity to pipeline originally designed to carry a greater stress because it was located in remote rural areas."

A former chairman of the code committee, Frederick A. Hough, acknowledged the limitations of the code and the code committee's procedures, in a series of articles published at the time the present code was substantially formulated in 1955:

"Many superior practices, which under some conditions at least are highly desirable, are not prescribed in the code.

"* * * [S]tandard specification committees tend to be dominated by the manufacturers and the tendency is for tolerances prescribed in a specification to be broad enough as to reduce to a minimum the rejects which a manufacturer will have. This very often results in the tolerances being so broad that the user cannot be sure that the material or equipment purchased under the specification is going to be suitable for his specific use * * *. For example, * * * when conditions exist which demand good low-temperature impact properties [the user] cannot look to the standard specifications for protection."

However, industry witnesses vigorously contested the validity of this analysis. Moreover, shortcomings of the B31.8 Code are mitigated in many instances by the action of individual companies in establishing higher and more comprehensive safety standards for their own operations than the code provides. For example, it is standard practice among most pipeline companies to coat and cathodically protect (protection against corrosion by means of an impression of an electric current on the pipeline) all new pipe, although the code does not require it.

Nevertheless, most States have found it necessary and desirable to adopt safety regulations for gas pipelines. Yet, a majority of the States which regulate natural gas pipelines use the USASI Code as a basis because of staff and resources inadequate to develop standards themselves. Many of those States have either added independent safety standards or strengthened some provisions in the industry code, but this has not served to produce uniform, adequate safety standards.

In addition to those States which have not adopted regulations, the regulations of some States do not apply to interstate lines. Most State safety regulations are sharply limited in their application to pipe in existence when the regulations are adopted.

The Federal Power Commission has the authority to investigate pipeline accidents, to gather and analyze statistics on the causes of pipeline accidents, and to report its findings to the Congress and the public. While it can impose safety standards in the certificates it awards, the Commission cannot exercise continuing regulation over all aspects of safe pipeline operation. And, while the Department of Transportation Act has transferred broad transportation safety regulatory powers, including those related to pipelines to the Department, gas pipelines are not within the scope of those powers.

It is estimated that by 1980 gas transmission lines will have increased to 301,000 miles and that distribution lines will have increased to 857,400 miles. As population density increases in many areas of the country, and as the mileage of gas lines increases to meet growing demands, the absence of adequate and effective safety regulation of gas pipelines stands as an unjustifiable exception to the national effort to insure that all modes of transportation will function in a manner which adequately protects the public safety.

HISTORY OF PIPELINE SAFETY LEGISLATION

In 1951 Congressman Heselton of Massachusetts introduced H.R. 88, 82d Congress, assigning to the Federal Power Commission safety responsibility for interstate transmission pipelines under its jurisdiction. The FPC since 1953 has made such a proposal part of its legislative program. On June 10, 1954, a hearing was held before the House Committee on Interstate and Foreign Commerce on such a bill, H.R. 134, 83d Congress, at which Congressman Heselton, the author of the bill testified:

"Certain representatives of the industry came to see me and told me very frankly and honestly that they felt there was a need for an improved and revised code and asked whether I would be willing to defer any action on the legislation pending an effort on their part to develop such a code. I told them I would be very glad to do so * * *.

"Therefore, I am not interested in having the bill enacted until that action is completed."

No action was taken on the bill and a substantially improved B31.8 Code was subsequently promulgated in 1955. Minor amendments have been made in the code in 1958, 1961, 1963, and 1967. In 1963, the Report on the Movement of Dangerous Cargoes, and Interagency Study coordinated by the Office of the Under Secretary of Commerce for Transportation, recommended:

"The Federal Power Commission should be given specific statutory authority and responsibility for safety regulation of gas pipelines operating in interstate or foreign commerce."

On March 17, 1965, Chairman Magnuson introduced S. 1553, which would have assigned such additional safety responsibility to the FPC. In 1965, following an interstate pipeline failure which claimed 17 lives in Natchitoches, La., Chairman Magnuson directed the FPC to make the study of the safety of interstate natural gas pipelines referred to above. The committee printed this study on April 19, 1966. Hearings were held on S. 1553 on August 29 and 31, 1966.

With the creation of the new Department of Transportation, consideration was given to consolidating gas pipeline safety and oil pipeline safety responsibility in that agency. At the hearings on S. 1553 Chairman Lee C. White of the FPC expressed the thought that it might be advisable to consider assigning such a responsibility to the new Department, which would have other safety responsibilities, rather than to the FPC.

On February 16, 1967, President Lyndon B. Johnson, in his consumer message, stated:

"With the creation of the Department of Transportation one agency now has responsibility for Federal safety regulations of air, water and land transportation, and oil pipelines. It is time to complete this comprehensive system of safety by giving the Secretary of Transportation authority to prescribe minimum safety standards for the movement of natural gas by pipeline.

"I recommend the Natural Gas Pipeline Safety Act of 1967."

On March 3, 1967, Chairman Magnuson introduced S. 1166. The committee held 5 days of hearings and voted unanimously to report the committee bill in the form of an amendment in the nature of a substitute to S. 1166.

SCOPE OF THE BILL

The scope of the bill is established by the meanings given to certain operative words and phrases contained in section 2, which describe the applicability and extent of the safety regulatory power conferred upon the Secretary of Transportation. "Gas" includes natural gas, other flammable gas, and nonflammable hazardous gas. Federal safety standards will be applicable to the "transportation of gas" which means transmission or distribution of gas by pipeline, or gas storage, in or affecting interstate or foreign commerce. Thus, jurisdiction will extend to all transmission and distribution lines in or affecting interstate commerce. Specifically, the standards will apply to "pipeline facilities" which include new and existing pipe, rights-of-way, equipment, and buildings used in gas transportation or treatment. For the purposes of judicial review and enforcement of the provisions of the bill, the term "person" is intended to cover not only individuals, but all forms of combinations of individuals.

FEDERAL SAFETY STANDARDS

The basic tool created by this bill to improve gas pipeline safety is the authority given the Secretary of Transportation in section 3(a) to set minimum Federal safety standards to be observed by all persons engaged in the transportation of gas. This he must do no later than 24 months after enactment; this interval should be sufficient for the Secretary to establish standards based on the best technical information after having considered the views of all sectors of the population which are affected. The standards may extend to all aspects of pipeline facilities, specifically to their design, installation, inspection, testing, construction, extension, operation, replacement, and maintenance. The Secretary may not, however, prescribe the location or routing of any pipeline facility, although effective standards will necessarily take into account geology and above-surface conditions and structures.

The committee appreciates the fear of the industry that might be required to bear the expense of removing large quantities of pipeline laid before a standard becomes effective for no other reason than that it does not comply with the Federal standard, irrespective of whether the pipe is sound and safe. For this reason, the committee has provided that standards affecting the design, installation, construction, initial inspection, and initial testing shall not be applicable to pipeline facilities in existence on the date such standard is adopted, unless the Secretary finds that a potentially hazardous situation exists, in which case, he may by order require compliance with any such standard. This provision requires the Secretary to make a finding of potential hazard before applying certain standards to existing pipe. When such finding and order has been issued, the standards can be made immediately applicable to remedy the potentially hazardous situation (subject to judicial review of the order) since all of the requirements of the rulemaking will have previously been satisfied.

Through these procedures, the legitimate interests of the industry can be satisfied, while the Secretary retains the overriding authority to take necessary action when the demands of safety require. As this subsection has been worked out, any Federal standard relating to inspection and testing (other than initial inspection and testing), extension, operation, replacement, and maintenance may be applied to existing pipe, as well as new pipe.

Further, in establishing standards the Secretary must observe certain guideposts. The standards must be practicable and designed to meet the need for pipeline safety. The Secretary is to consider relevant available data, the appropriateness of a standard for the particular type of transportation; the reasonableness of a standard; and the extent to which it will contribute to safety. In determining reasonableness, safety, which is the purpose of this act, shall be the overriding consideration. Any standard will ordinarily become effective 30 days after issuance. However, the Secretary may, for good cause, make a standard effective on an earlier or later date.

INTERIM STANDARDS

The committee believes that the need for meaningful pipeline safety regulation is serious enough that no vacuum should be permitted to exist during the period in which the Secretary is developing standards. Therefore he is required by section 3(a) to establish interim Federal safety standards within 3 months after enactment. As noted elsewhere in this report, not all States have safety codes or regulations applying to all phases of pipeline operation. To fill these gaps quickly, the Secretary shall establish as the Federal mandatory interim standards, existing State standards. Where all or part of the distribution and transmission operations in any State are not covered by State standards, the Secretary must develop and establish interim standards which will consist of the standards common to a majority of existing State standards. To further guard against gaps in the standards, any interim standard will remain in effect until specifically amended, or revoked, even if this is not done until more than 24 months after enactment of this bill.

PROCEDURES FOR THE ESTABLISHMENT OF STANDARDS

In establishing standards, the Secretary is required to comply with the rulemaking procedures of the Administrative Procedure Act. The Secretary must, of course, give interested persons appropriate notice and opportunity to comment on proposed standards. However, the committee does not intend that the Secretary be required to comply with sections 7 and 8 of the APA. While the Secretary would ordinarily have the discretion to prescribe oral presentations in establishing, amending, revoking, or waiving compliance with a standard, in order to afford the interested parties an opportunity to directly present relevant testimony, including engineering data, this subsection requires the Secretary to entertain oral presentations, permitting arguments to be made orally and witnesses presented. However, inasmuch as we require the Secretary to establish interim Federal standards based on existing State standards within 3 months of enactment, it is neither necessary nor desirable to require oral presentation as to establishment of those standards.

Anyone who is or will be adversely affected or aggrieved by the establishment of a standard, or other order issued under the act, may obtain judicial review in the court of appeals in accordance with section 10 of the Administrative Procedure Act. The petitioner has 60 days from the issuance of the order in which to seek such review. "Adversely affected" is defined by section 2 to include potential exposure to personal injury or property damage. The well-established criteria under the Administrative Procedure Act for judicial review of agency action (as well as the remedies available to the court) are intended by the committee to be applicable to the establishment of gas pipeline safety standards.

WAIVERS

From time to time, it may be desirable to waive compliance with a particular Federal standard in a specific situation. By section 3(e), the Secretary is given the flexibility to grant a waiver, when it is not inconsistent with the purposes of the act and upon notice and opportunity for hearing. Elsewhere in this report, there is described a plan of agreements between the Secretary and the several States, wherein the States may be exempt from Federal standards for local lines on condition that they adopt and enforce State standards of comparable scope and stringency (section 5(a)). Where such an agreement is in effect, a State will have the same waiver authority as the Secretary as to facilities governed by such agreement. However, State action is limited to the extent that the Secretary must be given at least 60 days advance notice and may stay the proposed grant of a waiver by a State, afford the State a hearing on the matter, and then determine finally whether to permit the waiver to become effective.

TECHNICAL STANDARDS COMMITTEE

The hearings on this bill contain a substantial amount of testimony by industry spokesmen as to the highly complicated and technical nature of developing and applying safety standards to gas pipelines. The committee recognizes that the process is not a simple one from a technological standpoint. For this reason, the bill creates a Technical Pipeline Safety Standards Committee from which the Secretary must obtain counsel of a technical nature before he formally proposes establishment of a safety standard. The committee assumes that the Secretary, in naming the committee, will draw from the ranks of registered professional engineers.

The committee will be appointed by the Secretary after consultation with technical agencies and consist of 15 members trained and experienced in a field of engineering applied in gas transportation. Five members will be representatives of the gas industry; five will be selected from Federal and State government bodies (at least one of whom must be a State commissioner); and five will be from the ranks of the public. The Secretary is required to give the committee reasonable opportunity to report on the technical feasibility, reasonableness, and practicability of each proposed standard (except, of course, in the case of interim standards). The Secretary must publish the report, including minority views, and, while he is not bound by the report of the technical committee, the Secretary must publish his reasons if he rejects the majority views. The requirement for publishing the technical committee report on a given proposed standard does not require that all proceedings of the committee be published; however, all proceedings must be recorded and available for public inspection.

COOPERATION WITH OTHER AGENCIES

The Secretary is authorized to advise, assist, and cooperate with other Federal departments and agencies and State and other interested public and private agencies and persons, in the planning and development of (1) Federal safety standards, and (2) methods for inspecting and testing to determine compliance with Federal safety standards (sec. 13(c)).

In addition to public agencies with experience in the gas safety field, the committee expects that the Secretary will take full advantage of the extensive expertise represented by members of technical societies and private code bodies which serve an important purpose and should continue to function in the private sector of gas pipeline safety.

FEDERAL-STATE RELATIONSHIP

The relationship of Federal-State regulatory authority created by this bill differs as between local pipelines and interstate transmission lines. In the latter area, the lines of a single transmission company may traverse a number of States and uniformity of regulation is a desirable objective. For this reason, section 3(a) provides for a Federal preemption in the case of interstate transmission lines.

On the other hand, in the case of local lines exempted from the economic regulatory authority of the Federal Power Commission under the Natural Gas Act, States may establish additional or more stringent standards, provided they are not inconsistent with the Federal minimum standards. The committee has provided for this different treatment because each State authority is uniquely equipped to know best the special aspects of local pipeline safety which are particularly applicable to that community.

This facet of greater State participation in the development of procedures under a Federal statute relates principally to the establishment of standards. This bill also gives the States an important role in enforcement, as well. Because of preemption, the safety standards for interstate transmission lines will always be Federal standards, and enforcement will be a Federal responsibility. Consistent, however, with the role this bill gives the States in amplifying distribution standards, the committee has sought to give the States a primary role in enforcing local pipelines safety standards.

Section 5(a) envisions a series of agreements between the Secretary and the States, substituting State for Federal enforcement for gas distribution and local transmission lines.

To obtain such substitution, the State must adopt the Federal standards as its own; impose the same sanctions as would the Federal Government (including requiring records, reports, inspections, and the filing of plans of inspection); implement an effective compliance program; and agree to cooperate in Federal monitoring of its compliance program. Under these agreements, in effect, State law and State enforcement responsibility replace the Federal law for local facilities because the State has undertaken to do the job conscientiously and effectively. Thus, this subsection creates a mechanism whereby the States may participate to the utmost in establishing and enforcing gas pipeline safety standards for distribution lines and local transmission lines. The agreement between the Secretary and the State contemplates, among other things, that the Federal standards adopted by the State will have the force of law in that State.

It is not intended by the committee that this exemption program (or, indeed, the modified agreement of sec. 5(b) be available only as to the revised standards due no later than 2 years after enactment. If the State can give the Secretary the assurances required to conclude an agreement, there is no reason why State enforcement cannot replace Federal enforcement during the period of interim standards.

Even in cases in which a State may not be able to give all of the assurances required by section 5(a) for an exemption agreement, it can still play a significant role in local pipeline safety. By agreement, the Secretary may have the State perform a number of functions on his behalf including establishment of requirements for record maintenance, reporting, and inspection; approval of plans of maintenance and inspection and compliance programs. Under this type of agreement, the standards in force would be Federal standards subject to Federal enforcement and the State would be expected to furnish prompt notification of any violations uncovered through its inspection and compliance programs.

The bill confers on the Secretary the authority to use appropriated funds to pay up to one-half of a State's expenses for developing and enforcing safety standards pursuant to agreements authorized by section 5. The State must make timely application for such assistance and demonstrate that it has made provision for paying the remainder of its costs.

To further enhance the role of State regulatory bodies in the gas pipeline safety program, an annual payment of $20,000 to the National Association of Regulatory Utility Commissioners (NARUC) is authorized subject to administrative and disbursement provisions established by the Secretary. The NARUC is a quasi-governmental nonprofit organization founded in 1889. It has within its membership the Civil Aeronautics Board, the Department of Transportation, the Federal Communications Commission, the Federal Power Commission, the Interstate Commerce Commission, the Securities and Exchange Commission, 55 State commissions, and the District of Columbia, Puerto Rico, and Virgin Islands commissions.

COMPLIANCE

Any of three different kinds of activities on the part of anyone engaged in transporting gas within the meaning of the act will constitute a violation of the act: any transportation of gas that does not comply with an applicable standard; failure to file a plan of inspection and maintenance (sec. 11) or failure to comply with such plan; and failure to allow access to and copying of records or entry for the purpose of inspection (sec. 12).

The committee added a provision, section 8(b), expressly providing that "nothing in this Act shall affect the common law or statutory tort liability of any person." This language is designed to assure that compliance with standards issued under the act, per se, does not create a statutory inspired presumption of due care in tort liability suits.

CIVIL PENALTIES

Any violation of the act or regulations issued under the act will subject a person to civil penalties which the Secretary may assess, of up to $1,000 for each violation for each day it persists not to exceed a total of $400,000 for a related series of violations. The severity of the penalty which a person may be required to pay may be compromised by the Secretary; that is, adjusted, based upon several factors including the gravity of the violation, and the good faith of the person charged in attempting to achieve compliance after notification of the violation.

INJUNCTION

Civil penalties alone, in the judgment of the committee, would fall far short of insuring compliance. Such penalties might amount, in many cases, to no more than the cost of doing business. For this reason, and because prompt action may be needed in some cases to prevent imminent personal injury and property damage, section 10 authorizes the seeking of injunctions to prevent violations. The committee recognizes that the Secretary will want to exercise caution in seeking an injunction resulting in the discontinuance of service.

COOPERATION WITH THE FEDERAL POWER COMMISSION AND STATE COMMISSIONS

The general scheme of the act is to provide broad safety powers to the Secretary in gas pipeline transportation. The Federal Power Commission presently has certain safety regulatory authority over interstate transmission lines under the Natural Gas Act. The FPC is required to consider and take action on some elements of the safety of transmission proposals in acting on applications for new or extended authority and it is not intended that this act will diminish that authority and responsibility of the FPC. In order, however, that the FPC not be placed in the position of having to determine whether the construction and operation details of a proposed service conform to the Secretary's standards, an applicant may certify to this effect and the certification will be conclusive on FPC. But if the relevant State or Federal enforcement agency has information that the applicant has violated safety standards in the past (thus possibly calling in question the applicant's compliance disposition) and notifies FPC in writing, the certification will not be binding. It is not intended by the committee that this process of certification of compliance with the Secretary's standards will bar FPC from continuing to consider safety in the same fashion it presently does in connection with awarding certificates of public convenience and necessity.

The Federal Power Commission and some States issue certificates of public convenience and necessity authorizing gas transportation. Establishment of a standard or action on a waiver could affect the continuity of service under one of these certificates. If that appears to be the case, the Secretary will defer his action to allow reasonable opportunity for the FPC or State commission to take appropriate action so that, among other things, the pipeline need not necessarily violate the provisions of its certificate as a result of complying with a safety standard.

PLANS OF INSPECTION AND MAINTENANCE

An important contributor to distribution pipeline safety is the plan of inspection and maintenance according to which the company maintains surveillance of all its lines and facilities. Section 11 authorizes the relevant agency (depending on whether a section 5 agreement is in effect) to require the filing of such a plan by local pipeline companies under its safety jurisdiction. If the plan is inadequate to achieve safety, the agency may require the refiling of an adequate plan, which must be complied with. The Secretary is given the further discretionary authority to require the filing of plans for approval as to transmission lines and facilities covered by a section 5 agreement with a State.

RECORDS, INSPECTIONS, AND REPORTS

The committee bill provides that the Secretary may require the maintenance of such records, reports, and information as he reasonably deems necessary to determine whether persons subject to the act are complying with standards and regulations (sec. 12(a)). He is further authorized to monitor State enforcement practices. The Secretary is given express authority to empower officers, employees, or agents to enter upon pipeline facilities and conduct on-site inspections (sec. 12(b)). Trade secrets which come into the knowledge of Federal officers or employees in the course of their official duties are appropriately protected (sec. 12(d)).

In order that the legitimate interests of the general public will be served, the bill provides that all accident reports made by a Department of Transportation officer, employee or agent shall be available in civil, criminal, and other judicial proceedings arising out of the accidents. Further, such persons may be required to testify in the proceeding. Reports on research and demonstration projects funded under this act and accident reports are to be public, the latter in a form which need not identify individuals (sec. 12(c)).

ADMINISTRATION

The Secretary is given the necessary authority to conduct research, testing, development, and training. In addition to the customary use of contracts for this purpose, he may also make grants to individuals, States, and nonprofit institutions.

In the interest of maximizing efficiency and operational economies, the Secretary is further authorized to assist and cooperate with Federal and State agencies, and interested public and private agencies and persons in planning and developing Federal safety standards and inspection and testing methods aimed at compliance. A special direction is included to the Secretary to furnish on request of the Federal Power Commission any technical data in his possession, needed by the FPC in discharging its own responsibilities for pipeline safety.

REPORT TO CONGRESS

Each March 17, the Secretary will report to the President for transmission to the Congress, a report covering the previous calendar year including—

(1) accident and casualty statistics and the causes thereof, when the National Transportation Safety Board has made a finding of cause;

(2) a list of Federal standards;

(3) a summary of the reasons for any waivers which may have be granted;

(4) an evaluation of the extent of compliance including a list of enforcement actions and compromises of alleged violations;

(5) a summary of outstanding problems in administering the act;

(6) an analysis of research activities and their implications;

"(7) a list of pending and completed judicial actions; and

(8) the extent to which technical and consumer information is made available to the scientific community and the public.

Additionally, the Secretary is to recommend any additional legislation he deems necessary to promote cooperation among the States in improving pipeline safety and to strengthen the national gas pipeline safety program.

AUTHORIZATIONS OF APPROPRIATIONS

The bill authorizes the appropriation of such sums as are necessary to carry out the provisions of the act.

The committee has provided for assigning some of the costs of this safety program to the companies engaged in the business of transporting gas. The Secretary may require the payment of a reasonable annual fee by all persons engaged in the transportation of gas to help defray the expenses of Federal inspection and enforcement under the act.

In authorizing the Secretary in section 15(b) of the act to require the payment of annual fees by all persons transporting gas in order to help defray the expenses of Federal inspection and enforcement under the act, it is the specific intention of the committee that section 15(b) shall be construed to authorize the Secretary to collect from persons operating interstate transmission facilities and those distribution facilities not regulated by a State pursuant to agreement with the Secretary only such annual fees as may be necessary to help defray the actual cost of Federal inspection and enforcement.

It is the intent that such fees shall not be commingled with the funds appropriated by Congress under section 15(a) and the Secretary not be authorized to disburse any part of such fees to any State commission or agency under the provisions of section 5(c).

GATHERING LINES

Field gathering lines which handle natural gas were excluded from regulation under this bill because of facts brought to the attention of the committee during the hearings.

The physical and geographical characteristics of these gathering lines are for the most part quite different from either (a) the large diameter high-pressure interstate pipelines which span hundreds of miles from producing fields to the large consuming areas or (b) the local distribution lines which serve customers in, and hence underly, the residential areas of our towns and cities.

A gathering line is what the name implies. It gathers gas from scattered producing well locations to some central point *in the field* where the gas is then either processed or turned over to pipelines for more distant delivery. These gathering lines are smaller in diameter and generally lower in pressure than the pipelines, and the great majority of them are located out in the country—in the producing gas fields—with no exposure to residential areas. The record before this committee shows that over 98 percent of the gathering line mileage is in these rural locations. The record also shows that the safety experience in the operation of these gathering lines has been good.

A further point was brought out in the public hearings before this committee. This concerns the potential administrative burden involved in the safety regulation of literally thousands of these producer-gatherers. This additional burden could hamper both the initial and long-range administrative efforts of the new Department of Transportation with its admittedly limited technical staff. Based on their safety record and their very limited exposure to the public because of their essentially rural location, the field gathering lines are simply not the point of principal concern in this pipeline safety matter. It seems imprudent to create a condition where a major part of the administrative effort could be spent on an area of minor concern. This could affect the expeditious handling of safety measures involving pipeline transmission and distribution, both of which are covered by this bill.

For these reasons, the committee believes that further investigation of the need for Federal regulation of gathering line safety is necessary. Therefore, the bill, as amended, requires the Secretary, not later than 1 year after enactment, to report to Congress on the need for Federal safety standards for gathering lines.

AGENCY COMMENTS

FEDERAL POWER COMMISSION,
Washington, D.C., April 18, 1967.

HON. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: In response to your request of March 6, 1967, I enclose two copies of the Federal Power Commission's report on S. 1166, which would assign gas pipeline safety responsibility to the Department of Transportation. Further copies will be supplied shortly.

The Bureau of the Budget advises that there is no objection to the submission of this report and that enactment of this legislation would be in accord with the program of the President.

Sincerely,

LEE C. WHITE,
Chairman.

"FEDERAL POWER COMMISSION REPORT ON S. 1166, 90TH CONGRESS

"S. 1166 would authorize the Secretary of Transportation to prescribe comprehensive safety regulations for natural and other flammable gas pipeline facilities. At the present, no Federal agency has such responsibility. The Commission supports S. 1166.

"The hearings on S. 1553, 89th Congress, and the Commission's Report on the Safety of Interstate Natural Gas Pipelines, dated April 19, 1966, detailed potential hazards in gas pipeline technology, the means available to overcome these hazards, and the need for an adequate, comprehensive, and legally enforceable safety code. State public utility commissions, in a preponderance of States, have used the industry code, the USA Standards Institute (USASI) B31.8 Code, to set State standards of design and construction. As a consequence, those public safety standards which now exist are determined in the main by the industry itself. In these circumstances, S. 1166 would provide for Federal safety regulation to supplement existing procedures.

"*Analysis of bills.*—S. 1166 would add natural gas (and other flammable gas) pipeline facilities to the facilities, including oil pipelines, for which the Secretary of Transportation may now prescribe safety regulations.

"The bill provides that the regulations shall apply to all aspects of gas pipeline facilities from initial design to operation and maintenance. It provides that any safety inspections required by the regulations may be conducted by non-Federal inspectors.

"The bill specifically preserves the jurisdiction of the Federal Power Commission, and would not preempt compatible State safety regulations. It provides that the Secretary may, in appropriate cases, waive any safety regulations it has prescribed. In addition the bill provides that the Secretary of Transportation shall:

"(1) Maintain safety records of gas companies;

"(2) Notify appropriate governmental agencies of violations;

"(3) Consult with the FPC before prescribing regulations concerning gas transmission;

"(4) Establish procedures under which new materials, operations, devices, and processes may be qualified to meet the Secretary's standards;

"(5) Advise the FPC, on FPC request, of the safety of such materials, operations, devices, and processes; and

"(6) If any regulations may affect continuity of an FPC certificated service, to consult the FPC and defer the effective date of such regulations until the FPC has a reasonable opportunity to grant the necessary authorizations.

"*Comparison with previous gas pipeline bills before Congress.*—For some years bills have been introduced in the Congress to assign FPC a safety responsibility limited to pipeline transmission activities subject to general FPC jurisdiction. S. 1166 is a broader bill. S. 1166 would apply to all gas facilities, including gathering, transmission, and distribution pipelines, and appurtenant facilities (such as compressor or storage facilities), whereas previous bills, such as S. 1553, 89th Congress, would have applied only to interstate transmission lines operating under certificate authorization from the FPC. In addition, S. 1166 would apply to publicly owned as well as investor-owned systems, whereas S. 1553 would have applied only to the latter systems. S. 1166 spells out two factors which were only implicit in S. 1553: (1) That the Federal safety regulations would not preempt State regulations, and (2) that non-Federal inspectors could be utilized. S. 1166 also covers other flammable gases for which there is now no Federal regulation as well as natural gas, to which S. 1553 would have applied.

"Because of this more comprehensive coverage, the Commission believes S. 1166 markedly improves upon prior bills.

"*Effect on FPC.*—The Commission is confident the relationship between it and DOT would be harmonious. The bill seeks to promote such harmony by such useful provisions as the following:

"1. The bill would defer the effective date of a DOT regulation which might affect the continuity of service of a FPC certificated pipeline until the FPC has had a reasonable opportunity to issue the necessary certificate of public convenience and necessity. This would enable the FPC to coordinate the DOT prescribed reduction of that hazard with the overall operations of the pipeline company in order that it continue to serve the public interest. In emergencies, of course, such coordination would be as rapid as the situation warranted.

"2. The bill would allow the FPC to be advised of the safety of materials or practices not specifically encompassed by the regulations. This would permit the FPC to promptly approve applications for new pipeline construction utilizing new materials or practices.

"3. The bill would have DOT consult with the FPC before prescribing regulations concerning gas transmission. This would enable the FPC to advise DOT of the impact of any proposed regulations on the overall supply of gas to consumers.

"S. 1166 cannot, of course, provide for all aspects of the working relationship between FPC and DOT, but we foresee no insuperable difficulties. For example, we expect that DOT would undertake to collect accident reports from gas companies, in lieu of what the FPC now requires. In such a case, the FPC would wish to be informed when such accidents might affect continuity of service of FPC certificated service.

"The FPC believes that there is a vital public need for a national agency responsible to the public to set adequate safety standards for gas pipelines. S. 1166 will effectively provide for such a national responsibility, and the FPC therefore favors enactment of the bill.

"LEE C. WHITE,
"Chairman."

FEDERAL POWER COMMISSION,
Washington, D.C., April 18, 1967.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: During my testimony on S. 1553 on August 29, 1966, I offered to provide whatever information I could on the cost to the consumers of applying Federal safety standards to interstate pipeline companies. On January 19, 1967, I wrote that the matter was still under study and the estimates developed, although tentative in nature, would be submitted at the earliest possible date. These estimates have been completed and I hope they will be of some general guidance to the committee.

The specific standards which the Federal Government might promulgate have not yet been established nor has any survey been made of the degree to which pipe in the ground owned by the various pipeline companies conforms to any particular standards. In the absence of such data we therefore believe that the best approach to a cost estimate is to consider the cost increase to upgrade the safety requirements for construction, operation and maintenance of pipelines from those of the present industry code to a level of safety realistically obtainable through present technology. This technology, outlined below, is already being utilized, to some extent, by many pipeline companies.

Comparison of present industry code requirements against the present level of technology indicates that items which would involve substantial increased costs for new pipelines are—

1. Radiographic inspection of girth welds.
2. Preoperational hydrostatic tests.
3. Cathodic protection systems.
4. External coating.

Where these engineering practices are applied to new construction, they represent about 4 percent of the total installation cost of new facilities, taking into account regional variation. FPC rules do not require a detailed breakdown of the costs of particular practices used in construction so that the cost of items which FPC would consider have primarily safety implications are only listed if the company chooses. Such lack of specificity in the reports precludes determination of the extent to which these practices are utilized, although we believe they are quite common. Four percent of the jurisdictional pipeline construction in 1965, which totaled $434 million, is $18 million. A capital investment of $18 million would require additional annual revenues of $2.7 million or approximately one twenty-fifth of 1 percent of the total revenues derived from all natural gas utility sales ($7,278,454,000), in 1965.[1] The $2.7 million plainly overstates the increased cost as the review of such certificate applications show these practices are now followed at least to some extent by much of the industry. Since this one twenty-fifth of 1 percent would approximate the increase in pipeline construction costs each year assuming no company now used all four practices listed above, we estimate any possible cost increase for new lines would be minimal.

The cost of upgrading existing pipelines to a level of safety realistically obtainable through present technology (which we will assume for purposes of illustration, would be Federal requirements) may be greater than any possible costs for new construction. Such upgrading would require, at a minimum, a program of hydrostatic retesting of pipelines over a period (possibly 10 years). As a result we contemplate that some pipe would be replaced and other pipe would be used at reduced pressures. We are unable to estimate what such a program would cost, absent a detailed survey of the actual condition of pipelines including repair records and the population changes in the service areas of a representative sample of the pipeline companies.

Perhaps particular experience will offer a better indication of some of the costs involved in a program for upgrading existing pipelines. Acting on its own initiative, Tennessee Gas Pipeline Co., a major interstate pipeline company has undertaken a program including:

(1) Establishing priority for sections to be tested based upon age of installation, observed condition of pipe, population density along right-of-way, and operating conditions. Information on population density is obtained from aerial photographs, subdivision plats, and current field inspection reports.

(2) Hydrostatically testing various sections of the pipeline system to reprove the original strength of the pipeline.

(3) Additional studies to determine the need to replace any sections of pipe on the system.

(4) Review of the present program of corrosion control to seek improvement.

(5) Review of the maximum allowable operating pressures on the system. (The review, which was completed, resulted in some instances in a lowered pressure.)

The company estimated that the upgrading program would require new facilities to replace 30,000 M c.f. of daily capacity lost by reduction in line pressure. The company estimated these facilities, consisting of pipeline loops and additional compressor horsepower, will cost from $10 to $15 million, as compared to a total investment of $1.7 billion in pipeline and related facilities. The company also estimated that additional facilities to maintain service to customers during the testing program because of taking lines out of service will cost $10 million to $15 million. This additional construction was included in the regular expansion program of the company.

---

[1] American Gas Association "Gas Facts," 1966. Table 1, p. 3.

The total investment outlay of $30 million for this program requires annual charges of about $4.5 million, or about 1 percent of the company's total gas revenues. The cost of hydrostatic retesting, estimated by the company at $5,000 per mile, and the cost of replacing any facilities found defective would be additional. The above costs and revenues were stated to be only guides and may be offset by economies so as to avoid increased rates to customers. The company has not requested a rate increase.

Some of the cost incurred in upgrading facilities if such would be found necessary to meet Federal standards would be absorbed in a company's normal expansion of facilities and sales. A reduction in gas loss in transmission and increased facility life as a result of the preventive maintenance feature of the upgrading program will further offset any possible costs.

Sincerely,

LEE C. WHITE,
Chairman.

APPENDIX A

FOR NEW CONSTRUCTION

Engineering practices indicated for new pipelines which involve substantial costs are:

[Percent of total installation cost]

Installation practice:	
(1) Preoperational hydrostatic tests to prove the soundness of the transmission system	1.1
(2) Radiographic inspection of all girth welds to insure quality	.5
(3) Cathodic protection system to minimize corrosion	.4
(4) External coating required for cathodic protection	2.1
Total	4.1

These percentages are based on pipeline certificate applications filed with the FPC. Maintenance and operation costs for these items are negligible. The primary costs involved would be fixed costs. From Commission records an approximate average value for fixed costs is:

	Percent
Return on capital	6
Federal income taxes	3
Other taxes	3
Depreciation	3
Total	15

For the increase in utility plant of $434 million for 1965, 4.2 percent would represent some $18 million. The capital investment of $18 million would require additional revenues of approximately $2.7 million for the first year.

This $2.7 million represents approximately 0.04 percent of the total revenues ($7,278,454,000) derived from all natural gas utility sales in 1965. The $2.7 million does not necessarily represent additional cost to the consumer as the safety practices represented by such costs are substantially followed by the industry.

Total natural gas utility sales in 1965 were approximately 119 million therms[2] which is equivalent to 11.9 billion M c.f. of 1,000 B.t.u. The $2.7 million divided by 11.9 billion M c.f. is approximately 0.023 cents per M c.f.

We are unable to estimate the cost of applying Federal standards to existing pipelines because we have only meager knowledge of the physical condition of the pipe. Age of the pipe, frequency of leaks, changes in population density along the lines, all should be examined for a representative sample of the companies to obtain a base for an estimate. The experience of Tennessee Gas Pipeline Co., a division of Tenneco, Inc., in its voluntary program of upgrading its pipeline system has been described in the letter to Senator Magnuson to provide a guide to some of the costs that would be involved in such a program.

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., March 16, 1967.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate.

DEAR MR. CHAIRMAN: Reference is made to your letter of March 6, 1967, requesting our comments on S. 1166.

The bill would amend 18 U.S.C. 831 and 834 to authorize the Secretary of Transportation to prescribe safety regulations for the transportation of natural gas by pipeline and subject knowing violations of such regulations to certain fines and penalties.

The enactment of S. 1166 would not directly affect the functions and operations of our Office. However, the proposed legislation appears to be in the public interest and accordingly, we have no objection to its favorable consideration by your committee.

Sincerely yours,

FRANK H. WEITZEL,
Assistant Comptroller General of the United States.

THE SECRETARY OF HOUSING
AND URBAN DEVELOPMENT,
Washington, D.C., May 10, 1967.

Subject: S. 1166, 90th Congress (Senator Magnuson).

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in further reply to your request for the views of this Department on S. 1166, a bill to authorize the Secretary of Transportation to prescribe safety regulations for the transportation of natural gas by pipeline, and for other purposes.

The bill would authorize the Interstate Commerce Commission to prescribe standards for safe construction and maintenance of natural gas pipelines. The Interstate Commerce Commission would be succeeded in this responsibility by the Secretary of Transportation on April 1, 1967, under the Department of Transportation's enabling act, Public Law 89–760, section 6(e) (4). The Secretary of Transportation would also prescribe criteria for the independence of inspection agencies performing inspections under the safety regulations, maintain safety records of natural gas pipeline companies and consult with and advise the Federal Power Commission on pipeline safety and service matters.

This Department is of the opinion that there is a need for legislation in this area. With respect to the technical aspects of the bill, we would defer to the agencies more directly concerned.

We have been informed by the Bureau of the Budget that the enactment of this legislation would be in accord with the program of the President.

Sincerely yours,

ROBERT C. WEAVER.

GENERAL COUNSEL OF THE DEPARTMENT OF COMMERCE,
Washington, D.C. June 5, 1967.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in further reply to your request for the views of this Department concerning S. 1166, a bill to authorize the Secretary of Transportation to prescribe safety regulations for the transportation of natural gas by pipeline, and for other purposes.

S. 1166 would authorize the Secretary of Transportation to regulate the safety of operation of natural, manufactured, and other flammable gas pipelines and their appurtenant facilities. Such regulations would apply to design, installation, inspection, testing, construction, extension, operation, replacement, and maintenance of existing and proposed facilities. The States would not be prevented from adopting additional regulations which are not incompatible with Federal regulations.

The Secretary may prescribe standards of competence and independence from the owners, builders, and operators of pipelines for agencies conducting safety inspections. He may, under procedures established by him, provide for the waiver of any gas safety regulation prescribed under this bill. He shall (1) maintain safety records of companies transporting gas by pipeline; (2) notify appropriate Federal and State agencies of violations of gas safety regulations; (3) establish procedures for the qualification of new materials, operations, devices, and processes to comply with gas safety regulations; and (4) advise the Federal Power Commission on the safety of materials, etc., not expressly encompassed by such regulations.

Whenever the issuance of a regulation or other action would affect the continuity of gas pipeline services authorized by the Federal Power Commission, the Secretary shall consult with and advise the Federal Power Commission before taking such a step and defer action until the Federal Power Commission has had reasonable opportunity to grant any authorizations it deems necessary.

The gathering, transmission, and distribution of gas necessarily involves serious dangers, particularly in areas of high population density, if adequate control measures do not exist. There has been considerable self-regulation by the industry under the ASA B31.8 code. Some States have incorporated this code or comparable regulations into law. Many States, however, either do not have safety regulations or have regulations which are inadequate. A deficiency of the industry code is that it does not apply to pipelines installed prior to the adoption of self-regulation standards or to revisions in these standards. Changes in conditions over a period of time, such as population trends, may have rendered pipelines installed under preexisting standards inadequate if not actually dangerous. Other shortcomings of the industry code are the absence of requirements for immediate reporting of accidents and the lack of uniform procedures for initiating investigations.

For the above reasons, this Department recommends enactment of S. 1166. However, we do have the following comments.

The provisions in the bill permitting the Secretary to waive gas safety regulations and requiring him to temporarily defer actions which would interrupt the continuity of gas pipeline services would permit equitable treatment of pipeline owners and operators and their consumers. However, we believe it would be desirable to enumerate in the bill or its legislative history some of the considerations on the basis of which waivers may be granted by the Secretary. Appropriate factors deserving consideration include (1) the degree of hazard of different pipelines in relation to population densities, and (2) the costs to firms of replacing existing pipelines in order to conform with new gas safety regulations. These costs will affect firms in varying degrees and may be unreasonably burdensome for firms which, in good faith, installed pipelines that were reasonably safe at the time, but which have since become substandard due to changed technological or social conditions or new standards of acceptability. It should be made clear that the waiver authority in the bill is broad enough to permit allowance for a phasing in period which would spread out the cost of the relatively heavy investment such firms may be required to make to meet the new standards.

---

[2] AGA "Gas Facts" 1966. Table 1, p. 3.

The Department of Transportation should be encouraged to work closely with industry, technical, professional associations and other Government agencies in the establishment of procedures under which new materials, operations, devices, and processes, may be qualified. This Department's National Bureau of Standards has authorization and competence for comparison of engineering standards, development of methods of testing materials and structures and establishment of standard practice incorporated in codes and specifications. Also, as previously mentioned, industry has established standards applicable to gas pipeline safety.

We have been advised by the Bureau of the Budget that there would be no objection to the submission of our report to the Congress and further that S. 1166 is in accord with the program of the President.

Sincerely,
ROBERT E. GILES,
General Counsel.

OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, D.C., October 31, 1967.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR SENATOR: This is in response to your request for the views of the Department of Justice on S. 1166, a bill to authorize the Secretary of Transportation to prescribe safety regulations for the transportation of natural gas by pipeline, and for other purposes.

This bill has been examined, but since its subject matter does not directly affect the activities of the Department of Justice we make no comment concerning it.

Sincerely,
WARREN CHRISTOPHER,
Deputy Attorney General.

CHANGES IN EXISTING LAW

There are no changes in existing law.

SUPPLEMENTAL VIEWS OF MESSRS. LAUSCHE, CANNON, HART, AND BREWSTER

A majority of the committee has exempted "gathering" lines from the reach of this bill. Gathering systems consist of those pipelines which stretch from the individual wells to the high pressure main transmission lines. There are over 63,000 miles of such pipelines in the Nation, while there are approximately 216,000 miles of transmission lines. By 1980 it is estimated there will be 86,000 miles of gathering lines. We do not believe it serves the public interest to put such lines outside the scope of Federal responsibility and interest.

In terms of a potential hazard to the public, such lines do not differ from transmission or distribution lines in anything but name. The basic function is the same, to transport gas from one place to another and the safety problems are virtually identical. We therefore dissent from the committee's action.

Gathering lines range anywhere from small diameter pipe operated at low or medium pressure to large high-pressure lines identical for all intents and purposes to the high-pressure transmission lines; the size depends, of course, on the volume of gas being transported. The pressure in gathering lines varies depending on the original natural pressure at the wellhead and the pressure required to inject the gas into the high-pressure transmission lines. However, the rationale advanced for total exemption of gathering lines from S. 1166 is that generally they are smaller and operated at lower pressures than transmission lines and are mostly in rural areas. It is certainly true that some gathering lines are smaller than some transmission lines, and it is true some are operated at lower pressure than most transmission lines but the opposite is also true, some have higher pressures than most transmission lines.

In cases where well pressures are low, it is necessary to step up these pressures in the gathering systems as the gas moves closer to the high-pressure transmission line. However, with increased production of gas from deeper formations where the pressures are much higher, it is common practice to conserve and utilize this natural pressure. Therefore, some gathering systems are operated at over 1,000 pounds pressure from the wellhead to the transmission line.

Mr. C. W. Miller, president, Natural Gas Producers Association, and Mr. Stanley Learned, American Petroleum Institute, in testimony before the committee hearing, admitted that 41 percent of the total gathering lines operate at over 200 pounds per square inch pressure.

It is also true, but we believe irrelevant, that most gathering lines are in the rural areas. We know also that most, but not all, transmission lines are in what could be classified as rural areas, including the transmission pipeline near Natchitoches, La., which burst and killed 17 people in March 1965, and which had been classified by the pipeline company, for purposes of determining a safe operating pressure, as a "class 1" or rural location.

Those who think gathering lines are only in rural areas would be interested in reading an article in "Oil and Gas Journal" of April 27, 1967, entitled "High Rise Drilling Climbs Skyward on West Coast." This article describes 243 gas and oil wells in the metropolitan Los Angeles area alone, including a new giant field discovered in the city of Beverly Hills. The article also describes how drilling rigs are diguised as office buildings, and in one case in Venice, Calif., as a lighthouse. The gathering lines from these rigs underlie all of Los Angeles. There is a grave potential hazard from such operations wherever they occur in the Nation.

Gathering lines are sometimes not as permanent as transmission lines, as they are designed to be used only for the life of the gas supply from the particular area or well. As a result, design and construction varies. Pipe designed and installed for gathering systems is afforded varying degrees of protection such as coating, wrapping, cathodic protection, or ground cover. In cases where the pipe installation is of a temporary nature, the lines are moved from one location to another, using the same pipe over again. Such multiple use of pipe can create certain design and construction hazards that should be covered by Federal safety standards. The wide diversity of operating characteristics of gathering lines presents safety hazards created through the many possible combinations of design, construction, and operating criteria. Gathering lines may even, in some circumstances, present greater safety problems than transmission or distribution lines which need to be dealt with. Many gathering lines carry "sour" gas; that is, gas containing sulfur or hydrogen sulfide, or wet gas containing liquid petroleum. These lines are more subject to corrosion than transmission and distribution lines which carry clean, dry gas.

It has also been contended that safety standards applicable to natural gas producers might constitute an undue administrative burden on the Secretary. Whether or not this would be true would, of course, depend entirely on the type and scope of regulations the Secretary would prescribe. We are unpersuaded that the Secretary would be unable to solve this problem which we consider to be minor unrelated to the merits of safety standards for such lines.

The answer to the arguments of the gas gatherers is not an across-the-board exemption for all gathering lines no matter their pressure, or their condition, or their proximity to a house or school, or their size, but a directive to the Secretary of Transportation to prescribe standards appropriate to the particular type of pipeline transportation. And precisely that directive is now in the bill: Section 3(a)(2) tells the Secretary to consider just those factors.

The problem of gathering lines without safety standards is not confined just to the few States well known as major gas producers. There are 25 States across the Nation with natural-gas gathering lines, ranging in amount from State to State from over 10,000 miles to 10 miles. In the State of Ohio, for example, there are gas- and oil-producing fields stretching from under the city of Cleveland southward through Akron, Canton, and Newark to the borders of Kentucky and West Virginia. The State of Pennsylvania has, for example, almost three times as many miles of gathering lines as does Louisiana, the second largest producing State in the Nation. As the accompanying table shows, 16 States (those with over 500 miles of gathering lines) account for over 98 percent of the Nation's gathering lines. And of these 16 States only four reported to the Department of Transportation in the joint DOT-NARUC survey presented to the committee that they have safety jurisdiction over gathering lines. Even with such jurisdiction, we are concerned whether such jurisdiction is exercised, as, to the best of our knowledge, all four of these States base their safety regulations on the USASI B-31.8 Code whose provisions do not even mention gathering lines. This code is the "United States of America Standard Code for Pressure Piping, Transmission, and Distribution Piping Systems," with no standards set forth for gathering lines. Where the voluntary USASI B-31.8 Code has been adopted by States, gas-gathering systems are therefore left without safety standards now, and, of course, outright exclusion of these lines from S. 1166 would perpetuate this denial of safety protection. We would be deeply concerned if the lack of governmental standards allowed gatherers to use pipe rejected for regular transmission use, because it did not meet the B-31.8 standards, or pipe taken out of transmission use because of its condition.

In short, we have seen presented no rational argument or justification for excluding gathering lines from Federal safety standards.

GATHERING LINES IN THE UNITED STATES (LISTED IN ORDER OF MILEAGE OF PIPE IN THE STATE [1])

State	Mileage of gathering lines	State agency reply to question: "Does the Commission have safety jurisdiction over gathering systems?"		
1 Texas	10,280	Yes	------	
2 New Mexico	7,030	------	No	
3 Pennsylvania	6,830	------	------	No reply.
4 Kansas	6,494	------	------	Do.
5 Oklahoma	6,450	Yes	------	
6 Ohio	4,330	------	No	
7 Kentucky	3,450	Yes	------	
8 Louisiana	2,440	------	------	Do.
9 West Virginia	2,020	------	------	[2]
10 Colorado	1,160	------	No	
11 Montana	1,140	------	------	No reply.
12 New York	820	------	------	Do.
13 Wyoming	770	------	------	Do.
14 California	710	Yes	------	
15 Michigan	620	------	No	
16 Arkansas	580	------	No	
17 Utah	470	Yes	------	
18 Indiana	320	Yes	------	
19 Mississippi	140	------	------	Do.
20 Illinois	80	Yes	------	
21 Iowa	70	Yes	------	
22 Maryland	60	Yes	------	
23 Nevada	40	------	No	
24 North Dakota	20	Yes	------	
25 Virginia	10	Yes	------	

[1] "Gas Facts," 1966, American Gas Association.

[2] Only if owned by a public utility, not a gas producer.

FRANK J. LAUSCHE.
HOWARD W. CANNON.
PHILIP A. HART.
DANIEL B. BREWSTER.

EXHIBIT 2

PUBLIC SAFETY AND NATURAL GAS PIPELINE TRANSPORTATION: A REPLY TO THE TESTIMONY OF THE OPPONENTS OF S. 1166

(An address by Carl E. Bagge, Commissioner, Federal Power Commission, before the third annual Pipeline Operation and Maintenance Institute, Liberal, Kans., Nov. 9, 1967)

As a Midwestern Republican and as a self-proclaimed "pragmatic conservative," it was not without some trepidation that I accepted this invitation to speak in Liberal, Kansas. The subject concerning which I was invited to speak, however, is one of such personal concern that I overcame my initial fears and now courageously present myself at the Third Annual Pipeline Operation and Maintenance Institute, notwithstanding its meeting in, what is for me, the hostile ideological environment of Liberal.

Because of the importance to the Nation of the evolution of a rational national policy regarding the safety of natural gas pipeline transportation, I have taken advantage of every opportunity presented to me during the past two years to seek the support and cooperation of all segments of the natural gas industry in the enactment of legislation which will assure the American public and the industry of the continued maintenance of a safe and reliable natural gas industry. My most recent opportunity to make such a public plea was last February before a Federal Bar Association Seminar in Washington, D.C.[1] On that very day, President Johnson sent to Congress his Consumer Message in which, supplementing his State of the Union Message, he outlined the Administration's program to insure the safety of natural gas pipelines.

As I am sure you know, the President's Consumer Message was supplemented by the introduction of S. 1166. This bill, in revised form, was voted upon favorably by the Senate Commerce Committee on October 26 and will soon be pending on the floor of the Senate. In my address last February, I pled for a joint government-industry effort in evolving a national policy of pipeline safety which would not only insure the reliability and safety of pipelines but would also assist the pipeline transportation industry in realizing the broader economic potential which pipeline technology affords. Because of its persuasive character, I can only conclude that most of the representatives of the natural gas industry testifying before the Senate Commerce Committee on S. 1166 failed to read my speech prior to testifying.

In their testimony before the Senate Commerce Committee, spokesmen for the gas industry leveled many criticisms at S. 1166. Most of these arguments were based upon the assumption that there exists no need for Federal regulation of natural gas pipeline safety. While other arguments were presented, most of them are dependent upon this basic assumption for their validity. While the presentation of all of the arguments embodied in this testimony has added immeasurably to the public dialogue on the issue of the need for a Federal policy as to natural gas pipeline safety, I sincerely believe that all of these arguments can be effectively and conclusively rebutted. Although the record before the Senate Commerce Committee is closed, I should like to employ this forum to continue the public dialogue and respond to the criticisms of Federal safety legislation which were advanced at the Senate hearings.

Before responding to the specific criticisms advanced at the hearings, it is necessary to rebut the basic assumption that Federal regulation of natural gas pipeline safety is unnecessary. I shall, therefore, first describe the considerations which have led me to the conclusion that natural gas pipeline safety is indeed a problem which requires resolution through Federal legislation.

PERCEPTION OF THE NEED

Congress has long recognized that many areas of public safety must be dealt with nationally through the evolution of national standards. The Railway Safety Appliance Act, mine safety legislation and legislation giving the Federal Aviation Agency jurisdiction over air safety are early examples of the national concern that the individual and the community be protected from hazards created by the development of technology. Automobile safety legislation is a recent example of the ever-broadening national concern regarding the protection of the American public from needless death and injury at the hands of the complex mechanical instrumentalities of man.

The humanitarian uses of modern science which have resulted in breakthroughs in the fight against disease and accidents have dramatically reduced the crippling and fatal occurrences caused by both biological and mechanical agents. The recent success of this humanitarian battle on that level has resulted in a heightened social concern with other hazards in our physical environment. These newly emergent concerns run the entire spectrum of human activity from air and water pollution to cigarette smoking and pipeline safety.

We all know, as the ubiquitous sign proclaims, that "[a]ccidents don't just happen." Accidents have definite causative factors which may tend to be eliminated or their effects moderated by the application of modern science and technology. The question for those of us who share responsibilities in the gas industry is how may we assure that modern science and technology will best be applied to eliminate to the greatest practicable extent the potential hazard inherent in propelling highly flammable gases through the thousands of miles of the Nation's great pipeline network which lies as a web beneath us.

DEFINITION OF OBJECTIVE

The goal of total elimination of accidental injury and death is impossible. Two factors make this seemingly pessimistic statement a fact: First, we can never totally eliminate lapses of the thinking process which result in human error and negligence, and second, the limitations of technology and economics do not allow the development of completely fool-proof mechanical devices. Much, however, has already been achieved. Much can still be achieved in eliminating specific avoidable causes of accidental death and injury.

In attempting to achieve the objective of maintaining a safe and reliable natural gas transportation system for the Nation, it is essential to strike a balance between the technological possibilities which may contribute to safety and the economics dictated by the constraints of limited resources. Illustrative of the economic constraints upon technological solutions is the problem of brittle fracture of line pipe. At low ground temperatures, some pipeline steels lose ductility and a fracture, once initiated, may travel at high speed through the pipeline for a great distance. Cryogenic research has demonstrated that if pipeline steels were nine percent nickel, they would possess low temperature properties far superior to any environmental requirement. The use of the amount of nickel required for the tonnage of steel presently used in pipelines, however, would require the national reallocation of a very limited natural resource at prohibitive costs. Scientists, therefore, are at present pursuing alternative solutions to the brittle fracture problem which are consistent with economic requirements.

Alternative solutions to the problem of protecting the American public against the hazards inherent in natural gas transportation are not limited to technology. There are also alternatives available which involve human resources which can as a matter of national policy be dedicated to the solution of this problem.

ASSESSMENT OF ALTERNATIVES

Having perceived the need and defined our objective, what are the alternatives presently before us? They are (1) self-regulation; (2) state regulation; (3) existing FPC regulation; and, what I would characterize as the optimum alternative, (4) S. 1166, which combines the best elements of each of these under uniform Federal standards. Let us now assess each of these alternatives.

(*A*) *Self-regulation*

Pipeline management recognizes the damage potential of natural gas pipelines. Motivated by humanitarian considerations and economic incentives, companies pursue continuous technical innovation to minimize the probability of occurrence of pipeline failure. Management controls relating to installation, operation and maintenance of pipeline systems encompass detailed engineering design requirements as delineated in construction contracts, required operation and maintenance practices as set forth in company manuals, and the synthesis of industry practice in codes and standards.

Industry funded research into the causes of pipeline failure is in progress at various universities and private research centers. These studies include both the development of improved materials for the present uses of pipelines and the broadening of the concept of pipeline transportation.

The contributions of this research to pipeline safety are already apparent. The integrity of new pipelines is substantially enhanced by such techniques as protective coating, cathodic protection, radiographic inspection of welds and hydrostatic testing, all of which are products of this research. Furthermore, modern leak detection and electromagnetic pit guage equipment have been developed to ascertain the condition of operating lines.

Unfortunately, neither does the present natural gas pipeline code, USAS B31.8–1967, reflect all of these technological achievements nor, where it does reflect these advances in technology, does it declare their application to be mandatory. Hence, there is no assurance to the American public that the available technology is being utilized by the industry as a whole. Self regulation, therefore, has not provided an adequate alternative.

(*B*) *State regulation*

Forty-six states have adopted safety regulations for natural gas pipelines. Forty-five of these states employ the USAS B31.8 Code, the limitations of which I just described, as a basis for their regulations. A recent study by the Department of Transportation in cooperation with the National Association of Railroad and Utilities Commissioners demonstrates that state safety regulation is subject to further limitations.

The DOT study is based on a questionnaire submitted through NARUC to all states and the District of Columbia on April 4 of this year. The DOT analysis of the responses to this questionnaire, dated July 18, 1967, shows that of the forty-four commissions responding, four do not have authority to establish safety standards for the natural gas industries. Further, only twenty-six have safety jurisdiction of interstate transmission systems, and thirty-nine have safety jurisdiction over intrastate transmission systems. While forty have safety jurisdiction over privately owned distribution systems, only ten have such jurisdiction over publicly owned distribution systems. Only nine commissions periodically test and inspect existing natural gas pipelines. Twenty-one commissions have inspection staffs, but in twenty of these twenty-one cases the inspection staff ranges in size from one to four inspectors. Twenty-two commissions establish the cause of accidents.

---

[1] "Public Safety And Pipeline Transportation: A Plea For A Rational National Policy," address before the Federal Bar Association and the Foundation of the Federal Bar Association, Washington, D.C., February 16, 1967.

This survey adequately demonstrates the fragmented nature of public involvement through state government in pipeline safety. Jurdisdiction over the three components of the natural gas transportation system—gathering, transmission, and distribution—varies widely from state to state. Inspection to determine compliance with existing safety standards is virtually non-existent in a large percentage of the states.

The NARUC Committee on Gas, through its sub-committee of staff experts, has developed proposed modifications to the USAS B31.8 Code. These proposals are two-fold in nature. First, they are intended to transform certain voluntary provisions in the code into mandatory ones. Second, they are intended to strengthen various technical aspects of the code concerning standards for allowable operating pressures, testing procedures for new and old pipe, operation and maintenance of pipelines, prevention of corrosion and improvement of old installations. A number of NARUC proposals have been adopted by USASI. The remaining proposals either have been rejected or are still under consideration by that body.

These efforts by NARUC should be applauded. Laudable as they are, however, the conclusion that exclusive state regulation is not a viable alternative is inescapable.

(*C*) *Existing Federal regulation*

For thirteen years prior to 1967, the Federal Power Commission recommended to each session of Congress an amendment to the Natural Gas Act providing the Commission authority to set minimum national safety standards for natural gas pipelines. This recommendation has not resulted in legislation. Hence, Federal involvement in natural gas pipeline safety is, at this time, limited.

The Commission, since 1966, has been prescribing safe operating pressures for new jurisdictional natural gas pipeline construction. We have done this by making the pressure recommendations of USAS B31.8 a condition to securing a certificate. In 1966, we also instituted a program under which interstate transmission pipeline failures must be reported to the Commission so that we can develop national data on the causes and effects of pipeline failures. Prior to our action, there was no national collection of such data, either as to the frequency of pipeline failures or their causes. Statutory authority and budgetary limitations preclude the development of the Federal Power Commission's expertise in the safety field, severely limiting our participation in any meaningful program to assure the safety of natural gas pipelines. It is clear, therefore, that, given the statutory and budgetary limitations of both Federal and state governments, the essence of the regulation of the safety and reliability of natural gas pipelines in our Nation today is self-regulation by the natural gas industry.

In assessing the safety effort up to this point in time two questions may be asked:

1. Does the present level of effort really satisfy the heightened public concern with respect to natural gas pipeline safety?

2. Should the balance between the requirements of safety and those of economics be, in the final analysis, determined by those whose primary duty is economic, that is, natural gas industry management?

These are the questions which each member of Congress must now ask himself in evaluating S. 1166. These are the questions I posed to myself in coming to the conclusion that natural gas pipeline safety is a problem which requires resolution through Federal legislation. Public confidence in the safety and reliability of the natural gas transportation system is a prerequisite for the continued growth and continued acceptance of natural gas as an economical and dependable source of energy. This confidence has been shaken by a number of recent incidents involving pipeline failures. Having reached the conclusion that the *status quo* is not sufficient to protect either the public or the industry, we must, and I believe we have, developed an alternative which is preferable to each of the other three. That alternative is embodied in S. 1166.

(*D*) *The optimum alternative*

In supporting the Administration's proposal to consolidate natural gas pipeline safety with the other transportation safety responsibilities (including oil and products pipeline safety) in the Department of Transportation, the Commission reasoned:

1. The first three alternatives discussed above are not alone sufficient, but can provide an invaluable basis of expertise from which meaningful standards of safety can be derived.

2. Engineering requirements that assure safe operation of natural gas pipelines are rooted in a technology common to all pipelines.

3. The technical expertise which DOT is at present developing to discharge its responsibilities with respect to oil and product lines would be immediately applicable to natural gas lines. Expertise developed by DOT in the promulgation and enforcement of Federal standards for transportation of flammable gases by other modes of transportation would also be invaluable.

4. Such consolidation of pipeline safety responsibility would eliminate unnecessary and costly duplication in the investigation and compliance functions of safety authority as to natural gas and oil lines.

5. Regulation of the safety aspects of the transportation media for competing forms of energy-coal, oil and natural gas would be centered in a single agency. Safety requirements may well have an economic impact on the railroad, highway and pipeline modes of transportation.

6. The Administration bill would assign a broader responsibility, going beyond the interstate pipelines now subject to FPC jurisdiction, and provide a logical national policy for safety regulation of all phases of natural gas transportation now and in the future as changes in that policy may evolve.

SPECIFIC CRITICISMS OF THE NATURAL GAS PIPELINE SAFETY ACT

Having expressed the reasons why I believe that the basic and underlying criticism of S. 1166 is unwarranted, I should like to turn to the specific criticism articulated by the spokesmen who opposed the enactment of S. 1166 before the Senate Commerce Committee.

First, opponents of S. 1166 argued that Federal safety regulation as envisioned in the bill would destroy the USAS B31.8 Code and the effectiveness of the Code Committee.

Similar legislation for pipelines transporting oil and oil products has been in effect since July 1965. Despite, or perhaps because of, this, the USAS B31.4 Code Committee (the oil and products pipeline counterpart to the USAS B31.8 Committee) is today a vital organization. It has recently issued an up-dated and more comprehensive code for oil transportation pipelines. Mr. William K. Byrd, the director of the division of the Secretary of Transportation's office which is responsible for developing oil pipeline safety regulations and which would be charged with preparing natural gas pipeline safety regulations, in discussing the oil pipeline regulations soon to be issued, stated:

"The general content of the regulations will not be unfamiliar to you. Existing codes used by the industry have been relied on quite a bit as a basis for the regulations along with the best ideas of our technical staff, always keeping in mind our basic responsibility to the public."[2]

It appears, therefore, that unless the USAS B31.8 Code is much more unrealistic and more ineffective than most of us believe it to be, it will remain a continuing force in the gas pipeline safety field.

Second, opponents of S. 1166 argued that the failure and accident rate of natural gas pipelines is so low and the causes of present failures so different to eliminate that Federal regulation would be relatively ineffective.

The old saying that "an ounce of prevention is worth a pound of cure" provides us with an answer to this argument. We cannot sit idly by and wait for another Natchitoches to force us into the enactment of national safety legislation. The conditions under which pipelines have operated in the past are changing. Increasing population and expanding metropolitan areas have resulted in increased building adjacent to high pressure transmission lines. The age of portions of the Nation's gas transportation system, particularly those portions of distribution systems which were built for manufactured gas, and maintenance difficulties in metropolitan areas are factors which must be given weight in evaluating the reliability and safety of natural gas pipelines.

We must provide the means now for a thorough evaluation of safety and reliability while cool heads and analytical voices can still influence ultimate decision making and while economics can still be given weight. If we wait for another Natchitoches to provide the impetus for legislation, not only may lives be needlessly lost; but the shouts of the demagogue could well foreclose a rational and balanced solution to the problem.

Moreover, statistics which attempt to show that pipelines are by far the "safest means of transportation," while accurate, distort through oversimplification the situation which really exists. As developed through questioning by Senator Hugh Scott of Pennsylvania, pipelines, unlike automotive vehicles, planes and trains do not carry people, and the statistics for passenger-carrying modes include passenger as well as non-passenger casualties.[3] To compare death and personal injury statistics of pipelines with these other modes of transportation is, therefore, inappropriate. So, while the safety record of the natural gas industry is good in absolute terms, the comparative studies made public to date are meaningless.

Third, those opposing S. 1166 argued that the retroactive feature of Federal requirements would impose an undue economic burden on the industry and its consumers.

An article of general interest to the industry illustrating the effective use of self-regulatory retroactive safety standards appeared in the March 1967, issue of the American Gas Journal

As background and to explain company motivation, the following questions were posed.

"Can a gas distribution company with a good record for safety to the public and a history of excellent service reliability be satisfied that it is meeting its obligations to its customers and the public in general? Or is every company under a moral obligation to, at some time or another, step back and take a good hard look at itself to determine whether or not there is something more that can be done to further improve both the safety and the service reliability of its distribution system?"

---

[2] "Federal Safety Regulations For the Liquid Pipeline Industry," William K. Byrd, Annual Pipeline Conference, April 1967, Dallas, Texas.

[3] Hearings on S. 1166 Before the Committee on Commerce, 90th Cong., 1st Sess., 268 (1967).

"Does adhering to present codes and regulations fulfill its obligations? Does a good set of construction standards based on modern designs and the best available materials and techniques assure a relatively trouble-free distribution system? Are heads buried in the sand when operators hide behind the provision found in most codes and regulations that the provisions of the codes and regulations are not retroactive to construction that existed prior to their enactment?"

A committee of the Philadelphia Electric Company gas division employees was formed under management auspices to evaluate completely the gas system and company practices to determine whether or not changes should be made in the interest of updating and improving the system.

A total of 87 recommendations of the study group were approved by management. A few examples:

1. An extension of cathodic protection to the whole system.
2. The phased replacement of certain types of mains which show an unusually high incidence of leaks.
3. A phased elimination of inactive services.
4. An accelerated program of renewal of services.
5. Removal of unnecessary drip risers and the rebuilding of those risers selected to be retained.
6. A phased program of removing obsolete valves and replacement in critical locations.
7. A service program to insure operability of curb cocks.
8. An intensified leakage survey program.
9. Review and upgrading of procedures used to classify and service reported leaks.

The cost of this program has been included in the normal financing program of the company and will be spread out over 10 years. Substantial savings in capital and maintenance expenses are expected as a result of this program of preventive maintenance.

Furthermore, Section 3(a) of the bill, as now written, states that—

"Standards affecting the design, installation, construction, initial inspection, and initial testing shall not be applicable to pipeline facilities in existence on the date such standard is adopted, unless the Secretary [of Transportation] finds that a potentially hazardous situation exists, in which case he may, by order, require compliance with any such standard."

Fourth, opponents of S. 1166 argued that Federal regulation would result in burdensome dual regulation.

Sections 3 and 5 of the bill, as now written, have responded to this criticism by preempting for the Federal government the duty of setting standards applicable to interstate transportation facilities and giving to the states the duty of prescribing and enforcing safety standards applicable to distribution facilities subject only to the states' standards, at a minimum, complying with Federal standards. It appears, therefore, that this criticism is no longer valid, if, indeed, it ever was.

Fifth, opponents of S. 1166 argued that the expertise required to promulgate effective safety standards resides with industry personnel, that these experts working with state regulators have developed safety regulations which are effective and sufficiently flexible to fit local needs and that Federal standards would result in wasteful and pointless expenditures for unnecessary requirements which would impose an unnecessary burden on consumers.

S. 1166, as now written, is pervaded with language which meets this criticism. In addition to the flexibility given by section 5, mentioned above, that assures the flexibility required to fit local needs, section 4 calls for the establishment of a technical pipeline safety standards committee which will include, among its 15 members, five members to be selected from the natural gas industry after consultation with industry representatives. These experts should have a continuing voice in the promulgation of safety standards. Furthermore, while the Federal government is admittedly something of a novice in this area, it was at one time also a novice in all other fields of safety in which it now has built up an enviable body of expertise. Take for example, the air safety field, a field which must be conceded to present a great technical challenge. Government experts now have a broad understanding of aircraft safety from the conceptual stage of aircraft technology until obsolescence. There is no reason to believe that it is impossible for government experts to achieve similar expertise in the gas pipeline safety field within a reasonable period of time, especially in light of the fact that this expertise is already being developed in pipeline technology generally through DOT's specific responsibilities with respect to product lines.

CONCLUSION

The foregoing constitute the principal specific criticisms leveled at S. 1166 during the Senate hearings. It is unnecessary to deal with the other industry criticisms since they overlap and are included in the arguments against the bill which I have already discussed and rebutted. Another argument, for example, was that Federal regulation would preempt the field of pipeline safety and devitalize the present NARUC effort to develop effective state regulation. In answering the burdensome dual regulation argument mentioned above, S. 1166 now also answers this argument. But it is also interesting to note the inconsistency of the two arguments, for both of them cannot be valid criticisms at the same time.

It is then clear that, granting the basic assumption that there is a need for action beyond that now being taken in the area of pipeline safety, S. 1166 provides an effective vehicle for the commencement of that action. It provides a meaningful synthesis of self-regulation and public involvement on both the state and Federal levels in order to insure the continued existence of a safe and reliable network of natural gas transportation to the Nation. It will allow the socially responsible management team to undertake to protect itself and the public from the dangers inherent in pipeline failures without fear of competitive disadvantage from those who are not as quick to employ the new technology or not quite so fastidious in carrying out their social responsibilities.

Nothing less than the public's confidence in the leadership of the natural gas industry and the public's continued acceptance of natural gas as a safe competitive fuel is involved in this issue. It would be most unfortunate if the auto safety debacle which shook the confidence of the American public in Detroit were to be repeated now as we head for the final lap in the progression of this bill through the House. It is clear, therefore, that S. 1166 provides a vehicle for merging the self interest of the natural gas industry with the public interest. It deserves the support of this industry, which should work not to defeat it but to secure its enactment without further delay. It seems to me that the natural gas industry should take another look at this bill and re-evaluate its position based upon its present form. Your endorsement of the present draft, which is certainly a proposal which you can support, would place the natural gas industry in a positive and constructive posture in the public's mind at the very time that at least a large segment of your competitors in the electric power industry are assuming a negative and hostile attitude toward the counterpart legislative proposal in the electric power field—the Electric Power Reliability Act. Here is a unique opportunity to identify with public opinion and demonstrate your confidence in the utility and safety of natural gas as a competitive fuel. I sincerely hope you take advantage of it for your own and the Nation's welfare.

Mr. COTTON. Mr. President, before the Senator from Washington yields to the Senator from Ohio, will the Senator yield to me briefly?

Mr. MAGNUSON. I yield to the distinguished Senator from New Hampshire who was so helpful, particularly as the ranking minority member, to see that we got a bill that I think is going to insure the safety that we are talking about, but which is still a practical bill that everyone can live with. I yield to the Senator from New Hampshire.

Mr. COTTON. Mr. President, I commend the distinguished Senator from Washington, the chairman of our committee, not only for the effective, clear, and lucid way he has reported on the committee's deliberations on the bill but also the way in which the bill was considered and reported to the Senate.

I am thoroughly in accord with most of his statements. Some of us felt very strongly that there were two main points on which there was a difference of opinion in the committee. One point, as the distinguished Senator from Washington has said, is on the matter of the inclusion of so-called gathering lines; and the second point was the matter of criminal penalties rather than the injunction and civil penalties that would be contained in the bill.

Personally, I feel very strongly that we should walk before we run; that there was a distinct difference. I think the case was made that there is a real difference between these transmission lines that run through many States and through, by, or under many metropolitan areas. It is highly necessary that every precaution be taken to protect the lives and safety of the public.

In many cases, the gathering lines are of a temporary nature, built to last only a few weeks or a few months. In almost all cases, they are not adjacent or close to residential areas. However, they are subject, of course, to all the regulations, rules, and laws of the States in which they are situated. Therefore, I frankly felt it would be much better at this time, as we inaugurate this very necessary and meritorious legislation, that we strike at the heart of the main problem, and leave a little discretion to those who will administer the act and to those members of the committee who will exercise oversight in the workings of the law and will consider further refinements later.

Senators will recall that we faced the same problem with respect to automotive safety. We considered the question of criminal penalties in addition to the substantial civil penalties, the injunctive process, and the contempt process with respect to enforcing such safety codes as may be issued.

I do not believe that when we are dealing with an American industry, we should deal with it on the principle, at the outset, that it is criminally disposed; has no regard for the safety of the public, and should, therefore, be stigmatized by the imposition of criminal penalties when civil penalties are quite effective, as they have proved to be in other fields in the enforcement of laws to preserve public safety.

The bill, as we bring it upon the floor of the Senate, is the result of much deliberation. It is supported by a majority of the committee. It is a good bill, it is a good beginning, and it lays the foundation for exactly what is necessary to be done in this field.

Again, I commend the chairman of the subcommittee which held the hearings; the general counsel of the committee, Mr. Michael Pertschuk; and the other members of the staff, both majority and minority, who worked together so well in framing this measure. The bill is the result of the combined efforts of all members of the committee, who had the assistance of an able staff. It is the result of a careful consideration of the evidence adduced before the committee in the interests of the public, the industry, and the States. It is a job well done. I certainly endorse it.

Mr. MAGNUSON. The staff members certainly did a fine job. Ray Hurley did a tremendous job. But I want the RECORD to show that this bill is one of several bills which the Commerce Committee has considered in this session. A long line of bills have been directed toward consumer protection. We have dealt with auto safety, tire safety, hazardous substances, flammable fabrics, gas pipeline safety, and many more that I could name. The committee has emphasized and done more work in these two fields, I think, in the past year and a half than in a dozen preceding years, because they felt it was necessary. This is one in the long line of consumer protection and safety bills which we hope will achieve the purposes we have tried so hard to work toward. At the same time, I reiterate that the committee was practical about it, too.

Mr. LAUSCHE. Mr. President, I should like to address an inquiry to the Senator from Washington and the Senator from New Hampshire. Is it not a fact that in the bill we give the Secretary the power to fix regulations in accordance with the kind of distribution or transmission lines involved.

I read from the bill on page 6 dealing with the fixing of standards:

> Standards affecting the design, installation, construction, initial inspection, and initial testing shall not be applicable to pipeline facilities in existence on the date such standards are adopted, unless the Secretary finds that a potentially hazardous situation exists, in which case he may by order require compliance with any such standards. Such Federal safety standards shall be practicable and designed to meet the need for pipeline safety. In prescribing such standards, the Secretary shall consider—
>
> (1) relevant available pipeline safety data;
>
> (2) whether such standards are appropriate for the particular type of pipeline transportation;

It is that last item, No. 2, to which I wish to direct the Senators' attention, that the regulation must be considered in light of its appropriateness to the particular type of pipeline transportation.

My question is: We have exempted the gatherers of gas. We have said, "Though you have many miles of pipeline under ground, we exempt you."

Mr. MONRONEY. Mr. President, will the Senator from Ohio yield right there?

Mr. LAUSCHE. Let me finish my statement first.

My position is that if the gatherers of gas are not in the category of producing the dangers, then we have given the Secretary the latitude to deal with that so as to minimize the regulation; is that not correct?

Mr. MAGNUSON. I agree with the Senator from Ohio. I think that we have. I think we have, in this case, because when we come to the gathering lines, the standards would apply to a particular line. One may be a little different from the other. The pressure may be different. The terrain the pipeline goes through may be different, or the number of people who might live in the area might vary. Thus, I think we did. But that was one of the contentions in committee, as we all know. But we did not exempt the gathering altogether. We said that within 1 year, after we have made this study, they should come in and tell us if we have done enough and whether we should institute gathering in this matter.

Mr. LAUSCHE. That is correct.

Mr. COTTON. Mr. President, I am happy to respond to the Senator from Ohio. I would say that the amendment on page 8 was proposed by me. Beginning on line 16, page 8, section f reads:

> Not later than one year after the date of enactment of this Act, the Secretary shall report to the Congress on the need for Federal safety standards for gathering lines for the transportation of gas, together with such recommendations as he deems advisable.

Mr. President, I hope that in just a moment the distinguished Senator from Oklahoma—a very senior member of the committee, one who lives in a section of the country where he is in a position to have more firsthand knowledge, perhaps, of the problems of the nature of these gathering lines than any other member of our committee—and, I would almost say, any other Member of the Senate—will give his answer to this; but in view of the fact that the question was addressed not only to the chairman but also to me, I should like to say this:

It is perfectly true, and the point made by the able Senator from Ohio is completely valid, that where the bill provides "whether such standards are appropriate for the particular type of pipeline transportation," it shall be taken into consideration by the Secretary and, in theory, that provision would amply take care of the gathering lines because the Secretary would have the power to apply the proper standards, which are fair and practical standards as to gathering lines, as well as to the established, cross-country interstate pipelines.

That is perfectly true in theory, but, if I understand the situation as I heard it and as it was ably explained in the committee by the Senator from Oklahoma, as a practical matter the Secretary would have to call out the National Guard or have an equal number of inspectors and investigators to exercise that discretion immediately on all gathering lines.

It is my understanding that some of them are in place only temporarily, and then are torn up because the wells run dry. Some are in places where there is no population. Some have considerable pressure; some do not. Many of them are temporary in nature.

Perhaps the Secretary could enforce it; I do not know. That is why I offered the amendment. That is why we did not simply leave the problem of the gathering lines in a void and throw it out the window. That is why we proposed to give him some means by which he could ascertain what is necessary. But to expect the Secretary to police this matter and have adequate people to police it and establish these standards and be fair and practical in dealing with the industry and the gathering lines seems—particularly after listening to the very able explanation of the Senator from Oklahoma—to the Senator from New Hampshire that this was a practical and just and sensible way to handle it.

While in theory it was taken care of by the provision offered by the Senator from Ohio, in actuality it was not.

I am sure the Senator from Oklahoma will correct me if I am wrong.

Mr. LAUSCHE. Mr. President, I think the Senator from New Hampshire has rather substantially set forth what took place in the committee. It is conceded that the language on lines 23 and 24 would give the administrator the power to fix regulations in accordance with the dangers involved. The Senator from Oklahoma [Mr. MONRONEY] and other Senators have suggested that we not include the carriers of gas in the bill, but that we allow the administrator, within 1 year, to report back to us what he thinks should be done. The contrary argument was that the administrator had already recommended, and the experts had recommended, that the carriers of gas should not be excluded even for 1 year.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. LAUSCHE. I will in just a moment, please.

So the majority of the committee, while conceding that the administrator would have the power to fix regulations in accordance with the dangers involved, nevertheless said, "Let us exempt them for 1 year, at the end of which time the Administrator shall report what he think should be done."

My answer is, the administrator has already recommended, the experts have already recommended, that they should be regulated.

Now I yield to the Senator from Oklahoma.

Mr. MONRONEY. Mr. President, the distinguished Senator from Ohio has talked about the experts recommending and the Secretary recommending. Would he be good enough to show us in the record any recommendation or any testimony showing any need——

Mr. LAUSCHE. The bill——

Mr. MONRONEY. I am asking the Senator to show us what was before the committee showing the need for the inclusion in this bill, at this time, of the regulation of the gathering systems.

I was the only one in the committee, I think, who was interested in the gathering lines enough to question the witnesses. In my questioning of Secretary

Boyd, I dealt specifically with the reason for including long lines in the transportation system, because of the high pressures they were under, and that was quite proper. He responded on the distributing systems. When I talked about the gathering systems and asked him questions, I asked Mr. Boyd about that, and this is the nearest answer I received from him.

I asked, as appears on page 13 of the hearings:

> Would you feel it necessary that the gathering systems would have to be under the same type of code that you would ask for the long-line transmissions and the distribution systems that go under populated areas?
>
> Secretary Boyd. No, I don't think I would want to say it should be under the same type of code if by that you mean the same general regulations. I think there should be regulations for gathering lines.
>
> Senator Monroney. You feel they would be essential?
>
> Secretary Boyd. Yes, sir.
>
> Senator Monroney. That regardless of their character for the production of gas, they would still have to be regulated to give a degree of safety?
>
> Secretary Boyd. Yes, sir.

We have a "Yes, sir" answer without a bit of factual evidence, a single bit of proof with respect to the distinctive type of service involved, the low pressures under which they operate. Ninety-eight percent of them are used right in the field. They do not operate under the high pressure of the lines used in the big cities or the metropolitan areas.

This is the reason for the wisdom of the distinguished Senator from New Hampshire's proposal, instead of, willy-nilly throwing this open and saying, "This is a pipeline." Of course it is. We have to get the gas into the pipeline. We have to take it from the well-head and into the gathering line. It takes it into the field line, which is the head of the transmission line. There it is under high pressure. It is brought to a lower degree of pressure under that system.

When I asked the Secretary if he thought the gathering lines should be regulated, the Secretary said, "Yes, sir." No facts or information were given about any particular problem or the difference between the lines that exist in the field and those that do not.

I would have preferred to have the language in the report, but the distinguished senior Republican member of our committee, the Senator from New Hampshire [Mr. Cotton], thought it would be better in the bill, and the committee so put it in the bill. It appears on page 8, subsection (f), starting at line 16, and the language reads:

> Not later than one year after the date of enactment of this Act, the Secretary shall report to the Congress on the need—

I repeat—

> on the need for Federal safety standards for gathering lines for the transportation of gas, together with such recommendations as he deems advisable.

I think that is wise. I think that is logical.

I ask the Senator to show me any place in this massive booklet where any specific testimony was produced by the Secretary of Transportation or by his officials or by the men who testified or by the operators or municipal officials who came before the committee to testify, showing any factual need or evidence showing the need for including the gathering systems under the bill at this time.

I think the wisdom of the amendment of the distinguished Senator is apparent. The Committee on Commerce will be in existence 1 year from today. The Senator from Ohio [Mr. Lausche] will be here 1 year from today. I hope the Senator from Oklahoma will be here 1 year from now. The chairman of the committee will be here 1 year from now.

This is the proper way to show cause. There is not one bit of evidence showing the reason for the inclusion of the gathering lines at this time, simply because they are called pipelines. The distinguished Senator from Ohio would treat a 2-inch pipeline the same as a 36-inch pipeline. He would dump them all in together, and pay no attention to need. He would pay no attention to how many people will have to be walking the lines to be sure to get the kind of code necessary.

I think this proposal to move the long arm of the Federal Government willy-nilly into every 640-acre section of land in Oklahoma, Texas, or wherever gas is produced, without any showing for the need, is unnecessary at this time. The amendment offered by the Senator from New Hampshire requires that the Secretary shall report within 1 year. The Senator from Ohio has said that is too long.

Mr. LAUSCHE. I did not say that. I said studies have been made and it has been recommended that all pipelines be covered. The Senator from Oklahoma says, "Yes; cover all but the producers." I say there is no justification for saying we will cover one but not the other.

I am not in favor of the Federal Government sticking its fingers all over the map, in regulating local matters; but if they are going to stick their fingers one place, they had better stick them in all places.

Mr. MONRONEY. Would the Senator state what study has been made with respect to the gas gatherers?

Mr. LAUSCHE. Yes, I shall answer the Senator's question. The Senator from Oklahoma has a special interest in this matter.

Mr. MONRONEY. Indeed we do; we have the best and finest gas field in the world, which we share with Kansas, the Hugoton Field. If it were not for the gas producers in Oklahoma and Kansas; the people in Ohio would be cold today, because their gas fields have been exhausted.

Mr. LAUSCHE. Yes. Now, Secretary Boyd, the highest transportation official in the Government——

Mr. MONRONEY. From what page is the Senator reading?

Mr. LAUSCHE. I am reading from page 13, which the Senator from Oklahoma read from.

Secretary Boyd is appointed to serve the people. His concern is to take care of the consumers, and take care of the safety of all of the people. He appeared as an impartial, objective witness, and said the producers of gas should be regulated also, as are the distributors and transporters of gas.

He, of course, said that they did not have to be regulated with the same formula, but he clearly stated that the several industries should be regulated.

May I point out what is happening——

Mr. MONRONEY. Would the Senator quote directly? He stated no reasons when he said "Yes, sir" to my question.

Mr. LAUSCHE. Just one moment:

> There are now over 800,000 miles of gas pipeline in the United States including approximately 63,000 miles of gathering lines—

Those are the ones in which the Senator from Oklahoma is interested—

> 224,000 miles of transmission lines, and 536,000 miles of distribution lines.

The Senator from Oklahoma says that for the moment, at least, they all should be covered except the gatherers of gas. They, he says, should be exempted. "We shall delay putting into force the regulation until 1 year from now, and then make our argument to block the whole thing."

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. MONRONEY. The Senator knows this bill well enough to know that no regulation is going in for 2 years from now, so we will have a full——

Mr. LAUSCHE. If the Senator's view prevails, his group will not come in until 3 years have expired.

Mr. MONRONEY. That is right; and with the low pressures, and 98.2 percent of the gathering lines running through rural areas, no case has been shown. All the quotations that I can find from Secretary Boyd or anybody representing him, or any of the witnesses, the firmest conviction or knowledge that he presents of the problems of the gathering line industry is when he says, "Yes, sir" to my statement. I say, "It is a different type of operation," and he says, "Yes, sir."

But he gives no facts and no figures, establishes no need, presents no statistics of any kind on the gathering lines. Yet the distinguished senior Senator from Ohio would turn over to the bureaucracy of a department the right to regulate gathering lines, without any facts being presented—as was presented regarding the transmission and the distribution lines; we had worlds of testimony on their hazards, on the pressures, and on the accident rates, but there is a complete blank as to any need as far as the gathering lines are concerned. And yet the Senator would grandfather or blanket those lines in, simply because they are called gas pipelines.

There is a great deal of difference between the small tributary stream at the source, the tiny little creek, and the great torrent of the Ohio River as it flows through the Senator's State.

Mr. LAUSCHE. I concede that, but we provide for that difference by permitting the administrator to apply different regulations to different dangers.

Mr. MONRONEY. But is the need established?

Mr. LAUSCHE. The need, of course, is established——

Mr. MONRONEY. The Secretary has a year in which he can study the problem, and then rule. The Senator from Ohio would summarily conclude that the gathering business is guilty, and then have the trial. What I think we ought to do is have the trial and seek the evidence to establish the need. We have a year to do it. We have a mandate of Congress directing the Secretary to study this matter, which obviously, from the hearings, he has not, and nobody in his whole outfit has. I hardly think they knew gathering systems existed at the time they drafted the bill. They were, of course, rightly concerned with high-pressure transmission and distribution lines, which carry the gas under pressure and across our cities throughout this Nation.

Mr. LAUSCHE. Can the Senator from Oklahoma point out, from the record, where any one of the impartial Government witnesses said that regulation was not needed for the gas producers?

Mr. MONRONEY. Well, the Senator has a different idea than I have to the way we should grant power. I do not think it is necessary for witnesses to say they are not needed. I want the Government department to say affirmatively they are needed.

Mr. LAUSCHE. They did say it.

Mr. MONRONEY. He was asked why we have to impose regulation, but not one word of reason can I find except "Yes, sir."

Mr. LAUSCHE. That was a rather forceful "Yes, sir," after the Senator interrogated him.

Mr. MONRONEY. But yet he is a man of great authority and competence, and I respect him for it. He knew his lesson, he knew the need, on the transmission and distribution lines; but he said, "Yes, sir," and that was all he said as to why he thought gathering lines should be included.

I, for one, whether it is in my own State, where production of gas is an important matter, or in the Senator's State, where the price is an important matter, do not favor hampering the production and increasing the cost by unnecessary and useless regulation and unnecessary and useless standards that might be imposed by men who are so unknowledgeable of the production of gas, and the pooling of it to get to the gathering stations, where the transmission lines head up, that they would lead me to believe that if we blanket all the lines in, without their knowing the situation, we are liable to have these lines compared to the other lines which are under regulation.

I shall develop that later from statistics which are well known in the industry, and facts which we well know in the gas fields, that make this a distinctly different problem.

For that reason, I think the amendment of the Senator from New Hampshire is exactly in line. As I say, I wanted it in the report. I did not get it in the report, but I accepted it in the bill itself, and I think on reflection it is far better for it to be in the bill, because there is now a definite limit of 1 year. The provision says "not later than 1 year"; he can come in a lot earlier than that if he **wants**, to but—

> Not later than one year after the date of enactment of this Act, the Secretary shall report to the Congress on the need for Federal safety standards for gathering lines for the transportation of gas, together with such recommendations as he deems advisable.

He has not as yet shown us one reason nor one bit of knowledge of the situation. We give him a year to go out and look. Yet the Senator from Ohio would include this system, a system including not merely the 62,000 miles the Senator mentioned; there are 71,000 miles of gathering system. This is 9 percent of the 800,000 miles of the total gathering, transmission, and distribution lines in the United States. This is important mileage, and it is important that we do have whatever standards may be needed for it. If we need high standards, we will get them, I am sure.

The industry has a marvelous record of safety throughout the long years it has been producing gas in the fields of western Oklahoma, Texas, and New Mexico, and carrying it through the long lines up to Ohio, which used to supply gas for most of the East. But now their fields have gone down, and, unfortunately, they have to be customers of States like Oklahoma, which still have that resource.

Mr. LAUSCHE. I merely wanted to state that as between accepting the word of the producers of gas and the word of Secretary Boyd and other public officials, I will take the latter.

Secretary Boyd said that he did not feel that the producers of gas should be exempt. He was not examined on the question of the basis on which he made that statement. There is nothing in the record to contradict factually what Boyd demanded. There is the self-evident principle that when we seek to protect the public's life and body through a specific type of pipeline, we ought to cover the whole field presumptively. That presumption was strengthened by all the testimony given by impartial, objective witnesses. It was negatived by the gas producers, but not by a single impartial witness who appeared before the committee. Each one of the Government witnesses said that the producers should be covered exactly as the transmitters and the distributors are covered.

Mr. MONRONEY. The Senator from Ohio does not mean to say "exactly" as they are covered. He just mentioned that there are different types of regulation. We should keep the record straight.

Mr. LAUSCHE. Yes; covered in principle exactly.

Mr. HART. Mr. President, will the Senator yield to permit me to comment on that point?

Mr. LAUSCHE. I yield.

Mr. HART. Was it not made clear in the hearings that 41 percent of the total number of miles of gathering lines were operated at more than 200 pounds to the square inch? As I recall, the president of the Natural Gas Producers Association and a spokesman for the National Petroleum Institute told us that.

Mr. LAUSCHE. That is exactly the fact—41 percent of 71,000 miles of gathering lines are in the most dangerous category. Yet the gas producers from around the country are saying, "Everybody is creating danger except us, the gas producers. We should be exempt from the law." I am not willing to go along with that argument. There will be uniformity of treatment, so far as I am concerned. No special fat cat or golden calf or sacred cow will be given exemption, if I can help it.

Mr. GRIFFIN. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I yield.

Mr. GRIFFIN. When the Senator says that the industry shall be accorded uniform treatment, he is not suggesing, is he, that the gathering lines should be subject to the same standards, necessarily, as are the transmission and distribution lines?

Mr. LAUSCHE. No; that is correct. We discussed that point a moment ago. The regulations shall be drafted in accordance with the danger involved. If the gathering lines do not create as great a condition of danger as the distribution lnes——

Mr. GRIFFIN. There will be different standards?

Mr. LAUSCHE. There will be different standards.

Mr. GRIFFIN. The Senator from Ohio is making the point that if it is decided as a matter of policy that the industry should be regulated, the whole industry should be regulated, and a part of it should not be exempt.

Mr. LAUSCHE. Yes. I yield the floor.

Mr. MONRONEY. Mr. President, I oppose the amendment offered by the distinguished senior Senator from Ohio.

Mr. COTTON. Mr. President, will the Senator, before he starts, yield briefly for a question?

Mr. MONRONEY. I am happy to yield.

Mr. COTTON. In the colloquy between the distinguished Senator from Oklahoma and the distinguished Senator from Ohio, which covered the subject so well, one point stood out in the mind of the Senator from New Hampshire, and I should like to have the Senator's judgment on it. I can understand why the Secretary said, "Yes, sir." I cannot imagine any public official saying, "No, sir," because someone would immediately accuse him of evading his duty.

The enforcement of regulations and the making of decisions in individual cases having such diversified situations is almost like the situation of a city water department. It is charged with watching over and maintaining water mains, but not with going into everybody's bathroom to see if the plumbing is correct.

Is that not one reason for considering this legislation, that we may examine into conditions in advance, before we impose on the Department the burden and the difficulty of handling all the different, individual cases that may arise?

Mr. MONRONEY. That is true. It is not a minor matter, when we consider that 71,000 miles of pipeline are spread throughout the country. One of the important factors is the pressure when the gas is moving, and that is understood best by those who are familiar with gas transmission.

This gas is the result of drilling in the Hugoton gasfield in Kansas, Oklahoma, and Texas, and in dozens of small fields in the Kiamichi Mountains in Oklahoma, and in old oilfields that still produce a tiny flow of gas that is so precious.

Instead of being flared in the open air, it is gathered by conservationists, put into pipes at low pressure, and later cooled with other gas so that there is enough to feed into the gathering lines headquartered at pressurization points.

The gas goes from these small lines into the 36-inch, Big Inch line, where the danger because of the pressure is quite significant.

The Senator was good enough to quote from the report on the 62,000 miles reported by the 5-year survey made by the gas-producing industry. I believe he said that 41 percent operate at more than 200 pounds' pressure. I believe that is the way the report states it, that 41 percent operate at more than 200 pounds' pressure.

That is one way of stating it. I would say that 59 percent operate at less than 200 pounds' pressure. So, we have well over half of them operating at less than 200 pounds' pressure.

What does this mean? This compares with operating pressures that run up to 1,300 pounds per square inch. That is why they were able to make a very distinct and very good case in behalf of the long interstate transmission line.

Because of the proximity and the danger from the distribution lines that run under our metropolitan cities, that run under the city of Cleveland, an explosion in a crowded area could cost dozens of lives under certain atmospheric conditions.

These are clearly evident and demonstrable facts that we did not have to take too much testimony on, although it is repeated a number of times—facts that establish a basis for the regulation of gas pipelines. The title of the bill is "Safety Regulations for Transportation of Natural Gas."

There are pipelines and pipelines. I must say that I do not believe, for one, that we ought to go out willy-nilly and regulate just for the sake of regulating, or regulating because the baby member of the family might be as dangerous as the 23-year-old or the giant fullback that might come from this great Ohio State team that the distinguished Senator from Ohio is so proud of.

It is the difference between a small, tiny source of gas that is brought hundreds of miles over 71,000 miles of gathering lines to get the supplies that feed into perhaps less than 25 interstate trunklines. That is why we have a lot of gas in the East.

We built the Big Inch pipeline to supply oil to the east coast. It now supplies the gas for the tanks and planes because the producers and distributors bought the Big Inch line and converted it to a gas line.

It covers much of the gaslines. They parallel the country with these lines.

This is an entirely different business. We might as well compare the gas gathering business with a chicken hatchery, an A. & P. or a Safeway Store, or other establishments of that kind. They take gas from thousands and thousands and thousands of gas wells, each connected with their small pipe. They deliver this gas to the gathering stations and then on into the giant transmission line to fill the needs of the various cities.

The accident rate, I may say, in this area is good. One accident is too much, but we have to go back for more than 5 years to find any accidents worthy of reporting. We had one fatal accident just beyond the 5-year period—5 years and 3 or 4 months. We had one fatal accident in all of the 62,000 miles of lines that could be surveyed and checked. There have been two smaller, nonfatal accidents, minor accidents, in this entire system during that time. One of the reasons, I say, is because of the low pressure.

Now, why is this pressure low? Why is it a distinct problem? The transmission lines have to operate under high pressure to deliver the vast thousands of cubic feet of gas which are consumed every 24 hours in our great eastern cities. So these lines are under constant pressure, the maximum that the pipeline can withstand, because the greater the pressure, the more thousand cubic feet of gas you can deliver. Not so with the gathering lines. The gathering lines are put in when the gas well comes in, when the discovery of gas is made. Then it is instantly hooked up, or as soon as possible, to the wellhead connection and, by the series, run to the gathering station. If the gathering station has not been built, the well is shut in until it is built, and other gas wells are drilled.

So, with 30, 40, 50, 100, or 150 small pipelines, about 2 to 4 inches in diameter, running into the gathering station, this is the way the gas is finally put together, put under tremendous pressure, to force it, under 1,300 pounds per square inch, for delivery.

I might say, in passing, that we have found a new use for airplane jet engines, and many of these jet engines are working long hours each day to produce the pressure to deliver this gas to the cities of the East.

Against this 1,300-pound transmission line pressure, you have 59 percent of the gas gathering lines, as I said earlier, operating at less than 200-pound pressure.

Now let us look at the territory. Most of the transmission lines run either through or on the edge of our vast cities as they go to the market. They run under highways; they run under populated suburban areas. One of the reasons for this bill, given by the distinguished Secretary of Transportation, was that the urban sprawl of our cities—not only our great metropolitan cities, but also the smaller cities—has pushed out real estate additions. New homes are built out to the very edge of or over these mammoth 36-inch, 30-inch, or 24-inch transmission lines, under the high pressure of 1,300 pounds per square inch. This is why this bill is necessary—to regulate and to detour around the cities, to perhaps remove some of the dangers of the high pressure lines going under additions, or even under small suburban communities that now probably have 10, 20, or 30,000 population.

The point I make is that this pressure is constant. It goes on all the time.

We had testimony about the wornout pipes in city distribution systems; systems that had been in use for 20 or 30 years, had rusted out and were not capable of withstanding the higher pressures of principal domestic supply lines. Peculiar to this industry is the fact that when a gas well is brought in and the connecting line is connected to the gas well, at that point, when the pipe is the newest, the level of pressure is the highest. As the well is produced, the pressure goes down.

So, regardless of the age of the pipe—although it should be inspected and is inspected by all the competent companies producing gas of which I know—the safety becomes greater the longer the well produces, because the pressure is lessened. The rock pressure, so valuable in extracting gas from 5,000 feet or more underground, goes down, and thus the pressure is lessened on these older gathering lines about which the Senator is so concerned.

So I believe that this is a distinctive difference between the lines that are always maintained at the highest possible pressure.

It seems to me that we have done the proper thing, the only thing that I believe would be logical in the situation, to direct the Secretary of Transportation—I have great confidence in him, in his capability, his honesty, and his courage—to take a look at this matter for a year and find out what the situation is, instead of guessing, as somebody did, who made the inclusion of the gathering systems, without knowledge or without the ability to put reasons into the hearings, and then to come back in a year and give us what they recommend.

I, for one, believe that if they do that, we will find the gathering systems ready, willing, and able to make whatever corrections are absolutely necessary, so that we can comply fully with the law. It may cost money. If it does, the gas gathering people are willing to pay the money, because it is a part of the expense of operation. It is a part of the necessary upkeep of the lines. If the lines are found inferior, they will be corrected. But, certainly, the companies should not be made to plan on unreasonable expenses until the need for them is clearly demonstrated.

I should like to mention another point, which has not been mentioned by the opponents of this bill, but it is brought out by the fulmination of the Washington Post this morning in an editorial about the gathering lines. The editorial states:

> The "gathering" lines—the links between well heads and distribution points—were exempted in the bill reported out by the Committee on the mistaken assumption that they are to be found only in very lightly populated rural areas and therefore involve little danger. But in point of fact there are 243 gathering lines in the metropolitan Los Angeles area alone and several that run under the city of Cleveland.
>
> If the Senate is really concerned about protecting the public against gas pipeline explosions and fires, it will strengthen the bill reported out by the Commerce Committee by adding criminal penalties for willful violators and bringing all pipe lines under the safety net.

Now, what is the fact? The plain, simple fact is that the gathering lines do not exist for gaslines in the city of Los Angeles. In the city of Los Angeles, by their ordinance, all wells are drilled directionally from a central location, at which are located up to 20 wells. In other words, what I am trying to say is that, as they say in the oilfields, they "whipstock" the well.

They have one central wellhead, and then they drill at angles. So they will be in 20 different areas, 5,000 or 6,000 feet below the ground, in Los Angeles, and produce from 20 areas, without any pipelines at a central wellhead, to extract the gas from these 20 wells. This, I might point out, goes from the central point directly into an 8- to 10-inch transmission line, not a gathering line. Because of the central location of wellheads, there is no need for gathering lines from scattered well locations going to a central point. Hence, this is not necessarily required.

As to the statement about the 243 gathering lines for natural gas, of which the Washington Post makes so much, the statement happens to be slightly wrong. They happen to be oil wells, not gas wells, and a transmission line for oil is already regulated by the Department of Transportation; and oil is much easier to carry through pipelines and through cities, with less danger.

A little gas comes up, but this is at low pressure and can easily be skimmed up.

The fact is that the editorial writer did not bother to distinguish between the 243 oil wells and the gas wells in the magazine from which he took his figures. If he read further, he would have learned how many barrels of oil a day the well is producing. There was no mention of whether they were producing any significant amount of gas or not.

We have pretty good regulations in the city of Los Angeles. I am told that safety regulations in Los Angeles are very stringent. The California Public Utility Commission has already regulated production, and this is a State function, which would be violated to a degree by the building of gathering lines.

If reason is clearly shown that this Federal legislation is needed for safety as a part of interstate commerce, I would be for it.

I understand that the lines which are supposed to run under the city of Cleveland, are very, very old lines. We learned through Mr. R. A. Middlestat, manager of gas supply, East Ohio Gas Co., that his company gathers no gas within the city limits of Cleveland. They do gather some gas in the Lakewood area from very old low-pressure wells, most of which produce into a 1-pound-per-square-inch system.

This is the other great risk which I presume, after thorough research by the Washington Post, has been shown to be great without knowing whether it is necessary, needed, or what the problem is. I much prefer to go along with my distinguished colleague on the committee, the Senator from New Hampshire [Mr. COTTON] who put in section (f) of the bill which provides:

> (f) Not later than one year after the date of enactment of this Act, the Secretary shall report to the Congress on the need for Federal safety standards for gathering lines for the transportation of gas, together with such recommendations as he deems advisable.

If there is any critical, crying need or apparent danger I am sure the distinguished Secretary will speed up his 1 year because it reads "not less than." He makes his recommendations to the Committee on Commerce, of which the distinguished, competent, and able Senator from Ohio and the distinguished senior ranking minority member serve. The Senator from Oklahoma hopes to be there to hear the case and get information which is more than a "yes, sir" in answer to any question with respect to the favorable inclusion of gathering lines in the bill.

I yield the floor.

Mr. LAUSCHE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. HRUSKA (after having voted in the negative). On this vote I have a pair with the distinguished Senator from Kentucky [Mr. MORTON]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. MANSFIELD (after having voted in the negative). On this vote I have a pair with the distinguished Senator from Oregon [Mr. MORSE]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. CANNON], the Senator from Tennessee [Mr. GORE], the Senator from North Carolina [Mr. JORDAN], the Senator from Oregon [Mr. MORSE], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Virginia [Mr. SPONG], the Senator from Maryland [Mr. TYDINGS], the Senator from Ohio [Mr. YOUNG], and the Senator from Virginia [Mr. BYRD] are absent on official business.

I also announce that the Senator from Indiana [Mr. BAYH], the Senator from Connecticut [Mr. DODD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Texas [Mr. YARBOROUGH], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Minnesota [Mr. MCCARTHY], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Alabama [Mr. SPARKMAN], and the Senator from New Jersey [Mr. WILLIAMS] are necessarily absent.

On this vote, the Senator from Virginia [Mr. SPONG] is paired with the Senator from New Jersey [Mr. WILLIAMS]. If present and voting, the Senator from Virginia would note "nay" and the Senator from New Jersey would vote "yea."

On this vote, the Senator from Nevada [Mr. CANNON] is paired with the Senator from South Carolina [Mr. HOLLINGS]. If present and voting, the Senator from Nevada would vote "yea," and the Senator from South Carolina would vote "nay."

On this vote, the Senator from Connecticut [Mr. RIBICOFF] is paired with the Senator from West Virginia [Mr. RANDOLPH]. If present and voting, the Senator from Connecticut would vote "yea," and the Senator from West Virginia would "nay."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from Tennessee [Mr. BAKER], the Senators from California [Mr. KUCHEL and Mr. MURPHY], the Senator from Kentucky [Mr. MORTON], and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

The Senator from Iowa [Mr. MILLER] is absent on official business.

The Senator from Oregon [Mr. HATFIELD] and the Senator from North Dakota [Mr. YOUNG] are detained on official business.

If present and voting, the Senator from Colorado [Mr. ALLOTT], the Senator from Oregon [Mr. HATFIELD], the Senator from California [Mr. MURPHY], and the Senator from North Dakota [Mr. YOUNG] would each vote "nay."

The pair of the Senator from Kentucky [Mr. MORTON] has been previously announced.

On this vote, the Senator from Pennsylvania [Mr. SCOTT] is paired with the Senator from Iowa [Mr. MILLER]. If present and voting, the Senator from Pennsylvania would vote "yea," and the Senator from Iowa would vote "nay."

The result was announced—yeas 37, nays 32, as follows:

[No. 314 Leg.]

YEAS—37

Aiken
Boggs
Brewster
Brooke
Burdick
Case
Church
Clark
Cooper
Ervin
Fong
Griffin
Gruening
Hart
Hayden
Holland
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Lausche
Long, Mo.
Magnuson
Metcalf
Mondale
Muskie
Nelson
Pastore
Pell
Percy
Proxmire
Russell
Symington
Talmadge
Williams, Del.

NAYS—32

Anderson
Bartlett
Bennett
Bible
Byrd, W. Va.
Carlson
Cotton
Curtis
Dirksen
Dominick
Ellender
Fannin
Hansen
Harris
Hartke
Hickenlooper
Hill
Long, La.
McClellan
McGee
McIntyre
Monroney
Montoya
Moss
Mundt
Pearson
Prouty
Smathers
Smith
Stennis
Thurmond
Tower

NOT VOTING—31

Allott
Baker
Bayh
Byrd, Va.
Cannon
Dodd

Eastland
Fulbright
Gore
Hatfield
Hollings
Hruska
Jordan, N.C.
Kuchel
Mansfield
McCarthy
McGovern
Miller
Morse
Morton
Murphy
Randolph
Ribicoff
Scott
Sparkman
Spong
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

So Mr. LAUSCHE's amendment was agreed to.

Mr. PASTORE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. LAUSCHE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. HARTKE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARTKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARTKE. Mr. President, I send an amendment to the desk, and ask to have it stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Indiana will be stated.

The assistant legislative clerk read the amendment, as follows:

On page 19, after line 13, add a new section 11 as follows:

"CRIMINAL PENALTY

"SEC. 11. Any person who knowingly and willfully violates any provision of section 6(a) or any regulation issued under this Act, and whenever any corporation violates any provision of section 6(a) or any regulation issued under this Act, any director, officer, employee, or agent of such corporation who knowingly and willfully authorized, ordered, or performed any of the acts constituting in whole or in part such violation, shall be fined not more than $50,000, or imprisoned not more than one year, or both."

Renumber the succeeding sections accordingly.

On page 11, line 17, delete "9 and 10" and substitute "9, 10 and 11".

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, will the Senator yield to me, without losing the floor?

Mr. HARTKE. I yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, when the distinguished Senator from Indiana starts to explain his amendment, there be a time limitation of 30 minutes, the time to be equally divided between the Senator from Indiana [Mr. HARTKE] and the manager of the bill, the Senator from Washington [Mr. MAGNUSON].

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. HARTKE. Mr. President, my amendment, which is at the desk, is a very simple amendment. It is not difficult to understand. It is not difficult for Senators to make up their minds how they want to vote on it.

I am asking that criminal penalties be provided in the bill. The bill does not at the present time contain provisions for any criminal penalties if any person knowingly and willfully does an act which would cause a pipeline to be in such condition that it could cause death or injury.

That is about all there is to the amendment. It is a very simple one. It provides for a penalty either in fine or going to jail for 1 year, or both.

This natural gas pipeline safety legislation covers some 800,000 miles of transmission and distribution pipelines. The suppliers, contractors, and owner-operators of these pipelines run into the hundreds. Competition with other industrial sources of power, from electricity to coal, is strong. Cost of operation becomes a matter of closest scrutiny. The kinds of potential situations which may tempt persons to knowingly violate a construction, inspection, or operational standard must number in the thousands. Such violations may result in pipeline ruptures and explosions which could incinerate hundreds of innocent people and destroy a great deal of property. This legislation should contain adequate penalties to discourage any persons who may succumb to such temptations to disregard knowingly provisions for the public's safety.

I think it might be of interest to know that on the very day that we reported this bill, in the city of Washington, D.C., itself, the Georgetown University, in the middle of the morning, had an explosion in which the entire floor of the dining room of one of the Georgetown University dormitories collapsed. Fortunately, no one was killed. It has not been determined whether or not there was any negligence, but there is no question but that probably the factor which caused the explosion was a crack in the gasline.

The point still remains that this occurred at the very doorstep of the U.S. Senate itself.

It is important to note that only safety standards are involved, but also the establishment of requirements to provide pertinent reports and information to the Department of Transportation. Many regulatory acts enacted by Congress in the past provide for criminal penalties for knowing violations of purely economic significance. This is true, for example, of securities and other items. Disreputable securities dealers have gone to jail because they cheated investors. Legal sanctions to deter potential violators and to punish those that do violate the law knowingly, which results in the loss of human life, should at least be similar to those prevailing for the benefit of investor protection.

I should like to read, at this point, a brief list of some of the items concerning which there are criminal penalties on the books today for willful violations, similar in nature to what I propose in this amendment:

First, household refrigerators.

Second, flammable fabrics.

Third, labeling hazardous substances.

Fourth, steam boilers or vessels.

Fifth, coal mine safety.

Sixth, food, drugs, and cosmetics.

Seventh, meat inspections.

Eighth, oil pipeline safety.

The Natural Gas Act would be ninth.

I frankly find it inconceivable that anyone should object to criminal penalties under this bill, when we know we have all these other measures passed by Congress, in which criminal penalties are involved. I find it inconceivable that anyone should object to criminal penalties for knowing and willful violations of vital safety standards. The administration through its spokeswoman, Miss Betty Furness, the Consumer Adviser to the President, and most segments of the natural gas industry agree that criminal penalties are necessary and just.

I might say, Mr. President, that most of these hearings at which I was in personal attendance—and as the chairman of the committee can verify, I did more than my fair share of yeoman duty in sitting and listening to witnesses in the committee's hearings—there was no industry spokesman who opposed criminal penalties. I do not say that they agreed to them, but they did agree that some regulation was needed. They did object to, and received exemption, from being classified with industrial pipelines carrying oxygen and manufactured gas.

Mr. KENNEDY of New York. Mr. President, will the Senator yield?

Mr. HARTKE. I yield.

Mr. KENNEDY of New York. As I understand, the amendment offered by the Senator from Indiana does not involve criminal penalties for simple negligence or accidents of fate, but all it involves is those who willfully and knowingly subject workers and consumers to the great dangers of unsafe pipelines; is that correct?

Mr. HARTKE. That is exactly right. The Senator from New York is correct in his assumption that the amendment applies only in the case of knowingly violating the regulations, with wanton disregard.

This is not necessarily a case of willful negligence; but these are pipes [exhibiting pieces of corroded pipe] which carried gas, which were taken out of the ground, and, as Senators can see, here is a hole approximately, I would say, 3 inches long and 2 inches wide. Senators can also see that unless there was something else around it, it would have been in pretty bad shape.

Here is another pipe which I could entirely collapse with my hand; it is all rusty. It is from another line. At one end, there is a hole about 2 inches wide, and another hole at the other end about an inch and a half by 2 inches. Here is a valve which could not be turned off. These were exhibits at the hearings.

If someone willfully and knowingly knew that such pipe was in the ground, and did not do anything about it, and its failure caused a death, I think that person should be subjected to criminal penalties.

Mr. KENNEDY of New York. I support the amendment of the Senator from Indiana. I have a few words I wish to say about it after he completes his statement.

The PRESIDING OFFICER. Who yields time?

Mr. HARTKE. I shall be happy to yield back the remainder of my time in a moment. I shall complete my statement in another minute or 2.

I thank my friend from New York for his support of this amendment.

I ask the Senate: Why then, should there be any hesitation?

I would think that anyone who argues to exempt the natural gas industry from such penalties for willful violations will have to provide further explanations for such a position other than citing an isolated precedent in a sea of existing statutes with criminal penalties. I would also think that anyone taking the position against criminal penalties would want to explain why he voted to impose such penalties on the petroleum pipeline industry for knowing violations 2 years ago. Why should the natural gas industry be exempt when the oil pipeline industry is not? If anything, natural gas has a greater potential for combustibility over a greater area than liquid petroleum which quickly reveals its presence. And would those who oppose criminal penalties in this legislation be willing to display consistency and urge repeal of all existing criminal penalties in all safety, regulatory and tax laws now in the statute books? If not, then I suggest that they are playing favorites and advocating clearly preferential legislation.

I hope the time has not come when individuals responsible for willful violations of safety standards are no longer accountable for their acts because they can hide behind the corporate curtain. If pipeline safety is serious business, then willful violations should receive serious sanctions. The cause of human life deserves the assurance that the law will provide adequate deterrents and punishments for those who might callously abuse the public safety.

Mr. President, I reserve the remainder of my time.

Mr. MAGNUSON. Mr. President, any legislation, which provides for the protection of human life, should also include appropriate penalties for violations. This means that the agency empowered to administer and enforce the provisions of such legislation should have a flexible choice of penalties available to it so that the severity of the penalty can be tailored to the severity of the violation. Knowing and willful violations of natural gas pipeline safety standards cannot be adequately dealt with by civil monetary fines. Such violations, should they ever occur, can lead to the death or maiming of many persons owing to a pipeline explosion. Criminal penalties, as are written into other safety legislation, are necessary to deter such willful acts from arising. And where these acts do arise, such penalties are needed to bring justice to the public safety.

Criminal penalties exist for conscious violation of oil pipeline standards which are to be established by the Department of Transportation. The Commerce Committee approved such penalties when it passed on the oil pipeline safety in 1965. About a year later, both the oil and natural gas industries requested before our committee the inclusion of criminal penalties for anyone who steals from interstate pipelines. The maximum penalty for stealing, for example, $2,000 worth of petroleum from a pipeline is 10 years in jail and a $5,000 fine. This penalty for an essentially economic crime is far more severe than the penalty here proposed by amendment for a crime that may endanger or actually take human life. The Natural Gas Act has criminal penalties for economic crimes. Why, I ask, should this bill not have a criminal penalty? I do not believe any industry should be in a privileged, preferential position whereby knowing and willful violations escape an appropriate sanction.

When the administration sent their legislative proposal on natural gas pipeline safety to the Senate earlier this year, criminal penalties were included. The natural gas pipeline industry did not object to criminal penalties during our hearings. In fact, they recognized the need for some criminal penalties. Some industry officials positively recognized the need to apply the criminal law to anyone who knowingly exceeds the maximum pressures allowed in a pipeline—to cite one example. They realize how unfair and unjust it is to their industry and to the public safety to permit any such outrageous behavior to go unpunished except for a dollar fine.

The Senate has recently passed substantial amendments to the Flammable Fabrics Act which has criminal penalties. Other safety acts, from drug laws to interstate motor carrier safety, contain criminal sanctions. The reason for such sanctions is overwhelmingly obvious. No one should knowingly and willfully violate a safety law without being bought to justice under the criminal law. Otherwise, the law has blunted teeth and the law's administrator has too little legitimate enforcement tools to do his job in protecting the public. As Congress recognized in the oil pipeline safety legislation and in the pipeline theft bill, the criminal penalty is a major deterrent to knowing violations. Exactly the same is true for natural gas pipeline safety. I strongly urge the adoption of this amendment as one which furthers the safety purposes of the legislation and provides the basis for just and effective enforcement.

I yield to the Senator from Louisiana.

The PRESIDING OFFICER. How much time does the Senator yield?

Mr. MAGNUSON. I yield 5 minutes to the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, there are more than 10,000 deaths from automobiles for every death that occurs from a gas pipeline.

No one ever deliberately or intentionally builds a defective pipeline. If a pipeline is defective, it is because someone made a mistake. It is bad business; no one would want to do it, but it sometimes happens.

But if a pipeline blows up, Mr. President, as occasionally occurs—it has happened in Louisiana, and could happen elsewhere—the whole community sometimes sues the pipeline company for negligence.

At that point, it is very much to the advantage of everyone in the community who suffered in any respect whatever, directly or indirectly, to find the company liable, to find that there was negligence, that the company should have known, and that something should have been done to prevent it.

Criminal liability in this bill is unfair because if these people could be brought into court and found criminally liable, then in a civil suit they would be virtually automatically liable for damages. This would give the entire community a chance to join together against some poor, unfortunate, out-of-State defendant who is unable to defend himself against criminal liability and the community would have the knowledge that if the defendant is criminally liable, he will lose a civil suit.

Nothing of that sort was done with respect to a defective automobile in the automobile safety bill, even though the Senator from Indiana, in whose State automobiles are manufactured, did urge the Senate to put criminal penalties on anyone who manufactured defective automobiles or automobile parts. The Senator is consistent. However, the Senate, by an 8-to-1 margin, I believe, thought that would be unfair because no one deliberately manufactures an unsafe or defective automobile or automobile part.

We did not do anything of that sort with respect to people who manufacture parts for locomotives or Pullman cars. We did nothing of that sort with respect to someone who manufactures airplane parts.

We recognize that a manufacturer owes a responsibility for negligence, but no one knowingly undertakes to provide facilities which would endanger the lives of other people.

Why would we want to do anything of this sort if we did not do it for any other form of transportation—automobiles, airplanes, railroads, steamships?

Why should we single out one industry, which is not the big killer?

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. DIRKSEN. The committee upheld this with reference to civil penalties. There is provision in the bill for a civil penalty of not to exceed $1,000 for each violation and it may go to an amount not to exceed $400,000 for any related series of violations.

We then have the normal flexibility in that a tort action can be filed at any time. I do not know what more we have to do in respect of the enforcement of a bill like this.

I do not know exactly why we have to put the finger on people by using the words knowingly and willfully and make it appear that the act is a criminal act.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may be permitted to continue for an additional 5 minutes.

Mr. MAGNUSON. Mr. President, I yield 3 additional minutes to the Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 3 additional minutes.

Mr. MAGNUSON. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. LONG of Louisiana. Mr. President, with respect to criminal sanctions, we must realize that we are talking about a situation in which practically all of those who lay pipes are corporations. Everyone knows that we cannot put a corporation in jail. All we can do is levy a fine against the corporation.

What is the difference then between that and a civil penalty action, where one sues to find someone negligent and liable for damages? The only real difference is that once in a long while with regard to something like these little gathering lines—which were never intended to be put in the bill, but were put in the bill by a committee vote—some poor, unfortunate soul finds himself doing business as an individual rather than as a corporation. He is in a position therefore to be punished and crucified because of the most inconceivable possible prejudice merely because he is a little fellow who did business in his individual name and did not possibly conceive that Congress might pass some legislation such as this with a criminal penalty. Nevertheless, they put him in jail as a criminal and make him liable for damages which he may have no way of paying because he does not have that kind of net worth.

If it is the judgment of Congress that no other form of transportation should bear criminal penalties, I submit that it should not be the judgment of Congress that this particular industry should bear criminal penalties. It is an industry in which serious injuries would be done to the very little people who did business in their own name rather than as corporations.

The **PRESIDING OFFICER**. The time of the Senator has expired.

Mr. **LONG** of Louisiana. Mr. President, I ask unanimous consent that I may proceed for 1 additional minute.

The **PRESIDING OFFICER**. The Senator from Louisiana is recognized for 1 additional minute.

Mr. **LONG** of Louisiana. Mr. President, we did not do this to anybody else. I would hope that we will not do it to this industry. I believe in fairness that we should vote against doing it to any industry under these circumstances.

We have considered this problem before in the committee, and we voted down the suggestion by an overwhelming vote, by, I believe, a vote of 5 to 1.

The Senate also voted a similar suggestion down by an overwhelming vote on the automobile safety bill.

I hope the Senate will follow that same precedent here.

MODIFICATION OF UNANIMOUS-CONSENT AGREEMENT

Mr. **MAGNUSON**. Mr. President, when I agreed to the unanimous-consent request, I did not realize that so many Senators wanted to talk on this subject.

I ask unanimous consent that each side be granted an additional 5 minutes.

The **PRESIDING OFFICER**. Is there objection? The Chair hears none, and it is so ordered.

Mr. **MAGNUSON**. Mr. President, I yield 3 minutes to the Senator from Michigan.

The **PRESIDING OFFICER**. The Senator from Michigan is recognized for 3 minutes.

Mr. **GRIFFIN**. Mr. President, I rise to express my hope that the pending amendment will be rejected.

We are once again plowing new ground and imposing regulations in an area where we want the cooperation of industry and where there is every indication to expect that industry will cooperate.

Frankly, the case for safety regulations presented during committee consideration and floor debate has not been a strong case. The number of accidents and deaths in the transmission and distribution of gas is not a startling or bad record. In general, the industry has a good record.

I think that in this legislation we are primarily concerned with the potential danger and hazards that may confront us.

As a member of the Commerce Committee, I have gone along with the legislation and supported it. I supported the amendment of the Senator from Ohio [Mr. Lausche] to include gathering lines because I do not think any particular segment of this industry should be excluded. But I hope that the Senate will not take the unusual and almost unprecedented action of imposing criminal sanctions in this particular legislation.

In our consideration of this matter, we should keep in mind that the amendment of the Senator from Indiana [Mr. Hartke] calls for criminal penalties not only for a violation of the statutory language itself, but also for a violation of the regulations to be promulgated in the future by appointed officials.

I realize this has been done before, but frankly I think we have gone too far in delegating legislative authority with respect to civil matters and by allowing appointed bureaucrats to frame and enact criminal provisions. I believe this is a questionable procedure under any circumstances. It is bad public policy in an area such as this, where we are moving into a new field and trying, in the public interest, to get the cooperation of an industry. I believe that we will get better cooperation, we will have more safety, if we move cautiously and rely, at least in the first instance, on civil remedies.

We can always review this legislation again in 5 years and see how it has worked. If at that point it seems desirable and necessary to impose criminal sanctions, then I believe that would be the time to do it, not now.

Mr. **HARTKE**. Mr. President, will the Senator yield on my time?

Mr. **PROUTY**. I yield.

Mr. **HARTKE**. I should like to ask a simple question: If a schoolhouse had a pipeline such as this under it and an employee knew that pipeline was in this condition and did not do anything about it, and it blew up the schoolhouse, how quickly would we have criminal penalties? So quickly that it would make our heads swim. If a man knew a pipe was in this condition and did not do anything about it, something should happen to him.

Mr. **PROUTY**. The answer to the question of the Senator from Indiana is that his amendment goes much further than that. His amendment deals in terms of violation of regulation to be promulgated. Now he is talking about compliance with very technical codes which require technical knowledge to devise and to promulgate these regulations. There can be differences of opinion as to whether or not there is compliance.

An officer of a corporation may knowingly and willfully disagree with the interpretation of a regulation, but the Senator is saying in effect, by putting in this language, that the officer does that at the risk of going to jail, even though he may have a good faith difference of opinion.

Mr. **HARTKE**. The same is true with respect to the pure food and drug law.

Mr. **PROUTY**. I have said that I believe we have gone too far in many of these instances. We have given unnamed bureaucrats the power at times to harass and abuse, when they should not have that power.

Mr. **HARTKE**. It applies to food; to aircraft, concerning air worthiness certificates; interference with navigation.

Mr. **MAGNUSON**. Mr. President, will the Senator yield?

Mr. **HARTKE**. I yield to the Senator from New York.

The **PRESIDING OFFICER**. How much time does the Senator from Indiana yield to the Senator from New York?

Mr. **HARTKE**. I yield 2 minutes.

Mr. **KENNEDY** of New York. Mr. President, I rise in support of the amendment of the Senator from Indiana.

In my judgment Senate bill S. 1166—the Natural Gas Pipeline Safety Act—is a welcome step in the protection of the public from the grave dangers proposed by unsafe pipelines. Those of us who remember the narrow escape of hundreds of Brooklyn residents last winter, when a gas main exploded, are well aware of the need for this protection. With the effort of the Secretary of Transportation, and with cooperation from the natural gas industry—one of the most safety conscious of all industries—citizens can be assured of the greatest possible protection.

There are, however, two omissions in this bill which I believe require adjustment:

First, the exemption of gathering lines from the standards of this bill which we have just included;

Second, the omission of criminal penalties of willful violations of this act.

I fail to understand why gathering lines—those pipelines which run from individual wells to the main transmission lines—should be exempted from the reach of this act. The committee report tells us:

> Any failure of a pipe may cause major amounts of gas to be released to the atmosphere in a relatively short period of time. Any gas thus escaping which is mixed with air may ignite . . .

But this is true of gathering lines as well as transmission lines. The committee report tells us that "the age of some of the pipeline throughout the country" contributes to the risk of death and injury. But this is true of gathering lines as well; in fact, because of the temporary nature of these pipes, gathering lines are often far less sturdy and far more subject to failure than the larger transmission lines.

With more than 63,000 lines of gathering pipelines which range throughout 25

States, and with more than a dozen States having no jurisdiction whatsoever over these lines, it is hard to understand why Federal protection should not extend to gathering lines. And when we remember that these lines run through major metropolitan areas such as Los Angeles—when we remember that thousands of workers are threatened by unsafe gathering lines running beneath the fields in which they work—I think we owe it to millions of Americans to afford the best possible protection. And I am happy we have adopted the Lausche amendment.

A second shortcoming of S. 1166 is that it does not provide criminal penalties for willful violations of this act. We are speaking now as I believe the Senator from Indiana has pointed out, not of simple negligence, not of accidents of fate, but of those who willfully and knowingly subject workers and consumers to the grave dangers of unsafe pipelines. Over the period of years between January 1950 and August 1965, 64 deaths and 225 serious injuries occurred because of pipeline accidents and it was only through good luck—such as on Long Island last winter—that this toll did not increase greatly. The men who run the natural gas industry are not corporate fictions; they are individuals whose judgment and whose sense of public responsibility can affect the lives and safety of literally millions of Americans. If these men deliberately subject the public to mortal danger, why should they be exempted from responsibility?

Executives in industry, labor and government are criminally responsible for fraud and tax evasion, and for violation of Government imposed standards. Why should men go to jail for depriving shareholders and consumers of money, yet be exempted from criminal penalties for threatening their safety and their lives?

In my judgment, if the strict standards of criminal responsibility are met, then those who are guilty of willful violations of this important act should bear the price of that guilt.

Mr. President, I support S. 1166. But I believe it would be a better bill if these two omissions were corrected.

At this time I wish to commend the Senator from Washington for the unprecedented effort he has made on behalf of consumers while he has served in the Senate. The work and effort he has devoted to this measure is another indication of his leadership in this body.

Mr. MAGNUSON. I thank the distinguished Senator from New York.

Mr. President, I yield the remainder of my time to the Senator from Oklahoma.

Mr. MONRONEY. Mr. President, I rise in opposition to the amendment of the distinguished Senator from Indiana. The Senator has compared the gas line industry with a number of other types of transportation. I am at a loss to see the cogency of his argument.

As a matter of fact, I know of no airline presidents or airline board of directors who are subject to or would be prosecuted for an air accident or an air mishap under the terms of legislation affecting them.

I am certain that railroad officials and others connected with the direction of this vital means of transportation are not subject to the penalties he would impose upon the executives and the men who plan and engineer the pipelines of this great Nation.

Automobiles in great numbers cruise the highways at speeds in excess of 70 and 80 miles an hour, and I am certain that the officials and workers of that industry are not subject to the criminal penalties the Senator would seek to impose upon the executives or management or workers of the gas industry.

I am also certain that the busline operators are not subject to a restriction such as he would attempt to impose upon the gas industry.

Therefore, I wonder why the gas industry is so vicious in his mind that he wishes to make criminal penalties apply to accidents in an industry which represents perhaps one of the finest examples of safety that I have ever seen.

The National Safety Council, in its statistics for 1966, indicates that there were 113,000 accidental deaths in the United States from all causes. These are their figures. I hold in my hand a graph showing the comparison of figures.

Motor vehicles—53,000 deaths in 1966. Yet, the manufacturers, the repairmen, the servicemen, and the drivers themselves are not subject to criminal penalties, under the legislation that has recently been passed, such as the distinguished Senator from Indiana would impose on the management and others in the gas industry.

Home accidents: I do not believe any criminal provision would apply to a husband because of a home accident to a child or his wife or a member of his family. These accidents are second in number and total some 29,500 deaths.

No such law applies to officials of the air industry, in which I am vitally interested. It applies only to the wilful violation of certification of airworthiness, and this is taken care of in an injunctive manner, about which I shall speak later.

Water transportation: There were 1,100 fatalities in 1966, and only for the use of boilers that already had been found defective are people subject to criminal prosecution.

No such penalties apply to the railroad industry, according to the best staff work I have been able to obtain, and that industry had 800 fatalities in 1966.

Bathtub fatalities number 200; yet, I do not believe I have seen the Senator from Indiana introducing a bill to make the executives or the dealers in the bathtub industry criminally liable.

Lightning fatalities totaled 194 for 1966.

Why should we rush in at this late date to say, before we know anything about the subject, "We are going to make you subject to criminal penalties unless you can"—and this is perhaps the way it works—"prove that you did not knowingly or willfully plan this accident or permit willfully and knowingly a deficency in equipment of thousands of miles of line and pipe that may have rotted underground?"

I think the record of the entire industry does not justify it, and that goes for gathering, distribution in the cities, and the long-line transmissions of some 17.5 trillion cubic feet of gas each year. Of course, even one fatality is too many, but I think the industry is to be congratulated, with all of this activity in all of the States and the transmission from the wellheads to tens of millions of homes from Maine to Florida. Their rate of fatalities was less than four for the year 1966. The pipeline fatalities numbered two for the general public and two employees. On a 15½-year scale the average has been less than four for the entire period.

Yet we are told that this is such a crisis we cannot wait until we get the regulation that they are going to be found criminally liable for violating under the amendment of the Senator from Indiana.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MONRONEY. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

Mr. MAGNUSON. Mr. President, I yield 2 minutes to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Washington has no time available.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the Senator from Oklahoma be permitted to proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONRONEY. Mr. President, this matter is covered in paragraph (b) of section 10 of the bill, where it is provided:

> (b) In any proceeding for criminal contempt for violation of an injunction or restraining order issued under this section, which violation also constitutes a violation of this Act, trial shall be by the court or, upon demand of the accused, by a jury. Such trial shall be conducted in accordance with the practice and procedure applicable in the case of proceedings subject to the provisions of rule 42(b) of the Federal Rules of Criminal Procedure.

Certainly this injunctive provision for criminal punishment where the accused has been proven to have violated any order that is made in connection with improvement, removal, or change of equipment used, or in the operation of the transportation of gas, or operation of a pipeline facility is a proper safeguard rather than by having a man harmed by some bureaucrat who is 1,500 miles from the scene of the accident, did not know anything personally about the condition of the pipe, and only by having the advice of subordinates reaching down through the many States.

This bill places the blame where it belongs where an injunction is made and received against a gas transportation or distribution company; then, if any member or official in charge violates that injunction he is subject to criminal violation and can be held in jail until the defective parts found by the inspector have been replaced by that company.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. DIRKSEN. I wish to point out, in line with the Senator's argument, that if an action for criminal penalty is undertaken the case has to be proved beyond reasonable doubt, whereas in any other case the weight of the evidence is all that is required. So why take a chance and go to all this trouble, and include criminal penalties in a bill of this kind? These people are not criminals. They are well intentioned businessmen. Willingly and knowingly they would not for a moment violate any safety factor or regulation. Yet we come along and try to put a criminal brand on them, which I deem to be unfair.

Mr. MONRONEY. The record of four accidents in the entire United States is indicative of the fact that they have been conscious of safety requirements. An average like this one does not happen accidentally when one considers the trillions of cubic feet of gas that are distributed in all of the States. Yet before we get around to formulating regulations it is urged to hit everybody from officials down to ditchdiggers with criminal penalties for presumption of guilt. That provision is not needed when there is provided criminal injunctions which can be properly applied for in the event of the willful violation of any order condemning or prohibiting further use of a portion of that facility.

I yield the floor.

Mr. MAGNUSON. Mr. President, unless other Senators wish to speak, I yield back the remainder of my time. The yeas and nays have been ordered.

Mr. HARTKE. I yield back the remainder of my time.

The **PRESIDING OFFICER.** All time is yielded back. The question is on agreeing to the amendment of the Senator from Indiana [Mr. HARTKE]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MANSFIELD (after having voted in the affirmative). On this vote, I have a pair with the distinguished Senator from Kentucky [Mr. MORTON]. If he were present and voting, he would vote "nay"; if I were at liberty to vote, I would vote "yea." I withdraw my vote.

Mr. BYRD of West Virginia (after having voted in the affirmative). On this vote, I have a pair with the distinguished Senator from Oregon [Mr. MORSE]. If he were present and voting, he would vote "yea"; if I were at liberty to vote, I would vote "nay." I withdraw my vote.

I announce that the Senator from Nevada [Mr. CANNON], the Senator from Tennessee [Mr. GORE], the Senator from North Carolina [Mr. JORDAN], the Senator from Oregon [Mr. MORSE], the Senator from Maryland [Mr. TYDINGS], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I also announce that the Senator from Indiana [Mr. BAYH], the Senator from Connecticut [Mr. DODD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Minnesota [Mr. MCCARTHY], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Florida [Mr. SMATHERS], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Texas [Mr. YARBOROUGH], are necessarily absent.

I further announce that, if present and voting, the Senator from Nevada [Mr. CANNON] would vote "nay."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from Tennessee [Mr. BAKER], the Senators from California [Mr. KUCHEL and Mr. MURPHY], the Senator from Kentucky [Mr. MORTON], and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

The Senator from Iowa [Mr. MILLER] is absent on official business.

If present and voting, the Senator from Colorado [Mr. ALLOTT], the Senators from California [Mr. KUCHEL and Mr. MURPHY], the Senator from Iowa [Mr. MILLER], and the Senator from Pennsylvania [Mr. SCOTT] would each vote "nay."

The pair of the Senator from Kentucky [Mr. MORTON] has been previously announced.

The result was announced—yeas 31, nays 44, as follows:

[No. 315 Leg.]

YEAS—31

Aiken
Bartlett
Bible
Brewster
Burdick
Byrd, Va.
Case
Church
Clark
Gruening
Hartke
Hayden
Inouye
Jackson
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Magnuson
McGee
McIntyre
Metcalf
Mondale
Moss
Muskie
Nelson
Proxmire
Randolph
Smith
Spong
Symington
Williams, N.J.

NAYS—44

Anderson
Bennett
Boggs
Brooke
Carlson
Cooper
Cotton
Curtis
Dirksen
Dominick
Ellender
Ervin
Fannin
Fong
Griffin
Hansen
Harris
Hart
Hatfield
Hickenlooper
Hill
Holland
Hollings
Hruska
Javits
Jordan, Idaho
Lausche
Long, La.
McClellan
Monroney
Montoya
Mundt
Pastore
Pearson
Pell
Percy
Prouty
Russell
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—25

Allott
Baker
Bayh
Byrd, W. Va.
Cannon
Dodd
Eastland
Fulbright
Gore
Jordan, N.C.
Kuchel
Mansfield
McCarthy
McGovern
Miller
Morse
Morton
Murphy
Ribicoff
Scott
Smathers
Sparkman
Tydings
Yarborough
Young, Ohio

So Mr. HARTKE's amendment was rejected.

The **PRESIDING OFFICER.** The committee amendment is open to further amendment.

Mr. DOMINICK. Mr. President, I send to the desk an amendment. It is in handwritten form. If my colleagues will bear with me, I will not take more than 2 minutes.

The **PRESIDING OFFICER.** The amendment offered by the Senator from Colorado will be stated.

The legislative clerk read the amendment, as follows:

On page 24, line 25, strike the period and add "but not in excess of 10 million dollars for the fiscal year ending June 30, 1969; 13 million dollars for the fiscal year ending June 30, 1970; and 15 million dollars for the fiscal year ending June 30, 1971."

Mr. DOMINICK. Mr. President, I think many of us have an adverse reaction to open-ended authorizations and have been trying our best to avoid them.

All I am trying to do in this particular amendment is to put a specific authorization in the bill so the Appropriations Committee will have some knowledge of what the limitation on expenditures should be. This has been a particularly complicated matter to work out because of the way the bill is drafted.

It is my hope, or expectation, that if the Secretary puts the fee system as stated in the bill into effect, it will cost far less than the amount of authorization here proposed. It is my understanding that these figures are agreeable to the distinguished Senator from Washington [Mr. MAGNUSON], and if so, I would hope he would accept them.

Mr. MAGNUSON. Mr. President, I agree with the distinguished Senator from Colorado. It is difficult to tell how much might be needed, in view of the fact that the States may assume the program. It is hard to evaluate how many States will assume it or whether all of them will. I think the limitations suggested of $10 million for 1968——

Mr. DOMINICK. It was my understanding that probably action would be taken by the House in June, and it would go into effect in fiscal year 1969. So $10 million is provided for fiscal 1969. There would not be any authorization for fiscal 1968.

Mr. MAGNUSON. Ten, twelve, and fifteen million dollars.

Mr. DOMINICK. No; 10, 13, and 15 million dollars.

Mr. MAGNUSON. If the Federal Government should have to assume all of the State's costs—which I hope will not be the case, and I assume will not.

I think at this time I should also read into the RECORD the letter sent to me by the Secretary of Transportation yesterday. I asked him for the estimates the Senator from Colorado is talking about. The letter reads as follows:

DEAR MR. CHAIRMAN: You have asked for an estimate of the cost of a joint Federal-state implementation of S. 1166.

The bill as reported by Committee calls for a Federal preemption of interstate transmission system safety regulation. An optional control of intrastate distribution lines is provided, in which the states, pursuant to compliance with minimum Federal standards, may assume the responsibility for such regulation. If a state declines that responsibility, the Federal Government would assume it.

That is why we have the ceilings here.

The bill, furthermore, permits both the Secretary of Transportation and the states to levy fees to meet the costs of the inspection and enforcement activities required by this Act. It would be my intent to require fees for all Federal inspection and enforcement. This would, therefore, require only a small sum, approximately $2 million, from the general fund for routine administrative costs and for research.

We estimate that the total cost of enforcement and inspection for all pipeline systems throughout the country, both transmission and distribution, would be approximately

$23 million, evenly divided between transmission and distribution. As stated, we would require fees to meet the approximately $11.5 million cost—

We have changed it—

of Federal inspection and enforcement on transmission lines. This would leave $11.5 million to be raised for inspection and enforcement on distribution lines.

The bill reported by the Committee would permit the Secretary of Transportation to provide up to 50 percent, on a grant-in-aid basis, of the costs of this $11.5 million estimated cost. However, I would emphasize that this is not a minimum 50 percent contribution but a maximum.

It would be my intent to seek a formula of Federal contribution which will provide for maximum state participation. It would also be my judgment, one that I would anticipate would be universally implemented, that the states themselves would require fees for whatever costs were involved to discharge their responsibility.

In summation, it is not possible for me at this stage, without a thorough dialogue with the states, to give you a precise figure for a total Federal contribution, but I can assure you it will be a minor portion of the total of $25 million we estimate will be necessary for administration, research, inspection and enforcement on a nationwide scale.

Sincerely,

ALAN S. BOYD.

I think the department can work well within the ceilings suggested by the Senator from Colorado.

Mr. DOMINICK. I thank the Senator—and I would like to emphasize that I am not trying to inject myself into the Commerce Committee, although I had the pleasure of serving on it until this year. However, I think, as a matter of policy, wherever we possibly can, we should put specific dollar limitations in legislation rather than leaving authorization open ended.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Colorado to the committee amendment.

The amendment to the amendment was agreed to.

Mr. MAGNUSON. Mr. President, I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

The PRESIDING OFFICER. The committee amendment is open to further amendment.

If there be no further amendment to be proposed, the question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The committee amendment, as amended, was agreed to.

The PRESIDING OFFICER. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. MAGNUSON. Mr. President, I yield back my time.

Mr. MANSFIELD. Mr. President, I yield back whatever time I have.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. CANNON], the Senator from Tennessee [Mr. GORE], the Senator from North Carolina [Mr. JORDAN], the Senator from Oregon [Mr. MORSE], the Senator from Maryland [Mr. TYDINGS], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I also announce that the Senator from Connecticut [Mr. DODD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Minnesota [Mr. McCARTHY], the Senator from South Dakota [Mr. McGOVERN], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Florida [Mr. SMATHERS], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Texas [Mr. YARBOROUGH] are necessarily absent.

I further announce that, if present and voting, the Senator from Nevada [Mr. CANNON], the Senator from Connecticut [Mr. DODD], the Senator from Tennessee [Mr. GORD], the Senator from North Carolina [Mr. JORDAN], the Senator from South Dakota [Mr. McGOVERN], the Senator from Oregon [Mr. MORSE], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Alabama [Mr. SPARKMAN], the Senator from Maryland [Mr. TYDINGS], the Senator from Texas [Mr. YARBOROUGH], and the Senator from Ohio [Mr. YOUNG] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from Tennessee [Mr. BAKER], the Senators from California [Mr. KUCHEL and Mr. MURPHY], the Senator from Kentucky [Mr. MORTON], and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

The Senator from Iowa [Mr. MILLER] is absent on official business.

If present and voting, the Senator from Colorado [Mr. ALLOTT], the Senators from California [Mr. KUCHEL and Mr. MURPHY], the Senator from Iowa [Mr. MILLER], the Senator from Kentucky [Mr. MORTON], and the Senator from Pennsylvania [Mr. SCOTT] would each vote "yea."

The result was announced—yeas 78, nays 0, as follows:

[No. 316 Leg.]

YEAS—78

Aiken
Anderson
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dominick
Ellender
Ervin
Fannin
Fong
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGee
McIntyre
Metcalf
Mondale
Monroney
Montoya
Moss
Mundt
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Russell
Smith
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Young, N. Dak.

NOT VOTING—22

Allott
Baker
Cannon
Dodd
Eastland
Fulbright
Gore
Jordan, N.C.
Kuchel
McCarthy
McGovern
Miller
Morse
Morton
Murphy
Ribicoff
Scott
Smathers
Sparkman
Tydings
Yarborough
Young, Ohio

So the bill (S. 1166) was passed, as follows:

S. 1166

An act to authorize the Secretary of Transportation to prescribe safety standards for the transportation of natural and other gas by pipeline, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "the Natural Gas Pipeline Safety Act of 1967".

DEFINITIONS

SEC. 2. As used in this Act—

(1) "Person" means any individual, firm, joint venture, partnership, corporation, association, State, municipality, cooperative association, or joint stock association, and includes any trustee, receiver, assignee, or personal representative thereof;

(2) "Gas" means natural gas, flammable gas, or nonflammable hazardous gas;

(3) "Transportation of gas" means the gathering, transmission or distribution of gas by pipeline or its storage in or affecting interstate or foreign commerce;

(4) "Pipeline facilities" includes, without limitation, new and existing pipe, rights-of-way, and any equipment, facility, or building used in the transportation of gas or the treatment of gas, but "rights-of-way" as used in this Act does not authorize the Secretary to prescribe the location or routing of any pipeline facility;

(5) "State" includes each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico;

(6) "Municipality" means a city, county, or any other political subdivision of a State;

(7) "National organization of the State commissions" means the national organization of the State commissions referred to in part II of the Interstate Commerce Act;

(8) "Adversely affected" includes exposure to personal injury or property damage;

(9) "Interstate transmission facilities" means pipeline facilities used in the transportation of gas which are subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act; and

(10) "Secretary" means the Secretary of Transportation.

STANDARDS ESTABLISHED

SEC. 3. (a) As soon as practicable but not later than three months after the enactment of this Act, the Secretary shall, by order, adopt as interim minimum Federal safety standards for pipeline facilities and the transportation of gas in each State the State standards regulating pipeline facilities and the transportation of gas within such State on the date of enactment of this Act. In any State in which no such standards are in effect, the Secretary shall, by order, establish interim Federal safety standards for pipeline facilities and the transportation of gas in such State which shall be such standards as are common to a majority of States having safety standards for the transportation of gas and pipeline facilities on such date. Interim standards shall remain in effect until amended or revoked pursuant to this section. Any State may adopt such additional or more stringent standards for pipeline facilities and the transportation of gas not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act as are not incompatible with the Federal minimum standards, but may not adopt or continue in force after the interim standards provided for above become effective any such standards applicable to interstate transmission facilities.

(b) Not later than twenty-four months after the enactment of this Act, and from time to time thereafter, the Secretary shall, by order, establish minimum Federal safety standards for the transportation of gas and pipeline facilities. Such standards may apply to the design, installation, inspection, testing, construction, extension, operation, replacement, and maintenance of pipeline facilities. Standards affecting the design, installation, construction, initial inspection, and initial testing shall not be applicable to pipeline facilities in existence on the date such standards are adopted, unless the Secretary finds that a potentially hazardous situation exists, in which case he may by order require compliance with any such standards. Such Federal safety standards shall be practicable and designed to meet the need for pipeline safety. In prescribing such standards, the Secretary shall consider—

(1) relevant available pipeline safety data;

(2) whether such standards are appropriate for the particular type of pipeline transportation;

(3) the reasonableness of any proposed standards; and

(4) the extent to which such standards will contribute to public safety.

(c) Any standards prescribed under this section, and amendments thereto, shall become effective thirty days after the date of issuance of such standards unless the Secretary, for good cause recited, determines an earlier or later effective date is required as a result of the period reasonably necessary for compliance.

(d) The provisions of subchapter II of chapter 5 of title 5 of the United States Code shall apply to all orders establishing, amending, revoking, or waiving compliance with, any standard established under this Act. The Secretary shall afford interested persons an opportunity to participate fully in the establishment of such safety standards through submission of written data, views, or arguments with opportunity to present oral testimony and argument.

(e) Upon application by any person engaged in the transportation of gas or the operation of pipeline facilities, the Secretary may, after notice and opportunity for hearing and under such terms and conditions and to such extent as he deems appropriate, waive in whole or in part compliance with any standard established under this Act, if he determines that a waiver of compliance with such standard is not inconsistent with gas pipeline safety. The Secretary shall state his reasons for any such waiver. A State agency, with which an agreement is in effect pursuant to section 5(a), may waive compliance with a safety standard in the same manner as the Secretary, provided such State agency gives the Secretary written notice at least sixty days prior to the effective date of the waiver. If, before the effective date of a waiver to be granted by a State agency, the Secretary objects in writing to the granting of the waiver, any State action granting the waiver will be stayed. After notifying such State agency of his objection, the Secretary shall afford such agency a prompt opportunity to present its request for waiver, with opportunity for hearing, and the Secretary shall determine finally whether the requested waiver may be granted.

TECHNICAL PIPELINE SAFETY STANDARDS COMMITTEE

Sec. 4. (a) The Secretary shall establish a Technical Pipeline Safety Standards Committee. The Committee shall be appointed by the Secretary, after consultation with public and private agencies concerned with the technical aspect of the transportation of gas or the operation of pipeline facilities, and shall be composed of fifteen members each of whom shall be technically qualified by training and experience in one or more fields of engineering applied in the transportation of gas or the operation of pipeline facilities to evaluate gas pipeline safety standards, as follows:

(1) Five members shall be selected from governmental agencies, including State and Federal Governments, one of whom, after consultation with representatives of the national organization of State commissions, shall be a State commissioner;

(2) Five members shall be selected from the natural gas industry after consultation with industry representatives, not less than three of whom shall be currently engaged in the active operation of natural gas pipelines; and

(3) Five members shall be selected from the general public.

(b) The Secretary shall submit to the Committee all proposed standards and amendments to such standards and afford such Committee a reasonable opportunity, not to exceed ninety days, unless extended by the Secretary, to prepare a report on the technical feasibility, reasonableness, and practicability of each such proposal. Each report by the Committee, including any minority views, shall be published by the Secretary and form a part of the proceedings for the promulgation of standards. In the event that the Secretary rejects the conclusions of the majority of the Committee, he shall not be bound by such conclusions but shall publish his reasons for rejection thereof. The Committee may propose safety standards for pipeline facilities and the transportation of gas to the Secretary for his consideration. All proceedings of the Committee shall be recorded and the record of each such proceeding shall be available for public inspection.

(c) Members of the Committee other than Federal employees may be compensated at a rate to be fixed by the Secretary not to exceed $100 per diem (including travel time) when engaged in the actual duties of the Committee. All members, while away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently. Payments under this section shall not render members of the Committee employees or officials of the United States for any purpose.

AGREEMENTS WITH STATE AGENCIES

Sec. 5. (a) Subject to the provisions of this section, the Secretary is authorized by written agreement with an appropriate State agency to exempt from the Federal safety standards pipeline facilities and the transportation of gas not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act, under which agreement such State agency—

(1) adopts each Federal safety standard applicable to such transportation of gas and pipeline facilities and any amendment to each such standard, established under this Act;

(2) undertakes a program satisfactory to the Secretary, designed to achieve adequate compliance with such standards and with the plans of inspection and maintenance required by section 11; and

(3) agrees to cooperate fully in a system of Federal monitoring of such compliance program and reporting under regulations prescribed by the Secretary.

No such agreement may be concluded with any State agency which does not have the authority (i) to impose the sanctions provided under sections 9 and 10, (ii) to require record maintenance, reporting, and inspection responsibilities substantially the same as are provided under section 12, and (iii) to require the filing for approval of plans of inspection and maintenance described in section 11.

(b) With respect to any State agency with which the Secretary determines that he cannot enter into an agreement under subsection (a) of this section, the Secretary is authorized by agreement to authorize such agency to assume responsibility for, and carry out on behalf of the Secretary as it relates to pipeline facilities and the transportation of gas not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act the necessary actions to—

(1) establish an adequate program for record maintenance, reporting, and inspection designed to assist compliance with such standards;

(2) establish procedures for approval of plans of inspection and maintenance substantially the same as are required under section 11;

(3) to implement a compliance program acceptable to the Secretary including provision for inspection of pipeline facilities used in such transportation of gas; and

(4) to cooperate fully in a system of Federal monitoring of such compliance program and reporting under regulations prescribed by the Secretary.

Any agreement executed pursuant to this subsection shall require the State to promptly notify the Secretary of any violation or probable violation of a Federal safety standard which it discovers as a result of its program.

(c) (1) Upon an application submitted not later than September 30 in any calendar year, the Secretary is authorized to pay out of funds appropriated pursuant to section 15(a) up to 50 per centum of the cost of the personnel, equipment, and activities of a State agency reasonably required to carry out such agreement during the following calendar year. No such payment may be made unless the State agency making application under this subsection gives assurances satisfactory to the Secretary that the State agency will provide the remaining cost of such an agreement.

(2) Upon application by the national organization of State commissions, the Secretary is authorized to pay out of the funds appropriated pursuant to section 15(a) the sum of $20,000, plus such additional sums as he deems justified, to such national organization to pay the reasonable cost of coordinating the activities of the State commissions, to assist them in the maintenance and improvement of gas pipeline safety programs and to render technical assistance to such commissions in other regulatory matters.

(3) Payments under this section may be made in installments, in advance or by way of reimbursement, with necessary adjustments on account of overpayments and underpayments.

(4) The Secretary may, by regulation, provide for the form and manner of filing of applications under this section, and for such reporting and fiscal procedures as he deems necessary to assure the proper accounting for Federal funds.

(d) Where an exemption from Federal standards for pipeline facilities or the transportation of gas is in effect under subsection (a) of this section the provisions of sections 8(a) (1), 8(a) (2), 9, and 10 of this Act, shall not apply. Any such exemption shall remain in effect until a new or amended Federal safety standard for pipeline facilities or the transportation of gas not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act is established pursuant to this Act, and such exemption shall not apply to any such new standard or amendment until the State has adopted such new standard or amendment pursuant to the provisions of subsection (a) of this section. The provisions of this Act shall apply to such standard until such adoption has become effective.

(e) Any agreement under this section may be terminated by the Secretary if, after notice and opportunity for a hearing, he finds that the State agency has failed to comply with any provision of such agreement. Such finding and termination shall be published in the Federal Register, and shall become effective no sooner than fifteen days after the date of publication.

JUDICIAL REVIEW ORDERS

SEC. 6. (a) Any person who is or will be adversely affected or aggrieved by any order issued under this Act may at any time prior to the sixtieth day after such order is issued file a petition for a judicial review with the United States Court of Appeals for the District of Columbia or for the circuit wherein such petitioner is located or has his principal place of business. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary or other officer designated by him for that purpose.

(b) Upon the filing of the petition referred to in subsection (a), the court shall have jurisdiction to review the order in accordance with chapter 7 of title 5 of the United States Code and to grant appropriate relief as provided in such chapter.

(c) The judgment of the court affirming or setting aside, in whole or in part, any such order of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28 of the United States Code.

(d) Any action instituted under this section shall survive, notwithstanding any change in the person occupying the office of Secretary or any vacancy in such office.

(e) The remedies provided for in this section shall be in addition to and not in substitution for any other remedies provided by law.

COOPERATION WITH FEDERAL POWER COMMISSION AND STATE COMMISSIONS

SEC. 7. Whenever the establishment of a standard or action upon application for waiver under the provisions of this Act, would affect continuity of any gas services, the Secretary shall consult with and advise the Federal Power Commission or State commission having jurisdiction over the affected pipeline facility before establishing the standard or acting on the waiver application and shall defer the effective date until the Federal Power Commission or any such commission has had reasonable opportunity to grant the authorizations it deems necessary. In any proceedings under section 7 of the Natural Gas Act (15 U.S.C. 717f) for authority to establish, construct, operate, or extend a gas pipeline which is or will be subject to Federal or other applicable safety standards, any applicant shall certify that it will design, install, inspect, test, construct, operate, replace, and maintain the pipeline facilities in accordance with Federal and other applicable safety standards and plans for maintenance and inspection. Such certification shall be binding and conclusive upon the Commission unless the relevant enforcement agency has timely advised the Commission in writing that the applicant has violated safety standards established pursuant to this Act.

COMPLIANCE

SEC. 8. (a) Any person engaged in the transportation of gas shall—

(1) at all times after the date any applicable safety standard established under this Act takes effect comply with the requirements of such standard; and

(2) file and comply with a plan of inspection and maintenance required by section 12; and

(3) permit access to or copying of records, and make reports or provide information, and permit entry or inspection, as required under section 13.

(b) Nothing in this Act shall affect the common law or statutory tort liability of any person.

CIVIL PENALTY

SEC. 9. (a) Any person who violates any provision of section 8(a), or any regulation issued under this Act, shall be subject to a civil penalty of not to exceed $1,000 for each such violation for each day that such violation persists, except that the maximum civil penalty shall not exceed $400,000 for any related series of violations.

(b) Any such civil penalty may be compromised by the Secretary. In determining the amount of such penalty, or the amount agreed upon in compromise, the appropriateness of such penalty to the size of the business of the person charged, the gravity of the violation, and the good faith of the person charged in attempting to achieve compliance, after notification of a violation, shall be considered. The amount of such penalty, when finally determined, or the amount agreed upon in compromise, may be deducted from any sums owing by the United States to the person charged or may be recovered in a civil action in the United States district courts.

INJUNCTION AND JURISDICTION

SEC. 10. (a) The United States district courts shall have jurisdiction, subject to the provisions of rule 65 (a) and (b) of the Federal Rules of Civil Procedure, to restrain violations of this Act (including the restraint of transportation of gas or the operation of a pipeline facility) or to enforce standards established hereunder upon petition by the appropriate United States attorney or the Attorney General on behalf of the United States. Whenever practicable, the Secretary shall give notice to any person against whom an action for injunctive relief is contemplated and afford him an opportunity to present his views, and, except in the case of a knowing and willful violation, shall afford him reasonable opportunity to achieve compliance. However, the failure to give such notice and afford such opportunity shall not preclude the granting of appropriate relief.

(b) In any proceeding for criminal contempt for violation of an injunction or restraining order issued under this section, which violation also constitutes a violation of this Act, trial shall be by the court or, upon demand of the accused, by a jury. Such trial shall be conducted in accordance with the practice and procedure applicable in the case of proceedings subject to the provisions of rule 42(b) of the Federal Rules of Criminal Procedure.

(c) Actions under subsection (a) of this section and section 9 may be brought in the district wherein any act or transaction constituting the violation occurred, or in the district wherein the defendant is found or is an inhabitant or transacts business, and process in such cases may be served in any other district of which the defendant is an inhabitant or transacts business or wherever the defendant may be found.

(d) In any action brought under subsection (a) of this section and section 9, subpenas for witnesses who are required to attend a United States district court may run into any other district.

INSPECTION AND MAINTENANCE PLANS

SEC. 11. Each person who owns or operates any pipeline facility used in the transportation of gas not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act shall file with the Secretary or, where an agreement pursuant to section 5 is in effect, with the State agency, a plan for inspection and maintenance of each such pipeline facility owned or operated by such person, and any changes in such plan, in accordance with regulations prescribed by the Secretary or appropriate State agency. The Secretary may, by regulation, also require persons who own or operate pipeline facilities subject to the provisions of this Act to file such plans for approval. If at any time the agency with responsibility for enforcement of compliance with the standards established under this Act finds that such plan is inadequate to achieve safe operation, such agency may, after notice and opportunity for a hearing, require such plan to be revised. The plan required by the agency shall be practicable and designed to meet the need for pipeline safety. In determining the adequacy of any such plan, such agency shall consider—

(1) relevant available pipeline safety data;

(2) whether the plan is appropriate for the particular type of pipeline transportation;

(3) the reasonableness of the plan; and

(4) the extent to which such plan will contribute to public safety.

RECORDS, REPORTS, AND INSPECTION FOR COMPLIANCE

SEC. 12. (a) Every person engaged in the transportation of gas or the operation of pipeline facilities shall establish and maintain such records, make such reports, and provide such information as the Secretary may reasonably require to enable him to determine whether such person has acted or is acting in compliance with this Act and the standards established under this Act. Each such person shall, upon request of an officer, employee, or agent authorized by the Secretary, permit such officer, employee, or agent to inspect books, papers, records, and documents relevant to determining whether such person has acted or is acting in compliance with this Act and the standards established pursuant to this Act.

(b) The Secretary is authorized to conduct such monitoring of State enforcement practices and such other inspection and investigation as may be necessary to aid in the enforcement of the provisions of this Act and the standards established pursuant to this Act. He shall furnish the Attorney General any information obtained indicating noncompliance with such standards for appropriate action. For purposes of enforcement of this Act, officers, employees, or agents authorized by the Secretary, upon presenting appropriate credentials to the individual in charge, are authorized (1) to enter upon, at reasonable times, pipeline facilities, and (2) to inspect, at reasonable times and within reasonable limits and in a reasonable manner, such facilities. Each such inspection shall be commenced and completed with reasonable promptness.

(c) Accident reports made by any officer, employee, or agent of the Department of Transportation shall be available for use in any civil, criminal, or other judicial proceeding arising out of such accident. Any such officer, employee, or agent may be required to testify in such proceedings as to the facts developed in such investigations. Any such report shall be made available to the public in a manner which need not identify individuals. All reports on research projects, demonstration projects, and other related activities shall be public information.

(d) All information reported to or otherwise obtained by the Secretary or his representative pursuant to subsection (a), (b), or (c) which information contains or relates to a trade secret referred to in section 1905 of title 18 of the United States Code shall be considered confidential for the purpose of that section, except that such information may be disclosed to other officers or employees concerned with carrying out this Act or when relevant in any proceeding under this Act. Nothing in this section shall authorize the withholding of information by the Secretary or any officer, employee, or agent under his control, from the duly authorized committees of the Congress.

ADMINISTRATION

SEC. 13. (a) The Secretary shall conduct research, testing, development, and training necessary to carry out the provisions of this Act. The Secretary is authorized to carry out the provisions of this section by contract, or by grants to individuals, States, and nonprofit institutions.

(b) Upon request, the Secretary shall furnish to the Federal Power Commission any information he has concerning the safety of any materials, operations, devices, or processes relating to the transportation of gas or the operation of pipeline facilities.

(c) The Secretary is authorized to advise, assist, and cooperate with other Federal departments and agencies and State and other interested public and private agencies and persons, in the planning and development of (1) Federal safety standards and (2) methods for inspecting and testing to determine compliance with Federal safety standards.

REPORTS

Sec. 14. (a) The Secretary shall prepare and submit to the President for transmittal to the Congress on March 17 of each year a comprehensive report on the administration of this Act for the preceding calendar year. Such report shall include—

(1) a thorough compilation of the accidents and casualties occurring in such year with a statement of cause whenever investigated and determined by the National Transportation Safety Board;

(2) a list of Federal gas pipeline safety standards established or in effect in such year with identification of standards newly established during such year;

(3) a summary of the reasons for each waiver granted under section 3(e) during such year;

(4) an evaluation of the degree of observance of applicable safety standards for the transportation of gas and pipeline facilities including a list of enforcement actions, and compromises of alleged violations by location and company name;

(5) a summary of outstanding problems confronting the administration of this Act in order of priority;

(6) an analysis and evaluation of research activities, including the policy implications thereof, completed as a result of Government and private sponsorship and technological progress for safety achieved during such year;

(7) a list, with a brief statement of the issues, of completed or pending judicial actions under the Act; and

(8) the extent to which technical information was disseminated to the scientific community and consumer-oriented information was made available to the public.

(b) The report required by subsection (a) shall contain such recommendations for additional legislation as the Secretary deems necessary to promote cooperation among the several States in the improvement of gas pipeline safety and to strengthen the national gas pipeline safety program.

APPROPRIATIONS AUTHORIZED

Sec. 15. (a) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not in excess of $10,000,000 for the fiscal year ending June 30, 1969; $13,000,000 for the fiscal year ending June 30, 1970; and $15,000,000 for the fiscal year ending June 30, 1971.

(b) To help defray the expenses of Federal inspection and enforcement under this Act, the Secretary may require the payment of a reasonable annual fee to him by all persons engaged in the transportation of gas.

The title was amended, so as to read: "A bill to authorize the Secretary of Transportation to prescribe safety standards for the transportation of natural and other gas by pipeline, and for other purposes."

Mr. MANSFIELD. Mr. President, in authorizing the Secretary of Transportation to establish safety standards for gas and oil pipelines, this measure truly benefits all Americans. It represents another advancement for the protection of the public from a hazard that has perhaps existed for some time. In this instance the Congress recognized the hazard and has done something about it. But most of all the passage of this measure represents another outstanding achievement for the senior Senator from Washington [Mr. Magnuson], the distinguished chairman of the Committee on Commerce.

Senator Magnuson handled this measure with characteristic skill and ability; he devoted to it the same deep interest and diligence that he has devoted to every legislative matter that has gained his support in this body. The Senate owes Senator Magnuson another deep debt of gratitude. All America will benefit from this measure as it has benefitted from the many, many legislative achievements that bear his mark. We are most grateful.

Joining Senator Magnuson to assure the unanimous endorsement of the Senate was the senior Senator from New Hampshire [Mr. Cotton], the distinguished ranking minority member of the committee. Like Senator Magnuson, Senator Cotton exhibited the same deep dedication to the public interest which this measure is designed to benefit. He displayed a broad and thorough understanding of all of its provisions and urged its adoption with characteristic articulateness.

The Senate is grateful also for the contribution of the Senator from Ohio [Mr. Lausche]. He successfully urged an amendment and his strong advocacy assured that success. Of course, the senior Senator from Oklahoma [Mr. Monroney] is to be commended for his exemplary statement on the measure. While he opposed the Lausche amendment, the defeat of his position in no way reflects upon the outstanding manner in which it was presented. The Senator from Indiana [Mr. Hartke] is similarly to be commended. While the Senate did not vote to adopt his amendment, his advocacy certainly was sincere and extremely capable.

Again to Senator Magnuson goes the sincere appreciation of the entire Senate for leading the unanimous passage of this proposal; its adoption, I believe, is a fine tribute to every Member.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendment of the Senate to the House amendment to Senate amendment numbered 2 to the bill (H.R. 11641) making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, Interstate Commission on the Potomac River Basin, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1968, and for other purposes.

MENTAL RETARDATION AMENDMENTS OF 1967

Mr. HILL. Mr. President, I ask the Chair to lay before the Senate a message from the House on H.R. 6430, the Mental Retardation Act.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 6430) to amend the public health laws relating to mental retardation, to extend, expand, and improve them, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. HILL. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Hill, Mr. Yarborough, Mr. Williams of New Jersey, Mr. Pell, Mr. Kennedy of Massachusetts, Mr. Javits, Mr. Murphy, and Mr. Dominick, conferees on the part of the Senate.

PARTNERSHIP FOR HEALTH AMENDMENTS OF 1967

Mr. HILL. Mr. President, I ask the Chair to lay before the Senate a message from the House on H.R. 6418, the Partnership for Health Amendments of 1967.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 6418) to amend the Public Health Service Act to extend and expand the authorizations for grants for comprehensive health planning and services, to broaden and improve the authorization for research and demonstrations relating to the delivery of health services, to improve the performance of clinical laboratories, and to authorize cooperative activities between the Public Health Service hospitals and community facilities, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. HILL. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Hill, Mr. Yarborough, Mr. Williams of New Jersey, Mr. Pell, Mr. Kennedy of Massachusetts, Mr. Javits, Mr. Murphy, and Mr. Dominick, conferees on the part of the Senate.

AUTHORIZATION FOR DISPOSAL OF BISMUTH FROM THE NATIONAL STOCKPILE AND THE SUPPLEMENTAL STOCKPILE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 721, H.R. 5788.

The PRESIDING OFFICER. The bill will be stated by title.

The Assistant Legislative Clerk. A bill (H.R. 5788) to authorize the disposal of bismuth from the national stockpile and the supplemental stockpile.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

AUTHORIZATION FOR DISPOSAL OF MOLYBDENUM FROM THE NATIONAL STOCKPILE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 722, H.R. 5784.

The PRESIDING OFFICER. The bill will be stated by title.

The Assistant Legislative Clerk. A bill (H.R. 5784) to authorize the disposal of molybdenum from the national stockpile.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

AUTHORIZATION FOR DISPOSAL OF RARE-EARTH MATERIALS FROM THE NATIONAL STOCKPILE AND THE SUPPLEMENTAL STOCKPILE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 723, H.R. 5787.

The PRESIDING OFFICER. The bill will be stated by title.

The Assistant Legislative Clerk. A bill (H.R. 5787) to authorize the disposal of rare-earth materials from the national stockpile and the supplemental stockpile.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

FOREIGN SERVICE INFORMATION OFFICER CORPS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 699, S. 633.

The PRESIDING OFFICER. The bill will be stated by title.

The Assistant Legislative Clerk. A bill (S. 633) to promote the foreign policy of the United States by strengthening and improving the Foreign Service personnel system of the U.S. Information Agency through establishment of a Foreign Service Information Officer Corps.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Foreign Relations, with amendments, on page 2, line 5, after the word "effectively", strike out "the foreign affairs" and insert "such functions and"; in line 14, after word "vital" strike out "foreign affairs"; in line 21 after the word "recruited,", strike out "be"; on page 3, after line 12, strike out:

AUTHORITY OF THE PRESIDENT

Sec. 5. The President shall from time to time prescribe broad policies and regulations with respect to the general administration of the Foreign Service officer system and the Foreign Service information officer personnel system and shall assure that the two systems are compatible with and, to the extent practicable, similar to each other.

APPOINTMENT AND ASSIGNMENT

Sec. 6. Subject to section 4, Foreign Service information officers shall be appointed and assigned at classes and salaries, and in accordance with requirements and procedures, which correspond to those classes, salaries, requirements, and procedures prescribed by sections 412, 413, 421, 422, 431, 432, 441, 500 through 502, 511, 512, 514 through 520, 571 through 575, and 578 of the Foreign Service Act of 1946, as amended.

And, in lieu thereof, insert:

POLICIES AND REGULATIONS

Sec. 5. The Foreign Service information officer personnel system shall be compatible with the Foreign Service officer personnel system. Toward this end, the Director with respect to the Foreign Service information officer personnel system and the Secretary of State with respect to the Foreign Service officer personnel system, after consultation with such officials as the President may determine, shall promulgate policies and regulations governing such systems. Both systems shall be administered, to the extent practicable, in conformity with general policies and regulations of the Federal Government issued in accordance with law.

APPOINTMENT AND ASSIGNMENT

Sec. 6. (a) Subject to section 4, Foreign Service information officers shall be appointed and assigned at classes and salaries, and in accordance with requirements and procedures, which correspond to those classes, salaries, requirements, and procedures, except with regard to career ambassadors, prescribed by sections 412, 413, 421, 422, 431(c), 432, 441, 500, 501(b), 502(b), 511, 514 through 520, 571 through 575, and 578 of the Foreign Service Act of 1949 as amended.

(b) The President shall, by and with the advice and consent of the Senate, appoint Career Ministers for Information.

(c) The Secretary of State may, upon request of the Director, furnish the President with the names of Foreign Service information officers qualified for appointment to the class of Career Minister for Information, together with pertinent information about such officers, but no person shall be appointed into the class of Career Minister for Information who has not been appointed to serve in an Embassy as a Minister for Public Affairs or appointed or assigned to serve in a position which, in the opinion of the Director, is of comparable importance. A list of such positions shall from time to time be published by the Director.

(d) The per annum salary of a Career Minister for Information shall be the same as that provided by section 412 of the Foreign Service Act of 1946, as amended, for the class of Career Minister.

On page 6, line 10, after "Sec. 9." insert "(a)"; in line 14, after the word "officers.", strike out "And" and insert "Any"; after line 18, insert:

(b) In accordance with such regulations as the President may prescribe, any Foreign Service Staff officer or employee appointed by the Agency who has completed at least ten years of continuous service, exclusive of military service, in the Foreign Service of the Agency shall become a participant in the Foreign Service retirement and disability system and shall make a special contribution to the Foreign Service retirement and disability fund in accordance with the provisions of section 852 of the Foreign Service Act of 1946, as amended.

(c) Any such officer or employee who, under the provisions of paragraph (b) of this section, becomes a participant in the Foreign Service retirement and disability system, shall be mandatorily retired for age during the third year after the effective date of that paragraph if he attains age sixty-four or if he is over age sixty-four; during the fourth year at age sixty-three; during the fifth year at age sixty-two; during the sixth year at age sixty-one, and thereafter at age sixty.

(d) Any officer or employee who becomes a participant in the Foreign Service retirement and disability system under the provisions of paragraph (b) of this section who is age fifty-seven or over on the effective date of that paragraph, may retire voluntarily at any time before mandatory retirement under paragraph (c) of this section and receive retirement benefits under section 821 of the Foreign Service Act of 1946, as amended.

(e) The provisions of paragraph (b) of this section become effective on the first day of the first month which begins more than one year after the date of enactment of this Act, except that any Foreign Service Staff officer or employee, who at the time this Act becomes effective meets the requirements for participation in the Foreign Service retirement and disability system, may elect to become a participant in the system before the mandatory provisions become effective. Such Foreign Service Staff officers and employees shall become participants effective on the first day of the second month following the date of their application for earlier participation.

At the top of page 9, strike out:

BOARD OF THE FOREIGN SERVICE AND THE BOARD OF EXAMINERS FOR THE FOREIGN SERVICE

Sec. 12. The functions of the Board of the Foreign Service and the Board of Examiners for the Foreign Service, established by the President pursuant to Reorganization Plan Numbered 4 of 1965, exercised with respect to Foreign Service officers shall be exercised with respect to Foreign Service information officers.

In line 10, change the section number from "13" to "12"; after line 18, insert a new section, as follows:

TRANSFER OF AGENCY FOREIGN SERVICE OFFICERS TO FOREIGN SERVICE INFORMATION OFFICER STATUS

Sec. 13. Agency Foreign Service officers on active service on the effective date of this Act shall, by virtue of this Act, be transferred from the classes in which they are serving on such date to the comparable salaries and classes of Foreign Service information officers established by this Act. Service in the former class shall be considered as constituting service in the new class for the purposes of determining (1) eligibility for promotion, in accordance with the provisions of section 622, (2) liability for separation in accordance with the provisions of section 633, (3) continuation of probationary status pursuant to section 635, and (4) credit for time served toward in-class promotion in accordance with section 625.

And on page 10, after line 8, strike out:

Sec. 14. Notwithstanding any other provision of this Act and the last sentence of section 3320 of title 5 of the United States Code, section 3320 (except the last sentence thereof) of such title, relating to veterans' preference, shall be applicable to applicants for appointment and persons appointed as, Foreign Service information officers pursuant to this Act in like manner as such sections are applicable to applicants for, and persons appointed in, the competitive service.

And, in lieu thereof, insert:

SEC. 14. Notwithstanding the provisions of section 3320 of title 5 of the United States Code, the fact that any applicant is a veteran or disabled veteran, as defined in section 2108 (1) or (2) of such title, shall be taken into consideration as an affirmative factor in the selection of applicants for initial appointment as Foreign Service officers or Foreign Service information officers.

So as to make the bill read:

S. 633

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a category of officers of the United States Information Agency (hereinafter referred to as "the Agency") to be known as Foreign Service information officers.

STATEMENT OF POLICY

SEC. 2. It is the sense of the Congress that the establishment of a permanent career service for officers of the Agency who serve our country throughout the world in a vital function of the foreign relations of the United States is essential to enable the Director of the United States Information Agency (hereinafter referred to as "the Director") to carry out effectively such functions and responsibilities assigned to the Agency.

STATEMENT OF PURPOSES

SEC. 3. The Congress of the United States hereby declares that the purposes of this Act are—

(a) to provide a statutory basis necessary for a worldwide career officer personnel system designed to meet the continuing needs of both the Agency and those qualified citizens who shall serve as Foreign Service information officers in this vital activity;

(b) to give the Director the full range of personnel authority necessary to establish and administer the Foreign Service Information Officer Corps;

(c) to regularize the personnel system of the Agency by establishing a career service in which qualified Foreign Service information officers may be recruited, trained, and serve;

(d) to assure maximum efficiency and flexibility in the utilization of the talents of Foreign Service information officers; and

(e) to accord Foreign Service information officers the same rights and perquisites and to subject them to the same stringent judgment of performance as Foreign Service officers employed under the provisions of the Foreign Service Act of 1946, as amended.

AUTHORITY OF THE DIRECTOR

SEC. 4. Foreign Service information officers shall be under the direction and authority of the Director of the Agency. Authority available to the Secretary of State with respect to Foreign Service officers shall be available on the same basis to the Director of the Agency with respect to Foreign Service information officers, except as provided in section 11 of this Act.

POLICIES AND REGULATIONS

SEC. 5. The Foreign Service information officer personnel system shall be compatible with the Foreign Service officer personnel system. Toward this end, the Director with respect to the Foreign Service information officer personnel system and the Secretary of State with respect to the Foreign Service officer personnel system, after consultation with such officials as the President may determine, shall promulgate policies and regulations governing such systems. Both systems shall be administered, to the extent practicable, in conformity with general policies and regulations of the Federal Government issued in accordance with law.

APPOINTMENT AND ASSIGNMENT

SEC. 6. (a) Subject to section 4, Foreign Service information officers shall be appointed and assigned at classes and salaries, and in accordance with requirements and procedures, which correspond to those classes, salaries, requirements, and procedures, except with regard to career ambassadors, prescribed by sections 412, 413, 421, 422, 431(c), 432, 441, 500, 501(b), 502(b), 511, 514 through 520, 571 through 575, and 578 of the Foreign Service Act of 1946, as amended.

(b) The President shall, by and with the advice and consent of the Senate, appoint Career Ministers for Information.

(c) The Secretary of State may, upon request of the Director, furnish the President with the names of Foreign Service information officers qualified for appointment to the class of Career Minister for Information, together with pertinent information about such officers, but no person shall be appointed into the class of Career Minister for Information who has not been appointed to serve in an Embassy as a Minister for Public Affairs or appointed or assigned to serve in a position which, in the opinion of the Director, is of comparable importance. A list of such positions shall from time to time be published by the Director.

(d) The per annum salary of a Career Minister for Information shall be the same as that provided by section 412 of the Foreign Service Act of 1946, as amended, for the class of Career Minister.

PROMOTION

SEC. 7. Foreign Service information officers shall be promoted in accordance with the provisions of section 621 through 623, and 626 of the Foreign Service Act of 1946, as amended, and shall receive within-class salary increases in accordance with section 625 of such Act.

SEPARATION AND RETIREMENT

SEC. 8. Foreign Service information officers shall be separated and retired in accordance with sections 631 through 637 of the Foreign Service Act of 1946, as amended.

PARTICIPATION IN THE FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM

SEC. 9. (a) Foreign Service information officers shall be participants in and entitled to the benefits of the Foreign Service retirement and disability system under title VIII of the Foreign Service Act of 1946, as amended, on the same basis as Foreign Service officers. Any such Foreign Service information officer who becomes a participant in such system shall make contributions to the Foreign Service retirement and disability fund on the same basis as Foreign Service officers.

(b) In accordance with such regulations as the President may prescribe, any Foreign Service Staff officer or employe appointed by the Agency who has completed at least ten years of continuous service, exclusive of military service, in the Foreign Service of the Agency shall become a participant in the Foreign Service retirement and disability system and shall make a special contribution to the Foreign Service retirement and disability fund in accordance with the provisions of section 852 of the Foreign Service Act of 1946, as amended.

(c) Any such officer or employee who, under the provisions of paragraph (b) of this section, becomes a participant in the Foreign Service retirement and disability system, shall be mandatorily retired for age during the third year after the effective date of that paragraph if he attains age sixty-four or if he is over age sixty-four; during the fourth year at age sixty-three; during the fifth year at age sixty-two; during the sixth year at age sixty-one, and thereafter at age sixty.

(d) Any officer or employee who becomes a participant in the Foreign Service retirement and disability system under the provisions of paragraph (b) of this section who is age fifty-seven or over on the effective date of that paragraph, may retire voluntarily at any time before mandatory retirement under paragraph (c) of this section and receive retirement benefits under section 821 of the Foreign Service Act of 1946, as amended.

(e) The provisions of paragraph (b) of this section becomes effective on the first day of the first month which begins more than one year after the date of enactment of this Act, except that any Foreign Service Staff officer or employee, who at the time this Act becomes effective meets the requirements for participation in the Foreign Service retirement and disability system, may elect to become a participant in the system before the mandatory provisions become effective. Such Foreign Service Staff officers and employees shall become participants effective on the first day of the second month following the date of their application for earlier participation.

OTHER APPLICABLE PROVISIONS OF LAW

SEC. 10. All other provisions of the Foreign Service Act of 1946, as amended, or of any other law, which apply to Foreign Service officers and are not referred to above, shall be applicable to Foreign Service information officers.

COMMISSIONING AND ASSIGNMENT AS DIPLOMATIC AND CONSULAR OFFICERS

SEC. 11. (a) The Secretary of State may, upon request of the Director, recommend to the President that Foreign Service information officers be commissioned as diplomatic or consular officers, or both, in accordance with section 512 of the Foreign Service Act of 1946, as amended.

(b) The Secretary of State may, upon request of the Director, assign Foreign Service information officers, commissioned as diplomatic or consular officers, to serve under such commissioners in accordance with sections 512 and 514 of the Foreign Service Act of 1946, as amended.

INTERPRETATION AND CONSTRUCTION

SEC. 12. For the purposes of this Act the term "Foreign Service officer" when used in the Foreign Service Act of 1946, as amended, or in any other provision of law shall be construed to mean "Foreign Service information officer" and the term "Secretary of State" when used with respect to authorities applicable to Foreign Service officers shall be construed to mean the Director of the United States Information Agency with respect to Foreign Service information officers.

TRANSFER OF AGENCY FOREIGN SERVICE OFFICERS TO FOREIGN SERVICE INFORMATION OFFICER STATUS

SEC. 13. Agency Foreign Service officers on active service on the effective date of this Act shall, by virtue of this Act, be transferred from the classes in which they are serving on such date to the comparable salaries and classes of Foreign Service information officers established by this Act. Service in the former class shall be considered as constituting service in the new class for the purposes of determining (1) eligibility for promotion, in accordance with the provisions of section 622, (2) liability for separation, in accordance with the provisions of section 633, (3) continuation of probationary status pursuant to section 635, and (4) credit for time served toward in-class promotion in accordance with section 625.

VETERANS' PREFERENCE

SEC. 14. Notwithstanding the provisions of section 3320 of title 5 of the United States Code, the fact that any applicant is a veteran or disabled veteran, as defined in section 2108 (1) or (2) of such title, shall be taken into consideration as an affirmative factor in the selection of applicants for initial appointment as Foreign Service Officers or Foreign Service information officers.

Mr. MANSFIELD. Mr. President, the pending bill was reported unanimously by the Committee on Foreign Relations. A number of subcommittee hearings were held under the chairmanship of the distinguished Senator from Rhode Island [Mr. PELL].

This is a measure quite different from the ones that have been before the Senate before. I am hopeful that after an appropriate explanation by the distinguished Senator from Rhode Island, the Senate will see fit to approve this measure.

Mr. PELL. Mr. President, this is a very simple bill designed to correct a personnel problem in the U.S. Information Agency which has existed since the Agency was established 14 years ago. It would authorize a personnel system for the career officers of the Agency comparable to the Foreign Service officer system of the Department of State.

The professional officers of the USIA are neither a part of the civil service nor the career foreign service. They serve under appointments as Foreign Service Reserve officers, a category by law intended for bringing persons with specialized skills into the foreign service for temporary periods. Since the Agency was established its officers have been out in limbo, careerwise. Yet these officers serve side by side with Foreign Service officers at posts around the world.

As background I wish to point out that last year the Committee on Foreign Relations rejected an executive branch proposal to make USIA officers a part of the Foreign Service Officer Corps. But it did approve, and the Senate subsequently passed, a bill to give unlimited appointments to the Agency's reserve officers and told the administration to come up with a legislative proposal to take care of the problem permanently. But this bill was not acted on by the House prior to adjournment. The administration, in response to the Senate directive, recommended enactment of the personnel framework incorporated in the bill now before the Senate. S. 633 has the full support of the executive branch.

The basic purpose of the bill is to authorize establishment of a personnel category for the USIA to be known as foreign service information officer. The foreign service information officer system would be based on the authority of the Foreign Service Act and would be comparable in all respects to the foreign service officer system—except that there would not be a rank similar to that of career ambassador. Appointment promotion, assignment, separation, and retirement would all be governed by the same high standards applicable to the Foreign Service Officer Corps. As the committee's report makes clear, the career officers of the agency will not be brought into the new system en masse but through a selective process to insure that only the best qualified career reserve officers are appointed as foreign service information officers.

The bill also makes the principle of veterans preference applicable to the initial selections of foreign service officers and foreign service information officers, making the principle apply for the first time to selection of foreign service officers.

Under the provisions of the bill the foreign service staff personnel of USIA, with more than 10 years' service, would become eligible to participate in the foreign service retirement system, on the same basis accorded to the State Department's staff personnel when they were brought into the retirement system 6 years ago.

This bill will not add any employees to the Government payroll and it will not result in any increases in grade or salary for USIA personnel. The only cost to the taxpayer will be from the increased retirement benefits that will eventually be paid the affected employees over and above the amount they would have received under the civil service retirement system. The executive branch has estimated that these additional retirement benefits will amount to $16,300,000 over the next 75 years.

Mr. President, this bill simply recognizes the fact that the dissemination abroad of information of the USIA is here to stay and that, if the Agency is to perform its responsibilities in an effective manner, it should have a career personnel system for its professional officers comparable to the Foreign Service officer system in the Department of State.

When the USIA was created as an independent agency 14 years ago, President Eisenhower made it clear that the personnel authority of the Foreign Service Act was not suitable as a permanent framework and that additional authority, tailored to the Agency's needs, would be required. In his message to the Congress transmitting the reorganization plan which established the Agency, he said:

> While these (personnel) arrangements will enable the new agency to function with reasonable effectiveness from the outset, I do not consider them permanently suitable.

The "temporary" arrangements he referred to still govern the Agency's foreign service personnel.

Every living former director of the Agency has endorsed this bill; this personnel system was recommended by the Committee on Foreign Affairs Personnel headed by the late Christian Herter; the U.S. Advisory Commission on Information has repeatedly asked the Congress to enact this legislation; and the American Foreign Service Association, representing the foreign service personnel of State, USIA, and AID, has endorsed the bill. I ask unanimous consent to have these letters and appropriate excerpts from the reports printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PELL. Mr. President, there was no testimony at the committee's hearings in opposition to the basic system which this bill would authorize, although there were some objections to certain procedural aspects of the present foreign service system.

And I wish to emphasize that this bill was reported by the Foreign Relations Committee without objection.

All this bill does is give the USIA the basic personnel authority needed to attract and hold the best people this country has to offer. If Congress, by legislation, or the President, by reorganization plan, decides to transfer the USIA's functions to the State Department at some future date, that is another matter. But I am not aware that any legislation to abolish the USIA has been introduced since I have been a member of the Senate. And, to my knowledge, none of my colleagues on the Committee on Foreign Relations has advocated such a step, regardless of how they might feel about the Agency's effectiveness in carrying out its responsibilities.

After 14 years I think it is time for the Congress to admit that the USIA performs a vital function in foreign policy and that the need for the Agency is a fact of international life. As the 1962 Herter committee report said:

> There can now be no question that the information and cultural programs are an enduring and organic tool of American foreign policy.

In a letter to me last September 27, former President Eisenhower stated the problem quite clearly when he wrote:

> Ever since the close of World War II the U.S. information service has existed on a hand-to-mouth basis, thus diminishing its capacity to draw into the organization really competent people. Because the program has no political appeal it is far too often scorned by the ignorant or by those who seek only votes.
>
> Not only do I believe that there should be a much more intensive and stable effort in this field, but I am quite sure that until the Service is established on a permanent basis we shall not be able to get the best kind of people out of such appropriations as may be made.

I ask unanimous consent to have the text of the letter printed in the RECORD at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. PELL. Mr. President, incidentally, I have been asked about the significance of the bill's reference to the principle of veteran's preference. In this connection, I would like to report the language of our report on the bill dated November 1, 1967 which states:

> The provision approved by the committee will require, as a matter of law, that an applicant for either the Foreign Service Officer Corps of the Department of State or the Foreign Service Information Officer Corps of USIA who is a veteran be given preference over a nonveteran, if their qualifications are equal in all other respects. In making the principle of veterans preference applicable by law, rather than by practice, the committee recognizes that those applicants who have served in the Armed Forces have acquired practical knowledge, experience, and instruction that will better enable them to serve their country in a civilian capacity.

What this means, colloquially, is that when the qualifications of two candidates for admission are equal, the veteran will get the break.

Mr. President, the United States could get along without creating a career system for the Foreign Service personnel of its information and cultural affairs activity. Our foreign policy will not collapse if this bill does not go through. It can be argued that the USIA has mud-died along for 14 years without a career personnel system; surely it can get along without one for a few years. The point is not that it has "gotten along"—it is that the Congress has been derelict in its duty for leaving these career officers out in limbo.

I believe that the Agency does a very capable job in carrying out its mandate—a far more capable job than Congress has any right to expect from personnel who are treated as second-class civil servants. This bill does no more than remove the stigma attached to these dedicated officers. It is a proposal for simple justice and fairness—to give them treatment comparable to that given their coworkers in the Foreign Service Officer Corps.

This bill is long overdue and I urge the Senate to pass it by an overwhelming margin.

Exhibit 1

Duke University,
Rule of Law Research Center,
Durham, N.C., October 3, 1967.

Hon. Claiborne Pell,
Chairman, Ad Hoc Subcommittee on Foreign Service Information Officer Corps, U.S. Senate, Washington, D.C.

Dear Senator Pell: This letter is written in support of S. 633 and S. 2002, which would authorize a career service for the foreign service personnel of the United States Information Agency. As a former Director of this agency, I should like to express the strongest possible endorsement of this measure. Indeed, it is many years overdue, and should have been an integral part of the U.S.I.A. personnel system from the beginning of that agency's independent status. It is well-known that, by any objective test, many of the overseas U.S.I.A. personnel are expected to have a background of qualifications and also are entrusted with responsibilities comparable with those of regular foreign service officers of the State Department. It would greatly facilitate the recruiting and holding of first-rate personnel for these positions if they could be assured of the status and the privileges that would be afforded by the proposed legislation. It seems to me, therefore, that the provision of this career service is essential, both as a matter of simple justice to the U.S.I.A. officers themselves, and as a matter of serving the best interests of the United States in obtaining and retaining the most highly qualified public servants to discharge this highly important responsibility of explaining this country and its policies to the people of the world.

Yours sincerely,

Arthur Larson,
Director.

Department of State,
Foreign Service Institute,
Washington, October 6, 1967.

Hon. Claiborne Pell,
Chairman, Ad Hoc Subcommittee on Foreign Service Information Officer Corps, U.S. Senate.

Dear Claiborne: I appreciate the opportunity offered in your letter of September 26 to comment on S. 633 and S. 2002.

I support fully and with enthusiasm the concept of a career foreign service for USIA. The activities carried on by that Agency have become a valuable and continuing aspect of the conduct of the foreign relations of the United States, and I am confident that the national interests of the United States would be advanced by extending the career principle to the personnel engaged in this work.

Some of the persons concerned have been active in this endeavor of more than 25 years, always in a precarious and uncertain status due to the absence of career legislation.

Consideration of career legislation for USIA has been going on for more than ten years. Some of the ablest officers have continued on their jobs solely because of the expectation that career legislation would be enacted. The legislation is necessary not only to attract able young men to USIA work but also to retain the most experienced and qualified officers now employed.

Moreover, simple justice and equity call for enactment of the bill. The persons involved have devoted their careers to the work and are entitled to recognition of such.

I appreciate your support of the career principle and hope your present efforts will finally bring success to the important and long-discussed project.

Sincerely,

George V. Allen,
Former Director, USIA.

U.S. Advisory Commission on Information,
Washington, D.C., October 12, 1967.

Hon. Claiborne Pell,
U.S. Senate,
Washington, D.C.

Dear Senator Pell: The United States Advisory Commission on Information supports—with a conviction of urgency—the creation of a Foreign Service Information Officer Corps. Ours is not a new advocacy; it began in the early '50s, and was renewed as recently as our 22d Report to the Congress this year.

The premature termination of promising careers in the U.S. information, education and cultural program abroad must not be allowed to grow chronic. The dedicated men and women who have served their country with neither perquisites nor assurance of a career system should no longer be denied what they have for so long deserved.

We find S. 633 and S. 2002 both equal to the task, and are confident that their differences can be reconciled. We do, however, find it pertinent to underscore what we consider the appropriateness of those provisions in Section 6 *b*, *c* and *d* of S. 2002 pertaining to the establishment of Career Ministers for Information, and urge that they be retained. The creation of these and other categories will strengthen, prolong and enrich the careers of those on whom we must rely for the effective conduct of U.S. foreign policy.

With all good wishes.

Sincerely,

Frank Stanton.

Statement of Theodore C. Streibert

As director of USIA from August 1953 to November 1956, I reached the conclusion that the personnel of the Agency was the critical resource required for successful efforts toward attaining its objectives overseas. There was no question but that it far exceeded the importance of the amounts of moneys appropriated for its operations, aside from the minimum amount necessary to keep the machinery going.

Under my administration, the Agency first came into being as a separate executive agency under a reorganization plan which separated it from the State Department. After setting up a new organization structure, it became apparent that recruiting personnel was the critical factor in establishing a more efficient independent operation of information activities. Although much experienced and valuable personnel was available, at the same time aggressive recruitment to fill the ranks had to be undertaken.

Our experience was that without a career service whereby the higher ranks would be assured of progression, continuity and retirement, the appeal was not attractive to able individuals. In addition to difficulties in recruitment, the retention of more able employees became a difficult problem. Despite successful efforts to raise salary levels to compare less unfavorably with business salaries, it must be remembered that in information activities experienced personnel can command, generally, much higher salaries in the fields of publishing, broadcasting, and public relations. Since government salaries can never equal those of industry in the higher ranges, the advantages of a career service are essential to overcome the disproportion in annual earnings.

The above factors become of greater urgency and more critical import as the information service is about to develop higher qualities of specialized ability in the various information capacities.

Without a career service, information agency personnel in the field is at a disadvantage as against the foreign service personnel with which it is intimately associated. Although harmonious working arrangements in the diplomatic establishment of the field missions have been achieved, at the same time a comparable career service would in fact provide an equality for information personnel as compared with the foreign service personnel with whom it must work intimately.

Beginning with fiscal '69, the U.S. Information Agency will have existed as an independent agency in the executive branch for 15 years. Its successful operation has demonstrated the validity of the separate administration and functioning of the specialized information activities as compared to their previous incorporation within the State Department. Since this successful experience supports the continued independent operation of the Agency indefinitely in the future, it is now time to provide it with the career system which will permit it to function to the highest degree of efficiency.

October 9, 1967.

American Foreign Service
Association,
Washington, D.C., September 27, 1967.

Hon. J. W. Fulbright,
U.S. Senate.

Dear Senator Fulbright: As President of the American Foreign Service Association, representing more than 7,000 foreign service employees of the Department of State, AID and USIA, I wish to endorse and support the legislative proposals, now pending before the Senate Foreign Relations Committee, to establish a career Foreign Service Information Officer Corps in USIA. I am joined in this endorsement by the Board of Directors of the Association.

The information and cultural activities of our Government today are an inseparable part of the conduct of our foreign relations abroad. Employees of USIA who carry on these activities work closely with Foreign Service officers of the Department at the same locations in a common effort to further our national interests. Recognition of these employees as career personnel is, in my opinion and that of the Board, long past due.

Two bills to achieve this purpose are pending before the Committee—S-2002 introduced on request from the Executive Branch and S-633 introduced by Senator Pell of Rhode Island. The two bills have the same purpose; i.e. to establish a career Foreign Service Information Officer Corps for the professional foreign service officer personnel of the U.S. Information Agency modeled after the Foreign Service Officer Corps of the Department of State. The Board of the Association and I endorse the principle of a career service for USIA and urge enactment of the proposed legislation.

The new legislation places Foreign Service Information officers under the Foreign Service Retirement and Disability System. Foreign Service Staff personnel of USIA with 10 years continuous service in the foreign service of USIA would also become participants in the Foreign Service Retirement System under the same conditions as Staff personnel of State Department were covered in 1961. The Board of the Association and I believe that coverage of these career employees of USIA under the Foreign Service Retirement System is especially important.

It is our strong conviction that enactment of this legislation will strengthen and improve the Foreign Service of the United States.

Sincerely,

FOY D. KOHLER,
President.

[From "A Framework for Foreign Affairs Personnel Management," a chapter in the Report of the Committee on Foreign Affairs Personnel (Herter Report), December 1962]

CAREER PERSONNEL SYSTEMS FOR FOREIGN INFORMATION AND DEVELOPMENT PROGRAMS

RECOMMENDATION 4

A career foreign service, to be known as the Foreign Information Service, should be provided for the permanent professional personnel in overseas informational and cultural activities

In 1953, under the President's Reorganization Plan No. 8, the United States Information Agency (USIA) was established as an independent agency outside the Department of State but subject to its foreign policy guidance. This organizational arrangement has proved to be the stablest in the history of overseas informational and cultural programs, the earliest of which began before World War II. For several years after the war, these programs were administered within the Department of State. The mission of the Agency, "to promote the better understanding of the United States among the peoples of the world and to strengthen cooperative international relations," is pursued through a variety of activities. These include, among others, radio broadcasts through the voice of America production and provision overseas of motion pictures, publications and press releases, television films and tapes, and operation of information centers, libraries, and cultural centers. The Agency also administers cultural relations and educational exchange programs abroad in behalf of the State Department, which directs these activities in Washington. The Agency operates in about 100 countries overseas—virtually all except those behind the Iron Curtain—as the United States Information Service (USIS); these overseas offices are integral parts of the diplomatic and consular posts; their director in each country is a public affairs officer who is part of the ambassador's "country team."

USIA employs about 11,000 people, of whom the great majority (8,300) are in the Agency's foreign service. Only about 1,600 of these are United States citizens. Its civil service, largely in Washington, numbers some 2,600 employees.*

The Agency's foreign service is administered under the provisions of the Foreign Service Act of 1946 relevant to the Reserve, Staff, and local employees. It does not directly employ any Foreign Service Officers, although a few work for the Agency on detail from the State Department. Since 1955, the Agency has sought, without success, legislative authority to establish a career service comparable to that of the Foreign Service Officers Corps. Failing this, the Agency has moved as far as it could administratively by establishing a "Career Reserve Officer Corps," which now includes about 800 officers, modeled on the Foreign Service Officers Corps. Each of its members has successfully undergone a qalifying in-service or entry examination. The Agency regularly recruits junior officer candidates and gives them examinations like those for the Foreign Service and on the same days. Its promotion system and many other personnel practices are like those of the Foreign Service Officers, and representatives of the Foreign Service serve on USIA personnel boards and panels.

In certain important respects, however, the career reserve system differs from the career system of the Foreign Service. For example, under present legislative authorization, the Agency cannot employ Reserve officers beyond a ten-year maximum unless it is given annually a special Congressional authorization for a one-year extension in its appropriation bill. Failure to obtain extensions would do irreparable damage to the program, and continued existence of such limitation is not conducive to the building of a secure and stable service. Likewise, the Agency lacks authority to select-out low-performance officers; its foreign service personnel are under the Civil Service rather than the Foreign Service retirement system; and the ceiling on the advancement of highly qualified senior officers is lower than that of Foreign Service Officers, since they are not eligible for promotion above class 1. In spite of these handicaps, USIA has developed a sound personnel system, and the officer corps includes many with long experience in the Agency and its predecessors.

There can now be no question that the information and cultural programs are an enduring and organic tool of American foreign policy. The Committee believes that it is in the national interest to authorize a career system comparable to that of the Foreign Service Officer Corps for the professional personnel in overeas information and cultural activities. Inasmuch as the career reserve officers now in the Agency have already satisfied standards comparable to those required of Foreign Service Officers, this step could be taken quite easily by simple conversion of the career reserve to full career status.

[From the 22d Report of the U.S. Advisory Commission on Information, Jan. 26, 1967]

RECOMMENDATIONS TO CONGRESS

A STATUTORY USIA FOREIGN SERVICE

Successive directors and this Commission have pleaded with the Congress for legislation which would provide foreign service officers of USIA with a career service. The collapse of proposed legislation in the 89th Congress has led to further deterioration of morale among those who serve the interests of their country abroad.

The argument in favor is well known by the Congress and need not be repeated here. The men and women of the foreign service cannot and should not be expected to lobby in their own behalf. They are no one's particular constituency and are completely dependent on the good will, wisdom and judgment of the Congress for their support.

It is the foreign service public affairs officers, cultural affairs officers, information officers, librarians, labor information officers, student affairs grantees, radio and television and motion picture officers who talk with editors, writers and commentators, who counsel with, guide and advise exchange students, professors and scholars, who arrange for and publicize the artistic and musical extravaganzas, who provide foreign parliamentarians and appointed officials with reliable information about U.S. policies and intentions, who speak to foreign audiences, who create exhibits, lend books, show motion pictures or place television and radio programs on local stations, who talk to labor groups and enter into dialogues with students about the United States. They represent the United States, not with foreign offices and prime ministers, but with people from every walk of life who have prejudices as well as curiosity about the United States.

Such representatives of the United States need a Congressionally sanctioned career system. The Commission urgently recommends that Congress make every effort to grant them one.

EXHIBIT 2

GETTYSBURG, PA.,
September 27, 1967.

Hon. CLAIBORNE PELL,
Chairman, Ad Hoc Subcommittee on Foreign Service Information Officer Corps.

DEAR CHAIRMAN PELL: It is scarcely possible for me to comment in detail on the two Bills attached to your letter requesting my opinions about establishing a career system for the personnel of the United States Information Agency. But as to the need for setting up such a system, I have no hesitancy whatsoever in assuring you of my full agreement.

The failure of the United States to establish and operate a truly effective informational service throughout the world has, in my opinion, been responsible for many of the difficulties that we are experiencing today. For example, it seems to surprise most Americans that great portions of the world simply do not believe our protestations about our peaceful purposes or our desire to be friends with others who are similarly minded. They do not accept our claims that we do not seek domination of others.

Ever since the close of World War II the U. S. information service has existed on a hand-to-mouth basis, thus diminishing its capacity to draw into the organization really competent people. Because the program has no political appeal it is far too often scorned by the ignorant or by those who seek only votes.

Not only do I believe that there should be a much more intensive and stable effort in this field, but I am quite sure that until the service is established on a permanent basis we shall not be able to get the best kind of people out of such appropriations as may be made.

All of us must have been astonished by the frequency with which speakers in the United Nations General Assembly—meeting during the recent crisis in the Middle East—found it desirable to excoriate the United States and her policies. This fact provides evidence, because we know that these speakers address their own constituents, rather than the others in the General Assembly, that hostile propaganda is painting for foreign populations a false picture of America's purposes and aspirations. We ought to give priority attention to this matter; it is far more important than many other Federal programs.

You are at liberty to quote me as one citizen who supports the establishment of a career service for the United States Information Service.

Sincerely,

DWIGHT D. EISENHOWER.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. PELL. I yield.

Mr. CARLSON. Mr. President, I commend the distinguished Senator from Rhode Island for his untiring efforts in behalf of a group of Federal employees with whom we have had some difficulty in trying to work out a program whereby they could get into the Foreign Service category.

The distinguished Senator well remembers many of the difficult sessions we have had within the last 2 years with respect to this problem, and it has taken much finesse and a great deal of thought on his part to bring about a bill that I can support today, and I commend him for it.

Mr. PELL. I thank the distinguished Senator from Kansas for his comments.

---

*Data as of June 30, 1962.

AMENDMENT OF BANK HOLDING COMPANY ACT OF 1956

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be laid aside temporarily, and that the Senate proceed to the consideration of Calendar No. 475, H.R. 4765.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 4765) relating to the income tax treatment of certain distributions pursuant to the Bank Holding Company Act of 1956, as amended.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance, with amendments, on page 1, line 3, after the word "That" to insert "(a)"; on page 3, after line 6, to insert:

(b) The amendment made by subsection (a) shall apply to taxable years ending after July 1, 1966.

After line 8 to insert a new section, as follows:

SEC. 2. (a) Section 832(b)(1) of the Internal Revenue Code of 1954 (relating to insurance company gross income) is amended by striking out "and" at the end of subparagraph (C), by striking out the period at the end of subparagraph (D) and inserting in lieu thereof ", and", and by adding at the end thereof the following new subparagraph:

"(E) in the case of a company which writes mortgage guaranty insurance, the amount required by subsection (e)(5) to be subtracted from the mortgage guaranty account."

(b) Section 832(c) of such Code (relating to insurance company deductions) is amended by striking out "and" at the end of paragraph (11), by striking out the period at the end of paragraph (12) and inserting in lieu thereof "; and", and by adding at the end the following new paragraph:

"(13) in the case of a company which writes mortgage guaranty insurance, the deduction allowed by subsection (e)."

(c) Section 832 of such Code (relating to insurance company taxable income) is amended by adding at the end thereof the following new subsection:

"(e) SPECIAL DEDUCTION AND INCOME ACCOUNT.—In the case of taxable years beginning after December 31, 1966, of a company which writes mortgage guaranty insurance—

"(1) ADDITIONAL DEDUCTION.—There shall be allowed as a deduction for the taxable year, if bonds are purchased as required by paragraph (2), the sum of—

"(A) an amount representing the amount required by State law or regulation to be set aside in a reserve for mortgage guaranty insurance losses resulting from adverse economic cycles; and

"(B) an amount representing the aggregate of amounts so set aside in such reserve for the 8 preceding taxable years to the extent such amounts were not deducted under this paragraph in such preceding taxable years,

except that the deduction allowable for the taxable year under this paragraph shall not exceed the taxable income for the taxable year computed without regard to this paragraph or to any carryback of a net operating loss. For purposes of this paragraph, the amount required by State law or regulation to be so set aside in any taxable year shall not exceed 50 percent of premiums earned on insurance contracts (as defined in subsection (b)(4)) with respect to mortgage guaranty insurance for such year. For purposes of this subsection all amounts shall be taken into account on a first-in-time basis. The computation and deduction under this section of losses incurred (including losses resulting from adverse economic cycle) shall not be affected by the provisions of this subsection. For purposes of this subsection the terms 'preceding taxable years' and 'preceding taxable year' shall not include taxable years which began before January 1, 1967.

"(2) PURCHASE OF BONDS.—The deduction under paragraph (1) shall be allowed only to the extent that tax and loss bonds are purchased in an amount equal to the tax benefit attributable to such deduction, as determined under regulations prescribed by the Secretary or his delegate, on or before the date that any taxes (determined without regard to this subsection) due for the taxable year for which the deduction is allowed are due to be paid, as if no election to make installment payments under section 6152 is made. If a deduction would be allowed but for the fact that tax and loss bonds were not timely purchased, such deduction shall be allowed to the extent such purchases are made within a reasonable time, as determined by the Secretary or his delegate, if all interest and penalties, computed as if this sentence did not apply, are paid.

"(3) MORTGAGE GUARANTY ACCOUNT.—Each company which writes mortgage guaranty insurance shall, for purposes of this part, establish and maintain a mortgage guaranty account.

"(4) ADDITIONS TO ACCOUNT.—There shall be added to the mortgage guaranty account for each taxable year an amount equal to the amount allowed as a deduction for the taxable year under paragraph (1).

"(5) SUBTRACTIONS FROM ACCOUNT AND INCLUSION IN GROSS INCOME.—After applying paragraph (4), there shall be substracted for the taxable year from the mortgage guaranty account and included in gross income—

"(A) the amount (if any) remaining which was added to the account for the tenth preceding taxable year, and

"(B) the excess (if any) of the aggregate amount in the mortgage guaranty account over the aggregate amount in the reserve referred to in paragraph (1)(A). For purposes of determining such excess, the aggregate amount in the mortgage guaranty account shall be determined after applying subparagraph (A), and the aggregate amount in the reserve referred to in paragraph (1)(A) shall be determined by disregarding any amounts remaining in such reserve added for taxable years beginning before January 1, 1967,

"(C) an amount (if any) equal to the net operating loss for the taxable year computed without regard to this subparagraph, and

"(D) any amount improperly subtracted from the account under subparagraph (A), (B) or (C) to the extent that tax and loss bonds were redeemed with respect to such amount.

If a company liquidates or otherwise terminates its mortgage guaranty insurance business and does not transfer or distribute such business in an acquisition of assets referred to in section 381(a), the entire-amount remaining in such account shall be subtracted. Except in the case where a company transfers or distributes its mortgage guaranty insurance in an acquisition of assets referred to in section 381(a), if the company is not subject to the tax imposed by section 831 for any taxable year, the entire amount in the account at the close of the preceding taxable year shall be subtracted from the account in such preceding taxable year."

(d) Section 381(c)(22) of such Code (relating to carryovers in certain corporate acquisitions) is amended to read as follows:

"(22) SUCCESSOR INSURANCE COMPANY.—If the acquiring corporation is an insurance company taxable under subchapter L, there shall be taken into account (to the extent proper to carry out the purposes of this section and of subchapter L, and under such regulations as may be prescribed by the Secretary or his delegate) the items required to be taken into account for purposes of subchapter L in respect of the distributor or transferor corporation."

(e) The amendments made by subsections (a), (b), (c), and (d) shall apply to taxable years beginning after December 31, 1966, except that so much of section 832(e)(2) of the Internal Revenue Code of 1954 (as added by the amendment made by subsection (c)) as provides for payment of interest and penalties for failure to make a timely purchase of tax and loss bonds shall not apply with respect to any period during 1967 during which such bonds are not available for purchase.

(f) The Second Liberty Bond Act is amended by adding at the end thereof the following new section:

"SEC. 26. The Secretary of the Treasury is authorized to issue, from time to time, tax and loss bonds, the proceeds of which shall be available to meet any public expenditures authorized by law, and to retire any outstanding obligations of the United States issued under this Act. Tax and loss bonds shall be nontransferable except as provided by the Secretary of the Treasury, shall bear no interest and shall be issued in such amounts, subject to the limitations imposed by section 21 of this Act, as are necessary to permit persons to comply with section 832(e) of the Internal Revenue Code of 1954. Tax and loss bonds shall be issued in such amounts and on such terms and conditions as required by section 832(e) of such Code and as the Secretary of the Treasury shall prescribe. With respect to any taxable year in which amounts are subtracted from the mortgage guaranty account referred to in section 832(e)(3) of such Code, an amount of tax and loss bonds which was purchased under section 832(e)(2) of such Code with respect to the amount so subtracted shall be redeemed, and to the extent necessary shall be applied to pay any taxes due as a result of the inclusion under section 832(b)(1)(E) of such Code of amounts in gross income. In addition, tax and loss bonds may be redeemed as prescribed by the Secretary of the Treasury."

(g)(1) In the case of taxable years beginning before 1967, a company shall treat additions to a reserve, required by State law or regulations for mortgage guaranty insurance losses resulting from adverse economic cycles, as unearned premiums for purposes of section 832(b)(4) of the Internal Revenue Code of 1954, but the amount so treated as unearned premiums in a taxable year shall not exceed 50 percent of premiums earned on insurance contracts (as defined in section 832(b)(4) of such Code), determined without regard to amounts added to the reserve, with respect to mortgage guaranty insurance for such year. The amount of unearned premiums at the close of 1966 shall be determined without regard to the preceding sentence for the purpose of applying section 832(b)(4) of such Code to 1967. Additions to such a reserve shall not be treated as unearned premiums for any taxable year beginning after 1966.

(2) If a mortgage guaranty insurance company made additions to a reserve which were so treated as unearned premiums described in paragraph (1), such company, in taxable years beginning after 1966, shall include in gross income (in addition to the items specified in section 832(b)(1) of such Code) the sum of the following amounts until there is included in gross income an amount equal to the aggregate additions to the reserve described in paragraph (1) for taxable years beginning before 1967:

(A) an amount (if any) equal to the excess of losses incurred (as defined in section 832 (b)(5) of such Code) for the taxable year over 35 percent of premiums earned on insurance contracts during the taxable year (as defined in section 832(b)(4) of such Code), determined without regard to amounts added to the reserve referred to in paragraph (1), with respect to mortgage guaranty insurance,

(B) the amount (if any) remaining which was added to the reserve for the tenth preceding taxable year, and

(C) the excess (if any) of—

(i) the aggregate of amounts so treated as unearned premiums for all taxable years beginning before 1967 less the total of the amounts included in gross income, under this paragraph for prior taxable years and the amounts included in gross income under subparagraphs (A) and (B) for the taxable year, over

(ii) the aggregate of the additions made for taxable years beginning before 1967 which remain in the reserve at the close of the taxable year.

Amounts shall be taken into account on a first-in-time basis. For purposes of section 832(e) of such Code and this paragraph, if part of the reserve is reduced under State law or regulation, such reduction shall first apply to the extent of amounts added to the reserve for taxable years beginning before 1967, and only then to amounts added thereafter.

(3) The provisions of this subsection shall apply to taxable years beginning after December 31, 1956.

And on page 12, after line 8, to insert a new section as follows:

SEC. 3. (a) Section 101(b)(2) of the Internal Revenue Code of 1954 (relating to employees' death benefits) is amended—

(1) by adding at the end of subparagraph (B)(iii) the following: "For purposes of this clause, a retirement plan described in subparagraph (E) of an employer shall, under regulations prescribed by the Secretary or his delegate, be treated as an annuity contract to which section 403(b) applied purchased by such employer."; and

(2) by adding after subparagraph (D) the following new subparagraph:

"(E) CERTAIN RETIREMENT PLANS.—For purposes of subparagraph (B), a retirement plan referred to in clause (iii) is, with respect to any employee, only a retirement plan—

"(i) which provided for payment of retirement benefits by the employer with respect to which no amount was set aside,

"(ii) with respect to which the employee was (before any benefits accrued to him under such plan) given an election to have comparable benefits provided under an annuity contract to which section 403(b) applied (or would have applied), in lieu of benefits provided under such plan, and

"(iii) with respect to which there was in effect, at the time such employee elected to have benefits provided under such plan, a determination by the Secretary or his delegate that payments of benefits by the employer under such plan were not materially jeopardized by the failure of the employer to set aside amounts to provide for such payments."

(b) Section 403(b)(2) of such Code (relating to exclusion allowance) is amended—

(1) by striking out subparagraph (B) and inserting in lieu thereof the following:

"(B) the value of retirement benefits (whether for forfeitable or nonforfeitable) to be provided by the employer which was not includible in the gross income of the employee for any prior taxable year."; and

(2) by adding at the end thereof the following: "For purposes of subparagraph (B), the value of retirement benefits to be provided by the employer shall be determined in accordance with regulations prescribed by the Secretary or his delegate, but such value at the close of any taxable year shall not be greater than the aggregate of the level amounts which would have been contributed by the employer during prior taxable years in order to provide such benefits, if contributions had been made by the employer during such years."

(c) Section 2039 of such Code (relating to treatment of annuities for estate tax purposes) is amended by adding at the end thereof the following new subsection:

"(d) PAYMENTS UNDER CERTAIN RETIREMENT PLANS.—For purposes of subsection (c), a retirement plan described in section 101(b)(2)(E) of an employer described in subsection (c)(3) shall, under regulations prescribed by the Secretary or his delegate, be treated as a retirement annuity contract to which section 403(b) applied purchased by such employer."

(d) Section 2517 of such Code (relating to exclusion from gift tax of transfers of certain annuities under qualified plans) is amended by adding at the end theerof the following new subsection:

"(d) TRANSFERS UNDER CERTAIN RETIREMENT PLANS.—For purposes of subsections (a) and (b), a retirement plan described in section 101(b)(2)(E) of an employer described in subsection (a)(3) shall, under regulations prescribed by the Secretary or his delegate, be treated as a retirement annuity contract to which section 403(b) applies purchased by such employer."

(e)(1) The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 1966.

(2) The amendments made by subsection (b) shall apply to taxable years beginning after December 31, 1967.

(3) The amendment made by subsection (c) shall apply with respect to estates of decedents dying after December 31, 1966.

(4) The amendment made by subsection (d) shall apply with respect to calendar years after 1966.

(f) In the case of an employee who elects to have benefits provided under a retirement plan described in section 101(b)(2)(E) of the Internal Revenue Code of 1954 (as added by subsection (a) of this section) within one year after the date of the enactment of this Act (or within such longer period as the Secretary of the Treasury or his delegate may prescribe by regulations), or who elected to have benefits under such a plan on or before the date of the enactment of this Act, the requirement of clause (iii) of such section 101(b)(2)(E) shall be treated as met if the determination by the Secretary of the Treasury or his delegate with respect to such plan is made within one year after the date of the enactment of this Act (or within such longer period as the Secretary of the Treasury or his delegate may prescribe by regulations).

SEC. 4. (a) Section 46(b) of the Internal Revenue Code of 1954 (relating to carryback and carryover of unused investment credits) is amended by striking out paragraph (3) (relating to effect of net operating loss carryback).

(b) Section 6411(a) of such Code (relating to application for tentative carryback adjustment) is amended by inserting after "within a period of 12 months from the end of such taxable year" in the second sentence the following: "(or, with respect to any portion of an investment credit carryback from a taxable year attributable to a net operating loss carryback from a subsequent taxable year, within a period of 12 months from the end of such subsequent taxable year)".

(c) Section 6501(j) of such Code (relating to limitations on assessment in the case of investment credit carrybacks) is amended by inserting before the period at the end thereof the following: ", or, with respect to any portion of investment credit carryback from a taxable year attributable to a net operating loss carryback from a subsequent taxable year, at any time before the expiration of the period within which a deficiency for such subsequent taxable year may be assessed".

(d) Section 6511(d)(4)(A) of such Code (relating to special period of limitation on refunds with respect to investment credit carrybacks) is amended by inserting after "which results in such carryback" in the first sentence the following: "(or, with respect to any portion of an investment credit carryback from a taxable year attributable to a net operating loss carryback from a subsequent taxable year, the period shall be that period which ends with the expiration of the 15th day of the 40th month, or 39th month, in the case of a corporation, following the end of such subsequent taxable year)".

(e) Section 6601(e)(2) of such Code (relating to interest on underpayments, etc.) is amended by inserting before the period at the end thereof the following: ", or with respect to any portion of an investment credit carryback from a taxable year attributable to a net operating loss carryback from a subsequent taxable year, such increase shall not affect the computation of interest under this section for the period ending with the last day of such subsequent taxable year".

(f) Section 6611(f)(2) of such Code (relating to interest on overpayments) is amended by inserting before the period at the end thereof the following: ", or, with respect to any portion of an investment credit carryback from a taxable year attributable to a net operating loss carryback from a subsequent taxable year, such overpayment shall be deemed not to have been made prior to the close of such subsequent taxable year".

(g) The amendments made by this section shall apply with respect to investment credit carrybacks attributable to net operating loss carrybacks from taxable years ending after July 31, 1967.

SEC. 5. (a) Section 815(f) of the Internal Revenue Code of 1954 (relating to definition of distribution) is amended—

(1) by striking out "or" at the end of paragraph (2);

(2) by striking out the period at the end of paragraph (3) and inserting in lieu thereof "; or"; and

(3) by inserting after paragraph (3) the following new paragraph:

"(4) any distribution after December 31, 1966, of the stock of a controlled corporation to which section 355 applies, if such distribution is made to a corporation which immediately after the distribution is in control (within the meaning of section 368(c)) of both the distributing corporation and such controlled corporation and if such controlled corporation is a life insurance company of which the distributing corporation has been in control at all times since December 31, 1957."

(b)(1) The next to last sentence of section 815(f) is amended—

(A) by striking out "Paragraph (3) shall not" and inserting in lieu thereof "Neither paragraph (3) nor paragraph (4) shall"; and

(B) by striking out "subparagraph (B) of such paragraph" and inserting in lieu thereof "paragraph (3)(B)".

(2) The last sentence of section 815(f) is amended by striking out "paragraph (3) also" and inserting in lieu thereof "paragraphs (3) and (4) also".

(c) The amendments made by this section shall apply to taxable years beginning after December 31, 1966.

AIR QUALITY ACT OF 1967

Mr. MUSKIE. Mr. President, I ask that the Chair lay before the Senate a message from the House on S. 780.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 780) to amend the Clean Air Act to au-

thorize planning grants to air pollution control agencies; expand research provisions relating to fuels and vehicles; provide for interstate air pollution control agencies or commissions; authorize the establishment of air quality standards, and for other purposes, which was, strike out all after the enacting clause and insert:

That this Act may be cited as the "Air Quality Act of 1967".

Sec. 2. The Clean Air Act, as amended (42 U.S.C. 1857–1857l), is hereby amended to read as follows:

"TITLE I—AIR POLLUTION PREVENTION AND CONTROL

"FINDINGS AND PURPOSES

"Sec. 101. (a) The Congress finds—

"(1) that the predominant part of the Nation's population is located in its rapidly expanding metropolitan and other urban areas, which generally cross the boundary lines of local jurisdictions and often extend into two or more States;

"(2) that the growth in the amount and complexity of air pollution brought about by urbanization, industrial development, and the increasing use of motor vehicles, has resulted in mounting dangers to the public health and welfare, including injury to agricultural crops and livestock, damage to and the deterioration of property, and hazards to air and ground transportation;

"(3) that the prevention and control of air pollution at its source is the primary responsibility of States and local governments; and

"(4) that Federal financial assistance and leadership is essential for the development of cooperative Federal, State, regional, and local programs to prevent and control air pollution.

"(b) The purposes of this title are—

"(1) to protect and enhance the quality of the Nation's air resources so as to promote the public health and welfare and the productive capacity of its population;

"(2) to initiate and accelerate a national research and development program to achieve the prevention and control of air pollution;

"(3) to provide technical and financial assistance to State and local governments in connection with the development and execution of their air pollution prevention and control programs; and

"(4) to encourage and assist the development and operation of regional air pollution control programs.

"COOPERATIVE ACTIVITIES AND UNIFORM LAWS

"Sec. 102. (a) The Secretary shall encourage cooperative activities by the States and local governments for the prevention and control of air pollution; encourage the enactment of improved and, so far as practicable in the light of varying conditions and needs, uniform State and local laws relating to the prevention and control of air pollution; and encourage the making of agreements and compacts between States for the prevention and control of air pollution.

"(b) The Secretary shall cooperate with and encourage cooperative activities by all Federal departments and agencies having functions relating to the prevention and control of air pollution, so as to assure the utilization in the Federal air pollution control program of all appropriate and available facilities and resources within the Federal Government.

"(c) It is the intent of Congress that no agreement or compact entered into between States after the date of enactment of the Air Quality Act of 1967, which relates to the control and abatement of air pollution in an air quality control region, shall provide for participation by a State which is not included (in whole or in part) in such air quality control region.

"RESEARCH, INVESTIGATIONS, TRAINING, AND OTHER ACTIVITIES

"Sec. 103 (a) The Secretary shall establish a national research and development program for the prevention and control of air pollution and as part of such program shall—

"(1) conduct, and promote the coordination and acceleration of, research, investigations, experiments, training, demonstrations, surveys, and studies relating to the causes, effects, extent, prevention, and control of air pollution;

"(2) encourage, cooperate with, and render technical services and provide financial assistance to air pollution control agencies and other appropriate public or private agencies, institutions, and organizations, and individuals in the conduct of such activities;

"(3) conduct investigations and research and make surveys concerning any specific problem of air pollution in cooperation with any air pollution control agency with a view to recommending a solution of such problem, if he is requested to do so by such agency or if, in his judgment, such problem may affect any community or communities in a State other than that in which the source of the matter causing or contributing to the pollution is located;

"(4) conduct and accelerate research programs directed toward development of improved low-cost techniques for control of combustion byproducts of fuels, for removal of potential pollutants from fuels, and for control of emissions from evaporation of fuels;

"(5) establish technical advisory committees composed of recognized experts in various aspects of air pollution to assist in the examination and evaluation of research progress and proposals and to avoid duplication of research.

"(b) In carrying out the provisions of the preceding subsection the Secretary is authorized to—

"(1) collect and make available, through publications and other appropriate means, the results of and other information, including appropriate recommendations by him in connection therewith, pertaining to such research and other activities;

"(2) cooperate with other Federal departments and agencies, with air pollution control agencies, with other public and private agencies, institutions, and organizations, and with any industries involved, in the preparation and conduct of such research and other activities;

"(3) make grants to air pollution control agencies, to other public or nonprofit private agencies, institutions, and organizations, and to individuals, for purposes stated in subsection (a) (1) of this section;

"(4) contract with public or private agencies, institutions, and organizations, and with individuals, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5);

"(5) provide training for, and make training grants to, personnel of air polution control agencies and other persons with suitable qualifications;

"(6) establish and maintain research fellowships, in the Department of Health, Education, and Welfare and at public or nonprofit private educational institutions or research organizations;

"(7) collect and disseminate, in cooperation with other Federal departments and agencies, and with other public or private agencies, institutions, and organizations having related responsibilities, basic data on chemical, physical, and biological effects of varying air quality and other information pertaining to air pollution and the prevention and control thereof; and

"(8) develop effective and practical processes, methods, and prototype devices for the prevention or control of air pollution.

"(c) In carrying out the provisions of subsection (a) of this section the Secretary shall conduct research on, and survey the results of other scientific studies on, the harmful effects on the health or welfare of persons by the various known air pollution agents (or combinations of agents).

"(d) The Secretary is authorized to construct such facilities and staff and equip them as he determines to be necessary to carry out his functions under this Act.

"(e) If, in the judgment of the Secretary, an air pollution problem of substantial significance may result from discharge or discharges into the atmosphere, he may call a conference concerning this potential air pollution problem to be held in or near one or more of the places where such discharge or discharges are occurring or will occur. All interested persons shall be given an opportunity to be heard at such conference, either orally or in writing, and shall be permitted to appear in person or by representative in accordance with procedures prescribed by the Secretary. If the Secretary finds, on the basis of the evidence presented at such conference, that the discharge or discharges if permitted to take place or continue are likely to cause or contribute to air pollution subject to abatement under section 107(a), he shall send such findings, together with recommendations concerning the measures which he finds reasonable and suitable to prevent such pollution, to the person or persons whose actions will result in the discharge or discharges involved; to air pollution agencies of the State or States and of the municipality or municipalities where such discharge or discharges will originate; and to the interstate air pollution control agency, if any, in the jurisdictional area of which any such municipality is located. Such findings and recommendations shall be advisory only, but shall be admitted together with the record of the conference, as part of the proceedings under subsections (d), (e), and (f) of section 107.

"GRANTS FOR SUPPORT OF AIR POLLUTION PLANNING AND CONTROL PROGRAMS

"Sec. 104. (a) (1) The Secretary is authorized to make grants to air pollution control agencies in an amount up to two-thirds of the cost of planning, developing, establishing, or improving, and grants to such agencies in an amount up to one-half of the cost of maintaining, programs for the prevention and control of air pollution and programs for the implementation of air quality standards authorized by this Act: *Provided,* That the Secretary is authorized to make grants to air pollution control agencies within the meaning of sections 302(b) (2) and 302(b) (4) in an amount up to three-fourths of the cost of planning, developing, establishing or improving and up to three-fifths of the cost of maintaining, regional air quality control programs. As used in this subsection the term 'regional air quality control program' means a program for the prevention and control of air pollution or the implementation of air quality standards programs as authorized by this Act, in an area that includes the areas of two or more municipalities whether in the same or different States.

"(2) Before approving any grant under this subsection to any air pollution control agency within the meaning of sections 302 (b) (2) and 302(b) (4), the Secretary shall receive assurances that such agency provides for adequate representation of appropriate State, interstate, local, and (when appropriate) international, interests in the air quality control region.

"(3) Before approving any planning grant under this subsection to any air pollution control agency within the meaning of sections 302(b) (2) and 302(b) (4), the Secretary shall receive assurances that such agency has the capability of developing a comprehensive air quality plan for the air quality control region, which plan shall include (when appropriate) a recommended system of alerts to avert and reduce the risk of situations in which there may be imminent and serious danger to the public health or welfare from air pollutants and the various aspects relevant to the establishment of air quality standards for such air quality control region, including the concentration of industries, other commercial establishments, population and naturally occurring factors which shall affect such standards.

"(b) From the sums available for the purposes of subsection (a) of this section for any fiscal year, the Secretary shall from time to time make grants to air pollution control agencies upon such terms and conditions as the Secretary may find necessary to carry out the purpose of this section. In establishing regulations for the granting of such funds the Secretary shall, so far as practicable, give due consideration to (1) the population, (2) the extent of the actual or potential air pollution problem, and (3) the financial need of the respective agencies. No agency shall receive any grant under this section during any fiscal year when its expenditures of non-Federal funds for other than nonrecurrent expenditures for air pollution control programs will be less than its expenditures were for such programs during the preceding fiscal year; and no agency shall receive any grant under this section with respect to the maintenance of a program for the prevention and control of air pollution unless the Secretary is satisfied that such grant will be so used as to supplement and, to the extent practicable, increase the level of State, local, or other non-Federal funds that would in the absence of such grant be made available for the maintenance of such program, and will in no event supplant such State, local, or other non-Federal funds. No grant shall be made under this section until the Secretary has consulted with the appropriate official as designated by the Governor or Governors of the State or States affected.

"(c) Not more than 10 per centum of the total of funds appropriated or allocated for the purposes of subsection (a) of this section shall be granted for air pollution control programs in any one State. In the case of a grant for a program in an area crossing State boundaries, the Secretary shall determine the portion of such grant that is chargeable to the percentage limitation under this subsection for each State into which such area extends.

"INTERSTATE AIR QUALITY AGENCIES OR COMMISSIONS

"SEC. 105. (a) For the purpose of expediting the establishment of air quality standards in an interstate air quality control region designated pursuant to section 106(a) (2), the Secretary is authorized to pay, for two years, up to 100 per centum of the air quality planning program costs of any agency designated by the Governors of the affected States, which agency shall be capable of recommending to the Governors standards of air quality and plans for implementation thereof and shall include representation from the States and appropriate political subdivisions within the air quality control region. After the initial two-year period the Secretary is authorized to make grants to such agency in an amount up to three-fourths of the air quality planning program costs of such agency.

"(b) (1) Whenever the Secretary deems it necessary to expedite the establishment of standards for an interstate air quality control region designated pursuant to section 106 (a) (2) he may, after consultation with the Governors of the affected States, designate or establish an air quality planning commission for the purpose of developing recommended regulations setting forth standards of air quality to be applicable to such air quality control region.

"(2) Such Commission shall consist of the Secretary or his designee who shall serve as Chairman, and adequate representation of appropriate State, interstate, local and (when appropriate) international interests in the designated air quality control region.

"(3) The Secretary shall, within available funds, provide such staff for such Commission as may be necessary to enable it to carry out its functions effectively, and shall pay the other expenses of the Commission; and may also accept for the use by such Commission, funds, property, or services contributed by the State involved or political subdivisions thereof.

"(4) Each appointee from a State, other than an official or employee thereof, or of any political subdivision thereof, shall, while engaged in the work of the Commission, receive compensation at a rate fixed by the Secretary, but not in excess of $100 per diem, including traveltime, and while away from his home or regular place of business, he may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 3109) for persons in the Government service employed intermittently.

"AIR QUALITY CONTROL REGIONS, CRITERIA, AND CONTROL TECHNIQUES

"SEC. 106. (a) (1) The Secretary shall, as soon as practicable, but not later than one year after the date of enactment of the Air Quality Act of 1967, define for the purposes of this Act, atmospheric areas of the Nation on the basis of those conditions, including, but not limited to, climate, meteorology, and topography, which affect the interchange and diffusion of pollutants in the atmosphere.

"(2) For the purpose of establishing ambient air quality standards pursuant to section 107, and for administrative and other purposes, the Secretary, after consultation with appropriate State and local authorities, shall, within eighteen months after the date of enactment of the Air Quality Act of 1967, designate air quality control regions based on jurisdictional boundaries, urban-industrial concentrations, and other factors including atmospheric areas necessary to provide adequate implementation of air quality standards. The Secretary shall immediately notify the Governor or Governors of the affected State or States of such designation.

"(b) (1) The Secretary shall, after consultation with appropriate advisory committees and Federal departments and agencies, from time to time, but as soon as practicable, develop and issue to the States such criteria of air quality as in his judgment may be requisite for the protection of the public health and welfare: *Provided*, That any criteria issued prior to enactment of this section shall be reevaluated in accordance with the consultation procedure and other provisions of this section and, if necessary, modified and reissued. Such issuance shall be announced in the Federal Register and copies shall be made available to the general public.

"(2) Such criteria shall accurately reflect the latest scientific knowledge useful in indicating the kind and extent of all identifiable effects on health and welfare which may be expected from the presence of an air pollution agent, or combination of agents in the ambient air, in varying quantities.

"(3) Such criteria shall include those variable factors which of themselves or in combination with other factors may alter the effects on public health and welfare of any subject agents or combination of agents, including, but not limited to, atmospheric conditions, and the types of air pollution agent or agents which, when present in the atmosphere, may interact with such subject agent or agents. to produce an adverse effect on public health and welfare.

"(c) The Secretary shall, after consultation with appropriate advisory committees and Federal departments and agencies, issue to the States and appropriate air pollution control agencies information on those recommended pollution control techniques the application of which is necessary to achieve levels of air quality set forth in criteria issued pursuant to subsection (b), including those criteria subject to the proviso in subsection (b) (1), which information shall include technical data relating to the technology and costs of emission control. Such recommendations shall include such data as are available on the latest available technology and economic feasibility of alternative methods of prevention and control of air contamination including cost-effectiveness analyses. Such issuance shall be announced in the Federal Register and copies shall be made available to the general public.

"(d) The Secretary shall, from time to time, revise and reissue material issued pursuant to subsection (b) and (c) in accordance with procedures established in such subsections.

"AIR QUALITY STANDARDS AND ABATEMENT OF AIR POLLUTION

"SEC. 107. (a) The pollution of the air in any State or States which endangers the health or welfare of any persons, shall be subject to abatement as provided in this section.

"(b) Consistent with the policy declaration of this title, municipal, State, and interstate action to abate air pollution shall be encouraged and shall not be displaced by Federal enforcement action except as otherwise provided by or pursuant to a court order under subsection (c), (h), or (k).

"(c) (1) If, after receiving any air quality criteria and recommended control techniques issued pursuant to section 106, the Governor of a State, within ninety days of such receipt, files a letter of intent that such State will within one hundred and eighty days, and from time to time thereafter, adopt, after public hearings, ambient air quality standards applicable to any designated air quality control region or portions thereof within such State and within one hundred and eighty days thereafter, and from time to time as may be necessary, adopts a plan for the implementation, maintenance, and enforcement of such standards of air quality adopted, and if such standards and plan are established in accordance with the letter of intent and if the Secretary determines that such State standards are consistent with the air quality criteria and recommended control techniques issued pursuant to section 106; that the plan is consistent with the purposes of the Act insofar as it assures achieving such standards of air quality within a reasonable time; and that a means of enforcement by State action, including authority comparable to that in subsection (k) of this section, is provided, such State standards and plan shall be the air quality standards applicable to such State. If the Secretary determines that any revised State standards and plan are consistent with the purposes of this Act and this subsection, such standards and plan shall be the air quality standards applicable to such State.

"(2) If a State does not (a) file a letter of intent or (b) establish air quality standards in accordance with paragraph (1) of this subsection with respect to any air quality control region or portion thereof and if the Secretary finds it necessary to achieve the purpose of this Act, or the Governor of any State affected by air quality standards established pursuant to this subsection petitions for a revision in such standards, the Secretary may after reasonable notice and a conference of representatives of appropriate Federal departments and agencies, interstate agencies, States, municipalities, and industries involved, prepare regulations setting forth standards of air quality consistent with the air quality criteria and recommended control techniques issued pursuant to section 106 to be applicable to such air quality control region or portions thereof. If, within six months from the date the Secretary publishes such regulations, the State has not adopted air quality standards found by the Secretary to be consistent with the purposes of this Act, or a petition for public hearing has not been filed under paragraph (3) of this subsection, the Secretary shall promulgate such standards.

"(3) If at any time prior to thirty days after standards have been promulgated under paragraph (2) of this subsection, the Governor of any State affected by such standards petitions the Secretary for a hearing, the Secretary shall call a public hearing for the purpose of receiving testimony from State and local pollution control agencies and other interested parties affected by the proposed standards, to be held in or near one or more of the places where the air quality standards will take effect, before a hearing board of five or more persons appointed by the Secretary. Each State which would be affected by such standards shall be given an opportunity to select a member of the hearing board. Each Federal department, agency, or instrumentality having a substantial interest in the subject matter as determined by the Secretary shall be given an opportunity to select one member of the hearing board and not less than a majority of the hearing board shall be persons other than officers or employees of the Department of Health, Education, and Welfare. The members of the board who are not officers or employees of the United States, while participating in the hearing conducted by such hearing board or otherwise engaged in the work of such hearing board, shall be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including traveltime, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703, title 5, of the United States Code for persons in the Government service employed intermittently. At least thirty days prior to the date of such hearing notice of such hearing shall be published in the Federal Register and given to parties notified of the conference required in paragraph (2) of this subsection. On the basis of the evidence presented at such hearing, the hearing board shall within ninety days, unless the Secretary determines a longer period is necessary, make findings as to whether the standards published or promulgated by the Secretary should be approved or modified and transmit its findings to the Secretary. If the hearing board approves the standards as published or promulgated by the Secretary, the standards shall take effect on receipt by the Secretary of the hearing board's recommendations. If the hearing board recommends modifications in the standards as published or promulgated by the Secretary, the Secretary shall promulgate revised regulations setting forth standards of air quality in accordance with the hearing board's recommendations which will become effective immediately upon promulgation.

"(4) Whenever, on the basis of surveys, studies, and reports, the Secretary finds that the ambient air quality of any air quality control region or portion thereof is below the air quality standards established under this subsection, and he finds that such lowered air quality results from the failure of a State to take reasonable action to enforce such standards, the Secretary shall notify the affected State or States, persons contributing to the alleged violation, and other interested parties of the violation of such standards. If such failure does not cease within one hundred and eighty days from the date of the Secretary's notification, the Secretary—

"(i) in the case of pollution of air which is endangering the health or welfare of persons in a State other than that in which the discharge or discharges (causing or contributing to such pollution) originate, may request the Attorney General to bring a suit on behalf of the United States in the appropriate United States district court to secure abatement of the pollution.

"(ii) in the case of pollution of air which is endangering the health or welfare of persons only in the State in which the discharge or discharges (causing or contributing to such pollution) originate, at the request of the Governor of such State, shall provide such technical and other assistance as in his judgment is necessary to assist the State in judicial proceedings to secure abatement of the pollution under State or local law, or, at the request of the Governor of such State, shall request the Attorney General to bring suit on behalf of the United States in the appropriate United States district court to secure abatement of the pollution.

In any suit brought under the provisions of this subsection the court shall receive in evidence a transcript of the proceedings of the hearing provided for in this subsection, together with the recommendations of the hearing board and the recommendations and standards promulgated by the Secretary, and such additional evidence, including that relating to the alleged violation of the standards, as it deems necessary to complete review of the standards and to determination of all other issues relating to the alleged violation. The court, giving due consideration to the practicability and to the technological and economic feasibility of complying with such standards, shall have jurisdiction to enter such judgment and orders enforcing such judgment as the public interest and the equities of the case may require.

"(5) In connection with any hearings under this section no witness or any other person shall be required to divulge trade secrets or secret processes.

"(d)(1)(A) Whenever requested by the Governor of any State, a State air pollution control agency, or (with the concurrence of the Governor and the State air pollution control agency for the State in which the municipality is situated) the governing body of any municipality, the Secretary shall, if such request refers to air pollution which is alleged to endanger the health or welfare of persons in a State other than that in which the discharge or discharges (causing or contributing to such pollution) originate give formal notification thereof to the air pollution control agency of the municipality where such discharge or discharges originate, to the air pollution control agency of the State in which such municipality is located, and to the interstate air pollution control agency, if any, in whose jurisdictional area such municipality is located, and shall call promptly a conference of such agency or agencies and of the air pollution control agencies of the municipalities which may be adversely affected by such pollution, and the air pollution control agency, if any, of each State, or for each area, in which any such municipality is located.

"(B) Whenever requested by the Governor of any State, a State air pollution control agency, or (with the concurrence of the Governor and the State air pollution control agency for the State in which the municipality, is situated) the governing body of any municipality, the Secretary shall, if such request refers to alleged air pollution which is endangering the health or welfare of persons only in the State in which the discharge or discharges (causing or contributing to such pollution) originate and if a municipality affected by such air pollution, or the municipality in which such pollution originates, has either made or concurred in such request, give formal notification thereof to the State air pollution control agency, to the air pollution control agencies of the municipality where such discharge or discharges originate, and of the municipality or municipalities alleged to be adversely affected thereby, and to any interstate air pollution control agency, whose jurisdictional area includes any such municipality and shall promptly call a conference of such agency or agencies, unless in the judgment of the Secretary, the effect of such pollution is not of such significance as to warrant exercise of Federal jurisdiction under this section.

"(C) The Secretary may, after consultation with State officials of all affected States, also call such a conference whenever, on the basis of reports, surveys, or studies, he has reason to believe that any pollution referred to in subsection (a) is occurring and is endangering the health and welfare of persons in a State other than that in which the discharge or discharges originate. The Secretary shall invite the cooperation of any municipal, State, or interstate air pollution control agencies having jurisdiction in the affected area on any surveys or studies forming the basis of conference action.

"(D) Whenever the Secretary, upon receipt of reports, surveys, or studies from any duly constituted international agency, has reason to believe that any pollution referred to in subsection (a) which endangers the health or welfare of persons in a foreign country is occurring, or whenever the Secretary of State requests him to do so with respect to such pollution which the Secretary of State alleges is of such a nature, the Secretary of Health, Education, and Welfare shall give formal notification thereof to the air pollution control agency of the municipality where such discharge or discharges originate, to the air pollution control agency of the State in which such muicipality is located, and to the interstate air pollution control agency, if any, in the jurisdictional area of which such municipality is located, and shall call promptly a conference of such agency or agencies. The Secretary shall invite the foreign country which may be adversely affected by the pollution to attend and participate in the conference, and the representative of such country shall, for the purpose of the conference and any further proceeding resulting from such conference, have all the rights of a State air pollution control agency. This subparagraph shall apply only to a foreign country which the Secretary determines has given the United States essentially the same rights with respect to the prevention or control of air pollution occurring in that country as is given that country by this subparagraph.

"(2) The agencies called to attend such conference may bring such persons as they desire to the conference. The Secretary shall deliver to such agencies and make available to other interested parties, at least thirty days prior to any such conference, a Federal report with respect to the matters before the conference, including data and conclusions or findings (if any); and shall give at least thirty days' prior notice of the conference date to any such agency, and to the public by publication on at least three different days in a newspaper or newspapers of general circulation in the area. The chairman of the conference shall give interested parties an opportunity to present their views to the conference with respect to such Federal report, conclusions or findings (if any), and other pertinent information. The Secretary shall provide that a transcript be maintained of the proceedings of the conference and that a copy of such transcript be made available on request of any participant in the conference at the expense of such participant.

"(3) Following this conference, the Secretary shall prepare and forward to all air pollution control agencies attending the conference a summary of conference discussions including (A) occurrence of air pollution subject to abatement under this Act; (B) adequacy of measures taken toward abatement of the pollution; and (C) nature of delays, if any, being encountered in abating the pollution.

"(e) If the Secretary believes, upon the conclusion of the conference or thereafter, that effective progress toward abatement of such pollution is not being made and that the health or welfare of any persons is being endangered, he shall recommend to the appropriate State, interstate, or municipal air pollution control agency (or to all such agencies) that the necessary remedial action be taken. The Secretary shall allow at least six months from the date he makes such recommendations for the taking of such recommended action.

"(f) (1) If, at the conclusion of the period so allowed, such remedial action or other action which in the judgment of the Secretary is reasonably calculated to secure abatement of such pollution has not been taken, the Secretary shall call a public hearing, to be held in or near one or more of the places where the discharge or discharges causing or contributing to such pollution originated, before a hearing board of five or more persons appointed by the Secretary. Each State in which any discharge causing or contributing to such pollution originates and each State claiming to be adversely affected by such pollution shall be given an opportunity to select one member of such hearing board and each Federal department, agency, or instrumentality having a substantial interest in the subject matter as determined by the Secretary shall be given an opportunity to select one member of such hearing board, and one member shall be a representative of the appropriate interstate air pollution agency if one exists, and not less than a majority of such hearing board shall be persons other than officers or employees of the Department of Health, Education, and Welfare. At least three weeks' prior notice of such hearing shall be given to the State, interstate, and municipal air pollution control agencies called to attend such hearing and to the alleged polluter or polluters. All interested parties shall be given a reasonable opportunity to present evidence to such hearing board.

"(2) On the basis of evidence presented at such hearing, the hearing board shall make findings as to whether pollution referred to in subsection (a) is occurring and whether effective progress toward abatement thereof is being made. If the hearing board finds such pollution is occurring and effective progress toward abatement thereof is not being made it shall make recommendations to the Secretary concerning the measures, if any, which it finds to be reasonable and suitable to secure abatement of such pollution.

"(3) The Secretary shall send such findings and recommendations to the person or persons discharging any matter causing or contributing to such pollution; to air pollution control agencies of the State or States and of the municipality or municipalities where such discharge or discharges originate; and to any interstate air pollution control agency whose jurisdictional area includes any such municipality, together with a notice specifying a reasonable time (not less than six months) to secure abatement of such pollution.

"(g) If action reasonably calculated to secure abatement of the pollution within the time specified in the notice following the public hearing is not taken, the Secretary—

"(1) in the case of pollution of air which is endangering the health or welfare of persons (A) in a State other than that in which the discharge or discharges (causing or contributing to such pollution) originate, or (B) in a foreign country which has participated in a conference called under subparagraph (D) of subsection (d) of this section and in all proceedings under this section resulting from such conference, may request the Attorney General to bring a suit on behalf of the United States in the appropriate United States district court to secure abatement of the pollution.

"(2) in the case of pollution of air which is endangering the health or welfare of persons only in the State in which the discharge or discharges (causing or contributing to such pollution) originate, at the request of the Governor of such State, shall provide such technical and other assistance as in his judgment is necessary to assist the State in judicial proceedings to secure abatement of the pollution under State or local law or, at the request of the Governor of such State, shall request the Attorney General to bring suit on behalf of the United States in the appropriate United States district court to secure abatement of the pollution.

"(h) The court shall receive in evidence in any suit brought in a United States court under subsection (g) of this section a transcript of the proceedings before the board and a copy of the board's recommendations and shall receive such further evidence as the court in its discretion deems proper. The court, giving due consideration to the practicability of complying with such standards as may be applicable and to the physical and economic feasibility of securing abatement of any pollution proved, shall have jurisdiction to enter such judgment, and orders enforcing such judgment, as the public interest and the equities of the case may require.

"(i) Members of any hearing board appointed pursuant to subsection (f) who are not regular full-time officers or employees of the United States shall, while participating in the hearing conducted by such board or otherwise engaged on the work of such board, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding $100 per diem, including traveltime, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

"(j) (1) In connection with any conference called under this section, the Secretary is authorized to require any person whose activities result in the emission of air pollutants causing or contributing to air pollution to file with him, in such form as he may prescribe, a report, based on existing data, furnishing to the Secretary such information as may reasonably be required as to the character, kind, and quantity of pollutants discharged and the use of devices or other means to prevent or reduce the emission of pollutants by the person filing such a report. After a conference has been held with respect to any such pollution the Secretary shall require such reports from the persons whose activities result in such pollution only to the extent recommended by such conference. Such report shall be made under oath or otherwise, as the Secretary may prescribe, and shall be filed with the Secretary within such reasonable period as the Secretary may prescribe, unless additional time be granted by the Secretary. No person shall be required in such report to divulge trade secrets or secret processes and all information reported shall be considered confidential for the purposes of section 1905 of title 18 of the United States Code.

"(2) If any person required to file any report under this subsection shall fail to do so within the time fixed by the Secretary for filing the same, and such failure shall continue for thirty days after notice of such default, such person shall forfeit to the United States the sum of $100 for each and every day of the continuance of such failure, which forfeiture shall be payable into the Treasury of the United States, and shall be recoverable in a civil suit in the name of the United States brought in the district where such person has his principal office or in any district in which he does business: *Provided*, That the Secretary may upon application therefor remit or mitigate any forfeiture provided for under this subsection and he shall have authority to determine the facts upon all such applications.

"(3) It shall be the duty of the various United States attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of such forfeitures.

"(k) Notwithstanding any other provision of this section, the Secretary, upon receipt of evidence that a particular pollution source or combination of sources (including moving sources) is presenting an imminent and substantial endangerment to the health of persons, and finding that appropriate State or local authorities have not acted to abate such sources, may request the Attorney General to bring suit on behalf of the United States in the appropriate United States district court to immediately enjoin any contributor to the alleged pollution to stop the emission of contaminants causing such pollution or to take such other action as may be necessary.

"STANDARDS TO ACHIEVE HIGHER LEVEL OF AIR QUALITY

"SEC. 108. Nothing in this title shall prevent a State, political subdivision, intermunicipal or interstate agency from adopting standards and plans to implement an air quality program which will achieve a higher level of ambient air quality than approved by the Secretary.

"PRESIDENT'S AIR QUALITY ADVISORY BOARD AND ADVISORY COMMITTEES

"SEC. 109. (a) (1) There is hereby established in the Department of Health, Education, and Welfare an Air Quality Advisory Board, composed of the Secretary or his designee, who shall be Chairman, and fifteen members appointed by the President, none of whom shall be Federal officers or employees. The appointed members, having due regard for the purposes of this Act, shall be selected from among representatives of various State, interstate, and local governmental agencies, of public or private interests contributing to, affected by, or concerned with air pollution, and of other public and private agencies, organizations, or groups demonstrating an active interest in the field of air pollution prevention and control, as well as other individuals who are expert in this field.

"(2) Each member appointed by the President shall hold office for a term of three years, except that (A) any member appointed to fill a vacancy occuring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (B) the terms of office of the members first taking office pursuant to this subsection shall expire as follows: five at the end of one year after the date of appointment, five at the end of two years after such date, and five at the end of three years after such date, as designated by the President at the time of appointment, and (C) the term of any member under the preceding provisions shall be extended until the date on which his successor's appointment is effective. None of the members shall be eligible for reappointment within one year after the end of his preceding term, unless such term was for less than three years.

"(b) The Board shall advise and consult with the Secretary on matters of policy relating to the activities and functions of the Secretary under this Act and make such recommendations as it deems necessary to the President.

"(c) Such clerical and technical assistance as may be necessary to discharge the duties of the Board and such other advisory committees as hereinafter authorized shall be provided from the personnel of the Department of Health, Education, and Welfare.

"(d) In order to obtain assistance in the development and implementation of the purposes of this Act including air quality criteria, recommended control techniques, standards, research and development, and to encourage the continued efforts on the part of industry to improve air quality and to develop economically feasible methods for the control and abatement of air pollution, the Secretary shall from time to time establish advisory committees. Committee members shall include, but not be limited to, persons who are knowledgeable concerning air quality from the standpoint of health, welfare, economic, or technology.

"(e) The members of the Board and other advisory committees appointed pursuant to this Act who are not officers or employees of the United States, while attending conferences or meetings of the Board or while otherwise serving at the request of the Secretary, shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not exceeding $100 per diem, including traveltime, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

"COOPERATION BY FEDERAL AGENCIES TO CONTROL AIR POLLUTION FROM FEDERAL FACILITIES

"Sec. 110. (a) It is hereby declared to be the intent of Congress that any Federal department or agency having jurisdiction over any building, installation, or other property shall, to the extent practicable and consistent with the interests of the United States and within any available appropriations, cooperate with the Department of Health, Education, and Welfare and with any air pollution control agency in preventing and controlling the pollution of the air in any area insofar as the discharge of any matter from or by such building, installation, or other property may cause or contribute to pollution of the air in such area.

"(b) In order to control air pollution which may endanger the health or welfare of any persons, the Secretary may establish classes of potential pollution sources for which any Federal department or agency having jurisdiction over any building, installation, or other property shall, before discharging any matter into the air of the United States, obtain a permit from the Secretary for such discharge, such permits to be issued for a specified period of time to be determined by the Secretary and subject to revocation if the Secretary finds pollution is endangering the health and welfare of any persons. In connection with the issuance of such permits, there shall be submitted to the Secretary such plans, specifications, and other information as he deems relevant thereto and under such conditions as he may prescribe. The Secretary shall report each January to the Congress the status of such permits and compliance therewith.

"TITLE II—NATIONAL EMISSION STANDARDS ACT

"SHORT TITLE

"Sec. 201. This title may be cited as the 'National Emission Standards Act'.

"ESTABLISHMENT OF STANDARDS

"Sec. 202. (a) The Secretary shall by regulation, giving appropriate consideration to technological feasibility and economic costs, prescribe as soon as practicable standards, applicable to the emission of any kind of substance, from any class or classes of new motor vehicles or new motor vehicle engines, which in his judgment cause or contribute to, or are likely to cause or to contribute to, air pollution which endangers the health or welfare of any persons, and such standards shall apply to such vehicles or engines whether they are designed as complete systems or incorporate other devices to prevent or control such pollution.

"(b) Any regulations initially prescribed under this section, and amendments thereto, with respect to any class of new motor vehicles or new motor vehicle engines shall become effective on the effective date specified in the order promulgating such regulations which date shall be determined by the Secretary after consideration of the period reasonably necessary for industry compliance.

"PROHIBITED ACTS

"Sec. 203. (a) The following acts and the causing thereof are prohibited—

"(1) in the case of a manufacturer of new motor vehicles or new motor vehicle engines for distribution in commerce, the manufacture for sale, the sale, or the offering for sale, or the introduction or delivery for introduction into commerce, or the importation into the United States for sale or resale, of any new motor vehicle or new motor vehicle engine, manufactured after the effective date of regulations under this title which are applicable to such vehicle or engine unless it is in conformity with regulations prescribed under this title (except as provided in subsection (b));

"(2) for any person to fail or refuse to permit access to or copying of records or to fail to make reports or provide information, required under section 207; or

"(3) for any person to remove or render inoperative any device or element of design installed on or in a motor vehicle or motor vehicle engine in compliance with regulations under this title prior to its sale and delivery to the ultimate purchaser.

"(b)(1) The Secretary may exempt any new motor vehicle or new motor vehicle engine, or class thereof, from subsection (a), upon such terms and conditions as he may find necessary to protect the public health or welfare, for the purpose of research, investigations, studies, demonstrations, or training, or for reasons of national security.

"(2) A new motor vehicle or new motor vehicle engine offered for importation by a manufacturer in violation of subsection (a) shall be refused admission into the United States, but the Secretary of the Treasury and the Secretary of Health, Education, and Welfare may, by joint regulation, provide for deferring final determination as to admission and authorizing the delivery of such a motor vehicle or engine offered for import to the owner or consignee thereof upon such terms and conditions (including the furnishing of a bond) as may appear to them appropriate to insure that any such motor vehicle or engine will be brought into conformity with the standards, requirements, and limitations applicable to it under this title. The Secretary of the Treasury shall, if a motor vehicle or engine is finally refused admission under this paragraph, cause disposition thereof in accordance with the customs laws unless it is exported, under regulations prescribed by such Secretary, within ninety days of the date of notice of such refusal or such additional time as may be permitted pursuant to such regulations, except that disposition in accordance with the customs laws may not be made in such manner as may result, directly or indirectly, in the sale, to the ultimate consumer, of a new motor vehicle or new motor vehicle engine that fails to comply with applicable standards of the Secretary of Health, Education, and Welfare under this title.

"(3) A new motor vehicle or new motor vehicle engine intended solely for export, and so labeled or tagged on the outside of the container and on the vehicle or engine itself, shall not be subject to the provisions of subsection (a).

"INJUNCTION PROCEEDINGS

"Sec. 204. (a) The district courts of the United States shall have jurisdiction to restrain violations of paragraph (1), (2), or (3) of section 203(a).

"(b) Actions to restrain such violations shall be brought by and in the name of the United States. In any such action, subpenas for witnesses who are required to attend a district court in any district may run into any other district.

"PENALTIES

"Sec. 205. Any person who violates paragraph (1), (2), or (3) of section 203(a) shall be subject to a fine of not more than $1,000. Such violation with respect to sections 203(a)(1) and 203(a)(3) shall constitute a separate offense with respect to each new motor vehicle or new motor vehicle engine.

"CERTIFICATION

"Sec. 206. (a) Upon application of the manufacturer, the Secretary shall test, or require to be tested, in such manner as he deems appropriate, any new motor vehicle or new motor vehicle engine submitted by such manufacturer to determine whether such vehicle or engine conforms with the regulations prescribed under section 202 or 208(b) of this title. If such vehicle or engine conforms to such regulations the Secretary shall issue a certificate of conformity, upon such terms, and for such period not less than one year, as he may prescribe.

"(b) Any new motor vehicle or any motor vehicle engine sold by such manufacturer which is in all material respects substantially the same construction as the test vehicle or engine for which a certificate has been issued under subsection (a), shall for the purposes of this Act be deemed to be in conformity with the regulations issued under section 202 of this title.

"RECORDS AND REPORTS

"Sec. 207. (a) Every manufacturer shall establish and maintain such records, make such reports, and provide such information as the Secretary may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this title and regulations thereunder and shall, upon request of an officer or employee duly designated by the Secretary, permit such officer or employee at reasonable times to have access to and copy such records.

"(b) All information reported or otherwise obtained by the Secretary or his representative pursuant to subsection (a), which information contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code, shall be considered confidential for the purpose of such section 1905, except that such information may be disclosed to other officers or employees concerned with carrying out this Act or when relevant in any proceeding under this Act. Nothing in this section shall authorize the withholding of information by the Secretary or any officer or employee under his control, from the duly authorized committees of the Congress.

"STATE STANDARDS

"Sec. 208. (a) No State or any political subdivision thereof shall adopt or attempt to enforce any standard relating to the control of emissions from new motor vehicles or new motor vehicle engines subject to this title. No State shall require certification, inspection, or any other approval relating to the control of emissions from any new motor vehicle or new motor vehicle engine as condition precedent to the initial retail sale, titling (if any), or registration of such motor vehicle, motor vehicle engine, or equipment.

"(b) The Secretary shall, after notice and opportunity for public hearing, waive application of this section to any State which has adopted standards (other than crankcase emission standards) for the control of emissions from new motor vehicles or new motor vehicle engines prior to March 30, 1966, unless he finds that such State does not require standards more stringent than applicable Federal standards to meet compelling and extraordinary conditions or that such State standards and accompanying enforcement procedures are not consistent with section 202(a) of this title.

"(c) Nothing in this title shall preclude or deny to any State or political subdivision thereof the right otherwise to control, regulate, or restrict the use, operation, or movement of registered or licensed motor vehicles.

"FEDERAL ASSISTANCE IN DEVELOPING VEHICLE INSPECTION PROGRAMS

"SEC. 209. The Secretary is authorized to make grants to appropriate State air pollution control agencies in an amount up to two-thirds of the cost of developing meaningful uniform motor vehicle emission device inspection and emission testing programs except that (1) no grant shall be made for any part of any State vehicle inspection program which does not directly relate to the cost of the air pollution control aspects of such a program; and (2) no such grant shall be made unless the Secretary of Transportation has certified to the Secretary that such program is consistent with any highway safety program developed pursuant to section 402 of title 23 of the United States Code.

"REGISTRATION OF FUEL ADDITIVES

"SEC. 210. (a) The Secretary may by regulation designate any fuel or fuels, or any classes or uses thereof, and, after such date or dates as may be prescribed by him, no manufacturer or processor of any such fuel may deliver it for introduction into interstate commerce or to another person who, it can reasonably be expected, will deliver such fuel for such introduction unless any additive contained in such fuel has been registered with the Secretary in accordance with this section.

"(b) Upon filing of an application containing or accompanied by such information as to the characteristics and composition of any additive for any fuel as the Secretary finds necessary, and including assurances that such additional information as the Secretary may reasonably require will upon request be provided, the Secretary shall register such additive.

"(c) The Secretary shall make such provision, with respect to any additive, or any class or use thereof, or any information furnished in connection therewith, as in his judgment is necessary to protect any trade secret or is necessary in the interest of national security. Nothing in this section shall authorize the withholding of information by the Secretary or any officer or employee under his control, from the duly authorized committees of the Congress.

"(d) Any person who violates subsection (a) shall forfeit and pay to the United States a civil penalty of $1,000 for each and every day of the continuance of such violation, which shall accrue to the United States and be recovered in a civil suit in the name of the United States, brought in the district where such person has his principal office or in any district in which he does business. The Secretary may, upon application therefor, remit or mitigate any forfeiture provided for in this subsection, and he shall have authority to determine the facts upon all such applications.

"(e) It shall be the duty of the various United States attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of such forfeitures.

"NATIONAL EMMISSIONS STANDARDS STUDY

"SEC. 211. (a) The Secretary shall submit to the Congress, no later than two years after the effective date of this section, a comprehensive report on the need for and effect of national emission standards for stationary sources. Such report shall include: (A) information regarding identifiable health and welfare effects from single emission sources; (B) examples of specific plants, their location, and the contaminant or contaminants which, due to the amount or nature of emissions from such facilities, constitute a danger to public health or welfare; (C) an up-to-date list of those industries and the contaminant or contaminants which, in his opinion, should be subject to such national standards; (D) the relationship of such national emission standards to ambient air quality, including a comparison of situations wherein several plants emit the same contaminants in an air region with those in which only one such plant exists; (E) an analysis of the cost of applying such standards; and (F) such other information as may be appropriate.

"(b) The Secretary shall conduct a full and complete investigation and study of the feasibility and practicability of controlling emissions from jet and piston aircraft engines and of establishing national emission standards with respect thereto, and report to Congress the results of such study and investigation within one year from the date of enactment of the Air Quality Act of 1967, together with his recommendations.

"DEFINITIONS FOR TITLE II

"SEC. 212. As used in this title—

"(1) The term 'manufacturer' as used in sections 203, 206, 207, and 208 means any person engaged in the manufacturing or assembling of new motor vehicles or new motor vehicle engines, or importing such vehicles or engines for resale, or who acts for and is under the control of any such person in connection with the distribution of new motor vehicles or new motor vehicle engines, but shall not include any dealer with respect to new motor vehicles or new motor vehicle engines received by him in commerce.

"(2) The term 'motor vehicle' means any self-propelled vehicle designed for transporting persons or property on a street or highway.

"(3) The term 'new motor vehicle' means a motor vehicle the equitable or legal title to which has never been transferred to an ultimate purchaser; and the term 'new motor vehicle engine' means an engine in a new motor vehicle or a motor vehicle engine the equitable or legal title to which has never been transferred to the ultimate purchaser.

"(4) The term 'dealer' means any person who is engaged in the sale or the distribution of new motor vehicles or new motor vehicle engines to the ultimate purchaser.

"(5) The term 'ultimate purchaser' means, with respect to any new motor vehicle or new motor vehicle engine, the first person who in good faith purchases such new motor vehicle or new engine for purposes other than resale.

"(6) The term 'commerce' means (A) commerce between any place in any State and any place outside thereof; and (B) commerce wholly within the District of Columbia.

"TITLE III—GENERAL

"ADMINISTRATION

"SEC. 301. (a) The Secretary is authorized to prescribe such regulations as are necessary to carry out his functions under this Act. The Secretary may delegate to any officer or employee of the Department of Health, Education, and Welfare such of his powers and duties under this Act, except the making of regulations, as he may deem necessary or expedient.

"(b) Upon the request of an air pollution control agency, personnel of the Public Health Service may be detailed to such agency for the purpose of carrying out the provisions of this Act. The provisions of section 214(d) of the Public Health Service Act shall be applicable with respect to any personnel so detailed to the same extent as if such personnel had been detailed under section 214(b) of that Act.

"(c) Payments under grants made under this Act may be made in installments, and in advance or by way of reimbursement, as may be determined by the Secretary.

"DEFINITIONS

"SEC. 302. When used in this Act—

"(a) The term 'Secretary' means the Secretary of Health, Education, and Welfare.

"(b) The term 'air pollution control agency' means any of the following:

"(1) A single State agency designated by the Governor of that State as the official State air pollution control agency for purposes of this Act;

"(2) An agency established by two or more States and having substantial powers or duties pertaining to the prevention and control of air pollution;

"(3) A city, county, or other local government health authority, or, in the case of any city, county, or other local government in which there is an agency other than the health authority charged with responsibility for enforcing ordinances or laws relating to the prevention and control of air pollution, such other agency; or

"(4) An agency of two or more municipalities located in the same State or in different States and having substantial powers or duties pertaining to the prevention and control of air pollution.

"(c) The term 'interstate air pollution control agency' means—

"(1) an air pollution control agency established by two or more States, or

"(2) an air pollution control agency of two or more municipalities located in different States.

"(d) The term 'State' means a State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

"(e) The term 'person' includes an individual, corporation, partnership, association, State, municipality, and political subdivision of a State.

"(f) The term 'municipality' means a city, town, borough, county, parish, district, or other public body created by or pursuant to State law.

"(g) All language referring to adverse effects on welfare shall include but not be limited to injury to agricultural crops and livestock, damage to and the deterioration of property, and hazards to transportation.

"OTHER AUTHORITY NOT AFFECTED

"SEC. 303. (a) Except as provided in subsection (b) of this section, this Act shall not be construed as superseding or limiting the authorities and responsibilities, under any other provision of law, of the Secretary or any other Federal officer, department, or agency.

"(b) No appropriation shall be authorized or made under section 301, 311, or 314 of the Public Health Service Act for any fiscal year after the fiscal year ending June 30, 1964, for any purpose for which appropriations may be made under authority of this Act.

"RECORDS AND AUDIT

"SEC. 304. (a) Each recipient of assistance under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(b) The Secretary of Health, Education, and Welfare and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examinations to any books, documents, papers, and records of the recipients that are pertinent to the grants received under this Act.

"COMPREHENSIVE ECONOMIC COST STUDIES

"SEC. 305. (a) In order to provide the basis for evaluating programs authorized by this Act and the development of new programs and to furnish the Congress with the information necessary for authorization of appropriations by fiscal years beginning after

June 30, 1969, the Secretary, in cooperation with State, interstate, and local air pollution control agencies, shall make a detailed estimate of the cost of carrying out the provisions of this Act; a comprehensive study of the cost of program implementation by affected units of government; and a comprehensive study of the economic impact of air quality standards on the Nation's industries, communities, and other contributing sources of pollution, including an analysis of the national requirements for and the cost of controlling emissions to attain such standards of air quality as may be established pursuant to this Act or applicable State law. The Secretary shall submit such detailed estimate and the results of such comprehensive study of cost for the five-year period beginning July 1, 1969, and the results of such other studies, to the Congress not later than January 10, 1969, and shall submit a reevaluation of such estimate and studies annually thereafter.

"(b) The Secretary shall also make a complete investigation and study to determine (1) the need for additional trained State and local personnel to carry out programs assisted pursuant to this Act and other programs for the same purposes as this Act; (2) means of using existing Federal training programs to train such personnel; and (3) the need for additional trained personnel to develop, operate and maintain those pollution control facilities designed and installed to implement air quality standards. He shall report the results of such investigation and study to the President and the Congress not later than July 1, 1969.

"ADDITIONAL REPORTS TO CONGRESS

"SEC. 306. Not later than six months after the effective date of this section and not later than January 10 of each calendar year beginning after such date, the Secretary shall report to the Congress on measures taken toward implementing the purposes and intent of this Act including, but not limited to, (1) the progress and problems associated with control of automotive exhaust emissions and the research efforts related thereto; (2) the development of air quality criteria and recommended emission control requirements; (3) the status of enforcement actions taken pursuant to this Act; (4) the status of State ambient air standards setting, including such plans for implementation and enforcement as have been developed; (5) the extent of development and expansion of air pollution monitoring systems; (6) progress and problems related to development of new and improved control techniques; (7) the development of quantitative and qualitative instrumentation to monitor emissions and air quality; (8) standards set or under consideration pursuant to title II of this Act; (9) the status of State, interstate, and local pollution control programs established pursuant to and assisted by this Act; and (10) the reports and recommendations made by the President's Air Quality Advisory Board.

"LABOR STANDARDS

"SEC. 307. The Secretary shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors on projects assisted under this Act shall be paid wages at rates not less than those prevailing for the same type of work on similiar construction in the locality as determined by the Secretary of Labor, in accordance with the Act of March 3, 1931, as amended, known as the Davis-Bacon Act (46 Stat. 1494; 40 U.S.C. 276a—276a-5). The Secretary of Labor shall have, with respect to the labor standards specified in this subsection, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267) and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276c).

"SEPARABILITY

"SEC. 308. If any provision of this Act, or the application of any provision of this Act to any person or circumstance, is held invalid, the application of such provision to other persons or circumstances, and the remainder of this Act, shall not be affected thereby.

"APPROPRIATIONS

"SEC. 309. There are hereby authorized to be appropriated to carry out this Act, other than section 103(d), $99,000,000 for the fiscal year ending June 30, 1968, $145,000,000 for the fiscal year ending June 30, 1969, and $184,300,000 for the fiscal year ending June 30, 1970.

"SHORT TITLE

"SEC. 310. This Act may be cited as the 'Clean Air Act'."

Mr MUSKIE. Mr. President, I move that the Senate insist on its amendments and ask for a conference with the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MUSKIE, Mr. RANDOLPH, Mr. BAYH, Mr. BOGGS, and Mr. COOPER conferees on the part of the Senate.

AMENDMENT OF BANK HOLDING COMPANY ACT OF 1956

The Senate resumed the consideration of the bill (H.R. 4765) relating to the income tax treatment of certain distributions pursuant to the Bank Holding Company Act of 1956, as amended.

Mr. LONG of Louisiana. Mr. President, I do not believe this bill is controversial except for one or two items about which the Senator from Delaware [Mr. WILLIAMS] feels very strongly. Otherwise, I believe the bill may very well have been passed on the call of the calendar. The major point at issue involves a question of whether, when Congress passes legislation to require a divestiture of stock held by a company, which has been complying with the law, the shareholders should be required to pay a tax at that point. There is precedent both ways.

Let me now turn to a general explanation of the bill as amended by the committee.

Your committee has accepted the House-passed provision in this bill without change but has added four amendments relating to different tax matters to the bill.

The provision in the House bill which your committee accepted without change is concerned with corporations which become bank holding companies as a result of the 1966 amendments to the Bank Holding Company Act of 1956. The 1966 amendments removed an exemption provided by prior law and as a result the Financial General Corp., an affiliate of the Equity Corp., which is a registered investment company, became a bank holding company. As you know, bank holding companies are required to divest themselves of either their bank or nonbank holdings.

This bill provides that in this case the corporation can distribute either its bank or its nonbank interests to its shareholders without the shareholders having to pay tax on the stock or other property received so long as all distributions in kind are made on a pro rata basis to all shareholders.

The Treasury Department has indicated that it has no objection to this provision. The tax-free distribution treatment provided by this bill will not, of course, mean that the shareholders will escape any tax whenever they dispose of any of the stock distributed to them. They will still be subject to the regular capital gains tax and their basis in the original stock will be divided between their old stock and the new stock distributed to them.

The tax-free distribution treatment provided in this bill for the Financial General Corp., which was classified by an act of Congress in 1966 as a bank holding company, is the same treatment that was provided for numerous other companies which were classified as bank holding companies as a result of the act in 1956. Having provided for tax-free distributions in these earlier cases, your committee thought it was appropriate to provide the same treatment for companies coming under the new amendments to the bank holding company law.

Actually, there is one change in the treatment provided here that makes it somewhat more restrictive than the earlier treatment. In this case, all distributions in kind—those made in other than money—must be made on a pro rata basis for the tax-free treatment to be available. This prevents any possible manipulation where any of the shareholders may themselves be tax-free organizations or have a high basis for their stock.

Not only is the treatment provided in this bill the same as that provided for bank holding companies under the initial Bank Holding Company Act of 1956, but it is also consistent with the treatment provided under present law where divestitures are required to effectuate the policies of the Securities and Exchange Commission.

There was considerable committee discussion of an alternative type of treatment offered by the Senator from Delaware [Mr. WILLIAMS] which does not in all cases automatically provide for tax-free treatment upon distribution. I am referring to the so-called Du Pont type treatment which was provided when Du Pont was required to divest itself of its holdings of General Motors stock.

In that case, gain was recognized to an individual shareholder receiving a distribution to the extent that the fair market value of the stock distributed exceeded his cost or other basis for the stock with respect to which the distribution was made. This has the effect of imposing a tax on individual shareholders whose stock has substantially appreciated. These shareholders will usually have held the stock for a considerable period of time. Under this treatment no tax would be imposed where the stock has been recently purchased and the fair market value of the stock distributed does not exceed the price the individual shareholder paid for his stock.

Actually, I believe the tax consequences in the case of individual shareholders are likely to differ very little whichever of these two types of treatment is provided. However, I believe the members of the Banking and Currency Committee, which considered the 1966 amendments to the Bank Holding Company Act feel that it is only appropriate to provide the same treatment in this case for a divestiture as was provided earlier in the case of bank holding company divestitures. I believe that the distinguished senior Senator from Utah [Mr. BENNETT] and the distinguished minority leader intend to comment on this. In this connection I should note that on June 6, 1966 I, in reply to a letter from the Senate Banking and Currency Committee, wrote to the committee and gave assurances that a tax change necessitated by that committee's change in the bank holding company law would be considered by the Finance Committee.

In addition to the House-passed provision which your committee has reported without change, your committee added four amendments to the bill.

The first of these relates to mortgage guaranty insurance.

I am sure that the Members of the Senate know that in 1960 the Internal Revenue Service issued two relatively favorable rulings to mortgage guaranty insurance companies. These rulings, in effect, permitted the companies involved to take deductions, as unearned premium reserves, for special contingency reserves required by State law which in some cases equaled 50 percent or more of earned premiums.

Subsequently, the Service has not extended this favorable ruling to other mortgage guaranty insurance companies. I believe it is clear that the initial ruling was a mistake. This bill is an attempt to remove that error and to provide uniform treatment in the future for the two mortgage guaranty insurance companies which received the favorable rulings and other mortgage guaranty companies which have not received such rulings. It is expected that, if this legislation is passed, the Treasury Department will withdraw the prior rulings it has issued to the two companies in the past.

Under the committee amendment, deductions for additions to a reserve for mortgage guaranty insurance losses required by State law or regulations will be allowed, but several restrictions are imposed with respect to this deduction. First, any amount added to the reserve must be restored to income at the close of 10 years—rather than the 15 years as is generally provided for under State law or regulations.

Second, the deduction is not allowed unless the company uses the tax money saved to purchase a special issue of Federal bonds which are non-interest-bearing, nontransferrable, and redeemable only when the amounts added to the reserve are restored to income.

Your committee recognizes that these companies have a problem in that State law requires the additions to reserves of very large amounts of money relative to their premium income. Nevertheless, your committee does not believe that it is appropriate to permit, on any permanent basis, the deduction of amounts substantially in excess of what experience shows can actually be properly claimed as deductions for catastrophe-type losses by these companies. For that reason, although it permits the provision for the deduction initially, it provides that any tax savings arising from the allowance of this deduction, to the extent the funds are not actually used up by catastrophe-type losses, are to be available for use by the Government rather than by the company. This is the effect of requiring the investment of these funds in non-interest-bearing Government bonds.

The Treasury Department has supplied us with information relative to these mortgage guarantee insurance companies.

The data show that the two companies who received the favorable rulings paid $1,596,835 in taxes in the period from 1957 through 1966. They show that the rulings reduced taxes of these companies by $9,028,253.

Had this bill been in effect in that period, the same reduction in taxes for this period would have occurred but the Government would have had the interest-free use of this $9 million during this period.

The operation of the bill can be shown by taking as an illustration the case of MGIC in the 1 year 1961. In that year it deducted $1,424,000 for this special reserve and paid $73,591 in taxes. Assuming a 50-percent tax rate for ease of illustration, the deduction lowered the company's taxes by $712,000 in 1961. Under the bill this $712,000 would be loaned to the Government on an interest-free basis for 10 years, or until 1971. If there were no major catastrophe-type losses in this 10-year period, the entire deduction of $1,424,000 would be restored to income in 1971 and the tax then due on it—assuming a 50-percent rate—of $712,000 would be paid by cashing in the Government bonds of a similar amount.

This resolution of the issue is one which both the Treasury Department and the industry favor. I believe that it is a good solution to a difficult problem which arose in no small part from what, in retrospect, was clearly an incorrect ruling in 1960.

A second amendment added to this bill by your committee relates to unfunded pension plans of universities and certain other tax-exempt organizations. As the name implies, an unfunded pension plan is a plan under which no amounts are set aside to provide for the payment of the pensions when they become due. In these cases, the pension payments are paid out of the general assets of the organization.

Present law provides a series of tax benefits where these organizations purchase commercial annuities for their employees. Among these tax benefits are: first, an exclusion from gross income for income tax purposes of up to $5,000 of payments made by or on behalf of the employer because of the employee's death; second, an exclusion from the gross estate for estate tax purposes of that part of the annuity that was paid for by the employer with funds that were not taxed to the employee; and third, an exclusion—similar to the estate tax exclusion—from the gift tax for the exercise or nonexercise by the employee of an option to designate a beneficiary to receive payments upon his death. These three tax benefits are not available under present law in the case of unfunded pension plans.

It has come to your committee's attention that some universities find that they can provide more favorable pension benefits for their employees than those obtainable through the purchase of annuity contracts if they merely make these benefits a charge upon their general investment funds.

Your committee sees no reason why these educational institutions should be required to purchase commercial annuities in order to provide pension benefits for their employees which receive favorable tax treatment. For this reason, the amendment provides that the three tax benefits I have just described are also to apply to unfunded pension plans of these organizations. The amendment limits their application, however, to situations where the employees: First, have had an option to come under a comparable retirement plan funded by an annuity contract; and second, the Secretary of the Treasury has determined that the absence of funding does not materially jeopardize the ultimate payment of the benefits.

This amendment also deals with a related problem under present law. Under present law, the amounts paid for the purchase of annuity contracts by tax-exempt educational, charitable, or religious organizations for their employees is excluded from the employee's income but only to the extent that they do not exceed 20 percent of the employee's compensation. This is true whether or not the contracts form a part of a nondiscriminatory plan. In computing this 20-percent limitation, present law takes into account not only amounts paid to purchase annuity contracts under the special rule applicable to these tax-exempt organizations, but also takes into account amounts set aside under other annuity contracts as well where the premiums paid by the employer are excluded from the employee's income. However, this 20-percent computation does not take into account amounts contributed by the employer under nonqualified plans which are forfeitable or amounts promised under unfunded plans.

Your committee does not believe that in the area where this 20-percent rule applies Congress intended that the amount set aside tax-free for the future retirement of an employee should be more than 20 percent of the employee's compensation, regardless of the terms of the plans. For this reason, the amendment provides that the value of the retirement benefits to be taken into account under the 20-percent limitation is to include the value of all retirement benefits to which the employee becomes entitled.

The third amendment added by your committee concerns unused investment credits that result from net operating loss carrybacks. The investment credit, being a credit against the income tax otherwise imposed for a year, can only be taken advantage of by a taxpayer if he has tentative tax liability against which the credit can be offset.

Where the taxpayer has no tax liability for the year in which an investment credit is earned, or insufficient tax liability to permit the allowance of all of the credit earned for the year, present law generally permits the taxpayer to carry the unused portion of his credit back to the 3 preceding years and then forward to the 7 succeeding years to offset the tax liability for those years. However, where the carryback of a net operating loss to a year reduces the taxpayer's income for the year, and consequently his tax liability, a specific provision in present law prohibits the carryback of any resulting unused investment credit to earlier years. It is true that the credit may be carried forward to subsequent years, but this, of course, does not benefit a taxpayer if he has no taxable income in the subsequent years.

The operation of these rules is incompatible with the achievement of parity between similarly situated taxpayers. Under present law, a taxpayer who had no income in the year in which the credit was earned is permitted to carry the unused credit back to the prior 3 years and then forward for the 7 succeeding years, but the taxpayer who has no income in that year, because of a net operating loss carryback, may only carry the unused credit forward to subsequent years. If neither of the taxpayers have income in the subsequent years, the taxpayer who initially had no income in the year the investment credit was earned receives the benefit of the credit to the extent of his tax liability for the 3 carryback years, while the taxpayer who had no income for the year in which the credit was earned, because of a net operating loss carryback, will not receive any benefit from the investment credit for any year. As can be seen, this discrimination exists even though over the same period of years the two taxpayers have the same amount of income and tax liability. Although each taxpayer in these cases committed himself to acquire property eligible for the investment credit, only one is permitted to retain the benefit of the credit under existing law.

For the reasons I have outlined to you, the amendment makes the investment credit carryback available where the investment credit earned and allowable for a year is disallowed by reason of a net operating loss carryback to that year.

As my colleagues will recall, this problem was called to our attention earlier this year during consideration of H.R. 6950, the bill that restored the investment credit. The Senator from Wisconsin [Mr. PROXMIRE] introduced this amendment as an amendment to that bill and the Senate adopted it. As you will also remember, that bill was recommitted to your committee with instructions, and reported back to the Senate without this amendment. Upon further consideration of the bill, the Senator from Wisconsin graciously withheld his amendment in order to expedite the consideration of the restoration of the investment credit. In view of the merits of the provision and the fact that the Treasury Department has indicated it has no objection to its enactment, and the further fact that the Senate earlier this year acted favorably upon it, I am sure the Senate will agree that this is a desirable amendment.

The last amendment added to the bill by your committee deals with a problem that raises under the Life Insurance Company Income Tax Act of 1959. Under that act, a life insurance company is permitted temporarily to forgo tax on a portion of its earnings, but these earnings must be set aside in a "policyholders' surplus account." If the life insurance company makes any distribution to shareholders treated as being made out of this account, it becomes subject to the so-called phase III tax on life insurance companies; that is, the tax which was deferred on the earnings added to the policyholders' surplus account, to the extent then treated as distributed, then becomes due and payable. Included in the distributions which may give rise to this tax are distributions of the stock of a subsidiary to the shareholders of the life insurance company which are free of tax to the shareholders receiving the stock. A tax-free distribution of this type is frequently referred to as a "spinoff."

In the past, limited exceptions have been made to this rule where spinoffs were involved. In 1962, in Public Law 87-858, an amendment was adopted permitting a life insurance company to distribute the stock of a controlled fire and casualty insurance subsidiary without any phase III tax being imposed, if certain conditions were met. In 1964, in Public Law 88-571, this exception was extended to cover the spinoff of a fire or casualty insurance subsidiary in all cases where the subsidiary was 80 percent or more owned before January 1, 1958—the effective date of the Life Insurance Company Income Tax Act of 1959. The House committee report at that time pointed out that a subsidiary acquired before the act of 1959 was applicable must of necessity have been acquired with earnings which were not subject to the tax under that act. However, present law does not cover the spinoff distribution of the stock of a subsidiary which is itself a life insurance company.

A case has come to the attention of your committee where a life insurance company owns all of the stock of another life insurance company. It appears probable that if the parent insurance company qualifies itself to do business in some States, the life insurance authorities of those States will also assert control over the subsidiary even though the subsidiary sells no insurance in those States. In addition, it is my understanding that some States have legal restrictions on the ownership of all of the stock of one insurance company by another. To deal with these problems and for other business reasons, the life insurance company in the case called to the attention of your committee, desires to change the parent-subsidiary corporations into brother-sister corporations. It plans to do this by having all of the shareholders of the parent corporation exchange their stock in the parent for stock in a new holding company. Thereafter, the parent company will distribute the stock in its subsidiary life insurance company to the holding company in a transaction that constitutes a spinoff.

The subsidiary in this case has been owned by the parent since long before the enactment of the 1959 Act and has been held by the parent primarily for reasons related to its insurance business rather than as an investment. In these circumstances your committee believes that continuing the deferral of the phase III tax is appropriate and consistent with the actions the Congress has taken in the past where the subsidiary is a fire and casualty insurance company. It should also be made clear that there is no forgiveness of the phase III tax in this case since the former subsidiary, if it makes distributions out of its policyholder surplus account, will still have to pay this tax.

The amendment provides that a spinoff distribution is not to cause the imposition of the phase III tax in cases in which 80 percent of the stock of the subsidiary being distributed was owned at all times since December 31, 1957, by the life insurance company that is distributing it. The amendment also provides, however, that to the extent of contributions to capital made after December 31, 1957, of the subsidiary being spun off, the phase III tax will be imposed on the distribution. The Treasury Department has indicated that it has no objection to this amendment.

Mr. President, I believe it might be best if the Senator from Delaware simply explains his views on the matter and offers any amendment he thinks appropriate. I believe the other provisions are noncontroversial.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. DIRKSEN. Mr. President, I might point out that twice this bill has been passed by the House in its present form and twice it has been reported by the Committee on Finance.

When in 1966 we amended the Bank Holding Company Act of 1956 we automatically by legislative fiat made this group a bank holding company. They had been operating under the law; they had been operating legitimately and we did that by legislation.

Now, in 1966 when we modified the law there was an exception under which the so-called Financial General Corp. would be required to have their shareholders pay a tax at that point. That looks palpably unfair in view of what we did in making a savings provision for all companies affected by a similar act in 1956.

The distinguished Senator from Delaware has proceeded on a formula that was applied in the Du Pont case. I thought that formula was unfair in the instant case. We understand each other fully and we believe the matter can be ironed out one way or the other in conference, rather than on the floor of the Senate, because it is a rather prolix matter when you get into the heart of it.

I am quite content to see that amendment go into the bill without unnecessary discussion and, of course, in conference it can be gone into in depth, along with House conferees, the Treasury, and any other officials that must be there.

Mr. President, before the Senator offers his amendment, however, I think that all committee amendments would have to be agreed to en bloc to make it possible.

The **PRESIDING OFFICER**. The Senator is correct.

Mr. **WILLIAMS** of Delaware. Mr. President, the first amendment I wish to offer would appear on page 1, line 3, to strike out the first section of the bill and insert other language.

I wish to ask whether that amendment would be in order at this point; or I shall ask unanimous consent that the amendment be in order at this point because it affects the first section of the bill.

The **PRESIDING OFFICER**. Will the Senator please restate his question.

Mr. **WILLIAMS** of Delaware. Mr. President, my amendment would begin on page 1, line 3, and strike out the first section of the bill and insert new language. Is that in order at this point or shall I wait until we proceed with the committee amendments?

The **PRESIDING OFFICER**. The Parliamentarian informs the Chair that the Senator's first statement was correct. We would deal with the committee amendments first.

Mr. **LONG** of Louisiana. Mr. President, I ask unanimous consent that we have the usual agreement that all committee amendments be agreed to en bloc, reserving the right of any Senator to amend in the first and second degree.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **WILLIAMS** of Delaware. Mr. President, I send to the desk an amendment and ask that it be stated.

The **PRESIDING OFFICER**. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. **WILLIAMS** of Delaware. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The **PRESIDING OFFICER**. Without objection, it is so ordered, and the amendment will be printed in the Record.

The amendment ordered to be printed in the Record is as follows:

Beginning on page 1, line 3, strike out the first section of the bill and insert in lieu thereof the following:

"Section 1. Certain Distributions by a Bank Holding Company.—

"(a) Certain Existing Tax Provisions Made Inapplicable.—Part VIII of subchapter O of chapter 1 of the Internal Revenue Code of 1954 shall not apply to any distribution of property made by a corporation which became a bank holding company as a result of the enactment of the Act entitled 'An Act to amend the Bank Holding Company Act of 1956', approved July 1, 1966 (Public Law 89-485).

"(b) Distributors to Noncorporate Shareholders.—If a corporation described in subsection (a) distributes divested stock to a qualifying shareholder and if section 301 (c) (1) of the Internal Revenue Code of 1954 would, but for this subsection, apply to the distribution of the divested stock, such distribution shall be treated as a distribution which is not out of the earnings and profits of the distributing corporation for purposes of subtitle A of such Code.

"(c) Distributions to Shareholders Must Be Pro Rata.—Subsection (b) shall apply only if all distributions of property (other than money) by the bank holding company to its shareholders (with respect to its stock) which are made—

"(1) after April 12, 1965, and

"(2) on or before the date on which the Board of Governors of the Federal Reserve System certifies that the company has disposed of all property the disposition of which is necessary or appropriate to effectuate section 4 of the Bank Holding Company Act of 1956, as amended, or to effectuate the policies of such Act, as amended, are pro rata.

"(d) Certification by Federal Reserve Board.—Subsections (b) and (f) shall not apply with respect to any distribution by the bank holding company unless the Board of Governors of the Federal Reserve System certifies that the company, prior to January 1, 1979, disposed of all property the disposition of which is necessary or appropriate to effectuate section 4 of the Bank Holding Company Act of 1956, as amended, or to effectuate the policies of such Act, as amended. Subsection (b) shall not apply to any transaction one of the principal purposes of which is the distribution of the earnings and profits of the bank holding company or of the corporation whose stock is distributed, or both.

"(e) Definitions—For purposes of this section:

"(1) Bank holding company.—The term 'bank holding company' has the meaning assigned to such term by section 2 of the Bank Holding Company Act of 1956, as amended.

"(2) Qualifying shareholder.—The term 'qualifying shareholder' means any shareholder other than a corporation which may be allowed a deduction under section 243 of the Internal Revenue Code of 1954 with respect to dividends received.

"(3) Divested stock.—The term 'divested stock' means stock of a corporation distributed by a bank holding company described in subsection (a) and with respect to which stock the Board of Governors of the Federal Reserve System certified (before the distribution) that the distribution of such stock is necessary or appropriate to effectuate section 4 of the Bank Holding Company Act of 1956, as amended, or to effectuate the policies of such Act, as amended. Such term does not include any stock described in the preceding sentence if the holding period of such stock in the hands of the bank holding company (determined under the provisions of section 1223 of the Internal Revenue Code of 1954) began after April 12, 1965.

"(4) Stock.—The term 'stock' includes rights to fractional shares.

"(5) Redemptions.—In determining whether distributions of divested stock to shareholders are pro rata for purposes of subsection (c) or (f), any redemption of stock made in whole or in part with divested stock shall be treated as a distribution.

"(f) Divested Stock Received by Corporate Shareholder.—

"(1) Applicability of subsection.—If a corporation which is an electing corporation (as defined in paragraph (3)) receives divested stock from a bank holding company on a distribution to its shareholders, or from another corporation which is an electing corporation on a distribution to its shareholders, the provisions of this subsection shall be applicable with respect to such divested stock.

"(2) Limitations.—This subsection shall not apply with respect to divested stock—

"(A) if the bank holding company which originally distributed such stock fails to comply with the provisions of subsection (c);

"(B) received by an electing corporation in respect of stock held by it in another corporation unless the stock in such other corporation was acquired before January 1, 1967 and the holding period of such stock in the hands of the electing corporation (determined under the provisions of section 1223 of the Internal Revenue Code of 1954) began prior to April 12, 1965; or

"(C) received by an electing corporation from another electing corporation if before such receipt and after the stock was distributed by the bank holding company the stock was held at any time by a qualifying shareholder or by a corporation which is not an electing corporation.

"(3) Definition of electing corporation.—For purposes of this subsection, the term 'electing corporation' means a corporation which is not a qualifying shareholder (as defined in subsection (e) (2)) and which files an election within 90 days after the date of the enactment of this Act to have the provisions of this subsection applicable with respect to divested stock received by it as a shareholder. Such election shall be signed by an officer authorized to execute the income tax returns of the corporation, and the election once made shall be binding for all taxable years.

"(4) Distribution to qualifying shareholder of divested stock by electing corporation.—If divested stock received by an electing corporation is, within one year after the date such stock was initially distributed by the bank holding company, distributed to a qualifying shareholder, and if section 301(c) (1) of such Code would, but for this subsection, apply to the distribution of the divested stock, such distribution shall be treated as a distribution which is not out of the earnings and profits of the electing corporation for purposes of subtitle A of such Code. This paragraph shall apply only if all distributions or divested stock by the electing corporation to its shareholders (with respect to its stock) which are made prior to January 1, 1979 are pro rata.

"(5) Treatment of divested stock in hands of electing corporation.—In the case of any distribution of divested stock to an electing corporation by a bank holding company or by another electing corporation—

"(A) the amount of such distribution to the electing corporation for purposes of subtitle A of such Code shall be (notwithstanding section 301(b) (1) (B) of such Code) the fair market value of the stock received, determined as of the date of the distribution; and

"(B) the basis of the divested stock in the hands of the electing corporation shall be (notwithstanding section 301(d) (2) of such Code) the fair market value of such stock decreased by so much of the deduction for dividends received under the provisions of section 243 of such Code as is, under regulations prescribed by the Secretary of the Treasury or his delegate, attributable to the excess, if any, of—

"(i) the fair market value of the stock, over

"(ii) the adjusted basis (in the hands of the distributing company immediately before the distribution) of the divested stock.

"(6) DEDUCTION FOR DIVIDENDS PAID.—If the divested stock received by an electing corporation is distributed by it to its shareholders during a taxable year for which it is a personal holding company as defined in section 542 of such Code, the dividends paid deduction (as defined in section 561 of such Code) shall be computed by treating the distribution of any share of such stock as the distribution of a dividend (notwithstanding paragraph (4) of this subsection) in the same amount as was includible in gross income under paragraph (5) (A) of this subsection on account of the receipt of such share, minus the taxes imposed by subtitle A of such Code attributable to such receipt.

"(g) STATUTE OF LIMITATIONS.—The periods of limitation provided in section 6501 of the Internal Revenue Code of 1954 (relating to limitations on assessment and collection) shall not expire, with respect to any deficiency (including interest and additions to the tax) resulting solely from the receipt of divested stock by shareholders, until 5 years after the earlier of the following dates:

"(1) December 31, 1978, or

"(2) the date the corporation distributing the divested stock notifies the Secretary of the Treasury or his delegate that the Board of Governors of the Federal Reserve System has made the certification referred to in subsection (c) (2);

and such assessment may be made notwithstanding any provision of law or rule of law which would otherwise prevent such assessment.

"(h) EFFECTIVE DATE.—The provisions of this section shall be applicable with respect to distributions made after June 30, 1966."

Mr. LONG of Louisiana. Mr. President, I wish to ask the Senator from Delaware what language is stricken.

Mr. WILLIAMS of Delaware. The amendment would strike out the first section of the bill—only that section.

As the Senator from Illinois pointed out, this deals with the divestiture of stock by the Financial General Corp.

This amendment has been passed by the House of Representatives twice and it twice has not been passed by the Senate.

This amendment would carry out what Congress provided heretofore; namely, that to the extent the distribution by this particular company to a stockholder exceeds the cost that stockholder has in his total investment of that particular stock, he would pay a capital gains tax. This was adopted by the Senate in connection with the divestiture of stock by the Du Pont company.

I understand the Senator is willing that this amendment be accepted and that it go to conference if we can work it out.

With that understanding, I wish to make a brief statement explaining the amendment.

Mr. President, this amendment would modify the first section of the bill to give the individual shareholders of Financial General exactly the same type of relief we gave to the shareholders of the Du Pont company a few years ago. Senators will recall that in the case of the Du Pont distributions there were some shareholders who had an actual profit in hand because they received General Motors stock worth more than their entire cost for the Du Pont stock. The bill imposed an immediate capital gains tax on these shareholders.

There is now general agreement that the Du Pont treatment is fair and equitable in the case of a distribution compelled by law. It would seem appropriate to treat the individual shareholders of Financial General as well as the individual shareholders of Du Pont, but there is no reason why they should be treated any better. Thus, the Du Pont treatment is appropriate here. Furthermore, the Treasury has stated that this approach is acceptable to it.

Under this amendment all distributions required by law made to the individual shareholders of Financial General will be viewed as using up the cost basis of the underlying Financial General stock. Thus, if an individual shareholder owns a share of Financial General which cost him $14 and receives a distribution of stock having a fair market value of $10, he will pay no tax at the time of the distribution but immediately after the distribution the stock received will have a basis of $10—its fair market value—in his hands and the Financial General stock will have a basis of $4—the $14 cost of Financial General minus the $10 value of the stock received.

On the other hand, if a Financial General shareholder who receives stock worth $10, originally paid only $7 for his Financial General stock, a gain of $3 is recognized. This is because the fair market value of the stock received uses up all the cost basis of the Financial General stock, $7, and there is still $3 left over to be recognized as capital gain. In such a case after the distribution, the basis of the stock received is $10 and the basis of the Financial General stock is zero.

Senators will recall that in the Du Pont case, the individual shareholders of the Christiana Corp. were treated in the same manner as the individual shareholders of Du Pont. However, because its shareholders received this special treatment, the Christiana Corp. was required to pay intercorporate dividend tax on the fair market value of the General Motors stock instead of merely on its cost to Du Pont. Similar treatment is provided in my amendment for corporations which elect to be so treated.

There are a number of corporations which own large amounts of the stock of Financial General just as the Christiana Corp. owned a large amount of the stock of Du Pont. Under the Bank Holding Company Act, these corporations are expected to receive large distributions of stock of nonbanking corporations.

Just as Christiana was permitted to distribute the General Motors stock to its individual shareholders without a dividend tax to these individuals, these corporations owning stock at Financial General should, at their election, be permitted to distribute the nonbanking stock received by them to their individual shareholders without any dividend tax to these shareholders.

For this reason my amendment permits any number of distributions through a chain of holding companies down to the individual shareholder without the individual shareholder being required to pay any dividend tax. However, for the holding companies to be able to do this all the companies in the chain will have to elect the treatment provided in the bill and pay the intercorporate dividend tax on the same basis as the tax which was paid by Christiana.

Under the Christiana treatment provided for by my amendment, an electing corporation will usually pay more tax on the receipt of divested stock than is ordinarily paid by a corporation on the receipt of a dividend in property.

The general rule is that a corporation receiving a dividend in property is taxed on dividend income only to the extent of the basis of the property to the distributing corporation—if this basis is less than fair market value. The 85-percent dividends-received deduction is allowed against this basis for the property. However, under my amendment an electing corporation receiving divested stock will have dividend income to the extent of the fair market value of such divested stock—in all cases—and the dividends-received deduction will be allowed against this fair market value. To compensate for the payment of additional tax, an appropriate adjustment is made increasing the basis of the divested stock to the receiving corporation.

The individual shareholders of electing corporations will receive the same treatment as they would have in the case of a distribution made directly to them by Financial General. However, for the individual shareholders of an electing corporation to receive this treatment, the distribution must be made within 1 year of the time the stock was originally distributed by Financial General and must be pro rata. The distribution will not be considered pro rata if at any time before 1979 any divested stock is used to redeem stock of the receiving corporation on a non-pro rata basis.

This requirement that all distributions be pro rata applies also to Financial General. This prevents either Financial General or any electing corporation from avoiding a capital gains tax on the sale of stock received by using it to buy out the stock of charitable organizations or other large shareholders with a high basis.

The special treatment provided for in my amendment applies only to divested stock owned by a bank holding company on April 12, 1965, or acquired after that date in a tax-free transaction in which basis is carried over.

Mr. LONG of Louisiana. Mr. President, I understand what the Senator is proposing is with respect to the divestiture of stock in this case, which was required by the 1966 amendment, a capital gains tax is to be paid on the appreciation in value of the stock distributed.

Mr. WILLIAMS of Delaware. A capital gains tax would be paid by many individual shareholders. Assume stockholder A gets a distribution from this company representing the stock of another company. We will say that the market value is $100. If that stockholder has a cost or other basis of $75 for his stock with respect to which the distribution was made he would pay a capital gains tax on $25. If his cost or other basis for his stock was $110, he would pay no tax at the time of the distribution. However, he would then have a $100 cost basis for the stock distributed and a $10 cost basis for the stock he previously held.

Mr. LONG of Louisiana. The Senator wants them to pay the tax along the lines of the Du Pont bill?

Mr. WILLIAMS of Delaware. Yes.

Mr. LONG of Louisiana. Mr. President, if my friends on the minority side could agree on what they wanted to do on this measure I would be willing to go along either way. There is a precedent either way. I am happy to see that Senator from Illinois and those who agree with him, and the Senator from Delaware have reached agreement because there are other items in the bill that I regret very much we had to delay in consideration in order to resolve this matter. I salute them both for having reached agreement on this matter.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware. [Putting the question.]

The amendment was agreed to.

Mr. DIRKSEN. Mr. President, at this point, in connection with my remarks, I wish to make a statement with respect to what is involved and what my views are, as well as the companies that would be affected by the legislation.

Mr. President, on May 9, 1956 the Bank Holding Company Act became a law. Congress had given consideration to the problems that had been created by such institutions as the Transamerica Corp., the Chase Investment Co., the General Bancshares Corp., and other large financial structures in the banking business. They expressed concern at the control that these institutions were exercising in the money lending field. The purpose of the act was to prevent the concentration of commercial bank facilities in a particular area under a single control and management and to prevent the grouping together of banking and nonbanking interests under a single control. This law provided for divestiture by these affected institutions. This measure that became law in 1956 did not affect Financial General Corp.

The Bank Holding Company Act of 1956 provided that organizations that controlled two or more banks at the same time or owned interests in other businesses generally, were required to dispose of either their banking or nonbanking interests. These corporations that were classified as bank holding companies usually disposed of either their banking or nonbanking interests by distributing one or more of these classes of interests to their shareholders. Congress considered that this distribution should not create harsh tax consequences for the shareholders in regard to properties being distributed that had been acquired prior to the enactment of the Bank Holding Company Act. In order to avoid any such harsh tax consequences, section 1101–1103 of the Revenue Code were enacted and this provided that the distribution could be made without tax consequences to the shareholders who received the distributed stocks. Without such an amendment to the code the distributions would have been treated as ordinary income to the shareholders with disastrous tax consequences. The following companies made distribution following the enactment of the Bank Holding Company Act of 1956 under the provisions of sections 1101–1103:

General Bancshares Corp.—formerly General Contract Corp.—St. Louis, Mo.

Transamerica Corp., San Francisco, Calif.

Stephens, Inc.—formerly W. R. Stephens Investment Co.—Little Rock, Ark.

Chase Investment Co., Des Moines, Iowa.

Keystone Corp., Kansas City, Mo.

Borgerding Investment Co., Belgrade, Minn.

First Security Corp., Salt Lake City, Utah.

Union Bond & Mortgage Co., Port Angeles, Wash.

Hillsboro Enterprises, Inc., Nashville, Tenn.

Carlen Realty Co., Tarpon Springs, Fla.

Consolidated Naval Stores, Sebring, Fla.

Kemper Investment Co., Kansas City, Mo.

Farmers & Mechanics Trust Co., Childress, Tex.

There was a provision, however, in the Bank Holding Company Act that permitted exceptions to those requirements. One of these exceptions provided that if a company was registered prior to May 15, 1955, under the Investment Company Act of 1940, or was an affiliate of such a company, it was to be considered a bank holding company unless it or its affiliate directly owned 25 percent or more of the voting shares of two or more banks. This exception permitted companies of this type to own indirectly a 25 percent or larger interest in two or more banks. Financial General Corp. qualified for this exception and was not covered or governed by the provisions of the Bank Holding Company Act of 1956.

Financial General Corp. was incorporated under the laws of the Commonwealth of Virginia on February 18, 1925. The present corporate name was adopted in April of 1956.

In 1956, however, Congress repealed this exception—Public Law 89–385: H.R. 7371. This amendment to the Bank Holding Company Act of 1956 requires Financial General Corp. to divest itself of its nonbanking interests. In both the House and Senate, assurances were given that Financial General Corp. would be afforded the same tax treatment that was provided the bank holding companies in 1956. H.R. 4765 furnishes such tax treatment. It had been reported and passed twice by the House and reported twice by the Finance Committee.

Financial General Corp. must divest itself of 95 percent of its stock interests in each of the companies included in the life insurance group, fire and casualty group, the mortgage banking group, and the industrial-merchant banking group. The attachment indicates the companies held by Financial General Corp. in each of these groups.

There has been objection to the type of tax treatment that is being proposed for Financial General Corp. and preference expressed that the formula used in the Du Pont case should be the same formula used for Financial General; however, the situations were not at all alike. The Du Pont Co. was found by the court to be in violation of the antitrust laws and were required to divest themselves of their ownership of 23 percent of the common stock of General Motors Corp. The following headnote from the syllabus in United States against E. I. du Pont de Nemours & Co. and others, shows what the courts held:

> In this civil antitrust proceeding, this Court held that acquisition by the du Pont Company of 23% of the common stock of General Motors Corporation had led to the insulation from free competition of most of the General Motors market in automobile finishes and fabrics and tended to create a monopoly of a line of commerce, in violation of § 7 of the Clayton Act. Therefore, this Court reversed the District Court's judgment dismissing the complaint and remanded the case to that Court for a determination of the equitable relief necessary and appropriate in the public interest. 353 U.S. 586. After the taking of further evidence, pertaining mostly to the tax and market consequences to the shareholders of the two companies, the District Court declined to require du Pont to divest itself completely of the General Motors stock, as urged by the Government, and sought to satisfy the requirements of this Court's mandate by requiring du Pont to transfer its voting rights in most of the General Motors stock to certain of du Pont's shareholders, by enjoining the two companies from having any preferential or discriminatory trade relations with each other and by various other injunctive provisions designed to prevent du Pont from exercising any control over the management of General Motors. Held: This remedy is not adequate, and the District Court is directed to proceed expeditiously to enter a decree requiring du Pont to divest itself completely of the General Motors stock within not to exceed 10 years from the effective date of the decree. Pp. 3180335.
>
> (a) When a violation of the antitrust laws has been proved, the initial responsibility to fashion an appropriate remedy lies with the District Court, and this Court accords due regard and respect to the conclusion of the District Court; but this Court has a duty to be sure that a decree is fashioned which will effectively redress the violations of the antitrust laws.

Financial General Corp. is not, and has not been, in violation of any law. Its problems began when Congress decided to remove the exemption in the Bank Holding Company Act of 1956 and to make Financial General Corp. subject to the Bank Holding Company Act. Three alternatives exist so far as the tax consequences to shareholders are concerned.

First Congress could do nothing. The result would be to require the shareholders who receive the distributions to report them as ordinary income or as dividends received to be taxed at ordinary income rates. The dollar amount of the dividends taxable as income to the stockholder, in this instance will be determined under section 301 of the Internal Revenue Code. As a result noncorporate stockholders will be taxed on the fair market value of the stock distributed to them. Corporate stockholders will be taxed on the lesser of first, fair market value of the stock distributed to them; and, second the adjusted basis (in the hands of the distributing corporation immediately before the distribution) of the stock distributed to them.

Without tax relief, stockholders will owe a substantial tax, and Financial General Corp., has some 14,000-odd shareholders and they will owe this tax without receipt of a cash distribution with which to pay it. In many instances the stockholders will be forced to dispose of some or all of the stock received in order to generate cash with which to pay their tax. In addition to this involuntary tax liability, a disruption of the public market for these securities may result.

The second alternative would be to afford the shareholders the tax treatment provided by H.R. 4765. The effect of this treatment, the same as they furnished shareholders at the time of the original enactment of the Bank Holding Company Act is as follows:

> H.R. 4765. This Bill provides for Financial General stockholders the same tax treatment as was given the stockholders of bank holding companies which became such in 1956 at the time of the original enactment of the Bank Holding Company Act. It will result in no present taxation to the stockholder recipient of any distribution received pursuant to Section 1101–1103 of the Internal Revenue Code. The basis of the distributing corporation's stock and the basis of the property distributed in the hands of the recipient stockholder will be the allocated basis of the stock of the distributing corporation prior to the distribution. This allocation is made proportionate to the fair market value on the date of distribution of the property distributed and the stock of the distributing corporation immediately after the date of distribution. *Upon the sale of either the bank holding stock or the stock distributed, the stockholder will pay a gains tax on the excess of the sale price over his basis.*

The third alternative is the proposal of the Senator from Delaware [Mr. WILLIAMS]:

> The Williams amendment to H.R. 4765 will result in the taxation of distributions by a bank holding company as a return of capital to the stockholder recipient except that, corporations entitled to the intercorporate dividend exclusion will pay the ordinary corporate tax rate unless they elect to be taxed as individuals. *This means that each individual stockholder may be required to pay immediately upon the receipt of a distribution a capital gains tax on the amount, if any, by which the fair market value of the stock distributed to him exceeds his basis for the stock of the bank holding company held by him.* This is true even though the stockholder has not sold either his original stock or what he received on the distribution.

SUMMARY

The Bank Holding Company Act was enacted on May 9, 1956, and amended on July 1, 1966. The purposes of the act were to prevent concentration of commercial bank facilities in a particular area under a single control and management and to prevent the grouping together of banking and nonbanking business enterprises under a single control. To accomplish this without harsh treatment to stockholders of bank holding companies, sections 1101–1103 of the Internal Revenue Code were enacted. H.R. 4765 permits similarly situated stockholders as a result of the 1966 amendments, to receive substantially the same treatment previously given.

In effect, H.R. 4765 postpones the assesssment of a gains tax until the stockholder sells some of his holdings; whereas, the Williams amendment formula may impose this tax immediately upon the receipt of the distribution by the individual stockholder and will impose tax at ordinary corporate tax rates on 15 percent of the distribution received by corporate stockholders unless the corporate stockholders elect to be taxed as an individual.

A modification of the Williams formula was applied to distributions of General Motors stock by Du Pont Co. was held by the U.S. district court to have violated the antitrust laws. It was argued that the violation was not willful and some tax relief should be granted.

Financial General Corp. has complied with the Bank Holding Company Act at all times. Only as a result of a recently passed amendment, is it required to make such distributions.

In both the Senate and House hearings on the Bank Holding Company Act amendments, statements were made that Financial General would receive the same type of tax treatment as was provided when the original Bank Holding Company Act of 1956 was passed.

In instances where distributions were required by the enactment of new legislation with regard to actions by the Federal Communications Commission and orders of the Securities and Exchange Commission, Congress has permitted the postponent of capital gains taxes. H.R. 4765 reaches the same result in similar circumstances.

Mr. President, I ask unanimous consent to have printed in the RECORD a document entitled "Summary of Financial General Holdings."

There being no objection, the document was ordered to be printed in the RECORD, as follows:

SUMMARY OF FINANCIAL GENERAL HOLDINGS

BANKING GROUP

At July 1, 1966, the date on which the Company became a bank holding company under the 1966 Amendments to the Bank Holding Company Act of 1956, Financial General Corporation held a majority interest in 19 banks and a minority interest in 7 banks. Thirteen of the banks are national banks; the others are organized under the banking laws of various states and the District of Columbia. Eight of the banks are located in the Washington Metropolitan Area, three of the group banks are located in New York State, and other banks are located in Atlanta, Knoxville, the Chicago area, Virginia, and Maryland.

INSURANCE GROUP

Financial General Corporation has an interest in three life insurance companies.

Bankers Security Life Insurance Society was incorporated under the laws of the State of New York in 1917 and is authorized to transact business in 47 states and the District of Columbia.

United Services Life Insurance Company was incorporated under the laws of the District of Columbia in 1937 and is authorized to write life insurance in 48 states, the Canal Zone, Guam and Puerto Rico. It is devoted exclusively to writing life insurance for officers of the United States Armed Forces and their families.

Bankers Financial Life Company was incorporated under the laws of the State of Oklahoma in 1957 and is authorized to write insurance in 12 states.

FIRE AND CASUALTY INSURANCE AND FINANCE GROUP

The companies in the fire and casualty and finance group are briefly described below:

Hawkeye-Security Insurance Company is a multiple line insurance company specializing in insuring fire, inland marine, casualty, fidelity and surety risk. It was organized in 1919 under the laws of the State of Iowa. Its principal office is located in Des Moines, Iowa, and it writes insurance in 28 states and the District of Columbia.

United Security Insurance Company was incorporated in 1946 under the laws of the State of New Jersey and is authorized to transact business in 32 States and the District of Columbia. It is a multiple line fire and casualty company.

Northeastern Insurance Company of Hartford is a professional insurance company engaged exclusively in reinsuring fire, marine, and casualty risks. It was organized in 1915 and is authorized to transact business in 20 states and the Dominion of Canada.

American Installment Credit Corporation, a wholly-owned subsidiary, was organized in 1945 as a service company to sponsor a credit plan for automobile financing by commercial banks. It has arrangements with approximately 68 banks in 14 states.

Industrial Agency, Inc. (*Delaware*) was organized in 1925 under the laws of the State of Delaware to conduct an insurance agency and brokerage business and is authorized to transact business in 22 states and the District of Columbia. It also conducts a general insurance business.

Industrial Agency, Inc. (*Virginia*) was organized in 1961 under the laws of the State of Virginia and carries on substantially the same activities in that state as Industrial Agency, Inc. (Delaware).

MORTGAGE BANKING GROUP

The companies in the mortgage banking group are briefly described below:

H. G. Smithy Company conducts a mortgage banking and real estate operation in the Washington Metropolitan Area.

National Mortgage Corporation conducts mortgage banking business in the Washington Metropolitan Area.

INDUSTRIAL-MERCHANT BANKING GROUP

The companies in the industrial-merchant banking group are briefly described below:

Bradford Speed Packaging and Development Corporation is engaged principally in the manufacture and leasing or selling of packaging machinery through two subsidiaries—Kliklok Corporation and The Woodman Company, Inc. Bradford also owns 13 per cent of the outstanding stock of Foster-Wheeler Corporation and approximately 34 per cent of The Pierce-Governor Company, Inc.

Intermediate Credit Corporation is engaged in merchant banking activities and other related activities requiring intermediate term financing.

APPENDIX A.—FINANCIAL GENERAL SUBSIDIARIES

	Percent of ownership of voting stocks	Date acquired
Alexandria National Bank	55.5300	Feb. 6, 1959.
Chesapeake National Bank	50.4000	Dec. 11, 1963.
Citizens National Bank in Pocomoke City	64.5800	Oct. 11, 1962.
Arlington Trust Co., Inc	80.0100	Oct. 13, 1960.
Community State Bank	82.4438	Apr. 2, 1942.
Bank of Buffalo	54.9409	Do.
Bank of Commerce	64.4857	Dec. 31, 1941.
Bank of Crisfield	90.5850	Jan. 9, 1963.
Republic Bank & Trust Co	50.4000	Dec. 12, 1963.
County Bank & Trust Co	14.9925	May 26, 1947.
Pullman Bank & Trust Co	14.8302	Mar. 5, 1946.
Standard Bank & Trust Co	20.1031	June 27, 1947.
First National Bank of Lockport	14.9938	Oct. 29, 1962.
First National Bank of Washington	78.2920	Feb. 6, 1959.
Valley National Bank	69.2311	Jan. 12, 1962.
First National Bank of Lexington	52.3760	Aug. 19, 1963.
Round Hill National Bank	62.4750	Jan. 21, 1965.
Shenandoah Valley National Bank	64.4589	Sept. 25, 1961.
First National Bank of Harrisonburg	19.7575	Mar. 30, 1962.
American National Bank of Maryland	45.4411	Dec. 7, 1955.
Peoples Bank of Buena Vista	57.3900	Feb. 18, 1963.
National Bank of Georgia	54.6385	Apr. 2, 1942.
Valley Fidelity Bank & Trust Co	36.0390	Apr. 2, 1942.
Union Trust Co. of the District of Columbia	66.6676	Oct. 18, 1946.
Peoples National Bank of Leesburg	87.5000	Dec. 4, 1962.
Clarendon Trust Co	55.2993	Sept. 5, 1961.
Northeastern Insurance Co. of Hartford	60.9413	1949.
United Security Insurance Co	99.8250	1947.
Hawkeye-Security Insurance Co	80.2822	1947.
Bankers Security Life Insurance Society	39.9060	1917.
United Services Life Insurance Co	13.2451	1953.
Bankers Financial Life Co	69.9128	Dec. 23, 1964.
Bradford Speed Packaging & Development Corp	53,3000	Sept. 23, 1963.
Kliklok Corp	80.0000	Dec. 31, 1965.
Certipak Corp	100.0000	June 24, 1966.
Kliklok International, Ltd	100.0000	Feb. 1, 1965.
Pierce Governor Co., Inc	33.7015	Nov. 29, 1965.
Central Manufacturing, Inc	100.0000	November 1966.
Woodman Co., Inc	68.8235	Dec. 28, 1964.
Foster Wheeler Corp	12.9972	Sept. 23, 1963.
Intermediate Credit Corp	100.0000	Jan. 11, 1955.
Financial General Industries, Inc	100.0000	Jan. 27, 1964.

SCHEDULE A.—INVESTMENTS IN SUBSIDIARY AND AFFILIATED COMPANIES (STATED AT VALUATION BASIS)

	Percent ownership, 1966	Dec. 31— 1966	Dec. 31— 1965
SUBSIDIARY COMPANIES			
Banks			
First National Bank of Washington (District of Columbia)	78.3	$3,372,667	$3,553,993
Union Trust Co. of the District of Columbia	66.7	8,223,396	7,804,311
National Bank of Georgia (Atlanta)	54.6	3,316,626	3,133,283
Bank of Crisfield (Maryland)	90.6	827,503	782,603
Citizens National Bank in Pocomoke City (Maryland)	64.6	317,342	328,424
Chesapeake National Bank (Towson, Md.)	50.4	588,119	570,291
Bank of Buffalo (New York)	54.9	3,161,100	3,419,487
Bank of Commerce (New York City)	64.5	7,988,242	7,668,525
Community State Bank (Albany, N.Y.)	82.4	1,619,711	1,561,068
Alexandria National Bank (Virginia)	55.5	2,345,587	2,246,706
Arlington Trust Co., Inc. (Virginia)	80.0	4,133,898	3,761,747
Clarendon Trust Co. (Arlington, Va.)	55.3	1,739,203	1,656,976
Peoples Bank (Buena Vista, Va.)	57.4	118,958	108,221
Valley National Bank (Harrisonburg, Va.)	69.2	652,836	601,899
Peoples National Bank of Leesburg (Virginia)	87.5	1,161,971	1,105,917
Shenandoah Valley National Bank (Winchester, Va.)	64.4	1,222,783	1,154,009
First National Bank of Lexington (Virginia)	52.4	232,331	207,663
Republic Bank & Trust Co. (Herndon, Va.)	50.4	231,680	238,812
Round Hill National Bank (Virginia)	62.5	305,268	317,778
Total		41,559,221	40,221,713
Insurance Companies			
Hawkeye-Security Insurance Co	80.3	6,066,051	5,991,646
United Security Insurance Co	99.8	5,422,534	5,097,888
Northeastern Insurance Co. of Hartford	60.9	4,554,237	5,508,403
Bankers Financial Life Co	69.9	1,202,052	1,097,448
Total		17,244,847	17,695,385
SUBSIDIARY COMPANIES—Continued			
Other Subsidiaries			
Bradford Speed Packaging & Development Corp	53.3	$5,958,705	$5,785,727
Intermediate Credit Corp	100.0	6,677,958	10,282,541
H. G. Smithy Co	63.8	1,451,763	
National Mortgage Corp	89.3	3,440,009	3,358,473
American Installment Credit Corp	100.0	212,233	184,895
Industrial Agency, Inc	100.0	210,410	146,606
Thomas J. Fisher & Co., Inc			115,863
Total		17,951,078	19,874,105
Total, subsidiary companies		76,755,173	77,791,203
AFFILIATED COMPANIES			
Banks			
Pullman Bank & Trust Co. (Chicago)	14.8	766,735	740,995
Standard Bank & Trust Co. (Chicago)	20.1	429,256	419,652
County Bank & Trust Co. (Blue Island, Ill.)	14.9	191,215	184,530
First National Bank of Lockport (Illinois)	14.9	265,205	264,544
American National Bank of Maryland	45.4	6,008,232	7,657,160
First National Bank of Harrisonburg (Virginia)	19.8	777,106	790,703
Valley Fidelity Bank & Trust Co. (Knoxville)	36.0	1,849,535	1,849,535
Total		10,287,284	11,907,119
Insurance Companies			
Bankers Security Life Insurance Society	39.9	3,088,070	7,068,440
United Services Life Insurance Co	13.3	2,907,186	7,377,496
Total		5,995,256	14,445,936
Total, affiliated companies		16,282,540	26,353,055
Total investments		93,037,713	104,144,258

Mr. DIRKSEN. Mr. President, in instances where distributions were required by the enactment of new legislation with regard to actions by the Federal Communications Commission and orders of the Securities and Exchange Commission, Congress has permitted the postponement of capital gains taxes. This was also done in connection with the Bank Holding Company Act of 1956. Granting the same treatment now as was granted in 1956, seems the fairest and most appropriate type of legislation.

The following summary shows the manner in which the Federal Communications Commission and the Securities and Exchange Commission grant tax treatment similar to that in H.R. 4765 when they require divestiture be made.

ORDERS OF THE FEDERAL COMMUNICATIONS COMMISSION

Section 1075 of the Internal Revenue Code deals with gains from a sale or exchange to effectuate policies of the Federal Communications Commission. The Federal Communications Commission, pursuant to a policy of limiting common ownership of directly competing radio facilities, may cause any such common control to be eliminated as a condition to renewal of a license. In such event, a taxpayer required to divest himself of the control of one or two of such facilities may treat the disposition of such property as an involuntary conversion. In order to obtain this benefit the taxpayer must show that the disposition has been certified by the Federal Communications Commission to be necessary or appropriate to effectuate its policies.

If the property—which may be corporate stock—is converted into property similar or related in use of if the taxpayer purchases replacement property within a limited period of time which costs as much as the amount realized upon the divestiture, no gain is recognized to the stockholder. The results under this section of the code are similar to those under sections 1101 to 1103 with reference to bank holding companies in that divestitures must be certified by a Government agency and taxation of the transaction is postponed until such time as there is an ultimate disposition of the properties or replacement properties involved.

ORDERS OF THE SECURITIES AND EXCHANGE COMMISSION

Section 1081 of the code deals with nonrecognition of gain or loss on exchanges or distributions in obedience to orders of the Securities and Exchange Commission pursuant to the policy of the Public Utility Holding Company Act. Specifically, if stock or securities of a registered holding company or a majority-owned subsidiary company are exchanged for stock or securities or if property is exchanged for property, no gain is recognized to the corporation, and if the property or securities received by the corporation are distributed to its stockholders, no gain is recognized to the shareholders at that time. The order of the Securities and Exchange Commission in this situation replaces the certification required in the case of the Federal Communications Commission or the Federal Reserve Board and the tax effect on the corporation and the stockholders of the corporation is the same in that no tax is payable by the corporation or the stockholder at the time of the involuntary exchange or distribution.

In all three cases—the Bank Holding Company Act, the Federal Communications Act, and the Public Utilities Holding Company Act—the basis of the taxpayer in the assets distributed—stock or property—is reapportioned so that upon the eventual disposition of the substituted stock or assets, a gain is recognized and becomes taxable. No gain or loss is recognized at the time of the involuntary distribution necessary to effect the public policy of the statute.

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk one other amendment.

The **PRESIDING OFFICER** (Mr. BAYH in the chair). The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The **PRESIDING OFFICER.** Without objection, it is so ordered, and the amendment will be printed in the RECORD.

The amendment ordered to be printed in the RECORD is as follows:

On page 4, strike out lines 10 through 22 and insert the following:

"(1) ADDITIONAL DEDUCTION FOR TAXABLE YEAR BEGINNING IN 1967.—There shall be allowed as a deduction, but only for a taxable year beginning in 1967 and ending before 1968, if bonds are purchased as required by paragraph (2), an amount representing the amount required by State law or regulation to be set aside for such taxable year in a reserve for mortgage guaranty insurance losses resulting from adverse economic cycles, except that the deduction allowable for such taxable year."

On page 6, strike out lines 10 through 16 and insert the following:

"(4) ADDITION TO ACCOUNT.—The only addition to the mortgage guaranty account shall be an amount equal to the amount allowed as a deduction under paragraph (1) for the taxable year beginning in 1967 and ending before 1968.

"(5) SUBTRACTIONS FROM ACCOUNT AND INCLUSION IN GROSS INCOME.—There shall be subtracted for any taxable year from"

On page 7, in lines 1 and 5, strike out "(1) (A)" and insert: "(1)".

Mr. WILLIAMS of Delaware. Mr. President, I wish to explain the amendment briefly.

This amendment would modify section 2 of the bill to make it apply only for this year. That section provides new income tax rules for 1967 and future years, for private companies which guarantee mortgages and are regulated by State insurance commissions. We all realize that there is a problem, and that this problem must be handled by legislation. However, at the present time the industry and the taxpayers affected have not appeared at hearings and have not submitted data to the Finance Committee. For this reason I do not have the information required to form an opinion as to whether the solution embodied in the bill is good, bad, or indifferent. Furthermore, I believe that no member of the Finance Committee or of this entire body has such information. Accordingly, I believe it would be proper to make the pending legislation temporary; that is, to make it apply only up to the end of this year. If this is done, then next year the Finance Committee can hold hearings and receive written submissions so that this body can legislate with a full understanding of the problems it is dealing with.

While I respect the Treasury experts who looked over this legislation, I believe we should never forget that the sole responsibility for legislation rests with us and that, therefore, we should not adopt permanent legislation until all of the facts have been laid before us in hearings and before we have had an adequate opportunity to study and consider the solutions recommended. No one will be hurt by taking time to study the problem, since under my amendment the relief provided by the bill will be available for this year.

My amendment does not change the portion of the bill which deals with the income tax treatment of these guarantee companies for years before 1967. As to these years, the bill provides that all companies are to be treated in the same manner as the two companies which obtained a ruling from the Internal Revenue Service. Of course, it is fair to treat all taxpayers alike for the past whether or not they received rulings.

Mr. President, I understand that this amendment, likewise, is acceptable.

Mr. LONG of Louisiana. Mr. President, I was unaware of the fact that the Senator planned to offer this amendment to which he makes reference. Does this amendment have to do with the problem that the Treasury has been trying to work out for such a long period of time, with regard to tax mortgage guarantee and insurance companies?

Mr. WILLIAMS of Delaware. That is correct. I have talked with the sponsor of the amendment in committee and he has agreed to that procedure. It would take care of the year 1967. However, we are writing new legislation, which may be good or bad, but there has been no hearing held. I thought it was proper to help clear up the year 1967 and then the committee can properly deal with the problem in new legislation next year. I have talked to the sponsor of the amendment and he is agreeable to it.

Mr. LONG of Louisiana. I would not worry about taking the amendment if it is something which the House could either accept or reject, and at the same time act on the merits of the amendment which the Senator seeks to amend.

Mr. WILLIAMS of Delaware. In conference, the House could accept or reject it. I have the feeling that they will accept it. There is nothing in the committee amendment that would handicap the conferees from working their will for the year 1967. It is not so intended.

Mr. LONG of Louisiana. I would prefer that the conferees would be free either to accept the Senator's amendment or drop it and accept the committee amendment in conference, but as I understand the amendment that is not the case. Frankly, I would hope to see the end of this problem. We have heard so much about it that I hope someday we will come to the end of the road. If we can understand that this amendment as revised by the Senator's amendment is something that could be dropped out in conference, if the conferees did object, I would be willing to go along.

Mr. WILLIAMS of Delaware. This amendment would in no way handicap either House or Senate conferees in finding a temporary solution to this problem; but, nevertheless, it is a reasonable solution to the problem for 1967.

Mr. CARLSON. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. CARLSON. The Senator from Delaware knows that he and I have had many conferences on this particular amendment. It has been difficult to try to work out something on it. It needs to be accepted all around. I sincerely hope that the distinguished chairman of the Finance Committee will not object in any way, because I believe they can work it out in conference. I do not think there will be any hindrance to the completion of this piece of legislation. I think that the Senator's amendment should be agreed to.

Mr. LONG of Louisiana. Mr. President, I shall not object.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment of the Senator from Delaware.

The amendment was agreed to.

The **PRESIDING OFFICER.** The bill is open to further amendment.

AMENDMENT NO. 437

Mr. NELSON. Mr. President, I call up my amendment No. 437 and ask that it be stated.

The **PRESIDING OFFICER.** The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. NELSON. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with. I shall make a brief explanation of it to the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the Record at this point.

The amendment offered by Mr. Nelson is as follows:

At the end of the bill insert the following new section:

"Sec. 6. (a) Section 172 (b) of the Internal Revenue Code of 1954 (relating to net operating loss carrybacks and carryovers) is amended—

"(1) by striking out 'subparagraph (D)' in paragraph (1) (A) (i) and inserting in lieu thereof 'subparagraphs (D) and (E)';

"(2) by striking out 'subparagraphs (C) and (D)' in paragraph (1) (B) and inserting in lieu thereof 'subparagraphs (C), (D), and (E)';

"(3) by adding at the end of paragraph (1) the following new subparagraph:

"'(E) In the case of a taxpayer which is a domestic corporation qualifying under paragraph (3) (E), a net operating loss for any taxable year ending after December 31, 1966, and prior to January 1, 1969, shall be a net operating loss carryback to each of the 5 taxable years preceding the taxable year of such loss and shall be a net operating loss carryover to each of the 3 taxable years following the taxable year of such loss'; and

"(4) by adding at the end of paragraph (3) the following new subparagraphs:

"'(E) Paragraph (1)(E) shall apply only if—

"'(i) the amount of the taxpayer's net operating loss for the taxable year exceeds the sum of the taxable income (computed as provided in paragraph (2)) for each of the 3 preceding taxable years of the taxpayer,

"'(ii) the amount of the taxpayer's net operating loss for the taxable year, increased by the amount of the taxpayer's net operating loss for the preceding taxable year or decreased by the amount of the taxpayer's taxable income for such preceding year, exceeds 15 percent of the sum of the money and other property (in an amount equal to its adjusted basis for determining gain) of the taxpayer, determined as of the close of the taxable year of such loss without regard to any refund or credit of any overpayment of tax to which the taxpayer may be entitled under paragraph (1) (E),

"'(iii) the aggregate unadjusted basis of property described in section 1231(b) (1) (without regard to any holding period therein provided), the basis for which was determined under section 1012, which was acquired by the taxpayer during the period beginning with the first day of its fifth taxable year preceding the taxable year of such loss and ending with the last day of the taxable year of such loss, equals or exceeds the aggregate adjusted basis of property of such description of the taxpayer on, and determined as of, the first day of the fifth preceding taxable year, and

"'(iv) the taxpayer derived 50 percent or more of its gross receipts (other than gross receipts derived from the conduct of a lending or finance business) for the taxable year of such loss and for each of its 5 preceding taxable years, from the manufacture and production of units within the same single class of products, and 3 or fewer United States persons (including as one person an affiliated group as defined in section 1504(a)) other than the taxpayer manufactured and produced in the United States, in the calendar year ending in or with the taxable year of such loss, 85 percent or more of the total number of all units within such class of products manufactured and produced in the United States in such calendar year.

"'(F) For purposes of subparagraph (E) (iv)—

"'(i) the term "class of products" means any of the categories designated and numbered as a "class of products" in the 1963 Census of Manufactures compiled and published by the Secretary of Commerce under title 13 of the United States Code, and

"'(ii) information compiled or published by the Secretary of Commerce, as part of or in connection with the Statistical Abstract of the United States or the census of manufactures, regarding the number of units of a class of products manufactured and produced in the United States during a calendar year, or, if such information should not be available, information so compiled or published regarding the number of such units shipped or sold by such manufacturers during a calendar year, shall constitute prima facie evidence of the total number of all units of such class of products manufactured and produced in the United States in such calendar year.'

"(b) No interest shall be paid or allowed with respect to any overpayment of tax resulting from the application of the amendments made by subsection (a) for any period prior to the date of the enactment of this Act.

"(c) The amendments made by subsection (a) shall apply with respect to net operating losses sustained in taxable years ending after December 31, 1966."

Mr. NELSON. Mr. President, the amendment proposes a change in the current tax law which permits losses to be carried back 3 years and forward 5. The amendment also provides that business losses may be carried back 5 years and forward 3. It would, in the nature of a draft, apply only to American Motors Corp., which is desperately in need of this tax rebate at this time.

It will not affect the loss to the Treasury Department. It will get the tax rebate now instead of at some future time when American Motors makes a profit and is able to write off the tremendous losses which it experienced in the past year.

It is important to this company. This is not a new or novel concept. We have made these adjustments four times since 1939. The last time was in 1965. The amount of the tax rebate involved is $20 million.

The amendment in question, as proposed in S. 2262, which Senator Proxmire and I introduced earlier this session, amends the net operating loss carryback provisions of the Internal Revenue Code of 1954.

This bill is intended primarily to aid American Motors Corp., which suffered a loss of $40,000,000 in 1966 and an even larger loss in 1967. The corporation's problems in competing in a heavily concentrated industry have been markedly increased by these losses and by their effect upon the company's working capital position.

Let me make one remark at the outset. With the assistance authorized by this bill, I am certain that American Motors will be a strong, independent, vital American automobile manufacturing company and that it will continue to contribute greatly to the American economy. This contribution will not only be a contribution to the internal economic growth and well-being of our Nation, but will also contribute to our favorable balance of trade by bringing moneys back to the United States through the export of American Motors products abroad.

I would also say, at the outset, that if this amendment is adopted, the Treasury of the United States will gain, and not lose a single cent on this transaction. Further than that, the entire economy of our country will benefit, and we will preserve effective competition, in an industry that is already highly overconcentrated. And we will preserve through this means, the independence of a smaller organization in a field dominated by giants.

American Motors is a manufacturing concern of significant national value. It is of prime importance to the national economy that it be maintained as a healthy independent competitive force in the passenger automobile industry.

This situation is an urgent one, and adoption of the proposed amendment will give American Motors the speedy relief it needs, in the form of an income tax refund.

There has been, since the first of this year, a revitalization of American Motors by its management. Energetic moves have been made to turn the company around and restore it to a prosperous condition. Because of what has been done in 10 short months, American Motors has attracted highly favorable attention from all. It has undertaken major organizational changes and improvements in its product lines and has stimulated confidence in its capacities and its abilities.

American Motors is ready to go. It has just completed a 6-year program in investment in plant and equipment. Its engine and axle manufacturing facilities are the most modern in the Nation. Its fundamental need, at the present time, is not for funds for new equipment. What it needs is relief from a drastic operating capital squeeze. With the passage of this amendment, American Motors will succeed. Already, its sales of its new models are on the rise and consumer interest is strong all over the Nation.

Although as a Senator from Wisconsin, I am deeply interested in and concerned regarding the position of American Motors and the effect it has on the livelihood of my fellow citizens of Wisconsin, it is not Wisconsin alone that has a stake in American Motors. Every State in the Nation is benefited by the operations of American Motors, and every State, to a greater or lesser degree, would be affected adversely if its operations should be curtailed.

American Motors is one of the largest employers in my own State of Wisconsin. The company's major manufacturing plants are located in Kenosha and Milwaukee and contribute importantly to the economy of my State. However, as I have said, my State alone is not the only one involved. The importance of the role of American Motors as an employer, and, in terms of the business and employment which its operations generate throughout the United States among its many dealers and independent suppliers, cannot be overemphasized.

Although American Motors is a small company in the passenger car industry, it is still a large company in absolute terms. In its 1966 fiscal year, it employed more than 27,000 people, had net sales in excess of $870 million, paid wages and related benefits of over $230 million and invested more than $57 million in property, plant, and equipment.

The total contribution of American Motors to our Nation's economy—based on 5-year averages and including the "multiplier" effect of its operations on its dealers and suppliers—has amounted annually to $1.4 billion in retail sales, $784 million in payrolls and employee benefits and $295 million in Federal, State, and local taxes. It is estimated that nearly 100,000 persons are engaged in the manufacture or distribution of American Motors products as employees of the company, its dealers and its suppliers, and many of these people depend for their livelihood on the success of American Motors.

American Motors is not a large, integrated manufacturing operation, as are the "Big Three" automobile manufacturing companies. It purchases the major part of the components of its automobiles from independent producers located throughout the Nation. In 1966, for example, 69 percent of the American Motors' sales dollar went for purchases from independent establishments. It is a very important customer of many of these firms, and in certain instances, if it were not for American Motors, there is serious question as to whether such companies could survive. When American Motors' business suffers, its suppliers also suffer.

For its fiscal year ended September 30, 1966, purchases by American Motors from suppliers included purchases of over $100 million from manufacturers and suppliers in Indiana; more than $44 million from manufacturers and suppliers in Michigan; more than $30 million from manufacturers and suppliers in Illinois; more than $24 million from manufacturers and suppliers in Ohio, more than $20 million from manufacturers and suppliers in Wisconsin; more than $15 million from manufacturers and suppliers in New York; more than $9 million from manufacturers and suppliers in Missouri; more than $8 million from manufacturers and suppliers in Pennsylvania; more than $5 million from manufacturers and suppliers in West Virginia; more than $4 million from manufacturers and suppliers in California; more than $3,800,000 from manufacturers and suppliers in North Carolina; more than $2,500,000 from manufacturers and suppliers in Tennessee; and from approximately $1 million to $2 million from manufacturers and suppliers in the States of Colorado, Iowa, Mississippi, Kentucky, Arkansas, Georgia, and Nebraska. In addition, there are many smaller suppliers all over the United States who depend upon American Motors as a customer for a significant portion of their sales.

American Motors carries on its business through franchised dealers located throughout the United States. It has approximately 2,400 dealers in its nationwide automobile distribution and sales system. Roughly 35,000 people were employed in these retail establishments in 1966. These dealers make significant contributions to the communities in which they operate, through the workers they employ, the goods and services they purchase and the taxes they pay. Moreover, automobile dealers operate from buildings which are largely single purpose facilities and are located in marketing areas where all other U.S. auto companies are fully represented.

It is estimated that the total investment of American Motors dealers in their facilities exceeds $250,000,000, and these investments would be adversely affected by any marked reduction in the scope of the company's operations. It might be possible, if there were no American Motors, that some of these dealers could work out relationships to represent the Big Three. But certainly not all of them could.

The significance of American Motors as a valuable industrial establishment is further indicated by the fact that it is estimated to have contributed approximately $2 billion to the gross national product over the past 5 years.

Additionally, American Motors, during the past 5 years, has paid over $400 million to Federal tax revenues, in the form of income, excise and payroll taxes.

American Motors also makes a valuable contribution to the U.S. balance of trade which it is in the general interest to preserve. To a degree far in excess of its share of the market, American Motors has relied on the export of vehicles from the United States to meet the worldwide demand for automotive transportation. In 1966, for example, it exported more than 32,000 automobiles from the United States and its share of the export market, excluding Canada, amounted to 18 percent of the entire domestic passenger car industry. It should be noted that American Motors' share of automobile units exported, excluding Canada, rose from 11 percent to 18 percent during the past 5 years. Conversely, the exports of the Big Three are declining because they have manufacturing facilities overseas.

During the last 5 years, American Motors has contributed more than $150 million to the favorable trade balance of the United States. Its share of the export market for cars, since it does not have manufacturing facilities abroad such as the Big Three have, is in proportion larger than that of any of the Big Three.

In 1966, more than 650,000 foreign cars, most of them competitive with American Motors, were imported into this country. American Motors production in 1966 was 279,000 cars, or less than one-third of those imported. American Motors, in addition to looking to a larger share of the export market, is devoted to being an American manufacturer of a compact car. Its desire to produce a car that not only Americans want but one that others want. If this can be accomplished, it will be only natural that American Motors will increase its exports and that foreign imports of automobiles into this country will lessen. American Motors will then, through its competitive position, take a good share of such business.

The portion of the export trade that American Motors now enjoys, would be largely lost if American Motors' exports should be substantially decreased or discontinued. Other domestic manufacturers of automobiles have substantial manufacturing facilities overseas and available data indicates that their exports are declining as time passes. American Motors, however, has determined to meet the challenge of low-priced foreign automobiles imported into the United States, both by the Big Three and by foreign companies. This effort, which has been greeted with considerable success, is making a helpful contribution to the national balance of trade, which is, of course, influenced by the volume of automotive imports.

American Motors represents the sole remaining independent domestic producer of passenger automobiles which is of significant size in relation to the size of the Big Three, which have about 97 percent of domestic passenger car production. A further shrinkage of American Motors' share of the market would only increase the already heavy concentration now existing in the automobile industry.

During recent days, we have seen newspaper stories of possible Department of Justice action to break up one of the largest of the Big Three automobile manufacturers because of certain antitrust implications. If our Government really wants competition in the automobile industry, let it assist competition that already exists rather than seek competition through a long, drawn out court fight, which probably will end in a compromise settlement. Let it do what is necessary to preserve a vital, independent force in the automobile industry, an industry dominated by the Big Three. American Motors represents actual present competition that can be preserved and that is really competitive. It is not some future competition. Whatever steps the Government may wish to take in the future with respect to competition in the manufacture and sale of automobiles is for the Government to decide. At least, here we have an established, basic, independent competitor.

Studies indicate that it would require an initial investment of about $1 billion for plant, working capital, and marketing organization, if a new company wanted to enter the automotive manufacturing field. Under such circumstances, we all know that few would venture to enter a field so dominated by the Big Three.

The whole problem and the reason for this proposed amendment, is that due to its recent losses, American Motors is faced with a shortage of working capital at a most critical time in its recovery.

One of the remedies generally available to a corporation sustaining substantial losses is a quick refund of Federal income taxes paid in the 3 years prior to the year of loss, by means of a carryback of those losses as deductions against the income of the preceding 3 years.

However, American Motors' losses for its fiscal year just closed greatly exceeded its earnings in the years to which those losses may be carried back under present law. It can therefore obtain relatively little benefit under the law as it now stands. The right to carry such unabsorbed losses forward and apply them against income of future years will be of little value to American Motors, since it needs a refund now and not a refund 3 or 4 years in the future.

The law now allows a 3-year carryback and a 5-year carryforward. The present amendment will extend the loss carryback period to 5 years and will reduce the carryforward to 3 years. Consequently, the total carryback and carryforward period will be the same as the present 8-year period.

It cannot be emphasized too strongly that all the bill will do is to provide a refund to American Motors of taxes it previously paid in earlier years. The principle of this refund is entirely consistent with the basic philosophy of Congress.

The intention of the loss carryback and loss carryforward provisions is to provide that businesses with cyclical years of profit and loss should not pay higher taxes over such years than less cyclical businesses, which have approximately the same average income over the same period of time.

It should be remembered that the Congress has extended or changed the number of years in the loss carryback and carryforward period on a number of other occasions in order to accomplish its purpose more fully. It has recognized that extending the carryback period is particularly useful since it promptly provides liquid funds for a business experiencing economic reverses.

The present amendment is extremely limited in scope. It would be effective only for 2 taxable years, and would not apply to any taxable year ending after December 31, 1969. It would apply only to companies that have losses in that period which exceed the amount that can be carried back effectively under present law. It would benefit only companies that have made heavy investment in plant and equipment, and only companies that are smaller producers and consequently have only a small share of the total market in industries dominated by three or less other manufacturers.

Moreover, I am certain that the proposed amendment will not involve any ultimate loss of revenue for the Federal Government. If the amendment is adopted, the current losses of American Motors will be carried back to provide needed tax relief at this time. Consequently, such losses will not be available as deductions from its income in future years, as they are under present law.

If this amendment should not be adopted and a speedy tax refund should not now be provided to American Motors, and if economic exigencies should force a future merger of the company with another corporation, the acquiring company in all likelihood would be able to apply the loss of American Motors as a carryforward against its own future earnings.

Consequently, whether or not the proposed amendment is adopted, it is reasonably certain that the current loss of American Motors will be more or less fully used as Federal income tax deductions, either by American Motors or by another corporation. The proposed amendment only accelerates the time of the use of such loss, in order to achieve a more important objective; namely, the continuance of a meaningful fourth competitor and major employer in the passenger automobile industry.

Additionally, far from causing any loss of revenue, this amendment helps to preserve an integral and important source of Federal, State, and local income. If the amendment does not pass and American Motors is forced, because of a temporary shortage of working capital, to restrict its operations in the future, the Federal Government will suffer a substantial revenue loss in the form of a reduction in the income, payroll and excise taxes now paid by American Motors. In addition, there would be a further reduction in the even more substantial revenues which the operation of American Motors generates and which are collected from its employees, its dealers, its suppliers and subcontractors.

The Federal Government, furthermore, would inevitably be forced to spend additional Federal funds to help relieve the economic dislocation and human distress which would necessarily result from any major contraction of the operations of American Motors. We know that displaced employees have a high degree of reluctance or capacity to relocate. This is especially true of older employees. It would take a substantial period of time to absorb a major number of displaced employees in local labor markets or even in other areas. Federal funds and personnel in all likelihood would be necessary for job retraining and relocation purposes, and for employment compensation. These expenditures also can be avoided by the adoption of the present amendment.

If American Motors were unable to continue, what would happen to its highly specialized manufacturing equipment and facilities? They would have little application to other manufacturing operations. And no doubt any one of the Big Three could absorb American Motors' share of the market without even a resort to new facilities.

It should also be recognized that American Motors has played and continues to play a useful part within the automotive industry in the development of new product concepts. In the automobile business, as in other industries dominated by large companies, smaller producers have historically played a major role as innovators and pioneers.

Innovation is, of course, a major factor in economic growth, and a company which contributes to economic growth confers a benefit on the entire Nation.

American Motors has pioneered in such automotive innovations as modern car heating and ventilating, smaller and more economical cars, improved body painting, low-cost air-conditioning and the application to automobile design of aircraft construction principles. The 1950 Rambler automobile, which set the style for "compact" cars for years, is still regarded as one of the most influential design concepts in the automotive industry.

What is the sense of eliminating a highly satisfactory competitive enterprise, risking economic disruption and human dislocation, when all this can be avoided by granting the present relief, which will not cost the Government a thing?

No one should feel that American Motors has not attempted to handle this matter itself. At present, it has pledged practically all of its assets for short-term loans now totaling $63,500,000, which loans mature at the end of this year. Its credit is fully extended and American Motors, at present, has no additional source of funds to which it can turn.

This valuable manufacturing establishment can now be assisted to preserve and strengthen itself, and to continue to serve the functions I have just reviewed, if we now pass the proposed amendment.

Mr. PROXMIRE. Mr. President, will my colleague yield to me?

Mr. NELSON. I am happy to yield.

Mr. PROXMIRE. I want to say to my able colleague that I support his amendment wholeheartedly.

This is immensely important to the biggest employer in the State of Wisconsin. It cannot result in a Treasury loss, whether the company fails or whether it succeeds. If this amendment does not pass and the company succeeds, as the Senator has stated so well, it will be able to reduce its tax liability against its profits. If it fails, it is absolutely certain that another firm would buy this attractive loss, attractive precisely because it could write the loss off against its profits and pick up the $20 million. The overwhelmingly important point is that this bill will help the fourth competitor in the automobile industry stay alive. If American Motors fails, the vital auto industry will be wholly concentrated in the Big Three. American Motors has done a great job throughout the years as a vigorously competitive innovator. In some ways it has been the prime innovator in the industry, the first successful compact car and many other innovations were the product of American Motors. It is responsible for an impressive 18 percent of our auto exports and also greatly helps our balance of trade by offering competition with imported autos far out of proportion to its size.

American Motors now has excellent top management, a fine new product, the most provocative advertising in the industry. Its one big need is for immediate working capital. This bill will provide it.

And I point out that this company has paid far, far more than this bill would refund in taxes throughout the years. If it succeeds it will pay a great deal more in the future.

The amendment safeguards the Treasury, constructively preserves competition in a vital industry, helps our balance of payments, it deserves overwhelming support.

I sincerely hope that the amendment will be acceptable to the distinguished Senator from Louisiana, chairman of the Finance Committee.

Mr. LONG of Louisiana. Mr. President, this amendment has been discussed on the Senate floor a number of times by both Senators from Wisconsin who feel that this is vital to their State and to the American Motors Corp.

Some time ago the Senator from Indiana [Mr. HARTKE] also raised this matter, because it is important to his State. The Budd Manufacturing Co. in Indiana manufactures many of the parts that go into the automobiles American Motors makes. He felt that this would help to insure the survival of American Motors in a competitive economy.

We did vote on this matter informally in the committee. I believe the vote was 8 to 1. It was not an official rollcall vote, however—just a show of hands.

The Senator from Delaware [Mr. WILLIAMS], I believe, opposes the amendment. Most members of the committee felt that it would be appropriate to offer it on some revenue bill on the floor of the Senate.

I did not feel that it should be offered on the Social Security bill because this is the kind of thing which, in my judgment, should be offered to a bill which the President should be privileged to veto if he strongly disagreed with it.

I would be willing to take the amendment to conference and see what the House conferees think about it.

If it should be the will of the Senate to agree to this amendment, I would be willing to urge the House to consider it.

Mr. LAUSCHE. Mr. President, will the Senator from Wisconsin yield?

Mr. NELSON. I yield.

Mr. LAUSCHE. I favor the proposal to extend this tax benefit to American Motors. I think it is necessary that competition in the automobile industry be kept as broad as possible because the net result would be a help to American buyers of automobiles.

American Motors has had a long, hard struggle to stay in business. Basically, it has contributed to the general economy of the Nation. To allow it now to be eaten up and destroyed without the help that can be provided by this amendment would not be in the interest of the general economy, or in the interest of buyers of automobiles in this country.

Therefore, I urge that the amendment be accepted and taken to conference to be considered by the House conferees.

Mr. NELSON. I thank the distinguished Senator from Ohio for his remarks.

Mr. DIRKSEN. Mr. President, will the Senator from Wisconsin yield?

Mr. NELSON. I yield.

Mr. DIRKSEN. Mr. President, I have only one comment to make.

I am pretty sure that the Treasury is opposed to this amendment. However, I know that an extreme condition prevails here and I would have no objection to seeing the amendment go to conference, without indicating that I was for the amendment, so that its merits can be examined, due to the extremity of the situation which evidently confronts American Motors at the present time.

Therefore, I think that it deserves to be considered.

Mr. WILLIAMS of Delaware. Mr. President, I object to the amendment and will vote against it. I hope that it will not be accepted. This amendment is not only opposed by the Treasury Department because it will establish a new principle, but it is also definitely a special legislation involving approximately $20 million going to one company.

I see no basis for it. It was not approved in committee, and I hope it will be rejected here. I want to make it clear that I do not support it. I think we are establishing a bad principle when we start dealing with special legislation for one particular company.

I recognize we need a competitive automobile industry, and I hope this company can survive competitively. But if the only way for it to survive competitively is to dip into the Federal Treasury for donations from the American taxpayer, then it does not justify survival.

Let us face the fact that this $20 million will not make the difference between survival and not surviving. It merely means that the company will have $20 million to pay on the mortgages coming due in December, which money it would otherwise not have. This is not only to bail out the automobile company, but also the lending institutions.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. DIRKSEN. For the record, I want to point out that the distinguished Senator from Delaware will certainly be a member of the conference committee when this matter goes to conference, and there will be adequate opportunity to present his views and point out the difficulties to be resolved and, likewise, the precedent to which he refers. My views are quite in consonance with the views expressed by the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, I ask for a division.

Mr. LONG of Louisiana. Mr. President, I believe I should say that there are precedents for this amendment. I refer to the 5-year carryback provided under the Trade Expansion Act of 1962 for companies suffering losses as a result of trade renegotiations. I also refer to the 7-year carryforward (instead of the regular 5-year carryforward) for regulated transportation companies. I further refer to the 10-year carryforward for foreign expropriation losses. In this latter case to obtain the 10-year carryforward they must forego the regular 3-year carryback. Thus this amendment is just the reverse of the foreign expropriation loss carryover provision.

Mr. WILLIAMS of Delaware. Mr. President, I ask for a division on the amendment.

On a division, the amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 4765) was passed.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. LONG of Louisiana. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The title was amended so as to read: "An act to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of certain distributions pursuant to the Bank Holding Company Act of 1956, as amended, and for other purposes."

Mr. LONG of Louisiana. Mr. President, I move that the Senate insist on its amendments, request a conference with the House on the disagreeing votes thereon, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. LONG of Louisiana, Mr. SMATHERS, Mr. ANDERSON, Mr. HARTKE, Mr. WILLIAMS of Delaware, and Mr. DIRKSEN conferees on the part of the Senate.

FOREIGN SERVICE INFORMATION OFFICER CORPS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the bill, S. 633, which was laid aside temporarily, again be laid before the Senate.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 633) to promote the foreign policy of the United States by strengthening and improving the Foreign Service personnel system of the United States Information Agency through establishment of a Foreign Service Information Officer Corps.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Their being no objection, the Senate proceeded to consider the bill.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to ask the distinguished majority leader about the program for tomorrow, if any, and the program for early next week, as much as he can tell us at this time.

Mr. MANSFIELD. Mr. President, I hope it will not take too long to dispose of the bill, S. 633, and then I hope it will be possible to take up H.R. 10595, an act to prohibit certain banks and savings and loan associations from fostering or participating in gambling activities.

Then we will have to wait for the District of Columbia appropriation conference report and any others which may come along in the shank of the evening.

It is my intention, if the Senate concurs, to lay down the military construction appropriation bill, which has just been reported this afternoon, and have it as the pending business for Monday next.

There will be no session tomorrow. I must apologize to the Senate for making the announcement so late, because I had anticipated coming in early, after discussing the situation with the minority leader, to take up the military construction appropriation bill tomorrow, but circumstances intervened which did not make it possible. But next week the Senate will consider the military construction appropriation bill, social security, elementary-secondary education, all of which will be on the calendar, some time or other.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER. Senate bill 633 is the pending business.

PUBLIC WORKS AND ATOMIC ENERGY COMMISSION APPROPRIATION BILL, 1968

Mr. ELLENDER. Mr. President, I ask that the Chair lay before the Senate a message from the House on the public works bill.

The PRESIDING OFFICER (Mr. BAYH in the chair) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the House amendment to Senate amendment No. 2 to the bill (H.R. 11641) making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, Interstate Commission on the Potomac River Basin, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1968, and for other purposes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN SERVICE INFORMATION OFFICER CORPS

The Senate resumed the consideration of the bill (S. 633) to promote the foreign policy of the United States by strengthening and improving the Foreign Service personnel system of the U.S. Information Agency through establishment of a Foreign Service Information Officer Corps.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business, S. 633, be temporarily laid aside; that it become the unfinished business at the conclusion of morning business on Monday next; that the provisions of rule XII be suspended; and that at 2:30 on Monday afternoon, a vote be taken on the bill, the time between the conclusion of morning business and the vote to be equally divided between the Senator from Rhode Island [Mr. PELL] and the Senator from Louisiana [Mr. ELLENDER].

Mr. ELLENDER. Mr. President, reserving the right to object, would the Senator put a limitation on the length of the period for the transaction of routine morning business?

Mr. MANSFIELD. That it end not later than 12:30.

Mr. ELLENDER. With that understanding, Mr. President, I have no objection.

The PRESIDING OFFICER. The Chair hearing no objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PUBLIC WORKS AND ATOMIC ENERGY COMMISSION APPROPRIATIONS BILL, 1968

The Senate resumed the consideration of the amendment in disagreement.

Mr. ELLENDER. Mr. President, what is the pending business?

The PRESIDING OFFICER. H.R. 11641 has been laid before the Senate. There is no question pending, however.

Mr. ELLENDER. Mr. President, as all Senators know, we have had quite a hassle during the last few weeks with the House in our efforts to retain in the public works appropriations bill the Dickey-Lincoln School project.

As was pointed out on prior occasions, this project was budgeted, and the House committee voted to include the project in the bill. However, during House debate on the bill, the House deleted the Dickey-Lincoln School project.

Mr. President, on July 25, 1967, by a vote of 233 yeas to 169 nays the House deleted the budget estimate of $1,676,000 for the Dickey-Lincoln School Dam and Reservoirs project. The Senate restored the budget estimate. In accordance with the conference agreement, the managers on the part of the House offered an amendment to the Senate amendment No. 2 which included $875,000 for the Dickey-Lincoln project. That motion was defeated by a vote of 162 yeas to 236 nays. The House then approved an amendment to Senate amendment No. 2 which was $875,000 less than the previous motion, thereby eliminating the funds for the continuation of planning on the Dickey-Lincoln School project. The Senate on November 7 amended the House figure to include $875,000 for the Dickey-Lincoln project. The House by a vote of 118 yeas to 263 nays refused to recede from their original amendment to our amendment No. 2 and again deleted funds for this project.

Mr. President, I had occasion to talk to Representative KIRWAN before the vote was taken, and I was assured by him that if the proposal failed this time, we would support it in the bill the next time. I have no doubt that if we are able to get a budget estimate for next year, we can again try to have Congress enact this worthy project.

Mr. President, I have supported the project since its inception. It has a good benefit-to-cost ratio, and I know that it would do much good for the people of the Northeast. I say here and now to my good friends, the senior Senator from Maine [Mrs. SMITH], and the junior Senator from Maine [Mr. MUSKIE], that come next year, whether the item is in the budget or not, we will try to include it in some way and have the matter before Congress again in an effort to try to complete at least the planning of this project and have it constructed at as early a date as possible.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MUSKIE. Mr. President, I express my appreciation to the distinguished Senator from Louisiana for his assistance and unflagging support for this project. I know of the effort he made today, even at the last moment, to try to influence a favorable course of events in the House on this project.

As I understand the position taken by the House manager, Representative KIRWAN, the House has already spoken twice this year on this project; the bill involves other projects than Dickey-Lincoln School, the bill involves appropriations for the Atomic Energy Commission, and because of the delay in acting upon the continuing resolution, the funds for that agency would run out if there were further delay; and finally in his—Mr. KIRWAN's—judgment it was time to button the bill up.

That was in essence Mr. KIRWAN's position. I disagreed with that position, as did my distinguished senior colleague, Senator SMITH. I urged him, as did the distinguished Senator from Louisiana, to give this project another full and fair vote in the House today. He did not see the matter our way and persisted in his course of action.

I think it is a fair statement to make at this point that the House vote today did not reflect accurately or fairly the sentiment of the House on the merits of this project.

I think, all of these considerations being taken under advisement, that my colleague and I are well advised to go along with the judgment of the distinguished Senator from Louisiana of agreeing to the House action. This is not a retreat on the merits of the project. This is a strategic retreat designed to enable us to remobilize our forces for another fight next year. And we intend to make that fight.

As I said the other day, there are over 170 Federal public power projects in existence today. I have been advised by the Corps of Engineers and the Department of Interior that Dickey-Lincoln School meets all of the tests as well as and, indeed, better than 75 percent of those projects, yet the Dickey-Lincoln School project has been rejected by the House up to this point.

On its merits, the Dickey-Lincoln School project deserves a continuing fight. It will get that continuing fight. We are reassured by Senator ELLENDER's statement this afternoon that he intends to fight with us, shoulder to shoulder, next year.

I say again how much I appreciate the efforts of the Senator from Louisiana and the efforts of the distinguished senior Senator from Florida, who is present on the floor, the unflagging support of my colleagues on both sides of the aisle, the support of the distinguished Senator from Vermont [Mr. AIKEN] who is also present on the floor and, of course, my colleague, the senior Senator from Maine. I think that if we continue to receive this kind of support on the Senate side we can hope that reason will ultimately prevail on the House side, against the pressures of the private power industry, and that we can still look forward to prospects for victory in another year.

I thank the Senator.

Mrs. SMITH. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mrs. SMITH. Mr. President, it goes without saying that the people of Maine, my colleague, and I experienced great disappointment in learning of the last report from the House of Representatives on the Dickey-Lincoln School project.

It is with very great regret that we receive this news. But it is most assuring to have our distinguished chairman, who had done so much on this project and on all public works projects, give us assurance that consideration will be given again next year.

I again wish to state my appreciation, Mr. President, to the Members of the Senate, especially to the Senate and House conferees, particularly the Senate conferees, who stood by so loyally through this fight, and to give my gratitude to Senator ELLENDER for his help in the fight that he has made on this matter. It has been encouraging to know that someone so far away from Maine could understand our problems up there and go so far in supporting us in our effort to get this project.

Again, I express my thanks to Senator ELLENDER, for myself and for the people of Maine, for his efforts.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HOLLAND. Mr. President, I join with my distinguished chairman, the Senator from Louisiana.

Every member of our subcommittee has expressed himself or herself as actively in support of this project. And why should that not be? This project has been duly authorized by heavy vote in both houses, and it has the necessary qualifications; yet, it has not been accorded the chance to move ahead to actual planning, followed by construction.

Six States have been involved in the beginning in this matter—six States in which the highest rates in the Nation prevail.

I was interested to hear the distinguished Senator from Vermont say yesterday that as soon as his fine State was able to receive some of the hydroelectric power from the St. Lawrence development, an immediate improvement in the rate structure for electric power appeared. I believe that would be the situation throughout New England if this great project could move ahead to completion.

My opinion is that we must stand together in a matter of this nature. My own State has no chance to have hydroelectric power to any great degree. However, in States which have water that can supply the power and which have the natural fall and great supplies of water that otherwise go to the sea, there is no reason in the world why they should not have equal opportunity with the other States of the Nation to profit from the existence of that abundant water, plus the fall in the earth's surface there, to bring about better conditions for all their people in connection with the purchase and use of electric power.

I shall continue to support this project. I do not know exactly what is behind the opposition, because we have not run into anything such as this anywhere else.

I assure my distinguished friends from Maine that I appreciate their anxiety. They have been very tolerant in approving today the final windup of this bill, and I believe it was wise; because not only the Atomic Energy Commission but also the TVA and other activities in both the Reclamation Bureau and the Corps of Engineers field depend upon the completion of this legislation.

I hope that the House will have a more favorable attitude next year. So far as I am concerned, I am certain that the favorable attitude prevailing in our committee, the Appropriations Committee, will continue, and that we will be solidly behind this project.

In the meantime, we may be able to find out what is wrong and what is bringing about this opposition, and we may be able to find a way to cure it. I pledge my best efforts to that end.

Mr. MUSKIE. I thank the distinguished Senator from Florida. I must say that in our disappointment and anxiety about next year, it is good to have the reassurance of such good friends as have spoken with respect to this project this afternoon.

Mr. ELLENDER. Mr. President, I move that the Senate recede from its amendment to the House amendment to Senate amendment No. 2, and agree to the House amendment to Senate amendment No. 2.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana.

The motion was agreed to.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a summary table showing the final action on the public works appropriation bill.

There being no objection, the summary table was ordered to be printed in the RECORD, as follows:

TABLE 1.—*Summary table (Oct. 12, 1967)*

Item	Appropriations, 1967	Budget estimate, 1968	House allowance	Senate allowance	Conference allowance
TITLE I—DEPARTMENT OF DEFENSE—CIVIL					
DEPARTMENT OF THE ARMY					
Cemeterial expenses: Salaries and expenses	[1] $17,148,000	$24,637,000	$21,200,000	$21,200,000	$21,200,000
Corps of Engineers—Civil:					
General investigations	32,450,000	39,745,000	33,745,000	36,246,000	34,445,000
Construction, general	967,460,000	[2] 972,992,000	935,074,000	1,010,823,000	967,599,000
Operation and maintenance, general	179,000,000	197,634,000	189,000,000	190,000,000	190,000,000
Flood control and coastal emergencies	7,000,000				
Flood control, Mississippi River and tributaries	87,135,000	77,400,000	83,400,000	91,480,000	87,135,000
General expenses	[3] 18,014,000	19,914,000	18,950,000	18,950,000	18,950,000
Total, rivers and harbors and flood control	1,291,059,000	1,307,685,000	1,260,169,000	1,347,499,000	1,298,129,000
The Panama Canal:					
Canal Zone Government:					
Operating expenses	[4] 34,746,000	36,191,000	36,000,000	36,000,000	36,000,000
Capital outlay	2,000,000	5,024,000	4,500,000	4,500,000	4,500,000
Panama Canal Company: *Limitation on general administrative expenses*	[5] *(12,278,000)*	*(13,267,000)*	*(13,000,000)*	*(13,000,000)*	*(13,000,000)*
Total, the Panama Canal	36,746,000	41,215,000	40,500,000	40,500,000	40,500,000
Total, title I	1,344,953,000	1,373,537,000	1,321,869,000	1,409,199,000	1,359,829,000

See footnotes at end of table.

TABLE 1.—*Summary table (Oct. 12, 1967)*—Continued

Item	Appropriations, 1967	Budget estimate, 1968	House allowance	Senate allowance	Conference allowance
TITLE II—DEPARTMENT OF THE INTERIOR					
Bureau of Reclamation:					
General investigations	$15,075,000	$16,523,000	$16,000,000	$21,555,000	$16,523,000
Construction and rehabilitation	[6] 192,825,000	[7] 181,868,000	172,700,000	185,005,000	181,868,000
Operation and maintenance	[8] 42,350,000	49,540,000	48,300,000	48,300,000	48,300,000
Loan program	12,995,000	15,000,000	15,000,000	15,400,000	15,000,000
Upper Colorado River Basin fund	50,198,000	[9] 41,260,000	41,000,000	41,000,000	41,000,000
Emergency fund	1,000,000				
General administrative expenses	[10] 11,567,000	11,356,000	11,356,000	11,356,000	11,356,000
Total, Bureau of Reclamation	326,010,000	315,547,000	304,356,000	322,616,000	314,047,000
Bonneville Power Administration:					
Construction	109,000,000	120,006,000	110,500,000	110,500,000	110,500,000
Operation and maintenance	17,010,000	19,000,000	18,500,000	18,500,000	18,500,000
Total, Bonneville Power Administration	126,010,000	139,006,000	129,000,000	129,000,000	129,000,000
Southeastern Power Administration: Operation and maintenance	1,000,000	1,000,000	850,000	850,000	850,000
Southwestern Power Administration:					
Construction	3,950,000	[11] 5,505,000	5,035,000	5,015,000	5,015,000
Operation and maintenance	2,115,000	2,240,000	2,240,000	2,240,000	2,240,000
Continuing fund (*indefinite appropriation of receipts*)	*(3,700,000)*	*(3,200,000)*	*(3,200,000)*	*(3,200,000)*	*(3,200,000)*
Total, Southwestern Power Administration	6,065,000	7,745,000	7,275,000	7,255,000	7,255,000
Underground electric power transmission research		2,000,000			
Federal Water Pollution Control Administration:					
Water supply and water pollution control [12]	75,439,000	101,114,000	90,800,000	94,935,000	92,800,000
Buildings and facilities	[13] 4,624,000	1,920,000			
Construction grants for waste treatment works [12]	153,000,000	203,000,000	203,000,000	225,000,000	203,000,000
Total, Federal water pollution control	233,063,000	306,034,000	293,800,000	319,935,000	295,800,000
Total, definite appropriations	692,148,000	771,332,000	735,281,000	779,656,000	746,952,000
Total, indefinite appropriations	3,700,000	3,200,000	3,200,000	3,200,000	3,200,000
Total, title II, Department of the Interior	695,848,000	774,532,000	738,481,000	782,856,000	750,152,000
TITLE III—ATOMIC ENERGY COMMISSION					
Operating expenses	1,923,000,000	[14] 2,169,900,000	2,125,000,000	2,142,402,000	2,140,000,000
Plant and capital equipment	276,030,000	[15] 476,200,000	367,733,000	369,633,000	369,133,000
Total, title III, Atomic Energy Commission	[16] 2,199,030,000	[16] 2,646,100,000	2,492,733,000	2,512,035,000	2,509,133,000
TITLE IV—INDEPENDENT OFFICES					
Atlantic-Pacific Interoceanic Canal Study Commission	[17] 4,000,000	7,500,000	6,115,000	6,100,000	6,100,000
Delaware River Basin Commission:					
Salaries and expenses	45,000	45,000	45,000	45,000	45,000
Contribution to the Delaware River Basin Commission	115,000	134,000	134,000	134,000	134,000
Total, Delaware River Basin Commission	160,000	179,000	179,000	179,000	179,000
Interstate Commission on the Potomac River Basin: Contribution to Interstate Commission on the Potomac River Basin	5,000	5,000	5,000	5,000	5,000
Tennessee Valley Authority: Payment to Tennessee Valley Authority fund	63,700,000	62,150,000	60,000,000	62,150,000	61,000,000
Water Resources Council:					
Water resources planning	600,000	1,340,000	1,070,000	1,070,000	1,070,000
Financial assistance to States	1,875,000	2,470,000	2,470,000	2,470,000	2,470,000
Total, Water Resources Council	2,475,000	3,810,000	3,540,000	3,540,000	3,504,000
Total, title IV, Independent Offices	70,340,000	73,644,000	69,839,000	71,974,000	70,824,000
Grand totals:					
Total, definite appropriations	4,306,471,000	4,864,613,000	4,619,722,000	4,772,864,000	4,686,738,000
Total, indefinite appropriations	3,700,000	3,200,000	3,200,000	3,200,000	3,200,000
Grand total, all titles	4,310,171,000	4,867,813,000	4,622,922,000	4,776,064,000	4,689,938,000

---

[1] Includes $2,050,000 in 2d supplemental 1967, H.R. 9481, 90th Cong., 1st sess.

[2] Includes $20,419,000 in H. Doc. 114, 90th Cong., 1st sess.

[3] Includes $464,000 in 2d supplemental 1967, H.R. 9481, 90th Cong., 1st sess.

[4] Includes $1,342,000 in 2d supplemental 1967, H.R. 9481, 90th Cong., 1st sess.

[5] Includes $278,000 in 2d supplemental 1967, H.R. 9481, 90th Cong., 1st sess.

[6] Includes $450,000 in 2d supplemental 1967, H.R. 9481, 90th Cong., 1st sess.

[7] Includes $1,900,000 in H. Doc. 114, 90th Cong., 1st sess.

[8] Includes $1,350,000 in 2d supplemental 1967, H.R. 9481, 90th Cong., 1st sess.

[9] Includes $1,600,000 in H. Doc. 119, 90th Cong., 1st sess.

[10] Includes $267,000 in 2d supplemental 1967, H.R. 9481, 90th Cong., 1st sess.

[11] Includes $400,000 in H. Doc. 114, 90th Cong., 1st sess.

[12] Reflects transfer of $20,000,000 in 1967 and $10,000,000 in 1968 for activities transferred in the estimate from "Construction grants for waste treatment works" to "Water supply and water pollution control."

[13] In addition, unexpended balances of $1,655,618 reappropriated in 1967 Department of Labor, and Health, Education, and Welfare Appropriation Act.

[14] Includes $[illegible],000,000 submitted in H. Doc. 62 and decrease of $14,900,000 submitted in H. Doc. 8[illegible].

[15] Includes $59,800,000 and $68,200,000 submitted in H. Docs. 62 and 111, respectively.

[16] In addition, it is estimated that receipts and reimbursements will be made available from non-Federal sources totaling $66,610,000 and $58,840,000 for fiscal years 1967 and 1968, respectively.

[17] In addition, unobligated balances of $2,691,000 reappropriated in 1967 Public Works Appropriation Act.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THANKSGIVING RECESS

Mr. MANSFIELD. Mr. President, I have been discussing the possibility of a Thanksgiving recess with the distinguished minority leader. We have come to the conclusion that, in view of the legislation which confronts us at this time, it might be well to announce today that there will be a recess over Thanksgiving. So beginning at the conclusion of business on the Wednesday before Thanksgiving, the 22d, the Senate will not meet through and including the following Sunday. In other words, it will give us Thursday and Friday off. Saturday and Sunday is the usual weekend. Monday the Senate will be back in session again.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. WILLIAMS of Delaware. Does the Senator think we will be off a couple of days at Christmas, also?

Mr. MANSFIELD. That is a difficult question to answer.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MOSS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Utah [Mr. MOSS] was recognized.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, will the Senator yield, without losing his right to the floor, so that I may make a unanimous-consent request, which will appear either before or after his remarks?

Mr. MOSS. I yield to the distinguished majority leader.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, with reference to H.R. 10595, the leadership has conferred with the manager of the bill and the distinguished senior Senator from New York [Mr. JAVITS].

We ask unanimous consent that immediately after the disposition of S. 633, for which a unanimous-consent agreement has been entered into for a vote at 2:30 on Monday, there be a time limitation of up to 1 hour on each side, 1 hour to be controlled by the distinguished Senator from Wisconsin [Mr. PROXMIRE], and the other hour to be controlled by the distinguished Senator from New York [Mr. JAVITS], and that at the conclusion of that time there be a vote on the bill. I wish to waive rule XII in that respect.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. What is rule XII?

Mr. MANSFIELD. Rule XII provides for the quorum call.

Mr. JAVITS. Mr. President, reserving the right to object, as a matter of accommodation to Senators, should not the unanimous-consent agreement provide that any Senator who wishes to offer an amendment may have 5 minutes or some other time on each side, to indicate that this is not a closed corporation.

Mr. MANSFIELD. I thank the Senator.

Mr. President, in that respect, I include in the request a 10-minute proviso for amendments, the time to be equally divided between the majority leader and the minority leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

The unanimous-consent agreement reduced to writing is as follows:

Ordered, That at 2:30 p.m. on Monday, November 13, 1967, the Senate proceed to vote on final passage of the bill (S. 633) to promote the foreign policy of the United States by strengthening and improving the Foreign Service personnel system of the United States Information Agency through establishment of a Foreign Service Information Officer Corps. *Provided*, That on Monday, November 13, 1967, the period between 12:30 and 2:30 p.m. shall be equally divided and controlled, respectively, by the Senator from Rhode Island [Mr. PELL] and the Senator from Louisiana [Mr. ELLENDER].

Ordered further, That immediately following the disposition of S. 633 the Senate proceed to the consideration of H.R. 10595, to prohibit certain banks and savings and loan associations from fostering or participating in gambling activities, with debate on the bill limited to 2 hours to be equally divided and controlled by the Senator from Wisconsin [Mr. PROXMIRE] and the Senator from New York [Mr. JAVITS]; *Provided*, That debate on any amendment be limited to 10 minutes to be equally divided and controlled between the majority and minority leaders or their designees.

Mr. JAVITS. Mr. President, would the Senator yield further?

Mr. MANSFIELD. I yield.

Mr. JAVITS. Mr. President, I wish to announce that I shall make my opening statement on the bill tonight.

Mr. MANSFIELD. Mr. President, for the information of the Senate we will be on S. 633 when we come back on Monday next, to be followed by H.R. 10595, to be followed by the military construction bill (H.R. 13606) which was reported this afternoon.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. Are we going to stay in session in order to see what the other body does in connection with the conference report on the District of Columbia?

Mr. MANSFIELD. That is our intention.

I thank the Senator from Utah for yielding.

CAN WE CHECK INFLATION?

Mr. MOSS. Mr. President, the Congress and the President have reached an apparent impasse over the surtax. While there is little the U.S. Senate can do, since the House Ways and Means Committee must move first, I believe that the Senate should continue to discuss vigorously and extensively the case for a 10-percent income tax surcharge, and the alternatives to it, so that the consequences may be clear to the Congress and to the people.

To surtax or not to surtax? Even to ask the question courts unpopularity. Nobody wants to pay more taxes. Cut spending, people insist. Do not ask us for more money even though we are involved in a war which is costing over $2 billion a month, and in which over 500,000 Americans are risking their lives.

Well, this Congress has cut almost $4 billion from the appropriation bills for the fiscal year 1968 passed so far, and we will cut more. The President has put a freeze on some other Federal funds which have already been appropriated.

The national dilemma, as many people may not realize, is that almost 80 percent of our Federal expenditures are in areas where cuts cannot easily be made—defense and national security, interest payments on the debt, payments to veterans, the bill for past wars, and the soaring costs of the war in Vietnam. Only about $20 billion in the budget is subject to cuts, and there are dangers in cutting too deeply in this sector since we could grind to a halt many domestic programs which are basic to our health and welfare.

But even the most drastic reductions in this sector cannot make much more than a good-sized dent in the projected $24 to $28 billion budget deficit for fiscal 1968. So it is not solely a question as to whether the Federal Government needs the additional revenue the 10-percent surcharge would produce. We all know that it does. If we could combine the increased revenue of the charge with the budget cuts which are already being made, we could probably reduce the expected $24 to $28 billion 1968 deficit by $10 to $14 billion.

Despite this improved outlook, the surcharge remains unpopular with both the Congress and the general populace. For one reason, this tax increase is proposed at a time of growing opposition to our involvement in Vietnam, and the cost of that involvement, and of widespread discontent about our big and growing Government and increasing dissatisfaction with specific Federal programs. Moreover, some opponents of the surcharge doubt that the economic consequences of its rejection will be serious.

Opinions on the Nation's involvement in Vietnam, on the proper size and role of Government, and on specific Federal programs are determined largely by moral values and political convictions. There are some 535 different varieties of opinion on both points in the Congress, and several million more throughout the country. If these points were the only ones relevant to deciding whether to support or oppose a surcharge, most of us could defend with great strength the opposition dictated by our moral and political convictions. But they are not.

We cannot omit from consideration the warning we have been given of the consequences of failure to adopt the surcharge. The warning has come not only from President Johnson and his spokesmen. It has come also from an impressive number of business leaders, bankers, and economists outside the Government that the economic consequences of failure to adopt the surtax can be very serious, and can be ignored only at great peril to the economic health of the Nation.

The warning comes from persons who, I am sure, are no happier about the prospect of higher taxes than I am. Many of them have moral values and political convictions which would dictate opposition to the surtax if the proper size and role of the Federal Government, our involvement in Vietnam, and opposition to specific Federal programs were the only factors that need to be considered. Yet these men speak with deep conviction on the need for a surcharge.

They pull no punches in telling us of the consequences of our failure to act promptly. They predict four inevitables:

First. A return to strong inflationary pressures.

Second. Spiraling interest rates and a return to severely tight money.

Third. A worsening of our balance of payments.

Fourth. Distortions in our economy that will endanger the Nation's economy.

BUSINESS OUTLOOK

I feel very strongly that we in the Senate should make certain that we understand what is being said about the economic consequences of failure to adopt the surcharge, and that we have given full weight to all of these consequences. I know of no way to do this except to review and evaluate what we have been told.

First, what of the business outlook? The revised budget estimates presented by the President in his tax message in August showed a deficit of $24 billion during the fiscal year 1968, $15 billion higher than was estimated in January. The message also stated that without tight expenditure control and a tax increase the deficit could exceed $28 billion, not including about $700 million increased interest cost on the Federal debt that such a deficit would involve.

The revised estimates reflect the expectation that Federal expenditures will be higher by about $8 billion and tax receipts lower by about $7 billion than the January estimates showed.

There is general agreement among persons whose job it is to be well informed on current and probable future business conditions that State and local governments will be buying more goods and services; residential construction will be increasing; business spending on new plant and equipment will not decline and might even rise a little; consumer spending will increase significantly; and business firms will continue to rebuild inventories.

These analysts of business conditions say that this all adds up to a greater demand for goods and services than our productive capacity can supply on a sustained basis. Because there is a small margin of excess capacity now, a rate of growth in demand that is slightly above the prospective rate of growth in our capacity would be welcome for a short while. But the expected increase in demand will exceed the tolerance that the economy can accept with safety. The experts remind us that the inevitable consequence of unchecked excessive demand is inflation.

The purpose of the proposed tax program is to siphon off $10 billion to $14 billion of this excess demand, and thereby to bring demand more nearly into balance with our capacity to produce. The surcharge would accomplish about $7½ billion of the reduction.

And now, what of the economic consequences of failure to act promptly on a surcharge?

INFLATION

Of the four inevitables I listed earlier, I am most worried by the threat of inflation. I am very much concerned by the estimates which have been made that if the surcharge is not adopted, the prices consumers pay for goods and services will increase by an average of 4 to 5 percent in the next year, and that if the surcharge is adopted the increase will be about 2½ percent. In other words, it is estimated that the cost of inflation resulting from failure to adopt the surcharge will be 1½ to 2½ percent. And it is estimated that the surcharge will take, on the average, about 1 percent of individual income.

During the 12 months ending in September of this year, the consumer price index rose 2.6 percent despite a mere 0.3-percent increase in food prices and a sluggishness in the economy that restrained increases in the prices of other items. Nonetheless, the nonfood items increased 3.4 percent on the average. With the pace of economic activity beginning to quicken and upward pressure on prices mounting, a significantly larger increase than 2.6 percent seems inevitable in the coming year. Some proponents of the surcharge insist that arguing about whether the increase will be 3.5, 4, or 5 percent is pointless if we concede that a price increase of 3.5 percent is, in fact, a burdensome tax. And they remind us that experience has taught us that inflation is primarily a tax on those with fixed incomes or incomes that change slowly, primarily the poor, the elderly and workers whose wage rates are not adjusted to reflect cost-of-living increases.

In a similar vein, the case is made that arguing about whether a 10 percent tax surcharge will restrain price increases by 1 or 1½ or 2½ percent is pointless. It seems fair to concede that the proposed surcharge will restrain prices by some significant amount, and whatever that amount, it will be an offset of the direct cost of the surcharge. If it is as much as 1 percent, it will offset the entire cost of the surcharge.

I can best illustrate the effects of the surtax as opposed to the effects of inflation by detailing what would happen to four families—each with four members—but having vastly different incomes. I shall call my families the Browns, the Whites, the Greys and the Blacks.

The Brown family, which consists of Mr. Brown, his wife, and two children, has an income of only $2,500 a year. Under the surcharge proposal, Mr. Brown would pay no extra tax. However, the higher price increases which seem inevitable in 1968 without the surcharge would cost Mr. Brown and his family some $82 extra during the year for the things they would buy.

The White family of four have an income of $5,000, and also would pay no surtax. But the cost to them of the extra price increases, without a surcharge to drain off some of the buying power, would be about $147 during the year.

The four members of the Grey family, with an income of $10,000, would pay an additional $111 on top of their regular tax under the surcharge proposal, but the price increases in the things they would buy, should there be no surcharge, would be in the neighborhood of $285. So the surcharge would represent a savings of $174.

And finally, the Blacks, who are a four-member family with an income of $20,000, would pay about $316 under the surcharge, but a rise in the cost of living without the tax would add an extra $540 to their bills, or some $224 more than they would pay in surtaxes.

To put it more succinctly, the surtax would not cost either of the two low income families an extra cent, but inflation would take about 3 percent of their incomes.

In the two higher income families, the Grey family would pay 1 percent of their income in additional taxes under the surcharge proposal, but inflation would take almost 3 percent. The Blacks would pay only 1½ percent of their income in additional taxes, while inflation would take 2½ percent.

So for the Browns, the Whites, the Greys and the Blacks, the surcharge seems to be the cheaper way out—the lesser of two evils.

INTEREST RATES AND MONEY SUPPLY

The second inevitable, the effect on interest rates and money supply, is equally serious. When the economy is operating—as it is now—close to full utilization of its productive resources, increased Government expenditures must, after a point, necessarily be paid for by a slower growth of consumption of goods and services by the private sector of the economy. Another way of saying this is that when the physical limit of increases in goods and services has been reached, the Government cannot increase the share of the goods and services it consumes without reducing the share available to individual consumers. The relevant questions then become: Who will be required to give up part of his share in the growth of our production, and by what means will the Government divert resources from the private sectors? The proposed tax increase is one means of diverting resources to Government use. The only other realistic alternative is to increase Government borrowing.

The immediate consequence of increased Federal borrowing would probably be higher interest rates. This is a simple matter of supply and demand. If the demand for loan funds increases while supply does not, the prices paid—that is, interest rates—will rise. Indeed, the fear that Government will have to finance the deficit by increased borrowing is said by some bond market experts to be a principal reason for the sharp rise in long-term interest rates in September and October despite a relatively easy money policy by the Federal Reserve System.

Increased borrowing by the Federal Government reduces the loanable funds available to State and local governments and to the private sector of the economy. Supporters of the surcharge note that this would happen at a time when an inflationary trend is causing an increase in the demand for credit by these sectors. The combination of higher interest rates and inflation would leave the Federal Reserve Board no choice but to use monetary policy—credit restrictions, in this instance—as our major means of restraining inflation. And they remind us that the experience of 1966 showed us the consequences of this action—steeply higher interest rates and a stringent money supply that hurt most the homebuilder, the homebuyer, financial institutions which normally supply funds for home construction, and the small businessman. The credit crisis of 1966 was cruel enough in its impact on these groups. Another crisis now could be far more brutal, for the rise in medium- and long-term interest rates would start from levels equal to or higher than the highs of 1966.

The burden of tight money falls heaviest—and unfairly—on residential construction. I cite the experience of 1966 as evidence. Savings and loan associations, the financial institutions which invest primarily in home mortgages, were unable to compete for funds successfully at the high interest rates that prevailed during much of 1966. As a result, their mortgage lending was curtailed sharply. The effect on home construction was reflected in a 300,000 drop in housing starts from 1965 to 1966 and in a slow rate of increase during the first half of 1967. Tight money in 1966 is said to have cost us nearly a half-million housing starts already. And the higher interest rates charged those whose houses were built or resold in 1966 will be a burden on these persons for the duration of their mortgages. It has been estimated that the ultimate cost of their houses will be 20 percent higher than it would have been in the absence of tight money and higher interest.

WORSENING OF OUR BALANCE OF PAYMENTS

Third, it is clear that failure to adopt the tax surcharge will lead to a worsening of our balance-of-payments position. The adverse effect on balance of payments is a natural consequence of increased inflationary pressures. Excessive demand for goods and services drives up both costs and prices. The excessive growth of domestic markets and the higher prices attract imports, while, at the same time, rising costs make our exports less attractive to foreign buyers. Supporters of the tax surcharge warn that our trade balance would become less favorable, and the confidence of the world's financial community in the dollar could only be impaired.

DISTORTIONS IN OUR ECONOMY

And, finally, we come to the fourth inevitable. When supporters of the tax surcharge speak of distortions in our economy that would occur as a consequence of failure to adopt the surcharge, they are talking primarily of the long-term consequences of inflation, high interest rates, credit shortages, and an impaired balance-of-payments position. Said another way, they contend that financing the Government's increased needs by taxation rather than borrowing is more likely to keep the demand for goods and services growing at the approximate rate of growth in our capacity to produce goods and services. Consequently, they say, financing by taxation is more likely to help us avoid swings in our rate of economic growth that have, too often in the past, resulted in long periods of underutilization of our capacity to produce. And they remind us that we are now in our 81st consecutive month of sustained economic growth, with a great deal of the credit for this record owed to fiscal policy decisions.

I would also remind my colleagues when we cut Federal income taxes some $13.5 billion in 1964, and Federal excise taxes by about $3.5 billion in 1965, it was forecast that the cuts would spur our economy—and in both instances the forecasts were borne out.

Mr. President, there is nothing that generates more heat and passion than a recommendation for a tax increase. Nor is there anything more tricky than attempting to forecast economic trends with firmness, or to analyze in advance the full effect of measures recommended to slow down or to step up economic growth. I am not trying to do either here today.

But I am impressed by the arguments in favor of a surcharge as a way of cutting the surge of demand for goods and services beyond our ability to pay. And I do believe that we are on the edge of such a surge. Without restraint, it could work a severe hardship on our lower income families, our families with fixed income, our elderly on pensions, and it could dash the hopes and plans of millions of other Americans. Inflation is our "cruelest tax."

I hope the U.S. Senate will not duck a discussion of this great public policy issue.

Is our choice between taxation or inflation? It well may be so.

Can we avoid high interest and scarce credit?

Can we balance foreign expenditures and income?

Can we continue our economic growth at a healthy, steady rate?

Will the "medicine" of a surtax effect a cure of "inflationary illness"?

We should not adjourn the first session of the 90th Congress without looking far more carefully into these questions than we have done so far.

PROHIBITION ON USE OF FINANCIAL INSTITUTIONS AS LOTTERY AGENCIES

Mr. JAVITS. Mr. President, I rise to speak in opposition to H.R. 10595, a House-passed bill which would prohibit banks from selling State lottery tickets.

It is well known, and the report on the bill is very frank about it, that the bill is aimed particularly at such State financing plans as, one, the State of New Hampshire, represented in this body by Senator COTTON and Senator McINTYRE, and the State of New York.

I take considerable satisfaction in the fact that every member of the minority on the Committee on Banking and Currency signed the minority views opposing this bill. Well they might, for the bill represents an effort by the Congress to restrict the States in determining how they shall finance their activities. In this case the financing relates to education. In that way it very definitely strikes a blow at the Federal system.

The bill also seeks to legislate morality in a way which has nothing whatever to do with the Constitution or laws of the country or the country's ethical standards or anything which is the Federal Government's concern.

It is very much the fact that a particular Member of the other body feels very keenly about this subject, and the other body has gone along with him. The question is whether this body will.

This is not a matter of lack of respect for the Member of the other body, whom I do respect, but who represents a specialized point of view, which should not become the law, and cannot without the consent of the Senate.

There is nothing here which jeopardizes banks or banking operations or which has anything to do with their reputation or their credit worthiness. This is a State activity, carried on by the State of New York, after the matter had been dealt with by its own citizens under a constitutional amendment. This matter was approved, and the State legislature took action implementing the lottery, and the State is carrying out State law. Certainly there is nothing that would jeopardize the standing or character of any bank. That standing or character is certainly no higher than the State itself.

In addition, the reach of this bill is extremely broad. It takes in not only national banks but any bank whose deposits are insured by the Federal Deposit Insurance Corporation, as well as savings and loan associations coming under the jurisdiction of the Federal Home Loan Bank.

In my judgment, and obviously in the judgment of the whole minority, it is a most unwise policy. The objective of the bill is to prevent New York's federally chartered or insured banks and savings and loan associations from serving as agents for the sale of lottery tickets under the State's lottery plan.

The State lottery was established in New York after long public debate. Its purpose is to raise money for education.

In 1965 and again in 1966, the New York State Legislature passed a resolution proposing a constitutional amendment authorizing the establishment of a lottery for this purpose. In November 1966, the voters of the State, by nearly 900,000 plurality, approved this amendment. Acting in response to this overwhelming public endorsement, the New York State legislature enacted legislation implementing the lottery, and the Governor approved it. This legislation had broad bipartisan support.

I am opposed to this pending bill, and I testified against it when it was before the Banking and Currency Committee. It should be noted, as a matter of interest, that I opposed the lottery when it was on the ballot in 1966. I mention this because I wish to emphasize that the merits and demerits of State lotteries are not here at issue. At least as to the State of New York, that particular question has been resolved by the voters and legislature of the State, and a lottery has become law. New York violated no Federal law in establishing a State lottery. Under these circumstances, I do not believe that Congress should intervene in the public policy of a State, established by the people and the legislature, after careful consideration, and which is not a matter of jurisdiction under the Federal Constitution.

Mr. President, it will be remembered that I am one of the most ardent advocates of civil rights legislation and other provisions of law coming under amendments to the Federal Constitution. But, Mr. President, where the power of the Nation or the power of Congress is not in question, then the whole essence of the federal system requires that we allow the States to act in accordance with the best judgment of their governing authorities and the best judgment of their people. In this case, we have involved not only the legislature, but the people of the State themselves.

I do not challenge the power of Congress to regulate the activities of federally chartered and insured financial institutions; I do question earnestly the propriety of congressional intervention in this particular case, where there is no congressional duty or responsibility involved.

In the Banking and Currency Committee, certain amendments were made, which would allow the banks to continue to service other agents for the sale of lottery tickets in New York and to serve as agents for the control and accounting of tickets on a regional basis—in short, to do everything except actually sell the tickets themselves. I believe that these amendments are proper and I favor their adoption. However, my basic objection to this bill remains.

I find it very difficult to understand how the banks were permitted to be party to some of the activities under the State lottery, but not to all. I believe that any congressional interference with this legal activity on the part of one of the sovereign States would be an unjustified interference by the Federal Government in the affairs of a State which is not within the cognizance of the Constitution, nor otherwise the responsibility of Congress.

It seems to me that with regard to this act, Congress should be solely concerned with deciding whether selling or dealing in State lottery tickets impairs the financial integrity of the banks. No such evidence has been presented; nor has any evidence been offered to prove that a bank's dealing in lottery tickets endangers its deposits. Instead, this bill represents an attempt to obstruct, to overthrow, the sovereign will of the people of a particular State, to impress upon that State a contrary—a congressional—standard of values in a matter which, I repeat, is not within the cognizance of the Constitution nor the responsibility of Congress, but is clearly the responsibility of the State. It would be different if State lotteries violated Federal law; they do not. It would be different if banks were "Federal instrumentalities"; they are not. We do not have the case of a Federal institution utilized to frustrate Federal policy. Banks are private, profit-making bodies—subject to Federal regulation, to be sure, but private, nonetheless. The banks—and not all the banks are participating—have voluntarily offered these services to the State of New York. A preponderant share of the tickets are sold by them. If financial institutions are prohibited from performing this function, the State would have to turn to other outlets, like drug and liquor stores, which offer the feature of accessibility. This is a step the State of New York does not wish to take and should not be compelled to take by virtue of this legislation.

The only purpose this bill would achieve would be to reduce the amplitude of operation of the lottery, and it would add tremendous administrative costs for the State.

This bill is not a measure to preserve the integrity and soundness of our banking system. In offering this service to the State, the banks are not speculating. A bank's participation in the lottery in no way increases the risk which the Federal Deposit Insurance Corporation assumes when it protects depositors against loss. The Federal Deposit Insurance Corporation, on May 31, 1967, and the Board of Governors of the Federal Reserve System, on June 1, 1967, advised the Committee on Banking and Currency of the House of Representatives that the sale and distribution of State lottery tickets was not an unsafe or unsound banking practice. The Comptroller of the Currency has also pointed out that no Federal statute prohibits a national bank from acting as agent for the State in the sale and distribution of lottery tickets.

Mr. President, in conclusion, I wish to quote from the testimony of Joseph H. Murphy, New York State commissioner of taxation and finance, before the Senate Subcommittee on Financial Institutions:

> H.R. 10595 will simply make it difficult for the State of New York to provide funds for education through a means overwhelmingly approved by its voters. This raises a very basic and fundamental issue of Federal-State relations within our Federal system of government.
>
> What is important is that the people of the State of New York and their State government have made their decision as to how additional funds for education shall be raised, and under our Federal system, every state has the right to make this decision for itself . . . What this Bill proposes has nothing to do with the integrity or soundness of the banking system. It is simply an indirect way of curtailing a popularly-mandated state revenue source.

Mr. President, may I also add, in that connection, that if we begin to use the banking system for the purpose of enforcing some code of morality which is the invention of Congress, against the States, it seems to me that we are certainly departing very far indeed from the purposes of our system, and allowing it to be the agent of all sorts of distortion, as well as to be subject to very serious distortion itself.

For all these reasons, Mr. President, as a Senator from my State, I deem it essential to oppose this bill. We shall conclude this debate on Monday, and have a rollcall vote upon the bill. I hope very much that, though there are lotteries in only two States, other Senators will not be willing to foreclose such an important revenue source, which is also available to their States, or such a high caliber way of handling a State lottery, rather than forcing it into channels which are less satisfactory in terms of administration, of course, as well as in terms of the equality and integrity with which the matter is handled in each State.

For those reasons, reasons which I consider as well to be grave blows to the federal system, grounded in no way in the Constitution or in the responsibility of Members of Congress, I hope the bill will be rejected. I shall make whatever motion is required to enable Senators to vote upon that issue next Monday.

Mr. President, I yield the floor.

Mr. PROXMIRE. Mr. President, I recommend wholeheartedly the enactment of H.R. 10595, a bill which prohibits federally insured financial institutions from selling lottery tickets. The bill would apply to all federally insured banks and savings and loan associations. In addition to selling lottery and dealing in bets, the bill also prohibits such institutions from advertising or publicizing lotteries or permitting their premises to be used for the sale or promotion of lottery tickets.

Mr. President, the Federal Government has had a longstanding policy to deny lotteries the use of Federal facilities, and the prohibition on the sale of lottery tickets by federally insured financial institutions is merely an extension of this longstanding policy. This bill does not represent a radical or new departure from existing Federal law. For example, under the terms of 18 U.S.C. 1302, it is a Federal crime to mail lottery tickets or information or advertisements about lotteries. This prohibition extends even to intrastate mailings. Under section 1302, it is also illegal to send through the mail "any newspaper, circular, pamphlet, or publication of any kind containing any advertisement for any lottery, gift enterprise or scheme of any kind offering prizes, depending in whole or in part upon lot or chance, or containing any list of the prizes drawn or awarded by means of any such lottery, gift enterprise or scheme, whether said list contains any part or all of such prize." Any person guilty of violating section 1302 shall be liable for a fine of up to $1,000 or a prison term of up to 2 years or both. Under 18 U.S.C. 1304, it is illegal for any federally licensed radio station to broadcast or advertise information concerning any lottery. Similar penalties are provided for violation of this prohibition.

Thus, newspapers, although not federally chartered or supervised as are financial institutions, are prohibited from mailing publications which advertise or promote lotteries or which contain lists of lottery winners. These provisions have recently been upheld by the Supreme Court of the United States in the Febrizio case—December 12, 1966.

Mr. President, it has been said that this bill is an invasion of States' rights, that it challenges the constitutional authority of a State to enact a lottery. Nothing could be further from the truth. The bill does not prohibit any State from operating a lottery if it so chooses. Although most members of the committee would regard State lotteries as a dubious means of raising funds, I am sure everyone agrees a State should have the freedom to establish a lottery if it is desired by the people of the State. At the present time two States, New York and New Hampshire, have State-sponsored lotteries, and a number of other States are considering lotteries as a means of raising revenue.

Speaking for myself, I am deeply opposed to lotteries in any form. I think it is an inefficient and immoral method for raising revenue and I would certainly oppose such legislation if it were to be proposed in my State of Wisconsin. However, a mere moral objection to lotteries is not a sufficient reason for recommending the enactment of this legislation. I recognize that the question of gambling is largely a moral question to be decided by the individual 50 States. It is not for the Congress to pass a final judgment as to whether lotteries are good or bad. However, I do believe Congress has a legitimate and proper concern over the use of federally insured financial institutions as agents of State-sponsored lotteries. There are legitimate questions as to whether the sale of lottery tickets by federally insured financial institutions are a proper function to be carried out by such institutions. Commercial banks and savings and loan associations play a unique and vital role in our economy. More than any other business, they are subject to comprehensive and periodic supervision and regulation. The maintenance of a sound system of financial institutions is extremely vital to our economic health. Banks and savings and loans associations must not only be free from misdealing, but they must be free from any appearance of misdealing. Like Caesar's wife, they must be above suspicion.

Because of the unique and important role played by financial institutions, Congress has traditionally exercised close control over the activities in which such institutions can engage.

The question then arises, is the sale of lottery tickets the proper function for federally insured financial institutions to perform? Because many of our citizens consider gambling to be fundamentally wrong and immoral there is a serious question as to whether it is proper for banks and Federal savings and loan associations to be actively and openly selling lottery tickets or otherwise dealing in bets. For example, one of the most respected banks in New York State, the Franklin National Bank with assets of $2 billion and 66 branches, issued the following statement concerning the New York lottery:

> It is the inescapable responsibility of a bank to always be both a symbol and example of stability and security in the community. A lottery undermines that basic responsibility. Newspapers, radio, television, and direct mail media are prohibited from accepting advertisement promoting the lottery. If media cannot legally advertise the lottery, banks should not sell lottery tickets. Congressman Wright Patman (Democrat, of Texas), chairman of the U.S. House Banking and Currency Committee has proposed legislation prohibiting national banks from selling lottery tickets. We support this legislation.

In addition, the Wall Street Journal, which is not known for its support of governmental interference with free enterprise, editorialized on June 13, as follows:

> Despite its espousal by the State, gambling remains a tainted affair. Historically, it has never been far from scandal, a situation which State management may or may not change in the long run. Even without fraud and cheating, moreover, it remains suspect. Those who do not question its morality still must recognize it has considerable aura of fiscal irresponsibility.
>
> A few banks, notably Franklin National Bank on Long Island, have refused to sell the tickets. They seem to reason that if banks cannot offer integrity, they have little else to sell. So they soundly seek to avoid any activity which carries even a sniff of taint.
>
> If the rest of New York's banks cannot figure this out for themselves, we suppose it's up to Wright Patman to tell them.

I believe the views expressed by the Wall Street Journal and Franklin National Bank are shared by many citizens. Regardless of whether we consider lotteries good or bad, the fact still remains that many people do consider them bad. Since we do have a legitimate consideration with the soundness and good reputation of federally insured financial institutions, there is a legitimate question as to whether Federal deposit insurance should be used to support financial institutions which are engaged in activities in which a substantial segment of public opinion considers morally objectionable.

It is true that the bank supervisory agencies did not consider the sale of lottery tickets by the New York State lottery as a threat to the safety of federally insured banks. However, such a judgment can only be conditioned upon the present set of circumstances, including the existing management of the lottery. It is a historical fact that most State lotteries have sooner or later resulted in graft and corruption. In fact, New York State itself once had a State-sponsored lottery which it abolished in 1833. In abolishing the lottery the New York State Legislature concluded:

> The foundation of the lottery system is so radically vicious . . . that under no system that can be devised will it be possible for this Legislature to adopt it as an efficacious source of revenue, and at the same time divest it of all the evils of which it has hitherto proved so baneful a cause.

There have been 1,300 legal lotteries in the United States in the past 221 years. Most of them have ended in corruption and scandal, and all have failed. Do we want federally insured financial institutions to become associated with this record of financial disaster? What would be the attitude of the bank supervisory agency if organized crime were to infiltrate the New York lottery, as they have in many other cases? What Federal official should have the burden of determining whether or not a State-operated lottery is corrupt or not corrupt? Should the Comptroller of the Currency, in protecting the reputation of national banks, be required to make a determination that mobsters have taken over the New York lottery?

Mr. President, I believe it is unfair and totally impractical to require any Federal official to make such a determination. The only logical solution is to prohibit federally insured financial institutions from selling lottery tickets in the first place. This is the only way we can be sure that a major scandal, which have been the history of lotteries over the past 200 years, will not drag down with it the stability and reputation of federally insured banks and savings and loan associations.

The opponents of this legislation make much of the fact that the bank supervisory agencies are unable to conclude at this point that the sale of lottery tickets represents an unsound or unsafe practice. But this is not the point. The key point is not whether banks are presently engaged in an unsafe practice, but whether there is a reasonable chance that such unsafe practice may occur, given the sordid history of lotteries.

The fact that gambling may be an improper activity seems to be shared by a number of New York banks. Although there are approximately 3,100 banking outlets, only 2,500 sell lottery tickets. Since the New York State banks are under the supervision of the State banking commission, and since the State of New York has officially requested the banks to sell lottery tickets, and since New York State banks are subject to periodic examination, it is reasonable to conclude that the request of New York State would bear considerable weight with the banks.

There is also a competitive question involved. Many banks in New York no doubt feel compelled to participate in the sale of lottery tickets, if for no other reason than to keep up with its competition. If one bank sells lottery tickets and another bank does not, it is conceivable that a bank selling lottery tickets could divert regular banking customers from the nonlottery bank. I believe that if the New York banks were given a completely free choice in the matter, they would choose not to participate in selling lottery tickets. Certainly the committee has only received a handful of letters from New York banks opposing this legislation.

Opponents of this legislation make the point that financial institutions are desirable outlets for the sale of lottery tickets. During the House debate on the bill the problem was presented in terms of either the banks sell the tickets or they will be sold in pubs and saloons. This is a complete false dichotomy. The New York law establishing the lottery authorizes lottery tickets to be sold in financial institutions and in telegraph corporations, hotels and motels, and in State and local governmental offices. Thus, New York State has an abundance of potential nonbanking outlets for the sale of tickets.

By prohibiting banks from selling tickets, we are not thereby forcing them to be sold in taverns or dives. There are many other alternative outlets.

There is also a legitimate question as to whether the promotion of thrift and gambling are compatible functions to be carried out simultaneously. It is inconsistent, in fact it is ridiculous, for a financial institution to have a thrift window side by side with a gambling window. This makes it extremely easy for a wage earner depositing his hard-earned money in a thrift account, or a social security recipient cashing her check, or a welfare recipient cashing the welfare check, to peel off a $5 or $10 bill for a lottery ticket. If banks can sell lottery tickets, why not also have them set up roulette tables and slot machines? Why not have blackjack dealers in the lobby? Why not have dice games and other assorted games of chance? The opponents of this bill seem to feel that a federally insured bank should have absolute freedom to engage in gambling activities. However, if the Federal Government does not prohibit federally insured institutions from engaging in activities incompatible with their basic function, it is difficult to see how such insurance can be properly extended on a safe-and-sound basis.

Mr. President, another reason for enacting this legislation is to thwart the drive for similar lotteries in the 48 States which do not have lottery legislation. If lotteries can gain greater acceptance by cloaking their operations in the responsibility of federally insured financial institutions, other States might be tempted to enact similar legislation.

It has been said that this bill is aimed only at New York State; however, once again this is not the case. A vote for this bill is a vote to slow up the spread of lotteries to other States. A vote against this bill is an open invitation for other States to enact similar legislation.

In addition to State lottery legislation, a drive for a national lottery has already begun. An office has been established in Washington, D.C., to raise money for the enactment of a national lottery. Funds are solicited over the phone in boilerroom type operations. As an added inducement, the fundraisers are permitted to keep 30 percent of the take.

The opponents of this legislation also argue that it could set a dangerous precedent with respect to existing Government-insured loan programs. The opponents argue that the vehicle of loan insurance might be used to exact similar requirements in some of the existing Federal loan guarantee programs. Once again, this criticism misses the point. There is a fundamental distinction between Federal deposit insurance which is basically insuring the soundness and integrity of a financial institution and Federal loan insurance which insures the credit rating of an individual loan applicant. Because federally insured financial institutions are vested with a public purpose and hold the public's money, it is entirely proper for the Federal Government to closely regulate their activities. No such public purpose is present in the case of an individual homeowner whose loan is guaranteed by the Federal Housing Administration. Thus, the opponents of the bill have raised a red herring, which is totally inapplicable to the basic issues involved.

Perhaps in a final desperate effort to discredit the bill, the opponents point to an alleged inconsistency in the legislation. Since the bill would permit banks to engage in recordkeeping and custodial functions but not in the sale of lottery tickets to the public, the opponents have argued the committee bill is inconsistent. This argument is particularly ill-becoming since the ranking Republican member of the committee offered an amendment which was accepted by the committee which would permit federally insured institutions to engage in the wholesale distribution of lottery tickets to retail outlets. The opponents equate the sale of lottery tickets with dope. They feel it is therefore inconsistent to permit a bank to act as a "supplier" but not as a "pusher." Since it was Senator BENNETT himself who introduced the "supplier" amendment, his criticisms seem inconsistent. However, if the opponents wish to press the argument of inconsistency, I would be happy to cosponsor an amendment which would delete the Bennett "supplier" amendment.

As a practical matter, I believe the distinction between the open sale of lottery tickets to the public, and the performance of recordkeeping, custodial and related functions is reasonable and proper. The main objective of the legislation is to protect the reputation of federally insured banks.

As long as a bank is not actively engaged in the open sale or promotion of the lottery, it is not closely identified with the lottery in the eyes of the public. It is a matter of degree and I supported the Bennett amendment in committee in good faith because I felt there was a reasonable distinction between these two types of activities.

Mr. President, I certainly hope the Senate can approve this legislation. It passed the House of Representatives by the overwhelming vote of 271 to 111. It is not a bill to abolish the New York or New Hampshire lottery; it is not a bill to cast final moral judgments on the wisdom of lotteries; it is not a bill to castigate any State official; it is simply a bill to preserve the sound reputation and image of federally insured banks and savings and loan associations and to insure that they engage in functions compatible with Federal deposit insurance.

ORDER FOR ADJOURNMENT UNTIL MONDAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock meridian Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY TO SIGN BILLS AND RECEIVE MESSAGES

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that during the adjournment of the Senate following today's session until Monday next, the Vice President, or, in his absence, the President pro tempore or the Acting President pro tempore, be authorized to sign duly enrolled bills; and that the Secretary of the Senate be authorized to receive messages from the House of Representatives.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR RANDOLPH ON WEDNESDAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that at the conclusion of morning business on Wednesday next, the distinguished Senator from West Virginia [Mr. RANDOLPH] be recognized for 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Thereupon (at 5 o'clock and 50 minutes p.m.) the Senate took a recess subject to the call of the Chair.

The Senate reconvened at 5:52 p.m., when called to order by the Presiding Officer (Mr. BAYH in the chair).

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8569) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1968, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 8, 11, 51, 52, and 53 to the bill and concurred therein.

DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 1968—CONFERENCE REPORT

Mr. BYRD of West Virginia. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8569) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1968, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that a summary of the bill be printed at this point in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

DISTRICT OF COLUMBIA

SUMMARY OF APPROPRIATION BILL (H.R. 8569)

Item	Appropriations, 1967	Budget estimates, 1968	House bill, 1968	Senate bill, 1968	Conference action
Loans to District of Columbia for capital outlay (general fund):					
For public works	$26,546,000	$67,500,000	$31,800,000	$57,000,000	$57,000,000
For higher education	----------	5,900,000	----------	5,900,000	5,900,000
For rail rapid transit	4,527,500	----------	----------	----------	----------
Loans to District of Columbia for capital outlay (highway fund)	12,000,000	14,300,000	14,300,000	14,300,000	14,300,000
Loans to District of Columbia for capital outlay (water fund)	500,000	20,000,000	2,000,000	2,000,000	2,000,000
Total, loan authorization	43,573,500	[1] 89,700,000	48,100,000	79,200,000	79,200,000

FEDERAL PAYMENT

[Out of the general revenues of the Federal Treasury]

Item	Appropriations, 1967	Budget estimates, 1968	House bill, 1968	Senate bill, 1968	Conference action
Federal payment to the District of Columbia (general fund)	$58,000,000	$70,000,000	$56,000,000	$68,000,000	$63,979,200
Federal payment to the District of Columbia (water fund)	2,146,000	2,205,000	2,205,000	2,205,000	2,205,000
Federal payment to the District of Columbia (sanitary sewage works fund)	1,248,000	1,294,000	1,294,000	1,294,000	1,294,000
Total, Federal payment	61,394,000	[2] 73,499,000	59,499,000	71,499,000	67,478,200

DISTRICT OF COLUMBIA FUNDS

Item	Appropriations, 1967	Budget estimates, 1968	House bill, 1968	Senate bill, 1968	Conference action
OPERATING EXPENSES					
General operating expenses:					
Executive Office	$615,330	$788,800	$655,200	$720,200	$720,200
Department of General Administration	10,510,990	13,199,589	11,873,700	12,287,700	12,212,700
Regulatory and miscellaneous agencies	3,325,865	4,773,300	4,337,700	4,427,300	4,427,300
Department of Occupations and Professions	538,800	543,800	543,800	543,800	543,800
Public Library	4,455,180	4,774,900	4,590,900	4,615,600	4,615,600
Department of Veterans' Affairs	118,000	120,900	120,900	120,900	120,900
Department of Buildings and Grounds	3,351,935	3,486,311	3,436,900	3,465,300	3,465,300
Office of the Surveyor	297,400	330,400	325,900	328,900	328,900
Total, general operating expenses	23,213,500	28,018,000	25,885,000	26,509,700	26,434,700
Public safety:					
Office of Corporation Counsel	1,392,600	1,533,900	1,440,000	1,459,500	1,459,500
Metropolitan Police	44,536,000	45,050,600	45,050,600	44,870,900	44,870,900
Fire Department	19,706,900	20,464,800	20,464,800	20,431,700	20,431,700
Office of Civil Defense	152,800	175,500	155,100	165,700	155,100
Courts	9,726,200	10,935,500	9,847,800	10,451,100	10,442,200
Department of Corrections	10,758,300	10,794,800	10,794,800	10,793,300	10,793,300
Department of Licenses and Inspections	3,901,300	4,253,400	4,017,400	4,145,000	4,145,000
National Guard	218,300	224,500	224,500	224,500	224,500
Total, public safety	90,392,400	93,433,000	91,995,000	92,541,700	92,522,200
Education:					
Public Schools	85,914,000	101,599,000	93,730,000	96,081,900	95,931,900
Higher Education	----------	1,400,000	----------	1,400,000	1,400,000
Total, education	85,914,000	102,999,000	93,730,000	97,481,900	97,331,900
Parks and recreation:					
Recreation Department	5,821,900	10,299,000	8,484,000	7,692,400	7,692,400
National Park Service	4,926,800	5,201,000	5,201,000	5,185,100	5,185,100
National Zoological Park	2,003,500	2,247,000	2,221,000	2,243,400	2,243,400
Total, parks and recreation	12,752,200	17,747,000	15,906,000	15,120,900	15,120,900
Health and welfare:					
Department of Vocational Rehabilitation	807,300	859,700	859,700	859,700	859,700
Department of Public Health	57,298,200	66,154,800	64,002,300	65,123,100	65,035,800
Department of Public Welfare	32,416,500	40,600,500	38,577,000	38,800,100	38,775,100
Total, health and welfare	90,522,000	107,615,000	103,439,000	104,782,900	104,670,600
Highways and traffic:					
Department of Highways and Traffic	12,859,100	13,681,800	14,084,700	14,033,400	14,033,400
Department of Motor Vehicles	2,127,000	2,379,400	2,374,500	2,348,100	2,348,100
Motor Vehicle Parking Agency	240,900	245,800	245,800	245,800	245,800
Total, highways and traffic	15,227,000	16,307,000	16,705,000	16,627,300	16,627,300
Sanitary engineering:					
Department of Sanitary Engineering	21,083,000	23,464,100	22,873,100	23,226,600	23,226,600
Washington aqueduct	3,459,500	3,505,900	3,505,900	3,505,900	3,505,900
Total, sanitary engineering	24,542,500	26,970,000	26,379,000	26,732,500	26,732,500
Metropolitan Police, additional municipal services, American Legion convention	233,000	----------	----------	----------	----------
Metropolitan Police, additional municipal services, Shrine convention	----------	237,700	237,700	237,700	237,700
Personal services, wage-board employees	1,320,000	1,613,000	1,613,000	1,613,000	1,613,000
Settlement of claims and suits	60,700	----------	----------	----------	----------
Total, operating expenses by funds:					
General fund	316,033,200	365,151,600	345,910,300	351,731,300	351,374,500
Highway fund (regular)	13,766,800	15,039,100	15,291,100	15,215,000	15,215,000
Highway fund (parking account)	1,264,700	915,600	915,600	915,600	915,600
Water fund	8,130,700	8,285,000	8,264,400	8,272,500	8,272,500
Sanitary sewage works fund	4,907,000	5,471,800	5,431,700	5,436,600	5,436,600
Metropolitan area sanitary sewage works fund	74,900	76,600	76,600	76,600	76,600
Total, operating expenses, by funds	344,177,300	394,939,700	375,889,700	381,647,600	381,290,800

See footnotes at end of table.

DISTRICT OF COLUMBIA FUNDS—Continued

SUMMARY OF APPROPRIATION BILL (H.R. 8569)—Continued

[Out of the general revenues of the Federal Treasury]

Item	Appropriations, 1967	Budget estimates, 1968	House bill, 1968	Senate bill, 1968	Conference action
REPAYMENT OF LOANS AND INTEREST					
General fund:					
Construction loan	$1,251,549	$2,428,247	$2,428,247	$2,428,247	$2,428,247
Stadium loan	767,017	800,026	800,026	770,026	770,026
Total, general fund	2,018,566	3,228,273	3,228,273	3,198,273	3,198,273
Highway fund: Construction loan	2,301,363	2,661,896	2,661,896	2,661,896	2,661,896
Water fund: Construction loan	1,302,640	1,398,396	1,398,396	1,398,396	1,398,396
Sanitary sewage works fund: Construction loan	455,031	501,435	501,435	501,435	501,435
Total, repayment of loans and interest	6,077,600	7,790,000	7,790,000	7,760,000	7,760,000
Capital outlay:					
Repayment of Federal obligations	1,350,000	1,246,600	1,246,600	1,246,600	1,246,600
Public building construction:					
Public schools	30,105,100	58,030,500	23,866,100	49,858,600	48,394,600
Higher education		5,900,000		5,900,000	5,250,000
Public Library	347,000	12,131,500	11,950,000	12,131,500	12,131,500
Recreation Department	1,065,900	4,599,400	1,042,300	3,675,800	2,545,800
Metropolitan Police	125,000	2,222,000	2,222,000	2,222,000	2,222,000
Fire Department	960,700	54,000	49,000	49,000	49,000
Licenses and Inspections		193,000			
Public Health	1,203,000	2,284,000	855,000	1,064,000	1,064,000
Corrections	152,000	1,303,700	686,200	686,200	686,200
Public welfare	1,368,800	3,604,800	749,800	1,279,800	874,800
Buildings and Grounds	551,000	1,574,000	1,066,000	1,466,000	1,466,000
Community renewal		100,000			
Total, public building construction	35,878,500	91,996,900	42,486,400	78,332,900	74,683,900
Department of Highways and Traffic	15,455,000	18,501,000	18,251,000	18,251,000	18,251,000
Department of Sanitary Engineering	12,937,000	17,622,000	17,574,000	17,622,000	17,622,000
Washington aqueduct	1,410,000	100,000	100,000	100,000	100,000
National Capital Transportation (rail rapid transit)	4,527,500				
Total, capital outlay by funds:					
General fund	50,372,000	101,875,500	53,067,000	88,961,500	85,312,500
Highway fund	14,859,000	17,933,000	17,683,000	17,683,000	17,683,000
Water fund	2,635,000	3,783,000	3,783,000	3,783,000	3,783,000
Sanitary sewage works fund	3,692,000	5,875,000	5,125,000	5,125,000	5,125,000
Total, capital outlay	71,558,000	129,466,500	79,658,000	115,552,500	111,903,500
RECAPITULATION BY FUNDS					
General fund	368,423,766	470,255,373	402,205,573	443,891,073	439,885,273
Highway fund	30,927,163	35,633,996	35,635,996	35,559,896	35,559,896
Highway fund (parking account)	1,264,700	915,600	915,600	915,600	915,600
Water fund	12,068,340	13,466,396	13,445,796	13,453,896	13,453,896
Sanitary sewage works fund	9,054,031	11,848,235	11,058,135	11,063,035	11,063,035
Metropolitan area sanitary sewage works fund	74,900	76,600	76,600	76,600	76,600
Total, all funds	421,812,900	[3] 532,196,200	463,337,700	504,960,100	500,954,300

[1] Includes $40,100,000 contained in S. Doc. 54.

[2] Includes $10,000,000 contained in S. Doc. 54.

[3] Includes a net increase of $6,139,000 contained in S. Doc. 54.

Mr. BYRD of West Virginia. Mr. President, the total sum agreed to by the conferees is $500,954,300. This sum is $4,005,800 under the Senate recommendation, $37,616,600 over the House bill, and $31,241,900 under the total revised budget estimate.

The Federal payment was fixed at $63,979,200. There was no change in the loan authority of $79,200,000 recommended by the Senate.

Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HRUSKA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. HRUSKA. Mr. President, it is with gratification that I comment upon the results of the conference report of the other body.

The bill is a good bill, even with the adjustments that were made in conference. The thing that is particularly notable is that while the bulk of the adjustment necessarily came in the capital outlay and the items consisting of the junior high school, the Federal City College, the technical institute, the playgrounds, the swimming pool, and the farm cottages, in the District training school, the fact remains that these items in their respective categories were items of the lowest priority in each instance—not necessarily at this time the lowest, but of the lower order. And, of course, by reason of the achievement of the better items in the budget at this time, it will improve their priority the next go-around.

Obviously, since the appropriations process is a matter of asserting priorities as against a limited amount of money, everything cannot be done at one time.

I concur in the idea that this is a good bill and that the committees did very well.

I might say further that the conference report and its success is further testimony to the very splendid leadership of the chairman of the subcommittee.

Mr. JAVITS. Mr. President, the whole conference report is not as satisfactory as many would wish. There are many things pertaining to education and other matters that I am not very happy about. There were discussions which we had on questions of busing and other matters. The provision with respect to the continuance of the ability of Government employees to get their salaries, at least for a little while, is contained in the bill. I think that is all for the good. The bill is being speeded on its way to the White House for that reason. Many people in Government departments are assured concerning our responsibility. Having sat in the conference personally—I have sat in many, as everybody knows—I was personally surprised at some of the rather hard rock upon which many of these things foundered.

I rise to speak because those who would criticize what was done have a right to feel that I am on their side. I can tell them that with the attitude of resistance to change and the even much more severe cutting than is being done was such on the part of the conferees of the other body—and for very sincere reasons which they hold very dear—that I think the result is something creditable to our chairman.

I am fully cognizant of the difficulties which were faced in many of these items. I leave out matters of ideology and policy, which we can differ on, but as far as the hard money items are concerned, I think the Senator from West Virginia [Mr. BYRD] did all he could to sustain the Senate position which was a more generous position than the House position.

Mr. BYRD of West Virginia. Mr. President, I thank the senior Senator from New York for his remarks. I express my gratitude also to the Senator from Nebraska [Mr. HRUSKA].

The Senator from New York and the Senator from Nebraska were both present at the conference and contributed in great measure to the sustaining of the Senate position.

I express my thanks to them and to the Senator from Wisconsin [Mr. PROXMIRE], who also participated in the conference and did excellent work.

Again I thank our clerk, Mr. Merrick, and again, as my colleague on the other side of the aisle has said, I think this is a good bill, and I feel that it is worth commenting on the speed with which this bill has been brought to the floor. Since last Thursday, which was the date of the windup of the hearings on the bill, we have been able to mark up the bill in subcommittee and full committee and have Senate action and conference action on the bill.

I also wish to say, Mr. President, that the conferees on the other side of the Capitol were most considerate. It should be said, in fairness to the House conferees, that at the time the bill was marked up by the House subcommittee, the budget was not as clear as it was when our committee gave consideration to the many items therein. The budget was out of balance as it was presented to the House committee, and I feel certain that many of the items that the Senate restored would have been included in the bill in the first place by the House committee had the House been able to work with the revenues which were made available to the Senate committee by virtue of the passage of the revenue bill just within the past 2 weeks. So a great deal of credit should go to the House conferees. They were most considerate and most cooperative and reasonable in their approach to the Senate additions.

It was really a pleasure to work in conference with the House conferees, and certainly a great pleasure to work in conference with the ranking minority member of the committee, the Senator from Nebraska [Mr. HRUSKA], who all along the way has given such fine and able support to the chairman of the subcommittee.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

THE OBSERVANCE OF VETERANS DAY

Mr. THURMOND. Mr. President, this Saturday, November 11, the Nation will pause to honor our veterans who have faithfully served this country in time of need and who are represented today by our servicemen and women in Vietnam and Korea, as well as those in the United States and other countries abroad.

There is no group that deserves more consideration than our veterans, for we would have no country today if it were not for their sacrifices and efforts.

I think all Americans recognize this but are bewildered as to what effort they can make as individuals to demonstrate their support and interest in our veterans and especially those who have served in Vietnam.

There are many ways such expressions can be made. Our businessmen in civic clubs could make an effort to have returned servicemen as their luncheon guests, our wives and mothers could invite servicemen into their homes for dinner after church services, and our young people can aid in mailing packages to the men on the frontline in Vietnam and Korea, and in other distant posts.

I would also like to urge that our citizens, either as individuals or through church and civic groups, make an effort to visit our wounded servicemen who are recuperating in veteran and military hospitals throughout the country. I have had occasion to visit many of our wounded servicemen and other veterans at Walter Reed Hospital, in Washington, and there is no doubt in my mind that the visits these men receive from relative strangers is a great morale booster for them. It is also good for the heart of the one doing the visiting, for it brings about an identity with the greater sacrifice these young men have made in the defense of their country.

Our various veteran organizations are already doing an excellent job in this area, but there is an opportunity for more effort from nonveteran bodies such as church and civic groups.

In the past 2 years Congress has passed two major laws which provide benefits to veterans of service since January 31, 1955. They are the Veterans' Readjustment Benefits Act approved March 3, 1966, and the Veterans' Pension and Readjustment Assistance Act of 1967.

The act approved in 1966 provides a new program of home and farm loans for veterans of active military service after January 31, 1955, and to certain members of the U.S. Armed Forces. Under this law eligible veterans and servicemen may obtain GI loans made by private lenders for homes and farms and, in certain designated areas, direct loans made by VA for homes and farm houses.

The second act passed in 1967 provides additional benefits to the veteran of the Vietnam era which is defined as the period beginning August 5, 1964, and ending on a date to be determined by the President or the Congress. The Vietnam era is classified as a period of wartime providing benefits to eligible veterans similar in most respects to those granted the Korean conflict veterans.

Other worthy bills to help our veterans are before the present Congress and deserve passage. Just today I have joined as a cosponsor of a bill introduced by the Senator from North Dakota [Mr. BURDICK] to give servicemen in Vietnam the equivalent of the free insurance coverage that existed during the Korean war.

But on Veterans Day we honor all our veterans, not only those who are presently serving in our Armed Forces. We also see this day as a special period to remember those who have made the supreme sacrifice. Many a family will journey to some national cemetery this weekend to walk among the graves marked simply with white crosses, for this day has an extra meaning to those left behind.

There are approximately 26 million veterans, ranging from the youngest veteran of Vietnam to the oldest campaigner of the Spanish-American War.

With their families and dependents, veterans make up about half our national population which is rapidly approaching the 200 million mark.

These men and women have helped write the history books for America, and have bolstered our national pride with gallant performances at such places as Concord, Valley Forge, New Orleans, Verdun, Belleau Wood, Guadalcanal, the Bulge, Pork Chop Hill, Heartbreak Ridge, Chu Lai, and Con Thein. In all, since our Nation began, 1,002,000 have made the supreme sacrifice, and the 26 million we salute this weekend remain the living symbol of the life pulse of our democracy.

I am proud to salute all of them and to say to each: "A job well done."

ADJOURNMENT UNTIL MONDAY

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock meridian on Monday next.

The motion was agreed to; and (at 6 o'clock and 3 minutes p.m.) the Senate adjourned until Monday, November 13, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate November 9, 1967:

IN THE AIR FORCE

Maj. Gen. Richard P. Klocko, FR1327, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President in the grade of lieutenant general, under the provisions of section 8066, title 10 of the United States Code.

POSTMASTERS

The following named persons to be postmasters:

ALABAMA

Geraldine E. DeShields, Forest Home, Ala. in place of R. M. DeShields, deceased.

ARIZONA

Helen A. Staton, Lake Havasu City, Ariz., in place of office established April 1, 1966.

GEORGIA

Luther L. Tankersley, Jr., Evans, Ga., in place of Guy Freeman, Jr., resigned.

KANSAS

Lonita A. Hillman, Hazelton, Kans., in place of J. L. Wainscott, retired.

LOUISIANA

June T. Magee, Keatchie, La., in place of T. E. Adams, transferred.

MASSACHUSETTS

Mary E. Forbes, North Bellingham, Mass., in place of M. T. Baader, retired.

MISSOURI

Clarence M. Craig, Green Castle, Mo., in place of C. O. Riddle, retired.

Donald S. Beeson, Perryville, Mo., in place of H. L. Schlattman, retired.

NEW YORK

William H. Boening, Franklin, N.Y., in place of E. S. Finch, retired.

John F. Sweeney, Glen Cove, N.Y., in place of C. A. Campbell, retired.

NORTH CAROLINA

William R. Todd, Jr., Castle Hayne, N.C., in place of E. S. Mishoe, retired.

NORTH DAKOTA

Warren R. Boots, Emmet, N. Dak., in place of R. A. Hill, resigned.

OHIO

Norbert F. Langhals, Cloverdale, Ohio, in place of J. H. Langhals, retired.

PENNSYLVANIA

Herbert W. Roser, Ardmore, Pa., in place of J. F. Morris, transferred.

Frederick O. Hesse, Fort Washington, Pa., in place of D. J. McHenry, retired.

Floyd F. Frederick, New Enterprise, Pa., in place of D. C. Clapper, retired.

SOUTH CAROLINA

Richard L. Copeland, Anderson, S.C., in place of E. C. McCants, retired.

VIRGINIA

Charles C. Bunting, Highland Springs, Va., in place of L. H. Suddith, Jr., retired.

WASHINGTON

Howard F. Martin, Camas, Wash., in place of N. F. Reeder, deceased.

WISCONSIN

Martin L. Kaster, Cuba City, Wis., in place of B. J. Faherty, retired.

EXTENSIONS OF REMARKS

The Facts About the Latest Effort To Sabotage SBA and the Antipoverty Loan Program

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 9, 1967

Mr. EVINS of Tennessee. Mr. Speaker, in view of the current discussion and certain misrepresentations being made in regard to my recommendation that sections 404 and 406 of the Economic Opportunity Amendments of 1967 be deleted and stricken, I want to make certain additional information available for the benefit of my colleagues, the Nation's 5 million small businessmen and the American people.

I want to reiterate the position of the House Small Business Committee—and my position as chairman—that sections 404 and 406 should be stricken because they constitute an assault upon the independence of the Small Business Administration and the effectiveness of the antipoverty small business loan program.

There are those who are attempting to make it appear that the recommendation to delete these provisions is an effort to destroy the antipoverty loan program. Nothing could be further from the truth—nothing could be further afield—nothing could be further removed from the facts and experience.

The deletion of these provisions will continue the operation of these programs of SBA on an orderly, efficient and effective basis rather than create divisive, wasteful duplication between the Small Business Administration, the Office of Economic Opportunity and the Department of Commerce.

A review of the history of the antipovery loan program is in order to put the matter in perspective.

This program was established in the Economic Opportunity Act of 1964, an act which included the provision that the Director of OEO would establish criteria to assure an equitable distribution of the antipoverty programs between urban and rural areas. Authority in the program was divided between SBA and OEO.

To make a long story short, testimony before our Small Business Committee showed that this arrangement was inefficient, created long delays, resulted in an inequitable distribution of loans, and in effect established a monopoly on antipoverty loans in our big cities.

Our committee received reports and testimony in regard to the fact that the establishment of organizations known as small business development centers in our major cities had excluded small town and rural areas.

All antipoverty loans approved by SBA first had to receive the endorsement of these centers.

Efforts by rural communities and rural small businessmen to obtain such loans were repeatedly rejected.

This matter was studied thoroughly in our committee hearings in July 1966.

At that time I asked the then SBA Administrator Boutin this question:

> Under prevailing policies a small businessman cannot get a Title IV (antipoverty) loan unless it is processed through the small business development center?
>
> Mr. BOUTIN. That is correct.

In other words, OEO refused to approve these centers in rural areas, with a few exceptions. The result was that 75 percent of the antipoverty loans were being made in the urban areas and only 25 percent in rural and small town areas—in violation of the letter and the spirit of the OEO Act.

There was testimony before congressional committees by OEO officials indicating they did not consider themselves competent to direct this business loan program and that SBA should assume sole responsibility.

An amendment was introduced to this effect and was adopted in 1966. And, I understand, OEO is not asking for the current proposal to revert to divided authority.

The performance of the program before and after the passage of this amendment is proof that Congress was correct in vesting this authority in SBA.

Before SBA was given sole authority, the program was administered on an inequitable basis and many areas of the Nation were excluded. Since SBA was given authority to administer the program, there has been a more equitable distribution with an estimated 60 percent of the loans made in urban areas and 40 percent in small town and rural areas.

The volume of loans under the program has increased substantially, since SBA was given sole authority to administer the program. During the 22-month period prior to the passage of the amendment vesting the authority in SBA—under the small business development center program—antipoverty loans totaled 2,800 for $29 million.

After SBA was given sole authority, 3,112 loans were made in the 12-month period ending last month for a total of $32 million. In other words, SBA in a year of direct authority was able to achieve substantially better results than were achieved in 22 months with divided authority.

SBA has the knowledge—the knowhow—and the expertise to administer the program properly—and is doing so. We should not revert to inefficiency and duplication.

In regard to section 406 there is another danger. Over a period of 2 years there have been repeated efforts to shift SBA and its operations to the big business-oriented Department of Commerce.

This too has been tried before—and its failure is reflected in the fact that Congress created the Small Business Administration to give the small businessman an effective voice and an effective agency to represent his interests in Washington.

Let us not dilute the independence of SBA—let us not return the small business assistance functions to the big business-oriented Department of Commerce.

These are the facts.

Polish Independence Day

EXTENSION OF REMARKS

OF

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 9, 1967

Mr. DERWINSKI. Mr. Speaker, Saturday, November 11, we will pause to pay proper reverence to the American veterans of all wars who have fought to keep our country independent.

At the same time, the people of Poland will be prevented by their Communist dictators from commemorating the anniversary of their independence November 11, 1918, a day on which Polish independence was proclaimed at the close of World War I.

In the period from November 1918, to September 1, 1939, when Poland fell victim to the Nazi invasion, the country underwent a steady building process and had developed into a flourishing democracy.

Since the close of World War II, the Polish people have found themselves under the heel of a Soviet-imposed Communist dictatorship.

Polish Independence Day, which cannot be celebrated in Poland, is, nevertheless, celebrated by Poles scattered throughout the free world who conscientiously and properly continue their efforts on behalf of freedom and look forward to the day when a legitimate government and true freedom will be restored to Poland.

Pending Economic Crisis

EXTENSION OF REMARKS

OF

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 9, 1967

Mr. RUMSFELD. Mr. Speaker, in a recent report to residents of the 13th Congressional District, Illinois, I discussed the pending economic crisis. The text of the report follows:

TAXES AND INFLATION—ECONOMIC CRISIS

Our country faces a serious economic crisis. The President requested too much Federal spending. The Congress authorized and appropriated too much. The Administration is now spending too much. The result is that a deficit in excess of $30 billion is a probability. The result is that a deficit in excess of $30 billion is a probability. This promises inflation, tight money, high interest rates, and an increasingly serious balance of payments problem.

The failure of the Federal Government to establish priorities in spending has brought about this economic crisis. *What does it really mean?* It means that the inflationary spiral has now reached an annual rate of 4.4 percent. It means the cost of living has risen 12.6 percent since January of 1961. It means a serious hardship on all citizens, but, particularly, the poor and the elderly living on fixed incomes and forced to stretch a fixed number of dollars to purchase food, clothes, and housing—the barest necessities of life—which cost more each month. And it can't be done. It means a cruel, unfair, and unnecessary tax on all.

The deficit—a gap between *expenditures* and *revenues*—could be narrowed or closed by increasing revenues (more taxes), by reducing Federal expenditures, or by both. The President pleads for a 10 per cent increase in individual and corporate income taxes to narrow the gap, and he criticizes Congress for not promptly responding. The Administration tells Congress to continue to provide excessive authority to spend and also to provide additional tax revenues and then the Administration *may* reduce the deficit. This is strange logic. To meet a fraction of the promises made, the Administration could spend *all* additional tax revenues without reducing the deficit a dime, and then ask for yet another tax increase.

NOW YOU SEE IT, NOW YOU DON'T

This is the same Administration that received front page publicity on a *proposed* $3 billion freeze on spending in the fall of 1966. Today, if one checked on what actually happened, it would be found that the publicized "cut" of $3 billion was spent by the spring of 1967. The "cut" never happened. Administration promises of frugality obviously cannot be relied upon when the checkbook is handy, regardless of whether or not there are sufficient funds in the bank.

The President has the power to reduce expenditures, *let there be no doubt about it.* But he has not done so. In fact, to show he will not, he has not only asked for new taxes, but he has failed to veto any of the appropriations bills thus far passed. Congress, therefore, must restrict the Administration's power to spend by imposing a limit on *total funds* to be spent. Such an attempt to restrict total expenditures was passed by the House on October 18 in an amendment to the Continuing Appropriations Resolution of 1968, which would require that the President reduce expenditures in this fiscal year by more than $5 billion. The amendment, however, has not been approved by the Senate.

Congress also has the power to reduce specific appropriations to sums below the requests of the Administration. Unfortunately, amendments to five of the major omnibus appropriations bills to restrict expenditures to 95 per cent of the total amounts appropriated have been approved by the House in only two of the five instances, and both of those provisions were rejected by the Senate.

BUCKPASSING MUST STOP

The buck cannot be passed much longer. Congress and the Administration are both responsible. Failure to act will inflict the doubly cruel tax of inflation on all Americans. The Majority leadership of the Congress professes a desire to cut spending *if* the President will provide the guidelines as to where the cuts should be made. The Administration promises some spending cuts if the Congress goes along with a tax increase. The Congress appropriates, the Executive spends. The real power to control inflation and to control the size of the deficit must be exercised by the Executive Branch *controlling the rate of expenditures* in a given fiscal year and seeing that it relates to revenues. *If both the Executive and Legislative Branches fail, the people will suffer the serious effects of inflation—and they should know why.*

The Fractional Orbital Bombardment System

EXTENSION OF REMARKS

OF

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 9, 1967

Mr. McCLURE. Mr. Speaker, Secretary McNamara's sudden announcement that the Soviet Union may be testing an orbital bomb has prompted speculation as to the integrity of the Outer Space Treaty ratified only a month ago. If the Secretary has gone so far as to say the Russians "may" be testing such a weapon, past experience would indicate that indeed they are.

The fractional orbital bombardment system, as the Secretary calls it, is now the subject of considerable debate on whether or not it violates the treaty. Part of the discussion revolves around the meaning of the word "orbit." Secretary McNamara said that "They have agreed not to place warheads in full orbit," while Murrey Marder, writing in the Washington Post, speculates that the Russians might well be challenged on whether the term orbit applies to parts of a full orbit or not and noted that the State Department has sidestepped all questions about the legality of the Russian tests.

The Space Treaty used the word orbit in the following manner:

> States Parties to the treaty undertake not to place in orbit around the Earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction.

The word orbit is used in its noun form, and according to Webster's Dictionary is defined as "a path described by one body or object in its revolution about another." To place an object "in orbit" then, is placing it "in" this path, and it does not require that it travel one complete revolution.

Perhaps each Nation has its own definition. Regrettably there is no legal interpretation of the word available. To my mind, however, the Russians have not only violated the spirit of the agreement, but the word as well.

Administration officials testifying before the Joint Committee on Atomic Energy concluded that there was no violation because a full orbit was not achieved and because there was no proof that a nuclear warhead was attached.

But Marder's column adds a most disturbing footnote:

> Once a warhead was attached . . . it could be a moot point whether the space treaty was violated, because the world could then be in the midst of World War III.

During debate on the treaty it was said that a philosophy of openness and broad applicability permeates the treaty. A statement prepared by the Senate Aeronautical and Space Sciences Committee said:

> The policy of the treaty *may* deter some nations from attempting to acquire the technological capability to orbit weapons of mass destruction.

Let me emphasize that one word "may," because I think that characterizes the hope that underlies the treaty—the hope that the Soviets will not take advantage of this aggressive possibility—the hope that they will live up to the spirit of the declarations of the treaty—a hope that we should have known was merely self-delusion—a hope that has now been shattered.

When Senate ratification occurred last April, the American people were given the usual assurances that the treaty was a reliable guarantee against the hostile use of space. Leading the debate at that time was the senior Senator from my State, FRANK CHURCH.

Senator CHURCH recalled that both the Soviet Union and the United States had issued statements several years ago saying that "each would not station or otherwise place weapons of mass destruction in the orbit around the earth."

In the light of subsequent events, such statements are remarkable for their naivete.

Speaking of the "open access" provision by which one party to the treaty may insure that other states are complying, Senator CHURCH said:

> There are no comparable inspection provisions with respect to objects in orbit. The treaty, however, places no restriction on our right to observe. It guarantees freedom of access to all parts of space. Thus we must rely on our unilateral capability to monitor compliance by other parties. Our capability in this respect has been thoroughly reviewed by our very best military authorities. We have been clearly and forthrightly assured that we prefer to rely on our own monitoring capabilities and that we can do the job. I am, therefore, satisfied that our national security is in no way jeopardized by the lack of an inspection provision for orbiting objects.

To bolster his own conclusion, the Senator also offered this reassurance:

> The conclusion reached by the Joint Chiefs of Staff was that we can rely on our unilateral capabilities to monitor the no-bombs-in-orbit provision. The security of the United States will be fully preserved.

In view of such assurances, I was rather surprised to read an article in the November 7 issue of the Christian Science Monitor. The article discussed the impact of the orbital bomb on the current hearings before the Joint Committee on Atomic Energy, saying:

> In view of the propect of new terror weapons cruising far overhead, administration witnesses will be pressed to thoroughly explore the rationale behind the nation's present strategic stance.
>
> Many persons, including the Joint Chiefs of Staff, believe the administration should develop a heavy ABM defense to cope with Soviet strategic missiles.

Without going into the need for development of a heavy ABM system, I cannot help wondering about the relationship between this statement and the pleasant reassurances we were given last April.

If monitoring is so effective, why the sudden cry for building the heavy ABM system? Our experts in evaluating the tests must have come to some rather ominous conclusions.

The treaty provides in article XI that all parties shall "inform the Secretary-General of the United Nations of the nature, conduct, locations and results of activities in outer space."

So let us ask the United Nations to make inquiry under this provision as to the exact nature of these experiments and let the U.N. determine whether the Russian missile is in reality a weapon of mass destruction. Should the Russians refuse to cooperate, then the treaty will have served a useful purpose in holding up to the world the folly of negotiations with the Communists.

I have written to Ambassador Goldberg today requesting that he take the initial steps toward implementing this provision.

If there is a certain consistency in broken Russian agreements, it is counterbalanced by the series of paradoxes by which such acts are greeted in this country.

A few days ago, thousands demonstrated outside the Pentagon against American "warmongers." Where are the protesters now?

And those who deplored the decision to build a thin antiballistic missile system—where are the protesters now?

What a strange sight it has been to see the administration in effect defending the Russians in this matter. Secretary McNamara said, "I'm not concerned"—a rather startling statement from the man charged with the responsibility for defending the American people.

Those who negotiated the treaty knew that three tests occurred while talks were in progress. Six more took place between the time that the Senate ratified the treaty and its implementation October 10, and there have been two more since then.

Instead of reality, our country's leaders have fed us dreams. They want so badly to be friends with the enemy that they ignore the fact that it is Russian weapons which kill American boys in Vietnam. They wanted the treaty so badly that they were willing to ignore the fact that even as the Russians negotiated a peace-in-space agreement, they were testing a weapon of war in space. On such fond hopes is man's destruction built.

If a robber came up behind you and jabbed a gun in your back, you would not really know whether or not it was a gun. But it would be foolish to assume that it was not. By the same token, the fact that Russia has signed a piece of paper saying they will not put a nuclear warhead in space is hardly proof that they are not preparing to do just that. Based upon the evidence and on our past experience with the Communists of bad faith and broken treaties, we had better take whatever steps are necessary to counter this threat.

The Battle for SBCD's

EXTENSION OF REMARKS

OF

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 9, 1967

Mr. EDWARDS of California. Mr. Speaker, the fight for the maintenance of the small business development centers is a mismatched battle with the potential participants of the program—low-income Negroes and Mexican Americans—clearly on the weaker side. The forces arrayed against the SBCD's and the history of this effort to shuttle the program are clearly explicated in the recent article by Rowland Evans and Robert Novak, "Negro Entrepreneurs in City Slums Imperiled by Small Business Lobby." The gentleman from Wisconsin, Congressman STEIGER, has certainly credited himself by leading the forces in the House, and he will find many Democrats and Republicans alike in support of him when this test comes. A very important endorsement of the program came in the recent recommendation adopted at the poverty hearings of the Cabinet Committee on Mexican American Affairs in El Paso, Tex.

At this point in the RECORD, I ask unanimous consent that the Evans and Novak column and the legislative recommendation be reprinted, as follows:

NEGRO ENTREPRENEURS IN CITY SLUMS IMPERILED BY SMALL BUSINESS LOBBY

(By Rowland Evans and Robert Novak)

Amid the debris of the current House debate on the poverty program, aid for struggling Negro businessmen in the big city slums is likely to be stomped to death by the muscular small business lobby.

That lobby is a rare combination of trained lobbyists, crafty bureaucrats, and senior members of Congress who can and do get things done. Since mid-October, it has been operating with immense success to strip from the poverty bill a special program of loans and technical assistance for slum entrepreneurs.

What makes this so important is that Negro ownership of slum businesses is becoming even more important than job creation as the economic issue of the slums. For instance, a new slogan in Harlem is: "We had full employment on the plantations, too." Yet, in the malaise of the Great Society today, the White House seems utterly oblivious of this important question.

A special program of helping slum entrepreneurs was put into President Johnson's original poverty bill in 1964. It grew rapidly with establishment of some 50 big city offices where slum businessmen could get help and apply for loans.

This quickly aroused in the small-business lobby fears that the more Federal money poured into Negro slums, the less the white Main Street merchants would receive. Moreover, the Main Street merchants have steadfast allies in both the bureaucracy and Congress for reasons that are not entirely unselfish.

The 14-year-old Small Business Administration (SBA), cherishing its independent existence, is always jealous of any other Federal agency. Protecting SBA are members of the House and Senate Small Business Committees, which can justify their existence (and their patronage) only as long as SBA remains an independent agency. This coalition of back-scratching interests succeeded last year in transferring the entire slum small business program from the antipoverty agency—the Office of Economic Opportunity (OEO)—to the SBA.

The results were calamitous. SBA quickly announced its intention of closing down all the small business development centers that had been established as part of the poverty program. This would mean, for example, a Harlem shopkeeper having to take himself by subway and his shoebox full of receipts all the way down to the SBA office in Wall Street to apply for a loan.

Sen. Jacob Javits of New York, senior Republican on the Senate Labor Committee, forced SBA to suspend its order closing down the centers. But in the uncertainty their number dwindled by about 20.

Consequently, when this year's poverty bill came before the Labor Committee, Javits put through an amendment transferring the slum business program from SBA to the more socially conscious Economic Development Agency (EDA), which would view loan applications with a less strict banker's eye than SBA.

It was then that the small business lobby really got cranked up for action. The National Federation of Independent Business with headquarters in San Mateo, Calif.—key pressure group for small business—fired telegrams and letters all over Capitol Hill. With SBA officials calling signals behind the scenes, members and staff members of the congressional Small Business Committees lobbied their colleagues. The Congressional Record was spattered with speeches of protest.

The administration has reacted not at all. Sargent Shriver's OEO never has been much interested in Negro ownership of slum businesses and harnessing the profit motive to the anti-poverty program.

Rep. Carl Perkins of Kentucky, manager of the poverty bill, agreed in advance to an amendment sentencing the slum business program to strangulation inside the SBA.

For a time, it appeared the only opposition to the small business lobby in the House was 29-year-old freshman Republican Rep. William Steiger of Wisconsin. But after meeting late last Monday with officials of several slum business development centers, more senior House Republicans joined Steiger's cause.

Although unlikely to beat the small business lobby in the House, these Republicans may have a chance in the eventual Senate-House conference. But it is symptomatic of the madness in Washington today that neither the White House nor the OEO but a handful of Republican Congressmen are left to defend a small but important element of Lyndon Johnson's Great Society blueprint.

POVERTY HEARINGS: LEGISLATIVE RECOMMENDATIONS

(Cabinet committee hearings on Mexican-American affairs, El Paso, Tex., October 26–28, 1967)

Inter-Agency Committee on Mexican American Affairs: Honorable Vincente T. Ximenes, Chairman, Commissioner of the Equal Employment Opportunity Commission; Honorable Orville L. Freeman, Secretary of Agriculture; Honorable W. Willard Wirtz, Secretary of Labor; Honorable John W. Gardner, Secretary of Health, Education, and Welfare; Honorable Robert C. Weaver, Secretary of Housing and Urban Development; Honorable Sargent Shriver, Director of Office of Economic Opportunity.

RECOMMENDATION NO. 11

"It is recommended that legislation be enacted that *continues Title IV of the Economic Opportunity Act—Employment and Investment Incentives* and that the Title call for *local, community operated*, small business assistance programs to the minority and disadvantaged community."

The unanimous decision of the Report Committee was that business and economic development assistance be available to the 4–5 million Spanish-surnamed population of the nation by providing resources to *local, non-profit organizations* to serve that population.

The existing method of attempting to render direct service through federal agencies was severely criticized as inffective and inadequate.

Veterans Day

EXTENSION OF REMARKS

OF

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 9, 1967

Mr. LONG of Maryland. Mr. Speaker, on Saturday the American people will commemorate Veterans Day, the anniversary of the ending of World War I, by paying tribute to the heroes of past wars and by rededicating themselves to the cause of world peace and to the principles of justice, freedom and democracy.

The holiday was originally proclaimed Armistice Day, "set aside in memory of a moment of peace," as President Johnson has said. It commemorated the victory of 1918 which was to have made the world "safe for democracy" and war forever impossible. In 1954, recognizing that the United States had been involved in two other major military conflicts, Congress approved an act to change the name of the holiday to Veterans Day, in order to honor all the men and women who have served America in the Armed Forces.

On this solemn day, we can reassert our pride in being Americans and pay homage to our soldier-citizens who have served this Nation well. Our heritage of freedom and liberty has been preserved through the sacrifices of these veterans, and we shall always remember our debt of gratitude to them.

However, in honoring our veterans and the ideals for which they fought, we must not for a moment forget the soldiers fighting and dying today in Vietnam. November 11 takes on greater meaning as we think of these gallant defenders of our freedom.

Secretary Robert C. Weaver: Charting a Pathway to the Future

EXTENSION OF REMARKS

OF

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 9, 1967

Mr. NIX. Mr. Speaker, today Robert C. Weaver, Secretary of the Department of Housing and Urban Development, addressed the annual convention of the National Council of Negro Women meeting at the Sheraton-Park Hotel. He called upon the members of the national council to "continue to champion the cause of the disadvantaged, to protect against injustice, and to aid the voiceless to be heard."

In his address Secretary Weaver noted:

> The Johnson Administration has given this Nation by far the most generous helping of breakthrough social legislation in modern history. Think only of Medicare and the poverty programs, and Federal aid to education. Think only of mass transportation, and rent supplements, and Model Cities and the civil rights bills . . . and you will agree.

And he pointed out that the last 81 months of uninterrupted economic prosperity which this Nation has enjoyed since the spring of 1961, has offered many benefits for Negroes. But he cautioned:

> None should be content until we have eradicated poverty in this rich Nation. This country will not be strong and secure until we succeed in providing means for involving all of our people in the mainstream of society. The racial discrepancies in income, unemployment, quality of housing, and associated indices must be closed. This is the promise of America, and we shall continue to press for its realization.

In addition, Secretary Weaver noted that this administration has made other changes which are seldom mentioned—"restructuring of old, traditional programs to meet changing needs in changing times." In this regard he spoke of the changes in urban renewal which, today, is placing great emphasis on relocating of displaced families. The urban renewal program is also emphasizing more rehabilitation and more low-income housing in urban renewal areas. Secretary Weaver spoke of the new directions in public housing—the attempts to move away from the concept of public housing projects as Government-sponsored ghettos. In this regard he spoke of this administration's efforts to upgrade the quality of management with more concern for the human problems in the projects; of efforts to end whatever discrimination exists in public housing with full enforcement of title VI of the Civil Rights Act of 1964; of efforts to employ private enterprise and private nonprofit organizations in building and managing public housing projects.

Mr. Speaker, Secretary Weaver's speech is one of the best descriptions of how a Federal department is responding to the changing and demanding needs of our low-income citizens. For that reason, I would like to share the Secretary's remarks with my colleagues by including it in the RECORD:

CHARTING A PATHWAY TO THE FUTURE

(Address by Robert C. Weaver, Secretary, Department of Housing and Urban Development, at the annual convention of the National Council of Negro Women, Washington, D.C., November 9, 1967)

For several reasons my thoughts tonight harken back to the early 1930s and the decade which followed.

First, because you have an illustrious history, one that reaches back to the harsh depression years when Mary McLeod Bethune organized the National Council of Negro Women. I feel a personal involvement in this history since I had the privilege of working closely with Mrs. Bethune for over a decade.

I have other personal involvements. From the beginning, this Council fought for national programs in housing and urban affairs, and in human rights. These programs have been part of my own past; in fact, most of my working life has been devoted to them.

The National Council supported the first slum clearance and low-rent public housing programs, and it has supported every progressive housing and urban program since, right up to last year's Model Cities Program and such recent administrative innovations as the Turnkey programs in public housing. So in a way we have all grown up together.

This is not a convocation of strangers.

But there is yet another reason for my thoughts to dwell upon the past.

Shakespeare said that "what is past is prologue." And I strongly believe that in these national programs we have, to an unusual degree, prepared ourselves for our urban future.

Without the housing and urban programs now in existence, we would not have the tools even to begin solving the urgent problems that exist in our cities today.

Without the confidence in one another and in our fellow citizens that we have built up by working together, we would lack the faith we will need in facing a difficult future.

Without the experience of these formative years, we would not have the maturity today to appreciate the potentialities that lie ahead.

But with the experience, we are able to face the future with a record of achievement and an appreciation for the magnitude of the tasks that lie ahead. I will not go into extensive detail, but I want to point out a few of the most important programs that now exist.

We have a public housing program which has made 670,000 decent housing units available to more than 2½ million Americans;

We have three different programs which are providing 190,000 housing units for the needy elderly;

We have a Rent Supplement Program under which 33,000 poor families will be able to move into decent housing with help in their rent. And this is just a beginning.

We have the first national program of housing for moderate-income families. Already over 43,000 units are completed, some 16,500 units are under construction or ready to start construction, and over 33,500 units are being processed by FHA. Appropriately enough, one of the first developments to be completed was Bethune House in Washington, D.C.

We have a Model Cities program in which we will soon be able to get some 70 cities started on programs to rebuild and revitalize whole major slum areas—the people as well as the real estate;

We have a program under which 145,000 acres of open space land have been furnished our urban people for parks and playgrounds.

Other programs which have enormous impact on urban people and on the poor are Social Security, and Federal Aid to Education, and Medicare, and Head Start, and the Job Corps, and the Neighborhood Youth Corps.

I needn't remind this audience that this is only a sampling of Federal aids for all Americans. And I want to impress on you that these major programs, which cut across the whole spectrum of human need and across ethnic and color lines, were not born in a vacuum.

These programs, as in the case of most of our people-oriented activities, were conceived and placed before the Congress by great American presidents, men named Franklin D. Roosevelt, and Harry S. Truman, and John F. Kennedy and Lyndon B. Johnson.

They were voted into law and funded and made a part of the fabric of American life by Senators and Congressmen who believed in the inalienable right of all their fellow Americans to share in the wealth and abundance of this rich Nation.

But, as President Johnson observed when he signed the appropriation bill for the Department of Housing and Urban Development, the recent cuts in the appropriations for my Department "represent a distorted sense of priorities and a blindness to human needs. And, in the process our American cities and the American people have been shortchanged." The President added: "Despite these setbacks, however, we will not allow the programs to falter, although they are much smaller than we would like them to be."

The Johnson Administration has given this Nation by far the most generous helping of breakthrough social legislation in modern history. Think only of Medicare and the poverty programs, and Federal aid to education, and the civil rights bills, and you'll see what I mean.

But there is another development which is often taken for granted. It is the 81 months of uninterrupted economic prosperity which this Nation has enjoyed since the spring of 1961. Frequently, it is said that this prosperity has had no benefits for Negroes. That is simply not true.

The ratio of nonwhite to white family income rose from 55 percent in 1960 to 60 percent in 1966. And the greatest increase in any one year occurred between 1965 and 1966.

The growth was from 55 percent to 60 percent. The discrepancy is still too great. But it is closing—and at a significant rate last year.

In 1950, five percent of nonwhite and 22 percent of white families earned annual incomes equal to $7,000 or more in terms of the buying power of a dollar in 1965. By 1966, these figures had risen to 28 percent for nonwhites and 55 percent for whites. Here, too, we are catching up.

At the other extreme, in 1947, 65 percent of nonwhite and 27 percent of white families had annual incomes equal to $3,000 or less in terms of the buying power of a dollar in 1965. By 1966, these figures had dropped to 32 percent for nonwhites and 13 percent for whites.

These and other figures recently released in a government report indicate that many Negroes did share in the recent prosperity. But they are offset by data that show what we all know; namely, that there is a segment of the population, with a disproportionately high ratio of nonwhites, which did not share in that prosperity. It is to that segment of our people that the most of the programs of the Great Society are addressed.

No one of us should be content until we have eradicated poverty in this rich Nation. This country will not be strong and secure until we succeed in providing means for involving all of our people in the mainstream of society.

The racial discrepancies in income, unemployment, quality of housing, and associated indices must be closed. This is the promise of America, and we shall continue to press for its realization. Meanwhile special attention must be paid those who are at the bottom of the economic scale. Those among us who have enjoyed a measure of prosperity cannot disassociate ourselves from the problems of the poor.

As first steps in achieving these realizable goals, this Administration has brought into being the most important breakthrough legislation in housing and urban development in our generation, and that means in any generation. Think only of mass transportation, and rent supplements, and Model Cities, and you must agree.

But this Administration has made other changes which are seldom mentioned. These have to do with the restructuring of old, traditional programs to meet changing needs in changing times. They mean the replacement of old methods in management and administration by concepts more relevant to our needs, and in keeping with a new methodology.

One of these programs is urban renewal. It was not too long ago that this program was attacked by conservatives for being socialistic, and by liberals because it involved too much clearance without adequate consideration for the poor. It was said to be Negro clearance.

Today there is not only an insistence on humane relocating of families displaced by urban renewal, but there has been a redirection toward more rehabilitation, and more emphasis on housing the ill-housed. We are currently programming a larger volume of rehabilitation than of demolition. And we are providing more and more housing available to Negroes.

We now say that renewal must respond to these national goals:

It must conserve and expand housing for low- and moderate-income families.

It must develop new employment opportunities for the unemployed and the underemployed.

It must emphasize renewal of urban areas that have the most critical needs.

Thus urban renewal today is concerned with balanced programs in our cities. It is rapidly becoming a principal instrument for upgrading areas of nonwhite concentration and for providing housing for poorer Americans in decent and viable neighborhoods.

But I think what you in this audience will be more interested in is the change that has taken place in public housing. This redirection will soon accelerate the production of housing for low-income Americans.

There are two reasons for your concern with this:

First, the National Council of Negro Women has always taken a strong interest in the public housing program. I was not at all surprised when your Housing Director in Mississippi, Mrs. Duke, pointed out that in the Housing Act of 1949 we had authorization to build 810,000 units of public housing and that now, almost two decades later, we have built less than 700,000 of these units. This is the kind of knowledge I have come to expect.

The other reason is that you not only have interest in the program, but are now deeply involved as an organization in one of the most promising innovations in public housing.

I would like to describe this process briefly. It is an example of how an old program can be taught new tricks. It means that more housing can be built faster at lower costs. And as I have mentioned, since you as an organization are deeply involved in this experimental program, there is no reason you shouldn't be able to put the techniques you learn in Mississippi to good use in other localities as time goes by.

First, however, let me make this point about public housing. When this program came in during the 1930s, two years after the National Council of Negro Women was organized, it was a different program from what it is today.

In those years, most Americans were down on their luck. Public Housing was one of several programs designed to put people to work and to revive the housing industry. Public housing was also intended to clear slums and make better housing available.

And in its early years, the program worked well. It gave decent housing to the middle class who were victims of the depression, and then to war workers, and then to college students. All these were mobile groups which moved upward in the economic scale and out of public housing.

But now the public housing image is different. As the downtown areas, where public housing was primarily located, became impacted ghettos, the "projects," as they came to be called, were no longer way-stations for mobile groups on their way to better things. Instead they became dead ends for the old, for the poor, and for groups blocked by discrimination from employment and other housing because of color or ethnic background.

In order to break this deadlock, we are moving in three directions.

First, we are moving to upgrade the quality of management. This will involve more concern for the human problems which have long been neglected. It will require concern for employment opportunities, greater tenant involvement, and an ungrading of existing projects.

Second, we intend to end whatever discrimination exists in public housing. None of this housing should ever have been developed on the basis of white projects and Negro projects—but that did happen. We are determined that this shall no longer be the dominant pattern. And, of course, Title VI of the Civil Rights Act of 1964, provided the statutory basis for the new approach. So early this year we put out new directives dealing with the selection of sites and the assignment of tenants. We are saying that there should be a balanced public housing program with developments outside as well as inside current areas of minority group concentration. We are saying that no tenant assignment policy is compatible with Title VI if it permits a prospective tenant to go on forever rejecting vacancies until he comes up with one that fosters segregation.

Our next effort is simply to get more public housing built, and that is where the Turnkey process is becoming more and more valuable.

There are now three separate Turnkey processes.

Turnkey I is the building of low-rent housing. In this process a local housing authority asks private developers to come in with bids on a certain number of units. The developer provides the site, and designs and builds the project to housing authority standards. This saves time, and time is money. It also makes more sites available for such housing, thereby easing the problems of site selection which has become very difficult in recent years.

This program is well underway and we are already confident it will make a far greater volume of housing available than if we had gone on only in the traditional way.

Turnkey II is experimental. It calls for private management of housing projects, rather than the traditional method of the local housing authority's acting as manager. We are hoping non-profit groups will become involved in this program, groups willing to give more attention to the economic and social advancement of residents, groups willing to give greater responsibility to the tenants themselves.

Turnkey III is so new that it may very well be that the National Council of Negro Women will be the bellwether group in this experiment. Indeed, the unprecedented involvement of your organization in the initial Turnkey III development in Mississippi marks you as prime innovators in this field.

In this approach, tenants will build up an equity in their own units by maintaining them themselves, and by increasing their rental payments as their incomes rise. Eventually many of them will own their homes. We are watching this experiment closely, and we are hopeful that the benefits will far outweigh the inevitable problems that arise. There will not only be decent new housing, but social and economic advancement, and pride in ownership. The Mississippi project combines all three Turnkey approaches.

I am told that the effect on people in Gulfport has already been electric. Working on the project has kindled hope and pride. And since it involves Federal, state and local governments, as well as private homebuilders, and banks, national foundations, and your Council, quite a partnership of interest has evolved.

But I think the most important lesson to be learned is that the Gulfport project would never have started if it hadn't been for the interest, and the whole-hearted involvement of the National Council of Negro Women. This is doubly impressive when you consider that yours is not a technically-trained housing group.

Motivation, concern, and knowledge of an old traditional housing program that is in the process of making an innovative turnabout, as well as the dedicated leadership of Dorothy Height and her associates—that is what it took in Gulfport. I would suggest that private organizations across the country follow this project and learn from it.

But I believe the singular contribution of this very large and very dedicated group can be even more important. It has been made clear to me that in Mississippi, a state with its own unique problems of poverty and prejudice, the National Council has acted as a catalyst. It has brought the established economic and governmental groups together with people who have never before had a voice in their own destinies. It has brought black together with white.

Change is coming in our country in a number of ways. It is coming in our cities. It is coming to the poor. It is coming to those who suffer from discrimination. And if democracy is to become a reality, these are irreversible trends.

The question is whether these changes will come peacefully, without leaving scars on American society.

Events of the last several years point in several different directions. President Johnson and his Administration, together with a responsive and responsible Congress, brought in essential civil rights bills, and a mass of good legislation. But implementation of this breakthrough legislation has been difficult, both because of the inherent difficulty of changing social mores, and because of lack of money.

There is a new climate in the Nation, and aspirations have risen in direct proportion to the intent of these legislative and moral victories. Riots in our cities are a legacy of centuries of neglect, and of these rising aspirations. This does not excuse the rioters, but it does explain their emergence. And it suggests that as we act to restore law and order, we must also act to translate rising aspirations into rising status and significantly increased participation.

As women, you are concerned with your homes and your children. As a national organization several million strong, you have power and prestige. As intelligent and persuasive human beings, you have already acted as a bridge across what were once impassable gaps in Mississippi. I strongly believe your greatest contribution to America today can come about through this same thing—as advocates of understanding between Americans.

And I know as you continue this course of action, you will also continue to champion the cause of the disadvantaged, to protect against injustice, and to aid the voiceless to be heard. Understanding requires interpretation and interpretation involves articulating the hopes and aspirations of the neglected and disadvantaged. It is accelerated when its advocates are dedicated not only to justice but meaningful participation of the least among us.

You have long recognized these facts. And I salute you for your understanding and performance. It is my hope that together we shall be able to raise the housing standards of American people.

Signing of H.R. 5894

EXTENSION OF REMARKS

OF

HON. JULIA BUTLER HANSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 9, 1967

Mrs. HANSEN of Washington. Mr. Speaker, yesterday, as a Member of Congress, I had the privilege of attending the signing of H.R. 5894 by President Lyndon B. Johnson. Women from all over the United States were present to salute this forward step in the ever-continuing battle against discrimination, and it is with a great deal of pride that I place in the RECORD today the remarks of President Johnson on this day.

REMARKS OF THE PRESIDENT UPON SIGNING H.R. 5894, THE WOMEN'S OFFICERS LEGISLATION, NOVEMBER 8, 1967

Mr. Vice President, distinguished members of the Secretariat and the Armed Forces, members of the Congress, Mrs. Hobby, Governor Hughes, ladies and gentlemen:

We have come here this morning to strike another blow for women's rights. At long last we are going to give the dedicated women of our Armed Forces the equal treatment and the equal opportunity that they should have had from the very beginning.

We took the precaution this morning of asking the ladies to supply the Honor Guard. That is in case there are still some diehard traditionalists who do not approve of our action.

As our good friends Senator Margaret Smith and Congresswoman Bolton, Mrs. Hobby, and many others can testify, women in uniform have had to fight on more than the battlefield of war. I well recall when one of my male colleagues in the House of Representatives, back in 1942 when we were debating the bill to create the WAAC, had this to say:

"I think it is a reflection upon the courageous manhood of the country to pass a law inviting women to join the Armed Forces in order to win a battle.

"Take the women into the armed service, who then will do the cooking, the washing, the mending, the humble homey tasks to which every woman has devoted herself?

"Think of the humiliation! What has become of the manhood of America?"

But the ladies won their battle—the manhood of America has survived. Colonel Hobby got her women's Army Auxiliary Corps and the school opened in Fort Des Moines, Iowa. All of you who may have been there will remember what she said on that day:

"You have a debt to democracy, a date with destiny." I think history has recorded how magnificently our American women have lived up to that obligation and have kept that date. They are still keeping it.

There are more than a thousand women in our Armed Forces in Vietnam today. There are some here this morning to witness this ceremony who have returned from Vietnam.

I think you would like to see them, express your appreciation to them, and give them a hand. If they will stand up, I will appreciate it.

Our Armed Forces literally could not operate effectively or efficiently without our women. Yet, we nearly lost them at the end of the Second World War. In 1948 the House Armed Services Committee voted to retire the WACs and the WAVES to the Reserves. There was to be no place for them in the Regular Services.

But that action was reversed. The ladies of Congress—and perhaps a few female allies in the Press Gallery—changed that action.

Our gallant ladies were assured permanent status in the military services. But they even then were not assured equal opportunity. From that day to this day women choosing a military career could expect to do her job with fewer promotions and therefore, with less pay than a man who was doing the same type of work. Furthermore, she had only about 10 percent as much chance of being promoted above the grade of Major and she had no chance at all of being promoted above the grade of Colonel.

With the signing of this bill this morning, we are going to end that inequity.

This bill will give the career women of our Armed Forces no special privileges. But it does relieve them from some very special handicaps.

The bill does not create any female Generals or female Admirals—but it does make that possible. There is no reason why we should not some day have a female Chief of Staff or even a female Commander-in-Chief.

I realize that a few of our gentlemen officers may not be too enthusiastic about this possibility. And I can understand why: As Dr. Samuel Johnson once observed, "Nature has given women so much power that the law has very wisely given them little."

But from now on, the officers and men of our Armed Forces will just have to take their chances in open competition along with the rest of us.

This is a free country. This is a democratic country. I think the time has now passed when opportunity can be denied to anyone.

We gave the women the vote and somehow the country survived. In this Administration we have passed laws that provide that women in industry must receive equal pay for equal work. The economy seems to continue to prosper.

We have brought women to ever higher and more influential positions throughout the land—and the Government has improved. Women are leaders and doers today in our Congress and throughout our Government.

So here today in the East Room of the White House we will end the last vestage of discrimination—I hope—in our Armed Forces.

So both as President and as the Commander-in-Chief I am very pleased and very proud to have this measure sent to me by the Congress.

I can think of no better company in which to sign it. For in a very real sense that law belongs to every one of you who are here in this room this morning.

It is also a great pleasure before I engage in the signing ceremony to take this opportunity in the presence of this very distinguished audience from the Congress, Government services and the country to honor two very brave ladies of our Armed Forces for very outstanding service in connection with the conflict in which our Nation is engaged in Vietnam.

To Air Force Nurse Colonel Ethel A. Hoefly we are going to award this morning the Legion of Merit. And to Army Nurse Major Marie L. Rodgers, we are going to award the Bronze Star.

Colonel Kobach and Colonel Hayes will read the citations.

Our Vice President has just spent 11 days in Southeast Asia and has just completed a report to the National Security Council, the Cabinet, and the appropriate leaders in the Congress in connection with his observations on that trip.

The one outstanding thing, and the most important of all that I know will give all of you great pride, was his observation that the military leaders in that area—the best men that we have been able to produce—feel that we have never had a better trained, or better equipped fighting force and we have never had better morale found anywhere in the uniform of the United States than in those men and women who are holding high our flag in Vietnam today.

I know you join me in expressing gratitude—thanks to all of them and to the Vice President.

It was also our good fortune and our privilege to witness the citation by the President with the Bronze Star Medal to Maj. Marie L. Rodgers, Army Nurse Corps, and the presentation of the Legion of Merit to Col. Ethel A. Hoefly, Air Force Nurse Corps.

I place the President's statements in the Record at this time.

Citation: By Direction of the President, the Bronze Star Medal Is Presented to Maj. Marie L. Rodgers, N2654, Army Nurse Corps, U.S. Army

For distinguishing herself by outstanding meritorious service in connection with ground operations against a hostile force in the Republic of Vietnam during the period October 1966 to September 1967.

Fully aware of the innumerable dangers and sacrifices which make up a greater part of everyday life in a combat zone, Major Rodgers volunteered for duty in Vietnam and was assigned to the 24th Evacuation Hospital in Long Binh where she served as Operating Room Supervisor. A model nurse, leader and administrator, she worked tirelessly to insure the finest possible nursing support for the great number of combat casualties treated at the 24th Evacuation Hospital, and she immediately became one of the most valuable and respected members of the hospital's patient-care team. She provided brilliant supervision in the planning, organizing and equipping of the operating room suite as well as the central materiel section to insure the finest surgical nursing support at this hospital when it began receiving patients in January 1967. The 24th Evacuation Hospital was designated as the neurosurgical and maxillofacial surgical treatment center for Vietnam in March 1967, and it bore the brunt of the patient load in these highly specialized categories. During her entire tour of duty in Vietnam, Major Rodgers exhibited the selflessness, compassion and genuine concern for human medical welfare which are the true hallmarks of a professional nurse, and she served as an ideal representative of the Army Nurse Corps in action. Through her dedicated efforts, she contributed significantly to the success of the Army Medical Service in providing outstanding medical support to American forces engaged in combat. Major Rodgers' performance of duty throughout this period was in keeping with the most cherished traditions of the military service and reflects great credit upon herself and the United States Army.

Citation To Accompany the Award of the Legion of Merit to Ethel A. Hoefly

Colonel Ethel A. Hoefly distinguished herself by exceptionally meritorious conduct in the performance of outstanding service while serving as Chief Nurse of the Fifth Air Force, Pacific Air Forces and Chief of the Nursing Division, United States Air Force Hospital at Tachikawa Air Base in Japan from 23 June 1965 through 20 June 1967. During this period, she played a major role in the care of military casualties resulting from the conflict in Vietnam during their evacuation and hospitalization. Under Colonel Hoefly's expert direction the already high quality of nursing care was improved, in Fifth Air Force Hospitals located in Japan and Okinawa, despite an increased number of patients ultimately averaging over 1,500 monthly. Particularly significant were her efforts in the initial period, when her inspiring leadership, diligence and professional competence enabled an appreciable increase in the capability to provide medical care with the existing staff personnel. She worked closely with other units in reviewing and improving the quality of patient care in the Southeast Asia aeromedical evacuation system. Her foresight, extraordinary devotion to duty and her abiding concern for patient-centered care were instrumental in the establishment of a new medical staging facility, with a capacity of up to 40,000 patients annually, to provide better medical treatment for transient patients. Her exemplary efforts were also directly responsible for the establishment of the first Intensive Care Unit at Tachikawa Hospital, providing improved medical care for the most seriously ill personnel from Vietnam and leading to the opening of another Intensive Care Unit. The singularly distinctive accomplishments of Colonel Hoefly are in keeping with the finest traditions of the military service and reflect great credit upon herself and the United States Air Force.

Every woman present, I know, felt as I did, a deep thrill not only for the legislation, but for the citation of these two brave and gracious young women serving our Nation.

The Welfare Capital of the World

EXTENSION OF REMARKS

OF

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 9, 1967

Mr. RARICK. Mr. Speaker, now that two of the unelected Federal judiciary have stricken the wisdom of the people's elected Congress by turning Washington, D.C., into a welfare camp we can well expect a rapid growth in population.

From every State in the Union, freeloaders can be expected to head for our Nation's Capital—tourism and sightseeing subsidized by immediate qualification for welfare checks.

What a judicial vote of confidence for the peaceniks, the Commies, and other disloyal tribes. They can now be grouped into ready task forces here in the District of Columbia, financed by welfare checks payable upon arrival—no waiting period, no qualification of residency.

Washington, D.C., once the capital of free men, the symbol of pride and dignity, soon destined to become the bastion of rebels and anti's.

It would be interesting to learn under what theory of constitutional law, such emotion-packed social revolution is based.

The court decision is more than an indictment of the American people—it is an indictment of the runaway Federal judges themselves.

I have earlier introduced House Joint Resolution 841 proposing an amendment to the U.S. Constitution providing that all appointed Federal judgeships must be reconfirmed each 6 years and calling for 5 years' judicial experience as a prerequisite for appointment.

Mr. Speaker, I place the news release on the welfare decision from the Washington Post for November 9 and a copy of House Joint Resolution 841 in the Record:

[From the Washington Post]

Welfare Curb Is Voided—Court Upsets City Residency Requirement

(By David A. Jewell and Carol Honsa)

The U.S. Court of Appeals for the District of Columbia yesterday struck down as unconstitutional an act of Congress that requires persons to live here for one year before they may receive welfare payments.

This means that indigent persons moving to Washington may immediately begin receiving welfare payments if they qualify as bona fide residents.

Last year the District Welfare Department turned down the applications of 203 persons for welfare on the grounds they had not lived here for one year.

Payments to these persons would have totaled between $250,000 and $500,000 annually.

APPEAL LIKELY

It appeared evident last night the present law will not be suspended until the question of an appeal to the Supreme Court has been settled.

District Welfare Director Winifred G. Thompson said she would seek an appeal to the Supreme Court.

Corporation Counsel Charles T. Duncan said he would consult with Miss Thompson before deciding whether to appeal.

The appelate court said that the residency requirement violated the right of welfare recipients to equal protection of laws guaranteed them under the Fifth Amendment to the Constitution.

HOLTZOFF DISSENTS

Chief Judge David L. Bazelon concurred with Judge Charles Fahy, who wrote the majority opinion. District Court Judge Alexander Holtzoff dissented.

The majority opinion held that even though welfare recipients receive gratuities, they are entitled to the same constitutional safeguards as anyone else.

This point is considered significant by attorneys for the Neighborhood Legal Services

Project who successfully argued the case that resulted in yesterday's opinion.

They expect to use it to buttress an attack on the practice of welfare workers searching the homes of relief recipients to insure that they are complying with District welfare regulations.

Welfare Department officials have contended that relief payments are a gratuity and not a right of the recipients. Hence, they say, certain rules must apply and the searches are necessary to see whether the rules are being obeyed.

Federal courts in three other states—Connecticut, Delaware and Pennsylvania—have ruled similar welfare residency laws unconstitutional. In each state, welfare authorities have lodged an appeal with the Supreme Court. All are pending.

The majority opinion held that residency requirements have no direct relation to welfare laws which have the purpose of helping persons in need and keeping together families that would otherwise break up.

In his dissent Judge Holtzoff said that "if the decision of the majority stands, the provisions for aid to dependent children will be thrown into confusion and possibly be destroyed."

"Members of the judiciary must not be influenced by their own views of the wisdom, expediency or desirability of legislation, or by their own attitude toward charity," Holtzoff asserted.

He also noted that since the states surrounding the District of Columbia gave smaller payments to persons on welfare, there might be a danger that people would come here for the higher payments.

Attorneys for the Welfare Department had argued that abolition of the residency requirement would make Washington a "Mecca for the transient poor." Miss Thompson said she had "no way of knowing" whether that would occur.

Recent welfare statistics indicate that most of the city's welfare recipients were long-term residents here before asking for public assistance.

As of June 30, the welfare caseload of more than 30,000 persons included 8048 persons who were not born here. More than half of those born elsewhere, or 4054 persons, had lived here 20 years or more before applying for welfare. Only 260 persons who had lived here between a year and two years were on the welfare rolls.

H.J. Res. 841

Joint resolution proposing an amendment to the Constitution of the United States to provide that appointments of judges to the Supreme Court and judges to all other Federal courts, as established under section 1 of article III, be reconfirmed every six years by the Senate and to require five years' prior judicial experience as a qualification for appointment to said offices

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress:

"Article—

"Section 1. No person may serve as a judge of a court established under section 1 of article III unless the Senate reconfirms his appointment to such office during the last year of each six-year period after the year of his initial appointment, except that for the purposes of this article a judge of a court established under section 1 of article III holding such office on the date of the ratification of this article shall be deemed to have been initially appointed to such office on the date of ratification.

"Sec. 2. No person may be appointed as a judge of a court established under section 1 of article III who, at the time of his appointment, has not served for at least five years as a judge of a court of record of a State or as a judge of a court established under section 1 of article III, except that no person whose appointment to a court established under section 1 of article III is not reconfirmed by the Senate as prescribed in section 1 of this article, may be appointed to any other court established under section 1 of article III.

"Sec. 3. The Congress shall have the power to enforce this article with appropriate legislation."

Export Sales for American Business

EXTENSION OF REMARKS

OF

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 9, 1967

Mr. FARBSTEIN. Mr. Speaker, last month Secretary of Commerce Alexander B. Trowbridge visited a number of countries in the Far East, including Nationalist China, where he opened a Commerce Department exhibit of American industrial machinery. The Department informs me that this 10-day exhibition attracted more than 75,000 visitors. American exhibitors made sales of $282,000 on the spot, and are negotiating on orders for an additional $452,000. The exhibitors estimate their 12-month projection at $2.2 million in additional sales as a direct result of the exhibition. The Commerce Department is doing a great service for American businessmen in staging such exhibits as this one. The day after the exhibit opened, Secretary Trowbridge made a speech before a group of Chinese and American businessmen in Taipei. He discussed the trade policies of President Johnson's administration. Because of the great interest in world trade and U.S. trade policy, I insert the speech in the Record:

Remarks by Secretary of Commerce Alexander B. Trowbridge Before a Joint Luncheon Meeting of the American University Club and the Taipei American Chamber of Commerce in Taipei, Republic of China, 1:30 P.M., Friday, October 27, 1967

It is indeed a pleasure to be here today.

I especially appreciate this opportunity to speak to a combined audience of both Chinese and Americans. Together you symbolize the close cooperation between our two countries that has helped make the Republic of China one of the world's great success stories.

As you know, my main purpose in coming here was to open the United States Industry Machinery Exhibition. But I am also looking forward to informal talks this afternoon with Vice President Yen, Minister of Economic Affairs Li, and other government leaders. The continued development of the Republic of China and other free nations of the Pacific is one of the keystones of American foreign economic policy, and we jointly explore with their leaders areas of mutual interest at every opportunity.

The exhibition we opened yesterday is designed to further Taiwan's development. Seventy-seven American firms are participating in this outstanding show, making it the largest U.S. trade fair ever held in the Far East. It will run through November 4, and I sincerely hope that you will all have an opportunity to see it.

There is a story behind this exhibition that involves both our countries. It is a story of faith and logic, of dedicated leaders and hard-working people, of cooperation between the private and public sectors, and of the joint efforts of our two governments.

All of this, and much more, makes up the dramatic story of the fifteen years that the United States worked with the Republic of China, in an economic aid program that provided more than $1.5 billion to place Taiwan's economy in its expansionist position. During this period we have seen the Republic of China's real Gross National Product grow at an average annual rate of more than seven percent.

The significant improvement in the wellbeing of the Chinese people—better housing, better schools, better health facilities—could result only from energetic, determined efforts of your government and private businessmen, including many of you here today.

You have demonstrated how economic assistance can result in a rapid rate of highly productive development when based on intelligent planning, forceful and skillful execution of those plans, a will to succeed and hard work—all within the framework of private enterprise.

Traditional Chinese skill and craftsmanship is being turned to the manufacture of highly sophisticated industrial products by the growing ranks of foreign investors, including, of course, a large number of American firms.

The demand for imports here has been increasing steadily. In 1963, when the first steps were taken to phase out the U.S. economic assistance program, imports were valued at $360 million; last year they reached $624 million. And this demand will grow as the Republic of China's extraordinary rate of economic growth continues.

Our Commerce Department realized several years ago that a much stronger U.S. commercial effort would be required as the Republic of China's economy advanced on its own. A greatly expanded program to promote U.S. trade here was drawn up in 1964 and launched the following year when a seven-man trade mission visited Taiwan. This group blazed a trail which has since been followed by nearly a dozen other American trade missions organized by various industries, by state governments, and by several large American cities.

A U.S. Mobile Trade Fair featuring scientific instruments also visited Taipei early this year. And at home we have begun an intensive research and publications program, to lay the facts about the outstanding trade and investment opportunities here before the American business community.

The new machinery exhibition, however, is our best and most ambitious promotion venture in this country to date.

The theme is especially fitting: "Quality Machines Build Quality Products for Exports."

What is being shown is a carefully selected array of machinery and equipment designed to raise the quality, while lowering the unit production cost, of the Republic of China's own export products. This is what American equipment does best. The greater efficiency of our machinery combined with greater dependability in terms of less frequent breakdowns can mean only one thing for Taiwan—

greater competitiveness for your products in the world market. Our exhibition, then, is designed both to expand U.S. exports to this market and help the Republic of China increase its own exports by using the latest American methods and technology.

A unique innovation we've introduced at this exhibition represents an effort to encourage and facilitate more American direct private investment in Taiwan. The many opportunities for investment in the Republic of China were featured prominently in all of our publicity on this show to American industry and we have set up a special investment area as part of the exhibition. Representatives of a number of West Coast banks are here to discuss investment possibilities moreover, many of the manufacturers represented will also be interested in direct investment opportunities, or in licensing or technical assistance arrangements.

This, then, is a balanced exhibition, representing our balanced approach to the whole subject of international business. While we have many programs to encourage our exporters to win their share of the growing world market, it would be a mistake to interpret the American interest in trade as being one-sided. Our objective is for freer trade among all free nations, and I know of no other country that has worked harder toward this goal than the United States.

Ample proof of this fact, I think, lies in the size and range of the tariff concessions which we helped negotiate in the recently concluded Kennedy Round. As a result of those negotiations, the United States will reduce tariffs over the next five years on nearly two-thirds of its dutiable imports by an average of thirty-five percent.

As you know, the negotiations were carried on among the member nations of GATT, the General Agreement on Tariffs and Trade. But in keeping with our most favored nation policy, the United States will also make these reduced tariffs available to non-GATT members, like the Republic of China.

We have calculated that some thirty-eight percent of this Republic's exports to the United States will profit from the Kennedy Round trade concessions. This means that these concessions will apply to some $40 million worth of Taiwan exports. The most significant items to be affected include canned mandarin oranges, hardwood, television and radio receivers and parts, furniture and parts, toy animals and artificial flowers, and rubber or plastic household furnishings or articles, to name just a few. In addition, an increased amount of exports from Taiwan may now enter the United States duty free.

In this connection, I believe that it is in the interest of the Republic of China to try to diversify its range of export items destined for overseas markets including the United States. Concentration on a few export sectors does not provide the wide base capable of withstanding varying patterns of market access, and can arouse fears among the domestic producers most affected by competition.

Meanwhile, I am pleased to note that the Republic of China is also making important strides towards the liberalization of its own import controls. I sincerely hope that these efforts can continue, not only for industrial goods such as those now being shown at the U.S. exhibition, but for consumer goods as well.

There are always, of course, forces which would like to halt, or even reverse, the movement toward freer trade which has meant so much in recent years to the world's free nations.

These forces exist in the United States, and we are witnessing a resurgence of them at the present time. There have been introduced in the Congress a number of bills which are so all-encompassing as to bring into question the entire direction of the foreign trade policy which our Nation has followed for more than thirty years.

It must be obvious to all of you that the Johnson Administration will firmly resist this new wave of protectionist thought in Congress. As you have read in the newspapers, I was one of four cabinet officers who testified against a whole package of these bills in the Senate last week.

The plethora of restrictive bills which have been proposed stem from the fears of American businessmen—some of which are real and some only imagined. But there is clearly an excessive concern—unsupported by the facts. And we are determined to defend the advances in world free trade which the United States has advocated for thirty years.

When we appeared before the Senate Finance Committee last week, we warned that American trading relations with the rest of the world would suffer a serious setback if the proposed measures became law. Surely, enactment of these bills calling for import restrictions on a wholesale basis would provoke very severe counter-moves against our exports.

These counter-moves would come at a time when we will be trying to eliminate the many nontariff barriers to our exports, and when so many American businesses are cooperating with our government in extensive programs to promote exports and to resolve our balance of payments problem in a constructive fashion.

If protectionism becomes rampant, the result could be a very large and destructive trade war that could do extensive damage to the relationships, the financial structure, and the defense capability of the free nations of the world.

We are not letting this situation distract us, however, from important work that must continue our policy of liberalized trade. We are working on new legislation which in effect would improve and extend through 1970 the Trade Expansion Act of 1962, out of which the Kennedy Round grew. We also have been exploring with other industrialized countries the feasibility of a system of tariff preferences to be extended by all the industrialized countries to all the less developed countries.

Trade, of course, is only one form of economic cooperation between nations. The Asian Development Bank, of which the Republic of China is a member, and which has been encouraged and supported by the United States, is another form which holds great hopes for continued economic progress in this area.

Still another possibility is the arrangement that is being contemplated by the Republic of China and Korea. I understand that the discussions underway are on possible areas for industrial cooperation, such as in the field of petrochemicals, whereby one country would produce for both markets, thus enabling the individual plants to achieve greater economies of scale.

If such arrangements could be worked out, they would constitute a very important step towards the concept of a regional market. The United States has encouraged the formation of such common markets in Europe, where the European Economic Community has been tremendously successful, and in Central and South America. I would hope that these discussions with Korea for cooperation in a few key areas could, therefore, eventually develop along broader lines.

It would be another step toward the goal of a peaceful, progressive, prosperous Asia. I am happy on this visit to reaffirm that policy and to pledge our continued support of this great movement, which holds so much promise for the people of this part of the world.

LSD: Chemical Russian Roulette

EXTENSION OF REMARKS
OF
HON JOHN R. RARICK
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, November 9, 1967

Mr. RARICK. Mr. Speaker, Dr. T. R. Van Dellen has referred to the use of LSD as comparable to playing "chemical Russian roulette."

The herd instinct to follow the crowd, to accept a dare, or to have a good time with the mob—a revolt against parental discipline—may be social tolerance, but LSD can kill.

In July of 1967, I introduced House Resolution 823 to form a committee to investigate LSD, STP, and other psychedelic drugs, their sale and effects on our youth. Such an investigation and report becomes more urgent to enlighten our youth and their parents as to the threat of chemical Russian roulette.

Mr. Speaker, I place Dr. Van Dellen's account from the November 5 New Orleans Times Picayune and House Resolution 823 at this point in the RECORD:

[From the New Orleans (La.) Times-Picayune, Nov. 5, 1967]

HOW TO KEEP WELL: LSD USE "CHEMICAL RUSSIAN ROULETTE"

(NOTE.—To the limit of space, questions pertaining to the prevention of disease will be answered. Personal replies will be made when return stamped envelope is enclosed. Telephone inquiries not accepted. Dr. Van Dellen will not make diagnoses or prescribe for individual diseases.)

(By Dr. T. R. Van Dellen)

LSD (lysergic acid diethylamide) is our most potent hallucinogenic drug. It affects the central nervous system producing changes in perception, thought, mood, and behavior. The Food and Drug administration considers the substance an investigational drug and regards its unsupervised use comparable to playing "chemical Russian roulette."

LSD is taken as a small white pill, crystalline powder in capsules, or as a tasteless, colorless, and odorless liquid. The drug is no longer disguised in sugar cubes, cookies, or crackers. Unlike narcotics, physical dependence upon the drug may not develop; the user may take it when available but when it is unavailable there is no serious craving.

The mood effects of LSD run the gamut. Some feel no emotion, whereas others burst into tears or laughter. Others claim to be in a state of total relaxation and happiness which is not apparent to the observer. In contrast, when LSD produces a feeling of intense loneliness, anxiety and fear, panic may ensue. An experienced user may come to the rescue with an antidote (Frenquel or niacinamide) to prevent flight, suicide, and dangerous reaction to panic or impulsive states.

Some describe a feeling of enhanced creativity and inspiration but rarely are objective results produced. LSD advocates frequently use the "insight phenomenon" as a reason for using the drug (taking a trip). Perceptual changes involve the senses of sight, hearing, touch, body image, and time. Colors are intensified, and objects change shape, or pulsate.

Sound sensitivity increases but its source is illusive. Conversations are heard but not always comprehended. There are auditory hallucinations of music and singing. Sensations of lightheadedness, emptiness, logginess, and vibrations occur.

The effects dissipate after a few hours, but psychological changes may persist for indefinite periods. One of the main dangers is that a delayed mental condition (psychosis) may develop as long as two years after taking LSD.

H. Res. 823

Resolved, That there is hereby created a select committee to be composed of seven Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Four members shall be appointed from the majority party and three members shall be appointed from the minority party. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

The committee is authorized and directed to conduct a full and complete investigation and study of all aspects of lysergic acid dethylamine (LSD), 5-methyloxy-NN-dimethyltryptamine (STP), and other psychedelic drugs in the United States, including the individuals and agencies responsible for the introduction, promotion, manufacture, distribution, sale, and the short-term and long-term effects of LSD, STP, and other psychedelic drugs.

The committee is also authorized and directed to conduct a full and complete investigation into the possible causes and effects on users and addicts relating to crime, licentiousness, insanity, perversion, antisocial behavior, abnormal sexual behavior, and chromosomal damage by these drugs.

For the purpose of carrying out this resolution, the committee, or any subcommittee thereof authorized by the committee to hold hearings, is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee shall report to the House, as soon as practical during the present Congress, the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

Hon. Jamie L. Whitten Presented Reserve Officers Association Minuteman Award

EXTENSION OF REMARKS

OF

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 9, 1967

Mr. SIKES. Mr. Speaker, one of the senior Members of this body was singularly honored last Saturday evening by the Reserve Officers Association of the United States at its 45th anniversary banquet in Biloxi, Miss. The Honorable Jamie L. Whitten, who has so ably represented the Second District of Mississippi since 1942, was given the ROA Minute Man Hall of Fame award at a meeting which attracted Reserve officers and their ladies throughout the United States.

Congressman Whitten has contributed significantly to preserving and maintaining strong Reserve components in our defense forces, and all of us well know the sterling character and outstanding record during his quarter century of service in the Congress. Few men have served with greater distinction. He is very highly regarded on both sides of the aisle in Congress, and I am sure that the Members of this body will applaud the decision of ROA's National Awards Board to present this well-merited recognition to Congressman Whitten.

The presentation to Congressman Whitten was made by Capt. R. E. B. Stewart of Portsmouth, Va., an active member of the U.S. Coast Guard Reserve who is the national vice president of ROA representing its Navy, Marine, and Coast Guard membership. I submit for reprinting in the Record the remarks made by Captain Stewart, a copy of the citation which accompanied the award, and following that, I submit Congressman Whitten's speech:

INTRODUCTION OF CONGRESSMAN WHITTEN BY CAPT. R. E. B. STEWART, NATIONAL VICE PRESIDENT, RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES

We are especially honored this evening to have with us—and to have the opportunity to pay tribute to—one of the outstanding statesmen of this nation.

Much of his career has been devoted to the cause of national security and the development of sound defense policies.

I should point out here that he is in a position to do so since he is the second ranking member of the House Appropriations Committee and is the vice chairman of the Defense Appropriations Committee.

ROA—the Reserves—and the Nation—have been very fortunate that he has been in this focal spot during these past three years when the Congress has repulsed the most persistent and significant efforts to reduce—and/or destroy—the Reserves in modern history.

Our honored guest tonight is a native of the State which is our host at this meeting.

Born in Cascilla, Mississippi, little more than a half century ago, he has represented the Second District in the Congress of the United States for the past twenty-six years.

We should note also that today is the anniversary of his election to the Congress, which occurred on November 4, 1941.

After graduation from the University of Mississippi he was admitted to the bar in 1932 with honors. He served one year as a school principal, at the age of twenty-one being elected to the Mississippi House of Representatives, and then to the office of district attorney at the age of twenty-three, being reelected twice and serving as district attorney until elected to the Congress.

Our honored guest is the father of two lovely children (and I understand either just has or is about to become a grandfather for the first time), and he has his lovely wife here with him to share the honor that we seek to pass on to him this evening.

It is my great privilege to call to the rostrum at this time the Honorable Jamie L. Whitten.

The citation follows:

"RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES

"Recognizing that the Honorable Jamie L. Whitten by precept and example, has sacrificially devoted his genius and leadership to the cause of national security, and both in war and peace, has given meaning, substance and effectiveness to the citizen-soldier tradition, vital to the safety and welfare of the United States of America, this association claims for him a place in this nation's

"MINUTE MAN HALL OF FAME.

"VINCENT A. PRIMERANO,

"*Captain, USNR-R, National President*.

"JOHN T. CARLTON,

"*Colonel, USAR, Executive Director*.

"Approved:

"The National Awards Board.

"Presented by Army, Air Force, Navy-Marine Corps-Coast Guard Sections, 45th Anniversary Banquet, Biloxi, Mississippi, November 4, 1967."

IT IS TIME TO CHANGE OUR COURSE

(Speech of Congressman Jamie L. Whitten, to the Fall Services Affairs Conferences, Reserve Officers Association, Biloxi, Miss., November 4, 1967)

Members of the Reserve Officers Association and guests, in my years in public office no notice or recognition has meant as much to me as the honor you pay me tonight in including me as one of you by naming me to your Minute Man Hall of Fame, for, as you have termed it, "having the courage to stand up to pressures." It is a source of great pride to be listed with those to whom you have given this award in years past, and it means much to me, too, that your presentation comes at your annual meeting held here in my home State. I know that General Grant, General Johnson, and other Mississippi Members of the Reserve including the National Guard join me in welcoming you to our State. I particularly welcome Captain Primerano and your other officers, many of whom I have worked with through the years.

It is of course pleasing to take note of the presence of several friends from Washington; and, of course, no meeting could possibly succeed without the presence of your executive director, Colonel "Jake" Carlton. As all of you know, "Jake" is the one who keeps us all on our toes year after year, with regard to matters pertaining to the Reserves, and he will be the one to move this meeting along.

I regret that my colleague and close friend in Congress, Honorable Bob Sikes, of Florida, was unable to be here tonight, but this is a time of tight schedules in the Congress. Bob has contributed greatly to the Reserves, as you know. Together with our colleagues on the Appropriations Committee, and in the Congress, we have worked to make the case for the Reserves; and with the fine support your organization has throughout the United States, so far we have won.

My friends, we meet here at a time when there are many problems facing us at home and abroad. You know of the continuing fight we in the Congress have to save the Reserves and the Guard. What is even more frightening to me is that this effort to absorb or otherwise destroy the identity of the Reserves appears to be part of an overall effort to centralize all power in Washington, with all its inherent dangers.

As a lawyer, as a student of history, as a Member of Congress, I would like to review with you what most of you already know. The American Military Reserve system has its roots in the militia system which existed in England during the 17th Century and whose concepts were transplanted on the American continent by the English settlers. The militia in England were localized defense forces consisting of shire's freeman who were liable for service between the ages of 16 and 60 and also required to supply their own weapons if called to duty. Each of the original 13 American colonies followed the model of the English militia system and promulgated laws making military training and service compulsory for all able-bodied men between the ages of 16 and 60. It was the militia of the colonies that provided the major portion of the manpower serving in the Continental Army under General George Washington in the Revolutionary War.

The colonists had also brought with them from England a fear of large standing armies, a fear which their experience with British colonial rule served to reinforce. This experience bred in them deep suspicion of and distaste for strong central government and its agents and agencies, especially those associated with the military, which to them symbolized tyrannical rule; and it strengthened their belief in the desirability of maintaining localized militia forces for defensive purposes. The persistence into the 20th century of the American belief in the citizen-soldier concept is attested to by President Woodrow Wilson's statement in 1914 that, "We must depend in every time of national peril . . . not upon a standing army . . . but upon a citizenry trained and accustomed to arms." This belief was a fundamental tenet of American military policy throughout the greater part of our history. This policy was one of maintaining a small Regular military establishment in peacetime to be augmented by volunteers and a Reserve of militia forces.

When the Constitution was drafted by the Founding Fathers, they gave to the Congress of the United States the power (Article I, Section 8) "to provide for the common defense," "to raise and support armies," "to provide and maintain a Navy," "to make rules for the government and regulation of the land and naval forces," and the power:

"To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

"To provide for organizing, arming, and disciplining the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress, . . ."

In recent years, we have seen why it was that the founding fathers had ingrained in them the fear of large standing armies, not because they feared a take-over of the Presidency by a General or an Admiral as happens in countries in South America, Asia, and much of the world, but because they might set up a military caste, become dependent upon military spending, or be controlled in our local affairs by troops from Washington. You and I know there is the further reason, for the citizen soldier knows about taxes, about business. He knows the many phases of military needs in time of war, for pulling the trigger or pressing the button is only a small part of the production of all the elements of warfare and of having them at the right place at the right time.

In the last few years about 70 percent of our total national budget has gone to "Military" spending, leading a national magazine to carry an article under the title "After Vietnam, What?" and a sub-title "Will Our Economy Tumble if Peace Comes?"

The article went on to state that plans were being made to meet the problem. The writer had this to say:

"If the United States were suddenly plunged into peace, what would happen to war-buoyed economy? A staggering $350 million a day now being poured into the Vietnam war would go begging. Hundreds of companies geared to war production would be disrupted. Thousands of youths now employed by the armed forces would be turned loose on the streets to hunt for civilian jobs."

I replied to that article on the floor of the House of Representatives, on August 30, 1966, pointing out that with all of us sincerely for peace, I felt it simply could not be that it takes a war, or preparation for war, to continue such prosperity. I was certain in my own mind that there must be some other answer.

After thinking the matter through, it dawned on me that it is not war or preparation for war, as such, which has been the basis for our material prosperity; but it has been the 15- or 20-percent extra effort our people put forth because of war, or preparation for war, which resulted in such material prosperity. Thus, I could see that if we could have peace, but continue that extra effort, we could maintain our prosperity and be an even richer nation.

In war and preparation for war a large part of our extra effort consumes our raw materials, which are destroyed as shells, worn out as military vehicles, planes, equipment, guns, warships, while we increase wear and tear on our railroads and our highways. The extra food and fiber are either given to our allies, or given to them in money with commodities sold to them for the return of our money. Our lands are used to a greater extent, our timber and natural resources are further depleted.

Where the extra effort due to war or preparation for war is the basis for our material prosperity, we end up a poorer country, for our real wealth decreases. However, if only we had peace so we could put forth that extra effort—not in needed defense expenditures which use up our raw materials, but in work that will improve our basic resources, in reforesting our lands, harnessing our streams for electricity, reclaiming our lands through soil conservation, building the highways and the schools we need, and in those things that develop and restore our country—we would end up a richer country.

The answer to the recent magazine article, "After Vietnam, What?" is that if we will only bring that war to a successful end we will be equally or more prosperous; and in the long run our country will be a hundred times richer, if we only put forth the extra effort now going to support the war on the things we need at home.

We must give to our men in service what it takes to win.

Prosperity or the threat of depression has no place in the consideration of Vietnam.

In recent years we have seen a further reason to be skeptical of too much dependence upon a large standing military establishment, for it has led to efforts to abolish or absorb our Reserve System of Citizen Soldiers. As you know, I served on Naval Appropriations throughout World War II, and was in practically every theater of the war, where I saw the value of the citizen soldier, a value which was appreciated by the regulars. Subsequently I was off the Committee for a few years.

As I told the Mississippi National Guard a few weeks ago:

"Soon after I returned to this Defense Appropriations Subcommittee I realized that many . . . officials in the Department of Defense, . . . wish to federalize or abolish the Guard and the Reserves—so far as organization is concerned. The pressure became so great that our House Subcommittee on Defense Appropriations for fiscal year 1959 had to write language providing for a:

"'. . . mandatory minimum strength level of 300,000 for the Army Reserve and a mandatory minimum level of 400,000 for the Army National Guard.' (Public Law 85-724).

"We had to provide similar language for every year since then . . . if there ever was a time to strengthen your forces, including new equipment and special training, it is now . . .

"Where would we be in the war in Vietnam if our regular military services had not been able to 'borrow' National Guard and other Reserve Units to substitute for the regular military in many functions such as transport?

"My friends, if it had not been for the materiel which was requisitioned by the regular forces from the Guard and the Reserves, our troops in Vietnam would have been short of equipment and supplies. Whatever you and the public may have been told, the facts are that we were literally caught with our britches down so far as adequate reserves of many items were concerned."

You are citizens and soldiers, and thus I welcome the opportunity to discuss with you some of the serious problems we face at home and abroad.

VIETNAM

On the foreign front, having served on the Committee on Defense Appropriations and listened to all of the key witnesses—to the Secretary of Defense and the Joint Chiefs of Staff and subordinate officers—I must say in the understatement of the year, that things do not go well with us in Vietnam.

Never in history has a war of this size been carried on so long without a plan for victory. Never have we faced a situation where the Secretary of Defense can only claim, as our Secretary does, that "we plan to win by proving to the enemy that he can't win."

From a modest beginning—300 military assistants and foreign aid advisors in 1955—we escalated our involvement to 692 advisors in 1957, and to 10,000 by the end of 1962. In 1963 the Secretary, who each year estimated when our "involvement" would be over, joined by former Senator Lodge, said the maximum number we would need was 16,500. By July 1965 this number had gone up to 72,000; by November 1965 it had increased to 165,700, and an admitted military operation was on. No longer could the fantasy that our military personnel was there only to counsel and advise be maintained. Today, we know that we have more than 464,000 Americans in Vietnam engaged in combat up to the hilt. The latest plan, according to the President, is for an increase to 525,000 men by June, 1968.

As I have said many times in our hearings, the Department of Defense finds it most difficult to admit errors; however, to me it appears they have been trying to play poker with Orientals where the game of poker was played thousands of years before our Nation was founded. In appearances before our Committee the Secretary does not seem to realize that every day that this tiny nation of North Vietnam keeps us tied down, spending from 20 to 30 billion dollars a year as we are today, its leaders as well as those of Russia believe they are winning. Our Secretary is a brilliant man, but you can't memorize experience.

Most of our people do not seem to know just how little united support we have in South Vietnam, where our enemies "hide among the people" which means that the South Vietnamese on our side won't report the other South Vietnamese, the Viet Cong who each night war against our men.

Recently I have studied still further the history of Vietnam, of both North and South Vietnam. According to all the records, the

South Vietnamese, allied with us, have historically managed to get by with others doing most of the fighting, even during the French occupation. In the early days of the present war, when our men were there to counsel, to advise and then to supervise, the South Vietnamese of course carried the brunt of the fighting, which was sporadic. But as time has passed, more and more the full weight of the war has been placed on the shoulders of our American boys.

I know you, like me, find it difficult to accept the fact that a hundredth-rate power such as North Vietnam, supported by the Viet Cong, has our Nation, with all its power, tied down half-way round the world! To me, every additional day such a condition continues increases their claim to victory and further weakens our position.

I say here and now we must call on North Vietnam for an immediate peace. If this is not forthcoming, we must knock out every vestige of military power or supporting strength in North Vietnam. We owe to the more than 464,000 Americans we have there now, and to the others who are expected to be assigned there soon, this all-out action. Then, as soon as the job is done, we must turn to local officials in South Vietnam and say:

"We have developed your country. We have built you roads, harbors, and airfields. We have brought you almost unlimited military equipment and taught you how to use it. We have provided more supplies and set up more reserve supplies than your country has ever known. We have virtually knocked your opposition out. Now that we have put you in the saddle, it is up to you to carry on, for we have done our part."

And then we need to come home!

After listening to the detailed testimony of our top-flight military leaders and civilians in the Department of Defense through the years, I am convinced this is our only solution.

Any course of action which leaves us involved in a land war in the swamps and jungles of this small nation on the continent of Asia, half-way round the world, for years to come is one of failure. We cannot continue to fight indefinitely for people of another far-away country, a large number of whom only half-heartedly fight for themselves.

GOOD INTENTIONS GONE ASTRAY

My friends, after World War II this country did much to relieve the suffering left by the war. Then we set out to remake the world. We were going to teach the peoples of other nations the value of our system of government, and the value of the right to a trial by jury and of a government of laws and not of men. We were going to teach them that it is unsound to overthrow established government authority and have mob violence in the streets.

Since then we have dissipated our wealth in nations around the world, even to the point where we must borrow from those we help. We have put copper in our silver coins, sold the notes we hold to keep from borrowing more. We say we are "selling gold" when the fact is that other countries question our money and demand gold instead of currency. We have violated nearly every lesson of history.

We insisted that France and England give up the Suez Canal, and as a result, we are now faced with the demand that we give up most of our rights to the Panama Canal. We opposed Batista in Cuba, and ended up with Castro and his Communist regime right off our coast. In practically all areas we are having difficulty and in most countries we now wonder how we can get out.

We ran the stable influences out of practically every section of Africa and now we see many of these tribes drifting back toward anarchy. We largely caused these numerous small African nations to spring up like mushrooms. Now we have to bargain for their votes in the United Nations, where each has a vote fully equal to the single vote of the United States, though we pay the major share of the cost.

I have seen the United Nations in action. I was there when Khrushchev ran the length of the floor to embrace Castro. It would shock you to see just how little influence we do have.

WE TURN TO FOREIGN WAYS

We have seen the unfortunate and tragic death of an American President, on the order of what occurs in the turbulent countries which unfortunately we seem to copy. It is in our country where we see the right of jury trial gone. It is in our country where we see minority groups issue dictatorial orders and see the Government back them up. Yes, it is in our country where we have riots, mob violence, including murder, where property is destroyed without restitution or payment. It is in our country where people lie in the streets, block the highways, force their way into businesses, loot, kill, and burn to get what they want.

No longer are people being taught to work, to save, to accumulate capital so they may improve and get ahead in the future. We have accepted foreign ways. We accept their policy of force, of the shortcut, of violence. Many of our people have been led to demand and to take what the other fellow has worked for and has accumulated. The real tragedy is that a whole new generation has seen evidence that many times this has seemed to be the way to get results.

Now it is said by many that individual rights must come ahead of property rights. My friends, if there are no property rights, there will be no individual rights to enjoy.

Laws protecting person and property, with few exceptions, are local laws and we must depend upon local officers to enforce them. Yet, beginning with pictures showing U.S. soldiers with bayonets moving against local law enforcement officers and students in 1957, a whole generation of youth has seen our Government and our Federal Courts berate and belittle local law enforcement officers, restricting them by injunction and making them almost defenseless in their encounters with murderers, robbers, and rapists. They have seen the Supreme Court free defendant after defendant on technicalities, turning them loose on a helpless public to continue their robbery and rape.

In the guise of protecting individual rights, on more than 35 occasions the Courts have endangered the rights of the people of the whole community. Our youth has read accounts of these actions in the press, heard them over the radio, and from the pulpit. They have seen them on the screens of television sets. In the process, respect for and thereby obedience to local law has been largely destroyed, although as I have said, it is to local law and its enforcement officials which we must look for protection.

We see a complete breakdown in law and order in city after city. On every hand we see crime running rampant, topped perhaps by the Watts Riot in 1965.

The National Guard has been called out many times in our history, but never like the present. Our Reserves not only are absolutely necessary in time of conflict, but are the last bastion of defense at home.

We find, as we search to see how this Nation came to such a sorry pass—to such a dangerous situation at home and abroad—that primarily it all goes back to recent actions of the Supreme Court. Through usurpation of the power of the Legislative and the Executive Branches, members of the Supreme Court have made of themselves a "Supreme Department" exercising power over and above the other two equal and co-ordinate branches, all in violation of the Constitution and all because the other two branches have let them get by with it.

In more than 10 cases the Supreme Court has weakened the ability of police officers to carry out their duties. Newly found personal rights have been placed ahead of the rights of the people. Certainty of punishment, the greatest deterrent to crime, has been set aside. Punishment has become not only uncertain but unlikely, under present Court rulings. The Justices have, in effect, written into the Constitution and into the law meanings previous Justices had said were not there. They have written a new Constitution and they have gotten by with such usurpation of power only because the other branches—the Legislative and Executive—have gone along with it.

They have denied to Congress powers it was long assured it possessed, and which had seemed and now seem clear in the Constitution. The Court has upset State laws, State courts, and even State constitutions. The present Court has broken all restraints, reaching out boldly with revolutionary doctrine.

To make conditions worse, some inferior Federal courts, the Courts of Appeals and even some District Courts, have even gone further than the Supreme Court. Such courts say they are bound to go as far as the Supreme Court decisions. They have shown no feeling of restrictions, however, which would prevent them from going further than the Supreme Court decisions themselves.

It is perfectly clear to anyone who reads the Constitution that the founding fathers created the three branches of government as equal and co-ordinate. It is to be noted that the Judicial Branch consists of a Supreme Court and "such inferior Courts as Congress may from time to time ordain and establish." Nowhere is it set up as a "Supreme Department" with overriding or dominant power over the other two branches. Instead, while it is equal and co-ordinate, it is significant that it is listed last in the Constitution, whereas the arm of government which is closest to the people, the Legislative, is listed first.

Remember, the Supreme Court does not have a single dollar to pay itself, nor a single official to enforce its orders. Thus, it is within the power of the people to restore sanity to our government, to make it safe to walk our streets.

We must stop the Supreme Court from its actions of setting itself up as a "Supreme Department." A country may be saved and once again the individual who destroys, who robs, who kills will be held accountable for violating the rules of society—the laws so necessary for the general welfare. Once again the rights of the great majority will prevail and the Supreme Court will again become a court as the founding fathers intended it, and not a 5-man dictatorship as the Congress and the President have let it become.

To this end I have introduced H.R. 904, providing for a standing Committee on the Constitution. If we can get hearings on that resolution, all we need do to indict the actions of the Court before the people of this Nation is to read the dissenting opinions of individual judges of the Supreme Court as to their colleagues.

I hope that you and other members of the Reserves, and other interested citizens will do what you can to urge the support of a Standing Committee in the House of Representatives on the Constitution, in the hopes that such a committee may help us to again become a Nation where the rights of the gen-

eral pubic are paramount; a Nation where the person who works and saves to accumulate property will be protected in the enjoyment of the fruits of his labor; a Nation whose Constitution once again guarantees to our people freedom of religion—not freedom *from* religion—as it was intended by our forefathers.

My friends, you have honored me beyond measure. I shall always treasure the memory of this occasion and my service with you, the finest group of citizens, real soldiers, the group to which we must look if we are to have victory abroad and contain turmoil at home—a group whose support we must have if we are to restore constitutional government.

May I again say, thank you!